It is the continuing policy of the Federal Government, in cooperation with State and local governments to create and maintain conditions under which man and nature can exist in productive harmony.
Cooperating agency status:

- Low bar for counties
- MOU is a tool, not a requirement
National Environmental Policy Act

Process

• Proposal (County initiated and County authority)
• Scoping (issues, alternatives – County input)
• Draft EIS (effects analysis, County assistance)
• County / Public Comments – substantive, not Q&A
• Final EIS
• Decision
• Implementation and Monitoring (HFRA)
Proposal

Projects initiated by County
Projects subject to County authority
Agency initiated projects
Projects initiated by others
Scoping

• Can be used to determine cooperating agencies/assignments
• Alternatives
• Time limits:
  • Counties, State agencies, or public can request time limits
Alternatives

• Based on scoping, not every conceivable option
• Consider value added to decision making, including cost to the public for analysis
• Implementability and Reasonableness
• Can use County expertise
• Based on sideboards provided by scoping
• Depth of analysis provided by scoping
  • More info and analysis means less $$ to ground
• Objectivity / Data Quality
Draft EIS review

- County/Public comments
- More in depth County involvement can be included with or without cooperating agency role
- County can assist in:
  - public involvement
  - public meetings
  - joint County/Forest service meetings
- County can assist in response to comments
Implementation

- Official Cooperating Agency process ends
- Counties can still be involved
- Multi Party monitoring (HFRA)
  - Implementation
  - Effectiveness – continual improvement in environmental analysis
What’s good interagency/public involvement?

- Appropriate time and $
- Needs to be constant ongoing, not limited to NEPA process
- Two way communication
- Emphasize local elected officials
- Minimize “voting”
- Clear, plain language
- Have a positive effect on the decision
Beyond Cooperating Agency:

Once a solid working relationship built, need for formalized lead/cooperating agency status can go away
New Forest Service
NEPA Regulations
Proposed Regulations

Designed to improve the efficiency of the NEPA process

- Spend more time and money doing on-the-ground work
- Less on analysis and decision making processes
Condition-Based Management

- Treatments not defined on each acre, but by on the ground conditions

- Based on existing practice- Tennessee Creek

- Codifying to provide clear, consistent direction on its use, and to encourage more widespread use.
● Eliminating scoping process for CE and Eas – continuing it for EISs.
● Additional public engagement at discretion of Responsible Official.
● NEPA Handbook: ongoing public engagement in all programs, not just periodically through NEPA.
Determination of NEPA Adequacy (DNA)

Can NEPA requirements for a new proposal be met by an existing NEPA analysis?

Based on these factors:
- similarity between the prior decision and new proposal
- adequacy of the range of alternatives
- any significant new circumstances since the prior decision,
- and the adequacy of the impact analysis for the proposed action

Modelled on BLM’s use of DNAs.
New CE Direction

- Primarily focused on addressing needs for special use authorizations, infrastructure management, and restoration projects.

- Proposed Extraordinary Circumstances Direction:
  - “Likelihood of substantial adverse effects”
Questions?