

## Bureau of Land Management – Pre-NOI Best Practices

On April 27, 2018, the Deputy Secretary issued a memo (“Additional Direction for Implementing Secretary’s Order 3355”) requiring the NEPA coordinator for each bureau to submit a list of pre-NOI best practices to the Office of Environmental Policy and Compliance.

The BLM is required to publish a Notice of Intent (NOI) in the *Federal Register* for the initiation of all environmental impact statement (EIS)-level projects, and for the development, revision, or amendment of a land use plan. Detailed below are pre-NOI best practices that the BLM has identified.

1. **Collect information to develop purpose and need, and demonstrate that proposed action is technically and financially feasible.**
  - a. *For externally generated EIS-level projects:*
    - i. Hold pre-application meetings with proponent.
    - ii. Review a preliminary version of the proponent’s Plan of Development.
    - iii. Identify documentation products required by statute to support a decision.
    - iv. Determine whether proposed action will require a land use plan amendment.
  - b. *For internally generated EIS-level projects:*
    - i. Determine whether proposed action will require a land use plan amendment.
  - c. *For RMP Development, Revision, or Amendment:*
    - i. Receive State Director guidance.
    - ii. Develop a plan for coordination with affected Federal, State, local and Tribal governments, and other stakeholders, including coordination milestones.
    - iii. Document existing conditions of the planning area.
2. **Assign an interdisciplinary team, including a project manager.**
  - a. Identify a deciding or responsible official.
  - b. Issue project initiation letters or a similar document to formally assign team members.
  - c. Identify priority of the proposed action within existing staff workloads, and establish a process for resolving workload conflicts between priority assignments.
3. **Identify and secure contracting needs.**
  - a. Develop clear statements of work that include deadlines, assigned tasks, responsibilities, products, and other requirements related to page limits or media platforms.
  - b. Recruit and select contractors.
  - c. Coordinate with the selected contractor to ensure all access, clearances, and profiles are fully operational prior to publication of NOI.
4. **Establish decision file management instructions.**
  - a. Identify the organization, format, and procedures for creating the decision file.
  - b. Communicate expectations, roles, responsibilities, and storage location for all files.
  - c. Establish clear milestones at which decision files will be checked for completion.
  - d. Ensure all staff, including contractors, have the necessary access, tools, and training to build the decision file in real time as the project progresses.

- 5. Develop project purpose and need.**
  - a. Evaluate and articulate the need for action and develop a clear purpose.
  - b. Define the scope for a range of reasonable alternatives.
  - c. Define the BLM's decision space.
  
- 6. Develop and document project schedule and budget needs.**
  - a. Develop a work plan including a schedule with critical milestones, consultation timeframes, and management briefings.
  - b. Identify anticipated costs for contracting, necessary materials or equipment, and salaries.
  
- 7. Develop and sign memorandums of understanding (MOU) with cooperating agencies.**
  - a. Identify and contact eligible cooperating agencies early.
  - b. Sign memorandums of understanding that clearly articulate roles, responsibilities, expectations, and limitations of the cooperating agency status.
  
- 8. Initiate government-to-government consultation with Indian tribes.**
  - a. Document agreements and deadlines made with each tribe in a memorandum of understanding or other applicable document.
  
- 9. Initiate discussions with regulatory agencies.**
  - a. Obtain a point of contact for the State Historic Preservation Office, Endangered Species Act regulatory agencies, Environmental Protection Agency, and any other relevant regulatory agency.
  - b. Establish clear points of contact within BLM.
  - c. Obtain concurrence from regulatory agencies on scope of consultation.
  - d. Establish a schedule for formally initiating consultation or reviews.
  - e. Document agreements and deadlines made with each regulatory agency in a memorandum of understanding or other applicable document.
  
- 10. Develop a public involvement plan, communication strategy, and public scoping materials.**
  - a. Identify stakeholders and interested parties.
  - b. Include a list of public relations staff or contractors in the communication strategy.
  - c. Review resources, tools, and information for public involvement and secure appropriate resources for outreach needs.
  - d. Identify any public meetings to be held during the scoping period and publish dates, times, and locations in the NOI.
  - e. Develop all materials, presentations, and secure all locations prior to publishing the NOI.
  
- 11. Compile data necessary for analysis and identify missing or incomplete data.**
  - a. Coordinate with collaborators, cooperators, regulatory agencies, other federal landowners, State and local governments, and Indian tribes to acquire relevant information.

- b. Solicit data to fill in gaps where the BLM identifies missing or incomplete data, or where the BLM hold no jurisdiction over relevant data.
- c. Conduct a public call for data to allow other public groups, such as recreation user groups, 'friends' groups, universities, or community groups, to provide locally-relevant data.

**12. Identify and analyze preliminary issues and alternatives.**

- a. Complete administrative drafts of the analysis for all known issues and alternatives.
- b. Document the consideration of and rationale for dismissing any issues and alternatives found not to warrant analysis in detail.
- c. Provide an opportunity for public feedback on preliminary alternatives and issues identified from coordination with federal, state, and local governments and Indian tribes.

**13. Prepare and complete review of NOI package.**