

## **Environmental Review NEPA Compliance**

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# Environmental Review

*National Environmental Policy Act (NEPA)*

- **Consider potential environmental impacts for all *reasonable alternatives*.**
- **Consider consequences *before acting*.**
- ***Public disclosure* of proposed actions & foreseeable potential consequences.**

*Agency Implementation*

*Environmental Review of proposals*

*Selection of proposals.*

*Environmental Synopsis*

# Agency Implementation

## “216” Process

- (1) **Solicitation requires specific types of environmental data** and analyses as part of proposal;
- (2) Proposals screened → “*competitive range*”;
- (3) **DOE evaluates proposals** and **verifies accuracy of environmental information submitted**;
- (4) *Environmental Critique* (EC) of proposals; and
- (5) Publicly available *Environmental Synopsis* (ES).

See 10 CFR 1021.216

# Evaluated Information

- **DOE will evaluate:**

- Project Narrative
- Environmental Questionnaire
- Work Sheets

(Data & analyses submitted should be those that are reasonably available to the applicants)

- **DOE may supplement** with information from other sources as necessary for a reasoned decision.

# Evaluation Form

## proposed sample

RESOURCE AREAS	FINDINGS/COMMENTS/ISSUES	SUMMARY VALUES
Physiography & Soils	<b>Description:</b> Land area?	X acres total
	<b>Consequences:</b> Potential loss of prime farmland acreage?	Y acres affected
	<b>Issues:</b> Need state review and determination.	
Surface Water	<b>Description:</b> Length of stream bank/bed?	Z feet total
	<b>Consequences:</b> Potential for contaminants and erosion to impact nearby surface waters?	A feet affected
	<b>Issues:</b> Permits; approvals. Impacts on 303(d) impaired waters or high-quality streams.	
Wetlands & Floodplains	<b>Description:</b> Wetlands area?	B acres total
	<b>Consequences:</b> Potential impacts to wetlands, including losses in some cases?	C acres affected/lost
	<b>Issues:</b> 404 permits; mitigation	

# Environmental Critique

(10 CFR 1021.216(g))

- 1) **Brief description of each proposal, including any site, system or process variations**
- 2) **Salient characteristics of each proposal's site, system, or process as well as alternative sites, systems, or processes**
- 3) **List of permits, licenses, & approvals.**

# Environmental Critique

(10 CFR 1021.216(g))

- 4) **Comparative evaluation of potential environmental impacts of each proposal (& each alternative) –**
  - a) direct & indirect effects
  - b) short-term & long-term effects
  - c) proposed mitigation measures
  - d) adverse effects that cannot be avoided
  - e) areas where important environmental information is incomplete or unavailable
  - f) unresolved environmental issues
  - g) practicable mitigation measures not included in the proposals

# Environmental Critique

(general features)

- **Mostly comparative tables**
- **Summarize strengths & weaknesses of each application and proposed project (& proposed alternatives)**
- **Relative ranking of proposals based on potential for (un-mitigated) environmental impacts?**
- **Identify proposals that DOE might find unacceptable for environmental reasons**



# Environmental Synopsis

(10 CFR 1021.216(h))

- **Based on the Environmental Critique**
  - Document consideration given to environmental factors
  - Document that relevant environmental consequences of reasonable alternatives were evaluated
- **Will not contain business or confidential information that DOE would not otherwise disclose**
- **Will not identify the applicants**
- **Will be filed with EPA and made publicly available**

# Dos & Don'ts

- Do **provide all the information requested** in the FOA.
- Do **describe all potentially affected areas** (e.g., new power line routes, new water line routes & intakes, new access roads & access points, new RR tracks).
- **Also describe the vicinity immediately surrounding the areas** that would be disturbed.
- Do **describe potentially connected actions.**

# Dos & Don'ts

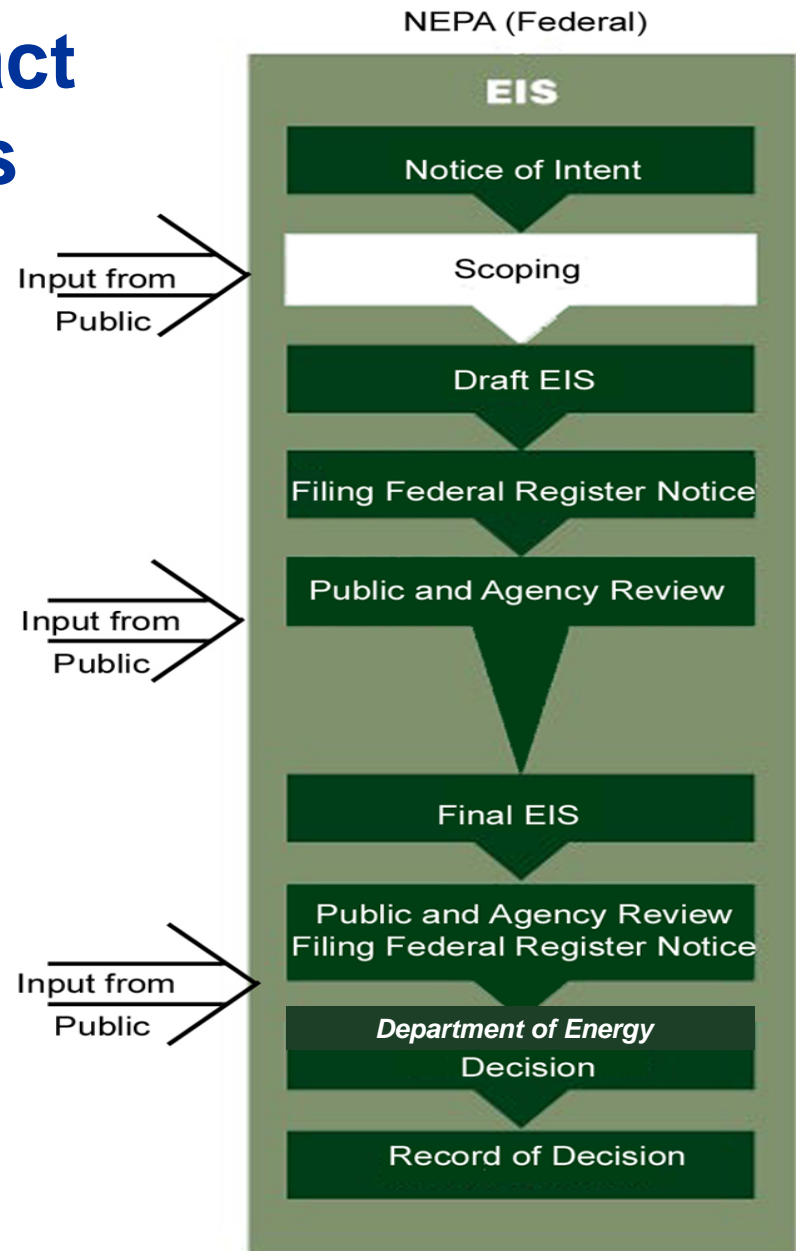
- **Don't make your own judgment** about what is a significant impact.
- **Don't mark all the environmental information as “Proprietary” or “Business Sensitive”.**

# Phase 1 Activities for selected proposals

- **Negotiations on Cooperative Agreement (or TIAs)**
- **Preliminary Project Planning**
- **Collection & submission of Environmental Information**
- **NEPA Process (for Environmental Impact Statement or Environmental Assessment)**

# Environmental Impact Statement Process

- *NOI issued Feb. 2009*
- *18 to 24 months (including preliminary project planning)*
- *ROD issued Aug. 2010 to Feb. 2011*



# Questions?????

- **Q & A Session today.**
- ***“Submit Question”* feature on IIPS.**