

CHAPTER FIVE

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5.1 INTRODUCTION

Public involvement, consultation, and coordination was initiated prior to, and has occurred throughout, preparation of this draft RMP/EIS. Guidance for implementing public involvement is contained in 43 CFR, 1601-1610, FPLMA Section 103(d), and the CEQ's NEPA regulations at 40 CFR, 1506.6, and is intended to ensure that federal agencies make a diligent effort to involve the public in preparing planning and NEPA documents.

This chapter is a description of the public outreach and participation opportunities made available through the development of the draft RMP/EIS and the coordination and consultation efforts with Native Americans, government agencies, and other stakeholders that have transpired to date. It also includes a list of preparers of the document. There have been and will continue to be many ways for the public to participate in the planning process for public lands under the jurisdiction of the Bakersfield FO.

5.2 PUBLIC SCOPING AND OUTREACH

5.2.1 SCOPING PROCESS

Scoping is the term used in the CEQ regulations implementing NEPA (40 CFR, Part 1500 et seq.) to define the early and open process for determining the scope of issues to be addressed in the planning process. The scoping process invites the public to be involved in identifying significant issues of land use management actions. The process also helps identify any issues that are not significant and that can thereby be eliminated from detailed analysis. The list of stakeholders and other interested parties is also confirmed and augmented during the scoping process.

5.2.2 NOTICE OF INTENT

The NOI is the legal document notifying the public of the BLM's intent to initiate the planning process and to prepare an EIS for a major federal action. The NOI invites the participation of the affected and interested agencies, organizations, and members of the general public in determining the scope and significant issues to be addressed in the planning alternatives and analyzed in the EIS. The NOI for the Bakersfield RMP was published in the Federal Register on March 4, 2008. The formal scoping period for receipt of public comments ended on May 5, 2008.

5.2.3 PRESS RELEASES

Local and regional newspapers throughout the planning area were used to disseminate information on the Bakersfield RMP scoping and planning process. The BLM prepared press releases to notify the public of the project, to announce the open houses, to request public comments, and to provide contact information.

5.2.4 SCOPING LETTER MAILINGS

The BLM mailed a letter to interested parties on April 4, 2008, to inform them of the Bakersfield FO RMP planning effort, the location of seven scoping open houses in April 2008, and the opportunity to comment. The letter was mailed to 1,138 individuals on the distribution list compiled by the Bakersfield FO. The same letter was emailed to 453 individuals on April 10, 2008, and 83 additional email addresses on April 22, 2008.

5.2.5 SCOPING MEETINGS

The BLM held seven public scoping meetings in six locations during April 2008. The meetings were held as follows: April 8, Bakersfield (2 meetings), April 9, Taft, April 10, Lake Isabella, April 15, Fresno, April 17, Three Rivers, April 22, San Luis Obispo. Attendance totaled approximately 100 individuals, with the breakdown per meeting as follows:

- April 8, Bakersfield (two meetings): 23 attendees (total for both meetings);
- April 9, Taft: 6 attendees;
- April 10, Lake Isabella: 9 attendees;
- April 15, Fresno: 24 attendees;
- April 17, Three Rivers: 17 attendees; and
- April 22, San Luis Obispo: 7 attendees.

The meetings were held to gather information from the public on the future management of the Bakersfield RMP area. Participants were asked what they valued about these lands, what kinds of activities or uses were important to them, and how they envisioned the area being managed in the future. Each of the meetings followed a similar format, beginning with an informal open house. Members of the public were greeted at the entrance and asked to sign in. Representatives from the Bakersfield FO attended all meetings. Visitors were encouraged to look at various maps and photographic displays arranged around the room and to ask questions; BLM staff mingled and encouraged one-on-one dialogue. After a brief introduction by the Bakersfield FO Manager, staff gave a PowerPoint presentation on resources, challenges, the planning process, what the plan hoped to achieve, and the public's role in contributing to the plan direction and substance.

After the presentation, BLM staff held a question and answer period of roughly ten minutes. BLM staff then guided participants through three questions regarding identifying the public's vision for the Bakersfield RMP area, identifying goals and common values, and suggesting specific actions for achieving those goals. Finally, the BLM Field Manager closed the meeting by thanking the participants and briefly outlined the next steps in the planning process, highlighting the role and importance of continuing public involvement. This format was followed at all of the meetings.

Attendees were encouraged to mail in written comments and questions or to fill out comment cards specific to the Bakersfield RMP. Copies of the planning criteria were also made available at the comment table.

A complete listing of the organizations and agencies that were represented among the people who signed in at the public meetings is included in the Bakersfield Resource Management Plan Scoping Report.

5.2.6 PUBLIC SCOPING RESULTS

A total of 142 responses were received, including scoping comment sheets, letters and e-mails. Twenty-one of the letters were form letters. Comments were received from 26 organizations, seven businesses, and four agencies. The scoping input was used to formulate the issues addressed in the planning process, as described in Chapter 1 (see Section 1.4.2). Chapter 1 also provides a summary of issues, submitted during the input period, that are beyond the scope of the RMP (see Section 1.4.3). A full copy of the scoping report is available from the BLM or from the Web site.

5.2.7 PROJECT WEB SITE

In the spring of 2008, a BKFO RMP/EIS project Web site was launched to serve as a clearinghouse for project information during the planning effort. It provided background information on the BKFO, information on the past Caliente RMP completed in 1997, an outline of the planning process, and a schedule of upcoming scoping meetings. The Web site, at http://www.blm.gov/ca/st/en/fo/bakersfield/Programs/planning/caliente_rmp_revision.html, provided a link for site visitors to submit comments about the project, cacalrmp@ca.blm.gov.

5.2.8 PROJECT TELEPHONE

A phone number, (661) 391-6022, was made available for comments or questions about the planning process; one caller submitted a comment.

5.2.9 ADDITIONAL OUTREACH

Resource Advisory Councils (RACs) in and near the Bakersfield RMP Planning Area are participating in this planning effort. Four members of the Central California RAC, one member from the Carrizo Plain Monument Advisory RAC, and one member from the Desert Advisory Council have been participants to date. The Central California RAC receives regular updates on the progress of the planning process at their meetings.

5.3 CONSULTATION AND COORDINATION

The Bakersfield RMP will provide guidance for public land spread across a vast portion of central California and necessarily requires the coordination of a variety of organizations with interests in the area. Among those are governmental bodies that create, administer, and monitor policy for these lands, as well as adjacent lands. The BLM established a coordinated effort in developing the Bakersfield RMP by seeking the active participation of these parties.

In the spring of 2008, the BLM invited 16 local, state, and federal representatives to participate as cooperating agencies for the Bakersfield RMP. None of the agencies accepted this offer to

participate in the Bakersfield FO planning process as cooperating agencies. Both the National Park Service and California Department of Fish and Game expressed a desire to stay involved in the planning process, but not the need to have cooperating agency status.

The following section documents the BLM's consultation and coordination efforts during the preparation of this Draft RMP/Draft EIS. Consultation is an ongoing effort throughout the entire process of developing the Proposed RMP/Final EIS.

5.3.1 NATIVE AMERICAN CONSULTATION

Federally recognized Native American tribes have a unique legal and political relationship with the government of the United States. Executive order 13175 requires federal agencies to coordinate and consult on a government-to-government basis with sovereign Native American tribal governments whose interests may be directly and substantially affected by activities on federally administered lands. Other laws, regulations, Department of the Interior (DOI) guidance and executive orders require consultation to identify the cultural values, the religious beliefs, the traditional practices, and the legal rights of Native American people, who could be affected by BLM actions on federal lands. These include the National Historic Preservation Act (NHPA) of 1966 (as amended), American Indian Religious Freedom Act of 1978, the Native American Graves Protection and Repatriation Act, DOI Secretarial Order No. 3215 (DOI 2000), 512 Department Manual Chapter 2 (DOI 1995), BLM Manual H-8160-1 (DOI 1994), and Executive Order 13007, Indian Sacred Sites.

Native Americans are formally engaged in the planning process, as with many other federal actions, through a process of consultation. Legislation, policy and guidance require the BLM to consult with Native American tribes regarding any actions conducted by the agency which have the potential to affect places of traditional or religious importance to them. As such, the Bakersfield FO initiated contact on April 4, 2008 in conjunction with the public scoping process; the formal government-to-government consultation was initiated during the preparation of this Draft RMP/Draft EIS with eight federally recognized tribes as follows:

- Big Sandy Rancheria
- Cold Springs Rancheria
- North Fork Rancheria of Mono Indians
- Picayune Rancheria of Chukchansi Indians
- Santa Ynez Band of Chumash Indians
- Table Mountain Rancheria
- Tachi Yokut Tribe of the Santa Rosa Rancheria
- Tule River Reservation

This consultation included a certificated notification letter describing the RMP and planning process with follow up to include invitation to face-to-face meetings with the Field Manager and tribal leadership.

In addition to these federally recognized Tribes, the Bakersfield FO engaged with many non-federally recognized Native American tribes, groups, and individuals.

5.3.2 CULTURAL RESOURCE CONSULTATION

The BLM has specific responsibilities and authorities to consider, plan for, protect, and enhance historic properties and other cultural properties that may be affected by its actions or actions it permits. The principal federal law addressing cultural resources is the NHPA (16 USC, Section 470), and its implementing regulations (36 CFR, 800). These regulations, commonly referred to as the Section 106 process, describe the procedures for identifying and evaluating historic properties, for assessing the effects of federal actions on historic properties, and for guiding project proponents consulting with appropriate agencies to avoid, reduce, or minimize adverse effects. State Historic Preservation Officers (SHPOs) have responsibilities under state law and under Section 101(b)(3) of the NHPA to “consult with the appropriate Federal agencies in accordance with [NHPA] on Federal undertakings that may affect historic properties, and the content and sufficiency of any plans developed to protect, manage, or to reduce or mitigate harm to such properties.” The BLM notified the California SHPO of the planning process, and formal consultation on the Bakersfield RMP will be ongoing.

5.3.3 SPECIAL STATUS SPECIES CONSULTATION

Coordination with CDFG and USFWS is ongoing with regard to special status species. Section 7 consultation will include the preparation of a biological assessment by the BLM and a subsequent biological opinion prepared by the USFWS.

5.3.4 AIR QUALITY COORDINATION

Coordination between the BLM and air regulatory agencies is ongoing with regard to air quality. Informal communications that were made by the BLM as part of this planning effort include phone and email correspondence with the EPA, Region IX, the California ARB, and San Joaquin Valley APCD staff. These air regulatory entities were initially contacted for guidance regarding conformity and its applicability at the land use planning stage.

5.3.5 TRAVEL MANAGEMENT PLANNING COORDINATION

The BLM hosted two trails and routes data collection workshops, one in Lake Isabella (February 25, 2009) and one in Taft (February 26, 2009). The workshops were held to allow the public to review the BLM’s inventory for accuracy and completeness, to provide information on routes that are missing from the BLM’s inventory, and to offer suggestions for reroutes or new trail sections that would complement the existing route system. The comment period for routes and trails data collection was open until March 13, 2009.

The BLM also extended invitations to local agencies, user groups, and authorized public lands users to discuss the route designation process. The BLM met with Stewards of the Sequoia, California, Off-Road Vehicle Association, the Taft Motorcycle Club, and a representative of Kern County. Local grazing lessees were also consulted regarding their use of routes related to grazing practices. Throughout the process, the Bakersfield FO coordinated efforts with the Sequoia National Forest, which is also designating routes on National Forest System lands.

In June 2009, the Bakersfield FO presented its route designation maps to the OHV subgroup and to the Central California RAC.

5.3.6 SOCIOECONOMIC WORKSHOPS

On April 15 and 16, 2009, the Bakersfield FO hosted two socioeconomic workshops in Bakersfield and Lake Isabella. Nine members of the public and local government representatives attended the workshops, in addition to BLM representatives. The purpose of these workshops was to obtain input on how local populations interact with public lands. The goal for the BLM is to complete and approve a collaborative, community-based RMP that reflects careful consideration of the local and regional factors unique to the Planning Area. To this end, these workshops provided an opportunity for stakeholders from local communities to participate in the planning process. Attendees discussed economic trends in the region and developed visions for the future of their communities. The attendees also discussed how BLM management of public lands could help support economic growth in local communities.

5.3.7 STATE OF CALIFORNIA CONSISTENCY

The Draft RMP/Draft EIS is reviewed by appropriate state agencies for consistency with California state plans and policies. The Proposed RMP/Final EIS also undergoes a 60-day governor's consistency review.

5.3.8 PUBLIC REVIEW AND COMMENT ON THE DRAFT RMP/DRAFT EIS

Following the official public scoping period, the next official public comment period will open on publication of the Notice of Availability for this Draft RMP/Draft EIS in the *Federal Register*. This will begin a 90-day public comment period. The BLM will also announce the availability of the Draft RMP/Draft EIS by publishing notices of availability in local newspapers, on the project Web site, and through a mailing. The Draft RMP/Draft EIS will be available for review and download from the project Web site. It will also be available by request in a bound paper format or via CD ROM. The Draft RMP/Draft EIS will be widely distributed to elected officials, regulatory agencies, interested organizations, and members of the public. Copies will be available at local libraries and by request.

5.3.9 COMPLETION OF THE PLANNING PROCESS

At the conclusion of the public comment period on the Draft RMP/Draft EIS, the comments will be incorporated into the Proposed RMP/Final EIS, the availability of which will be announced in

the *Federal Register*, and a 30-calendar-day public protest period will follow. Anyone considering protesting the proposed plan may meet with the BLM to discuss his or her protest concerns. At the conclusion of the public protest period, the BLM Director will evaluate and resolve any protests. After protests are resolved, the BLM California State Director will publish the Approved RMP and Record of Decision. Its availability will be announced through the mailing list, Web site, and regional media.

5.4 LIST OF PREPARERS

Name	Role/Responsibility
<i>Bureau of Land Management</i>	
Tim Smith	Field Office Manager
Steve Larson	Assistant Field Office Manager (Resources); Socioeconomics
Sue Porter	RMP Project Lead (08/09- present); ACECs; Socioeconomics
Lisa Ashley	Air & Atmospheric Values; Soil Resources; Water Resources
Kim Cuevas	Cultural Resources; Native American Religious Concerns and Consultation; Paleontology
Peter De Witt	Recreation; Comprehensive Trails and Travel Management; Visual Resources; Cave and Karst Resources; Wilderness Characteristics, Special Designations
Karen Doran	Livestock Grazing
Glenn Harris	Air and Atmospheric Values
Dennis Kearns	Biological Resources – Vegetation
Amy Kuritsubo	Biological Resources - Wildlife; ACECs
Sue Lopez	Lands and Realty
Jeff Prude	Minerals (oil and gas)
Tracy Rowland	San Joaquin River Gorge Manager
Chris Ryan	Wildland Fire Ecology
Larry Saslaw	Biological Resources – Wildlife
Diane Simpson	Lands and Realty; Renewable Energy
Dylan Tucker	Livestock Grazing
Kent Varvel	Hazardous and Solid Waste
Larry Vredenburgh	GIS and Mapping
Tamara Whitley	Cultural Resources; Native American Religious Concerns and Consultation; Paleontology
Gregg Wilkerson	Minerals; Geology/Paleontology
Katherine Worn	RMP Project Lead (06/08 – 01/09)
<i>Consultants</i>	
Tetra Tech, Inc.	
EMPSi	