

To: Fisher, Timothy[tjfisher@blm.gov]
From: Sally Butts
Sent: 2017-08-18T09:18:56-04:00
Importance: Normal
Subject: Re: compatibility analysis for the proposed hydro operation
Received: 2017-08-18T09:19:07-04:00

We've stated these kinds of analyses as whether the proposed action is consistent with the proclamation or designating legislation. There should be discussion in the NEPA effects chapter (typically chapter 4) that analyzes consistency between the proposed action and the ROVs.

Glad to discuss in more detail if you'd like.

Sally

Sent from my iPhone

On Aug 16, 2017, at 11:04 AM, Fisher, Timothy <tjfisher@blm.gov> wrote:

I am getting some questions from Utah on a compatibility analysis for the proposed hydro operation within GSENM.

Utah Response:

Could you provide the law or policy requirement for a "Compatibility Analysis"?
Your request is the first time I have ever heard of such a document. I couldn't find a similar example in Manual 6220.

Normally, we process actions and document compatibility in Chapter 1 under "Conformance", and also disclose impacts to resources, often with references to specific objects, in Chapter 4 of the NEPA document. I personally don't understand the need for an additional, separate compatibility analysis document. If anything, we could address under the ID Team checklist for various resources, and reference the ROVs identified in GSENM's Livestock Grazing AMS (Table 5-1).

What I found in Manual 6220 includes the following:

1.6 Policy.

C. Compatibility of Uses.

2. Through the NEPA process, the manager with decision-making authority for a Monument or NCA will evaluate discretionary uses and will analyze whether the impacts of the proposed use in the Monument or NCA or similarly designated area are consistent with the protection of the area's objects and values. As part of this analysis, the manager will consider the severity, duration, timing, and direct and indirect and cumulative effects of the proposed use. If necessary and appropriate, the BLM may use the land use planning process to consider whether to change discretionary use authorizations.
3. When approving a proposed action, the decision must document how the activity is consistent with the proclamation or designating legislation.

Also since I think this may apply as well since I think this is a new ROW request:

E. Rights-of-Way and Transportation and Utility Corridors.

3. Protection of the objects and values for which Monuments and NCAs were designated should be considered in the NEPA analysis for new ROW applications.

Sally-

Maybe its the term compatibility analysis that is bogging everyone down - I am thinking I need a lawyer's mind to help craft a response.

Thoughts?

Timothy J Fisher, Program Lead

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