

**Kane County, Utah Board of Commissioners
Garfield County, Colorado Board of Commissioners
Chaves County, New Mexico Board of Commissioners
Big Horn County, Wyoming Board of Commissioners
Custer County, Idaho Board of Commissioners
Modoc County, California Board of Supervisors
Winkelman Natural Resource Conservation District, Arizona
Hereford Natural Resource Conservation District, Arizona
Doña Ana Soil and Water Conservation District, New Mexico**

April 12, 2016

**VIA FEDERAL EXPRESS AND
U.S. MAIL, RETURN RECEIPT REQUESTED**

Mr. Neil Kornze
Director
Bureau of Land Management
1849 C Street NW, Rm. 5665
Washington DC 20240

Re: Request for Coordination on the Bureau of Land Management's Resource Management Planning Rules, 81 Fed. Reg. 8674 (Feb. 25, 2016)

Dear Mr. Kornze:

We are writing you on behalf of Kane County, Utah; Garfield County, Colorado; Chaves County, New Mexico; Big Horn County, Wyoming; Custer County, Idaho; Modoc County, California; Winkelman Natural Resource Conservation District, Arizona; Hereford Natural Resource Conservation District, Arizona; and, Doña Ana Soil and Water Conservation District, New Mexico; (the Coordinating Local Governments). On behalf of the Coordinating Local Governments, we hereby request that the Bureau of Land Management (BLM) coordinate on the BLM's Resource Management Planning Rules, 81 Fed. Reg. 8674 (Feb. 25, 2016) (the Proposed Rules) pursuant to Section 202(c)(9) of the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1712(c)(9).

Each of the Coordinating Local Governments are recognized units of local government in the West. Within their respective areas of jurisdiction are substantial amounts of public lands managed by the BLM pursuant to FLPMA and related laws concerning the administration of the public lands. How those public lands are managed and what uses are permitted are vitally important to the Coordinating Local Governments, their local economies, and their citizens, who depend on the ability to use public lands for ranching, mineral exploration and development, outdoor recreation, timber production, and other traditional uses.

The Coordinating Local Governments have very serious concerns about the Proposed Rules. Most critically, the Proposed Rules would significantly reduce the role of State and local governments in public land use inventory, planning and management. This is contrary to FLPMA Section 202(c)(9), which authorizes States and local governments to play a key role in the planning and management of public lands. For your convenience, the statute's text is reproduced at the conclusion of this letter. In short:

- Because of the importance of the public lands to western states and, in particular, rural areas and their economies, FLPMA Section 202(c)(9) requires meaningful **coordination** by the BLM with State and local governments with respect to land use inventory, planning, and management activities.
- In addition, FLPMA Section 202(c)(9) authorizes the elected and appointed officials of State and local governments to **furnish advice** to the BLM concerning the development and revision of land use guidelines, land use rules, and land use regulations for the public lands within their respective States.
- FLPMA Section 202(c)(9) also requires the BLM to provide State and local governments **meaningful involvement** in the development of BLM land use programs, land use regulations, and land use decisions for public lands.
- Finally, under FLPMA Section 202(c)(9), land use plans adopted by the BLM must be **consistent** with State and local plans to the maximum extent possible, unless FLPMA or another federal law requires otherwise. Furthermore, the BLM must assist in resolving, to the extent practical, inconsistencies between federal land use plans and State and local government plans.

The Proposed Rules would marginalize these important requirements, essentially placing States and local governments in the same position as the general public. Thus, a person residing hundreds or even thousands of miles from the planning area would have essentially the same rights as local governments, whose citizens and economies depend on the use of public lands. Clearly, this was not the role that Congress envisioned when it enacted FLPMA.

Because Section 202(c)(9) requires coordination with local governments with respect to the BLM's "land use inventory, planning, and management activities" concerning the public lands, and further requires the BLM to provide for "meaningful public involvement" of local government officials in "the development of land use programs, land use regulations, and land use decisions for public lands," the Coordinating Local Governments request coordination on the Proposed Rules. Obviously, the development and adoption of these rules constitute a planning and management activity, which activity is subject to coordination. In addition, "meaningful involvement" in the development of land use programs and land use regulations under Section 202(c)(9) requires more than on-line listening sessions and the ability to submit comments.

We are able to meet with you on May 4, 11 or 13, as may be convenient for you. If you are not available on any of those days, please provide us with two or three dates in May when you will be available. We will do our best to accommodate your schedule.

Because the Coordinating Local Governments are scattered throughout the western “public lands” states, we also request that our initial coordination meeting take place in Albuquerque, New Mexico. We will work with your staff to ensure that appropriate meeting arrangements are promptly made. The individual who will act as the primary liaison for the Coordinating Local Governments is:

Margaret Byfield
Executive Director
American Stewards of Liberty
624 South Austin Avenue, Ste. 101
Georgetown, Texas 78626
512-591-7843 office
margaret@americanstewards.us

In order to ensure that the coordination proceeds quickly, you and your staff should communicate directly with Ms. Byfield. Please provide her with the contact information of the person on your staff with whom we may communicate in arranging the initial and subsequent meetings and addressing any logistical issues.


It is important to begin coordination as soon as possible, given that the BLM has already published the Proposed Rules and is seeking public comment on them prior to coordination. Therefore, we ask that you confirm your willingness and availability to conduct coordination within 14 days from the date of this letter and advise us of your preferred meeting day.

Thank you for your cooperation and assistance. We look forward to working with you.

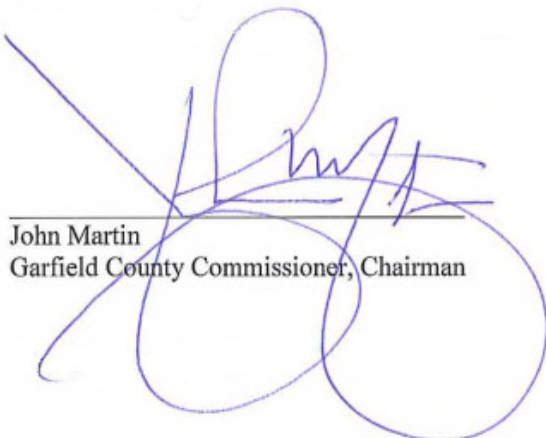
Very truly yours,



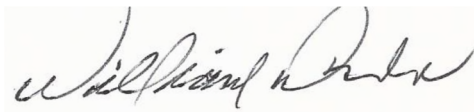
Dirk Clayton, Chair
Kane County, Utah Board of Commissioners



Kathie Rhoads, Chair
Board of Supervisors
County of Modoc



John Martin
Garfield County Commissioner, Chairman



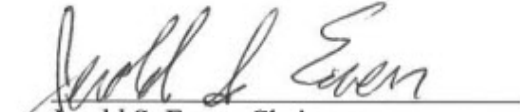
William Dunn,
Chairman,
Winkelman Natural Resource Conservation District



Robert Corn, Chairman
Chaves County Board of Commissioners



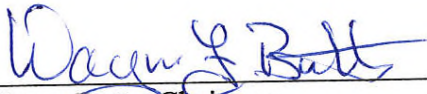
JAMES LINDSEY
Chairman
Hereford Natural Resources
Conservation District



Jerold S. Ewen, Chairman
Big Horn County, Wyoming



Joe Delk, Chairman
Doña Ana Soil and Water Conservation District
New Mexico



Wayne Butts, Chairman
Custer County, Idaho

- cc: The Honorable Rob Bishop, Chairman, House Natural Resources Committee
The Honorable John Barrasso, M.D., Chairman, Senate Western Caucus
The Honorable Lisa Murkowski, Chairman, Senate Environment and Related Agencies
The Honorable Steve Pearce, Chairman Emeritus, Congressional Western Caucus
Leah Baker, Acting Branch Chief, Planning and NEPA (BLM WO)
Shasta Ferranto, Planning 2.0 Project Manager (BLM WO)

**Text of Federal Land Policy and Management Act (FLPMA) Section 202(c)(9)
Codified at 43 U.S.C. § 1712(c)(9) (2014)**

In the development and revision of land use plans, the Secretary shall—

. . .

(9) to the extent consistent with the laws governing the administration of the public lands, coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning and management programs of other Federal departments and agencies and of the States and local governments within which the lands are located, . . . and of or for Indian tribes by, among other things, considering the policies of approved State and tribal land resource management programs. In implementing this directive, the Secretary shall, to the extent he finds practical, keep apprised of State, local, and tribal land use plans; assure that consideration is given to those State, local, and tribal plans that are germane in the development of land use plans for public lands; assist in resolving, to the extent practical, inconsistencies between Federal and non-Federal Government plans, and shall provide for meaningful public involvement of State and local government officials, both elected and appointed, in the development of land use programs, land use regulations, and land use decisions for public lands, including early public notice of proposed decisions which may have a significant impact on non-Federal lands. Such officials in each State are authorized to furnish advice to the Secretary with respect to the development and revision of land use plans, land use guidelines, land use rules, and land use regulations for the public lands within such State and with respect to such other land use matters as may be referred to them by him. Land use plans of the Secretary under this section shall be consistent with State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this Act. [Reference to statewide outdoor recreation plans removed.]

COORDINATING LOCAL GOVERNMENTS

Kane County Board of Commissioners
76 North Main Street
Kanab, UT 84741

Garfield County Board of Commissioners
108 8th Street, Suite 101
Glenwood Springs, CO 81601

Chaves County Board of Commissioners
1 St. Mary's Place
Roswell, NM 88203

Big Horn County Board of Commissioners
420 West C Street
Basin, WY 82410

Custer County Board of Commissioners
801 E. Main Avenue
Challis, ID 83226

Modoc County Board of Supervisors
204 South Court Street, Suite 100
Alturas, CA 96101

Winkelman Natural Resource Conservation District
P.O. Box 486
Kearny, AZ 85137

Hereford Natural Resource Conservation District
P.O. Box 3361
Sierra Vista, AZ 85635

Dona Ana Soil and Water Conservation District
760 Stern Drive, Suite 118
Las Cruces, NM 88005