

UNITED STATES DEPARTMENT OF AGRICULTURE
Rural Utilities Service

BULLETIN 1794A-603

SUBJECT: Scoping Guide for RUS Funded Projects Requiring Environmental Assessments
with Scoping and Environmental Impact Statements

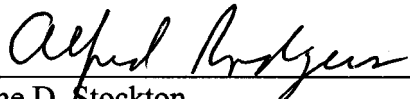
TO: All Electric Generation and Transmission Borrowers
Power Supply Division
Engineering and Environmental Staff

EFFECTIVE DATE: Date of Approval.

OFFICE OF PRIMARY INTEREST: Engineering and Environmental Staff.

AVAILABILITY: This is a new bulletin. This bulletin can be accessed via the internet at
<http://www.usda.gov/rus/water/ees/index.htm>.

PURPOSE: The purpose of this guidance bulletin is to provide Rural Utilities Service (RUS) staff, borrowers, consultants, and cooperating agencies with a consistent approach when preparing and carrying out scoping for electric generation and transmission projects to be financed by RUS which require RUS to prepare environmental assessments with scoping and environmental impact statements.


Blaine D. Stockton
Assistant Administrator, Electric Program


Date

RUS Bulletin 1794A-603

February 2002

**SCOPING GUIDE FOR RUS FUNDED PROJECTS
REQUIRING ENVIRONMENTAL ASSESSMENTS
WITH SCOPING AND ENVIRONMENTAL
IMPACT STATEMENTS**

**Engineering and Environmental Staff
Rural Utilities Service
U.S. Department of Agriculture**

The most current version of this bulletin can be downloaded from the environmental section at
<http://www.usda.gov/rus/water/ees/index.htm>.

TABLE OF CONTENTS

	<u>Page</u>
1. INTRODUCTION	3
2. PRELIMINARY MEETING	3
2.1 Meeting with RUS' Power Supply Division:	3
2.1.1 Justification of Project Need	3
2.1.2 Request For Proposals	3
2.1.3 Availability of Loan Funds	4
2.2 Meeting with Engineering and Environmental Staff	4
2.2.1 Discuss Environmental Review Requirements	4
2.2.2 Use/Role of Consultants	4
2.2.3 Lead and Cooperating Agencies	4
2.2.4 Document Requirements	5
2.2.5 Notice Requirements	5
2.2.6 Scoping Meetings	5
3. PLANNING DOCUMENT REQUIREMENTS	5
3.1 Transmission Projects	5
3.1.1 Alternative Evaluation Study	5
3.1.2 Macro-Corridor Study	6
3.2 Generation Projects	6
3.2.1 Alternative Evaluation Study	6
3.2.2 Site-Selection Study	6
4. PLANNING SCOPING MEETINGS	7
4.1 Agency Meeting (s)	7
4.1.1 Identify Interested Federal and State Agencies and Local Government	7
4.1.2 Establish Date, Time, Location of Meeting (s)	7
4.1.3 Submission of Scoping Documents to Interested Agencies	7
4.2 Public Meeting (s)	8
4.2.1 Establish Date, Time, Location of Meeting (s)	8
4.2.2 Determine Locations of Scoping Documents Availability to Public	8
4.2.3 Handicap Accommodations	8
5. NOTIFICATION	8
5.1 RUS Federal Register Notice	8
5.2 Borrower Public Notice	9
5.3 General Public Notification	9
5.4 Agency/Local Government Notification	9
5.5 Low Income and Minority Population Notification	9
6. SITE/CORRIDOR VISIT	10
7. AGENCY MEETING	10
8. PUBLIC MEETING (S)	10
8.1 Objectives	10
8.2 Setup	10
8.2.1 The RUS representatives will:	10
8.2.2 The borrower and/or their consultant station will provide information on the following topics:	11

8.3 Handouts 11
8.4 Written Comments 11
8.5 Official Record of Oral Comments 12
8.6 Meeting Debriefing 12
9. RUS DOCUMENTATION OF FURTHER ENVIRONMENTAL STUDY AND REVIEW 12
 9.1.1 Availability of Scoping/Guidance Report to Agencies and Borrower 13
 9.1.2 Timing 13
10. COMMENT PERIOD 13
10.1 Public/Agency Review Period 13
10.2 Addressing Comments Received 13

INDEX:

ENVIRONMENTAL

- Environmental Assessments
- Environmental Impact Statements

ABBREVIATIONS

- EES Engineering and Environmental Staff
- PSD Power Supply Division
- RUS Rural Utilities Service

1. INTRODUCTION

The purpose of the guidance bulletin is to provide Rural Utilities Service (RUS) staff, borrowers, consultants, and cooperating agencies with a consistent approach when preparing and carrying out scoping for electric generation and transmission projects to be financed by RUS which require RUS to prepare environmental assessments with scoping and environmental impact statements. The RUS scoping process for environmental assessments with scoping and environmental impact statements is identical. This scoping guidance applies equally regardless if an environmental assessment with scoping or an environmental impact statement is being prepared for a project.

This guidance document does not constitute a rulemaking. It does not add requirements on RUS or its borrowers beyond those imposed by RUS' Environmental Policies and Procedures, 7 CFR Part 1794.

2. PRELIMINARY MEETING

The preliminary meeting is an essential part of the scoping process. As soon as a borrower has identified a need to construct a transmission line or generation project that it plans to finance through RUS, they should contact the Engineering and Environmental Staff (EES) to determine the project's classification pursuant to RUS Environmental Policies and Procedures, 7 CFR Part 1794. Should the project be classified as one requiring RUS to prepare an environmental assessment with scoping or an environmental impact statement, EES will set up a meeting with the borrower and the RUS' Power Supply Division (PSD) to discuss the proposed project. This contact and preliminary meeting should take place as soon as a borrower realizes a need for the project. The preliminary meeting should be held before an environmental consultant is selected or any siting locations or transmission line corridors have been evaluated.

2.1 Meeting with RUS' Power Supply Division:

2.1.1 Justification of Project Need

The borrower should be prepared to justify to the PSD the need for the proposed project. PSD will advise the borrower of what supporting documentation other than the environmental review documents should be provided.

2.1.2 Request For Proposals

For generation projects, when the borrower solicits power and energy purchase proposals from utilities or other entities such as independent power producers, the results of the request for proposals should be summarized. Proprietary or confidential information will not be subject to public disclosure.

2.1.3 Availability of Loan Funds

PSD will discuss availability of guaranteed loan funds and the loan application process.

2.2 Meeting with Engineering and Environmental Staff

This meeting would normally be combined with the PSD meeting. However, additional meetings may be held between EES and the borrower to discuss and finalize details of the planning activities and documents needed to initiate and complete the scoping process.

2.2.1 Discuss Environmental Review Requirements

EES will discuss with the borrower the basic environmental review requirements for the project.

A conceptual schedule will be discussed and developed for the completion of the environmental review process. This will include timing of public meeting(s), publication of a notice of intent in the *Federal Register*, borrower notices and advertisements in local newspapers, comment period on an environmental assessment, or comment periods on draft and final environmental impact statements.

2.2.2 Use/Role of Consultants

Consultants may be hired by the borrower to prepare any documents necessary to fulfill RUS environmental review requirements. These documents might include site-selection studies, macro-corridor studies, alternative evaluations, the environmental analysis, archaeological surveys, biological surveys, air quality monitoring, etc. Such documents will be subject to review and approval by RUS.

An environmental analysis prepared by a consultant may be accepted by RUS as its environmental assessment for a project, but not as its environmental impact statement. Environmental impact statements will be prepared by a third party consultant selected by RUS and funded by the borrower.

2.2.3 Lead and Cooperating Agencies

The borrower should identify other federal agencies that have permitting and/or approval authority related to the project. These federal agencies would be invited to participate in the environmental review process. The purpose of establishing lead and cooperating agencies will be to avoid duplication of effort, streamline the environmental review process, and satisfy multiple agency environmental requirements with one process. Potential candidates for lead and cooperating agencies will be discussed. Usually, RUS will assume the role of the lead agency when RUS is being requested to fund all or a majority of project costs. RUS will encourage cooperating agencies to focus their participation on applicable laws, regulations, Executive Orders, or land management activities the cooperating agency is charged to administer.

Federal agencies that have previously been cooperating agencies on RUS funded projects include the Bureau of Land Management, the Bureau of Indian Affairs, the Forest Service, the National Park Service, the Fish and Wildlife Service, the Federal Energy Regulatory Commission, the Environmental Protection Agency, and the Army Corps of Engineers.

If there is an environmental review or project approval process in the state where the project will be constructed, RUS will endeavor to work with the appropriate state agency(s) to agree upon the format for a joint environmental review to satisfy both RUS' and the state's requirements. RUS will also attempt to conduct required public meetings in conjunction with any public meetings and/or hearings required by the state's environmental review process. If a state agency(s) will be issuing the equivalent of an environmental impact statement related to the project, RUS may adopt the impact statement as its environmental assessment or may allow relevant portions of the impact statement to be included, or incorporated by reference, in an environmental impact statement to be issued by RUS.

2.2.4 Document Requirements

The type and general content of the scoping documents that must be reviewed and approved by RUS prior to establishing scoping meeting dates will be discussed. These documents would include a Site-Selection Study/Alternative Evaluation for a generation project and a Marco-Corridor Study/Alternative Evaluation Study for a transmission line project.

2.2.5 Notice Requirements

The content and timing of the project notices will be discussed. RUS' *Federal Register* notice of intent to prepare an environmental assessment or environmental impact statement and to hold public meeting(s) must be published at least 14 days prior to the meeting(s). The borrower's advertisement and legal notice must be published in a newspaper(s) with a general circulation in the project area at least 10 days prior to the meeting(s).

2.2.6 Scoping Meetings

The topics to be covered at the public scoping meetings will be identified and discussed. Topics include RUS environmental review requirements, the project description, the need for the project, maps showing site location and corridors, and environmental issues to be considered. Potential representatives from RUS, the borrower, consultants, and other project participants that would be on hand to talk with agencies and the public should be identified.

3. PLANNING DOCUMENT REQUIREMENTS

3.1 Transmission Projects

3.1.1 Alternative Evaluation Study

An Alternative Evaluation Study must be accepted by RUS prior to the scheduling of scoping meetings. The Alternative Evaluation Study should explain the need for the project and discuss

alternative methods that have been considered to meet that need. For example, the need for additional electric capacity in an area may be addressed by constructing a new transmission line, constructing new generation capacity, purchase of power from other utilities, wheeling power via another utility's system, or reducing load in an area through load management or energy conservation. The Alternative Evaluation Study should explain each alternatives in sufficient detail so that interested agencies and the public can gain a general understanding of each alternative. The study should explain which alternative is considered the best for fulfilling the need for the project. It should be clearly explained why certain alternatives are unacceptable or less than optimal.

3.1.2 Macro-Corridor Study

A Macro-Corridor Study should define the project study area and show the end points on a linear project (e.g., electric transmission line or natural gas pipeline). Within this project study area alternative corridor routes should be developed based on environmental, engineering, economic, land use, and permitting constraints. Corridors may vary in width from a few hundred feet up to a mile. The use of existing rights-of-way or double circuiting of existing electric transmission lines should be addressed as appropriate.

3.2 Generation Projects

3.2.1 Alternative Evaluation Study

An Alternative Evaluation Study must be accepted by RUS prior to the scheduling of scoping meetings. The Alternative Evaluation Study must explain the need for the project and discuss alternative methods to meeting that need. For new generation the study should cover power purchases, load management, energy conservation, and various alternative technologies. The Alternative Evaluation Study should explain each alternative in sufficient detail so that the public can gain a general understanding of each alternative. The study should explain which alternative is considered the best for fulfilling the need for the project. It should be clearly explained why other alternatives are unacceptable or less than optimal.

3.2.2 Site-Selection Study

The Site-Selection Study should show the range of alternative sites considered for locating the preferred generation technology. The Site-Selection Study would begin with a broad overview of the possible site locations throughout the borrower's service area or part of a state. It should identify sites with the basic plant technology needs such as, transmission line access, natural gas access, water availability, air quality attainment areas, roads, etc. As sites are eliminated based on these basic technology needs, the study will focus more and more on specific environmental, engineering, economic and permitting constraints. Consideration of locating the plant at existing plant sites should be considered where appropriate. The final candidate sites are to be given an even more detailed examination for environmental constraints. It is preferable that at least two sites be carried into the environmental assessment or environmental impact statement.

4. PLANNING SCOPING MEETINGS

4.1 Agency Meeting (s)

The agency meeting is optional for environmental assessment with scoping projects, but is recommended for environmental impact statement projects. The goal of the agency meeting is to provide federal and state agencies and local government with information regarding the description, need, and potential project locations or routing, discuss compliance and permitting requirements, and cover the range of issues to be addressed in the environmental documents. This meeting does not normally include public involvement.

4.1.1 Identify Interested Federal and State Agencies and Local Government

RUS, with input from the borrower, will determine which federal and state agencies and local government may have an interest in the project, may issue permits for the project, or may have an action directly or indirectly related to the project. These agencies may include, but not necessarily be limited to, the Fish and Wildlife Service, the Army Corps of Engineers, the Forest Service, the Bureau of Indian Affairs, the Bureau of Land Management, the State or Tribal Historic Preservation Officer, State Departments of Natural Resources or Departments of Environmental Protection, town mayors, county commissioners, and county executives. If a separate agency meeting is not scheduled, federal and state agencies and local government should be encouraged to attend the public scoping meetings.

It is important to make local officials aware of the project and invite them to participate in the scoping process. Local officials may be more interested in attending a public meeting than an agency meeting.

4.1.2 Establish Date, Time, Location of Meeting (s)

The agency meeting should be scheduled for a weekday during normal business hours. The meeting place should be convenient to local officials from the area where the project will be located if possible. A trip to the preferred site and/or right-of-way corridor (and alternative site and/or corridor if applicable) may be scheduled as part of the agency meeting.

4.1.3 Submission of Scoping Documents to Interested Agencies

Correspondence notifying federal and state agencies and local government of the project and inviting them to the agency meeting should identify the scoping documents (site-selection study, alternative evaluation study, macro-corridor study) that are available. These documents will be made available at the meeting and should be sent to individual agencies and local government upon request regardless of their intention to participate in the agency meeting.

4.2 Public Meeting (s)

The purpose of the public meeting is to:

- provide the public with information regarding the borrower's proposed project, answer questions;
- identify concerns regarding the potential environmental impacts that may result from construction and operation of the project, and
- gather information to determine the scope of issues to be addressed in RUS' environmental review and documentation of the project.

4.2.1 Establish Date, Time, Location of Meeting (s)

The meeting should be scheduled on a weeknight after normal business hours. The time should not be set for normal working hours as generally the public would be at work and may not be able to attend the meeting. Meeting dates should avoid any federal, state, or local holidays or celebrations and also avoid other civic or religious functions. The location of the meetings should be a reasonable distance for all people in the project area to attend. It's suggested that a 25-mile driving distance to a meeting site is a reasonable distance to expect an interested party to have to travel to the meeting. For linear projects, a number of meeting sites and dates may be necessary depending on the length of the corridor. For example, for a 100-mile corridor, 2 meetings may be appropriate if meeting sites could be arranged at the 25-mile and 75-mile points along the corridor. For projects where alternative sites are under consideration for final site selection, it would be preferable to hold the meeting within a 25-mile radius of each site. One meeting location may be appropriate for a number of alternative sites if the sites are close enough together.

4.2.2 Determine Locations of Scoping Documents Availability to Public

Scoping documents should be available to the public for review at the time the RUS *Federal Register* or the borrower newspaper notice, whichever comes first, is published. Copies will be available for review at the RUS headquarters in Washington, DC, the headquarters of the borrower, the offices of distribution borrowers in the project area, local libraries in the project area, and other locations as may be deemed appropriate.

4.2.3 Handicap Accommodations

Meetings should be held in buildings that meet the standards of the Americans With Disabilities Act (PL 101-336; 42 USC 12101).

5. NOTIFICATION

5.1 RUS Federal Register Notice

RUS will publish in the *Federal Register* a notice of intent to prepare an environment assessment or environmental impact statement and hold public scoping meetings. If a cooperating agency is

involved in the environmental review, the notice will announce the cooperating agency's involvement. The notice shall identify the proposed RUS action, meeting dates, times, and locations. It shall provide information on locations of where the scoping documents can be reviewed, a general description of the project, and the proposed project location(s). This notice will also provide the names, addresses, telephone numbers, and e-mail addresses of contact persons at RUS, the borrower, and cooperating agency.

5.2 Borrower Public Notice

The borrower will select a newspaper(s) with general circulation in the project area and publish a similar notice in the legal section. RUS will provide the borrower with a copy of its *Federal Register* notice to use as the basis for these notices.

The borrower will also have an advertisement published in the local news section of the same edition of the newspaper(s), which briefly describes RUS' intent and refers the reader to the legal notice for more information.

5.3 General Public Notification

Other forms of public notification may also be necessary due to cooperating agency public notification requirements or as appropriate to ensure the public is aware of the notice of intent and the date, time, and location of the public meeting. Such notification may be through direct mailings to the public, billboard notices in libraries, public buildings and post offices, and radio or television announcements. In correspondence inviting local agencies to the agency and public meetings, the public officials should be encouraged to notify potentially interested parties through whatever medium they prefer.

5.4 Agency/Local Government Notification

Normally, agencies that may have an interest in the project subject to review and local government officials will be notified directly by RUS of the notice of intent and invited to attend the agency and public scoping meetings. This letter will provide RUS with an official record of the notification and invitation.

5.5 Low Income and Minority Population Notification

Correspondence to local officials of the notice of intent and inviting them to the agency and public meeting should specifically ask if the project might result in a disproportionately high or adverse environmental or human health effect on identifiable low-income or minority populations. The correspondence should ask that they provide suggestions on contact points so RUS can make arrangements to contact these populations directly. Demographic data from the Census Bureau, and member distribution borrowers may be used to identify low-income and minority populations. As appropriate, it may be necessary to publish notices in a second language, such as Spanish, and have an interpreter at the meeting.

6. SITE/CORRIDOR VISIT

Ideally RUS, the borrower, and cooperating agencies would visit the preferred and alternative sites and/or corridors under consideration prior to the public meeting.

The purpose of the on-site visit is to visually familiarize RUS and cooperating agencies with the proposed and alternative sites and/or corridors, identify sensitive areas, and view the environmental setting surrounding the sites and/or corridors. For corridor projects it may be most practicable to drive the length of the corridor stopping at various points as opposed to actually walking sections of the corridor(s).

7. AGENCY MEETING

The objective of the agency meeting is to discuss:

- project permitting concerns,
- scoping of environmental issues to be analyzed,
- roles and expectations of the lead and cooperating agencies, and
- scheduling.

8. PUBLIC MEETING (S)

8.1 Objectives

The objective of the public meeting is to provide the public with information regarding the purpose and need for the project, provide a project description, identify possible sites and/or corridor routes, discuss the scope of environmental issues to be analyzed, answer questions the public may have regarding the project and the environmental review process, and solicit public comments.

8.2 Setup

The meeting may either be traditional (featuring formal presentations followed by comment period) or open house. Generally RUS prefers the open house format. For the open house format, a number of information stations are set up. Each station will have either a representative of RUS, the borrower, or the borrower's consultant. A separate table should be available for any cooperating agencies if they choose to participate in the public meeting. The RUS station should be closest to the entrance to the meeting room. If only one RUS representative is able to attend the meeting, the borrower, or its consultant should provide a representative to assist in this function. Regardless, the RUS representative will be responsible for addressing the RUS environmental review process.

8.2.1 The RUS representatives will:

- greet members of the public as they arrive,
- invite them to sign in,
- provide handouts about RUS,

- provide comment forms,
- inform the public where oral comments can be recorded,
- discuss the RUS environmental review process and requirements, and
- orient the public with a general overview of the format and purpose of the meeting.

Sign-in sheets will become part of the official record, but may not be made available to the public or inserted into the environmental assessment or environmental impact statement related to the project.

8.2.2 The borrower and/or their consultant station will provide information on the following topics:

- project description,
- purpose and need for the project,
- technical information related to the project (i.e., noise impacts, air quality impacts, water use, erosion control, etc.),
- maps showing the location of alternative sites and/or corridors, the scope and range of environmental issues to be evaluated,
- photos, models, or conceptual drawings of the proposed generation station, and
- photos or models of proposed transmission line structures.

There may also be other stations to address concerns such as land acquisition and safety concerns.

There should be copies of the alternative evaluation, the site-selection study, and/or the macro-corridor study available for review. These copies should be marked "For Display Purposes Only". Additional copies may be available for hand-out if RUS, the borrower, or cooperating agency feel there is justification for doing so.

8.3 Handouts

RUS will provide a handout that briefly describes RUS, gives the purpose of the public meeting, and tells the public how to provide comments to RUS. This handout will either include or reference a separate comment sheet with the address where comments should be sent. Any cooperating agencies should be encouraged to provide similar handouts. The borrower is encouraged to provide various handouts on their purpose and structure, existing plant and power supply responsibility, projected load growth and power supply requirements, or other subjects that may be of interest to the public.

8.4 Written Comments

The public should be encouraged to provide their comments in writing as this will ensure the most accurate record of their input. They should be advised that their comment sheets may be photocopied and inserted into the environmental assessment or environmental impact statement to be issued by RUS. However, personal information such as addresses and phone numbers may be blacked out and therefore not subject to public disclosure.

The public should be informed that they may fill out the comment sheet at the meeting and leave it with the RUS representative. A table with writing materials should be provided.

The public should be advised that comments can also be submitted by mail or e-mail to the RUS addresses provided. The public should be advised that the comment period is limited (normally 30 days). Comments should be submitted to RUS within this time period to ensure they are taken into consideration.

8.5 Official Record of Oral Comments

A stenographer or recording device (tape recorder, video camera) may be made available at the meeting site so that the public may make oral comments that will become part of the meeting record.

8.6 Meeting Debriefing

At the conclusion of the public meeting, RUS will hold a debriefing meeting with the participants conducting the meeting to discuss comments, questions, concerns raised by the public. The debriefing should take place as soon as possible after the meeting.

A summary of the discussion should be recorded highlighting the most common comments, questions, concerns raised. This summary will be included in the RUS environmental assessment or environmental impact statement related to the project.

9. RUS DOCUMENTATION OF FURTHER ENVIRONMENTAL STUDY AND REVIEW

9.1 Scoping Report

RUS, any cooperating agency(s), and the borrower, should prepare a summary of their assessment of the meeting (for either an open house or formal meeting). The assessment should include questions, comments, and concerns expressed by the public to representatives hosting the meeting. The summary should highlight the topics that seemed to be the most important or worrisome to the public. Potential environmental issues that were raised should be included in the summary along with engineering, and economic issues. From these summaries, RUS will prepare a report on any additional information that may need to be included in the environmental assessment or environmental impact statements related to the project. Neither the summaries nor the RUS report need to be formal or lengthy documents. A simple list of bullet items may be adequate. At a minimum, the report should include a summary of the written and oral recorded comments received at the public meeting.

Other items that may be included in the report are:

- a count of the members of the public attending the meeting,
- a discussion of comments, questions, and concerns provided by the public informally to RUS, the borrower, the consultant or cooperation agency,

- copies of handouts provided at the meeting, and
- copies of letters of invitation to, and response thereto, from any person or agency contacted in this manner.

9.1.1 Availability of Scoping/Guidance Report to Agencies and Borrower

RUS will prepare its report after it is satisfied that it has adequate information to do so. Although RUS is responsible for the report, RUS may need assistance from the borrower, and cooperating agency to develop the report.

9.1.2 Timing

It will be the goal of RUS to receive the summaries and prepare its report within two weeks following the scoping meeting(s). During the comment period, RUS will forward copies of all comments received to the borrower and cooperating agencies. The borrower should make sure RUS gets copies of any comments received by the borrower during the comment period.

10. COMMENT PERIOD

10.1 Public/Agency Review Period

Normally RUS will provide a 30-day comment period following the scoping meeting which would begin on the date of the latest meeting and extend through the 30th calendar day following the meeting.

10.2 Addressing Comments Received

It is important that RUS demonstrate that it has considered the comments received during the scoping meeting and during the comment period. Written and oral comments recorded at the scoping meeting may be included via photocopy of comment sheets and letters and copies of transcripts. Audio and video recording may be transcribed to hard copy via stenographer.

Identifying the issues and concerns of the agencies and the public is essential to ensure that the environmental assessment or environmental impact statement will be adequate. Written and recorded issues and concerns will be specifically addressed in the environmental assessment or environmental impact statement. (RUS cannot assure that issues and concerns provided orally, but not recorded, will be fully addressed in the environmental assessment or environmental impact statement.)