The University of Montana
Public Policy Research Institute

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# Memorandum

TO: People Interested in the BLM Western Oregon Plan Revisions Process

FROM: Matthew McKinney, Project Director
Paul De Morgan, Senior Mediator

SUBJECT: Final Report and Recommendations

DATE: January 6, 2006

Attached please find the final version of our report, *Engaging People in the BLM Western Oregon Plan Revisions Process*. Thank you to everyone who provided feedback on the preliminary draft. We have done our best to incorporate your input and advice into this final report. Any errors or omissions remain our responsibility.

Please keep in mind that this report is advisory; it contains a number of process suggestions on how to engage people and make the process as transparent as possible given the time and other resources available. The report is not an end in itself. Rather, it should be viewed as one step in the planning process – a building block of sorts. Our understanding is that BLM's intent is to enable people to stay engaged and to provide ample opportunities for people to participate during this three-year process. We believe this final report includes some practical suggestions on how to fulfill this objective.

Based on the findings and conclusions of the situation assessment, the feedback we received on the draft report, and our understanding of the time schedule, we recommend the following steps to engage people in the WOPR:

<u>January through March, 2006</u>

1. Begin to implement the "best practices for public participation" presented in option 8 and Appendix D, including but not limited to:
    a. Provide more notice and a longer lead-time prior to public meetings
    b. Distribute reports and/or other documents far enough in advance of a public meeting or hearing to enable the public to digest and review them.
    c. Continue to publish and distribute a quarterly newsletter.
    d. Build on existing social networks, and where feasible, allow the "culture of communities" to dictate the timing, location, and format of public meetings.

e. Use effective web technologies when and where feasible.
f. Make every effort to make meetings of the Steering Committee, Science Advisory Team, and Cooperating Agencies more open to the public. This could include open meetings where the public could participate, publish minutes of the meetings, etc.
g. Encourage written public comment on draft documents.
h. Engage in responsive decision-making and provide continuous feedback to citizens and stakeholders on how their input is being integrated into the plans or not, and why.

2. Convene one or more sessions with Tribal governments in the region to design a government-to-government process for engaging Indian tribes during the WOPR planning and decision-making process based on the specific suggestions in the full report.

3. Validate the draft planning criteria and "thematic alternatives" by explaining the underlying values, interests, and goals that will drive the planning and decision-making process and asking people:

   a. Do the planning criteria adequately address the requirements of the settlement agreement, the O&C Act, the conservation objectives of the Northwest Forest Plan, and the other interests important to people?
   b. Does the range of "thematic alternatives" capture the range of interests at stake in the management of BLM lands in western Oregon?

   The process of validation could be accomplished through one or more of the following:

   - Ask members of the WOPR BLM Steering Committee to host open public workshops; and/or meet with groups of like-minded individuals (e.g., the O&C County Association, conservation groups, Indian tribes, etc); and/or meet with existing groups such as PACs and watershed councils.
   - Use an impartial facilitator to likewise convene public workshops, meet with groups of like-minded individuals, and/or meet with existing groups. The advantage with this approach is that people might be more candid and forthcoming with their comments than if a BLM official is asking for the feedback.

   This process of validating the planning criteria and thematic alternatives should be separate from asking people for feedback on the models and methods that will be used to analyze the alternatives. The latter is likely to be interesting to a smaller population of technically-oriented people, while the former addresses more of the value issues, and thus is likely to be of interest to a broader, more general audience.

4. Seek input and advice on the model and methods for analyzing alternatives, including the Analysis of the Management Situation (AMS). This will provide BLM the opportunity to benefit from any additional information and knowledge that stakeholders have. Since this is likely to be a much more technical discussion than the dialogue around planning criteria and the thematic alternatives, it is probably wise to separate the two.

   The BLM should explain that, while they are interested in obtaining information that will

help inform the analysis, the time formally to refine the assumptions and data is in the draft EIS (the AMS itself will not be revised until then, but will be incorporated into chapter 3 of the DEIS). At this point, the objective is to foster a common understanding and ensure the credibility of the basic methodology and model that will be used to analyze the alternatives.

This objective could be met by one or more of the following mechanisms:

- The project team and/or WOPR BLM Steering Committee could consult with the formal cooperators.
- The project team and/or WOPR BLM Steering Committee could convene one or more open workshops for people interested in this more technical aspect of the planning process.
- If appropriate, an impartial facilitator could help design and facilitate these workshops.

5. During this time period, the most valuable use an impartial facilitator/mediator might be to:

    a. Provide ongoing coaching and consultation.
    b. Shuttle a single text document – including the planning criteria and thematic alternatives – around to groups of like-minded interests.
    c. Convene and facilitate public workshops on the planning criteria and thematic alternatives.
    d. Convene and facilitate workshops on the model and methods for analyzing the alternatives.
    e. Provide input and advice, or help produce, communication materials.

<u>April through December, 2006</u>

6. After fostering as much common understanding (if not agreement) on the planning criteria, the thematic alternatives, and the model and methods to analyze alternatives, the challenge is to make the process of analyzing the alternatives as transparent and as credible to all stakeholders as possible. Realizing that this will take place over a nine-month period or so, the BLM should create periodic opportunities to brief any and all interested stakeholders on their progress.

    This objective could be achieved through one or more of the following mechanisms:

    - Share information, trends, surprises, and questions with the formal cooperators and the Science Advisory Team on a regular basis; seek their input and advice on how to proceed. Invite citizens and stakeholders to these meetings consistent with the "best practices for public participation."
    - Convene periodic public workshops for the same reason.

7. Depending on the momentum and success of fostering a common understanding on the planning criteria and the thematic alternatives, the BLM and other parties should seriously consider the value of convening one or more workshops and/or a multi-party working group to jointly develop one or more mutual gain alternatives. If this process is successful, the preferred alternative is likely to emerge at this stage of the process, thereby mitigating the posturing and anxiety common during the formal selection of the preferred alternative.

In addition to workshops and/or a multi-party working group, other venues for participation might include a web-based survey and/or a collaborative/deliberative poll.

This strategy would need to be carefully linked to the analysis of the alternatives, such that there would be some back-and-forth between the Interdisciplinary Team and the working group (which would presumably include the formal cooperators). As part of this effort, BLM can increase the credibility of the analysis of alternatives by soliciting and incorporating into their analysis the cooperators' and others' questions about the alternatives and stakeholder views about the pros and cons of the alternatives being analyzed.

8. During this time period, the most valuable roles of an impartial facilitator would be to:
    a. Provide ongoing coaching and consultation;
    b. Help design and facilitate the process outlined in # 7 above.
    c. Provide input and advice, or help produce, communication materials.

<u>2007 and Beyond</u>

9. Once the draft EIS and RMPs are released, the BLM and other stakeholders should consider one or more of the options presented in the report on:
    a. How to engage the unaffiliated, general citizenry;
    b. How to effectively integrate national or non-local interests into the planning and decision-making process.

    Since this step in the process is about 12 months away, there is ample time to continue exploring and refining the options.

10. Depending on the momentum and success of efforts to develop a preferred alternative the BLM and other parties should consider the value of convening a multi-party working group and/or other strategies to review the DEIS and continue efforts to develop agreement around a preferred alternative.

11. During this period of time, the best use of an impartial facilitator might be to:

    a. Provide coaching and consultation;
    b. Help refine, design, convene a way to engage unaffiliated, general citizens (e.g., the Citizens Jury, web-based surveys, and other methods);
    c. Help design, convene, and facilitate more traditional public meetings;
    d. Mediate any emerging disagreements.

Thank you for the opportunity to work with all of you. If we can be of further assistance, please feel free to let us know.


| | |
|---|---|
| Matthew McKinney | Paul De Morgan |
| 406-457-8475 | 435-750-7075 |
| matt@umtpri.org | pdemorgan@resolv.org |

# Engaging People in the BLM Western Oregon Plan Revisions Process

**Prepared by**

RESOLVE
25 Years of Results Through Consensus

The University of Montana
Public Policy Research Institute

cbi

THE CONSENSUS BUILDING INSTITUTE

## ENGAGING PEOPLE IN THE BLM WESTERN OREGON PLAN REVISIONS PROCESS

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# EXECUTIVE SUMMARY

The U.S. Bureau of Land Management (BLM) is responsible for the management of over 2.5 million acres of public forest lands in western Oregon. For the last ten years these lands have been managed under six Resource Management Plans (RMPs) that were developed using the standards of the Federal Northwest Forest Plan (NWFP). Over the next three years, the BLM will examine current management efforts and revise the six RMPs. They will use a single Environmental Impact Statement (EIS) for the Salem District, Eugene District, Coos Bay District, Roseburg District, Medford District, and the Klamath Falls Resource Area of the Lakeview District Office.[1] In revising the RMPs, the BLM has indicated they must achieve the Oregon and California Lands Act (O&C Act) requirement of permanent forest production, as interpreted by the 9th Circuit Court of Appeals on the O&C lands, while complying with other applicable laws such as the Endangered Species Act (ESA), Clean Water Act (CWA), and the Federal Land Policy and Management Act (FLPMA).[2]

At the request of the Oregon state office of the BLM, the Public Policy Research Institute – with the assistance of RESOLVE and the Consensus Building Institute – completed the first phase of a situation assessment on the Western Oregon Plan Revisions (WOPR) process in October 2005. Sections I and II give an introduction to the report and background on the WOPR process.

## Expectations About the WOPR – Key Findings

The first objective of this situation assessment is to clarify what key stakeholders expect from the plan revision process. Section III summarizes people's expectations in terms of (1) their substantive interests or the outcomes they would like to see; and (2) their process interests, or how they would like to be involved in the planning and decision-making process. While the report includes a significant amount of information and ideas from the interviewees, the following points represent the essence of our findings and the basis for many of the possible options for engaging the public and stakeholders.

- While there are different interests, they are often not mutually exclusive; though some stakeholders are fixed in their positions, most of the people seem to think there is value in trying to work together.
- There has been an erosion of trust due in large part to the settlement agreement, but also because people do not know what is going on or how they can be involved.
- People are warming-up to the idea that the economic and demographic infrastructure of the region is changing.
- People recognize that an implementable solution must integrate the objectives of the O&C Act and the other values and benefits generated by BLM lands.
- Land management decisions need to be based on "best available" science, and there is a lot of information available. However, agreeing on what to do with "best available" science is difficult, and many people would like opportunities to synthesize and analyze alternatives.
- People want to engage unaffiliated, general citizens (the "silent majority") in this process.
- Tribes want to negotiate one-on-one, as sovereigns.
- The formal cooperators want a more active role.

1 A map of the planning area can be found at: http://www.blm.gov/or/plans/wopr/files/wopr_map.htm
2 WOPR Scoping for Issues Newsletter Issue No. 1

## Summary of Major Opportunities and Challenges

Section IV offers a synthesis of major opportunities and challenges facing the BLM and others in terms of engaging people in the revision of the six RMPs. These opportunities and challenges are based on the findings presented in section III of this report.

The major opportunities include BLM's interest in providing opportunities for stakeholders and citizens to be meaningfully and effectively engaged; recognition by most interviewees that balancing different interests will be necessary to achieve an 'implementable' solution; a willingness of diverse parties to engage in some type of cooperative, collaborative process; a tight but sufficient timeline for completion of the EIS and six RMPs; a useful baseline of information from which conversations can begin; and broad interest in engaging the general public.

The major challenges include the erosion of trust among some of the participants, due to a number of process concerns; the lack of a common understanding and/or agreement about the O&C lands purpose, conflicting mandates, and the current role of public lands in western Oregon; the geographic scope of the planning area; a concern, expressed by many people, about BLM's ability, and in some cases, intent, to move beyond the public participation steps required in NEPA and FLPMA.

## Options for How to Engage People

The options for engaging people are designed to satisfy the substantive and procedural interests identified earlier, as well as respond to the opportunities and overcome the challenges.

The success of the Western Oregon Plan Revisions will depend to a large degree on the extent to which citizens and stakeholders are meaningfully engaged in the planning and decision-making process. Based on the findings and conclusions of this situation assessment, along with our professional experience, there are several options that the BLM and other stakeholders might want to consider at this point to effectively engage the general public; organized stakeholder groups; Native Americans; and cooperating agencies. The options include, but are not limited to:

1. Clarify and Communicate BLM's Evolving Task
2. Engage Native Americans in Government-to-Government Negotiations
3. Validate the Analysis of the Management Situation
4. Validate the Planning Criteria
5. Generate a Range of Alternatives that Capture the Various Interests
6. Create an Open, Transparent Process to Analyze Alternatives
7. Engage Unaffiliated, General Citizens in Reviewing the Draft RMPs and EIS
8. Implement Best Practices for Public Participation
9. Consider Using Impartial, Nonpartisan Facilitation

# I. INTRODUCTION

## A. Report Objective

The Public Policy Research Institute (PPRI), with the assistance of RESOLVE and the Consensus Building Institute (CBI) (collectively, the assessment team), was hired by the U.S. Bureau of Land Management (BLM) to "Prepare an independent assessment of the opportunities and challenges facing the BLM in the Western Oregon Plan Revisions Process (WOPR)." According to the BLM directive, the assessment should:

- Clarify what key stakeholders expect from the plan revision process (i.e., how they name and frame the issues);
- Identify possible challenges and constraints to public and stakeholder involvement, and strategies to overcome such challenges and constraints;
- Present reasonable recommendations and alternatives for engaging these diverse publics and organizations in a meaningful way, given the expected timeframes and resources available; and
- Spell-out the need for neutral facilitation assistance, identification of appropriate partners, appropriate roles and responsibilities for key participants in the process, and recommendations for what needs to be done, continue, or change to create an effective public involvement process.

The objective of this report is to share our findings with stakeholders to confirm that the information in this report is accurate, to identify remaining gaps, and to solicit their views about possible options for public involvement.

## B. Situation Assessment Process and Approach

The purpose of this situation assessment is to respond to the four expectations presented above. It is a vehicle to identify key stakeholders, clarify their interests and concerns, and examine alternative approaches to engaging people in the WOPR process. This report, and subsequent dialogue, should foster a common understanding among stakeholders and the BLM on the objectives of the WOPR, the interests of different stakeholders, options on how to address the various issues and concerns, and the opportunities and challenges of creating more effective, more meaningful opportunities to engage people in the WOPR process. This common understanding, in turn, will serve as a foundation for the stakeholders and the BLM to jointly explore various options to engage people, consider the trade-offs with different approaches, and create a more credible, legitimate process.

In August and September 2005, the assessment team worked with BLM staff to better understand their interests and expectations for the assessment and to get input regarding the individuals to interview and the questions to pose during the interviews. Building on these interactions, and on their own experience, the assessment team identified potential interviewees, crafted questions, drafted an introduction letter, and created a project schedule. Many interviewees were chosen because they are active in these issues and could assist the team in assessing the history, current climate, and opportunities for engaging the public and stakeholders throughout the planning process.

In mid-September, the assessment team sent proposed interviewees a packet of information, including an introductory letter describing the process, interview questions, and a request to schedule an interview. Interviews took place in September and October. Many of these interviews were in-person, sometimes with individuals and in many cases with groups of like-minded individuals. Due to logistical challenges, some telephone interviews were also necessary.

Ultimately, 28 interview sessions, involving a total of 61 individuals, were conducted during the month and a half (see Appendix A for a list of interviewees). The interviewees included representatives of tribal, federal, state, regional, county, and city governments; recreation-related business interests; recreational user groups; rural communities; urban communities; and conservation- and education-related organizations. As you can see, we talked to a representative sample of people representing diverse interests and viewpoints.

The assessment team consisted of two Senior Mediators, Matthew McKinney of PPRI and Paul De Morgan of RESOLVE, each of whom conducted approximately half the interviews. For consistency, all interviews were conducted using the same set of questions to guide the discussion (see Appendix B for the interview questions).

All the interviewees were generous with their time, and their willingness to participate in a constructive and engaged manner was much appreciated. Collectively, the interviews helped the assessment team to better understand how the interviewees view the current situation in regard to revision of the Resource Management Plans (RMPs), what they would like to see in the future, how concerns and issues might be addressed, and how the public might be involved in the WOPR process moving forward.

During the interviews, we asked people to suggest other groups or people that we might interview. Due to time and funding constraints, we were not able to interview any of the people identified; however, we are sending a copy of this report to them, and will include them in any future dialogue building on this situation assessment. A list of the suggested names can be found in Appendix C.

## C. Analyzing the Results

The assessment team analyzed the interviews to meet three basic objectives (consistent with the overall expectations of this effort): first, develop a picture of the interviewee's current procedural and substantive interests; second, assess the opportunities and barriers to meaningfully engaging stakeholders and the general public; and third, identify options for engaging the public in the WOPR process based on the interviewees' suggestions.

In creating the picture of interests, the assessment team looked for themes present across a wide enough spectrum of interviewees to formulate conclusions. The assessment team then combined its expertise in developing and conducting an array of public processes with the reality of the current situation to develop options for how to engage the public in the WOPR process.

This report summarizes the interviews conducted, presenting what people told us more or less in their own words, paraphrased as needed to capture the common themes that emerged from the interviews. As such, this report is not exhaustive in its coverage of the issues or of people's concerns, nor is it a fact-checked documentary on life in western Oregon. Instead, think of this

report as a snapshot of what people think about the management of BLM lands in western Oregon — as a starting place for further discussion.

### D. About the Authors

The PPRI is an applied research and education organization at The University of Montana. Its mission is to foster collaborative governance to sustain communities and landscapes. The Institute is impartial and nonpartisan; it is not an advocate for any particular interest or outcome. The Director of the Institute, and the lead for this project (Matthew McKinney), belongs to the Association for Conflict Resolution and the International Association for Public Participation, and serves on the faculty at the Lincoln Institute of Land Policy and the School of Law at The University of Montana.

RESOLVE is a non-profit organization with 28 years of experience providing neutral design, facilitation, and consensus building services with particular expertise in environmental, natural resources, energy, land-use and transportation planning, and health-related public policy issues. RESOLVE's mission is to improve dialogue, problem solving and decision-making between parties to better handle complex policy problems, and to advance the effective use of dispute resolution and consensus building tools through excellent practice, capacity building, and research. RESOLVE's work ranges from providing facilitation services for public workshops and strategic planning processes, to mediating site-specific enforcement disputes, and multi-party regulatory negotiations and policy dialogues.

The CBI is a non-profit organization designed to help people with diverse viewpoints and interests build agreement and resolve disputes. CBI provides a full-range of consensus building services, and has worked with people and organizations in more than 30 countries around the world. CBI senior staff are affiliated with the Program on Negotiation at Harvard Law School and the Environmental Policy Group at the Massachusetts Institute of Technology.

## II. THE WESTERN OREGON PLAN REVISION PROCESS

### A. Background

The BLM is responsible for the management of over 2.5 million acres of public forest lands in western Oregon. For the last ten years these lands have been managed under six RMPs that were developed using the standards of the Federal Northwest Forest Plan (NWFP). Over the next three years, the BLM will examine current management efforts and revise the six RMPs. They will use a single Environmental Impact Statement (EIS) for the Salem District, Eugene District, Coos Bay District, Roseburg District, Medford District, and the Klamath Falls Resource Area of the Lakeview District Office.[3] In revising the RMPs, the BLM has indicated they must achieve the Oregon and California Lands Act (O&C Act) requirement of permanent forest production, as interpreted by the 9th Circuit Court of Appeals on the O&C lands while complying with other applicable laws such as

3 A map of the planning area can be found in the WOPR Scoping for Issues Newsletter Issue No. 1 (a copy is available at: http://www.umtpri.org/pbc/projects.htm)

the Endangered Species Act (ESA), Clean Water Act (CWA), and the Federal Land Policy and Management Act (FLPMA).[4]

The BLM efforts to revise the RMPs are being undertaken now for several reasons including "because key aspects of implementation have proven to be extremely controversial … the plans have not been able to operate as envisioned and we have not been able to meet our commitments to Counties and local communities to make a sustainable supply of timber available for sale."[5] In addition, revisions are being undertaken in response to the American Forest Resource Council (AFRC) lawsuit settlement agreement. The Secretary of the Interior, the Secretary of Agriculture, the AFRC, and the Association of O&C Counties agreed to a settlement in August of 2003 which requires that the BLM re-focus their efforts to on-the-ground management by fulfilling the commitments made in response to the NWFP. The settlement also requires the BLM to consider in each proposed RMP revision at least one alternative which will not create any reserves on O&C lands except as required to avoid jeopardy under the ESA and that "all plan revisions shall be consistent with the O&C Act as interpreted by the 9th Circuit Court of Appeals."

## B. Timeline and Schedule of Activities

The settlement agreement requires that the six RMPs and the associated EIS be completed by December 30, 2008. Based on this mandate, the Notice of Intent to revise the six RMPs was published on September 7, 2005 in the Federal Register. In the scoping phase, BLM held 12 Public Scoping Meetings across western Oregon as follows:

- September 8 in Salem
- September 13 in Clackamas
- September 15 in Klamath Falls
- September 20 in Coos Bay
- September 21 in Eugene
- September 22 in Corvallis
- September 22 in Gold Beach
- September 27 in Cloverdale
- October 6 in Reedsport
- October 6 in Roseburg
- October 12 in Medford
- October 13 in Grants Pass

In addition, BLM in partnership with the Sonoran Institute have conducted seven workshops about how the local and regional economies have changed, along with the role of public lands in the region's economy. Using a tool called the Economic Profile System, the objective of each meeting was to assist the community in developing a better understanding of regional social and economic changes and how to benefit from those changes.[6] These meetings took place as follows:

- September 14 in Klamath Falls

4 WOPR Scoping for Issues Newsletter Issue No. 1
5 Note from BLM Oregon/Washington State Director, Elaine M. Brong, August 2005 (included in the WOPR Scoping for Issues Newsletter Issue No. 1)
6 For information on the tool go to: http://www.sonoran.org/programs/socioeconomics/si_se_program_main.html

- September 15 in Josephine County
- September 16 in Jackson County
- October 4 in Coos Bay
- October 5 in Roseburg
- November 1 in Salem

The BLM is currently operating according to the following schedule to meet the deadline of December 30, 2008.

| | |
|---|---|
| Complete the Analysis of the Management Situation | December 2005 |
| Prepare Planning Criteria | December 2005 |
| Prepare Draft RMPs and EIS | December 2006 |
| Provide a 90-day Public Comment Period | January-March 2007 |
| Prepare the Proposed Final RMPs and EIS | October 2007 |
| Provide a 30-day Protest Period and 60-day Governor's Review | December 2007 |
| Prepare a Record of Decision | March 2008 |

The proposed completion of the six RMPs and EIS is nine months before the deadline required in the settlement agreement. The BLM's rationale for this proposed schedule is to provide some flexibility, allow time to resolve any appeals prior to the deadline, and to complete the process before the November national elections. Opportunities to engage the public and stakeholder groups must take place within these time constraints. The BLM seems open to discussing and revising this schedule according to the interests of citizens and stakeholders.

## III. PEOPLE'S EXPECTATIONS ABOUT THE WOPR

The first objective of this situation assessment is to clarify what key stakeholders expect from the plan revision process. This section of the report summarizes people's expectations in terms of (1) their substantive interests or the outcomes they would like to see; and (2) their process interests, or how they would like to be involved in the planning and decision-making process.

### A. Substantive Interests

Nearly everyone we interviewed recognized that the overarching goal of managing BLM lands in western Oregon is to achieve the objectives of the O&C Act <u>and</u> to sustain all of the other values generated and supported by these lands (e.g., endangered species, water quality, and recreational opportunities). Another way some people named this interest is – "to sustain the economy, communities, and the environment."

When the conversation turns to "how" to achieve this overarching goal, and "how" to balance the myriad mandates that the BLM must satisfy, opinions diverge. However, these differences of opinion seem to narrow the more people talked and clarified their underlying interests – suggesting that apparent conflicts among interests might be reconciled as stakeholders have more opportunities to clarify their interests, learn more about the interests of other people, and be creative about alternatives that might satisfy diverse interests.

In the course of the conversations, participants identified additional interests that, while different, were not necessarily conflicting. These interests included:

- Promote and support small business development, particularly for products harvested off the land.
- Recognize the ecological and economic benefits provided by restoration efforts.
- Improve private lands management, otherwise public land must produce all of the conservation values.
- Focus on management issues in and around the urban/wildland interface.

In order to move forward with efforts to develop new RMPs, participants identified a number of actions that need to be taken or issues that will need to be addressed by all involved parties.

1. Improve Public Understanding of Existing Statutory Requirements

Most of the people interviewed suggested that it is imperative to better inform and educate the general public about the unique characteristics of BLM land in western Oregon. Realizing that most unaffiliated, general citizens most likely do not know the BLM from other federal, state, or even local agencies, interviewees suggested that the BLM needs to distinguish itself from other agencies by clearly and concisely explaining its diverse statutory requirements, the unique objectives of the O&C Act, the checkerboard nature of its land in western Oregon, and the opportunities for public participation under NEPA. Explaining other legal requirements including the ESA, CWA, and FLPMA as well as the role BLM plays in implementing the NWFP would also be helpful.

2. Clarify the Economic Value of BLM Lands

Many participants suggested clarifying the economic impacts of timber harvesting on local communities, as well as the economic value of the environmental amenities generated by BLM and other public lands in western Oregon. Some of the specific questions that people identified include:

- What role has timber harvesting played historically within local communities?
- What contribution does timber harvesting make today?
- What other benefits do forests provide local communities?
- How do environmental amenities of public lands impact the communities and the economy?
- How are positive and negative externalities accounted for?

An additional suggestion was that new ways of assessing costs and benefits of logging versus other emphases (such as ecosystem services including clean water, carbon sequestration, etc.) should be factored into economic deliberations.

3. Implement the Objectives of the O&C Act

Some suggested that BLM should 'reestablish' the principles and objectives of the O&C Act as a mandate for management of BLM lands in western Oregon. The Act states "… lands … which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, shall be managed, except as provided in section 3 hereof, for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal of sustained

yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

In many instances, local communities would rather harvest timber on a sustained-yield basis to generate revenue rather than depend on federal payments under the Secure Rural Schools and Community Self-determination Act of 2000. Moreover, there is a growing concern that the latter (which sunsets on September 30, 2006 and has its funds running out at the end of October 2006) will be difficult to reauthorize in light of other national priorities. Reauthorization is currently being debated in Congress (S. 267 and H.R. 517). The 2003 Report to Congress by the Forest Counties Payments Committee – *Recommendations for Making Payments to States and Counties* -- presents the history and alternative futures for the county payments program.

Ensuring the sustainability of the forest products industry (including loggers, sawmills, plywood plants, paper mills, and the communities where people live and work) was viewed as a significant interest. As such, ensuring an adequate and dependable supply of timber from BLM and other federal lands would be important. Presently, many timber sales are not bid-on because people know the sales will get tied-up in court and the cost of obtaining the contracts is simply too high.

Interviewees suggested a number of approaches to satisfy these interests: opening more areas to timber contracts, providing more access to smaller timber for biofuels and other purposes, and experimenting with "stewardship contracts." Some noted that the social and cultural dynamics today are different than when the O&C Act was passed and, therefore, that implementation needs to be creative to accommodate multiple interests and needs. While some interviewees stressed the importance of the language in the O&C Act regarding "sustained yield" of timber, others suggested a discussion involving principles of sustainability beyond sustained yield is necessary.

Some people expressed concern that other people may use the RMP process to try and rewrite the O&C Act. Others expressed concern that the O&C Act is not being enacted as originally intended. Therefore, it is particularly important to identify creative alternatives that meet a wide range of interests.

4. Utilize the BLM Lands to Protect and Restore Oregon's Wildlife, Water, and Lands

For others, the value of BLM lands in western Oregon is to restore and enhance fishery resources, maintain late successional habitat, regenerate young forests, and provide clean water. Creation of more reserves that prohibit or limit logging would be seen by these participants as a way to ensure these values are protected and even enhanced. These individuals believe opportunities for forestry (e.g., plantation thinning and small diameter fuel reductions) could be provided to meet the needs of the timber industry. These participants also indicated that the new plans should be consistent with the NWFP and that promotion and protection of the status quo (if not more protection for endangered species) would be essential. It was noted that to the extent timber provisions of the NWFP have not been met, the same can be said of other provisions for habitat and species.

Some participants suggested it is important to recognize the ecological value that BLM lands provide and to consider them while trying to meet the needs of the O&C Act mandates. Some people believe that the RMP revision process threatens the very core of the NWFP – which is to say the reserve system. The reserve system (where logging is only allowed if it is used as a tool to meet

management objectives for the reserves) is critical to preserving old growth forests, wildlife habitat, water quality, and other important values. A recent report entitled "Importance of Western Oregon BLM Lands and Reserves to Fish and Wildlife Conservation" expands upon the value of reserves from the perspective of three conservation organizations.[7] The BLM lands are critical to the overall landscape, and should be managed according to the needs of the watershed. According to these people, you can only partially compensate habitat loss on BLM ground by doing restoration work on USFS and private lands. These participants noted that addressing how to protect old growth forests from logging will be of paramount importance in the WOPR process, and indicated there is significant public desire to see remaining old-growth forests on public lands retained. Finally, an interviewee suggested that as the USFS and BLM initiate the process to update the Survey and Manage program it should be integrated into the WORP process as there is direct relevance to the reserve system.8

Some people conversely point out that the overall environmental quality of the region is declining (e.g., the population of spotted owls is declining, new species of salmon are being listed as threatened and endangered) and as such the BLM lands need to assist in enhancing the environment.

5. Manage BLM Lands in Western Oregon for Recreational Uses

Consistent management of recreational uses on BLM lands in western Oregon would be helpful to some stakeholders, as presently there seems to be a great deal of variation in how recreation is managed from one BLM district to another. Finding a more balanced equilibrium between recreation interests and timber interests and ecological protection was identified as an important desired outcome. Some participants suggested that recreational areas and corridors should be treated with higher priority, as opposed to the current approach where they are often considered only after timber, mining, and other resource development activities. One suggestion was that recreation be formally recognized as an economically valuable asset provided by BLM lands in western Oregon. In addition, it was suggested that BLM should use professional recreation managers, not people who are trained in forestry and wildlife management and do recreation management as a fallback.

Finally, resolution of a number of specific on-the-ground management problems would be helpful, including but not limited to: 1) class 2 OHV permit requirement; 2) user fees; 3) the acreage formula for designating motorized recreational areas; and 4) the designation of recreational and wilderness areas on the basis of use, not arbitrary criteria. Some suggested that BLM explore opportunities to work with the motorized recreation interest groups to build and maintain roads, trails, and corridors as an approach to building relationships.

6. Seek Understanding and Agreement on How to Meet the Objectives of the O&C Act

In addition to the specific interests regarding how to manage the land (items 3, 4, and 5 above), many interviewees indicated it is important to seek understanding and agreement on how BLM land can meet the mandates of the O&C Act. To the extent some parties focus on the O&C Act

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7 The lead author was Dominick DellaSala of the World Wildlife Fund Klamath-Siskiyou Program who developed it with Nancy Staus and Erik Fernandez. Copies can be found at http://www.consbio.org/cbi/pubs/index.htm.
8 More information can be found in the Notice of intent to prepare a supplement to a final environmental impact statement in the Federal Register / Vol. 70, No. 237 / Monday, December 12, 2005 / Notices

mandate of timber harvesting "with the principal of sustained yield," others focus on the language associated with "… protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

For some interviewees it would be helpful to recalculate sustained-yield harvest levels and determine which lands/forests can best meet the desired volume of timber. Defining what sustained-yield means, and what happens if the forest is not periodically harvested (i.e., nature takes its course in the form of forest fires, insect infestations, disease, and eventually forest fires) will be important. As none of the western Oregon BLM districts have met the timber harvest targets established in the NWFP, it may be useful to address some of the reasons including:

- BLM field staff has been reduced (due to retirement and not filling vacancies), so there are fewer people to do the necessary work to harvest timber and otherwise manage the land.
- The timber sales that are offered are not very economical. According to some people, it is very hard to lay-out economically viable timber harvests and meet the goals of the NWFP.
- The timber sales that are offered, even though in the matrix, are often contested in court.

While some indicated that the NWFP should continue to serve as the driver for managing all forest lands in the region, including the O&C lands, others suggested that the NWFP violates the objectives of the O&C Act. Some of the individuals who suggested the NWFP violates the O&C Act offered that the best approach to developing a new land management plan is to start all over, with a blank slate and carefully map the resource base, clarify existing laws and policies, examine the science, and then make informed decisions.

7. Work with Adjacent Landowners

Given the checkerboard nature of the landscape, many participants emphasized the need for BLM, building on existing efforts, to work with adjacent landowners, including the USFS and private landowners. Many participants noted it is impossible to effectively manage land within a given watershed without engaging all of the "land managers" within that watershed – including private landowners. Some suggested the USFS should be more than a formal cooperator in this planning process and that perhaps other vehicles for better interagency coordination exist.

8. Manage the Existing Road System

A number of participants noted that many roads are not in very good condition; they are overgrown with vegetation because of lack of use. Also, sometimes agency decisions are contested which significantly slows down efforts to maintain roads. Others noted however that the challenges come from over-building of roads followed by under-funding for maintenance.

9. Administer the Fire Management Regime on BLM Lands

There are as many opinions about why the current fire regime exists as there are about what it should be in the future. The science of fire ecology and the history of management decisions' impacts on the fire regime were identified as important factors to better understand in making future decisions. A number of participants suggested that enabling effective management of the timber load on BLM lands is essential. Specifically, some maintained that managers need to be able to act to reduce the risk of future fires, while others wanted to ensure natural systems are allowed to work

as nature intended. In the same area, many participants wanted to create opportunities to salvage wood in burned areas while ensuring those efforts are done in an ecologically sensitive manner.

## B. Process Interests

In addition to clarifying substantive interests or outcomes, the interviewees also expressed a number of process interests – that is, expectations about how the planning and decision-making process should unfold, and how the public and stakeholders should be involved in the process. Appendix D includes a menu of options on how to meet these process interests, building on the interviews and the assessment team's experience.

### 1. Clarify the Evolving Task of the BLM

Several people suggested that the BLM should clarify its evolving task. Even for seasoned observers, the complexity of BLM's task is often confusing given the unique nature of the O&C lands, the economic and ecological values of BLM lands in western Oregon, the settlement agreement, and the requirements of NEPA, ESA, CWA, FLPMA, and other statutes.

Somewhat related to the substance of BLM's task, some participants indicated that the most effective way to accomplish the task is allow BLM land managers to do their job. Some people indicated that BLM staff have the expertise to manage the land according to ecological needs, the best available science, and legal mandates – and that this would be a far better approach than managing the land according to lawsuits and political decision-making. Others suggested that BLM may not have implemented programs with all legal mandates in mind and are dubious that they can do so in the future.

At the same time, some interviewees claimed that the BLM needs to do a better job listening to people and explaining – early and often – what they can and cannot do (legally, scientifically, administratively, etc.). At least one participant suggested BLM should just make decisions through the regular process and then stakeholders will be able to determine if the proposed approach is legal.

Some people suggested that the EIS should be organized by region – Coast Range, Oregon Klamath basin, and Western Cascades – similar to the Provincial Advisory Committees (PACs) created by the NWFP. Other people commented that the PACs are not very effective, and that it would be much more effective to organize around the administrative units of each RMP.

### 2. Maintain the Integrity of the EIS-planning Process

Most, if not all of the interviewees, agreed that it is essential to maintain the integrity of the EIS-planning process in order to arrive at an implementable outcome – one that will satisfy people's interests enough so they do not feel compelled to challenge or object to the plan. The participants offered a number of suggestions on how to accomplish this objective.

First, all of the BLM mandates and objectives need to be understood and considered in the course of revising the RMPs. Second, compliance with all existing laws is essential and non-negotiable. Third, compliance with the NWFP ecological provisions is essential. Fourth, all participants, including the BLM and the parties to the settlement agreement, need to be careful not to presume a predetermined outcome or preferred alternative before the analysis and public involvement

processes are completed. Fifth, the BLM should increase the level of specificity of the goals, objectives, strategies, and techniques in the RMPs in terms of how certain activities will meet state laws, rules, regulations, and standards

In addition to these four general suggestions, the participants offered a number of more specific suggestions (which could be considered criteria for a good process) including:

- Foster an open, transparent decision-making process.
- Create dialogue, deliberation, trust, communication, and understanding.
- Utilize creative methods to engage unaffiliated, general citizens.
- Keep the pace of activity manageable for participants.
- Do not surprise people.
- Make the process as appeal-proof as possible by meeting all statutory requirements.
- Coordinate efforts to engage the public.
- Create a level playing field for all participants.

Appendix E presents a variety of options to engage the public and stakeholders in different steps in EIS-level planning.

3. Engage Native American Tribes on a Government-to-Government Basis

Some participants stressed the need to engage Native American tribes on a government-to-government basis, noting that it is important to recognize and respect tribal sovereignty and self-determination. The tribes want to make their own decisions about how to manage their lands and resources. Among other things, they would like to revisit the reserve system; in some places it may need to be increased, while in other places it should probably be eliminated.

Some interviewees pointed out that the administration's policy and Secretary Gail Norton's memo on Indian self-determination contradicts the Congressional statute under which the Coquille Tribe must manage their lands (i.e., they are required to manage their lands according to the standards and guidelines of adjacent federal lands). Along these lines, the tribes would like the opportunity to meet existing laws and policies in their own way and to adapt strategies to site-specific conditions. Regarding the Coquille Forest, one participant wondered whether the BLM has the legal authority to establish management direction and standards for Tribal lands Since the Coquille Forest requires management of these Tribal lands subject to standards and guidelines of the adjacent BLM lands, the Coquille Tribe feels the BLM planning process should provide the Tribe with an opportunity to design a management strategy which respects Tribal sovereignty, Indian self-determination, and meets the Tribe's goals for management of its Tribal forest lands. This can be accomplished through direct government-to-government consultation between the Tribe and BLM. Indian trust lands are not public lands and special considerations are needed in impacting management of the Coquille Forest lands as a result of the BLM/Tribal nexus established in the Coquille Forest Act.

4. Consider a Range of Alternatives that Meet People's Substantive Interests

The perceived legitimacy or integrity of the EIS process also will be affected by the choice of alternatives considered. Although we include it in this section on process, it links to the fundamental differences in substantive interests about what the forests should be managed for.

Engaging the public and interested stakeholders in a conversation about what the alternatives to consider is one of the most critical steps in the WOPR process.

According to the settlement agreement, the EIS/RMPs shall include a "no reserve alternative," and that "all plan revisions shall be consistent with the O&C Act as interpreted by the 9th Circuit Court of Appeals." In light of this mandate, the interviewees who support the reserves expressed significant cynicism about what influence, if any, they can have in the process and on the eventual outcome as they believe the Court's opinion is "unfriendly to wildlife conservation on O&C lands." According to these participants, the entire process seems to be driven by the settlement agreement it appears that the outcome is both predetermined and inevitable. As such, they believe the entire process has very little credibility and may be irreparably flawed. In addition, they indicated that this situation assessment and the involvement of independent, impartial third-parties in general are only utilized to create an illusion of participation.

To help offset the weight given to a "no reserve" alternative, some participants would like to see a "conservation alternative" that focuses on sustaining conservation values first, and allowing timber harvesting only when and where necessary to enhance conservation values. Some also wondered if the impact of no reserves on BLM lands on all of the adjacent lands – in terms of meeting the goals of the ESA, CWA, etc. – had been considered and whether that would be acceptable to other land managers.[9]

Several participants suggested that a wide range of alternatives need to be assessed, giving careful consideration to how each alternative satisfies legal mandates, reflects the changing economic and demographic fabric of the region, and satisfies different stakeholder Clearly, a process that fosters creative alternatives that get closer to achieving the goals of the O&C Act, ESA, CWA and other statutes would best achieve the shared interest expressed of "sustaining the economy, communities, and the environment."

In developing alternatives for consideration, BLM and the other participants should keep these ideas in mind:

- Use best available science (i.e., science that has gone through independent peer review), regardless of the source.
- Provide opportunities for other sources of information (e.g., anecdotal) to be considered.
- Be guided by explicitly articulated sideboards and constraints (what the BLM refers to as "planning criteria").
- Promote vibrant economies, livable communities, and healthy landscapes.
- Document and integrate changing public attitudes about natural resource management in western Oregon. (Examples include the 2005 poll conducted by Davis, Hibbitts & Midghall Inc. for the Communities for Healthy Forests[10] and the February 2002 poll, Old Growth and

9 The report, "Importance of Western Oregon BLM Lands and Reserves to Fish and Wildlife Conservation," referenced earlier, explores this question.
10 To obtain results of the poll please contact Communities for Healthy Forests at http://www.communitiesforhealthyforests.org/.

Mature Forest Protection, conducted by Davis, Hibbitts, and McCaig, Inc. for the Northwest Old-Growth Campaign[11].)

5. Engage the Public Early and Often in the Planning and Decision-making Process

Nearly all of the interviewees asserted that the credibility and legitimacy of the six RMPs will be significantly improved to the degree that the BLM (and/or others) engage the "silent majority," or unaffiliated, general citizens. Other people observed that the issues here are so complex and nuanced – if not esoteric – that it will be difficult to involve the general public in any meaningful way. That said, nearly everyone supports the use of new strategies and techniques to inform and educate, and seek the input and advice of the general public.

To improve public participation, interviewees suggested a number of themes, interests, and options:

- Allow the "culture" (or character) of communities to dictate the pace and format of engagement;
- Provide more notice and longer lead-time;
- Release reports and/or other documents far enough in advance of a public meeting or hearing to enable the public to digest and review them;
- Hold meetings in different venues and other places (e.g., out near Mt. Hood)
- Consider that conventional public meetings or hearings are often too emotionally charged and not a very good way to foster dialogue, deliberation, learning, and understanding.
- Building in the time up-front to do public participation right the first time is preferable to being forced to re-do the entire process because people object for one reason or another.

6. Create More and Better Opportunities for People with Diverse Viewpoints to Work Together

As explained earlier, many if not most of the interviewees expressed an interest in working together on the WOPR. One participant noted that "we need an opportunity for people with diverse viewpoints to sit-down with each other, exchange ideas, and figure-out how to balance or integrate all of our interests." It was also suggested that the BLM or others should provide opportunities to build a deeper sense of community and place. Some of the suggestions to achieve these objectives included developing FACA-chartered groups, possibly through the existing RACs; creating an independent group that includes BLM but is convened by others; or adding to the mandate of already established working groups. If such a group is convened, it was noted that membership should include a broad range of expertise, including individuals who understand conservation science, federal environmental laws, and timber practices.

In addition to the process-oriented challenges of establishing any of these groups, the scope and focus of such a group would need to be acceptable to all the parties. Some people believe the most useful multi-stakeholder conversation would be inclusive and comprehensive, focusing on all public and private lands in the region, and addressing the full range of management options – including but not limited to habitat conservation plans. In this respect, according to these people, a parallel stakeholder engagement process is more likely to address a larger mix of issues and concerns.

11 Results of the poll can be found at: http://www.nwoldgrowth.org/infostation/infostation.htm under Briefing Documents.

7. Strengthen the Role of Formal Cooperators

Consistent with NEPA, BLM has identified a number of "cooperative agencies" to assist in developing the revised RMPs.[12] In projects where implementing NEPA is necessary, a lead agency is identified if more than one Federal agency either is involved in a group of actions directly related to each other because of their functional interdependence or geographical proximity. In the WOPR, the BLM is the lead agency. Appendix F presents a list of cooperating agencies.

While interviewees generally recognized BLM's efforts to convene the cooperators, some participants wanted BLM to create additional, more meaningful opportunities for local, state, and federal officials (i.e., "cooperating agencies") to be engaged proactively, before preliminary decisions are made, rather than simply asking them what they think after BLM has made a decision.

According to some of the cooperating agency officials, this process could be improved by:

- Involving the cooperators more meaningfully before decisions are made, rather than limiting their role to commenting on decisions made by BLM.
- Allowing the cooperators to jointly name problems/issues and frame options/alternatives.
- Allowing the cooperators to share information, models, and other expertise.
- Engaging the cooperators in the analysis and interpretation of data and the evaluation of impacts.
- Using a professional facilitator.

Working more closely with the state agencies would be valuable to BLM during development of the RMP revision process and subsequently in implementing the RMPs. Specifically, it was suggested that BLM:

- Engage the Oregon Department of Transportation more frequently and more meaningfully when BLM is constructing buildings along highways; dealing with noxious weeds; and inventorying and managing cultural and archaeological resources; and
- Work closely with the Oregon Department of Environmental Quality to coordinate programs related to air and water quality and hazardous materials to meet state rules, regulations, and standards.

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12 According to NEPA, "cooperating agency" means any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment. The selection and responsibilities of a cooperating agency are described in Sec. 1501.6 of NEPA. A state or local agency of similar qualifications or, when the effects are on a reservation, an Indian Tribe, may by agreement with the lead agency become a cooperating agency.

Each cooperating agency shall: 1) participate in the NEPA process at the earliest possible time; 2) participate in the scoping process (described in Sec. 1501.7); 3) assume on request of the lead agency responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.; 4) make available staff support at the lead agency's request to enhance the latter's interdisciplinary capability; and 5) normally use its own funds. The lead agency shall, to the extent available funds permit, fund those major activities or analyses it requests from cooperating agencies. Potential lead agencies shall include such funding requirements in their budget requests.

8. Create an Open, Inclusive, Transparent Process to Address Scientific and Technical Issues

Most of the interviewees seem to agree that a significant amount of information is available on a wide range of scientific and technical issues. As one interviewee expressed, "We already know a lot, if not most, of what we need to know to manage the landscape." However, another perspective was that regardless of how much is known, an adaptive approach must be taken as science will never have all the answers given the complexity of ecosystems.

The immediate challenge, then, is to determine what information is necessary for which decisions. Several people expressed concerns that – given the diversity of interests and viewpoints – different people will look at the same data and arrive at different conclusions. At least one person suggested there are few if any legitimate disputes over science and technical information, implying that if the claims of people representing the extremes were discounted, the remaining participants would most likely agree on nearly everything. Another individual indicated there were disputes over science and in particular, how to manage forests based on what we currently know.

To mitigate the potential for disputes over scientific and technical issues, a number of the participants suggested it would be important to create an open and inclusive process to deal with scientific and technical information. As one participant noted, "We need a process to foster a common understanding of the scientific and technical aspects of managing BLM lands in western Oregon." The first task, according to several interviewees, is to create opportunities for stakeholders to look at existing information together and to clarify what we know, what we don't know, and what we need to know in order to make decisions.

Participants identified a number of potential gaps in existing knowledge, some of which may be more important and/or relevant to planning and decision-making:

- Do old-growth forests increase the likelihood of catastrophic fires or provide a buffer if and when such forest fires start?
- Do plantations increase the likelihood of catastrophic fires?
- How can the agency and communities quickly (via some type of fast-track system) respond to catastrophic wind and fire storms?
- What is the economic value of timber harvesting and other uses/values of the landscape?
- What is happening on the ground with respect to forest health, wildlife habitat, water quality, etc.?
- How much timber (including old growth) can be harvested on a sustained yield basis?
- What are the impacts of timber harvest on endangered species, water quality, and other forms of economic enterprise?
- What are the likely impacts of emerging natural resources industries – such as biofuels and plantation harvesting – on conservation values?
- What is the relative impact of multiple drivers on fisheries, including but not limited to logging, dams, ocean conditions, and commercial development?

Assuming the objective is to allow for the best available science to guide land management decisions, participants suggested the following ideas:

- Use independent, recognized scientists to help gather, synthesize, and interpret technical information.
- Share scientific and technical information, regardless of the source.
- Build on existing scientific and technical information, beginning with the Ten-year Review of the NWFP and current studies on the spotted owl, fishery resources, fire, forest health, etc.

Whether people can reach agreement on the scientific and technical information used to shape the RMPs and complete the EIS will go a long way to determining if plan revisions can be supported by a range of participants. That said, several participants were quick to point out that this is really not a debate about scientific and technical issues, as much as it is a debate about social and cultural values.

9. Explore Options for Long-term Management

As a long-term proposition, several people expressed interest in learning more about innovative approaches to governing federal lands and resources. One option is to create a Board of Trustees that would assume responsibility for managing some or all of the BLM O&C lands in western Oregon – consistent with all applicable laws, policies, rules, and regulations. Some people suggested that Douglas County might be an appropriate location for such an experiment in governance given that the county boundaries correspond to the watershed boundaries, and that all of the issues related to managing BLM lands in western Oregon can be found in this area. Others indicated concern with this type of approach, noting that agreeing on membership on a Board of Trustees would be a significant challenge.

This option would require Congressional authorization, which is the only entity that can legally delegate such authority. It might be modeled after similar experiments in the Valles Caldera and the Presidio. For more information, please contact the assessment team or see *The Western Confluence: A Guide to Governing Natural Resources* (Island Press 2004). The most common concerns with these experimental models tend to revolve around issues of representation, transparency, and accountability.

Another option suggested was that the BLM transfer their forest lands to the USFS to allow for a more integrated approach to resource management.

## IV. SUMMARY OF MAJOR OPPORTUNITIES AND CHALLENGES

This section of the report synthesizes the major opportunities and challenges facing the BLM and others in terms of engaging people in the revision of the six RMPs. These opportunities and challenges are based on the findings presented in section III of this report. This section responds to the expectation that the situation assessment will identify possible challenges and constraints to public and stakeholder involvement. In the next section, we provide a set of options that are designed to satisfy the substantive and procedural interests identified earlier, as well as take advantage of the opportunities and overcome the challenges summarized here.

### A. Opportunities for Moving Forward

1. The BLM has demonstrated its interest in providing opportunities for stakeholders and citizens to be meaningfully and effectively engaged in the revision of the six RMPs. The situation assessment and this report should help foster this interest.

2. Nearly all of the interviewees recognize that to achieve an 'implementable' solution, management of BLM lands in western Oregon will need to achieve the objectives of the O&C Act <u>and</u> sustain all of the other values generated and supported by these lands (e.g., endangered and sensitive species, water quality, and recreational opportunities). This creates the basis for a common goal or criteria for what would constitute a good outcome.

3. People representing diverse interests and viewpoints seem to be willing to engage in some type of cooperative, collaborative process to inform and invigorate the development of the EIS and six RMPs. This willingness to participate is critical to designing and managing a legitimate, credible process.

4. The BLM's schedule to complete the EIS and six RMPs is tight but is sufficient to enable parties to undertake some type of collaborative effort, and to experiment with some different ways to engage the general public.

5. The recent evaluation of the NWFP, as well as other sources of information, provides a useful baseline of information from which conversations can begin.

6. A broad cross-section of interested parties have expressed the desire to engage the general public.

## B. Challenges to Moving Forward

1. The erosion of trust among some of the participants, due in part to the following issues, will make it somewhat challenging to engage people in a constructive, meaningful dialogue:
    a. The inability to implement the NWFP agreement according to different expectations.
    b. A sense by some parties that, regardless of the process and the final RMP revisions, the decisions will be contested in court.
    c. A limited belief that BLM and the other interested parties can negotiate a solution or preferred alternative that meets the interests of all parties.

2. The lack of a common understanding and/or agreement about:
    a. The purposes of the O&C lands.
    b. The conflicting mandates under which the BLM must manage public lands in western Oregon.
    c. The role of public lands in sustaining economies, communities, and the landscape, accentuated by:
        i. Extreme viewpoints.
        ii. Impassioned but narrow interests, which quickly leads to polarization.
        iii. Focus on self-interest rather than the common interest.
        iv. Cultural resistance to economic and demographic change.
    d. The influence of global economic forces relative to regional economic impacts on local communities and resources.

3. The geographical range of the planning area and the differences across the six Regions.

4. Many people, representing diverse interests and viewpoints, are doubtful about BLM's ability, and in some cases, intent, to move beyond the public participation steps required in NEPA and FLPMA. More specifically,
    a. Some people believe that the outcome of the planning process is predetermined, as defined by the Settlement Agreement.
    b. Many people do not believe that their input and advice is seriously considered by the BLM and/or other decision-makers in the planning process.
    c. Many people question the scientific credibility of the technical information guiding the process.
    d. Nearly everyone recognizes that "meaningful engagement of the public and stakeholders" is time and resource intensive, and will require significant coordination.
    e. Some people are frustrated by the BLM's lack of willingness to embrace and practice "adaptive management."

## V. OPTIONS FOR HOW TO ENGAGE PEOPLE

The success of the Western Oregon Plan Revisions will depend to a large degree on the extent to which citizens and stakeholders are meaningfully engaged in the planning and decision-making process. Based on the findings and conclusions of this situation assessment, along with our professional experience, there are several options that the BLM and other stakeholders might want to consider at this point to effectively engage unaffiliated, general citizens; organized stakeholder groups; Native Americans; and cooperating agencies.

This section of the report responds to the final two expectations for the situation assessment as defined by the BLM:

- Present reasonable recommendations and alternatives for engaging these diverse publics and organizations in a meaningful way, given the expected timeframes and resources available.
- Spell-out the need for neutral facilitation assistance, identification of appropriate partners, appropriate roles and responsibilities for key participants in the process, and recommendations for what needs to be done, continued, or changed to create an effective public involvement process.

The options presented below are based on the findings and conclusions outlined in Section III of this report, and the summary of major opportunities and challenges presented in Section IV. The options also build on and are designed to operationalize the BLM's "Philosophy and Principles for Public Involvement" (see Appendix G) and the "Principles of Public Participation" articulated by the International Association for Public Participation (see Appendix H).

In addition to the options listed below, we encourage the BLM and other interested people to carefully consider the menu of options to engage the public and stakeholders presented in Appendix D.

We have stopped short of offering specific recommendations per se at this point because our goal is to foster a broad sense of ownership in the planning process and its eventual outcomes. The options presented below focus more on "what" might be done, rather than "how" to do certain things. They are designed to foster informed dialogue and deliberation, represent the views of the assessment team, and are not meant to bind anyone to anything.

To help us complete the final report we first distributed a draft version for feedback on these options. The draft report was to be used as a tool for asking clarifying questions about these options, suggesting additional options, discussing the pros and cons of the options, improving the options to overcome any concerns, and, overall, to learn together which options may offer the most constructive opportunities for all stakeholders and the interested public to engage in the process.

After receiving feedback, we revised the report to reflect the additional insights as appropriate; however we did not revise the following options as they continue to offer a range of practical suggestions that may be useful to participants moving forward. Instead, we developed specific recommendations which are included in a cover letter with the final report.

1. Clarify and Communicate BLM's Evolving Task

Given the complexity of BLM's task, it should develop a public information and education strategy – in consultation with stakeholders representing different viewpoints – to help the general public understand the unique nature of the O&C lands, the economic and ecological values of BLM lands in western Oregon, the court settlement, and the requirements of NEPA, ESA, CWA, FLPMA, and other statutes. This should also convey BLM's commitment to a transparent, inclusive, and responsive public involvement process where the interests and concerns of the public and interested stakeholders are heard, and how subsequent decisions do and do not reflect that input, and why, is communicated.

The value of engaging stakeholders – including formal cooperators – in crafting and disseminating this message is that they have a particular understanding of different constituents, established channels of communication, and the credibility to provide information and education. To assist in creating a credible approach, BLM should incorporate a continuous feedback loop to stakeholders concerning how they are using feedback and input provided. Building trust among all the parties should be an explicit goal of this process and will require open communication and an ability to answer questions as they are raised.

Once the core message is developed and refined, it could be distributed via the newsletter, a web site, and a standard 2-3 minute mantra that all staff memorize. The point is that it should be repeated often and in different venues.

2. Engage Indian Tribes in Government-to-Government Negotiations

The BLM and the Coquille Tribe, the Confederated Tribes of Siletz, and perhaps other tribes – depending on their level of interest and commitment – might explore the value of government-to-government negotiations. One way to implement this option is to adapt the model used by NOAA Fisheries and Indian tribes regarding salmon management in California and the Northwest. According to some of the tribal representatives, the approach NOAA Fisheries used in excluding

critical habitat designation for salmon on Indian lands provides an example of principles which other federal agencies should consider in proposing actions which might impact sovereign rights of tribes to manage their lands and resources.
The principles underlying this approach to government-to-government negotiations include:

- Respect for tribal sovereignty over the management of natural resources on tribal lands;
- The policy of Indian self-determination promulgated by Secretary of Interior Gail Norton; and
- BLM's federal trust obligations, including its deference to the tribes when the agency's actions might impact managing natural resources on tribal land.

The BLM and Coquille Tribe could build on these principles to establish appropriate forest management standards and guidelines for the Coquille Forest.

3. Validate the Analysis of the Management Situation

Since the *Analysis of the Management Situation* serves, in part, as the foundation for developing planning criteria, generating alternatives, and analyzing alternatives, it seems imperative that formal cooperators and other interested stakeholders have an opportunity to review and validate the findings and conclusions of that analysis. If this piece of information is not critically examined and somehow validated with people who care about the management of BLM lands in western Oregon, it significantly increases the chances of future disagreements (or, alternatively, decreases the possibility of mutual understanding, collaborative thinking about creative alternatives to consider in the RMP process, and perhaps agreement).

This objective could be satisfied in several different ways, none of which are mutually exclusive:

- BLM could ask Indian tribes to review the analysis and provide feedback.
- BLM could ask the formal cooperators to review the analysis and provide feedback at one of their regular meetings.
- BLM could ask existing RACs to review the analysis and provide feedback.
- BLM could sponsor a special workshop of the cooperators or the RAC to focus on particular issues identified by the feedback received. Members of the Science Advisory Team, or other experts, might serve as resources at such a workshop. Members of the general public could be invited to observe and ask questions.
- BLM could make the analysis available to the public (via a press release or newsletter; placing it on a web site; and sending a copy to everyone interviewed for this situation assessment) and convene two or three workshops to allow people to provide feedback.

**A Note on Convening:** As everyone considers the value of different strategies to engage people in the WOPR, it is important also to consider who might be the most effective sponsor or convener of an activity. Several interviewees questioned whether the BLM has the credibility and legitimacy to convene a multi-party, collaborative process given the history surrounding this issue. Moreover, people are sensitive to the requirements placed on BLM by the Federal Advisory Committee Act when it comes to seeking input and advice. Others might see any public involvement activity as

more credible if it is convened by BLM, however, because of the perception that the results would be more likely to have an impact on the RMP process.

While everyone agrees that BLM needs to play a key role in any such process – and that the process needs to be linked to the formal planning and decision-making process – several people wondered whether it might be more effective to consider one of the following options in terms of convening workshops and dialogues:

- The counties.
- Some coalition of interest groups, including the counties and Indian tribes.
- Five Resource Advisory Committees and one Resource Advisory Council. Several people thought this made the most sense since the Committees more or less correspond to the six administrative units around which the six RMPs are being developed. Whether the current Committee charters would allow for this type of effort was questioned.
- Three Provincial Advisory Councils. Though, there seems to be some disagreement on the effectiveness and relevance of these groups.

While each of these was suggested, the viability of any of them actually convening a multi-stakeholder effort would be dependent on the mandate of each (e.g., whether the RACs are actually able to convene such a discussion) or whether other parties would see the potential convener as legitimate.

**A Note on Scientific and Technical Information:** Several interviewees indicated the information necessary to make sound, credible decisions based on science is probably available. The problem, they observed, is that there is an overwhelming amount of such information, and that the first task is to sort out what we know, what we do not know, and what we need to know in terms of making good decisions.

The credibility of the BLM's existing approach to addressing scientific and technical information could be greatly improved by allowing stakeholders the opportunity to review the strategy, help frame questions for study, contribute scientific and technical information, and participate in the interpretation of the data. This approach is often called 'joint fact finding.' See Appendix I for where this sits within the various strategies to incorporate science into public decision making. Such activities do not usually conflict with the Federal Advisory Committee Act (FACA), particularly when in a workshop format designed to identify areas of agreement and disagreement or to provide individual (but not group consensus) advice. The primary value of this strategy is to engage stakeholders in addressing scientific and technical issues – thereby creating information that is scientifically credible, politically legitimate, and relevant. Where consensus would be useful, convening an activity under the auspices of the RAC may serve to comply with FACA.

4. Validate the Planning Criteria

In the same way that the *Analysis of the Management Situation* serves as a fundamental building block for the six RMPs and the EIS, the *Planning Criteria* likewise play a critical role in the decision-making process. Therefore, BLM may want to consider one or more ways to allow the formal cooperators and other interested stakeholders to review, comment, and hopefully validate the planning criteria.

This objective could be achieved in the much the same way as validating the *Analysis of the Management Situation.*

The operational principle here, and in Options #3, #5, and #6, is to do this work with, not for, the formal cooperators and other interested stakeholders.

One challenge that could be created by Options 3-6 has to do with expectations of how BLM responds in each case. It is important, if BLM creates a more open, inclusive process, and creates opportunities for people to provide written and other comments during the various steps in the planning process, that the agency be responsive in letting the public know what the impact of those comments were. However, this does not need to be a formal requirement or excessively burdensome on BLM staff. For example, federal agencies are making increasing use of a "listening panel" format at the end of workshops to indicate what they heard and to describe next steps in how that information will be considered in the decision making process. In this way, the public can look for what decisions were made and why in documents that are already part of the process.

5. Generate a Range of Alternatives that Capture the Various Interests

As explained earlier in this document, the Settlement Agreement requires the BLM, contingent on funding, to consider in each of the six RMPs at least one alternative which does not create any reserves on O&C lands except as required to avoid jeopardy under the Endangered Species Act and that "all plan revisions shall be consistent with the O&C Act as interpreted by the 9th Circuit Court of Appeals." Some people interpret this mandate as leading to a predetermined outcome of the planning process.

One way to help address this concern, and to effectively attend to the range of interests and values associated with BLM lands in western Oregon, the BLM would be well advised to create an open, transparent process to generate a range of alternatives that capture the various interests. This might be achieved in one of several ways:

- BLM could ask Indian tribes to generate an alternative.
- BLM could ask the formal cooperators to jointly generate one or more alternatives.
- BLM could integrate the conservation alternative prepared by ONRC and others.
- The right people (see note on convening under Option #3 above) could convene a series of workshops to encourage people with diverse viewpoints and interests to get together and seek agreement on an alternative that meets the objectives of the O&C Act and the other values and interests generated by BLM lands in western Oregon. The goal here is try to generate an alternative that is at least as good, or better, than people's default alternatives. In other words, is it possible to create an alternative that is better than either the "no reserves" alternative or the "conservation alternative?"

While constructing a range of alternatives that capture the various interests will help all stakeholders understand the range of options and the tradeoffs each option offers, clearly what is included in the preferred alternative and, ultimately, final option will determine whether or not the full range of interests can support the revised plans. In our view, the more that diverse stakeholders try to craft one or more alternatives together (rather than each crafting its own), the more likely the process will be to generate creative alternatives that will meet the range of interests across interest groups.

In addition to engaging people in generating alternatives, the BLM might also consider sharing the preliminary range of alternatives with people and seeking some feedback. The objective here would be to make sure that the range of alternatives being considered adequately addresses the range of interests and values at stake in terms of managing BLM lands in western Oregon. Once again, this objective could be met by presenting the information to the existing RACs and PACs, as well as convening two or three workshops throughout the planning area.

6. Create an Open, Transparent Process to Analyze Alternatives

Analyzing the alternatives is a tedious, time-consuming process; but it is also where the rubber meets the road. Assuming that there is more understanding and agreement than less on the *Analysis of the Management Situation*, the *Planning Criteria*, and the *Development of Alternatives*, the formal cooperators and stakeholders may have sufficient confidence in the BLM's Interdisciplinary Team to complete the analysis.

Whether or not formal cooperators and other stakeholders are involved in the actual analysis of the alternatives, the BLM should consider the value of providing opportunities for people to review the results along the way. Perhaps the most practical advice here is to adopt a principle of "no surprises." Once again, this objective might be achieved by sharing the results at strategic moments with:

- Indian tribes.
- Formal cooperators.
- RACs.
- PACs.
- Other interested stakeholders, perhaps through a series of workshops.

7. Engage Unaffiliated, General Citizens in Reviewing the Draft RMPs and EIS

Many people interviewed said that it would be valuable to inform, educate, and then engage the "silent majority" or unaffiliated, general citizens in the planning process. Most people understand that it is the organized interests groups that do most of the participating in these types of planning processes, and that unaffiliated citizens are generally absent from the process.

The one option that seemed to generate the most interest among interviewees is convening one or more Citizen Juries. As explained in Appendix D, a *Citizen Jury* is organized and sponsored by a diverse group of people/institutions representing different viewpoints – in the case of the WOPR, this could be the BLM, counties, or some combination of decision-makers and stakeholders.

This "steering committee" designs the process, beginning with defining a "charge" or set of questions they want the jury to consider, packaging appropriate information, and so on. A randomly selected and demographically representative panel of 18 citizens meets for 4 or 5 days to hear from expert witnesses representing different viewpoints. Citizens deliberate and offer nonbinding advice on "the charge" or question. During the interviews for the situation assessment, a number of people expressed a great deal of interest in this strategy, and several people suggested that it might

be appropriate to convene one citizen jury within each of the six RMP administrative unit within the first 30 days of the formal public comment period on the DEIS.

If people feel that there is sufficient value in further considering this option, we will provide more specific information on "how" to do this in the final report.

**A Note on National or Non-local Interests:** Convening one or more Citizen Juries focuses on people who live and work in the planning area. However, the BLM must also consider how to effectively integrate national (or perhaps more accurately, non-local) interests into the planning and decision-making process generally. Although this issue did not come-up very much during the interviews, it is important to consider some options on how to achieve this objective:

- Non-local interests are encouraged to provide input and advice through the conventional processes of public notice and comment.
- BLM represents "national interests" as part of its' public trust responsibility.
- Develop opportunities for presentation and interaction/comments through a web-based mechanism.
- Hold one or more public information sessions in Portland or more state-wide.
- Non-local interests are invited to participate in other stakeholder activities, such as in reviewing the *Analysis of the Management Situation* or in alternatives generation.
- Diverse panels of national interests are invited to engage in interactive, roundtable discussions on targeted issues sponsored by the RAC or by the cooperators.

8. Implement Best Practices for Public Participation

We have included several strategies to inform and educate citizens, and to seek their input and advice in Appendix D. The BLM would most likely implement most of these strategies in any case, but it is valuable to review, evaluate, and perhaps improve upon these ideas. Here is a short synopsis of the best practices.

A. Provide more notice and a longer lead-time prior to public meetings
B. Distribute reports and/or other documents far enough in advance of a public meeting or hearing to enable the public to digest and review them.
C. Continue to publish and distribute a quarterly newsletter.
D. Build on existing social networks, and where feasible, allow the "culture of communities" to dictate the timing, location, and format of public meetings.
E. Use effective web technologies.
F. Convene open meetings of the Steering Committee, Science Advisory Team, and Cooperating Agencies.
G. Provide a public comment period at each meeting of the Steering Committee, Science Advisory Team, and Cooperating Agencies.
H. Encourage written public comment on draft documents.
I. Engage in responsive decision-making.

9. Consider Using Impartial, Nonpartisan Facilitation

Impartial, nonpartisan facilitation assistance can help groups meet their collective interests. As needed, facilitators or mediators can assist parties in (a) the design of various forums; (b) facilitation and mediation of different processes; and (c) implementation of the results of those efforts. Specific tasks for the facilitator/mediator in the design phase include assisting with identification of appropriate stakeholders to involve, development of operating principles, and development of a work plan to assist the group in achieving their objectives. In the facilitation phase, tasks include fostering communication and understanding, creating an atmosphere of fairness and respect, and capturing agreements. During the implementation phase, facilitators/mediators can help participants implement outcomes by working to link informal agreements to formal decision making processes and helping to reassemble parties if subsequent disagreements emerge.

The potential specific applications for this type of assistance in the WOPR process include:

- Design and facilitation of workshops focused on validating the analysis of management options or planning criteria or on developing alternatives.
- Design and facilitation of an independent collaborative forum for organized stakeholder groups.
- Design and coordinate one or more Citizen Juries.
- Facilitation of other appropriate meetings – e.g., public meetings, Science Panel, etc.
- Facilitation of the cooperating agency meetings.

If it is determined that impartial, nonpartisan facilitation is needed, it is essential to obtain an understanding of the potential facilitator/mediator's experience with different processes; knowledge of the issues, players, and decision-making arena; education, training, and professional affiliations; personality and style; and reputation.

## Appendix A

## List of Interviewees

| | |
|---|---|
| American Forest Resource Council | Tom Partin |
| Association of O& C Counties | Kevin Davis<br>Rocky McVay<br>Doug Robertson |
| Association of Oregon Loggers | Jim Geisinger |
| Benton County | Annabelle Jaramillo |
| BLM Forester and Timber Management Specialist, Cascades Resource Area | Randy Herrin |
| BLM Field Manager | Abbie Jossie |
| BLM Steering Committee | Elaine Brong<br>Mark Buckbee<br>Jay Carlson<br>Bill Freeland (Acting for Tim Reuwsaat)<br>Dan Hollencamp (Acting for Denis Williamson)<br>Mike Mottice<br>Dick Prather<br>Jon Raby (Via phone)<br>Sue Richardson<br><u>Others</u><br>John Cisel<br>Duane Dippon<br>Maya Fuller<br>Phil Hall<br>Alan Hoffmeister<br>Jerry Hubbard (Facilitator)<br>Al Wood |
| BLM Wildlife Biologists | Jim Henaney<br>Steve Lagenstein<br>Kerrie Palermo<br>Holly Witt |
| Coast Range Association | Chuck Willer |
| Confederated Tribes of Siletz | Mike Kennedy |
| Conservation Leaders Network | Peg Reagan |
| Coquille Indian Tribe | Kevin Craig<br>George Smith |

| | |
|---|---|
| Douglas Small Woodlands Association | Bill Arsenault |
| Douglas Timber Company | Bob Ragon |
| Klamath/Siskyou Wildlands | George Sexton<br>Joe Vaile |
| Lumber Sawmill Workers | Randy Fouts<br>Darrell Middelton<br>Neil Neilsen<br>Jeannie Weakley |
| Motorcycle Riders Association | David Lexow |
| Noahs River Adventures | Noah Hague |
| Oregon Natural Resources Council | Doug Heiken<br>Regna Merritt |
| Roseburg Forest Products | Dave Friedlein |
| City of Sandy | Scott Lazenby |
| Southwest Oregon Provincial Advisory Council | Anita Ward |
| State of Oregon | Richard Beck, OD Transportation<br>Kevin Birch, OD Forestry<br>Jon Germond, OD Fish and Wildlife<br>Koto Koshida, OD Environmental Quality |
| Sustainable Northwest | Martin Goebel |
| Umpqua Basin Watershed Council | Richard Chasm<br>Bob Kinyon<br>Penny Lind<br>Leonard Schussel<br>Stan Vejtasa |
| Umpqua Watersheds | Francis Eatherington |
| United States Forest Service | Linda Goodman |
| The Wilderness Society | Bob Freimark |

## Appendix B

### Interview Questions: Western Oregon Resource Management Plans

1. What are your interests and/or concerns with respect to the management of BLM land in western Oregon?

2. What are the most important issues that need to be addressed from your perspective? How would you name these issues?

3. How should these issues be addressed? In other words, how would you frame one or more options or approaches to dealing with the issues you identified?

4. What concerns, if any, might other stakeholders have about the options you suggest? And, do you have any suggestions on how to address these concerns in a way that satisfies as many different interests as possible?

5. Given the diversity of interests that need to be accommodated in managing BLM lands in western Oregon (including your understanding of the mandate for O & C lands), what are the characteristics of a successful outcome?

6. What information related to the WOPR is currently available that you view as credible? What additional information is needed to make wise, well informed decisions? And, do you have suggestions on how BLM and others might go about gathering and analyzing the needed information? Where, if at all, might there be disputes over scientific information?

7. Do you have any suggestions on how the BLM and other stakeholders might go about gathering and analyzing the information that is necessary?

8. What are the characteristics of a good public process from your perspective? What would make it most meaningful and constructive? And, do you have suggestions on specific strategies for public participation?

9. How would you personally like to be involved in the RMP revision process? What obstacles or constraints might you face in participating in the RMP process? How might these obstacles or constraints be overcome?

10. Is there anyone else you think we should be interviewing and why?

11. Do you have any questions for me?

12. Do we have your correct phone, fax, address, etc.? Preferred method of contact (phone/fax/email/mail)?

## Appendix C

### People Identified During the Interviews

During the interviews, we asked people to suggest other groups or people that we might interview. The following people were identified, but due to time and funding constraints, we were not able to interview any of these people. However, we are sending a copy of this report to these people, and will include them in any future dialogue building on this situation assessment.

- Dave Allen – USFWS
- Bob Bastian – Rocky Mountain Elk Foundation
- Alan Baumann – US Forest Service
- David Bayles – Pacific Rivers Council
- Linda Bell – Clackamas County Tourism Development Council
- Bill Black – Spirit River Inc.
- Michael Carrier – Oregon Governor's Office
- Gary Chapman – Corvallis to the Sea Trail
- Mike Crouse – NOAA
- Dominick DellaSalla – World Wildlife Fund
- Jim Fairchild – Audubon Society
- Dave Gilmour – Jackson County Commissioner
- Liz Hamilton – Northwest Sportsfishing Industry Association
- Kelly Hollumes – former BLM*
- Brad Keller – BLM
- Robert Kenta – Confederated Tribes of Siletz
- Sue Kupillas – former Jackson County Commissioner
- Bud Lane – Confederated Tribes of Siletz
- Bob Lohn – NOAA
- George McKinley – Jefferson Sustainable Development Initiative
- Don Mench – Sandy Watershed Council
- Mark Nauman – Weyerhaeuser
- Dale Riddle – Senneca Sawmill
- Hal Salwassar – Oregon State University
- Cindy Sardinia – small business in agriculture*
- Dick Schouten – Washington County Commissioner
- Jack Shipley – Applegate Partnership
- Karen Shogren – interested public*
- Howard Sohn – Lone Rock Timber
- Chris Sokol – US Timberland*
- Pete Sorenson – Lane County Commissioner
- Glen Spain – Pacific Coast Federation of Fishermen Associations
- Deanna Spooner – Pacific Rivers Council
- Bart Starker – Starker Forests
- Johnny Sundstrom – Natural Resources Conservation Service
- Mark Trenholm – Tillamook Estuaries Partnership
- Barry Wulff – Sierra Club

* We are still working to secure contact information for these individuals.

## Appendix D

## A Menu of Options to Engage People in the WOPR

These options represent a combination of ideas identified during the interviews as well as, in some cases, some elaboration based on the assessment team's experience.

### A. Options to Engage the General Public

*1. Continue Publishing the Newsletter*

Several people commented that the newsletter announcing the RMP revisions and explaining the rationale and objectives of planning process was very good. They said that it would be nice to have a regular newsletter – monthly, quarterly, or whatever – that updates the status of the planning process and plans for the next period of time.

The newsletter should be distributed via the BLM's mailing list, placed on a project web site, and perhaps distributed through existing social networks (see next option).

*2. Use Existing Social Networks*

Many interviewees suggested that the BLM could improve their public outreach and engagement by using existing social networks, such as the local grange, volunteer fire departments, community stores, county fairs, watershed councils, and perhaps even churches. The idea here is to not reinvent what already exists – a social network. This strategy may also inform and engage people that might not otherwise know about the planning process, or not get involved for whatever reason.

*3. Use Effective Web Technologies*

The BLM should explore ways to increase its ability to utilize a website and specifically consider such functions as a list server, a web log, and perhaps a web-cam simulcast of meetings. These types of functions should be implemented to the extent that they are practical and cost-effective.

*4. Convene Open Meetings of the Steering Committee, Science Advisory Team, and Cooperating Agencies*

To build trust, communication, and understanding, several people suggested that the BLM should provide adequate notice of all meetings of the BLM Steering Committee, Science Advisory Team, and Cooperating Agencies. Meeting agendas and supporting materials should be distributed in advance via the BLM's master mailing list; an electronic list serve for people who would like to be notified of such meetings; and posted on a project web site. The summaries for such meetings should be available electronically and/or posted on a project web site.

*5. Provide a Public Comment Period at Each Meeting of the Steering Committee, Science Advisory Team, and Cooperating Agencies*

In addition to letting people know when various project committees are meeting, the BLM should include an opportunity for the public to comment at each meeting. Once again, this will help build

trust, communication, and understanding. Any public comments at such meetings should be captured and included in the summary of the meeting.

*6. Encourage Written Public Comment on Draft Documents*

The BLM should also encourage the public to provide written comments on any and all documents created in the course of revising the six RMPs and drafting the EIS. The strategy would obviously apply to any documents being considered for adoption, but should also be applied to other documents such as the Analysis of the Management Situation, draft Planning Criteria, and the like. The goal, once again, is to be open, transparent, and inclusive at every twist and turn of the planning process. Another way to say this is, adopt a "no surprises" policy with respect to public participation.

*7. Engage in Responsive Decision-making*

Although it may be obvious, it is imperative that the BLM seriously consider any and all public comment – whether it is received at meetings or by written word. The BLM should explain how the public comments were integrated into the decision-making process, or explain why they were not incorporated.

*8. Convene 21st Century Town Meetings*

One innovative approach to public participation is *21st Century Town Meetings*. This strategy was created by AmericaSpeaks, and you can learn more about it at www.americaspeaks.org. In short, *21st Century Town Meeting* is a large-scale forum that enables dialogue and deliberation among all of the participants, rather than speeches, panels, and the typical question and answer format of most public meetings. AmericaSpeaks has convened *21st Century Town Meetings* with up to 5,000 people.
At the town meeting, diverse groups of citizens engage in roundtable discussions (10-12 people). Each table is supported by an experienced facilitator, and participants receive balanced information to foster "informed dialogue and deliberation." Using keypad polling and interactive computers, the work of each small group is immediately transformed into a synthesis of all the participants, thereby creating an overall sense of the participants.

In the WOPR, the *21st Century Town Meeting* could be used to scope issues, generate alternatives, evaluate and select alternatives.

*9. Conduct Deliberative Polling and/or Citizen Jury*

A surprising number of people interviewed lamented the fact that we most often hear from organized interest groups (the extremes on either end of the spectrum,) and rarely (if ever) here from unaffiliated, general citizens in these type of planning processes. Of course, there may be a number of reasons that the "silent majority" does not engage.

Nevertheless, most people agree that we need to experiment with some different ways to effectively solicit "informed" advice from a "representative" sample of the silent majority. Such input informs and invigorates BLM's decision by generating "informed public judgment." It also allows us to validate the findings and conclusions of multi-stakeholder groups.

To achieve this set of objectives, there are two innovative approaches. The first approach is referred to as *Deliberative Polling*. In the case of the WOPR, this strategy will be most effective once a DEIS and proposed action is available. At that point, a multi-party group designs a survey of public opinion about the proposed action. The typical survey includes an explanation of the proposed action; a set of options; information about the consequences of the different options; statements representing different viewpoints and interests; and a set of questions about people's level of support for various options. The survey is mailed to a large random sample of the general public, which in theory provides a representative indicator of public preferences. It is also sent to a smaller random sample of people who attend a short meeting to learn more and make more informed judgments.

The second approach to generate "informed public judgment" is a *Citizen Jury*. This strategy was created by the Jefferson Center, and you can learn more about it at www.jefferson-center.org. In short, a *Citizen Jury* is organized and sponsored by a diverse a group of people/institutions representing different viewpoints – in the case of the WOPR, this could be the BLM, counties, or some combination of decision-makers and stakeholders. This "steering committee" designs the process, beginning with defining a "charge" or set of questions they want the jury to consider, packaging appropriate information, and so on. A randomly selected and demographically representative panel of 18 citizens meets for 4 or 5 days to hear from expert witnesses representing different viewpoints. Citizens deliberate and offer nonbinding advice on "the charge" or question. During the interviews for the situation assessment, a number of people expressed a great deal of interest in this strategy, and several people suggested that it might be appropriate to convene one citizen jury within each of the six RMP administrative unit within the first 30 days of the formal public comment period on the DEIS.

*10. Convene a Study Circle*

A study circle is a small, diverse group of 8 to 12 people that meets together for several, two-hour sessions. The group deliberations usually start with personal stories, which help the group look at a problem from many points of view. Next, the group explores possible solutions. Finally, they make plans for action and change. Study circles are intended to be inclusive and demonstrate that the whole community is welcome and needed.

## B. Options to Engage Stakeholders with Diverse Interests

*1. Create a Multi-stakeholder Group*

Create a multi-stakeholder group similar to how the "Cooperating Agencies" work together. The options here include, but are not necessarily limited to:

a. Creating one or more FACA-charted groups.

Some people suggested convening working groups to correspond to each of the six RMPs, possibly by creating subgroups of the six existing RACs. Some of the participants indicated the RACs have been effective forums for citizen engagement; however, others expressed a concern that the RACs are not truly representative of all interests and viewpoints, largely because the members were selected by the BLM.

The tasks for these FACA-chartered groups would be to identify issues; generate (or at least affirm) credible information; articulate a vision; and assist with convening public outreach efforts. The groups could be region-specific, issue-specific, or some combination of the two. An outstanding question was whether or not this type of planning falls under the existing charters of the RACs.

b. Create an independent forum for deliberative dialogue.

An alternative to working within the formal NEPA/FLPMA planning process is to encourage and support the stakeholders themselves in the creation of an independent forum for deliberative dialogue that closely tracks and is designed to influence the BLM's formal land-use planning process. This forum might be co-convened by one or more organizations representing timber interests and those representing conservation, wildlife, and recreational interests. Some people suggested that the counties might be seen as natural leaders and conveners for an independent, parallel process. Additional thoughts about this approach include:

- This type of process is likely to be more meaningful and effective than anything done under the auspices of the BLM and the NEPA/FLPMA process. It would allow people to understand what is happening (socially, economically, and environmentally); and to articulate what they would like to happen in the future.
- A parallel public participation/negotiation process would be valuable if and only if people come to the table with an open mind about the objectives for land management, the range of options or alternatives to meet those objectives, and in the spirit of trying to satisfy as many of the different interests as possible.
- Efforts must be made to clearly link the efforts of the independent, parallel group to the formal decision-making process.
- BLM could either participate as a member of the group (probably the best alternative) or merely appoint someone to serve as a liaison.
- BLM could provide some financial support to the group in terms of facilitation, research, etc.
- To address FACA concerns, the objectives would be for the group to engage in dialogue and deliberation, and provide individual (but not group consensus) advice.

c. Build on existing work groups to the extent possible.

Some participants suggested utilizing an existing work group such as the Lake County Stewardship Unit Working Group – around the BLM Lakeside Resource Area – as a vehicle for determining if solutions that meet multiple interests could be found. It was suggested that if this approach is chosen, BLM should pick a diversity of communities – small, medium, and large – that have the natural leadership capacity and are predisposed to work. Finally, documenting and sharing lessons learned across communities would be a useful way to enable groups to continue to make progress.

*2. Use Shuttle Diplomacy*

Use an impartial, non-partisan third party to shuttle among various BLM officials and other stakeholders to clarify issues, options, and possibilities for agreement on both science and policy issues.

*3. Create Place-based Pilot Projects*

The goal here would be to create a series of multi-stakeholder groups to lay-out timber sales to optimize all of the values and interests at stake. Each group would be closely watched and evaluated, and lessons learned would be shared with other places interested in similar pilot projects. A specific on-the-ground action suggested was to let stewardship contracts.

## C. Options to Engage Native Americans

1. *The special federal trust relationship with Indian tribes requires a different involvement approach than used with the general public. Government-to-government consultation is the appropriate method of engaging Indian tribes.*
2. *Build on the existing relationship between the Coquille Tribe and the Coos Bay BLM District.*
3. *In regard to the Coquille Forest, use a strategy for addressing the BLM/tribal forest nexus which recognizes tribal sovereignty and federal Indian self-determination policy.*
4. *Create a "standard and guideline" that gives tribes some flexibility, consistent with the principle of accountable autonomy.*

## D. Options to Address Scientific and Technical Information

*1. Create a Science Advisory Team*

The BLM has already created a panel of scientists to improve the scientific credibility of the RMPs and EIS. The team consists of federal and state scientists, and will work closely with the Interdisciplinary Team writing the plans and EIS. The team is coordinated by the BLM RMP Science Liaison. Figuring out how to integrate their efforts with the general public and stakeholders will be a necessary step to build legitimacy for the process.

*2. Employ Joint Fact Finding*

The credibility of the BLM's existing approach to addressing scientific and technical information could be greatly improved by allowing stakeholders the opportunity to review the strategy, help frame questions for study, contribute scientific and technical information, and participate in the interpretation of the data. This approach is often called 'joint fact finding.' See Appendix I for where this sits within the various strategies to incorporate science into public decision making. To address FACA concerns, the objectives would be for the group to engage in dialogue and deliberation, and provide individual (but not group consensus) advice. The primary value of this strategy is to engage stakeholders in addressing scientific and technical issues – thereby creating information that is scientifically credible, politically legitimate, and relevant.

As a first step or two, have stakeholders:

1. Review, refine, and ultimately affirm or validate the *Analysis of the Management Situation.*
2. Develop a model to identify the best available science (similar to the model used in medical science).

*3. Use Multiple Experts*

Rather than rely on any one group of experts, several people suggested using multiple experts and multiple sources of information. Suggested sources of information include:

- The Sonoran Institute
- EcoNorthwest
- Professor John Sessions (who has created a model to increase output on lands while satisfying the objectives of the ESA and other laws and social values)
- Local BLM experts
- Statewide poll of public attitudes

Among other things, different experts could independently review existing studies and data; complete new studies as needed (e.g., the economics of the region); and otherwise complement and validate the work conducted by the BLM's Science Advisory Team. The BLM already envisions using recognized experts to complete "State of the Science" reports on major issues and questions.

## Appendix E

## Public Participation Options for BLM EIS-Level Planning Efforts

| Key Steps | ADR-based Strategies |
|---|---|
| **Prepare to Plan** | • Consult an Facilitator or Mediator to for Coaching, Training, and/or Team-building<br>• Conduct a Situation or Conflict Assessment<br>• Design the Right Process, or a Public Participation Plan, in consultation with citizens<br>• Include resources (time, money, and staff) in your project plan and budgets to support the selected level of participation. |
| **Analyze the Management Situation** | • Jointly Name the Problem with citizens and stakeholders via one-on-one interviews; groups of like-minded interests; and/or a multi-party group<br>• Foster Mutual Education by Exchanging Information<br>• Engage in Joint Fact Finding |
| **Conduct Scoping** | • Publish Notice of Intent and provide opportunity for Comment<br>• Gather public input and advice via Public Meetings, Open Houses, Web-based Surveys, Stakeholder Meetings, and Existing Social Networks<br>• Convene a 21st Century Town Meeting<br>• Validate public input and advice via newsletters, web sites, letter to the editor |
| **Formulate Alternatives** | • Jointly Frame Options or Choices – either one-on-one; in groups of like-minded interests; and/or a multi-party group<br>• Encourage citizens and other stakeholders to develop and submit their own alternatives<br>• Use stakeholders as a sounding board to ensure that the range of alternatives responds to NEPA issues and unresolved issues. |
| **Analyze Effects of Alternatives** | • Use an Independent Fact Finder<br>• Convene a Technical Advisory Panel<br>• Engage in Joint Fact Finding |
| **Select a Preferred Alternative** | • Use agreed-upon criteria to evaluate alternatives.<br>• Negotiate – either Unassisted or Assisted (with Facilitator or Mediator)<br>• Conduct a Collaborative (or Deliberative) Poll<br>• Convene a Citizen Jury or Study Circle<br>• Explore opportunities for Partnering |
| **Prepare a Draft RMP/EIS** | • Make sure the process is open and transparent<br>• Adopt a principle of "no surprises" |
| **Publish NOA and Provide 90-day Public Comment Period** | • Convene a working group of stakeholders to review public comments, clarify dominant themes, validate or revise NEPA issues, and identify criteria for the selected alternative.<br>• Before the responsible official announces the selected alternative, he or she may consult stakeholders to confirm decision and rationale. |
| **Prepare a Proposed RMP/Final EIS** | • |
| **Publish NOA and Provide:**<br>**30-day Protest Period**<br>**60-day Governor's Consistency Review** | • Resolve outstanding issues through negotiation, then mediation, then arbitration<br>• Engage in a Settlement Conference, Summary Jury Trial, or Mini-Trial<br>• Litigate |
| **Prepare an Approved RMP/ROD** | • |
| **Implement, Monitor, and Evaluate Plan Decisions** | • Convene a working group to monitor and evaluate implementation, and to suggest appropriate changes to the plan of action. |

## Appendix F

### Western Oregon Plan Revisions – Official Cooperators

| Organization | | Notes |
|---|---|---|
| **County** | | |
| Clackamas Co. | Klamath Co. | MOUs on file. Represented by the Association of O&C Counties with Van Manning as their contractor. |
| Columbia Co. | Lane Co. | |
| Coos Co. | Lincoln Co. | |
| Curry Co. | Marion Co. | |
| Douglas Co. | Polk Co. | |
| Jackson Co. | Tillamook Co. | |
| Josephine Co. | Washington Co. | |
| Linn Co. | Yamhill Co. | |
| **State** | | |
| Oregon Governor's Office | | Ten agencies and the Governor's Office are joined in a single MOU. The Department of Forestry is the lead agency. ODF, ODFW, DEQ, and ODOT are the primary agencies with regular representation at the cooperator meetings. The Governor's Office coordinates and resolves differences between the individual agencies should they occur. |
| Oregon Department of Forestry | | |
| Oregon Department of Fish & Wildlife | | |
| Oregon Department of Environmental Quality | | |
| Oregon Department of Transportation | | |
| Oregon Department of Geology and Mineral Industries | | |
| Oregon Department of Agriculture | | |
| Oregon Department of Parks and Recreation | | |
| Oregon Department of State Lands | | |
| Oregon State Marine Board | | |
| Oregon Water Resources Department | | |
| **Federal** | | |
| U.S. Forest Service | | MOUs on file |
| NOAA - Fisheries | | |
| Fish & Wildlife Service | | |
| Environmental Protection Agency | | MOU essentially complete |
| U.S. Army Corps of Engineers | | MOU pending |

## Appendix G

## Western Oregon Plan Revision
## BLM Philosophy and Principles for Public Involvement

Public involvement during the Western Oregon Planning Revision will be conducted with sincerity and integrity in the true spirit of collaboration. To us, collaboration involves working at multiple levels with diverse interests and publics to understand each other, and share knowledge and resources. The goal of our collaborative efforts is to find solutions to the social challenge we face, how to meet the needs of local communities while also meeting our legal responsibilities to ecosystem health and protect sensitive species.

### Guiding Principles for Successful Public Involvement

1. Design public involvement activities to establish a foundation for lasting relationships that will facilitate plan development and plan implementation.
2. Design early public involvement activities to identify and share common values among participants.
3. Acquaint stakeholders with the RMP Revision process and how it links to future site-specific decisions.
4. Identify what is fixed and what is open for input and influence by the public, based on legal sideboards national strategies and policies, court decisions.
5. Be clear, focused and consistent.
6. Encourage and maintain opportunities for communication and participation with diverse interests and publics.
7. Use a diverse set of public involvement tools and techniques to meet the needs of diverse publics, as well as to engage as many viewpoints as possible.
8. Ensure we have a process in place to demonstrate how we addressed the input received from the public (feedback loops).
9. Develop and implement a process to continually communicate the results from public involvement activities at the multiple scales,
10. Actively engage employees seeking their input and building their support for the plan to empower them to be advocates for public involvement, and for development and implementation of the plan.
11. Realistically match internal capacity with our commitments for public involvement activities.
12. Follow through on commitments, both procedural and substantive.

## Appendix H

### IAP2 Principles of Public Participation[13]

1. The public should have a say in decisions about actions that affect people's lives.

2. Public participation includes the promise that the public's contribution will influence the decision.

3. The public participation process communicates the interests and meets the process needs of all participants.

4. The public participation process seeks out and facilitates the involvement of those potentially affected.

5. The public participation process involves participants in defining how they participate.

6. The public participation process communicates to participants how their input affected the decision.

7. The public participation process provides participants with the information they need to participate in a meaningful way.

[13] Developed by the International Association for Public Participation, 1997.

## Appendix I

## Pyramid of Strategies to Incorporate Science into Public Decision Making

# Engaging People in the BLM Western Oregon Plan Revisions Process

**Prepared by**

RESOLVE
25 Years of Results Through Consensus

The University of Montana
Public Policy Research Institute

cbi

THE CONSENSUS BUILDING INSTITUTE

## ENGAGING PEOPLE IN THE BLM WESTERN OREGON PLAN REVISIONS PROCESS

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- Appendix G – WOPR: BLM Philosophy and Principles for Public Involvement
- Appendix H – IAP2 Principles of Public Participation
- Appendix I – Pyramid of Strategies to Incorporate Science into Public Decision Making

# EXECUTIVE SUMMARY

The U.S. Bureau of Land Management (BLM) is responsible for the management of over 2.5 million acres of public forest lands in western Oregon. For the last ten years these lands have been managed under six Resource Management Plans (RMPs) that were developed using the standards of the Federal Northwest Forest Plan (NWFP). Over the next three years, the BLM will examine current management efforts and revise the six RMPs. They will use a single Environmental Impact Statement (EIS) for the Salem District, Eugene District, Coos Bay District, Roseburg District, Medford District, and the Klamath Falls Resource Area of the Lakeview District Office.[1] In revising the RMPs, the BLM has indicated they must achieve the Oregon and California Lands Act (O&C Act) requirement of permanent forest production, as interpreted by the 9th Circuit Court of Appeals on the O&C lands, while complying with other applicable laws such as the Endangered Species Act (ESA), Clean Water Act (CWA), and the Federal Land Policy and Management Act (FLPMA).[2]

At the request of the Oregon state office of the BLM, the Public Policy Research Institute – with the assistance of RESOLVE and the Consensus Building Institute – completed the first phase of a situation assessment on the Western Oregon Plan Revisions (WOPR) process in October 2005. Sections I and II give an introduction to the report and background on the WOPR process.

## Expectations About the WOPR – Key Findings

The first objective of this situation assessment is to clarify what key stakeholders expect from the plan revision process. Section III summarizes people's expectations in terms of (1) their substantive interests or the outcomes they would like to see; and (2) their process interests, or how they would like to be involved in the planning and decision-making process. While the report includes a significant amount of information and ideas from the interviewees, the following points represent the essence of our findings and the basis for many of the possible options for engaging the public and stakeholders.

- While there are different interests, they are often not mutually exclusive; though some stakeholders are fixed in their positions, most of the people seem to think there is value in trying to work together.
- There has been an erosion of trust due in large part to the settlement agreement, but also because people do not know what is going on or how they can be involved.
- People are warming-up to the idea that the economic and demographic infrastructure of the region is changing.
- People recognize that an implementable solution must integrate the objectives of the O&C Act and the other values and benefits generated by BLM lands.
- Land management decisions need to be based on "best available" science, and there is a lot of information available. However, agreeing on what to do with "best available" science is difficult, and many people would like opportunities to synthesize and analyze alternatives.
- People want to engage unaffiliated, general citizens (the "silent majority") in this process.
- Tribes want to negotiate one-on-one, as sovereigns.
- The formal cooperators want a more active role.

1 A map of the planning area can be found at: http://www.blm.gov/or/plans/wopr/files/wopr_map.htm
2 WOPR Scoping for Issues Newsletter Issue No. 1

## Summary of Major Opportunities and Challenges

Section IV offers a synthesis of major opportunities and challenges facing the BLM and others in terms of engaging people in the revision of the six RMPs. These opportunities and challenges are based on the findings presented in section III of this report.

The major opportunities include BLM's interest in providing opportunities for stakeholders and citizens to be meaningfully and effectively engaged; recognition by most interviewees that balancing different interests will be necessary to achieve an 'implementable' solution; a willingness of diverse parties to engage in some type of cooperative, collaborative process; a tight but sufficient timeline for completion of the EIS and six RMPs; a useful baseline of information from which conversations can begin; and broad interest in engaging the general public.

The major challenges include the erosion of trust among some of the participants, due to a number of process concerns; the lack of a common understanding and/or agreement about the O&C lands purpose, conflicting mandates, and the current role of public lands in western Oregon; the geographic scope of the planning area; a concern, expressed by many people, about BLM's ability, and in some cases, intent, to move beyond the public participation steps required in NEPA and FLPMA.

## Options for How to Engage People

The options for engaging people are designed to satisfy the substantive and procedural interests identified earlier, as well as respond to the opportunities and overcome the challenges.

The success of the Western Oregon Plan Revisions will depend to a large degree on the extent to which citizens and stakeholders are meaningfully engaged in the planning and decision-making process. Based on the findings and conclusions of this situation assessment, along with our professional experience, there are several options that the BLM and other stakeholders might want to consider at this point to effectively engage the general public; organized stakeholder groups; Native Americans; and cooperating agencies. The options include, but are not limited to:

1. Clarify and Communicate BLM's Evolving Task
2. Engage Native Americans in Government-to-Government Negotiations
3. Validate the Analysis of the Management Situation
4. Validate the Planning Criteria
5. Generate a Range of Alternatives that Capture the Various Interests
6. Create an Open, Transparent Process to Analyze Alternatives
7. Engage Unaffiliated, General Citizens in Reviewing the Draft RMPs and EIS
8. Implement Best Practices for Public Participation
9. Consider Using Impartial, Nonpartisan Facilitation

# I. INTRODUCTION

## A. Report Objective

The Public Policy Research Institute (PPRI), with the assistance of RESOLVE and the Consensus Building Institute (CBI) (collectively, the assessment team), was hired by the U.S. Bureau of Land Management (BLM) to "Prepare an independent assessment of the opportunities and challenges facing the BLM in the Western Oregon Plan Revisions Process (WOPR)." According to the BLM directive, the assessment should:

- Clarify what key stakeholders expect from the plan revision process (i.e., how they name and frame the issues);
- Identify possible challenges and constraints to public and stakeholder involvement, and strategies to overcome such challenges and constraints;
- Present reasonable recommendations and alternatives for engaging these diverse publics and organizations in a meaningful way, given the expected timeframes and resources available; and
- Spell-out the need for neutral facilitation assistance, identification of appropriate partners, appropriate roles and responsibilities for key participants in the process, and recommendations for what needs to be done, continue, or change to create an effective public involvement process.

The objective of this report is to share our findings with stakeholders to confirm that the information in this report is accurate, to identify remaining gaps, and to solicit their views about possible options for public involvement.

## B. Situation Assessment Process and Approach

The purpose of this situation assessment is to respond to the four expectations presented above. It is a vehicle to identify key stakeholders, clarify their interests and concerns, and examine alternative approaches to engaging people in the WOPR process. This report, and subsequent dialogue, should foster a common understanding among stakeholders and the BLM on the objectives of the WOPR, the interests of different stakeholders, options on how to address the various issues and concerns, and the opportunities and challenges of creating more effective, more meaningful opportunities to engage people in the WOPR process. This common understanding, in turn, will serve as a foundation for the stakeholders and the BLM to jointly explore various options to engage people, consider the trade-offs with different approaches, and create a more credible, legitimate process.

In August and September 2005, the assessment team worked with BLM staff to better understand their interests and expectations for the assessment and to get input regarding the individuals to interview and the questions to pose during the interviews. Building on these interactions, and on their own experience, the assessment team identified potential interviewees, crafted questions, drafted an introduction letter, and created a project schedule. Many interviewees were chosen because they are active in these issues and could assist the team in assessing the history, current climate, and opportunities for engaging the public and stakeholders throughout the planning process.

In mid-September, the assessment team sent proposed interviewees a packet of information, including an introductory letter describing the process, interview questions, and a request to schedule an interview. Interviews took place in September and October. Many of these interviews were in-person, sometimes with individuals and in many cases with groups of like-minded individuals. Due to logistical challenges, some telephone interviews were also necessary.

Ultimately, 28 interview sessions, involving a total of 61 individuals, were conducted during the month and a half (see Appendix A for a list of interviewees). The interviewees included representatives of tribal, federal, state, regional, county, and city governments; recreation-related business interests; recreational user groups; rural communities; urban communities; and conservation- and education-related organizations. As you can see, we talked to a representative sample of people representing diverse interests and viewpoints.

The assessment team consisted of two Senior Mediators, Matthew McKinney of PPRI and Paul De Morgan of RESOLVE, each of whom conducted approximately half the interviews. For consistency, all interviews were conducted using the same set of questions to guide the discussion (see Appendix B for the interview questions).

All the interviewees were generous with their time, and their willingness to participate in a constructive and engaged manner was much appreciated. Collectively, the interviews helped the assessment team to better understand how the interviewees view the current situation in regard to revision of the Resource Management Plans (RMPs), what they would like to see in the future, how concerns and issues might be addressed, and how the public might be involved in the WOPR process moving forward.

During the interviews, we asked people to suggest other groups or people that we might interview. Due to time and funding constraints, we were not able to interview any of the people identified; however, we are sending a copy of this report to them, and will include them in any future dialogue building on this situation assessment. A list of the suggested names can be found in Appendix C.

## C. Analyzing the Results

The assessment team analyzed the interviews to meet three basic objectives (consistent with the overall expectations of this effort): first, develop a picture of the interviewee's current procedural and substantive interests; second, assess the opportunities and barriers to meaningfully engaging stakeholders and the general public; and third, identify options for engaging the public in the WOPR process based on the interviewees' suggestions.

In creating the picture of interests, the assessment team looked for themes present across a wide enough spectrum of interviewees to formulate conclusions. The assessment team then combined its expertise in developing and conducting an array of public processes with the reality of the current situation to develop options for how to engage the public in the WOPR process.

This report summarizes the interviews conducted, presenting what people told us more or less in their own words, paraphrased as needed to capture the common themes that emerged from the interviews. As such, this report is not exhaustive in its coverage of the issues or of people's concerns, nor is it a fact-checked documentary on life in western Oregon. Instead, think of this

report as a snapshot of what people think about the management of BLM lands in western Oregon — as a starting place for further discussion.

### D. About the Authors

The PPRI is an applied research and education organization at The University of Montana. Its mission is to foster collaborative governance to sustain communities and landscapes. The Institute is impartial and nonpartisan; it is not an advocate for any particular interest or outcome. The Director of the Institute, and the lead for this project (Matthew McKinney), belongs to the Association for Conflict Resolution and the International Association for Public Participation, and serves on the faculty at the Lincoln Institute of Land Policy and the School of Law at The University of Montana.

RESOLVE is a non-profit organization with 28 years of experience providing neutral design, facilitation, and consensus building services with particular expertise in environmental, natural resources, energy, land-use and transportation planning, and health-related public policy issues. RESOLVE's mission is to improve dialogue, problem solving and decision-making between parties to better handle complex policy problems, and to advance the effective use of dispute resolution and consensus building tools through excellent practice, capacity building, and research. RESOLVE's work ranges from providing facilitation services for public workshops and strategic planning processes, to mediating site-specific enforcement disputes, and multi-party regulatory negotiations and policy dialogues.

The CBI is a non-profit organization designed to help people with diverse viewpoints and interests build agreement and resolve disputes. CBI provides a full-range of consensus building services, and has worked with people and organizations in more than 30 countries around the world. CBI senior staff are affiliated with the Program on Negotiation at Harvard Law School and the Environmental Policy Group at the Massachusetts Institute of Technology.

## II. THE WESTERN OREGON PLAN REVISION PROCESS

### A. Background

The BLM is responsible for the management of over 2.5 million acres of public forest lands in western Oregon. For the last ten years these lands have been managed under six RMPs that were developed using the standards of the Federal Northwest Forest Plan (NWFP). Over the next three years, the BLM will examine current management efforts and revise the six RMPs. They will use a single Environmental Impact Statement (EIS) for the Salem District, Eugene District, Coos Bay District, Roseburg District, Medford District, and the Klamath Falls Resource Area of the Lakeview District Office.[3] In revising the RMPs, the BLM has indicated they must achieve the Oregon and California Lands Act (O&C Act) requirement of permanent forest production, as interpreted by the 9th Circuit Court of Appeals on the O&C lands while complying with other applicable laws such as

3 A map of the planning area can be found in the WOPR Scoping for Issues Newsletter Issue No. 1 (a copy is available at: http://www.umtpri.org/pbc/projects.htm)

the Endangered Species Act (ESA), Clean Water Act (CWA), and the Federal Land Policy and Management Act (FLPMA).[4]

The BLM efforts to revise the RMPs are being undertaken now for several reasons including "because key aspects of implementation have proven to be extremely controversial … the plans have not been able to operate as envisioned and we have not been able to meet our commitments to Counties and local communities to make a sustainable supply of timber available for sale."[5] In addition, revisions are being undertaken in response to the American Forest Resource Council (AFRC) lawsuit settlement agreement. The Secretary of the Interior, the Secretary of Agriculture, the AFRC, and the Association of O&C Counties agreed to a settlement in August of 2003 which requires that the BLM re-focus their efforts to on-the-ground management by fulfilling the commitments made in response to the NWFP. The settlement also requires the BLM to consider in each proposed RMP revision at least one alternative which will not create any reserves on O&C lands except as required to avoid jeopardy under the ESA and that "all plan revisions shall be consistent with the O&C Act as interpreted by the 9th Circuit Court of Appeals."

## B. Timeline and Schedule of Activities

The settlement agreement requires that the six RMPs and the associated EIS be completed by December 30, 2008. Based on this mandate, the Notice of Intent to revise the six RMPs was published on September 7, 2005 in the Federal Register. In the scoping phase, BLM held 12 Public Scoping Meetings across western Oregon as follows:

- September 8 in Salem
- September 13 in Clackamas
- September 15 in Klamath Falls
- September 20 in Coos Bay
- September 21 in Eugene
- September 22 in Corvallis
- September 22 in Gold Beach
- September 27 in Cloverdale
- October 6 in Reedsport
- October 6 in Roseburg
- October 12 in Medford
- October 13 in Grants Pass

In addition, BLM in partnership with the Sonoran Institute have conducted seven workshops about how the local and regional economies have changed, along with the role of public lands in the region's economy. Using a tool called the Economic Profile System, the objective of each meeting was to assist the community in developing a better understanding of regional social and economic changes and how to benefit from those changes.[6] These meetings took place as follows:

- September 14 in Klamath Falls

4 WOPR Scoping for Issues Newsletter Issue No. 1
5 Note from BLM Oregon/Washington State Director, Elaine M. Brong, August 2005 (included in the WOPR Scoping for Issues Newsletter Issue No. 1)
6 For information on the tool go to: http://www.sonoran.org/programs/socioeconomics/si_se_program_main.html

- September 15 in Josephine County
- September 16 in Jackson County
- October 4 in Coos Bay
- October 5 in Roseburg
- November 1 in Salem

The BLM is currently operating according to the following schedule to meet the deadline of December 30, 2008.

| | |
|---|---|
| Complete the Analysis of the Management Situation | December 2005 |
| Prepare Planning Criteria | December 2005 |
| Prepare Draft RMPs and EIS | December 2006 |
| Provide a 90-day Public Comment Period | January-March 2007 |
| Prepare the Proposed Final RMPs and EIS | October 2007 |
| Provide a 30-day Protest Period and 60-day Governor's Review | December 2007 |
| Prepare a Record of Decision | March 2008 |

The proposed completion of the six RMPs and EIS is nine months before the deadline required in the settlement agreement. The BLM's rationale for this proposed schedule is to provide some flexibility, allow time to resolve any appeals prior to the deadline, and to complete the process before the November national elections. Opportunities to engage the public and stakeholder groups must take place within these time constraints. The BLM seems open to discussing and revising this schedule according to the interests of citizens and stakeholders.

## III. PEOPLE'S EXPECTATIONS ABOUT THE WOPR

The first objective of this situation assessment is to clarify what key stakeholders expect from the plan revision process. This section of the report summarizes people's expectations in terms of (1) their substantive interests or the outcomes they would like to see; and (2) their process interests, or how they would like to be involved in the planning and decision-making process.

### A. Substantive Interests

Nearly everyone we interviewed recognized that the overarching goal of managing BLM lands in western Oregon is to achieve the objectives of the O&C Act <u>and</u> to sustain all of the other values generated and supported by these lands (e.g., endangered species, water quality, and recreational opportunities). Another way some people named this interest is – "to sustain the economy, communities, and the environment."

When the conversation turns to "how" to achieve this overarching goal, and "how" to balance the myriad mandates that the BLM must satisfy, opinions diverge. However, these differences of opinion seem to narrow the more people talked and clarified their underlying interests – suggesting that apparent conflicts among interests might be reconciled as stakeholders have more opportunities to clarify their interests, learn more about the interests of other people, and be creative about alternatives that might satisfy diverse interests.

In the course of the conversations, participants identified additional interests that, while different, were not necessarily conflicting. These interests included:

- Promote and support small business development, particularly for products harvested off the land.
- Recognize the ecological and economic benefits provided by restoration efforts.
- Improve private lands management, otherwise public land must produce all of the conservation values.
- Focus on management issues in and around the urban/wildland interface.

In order to move forward with efforts to develop new RMPs, participants identified a number of actions that need to be taken or issues that will need to be addressed by all involved parties.

1. Improve Public Understanding of Existing Statutory Requirements

Most of the people interviewed suggested that it is imperative to better inform and educate the general public about the unique characteristics of BLM land in western Oregon. Realizing that most unaffiliated, general citizens most likely do not know the BLM from other federal, state, or even local agencies, interviewees suggested that the BLM needs to distinguish itself from other agencies by clearly and concisely explaining its diverse statutory requirements, the unique objectives of the O&C Act, the checkerboard nature of its land in western Oregon, and the opportunities for public participation under NEPA. Explaining other legal requirements including the ESA, CWA, and FLPMA as well as the role BLM plays in implementing the NWFP would also be helpful.

2. Clarify the Economic Value of BLM Lands

Many participants suggested clarifying the economic impacts of timber harvesting on local communities, as well as the economic value of the environmental amenities generated by BLM and other public lands in western Oregon. Some of the specific questions that people identified include:

- What role has timber harvesting played historically within local communities?
- What contribution does timber harvesting make today?
- What other benefits do forests provide local communities?
- How do environmental amenities of public lands impact the communities and the economy?
- How are positive and negative externalities accounted for?

An additional suggestion was that new ways of assessing costs and benefits of logging versus other emphases (such as ecosystem services including clean water, carbon sequestration, etc.) should be factored into economic deliberations.

3. Implement the Objectives of the O&C Act

Some suggested that BLM should 'reestablish' the principles and objectives of the O&C Act as a mandate for management of BLM lands in western Oregon. The Act states "… lands … which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, shall be managed, except as provided in section 3 hereof, for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal of sustained

yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

In many instances, local communities would rather harvest timber on a sustained-yield basis to generate revenue rather than depend on federal payments under the Secure Rural Schools and Community Self-determination Act of 2000. Moreover, there is a growing concern that the latter (which sunsets on September 30, 2006 and has its funds running out at the end of October 2006) will be difficult to reauthorize in light of other national priorities. Reauthorization is currently being debated in Congress (S. 267 and H.R. 517). The 2003 Report to Congress by the Forest Counties Payments Committee – *Recommendations for Making Payments to States and Counties* -- presents the history and alternative futures for the county payments program.

Ensuring the sustainability of the forest products industry (including loggers, sawmills, plywood plants, paper mills, and the communities where people live and work) was viewed as a significant interest. As such, ensuring an adequate and dependable supply of timber from BLM and other federal lands would be important. Presently, many timber sales are not bid-on because people know the sales will get tied-up in court and the cost of obtaining the contracts is simply too high.

Interviewees suggested a number of approaches to satisfy these interests: opening more areas to timber contracts, providing more access to smaller timber for biofuels and other purposes, and experimenting with "stewardship contracts." Some noted that the social and cultural dynamics today are different than when the O&C Act was passed and, therefore, that implementation needs to be creative to accommodate multiple interests and needs. While some interviewees stressed the importance of the language in the O&C Act regarding "sustained yield" of timber, others suggested a discussion involving principles of sustainability beyond sustained yield is necessary.

Some people expressed concern that other people may use the RMP process to try and rewrite the O&C Act. Others expressed concern that the O&C Act is not being enacted as originally intended. Therefore, it is particularly important to identify creative alternatives that meet a wide range of interests.

4. Utilize the BLM Lands to Protect and Restore Oregon's Wildlife, Water, and Lands

For others, the value of BLM lands in western Oregon is to restore and enhance fishery resources, maintain late successional habitat, regenerate young forests, and provide clean water. Creation of more reserves that prohibit or limit logging would be seen by these participants as a way to ensure these values are protected and even enhanced. These individuals believe opportunities for forestry (e.g., plantation thinning and small diameter fuel reductions) could be provided to meet the needs of the timber industry. These participants also indicated that the new plans should be consistent with the NWFP and that promotion and protection of the status quo (if not more protection for endangered species) would be essential. It was noted that to the extent timber provisions of the NWFP have not been met, the same can be said of other provisions for habitat and species.

Some participants suggested it is important to recognize the ecological value that BLM lands provide and to consider them while trying to meet the needs of the O&C Act mandates. Some people believe that the RMP revision process threatens the very core of the NWFP – which is to say the reserve system. The reserve system (where logging is only allowed if it is used as a tool to meet

management objectives for the reserves) is critical to preserving old growth forests, wildlife habitat, water quality, and other important values. A recent report entitled "Importance of Western Oregon BLM Lands and Reserves to Fish and Wildlife Conservation" expands upon the value of reserves from the perspective of three conservation organizations.[7] The BLM lands are critical to the overall landscape, and should be managed according to the needs of the watershed. According to these people, you can only partially compensate habitat loss on BLM ground by doing restoration work on USFS and private lands. These participants noted that addressing how to protect old growth forests from logging will be of paramount importance in the WOPR process, and indicated there is significant public desire to see remaining old-growth forests on public lands retained. Finally, an interviewee suggested that as the USFS and BLM initiate the process to update the Survey and Manage program it should be integrated into the WORP process as there is direct relevance to the reserve system.8

Some people conversely point out that the overall environmental quality of the region is declining (e.g., the population of spotted owls is declining, new species of salmon are being listed as threatened and endangered) and as such the BLM lands need to assist in enhancing the environment.

5. Manage BLM Lands in Western Oregon for Recreational Uses

Consistent management of recreational uses on BLM lands in western Oregon would be helpful to some stakeholders, as presently there seems to be a great deal of variation in how recreation is managed from one BLM district to another. Finding a more balanced equilibrium between recreation interests and timber interests and ecological protection was identified as an important desired outcome. Some participants suggested that recreational areas and corridors should be treated with higher priority, as opposed to the current approach where they are often considered only after timber, mining, and other resource development activities. One suggestion was that recreation be formally recognized as an economically valuable asset provided by BLM lands in western Oregon. In addition, it was suggested that BLM should use professional recreation managers, not people who are trained in forestry and wildlife management and do recreation management as a fallback.

Finally, resolution of a number of specific on-the-ground management problems would be helpful, including but not limited to: 1) class 2 OHV permit requirement; 2) user fees; 3) the acreage formula for designating motorized recreational areas; and 4) the designation of recreational and wilderness areas on the basis of use, not arbitrary criteria. Some suggested that BLM explore opportunities to work with the motorized recreation interest groups to build and maintain roads, trails, and corridors as an approach to building relationships.

6. Seek Understanding and Agreement on How to Meet the Objectives of the O&C Act

In addition to the specific interests regarding how to manage the land (items 3, 4, and 5 above), many interviewees indicated it is important to seek understanding and agreement on how BLM land can meet the mandates of the O&C Act. To the extent some parties focus on the O&C Act

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7 The lead author was Dominick DellaSala of the World Wildlife Fund Klamath-Siskiyou Program who developed it with Nancy Staus and Erik Fernandez. Copies can be found at http://www.consbio.org/cbi/pubs/index.htm.
8 More information can be found in the Notice of intent to prepare a supplement to a final environmental impact statement in the Federal Register / Vol. 70, No. 237 / Monday, December 12, 2005 / Notices

mandate of timber harvesting "with the principal of sustained yield," others focus on the language associated with "… protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

For some interviewees it would be helpful to recalculate sustained-yield harvest levels and determine which lands/forests can best meet the desired volume of timber. Defining what sustained-yield means, and what happens if the forest is not periodically harvested (i.e., nature takes its course in the form of forest fires, insect infestations, disease, and eventually forest fires) will be important. As none of the western Oregon BLM districts have met the timber harvest targets established in the NWFP, it may be useful to address some of the reasons including:

- BLM field staff has been reduced (due to retirement and not filling vacancies), so there are fewer people to do the necessary work to harvest timber and otherwise manage the land.
- The timber sales that are offered are not very economical. According to some people, it is very hard to lay-out economically viable timber harvests and meet the goals of the NWFP.
- The timber sales that are offered, even though in the matrix, are often contested in court.

While some indicated that the NWFP should continue to serve as the driver for managing all forest lands in the region, including the O&C lands, others suggested that the NWFP violates the objectives of the O&C Act. Some of the individuals who suggested the NWFP violates the O&C Act offered that the best approach to developing a new land management plan is to start all over, with a blank slate and carefully map the resource base, clarify existing laws and policies, examine the science, and then make informed decisions.

7. Work with Adjacent Landowners

Given the checkerboard nature of the landscape, many participants emphasized the need for BLM, building on existing efforts, to work with adjacent landowners, including the USFS and private landowners. Many participants noted it is impossible to effectively manage land within a given watershed without engaging all of the "land managers" within that watershed – including private landowners. Some suggested the USFS should be more than a formal cooperator in this planning process and that perhaps other vehicles for better interagency coordination exist.

8. Manage the Existing Road System

A number of participants noted that many roads are not in very good condition; they are overgrown with vegetation because of lack of use. Also, sometimes agency decisions are contested which significantly slows down efforts to maintain roads. Others noted however that the challenges come from over-building of roads followed by under-funding for maintenance.

9. Administer the Fire Management Regime on BLM Lands

There are as many opinions about why the current fire regime exists as there are about what it should be in the future. The science of fire ecology and the history of management decisions' impacts on the fire regime were identified as important factors to better understand in making future decisions. A number of participants suggested that enabling effective management of the timber load on BLM lands is essential. Specifically, some maintained that managers need to be able to act to reduce the risk of future fires, while others wanted to ensure natural systems are allowed to work

as nature intended. In the same area, many participants wanted to create opportunities to salvage wood in burned areas while ensuring those efforts are done in an ecologically sensitive manner.

## B. Process Interests

In addition to clarifying substantive interests or outcomes, the interviewees also expressed a number of process interests – that is, expectations about how the planning and decision-making process should unfold, and how the public and stakeholders should be involved in the process. Appendix D includes a menu of options on how to meet these process interests, building on the interviews and the assessment team's experience.

### 1. Clarify the Evolving Task of the BLM

Several people suggested that the BLM should clarify its evolving task. Even for seasoned observers, the complexity of BLM's task is often confusing given the unique nature of the O&C lands, the economic and ecological values of BLM lands in western Oregon, the settlement agreement, and the requirements of NEPA, ESA, CWA, FLPMA, and other statutes.

Somewhat related to the substance of BLM's task, some participants indicated that the most effective way to accomplish the task is allow BLM land managers to do their job. Some people indicated that BLM staff have the expertise to manage the land according to ecological needs, the best available science, and legal mandates – and that this would be a far better approach than managing the land according to lawsuits and political decision-making. Others suggested that BLM may not have implemented programs with all legal mandates in mind and are dubious that they can do so in the future.

At the same time, some interviewees claimed that the BLM needs to do a better job listening to people and explaining – early and often – what they can and cannot do (legally, scientifically, administratively, etc.). At least one participant suggested BLM should just make decisions through the regular process and then stakeholders will be able to determine if the proposed approach is legal.

Some people suggested that the EIS should be organized by region – Coast Range, Oregon Klamath basin, and Western Cascades – similar to the Provincial Advisory Committees (PACs) created by the NWFP. Other people commented that the PACs are not very effective, and that it would be much more effective to organize around the administrative units of each RMP.

### 2. Maintain the Integrity of the EIS-planning Process

Most, if not all of the interviewees, agreed that it is essential to maintain the integrity of the EIS-planning process in order to arrive at an implementable outcome – one that will satisfy people's interests enough so they do not feel compelled to challenge or object to the plan. The participants offered a number of suggestions on how to accomplish this objective.

First, all of the BLM mandates and objectives need to be understood and considered in the course of revising the RMPs. Second, compliance with all existing laws is essential and non-negotiable. Third, compliance with the NWFP ecological provisions is essential. Fourth, all participants, including the BLM and the parties to the settlement agreement, need to be careful not to presume a predetermined outcome or preferred alternative before the analysis and public involvement

processes are completed. Fifth, the BLM should increase the level of specificity of the goals, objectives, strategies, and techniques in the RMPs in terms of how certain activities will meet state laws, rules, regulations, and standards

In addition to these four general suggestions, the participants offered a number of more specific suggestions (which could be considered criteria for a good process) including:

- Foster an open, transparent decision-making process.
- Create dialogue, deliberation, trust, communication, and understanding.
- Utilize creative methods to engage unaffiliated, general citizens.
- Keep the pace of activity manageable for participants.
- Do not surprise people.
- Make the process as appeal-proof as possible by meeting all statutory requirements.
- Coordinate efforts to engage the public.
- Create a level playing field for all participants.

Appendix E presents a variety of options to engage the public and stakeholders in different steps in EIS-level planning.

3. Engage Native American Tribes on a Government-to-Government Basis

Some participants stressed the need to engage Native American tribes on a government-to-government basis, noting that it is important to recognize and respect tribal sovereignty and self-determination. The tribes want to make their own decisions about how to manage their lands and resources. Among other things, they would like to revisit the reserve system; in some places it may need to be increased, while in other places it should probably be eliminated.

Some interviewees pointed out that the administration's policy and Secretary Gail Norton's memo on Indian self-determination contradicts the Congressional statute under which the Coquille Tribe must manage their lands (i.e., they are required to manage their lands according to the standards and guidelines of adjacent federal lands). Along these lines, the tribes would like the opportunity to meet existing laws and policies in their own way and to adapt strategies to site-specific conditions. Regarding the Coquille Forest, one participant wondered whether the BLM has the legal authority to establish management direction and standards for Tribal lands Since the Coquille Forest requires management of these Tribal lands subject to standards and guidelines of the adjacent BLM lands, the Coquille Tribe feels the BLM planning process should provide the Tribe with an opportunity to design a management strategy which respects Tribal sovereignty, Indian self-determination, and meets the Tribe's goals for management of its Tribal forest lands. This can be accomplished through direct government-to-government consultation between the Tribe and BLM. Indian trust lands are not public lands and special considerations are needed in impacting management of the Coquille Forest lands as a result of the BLM/Tribal nexus established in the Coquille Forest Act.

4. Consider a Range of Alternatives that Meet People's Substantive Interests

The perceived legitimacy or integrity of the EIS process also will be affected by the choice of alternatives considered. Although we include it in this section on process, it links to the fundamental differences in substantive interests about what the forests should be managed for.

Engaging the public and interested stakeholders in a conversation about what the alternatives to consider is one of the most critical steps in the WOPR process.

According to the settlement agreement, the EIS/RMPs shall include a "no reserve alternative," and that "all plan revisions shall be consistent with the O&C Act as interpreted by the 9th Circuit Court of Appeals." In light of this mandate, the interviewees who support the reserves expressed significant cynicism about what influence, if any, they can have in the process and on the eventual outcome as they believe the Court's opinion is "unfriendly to wildlife conservation on O&C lands." According to these participants, the entire process seems to be driven by the settlement agreement it appears that the outcome is both predetermined and inevitable. As such, they believe the entire process has very little credibility and may be irreparably flawed. In addition, they indicated that this situation assessment and the involvement of independent, impartial third-parties in general are only utilized to create an illusion of participation.

To help offset the weight given to a "no reserve" alternative, some participants would like to see a "conservation alternative" that focuses on sustaining conservation values first, and allowing timber harvesting only when and where necessary to enhance conservation values. Some also wondered if the impact of no reserves on BLM lands on all of the adjacent lands – in terms of meeting the goals of the ESA, CWA, etc. – had been considered and whether that would be acceptable to other land managers.[9]

Several participants suggested that a wide range of alternatives need to be assessed, giving careful consideration to how each alternative satisfies legal mandates, reflects the changing economic and demographic fabric of the region, and satisfies different stakeholder Clearly, a process that fosters creative alternatives that get closer to achieving the goals of the O&C Act, ESA, CWA and other statutes would best achieve the shared interest expressed of "sustaining the economy, communities, and the environment."

In developing alternatives for consideration, BLM and the other participants should keep these ideas in mind:

- Use best available science (i.e., science that has gone through independent peer review), regardless of the source.
- Provide opportunities for other sources of information (e.g., anecdotal) to be considered.
- Be guided by explicitly articulated sideboards and constraints (what the BLM refers to as "planning criteria").
- Promote vibrant economies, livable communities, and healthy landscapes.
- Document and integrate changing public attitudes about natural resource management in western Oregon. (Examples include the 2005 poll conducted by Davis, Hibbitts & Midghall Inc. for the Communities for Healthy Forests[10] and the February 2002 poll, Old Growth and

9 The report, "Importance of Western Oregon BLM Lands and Reserves to Fish and Wildlife Conservation," referenced earlier, explores this question.
10 To obtain results of the poll please contact Communities for Healthy Forests at http://www.communitiesforhealthyforests.org/.

Mature Forest Protection, conducted by Davis, Hibbitts, and McCaig, Inc. for the Northwest Old-Growth Campaign[11].)

5. Engage the Public Early and Often in the Planning and Decision-making Process

Nearly all of the interviewees asserted that the credibility and legitimacy of the six RMPs will be significantly improved to the degree that the BLM (and/or others) engage the "silent majority," or unaffiliated, general citizens. Other people observed that the issues here are so complex and nuanced – if not esoteric – that it will be difficult to involve the general public in any meaningful way. That said, nearly everyone supports the use of new strategies and techniques to inform and educate, and seek the input and advice of the general public.

To improve public participation, interviewees suggested a number of themes, interests, and options:

- Allow the "culture" (or character) of communities to dictate the pace and format of engagement;
- Provide more notice and longer lead-time;
- Release reports and/or other documents far enough in advance of a public meeting or hearing to enable the public to digest and review them;
- Hold meetings in different venues and other places (e.g., out near Mt. Hood)
- Consider that conventional public meetings or hearings are often too emotionally charged and not a very good way to foster dialogue, deliberation, learning, and understanding.
- Building in the time up-front to do public participation right the first time is preferable to being forced to re-do the entire process because people object for one reason or another.

6. Create More and Better Opportunities for People with Diverse Viewpoints to Work Together

As explained earlier, many if not most of the interviewees expressed an interest in working together on the WOPR. One participant noted that "we need an opportunity for people with diverse viewpoints to sit-down with each other, exchange ideas, and figure-out how to balance or integrate all of our interests." It was also suggested that the BLM or others should provide opportunities to build a deeper sense of community and place. Some of the suggestions to achieve these objectives included developing FACA-chartered groups, possibly through the existing RACs; creating an independent group that includes BLM but is convened by others; or adding to the mandate of already established working groups. If such a group is convened, it was noted that membership should include a broad range of expertise, including individuals who understand conservation science, federal environmental laws, and timber practices.

In addition to the process-oriented challenges of establishing any of these groups, the scope and focus of such a group would need to be acceptable to all the parties. Some people believe the most useful multi-stakeholder conversation would be inclusive and comprehensive, focusing on all public and private lands in the region, and addressing the full range of management options – including but not limited to habitat conservation plans. In this respect, according to these people, a parallel stakeholder engagement process is more likely to address a larger mix of issues and concerns.

11 Results of the poll can be found at: http://www.nwoldgrowth.org/infostation/infostation.htm under Briefing Documents.

7. Strengthen the Role of Formal Cooperators

Consistent with NEPA, BLM has identified a number of "cooperative agencies" to assist in developing the revised RMPs.[12] In projects where implementing NEPA is necessary, a lead agency is identified if more than one Federal agency either is involved in a group of actions directly related to each other because of their functional interdependence or geographical proximity. In the WOPR, the BLM is the lead agency. Appendix F presents a list of cooperating agencies.

While interviewees generally recognized BLM's efforts to convene the cooperators, some participants wanted BLM to create additional, more meaningful opportunities for local, state, and federal officials (i.e., "cooperating agencies") to be engaged proactively, before preliminary decisions are made, rather than simply asking them what they think after BLM has made a decision.

According to some of the cooperating agency officials, this process could be improved by:

- Involving the cooperators more meaningfully before decisions are made, rather than limiting their role to commenting on decisions made by BLM.
- Allowing the cooperators to jointly name problems/issues and frame options/alternatives.
- Allowing the cooperators to share information, models, and other expertise.
- Engaging the cooperators in the analysis and interpretation of data and the evaluation of impacts.
- Using a professional facilitator.

Working more closely with the state agencies would be valuable to BLM during development of the RMP revision process and subsequently in implementing the RMPs. Specifically, it was suggested that BLM:

- Engage the Oregon Department of Transportation more frequently and more meaningfully when BLM is constructing buildings along highways; dealing with noxious weeds; and inventorying and managing cultural and archaeological resources; and
- Work closely with the Oregon Department of Environmental Quality to coordinate programs related to air and water quality and hazardous materials to meet state rules, regulations, and standards.

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12 According to NEPA, "cooperating agency" means any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment. The selection and responsibilities of a cooperating agency are described in Sec. 1501.6 of NEPA. A state or local agency of similar qualifications or, when the effects are on a reservation, an Indian Tribe, may by agreement with the lead agency become a cooperating agency.

Each cooperating agency shall: 1) participate in the NEPA process at the earliest possible time; 2) participate in the scoping process (described in Sec. 1501.7); 3) assume on request of the lead agency responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.; 4) make available staff support at the lead agency's request to enhance the latter's interdisciplinary capability; and 5) normally use its own funds. The lead agency shall, to the extent available funds permit, fund those major activities or analyses it requests from cooperating agencies. Potential lead agencies shall include such funding requirements in their budget requests.

8. Create an Open, Inclusive, Transparent Process to Address Scientific and Technical Issues

Most of the interviewees seem to agree that a significant amount of information is available on a wide range of scientific and technical issues. As one interviewee expressed, "We already know a lot, if not most, of what we need to know to manage the landscape." However, another perspective was that regardless of how much is known, an adaptive approach must be taken as science will never have all the answers given the complexity of ecosystems.

The immediate challenge, then, is to determine what information is necessary for which decisions. Several people expressed concerns that – given the diversity of interests and viewpoints – different people will look at the same data and arrive at different conclusions. At least one person suggested there are few if any legitimate disputes over science and technical information, implying that if the claims of people representing the extremes were discounted, the remaining participants would most likely agree on nearly everything. Another individual indicated there were disputes over science and in particular, how to manage forests based on what we currently know.

To mitigate the potential for disputes over scientific and technical issues, a number of the participants suggested it would be important to create an open and inclusive process to deal with scientific and technical information. As one participant noted, "We need a process to foster a common understanding of the scientific and technical aspects of managing BLM lands in western Oregon." The first task, according to several interviewees, is to create opportunities for stakeholders to look at existing information together and to clarify what we know, what we don't know, and what we need to know in order to make decisions.

Participants identified a number of potential gaps in existing knowledge, some of which may be more important and/or relevant to planning and decision-making:

- Do old-growth forests increase the likelihood of catastrophic fires or provide a buffer if and when such forest fires start?
- Do plantations increase the likelihood of catastrophic fires?
- How can the agency and communities quickly (via some type of fast-track system) respond to catastrophic wind and fire storms?
- What is the economic value of timber harvesting and other uses/values of the landscape?
- What is happening on the ground with respect to forest health, wildlife habitat, water quality, etc.?
- How much timber (including old growth) can be harvested on a sustained yield basis?
- What are the impacts of timber harvest on endangered species, water quality, and other forms of economic enterprise?
- What are the likely impacts of emerging natural resources industries – such as biofuels and plantation harvesting – on conservation values?
- What is the relative impact of multiple drivers on fisheries, including but not limited to logging, dams, ocean conditions, and commercial development?

Assuming the objective is to allow for the best available science to guide land management decisions, participants suggested the following ideas:

- Use independent, recognized scientists to help gather, synthesize, and interpret technical information.
- Share scientific and technical information, regardless of the source.
- Build on existing scientific and technical information, beginning with the Ten-year Review of the NWFP and current studies on the spotted owl, fishery resources, fire, forest health, etc.

Whether people can reach agreement on the scientific and technical information used to shape the RMPs and complete the EIS will go a long way to determining if plan revisions can be supported by a range of participants. That said, several participants were quick to point out that this is really not a debate about scientific and technical issues, as much as it is a debate about social and cultural values.

9. Explore Options for Long-term Management

As a long-term proposition, several people expressed interest in learning more about innovative approaches to governing federal lands and resources. One option is to create a Board of Trustees that would assume responsibility for managing some or all of the BLM O&C lands in western Oregon – consistent with all applicable laws, policies, rules, and regulations. Some people suggested that Douglas County might be an appropriate location for such an experiment in governance given that the county boundaries correspond to the watershed boundaries, and that all of the issues related to managing BLM lands in western Oregon can be found in this area. Others indicated concern with this type of approach, noting that agreeing on membership on a Board of Trustees would be a significant challenge.

This option would require Congressional authorization, which is the only entity that can legally delegate such authority. It might be modeled after similar experiments in the Valles Caldera and the Presidio. For more information, please contact the assessment team or see *The Western Confluence: A Guide to Governing Natural Resources* (Island Press 2004). The most common concerns with these experimental models tend to revolve around issues of representation, transparency, and accountability.

Another option suggested was that the BLM transfer their forest lands to the USFS to allow for a more integrated approach to resource management.

## IV. SUMMARY OF MAJOR OPPORTUNITIES AND CHALLENGES

This section of the report synthesizes the major opportunities and challenges facing the BLM and others in terms of engaging people in the revision of the six RMPs. These opportunities and challenges are based on the findings presented in section III of this report. This section responds to the expectation that the situation assessment will identify possible challenges and constraints to public and stakeholder involvement. In the next section, we provide a set of options that are designed to satisfy the substantive and procedural interests identified earlier, as well as take advantage of the opportunities and overcome the challenges summarized here.

### A. Opportunities for Moving Forward

1. The BLM has demonstrated its interest in providing opportunities for stakeholders and citizens to be meaningfully and effectively engaged in the revision of the six RMPs. The situation assessment and this report should help foster this interest.

2. Nearly all of the interviewees recognize that to achieve an 'implementable' solution, management of BLM lands in western Oregon will need to achieve the objectives of the O&C Act <u>and</u> sustain all of the other values generated and supported by these lands (e.g., endangered and sensitive species, water quality, and recreational opportunities). This creates the basis for a common goal or criteria for what would constitute a good outcome.

3. People representing diverse interests and viewpoints seem to be willing to engage in some type of cooperative, collaborative process to inform and invigorate the development of the EIS and six RMPs. This willingness to participate is critical to designing and managing a legitimate, credible process.

4. The BLM's schedule to complete the EIS and six RMPs is tight but is sufficient to enable parties to undertake some type of collaborative effort, and to experiment with some different ways to engage the general public.

5. The recent evaluation of the NWFP, as well as other sources of information, provides a useful baseline of information from which conversations can begin.

6. A broad cross-section of interested parties have expressed the desire to engage the general public.

## B. Challenges to Moving Forward

1. The erosion of trust among some of the participants, due in part to the following issues, will make it somewhat challenging to engage people in a constructive, meaningful dialogue:
    a. The inability to implement the NWFP agreement according to different expectations.
    b. A sense by some parties that, regardless of the process and the final RMP revisions, the decisions will be contested in court.
    c. A limited belief that BLM and the other interested parties can negotiate a solution or preferred alternative that meets the interests of all parties.

2. The lack of a common understanding and/or agreement about:
    a. The purposes of the O&C lands.
    b. The conflicting mandates under which the BLM must manage public lands in western Oregon.
    c. The role of public lands in sustaining economies, communities, and the landscape, accentuated by:
        i. Extreme viewpoints.
        ii. Impassioned but narrow interests, which quickly leads to polarization.
        iii. Focus on self-interest rather than the common interest.
        iv. Cultural resistance to economic and demographic change.
    d. The influence of global economic forces relative to regional economic impacts on local communities and resources.

3. The geographical range of the planning area and the differences across the six Regions.

4. Many people, representing diverse interests and viewpoints, are doubtful about BLM's ability, and in some cases, intent, to move beyond the public participation steps required in NEPA and FLPMA. More specifically,
    a. Some people believe that the outcome of the planning process is predetermined, as defined by the Settlement Agreement.
    b. Many people do not believe that their input and advice is seriously considered by the BLM and/or other decision-makers in the planning process.
    c. Many people question the scientific credibility of the technical information guiding the process.
    d. Nearly everyone recognizes that "meaningful engagement of the public and stakeholders" is time and resource intensive, and will require significant coordination.
    e. Some people are frustrated by the BLM's lack of willingness to embrace and practice "adaptive management."

## V. OPTIONS FOR HOW TO ENGAGE PEOPLE

The success of the Western Oregon Plan Revisions will depend to a large degree on the extent to which citizens and stakeholders are meaningfully engaged in the planning and decision-making process. Based on the findings and conclusions of this situation assessment, along with our professional experience, there are several options that the BLM and other stakeholders might want to consider at this point to effectively engage unaffiliated, general citizens; organized stakeholder groups; Native Americans; and cooperating agencies.

This section of the report responds to the final two expectations for the situation assessment as defined by the BLM:

- Present reasonable recommendations and alternatives for engaging these diverse publics and organizations in a meaningful way, given the expected timeframes and resources available.
- Spell-out the need for neutral facilitation assistance, identification of appropriate partners, appropriate roles and responsibilities for key participants in the process, and recommendations for what needs to be done, continued, or changed to create an effective public involvement process.

The options presented below are based on the findings and conclusions outlined in Section III of this report, and the summary of major opportunities and challenges presented in Section IV. The options also build on and are designed to operationalize the BLM's "Philosophy and Principles for Public Involvement" (see Appendix G) and the "Principles of Public Participation" articulated by the International Association for Public Participation (see Appendix H).

In addition to the options listed below, we encourage the BLM and other interested people to carefully consider the menu of options to engage the public and stakeholders presented in Appendix D.

We have stopped short of offering specific recommendations per se at this point because our goal is to foster a broad sense of ownership in the planning process and its eventual outcomes. The options presented below focus more on "what" might be done, rather than "how" to do certain things. They are designed to foster informed dialogue and deliberation, represent the views of the assessment team, and are not meant to bind anyone to anything.

To help us complete the final report we first distributed a draft version for feedback on these options. The draft report was to be used as a tool for asking clarifying questions about these options, suggesting additional options, discussing the pros and cons of the options, improving the options to overcome any concerns, and, overall, to learn together which options may offer the most constructive opportunities for all stakeholders and the interested public to engage in the process.

After receiving feedback, we revised the report to reflect the additional insights as appropriate; however we did not revise the following options as they continue to offer a range of practical suggestions that may be useful to participants moving forward. Instead, we developed specific recommendations which are included in a cover letter with the final report.

1. Clarify and Communicate BLM's Evolving Task

Given the complexity of BLM's task, it should develop a public information and education strategy – in consultation with stakeholders representing different viewpoints – to help the general public understand the unique nature of the O&C lands, the economic and ecological values of BLM lands in western Oregon, the court settlement, and the requirements of NEPA, ESA, CWA, FLPMA, and other statutes. This should also convey BLM's commitment to a transparent, inclusive, and responsive public involvement process where the interests and concerns of the public and interested stakeholders are heard, and how subsequent decisions do and do not reflect that input, and why, is communicated.

The value of engaging stakeholders – including formal cooperators – in crafting and disseminating this message is that they have a particular understanding of different constituents, established channels of communication, and the credibility to provide information and education. To assist in creating a credible approach, BLM should incorporate a continuous feedback loop to stakeholders concerning how they are using feedback and input provided. Building trust among all the parties should be an explicit goal of this process and will require open communication and an ability to answer questions as they are raised.

Once the core message is developed and refined, it could be distributed via the newsletter, a web site, and a standard 2-3 minute mantra that all staff memorize. The point is that it should be repeated often and in different venues.

2. Engage Indian Tribes in Government-to-Government Negotiations

The BLM and the Coquille Tribe, the Confederated Tribes of Siletz, and perhaps other tribes – depending on their level of interest and commitment – might explore the value of government-to-government negotiations. One way to implement this option is to adapt the model used by NOAA Fisheries and Indian tribes regarding salmon management in California and the Northwest. According to some of the tribal representatives, the approach NOAA Fisheries used in excluding

critical habitat designation for salmon on Indian lands provides an example of principles which other federal agencies should consider in proposing actions which might impact sovereign rights of tribes to manage their lands and resources.
The principles underlying this approach to government-to-government negotiations include:

- Respect for tribal sovereignty over the management of natural resources on tribal lands;
- The policy of Indian self-determination promulgated by Secretary of Interior Gail Norton; and
- BLM's federal trust obligations, including its deference to the tribes when the agency's actions might impact managing natural resources on tribal land.

The BLM and Coquille Tribe could build on these principles to establish appropriate forest management standards and guidelines for the Coquille Forest.

3. Validate the Analysis of the Management Situation

Since the *Analysis of the Management Situation* serves, in part, as the foundation for developing planning criteria, generating alternatives, and analyzing alternatives, it seems imperative that formal cooperators and other interested stakeholders have an opportunity to review and validate the findings and conclusions of that analysis. If this piece of information is not critically examined and somehow validated with people who care about the management of BLM lands in western Oregon, it significantly increases the chances of future disagreements (or, alternatively, decreases the possibility of mutual understanding, collaborative thinking about creative alternatives to consider in the RMP process, and perhaps agreement).

This objective could be satisfied in several different ways, none of which are mutually exclusive:

- BLM could ask Indian tribes to review the analysis and provide feedback.
- BLM could ask the formal cooperators to review the analysis and provide feedback at one of their regular meetings.
- BLM could ask existing RACs to review the analysis and provide feedback.
- BLM could sponsor a special workshop of the cooperators or the RAC to focus on particular issues identified by the feedback received. Members of the Science Advisory Team, or other experts, might serve as resources at such a workshop. Members of the general public could be invited to observe and ask questions.
- BLM could make the analysis available to the public (via a press release or newsletter; placing it on a web site; and sending a copy to everyone interviewed for this situation assessment) and convene two or three workshops to allow people to provide feedback.

**A Note on Convening:** As everyone considers the value of different strategies to engage people in the WOPR, it is important also to consider who might be the most effective sponsor or convener of an activity. Several interviewees questioned whether the BLM has the credibility and legitimacy to convene a multi-party, collaborative process given the history surrounding this issue. Moreover, people are sensitive to the requirements placed on BLM by the Federal Advisory Committee Act when it comes to seeking input and advice. Others might see any public involvement activity as

more credible if it is convened by BLM, however, because of the perception that the results would be more likely to have an impact on the RMP process.

While everyone agrees that BLM needs to play a key role in any such process – and that the process needs to be linked to the formal planning and decision-making process – several people wondered whether it might be more effective to consider one of the following options in terms of convening workshops and dialogues:

- The counties.
- Some coalition of interest groups, including the counties and Indian tribes.
- Five Resource Advisory Committees and one Resource Advisory Council. Several people thought this made the most sense since the Committees more or less correspond to the six administrative units around which the six RMPs are being developed. Whether the current Committee charters would allow for this type of effort was questioned.
- Three Provincial Advisory Councils. Though, there seems to be some disagreement on the effectiveness and relevance of these groups.

While each of these was suggested, the viability of any of them actually convening a multi-stakeholder effort would be dependent on the mandate of each (e.g., whether the RACs are actually able to convene such a discussion) or whether other parties would see the potential convener as legitimate.

**A Note on Scientific and Technical Information:** Several interviewees indicated the information necessary to make sound, credible decisions based on science is probably available. The problem, they observed, is that there is an overwhelming amount of such information, and that the first task is to sort out what we know, what we do not know, and what we need to know in terms of making good decisions.

The credibility of the BLM's existing approach to addressing scientific and technical information could be greatly improved by allowing stakeholders the opportunity to review the strategy, help frame questions for study, contribute scientific and technical information, and participate in the interpretation of the data. This approach is often called 'joint fact finding.' See Appendix I for where this sits within the various strategies to incorporate science into public decision making. Such activities do not usually conflict with the Federal Advisory Committee Act (FACA), particularly when in a workshop format designed to identify areas of agreement and disagreement or to provide individual (but not group consensus) advice. The primary value of this strategy is to engage stakeholders in addressing scientific and technical issues – thereby creating information that is scientifically credible, politically legitimate, and relevant. Where consensus would be useful, convening an activity under the auspices of the RAC may serve to comply with FACA.

4. Validate the Planning Criteria

In the same way that the *Analysis of the Management Situation* serves as a fundamental building block for the six RMPs and the EIS, the *Planning Criteria* likewise play a critical role in the decision-making process. Therefore, BLM may want to consider one or more ways to allow the formal cooperators and other interested stakeholders to review, comment, and hopefully validate the planning criteria.

This objective could be achieved in the much the same way as validating the *Analysis of the Management Situation.*

The operational principle here, and in Options #3, #5, and #6, is to do this work with, not for, the formal cooperators and other interested stakeholders.

One challenge that could be created by Options 3-6 has to do with expectations of how BLM responds in each case. It is important, if BLM creates a more open, inclusive process, and creates opportunities for people to provide written and other comments during the various steps in the planning process, that the agency be responsive in letting the public know what the impact of those comments were. However, this does not need to be a formal requirement or excessively burdensome on BLM staff. For example, federal agencies are making increasing use of a "listening panel" format at the end of workshops to indicate what they heard and to describe next steps in how that information will be considered in the decision making process. In this way, the public can look for what decisions were made and why in documents that are already part of the process.

5. Generate a Range of Alternatives that Capture the Various Interests

As explained earlier in this document, the Settlement Agreement requires the BLM, contingent on funding, to consider in each of the six RMPs at least one alternative which does not create any reserves on O&C lands except as required to avoid jeopardy under the Endangered Species Act and that "all plan revisions shall be consistent with the O&C Act as interpreted by the 9th Circuit Court of Appeals." Some people interpret this mandate as leading to a predetermined outcome of the planning process.

One way to help address this concern, and to effectively attend to the range of interests and values associated with BLM lands in western Oregon, the BLM would be well advised to create an open, transparent process to generate a range of alternatives that capture the various interests. This might be achieved in one of several ways:

- BLM could ask Indian tribes to generate an alternative.
- BLM could ask the formal cooperators to jointly generate one or more alternatives.
- BLM could integrate the conservation alternative prepared by ONRC and others.
- The right people (see note on convening under Option #3 above) could convene a series of workshops to encourage people with diverse viewpoints and interests to get together and seek agreement on an alternative that meets the objectives of the O&C Act and the other values and interests generated by BLM lands in western Oregon. The goal here is try to generate an alternative that is at least as good, or better, than people's default alternatives. In other words, is it possible to create an alternative that is better than either the "no reserves" alternative or the "conservation alternative?"

While constructing a range of alternatives that capture the various interests will help all stakeholders understand the range of options and the tradeoffs each option offers, clearly what is included in the preferred alternative and, ultimately, final option will determine whether or not the full range of interests can support the revised plans. In our view, the more that diverse stakeholders try to craft one or more alternatives together (rather than each crafting its own), the more likely the process will be to generate creative alternatives that will meet the range of interests across interest groups.

In addition to engaging people in generating alternatives, the BLM might also consider sharing the preliminary range of alternatives with people and seeking some feedback. The objective here would be to make sure that the range of alternatives being considered adequately addresses the range of interests and values at stake in terms of managing BLM lands in western Oregon. Once again, this objective could be met by presenting the information to the existing RACs and PACs, as well as convening two or three workshops throughout the planning area.

6. Create an Open, Transparent Process to Analyze Alternatives

Analyzing the alternatives is a tedious, time-consuming process; but it is also where the rubber meets the road. Assuming that there is more understanding and agreement than less on the *Analysis of the Management Situation*, the *Planning Criteria*, and the *Development of Alternatives*, the formal cooperators and stakeholders may have sufficient confidence in the BLM's Interdisciplinary Team to complete the analysis.

Whether or not formal cooperators and other stakeholders are involved in the actual analysis of the alternatives, the BLM should consider the value of providing opportunities for people to review the results along the way. Perhaps the most practical advice here is to adopt a principle of "no surprises." Once again, this objective might be achieved by sharing the results at strategic moments with:

- Indian tribes.
- Formal cooperators.
- RACs.
- PACs.
- Other interested stakeholders, perhaps through a series of workshops.

7. Engage Unaffiliated, General Citizens in Reviewing the Draft RMPs and EIS

Many people interviewed said that it would be valuable to inform, educate, and then engage the "silent majority" or unaffiliated, general citizens in the planning process. Most people understand that it is the organized interests groups that do most of the participating in these types of planning processes, and that unaffiliated citizens are generally absent from the process.

The one option that seemed to generate the most interest among interviewees is convening one or more Citizen Juries. As explained in Appendix D, a *Citizen Jury* is organized and sponsored by a diverse group of people/institutions representing different viewpoints – in the case of the WOPR, this could be the BLM, counties, or some combination of decision-makers and stakeholders.

This "steering committee" designs the process, beginning with defining a "charge" or set of questions they want the jury to consider, packaging appropriate information, and so on. A randomly selected and demographically representative panel of 18 citizens meets for 4 or 5 days to hear from expert witnesses representing different viewpoints. Citizens deliberate and offer nonbinding advice on "the charge" or question. During the interviews for the situation assessment, a number of people expressed a great deal of interest in this strategy, and several people suggested that it might

be appropriate to convene one citizen jury within each of the six RMP administrative unit within the first 30 days of the formal public comment period on the DEIS.

If people feel that there is sufficient value in further considering this option, we will provide more specific information on "how" to do this in the final report.

**A Note on National or Non-local Interests:** Convening one or more Citizen Juries focuses on people who live and work in the planning area. However, the BLM must also consider how to effectively integrate national (or perhaps more accurately, non-local) interests into the planning and decision-making process generally. Although this issue did not come-up very much during the interviews, it is important to consider some options on how to achieve this objective:

- Non-local interests are encouraged to provide input and advice through the conventional processes of public notice and comment.
- BLM represents "national interests" as part of its' public trust responsibility.
- Develop opportunities for presentation and interaction/comments through a web-based mechanism.
- Hold one or more public information sessions in Portland or more state-wide.
- Non-local interests are invited to participate in other stakeholder activities, such as in reviewing the *Analysis of the Management Situation* or in alternatives generation.
- Diverse panels of national interests are invited to engage in interactive, roundtable discussions on targeted issues sponsored by the RAC or by the cooperators.

8. Implement Best Practices for Public Participation

We have included several strategies to inform and educate citizens, and to seek their input and advice in Appendix D. The BLM would most likely implement most of these strategies in any case, but it is valuable to review, evaluate, and perhaps improve upon these ideas. Here is a short synopsis of the best practices.

A. Provide more notice and a longer lead-time prior to public meetings
B. Distribute reports and/or other documents far enough in advance of a public meeting or hearing to enable the public to digest and review them.
C. Continue to publish and distribute a quarterly newsletter.
D. Build on existing social networks, and where feasible, allow the "culture of communities" to dictate the timing, location, and format of public meetings.
E. Use effective web technologies.
F. Convene open meetings of the Steering Committee, Science Advisory Team, and Cooperating Agencies.
G. Provide a public comment period at each meeting of the Steering Committee, Science Advisory Team, and Cooperating Agencies.
H. Encourage written public comment on draft documents.
I. Engage in responsive decision-making.

9. Consider Using Impartial, Nonpartisan Facilitation

Impartial, nonpartisan facilitation assistance can help groups meet their collective interests. As needed, facilitators or mediators can assist parties in (a) the design of various forums; (b) facilitation and mediation of different processes; and (c) implementation of the results of those efforts. Specific tasks for the facilitator/mediator in the design phase include assisting with identification of appropriate stakeholders to involve, development of operating principles, and development of a work plan to assist the group in achieving their objectives. In the facilitation phase, tasks include fostering communication and understanding, creating an atmosphere of fairness and respect, and capturing agreements. During the implementation phase, facilitators/mediators can help participants implement outcomes by working to link informal agreements to formal decision making processes and helping to reassemble parties if subsequent disagreements emerge.

The potential specific applications for this type of assistance in the WOPR process include:

- Design and facilitation of workshops focused on validating the analysis of management options or planning criteria or on developing alternatives.
- Design and facilitation of an independent collaborative forum for organized stakeholder groups.
- Design and coordinate one or more Citizen Juries.
- Facilitation of other appropriate meetings – e.g., public meetings, Science Panel, etc.
- Facilitation of the cooperating agency meetings.

If it is determined that impartial, nonpartisan facilitation is needed, it is essential to obtain an understanding of the potential facilitator/mediator's experience with different processes; knowledge of the issues, players, and decision-making arena; education, training, and professional affiliations; personality and style; and reputation.

## Appendix A

## List of Interviewees

| | |
|---|---|
| American Forest Resource Council | Tom Partin |
| Association of O& C Counties | Kevin Davis<br>Rocky McVay<br>Doug Robertson |
| Association of Oregon Loggers | Jim Geisinger |
| Benton County | Annabelle Jaramillo |
| BLM Forester and Timber Management Specialist, Cascades Resource Area | Randy Herrin |
| BLM Field Manager | Abbie Jossie |
| BLM Steering Committee | Elaine Brong<br>Mark Buckbee<br>Jay Carlson<br>Bill Freeland (Acting for Tim Reuwsaat)<br>Dan Hollencamp (Acting for Denis Williamson)<br>Mike Mottice<br>Dick Prather<br>Jon Raby (Via phone)<br>Sue Richardson<br><u>Others</u><br>John Cisel<br>Duane Dippon<br>Maya Fuller<br>Phil Hall<br>Alan Hoffmeister<br>Jerry Hubbard (Facilitator)<br>Al Wood |
| BLM Wildlife Biologists | Jim Henaney<br>Steve Lagenstein<br>Kerrie Palermo<br>Holly Witt |
| Coast Range Association | Chuck Willer |
| Confederated Tribes of Siletz | Mike Kennedy |
| Conservation Leaders Network | Peg Reagan |
| Coquille Indian Tribe | Kevin Craig<br>George Smith |

| | |
|---|---|
| Douglas Small Woodlands Association | Bill Arsenault |
| Douglas Timber Company | Bob Ragon |
| Klamath/Siskyou Wildlands | George Sexton<br>Joe Vaile |
| Lumber Sawmill Workers | Randy Fouts<br>Darrell Middelton<br>Neil Neilsen<br>Jeannie Weakley |
| Motorcycle Riders Association | David Lexow |
| Noahs River Adventures | Noah Hague |
| Oregon Natural Resources Council | Doug Heiken<br>Regna Merritt |
| Roseburg Forest Products | Dave Friedlein |
| City of Sandy | Scott Lazenby |
| Southwest Oregon Provincial Advisory Council | Anita Ward |
| State of Oregon | Richard Beck, OD Transportation<br>Kevin Birch, OD Forestry<br>Jon Germond, OD Fish and Wildlife<br>Koto Koshida, OD Environmental Quality |
| Sustainable Northwest | Martin Goebel |
| Umpqua Basin Watershed Council | Richard Chasm<br>Bob Kinyon<br>Penny Lind<br>Leonard Schussel<br>Stan Vejtasa |
| Umpqua Watersheds | Francis Eatherington |
| United States Forest Service | Linda Goodman |
| The Wilderness Society | Bob Freimark |

## Appendix B

### Interview Questions: Western Oregon Resource Management Plans

1. What are your interests and/or concerns with respect to the management of BLM land in western Oregon?

2. What are the most important issues that need to be addressed from your perspective? How would you name these issues?

3. How should these issues be addressed? In other words, how would you frame one or more options or approaches to dealing with the issues you identified?

4. What concerns, if any, might other stakeholders have about the options you suggest? And, do you have any suggestions on how to address these concerns in a way that satisfies as many different interests as possible?

5. Given the diversity of interests that need to be accommodated in managing BLM lands in western Oregon (including your understanding of the mandate for O & C lands), what are the characteristics of a successful outcome?

6. What information related to the WOPR is currently available that you view as credible? What additional information is needed to make wise, well informed decisions? And, do you have suggestions on how BLM and others might go about gathering and analyzing the needed information? Where, if at all, might there be disputes over scientific information?

7. Do you have any suggestions on how the BLM and other stakeholders might go about gathering and analyzing the information that is necessary?

8. What are the characteristics of a good public process from your perspective? What would make it most meaningful and constructive? And, do you have suggestions on specific strategies for public participation?

9. How would you personally like to be involved in the RMP revision process? What obstacles or constraints might you face in participating in the RMP process? How might these obstacles or constraints be overcome?

10. Is there anyone else you think we should be interviewing and why?

11. Do you have any questions for me?

12. Do we have your correct phone, fax, address, etc.? Preferred method of contact (phone/fax/email/mail)?

## Appendix C

### People Identified During the Interviews

During the interviews, we asked people to suggest other groups or people that we might interview. The following people were identified, but due to time and funding constraints, we were not able to interview any of these people. However, we are sending a copy of this report to these people, and will include them in any future dialogue building on this situation assessment.

- Dave Allen – USFWS
- Bob Bastian – Rocky Mountain Elk Foundation
- Alan Baumann – US Forest Service
- David Bayles – Pacific Rivers Council
- Linda Bell – Clackamas County Tourism Development Council
- Bill Black – Spirit River Inc.
- Michael Carrier – Oregon Governor's Office
- Gary Chapman – Corvallis to the Sea Trail
- Mike Crouse – NOAA
- Dominick DellaSalla – World Wildlife Fund
- Jim Fairchild – Audubon Society
- Dave Gilmour – Jackson County Commissioner
- Liz Hamilton – Northwest Sportsfishing Industry Association
- Kelly Hollumes – former BLM*
- Brad Keller – BLM
- Robert Kenta – Confederated Tribes of Siletz
- Sue Kupillas – former Jackson County Commissioner
- Bud Lane – Confederated Tribes of Siletz
- Bob Lohn – NOAA
- George McKinley – Jefferson Sustainable Development Initiative
- Don Mench – Sandy Watershed Council
- Mark Nauman – Weyerhaeuser
- Dale Riddle – Senneca Sawmill
- Hal Salwassar – Oregon State University
- Cindy Sardinia – small business in agriculture*
- Dick Schouten – Washington County Commissioner
- Jack Shipley – Applegate Partnership
- Karen Shogren – interested public*
- Howard Sohn – Lone Rock Timber
- Chris Sokol – US Timberland*
- Pete Sorenson – Lane County Commissioner
- Glen Spain – Pacific Coast Federation of Fishermen Associations
- Deanna Spooner – Pacific Rivers Council
- Bart Starker – Starker Forests
- Johnny Sundstrom – Natural Resources Conservation Service
- Mark Trenholm – Tillamook Estuaries Partnership
- Barry Wulff – Sierra Club

* We are still working to secure contact information for these individuals.

## Appendix D

## A Menu of Options to Engage People in the WOPR

These options represent a combination of ideas identified during the interviews as well as, in some cases, some elaboration based on the assessment team's experience.

### A. Options to Engage the General Public

*1. Continue Publishing the Newsletter*

Several people commented that the newsletter announcing the RMP revisions and explaining the rationale and objectives of planning process was very good. They said that it would be nice to have a regular newsletter – monthly, quarterly, or whatever – that updates the status of the planning process and plans for the next period of time.

The newsletter should be distributed via the BLM's mailing list, placed on a project web site, and perhaps distributed through existing social networks (see next option).

*2. Use Existing Social Networks*

Many interviewees suggested that the BLM could improve their public outreach and engagement by using existing social networks, such as the local grange, volunteer fire departments, community stores, county fairs, watershed councils, and perhaps even churches. The idea here is to not reinvent what already exists – a social network. This strategy may also inform and engage people that might not otherwise know about the planning process, or not get involved for whatever reason.

*3. Use Effective Web Technologies*

The BLM should explore ways to increase its ability to utilize a website and specifically consider such functions as a list server, a web log, and perhaps a web-cam simulcast of meetings. These types of functions should be implemented to the extent that they are practical and cost-effective.

*4. Convene Open Meetings of the Steering Committee, Science Advisory Team, and Cooperating Agencies*

To build trust, communication, and understanding, several people suggested that the BLM should provide adequate notice of all meetings of the BLM Steering Committee, Science Advisory Team, and Cooperating Agencies. Meeting agendas and supporting materials should be distributed in advance via the BLM's master mailing list; an electronic list serve for people who would like to be notified of such meetings; and posted on a project web site. The summaries for such meetings should be available electronically and/or posted on a project web site.

*5. Provide a Public Comment Period at Each Meeting of the Steering Committee, Science Advisory Team, and Cooperating Agencies*

In addition to letting people know when various project committees are meeting, the BLM should include an opportunity for the public to comment at each meeting. Once again, this will help build

trust, communication, and understanding. Any public comments at such meetings should be captured and included in the summary of the meeting.

*6. Encourage Written Public Comment on Draft Documents*

The BLM should also encourage the public to provide written comments on any and all documents created in the course of revising the six RMPs and drafting the EIS. The strategy would obviously apply to any documents being considered for adoption, but should also be applied to other documents such as the Analysis of the Management Situation, draft Planning Criteria, and the like. The goal, once again, is to be open, transparent, and inclusive at every twist and turn of the planning process. Another way to say this is, adopt a "no surprises" policy with respect to public participation.

*7. Engage in Responsive Decision-making*

Although it may be obvious, it is imperative that the BLM seriously consider any and all public comment – whether it is received at meetings or by written word. The BLM should explain how the public comments were integrated into the decision-making process, or explain why they were not incorporated.

*8. Convene 21st Century Town Meetings*

One innovative approach to public participation is *21st Century Town Meetings*. This strategy was created by AmericaSpeaks, and you can learn more about it at www.americaspeaks.org. In short, *21st Century Town Meeting* is a large-scale forum that enables dialogue and deliberation among all of the participants, rather than speeches, panels, and the typical question and answer format of most public meetings. AmericaSpeaks has convened *21st Century Town Meetings* with up to 5,000 people.
At the town meeting, diverse groups of citizens engage in roundtable discussions (10-12 people). Each table is supported by an experienced facilitator, and participants receive balanced information to foster "informed dialogue and deliberation." Using keypad polling and interactive computers, the work of each small group is immediately transformed into a synthesis of all the participants, thereby creating an overall sense of the participants.

In the WOPR, the *21st Century Town Meeting* could be used to scope issues, generate alternatives, evaluate and select alternatives.

*9. Conduct Deliberative Polling and/or Citizen Jury*

A surprising number of people interviewed lamented the fact that we most often hear from organized interest groups (the extremes on either end of the spectrum,) and rarely (if ever) here from unaffiliated, general citizens in these type of planning processes. Of course, there may be a number of reasons that the "silent majority" does not engage.

Nevertheless, most people agree that we need to experiment with some different ways to effectively solicit "informed" advice from a "representative" sample of the silent majority. Such input informs and invigorates BLM's decision by generating "informed public judgment." It also allows us to validate the findings and conclusions of multi-stakeholder groups.

To achieve this set of objectives, there are two innovative approaches. The first approach is referred to as *Deliberative Polling*. In the case of the WOPR, this strategy will be most effective once a DEIS and proposed action is available. At that point, a multi-party group designs a survey of public opinion about the proposed action. The typical survey includes an explanation of the proposed action; a set of options; information about the consequences of the different options; statements representing different viewpoints and interests; and a set of questions about people's level of support for various options. The survey is mailed to a large random sample of the general public, which in theory provides a representative indicator of public preferences. It is also sent to a smaller random sample of people who attend a short meeting to learn more and make more informed judgments.

The second approach to generate "informed public judgment" is a *Citizen Jury*. This strategy was created by the Jefferson Center, and you can learn more about it at www.jefferson-center.org. In short, a *Citizen Jury* is organized and sponsored by a diverse a group of people/institutions representing different viewpoints – in the case of the WOPR, this could be the BLM, counties, or some combination of decision-makers and stakeholders. This "steering committee" designs the process, beginning with defining a "charge" or set of questions they want the jury to consider, packaging appropriate information, and so on. A randomly selected and demographically representative panel of 18 citizens meets for 4 or 5 days to hear from expert witnesses representing different viewpoints. Citizens deliberate and offer nonbinding advice on "the charge" or question. During the interviews for the situation assessment, a number of people expressed a great deal of interest in this strategy, and several people suggested that it might be appropriate to convene one citizen jury within each of the six RMP administrative unit within the first 30 days of the formal public comment period on the DEIS.

*10. Convene a Study Circle*

A study circle is a small, diverse group of 8 to 12 people that meets together for several, two-hour sessions. The group deliberations usually start with personal stories, which help the group look at a problem from many points of view. Next, the group explores possible solutions. Finally, they make plans for action and change. Study circles are intended to be inclusive and demonstrate that the whole community is welcome and needed.

## B. Options to Engage Stakeholders with Diverse Interests

*1. Create a Multi-stakeholder Group*

Create a multi-stakeholder group similar to how the "Cooperating Agencies" work together. The options here include, but are not necessarily limited to:

a. Creating one or more FACA-charted groups.

Some people suggested convening working groups to correspond to each of the six RMPs, possibly by creating subgroups of the six existing RACs. Some of the participants indicated the RACs have been effective forums for citizen engagement; however, others expressed a concern that the RACs are not truly representative of all interests and viewpoints, largely because the members were selected by the BLM.

The tasks for these FACA-chartered groups would be to identify issues; generate (or at least affirm) credible information; articulate a vision; and assist with convening public outreach efforts. The groups could be region-specific, issue-specific, or some combination of the two. An outstanding question was whether or not this type of planning falls under the existing charters of the RACs.

b. Create an independent forum for deliberative dialogue.

An alternative to working within the formal NEPA/FLPMA planning process is to encourage and support the stakeholders themselves in the creation of an independent forum for deliberative dialogue that closely tracks and is designed to influence the BLM's formal land-use planning process. This forum might be co-convened by one or more organizations representing timber interests and those representing conservation, wildlife, and recreational interests. Some people suggested that the counties might be seen as natural leaders and conveners for an independent, parallel process. Additional thoughts about this approach include:

- This type of process is likely to be more meaningful and effective than anything done under the auspices of the BLM and the NEPA/FLPMA process. It would allow people to understand what is happening (socially, economically, and environmentally); and to articulate what they would like to happen in the future.
- A parallel public participation/negotiation process would be valuable if and only if people come to the table with an open mind about the objectives for land management, the range of options or alternatives to meet those objectives, and in the spirit of trying to satisfy as many of the different interests as possible.
- Efforts must be made to clearly link the efforts of the independent, parallel group to the formal decision-making process.
- BLM could either participate as a member of the group (probably the best alternative) or merely appoint someone to serve as a liaison.
- BLM could provide some financial support to the group in terms of facilitation, research, etc.
- To address FACA concerns, the objectives would be for the group to engage in dialogue and deliberation, and provide individual (but not group consensus) advice.

c. Build on existing work groups to the extent possible.

Some participants suggested utilizing an existing work group such as the Lake County Stewardship Unit Working Group – around the BLM Lakeside Resource Area – as a vehicle for determining if solutions that meet multiple interests could be found. It was suggested that if this approach is chosen, BLM should pick a diversity of communities – small, medium, and large – that have the natural leadership capacity and are predisposed to work. Finally, documenting and sharing lessons learned across communities would be a useful way to enable groups to continue to make progress.

*2. Use Shuttle Diplomacy*

Use an impartial, non-partisan third party to shuttle among various BLM officials and other stakeholders to clarify issues, options, and possibilities for agreement on both science and policy issues.

*3. Create Place-based Pilot Projects*

The goal here would be to create a series of multi-stakeholder groups to lay-out timber sales to optimize all of the values and interests at stake. Each group would be closely watched and evaluated, and lessons learned would be shared with other places interested in similar pilot projects. A specific on-the-ground action suggested was to let stewardship contracts.

## C. Options to Engage Native Americans

1. *The special federal trust relationship with Indian tribes requires a different involvement approach than used with the general public. Government-to-government consultation is the appropriate method of engaging Indian tribes.*
2. *Build on the existing relationship between the Coquille Tribe and the Coos Bay BLM District.*
3. *In regard to the Coquille Forest, use a strategy for addressing the BLM/tribal forest nexus which recognizes tribal sovereignty and federal Indian self-determination policy.*
4. *Create a "standard and guideline" that gives tribes some flexibility, consistent with the principle of accountable autonomy.*

## D. Options to Address Scientific and Technical Information

*1. Create a Science Advisory Team*

The BLM has already created a panel of scientists to improve the scientific credibility of the RMPs and EIS. The team consists of federal and state scientists, and will work closely with the Interdisciplinary Team writing the plans and EIS. The team is coordinated by the BLM RMP Science Liaison. Figuring out how to integrate their efforts with the general public and stakeholders will be a necessary step to build legitimacy for the process.

*2. Employ Joint Fact Finding*

The credibility of the BLM's existing approach to addressing scientific and technical information could be greatly improved by allowing stakeholders the opportunity to review the strategy, help frame questions for study, contribute scientific and technical information, and participate in the interpretation of the data. This approach is often called 'joint fact finding.' See Appendix I for where this sits within the various strategies to incorporate science into public decision making. To address FACA concerns, the objectives would be for the group to engage in dialogue and deliberation, and provide individual (but not group consensus) advice. The primary value of this strategy is to engage stakeholders in addressing scientific and technical issues – thereby creating information that is scientifically credible, politically legitimate, and relevant.

As a first step or two, have stakeholders:

1. Review, refine, and ultimately affirm or validate the *Analysis of the Management Situation.*
2. Develop a model to identify the best available science (similar to the model used in medical science).

*3. Use Multiple Experts*

Rather than rely on any one group of experts, several people suggested using multiple experts and multiple sources of information. Suggested sources of information include:

- The Sonoran Institute
- EcoNorthwest
- Professor John Sessions (who has created a model to increase output on lands while satisfying the objectives of the ESA and other laws and social values)
- Local BLM experts
- Statewide poll of public attitudes

Among other things, different experts could independently review existing studies and data; complete new studies as needed (e.g., the economics of the region); and otherwise complement and validate the work conducted by the BLM's Science Advisory Team. The BLM already envisions using recognized experts to complete "State of the Science" reports on major issues and questions.

## Appendix E

## Public Participation Options for BLM EIS-Level Planning Efforts

| Key Steps | ADR-based Strategies |
|---|---|
| **Prepare to Plan** | • Consult an Facilitator or Mediator to for Coaching, Training, and/or Team-building<br>• Conduct a Situation or Conflict Assessment<br>• Design the Right Process, or a Public Participation Plan, in consultation with citizens<br>• Include resources (time, money, and staff) in your project plan and budgets to support the selected level of participation. |
| **Analyze the Management Situation** | • Jointly Name the Problem with citizens and stakeholders via one-on-one interviews; groups of like-minded interests; and/or a multi-party group<br>• Foster Mutual Education by Exchanging Information<br>• Engage in Joint Fact Finding |
| **Conduct Scoping** | • Publish Notice of Intent and provide opportunity for Comment<br>• Gather public input and advice via Public Meetings, Open Houses, Web-based Surveys, Stakeholder Meetings, and Existing Social Networks<br>• Convene a 21st Century Town Meeting<br>• Validate public input and advice via newsletters, web sites, letter to the editor |
| **Formulate Alternatives** | • Jointly Frame Options or Choices – either one-on-one; in groups of like-minded interests; and/or a multi-party group<br>• Encourage citizens and other stakeholders to develop and submit their own alternatives<br>• Use stakeholders as a sounding board to ensure that the range of alternatives responds to NEPA issues and unresolved issues. |
| **Analyze Effects of Alternatives** | • Use an Independent Fact Finder<br>• Convene a Technical Advisory Panel<br>• Engage in Joint Fact Finding |
| **Select a Preferred Alternative** | • Use agreed-upon criteria to evaluate alternatives.<br>• Negotiate – either Unassisted or Assisted (with Facilitator or Mediator)<br>• Conduct a Collaborative (or Deliberative) Poll<br>• Convene a Citizen Jury or Study Circle<br>• Explore opportunities for Partnering |
| **Prepare a Draft RMP/EIS** | • Make sure the process is open and transparent<br>• Adopt a principle of "no surprises" |
| **Publish NOA and Provide 90-day Public Comment Period** | • Convene a working group of stakeholders to review public comments, clarify dominant themes, validate or revise NEPA issues, and identify criteria for the selected alternative.<br>• Before the responsible official announces the selected alternative, he or she may consult stakeholders to confirm decision and rationale. |
| **Prepare a Proposed RMP/Final EIS** | • |
| **Publish NOA and Provide:**<br>**30-day Protest Period**<br>**60-day Governor's Consistency Review** | • Resolve outstanding issues through negotiation, then mediation, then arbitration<br>• Engage in a Settlement Conference, Summary Jury Trial, or Mini-Trial<br>• Litigate |
| **Prepare an Approved RMP/ROD** | • |
| **Implement, Monitor, and Evaluate Plan Decisions** | • Convene a working group to monitor and evaluate implementation, and to suggest appropriate changes to the plan of action. |

## Appendix F

### Western Oregon Plan Revisions – Official Cooperators

| Organization | | Notes |
|---|---|---|
| **County** | | |
| Clackamas Co. | Klamath Co. | MOUs on file. Represented by the Association of O&C Counties with Van Manning as their contractor. |
| Columbia Co. | Lane Co. | |
| Coos Co. | Lincoln Co. | |
| Curry Co. | Marion Co. | |
| Douglas Co. | Polk Co. | |
| Jackson Co. | Tillamook Co. | |
| Josephine Co. | Washington Co. | |
| Linn Co. | Yamhill Co. | |
| **State** | | |
| Oregon Governor's Office | | Ten agencies and the Governor's Office are joined in a single MOU. The Department of Forestry is the lead agency. ODF, ODFW, DEQ, and ODOT are the primary agencies with regular representation at the cooperator meetings. The Governor's Office coordinates and resolves differences between the individual agencies should they occur. |
| Oregon Department of Forestry | | |
| Oregon Department of Fish & Wildlife | | |
| Oregon Department of Environmental Quality | | |
| Oregon Department of Transportation | | |
| Oregon Department of Geology and Mineral Industries | | |
| Oregon Department of Agriculture | | |
| Oregon Department of Parks and Recreation | | |
| Oregon Department of State Lands | | |
| Oregon State Marine Board | | |
| Oregon Water Resources Department | | |
| **Federal** | | |
| U.S. Forest Service | | MOUs on file |
| NOAA - Fisheries | | |
| Fish & Wildlife Service | | |
| Environmental Protection Agency | | MOU essentially complete |
| U.S. Army Corps of Engineers | | MOU pending |

## Appendix G

## Western Oregon Plan Revision
## BLM Philosophy and Principles for Public Involvement

Public involvement during the Western Oregon Planning Revision will be conducted with sincerity and integrity in the true spirit of collaboration. To us, collaboration involves working at multiple levels with diverse interests and publics to understand each other, and share knowledge and resources. The goal of our collaborative efforts is to find solutions to the social challenge we face, how to meet the needs of local communities while also meeting our legal responsibilities to ecosystem health and protect sensitive species.

### Guiding Principles for Successful Public Involvement

1. Design public involvement activities to establish a foundation for lasting relationships that will facilitate plan development and plan implementation.
2. Design early public involvement activities to identify and share common values among participants.
3. Acquaint stakeholders with the RMP Revision process and how it links to future site-specific decisions.
4. Identify what is fixed and what is open for input and influence by the public, based on legal sideboards national strategies and policies, court decisions.
5. Be clear, focused and consistent.
6. Encourage and maintain opportunities for communication and participation with diverse interests and publics.
7. Use a diverse set of public involvement tools and techniques to meet the needs of diverse publics, as well as to engage as many viewpoints as possible.
8. Ensure we have a process in place to demonstrate how we addressed the input received from the public (feedback loops).
9. Develop and implement a process to continually communicate the results from public involvement activities at the multiple scales,
10. Actively engage employees seeking their input and building their support for the plan to empower them to be advocates for public involvement, and for development and implementation of the plan.
11. Realistically match internal capacity with our commitments for public involvement activities.
12. Follow through on commitments, both procedural and substantive.

## Appendix H

### IAP2 Principles of Public Participation[13]

1. The public should have a say in decisions about actions that affect people's lives.

2. Public participation includes the promise that the public's contribution will influence the decision.

3. The public participation process communicates the interests and meets the process needs of all participants.

4. The public participation process seeks out and facilitates the involvement of those potentially affected.

5. The public participation process involves participants in defining how they participate.

6. The public participation process communicates to participants how their input affected the decision.

7. The public participation process provides participants with the information they need to participate in a meaningful way.

[13] Developed by the International Association for Public Participation, 1997.

## Appendix I

## Pyramid of Strategies to Incorporate Science into Public Decision Making