



United States Department of the Interior

Office of the Secretary

Washington, D.C. 20240

PEP - ENVIRONMENTAL STATEMENT MEMORANDUM NO. ESM 13-7¹

To: Heads of Bureaus and Offices

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

Subject: Publication and Distribution of Department of the Interior National Environmental Policy Act (NEPA) Compliance Documents via Electronic Methods²

PURPOSE

It is the Department's intention to promote electronic distribution of its NEPA compliance documents³ to benefit the public review and disclosure process. Electronic publication and distribution has the potential to aid in reaching a broader public and facilitating review of documents that can seem overwhelming in paper form.

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.

2 Electronic methods refers to and includes the computer- and Internet- based systems for publishing or posting information for easier public access. This ESM guides the use of such systems for publication of NEPA compliance documents. Therefore, the user is cautioned not to become too focused on the terminology that is used casually and interchangeably. No particular type of electronic method is being promoted. However, the most common electronic distribution of NEPA documents is currently on Compact Disk-Read Only Memory (CD-ROM) and the Internet. This guidance is generally based on these two types of distribution but recognizes that future electronic methods may appear and replace or modify earlier types.

3 NEPA compliance documents include notices of intent (NOI), environmental assessments (EA), findings of no significant impact (FONSI), categorical exclusions (CE), draft (DEIS), final (FEIS), and supplemental environmental impact statements. Where necessary in this ESM, the text will specify particular documents when further clarity is required. Otherwise, NEPA compliance document, NEPA document, compliance document, etc. should be considered interchangeable. It is acknowledged that in most cases this ESM is dealing with publication and distribution of environmental impact statements (EISs), but the more general terms are used so that the ESM can apply to unforeseen situations where the document may not be an EIS.

Paper copies must always be available for and distributed to those requesting them to permit their review within established time frames.

FORMATS

- a. Compact disk (CD) distributions of environmental documents should utilize the Portable Document Format (PDF). If this format is used, CDs should include instructions on how to download *Adobe Reader*.
- b. Documents placed on an Internet website shall be made available for download in PDF format. When PDF is used, bureaus should include a link for downloading *Adobe Reader*.
- c. Bureaus should make every effort to meet the requirements of Section 508 of the Americans with Disabilities Act. To that extent bureaus using *Adobe* are referred to <http://www.adobe.com/accessibility> for assistance in making PDF documents accessible to individuals with disabilities.

BUREAU/OFFICE PROCESSING

Bureau and office NEPA distribution lists must be continually updated to recognize which document recipients can use Internet, CD, and/or paper copies and in what quantities.

Electronic versions of NEPA documents must be complete and match the official paper copy page by page.

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 10-15.