SCOPING PROTOCOL

(BASED ON CEQ GUIDANCE, 1981 AND 1983)

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INTRODUCTION

The Council on Environmental Quality has developed several memoranda describing appropriate actions to take during the scoping process required by 40 CFR 1501.7. This protocol tracks those memoranda, combining the CEQ guidance into one process that can be followed easily.

The key to successful scoping (and scoping that will withstand litigation) is to use a systematic process that ensures all necessary steps and components have been considered and incorporated.

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SCOPING PROTOCOL

Project Name:

Internal or Pre-Scoping:

Lead Agency:

Cooperating Agency(ies):

Agency(ies) with permitting responsibilities:

Public Involvement / hearing procedures of all involved state/federal agencies (to facilitate joint hearings and other Public Involvement activities):

Lead Agency Public Involvement Process:

> **Project Coordinator:**
>
>> Name:
>> Agency:
>> Contact information:

Interagency project review team formed:

> Name:
> Agency:
> Contact information:

> Name:
> Agency:
> Contact information:

> Name:
> Agency:
> Contact information:

> Name:
> Agency:
> Contact information:

External or Public Scoping:

Clear picture of proposal (including maps, background, purpose and need):

Information Packet Prepared:

- proposal description
- initial list of impacts and alternatives
- maps
- drawings
- other references or materials to help understand proposal
- description of scoping and the scoping process
- nature of specific comments being requested
- emphasize no decision has yet been made

Scoping Process Design:

Specific Outcome(s) Desired:

Public Involvement Tool(s) Selected to Reach Outcome(s):

- large or small group meetings
- formal hearings on the record (with an official transcript)
- show-me trips or site visits
- focus groups
- periodic publication (newsletter or equivalent)
- notifications in media
- other

Identification of Interested and/or Affected Parties:

- neighbors of the project (individual, corporate, local government)
- interest groups (industry, environmental, health, other issues)
- workers
- minorities and low-income groups (Environmental Justice concerns)
- agencies with jurisdiction by law or expertise

Issuing the Public Notice:

- do the media match the message?
- will all interested and/or affected parties receive notice?
- are specific issues, time limits, and contact people identified?
- has a notice been sent to the Federal Register and/or local papers of record?
- have special events been considered when scheduling meetings or trips (local or national holidays, religious observances, opening day of hunting season, etc.)

If a Meeting or Hearing is Held:

- has an experienced meeting facilitator been designated?
- have court reporter services been retained, if necessary?
- how does the location and nature of the meeting facility contribute to achieving the desired outcome(s) of the meeting?
- have follow-up activities been scheduled and announced?
- has an agenda been prepared, and all participants alerted to its contents?

Evaluating Comments:

- what are your criteria for distinguishing significant issues from those that are not significant?
- what method is to be used in the document to deal with issues that are not significant?

- will a post-scoping document be sent to commenters?

Allocating work assignments and setting schedules:

- has a project management schedule been developed for preparation of the NEPA document (EA or EIS)?
- who is the project manager?
- who are the internal and external reviewers?
- do all participants know which items are on the critical path?
- has a time limit been set for completion of each major milestone (draft, comments, final, decision document)?
- are resources (staff, funding, data) sufficient to complete the work?

Lessons Learned:

Did the Scoping Process for This Project Meet the CEQ Objectives:

1. Identify the affected public and agency concerns?

2. Facilitate an efficient NEPA documentation process, through:
   - assembling cooperating agencies?
   - assigning writing tasks?
   - ascertaining all the related permits and reviews that must be schedule concurrently?
   - setting time or page limits?

3. Define issues and alternatives that are:

   - significant, to be examined in detail

   - not significant, to be examined in less detail or that have been covered elsewhere

Did the scoping process for this project meet the lead / cooperating agency objectives?

What changes could be made to enhance internal or external scoping for the next project? Who is responsible for making those changes?