

## Department of the Army, DoD

## § 651.37

(2) State, county, and local government officials and administrative personnel whose official duties include responsibility for activities or components of the affected environment related to the proposed Army action.

(3) Local and regional administrators of other Federal agencies or commissions that may either control resources potentially affected by the proposed action (for example, the U.S. Fish and Wildlife Service); or who may be aware of other actions by different Federal agencies whose effects must be considered with the proposed Army action (for example, the U.S. General Services Administration (GSA)).

(4) Members of identifiable population segments within the potentially affected environments, whether or not they have clearly identifiable leaders or an established organization such as farmers and ranchers, homeowners, small business owners, and Indian tribes.

(5) Members and officials of those identifiable interest groups of local or national scope that may have interest in the environmental effects of the proposed action or activity (for example, hunters and fishermen, Isaak Walton League, Sierra Club, and the Audubon Society).

(6) Any person or group that has specifically requested involvement in the specific action or similar actions.

(e) The public involvement processes and procedures by which participation may be solicited include the following:

(1) The direct individual contact process identifies persons expected to express an opinion and participate in later public meetings. Direct contact may also identify the preliminary positions of such persons on the scope of issues that the EIS will address. Such limited contact may suffice for all required public involvement, when the expected environmental effect is of very limited scope.

(2) Small workshops or discussion groups.

(3) Larger public gatherings that are held after some formulation of the potential issues. The public is invited to express its views on the proposed courses of action. Public suggestions or alternative courses of action not already identified may be expressed at

these gatherings that need not be formal public hearings.

(4) Identifying and applying other processes and procedures to accomplish the appropriate level of public involvement.

(f) The meetings described in paragraph (e) of this section should not be public hearings in the early stages of evaluating a proposed action. Public hearings do not substitute for the full range of public involvement procedures under the purposes and intent of a above.

(g) Public surveys or polls to identify public opinion of a proposed action will be performed. (AR 335-15, chapter 10).

### § 651.36 Scoping process.

(a) Introduction. The scoping process, required for EIS preparation (40 CFR 1501.7), should aid the proponent in determining the scope and significant issues related to the proposed action. The process requires appropriate public participation immediately following publishing the NOI in the FR. The Army policy is that EISs for legislative proposals significantly affecting the environment will go through scoping unless extenuating circumstances make it impractical.

(b) Scoping procedures. Scoping procedures fall into preliminary, public interaction, and final phases. These phases are discussed in §§ 651.37, 651.38, and 651.39, respectively.

### § 651.37 Preliminary phase.

In the preliminary phase, the proponent agency or office identifies as early as possible, how it will accomplish scoping and with whose involvement. Key points will be identified or briefly summarized as appropriate in the NOIs. The proponent will—

(a) In the NOI, identify the significant issues to be analyzed in the EIS.

(b) In the NOI, identify the office or person responsible for matters related to the scoping process. If they are not the same as the proponent of the action, make that distinction.

(c) Identify the lead and cooperating agency, if already determined (40 CFR 1501.5-6).

(d) Identify the method by which the agency will invite participation of affected parties and identify a tentative