

DEPARTMENT OF THE INTERIOR (DOI) REQUIREMENTS FOR DOI REVIEW OF EXTERNAL AGENCIES ENVIRONMENTAL DOCUMENTS

February 2017

The Department of the Interior (DOI) reviews the following types of environmental documents from external Federal agencies:¹

- National Environmental Policy Act (NEPA);²
- Section 4(f) evaluations under the Department of Transportation Act (49 USC 303);
- Project planning, design, and application documents under various Federal authorities;³ and
- Proposals affecting DOI's natural resources, environmental interests, and pollution control activities.

The Director of the Office of Environmental Policy and Compliance (OEPC) (formerly the Office of Environmental Project Review), is identified as the individual responsible for receiving and commenting on other agencies' environmental documents per Appendix III to the Council on Environmental Quality's (CEQ) regulations.⁴ The staff of the OEPC is located at headquarters and in eight regional offices. Coordination of an environmental document review is either conducted by OEPC at the headquarters level or by DOI bureaus and or offices⁵ at the field level depending on the type of document. The sections below outline which entity will review an environmental document and should be referenced to determine who to contact.

Field Level Review/Coordination Responsibilities

The type of documents that should be sent directly to DOI bureaus or offices at the field level include:

- early coordination and scoping information;
- environmental assessments;
- findings of no significant impact;
- preliminary or working drafts of environmental impact statements; and
- similar material of a regional nature.

Requests for Federal agency coordination and consultation in project planning should be directed to the affected DOI bureau(s) or office(s). It is not necessary to send copies of early coordination documents to the OEPC Headquarters in Washington, DC. Appendix II to the CEQ regulations⁶ lists the DOI bureaus and offices having jurisdiction by law or special expertise on environmental quality issues. Appendix II should be used to determine appropriate DOI contacts for coordination during early planning, NEPA scoping, and other preliminary activities. It is recommended that you consult bureau websites for the latest bureau contacts for your state or region. Please note that our Regional Environmental Officers (REO) serve as representatives of OEPC and should be contacted if there are questions about these procedures at the field level. An REO list is available and maintained on our website at www.doi.gov/oepc/regional-offices.

¹ External Federal agencies includes all Federal agencies and non-DOI entities that are Federal lead agencies under the National Environmental Policy Act (NEPA) and legally responsible for conducting NEPA reviews on behalf of a Federal agency. For example, a NEPA Federal lead agency under 23 CFR 773 or section 104(h) of the Housing and Community Development Act of 1974.

² Primarily environmental impact statements are reviewed through OEPC HQ and other NEPA documents are reviewed at the DOI regional or bureau level.

³ Including the Federal Power Act.

⁴ 49 Fed.Reg. 49778, December 21, 1984 (ceq.doe.gov/ceq_regulations/regulations.html), "Note: Some contact information in these appendices may be outdated.")

⁵ DOI bureaus and offices include: Bureau of Indian Affairs; Office of Insular Affairs; Bureau of Land Management; Bureau of Ocean Energy Management; Bureau of Reclamation; National Park Service; Office of Surface Mining Reclamation and Enforcement; U.S. Fish and Wildlife Service; and U.S. Geological Survey.

⁶ 49 Fed. Reg. 49754, December 21, 1984 (ceq.doe.gov/ceq_regulations/regulations.html), "Note: Some contact information in these appendices may be outdated.")

Representatives of your organization should establish direct working relationships with the REOs and field level bureaus and offices, which welcome such contact. This type of relationship is important not only during early project coordination, but also to expedite the early resolution of environmental issues that may otherwise surface during the formal review of a project document. In many cases, DOI's comments on an environmental document review will designate an office at the field level for follow-up activities.

OEPC Headquarters Coordination Responsibilities

OEPC headquarters office coordinates reviews to ensure thoroughness and timeliness of DOI comments on the following types of documents:

- draft and final environmental impact statements;
- Section 4(f) evaluations;
- proposals of national interest affecting DOI's natural resources, environmental interests, and pollution control activities; and
- environmental review documents for applications, permits, licenses, etc., for proposed actions under various Federal authorities, such as for proposed hydroelectric project licensing under the Federal Power Act and proposed actions subject to Chief Reports by the Army Corps of Engineers.

To initiate this review, the DOI either receives notification of the environmental documents issuance through a *Federal Register* notice or a separate notification from the Federal agency legally responsible for the NEPA document. For notification of environmental documents that are not accompanied by a *Federal Register* notification, the DOI requests that a cover letter be sent to the address with the information detailed below. Federal agencies should send all correspondence to the OEPC headquarters at the following address:

Director, Office of Environmental Policy and Compliance
U.S. Department of the Interior
1849 C Street, NW (MS 5538-MIB)
Washington, DC 20240

The OEPC no longer requests paper copies of documents and requests the following document formats that allow for distribution and simultaneous review. Formats listed in order of DOI preference:

1. Internet accessible file format. Please provide a cover letter with the web address where the document is located.
2. Electronic format. Please provide a cover letter and one copy of the document(s) in electronic format (CD/DVD, thumb drive, or any widely used electronic storage media).

PLEASE NOTE: When sending disk media please use a delivery service (FedEx, UPS, etc.) instead of U.S. Postal mail. The U.S. Postal Service irradiates mail addressed to Federal agencies in Washington, DC that typically destroys disk media.

3. Paper copies. If no electronic versions of environmental documents are available, please contact your OEPC staff contact to coordinate the document review. An OEPC staff list is available and maintained on our website at www.doi.gov/oepec/HQ-Teams/nrm-team/staff.

The OEPC requests that the agency provide the OEPC with an email address for the Federal agency NEPA environmental document contact, in addition to any comment, consultant, or applicant email address, for submission of DOI comments. Email addresses help ensure timely responses and reduce the use of paper.

OEPC requests that you make a wide distribution of this information throughout your organization. Such a distribution will assist our agencies in better meeting our obligations under existing laws and in planning projects that will be mutually beneficial. This document is available on our website at <https://www.doi.gov/oepec/HQ-Teams/nrm-team>.