DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 1600 and 6100

[Docket Number: BLM-2025-0001; A2407-014-004-065516, #O2509-014-004-125222; LLHQ21000]

RIN 1004-AF03

Rescission of Conservation and Landscape Health Rule

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule.

SUMMARY: Through this final rule, the Bureau of Land Management (BLM) is fully rescinding the Conservation and Landscape Health Rule, issued as a final rule on May 9, 2024. This action restores balance to federal land management under the principles of multiple use and sustained yield by prioritizing access, empowering local decision-making, and aligning the BLM's implementing regulations with statutory requirements and national energy policy.

DATES: This final rule is effective on **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

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SUPPLEMENTARY INFORMATION:

III. Response to Public Comments

IV. Procedural Matters

I. Executive Summary

The Bureau of Land Management (BLM) is issuing this final rule to fully rescind the Conservation and Landscape Health Rule (2024 Rule), which amended 43 CFR part 1600 and established 43 CFR part 6100. This action restores balance to federal land management under the Federal Land Policy and Management Act of 1976 (FLPMA) by reaffirming the principles of multiple use and sustained yield, ensuring conservation does not restrict productive use of the public lands, and reducing regulatory burdens that impede efficient decision-making.

The 2024 Rule introduced unnecessary complexity and placed operational constraints on the BLM's planning and permitting processes. It also inappropriately elevated conservation as a discrete "use" of the public lands, contrary to FLPMA's intent and statutory framework. By rescinding the 2024 Rule, the BLM eliminates mechanisms—such as restoration and mitigation leasing—that threatened to restrict productive use of the public lands and introduced uncertainty and unnecessary burdens in planning and permitting. Existing authorities and tools remain sufficient to address conservation objectives without imposing prescriptive mandates or rigid timelines on public land users and the BLM itself. Repeal of the 2024 Rule will, therefore, improve the BLM's management of the public lands by restoring the more efficient processes in place prior to that Rule's promulgation and removing any thumb on the scale in favor of conservation at the expense of productive use and development of the public lands and their many important resources.

This final rule restores the regulations that govern Areas of Critical Environmental Concern (ACEC), 43 CFR 1610.7-2, to the framework in place since 1983, ensuring ACEC designations remain site-specific, based on appropriate relevance and importance criteria, and integrated into land use planning decisions. The rule also eliminates provisions that would allow

third parties to obtain leases for restoration or mitigation on public lands. Such leases are not necessary for the BLM to achieve its conservation objectives through its own affirmative land management and go beyond what the BLM may legally grant under FLPMA, which only allows the BLM to grant third parties authorization to "use, occup[y], and develop[]" the public lands (43 U.S.C. 1732(b)). Additionally, the rule rescinds provisions governing Land Health Standards (LHS), which imposed procedural burdens and timing requirements that disrupted established processes. The BLM will continue to apply LHS under existing grazing regulations and may consider future refinements to that framework through separate rulemaking.

In preparing this final rule, the BLM has reviewed, evaluated, and responded to substantive comments received during the public comment period. The BLM received 138,161 comment letter submissions, including 129,029 duplicative form letter submissions and 9,132 unique submissions. Commenters expressed both support for and opposition to rescinding the 2024 Rule. Many of the public comments supported the BLM's proposal and provided their views as to how the 2024 Rule was overly restrictive, economically harmful, and inconsistent with FLPMA. The BLM generally agrees with these comments and finds that they support the decision in this final rule to make no changes relative to the proposed rule.

Many other comments, meanwhile, opposed rescission on the theory that the 2024 Rule could help the BLM to address conservation, ecosystem protection, impacts of permitted activities, and tribal engagement. These opponents were concerned that rescission of the 2024 Rule might reduce protections for cultural, biological, and recreational resources, and suggested the rescission could impact the BLM's ability to proactively reduce risks that the comments associated with climate change, such as catastrophic wildfire and flooding events.

In addition to expressing views about the problems with or value of the 2024 Rule overall, many comments also opined on the value of rescinding particular provisions. With respect to the 2024 Rule's ACEC regulations, many commenters saw them as regulatory

overreach and expressed concern that provisions for temporary management and the presumption in favor of designation, among other aspects of the 2024 Rule, would lead the BLM to make overly broad ACEC designations that would incidentally—or even intentionally—crowd out productive uses of the public lands. Opponents of the proposed rule, meanwhile, cast the ACEC provisions as necessary updates to improve designation processes.

The proposal to eliminate the 2024 Rule's restoration and mitigation leasing provisions drew mixed reactions as well. Supporters of the proposal to rescind pointed out that the 2024 Rule lacked clarity, was built on a faulty understanding of the scope of the BLM's leasing authority under FLPMA, and could preclude other, productive land uses. Opponents of rescission highlighted potential benefits the leases could have with respect to proactive conservation and climate resilience.

Those who supported rescission noted that the 2024 Rule's land health provisions would lead to delays and place a heavy burden on BLM staff for any and all management actions the Bureau might take. Opponents of rescission argued that those provisions and the associated monitoring requirements should be retained on the theory that they promote transparency and responsible land management. More detailed responses to representative substantive comments are provided in section III of this preamble.

After consideration of the substantive comments, the BLM finds that full rescission of the 2024 Rule aligns the BLM's regulations with statutory requirements and national energy policy, avoids unnecessary litigation risk, and supports efficient, transparent management of public lands. This deregulatory action does not alter the BLM's authority under FLPMA to take management actions to conserve public lands and resources, as appropriate. The BLM will continue to responsibly manage under principles of multiple use and sustained yield while using existing tools to provide for resource conservation, as appropriate, notwithstanding the rescission of the 2024 Rule effected by this final rule.

II. Background

The BLM manages approximately 245 million acres of public lands, roughly one-tenth of the land area of the United States, primarily under FLPMA, as amended (43 U.S.C. 1701 *et seq.*). FLPMA requires that, unless "public land has been dedicated to specific uses according to any other provisions of law," the Secretary, through the BLM, must manage the "use, occupancy, and development" of the public lands under principles of multiple use and sustained yield, in accordance with applicable land use plans, and to serve present and future generations (43 U.S.C. 1732(a)). "Multiple use" refers to balancing varied uses, including recreation, range, timber, mineral development, and use of other natural scenic, scientific, and historical values. "Sustained yield" refers to managing public lands and resources in perpetuity to achieve a high-level annual or regular periodic output of the various renewable resources of the public lands, consistent with multiple use.[1] In addition, FLPMA directs the BLM to take actions necessary to prevent unnecessary or undue degradation of the lands (43 U.S.C. 1732(b)). FLPMA provides the BLM with the authority and direction to ensure public lands and other resources and values are managed "to sustain the health, diversity, and productivity of public lands for the use and enjoyment of present and future generations" (blm.gov; see also 43 U.S.C. 1702(c)).

In 2024, the BLM promulgated the Conservation and Landscape Health Rule, which was codified in amendments to 43 CFR part 1600 and the newly created 43 CFR part 6100 (89 FR 40308 (May 9, 2024) (hereinafter, 2024 Rule)).[2] The 2024 Rule purported to establish a "policy

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[1] More specifically, multiple use "means the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output." 43 U.S.C. 1702(c). Sustained yield "means the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the public lands consistent with multiple use." *Id.* § 1702(h).

[2] Although formally titled the Conservation and Landscape Health Rule, most discourse surrounding the 2024 Rule refers to it colloquially as the Public Lands Rule.

for the BLM to build and maintain the resilience of ecosystems on public lands." (89 FR 40308). The BLM has determined, however, based on a review of the Conservation and Landscape Health Rule, and after consideration of public comments received in response to the proposed rescission of the rule, that the 2024 Rule is unnecessary to achieve that goal and is, in fact, harmful to the BLM's efforts to efficiently manage the public lands under applicable law. The BLM has determined through its review that the 2024 Rule vested too much discretion in individual authorizing officers to preclude productive uses of the public lands (e.g., grazing, mining, and energy development) as incompatible with the goals of conservation that were promoted in the 2024 Rule. Among other things, the 2024 Rule identified conservation as a permissible third-party use of the public lands that could be authorized through leases issued under FLPMA. This is contrary to the BLM's mandate and statutory authority. It is not appropriate, or logical, to treat conservation as a "use" under FLPMA. Under a more appropriate interpretation and implementation of FLPMA's mandate, the BLM works to responsibly conserve resources to ensure balanced development while also achieving long-term productivity of those resources, in all cases consistent with the principles of multiple use and sustained yield. This may be achieved through land management efforts, including in partnership with other entities, but it does not follow that FLPMA's leasing authority allows for conservation (i.e., mitigation and restoration) as a "use." By rescinding the regulations promulgated by the 2024 Rule across 43 CFR parts 1600 and 6100, the BLM will avoid these unnecessary burdens to decision-making and management of public lands.

The rescission of the 2024 Rule will restore the regulations governing ACECs at 43 CFR 1610.7-2 to those that the BLM had been following for ACEC designation and management since 1983. That prior framework provides a clear, legally sound process for identifying and managing ACECs through land use planning, consistent with FLPMA. The restored regulations ensure that ACEC designations remain site-specific and are based on relevant criteria. By rescinding the provisions adopted in 2024, the BLM is removing ACEC procedures that

introduced complexity and uncertainty into the planning process, including by allowing for interim management of nominated areas even before that planning process can be completed.

Rescission of the 2024 Rule also eliminates burdensome requirements that the BLM consider certain values (e.g., "intact landscapes") in planning and document a justification for implementation-level decisions that would have potential impacts to those values. The BLM should, and already does, consider and account for the full range of issues and values when engaged in the planning process and for the impacts of permitting authorized land uses and other implementation-level management decisions. To provide by rule additional requirements to do so risked incentivizing strategic litigation challenging the BLM's planning and permitting decisions that could hamper the implementation of those decisions.

As noted above, the repeal of the restoration and mitigation leasing provisions at 43 CFR 6102.4 and 6102.4.1 will prevent the prioritization of conservation activities that could exclude other, productive uses. The BLM has the tools, information, and processes necessary to manage the public lands without inviting third parties to seek land use authorizations for the conservation activities traditionally performed by the Bureau.

Finally, the provisions of the 2024 Rule governing the development and implementation of LHS imposed rigid timelines and procedural requirements that disrupt established planning processes and create administrative burdens, interfering with efficient land management. The preexisting regulatory framework for LHS, which appears in the grazing regulations, provides sufficient authority to address land health concerns while allowing flexibility to apply standards in other contexts without imposing prescriptive mandates. Moreover, the BLM may consider future refinements to its approach to LHS through a separate rulemaking.

For those reasons, and the reasons discussed in more detail below and in the preamble to the proposed rule (see **SUPPLEMENTARY INFORMATION** section in **Federal Register** publication [90 FR 43990] dated September 11, 2025), the BLM is promulgating this final rule to fully rescind all aspects of the 2024 Rule. In preparing this final rule, the BLM has reviewed,

evaluated, and provided responses to substantive comments received in response to the proposed rule during the public comment period. A summary overview of public comments and the agency's responses thereto follows.

III. Response to Public Comments

On September 11, 2025, the BLM published a notice in the Federal Register proposing to rescind the 2024 Rule and initiating a 60-day public comment period on that proposed rule. The public comment period ended on November 10, 2025. During this comment period, the BLM received 138,161 comment letter submissions, including 129,029 duplicative form letter submissions and 9,132 unique submissions. Comments of general support or opposition to the proposed rescission of the 2024 Rule that did not elaborate on specific reasoning for support or opposition, and comments addressing topics outside the scope of the 2024 Rule and elements of the proposed rescission were deemed non-substantive. The BLM analyzed and is responding to those comments that provided new information, identified potential errors, requested clarifications, or offered specific suggestions and rationale applicable to the proposed rescission. A general synopsis of those comments is provided below, followed by detailed summaries of, and responses to, comments addressing the proposed rescission of the 2024 Rule's provisions pertaining to ACECs, restoration and mitigation leasing, LHS, and monitoring, as well as comments that discussed economic considerations and the statutory authorities relevant to rescission of the 2024 Rule.

Among the many comments, commenters indicated both support for and opposition to rescinding the 2024 Rule. Those supporting rescission viewed the 2024 Rule as overly restrictive and harmful to economic interests, while those opposed to rescission took the position that the 2024 Rule was important for conservation, ecosystem protection, and tribal involvement.

Those who supported rescission pointed to the 2024 Rule's many procedural requirements, noting that such requirements slow down land management decision-making on the front end and introduce litigation risk on the back end. Supporters of rescission also

expressed concerns about provisions of the 2024 Rule, including the ACEC and leasing provisions, that could be used to prioritize conservation above other, productive uses of the public lands, contrary to the direction in FLPMA generally to manage those lands under principles of multiple use and sustained yield.

Opponents of rescission, meanwhile, highlighted risks to tribal, historic, cultural, biological, recreational, water, and air resources, as well as increased wildfire threats and climate impacts, suggesting that rescission of the 2024 Rule could amount to removal of protections for these resources.

Comments specific to the ACEC provisions reflected these contrasting views. Comments that supported the proposed rescission noted that the 2024 ACEC provisions amounted to unnecessary regulatory overreach and argued, in particular, that the temporary management provisions and presumption in favor of designation would result in an increase in the number and geographic scope of ACEC designations and other actions to preclude productive use of the public lands, going far beyond what Congress intended in FLPMA's ACEC provisions. Opponents of rescission viewed the 2024 ACEC regulations as necessary updates to address issues with the ACEC designation process, including with respect to timing, public comment periods, temporary management, and impacts on tribal and cultural interests.

The 2024 Rule's restoration and mitigation leasing mechanisms received similarly mixed feedback. Many commenters criticized the 2024 Rule's leasing provisions' lack of clarity, questioned their statutory basis, and raised concerns about their potential to restrict other land uses. Opponents of rescission emphasized their view that the leasing provisions carried the potential to benefit proactive conservation, increase climate resilience, and leverage collaborative restoration efforts. Some commenters offered suggestions for amending, rather than wholly rescinding, the leasing provisions.

Commenters who favored rescission noted that the 2024 Rule's land health provisions introduced significant management burdens to all BLM decision-making processes and, as such,

were likely to cause delays and increase litigation risk. Opponents of rescission, meanwhile, expressed support for the rule's LHS and monitoring requirements, arguing for their potential to promote ecosystem resilience and transparency.

Commenters also discussed the economic effects of the 2024 Rule and its impacts on local governments, small businesses, and rural economies, raising concerns, in support of the BLM's proposal to rescind the rule, about revenue losses from reductions in grazing and mineral development and impacts on recreation and tourism that the 2024 Rule would likely cause. Comments also proffered views on the benefits of rescission for economic growth and regulatory certainty. Opponents of rescission, meanwhile, suggested potential economic advantages could flow from maintaining the 2024 Rule by supporting recreation, restoration economies, and ecosystem services.

Commenters debated the rule's consistency, both legally and as a matter of policy, with FLPMA and other applicable laws, regulations, and executive orders. Some viewed the 2024 Rule as lawful (and necessary), while others expressed concerns, similar to the concerns that the BLM expressed in its preamble to the proposed rule to rescind the 2024 Rule, that the 2024 Rule was inconsistent with the BLM's statutory authority. Additional detail on the nature and context of these comments, and the BLM's responses to them, is provided below.

Areas of Critical Environmental Concern

The BLM received numerous comments responding to the BLM's proposal to restore the ACEC regulations at 43 CFR 1610.7-2 to the form they took prior to promulgation of the 2024 Rule. With the proposed rule, the BLM solicited comments as to whether those legacy ACEC regulations should be restored verbatim, as proposed, or revised to allow for more efficient and flexible management of ACECs as part of managing the public lands under principles of multiple use and sustained yield. After reviewing the public comments received on the proposed rule, the BLM here in the final rule is restoring the ACEC regulations to their prior form under which the BLM had, until just recently, managed ACEC designations since 1983.

The BLM received comments against the verbatim reinstatement of the legacy ACEC regulations. Many of these comments raised concerns that the reinstatement of a 60-day comment period for ACECs would reintroduce burdensome steps to the planning process. Commenters noted that these public comment periods often hinder the BLM's ability to meet required National Environmental Policy Act (NEPA) deadlines and that they find these periods inefficient and a hindrance to streamlining the designation and de-designation process. Other comments that opposed reinstatement of the legacy regulations suggested that there were flaws in the ACEC regulations that predated the 2024 Rule. Commenters discussed the importance of using ACEC designations to aid in the protection of ecologically, culturally, and scientifically significant landscapes, consistent with the direction in FLPMA to prioritize such designation, while still safeguarding access to and development of public lands.

The BLM received comments opposing the proposed rule and supporting retention of, or further revisions to, the version of the ACEC regulations promulgated by the 2024 Rule. These commenters argued that the existing version or appropriate further revisions to it would provide greater clarity on ACEC designation and management than would the 1983 version of the regulations and would, thereby, increase efficiency. Commenters noted the benefit that comes from giving regulatory clarity to FLPMA's requirement that special management attention be required to protect and prevent irreparable damage before the BLM may designate an ACEC. Commenters suggested that these measures are lawful, necessary, and consistent with FLPMA's multiple-use and sustained-yield principles, while they also ensure public participation and transparency. Other comments noted the benefit of having an explicit regulation to address ACEC boundaries such as is included in the 2024 Rule but suggested different language to ensure that ACEC designations are narrowly tailored to small, well-defined areas while also allowing compatible uses to continue.

The BLM also received comments supporting the BLM's proposal to reinstate the legacy ACEC regulations verbatim. Many commenters raised concerns that the 2024 Rule represented

regulatory overreach and set designation procedures contrary to law. For example, commenters suggested that the inclusion of a "presumption" in favor of designation and the procedures for temporary management for nominated ACECs, without first undergoing planning, are not grounded in FLPMA's provision for designation of ACECs through the land use planning process. Commenters further asserted that the 2024 Rule distorts the original intent of ACEC designations, which are meant to be site-specific and based on rigorous criteria for relevance, importance, and the need for special management and expressed concern that the expansion of ACEC regulations under the 2024 Rule could allow for large-scale designations that preclude management for other uses without sufficient justification or procedural protections. Similarly, comments that supported rescission argued that restricting a State Director's discretion to remove an ACEC designation was inappropriate, considering that FLPMA contains no such restriction. Commenters indicated that the 2024 Rule made it more difficult to remove an ACEC designation, even when designation is no longer justified. These commenters indicated that, based on these many concerns, the 2024 ACEC provisions would likely restrict productive use of public lands.

After reviewing public comments, the BLM is, as part of this deregulatory effort, restoring the ACEC regulations to the text that has guided the BLM's management of ACECs since 1983. Commenters identified concerns with the regulations promulgated by the 2024 Rule, particularly those provisions that commenters interpreted to create a presumption in favor of designation and a higher bar for de-designation and that authorized the BLM to impose restrictions in the form of "temporary management." At the same time these and other commenters also raised concerns about returning to the regulatory language previously in place, including concerns about the reimposition of redundant notice provisions and the old regulations' silence on setting ACEC boundaries. Ultimately, those concerns are outweighed by the concerns around the 2024 Rule.

While some of the concerns associated with the 2024 Rule might have been addressed through further revisions, rather than a return to the pre-2024 regulations, the BLM has determined that reestablishing those older regulations verbatim is preferable at this stage. The BLM is best positioned to navigate gaps in the framework or concerns about its operation in the context of regulations with which it is familiar from decades of implementation. Nevertheless, although the BLM is restoring the ACEC regulations verbatim to their prior form with this final rule, the BLM is giving further consideration to those comments that indicated support for further refinement of the ACEC regulations as part of broader initiatives underway to reduce burdensome regulations and barriers to efficient management of public lands. The BLM may, in a separate process, pursue further rulemaking to address the ACEC regulations in a manner that could address some of the issues raised.

Restoration and Mitigation Leasing

Many comments supported the proposal to rescind the restoration and mitigation leasing provisions contained in the 2024 Rule. Some commenters warned that the leasing provisions could create a market-based system for monetizing conservation outcomes, allowing well-funded entities to obtain quasi-exclusive control of public lands and, as a result, encourage speculative behavior.

Commenters also argued that the restoration and mitigation leasing provisions of the 2024 Rule were unnecessary because the BLM already has effective mitigation tools and longstanding partnerships capable of supporting landscape-scale conservation efforts. They expressed concern that the leases, then, were duplicative, confusing, and potentially disruptive to existing conservation efforts and those long-standing partnerships in that they could create inequities between landscape-scale and site-specific conservation efforts. Several commenters said the 2024 Rule's leasing framework lacked transparency and clarity, particularly with respect to the definition, allocation, and implementation of mitigation credits associated with the mitigation leases for which the 2024 Rule provided. Commenters also raised concerns that

restoration and mitigation leases could encourage passive management, a particular concern in arid ecosystems where active stewardship is needed to control wildfire risk, invasive species spread, and habitat decline. These commenters felt that the leasing framework did not provide adequate detail to address and adapt to these potential consequences.

Finally, and most fundamentally, commenters reiterated concerns that the BLM has heard all throughout the process of first promulgating and now considering rescission of the 2024 Rule that the leasing provisions set up a framework for excluding productive uses—grazing, mineral development, recreation, etc.—of the public lands as incompatible with a lease for restoration of those same lands, including a lease for *passive* restoration. Such exclusion, the commenters correctly point out, runs contrary to the letter and spirit of FLPMA's direction, in general, to manage the public lands under principles of multiple use and sustained yield.

Other commenters supported the 2024 Rule's leasing provisions, and opposed their rescission, taking the position that they provided a predictable and accountable framework for addressing environmental degradation and improving ecosystem resilience. Opponents of rescission argued that the leasing provisions could provide benefits for climate adaptation, habitat connectivity, watershed health, and collaborative conservation. They viewed the leasing program as a flexible tool that could complement other uses and attract private investment in restoration. Many commenters offered recommendations for amending—rather than rescinding—the leasing provisions, including revisions to expand eligibility for state and local governments, incorporate climate resilience, require active management and adaptive management, and clarify standards for judging compatibility of restoration and mitigation leases with other land uses, along with other suggestions for adjusting lease terms and valuation methods. Several commenters highlighted the need for clear coordination mechanisms among the BLM, state agencies, tribes, local governments, and private partners. They recommended formal collaboration structures, standardized evaluation processes, and clearer guidance on how restoration and mitigation leases could interact with existing uses and rights. Finally, some

commenters expressed concern that removal of the program would reduce accountability for mitigating development impacts and weaken proactive land management.

Ultimately, the BLM finds that the 2024 Rule's leasing provisions are not required to implement FLPMA and exceed the Bureau's statutory authority by elevating conservation as a discrete "use" for those leases. (For additional discussion of the latter point, see below under "Statutory Authority.") While the BLM recognizes the importance of conservation for responsible management of public lands, existing authorities—including land use planning under 43 CFR part 1600, project-level NEPA review, and longstanding partnership programs—already provide sufficient tools to address environmental impacts, promote restoration, and prevent unnecessary or undue degradation without the additional regulatory structure created by the 2024 Rule. Because the agency determined that the 2024 framework is unnecessary—not to mention inconsistent with FLPMA—suggestions to revise or refine the leasing program do not warrant further consideration in this rulemaking. Moreover, the many and disparate suggestions for further revisions to the 2024 Rule illustrate the concerns with the Rule as written but without identifying a clear solution short of full rescission. The BLM will continue to coordinate and collaborate with partners to responsibly manage for and balance multiple use and sustained yield and will look for opportunities to strengthen existing conservation tools, improve coordination with partners, and enhance restoration outcomes.

Land Health Standards

Many comments discussed the 2024 Rule's provisions governing the development and implementation of LHS and the proposal to rescind them. Several comments raised concerns about the feasibility and potential harms of implementing LHS broadly, including the possibility of delays in issuing land use authorizations, redundant requirements for grazing permittees, and challenges in applying LHS beyond the grazing context to which they were limited prior to the 2024 Rule. Other commenters advocated for retaining the land health regulations in some form, underscoring the value of monitoring ecological indicators tailored to track specific resource

trends that vary across major ecosystem types. Still others suggested that the 10-year interval for land health evaluations, introduced by the 2024 Rule, should be either shorter or longer, with different commenters taking opposing views. Commenters also expressed support for the provisions of the 2024 Rule that make land health evaluations available to the public; apply LHS to evaluate the effectiveness of restoration projects; and require the consideration of potential impacts on land health as part of management decisions.

Upon consideration of the many comments related to the 2024 Rule's LHS provisions, the BLM maintains that those provisions created additional, counterproductive burdens and challenges to accomplishing the agency's mission and concludes that the existing LHS regulatory framework, in place prior to the 2024 Rule as part of the grazing regulations, offers sufficient ability to address land health without the additional complexity introduced by the 2024 Rule. For example, as commenters noted in support of rescission, the 2024 Rule includes provisions that often require the BLM to act on a fixed or rapid timetable. Such timing provisions hamstring the Bureau by displacing its usual processes to meet the deadline. Even with a full recission of the 2024 Rule, the Bureau can still choose to apply specific LHS (developed under the grazing rule provisions) when developing and considering management actions and their alternatives outside the grazing context. But doing so would no longer be required by regulation in those circumstances where it does not make sense. Finally, although the BLM is promulgating a full rescission of the 2024 Rule, including the LHS provisions therein, it is considering, as part of a separate rulemaking effort, whether to further refine its approach to the development and application of LHS. The BLM will consider salient points raised in comments on this rulemaking as part of that separate effort.

Monitoring and Evaluation

Commenters suggested there was value in the 2024 Rule's provisions for standardized data collection and reporting in that they contributed to enhancing land and water planning and management, while also promoting transparency and informed decision-making through annual

reporting and public access to land health data. Commenters also asked how rescission of the 2024 Rule would affect the BLM's monitoring and evaluation practices, including watershed condition assessments, land health evaluations, and restoration monitoring, and whether rescission would limit the BLM's ability to use data collected by state, local, or partner agencies.

The concerns expressed in those comments are misplaced in that the rescission of the 2024 Rule is not likely to adversely affect the bureau's management and monitoring functions. Indeed, the BLM anticipates that rescission of the rule will aid the bureau by providing greater flexibility to tailor its monitoring program appropriately and dynamically. The BLM continues to implement resource monitoring through the Assessment, Inventory, and Monitoring (AIM) program, which provides a robust, systematic framework for tracking resource conditions over time. AIM data support watershed condition assessments and other analyses regardless of whether the 2024 Rule is in place. The rescission of the 2024 Rule does not prevent the BLM from standardizing data collection and reporting, nor does it restrict the BLM's use of data collected by state or local agencies or alter existing cooperative data-sharing practices. The BLM remains committed to incorporating the best available data from all sources to support informed decision-making and avoid unnecessary duplication of monitoring efforts. The BLM recognizes the benefits of standardized annual reporting of land health data for decision-making and may address that issue in a separate rulemaking effort.

Some commenters expressed concern that rescinding the 2024 Rule could create uncertainty with respect to cleanup, mitigation, and site restoration obligations for lands leased for extractive uses. These comments, too, posit harms that are unlikely to result from rescission of the 2024 Rule. The 2024 Rule did not alter existing requirements for cleanup, mitigation, or site restoration. Under current regulations, and without reference to the 2024 Rule, permittees and lessees engaged in extractive uses are accountable for avoiding and minimizing impacts and for reclaiming disturbed areas in accordance with applicable Conditions of Approval and lease

stipulations. The BLM continues to be responsible for monitoring operator compliance with those requirements, and rescission of the 2024 Rule does not change that responsibility.

Economic Considerations

The BLM considered numerous comments that addressed the economic impact of particular provisions of the 2024 Rule and, by extension, the proposal to rescind them. Those comments contained a range of views regarding the potential economic impacts of the proposed rule to rescind the 2024 Rule, with arguments both that it would lead to economic benefits and that it would lead to economic costs.

Commenters identified potential costs and benefits of restoring the ACEC regulations at 43 CFR 1610.7-2 to the form they took prior to promulgation of the 2024 Rule. Some commenters stated that removing provisions allowing for temporary management of areas nominated to be ACECs would limit negative impacts to extractive uses or adjacent landowners while designation is being considered. Other comments expressed concerns that there would be fewer ACEC designations leading to degradation of natural, cultural, and scenic resources.

The BLM evaluated the potential positive and negative aspects of restoring the ACEC regulations at 43 CFR 1610.7-2 to the form they took prior to promulgation of the 2024 Rule, as described in the economic analysis of the rule. That analysis is revised and improved based in part on public comments received on the proposed rule. While the BLM is restoring the ACEC regulations verbatim to their prior form with this final rule, the BLM is giving further consideration to the comments received regarding the ACEC regulations as part of the broader initiatives underway to reduce burdensome regulation and barriers to efficient management of public lands. The BLM may pursue further rulemaking with respect to ACECs that could address some of the issues raised.

The BLM received many comments both for and against the proposed rule on the basis that removing the emphasis on landscape intactness and restoration in planning will impact industry, communities, and ecosystem services. Some comments asserted that rescission of the

2024 Rule will lead to economic expansion by prioritizing industry over conservation. Other comments stated that the change will lead to economic contraction for communities dependent on outdoor recreation economies, which are, in turn, dependent on healthy landscapes. Some comments stated that the rule change will result in losses from a reduction in ecosystem services.

Some commenters claimed that the BLM's initial economic analysis of the proposed rule did not fully account for the foregone benefits of the 2024 Rule. Those commenters criticized the BLM for dismissing these impacts as merely qualitative, arguing that established nonmarket valuation methods could and should be used to quantify these costs. They cited research purporting to validate the high economic value of public lands for activities like hiking and wildlife viewing, which generate substantial consumer surplus.

OMB has determined that the final rule is significant under section 3(f) of E.O. 12866. The BLM has complied with the requirements of E.O. 12866 by preparing an economic analysis.. Consistent with Circular A-4, where benefits and costs are difficult to quantify, qualitative discussion of the issues and evidence may be presented. Contrary to comments suggesting otherwise, providing a qualitative analysis is not the same as assuming nonmarket benefits are zero. The BLM recognizes the validity and applicability of nonmarket valuation methods. However, applying these methods requires an estimate of a change in resource use or similar metric. This regulatory change does not change management decisions and does not have any direct on-the-ground impacts. This rule does not prohibit or require particular future land management decisions. Any positive or negative impacts would only result from future land management decisions that are not constrained by this regulatory change. It is not possible to predict the future change in resource use that might result from the complex set of future land management decisions.

For example, changes in consumer surplus associated with recreation derive either from a change in the number of trips or the quality of each trip. The final rule does not expand or restrict recreation on public lands. By rescinding the relevant provisions of the 2024 Rule, it may affect

future planning and implementation decisions that, in turn, affect recreation access. The net effect of those future decisions, and how they might change due to this regulatory change, however, is unknowable. It is possible that the final rule may create a process in which a future recreation or restoration activity is denied while it otherwise would have been approved. It is equally possible that a different decision, in a different location, may allow recreation activity where it may otherwise have been denied. This dynamic can be seen across the breadth of the public comments received, some of which expressed concerns that rescinding the 2024 Rule would *reduce* future recreation activity while others emphasized the repeal was necessary to *ensure* future recreation activity.

Comments claim that rescission will affect small entities including small business, governments, and not-for-profit organizations in various positive and negative ways by changing the mix of uses authorized on public lands. Some commenters expressed concern that the 2024 Rule would significantly harm small businesses in the mineral extraction, recreation, and ranching sectors—including by restricting those uses in favor of restoration and mitigation leases—and that rescission of the 2024 Rule would alleviate those harms. Other commenters expressed concern that rescinding the 2024 Rule would negatively impact small tourism and recreation businesses by prioritizing extractive uses.

Again, this regulatory change does not change management decisions and does not have any direct on-the-ground impacts. Any positive or negative impacts on small entities would result from future land management decisions which are not constrained by this regulatory change. The net result of how those future decisions might change due to the current regulatory change is highly uncertain. To help further explain this, the BLM notes that regulatory updates can influence how public lands are managed by clarifying procedures, streamlining reviews, or adjusting how types of uses may be considered. These changes can shape the range of possibilities for future land use, but they do not directly result in new projects or developments. Actual land-use decisions depend on many factors beyond the rulemaking process, including

market demand, the cost of development, technical feasibility, and public involvement. In many cases, these factors are more influential than the regulations themselves in determining what ultimately happens on the ground. Therefore, while a regulatory change might make certain types of uses easier to propose and evaluate, it does not guarantee that those uses will occur. The BLM agrees that the Initial Regulatory Flexibility Analysis did not sufficiently consider the impacts on small government jurisdictions. This has been added to the Threshold Analysis of the Final Rule. Specifically, the analysis now identifies how future land management decisions could impact the mix of industry within a jurisdictional area leading to changes in small government tax bases. Any changes would result from future management decisions and not directly from this rulemaking effort.

Finally, outfitters and guides commented that subpart 6103's streamlining and tiering elements of the current rule (Baseline) provide a useful regulatory framework to guide the BLM's decisions on their special recreation permits. The BLM acknowledges this feature of the current rule and has added related information and discussion to the Threshold Analysis of the Final Rule. The BLM recognizes the potential positive benefit of the provisions cited in comments by outfitters and guides and is considering whether to promulgate similar provisions through a separate rulemaking effort.

Statutory Authority

Many comments discussed the relationship between the 2024 Rule, the proposed rule to rescind the 2024 Rule, and the BLM's rulemaking authority under FLPMA. Some commenters argued that the BLM lacked statutory authority to promulgate the 2024 Rule, or elements of it, at least, or that the 2024 Rule was otherwise unlawful. Others took the position that the 2024 Rule was within the BLM's authority to promulgate. As an initial matter, even if the 2024 Rule were promulgated consistent with the BLM's authority, there is no suggestion that FLPMA obliges maintenance of that rule now in the face of the sound policy reasons for rescission, discussed elsewhere in this preamble and in the preamble to the proposed rule. For example, direction in

FLPMA to give priority to the designation of ACECs does not require that the BLM maintain regulations pertaining to the designation of ACECs in any particular form, particularly where, as here, the BLM has judged the 2024 Rule's ACEC provisions to place unneeded burdens on the designation process.

As for suggestions that the 2024 Rule exceeded the BLM's authority, not all of the arguments advanced by the public comments on the proposed rule have merit. However, as noted in the preamble to the proposed rule, the BLM remains concerned that the 2024 Rule inappropriately treats conservation as a use alongside other, productive uses of the public lands. From that misconception of the role of conservation in the BLM's management of the public lands under FLPMA, the 2024 Rule allowed for restoration and mitigation leases that cannot be squared with the BLM's authority under Title III of FLPMA to authorize third parties to "use, occup[y], and develop[]" the public lands. 43 U.S.C. § 1732(b). This is not to say that conservation is not a legitimate objective of the BLM, but it does not follow that FLPMA's leasing authority may be used to that end.

Some comments took specific issue with the proposal to rescind the 2024 Rule's definition of "unnecessary or undue degradation," as part of rescinding the 2024 Rule in its entirety. Although these commenters are correct to point out that FLPMA obliges the BLM to "take any action necessary to prevent unnecessary or undue degradation of the lands," 43 U.S.C. § 1732(b), that statutory obligation is not changed at all by the rescission of the 2024 Rule, just as it applied to the BLM without regulatory definition of the term "unnecessary or undue degradation" (outside of the limited case of the hard rock mining regulations) for all the years between enactment of FLPMA and the 2024 Rule. Ultimately, rescinding the 2024 Rule's definition of "unnecessary or undue degradation" is appropriate because the definition applied only within Part 6100, which is itself being wholly repealed.

Commenters invoked a number of Executive and Secretary's Orders to argue both in favor of and against the proposal to rescind the 2024 Rule. Commenters have not identified any

violation or other legal inconsistency between this rule and any Executive or Secretary's Order. To the extent those commenters have suggested that this rule would be inconsistent with the policy direction underlying any particular Executive or Secretary's Order, the BLM disagrees. The BLM can and will continue to implement direction it receives from the President and from the Secretary of the Interior when managing the public lands. It is not necessary to maintain the overly burdensome regulations promulgated by the 2024 Rule to do so. The BLM agrees, meanwhile, with commenters who pointed out consistency between the proposal to rescind the 2024 Rule and the policy underlying, for example, Executive Orders 14154, *Unleashing American Energy*, 14156, *Declaring a National Energy Emergency*, and 14261, *Reinvigorating America's Beautiful Clean Coal Industry and Amending Executive Order 14241*, and Secretary's Orders 3417, *Addressing the National Energy Emergency*, 3418, *Unleashing American Energy*, and 3421, *Achieving Prosperity through Deregulation*. The direction provided in those Executive and Secretary's Orders further supports the BLM's rationale for rescinding the 2024 Rule.

IV. Procedural Matters

Regulatory Flexibility Act

The Secretary of the Interior certifies that this final rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996; 5 U.S.C. 601 et seq.). The Final Rule eliminates regulations that directed the BLM's processes and, thus, is procedural and legal in character. It does not directly regulate industry or other small entities. Other than one-time costs associated with reading and adjusting to the Final Rule (i.e., rule familiarization), the changes will not impose direct costs or generate direct benefits for any small entities. These regulatory updates may influence future land management decisions by clarifying procedures, streamlining reviews, or adjusting how types of uses may be considered. These changes can shape the range of possibilities for future land use, but they do not directly

result in new projects or developments. Actual land-use decisions depend on many factors beyond regulatory requirements.

To the extent the Final Rule leads to changes in future land use decisions that affect the mix of authorized activity in the future, there may be indirect impacts of the regulatory change on some small entities. For example, if the Final Rule leads to future land management decisions that, in aggregate, increase opportunities for grazing, natural resource extraction, and energy development relative to what would otherwise occur, small entities in these sectors may benefit. Conversely, if the Final Rule reduces opportunities for environmental consulting, restoration, or remediation, small businesses in these sectors may be negatively affected. Further, fees associated with restoration and mitigation leases are transfer payments from lease holders, potentially including small businesses, to the federal government that would no longer occur under the Final Rule. Any effects on businesses that stem from the Final Rule, may impact small governments by increasing or decreasing sources of tax revenue.

The BLM identified a range of industries that might be affected by the Final Rule, including those involved in ranching, resource extraction, energy production, restoration, and recreation, as well as environmental organizations. Using the size standards developed by the Small Business Administration, the BLM estimated the number of small businesses in each industry and the net cost that would be necessary to result in a significant impact on a substantial number of small entities. For this calculation, the BLM defined a significant impact as one greater than 3% of annual receipts, and a substantial number as 20% or greater of all small entities operating in a particular sector. The BLM is not able to quantify benefits or costs that might result indirectly if the Final Rule leads to different future management decisions. However, the BLM does not expect the net effects of future land management decisions on small entities to exceed the estimated thresholds.

There are no compliance costs for small entities other than potential rule familiarization costs. If the rule change takes two hours to read and understand at an hourly wage of $45 per

hour, it would inflict a cost of $90 per business. However, since this rulemaking is a rescission of a previously new section of regulations, some industries will see this as a return to the known status quo and therefore will not incur a familiarization cost (e.g., grazing and extractive industries). To the extent that additional impacts occur, the Final Rule is expected to indirectly benefit Ranching, Natural Resource Extraction, Energy Production, and Energy Transmission businesses operating on BLM-managed lands. Recreation industries may feel mixed indirect effects depending on whether the relevant recreation activity would increase or decrease following subsequent land use decisions. The Final Rule is not expected to change the demand for Restoration and Remediation services, but rather shift that demand to work on non-BLM-managed lands. Small governments may be indirectly positively or negatively impacted if the Final Rule results in changes to the mix of industries comprising their local tax bases. Small Environmental Organizations with the goal of conducting conservation on BLM-managed land my face less certainty regarding funding and their ability to conduct conservation on BLM-managed land after removal of the restoration and mitigation leasing provisions.

Further, the BLM solicited comments from potentially affected small entities, and received 164 comments that discussed impacts to small entities, including small governments (70 comments) and small businesses (94 comments). These comments did not provide any additional information indicating impacts would exceed these thresholds. As such, the BLM is not required to prepare a Final Regulatory Flexibility Analysis with this Final Rule. Further description of the number of small entities potentially impacted by this deregulatory action and the size of any impact is provided in the document titled, "*Economic Analysis for Final Rule: Rescinding Conservation and Landscape Health Rule*," which is part of the eRulemaking docket.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) generally provides that an agency may not conduct or sponsor, and not withstanding any other provision of law a person is not required to respond to, a collection of information, unless it displays a currently

valid Office of Management and Budget (OMB) control number. The information collection requirements contained in Part 6100 are approved by OMB under OMB Control Number 1004-0218.

The final rule would eliminate all the information collection requirements that were previously approved under that OMB Control Number. The eliminated information collection requirements are listed below, along with the resulting information collection burden reductions:

- Restoration and Mitigation Leasing / Restoration or Mitigation Development Plan - 43 CFR 6102.4(a)(6) and (7);
- Restoration and Mitigation Leasing / Additional Information 43 CFR 6102.4(a)(8);
- Restoration and Mitigation Leasing / Monitoring Plan - 43 CFR 6102.4(a)(9);
- Restoration and Mitigation Leasing / Annual Report - 43 CFR 6102.4(a)(9);
- Termination and Suspension of Restoration and Mitigation Leases /written request to resume or suspended activity – 43 CFR 6102.4.1(d)(3);
- Bonding for Restoration and Mitigation Leases – 43 CFR 6102.4.2(a);
- Mitigation / Approval third parties as mitigation fund holders - 43 CFR 6102.5.1(e); and
- Mitigation / Approval third parties as mitigation fund holders / Annual Fiscal Reports – 43 CFR 6102.5.1(e).

The BLM submitted a request to OMB to discontinue OMB Control Number 1004-0218. The rescission of these regulations, along with the information collection requirements contained therein and the discontinuance of OMB Control Number 1004-0218 reduces public information collection burdens by 63 annual responses and 1,459 annual burden hours.

National Environmental Policy Act

The rescission rule, like the 2024 Rule, is within the category of actions described in the categorical exclusion that appears in the Department of the Interior's (Department's) NEPA regulations at 43 CFR 46.210(i). The rule is legal, procedural, and administrative in nature in that it defines the procedures (here, by removing them) that the Bureau will follow in the course of

conducting its land management activities. As such, the rule has no direct environmental effects. Any *indirect* environmental effects that the rule may have are "too broad, speculative, or conjectural to lend themselves to meaningful analysis and will later be subject to the NEPA process, either collectively or case-by-case." 43 CFR 46.210(i). Therefore, the categorical exclusion applies to this rulemaking. A copy of the final CE is available at https://www.regulations.gov/docket/BLM-2025-0001.

Regulatory Planning and Review Under Executive Order 12866

Section 6(a) of E.O. 12866 requires agencies to submit "significant regulatory actions" to the Office of Information and Regulatory Affairs (OIRA) for review. This regulatory action is a "significant regulatory action" under section 3(f) of E.O. 12866. Accordingly, this action was submitted to OIRA for review under E.O. 12866.

The BLM is required to conduct an economic analysis in accordance with section 6(a)(3)(B) of E.O. 12866. More can be found in the document titled, "*Economic Analysis for Final Rule: Rescinding Conservation and Landscape Health Rule*," which is part of the eRulemaking docket.

Review Under Executive Orders 14154 and 14192

The BLM has examined this final rulemaking and has determined that it is consistent with the policies and directives outlined in E.O. 14154, *Unleashing American Energy*, and E.O. 14192, *Unleashing Prosperity Through Deregulation*. This final rule is an E.O. 14192 deregulatory action.

Review Under Executive Order 13175

The BLM has determined that it is not obliged by Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*, or Department or Bureau policy to conduct tribal consultation in advance of promulgating this final rule.

The rescission rule will not have "tribal implications"; that is, it will not "have substantial direct effects on one or more Indian tribes." E.O. 13175, §§ 1(a), 5(b). That is because the rule

eliminates regulations that had set agency procedures but does not dictate any outcome for future land management decisions. Rather, any effects on tribes will occur, if at all, only as a result of separate planning and implementation decisions. Though those decisions may pertain to the subject matter of this final rule, the BLM's discretion to make such future decisions will be guided by the scope of its statutory authority, which is neither restricted nor expanded by the rescission of the 2024 Rule.

It is true, as commenters pointed out in the public comment process, that the wholesale rescission of the 2024 Rule includes rescission of the provisions of that rule that related to engagement with tribes and the rescission of the definition, for purposes of 43 CFR Part 6100, of the term *Indigenous Knowledge*. But the rescission of those elements merely reflects the fact that the regulations establishing the processes to which those provisions attached are themselves being rescinded. It does not imply any change to Bureau policy or the BLM's commitment to consult with tribes and to consider and include Indigenous Knowledge in the course of land management under other law and policies that continue to apply, undisturbed by the rescission of the 2024 Rule. Any future land management decisions that are made once the 2024 Rule is no longer in place will be subject to those policies, including to the extent that they call for consultation with tribes.

Though no substantial direct effects on one or more Indian Tribes are expected under this rule, pursuant to E.O. 13175 and Department policy, Federally Recognized Indian Tribes have the ability to request consultation on future planning and implementation decisions related to the subject matter of this rule.

Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (E.O. 13211)

Under E.O. 13211, agencies are required to prepare and submit a Statement of Energy Effects to the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, for those matters identified as significant energy actions. This is to

include a detailed statement of "any adverse effects on energy supply, distribution, or use (including a shortfall in supply, price increases, and increased use of foreign supplies) should the proposal be implemented" and "reasonable alternatives to the action with adverse energy effects and the expected effects of such alternatives on energy supply, distribution, and use."

Section 4(b) of E.O. 13211 defines a "significant energy action" as "any action by an agency (normally published in the *Federal Register*) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking: (1)(i) that is a significant regulatory action under E.O. 12866 or any successor order, and (ii) is likely to have a significant adverse effect on the supply, distribution, or use of energy; or (2) that is designated by OIRA as a significant energy action."

This final rule is expected to not have a significant effect on the Nation's energy supply.

Authority: 16 U.S.C. 7202; 43 U.S.C. 1701 et seq.

This action is taken pursuant to an existing delegation of authority.

List of Subjects

43 CFR Part 1600

Administrative practice and procedure, Coal, Environmental impact statements, Environmental protection, Intergovernmental relations, Preservation and conservation, Public lands.

43 CFR Part 6100

Conservation use, Ecosystem resilience, Land health, Restoration.

Lanny Erdos,

Director, Office of Surface Mining, Reclamation, and Enforcement,

Exercising the Authority of the Assistant Secretary, Land and Minerals Management.

Accordingly, for the reasons set out in the preamble, the Bureau of Land Management amends 43 CFR parts 1600 and 6100 as set forth below:

PART 1600—PLANNING, PROGRAMMING, BUDGETING

1. The authority citation for part 1600 continues to read as follows:

Authority: 43 U.S.C. 1711–1712.

2. Revise § 1610.7–2 to read as follows:

§ 1610.7–2 Designation of areas of critical environmental concern.

Areas having potential for Areas of Critical Environmental Concern (ACEC) designation and protection management shall be identified and considered throughout the resource management planning process (see §§ 1610.4-1 through 1610.4-9).

(a) The inventory data shall be analyzed to determine whether there are areas containing resources, values, systems or processes or hazards eligible for further consideration for designation as an ACEC. In order to be a potential ACEC, both of the following criteria shall be met:

(1) *Relevance*. There shall be present a significant historic, cultural, or scenic value; a fish or wildlife resource or other natural system or process; or natural hazard.

(2) *Importance*. The above-described value, resource, system, process, or hazard shall have substantial significance and values. This generally requires qualities of more than local significance and special worth, consequence, meaning, distinctiveness, or cause for concern. A natural hazard can be important if it is a significant threat to human life or property.

(b) The State Director, upon approval of a draft resource management plan, plan revision, or plan amendment involving ACECs, shall publish a notice in the Federal Register listing each ACEC proposed and specifying the resource use limitations, if any, which would occur if it were formally designated. The notice shall provide a 60-day period for public comment on the proposed ACEC designation. The approval of a resource management plan, plan revision, or plan amendment constitutes formal designation of any ACEC involved. The approved plan shall

include the general management practices and uses, including mitigating measures, identified to protect designated ACEC.

PART 6100 -- [REMOVED]

3. Under the authority of 43 U.S.C. 1701 et seq., remove part 6100.

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