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23 September 2002

NEPA Task Force
P.O. Box 221150
Salt Lake City, UT 84122

Re: Council on Environmental Quality, National Environmental Policy Act (NEPA) Task Force,
Notice and Request for Comments (FR Vol. 67, No. 161, August 20, 2002)

This letter is in response to the Notice and Request for Comments referenced above. The U.S. Army, Joint Readiness Training Center (JRTC) and Fort Polk, Louisiana (Army) and the U.S.D.A. Forest Service, Kisatchie National Forest (KNF, Forest Service), as lead and cooperating agencies, respectively, are currently preparing an Environmental Impact Statement (EIS) to consider the effects of Army transformation activities and long-term land use proposals on both Army lands and national forest lands at Fort Polk (reference Notice of Intent, FR Vol. 67, No. 46, March 8, 2002). We feel that our ongoing process provides an example of a best practice with regard to collaboration among Federal agencies, and accordingly, we wish to respond to question numbers B1-B3.

Specific responses are offered below:

B.1. What are the characteristics of an effective joint-lead or cooperating agency relationship/process? Provide example(s) and describe the issues resolved and benefits gained, as well as unresolved issues and obstacles. Such examples may include but are not limited to, differences in agencies' policies, funding limitations, and public perceptions.

Chief among the requirements for an effective joint-lead or cooperative agency process is direct and open communication at both a decision-maker and staff level. A formal or informal mechanism to facilitate inter-agency communication on a regular basis is necessary. Attendant requirements include clear delineation of agency roles, responsibilities and jurisdictions for decision-making; early and regular involvement of decision-makers or their representatives on the part of each agency in formulating the proposed action and alternatives; and flexibility in adapting analytical approaches and interactions with the public, external agencies, and other stakeholders to accommodate the regulatory requirements and styles of each participating agency.

In the case of the EIS process described above, the Army and Forest Service have been successful to date in achieving these characteristics. The success of the current initiative is attributable to both a strong, pre-existing relationship between the Army and Forest Service at the local level, and the framework established by both agencies early in the planning stages for conducting the NEPA process.

In June 2000, the JRTC-Fort Polk (Army) and KNF (Forest Service) entered into a Memorandum of Understanding (MOU) to establish procedures for planning and preparing the EIS. The MOU designated the Army as the lead agency and the Forest Service as the cooperating agency, and defined the specific roles and responsibilities of each, including responsibilities for funding. The MOU also established an Executive Steering Committee (ESC) for the EIS, comprised of selected

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key environmental staff and individuals with decision-making authority from both the Army and Forest Service. The ESC also included a representative of the military training staff to provide a linkage with the installation proponents for the proposed Army transformation actions. Also specified in the MOU was a requirement for the Army to designate a joint agency liaison as a member of the ESC to manage the day-to-day aspects of the EIS process and to coordinate among the Army, Forest Service and the contractor tasked with preparing the EIS. A critical aspect of the joint agency liaison role was the responsibility to represent the interests of both agencies in an unbiased manner; therefore, Army and Forest Service consensus was needed on the selection of the liaison. Lastly, the MOU provided for establishment of inter-agency interdisciplinary (ID) teams to identify issues of concern, collect data and conduct analyses to support the EIS. The ESC has convened several inter-agency ID teams to review specific elements of the proposed action and the associated impacts, and the ID team findings have been incorporated into the analysis of environmental effects as well as recommendations for project designs and mitigations.

Under the framework established by the MOU, the ESC has served as an effective mechanism for managing the lead-cooperating agency relationship between the Army and Forest Service and the overall EIS process. The ESC meets on a weekly basis to develop and refine elements of the proposed action and alternatives, discuss the status and progress of the EIS, identify issues of concern and analysis needs, develop guidance regarding public participation strategies, and provide oversight for all major aspects of the EIS process. Benefits of the ESC and its functions include:

- Achieving open dialogue between agencies at the appropriate levels of authority;
- Promoting an open and trusting relationship between agencies, and reducing adversarial interactions;
- Promoting more clear and consistent messages and interactions with stakeholders and other agencies;
- Providing for concurrent rather than sequential inter-agency planning, analysis and decision-making;
- Promoting more efficient use of agency staff and other resources;
- Streamlining of reviews and reducing the overall time requirements for interagency coordination;
- Supporting early buy-in from both agencies to avoid potential delays and conflicts later in the NEPA process;
- Encouraging compromise and better understanding of the other agency's mission and operational constraints;
- Promoting improved inter-agency decision-making; and
- Fostering post-decision joint environmental stewardship initiatives, including mitigation and monitoring.

To date, there have been no unresolved issues or obstacles between the Army and Forest Service within the case described. The ESC has been successful in resolving differences between the agencies as they have arisen.

B.2. What barriers or challenges preclude or hinder the ability to enter into effective collaborative agreements that establish effective joint-lead or cooperating agency status?

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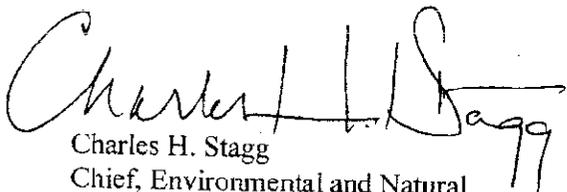
In general, differences in agency missions, NEPA regulations and policies can present barriers to establishment of effective joint-lead or cooperating agency agreements. Differences in agency regulations and policies may include varying requirements and sensitivities toward public involvement for preparation of Environmental Assessments and other NEPA documents, and discrepancies in requirements for processing of NEPA documents for decision-making at various levels of agency hierarchy and authority. Challenges to joint-lead and cooperating agency agreements may also include disparities in agencies' ability to execute NEPA analyses and proposed actions due to differences in missions and available resources. Differences in public perceptions of agencies and their missions can also present barriers.

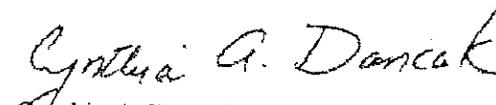
B.3. *What specific areas should be emphasized during training to facilitate joint-lead and cooperating agency status?*

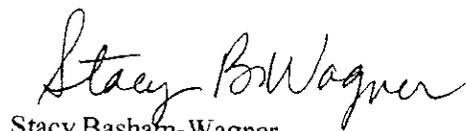
Specialized training is not necessary to facilitate effective joint-lead or cooperating agency agreements. However, individuals directly and regularly involved in such inter-agency relationships should have a sufficient understanding of the overall legal and socio-political framework in which the other agency operates. A basic working knowledge of the other agency's applicable regulations and policies, especially those that implement NEPA, is of particular benefit.

The signatories to this letter are members of the ESC described above. Each has from 9 to 20 years experience in working with NEPA. The comments expressed here are exclusively those of the signatories and do not necessarily represent those of the Army and Forest Service. We sincerely appreciate this opportunity to offer our comments to the NEPA Task Force and hope that our experiences and ideas are useful to others. Should you have questions, please feel free to contact us at the addresses listed below.

Very truly yours,


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FAX COVER SHEET

DATE: 9/27/02 TIME: 12:35

TO: NEPA Task Force PHONE: () -
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FROM: Stacy Basham-Wagner PHONE: (337) 531-7458
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RE: Response letter to NEPA Task Force Notice and Request for Comments

Number of pages including cover sheet: 4

MESSAGE

Following is the signed version of a letter submitted via email to Mr. Rhey Solomon (rhey_solomon@ceq.eop.gov) on 9/26/02. We hope that you can still consider our comments. If you have questions please do not hesitate to contact me at (337) 531-7458.

Regards,