NEPA

National Environmental Policy Act

LESSONS LEARNED

U.S. DEPARTMENT OF ENERGY QUARTERLY REPORT

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How to Manage an EIS Schedule Successfully

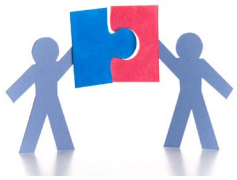
By: Brian Costner and Carrie Moeller, Office of NEPA Policy and Compliance

Developing and maintaining the schedule for preparation of an environmental impact statement (EIS) is one of a NEPA Document Manager's most important responsibilities. The Office of NEPA Policy and Compliance recently asked several NEPA Compliance Officers (NCOs) and NEPA Document Managers to share their advice for completing an EIS on time.

An EIS schedule goes through several stages, they observed. An initial schedule must be revised as data and analytical needs are identified, cooperating agencies provide input, and public comments are reviewed. Regular communication helps everyone respond promptly to changes and keep the document on track. Overall, teamwork and effective project management are vital contributors to success.

Collaborate on Schedule Development

"Can you prepare an EIS without a schedule? Yes. Can you do it efficiently and with reasonable cost without one? I don't think so," said Jane Summerson, an NCO for the Office of Energy Efficiency and Renewable Energy and an experienced NEPA Document Manager. "An EIS schedule is a tool for managing your work," continued Ms. Summerson. To use that tool effectively, she and others explained, the EIS schedule must be developed collaboratively.



Kathy Pierce, NCO for Bonneville Power Administration (BPA), said that BPA EIS schedules are developed by the project team, which includes the NEPA Document Manager, the project engineer (or project manager), legal counsel, public affairs, and others. Also consider information from any cooperating agency or other involved agencies, she added.

The project manager contributes information about decision deadlines, as well as project descriptions, the availability of existing data, and other factors that influence what needs to be analyzed. Working closely with the project manager is particularly important, noted Mark McKoy, NCO and NEPA Document Manager at DOE's National Energy Technology Laboratory. "One of the main places where schedule time is lost is in waiting for sufficient planning and design work to be done. Before starting to prepare an EIS, make sure project management understands how much information and what details will be required in order to analyze the environmental impacts," he said.

A NEPA Document Manager shall . . . [m]anage the document preparation process, including reviewing internal drafts for technical adequacy, controlling cost, and maintaining schedule.

– *DOE Order 451.1B,* NEPA Compliance Program

Shane Collins, NCO for Western Area Power Administration, recommends that NEPA Document Managers "understand the full scope of the project – insist on details." Ms. Collins explained that Western's NEPA Document Managers "develop EIS schedules replete with targets and milestones based on the initial project scope, the adequacy of project description information, and the level of available information regarding known and expected resource concerns."

Ms. Summerson added that the NEPA Document Manager should know how "hard and fast" milestones are, what

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Inside *LESSONS LEARNED*

Welcome to the 71st quarterly report on lessons learned in the NEPA process. The need for timely preparation of quality EISs has not lessened since DOE initiated the NEPA Lessons Learned program in 1994. This issue provides advice on developing and maintaining EIS schedules from some of the Department's most experienced NEPA practitioners and highlights guidance and GIS tools that can help DOE prepare NEPA documents more efficiently. Thank you for your continued support of the Lessons Learned program. As always, we welcome your suggestions for improvement.

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Director
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Be Part of Lessons Learned

We Welcome Your Contributions

We welcome suggestions, comments, and contributed drafts for the *Lessons Learned Quarterly Report* (*LLQR*). We especially seek case studies illustrating successful NEPA practices. Draft articles for the next issue are requested by August 1, 2012. Contact Yardena Mansoor at yardena.mansoor@hq.doe.gov.

Quarterly Questionnaires Due August 1, 2012

Lessons Learned Questionnaires for NEPA documents completed during the third quarter of Fiscal Year 2012 (April 1 through June 30, 2012) should be submitted by August 1, 2012, but preferably as soon as possible after document completion. The Questionnaire is available on the DOE NEPA Website at http://energy.gov/nepa under Guidance & Requirements, then Lessons Learned. For Questionnaire issues, contact Vivian Bowie at vivian.bowie@hq.doe.gov.

LLQR Online

The Office of NEPA Policy and Compliance notifies the DOE NEPA Community and other interested parties by email when each new quarterly issue is posted on the DOE NEPA Website (above) under Guidance & Requirements, then Lessons Learned. We provide paper copies only on request. The online version includes links to most of the documents referred to herein. Send distribution requests to yardena.mansoor@hq.doe.gov.

LLQR Improvements Underway

In the spirit of continuous improvement, the NEPA Office is looking at ways to modernize *LLQR*, taking into account the expansion of information readily available on the web. With this issue, we are implementing two such changes. First, *LLQR* will no longer list NEPA training courses other than those sponsored by federal agencies. NEPA training opportunities may be located by an online search or by checking the NEPA training provider listing on CEQ's NEPA.gov website, under Other NEPA Information. Second, *LLQR* will no longer list DOE's Recent EIS-Related Milestones. An up-to-date listing of recent notices related to DOE EIS milestones is available on the DOE NEPA Website under the heading "Latest Documents & Notices."

If you have suggestions for other improvements to *LLQR* – focusing on sharing lessons learned in the NEPA process – please send them to Yardena Mansoor at yardena.mansoor@hq.doe.gov.

Training: Collaboration in NEPA

The U.S. Institute for Environmental Conflict Resolution is offering a 2-day course titled "Collaboration in NEPA" on November 27-28, 2012, in Washington, DC. The course is intended for individuals responsible for or participating in a collaborative NEPA process, including federal agency personnel; representatives of tribal, state, and local governments; and nongovernmental stakeholders. The course aims to extend guidance from the Council on Environmental Quality's Collaboration in NEPA handbook. According to the course description, "Realistic roleplaying exercises, involving multiple governmental entities and nongovernmental stakeholders, will provide opportunities to practice essential skills needed to design, implement, and participate effectively in collaborative NEPA processes."

The registration fee is $500. For more details or to register, see the Institute's Course Catalog Listing. The Institute is a program of the Udall Foundation, an independent federal agency.

EPA Intends To Require Electronic Filing of EISs

The Environmental Protection Agency (EPA) is testing a system for federal agencies to electronically file draft and final EISs. EPA expects the system to save agencies time and money by eliminating the need to print and deliver four copies (at least one printed; others can be on CD or other electronic storage device[1]) of each EIS to EPA Headquarters. Instead, agencies can complete filing by uploading an EIS to a secure EPA website.

EPA intends to require all agencies to use this e-filing system by October 1, 2012. "I urge you all to consider having your agency participate in the test phase to ensure that we all start reaping the benefits of [information technology]," emphasized Horst Greczmiel, Associate Director for NEPA Oversight, Council on Environmental Quality, in endorsing EPA's electronic filing system.

The electronic files must be formatted to meet EPA's specifications. (See text box.) EPA will provide agencies with an email confirmation of successfully filed EISs and will publish a notice of availability in the *Federal Register* each Friday for EISs submitted electronically to EPA on or before 5:00 p.m. on the prior Friday. EPA plans to make the EISs publicly available on the web and to host them for future reference in perpetuity.

The Office of NEPA Policy and Compliance (NEPA Office) will continue to file DOE EISs with EPA per Section 5.g.(7) of the DOE Order 451.1B, *NEPA Compliance Program*. The NEPA Office completed the first electronic filing for DOE on May 30 for the Energia Sierra Juarez Transmission Line Project Final EIS (DOE/EIS-0414). "We successfully submitted the first DOE EIS through EPA's electronic filing system, but there was a learning curve," said Connie Chen, NEPA Office. "Electronic filing requires early collaboration among the EIS preparation contractor, NEPA Document Manager, and NEPA Office staff to meet EPA's requirements."

EIS Distribution Requirements Unaffected

Electronically filing an EIS does not affect agency responsibilities for public distribution of EISs (paper or electronic, as appropriate) in accordance with 40 CFR 1502.19, 40 CFR 1503.1, and 10 CFR 1021.301(a) and (c). (See guidance issued by the NEPA Office, EIS Distribution, June 2006.[2]) "EISs must be filed no earlier than they are transmitted to commenting agencies and made available to the public (40 CFR 1506.9)," EPA reminded agencies in announcing the new system. "This will assure that the EIS is received by all interested parties by the time EPA's notice appears in the *Federal Register*, and, therefore, allows for the full minimum comment and review periods."

DOE offices must continue to provide one printed copy of a complete EIS to the NEPA Office for archiving; NEPA Office staff may request an additional copy as a working reference. The NEPA Office will use the electronic files and associated information provided for EPA filing to complete posting of the EIS on the DOE NEPA Website. For questions regarding filing an EIS, contact Eric Cohen, NEPA Office, at eric.cohen@hq.doe.gov or 202-586-7684.

How to e-File an EIS

Provide the electronic files meeting EPA specifications and the other information required for filing (see below) to Denise Freeman (denise.freeman@hq.doe.gov) with a copy to Eric Cohen (eric.cohen@hq.doe.gov), NEPA Office, no later than Wednesday of the week when an EIS is to be filed with EPA. This will allow time to ensure the files are formatted correctly and that all required information is available. Promptly notify Ms. Freeman and Mr. Cohen by email when distribution is complete, so that the NEPA Office may file the EIS with EPA. Electronic filing of EISs eliminates the need to prepare a letter for filing with EPA.

EPA Electronic Filing Requirements*

To take advantage of EPA's e-filing system, a draft or final EIS must be in Adobe Acrobat format (.pdf) with the following attributes:

- Chapters are bookmarked
- Bookmark view is shown when file is opened
- Files are optimized (file size reduced)
- Document text is searchable
- Metadata are included; use Document Summary and enter data into "Subject," "Author," and "Keywords" fields [File→Properties→Descriptions"]

Other Required Information*

- EIS title
- EIS type (i.e., draft EIS, final EIS)
- File size for EIS and appendices (MB)
- Number of pages for each file
- Lead agency(s)
- Lead agency contact (name, phone number, and email)
- Cooperating agencies (including federal and other)
- Length of comment period (days)

** EPA may revise these requirements during the testing period. Check with the NEPA Office at the time of filing for updates.*

[1] *Under EPA's current Amended EIS Filing Guidance (76 FR 2681; January 14, 2011)*

[2] *The NEPA Office plans to update DOE's EIS Distribution guidance to account for these changes to the EPA filing procedures.*

Manage an EIS Schedule Successfully *(continued from page 1)*

level of detail the EIS will cover, whether standard methodologies are available, or if field work is needed.

Sachiko McAlhany, a NEPA Document Manager for the National Nuclear Security Administration (NNSA), said that it is important to use this information to identify critical path items in the schedule. That helps prioritize work and illustrates where a document manager needs to focus attention.

It is important to get management approval of the schedule. NEPA Document Managers often incorporate regular management briefings into their planning process. Ms. Pierce said that BPA also includes the initial schedule in the notice of intent to prepare the EIS that is submitted to the BPA Administrator for approval.

Adapt the Schedule As Needed

"We are not reluctant or hesitant to modify an EIS schedule based on issues identified through the prescribed public process if additional effort is warranted to resolve technical, environmental, or political concerns," said Ms. Collins.

Ms. Pierce offered examples of situations where a document manager might revise an EIS schedule:

- during scoping, additional alternatives may be proposed that need to be considered and analyzed,
- when results of engineering studies and field surveys suggest adjustments to an alternative that need to be analyzed, or
- in working with cooperating agencies – whether tribal, federal, or state – that are often overworked and underfunded and their priorities and schedule may not coincide with ours.

She emphasized that "EIS schedules are issue-driven and adaptively managed based on the results of impact analyses and input provided by project stakeholders."

"You've got to be flexible," said Mary Martin, NCO for NNSA. Be ready to handle requests for scoping or public comment period extensions, she advised. Ms. Pierce added, "Don't make your schedule so tight you can't accommodate problems."

Ms. McAlhany recognized the need for flexibility but also cautioned, "There will be a point where you have a hard end date and completion of NEPA is part of the critical path for program and project plans." Sometimes it is better to "show that you are behind" and keep the team's focus on maintaining the schedule to minimize the delays, she added.

When schedule changes are being considered, everyone agreed on the importance of communication. "Don't be afraid to communicate 'bad' news," said Ms. Pierce. "Things happen. The sooner the team is aware of an issue, the sooner it can be addressed." Ms. Summerson agreed. You must be upfront early on with managers about potential risks, she advised. "You have to be realistic when building a schedule," she said, "There are some things you can't change."

Information gained through public scoping, cooperating agency involvement, impact analyses, and project changes will influence the schedule through the life of the project.

– Shane Collins, Western NCO

Ms. Summerson recommended that NEPA Document Managers brief their program managers each month on EIS progress and accomplishments related to the EIS schedule. Ms. Pierce explained that at BPA, "Any changes to the schedule are discussed by the project team and approved by the executive team." Ms. Collins similarly explained that at Western, "Schedule updates are coordinated with and reported to the NCO and project, program, and executive managers."

Communicate Constantly

All agreed on the importance of communication throughout preparation of an EIS. This is underscored above for developing and revising a schedule. Communication needs are broader, though, and good communication is key to the NEPA Document Manager's success.

"Use the schedule to facilitate discussions between all the parties involved in preparing an EIS," said Mr. McKoy. "This includes the DOE management for the project,

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What's in a Schedule?

A schedule should show **what** work is to be done, **who** will do the work, and **when** it should be completed. This will help the NEPA Document Manager identify where additional resources may be needed to meet the schedule and ensure that work is done in a logical order (e.g., some sections of an EIS cannot be completed before wildlife surveys are done; an EIS cannot be filed with the Environmental Protection Agency before distribution is complete). A Gantt chart is the most common format for presenting a schedule.

Project management training and educational materials cover scheduling in depth. One such resource is DOE's Earned Value Management Tutorial Module 3: Project Scheduling.

Manage an EIS Schedule Successfully *(continued from previous page)*

cooperating government agencies, and all private-sector project participants. If there are participants who are not familiar with the EIS process, put into the schedule the details that will make all aware of the extent and nature of work to be done."

"Establish clear roles and responsibilities and communicate regularly with the project team," said Ms. Pierce. Reviewing the status of schedule milestones on a weekly basis is important, Ms. McAlhany added. She suggested that NEPA Document Managers maintain an action item list identifying actions, status, and who has the action and when it is due and to tie the action item list to the EIS schedule. "I monitor the progress of the actions and schedule weekly with the NEPA Team," she said.

Ms. Summerson advised that NEPA Document Managers verbally engage their contractors on at least a weekly, if not daily, basis. "Ask questions," she said. For example, a NEPA Document Manager should ask for preliminary language for certain chapters of the EIS or inquire as to whether a particular analysis has run into trouble. "Frequently the schedule is short enough that it doesn't allow time to recover from a problem identified in a monthly status report. Regular communication is key."

Ms. Martin advised NEPA Document Managers to communicate often with project managers to bridge the "gap" between NEPA and project staff. She explained that the project manager maintains his or her own project schedule (separate and apart from the NEPA schedule) that addresses design changes, fluctuating budgets, and other factors. Through frequent communication, the document manager will be aware of any key project changes as they arise, she said.

Contract Management and Scheduling

When using a contractor to help prepare an EIS, the statement of work should lay a foundation for ensuring that schedules are appropriately developed and maintained. Mr. McKoy recommends that DOE include a basic schedule in the statement of work "so that potential contractors better understand what would be expected of them. In addition to helping them prepare a cost estimate and identify proposed staffing, it enables the winning contractor to begin work more quickly."

Ms. Summerson added that the statement of work should require the contractor to submit a project management plan early in the process with a detailed schedule showing tasks, durations, specific staff assigned to each task, and potential conflicts. "It is important to document these details and identify assumptions used to develop the schedule," she said.

Mr. McKoy further recommended making "the incentive fee award based in part on the contractor's adherence to the schedule (with exceptions for things that are beyond the control of the contractor). The incentive fee also should be based on quality of work and control of costs." For a complex EIS on a firm schedule, Mr. McKoy suggested that the contract "allow for the contractor employees to be paid for their overtime work and the contractor firm to be appropriately rewarded if they succeed in adhering to the schedule."

Ms. McAlhany described how she uses her action item list to assess contractor performance during preparation of the EIS. She explained that it is "important to identify interim milestones and deliverables to ensure you are on track." Ms. Summerson reiterated the importance of staying constantly involved and "document your concerns." Ms. Summerson highlighted the need to hold the EIS contractor accountable to the schedule and meeting deliverable timetables with a product of acceptable quality. You have to be honest with the contractor about the document's quality because ultimately that's the only thing you have, she said.

BPA relies on a project management team to ensure good communication and coordination. We can't make sure there are no surprises during the course of a project, but we can make sure everyone is equally surprised.

– Kathy Pierce, BPA NCO

Both Ms. Pierce and Ms. Collins highlighted the importance of communication with stakeholders and cooperating agencies in staying on schedule. Ms. Collins advised that NEPA Document Managers meet with project stakeholders regularly and adequately address stakeholder concerns up front. "Meet to resolve issues with the interested public, make personal contact with affected landowners, and coordinate early with Native American tribes," she suggested. Ms. Pierce recommended that you don't "go dark" between scoping and the draft EIS or between the draft and final EIS. She suggested that NEPA Document Managers prepare fact sheets or project updates to keep the public informed.

Prepare for Internal Review

Review of the preliminary drafts of an EIS is an important part of the document preparation process. Successful NEPA Document Managers plan for this internal review from the outset by employing a team approach and incorporating the review into the EIS schedule.

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Manage an EIS Schedule Successfully *(continued from previous page)*

Ms. Summerson emphasized the importance of identifying review team members from the technical program and the General Counsel's office early on. "Get agreement on technical approaches and NEPA strategy before you bring a document to them for review and concurrence or approval," she advised. "You must have those discussions prior to the review to get an understanding among review team members. To leave those discussions for the concurrence or approval review will result in problems," she cautioned.

Ms. Martin emphasized the importance of conducting the site or program review of the NEPA document before it goes to General Counsel staff. Also, NEPA Document Managers "should not assume that one draft of a NEPA document is good enough – include multiple rounds of review into your schedule," Ms. Martin suggested. "When making schedules for EISs and EAs," agreed Mr. McKoy, "assume that the preliminary drafts of the document will go through at least three rounds of DOE (including field office) review and contractor revision before the documents will be approved. This holds for the 'Final' as well as for the 'Draft' of each EIS and EA."

For additional information or questions, please contact Ms. Collins at collins@wapa.gov, Ms. Martin at mary.martin@nnsa.doe.gov, Ms. McAlhany at sachiko-w.mcalhany@nnsa.srs.gov, Mr. McKoy at mark.mckoy@netl.doe.gov, Ms. Pierce at kspierce@bpa.gov, and Ms. Summerson at jane.summerson@ee.doe.gov.

The NEPA Office thanks these individuals for their hard work to implement NEPA effectively and for sharing their lessons learned.

NEPA Process Incorporates Scientific Integrity Principles

"Science and technology are at the core of what we do at the Department. Since its establishment in 1977, the Department has maintained a high standard of scientific integrity," explained Secretary of Energy Steven Chu in announcing his March 23, 2012, Secretarial Policy Statement on Scientific Integrity.

The Secretarial Policy Statement explains that the "Department's mission relies on objective, reliable, accurate, and accessible scientific and technical information." The Secretarial Policy Statement addresses the foundations of scientific integrity at DOE, public communication promoting openness and transparency, use of federal advisory committees, and professional development of government scientists and engineers.

NEPA reflects many of the principles contained in the Secretarial Policy Statement, and DOE documents prepared in compliance with NEPA will satisfy these principles. For example, in compliance with NEPA and the Council on Environmental Quality (CEQ) and DOE NEPA regulations, DOE ensures that data and research used to support decisions in the NEPA process are of high scientific and technical quality and objectivity. The CEQ NEPA regulations emphasize the importance of information quality. In particular, 40 CFR 1500.1(b) says "[t]he information must be of high quality. Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA." Further, 40 CFR 1502.24 requires agencies to ensure "the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements. They shall identify any methodologies used and shall make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the statement."

> ***The credibility of the research the Department supports and conducts, the decisions we make, and the information we disseminate rest upon our collective integrity.***
>
> ***– Secretarial Policy Statement on Scientific Integrity March 23, 2012***

In addition, quality assurance is an important part of ensuring scientific integrity in DOE NEPA documents. DOE Order 451.1B, *NEPA Compliance Program*, requires each secretarial officer and head of field organization to ensure that a NEPA quality assurance plan is prepared for matters under the office's purview. (See *LLQR*, June 2006, page 1.)

The Secretarial Policy Statement on Scientific Integrity is a useful reminder of the importance of quality and should serve as a challenge to DOE's NCOs and NEPA Document Managers to strive to achieve the "culture of scientific integrity" described in the Statement. As the Secretary directs, DOE should "ensure that data and research used to support policy decisions are of high scientific and technical quality and objectivity."

Use Existing Tools To Improve NEPA Efficiency

The Council on Environmental Quality (CEQ) has issued new guidance titled "Improving the Process for Preparing Efficient and Timely Environmental Reviews Under the National Environmental Policy Act" (NEPA Efficiency Guidance) that encourages federal agencies to "provide the best use of agency resources in ensuring a timely, effective, and efficient NEPA review." The NEPA Efficiency Guidance highlights existing provisions under the CEQ regulations implementing NEPA (40 CFR Parts 1500–1508) that help meet this objective. These provisions are available for the preparation of EAs, as well as EISs, and the Guidance encourages their use in an "effective process that is tailored to avoid excessive burden." (See *LLQR*, March 2012, page 6.)

The final NEPA Efficiency Guidance is in line with strategies contained in the August 2011 Presidential Memorandum, "Speeding Infrastructure Development Through More Efficient and Effective Permitting and Environmental Review," and it sets forth means by which the CEQ NEPA Regulations support those strategies. The Guidance features techniques and tools organized by the following topics: concise NEPA documents; early NEPA integration in planning; scoping; inter-governmental coordination (state, local, or tribal environmental reviews); coordinating reviews and documents under other applicable laws; adoption; incorporation by reference; expediting responses to comments; and clear timelines for NEPA reviews.

For example, on the subject of expediting responses to comments, CEQ reminds agencies that they "should provide a reasonable and proportionate response to comments on a draft EIS by focusing on the environmental issues and information conveyed by the comments." The Guidance explains that the agency may use the draft EIS as the final EIS if changes in response to comments are minor and are limited to factual corrections and/or explanations of why the comments do not warrant further agency response. "Similarly, if an agency issues an EA for comment and the changes in response to comments are minor and limited to factual corrections and/or explanations of why the comments do not warrant further agency response, then the agency may prepare a similar cover and errata sheet and use its draft EA as the final EA," explains CEQ. CEQ recommends that agencies "facilitate public review and comment by also publishing the EISs and EAs, and subsequently the comments received, on agency Web sites."

Key Principles in New CEQ Guidance

CEQ's NEPA Efficiency Guidance encourages agencies to be mindful of six key principles in conducting environmental reviews pursuant to NEPA.

- NEPA encourages straightforward and concise reviews and documentation that are proportionate to potential impacts and effectively convey the relevant considerations to the public and decisionmakers in a timely manner while rigorously addressing the issues presented;
- NEPA shall be integrated into project planning to ensure planning and decisions reflect environmental considerations, avoid delays later in the process, and anticipate and attempt to resolve potential issues rather than be an after-the-fact process that justifies a decision already made;
- NEPA reviews should coordinate and take appropriate advantage of existing documents and studies, including through adoption and incorporation by reference;
- Early and well-defined scoping can assist in focusing environmental reviews on appropriate issues that would be meaningful to a decision;
- Agencies are encouraged to develop meaningful and expeditious timelines for environmental reviews; and
- Agencies should respond to comments in proportion to the scope and scale of the environmental issues raised.

CEQ Chair Focuses on Improving NEPA Implementation

On the day CEQ issued its NEPA Efficiency Guidance, CEQ Chair Nancy Sutley reiterated the Council's focus on modernizing NEPA in testimony before the House Committee on Natural Resources. Ms. Sutley described recent CEQ priorities, including "a robust effort" to revise NEPA guidance documents, "active dialogue with the general public on evidenced-based NEPA reforms," and "active engagement with the President's Jobs Council and Federal agencies on enhanced collaboration on expedited permitting for infrastructure projects." "One of CEQ's primary focuses has been improving the efficiency and effectiveness of the NEPA process," said Ms. Sutley.

"Now in its 42nd year, NEPA has a proven record of protecting public health, safety, and environmental quality by ensuring transparency, accountability, and public involvement in Federal actions and in the use of public funds. As environmental issues grow more complex, CEQ strives to provide the agencies a consultative resource and an institutional base of NEPA knowledge," she concluded.

The final CEQ guidance is available on CEQ's website (77 FR 14473; March 12, 2012).

Online Mapping Tools Can Assist NEPA Reviews

The combination of data and mapping – typically through a geographic information system (GIS) – offers many benefits to the NEPA practitioner for understanding the affected environment, developing alternatives, and analyzing potential environmental impacts. DOE has long relied on such geospatial data and analysis tools in preparing its NEPA documents. *LLQR* first noted this in December 1997 when it captured the response to a Lessons Learned Questionnaire that the use of a GIS "permitted rapid and cost-effective analysis of complex data and 'what-if' scenarios in developing alternatives. While a somewhat expensive tool, GIS more than paid for itself in time and cost savings."

Over the past 15 years, costs have come down and the availability of quality data has gone up. In addition, the proliferation of geospatial data on the web makes it simpler than ever to find information and put it to use right away. Below are sources of publicly available geospatial data that may be helpful in preparing NEPA analyses.

Geo.data.gov Provides Data

Federal agencies provide access to more than 400,000 geospatial datasets through geo.data.gov. Files can be freely downloaded for use in GIS software and related applications. Each set of files identifies the date of the data, and the agency that made the data available and verified that the data are consistent with federal privacy, national security, and information quality policies.

Datasets useful for NEPA analyses include the National Wetlands Inventory, soil surveys, sole source aquifers, critical habitat for threatened and endangered species, census data, boundaries for federal resource areas (e.g., parks, refuges, forests), wind speed data from DOE's National Renewable Energy Laboratory, and many others. These can be located via keyword search or by browsing lists organized by content type and topic. In addition to datasets, the website provides links to applications, such as live map servers that allow viewing the mapped data on the web.

Geo.data.gov is part of data.gov, which provides an alternative method (http://www.data.gov/catalog/geodata) to find the geospatial datasets available at geo.data.gov, as well as many other types of data from federal agencies. For example, energy.data.gov provides information on historic energy use by the federal government and a database of active and pending carbon capture and storage projects worldwide that includes technology type, project cost, and schedule.

NEPAssist and EJView Provide Mapping

The Environmental Protection Agency (EPA) made NEPAssist, a web-based GIS tool, available to the public in April 2012. The Council on Environmental Quality (CEQ) had selected this expansion of NEPAssist's availability as one of its pilot projects to improve NEPA efficiency (*LLQR*, December 2011, page 11). This tool has been available since 2008 to registered users, primarily government employees and other NEPA practitioners (*LLQR*, September 2008, page 1).

"NEPAssist draws information from publicly available federal, state, and local datasets, allowing NEPA practitioners, stakeholders and the public to view information about environmental conditions within the area of a proposed project quickly and easily at early stages of project development," explained EPA in its announcement of the public release.

Nancy Sutley, CEQ Chair, said that "Making this tool available to the public will help make information more accessible, a key part of our effort to increase transparency for projects that impact American communities."

To use NEPAssist, one goes to the website and selects a study area. That brings up a map of the selected location and options to add various data layers for hazardous waste, air and water quality, schools, hospitals, demographics, water features, administrative and political boundaries, and other topics. A user also may measure distances between points on the map, add custom data (e.g., labels), and generate reports.

EPA also hosts EJView, formerly known as the Environmental Justice Geographic Assessment Tool. The user interface is similar to that for NEPAssist, and the two tools share some functions. EJView includes more health-related data (e.g., risk of certain health outcomes), neighborhood boundaries, and information on community-based EPA grants. Also, EJView allows users to search for a specific facility and view a related map or report.

Keeping Track of NEPA Documents

What's in a Number?

One of the first tasks a NEPA Compliance Officer should undertake for a new EA, EIS, supplemental EIS, or supplement analysis (SA) is to request a document number from the Office of NEPA Policy and Compliance. DOE uses these numbers to track NEPA documents and identify the relationship among documents.

Assigning a document number yields many benefits. NEPA document numbers systematically link later documents to their original EIS, even if – as is often the case – the title of the SA or supplemental EIS is different from the original EIS. Document numbers are helpful when DOE needs to refer to multiple documents that support a particular decision and to ensure the accuracy and completeness of an administrative record. They also help in regular communication regarding the status of DOE's NEPA reviews. In addition, document numbers enable searching and tracking of related documents on the DOE NEPA Website.

To request a document number, contact the NEPA Office staff point of contact for the relevant program or field office (list available at energy.gov/nepa under About Us). Please provide the document type, project title, affected location(s), responsible DOE office, lead agency, and date of the determination to prepare the NEPA document. It is best to obtain a NEPA document number early so the number can be used on all official records of the NEPA review, such as a notice of intent. Requests typically should be made after a determination to prepare the NEPA document, or for DOE to be a joint-lead or cooperating agency. For some EISs, including supplemental EISs, the document number may be requested prior to the EIS determination, such as when the recommendation to prepare an EIS and the notice of intent are circulated together for approval.

Document Numbers Identify the Agency, Review Type, Proposal (by Number), and Sequence

EA:	DOE/EA-9876
EIS:	DOE/EIS-0987
Supplemental EIS:	DOE/EIS-0987-S1
SA:	DOE/EIS-0987-SA-01

What's in a Name?

While a NEPA document number unambiguously identifies an EA or EIS, DOE and the public generally refer to a NEPA document by its title. To avoid changing the title during preparation of a NEPA document, establish an appropriate name in the initial steps of the NEPA process – before the determination is sent to the NEPA Office for "logging in" (i.e., assignment of a document number) and before issuing a notice of intent or other public announcement.

Tips for a Good NEPA Document Title

- ✓ **Be concise:** In addition to the cover, the title will appear throughout the document and on web pages, charts, and presentation slides – where brevity is a virtue.
- ✓ **Match the document's content:** When a supplemental EIS has a different scope from the EIS it supplements, consider changing the name to correspond to the content of the supplemental EIS. For example, the second supplemental EIS for *Defense Waste Processing Facility, Savannah River Plant* was titled *Savannah River Site Salt Processing Alternatives* to clearly identify the document's scope.
- ✓ **Begin a title with the subject, rather than the level of NEPA review:** *DOE Project EIS* identifies the scope first and is shorter than *EIS for the DOE Project*.
- ✓ **Use punctuation, not just a line break, for a title with two or more parts:** Use of a colon or other punctuation clarifies meaning when the document title is written out without the line break – for example, *NE Oregon Hatchery Program: Grande Ronde Imnaha Spring Chinook Project*.
- ✓ **Indicate location:** Specify, as appropriate, the city, county, state, or region for the proposal.
- ✓ **Avoid new abbreviations:** A widely used abbreviation does not have to be defined in the title (e.g., kV for kilovolt). Avoid introducing a new abbreviation, such as for a site or facility, in the title; do it in the text instead.
- ✓ **Avoid "Proposed" or "Proposal to" in the title:** It's implicit that a NEPA review is for a proposal.
- ✓ **Avoid "Draft" or "Final" in the title:** These indicate the document's status, not its name.

EIS and EA Status Chart Gets Links

Every month, the NEPA Office updates and posts on the DOE NEPA Website a listing of all active EISs and EAs, including dates of important milestones. Beginning with the May 2012 update, the status chart includes links to relevant web pages. EIS and EA titles are linked to project pages on the DOE NEPA Website that summarize the proposed action and list related NEPA documents. Links in the Milestones Accomplished column are to the documents associated with the milestones (e.g., notices of intent).

NAEP Conference Explores Interconnected Issues

By: Yardena Mansoor, Office of NEPA Policy and Compliance

Diverse environmental professionals from all levels of government joined academics, consultants, and representatives of nongovernmental organizations at the 2012 conference of the National Association of Environmental Professionals (NAEP), held May 22–24 in Portland, Oregon. More than 300 participants at this conference, on the theme of *Science, Politics, and Policy: Environmental Nexus,* explored the complex interconnected issues that environmental professionals must address. "Environmental professionals are part of what makes America great," said Paul Loony, NAEP President. "We are the nexus of science, politics, and policy."

Go slow to go fast! Time spent at the beginning of a NEPA review documenting roles and responsibilities, establishing expectations, and developing timelines will pay off in a more efficient EIS.

Panel Discussion
Keys to Successful 3rd Party NEPA Processes

In addition to the NEPA sessions this writer attended, the conference covered brownfields, wetlands, land and watershed management, transportation, visual resources, cultural resources, and public participation. Special sessions addressed professional development, environmental issues relating to defense activities, and an "energy boot camp" on renewable energy and facility siting. DOE's contribution to the conference was a presentation on the NEPA rulemaking that concluded in October 2011, in a panel on improving NEPA efficiency. (See LLQR*, December 2011, page 1.)*

CEQ Updates

The Council on Environmental Quality (CEQ) Associate Director for NEPA Oversight, Horst Greczmiel, provided an overview of CEQ's recent NEPA-related developments (text box, right). CEQ's guidance on "Improving the Process for Preparing Efficient and Timely Environmental Reviews under the National Environmental Policy Act," published on March 12, 2012, is primarily a refresher, noted Mr. Greczmiel, on ways that the NEPA regulations encourage agencies to efficiently conduct their environmental reviews. (See related article, page 7, and *LLQR*, March 2012, page 6.)

Mr. Greczmiel advised NEPA practitioners to reread CEQ's regulations, write NEPA documents to be comprehensible and useful to their audience, and aim for concise documents. A pragmatic approach to EAs, he said, is to provide public involvement that goes beyond regulatory requirements to avoid unanticipated issues at the end of the process, and to coordinate NEPA reviews with other required analyses. Mr. Greczmiel recommended proportionate responses to comments and establishment of clear time lines.

Litigation Updates

Lucinda Low Swartz, environmental consultant, discussed NEPA-related opinions from the U.S. Courts of Appeals. During 2011, these courts issued 14 decisions that involved issues of NEPA implementation; of these, 12 were issued by the U.S. Court of Appeals for the Ninth Circuit. The 14 cases involved 10 departments and agencies, including DOE (*California Wilderness Coalition v. U.S. Department of Energy*, 631 F.3d 1072 (Ninth Circuit 2011)). The Federal Government prevailed in 5 of the cases (36 percent). The U.S. Supreme Court issued no NEPA opinions in 2011.

The court opinions addressed, among other issues, the standards for supplementing an EIS, extraordinary circumstances for categorical exclusions, selection of alternatives for detailed consideration, standing to challenge a FONSI on an EA that had a public comment period, and impact analysis for greenhouse gas emissions.

(continued on next page)

LLQR Articles Describe Major NEPA-Related Developments Discussed at the NAEP Conference

- CEQ initiated a NEPA Pilot Projects program (*LLQR*, March 2012, page 7; December 2011, page 11; and June 2011, page 11)
- The White House established a Federal Infrastructure Projects Dashboard website (*LLQR*, March 2012, page 7)
- The Environmental Protection Agency (EPA) issued Amended EIS Filing System Guidance (*LLQR*, March 2011, page 3)
- The U.S. Department of Agriculture, U.S. Department of the Interior, and U.S. EPA signed a memorandum of understanding regarding air quality analysis and mitigation for federal oil and gas decisions through NEPA (*LLQR*, September 2011, page 9)
- EPA announced new web resources for environmental justice and NEPA (*LLQR*, December 2011, page 2)
- National Research Council of the National Academies published *Improving Health in the United States: The Role of Health Impact Assessment* (*LLQR*, December 2011, page 13)

NAEP Conference *(continued from previous page)*

Ms. Swartz's litigation report will be incorporated into the Annual NEPA Report of the NEPA Working Group, which NAEP will submit to CEQ and make publicly available later this year.

Heard at the NAEP Conference

It can be challenging to figure out a "reasonable range" of "reasonable alternatives" for detailed analysis in an EIS. The CEQ NEPA regulations and Forty Most Asked Questions do not define the term "reasonable," leaving it open to agency interpretation.

Courts generally tend to uphold the agencies' analyses when agencies explain their reasoning for dismissing one or more alternatives. Conversely, if alternatives that the court considers to be reasonable are dismissed with insufficient explanation, the analysis is likely to be overturned.

Panel Discussion
Selecting the Right Alternatives for Detailed Discussion

Success of a NEPA third party process (when an applicant for agency funding, permit, or approval pays for NEPA document preparation by a contractor selected by and under the direction of the agency) requires excellent communications, involvement of all the parties, flexibility to adapt to change, people who are committed and take ownership of the process, and time to correctly assess the proposed action. This is best accomplished through a core project management group using an open, orderly communication system.

The Bureau of Land Management, Fish and Wildlife Service, and the US Forest Service all use a "shadow interdisciplinary team" to inform, review, and validate 3rd party contract work.

Panel Discussion
Keys to Successful 3rd Party NEPA Processes

Impacts from greenhouse gas emissions are inherently cumulative, and are either direct or reasonably foreseeable indirect impacts. The preparer of an EIS or EA should ask "what is my project's contribution to climate change, and how would climate change affect my proposal and the resources affected by my proposal?"

Panel Discussion
NEPA and Climate Change

National Environmental Excellence Awards

The 2012 **NEPA Excellence Award** was presented to representatives of the Colorado Department of Transportation (CDOT), Federal Highway Administration, and their contractors for a programmatic EIS (PEIS) for the I-70 Mountain Corridor, a 144-mile-long interstate from Denver to Glenwood Springs, Colorado. The corridor experiences many hours of congestion, particularly on weekends, as travelers access ski areas, hiking areas, and other recreational destinations in the Rocky Mountains. The PEIS evaluated alternatives for a reconstruction project to add capacity and improve mobility along the corridor. The initial draft PEIS identified a preferred alternative that did not have the support of the majority of corridor stakeholders. Beginning in 2007, CDOT initiated a collaborative process to incorporate options for location, travel modes, and capacity into a new preferred alternative and the team then prepared a revised PEIS. "The process used to complete the I-70 Mountain Corridor PEIS used innovative approaches to collaborative decisionmaking, reader-friendly NEPA documentation, streamlined agency and consultant teams, environmental stewardship, and an adaptive management approach to implementing the preferred alternative," said the award citation.

The **Best Available Environmental Technology Award** was presented to the intergovernmental team for the Columbia River Crossing, which in 2009 also received the NEPA Excellence Award for an outstanding EIS. The large and complex project to replace one of the Portland bridges had the potential for years of in-water construction within a migratory corridor for 13 threatened and endangered fish species. More than 1,000 temporary steel piles are required to install permanent drilled shafts and build the superstructures of the new bridge. Installation of these temporary piles could result in injury or death of fish, and was considered to be the project's major impact to listed fish. Working closely with regulatory agencies, the project team developed a method for analyzing and reducing hydroacoustic impacts to fish and tested the effectiveness of a "bubble curtain" (walls of air bubbles) to reduce underwater noise levels. Using this innovative technology has significant benefits; the impacts to fish were demonstrated to be low enough, annually and cumulatively, that regulators granted a 12-week extension for in-water work, which will allow construction to be completed several years earlier than it could have otherwise.

Transitions

New NEPA Compliance Officers

Golden Field Office: Lisa Jorgensen

Lisa Jorgensen, Environmental Policy Advisor for the Golden Field Office, has been designated as a NEPA Compliance Officer (NCO). She will work alongside the Office's other four NCOs. Ms. Jorgensen has more than 20 years of experience at multiple DOE facilities serving as a program manager for waste management, environmental restoration, pollution prevention/energy efficiency, and regulatory compliance. She has participated in DOE NEPA activities for more than 15 years at the Golden and Rocky Flats Field Offices. Ms. Jorgensen can be reached at lisa.jorgensen@go.doe.gov or 720-356-1569.

Princeton Site Office: Peter Siebach

Peter Siebach, the NCO for the Office of Science Integrated Support Center since 2003, has been given the additional designation of NCO for the Princeton Site Office. He can be reached at peter.siebach@ch.doe.gov or 630-252-2007.

The Integrated Support Center is a virtual organization comprised of the combined support capabilities of the Chicago Office, where Mr. Siebach is located, and the Oak Ridge Office; together they provide administrative, business, and technical services to the Office of Science.

Call for NAEP 2013 Conference Abstracts and Environmental Award Nominations

The National Association of Environmental Professionals (NAEP) seeks abstracts for presentations at its 38th annual conference, to be held April 1-5, 2013, in Los Angeles. The conference, under the banner of *Walk the Talk*, will cover NEPA and related subjects and is open to environmental professionals in all levels of government, academia, and the private sector. Information on submitting abstracts will be available at www.naep.org.

NAEP also invites nominations for its annual Environmental Excellence Awards, which recognize outstanding NEPA achievements and exceptional performance in environmental management, stewardship, education, and additional categories. The nominator and nominee need not be members of NAEP, and nominations may include projects or programs recognized by others. The nomination form is available on the NAEP website. Presentation abstracts and award nominations are due August 15, 2012.

DOE-Wide NEPA Contracts Update

Resources for potential users of the DOE-wide NEPA contracts, including the contracts' Statement of Work (which can be a model for a task statement of work) and a listing of the contractors' Contracts Program Managers, are available on the DOE NEPA Website at http://energy.gov/nepa/doe-wide-nepa-contracting.

Task Order Awarded

The following Task Order awarded under the current DOE-wide NEPA contracts has not been previously reported in *LLQR*. Prior tasks awarded under these contracts are listed in *LLQR*, June 2009, page 13; September 2009, page 19; December 2009, page 16; June 2010, page 14; and March 2012, page 8.

Description	DOE Contact	Date Awarded	Contract Team
EA: NorthStar Medical Radioisotopes, LLC, Commercial Domestic Production of the Medical Isotope Molybdenum-99	Jeffrey Chamberlin 202-586-1474 jeffrey.chamberlin@hq.doe.gov	3/12/2012	Los Alamos Technical Associates

EAs and EISs Completed January 1 to March 31, 2012

EAs[1]

Golden Field Office/Office of Energy Efficiency and Renewable Energy
DOE/EA-1812* (1/4/12)
Haxtun Wind Energy Project, Logan and Phillips Counties, Colorado
Cost: $30,000
Time: 21 months

DOE/EA-1916 (3/16/12)
TidGen Power System Deployment and Testing Project, Cobscook Bay, Maine
EA was adopted; therefore, cost and time data are not applicable. [FERC was the lead agency; DOE was a cooperating agency.]

National Energy Technology Laboratory/ Office of Fossil Energy
DOE/EA-1885 (3/16/12)
Boston Architectural College's (BAC) Urban Sustainability Initiative for the Renovation of Public Alley #444, Boston, Massachusetts
Cost: $18,000
Time: 11 months

Oak Ridge Office/ Office of Environmental Management
DOE/EA-1779 (2/13/12)
Proposed Changes to the Sanitary Biosolids Land Application Program on the Oak Ridge Reservation, Oak Ridge, Tennessee
Cost: $75,000
Time: 24 months

Richland Operations Office/Office of Environmental Management
DOE/EA-1728 (3/13/12)
Integrated Vegetation Management on the Hanford Site, Richland, Washington
Cost: $185,000
Time: 31 months

Stanford Linear Accelerator Center Site Office/ Office of Science
DOE/EA-1904 (3/7/12)
Linac Coherent Light Source-II, SLAC National Accelerator Laboratory, Menlo Park, California
Cost: $120,000
Time: 8 months

EISs

Bonneville Power Administration
DOE/EIS-0425 (77 FR 14360, 3/9/12)
(EPA Rating: EC-2)
Mid-Columbia Coho Restoration Project, Washington
Cost: EIS was prepared in-house; therefore, cost is not applicable.
Time: 31 months

Office of Loan Programs
DOE/EIS-0476 (77 FR 9652, 2/17/12)
Vogtle Electric Generating Plant, Units 3 and 4
(EPA Ratings; EC-1 (FEIS); EC-2 (Final Supplemental EIS (FSEIS))
DOE adopted the Nuclear Regulatory Commission's FEIS filed 8/15/2008 and FSEIS filed 3/18/2011; therefore, cost and time data are not applicable.

ENVIRONMENTAL PROTECTION AGENCY (EPA) RATING DEFINITIONS

Environmental Impact of the Action
LO – Lack of Objections
EC – Environmental Concerns
EO – Environmental Objections
EU – Environmentally Unsatisfactory
Adequacy of the EIS
Category 1 – Adequate
Category 2 – Insufficient Information
Category 3 – Inadequate
(For a full explanation of these definitions, see the EPA website at *www.epa.gov/compliance/nepa/comments/ratings.html*.)

[1] *EA and finding of no significant impact (FONSI) issuance dates are the same unless otherwise indicated.*
* *Recovery Act project*

What Worked and Didn't Work in the NEPA Process

To foster continuing improvement in the Department's NEPA Compliance Program, DOE Order 451.1B requires the Office of NEPA Policy and Compliance to solicit comments on lessons learned in the process of completing NEPA documents and distribute quarterly reports.

The material presented here reflects the personal views of individual questionnaire respondents, which (appropriately) may be inconsistent. Unless indicated otherwise, views reported herein should not be interpreted as recommendations from the Office of NEPA Policy and Compliance.

Scoping

What Didn't Work

- *Lack of effective communication*. Even though DOE staff and EA preparation contractors participated in internal scoping, there was a lack of effective communication, which led to differing interpretations of scope, purpose and need, and alternatives.

Data Collection/Analysis

What Worked

- *Use of an FTP (File Transfer Protocol) site*. Use of an FTP site to share documents was helpful, because there were several contractors working on the EIS and the files were large due to many pictures and maps.

What Didn't Work

- *Need for more analyses*. There was a need for more detailed water quality and habitat analyses than was originally anticipated.
- *Ineffective second contractor*. A second contractor was hired to draft the U.S. Fish and Wildlife Service Biological Assessment (BA) since the writer/editor was swamped. This didn't work well because the new contractor had not been involved in the project and there were many details and nuances. The NEPA Document Manager had to basically rewrite the BA.
- *Inappropriate strategies*. The contractor based development of the EA on strategies of other federal agencies and failed to understand DOE's expectations. Thus, alternatives and impact analyses originally included in the EA were not relevant for DOE.

Schedule

Factors that Facilitated Timely Completion of Documents

- *Focused team*. Timely completion was facilitated by a focused and dedicated team.
- *Single EIS author*. There was one writer/editor who received all information and wrote the EIS. This facilitated consistent presentation.

Factors that Inhibited Timely Completion of Documents

- *Need to re-familiarize staff with project scope*. Additional time was required to re-familiarize the contractor and non-DOE participants with the history and requirements of the program, particularly two previous EAs.
- *Management disinterest*. Lack of management interest did not contribute to initial delays, but may have prevented schedule recovery and more than a one-year delay in completing the EA process.
- *Loss of important team members*. Loss of the NEPA Document Manager at a critical time resulted in several months delay. This was compounded by the loss of another staff member who was working on another EIS. One person had to take on both EISs at critical points, with very similar schedules, which was very stressful and delayed the schedules of both EISs by several months.
- *Lack of knowledge and experience*. The NEPA Document Manager lacked sufficient NEPA knowledge and training, and the site contractor preparing the document lacked sufficient experience preparing an EA.

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What Worked and Didn't Work

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- *Poor communication*. DOE provided little direction to the contractor, and the contractor failed to ask questions.
- *Complex project*. The project involved almost 40 different sites, several of which changed during the course of the EIS.
- *EIS schedule difficulties*. It was difficult to define the EIS schedule due to the nature of a regional power and conservation council's review process and the experimental nature of this project.

Teamwork

Factors that Facilitated Effective Teamwork

- *Dedicated contractor point-of-contact*. Teamwork was enhanced by maintaining a dedicated NEPA contractor contact throughout the EA development process.
- *Open communication*. Maintaining an effective and open communication line between the contractor and federal NEPA personnel reduced the impact of the time constraints.

Factors that Inhibited Effective Teamwork

- *Time constraints*. Severe time constraints prevented effective coordination between the contractor's document manager for the EA and DOE.
- *Lack of communication*. Lack of communication between DOE and the site contractor that prepared the EA inhibited effective teamwork.
- *Lack of motivation*. Lack of motivation and indifference resulted in lack of participation by subject matter experts.

Process

Successful Aspects of the Public Participation Process

- *Major environmental issue identified*. The public participation process was useful in identifying a major issue regarding habitat and species interactions that DOE was not previously aware of; this helped DOE in the Endangered Species Act consultation process.
- *Good tribal relationships*. Developing good working relationships with tribal staff, and following DOE tribal consultation protocols, proved to be critical to the successful interaction between DOE and tribal nations.

Unsuccessful Aspects of the Public Participation Process

- *Insufficient tribal and public participation*. Tribes and stakeholders were briefed early, but not often enough, resulting in loss of trust. DOE did not adequately explain how its approach was any different than what was done in the past. Additionally, there should have been more involvement of tribes and other key federal agencies in the NEPA process.

Usefulness

Agency Planning and Decisionmaking: What Worked

- *Established metrics*. The EIS was key to re-establishing the metrics and operating parameters for this program.
- *Organized processes*. The NEPA process was helpful in organizing the data gathering and permitting processes, as well as getting focused on the details of the project sites and their potential impacts.

Enhancement/Protection of the Environment

- *Public interactions*. The NEPA process, through public participation, helped identify a potential environmental problem with the overlap of limited habitat for listed fish (steelhead and chinook) with the coho sites, and helped to identify high impact sites to avoid or mitigate.

Other Issues

Guidance Needs Identified

- *Tribal interactions*. Guidance is needed on tribal roles and responsibilities in the NEPA process and how to integrate the NEPA and National Historic Preservation Act Section 106 processes.

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What Worked and Didn't Work

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Effectiveness of the NEPA Process

For the purposes of this section, "effective" means that the NEPA process was rated 3, 4, or 5 on a scale from 0 to 5, with 0 meaning "not effective at all" and 5 meaning "highly effective" with respect to its influence on decisionmaking.

For the past quarter, in which 4 questionnaire responses were received for 3 EAs and 1 EIS, 3 respondents rated the NEPA process as "effective." One rated the process "5" and 2 rated the process "4." One respondent did not rate the NEPA process.

- A respondent who rated the process as "5" stated that the NEPA process protected the environment and established metrics and operating parameters for the program.
- A respondent who rated the process as "4" stated that at first the NEPA process was thought of as just another hoop, but it was realized later that NEPA was a valuable tool for refining the site selections and for the permitting process.
- A respondent who rated the process as "4" stated that the EA could be an effective tool for similar environmental impact analyses.

NEPA Document Cost and Time Facts

EA Cost and Completion Times

- For this quarter, the median cost for the preparation of 5 EAs for which cost data were applicable was $75,000; the average cost was $86,000.
- Cumulatively, for the 12 months that ended March 31, 2012, the median cost for the preparation of 39 EAs for which cost data were applicable was $87,000; the average was $149,000.
- For this quarter, the median completion time of 5 EAs for which time data were applicable was 21 months; the average was 19 months.
- Cumulatively, for the 12 months that ended March 31, 2012, the median completion time for 54 EAs for which time data were applicable was 11 months; the average was 15 months.

EIS Cost and Completion Times

- No EISs were completed this quarter for which cost was applicable.
- Cumulatively, for the 12 months that ended March 31, 2012, the median and average costs for the preparation of 2 EISs for which cost data were applicable were $1.74 million.
- For this quarter, the completion time for 1 EIS for which time data were applicable was 31 months.
- Cumulatively, for the 12 months that ended March 31, 2012, the median completion time for 8 EISs for which time data were applicable was 18 months; the average was 19 months.