

Please note: Italics are used in this document to indicate where text should be inserted by author.

State office billing code - P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

FBMS Charge Code

Notice of Final Supplementary Rules for Public Lands in *Location(s)*.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Final Supplementary Rules.

SUMMARY: *Brief summary of final supplementary rules, ideally no more than three sentences. The Bureau of Land Management (BLM) is finalizing supplementary rules for all BLM-administered public lands within *location(s)*. Provide a concise description of what conduct the rules will regulate. If the supplementary rules will help enforce decisions in an RMP / ROD or other plan, identify the plan and the date it was completed.*

DATES: These supplementary rules are effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may send inquiries by mail, electronic mail, or hand-delivery. Mail or Hand Delivery: *name and address.*

Electronic mail: *email address.*

FOR FURTHER INFORMATION CONTACT: *Name, position, location, address, phone number and email.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual.

SUPPLEMENTARY INFORMATION:

I. Background

Provide a summary of the proposed rules, including the FR cite. Describe the relevant location(s) and their resource and/or public safety issues, any relevant land use or travel management plans, and any existing supplementary rules.

II. Discussion of Public Comments and Final Supplementary Rules

Summarize the final supplementary rules, the reasons they will be established, and any public comments that were received. Explain whether or not (and why or why not) the proposed rules were modified in response to the comments. In addition, explain any changes in the proposed supplementary rules that were made for reason other than public comments..

III. Procedural Matters

Executive Order 12866 and 13563, Regulatory Planning and Review

Will the final supplementary rules be a “significant regulatory action?” Are they subject to review by the Office of Management and Budget under Executive Orders 12866 and 13563? For a definition of “significant regulatory action,” see section 3(f) of Executive Order 12866 at: <http://govinfo.library.unt.edu/npr/library/direct/orders/2646.html>.

See also 76 FR 3821 (Jan. 18, 2011 (text of E.O. 13563).

National Environmental Policy Act (NEPA)

Provide explanation of NEPA findings and how the findings were made. See 43 CFR 46.

Regulatory Flexibility Act

Will the final supplementary rules have a significant economic impact, either detrimental or beneficial, on a substantial number of small entities? See 5 U.S.C. 601-612.

Small Business Regulatory Enforcement Fairness Act

Will the final supplementary rules constitute a “major rule?” See 5 U.S.C. 804(2) (definition of “major rule”).

Unfunded Mandates Reform Act

Will the final supplementary rules impose an unfunded mandate on State, local, or tribal governments or the private sector of \$100 million or more per year? Will they have a significant or unique effect on State, local, or tribal governments or the private sector? Is the BLM required to prepare a statement or plan in order to comply with Subchapter II of the Unfunded Mandates Reform Act? See 2 U.S.C. 1504-1571 (text of Act).

Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights (Takings)

Will the final supplementary rules have significant takings implications? Will they be capable of interfering with constitutionally protected property rights? Is a takings assessment required? See 53 FR 8859 (March 15, 1988) (text of E.O. 12630).

Executive Order 13132, Federalism

Will the final supplementary rules have a substantial direct effect on the States, on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government? Will they conflict with any State law or regulation? Will they have sufficient federalism implications to warrant preparation of a federalism assessment? See 64 FR 43255 (Aug. 10, 1999) (text of E.O.).

Executive Order 12988, Civil Justice Reform

Will the final supplementary rules unduly burden the judicial system? Do they meet the requirements of sections 3(a) and 3(b)(2) of Executive Order 12988? See 61 FR 4729 (Feb. 7, 1996) (text of E.O.).

Executive Order 13175, Consultation and Coordination with Indian Tribal Governments

Will the final supplementary rules have tribal implications (i.e., will they have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes)? Will they have any bearing on trust lands or on lands for which title is held in fee status by Indian tribes or U.S. Government-owned lands managed by the Bureau of Indian Affairs? See <http://www.gpo.gov/fdsys/pkg/FR-2000-11-09/pdf/00-29003.pdf> (text of E.O.)

Executive Order 13352, Facilitation of Cooperative Conservation

Will the final supplementary rules impede the facilitation of cooperative conservation? Will they take appropriate account of and consider the interests of persons with ownership or other legally recognized interests in land or other natural resources; properly accommodate local participation in the Federal decision-making process; and provide that the programs, projects, and activities are consistent with protecting public health and safety? See 69 FR 52989 (Aug. 30, 2004) (text of E.O.).

Information Quality Act

Did the BLM conduct or use a study, experiment, or survey or disseminate any information to the public in developing the final supplementary rules? If so, did the BLM

maintain adequate quality, objectivity, utility, and integrity of the information? See Consolidated Appropriations Act of 2001, Pub. L. No. 106-554, Section 515, 114 Stat. 2763, 2763A154 (2000) (codified at 44 U.S.C. 3516 Note).

Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

Will the final supplementary rules constitute a significant energy action? Will they have an adverse effect on energy supplies, production, or consumption? See 66 FR 28355 (May 22, 2001) (text of E.O.).

Paperwork Reduction Act

Will the final supplementary rules contain any “collection of information,” as defined at 44 U.S.C. 3502(3) of the Act? If so, the Office of Management and Budget must approve such a collection, unless it has been approved previously. See 44 U.S.C. 3501-3521 (text of Act) and 5 CFR Part 1320 (OMB regulations).

FINAL SUPPLEMENTARY RULES

Author

The principal author of these supplementary rules is *insert name, insert title*, Bureau of Land Management.

For the reasons stated in the preamble, and under the authority of 43 CFR 8365.1-6, the State Director establishes supplementary rules for public lands managed by BLM in *location(s)*, OR *subject to the [XYZ] plan*, to read as follows:

Definitions

Provide definitions

Prohibited Acts

Provide prohibited acts

Exemptions

The following persons are exempt from these supplementary rules: any Federal, state, local, and/or military employee acting within the scope of their duties; members of any organized rescue or fire-fighting force performing an official duty; and persons, agencies, municipalities or companies holding an existing special-use permit and operating within the scope of their permit.

Penalties

On public lands under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a) and 43 CFR 8360.0-7, any person who violates any of these supplementary rules may be tried before a United States Magistrate and fined no more than \$1,000 or imprisoned for no more than 12 months or both. Such violations may also be subject to enhanced fines provided for by 18 U.S.C. 3571. *Insert other penalties, if any, that might apply depending on location. Guidance from Solicitors' Office is recommended.*

State Director signs here _____

Insert name of State Director

Bureau of Land Management

State Director, *insert state*