

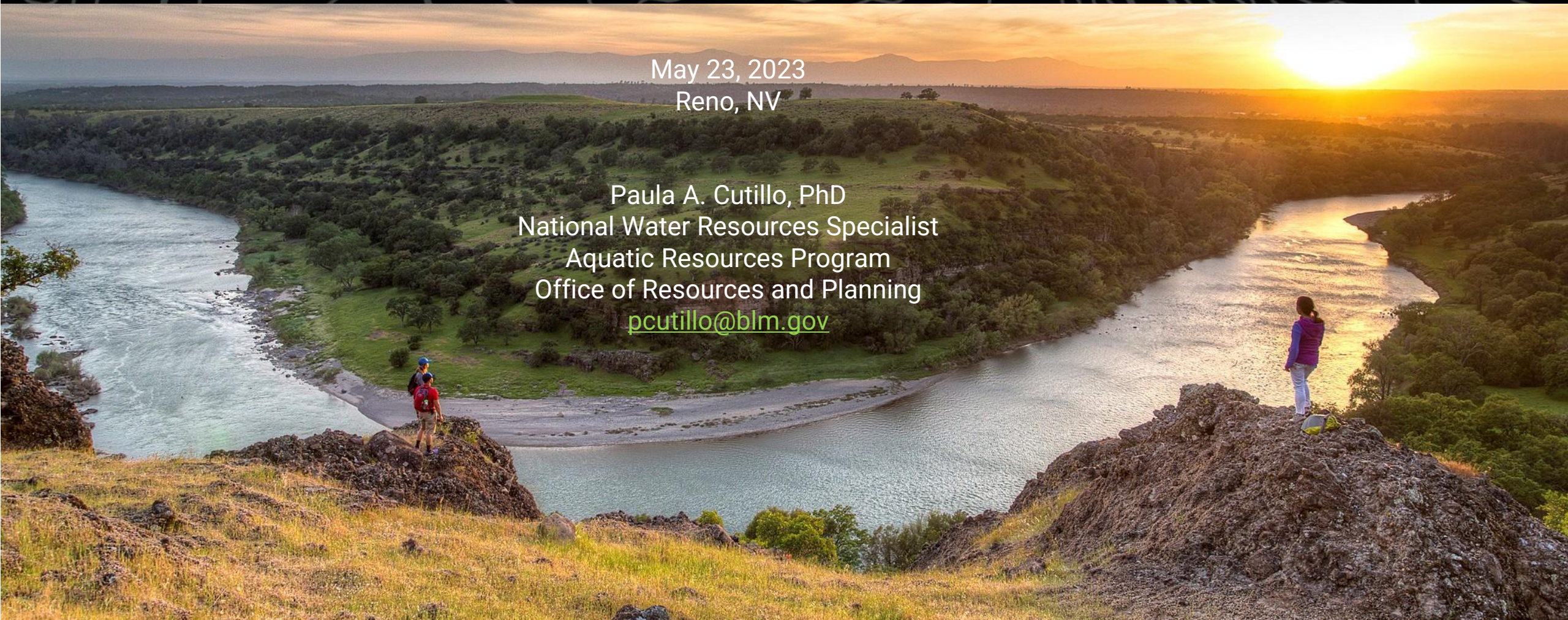
U.S. Department of the Interior
Bureau of Land Management

Western States Water Council Legal Committee Meeting

Update on New and Integrated Policy for Water, Riparian, Wetland, and Fisheries Resources

May 23, 2023
Reno, NV

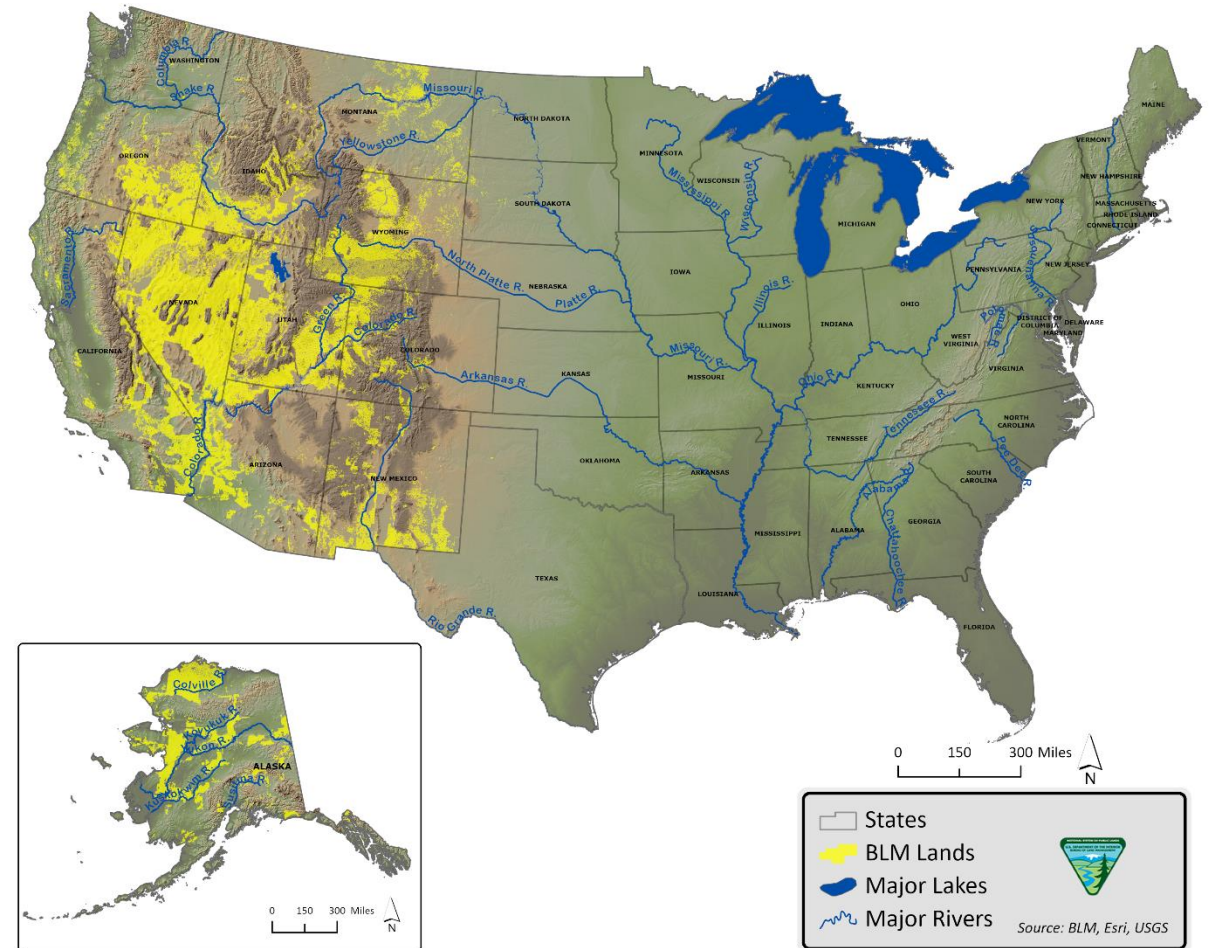
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Topics:

1. Policy for Aquatic Resources, Drought
2. Categorical Exclusion for Restoration
3. Rulemaking – Proposed Public Lands Rule





Policy Guidance

Manuals

- Policies, authorities, procedures, responsibilities, and instructions to manage programs (what and who)
- Audience = Program managers and specialists

Handbooks

- Detailed instructions, techniques, practices, and processes for implementing policy (how)
- Audience = Specialists and technicians

Instruction Memorandums

- New policies and procedures that supplement manuals and handbooks
- Interpret existing policies or provide one-time instructions
- Quickly reach all employees
- Audience = Internal or public



Policy Guidance

Manual Structure

- Objectives
- Authority
- Responsibilities
- References
- Policy
- File and Records Maintenance
- Decision Guidance
- Internal and External Involvement

1737 – RIPARIAN WETLAND AREA MANAGEMENT

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BLM MANUAL
Rel. 1-1611
12/10/92

7240 – WATER QUALITY MANUAL (P)

TC-1

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BLM MANUAL
Supersedes Rel. 7-63

Rel. 7-111
Date 04/09/2015



Policy Guidance for Aquatic Resources

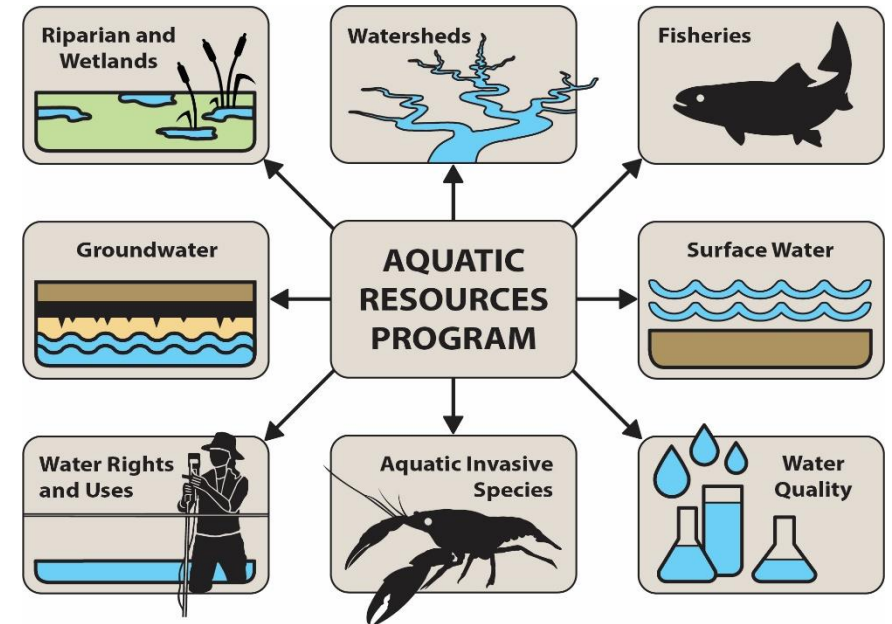
Existing Manuals

Integrated

- Soil, Water, and Air Management (1985)
- Aquatic Resource Management (1991)
- Riparian-Wetland Area Management (1992)
- Water Quality (2015)

Not Integrated

- Wildlife and Fisheries Management (1988)
- Special Status Species Management (2008)
- Water Rights (2013)



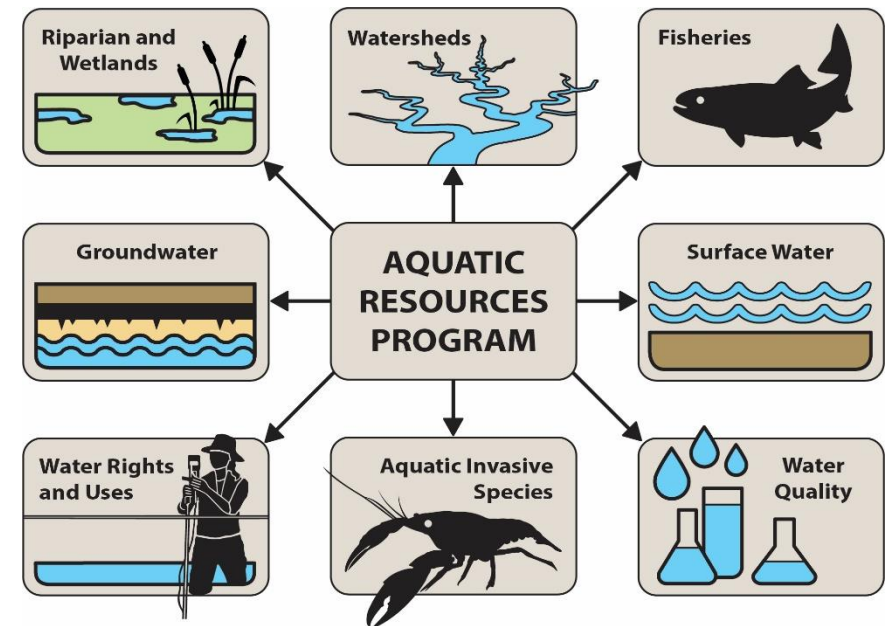
<https://www.blm.gov/policy/manuals>



Policy Guidance for Aquatic Resources

Objective: *Protect and restore water resources, riparian and wetland areas, and aquatic habitats to provide functioning ecosystems for a combination of balanced and diverse uses including fish and wildlife, and the long-term needs of future generations.*

- A. Ecosystem Structure and Function
- B. Water Quality
- C. Water Availability
- D. Riparian, Wetland, and Aquatic Habitat





Policy Guidance for Aquatic Resources

New Policy Direction

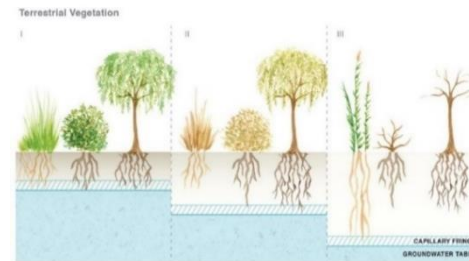
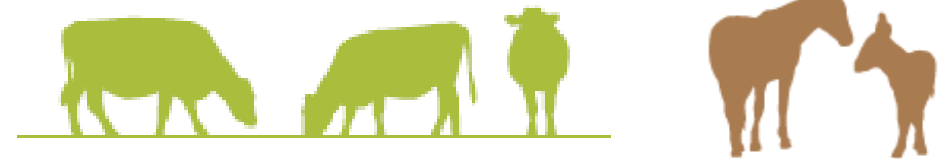
- Habitat Protection & Restoration
 - Habitat connectivity – consistent with BLM habitat connectivity IM (Nov 2022)
 - Watershed assessments
 - Guidance on process-based riverscape and wet meadow restoration
 - Aquatic Organism Passage
- Water Quality – monitoring for rights of way for aquifer recharge activities
- Water Availability
 - Drought & water availability assessments consistent with new IM (draft)
 - Guidance on rights of way for groundwater pumping wells
- Adaptive Management – consistent with DOI policy (522 DM 1)



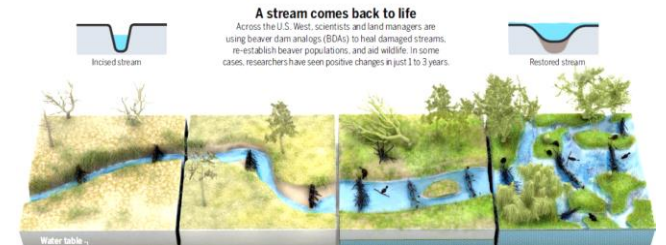
Policy Guidance for Drought & Water Availability

Instruction Memorandum

- Is water legally and physically available for proposed activities?
- Do existing uses need to be modified due to drought?
- Where can drought resilience be improved?



(ROHDE ET AL./GROUNDWATER)



(V. ALTOUNIAN/SCIENCE)



Categorical Exclusion for Aquatic Restoration

Objective: *Improve water quality, aquatic and riparian habitat, and overall ecosystem function by enhancing structural complexity, removing barriers to connectivity, and mimicking or promoting natural processes.*

1. Addition of temporary/permeable instream structures (e.g., BDAs)
2. Modify or remove structures that impede connectivity and passage (e.g., culverts)
3. Remove or replace fencing, or build wildlife friendly enclosure fencing in riparian areas
4. Control invasive species in riparian areas





Rulemaking – Proposed Public Lands Rule

For more info: www.blm.gov/public-lands-rule

Three Main Components of the Proposed Public Lands Rule

We must build and maintain healthy lands in three primary ways:

Protect

the most intact, functioning
landscapes

Restore

degraded habitat and
ecosystems

Wise Management

decisions across all plans and programs
based on science and data



Comment by June 20: www.regulations.gov/docket/BLM-2023-0001/document