

## National Environmental Policy Act (NEPA) Process

NEPA requires agencies to undertake an assessment of the environmental effects of their proposed actions prior to making decisions. Two major purposes of the environmental review process are better informed decisions and citizen involvement.

### Online Resources:

- SOPA Reports: <https://www.fs.fed.us/sopa/forest-level.php?110612>
    - Provides updates to ongoing projects including vegetation management projects.
    - Updated quarterly
    - Provides the initial correspondence to the public regarding projects that will eventually progress into the formal scoping phase
    - Opportunity to discuss projects with FS staff
  
  - Project Updates: <https://www.fs.usda.gov/projects/siuslaw/landmanagement/projects>
    - Projects online are organized by their NEPA “status”
      - ‘Developing Proposal’: pre-scoping
      - ‘Under Analysis’: scoping—Draft EA
      - ‘Analysis Completed’: Final EA—Draft Decision—Objection Period
- Each phase (scoping, EA, Objection) has a timeframe for public comment. Typically, this timeframe is 30 days for EAs and scoping, and 45 days for EISs.
- The best way to stay current on project progression and be informed of key comment timelines is to **get on the appropriate agency mailing lists**
- Most every USFS District manages their mailing lists via email
- **Scoping**
    - Scoping is the phase where input is most influential to project design and development.
    - This is the phase where AFRC spends the majority of its energy trying to shape projects.
    - Examples of appropriate scoping input include:
      - Requests to modify the project’s “Purpose & Need”
      - Requests for alternative ways to meet the stated Purpose and Need
      - Requests to create desirable Project Design Features (PDFs) such as those that impact operating restrictions or road management.
      - Submitting relevant scientific literature
    - Any comment submitted will be part of the official “record”; meaning that even if the agency doesn’t incorporate a request into the project design, the commenter has the opportunity to ask the agency why it wasn’t.

- Some Districts have started doing “pre-scoping.” Pre-scoping is not advertised through the traditional outlets outlined above and there is no formal solicitation for comments. This is a new practice and it is unclear how this phase is impacting project design. The best way to stay informed of pre-scoping is to request involvement from the local District staff.
- **Draft EA**
  - By the time a Draft EA is developed there is little opportunity for the public to alter the substance of the project in a way that will **increase** the scope and intensity of what is proposed.
  - Commenting on Draft EAs from industry’s perspective primarily serves three functions:
    - Raising questions regarding the substance of the analysis
    - Requesting modifications to project design features (PDFs)—timing restrictions, equipment requirements, etc.
    - Advocating for a particular alternative
    - Providing input that will facilitate a formal objection
- **Draft Decision/Objection/Final Decision**
  - The Objection process is **pre-decisional**—meaning that the objection phase is the final opportunity for the public to influence the agency’s Final Decision.
  - Once a Final Decision is published there are no additional NEPA courses for changing the substance of the project.
  - In order to submit an Objection, you must have submitted **timely, specific written comments during the public comment periods**. Objections must be linked to specific comments or concerns.
  - Once Objections are received the Forest Service will typically facilitate a “resolution meeting” with the objectors.
  - Discretion is given to each Decision-Maker on the format and inclusiveness of those resolution meetings. Therefore, it may be necessary to file Objections on all projects regardless of the nature of the Draft-Decision in order to be an active participant in the resolution meetings.