NEPA
National Environmental Policy Act
LESSONS LEARNED
U.S. DEPARTMENT OF ENERGY QUARTERLY REPORT

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GAO Audit Finds Little Government-wide Data on NEPA Time, Costs, and Benefits

A recent Government Accountability Office (GAO) audit finds that government-wide data on the types of NEPA reviews, completion times, costs, and benefits are generally limited. GAO notes that data collection efforts vary by agency, but indicates that DOE has considerably more information on NEPA metrics than most federal agencies. DOE NEPA metrics are cited frequently in the report.

GAO selected DOE, along with the Departments of Defense, Interior, and Transportation, and the U.S. Forest Service for the audit "because they generally complete the most NEPA analyses." GAO published its findings in a report, *National Environmental Policy Act: Little Information Exists on NEPA Analyses*, on April 15, 2014. (Actually, two nearly identical reports to different Congressional requesters were issued with no substantive difference between them.)

"DOE began tracking cost and completion time metrics in the mid-1990s because it was concerned about the timeliness and cost of NEPA reviews," the report states. "DOE officials told us they collect these data because, in their view, 'what gets measured gets done.'" GAO notes that DOE posts "extensive" agency-wide NEPA documentation on the DOE NEPA Website and referred to DOE's NEPA Lessons Learned program and its "NEPA success stories."

GAO found that government-wide data on the number of environmental assessments (EAs) and categorical exclusion (CX) determinations "are not readily available." However, GAO notes that the Environmental Protection Agency (EPA) publishes government-wide information on environmental impact statements (EISs) based on notices of availability for draft and final EISs. In addition, the GAO report finds that "little information exists on the costs and benefits of completing NEPA analyses."

In conducting the audit from June 2013 through April 2014, GAO reviewed documents and interviewed individuals from the five federal agencies, academia, and professional groups with expertise in NEPA analyses and litigation. The GAO report describes information on the number and type of NEPA analyses, costs and benefits of completing those analyses, and frequency and outcomes of related litigation. GAO makes no recommendations and notes that its findings cannot be generalized to agencies other than those selected for the audit.

Data on Number and Type Vary by Agency

Based on information provided by federal agencies, the Council on Environmental Quality (CEQ) estimates that about 95 percent of NEPA analyses are CX determinations, less than 5 percent are EAs, and less than 1 percent are EISs, reports GAO. However, the percentages "vary by agency because of differences in project type and agency mission." For example, GAO reports that from fiscal year 2008 through fiscal year 2012, 95 percent of DOE's completed NEPA analyses were CX determinations, 2.6 percent were EAs, and 2.4 percent were EISs or supplement analyses. (For more information on the distribution of DOE NEPA documents, see *LLQR*, September 2013, page 1.) In addition, GAO explains that CX determinations are likely underrepresented because some agencies do not track certain categories of CXs. For example, DOE does not require documentation of determinations based on CXs in appendix A of its NEPA regulations, which address primarily administrative matters.

(continued on page 8)

Inside *Lessons Learned*

Welcome to the 79th quarterly report on lessons learned in the NEPA process. This issue features the recent U.S. Government Accountability Office report on government-wide data on NEPA time, costs, and benefits and new climate change reports available for NEPA analyses. 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

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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 July 18, 2014, to Yardena Mansoor at yardena.mansoor@hq.doe.gov.

Quarterly Questionnaires Due August 1, 2014

For NEPA documents completed April 1 through June 30, 2014, NEPA Document Managers and NEPA Compliance Officers should submit a Lessons Learned Questionnaire as soon as possible after document completion, but not later than August 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.)

Call for NAEP 2015 Conference Abstracts and Environmental Award Nominations

National Association of Environmental Professionals
2015 NAEP Conference in Honolulu, HI

The National Association of Environmental Professionals (NAEP) seeks abstracts for individual speakers, panels, and posters to be presented at its 40th annual conference, April 13–17, 2015, in Honolulu. With the theme of *Mauka to Makai: Environmental Stewardship from the Mountains to the Sea*, the conference will cover NEPA and related subjects, and is open to environmental professionals in all levels of government, academia, and the private sector. The call for abstracts is available on the 2015 Conference page of the NAEP website; abstracts are due via the NAEP website by September 30, 2014.

NAEP also invites nominations for its annual Environmental Excellence Awards, which recognize outstanding NEPA achievements and exceptional performance in environmental management, stewardship, education, and other categories. The nominator and nominee need not be members of NAEP, and nominations may include projects or programs recognized by others. The nomination form is available on the NAEP website. Award nominations are due by August 15, 2014. LL

New Climate Change Reports Available for NEPA Analyses

Three reports issued in the last quarter will be helpful references for the analysis of greenhouse gas (GHG) emissions and climate change in DOE NEPA documents. The Intergovernmental Panel on Climate Change (IPCC)[1] released two summary reports, which conclude that the effects of climate change are already occurring on all continents and across the oceans and that global emissions of GHGs have risen to unprecedented levels despite a growing number of policies to reduce climate change. The U.S. Global Change Research Program (USGCRP)[2] issued a report that summarizes the impacts of climate change on the United States.

IPCC Finalizing Fifth Assessment Report

The IPCC is in the process of finalizing its fifth climate change assessment report. It will be comprised of reports from three working groups and a synthesis report. The first working group report, *Climate Change 2013: The Physical Science Basis*, was released in January 2014. (See *LLQR*, December 2013, page 8, regarding the summary of this report.)

The IPCC released summary reports by Working Groups II and III in March and April 2014, respectively, and has posted the full working group reports online in unedited form. (See selected key findings, page 4.)

Working Group II assessed the vulnerability of socioeconomic and natural systems to climate change, consequences of climate change, and options for adapting to it. Working Group II findings may be appropriate to cite in general discussions of climate change in DOE NEPA documents.

Working Group III assessed options for mitigating climate change through limiting or preventing GHG emissions, as well as activities to remove them from the atmosphere. These mitigation options are discussed for several technologies and market sectors that are potentially relevant to DOE, including: energy supply (coal, natural gas, nuclear, renewable energy); energy end-use sectors (transportation, buildings, industry); and agriculture, forestry, and other land use (e.g., bioenergy). Working Group III findings may be useful, for example, to provide context for an energy infrastructure project's contribution to addressing climate change.

The synthesis report is expected to be issued in Fall 2014. It will be written in a nontechnical style suitable for policymakers and based on the three working group reports and IPCC special reports.

2014 U.S. National Climate Assessment

USGCRP issued *Climate Change Impacts in the United States: The Third National Climate Assessment* (2014 National Climate Assessment) in May 2014. A team of more than 300 experts guided by a 60-member Federal Advisory Committee produced the report, which was extensively reviewed by the public and experts, including federal agencies and a panel of the National Academy of Sciences. Required by the Global Change Research Act of 1990,[3] the report focuses both on changes that are happening now and further changes expected throughout this century.

The report includes analyses of impacts on seven sectors – human health, water, energy, transportation, agriculture, forests, and ecosystems – and the interactions among sectors at the national level. It also assesses key impacts on all U.S. regions: Northeast, Southeast and Caribbean, Midwest, Great Plains, Southwest, Northwest, Alaska, Hawai`i and Pacific Islands, as well as the country's coastal areas, oceans, and marine resources. (See figure, page 5.)

In DOE NEPA documents, the 2014 National Climate Assessment could be used as a source of information for climate change impacts within the United States and for regional trends. In comparison with the IPCC reports, this report contains a greater level of detail regarding climate trends in regions of the United States, including potential risks to human health and a range of environmental resources. LL

[1] The IPCC was established by the United Nations Environment Programme and the World Meteorological Organization in 1988 to assess the scientific, technical, and socioeconomic information relevant for the understanding of human-induced climate change, its potential impacts, and options for mitigation and adaptation.

[2] The USGCRP is made up of 13 federal departments and agencies, including DOE, that carry out research and support the nation's response to global change.

[3] The Global Change Research Act requires that, every four years, the USGCRP prepare and submit to the President and Congress an assessment of the effects of global change in the United States.

Selected Key Findings in IPCC Working Group II Summary

Observed Impacts, Vulnerability, and Exposure

- Climate-related hazards exacerbate other stressors, often with negative outcomes for livelihoods, especially for people living in poverty.

Future Risks and Opportunities for Adaptation

- Due to sea-level rise projected throughout the 21st century and beyond, coastal systems and low-lying areas will increasingly experience adverse impacts such as submergence, coastal flooding, and coastal erosion.
- Throughout the 21st century, climate change is expected to lead to increases in ill-health in many regions and especially in developing countries with low income.
- A large fraction of both terrestrial and freshwater species faces increased extinction risk under projected climate change during and beyond the 21st century.

Selected Key Findings in IPCC Working Group III Summary

Baseline Scenarios

- Baseline scenarios, those without additional mitigation, result in global mean surface temperature increases in 2100 from 3.7 to 4.8°C compared to pre-industrial levels.

Energy Supply

- Decarbonizing (i.e., reducing the carbon intensity of) electricity generation is a key component of cost-effective mitigation strategies . . . .
- Renewable energy technologies still need direct and/or indirect support, if their market shares are to be significantly increased.
- Nuclear energy is a mature low-GHG emission source of baseload power, but its share of global electricity generation has been declining (since 1993). Nuclear energy could make an increasing contribution to low-carbon energy supply, but a variety of barriers and risks exist.
- GHG emissions from energy supply can be reduced significantly by replacing current world average coal-fired power plants with modern, highly efficient natural gas combined-cycle power plants . . . provided that natural gas is available and the fugitive emissions associated with extraction and supply are low or mitigated.
- Carbon dioxide capture and storage (CCS) technologies could reduce the lifecycle GHG emissions of fossil fuel power plants.

Energy End-Use Sectors

- The transport sector accounted for 27 percent of final energy use and 6.7 gigatonnes CO_2 ($GtCO_2$) direct emissions in 2010, with baseline CO_2 emissions projected to approximately double by 2050.
- Strategies to reduce the carbon intensities of fuel and the rate of reducing carbon intensity are constrained by challenges associated with energy storage and the relatively low energy density of low-carbon transport fuels.
- In 2010, the building sector accounted for around 32 percent of final energy use and 8.8 $GtCO_2$ emissions, including direct and indirect emissions, with energy demand projected to approximately double and CO_2 emissions to increase by 50–150 percent by mid-century in baseline scenarios.

Bioenergy

- Bioenergy can play a critical role for mitigation, but there are issues to consider, such as the sustainability of practices and the efficiency of bioenergy systems.
- Combining bioenergy with CCS . . . offers the prospect of energy supply with large-scale net negative emissions, which plays an important role in many low-stabilization scenarios, while it entails challenges and risks.
- The scientific debate about the overall climate impact related to land use competition effects of specific bioenergy pathways remains unresolved.

Climate Change Impacts by U.S. Region

 Northeast	Communities are affected by heat waves, more extreme precipitation events, and coastal flooding due to sea level rise and storm surge.
 Southeast and Caribbean	Decreased water availability, exacerbated by population growth and land-use change, causes increased competition for water. There are increased risks associated with extreme events such as hurricanes.
 Midwest	Longer growing seasons and rising carbon dioxide levels increase yields of some crops, although these benefits have already been offset in some instances by occurrence of extreme events such as heat waves, droughts, and floods.
 Great Plains	Rising temperatures lead to increased demand for water and energy and impacts on agricultural practices.
 Southwest	Drought and increased warming foster wildfires and increased competition for scarce water resources for people and ecosystems.
 Northwest	Changes in the timing of streamflow related to earlier snowmelt reduce the supply of water in summer, causing far-reaching ecological and socioeconomic consequences.
 Alaska	Rapidly receding summer sea ice, shrinking glaciers, and thawing permafrost cause damage to infrastructure and major changes to ecosystems. Impacts to Alaska Native communities increase.
 Hawai'i and Pacific Islands	Increasingly constrained freshwater supplies, coupled with increased temperatures, stress both people and ecosystems and decrease food and water security.
 Coasts	Coastal lifelines, such as water supply infrastructure and evacuation routes, are increasingly vulnerable to higher sea levels and storm surges, inland flooding, and other climate-related changes.
 Oceans	The oceans are currently absorbing about a quarter of human-caused carbon dioxide emissions to the atmosphere and over 90% of the heat associated with global warming, leading to ocean acidification and the alteration of marine ecosystems.

The 2014 National Climate Assessment *highlights selected observed and projected climate change impacts in various U.S. regions.*

EPA Checklist Addresses Changing Climate and Brownfield Cleanups

The Environmental Protection Agency (EPA) issued a checklist in April 2014 related to the consideration of climate change impacts on proposed brownfield cleanup projects. Although not directly applicable to NEPA reviews, the checklist identifies resources and evaluation principles that may be useful to NEPA practitioners.

"Our climate is changing and we need to adapt to make sure our cleanups are still protective of human health and the environment now and into the future," says EPA in its new checklist. To ensure that brownfield cleanups remain effective as the climate changes, EPA now requires that certain grant recipients "evaluate the resilience of the remedial options in light of reasonably foreseeable changing climate conditions." EPA provides several examples of conditions that could be affected by climate change, including sea level rise, increased frequency and intensity of flooding and extreme weather events, increased wildfire risk, and changing ecological zones.

EPA's checklist advises grant recipients that "identified climate change conditions and risk factors should . . . be considered in the evaluation of cleanup alternatives. Both current and forecasted climate change impacts may impact the effectiveness of a remedial alternative (e.g., increased flooding of a site could compromise an engineered cap)." EPA recommends that grant recipients consider the following in addressing climate adaptation for cleanup of brownfields:

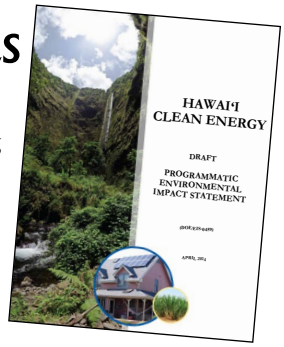
- Review an authoritative resource (e.g., U.S. Geological Survey (USGS) website, state or local resources) to identify observed and potential changing climate conditions for the area in which the cleanup project is located.
- Given the pertinent climate change concerns, identify the site-specific risk factors, taking into account known conditions (e.g., proximity to the ocean, property affected by a revised Federal Emergency Management Agency (FEMA) floodplain map, infrastructure vulnerabilities, vulnerability of soil type due to moisture and hydraulic changes, ground and surface drinking water vulnerabilities).
- Include in your evaluation how well each alternative can accommodate the identified climate change risk factors. Remember to consider all stages of the cleanup and long-term reuse of the site.

In addition, EPA advises that grant recipients do not need to generate new site-specific climate change measurements, but can rely on authoritative sources for climate information. "[G]rant recipients must demonstrate they have reviewed available current and authoritative information for the cleanup analysis. The level of analysis expected depends on the complexity of the project and the degree of risk involved given the feasible remedial options and targeted reuse of the site," says EPA. EPA's checklist provides some federal resources to help identify current and potential changing climate conditions:

- Climate Resources on Data.gov
- U.S. Global Change Research Program
- USGS Climate Land Change Science Program
- EPA's Climate Change Website
- Adaptation Tools for Public Officials
- EPA National Stormwater Calculator Climate Assessment Tool
- FedCenter Climate Change Adaptation Website
- FEMA Map Service Center

For information about EPA's Brownfields Program, see EPA's webpage on Brownfields and Land Revitalization. Additional guidelines and resources are available on EPA's Sustainable Redevelopment of Brownfields webpage.

Use Links To Enhance Digital NEPA Documents



Readers of DOE EISs increasingly request their copy on a compact disk or download the portable document format (pdf) files directly from the EIS website or the DOE NEPA Website. Recognizing this trend, Jane Summerson, DOE NEPA Document Manager for the Hawai`i Clean Energy Programmatic EIS (PEIS) (DOE/EIS-0459), ensured that the draft PEIS issued in April includes active links to make the pdf files more useful.

"With all the focus on conserving resources, controlling costs, and meeting schedule – all without compromising transparency – we aimed to take full advantage of available technology features to improve public access to our PEIS," said Dr. Summerson.

Within each chapter, active links are provided:

- To facilitate overall navigation: From the chapter's table of contents to individual sections
- To explain terms: From a term in the text to its glossary definition
- To examine internal sources: From the text to a referenced table or figure
- To identify references: From a citation within text to the chapter's reference list
- To supporting information: From the text or reference list to external websites or reference documents that are posted online

The PEIS also provides bookmarks that make it simple to go directly to a particular section of the document. (Bookmarks are required when filing an EIS with EPA; related article, below.)

The Office of NEPA Policy and Compliance encourages document managers to adopt this practice for their EAs and EISs. We welcome your suggestions regarding this and other methods to enhance the reader's experience and make DOE's NEPA documents more useful. Please send your comments and suggestions to askNEPA@hq.doe.gov.

EPA Reminds Agencies To Complete Distribution Before EIS Filing

The Environmental Protection Agency (EPA) recently thanked federal agencies for helping in the transition to its system for electronically filing EISs, in an email to NEPA contacts dated May 8, 2014. Since October 2012, EPA has required that draft and final EISs be filed through its website, rather than by delivering printed copies to its office (*LLQR*, September 2012, page 6). "It has been over 18 months since the switch," observed Cliff Rader, Director, NEPA Compliance Division, EPA Office of Federal Activities, "and the system seems to be working well (for most users!)."

Mr. Rader reminded agencies that distribution of a draft or final EIS must have occurred when filing the EIS with EPA, as distribution requirements – including the potential need to distribute paper copies – have not changed. CEQ's NEPA regulations (40 CFR 1506.9) require that, "Statements shall be filed with EPA no earlier than they are also transmitted to commenting agencies and made available to the public." Mr. Rader explained that "in order to ensure compliance with this requirement, the electronic filing system has a step that requires that all agencies certify that this distribution has occurred when filing an EIS with EPA."

Mr. Rader also encouraged agencies to combine files when electronically filing an EIS, as a large number of small files is inconvenient for readers as well as EPA staff. "We believe the time required to file EIS documents could be dramatically decreased by maximizing file sizes closer to the 50MB file size [limit]," he said.

"EPA's electronic filing system has improved efficiency – it greatly simplifies the EIS filing process – and helps the environment by reducing printing needs," said Eric Cohen, Unit Leader, DOE Office of NEPA Policy and Compliance. "Another efficiency," he added, "is that electronic files formatted to meet EPA's requirements are suitable for posting on the DOE NEPA Website." The NEPA Office assists DOE offices in filing EISs with EPA and has worked with EPA's electronic filing system since the pilot stage in early 2012.

For more information, contact Mr. Cohen at eric.cohen@hq.doe.gov or 202-586-7684, or Ms. Dawn Roberts, EPA's filing point of contact, at roberts.dawn@epa.gov or 202-564-7146.

GAO Report

(continued from page 1)

Little Information on Costs

"We found that, with few exceptions, the agencies did not routinely track data on the cost of completing NEPA analyses, and that the cost associated with conducting an EIS or EA can vary considerably, depending on the complexity and scope of the project," wrote GAO. GAO cites two NEPA-related studies completed by the Forest Service and the Federal Highway Administration that illustrate "how it is difficult to extract NEPA cost data from agency accounting systems."

"The biggest challenge in determining the costs and benefits of NEPA is separating activities under NEPA from activities under other environmental laws," GAO noted. According to Department of Transportation (DOT) officials, "the dollar costs for developing a NEPA analysis reported by agencies also includes costs for developing analyses required by a number of other federal laws, executive orders, and state and local laws, which potentially could be a significant part of the cost estimate."

GAO adds that, "DOE officials told us that they track the funds the agency pays to contractors to prepare NEPA analyses and does not track other costs, such as the time spent by DOE employees." GAO cites *LLQR* for data on DOE's median and average cost for preparing EAs and EISs, completion times, and DOE's NEPA workload.

Some Information on NEPA Time Frames

GAO finds that some government-wide information is available on time frames for completing EISs, but few estimates exist for EAs and CX determinations "because most agencies do not collect information on the number and type of NEPA analyses, and few guidelines exist on time frames for completing environmental analyses." GAO identifies the National Association of Environmental Professionals (NAEP) annual reports as a source of government-wide information for EIS time frames.

GAO notes that NAEP reported that the 197 final EISs completed in 2012 had an average preparation time of 4.6 years. GAO reports that some agency officials said the time frame measures for EISs may not account for up-front work that occurs before the notice of intent (NOI), which is typically the start date used to calculate EIS completion time. For example, DOT officials told GAO that the start date is unclear in some cases because of the large volume of project development and planning work that occurs before an NOI is issued.

The GAO report cites DOE's median and average EA completion time for calendar years 2003 through 2012 (9 and 13 months, respectively). For perspective, GAO reports that Interior's Office of Surface Mining estimated its EAs take approximately 4 months on average to complete, and the Forest Service reported that its EAs in fiscal year 2012 averaged about 18 months to complete.

For CX determinations, GAO finds that the little government-wide information that is available "shows that they generally take less time to complete than EAs." DOE and Interior's Office of Surface Mining told GAO that they usually take 1–2 days to complete. Forest Service, on the other hand, took an average of 177 days to complete CX determinations in fiscal year 2012. GAO explains that the Forest Service documents its CX determinations with decision memos, which are completed after all necessary consultations, reviews, and other determinations associated with a decision to implement a particular proposed project.

NEPA Benefits Are Largely Qualitative

Regarding the benefits of completing NEPA analyses, GAO finds that information is "largely qualitative." According to studies and agency officials, "some of the qualitative benefits of NEPA include its role as a tool for encouraging transparency and public participation and in discovering and addressing the potential effects of a proposal in the early design stages to avoid problems that could end up taking more time and being more costly in the long run." DOE officials referred to the public comment component of NEPA as a piece of "good government architecture." Forest Service officials said that NEPA leads to better decisions on projects because of the environmental information considered in the process. GAO highlights CEQ's examples of benefits from the NEPA process for Recovery Act-funded activities, the Environmental Law Institute's *NEPA Success Stories: Celebrating Forty Years of Transparency and Open Government*, and DOE's NEPA "success stories" as sources for examples.

Most NEPA Reviews Are Not Challenged

Following its investigation into the frequency and outcome of NEPA litigation, GAO finds that "agency data, interviews with agency officials, and available studies indicate that most NEPA analyses do not result in litigation." In addition, based on information from CEQ and other sources, GAO notes that "the number of lawsuits filed under NEPA has generally remained stable following a decline after the early years of implementation." GAO also finds that according to data from CEQ and NAEP, and from legal studies, "the federal government prevails in most NEPA litigation."

The GAO report, with references to DOE highlighted, is available on the DOE NEPA Website. The GAO reports

(continued on page 12)

Environmental Justice Updates

DOE Celebrates 20th Anniversary of Executive Order on Environmental Justice

It has been 20 years since President Bill Clinton signed Executive Order 12898, *Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations* (February 11, 1994). The Executive Order directs that "each federal agency shall make achieving environmental justice [EJ] part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations" throughout the United States.

In celebration, DOE sponsored a series of anniversary-related activities during the month of February, including hosting an EJ exhibit at DOE headquarters; publishing a new EJ brochure, "A View of Environmental Justice at the U.S. Department of Energy"; and posting to its EJ website a video entitled, "A Review of the Department of Energy's Implementation of Executive Order 12898 and Recommendations for A Second Five-Year Implementation Plan," and an accompanying report. In addition, Secretary of Energy Ernest Moniz recently met with the EJ Task Force to convey his appreciation for their dedication and hard work. For more information on these activities, see the Department's Legacy Management Program Update, January–March 2014.

2014 EJ Conference and Training Program

The 2014 National Environmental Justice Conference and Training Program (NEJC) was held March 26–28 in Washington, DC. A diverse group of more than 400 participants from federal and state agencies, local governments, tribes, community groups, business, and industry were in attendance. Topics included the growing presence of youth in EJ, the future of the EJ movement, and the use of Title VI to address EJ. The 2015 NEJC will be held April 22–24, 2015; registration begins June 2, 2014. More information is available on the NEJC website.

NEPA Training and Guidance in Development

The NEPA Committee of the Interagency Working Group (IWG) on EJ, led by the Environmental Protection Agency's (EPA's) Office of Environmental Justice, is developing a compilation of best practices and a training program to improve consideration of EJ in NEPA analyses. The draft documents will be discussed at a meeting of senior federal agency officials in Fall 2014.

The best practices, drawn from experiences across federal agencies, are intended to help NEPA practitioners consistently, efficiently, and effectively consider EJ in NEPA reviews. The training would help NEPA practitioners, reviewers, and grantees understand ways to incorporate EJ considerations into the NEPA process. Among topics that may be addressed are: (1) appropriate consideration of EJ in the different levels of NEPA review (EAs, EISs, and categorical exclusions), (2) approaches to identify minority or low income populations in the regions of influence of proposed actions and alternatives; and (3) clarifying the concepts of "significance" under NEPA and "disproportionately high and adverse" impacts under Executive Order 12898.

Secretary of Energy Moniz recently met with the EJ Task Force to convey his appreciation for their dedication and hard work. Left to right: Steven Miller, Beverly Whitehead, Jonathan Jackson, Natalie Randolph, Secretary Moniz, Melinda Downing, Chad Bourgoin, June Robinson, Denise Freeman, and Younes Masiky.

Last year, the NEPA Committee produced a NEPA/EJ Resource Compendium that gathers into one place links to publically available information (e.g., regulations, guidance, EJ strategic plans) from federal agencies on the intersection of EJ and NEPA. Denise Freeman and Eric Cohen, Office of NEPA Policy and Compliance, are participating on the NEPA Committee. For further information on the IWG, see EPA's EJ website.

DOE To Update EJ Strategy

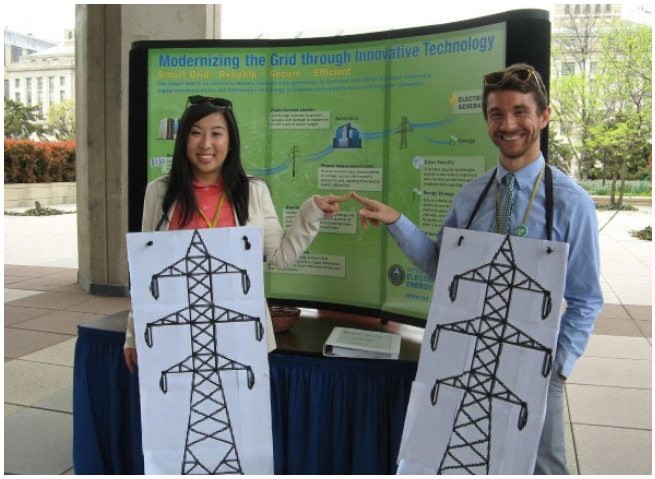
DOE is planning to update its EJ Strategy this summer. The strategy outlines how the Department integrates EJ into its operations. The update will be based on contributions from Program and Field Offices.

For further information on any of these EJ-related activities, contact Denise Freeman at denise.freeman@hq.doe.gov or Melinda Downing at melinda.downing@hq.doe.gov.

How We Celebrated Earth Day 2014

The NEPA Office joined other DOE Headquarters organizations in presenting displays in the Forrestal Building during Earth Week, and then outdoors on a "Community Day" held on April 22. Here are some highlights.

*Andy Lawrence (left), Director, Office of Environmental, Sustainability and Corporate Safety Analysis, chatted with **NEPA Office** staff Bradley Mehaffy and Denise Freeman. The NEPA Office's Earth Day presentation included a display of NEPAnode, a GIS tool for environmental analysis.*



*The **Office of Electricity Delivery and Energy Reliability** "connected" Earth Day visitors with a display on innovative technologies for modernizing the nation's electric grid. Joyce Kim and Fred Winter described OE's initiatives to enhance the reliability, flexibility, and efficiency of the electricity delivery system.*

*Energy-saving technologies in the home were the featured topic in the **Office of Energy Efficiency and Renewable Energy** (EERE) display.*

*The **EERE** display of innovative vehicle technology attracted many observers.*

*The **National Nuclear Security Administration** (NNSA) display (left) highlighted the application of sustainability and conservation principles to DOE's nuclear complex. NNSA also recognized "The Green Reaper," (right) a Nevada National Security Site initiative of communications and marketing strategies that promote sustainability goals, successes and best practices.*

Earth Day 2014

Field Offices around the DOE Complex celebrated Earth Day in many ways.

*Earth Day at the **Argonne Area Site Office** featured the Argonne National Laboratory's sustainability services and programs and an R&D poster session. Children from the Argonne Child Development Center planted a tree as part of the celebration. In a "green vehicle corral" (not pictured), the office displayed laboratory test vehicles and fleet vehicles, and employees displayed and answered questions about their personally owned green vehicles.*

*The Office of Energy Efficiency and Renewable Energy, **Golden Field Office** organized an Alternative and Green Commuting Expo. Volunteers offered free bike tune-ups while local commuter groups provided information on alternative commuting options, including carpools and vanpools, bus and light rail, and bike trails. Electric vehicle owners opened their hoods and their doors to anyone seeking to find out what it's really like to own an emissions-free vehicle; this electric motorcycle has a range of 150 miles.*

***Bonneville Power Administration's** Sustainability Fair urged employees to "Kick the Can" – to replace a waste basket with small, desk-side bins to separate compostable food scraps and recyclables from trash to be landfilled. Unwanted personal electronics were accepted for recycling and, on May 1, a team of BPA volunteers worked on watershed restoration (not pictured).*

NCO Recognized in DOE Earth Day Photo Contest

After submitting a winning photograph in the 2013 DOE Earth Day Photo Contest, Gary Hartman – the long-term NEPA Compliance Officer for the Oak Ridge Office – won in two categories in this year's contest. DOE employees and contractors, whether professional or amateur photographers, were invited to submit images illustrating "The Things We Do To Conserve and Preserve Our Precious Planet." One winner was selected from each of five categories: Conservation, Community, Alternative Power, Energy Efficiency, and Sustainability.

Mr. Hartman's photo of the bus transfer station in Athens, Georgia, was the winner in the Energy Efficiency category. Flexible photovoltaic film had been applied to part of the roof, using funds from DOE's Energy Efficiency and Conservation Block Grant Program, under the Recovery Act. His photo taken at the Edison-Ford Winter Home in Fort Myers, Florida, was selected as the best representation of the Community category.

Advice from the Photographer

- Follow your passion: "The great thing about photography is that it can be combined with other interests, such as birding, hiking, love of nature, or music. Just remember to take your camera along," said Mr. Hartman.
- Focus on composition: "Work on 'seeing through the lens' to create an image that is aesthetically pleasing. Usually this means placing the subject slightly off-center (i.e., 'rule of thirds'), but centering the subject works well in some cases. If the photo looks good to you, then it probably looks good to others, also."
- Keep practicing: "It is never too late to take up photography, and you do not have to have the best equipment to take nice photos. (My photo of the bus transfer station was taken with a 'point-and-shoot' camera.) Also, take advantage of the multitude of tips and advice available in 'how-to' books and on the Internet. I learn something new every time I browse. With that in mind, it's not too soon to take pictures that may become entries in the 2015 Earth Day Photo Competition."

GAO Report

(continued from page 8)

(GAO-14-369 and GAO-14-370, April 2014) are available on GAO's website under Reports and Testimonies. Appendix II of the GAO reports contains a summary of federal NEPA data collection efforts, including DOE's.

Handbook Issued on Integrating NEPA and CEQA

The Council on Environmental Quality (CEQ) and the California Governor's Office of Planning and Research jointly issued a handbook in February 2014 titled, *NEPA and CEQA: Integrating Federal and State Environmental Reviews*. The handbook emphasizes reducing duplication between, and improving the efficiency of, the NEPA and California Environmental Quality Act (CEQA) processes. The handbook may be helpful to DOE offices responsible for proposed actions that require approvals or other actions by California state and local government agencies. In addition, the principles described in the handbook may be helpful when coordinating with any state approval processes.

"The purpose of this handbook is to provide practitioners with an overview of the NEPA and CEQA processes, and to provide practical suggestions on developing a single environmental review process that can meet the requirements of both statutes," the document states.

CEQA, signed in September 1970 (just 9 months after NEPA), was the first state law to require the incorporation of environmental values in decision making. "NEPA and CEQA are similar, both in intent and in the review process (the analyses, public engagement, and document preparation) that they dictate," states the handbook. Both statutes require agencies to "analyze and disclose the potential environmental impacts of their decisions, and, in the case of CEQA, to minimize significant adverse environmental effects to the extent feasible."

Integrating NEPA and CEQA

"Importantly, both statutes encourage a joint Federal and state review where a project requires both Federal and state approvals," continues the handbook, which emphasizes that "a joint review process can avoid redundancy, improve efficiency and interagency cooperation, and be easier for applicants and citizens to navigate." The handbook also points out that there are differences between the statutes and that, "Conflict arising from these differences can create unnecessary delay, confusion, and legal vulnerability."

[D]eveloping a common understanding of the NEPA and CEQA review processes and their differences at the beginning of a joint review process may be among the most important ways to conduct an efficient and effective review process.

– NEPA and CEQA: Integrating Federal and State Environmental Reviews

The handbook delves further into similarities and differences between NEPA and CEQA and "identifies possible strategies for meeting the requirements of both laws." Among the topics covered are purpose and need, alternatives, impact analysis, and mitigation. Two examples from the handbook are:

- Both laws allow for existing NEPA and CEQA reviews to satisfy part or all of their requirements. For example, an existing CEQA review can be used by a federal agency to satisfy its NEPA requirements if that agency participated in the preparation of the CEQA document and the CEQA review meets NEPA requirements. However, the CEQA review may not satisfy the federal agency's requirements under other environmental laws (e.g., National Historic Preservation Act, Endangered Species Act). "Consequently, agencies should consider working collaboratively to address those requirements as well," advises the handbook.
- The handbook explains that under CEQA an environmental impact report (EIR) is "required if substantial evidence supports a *fair argument* that a project *may* have a significant impact, even if other substantial evidence indicates that the impact will not be significant." The handbook contrasts this with NEPA where the determination whether to prepare an EIS is based on the agency's "assessment of the context and intensity of the potential impacts." The handbook states that agency staff should take this difference into account when preparing NEPA/CEQA documents. The handbook further explains that this difference may lead to a decision to prepare a joint EA/EIR (rather than EIS/EIR) that includes an explanation why the agencies have made different determinations of potential significance.

The handbook encourages federal agencies to coordinate early with California state and local agencies when reviews under both NEPA and CEQA are required. It provides a framework for preparing a memorandum of understanding (MOU) to facilitate coordination and cooperation. This framework includes an outline of potential elements to include in an MOU, accompanying explanation, and sample text to "stimulate thinking."

The handbook concludes with a discussion on how NEPA can be integrated with the California Energy Commission's licensing process for thermal power plants (50 megawatts and larger) and related facilities including transmission lines. This process is the functional equivalent of a CEQA review, but has several unique elements. For example, the licensing process is an adjudicatory process (requiring different steps than an EIS or EIR), and the California Energy Commission's policy objectives may be broader than the federal agency's purpose and need (thus affecting the range of alternatives for analysis). LL

Transitions: NEPA Compliance Officers

Livermore Field Office: Karin King

Karin King has resumed the NCO responsibilities for the National Nuclear Security Administration's (NNSA's) Livermore Field Office, where she previously served as NCO from 2006 through 2011. During that period, she was involved with the office's integration of its NEPA processes with its environmental management system. She also worked on the 2011 supplement analysis for the Lawrence Livermore National Laboratory (LLNL) (*LLQR*, December 2011, page 8). Ms. King is the Office's Sustainability Lead and Federal Energy Manager and has been working on a third-party-financed renewable energy project at Lawrence Livermore National Laboratory. Ms. King is a Certified Energy Manager and a Certified ISO 14001 Environmental Management System (EMS) Lead Auditor. She also has been designated by the U.S. Green Building Council as a Leadership in Energy and Environmental Design (LEED®) Accredited Professional. She has worked for DOE as an environmental engineer since 1992 and has more than 27 years of experience in the environmental and energy field. Ms. King can be reached at karin.king@nnsa.doe.gov or 925-422-0756.

NNSA Production Office

The NNSA Production Office is responsible for contract management and oversight of the Pantex Plant in Amarillo, Texas, and the Y-12 National Security Complex in Oak Ridge, Tennessee.

Pantex: Jack Zanger

Jack Zanger has been designated as NCO for the NNSA Production Office at Pantex, where he is currently the Functional Manager of Environmental Compliance. Mr. Zanger has 24 years of environmental compliance experience at Y-12, both as a federal employee and with the management and operating contractors, where his responsibilities included NEPA compliance and the National Historic Preservation Program. He can be reached at jack.zanger@npo.doe.gov or 806-477-3638.

Y-12: James Donnelly

James Donnelly has been designated as NCO for the NNSA Production Office with primary duties at the Y-12 National Security Complex, where he has worked since 2001. Mr. Donnelly has over 28 years of environmental protection and waste management experience, including at DOE's Oak Ridge and Richland Offices, and the Nuclear Regulatory Commission. He can be reached at james.donnelly@npo.doe.gov or 865-574-6260.

Pantex: Jim Barrows Retired

Jim Barrows retired in January 2014. He joined DOE in 2004 and served as an NCO starting in 2007 for the former Pantex Site Office, and continuing from 2012 through his retirement as the lead NCO for the NNSA Production Office. While NCO, he worked on two supplement analyses to evaluate the continued adequacy of the Pantex site-wide EIS (DOE/EIS-0225; 1996). Prior to his work at DOE, Jim had over 17 years of federal service with the Department of the Interior and the U.S. Army Corps of Engineers.

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Transitions

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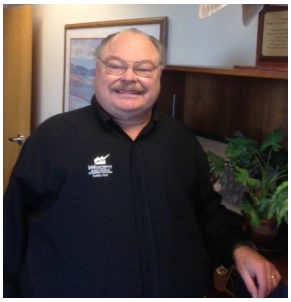
Western Area Power Administration, Upper Great Plains

Matt Marsh takes up the NCO mantle from Nick Stas, Upper Great Plains Environmental Manager, who will retire at the end of June after 41 years of federal service.

Matt Marsh

Matthew (Matt) Marsh has been designated NCO for Western's Upper Great Plains Region, located in Billings, Montana. Mr. Marsh began his environmental career working on the Anaconda National Priorities List (Superfund) site in western Montana before joining Western's Upper Great Plains Region in 2000 as the Environmental Protection Specialist for the Montana Maintenance Office in Fort Peck. After years of driving more than 250 miles each way between Fort Peck and Billings, he transferred in 2006 to the Regional Office to replace a retiring NEPA Specialist and has served there as the NEPA lead for 6 years. In that capacity, he has served as NEPA Document Manager for two EISs and five EAs. His other job is as a Reserve Marine – Matt just passed 28 years as a Marine! He can be reached at mmarsh@wapa.gov or 406-255-2811.

Nick Stas: Served Every Secretary of Energy



Nicholas (Nick) Stas will soon retire after a federal career stretching over 4 decades – including 6 years with the U.S. Navy, 12 years with Bonneville Power Administration, and over 23 years with Western Area Power Administration.

Having served under every Secretary of Energy to date, Mr. Stas reflected on DOE's cultural changes related to environmental performance. "I had the privilege of serving on multiple 'Tiger Teams,' an initiative under Admiral Watkins [Secretary of Energy 1989–1993] that brought new focus to safety and environmental protection. I have observed continuous improvement in integrating NEPA with decisionmaking and using the NEPA process as a tool to partner with stakeholders and the public," he noted.

Mr. Stas was invited in 2004 by the United States-Asia Environmental Partnership, a program of the U.S. Agency for International Development, to join a team assisting the state-owned electric utility in Vietnam in establishing a PCB [polychlorinated biphenyl] management program. "Having served in Vietnam 35 years earlier with the U.S. Navy, going back was very special to me," he said. He was recognized by the U.S. Ambassador to Vietnam for his contribution "working in partnership to improve the environment and quality of life for the people of Asia." Mr. Stas then hosted a Vietnamese technical delegation that visited Western's Upper Great Plains Region to observe the implementation of policies and procedures from the Office's award-winning Environmental Management System, including PCB management and clean up. These activities earned the National Association of Environmental Professionals award for excellence in environmental education (*LLQR*, June 2006, page 13).

Completing Western's *Upper Great Plains Wind Energy Programmatic EIS* (DOE/EIS-0408), which will be issued as a final EIS in June, is Mr. Stas' last major contribution as a NEPA Document Manager and NCO. "I enjoyed working with the U.S. Fish and Wildlife Service, the joint lead agency for this EIS, in meeting challenges and overcoming delays. Going forward, this effort will significantly improve the efficiency of interconnecting renewable energy resources in the Upper Great Plains Region to the electrical transmission system."

Nick was appreciated by his staff. Rod O'Sullivan, an Environmental Protection Specialist and NEPA Document Manager first with the Upper Great Plains Region and now at Western's Headquarters, observed, "Nick's many successes can be attributed to his gregarious nature and approachable persona as well as his broad knowledge and technical expertise. A friend to all, and always willing to listen and help, Nick truly has never known a stranger."

As he looks forward to retirement, Nick notes that, "Throughout my federal career, I have sincerely appreciated the opportunity to work with, and for, some of the nation's finest citizens."

On behalf of the DOE NEPA Community, we offer Jim Barrows and Nick Stas best wishes in their retirement.

EAs and EISs Completed January 1 to March 31, 2014

EAs[1]

Bonneville Power Administration
DOE/EA-1931 (2/6/14)
Keeler to Tillamook Transmission Line Rebuild Project, Tillamook and Washington Counties, Oregon
Cost: $695,000
Time: 19 months

DOE/EA-1941 (1/13/14)
Boyer-Tillamook Access Road Improvement Project, Tillamook and Yamhill Counties, Oregon
Cost: $201,000
Time: 16 months

Golden Field Office/Office of Energy Efficiency and Renewable Energy
DOE/EA-1903 (2/6/14)
Kansas State University's Zond Wind Energy Project, Manhattan, Kansas
Cost: $38,000
Time: 47 months

Idaho Operations Office/Office of Nuclear Energy
DOE/EA-1954 (2/26/14)
Resumption of Transient Testing of Nuclear Fuels and Materials, Idaho National Laboratory, Idaho Falls, Idaho
Cost: $777,000
Time: 30 months

National Energy Technology Laboratory/ Office of Fossil Energy
DOE/EA-1642-S1 (2/28/14)
Small-Scale Pilot Plant for the Gasification of Coal and Coal-Biomass Blends and Conversion of Derived Syngas to Liquid Fuels via Fischer-Tropsch Synthesis, Lexington, Kentucky
Cost: $30,000
Time: 4 months

Western Area Power Administration
DOE/EA-1948 (3/21/14)
Gila-North Gila Transmission Line Rebuild and Upgrade Project, Yuma County, Arizona
Cost: $215,000
Time: 17 months

EIS

Office of Legacy Management
DOE/EIS-0472 (79 FR 15741, 3/21/14)
(Draft EIS Rating: EC-2)
Uranium Leasing Program Programmatic Environmental Impact Statement, Mesa, Montrose, and San Miguel Counties, Colorado
Cost: $1,981,000
Time: 33 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.*

NEPA Document Cost and Time Facts[1]

EA Cost and Completion Times

- For this quarter, the median cost for the preparation of 6 EAs for which cost data were applicable was $208,000; the average was $326,000.
- For this quarter, the median completion time for 6 EAs for which time data were applicable was 18 months; the average was 22 months.
- Cumulatively, for the 12 months that ended March 31, 2014, the median cost for the preparation of 12 EAs for which cost data were applicable was $148,000; the average was $356,000.
- Cumulatively, for the 12 months that ended March 31, 2014, the median completion time for 14 EAs for which time data were applicable was 15 months; the average was 17 months.

EIS Cost and Completion Times

- For this quarter, the cost for the preparation of 1 EIS for which cost data were applicable was $1,980,000.
- For this quarter, the completion time for 1 EIS for which time data were applicable was 33 months.
- Cumulatively, for the 12 months that ended March 31, 2014, the median cost for the preparation of 4 EISs for which cost data were applicable was $1,330,000; the average was $1,440,000.
- Cumulatively, for the 12 months that ended March 31, 2014, the median completion time for 5 EISs for which time data were applicable was 31 months; the average was 36 months.

[1] For EAs, completion time is measured from EA determination to final EA issuance; for EISs, completion time is measured from the Federal Register *notice of intent to the EPA notice of availability of the final EIS.*

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

- *Telephone calls*. Telephone calls by DOE staff to tribal government representatives about the proposed project led to the representatives' attendance at the public scoping meeting.
- *Flexible public interaction*. An open-house public scoping meeting beneficially allowed unstructured and flexible interaction with the public.
- *Cooperating agency invitation*. The letter sent to cooperating agencies to invite their participation in the EA process contained a signature line at the bottom to accept or reject the invitation and space to designate a contact person. This facilitated a timely response to the invitation because the agencies did not need to write an entire letter to reply to the invitation.
- *Public communication*. Scoping facilitated an open line of communication with the public.

What Didn't Work

- *Changes to project scope*. Project changes made during the EA process required that tasks, not identified during the scoping process (including consultations), had to be completed to support preparation of the EA.

Data Collection/Analysis

What Worked

- *Use of data from an abandoned project*. Finishing an incomplete cultural resources study from an abandoned project facilitated DOE's completion of a cultural resources study required for the EA in a timely and financially responsible manner.

What Didn't Work

- *Project changes*. Unexpected changes to the project description and study area led to the need for additional analyses.
- *Difficulty obtaining information*. Obtaining all necessary information on project design, locations, the extent of construction activities, and the transfer of GIS data between DOE and the EA contractor, took longer than anticipated.
- *Delayed receipt of GPS data*. Assessing tree removal was important due to the potential existence of terrestrial habitat for the marbled murrelet and northern spotted owl and possible impacts to stream habitat for listed fish; however, a delay in the receipt of GPS location data for the trees, and their distance from stream banks, hindered timely analysis of these data.
- *Delayed receipt of model*. The EA baseline schedule assumed that a radioactive material transportation model would be available when needed. However, the model was not available when needed and a workaround was implemented to allow completion of the work. The workaround involved use of more labor-intensive software. A six-week delay resulted from developing a workaround and a ten-week delay resulted from completing the more labor-intensive workaround.
- *Revised project scope*. A change in the project's scope resulted in the need for reanalysis of data, additional reviews, and delays to the completion of the draft and final EA.

Schedule

Factors that Facilitated Timely Completion of Documents

- *Frequent communication*. Frequent communication among program, headquarters, and cooperating agencies facilitated timely completion of the EIS.
- *Schedule updates*. The EA contractor updated the document preparation schedule as needed, which facilitated efficient time management.
- *Frequent meetings*. DOE met with the project partner every 6-8 weeks to discuss planning, the NEPA process, and funding.

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

- *DOE consolidated comments*. DOE staff consolidated their concise comments on draft deliverables prior to submission of comments to the EA contractor.
- *Weekly meetings*. Weekly meetings to assess EA status helped us stay as close to schedule as possible, especially at the beginning of the project.

Factors that Inhibited Timely Completion of Documents

- *Establishing tribal relationships*. Identifying appropriate tribal contacts and establishing their preferred relationships for the EIS process and associated activities took longer than anticipated.
- *Website glitches*. Technical glitches associated with the project website led to public communication gaps and resulted in a need to extend the public comment period.
- *Lack of commitment to schedule*. The lack of commitment to the proposed project schedule by headquarters participants inhibited the timely completion of the EIS.
- *Moving timeline*. The timeline for the completion of the EIS had to be reset several times.
- *Unresponsive partner*. The DOE project partner was indecisive and unresponsive at times.
- *Delayed project construction date*. The DOE project partner delayed the estimated construction completion date for the proposed project for several years.
- *Unsatisfactory draft*. An unsatisfactory first version of the draft EA submitted by the contractor required an extensive rewrite.
- *NEPA process started too early*. The NEPA process was started before the identification of the full range of viable alternatives. Addressing newly identified alternatives and components put the NEPA process on a critical path.
- *Extensive coordination*. Extensive coordination was required with another DOE site, a national laboratory, and DOE headquarters staff; this included completion of complex accident and transportation analyses.
- *Contractor performance*. The EA contractor was unable to complete the preliminary draft EA in a timely manner due to ongoing personal problems. The DOE project partner did not take actions to hire a new contractor, even after DOE provided a recommendation to do so.
- *DOE project partner was not concerned about timeliness*. The DOE project partner was not concerned about project construction start or EA review completion for several years. Monthly calls by DOE to the project partner were ineffective in moving the EA process forward.
- *One-man contractor*. The use of a one-man contractor was ineffective. We recommend to future projects leaders that a contractor with a staff of one not be utilized for NEPA document preparation.

Teamwork

Factors that Facilitated Effective Teamwork

- *Regular meetings*. Regular meetings of the project team facilitated timely completion of the EA.
- *Good communication*. Good communication among all team members was effective in managing the flow of information, expectations, and potential obstacles.
- *Cooperation*. Cooperation among the NEPA team members was effective in the preparation of a quality EIS.
- *Use of Outlook calendar*. The use of Outlook calendar reminders to alert people of approaching deadlines was helpful.
- *Use of Go-To-Meeting*. Team meetings to review/revise the document were held with local and remotely-located team members using Go-To-Meeting. This gave the team the opportunity to review and revise documents in real time.
- *Face-to-face reviews*. Including EA contractor and DOE personnel in face-to-face reviews helped minimize the number of rewrites to address comments. DOE and the contractor worked together to review and revise the document, rather than in a sequential review - revise cycle.
- *Headquarters support*. Having a liaison at DOE-HQ to help move the EA through the review and revision process was effective.
- *Strong team*. Having a strong core NEPA Team with excellent experience and a knowledgeable program manager facilitated preparation of the EA.

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

- *Extensive interaction*. Having extensive interaction between the DOE Document Manager and contractor Document Manager, and including the appropriate team members (e.g., contractor manager and site manager) in key meetings and reviews, was effective in the EA preparation.

Factors that Inhibited Effective Teamwork

- *Timeliness*. Timeliness and adherence to the schedule were not pursued as a team quality factor.
- *Limited sharing of data*. Initially, limited sharing of program data with the NEPA contractor led to information gaps, which had to be addressed once the gaps were identified.
- *External coordination*. Better understanding at the start of the NEPA process of requirements and expectations for coordination and consultations with tribes and other entities would have facilitated a more efficient process.
- *Dispersed team members*. Having team members spread out in different buildings and cities inhibited collaboration.
- *Use of email*. Reliance on email was problematic since they were sometimes overlooked and some responses were delayed.
- *Multiple team members*. The project involved DOE-HQ, two field offices, and a program. The coordination among these multiple groups, while effective at times, also lengthened the review and revision process.

Process

Successful Aspects of the Public Participation Process

- *Public comment tracking*. Setting up a project-specific government email address for public comments on the EA increased their visibility and tracking.
- *Established project website*. Many people visited the project website and found it to be useful.
- *Support for improvements*. There was much support for the improvements to the roads planned for the project, which landowners could use as well.
- *Presentation of project information*. NEPA helped us organize and present the analysis of the proposed action and acted as a tool to inform the public about the project.
- *Helpful public comments*. Some public comments pointed out deficiencies in the draft EA. Once addressed, we had a better document.

Unsuccessful Aspect of the Public Participation Process

- *Reaction to public meetings*. The public participation process did not seem to be an honest dialogue, but rather a "here it is, tell us what you think, and here it is again" situation. The process seemed to discourage open and honest communication in favor of legal and reserved responses that were overly thought out.
- *NEPA process perceived as too long*. Concern was expressed that the NEPA process was taking too long, particularly the 10 months between the scoping meeting and the draft EA.

Usefulness

Agency Planning and Decisionmaking: What Worked

- *Transparent decisionmaking*. The EIS process made our decisionmaking more transparent to the public.
- *Focus on scope and purpose*. The EIS process kept the EIS preparers focused on the major underpinnings of the scope and purpose of the document.
- *Framework for future projects*. The programmatic EIS established a consistent framework for future project planning.
- *Sound analyses*. The EA analyses made a clear case for identifying the preferred alternative.

Enhancement/Protection of the Environment

- *Enhanced understanding of project issues*. The EIS process led to an enhanced understanding of special environmental issues associated with the project area and supported the development of appropriate mitigation.
- *Mitigation of environmental impacts*. The environment may be protected due to mitigation beyond requirements to address comment responses.
- *Enhanced resources protection*. The EA process resulted in the addition of resource protection measures to the project.

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

- *Consequences of no action*. The EA process highlighted that the environmental consequences for the action alternatives were less for many resources than was the No Action Alternative.

Other Issues

Guidance Needs Identified

- *Preparation of formal notifications*. There is a need for better explanation of the process and timelines associated with announcements and notifications (Notice of Availability of draft and final documents, congressional notifications, etc.).
- *Development of schedule guidelines*. Schedule and timeliness as a quality factor need to be integrated into the procedures and guidance for document preparation with review times laid out and approved by the programs.
- *Addressing resource issues*. Specific guidance is needed to identify decision criteria for when resource issues can be "considered but dismissed from detailed analysis in an EA." If a resource is present, must it be analyzed in detail? Can significance criteria be used in EAs? It would be helpful if DOE had a list of resources issues that could be considered in an EA similar to that provided by the U.S. Bureau of Land Management.

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 6 EA and 1 EIS questionnaire responses were received, 6 respondents rated the NEPA process as "effective."

- A respondent who rated the process as "5" stated that the NEPA process provided detailed and accurate analyses to facilitate a confident determination of the potential for significant impacts from the alternatives analyzed.
- A respondent who rated the process as "4" stated that the NEPA process verified that DOE and the project partner should share a corridor to minimize impacts to agricultural lands.
- A respondent who rated the process as "3" stated that the NEPA process made project staff put more thought and consideration into what wastes would be generated by the project and how those wastes would be handled.
- A respondent who rated the process as "3" stated that the NEPA process made DOE's decisionmaking more transparent to the public.
- A respondent who rated the process as "3" stated that the NEPA process was viewed as a "hoop" to go through (an approval to get). However, the process yielded good information that led to a better project description and understanding of what was needed to actually go forward with the project.
- A respondent who rated the process as "3" stated that the project would be carried out with better environmental protection than would have likely occurred otherwise; however, this was mostly due to other laws (Endangered Species Act and Clean Water Act).
- A respondent who rated the process as "2" stated that the proposed project would avoid environmental impacts due to compliance with other regulatory requirements.