

Proposed Planning Rule Public Webinar

Summary Notes

March 21, 2016

Welcome and Opening Remarks

The Bureau of Land Management (BLM) held a public webinar on the Proposed Planning Rule (PPR) on Monday, March 21, 2016 from 3:00 – 5:00 pm EDT. Meeting participants joined the webinar by following a link sent to each participant's email. All webinar participants were able to listen to the webinar and submitted written questions via a question pod on the webinar screen. There were over 400 webinar participants.¹ The full webinar recording can be found at <http://kearnswest.adobeconnect.com/p3lg42pfo3j/>.

Jason Gershowitz, *Facilitator, Kearns & West (K&W)*, welcomed the group and introduced Leah Baker, *BLM*, to provide opening remarks. He explained that the purpose of this public webinar is to help attendees understand the content of the BLM's proposed planning rule (PPR) and ask clarifying questions to help inform public comment. He said that this meeting is not an opportunity to submit formal comments. Formal comments can be provided by completing an electronic form at www.regulations.gov or via mail addressed to: Director (630), Bureau of Land Management, U.S. Department of the Interior, 1849 C Street, N.W., Room 2134LM, Washington, DC 20240, Attention: 1004-AE39.

Jason explained that the public meeting is an opportunity for participants to engage in dialogue with the BLM and other members of the public. He stated that during this webinar, attendees would hear an in-depth presentation on the PPR and have an opportunity to submit clarifying questions using the comment box in Adobe Connect.

Meeting Purpose and Goals, Agenda, and Public Comment

Leah thanked attendees for their willingness to participate in this public webinar to learn about and discuss BLM's PPR, which is part of the Planning 2.0 Initiative. Planning 2.0 aims to increase public involvement and incorporate the most current data and technology into BLM's land use planning. By implementing these improvements, BLM endeavors to enhance the way that the agency involves the public in its planning efforts, including measures to provide earlier, easier, and more meaningful participation.

Leah said that BLM appreciates the public's input and interest in how public lands are managed and that she looks forward to beginning a dialogue about the PPR and answering participants' clarifying questions. She highlighted the significance of the public's engagement in the development of the PPR over the past two years and indicated that continued input will be invaluable to the future implementation of the PPR.

¹ Please note that this is the number of webinar logins. The actual number of participants was greater than 400, as some of these logins were for group viewings.

Overview of BLM's Proposed Planning Rule

Leah introduced Shasta Ferranto, *BLM*, as the presenter. Shasta took 60 minutes to walk participants through the following presentation.

Presentation

Shasta thanked participants for attending the public meeting and said that she has been the Project Manager for the PPR for the last two years. She is part of the team that is developing BLM's revisions to the land use planning process, and she was a part of the listening sessions in the fall of 2014. BLM took the comments received during those listening sessions and incorporated them into the PPR.

The PowerPoint from Shasta's presentation, the March 21 webinar recording, the March 25 livestream recording, or other project documents/information are available at www.blm.gov/plan2. Shasta began walking participants through the presentation and offered the following talking points.

Why Update the Planning Process?

She explained that BLM is updating the planning process for the following reasons:

- The planning rule is over 30 years old.
- BLM has learned many best practices since then, include that collaboration is key to effective planning; collaboration is best when it is done early and often.
- Transparency is another learned best practice which contributes to successful engagement and land use planning.
- Resources cross administrative boundaries; BLM believes that resource management should also be able to cross these boundaries.
- When change occurs, BLM needs to be able to respond in a timely and meaningful manner. Adaptive management has been built into the PPR, basing adaptive management strategies on the desired outcomes land use planning wants to achieve; this provides the flexibility to meet the intended conditions.

Planning Policy

Shasta described the existing regulations under FLPMA, and how the PPR would revise them:

- FLPMA requires BLM develops land use plans and provide for public involvement in this process.
- BLM's PPR would not change FLPMA, it would revise the regulations which implement FLPMA to include the best practices learned over the decades.
- Additionally, BLM is revising the Land Use Planning Handbook to provide more detailed guidance on how to implement the planning rule. The revisions will lay a foundation for the steps on how to implement these proposed changes.

Rule-Making Process

The rule-making process has followed several steps including:

- BLM began initial outreach for the PPR in 2014 by hosting public listening sessions in Denver and in California to gather feedback and accepting written input.
- BLM spoke with BLM planners and managers and asked them how they could improve on the planning process.
- These efforts helped BLM to identify the best land management practices across the agency and how they could be applied.
- BLM received written comments from the public and suggestions from planners and managers and used those comments/suggestions to inform the proposed rule.
- BLM then posted the PPR on their website on February 11, 2016 and published in the Federal Register on February 25, 2016; public comments are due on April 25, 2016.
- BLM held this webinar on the PPR on Monday, March 21, 2016; the recording and PowerPoint are posted to the BLM website.
- BLM also held a public meeting on March 25 to help the public understand the PPR and ask clarifying questions. The livestream recording of this meeting will be posted to BLM's website.
- BLM may offer other opportunities for engagement prior to the close of public comment. *[Note: A second webinar will be held on April 13, 2016, 3:00 - 5:00 pm EDT / 1:00 - 3:00 pm MDT / 12:00 - 2:00 pm PDT and MST-AZ / 11:00am - 1:00 pm AKDT].*
- Once the public comment period closes, BLM will consider the comments received and develop the final rule.

Proposed Changes

The PPR's changes to existing regulations were outlined as follows.

Planning Framework

Shasta explained that the planning framework describes the content of a resource management plan (RMP) and supporting documents. The goal of this update is to improve BLM's ability to apply adaptive management strategies and achieve desired future conditions. BLM has identified two categories under the planning framework including: (1) plan components, and (2) implementation strategies. Plan components would include goals and objectives, as well as tools to help meet these goals and objectives.

Goals are the desired characteristics of the planning area, or a portion of the planning area. One example goal might be to develop landscapes that are resilient to disturbance, including drought, fire-related disturbance, and climate-change. Another example goal might be that solar energy development is prioritized in areas with high solar potential and low resource conflicts.

Objectives are described as specific and measureable resource conditions developed to guide progress towards one or more goals. The BLM's intent is to develop specific, measureable, achievable, relevant, and time bound, or "SMART" objectives. In order to specify how BLM will implement this rule, the land use planning handbook will describe that resource conditions will be measured by using key attributes and indicators. A key attribute is an aspect of the resource that clearly defines or characterizes the resource. An indicator is how the key attribute will be measured.

Objectives under the PPR would be required to be specific and measurable. After objectives are developed, monitoring and evaluation standards would be used to ensure that the objectives are achieved. This provides accountability and transparency to identify whether or not we are achieving what we intended in the plan. In addition to monitoring and evaluation standards, the PPR identifies three other plan components including: designations, resource use determinations, and lands available for disposal. There are two types of designations: planning designations and non-discretionary designations. Planning designations identify a priority value or use and are identified through BLM's land use planning process. Non-discretionary designations are designated by the President, Congress, or the Secretary of the Interior pursuant to other legal authorities and include wilderness areas, national conservation areas, national monuments, etc. Resource use determinations are areas of public lands or mineral estates where specific uses are excluded, restricted, or allowed such as available/unavailable for livestock grazing and open to mineral leasing with major or moderate constraints. Site specific National Environmental Policy Act (NEPA) analysis for these uses would not occur during planning; rather it would occur on a site specific level.

Implementation strategies are strategies developed to assist in carrying out the plan components. These can be updated at any time to incorporate new information (i.e. new science) without a plan amendment. Any updates would be made available for public review at least 30 days prior to their implementation.

There are two types of implementation strategies including management measures and monitoring procedures. Management measures are future actions the BLM may take to achieve the goals and objectives (e.g., restoration techniques, controlled burning, etc.). Monitoring procedures are specific methods used for monitoring, but does not include the indicators and intervals for monitoring, which are a plan component.

Planning Cycle

The planning cycle would be adjusted through the PPR to include a new planning assessment phase prior to developing the RMP, then implementation, monitoring, evaluation, and adjustment. The planning assessment phase would set BLM up for success when the agency goes to implement and monitor the RMP.

Planning Assessment

Developing the RMP would evolve through a step-wise process beginning with the planning assessment before moving forward with scoping. The planning assessment phase is where understanding of the baseline conditions in the planning area takes place and the steps would include: (1) information gathering; (2) evaluation of information quality; (3) assessment of baseline conditions; and (4) a summary report. This process would replace the current "Analysis of the Management Situation" (AMS) and is similar to the U.S. Forest Service (USFS) assessment. This offers an opportunity to collaborate with USFS and combine efforts to collect data.

Planning Assessment: Information Gathering/Envisioning Process

During the planning assessment, the BLM would inventory the land and resources and compile existing data. This would include a call for data to BLM partners and the public as some of the

best data come from other governmental entities such as state and local governments, academic studies, or user data, such as information on recreation areas. The BLM would also identify existing plans and strategies that are relevant to the planning process, such as state and local land use plans, mitigation strategies, or landscape conservation designs. Identifying public values would help BLM to identify values relevant to the planning area and begin to develop goals for the plan.

Planning Assessment: High Quality Information

The PPR requires the use of high quality information which represents knowledge that is accurate, reliable, unbiased, not compromised through corruption or falsification, and relevant to the planning process. This may include the best available scientific information, traditional ecological knowledge (TEK), or other types of information. After all data and information are gathered, the baseline conditions would be established for environmental, ecological, social, and economic conditions. If information is submitted during the planning assessment phase and BLM does not use it, the agency would provide a rationale.

Preliminary Alternatives

Following the planning assessment phase, BLM would conduct scoping to understand planning-level issues to be addressed, including any disputes, controversies, or opportunities related to resource management. This information would be used to develop preliminary alternatives which would be made available to the public. This new step occurs between scoping and developing the draft RMP in order to gain public input before the draft RMP is issued. This process would include developing plan components for each alternative and developing a rationale for alternatives and a basis for analysis. The rationale would describe how each alternative addresses the planning issues; management direction that is common to all alternatives; and, how management direction varies across alternatives to address the planning issues. The basis for analysis would describe how the BLM intends to conduct the effects analysis. The rationale for alternatives and basis for analysis would replace the existing “planning criteria.” The preliminary alternatives approach offers a check-in with the public to find out whether the range of alternatives is complete; if there is any relevant information missing; whether the rationale is comprehensive; and, if the basis for analysis is sound. This new step could include a range of activities, from simply posting the preliminary alternatives to BLM’s website to hosting several public meetings; however, there would not be a formal comment period.

The planning assessment and preliminary alternative steps offer two separate times for the public to review the information leading to the draft RMP. Since BLM is offering these two additional periods for public review/feedback, the agency proposes to shorten the current 90-day comment period to 60 days. BLM highlighted a desire to receive public feedback on the proposed approach.

Protest

The language included for protest in the PPR is an attempt to improve the guidelines on what constitutes a valid protest. Under the PPR, protests must identify plan components believed to be inconsistent with law, regulation, or policy, and an explanation as to why. There would be a new option to submit protests electronically and protests would be made available to the public.

Coordination and Cooperating Agencies

BLM will continue to coordinate with government entities, consistent with FLPMA. Government entities may also participate as cooperating agencies (CAs) and there would be new opportunities for CAs including: preparation of the planning assessment; formulation of preliminary alternatives; revision of preliminary alternatives based on public input; and development of implementation strategies. This approach offers additional ways for BLM to engage with CAs.

Monitoring and Evaluation

The second half of the planning cycle includes monitoring, evaluation, and adjustment. Monitoring would be based on indicators; The results of monitoring would then be evaluated to see if the objectives are being met; a summary report would be made available to the public; adjustment to implementation strategies would be considered if an alternative could better meet the RMP's goals/objectives; or an RMP amendment or revision could be initiated.

Amendment

Shasta asked the webinar participants to consider two questions that are referenced in the PPR as follows:

- Should environmental impact statement (EIS)-level amendments follow the same procedures as preparing an RMP? Or
- Should EIS-level amendments follow the NEPA procedures and additional steps be applied on a case-by-case basis (e.g., planning assessment, preliminary alternatives)?

BLM welcomes input on these questions.

General Changes

Shasta transitioned her presentation from the details in the PPR to the overall changes that would take place in land use policy through the PPR.

Areas of Critical Environmental Concern (ACECs)

BLM proposes revised language regarding areas of critical environmental concern (ACECs) in the PPR in order to avoid confusion. Potential ACECs would be identified through inventory and during the planning assessment. The list of potential ACECs would be made available to the public in the planning assessment summary report. This would allow the public to review the list of potential ACECs long before the current process allows. Potential ACECs would be considered for designation during the preparation or amendment of an RMP.

Other proposed procedural changes include the removal of the 60-day public comment period. Instead the public comment period would be based on the level of NEPA analysis. EIS level amendments would have a 45-day public comment period and there would not be an explicit requirement for a public comment period for environmental assessment (EA) amendments; however, if BLM were to request public comment, it would be a 30 day comment period. Another change would no longer require a federal registrar notice that lists every ACEC, it would instead be provided via written or electronic notification.

Responsibilities

There are a few proposed changes to the responsibilities and specific terminology used for the BLM Director, Deciding Official, and Responsible Official. The PPR would replace where the current rule says “State Director” with “Deciding Official”, as well as replace “Field Manager” with “Responsible Official.”

The BLM Director would determine the Deciding Official and the planning area for RMPs, and would also determine the Deciding Official and planning area for amendments that cross state boundaries. The Deciding Official would determine the planning area for all other amendments and provide supervisory review, including plan approval. The Responsible Official would prepare the RMP.

Transition Provisions

BLM wants to avoid re-starting RMPs that are currently in stages of development during the PPR transition. The proposed rule allows that if the notice of intent (NOI) for an RMP is published before the final rule, BLM may complete the RMP or amendment using the existing regulations or the revised regulations. Any pre-draft RMPs will be encouraged to incorporate concepts to the extent practical.

Shasta thanked participants for listening to her presentation, explained where participants can submit their public comments, and where they can find more information on the PPR.

Questions:

Q: Has BLM received any requests for extension of the comment period?

Yes, BLM has received a handful of requests for extension of the comment period and is in the process of considering the requests and making a decision. Participants will be notified if BLM decides to extend the comment period.

Q: Do participants need to be U.S. citizens to comment on the PPR?

No, non-U.S. citizens may submit comments on the PPR.

Q: Once published, how will the rule impact existing planning processes that are already underway or are scheduled to start soon?

Under the PPR, any planning processes that are currently underway (meaning they have already issued a Notice of Intent) can choose whether to continue preparing the plan under the current existing regulations or under the new regulations. The option they choose will depend on how far along they are in the planning process. If they are very early on in the process they will probably want to incorporate the new ideas, but if they are about to issue a record of decision they likely will not be able to incorporate the new regulations. BLM has worked closely with field offices to encourage them to adopt some of the tenants and basic premises of planning 2.0 where possible. The field offices are working to incorporate suggestions to best of their abilities.

Q: What is the role of local government in the revised planning role?

There are several specific and important roles for State and local government in the PPR. BLM is required to carefully coordinate with state and local governments during the planning process. To the extent practical and supported by federal laws and regulations, BLM land use plans must also be consistent with state and local land use plans. The PPR is consistent with the FLPMA requirements for coordination and consistency, and is also consistent with BLM's 2012 publication titled, *A Desk Guide to Cooperating Agency Relationships and Coordination with Intergovernmental Partners*. Once the final rule is released, changes will be made to the Guidebook in order to update specific section numbers, which will change. With the exception of adding new steps and opportunities for cooperating agencies to engage, the overall content of the Guidebook will remain the same.

Q: Continuing with the discussion of FLPMA, the word “coordination,” is specifically used in referring to relations with local government. Does coordination with local government give those jurisdictions collaboration or informal discussion?

When BLM refers to collaboration and trying to increase meaningful collaboration as one of the main tenants of planning 2.0, BLM is not intending to change any of the coordinating requirements that are established under FLPMA. Rather, BLM is hoping to increase coordination opportunities with both state and local governments. In the current planning process, BLM coordination with state and local governments happens during key steps in planning process. However, BLM is not able to share draft documents between these steps unless there is a cooperating agency relationship and memorandum of understanding (MOU) in place. Without an MOU, BLM currently cannot share interim information with state and local government. BLM still engages with non-cooperating agencies through coordination at each step of the planning process to make sure their input and feedback is provided. Under the proposed rule BLM would have several new steps for coordination. For example, the planning assessment would ask state and local partners to share data with BLM, cooperate on the envisioning process, and provide input on goals and objectives, even if they are not cooperating agencies. The PPR would enhance BLM's coordination under FLPMA and make it more robust than it already is.

Q: How will the rule affect decision making authority for federal field offices; will the PPR result in more authority or less authority for federal field offices?

The PPR removes the field office as the default planning area. Depending on the issue, a planning area may be larger than an existing field office, or smaller. Under the PPR the responsible official prepares the RMP; while the current planning process says that the field manager typically prepares the RMP, it allows for other officials to prepare the RMP too, so this is not a substantive change. Additionally, under the current planning process the decision is made by the state director. Under proposed planning process, the decision would be made by the deciding official, which BLM would still intend to be a state director. The key difference is that if BLM had a planning area that crossed state boundaries there would be one state director that would be identified to be the deciding official. In most circumstances it would still be the same state director who is ultimately making the decision.

Q: What is the role of the planning rule in recreation planning and where does the rule discuss recreation?

A key part of recreation planning is identifying special or extensive recreation management areas (SRMAs or ERMAs). Those are examples of planning designations – which are plan components - and BLM would still be carrying out this work and identifying these during the planning process. Consistent with the current policy that has come out of the recreation program, there would also be some step-down planning that would happen. BLM has been coordinating in the national office with the recreation program to make sure that BLM’s planning policy and the policy that has come out in recent years from the recreation program align and support each other.

Q: Will the PPR contain a travel management component, and how would it be different or similar to what the forest service has done?

Under the PPR, BLM would still be making travel management area decisions at the land use planning level. BLM would designate areas that are either open to motorized travel, closed to motorized travel, or limited to designated routes. Moving forward, specific travel management planning would happen as a step down plan, after BLM has developed the RMP. However BLM would not exclude the possibility of it happening in conjunction with an RMP in situations where the travel management plans and the detailed route designation need to be addressed immediately due to time sensitive issues. In those situations, BLM could prepare travel management and route designations in conjunction with the RMP. However, there are a lot of reasons to develop the travel management plan after the RMP. Specifically, if BLM prepares the travel management plan and the route designation in conjunction with the RMP, then NEPA requires that BLM must prepare it for the full range of alternatives presented in the RMP/EIS. If BLM prepares it after the RMP, then BLM can prepare a travel management plan for the approved RMP, which is more efficient.

BLM does not currently have information on this component of the forest service planning process on hand. Participants can send clarifying questions to blm_wo_plan2@blm.gov, which is BLM’s question address for the initiative, and a BLM representative will get more information on that question. Regulations.gov is the place to go to submit a formal comment.

Q: There were a couple of questions about the connectedness between the proposed planning rule and the roadless rule. Is that something that you could share a little bit more about?

That is an area that neither of us in the room have the expertise to speak to. BLM would be happy to follow up on at a later time.

Q: Are there special considerations in the proposed planning rule for Off Highway Vehicle Areas?

BLM does not have any provisions specifically lined out in the proposed planning area other than the general resource use determinations. There are two components of the Planning 2.0 initiative - the regulation changes and the Land Use Planning Handbook. The regulation changes

are high level and focus on process and the planning framework. However, the handbook will get into detail on how to implement the regulations for different uses, such as Off Highway Vehicles. BLM aims for a handbook revision draft by fall.

Q: You talked a little about SMART objectives, what does that stand for?

SMART objectives refer to objectives that are specific, measurable, achievable, relevant, and time bound. SMART objectives would be used as a basis for future monitoring, evaluation, and adaptation.

Q: For landscape approach baseline data, how does BLM plan to incorporate incomplete or faulty data?

The PPR is focused on gathering high quality, best available information. In situations where there are data gaps, BLM may make an informed decision based on best available information and adjust as more information becomes available; or, BLM may decide that more data are needed to make an informed decision.

Q: Will BLM convene an advisory group of independent scientists to facilitate the implementation of best available science in the planning process?

BLM has not considered a science advisory group but there are specific projects that are underway that are looking at the best available science. Moving forward, it is likely that BLM will assess best available science on a case by case basis rather than use an advisory group since each RMP has specific and different scientific information needs.

Q: What is the connection between the planning rule and the land use planning handbook?

Everything that BLM does must be consistent with the direction from the Federal Land Policy and Management Act of 1976 (FLPMA). The regulations are the procedures for how BLM implements FLPMA for planning. For Planning 2.0, BLM is proposing changes to its regulations (the PPR). This is the piece that is out for public comment. The handbook is not yet available but the handbook will provide the detail about how BLM implements those regulations. BLM's existing land use planning handbook is available on the web; however, the revised handbook will likely be more detailed.

Q: How are community assessments done under the revised planning rule? Is there a timeline? How are they reviewed and approved along the way?

We are not familiar with this term, but in general, community assessment would be captured during the envisioning process of the overall planning assessment phase. During the planning assessment, there is also a step for BLM, the public, and partners to identify relevant plans, policies, and strategies. If a plan was developed by a local community, then BLM would want to make sure it is identified during the planning assessment phase.

Q: Will the PPR allow decision-makers to select from a range of alternatives as part of their final decision?

Yes, the decision-makers could select from the range of alternatives which is similar to how BLM currently makes decisions under NEPA. Nothing in the rule changes NEPA, BLM would continue to implement NEPA in the same way.

Q: What can a protest be based on? Is it based on a plan component or a state or local law? What happens after a protest is submitted?

Under the proposed rule, the protester would have to identify plan components that are inconsistent with Federal law, regulation, or policy. The reason BLM specifies this language is that the protest process is not intended to be a second public comment period. A protest is an administrative remedy. Before administering a decision, BLM seeks to learn about inconsistencies with Federal laws, regulations, or policies. Under the PPR, the protester would have to identify that information, which is the same as with the current process. After receiving all protests, BLM has a team that reviews protests and identifies the valid protest issues which are inconsistent with law, regulation, and policy. The team takes these issues, summarizes them, and writes responses. If BLM finds that one of the protests is correct and that the proposed plan is inconsistent with Federal law, regulation, or policy, then BLM works with the local office to fix it. If the protest is found to be not valid, then BLM issues its response prior to a record of decision. BLM noted that the new protest submission process will allow for either email or online protest submission.

Q: Who can be a cooperating agency? Is that the same as a coordinating agency?

A cooperating agency must be a state agency, a local government, a tribal government, or other federal agencies. This is established and defined by NEPA. The proposed rule would not change any of that definition under NEPA. NEPA further clarifies that to be a cooperating agency, an entity should have either jurisdictional authority or special expertise to inform the decisions related to that NEPA project. As for a coordinating agency, BLM does not have a coordinating agency status. The requirements for coordination with state and local agencies are unique under FLPMA and the PPR does not change those unique coordinating requirements. BLM encourages the agencies it works with to become cooperators because it provides the opportunity to share pre-decisional documents and to collaborate earlier in the process. The reason for not having the term coordinating agency is that FLPMA requires that BLM coordinates with all state and local governments affected by an RMP so there is no need to identify coordinating agencies. Further, although many express interest, often a state and local government agency does not have sufficient resources (time or people) to be a cooperator, so in those situations, BLM still must coordinate with them. That PPR provides more preliminary information at an early stage, such as preliminary alternatives and the planning assessment report which also provides more opportunities for coordination.

Q: Why does the PPR shorten comment periods? What options are available for the public to be able to understand some of the complexity associated with planning processes?

Right now in our planning process, the public first views all of the information in the draft plan and it is difficult to process. So built into the rule is a stepwise process so the public has more opportunity to digest the information and provide input along the way. For example, for the

planning assessment right now the public would not see this information until the draft plan with the affected environment. Now under this proposal, the planning assessment would come before the Notice of Intent and the public would get all that information before scoping so by the time the draft plan is reviewed, there would have been a few years to review the information. Further, the review of the preliminary alternatives would be an opportunity for the public to see a range of alternatives and the assumptions, indicators, and proposed procedures for the effects analysis. By the draft plan, there may be some changes but likely not as many. These digestible steps allow more dialogue between BLM and cooperating agencies, the public, and state and local government partners; this is why BLM has proposed a shorter public comment period to balance those additional opportunities provided throughout the process. However, this is a proposal so we welcome public input on whether another approach makes more sense.

Q: Does the PPR require a full environmental analysis under NEPA for the rule revision or will there be a FONSI (finding of no significant impact)?

The PPR is categorically excluded from NEPA and as part of the rule package. If interested, you can read the categorical exclusion documentation. The primary reason that the proposed rule is categorically excluded is twofold: 1) the rule is primarily procedural in nature, and 2) any subsequent decisions, in this case, any RMPs that would be produced would be subject to NEPA analysis.

Q: Are Wild Horse & Burro Herd Areas or Management Areas considered discretionary or non-discretionary?

The management areas would be considered a designation identified through the land use planning process. There are two types of designations – planning designations and non-discretionary designations. The non-discretionary designations are specifically those that are provided to BLM by higher authorities (the president or Congress, for example). In contrast, planning designations are designated by BLM through the land use planning process -- herd management areas are planning designations. Herd areas, in contrast, were designated during the Wild Free-Roaming Horses and Burros Act; these are not planning designations because they are not designated by the BLM. The details around herd management areas would be described in the land use planning handbook.

Q: Who decides how BLM will use traditional ecological knowledge as part of a planning activity?

Traditional ecological knowledge will be considered like any other data or information that informs the planning process. The information is used to develop a range of alternatives, when developing the effects analysis. Traditional ecological knowledge needs to be high quality like any other type of information that BLM uses. There are standards and procedures in place for how to collect this type of information that is not biased. For example, talking to multiple ranchers or multiple tribes to get a wider range of perspectives than what would be obtained from speaking to just one rancher or tribe.

Q: Would oil and gas leasing stipulations be considered part of a plan component or implementation strategy?

Oil and gas leasing stipulations would be considered a plan component and they would be the resource use restrictions on resource use determinations. Major and moderate stipulations would be considered land use planning level decisions subject to protest. There would be information that would be part of the final implementation strategy on a local level (such as Best Management Practices required at a site-specific level along with site-specific NEPA analysis). Timing limitations and surface occupancy restrictions would be made at the land use planning level.

Q: Will the format of the in-person meeting in Denver be different from the webinar?

The format will be similar but not exactly the same. There will be a presentation (the same as today) and then there will be breakout group discussions for about an hour. After the breakout groups have finished, there will be a panel to share important conversations from the breakout groups and respond to questions. The meeting will also be livestreamed.

Q: PDF formats of document data and maps are very limited, and there are other readily available and downloadable options that produce a more complex map. Will citizens be able to participate in the planning process by sharing mapping files with BLM?

The public can share data with BLM when BLM does a public data call for the planning assessment, provided that the information includes background to determine that it is high quality information. In terms of how BLM shares data, the agency has added a proposal in the section on the planning assessment; to the extent practical, BLM would make geospatial data available to the public. BLM wants to increase transparency and be open about data that the agency is using, but there are situations in which BLM cannot do that (e.g., for cultural resources, which are often highly sensitive data sets). BLM is discussing how to publicize geospatial information that is not sensitive. BLM is working hard to make sure its geospatial data are modern and that the agency is using state of the art formats.

Next Steps and Closing Remarks

Jason reminded participants that a link to a recording of the webinar will be shared and distributed, along with the PowerPoint presentation and a summary of the discussion. Additionally, BLM is capturing all of the clarifying questions that have been received and will be incorporating that for the meeting in Denver next Friday, March 25, which participants are invited to attend in person or join a livestream of the meeting. Participants will also receive a recording of the webinar via email.

Leah thanked the group for joining the dialogue and for asking constructive questions. She expressed that BLM is excited to continue engaging with the public and encourages everyone to comment on the rules and send any additional questions through blm_wo_plan2@blm.gov. BLM looks forward to continuing to incorporate participants' valuable feedback.

Jason asked meeting attendees to fill out the evaluation forms they received and provide feedback to Kearns & West before leaving the meeting. The meeting was adjourned at 5:00 pm EDT.