

## Unit 3.3 Conduct Scoping

### Unit Objectives

- Describe the requirements for, and process of, the scoping phase in planning
- Describe and discuss types of scoping opportunities
- Describe how to organize & evaluate scoping comments
- Write an effective scoping report

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## Definition of Scoping

"Process by which lead agencies solicit input from the public and interested agencies on the nature and extent of issues and impacts to be addressed and the methods by which they will be evaluated." (CEQ Scoping Guidance; April 30, 1981)



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## Steps in the Scoping Process

- Scoping through preplanning
- Identify studies and experts needed
- Conduct public scoping process
- Develop scoping report; craft issue statements
- Refine work program, studies and experts, timelines, and staff team as appropriate

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## Scoping Guidance

- FLPMA: Section 202(c)(9)
- CEQ regulations: 40 CFR 1501.7
- BLM planning regulations: 43 CFR 1610.2 and 43 CFR 1610.4-1
- BLM Planning Handbook: page 19 (Conduct scoping)

43 CFR 1610.2 Public participation; CEQ website for scoping guidance

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## Legal Requirements and Guidelines for Scoping

- NEPA: invite federal, state, local, and tribal agencies and organizations to participate
- NEPA: soliciting information from the public
- FLPMA and BLM planning regulations requirements
- CEQ: Collaboration in NEPA Handbook
- Special outreach required
  - ◆ Low-income and minority communities
  - ◆ Tribal agencies (face-to-face meetings essential)

H-1601-1, Appendix A; 43 CFR 1610.2 Public participation; Sec. 202(c)(9) of FLPMA; CEQ website for scoping guidance

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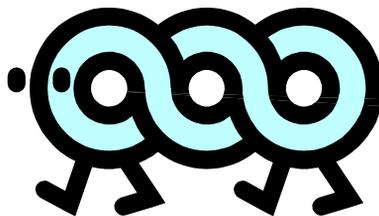
## Environmental Justice during Scoping

- Identify low-income & minority groups (target groups)
- Identify areas that may have disproportionately high and adverse impacts on target groups
- Develop proactive outreach program to involve target groups
- Provide translation as necessary (Spanish, etc.)
- Use local media of target groups
- Go to target group communities

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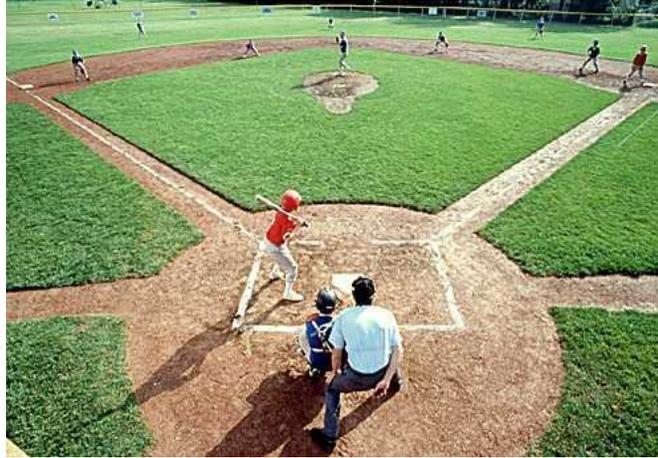
## Scoping Is an Ongoing Process

"Scoping is not an event or meeting. It continues throughout the planning for an EIS, and may involve a series of meetings, telephone conversations or written comments from different interested groups." (CEQ Scoping Guidance)



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## Planning Scenario: At the Ball Park



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### Questions about the Skit

- What were the planning issues in the skit?
- What triggered the need for a new plan?
- What will be done better during this planning process compared to the one 20 years ago?

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## Notice of Intent

- First formal step in EIS process
- Publish as soon as possible after determining an EIS is needed
- BLM planning regulations also require notice to public, governments, tribes, and requests for related plans



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## Notice of Intent - References

- CEQ NEPA Regulations: 40 CFR 1501.7
- BLM Planning Handbook, page 18
- IM 2005-249 has a NOI template
- IM 2007-167: Guidance on submitting Federal Register Notices

IM 2004-148 Federal Register Notice; IM 2005-249;  
IM 2007-167 Guidance on Preparing Federal Register Notices

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## Required Contents of a Notice of Intent

- Preliminary issues and planning criteria
- Proposed action and possible alternatives
- Proposed scoping process (location of meetings if possible)
- Lead agency contact person name and address

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## Important Aspects of a Notice of Intent

- Use of clear and neutral language
- Reflect agency policy
- Washington office review only required if controversy (per IM 2007-167)



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## Publication Locations

- Required: Federal Register
- Desirable
  - ◆ Local newspapers
  - ◆ Internet
  - ◆ Mailed to organizations and interested persons

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## Questions



- What types of scoping meetings/ methods have you found to be most successful?
- How did your method vary based on the type of group involvement?

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## Organizing Scoping Comments

- Categorize by preplan issue
- Create a "considered in other parts of the planning process" category



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## Writing a Scoping Report

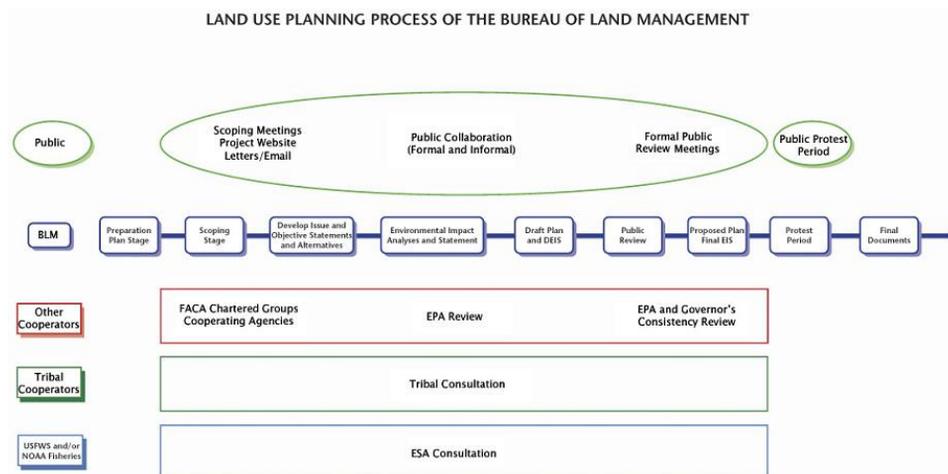
- Summarize issues
  - ◆ describe differences among opinions
- Summarize demographics of respondents
  - ◆ organization/agency, city, state, etc.
- Include issues not to be addressed further, and why
- Include:
  - ◆ Draft planning criteria
  - ◆ Data summary/data gaps
  - ◆ Summary of future steps in the planning process
- BLM Planning Handbook: p 19 and Appendix F-2

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## Using a Scoping Report for Subsequent Planning Phases

- Use report to refine work program
  - ◆ Select team members and experts
  - ◆ Finalize technical studies
- Use report to refine organization for EIS
  - ◆ Additional reasonable alternatives
  - ◆ Additional impacts to be evaluated
- Use scoping report to identify key stakeholders and interests

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