

CONCLUSION

Okay. So that's all the time that we have for today's NEPA Problem-Solving, Part 1, but don't leave yet! Just a couple reminders before we hear the final thoughts from each panel member so you don't want to miss it. So settle down. Sit down, just a couple more minutes.

As with all of our other Planning/NEPA Forum broadcasts, today's program will be posted to the Knowledge Resource Center website and the NEPA Training Corner Google site. And you can comment on how you thought it went today, specifically we want to know how your live streaming experience or how your satellite viewing experience was, plus we want to know how the content was, if it helped you.

As I mentioned earlier, if you want to comment anonymously, then you have to do that by Metrics That Matter and that will be emailed to everyone that registered in DOI Learn. So the second part of the NEPA Problem-Solving will be October 9th at 10:00 Pacific—so the same time. We might have it be two hours so that we can have more interaction, like I said, and then we'll have a new set of questions and, again, the topics are Significance, Effects, Decisions, Litigation, and Resource-specific NEPA questions.

We've got a lot of questions that you already sent us in a couple months before but if you have more, send them on in. And so if you have any questions on -- oh, I just said that. So -- that's what I get for ad-libbing!

That's it for housekeeping and now we have a final few words of wisdom from our panel. So get your pencils ready.

We're going to start with Mike Gieryic in Anchorage, Alaska. Would you like to share any closing comments, Mike?

>> M. Gieryic: Sure. Sure, Cathy, but first, let me thank you for inviting me to participate in today's broadcast. I'm sure as others did, found it to be very interesting and educational.

As far as parting words of wisdom go, as an attorney, I can't stress enough to NEPA practitioners that you should document, for the administrative record, your decisions regarding the extent of the NEPA analysis to be performed or perhaps more importantly not to be performed. As **okayed** earlier, we **decide** to not conduct additional NEPA analysis or not include certain aspects in your analyses, you should make sure that the administrative record reflects the rationale for doing so. If it does, you will have a much better chance of avoiding or overcoming a NEPA challenge on that issue.

Back to you, Cathy.

>> C. Humphrey: Thanks, Mike.

All right, and next we'll go to freezing cold Denver for Phil Lowe with any final words of

wisdom.

>> P. Lowe: Well, it's not really freezing cold here but I think we got up to 62 degrees.

>> C. Humphrey: Oh, that's freezing cold!

>> P. Lowe: I want to thank you for allowing Mike and I to participate in this and, you know, in the Solicitor's Office, we really enjoy working with the BLM technical specialists and there's no better feeling when you help out on a project and you can see it through, perhaps an IBLA challenge or district court or even the court of appeals and you have judges at the end of day agreeing with you. And I think that's an important part of working together on these questions, because they are not easy questions. And, again, I think that theme of showing your work is something and Cathy, you stole my thunder on –

>> C. Humphrey: Sorry.

>> P. Lowe: I don't know how many times I talked to BLM people that if it's not in the record, it's like it never happened. **The answer you always want to get from your attorneys whenever you ask them a question, and Chris probably knows this one,** wherever people ask me a question, I always preface it with, well, it all depends.

[LAUGHTER]

So we really enjoy working with you and I want to thank you for having this opportunity.

>> C. Humphrey: Thanks, Phil. Alright, now back here in the studio panel.

Let's start with Chris Carlton, Spokane District, would you like to share some memorable musings?

>> C. Carlton: Memorable musings, but I want to say thanks for having me down here. It's always good to do these.

So I think what we have heard through all of this is consist, which is NEPA is the way we document and explain to the public and, you know, interested parties, the judge, everybody, how we make the decisions we make and why we make them. And it's really our chance to meet -- you know, the bar is set reasonably low. We can do it if we -- you know, if we just follow the process, document and do what we are supposed to. We are going to be, you know, we will be upheld.

So it's just taking the time and setting up the process to make sure that we meet that bar and we put it all down in writing. And it's not really about what we do or the decisions we make. It's how we tell the story.

>> C. Humphrey: Great, thanks, Chris.

And Gloria Tibbetts from here in Phoenix, Arizona, any interesting insights you would like to share?

>> G. Tibbetts: A little bit of advice. Obviously, NEPA, based on what we discussed today, it's complex, it's dynamic and it's filled with gray areas. And my best piece of advice is to not try to figure it out on your own. When I have a tough question, a new situation, I reach out to other specialists and former specialists. The BLM is filled with people who are or were NEPA specialists. There's a wealth of knowledge out there.

>> C. Humphrey: And Jennifer Montoya, any pertinent perceptions?

>> J. Montoya: Well, I have been thinking about the people who have written questions that clearly are struggling with their workflow, and inefficiency of their ID team process and to tie off of what Gloria said, I think people can reach out to other field offices in their state or other field offices in other states because I have yet to meet a NEPA specialist who doesn't like to talk about this program.

>> C. Humphrey: That's true.

And finally, Leah Baker, who joins us from the Capitol City. Would you -- do you have any NEPA nuggets you would like to share?

>> L. Baker: Yes, I would like to reiterate the appreciation for having us here today. It's really these types of robust discussions about NEPA problem-solving that make us all, I think, better NEPA practitioners. So thank you, again, Cathy and as we have discussed here, this is a slice of some of the NEPA challenges we all face when we try to apply NEPA in the real world.

It's gray. It's challenging. It's changing based on case law and interpretation. It's not that simple of a target to hit. That can be overwhelming and it's really important to reach out as Gloria and others have said and it's also important, I think, to take advantage of awesome training that we have available to us here at the National Training Center. It's really wonderful. It's helped me a lot.

So I think the piece of advice I would give is don't be afraid to make mistakes when you are applying NEPA. It isn't rocket science but it's not the simplest thing out there and I have certainly made plenty of mistakes in my own NEPA life and I think it's made me a more confident NEPA practitioner learning from the mistakes. So don't be afraid. And you probably won't go to jail if you make a mistake. Thank you again.

>> C. Humphrey: And I think if you are not making mistakes, you are not doing your job. You have to make mistakes!

I hope you feel that the last 90 minutes was well worth your time, and I'm sure each and every one of you were able to take away at least one fascinating tidbit of information and will be willing to try at least one new thing on your next NEPA document. We will be watching you.

I would like to thank Chris Carlton, Leah Baker, Jennifer Montoya, Gloria Tibbetts, Mike Gieryic and Phil Lowe for participating today. And especially thanks to you, the audience, for your time and attention.

We will see you back at the same time, the same place for October 9th for more NEPA Problem-Solving. So long from Phoenix.

>> This broadcast has been a production of the BLM National Training Center.