

Now Richard is going to get into another complicated topic, cumulative effects.

>> R. Hardt: We have had so many requests for guidance about cumulative effects guidance over the previous years and the previous handbook was essentially silent. We tried in the handbook to construct an overall framework for how you would proceed through a cumulative effects analysis. What we wanted to do was have an analysis would that focus on understanding what the incremental effect of the BLM action is. One thing to think about at the beginning, though, is if you would have no direct or indirect effect on a particular resource with your action, you don't need to do a cumulative effects analysis. But if you are going to have all effect on a resource, you need to look at what all the past and present and reasonably foreseeable actions are that would affect that same resource. You need to look within the geographic and temporal scope of the analysis. There's pretty much the tricky part, the geographic and temporal scope is something that's rather hard to set. For the geographic scope you want to look at the scope of the direct and indirect effects of the proposed action and alternatives. When you get to the point at which you can no longer perceive any actions, that's where you would set your scope. Similarly with the temporal scope you would look at the duration of the direct and indirect effects of the proposed actions and alternatives. You're not looking at the duration of the action itself but instead the duration of the effects. Once you've set the scope you can consider what are all the past actions within that geographic scope to provide context for your analysis? Now, the past actions will often be able to describe by their aggregate effect rather than enumerating each and every past action that contributed to the overall cumulative effect. However you need to do it, though, what you want to be able to do at the end is understand

how we got to our current condition. You also need to look at reasonably foreseeable actions. These also something that requires a lot of judgment. We tried to help explain, though, that reasonably foreseeable actions act CXs things for which there are existing decisions or there is already funding or there are formal proposals that have been made or, and this is the hardest part of it, things that are highly likely given known trends and opportunities. This is often something hard to determine. But what we don't need to do is speculate about future actions beyond that. What we recommend is that for each of the cumulative effects issues we recommend you describe the existing condition and this is going to be that aggregate of all the past actions and the other present actions. Add on to that that effects of other present actions. And then add the effects of reasonably foreseeable actions. This would be the same for all of your no action -- all your action alternatives. Then you need to look at the effects of the proposed action and each of the action alternatives. You need to consider any kind of interaction amongst all of these effects and finally discuss any kind of relationship to a threshold of this total cumulative effect you have just described, any kind of regulatory or biological threshold you might have identified. So in this approach the no action alternative you would be describing the cumulative effect without the effect of the proposed action or action alternatives. For the proposed action you would have all the same effects as well as the effect of the proposed action itself and for the action alternatives you would have those same effects with the effects of that action alternative. With this approach you can demonstrate what the incremental difference is resulting from the proposed action compared to the no action alternative or the other action alternatives. This allows us to focus on that incremental difference rather than just simply looking at

the total cumulative effect that would occur.

>> C. Humphrey: That sounds exhausting, Richard, but the good thing is the handbook in section 6.8.3 lays out the steps of how to do a cumulative effects analysis and it seems logical and fairly doable if not exhausting. One thing that I'd like to point out is it's important to think about cumulative effects from the beginning of the NEPA process. It seems like a lot of our NEPA documents I've seen people throw in a paragraph on cumulative effects as an after-thought when they've finished the document before it goes off to be signed. So this lays out a process of how to consider it throughout the NEPA process. We have a two-day class on cumulative effects analysis. It's 1620-14. It's a face-to-face class. A lot of you have taken it. We also did a three hour broadcast, I think it was a year ago, maybe two years ago -- a year ago? It's on our Knowledge Resource Center and I'll tell you how to get to that later in the broadcast. And we've also been talking about developing another program of training for cumulative effects analysis. So stay tuned for that. It's quite a big topic.

Question:

>> Participant: This is Ken in Portland.

>> C. Humphrey: Hi, Ken. Go ahead.

>> Participant: Can you expand a little bit on past actions? I feel like if I write a good -- do a good job with the effects in the environment over in the cumulative effects section I don't need to dwell on past actions.

>> C. Humphrey: Who wants to take that one?

>> R. Hardt: I'll take a shot at that. I think

I might have answered this question a little differently a few years ago at this point I would say it's not enough to describe your affected environment. When you do look at cumulative effects you need to explain past actions and how they produced that current condition. I probably would have answered differently before a 9th circuit case and lands down. Where we see the flexibility that with a -- lands council. Where we see the flexibility is in whether or not we need to enumerate each of the individual past actions that contributed to the current condition or whether we can describe their effect in aggregate. But simply describing that current condition without an explanation how we got there we don't think is going to be sufficient.

>> C. Humphrey: Anybody want to add to that? Ken, does that take care of what you were wondering about?

>> Participant: Okay. Thanks.