



United States Department of the Interior

Office of the Secretary
Washington, D.C. 20240

PEP – ENVIRONMENTAL STATEMENT MEMORANDUM NO. ESM 13-10¹

To: Heads of Bureaus and Offices

From: Michaela E. Noble, Director /s/ 09/24/2018
Office of Environmental Policy and Compliance

Subject: Implementing Integrated Analyses in the National Environmental Policy Act (NEPA)
Process

PURPOSE

The purpose of this memorandum is to provide guidance to bureaus and offices on implementing integrated analyses under NEPA.

INTEGRATED ANALYSES

Integrating analyses uses a single NEPA process to enable several agencies to satisfy multiple environmental requirements by conducting concurrent rather than consecutive analyses. ([40 CFR 1500.2\(c\)](#)) The need for integrated analyses may occur whenever agency actions and activities require compliance with other permitting and regulatory requirements within the Department and among outside departments with overlapping authority. For example, departmental bureaus and offices must comply with requirements of the Endangered Species Act, the Clean Water and Clean Air Acts, and laws for cultural resource protection. Integrating analyses may facilitate and streamline compliance. This is especially critical when proposing to permit major transportation or infrastructure projects because such projects often require decisions on a tight schedule from multiple agencies.

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

GUIDANCE

- a. If a Department of the Interior (DOI) bureau or office is requested to be a cooperating agency in another DOI bureau or office NEPA process, they follow the guidance in the Deputy Secretary's June 11, 2018, memorandum on [*Standardized Intra-Department Procedures Replacing Individual Memoranda of Understanding for Bureaus Working as Cooperating Agencies*](#).
- b. For infrastructure projects, bureaus and offices should refer to Environmental Review Memorandum 10-11 on [*Determining the Applicable Environmental Review Framework for Infrastructure Projects*](#) and the [*Flowchart for Determining Applicable Environmental Review Framework for Infrastructure Projects*](#) to determine if [*Executive Order 13807*](#) and One Federal Decision apply. For projects where One Federal Decision applies, bureaus and offices follow the [*Memorandum of Understanding Implementing One Federal Decision under Executive Order 13807*](#).
- c. Bureaus and offices should develop memoranda of understanding (MOU) with relevant regulatory agencies outside of the DOI to incorporate their regulatory and permitting requirements in the NEPA process during early coordination of a NEPA process. The MOUs should detail the process by which regulatory and permitting procedures will be integrated into the bureau/office NEPA process including ways to streamline analysis and the setting of benchmarks for when analyses will be completed.
- d. Bureaus and offices should establish core NEPA evaluation and documentation teams that include contact individuals from relevant regulatory and permitting agencies to coordinate the regulatory requirements of all agencies involved in a particular NEPA activity. Including regulatory and permitting agencies in the action agency's NEPA process enhances accountability for regulatory requirements and fosters inter-agency cooperation.
- e. Bureaus and offices should arrange the sequencing of permits with other bureaus, offices, and governmental agencies to avoid unnecessary delays in agency planning, preparation and implementation.
- f. Bureaus and offices should notify applicants when other permitting and regulatory requirements exist and provide them with the points of contact in the appropriate agencies to identify any additional information needed.

GENERAL

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

This memorandum replaces ESM 10-19.