

## PROCEDURES FOR INITIATING, FILING, AND PUBLISHING AN EIS

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The following outlines the procedural steps in publishing a Federal Register Notice (FRN). These procedures do not address state or national-level FRN review and approval processes.

### **NOTICE OF INTENT (NOI)**

#### **Publishing a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) in the Federal Register**

- As coordinated with Nevada State Office (NSO) Office of Communications, prepare three (3) originals of the NOI (each signed by manager, not acting for...), cover letter to Federal Register (signed), disk of the NOI, and requisite briefing paper for review by NSO, Washington Office (WO), and the Department. All FRNs are required to be approved by the NSO prior to transmittal to the WO for further review and approval.
- WO will e-mail notification when the NOI is sent to the Federal Register.
- Office of the Federal Register will call with publication date (if you request in cover letter).
- When the publication date in the Federal Register is known, send out the media release and web site notifications to be published on the same date.

*Note: Requirements for FRN review change frequently, so it is important that the NSO Office of Communication is consulted for the most current standards, templates, and briefing paper formats. Do not assume because an FRN was published last month, using its format(s) for another similar project the next month will suffice.*

*Reminder: The EIS process does not officially begin until the NOI is published in the Federal Register. The 30-day scoping period begins on that date.*

### **NOTICE OF AVAILABILITY (NOA) OF THE DRAFT EIS OR THE FINAL EIS**

#### **Publishing a NOA of a Draft EIS (DEIS) or Final EIS (FEIS) in the Federal Register**

- Prior to sending the DEIS/FEIS to the printer, call or e-mail the NSO Printing Coordinator for a publication index number and provide the exact title of the DEIS/FEIS. The index number is to be printed at the bottom of the page on the inside of the front cover. The most current approved BLM Mission Statement is to be printed in the middle of that page.
- Approximately 4-6 weeks prior to when the DEIS/FEIS will go out to the public (at the same time the DEIS/FEIS goes to the printer) prepare three (3) originals of the NOA (each signed by manager), cover letter to Federal Register (signed), disk of the NOA, briefing paper and communication plan for review by WO and the Department. Coordinate and process the FRN per WO content requirements and NSO review procedures that have been established for FRNs. NSO Communications is the contact for information on FRN processing.
- Before the DEIS/FEIS has gone to the printer and before it goes out to the public (approximately one week before sending to EPA), you may either call Gwen Wilder at the Office of Environmental Policy and Compliance (OEPC) at (202) 208-3891 to obtain an OEPC control

number or you can fax the request. The fax number is (202) 219-1139. If you fax your request for a control number include:

- ✓ Name of document;
- ✓ Specify whether it is a DEIS or FEIS;
- ✓ District or Field Office;
- ✓ State;
- ✓ Agency;
- ✓ Your name and number
- ✓ The date you are sending the document to the printer.

Upon receipt Gwen Wilder will return the fax with the OEPC control number on the return fax usually, within the same day. Once the OEPC ES number is obtained, it may be added into the camera-ready document for publication.

- When notification comes from WO that the NOA has gone to the Federal Register, send the DEIS/FEIS out to the public distribution list via U.S. Mail. At the same time send five (5) copies of the DEIS/FEIS (with OEPC control number printed on the cover), NOA, and transmittal letter (referencing the OEPC control number) via FedEx to the EPA for filing to:

US Environmental Protection Agency  
Office of Federal Activities  
EIS Filing Section,  
Mail Code 2252-A, Rm. 7241  
Ariel Rios Bldg. (South Oval Lobby)  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
(202) 564-2400

*Reminder: The EPA publishes the filings in the Federal Register only on Fridays; therefore, the above package must be **received** by the EPA on or before the Friday before the publishing date. The EPA publishing of the NOA is the official beginning of the review and comment period of the DEIS/FEIS. The transmittal letter to the EPA should specify how long the comment period is; a minimum of 45 days for a DEIS and 30 days for a FEIS. If this is a NOA for a Draft Plan Revision or Amendment/Draft EIS the review and comment period is 90 days. If this is a NOA for a Proposed Plan Revision or Amendment/Final EIS, the 60-day Governor's Consistency Review and the 30-day Protest Period run concurrently.*

- At the same time the above package is sent to the public distribution list and the EPA, send five (5) copies (at least one paper copy and the rest may be CD's) of the DEIS/FEIS (with OEPC control number written or stamped on the cover); copy of the transmittal letter sent to EPA; and cover letter via U.S. Mail to OEPC at:

Office of Environmental Policy & Compliance  
Attn: Gwen Wilder  
1849 C Street, NW (Mail Stop 2342)  
Washington, D.C. 20240

- When the publication date in the Federal Register is known, send out the media release and web site notifications to be published on the same date. This is where the dates, times, and addresses for the public meetings for the DEIS are announced.

*Reminder: The dates and times for public meetings must be announced no less than 15 days prior to occurrence.*