



United States Department of the Interior

Office of the Secretary
Washington, D.C. 20240

JAN - 7 2013

PEP - ENVIRONMENTAL STATEMENT MEMORANDUM NO. ESM 13-8¹

To: Heads of Bureaus and Offices

From: Willie R. Taylor, Director
Office of Environmental Policy and Compliance

Subject: Preparing a Decision Memorandum When Using the Department's Categorical Exclusions for Hazardous Fuels Reduction or Fire Rehabilitation

This memorandum supplements [43 CFR 46.210](#) for categorical exclusions (k) and (l) only. When applying these categorical exclusions, bureau and office field managers must prepare a decision memorandum containing the elements of the Department's template to support the use of these categorical exclusions. This memorandum *does not* supersede bureau-specific guidance on the appropriate use of category (k). Bureau personnel are directed to follow their own bureau-specific guidance concerning category (k). Bureau or office checklists or other existing documentation may be used in conjunction with the template. However, any changes from the attached template must be approved by this office.

This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person. Additionally, nothing in this guidance is intended to affect the authority and responsibility of the United States Department of Justice with respect to the conduct of litigation on behalf of the United States.

The Department's [decision memorandum template](#) is available on an Office of Environmental Policy and Compliance SharePoint site.

This memorandum replaces ESM 10-16

¹ The guidance in this Environmental Statement Memorandum (ESM) are being issued under the authority provided to the Office of Environmental Policy and Compliance (OEPC) by 381 Departmental Manual (DM) 4.5B, to convey instructions and guidance through its Environmental Memoranda Series, and by 516 DM 3.2, which authorizes OEPC to provide advice and assistance to the Department on matters pertaining to environmental quality and for overseeing and coordinating the Department's compliance with the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations, and 516 DM 1.21, which authorizes OEPC to provide further guidance concerning NEPA.