

# NEPA Analysis Process for BLM

## Course #1620-02

### Participant Guide

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November 2009

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# Tips for Taking an Online Course

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## Benefits to Online Learning

- You have control over the learning environment.
- You have control over the day and time of day you take the class.
- You have control over how long you participate at one sitting.
- You have control with whom you participate.

## Disadvantages to Online Learning

- You can't interact with the instructors in real time (but you can contact them, see their contact information under the Resources tab on the left side of your screen).

## Learning Environment

- If you're taking this course with a group of people, then you're probably in a conference room.
- If you're taking this course alone, then you're probably at your desk or in a library or at home.
- Let others know you are taking a class and are not to be disturbed.
- Turn off your cell phone and other distractions.
- Put up a Do Not Disturb sign (although this would be a little odd if you're in a library or coffee shop).
- Get comfortable.
- Make sure you can see and hear the screen.
- Use headphones if you're in a place where you don't want to disturb others.
- Keep side conversations to a minimum if you're watching with a group of people. You may not be interested, but the person next to you might be, so shhhhhhh.
- Pick a day and a time of day when you are fresh and alert.
- If you miss something, stop the video and watch it again.
- If you need to think about something, stop the video and think about it.
- If you need to talk about what you heard with someone, stop the video and talk about it.
- That's the beauty of online learning – you have control! (see Benefits, above)

## Course Materials

- Participant Guide
- 2008 BLM NEPA Handbook (H-1790-1). You can download a copy of the Handbook by going to the Resources tab on the left of your screen.
- One or more NEPA documents (environmental assessment or environmental impact statement)
- Something to write with.

## Course Outline

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*Introduction*

*Purpose and Need*

*Scoping*

*Issues*

*Proposed Action*

*Developing Alternatives*

*Affected Environment*

*Environmental Consequences*

*Summary*

Other NEPA-related topics are covered in other courses. For more information on the other NEPA courses and resources available through NTC, go to the Resources tab on the left side of your computer screen (visible while you are in the NEPA Analysis Process for BLM course).

## Course Objectives

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Upon completion of this course, the participant should be able to:

*List and describe the steps in the NEPA process.*

*Conduct a basic level of NEPA analysis.*

# Instructors

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## **Meagan Conry**

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## **Cathy Humphrey, Moderator**

Planning/NEPA Training Coordinator

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# Sample Project Initiation Letter

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May 1, 2009

**To:** Interdisciplinary team and supervisors  
**From:** District Manager  
**Subject:** Project Initiation Letter for the XX District Aquatic and Riparian Restoration Environmental Assessment Project

The XX District BLM proposes to complete aquatic and riparian restoration activities to improve fish habitat and identify watersheds that would have the highest priority for fish habitat restoration.

## **Purpose and Need**

The purpose of this action is to use aquatic and riparian restoration activities identified in the XX Biological Opinion (2008) to improve fish habitat on BLM-administered lands and non-BLM-administered lands, and to prioritize watersheds where fish habitat restoration activities would be emphasized. Project activities would include:

- Large wood, boulder, and gravel placement
- Fish passage culvert and bridge projects
- Reconnection of existing side channels and alcove
- Head-cut stabilization and associated fish passage
- Streambank restoration
- Reduction of recreation impacts
- Riparian vegetation treatments (non-commercial thinning, mechanical treatments, does not include hardwood conversions)
- Riparian area invasive plant treatment (not to include herbicide use)
- Riparian exclusion fencing
- Road treatments

The need for action has been established through the results of aquatic habitat inventories, monitoring, and watershed analysis which indicate that the current condition of many stream channels and riparian areas on BLM-administered lands and non-BLM-administered lands within the XX District are not properly functioning.

There is also an opportunity to prioritize watersheds in order to focus restoration in areas with the highest priority. Priority watersheds would be identified where restoration would have a greater benefit to fish species and aquatic habitat. Restoration activities could be emphasized in these watersheds, but would not be limited to these watersheds since other factors may determine where restoration would occur (funding, logistics, partnerships, etc).

Responding to this purpose and need would contribute to meeting the objectives identified in the 2008 Record of Decision and Resource Management Plan for the XX District:

- Provide for the conservation of special status fish and other special status aquatic species.
- Provide for riparian and aquatic conditions that supply stream channels with shade, sediment filtering, leaf litter and large wood, and streambank stability.
- Maintain and restore water quality.

- Maintain and restore access to stream channels for all life stages of fish species.

**Alternatives to be Considered**

Alternatives to be considered will include, at a minimum:

- (1) no action alternative – aquatic and riparian restoration activities would not be implemented and a priorities would not be established;
- (2) aquatic and riparian restoration activities - priority watersheds based on X criteria
- (3) aquatic and riparian restoration activities - priority watersheds based on Y criteria

**Decision Factors**

The factors to be considered when selecting from alternatives would be:

- The degree to which the alternative(s) meet the purpose and need for action.
- The nature and intensity of environmental impacts that would result from implementation and the expected effectiveness of related mitigations.
- Issues of compliance with plans.

**IDT Members/Assignments**

**Core Team**

Kurt Warner	IDT Lead/Editor
Candy Kane	Fish/Aquatic Species/Water
Cliff Rockwell	Terrestrial Wildlife
Ken Mapperton	GIS Support

**Support Team**

Johnny Rocket	Cultural
Violet Hill	Botany/Noxious Weeds

**Review/Input**

Field Offices	Soils, Fisheries, Hydro
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**Estimated Timeline**

Purpose and Need/Scoping	April 2009	
Develop Alternatives/ Priority Watersheds	May 2009	Fish/GIS
IDT Meetings	June 2009	Core Team/Support Team
EA Analysis	July 2009	Core Team (Primarily Water/Fish)
EA Writing	July/August 2009	Core Team
Review	September 2009	Core Team/Support Team/Reviewers
Public Notification	October 2009	
Comment Responses	November 2009	Core Team
Decision Record	November 2009	Field Managers

**Scoping**

The project will be described in the June edition of the district newsletter that describes upcoming planning proposals. It will continue to be listed until the decision on the project is made.

A more detailed scoping letter will be mailed out in May 2009.

## Exercise 1: Purpose and Need

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Open the BLM NEPA Handbook to Section 6.2 to do this exercise. The instructor will review two purpose and need statements, and then it will be your turn to evaluate your own purpose and need.

*Example 1: The purpose and need for BLM action is to provide energy to the west coast.*

- Is it clear what the purpose is?
- Is it clear what the need is?
- Is it specific enough to guide development of a range of alternatives?
- Is it unreasonably narrow? Does it rig the process so only the preferred alternative can be selected?

*Example 2: The purpose for action is to provide access for a natural gas transmission pipeline from source fields in Pinedale, Wyoming to southern California in a manner that protects the natural resources of public lands and prevents unnecessary or undue degradation. The need for action is established by the FLPMA direction to respond to the right-of-way request and to grant rights-of-way to qualified individuals.*

- Is it clear what the purpose is?
- Is it clear what the need is?
- Is it specific enough to guide development of a range of alternatives?
- Is it unreasonably narrow? Does it rig the process so only the preferred alternative can be selected?

*Continued on the next page....*

## Exercise 1: Purpose and Need (continued)

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*Now it's your turn!*

1. Get out the EA or EIS you brought and look at the purpose and need.

- Is it clear what the purpose is?
- Is it clear what the need is?
- Is it specific enough to guide development of a range of alternatives?
- Is it unreasonably narrow? Does it rig the process so only the preferred alternative can be selected?
- How does it measure up to the Handbook guidance?

2. Rewrite the purpose and need so it is consistent with the Handbook. You can do this whether the EA/EIS is complete or not, it will be good practice!

3. The final step is to talk over your revised purpose and need with your favorite colleague or NEPA coordinator.

## Scoping Example

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While beginning an EA for a special recreation permit for commercial rafting that would potentially affect arctic peregrine falcons, a Field Office in Alaska started the scoping process by posting a notice on the online NEPA Register (a publicly accessible website where notices about NEPA documents are posted).

Because the proposed action would potentially affect peregrine falcon, a BLM sensitive species, the office sent a letter to several state natural resource agencies and the US Fish and Wildlife Service. The BLM was looking for information that could help with the effects analysis and other actions that could have a cumulative effect. A newsletter was sent to the mailing list maintained by the BLM field office, which includes local governments, individuals, and environmental groups.

Seven comment letters were received during the scoping period. The EA included a comment disposition table\* that identified comments from the letters and how they were addressed in the EA. The Field Office staff found the comment disposition table to be an excellent way to track comments and ensure transparency in decision-making. A sample of the comment disposition table is at the end of this participant guide.

Once the Decision Record was signed, they posted a notice to the online NEPA Register

### *Question to Ponder....*

How does this compare to what you've done for your NEPA documents?

What do you think you could do differently to improve your scoping process or comment analysis?

If you heard something you want to try during your next scoping process, jot it down so you don't forget.

*\* An excerpt from a comment disposition table is included at the end of this Participant Guide. You can use it as a start, and then improve on it as you see fit!*

## Exercise 2: Issues

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Here are some *bad* examples of “issues” taken from actual BLM documents.

**Bad Issue 1:** Wildlife

**Bad Issue 2:** Cultural Resources

**Bad Issue 3:** Soils

List a few reasons why these aren’t issue statements.

Here is the *less bad* version of the examples.

**LessBad1:** What are the effects of the proposed action on mountain goats?

**LessBad2:** What are the effects of prescribed fire on cultural resources?

**LessBad3:** How would logging affect soils?

Do you see why these are better examples that would more readily lend themselves to focus the analysis? There is still room for improvement.

Here is the *even better* version of the examples.

**Better1:** What are the effects of authorizing helicopter landings (for commercial guiding of back-country skiing) on mountain goat populations in the Haines block?

**Better2:** What are the effects of heat and char from the prescribed fire on the pictographs in Kokopelli Canyon?

**Better3:** How would compaction and erosion from road construction and ground-based harvest affect soil productivity?

### *Now it’s your turn!*

1. Pause the video. Grab an EA or EIS you brought to class. Can you find the issues?
2. Which version do they resemble the most? The bad? The less bad? The better?
3. Now try to rewrite them like we just discussed. It’s ok if your NEPA document is already final, this exercise will give you valuable practice, with low risk for failure!

Try this exercise with some of your co-workers first, and then try a couple on your own.

Remember—the more examples you look at and the more practice you get, the better you will become at effectively writing issues.

## Exercise 3: Proposed Action

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Here is an excerpt of an actual proposed action. Follow along as the instructor “diagrams” this proposal, showing you the Who, What, How, When, and Where.

If you’re feeling confident, pause the video and try it yourself first; then compare your answer with the instructor’s.

***BLM will issue a Special Recreation Permit to Yukon Quest International to conduct a sled dog race annually (up to 5 years). The race will occur on 34 miles of the Steese Trail within the Eastern Interior Field Office and trail users will be on the BLM portion of the Trail for 3 to 7 days beginning not earlier than February 1 and ending not later than March 15. The total number of trail users will range from 40 to 80 people (this includes staff as well as racers) and up to 400 dogs. Trail users will be on snowmachines and dog sleds.***

*Now it’s your turn!*

1. Get out the EA or EIS that you brought (or grab one or two others) and look at the proposed action.
2. Does it specify Who? What? How? When? Where?
3. Now rewrite it so it includes all the parts. As with the other exercises, it’s ok if the NEPA document you are working on is final because it will provide you with low-risk practice!

## Exercise 4: Connected, Cumulative, Similar Actions

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Review the proposed action of a Special Recreation Permit for a dog sled race in Exercise 3. Review the following related actions. Are they CONNECTED, CUMULATIVE or SIMILAR? Explain your reasoning.

If you're feeling confident, pause the video and try it yourself first; then compare your answer with the instructor's.

***1. A mining claimant requests a permit for an overland move of heavy equipment in winter over a portion of the Steese Trail to access his claim.***

***2. The Iditarod Trail Sled Dog Race occurs about 2 weeks later on portions of trails managed by an adjacent Field Office.***

***3. BLM must conduct trail maintenance to remove brush and tree overgrowth on the Steese Trail prior to the Yukon Quest International Race.***

## Exercise 5: Developing Alternatives

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A reasonable range of reasonable alternatives is established by the purpose of and need for action. In this exercise, you will experience how a purpose and need statement shapes the alternatives.

**Step 1:** Pause the video and come up with at least 3 reasonable alternatives by which you could meet the purpose and need for action. Do this for both purpose and need statements.

**Step 2:** Play the video again and compare what you came up with to what we came up with.

### **Purpose and Need #1: The purpose and need for BLM action is to provide energy to the west coast.**

Potential Alternatives:

- 1.
- 2.
- 3.

### **Purpose and Need #2: The purpose for action is to provide access for a natural gas transmission pipeline from source fields in Pinedale Wyoming to Southern California in a manner that protects the natural resources of public lands and prevents unnecessary or undue degradation. The need for action is established by the FLPMA direction to respond to the right-of-way request and to grant rights-of-way to qualified individuals.**

Potential Alternatives:

- 1.
- 2.
- 3.

## Exercise 6: Summary

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### Top 10 Take Home Messages for BLM NEPA Analysis

10.

9.

8.

7.

6.

5.

4.

3.

2.

1.

## Exercise 7: Bringing it Home

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Think about what you learned over the past couple hours, the notes you took, and the tidbits you heard during the summary.

For the final exercise, first, write down what you're going to do differently in the NEPA process as a result of what you learned during this class. Think about each of the steps we went through. What do you work on most? What do you have the toughest time with? Where are you the weakest?

Be clear and complete so it will still make sense next week or next year. Take your time.

*Based on what I just learned, next week I'm going to...*

1.

2.

Second, write down what else you need to improve your NEPA analysis. Is it clear direction from your supervisor? Focused training on a certain step? A shadow assignment? An ID Team meeting?

*To improve my NEPA skills, I need...*

1.

2.

3.

Last step –

*Email your answers to [cathy\\_humphrey@blm.gov](mailto:cathy_humphrey@blm.gov) or fax them to 602-906-5619.*

*Share them with your supervisor or NEPA lead.*

I'll keep your name separate from the answers. I'd just like to see where the greatest needs are and if we can help.

*If you keep doing what you've always done, then you'll keep getting what you've always gotten.*

# Sample Comment Disposition Table

Source: BLM Fairbanks District Office

Cmt #	Commenter	Comment	Response	Action Taken
65	Save the Falcon, Inc	Protection 4 is okay except 500 meters is arbitrary. The actual safe distance will depend on the size of the camp, number of people, kind of activities, and duration of stay.	500 meters is not an arbitrary standard; it was developed at the 1999 Raptor Management Workshop in Seattle, WA.	No change to text.
72	State Fish and Game	The last sentence of the "Pygmy Rabbit" should read "a relatively stable population..."	This has been changed.	Text on page 13 has been modified.
115	North Ridge Energy Company	Section 1.3. Public Involvement and Issues Third paragraph. It is unclear what you mean by "internal vs. external communication"? Do you mean BLM vs. other agencies/general public?	"Through internal (within BLM) and external (other agencies, governments, and organizations) communication these concerns and issues were identified and are analyzed in this EA."	Text in Section 1.3 has been modified.
164	Ecological Diversity Center	BLM is in violation of NEPA because it failed to prepare an EIS for this project.	An EA is the appropriate analysis for actions that do not result in significant effects to the human environment.	No change to text.
171	North Slope Hunters Association	Pg. 21. Please provide an estimate of how low aircraft will fly for moose surveys.	Surveys may involve altitudes of less than 500' above ground level (AGL).	Text in Section 3.3.2 has been modified.
199	South Tribes Coalition	Page 25. Was there any attempt to gather input from residents of the Upper and Lower Tribes to satisfy the environmental justice requirements?	We met with representatives from all federally recognized tribes in the planning area on six occasions (see Appendix A, Scoping). The proposed action would not cause disproportionately high or adverse effects to any native population. It would provide indirect benefits to subsistence users.	No change to text.