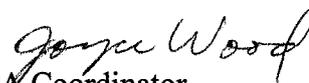




OCT 14 2003

MEMORANDUM FOR: Assistant Administrators
Staff Office Directors

FROM: Joyce Wood 
NOAA NEPA Coordinator

SUBJECT: Guidance on Distribution of Draft and Final
Environmental Impact Statements to Commenting
Agencies

Purpose-

The purposes of this memorandum are to: 1) provide program and line offices of NOAA with updated guidance on the procedure for distributing draft and final environmental impacts statements (EISs)¹ to interested parties²; and 2) to notify program and line offices of the Department of the Interior's revised requirements.

Timing of EIS shipping-

In general documents should be shipped to interested parties on the same day the document is filed with the Environmental Protection Agency (EPA). If an EIS is hand-carried to EPA, the person delivering the document will be required to complete a form stating that transmittal to all agencies is being made simultaneously with the filing with EPA. This procedure is consistent with Council on Environmental Quality (CEQ) regulations (40 CFR § 1506.9) which state, "Statements shall be filed with EPA no earlier than they are also transmitted to commenting agencies and made available to the public." The minimum time periods NOAA must allow for review of EISs (40 CFR § 1506.10) are calculated from the date EPA publishes a Notice of Availability (NOA) in the *Federal Register*. To ensure interested parties have the entire review period, they must have received a copy of the EIS before the NOA is published. If documents are shipped on the same day the NOA is published, the actual time interested parties will have to review the document is shortened by the shipping time. In some case, it may be necessary to ship documents earlier if longer shipping time is anticipated (e.g., interested parties that are overseas). This will allow for at least one full week of shipping before the NOA is published. An up-to-date listing of most Federal agency mailing addresses is attached to this memo and is on our website at <http://www.nepa.noaa.gov/>.

¹ For purposes of this memo, this includes (draft and final) supplemental and programmatic EISs as well.

² NOAA Administrative Order 216-6 (at section 5.04c5) describes the phrase "interested parties" to include all Federal, State, and local government agencies, public groups, and individuals who may have an interest in the proposed action. It also includes those individuals who submitted substantial comments on the draft EIS/SEIS, those that specially requested copies of the document, and any others as determined by the RPM.



Revised Department of the Interior (DOI) requirements-

Many Federal agencies have minimum requirements when EISs are distributed to them for their review. The DOI has recently modified their requirements as follows. For all NEPA documents, DOI will require at least one hard (paper) copy. All additional copies can be either paper or CD-ROM. If the document is available on the Internet, no CD-ROM copies are necessary. Simply provide the website address with the hard copy. If CD-ROMs are not available and the document can not be downloaded from a website, the following requirements will apply:

1. For proposed actions in the Eastern United States (including MN, IA, MO, AR, and LA), provide twelve (12) copies of a draft and six (6) copies of a final document.
2. For proposed actions in the Caribbean and Pacific Islands (AS, GU, HI, PR, VI, and the Trust Territories), provide twelve (12) copies of a draft and six (6) copies of a final document.
3. For proposed actions in the Western United States (actions west of the western boundaries of MN, IA, MO, AR, and LA), provide eighteen (18) copies of a draft and nine (9) copies of a final document.
4. For proposed actions in Alaska, provide sixteen (16) copies of a draft and eight (8) copies of a final document.
5. For proposed actions that are national in scope (e.g., agency regulations, scientific reports, special reports, program plans, and other interagency documents), provide eighteen (18) copies of a draft and nine (9) copies of a final document.

| Location of proposed action | Number of copies to provide | |
|---------------------------------------------------------------------------------|-----------------------------|------------|
| | Draft EISs | Final EISs |
| Eastern U.S. (including MN, IA, MO, AR, and LA) | 12 | 6 |
| Western U.S. (actions west of the western boundaries of MN, IA, MO, AR, and LA) | 18 | 9 |
| Caribbean and Pacific Islands (AS, GU, HI, PR, VI, and the Trust Territories) | 12 | 6 |
| Alaska | 16 | 8 |
| National | 18 | 9 |

If you have any questions about this guidance, please contact Ramona Schreiber or Steve Kokkinakis of my staff at (301) 713-1622.

Enclosure