



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Wyoming State Office

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IN REPLY REFER TO:

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To: District Managers, DSD (920), and DSD (930)

From: State Director

**Program Areas:** National Environmental Policy Act (NEPA) and Resource Management Planning

**Purpose:** This Instruction Memorandum (IM) establishes State Director goals for the quality of Environmental Impact Statements (EISs) and other environmental documents prepared in compliance with the National Environmental Policy Act (NEPA), and describes the process for achieving those goals. The information and terminology used in this memorandum is based on the Department of the Interior (DOI)'s Implementation of the National Environmental Policy Act (NEPA) final rule found at 43 Code of Federal Regulation (CFR) Part 46 effective November 15, 2008.

**Policy/Action:** District Managers and Field Managers are responsible for the content and quality of all environmental documents prepared under NEPA. "Environmental Impact Statement" (EIS) in this IM refers to all environmental documents released to the public and includes Draft, Final, and Supplemental EISs and Records of Decision (ROD). Ancillary documents such as the "Analysis of the Management Situation" prepared for a Resources Management Plan (RMP), scoping notices, content analyses of public comments or technical specialists' reports must meet the quality goals but are not subject to the preliminary review process, unless requested by the State Director.

Unless otherwise delegated the Responsible Official (RO) for all EISs is the State Director. For each EIS the State Office (SO) will identify a point of contact to work the Field Office and assigned the Interdisciplinary Team (IDT) leader to guide and assist with the EIS process and procedures.

This guidance applies to all Wyoming EISs whether prepared by Bureau of Land Management (BLM) staff, a third-party contractor, a BLM-paid contractor, or any combination.

### Environmental Impact Statement Quality Goals and Objectives

BLM EISs will present all required components of EISs in a clear and concise manner and plain language. EISs are to present the following information in a manner that may be easily understood by the public:

1. The proposed action under consideration;
2. The purpose of and the need for the proposed action;
3. Alternatives to the proposed action including the “no action” alternative;
4. The key issues to be addressed;
5. The affected environment relative to the proposed action and potential cumulative effects;
6. Environmental consequences of all of the alternatives analyzed in detail, including the no action alternative; and
7. The rationale for the decision made by the RO in the ROD.

All environmental documents both EISs and environmental assessments (EAs) must be issue-driven. In other words, EISs must clearly define the unresolved conflicts or key issues that may arise if the proposed action would be implemented. The EIS must consider alternatives to the proposed action that would resolve or mitigate the identified key issues. Environmental documents should present only information that is pertinent to understanding the consequences of proposed action and its alternatives if implemented. Information in the document should be well organized, easy to find and use.

To meet this goal, EIS preparers will meet the following objectives:

- Comply (as appropriate) with the format and content requirements of:
  - CEQ NEPA regulations (40 CFR Part 1500- 1508)
  - DOI NEPA regulations (43 CFR Part 46)
  - DOI Departmental Manual 516, Chapter 11
  - BLM NEPA Handbook (H-1790-1)
  - BLM Land Use Planning Handbook (H-1610-1)
- Write the document in plain language, minimizing jargon. Include a glossary of technical terminology if it will facilitate the public’s understanding of the affected environment and environmental consequences. Always keep in mind it is the public who must understand our analyses and decisions.
- Present alternatives, resources, issues, and analyses in the document at the level of detail appropriate to the topic.
- Strive to simplify rather than complicate issues and discussions.
- Refer to or summarize easily available material rather than reproducing it verbatim in the document.
- Limit the number of alternatives analyzed in detail to 3 to 5 unless unusual circumstances dictate otherwise.

- Set page limits. This is allowed and recommended by 40 CFR 1500.4(a).
- To ensure that the NEPA process is conducted in a timely and efficient manner set a time limit for the preparation, development, and completion of the EIS by preparing a schedule that is reasonable and mutually agreeable to both the BLM and the proponent. This is allowed and recommended by 40 CFR 1501.8.
- Use finding aids such as indexing to improve the use of the document.
- Employ publishing techniques such as text topic boxes, outline and bullet formats, dual columns, table and graph design, maps, etc., to make the document easier to read.

### Quality Control Procedures

Whether preparing and writing environmental documents or working with contractors to prepare an EIS the IDT leaders and IDT members will strictly adhere to the intent of the quality objectives listed above. All EISs will undergo a review of preliminary Draft and Final documents by the SD's staff and including review by the State Office publication and cartographic specialists.

### Review of preliminary EISs

Prior to the publication of the environmental documents, the SO must conduct a review of an administrative or "preliminary" version of both the Draft and Final EISs and RODs. The IDT leaders must coordinate with the SO assigned point of contact to schedule the review. These reviews must have the following characteristics:

- A comprehensive review conducted by program staff on the attached list.
- The SO review will take a minimum 3 weeks, unless otherwise established with the Deputy State Director (DSD) for the 930 Division (930). A Field Office may request of the DSD 930 a review period of less than 3 weeks but no shorter than 5 business days. All requests for review periods of less than 3 weeks must be approved by the SO.
- The SO will not accept for review preliminary EISs that are "piecemealed" or that are sent in portions, sections, or individual chapters. The SO will not accept incomplete or versions of an EIS for review. Field Offices may seek advice and guidance through informal reviews of sections by State Office program specialists during the preparation of the preliminary versions.
- While not required, use of line numbers in a preliminary EIS submitted for SO review facilitates our review.
- Prior to circulating a preliminary EIS to the SO for review the IDT leader must contact the SO to establish the nature and number the review documents. At a minimum the SO will be provided three hard copy and five copies on a compact disc (CD) or similar electronic format. Preliminary EISs may be included as part of the administrative record, therefore, there must be a finite and tangible document. Because of this, the SO will not review preliminary EISs posted solely on websites including e-Planning.

- The SO will give comments to Field Offices on an electronic comment form or using a “track changes” document. Both the SO and the Field Office will keep a printed copy of the comments submitted in its administrative record.
- The Field Office must complete the comment form by describing how SO comments, suggested edits or recommendations made are incorporated into the EIS to be sent for publication. Field Offices will consider all SO comments and provide acceptable rationale for any comments they do not wish to incorporate. The State Director will mediate any disagreements. A copy of the comment form and the FO response to comments will be provided to the SO point of contact in either electronic or written media at least 2 weeks prior to State Director briefing on the EIS.
- The SO point of contact will ensure comments are constructive, provide suggested edits or corrections and do not include conflicting direction or opinion.

#### Review of Environmental Assessments (EA)

Generally, EAs prepared with the Field Manager as the RO will not be subject to a required SO review. However, all NEPA documents should meet the State Director’s quality goals and objectives. When the RO for decisionmaking associated with an EA is the State Director, a preliminary EA will be subject to SO review as described above for an EIS.

The Field Manager may request SO review of a preliminary EA at any time; however, the review procedures and timeframes will be the same as those described for an EIS, including opportunity to request a shorter review period.

When a decision to be made for a proposed action that generated public interest or is of interest of the State of Wyoming or other local governments and an EA has been prepared, the SO point of contact will be notified by the Field Manager through the District Manager. Notification of the SO must occur prior to concluding a Finding of No Significant Impact (FONSI) and issuing a Decision Record (DR).

**Time Frame:** This IM is effective the date of its issuance and will remain in effect until formally modified or superseded.

**Budget Impacts:** There will be negligible budget impacts.

**Background:** Because of its diversity and abundance of natural resources and increased interest in exploring and developing renewable energy resources within the State of Wyoming, BLM continues to receive a steady stream of applications for use of BLM-administered lands, minerals and other resources. Unless categorically excluded as described by DOI or BLM policy or both, all of the proposed actions are subject to NEPA procedures prior to making a decision on the proposed action. While the majority of the environmental documents prepared by BLM Wyoming are EAs, in recent years it is not uncommon to have as many as 10 or more EISs in process concurrently and for which the State Director is the Responsible Official.

Tracking NEPA processes for all EISs and ensuring that they comply with the NEPA, DOI Federal regulations and other Federal statutes is a complex job at all levels of the BLM. Adopting goals and objectives and providing additional direction on the preparation of NEPA documents will facilitate BLM Wyoming’s timely review, processing, and ultimately informed decisionmaking based on high quality, well-written EISs and EAs.

**Manual/Handbook Sections Impacted.** BLM Handbook 1790-1

**Coordination:** This IM was circulated among the staff of WY930, WY920 and WY 912.

If you have any questions please contact Janet Kurman (NEPA Specialist at 307-775-6443) or Ken Peacock (Planner at 307-775-6329).

Signed by:  
Bill Hill  
Acting State Director

Authenticated by:  
Pamela D. Hernandez  
Wyoming Central Files

2 Attachments

- 1 - Wyoming Staff Document Review Team (1 p.)
- 2 - Comment Form (1 p.)