

Bureau of Land Management
**Implementation Plan for Secretarial Order 3339 — “Increasing Access to
Extended Outdoor Experiences for Under-Resourced Youth”**

I. BACKGROUND

On March 2, 2016, Secretary of the Interior Sally Jewell issued Secretary’s Order 3339 (Order), intended to increase access to the outdoors for under-resourced and disadvantaged youth by decreasing barriers in the permitting processes of the Department of the Interior (DOI), specifically within the Bureau of Land Management (BLM), the Bureau of Reclamation, the U.S. Fish and Wildlife Service, and the National Park Service. The Order provides guidance and definitions of qualifying groups, and requires each Bureau to submit an Implementation Plan within 60 days (by May 2, 2016) to the Secretary through the appropriate Assistant Secretary.

The Order targets youth groups with 70 percent or more economically disadvantaged and under-resourced participants under age 26. The group leader must be planning a non-commercial (that is, any paying attendees are funding no more than the trip’s direct cost), overnight, recreational and educational trip. An annual progress report from each Bureau is required, describing actions taken to meet the Order’s goals.

II. GUIDANCE

Consistent with the requirements of the Order, BLM and its employees will exercise permitting discretion to the maximum degree possible to increase access to the outdoors for under-resourced and disadvantaged youth by, among other things: (i) decreasing barriers to access for use of BLM administered public lands, (ii) increasing flexibility in permitting decisions to enhance access, and (iii) increasing engagement in reaching new and diverse populations.

To implement the Order, the BLM will draw upon its current regulatory authority and policy guidance contained in 43 Code of Federal Regulations (CFR) 2930 – Permits for Recreation on Public Lands, the Recreation Permit and Fee Administration Handbook (H-2930-1) (hereafter “Recreation Handbook”), and the Order itself. These documents provide the BLM with the regulatory and policy flexibility to implement the goals and objectives of the Order. For example, the Recreation Handbook contains well-defined permit policies and direction, and provides for agency discretion and flexibility that would facilitate the access and engagement called for in the Order, such that no regulatory revisions are expected to be necessary.

Specifically, the existing regulations and Recreation Handbook already outline several conditions under which the requirement to obtain an access permit may be waived. For example, under existing regulations, the BLM could waive permit requirements for non-commercial group use that does not require monitoring by BLM employees to ensure the protection of resources. Similarly, under the Handbook, the BLM could waive the permit requirement by providing a group with a Letter of Agreement (LOA) documenting that a proposed activity does not require a permit. Youth-serving organizations who contact a BLM office will learn through the initial pre-consultation meeting whether or not they qualify for an LOA.

The BLM has historically used agency discretion to treat the types of activities that are now subject to the Order in the same manner as general public use unless otherwise regulated. This historic practice presents a difficulty, however, when it comes to counting the number served within the demographic emphasized in the Order, which is necessary for the annual reporting component of the Order. The development of a new tool (a self-certification letter) to meet this need is recommended and described in greater detail in Section III (5). Essentially, the self-certification letter (SCL) will assist both the BLM and youth-serving organizations in clearly identifying proposed trips that may qualify, and documenting activities of individuals and groups not issued a permit or LOA, in order to meet reporting requirements. The SCL and the LOA are two examples of tools that will allow us to measure the BLM's progress toward meeting the goals of the Order. These tools will also provide BLM field offices with an opportunity to interface with group organizers, and to communicate important safety, logistics, and resource protection information for dissemination to each youth group.

The BLM will additionally integrate this Order into ongoing implementation efforts for Secretarial Order 3332, "Engaging the Next Generation," and into the BLM's existing youth outreach programs. The BLM is already working to align and expand these efforts to increase awareness and participation in outdoor opportunities for youth on BLM lands. Some example programs include Take It Outside, the Native American Environment Youth Camp, Every Kid in a Park, 21st Century Conservation Service Corps, Conservation Resource Education (CORE), and the Resources and People (RAP) camp.

III. ACTIONS

To fully support the implementation of Secretary's Order 3339, the BLM will provide specific guidance to the BLM state and field offices through an Instruction Memorandum (IM). The target date for IM issuance is June 1, 2016. This guidance will encourage increased engagement to reach new and diverse populations, and facilitate opportunities to provide outdoor experiences for under-resourced and disadvantaged youth while providing for public safety and stewardship of public lands and resources.

Drawing on guidance shared by the Office of the Secretary and outlined in Section 4, Implementation of the Order, below are nine key points that will be further developed in the IM, including more specific actions, and identifying leads and responsible parties in each office:

1. Prioritize and expedite coordination and review of proposals for public land use that are subject to the Secretarial Order in order to recognize and reduce barriers, decrease timelines, engage and assist youth service providers at the local level (Order Section 4(a)).
 - By June 15, 2016, state and field offices will identify and put into place process improvements to achieve the Order's implementation goals outlined in the IM to ensure that these process improvements are implemented during the summer 2016 and beyond.
 - By September 30, 2016, the BLM state offices will report how they have incorporated these steps into their Best Management Practices to the Washington

Office, Recreation and Visitor Services Division (WO-250), and report on successes, lessons learned, and areas for improvement.

2. Emphasize the BLM's existing regulatory flexibilities for non-commercial group use, including how they can be effectively employed to enable implementation of the Order (Order Section 4(b) (1)).
 - Emphasis is placed on 43 CFR 2932.12, "When may BLM waive the requirements to obtain a permit?" and its implementing policy contained in the Recreation Handbook.
 - Most groups will be considered the same as the general recreating public, with only minor documentation required to assist with reporting requirements (see below, LOAs, SCLs).
3. Assist authorized officers with distinguishing between outings/trips falling under the Order's criteria, and other ongoing commercial permittee business. Permittees will continue to provide use reports for trips falling under the guidelines of the Order, but there will be no commercial use fees associated with these trips (Order Section 4(b)(2)).
 - Emphasis is placed on applicable sections of the Recreation Handbook, providing for appropriate agency discretion and flexibility, which allow for no-fee trips qualifying under the Order.
 - Permittees will continue to provide use reports for trips falling under the guidelines of the Order, which will provide an important metric for annual reporting (Order Section 6).
 - If regulatory issues arise in implementing this Order, BLM state offices will report any initial barriers to WO-250, and appropriate actions to modify or remove the barriers will be pursued.
4. Clarify the Order's effect on individual special recreation permit fees, particularly in areas with allocated use, such as where access is limited for environmental protection or public safety reasons (Order Section 4(c)).
 - Individual use fees may be waived consistent with general public use guidelines; however, changes in use allocation levels would require the appropriate level of NEPA analysis.
 - Local offices with limited use allocation areas described in land management plans will be directed to identify alternate public land areas available for use within 60 days, including, if needed, the option to suggest Federal lands that are managed by other Bureaus.
 - Encourage offices to develop flexibility for increasing opportunities related to allocated use during future planning efforts.
5. Emphasize that most groups qualified under the Order will be considered as general public (Order Section 4(d)).
 - Emphasis is placed on applicable policy sections of the Recreation Handbook, providing for appropriate agency discretion and flexibility, including:
 - Determinations of whether to issue a LOA versus issuing a Special Recreation Permit.

- An LOA example will be tailored for the Order and transmitted with the IM by the target date of June 1, 2016.
 - WO-250 will develop an example self-certification letter (SCL) based on criteria in Order Section 5, Activities Subject to this Order, and include common information needed for resource protection and to avoid use conflicts. This will assist both the BLM and youth-serving organizations in clearly identifying proposed trips that may qualify. The SCL will be required from individuals and groups not issued a permit or LOA, in order to document use for upward reporting. This will be transmitted with the IM by the target date of June 1, 2016.

- 6. Identify opportunities to integrate outreach strategies to engage with under-resourced youth/organizations and facilitate their access to public lands (Order Section 4(e)).
 - Integrate current outreach activities with national and local partners, including with tribes and stakeholders, at all levels of the BLM.
 - Explore opportunities to coordinate outreach to youth-serving organizations with other Federal agencies located in the vicinity of BLM managed public lands to:
 - Leverage staff resources and ensure consistent communication about the goals and purpose of the Order;
 - Share information with youth-serving organizations about alternative sites for extended outdoor experiences if BLM-managed sites are otherwise unavailable.

- 7. Encourage local authorized officers to work closely with adjoining Federal land managers to reduce barriers to access, such as potentially issuing joint permits under the Order where the proposed use crosses administrative boundaries (Order Section 4(f)).
 - Coordinate efforts and share successful models of the Order's implementation among Federal agencies, both nationally and locally. Local authorized officers will share this information with BLM State Office recreation leads and with WO-250 to ensure a consistent approach and visitor experience..
 - Coordinate implementation strategies at the national level through the Federal Recreation Council and with other DOI agency leads through regular coordination calls.

- 8. Deliver guidance on the goals and criteria of the Order for agency implementation, including guidance to identify qualifying demographics, to be in effect upon the IM issuance date (Order Section 5(a-d)).
 - Criteria from section 5 will be transmitted and guidance will emphasize application of the BLM's existing regulatory flexibilities for non-commercial group use to implement the Order.
 - Most often, qualifying non-commercial groups will have the same consideration as general public use.

- 9. Provide guidance and direction for documenting and tracking Order implementation and upward reporting (Order Section 6).

- Methods and means to capture necessary data through the following will be transmitted in the IM:
 - Permittee use reporting,
 - Letter of Agreements,
 - Self-Certification Letters.

The BLM will take, or has already taken, these additional actions outside the IM to fully implement and support the Order:

- Notification of the Order and discussion of draft implementation strategies with the BLM's Recreation and Visitor Services Advisory Team, comprising all BLM state recreation leads (completed in late March 2016 and ongoing monthly coordination).
- Implementing BLM policy through the Recreation Handbook which provides for appropriate agency discretion and flexibility to facilitate access by the target demographic called for in the Order (ongoing).
- The BLM Washington Office will work with the National Training Center to:
 - Incorporate implementation of the Order into the existing employee Recreation Permit and Fee training course through development of a new training module prior to the next course delivery in June 2016.
 - Create a Share Point site on the National Training Center's website to encourage consistent implementation, and share resources among staff and Authorized Officers (target date: June 1, 2016).
- The BLM Washington office, working with the National Operations Center, will evaluate the internal visitor use database and youth SharePoint sites, and adjust as necessary to capture metrics required by the Order (target date September 15, 2016).

IV. COMMUNICATION AND OUTREACH

- A communications plan will be developed to guide BLM field offices and potential partners to learn about and connect with each other to expand upon the opportunities to implement this Order. The Division of Education, Interpretation, and Partnerships (WO-420) and the Division of Public Affairs (WO-610) will collaborate with WO-250 to issue a communication plan attached to the IM by June 1, 2016.