

# CASCADE-SISKIYOU NATIONAL MONUMENT GRAZING STUDY WORKING GROUP

## Meeting Notes July 8, 2004

Members Present: Rose Marie Davis, Cate Hartzell (part), Bob Horton, Ed Kupillas,  
John Roth

BLM Staff Present: Kimberly Hackett, Genevieve Rasmussen (part)

Facilitators: Jon Lange & Terry Morton

### *I. Public Comment*

Public Comment was accepted early from Richard Anderson. Ranchers met and want to convey three requests:

- 1) All studies be scientifically verified to avoid litigation;
- 2) All studies be established prior to the process (no unplanned studies added later);
- 3) The BLM should provide estimates of all costs (i.e., of the studies, of administration of these processes, of closing out leases if they are closed, of arranging to move cattle if they are moved, cost to lessees, etc.).

### *II. Legal Appropriateness of the Working Group*

The Working Group addressed Cate's concern about the legal appropriateness of this process. (It is thought that the PAC is charged with providing help with implementation of the Northwest Forest Plan of which this process is not exactly a part). The BLM distributed its Departmental Regulations and noted marked sections on pages 1, 4 & 5 which indicate the legal appropriateness of this committee. They have also requested written confirmation from the solicitor. John Roth asked that that include a definition of the ROD.

### *III. OSU Peer Review*

The OSU Peer Review is now set to be finalized in mid-July.

#### *IV. Creating a Process for Developing Recommendations*

Terry & Jon began the discussion of this process with the suggestions collected during the Assessment; 1 & 2 are the minimum they would recommend, 3-6 could be added depending on the Group's willingness to rely on the Science Team:

- 1) Field Trip (to develop a working knowledge of the issues);
- 2) Science Team (to review studies & make recommendations, include Paul in process);
- 3) Presentation of BLM Study to the public (similar to that presented to the Working Group in May);
- 4) Presentation of additional studies to the Working Group & the public;
- 5) Presentation of the OSU Peer Review to the Working Group & the public;
- 6) Other forms of public participation.

Discussion of the Field Trip generated these ideas:

- 1) Paul recommends waiting until September for two reasons:
  - a. more time available (monitoring is critical now & much time has been diverted to lawsuit and PAC duties), and
  - b. give the livestock a couple of months on the land so we can see impacts at issue;
- 2) Need a good planning process if it is to be useful;
- 3) We should know what we should be accomplishing? What are the goals and purposes of the field trip?
- 4) Can't presume to gain a familiarity with the total area;
- 5) Include ranchers to describe their livestock management;
- 6) Include environmentalists' ecological perspective;
- 7) Get photos of other seasons, so we don't presume present conditions exist year-round;
- 8) Be careful about balancing seasons & different "scenes" at different times;
- 9) Paul recommends one site-specific study and one landscape study, with presentation on each preceding the field trip.

Discussion of the Science Team elicited these ideas:

- 1) Maybe we don't need yet another committee?
- 2) Could it be a less formal discussion including Paul, one scientist trusted by ranchers, & one trusted by environmentalists?
- 3) Include the OSU Peer Reviewers, as they have an in-depth knowledge of the Study already;

- 4) Do the scientists have enough time to devote to this? (given the lateness of the Peer Review)
- 5) Are we respecting the first peer review collected in the form of public comments?
- 6) One possible process:
  - a) Public given the information to review;
  - b) Team reviews Study(ies);
  - c) They present information to the Working Group & the public;
  - d) Working Group asks questions;
  - e) Public involved & asks questions;
  - f) Science Team talks & provides (consensus) recommendations, perhaps identifying areas of agreement and disagreement;
  - g) Working Group deliberates & makes recommendations to PAC.

Further discussion of the process included the following points:

- 1) We should convene a public participation process, & then stop (do not proceed to making recommendations because we're not qualified);
- 2) We've been going 'round & 'round for several meetings – I'm ready to move forward toward developing recommendations;
- 3) We can make process recommendations, even if not content recommendations;
- 4) The question we must answer is whether the Studies are *adequate & appropriate*; we can rely on Peer Review & public input;
- 5) Our group is made of *representatives*, not experts – Our question is: Is the Study being done *fairly*? (not whether it is scientifically adequate/appropriate);
- 6) We can say whether all the questions are on the table. We can say whether we have confidence and we have the right indicators?
- 7) The Peer Review recommendations must be in first, before we can design the process;
- 8) Maybe we don't need them first. The Peer Review recommendations aren't significant – reviewers not necessarily trusted as balanced.

## V. *Public Comment*

- A. Frank Lang: Challenged the group to return to the essential reasons for this Subcommittee:
  - (1) National Monuments were established to protect objects of biological interest – to enhance, restore & maintain objects of biological diversity and ecosystem dynamics in the CSNM;

- (2) Refer to the Proclamation: identify the objects of biological interest, see that they're looked at in the Studies, & whether there are positive or negative impacts of grazing based on the scientific findings;
- (3) Encourage the BLM to make decisions based on those scientific findings;
- (4) Toss out any fear of the outcomes of the science & let the science decide.  
(He suspects the Subcommittee was formed to slide in the Rangeland Health Standards & Guidelines; the previous Studies were adequate.)

B. Dave Willis:

- (1) The District Manager wanted cover for his decisions, a group that wouldn't violate FACA, rather than making the hard decisions himself;
- (2) The Study was mandated by the Proclamation, not the Northwest Forest Plan – and thus is inconsistent with the PAC – suggests a written letter from the solicitor;
- (3) Questions the ability of this group to make scientific recommendations.

Cate noted that the role of the public is to bring *values* into the discussion. Are we the right vehicle to do that?

Bob asked whether Dave W. saw any role for public participation in this process. Dave suggested the public did have that opportunity for public comment previously, and that opening it again may in fact create more controversy and conflict. He noted that the BLM already has an "open door" for public input – that there is always a way for the public to provide input, and that there is no reason for this Subcommittee.

C. Hans Stroo:

- (1) Sees the OSU Peer Review as very valuable & would like a public presentation from them;
- (2) Hopes the Peer Review group continues to operate, and expands if deemed necessary – could be valuable in the long run;
- (3) Sees an "uncomfortable marriage" between the Proclamation and the Rangeland Health Standards & Guidelines;
- (4) Noted the importance of defining our hypotheses & criteria for decision making – doesn't see this at the BLM;
- (5) Urged the group & the BLM to look at the additional studies – they're valuable, & should be included in the decision-making process.

## VI. Purpose of the Working Group

Discussion followed as to what is and is not the charge of the Group:

- We can suggest how to improve the process;
- We need to clarify what we will and will not make recommendations on – get clear on the goals/field within which we're working, and then ask what information is needed or useful in achieving those goals.
- The Rangeland Health Standards & Guides seem inappropriate – Can we make a recommendation on whether they should be included? Yes, although recommendations on the Study are what was requested.
- Our charge is clearly outlined in the Charter. The BLM wants a forum to increase public understanding of the Studies, and wants public participation to help them make a decision. The role of the Working Group is four-fold:
  - Review the current Study;
  - Review the OSU Peer Review;
  - Engage in a two-way public participation process (education and input acquisition);
  - Make recommendations regarding the Study to the BLM by late September.
  - [These purposes roughly follow the Charter of the Working Group.]
- Our purpose is to ensure that an adequate and appropriate study effort is conducted by the BLM, and that all stakeholder interests are appropriately represented. Another model for that would be:
  - Get the complete array of past & present studies, the Peer Review and a literature review (July);
  - Distribute to Subcommittee & stakeholders, & allow one month to review (end of July-August);
  - Subcommittee receive comments from stakeholders (early September);
  - Subcommittee formulates recommendations to the BLM (October 1).

The group discussed the parameters of any recommendations it might deliver. Tentatively, these areas were offered for making recommendations:

- Include
  - Public process
  - Appropriate & adequate
  - Covering the array of topics
  - Fair & balanced
  - Stakeholders well represented
  - Biological objects to be studied
  - Balanced process (e.g., Peer Review)

- Don't include
  - Methodology of the science
- The line is where we cross over into areas in which we're neither expert nor empowered – very seductive & we must take care not to cross it.

### VII. *Competitive vs. Collaborative Processes:*

We discussed the handouts which addressed competitive vs. collaborative processes and different kinds of decision-making styles (levels of agreement). One frustration is when the time is dedicated to make a collaborative decision, and parties (either at the table or stakeholders) pursue litigation anyway, essentially un-doing the work of the group. It's important that members attend to the concerns of the stakeholders, integrating them into their decisions as much as possible. We will continue the discussion at the next meeting when more members are present.

### VIII. *Meeting Review:*

- Positives
  - Insights about the purpose of this Group, especially from Ed;
  - Ideas for steps of a process we might use;
  - More agreement on our purpose;
  - Allowed to respond to public comment.
- Negatives
  - No coffee or water
  - Peer Review still not here
- Do Differently Next Time
  - Field trip still important
  - In public comment, allow 3 minutes *in addition to* our discussion with them; expand time allowed if fewer speakers, stay within 30-minute total time allowed;
  - Seat Group & observers so all can see each other.

### *Action Items:*

- *Howard & Kimberly will pursue written confirmation of the legality of this process from the solicitor;*
- *Howard & Kimberly will contact the Peer Reviewers & let them know this Working Group is waiting on their report, expected in mid-July.*

*Next meeting Friday, July 23, 12 noon to 4pm  
BLM Office  
Lunch will be provided!*

Purpose: Clarify our purpose (once & for all);  
Define the boundaries of the recommendations we might make;

Agree on a process for public participation, developing recommendations  
and other essential activities;

Select the decision-making process we will use.

Feel free to contact Jon or Terry with questions or concerns:

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