



United States Department of the Interior

Office of the Secretary
Washington, D.C. 20240

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PEP/NRM

PEP - ENVIRONMENTAL REVIEW MEMORANDUM NO. ERM 10-2

To: Heads of Bureaus and Offices

From: Michaela E. Noble, Director /s/09/12/2018
Office of Environmental Policy and Compliance

Subject: Procedures for Reviewing Project and Environmental Reports Prepared by or for Non-Federal Agencies

PURPOSE

This memorandum supplements the Departmental Manual (516 DM 4.4K). Several States have passed legislation and/or adopted policy and procedures which parallel, in varying aspects, Section 102(2)(C) of the National Environmental Policy Act (NEPA). This memorandum sets out procedures on how to review projects and environmental reports prepared by or for non-Federal agencies.

PROCEDURE

Project reports, environmental assessments, and environmental statements prepared by or for non-Federal agencies are developed under various State statutes, agency directives, or local regulations and such documents may or may not meet the requirements of NEPA or the Council on Environmental Quality regulations. In addition, these State, local, and agency directives apply to differing levels of government, a variety of actions, and sizes of projects, many of which have no Federal interest. Moreover, not all of these non-Federal directives require the circulation of such documents to Federal agencies for review purposes.

Non-Federal project reports or environmental statements are not required to be processed through the Assistant Secretary - Policy, Management and Budget. Review comments may be handled independently by bureaus and offices. Review comments should clearly state that they represent the views of the commenting bureau or office and do not necessarily represent the views of the Department of the Interior. Copies of bureau and office comments should be sent to the Office of Environmental Policy and Compliance (OEPC).

When a bureau or an office in the conduct of its review detects an intra-Departmental coordination problem or issue, a significant or highly controversial issue, or a Federal

involvement in the project, it should consult with the Regional Environmental Officer to determine whether there should be a coordinated Departmental response. If it is determined that a coordinated response is appropriate, the OEPC will establish a control number and the review will be conducted in accordance with 516 DM 4.

GENERAL

This memorandum replaces ERM 10-5.

This memorandum establishes internal Department guidelines. It does not create any legal rights, substantive or procedural, enforceable at law by any party.