

Now to kick things off, we're going to go to M Street where we'll begin with Kerry Rodgers for an overview of the framework on the MOU.

Kerry, it's all yours.

>> K. Rodgers: Thanks, Chip.

As Ed Roberson indicated, the MOU between the U.S. Department of Agriculture, the U.S. Department of the Interior and the U.S. Environmental Protection Agency establishes common procedures that five participating agencies will use to analyze and mitigate potential impacts of oil and gas development on Federal lands to air quality and air quality related values, AQRV's.

The five agencies include three within interior, the Bureau of Land Management Bureau of Land Management, the U.S. Fish & Wildlife Service and the National Park Service, as well as the U.S. Forest Service and the EPA.

As Chip said, I will provide an overview of the MOU framework.

I will describe what the MOU is intended to accomplish, the benefits it offers and how it is designed to work.

As we begin, I want to mention that the MOU consists of three items.

First the interagency agreement, the MOU itself.

Second, an appendix that includes two tables and a matrix that describes air quality models.

Third, an example design of a reusable modeling framework for air quality modeling.

These documents are available on the BLM web site along with a news release and external questions and answers.

To find them, go to blm.gov and look under information center and newsroom.

The news release is one of the BLM national news releases and it links to all of the documents, including the MOU.

The MOU is designed to help the five participating agencies reach shared goals, protecting air quality while proceeding with onshore oil and gas development on Federal lands and meeting the agency's diverse mission.

To that end the MOU offers several benefits.

Its common framework is designed to reduce delays that have bogged down major Federal oil and gas development projects and to encourage efficiencies in their analyses.

The MOU should improve Federal decision-making and increase transparency in the National Environmental Policy Act, or NEPA process, for oil and gas decisions benefiting all stakeholders involved.

In addition it will increase certainty for agencies and project proponents alike.

This overview of the MOU framework focuses on the roles of Lead Agencies that authorize oil and gas development, usually the BLM or the Forest Service, and occasionally the Fish & Wildlife Service.

This overview also outlines the roles of agencies that review oil and gas development plans, which are often the Fish & Wildlife Service, the National Park Service, the Forest Service and the EPA.

Under the MOU, the participating agencies will follow the MOU procedures during the NEPA process prior to making Federal oil and gas decisions.

The MOU applies to the planning, leasing and field development stages of decision-making.

The MOU is premised on collaboration throughout the NEPA process.

Collaboration defines how the agencies will work together, for instance, using informal and timely communications with one another.

Collaboration is also built into the NEPA process.

The Lead Agency commenced to convene a technical workgroup whenever it needs a scoping that indicates air quality or AQRV's may be significantly impacted by a proposed action and all agencies agree to participate in such work groups.

In addition, all agencies agree to discuss important aspects of the NEPA analysis early in the NEPA process.

With this background, I will discuss two aspects of the MOU... first, the MOU procedures for determining

when air quality modeling is necessary and, second, the MOU mitigation provisions. As the screen indicates, the MOU outlines procedures for when modeling is necessary. As early as possible in the NEPA -- the planning process, a Lead Agency will identify the reasonably foreseeable number of oil or gas wells expected to be located in a planning area. Once this scenario is available, the Lead Agency will prepare an emissions inventory. Using the emissions inventory, the Lead Agency will apply modeling criteria set out in the MOU to determine whether modeling is necessary. The modeling criteria consider a proposed action's emissions or impacts and also its geographic location. For instance, the criteria reflects that a development that is expected to cause a substantial increase in emissions near a Class I National Park or Wilderness Area merits more rigorous NEPA analysis than a development that would cause fewer emissions in a less significant area. When the MOU calls for air quality and modeling, the appendix provides information about different modeling approaches and different models for use in different situations. There are varying levels of modeling from simple screening models to more complex models, and the appendix provides a useful guide. The MOU also encourages the reuse of models and modeling results which increases efficiencies which will lead to quicker more consistent air quality and AQRV analyses. An example framework for reusing models is found in the appendix. The MOU encourages the regional approach to air quality modeling. In addition the MOU defines circumstances where modeling is not necessary, for instance, if the modeling criteria are not met or the agencies agree that existing modeling can be used for a proposed action, or that there's sufficient mitigation. If modeling cannot be completed because of a lack of information, for instance, if an RFP cannot be prepared at the planning stage, the MOU commits the Lead Agency to include a placeholder in the appropriate NEPA document. Specifically, the Lead Agency would include a qualitative description of air quality issues, an indication of when the requisite information would be available, and a commitment that completes the air quality and AQRV analysis when it is available. Now, together these provisions highlight the MOU procedures used to analyze potential impacts to air quality and AQRV's. Other MOU provisions concern mitigating efforts impacts to air quality and AQRV's. These provisions give effect to the agencies' commitment in the MOU to strive to ensure to the maximum extent practicable that Federal decisions relating to oil and gas will not cause or contribute to exceedances of the National Ambient Air Quality Standards or adversely affect AQRV's in Class I or Class II areas. First a Lead Agency will evaluate reasonable control measures or design features that would reduce or eliminate adverse impacts to air quality or AQRV's. The Lead Agency then would select the appropriate mitigation and control measures and design features for that purpose and describe them in the NEPA document. The Lead Agency also will ensure that selected mitigation measures are implemented consistent with applicable law and lease rights. In addition, the Lead Agency will consider adopting and monitoring and enforcement program to ensure mitigation measures achieve their intended purposes over time. If the Lead Agency determines that they are not effective, the Lead Agency commits to take appropriate action, again consistent with laws and lease rights.

Through the MOU the Federal land management agencies acknowledge that air resources are important and their protection within their respective legal authorities, including the Federal Land Policy and Management Act, FLPMA for the BLM, and the National Forest Management Act for the Forest Service.

And with that, I'll turn the broadcast back to Chip.

>> C. Calamaio: Thanks, Kerry for giving us those details on the framework of the MOU.

Now we're going to switch to BLM's National Operations Center in Lakewood, Colorado, where Catherine Collins from the U.S. Fish & Wildlife Service will describe the MOU's approach to air quality related values.

AQRV's.

Those are such things as visibility.

She's also going to talk about the MOU's consistency with good NEPA practices and its applicability to new and ongoing analysis.

So now up to Catherine in Colorado.

The microphone has accidentally been turned off up in Colorado.

We're going to kind of drop back 20 yards and punt here.

While we're getting that sorted out, we're going to jump to Jessica in Washington D.C., and Jessica who is with EPA is going to talk to us about EPA's commitment's under the MOU and present some of the information on the key provisions of that agreement and describe what the next steps are going to be with respect to implementation and to getting everybody trained.

Okay, Jessica.

>> J. Trice: Sure.

Thanks, Chip, for that introduction.

I first wanted to thank everyone for attending the broadcast and also your interest in this joint air quality MOU.

As Kerry -- mentioned previously the MOU procedures focus on air quality and AQRV analyses conducted during the NEPA process.

These procedures are intended to supplement existing NEPA guidance that has been issued by the participating agencies and also the Council On Environmental Quality's guidance on NEPA.

Agencies may follow these MOU procedures that are outlined to evaluate emissions of hazardous air pollutants or greenhouse gases as well.

But that is not their intended purpose.

However, hazardous air pollutants and greenhouse gases may still need to be considered and disclosed in the NEPA document.

As many of you know, under NEPA in Section 309 of the Clean Air Act EPA is responsible for reviewing and commenting on Environmental Impact Statements, which include certain Federal onshore oil and gas planning, leasing and field development decisions.

EPA also has an established rating system which includes affecting the environmental soundness and adequacy of the NEPA documents.

In the MOU, EPA makes an important commitment regarding its review of the participating agencies' NEPA documents for Federal oil and gas decisions.

That is, if EPA finds that the MOU procedures that are laid out have been followed for an Environmental Impact Statement, EPA will find that the air quality or air quality related value analysis is adequate.

However, under the MOU, EPA may still find that an EIS contains an inadequate discussion of proposed mitigation measures to address adverse impacts to air quality or AQRV's or an inadequate analysis of impacts to resources other than air, such as water or wetlands.

Also, EPA will continue to comment on the environmental soundness of agency proposed actions as Section 309 of the Clean Air Act requires.

This commitment regarding the review or air quality or ARQV analyses that follow the MOU procedures

will increase their -- in the NEPA process by enabling agencies to proceed with confidence about their approach and also benefit project proponents and other stakeholders who are interested in Federal oil and gas decisions.

Another important point regarding the MOU is that it contains built-in features to support successful outcomes such as a dispute resolution procedure, senior management oversight from all participating agencies and commitments to develop a joint implementation plan as well as joint training.

While the MOU encourages decision-making to occur at the lowest level possible by the staff with special expertise and knowledge, dispute resolutions procedures are included that outline a clear process and timetable for elevating staff disagreements through three levels to the undersecretary, assistant secretary and assistant administrator if necessary.

These procedures are designed to keep differences among as from delaying decisions and straining working relationships.

The MOU also provides for senior management oversight from each participating agency, and they will meet annually to confirm the MOU's effectiveness and to discuss and document any challenges, concerns or opportunities for improvement on the MOU.

The idea is to learn from the process established in the MOU through implementation over time.

To prepare for successful implementation the participating agencies have committed to develop individual and joint implementation plans and joint training efforts and materials for approval by the senior managers of each agency.

Appear Joint Agency Implementation Team is drafting a joint implementation plan and training materials for senior managers to approve by September 22nd, 2011.

The team is also outlining training programs for participating agencies front line staff, air Resource Specialists and senior managers.

The first sessions will likely be scheduled in fiscal year 2012 beginning in October 2011.

Lastly, the PowerPoint slide shown contains contacts for each agency should questions arise prior to the training or for any information regarding the MOU.

For BLM, please contact Kerry Rodgers and Dave Maxwell for the Fish & Wildlife Service please contact Catherine Collins.

For the National Park Service please contact John, for EPA contact myself.

For Forest Service please contact Ann Atchison, Barry Burkhardt.

Again, I want to thank you for your time and interest in the air quality MOU.

Back to you, Chip.

>> C. Calamaio: Jessica, thanks for taking the time to explain to us what this MOU means to EPA.