**Changes to Local Government Coordination:**

1. Removes definition of “Consistency”
2. Changes the definition of “Officially approved and adopted land use plans.” Currently, the federal agency is required to be consistent with local land use plans and the “policies, programs and process” of local governments. The new definition removes “policies, programs and processes,” thereby limiting their consistency requirement only to officially adopted land use plans. (pg 52)
3. However, the proposed rules add language to require that the federal agency only has to be consistent with those plans that are consistent with federal laws, regulations and “purposes, policies and programs” of the agencies. The new language reads that Coordination is to be accomplished “to the extent consistent with Federal laws and regulations applicable to the public lands, and the purposes, policies and programs of such laws and regulations.” FLPMA requires that local plans must be consistent with federal laws and regulations. It does not require that they also be consistent with the “purposes, policies and programs” of the agency. This is a major expansion of the statutory provision, allowing the agency to justify any action it wants to carry out. (pg 112)
4. Creates “Planning Assessment” as the first step in planning process. The Planning Assessment gives the “public” early opportunity to provide information and “suggest policies, guidance, or plans for consideration.” This assessment replaces the Analysis of the Management Situation where currently, the agency is directed to identify potential restrictions from local land use plans. Under the proposed rules, the public’s input into policies, guidance and plans is elevated above the local governments policies developed under their statutory planning authority.
5. Planning criteria would no longer be required. Existing regulations require that the criteria be coordinated with local governments. This eliminates another early opportunity for the BLM to resolve conflicts with local governments and ensure consistent planning goals and objectives across all governing bodies with planning authority in the resource area.
6. Requires consistency with local plans only if the inconsistency is given to the agency is writing. While this is already a requirement in the existing regulations, the significant difference is that the opportunity to discuss inconsistencies early in the process, and consideration of local plans early in the process, has been diminished under the proposed rules. Now the burden of pointing out consistencies falls solely on the local governments, rather than on the federal agency to be apprised early in the process, as is required and intended under FLPMA.
7. The consistency review occurs at the end of the planning process, after the final plan has been released, and the burden to make the review is placed on the Governor of the impacted states, rather than on the agency.
8. Removes 1610.3-2(c), which current regulations requires the State Director to coordinate the development of guidance policy with local governments. The section being removed states:

(c) In developing guidance to District Managers, in compliance with section 1611 of this title, the State Director shall:(1) Ensure that it is as consistent as possible with existing officially adopted and approved resource related plans, policies or programs of other Federal agencies, State agencies, Indian tribes and local governments that may be affected, as prescribed by § 1610.3-2 of this title;(2) Identify areas where the proposed guidance is inconsistent with such policies, plans or programs and provide reasons why the inconsistencies exist and cannot be remedied; and(3) Notify the other Federal agencies, State agencies, Indian tribes or local governments with whom consistency is not achieved and indicate any appropriate methods, procedures, actions and/or programs which the State Director believes may lead to resolution of such inconsistencies.