

Plan Implementation



Objectives

- Examine how land use plan decisions are implemented.
- Identify ways in which plan decisions are used to guide subsequent management actions.



General Uses of the Plan

- Establishes framework for subsequent decisions and actions.
- Sets direction for BLM management.
- Establishes implementation and funding priorities.
- Engages political and budgetary support.
- Engages public support.
- Makes information available to collaborators.
- Facilitates transfer of BLM plan to future participants in planning.
- Serves as a first-tier EIS for subsequent NEPA review.

Legal Effect of Plan Approval

- Supplants existing RMP or MFP.
- Certain decisions are effective immediately.
- Represents the policy of BLM.
- Plan decisions no longer protestable.



Plan Decision Distinguished from Subsequent Decisions

- Plan Decision
 - general guiding framework signed by state director
 - protestable
- Subsequent implementation decisions
 - actions for implementing plan decisions
 - appealable



Establishing Implementation Priorities

- Objective: identify and communicate future funding and work priorities for the field office to implement the RMP.
- Complete within 4 months of the ROD.
- IM 2008-041 replaces “Developing Strategies to Facilitate Implementation of LUPs” in the BLM Planning Handbook, p 31.

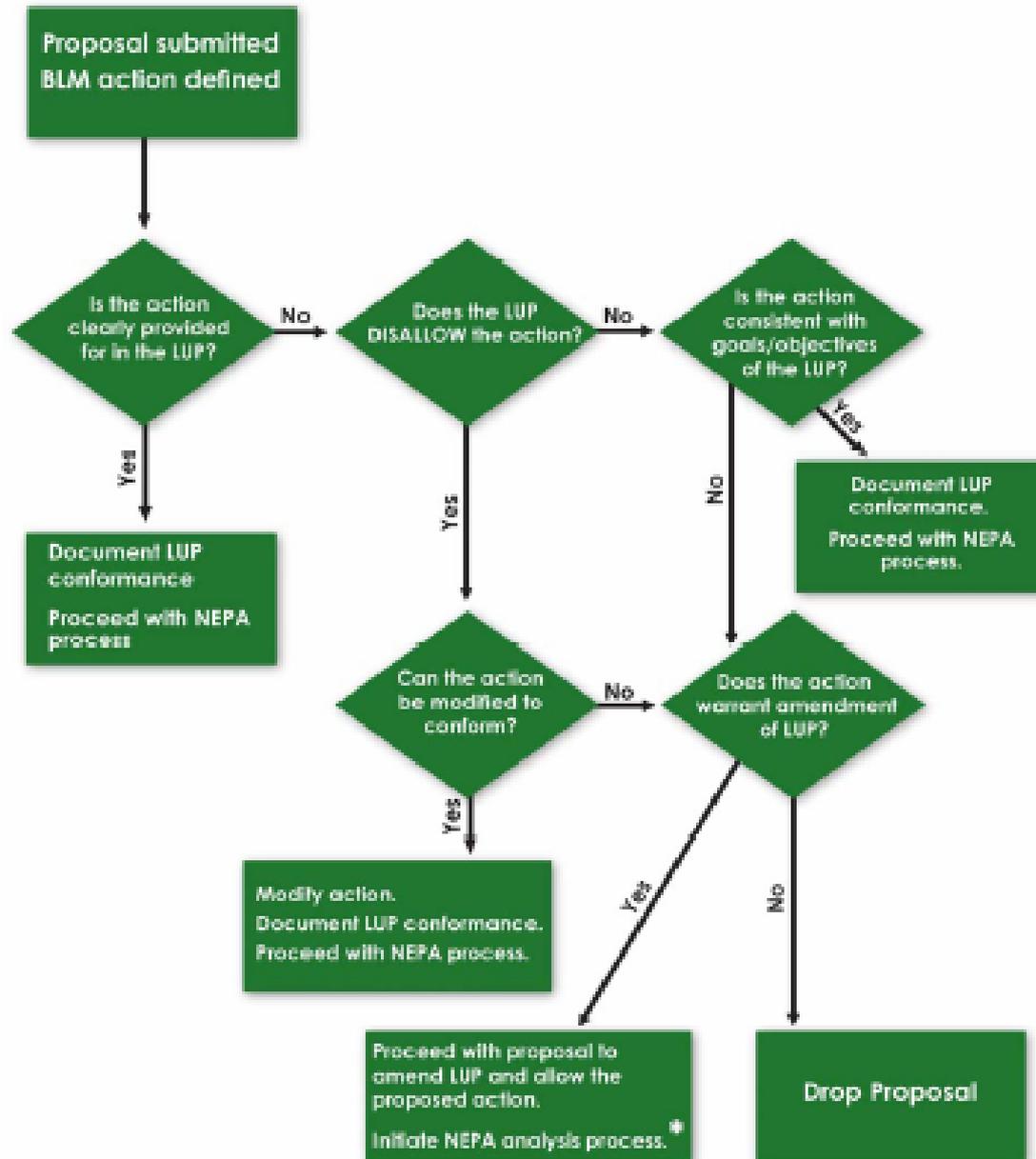
Establishing Implementation Priorities (cont.)

- Four-step process
 1. Participate in implementation workshop, develop spreadsheet.
 2. Outline workload and establish priorities based on anticipated budget and personnel.
 3. Integrate specific tasks with required funding and budget sub-activities.
 4. Create communication strategy.
- Update spreadsheets annually to aid in the five-year RMP evaluation.

Implementation Decisions

- Define specific actions needed to implement plan decision
- Initiate further planning and NEPA review
- Signed at field-office level
- Appealable to IBLA

Screening for Land Use Plan (LUP) Conformance



* Refer to the BLM Land Use Planning Handbook (H-1601-1) for further guidance.

How to Use the Plan

- Review a proposal using the plan.
- Determine conformance with the plan.
- NEPA compliance for subsequent implementation decisions
 - ◆ Determination of NEPA adequacy (DNA)
 - ◆ Categorical exclusion (CX) and decision document
 - ◆ EA and Decision Record (DR)
 - ◆ EIS and Record of Decision (ROD)

Definition of Tiering

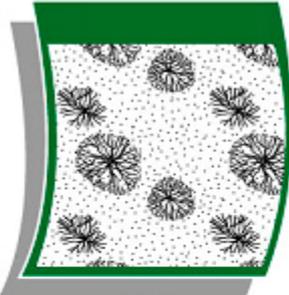
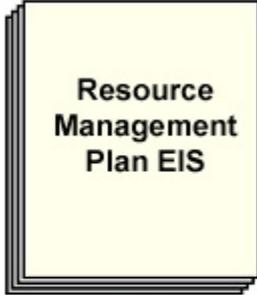
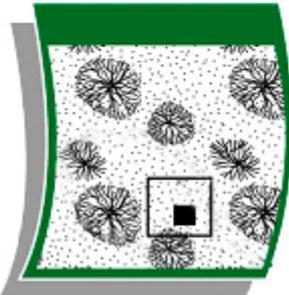
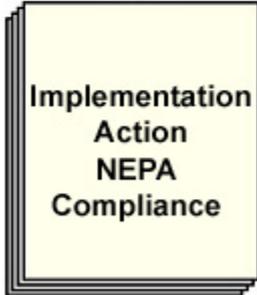
“Refers to the coverage of general matters in broader EIS with subsequent narrower statements or environmental analyses (ultimately site-specific statements) incorporating by reference the general discussions and concentrating solely on the issues specific to the statement subsequently prepared.”

“Tiering helps the lead agency to focus on the issues which are ripe for decision and exclude from consideration issues already decided or not yet ripe. ”

Benefits of Tiering

- Eliminate repetitive discussion of material covered in the programmatic document.
- Avoid need to reanalyze alternatives rejected at the programmatic level.
- Delays in project approval and permitting if mitigation strategies not tiered from programmatic EIS (and RMP).

Tiering

Tier	Study Area	Document	Focus of Document
Tier 1 Plan Area		 <p>Resource Management Plan EIS</p>	<ul style="list-style-type: none"> • Jurisdiction-wide affected environment • Jurisdiction cumulative impacts • Jurisdiction-wide mitigation measures (policies and programs)
Tier 2 Action Area within the Plan Area		 <p>Implementation Action NEPA Compliance</p>	<ul style="list-style-type: none"> • Incorporation by reference • Project site setting • Project site impacts • Project-specific mitigation measures

Tiering: Parameters for Later Analysis

- Level of detail in first tier need not be greater than that of program, plan, or policy being analyzed.
- Analysis may be deferred when sufficient information is lacking at the time of first-tier EIS.
- Analysis of foreseeable significant effects of future tiers must not be deferred.
- Project must be consistent with the RMP.
- A DNA, CX, or EA/FONSI may be tiered from a first-tier EIS.

Tiering: When Is a Subsequent EIS Required?

- A proposed action may cause a significant effect not *adequately addressed* in prior EIS.
- Significant effect is based on context and intensity:
 - Detrimental effect of beneficial action
 - Public health
 - Unique characteristics
 - Degree of controversy
 - Degree of unique or unknown risk
 - Precedent-setting effect
 - Cumulative effect
 - Cultural/historic resource effect
 - Special-status species
 - Violation of federal, state, local environmental law

Tiering: When Is a Subsequent EIS Not Required?

- When significant effects have been adequately addressed
 - Mitigated or avoided as a result of prior EIS (DNA)
 - Examined in sufficient detail in prior EIS to enable them to be mitigated in later project (CX or EA/FONSI)