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Part III

Department of Agriculture

Forest Service

National Environmental Policy Act; Revised Implementing Procedures

DEPARTMENT OF AGRICULTURE

Forest Service

National Environmental Policy Act; Revised Implementing Procedures

AGENCY: USDA, Forest Service.

ACTION: Notice of proposed revised Forest Service NEPA implementing procedures.

SUMMARY: This notice proposes changes in Forest Service Manual (FSM) 1950, The Forest Service National Environmental Policy Act (NEPA) Process. The procedures being revised were published in the **Federal Register** on July 30, 1979, 44 FR 44718, and were subsequently amended in February 1980.

DATE: Comments must be received by August 30, 1981.

ADDRESS: Comments should be sent to Chief, R. Max Peterson, USDA Forest Service, P.O. Box 2417, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT: Ralph Solether, Environmental Coordination Specialist, USDA, Forest Service, P.O. Box 2417, Washington, D.C. 20013. Telephone (202) 447-4708. FTS 447-4708.

SUPPLEMENTARY INFORMATION: FSM 1950 contains Forest Service policy on NEPA implementing procedures as required by the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) as published in the **Federal Register** November 29, 1978. The proposed revision of FSM 1950, when in final form, is intended to reduce paperwork and delay while fully meeting NEPA, CEQ regulations and USDA NEPA policies and procedures, (7 CFR Part 3100).

The present text in FSM 1950 was approved by CEQ and published in the **Federal Register** on July 30, 1979, 44 FR 44718. During the past two years, it became apparent that by more closely following the CEQ regulations the purpose and goals of NEPA would be better served.

In order to cover the extent of the proposed revised procedures, it is necessary to review both Forest Service Manual 1950 and the portions of Forest Service Handbook (FSH) 1909.15 which are included in this notice. The most significant proposed changes are that:

1. Detailed procedures and guidance direction is included in the Handbook. The revised Manual is more nearly policy direction.
2. Only policies in addition to the USDA policies and procedures and CEQ NEPA regulations are included in FSM 1950.3 Policy.
3. NEPA process definitions and terminology have been placed in FSH 1909.15.
4. Categorical exclusions are revised.
5. When to prepare an environmental assessment has been redefined.
6. Information on environmental analysis has been moved from FSM 1950 to FSH 1909.15.
7. Direct quotations from the CEQ regulations have replaced throughout the manual and the handbook with references to the CEQ Regulations 40 CFR 1500-1508.
8. Environmental analysis is described as a component of Forest Service planning and decisionmaking rather than the Forest Service planning and decisionmaking process.
9. Environmental assessments may be prepared in any format provided that CEQ content requirements are met.
10. The interdisciplinary approach used in preparing environmental assessments is expanded to include those situations where an individual may be assigned the task for preparing a simple assessment, provided information from other disciplines is considered.
11. Tiering and adoption are expanded to include environmental assessments.
12. The CEQ format is prescribed for environmental impact statements.

Ambiguities between environmental analysis, decisionmaking, and planning are removed. Prodedural details formerly in FSM 1950 now appear in FSH 1909.15. Comments on the proposed revisions are invited. To be considered in preparation of the final revision of the implementing procedures, comments must be received by August 30, 1981.

Dated: June 19, 1981.

R. Max Peterson,

Chief.

June 22, 1981.

Title 1900—Planning

CHAPTER 1950—NATIONAL ENVIRONMENTAL POLICY ACT IMPLEMENTING PROCEDURES

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Chapter 1950—National Environmental Policy Act Implementing Procedures

This chapter and FSH 1909.15, the NEPA Implementing Procedures Handbook, constitute Forest Service supplemental procedures for implementing the National Environmental Policy Act (NEPA) as amended (42 U.S.C. 4321-4347 (1976)) under Department of Agriculture (USDA) NEPA Policies and Procedures and Council on Environmental Quality (the Council's) Regulations. See Chapter 500, FSH 1909.15, the NEPA Implementing Procedures, for the Council's Regulations, 40 CFR 1500-1508, and USDA NEPA Policies and Procedures, 7 CFR 3100.

These implementing procedures supplement and are not a substitute for the Council's Regulations.

1950.1 Authorities

The Forest Service is encouraged by NEPA to carry out its programs in ways that will create and maintain conditions under which man and nature can exist in productive harmony and fulfill social and economic needs of present and future generations.

NEPA requires that a systematic interdisciplinary approach be used in planning and decisionmaking which may have an impact on the human environment. NEPA also requires detailed statements on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment.

1950.2 Objectives

(See FSM 1900)

The objective of the Forest Service NEPA procedures is to integrate the requirements of NEPA with planning and decisionmaking.

1950.3 Policy

1. Environmental documents must be concise, written in plain language, and address the issues pertinent to the decision being made.
2. Environmental documents may replace or be combined with other reports which serve to facilitate decisionmaking.
3. Costs of analyses and documents for in-Service originated programs are a part of the regular budgetary process for the plan, program, or project. Costs are, therefore, borne by the benefiting activity(ies) unless special provision is made at the Washington Office level.
4. For out-Service originated activities, project proponents may be required to provide data and documentation, subject to the requirements of 40 CFR

1506.5(b). When an applicant is permitted or a contractor is employed to prepare an environmental assessment (EA) or an environmental impact statement (EIS), their activities shall be limited to those shown as the usual role of participants for staff, specialists, or interdisciplinary team in chapter 100 of FSH 1909.15. Applicants or contractors shall be required to comply with the requirements of FSM 1900 and 1950.

5. The Chief, Regional Foresters, Area and Station Directors, and Forest Supervisors shall designate a person in their offices to serve as Environmental Coordinator who shall be responsible for providing information on status of EIS's and other elements of the NEPA process.

6. Environmental documents, decision notices, and records of decision must be provided and/or made available for review by the public free of charge to the extent practicable.

7. An environmental assessment may be prepared in any format useful to facilitate planning and decisionmaking.

8. The concepts of tiering and adoption applicable to environmental impact statements are also applicable to environmental assessments.

1950.4 Responsibilities

1950.41 Chief

The Chief is responsible for environmental analysis and documentation relating to legislation and national policies, plans, programs, and projects including but not limited to those affecting areas involved in pending legislation for wilderness designation or study.

1950.42 Director of Environmental Coordination

The Director is the staff official responsible for the establishment of national standards, procedures and coordination necessary to carry out the policies and implementation of NEPA for the Forest Service.

1950.43 Regional Foresters, Station Directors, and Area Directors

Officials delegated responsibility for proposed actions are responsible for environmental analyses and documentation. Delegations of authority are specified in FSM 1230.

Regional Foresters, Station Directors, and Area Directors are authorized to file environmental impact statements directly with the EPA for actions within their authority. This authority may be redelegated, as appropriate.

1950.5 Definitions

(See FSH 1909.15, Section 410)

1951 Categorical Exclusions

(See 40 CFR 1508.4)

In addition to the actions listed by the Department as catergorical exclusions in 7 CFR 3100.22, the classes of actions listed below are also categorically excluded from documentation in an environmental assessment or environmental impact statement. These are actions which, based on previous experience, have been found to have limited context and intensity (40 CFR 1508.27 (a) and (b)) and produce little or no environmental effects to either the biological or physical components of the human environment.

1. Routine operations and maintenance actions. Routine operations are ongoing or recurring actions which are limited in scope with respect to environmental change to the biological or physical components of the human environment. These actions include operations that do not alter existing conditions—such as administration of ongoing operations, equipment purchases, custodial actions, posting of signs, and station and area surveillance.

Routine maintenance means the repair, renovation, and upkeep of facilities and improvements at the same location for the same purpose. Some routine operations or activities, such as rights-of-way maintenance involving the use of pesticides or storage of toxic substances, may be of sufficient scope to require environmental documents.

2. Actions with short-term effects. A few examples of actions within this class are granting and/or renewal of permits for: gathering fire wood, collecting plant materials, siting of bee hives, mountain climbing, and river floating.

3. Actions of limited magnitude: Actions which may fall within this class are: small timber sales, small thinning and pruning projects, small seeding and planting projects, and range and wildlife improvement projects such as water trough installation or short lengths of fences.

Not withstanding the categorical exclusions listed above, the responsible official may determine that circumstances dictate the need to prepare an environmental document.

The responsible official may prepare a decision notice to document the exclusion of a particular action.

1952 When To Prepare an Environmental Assessment (EA)

An environmental assessment must be prepared for actions other than those categorically excluded, specifically and adequately analyzed and discussed by another environmental impact statement or environmental assessment, or for which a decision has already been made to prepare an environmental impact statement.

1953 When To Prepare an Environmental Impact Statement (EIS)

EIS's must be prepared for:

1. Proposals for legislation recommended by the Forest Service which are determined to be a major Federal action significantly affecting the quality of the human environment.

2. Regional and Forest land and resource management plans.

3. Other major Federal actions significantly affecting the quality of the human environment that have not been adequately addressed in another environmental impact statement.

"Major" actions and "significant" effects are difficult to define precisely and uniformly because of the great variation in social, economic, physical, and biological conditions. The responsible official shall determine when an environmental impact statement is needed.

(See 40 CFR 1508.18 and 1508.27)

1954 Emergencies

(See 40 CFR 1506.11)

Some individual actions may require immediate attention, such as those covered in Forest Service Manuals 1590 and 3540, to prevent or reduce risk to public health or safety or serious resource loss. These include but are not limited to fire suppression, oil or toxic substance spills, search and rescue, avalanche abatement, or reduction of impending fire losses. Normally, these actions will not require environmental documentation unless called for by the responsible line officer. The Director of Environmental Coordination will consult with the Council as necessary under 40 CFR 1506.11.

1955 Procedures Related to Other Documents

1955.1 Notice of Intent

In addition to requirements of 40 CFR 1508.22, the name and title of the responsible official(s) and the estimated dates for filing the draft and final environmental impact statement must be given.

1955.2 Finding of No Significant Impact

(See 40 CFR 1508.13)

1955.3 Record of Decision

A record of decision is a separate document which records the decision of the responsible official. In addition to

the requirements in 40 CFR 1505.2, the location, administrative unit, and a statement indicating whether or not the decision is subject to administrative review (36 CFR 211.19) must be provided in the record of decision.

For decisions that are subject to administrative review, the responsible official must sign and date the record of decision on the date that it and the final environmental impact statement are transmitted to the Environmental Protection Agency and made available to the public.

For decisions that are not subject to administrative review, the record of decision shall not be signed and dated until 30 days after the Environmental Protection Agency publishes the notice of availability of the final environmental impact statement in the **Federal Register.**

1955.4 Decision Notice

At the time of decision the responsible official shall sign and date a decision notice indicating what the decision was in cases where an environmental assessment has been prepared. The decision notice also must include the reasons for the decision and a statement on appeal rights (36 CFR 211.19) as appropriate.

The responsible official shall notify the public of the decision or availability of the decision notice as appropriate.

U.S. Department of Agriculture—Forest Service FSH 1909.15

NEPA Implementing Procedures Handbook

The Forest Service National Environmental Policy Act (NEPA) process consists of all measures necessary for compliance with the requirements of Section 2 and Title 1 of the National Environmental Policy Act, as amended. This handbook provides procedural guidelines for implementing the Council on Environmental Quality (the Council) Regulations 40 CFR 1500–1508, as they pertain to Forest Service activities.

Environmental analyses, environmental documents, decision, and implementation and monitoring are the primary subjects addressed. Objectives, policies, responsibilites, and identification of typical classes of actions which require or do not require environemntal documents are addressed in FSM 1950.

U.S. Department of Agriculture—Forest Service

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NEPA Implementing Procedures Handbook

Chapter 100.—Environmental Analysis

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Chapter 100.—Environmental Analysis

Environmental analysis is the process necessary for the preparation of an environmental assessment or environmental impact statement. It is an analysis of alternative actions, and their predictable short- and long-term environmental effects, which include physical, biological, economic and social factors and their interactions. If an action is determined to be categorically excluded, no environmental analysis is required (see FSM 1951).

The usual relationships between the environmental analysis, the environmental documents, the decision documents, and implementation are shown below:

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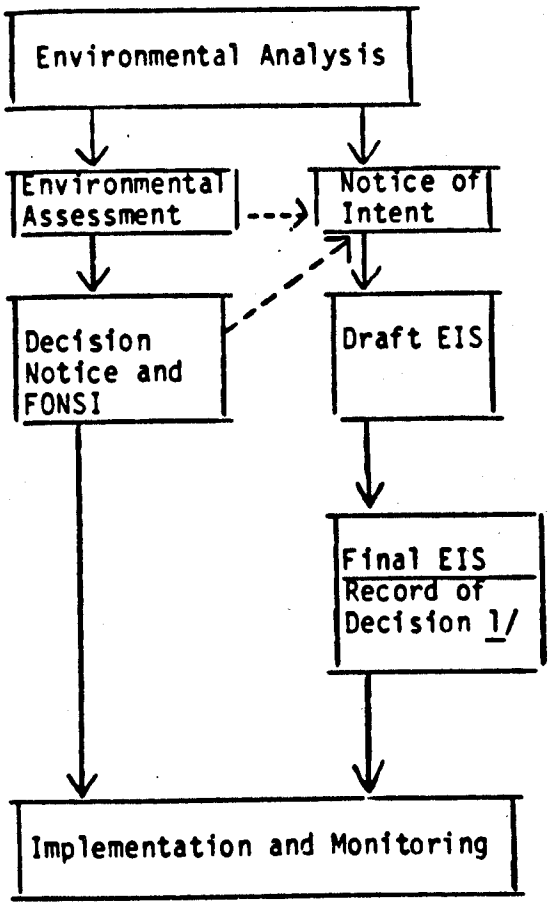
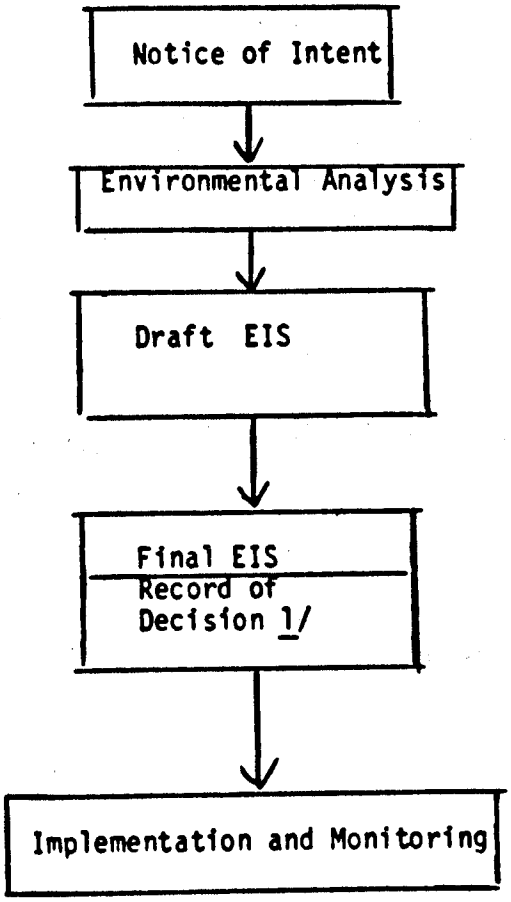
NEPA IMPLEMENTING PROCEDURES HANDBOOK

If the need for an EIS has not been determined:



If the need for an EIS has been determined: (FSM 1953)



1/ If the decision is not subject to administrative review (36 CFR 211.19), the record of decision is signed and dated no sooner than 30 days after the notice of availability of the final EIS has been published in the Federal Register.

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A model of the NEPA Process illustrating environmental analysis, documentation, decision, implementation and monitoring, and usual role of participants is shown below:

Usual Role of Participants

NEPA process	Responsible official	Staff, specialist or interdisciplinary team	Agencies, organizations, and individuals
1 Environmental analysis actions: [1] [2]			
A. Identify purpose and need	Approval	Responsible	Recommend
B. Develop criteria	Approval	Responsible	Recommend
C. Collect data	Review	Responsible	Provide information
D. Interpret data analyze the situation.	Review	Responsible	Provide information
E. Formulate alternatives	Review	Responsible	Recommend
F Estimate effects	Review	Responsible	Provide information
G. Evaluate alternatives	Review	Responsible	Provide information
H. Identify the FS preferred alternative [3]	Responsible	Recommend	Recommend
2. Documentation	Review	Responsible	Review
3. Decision	Responsible	Recommend	Review
4. Implementation and monitoring	Responsible	Assist	Assist

[1] Analysis actions may be combined as appropriate to the situation.
[2] Unless categorically excluded.
[3] When an EIS is required.

110 Definitions

Definitions and terminology for the NEPA process are included in Section 410.

120 Analysis Actions

Environmental analysis uses a systematic interdisciplinary approach to examine a proposed action and alternatives, and their effects, as an aid to identify a preferred course of action. The process is intended to be an integrated component of planning and decisionmaking for actions for which the preparation of an environmental assessment or environmental impact statement has been determined to be necessary. Therefore, the environmental analysis process should provide the information and opportunity for exchange of ideas involved in the development of an environmental assessment or an environmental impact statement at a meaningful stage in decisionmaking.

Because the nature and complexity of the proposed action determines the scope and intensity of the analysis required, no single preferred technique is required or prescribed. Various steps of the process outlined in this handbook may be combined or omitted as appropriate. The disciplines involved in an analysis should be appropriate to the scope of the proposed action and issues identified. In each analysis, use should be made of previously documented information to avoid duplication of efforts. The responsibility for determining the scope and intensity of an environmental analysis rests with the line officer responsible for the decision on the action being proposed.

If the need to complete the analysis is eliminated (that is, if a project application is withdrawn, or for other reasons), the analysis should be terminated and the interested parties informed.

When an environmental analysis deals with the establishment of standards, criteria, and guidelines as discussed in 36 CFR 216, required documentation is in accordance with Interim Directive No. 6, FSM 1626.

120.1 Identify Purpose and Need

Environmental analyses begin by identifying the objectives, issues, concerns, and opportunities to be addressed and the need for a decision.

120.2 Develop Criteria

Criteria and standards that are used to guide the process should be agreed upon early.

At the outset, the responsible official or designated staff determines from documentation already available and other prior experience related to the proposed action, the approximate extent of analysis which will be required to provide a basis for an informed decision. This preliminary determination will assist in the choice of whether it will be necessary to create an interdisciplinary team of preparers or reviewers to carry out the remainder of the analysis process, or whether a much less formal interdisciplinary approach will suffice (see 220.1). This initial appraisal also contributes to and guides subsequent steps in the analysis process. The following considerations are among those appropriate in this initial step.

1. Actions adequately addressed by another environmental document such as in an environmental impact statement for a Forest Plan. For such actions, it is possible to prepare a record of decision or a decision notice and finding of no significant impact adopting the previously prepared EA or EIS with no further analysis necessary.

2. Environmental effects or other information discussed in another environmental document or other records may narrow the scope of the environmental analysis necessary and be incorporated by reference in the environmental documents prepared for the proposed action (See 220.4 (Tiering), 220.5 (Adoption), 330.6 (Incorporation by Reference)).

Forest Service objectives established in policies and plans are considered in establishing criteria and standards. The objectives may help in the identification of significant, issues, concerns, and opportunities to be addressed in detail during the analysis and determine the criteria for the subsequent steps in the analysis.

Criteria are frequently needed in regard to the following items:

1. The kind, detail, and accuracy of data,
2. The depth or level of analysis, and
3. The formulation and evaluation of alternatives.

Criteria are adjusted throughout the process as necessary.

120.3 Collect Data

The type and amount of data to be collected depends on the situation, objectives, issues, concerns, opportunities, and scope of anticipated effects. Data collection should focus on the present and expected future conditions of those physical, biological, economic, and social factors affecting and affected by the decision. Assumptions and methods used in the analysis should be recorded for subsequent use in documentation. Sources of data should be documented. Worst-case analysis procedures for environmental impact statements should be followed in the event that essential information to a reasoned choice is not known or is not available. (See 40 CFR 1502.22).

120.4 Interpret Data

Data and information should be interpreted to provide an understanding of current and expected future conditions related to the objectives, issues, and concerns. This may include supply and demend relationships and other relevant physical, biological, economic, and social factors.

120.5 Formulate Alternatives

A reasonable range of alternatives is developed to provide different ways to address the objectives and significant issues, concerns, and opportunities.

Objectives from legislation or higher-order Forest Service plans, programs, and policies guide but do not necessarily limit the range of alternatives. The range of alternatives must be broad enough to respond to significant objectives, issues, concerns and opportunities. All reasonable alternatives are considered in the process of developing the reasonable range.

"the phrase 'all reasonable alternatives' is firmly established in the case-law interpreting the NEPA. The phrase has not been interpreted to require that an infinite or unreasonable number of alternatives be analyzed." (Supplementary information for the Council's Regulations, **Federal Register** Vol. 43, No. 230, Nov. 29, 1978, p. 55983).

The alternative of taking no action must always be considered. Two distinct interpretations of "no action" are often possible depending on the nature of the proposal being evaluated. The first situation might involve an action such as updating a land management plan where ongoing programs initiated under existing legislation and regulations will continue, even as new plans are developed. In these cases "no action" is "no change" from current management direction or level of management intensity. To construct an alternative that is based on no managment at all would be a useless academic exercise. Therefore, the "no-action" alternative may be thought of in terms of continuing with the present course of action until that action is changed. Consequently, projected impacts of alternative management schemes would be compared to those impacts projected for the existing plan. In this case, alternatives would ordinarily include management plans of both greater and lesser intensity, especially greater and lesser levels of resource development.

The second interpretation of "no action" is illustrated in instances involving Federal decisions on proposals for projects. "No action" in such cases would mean the proposed activity would not take place. The resulting environmental effects from taking no action would be compared with the effects of permitting the proposed activity or an alternative activity to go forward.

In this case the analysis can provide a benchmark, enabling decisionmakers to compare the magnitude of environmental effects of the action alternatives. Reasonable alternatives outside the jurisdiction of the Forest Service are also considered when environmental impact statements are involved (see 40 CFR 1502.14).

Alternatives should be fully and impartially developed. Care should be taken to ensure that the range of alternatives does not prematurely foreclose options which might protect, restore, and enhance the environment.

Alternatives are often modified and/or new alternatives may be developed as the analysis proceeds.

Alternatives should be formulated to include management requirements, mitigation measures, and monitoring of environmental effects.

120.6 Estimate Effects

(See 40 CFR 1508.8)

The appropriate effects of implementing each alternative is estimated. Direct, indirect, and cumulative effects should be considered. Effects are expressed in terms of changes in the physical, biological, economic, and social components of the environment for each alternative. The changes should be those associated with implementation of alternatives and when possible should be analyzed in terms of differences from the present condition, magnitude, duration, and significance. See Section 420 for a list of environmental factors which may change as a result of implementation of the various alternatives. It is not always necessary to deal with all factors and components of the environment. The effects considered in detail should be those of significance to the objectives, issues, concerns, and opportunities.

Unquantified environmental amenities and values should be given appropriate consideration.

If the information relevant to adverse impacts is essential to a reasoned choice among alternatives being considered in an environmental impact statement is not known, see 40 CFR 1502.22.

If indicators of economic efficiency are appropriate, they are developed in this step. When this is done, the relationship of economic efficiency and any analysis of unquantified environmental impacts, values, and amenities should be identified.

Although separate analysis is not necessary, the following are considered for all alternatives:

1. Effects on consumers, civil rights, minority groups and women. (Secretary's memorandum 1662, supplement 8 and OMB Circular A-19, FSM 1730).

2. Effects upon prime farmland, rangeland, and forest land.

3. Effects upon wetlands and flood plains.

4. Effects upon threatened and endangered species.

5. Cultural resources.

120.7 Evaluate Alternatives and Identify the Forest Service Preferred Alternative

Using evaluation criteria, alternatives are compared. This evaluation provides a basis for identifying preferable alternative(s) and the need for an environmental impact statement (EIS)—if not otherwise required.

When the need for an EIS has not already been established (FSM 1953.), the significance of effects should be considered in terms of context and intensity in determining the need for an EIS. (See 40 CFR 1508.27, "significantly" for definition of context and intensity).

Chapter 200.—Environmental Assessments

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Chapter 200.—Environmental Assessments

This section provides implementing procedures concerning environmental assessments. (See 40 CFR 1508.9.)

210 DOCUMENTATION

(See FSM 1952.)

If environmental analysis reveals that an action significantly affects the quality of the human environment, then an environmental impact statement is needed and a notice of intent is published. Although the actual length and detail of documentation in an environmental assessment may vary, an environmental assessment normally should not exceed 15 pages.

210.1 Format and Content

(See 40 CFR 1508.9(b))

An environmental assessment may be prepared in any format useful to facilitate planning and decisionmaking. It must include brief discussion of:

1. The need for the proposal,
2. Alternatives as required by Section 102(2)(E) of NEPA, and
3. Environmental impacts of the proposed action and alternatives.
4. The assessment must also include a listing of agencies and persons consulted.

220.1 Interdisciplinary Approach

NEPA requires a systematic, interdisciplinary approach which will ensure an integrated use of the natural and social sciences and the environmental design arts in planning and decisionmaking which may have an impact on the human environment.

The interdisciplinary approach used in environmental analysis for those actions documented in environmental assessments will vary according to the judgment of the responsible official. It is not necessary to establish interdisciplinary teams for all analyses. For example, if an individual assigned to do a simple environmental assessment, he or she must consider the physical, biological, economic, and social factors pertinent to the decision in order to meet interdisciplinary requirements. The more complex a decision is, the greater the likelihood that a team of preparers (more than one individual) and/or reviewers should be used. See section 350.1 for additional information if interdisciplinary teams are involved.

Any approach that fosters interdisciplinary exhange of information concerning the analysis, the assessement, and the decision is preferred.

220.2 Public Involvement

(See 40 CFR 1506.6.)

The responsible official may determine in certain cases to apply the scoping concept to the preparation of an environmental assessment.

220.3 Responsibilities. (When Applicants and Contractors are Involved)

(See 40 CFR 1506.5(b).)

Project proponents may be required to provide data and documentation. When an applicant is permitted to prepare an environmental assessment or a contractor is employed, their activities should be limited to those shown as the usual role of participants for staff, specialists, and interdisciplinary teams in the table shown in Chapter 100 of this Handbook.

Applicants or contractors may be required to conduct studies to determine the impact of the proposed action on the human environment.

220.4 Tiering

(See 40 CFR 1502.20 and 1508.28.)

Tiering is appropriate to environmental assessments as well as environmental impact statements. (See also section 352.).

220.5 Adoption.

(See 40 CFR 1506.3.)

Adoption is appropriate to environmental assessments as well as environmental impact statements.

220.6 Incorporation by Reference.

(See 40 CFR 1502.21.)

230 Decision

230.1 Decision Notice

A decision notice may be a separate document or combined with a finding of no significant impact which is attached to the environmental assessment.

The decision notice may also be an integral part of simple environmental assessments. See Exhibit 1 of this chapter for a sample combined decision notice and finding of no significant impact.

See Exhibit 2 of this chapter for a sample combined environmental assessment, decision notice, and finding of no significant impact.

The responsible official signs and dates the decision notice and notifies the public as appropriate. For those actions subject to administrative review (appeals) (36 CFR 211.19), the appeal period begins with the date of the decision. The decision notice briefly states:

1. what the decision was and the date,
2. the reasons for the decision,
3. the finding of no significant impact (when combined with the decision notice, see Section 230.1 above) and,
4. the appeal rights (36 CFR 211.19), as appropriate.

In most situations involving environmental assessments, implementation can take place immediately after the decision notice is signed.

230.2 Finding of No Significant Impact

(See 40 CFR 1508.13.)

A finding of no significiant impact may be included as an integral part of the decision notice.

Exhibit 1.—Sample Decision Notice and Finding of No Significant Impact

Decision Notice and Finding of no Significant Impact (Lower Star River Recreation Project, Summit County, Colorado)

USDA Forest Service, Star Mountain National Forest

An environmental assessment that discusses proposed recreation development on 150 acres of National Forest lands adjacent to six (6) miles of the Star River is available for public review in the Forest Service Office in Central, Colorado. This project involves the flood plains and wetlands adjacent to the Star River.

It is my decision to adopt Alternative B for the recreation development and management for these National Forest System lands. This alternative calls for moderate development and use, including two day-use picnic sites, 40 developed camping sites, and 12 miles of nature trails. Alternative B provides for recreation development and use with minimum environmental impacts near a metropolitan area with rapidly increasing demand for recreational opportunities.[1] Other alternatives considered were (A) the no-action alternative which would continue present management, (C) maximum development and use to accommodate 10,000 persons at one time, and (D) an alternative that would allow for day-use only. The assessment evaluates the site-specific design and construction necessary to implement some of the management decisions contained in the Star Mountaiun National Forest Plan.

The District Ranger is directed to modify Alternative B to initiate a monitoring program to determine annually the effects of project implementation upon the water quality of the Lower Star River. In addition, the use of the area shall be limited to not more than 5,000 persons at one time. Mitigation measures to avoid environmental harm are specified in the environmental assessment.

Alternative B, with specified mitigation measures and monitoring, provides the best combination of physical, biological, social, and economic benefits and is considered to be the environmentally preferable alternative.

I have determined that this is not a major Federal action that would significantly affect the quality of the human environment. Therefore, an environmental impact statement is not

[1] Decision and reasons for the decision.

needed. This determination was made considering the following factors: (a) construction of roads and day-use recreational facilities on 150 acres will have only a slight effect on the ecosystem; (b) there are no irreversible resource commitments or irretrievable loss of timber production on lands used for roads and parking lots; (c) there are no apparent adverse cumulative or secondary effects; (d) the physical and biological effects are limited to the area of planned development and use; and (e) no known threatened or endangered plants or animals are within the affected area.[2]

Project implementation will take place no sooner that 30 days from the date of this decision.[3]

This decision is subject to administrative review (appeal) pursuant to 36 CFR 211.19.

Dated: September 1, 1984.

William E. Hill,

Forest Supervisor.

Exhibit 2.—Sample Environmental Assessment, Decision Notice, and Finding of No Significant Impact

Environmental Assessment Decision-Notice Finding of no Significant Impact—Pretaining to Right-of-Way Acquisition for the Deer Park Work Center, North Side Ranger District, Summit County, Colorado

USDA Forest Service, Star Mountain National Forest

It has been determined through a land survey that a small portion of the road that provides access to the Deer Park Work Center is located on private land. Moreover, other Forest Service constructed improvements including a weather station and a fence are also located on the private land.

The affected private land consists of a small triangular-shaped parcel, approximately 0.08 acre in size which is wedged between the federally owned administrative site and County Highway Number 136. The shape of the parcel and its small size result from the fact that most of the subdivision lot of which it was once a part was acquired for County Highway purposes. The parcel is a part of Lot 1, Block 1, Deer Park Subdivision in Section 6, T.8S., R.70W., 6th PM.

Occupancy of the private land is occurring at the will of the landowner. However, the landowner desires resolution of the matter.

The practical alternatives available to the Forest Service for resolving the situation are:

1. relocate the access road and improvements,
2. purchase a right-of-way easement for road purposes and relocate the other improvements,
3. purchase a right-of-way in fee which would include all of the parcel, and
4. purchase the parcel in fee through land purchase authorities and purchase a right-of-way easement.

The alternatives of no action and land exchange were identified, but considered impractical. The no-action alternative is not legally appropriate, and land exchange would not be practical because of the very small acreage involved.

Each of the alternatives were evaluated on the basis of applicable laws and policies, physical opportunities, relative costs, and social benefits.

The relocation alternative would require obliteration of the existing road entryway, construction of a new entryway northwest of the existing, and construction of a new site for the weather station. Construction at the alternate roadway location would require a substantial amount of road fill, and result in a winding road alignment. The resulting traffic circulation pattern would not be as safe or convenient as the existing pattern. The private parcel would no longer be occupied by Forest Service improvements; however, because of its shape, small size, and location, the parcel appears unsuitable for any other beneficial use. This alternative would cost about $50,000.

The alternative of purchasing a right-of-way easement would permit continued use of the present entryway, but necessitate relocation of the weather station. Because of the small size and configuration of the parcel and the impact of road use, acquisition of a partial interest for a road right-of-way would prevent any other effective use of the parcel and would result in severence damages equivalent to the value of the fee estate. This alternative would cost about $5,000.

The alternative of purchasing a right-of-way in fee that would include all of the parcel would permit continued use of the entryway and weather station. It would also result in the establishment of straight and logical property lines, and the most beneficial use of the land. This alternative would involve the least cost (about $500).

The alternative of purchasing the parcel in fee under authorities for the acquisition of administrative sites would provide the same results as the previous alternative, except that it would entail more cost to the government due to future administrative costs. Provision for use of these authorities must be made in applicable appropriations. Consequently, the acquisition process is more extended and complicated.

Because of limited access opportunity to the Work Center and the layout of Forest Service buildings in relation to the location of the existing entryway, the Forest Service desires to acquire rights to the property rather than relocate the road and other improvements. The County Highway Department and Summit County Commissioners were consulted concerning the right-of-way acquisition and had no objections.

It is my decision to proceed with the alternative of purchasing a right-of-way in fee. This alternative will provide the most suitable and safe access to the Work Center at the least cost and is considered the environmentally preferred alternative. In addition, it will improve property lines and result in the most beneficial use of this parcel of land. While it is the general policy (FSM 5461.03a.3.) to acquire right-of-way easements, the authority to acquire rights-of-way is broad enough to acquire a right-of-way area in fee. It is evident from the circumstances of this situation that fee acquisition is appropriate.

This proposal would create no adverse resource impact in the area. There are no known threatened or endangered species or wetlands or flood plains present in the affected area.

Based on the facts and circumstances discussed herein, it is determined that there will be no significant impact on the quality of the human environment; therefore, an environmental impact statement will not be prepared.

Implementation of the right-of-way acquisition may take place immediately. Implementation is subject to administrative review (appeal) pursuant to 36 CFR 211.19. The 45-day period for administrative review begins with the date of this decision.

Questions regarding this decision should be sent to the Regional Forester,

[2]Factors that were considered in making the determination than an environmental impact statement (EIS) was not required (finding of no significant impact).

[3]Date when implementation may start. For this example wetlands and flood plains are involved. The "brief review period before taking any action" required by Executive Order 11988 and Executive Order 11990 will be met by the 30-day waiting period before implementation.

USDA Forest Service, 8434 W. Custer Ave., Summit, Colorado 80225.

William Watson,

Regional Forester.

230.3 Unprecedented Actions or Actions Similar to Those Which Normally Require an EIS

(See 40 CFR 1501.4e)

Decisions are not implemented until after the decision notice and finding of no significant impact have been available for public review (including State and areawide clearinghouses) for 30 days when:

1. the proposed action is or is closely similar to one which normally requires preparation of an environmental impact statement or

2. the nature of the proposed action is without precedent.

At the end of the 30-day period the action may be implemented or a notice of intent to prepare an environmental impact statement may be published.

230.4 Actions Involving Flood Plains and Wetlands

The decision notice is signed and dated. It states that implementation will not take place until 30 days have elapsed to allow a reasonable period of public review as required by Executive Order 11988 and Executive Order 11990.

230.5 Actions with Effects of National Concern

If the responsible official determines that an environmental impact statement is not needed but the effects of the action are of national concern, the decision notice and finding of no significant impact are published in the **Federal Register** and sent to State and areawide clearinghouses.

230.6 Distribution

Environmental assessments, decision notices, and findings of no significant impact are distributed in a manner that the responsible official deems appropriate.

240 Implementation and Monitoring

240.1 Implementation

Implementation of actions documented in a decision notice not involving the situations described in Sections 230.3 and 230.4 may take place immediately after the decision notice is signed and dated. Implementation includes responding to any requirements for mitigation or monitoring included in the environmental assessment or decision notice.

240.2 Monitoring

Actions are monitored to ensure that:

1. environmental safeguards are executed according to plan,

2. necessary adjustments are made to achieve desired environmental effects, and

3. anticipated results are achieved.

Chapter 300.—Environmental Impact Statements

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Chapter 300.—Environmental Impact Statements

This chapter provides implementing procedures for environmental impact statements.

310 Scoping

(See 40 CFR 1501.7)

The scoping process is an integrated combination of public participation and coordination, document research, and administrative activities which lay a foundataion for environmental analyses. The actions that make up the scoping process may vary depending upon whether the decision is made, prior to scoping, to prepare an environmental impact statement (EIS).

The scoping process may result in a decision to prepare an environmental assessment rather than an EIS.

The concept of scoping, as discussed in 40 CFR 1501.7 is intended to be a means of identifying issues early in the NEPA decisionmaking process to ensure thorough analysis of issues associated with the proposed action to determine the scope or extent of the analysis, and to take several other issue-related administrative actions. Several of the actions related to scoping and discussed briefly in this section are discussed in greater detail in later sections of the chapter.

Following scoping, the responsible official should provide prompt feedback to participants summarizing his or her understanding of the scope of the issues to be addressed and the significant issues to be analyzed in depth in the EIS.

Scope defines the bounds or extent of the environmental analysis as related to:

1. actions that may be taken, may be connected or dependent upon other actions, may be cumulative, or may be similar to other proposed actions,

2. alternatives which include a no-action alternative, other reasonable courses of actions, mitigation measures not in the proposed action; and

3. impacts which may be direct, indirect or cumulative.

320 Documentation

321 Notice of Intent

(See 40 CFR 1508.22 and 1506.6)

In addition to the requirements of 40 CFR 1508.22, the responsible official(s),

is identified and estimated dates for filing the draft and final environmental impact statements (EIS's) are provided. The notice of intent should be published as soon as it is determined that an EIS will be prepared. One copy of the notice of notice of intent must be sent to the Washington Office Director of Environmental Coordination for use in reporting to the Department. Notices of intent are used to develop lists of EIS's under preparation. (See Exhibit 3 for a sample notice of intent).

The official responsible for preparation of the EIS notifies the appropriate Washington, Regional, Station, or Area Environmental Coordinator whenever information shown in the notice of intent changes. (See 40 CFR 1501.7 and 1507.3(e)).

Significant changes may require publication of a revised notice of intent. If a notice of intent has been distributed and the project application is withdrawn or for some other reason a decision is no longer necessary, the process is terminated by publication of a cancellation notice which is distributed in the same manner as the notice of intent. The cancellation notice refers to any previously published notice of intent or notice of availability of an EIS. (See Exhibit 4 of this section for sample cancellation notice).

Exhibit 3.—Sample Notice of Intent

3410-11 [1]

Department of Agriculture Forest Service, Cloud Top Mountain Alpine Winter Sports Site, Star Mountain National Forest, Summit County, Colorado

Notice of Intent To Prepare an Environmental Impact Statement

The Department of Agriculture, Forest Service, will prepare an environmental impact statement for the development of the proposed Cloud Top Mountain Alpine Winter Sports Site on the Galaxy Ranger District.

The Star Mountain National Forest Land and Resource Management Plan has been prepared. One of the management decisions in the Plan was to study further the development of an Alpine Winter Sports Site on Cloud Top Mountain.

A range of alternatives for this site will be considered. One of these will be non-development of the site. Other alternatives will consider different sizes of development—ranging from 4,000 to 10,000 persons at one time. Alternative locations for uphill facilities, ski runs, and support facilities will be considered.

[1]Forest Service billing code is shown on all **Federal Register** publications.

Federal, State and local agencies, potential developers, and other individuals or organizations who may be interested in or affected by the decision will be invited to participate in the scoping process. This process will include:

1. identification of those issues to be addressed,
2. identification of issues to be analyzed in depth,
3. elimination of insignificant issues or those which have been covered by a previous environmental review, and
4. determination of potential cooperating agencies and assignment of responsibilities.

The Fish and Wildlife Service of the Department of the Interior will be invited to participate as a cooperating agency to evaluate potential impacts on threatened and endangered species habitat if any such species are found to exist in the potential winter sports site.

The Forest Supervisor will hold public meetings in his office at 1:00 p.m., Saturday, November 3, 1981, and at the Summit County Community Center in Central, Colorado, at 7:00 p.m., Wednesday, November 14, 1981.

William Watson, Regional Forester of the Rocky Mountain Region in Denver, Colorado, is the responsible official.

The analysis is expected to take about 10 months. The draft environmental impact statement should be available for public review by June 1982. The final environmental impact statement is scheduled to be completed in October 1982.

Written coments and suggestions concerning the analysis should be sent to William Hill, Forest Supervisor, Star Mountain National Forest, Central, Colorado 80000 by December 15, 1981.

Questions about the proposed action and environmental impact statement should be directed to Phil Graham, Recreation Staff Officer, Star Mountain National Forest, phone 303-234-3800.

William Watson,

Regional Forester.

October 13, 1981.

Exhibit 4.—Sample Cancellation Notice

3410-11 [1]

Department of Agriculture, Forest Service (Environmental Impact Statement for The North Slope Unit Plan, Star Mountain National Forest, Summit County, Colorado)

Cancellation Notice

A draft environmental impact statement (EIS) for the North Slope Unit Plan was distributed to the public and filed with the Environmental Protection Agency on July 19, 1979.

I am terminating the EIS process because the Land and Resource Management Plan for the Star Mountain National Forest will consider the issues and concerns involved in the North Slope Unit Plan.

The Forest Plan will be developed according to the regulations for land and resource management plans for the National Forest System (36 CFR Part 219).

This Forest Plan will be completed by December 31, 1983, in accordance with the schedule published in the **Federal Register**, Vol. 44, No. 85, p. 47861, July 30, 1979.

William Watson,

Regional Forester.

321.1 Composite Lists

A list of environmental impact statements (EIS's) under preparation in each Region, Station, and Area is kept in that office and at the Washington Office. Lists are updated as new notices of intent, revised notices of intent, and cancellation notices are published. The line officer responsible for preparing the EIS notifies the appropriate Regional, Station, or Area Environmental Coordinator and the Washington Office Director of Environmental Coordination whenever information in the notice of intent changes. (See Exhibit 5 of this section for a sample composite list of EIS's under preparation.)

330 Environmental Impact Statement

330.1 When To Prepare

(See FSM 1952.2)

330.11 Proposals for Legislation

(See 40 CFR 1506.8 and FSM 1924)

330.2 Page Limits

(See 40 CFR 1502.7)

330.3 Writing

(See 40 CFR 1502.8)

330.4 Format

(See 40 CFR 1502.10)

330.5 Content

1. *Cover sheet.* (See 40 CFR 1502.11).

The name and title of the responsible official is provided in addition to the Council's requirements. A sample cover sheet is shown in Exhibit 6 of this section.

321.1 Composite Lists

A list of environmental impact statements (EIS's) under preparation in each Region, Station, and Area in kept

[1]Forest Service billing code is shown on all **Federal Register** publications.

in that office and at the Washington Office. Lists are updated as new notices of intent, revised notices of intent, and cancellation notices are published. The line officer responsible for preparing the EIS notifies the appropriate Regional, Station, or Area Environmental Coordinator and the Washington Office Director of Environmental Coordination whenever information in the notice of intent changes. (See Exhibit 5 of this section for a sample composite list of EIS's under preparation.)

330 Environmental Impact Statement

330.1 When To Prepare

(See FSM 1953)

330.11 Proposals for Legislation

(See 40 CFR 1506.8 and FSM 1924)

330.2 Page Limits

(See 40 CFR 1502.7)

330.3 Writing

(See 40 CFR 1502.8)

330.4 Format

(See 40 CFR 1502.10)

330.5 Content

1. *Cover sheet.* (See 40 CFR 1502.11).

The name and title of the responsible official is provided in addition to the Council's requirements. A sample cover sheet is shown in Exhibit 6 of this section.

Exhibit 5.—Sample Composite List

[Environmental Impact Statements Under Preparation]

Rocky Mountain Region		Black Mountain NF [1]		Date: October 1, 1981		
Title [2]	Nature of proposal [3]	Location [4]	Responsible official [5]	For information contact [6]	Date filed or estimated date	
					Draft	Final [7]
Balo Mountain	Resource Development (Winter Sports).	Colorado, Summit County.	Regional Forester	Recreation Planner, 1000 7th St., Summit, CO 80000, 303-796-7870.	5/81	10/81
Black Mountain	Land Management Plan.	Colorado, Mineral County, Hinsdale County, Gunnison County.	Regional Forester	Forest Planner, 398 Simms St., Grand Junction, CO 80000, 303-298-3790.	12/81	1/82
Moose Creek Wilderness Proposal.	Legislative	Colorado, Hinsdale County.	Chief	Recreation Staff Officer, 819 W. 4th Ave., Colorado City, CO 80000, 303-973-6980.	7/82	3/83

[1] Insert the name of the Region, National Forest, etc., as appropriate.
[2] Use the local name of the proposal.
[3] Identity the nature of the proposal.
[4] Show States and Counties where the plan, program, or project is located.
[5] Show title of the person who is responsible for the decision.
[6] Show title, address and phone number of the person who can answer questions about the proposed action and the environmental impact statement.
[7] Show month and year.

Exhibit 6.—Sample Cover Sheet

Draft Environmental Impact Statement (Star Mountain National Forest Land and Resource Management Plan; Summit, Comet, and Garfield Counties, Colorado)

Lead Agency: USDA—Forest Service
Cooperating Agencies: USDI—Bureau of Land Management, 321 No. Fern Street, Central, Colorado 80000; Colorado Fish and Game Department, 1700 Alder Street, Garfield, Colorado 80017
Responsible Official: William Watson, Regional Forester, Rocky Mountain Region (for NFS lands)
For Further Information Contact: Ms. Ruth Gibson, Forest Planner, Star Mountain National Forest, 123 So. Fern Street, Central, Colorado 80000, (303-555-1515)

Abstract: Five alternatives for development of a Land and Resource Management Plan for the 2,500,000 acre Star Mountain National Forest are described and evaluated. The alternatives are: (A) moderate increase in commodity production; (B) a continuation of present management direction with no change in the level of outputs or activities; (C) dispersed recreation emphasis; (D) commodity emphasis; and (E) amenity emphasis. Alternative A is the Forest Service preferred alternative, and the rationale for this preference is described. The plan will guide management of the Forest for the decade 1984-1993.

Comments must be received by September 15, 1981.

2. *Summary.* (See 40 CFR 1502.12).

3. *Table of Contents.* (self-explanatory).

4. *Purpose and Need.* (See 40 CFR 1502.13).

5. *Alternatives Including the Proposed Action.* (See 40 CFR 1502.14, and 1506.2(d)).

6. *Affected Environment.* (See 40 CFR 1502.15).

7. *Environmental Consequences.* (See 40 CFR 1502.16 and 1502.22).

The expected outputs—in terms of goods, services, and uses—that will result from implementing each alternative should be expressed in Service-wide standard terminology. (See FSH 1309.11, Management Information Handbook). Use the Resources Planning Act program planning time-periods where appropriate.

8. *List of Preparers.* (See 40 CFR 1502.17).

9. *List of Agencies, Organizations, and Persons to Whom Copies of the Statement are Sent.* (self-explanatory).

10. *Index.*

Environmental impact statements (EIS's) include indexes. The purpose of an index is to make the information in the EIS fully available to the reader without delay. See section 430 for preparation of indexes.

11. *Appendix.* (See 40 CFR 1502.18 and 40 CFR 1503.4).

Copies of all comments from Federal, State, and local agencies on a draft EIS are included in the appendix of the final EIS.

330.6 Incorporation by Reference

(See 40 CFR 1502.21)

330.7 Incomplete or Unavailable Information

(See 40 CFR 1502.22)

330.8 Cost-Benefit Analysis

(See 40 CFR 1502.23)

330.9 Methodology and Scientific Accuracy

(See 40 CFR 1502.24)

331 Processing Environmental Impact Statements (EIS)

After a draft EIS has been prepared:

1. Circulate the draft EIS to agencies and the public and file it with the Environmental Protection Agency (EPA) in Washington, D.C.

2. Conduct public participation sessions, if appropriate.

3. Review, analyze, evaluate, and respond to substantive comments on the draft EIS. Copies of all review comments should be available for public and in-Service review in the office of the

responsible official or administrative unit affected by the policy, plan, program, or project. (See 40 CFR 1506.9).

4. Prepare a final EIS. File the final EIS with EPA along with all substantive comments or summaries thereof on the draft EIS. Circulate the final EIS to other agencies and the public. (See 40 CFR 1506.10).

Responsible officials shall circulate the entire draft and final EIS's. However, if the statement is unusually long, a summary may be circulated instead. If a summary is distributed as a separate document, it must:

a. State how the complete EIS can be obtained or reviewed

b. Have a cover sheet attached.

See 40 CFR 1502.19 for circulation of EIS's.

When the EIS is filed with the EPA, the responsible official shall ensure that a reasonable number of copies of the statement is available free of charge. "Statements shall be filed with EPA no earlier than they are also transmitted to commenting agencies and made available to the public" (40 CFR 1506.9).

This means that the scheduled distribution is completed at the same time as or before the EIS is filed with EPA.

Statements involving legislation, regulations, multiagency actions at the national level, and Service-wide policies are filed with EPA by the Washington Office (WO). If the Chief is the responsible official, other levels of the Forest Service may assist with the analysis and preparation of documents. If the final EIS deals with plans or projects which make allocation to nonwilderness uses in RARE II "Further Planning" areas, the responsible official makes public distribution and files the final EIS with EPA the same as for other EIS's. Five copies of the final EIS are sent to the WO Director of Environmental Coordination for transmittal to congressional committees. These five copies are in addition to the 15 copies normally provided to the WO.

332 Corrections, Supplements, or Revisions

(See 40 CFR 1502.9)

Environmental impact statements (EIS's) may be corrected through use of errata sheets or modified by supplements. Draft EIS's may be revised. Supplements or revisions are prepared, circulated, filed, and reviewed the same as the document being modified.

332.1 Draft Environmental Impact Statements

(See 40 CFR 1502.9 and 1502.10)

A revision to a draft environmental impact statement is necessary when, in the judgment of the responsible official, comments on the draft clearly indicate that meaningful analysis was not possible.

332.2 Final Environmental Impact Statements

(See 40 CFR 1502.9)

340 Review of Environmental Impact Statements

341 Forest Service Environmental Impact Statements

341.1 Draft Environmental Impact Statements

(See 40 CFR 1503.1(a))

Comments on the draft environmental impact statement (EIS) may be received after the review period is closed and before the final EIS is filed. If it is too late to incorporate them in the final EIS, they should be made available to the responsible official for consideration prior to making the decision.

341.2 Final Environmental Impact Statements

(See 40 CFR 1502.9(b) and 1503.4)

When the responsible official determines that a summary of the response is appropriate, the summary must accurately reflect all substantive comments received on the draft environmental impact statement (See Exhibit 7). Comments that are pertinent to the same subject may be aggregated by categories, but the summarization specifically identifies the comment. A general summary should be avoided.

342 Other Agency Environmental Impact Statements

(See 40 CFR 1503.2 and 1503)

When requested to do so because of special expertise, the Forest Service reviews and comments on environmental impact statements (EIS's) prepared by other agencies. Unless otherwise assigned by the Chief, review and comment on legislative or Service-wide policies, regulations, or national program proposals is made by the Wahington Office (WO). All other draft and final EIS's are reviewed by the Regional Forester or Area Director in whose Region or Area the proposal is located. When an EIS affects both Regional and Area program responsibilities, the Area Director determines who will assume the land for responding.

Exhibit 7.—Summary of Substantive Comments [1]

"The concept of scoping was one of the innovations in the proposed regulations most uniformly praised by members of the public ranging from business to environmentalists. There was considerable discussion of the details of implementing the concept. Some commenters objected to the formality of the scoping process, expressing the view that compliance with this provision in every case would be time-consuming, would lead to legal challenges by citizens and private organizations with objections to the agency's way of conducting the process, and would lead to paperwork since every issue raised during the process would have to be addressed to some extent in the environmental impact statement. These commenters stated further that Federal agencies themselves were in the best position to determine matters of scope, and that public participation in these decisions was unnecessary because any scoping errors that were made by such agencies could be commented upon when the draft EIS was issued (as was done in the past) and corrected in the final document. These commenters urged that scoping at least be more open-ended and flexible and that agencies be merely encouraged rather than required to undertake the process. Other commenters said that the Council had not gone far enough in imposing uniform requirements. These commenters urged the Council to require that a scoping meeting be held in every case, rather than only when practicable; that a scoping document be issued which reflected the decisions reached during the process; and that formal procedures be established for the resolution of disagreements over scope that arise during the scoping process. These commenters felt that more stringent requirements were necessary to ensure that agencies did not avoid the process."

Comments on these other EIS's are submitted directly to the appropriate agency by the responsible field unit. One copy of the comments is sent to the WO Director of Environmental Coordination. When another agency's EIS involves more than one Region, the responses are coordinated by the WO Director of Environmental Coordination.

[1] Taken from the preamble to the Council on Environmental Quality Nov. 29, 1978 **Federal Register** notice on the final regulations for implementation of the National Environmental Policy Act.

342.1 Referrals

(See 40 CFR 1504.3)

When it has been determined, after review of another agency's environmental impact statement (EIS) that the proposal would be environmentally unsatisfactory, the matter is referred to the Council on Environmental Quality (the Council) through the Office of Environmental Quality (OEQ), Office of the Secretary. Referrals should reflect a careful determination that the proposed action raises significant environmental issues of national importance. However, referrals are only made to the Council after concerted, timely, but unsuccessful attempts to resolve the differences have been made with the proposing agency.

If an agreement cannot be reached, the lead agency is informed at the earliest possible time, in a letter signed by the Secretary of Agriculture, of the Department's intent to refer a proposal to the Council. Such information is included in Forest Service comments on the lead agency's draft EIS unless the draft EIS contains insufficient information to permit an analysis of the proposal's environmental acceptability. When such needed information is not contained in the draft EIS, the Forest Service identifies the needed information and requests that it be made available by the lead agency at the earliest possible time.

The referral package is sent to the Washington Office Director of Environmental Coordination. It consists of the draft letter to be signed by the Secretary informing the lead agency of the referral and the reasons for it, as well as requesting that the lead agency take no action to implement the proposal until the referral is acted upon by the Council. The letter (to the lead agency) includes a statement supported by evidence as to specific facts, or controverted facts, leading to the conclusion that the proposal is unsatisfactory from the standpoint of public health or welfare or environmental quality (see 40 CFR 1504.3). Also included in the package is a letter to the Council.

The referral is delivered by the Secretary's Office to the Council not later than 25 days after the final EIS is made available to the Environmental Protection Agency, commenting agencies, and the public, except where an extension has been granted by the lead agency. The 25-day time period is extremely short; therefore, referral documentation begins when another agency's draft EIS proposes an environmentally unacceptable action. The Forest Service official responsible for commenting on the statement should notify the originating agency that a referral will be recommended to the Secretary if the condition is not remedied in the final EIS. Upon receipt of the final EIS, if the condition is not remedied, documentation and request for referral should be sent immediately to the Chief for handling.

350 Other Requirements

350.1 Interdisciplinary Approach and Interdisciplinary Teams

(See section 102(2)(A) of the National Environmental Policy Act, (NEPA) as amended and 40 CFR 1502.6)

If appropriate, interdisciplinary teams may be used to do environmental analyses and are required for preparing Regional and Forest Plans (36 CFR 219).

The interdisciplinary approach for preparing an environmental impact statement often begins with the responsible official designating an interdisciplinary team and leader. The team is responsible for conducting the environmental analysis, subject to review and approval of the responsible official, and for preparing the environmental documents. A team can integrate its collective knowledge of the physical, biological, economic, and social sciences and environmental design arts into the decision process. Interaction among team members often provides insight that otherwise would not become apparent.

The manner in which a team operates has a great deal to do with job satisfaction of team members, the relationship of the team to the responsible official, the relationship to out-Service people, efficiency, and the adequacy and quality of the analysis. When teams are used, factors such as those listed below are also important to the success of the analysis effort.

1. the role and leadership style of the team leader,
2. the composition of the team with respect to different disciplines needed and represented,
3. group size,
4. individual team member qualifications, and
5. knowledge of how people react and work in team situations.

Team leadership should be assigned to an individual possessing a working knowledge of the NEPA process and the ability to communicate effectively with team members. Facilitating interaction among team members who are experts in their field toward team goals is an art that is not well defined.

Disciplines to be represented in an interdisciplinary team should be selected on the basis of the nature and complexity of the decision addressed in the analysis effort. Individual team members must have knowledge and experience in the field they represent, should be able to conceptualize problems, seek solutions, communicate in group interaction situations, and must have an understanding of the environmental analysis process.

3550.2 Public Involvement

(See 40 CFR 1506.6)

350.3 Environmental Review and Consultation Requirements

(See 40 CFR 1502.25)

350.4 Elimination of Duplication With State and Local Procedures

(See 40 CFR 1506)

350.5 Federal and Federal-State Agencies With Legal Jurisdiction or Special Expertise

(See 40 CFR 1503.1)

See chapter 440.1 for addresses and recommended document distribution. See chapter 440 for Council on Environmental Quality's list of agencies with jurisdiction by law or special expertise.

350.6 Limitations on Actions During the NEPA Process

(See 40 CFR 1506.1)

"Required" as used in 40 CFR 1506.1 means required by law as opposed to a voluntary or discretionary environmental impact statement.

351 Responsibilities (When applicants and contractors are involved.

Project proponents may be required to provide data and documentation. When an applicant is permitted to conduct environmental analysis or prepare an environmental impact statement, or a contractor is employed, their activities should be limited to those shown as the usual role of participants for the interdisciplinary team in the table shown in Chapter 100 of this handbook. Applicants or contractors may be required to conduct studies which are deemed necessary and appropriate in order to determine the impact of the proposed action on the human environment.

352 Tiering

(See 40 CFR 1502.20)

When an alternative other than the no-action alternative has been selected in a broad program document and a record of decision prepared, that no-action alternative need not be described in subsequent environmental documents

ered to the parent document unless new information has emerged. These documents may refer to the evaluation of the no-action alternative in the broad program document. However, the decision on site-specific actions must consider the no-action alternative appropriate to that decision.

353 Adoption

(See 40 CFR 1506.3)

354 Lead Agency

(See 40 CFR 1501.5)

A Forest Service request that the Council on Environmental Quality determines which Federal agency shall be the lead agency is sent to the Director of Environmental Coordination in Washington, D.C. for processing. Where National Forest System lands are involved, the Forest Service should exert a strong role in environmental analysis and document preparation.

355 Cooperating Agencies

(See 40 CFR 1501.6)

When National Forest System lands are involved and the Forest Service is not the lead agency, the Regional Forester should request that the Forest Service be a cooperating agency. There may be other circumstances where the Forest Service should be a cooperating agency.

If the Forest Service is requested to be a cooperating agency and other program commitments preclude the requested involvement, a reply to this effect shall be prepared by the Regional Forester, Area Director, or Station Director. A copy of the reply must be sent to the Director of Environmental Coordination in Washington, D.C. within 10 working days of the date that the letter is transmitted. The Director will advise the USDA Office of Environmental Quality.

356 Distribution

356.1 Draft Environmental Impact Statement

When the responsible official is the Regional Forester, Station or Area Director,[1] send:

1. Five (5) copies to the Environmental Protection Agency (EPA) in Washington, D.C., for filing purposes.
2. Fifteen (15) copies to the Washington Office[2] (WO).
3. Two (2) copies of the transmittal letter to EPA to the WO. (See Exhibit 8 of this section for a sample transmittal letter to EPA).

When the responsible official is the Chief, send:

1. Twenty (20) copies to the WO (WO will file 5 copies with EPA).
2. One (1) original and two (2) copies of the transmittal letter to EPA to the WO for the Chief's signature.

(Seventy (70) copies are needed for wild and scenic river studies.)

356.2 Final Environmental Impact Statement

When the responsible official is the Regional Forester, Station or Area Director, send:

1. Five (5) copies to the Environmental Protection Agency (EPA) in Washington, D.C. for filing purposes.
2. Fifteen (15) copies to the Washington Office (WO). (For projects or plans involving RARE II "Further Planning" areas, send an additional five copies to the WO for distribution to congressional committees).
3. Two (2) copies of the transmittal letter to EPA to the WO.

When the responsible official is the Chief, send:

1. Twenty (20) copies to the WO.
2. One (1) original and two (2) copies of the transmittal letter to EPA to the WO for the Chief's signature.

(Seventy (70) copies are needed for wild and scenic river studies.)

356.3 Distribution Lists

Responsible officials should ensure that lists of individuals, groups, organizations, and government agencies which may be interested in reviewing Forest Service environmental impact statements (EIS's) are maintained. Regions should develop specific distribution lists.

State and areawide clearinghouses should be used, by mutual agreement, for securing reviews of the draft EIS. The responsible official may also communicate directly with appropriate State or local officials or agencies if clearinghouses are unwilling or unable to handle this phase of the process. However, clearinghouses should always receive copies of EIS's.

356.31 State and Local Agencies

Regions, Stations, and Areas should develop and maintain lists of State and local agencies as supplements to this section.

356.32 Organizations

Regions, Stations, and Areas should develop and maintain lists of organizations as supplements to this section.

356.33 Individuals

Regions, Stations, and Areas should develop and maintain, as supplements to this section, lists of individuals who have expressed an interest in receiving Forest Service environmental impact statements.

356.34 Federal Agencies

Following is the manadatory distribution list for all environmental impact statements (EIS's) prepared by the Forest Service: (See Section 440.1 for number of copies).

Environmental Protection Agency, Mail Code A-104, Room 2119, Waterside Mall, 401 M Street, SW, Washington, DC 20460

Environmental Protection Agency, Appropriate Regional Offices

Department of the Interior, Interior Building, Room 4256, Washington, DC 20240

Copies of the EIS's sent to the Environmental Protection Agency and the Department of the Interior are always sent by certified mail—return receipt requested, or by other methods of delivery where receipt can be verified. This method may also be desirable for others on the mailing list.

See section 440.1 for lists of addresses, phone numbers, and number of copies. Any other distribution to Federal agencies should be determined according to agency expertise and legal jurisdiction. Regions, Stations, and Areas should use this list and distribute EIS's as appropriate. When review and comments are to be requested from any of these agencies, the indicated number of copies to be provided is shown.

Exhibit 8.—Sample Transmittal Letter

Return Address[1]

1950[2]

August 4, 1981.

Director, Office of Federal Activities
Environmental Protection Agency
Mail Code A-104, EIS Registration Section
Room 2119, Waterside Mall
401 M Street, SW
Washington, DC 20460

Dear Sir: Five copies of the Draft Environmental Impact Statement on the Snow Top Mountain Ski Area proposed development, Star Mountain National Forest, Summit, Comet, and Garfield Counties, Colorado, are enclosed.

[1] Authority to file statements directly with EPA may be redelegated by Regional Foresters, Area and Station Directors as appropriate (Sec. 362.1).

[2] Washington Office Director of Environmental Coordination.

[1] When the Chief is the responsible official, return address should be the WO address: P.O. Box 2417, Washington, DC 20013.

[2] Use 1950 file designation to ensure proper distribution of EIS's within the Forest Service.

The responsible official is Regional Forester William Watson of the Rocky Mountain Region in Denver, Colorado.

Sincerely,

William Watson,

Regional Forester.

Enclosures

360 Decision

360.1 Record of Decision

(See 40 CFR 1505.2)

A record of decision is a separate document which states the decision of the responsible official. The name, location, and administrative unit, and a statement indicating whether or not the decision is subject to administrative review, (if so, cite 36 CFR 211.19 and include the date the appeal period ends counting from the date the record of decision is signed) are required in addition to the requirements of the Council on Environmental Quality regulations.

For those decisions subject to administrative review (appeal), the record of decision establishes the date of decision and is signed and dated on the date that it and the final environmental impact statement (EIS) are transmitted to the Environmental Protection Agency (EPA) and made available to the public. See Exhibit 9 for a sample record of decision.

For decisions not subject to administrative review, the record of decision is signed, dated and distributed no earlier than 30 days after the EPA publishes the notice of availability of the final EIS in the **Federal Register.** The record of decision is distributed in the same manner as the final EIS.

When joint lead agencies are identified in an EIS, the responsible official from each agency signs and dates the record of decision for those actions within their authority. A separate record of decision may be prepared by each responsible official. See Exhibit 10 in this section for a list of conditions that must be met prior to a decision and implementation.

Exhibit 9.—Sample Record of Decision

Record of Decision—USDA Forest Service (Star Mountain National Forest Land and Resource Management Plan; Summit, Comet, and Garfield Counties, Colorado)

Final Environmental Impact Statement

Based on the analysis in the Final Environmental Impact Statement for the Star Mountain National Forest Land and Resource Management Plan, it is my decision to adopt Alternative A as the plan for management for these National Forest System lands. Alternative A provides for a moderate level increase over the next five years in timber harvest and developed site recreational use. Livestock grazing will remain at the present level.

The other alternatives considered included (1) a continuation of present management direction with no change in outputs or activities; (2) dispersed recreation emphasis; (3) commodity emphasis with maximum development of the Forest transportation system; and, (4) an amenity emphasis alternative with a substantial increase in acreage in visual quality objective classes of preservation and retention. Alternative A is consistent with the Regional Plan and although it will not be the least expensive to implement, it is the most responsive to the social and economic needs of the affected area. It is also environmentally preferable to the other alternatives when the physical, biological, economic, and social factors are weighed on balance.

The decision to adopt Alternative A was made in light of the Forest Service mission as defined by legislative mandate of the Multiple Use Sustained-Yield Act of 1960 and the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA), as amended by the National Forest Management Act of 1976 (NFMA).

The President's Statement of Policy on the RPA Program was transmitted to Congress on June 22, 1980, and established national resource management policies and output and activity targets for the period 1981–85. The Regional Plan is responsive to RPA and provides standards and guidelines for management of the Star Mountain National Forest.

The alternative selected provides adequate mitigation to avoid environmental harm. A monitoring program described in detail in the Final Environmental Impact Statement and the Forest Plan is adopted. State and national standards for ambient air quality over the Star Mountain National Forest will be met or exceeded. Water quality will continue to meet existing State standards.

This decision is subject to administrative review in accordance with the provisions of 36 CFR 211.19. A request for review must be filed no later than December 15, 1983, or within 30 days of the date of receipt of the decision by persons entitled to notification of the decision under 36 CFR 211.19(d)(1).

Implementation of the Plan will take place December 16, 1983.

Dated: October 31, 1983.

William Watson,

Regional Forester.

Exhibit 10

If an EIS is required for	These conditions must be met prior to a decision	These conditions must be met prior to implementation
I. Land and Resource Management Plans for units of the National Forest System. (36 CFR 219)		
A. That *do not* involve RARE II *Further Planning* areas.	1. 90 days have elapsed since the notice of availability of the draft EIS was published in the FEDERAL REGISTER by EPA 2. A final EIS that responds to comments on the draft EIS has been prepared	1. 30 days have elapsed since the date of publication of the notice of availability of the final EIS in the FEDERAL REGISTER by EPA. (The record of decision accompanies the EIS).
B. That *do* involve RARE II *Further Planning* areas.	1. 90 days have elapsed since the notice of availability of the draft EIS was published in the FEDERAL REGISTER by EPA 2. A final EIS that responds to comments on the draft EIS has been prepared	1. 30 days have elapsed since the date of publication of the notice of availability of the final EIS in the FEDERAL REGISTER by EPA. 2. 90 days while Congress is in session have elapsed since the date of publication of the notice of availability of the final EIS in the FEDERAL REGISTER. 3. An extension of time has not been requested by the appropriate congressional committee chairman. 4. The WO has notified the responsible official that condition 3 has been met.
II. Plans (other than land management plans), programs or projects adversely affecting the existing wilderness character of RARE II *Further Planning* areas.	1. 60 days have elapsed since the notice of availability of the draft EIS was published in the FEDERAL REGISTER by EPA 2. A final EIS that responds to comments on the draft EIS has been prepared	1. 30 days have elapsed since the date of publication of the notice of availability of the final EIS in the FEDERAL REGISTER by EPA. 2. 90 days while Congress is in session have elapsed since the date of publication of the notice of availability of the final EIS in the FEDERAL REGISTER. 3. An extension of time has not been requested by the appropriate congressional committee chairman. 4. The WO has notified the responsible official that condition 3 above has been met.

Exhibit 10—Continued

If an EIS is required for	These conditions must be met prior to a decision	These conditions must be met prior to implementation
III. Land management or other plans, programs or projects affecting areas involved in pending legislation for wilderness designation in which either the House or Senate has passed a bill to designate all or any portion of an inventoried roadless area for wilderness or for wilderness study.	1. 60 days have elapsed since the notice of availability of the draft EIS was published in the FEDERAL REGISTER by EPA 2. A final EIS that responds to comments on the draft EIS has been prepared	1. 30 days have elapsed since the date of publication of the notice of availability of the final EIS in the FEDERAL REGISTER by EPA. 2. The WO has notified the responsible official that the Department has no objections and that obligations to the Congress to postpone implementation have been met.
IV. Other plans, programs or projects subject to administrative review (appeal) (36 CFR 211.19).	1. 60 days have elapsed since the notice of availability of the draft EIS was published in the FEDERAL REGISTER by EPA 2. A final EIS that responds to comments on the draft EIS has been prepared	1. 30 days have elapsed since the date of publication of the notice of availability of the final EIS in the FEDERAL REGISTER by EPA.
V. Actions not subject to administrative review, for example, Regional Plans, State and Private Forestry and Research programs, etc. (36 CFR 211.19).	1. 90 days have elapsed since the notice of availability of the draft EIS was published in the FEDERAL REGISTER by EPA 2. A final EIS that responds to comments on the draft EIS has been prepared 3. 30 days have elapsed since the notice of availability of the final EIS was published in the FEDERAL REGISTER by EPA[1]	1. A record of decision has been signed and dated.

[1] The 90-day period and the 30-day period may run concurrently if a 45-day period for public comment is provided.

360.2 Distribution

The record of decision is distributed to those who have received or requested to receive the final environmental impact statement. In addition, the public may be notified as indicated in 40 CFR 1506.6.

370 Implementation and Monitoring

370.1 Implementation

(See 40 CFR 1506.10)

Conditions listed in Exhibit 10 must be met prior to implementation of the decision if an environmental impact statement (EIS) is required. Implementation specifically includes responding to any commitments for mitigation or monitoring included in the final EIS and record of decision.

370.2 Monitoring

(See 40 CFR 1505.3)

Actions will be implemented and monitored to ensure that (1) environmental safeguards are executed according to plan, (2) necessary adjustments are made to achieve desired environmental effects, and (3) anticipated results and projections are reviewed.

Chapter 400.—References

Contents

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410 Definitions.
420 Environmental Factors List.
430 Indexing and Indexes.
440 List of Federal Agencies and Federal-State Agencies With Jurisdiction by Law or Special Expertise on Environmental Quality Issues.
450 List of Federal and Federal-State Agencies for Distribution Purposes.
460 Laws—National Environmental Policy Act of 1969.
470 Regulations and Supplementary Information.
470.1 Council in Environmental Quality (CEQ) NEPA Regulations (40 CFR 1500–1508.28).
470.11 CEQ Supplementary Information (November 29, 1978 Federal Register).
470.12 CEQ 40 Questions.
470.13 CEQ Scoping Guidance.
470.2 Department of Agriculture (USDA) NEPA Policies and Procedures (7 CFR 3100).
480 Executive Orders 11514—Protection and Enhancement of Environmental Quality.
490 Office of Management and Budget Circulars (Reserved).
491 State and Local [Reserved].

Chapter 400.—References

410 Definitions

1. *Categorical exclusion:* (See 40 CFR 1508.4).

2. *Cooperating agency:* (See 40 CFR 1508.5).

3. *Cumulative impact:* (See 40 CFR 1508.7).

4. *Decision notice:* A concise public record of the responsible official's decision.

5. *Effects:* (See 40 CFR 1508.8).

6. *Environmental analysis:* A process necessary for preparation of an environmental assessment or an environmental impact statement. It is an analysis of alternative actions and their predictable short- and long-term environmental effects, which include physical, biological, economic, and social factors and their interactions.

7. *Environmental assessment:* (See 40 CFR 1508.9).

8. *Environmental design arts:* Those disciplines which directly influence the biological and physical environment as a result of the design of projects of all kinds.

9. *Environmental documents:* (See 40 CFR 1508.10).

10. *Environmental impact statement:* (See 40 CFR 1508.11).

11. *Environmentally preferable alternative:* That alternative (or alternatives) that best meets the goals of Section 101 of NEPA.

12. *Finding of no significant impact:* (See 40 CFR 1508.13).

13. *Flood plains:* "Lowland and relatively flat areas adjoining inland and coastal water including as a minimum, that area subject to a one percent or greater chance of flooding in any given year (Executive Order 11988)."

14. *Human environment:* (See 40 CFR 1508.14).

15. *Irreversible:* Applies primarily to the use of nonrenewable resources, such as minerals or cultural resources or to those factors which are renewable only over long time spans, such as soil productivity. Irreversible also includes loss of future options.

16. *Irretrievable:* Applies to losses of production, harvest or use of renewable natural resources. For example, some or all of the timber production from an area is irretrievably lost while an area is being used as a winter sports site. If the use is changed, timber production can be resumed. The production lost is irretrievable, but the action is not irreversible.

17. *Issue:* A point of discussion, debate, or dispute.

18. *Jurisdiction by law:* (See 40 CFR 1508.15).

19. *Lead agency:* (See 40 CFR 1508.16).

20. *Legislation:* (See 40 CFR 1508.17).

21. *Major Federal action:* (See 40 CFR 1508.18).

22. *Matter:* (See 40 CFR 1508.19).

23. *Mitigation:* (See 40 CFR 1508.20).

24. *NEPA process:* (See 40 CFR 1508.21).

25. *Notice of intent:* (See 40 CFR 1508.22).

26. *Opportunities:* Possible actions, measures, or treatments identified which may be taken to address goals and objectives.

27. *Proposal:* (See 40 CFR 1508.23).

28. *Record of decision:* A concise public record of the responsible official's decision on actions for which an

environmental impact statement was prepared. (See 40 CFR 1505.2).

29. *Referring agency:* (See 40 CFR 1508.24).

30. *Scope:* (See 40 CFR 1508.25).

31. *Scoping:* (See 40 CFR 1501.7).

32. *Special expertise:* (See 40 CFR 1508.26).

33. *Significantly:* (See 40 CFR 1508.27).

34. *Substantive comment:* A comment which provides factual information, professional opinion, or informed judgment which is germane to the decision being considered.

35. *Tiering:* (See 40 CFR 1508.28).

36. *Wetlands:* "Areas that are inundated by surface or ground water with a frequency sufficient to support and under normal circumstances, does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction" (Executive Order 11990).

440.1 List of Federal and Federal-State Agencies for Distribution Purposes

	Number of copies
Advisory Council on Historic Preservation (ACHP): Office of Architectural and Environmental Preservation, Advisory Council on Historic Preservation, 1522 K Street, NW., Suite 430, Washington, DC 20005, 202-254-3954	1
Agriculture, U.S. Department of (USDA):	
Animal and Plant Health Inspection Service, PPQ (APHIS), U.S. Department of Agriculture, Hyattsville, MD, FP, 202-447-3668	1
Office of Equal Opportunity (OEO), U.S. Department of Agriculture, Room 242-E, Washington, DC 20250, 202-447-4256	1
Rural Electrification Administration (REA), Director, Environment and Energy Division, Washington, DC 20250, (For copies of Regional and Forest Plans only)	1
Rural Electrification Administration (REA), Management Analysis and Services Branch, U.S. Department of Agriculture, Room 4024, Washington, DC 20250, 202-447-4531	1
Science and Education Administration (SEA), U.S. Department of Agriculture, Room 307-A, Washington, DC 20250, 202-447-3801	1
Soil Conservation Service (SCS), Environmental Services Division, U.S. Department of Agriculture, Room 6103, Washington, DC 20250, 202-447-3839	1
Commerce, U.S. Department of (DOC): Assistant Secretary for Environmental Affairs, U.S. Department of Commerce, Room 3425, Washington, DC 20230, 202-377-2186 (Commerce will make distribution to its agencies)	5
Defense, U.S. Department of (DOD):	
Deputy Assistant Secretary of Defense, Energy Environment and Safety (M, Ra and L), Room 3D833, Pentagon, Washington, DC 20301, 202-695-7820	2
U.S. Air Force (USAF), Department for Environment and Safety (SAF/MIQ), Washington, DC 20330, 202-697-1147	1
Chairman, Department of Defense, Explosives Safety Board, 2461 Eisenhower Avenue, Alexandria, VA 22331, 703-352-0152	1
Army Corps of Engineers (COE), Headquarters, ATTN: DAEN-ZCE, Washington, DC 20310, 202-694-3434	2
U.S. Navy (USN), Office of Chief of Navy Operations, Environmental Protection Division, OP-45, Room BD766, Pentagon, Washington, DC 20350, 202-697-3689	1
Office of Chief Oceanographer of the Navy, Environment Protection Division, OP-952, Room 4E482, Washington, DC 20350, 202-695-3777	3
Delaware River Basins Commission: Head Environment Unit, Delaware River Basin Commission, P.O. Box 360, Trenton, NJ 08603, 609-833-9500 ext. 268	1
Economic Opportunity, Office of (OEO): Office of the Deputy General Counsel, Equal Employment Opportunity Commission, 2401 E Street, NW., Washington, DC 20506, 202-634-6831	1
Energy, U.S. Department of (DOE): Acting Director, Division of NEPA Affairs, U.S. Department of Energy, Mail Station E-201, GTN, Washington, DC 20545, 202-566-9760	3
Environment Protection Agency (EPA):	
For EIS's pertaining to national programs, regulatory actions, legislation, or programmatic actions, EIS's should also be transmitted to the EPA headquarters office listed below. This is in addition to the five (5) copies transmitted for filing purposes	
Assistant Director, Resource Liaison Development Staff, Office of Environmental Review, Mail Code A-104, Rm. 2119, 401 M Street, SW., Washington, DC 20460	5
In order to fulfill the requirements under Section 309 of the Clean Air Act, five (5) copies of each EIS must be transmitted to each appropriate EPA Regional Office simultaneously with the official filing	

	States
EIS Review Coordinator, Environmental Protection Agency, Region I, John F. Kennedy Federal Bldg., Rm 2303, Boston, MA 02203.	Connecticut, Maine, Massachusetts, Rhode Island, Vermont.
EIS Review Coordinator, Environmental Protection Agency, Region II, 26 Federal Plaza, Rm. 908, New York, NY 10007.	New Jersey, New York, Puerto Rico, Virgin Islands.
EIS Review Coordinator, Environmental Protection Agency, Region III, Curtis Bldg., 6th Floor, Philadelphia, PA 19106.	Delaware, District/Columbia, Maryland, Pennsylvania, Virginia, West Virginia.
EIS Review Coordinator, Environmental Protection Agency, Region IV, 1421 Peachtree Street, NE., Atlanta, GA 30309.	Alabama, Florida, Georgia, Kentucky, Mississippi, No. Carolina, So. Carolina, Tennessee.
EIS Review Coordinator, Environmental Protection Agency, Region V, 1 North Wacker Drive, Chicago, IL 60606.	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.
EIS Review Coordinator (6ASAF), Environmental Protection Agency, Region VI, 1201 Elm Street, Dallas, TX 75270.	Arkansas, Louisiana, New Mexico, Texas, Oklahoma.
EIS Review Coordinator, Environmental Protection Agency, Region VII, 324 E. 11th Street, Kansas City, MO 64105.	Iowa, Kansas, Missouri, Nebraska.
EIS Review Coordinator, Environmental Protection Agency, Region VIII, 1860 Lincoln Street, Denver, CO 80203.	Colorado, Montana, No. Dakota, So. Dakota, Utah, Wyoming.
EIS Review Coordinator, Environmental Protection Agency, Region IX, 215 Fremont Street, San Francisco, CA 94105.	American Samoa, Arizona, California, Guam, Hawaii, Nevada, Trust Terr. of Pacific Islands, Wake Island.
EIS Review Coordinator, Environmental Protection Agency, Region X, 1200 6th Avenue, Seattle, WA 98101.	Alaska, Idaho, Oregon, Washington.

	Number of copies
Federal Energy Regulatory Commission (FERC): Advisor on Environmental Quality, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20406, 202-357-8118.	Draft 3, final 2.
General Services Administration (GSA): Environmental Affairs Division, General Services Administration, 18th and F Streets, NW., Washington, DC 20405, 202-566-0405.	3.
Great Lakes Basin Commission: For statements affecting lands within the Basin: Executive Director, Great Lakes Basin Commission, P.O. Box 999, Ann Arbor, MI 48106, 313-769-7243.	Draft 1, final 3.
Health, Education, and Welfare, U.S. Department of (HEW): Director, Office of Environmental Affairs, U.S. Department of Health, Education, and Welfare, Room 524, FS HEW South, Washington, DC 20201, 202-245-7243.	1.
Housing and Urban Development, U.S. Department of (HUD): Statements regarding legislative proposals, regulations, or policy documents of national significance or national or multi-State programmatic EIS's. Director, office of Environmental Quality, U.S. Department of Housing and Urban Development, Washington, DC 20410, 202-755-8910.	2.
Other statements:	
Regional Administrator I, Environmental officer, U.S. Department of Housing and Urban Development, John F. Kennedy Federal Bldg., Rm. 800, Boston, MA 02203, 617-223-4066.	2.
Regional Administrator II, Environmental Officer, U.S. Department of Housing and Urban Development, 26 Federal Plaza, New York, NY 10007, 212-264-8068.	2.
Regional Administrator III, Environmental Officer, U.S. Department of Housing and Urban Development, Curtis Bldg., 6th and Walnut Streets, Philadelphia, PA 19106, 215-597-2560.	2.
Regional Administrator IV, Environmental Officer, U.S. Department of Housing and Urban Development, Richard B. Russell Bldg., 75 Spring Street, SW., Atlanta, GA 30303, 404-526-5585.	2.
Regional Administrator V, Environmental Officer, U.S. Department of Housing and Urban Development, 300 South Wacker Drive, Chicago, IL 60606, 312-353-5680.	2.
Regional Administrator VI, Environmental Officer, U.S. Department of Housing and Urban Development, 222 W. Lancaster Avenue, P.O. Box 2905, Fort Worth, TX 76113, 817-334-2867.	2.
Regional Administrator VII, Environmental Officer, U.S. Department of Housing and Urban Development, Federal Office Bldg., 911 Walnut Street, Rm. 300, Kansas City, MO 64106, 816-374-2661.	2.
Regional Administrator VIII, Environmental Officer, U.S. Department of Housing and Urban Development, 1405 Curtis Street, Executive Tower Bldg., Denver, CO 80202, 303-837-4061.	2.
Regional Administrator IX, Environmental Officer, U.S. Department of Housing and Urban Development, 450 Golden Gate Avenue, P.O. Box 36003, San Francisco, CA 94102, 415-556-4752.	2.
Regional Administrator X, Environmental Officer, U.S. Department of Housing and Urban Development, 3003 Arcade Plaza Bldg., 1321 Second Avenue, Seattle, WA 98101, 206-583-5415.	2.
Interior, U.S. Department of the (USDI):	
For projects east of Mississippi	12.
For projects west of Mississippi	18.
Director, Environmental Project Review, U.S. Department of the Interior, Interior Bldg., Rm. 4256, Washington, DC 20240	
Interstate Commerce Commission (ICC): Chief, Section of Energy and Environment, Interstate Commerce Commission, Washington, DC 20423, 202-275-7692.	1.

	Number of copies
Labor, U.S. Department of: Assistant Secretary of Policy Evaluation and Research, Occupational Safety and Health, Rm. N-3673, U.S. Department of Labor, Washington, DC 20210, 202-523-6076	1.
Missouri River Basins Commission: For statements affecting lands within their geographical area. Executive Secretary, Missouri River Basins Commission, 10050 Regency Circle, Suite 403, Omaha, NB 66114.	1.
National Endowment for the Arts: Office of Architectural and Environmental Arts Program, National Endowment for the Arts, 2401 E Street, NW., Washington, DC 20506, 202-634-6369.	1.
New England River Basins Commission: Staff Director, New England River Basins Commission, 55 Court Street, Boston, MA 02108, 617-223-6244.	1.
Ohio River Basin Commission: Executive Director, Ohio River Basin Commission, 35 East 4th Street, Suite 208, Cincinnati, OH 45202, 513-684-3831.	1.
Pacific Northwest River Basins Commission: Planning Director, PNW River Basins Commission, P.O. Box 908, One Columbia River, Vancouver, WA 98666, 206-694-2581.	1.
Susquehanna River Basin Commission: U.S. Commissioner, Susquehanna River Basin Commission, Interior Bldg., Rm. 6246, Washington, DC 20240, 202-343-4091.	1.
Tennessee Valley Authority (TVA): Director, Environmental Planning, Tennessee Valley Authority, 720 Edney Bldg., Chattanooga, TN 37401.	16.
Transportation, U.S. Department of (DOT):	
Assistant Secretary for Systems Development, U.S. Department of Transportation, 400 7th Street, SW., Washington, DC 20590, 202-624-4000.	2.
U.S. Coast Guard (USCG), Environmental Impact Branch, Marine Environmental Protection Branch, G-WEP-7/73, 400 7th Street, SW., Washington, DC 20590, 202-426-4357.	2.
Federal Aviation Administration (FAA): Send EIS's only to the appropriate Region(s)	
Central Region, Office of the Regional Director, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106.	2.
Eastern Region, Office of the Regional Director, Federal Aviation Administration, Federal Bldg., JFK International Airport, Jamaica, NY.	2.

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