

Department of the Interior Departmental Manual

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Series: Environmental Quality Programs

Part 516: National Environmental Policy Act of 1969

Chapter 3: Managing the NEPA Process

Originating Office: Office of Environmental Policy and Compliance

516 DM 3

3.1 Purpose. This chapter provides supplementary instructions for implementing those provisions of the CEQ Regulations and the Department's National Environmental Policy Act (NEPA) Regulations pertaining to procedures for implementing and managing the NEPA process.

3.2 Organizational Responsibilities for Environmental Quality.

A. Office of Environmental Policy and Compliance (OEPC). The Director, OEPC, is responsible for providing advice and assistance to the Department on matters pertaining to environmental quality and for overseeing and coordinating the Department's compliance with NEPA. (See also 112 DM 4.)

B. Bureaus and Offices. Heads of bureaus and offices will designate organizational elements or individuals, as appropriate, at headquarters and regional levels to be responsible for overseeing matters pertaining to the environmental effects of the bureau's plans and programs. The individuals assigned these responsibilities should have management experience or potential, understand the bureau's planning and decision making processes, and be well trained in environmental matters, including the Department's policies and procedures so that their advice has significance in the bureau's planning and decisions. These organizational elements will be identified in chapters 8-15, which contain all bureau NEPA requirements.

3.3 Approval of Environmental Impact Statements (EISs).

A. A program Assistant Secretary is authorized to approve an EIS in those cases where the responsibility for the decision for which the EIS has been prepared rests with the Assistant Secretary or below. The Assistant Secretary may further assign the authority to approve the EIS if he or she chooses. The AS/PMB will make certain that each program Assistant Secretary has adequate safeguards to ensure that the EISs comply with NEPA, the Council of Environmental Quality (CEQ) Regulations, the Department's NEPA Regulations, and the Departmental Manual (DM).

B. The AS/PMB is authorized to approve an EIS in those cases where the decision for which the EIS has been prepared will occur at a level in the Department above an individual program Assistant Secretary.

3.4 List of Specific Compliance Responsibilities.

A. Bureaus and offices shall:

(1) Prepare NEPA handbooks providing guidance on the interpretation of NEPA, the CEQ regulations, 43 CFR Part 46, and the applicable portions of this Part in principal program areas.

(2) Prepare program regulations or directives for applicants.

(3) Propose and apply categorical exclusions (CEs).

(4) Prepare and approve Environmental Assessments (EAs).

(5) Decide whether to prepare an EIS.

(6) Prepare and publish NOIs and FONSIIs.

(7) Prepare and, when assigned, approve EISs.

B. Program Assistant Secretaries shall:

(1) Approve bureau and office handbooks.

(2) Approve regulations or directives for applicants.

(3) Approve proposed categorical exclusions.

(4) Approve EISs pursuant to 516 DM 3.3.

C. The AS/PMB shall:

(1) Concur with regulations or directives for applicants.

(2) Concur with proposed categorical exclusions.

(3) Approve EISs pursuant to 516 DM 3.3. (See also 43 CFR 46.150).

3.5 Bureau Requirements.

A. Requirements specific to bureaus appear as separate chapters beginning with chapter 8 of this Part and include the following:

- (1) Identification of officials and organizational elements responsible for NEPA compliance.
 - (2) List of program regulations or directives which provide information to applicants.
 - (3) Identification of major decision points in principal programs for which an EIS is normally prepared.
 - (4) List of projects or groups of projects for which an EA is normally prepared.
 - (5) List of categorical exclusions.
- B. Bureau requirements are found in the following chapters for the current bureaus:
- (1) U.S. Fish and Wildlife Service (Chapter 8).
 - (2) U.S. Geological Survey (Chapter 9).
 - (3) Bureau of Indian Affairs (Chapter 10).
 - (4) Bureau of Land Management (Chapter 11).
 - (5) National Park Service (Chapter 12).
 - (6) Office of Surface Mining (Chapter 13).
 - (7) Bureau of Reclamation (Chapter 14).
 - (8) Minerals Management Service (Chapter 15).

C. Offices in the Office of the Secretary (O/S) must comply with the policy in this chapter and will consult with the OEPC about compliance activities.

3.6 Information about the NEPA Process. The OEPC will periodically publish a Departmental list of bureau contacts where information about the NEPA process and the status of EISs may be obtained. This list will be available on OEPC's website at:

<http://www.doi.gov/oepec/>.