NEPA

National Environmental Policy Act

LESSONS LEARNED

U.S. DEPARTMENT OF ENERGY QUARTERLY REPORT

September 5, 2012; Issue No. 72 Third Quarter FY 2012

Secretary Chu: Integrate Project Management with NEPA To Improve Decision Making

"I cannot overstate the importance of integrating the NEPA compliance process with program and project management and of applying best management practices to NEPA compliance in DOE," said Secretary of Energy Steven Chu in a June 12, 2012, memorandum on *Improved Decision Making through the Integration of Program and Project Management with National Environmental Policy Act Compliance*. He reminded DOE officials that NEPA compliance is a "pre-requisite to successful implementation of DOE programs and projects" and that "the NEPA process is a valuable planning tool and provides an opportunity to improve the quality of DOE's decisions and build public trust."

Secretary Chu conveyed the findings of a NEPA Improvement Team established earlier this year by the Department's Field Management Council. The team included NEPA compliance and program and project management staff from DOE field and program offices. The memorandum was endorsed by the Field Management Council and DOE's Chief Operating Officer Board.

Secretary Chu noted that "timely attention to NEPA compliance is critical to accomplishing our missions."

The Secretary recognized that "DOE and the Council on Environmental Quality (CEQ) have developed a considerable body of information, guidance and experience on ways to improve the efficiency of the NEPA process." Among these is CEQ's March 2012 guidance on *Improving the Process for Preparing Efficient and Timely Environmental Reviews under the National Environmental Policy Act*. The Secretary's memorandum highlighted three principles from the CEQ guidance: encouraging concise NEPA reviews, integrating NEPA with project planning and decision making, and developing meaningful and expeditious timelines for environmental reviews. (See *LLQR*, June 2012, page 7.) "CEQ's latest guidance serves as a reminder that we must strive continuously to strengthen our NEPA compliance efforts," said Secretary Chu.

The memorandum also highlighted five principles (page 3 of this issue) identified by the NEPA Improvement Team: basic understanding of NEPA requirements and project management practices among program and project management and NEPA staff (mutual competence), headquarters and field organization teaming, schedule integration and information requirements, accountability, and development of a NEPA strategy for projects under DOE Order 413.3B, *Program and Project Management for the Acquisition of Capital Assets*. "My expectation is that these principles will be embraced by all levels of DOE management, as well as by program, project management, and NEPA compliance staff, working together to advance the Department's missions," said Secretary Chu. LL

Secretary's Memorandum: Related Articles Pages 3–5

Inside *Lessons Learned*

Welcome to the 72nd quarterly report on lessons learned in the NEPA process. Secretary Chu has challenged us to make better use of existing tools to improve decision making by integrating program and project management with NEPA compliance. We ask that you provide us examples of your success meeting the Secretary's challenge for future issues of *LLQR*. Thank you for your continued support of the Lessons Learned program. As always, we welcome your suggestions for improvement.

Carol Borgstrom
Director
Office of NEPA Policy and Compliance

Be Part of Lessons Learned

We Welcome Your Contributions to *LLQR*

Send suggestions, comments, and draft articles – especially case studies on successful NEPA practices – by November 1, 2012, to Yardena Mansoor at yardena.mansoor@hq.doe.gov.

Quarterly Questionnaires Due November 1, 2012

For NEPA documents completed July 1–September 30, 2012, NEPA Document Managers and NEPA Compliance Officers should submit a Lessons Learned Questionnaire as soon as possible after document completion but not later than November 1. Other document preparation team members are encouraged to submit a questionnaire, too. Contact Vivian Bowie at vivian.bowie@hq.doe.gov for more information.

LLQR Online

All issues of *LLQR* and the Lessons Learned Questionnaire are available on the DOE NEPA Website at energy.gov/nepa under Guidance & Requirements, then Lessons Learned. The electronic version of *LLQR* includes links to most of the documents referenced herein. To be notified via email when a new issue of *LLQR* is available, send your email address to yardena.mansoor@hq.doe.gov. (DOE provides paper copies only on request.)

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2012 GreenGov Symposium

The Council on Environmental Quality and the Association of Climate Change Officers (who represent private sector companies; international organizations; federal, state, and local governments; and academic institutions) are co-sponsoring the third annual GreenGov Symposium, which will be held in Washington, DC, on September 24-26. The conference focuses on sustainability and other topics related to Executive Order 13514, *Federal Leadership in Environmental, Energy, and Economic Performance*. Information, including the agenda and registration information, is available at www.greengov2012.org.

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 in Washington, DC. 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."

For more details (including fees) or to register, see the Institute's training schedule, which also lists additional courses of potential interest to NEPA practitioners, including *Effective Tribal Consultation* and *Collaboration Skills for Environmental Professionals*. The Institute is a program of the Udall Foundation, an independent federal agency.

Additional NEPA training opportunities may be located by an online search or by checking the NEPA Training Compendium *on CEQ's* NEPA.gov *website.*

Key Principles from the Secretary's Memorandum

The Secretary's memorandum included five key principles (that were identified by the NEPA Improvement Team) that managers and staff must observe:

Mutual Competence: NEPA Compliance Officers (NCOs) and Document Managers (NDMs) should acquire a basic understanding of good project management practice. Similarly, program and project managers should be knowledgeable about CEQ and DOE NEPA compliance requirements.

Headquarters and Field Organization Teaming: Field and Headquarters program and project managers, Field and Headquarters NCOs, and the Office of NEPA Policy and Compliance should team up to provide strong support to NDMs, starting early in NEPA document development. Consultation and coordination between the Field and Headquarters elements are particularly important during review of draft and final environmental impact statements, and, in certain important cases, environmental assessments.

Schedule Integration and Information Requirements: Program and project managers must work with NCOs and NDMs to identify NEPA compliance requirements as soon as practical after an action or project is proposed and must also incorporate appropriate NEPA activities with realistic durations into project schedules. This should include opportunities for early public involvement, which is essential to identifying issues that need to be addressed in the NEPA process. Managers must also ensure that data meeting acceptable quality assurance requirements are available for use in NEPA document preparation, consistent with project schedules.

Accountability: Program and project managers are to define individual roles on a project team, including NEPA compliance staff, holding members accountable and, where appropriate, reflect those roles in individual performance standards. Project Peer Review teams should assess the NEPA plan, schedule, and progress to ensure that project milestones will be supported and communicate their findings to appropriate managers.

DOE Order 413.3B: For projects subject to DOE Order 413.3B, *Program and Project Management for the Acquisition of Capital Assets* (November 29, 2010), the Federal Project Director (FPD) (or the Program Manager or Head of Field Organization prior to appointment of an FPD) is responsible for all phases of project planning and execution, including compliance with NEPA. (See Tables 2.1 and 2.2 of DOE Order 413.3B.) For each project, development of a sound NEPA strategy should commence at Critical Decision-0 (CD-0) for incorporation into the Tailoring Strategy. At CD-1, the preliminary range of reasonable alternatives should be identified, along with provision for critical scheduling, risk management, and Independent Project Review.

Building Mutual Competence: Project Management Training for NEPA Practitioners

Secretary Chu's June 12, 2012, memorandum on improved decision making through integration of program and project management with NEPA compliance recognized the important of mutual competence – a basic understanding of NEPA requirements and project management practices among program and project management and NEPA staff.

Three basic project management courses available through DOE's Online Learning Center (OLC) may be of interest to NEPA Practitioners:

- **Project Management for Non-Project Manager** provides course exercises to practice project management skills, e.g., leadership, monitoring schedule and quality, problem recognition, and implementing solutions.
- **Project Management Fundamentals** presents the importance of effective project management, objectives and activities, and project roles and responsibilities.
- **Initiating and Planning a Project** teaches the importance of successfully initiating and planning a project, identifying the elements of a project plan, creating a work breakdown structure, and project communications.

DOE employees may take these courses at no cost. DOE contractors must pay a fee. Log into DOE's OLC (directly or via Employee Self Service, ESS) and type "NEPA" in the Search Catalog box. The courses are listed under "NEPA Practitioner."

Suggestions for Applying the Secretary's Memorandum

By: Mark L. McKoy, NEPA Compliance Officer, National Energy Technology Laboratory

Close integration of NEPA compliance with project management is fundamental to our work at the National Energy Technology Laboratory. Below are suggestions based on our experience that may be useful to DOE's NEPA Community in implementing Secretary Chu's June 12, 2012, memorandum.

Mutual Competence

Awareness facilitates better decision making! DOE program and project managers can better integrate NEPA compliance if they have more familiarity with NEPA compliance processes and requirements. NEPA "awareness" training should be a requirement for program and project managers.

Training is no substitute for experience! DOE's program and project managers can improve their familiarity with NEPA processes and requirements by actively participating in NEPA planning and public meetings, reviewing NEPA documents, and drafting responses to public comments. One or more of these opportunities may fit into a busy manager's schedule. At least one DOE manager with decision making authority for a project should review the NEPA documents for that project.

Competence commensurate with responsibilities. Assignments of program and project managers and NEPA Document Managers should be based, in part, on demonstrated understanding of NEPA compliance.

What is good for program and project managers is also good for NEPA managers! NEPA Document Managers should be familiar with DOE's program and project management processes and requirements. Program and project management "awareness" training should be a requirement for NEPA Document Managers. Furthermore, NEPA Document Managers should be thoroughly trained in NEPA compliance processes, particularly on document manager roles and responsibilities; more experienced NEPA Document Managers should mentor less experienced staff. NEPA Document Managers should start their NEPA careers with small, simple projects and NEPA processes and work their way up to more complex, difficult assignments.

Headquarters and Field Teaming

Tightly integrated, well-focused teams are more efficient! DOE integrated project teams and NEPA teams that are single-project focused and composed of team members carefully chosen to fill all team needs with the fewest number of people tend to be the most efficient and effective. Such teams should be assembled at the initiation of the project. To lead effectively, team leaders need to demonstrate a breadth of knowledge (e.g., know the NEPA process steps), including an understanding of how the NEPA process dovetails with project planning. Team members respect (and work harder for) leaders that exercise fairness and wisdom in their management efforts. For large, complex projects, it may also be helpful to form working groups to handle specialized functions (e.g., business/cost evaluations, NEPA scoping). Ex officio members (advisors) should also be identified and assigned at the initiation of the project.

Public interaction. NEPA Document Managers, as well as program and project managers, must be competent to speak with the public on behalf of DOE. To this end, training on engaging the public should be required.

Schedule Integration, Information Needs

Conflicting views of what constitutes a realistic schedule. Realistic schedules are based on an understanding of the NEPA process, the drivers and risks, the anticipated level of effort, and applicable laws and regulations. Specifying an unreasonably short schedule is not an effective way to get the NEPA process done as quickly as possible.

Misunderstanding of information requirements. Training on sufficiency of EAs and EISs and on quality control would help those involved better understand the level of detail needed to support impact analyses and production of NEPA documents. In addition, a technical understanding of the relevant technologies and facilities would help DOE staff identify issues that should be addressed in NEPA documents for a particular project. Furthermore, with appropriate training and experience they could better answer questions from industrial participants about data needs and direct the preparation of the NEPA document.

Accountability

It takes one to know one! Managers responsible for assembling a project team must have a good understanding of all of the team requirements, including NEPA requirements. The ability to judge performance requires first-hand knowledge and experience. Again, training and experience are valuable for those who supervise the functional teams and hold team members accountable. LL

The Office of NEPA Policy and Compliance thanks Mark McKoy for his contribution to LLQR *and welcomes other recommendations from the DOE NEPA Community for implementing the Secretary's memorandum.*

Tips for Effective EIS Management Teams

Secretary Chu's June 12, 2012, memorandum on improved decision making through integration of program and project management with NEPA compliance highlighted the importance of headquarters and field organizations working as a team to support NEPA Document Managers, starting early in NEPA document development. Below are recommendations that were developed in coordination with several experienced DOE NEPA Compliance Officers (NCOs) and NEPA Document Managers on involving a management team during EIS preparation. (See also *LLQR*, December 2008, page 4, and June 2009, page 3.)

Laying the Groundwork/Early Planning

- Identify the role of an EIS team, such as to agree on the appropriate analytical approach, strategy, scope, and level of detail to be used in an EIS.
- Include team members from all affected offices, recognizing that participation may vary throughout the process. The NEPA Document Manager typically leads the team. Participants normally include the project manager for the EIS preparation contractor, the NCO, the project or program manager (or project engineer), the Office of NEPA Policy and Compliance, legal counsel, and key technical reviewers. Teams may also include representatives from cooperating agencies and DOE congressional and public affairs staff.
- Obtain senior management support for the EIS team, including active participation as needed (e.g., to resolve policy or resource issues).
- Establish a consistent schedule for meeting with the EIS team; regular communication facilitates accountability among team members and helps keep the EIS on track. Implement project management tools, including scope definition, schedule integration, and cost performance. For projects subject to DOE Order 413.3B, *Program and Project Management for the Acquisition of Capital Assets*, the Federal Project Director is responsible for all phases of project planning and execution – including NEPA compliance – and should provide day-to-day direction to the NEPA team and coordination with senior management.

Team Management

- Establish a close working relationship between the DOE NEPA Document Manager and the project manager for the EIS preparation contractor.
- Clearly establish roles and responsibilities for key players in the EIS process, including DOE and contractor staff.
- Get agreement early on the EIS approach and a realistic EIS schedule, and involve the team in any changes to the approach and schedule. Keep a detailed list of key decisions and action items.
- Identify points of contact, or dedicated teams, for particular issues.
- Establish guidelines, including agreed-upon schedules, for document reviewers.
- Require the EIS preparation contractor to designate a specific individual responsible for each section of the EIS; doing so creates accountability and fosters a mindset where individuals want to ensure that "their" sections are correct. Every week, the NEPA Document Manager needs to convene a document status meeting with the NCO and the contractor and/or DOE personnel responsible for each section of the EIS.

The Office of NEPA Policy and Compliance appreciates the detailed contributions to this article from Jack Depperschmidt and Drew Grainger, NCOs for the Idaho Operations Office and Savannah River Operations Office, respectively, and welcomes further suggestions on effective EIS management teams, particularly examples or case studies of best practices.

EPA To Require Electronic Filing of EISs

Starting October 1, 2012, all federal agencies must file their draft and final EISs electronically, pursuant to amended *EIS Filing System Guidelines* issued by the Environmental Protection Agency (EPA) (77 FR 51530; August 24, 2012). As of October 1, EPA will no longer accept paper copies or CDs of EISs for filing purposes. Electronic filing will eliminate the need to prepare an EIS filing letter and to deliver copies of the EIS to EPA and will enable EPA to host EISs on its website.

The amended guidelines remind agencies of their responsibilities to transmit an EIS to commenting agencies and make it available to the public before filing it with EPA (40 CFR 1506.9). This will ensure that the EIS is received by all interested parties by the time EPA's notice of availability appears in the *Federal Register* and, therefore, that the document is available for the full comment and review period, EPA explains.

How To File an EIS Electronically

The Office of NEPA Policy and Compliance will continue to file DOE EISs with EPA per Section 5.g(7) of DOE Order 451.1B, *NEPA Compliance Program*. DOE NEPA Document Managers should work with their points of contact in the NEPA Office and provide electronic files and related information no later than Wednesday of the week when an EIS is to be filed with EPA. This will allow time to ensure the file formatting and information are correct. The NEPA Document Manager should promptly notify the NEPA Office when distribution is complete, so that the EIS may then be filed with EPA.

The EIS files (including appendices) must meet EPA requirements for electronic submission (text box). For an abbreviated final EIS (as described in 40 CFR 1503.4(c)), an agency should include the draft EIS when filing the final EIS.

EPA began testing the new web-based filing system earlier this year (*LLQR*, June 2012, page 3). The NEPA Office filed two DOE EISs during the testing phase and provided feedback to EPA to support improvements to the system. For questions regarding EIS filing, contact Eric Cohen, NEPA Office, at eric.cohen@hq.doe.gov or 202-586-7684. The NEPA Office will incorporate the new filing procedures into an update to DOE's *EIS Distribution* guidance.

EPA's amended *EIS Filing System Guidelines* also address existing procedures related to adopting an EIS and the withdrawal, delay, or reopening of EIS review periods. For more information, see the guidelines or *LLQR*, March 2011, page 3.

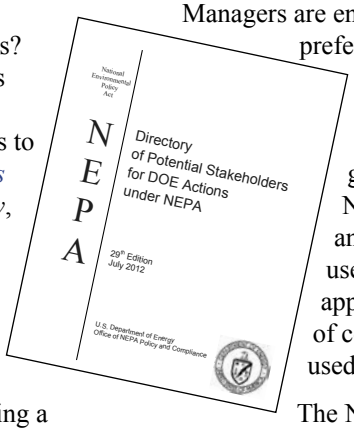
Preparing an EIS for Electronic Submission

- An EIS must be filed in Adobe Acrobat (pdf) format. An EIS may be divided into multiple files not greater than 50 MB each. Use Acrobat's Reduce File Size option to compress the files.
- Use the EIS title as the file name if submitting the EIS as a single file. Otherwise, name each file using the chapter or subchapter number, followed by its name.
- The files must be searchable. Most Acrobat files, other than scanned documents, are searchable by default. If needed, run optical character recognition.
- Enter metadata into Document Properties for title, subject, author, and keywords. Use the EIS title for both the title and subject fields, and the agency name in the author field. Further instructions are at http://yosemite.epa.gov/OEI/webguide.nsf/content/pdf_metadata.
- Bookmark EIS chapters and subchapters, and bookmark view should be displayed upon opening the file.

Based on Electronic Submittal of Environmental Impact Statements to EPA, *page 3*.

2012 DOE NEPA Stakeholders Directory Issued

How can I verify contact information before distributing a NEPA document or initiating other NEPA public involvement and consultation activities? For information about federal agencies, states and state government associations, and many nongovernmental organizations, the answer is to check the *Directory of Potential Stakeholders for DOE Actions under NEPA*. This *Directory*, prepared annually by the Office of NEPA Policy and Compliance, is intended to supplement DOE program and field office notification and distribution lists for NEPA documents.



Because stakeholder preferences – for receiving a complete EIS or its summary, and for receiving single or multiple paper copies or disks – may depend on the specific document, the 2012 edition of the *Directory* no longer indicates these preferences. NEPA Document Managers are encouraged to determine stakeholder preferences as part of planning for NEPA document distribution. The 2012 *Directory* includes links to detailed information provided online (e.g., state governors, Department of the Interior NEPA document review requirements) and omits information that is rarely used (e.g., fax numbers). The *Directory's* appendices continue to list DOE tribal points of contact and public reading rooms usually used for DOE NEPA documents.

The NEPA Office will update the *Directory* posted online as new information becomes available. For additional information, email askNEPA@hq.doe.gov.

Reminder: Interior Department Review and Coordination

The Department of the Interior (DOI) in June revised its *Environmental Review Distribution Requirements*, which emphasize its preference for receiving review documents in electronic format. The document URL and a single copy of a draft or final EIS on CD, DVD, or other widely used media should be provided to DOI's Office of Environmental Policy and Compliance. The office will distribute the EIS within DOI, consolidate resulting comments, and respond to the requesting federal agency. The address is: Director, Office of Environmental Policy and Compliance, U.S. Department of the Interior, 1849 C Street, NW (MS 2462), Washington, DC 20240.

DOI encourages coordination through its Regional Environmental Officers and Bureau NEPA Contacts on other environmental matters, including scoping, EAs, and matters of a regional nature. DOI also encourages federal agencies to establish working relationships with its field-level offices for project coordination and "to expedite the early resolution of environmental issues that would otherwise surface during the formal review of a project document," states DOI's distribution requirements memorandum.

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 was awarded recently under the current DOE-wide NEPA contracts. 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; March 2012, page 8; and June 2012, page 12.

Description	DOE Contact	Date Awarded	Contract Team
EA: Conveyance of Approximately 1,641 Acres of Unimproved Land to the Tri-City Development Council	Paula Call 509-376-2048 paula.call@rl.doe.gov	8/31/2012	Los Alamos Technical Associates

CEQ Distributes GIS Tools for NEPA Practitioners

Geographic information system (GIS) is a computer-based approach for collecting, storing, analyzing, and displaying spatial data – simply put, it links information to location. GIS can be a powerful tool in the hands of a NEPA practitioner.

In a webinar on August 22, 2012, John Jediny, Deputy Associate Director for NEPA Oversight, Council on Environmental Quality (CEQ), demonstrated the utility of applying GIS in the NEPA process. CEQ assembled an inventory of more than 150 government data services that can be used with most GIS software applications. CEQ undertook this effort to help NEPA practitioners get started or improve their GIS capacity and to increase the overall awareness and application of GIS in the NEPA process.

Mr. Jediny demonstrated a range of common tasks: mapping multiple layers of GIS data to visualize various resources in a particular area; identifying linked data for specific features on a map (e.g., using EPA data to identify water quality reports for particular water bodies or facility reports for hazardous waste sites), visualizing changes in development over time both historical and projected; and linking images to locations on a map (e.g., species distributions, zoning maps).

Unlike downloaded data, Mr. Jediny pointed out, when a GIS data service is updated by an agency, a GIS user automatically receives the most up-to-date information from the host server. Mr. Jediny used a free GIS software application, ArcGIS Explorer Desktop, for the webinar demonstration and provided a list of six other free GIS desktop applications. He distributed the GIS inventory and software information to CEQ's federal agency NEPA contacts, who in turn were asked to distribute the information to their field and regional staff. The documents were also posted, along with the recorded webinar, on the Office of Management and Budget's MAX Federal Community website at https://max.omb.gov/community/x/OwKoJQ. The recorded webinar is publicly available at https://vimeo.com/48087279.

Mr. Jediny, who is serving at CEQ on an interagency detail, will be returning to DOE's Office of Energy Efficiency and Renewable Energy, Office of Project Management and Evaluation, where he will continue to develop and implement NEPA process improvements and help integrate NEPA considerations with project management. After October 2012, he can be reached at john.jediny@ee.doe.gov or 202-586-4790. (Also see *LLQR*, June 2012, page 8, on governmental GIS resources at geo.data.gov and the Environmental Protection Agency's NEPAssist GIS tool.)

Have you used GIS in your NEPA review? We would like to feature examples in future issues of LLQR. *Please send them to Yardena Mansoor at yardena.mansoor@hq.doe.gov.*

Examples from CEQ's Inventory of GIS Resources from Federal Agencies

Environmental Protection Agency (EPA)
- National Hydrology Dataset
- WATERS (Watershed Assessment, Tracking & Environmental ResultS)
- EPA Cleanup Sites

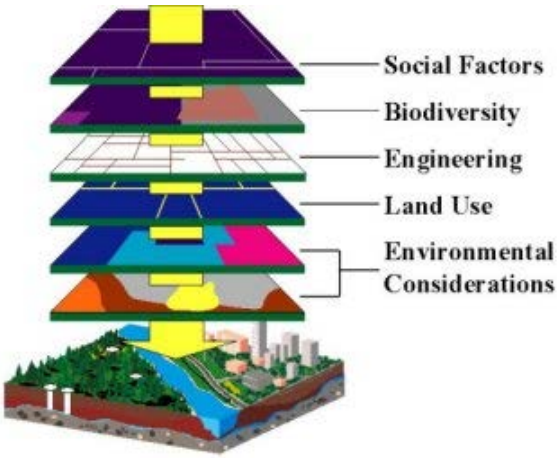
Federal Emergency Management Agency
- National Flood Hazard Layer

National Oceanic and Atmospheric Administration
- Habitat Areas of Particular Concern and Critical Habitat Designations
- The Multipurpose Marine Cadastre

National Park Service
- National Register of Historic Places
- NPScape

U.S. Fish and Wildlife Service
- National Wetlands Map
- Critical Habitat

U.S. Geological Survey
- The National Map
- The National Atlas
- Protected Areas Database of the United States
- National Land Cover
- The Historical Natural Hazards Database



How Can GIS Support the NEPA Process?

By: John Jediny, Deputy Associate Director for NEPA Oversight, CEQ

Scoping and Screening: GIS can identify the presence of resources and the potential for significant impacts to those resources. This helps determine the scope of issues to be analyzed and the appropriate level of detail for analysis in an EA or EIS. When determining whether a proposed action fits within a categorical exclusion, this screening can help identify whether any extraordinary circumstances are present.

Route and Site Alternatives: By helping locate environmental, socioeconomic, historic, and cultural resources and balancing those with engineering and technical needs for the proposed action (e.g., slope, access to roads, utilities and other infrastructure, access to required resources, allowable land use), GIS can help identify alternative routes and sites. GIS can help in modeling the intensity, duration, and location of potential impacts in areas potentially affected by alternatives. This information can help identify reasonable alternatives that avoid sensitive resources to the degree practicable.

Public Involvement: GIS applications provide more interactivity and customization than static maps and can also be used to create presentations, videos, and 3D models. This visual presentation of data can effectively and efficiently communicate the purpose and need for agency action, proposed action, alternatives and potential environmental impacts. GIS can go further, too, allowing exploration of possible alternatives, e.g., by testing "what if" scenarios of changing a route. Also, stakeholders, in their scoping comments, could propose alternatives they identified using GIS. GIS can also serve as a forum for communication, as an agency could publish a map of a proposed action and receive "geotagged" comments (comments tagged to a specific physical location), which can enhance the speed, analysis, and processing of comments. For example, if one particular area or resource may be a point of controversy, that physical area could be highlighted by the number of comments tagged to that location, and the agency may be able to avoid, mitigate, or otherwise address those concerns earlier in the process.

Situational Awareness and Context: GIS can provide 360-degree views from a street corner, a bird's eye view of an area, show relationships between the built and natural environment, and associate social media feeds (e.g., public comments sent through a social media website or application) with a location. This can provide a NEPA practitioner with a greater understanding of a physical area or community, providing the practitioner with new perspectives on how people in a community interact with their environment.

Applicable Permits and Reviews: Often the NEPA process facilitates compliance with other federal, state, tribal, and local permitting and review requirements for the proposed action. GIS can help identify particular resources or features that may trigger the need for review or permitting by another agency. For example, GIS can identify whether the proposed action would occur in or otherwise impact jurisdictional wetlands, floodplains or floodways, places on or eligible for listing on the National Register of Historic Places, prime or unique farmland, airspace or military operations, national parks, wilderness areas, critical habitat, impaired waters, and air quality non-attainment areas, among other resources.

Mitigation and Monitoring: GIS can assist agencies in implementing mitigation, including ways to avoid, minimize, rectify, reduce or eliminate, and compensate for an impact (40 CFR 1508.20). GIS applications can model sedimentation, erosion, discharges, and emissions to assist in targeting mitigation and monitoring. GIS can further support a monitoring program by providing the ability to visualize vast amounts of quantitative and qualitative information obtained from field surveys, monitoring stations, and other sources. GIS also allows agencies to visualize and compare the projected impacts in a NEPA analysis with monitoring data to adapt and improve corrective actions, if necessary. Incorporating GIS in monitoring efforts can facilitate continued stakeholder engagement throughout implementation by making monitoring data available in an online map. GIS can also assist in identifying highly valuable or fragile ecosystems that could be protected to compensate for impacts from a proposed action.

Indirect and Cumulative Impacts: GIS helps visualize and model both past and future development (e.g., induced development, enabled actions, and demands on supporting infrastructure) to inform the analysis of cumulative and indirect impacts of a proposed action. For example, GIS can assist in analyzing an area's socioeconomic conditions, the capacity and reliability of local waste, water, energy, and transportation infrastructure to meet present and future demands, and changes in resources or land use over time. LL

Improving Cooperating Agency Reporting
What Do the Numbers Mean?

The Council on Environmental Quality (CEQ) considers the participation of cooperating agencies integral to improving agency NEPA implementation, expediting decisionmaking, and resolving environmental conflicts. In a series of guidance memoranda starting in 1999, CEQ urges broad use of cooperating agency arrangements and recommends looking beyond federal agencies to include regional, state, local, and tribal governmental agencies. The benefits, these CEQ memoranda point out, include disclosure of relevant information early in the analytical process, access to technical expertise and staff support, avoidance of duplicative reviews, and establishing a mechanism for addressing inter- and intra-governmental issues.

DOE reported that on average 66 percent of its EISs involved cooperating agency participation during the reporting period, one of the highest agency-wide levels reported.

— CEQ Cooperating Agency Report

Progress and Obstacles Reported

In May 2012, CEQ issued a *Report on Cooperating Agency Status FY 2005 – FY 2011*, which presents agency-specific and government-wide data from 7 years of annual reporting to CEQ on cooperating agency involvement in EISs and EAs.[1] CEQ finds overall improvement in use of cooperating agencies, but notes that "the effort is not yet fully realized." The Report indicates that:

- Overall during the 7 years, federal agencies involved cooperating agencies in approximately 49 percent of EISs and approximately 6 percent of EAs.
- Lack of capacity or resources (i.e., training, time, personnel) continues to be a major reason that formal cooperating agency status is not established.
- Lead agencies frequently engage other governmental agencies in NEPA reviews without formally establishing cooperating agency status, especially where there are long-standing collaborative relationships.

Potential Improvements to Reporting Sought

"Merely knowing how many EAs or EISs in a given year used cooperating agency status does not help identify and explain instances where cooperation went particularly well or poorly," the Report states. The agencies' annual cooperating agency reports to CEQ "should place a greater emphasis on identifying the challenges faced in establishing cooperating agency status as well as identifying the beneficial outcomes achieved. . . ." The Report requests comments on how to improve the cooperating agency reporting approach.

For additional information on DOE's cooperating agency reports to CEQ, submitted annually each January, see the March issues of *LLQR* since 2006 or contact Yardena Mansoor, Office of NEPA Policy and Compliance, at yardena.mansoor@hq.doe.gov. LL

The NEPA Office welcomes observations from the DOE NEPA Community on how to work collaboratively with cooperating agencies, and will coordinate DOE's response to CEQ requests for recommendations to improve the cooperating agency reports.

40 CFR 1508.5

"Cooperating agency" means any federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major federal action significantly affecting the quality of the human environment. The selection and responsibilities of a cooperating agency are described in §1501.6. A state or local agency of similar qualifications or, when the effects are on a reservation, an Indian tribe, may by agreement with the lead agency become a cooperating agency.

[1] *CEQ's May 2012 Report is the second CEQ compilation of federal agencies' cooperating agency information. The first CEQ cooperating agency report, issued May 2005, summarizes agencies' semiannual reports from March 2002 through August 2004.*

A Summer Well Spent: Our Time in the NEPA Office

The NEPA Office was fortunate to have two outstanding interns assisting the staff this past summer. Megan Crowley, a senior at Michigan Technological University, is majoring in Applied Ecology and Environmental Sciences. Sabra Bushey, a junior at the University of Maryland, is majoring in Environmental Science and Policy. Both hope to pursue a career in environmental science and policy. We wish them success in their future endeavors.

Sabra Bushey – When I was applying for summer internship positions, DOE seemed to be an obvious choice that suited my future career interests in the environmental field. However, my first weeks in the Office of NEPA Policy and Compliance were overwhelming to say the least. I had been warned by my professors at school that working in the environmental policy field is like "alphabet soup" in the sense that everything is an acronym. I felt like my coworkers were speaking another language with unknown terms like EAs, RODs, and NOIs. However, as these feelings of confusion began to pass, I started to understand the NEPA process and my uncertainty of what was happening around me in the office quickly dissipated. I had learned some about NEPA in my classes at school, but this internship has provided me with a detailed understanding of the complexities and the importance of this statute.

My main duty as an intern in the NEPA Office was to help review EISs for consistency and accuracy. From reviewing these documents, I gained a better understanding of what information is required to be included in an EIS to comply with NEPA. I also learned how the NEPA process helps ensure that both the environment and the public's best interests are protected. One of my tasks was to help review public comments on draft EISs to make sure that all concerns were adequately addressed by DOE in the final EIS. In another task, I checked the DOE NEPA Website to ensure that NEPA documents were available to the public.

This summer internship has been a valuable experience and confirmed for me that a career in environmental policy with the federal government is something I definitely want to pursue.

Megan Crowley – When I decided to relocate to Washington, DC, this summer to work for the DOE Office of NEPA Policy and Compliance, I wasn't sure what to expect. I had learned about the NEPA process in an abstract manner at school and understood its basic mechanics, but I was surprised by the real life applications. It is easy to define what "NEPA" is in a text book, but in reality, it is something else to see its implementation that touches the lives of people all across America.

During my time in the NEPA Office, I was able to assist in reviewing several EISs, including responses to public comments. I also worked on updating the Stakeholders Directory (related article, page 7), which provides DOE NEPA staff with the names and addresses of potential interested parties to be notified of any pertinent NEPA documents being issued. I was impressed by the long list of nonprofit organizations that the directory includes, because it means the potential for greater public participation in the NEPA process. Another project that I worked on was assisting the office with reviewing social media tools that might help disseminate NEPA information to a larger audience and increase public participation (related article, page 13).

Megan Crowley (left) and Sabra Bushey, summer interns in the Office of NEPA Policy and Compliance, learned about some interesting DOE projects by assisting with, among other things, reviewing EISs. Both returned to college with a much better understanding of NEPA and DOE.

The coursework required for my major has given me a solid foundation for understanding the scientific side of environmental regulation. I think it is important that NEPA have an interdisciplinary approach, because in addition to scientific factors, such as hydrology or biological resources, there are also cultural and social aspects to be considered. These latter aspects, like tribal affairs and regional economic impacts, give EISs an additional dimension that requires professionals of diverse backgrounds.

Coming into this job, I wasn't entirely certain of what I wanted to pursue after graduation next May. After seeing the federal government at work, I feel that I'm making the right choice in pursuing a career in environmental regulation. I'm extremely grateful for the opportunity to work in the NEPA Office, and I know that I've made connections here that I'll hold onto for the rest of my career. LL

Transitions

NETL: Richard Hargis Retired

After a 25-year career at DOE's National Energy Technology Laboratory (NETL) and its predecessor energy technology laboratories, Richard (Rich) Hargis retired in August. Rich was the NEPA Document Manager for two EISs prepared for Office for Fossil Energy clean coal projects: the Mesaba Energy Project and the Kemper County Integrated Gasification Combined-Cycle Project. In recent years, he served as NETL's lead NEPA Compliance Officer.

The NEPA Office, on behalf of the DOE NEPA Community, offers best wishes to Rich on his retirement.

NEPA Office: Farewell to Connie Chen

Connie Chen, an Environmental Protection Specialist in the Office of NEPA Policy and Compliance, left this summer to accept a position as a Public Utilities Regulatory Analyst with the California Public Utilities Commission in San Francisco. Connie joined the NEPA Office in 2010 under a limited term appointment funded by the American Recovery and Reinvestment Act of 2009. Previously, she worked as an environmental consultant in California, where she helped prepare environmental documentation pursuant to the California Environmental Quality Act and NEPA. Having grown up in California, she was happy to be returning to her home state.

While at DOE, Connie made valuable contributions to DOE's NEPA rulemaking, the DOE NEPA Stakeholders Directory, and several EISs. Before her departure, the Office of Electricity Delivery and Energy Reliability recognized Connie's "outstanding support of and contribution to the completion of the Energia Sierra Juarez Transmission Line Final EIS."

The NEPA Office deeply appreciates the contributions Connie made during her time with us, and offers best wishes for her future endeavors.

Appeals Court Upholds EA for BELLA Facility at DOE's Berkeley Lab

In 2010, a local citizens' group, Save Strawberry Canyon, challenged the *Environmental Assessment for the Berkeley Lab Laser Accelerator (BELLA) Laser Acquisition, Installation and Use for Research and Development* (DOE/EA-1655, September 2009) and associated Finding of No Significant Impact (FONSI). The U.S. District Court for the Northern District of California granted the government's motion for summary judgment, and the plaintiff appealed. The Ninth Circuit Court of Appeals issued a decision in July 2012 affirming the district court's judgment in DOE's favor. The Ninth Circuit held that DOE took the necessary "hard look" at the potential impacts of the project and that DOE's FONSI was not arbitrary or capricious. (*Save Strawberry Canyon v. DOE*, Case No.: 11-15364)

Enhanced Public Participation through Social Media

By: Megan Crowley, NEPA Office Intern

Public outreach is an integral element in the NEPA process, and with modern tools it can be made even more effective. Web sites such as Twitter, Facebook, and YouTube are all being utilized by DOE, and they can be used effectively for NEPA projects.

These websites serve different purposes. YouTube is a video-sharing tool, which would be effective in sharing visual information. Facebook allows for picture, video, and text sharing. Twitter allows short-form "tweets" to convey small amounts of text, such as notices of public comment periods, or to provide links to newly published documents.

The National Nuclear Security Administration recently used YouTube to host a video related to the *Draft Site-Wide EIS for the Continued Operation of the Department of Energy/National Nuclear Security Administration Nevada National Security Site and Off-Site Locations in the State of Nevada* (Nevada SWEIS; DOE/EIS-0426). This 4-minute video offers pertinent information about the SWEIS alternatives, dates of the public comment period, and details about public hearings. The video also includes a brief summary of the NEPA process.

"The video worked very well during our public hearings where it ran on loop throughout the evening. We also posted it on our website and social media sites," explained Linda Cohn, NEPA Document Manager for the Nevada SWEIS. "The video was prepared in-house by our talented public affairs and outreach team, which kept costs to a minimum."

Video may reach a different audience than print media, as well as reinforce a message for people who both read about an EIS and watch a video. Further, posting the video on YouTube, in addition to the SWEIS website, creates the potential to reach a wider audience by tapping into YouTube's user base and internal search capabilities.

DOE has active Facebook, Twitter, and YouTube accounts. These accounts are used to share interesting stories about activities taking place in the Department and to solicit feedback from the general public. For example, DOE and Secretary Chu have Facebook pages; see www.facebook.com/energygov and www.facebook.com/stevenchu.

Currently, the DOE Facebook page has more than 18,000 "fans." These fans can receive updates when something is posted on the DOE Facebook page. The DOE Twitter account has more than 67,000 followers, who receive updates when a story is tweeted. The DOE YouTube page has close to 2,100 subscribers. These numbers indicate an interest in DOE's activities among users of social media.

By responsibly utilizing available tools, both public participation and transparency in the NEPA process can be increased. Creating additional avenues of information sharing makes it easier for individuals to receive NEPA-related information. This enables information to be disseminated more effectively, especially to the younger generation that routinely uses social media.

Example: Using Social Media for an EIS

The Alamo Regional Mobility Authority (RMA) is using Facebook, Flickr (an online portal for sharing photos), Twitter, and YouTube to facilitate public involvement on the Loop 1604 Project EIS – an EIS for 37 miles of proposed improvements to Loop 1604 in San Antonio, Texas, to enhance mobility and improve safety. The Federal Highway Administration, the Texas Department of Transportation, and the Alamo RMA are preparing the EIS. A "Social Media Disclaimer" posted on the Loop 1604 EIS website explains that the "social media sites are available for and are intended to encourage public dialogue about the project and are, as such, provided for outreach and informational purposes only." Below are links to the various pages that were created on social media sites for the Loop 1604 EIS:

- Facebook is used for general EIS updates.
- Flickr provides photographs from the public meetings.
- Twitter provides notifications and updates.
- YouTube provides informational videos.

NNSA Webcast Surplus Plutonium Disposition SEIS Public Hearing

The National Nuclear Security Administration (NNSA) provided a live video webcast of its public hearing in North Augusta, South Carolina, on the *Draft Surplus Plutonium Disposition Supplemental Environmental Impact Statement* (DOE/EIS-0283-S2) on September 4, 2012. "We provided the webcast as a convenience for those who could not attend the meetings to spread the information to a larger audience," said Sachiko McAlhany, NEPA Document Manager. The webcast was not interactive; therefore, comments could not be accepted via the web during the event. NNSA will make a recording of the webcast available on the Supplemental EIS's website through the end of the public comment period on October 10.

EAs and EISs Completed April 1 to June 30, 2012

EAs[1]

Bonneville Power Administration
DOE/EA-1855[2] (5/7/12)
Creston-Bell Transmission Line Rebuild Project, Spokane and Lincoln Counties, Washington
Cost: $178,000
Time: 16 months

DOE/EA-1913 (5/3/12)
Springfield Sockeye Hatchery Program, Bingham County, Idaho
Cost: $101,000
Time: 5 months

Golden Field Office/Office of Energy Efficiency and Renewable Energy
DOE/EA-1887[3] (4/9/12)
Renewable Fuel Heat Plant Improvements at the National Renewable Energy Laboratory Supplemental Environmental Assessment, Golden, Colorado
Cost: $29,000
Time: 11 months

DOE/EA-1809 (4/24/12)
White Earth Nation Wind Energy Project II, Mahnomen County, Minnesota, White Earth Indian Reservation, USA
Cost: $92,000
Time: 31 months

DOE/EA-1897 (4/5/12)
AltaRock's Newberry Volcano EGS Demonstration, Bend, Oregon
EA was adopted; therefore cost and time data are not applicable. [The U.S. Department of the Interior, Bureau of Land Management, was the lead agency; DOE was a cooperating agency.]

Western Area Power Administration
DOE/EA-1896 (4/13/12, FONSI 5/4/12)
Williston to Stateline Transmission Line Project, Williams County, North Dakota
Cost: The cost for this EA was paid by the applicant; therefore, cost information does not apply to DOE.
Time: 10 months

EISs

Bonneville Power Administration
DOE/EIS-0457* (77 FR 25165, 4/27/12)
(Draft EIS EPA Rating: LO)
Albany-Eugene Rebuild Project, Lane and Linn Counties, Oregon
Cost: $711,000
Time: 18 months

Office of Electricity Delivery and Energy Reliability
DOE/EIS-0414 (77 FR 34041, 6/8/12)
(Draft EIS EPA Rating: EC-2)
Energia Sierra Juarez U.S. Transmission Line Project, San Diego County, California
Cost: The cost for this EIS was paid by the applicant; therefore, cost information does not apply to DOE.
Time: 40 months

Western Area Power Administration
DOE/EIS-0427 (77 FR 34041, 6/8/12)
(Draft EIS EPA Rating: EC-2)
Grapevine Canyon Wind Project, Coconino County, Arizona
Cost: The cost for this EIS was paid by the applicant; therefore, cost information does not apply to DOE.
Time: 35 months

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.*
[2] *The EA document cover contains a BPA-assigned number – DOE/BP-4406.*
[3] *The EA document cover contains the number DOE/EA-1573-S1.*
** 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 Worked

- *Use of existing NEPA documentation*. There was an earlier EA for a similar project at the site, so there was the benefit of utilizing existing documentation for identification and analysis of environmental impacts and reasonable alternatives.
- *Multiple public meetings*. Multiple public meetings were held prior to the initiation of the EA. These public meetings helped to focus public commenting during the EA scoping process.
- *Responsiveness to community sensitivity*. Based upon experience in previous NEPA documents at the site, DOE knew that the local community was sensitive to visual impacts and agency actions impacting that resource. Using readily available data, a viewshed model was constructed to show locations within the viewshed where the proposed project would be visible. This allowed the EA to focus its analysis and select various vantage points throughout the viewshed to demonstrate the potential visual impacts. This also allowed the EA team to analyze the effectiveness of various potential color schemes of the proposed project to make the project blend in with the existing built and natural environment within the viewshed.

Data Collection/Analysis

What Worked

- *Use of electronic files*. Use of electronic files for communication was effective in rapidly communicating proposed edits to the document text.
- *Use of existing data*. The various resource impact analyses presented in this EA did not require data collection beyond existing and readily available data sets, such as traffic densities, vehicle accident rates on specific road corridors, and state-wide greenhouse gas emissions.

What Didn't Work

- *Data not easily accessible*. Not all necessary data was readily available from existing site documents and needed to be obtained from other sources. This impacted the time needed to resolve several technical issues. Early identification of areas that may be significant in the analysis of impacts could help ensure timely access to subject matter experts.
- *Delay in receipt of data*. Completion of the final EIS was delayed while DOE waited for some environmental information that the applicant had, but was reluctant to provide due to security concerns. These data needed to be reviewed and cited in order to address potentially significant environmental issues.
- *Additional analyses necessary*. Separate environmental review by the state of other projects in the vicinity raised issues that then also needed to be addressed in this EIS.
- *International data needs*. Some of the most significant environmental issues related to this project were associated with connected actions planned to take place on the other side of an international border. There were challenges in obtaining information – about environmental conditions in the other country and about the connected actions there – without intruding on the sovereignty of the other country. Much of the information that was obtained was in Spanish, so it needed to be translated. Online translation tools were helpful for obtaining quick translations of foreign-language documents in order to assess their relevance to the DOE EIS.
- *Changing staff*. Staff turnover led to some inconsistencies in reporting EA information.

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What Worked and Didn't Work *(continued from previous page)*

Schedule

Factors that Facilitated Timely Completion of Documents

- *Early start*. The EA process was started early enough to be completed in a timely manner.
- *Firm schedule*. Firm adherence to deadlines/timelines for EA team members to provide comments on draft documents facilitated timely document completion.
- *Regular scheduled meetings*. Regularly scheduled meetings (face to face) with team members, subcontractor, and subject matter experts to discuss specific language in the document supported timely EA completion.
- *Frequent communication*. Weekly telephone calls between the lead agency, EA contractor, and cooperating agencies facilitated necessary informational exchanges. Close interaction among federal agencies, the EA contractor, and the applicant on a weekly basis helped to facilitate effective communication and realistic expectations.
- *Cooperating agency participation*. Cooperating agencies were much more integrated into the EA process than is often the case. We regularly made our technical experts available for discussions when cooperating agencies needed clarifications.
- *Sharing preliminary drafts*. Very early in the EIS process, the contractor provided preliminary drafts of a few subsections of the document for DOE review. This allowed DOE to give early feedback on document organization and level of detail, which helped reduce the amount of "do-over" work that might otherwise have been needed.
- *Focused team*. Having a focused and dedicated team facilitated timely completion of the EA.
- *Hired consultants*. A couple of independent consulting firms were hired to assist in the preparation of the EA, biological assessment, and cultural resources documents. Having the same group prepare all three documents helped to ensure document consistency and enabled DOE to adhere to the project schedule.

Factors that Inhibited Timely Completion of Documents

- *Competing work priorities*. Resources were limited and personnel needed to address specific technical issues were not always available when needed.
- *Underestimated budget*. Initial EA budget did not consider the number of document revisions that were required.
- *Insufficient funds*. On at least one occasion during EIS preparation, there were insufficient funds to continue work on the EIS, resulting in delays while new funding arrangements were made.
- *Project was lower priority*. The EA was started during a period of high American Reinvestment and Recovery Act (ARRA) work. Since this non-ARRA project was a lower priority, the EA was delayed for many months past the requested completion date.
- *Lack of knowledge*. Initially the main technology used by the project was not well understood by cooperating federal agencies. This led to a learning period that was needed before the agencies understood the level of data that was appropriate for the EA impact analyses. Additionally, because the project involved well stimulation, DOE required a specific protocol be followed. This added months to the original schedule that was developed by the lead agency, which did not know of that requirement.
- *Project suspension*. The applicant temporarily suspended the project (and thus DOE's EIS), which created inefficiencies when the EIS started up again. Personnel needed to spend time getting back up to speed and some staff, who were no longer available, had to be replaced.
- *Use of Excel spreadsheets*. During final EIS preparation, using an Excel spreadsheet to provide DOE reviewers with proposed comment responses was less effective than intended because reviewers could not easily associate the responses with the actual comments
- *Multiple parties*. Given the multiple parties involved in the EA process, it took longer than expected to develop a proper Purpose and Need for the proposed action.

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What Worked and Didn't Work (continued from previous page)

- *Complex project*. The project involved working with multiple sites throughout the state. We changed our NEPA approach half way through the process - starting out as a supplement analysis and finishing as an environmental assessment instead.
- *Endangered Species Act (ESA) consultation*. The ESA consultation process for this project resulted in a change to an on-going program, which delayed the EA process.

Teamwork

Factors that Facilitated Effective Teamwork

- *Single DOE point-of- contact*. Communication between DOE and the management and operations (M&O) contractor was enhanced by having a single point of contact for DOE. The M&O contractor was responsible for managing subcontractor work on the EA.
- *Experienced contractor*. Use of a contractor with extensive experience with state environmental impact documents was sometimes a facilitator to teamwork, as the contractor often was better equipped to communicate effectively with state resources personnel, as well as understand the protocols by which state reference documents were developed.
- *Weekly meetings*. Weekly status meetings throughout the EA process kept the project moving forward and helped track completed tasks, open action items, issues, and discussion points.
- *Open communication*. Maintaining an effective and open communication line between the contractor and the EA personnel reduced the impact of the time constraints.
- *Team members identified early*. Key personnel and subject matter experts were identified early and involved throughout the NEPA process.

Factors that Inhibited Effective Teamwork

- *Untimely commenting*. Obtaining timely comments from team members on iterative draft versions of documents during specified timelines, while maintaining strict control on draft versions of the document, proved to be more difficult than anticipated due to other work priorities and time constraints of team members.
- *Differing NEPA experiences*. Differences in team members' NEPA experience was a barrier to productive teamwork. The contractor was not familiar with the ways that DOE addresses impacts and mitigation in its NEPA documents, which is very different from the way these topics are handled in state environmental documents, and it took DOE personnel some time to recognize the differences in approach and clarify expectations.
- *Section 106 consultation*. Consultation pursuant to Section 106 of the National Historic Preservation Act with the State Historic Preservation Officer took longer than anticipated, requiring multiple correspondence and phone calls for concurrence on the Area of Potential Effect and the "affect" determination.
- *Unavailability of EA contractor*. The contractor was regularly out of the office and in the field. This caused issues with contractor's timeliness in response to requests and document changes.
- *Unable to provide direct input to NEPA contractor*. EA contractors were procured by the M&O contractor and DOE could not provide direct input, comments, or guidance to the NEPA contractor. *[Editor's note: DOE is responsible for the content of its NEPA documents.]*

Process

Successful Aspects of the Public Participation Process

- *Engaged stakeholders*. The public and media were very engaged with the project and the EA process.
- *Effective comment period*. The comment period on the draft EA was the most valuable aspect of the public participation process because it illuminated some areas of the draft EA that were lacking. Responding to those comments ensured that the final document was much improved.

Unsuccessful Aspects of the Public Participation Process

- *Limited interest*. There was limited stakeholder/public interest in the project. No comments were received outside of state regulatory agencies and none were specific to the EA process.

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What Worked and Didn't Work *(continued from previous page)*

- *Public did not understand the NEPA process*. The public did not fully understand the scope of the EIS process, as indicated by many public comments that dealt with matters outside the scope of the EIS or requested mitigation measures that were beyond DOE's capacity to implement.
- *Public did not provide comments*. DOE went beyond the regulatory requirements to involve the public in the EA process during scoping and making the draft EA available for review. These efforts included notices in various media, such as local newspaper postings, quarterly community newsletters, website, and several thousand postcards. However, we only received scoping and draft EA comments from agencies and nongovernmental organizations.
- *Limited public participation*. Due to the remote location of our project site, only two individuals attended the public scoping meeting. We employed creative ways to contact the public, including posting information at local businesses, but there was not a substantial amount of interest expressed during scoping.

Usefulness

Agency Planning and Decision Making: What Worked

- *Need for monitoring identified*. The EA process focused the site on potential impacts of the project and controls that will require monitoring during the construction phase.
- *Provided awareness of impacts*. The EA process provided a higher level of awareness of potential impacts from the project, rather than merely representing completion of a milestone for achieving approval of a project management milestone, "Critical Decision 2."
- *Provided project education*. The EA process aided considerably, not just in the analysis of potential impacts to resources, but also as an educational tool for decision makers to learn about and understand the project itself and the technologies involved.
- *Identified potential impacts to historic properties*. The EA process identified some possible indirect visual impacts to historic properties, which resulted in changes in the project's scope.
- *Identified mitigation opportunities*. The EIS process helped agency decision makers understand the impacts of the proposed action. Several mitigation opportunities were identified as a result of the scrutiny provided by the EIS review.
- *Informed decision making*. The EA process allowed the decision makers to make an informed decision regarding the proposed action. They understood the need for the proposed action, the positive impacts of the proposed action as well as the negative impacts, and recognized the steps taken to minimize potential impacts to human health and the environment.
- *Helped organize project*. The EA process was helpful in organizing the data gathering and permitting processes, as well as getting down to focus on the details of the project sites and their impacts. Working through the EA process allowed us to identify the best approach which resulted in a stronger document.

Enhancement/Protection of the Environment

- *Defined safeguards*. The EA process helped to define safeguards for the project that will ultimately lead to environmental protection.
- *Clean Energy*. The NEPA process facilitated the use of clean wind energy for a community.
- *Reduced potential visual impacts*. The environment was largely protected as a consequence of this EA process, which facilitated effective siting of the proposed project as well as helped select measures to reduce potential visual impacts.
- *Protect endangered species*. The NEPA process helped identify impacts on existing populations of federally-listed threatened and endangered (T/E) species. Additionally, with the construction of the proposed project, a federally-listed T/E species will benefit.

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What Worked and Didn't Work *(continued from previous page)*

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 decision making.

For the past quarter, in which 6 questionnaire responses were received for 5 EAs and 1 EIS, five respondents rated the NEPA process as "effective." One rated the process as "2."

- A respondent who rated the process as "5" stated that the NEPA process and the data derived from the process provided the decision makers with enough information to make an informed decision about a project that initially was not well understood by those decision makers.
- A respondent who rated the process as "4" stated that the NEPA process helped refine the permitting process and ensured that the EA was a sound, defensible document. Additionally, the NEPA process led to a better understanding of the environmental implications of the proposed action and helped to identify potential mitigation.
- A respondent who rated the process as "4" stated that the NEPA process for this project helped the decision makers understand positive and negative impacts to various resources, helping them make an informed decision.
- A respondent who rated the process as "3" stated that the NEPA process provided a higher level of awareness of potential impacts from the project, rather than merely representing completion of a project milestone. The NEPA process, however, continues to be viewed by certain project personnel as a check-the-box type requirement that needs to be completed rather than a tool for decision making.
- A respondent who rated the process as "3" stated that the NEPA process helped a little, but basically seemed administrative, since prior EAs in the area had found impacts and public issues to be null.
- A respondent who rated the process as "2" stated that the magnitude of the effort involved in producing a complex EIS for a relatively small project outweighed the benefits.

NEPA Document Cost and Time Facts

EA Cost and Completion Times

- For this quarter, the median cost for the preparation of 4 EAs for which cost data were applicable was $96,000; the average cost was $100,000.
- Cumulatively, for the 12 months that ended June 30, 2012, the median cost for the preparation of 32 EAs for which cost data were applicable was $91,000; the average was $156,000.
- For this quarter, the median completion time of 5 EAs for which time data were applicable was 11 months; the average was 15 months.
- Cumulatively, for the 12 months that ended June 30, 2012, the median completion time for 44 EAs for which time data were applicable was 12 months; the average was 16 months.

EIS Cost and Completion Times

- The cost of 1 EIS completed this quarter, for which cost data were applicable, was $711,000.
- Cumulatively, for the 12 months that ended June 30, 2012, the median cost for the preparation of 4 EISs for which cost data were applicable was $1.74 million; the average was $2.92 million.
- For this quarter, the median completion time for 3 EISs for which time data were applicable was 35 months; the average was 31 months.
- Cumulatively, for the 12 months that ended June 30, 2012, the median completion time for 10 EISs for which time data were applicable was 25 months; the average was 24 months.