

## NEPA Analysis Process: Scoping

J. Pollet: Scoping is one of the earliest steps that we do in the NEPA process. Scoping helps us make better decisions and helps with transparency in our federal decision making. Scoping is the term that we use to describe the process of gathering internal and external input on the issues, potential impacts and alternatives.

Usually you begin scoping after you've developed a draft Purpose and Need, and it's really just one part of the whole public involvement process.

C. Humphrey: You know, Jolie, usually when we talk about scoping, people think about external scoping, which is with the public and we get what the public talks about. But another important part of scoping is internal scoping. Could you talk more about what that is and why it's important?

J. Pollet: Yeah, Cathy, you're right. Internal scoping is a step that's often overlooked. Internal scoping is when we involve our BLM staff through formal scoping -- internal scoping meetings or interdisciplinary team meetings, or just through informal discussions.

We use internal scoping to help us develop the Purpose and Need and to identify connected, similar and cumulative actions.

The amount and type of internal scoping really depends on the type of action. So, for more complex or unique actions, formal internal scoping meetings might be the right way to go but for routine actions, perhaps just informal discussions might be the best tool.

Some offices don't have a history of having those formal internal scoping meetings. For those offices to get a jump start on that process, they might consider using a facilitator to get the ID team used to having those meetings.

External scoping usually follows internal scoping. External scoping is the type of scoping that maybe we're more familiar with, but that involves working with other agencies, organizations, tribes, local governments and the public to help us consider issues and potential impacts.

Tribal consultation is one part of external scoping, but that has requirements outside of NEPA.

R. Hardt: Jolie, I often have trouble figuring out how much external scoping is required. How do you know when you've done enough?

J. Pollet: That's a good question, Richard. When you decide on the amount of external scoping, it really depends on the nature of the action that's being proposed. But at a minimum, some form of public involvement and notification is required for all actions.

When you decide on the amount of external scoping, you should consider the size or scale of the action, who may be interested in the action, the degree of controversy over that action and decision, and remember that scoping should be commensurate with the action. In essence, it's got to be enough to help uncover the potential issues and impacts and to help inform the alternatives.

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For EISs, external scoping requirements are dictated by NEPA. For EAs and other NEPA documents, managers have a lot more latitude to decide on the type of external scoping that you're going to do. External scoping is not required for preparation of all EAs.

Formal external scoping is required for all land use plan amendments, whether an EA or an EIS.

You need to notify the public of external scoping opportunities through formal Federal Register notices, public meetings, field trips, news releases, NEPA Registers, or mail and e-mail notifications. Those are all ways that you can notify the public that you're about to embark on some external scoping opportunities.

R. Hardt: So, it seems that however we're doing our external scoping, we have to make sure that we're actually reaching the interested parties. Sometimes it seems like we're not very good at this. Here's a funny little bit of a story from the "Hitchhiker's Guide to the Galaxy."

"Mr. Dent, you can't win, you know. Look, there's no point in lying down in the path of progress."

"I've got off the idea of progress. It's overrated."

"But you must realize you can't lie in front of the bulldozer indefinitely."

"I'm game. We'll see who rusts first."

"I'm afraid you're going to have to accept it. This bypass has got to be built and it is going to be built. Nothing you can say or --"

"Why has it got to be built?"

"What do you mean, *why* has it got to be built? It is a bypass. You've got to build bypasses."

"Didn't anyone consider the alternatives?"

"There aren't any alternatives. But you are quite entitled to make any suggestions or protests at the appropriate time."

"The appropriate time? The first I knew about it was when a workman arrived at the door yesterday. I asked him if he'd come to clean the windows, and he said he'd come to demolish the house. He didn't tell me straightaway, of course, oh, no. First, he wiped a couple of windows and charged me a fiver and then he tells me."

"But Mr. Dent, the plans have been available in the planning office for the last nine months."

"Yes, I went around there to find them yesterday afternoon. You hadn't exactly gone out of your way to call much attention to them, have you, I mean, like actually telling anybody or anything."

"The plans were on display."

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"How many average members of the public are in the habit of casually dropping around at the local planning office of an evening? It's not exactly a noted social venue, is it? And even if you had popped in on the off chance that some raving bureaucrat wanted to knock your house down, the plans weren't immediately obvious to the eye, were they?"

"That depends where you were looking."

"I eventually had to go down to the cellar."

"That's the display Department."

"With a torch."

"The light had probably gone."

"So had the stairs."

"Well, you found the notice, didn't you?"

"Yes, it was on display in the bottom of a locked filing cabinet stuck in a disused laboratory with a sign on the door saying 'Beware of the leopard.' Ever thought of going into advertising?"

"It's not as if it's a particularly nice house, anyway."

"I happen rather to like it."

"Now, Mr. Dent --"

"Yes, hello."

"-- have you any idea how much damage that bulldozer would suffer if I just let it roll straight over you?"

"How much?"

"None at all."

R. Hardt: That clip was brought to us courtesy of BBC Audio Books. I particularly like it because it's got three of our topics rolled into one. It's got Purpose and Need, range of alternatives, and external scoping. It gets funnier every time I listen to it. If you had a little trouble understanding their British accents, you can just click on the audio clip transcript tab on the left side of your screen.

So I guess we should make sure that our NEPA Registers aren't basically in a locked file cabinet in a disused laboratory.

J. Pollet: Good point, Richard.

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And remember, whatever external scoping you choose to do, make sure you document the rationale for your choices.

We also suggest that when you do get public scoping comments that you summarize those public comments and how you have addressed those comments, and you can do that in your NEPA document. And a minimum you should always alert the public at the beginning of your NEPA process and then again to close the loop at the end of the process.

Turn to your guide Scoping Example to review one example of what we did at the Arctic Field Office that -- something that we did for our external scoping.

While beginning to develop an EA for a special recreation permit for commercial rafting that would potentially affect Arctic peregrine falcon, which is a BLM sensitive species, our Arctic Field Office started the scoping process by posting a notice on the online NEPA Register. Our online NEPA Register is a publicly accessible website where we post notices about our NEPA documents.

And because the proposed action was -- could potentially affect the peregrine falcon, the office sent a mailing to several state natural resource agencies and also to the U.S. Fish & Wildlife Service. We were looking for information that could help us determine some potential effects and other cumulative actions that could have potentially a cumulative effect. A mailing was also sent to our mailing list that's maintained by the BLM Field Office, and on that mailing list it includes local governments, individuals and environmental groups. We received seven comment letters. And so what we did was we included a comment disposition table in our EA, and that table identified the comments that we received and then how those comments were addressed in the EA.

The Field Office found this comment disposition table to be an excellent way to track the comments and make sure we were being transparent in our decision making.

And then towards the end of the process, once the EA was completed, we included a notice on our online NEPA Register notifying the public that the process had concluded.

C. Humphrey: Now, here's a question for you to ponder, thinking about what Jolie just said: How does this compare with what you've done for your NEPA documents? So think about that, and if you heard anything in the last few minutes about what you want to try during your next scoping process, you might want to jot it down here in your Participant Guide so that you don't forget it for the next time.