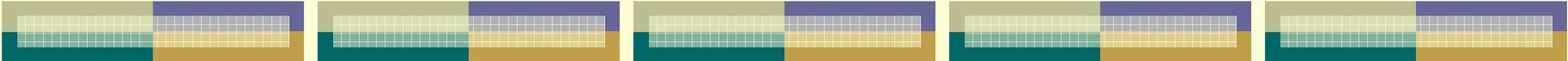


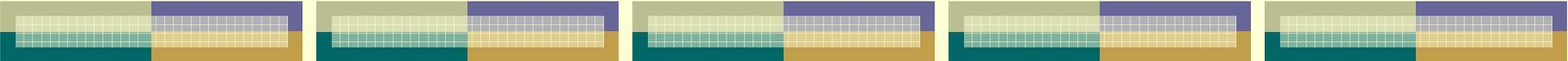
What is NEPA?

- The National Environmental Policy Act (NEPA) became law on January 1, 1970.
 - The NEPA regulations establish the guiding principles for safe guarding the environmental and directing agencies on how to make better decisions.
- 



NEPA Principles

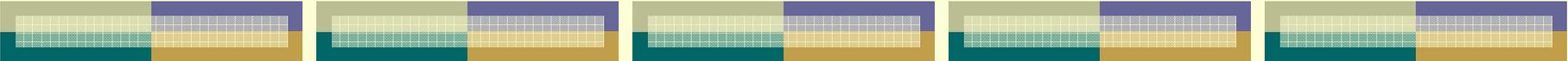
- Ensure that environmental information is available to public officials and citizens before decisions are made and actions are taken.
 - Intended to help public officials make decisions based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment.
- 



NEPA Regulations and Guidance:

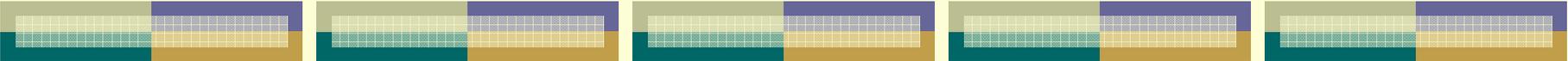
- 40 CFR Parts 1500-1508 include the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.





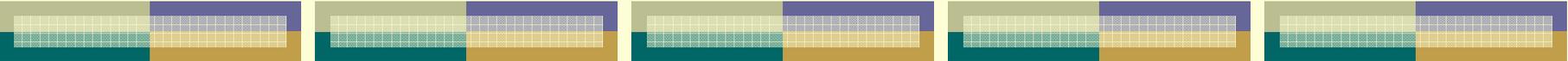
Six Critical Screening Questions for any proposed action

- **1. Does the action conform to the existing Land Use Plan?**
 - **2. Is the proposal or action an exception from BLM NEPA requirements?**
 - **3. Is the proposal or action listed as normally requiring and EIS?**
 - **4. Is the proposal listed as a categorical exclusion?**
 - **5. Are existing analysis and documentation sufficient?**
 - **6. Are the environmental impacts expected to be significant?**
- 



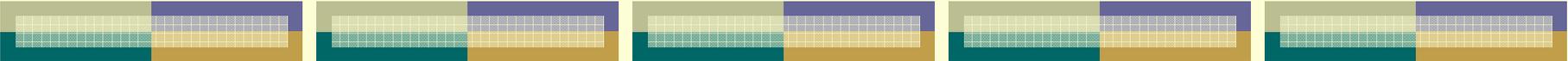
What is Land Use Plan Conformance?

- 43 CFR Subpart 1601.0-5(b):
“Conformance” means that a resource management action shall be specifically provided for in the plan, or if not specifically provided for, shall be clearly consistent with the terms, conditions, and decisions of the approved plan or plan amendment.
- 



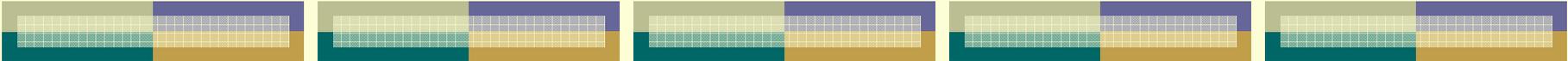
All actions that require federal discretion must:

- **Be in conformance with the land use plan, or**
 - **Be modified to conform to the land use plan, or**
 - **Be rejected, or**
 - **Modify the land use plan through a plan amendment**
- 



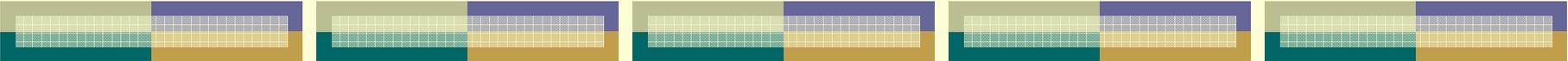
Are the environmental impacts expected to be significant?

- Significance of an action must be analyzed in several contexts and the severity of the impacts identified.
 - Prepare an Environmental Impact Statement (EIS) or an Environmental Assessment (EA) when uncertain.
- 



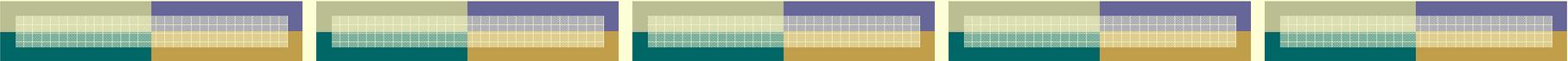
Environmental Assessment:

- A concise public document that serves to:
 - **Briefly provide sufficient evidence and analysis for determining whether to prepare an EIS or a Finding Of No Significant Impact (FONSI).**
 - **Aid an agency's compliance with NEPA when no EIS is necessary.**
 - **Facilitate preparation of an EIS when one is necessary.**
- 



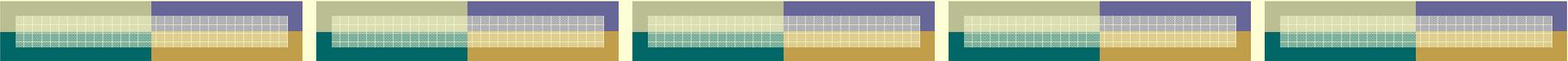
EA, continued:

- Three components of analysis essential to the EA process are:
 - **Determine the scope.**
 - **Defining the proposal and alternatives.**
 - **Assessing the environmental consequences.**
- 



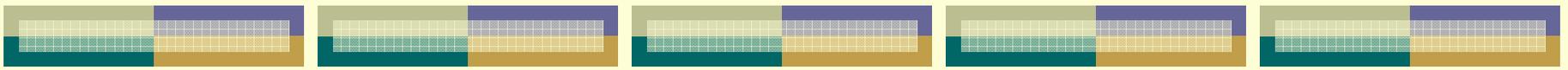
Finding of no Significant Impact

- **The FONSI is a separate document from the EA and prepared after the EA is complete.**
 - **It briefly states the reasons the selected action will not have a significant effect on the human environment, and therefore, an EIS would not be prepared (40 CFR 1508.13).**
 - **The FONSI must be signed and dated by the authorized officer and accompany the EA.**
- 



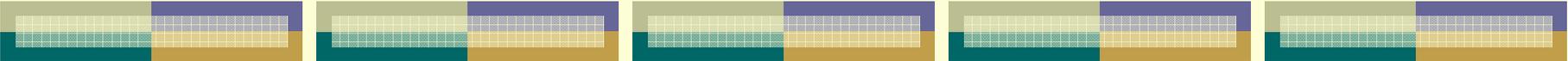
Decision Record

- **The Decision Record is a separate document from the EA, linking the manager's decision to the analysis presented in the EA.**
 - **It must stand on its own and present a clear, logical rationale for the decision made.**
 - **The decision rationale needs to address critical elements which may be affected, mitigation measures, stipulations and other reviews or consultations which are necessary.**
- 



Decision Record cont.

- Must show land use plan conformance, be signed and dated by the authorized officer.
 - Can be appealed under 43 CFR Part 4, which provides information on Appeals to the Secretary of the Interior, Interior Board of Land Appeals (IBLA).
- 



NEPA References

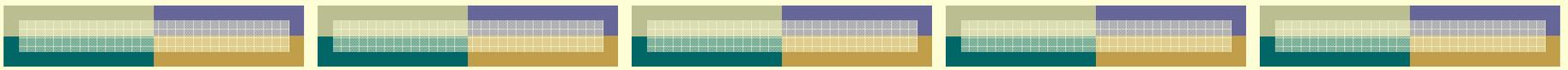
- Federal Land Management Policy Act

- <http://web.blm.gov:80/flpma/>

- National Environmental Policy Act

- <http://www.blm.gov/wo/st/en/info/nepa.2.html>





NEPA References

- BLM Planning Regulations (43 CFR 1600 – 1610)
 - National Environmental Policy Act Handbook H-1790-1
 - Arizona BLM Desktop Reference Overview of BLM's NEPA Process
- 