

## **APPENDIX C—RELEVANT STATUTES, REGULATIONS, ORDERS, AND GUIDELINES**

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The following list is representative of applicable statutes, regulations, orders, and guidelines applicable to the Bureau of Land Management (BLM) Resource Management Plan (RMP) and Environmental Impact Statement (EIS) process. This list is not meant to be all inclusive.

### **LAW**

- Federal Land Policy and Management Act of 1976 (FLPMA), as amended, 43 U.S.C 1701 et seq., provides authority for BLM land use planning. Regulatory guidance is at 43 CFR 1600 et seq. The RMP process is in 43 CFR 1610.4.
- National Environmental Policy Act of 1969 (NEPA), as amended, 42 U.S.C. 4321 et seq. Bureau guidance on NEPA process is in the Bureau Manual 1790 and Manual Handbook H-1790-1. Other guidance is the, “Overview of BLM’s NEPA Process” from Course #1620-02, and Council on Environmental Quality’s “40 NEPA Questions,” March 16, 1981.
- Endangered Species Act (ESA) of 1973, as amended, 16 U.S.C. 1531 et seq.
- Antiquities Act of 1906, as amended, 16, U.S.C 431-433
- National Historic Preservation Act (NHPA), as amended, 16 U.S.C. 470 et seq.
- American Indian Religious Freedom Act (AIRFA) of 1978, as amended, 42 U.S.C. 1996 et seq.
- Recreation and Public Purposes Act (R&PP) of 1926, as amended, 43 U.S.C. 869 et seq.
- Federal Coal Leasing Amendments Act of 1976, as amended, 30 U.S.C. 201(a)(3)(A)(i).
- Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 et seq.
- Mineral Leasing Act of 1920, as amended, 30 U.S.C. 181 et seq.
- Mineral Leasing Act of 1942 (for acquired lands)
- Onshore Oil and Gas Leasing Reform Act of 1987, 30 U.S.C. 181 et seq.
- General Mining Law of 1872, as amended, 30 U.S.C. 21 et seq.
- Mining and Mineral Policy Act of 1970, as amended, 30 U.S.C. 21(a)
- Archeological Resources Protection Act (ARPA) of 1978, as amended, 42 U.S.C 1996 et seq.
- Migratory Bird Conservation Act of 1979, as amended, 16 U.S.C 715 et seq.
- Native American Graves Protection and Repatriation Act (NAGPRA) of 1990, as amended, 25 U.S.C 3001 et seq.
- Energy Policy and Conservation Act Reauthorization of 2000, as amended, P.L. 106-469. Energy Policy Act of 2005
- Clean Air Act of 1963, as amended
- Coastal Zone Management Act of 1972
- Clean Water Act of 1987, as amended
- Comprehensive Environmental Response, Compensation, and Liability Act of 1980
- Resource Conservation and Recovery Act of 1976
- Color of Title Act of 1928
- Recreation and Public Purposes Act of 1926
- Federal Water Pollution Control Act of 1948
- National Ambient Air Quality Standards of 1990

### **EXECUTIVE AND SECRETARIAL ORDERS**

- Executive Order 12898 (Environmental Justice in Minority and Low-Income Populations)
- Executive Order 13007 (Indian Sacred Sites)

- Executive Order 13084 (Consultation and Coordination with Indian Tribal Governments)
- Executive Order 13112 (Invasive Species)
- Executive Order 11988 (Floodplain Management)
- Executive Order 11990 (Protection of Wetlands)
- Secretarial Order 3175 (Incorporated into Departmental Manual at 512 DM 2)
- Secretarial Order 3206 (American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act)
- Executive Order 13186 (Migratory Birds)
- Executive Order 11514 (Protection and Enhancement of Environmental Quality)
- Executive Order 11738 (Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans)
- Executive Order 12088 (Federal Compliance with Pollution Control Standards)

## **DEPARTMENT OF THE INTERIOR MANUAL**

- DM 516 National Environmental Policy Act Revised Implementing Procedures, Published March 8, 2004 (Volume 69, Number 45) [Page 10865-10887].

## **BLM MANUAL AND HANDBOOK GUIDANCE**

- Planning guidance for implementing Federal Land Policy and Management Act of 1976 is in BLM Manual Sections 1601 & 1613 and Manual Handbooks H-1601 and H-1624-1. BLM planning regulations are located at 43 CFR 1600. Appendix C of H-1601-1 contains program and resource-specific guidance for analysis and decisions.
- National Environmental Policy Act. The Council on Environmental Quality's (CEQ) NEPA regulations is located at 40 CFR. 1500-1508. Bureau guidance on NEPA is in Manual 1790 and Manual Handbook H-1790-1. Other useful guidance is the Course Book, "Overview of BLM's NEPA Process" from course #1620-02 and the CEQ's "40 NEPA Questions," March 16, 1981.
- BLM Manual 6480 – Consultation requirements and consideration of Endangered and Special Status Species in the land use planning process.
- BLM Manual 8120 & 8160 and BLM Handbook -8160-1 – Cultural Resources and Native American Consultation Guidance for Land Use Planning.
- BLM Manual 8300 and BLM Handbook H-8410-1 – Planning Guidance Related to Recreation Activities.
- BLM Manuals 6500 and 6720 – Consideration of Wildlife and Fisheries Management.
- BLM H-1553-1 – Publication Standards Manual Handbook

## **INFORMATION BULLETINS (IB) AND INSTRUCTION MEMORANDA (IM)**

- Washington Office IB No. 2002-056 – Guidance on the "recommended Formats for Land Use Plans, Records of Decision, and Their Supporting Environmental Impact Statements."
- Washington Office IB-2003-058 – Basic guidance on initial steps in the land use planning process
- Washington Office IB-2003-074 – Sampling Filing Plan for land use plan records.
- Washington Office IB-2003-020 – Scoping Report Format Report guidance.
- Washington Office IB-2002-101 – Additional guidance on Cultural Resources Consideration in Planning.
- Washington Office IM-2002-164 – Guidance on Environmental Justice in Planning.

- Washington Office IM-2002-167 and Manual Handbook H-1601-1, Appendix D – Additional guidance on the treatment of Socioeconomic issues in Land Use Plans.
- Washington Office IM-2003-137 – Additional guidance on integrating the Energy Policy Conservation Act inventories into Land Use Planning.
- Washington Office IM-2002-100 – The Bureau’s procedures for internal review of preliminary documents.
- Washington Office IM-2003-025 – Bureau Printing Standards.
- Washington Office IM-2002-080 – Guidance on Comment Content Analysis.
- Washington Office IM-2003-070 – BLM Land Use Plan Protest Procedures.
- Washington Office IM-2002-202 – E-government Considerations.
- Washington Office IM-2002-203 and IM-2002-149 – Cooperating Agencies in Land Use Planning.
- Washington Office IM-2001-202 – Interim Guidance for Data Management in Land Use Planning.

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