

## **Minutes**

### **Crook County Natural Resources Committee**

**August 13, 2025**

**Committee Members Present:** Bill McCormack, Frank Porfily), Mike Lunn, Lynne Breese, Calista Songstad, Tim Deboodt, Melinda Kestler, Steve McGuire, Cliff Kiser, Kim Vogel

**Members Absent:** Casey Kaiser, Andy Gallagher

**Guests Present:** Jeff Marszel (FS), Jennifer Abernathy (FS), Stephanie McKinney (BLM), Ferris Couture (BLM),

**Public Present:** Prineville Review (zoom link)

**Meeting was called to order @ 1:00 p.m. by Chair Steve McGuire**

#### **Pledge of Allegiance**

**Minutes:** Lynne Breese moved to approve amended minutes (amended to spell out acronyms). Mike seconded. Votes Yes: Bill, Mike, Frank, Melinda, Calista, Kim, Cliff, Lynne, Steve. Votes No: None  
Motion passed.

**Agency updates:** Jeff Marszel, Ochoco Forest Supervisor provided the FS update. He started off by announcing a small fire on the north boundary of the Maury Mtns, (Pine Creek) with firefighters responding. Jeff spoke about the fire that burned in north Jefferson County including parts of the National Grassland. The Cram Fire burned within a couple of miles of the northern boundary of the Ochocos.

**Stephanie McKinney, Prineville BLM District** shared the BLM update. Central Oregon Field Office tried to sale Crazy Creek Fire (2024) salvage for the second time. For the second time, BLM received no bids, Stephanie reported that no further action is planned at this time. BLM in cooperation with Malheur National Forest is conducting aerial flights for wild horse population counts.

For the Deschutes Resource Area, Brasada Ranch has applied for guiding permits in order to conduct trail rides. BLM is working on road right-of-way easement for the Flat Rock road. BLM is requesting engineering drawings prior to survey work and Flat Rock wants to secure the permit prior to expending money for the engineering.

BLM is working on a process (permit system) for homeowners in the Juniper Canyon area to be able to thin/clear/remove woody vegetation within a 150 ft. area (BLM administered lands) that adjoin private property for the purpose of allowing landowners to create firebreaks. More details will be available at the September 10<sup>th</sup> Committee meeting.

#### **Agenda item: NEPA Changes for Forest Service and BLM**

Jennifer Abernathy, NEPA Planner for the Ochoco National Forest presented an update on changes to NEPA processes in response to Executive Orders and Departmental direction from US Department of

Agriculture. Slides from the PowerPoint presentation are attached to these minutes. USDA issued new NEPA regulations on July 3<sup>rd</sup>, 2025.

**Categorical Exclusions:** Emphasis will be on getting projects processed using Categorical Exclusions (CE) which will limit public involvement (no more scoping) and will not require USDA agencies to post schedule of proposed actions. In reviewing whether or not CE's is the right environmental review, the list of "Extraordinary Circumstances" a review of potential project impacts which would elevate NEPA review no longer will address "sensitive species". It will still review impacts on endangered species. Jennifer emphasized that the changes will give the line officer more flexibility and that under the new process, line officers will have the discretion to post CE projects.

For projects implemented under a CE, there is no decision notice, there is a Finding of Applicability and No Extraordinary Circumstances (FANEC), there are 6 requirements for documentation and USDA emphasizes that NEPA is a process, not a decision.

**Environmental Analysis (EA)** changes include no scoping, no action alternative is now not required, publication of information will be on the web. A certification of timeline and page limit of 75 pages. The Effects analysis will include short and long term impacts but will no longer use accumulative analysis. A Finding of No Significant Impact (FONSI) will be issued after final EA.

**Environmental Impact Statement (EIS)** now emphasizes the process over decision. The process has a 2 year limitation and the document is limited to 150 pages. Timeline is to be certified, no format is required, there will be a time for public input, posted in a newspaper and scoping is no longer required, it is left up to the line officer.

**Emergency Action Determination (EAD)** expedites work on lands with such a designation. FS lands with healthy forest restoration and high risk watershed designations are included. Most of the Ochoco NF is so designated. Projects with this determination must include lands with at least 50% EAD. Projects fitting this requirement will have no objection period and anyone disagreeing with the final decision will have to file an injunction. See slide #12 in attachment for further description.

Jeff Marszel, ONF Forest Supervisor shared that these new processes and line officer discretion provide him with more flexibility in moving appropriate projects forward. He stated that he is optimistic that it will make the job easier and most importantly, benefit the resource. He stated that he firmly believes that public engagement is important and he intends to continue to utilize scoping processes. He shared that in particular, he sees the use of field trips and other mechanisms for talking to those concerned will be good for the economy, the community and good for the ecological improvement of the forest.

Jeff shared that the Forest's next two priority areas, Trout Creek Planning Area and Mountain Creek Planning area will utilize all these new tools for planning. Trout Creek Planning Area (Lookout Mtn Ranger District) includes 2 watersheds and anticipates approximately 7000 acres of commercial treatments in Trout Creek watershed and 5000 plus in Bridge Creek. Mountain Creek Planning Area (Paulina Ranger District) covers 3 watersheds, Mountain Creek, Franks and Rock creek. The focus of these projects is on the high amount of dead and dying trees (over 35% mortality) and intends to be aggressive in treatment recommendations. While acreages have been estimated, FS does not yet have estimates on timber volume. In addition to commercial treatments, projects will also include fuels reduction and stand improvement prescriptions. The Ochoco NF has 2 interdisciplinary teams ready to

work on these projects. The Regional Office will also make an enterprise team available for additional resources. Jeff also shared that as these projects move forward, the Ochoco NF harvest target will be going from 13 MBF to 17 MBF. Concern was expressed by the Committee members regarding harvest and milling infrastructure to assist FS in meeting targets. Jeff said they are working closely with American Forest Resource Council (AFRC), an industry organization and others to address these concerns.

Cliff Kizer asked about the impact of the East Side Screens and the 21" rule on this effort. Jeff shared that the Forest has announced it is going back to the original 1995 rule which allows for trees over 21" to be removed if the vegetative complex needs analysis for each of the biological associates is exceeding requirements.

Jeff closed his comments by sharing that 2027 is the timeline for these two new projects to have final decisions. Riparian Habitat Conservation Areas probably won't be addressed initially to avoid potential conflicts, resulting in delays.

Ferris Couture, Prineville BLM District NEPA Planner shared changes for US Department of Interior (including BLM) agencies. Like USDA, USDI is adopting NEPA processes that will be the same for all agencies under Department administration. Ferris provided a PowerPoint of which slides are attached to these minutes.

Similar to USDA changes, USDI is adopting new processes this summer and fall. For USDI (and BLM), decisions will first determine the appropriate level of NEPA review. Use of existing NEPA will be emphasized, then the use of CE's will be required if there are no Extraordinary Circumstances. Ferris noted that BLM now has 433 separate CE's to use, many adopted from multiple agencies. The requirement is:

- 1) If you have a CE, you have to use it.
- 2) It doesn't have to fit perfectly
- 3) If the project is complex, then use multiple CE's

The BLM has 9 categories for review under Extraordinary Circumstances (down from 12). Kim expressed concern about the lack of required public involvement and the concern about the growing development of renewable energy projects (solar programmatic NEPA). Ferris shared that the current Administration considers solar/wind projects as unreliable and these projects will require special review by the Secretary of Interior.

Cliff shared his concern about the expedited time for public review of projects, particularly the County and its ability to weigh in as projects are developed. It was pointed out that the County's Natural Resources Advisory Committee is best used prior to a project moving forward, getting it involved pre-NEPA would be ideal for meaningful project development.

Ferris said new changes still require a Finding of No Significant Impact (FONSI). New analysis on the effects on quality of life on the American people, now have to review impacts on socioeconomic values (9 factors).

#### **Good of the Order:**

Mike complemented both the Forest Service and BLM for 2 excellent presentations.

Tim announced the County's Transportation Systems Plan public meeting on Wednesday night (Aug. 20) @ Carey Foster Hall, Oregon Department of Agriculture's listening session on SB777 (Wolf depredation compensation rule making) and that the September meeting of the NRAC will include conversations about the USDA and USDI reorganization plans and impacts along with the Prineville District BLM sharing plans to implement a permit system in the Juniper Canyon area for landowners to create firebreaks on public lands next to their personal property.

Public Comment: none

Bill moved to adjourn the meeting. Lynne seconded. Votes yes: Lynne, Melinda, Mike, Frank, Bill, Steve, Kim, Calista, Cliff. Votes no: none

Meeting adjourned at 2:58 p.m.



**Crook County Natural Resources Advisory  
Committee**

Ochoco National Forest & Crooked River National

Grassland

August 13, 2025

**I. Overview**

The Ochoco National Forest is in a heavy planning stage, advancing multiple projects that will shape management work through fall and into 2026. Outlier projects in Trout Creek on the Lookout Mountain Ranger District and Mountain Creek on the Paulina Ranger District are scheduled to begin analyzing this fall. Timber sale preparation is underway for sales in the Mill Creek and Gap planning areas, and planning is ongoing for prescribed fire units targeted for treatment later this year.

**II. 2024 Fire Recovery and Rehabilitation**

Burned Area Rehabilitation (BAR) funding has been awarded for the Crazy Creek, Wiley Flat, and Rail Ridge Fires. Forest staff are now preparing contract packages to implement previously identified priority work. This includes roadside hazard tree abatement, fence repair, water development restoration, and protection of wildlife exclosures. These treatments are aimed at reducing post-fire risks to public safety, infrastructure, and natural resources. Contracting efforts are underway, and implementation will begin as conditions and timelines allow.

**III. 2025 Fire Season Outlook**

The Forest enters the 2025 fire season with strong initial attack capacity and continued interagency coordination through Central Oregon Fire Management Service (COFMS). While some permanent support positions remain unfilled, many will be supplemented through administratively determined (AD) hires and detailed personnel. Fire staff have expressed confidence in current staffing levels and overall preparedness. Seasonal hiring concluded on schedule, and hand crews and engines are well staffed.

**IV. Projects and Forest Management**

- 3 Fires Reforestation Initiative: Under development to replant native, fire-adapted species in high mortality areas within the 2024 Crazy Creek, Wiley Flat, and Rail Ridge Fire footprints. The project prioritizes areas with over 75% tree mortality.
- Lower Derr Restoration Project: Aims to improve watershed health in the Jackson and Derr Creek areas through beaver dam analogs, native riparian plantings, large woody debris placement, meadow restoration, and fencing improvements.





- North Fork Crooked River Stream Restoration: This project focuses on restoring 1.95 miles of degraded stream within the North Fork Crooked River. Work will include in-stream placement of wood and/or rock, filling gullies with earthen material and construction of beaver dam analogs. In addition, this project will include planting of diverse upland and riparian species.
- Mill Creek and North Fork Crooked River Projects: Implementation will occur over the next several years.
- Jackson Fuel Break Project: Decision signed in April 2025; treatments will begin this season.
- Sunflower Restoration Project: A thinning contract for 1,200 acres began on August 12th; operations are ongoing.

#### **V. Timber Sales**

- Coyote RS Salvage Sale: Sale awarded July 28<sup>th</sup>.
- Rock Deck Sale: Sale went no bid.
- Pond Deck Sale: Sale will be advertised in the upcoming weeks.
- The Slab Timber Sale and Detour Salvage Sale are scheduled to be advertised in Q1 of FY26.

#### **VII. Roads & Infrastructure**

Road work on Forest Service Road 22 has concluded and repairs are complete.

Stay up-to-date with forest information by visiting: <https://www.fs.usda.gov/ochoco> or follow us on Facebook at: <https://www.facebook.com/OchocoNatForestCrookedRiverNatGrassland>

To have your email added to the Forest's project mailing list, please email us through the Ochoco's Mailbox, [comments-pacificnorthwest-ochoco@usda.gov](mailto:comments-pacificnorthwest-ochoco@usda.gov) and please put *Project Notification* in the subject line. For more information for all current planning projects please visit <https://www.fs.usda.gov/r06/ochoco/projects>



UNDERSTANDING  
EXECUTIVE ORDERS,  
MEMOS AND  
REGULATION  
CHANGES TO NEPA

NEPA and 2025  
Changes

Ochoco Presentation August 13, 2025

Agenda

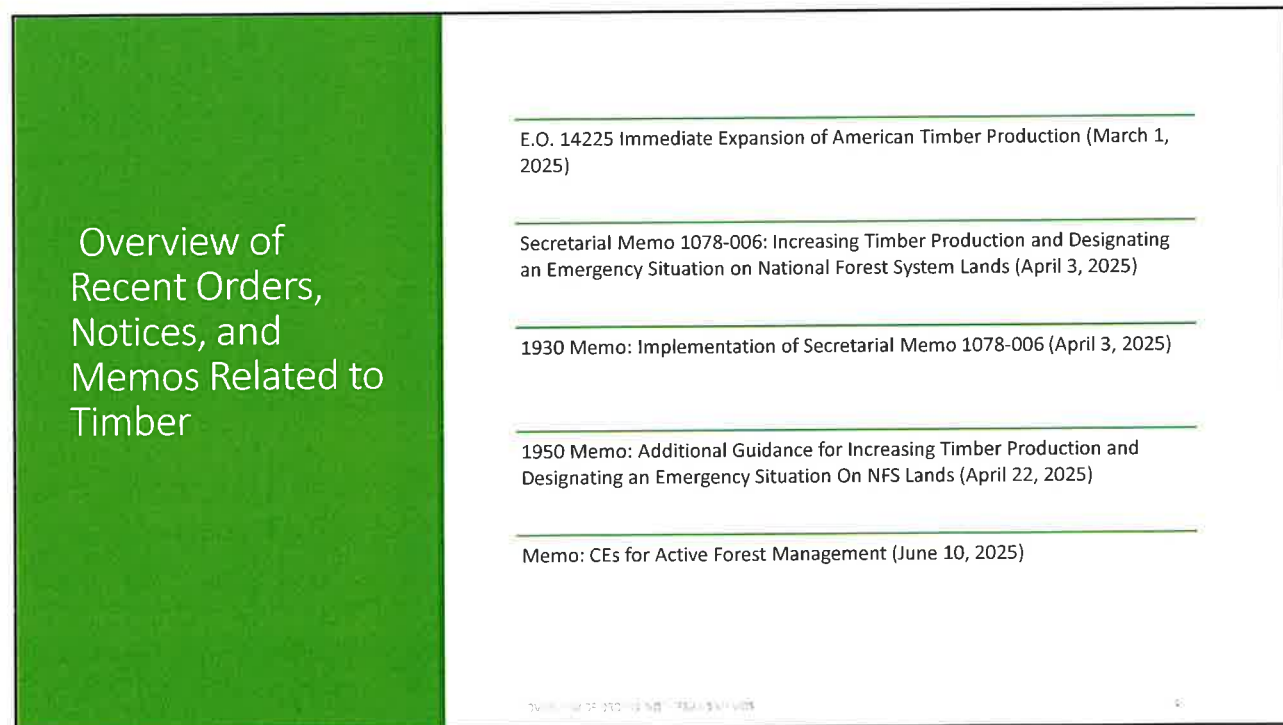
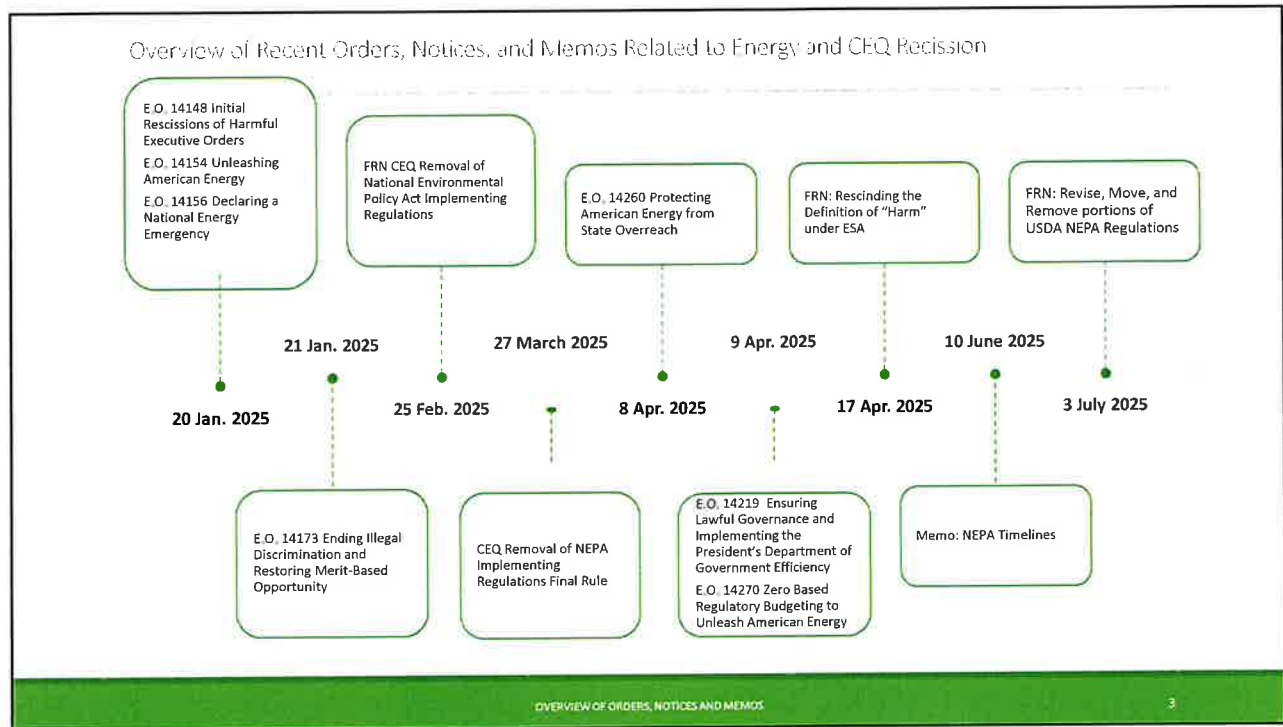
EXECUTIVE ORDERS

REGULATORY CHANGES AND DE FACTO EFFECTS

CONSEQUENCES

CONCLUSION

2





## USDA NEPA Regulations



## Categorical Exclusions (CE) 1b.3

The Forest is no longer required to comply for CE's and the Schedule on Proposed Rule is a discretionary (SO-PA).

Extraordinary circumstances have a high likelihood of:

1. Federally listed threatened or endangered species or designated critical habitat or species proposed for Federal listing or proposed critical habitat.
2. Flood plains, wetlands, or other such sensitive areas.
3. Special sources of water, such as sole source aquifers, wild and scenic rivers, riparian watersheds, or other water resources that are vital to the region.
4. Areas having Federal or State designations, such as Wilderness areas, parks, or Wildlife refuges; wild and scenic rivers; marine sanctuaries; national natural landmarks; inventoried roadless areas; or national recreation areas.
5. Solely threatened areas, such as designated research or experimental areas, coral reefs, coastal barrier resources, or, unless exempt, coastal zone management areas.
6. Wetlands or other agricultural, forest, or range lands.
7. Federally listed, or historic, structures and other historic, archeological, or prehistoric significance as designated by Federal, Tribal, State or local government, or property eligible for listing on the National Register of Historic Places.

Continued on slide

## Categorical Exclusions Continued

A Finding of Applicability and No Extraordinary Circumstance (FANEC) replaces a Decision Memo (DM)



Only 6 requirements for documentation:

Documentation of compliance with other applicable laws or regulations	Description of the proposed action	State the category used, specify adopted CEs under NEPA sec 109	State resources considered in extraordinary circumstances review	Statement of no extraordinary circumstances found	Responsible Official Signature
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70 CFR PART 18.3 AND 18.4

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## Categorical Exclusions Continued

32 USDA CEs (documentation NOT required)

47 USDA CEs (documentation required)

15 Statutory CEs

37 Adopted CEs (NEPA Sec. 109)

70 CFR PART 18.3 AND 18.4

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## Environmental Analysis 1b.5

Scoping no longer required

SOPA is discretionary

No Action Alternative may be listed but is not required.

A publications of the EA on a USDA website

Certification of timeline and page limit

New effects analysis

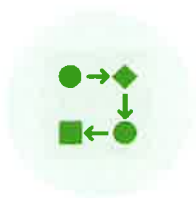
FONSI

Timeline

ENVIRONMENTAL IMPACT STATEMENT

9

## EIS 1b.7



PROCESS



EFFECTS ANALYSIS



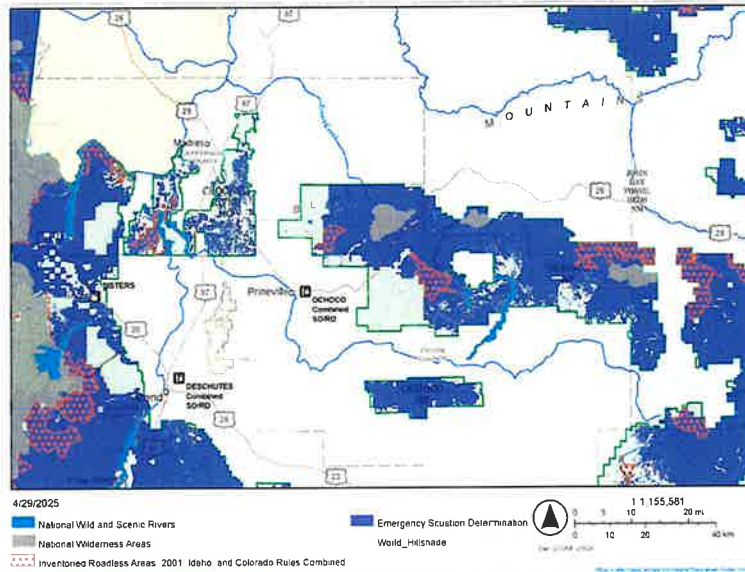
TIMELINE

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ENVIRONMENTAL IMPACT STATEMENT

10

## Emergency Action Determination



EMERGENCY ACTION DETERMINATION

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## Emergency Action Determination

### Proposal Shall:

- Reduce fire and fire risk to communities and to infrastructure and key resources.
- Reduce/mitigate post-fire risks needed to protect communities and to infrastructure and key resources.
- Reduce hazardous fuels by removing or modifying vegetation to lower the risk of wildfire.
- Reduce the density of fire-dependent forests.
- Support the durability and resiliency of forests and grasslands.
- Reduce hazardous fuels to make wildfire response as well as ingress or egress safer and more effective.
- Be authorized by the Forest or Grazing Supervisor.

### Authorized Emergency Actions Include:

- Salvage of dead or dying trees.
- Harvest of trees damaged by wind or fire. (Note: for other natural disasters).
- Commercial and noncommercial utilization harvest of trees to control insects and disease, including trees already infested with insects or disease.
- Reforestation or replanting of fire-impacted areas through planting, control of competing vegetation, or other soil, vegetation and natural regeneration and restore forest species. (Note: the restoration of forest species includes prevention, suppression, and eradication of insect, disease and invasive species build-up).
- Removal of hazardous trees in close proximity to roads and trails.
- Removal of hazardous fuels.
- Restoration of water sources or infrastructure (such as the restoration of stream sources and lakes, water sheds).
- Reconstruction of existing infrastructure.
- Replacement of underground cables.

EAD

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## Public Involvement

Scoping is no longer required for any NEPA action

Required	Discretionary	Not Required
Public notice for an adoption action under NEPA Section 109	Public involvement; "may host or sponsor public meetings...as deemed necessary by the responsible official to inform the decision-making process"	Scoping
Request for public comment in NOI	Scoping for an EIS; Up to the Responsible Official	
Requesting and responding to comments on an EIS		

Requirements under 36 CFR 218, 219 and NFMA are separate from 7 CFR 1b requirements

PUBLIC INVOLVEMENT

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Impacts on the  
Ochoco and  
Grassland?




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New Regulations

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Emergency Authority

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Public Involvement

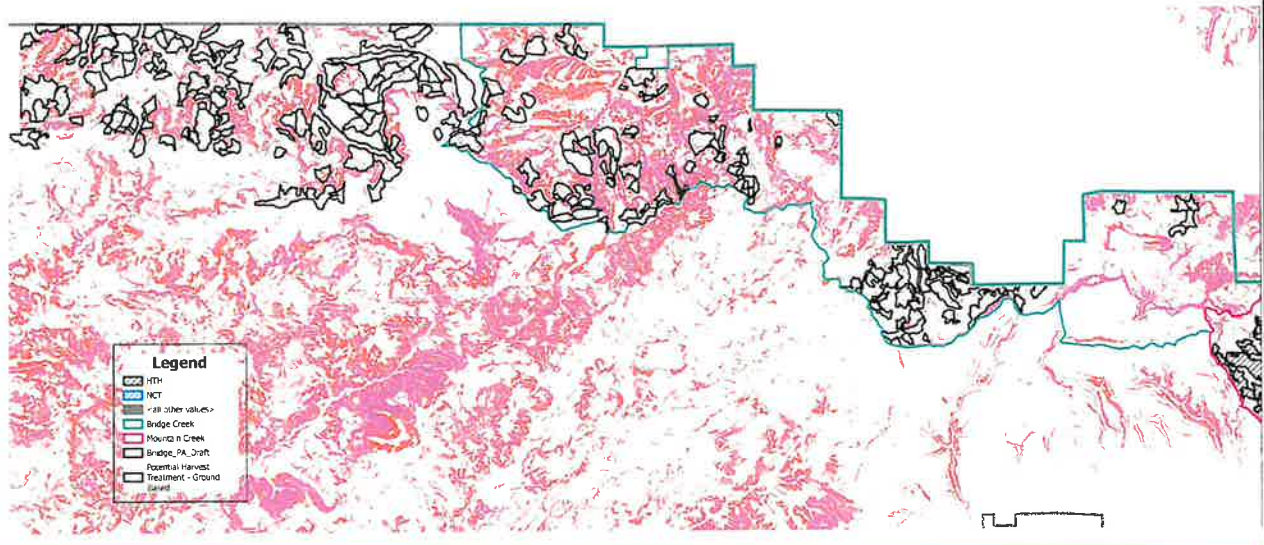
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Next planning areas

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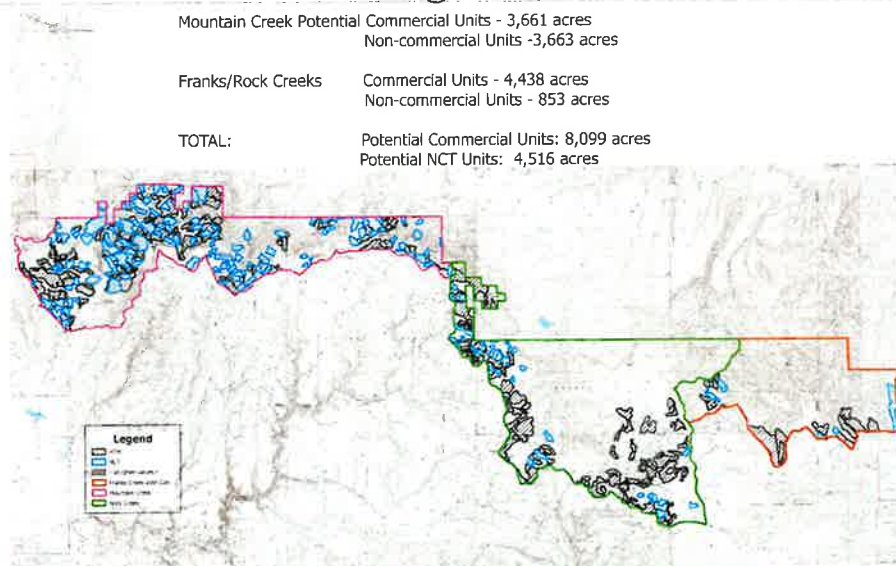


## Trout Creek Planning Area



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## Mountain Creek Planning Area



Mountain Creek Potential Commercial Units - 3,661 acres  
Non-commercial Units - 3,663 acres

Franks/Rock Creeks Commercial Units - 4,438 acres  
Non-commercial Units - 853 acres

TOTAL: Potential Commercial Units: 8,099 acres  
Potential NCT Units: 4,516 acres

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Questions or Comments?

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### **Extraordinary Circumstances Comparison**

<b>36 CFR 220.6 Regulations</b>	<b>7 CFR Parts 1b.3</b>	<b>Changes</b>
Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species	Federally listed threatened or endangered species or designated critical habitat or species proposed for Federal listing or proposed critical habitat	Forest Service Sensitive Species are not listed in 7 CFR but to meet other laws and regulations we need to consider sensitive species under the Ochoco Land and Resource Management Plan.
Flood plains, wetlands, or municipal watersheds	Flood plains, wetlands, or other such sensitive areas	Municipal watersheds have moved below and sensitive areas have been added.
	Special sources of water, such as sole-source aquifers, wet-land protection areas, municipal watersheds, or other water sources that are vital in a region	Municipal watersheds added into new extraordinary circumstance.
Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas	Areas having formal Federal or state designations, such as wilderness areas, parks, or wildlife refuges; wild and scenic rivers; marine sanctuaries; national natural landmarks; inventoried roadless areas; or national recreation areas	Extraordinary Circumstances from 36 CFR have merged into one Extraordinary Circumstance under 7CFR.
Inventoried roadless areas or potential wilderness areas		
Research natural areas	Specially managed areas, such as designated research or experimental areas, coral reefs, coastal barrier resources, or, unless exempt, coastal zone management areas	In 7 CFR this has expanded to include other special managed areas.
	Important or prime agricultural, forest, or range lands	
American Indians and Alaska Native religious or cultural sites	Property (e.g., sites, buildings, structures, and objects) of historic,	Have merged into one.



Archaeological sites, or historic properties or areas	archeological, or architectural significance, as designated by Federal, Tribal, State, or local governments, or property eligible for listing on the National Register of Historic Places.	
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# DOI NEPA PROCEDURES



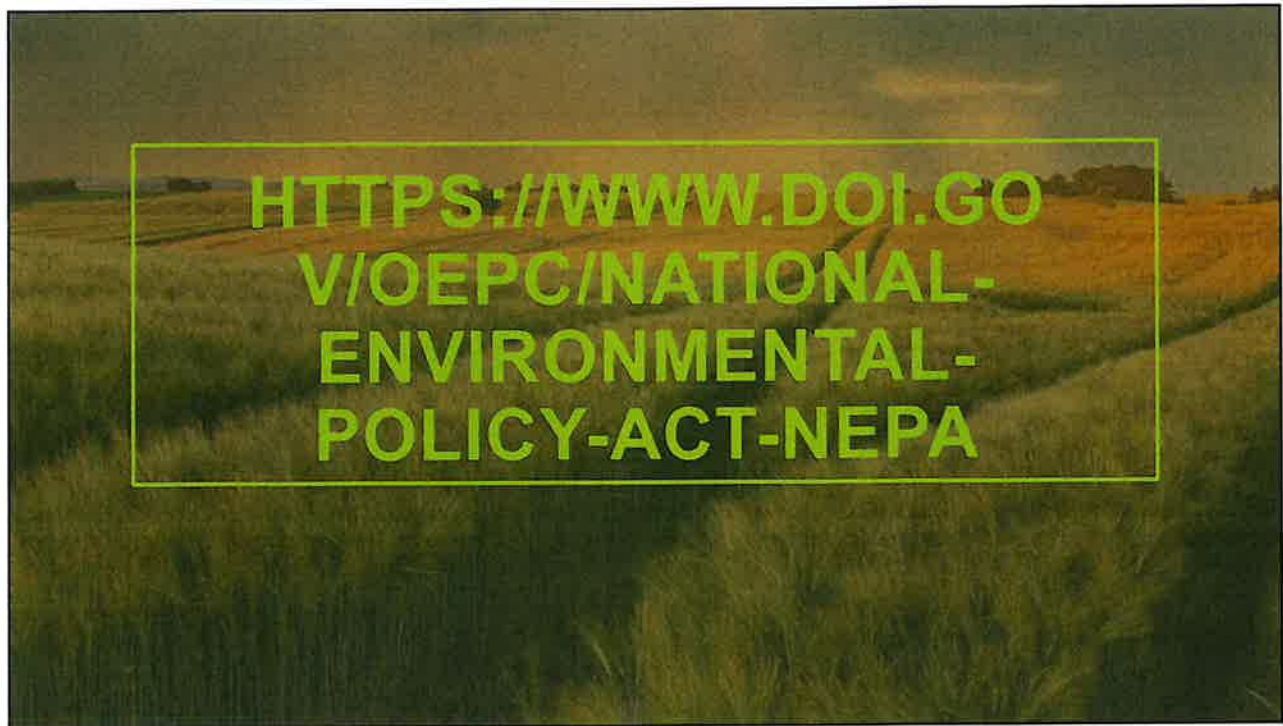
## HISTORY

**NEPA** – passed by Congress in  
1969 (law 1970)

**CEQ** – 1978 (revisions) until 2025

**BLM NEPA** – 2008

**DOI NEPA** - 2025



## New Department of the Interior NEPA Procedures



The Department of the Interior (DOI) is updating and partially rescinding its regulations on implementation of the National Environmental Policy Act (NEPA). DOI will now maintain the majority of its NEPA procedures in a handbook separate from the Code of Federal Regulations. DOI is issuing an interim final rule requesting comments on these actions. These documents will be available in docket number DOI-2025-

0004 at <https://www.regulations.gov> or at the links below:

[DOI Interim Final Rule](#)

[Regulatory Impact Analysis](#)

[DOI Handbook of NEPA Implementing Procedures](#) and its appendices:

[Appendix 1 Actions Normally Requiring an Environmental Assessment or Environmental Impact Statement](#)

[Appendix 2 Bureau Categorical Exclusions](#)

[Appendix 3 Implementation Guidance to Bureaus](#)

[White House Fact Sheet](#)

[DOI Press Release](#)



## HIGHLIGHTS

- Determining the Appropriate Level of NEPA
- Using Existing NEPA
- Categorical Exclusions
- Public Involvement Requirements
- Significance
- Pre-NEPA Requirements
- Applicant Prepared NEPA
- Deadlines and Page Limits
- Draft EIS and EIS Components and EPA filing

## Determining the Appropriate Level of NEPA

### CX or Adopted CX

- Use an existing CX or adopted CX

### Adopt a new CX

- Consider whether to adopt another agency's CX

### Establish a new CX

- Consider whether a new CX or revision of an existing CX is warranted

### EA

- If significant effects are unknown or not reasonably foreseeable

### EIS

- If significant effects are reasonably foreseeable



## USING EXISTING NEPA



**Determination of NEPA Adequacy**, memo to file or other writing used to document that a proposed action is adequately analyzed in an existing EA or EIS



Must evaluate analysis to ensure analysis and assumptions remain valid, considering whether any new and substantial information or circumstances not previously analyzed may result in substantially different environmental effects.

### Forestry

### Rangeland Management

### Fish and Wildlife

### Lands and Realty

### Recreation

### Minerals

### Transportation

### Rights-of-ways

## 433 CATEGORICAL EXCLUSIONS

Citation	CX Type	Category	Original Bureaus/Agency	CX Text
516 DM 1, Appendix 2, Section 7.3	Administratively Established	n/a	Office of Native Hawaiian Relations	Approval of conveyances, exchanges, and other transfers of land or interests in land between Department of Hawaiian Affairs, and an agency of the State of Hawaii, or a Federal agency, where no change in the land use is planned. This activity is a single, independent action not associated with larger, existing, or proposed complexes or facilities.
516 DM 1, Appendix 2, Section 8.3 (A)(1), 516 DM 1, Appendix 2, Section 10.3 (A)(3)	Administratively Established, Section 109	General Actions Related to General Administration	U.S. Fish and Wildlife Service, National Park Service	Changes or amendments to an approved action when such changes have no or minor potential environmental impacts.
516 DM 1, Appendix 2, Section 8.3 (A)(2)	Administratively Established	General	U.S. Fish and Wildlife Service	Personal training, environmental interpretation, public safety efforts, and other educational activities, which do not involve new construction or major additions to existing facilities.
516 DM 1, Appendix 2, Section 8.3 (A)(3)	Administratively Established	General	U.S. Fish and Wildlife Service	The issuance and modification of procedures, including manuals, orders, guidelines, and field instructions, when the impacts are limited to Administratively Established effects.
516 DM 1, Appendix 2, Section 8.3 (A)(4)	Administratively Established, Section 109	General	U.S. Fish and Wildlife Service	The acquisition of real property obtained either through discretionary acts or when acquired by law, whether by way of condemnation, donation, expropriation, reserve, exchange, license, purchase, or transfer and that will be under the jurisdiction or control of the United States. Such acquisition of real property shall be in accordance with 516 DM 2 and the Service's procedures, when the acquisition is from a willing seller, continuance of or minor modification to the existing land use is planned, and the acquisition planning process has been performed in accordance with the affected public.
516 DM 1, Appendix 2, Section 8.3 (B)(1)	Administratively Established	Resource Management	U.S. Fish and Wildlife Service	Research, inventory, and information collection activities directly related to the conservation of fish and wildlife resources which involve negligible natural mortality or habitat destruction, no introduction of contaminants, or no introduction of organisms not indigenous to the affected ecosystem.
516 DM 1, Appendix 2, Section 8.3 (B)(2)	Administratively Established	Resource Management	U.S. Fish and Wildlife Service	The operation, maintenance, and management of existing facilities and routine recurring management activities and improvements, including renovations and replacements which result in no or only minor changes in the site, and have no or negligible environmental effects outside or on the coastal zone of the site.
516 DM 1, Appendix 2, Section 8.3 (B)(3)	Administratively Established, Section 109	Resource Management	U.S. Fish and Wildlife Service	The construction of new, or the addition of, small structures or improvements, including structures and improvements for the restoration of wetland, riparian, stream, or native habitats, which result in no or only minor changes in the use of the affected local area. The following are examples of activities that may be included: (a) The installation of fences (b) The construction of small water control structures (c) The planting of seeds or seedlings and other minor revegetation actions (d) The construction of small dams or dikes (e) The development of limited access for resource maintenance and management purposes.
516 DM 1, Appendix 2, Section 8.3 (B)(4)	Administratively Established, Section 109	Resource Management	U.S. Fish and Wildlife Service	The use of prescribed burning for habitat improvement purposes, when conducted in accordance with local and State regulations and laws.

# Extraordinary Circumstances

## Removes three ECs

- *Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources*
- *Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.*
- *Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*

- + All references to E.O.s were removed from the ECs
- + Modification to (f) – which referred to “individually insignificant but cumulatively significant,” changed to “implicate potentially significant environmental effects”
- + Added “significantly” to the last two ECs on Indian sacred site access and noxious weeds

ENVIRONMENT  
AL  
ASSESSMENTS



# Public Involvement

No drafts are required – either EA or EIS (unless required by program guidance such as land use plans)

No public involvement required for an EA

EISs only require a request for public comment in the NOI

Discretion provided to the responsible officer on the level of public comment

## Must request comment on EISs from:

- Federal agencies with jurisdiction by law or special expertise or who is authorized to develop and enforce environmental standards governing the proposed action
- Appropriate State, Tribal and local agencies that are authorized to develop and enforce environmental standards
- State, Tribal or local governments affected by the proposed action
- Any agency that has requested it receive statements on actions of the kind proposed
- Applicant

# SIGNIFICANCE

Only focus on adverse environmental effects

## Potentially Affected Environment

Consider connected actions

Scope of the affected area (national, regional or local)

Reasonably Foreseeable Trends and Planned actions in the affected area

Natural and cultural resources within that area

## Degree of Effects



(i) Both short- and long-term effects;



(ii) Both beneficial and adverse effects;



(iii) Effects on public health and safety;



(iv) Economic effects; and



(v) Other Effects on the quality of life of the American people



# New considerations for Significance

## Economic effects

- + Consider the degree to which the action, including any changes to the natural and physical environment, would affect economic activity
- + Jobs, income, spending and output, property values etc.
- + Economic effects by themselves generally do not require preparation of an EIS

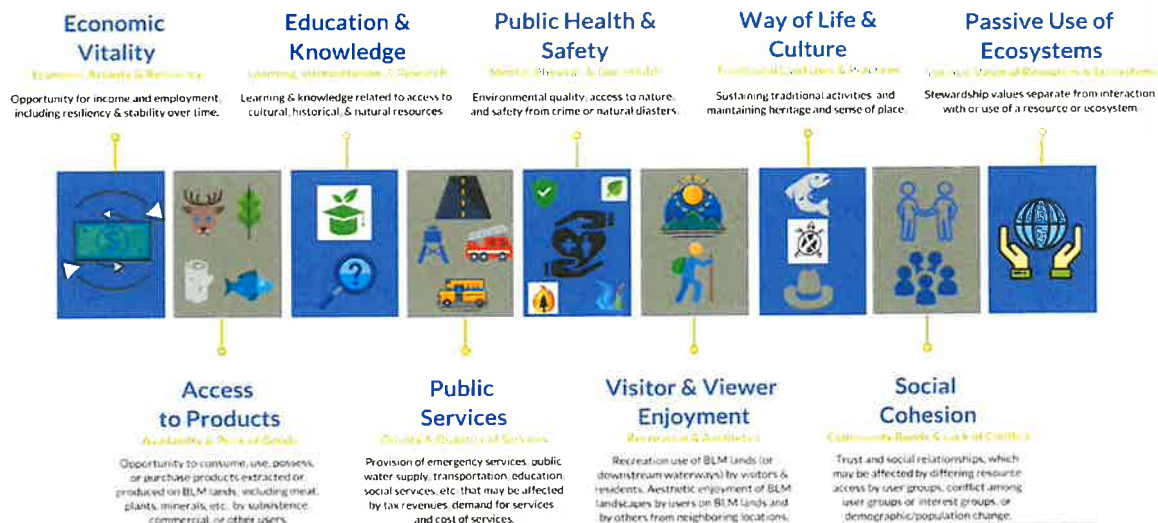
## Effects on the quality of life of the American people

- + Access to products
- + Visitor experience
- + Public services
- + Way of life and culture for Native Americans
- + Passive use of ecosystems
- + Education and knowledge



## Socioeconomic Values to Consider in NEPA Planning & Analysis

BLM management actions that affect resource conditions and access may, in turn, affect the following socioeconomic values. Each socioeconomic value may have different meaning to different affected populations, and effects on each socioeconomic value may also differ among demographic groups and user groups through time.







## **TAKE AWAYS**

- Streamlined NEPA Process
- More CEs
- Potential for less public comment
- Analysis in EAs and EISs



## **QUESTIONS?**