

§ 651.38

list of the affected parties to be notified.

(e) Identify the proposed method for accomplishing the scoping procedure.

(f) Indicate the relationship between the timing of the preparation of environmental analyses and the tentative planning and decisionmaking schedule including—

(1) The scoping process itself.

(2) Collecting or analyzing environmental data, including studies required of cooperating agencies.

(3) Preparation of DEISs and FEISs.

(4) Filing of the ROD.

(5) Taking the action.

(6) For a programmatic EIS, preparing a general expected schedule for future specific implementing actions that will involve separate environmental analysis.

(g) If applicable, in the NOI, identify the extent to which the EIS preparation process is exempt from any of the normal procedural requirements of this regulation, including scoping.

§ 651.38 Public interaction phase.

(a) During this portion of the process, the proponent will invite comments from all affected parties and respondents to the NOI to assist in developing issues for detailed discussion in the EIS. Assistance in identifying possible participants is available from the Army Environmental Office.

(b) In addition to the affected parties identified above, participants should include the following:

(1) Technical representatives of the proponent. Such persons must be able to describe the technical aspects of the proposed action and alternatives to other participants.

(2) One or more representatives of any Army-contracted consulting firm, if one has been retained to participate in writing the EIS or providing reports that the Army will directly use to create substantial portions of the EIS.

(3) Experts in various environmental disciplines, if any area where impacts are foreseen is not already represented among the other scoping participants.

(c) In all cases, provide the participants with information developed during the preliminary phase and with as much of the following information that may be available:

(1) A brief description of the environment at the affected location. When descriptions for a specific location are not available, use general descriptions of the probable environmental effect. Also include the extent to which the environment has been modified or affected in the past

(2) A description of the proposed alternatives. The description will be sufficiently detailed to enable evaluation of the range of impacts that may be caused by the proposed action and alternatives. The amount of detail that is sufficient will depend on the stage of the development of the proposal, its magnitude, and its similarity to other actions with which participants may be familiar.

(3) A tentative identification of “any public environmental assessments and other environmental impact statements that are being or will be prepared that are related to but are not part of the scope of the impact statement under consideration” (40 CFR 1501.7(a)(5)).

(4) Any additional scoping issues or limitations on the EIS, if not already described during the preliminary phase.

(d) The public involvement may begin with the NOI to publish an EIS. The NOI may indicate when and where a scoping meeting will take place and whom to contact to receive preliminary information. The purpose of the scoping meeting is to be an informal public meeting. It is a working session where the gathering and evaluation of information relating to potential environmental impacts can proceed.

(e) Starting with the above information, the person conducting the scoping process will use input from any of the involved or affected parties. This will aid in developing the conclusions. The proponent determines the final scope of the EIS. If the proponent chooses not to require detailed treatment of significant issues or factors in the EIS, in spite of relevant technical or scientific objections by any participant to the contrary, the proponent will clearly identify (in the environmental consequences section of the EIS) the criteria that were used to eliminate such factors from detailed consideration.