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Subject

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

1. Explanation of Material Transmitted: This release transmits a new Manual Section. This Manual Section provides policy and procedural guidance on the identification, evaluation and designation of areas of critical environmental concern (ACEC's) in the development, revision and amendment of resource management plans (RMP's) and amendments of management framework plans not yet replaced by RMP's. It also contains the material formerly found at .8 in Manual Section 1617.
2. Reports Required: Annual Status Reports.
3. Material Superseded: None.
4. Filing Instructions: File as directed below:

REMOVE:

None

INSERT:

1613

(Total: 11 Sheets)

Deputy Director

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

Table of Contents

- .01 Purpose
- .02 Objectives
- .03 Authority
- .04 Responsibilities
- .05 References
- .06 Policy

- .1 Characteristics of ACEC's
 - .11 Identification Criteria
 - A. Relevance
 - B. Importance
 - .12 Special Management Attention

- .2 Analysis and Designation Procedures
 - .21 Identifying Potential ACEC's
 - A. Compile A List of Areas To Be Considered
 - B. Obtain Information and Data on Relevance and Importance
 - C. Evaluate Each Resource or Hazard to Determine If It Meets Both the Relevance and Importance Criteria
 - D. Areas Dropped From Further Consideration for ACEC Designation
 - E. Provide Temporary Management of Potential ACEC, If Necessary
 - .22 Develop Management Prescriptions for Potential ACEC's
 - A. Identify Factors Which Influence Management Prescriptions
 - B. Incorporate Management Prescriptions For Potential ACEC Into Appropriate Alternatives
 - C. Analyzing Effects of the Prescriptions
 - .23 Designating ACEC's
 - A. Select Preferred Alternative
 - B. Review Public Comments on Proposed ACEC Designations and Management Prescriptions
 - C. Approve ACEC Designation

- .3 Public Notice and ACEC Documentation Standards
 - .31 Notice of Intent
 - .32 Special Notice Requirement For Plans Involving ACEC's
 - .33 RMP or Plan Amendment
 - A. Name, Location, and Size of ACEC
 - B. Description of the Value, Resource, System, or Hazard
 - C. Provision For Special Management Attention
 - D. Relation to Wilderness Study Areas
 - E. Rationale For Designating or Not Designating
 - F. Areas Dropped From Consideration For ACEC Designation

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

- .4 Opportunities for Public Involvement
 - .41 Nomination of Potential ACEC's
 - .42 Comment on Analysis of Potential ACEC's
 - .43 Protest of Proposed ACEC Designations

- .5 Relationship of ACEC's to Other Designations
 - .51 Congressional Designations
 - .52 Secretarial Designations Made By Other Agencies
 - .53 Other BLM Designations and Management Areas
 - A. Existing BLM Special Area Designations
 - B. Other Management Areas
 - C. Special Management Areas Avoided

- .6 Monitoring and Management of ACEC's
 - .61 ACEC Implementation Schedules
 - .62 ACEC Activity Plans
 - .63 ACEC Monitoring
 - .64 Conformance Determinations and NEPA Review
 - .65 Annual Status Report on ACEC's

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

.01 Purpose. This Manual Section provides policy and procedural guidance on the identification, evaluation and designation of areas of critical environmental concern (ACEC's) in the development, revision, and amendment of resource management plans (RMP's) and amendments of management framework plans not yet replaced by RMP's. It also clarifies the relationship of ACEC's to other designations and provides procedural guidance on the monitoring and management of ACEC's.

.02 Objectives. ACEC designations highlight areas where special management attention is needed to protect, and prevent irreparable damage to, important historic, cultural, and scenic values, fish, or wildlife resources or other natural systems or processes; or to protect human life and safety from natural hazards. The ACEC designation indicates to the public that the BLM recognizes that an area has significant values and has established special management measures to protect those values. In addition designation also serves as a reminder that significant value(s) or resource(s) exist which must be accommodated when future management actions and land use proposals are considered near or within an ACEC. Designation may also support a funding priority.

.03 Authority. The Federal Land Policy and Management Act (FLPMA) provides for ACEC designation and establishes national policy for the protection of public land areas of critical environmental concern. Section 202(c)(3) of the FLPMA mandates the agency to give priority to the designation and protection of ACEC's in the development and revision of land use plans. The BLM's planning regulations (43 CFR 1610.7-2) establish the process and procedural requirements for the designation of ACEC's in resource management plans and in plan amendments.

.04 Responsibilities. See BLM Manual Section 1601.04.

.05 References.

A. BLM Manual Section 1621. Designations of soil and water related ACEC's (Manual Section 1621.21) and scenic ACEC's (Manual Section 1621.41) are identified as possible determinations made in resource management planning supplemental program guidance for environmental resources.

B. BLM Manual Section 1622. Designation of a priority habitat ACEC is identified as a possible determination made in resource management planning supplemental program guidance for renewable resources (Manual Section 1622.11).

C. BLM Manual Section 1623. Designation of a cultural resource ACEC is identified as a possible determination made in resource management planning (Manual Section 1623.1). Designations of research natural areas (RNA's), outstanding natural areas (ONA's), and natural hazard areas (NHA's) as ACEC's are identified as possible determinations made in resource management planning supplemental program guidance for land resources (Manual Section 1623.31).

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

.06 Policy. The FLPMA requires that priority shall be given to the designation and protection of ACEC's. The ACEC's are identified, evaluated, and designated through BLM's resource management planning process. An ACEC designation is the principal BLM designation for public lands where special management is required to protect important natural, cultural and scenic resources or to identify natural hazards. Therefore, BLM managers will give precedence to the identification, evaluation, and designation of areas which require "special management attention" during resource management planning. An ACEC designation will not be used as a substitute for wilderness suitability recommendations.

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

.1 Characteristics of ACEC's.

.11 Identification Criteria. To be considered as a potential ACEC and analyzed in resource management plan alternatives, an area must meet the criteria of relevance and importance, as established and defined in 43 CFR 1610.7-2.

A. Relevance. An area meets the "relevance" criterion if it contains one or more of the following:

1. A significant historic, cultural, or scenic value (including but not limited to rare or sensitive archeological resources and religious or cultural resources important to Native Americans).

2. A fish and wildlife resource (including but not limited to habitat for endangered, sensitive or threatened species, or habitat essential for maintaining species diversity).

3. A natural process or system (including but not limited to endangered, sensitive, or threatened plant species; rare, endemic, or relic plants or plant communities which are terrestrial, aquatic, or riparian; or rare geological features).

4. Natural hazards (including but not limited to areas of avalanche, dangerous flooding, landslides, unstable soils, seismic activity, or dangerous cliffs). A hazard caused by human action may meet the relevance criteria if it is determined through the resource management planning process that it has become part of a natural process.

B. Importance. The value, resource, system, process, or hazard described above must have substantial significance and values in order to satisfy the "importance" criteria. This generally means that the value, resource, system, process, or hazard is characterized by one or more of the following:

1. Has more than locally significant qualities which give it special worth, consequence, meaning, distinctiveness, or cause for concern, especially compared to any similar resource.

2. Has qualities or circumstances that make it fragile, sensitive, rare, irreplaceable, exemplary, unique, endangered, threatened, or vulnerable to adverse change.

3. Has been recognized as warranting protection in order to satisfy national priority concerns or to carry out the mandates of FLPMA.

4. Has qualities which warrant highlighting in order to satisfy public or management concerns about safety and public welfare.

5. Poses a significant threat to human life and safety or to property.

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

.12 Special Management Attention. To be designated as an ACEC, an area must require special management attention to protect the important and relevant values. Therefore, areas which have important and relevant resource values and for which special management attention is prescribed are to be designated as ACEC's using the procedures set forth in this section. "Special management attention" refers to management prescriptions developed during preparation of an RMP or amendment expressly to protect the important and relevant values of an area from the potential effects of actions permitted by the RMP, including proposed actions deemed to be in conformance with the terms, conditions, and decisions of the RMP. These are management measures which would not be necessary and prescribed if the critical and important features were not present. That is, they would not be prescribed in the absence of the designation. (In other words, the concept of special management is relative.) A management prescription is considered to be special if it is unique to the area involved and includes terms and conditions specifically to protect the important and relevant value(s) occurring on that area. For example, a seasonal use stipulation on permits or other use authorizations may be prescribed specifically to protect an ACEC value. Special management attention also includes any plan provision intended to protect life and safety from natural hazards. Management prescriptions providing special management attention should include more detail than prescriptions for other areas and should establish priority for implementation. Special management often provides for consultation and coordination with identified groups and/or experts having interest or expertise in the affected values.

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

.2 Analysis and Designation Procedures. Designation of ACEC's are only done through the resource management planning process, either in the resource management plan itself or in a plan amendment. Procedural guidance on the nine resource management planning actions is set forth in BLM Manual Section 1616. Specific guidance on the identification, evaluation, and designation of ACEC's in resource management planning is described below:

.21 Identifying Potential ACEC's. All areas which meet the relevance and importance criteria must be identified as potential ACEC's and fully considered for designation and management in resource management planning. Potential ACEC's are identified as early as possible in the planning process. However, new information or evidence about the relevance and importance of resources or hazards may be submitted by the public or identified by the BLM at any time.

A. Compile A List of Areas To Be Considered. Areas to be considered in the identification of potential ACEC's include:

1. Existing ACEC's. Existing ACEC's are subject to reconsideration when plans are revised. Other existing designations must be reviewed, consistent with the standards of .53, to identify those which meet the relevance and importance criteria.

2. Areas recommended for ACEC consideration.

a. External nominations. Members of the public or other agencies may nominate (i.e., recommend) an area for consideration as a potential ACEC. Such nomination/recommendation should be submitted early in the process, preferably during issue identification (BLM Manual Section 1616.1) and in comments on issues identified in the notice of intent (NOI), although they be submitted at any time. There are no formal or special procedures associated with nominations/recommendations submitted by the public or other agencies, i.e., there are no forms or other submission requirements for identifying potential ACEC's. (See .41 below.)

b. Internal nominations. The BLM personnel are encouraged to recommend areas for consideration as a potential ACEC which appear to meet the relevance and importance criteria.

3. Areas identified through inventory and monitoring. An area may be identified for consideration as an ACEC at any time if, as a result of inventory and data gathering, there is evidence the area may meet the relevance and importance criteria (BLM Manual Section 1616.3).

4. Adjacent designations of other Federal and State agencies. Public lands adjacent to designations of other Federal and State agencies must be reviewed to determine if the special values upon which the adjacent designation was based extend into the planning area and meet the relevance and importance criteria.

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

B. Obtain Information and Data on Relevance and Importance.

Information on relevance and importance will usually be obtained from inventory and data collection and in comments received in response to the NOI and the proposed planning criteria (BLM Manual Section 1616.1, 1616.2 and 1616.3). Information on relevance and importance is actively sought during planning to aid the evaluation of potential ACEC areas.

1. Evidence of relevance and importance may be derived from non-BLM sources or from the judgement of specialists qualified by knowledge, training or experience to comment on the area or resource in question. Evidence of more-than-local significance of resource values or conditions include, but is not limited to, written comments and expert opinions from officials representing regional or national interests or inclusion of an area on an official State, regional, national or international listing.

2. Non-BLM sources of information include, but are not limited to, other Federal agencies; State or local governments; international organizations or programs; State historic or natural heritage programs; universities and other research institutions; conservation organizations; and public interest groups. Information about resources on adjacent non public lands may also be needed for evaluating the relevance and importance of resource values or hazards on public lands.

C. Evaluate Each Resource or Hazard to Determine if it Meets Both the Relevance and Importance Criteria. This initial evaluation is accomplished by an interdisciplinary team as part of the analysis of the management situation during the resource management planning process (BLM Manual Section 1616.4). The Area Manager, with District Manager concurrence, approves the relevance and importance evaluations. An area meeting the criteria is identified as a potential ACEC appropriate for further evaluation in the RMP process and perhaps temporary management. Normally, the relevance and importance of resource or hazards associated with an existing ACEC are reevaluated only when new information or changed circumstances or the results of monitoring establish the need.

D. Areas Dropped From Further Consideration For ACEC Designation. When an area is found not to meet the relevance and importance criteria, the analysis supporting that conclusion must be incorporated into the plan and associated environmental document. The management prescriptions which are eventually established in the plan for such areas shall reflect consideration of the identified values. The public may comment on the management prescriptions for areas dropped from further consideration when the draft RMP or plan amendment is released for review and comment (1613.23B.1). If an area is being evaluated as a result of a public nomination and it is determined that the area should not be considered further, the nominator should be notified that the area does not meet the required criteria.

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

E. Provide Temporary Management of Potential ACEC, if Necessary. If an area is identified for consideration as an ACEC and a planning effort is not underway or imminent, the District Manager or Area Manager must make a preliminary evaluation on a timely basis to determine if the relevance and importance criteria are met. If so, the District Manager must initiate either a plan amendment to further evaluate the potential ACEC or provide temporary management until an evaluation is completed through resource management planning. Temporary management includes those reasonable measures necessary to protect human life and safety or significant resource values from degradation until the area is fully evaluated through the resource management planning process.

.22 Develop Management Prescriptions for Potential ACEC's. Management prescriptions must be developed for all potential ACEC's. At least one prescription for each potential ACEC must be developed which provides special management attention.

A. Identify Factors Which Influence Management Prescriptions. These factors will vary based on the planning issues and resources in the planning area. They are primarily identified and evaluated during the analysis of the management situation (BLM Manual Section 1616.4). These factors are important in the development of management prescriptions for potential ACEC's. Factors to consider include, but are not limited to, the following:

1. Conditions or trends of the potential ACEC. What is the current condition of the resource(s) or hazard involved? What is the trend in its condition? Can degradation be stopped? Is it reversible? What is the capability of the resource or hazard in terms of the level and type of use it can sustain without risk or threat?

2. Relationship to other resources or activities. What measures can be taken to reduce the adverse effects of other resource uses on the potential ACEC? Are resource uses contributing to the degradation of or threatening the existence of the important and relevant values? What land and resource uses would be compatible and under what conditions should they be conducted or permitted in order to protect the relevant and important values? What uses or actions would not be compatible with protection of the identified values even when conditioned? Considering the objectives of the RMP alternative, do the values of other resources outweigh the need for protection of the important and relevant values?

3. Opportunities for protection and/or restoration of potential ACEC values. What measures can be taken to protect the potential ACEC value(s) without restricting other resource uses? Is it feasible to protect the resource value(s) or reduce or minimize threats from hazards?

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

4. Wisdom of highlighting the resource. Is it wise to highlight the potential ACEC? Will highlighting achieve some management objective or enhance the area's value? Or will increased public awareness of the area accelerate its degradation?

5. Boundary Review. The boundary of a prospective ACEC is closely reviewed. This review examines surrounding or adjacent public lands and considers likely management requirements and their feasibility. Appropriate adjustments are identified. When a prospective ACEC is located in close proximity to another prospective ACEC, consideration is given to consolidation during boundary review. In some situations, a combination of different kinds of prospective ACEC values may add to the importance of the area as a whole and influence boundary locations.

6. Relationship to non-BLM designations. Is the potential ACEC included in an area recommended for designation (or already designated), e.g., a Wild and Scenic River? Will (or does) management under the other designation afford sufficient protection of potential ACEC values?

7. Opportunities for management by another agency. Are there, in terms of the public interest, any other public agencies or private organizations that could manage the resource value(s) associated with the potential ACEC more effectively than the BLM? Is it appropriate to consider the transfer of the potential ACEC to a another Federal, State or local agency?

8. Relationship to existing rights. What is the status of existing mining claims or pre-FLPMA leases? How will existing rights affect management of the resource or hazard?

B. Incorporate Management Prescriptions for Potential ACEC into Appropriate Alternatives. During the formulation of alternatives, management prescriptions for potential ACEC's are fully developed (BLM Manual Section 1616.5). Management prescriptions will generally vary across the plan alternatives. If there is no controversy or issue raised regarding the management of a potential ACEC, it may not be necessary to develop a range of management alternatives. In other words, the management prescription may not vary significantly across alternatives. A potential ACEC (or portion thereof) must be shown as recommended for designation in any or all alternatives in the draft RMP in which special management attention is prescribed to protect the resource or to minimize hazard to human life and safety. Because special management attention must be prescribed in at least one plan alternative, each potential ACEC will appear as a recommended ACEC in at least one plan alternative. When the designation and special management provisions of an existing ACEC are compatible without change in all alternatives, the procedures set forth in Manual Section 1618.22 Restatement of Decisions must be followed. If, however, there are issues associated with the management of the potential ACEC, the alternatives analyzed in detail shall reflect a reasonable range of management prescriptions for the potential ACEC. Management prescriptions may vary in a number of ways:

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

1. Degree or intensity of management attention. The management prescription for a potential ACEC may vary across the alternatives from no special management attention to intensive special management attention. Variations in management measures may reflect different mixes of allowable uses in or adjacent to the potential ACEC or constraints on uses. Situations in which no special management attention would be prescribed (and therefore no designation) include those in which the allowable uses being prescribed for the vicinity could not result in harmful effects to the important and relevant resource values and those in which the alternative would necessitate the sacrifice of the potential ACEC values to achieve other purposes.

2. Size of area to receive special management attention. In some cases, boundaries may be varied to provide more or less protection of the resource or to accommodate different management prescriptions. The size of a proposed ACEC shall be as necessary to protect life and safety or the important and relevant values within the context of the set of management prescriptions for public lands in the vicinity which would be established by each RMP alternative.

3. Term of special management attention. Usually, ACEC's are designated for the life of the RMP. However, it may be appropriate for the ACEC to be established for a shorter period of time. Such a short-term ACEC would be appropriate when conditions and circumstances justifying the special management are expected to be temporary. In such instances, the management prescription for the ACEC must contain a clear description of the conditions under which the ACEC designation will expire and the change in management prescriptions which will apply. No subsequent public notice of the expiration is required if the original public notice adequately described the term and nature of conditions.

C. Analyzing Effects of the Prescriptions. Designation of an ACEC will not produce effects which can be analyzed. However, the management prescription for the ACEC (i.e. the special management attention) will result in effects. Experience has shown that controversy over proposed ACEC designation is often based on differing perceptions of the anticipated effects of that designation. Therefore, the likelihood of controversy can be reduced by conducting a thorough and well-documented estimation of effects analysis.

.23 Designating ACEC's. Designation is based on whether or not a potential ACEC requires special management attention in the selected plan alternative.

A. Select Preferred Alternative. After completing the analysis of the effects of each alternative (BLM Manual Section 1616.6), the manager selects the preferred plan alternative which best meets the planning criteria and the guidance applicable to the area (BLM Manual Section 1616.7). The preferred alternative reflects the BLM's proposals for designation and management of ACEC's.

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

B. Review Public Comments on Proposed ACEC Designations and Management Prescriptions. Public review of ACEC designations and management prescriptions must be accomplished in accordance with BLM Manual Section 1616.7 and 1616.8 and 43 CFR 1610.7-2. Public notice requirements for RMP's and plan amendments involving potential or proposed ACEC's are set forth at .33 below. The public may comment on any aspect of the ACEC analysis including the relevance and importance evaluation, the projected need for special management attention, and the analysis of impacts of allowable resource uses on the values of proposed ACEC's as well as the impact of ACEC management prescriptions or limitations on other resource uses. The BLM reviews public comments and makes changes as necessary. The BLM then notifies the public of the availability of the proposed RMP or plan amendment and the environmental analysis associated with each.

C. Approve ACEC Designation. Approval, by the State Director, of the proposed plan or plan amendment officially designates ACEC's (43 CFR 1610.7-2).

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

.3 Public Notice and ACEC Documentation Standards.

.31 Notice of Intent. Guidelines on the general notice required at the outset of the planning process inviting public participation are set forth in BLM Manual Section 1614.3. Areas identified during preplanning for consideration as an ACEC, if any, must be described in the NOI. Any anticipated issues related to the consideration of ACEC's should be described too. Existing ACEC's and related designations, particularly if they are associated with any preliminary issues, shall also be identified in the NOI so that the public has an opportunity to participate in their reevaluation. The NOI should invite the public to nominate or recommend areas for ACEC consideration.

.32 Special Notice Requirement for Plans Involving ACEC's. The planning regulations require special notice in the Federal Register for RMP's or plan amendments involving proposed ACEC's (43 CFR 1610.7-2). The notice must provide for at least a 60-day public comment period. The notice must describe proposed ACEC's included in the BLM's preferred alternative and specify resource use limitations, if any which would occur. The notice should also identify potential ACEC's (those areas which satisfy the relevance and importance criteria) which are not proposed for ACEC designation in the preferred alternative. For RMP's and EIS level plan amendments, the notice is issued by the BLM when the draft RMP or plan amendment is published and the associated EIS is filed with the Environmental Protection Agency (EPA) and made available for public comment. The ACEC notice requirements should be incorporated in a notice of availability when the BLM elects to publish its own notice. For environmental assessment level plan amendments, the notice is published sufficiently early enough to afford the public timely notice and opportunity for meaningful input and involvement in the analysis and evaluation.

.33 RMP or Plan Amendment. Proposed ACEC's and their associated management prescriptions must be identified and fully described in proposed RMP's and plan amendments released for public review. Management activities associated with an ACEC are usually described in greater detail than resource management activities not associated with an ACEC. General guidance on the display and presentation of planning determinations as multiple use prescriptions and plan elements are set forth in BLM Manual Section 1602.23. For each proposed ACEC, the plan or plan amendment shall contain:

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

A. Name, Location, and Size of ACEC. ACEC's should be given a name. The name given an ACEC is usually based on the resource or value determined to warrant special management or on a particular physical feature of an area. In order to provide more specific management guidance and/or to retain the relationship with Federal or State heritage programs, existing names or titles should be incorporated into the name of the ACEC, i.e., the terms research natural area, outstanding natural area, natural hazard area, or other formal or established titles should normally be a part of the ACEC name. This will provide consistency and enhance recognition and understanding by the public (e.g., Salmon Spawning Research Natural Area ACEC, Palomino Landslide ACEC, Grand Mesa National Natural Landmark ACEC). The RMP or plan amendment must describe the proposed boundaries of the ACEC including the total acreage for each alternative studied in detail. The boundaries of each ACEC should be delineated as clearly as possible on a map included in the plan.

B. Description of the Value, Resource, System, or Hazard. The value, resource, system, or hazard which warrants special management attention under the ACEC provisions must be described. This description should clearly indicate why the area is considered relevant and important.

C. Provision for Special Management Attention. Management activities and anticipated future uses considered compatible with the purposes of an ACEC designation, and those considered incompatible, must be described as part of the multiple use prescription developed for each alternative studied in detail (BLM Manual Section 1602.23A). Key planning and management information unique to the ACEC, including proposed special management terms and conditions, must be described as an ACEC element in the plan (draft or proposed) whenever an ACEC is proposed for designation (BLM Manual Section 1602.23B). "Special" actions which must be taken after approval of the RMP must be described, such as acquiring inholding and access, setting up an interpretive center, withdrawing an area from mineral entry, establishing special stipulations to be attached to authorizing actions, or conducting more detailed activity planning. Given the level of public interest in specific ACEC's, it may be desirable to prepare a brochure for each ACEC, based on the plan element, which contains the following information: description of the ACEC including values; location map; summary of the applicable RMP provisions; summary of measures to be initiated by the BLM with estimated costs and priority of implementation; other measures to be carried out; and the standards and intervals for monitoring in accordance with the provisions of 43 CFR 1610.4-9.

D. Relation to Wilderness Study Areas. ACEC's may be designated within wilderness areas. ACEC designation shall not to be used as a substitute for a wilderness suitability recommendation. If an ACEC is proposed within or adjacent to a Wilderness Study Area (WSA), the RMP or plan amendment shall provide a clear description of the relationship of the ACEC to the recommendations being made for the WSA. The relationship shall be described to the level of detail required to avoid misunderstanding or misinterpretation by the public.

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

E. Rationale for Designating or Not Designating. The rationale for ACEC designations in the preferred alternative must be discussed. The rationale for not proposing designation of a potential ACEC in the preferred alternative must also be provided. In other words, if the proposed plan does not call for special management attention of a potential ACEC in the preferred alternative (and therefore, it is not proposed for designation), the reasons for the decision not to provide special management attention must be clearly set forth. The reasons may include:

1. Special management attention is not required to protect the potential ACEC because standard or routine management prescriptions are sufficient to protect the resource or value from risks or threats of damage/degradation. (That is, the same management prescriptions would have been provided for the area in the absence of the important and relevant values.)

2. The area is being proposed for designation under another statutory authority, e.g., Wilderness, and requires no management attention differing from that afforded the entire designation.

3. The manager has concluded that no special management attention is justified either because exposure to risks of damage or threats to safety is greater if the area is designated or there are no reasonable special management actions which can be taken to protect the resource from irreparable damage or to restore it to a viable condition.

F. Areas Dropped From Consideration For ACEC Designation. Areas which were nominated or recommended for consideration as an ACEC but which did not qualify as relevant and important must be identified and the rationale for not considering them described (1613.21D.).

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

.4 Opportunities for Public Involvement. Public involvement is important in the identification, evaluation, and designation of an ACEC. The following guidance highlights some of the opportunities for public involvement.

.41 Nomination of Potential ACEC's. The public has an opportunity to submit nominations or recommendations for areas to be considered for ACEC designation. Such recommendations are actively solicited at the beginning of a planning effort. However, nominations may be made at any time and must receive a preliminary evaluation to determine if they meet the relevance and importance criteria and, therefore, warrant further consideration in the planning process. The public should be advised that nominations should be accompanied by descriptive materials, maps, and evidence of the relevance and importance of the resources or hazards in order to facilitate a timely evaluation.

.42 Comment on Analysis of Potential ACEC's. The public has an opportunity to comment on BLM's assessment of relevance and importance criteria as well as alternative management prescriptions for ACEC's (and supporting analyses) when the draft RMP or plan amendment is made available for public review. The public may also comment on areas the BLM has determined do not meet the criteria. The public should be encouraged to focus their comments on the proposed management of the area rather than on whether or not the area is proposed for designation.

.43 Protest of Proposed ACEC Designations. The public has an opportunity to protest ACEC designations and management prescriptions identified in a proposed RMP or plan amendment. (See protest procedures set forth in BLM Manual Section 1617.2.)

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

.5 Relationship of ACEC's to Other Designations. The ACEC designation is the principal BLM designation for public lands "where special management is required to protect important natural, cultural, and scenic resources and to identify natural hazards." The relationship between ACEC's and the wide range of other public land designations is described below:

.51 Congressional Designations. Congress has reserved the right to approve additions to the National Wilderness System, National Historic/Scenic Trails System, and National Wild and Scenic Rivers System and to congressionally designate public land areas as National Recreation Areas and National Conservation Areas. A potential ACEC may be contained within or overlap one of the above designations provided that the ACEC designation is necessary to protect a resource or value. For example, there are numerous ACEC's within the statutorily-designated California Desert Conservation Area. If, however, the management attention provided under the Congressional designation is adequate to protect a resource or value, it is not necessary or appropriate to designate it as an ACEC.

.52 Secretarial Designations Made By Other Agencies. The Secretary of the Interior is statutorily authorized to designate areas administered by other Interior agencies. Examples include Critical Habitat Areas (Fish and Wildlife Service), National Historic/Natural Landmarks (National Park Service), National Scenic Areas (National Park Service), and Man-and-the-Biosphere Reserves (National Park Service). One or more of these designations may have already been made within the planning area prior to initiation of the resource management planning process. Recommendation for such designations may also result from the planning process. A potential ACEC may be contained within or overlap one of the above designations provided that the ACEC designation is necessary to protect the resource or value. In such an event, close coordination with the other agency should be accomplished during preparation of the RMP. If, however, the management attention provided under another agency's designation is adequate to protect the resource or value, it is not necessary or appropriate to designate it as an ACEC.

.53 Other BLM Designations And Management Areas.

A. Existing BLM Special Area Designations. Areas previously designated by the BLM under 43 CFR Parts 2070, 8223, and 8352, and authorities other than FLPMA must be reviewed in subsequent RMP's or plan amendments using the procedures identified in this Manual Section. Designations made under previous or archaic regulations and/or expired authorities will remain in effect until they are reviewed during scheduled resource management planning. If such areas are then determined to warrant designation as ACEC's, they should be renamed in accordance with Section 1613.33A.

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

B. Other Management Areas. The general planning authority of the FLPMA (Section 202) and other specific authorities are the basis of land use allocations which result in the identification of areas for specific purposes. Examples include special recreation management areas, right-of-way corridors, areas recommended suitable/unsuitable for wilderness designation,, grazing allotment categories, wild horse herd management areas, off-road vehicle designations, areas designated unsuitable for all or certain types of surface coal mining, and many other determinations set forth in the supplemental program guidance for resource management planning. (See Manual Sections 1620-1623.) These areas or types of land use allocations should not be confused as designation under the ACEC concept. They may, however, be incorporated into an ACEC or vice versa.

C. Special Management Areas Avoided. Use of the terms "special area" or "special management area" are to be avoided. These terms are relative and have little useful meaning. This is required to avoid ambiguities and to provide an appropriate context to BLM designation of areas requiring special management attention, consistent with designation authority under the FLPMA and the planning regulations (43 CFR 1610.7). The ACEC procedures set forth in this guidance must be used as a basis for future designations of ONA's, RNA's, NHA's, and other areas requiring special management attention in the sense used in the ACEC provisions of FLPMA. (Note: Supplemental program guidance for resource management planning provides for the designation of ONA's, RNA's, and NHA's as ACEC's.).

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

.6 Monitoring and Management of ACEC's. The FLPMA requires the BLM to give priority to the designation and protection of ACEC's. Protection is afforded by implementing management prescriptions set forth in the approved RMP or plan amendment. Followup monitoring is also essential for ensuring the protection of ACEC values and resources. General guidance on implementing resource management plans or amendments is set forth in Manual Section 1617.3. General guidance on monitoring is set forth in Manual Section 1616.9. Given the FLPMA mandate that the BLM give priority to the designation and protection of ACEC's, implementation and monitoring of ACEC's is also subject to the following requirements and guidelines.

.61 ACEC Implementation Schedules. An implementation schedule must be prepared for each ACEC. Such schedules shall identify the priority, sequence, and costs of implementing activities associated with protection of the ACEC resources or values, including monitoring activities. The schedule may be incorporated into other documents such as an implementation schedule for the entire resource management plan. However, activities associated with the protection of ACEC resources or values must be clearly identified. The ACEC implementation schedule shall be maintained and used as a basis for tracking and reporting on ACEC implementation.

.62 ACEC Activity Plans. Site-specific and more detailed activity plans for ACEC's may be prepared where circumstances warrant. However, activity plans for ACEC's are not required. The specific RMP requirement to describe in the plan the general management practices, allowable uses and constraints, including mitigation measures identified to protect the designated ACEC, often negate the need for activity planning. Generally the RMP or plan amendment will identify activity planning needs, if any, in the discussion of the ACEC management prescription. The preparation of such plans is guided by applicable resource program requirements in conformance with management prescriptions of the plan. The resource value(s) associated with the ACEC determines what activity plan guidance applies. If multiple program activities are involved in a particular ACEC, a coordinated or combined activity plan would be prepared (see Manual Section 1619).

1613 - AREAS OF CRITICAL ENVIRONMENTAL CONCERN

.63 ACEC Monitoring. ACEC monitoring is part of the monitoring provisions in the RMP. The BLM's planning regulations prescribe that the RMP shall establish intervals and standards for monitoring. The intervals and standards are to be based on the sensitivity of the resources. In the case of ACEC's, the resources are assumed to be sensitive. Therefore, careful monitoring is critical--not only to ensure that protection of the identified resource values occurs, but also to keep the managing official aware of how well the RMP provisions are accomplishing their objectives. By so doing, the need, if any, for modification to the RMP will be identified early so that the protection is accomplished and unnecessary measures are not applied. In the case of the ACEC's, it is particularly important that the monitoring measures be systematic and structured so that the managing official is informed on a timely basis of any significant changes in the related plans of other Federal agencies, State or local governments, or Indian tribes. In accordance with 40 CFR 1505.3 (d), the managing official shall, upon request, make available to the public the results of monitoring.

.64 Conformance Determinations and NEPA Compliance. All actions to be conducted or authorized by a BLM official must be in conformance with the provisions of the RMP as defined in 43 CFR 1601.0-5(b). Whenever an ACEC may be affected by the implementation of an authorized or permitted activity, the decision instrument authorizing the specific action must include a description of the special management measures to be applied. An environmental analysis for a proposed action which might affect an ACEC must identify impacts, if any, on the ACEC and must incorporate by reference the pertinent portions of the EIS prepared for the RMP.

.65 Annual Status Report on ACEC's. Annually the State Director is required to report to the Director (760) on progress in implementing and monitoring ACEC's in order to track accomplishments in managing ACEC's and to provide an available base of information for responding to Congressional and other inquiries. The report will cover management measures undertaken and completed during the previous fiscal year as well as proposed management measures to be initiated in the next fiscal year. The report, to be provided to the Director (760) by October 15 of each year, must include, as a minimum, the following information for each ACEC: name of the ACEC; size (in hectares and acres); date of designation; identification of applicable land use plan; relevant and important values being protected; implementation actions accomplished during the previous fiscal year; whether or not an activity plan is deemed necessary and, if so, whether or not it has been prepared; and, scheduled implementation measures for the ensuing fiscal year. The report should utilize a tabular format to the extent possible and be organized by District and Resource Area. Its timely submission is critical.