

This is phase 2, Withdrawal Application, Approval, and Public outreach. Phase 2 will describe and provide examples of all necessary documents for a complete application package for consideration by the department, followed by examples of a notice of proposal withdrawal to be published in the federal register.

First I am going to walk you through the development of the notice. I also want to remind you that the federal register publishes a federal register drafting handbook available to you on the internet. The billing code, located in the upper right corner of the notice, is a code specific to your state and was assigned by the government printing office. The code generally used by the US Forest Service is a national code for all states. Note: When published, you will see that code at the bottom of the federal register publication under the signature line. The billing code is the agency the federal register is going to bill. The heading section, through the summary section, is considered the preamble of the notice. The heading begins with the Department of Interior on the first line, followed by the agency, Bureau of Land Management on the second line. The third line, in some cases, may include a fund billing code that always includes a serial case file number. The third line is not required according to the federal register drafting handbook. The fifth line states the action; in this case, a notice. In the summary section, you will explain what action is being taken and why it is necessary. For Interior Bureau of Land Management notices, there is a general standard that you may utilize. Review previously published notices in the federal register for great examples. Date, this is a standard statement that's shown, and the federal register will fill in the date. This section is where comments and meeting requests are to be submitted. Generally, this section will include the state office and the field office.

For further information, include in this section the contact that you want to be notified. This may include a U.S. Forest Service Individual. If you are preparing a forest service notice, be sure to include the TDD Access and federal information relay service standard paragraph. Supplementary information, this section is the meat of the notice providing the details of the proposed action, legal description, and summary of the requirements stated in 43(CFR) 2310.3-1B2 this section of the CFR is located in your tool box. Signature block, do not date the notice, and preferably place last paragraph and signature block on a separate page. This will assist the Washington office to avoid having to send the notice back for every time an edit is made of the notice in the bureau or at the department level. For Department of Interior applications, prepare transmittal memos for the assistant secretary and enclose the application along with a draft notice for the federal register. An example of the memorandum to the assistant secretary office for the Trinity Wild and Scenic River is located in your tool box. For non-Department of Interior applications, determine completeness, then prepare a federal register notice. Note: Department of Interior federal register notices are prepared and sent directly to the Washington Division of Regulatory Affairs for publication. Both interior and non-interior notices are reviewed by the Bureau of Land Management and the Department. A legal land description

review is required by Washington Office policy. See Washington Office instruction memo, number 2011-122 dated May 24<sup>th</sup>, 2011. Legal land descriptions are to be written according to the brochure specifications for descriptions of tracks of land for use in land orders and proclamations. You will find an example of a legal land description review in your toolbox.

The assistant secretary information memorandum. All correspondence must be written in an active voice. The information memo used to be known as the secretary's briefing paper and provides an overview of the proposed action, in this case, a petition application for a withdrawal. Under introduction, the statement is a standard general statement addressing the proposed action you want taken. In the Trinity River case, the Bureau of Land Management is requesting the assistant secretary withdrawal 3,123 acres of public lands from location and entry under the United States mining law, but not from leasing under the mineral or geothermal leasing laws. For a period of 20 years to protect the cultural, recreational, and biological resource values found within the recreational segment of the Trinity Wild and Scenic River in Trinity County California. Under background, explain the history leading up to the proposed action. What made the Trinity River unique, and why was it necessary to segregate the lands? This section should be brief, but accurate. Position of interested parties, this is a standard paragraph that we use in all petition applications. This paragraph should state the public's position if there is one known at the time of application. Legal status, legal status is a standard statement unless there is a legal lawsuit pending that could affect the proposed withdrawal.

Under the federal register briefing paper, there are twelve entries. Entry one indicates the state office in which the case originated from. Two, the title of the notice of proposed action which is taken directly from the notice that you're publishing in the federal register. Three, what are the key issues raised by the underlying decision. Four, who are the primary users affected by, or parties interested in the underlying decisions and actions, what are their concerns? Please be brief in your description here. Under five is tribal consultation required. These are generally a standard statement that we put in; you could use this statement that's identified in this particular briefing paper. Six, will the notice be controversial? Seven, what will the underlying decision or action change? Eight, will this notice need a communication plan, or materials? If so, enclose those materials with the notice package submitted. Nine, what are the reasons for the timing of the notice, and any consequences, if any, of delaying or canceling the release. Ten, how has this action been analyzed under NEPA? Generally we haven't done NEPA yet on an application, so this is a standard statement that the NEPA analysis will be conducted during the temporary two year segregation to establish the recommendation for the withdrawal. Eleven, are there any additional pertinent descriptive information that reviewers need to know or would increase understanding? Generally the answer here is no. Twelve, list the names and positions of the people who have prepared, reviewed, and approved the notice and the underlying

decisions and documents. This is a list of all of those field folks and state office folks that have been involved in the project thus far.

The next section deals with photos and maps. As we begin to work our way through the photos, I'm going to show you some of the examples in the Trinity River that help highlight some of the specific values that are being protected. The first photo that's being shown is a before photo of the river before any improvements were made of the land. The second photo is a depiction of channel changes that were made to the river. In addition you'll see some physical improvements that were made on the ground. The next photo shows some of the activities that have occurred on the ground. These are some of the reclamation features that the bureau has already placed on the ground. The next photos are channel restoration and revegetation attempts. The third photo that's showing is a photo of rechannelization and revegetation of the river. The next couple of photos show fish habitat and the fish that have been placed in the river run. Your photos should highlight the critical values requiring protection. It would be preferable to include photos of the general public utilizing a facility if referring to recreation of resource values visited by the general public. Or photos of agency uses if discussing administrative sites, this is a great tool for marketing the proposed withdrawal. Don't assume the assistant secretary or any of the Bureau's leadership has visited your specific site. Also included in you packet should be quality maps, vicinity maps, topographic maps, USGS quads, or maps that provide a great view delineating the proposed withdrawal boundary for the reviewer and the signer.

We are now going to look at a few maps that were submitted with this particular package for the Trinity River withdrawal. The first map exhibit A, shows 5 separate breakouts that give us a close up view of each of the areas that are being proposed for withdrawal. Page 1 of exhibit A is a close up of lands on a surface ownership map that shows surface ownership in addition to typography. One of the things that's not clear on this map is the fact that they used acronyms, TRRP, it's assumed that TRRP stands for Trinity River Reclamation Project but it wasn't written out anywhere to tell us of that and so as your developing your maps please be careful to avoid acronyms unless they've been clearly defined somewhere in your document. The remaining pages, 2, 3, 4, and 5, further show the lands that are proposed to be withdrawn and how they relate to other agencies such as the Forest Service in green, the BLM in yellow, and white being private. This concludes the completion of the proposed withdrawal package. You should have in your package a transmittal letter from the state director requesting assistant secretary approval of the proposed withdrawal. This request will include a memorandum to the assistant secretary from the director with an application enclosed, an information memorandum, a legal land description review completed by your cadastral survey folks, a signed federal register notice, photos, and maps. With that we are now ready to forward your application to the Washington

Office where it will be routed up through the BLM and the Department, and hopefully be authorized and signed by the assistant secretary.

Approval and Publication. Once the assistant secretary has approved a petition application, the Bureau of Land Management will take a number of additional steps to segregate the lands and notify all parties of interest. The first step is to get the federal register notice published, this step is completed by the Bureau of Land Management's regulatory affairs group, who forwards your notice to the federal register. An example of the Trinity River withdrawal notice is located in the tool box. The same federal register notice is to be published in a newspaper of general circulation by the district office, or by the agency benefiting from the action. Once that is completed, have the office publishing the notice send the proof of publication to the state office to be filed, and the official case file. Notify by letter with a copy of the federal register notice, federal, state, local, and tribal governments, and interested parties. Prepare for a public meeting if required, or prepare a notice for a public meeting. Update LR2000 serial register page with appropriate codes. The Trinity River Serial register page is found In your toolbox, all serial register page entries must comply with LR2000 data standards for withdrawal. Finally, send a request to the state office title records staff to have notations made for them after title plats and historical index. This concludes Phase 2 Withdrawals, Application Approval, and Public Outreach. We are now ready to transition to Phase 3, Withdrawal Package Development.

*withdrawal\_mod2*