

THE TRAIL CHAMPION'S INTRODUCTION TO NEPA


by Martha Becton
Subject Matter Expert & Author



INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION

From Trail Champion to NEPA Champion

TABLE OF CONTENTS



3	<u>Introduction</u>
4	<u>What is NEPA?</u>
6	<u>How does the NEPA process work?</u>
8	<u>Your role as a Trail Champion in the NEPA process</u>
11	<u>Actionable steps and useful tips for becoming a NEPA Champion</u>
13	<u>Additional resources</u>

INTRODUCTION

This guide is for Trail Champions.

Whether the visionary force, or the boots on the ground, Trail Champions invest their knowledge, influence, and passion into building the best local trails and growing amazing trail communities, trail systems, and trail partnerships.

Trail projects—from creating new trail networks to enhancing existing ones—are built through partnerships and collaboration. Partnering with federal land managers (such as the U.S. Forest Service, the National Park Service, the Bureau of Land Management or the U.S. Fish and Wildlife Service) means sharing the stewardship responsibility for the lands in their care.

But how do our land manager partners weigh the potential impact to the land and the life on it (natural resources) and the stories it holds (cultural resources) with all the benefits trails provide? At what point of the planning process, whether for a new trail system or for improvements or repair to an existing one, do our land manager partners start considering the potential impacts? How do they gather information and how are decisions made?

Part of the answer is the National Environmental Policy Act (NEPA). Signed into law in 1970, NEPA serves as the national charter for protecting the environment. The NEPA process exists to help public officials, including land managers, make informed decisions based on understanding environmental consequences and take actions that protect, restore, and enhance the environment.

This short guide will help you understand the important role NEPA serves in the trail project process, both for existing trail systems and new ones. It will also help you understand how being a NEPA Champion will help you be a more effective Trail Champion.

Federal Land Manager Partners and their Parent Agencies

Parent Agency:
US Department of Agriculture

Federal Land Management Agency:
U.S. Forest Service (USFS or FS)

Parent Agency:
US Department of the Interior

Federal Land Management Agencies:
National Park Service (NPS)

Bureau of Land Management (BLM)

U.S. Fish and Wildlife Service (USFWS)

WHAT IS NEPA?

Since it was signed into law in 1970, the National Environmental Policy Act (NEPA) has served as a process helping public officials, including federal land managers, make informed decisions that protect, restore, and enhance the environment by understanding potential environmental consequences.

In other words, the purpose of the NEPA process is “to provide for informed decision making and foster excellent action.”¹



It's easy to lose sight of land and cultural stewardship while focused on the energetic process of championing, designing, or executing a project.


One way to think of the NEPA process is that it provides the big picture check for a proposed site's natural and cultural resources early during project feasibility. When needed, the process provides more detailed information to accommodate natural and cultural resource protection into the planning process.

The purpose of the NEPA process is to make land and cultural stewardship part of the process from the start. For example, a proposed route for a new trail might take advantage of an open knoll that overlooks a wide stream valley. But how might the trail professionals designing the trail learn that the knoll holds a family cemetery with uncarved (and unnoticed) natural stone markers, a cultural resource from before the land became public? How early in the project planning would it be helpful to find out?

Stewardship of natural and cultural resources boils down to this: **How can we make responsible and informed decisions when we don't know what we don't know?** This is where the NEPA process shines. It helps us understand what we need to know early in the planning process. It does this by:

- Providing a framework for gathering information early
- Fostering collaboration across areas of expertise for relevant information
- Making that information public
- Enabling informed decisions

Put in a more technical way, the NEPA process is the process of understanding what potential impacts a project may have on our environment, weighing alternatives to minimize negative impacts, and making informed decisions *before* resources are committed to a project (resources here include funding, time, land, manpower, and materials).



While language and processes vary across the various federal agencies, a few common NEPA terms will help understanding.

NEPA Process

Refers to any measure taken in order to meet NEPA-related legal and policy requirements associated with an action or project.

NEPA Review

The process, analysis, and documentation that is part of the NEPA process to inform a decision. The term is sometimes used interchangeably with “NEPA process,” and may be called “environmental review,” “compliance” or the “compliance process” by some land managers.

Natural Resources

Exact definitions vary and evolve with time, but natural resources include organisms, processes, and systems such as ecosystems and their parts such as plants, animals, invertebrates, water, air, soils, land features, fossils and aesthetic values such as scenic view, natural quiet, and clear night skies. Timber, grazing, and fishery resources may be included.

Cultural Resources

Exact definitions vary and evolve with time, but cultural resources include artifacts, historic properties (districts, sites, buildings, structures, and objects), cultural landscapes, and other culturally valued aspects of the environment such as archaeological and ethnographic resources. Further, social impacts such as social institutions, religious practices, and lifeways may or may not fall within the cultural resources definition.

Resource Specialist

They go by different titles depending on where they work, but resource specialists are often the backbone of the NEPA process. For any particular project, usually a resource specialist (from within the local land manager, i.e., NPS, USFS, BLM, etc.) is the point person leading that particular NEPA review.

HOW DOES THE NEPA PROCESS WORK?



The NEPA process provides a framework for gathering information early. This means the NEPA process starts at some level during the feasibility phase of a trail project.

In our example above with the proposed trail route that might accidentally go through the unmarked cemetery, the NEPA process invites the trail professionals to reach out to the resource specialist early in the design process. This way, they can understand that layout for the trail needs to avoid crossing through the unmarked cemetery on the knoll. This allows the trail professionals to design for the intended trail experience while preserving the cultural resource.

The NEPA process fosters collaboration across areas of expertise for relevant information.

The NEPA process is a collaborative process across areas of expertise relevant for any given project. For trail projects, this includes resource specialists, project designers, relevant experts, and the public. Resource specialists might be biologists, ecologists, ornithologists, archaeologists, geologists—whichever ologists are relevant to the particular location. Project designers for trail related projects may be professional trailbuilders, engineers, non-profit stewardship and advocacy groups (such as IMBA), and experienced staff from within the federal agency partner.

The NEPA process makes information public. The public is an important part of the information gathering process. How the public is engaged depends on what NEPA pathway is determined for a particular project. Public engagement is usually the responsibility of the land manager leading the NEPA process.

NEPA enables informed decisions. Through collaboration across areas of expertise and public involvement, informed decisions can be made for excellent action on a project. It's important that the process does not get bogged down with irrelevant issues. This requires focused effort to keep the process anchored in information useful for decisions and reduce unnecessary background material.

THE THREE NEPA PATHWAYS

There are three basic pathways land managers use to comply with NEPA. They each are designed to provide the right level of assessment and documentation to ensure responsible resource stewardship. They are presented here as an introduction.

1

Categorical Exclusion (CatEx or CE): This pathway applies when a proposed project is understood by resource specialists to have no potential for significant environmental impact on natural or cultural resources under normal circumstances. Note that documentation may be required when potential for environmental impacts for a particular proposed project warrants some level of analysis and formal documentation.

Example of a CatEx applicable project: Routine trail maintenance on a natural surface trail through an area with no known sensitive species, habitat, and/or vulnerable cultural resources.

2

Environmental Assessment (EA): This pathway applies when a proposed project requires more analysis and documentation to assist the decision-making process than a CatEx offers but less than required for an Environmental Impact Statement (defined below).

A completed EA is meant to be a brief and concise document at a level of detail sufficient to demonstrate that the proposal would not result in significant environmental impacts. It is kept brief by resource specialists carefully developing the scope of analysis to focus discussions on the relevant issues and dismiss issues that are not meaningful to the decision.

Example of an EA applicable project: Proposed trail to be built through an area with known sensitive species, habitat, and/or vulnerable cultural resources, but the potential impacts on these resources are somewhat understood and ways to protect these particular resources through trail design, layout, construction, and management are reasonably understood. The EA ensures enough information is gathered and assessed to make informed decisions for that particular project.

3

Environmental Impact Statement (EIS): This pathway applies to proposed projects that could result in significant environmental impacts to natural and cultural resources. In some cases, an EIS is the correct pathway if the proposed project has a high degree of controversy.

As with EAs, resource specialists carefully develop the scope of analysis to focus discussions on the relevant issues and dismiss issues that are not meaningful to the decision. However, with an EIS, more information and analysis is needed to sufficiently focus these discussions and make informed decisions. Keeping information concise in an EIS is just as important as it is with an EA, but more information is needed, and sometimes, across a wider area of topics.

Example of an EIS applicable project: Proposed trail to be built through an area with an unknown number of sensitive species, habitats, and/or vulnerable cultural resources. Ways to protect these particular resources through trail design, layout, construction, and management may require creative or complex solutions.

YOUR ROLE AS A TRAIL CHAMPION IN THE NEPA PROCESS

Understanding that each federal partner has their own guidelines for navigating the NEPA process that meet their agency's mission can help you be a better collaborator. Guidelines and processes shift with time to make it easier to navigate (for all parties—federal partner staff, partnership organizations, contractors, and the public).



While some of the wording used and process details may differ, the NEPA process always comes down to people, communication, and collaboration. The better the communication and collaboration, the better the information for informing decisions.

General federal land manager roles within the NEPA process:

- Responsible for assuring compliance with the NEPA process
- Leads and facilitates the NEPA process
- Provides much of the cultural and natural resource expertise
- Analyzes the information gathered in light of natural and cultural resource stewardship
- Problem solving approach considering alternatives
- Making final project decisions (may be in the form of approved project plans)
- Documents the process and decisions made

Trail Champions and project designers are key players in the NEPA process for trail projects. While some land managers have all the expertise in-house to design and build great trail systems, it's common for experts, professionals, and stakeholders from outside the land manager to be part of the process to help understand all the relevant issues.

General Trail Champion and project designer roles within the NEPA process:

- Help identify and define the purpose, need, and objective of the project
- Develop or contribute to trail project proposal
- Provide technical expertise (for example, understanding sustainable trail principles)
- Provide experiential expertise (for example, what makes for a great ride experience)
- Problem solving with alternatives when the site has sensitive natural or cultural resources
- Assist land manager in coordinating additional experts, professionals, and stakeholders
- Assist land manager in moving NEPA process forward



PURPOSE, NEED, AND OBJECTIVE

It's common in the project development project to define the purpose, need, and objective of a project.

Identifying these early in the process helps the NEPA process by empowering creativity and flexibility when working through alternatives to accommodate sensitive natural and cultural resources.

While the words have related meaning, they are distinct.

Purpose is a broad statement of goals that the project is intended to fulfill stated in terms of desired outcomes.

Need is the underlying problem the project is intended to resolve, or opportunity the project creates, and may include things like existing conditions that need to be changed or problems that need to be remedied.

Defining a project's **objectives** is useful when alternatives need to be considered during the NEPA process in order to protect sensitive natural and cultural resources. Developing project objectives is useful for projects requiring creative solutions as a reminder that there is more than one way to achieve a project's ultimate objective.

When defining each of these, a not-too-narrow and not-too-broad approach is most useful. When purpose and need are defined too broadly, the scope of analysis needed for the NEPA process is unwieldy and difficult to navigate. If the purpose and need are defined too narrowly, the NEPA process becomes a "process of no" due to there being no room for alternatives to make the project work.

Examples of purpose, need, and objective for a proposed trail bridge project in an area with sensitive habitat. The trail serves hikers, mountain bikers and equestrians. Due to changes upstream of this location, previous bridges have washed out and a new bridge design (or location) is needed. However, it is possible that a bridge is not the only solution here. Note how the purpose, need, and objectives here do not assume a bridge is the only solution.

Purpose: The proposed project purpose is to allow Spruce Trail users to cross Big Beaver Creek safely.

Need: The project is needed to improve visitor safety. Previous bridges have all washed out due to repeated flooding and creek levels are regularly unsafe for crossing un-aided. The project is also needed to allow the western section of Spruce Trail to be accessed by visitors.

Objective: The project's objective is to provide a reasonably safe trail experience for novice users that doesn't require special knowledge in order to cross Big Beaver Creek safely.

ACTIONABLE STEPS AND USEFUL TIPS FOR BECOMING A NEPA CHAMPION

The word “sustainable” is applied to a lot of trail related things, but the NEPA process brings resource sustainability and stewardship into project development early on. This way, the immediate benefits of a project or action can be viewed alongside potential impacts over the foreseeable long term.

The more diligence paid upfront to understanding potential impacts, the better the project can be tailored to reduce negative impacts while still meeting the purpose, need, and objective of the project. A well-designed sustainable trails project meets the user needs, reduces impact on the surrounding environment, and has manageable maintenance needs. NEPA helps ensure the project’s sustainability extends to how the project fits within its immediate environment.

Remember, the NEPA process always comes down to people, communication, and collaboration. The better the communication and collaboration, the better the information for informing decisions. Your role in the NEPA process can foster excellent action.



The following are actionable steps and useful tips as you become a NEPA Champion:

- As a trail project idea starts to take shape, if it is on federal land, reach out early in the process to find the resource specialist to work with through the NEPA process.
- Involve the resource specialist early in the feasibility stage of a project, this allows good use of resources early on to determine if any areas have known sensitive cultural and natural resources that need to be taken into consideration.
- Approach natural and cultural resource concerns with curiosity and a desire to learn the issues.
- The NEPA process is often not a simple yes/no process—it is a process that may take multiple site visits with resource specialists and design alternatives to get to a workable project.
- You don't have to be an expert in natural and cultural resources, that's the role of the ologists (biologists, archaeologists, etc.). But ask questions to understand their view on what might be acceptable alternatives when issues arise.

Be a problem solver. Creative alternatives can be key to moving through the NEPA process.


- As the process moves along and there is a clearer picture of what natural and cultural resources are sensitive for a location, work together discussing alternatives that meet the purpose, need, and objective of the project.
- Bring in additional expertise as needed to problem solve issues.

If you are drafting the project proposal for NEPA review, or providing technical or specialized expertise to support the NEPA process:

- Ensure to write them in a way that someone without a trails background can understand—write in plain language. Make any written information you provide accessible and understandable to all parties involved in the NEPA process, only a few of which might understand the technical aspects of trails.
- Ask if you can see an example of what level of information and what format the land manager finds useful for their process.
- Ask questions to understand what timelines will support the NEPA process.
- Be short and concise in your supporting documents. Efficient, effective, and to the point is better than long and wordy.

Be flexible and collaborative.

- Keep the project's big picture in mind: purpose, need, and objective.
- It's rare for a project to truly not be possible.
- The resulting project plan may look different than originally imagined—but it will be more sustainable on the land overall.



It's easy to lose focus during the NEPA process. It's also easy for any one project to get stalled within the process due to other projects requiring attention from the land manager resource specialists. Check in periodically with the resource specialist—ask how the process is going, help answer questions, and seek ways you can help.

ADDITIONAL RESOURCES

An orange line graphic that starts from the right side of the 'ADDITIONAL' header, extends horizontally to the right, then turns 90 degrees down and then 90 degrees left, ending with a small open circle.

You don't have to be an expert in the NEPA process to be a NEPA Champion. You've already taken the first step by becoming familiar with NEPA and the big picture process.

Federal partners are often short on staff. This guide introduces how the NEPA process goes smoother when Trail Champions and project designers work together with the federal partner resource specialists to understand their local process, what information they need to do their assessment, what information you can gather or facilitate for them, and what format works best for that information.

Additionally, hired environmental assessment and compliance professionals are available to assist with the NEPA process who are experienced in working with federal land managers and familiar with the applicable resource protection laws NEPA addresses. They can save a considerable amount of time and money. Before considering their involvement, first discuss with the land manager to determine if this is an appropriate move for the project.

Reach out early in the trail project development process to find the land manager's resource specialist to work with through the NEPA process. Any project that requires significant environmental review will benefit from having a dedicated NEPA Champion, whether a contracted professional or someone already involved with the project.

An effective a NEPA Champion:

- Understands which project collaborators hold key specialized knowledge.
- Facilitates collaboration across the various resource specialists, collaborating agencies, and subject matter experts in order to keep the compliance process moving forward.
- Resolve issues as they arise through exploring alternatives across the key project collaborators.

The NEPA process brings resource sustainability and stewardship into project development early on. Your role as a NEPA Champion helps ensure great trail project proposals become enduring and responsible trail experiences.

To learn more, explore these additional resources:

- [U.S. Environmental Protection Agency NEPA page](#)
- [A Citizen's Guide to NEPA](#)
- [The National Environmental Policy Act of 1969](#)
- [National Park Service NEPA site](#)
- [National Park Service NEPA Handbook](#)
- [U.S. Fish and Wildlife Service NEPA fact sheet](#)
- [Bureau of Land Management NEPA site](#)
- [U.S. Fish and Wildlife Service NEPA for National Wildlife Refuges](#)
- [U.S. Forest Service NEPA site](#)

Citations:

¹ [CEQ regulations \(section 1500.1\)](#)