

Proposed Planning Rule Public Webinar #2

Summary Notes

April 13, 2016

Welcome and Opening Remarks

The Bureau of Land Management (BLM) held a public webinar on the Proposed Planning Rule on Wednesday, April 13, 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 submit written questions via a question pod on the webinar screen. There were approximately 250 webinar participants.¹ The full webinar recording can be found at <http://kearnswest.adobeconnect.com/p5bhaso0dbm/>.

Janet Thomson, *Facilitator, Kearns & West (K&W)*, welcomed the group and introduced Leah Baker, *BLM Division Chief for Decision Support, Planning & NEPA*, to provide opening remarks. Janet explained that the purpose of this public webinar is to help attendees understand the content of the BLM's proposed planning rule and to provide a forum for the BLM to address some of the frequently asked questions and enable listeners to ask clarifying questions to help inform public comment. She noted 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.

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 proposed planning rule, 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 and more meaningful participation.

Overview of BLM's Proposed Planning Rule

Leah introduced Shasta Ferranto, *Planning 2.0 Project Manager*, as the presenter. Shasta took 60 minutes to walk participants through the following presentation.

¹ Please note that this is the number of webinar logins. The actual number of participants was greater than 250, as some of these logins were for group viewings.

Presentation

Shasta thanked participants for attending the webinar and noted that she has been the Project Manager for Planning 2.0 for the last two years. The PowerPoint slides from Shasta's presentation and other project documents and information are available at www.blm.gov/plan2. Shasta began walking participants through the presentation and offered the following talking points.

BLM hosted a webinar and a public meeting in March to discuss the proposed planning rule and answer clarifying questions. This presentation focuses on responding to many of the questions that were raised during the previous webinar and through the current webinar question pod. This webinar includes a one-hour period for the presentation and a one-hour period for answering additional clarifying questions.

The public comment period for the proposed planning rule has been extended to May 25, 2016. BLM plans to issue a final rule by the end of the year.

The Landscape Approach

Through the proposed planning rule, BLM intends to improve BLM's ability to respond to social and environmental change, provide meaningful opportunities for collaboration, and improve BLM's ability to implement the landscape approach. There are three terms related to the landscape approach that are often misunderstood and warrant definition: landscape, landscape-scale planning, and landscape approach.

Landscape

BLM defines a landscape as "an area encompassing an interacting mosaic of ecosystems and human systems characterized by a set of common management concerns. The landscape is not defined by the size of the area, but rather by the interacting elements that are relevant and meaningful in a management context." Shasta noted that landscapes can be quite small, or very large, as long as they include interacting ecosystems and human systems with common management concerns.

Landscape-Scale Planning

Landscape-scale planning often involves multiple landscapes, and encourages cross-boundary coordination and partnerships. Landscape-scale planning aims to edge-match management decisions across boundaries so that management is consistently applied. This type of planning occurs at multiple scales.

Using landscape-scale planning the planning area is defined by the geographic extent of the relevant management concerns, where it is practical. The planning area boundary for a resource management plan (RMP) is developed by evaluating the scale of issues and opportunities driving the RMP revision. The boundary is refined based on the planning assessment, new information about baseline conditions, existing strategies and plans, coordination with Federal, State, tribal, and local governments, and the public envisioning process.

Landscape Approach

The landscape approach is a framework for landscape-based management; it is based in concepts from the scientific literature. The BLM has identified seven principles of a landscape approach from the scientific literature.

- Principle 1: Engage the public and governmental entities in a transparent process. People are a component of landscapes, and they have different values, beliefs, and objectives, which occur at different scales. A landscape approach requires an inclusive process of identifying stakeholders and recognizing their concerns and objectives. A landscape approach emphasizes building stakeholder capacity so they can be informed participants in the process and are able to engage with all of the issues raised during the process. The proposed planning rule emphasizes early engagement, transparency, and building trust with and amongst stakeholders.
- Principle 2: Assess environmental, ecological, economic, and social values to identify tradeoffs. Landscapes and their components have multiple uses and purposes, each of which is valued in different ways by different stakeholders. In some situations, stakeholder objectives align, in other situations, tradeoffs exist among the differing landscape uses, and these tradeoffs need to be reconciled. The landscape approach acknowledges these various tradeoffs and addresses them in a transparent and spatially explicit manner.
- Principle 3: Manage at appropriate scales. When most people discuss a landscape approach they often think of larger spatial scales. The landscape approach includes spatial scale, temporal scale, and levels of biological organization (e.g., species or ecosystems). Under a landscape approach, we strive to identify the appropriate spatial, temporal, and organizational scales for the landscape, based on the relevant management concerns.
- Principle 4: Integrate management. Both the National Environmental Policy Act (NEPA) and Federal Land Policy and Management Act (FLPMA) require an integrated approach to planning. Planning 2.0 seeks to achieve integrated objectives for resource conditions, where practical. For example, objectives related to managing wildfire, grazing, and wildlife, might all be achieved through a few targeted vegetation objectives. Planning 2.0 also requires consideration of the interaction between resources when developing objectives related to resources conditions.
- Principle 5: Manage for resilience. Resilience can be thought of as the ability to withstand and adapt to change. Change could be a natural disturbance such as a fire or drought, change in markets, or change in social values. Factors that contribute to resilience are diverse and reflect environmental, ecological, social, and economic attributes. Much like the principle of integration, resilience is also not a new concept. The BLM has been directed to manage for resilience in several executive and secretarial orders. These are described in detail in the background section of the proposed rule.
- Principle 6: Use high quality information to inform the process, including the best available science. Achieving a landscape approach requires the use of high quality information to inform decision-making. There are a number of relevant documents that guide BLM in determining which types of information are considered high quality –

these are summarized in the background section of the proposed rule and include, among others, the Office of Management and Budget Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies.

- Principle 7: Adapt management to address new information and changed circumstances. Landscape processes are dynamic and we often have incomplete information to fully understand them. In order to plan for social, economic, and ecological resilience, BLM needs a process that allows for continual learning and adjustment.

Consistency with the Federal Land Policy and Management Act (FLPMA)

Shasta noted that several questions have arisen during recent discussions regarding Planning 2.0 and its consistency with the FLPMA. Shasta confirmed that the Proposed Rule does not conflict with FLPMA or change BLM's responsibilities for planning under FLPMA. FLPMA requires that BLM develop land use plans and provide for public involvement in this process as well as coordination with other governmental entities. Planning 2.0 would not change FLPMA but would revise the regulations which implement FLPMA in order to be compliant with federal law and include the best practices learned over the decades.

Public Involvement

The proposed planning rule provides several new opportunities for public involvement. The BLM believes that these opportunities would provide more meaningful participation in the formulation of plans, by providing earlier participation, increased transparency, and the opportunity to review preliminary documents. The proposed planning rule would also modernize methods for providing notice about plan revisions.

The proposed planning rule proposes an incremental review process for public review of the draft RMP. Currently the 90 day public comment period on the draft RMP is the only opportunity for the public to review the content of the draft RMP. Under the proposed rule the BLM has developed an incremental approach. The planning assessment would essentially provide the affected environment for the draft plan. This would be made available to the public and partners at the onset of planning. During scoping the BLM would make the preliminary statement of purpose and need available to the public. Following scoping, the BLM would make the preliminary alternatives available to the public. The preliminary alternatives would include a range of alternatives for the plan components. It would also include the basis for the effects analysis, including the assumptions, indicators and methodologies the BLM intends to use.

When the draft RMP is issued, the only significant piece that would be new is the effects analysis. For this reason the BLM has proposed a shortening of the public comment period for the draft plan; in place of a 90-day comment period the BLM would instead provide an incremental review process and a 60-day comment period.

Coordination

In addition to public involvement, the FLPMA also directs the BLM to coordinate with the land use planning and management programs of other Federal departments and agencies and the States and local governments within which the lands are located. This coordination is critically important when applying a landscape approach to management, which requires cross-boundary coordination, partnerships, and effective collaboration.

The proposed rule carries forward existing opportunities for coordination during the planning process, but some have been revised to match the proposed changes and new opportunities have been added. For example, the proposed rule adds a new step where the BLM would coordinate with State and local government during the planning assessment on inventory and identifying existing non-BLM plans. Elsewhere in the rule, the rationale for alternatives and basis for analysis would replace the existing planning criteria. Although we would no longer coordinate on planning criteria, because this step would be removed, in its place we would coordinate on the rationale for alternatives and basis for analysis. The review of preliminary alternatives would also provide an additional opportunity for coordination.

It's also important to point out that some of the existing provisions on coordination have been moved to the consistency section in the regulations. At a first glance it might appear that these provisions were removed, when in fact they were just moved to a separate section.

Consistency

FLPMA states that The Secretary [of the Interior] shall assist in resolving to the extent practical, inconsistencies between Federal and non-Federal Government plans... land use plans... shall be consistent with State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this Act. Under the proposed rule the BLM would align the regulatory language as closely as possible with the language and the direction the agency has been provided by Congress through the FLPMA.

The rule does, however, propose changes to the existing regulations. The current regulations state that in addition to seeking consistency with State and local land use plans, "to the extent practicable, BLM plans should seek consistency with the policies and programs of State and local government" This provision was not included in the proposed rule because it combines the goals of coordination with the goals of consistency, when in fact these are two distinct steps under FLPMA. The primary goals of coordination are for the BLM and Federal, State, and local governments to collaborate in regards to inventory and data collection, policy development, and program development. The goals of consistency are for the BLM and State and local governments to match decisions between federal, State and local plans, to the extent that this decision-matching does not violate Federal law and is practical. Policies and programs do not represent land use decisions; they are the means by which we get to land use decisions. We coordinate on the means by which we get to the land use decisions and we seek consistency in the land use decisions themselves. This is why we established a new step in the planning assessment for coordination on policies and programs, to help us ultimately achieve consistency in our land use decisions.

NEPA Analysis for the Planning Rule

BLM has proposed to use a categorical exclusion (CX) for the planning rule because this rule is procedural in nature, therefore the environmental effects of this rule-making would be too speculative to lend themselves to meaningful analysis. Additionally, the plans made using these procedures would be subject to the NEPA process. The BLM welcomes public comment on the proposed NEPA compliance for the planning rule.

Questions:

Q: Will there be a BLM-wide land use planning schedule available to the public so that people can understand which plans are at which stage of development?

The BLM national planning page has the Director's 10-year [planning schedule](#). However, it is out of date as the BLM is actively considering how the planning schedule should be revised following a final rule. The proposed planning rule would require that the BLM annually post the status of RMPs in the process of preparation and the schedule of RMPs to be started that year.

Q: How will Planning 2.0 result in plans and management decisions that are accepted by different interests and stakeholder groups and therefore less likely to undergo legal challenges?

In order to have plans that are accepted by different interests and stakeholder groups there needs to be effective collaboration early and often. The proposed planning rule is designed to provide innovative ways for collaboration, particularly in the early stages. So far these techniques have been successful in practice. Building community engagement up front is important to the success of an RMP. The plans that have more discussion and opportunity for touching base with stakeholders have more success in decision making and less need for supplemental analysis. Within the proposed planning rule these opportunities include the planning assessment and the review of the preliminary alternatives.

Q: At what level will plans require an Environmental Assessment? And is there a certain size trigger for that to happen?

Under the proposed planning rule preparing a RMP requires an Environmental Impact Statement (EIS). However, for plan amendments the BLM can either prepare an EIS or an Environmental Assessment (EA). The decision would be based on NEPA requirements.

Q: Will existing RMPs issued prior to the finalization of the proposed planning rule have to follow the new planning processes?

In the proposed planning rule there are specific provisions for transition. These provisions say that if the notice of intent for an in-progress RMP was published before the final planning rule is effective, there would be a choice between using the regulations in place when the notice of intent was published or the new regulations. That way, plans near completion can finish but those that started recently can start applying these principles. If they have not published their notice of intent, the planning effort would be required to use the new regulations.

Q: Can rapid ecoregional assessment (REA) boundaries also serve as planning boundaries?

It makes a lot of sense from the ecological and ecosystem perspective to use the REA boundaries to inform plans. However, the REA boundaries do not necessarily respond to socio- geopolitical concerns. Landscape-scale planning includes human-systems and ecosystems and how they interact. Plan boundaries must take human systems into account. The BLM expects that planning

boundaries would generally be located within State lines for RMP revisions and new plans. Regardless of the final boundary for the RMP, the REA information would inform the planning process during the planning assessment phase.

Q: The proposed planning rule preamble indicates that mitigation standards would be plan components, are there any mitigation aspects that might also be plan components?

Mitigation standards would be plan components; they would be a part of the plan objectives. There would also be mitigation developed as part of implementation strategies and at the site-specific level. Site-specific mitigation would not be set as a requirement in the RMP. Rather, they could be considered at the site-specific level, given site-specific information, issues, and other inputs.

People often think of mitigation as only one step of the mitigation hierarchy, compensatory mitigation, but mitigation also includes avoidance. Land use planning in itself is going through the practice of avoidance and identifying decisions in a plan that can avoid the most conflict. In a sense, the land use planning process itself is applying mitigation at a high level.

Q: Can you address what would happen if a newly defined landscape crossed multiple current RMP boundaries? How will the BLM resolve a situation where multiple RMPs exist within a landscape, especially when RMPs are in different stages of being updated and finalized?

This is where the fact that landscape scale planning has multiple tools in that toolkit comes into play. If it made sense, the BLM might try to develop a new plan boundary that combined more than one existing RMP. However, if that approach does not make sense, the BLM would use other tools from this toolkit, such as cross-boundary coordination. For example, where a boundary does not cover the extent of management concerns, the BLM might consider an amendment in the remaining areas that addresses that particular management concern to make sure there is edge matching of decisions. The BLM is also not the only land manager out there. There are other Federal agencies and State agencies that manage land, in addition to private landowners. Landscape-scale planning requires working with willing partners to address these issues.

This is not a wholly new issue under Planning 2.0. In the history of the BLM, there have been different planning areas and planning boundaries over time. The key is to coordinate across boundaries so that decisions also align across the boundaries.

Q: How will the timeline for future plans developed under Planning 2.0 impact timeframes needed to conduct NEPA analyses?

The planning process matches up well with the NEPA process. However, there would be some new steps. For example, the planning assessment step comes before the BLM formally initiates NEPA with the notice of intent. Once NEPA is initiated, then the planning steps align with the NEPA process. The BLM does not anticipate any changes in the NEPA timeline under this Proposed Rule.

Q: How can organizations, governments, and other interested stakeholders best participate in the planning process (i.e. plan development under Planning 2.0)?

The earlier that stakeholders are able to participate, the better for everyone. Early participation allows people to help BLM design the plan from day one. It becomes challenging when people do not participate until later in the process because then they have missed out on building the foundation. Stakeholders' participation is most effective the earlier they can come to the table and help the BLM build the foundation of the plan.

Q: How will the BLM coordinate with local and State governments under the new planning process? Will that be changing from the current regulations under FLPMA?

The steps for coordination are largely the same, except there are some new opportunities for coordination and some existing opportunities that are slightly changed. For example, the planning criteria are not carried forward into the proposed planning rule. Instead of coordinating on the planning criteria, the BLM would coordinate on the step that has replaced the planning criteria, which is the rationale for alternatives and the basis for analysis. In terms of how to conduct coordination, the processes for doing it are exactly the same as they are under the current planning process.

Q: For plans that cross jurisdictions (e.g. local and State jurisdictions), are there specific mechanisms to help ensure coordination for those plans that are cross-jurisdictional?

The BLM does not expect planning boundaries for RMP revisions to cross State lines in most situations. Most of the coordination would be within States, which aids in lowering complexity. The BLM currently has plan amendments that cross State lines for large scale projects related to renewable energy and transmission. The BLM would continue to build on the best practices of cross-State coordination learned from these large scale amendments.

Q: How would the BLM apply consistency across political boundaries in the landscape and ensure that the plans are consistent with local government plans?

The existing planning rule has a provision which addresses what happens when there is inconsistency among State and local government plans. In general, the BLM defers to the higher level. Therefore, if there is inconsistency between the State and the local plan, The BLM defers to the State plan. However, this is not a strict requirement. This approach has been carried forward to the proposed planning rule.

Consistency comes back to the question of coordination. Good coordination is a necessary step to achieve consistency. Consistency is about decision matching, and coordination is about the means to get to that decision matching. The BLM's goal is to build coordination with and among its partners in order to get to consistent decisions.

Q: What is the role of the District Office in ensuring consistency and coordination?

The District Office is not addressed in the proposed planning rule, but ensuring coordination and consistency is an important role for the District Manager. Usually the local managers in any organization know the information, have the relationships, and know what is coming down the

pipe in terms of potential conflict and decision matching. When conducting plans at the district level, the BLM District Office, District Manager, and related Field Managers would be part of that discussion with State and local partners to identify areas where there may be inconsistencies and figure out how to get to a resolution that meets everyone's needs.

The conversation of scale is relevant to this topic as well. Coordination has to happen at multiple scales – at the State level between the BLM State Directors and Governors and at the district and field levels – in order to be successful.

Q: Regarding the Planning 2.0 review process, can you reiterate the end of the public comment period?

The BLM has extended the comment period by 30 days. It now closes on May 25, 2016².

Q: When will the BLM make the Land Use Planning Handbook publically available, and will it be available for public comment?

The BLM is drafting the handbook, but completion is dependent upon knowing what will be in the final rule. The BLM's internal goal is to have the draft handbook available in the fall. It will be available to the public for review. The BLM will provide updates on this as we proceed with the process. It is challenging to predict an exact date for a project and workload of this magnitude, but we are moving forward and the handbook will be available for public review.

Q: Will the appeals process change under the new planning process? If so, how will it change?

In terms of the appeals process for the Governors' consistency review, the governor can identify inconsistencies, which happens at the same time as the protest process. The Governor submits a letter to the BLM Deciding Official, usually the State Director, who makes a decision. Then the Governor can appeal that decision to the BLM Director. Those steps are under the existing process and are carried forward to the proposed planning rule as well. The Governor can still appeal the State Director's decision to the BLM Director.

In terms of the protest process (which is different from an appeals process), there is still a protest process in the proposed rule, but the BLM has proposed some changes to protest. One of the most important changes is a specific provision requiring that a protest must identify plan components that are inconsistent with law regulation or policy and explain why they are inconsistent. The reason for this is because the proposed rule uses the new terminology of "plan components," and so protests need to match up with this new terminology. The BLM also wants to clarify that protest is about looking for inconsistencies with law regulation or policy; protest is not a second public comment period. For those reasons, the protest would have to identify what the plan components are and where they are inconsistent with law regulation or policy. Under the proposed and existing regulations, the final decision on the plan – because the BLM has the protest process – is not appealable. The protest takes the place of appeals.

² The original answer of May 24, 2016 was incorrect. These notes reflect the correct response.

The other change under the proposed rule with respect to the protest process is the accepted form of protest submission. The BLM currently requires all protests to be submitted as written hard copies. Under the proposed rule, the BLM would also allow for the electronic submission of protests.

Q: Regarding areas of critical environmental concern (ACECs) and wilderness, will ACECs and wilderness area designation processes change under the new planning rule, and if so, how?

Wilderness designation is not within the BLM's decision-making sphere. Wilderness is designated through congressional action, so that would not change because the proposed rule does not affect how Congress works. Through the existing planning process, BLM has the opportunity to identify land managed for wilderness characteristics, which is not a wilderness designation. Under the proposed planning process, there would be no changes to the wilderness characteristics process.

In the previous webinar, the BLM discussed changes to the ACEC provisions. In terms of the criteria for an area to be considered for an ACEC designation – the BLM carried forward the relevance and importance criteria that are in the existing regulations. One change to the ACEC regulations is that a list of potential ACEC areas – meaning a list of areas that met the relevance and importance criteria and are going to be considered for designation during the planning process– would need to be identified during the planning assessment, and that list would be made available to public as part of the planning assessment report. This is another opportunity where the public would get to see information earlier than they currently get to see it. Under current practice, the list of potential ACECs is generally first available with the draft RMP. There are also places through the ACEC provisions where the BLM has clarified some language, but this does not result in any substantive change.

Q: Regarding wildlife corridors, are there provisions that have changed or are there aspects of management that will change under the new planning process?

As part of the planning assessment, there is a list of things that, if applicable, need to be addressed in the planning assessment. This includes important areas for wildlife – including corridors – that would have to be identified in the assessment.

Q: Regarding the Governors' appeal process: can the Governor also require additional time for the consistency review, in addition to waiving or shortening the review period?

There is no regulatory provision in either the existing or the proposed rule that allows for extending the Governor's consistency review. Under both existing and proposed rules, the Governor has 60 days to send their letter to the State Director. There is no change there.

Q: For the protest process, does the protestor need to have already made a comment during the scoping period or during the review period for the protest to be considered?

Yes, in order to be considered, the protestor needs to be able to demonstrate how they participated in the planning process. However, it does not have to be at the scoping phase. If the protestor provided comments on the draft, they would still have standing.

Q: Regarding areas of critical environmental concern (ACECs), how will the BLM ensure that it remains consistent with any existing State laws regarding ACEC?

As long as ACECs are regarded in State law consistent with the Federal law, such as FLPMA, then the BLM can consider it as part of the planning process. If State law runs counter to Federal law, then the BLM has to defer to the Federal law.

Q: Regarding the adaptive management framework: Can you elaborate on how the adaptive nature of the process works, and more specifically, how quickly changes could be made to a plan?

For more information on this topic, please review Webinar 1. Adaptation happens in a few ways. The first way is by amending the plan, which is no different from the current planning process. However, there are some things in the proposed planning rule that would help the BLM to adapt plans. For example, the proposed rule requires that objectives be specific and measureable so that the BLM can monitor and collect the data to see if objectives are being met. If the data shows that objectives are not being met, the BLM would adapt and change management to better meet those objectives. There are a few ways that the BLM can adapt in the proposed rule, one of which is amendment. An amendment is used if the BLM needs to adapt a plan component, such as goals, objectives, and resource use determinations. If, through monitoring and evaluation, the BLM finds that one of the plan components needs to be adapted, then the BLM must do an amendment and follow the amendment procedures.

However, if through monitoring the BLM finds that the adaptation needed is at the implementation level and can be accomplished through available management practices, then the adaptation can be accomplished through implementation strategies. Implementation strategies incorporate the best available science and the newest information and can be updated on an on-going basis. The important thing is that if the BLM changes a plan component and does an amendment, then the amendment procedures provide for public involvement. If the BLM changes an implementation strategy, it can be done at any time, and public involvement is provided for when the BLM does a site-specific NEPA analysis. Regardless of which one the BLM is changing, the BLM would provide for public involvement, it is just a matter of when that public involvement is provided for.

The BLM has a few examples of adaptive planning. One is the greater sage grouse planning effort, where the BLM established hard-wired adaptive triggers placed in the plan decisions, some of which led to changes in on the ground and implementation level change, and some of which changed the resource allocation. Another example on a smaller scale (and not yet finalized), the Dominguez-Escalante National conservation area provided language in their draft decisions related to making decisions more adaptable based on resource monitoring on the ground.

Q: How will a variety of recreational uses be incorporated into the plan under the new planning process? Does that change from the previous way of managing recreation?

The BLM does not anticipate any substantive changes. Recreation would still be managed in the same way, and the BLM's recent recreational manual would still apply. The BLM would still identify special recreational management areas (SRMAs) and extensive recreational management areas (ERMAs), which are examples of planning designations. The BLM would conduct step down planning for recreation that would happen after the planning process. The BLM's designation process would still be outcome-focused, e.g. identifying what kinds of recreational opportunities to promote through either limitations or enabling certain activities on the ground. A lot of the site-specific planning would remain out of RMPs and would be done at a site-specific project development level.

Q: Are there multiple use considerations that are dealt with differently under Planning 2.0 as opposed to currently under FLPMA?

"Multiple use" as defined in FLPMA would remain the same. The proposed rule has a definition of multiple use and it has not changed. It is the exact definition from FLPMA and is the same definition that is in the existing regulations.

Q: Are there any changes for how approved travel management plans would be incorporated under the new planning process?

The planning rule does not include any changes. Travel management plans are step down plans. Under the current planning process, the BLM could choose to do travel management plans in conjunction with a RMP. That is not addressed anywhere in the existing regulations, nor is it addressed in the proposed regulations. Under proposed regulations, the BLM could still do a travel management plan in conjunction with a RMP. In general, the BLM is moving away from that approach because travel management planning is a very detailed, site-specific, lengthy process. When combined with the RMP, it adds a lot of time to the timeline of the RMP. If the plans are done at the same time, the travel management plan must also consider the RMP's full range of alternatives for NEPA. If the travel management plan is done after the RMP is completed, then it is only necessary to consider travel management planning for the final decision – for the actual plan itself. It makes the travel management planning a little less cumbersome and a little more efficient as well. The BLM has the same flexibility under both the proposed and existing rule.

Q: Will cooperating agencies still be able to participate with the BLM's interdisciplinary team in developing RMPs? Will anything about that change in the new planning process?

The proposed rule does not change the cooperating agency relationship that is defined and established under the Council on Environmental Quality and Department of the Interior NEPA implementing regulations. That relationship would be established through any memorandums of agreement or understanding developed for just how that cooperating agency would participate on that specific RMP or implementation level project. The proposed rule does not change the ability of cooperators to participate in the IDT because their participation leads to the best outcomes.

Q: When the BLM talks about engaging the public, does that include stakeholder and industry groups?

Yes, absolutely. Any stakeholder group is included in the public. “The public” includes anyone who is interested in participating.

Q: BLM would allow public reviews of preliminary documents; does that include environmental assessments (EAs)?

The proposed rule only applies to land use planning; it does not apply to NEPA that the BLM does outside of the land use planning process. Preliminary documents and the preliminary range of alternatives would be made available for review during the preparation and revision of RMPs. For environmental impact statement (EIS) level amendments, the BLM has raised the question and is seeking public input to determine whether all EIS level amendments be required to have the same steps as a full RMP preparation (this includes the planning assessment and the preliminary review of alternatives). The BLM welcomes feedback on whether the proposed rule should either require or encourage that every EIS level amendment follow the same steps as full preparation. Encouraging those steps for EIS level amendments would leave room for discretion. In other words, for EIS level amendments the decision would be made based on unique circumstances in the local area. The BLM is considering different options and would appreciate public input on this question.

For EA level amendments, the proposed rule does not require those additional steps. Under existing regulations, EA level amendments do not require that there be a comment period on the draft plan, but that is best practice and what the BLM typically does because it results in better outcomes.

Q: Is this PowerPoint the same as the one used in the last webinar?

No. After this webinar concludes, an email with a link to the slides will be sent to participants, along with a link to the recording of the previous webinar for those who have not heard it yet.

The BLM posts all of this information on their project website, which is www.blm.gov/plan2. The public can always go back to that link and find the links to the presentations, recordings, and all other information.

Q: Will the links to the other resources mentioned in the PowerPoint be provided to those participating in the webinar?

Those links will be distributed to participants and will also be available on BLM’s website.

Q: How will the BLM incorporate local knowledge, values, and considerations into the planning process?

That is the purpose of what the BLM calls the “envisioning process” during the planning assessment. It is not called that in the proposed rule, but that is the term that the BLM is using to talk about it informally. There is a specific regulatory provision in the planning assessment step that says the BLM will identify public views in relation to the conditions of the planning area.

The purpose of that is to identify public views, local knowledge, and engage with the public on the issues that the commenter described.

Q: Will the standards that determine what is considered “high quality” information become available for public comment?

The documents that are on the slide that the BLM posted (the OMB guidelines, the Information Quality Act, the Department of Interior guidelines) are all existing documents and are not available for public comment because they have already been finalized. In terms of developing more specific standards moving forward, there is no requirement for the BLM to make those available for public comment and it would be determined on a case-by-case basis. For example, the BLM is choosing to make the Land Use Planning Handbook available for public review, although there is no requirement to do so. Other BLM programs would have to make those same decisions as they develop or revise their standards and their handbooks.

Q: Does “high quality” information include best available science?

Yes. High quality information includes the best available science. The reason why the BLM proposed the term “high quality information” instead of just using the term “best available science” is two-fold. First, it is an existing term under the Information Quality Act (also called Data Quality Act), so that standard is already in place. The second reason is that the BLM wanted to recognize that while the best available science is part of this, there are other types of information that are relevant to the planning process that do not fall under the term “science.” The BLM wanted to acknowledge that we would consider other types of information but expect that the other types of information still meet quality standards. In other words, the BLM will not use fabricated or biased information; the BLM has to feel confident that we are basing decisions on quality information.

Q: When new science becomes available, who determines whether it should be incorporated into the planning process?

Part of the purpose of the planning assessment is to make sure that the BLM has all of the best available science and that the baseline for the RMP is informed by the best available science. However, the BLM is aware that science is always moving forward. When new science becomes available during the planning process, the BLM looks to the National Environmental Policy Act (NEPA). Before the draft stage, if NEPA indicates that the BLM should consider that new information, we would take steps to include it in the draft. If the BLM is already past the draft stage, then we consider whether we need to supplement the draft RMP/EIS.

In terms of who identifies the information, it could come from anyone. For example, the resource specialist at the BLM may identify the information, or it may be brought to the BLM’s attention from partners or members of the public. All of these are relevant and good ways that the information can become available.

Q: Does the new planning rule specifically address national scenic or national historic trails that pass through multiple landscapes and cross multiple administrative boundaries?

No, the proposed rule does not speak to trails or any particular resource. The proposed rule is focused on higher level procedures for how the BLM develops land use plans. The BLM's handbooks, however, will speak to specific resources. In BLM's existing handbook, Appendix C describes resource-specific decisions. This handbook is currently being revised and will continue to include resource-specific decisions. National Scenic and Historic Trails are a great example of a resource that crosses multiple different land use plans, and requires a broad toolkit for landscape-scale planning. It is very unlikely that there would be a single plan that includes the planning area for the entire trail because that would not be practical. In these cases, BLM has to look to the toolkit for coordination, partnerships, and edge matching in order to do landscape-scale planning for resources such as trails that cross such long distances.

Q: Will geospatial applications be developed to support visualizing plan boundaries and various aspects of the resources, analysis, and modeling that are going on in the planning process. If so, is the BLM interested in developing and/or publishing such geospatial tools for collaboration? Is the BLM looking for partners in developing those tools?

Being able to manage information geospatially is imperative to being able to make good decisions and engage with various interest groups throughout the process. Advancing the BLM's geospatial program is a huge priority. While not inherently part of the Planning 2.0 project (which is the rule making and handbook effort), the Bureau is currently working on advancing the geospatial program in several ways, including ways to engage in real time with data updates, and discussion on the best ways to use geospatial technology in decision making.

There is one area in the proposed rule where the BLM addresses geospatial information. In the planning assessment, there is a section regarding the planning assessment report. The BLM has added a commitment that, to the extent practical, the BLM would make any non-sensitive geospatial information that is used in the planning assessment available to the public on the BLM's website. That is a new commitment that the BLM has made because it is important to have that information available to the public to use as they engage in the planning process.

Q: Will the way in which inconsistencies with State and local plans are addressed be explicitly laid out in the planning rule?

That would be very challenging because there is such a broad range of what might happen if there is an inconsistency. It would be challenging to think of a one size fits all approach to dealing with inconsistencies. The BLM welcomes ideas on this topic as comments on the proposed rule.

Q: Are non-U.S. citizens or residents allowed to submit public comment or participate in the planning process?

The proposed rule does not address whether non-U.S. citizens can submit comments or participate in the planning process. In other words, there are no limitations in the proposed rule. However, there could be other Federal regulations that pertain to that issue that we are not aware of.

Q: Does the BLM envision any potential negative effects from moving the required operating procedures and stipulations from the plan as a planning component over to the implementation strategy section? If there might be some negative effects from moving it from a plan component to implementation, would the BLM be able to mitigate that?

If an operating procedure or stipulation is required at the planning level, that would be a plan component because it is something that would have to occur every time. The important distinction is whether it is a decision that the BLM makes at the planning level, or if it is a decision that requires site-specific information. It is a planning level decision if the BLM can identify up front what the specific constraints are (*eg.* an area is open to mineral leasing with minor constraints such as a lease stipulation). In contrast, if it is something that the BLM can only make a decision on using site-specific information (*eg.* which best management practices to require, what color to paint the towers to match the background topography), it makes sense to have the final decision be at the implementation level.

Q: If the BLM wishes to hold a longer public comment period or increase the scope of public involvement beyond what is stipulated in the plan, is that feasible?

Under the current practice, the BLM often extends the public comment period, and we would continue to be able to do so under the proposed rule.

Q: Regarding coordination for planning activities that border a foreign country, is there consideration in Planning 2.0 about how BLM will address foreign actions and impacts?

In terms of legal requirements under FLPMA for coordination and consistency, the BLM's legal requirements for consistency only apply to State and local governments within the United States. However, if the BLM land borders a foreign country and involves issues that cross boundaries, collaboration to have some edge matching would make sense. This is a topic that the BLM will flag for further consideration.

Regarding impacts of foreign countries' actions on the border area, NEPA requires that the BLM consider any impacts on the human environment. Any activities that may take place in Canada or Mexico would be considered as part of the cumulative impacts for the proposed action within the BLM's jurisdiction in the United States. There are cases right now where the BLM is considering impacts from foreign decisions on public lands in the U.S.

Q: Regarding the increased emphasis that the Planning 2.0 process has on human systems and public engagement: will that require additional training or support for the BLM field office staff to be able to support this broader emphasis on human systems and public engagement?

From the standpoint of capacity and building new skills, this is something that the BLM has identified as a priority, particularly in the collaborative engagement sector. The BLM has been thinking about how to build that capacity at the local level, through training to staff and providing extra support to people who are already experts in that field to engage with individual planning efforts. Currently, the BLM is hosting envisioning public meetings for the Missoula

RMP. The BLM is staffing that meeting as much as possible to develop lessons learned for future plans.

Additionally, the BLM has a socio-economics program that has been growing over the last three to four years. The program has developed a strategy to advance the use of socio-economic tools in the agency. The work that this existing program does is incredibly important and will likely become even more important under Planning 2.0.

On top of the socio-economic strategic plan, the BLM also has a collaborative action and dispute resolution strategic plan that involves building capacity throughout the agency.

Next Steps and Closing Remarks

Janet 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. Participants will receive a recording of the webinar via email.

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

Janet asked meeting attendees to fill out the evaluation form to provide feedback to Kearns & West before leaving the meeting. The meeting was adjourned at 5:00 pm EST.