

**Preliminary Determination: Economic and Threshold Analysis
For
Planning 2.0 Proposed Rule**

Introduction

By statute and executive order¹, an agency proposing a significant regulatory action is required to provide a qualitative and quantitative assessment of the anticipated costs and benefits of that action. Executive Order 12866 requires agencies to assess the benefits and costs of regulatory actions, and for significant regulatory actions, submit a detailed report of their assessment to the Office of Management and Budget (OMB) for review. A rule may be significant under Executive Order 12866 if it meets any of four criteria. A significant regulatory action is any rule that may:

- Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities;
- Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or
- Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

For a major rule, as defined by the Small Business Regulatory Enforcement Fairness Act (SBREFA), the agency must prepare an initial regulatory flexibility analysis. For SBREFA, a rule may be major and require a deeper analysis if it may:

- Have an annual effect on the economy of \$100 million or more;
- Create a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
- Have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

The Regulatory Flexibility Act (RFA) requires agencies to analyze the economic impact of proposed and final regulations, determine the extent to which there is a significant economic impact on a substantial number of small entities, and to consider regulatory alternatives that would achieve the agency's goal while minimizing the burden on small entities. Executive Order 13272 reinforces executive intent that agencies give serious attention to the impacts on small entities and develop regulatory alternatives to reduce the regulatory burden on small entities. When the proposed regulation will impose a significant economic impact on a substantial number of small entities, the agency must evaluate alternatives that would accomplish the objectives of the rule without unduly burdening small entities. Inherent in the RFA is a

¹ Executive Order 12866, Regulatory Planning and Review, the Unfunded Mandates Reform Act, and the Small Business Regulatory Enforcement Fairness Act.

desire to remove barriers to competition and encourage agencies to consider ways of tailoring regulations to the size of the regulated entities.

In order to certify a rule as having “no impact” under the RFA, an agency must describe the affected entities and the impacts, and in that description clearly justify the certification. The agency should state explicitly its reasoning and assumptions underlying its certification in order to obtain appropriate public comments. The agency could use this information to re-evaluate the certification. To meet these requirements, the agency must either conduct a regulatory flexibility analysis or certify that the final rule will not have “a significant economic impact on a substantial number of small entities.”

The BLM is preparing this analysis to provide information needed to understand the potential costs and benefits associated with the proposed rule, recognizing that not all benefits and costs can be described in monetary or even in quantitative terms. This information will contribute to agency decisions based on reasonably obtainable scientific, technical, economic, and other information.

Statement of Need

Circular A-4, OMB’s guidance on the development of regulatory analyses under Executive Order 12866, instructs the agency to explain the need for the policy action. This proposed action is to amend existing regulations, which describe the principles and procedures required for developing, amending and maintaining Bureau of Land Management’s (BLM) Resource Management Plans (RMPs). The proposed changes are needed to improve this governmental process.

The BLM manages more than 245 million acres of public land and 700 million acres of sub-surface mineral estate. The Federal Land Policy and Management Act of 1976 (FLPMA), as amended, establishes the agency’s mission to manage the public lands on the basis for multiple-use and sustained yield unless otherwise specified by law. Section 202(a) of FLPMA (43 U.S.C. 1712(a)) requires the Secretary of the Interior, with public involvement, to “develop, maintain, and, when appropriate, revise land use plans which provide by tracts or areas for the use of the public lands.” Section 202(f) of FLPMA directs the BLM to provide for public involvement and to establish procedures by regulation “to give Federal, State, and local governments and the public, adequate notice and opportunity to comment upon and participate in the formulation of plans and programs relating to the management of the public lands” (43 U.S.C. 1712(f)).

The BLM issued regulations establishing a land use planning system for BLM-managed public lands in 1979 (44 FR 46386). These regulations established the term “Resource Management Plan” for the land use plans mandated by FLPMA, to replace the existing “Management Framework Plans” (MFPs). The BLM revised these regulations in 1983 (48 FR 20364), and again in 2005 (70 FR 14561).

As described in the preamble, the currently proposed changes respond to needs identified in a 2011 BLM review of the land use planning process and in recent Department of the Interior and BLM policies and strategies. Through its Planning 2.0 initiative, the BLM seeks to improve the

process and framework for developing RMPs, thereby improving the BLM’s ability to establish effective management direction for the public lands. To achieve the goals guiding the Planning 2.0 initiative, the BLM proposes these revisions to specific provisions of the land use planning regulations.

Background

RMPs are generally established based on a BLM Field Office or District Office boundary and prepared by an interdisciplinary team under the direction of a BLM field or district manager. Currently, it takes an average of 8.25 years to move from the initial public notice that begins the planning process to final approval of the RMP.

Following approval of the RMP, the BLM conducts monitoring and evaluation at intervals established in the RMP to assess the need for maintenance, revision, or amendment of the RMP. Maintenance is provided as needed to address minor changes in data. An amendment is initiated in response to monitoring, new data, new or revised policy, a change in circumstances, or a proposed action that would not be in conformance with the approved RMP. The BLM approves an average of 21 Environmental Assessment/ Environmental Impact Statement level RMP amendments each year. The BLM undertakes an RMP revision when monitoring and evaluation findings, new data, new or revised policy and changes in circumstances affect the entire RMP or major portions of the RMP. The BLM completes an average of six RMP revisions each year.²

Summary of Proposed Rule Changes

The BLM proposes to amend its existing land use planning regulations in order to help achieve three goals: (1) Improve the BLM’s ability to respond to social and environmental change in a timely manner; (2) Provide meaningful opportunities for other Federal agencies, State and local governments, Indian Tribes, and the public to be involved in the development of BLM resource management plans; and (3) Improve the BLM’s ability to address landscape-scale resource issues and to apply landscape-scale management approaches. Among other things, the proposed changes would advance the role of science in the planning process and would emphasize the importance of evaluating the resource, environmental, ecological, social, and economic conditions before preparing an RMP. The proposed changes add new opportunities for public involvement in the land use planning process in order to gather input during early stages and make planning more efficient and responsive to public needs and views. They also emphasize use of electronic communications and information technology to increase transparency.

The proposed rule changes would amend parts of existing 43 CFR subpart 1601, Planning, and subpart 1610, Resource Management Planning. The rationale for proposing specific provisions are discussed in the Preamble for the proposed rule. The following provides a brief section-by-section summary of the proposed changes that are relevant to the economic analysis.

Section	Summary of proposed changes	Economic effect
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² Statistics in the two paragraphs preceding this footnote are taken from the BLM’s *Land Use Planning Challenge: A Benchmark Assessment of the National Planning Program and Path to a More Durable Planning Process*. February 2012.

1601.0-1	Editorial changes only	None
1601.0-2	Proposed changes to describe the objectives of resource management planning consistent with statutory direction provided in FLMPA.	None
1601.0-3	No changes	None
1601.0-4	Proposed change to increase flexibility for BLM staff responsible for planning tasks and specify responsibilities for determination of Deciding Officials and planning areas	None, changes will only affect BLM internal processes
1601.0-5	Proposed change to definitions of terms used in the rule, including new definitions, removal of existing definitions, and changes to existing definitions.	None, changes will only affect BLM internal processes
1601.0-6	Editorial changes only	None
1601.0-7	No changes	None
1601.0-8	Proposed additional language that requires the BLM to consider the impacts of resource management plans on resource, environmental, ecological, social and economic conditions at appropriate scales and on adjacent or nearby lands	Possible effects on individuals or groups as discussed below
1610.1-1(a)	Editorial and clarifying changes as well as proposed changes to affirm that guidance must be consistent with applicable Federal laws and regulations and to remove requirements that guidance be reconsidered during the planning process	None, changes will only affect BLM internal processes
1610.1(b) (existing)	Proposed change to remove the Field Office as the default planning area	Possible effects on individuals or groups as discussed below
1610.1-1(b)	Editorial and clarifying changes only	None
1610.1-1(c)	Proposed change to require the use of high quality information during planning, consistent with existing statutory requirements	None
1610.1-2 and 1610.1-3	Proposed change to describe and distinguish between plan components, which may only be changed through a plan amendment or revision, and implementation strategies, which do not require a plan amendment to update.	Possible effects on individuals or groups as discussed below
1610.2	Proposed changes related to when and how the BLM would provide public involvement opportunities	Possible effects on individuals or groups as discussed below
1610.3-1(a)	Proposed changes to affirm that coordination	None

	must be consistent with Federal laws and regulations applicable to public lands, and the purposes policies and programs of such laws and regulations, as well as editorial and clarifying changes	
1610.3-1(b)	Proposed changes for consistency with the DOI NEPA implementing regulations (43 CFR 46.225) and to consolidate cooperating agency references into a single section	None
1610.3-1(c)	Editorial and clarifying changes only	None
1610.3-1(d) (existing)	Proposed changes to remove guidance from the provisions on coordination	None
1610.3-2(a)	Proposed changes for consistency with statutory direction provided in FLPMA.	Possible effects on individuals or groups as discussed below
1610.3-2(b)	In addition to editorial and procedural changes related to the Governor's consistency review, proposed changes for consistency with other proposed changes and to allow the Governor to waive or reduce the 60 day period reserved for the consistency review	Possible effects on individuals or groups as discussed below
1610.4	Proposed changes to develop a new planning assessment step, to provide additional public involvement opportunities related to providing existing data and information to the BLM during the planning assessment, to identify public views concerning conditions of the planning area, and to make additional information available to the public.	Possible effects on individuals or groups as discussed below
1610.5-1 through 1610.5-3	Proposed changes providing additional public involvement opportunities related to the preliminary statement of purpose and need, preliminary resource management plan alternatives, preliminary rationale for alternatives, and the "basis for analysis"	Possible effects on individuals or groups as discussed below
1610.5-4 and 1610.5-5	Proposed changes explain the steps for preparation of the draft RMP, allowing for the selection of one or more preferred alternatives, and specifying when implementation strategies will be prepared	None, changes will only affect BLM internal processes
1610.6-1	Editorial and clarifying changes only	None
1610.6-2	Proposed changes to allow for electronic submission of protests, to clarify what may be protested, and to specify what must be included in the protest	Possible effects on individuals or groups as discussed below

1610.6-3	Editorial and clarifying changes and changes for consistency with other proposed changes	None
1610.6-4	Proposed changes to require that the evaluation of the RMP is documented in a report made available to the public.	None, changes will only affect BLM internal processes
1610.6-5	Proposed changes to clarify that plan maintenance includes typographical and mapping errors, and minor changes to data and mapping.	None
1610.6-6	Editorial changes and changes for consistency with other proposed changes	None, changes will only affect BLM internal processes
1610.6-7	Editorial changes only	None
1610.6-8	Editorial and clarifying changes only	None
1610.7	Editorial changes only	None
1610.8-1 and 1610.8-2	Editorial and clarifying changes only	None
1610.9	Largely editorial, with some additions to specify how to manage the transition to the new planning rule	None, changes will only affect BLM internal processes

Benefits and Costs

The current and proposed planning rules describe the process through which the BLM conducts its planning activity. As summarized in the table above, the proposed rule would affect this planning process, but would not directly affect the decisions themselves. As a result, none of the changes proposed would result in direct monetary impacts on any individual or group. Many of the changes are either editorial or would only affect internal BLM process. These would have no significant economic impact.

There are nine elements of the proposed rule that may affect individuals or groups that either participate in the planning process through public involvement opportunities, or may be affected by action eventually proposed to implement the results of the BLM planning process. These potential effects are not quantifiable, so this section provides a qualitative analysis.

1. *Section 1601.0--8. Proposed addition to consider the impacts of resource management plans on resource, environmental, ecological, social and economic conditions at appropriate scales and on adjacent or nearby lands.*

The current regulations state that the “development, approval, maintenance, amendment and revision of resource management plans will provide for public involvement and shall be consistent with the principles described in section 202 of the Federal Land Policy and Management Act of 1976. Additionally, the impact on local economies and uses of adjacent or nearby non-Federal lands and on non-public land surface over federally-owned mineral interests shall be considered.” The proposed rule would add language stating that “the BLM will consider the impacts of resource management plans on resource, environmental, ecological, social and economic conditions at appropriate scales. The BLM also will consider the impacts of resource management plans on, and the uses of, adjacent or nearby Federal and non-Federal lands and

non-public land surface over federally-owned mineral interests.” As such, the proposed rule would allow information to be considered that might not have been considered under the current rule.

Neither the current nor proposed rule dictates land management decisions. However, it is possible that considering these impacts could lead to different planning and implementation decisions than would be made under the current planning rule. Many diverse individuals and groups are affected by BLM’s land management decisions, including, but not limited to:

- those associated with the mineral, energy, recreation, and grazing industries
- those who value conservation and preservation of natural resources
- those who recreate on the public lands
- those who live or work near the public lands

We cannot reasonably predict how this consideration of resource, environmental, ecological, social and economic conditions at appropriate scales and on adjacent or nearby lands might change eventual planning and implementation decisions. Any discussion of the costs or benefits to specific individuals or groups would be purely speculative. Because impacts will depend on the specific context of a plan and, more importantly, the specific character of any action proposed for implementation once the plan is approved, it is not likely that the possible effects of such implementation, when realized across all future plans, will unduly burden any individual or group. While some individuals or groups may be indirectly affected by this change, as it could affect the information to be considered in planning, it is not possible to evaluate specific changes.

There are no benefits or costs expected for the BLM as a result of this proposed change as it will not change the tasks required in the planning process.

2. Existing Section 1610.1(b) Changes to remove the default planning area.

The current regulations establish the resource or field office area as the default planning area for an RMP, and allow the State Director to authorize a more appropriate area. The proposed rule would authorize the Director to establish the planning area for resource management plans and plan amendments that cross State boundaries, and the Deciding Official to establish the planning area for all other plan amendments. The field office boundaries would no longer serve as the default planning boundary. This change will primarily affect internal BLM processes. However, this change could lead to changes in the overall number of planning areas and the size of each area. The BLM envisions a shift towards a broader geographic extent of planning areas, and this change would allow for fewer plans. If this does occur, it may benefit individuals and groups that are concerned about issues at a regional or national scale. There would be fewer plans and public involvement opportunities for them to track. However, it may be a burden to some individuals or groups if the implementation results in public involvement opportunities being held further from their location (e.g., the same number of public meeting to cover a larger area). This burden would be at least partially mitigated by the increased opportunities for electronic involvement included in other proposed changes. Regardless, any burden that might exist is unknowable at this time, and likely negligible.

Alternatively, this change could result in a *greater* number of plans, which would increase the total number of public involvement opportunities. However, because public involvement is voluntary, this is not considered a burden. Finally, this change could result in no changes to the planning area. In which case there would be no impact on the public.

This proposed change may provide benefits to the BLM due to efficiencies gained from fewer planning areas and planning efforts. There are no expected costs to the BLM as a result of the proposed rule change.

3. Sections 1610.1-2 and 1610.1-3 Distinction between plan components and implementation strategies.

The proposed rule identifies the required components of all RMPs. Many of these components are similar to current requirements, and the changes would only affect internal BLM processes. One proposed change that may affect the public is the new distinction between plan components and implementation strategies. This change is fundamentally a clarification of an existing distinction. Plan components would represent planning-level management direction and could only be changed through an RMP revision or amendment. These components would include goals, objectives, designations, resource use determinations, monitoring and evaluation standards, and certain lands identified as available for disposal. Implementation strategies are not plan components but would provide information to the public on how the RMP could be implemented. Implementation strategies could be updated whenever the BLM determines that new information is available, without the need for a plan amendment. The BLM would make those changes available for public review at least 30 days prior to their implementation.

While the proposed changes would not dictate land management decisions, they could impact individuals and groups affected by BLM management decisions. Under the proposed change, individuals and groups may, at the time an RMP is approved, have less certainty about the specific management measures that may be applied in the future. As implementation strategies, changes to management measures would not require amendment or revision. Management measures would identify one or more potential actions the BLM may take or require of permitted activities in order to achieve the goals and objectives of the RMP. Examples of management measures include resource management practices, best management practices, standard operating procedures, or other measures taken to implement plan components. This proposed change would facilitate the use of adaptive approaches for implementing an RMP and improve the BLM's ability to respond to and incorporate new information. Changes made to the list of management measures would be consistent with the measurable plan objectives and other plan components. This should result in improved land management. It is not possible to predict the magnitude, if any, of these effects as they might be realized across all future plans. Further, the BLM would provide for public involvement through the required National Environmental Policy Act (NEPA) process before authorizing the implementation of any action that derives from a management measure. This would mitigate any potential negative impact of the proposed change on the public.

There are no costs expected for the BLM as a result of the proposed rule. Expected benefits to the BLM include increased efficiency in RMP development and implementation. The proposed change would not change the tasks required in the planning process, but would more clearly articulate the required components.

Proposed changes to section 1610.6-2 incorporated the distinction between plan components and implementation strategies in terms of protests. This change is discussed below.

4. Section 1610.2 Changes to the public involvement process

The proposed changes to section 1610.2 specify the steps in the planning process during which public involvement activities would occur, and distinguish in the regulations between making a document available for public review and specifically requesting public comments. This clarification is consistent with contemporary case law interpreting the requirements of NEPA. The changes would also explicitly require the BLM to announce opportunities for public involvement on the BLM's Web site, in addition to current methods of notification (e.g., posting notices in newspapers). Proposed changes to section 1610.2-3 state that when RMPs and amendments are made available to the public, they will be available electronically in addition to current practice.

These proposed changes could affect individuals and groups who choose to participate in public involvement opportunities. It is possible that the number, timing, and nature of the opportunities would be different under the proposed rule as compared to the current regulations. The number of opportunities for public involvement would not decrease and, with one exception, the length of time allowed for public involvement would not be shortened. The single exception is the time provided for public comment on draft resource management plans and draft EIS level amendments, which would be shortened from a minimum of 90 days to 60 days for draft resource management plans and 45 days with draft EIS level amendments, which complies with Council on Environmental Quality regulations pertaining to timing requirements during preparation of an EIS. Because public involvement remains a voluntary action, and opportunities for involvement will generally increase or stay the same, we estimate no significant burden from this change. Similarly, allowing for electronic posting of plans and electronic communication of public involvement opportunities, in addition to current practice, can only benefit the planning process and the public.

Under the proposed rule, the number of opportunities for public involvement in a given planning effort would likely increase. This could increase the total cost of the planning process to the BLM. At this time it is not possible to quantify these potential costs. The proposed changes to public involvement are intended to improve the overall efficiency of the planning process and make plans more responsive to public input. Any additional costs due to increased public involvement should be at least partially offset by reduced costs at other steps in planning process.

5. Section 1610.3-2 Proposed changes to consistency requirements

The proposed changes would revise consistency requirements to state that RMPs will be consistent with officially approved or adopted land use plans of other Federal agencies, State and local governments and Indian tribes to the maximum extent the BLM finds practical and consistent with the purposes of FLPMA and other Federal law and regulations applicable to public lands, and the purposes, policies and programs of such laws and regulations. Proposed changes would also explain that BLM will keep apprised of the officially approved and adopted land use plans of State and local governments and Indian tribes and give consideration to those plans that are germane in the development of resource management plans.

Under the proposed rule the BLM may consider fewer types of documents or information when addressing the consistency requirements of FLPMA than under current practice, as consistency would focus on the officially approved or adopted land use plans of State and local governments and Indian tribes. This might result in different planning and implementation decisions. We cannot reasonably predict how this consideration might change eventual planning and implementation decisions. Any discussion of the costs or benefits to specific individuals or groups would be purely speculative. Because impacts will depend on the specific context of a plan and, more importantly, the specific character of any action proposed to implement future actions once the plan is approved, it is not likely that the possible effects of such implementation, when realized across all future plans, will unduly burden any individual or group. While some individuals or groups may be indirectly affected by this change, as it could affect the information to be considered in planning, it is not possible to evaluate specific changes.

6. Section 1610.3-2 Proposed addition to allow for waiver of 60-day period for the Governor's consistency review

The proposed rule would allow Governors to waive or reduce the 60-day period provided to review plans, revisions, or amendments and identify inconsistencies with state plans, policies, or programs. This proposed rule would not place any new requirements on the public. Allowing for voluntary waiver or shortening of the consistency review period may reduce the overall time needed to complete the planning process. This would benefit any individual or group involved with or affected by the planning process.

There are no costs expected for the BLM as a result of this proposed change as it will not change the tasks required in the planning process. It may benefit the BLM by reducing the time spent on plan development.

7. Sections 1610.4 Additional opportunities for public involvement during the proposed planning assessment

The proposed rule would provide additional opportunities for public involvement during a planning assessment. Individuals and groups who choose to participate in these opportunities may face time or other costs associated with their involvement. The BLM will seek to minimize these costs by providing multiple avenues for participation. It is not possible to estimate the costs associated with participation in an individual public involvement opportunity, or even to predict the number of individuals who may choose to participate in these activities.

While there may be costs to the BLM associated with providing and responding to this additional public involvement, these will be at least partially offset by benefits derived from greater efficiency during other parts of the planning process.

8. Sections 1610.5-1 through 1610.5-3 Additional opportunities for public involvement during the preparation of an RMP.

The proposed rule would provide additional opportunities for public involvement during the preparation of an RMP and EIS level amendments. Individuals and groups who choose to participate in these opportunities may face time or other costs associated with their involvement. The BLM will seek to minimize these costs by providing multiple avenues for participation. The BLM cannot reasonably estimate the costs associated with participation in an individual public involvement opportunity, or predict the number of individuals who may choose to participate in these activities.

While there may be costs to the BLM associated with providing and responding to this additional public involvement, these will be at least partially offset by benefits derived from greater efficiency during other parts of the planning process.

9. Section 1610.5-2 Changes to the protest process

The proposed rule would clarify the necessary elements of a protest, specify that a valid protest must explain why one or more plan components is believed to be inconsistent with Federal laws or regulations applicable to public lands, or the purposes, policies and programs of such laws and regulations, and allow for electronic submission of protests. While these changes would not dictate land management decisions, they may impact individuals or groups who are affected by BLM's decisions in that they change some elements of the protest procedures.

The clarification of what elements must be included would assist interested parties in preparing protests. This would reduce time spent developing protests that do not meet legal and policy requirements and should improve the efficiency of the process. In addition, allowing for electronic submission of protests can only be a benefit to the public, as it increases acceptable means of participation. The proposed changes would clarify the scope of what can and cannot be protested. Specifically, protests are intended to focus the BLM Director's attention on aspects of a proposed RMP that may be inconsistent with Federal laws or regulations applicable to public lands, or the purposes, policies and programs of such laws and regulations.

The proposed protest section would reflect the proposed plan components framework, where a protestor could identify a plan component that is believed to be inconsistent with law, regulation, or policy. A plan component would provide planning-level management direction. In contrast, implementation strategies would describe strategies to help the BLM implement future actions consistent with the plan components. Implementation strategies, which are not plan components, could not be identified by a protestor. However, any future action associated with implementation strategies would be subject to public involvement through the NEPA process. This would allow those individuals or groups to provide input on the action.

We cannot reasonably predict which individuals or groups may be affected by this proposed change when implemented across all future planning efforts. Currently, an average of 8 RMPs and RMP amendments are protested each year. For those RMP/RMP amendments that are protested, the BLM receives an average of 13 protest submissions. We cannot predict how these numbers may change under the proposed rule. To the extent there may be effects upon individuals, we anticipate any negative effect would be minimal because of the additional public involvement opportunities provided under the proposed rule.

If this proposed change causes a change in the number of protests filed each year, the BLM may accrue benefits or costs associated with a decrease or increase in time spent responding to protests. Allowing for electronic submission of protests, in particular, may increase the overall number of protests submitted, but make it easier to manage and respond to each protest, thus reducing overall costs. It is not possible to quantify how the number of protests may change, and therefore any associated benefits or costs cannot be quantified.

Potential Impact on Small Entities

The Small Business Administration (SBA) has developed size standards to carry out the purposes of the Small Business Act, which can be found in 13 CFR 121.201. For a specific industry identified by the North American Industry Classification System (NAICS), small entities are defined by the SBA as an individual, limited partnership, or small company considered at “arm’s length” from the control of any parent company, which meet certain size standards. The size standards are expressed either in number of employees or annual receipts. The proposed rule could affect any entity that elects to participate in the BLM’s planning process. The industries most likely to be directly affected are listed in the table below along with the relevant SBA size standards. Other industries, such as transportation or manufacturing, may be indirectly affected and are not listed below.

Industry	Size standards in millions of dollars	Size standards in number of employees
Beef Cattle Ranching and Farming	\$0.75	
Forest Nurseries and Gathering of Forest Products	\$11.0	
Logging		500
Oil and Gas Extraction		500
Mining (except Oil and Gas)		500
Drilling Oil and Gas Wells		500
Support Activities for Oil and Gas Operations	\$38.5	
Support Activities for Coal Mining	\$20.5	
Support Activities for Metal Mining	\$20.5	
Support Activities for Nonmetallic Minerals (except Fuels)	\$7.5	
Hydroelectric Power Generation		500
Fossil Fuel Electric Power Generation		750
Solar, Wind, Geothermal Power Generation		250
Electric Bulk Power		500

Transmission and Control		
Electric Power Distribution		1000
Natural Gas Distribution		500
Environmental Consulting Services	\$15.0	
Other Amusement and Recreation Industries	\$7.5	
Environment, Conservation and Wildlife Organizations	\$15.0	

These industries may include a large, though unquantifiable, number of small entities. In addition to determining whether a substantial number of small entities are likely to be affected by this rule, the BLM must also determine whether the rule is anticipated to have a significant economic impact on those small entities. For the reasons identified above, the magnitude of the impact on any individual or group, including small entities, is expected to be negligible. The actual impacts cannot reasonably be predicted at this stage, as they will depend on the specific context of each planning effort. However, there is no reason to expect that these changes, when implemented across all future planning efforts, would place undue burden on any specific individual or group, including small entities.

Based on the available information, we conclude that the proposed rule would not have a significant impact on a substantial number of small entities. Therefore, a final Regulatory Flexibility Analysis is not required, and a Small Entity Compliance Guide is not required.

Conclusion

Current regulations (43 CFR part 1600) lay out the principles and procedures the BLM uses to develop RMPs. The proposed rule makes largely procedural changes affecting internal BLM processes. One of the expressed goals of this proposed rule is to make these processes more efficient. None of the proposed changes would have direct monetary impacts. This analysis did identify nine elements of the proposed changes that may affect individuals or groups that either participate in public involvement opportunities or that may be affected by actions eventually proposed to implement planning decisions. These impacts cannot be quantified as they depend on the specific context of individual plans, and, more importantly, the specific character of any action proposed for implementation after a plan is approved. Some of these impacts would be positive, and none of the proposed changes to the planning process itself are expected to be significantly negative. There is no reason to expect these process changes would place undue burden on any specific individual or group.

We estimate the annual effect on the economy of the regulatory changes would be less than \$100 million and would not adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities. The proposed rule would not create inconsistencies or otherwise interfere with an action taken or planned by another agency. The proposed rule does not change the relationships of the BLM's planning efforts with other agencies' actions. These relationships are included in agreements and memoranda of understanding that would not change with the

proposed rule. In addition, the proposed rule would not materially affect the budgetary impact of entitlements, grants, loan programs, or the rights and obligations of their recipients. We make this determination based on our analysis discussed above.

The RFA requires agencies to analyze the economic impact of proposed and final regulations to determine the extent to which there is anticipated to be a significant economic impact on a substantial number of small entities. Although the proposed rule has the potential to affect most, if not all, entities that elect to become involved in the BLM's planning process, and most of those individual, companies and other organizations are small entities as defined by the SBA, we do not expect the impact to be significant. Based on the available information, we conclude that the proposed rule would not have a significant impact on a substantial number of small entities. Therefore, a final Regulatory Flexibility Analysis is not required, and a Small Entity Compliance Guide is not required.

Prepared by Rebecca Moore, Senior Economist, WO-210