



# United States Department of the Interior



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January 30, 2009

Instruction Memorandum No. IM-AK-2009-014  
Expires: 03/15/2009

To: District and Field Office Managers, Authorized Officer for Office of Pipeline Monitoring

From: State Director //s// Julia Dougan

Subject: National Environmental Policy Act (NEPA) Evaluation Process for BLM-Alaska

**Purpose:** This Instruction Memorandum (IM) describes the National Environmental Policy Act (NEPA) evaluation process at Bureau of Land Management (BLM) District and Field Offices in Alaska. This IM also requests feedback from NEPA practitioners related to training needs.

**Background:** An internal NEPA evaluation will occur at each District and Field Office, and the Office of Pipeline Monitoring in Alaska. See attachment, "NEPA Evaluation Outline" for a description of the objectives, methods, and evaluation standards.

The evaluation will determine needed adjustments in Alaska's offices to address requirements released in the January 2008 BLM NEPA Handbook (H-1790-1). The results from the evaluation will help determine training needs, and determine if state-wide policy or guidance is needed to assist offices in complying with NEPA requirements established in the BLM NEPA Handbook (H-1790-1).

**Action:** The Alaska State Office will assemble a NEPA Evaluation Team. The Evaluation Team will review current Environmental Assessments (EA), Categorical Exemption (CX) documentation, Documentation of NEPA Adequacy (DNA) Worksheets prepared by Field Offices and the Office of Pipeline Monitoring.

The Evaluation Team Leader will schedule a site visit at each office to conduct interviews regarding the office's NEPA process (see Attachment 1 – Part A) and to review NEPA documents. Field Office Managers and the Authorized Officer will designate a point-of-contact at each office to help the Evaluation Team locate NEPA documents and supporting documents (case files, project files, etc.). Managers should inform the Evaluation Team Leader if there are specific

NEPA documents that should be reviewed. Managers should also provide copies of any office-level direction related to developing NEPA documents prior to their office's site visit. The office's site visit will take approximately 2 days at each office.

To inform the Evaluation Team about NEPA training needs, Field and District Office Managers and the Authorized Officer should ensure all personnel involved in preparing NEPA documents complete the NEPA Training Checklist (see Attachment – Part B) prior to March 15, 2009.

**Timeframe:** NEPA Evaluations will be scheduled to be completed by the end of April 2009.

**Budget Impact:** The budget impact for the NEPA evaluation is minimal. The NEPA evaluation may identify ways to implement cost-savings and reduce risks associated with litigation.

**Manual/Handbook Sections Affected:** None

**Contact:** For questions and more information regarding the NEPA evaluation, please contact Jolie Pollet, State Planner and Environmental Coordinator and NEPA Evaluation Team Leader, 907-271-5546.

Signed by:  
Julia Dougan  
State Director (Acting)

Authenticated by:  
Anita R. Jette  
Records Specialist

BLM Alaska  
NEPA Evaluation Outline  
Developed by Jolie Pollet, Mike Kasterin, Gary Foreman, Mary Lynch and Jim Moore  
January, 2009

## 1. Evaluation Methodology

### Objectives

The objectives of the evaluation are to:

- Determine NEPA document compliance with regulation and policy. Environmental Assessments (EA), Categorical Exclusions (CX), and Determinations of NEPA Adequacy (DNA) will be reviewed. Environmental Impact Statements (EIS) will not be reviewed in this evaluation.
- Determine how offices need to adjust NEPA processes to respond to new guidance in the 2008 BLM NEPA Handbook (H-1790-1). Determine if statewide policy and/or guidance is needed.
- Determine the need for NEPA training.

### Techniques

An Evaluation Team comprised of 2 representatives from the Alaska State Office (AKSO) and at least one other Environmental Coordinator from outside the office being reviewed will:

- Interview managers, Environmental Coordinators, and NEPA document preparers at Field and District Offices, and the Office of Pipeline Monitoring. See Part A for a list of interview questions.
- Review local office guidance and templates related to NEPA processes, if in use.
- Review selected, current completed NEPA documents (primarily prepared in 2008-2009) to capture a variety of NEPA documents in different program areas and developed by different preparers. Documents to review include EAs, CXs, DNAs; other related supporting documents may be reviewed, including case files, administrative records, and land use plans. The standards outlined below will be used in evaluating NEPA documents.
- Review NEPA registers.
- Survey personnel to determine NEPA-related training needs.

## 2. Protocols, products, communication

- Entrance and exit meetings (if requested by the manager) may occur at each office. The manager will assign a Point-of-Contact from each office to assist the Evaluation Team.
- The Evaluation Team will complete one written NEPA Evaluation Report within three weeks of completing the review of all offices.
- The report, including recommendations, will be forwarded to the DSD (930), and all office managers.

### 3. Evaluation Standards

The following standards will be assessed by employing the techniques described above.

1. Quality Control
  - 1.1 Who reviews NEPA documents prior to signature by the authorized officer?
  - 1.2 How is review documented?
2. NEPA Register
  - 2.1 Does the office's NEPA register follow guidance in IM AK-2009-008?
  - 2.2 Is the NEPA register up-to-date?
3. EA – Overview
  - 3.1 Is the EA <15 pages? If not, can it be made more succinct and useful?
4. EA – Introduction
  - 4.1 Does the EA contain the required introductory identifying information? (H-1790-1, 8.3.1)
  - 4.2 does the EA include a proper LUP conformance statement? (8.3.4.3)
5. EA - Interdisciplinary Process and Coordination
  - 5.1 How is the interdisciplinary process (including internal scoping) applied and documented? (1.4, 6.3.1, Appendix 10)
  - 5.2 Does the EA adequately address and document coordination and consultation with tribes, individuals, organizations, and other agencies? (8.3.7)
  - 5.3 Does the EA document AK-specific requirements for actions on federal lands?
6. EA - Public Involvement
  - 6.1 What public involvement was completed? How is public involvement documented? (8.2)
  - 6.2 Was the public notified of the availability of a completed EA and FONSI? (8.2)
  - 6.3 Were program requirements met for public review (i.e., construction in wetlands, etc.)?
7. EA - Purpose and Need, Proposed Action and Alternatives
  - 7.1 Does the proposed action relate to the purpose and need? (8.3.4.1)
  - 7.2 Does the purpose and need explain the federal action and BLM's decision to be made? (6.2.2)
  - 7.2 Are a reasonable range of alternatives analyzed? (8.3.4.2)
  - 7.3 Is the No Action alternative considered? (8.3.4.2)
  - 7.4 If alternatives are considered but eliminated from detailed analysis, are the reasons documented? (8.3.4.2.1)
  - 7.5 Is the proposed action clearly described (include who, what, how, when, where)? (6.5.1)
8. EA-Issue identification
  - 8.1 Does the EA identify the issues associated with the proposed action and alternatives? (8.3.3)

8.2 Do the issues analyzed relate to a point of disagreement, debate or dispute with a proposed action based on some anticipated environmental effect? (6.4)

#### 9. EA - Impact Analysis

- 9.1 Is the discussion of the affected environment limited to descriptions relevant for understanding the effects of the proposed action or alternatives? (8.3.5)
- 9.2 Are the impact analyses centered around the issues? (8.3.6)
- 9.3 Are direct, indirect and cumulative impacts analyzed for each issue? (6.8, 8.3.6)
- 9.4 Are the context and intensity of impacts discussed to evaluate significance? (7.3)
- 9.5 Are appropriate mitigation measures identified? Are residual impacts appropriately identified? (6.8.4)

#### 10. EA - FONSI/DR

- 10.1 Is the decision clear? 10.2 Does the FONSI provide a basis for conclusion that the selected alternative has no significant effect on the human environment? (8.4.2)
- 10.3 Is the DR organized as described in HB-1790-1? (8.5.1)

#### 11. CXs

- 11.1 Does the CX follow the required format? (4.2.3.2)
- 11.2 Is documentation of exception criteria analyzed recorded (where applicable)? (4.2.2 and Appendix 5)
- 11.3 Is the appropriate CX used? (4.2.1; Appendix 3 and 4)
- 11.4 Does the CX appropriately document NEPA compliance and LUP conformance (Appendix 6)?

#### 12. DNAs

- 12.1 Is a DNA worksheet used? (Appendix 8)
- 12.2 Are adequacy criteria for appropriately addressed in the DNA worksheet? (5.1.2)

### Part A –Questions for Managers, Field Office/District Office NEPA Coordinators, and NEPA Preparers

1. Describe the quality control process for NEPA documents in your office. Who do you rely on to ensure compliance related to NEPA documents and processes?
2. How do you screen actions to determine when NEPA applies; how do you determine the appropriate NEPA process for actions?
3. How do you ensure an interdisciplinary approach to the NEPA process?
4. How do you determine the appropriate level of public involvement and public notice for a proposed action?

5. Are you confident that the document you sign/review/prepare will stand up under the scrutiny of appeal? Are there any areas where you feel vulnerable to litigation?
6. How do you use and maintain your NEPA registers? Do you have suggestions that would improve utility of the NEPA registers?
7. When do you seek assistance from the State Office on NEPA issues? Do you get adequate assistance from the State Office on NEPA issues?
8. What training does your office (or you) need related to NEPA? When should training occur? Are there preferred methods for delivering training?
9. Do you have any tools developed to assist your office in preparing NEPA documents? Do you need any tools (instruction memos, desk guides, templates) to help you approve/review/develop NEPA documents?
10. Do you have concerns/ideas you would like addressed?

Part B - NEPA Training Checklist – BLM Alaska 2008 NEPA Evaluation

Manager's Instructions: Please ensure all persons involved in the NEPA process complete this checklist. Please forward all responses by March 15, 2009 to Mike Kasterin at the AKSO.

Checklist Instructions: Please check the appropriate column if you have taken the course, or would like to take the course to help you become more proficient in the NEPA compliance aspects of your job. Please note if there is a course offered online that you believe would be better presented as an instructor led training.

Name: \_\_\_\_\_ Job Title: \_\_\_\_\_  
Office: \_\_\_\_\_

<i>I have taken this course.</i>	<i>I would like to take this course.</i>	<i>Course</i>
		<p><b><u>NEPA Analysis (Environmental Assessment (EA) Focus)</u></b>            Training Type: Instructor Led Training Duration: 3 days            This is the introductory NEPA course for basic casework. In accordance with BLM guidance, learn how to prepare legally defensible EAs, review EAs for legal compliance and learn how to apply streamlining techniques.</p>
		<p><b><u>Technical Writing</u></b>            Training Type: Online Training Duration: 3 hrs            Description: Basic writing keyed to BLM topics.</p>
		<p><b><u>NEPA Concepts – Modules 1, 2 and 3</u></b>            Training Type: Online Training Duration: 2 hrs for each module            Description: Module 1 includes the background and intent of NEPA. Module 2 includes the background of the CEQ regulations, public involvement, decisions, and documents. Module 3 shows how a Screening Process is used to determine the level of NEPA analysis and documentation for a proposed action. Module 3 will show how to determine land use plan conformance, appropriate public involvement, and information needed for BLM documents.</p>
		<p><b><u>Purpose and Need</u></b>            Training Type: Online Training Duration: 1 hr            Description: This course will describe the relationship between the purpose and need and the alternatives and prepare a concise, well-written purpose and need statement.</p>

		<p>Assessing Cumulative Impacts (1620-14)  Training Type: Instructor Led Training Duration: 2 days  Description: Recognize cumulative impacts and systematically use the 7 primary and 4 secondary methods of cumulative effects analysis. Expands understanding of the CEQ's 1997 Cumulative Effects Guidance, EPA's review criteria, and application to EAs and EISs.</p>
		<p>NEPA Compliance for BLM Managers (1620-01)  Training Type: Instructor Led Training Duration: 4 hrs  Description: This class is a refresher for management teams to ensure they are complying with NEPA, and to improve their ability to use NEPA documents as a basis for their reasoned decision consistent with the CEQ regulations. Topics include: Purpose &amp; Need (importance, management discretion), Alternatives (adequate range, eliminating from analysis), Environmental Consequences (how much analysis is enough, what needs to be analyzed), Decisions (rationale for selecting the preferred alternative).</p>
		<p>Other (describe – use additional pages if necessary):</p>