



United States Department of the Interior

Office of the Secretary
Washington, D.C. 20240

PEP – ENVIRONMENTAL STATEMENT MEMORANDUM NO. ESM 13-9¹

To: Heads of Bureaus and Offices

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

Subject: Implementing Public Participation and Community-Based Training in the National Environmental Policy Act (NEPA) Process

PURPOSE

The purpose of this memorandum is to provide guidance to bureaus and offices on implementing public participation and community-based training as part of NEPA analyses.

PUBLIC PARTICIPATION

Public participation is involvement with persons and organizations having an interest in departmental activity subject to public participation requirements under NEPA. Public participation also includes the proactive efforts of departmental personnel to identify and involve this public.

COMMUNITY-BASED TRAINING (see [43 CFR 46.30](#))

Community-based training in the NEPA context is the training of local and Federal participants in the environmental planning effort as it relates to the local community.

PROCEDURES

a. Bureaus and offices should build public participation into their NEPA procedures so that the process of involving the public is integral to engaging in compliance with NEPA.

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

b. Bureaus and offices should use local partnerships, facilitated meetings, collaborative workgroups, and other mechanisms to provide a timely exchange of information with the public so that the scoping process and follow-up activities continue to reflect the public's input. The public should be included as soon as possible to obtain their ideas and comments. Bureaus and offices should share their public participation methods with each other to develop and improve the process.

c. Bureaus and offices should develop training methods and courses for community-based planning and the specifics of the NEPA process.

d. This training should be available for both bureau/office staff and the key segments of the involved public. It is recognized that not all interested publics will want or need this training. However, those planning on following the project's development to completion will certainly benefit from training.

e. Bureaus and offices should inventory existing training programs so as not to duplicate something already available and shall review existing and proposed training programs to assure unity and consistency in their conduct.

f. Training programs should reach out to communities to foster high levels of participation, identify the appropriate role of contractors or other third parties, consider when to offer such training (e.g., only with high profile cases), and how best to deliver such training to reach the intended audience (e.g., classroom, workshop, webinar).

g. Bureaus and offices are encouraged to include specialists in their training and collaboration programs when planning and implementing public participation and community-based training in the NEPA context.

MANAGEMENT TRAINING

DOI employees, holding a public meeting for the purpose of addressing NEPA compliance, should have received training in topics including the use of the collaborative approach, meeting facilitation, fostering partnerships, negotiation, and alternative dispute resolution.

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 10-18.