



U.S. Department of the Interior
Bureau of Land Management

Development of Environmental Impact Statements

BLM – Wyoming State Office

Petroleum Association of Wyoming – Reclamation Conference

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What is an Environmental Impact Statement?

- An EIS is...
 - Programmatic or site-specific
 - In response to an external proposal or internal impetus
 - Developed when impacts are expected to be significant
 - Significant:
 - Context:
 - E.g. society as a whole, the affected region, the affected interests
 - Intensity:
 - Requires evaluation of direct, indirect, and cumulative effects



EIS Planning

- BLM receives Proposed Action from Proponent
- BLM Pre Plans
 - Internal scoping, public involvement plan, cooperating agency engagement
- BLM publishes Notice of Intent in Federal Register
 - Initiates external scoping period



EIS Planning

- BLM prepares scoping report
- Based on issues identified during internal and external scoping, BLM can then develop:
 - Purpose and Need (Chapter 1)
 - Issues for Analysis (Chapter 1)
 - Range of Alternatives (Chapter 2)
- Chapter 3 – Affected Environment
 - Based on project location, issues identified, and nature of the proposal

DRAFT EIS



EIS Planning

- Chapter 4
 - Analysis of Impacts from each alternative
 - Direct and Indirect impacts
 - Identification of any additional mitigation measures
 - Based on analysis, what impacts remain?
- Chapter 5
 - Cumulative impacts
 - All existing and reasonably foreseeable development
 - Identification of any additional mitigation measures

DRAFT EIS



EIS Planning

- Publish the Draft EIS for public comment
 - May require publication of a Notice of Availability in the Federal Register
 - Minimum 45 day public comment period for most programs
- Receive comments
 - Differentiate substantive from non-substantive
 - Develop responses
 - Determine what should be changed in EIS
 - Change EIS, as appropriate

DRAFT to FINAL EIS



EIS Planning

- Make changes to Draft EIS
- Internal and cooperating agency reviews
- Publish Final EIS for Availability Period
 - May require Notice of Availability in Federal Register
 - Filing with EPA required
 - 30 – day Availability Period – **NOT** public comment
- In some circumstances, can publish Final EIS and Record of Decision at the same time

FINAL EIS



EIS Planning

- As appropriate, incorporate comments received on Final EIS into Record of Decision
 - Any comments received that identify significant new circumstances may result in the development of a supplemental EIS
- Record of Decision documents the selected alternative and mitigation measures
- Publish the Record of Decision
 - May require Notice of Availability in the Federal Register
 - Once Decision is published and signed, may be subject to 30-day appeal period

Record of Decision



EIS Planning – and Secretarial Order 3355

- Secretarial Order 3355 (September 1, 2017)
 - Establishes time limits for EIS development of 1 year from publication of Notice of Intent in the Federal Register to the Final EIS
 - Establishes page limits of 150 – 300 (for more complex documents)
- BLM Washington in the process of developing guidance on how to meet these requirements
- BLM will need to strategize how best to meet this requirement



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Questions?

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