

BLM'S DYSFUNCTIONAL PUBLIC COMMENT SYSTEM

A trend within Department of Interior agencies is to use Internet based information systems to distribute information to the public and as a method to receive public comments. We take no issue with increasing the number of avenues available for the public to gain information and to make comments, however there are three distinctly disturbing aspects to BLM's current strategy.

1. The ePlanning process appears to be replacing, rather than augmenting, traditional information and comments systems.

Our concerns in this area are that a trend towards exclusive use of this process will ultimately exclude individuals from access to public information and for making comments. BLM has suggested that those individuals who do not have computers could go to public libraries to access information and make comments. However such rationale could run afoul of the Americans with Disability Act in that not everyone is capable of transporting themselves to public libraries and not everyone has sufficient vision and/or the physical coordination necessary to navigate complicated eForms and wizards.

2. The ePlanning process does not function correctly and an unacceptable number of comments could be lost.

Using the Wild Horse and Burro Strategy Development Document as an example, the instructions for submitting comments that appear on the document are incorrect. If a reader follows literally the instructions as posted, each time a question is answered the answer to the previous question is deleted! BLM has been notified of the problem and as of this writing has yet to correct it.

Additionally the "wizard" often crashes, returns a "Page Not Found" error and loses all of a reader's comments.

Such lack of reliability will not produce a trustworthy valid public comments process.

3. Source documents referred to in on-line documents and reports are often unavailable. In one recent instance a source document referred to in a draft EA could not be located by a number of BLM personnel. At one office when a clerk asked a WHB specialist where a particular document could be located, the specialist was overheard responding, "What does she want that for?"

There are standards to which the public notice, public information and public comments processes apply. These standards need to be adhered to. If BLM takes its public information process seriously, these deficiencies must be addressed forthwith.