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February 25, 2007

Dear Workshop Attendees:

These are unusual meeting notes in that they include your comments at the Tools Workshops as well as the considerable thought and conversation that has gone on within Daylight Decisions and with BLM since. We told you that your ideas would make for a better set of tools, and that has already been the case. We wanted you to see the ways you have already made a difference in this short period of time.

To that end, the notes begin with a compilation of your observations, concerns, and advice. For specific suggestions, the advice is presented in tabular form with a response from our tech folks. The next section of the document then describes the evolution of our understanding about the use of the tools for the revision of BLM's Resource Management Plans in western Oregon.

You pushed us to a deeper understanding and caused design changes in these areas:

- Better defining the objectives of using Multi-Criteria Decision Support on the web (p. 15);
- Explaining how comments gathered through MCDS would be used by BLM decision-makers (p. 17); and
- Working through the design question of whether to use a broad framework that includes issues outside the decision space (we did choose that, as we explain on p. 21).

Thank you so much for your thoughtful participation in the two workshops. It made an enormous difference. We look forward to seeing you at the next workshops. We will send you a notice when the follow-up workshops are scheduled.

Sincerely,

Carie Fox
Principal, Daylight Decisions
503 231 6557

How can you remain involved?

- Comment on the web in mid-March. If you received this notice in the mail, we have your address and we will mail you a notification when the site is open.
- Participate in the tools workshops in late April or early May these workshops will take the information from the March posting and use it to improve the design for the big event: the posting of the DEIS and the associated web tools.
- Mail, or e-mail Daylight Decisions (info@DaylightDecisions.com) or call one of the Daylight Decisions facilitators—numbers and address at the very back of this document) or call or write BLM (503) 808-6629 or orwopr@or.blm.gov.

Notes from Salem Tools Workshop, Medford Tools Workshop, and Ensuing BLM/Daylight Decisions Discussions

Quotations in the text boxes are from workshop participants

I. YOUR OBSERVATIONS, CONCERNS, AND ADVICE

- Make clear to public whether they are **commenting inside or outside the decision space** in a way that will be considered a substantive, relevant comment under the CEQ (Council on Environmental Quality) Guidelines that govern NEPA (National Environmental Policy Act) comment review.
 - The decision space may not exactly be a bright line; but nevertheless the fat fuzzy gray line needs to be articulated as clearly as possible
 - Complying with law still leaves flexibility
- MCDS (Multi-criteria decision support) has the power to bring the complexity of the decision to the public, and it also has the power to show the complexity of the public to the decision-maker (as opposed to bumper-sticker or polarizing generalizations).
- Make clear **how BLM is going to use this information**. (In our notes, you will see quite a lot about this.)
- These tools are not a substitute for the normal comment process, but a complement to them.
- Caution: don't open up area for additional litigation
- Will the MCDS (Multi-criteria decision support) information be **too clear or too compelling**, so that the mathematical wow-factor and the public input about values and interests wash over the decision-maker's independent thought processes? There were several pieces to this, appropriately reflecting different ideas among the workshop participants about how the executive branch of our

government should work (in other words, don't worry that the following are not consistent with one another; they all fall under this heading):

- If we are going to use a sharp tool instead of a blunt tool (the normal process being the blunt tool) then we had better be darned sure the sharp tool is working properly because while it has a greater potential to do good, it also has a greater potential to do wrong; Here are some specific concerns:
 - NEPA has always allowed anyone from anywhere to comment; now suddenly that might matter more. The alternative is to identify where people are from (if that is legal), which then raises the question of how the decision-maker would use residence information. (I think the underlying concern is having people from outside the state compel the decision in some manner, and people from outside southern Oregon having terms dictated by Portland--*Carie*)
 - By the end of the workshop in Salem, one participant seemed to be saying that gathering comments in itself was a bad thing; the decision should be left to the decision-maker. A more mild version of this is the idea that the decision-maker (BLM's State Director) should not relinquish his expertise, objectivity, and professionalism to some public pulse-taking instrument. Note the tension between "don't ignore our comments" and "don't take them too much to heart" –it is a valid and fascinating and difficult tension which we have landed right in the middle of.
- This tool came too late in the process. (*What we didn't ask-- too late, so don't do it, or too late so it is not as worthwhile as it would have been?*)
- It's very important to keep these tools simple.
- If we can understand acceptable trade-offs, we (public and BLM) could search for common ground where it is available.

Workshop participants expressed a keen interest in continued involvement, and expressed appreciation (and some pleased surprise?) for having been asked into the design at all. Here are some specifics:

- The quality control is very important in this, and people want to be involved in the evolution of the tool.
- There is a keen interest in how we aggregate the information (*that would be one of the objectives of the next rounds of workshops in late April or May*)
- People in Salem rightly commented that the agenda was way, way, too jammed (it was, in Salem—and the lunch delay was bad)
- Send or post advance materials

"Diverse viewpoints are valuable and a strength."

- You want better advertisement and more advance notice for future tools workshops; clear with So. Oregon BLM folks to avoid conflicts.
- You liked the idea of Daylight Decisions facilitators being available to bring these tools to your groups, with some of you as the hosts of that event.

As far as the actual framework is concerned, the big question was whether the framework should have:

- a “gateway” approach, requiring people to be funneled into the decision space (put another way: comply with the laws as BLM and the cooperating agencies understand them) and then allow them to explore choices within that decision space.
- A “broad framework” approach would be to include everything that matters to people, and let them know when they are likely in or out of the decision space (we have started to say “approaching, hovering over, or clearly past the fat fuzzy gray line.”).
- Another broad framework approach is to include everything that matters to people *and* that will result in a different rating for the alternatives, then put a box to the side that shows people the things that matter but do *not* help separate the alternatives. (For instance, recreation matters a lot, but the alternatives don’t rate differently for recreation, so let people know that and why but don’t ask them to make tradeoffs.)

There is much more discussion of these issues in the following sections.

- Here are some factors you asked us to think about in making the key framework design decision (this is discussed in a lot more detail in our “how we thought about this” section):
 - Is it ok to have two frameworks, one for the decision-maker and one for the public? (*The decision-maker would use the gateway approach and the public would use the “what resonates” approach—but to answer this question you need to understand better how the information will be used which is discussed in the next sections*)
 - Is it a good idea, and is it technologically feasible, to post two decision frameworks and let the public do one or both? Again, you need to know more about the goals of the posting.
 - Though the comment gathering questions got a lot of attention, participants in the workshops were also keenly interested and apparently appreciative of the social learning aspect of the tool, so in evaluating this key framework design question, it would be important to take the social learning benefits into consideration as well as the ‘how will this be used’ question
 - There was concern about the “inside the decision space” framework because it might turn out that BLM’s interpretation of the law would be expanded through some process, and then the public data would have been too circumscribed

- Use terms that resonate instead of legalistic terms, terms such as “quality of life”
 - The choice of “big criteria” and “more measurable criteria” received wonderful refinement in the group exercises (we wanted to photograph these but just couldn’t make it legible, so they are presented in table form at the end).
 - People in southern Oregon are keenly aware of the fire hazard issue, and think that this distinguishes them from northwest Oregon. They need their own decision-framework or a decision framework that allows them to send through their unique signal.
- It’s imperative that it is clear that the MCDS is a support tool for understanding and making decisions, and most especially for communicating decisions. It does not make the decision for you nor for BLM! (Carie’s comment: what a perfectly horrible idea that would be.)
 - The geo-tagging tool (Internet Map Browser) has a lovely intuitive quality that is generally pleasing, and much less likely to evoke controversy. People were very pleased to have the opportunity express their relationship with the land. Here are some specific comments from the IMB worksheets.
 - It could help organize issues from critical to simple impact
 - Gathers local knowledge that would not otherwise be available
 - Deals w complexity but doesn’t exclude computer illiterate people
 - In addition, a number of detailed comments were offered about the Internet Map Browser.
 - Data Types:
 - Many of the participants indicated that we should include BLM, USFS, state and local open space or park lands, and other administrative areas such as ACECs. Several participants suggested inclusion of watersheds at the HUC 5 or HUC 6 levels, Public Land Survey System data, habitat, Wildland-Urban Interfaces, vegetation type, land allocations proposed in the alternatives, streams, assessors data and density of rural homes (among other data types). Many participants indicated that we should include detailed road data. One participant commented that data layers should be limited to reflect rules such as regulations related to threatened and endangered species.
 - Scale:
 - Most participants indicated that 1:24000 was an effective scale for the largest scale, detailed map. Other participants commented the 1:144000 (approximately District scale) was adequate.

- Additional Points:
 1. It is important that appropriate and thorough methods be developed for aggregating and analyzing data from the IMB.
 2. BLM field staff should be provided access to data and analysis relevant to their geographical or topical areas.
 3. A schema should be published to help others (outside BLM and the project) input GIS data and associated attributes.

- The first tools workshop (in Salem) had a section on comment analysis. This was a bad idea for two reasons: the day was too crammed, and we weren't ready to ask intelligent questions. We have put a lot of thought into this area since, prompted by some very intelligent questions from you and BLM. This is discussed in the next section. Also, be assured that you will get a better-structured opportunity to be involved in the design of the analysis portion in the next round of workshops!

Technical issues / Specific Questions

Issue	Thoughts	Recommended Action
IMB—Can you save your work and come back to it?	Yes, you will receive a URL that allows you to log in and get to your own work; whether it is just a URL, or a URL with a password hasn't been figured out yet	Yes
MCDS-- Can you save your work and come back to it?		Yes
Can an individual receive confirmation of their work?	You could print out the exit page, which is the same page that gives you the return URL	Yes
Will summaries be available?	Personal summaries would be available to the individual. Summaries of all the comments will be available for the March postings in late April or early May. We are also looking at offering some instantaneous feedback about values and interests for the MCDS (but <i>not</i>) for the “best fit.”	
Will summaries be available in real time?	See above for MCDS; real time summaries for other information are not planned.	
Will specific information (e.g., of neighbors in BLM-adjoined lands) be available?		
Will there be a help line?	It will be expensive. We are talking about having the District PAOs provide some sort of guided sessions or help line opportunities.	
Could Daylight Decisions or BLM help groups who come together (like a study group) to find their way through these tools?	Sounds good! It will have to be balanced by budget considerations, but this is the sort of thing Daylight Decisions would like to be able to offer. One of the ideas for building and using web based tool is to allow people to understand and make comments without going to a meeting. We should build the tools that way.	
BLM and other public spaces available for tutorials?	We are looking into this.	
Need to test the tools and check how much time they take	We will test the second week of March, and then the March posting itself is a test for the big event in late June, when the DEIS is posted	

Give examples or let people walk through a sample MCDS to explain it on the web	Because people have the chance to redo the MCDS, we think the best way to explain the tool is to let people go through an example that matters. If once they learn something they feel differently about it they want to change their inputs, that is welcome!	No on the interactive example, but there will be lots of help resources people can go to.
Show sample analyses	Daylight Decisions and BLM are working together to design the analysis. After March, we will post examples of that analysis. This will also be a topic of the April/May tools workshops.	
What is the risk/consequence of computer crashes at peak times?	In March, we'll be calibrating the demands on the system and designing the structure to avoid this. If the system crashes because of large demand, services would be restarted. The person who was working on the system as it crashed would need to re-enter the <i>particular</i> comments s/he was working on—not all of his or her work. One of the safest things would be to move to a dedicated server for the June event. As with all things, more capacity means more money.	
If a crash happens, what then?	The servers will have to be restarted.	
What response to abuse by 'cyber form letter'?	Its not abuse, but treated like any form letter – identified as a "cyber-form"	
Be prepared for large number of site specific comments. Would there be a limit to the number of pushpins or other information an individual can enter?	No limit has been considered at present	
Are you going to have a space there where you answer some questions – about the plan revisions and their intentions (for example – FAQs or "common misunderstandings").		

<p>Will this be on a private server, collected by Daylight Decisions, and then provided to BLM? Or on the BLM website?</p>		<p>That is being worked out. The answer is probably both (half and half)</p>
<p>How will BLM get the word out about these tools</p>	<p>We're working out the public involvement strategy now; seriously, we think you are an important part of that.</p>	
<p>Who has the right to view the data? Are their privacy issues involved? Are there relevant FOIA issues for BLM?</p>	<p>FOIA and privacy act, as well as NEPA rules apply to this information the same way they do for other types of comments.</p>	

The following tables reflect the work on the frameworks from the two workshops. The left column has the higher-level criteria and the right is the more measurable, specific criteria. Note: After the Salem workshop, we changed the design of the small workgroup exercises so that people did not start from a draft framework; instead they were given pre-printed draft cards and lots of blank cards. All the sets included all of BLM's 7 factors; they all included some extra stuff that I randomly threw in, different ones for different sets (things like "recreation" or "fairness"). Both exercises were excellent at involving people in discussion, but I think the second one was better (not surprisingly) at eliciting creative thought. (The people in the second workshop also had more time, because we cut the section on comment analysis).

"Public safety—fire—is a major threat in southern Oregon."

Public Safety	<ul style="list-style-type: none"> - Fuels management - WUI - Hazmat
Wildlife Species Management (wildlife, species, plants)	<ul style="list-style-type: none"> - Habitat (quality and quantity) - Recovery - Big game habitat
Laws/Compliance	<ul style="list-style-type: none"> - O&C Act - Endangered Species Act - Clean Water Act
Sustainable Supply of Timber	<ul style="list-style-type: none"> - Old-growth management - Yield (MBF) - Revenue - Jobs - Forest health
Recreation	<ul style="list-style-type: none"> - Variety of opportunities - Trails (miles) - Quality (customer satisfaction) - Access (availability)

<ul style="list-style-type: none"> - Meet Regulatory Goals - Compliance with O&C Act - Comply with ESA - Comply with Clean Water Act - Cost of Implementation - Multiple Use 	<ul style="list-style-type: none"> - Harvest land base - Sustainable supply of timber - Economic return to counties - Contribution to community economic stability - Cost of implementation - Acres and quality of habitat - Consistent/predictable - TMDLs - Water temperature (quality) - Riparian (shade) - Sediment - Fire hazard risk - Project cost/benefit - Expenses - Income - Budgetary reserve - Result to plan - Sustainability - Program plan operational budget - Accrual for program plan life - Season of use - Recreation use opportunities - Sense of place - Resource management
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ESA	<ul style="list-style-type: none"> - Habitat (avoid jeopardy, recovery) - Recreation opportunities 	<ul style="list-style-type: none"> - Road use - Roadless
O&C Act	<ul style="list-style-type: none"> - Sustained timber - County receipts - Cost benefits 	<ul style="list-style-type: none"> - Community stability
Clean Water	<ul style="list-style-type: none"> - Riparian health 	<ul style="list-style-type: none"> - Old growth protection
Biological Potential		<ul style="list-style-type: none"> - Biophilia
Other Laws	<ul style="list-style-type: none"> - Cultural 	<ul style="list-style-type: none"> - Reduce fire hazard

One group listed issues of importance:

- Politics/democracy
- Meet regulatory goals
- O&C Act
- Clean Water Act
- ESA
- RMPs, WOPR, FLPMA, NWFP
- Global considerations
- Global warming
- Shifting timber supplies
- Quality and sustainability of all life

- Quality of life
- Politics (interpretation and implementation)
- Sustainable supply of timber
- Harvest land base
- Salvage time
- Settlement agreement
- Economic return to counties
- Quality of habitat
- Ecologic benefit of fire
- Watershed health
- Wildlife
- Acres and quality of habitat
- Fire hazard risk
- Sense of community
- Recreation, tourism
- Wilderness
- Contribution to economic stability

<ul style="list-style-type: none"> - Meet Regulatory Goals (O&C, CWA, Habitat, ESA) - Contribution to Community Economic Stability (reliable, predictable supply) - Sustainable Supply of Timber (all age classes) - Local Ecosystem Sustainability (different from other ecosystems) (5th field watersheds) - Recreation (fee based, user based) 	<ul style="list-style-type: none"> - Acres and quality of habitat - Economic return to counties (shared receipts) - Cost of implementation - Fire hazard risk - Public Access (fee based, user based)
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This group made notes and then came up with the following major criteria. The notes follow..

<p>Reduce fire risk Sustainable supply of timber Weigh local ownerships more Contribute to community stability Economic return to counties</p>
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Decision Criteria Additions

- Establish “most important” or “must haves”
- Recreation (value to community) (opportunities)
- Unique considerations of SW Oregon ecosystems (increased risk of fire, etc.)
- Healthy forest
 - Fire resiliency, habitat, diversity
 - Economic return
 - Keep all pieces
- Flexibility of implementation/adaptive (such as changing markets and locality of applicability) to new information (new research /threats)
- Routes to major goals be defined and identified by resource specialists
- Need ease of implementation/defendability
- Emphasis on local concerns/input (since these plans affect local residents and ecosystems here)
- Create healthy, resilient, sustainable forest conditions
- Need clear explanation of pertinent law interpretation from BLM in WOPR and who is the

ultimate decision maker

Sustainable Supply of Timber	- Acres - Volume - Years to regulations
Community Economic Stability	- Economic return to counties - Jobs (multiplier)
Acres and Quality of Habitat	- Spotted owl habitat (as indicator) - Diversity index (HEF)
Meet Regulatory Goals	- Clean Water and Safe Drinking Water - ESA - Clean Air Act, Antiquities, FLPMA etc.
Cost of Implementation	- Dollars - Cost/benefit
Reduce Fire Hazard	

Sustainable Ecosystem (Forest Health)	- Fire hazard risk - Wildlife habitat - Timber thin/harvest
Water Quality	- Municipal water supply - Fish habitat - Soil - Geology
Wildland Fire Hazard	- WUIs
Community Stability	- Receipts from timber/recreation - Rangeland - Economic
Regulatory Rules	- O&C Act - Put fires out when initiated

Cost of Implementation	- In dollars - Number of staff
Habitat	- Fisheries (quantity in stream miles and quality) - Wildlife (quality and number of acres)
Water Quality	
Timber Harvest Levels	- Reliable/sustainable - Contributions to local communities
Recreation	- Access - Number of opportunities/miles of trails

Cost of Implementation	- In dollars - Number of staff
Contribute to economic stability	- County revenues
Fire Hazard Risk	- Salvage - Number of acres treated
Implementable	- Cost in dollars - Staff - Lawsuits
Healthy Ecosystem	- Diverse landscape - Resiliency - Habitat quality and quantity - Fire hazard risk
Flexibility in Implementation	
Meet all Applicable Laws	- O&C - ESA - Clean Water Act
Economic Return to Counties	

Public Safety	- Fuels management - Wildland urban interface - Drugs - Dumping
Timber	- Water quality - Reliable source of revenue - Nuisance of operations - Sustainable yield
Special Status Species (fish, wildlife, plant)	- Habitat (quality and quantity) - Water quality
Recreation	- Variety of opportunities - Trails - OHV - Water quality
Laws and Compliance	- O&C - ESA - Clean Water Act

Meet Regulatory Goals, Requirements	- Requirements of ESA	- Quality of habitat - Designation of critical habitat
	- Clean Water Act	- Protect watersheds - Protect water quality
	- O&C Act	- Sustainable supply of timber

	- Requirements of ESA	- Quality of habitat - Designation of critical habitat
		- Contribution to economic sustainability of counties - Reduce fire risk - Address big, old trees, old-growth
Provide for public access and recreation	- Transportation system	- Roads - Trails
	- Address conflicting uses	- Motorized v. nonmotorized

Harvest Land Base	- Sustainable timber supply - O&C return to counties - Economic community stability
Reduce Fire Hazard/Fire Suppression	
O&C Goals/Other Regulatory Issues	

Public Safety	- Wildfire threat - WUI - Drug use and drug manufacture - Dumping
Sustainable Supply of Timber	- Big trees, old-growth - Thinning - Small diameter - Density creates stagnation
Recreation	- Variety of activities

Public Safety	- WUI - Drugs on public lands - Dumping
Timber	- Road development - Fish habitat - Reliable source of revenue (sustainability) - Water quality - Endangered species - Legal (O&C, ESA...) - Economic support to local communities

Public Safety	- WUI - Drugs on public lands - Dumping
	- Type of trees (species) - Old growth - Thinning
Recreation	
Wildlife	

The materials below reflect our thought processes as a result of your input:

II. How Multi-Criteria Decision Support will be used—

You forced our team to more clearly articulate what the MCDS is *for*. And, as is often the case when we start off with what feels like an obvious answer we apparently can't articulate well enough, and we struggle to articulate it better, we are forced to a new level of understanding. Here's the fruit of that effort, with thanks to you:

For the public, the goals of using MCDS in the form of a **Values and Interest-based Explorer** are:

1. Drawing more people to the website for *all* the types of commenting, in that MCDS has a long track record of producing levels of response significantly higher than ordinary web experiences;¹
2. Giving people an additional way to access the existing documents (and specific sections of the existing documents) that is less linear and linked to issues that matter to people;
3. Giving people an opportunity to test and calibrate their values and interests in the context of issues that matter to them;
4. Informing the public about the decision space;
5. Gathering comments about values and interests (that then feed into the decision-makers framework in an appropriate way); and
6. Increasing the capacity and civility of the dialog.

For the decision-maker(s)²

1. Informing their decision and

¹ We think this may be because of the reciprocity: not just asking the public for information, but giving them something back—something that is uniquely theirs.

² The Decision-maker is BLM's State Director with the advice of the 6 District Managers. Note they will have two decision frameworks: one for the draft preferred and at least one for the final. Also, please note, the framework doesn't make the decision. But as you experienced, the process of working through what one's framework should be creates a strong, focused dialog that is easier to communicate to others.

2. Communicating their decision to others.

In the following section, we'll talk about how the first 5 reasons for using MCDS with the public help us to design the public framework. But for now, we'd like to focus on the 5th element of the public MCDS goals: gathering comments. What you wanted to know is: *why* gather comments? How will these be used?

First, a little background on NEPA and comments: NEPA isn't a law that requires a certain type of answer, the way the Clean Water Act sets pollution discharge limits or the Endangered Species Act established critical habitat that cannot be adversely modified. NEPA requires that decision-makers be informed of the environmental consequences of what they decide to do before they do it. It requires that the agency *thinks* about things comprehensively. A draft EIS is written to tell a complete story, giving the public a comprehensive understanding of the proposed action ("disclosure"). The public can then weigh in on the issues based on an understanding of what is proposed. NEPA then requires the agency to think about the comments received, and show how they did their thinking in the final EIS.

This last part might be the least satisfying aspect of NEPA for the public.

The NEPA guidelines tell the agencies to look at all of the comments and respond to substantive comments. What that means in practice is that agencies cannot use many comments because they are not substantive. What's the underlying policy reason for that? As you yourselves said emphatically in the workshop, NEPA is not supposed to be a voting mechanism. The State Director isn't supposed to sit down and tally up the people who liked or did not like an alternative and make a decision on that basis. What NEPA wants her or him to do is to *think* about everything and make the wisest choice, not respond to an opinion poll.

Still, over the last 30 years and more, NEPA can feel more like a public shouting match than a way to make more informed, better-communicated decisions. Daylight Decisions believes that NEPA has pushed a positional kind of dialog, and a positional kind of analysis and political pressure. What we mean by "position" is that people cluster around their favored alternative, support that, and throw rotten tomatoes at everything else. The **Values and Interest-based Explorer** (a proposed name for the public application of MCDS) can gather a different kind of information in addition to the classic technical and regulatory stuff. What Daylight Decisions would like to gather, and what we most emphatically would like the decision-makers to use, is the information on people's values and interests.

Here is how Daylight Decisions has come to think about interests as a result of your comments, conversations with BLM, and internal conversations after the workshops. Interests could help the BLM and the public have better resource management in the future through:

CEQ 6.9.2.1 Substantive comments do one or more of the following:

- question, with reasonable basis, the accuracy of information in the EIS or EA;
- question, with reasonable basis or facts, the adequacy of, methodology for, or assumptions used for the environmental analysis;
- present reasonable alternatives other than those presented in the EIS or EA; or

1. **Interest-based analysis.** The ordinary NEPA process tends to set people arguing about who gets which slice of the pie—but it is a limited pie. Interest-based analysis might help find a way to make the pie bigger. If the decision-maker knows *why* an alternative matters to people, he might be able to put together a hybrid that offers more for more people. (Do we think interest-based NEPA analysis will make everyone sing Kumbaya? Not at all. There are real, difficult differences at work with western Oregon, and these will not magically go away. But we have seen astounding things occur when the dialog is shifted to an interest-based level, and we would like BLM to have a *chance* to do this in the plan revisions.)
2. **Identifying common positives.** The Values and Interest-Based Framework is very good at finding the areas of common ground instead of merely focusing on differences. The differences need to be explored; the common ground needs to be strengthened. There are aspects of the plan revisions that have the potential to tear communities apart. We see the interests-based information as having the potential to build relationships and common understanding.
3. **Respecting the Complexity of the Public.** The NEPA process, like litigation, has the tendency to accentuate the polar views of an issue, and it has a tendency to create caricatures of people: one-dimensional portraits of environmentalists who could care less about libraries in Jackson County or timber industrialists who want to plunder the environment. Just as the Values and Interest-based Explorer helps the public understand the complexity of BLM's decision, it helps BLM—and the public—understand the complexity of the citizenry.
4. **Helping BLM Design a Hybrid Alternative.** Interest-based negotiation can bring surprising results for people who had been locked in conflict. For instance, in a gravel mining mediation, one of the Daylight Decisions mediators knew that the positions were “I want to get the gravel miners out of my neighborhood and, failing that, I want to crimp their operation in every way possible.” The quarry operator's position was “I want to block all the crimping I can so that I can make a profit.” The mediator asked the neighbor “why is that important to you? After all, you are gone all day while the gravel mine is operating” and he said “because when I retire in 5 years, I want to be able to sell my house for top dollar.” She asked the gravel operator “why is uncrimping the operation important to you—might you make as much money in the long run if you just operated more slowly?” The gravel operator said “I just want to get the last of the gravel out and move on.” The solution: no crimps, and the gravel operator had to get out in 4.5 years.

This is a good example because it comes from real life, and it is a situation that started with absolutely no basis for hope. Yet it was a great example of expanding the pie—a lot of capacity was created in that mediation.

It is a bad example because the BLM decision-makers are not going to negotiate with the public. But they are going to think about what the public has to say. And as well as the thinking about technical and regulatory issues, we want them to have the capacity to think about hybrid alternatives that increase capacity. In combination with geotagged and letter-style comments, we believe the gathering of interests will give BLM the ability to find those capacity-increasing opportunities.

5. **Improving Relationships between BLM and the public, and among citizens.** This discussion has focused on the power of interests in improving BLM’s deliberations. We have not touched on values. Why would BLM want to collect information about values?

The core values in the debate in western Oregon are as deep and difficult as any. We know that values differences cannot (and really should not) be negotiated. Yet when BLM asked for our services, one of the things they specified is that we assist in “dialog not amenable to collaborative resolution.” There are many, many examples of powerful, healing dialog among people with differing values. They do not walk away with consensus. But they do gain greater respect for one another. They see the human who holds the belief. Giving people—not just thirty people around a table but all the people who wish to participate on the web or in workshops—a chance to name and appreciate the values issues would be a powerful way to mitigate the potential rending of relationships in Oregon.

In conclusion, as a result of the workshops and the discussion ensuing, we now see two decision frameworks. The question you needed an answer to is “how does the information from the public’s decision framework feed into the decision-maker’s framework?” Very simply, we would like the decision-maker’s framework to include higher-level criterion that is called something like “seek capacity-building options.” Your data would provide the ratings for that criterion.

But... you’ve read all this, you’re excited (if a bit skeptical) about the values and interests, and you are still concerned about the voting issue. NEPA says not to consider people’s statements “I want this alternative” as substantive comments. Even if the values and interests information is ok, isn’t the “best fit” information (where people see the bar chart showing which alternatives best fits their values) more about alternatives, only in a more compelling (and thus more dangerous) way? Our answer:

- The ‘best fit’ information is great for the individual’s enlightenment and learning
- It is not useful to the decision-maker
- It is not useful to Daylight Decisions or BLM in creating opportunities for constructive dialog
- What we really care about are the values and interests, in all their inextricable complexity
- Therefore, Daylight Decisions recommends to collect the values and interests, but *not collect the ‘best fit’ information.*

III. The Philosophical Issues

A. The Decision Space

Aside from developing novel web-based commenting tools, one of Daylight Decision's tasks is to help BLM clearly articulate and communicate what their "decision space" is. By "decision space" we mean the latitude BLM interprets they have within the law. If BLM perceives they have very little latitude, then that means a small decision space. And the smaller the decision space, the more the public feels disenfranchised because their values and interests are outside of the small decision space. In both workshops, people consistently and clearly said:

Be clear about your decision space; Don't ask us to comment on it if you can't act on it; don't raise false expectations!

The fear of false expectations is shared equally by the public and BLM. For BLM to receive comments on issues they feel they cannot affect (such as the law) puts them in a lose-lose position. The public's fear of false expectations is a mirror image. They are tired of feeling set up by commenting processes; they invest time, and they feel dissed. They don't want that anymore. So BLM has to be very clear about the decision space and their willingness to truly act on the information they receive. (We hope if you have read the previous section you believe that the values and interests information is of importance and will be used in an appropriate and constructive manner.)

Another issue that became very clear to us is that there probably isn't a bright line around the decision space. In the abstract, reading all the laws and trying to figure out how they interconnect is bewildering. In practice, when you have to take the law (with all its areas of ambiguity and interpretation), mix it with science and apply it to the landscape, there are few crisp clear lines. However, there most certainly is at least a big fat fuzzy gray line that **must be articulated**, including the reasoning behind the drawing of that line.

"If the 'laws' don't comply with the ecosystem, they need to change."

There are many ways that BLM could articulate what the decision space is, but for purposes of the tools workshop and these notes, the focus should be on MCDS. MCDS can show people when they are nearing, hovering over, or clearly beyond that fat fuzzy line. We think that MCDS might **clarify the decision space** in the following ways:

1. Boundaries in the values space

On the top level of the model we ask users the relative importance of those factors to them as they think about selecting the best alternative. When they go to assign their

value to say, “maximize timber volume” they select from a drop down. Lets imagine that the importance scale they would see is

- The Only Thing That matters
- Pretty Much the Only Thing that matters
- Fair-to-middling
- Doesn't matter at all

If they select “The Only Things That matters” we can popup a message to the effect that the BLM cannot NOT meet environmental regulations. In the more likely event that they select the less extravagant “Pretty Much the Only Thing that matters” we can pop up a message saying that the BLM has to be concerned about meeting legal requirements.... So it is not a bright line, but we can indicate when they are going places that could be problematic.

2. Boundaries in the alternatives space

The three alternative actions that we have today are the survivors of many that the BLM have considered. Including those, but colored differently, we could invite the user to click on any one they are interested in and pop up a message as to why they were dropped.

3. Drilling Down Option for More Information

Of course each of the high- and second-order criteria will have information buttons, and these will provide the opportunity for explanation of the interplay between cherished criteria and the decision space.

4. Use of rules

When a rule is invoked (a rule essentially prevents trade-offs that would require going outside the law), there will be an explanation of how that rule was used in the choice of alternatives in the ‘see why’ section.

Clarifying the decision space is one design issue for MCDS, but the actual structure of the framework is another. Virtually all the work groups talked about this issue: **should the decision framework have a “gateway” approach for legal rules**, or should the rules be part of the framework? Put another way, on the MCDS, should the public be able to explore areas outside the decision space or should they be put *into* the decision space?

By pushing us to explain how the information would be used, you got us to a very solid design proposal. Please let us know whether this hits the mark. It all relates to the 6 benefits of the public use of MCDS, the Values and Interests-Based Framework. Let's walk through them:

1. Drawing more people to the website for all the types of commenting;

If the objective is to draw people to the website overall, a broad framework that speaks to their hearts and minds will work better.

2. *Giving people an additional way to access the existing documents (and specific sections of the existing documents) that is less linear and linked to values and interests that matter to people;*

Again, we want to take people to BLM document sections that talk about what was not included (and why), so that means having a ‘decision map’ that includes the whole gamut of issues.

3. *Giving people an opportunity to test and calibrate their values and interests in the context of issues that matter to them;*

Speaks to a broad framework.

4. *Teach the public about the decision space*

To do that, we need to give people an opportunity to explore the boundaries of BLM’s decision space by seeing where they go across it and what brings them back (remember, this tool allows people to tinker with things instead of just inputting their values and interests once)

5. *Gather comments about values and interests*

The usefulness of this tool to decision-makers has more to do with the citizen’s interests than their interests around a particular set of alternatives.

6. *Increase capacity and civility of the dialog.*

That is less likely to happen in the small box.

As you can see, we are inexorably driven to a broad framework approach for the public’s decision framework experience. ***If*** (as we believe) this can be done in such a way that it really does teach people where the decision space is, the broad framework seems the best design. (Again, see the discussion about defining the decision space, above.)

Remember that the decision-maker’s reasons for using MCDS are a bit different: to support him in making a decision and to communicate the decision. Because the underlying purpose of the two MCDS uses is different, it makes sense that the public framework and the decision-maker’s framework might be different in some respects. In fact, if the public’s interests are *one of* the factors a decision-maker should take into account (as we believe), then the public’s information feeds into the decision-maker’s framework. Likewise, the considerations that suggest a broad framework for the public are irrelevant for the decision-maker (we don’t need to draw him to the website, for instance, and we don’t need to teach him the decision space). So it seems likely that his framework will use a ‘gateway’ approach that only has him looking inside the decision

space. With those two caveats, it seems appropriate that the two frameworks should be quite similar.

Another important question is whether the framework should only include things for which BLM has data. The way MCDS works, we must have data for the second-order interests. For this reason, the March posting of the MCDS will not be fully functional.

And now, you ask, how will we compile all the information you gave us about the decision framework and make a single framework for the March posting? We expect you will believe us that it has been and still is challenging, and has led to some very interesting conversations among ourselves and with BLM, conversations that have deepened our mutual understanding of the issues. And we're not done yet.

The framework you see in the March posting will be our best effort to that date, but not the final effort. You will have the opportunity to comment on the web, and to participate in our next round of workshops, wherein we will continue our refinement of the framework. By the time of the Draft EIS posting in June, MCDS will have shown you its seventh benefit: creating very focused discussions around issues that matter. The process of arriving at a decision framework is indeed a powerful form of communication.

And as a last note in these outrageously voluminous notes, what, you ask, of the geotagging tool, the Integrated Map Browser? We have nearly completed the design of the questions that accompany the maps, and look forward to your comments there.

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