

LESSONS LEARNED

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Bonneville's "Balanced Scorecard" Approach to Mitigation, Monitoring, and Adaptive Management

By: Kathy Pierce, NEPA Compliance Officer, Bonneville Power Administration

This year Bonneville Power Administration (BPA), DOE's power marketing organization in the Pacific Northwest, will spend more than \$300 million on mitigation projects to meet its mandate under the 1980 Northwest Power Act to "protect, mitigate and enhance" fish and wildlife affected by construction and operation of the Federal Columbia River Power System. How is BPA meeting its responsibility to ratepayers to ensure that these mitigation funds are spent effectively?

Like all Federal agencies, BPA must comply with Executive Order (E.O.) 13423, *Strengthening Federal Environmental, Energy, and Transportation Management*, which requires the implementation of an environmental management system (EMS). BPA's *Environmental Management System Handbook* (2009) lays out a "Balanced Scorecard Management System," implemented throughout BPA as our EMS. An independent (i.e., non-BPA) DOE audit in September 2009 found our Balanced Scorecard to be "suitable, adequate and effective and fully implemented in conformance with the requirements of E.O. 13423."

BPA's Balanced Scorecard provides a comprehensive view of how we comply with and improve upon our performance through mitigation, action effectiveness monitoring, and adaptive management. Responsibilities are assigned to three functional groups within BPA's Environment, Fish and Wildlife office: Environmental Planning and Analysis, Pollution Prevention and Abatement, and Fish and Wildlife.

- The Environmental Planning and Analysis group prepares NEPA compliance documents and mitigation action plans.
- For transmission construction and transmission rebuild projects, the Environmental Planning and Analysis group and the Pollution Prevention and Abatement group jointly conduct implementation and post-implementation monitoring.



A mitigation monitoring team visits a Wenatchee River Off-channel Project in Washington State to observe measures to protect water quality during construction.

- For fish and wildlife projects, the Environmental Planning and Analysis group and the Fish and Wildlife group jointly conduct implementation and post-implementation monitoring.
- For the vegetation management program and waste management program, the Pollution Prevention and Abatement group monitors implementation and is responsible for post-implementation monitoring.

BPA's mitigation commitments are identified and established through the NEPA process. NEPA documents identify many mitigation measures as part of consultation,

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Inside *LESSONS LEARNED*

Welcome to the 67th quarterly report on lessons learned in the NEPA process. This issue showcases BPA's mitigation and monitoring activities and best practices of DOE Program and Field Offices for efficiently preparing NEPA documents, involving the public, and making a difference in the quality of environmental protection. Thank you for your continuing support of the Lessons Learned program. As always, we welcome your suggestions for improvement.

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Carol Songstrom

Director
Office of NEPA Policy and Compliance

Be Part of Lessons Learned

We Welcome Your Contributions

We welcome suggestions, comments, and contributed drafts for the *Lessons Learned Quarterly Report*.

We especially seek case studies illustrating successful NEPA practices. Draft articles for the next issue are requested by August 1, 2011. Contact Yardena Mansoor at yardena.mansoor@hq.doe.gov.

Quarterly Questionnaires Due August 1, 2011

Lessons Learned Questionnaires for NEPA documents completed during the second quarter of fiscal year 2011 (April 1 through June 30, 2011) should be submitted by August 1, 2011, but preferably as soon as possible after document completion. The Questionnaire is available on the DOE NEPA Website at nepa.energy.gov under 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 Lessons Learned. We provide paper copies only on request. Send distribution requests to yardena.mansoor@hq.doe.gov.

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 This icon indicates that *LLQR* online (nepa.energy.gov under Lessons Learned) provides a link to a referenced webpage.

Best Practice: Make Reference Documents Available Online

Posting key reference documents on a website, concurrent with issuance of a draft or final EA or EIS, is an efficient way to fulfill NEPA requirements and further Open Government initiatives. If NEPA document managers plan ahead for such posting, they can ensure that security reviews and other procedures to release documents are completed in a timely manner.

The Council on Environmental Quality regulations state that material may not be incorporated by reference "unless it is reasonably available for inspection by potentially interested persons within the time allowed for comment" (40 CFR 1502.21). The simplest and, for many people, most effective way to accomplish this is to post the reference documents on a website. Before such documents are posted, they should be reviewed according to standard procedures for public release of information. Reference documents that are readily available in the open literature (e.g., textbooks) need not be posted.

Reference documents should not be available only online, however. DOE should accommodate the needs of people interested in reviewing an EA or EIS but whose access to the Internet and related technology is limited. To accomplish this, NEPA document managers should follow normal business practice and place reference documents in DOE reading rooms.

References for many DOE EISs are posted online. For example, after publishing most reference documents online for the *Complex Transformation Supplemental Programmatic EIS* (DOE/EIS-0236-S4), several members of the public expressed their appreciation. Posting references online makes use of modern technology to enhance transparency and provide convenient and timely opportunities for public review of the information relied on in preparing an EA or EIS. Doing so also may have a practical benefit for DOE by lessening the potential that DOE would need to extend a public comment period if the reference documents are not reasonably available for public review. 



Promoting NEPA Transparency and Public Engagement

“NEPA is, at its core, a transparency statute,” said Katie Scharf, Council on Environmental Quality (CEQ) Deputy General Counsel, in opening a panel discussion on using information technology to support open government initiatives, engage the public, and add value to NEPA analysis. At the March 9, 2011, event – hosted by CEQ for Federal NEPA and legal staff – speakers promoted the benefits of enhancing transparency and offered practical implementation advice. Ms. Scharf asked the speakers to address why transparency is essential to the NEPA process and describe innovative approaches and achievements.

NEPA’s value, especially with regard to EISs, is based on transparency, observed Cass Sunstein, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget. He quoted from Louis Brandeis, later a Supreme Court justice, on the power of public availability of information to improve government accountability: “Sunlight is said to be the best of disinfectants.”¹

Public Comment Process Is Essential

The public comment process, which provides an opportunity to aggregate “dispersed information,” is indispensable to both NEPA and rulemaking, Mr. Sunstein said. The public has information that governments lack, which is why central management of complex systems generally fails, he noted. He praised “open government” initiatives that provide information that people can readily find and use, such as Data.gov. The full potential of the NEPA process, he concluded, could be better realized if more EISs were available online.

Scott Blake Harris (then the DOE General Counsel) discussed lessons learned from the Department’s recent initiatives to expand transparency in its NEPA process. He described DOE’s decision to document categorical exclusion determinations and, apparently unique among Federal agencies, make them available online with only limited exceptions ([LLQR, March 2010, page 1](#)).

Web Posting Initiative a Success

Initial internal concerns – that posting DOE categorical exclusions on a website could induce more Freedom of Information Act requests, pose litigation risks, or flood DOE offices with inquiries seeking additional information – proved groundless, he noted. The practice has resulted in no complaints, praise from stakeholders, and recommendations that other agencies follow DOE’s example. DOE’s categorical exclusion determination




“The more transparent we are,” concluded Scott Blake Harris (center, between Katie Scharf and Chris Vein), “the better our work will be, the better the information we will get, and the more trust we will establish with the public.”

database (which includes more than 5,800 determinations) provides information that was not previously available in any systematic way, and is identified as a high-value dataset on Data.gov.

DOE makes draft EAs available for public comment whenever possible (concurrent with host state/tribal review). DOE now posts most draft EAs on the DOE NEPA Website (nepa.energy.gov) and provides timely email notification of postings and comment periods to individuals who register ([LLQR, September 2010, page 1](#)).

Transparency May Require Greater Risks

Chris Vein, recently named Deputy Chief Technology Officer, White House Office of Science and Technology Policy, noted that increasing transparency requires government officials to be more accepting of risks and controversy, and may require substantial capital investment. In designing public datasets, he advised, approaches based on proactive collaboration with the users of information are more likely to lead to success than designs based primarily on the preferences of the sponsoring agency. He warned against losing credibility by ignoring comments once an agency has established the public expectation that comments will be taken seriously.

The ensuing discussion included a reminder that public disclosure in the NEPA process should not be limited to computer- or Internet-based technologies. These are not universally available to public stakeholders. Age, geography, and financial constraints may create environmental justice concerns if paper copies are no longer made available on request to parties who do not have Internet access. 

¹“Other People’s Money,” *Harper’s Weekly*, December 20, 1913, www.law.louisville.edu/library/collections/brandeis/writings.

“Sunshine Week” Symposium Surveys Open Government Progress, Challenges

Two organizations, OpenTheGovernment.org and the Center for American Progress, jointly convened a symposium of transparency experts to evaluate the Administration’s efforts towards “creating an unprecedented level of openness in government.” Two years after President Barack Obama committed to this goal, in a memorandum issued the day following his inauguration ([LLQR, March 2009, page 1](#)), the symposium assessed progress from both policy and technical vantage points and identified plans and recommendations to further enhance government transparency.

The discussion was held during Sunshine Week (this year during the week of March 9), a yearly event to raise awareness of the importance of open government. The first panel covered policy aspects of the Open Government Initiative, while the second focused on the effects of technology on the way people obtain and use information. A [video](#) of the complete proceedings is available on the Center for American Progress website.



Highlights:

- “We know from experience that Government is smarter, more responsive, and more ethical when its actions are open to public scrutiny.” (Introductory remarks, Reece Rushing, Director of Government Reform, Center for American Progress)
- The National Archives and Records Administration ([Archives.gov](#)) is working to improve Freedom of Information Act (FOIA) compliance, implement declassification directives, and preserve governmental electronic records such as email. Maintaining electronic records of government activities – especially email and website content – poses challenges that parallel the archiving of paper records many decades ago. The Federal Records Act needs to better recognize electronic records. (David S. Ferriero, Archivist of the United States)
- The next year will see continued progress on implementing the Open Government Initiative, including bringing in “information entrepreneurs” to make information accessible, searchable, and centralized – and thus more useful to citizens. During Sunshine Week 2011, the Administration launched [FOIA.gov](#), a consolidated interagency site, to provide quantitative information and resources. Proactive measures will be emphasized in the coming year, such as a series of “requestor roundtables” between agencies and the public. (Steven P. Croley, Special Assistant to the President for Justice and Regulatory Policy, White House Domestic Policy Council)
- Coinciding with Sunshine Week 2011, OMB Watch published [Assessing Progress Toward a 21st Century Right to Know](#), which considers how the Administration has addressed 70 detailed recommendations – on national security and secrecy, usability of government information, and creating an environment for transparency – that were endorsed by more than 300 organizations and individuals in 2008. Among the key findings are that new policies – for example, on classification, scientific integrity, and open government – have been helpful. However, they are not yet fully implemented and much remains to be done, such as improving government records management and preservation, and the use and consistency of metadata. (Gary Bass, Executive Director, OMB Watch)
- The Department of Health and Human Services (HHS) [Community Health Data Initiative](#) aims to integrate and maximize the power of data collected by multiple agencies. HHS pointed to the example of the National Oceanic and Atmospheric Administration, which publishes extensive weather data online for free for others to analyze. HHS invited a group of innovative thinkers to develop applications based on community health and provider quality data; 9 days later more than 20 new or improved applications were unveiled to great enthusiasm. “We are on a data publishing rampage The best way to take advantage of your data is to let others take advantage of it.” (Todd Park, Chief Technology Officer, HHS)
- [Data.gov](#) has been a rallying point for agencies as they grapple with how to publish data. This data catalog is a useful tool, but there is room for improvement, in particular, by making source data available. Agencies are better at releasing datasets about private actors and our society than about government activities, such as tax expenditures and agency spending. One reason for this is the age of systems that agencies use to track their activities. The government should conduct a thorough audit of the data it collects. (Tom Lee, Director, Sunlight Labs, Sunlight Foundation) The Sunlight Foundation logo, consisting of two stylized 'L' shapes.



“Balanced Scorecard” (continued from page 1)

permit, or review requirements under environmental statutes such as the Endangered Species Act, Clean Water Act, and National Historic Preservation Act. A Mitigation Action Plan¹ (MAP) attached to a record of decision provides a complete list of mitigation measures and commits to mitigation monitoring. BPA also prepares a MAP when relying upon an EA and mitigated finding of no significant impact.

The “Scorecard” Approach

Each year the Environmental Planning and Analysis group selects at least four transmission and fish and wildlife projects to review, with priority given to projects involving high complexity, resource sensitivity, and difficulty during mitigation implementation. Each annual review also includes follow-up on problems found in the previous year’s report.

Bonneville Power Administration Fish and Wildlife Mitigation



Each year, BPA funds a variety of projects to “protect, mitigate and enhance” fish and wildlife, including:

- land acquisition and management,
- water rights acquisition and management,
- habitat restoration and improvement,
- weed control,
- riparian fencing, and
- similar wildlife conservation actions.

For example, BPA’s mitigation efforts involve fish recovery, especially salmon, which have a profound economic and cultural importance for Indian tribes in BPA’s service area. One method of fish recovery is to use hatcheries to augment the number of fish in the river system. BPA has partnered with Indian tribes establishing tribal hatcheries. For example, BPA funded the Yakima Fisheries Project, a group of four tribal hatcheries that aimed to enhance the production of spring chinook salmon in the upper Yakima basin. Successes have been documented by biologists who estimate that operation of the Yakima Fisheries Project has accounted for 70 percent to 90 percent of the increase of these spring chinooks from about 3,000 fish per year to 15,000 or more fish per year since 2001.

For each review, a mitigation monitoring team is established; the manager, team lead, and NEPA Compliance Officer join specialists in fish and wildlife, cultural resources, wetlands, and vegetation. The team develops a plan for sampling mitigation measures to determine whether mitigation measures are implemented as described in the NEPA document’s MAP, determine whether implemented measures are effective, identify causes of any shortcomings, and recommend improvements.

We believe that mitigation monitoring is an agency strength that we should continue to build on to ensure our continued success.

– Kathy Pierce

During a site visit, the team asks:

- Was the mitigation implemented? If not, why not?
- Was the mitigation implemented correctly? If not, what problems occurred?
- Was the mitigation effective? If not, what other mitigation should be implemented?
- Are additional site visits needed to determine effectiveness? If so, when?

The team’s findings and recommendations are presented in a report and form the basis of the annual mitigation reports.

Monitoring Steps Depend on Project Type

Monitoring protocols, schedules, and tracking tools are tailored to the types of projects that BPA undertakes.

- **Construction and Maintenance:** Contracts for transmission construction and maintenance projects specify MAP commitments; the contractor must provide an onsite environmental representative during the entire project and a BPA environmental specialist is onsite during construction and maintenance to ensure that all environmental specifications are implemented. Depending on the complexity of the project and mitigation required, frequency of field monitoring can range from daily to once every 1 to 2 weeks.

(continued on next page)

¹ DOE’s NEPA regulations (10 CFR 1021.331) require preparation of a MAP to address any mitigation commitments expressed in a record of decision and explain how the mitigation commitments will be planned and implemented. A MAP is also required for a “mitigated FONSI.” DOE Order 451.1B, National Environmental Policy Act Compliance Program, requires an annual progress report on implementation of such mitigation commitments.

“Balanced Scorecard” (continued from previous page)

- **Vegetation Management:** For each vegetation management project, BPA reviews all prescriptions for manual, chemical, mechanical, and biological treatments for consistency with the mitigation requirements of BPA’s programmatic *Transmission System Vegetation Management Program EIS* (DOE/EIS-0285) and Record of Decision (August 2000). BPA also works with the project manager or field natural resource specialist to modify any inconsistent prescriptions, and – after completing an environmental checklist – issues a supplement analysis. Rights-of-way are monitored after treatment and again within a year to determine effectiveness and identify follow-up treatments or additional mitigation as needed.
- **Waste Management:** Environmental specialists conduct regulatory compliance assessments for BPA facilities on an annual schedule using a standard operating procedure. Environmental audits are also performed to evaluate non-BPA facilities for potential waste management options and to assess the liability risk to BPA using these facilities for waste disposal.
- **Fish and Wildlife:** BPA’s Fish and Wildlife group uses two tools to facilitate mitigation monitoring. **Pisces** is BPA’s collaborative application for contractors and BPA to manage, measure, and document project progress. **Taurus** is a public website, cbfish.org, for tracking compliance with fish and wildlife program goals by compiling data from all projects reported in Pisces.




Summary

Together, these efforts present a picture of BPA’s comprehensive environmental mitigation and monitoring activities. They also help assure that we are using adaptive



A BPA mitigation monitoring team inspects a new culvert installed to prevent vehicles from driving through a stream at the Libby-Troy Rebuild Project in Montana.

management successfully. We need to know which mitigation activities work and which do not work so that we really are mitigating adverse environmental impacts. For the ones that do not work as anticipated, we need to develop and implement alternate measures. Then we need to monitor their effectiveness, too.


We continue to look for additional ways to improve our program to help ensure that mitigation is providing the benefits predicted, consistent with the Council on Environmental Quality’s recent guidance, *Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated FONSI*s (76 FR 3843; January 21, 2011) (*LLQR*, March 2011, page 5). For additional information, please contact me at kspierce@bpa.gov or 503-230-3962. 



DOE Evaluating NEPA Compliance in Audits

An assessment of NEPA compliance is included in new audit guidance issued by the Office of the Chief Financial Officer in February 2011. The guidance is being used in ongoing audits of for-profit recipients and subrecipients of financial assistance awards from DOE. The guidance addresses a wide range of issues such as scope of the award, financial controls, and compliance with a variety of requirements, including NEPA, the Endangered Species Act, and the National Historic Preservation Act. This is the first time DOE has issued such guidance.

In regard to NEPA, the guidance directs auditors to determine whether the recipient or subrecipient has procedures in place to ensure compliance with NEPA-related requirements in their financial award and has a process to notify DOE of changes to project scope or execution that may affect those NEPA-related requirements.

The audit guidance is available as [Policy Flash 2011-46](#); audit procedures for NEPA compliance are contained in attachment 2. For further information, contact Kim Krizanovic, Office of the Chief Financial Officer, at kimberly.krizanovic@hq.doe.gov. 




NAEP Conference Explores Sustainability



This year's conference of the National Association of Environmental Professionals (NAEP) focused on "sustainable stewardship," said Ron Deverman, NAEP President, in opening remarks. The 3-day conference, "Seventh Generation Thinking: Learning from the Past – Planning for the Future," held April 27 to 29, brought some 300 people to Denver from government agencies and private companies, most of whom have many years of experience implementing NEPA.

Conference sessions covered a wide range of topics regarding siting alternative energy sources, environmental regulations, land and watershed management, environmental education, cultural resources management, transportation siting, and brownfields development.

In addition, the NEPA track of the conference included sessions on the 2010 oil spill in the Gulf of Mexico, climate change, no action alternatives, an annual update of NEPA-related litigation, and techniques to improve NEPA implementation.

In summarizing a key conclusion from her annual review of NEPA-related litigation, Lucinda Low Swartz, environmental consultant and former Deputy General Counsel at the Council on Environmental Quality, said, "As always, courts upheld decisions where the agency could demonstrate it had given potential environmental impacts a 'hard look' and invalidated those where the agency failed to do so." 


Golden Field Office Wins Award for Recovery Act NEPA Work

"Last year was a wild ride!" said Robin Sweeney, NEPA Compliance Officer and Director, Office of the Environment, on accepting the National Association of Environmental Professionals NEPA Excellence Award on behalf of the Golden Field Office at the NAEP Annual Conference.

Under the American Recovery and Reinvestment Act (Recovery Act), the Office processed more than 4,000 initial NEPA determinations for financial assistance for renewable energy projects, a 12-fold increase from fiscal year 2009. The Office issued six times the normal number of EAs, and reduced the average timeline for an EA to approximately 4 months. In an attempt to streamline initial reviews, the Office developed a series of forms and documents, including templates and statements of work, while the Chief Counsel Office within the Golden Field Office established programmatic agreements with many states to handle the large volume of projects requiring expedited historic preservation reviews.

In addition, the Office of the Environment reached out for help from Energy Efficiency and Renewable Energy (Office of Field Performance Management), Office of Environmental Management, National Nuclear Security Administration and Oak Ridge Operations Office, as well as assistance from the Office of NEPA Policy and Compliance and the Office of the Assistant General Counsel for Environment. "This was definitely a team effort," said Steve Blazek, Golden's Senior NEPA Compliance Officer. "We could not have been successful otherwise."

Most of the NEPA work of the Golden Field Office is for investments in clean energy technologies to strengthen the economy, protect the environment and reduce dependence on foreign oil. The Office monitors financial assistance awards for research on, and development and deployment of renewable technologies. Under the Recovery Act, signed into law by President Barack Obama on February 17, 2009, funding for these activities increased more than 20-fold, leading to record numbers of financial assistance awards, each requiring NEPA review.

"It was an honor for the Office of the Environment to have received this award from an esteemed external group like the National Association of Environmental Professionals," said Carol Battershell, Manager of the Golden Field Office. 



The Award recognized Golden's Office of the Environment staff: (left to right, front) Steve Blazek, Lori Plummer, Robin Sweeney, Laura Margason, Casey Strickland, (back) Amy Van Dercook, Chris Carusona, Kristin Kerwin, Rob Smith, Lisa Jorgensen, and (not pictured) Melissa Rossiter.



CEQ Plans to Complete NEPA Climate Change Guidance

The Council on Environmental Quality (CEQ), in a series of workshops with Federal land management agencies conducted in April 2011, outlined its plans for completing guidance on considering the effects of climate change and greenhouse gas (GHG) emissions in NEPA documents. CEQ intends to issue draft guidance this summer on considering climate change for land and resource management actions. After considering public and agency comments, CEQ will combine the land and resource management guidance with the generally-applicable draft climate change guidance that CEQ issued for public comment in February 2010 (*February 2010 draft NEPA guidance*). (See *LLQR*, March 2010, page 3.) CEQ's goal is to issue the combined final guidance by the end of 2011.



Land Management Accounting Complexities

In the February 2010 draft NEPA guidance, CEQ stated that the guidance was not intended to apply to land and resource management actions, and requested comments on the appropriate means of assessing the GHG emissions and sequestration that are affected by Federal land and resource management decisions. The draft guidance stated that “[l]and management techniques, including changes in land use or land management strategies, lack an established Federal protocol for assessing their effect on atmospheric carbon release and sequestration at a landscape scale.”

CEQ also discussed some of the complexities regarding how to calculate GHG emissions associated with land management decisions in a separate, final technical guidance document: *Federal Greenhouse Gas Accounting and Reporting Guidance*, October 2010.¹ That document illustrates some of the reasons why CEQ did not originally propose to make the February 2010 draft NEPA guidance applicable to land management decisions.



The October 2010 technical guidance discusses the challenges to calculating GHG emissions associated with several land use actions potentially relevant to DOE renewable energy projects, including those involving combustion of biofuels (liquid or gas fuels created from plant or animal matter) and solid biomass. For example, the guidance describes ongoing efforts to develop accounting approaches for biofuels “. . . that will appropriately reflect the true atmospheric impact.” CEQ received many comments on a draft of this technical guidance indicating substantial differing technical views on how to account for biogenic GHG emissions. These comments illustrate the uncertainty about the


GHG footprint of solid biomass combustion activities, with expert opinions ranging widely among conclusions that such activities have a positive, neutral or negative GHG footprint.

In addition, the October 2010 technical guidance discusses analytical complexities of other categories of land management that are potentially relevant to DOE, including biological sequestration, prescribed burns, composting, manure management, and livestock management.

Workshops Solicit Agency Methods/Issues

To address land management and other guidance development issues, CEQ conducted workshops in April for Federal land and resource management agencies in Portland, Oregon; Denver, Colorado; and Washington, DC. The Udall Foundation/U.S. Institute for Environmental Conflict Resolution facilitated the workshops by soliciting comments on several questions from staff representatives of the participating agencies, which included DOE, the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, and the Departments of Agriculture, Defense, and the Interior.

Agencies were asked whether there is a need for guidance applicable to land management decisions and for input on what models agencies use to analyze the GHG implications of such decisions. In response, agency representatives generally expressed that guidance is needed. A few agencies provided input on specific models used for some types of land management decisions, such as forestry decisions. Some agency representatives expressed concerns about the February 2010 draft NEPA guidance, mostly in regard to CEQ's proposed “presumptive threshold” of 25,000 metric tons per year of direct emissions of carbon dioxide equivalents as an indicator that a quantitative and qualitative assessment of climate change may be warranted in a NEPA document. For example, some agencies asked CEQ to clarify how to interpret the threshold in making significance determinations.

CEQ subsequently met with the Federal agency NEPA contacts to discuss the workshops and with senior managers of the land and resource management agencies to identify potential issues or concerns. The Office of NEPA Policy and Compliance will continue to track development of the climate change guidance and coordinate DOE's comments on draft CEQ documents. Comments and questions may be addressed to Eric Cohen at eric.cohen@hq.doe.gov. 

¹ This guidance establishes government-wide requirements and methods for calculating and reporting GHG emissions from Federal agency operations as required by Executive Order 13514 (Federal Leadership in Environmental, Energy, and Economic Performance). Although not explicitly NEPA guidance, this document is relevant in preparing DOE NEPA documents for proposed actions at DOE facilities, including site-wide EISs, as well as at non-DOE facilities. (See *LLQR*, December 2010, page 19.)

Public Participation in the GTCC EIS: Going the Extra Mile

By: Vivian Bowie, Office of NEPA Policy and Compliance

In conducting nine public hearings nationwide on the *Draft Environmental Impact Statement for the Disposal of Greater-Than-Class C (GTCC) Low-Level Radioactive Waste and GTCC-Like Waste* (DOE/EIS-0375D) (GTCC EIS), NEPA Document Manager Arnold Edelman and the Office of Environmental Management team preparing the EIS recently logged a lot of miles.


Along the way, in anticipation of substantial public interest in the proposal to provide for disposal of GTCC waste (*LLQR*, September 2007, page 1), Mr. Edelman and his team took a number of steps beyond minimum requirements to promote public involvement. For example, the team made extra efforts to notify interested parties about the hearings and to promptly respond to public requests for information, such as by making reference documents available online (related article, page 2). The team received several positive responses from members of the public for these efforts. “We went the extra mile because we understand the importance of public participation and transparency in building credibility,” Mr. Edelman said.

The team’s experience may be instructive to other NEPA reviews managed by a headquarters Program Office involving one or more DOE Field Offices. In preparation for the hearings – three in New Mexico, and one each in South Carolina, Nevada, Idaho, Washington, Oregon, and the District of Columbia – the team implemented several recommended best practices. For example, the team consulted with DOE Field Office NEPA and public affairs staff in coordinating the public hearings and in obtaining local mailing lists of potentially interested parties. The team used the mailing lists in addressing post cards to notify interested parties about the hearings and request preferences for receiving future EIS information.

A few weeks before the public hearings in Washington and Oregon, a nongovernmental organization contacted Mr. Edelman and the NEPA Office, stating that a large number of people with concerns about waste disposal at the Hanford Site, one of the alternative locations for GTCC waste disposal, did not receive notice of the public hearings. A brief investigation revealed that an outdated mailing list had been used. After the mailing list originally was provided to the GTCC EIS team, the draft EIS for the Hanford Tank Closure and Waste Management EIS was issued, which generated many comments and a substantial expansion of Hanford’s EIS mailing list. Mr. Edelman obtained the updated list and provided email notifications about the GTCC EIS public hearings to more than 3,300 parties.

The nongovernmental organization expressed appreciation for the “highly commendable” speed of the response, and stated that the additional commitment to public involvement and notice for the GTCC EIS should be a model for expanding notice and participation by ensuring that NEPA headquarters notices go to the local public involvement lists and related EIS lists.

In addition to these efforts, the team consulted with 14 participating American Indian tribal governments that have cultural or historical ties to DOE sites being evaluated in the EIS. The EIS contains “tribal narratives,” which describe the tribes’ unique perspective on the DOE sites and potentially affected environmental resources (related article, page 15).


The 120-day public comment period for the GTCC EIS ends June 27, 2011. For further information about the GTCC EIS, see the EIS website (www.gtcceis.anl.gov) or contact Arnold Edelman at arnold.edelman@em.doe.gov. 

DOE Finalizing NEPA Rulemaking

DOE is considering all 28 public comment documents received on its Notice of Proposed Rulemaking and is preparing the final revisions to its NEPA Implementing Procedures, 10 CFR Part 1021. Most of the proposed changes are to the categorical exclusion provisions contained in subpart D, appendices A and B, of the regulations (*LLQR*, March 2011, page 1).

DOE received public comments expressing either support for or opposition to particular proposed categorical exclusions. Some comments stated that DOE should not use categorical exclusions at all. Other comments requested that DOE further clarify terms including “small-scale” and “previously disturbed and developed.” Several comments expressed concerns regarding the potential use of algae, genetically engineered

microorganisms, or invasive species under several categorical exclusions.

The draft Notice of Final Rulemaking is currently under review by the Department’s NEPA Compliance Officers, who make DOE’s categorical exclusion determinations. Following that review, the DOE General Counsel plans to request Departmental concurrence and would then submit the final rule to the Council on Environmental Quality for final consultation. As appropriate, DOE would then submit the final rule to the Office of Management and Budget for interagency coordination. The revision to the rule will facilitate compliance with NEPA by providing for more efficient review of certain actions and allowing DOE to focus its resources on proposed actions that have the potential for significant environmental impacts. DOE plans to complete its NEPA rulemaking this year. 

DOE Celebrates “Earth Day, Every Day!”

For the 41st Earth Day, DOE sponsored a week of festivities at the Forrestal and Germantown Headquarters facilities during the third week of April. Interactive exhibits promoted DOE’s commitment to the environment and clean energy, under the banner of this year’s theme: “Earth Day, Every Day! Changing Behavior to Reduce DOE’s Carbon Footprint.” Activities featured environmental films, “Green Bag” lunch speakers, a guided nature walk at the Smithsonian’s Ripley Garden, tree planting at DOE’s Earth Day Park, and an environmental panel discussion with Secretary of Energy Steven Chu and representatives of the National Renewable Energy Laboratory, Oak Ridge National Laboratory, and the Bonneville Power Administration. A “Community Day” public celebration at the DOE Plaza included posters, a live band, interactive displays, vendors of “green” products and services, educational games, recycling collection, and a farmers’ market.

The Office of NEPA Policy and Compliance helped celebrate Earth Day with an exhibit on “NEPA Analyses of Greenhouse Gas Emissions,” reproduced at right. The exhibit described DOE’s approach to greenhouse gas emissions analyses and consideration of climate change impacts in NEPA documents. This practice goes back to the 1989 Clean Coal Technology Program EIS (DOE/EIS-0146). NEPA analyses for renewable energy technologies, energy efficiency rulemaking standards, and the Clean Coal Power Initiative were used to illustrate NEPA’s contribution to this year’s Earth Day theme. **LL**

NEPA Analyses of Greenhouse Gas Emissions

DOE has analyzed greenhouse gas (GHG) emissions in National Environmental Policy Act (NEPA) documents for many years, starting with the Clean Coal Technology Program EIS in 1989 (DOE/EIS-0146).

DOE Practices for Considering Climate Change under NEPA

- Discuss global climate change
- Consider GHG emissions during project definition and scoping stages
- Identify and quantify, as appropriate, direct and indirect GHG emissions
- Discuss the potential environmental consequences
- Analyze cumulative impacts
- Explore potential mitigation measures and reasonable alternatives that would reduce GHG emissions
- Consider impacts of climate change on proposed actions in appropriate circumstances



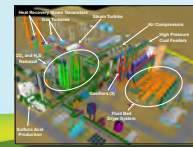
Examples

Renewable Energy technologies, such as solar photovoltaics (right) and wind turbines, can produce electricity without generating substantial quantities of GHGs. DOE’s environmental assessments (EAs) and environmental impact statements (EISs) analyze the carbon offsets associated with individual project proposals, as well as environmental impacts associated with siting the project (e.g., impacts on wildlife and habitat, visual impacts, noise).

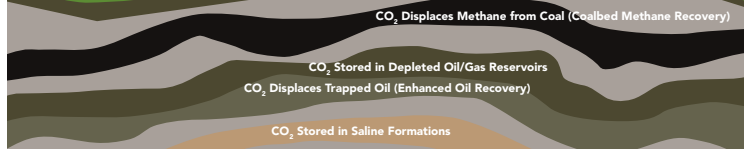


Energy Efficiency Rulemaking/Standards EAs analyze how different energy conservation standards for consumer products and commercial equipment, such as incandescent reflector lamps and general service fluorescent lamps (left) (DOE/EA-1664, 2009), would affect carbon dioxide (CO₂) emission rates. This helps DOE develop standards to decrease the Nation’s carbon footprint.

Clean Coal Power Initiative EISs analyze the incremental and cumulative impacts on global climate change of CO₂ emissions from the use of advanced coal-based electric power generation technologies. These NEPA documents also explore potential mitigation measures, including CO₂ capture and sequestration. DOE’s EIS for the Kemper County Integrated Gasification Combined-Cycle Project (DOE/EIS-0409, 2010), for example, estimated that the proposed project (right) would capture up to about 67 percent of the CO₂ emissions. The CO₂ would be sold for beneficial use and geologic storage via enhanced oil recovery.



Carbon Sequestration Approaches Analyzed in DOE NEPA Documents



For more information, visit nepa.energy.gov



DOE Offices joined local and national organizations in providing exhibits on varied aspects of sustainability.

Children from the DOE daycare center helped plant a bald cypress tree at Earth Day Park, adjacent to the Forrestal Building.



CEQ Calls for NEPA Pilot Project Proposals

The Council on Environmental Quality (CEQ) is soliciting nominations of pilot projects to demonstrate innovative, efficient approaches to implementing NEPA, announced CEQ Chair Nancy H. Sutley in a March 17, 2011, [memorandum](#).




A panel of Federal NEPA experts will perform an initial screening of nominations to identify those with the greatest potential to reduce the costs and time needed to complete the NEPA process, ensure environmental protection, improve the quality and transparency of Federal agency decisionmaking, and be applicable to a variety of projects.

CEQ will then consult with the Environmental Protection Agency and the Department of Justice to select the best pilot projects, taking into account Administration priorities and project diversity with respect to location, agency participation, and natural resource management issues. CEQ will select up to five projects and then work with the agencies to track implementation of the selected pilot projects, evaluate outcomes, and highlight and promote lessons learned.

Rooted in the spirit of open government, CEQ's NEPA pilot program engages the public to help make government more efficient and accountable.

*– Nancy Sutley, May 18, 2011,
CEQ Preliminary Plan for Retrospective
Review of Existing Regulations*

CEQ will accept nominations through June 15, 2011. Details, including an online nomination form, are available on CEQ's [website](#). (See also [76 FR 16391](#); March 23, 2011.) The Office of NEPA Policy and Compliance is evaluating potential proposals for NEPA pilot projects. For further information or to suggest a potential pilot project, contact Brian Costner, NEPA Office, at brian.costner@hq.doe.gov. 

CEQ welcomes nominations of pilot projects to improve any aspect of the NEPA process, including by:

- *Simplifying NEPA implementation practices*, such as data gathering, scoping, and public review and comment. NEPA applies to a wide variety of proposed actions, many of which are proposed by state and local agencies, corporations, tribes, organizations, and private individuals. CEQ is very interested in approaches that appropriately leverage and coordinate Federal, state, tribal, and local environmental review, consultation, and permitting requirements.
- *Reducing the time and cost involved in preparing NEPA reviews*, by methods such as reducing paperwork and shortening timelines; applying NEPA early in the project development process; setting page limits; addressing incomplete or unavailable information; collaboratively developing purpose and need statements; determining the scope of the NEPA analysis; and preparing concise and focused EAs.
- *Utilizing information technology* to improve the efficiency of NEPA implementation for a particular project, or when adopted program-wide.
- *Improving the effectiveness of public engagement*, such as by making NEPA documents and analyses easier to read and understand, and enhancing public involvement to address environmental justice or other community concerns.

– Nancy Sutley, March 17, 2011



Recovery Act NEPA Reviews Uphold Environmental Values and Economic Goals

Federal agencies “have shown they can uphold our country’s environmental values and deliver projects designed to stimulate our Nation’s economy,” said Nancy H. Sutley, Chair of the Council on Environmental Quality (CEQ), in releasing the ninth quarterly report to Congress on NEPA compliance for projects and activities (projects) funded under Division A of the American Recovery and Reinvestment Act of 2009 (Recovery Act).

CEQ announced that as of March 31, 2011, “more than 99 percent of environmental reviews for Recovery Act projects, or more than 190,000 of the 190,694 required NEPA reviews,” had been completed. In addition, CEQ noted that 12 of 24 Federal agencies had completed all NEPA reviews for projects funded by the Recovery Act.

We know that the health of our environment and the health of our economy are inextricably linked.

– Nancy Sutley, CEQ Chair

Cumulatively through March 31, 2011, Federal agencies completed more than 182,300 categorical exclusion determinations and more than 6,800 EAs, and analyzed 830 projects in EISs. Agencies concluded that NEPA is not applicable to more than 4,250 other Recovery Act projects. Together, these projects involve obligations of approximately \$292.6 billion funded under Division A of the Recovery Act. Federal departments and agencies completed more than 1,600 of these NEPA reviews during the quarter ending March 31, including more than 500 that were completed by DOE.

In addition, CEQ reported that approximately 690 NEPA reviews are underway: approximately 370 categorical exclusion determinations, 280 EAs, and 34 EISs. CEQ noted that roughly half of the pending NEPA reviews were added during the quarter ending March 31, 2011, largely due to the addition of approximately 2,000 new projects, many with NEPA reviews that have just begun. “One reason for the increase in new NEPA


reviews is that as projects are completed with cost savings, the saved funds may be returned to the agencies and can then be used for new projects or activities,” explained Ms. Sutley in her letter to Congress.

The pending NEPA reviews for DOE Recovery Act projects include 46 EAs and 21 EISs; DOE reported no pending categorical exclusion determinations. Of the 67 pending DOE NEPA reviews, 18 were included in the report for the first time. DOE NEPA reviews for 49 projects have been pending for more than 3 months (29 EAs and 20 EISs). Reasons DOE NEPA reviews are pending include a need to provide sufficient time to consider potential impacts to sensitive resources (e.g., cultural or historic properties), review information on an applicant’s change to a proposal, and respond to public comments. Also, for a number of pending NEPA reviews, DOE is a cooperating agency and must coordinate the NEPA review schedules with other Federal agencies. In one instance, DOE is coordinating its EIS schedule with a state energy commission’s review of the proposed project.

As of March 31, DOE had completed more than 9,200 NEPA reviews supporting the obligation of more than \$33.5 billion for projects receiving Recovery Act funding, an increase of almost \$100 million since December 31, 2010 ([LLQR, March 2011, page 11](#)). Of the completed reviews, more than 9,100 are categorical exclusion determinations, 106 are EAs, and 24 are EISs.

Future Reports

Section 1609(c) of the Recovery Act requires quarterly reports on NEPA activities related to implementing the Recovery Act through September 30, 2011. The next CEQ report to Congress will cover NEPA activities through June 30, 2011. Federal agency reports are due to CEQ in July 2011, and CEQ will submit the next report to Congress in August 2011.

The CEQ reports to Congress are available at [NEPA.gov](#). For more information, contact Brian Costner, Office of NEPA Policy and Compliance, at brian.costner@hq.doe.gov or 202-586-9924. 

Internal Planning and Effective Coordination Result in Successful Completion of EA

By: Amy Van Dercook, NEPA Document Manager, Golden Field Office

In a recent EA process, DOE’s Golden Field Office found that diligent planning and communication resulted in an exceptionally efficient outcome. DOE worked to complete the EA for the City of El Dorado Wind Energy Project (DOE/EA-1833; February 2011) in 5 months and on budget.

The proposed action was to authorize the expenditure of Federal funding appropriated under the American Recovery and Reinvestment Act (Recovery Act) to design, permit, and construct a 1.0-megawatt wind turbine to be located immediately west of the El Dorado Wetlands and Water Reclamation Facility in El Dorado, Kansas. The Kansas Corporation Commission was the grant recipient, with a sub-grant provided to the City of El Dorado for the construction of the wind turbine.


DOE published the Notice of Scoping in local newspapers and online at the Golden Field Office [Public Reading Room](#) and City of El Dorado websites, and sent copies to Federal, state, and local agencies; tribal governments; elected officials; businesses; and organizations and special interest groups.

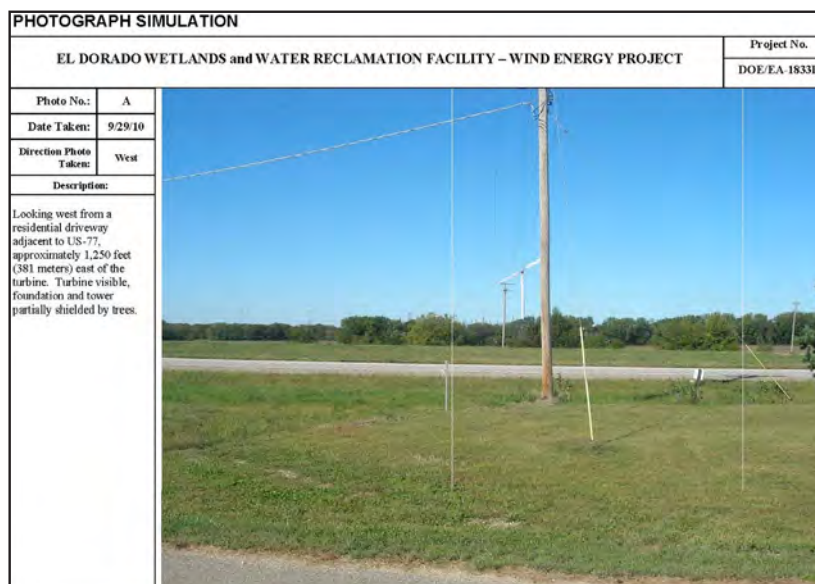
Agency Involvement and Coordination. One of the challenges in completing the EA was coordination among many involved parties: DOE, the Kansas Corporation Commission, City of El Dorado, a DOE contractor, a sub-recipient NEPA contractor, and the sub-recipient’s engineering firm. From the beginning of the project, we

all met weekly to discuss outstanding items. Action items were maintained in a project tracking spreadsheet and each deliverable had a set due date. This process helped all members of the team adhere to the schedule.

Floodplain Action. The El Dorado Wetlands and Water Reclamation Facility is located in the 100-year floodplain and the regulatory floodway of the Walnut River; therefore, DOE conducted a floodplain assessment pursuant to Executive Order 11988 and 10 CFR Part 1022. The proposed project would temporarily impact the floodplain/floodway during construction of the wind turbine foundation and installation of underground electrical connections to the facility. After completion of these activities, the affected floodplain areas would be graded, seeded, and restored to their previous condition. The proposed project required a No-Rise Certification from the City Assistant Engineer to ensure that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base (100-year) flood event. Discussions with the City’s Assistant Engineer during the development of the final EA indicated that, based on the information available for the proposed project, no adverse effects regarding floodplain issues or the issuance of a No-Rise Certification were anticipated.

Air Navigation Impacts. The Federal Aviation Administration (FAA) presumed hazard to air navigation in its initial aeronautical study. FAA indicated that a favorable determination could be made if the proposed structure height was reduced to 306 feet above ground level or if FAA performed additional studies for the original proposed tower height (330 feet). The City of El Dorado requested that FAA perform the additional study of the original tower height. FAA performed the requested study and subsequently issued a “Determination of No Hazard to Air Navigation” letter to the City of El Dorado. The FAA determination was subject to review if an interested party filed a petition, but no petitions were received and the determination became final on January 10, 2011.

For more information, contact Amy Van Dercook at amy.vandercook@go.doe.gov or 720-356-1666. 



The EA used photosimulation to represent the visual impacts of alternatives. This example shows a wind turbine (center background) as it would appear from a nearby residential driveway.



Building the Clean Energy Economy with Equity

By: Denise Freeman, Office of NEPA Policy and Compliance

How can America foster equity in the development of alternative and renewable energy research and production? Under the theme of *Building the Clean Energy Economy with Equity*, more than 400 participants at the 5th Annual State of Environmental Justice in America Conference explored this question in Washington, DC, on April 27–29. The conference was sponsored by DOE, U.S. Department of Agriculture, U.S. Department of the Interior, U.S. Environmental Protection Agency, Howard University School of Law, and the National Small Town Alliance. Participants had the opportunity to hear and interact with a diverse mix of presenters from Federal agencies, academia, business and industry, nonprofit organizations, faith-based organizations, and local community activists. Individuals shared strategies and lessons learned and developed collaborations to help America build a clean energy economy with equity.


In opening remarks Vice Admiral (retired) Melvin G. Williams, Jr., Associate Deputy Secretary, DOE, said that the key to a clean energy economy can be summed up in three words: “commitment, fairness, and collaboration.”

- **Commitment:** DOE’s mission is to help ensure the security and prosperity of America; environmental justice is integral to that commitment.
- **Fairness:** DOE believes in fair treatment for all people and that all people should have access to information to help them make decisions.
- **Collaboration:** DOE will continue to work with other Federal, state and local agencies and communities so that they can have a meaningful voice in the decisions that affect their lives.

Associate Deputy Secretary Williams encouraged conference participants not only to engage in meaningful discussions and dialogue, but to go a step further in seeking to develop “personal relationships” and getting to know the members of the local communities.

This message harmonizes with objectives of the NEPA process to foster better decisions and build public trust and credibility. It encourages agencies to continue seeking to engage meaningfully with affected communities throughout the NEPA process, rather than only briefly at required points. For example, an agency could engage communities prior to and during preparation of a NEPA document and, as appropriate, after completion of the NEPA review when monitoring the implementation of the proposed action and the effectiveness of any associated mitigation.

In addition, Melinda Downing, DOE Environmental Justice Program Manager, recommends that, where an affected community lacks the knowledge and skills for meaningful engagement, an agency could provide technical assistance to the community or direct the community to available technical assistance in order that the community engagement could be as meaningful as possible. In these ways, communities and agencies would benefit from shared perspectives as envisioned under Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.

The Presidential Memorandum that accompanies Executive Order 12898 states, “Each Federal agency shall provide opportunities for community input in the NEPA process.” Together, environmental justice and NEPA foster public trust and can help build a clean energy economy with equity. 

DOE Tribal Summit – Capacity Building and Energy Opportunities in Indian Country

Secretary of Energy Steven Chu hosted more than 350 participants, including representatives of 54 federally-recognized American Indian and Alaska Native Tribal governments, at *DOE Tribal Summit: Winning our Future*, held in Washington, DC, to discuss DOE’s efforts to promote energy development on Indian lands. The May 2011 event aimed to identify and address obstacles and opportunities for developing tribal energy resources, in furtherance of the Administration’s commitment to effective government-to-government relationships with Native Americans.

In his keynote speech, Secretary Chu highlighted how DOE’s mission touches Indian country and tribes that are “neighbors” to DOE facilities, and emphasized his personal commitment to helping tribes create economic opportunities through energy development, education, and innovation on tribal lands. He discussed the important opportunities that energy resources found on Indian lands present for securing the Nation’s economic and energy future. Early, meaningful consultation with the tribes in the Department’s implementation of its Tribal Energy Program and other DOE tribal energy opportunities, he noted, is essential to giving tribes a direct voice in determining their own economic and energy future.

Success . . . means that the Department and Tribal leaders will develop a framework for discussing important issues for the future.


***– Secretary of Energy Steven Chu
Tribal Summit Invitation, April 2011***

Inés Triay, Assistant Secretary for Environmental Management, described an approach developed by DOE staff to better incorporate input by tribes into the *Environmental Impact Statement for the Disposal of Greater-Than-Class C (GTCC) Low-Level Radioactive Waste and GTCC-Like Waste* (DOE/EIS-0375).



Tracey A. LeBeau (left), Director, DOE Office of Indian Policy and Programs, introduced Nez Perce Chairman Brooklyn Baptiste, who opened the Summit with a blessing.

Because the alternatives in the GTCC EIS include sites that are located adjacent to tribal lands or that incorporate traditional tribal lands and resources, DOE asked tribes to develop written “tribal narratives” that describe the tribes’ unique perspectives on the sites and environmental resources. (The tribal narratives are contained in [Appendix G](#) of the GTCC EIS.) Each tribal narrative included in the Draft EIS was related to the specific DOE site affiliated with the tribes and discussions with elected tribal officials, and was based on individual tribal preferences and mutually agreed-upon protocols. The narratives provide an opportunity for tribal members to speak in their own words on the potential impacts of proposed DOE activities to their communities. Ms. Triay held up this approach as an example of an important framework that enables meaningful interaction between sovereign parties.

For information about DOE’s Indian Energy Policy and other tribal-related initiatives, including the Tribal Summit, visit the DOE Office of Indian Energy Policy and Programs website (energy.gov/indianenergy). 

Training Opportunities

NEPA-related courses are listed in the Lessons Learned Quarterly Report for information purposes only. This listing is not an endorsement of any of the training or entities listed. Cost and schedule information are subject to change; check with the course provider.

- Environmental Protection Agency
Office of Federal Activities
214-665-8006
smith.rhonda@epa.gov
www.netionline.com/default.asp
NEPA and Section 309 Review (FED103)
Dallas, TX: June 21-23
No Fee
- EOS Alliance
425-270-3274
pt@nwetc.org
www.eosalliance.org/schedule/calendar/courses-eos
NEPA: Writing the Perfect EA/FONSI or EIS
Boise, ID: June 7-8
\$545 (GSA contract: \$445)
- Graduate School
888-744-4723
customersupport@graduateschool.edu
www.graduateschool.edu/course_details.php?cid=ENVS4435E
NEPA: Policy, Procedure, Science, and Art
Washington, DC: Tuesdays,
September 20 – November 22
\$375
- Nicholas School of the Environment
and Earth Sciences, Duke University
919-613-8082
del@nicholas.duke.edu
www.nicholas.duke.edu/del/executiveved/courses
**Accounting for Cumulative Effects
in the NEPA Process
and Mitigation and Monitoring***
Durham, NC: September 12-16
Cost information not available.
**Certificate in the National Environmental
Policy Act***
Requires successful completion of one
core and three elective NEPA short courses.
Fee: Included in course registration.
- The Shipley Group
888-270-2157 or 801-447-5977
shipley@shipleygroup.com
www.shipleygroup.com
NEPA Executive Overview
Washington, DC: June 22
\$385 (GSA contract: \$295)
**Integrating Federal Environmental Laws
into NEPA**
Portland, OR: July 12-14
\$985 (GSA contract: \$895)
Clear Writing for NEPA Specialists
New Orleans, LA: August 9-11
\$945 (GSA contract: \$855) until 6/28/11
**Preparing Specialist Reports
as Part of the NEPA Process**
Reno, NV: August 16-18
\$945 (GSA contract: \$855) until 7/12/11
San Francisco, CA: August 23-25
\$945 (GSA contract: \$855) until 7/12/11
**NEPA Cumulative Effects Analysis
and Documentation and NEPA Climate
Change Analysis and Documentation**
Denver, CO: August 23-26
\$1,185 (GSA contract: \$1,095)
Portland, OR: October 4-7
\$1,145 (GSA contract: \$1,055) until 8/23/11
Reviewing NEPA Documents
Boise, ID: September 7-9
\$945 (GSA contract: \$855) until 7/27/11
**NEPA Executive Overview
and Managing NEPA Projects and Teams**
Seattle, WA: September 13-16
\$1,145 (GSA contract: \$1,055) until 8/2/11
**Applying the NEPA Process
and Writing Effective NEPA Documents**
Las Vegas, NV: September 20-23
\$1,145 (GSA contract: \$1,055) until 8/9/11
**Applying the NEPA Process: Emphasis
on Native American Issues**
Salt Lake City, UT: September 27-29
\$945 (GSA contract: \$855) until 8/2/11

(continued on next page)

* Co-sponsored by the Council on Environmental Quality.

Training Opportunities

(continued from previous page)

Overview of the NEPA Process

Atlanta, GA: October 11

\$345 (GSA contract: \$255) until 8/30/11

Core Principles: Telling the NEPA Story, Keeping Documents Brief, Meeting Legal Requirements

Missoula, MT: October 18-20

\$945 (GSA contract: \$855) until 9/6/11

Application of GIS and Graphics in NEPA Documents

Phoenix, AZ: October 25-27

\$985 (GSA contract: \$895)

NEPA Certificate Program

Requires successful completion of eight courses offered by The Shipley Group.

\$5,450

Contact: NEPA Certificate Program,
Utah State University; 435-797-0922

judy.kurtzman@usu.edu

www.cnr.usu.edu/htm/students/grad-degrees/nepa

- US Institute for Environmental Conflict Resolution
(520) 901-8501
usiecr@ecr.gov
www.ecr.gov/Training/Training.aspx

Effective Tribal Consultation

Denver, CO: June 21-23

\$750

Collaboration Skills

Denver, CO: September 13-15

\$750

Customized NEPA Training

- Environmental Impact Training
512-963-1962
info@eiatraining.com
www.eiatraining.com
- Environmental Planning Strategies, Inc.
563-332-6870
jleeeps@mchsi.com
www.jlee-eps.com/workshops.php
- Environmental Training & Consulting International, Inc.
503-274-1790
info@envirotrain.com
www.envirotrain.com
- ICF International
916-737-3000
info@icfi.com
www.icfi.com/events/education-and-training
- International Institute for Indigenous Resource Management
303-733-0481
iiirm@iiirm.org
www.iiirm.org
- SWCA Environmental Consultants
800-828-7991
training@swca.com
www.swca.com/index.php/training/course-catalog

National Association of Environmental Professionals 2012 Conference in Portland, Oregon



The National Association of Environmental Professionals (NAEP) will hold its 2012 conference on May 20–23 in Portland, Oregon. The theme for NAEP's 37th annual conference will be *Science, Politics, and Policy: Environmental Nexus*. Abstracts for presentations are due September 30. Instructions for submitting abstracts can be found at naep.org. For additional questions, contact Jennifer Lundberg at naep2012@parametrix.com.

EAs and EISs Completed January 1 to March 31, 2011

EAs¹

Berkeley Site Office/Office of Science

DOE/EA-1700 (2/25/11)
*Computational Research and Theory Facility
Project*, Alameda County, California
Cost: \$210,000
Time: 15 months

Golden Field Office/Office of Energy Efficiency and Renewable Energy

DOE/EA-1791* (3/9/11)
*University of Minnesota Wind Energy Research
Consortium Project*, Rosemount, Minnesota
Cost: \$102,000
Time: 12 months

DOE/EA-1802* (1/4/11, FONSI 2/2/11)
Chicago View Wind Project, Cook County, Illinois
Cost: \$49,000
Time: 10 months

DOE/EA-1804* (1/7/11, FONSI 2/2/11)
*Sauk Valley Community College's Wind Energy
Project*, Lee County, Illinois
Cost: \$34,000
Time: 10 months

DOE/EA-1807* (12/30/10, FONSI 2/2/11)
Heartland Community College Wind Energy Project,
McLean County, Illinois
Cost: \$37,000
Time: 10 months

DOE/EA-1815* (2/23/11)
*Cuyahoga County Agricultural Society Wind Energy
Project*, Cuyahoga County, Ohio
Cost: \$25,000
Time: 10 months

DOE/EA-1816* (2/23/11)
Town of Hempstead Wind-to-Hydrogen Project,
Point Lookout, New York
Cost: \$25,000
Time: 10 months

DOE/EA-1818* (2/28/11)
Pettisville Local Schools Wind Energy Project,
Fulton County, Ohio
Cost: \$25,000
Time: 10 months

DOE/EA-1819* (2/23/11)
Kilowatts for Kenston Wind Energy Project,
Geauga County, Ohio
Cost: \$25,000
Time: 10 months

DOE/EA-1820* (2/28/11)
Archbold Area Local School Wind Energy Project,
Fulton County, Ohio
Cost: \$25,000
Time: 10 months

DOE/EA-1833* (2/11/11)
The City of El Dorado Wind Energy Project,
Butler County, Kansas
Cost: \$53,000
Time: 8 months

Idaho Operations Office/Office of Nuclear Energy

DOE/EA-1822 (3/8/11)
*Idaho National Laboratory Stand-Off Experiment
(SOX) Range*, Idaho
Cost: \$11,000
Time: 8 months

Office of Loan Programs

DOE/EA-1732 (1/24/11)
*Loan to Next Autoworks Louisiana, LLC
(Formerly V-Vehicle Company), for an Advanced
Technology Gasoline Vehicle Manufacturing
Project*, Monroe, Louisiana
The cost for this EA was paid by the applicant;
therefore, cost information does not apply to DOE.
Time: 12 months

DOE/EA-1796* (2/17/11)
*Loan Guarantee to Sempra Generation
for Construction of the Mesquite Solar Energy
Project*, Maricopa County, Arizona
The cost for this EA was paid by the applicant;
therefore, cost information does not apply to DOE.
Time: 8 months

DOE/EA-1834 (2/18/11)
*Loan to Severstal Dearborn, Inc., for Advanced
Technology Vehicles Manufacturing Project*,
Dearborn, Michigan
The cost for this EA was paid by the applicant;
therefore, cost information does not apply to DOE.
Time: 8 months

¹ EA and finding of no significant impact issuance dates are the same unless otherwise indicated.

* Recovery Act project

(continued on next page)

EAs and EISs Completed January 1 to March 31, 2011

(continued from previous page)

Office of Management

DOE/EA-1868 (2/25/11)

Manhattan Project Sites, Hanford, Washington; Los Alamos, New Mexico; Oak Ridge, Tennessee
DOE adopted this EA on 2/25/11; therefore, cost and time data are not applicable. [Department of the Interior's National Park Service, the lead agency, issued a finding of no significant impact on 10/18/10.]

National Energy Technology Laboratory/ Office of Energy Efficiency and Renewable Energy

DOE/EA-1706* (2/2/11)

West Tennessee Solar Farm Project, Haywood County, Tennessee
The cost for this EA was paid by the applicant; therefore, cost information does not apply to DOE.
Time: 16 months

DOE/EA-1836 (3/18/11)

Norwich Cogeneration Initiative, Norwich, Connecticut
Cost: \$32,000
Time: 6 months

DOE/EA-1837* (1/26/11)

Performance Verification Laboratory, Morgantown, West Virginia
Cost: \$30,000
Time: 3 months

National Energy Technology Laboratory/ Office of Fossil Energy

DOE/EA-1785 (3/18/11)

Southeast Regional Carbon Sequestration Partnership Phase III Anthropogenic Test Project, Mobile County, Alabama
Cost: \$47,000
Time: 10 months

EISs

Bonneville Power Administration

DOE/EIS-0422* (76 FR 9575, 2/18/11)

(EPA Rating: EC-2)

Central Ferry-Lower Monumental 500-kilovolt Transmission Line Project, Garfield, Columbia, and Walla Walla Counties, Washington
Cost: \$850,000
Time: 20 months

* Recovery Act project

** Not previously reported in LLQR

Office of Environmental Management

DOE/EIS-0423 (76 FR 5156, 1/28/11)

(EPA Rating: LO)

Long-Term Management and Storage of Elemental Mercury

Cost: \$3,600,000

Time: 18 months

Office of Loan Programs

DOE/EIS-0454* (76 FR 7844, 2/11/11)

(EPA Rating: EC-2)

Loan Guarantee for Tonopah Solar Energy, LLC, Crescent Dunes Solar Energy Project, Tonopah, Nevada

EIS was adopted; therefore cost and time data are not applicable. [Department of the Interior's Bureau of Land Management was the lead agency; DOE was a cooperating agency.]

DOE/EIS-0455* ** (75 FR 78992, 12/17/10)

(EPA Rating: EC-3)

The Genesis Solar Energy Project, California
EIS was adopted; therefore cost and time data are not applicable. [Department of the Interior's Bureau of Land Management was the lead agency; DOE was a cooperating agency.]

National Nuclear Security Administration/ Y-12 Site Office

DOE/EIS-0387 (76 FR 12108, 3/4/11)

(EPA Rating: EC-2)

Site-Wide Environmental Impact Statement for the Y-12 National Security Complex,

Oak Ridge, Tennessee

Cost: \$2,000,000

Time: 64 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.)

NEPA Document Cost and Time Facts

EA Cost and Completion Times

- For this quarter, the median cost for the preparation of 15 EAs for which cost data were applicable was \$32,000; the average cost was \$49,000.
- Cumulatively, for the 12 months that ended March 31, 2011, the median cost for the preparation of 61 EAs for which cost data were applicable was \$47,000; the average was \$89,000.
- For this quarter, the median and average completion times for 19 EAs for which time data were applicable were 10 months.
- Cumulatively, for the 12 months that ended March 31, 2011, the median completion time for 74 EAs was 9 months; the average was 10 months.

EIS Cost and Completion Times

- For this quarter, the median cost for the preparation of 3 EISs for which cost data were applicable was \$2 million; the average cost was \$2.2 million.
- Cumulatively, for the 12 months that ended March 31, 2011, the median and average costs for the preparation of 4 EISs for which cost data were applicable were \$2.3 million.
- For this quarter, the median completion time of 3 EISs was 20 months; the average was 34 months.
- Cumulatively, for the 12 months that ended March 31, 2011, the median completion time for 7 EISs was 20 months; the average was 25 months.

Recent EIS-Related Milestones March 1, 2011 to May 31, 2011

Notices of Intent

Office of Fossil Energy

DOE/EIS-0460*

FutureGen 2.0, Illinois

May 2011 ([76 FR 29728](#), 5/23/11)

DOE/EIS-0464*

Lake Charles Carbon Capture and Storage (CCS)

Project, Calcasieu Parish, Louisiana

April 2011 ([76 FR 24007](#), 4/29/11)

Office of Loan Programs

DOE/EIS-0465*

Mid-Atlantic Power Path (MAPP) Project,

Prince George's, Calvert, and Wicomico Counties, Maryland, and Sussex County, Delaware

March 2011 ([76 FR 12088](#), 3/4/11)

Extensions of Public Comment Period

Office of Energy Efficiency and Renewable Energy

DOE/EIS-0403

Draft Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States

March 2011 ([76 FR 14968](#), 3/18/11)

[Co-Lead: Department of the Interior's Bureau of Land Management (BLM); on 4/13/11, DOE/BLM announced a second extension of the public comment period through 5/2/11.]

Reopening of Scoping Period

Office of Electricity Delivery and Energy Reliability

DOE/EIS-0463

Presidential Permit Application for Northern Pass Transmission Project, New Hampshire

April 2011 ([76 FR 21338](#), 4/15/11)

(continued on next page)

* Recovery Act project

Recent EIS-Related Milestones

March 1, 2011 to May 31, 2011 *(continued from previous page)*

Draft EISs

**Office of Fossil Energy/
National Energy Technology Laboratory**
[DOE/EIS-0444*](#)
Texas Clean Energy Project, Ector County, Texas
March 2011 ([76 FR 14968](#), 3/18/11)

[DOE/EIS-0445*](#)
Mountaineer Commercial Scale Carbon Capture and Storage Project, Mason County, West Virginia
March 2011 ([76 FR 12108](#), 3/4/11; [76 FR 17406](#), 3/29/11, postponement of public hearing.)

Office of Loan Programs
[DOE/EIS-0458*](#)
Loan Guarantee to Royal Bank of Scotland for Construction and Startup of the Topaz Solar Farm, San Luis Obispo County, California
March 2011 ([76 FR 16767](#), 3/25/11)

**National Nuclear Security Administration/
Los Alamos Site Office**
[DOE/EIS-0350-S1](#)
Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico
April 2011 ([76 FR 24021](#), 4/29/11; [76 FR 28222](#), 5/16/11, extension of comment period.)

Final EISs

Office of Loan Programs
[DOE/EIS-0468](#)
American Centrifuge Plant, Pike County, Ohio
May 2011 ([76 FR 29240](#), 5/20/11)
[DOE adopted this FEIS from the Nuclear Regulatory Commission (NRC); NRC filed this EIS with EPA on 5/11/06.]

[DOE/EIS-0471](#)
Areva Eagle Rock Enrichment Facility, Bonneville County, Idaho
May 2011 ([76 FR 29240](#), 5/20/11)
[DOE adopted this FEIS from the Nuclear Regulatory Commission (NRC); NRC filed this EIS with EPA on 2/14/11.]

Records of Decision

Bonneville Power Administration
[DOE/EIS-0422*](#)
Central Ferry-Lower Monumental 500-kilovolt Transmission Line Project, Garfield, Columbia, and Walla Walla Counties, Washington
March 2011 ([76 FR 15970](#), 3/22/11)

Office of Loan Programs
[DOE/EIS-0416*](#)
Ivanpah Solar Electric Generating System, San Bernardino County, California
April 2011 ([76 FR 21716](#), 4/18/11)

Supplement Analyses

Bonneville Power Administration
Transmission System Vegetation Management Program
([DOE/EIS-0285](#))

[DOE/EIS-0285-SA-442](#)
Vegetation Management within Bonneville Power Administration's (BPA) Fee Owned Land Surrounding the Bell Complex, Spokane County, Washington
(Decision: No further NEPA review required.)
March 2011

[DOE/EIS-0285-SA-443](#)
Vegetation Management along Portions of the Taft-Bell No. 1, the Bell-Lancaster No. 1, and the Bell-Trentwood No. 1 and No. 2 Transmission Line Rights-of-Way, Spokane County, Washington and Kootenai County, Idaho
(Decision: No further NEPA review required.)
March 2011

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* Recovery Act project

Recent EIS-Related Milestones

March 1, 2011 to May 31, 2011 *(continued from previous page)*

[DOE/EIS-0285-SA-444](#)

Vegetation Management along Portions of the Keller Tap to Grand Coulee-Okanogan, No. 2 115-kV Transmission Line Corridor, Douglas, Okanogan and Ferry Counties, Washington
(Decision: No further NEPA review required.)
March 2011

[DOE/EIS-0285-SA-445](#)

Vegetation Management and Access Road Maintenance Activities along the Entire Right-of-Way Corridors and Associated Access Roads for the Raver-Paul No. 1 Transmission Line, King and Pierce Counties, Washington
(Decision: No further NEPA review required.)
April 2011

[DOE/EIS-0285-SA-446](#)

Vegetation Management along the East Ellensburg Tap to the Columbia-Ellensburg No.1 115-kV Transmission Line Corridor Right-of-Way from Mile 1 to Mile 4 and Access Roads, Kittitas County, Washington
(Decision: No further NEPA review required.)
April 2011

[DOE/EIS-0285-SA-447](#)

Vegetation Management along Portions of the Libby-Bonnors Ferry No. 1 Transmission Line Right-of-Way, Lincoln County, Montana and Boundary County, Idaho
(Decision: No further NEPA review required.)
April 2011

Questionnaire Results

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

- *Extensive site search.* The applicant screened more than 400 existing facilities in 11 states, then visited more than 15 sites in 9 states during the EA scoping process. Site-selection criteria included available acreage, plant size, road and rail access, labor-force availability, labor costs, environmental considerations, and socioeconomic impacts.
- *Combined notices.* A combined notice of EA scoping and notice of proposed floodplain action was distributed to an extensive list of stakeholders.

Data Collection/Analysis

What Worked

- *Use of examples.* The NEPA contractor used examples of DOE documents for the preparation of the floodplain/wetlands assessment.
- *Efficient use of time.* The NEPA contractor completed the floodplain and wetlands analysis prior to drafting the EA.
- *Local site research.* Local agencies prepared a feasibility study, with extensive background information, to support consideration of two locations for the wind turbine prior to the preparation of the EA.
- *Verifying compliance with requirements.* Although the State Historic Preservation Officer had already completed a no effect determination for the proposed project, an official consultation letter was prepared to ensure DOE met consultation requirements. It included information from a previous survey conducted nearby and contained language to eliminate the need for a response to DOE.
- *Federal agency support.* Other Federal agencies assisted in approving the methodology used to calculate diffuse source radionuclide emissions under existing regulations.
- *Anticipating data needs.* Anticipating the need for surveys during data collection was beneficial.

What Didn't Work

- *Additional analysis required.* A Federal agency identified a potential hazard and indicated that further analysis would be required unless the project was modified. The additional analysis was successfully conducted but delayed the EA completion by one month.

Editor's Note: *Although completion of the EA was delayed, the NEPA process worked by identifying and resolving a potential hazard.*

Schedule

Factors that Facilitated Timely Completion of Documents

- *Responsive applicant.* The contractor and applicant were very responsive to requests for additional information and analysis.
- *General Counsel briefings.* Briefing and getting feedback from General Counsel staff prior to the draft EA's submission for review facilitated timely document completion.
- *Project management.* Use of both project tracking and schedule tracking (deliverables had set due dates) facilitated timely document completion.
- *Frequent meetings.* Holding frequent EA status meetings and conference calls facilitated timely completion.
- *Emphasis on schedule.* Regular communication with the NEPA contractor, maintaining a productive working relationship, and a strong emphasis to stay on schedule facilitated the timely completion of the document.
- *Efficient contractor.* Contractor efficiency and a motivated and well-organized grant recipient facilitated timely completion of the EA.
- *NEPA adoption benefits.* The EA was completed by another agency, but supported the need for providing funding to the project.

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Questionnaire Results

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

- *Work ethic.* Hard work, long hours, and a lack of project controversy facilitated the timely completion of the EA.
- *Commitment to quality.* Despite the pressure to complete the EA process on an expedited schedule, and communication difficulties with the State Historic Preservation Officer, the quality of the document was not compromised.

Factors that Inhibited Timely Completion of Documents

- *Comment volume and litigation.* The high volume of public comments received and pending litigation made timely completion of the EA difficult.
- *Unreasonable schedule.* The EA was not completed on time due to an overly optimistic schedule. Also, several weeks were added to the EA process because of a study required by another Federal agency.

Editor's Note: *Early consultation could minimize such delays.*

- *Conflicting schedules.* Coordinating with external Federal agencies for regulatory approvals was difficult due to conflicting schedules.

Teamwork

Factors that Facilitated Effective Teamwork

- *Staff collaboration.* NEPA staff worked closely with the DOE Program Office staff on the EA. The flow of information helped integrate NEPA into overall project planning, and the assistance received from experienced NEPA staff was invaluable.
- *Proficient contractor.* The EA preparation contractor selected and paid for by the applicant was very knowledgeable, quick, and responsive.
- *Program knowledge.* Frequent communication and thorough understanding of program requirements facilitated effective teamwork.
- *Resource experts.* The addition of resource experts to the team helped to facilitate effective preparation of the EA.
- *Access to applicant resources.* Having ready access to the applicant's contractor facilitated effective teamwork and open communication.
- *Successful interagency communication.* Roundtable discussions between DOE and the lead agency responsible for document preparation helped resolve any issues that the agencies had with the EA.

- *Team diligence.* The industrious work ethic of the project staff facilitated preparation of the EIS.

Factors that Inhibited Effective Teamwork

- *Contractor communication.* Teamwork between the field and headquarters was compromised when headquarters' staff was unable to communicate directly with the contractor to view data that were not to be included in the EA.
- *Incomplete participation.* The lack of involvement of some DOE reviewers in discussions with EA preparers inhibited information transfer.
- *Communication breakdown.* Too many data calls from headquarters and communication issues with the State Historic Preservation Officer regarding their concerns made teamwork difficult.

Process

Successful Aspects of the Public Participation Process

- *Interested stakeholder.* A community group was interested in the project and extremely responsive.
- *Using stakeholder lists and postcards.* Compiling an extensive list of stakeholders and mailing postcards was effective for this EA. Advertisements about the project were placed in a few local papers as well on the host city's website.
- *Effective comment responses.* Each public comment was addressed and follow-up information (e.g., an archeological survey) was provided to the commentor. After the draft EA review, there were no objections to the project.
- *Targeted briefings.* Briefings with tribes and state representatives had a positive effect on the public's perspective on the project.
- *Public support.* This was a small project with minimal environmental impact. Public reaction and comment was minimal and supportive.
- *Proactive outreach.* The project team's communication with the zoning commission and taking public comments at the beginning and end of the EA process were good ideas.
- *Public outreach.* Many people were appreciative of the team's efforts to communicate with the community.

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

Usefulness

Agency Planning and Decisionmaking: What Worked

- *Decisionmaking influence.* The NEPA process ensured that the decisionmaking process of program applicants fully considered the environmental consequences of their proposals. In the loan application process, the environmental analysis influenced decisions by the applicant very early in the process.
- *Impacts identified.* The NEPA process helped determine the magnitude of the anticipated environmental impacts and encouraged design features to help reduce them.
- *Additional reviews identified.* Due to the NEPA review process, an additional study and floodplain/wetlands review were conducted to ensure sound decisionmaking.
- *Reduced environmental impacts.* The NEPA process informed program personnel of the benefits of placing the project in a location that would reduce environmental impacts.
- *Familiar procedures.* Previously established procedures were followed, which worked effectively and efficiently.
- *Successful planning.* The NEPA process helped to ensure that there were no sensitive environmental resources that would be adversely impacted by the project, affect its overall viability, delay the permitting process, or cause public controversy. The decision to prepare an EA bolstered this case and facilitated informed and sound decisionmaking.
- *Legal obligations.* Since the court had decided that it was necessary to conduct a NEPA review for this project, the site made an effort to develop an EA that would be legally defensible.
- *No major impacts.* The EA supported the need for the project and assisted in conveying the lack of major impacts.
- *Section 106 lessons learned.* The staff involved learned some valuable lessons concerning the Section 106 process and State Historic Preservation Officers in regards to indirect impacts to historic properties.

Enhancement/Protection of the Environment

- *Comprehensive planning.* The care that the applicant took in selecting a site was followed by detailed planning on the exact positioning of a facility expansion. Due to this extensive planning, impacts to wetlands were minimal. The applicant also conducted a thorough remediation of the existing site.
- *Impact reduction.* The impacts of noise, greenhouse gases, and power consumption were reduced.
- *Responsible development.* The NEPA process helped to protect the environment while developing wind energy in a responsible manner.
- *Location selection.* The NEPA process facilitated the selection of a project location that would have the least environmental impact.
- *Environmental stewardship.* The NEPA process ensured that all practicable environmental control measures were considered and employed.

Other Issues

Guidance Needs Identified

- *Greenhouse gas impacts.* Final guidance is needed on greenhouse gas impacts determination and clarification of how to apply local standards when determining the significance of an environmental impact. (Note: See related article, page 8.)
- *Addressing indirect impacts.* Additional guidance is needed on addressing indirect impacts, like visual impacts, associated with large wind turbine installations on listed or eligible historic properties.

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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 decisionmaking.

For the past quarter, in which 9 questionnaire responses were received for EAs and EISs, 8 out of 9 respondents rated the NEPA process as “effective.”

- A respondent who rated the process as “5” stated that NEPA was used as an effective planning tool because it outlined requirements and permits needed to complete the project.
- A respondent who rated the process as “5” stated that the responsible program office did its best to use the NEPA process to align its project with the best interest of both the human and natural environments.
- A respondent who rated the process as “4” stated that the NEPA process assisted in validating the need for this project and made it more defensible.
- A respondent who rated the process as “3” stated that the applicant took action in the design of the facility to minimize potential environmental impacts and to demonstrate environmental stewardship. This allowed the rest of the DOE team to feel confident in moving the project forward.
- A respondent who rated the process as “3” stated that even without a NEPA review, the responsible laboratory was aware of the need to reduce environmental impacts.
- A respondent who rated the process as “3” stated that it is difficult to rate the process due to DOE’s minimum level of involvement.
- A respondent who rated the process as “3” stated that because this was a very small project with only limited potential for adverse impact, the benefits of NEPA were somewhat restricted.
- A respondent who rated the process as “3” stated that the NEPA process played an influential role in the decisionmaking process. It provided decisionmakers with reassurance that the applicant had chosen an environmentally benign site that would not pose problems for the overall viability of the project.
- A respondent who rated the process as “2” stated that research on reasonable alternatives and locations was conducted prior to initiation of the NEPA process.