

## **Proposed Planning Rule Public Meeting**

### **Summary Notes**

**Denver, Colorado – March 25, 2016**

#### **PLENARY: Welcome, Participants Gather**

##### **Opening Remarks**

The Bureau of Land Management (BLM) held a public meeting on the Proposed Planning Rule (PPR) on Friday, March 25, 2016 from 10:00 am - 1:00 pm MDT. The meeting was held at the Denver Marriott City Center, located at 1701 California Street, Denver, Colorado 80202. In addition to the in person portion of the meeting, BLM livestreamed the meeting for remote participants. Part one of the livestream recording can be found by clicking here: <https://youtu.be/rwUgKAaca6c>; part two of the livestream recording can be found by clicking here: [https://youtu.be/k\\_F7QatcnYg](https://youtu.be/k_F7QatcnYg). There were 53 in person attendees and 227 that joined via livestream.

Anna West, Facilitator, *Kearns & West (K&W)*, welcomed the group and introduced Jim Lyons, Assistant Secretary for the *Department of the Interior (DOI)* and Linda Lance, Assistant Director for *BLM*.

Jim thanked the attendees on behalf of Secretary of the Interior, Sally Jewell, and DOI's Assistant Secretary for Land and Minerals Management, Janice Schneider, for their willingness to participate in this public meeting to learn about and discuss BLM's Proposed Planning Rule (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, the BLM endeavors to enhance the way the public is involved in the BLM planning efforts, including measures to provide earlier, easier, and more meaningful participation.

Jim said that BLM administers 245 million acres of public land and explained that the Federal Land Policy Management Act (FLPMA) of 1976 directed BLM to develop a process for the management of public lands. The rules to implement FLPMA were written in 1983 and they were last revised in 2005. Since FLPMA was created, there have been decades of change and the Western states have grown rapidly. The BLM has learned a lot about the public lands and their usefulness through technology and science advancements. Public land values have transitioned and outdoor recreation has become a large part of that change.

Jim said that BLM appreciates the public's input and interest in how public lands are managed and that he looks forward to engaging in dialogue with attendees. He highlighted the significance of the public's engagement in this meeting and that their input is invaluable to this process. He asked the audience to play an active role in helping BLM understand what they want from their public lands.

Linda welcomed the group of attendees and thanked them for making themselves available to learn more about the BLM Draft Planning Rule. She explained that this proposed rule is an opportunity to implement guidance on how to take care of public lands to the best of BLM's ability. She encouraged meeting participants to engage in conversations with others as there is a need for diverse perspectives on how to manage resources. The BLM looks forward to engaging in conversation with the public and providing clarification where needed.

### **Meeting Purpose and Goals, Agenda, and Public Comment**

Anna thanked Jim and Linda for their welcome and opening remarks. She explained that the purpose of this public meeting is to help attendees understand the content of the proposed rule and ask clarifying questions to help inform public comment. She 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](http://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.

Anna explained that the public meeting is an opportunity for participants to engage in dialogue with the BLM and other members of the public. Anna reviewed the agenda and ground rules.

### **PLENARY: Overview of BLM's Proposed Planning Rule**

Anna introduced Shasta Ferranto, *BLM*, as the presenter. Shasta reviewed the PowerPoint presentation, which took approximately 60 minutes. You can access the PowerPoint, webinar recording, the March 25 livestream, or other project documents/information here: [http://www.blm.gov/wo/st/en/prog/planning/planning\\_overview/planning\\_2\\_0.html](http://www.blm.gov/wo/st/en/prog/planning/planning_overview/planning_2_0.html)

### **BREAKOUT SESSIONS**

Anna reviewed the goals of the breakout sessions and explained how the process would work. The topics for the four breakout groups included:

- Public Involvement
- Planning Assessment and High Quality Information
- Planning Framework
- Landscape Approach

*Below please find notes taken from breakout groups.*

### **BREAKOUT SESSION: Public Involvement**

The following are the highlights from the breakout sessions focused on Public Involvement:

- Several participants mentioned that the proposed increased transparency is a breath of fresh air.
- Expressed interest that the notification for public involvement opportunities will improve.
- Preliminary alternatives is one of the best things from this proposed rule.
- There was an overall concern for shortened public review periods especially since the draft RMPs will include a lot more technical and detailed information.

- The location for BLM public meetings is important; the BLM needs to ensure that the location is as central as possible.
- One concern is that this process creates too much public involvement as it might result in dilution of local needs as compared to national interests.
- A few individuals suggested that the public be able to record their comments so that others can see them; this would ensure transparency.
- There is a concern that the early engagement will be time consuming and expensive.
- The electronic protest submittal is a positive change.
- There was a concern about how the BLM will process, incorporate, and disclose input received during the planning assessment and preliminary alternative phases since the BLM will not be formally responding to comments.
- How does the proposed rule get the public more involved?
  - The BLM staff stated that early public involvement is one of the best pieces of the proposed rule; BLM will be contacting communities before we start the RMP process.
- When does the public get involved? Is it during pre-scoping?
  - The BLM staff responded that this is part of the envisioning piece during the planning assessment. As soon as BLM starts gathering information on a plan revision or amendment, BLM will get the public involved.
- There is a concern that the average public does not get notified of BLM activities.
  - The BLM staff said that they plan to notify individuals electronically to help increase awareness and welcome public comment on other ways to notify the public of BLM activities.
- How will the public find out about the planning assessment phase?
  - The BLM staff said the notification will be made by email, on the website, and via regular mail, as well as a notice at the local BLM offices. The BLM would also use other outreach techniques appropriate to the needs of the local public, such as announcements in local newspapers.
- Does the public get to comment all the way through the pre-scoping process?
  - The BLM staff stated that the public can provide comments during the planning assessment, preliminary alternatives, as well as the traditional public comment process during NEPA.
- Are public comments and responses publicly available?
  - The BLM staff responded that comments on the proposed rule are available at [regulations.gov](https://www.regulations.gov) and BLM responses will be published in the final rule.

### **BREAKOUT GROUP: Planning Assessment and High Quality Information**

The following are the highlights from the breakout sessions focused on Planning Assessment and High Quality Information:

- Several participants mentioned that they are excited to hear that the BLM will look to local agencies for existing data.
- One concern is the language used to describe high quality information; you want to craft it in a way that those in the field are not intimidated by submitting their information.
- There is a concern that BLM is doing too much by trying to understand all of the data available; it might make more sense to focus on the data gaps.

- There was general appreciation for increased collaboration and cooperation with cooperating agencies. This offers a new way to build trust and transparency.
- We will need guidance on how all the offices and partners interface in terms of coordinating the planning assessment.
  - The BLM staff responded that guidance will be addressed in the handbook.
- Will non-government organization (NGO) plans enter into the process during the planning assessment?
  - The BLM staff said that their coordination and consistency requirements do not apply to NGO plans; any member of the public can share information during the envisioning process.
- In terms of cultural resource surveys, the BLM has a deficit of information. What is the opportunity to get better information?
  - BLM staff responded that the planning assessment will likely be a combination of finding what good data is out there, as well as gathering additional data. When it comes to cultural resources, the cultural resource program leads have been working actively with the planning team to identify what makes sense as the baseline information for every RMP.
- Will the handbook address levels of science quality and will the national science committee have input?
  - BLM staff responded that the handbook is currently being developed; however, it will address the broader question of what high quality means. Yes, the science committee will have input and BLM will include key players in the science community.
- It is important to accomplish what you seek to do. Is it important to have criteria and standards up front?
  - BLM staff said that they would like BLM to have those standards; however, it will take some time develop them.
- What if there are two conflicting data points or studies or biased information? How do you sort this out?
  - BLM stated that in some circumstances BLM contracts for data collection. BLM's advancing science strategy speaks to the hierarchy of best available information. Ultimately, BLM makes the determination on which data to use; and, it would include a documented rationale.

### **BREAKOUT GROUP: Planning Framework**

The following are the highlights from the breakout sessions focused on the Planning Framework:

- Can a resource use determination be assigned to a special designation? What is the distinction between a resource use determination and a management measure?
  - The BLM staff offered an example to help answer the question: a backcountry conservation area. First, a backcountry conservation area designation would prioritize the area for backcountry hunting activities and uses. Next, restricting or not allowing certain other uses and activities that conflict with the resources and uses prioritized in the backcountry conservation area (e.g., wildlife migration corridor and hunting) would be considered a resource use determination. Finally, identifying specific actions to support the backcountry conservation area designation and resource use determination would be considered management measures. However, BLM raised a question in the preamble to the proposed rule

asking for feedback on whether the public feels that both designations and resource use determinations are needed.

- How frequently will monitoring and evaluation take place?
  - BLM staff responded that monitoring intervals are plan components and would be defined for each resource, as needed, and unique to the resource management plan.
- There is general confusion around implementation strategies. What is the difference between implementation decisions and strategies?
  - BLM staff responded that implementation strategies are ideas and thoughts about how to implement the plan components and they are developed in conjunction with the RMP; the implementation decision, however, does not occur until after site-specific NEPA has been completed.
- What is the purpose of multiple preferred alternatives?
  - BLM staff said that more than one preferred alternative could represent two dominant views on a situation and encourage dialogue around those views before making a final decision.
- Is there a required timeframe in which plans should be revised or updated?
  - BLM staff responded that timeframes would be established by each plan (i.e., monitoring standards and objectives).
- Do you foresee hard triggers for adaptive management being identified?
  - BLM staff stated that specific and measurable objectives will be required as a plan component and those may include hard triggers for adaptive management. Some changes may be addressed through changing implementation strategies rather than revising the plan.
- What will preliminary alternatives be based on?
  - A combination of the planning assessment, values identified during the envisioning process, and issues identified during scoping.
- Will the input and data provided by public be weighted similarly during the process? For example, data provided by an individual is treated the same as from a big corporation?
  - Yes, provided it meets high quality information standards. In the case that conflicting data is submitted by the public, the BLM makes the determination on which data to use; and, it would include a documented rationale.

### **BREAKOUT GROUP: Landscape Approach**

The following are the highlights from the breakout sessions focused on Landscape Approach:

- What criteria will the Director use to define the planning area?
  - The BLM staff responded that ideally it will be resource driven, but other considerations will also be important such as social and economic considerations.
- How does recreation fit into landscape level planning?
  - BLM stated that recreation is definitely something that crosses boundaries; we want to hear from recreational groups on how to consider this.
- There is still confusion with the concept of landscape level planning and how to implement it. Does BLM have outreach/training to help people understand the definition of a landscape level approach?
  - The land use planning handbook will address this, and the BLM will be developing training.

- Some suggested that one of the best ways to have public input is through master leasing plans (MLPs); these include a more landscape level approach.
- How big can RMP boundaries be?
  - BLM responded that they do not expect to set a specific boundary in the rule; there is flexibility.
- Concerns were expressed about the wide variation of the various resources across the landscape; this could cause greater conflicts.
- For some people the landscape approach could mean “horizon to horizon”, and suggests that more local interests are devalued/under appreciated. Since this is not how the BLM intends to use the term, perhaps a different term could be considered such as the scope of the plan?

### **PLENARY: Panel/Report Back from Breakout Groups**

Anna welcomed the in-person and livestream participants and the BLM staff offered the following points on each topic.

#### **PLENARY: Public Involvement**

- Many participants commented on agreeing with the concept of early and often public involvement.
- Several individuals commented on the need for BLM to improve their public notification for meetings, listening sessions, review periods, formal comment periods, etc. Electronic notification for meetings would help spread the message more broadly.
- Another major theme that was repeated by participants includes maintaining transparency on public comments.
- There is concern that if public involvement is increased on a national/more broad level, that it may risk decreasing the input of local interests.
- There was general consensus that the meeting participants would like to keep comment periods longer due to the technical and voluminous documents they will have to review due to the proposed changes in the RMP process.

#### **PLENARY: Planning Assessment and High Quality Information**

- Many participants voiced their support for the increase in public involvement.
- The data that BLM uses to inform the RMPs is important and many attendees expressed interest in providing input on this data.
- There were several questions about the criteria for what is high quality information. The BLM staff explained that the BLM standards will be the same as DOI’s. Many attendees agreed that it is important to have these standards in place and be transparent.
- Concerns were expressed about considering local knowledge.
- How will the BLM handle data gaps and how will they incorporate that into the data assessment? BLM explained there will likely need to be a focus on the collection of data for those gaps, this could become very complicated.
- How will the BLM handle conflicts in data? What if there are competing data sets, how do we choose which one to use? BLM responded that they would retain the authority on which one they decide to use and they would be transparent on why one was chosen over another.

### **PLENARY: Planning Framework**

- Several participants asked for better clarification on management measures and implementation decisions. The BLM staff responded that management measures would be one of the types of implementation strategies. The intent of separating out implementation strategies from plan components is to make room for adaptive management and flexibility to respond to change. Additional NEPA analysis would be needed before implementation strategies are executed.
- There were several questions on how the proposed rule would address amendments. The BLM staff responded that this links back to the concept of separating plan components from implementation strategies. If conditions on the ground change, the BLM could change on the ground management measures without going through an amendment process. This allows BLM to use its tools to address things on the implementation level without having to go through the RMP process again.
- Some participants asked about how much emphasis the proposed rule places on monitoring and how the BLM proposes having the resources to follow through. BLM staff said that the monitoring standards would be linked to objectives. The proposed rule places greater emphasis on monitoring and would require an upfront thoughtful approach to how the monitoring will be completed.

### **PLENARY: Landscape Approach**

- Many participants had tentative support for the landscape approach. Overall, it makes sense; however, there is a concern on how it will be applied, and how broad the landscapes could be.
- Many participants want to know how BLM defines a landscape approach and how local input would be taken into account.
- The public wants to be involved in defining the landscape as there is a lot of concern that local input might get lost.
- There is concern that landscape level may not be the correct term for what BLM is trying to describe; maybe there are other ways to describe it such as scope?
- Several participants said that bigger is not always better and that it might make sense to look at a sub-set of a landscape or region. Different resources have differing scales so this needs to be considered. Some are very site specific, others are broader.
- Participants suggest that BLM take cultural, ecological, local, social, and economic values into account to ensure that they do not get lost in the discussion.

### **PLENARY: Clarifying Questions/Answers**

Anna asked the in-person and livestream participants for clarifying questions for the BLM staff to respond to. Below are some of the questions and responses exchanged:

- Can you elaborate on the role of cooperating agencies in the planning process?
  - The BLM said that the role of cooperating agencies is not going to change; they would continue to participate in the same way that they do for the planning process. Since there are new steps in the process, the BLM expects that there will be new opportunities and tasks that Cooperators could continue their participation at the same or to a greater degree.

- How will the proposed rule take into account social and economic impacts bordering public lands?
  - The BLM responded that during the planning assessment, it is not only going to cover environmental and resource issues; it will also cover social and economic conditions. Part of this process would be assessing these conditions. The second piece would be where it is addressed in the effects analysis; that is when the impacts would be addressed.
- When is the planning area scale determined?
  - The BLM stated that the plan evaluation will initially provide the information. The planning assessment will help refine the scale and inform the planning process that is most appropriate based on the data.
- What is the timing of the Land Use Planning Handbook and will the public have an opportunity to review this?
  - The BLM is currently developing the draft. It is BLM's goal to have it available for review in the fall of 2016.
- There is a concern of local counties' interests in coordination with Federal Land and Policy Management Act (FLPMA) implementation. Does this rule water down coordination with counties between local and BLM plans?
  - The BLM responded that everything in the proposed rule is supportive of FLPMA. The BLM uses the same language as FLPMA in an effort to provide consistency with FLPMA. The coordination requirements in the proposed rule are just as strong, or stronger, than before; there are steps included for coordination that were not previously required.

### **PLENARY: Next Steps and Closing Remarks**

Anna reminded participants where and how they can submit public comment and informed them that a high level meeting summary from this public meeting will be posted on the BLM website.

Linda Lance thanked the group for their time; she stated that she learned a lot from being a part of this process. She hopes to continue the dialogue with the public as BLM continues the planning rule effort. She suggests that BLM wants to ensure that our engagement moves forward in an efficient way, in a transparent process, and reaches the most people as possible.

Jim thanked everyone for their time and effort to provide input during this meeting; he said that there were great comments, questions, and insights for BLM to consider. He said that he is looking forward to receiving more comments and questions on the proposed rule and providing a way to move this process forward.

The meeting was adjourned at 1:00 pm MDT.