**Feasibility Study of**

# Activities Related to National Environmental Policy Act (NEPA) Compliance

**In the US Forest Service**

# Final Report

*Prepared for:*

**USDA Forest Service**

**Competitive Sourcing Program Office**

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**NEPA FEASIBILITY STUDY OUTLINE**

# U.S. Forest Service

# NEPA-Related Activities Feasibility Study

Reference: OCFO Bulletin 2004-01 dated, May 11, 2004

**Note:** This Table of contents is automated and when viewing the document electronically in MSWord, negotiation within the document is possible by placing the cursor on the page number, holding down the control key and left clicking on the mouse button. Throughout the document there are numerous references to paragraph numbers. These are all hot linked and by left clicking on the word you will be directed to the referenced section. All appendices have been redacted from this document.

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# PURPOSE OF THE STUDY

The purpose of this study was to identify ways to improve the United States Forest Service's approach to performing activities related to compliance with the National Environmental Policy Act (NEPA). This study identified areas of NEPA implementation that can be improved through efficiencies in personnel staffing, organizational structure, communications, technology application, and procedures.

To the extent possible, the Feasibility Study Team utilized background data and documents provided by previous consultants and/or ongoing agency reporting and monitoring. As stated in a June 1, 2006 letter from the Deputy Chief for the National Forest System, the primary responsibilities of the Feasibility Study Team are to:

1. Fully examine all aspects of NEPA activities and functions, including data collection, public participation, and effects analysis.
2. Complete a feasibility study of NEPA activities in compliance with USDA's OCFO Bulletin 2004-01.
3. Develop recommendation(s) to the Chief regarding whether performance improvements and/or cost savings would be realized if an A-76 competition, Business Process Reengineering (BPR), or some other realignment initiative is undertaken on all or portions of NEPA activities.

The Feasibility Study was performed by the following study team members supported by the consulting firm of Management Analysis, Inc. Internal functional support was provided by Betsy Walatka of the Strategic Planning and Performance Accountability staff.

**Feasibility Study Team Members**

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# EXECUTIVE SUMMARY

A Feasibility Study is an objective analysis of existing functions within the organization that identifies whether potential opportunities exist for improvement in efficiency or cost savings. The study also examines opportunities that may be available within the private sector to conduct these functions, and determines if further realignment studies would be appropriate. A Feasibility Study presents a full set of recommendations and options to management on the scope of the feasibility study, mission impacts and risks, estimated cost savings, subsequent study type and proposed timeline.

In accordance with USDA feasibility study guidance, a 15 step approach was used. These steps fall into three broad categories; the current "As-Is" baseline environment, the conceptual "To-Be" organization, and the analysis and recommendations. The "As-Is" environment provides comprehensive data showing the current situation. The "To-Be" organization provides a benchmark to measure, analyze, and compare with the existing, in order to reach final recommendations.

**Need for Change**

The National Environmental Policy Act requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions. To meet this requirement, the Forest Service follows a particular process in making decisions disclosing the information/data that was used to support those decisions. FS policy has generally interpreted NEPA as applying to ground-disturbing activities, but NEPA is followed for many things that do not "disturb the ground". With few exceptions, NEPA is a precursor to accomplishing projects needed to effectively manage National Forest System lands and to reach agency goals set under the National Strategic Plan.

The NEPA-related activities support each of the strategic goals by providing the environmental analysis and decision support required to authorize projects that address the goals and their associated objectives throughout the Forest Service. Much of the information collected and analyzed in this study can and has been used to identify ways NEPA can be improved upon, both from a quality and from an efficiency perspective.

**Quality NEPA Analysis Leads to Quality Decisions**

In addition to the steps required by USDA guidance, which focus primarily around cost comparisons between the existing and conceptual NEPA organization, the NEPA Feasibility Study Team identified existing organizational issues that may prevent optimum performance.

The team concluded that a better organizational system would improve both the quality and efficiency of doing NEPA. A great decision may lead to an "Excellent Action", but if documentation and/or analysis are not sufficient, NEPA decisions become vulnerable when challenged through the appeals and/or litigation process. Decisions overturned or lost through the Agency's appeals and litigation process and not successfully implemented in a timely fashion are delayed "Excellent Actions". This not only costs the agency additional money but may also jeopardize the Forest Service's long-term

strategic goals for stewardship of the National Forest System. Therefore, this report includes recommendations designed to improve the Agency's ability to produce consistent, quality NEPA documentation while simultaneously increasing productivity and efficiencies. The end result of higher quality NEPA is intertwined with a more cost effective approach on the premise that better NEPA leads to better decisions, a higher degree of implementation and improved land management.

### A New Type of NEPA Study: Change the Way We Do NEPA, Not NEPA Itself

This feasibility study included analyses of the NEPA function that had not been performed previously. This study necessitated a review of how the agency accomplishes NEPA now, whereas previous studies looked at how the NEPA process could be changed to better accommodate agency needs.

Past studies looked at the agency's NEPA process, reviewing functionality, possible inefficiencies and analyzing potential quality improvements. The reports focused on the assumption that if the agency's goal is to be more effective or efficient doing NEPA work, then fixing the NEPA process itself is the answer. Recommended adjustments to the process included actions such as creating new guidelines and regulations on choosing what type of NEPA is used, using clearer language on definitions of cumulative effects, developing new legislation providing more categorical exclusions, developing page restrictions on Environmental Impact Statements (EIS) and Environmental Assessments (EA), and streamlining coordination with other agencies for compliance and permitting. Many of these changes have been implemented or are in the implementation process.

These changes, while helpful, are still not the complete answer to optimizing efficiency and effectiveness in the NEPA process. By combining the findings of this feasibility study with recommendations from prior attempts to modernize the NEPA process, there is a much higher likelihood of measurable success.

### "As-Is" Baseline Environment

To gather the data needed to describe the "As-Is" environment, two data call surveys were developed and sent to the field. Unit-designated coordinators assisted with the data call on their respective units by completing the unit workload survey, ensuring data call distribution, fielding questions and encouraging timely completion of the surveys.

The team identified 42 "Core NEPA" subtasks within the 53 subtasks on which data was collected. Core NEPA work was defined as severable activities related to performing NEPA that occur from Project Initiation to NEPA Decision. Core NEPA activities were determined to be commercial in nature and suitable for A-76 competition if the Agency chooses that method for achieving better efficiencies.

The team then identified four "Associated NEPA" subtasks, the consultation and certification subtasks associated with Legal Compliance which it recommends be reviewed and organized in a manner that ensures a seamless relationship between the provider of these activities and of the Core NEPA activities. Delays in completion of these subtasks were consistently identified as a major issue in the way NEPA is currently performed.

The team also identified "Post-NEPA" activities which consist of the four Decision Support subtasks that relate to NEPA appeals (215), litigation, and FOIA requests. Post-NEPA activities are not technically Core NEPA activities. Appeals, litigation and

FOIA are not exclusive to NEPA yet many of the field units have bundled all appeals, litigation and FOIA responsibilities into their NEPA programs. There is a concern that any re-organization of Core NEPA activities would impact the ability of the units to retain the resources needed to fulfill these obligations. Consequently, it is recommended that these activities be reviewed in a manner that ensures each unit has the resources needed to accomplish these activities.

Neither the Associated NEPA activities nor the Post NEPA activities are suitable for an A-76 competition. They are, however, important activities related to successful decision making that are currently being performed by employees working on Core NEPA activities. In order to prevent undue burden shift to field units and avoid potential delays or failures in producing quality NEPA documents, it is recommended that the realignment method chosen to reorganize the Core NEPA tasks include a process for interaction between employees assigned to Core NEPA and others assigned to the residual work.

Three subtasks were identified as non-NEPA subtasks and thus outside the scope of this study; monitoring and implementation, NEPA policy development and interpretation, and the development of memorandums of understanding.

Data from the surveys indicated that Core NEPA activities are currently performed by 3,295 FTE. Associated NEPA and Post NEPA activities consist of 173 FTE and 85 FTE respectively. Private vendors add the equivalent of an estimated 189 FTE of effort. Based on the FTE counts and associated grade levels, overhead, facilities, and travel costs, the current cost of performing NEPA was determined to be approximately $356 million per year.

**Conceptual “To-Be” Environment**

After identifying issues related to current NEPA performance, reviewing comments from survey participants, and conducting phone interviews with numerous unit coordinators, a conceptual “To-Be” organization was designed to perform the 42 Core NEPA tasks and meet the workload demands. This organization is purely theoretical until a more formal, dedicated study and analysis is performed. This model was used to demonstrate that there is an opportunity for improved quality, cost savings and efficiency. Before designing a conceptual “To-Be” organization, some assumptions were made and constraints identified.

The conceptual “To-Be” organization designed by the team includes six eco-based Service Centers for NEPA personnel. Each service center would include a Center Director and Deputy, a Program Manager and Assistant, and an Information Manager and Assistant. Other management and supervisory positions would be added to maintain a 1:25 supervisor to employee ratio. In addition to management and support staff, each center would have a specific number of NEPA Specialists and Team Leaders based on the workload needs for the forests supported by the Service Center. Data Collectors would be assigned to and be located at the individual forests in order to reduce the costs of travel.

The conceptual “To-Be” environment consists of 2,675 FTE performing the Core NEPA tasks. For comparison with the current NEPA organization, the Related NEPA and Post NEPA tasks were considered at their current levels. Based on the proposed FTE counts and associated grade levels and estimated overhead, facilities, and travel costs, the cost of performing NEPA under the conceptual scenario is approximately $268 million per

year.

**Analyses and Recommendations**

A cost benefit analysis of the "As-Is" organization compared to the "To-Be" organization indicates significant savings are likely to result from a major restructuring of how NEPA is accomplished within the Forest Service. The team identified 12 recommendations to improve NEPA, summarized below:

**1)** Perform the work at zoned service centers.

**2)** Establish standard positions and grade levels for the work

**3)** Perform the work with dedicated teams

**4)** Fill NEPA positions with personnel interested in working on NEPA

**5)** Establish NEPA quality standards and performance measures

**6)** Evaluate a better approach to funding NEPA activities and the associated workforce

**7)** Develop a method of accurately tracking the costs of NEPA

**8)** Create formalized training, mentoring, recruitment, and career development programs at each service center, while considering diversity.

**9)** Implement changes in coordination with the on-going NFS transformation effort

**10)** Implement changes in coordination with existing corporate databases and data center efforts to better utilize the Forest Service's considerable investments in technology.

**11)** Treat all Core NEPA activities together as one study to retain an interdisciplinary approach and to minimize the costs of re-organization.

**12)** Ensure close relationships between compliance and permit work and 215 appeals and litigation work with the Core NEPA work service providers.

The team also identified three (3) methods of implementation that are both feasible and beneficial to the Forest Service. These methods are summarized below:

**A)** Compete the Core NEPA activities (3,295 FTE) through a Standard A-76 public-private competition. The conceptual "To-Be" organization was developed based on this method and an estimated annual savings of approximately $88 million is projected. The estimated cost of performing this study would be approximately $3 million.

The major advantages to this implementation method are that it forces accountability while maximizing cost savings. With this method, quality and timeliness standards would be developed, the service provider would be held accountable for performance, and the Forest Service would be most likely to achieve the projected savings. Disadvantages to this method include potential for instability in the workforce, and procedural requirements such as the requirement to specify processes, procedures and requirements as well as to develop the most efficient organization proposal in a firewalled environment. In addition, the non-disclosure requirements in A-76 limit communication with the workforce, further exacerbating anxiety among those potentially affected by the competition.

**B)** Conduct a BPR of the Core NEPA activities (3,295 FTE). There is potential for

significant improvement and savings associated with implementation using this method. The estimated cost of performing this study would be approximately $3 million. The total estimated annual savings would depend largely on the goals and focus of the BPR, but if cost savings was made a major focus of the BPR, and the staffing and grade changes were enacted by a BPR study with the same discipline as with an A-76 competition, the potential savings could approach the estimated $88 million identified above.

The major advantages to this realignment method are flexibility to try different variations without suffering a performance penalty, and the ability to share ideas openly. Because the BPR process is not subject to non-disclosure provisions, the agency is able to openly share information with employees throughout the study. Though they can be mitigated through proper, consistent communication and guidance from management and leadership, there are some clear disadvantages to this method. The disadvantages to BPR in general include a tendency to make only minimal improvements, or a tendency to focus on marginal or less disruptive change. There is also a tendency to lose cost savings as a focus, and failure to offset this loss with a focus in other area such as investments in future technology or improved timeliness. Even when cost is a focus, it is more difficult to maximize savings because there is no one competing for that low-cost solution. Finally, it should be noted that a BPR does not shield an activity from possible future competition.

If this method is chosen, the team recommends either a separate BPR of the eight Associated and Post NEPA tasks not included in the main BPR or one large efficiency study combining all NEPA activities. This will help eliminate burden shift. The team also recommends that cost savings be a strong focus of the BPR and that post-implementation monitoring be an integral part of the new organization.

**C)** Implement the recommendations as part of the on-going WO/RO/Area transformation efforts. This method would have many of the same advantages and disadvantages a BPR. However; because the implementation would be under the direction of the transformation team and not an independent NEPA team, it may be difficult to quantify costs savings and improvements as they would depend heavily on the overall transformation effort. It would also be difficult to fully integrate the two efforts, since transformation is focused on the WO, ROs, and NE Area, whereas NEPA work involves all levels of the Forest Service, down to each Ranger District. This study method may result in changes that are beneficial to the transformation efforts as a whole but do less for NEPA than could be accomplished with a separate effort. Irrespective of how NEPA is realigned, it will be important to work in sync with the transformation effort.

If this method is chosen, it is also recommended that NEPA improvements and savings be tracked individually to help ensure that NEPA is not lost or absorbed by other efforts.

Implementing the study recommendations according to any of these three methods can be expected to improve NEPA analysis and substantially reduce costs for the Agency.

# 1 OVERVIEW OF FOREST SERVICE NEPA-RELATED ACTIVITIES

The decision-making authority that drives the need for NEPA analysis and other associated activities is delegated to line officers at all levels of the organization. These NEPA-related activities are undertaken at nearly all Forest Service offices and involve agency personnel throughout the country. Multiple organizations within the Forest Service are involved in these activities. These organizations include the National Forest System (Regions, Forests, Grasslands, and Ranger Districts); Research and Development (Stations, Labs, Subunits); State & Private Forestry (Areas). The management and performance of NEPA-related activities for each of these organizations is structured differently.

## 1.1 SCOPE OF THE STUDY

Because NEPA is an interconnected chain of events, with each task entirely dependant upon the next, a broad look at the entire Forest Service infrastructure has been taken. Core NEPA activities needed to produce a NEPA document and subsequent decision documents have been included within the scope of the feasibility study. Also included are Associated and Post NEPA activities that would be impacted if any of the Core NEPA activities structure were changed. Employees who develop a proposed action at the beginning of a NEPA project are usually the same people responsible for activities such as preparing project records, finding documents for (Freedom of Information Act (FOIA) requests, drafting up transmittal letters for litigation, serving as expert witnesses and serving on regional appeal boards. Therefore, the team chose to approach this study as an entire system instead of breaking it up into components.

Another example of activities closely related to NEPA but not technically within the Council on Environmental Quality (CEQ) regulations, are actions necessary to compliance with other environmental laws and regulations such as the Endangered Species Act, Clean Water Act, the Antiquities Act, Clean Air Act, Wilderness Act. The time taken to accomplish these tasks was also included in this study to get as accurate an accounting of the entire NEPA process as possible. By taking this approach, the “As-Is” organization is accurately reflected, providing the opportunity to consider different approaches in the “To-Be” organization without encountering unforeseen consequences.

## 1.2 FUNCTIONAL AREAS

NEPA-related activities comprise seven primary functional areas described below. A detailed description of each activity area as it was presented in the data call is provided in Appendix A – Description of Tasks from Data Call. Appendix A illustrates the major activities, and specific tasks covered by each area.

### 1.2.1 Data Collection

This function includes accessing existing information and collecting new information as needed to support analysis of the environmental effects of a proposal. It may involve reviewing existing analyses and documents, as well as obtaining data from other agencies and/or knowledgeable parties. This can include collection of additional field data, as deemed appropriate, or acquiring information from previous NEPA analyses conducted within the same geographic area or focused on similar actions. This function also includes digitizing GIS data for spatial analysis.

### 1.2.2 Public Participation

This function includes public notice and comment, public participation and collaborative efforts for the proposal. Tasks include stakeholder collaboration[1], scoping, public notices, public meeting coordination and facilitation, content analysis on public comment, response to public comment and other related activities that primarily serve to identify issues and alternatives, as well as seeking comment on agency environmental documents. Scoping and public notice activities respond to the NEPA regulations (40 CFR 1500) and Forest Service appeal regulations found in 36 CFR.

### 1.2.3 Effects Analysis

This function includes identifying the changes that occur in land, water, air, plants, animals and society due to the proposed action or its alternatives. It involves conducting analyses that are needed to address a proposed action and the potential direct, indirect and cumulative environmental impacts of that action. These analyses typically include engineering or design analyses, and natural resource analyses intended to support the findings required by NEPA (see 40 CFR 1500).

### 1.2.4 Inter-Disciplinary Team Participation

This function includes preparation of environmental documents using an inter-disciplinary approach which insures the integrated use of the natural and social sciences and the environmental design arts (40 CFR Sec. 1502.6). This activity centers on the exchange of information that takes place in inter-disciplinary team meetings, leading to an integrated assessment of environmental effects.

### 1.2.5 Project Management and Support

This function includes managing and/or supporting the NEPA project by integrating all multi-functional components to create a final acceptable document. This activity includes items such as team management and coordination (daily supervision and project management tasks, usually referred to as the interdisciplinary or ID team leader), document creation (writing and editing), working with line officers at critical decision points. This activity also includes document publishing that in turn includes graphics, photos, formatting (including electronic), and distribution. General support may include compiling and maintaining mailing lists, project records, input for the corporate PALS database, literature searches, and other sub-activities.

### 1.2.6 Legal Compliance

This function includes reviewing environmental analysis documents to assess conformance with the requirements of the National Environmental Policy Act and other environmental requirements. It also includes policy analysis and consultation in support of project development. This function also involves conducting analyses, consultations, and reviews leading to determinations that demonstrate compliance with other, substantive laws affecting natural resource management that are linked to NEPA compliance. Examples of these other laws include the National Forest

[1] Collaboration is defined as people inside and outside an organization working together to solve a problem. Collaboration does not include collaborative efforts prior to the issuance of a proposed action and purpose and need before undertaking such action.

Management Act, Endangered Species Act, National Historic Preservation Act, Clean Water Act and Clean Air Act. Integrating NEPA compliance with these other laws requires that certain consultations, certifications and reviews.

### 1.2.7 Decision Support

This function includes the preparation of draft decision documents, such as Records of Decision, Findings of no significant Impact, Decision Notices and Decision Memos, using the results of NEPA analysis to develop the rationale for decision-making, and to respond to administrative and legal challenges to NEPA sufficiency. This includes work that occurs after, or in addition to, the preparation of the environmental impact statements (EIS), environmental analyses (EA), or project file, but which is based on those documents and other information contained in the administrative record, or which requires subject matter expertise in NEPA compliance. This function also involves providing information related to environmental analysis and/or consultation/certification in response to requests under the Freedom of Information Act. It also includes preparation of the administrative record and responding to data requests associated with litigation.

# 2 BUSINESS NEEDS ASSESSMENT

## 2.1 FOREST SERVICE STRATEGIC GOALS

The Forest Service's strategic goals are contained in the USDA Forest Service Strategic Plan for Fiscal Years 2007-2012:

- Restore, Sustain, and Enhance the Nation's Forests and Grasslands
- Provide and Sustain Benefits to the American People
- Conserve Open Space
- Sustain and Enhance Outdoor Recreation Opportunities
- Maintain Basic Management Capabilities of the Forest Service
- Engage Urban America With Forest Service Programs
- Provide Science-Based Applications and Tools for Sustainable Natural Resources Management

The NEPA-related activities support each of these strategic goals by providing the environmental analysis and decision support required to authorize projects that address the goals and their associated objectives throughout the Forest Service. Much of the information collected and analyzed in this study can and has been used to identify ways NEPA can be improved upon, both from a quality and from an efficiency perspective.

## 2.2 NEPA WORKLOAD

Forest Service decisions that result in commitments of agency resources, and which have, or may have, effects on the environment that can be meaningfully evaluated, are subject to the analysis and documentation requirements of NEPA. Workload information was collected through a survey by asking employees (Unit Coordinators) familiar with the NEPA work conducted on their units to compile the total number of

environmental impact statements, environmental analyses, and decision memos connected to categorical exclusions (DM) prepared by their unit. The results for the Forest Service are presented below.

**TABLE 2.2-1: THREE YEAR AVERAGE (2005, 2006, 2007)[2]**

REDACTED

**FIGURE 2.2-1: THREE YEAR AVERAGE (2005, 2006, 2007)**

REDACTED

The trend in workload appears to be relatively flat. The team considered the effect of external forces such as federal court decisions, congressional mandates, budget fluctuations, and regulatory changes on these trends and concluded that the net effect would be a stable workload.

Variations in workload by Region, Station, and Area will be discussed in greater detail in Section 5.3.

### 2.2.1 Environmental Impact Statements

The primary purpose of an environmental impact statement is to force consideration of National Environmental Policy Act goals during program and project planning and decision-making. It provides full and balanced disclosure of significant environmental impacts and informs decision makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts on the human environment. An EIS is used by Federal officials in conjunction with other relevant material to plan actions and make decisions.

As envisioned by the CEQ, the NEPA process begins with a proposal. A proposal exists when an agency has a goal, is actively preparing to make a decision on one or more alternative means of accomplishing that goal, and the effects can be meaningfully evaluated. Once the proposal is defined, the agency publishes a Notice of Intent (NOI) in the *Federal Register*. The NOI describes the proposed action and possible alternatives, the scoping process to be used, and the name and address of a contact person familiar with the proposal and EIS.

Following publication of the Notice of Intent (NOI), the scope of the analysis (range of actions alternatives and impacts to be considered) is determined through a flexible process that may include public notice and consultation with a variety of interested parties. At this point, the actual EIS is prepared in two stages (draft and final), and may be supplemented. Draft Environmental Impact Statements (DEIS) are circulated for public comment. The EIS process culminates in a decision, which is recorded in a Record of Decision (ROD). The decision may not be made less than 90 days following publication of a notice of availability of the DEIS, and there cannot be less than 45 days allowed for public comment on the DEIS.

While CEQ regulations require a 30-day interval between publication of a notice of availability for a Final Environmental Impact Statement (FEIS), and signing of the ROD, this provision is superseded if the agency has an appeal regulation that allows an opportunity to alter a decision. Forest Service appeal regulations (36 CFR 215, 217, 218 & 219) provide appeal or objection opportunities, and are typically applied

[2] Three year average consists of historical counts for 2005 and 2006 and projected counts for 2007 using Workplan and 1st quarter of PALS

in lieu of the CEQ requirement. In the most common situation, involving plan implementation decisions and the 36 CFR 215 regulations, there is a 45-day appeal period followed by a 45-day appeal review period. If the decision is upheld, it may not be implemented for 15 days following the appeal decision.

### 2.2.2 Environmental Assessments

Environmental Assessments provide a concise public document that serves to briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact (FONSI). They also aid in an agency's compliance with the Act when no environmental impact statement is necessary and facilitate preparation of a statement when one is necessary.

The Forest Service typically uses EAs to aid its compliance with the Act when no environmental impact statement is necessary, but a relevant categorical exclusion (CE, see below) does not exist.

There is no NOI requirement for EAs. The Forest Service has extended the scoping concept to all proposals. There are few explicit standards for scoping established by either CEQ or the Forest Service, but typically informal public notice is provided, with a 30-day interval for comment. Following consideration of the scoping data, an analysis is prepared and may be circulated for formal public comment as either a preliminary or final analysis, as specified in Forest Service appeal regulations. If the proposal is determined to have no significant impacts, a Finding of No Significant Impact is prepared (FONSI). The decision regarding whether or not to take action, and which alternative to select, is recorded in a Decision Notice (DN). The DN and FONSI are typically combined in one document. For Healthy Forest Restoration Act (HFRA) proposals, the decision is preceded by a 30-day objection period (36 CFR 218). For other proposals, the decision is followed by a 45-day appeal period and a 45-day appeal review period, as with EISs.

### 2.2.3 Categorical Exclusion (Decision Memos)

Categorical Exclusions facilitate NEPA compliance for categories of actions that do not individually or cumulatively have a significant effect on the human environment. Neither an environmental assessment nor an environmental impact statement is required. Certain categorical exclusions are established legislatively (for example, Section 309 of the Energy Policy Act), but most have been established via agency procedures.

Because categorical exclusions were intended to provide ease and flexibility in decision-making, they may be the hardest NEPA analysis document to characterize from a process standpoint. Some categories require no case file or decision document, others do. Following the decision in *Earth Island Institute v. Ruthenbeck*, some activities in any of the categories may require notice, comment and appeal, other activities using the same category may not. In cases that do not involve *Earth Island* issues, scoping typically does not involve a formal scoping, but may involve public contact via phone calls or meetings, there is no formal comment period, and the DM is not subject to notice and appeal. In cases that do involve *Earth Island* issues, public notice requirements are fulfilled by providing a formal 30-day comment period that serves as both a scoping and formal public comment opportunity. The time to prepare analyses is highly variable, depending on the likelihood of encountering extraordinary circumstances that would warrant the

preparation of an EA or EIS. Issuance of the DM is followed by a 45-day appeal period and a 45-day appeal-review period.

# 3 ASSUMPTIONS AND CONSTRAINTS

## 3.1 ASSUMPTIONS

The following factors were identified as assumptions in the Feasibility Study:

- The Forest Service need for NEPA-related services will continue at about the same level as exists currently.
- National Forest System (NFS) lands vary in vegetation, fuels, wildlife, geography, climate, and potential fire conditions, resulting in different environmental analysis issues.
- Science and technology in the area of NEPA and environmental analysis is dynamic and continually evolving. Providing operational efficiencies means continually adjusting to these new circumstances.
- The Forest Service as a whole, due to the locations of its NFS lands, will continue to utilize a multi-tiered, mostly decentralized organizational model, with offices and employees working at various locations across the United States, in a mix of remote and urban areas. Some Forest Service programs, however, have and will continue to become more centralized in an effort to match needs, resources, and budget expectations.
- All contract administration will be performed in accordance with the Federal Acquisition Regulations (FAR).
- Although there are various reform initiatives addressing aspects of the NEPA process, the team does not have the data to predict outcomes of such initiatives. It was assumed that the legal and regulatory framework guiding NEPA activities will not change significantly.
- Public and stakeholder interest in Forest Service decision-making and management will remain high.
- Overall, the Forest Service budget will remain flat or decrease in real terms for the foreseeable future.

## 3.2 CONSTRAINTS

- The Forest Service makes decisions that require various intensities of NEPA analysis and other related activities.
- NEPA regulations require an interdisciplinary approach to NEPA.
- The vast majority of Forest Service projects require familiarity with conditions on the ground where the activities will take place.[3]
- Forest Service NEPA-related activities vary throughout the year, requiring flexibility in the level and nature of resources and capability that is available. In many regions the majority of the field work can only be done during the

[3] The courts, in cases such as *Ecology Center v. Austin* or *Lands Council v. Powell* [verify cite] have insisted on field verification of data used in analysis.

summer months, requiring flexibility in staffing.

- Forest Service decision makers need ready access to NEPA analysis team leaders to assure that level of analysis meets decision-making needs.
- Public disclosure and public involvement (including access to the process) are required by NEPA and are expectations of the agency and the courts.

# 4 MARKET RESEARCH

Market research was performed to determine the capacity and capability of private sector firms to provide NEPA services. This market research consisted of internet research, benchmarking of other government and private sector organizations, and a Request for Information (RFI) posted on FedBizOpps.

## 4.1 GSA ADVANTAGE

The Feasibility Study Team started the Market Research with a search of GSA Advantage online. The first search criteria was "NEPA Contractors" and that search yielded 274 contractors of various sizes and capabilities. However, this list did not include many of the known, contractors who have in the past or are currently performing NEPA work for the Forest Service. A revised search using the keywords "environmental services" was performed and more than 6,650 results were returned.

## 4.2 FEDBIZOPPS REQUEST FOR INFORMATION

The Feasibility Study Team developed an on-line questionnaire RFI which was posted to FedBizOpps. The full questionnaire is shown in Appendix B – Request for Information. The questionnaire was broken down into seven primary tasks, the same that were used in the employee data call. The RFI gathered pertinent company data such as location, point of contact, the year the company started, and type of business (i.e. large, small, 8(a), veteran-owned). The RFI was open for thirty days, from June 15 to July 15, 2007.

Forty-three companies responded to the announcement. Twenty (46.5%) companies showed the ability to perform all seven primary tasks identified in the questionnaire. Thirty-three (76.7%) companies have government contracting experience with the five Core NEPA tasks identified later in this report. The final consolidated response is in Appendix C – Response to RFI.

## 4.3 PRIVATE SECTOR POTENTIAL

A judgmental sample of private sector companies was examined through Internet research to develop a more in-depth assessment of private sector potential. In selecting the sample and assessing the available information, an assumption was made that a private sector service provider should be capable of operations at a national scope. This would simplify contractual lines of authority. Company home pages were reviewed. If a link to NEPA or environmental services was not present in the site navigation links, the site was searched for the words "NEPA," "National Environmental Policy Act," or "environmental services." The results follow, with companies listed in alphabetical order:

### 4.3.1 Argonne National Laboratory

(http://www.anl.gov/)

Argonne National Laboratory is a US Department of Energy (DOE) research center. From the Laboratory's website (http://www.anl.gov/about.html):

> *"Today, the laboratory has about 2,900 employees, including about 1,000 scientists and engineers, of whom about 750 hold doctorate degrees. Argonne's annual operating budget of about $475 million supports upwards of 200 research projects, ranging from studies of the atomic nucleus to global climate change research. Since 1990, Argonne has worked with more than 600 companies and numerous federal agencies and other organizations."*

Argonne research falls into five categories, one of which is environmental management. The Environmental Science Division engages in a range of NEPA activities, which has tended to emphasize support of energy and defense projects (http://www.ead.anl.gov/project/dsp_topicdetail.cfm?topicid=53). However, the Laboratory has developed advanced capabilities in the assessment and management of natural resources (http://www.ead.anl.gov/project/dsp_topicdetail.cfm?topicid=36), Internet-based information management and communication (http://www.ead.anl.gov/project/dsp_topicdetail.cfm?topicid=38), web-based tools for environmental assessment (http://www.ead.anl.gov/project/dsp_fsdetail.cfm?id=35), and emerging topics such as atmospheric and climate research (http://www.ead.anl.gov/project/dsp_topicdetail.cfm?topicid=62). (The last emphasizes research and education, rather than applied analysis.)

### 4.3.2 Booz Allen Hamilton

(http://www.boozallen.com/)

Booz Allen is an international strategy and technology consulting firm, with 18,000 employees and $3.7 billion dollars in sales (http://www.boozallen.com/about/history).

Although the company's website lists "environmental compliance planning" as an area of expertise (http://www.boozallen.com/capabilities/Industries/gov_t_energy_environment) there are no direct citations to environmental effects analysis. In the 2005 Annual Report, the featured "Environment" story pertains to asset management in the National Parks (http://www.boozallen.com/about/annual_report). Booz Allen's principal activities, in addition to compliance planning, include environmental audits, policy analysis, business opportunity analysis, environmental program management, facility design review and assessment and community outreach. The company's primary customers have been the Department of Defense (DOD), DOE and Environmental Protection Agency (EPA). Overall, there are few indicators of Booz Allen's natural resource planning, management or compliance capabilities.

### 4.3.3 CH2M Hill

(http://www.ch2m.com/corporate/)

CH2M Hill is an international, full-service, engineering, consulting, construction and operations company (http://www.ch2m.com/corporate/about_us/default.asp) with more than 18,000 employees.

CH2M Hill offers environmental management and planning services, with an emphasis on engineering, consulting and construction services for activities such as

remediation, ecosystems management, and waste management (http://www.ch2m.com/corporate/services/environmental_management_and_planning/default.asp). Because CH2M Hill is fundamentally a engineer-procure-construct company, the company's experience emphasizes infrastructure-type projects. Federal clients include the DOD and DOE (http://www.ch2m.com/corporate/clients/government.asp).

### 4.3.4 Jones & Stokes

(http://www.jonesandstokes.com/)

Jones and Stokes is a regional (western US) firm with offices in six states (http://www.jonesandstokes.com/about/abt_locations.htm). Employee expertise covers a wide range of disciplines, with more apparent emphasis on natural resource management than some of the national or international firms (http://www.jonesandstokes.com/about/abt_people.htm).

Jones & Stokes explicitly lists natural resource management as an area of expertise. They provide biological and environmental assessments and inventories, EIS preparation, Federal, state and local compliance support and permit applications, habitat and species mitigation plans and project monitoring (http://www.jonesandstokes.com/services/srv_nrm.htm). Jones & Stokes also lists ecosystem restoration (http://www.jonesandstokes.com/services/srv_er.htm) and cultural resources management as an area of expertise (http://www.jonesandstokes.com/services/srv_crm.htm). Jones and Stokes holds a GSA contract for environmental services, available to all Federal agencies in all geographic locations (http://www.jonesandstokes.com/contracts/GSAcontracts.htm).

### 4.3.5 SAIC

(http://www.saic.com/, http://www.saicgsa-env.com/)

SAIC is a national provider of scientific, engineering and systems integration services (http://www.saic.com/about/), with 44,000 employees and $8.3 billion in revenue (http://www.saic.com/about/timeline/2007.html), and offices in 48 states (http://www.saicgsa-env.com/).

SAIC has extensive experience in the preparation of NEPA analysis documents, support documents, and coordination of public participation. Regulatory compliance and permitting assistance are provided. SAIC holds a GSA environmental services contract, with Special Items for Environmental Planning Services and Documentation, Environmental/Occupational Training Services, and GIS (http://www.saicgsa-env.com/services.html).

### 4.3.6 Shipley Group

(http://www.shipleygroup.com/)

The Shipley Group provides consulting, training, coaching, writing and communication services (http://www.shipleygroup.com/index.html?pg=shipley). It is a small business, and is on the GSA schedule. Best-known in the Forest Service for its training services, Shipley also provides writing and reviewing services, project management, public involvement services and comment analysis.

### 4.3.7 SWCA, Inc.

(http://www.swca.com/)

SWCA has more than 350 employees in 20 offices, primarily in the western US. From the SWCA website (http://www.swca.com/profile/):

> *"We are a company of scientists and planners who specialize in natural and cultural resource management, environmental science, management, planning and regulatory compliance. We have worked for every sector of the client spectrum, from private industry to the Federal government, assisting both the regulators and the regulated."*

SWCA includes NEPA within its areas of expertise, and also includes environmental mediation and facilitation services, natural resource management and planning, permitting and cultural resources management (http://www.swca.com/services/). Clients consist of a wide range of Federal agencies, including the Department of the Interior (DOI) and Department of Agriculture. SWCA has a GSA environmental services contract (http://www.swca.com/clients/government/federal.html), and past and current projects include a number that parallel common Forest Service needs (http://www.swca.com/services/cultural/cr_projects.html).

### 4.3.8 Tetra Tech

(http://www.tetratech.com/)

Tetra Tech is an international provider of management consulting and technical services in the areas of resource management, infrastructure and communications (http://www.tetratech.com/company/). As of 2005, it had approximately 7,500 employees and revenue of $1.3 billion (http://www.tetratech.com/company/factsheet.asp).

Tetra Tech's resource management services emphasize watershed and groundwater management, waste management and information technology. From the company website (http://www.tetratech.com/service/resource/service.asp):

> *"Our regulatory compliance services include advising our clients on the full spectrum of regulatory requirements under the Resource Conservation and Recovery Act, the Clean Water Act, the Clean Air Act, the National Environmental Policy Act, and other environmental laws….We conduct audits, prepare environmental documentation, and prepare permit applications…We develop and support ISO 14001 Environmental Management Systems."*

Through operating units (http://www.tetratech.com/company/operating_units.asp) such as Tetra Tec EC, Inc., Tetra Tech holds GSA environmental services contracts (http://www.tteci.com/gsa/scopeofservices.htm).

### 4.3.9 URS Corporation

(http://www.urscorp.com/)

URS is an international corporation. From their website (http://www.urscorp.com/About_URS/index.php):

> *"Our business focuses primarily on providing professional and technical services in the engineering, construction services and defense markets. We execute large and complex engineering projects and provide a comprehensive range of professional planning and design, systems engineering and technical assistance, program and construction management, and operations and maintenance services…We are a full-*

*service, global organization with offices in the Americas, Asia-Pacific and Europe. We have approximately 29,500 employees in a network of more than 370 offices and contract-specific job sites in 20 countries."*

URS Corporation provides NEPA analysis, cumulative effects assessment, comment analysis and response, ID Team coordination and document preparation and distribution. Permitting (e.g. air quality) and related technical support are also provided (http://www.urscorp.com/URS_Division/index.php?section=02, and linked pages).

This informal Internet survey indicates that potential private sector service providers cover a gamut from small business to giant international corporations. The smaller providers (e.g. Shipley) would be challenged by the need to scale up to provide a national scope of service. They would almost certainly lose their small-business status in the process. On the other hand, they could well be capable of providing specific NEPA sub-activities within the scope of the study (e.g. training or public involvement). At the other end of the range, certain companies (e.g. SAIC, URS Corp.) would likely have little difficulty in providing a national scope of service, but might initially be unfamiliar with impacts and issues associated with natural resource management (in contrast to highway, defense or energy impacts and issues). In between are companies such as Jones & Stokes or SWCA that have natural resource management experience, but might initially face scale issues similar to their smaller counterparts. Also in-between is Argonne National Laboratory, with some natural resource and experience and a mid-size organization, but which offers some advanced assessment and communication capabilities.

## 4.4 BENCHMARKING

The agency's NFS Deputy Area recently commissioned the Research Deputy Area to conduct a separate study called "*NEPA for the 21st Century*". Within that study, two reports were submitted that address reviews of other Agencies and their NEPA practices.

- *"Comparing NEPA Processes across Federal Land Management Agencies"*, by Marc J. Stern and Michael J. Mortimer, Department of Forestry, College of Natural Resources, Virginia Polytechnic Institute and State University, April 12, 2007. This report is included in Appendix D - Virginia Tech NEPA Report.
- *"A Comparative Analysis of Other Organization's Environmental Review Structures",* by Lisa Gaines, Ph.D., Associate Director and Sue Lurie, Ph.D., Consultant, Institute of Natural Resources, Oregon State University, May 16, 2007. This report is included in Appendix E – Oregon State NEPA Report.

Both of these reports touch on organizational issues that other land management agencies have encountered while performing the NEPA process. However, the Oregon State report focuses on decision making structures rather than the mechanics of getting the NEPA accomplished, while the Virginia Tech report concentrates on the process required by CEQ.

For the most part, other agencies such as the Bureau of Land Management, the National Park Service, the Department of Energy, the Army Corp of Engineers, are all very similar to the Forest Service in organizational structure. They are decentralized agencies that are required to follow the same CEQ regulations and use similar methods. From contracting to dedicated NEPA teams to ad hoc teams, no agency seems to have a consistent method of accomplishing NEPA.

Further analysis and research with the agencies would have to be done to do a side by side comparison of these agencies with the Forest Service. If a decision to reorganize the Forest Service NEPA organization is made, this would be valuable information.

The two studies produced interesting insights into the responding organizations. Each organization presents some very innovative and possible best practices the Forest Service may decide to investigate further and possibly adopt in the management of their NEPA process.

### 4.5 ADDITIONAL RESOURCES

Numerous reports and studies have been published over the last 12 years. Each one of them has taken an in-depth look at the NEPA process, its functionality, possible efficiencies and analysis of potential quality improvements. Each publication was consistent in their approach. The reports focused on the assumption that if the agency's need is to be more effective or efficient doing NEPA, then fixing the NEPA process itself would be the answer. Adjustments to the process include actions such as creating new guidelines and regulations on choosing what kind of NEPA is used, using clearer language on definitions of cumulative effects, developing new legislation providing more categorical exclusions, developing page restrictions on EIS's and EAs, and streamlining coordination with other agencies for compliance and permitting. Many of these changes have been or are in the process of being implemented.

These changes, while helpful, are still not the complete answer to optimizing efficiency and effectiveness in the NEPA process. By combining the findings of this feasibility study with recommendations from prior attempts to modernize the NEPA process, there is a much higher likelihood of measurable success. Some of the reports on NEPA that have been published over the last 12 years include:

- Final Report of Recommendations for Project Level Analysis - Re-Engineering Team. November,1995.
- Review of the Forest Service Legal and Regulatory Framework, Glickman Report, July, 1995. (Appendix F)
- Process Predicament; How Statutory, Regulatory and Administrative factors Affect National Forest Management, June, 2002. (Appendix G)
- House Resource Committee: The National Environmental Policy Act: Streamlining NEPA. February, 3, 2006. (Appendix H)

An effort to review the NEPA process itself and evaluate the Forest Service's understanding of the regulations, barriers to possible consistency issues and an exploration of innovative approaches, is concurrently being conducted by the Northwest Research Station, sponsored by the NFS Deputy Area and Ecosystem Management Coordination.

## 5 AS-IS ASSESSMENT

### 5.1 PROGRAM/ORGANIZATION STRUCTURE

NEPA-related activities are conducted by the United States Forest Service, which is an agency of the United States Department of Agriculture. The Forest Service is composed of three major branches:

- The National Forest System (NFS), which consists of nine regions that report directly to the Chief, 116 Forest/Grassland/Prairie administrative units, and approximately 600 Ranger Districts.
- Research and Development, which has five major Research Stations and the International Institute for Tropical Forestry (IITF) that report directly to the Chief, and more than 70 labs that report to the Stations.
- State and Private Forestry, whose responsibilities are performed by the regional NFS offices and the Northeastern Area.

The Forest Service organization is displayed in Appendix I – Current Forest Service Regions. A simplified chart showing lines of authority for the various positions performing NEPA work is displayed below in Figure 5.1-1.

The NEPA-related activities do not fall completely within any single program area. At the national level, the Ecosystem Management Coordination staff in NFS is responsible for overall NEPA compliance regardless of deputy area.

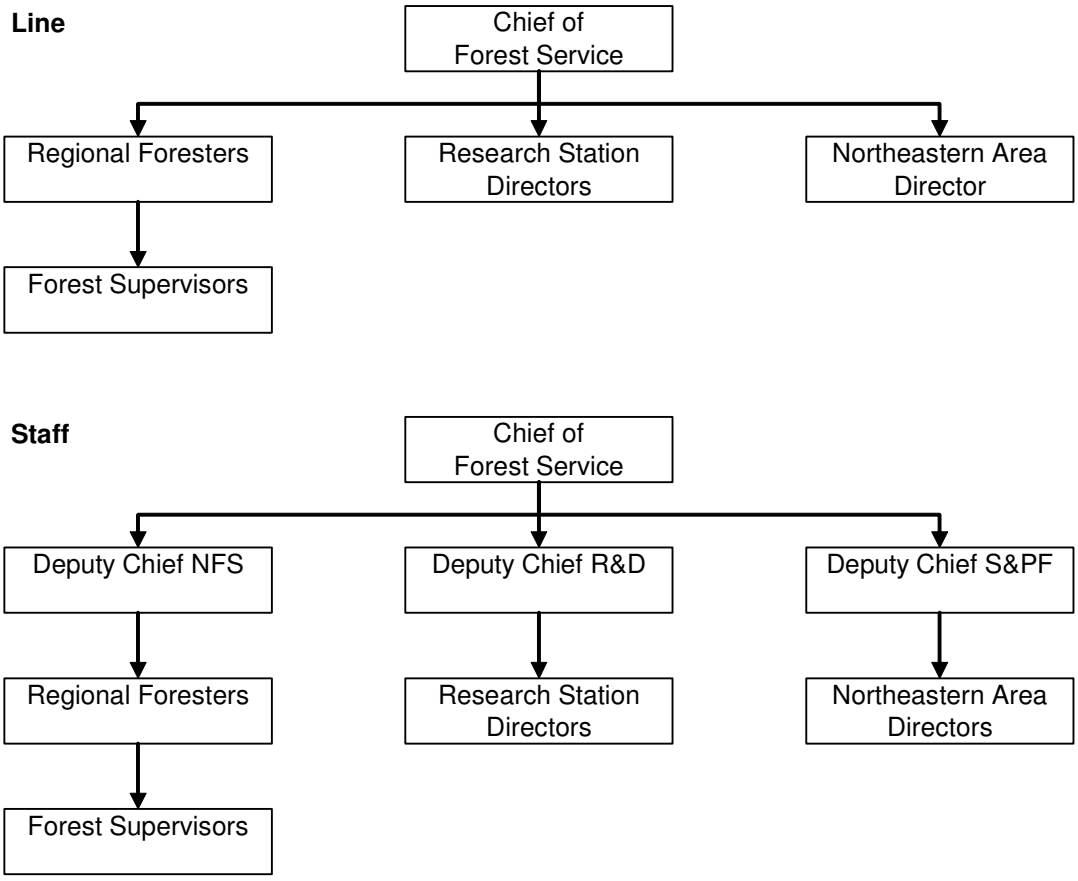
At the NFS Regional level, NEPA-related activities are usually overseen by the same staff unit responsible for land management planning. At the level of individual national forests, NEPA-related activities are carried out by a variety of positions, which may be located in several staff units. The following table shows the major program areas which provide the funding support for NEPA related activities.

**TABLE 5.1-1: PROGRAM AREAS PROVIDING NEPA FUNDING SUPPORT**

| | |
|---|---|
| INVENTORY AND MONITORING | NFIM |
| LANDOWNERSHIP MANAGEMENT | NFLM |
| MINERALS MANAGEMENT | NFMG |
| LAND MANAGEMENT PLANNING | NFPN |
| RANGE GRAZING MANAGEMENT | NFRG |
| RECREATION/HERITAGE/WILDERNESS | NFRW |
| TIMBER SALE MANAGEMENT | NFTM |
| VEGETATION AND WATERSHED MGMT | NFVW |
| WILDLIFE MANAGEMENT | NFWF |
| TIMBER SALVAGE SALES | SSSS |
| WILDFIRE HAZARDOUS FUELS | WFHF |
| LAND ACQUISITION | LALW |

The figure below illustrates the lines of authority for the various positions performing NEPA activities.

**FIGURE 5.1-1: LINES OF AUTHORITY**




## 5.2 RESPONSIBILITIES AND AUTHORITIES

The Forest Service adheres to the laws, regulations, and Executive Orders that prescribe the authorities and responsibilities for NEPA. Forest Service Manual 1950 defines where responsibility lies in sequence as follows:

- Washington Office, Director of Ecosystem Management Coordination
  - The Director is the staff official responsible for developing and recommending national policy, procedures, coordination measures, technical administration, and training necessary to implement NEPA within the Forest Service. The Director is also responsible for developing policy, procedures, and training for conducting social impact analysis (FSM1973 and FSH 1909.17, ch. 30).
  - The Director is responsible for liaison with the CEQ and consults with the Council on possible referrals (40 CFR 1504) and emergencies (40 CFR 1506.11). The Director also provides liaison with the Environmental Protection Agency (EPA) and, as needed, requests changes in the prescribed time periods for preparation and processing of environmental impact statements (40 CFR 1506.10).
  - When the Chief or the Secretary is the responsible official for a proposed action, it is the responsibility of the Director to advise and assist the

appropriate field unit or WO staff in preparing the necessary documents and to coordinate, review, and process the relevant documents.

- Regional Foresters, Station Directors, Area Director
  - As provided in FSM 1235, Regional Foresters, Station Directors, and the Area Director are delegated responsibility for conducting environmental analyses, preparing environmental documents, and making decisions related to proposed actions under their jurisdiction.
  - Regional Foresters, Station Directors, and the Area Director may file environmental impact statements directly with the EPA for proposed actions within their authority.
  - Station Directors and the Area Director may, by supplement to this code, re-delegate responsibility for conducting environmental analyses, preparing the necessary documentation, filing environmental impact statements, and making decisions on proposed actions to Assistant Station Directors, Research project leaders, and State and Private Forestry field representatives.
- Forest Supervisors
  - Unless otherwise provided in the Forest Service Manual or Handbooks, Forest Supervisors have authority and responsibility for conducting environmental analyses, preparing the necessary documentation, and making decisions on proposed actions under their jurisdiction unless specifically reserved by the Regional Forester. This authority may be re-delegated to District Rangers by supplement to this code or, by letter, on a case-by-case basis (FSM 1204; 1230).

## 5.3 CURRENT NEPA WORKLOAD

To estimate the volume of NEPA related work produced by the Forest Service, data was collected from field unit coordinators. Respondents reported the number of EIS, EA, and DM in each of three successive fiscal years (2005 – 2007). It is important to note that the total annual count for EISs and possibly EAs should not be considered total new starts. EISs and some EAs traditionally take longer than one year to complete. Comparisons with industry and other agencies show an average of 18 months to 36 months to complete, with EAs averaging 12 months. For the purposes of this study and calculating the current volume of work/expense of doing NEPA and the annual time spent working on NEPA was critical, as there was no other way to calculate costs.

As the findings indicate in the *House Resource Committee's December, 2005: The National Environmental Act: Streamlining NEPA*, outside influences dictate how long it takes to do a NEPA project. NEPA is not a linear process; the time needed to work out issues with the public, coordinate with regulatory agencies for compliance or permits, and handle the complexity of the proposed action all play a role in individual timeframes, making it difficult to measure an appropriate amount of time. As the report points out:

> *"Determining Delays Related to NEPA Document Preparation. The research, data collection, analyses, and public participation necessary to prepare NEPA documentation takes time, in some cases years. The debate begins when stakeholders attempt to determine the extent to which the preparation of NEPA documentation alone adds to or delays the time to complete a federal project. Several unique aspects of NEPA make it difficult to determine the*

*degree to which the NEPA process itself is the source of delays…… Also, for some classes of projects, document preparation under NEPA is generally done concurrently with other stages of a project, such as preliminary project design. If a project undergoes specification changes, those changes may necessitate changes in NEPA analysis and documentation. Consequently, the time to complete the NEPA process may be extended. However, determining if such delays are directly attributed to the NEPA process itself may be problematic.*

*Another challenge related to gathering data deals with how one measures the time taken on a federal project that actually involves the NEPA process. When measuring the length of the NEPA process for a given project, an agency generally looks at the date of the notice of intent (NOI) to file an EIS and the date of the ROD. However, these dates do not necessarily reflect the time it take to prepare NEPA documentation for a given project. A federal project may stop and restart for any number of reasons that are unrelated to NEPA or any other environmental requirement. This may be the case particularly for costly or controversial projects. For example, filing an NOI in 1988 and subsequently issuing the ROD in 1998 does not necessarily mean that it took 10 years to complete the EIS; the time it took to complete the project may have been associated with funding issues, changes in agency priorities, community opposition to the project, or engineering requirements, to name a few…"*

There are additional reasons why it is difficult to attach an appropriate time frame to NEPA projects[4], but for the purpose of the this feasibility study, the amount of time employees spend on NEPA, regardless of the project, is the best measure possible to determine the cost of NEPA for the Agency.

The table below shows the three year average workload as reported in this data call.

**TABLE 5.3-1: THREE YEAR AVERAGE (2005, 2006, 2007) BY REGION**
REDACTED

As the table above shows, the majority of the workload occurs within the National Forest System. Although there appears to be a gradual trend towards performing less complex NEPA work (DM's and EA's) instead of more detailed and controversial EIS's, the numbers reported do not confirm a large shift to categorical exclusions, as anecdotal evidence has implied, both from internal employees and the public. As one would expect, however, there is a large amount of variability in the amount of NEPA work being performed between Regions, as well as the type of NEPA being chosen. This is not surprising given factors such as different geographical locations, politics, different circuit courts and varying ecosystem needs.

Additionally, Research Stations did not report a significant amount of NEPA activity. One reason provided was that the majority of NEPA needed by the experimental forests was accomplished by the national forest where the experimental forest was located and/or that they did not make any decisions which required NEPA-related activities in support.

[4] See page 9 of *House Resource Committee's December, 2005: The National Environmental Act: Streamlining NEPA*

Finally, the data shows the volume of work considerably stable over the three year time span. Because the 2006 information is the most recent data that does not involve a projection of workload and is consistent with the three year average, the 2006 workload numbers are used for the remaining analysis of the "As-Is" assessment.

## 5.4 CURRENT STAFFING

Along with a survey to units asking for volume of work, information was also collected to estimate the amount of personnel time expended on NEPA-related activities. The Feasibility Study Team issued a separate survey to all employees who were known to have worked on one or more of the seven activity groups identified in Section 1.1. The survey respondents[5] were asked to identify the amount of time they spent on NEPA-related activities during calendar year 2006. The results of the data call, which included both the survey for unit workload and the survey of employee involvement, form the basis for all further estimates of personnel and workload in this report. Two separate surveys were necessary because of the large number of employees working on numerous NEPA documents simultaneously but not necessarily for their home units. Redundancy and duplication of reporting would have been very difficult and time consuming to sort out.

### 5.4.1 NEPA Personnel

The employee survey reflected that 7,964 employees performed NEPA related work during 2006. The vast majority of these employees did not perform NEPA related activities on a full-time basis. The allocation of effort can be illustrated by looking at the percentage of an employee's total time reported under each of the core functional areas.

**TABLE 5.4-1: EMPLOYEE'S TIME ENGAGED IN NEPA BY ACTIVITY**

**TABLE REDACTED**

For the Forest Service as a whole, the greatest amount of effort is being used for Data Collection, followed by Environmental Analysis, Inter-disciplinary Teams and Project Management. The least amount is being used for Public Participation, Legal Compliance and Decision Support. There are no significant departures from these proportions within the Regions.

### 5.4.2 NEPA Full Time Equivalents (FTE)

For the purpose of this study the team followed OMB's guidelines and measured full time equivalents (FTEs) at 1,776 annual productive hours. Currently 7,964 positions contribute 3,552 FTE of effort toward the accomplishment of NEPA tasks.

The table below illustrates the number of positions and FTEs associated with NEPA related activities. These FTEs reflect the time spent on actual performance of the NEPA related activities. The fourth column, Fragmentation Index, gauges the number of positions that are currently utilized to produce a full FTE of work effort on the NEPA related activities. The last column shows the percentage of their total time that an average employee spends on NEPA. This number is the inverse of the

[5] Approximately 8600 useable surveys were returned and processed.

Fragmentation Index.

**TABLE 5.4-2: FRAGMENTATION FOR PERFORMING NEPA TASKS**

REDACTED

Although only two of the Research Stations reported workload (see figure 5.3-1), four Research Stations (Northern, Southern, Pacific Northwest, and Rocky Mountain) reported direct expenditure of personnel time on NEPA-related activities during the survey data period (FY 2006). The disparity is due to the fact that these employees are working on NEPA projects for other units.

The information in Tables 5.3-1 and 5.4-2, taken together, show that the majority of NEPA work not only is generated from within the National Forest System, but it is performed there as well. The third column of figure 5.4-2 (Number of FTE) is shown graphically in the figure below. Additionally, graphs of the FTEs by region, for each of the seven major activities are shown in Appendix J – FTE Regional Breakdown for Each Activity.

**FIGURE 5.4-1: FTE BY REGION**

REDACTED

From the tables and figure above, it is immediately apparent that two units, Region 5 and Region 6, devote significantly more FTEs to NEPA-related activities than the other units do. However, Region 5 is less fragmented, requiring 2.235 positions to generate one FTE of work, whereas Region 6 requires 2.683 positions to generate the same amount of effort. On the low end, the Washington Office, Research Stations, and Enterprise Teams assign few employees to NEPA-related activities, but the number of positions needed for one FTE is twice as high in the WO compared to the Enterprise Teams (and approximately 50% higher than in the Regions), indicating that those WO employees each spend significantly less time on NEPA-related activities than average. The Enterprise Teams use the least number of positions to generate one FTE of work on NEPA-related tasks, which indicates a more concentrated effort.

### 5.4.3 FTE by Activity

To fully understand the work that is involved in the NEPA process, a look at the combined effort alone is not sufficient. A more detailed look at the breakdown of FTE by the seven activities described in Paragraph 1.1 is necessary to identify trends. The breakdown of FTE by activity is shown below is Figure 5.4-2 and Table 5.4-3.

**FIGURE 5.4-2: FTE PERFORMING NEPA BY ACTIVITY**
REDACTED

**TABLE 5.4-3: FTE PERFORMING NEPA BY ACTIVITY**
REDACTED

Statistical analysis of the Regions[6] shows that regions 1,2,3,4 and 9 are allocating similar amounts of effort (i.e. FTE) towards the 7 major activities. Each of these regions uses an amount of effort that is within one standard deviation from the mean. Regions 5, 6, are statistically high, falling outside of one standard deviation of the mean for all or most of the activities. Region 10 is statistically low for all activities except data collection while Region 8 falls below the mean for three of the seven activities. Statistical analysis of the workload is generally consistent with the level of effort spent. The number of EA's and DM's for Regions 5 and 6 are above one standard deviation of the mean. Region 10 has a workload below one standard deviation of the mean in each of the three workload types. Region 8 is statistically low in the number of EIS's worked on.

Additionally, despite being within one standard deviation of the mean for effort, Regions 1 and 3 fall outside of one standard deviation of the mean for EIS's worked on. Region 1 is statistically high while Region 3 is statistically low. Although the team is limited in its analysis by the type of data collected[7], anomalies such as in Region 1 (statistically average effort with statistically high output for EIS's) can provide some limited indication as to where the most efficient NEPA is performed.

The complete results of the statistical analysis are shown in Appendix K – Statistical Analysis of Regional Breakdown.

## 5.5 ANALYSIS OF GRADE DISTRIBUTION

Analysis of the survey data was performed to examine issues such as who is performing NEPA Activities, at what grade, how it varies from Region to Region, and ultimately, how much is the Agency spending on NEPA projects. As seen by the numbers below in Table 5.5-1, there is a wide range in grade levels performing the activities; however, GS 9s and GS 11s comprise the majority of the work force. Grades 0-2 are anomalies, usually submitted by unit coordinators filling out surveys for volunteers. Tables 5.5-2 and 5.5-3 show a breakdown of grades by Activity. A further breakdown by Grade and Region can be found in Appendix L – Grade Level Analysis.

**TABLE 5.5-1: GRADE LEVEL DISTRIBUTION**

As shown below in Figures 5.2-2 and 5.2-3, the various activities are being performed by a wide range of grades. This shows that it is possible that people are performing work above and/or below their grade level. Especially with data collection, the team, based on its experience, believes that the representation at the GS-11 level is higher than expected based on the description of the activity. These differences may be

[6] The Research Stations, the Northeastern Area, and the Enterprise Teams were excluded from the analysis so that comparison could be conducted across like groups (regions).

[7] Data on the time spent per EIS, EA, and DM could not be captured with the current data call design. In order to prevent duplication of workload counts, workload had to be collected by unit coordinators separate from work effort counts which were collected for NEPA effort as a whole from the individuals identified by their unit coordinators. In order to draw complete comparisons between the regions, information would be needed from each region on the average time spent on an EIS, on an EA, and on a DM. This data was not able to be obtained during the course of this study.

explained by budget constraints, data collection workloads, or the type of NEPA being performed on the unit, however, it would appear that there is a potential for savings.

**TABLE 5.5-2: GRADE LEVEL DISTRIBUTION OF FTE BY ACTIVITY**
REDACTED

**TABLE 5.5-3: GRADE LEVEL DISTRIBUTION PERCENTAGE BY ACTIVITY**
REDACTED

## 5.6 CURRENT CONTRACT MANPOWER EQUIVALENTS (CME)

The Forest Service also hires private vendors to augment their resources. The data call captured the contract costs per unit and that data was rolled up to the regional level. Since these contracts are essentially labor only, contract manpower equivalents (CME) can be readily calculated. One method to determine this is to use the average NEPA FTE cost as determined in Section 8.1.1 of $77,168 divided into the contract cost. Using this method, the CMEs by region are shown below.

**TABLE 5.6-1: CONTRACT MANPOWER EQUIVALENTS**
REDACTED

These CME counts should be added to the FTE counts from Table 5.4-3 to determine the total labor required to perform the NEPA workload. As seen below, it currently takes approximately 3,742 FTEs to accomplish NEPA within the Forest Service.

**TABLE 5.6-2: TOTAL OF FTE AND CME BY REGION**
REDACTED

## 5.7 STAKEHOLDERS

Decisions resulting from this Feasibility Study may impact stakeholders including Forest Service employees, other agencies, government entities, and the general public.

- Forest Service Organizations, including:
  - Albuquerque Service Center (ASC)
  - Information Solutions Organization (ISO)
  - Inventory and Monitoring Institute (IMI)
  - Geospatial Services and Technology Center (GSTC)
  - Web and Photography Service Provider
  - NEPA Services Team (CAT)
  - Office of the Chief Information Officer (Technology Development)
- National Federation of Federal Employees (NFFE). NFFE is the exclusive representative of FS bargaining unit employees. Bargaining unit employee's make up a majority of the personnel currently performing NEPA related activities.
- General Public. The general public is a major stakeholder with the Forest Service. They utilize forests and grasslands for recreation and a variety of permitted uses, and are property owners adjacent to or surrounded by national forests/grasslands. The NEPA process ensures public participation. Through the Forest Service's appeals process and subsequent litigation, the

public has scrutinized the Agency's approach to NEPA. They will be extremely interested in any re-organizational effort.

- The Administration. The Council on Environmental Quality (CEQ), Office of Management and Budget (OMB), Department of Justice (DOJ), USDA Office of the General Counsel (OGC), and the Department of Agriculture will all be actively interested in the Forest Service's effort in re-organizing NEPA, whether it is accomplished internally and/or contracted. Quality, efficient NEPA is a long time goal of the Executive branch of the Government.
- Elected Officials. Local, State and Federal elected officials, such as County Commissioners and Governors, will be interested in following the Agency's efforts in re-organizing their approach to NEPA. Congressional committees have recently been formed to investigate how federal agencies can streamline NEPA. They will also be contacted by their constituents regarding any concerns of non-profit organizations, industry groups and Union representatives for Forest Service Employees.
- Tribal Governments. Tribal governments will continue to be concerned that their involvement with the NEPA process will reflect their government-to-government relationships between tribes and the Agency. In addition, tribes with adjacent or intermingled lands will be concerned about the Agency's ability to respond to proposals for access or other project proposals in a timely fashion.
- Volunteers, Cooperators, Contractors, Partners. There are a number of existing contracts, agreements, understandings, and other arrangements through which the Forest Service provides or receives NEPA work. These arrangements vary in scope from national to local and vary in the different NEPA activities.
- Bureau of Land Management (BLM). Forest Service and BLM offices are co-located at several locations nationwide as part of the "Service First" initiative. At all locations where the Forest Service shares offices, there are agreements in place that spell out shared workloads and sharing of employee's time and skills. Sometimes the NEPA projects are joint decisions, sometimes they are separate.
- Compliance Agencies: State and Federal. There are numerous laws, both at the State and Federal level that must be complied with by land management agencies and subsequently disclosed to the public. The Forest Service traditionally proves compliance through the NEPA decision-making process. If a change occurs in how NEPA is accomplished by the Forest Service, agencies such as the EPA, State environmental quality offices, the US Fish and Wild Service and State Historic Preservation Officers (SHPO), will need to be fully informed. Consultation with these regulatory agencies will have to be integrated in any proposed re-organization.
- Adjacent land management agencies: State and Federal agencies such as State and Federal Highways, Corp of Engineers, Bureau of Mines, Department of Defense, Department of Energy and Department of the Interior (DOI) will need to be informed of any changes in the Forest Service approach to NEPA. Joint NEPA efforts and co-leads on projects happen on a regular basis; hence these agencies will be impacted.

- DOI organizations are (other than BLM)
  - US Fish and Wildlife Service
  - Bureau of Indian Affairs
  - National Park Service

## 5.8 "AS-IS" ISSUES

The following issues and potential areas for improvement were identified in this study of Forest Service NEPA related activities. These issues and areas for improvement support the need for the recommendations and the topics discussed in each of the future "To-Be" assessments. This information was derived from survey data, employee comments, and subject matter expert observations revealed through informal discussion with environmental coordinators at the Regional and Forest level.

- There is no consistent view of the NEPA process. The term "NEPA process" is commonly used by people inside and outside the Forest Service to refer to a suite of activities including project identification, information gathering, environmental analysis, compliance with substantive environmental laws, and responding to administrative and legal challenges. In many cases, it is viewed as the agency decision-making process. This study drew a distinction between "Core NEPA tasks" and other Associated or Post NEPA tasks (see section 6.2).
- NEPA related activities are often carried out in partnership with other Federal agencies, Indian tribes, and other entities. Where these relationships are impaired, the accomplishment of NEPA-related activities suffers. Because of the magnitude of the Forest Service, there are a large number of resource specialists required to work with their Federal/State counterparts and Indian tribes. The ratio of available people to work with the large need of the Agency is not balanced. This causes delays and at times, animosity.
- Disparity in training and employee development, and inconsistency in the availability of qualified employees were identified as issues. Wide variance of skill levels and use of job series for similar positions. Wide range of how NEPA gets accomplished, due to large discrepancies in budget and types of resource allocations.
- Some units no longer have enough people to staff interdisciplinary teams. Others have enough people but can't fully fund them, consequently sending them off on details to round out their costs to the unit. Either way, the NEPA suffers, ultimately delaying the projects.
- The large number of variations in the Agency's approach to accomplishing NEPA related activities across the Forest Service increases the difficulty of achieving and maintaining consistent, high-quality results.
  - Because of the decentralized approach to performing NEPA activities, much of the data collection and effects analysis is repeated from unit to unit, regardless of ecosystem similarities, resulting in redundancy of effort and increased potential for inconsistent analysis of environmental effects.
  - Decentralization makes it difficult to obtain consistent analysis of environmental effects.

- The lack of objective quality standards and performance measures for NEPA documents hampers the identification of effective and efficient practices.
- The high degree of "fragmentation" (multiple job types combined into a single position) of many Forest Service jobs is clearly evident in the survey data (reflected in Table 5.4-2: Fragmentation Index). This results in inconsistent skill levels, shifting work priorities, missed deadlines, and/or inefficient approaches.
- People assigned to NEPA teams participate on unplanned details, most notably on all-hazard detail. The data shows that out of 8,627 positions, 3,564 employees reported time spent in FY 2006 on all-hazard details. This creates an issue for NEPA Project Managers who lose key individuals at unpredictable times, causing timeliness or quality to suffer.
- It is currently very difficult to track the actual cost of performing NEPA. Positions that perform NEPA-related activities are currently located within nearly every staff group, and are funded by a large number of budget line items. There is no single budget line item or budget object code to follow in attempting to calculate the costs of doing NEPA.
- Comments from the Survey as well as interviews with Environmental Coordinators raised additional issues, including:
    - There is disparity in training and employee development, inconsistency in the availability of qualified employees, and difficulty in communication of national and regional policy changes.
    - There is a prevalent attitude that can only be described as the "reluctant" NEPA practitioner. Many employees do not feel that they applied for a "NEPA" job and have been thrust into the work.
    - The best NEPA project results are accomplished when three common factors are in place; 1) an experienced Team Leader with a high level of NEPA knowledge and good project management and people skills, 2) a line-officer with knowledge of NEPA and a willingness to be directly involved and 3) a dedicated writer/editor that can provide efficient, professional writing skills.
    - When asked to describe their experiences with contracting or with using internal enterprises teams for NEPA services, several units indicated that it was too costly, units didn't get what they wanted, and for the most part, units had to do the work over again. While several units allowed that this possibly might be the result of the Agency not providing clear direction, most environmental specialists feel their work is too complex, too subjective and too tied geographically to one location for outside resources to be effective. This attitude applied to both the use of enterprise teams and private vendors. It should be noted that some of the negative comments received were from units that have not used contractors or enterprise teams in the past five years and a majority of those surveyed did not offer any comment at all.

# 6 CONCEPTUAL "TO-BE" ASSESSMENT

The following paragraphs highlight the issues and concepts that were explored for recommendations during the study and the proposed best course of action for the FS

with regards to NEPA. The exploration looked at ways to perform NEPA activities effectively and consistently while reducing costs and improving service. The “To-Be” assessment provides a possible scenario to meet the Forest Service’s NEPA needs and allows for comparison with a baseline cost for purposes of a cost benefit analyses.

## 6.1 APPROACH

The approach taken by the NEPA Feasibility Study team consisted of the following:

- Defining logical business units
  - Activities suitable for A-76 competition
  - Activities suitable for BPR
  - Activities out of scope
- Organizational analysis
  - How to organize (by program area, by product, by eco-region)
  - Where to locate (locally, regionally, nationally)
  - Reorganization activities and tasks not feasible for A-76 consideration.
- Staffing new business units
  - Positions
  - Staffing for A-76 functions
  - Staffing for BPR

## 6.2 DEFINING LOGICAL BUSINESS UNITS

Defining logical business units for NEPA work required first identifying which if any of the seven major functions relating to the NEPA process could be grouped together logically. The team also looked at grouping functions to determine which options would be available to the Agency for implementing recommendations from this study. Options considered were an A-76 competition, Business Process Re-engineering (BPR), a combination of A76 and BPRs, or as activities that can be studied at another time. The scope of study included all activities from initiation of a NEPA proposal to the administrative decision. The team looked at Data Collection, Public Participation, Effects Analysis, Inter-Disciplinary Team (IDT) Participation, Project Management, Legal Compliance and Decision Support.

An initial assessment indicated that while each of the major activities is related to performing NEPA in some way, a more detailed look at the tasks making up the major activities was necessary in order to define logical business units. The team looked at each task and explored three major questions to determine where each task should be classified. The questions explored were:

- Is the task part of the process of performing NEPA?
- If the task commercial in nature?
- Is the task a core NEPA task?

For any task where the answer to these three questions was “yes”, then the task was grouped for possible A-76 competition, contingent on market research supporting a private sector capability and/or interest in performing the task.

For tasks where the answer to the first question was “yes”, but the second and/or third

was “no”, then the task was grouped for Business Process Reengineering (BPR). These tasks were determined to be vital to the performance of NEPA activities but were not Core NEPA[8]. In other words, while the task was part of the NEPA process in some way, it was determined to be either non-severable from other non-NEPA functions, or it was determined that the task occurred after the NEPA decision. The tasks grouped for BPR were identified as being in one of two distinct business units, Associated NEPA activities and Post NEPA activities.

Of the 53 total tasks that make up the major functional areas, a total of 42 tasks were grouped for possible A-76, eight tasks for BPR, and three tasks as out of scope.[9] Data on the three out of scope subtasks was excluded from all analysis.

Table 6.2-1 below shows the result of this initial assessment.

[8] The team defined Core NEPA as the severable activities related to performing NEPA that occur from Project Initiation to NEPA Decision.

[9] Groupings made at this stage should not be construed as recommendations. Grouping, however, was necessary in order to determine how the tasks relate to the overall NEPA process. Grouping tasks for A-76 was necessary to identify which tasks to include in the team’s future “To-Be” organization developed in this section. It should be noted that because all tasks were identified as commercial in nature, there is nothing to prevent an A-76 competition for any or all of the tasks. Likewise, a BPR is always an option, even for those tasks determined out of scope for this study.

## TABLE 6.2-1: DECISION MATRIX FOR A-76 VS BPR

| Major NEPA Functions with Associated Tasks | Part of the Process of Performing NEPA? | The Task is Commercial in Nature? | The Task is a Core NEPA task? | Logical Business Unit Grouping |
|---|---|---|---|---|
| **Data Collection** | | | | |
| Collecting site-specific project-specific data | Yes | Yes | Yes | A-76 |
| Digitizing GIS data | Yes | Yes | Yes | A-76 |
| Review & compile existing info | Yes | Yes | Yes | A-76 |
| Contract admin | Yes | Yes | Yes | A-76 |
| Additional | Yes | Yes | Yes | A-76 |
| **Public Participation** | | | | |
| Prepare & issue Public Notices | Yes | Yes | Yes | A-76 |
| Analyze public comments & prepare responses | Yes | Yes | Yes | A-76 |
| Coordinate and facilitate public meetings | Yes | Yes | Yes | A-76 |
| Prepare and publish newsletters | Yes | Yes | Yes | A-76 |
| Develop MOUs | No | Yes | N/A | Out of Scope |
| Attend collaborative meetings | Yes | Yes | Yes | A-76 |
| Other public interfaces - walk-in | Yes | Yes | Yes | A-76 |
| Contract Admin | Yes | Yes | Yes | A-76 |
| Additional | Yes | Yes | Yes | A-76 |
| **Effects Analysis** | | | | |
| Analyze data | Yes | Yes | Yes | A-76 |
| Prepare specialist reports | Yes | Yes | Yes | A-76 |
| Contract Admin | Yes | Yes | Yes | A-76 |
| Additional | Yes | Yes | Yes | A-76 |
| **Inter-Disciplinary Team Participation** | | | | |
| Develop purpose of and need for action: | Yes | Yes | Yes | A-76 |
| Develop proposed action: | Yes | Yes | Yes | A-76 |
| Identify issues | Yes | Yes | Yes | A-76 |
| Develop alternatives | Yes | Yes | Yes | A-76 |
| Integrate environmental effects from specialist reports | Yes | Yes | Yes | A-76 |
| Contract Admin | Yes | Yes | Yes | A-76 |
| Additional | Yes | Yes | Yes | A-76 |
| **Project Management** | | | | |
| Prepare and update project budget and schedule | Yes | Yes | Yes | A-76 |
| Manage team assignments | Yes | Yes | Yes | A-76 |
| Write the NEPA document | Yes | Yes | Yes | A-76 |
| Perform technical editing | Yes | Yes | Yes | A-76 |
| Participate in checkpoints/progress updates | Yes | Yes | Yes | A-76 |
| Prepare project file and admin records | Yes | Yes | Yes | A-76 |
| Prepare docs for publication | Yes | Yes | Yes | A-76 |
| Perform other general support (SOPA, PALS, etc) | Yes | Yes | Yes | A-76 |
| Time as NEPA instructor | Yes | Yes | Yes | A-76 |
| Contract Admin | Yes | Yes | Yes | A-76 |
| Additional | Yes | Yes | Yes | A-76 |

| | | | | | |
|---|---|---|---|---|---|
| **Legal Compliance** | | | | | |
| | Preparation of BA and consultation with FWS/NOAA Fisheries | Yes | Yes | No | BPR |
| | Preparation of Heritage/Archaeological report and consultation (SHPO and/or Tribes): | Yes | Yes | No | BPR |
| | Addressing conformity requirements in the CAA and CWA | Yes | Yes | No | BPR |
| | Determine the consistency with NFMA requirements: | Yes | Yes | No | BPR |
| | Review of environmental documents to assess conformance | Yes | Yes | Yes | A-76 |
| | Other law regulation and policy analysis and consultation | No | Yes | N/A | Out of Scope |
| | Project-level monitoring and implementation of mitigation requirements | No | Yes | N/A | Out of Scope |
| | Contract Admin | Yes | Yes | Yes | A-76 |
| | Additional | Yes | Yes | Yes | A-76 |
| **Decision Support** | | | | | |
| | Prepare drafts of decision documents | Yes | Yes | Yes | A-76 |
| | Prepare FONSIs | Yes | Yes | Yes | A-76 |
| | Prepare appeal record and transmittal letter | Yes | Yes | No | BPR |
| | Prepare and transmit the litigation record (project specific) | Yes | Yes | No | BPR |
| | Collection and reproduction of project docs for FOIA requests | Yes | Yes | No | BPR |
| | Participation on an Appeals Review Board | Yes | Yes | No | BPR |
| | Contract Admin | Yes | Yes | Yes | A-76 |
| | Additional | Yes | Yes | Yes | A-76 |

### 6.2.1 Core NEPA Activities

42 Core NEPA tasks were identified. All data collection, effects analysis, IDT participation, project management, and most of the public participation tasks were considered Core NEPA. Some legal compliance and decision support tasks are Core NEPA as well.

### 6.2.2 Associated Activities

Legal Compliance tasks grouped for BPR were primarily tasks associated with Consultation and Certification. These tasks were classified as Associated NEPA activities for further reference. Associated NEPA tasks are considered essential to the success of a NEPA decision but are not themselves a NEPA task. These tasks would continue on their own if NEPA did not exist. These tasks include:

- Preparation of Biological Assessment and consultation with Fish and Wildlife Services / National Oceanic and Atmospheric Association (FWS/NOAA) Fisheries
- Preparation of Heritage/Archaeological report and consultation (State Historical Preservation Offices (SHPO) and/or Tribes)
- addressing conformity requirements in the Clean Air Act and Clean Water Act

- determine the consistency with National Forest Management Act requirements

Competition of these tasks would not be desirable as they could not be severed from the non-NEPA aspects.

### 6.2.3 Post NEPA Activities

Decision Support tasks grouped for BPR were primarily task associated with appeals, litigation, and FOIA. These tasks were classified as Post NEPA activities for further reference as they occur after a NEPA decision. They include:

- Prepare appeal record and transmittal letter
- Prepare and transmit the litigation record (project specific)
- Collection and reproduction of project documents for FOIA requests
- Participation on an Appeals Review Board

Post NEPA tasks require coordination with the Service Provider performing the Core NEPA activities, but they are only supporting the process.

## 6.3 ORGANIZATIONAL ANALYSIS

With logical business units defined and tasks grouped for their respective study, the team assessed options relating to the conceptual “To-Be” organization. The following organization was also designed for mitigating issues identified in the “As-Is” data, along with cost comparisons. There are various ways to re-structure the way NEPA is done.

The organizational analysis focused on both “how to organize” and “where to locate” the activities and associated tasks identified for A-76 competition. It also addresses how to reorganize the Related NEPA and Post NEPA activities and why doing so is necessary to the success of the “To-Be” organization. Section 6.3 develops a tentative “To-Be” design and Section 6.4 develops a proposed staffing of the “To-Be” organization. Section 6.5 compares the “As-Is” organization with a conceptual “To-Be” organization to determine potential efficiencies and quality controls.

### 6.3.1 How to Organize

The team explored four options not considered in detail: organizing the work around resource program areas such as Timber, Grazing, and Oil and Gas, organizing by product (EIS, EA, DM), organizing by Bailey’s eco-regions, and leaving the work organized as is.

#### 6.3.1.1 Organizing by Resource Program Areas

The idea of organizing by resource program areas was deemed unworkable for several reasons. One reason is that budgets fluctuate from year to year. This means that the amount of each resource program area work varies, and the need for specialized personnel would not be consistent from year to year. While quality of work would increase due to specialization, the fluctuating workload would hinder the ability to gain efficiencies through specialization because a consistent workload could not be kept. A specialized approach organized around resource program areas would also negatively impact the ability of employees to diversify their experience and develop their skills for future management positions.

Organizing by resource program areas would also result in a loss of integration among program areas.

#### 6.3.1.2 Organizing by Product

Another concept discussed was to organize the work based on the type of workload, i.e. EIS preparation EA preparation, and Decision Memos. Organizing by product could take on several forms. One form would be to organize around three specialized teams, each focused on one of the three product types. Another form would be to have two specialized teams on EIS's and EA's respectively, with Decision Memo's remaining at the local unit. A third form would be to organize with one specialized team focused on EIS's with EA's and DM's remaining at the local unit.

The team first looked at organizing around specialized teams for each product type. However, since each unit has a potential need for an EIS, EA, and/or DM's, an organization of specialized teams for the three product types would mean up to three separate relationships between the line officers and the group performing the work. The result would be a high likelihood of confusion, difficulty in efficient customer service and an inability for the Service Centers to diversify their products and services. Additionally, one highly skilled group of employees should be able to produce EISs, EAs, and DM's in a more consistent manner than three separate groups.

The team also looked at organizing with specialized teams for EIS's and EA's with DM's performed at the local unit. Initially, this seemed like a feasible option as many of the regulatory procedures required in NEPA are essentially the same for EIS's and EA's whereas Decision Memo's have distinctly different regulations and procedures. However, there are a large number and variety of categorical exclusions and it would be difficult for local units to maintain the skill sets necessary to handle this variety. In addition, although the work effort for individual DM's is a small effort compared to the work effort of an individual EIS or EA, the current workload of decision memo's is quite large and represents a significant portion of the total effort involved with the Forest Services NEPA work. Attempting to perform this work locally would reduce the ability to find economies of scale. Finally, the disadvantages above of high likelihood of confusion, difficulty in efficient customer service and an inability for the Service Centers to diversify their products and services also apply.

Lastly, the team looked at specialized teams for EIS's only with EA's and DM's performed at the local unit. EIS's are the most complex, and require significant effort above the effort involved with producing an EA or DM. Because of this, developing a specialized, highly skilled group to handle this complex work appeared to be a viable option. EIS's, however, despite requiring a large individual effort, represent a relatively small amount of the total cumulative NEPA effort. As a result, most of the "As-Is" issues identified in section 5.8, such as fragmentation at the local units and variations in interpretations of NEPA, would not be addressed. There is also the potential for inefficiencies due to added handoffs when the finding of an EA is such that an EIS is required.

#### 6.3.1.3 Organizing by Eco-Region

The team also looked at organizing the work around specific eco-systems. There are fourteen "divisions"[10], thirteen of which apply to the continental U.S. The advantage to this organization would be that teams could gather a high level of expertise in the science aspects of NEPA. The major disadvantage is that eco-regions are highly variable in terms of size, amount of NFS land, and the amount of FS activities taking place in each area. Additionally, Eco-region boundaries cross national forest boundaries, making an organization based completely on eco-regions less attractive due to the potential for line officers to have multiple separate relationships with the group performing the work.

#### 6.3.1.4 Invest in Current Organization

The team also considered reorganizing based on the current approach to NEPA, with NEPA being performed by the local units. This would be the least disruptive approach; however, there would be very little, if any cost reductions, nor would there be a resolution to many of the As-Is issues. While it is possible to improve the current organization through use of mandatory templates, increased oversight for quality control and the creation of national performance measures, it is likely that these actions would end up costing the FS more in the long run by increasing the number of employees on many units.

If all units were equally funded and had fairly equal workloads, then leaving the organization as is would be appropriate. Unfortunately, there are many units that are downsizing to a point where they no longer have environmental coordinators in their Supervisor's Offices or enough specialists to do the work needed. Units are making very difficult choices that leave the units without the tools needed for quality control and the use of dedicated teams are needed for better efficiencies. On the flipside, units who do keep large enough staffs are sometimes finding they can not fund their staff 100% of the year. These units are depending on employees going on details and fires, which disrupts workflow at the unit. Either way, it would be very expensive and difficult to address many of the current issues the field is experiencing if left as is.

In conclusion, after reviewing each of the four alternatives, a balance was agreed upon to move forward with a service center concept. The next step was to analyze three different service center models.

### 6.3.2 Where to Locate

In determining where to locate each of the functions, the team looked at three options;

- Located at local units
- Located at multiple service centers
- Located at one national service center

The team discussed the pros and cons of each option to determine how to best handle each activity. The issues identified in the "As-Is" section (Section 5) were

[10] Robert Bailey on FS website <www.fs.fed.us/pnw/> breaks down the US into fourteen eco-regions called Eco-region Divisions.

grouped into the following categories:

- Timeliness; refers to deadline expectations, ease of interaction between team and responsible official, time lost due to travel.
- Efficiency (Cost); economies of scale, overhead, number of employees available, level of fragmentation and competing priorities of employees, costs of the FTEs, travel, COLAs, training costs, opportunities to use central data sets instead of re-collecting the same data each time, and consistent use of employees experienced in the NEPA activity(s) within their position descriptions.
- Quality; Training opportunities, availability of local universities, government agencies, and non-governmental organizations for recruitment and data sharing, public interaction, template distribution and oversight, consistent data entered into the corporate databases, available mentoring, communication between NEPA employees, consistent performance measures and core skills and abilities.

The team then developed a decision matrix to quantify the expected impact on Timeliness, Efficiency (cost), and Quality. The individual team members assigned values (good=1, better=2, best=3) for each of the options, per activity. Each value could be used only once for each activity. The results are displayed below in Figure 6.3-1.

**FIGURE 6.3-1: MATRIX FOR WHERE TO LOCATE "TO-BE" ORGANIZATION**

| | Local Units | | | | Multiple Service Centers | | | | National Service Center | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Timeliness | Efficiency | Quality | Total | Timeliness | Efficiency | Quality | Total | Timeliness | Efficiency | Quality | Total |
| **DC** | 2.67 | 1.50 | 1.33 | **5.50** | 2.33 | 3.00 | 2.67 | **8.00** | 1.00 | 1.50 | 2.00 | **4.50** |
| **EA** | 2.17 | 1.00 | 1.00 | **4.17** | 2.50 | 2.50 | 2.50 | **7.50** | 1.33 | 2.50 | 2.50 | **6.33** |
| **IDT** | 1.67 | 1.67 | 1.00 | **4.33** | 3.00 | 2.50 | 2.83 | **8.33** | 1.33 | 1.67 | 2.17 | **5.17** |
| **PM** | 1.67 | 1.67 | 1.00 | **4.33** | 3.00 | 2.50 | 2.83 | **8.33** | 1.33 | 1.67 | 2.17 | **5.17** |
| **PP** | 2.17 | 1.50 | 1.33 | **5.00** | 2.33 | 2.67 | 2.67 | **7.67** | 1.50 | 1.83 | 2.00 | **5.33** |
| **LC** | 2.00 | 1.17 | 1.00 | **4.17** | 2.33 | 2.67 | 2.83 | **7.83** | 1.67 | 2.17 | 2.17 | **6.00** |
| **DS** | 2.50 | 1.83 | 1.67 | **6.00** | 2.50 | 2.33 | 2.83 | **7.67** | 1.00 | 1.67 | 1.50 | **4.17** |
| **Average** | **2.12** | **1.48** | **1.19** | 4.79 | **2.57** | **2.60** | **2.74** | 7.90 | **1.31** | **1.86** | **2.07** | 5.24 |

**3 Best**
**2 Better**
**1 Good**
**Highest Average**

Analysis showed as a whole, the multiple service center option received the highest rankings for timeliness, efficiency and quality. In general, the team ranked the national service center lowest in timeliness, and ranked the local units as lowest in quality. The team ranked the quality and efficiency of effects analysis equally high at the national service center and the multiple centers. The team also ranked data collection as the most timely when located at the local unit, and equally as timely as the multiple centers for decision support. For all other rankings, however, the multiple service centers were ranked the highest.

### 6.3.3 Conceptual "To-Be" Design

Based on the information in the sections above, the team chose a multiple center approach for comparison with the "As-Is" organization. To determine how to organize these multiple centers, the team considered the following factors:

- Locations that were both central to a large group of forests
- Location with little or low locality pay and cost of living.
- Close proximity to universities/colleges
- Potential for co-location with Forest Service units
- The advantages provided by aligning with eco-regions and the consistency of the scientific knowledge that it would bring.
- The relative complexity of interaction with government agencies and stakeholders
- Travel costs
- Recruitment opportunities
- Distribution of workload
- Recognition of land management planning documents (e.g. NW Forest Plan)

The team identified a group of six potential locations which, combined, would be capable of covering all the forests, grasslands, and other units currently performing NEPA.

The breakdown of each National Forest is shown below. Figure 6.3-2 shows a map of what the proposed service regions would look like. It is important to recognize that this is a concept; alternate configurations may be possible. In particular, national transformation plans may suggest different alignments of units.

- Ashville, NC – Main NEPA Service Center
    - Caribbean NF
    - Chattahoochee-Oconee NF
    - Cherokee NF
    - Fran Marion & Sumter NF
    - Kisatchie NF
    - National Forests in AL
    - National Forests in FL
    - National Forests in MS
    - National Forests in NC
    - National Forests in TX
    - Ouachita NF
    - Ozark-St. Francis NF
    - Southern Research Station

- Boise, ID –NEPA Service Center
    - Beaverhead-Deerlodge NF
    - Bitterroot NF
    - Boise NF
    - Clearwater NF

  - Colville NF
  - Flathead NF
  - Helena NF
  - Idaho Panhandle NF
  - Kootenai NF
  - Lewis & Clark NF
  - Lolo NF
  - Malheur NF
  - Nez Perce NF
  - Ochoco NF
  - Okanogan-Wenatchee NF
  - Payette NF
  - Salmon-Challis NF
  - Umatilla NF
  - Wallowa-Whitman NF

- Colorado Springs, CO –NEPA Service Center
  - Arapaho & Roosevelt NF
  - Bighorn NF
  - Black Hills NF
  - Bridger-Teton NF
  - Caribou-Targhee NF
  - Carson NF
  - Cibola NF
  - Custer NF
  - Dakota Prairie Grasslands
  - Gallatin NF
  - Gila NF
  - Grand Mesa Unc & Gunn NF
  - Lincoln NF
  - Medicine Bow-Routt NF
  - Nebraska NF
  - Pike & San Isabel NF
  - Rio Grande NF
  - Rocky Mountain Research Station
  - San Juan NF
  - Santa Fe NF
  - Shoshone NF
  - Uinta NF
  - White River NF

- Eugene, OR –NEPA Service Center
  - Chugach NF
  - Columbia River Gourge
  - Deschutes NF
  - Fremont-Winema NF
  - Gifford Pinchot NF
  - Klamath NF
  - Mendocino NF

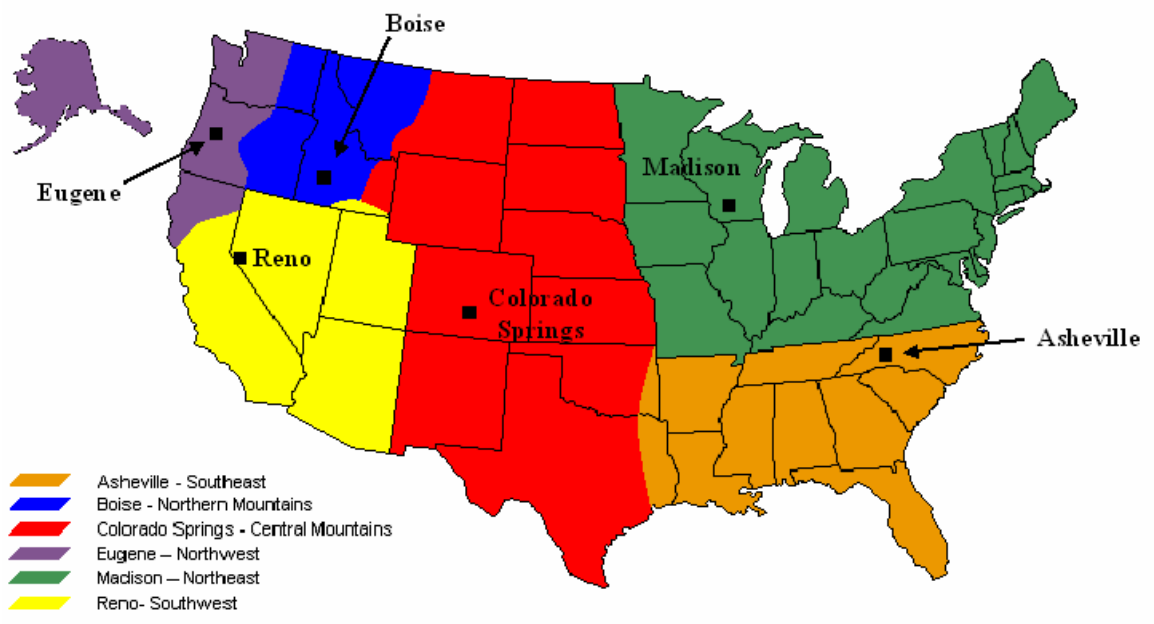
  - Modoc NF
  - Mt Baker-Snoqualmie NF
  - Mt. Hood NF
  - Olympic NF
  - Pacific Northwest Research Station
  - Rogue River-Siskiyou NF
  - Shasta-Trinity NF
  - Siuslaw NF
  - Six Rivers NF
  - Tongass NF
  - Umpqua NF
  - Willamette NF

- Madison, WI –NEPA Service Center
  - Allegheny NF
  - Chequamegon & Nicolet NF
  - Chippewa NF
  - Daniel Boone NF
  - George Wash & Jeff NF
  - Green Mnt & Finger Lakes
  - Forest Products Laboratory
  - Hiawatha NF
  - Hoosier NF
  - Huron-Manistee NF
  - Land Between The Lakes
  - Mark Twain NF
  - Midewin Ntgp
  - Monongahela NF
  - North Central Research Station
  - Northeastern Area State and Private Forestry
  - Northeastern Research Station
  - Ottawa NF
  - Shawnee NF
  - Superior NF
  - Wayne NF
  - White Mountain NF

- Reno, NV –NEPA Service Center
  - Angeles NF
  - Apache-Sitgreaves NF
  - Ashley NF
  - Cleveland NF
  - Coconino NF
  - Coronado NF
  - Dixie NF
  - Eldorado NF
  - Fishlake NF
  - Humboldt-Toiyabe NF
  - Inyo NF

- Kaibab NF
- Lake Tahoe Basin Unit
- Lassen NF
- Los Padres NF
- Manti-Lasal NF
- Pacific Southwest Research Station
- Plumas NF
- Prescott NF
- San Bernardino NF
- Sawtooth NF
- Sequoia NF
- Sierra NF
- Stanislaus NF
- Tahoe NF
- Tonto NF
- Wasatch Cache NF

**FIGURE 6.3-2: MAP OF CONCEPTUAL "TO-BE" SERVICE CENTERS**




After initially identifying the locations, the team analyzed travel costs. Although it originally appeared that data collection would be best located at the multiple centers, it was ultimately determined that data collection located at the six centers would incur extreme travel costs. Therefore, the cost of performing data collection at the multiple centers was prohibitive enough to override other factors. The team ultimately decided to locate data collectors locally at the forest level. The data collectors would report to one of the NEPA Service Centers. This would keep costs down but retain control over work priorities to ensure consistent and timely data, help mitigate redundancy and control quality. If the data collectors continued to work directly for each unit, the Service Center would not have a reliable source of information to do their effects analysis and could possibly miss deadlines. If this

happens and is beyond their control, the Agency could incur extra expenses, thereby losing potential savings. Therefore, it is essential that the NEPA Service Centers manage and supervise their own workforce.

Ashville was chosen as the Main NEPA Service Center because of its smaller workload compared with the other new NEPA service Regions, which would be balanced by a larger administrative or policy staff with national responsibilities such as quality assurance, providing legal, regulatory and policy interpretations, consistent templates and continuity of data collection and effects analysis. The Ashville NEPA Service Center would also provide supervision and leadership to the other five NEPA Service Centers. Also, because of its close proximity to the Washington Office, this service center would have the additional duties of handling special NEPA assignments that originate from Headquarters. In the following discussion, these conceptual service centers are referred to as “service providers”.

#### 6.3.3.1 Associated NEPA and Post NEPA Activities

The performance of the Core NEPA tasks is not independent from all other activities in the Forest Service. Several interfaces exist between activities identified as Core NEPA and those identified as Associated NEPA or Post NEPA. Any reorganizational changes in performance of the Core NEPA activities and processes will necessitate reorganization of other tasks not concurrently studied.

In order to perform the Core NEPA activities in an efficient manner, the service provider will rely on products and feedback from the personnel performing the other related activities, particularly the Associated NEPA tasks. The service provider will use input from the Associated NEPA tasks, and poor performance of these tasks (either in quality or timeliness) will negatively impact the service provider’s ability to produce a quality NEPA product. Likewise, the Forest Service will rely on input from the service provider when performing Post NEPA tasks. The personnel performing the Post NEPA work will require complete and accurate products from the service provider, often in abbreviated time frames (litigation and FOIA). Good communication and mutual familiarity with procedures will be critical to avoid costly omissions or delays.

In addition to the necessity for a BPR as a result of the numerous handoffs and interactions, the team feels there are cost savings associated with conducting a BPR on the Associated NEPA and Post NEPA activities. Like the Core NEPA activities, these activities face many of the same issues identified in section 5.8 such as fragmentation and performance by a wide range of grade levels. Reorganization of these activities would allow for many of the benefits associated with the A-76 process. They are recommended for a BPR because they are not Core NEPA activities, but their involvement in the NEPA process is vital to performance and there are efficiencies to be gained through reorganization.

With both the Associated NEPA (172.678 FTE) and the Post NEPA activities (84.589 FTE), the team believes there are potential efficiencies to be gained by reorganizing into zones based on the location of the service provider. This would allow for easy interaction with the service provider and would allow for consolidation of previously fragmented positions. The BPR team would explore this option along with other potential reorganizations once the service provider or reorganization for the Core NEPA tasks has been announced or implemented.

## 6.4 STAFFING NEW BUSINESS UNITS

The proposed NEPA organization will be staffed with a wide range of specialists at a variety of grade levels, designed around the interdisciplinary team format.

### 6.4.1 Positions

There are six major position titles in the conceptual “To-Be” organization. Each major title consists of personnel holding various other more specific titles, but supervised by sub programs within the service center, such as data collection and storage, writing and editing, public participation, effects analysis and administrative support.

#### 6.4.1.1 Data Collectors

Data Collectors consist of both Full Time and Part Time Employees. They are located at the National Forests and consist of a variety of technician positions such as Forestry Techs, Archeology Techs, or Biology and Hydrology Techs. Grade levels will be GS 5 and 7. They report to a supervisor at their respective regional NEPA Service Center. These positions could possibly be part-time, recruited from local colleges and universities.

The major tasks performed by the data collectors are to collect site- or project-specific data, digitize GIS data, review and compile existing information and general ground-truthing for resource specialists at the Service Center. Data collectors also perform any other miscellaneous data collection activities as directed by their respective regional NEPA Service Center program manager.

#### 6.4.1.2 NEPA Specialists

NEPA Specialists include both Full Time and Part Time Employees. They are be located at the regional NEPA Service Centers and perform NEPA work for the forests assigned to the region. NEPA Specialists have a wide range of backgrounds and are assigned to projects based on the need for their particular specialty. NEPA Specialists include positions such as Wildlife, Plants and Fish Biologists, Foresters, Ecologists, Recreation Specialists, Engineers, Landscaper Architects, Economists, Social Scientists, Geologists, and Range Conservationists. Grade levels are GS 9 and/or11, thus providing career development opportunities and an ability for each Service Center to assign appropriate levels of work to the correct grade level, dependant on complexity and scope. NEPA Specialists report to Environmental Coordinators at their respective regional NEPA Service Center, or to one of the other supervisory positions within the service center.

NEPA Specialists perform the majority or NEPA work relating to public participation, which includes public meeting attendance, content analysis, response to comment, specialist reports and effects analysis, and inter-disciplinary team participation. They also perform some of the tasks falling under project management, legal compliance, and decision support in support of employees working within the BPR functions.

#### 6.4.1.3 Team Leaders (Environmental Coordinators)

Team Leaders (Environmental Coordinators) are Full Time Employees. They are located at the regional NEPA Service Centers and are the team leaders and project managers of the NEPA projects. Grade levels are GS 11 or 12 based on

the complexity of the work projects assigned to the position. Environmental Coordinators report to a supervisor at the service center.

Environmental Coordinators perform and manage the majority of NEPA work relating to project management, legal compliance, and decision support. They also manage tasks relating to public participation, effects analysis, and inter-disciplinary team participation. These employees are responsible for working with staff on each assigned unit to integrate all NEPA functions, such as consultations with Fish and Wildlife, NOAA, EPA, and SHPO.

#### 6.4.1.4 Writing and Editing

FTEs working within this program area consist of full time and part time positions, located at the Service Centers. The grades range from GS-08s to GS-10s, depending on the scope of the work. The positions may range from editorial tech, writer/editors, graphic designers and/or visual techs. These positions are responsible for quality documents, consistent content, publishing and production. They work with both the support staff and project teams to ensure accurate and timely product delivery to the clients, project support products such as news letters, scoping letters, content analysis, and general assistance. They are supervised by the Writer/Editor manager at the Service Center but have their daily work assigned and managed by the Environmental Coordinators.

#### 6.4.1.5 Support Specialists

In addition to the direct work identified to perform NEPA, a variety of support work is necessary. A number of positions are necessary to accomplish tasks relating to such things as public involvement, business operations, human resources, accounting/budget, quality control, and administrative support. Support specialists are part of the eco-regional NEPA Service Centers. Support Specialists range in grade from GS 5 to GS 13 depending on the position. Support Specialists report to their respective program manager such as a public involvement coordinator, administrative officer, budget officer, or a support services supervisor.

#### 6.4.1.6 Supervisors/Directors/Managers

The conceptual Service Centers have a 1:25 manager to worker ratio. Supervisors/Directors include the following positions:

- Center Director (GS-14)
- Deputy Center Director (GS-13)
- Program Manager (GS-13)
- Assistant Program Manager (GS-12)
- Information Manager (GS-13)
- Assistant Information Manager (GS-12)

Additional managers consist of group leaders, for example public involvement group leaders, information group leaders, writer editor group leaders, or resource group leaders.

The Center Director supervises the other supervisors/directors and is be responsible for running the center. The Deputy Center Director assists the Center

Director. The Deputy Center Director is also the supervisor for the Team Leaders and the Support Specialists. The Program Manager supervises and manages the work of the NEPA Specialists, Writer/Editors, and the public involvement staff. The Assistant Program Manager assists the Program Manager in managing the workflow, prioritizing the work, coordinating the Team Leaders. The Information Manager and Assistant supervise and manage the work of the Data Collectors and ensure data entry into the corporate databases.

Conceptual staffing at the Main NEPA Service Center in Asheville, NC is the same as the other regional NEPA Service Centers except the Center Director and Deputy Center Director are graded GS 15 and 14, respectively. They have the additional duties of coordinating all regional NEPA Service Centers to ensure a consistent product, manage the workflow, avoid bottlenecks, and are the main points of contact to a conceptual A-76 continuing government activity (CGA) or similarly designed BPR quality assurance and oversight group.

### 6.4.2 Staffing New Business Unit

A total of 2649.657 FTE are proposed for the performance of the 41 tasks identified for A-76 competition or business process reengineering. Appendix M – Proposed (To-Be) Staffing shows the staffing and grade levels at each of the potential NEPA Service Centers and at the forests for these activities.

### 6.4.3 Staffing of BPR

A total of 257 FTEs are proposed for the performance of the eight tasks identified in the two BPR groups. A simultaneous BPR study would need to be done to ensure seamless hand-offs between the NEPA service provider and the Forest Service employees providing compliance work. The team believes that efficiencies and savings could be obtained by zoning the work of the BPR activities in conjunction with the service provider's actual locations.

## 6.5 PRELIMINARY ANALYSIS

The expected benefits of the proposed "To-Be" organization include:

- FTE reductions (cost savings)
- Proper grade level assignment of work
- Consistent use of existing data.
- Consistent collection of new data
- Efficiency seen by use of templates and quality oversight
- Performance Measures applied to all NEPA Service Centers
- Use of corporate databases would improve, information entered into databases would be mandatory
- Response to resources issues would be consistent and easier to manage
- NEPA professionals would be assigned to a project, without diversion to other non-NEPA priorities. A budget line item set aside for NEPA - better to track expenditures.

- People would be working in NEPA that want to work in NEPA.

## 6.6 LINES OF COMMUNICATION AND AUTHORITIES

### 6.6.1 Authority

The NEPA Service Centers would be under the authority of the Office of the Chief. The Director of Ecosystem Management Coordination (EMC) would be responsible for its function and success. If a competition is performed, the Director is responsible for staffing the group of employees referred to in the OMB A-76 Circular as the Continuing Government Activity (CGA). Once the BPR and/or Competition is complete, this group will ensure compliance with all performance requirements and budgetary confines.

### 6.6.2 Approach

Task orders will be sent by the responsible official to the CGA for review. The CGA will approve the order and forward it to the Service Center Director for scheduling and assignment. Should the service provider agree with the nature of the request, the project will proceed according to the authorized work request and the developed a project plan and schedule. In some instances, the service provider's expertise in the relevant aspect of NEPA may lead the service provider to propose a different type of work order to meet the requirements set forth in the authorized work request. In these instances, the service provider may return the work request back to the CGA and responsible official with recommendations. The responsible official, CGA, and service provider would negotiate on the best approach. The CGA would issue a final decision.

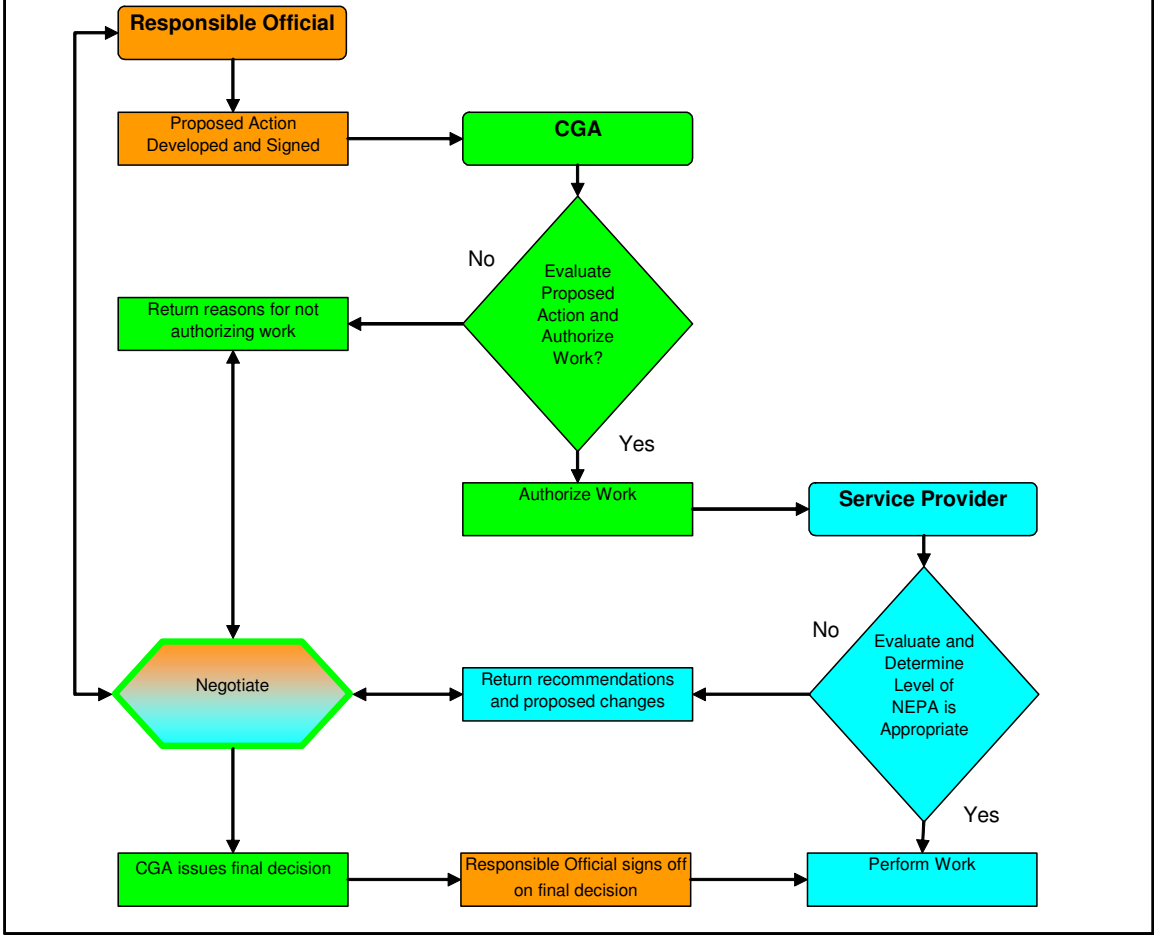
Once a final work order is approved or issued by the CGA, the Service Center will assign the projects to a team which will work directly with the unit. Each team leader will provide a project plan and schedule for the approval by the responsible official before proceeding. This will replace the current project initiation letter process. Customer service representatives will be provided at both the service center and the CGA for quality and customer service satisfaction purposes.

Task orders will be placed with the applicable Service Center through the CGA. If resources are not available at the assigned Service Center, the service provider may shift the work to one of the other available Service Centers, hire additional work, shift the priority of work in queue, reject the work, or may take some other course of action to address the work request. The service provider would notify the CGA if any extra expenditures would be incurred. The CGA would need approval from the Chief's Office before changes could be processed and additional funding obligated.

If the Line Officer does not approve the recommended type of NEPA or time-line, or there are conflicts between the unit and the assigned team, they will contact the CGA customer service representative for negotiation. Further discussion could then be elevated up the chain of command through the Service Center Directors, to the main office in Ashville to the CGA who can elevate any issues to the Office of the Chief when appropriate. The same process would be used if the service centers were experiencing issues which were impeding project completion, such as reviews by the unit, public meeting coordination, specialists responsible for compliance through consultation.

In some instances, work is generated by headquarters rather than a region or forest. In these cases, the Main NEPA Service Center in Ashville will initially respond, although the project may be passed on to the appropriate regional unit should the work be regional in nature.

**FIGURE 6.6-1: CONCEPTUAL WORK REQUEST AND APPROVAL FLOW CHART**




# 7 PERFORMANCE GAP ANALYSIS

The proposed changes to the organization would impact the Forest Service in many ways. Several areas were identified which have the potential to create a gap in performance, either affecting the NEPA performance or being affected by the changes proposed to the NEPA process. The following areas would need to be addressed.

## 7.1 RECURRING DATA COLLECTION

Recurring data collection in the context of this study is data collection that occurs regardless of NEPA. Some of the personnel performing data collection for NEPA are likely to be performing data collection for other non-NEPA related purposes such as inventory and monitoring, planning purposes, and research. The Forest Service will need to plan for this potential change to ensure that data collection needs for non-NEPA purposes are met if data collection for NEPA changes. Additionally, the service provider should use existing corporate databases to ensure that duplication of data

collection efforts is minimized.

### 7.2 STAND ALONE REPORTS AND ASSESSMENTS THAT ARE INCLUDED WITH A NEPA DOCUMENT

A NEPA document is often accompanied by several stand alone reports. These reports are prepared independently and for a different purpose than the NEPA document itself, and include documents such as a biological assessment, water quality reports, air quality reports, and archeological assessment. These reports ensure legal compliance with the applicable statutes and would have to performed and proven regardless of NEPA. However, a decision using the NEPA process must be able to prove compliance with these other laws. It is important that the Forest Service recognize that these documents will still be needed in a timely manner despite the possible changes to the process of preparing a NEPA document.

# 8 COST/BENEFIT/SAVINGS ANALYSIS

## 8.1 HISTORICAL COSTS

### 8.1.1 Personnel

A baseline cost estimate (BCE) was developed to estimate the current cost to perform identified NEPA activities with the 3,831.811 FTE identified in the original data call. This FTE count includes approximately 84 FTE performing tasks that have been removed from the scope and an additional 194 FTE that perform decision making tasks. These 279 FTE represent approximately ($ redacted) million dollars of salary. This cost estimate was developed using COMPARE software in accordance with A-76 costing guidelines. The cost estimate is shown in Appendix N – Baseline Cost Estimate

Personnel costs were developed based upon the information submitted by the Unit Coordinators on each forest, grassland and Research Station and all the personnel that they identified as performing NEPA activities. The data consists of a breakdown of FTEs associated with NEPA activities, including actual grades by primary functional area and organizational level. Further information regarding position titles and locations is also available. Many of the personnel within each of these functional areas perform multiple duties and responsibilities, resulting in numerous fractional FTEs.

COMPARE-developed costs are calculated for a typical five-year period for a cost comparison. For this study purpose the earliest base-year starts on January 7, 2007 and the base year annual cost is included in this study.

**TABLE 8.1-1: HISTORICAL LABOR COSTS BY CURRENT REGION**

REDACTED

### 8.1.2 Contracts

As stated in Section 5.6, the NEPA function utilized commercial vendors to assist with or perform NEPA studies. The total reported contract costs were approximately $14.6 million for the base year.

**TABLE 8.1-2: HISTORICAL CONTRACT COSTS BY CURRENT REGION**

REDACTED

### 8.1.3 Facilities

The A-76 costing guidelines state that rent is incurred for the use, operation and maintenance of land, building space, plant and machinery, and other applicable items. For the purpose of this study, only office space is costed. The Forest Service uses a factor of $8,820 per FTE for building rent. This cost is based on a nationwide Forest Service estimate and is believed to include office space, utilities, IT equipment, office furniture, and miscellaneous office supplies. The potential savings in this area will be a result of how the organization is ultimately realigned.

**TABLE 8.1-3: HISTORICAL RENTAL COSTS BY CURRENT REGION**

REDACTED

### 8.1.4 Travel

These costs cover the expected amount of travel included in the scope of work and any other travel required of the function under study external to the scope. It does not include travel that is incurred for tasks outside the scope. Historically, the Forest Service budgets have reflected an average cost of $4,450 per FTE per fiscal year.

**TABLE 8.1-4: HISTORICAL TRAVEL COSTS BY CURRENT REGION**

REDACTED

### 8.1.5 Total Baseline Costs

Total costs for the As-Is organization include Line 1 - labor costs, Line 3 – contracts, rent, travel and insurance costs and Line 4 – overhead costs. The total of these costs is shown below and also found in Appendix N – Baseline Cost Estimate

**TABLE 8.1-5: TOTAL BASELINE COSTS BY CURRENT REGION**

REDACTED

## 8.2 COST/BENEFIT/SAVINGS ANALYSIS

### 8.2.1 Types of Studies

The Feasibility Study findings or preliminary planning stage provides the baseline for initiating a competition or BPR. The information gathered and assimilated during this phase gives either the competition or BPR teams a place to start, but does not provide final numbers. A second phase of data calls, interviews and analysis is necessary to ensure both projected savings and a successful development of an actual NEPA program.

#### 8.2.1.1 Competitive Sourcing Study

A competition requires distinct and separate teams working in a “firewalled” environment.

- An oversight and management team,
- A performance work statement team (PWS), who develops work requirements, performance elements and measures, and quality assurance plans, along with recommendations for a continuing government activity who would manage the subsequent service provider agreement/contract,
- The most efficient organization team (MEO), which develops a new organization structure to provide NEPA services more efficiently and submits the Agency Tender Offer.
- The Source Selection Authority (deciding line officer), who will sign the performance decision on behalf of the agency. The SSA is supported by a Source Selection Evaluation Board responsible for assuring technical qualifications of the MEO and lowest price, technically qualified private sector bidder.
- All teams and aspects of the competition require significant participation from Human Resources, Acquisition Management Business Operations as well as

technical support of a consultant contractor.

The management and costs of running a competition this size are estimated at between 2-3 million dollars over 18 months. All competition costs are charged to a project-specific job code to enable tracking and reporting.

#### 8.2.1.2 Efficiency or Business Process Reengineering Study

Study costs for a BPR or other realignment study are similar in nature to that of a competition. With the exception of acquisition costs necessary to a competition, the steps to perform an in-depth analysis are essentially the same. In order to prepare a program for transition and implementation, regardless of the re-organizational tool used, the following are needed: an accurate baseline performance cost, performance elements and performance measures, measurable quality and efficiency improvements and a detailed strategic plan for short term transition and long-term implementation.

BPR or other efficiency studies would require support from organizational efficiency experts, budget analysts, human resource specialists, subject matter experts, and project management very similar to that needed in support of a competition. Consequently, a similar process would be followed, with similar expenses. A project management core team of three to four people full time for NTE 2 years - manages the following teams:

- Subject matter experts team responsible for work requirements and quality controls for core and NEPA related activities. (5-7 people)- up to 6 months over 2 years.
- Performance measures team responsible for quality assurance, developing performance measures and recommendations for consistency tools. (3-4 people) - up to 4 months over 2 years
- Organizational planning and implementation team responsible for infrastructure analysis which includes location selection, building costs, office expenses--equipment, computers, transfer of station expenses, technology needs/costs and a transition plan. (3-4 people) - up to 6 months over 2 years
- Workforce analysis and human resource team; responsible for personnel logistics such as core competency requirements, appropriate job series and grades and classifications. Also responsible for RIF or WRAPS analysis and coordination with Human Resources at the Albuquerque Service Center. (2-3 people) up to 4 months over 2 years.
- Budget and Fiscal Team: responsible for assessing options for funding the NEPA organization and identifying tools (2-3 people) - up to 3 months over 2 years.
- Mentoring, Training and Recruiting Team; responsible for developing a plan for employee development, career paths, professional subject matter training, NEPA training for field units (line officers) using the NEPA service centers, recruitment strategies for both permanent and seasonal employees and development of intern programs for succession planning. (3--4 people) up to 4 months over 2 years.

Cost to the agency of a BPR Process or other realignment study for Core NEPA activities is somewhat less than that of a competition since both core and related

activities would be folded into one effort, as opposed to a NEPA core activity competition and two separate small BPRs. If a competition is done, costs for BPRs on NEPA related activities would be minimal in relationship to the larger process of re-organizing the Core NEPA activities because the number of FTEs is so much less and could easily be accommodated by existing locations.

### 8.2.2 Core NEPA Activities

#### 8.2.2.1 Cost Estimate

COMPARE software was used to compute the conceptual "To-Be" costs, in the same manner as the Baseline costs were developed. This maintains an "apples-to-apples" relationship between the "As-Is" and "To-Be" organizations. The data that was used for the "To-Be" organization was based on the analysis in Section 6 of this report. Appendix O – Conceptual (To-Be) Cost Estimate show the results of this analysis.

#### 8.2.2.2 Benefits Estimate

The NEPA Service Center concept will reduce the level of duplicative effort throughout the Forest Service by consolidating NEPA functions into fewer positions. This concept will also increase efficiencies by increasing the number of projects that could be accomplished in a given year, improve on quality by limited standardization, centralization and performance measures.

#### 8.2.2.3 Savings Analysis

The analysis used to project the "To-Be" staffing for the Core NEPA Activities resulted in a reduction in personnel of approximately 882 FTE. The Feasibility Study Team anticipates a first year savings of approximately $70 million in direct labor costs alone.

Assuming that facilities are government furnished, the team chose regional sites that already had a Forest Service presence to help reduce costs. It is estimated that the cost to implement the NEPA Service Centers would incur the same rental cost of $8,820 per FTE per site as used in the baseline cost estimate. This cost is based on a nationwide Forest Service estimate and is believed to include office space, utilities, IT equipment, office furniture, and miscellaneous office supplies. Since there is a reduction in personnel required to perform the Core NEPA activities, the Feasibility Study Team anticipates a savings of approximately $7.17 million in facility rental costs.

The feasibility study team developed a new travel cost based on current average airfares. Based on analysis of current costs, the "To-Be" organization is using an average cost of $1,127 per trip and scheduling 4 trips per EIS and EA with 4 to 6 team members traveling each trip to the forest or grassland. This equates to a savings of $3.9 million in the first year.

**TABLE 8.2-1: TOTAL SAVINGS ANALYSIS FOR CORE NEPA ACTIVITIES**

REDACTED

### 8.2.3 Related and Post NEPA Activities

#### 8.2.3.1 Cost Estimate

As described in paragraph 6.3.3.1, the performance of the Core NEPA tasks is

not independent of all other activities in the Forest Service. Several interfaces exist between activities identified as Core NEPA and those identified as Associated NEPA or Post NEPA. Any change in the performance of the Core NEPA activities and processes will necessitate reorganization of other tasks not considered for the A-76 process. Since these activities are not a part of the Core NEPA process as we described in paragraph 6.2, the Feasibility Study Team has not formally analyzed the potential staffing and savings that could be generated by a follow-on study.

#### 8.2.3.2 Benefits Estimate

The feasibility study team believes that it is vital to reorganize the Associated and Post NEPA activities to account for any changes that result from a competition or BPR study on the Core NEPA organization. These tasks are so closely related to the Core NEPA tasks that failure to address the effectiveness and efficiency of the personnel in these functional areas could possibly result in reduced performance in the Core NEPA arena.

#### 8.2.3.3 Savings Analysis

The team believes that there are savings to be available in these functional areas but not nearly at the same levels shown in the Core NEPA activities. The current labor costs for the FTEs performing this work are $XXXX (redacted). A conservative estimate on savings as a result of efficiency gains in these areas would be approximately 2-5 percent based on subject matter expert's experience.

# 9 CIVIL RIGHTS IMPACT ASSESSMENT

Pursuant to OCFO Bulletin 2004-001, a Civil Rights Impact Assessment (CRIA) is required to identify and categorize the civil rights impact of implementing any realignment initiative. The CRIA for the NEPA Feasibility Study was performed on 8,627 employees. Appendix P – Civil Rights Impact Analysis contains the full CRIA report and findings.

# 10 SYSTEMS

An overview of the systems used to complete NEPA tasks and activities under review is provided below. These systems will not be affected by the recommendations of this Feasibility Study.

- NRIS: corporate database for both natural and social resources
- PALS: tracking system for NEPA projects, appeals and litigation - required.
- FACS: created to track implementation of projects and outcomes.
- Web and Photography Service Provider systems: The Internet is used to disseminate information on NEPA analyses and receive comments on those analyses. Web services will likely be impacted, although the survey did not collect data relevant to quantification of the impacts. Use of the web for collection of input (e.g. response forms, comments) and information dissemination (data and document publication) may increase, given the more centralized nature of analysis envisioned in the "To-Be" organization.

However, many units already use the web for these purposes, and a change to fewer analysis centers is not expected to increase the volume substantially, relative to continuing with "as is" practices.[11] The most noticeable changes (relative to "as is") are likely to come through 1) increasingly standardized procedures and templates employed by a service center system, and 2) the need for coordination between the NEPA organization and the web service provider/CGA to ensure adequate web services. If there is not a formal web and photography program within the Forest Service, the NEPA reorganization will have to account for these costs and resources within the NEPA studies.

- Foundation Financial Information System (FFIS): Designed to meet stringent budget and funds control needs, as well as complex multi-fund accounting and reporting needs. FFIS maintains a standard general ledger from which a variety of external reports can be produced and provides financial managers with timely and reliable information. It also establishes budget structures by validating the funds available at each level of the budget and updates the corresponding budget tables.
- Project Work Plan (WorkPlan): A web-based system used for project planning and tracking progress. It features standardized reports, tracking module for expenditures, time-charges, and accomplishments.

# 11 ACQUISITION STRATEGY

## 11.1 IMPACTS IF FUNCTIONS ARE SUBJECTED TO COMPETITION

If the 42 Core NEPA Tasks are subjected to competition, it is anticipated that a lowest price, technically acceptable procedure will be used, with the possibility of some sort of award fee as additional incentive.

## 11.2 IDENTIFICATION OF PERFORMANCE LEVELS

One of concerns with the NEPA process is that there are no current performance standards for the Forest Service practitioners. This area must be looked at very closely in the follow-on studies. If the follow-on study teams fail to set adequate and achievable performance levels and standards, the new organization will not achieve the savings described in this report in section 8.

## 11.3 OVERSIGHT REQUIREMENTS

The feasibility study team recommends that the follow-on study teams integrate quality assurance and quality control with a dedicated oversight staff so that performance can be measured, recorded, and in the event the performance levels are missed, appropriate action can be taken for improvement.

# 12 PROJECT LIFECYCLE SCHEDULE

If a decision is made to conduct a competition, a standard competition is required due to the number of FTEs that would be included in the study. OMB Circular A-76 allows a

[11] Under either scenario, there are indications of an impending increase in web-generated input from stakeholders.

maximum of 18 months to complete a standard competition when a six-month extension is granted by the Competitive Sourcing Official (CSO) prior to announcement. Due to the complexity of the NEPA activities considered for competition, an up-front extension would be necessary. A sample detailed competition schedule that can be used as a guide is provided in Appendix Q – Sample 12-month Standard Competition Schedule.

# 13 REQUIREMENTS

If the Forest Service decides to compete the NEPA function, a Performance Work Statement (PWS) will be required. A sample outline is included in Appendix X – Sample PWS Outline.

# 14 RECOMMENDATIONS AND OPTIONS

The team developed recommendations to improve how the Forest Service does NEPA and options for implementing these recommendations. These recommendations were made to improve NEPA performance, reduce costs, and address the issues identified in Section 5.8.

## 14.1 INITIAL RECOMMENDATIONS

The following 12 actions are recommended to improve the quality of NEPA documents, while reducing costs.

### 14.1.1 Perform the work at zoned service centers

The "To-Be" analysis identified multiple service centers as the best design for improving the timeliness, efficiency, and quality of NEPA activities. The team's conceptual design featured six service centers based loosely on eco-regions. When locating and organizing the service centers, the team developed and followed the guidelines below:

- Establish service centers around eco-systems instead of current regional boundaries to encourage continuity of knowledge for both natural resource and social issues.
- Keep service centers as close to the field units and decision makers as possible, for both quality and efficiency purposes. NEPA teams too far away from units will incur large travel costs and lose valuable work time.
- Consider establishing service centers in cities close to colleges/universities with natural resource programs for both recruitment and continuous learning purposes. Results would be higher skill levels and easier access to the best and most current science.
- Consider service center locations near other federal agencies and state offices. Compliance and permit relationships will improve if fewer employees need access to other agency's limited resources.
- Retain interdisciplinary functionality within service centers - do not separate NEPA Activities
- Retain data collection employees at the field units, for efficiency and local ground experience. However, employees would work for the Service Centers where work can be prioritized, reviewed, and entered into corporate databases for consistency, quality, and reduced duplication of efforts.

Taking these actions in the development, location, and organization of zoned

service centers would contribute to a good NEPA product both now and in the future. The conceptual design also forecasted significant cost savings. The six zoned service centers allowed for the consolidation of efforts, which enables the workload requirements to be met with fewer FTE. The team recommends that future NEPA work be performed at zoned service centers. The team also recommends that subsequent realignment studies take a similar approach to identifying actual service center locations.

### 14.1.2 Establish standard positions and grade levels for the work

Analysis of the "As-Is" organization identified an inconsistent use of personnel for similar tasks across the Forest Service. These inconsistencies were found both in the position titles, as well as in the grade levels of the personnel currently performing the work. The conceptual "To-Be" organization staffing plan is designed around standard position titles and grades performing NEPA work (Appendix M). This design realized additional savings because it addresses the issue that, in some cases, Forest Service employees are performing work that is below their current grade level. The team recommends that subsequent realignment studies take a similar approach to standardizing position titles and assigning appropriate grade levels to the work.

### 14.1.3 Perform the work with dedicated teams

Several "As-Is" issues arise from the fact that the people currently performing NEPA are generally not working on dedicated teams. The high level of fragmentation indicates that in many cases, NEPA work is being performed as a secondary or side duty rather than as a major job function. Additionally, when people assigned to a NEPA project leave to participate on unplanned or all-hazard details, it becomes nearly impossible to accomplish the NEPA work in a timely manner. The team recommends that any reorganization effort, regardless of the implementation method, take steps to ensure that NEPA is performed by dedicated teams. This may include actions such as establishing a formalized rotation approach to hazard duty assignments that would mitigate loss of valuable NEPA team members, decreasing the impact on timeframes and the quality of the NEPA.

### 14.1.4 Fill NEPA positions with personnel interested in working on NEPA

One of the "As-Is" issues identified in this report is that many of the employees currently performing NEPA work consider NEPA outside of the job they applied for. To address this, it is recommended that an accurate and clear statement of work be developed and detailed position descriptions be written to ensure clarity in staffing of the new NEPA positions. This will ensure that employees applying to fill the new positions are aware of the NEPA components of the position and are interested in performing NEPA work.

### 14.1.5 Establish NEPA quality standards and performance measures that both NEPA teams and decision makers would use.

For quality NEPA work to be performed on a consistent basis throughout the Forest Service, quality standards are necessary. Performance measures are also important in measuring and tracking quality and timeliness of NEPA work. Tracking of performance allows for problem areas to be identified and addressed early on with minimal negative impact. As there are currently no official Forest Service

quality standards or performance measures for NEPA, it is recommended that the Forest Service establish a set of quality standards and performance measures to guide and assess the future NEPA service provider. Quality standards and performance measures should be reviewed and updated on a regular basis to ensure the desired impact of the standards and the effectiveness of the performance measures in capturing meaningful information.

### 14.1.6 Evaluate a better approach to funding the NEPA activities and associated workforce.

With few exceptions, NEPA is currently funded through the use of project dollars. This means it is virtually impossible for units to separate NEPA spending from resource allocation. The team recommends further review to identify better approaches to NEPA funding.

### 14.1.7 Develop a method of accurately tracking the costs of NEPA

The costs associated with performing a task are a key measure of efficiency. As there is not a system in place that tracks NEPA costs, the team recommends that the Forest Service develop and implement such a method. The method should track not only the direct costs associated with the Core NEPA activities, but also the costs of the Associated and Post NEPA work that is necessary to delivering a complete NEPA product. Cost tracking should include, but not be limited to, all of the items considered in this report's baseline cost analysis (Appendix N).

### 14.1.8 Create formalized training, mentoring, recruitment and career development programs at each service center.

Value diversity. Create an environment that fosters a high performing, diverse workforce. A strong NEPA organization should provide a work place that values hard work and pride in their accomplishments. Employees must be able to maintain or gain skills and qualifications to apply for other positions or advancement within the NEPA organization and/or other agency opportunities. Active programs at each service center should be developed to mentor, rotate employees through details and, when appropriate, sponsor employees for management and leadership training. Recruitment of employees should become a priority for both permanent and seasonal workforce. The creation of internships and use of existing programs should be implemented. Partnerships with Universities and Colleges should be encouraged and actively pursued.

### 14.1.9 Implement changes in coordination with the on-going NFS transformation effort

The Forest Service's on-going transformation effort indicates that the current Forest Service organization is in the midst of a significant change. Regardless of the implementation method, the changes to NEPA recommended above will need to be synchronized with the changes occurring as a result of the transformation effort. It is essential to coordinate the efforts to ensure each effort complements the other. The team recommends active coordination and frequent communication with the transformation team leadership when implementing the recommendations above.

### 14.1.10 Implement changes in coordination with existing corporate databases and data center efforts.

Implementing changes in conjunction with existing corporate databases and data center efforts eliminate duplication of work and ensure information is available and easily accessible to all who need it. This will help to improve timeliness and reduce costs associated with duplication of efforts.

### 14.1.11 Treat all Core NEPA activities together as one national study

Only addressing parts of the Core NEPA activities would not effectively address the major concerns/issues identified in the "As-Is" organization. If the Core NEPA activities are not studied together but are divided by activity or divided by location, the following potential issues were identified:

- The cost of follow-on studies would increase due to the need for separate teams for each study or competition, and associated contract support
- Division by activity could result in awards to multiple contractors which has the potential for multiple contractor interfaces
- Division by activity would exacerbate the fragmentation problem, as the majority of the personnel are currently performing multiple NEPA activities. Removing a fraction of work would still leave a fragmented organization behind
- Economies of scale would suffer as the total number of FTE is reduced for any individual study. This would reduce potential savings
- Consistency/Quality would suffer if there was a division by location, as each location would be independent. The different locations may take different approaches to performing NEPA activities, and may accomplish NEPA with varying degrees of quality.
- There would be an increase in the number of handoffs if there was a division by activity. This would negatively affect the timeliness of completing a NEPA document and would add transition costs

### 14.1.12 Integrate both 215 appeals and litigation work with Core NEPA work

Integrate both appeals and litigation work related to NEPA decisions into a model closely linking the decision makers and the NEPA project teams, ensuring post NEPA decision resources for items such as appeal reviews, preparation of transmittal letters, litigation files, FOIAs and expert witnesses. Included in this integration is reorganizing compliance and permit work such as requests for biological opinions, SHPO concurrence, State permits (Air and Water) to decrease delays for NEPA teams and subsequent decision-making.

## 14.2 IMPLEMENTATION/CONDITIONAL RECOMMENDATIONS

There are three feasible options to implement the recommendations above. Each option has its own advantages and disadvantages which are identified below. Conditional recommendations, pertaining to only one or two of the implementation methods are identified as well.

### 14.2.1 Compete the Core NEPA activities through an A-76 Competition

The team determined it is both feasible to compete the Core NEPA activities (3295

FTE) through a Standard A-76 competitive sourcing study. In addition to being Core NEPA, these activities were identified as commercial in nature, available in the private sector, and suitable for private sector performance. There is a potential for a reduction in FTE by 20% and savings of roughly 25%, as discussed in Section 8. The cost to conduct this competition is estimated at around $3 million and the total estimated annual savings is estimated at over $88 million.

#### 14.2.1.1 Assessment of Implementation Method

The advantages of an A-76 competition are well documented and clearly identified. The first is that the method forces accountability. With this method, quality and timeliness standards would be developed, the service provider would be held accountable for performance, and the Forest Service would be most likely to achieve the projected savings. Several of the "As-Is" issues identified would be addressed, including issues with loss of key personnel to unplanned or all-hazard details and issues resulting from no clear view of the NEPA process. The competitive nature of this method increases the likelihood that several different and creative approaches will be considered. It is also the most likely method to achieve the projected annual savings of $88 million.

There are also several effects/results inherent in this method that may be viewed as either positive or negative depending on the perspective. With an A-76 competition, costs become the primary focus. This will exclude some expensive or minimally efficient improvements from being considered and implemented. Public-private competition is also a proven method for forcing change, which can be viewed positively or negatively depending on the perspective.

There are some clear disadvantages to an A-76 competition. The most notable is that there is the potential for instability in the workforce. This potential is magnified by the size and scope of this study. The requirement to work in a "firewalled" prevents healthy dialog between the team describing the work in the PWS and the team forming the new organization to bid on that work. In addition, the non-disclosure requirements in A-76 limit communication with the workforce, further exacerbating anxiety among those potentially affected by the competition

#### 14.2.1.2 Conditional Recommendations

If the function is competed under A-76, the team recommends conducting a BPR on the eight Associated and Post NEPA tasks (172.678 and 84.589 FTE). The team determined that these tasks are not Core NEPA tasks. Because of the close relationship between these tasks and the Core NEPA activities and the necessity of these activities in supporting the Core NEPA activities, the team recommends reorganizing these activities in conjunction with the reorganization that occurs as part of any A-76 competition of Core NEPA activities.

The large number of FTE involved with this study is likely sufficient for CSO approval of an 18 month study. This expanded timeframe will allow more time for the MEO to explore possibilities for reorganization. Depending on the start date, an 18 month study would allow for the costs of the competition to be spread out over either two or three years.

Finally, since the start of this feasibility study, significant legislation has made its way through the House of Representatives to the Senate that would stop the funding of all Forest Service competitive studies and any type of activity associated with competition. Should this legislation pass in the senate and be

signed into law, an A-76 competition would no longer be feasible.

### 14.2.2 Conduct a BPR of the 42 Core NEPA tasks

The team determined it is both feasible and beneficial to implement the recommendations above by conducting a BPR on the Core NEPA activities (3295 FTE). These activities were identified as areas where significant improvements could be made through reorganization of the NEPA process. There is a potential for significant savings through staffing and grade reductions, and the cost to conduct this study is estimated at around $3 million. The total estimated annual savings would depend largely on the goals and focus of the BPR, but if cost savings was made a major focus of the BPR, savings could approach the estimated $88 million identified in Section 8.

#### 14.2.2.1 Assessment of Implementation Method

The major advantages to this realignment method are flexibility to try different variations without suffering a performance penalty, and the ability to share ideas openly. Because the BPR process is not subject to non-disclosure provisions, the agency is able to openly share information with employees throughout the study. If staffing and grade changes are enacted by a BPR study with the same discipline as with an A-76 competition, there is also the potential for significant savings, which could approach the estimated $88 million identified above.

Like the competition method, there are a couple of results that can be viewed as advantages or disadvantages depending on the point of view. With a BPR, there is flexibility to choose the focus of the reorganization. Cost does not necessarily have to be the focus as with an A-76 competition. When it is made a focus, however; it is more difficult to achieve the desired results because there is no one competing for that low cost solution. This lack of competition can also be viewed as positive or negative. Although downsizing can be just as likely to occur with a BPR as with a competition, employees are not competing for their positions. This can improve moral, but again, lack of competition may not bring out the best solution.

Though they can be mitigated through proper, consistent communication and guidance from management and leadership, there are some potential disadvantages to this method. In the BPR process there can be tendencies to make minimal improvements or to focus on marginal or less disruptive change. Savings can become less of a focus and may not be offset by increased efficiency, investments in improved technology or improved timeliness. Even when savings is a focus, it is more difficult to maximize savings because there is no competition for the low-cost solution. Finally, it should be noted that a BPR does not “shield” an activity from possible future competition.

If this method is chosen, the team recommends either a separate BPR of the eight Associated and Post NEPA tasks not included in the main BPR or one large efficiency study combining all NEPA activities. This will help eliminate burden shift. The team also recommends that cost savings be a strong focus of the BPR and that post-implementation monitoring be an integral part of the new organization.

#### 14.2.2.2 Conditional Recommendations

If this method is chosen, the team recommends supplementing the BPR with a

separate BPR of the eight Associated and Post NEPA tasks (172.678 and 84.589 FTE). Because these tasks are not Core NEPA, they were reviewed independently from the Core NEPA activities. Because of the close relationship between these tasks and the Core NEPA activities and the necessity of these activities in supporting the Core NEPA activities, the team recommends reorganizing these activities in conjunction with the reorganization that occurs as part of any BPR of Core NEPA activities.

### 14.2.3 Implement the recommendations as part of the on-going NFS transformation efforts

The team determined it is both feasible and beneficial implement the recommendations as part of the on-going NFS transformation efforts. The transformation team would be given the task of implementing the recommendations and setting forward additional guidelines for reorganization. This reorganization would include not only the 42 Core NEPA tasks but also the 8 Associated and Post NEPA tasks. The cost to implement using this method is expected to be similar to the $3 million for the other methods, though it could be reduced as aspects of improvement are absorbed by the transformation team. While the team has identified the potential for savings with the other two methods, the actual savings with this method are harder to quantify as it would depend largely of the direction and leadership of the transformation team. The savings on NEPA are expected to be less, but would be supplemented by any savings achieved in other areas of the transformation effort.

#### 14.2.3.1 Assessment of Implementation Method

Implementation using this method has many of the same advantages and disadvantages identified with the BPR implementation method, mainly because this method is expected to function similar to a BPR, except that the realignment would be under the direction of the transformation team.

This creates one additional consequence that may be viewed as either positive or negative depending on the perspective. With the first two options, NEPA improvement and cost savings would be the focus. The new organization would be a best solution for NEPA and would be coordinated with transformation efforts. Because implementation under this option would be under the direction of the transformation team and not an independent NEPA team, it may be difficult to quantify NEPA costs savings and improvements as they would depend heavily on the overall transformation effort. It would also be difficult to fully integrate the two efforts, since transformation is focused on the WO, ROs, and NE Area, whereas NEPA work involves all levels of the Forest Service, down to each Ranger District.

This study method may result in changes that are beneficial to the transformation efforts as a whole but do less for NEPA than could be accomplished with a separate effort. An example of this might be with the location of the service centers. Implementation through an A-76 competition or BPR may lead to locations that are optimal for NEPA performance and cost savings. Implementation under the guidance of the NFS transformation team may lead to a location that coordinates better with the transformation efforts as a whole, but does less for NEPA itself.

Irrespective of how NEPA is realigned, it will be important to work in sync with the

transformation effort.

#### 14.2.3.2 Conditional Recommendations

If this method is chosen, it is recommended that NEPA improvements and savings be independently tracked to ensure that NEPA improvements are actually achieved and that NEPA is not lost or absorbed as part of the on-going transformation efforts.

## 14.3 ALTERNATIVES TO THREE OPTIONS

### 14.3.1 Data Collection separate and expanded to non-NEPA Data Collection

The only activity that might logically be removed from the group of seven Core NEPA activities is data collection. This is because throughout the Forest Service, data collections occur for a variety of reasons, not only for NEPA. A feasible alternative would be to consider data collection separate from the Core NEPA activities. If NEPA data collection is excluded, it is recommended that all data collection throughout the Forest Service be combined together in one future study. This would allow for efficiencies of scale, and maximum savings as duplication of work from project to project would be eliminated. Removing data collection from the scope of a study of Core NEPA activities only makes sense if it is done so in order to achieve greater savings later on as part of a combined reorganization/study of all data collection activities.

It should be noted, however, that because data collection is generally the first step in the NEPA process, removal of data collection from the scope of a study of Core NEPA has the potential to greatly hinder the reorganized function's effectiveness in performing NEPA. Until data collection for NEPA is realigned, the local units will need to reorganize their NEPA data collection efforts with the NEPA service provider to ensure a timely, efficient, and quality NEPA product.

If data collection is deferred for later review, the cost of conducting a competitive sourcing study or BPR on the six remaining Core NEPA activities (2223 FTE) is estimated at $1.5 M for contract support plus an additional $1 M for internal costs. This cost estimate is not much less than the cost estimate for all seven core NEPA activities because of economy of scale. Studying 3,500 FTE vs. 2224 FTEs would have approximately the same level of impact and workload. The cost for an expanded study of all data collection would be based on the number of FTE involved. Information on FTE for all data collection was not within the scope of this feasibility study and was not collected.

### 14.3.2 Independent studies for each Core NEPA activity

Multiple independent studies for each Core NEPA activity could be conducted. Although this alternative is not preferred for a variety of reasons, it is still possible that some savings could be achieved. This option, however, is not recommended for the reasons stated previously and in this section. NEPA data collection fits logically with the other Core NEPA activities or with all other data collection, not as an independent function. The other six Core NEPA activities are closely interrelated, and each activity should be performed by the same team to ensure that

the knowledge gained during the process does not have to be re-acquired at the start of each new activity. These Core NEPA activities fit logically together, not as independent functions.

The estimated costs to conduct these studies are included. In addition, if these functions were competed, the increased number of handoffs and interactions between independent service providers that would occur would require a large scale CGA, further increasing the costs.

#### 14.3.2.1 Data Collection

The cost to conduct a competitive sourcing study or BPR of NEPA data collection only (1072 FTE) is estimated at $1.5M for contractor support plus $1M for additional internal costs.

#### 14.3.2.2 Public Participation

The cost to conduct a competitive sourcing study or BPR of Public Participation activities only (260 FTE) is estimated at $0.5M for contractor support plus $1M for additional internal costs.

#### 14.3.2.3 Effects Analysis

The cost to conduct a competitive sourcing study or BPR of NEPA Effects Analysis only (653 FTE) is estimated at $1.0M for contractor support plus $1M for additional internal costs.

#### 14.3.2.4 Inter-Disciplinary Team Participation

The cost to conduct a competitive sourcing study or BPR of NEPA IDT Participation only (516 FTE) is estimated at $1.0M for contractor support plus $1 M for additional internal costs.

#### 14.3.2.5 Project Management

The cost to conduct a competitive sourcing study or BPR of NEPA Project Management only (544 FTE) is estimated at $1.0M for contractor support plus $1 M for additional internal costs.

#### 14.3.2.6 Legal Compliance

The cost to conduct a competitive sourcing study or BPR of NEPA Legal Compliance only (107 FTE) is estimated at $0.5M for contractor support plus $.5 M for additional for internal costs.

#### 14.3.2.7 Decision Support

The cost to conduct a competitive sourcing study or BPR of NEPA Decision Support only (204 FTE) is estimated at $0.5M for contractor support plus $.75 M for additional internal costs.