

Date:

To: xxxx
 Lead Agency's Responsible Program Official

And: The Preparers of the (*insert title of the subject EA or EIS*). (*Names of the preparers from the list of preparers or the project leaders' names*)¹

Subject: NEPA Document Contents Review and Comments:

Reviewer: (*name and title of the reviewer*²)

Directions: *This is a template to facilitate a comprehensive review of contents that are supposed to be contained in a NEPA analysis. Each row in the table (below) itemizes a part of a NEPA analysis required by the CEQ regulations or NOAA Administrative Order 216-6. It is to be used as a tickler list to check whether all the required parts of the NEPA analysis were included. The makes notes in column 3. Because not every item is required for every NEPA document put "not applicable" in column 3 if that item does not apply to the level (EA or EIS) or stage (draft or final) of the subject NEPA document. If the regulation does apply, comment (after, carefully reviewing the subject document), about how it was or wasn't treated in the analysis. The reviewer may write freeform and should use specific phrases such as "adequate see pages xx-xx", or "yes, on table xx" to convey whether and where in the NEPA document those kinds of contents were found. Suggestions for how to improve the treatment of a contents requirement or where to put a contents requirement that the reviewer cannot find should also be put in the 3th column. Typographical errors and editorial suggestions may be listed in open format after the table. Please indicate a page number for the typographical errors and editorial suggestions so the preparers can find and fix them. (Italicized directions may be deleted from the memorandum when it is finished.)*

General Comments: *(Summarize general comments about the subject NEPA document here. Include comments on what is good about the document as well as noting where it is deficient. Indicate whether, in your opinion, the subject NEPA document is ready for the next step in the NEPA process. Depending on the document, the next step in the NEPA process may be release of a draft EIS for public review, publication of a final EIS, record of decision, or any number of intermediate steps and stages in the writing process so be specific.)*

¹ Also give copies to those interested in the document such as NOAA General Counsel, the NOAA NEPA Coordinator, and the appropriate Regional Fishery Management Council.

² This is a review guide for use by a reviewer that has extensive theoretical and practical experience with the Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (CFR Title 40, Vol 24, Parts 790 to end) and NOAA Administrative Order 216-6. This template is to assist an experienced reviewer check a document systematically for NEPA requirements and communicate shortcomings to a general audience.

Specific Comments: (If comments are so extensive they don't fit in the box put them here and use a numbering system to tie them to the suggestions/remarks box.)

Table 1. Review guide prepared from CEQ Regulations^a, NOAA Administrative Order 216-6^b, and Considering Cumulative Effects (CCE) Under the National Environmental Policy Act^c.

Contents	Authority CEQ, NAO 216-6	Suggestions/Remarks
Cover Sheet (must fit on one page)	1502.11 5.04 b.1(a)	
Lists responsible agencies, including lead agency and any cooperating agencies.		
Title of proposed action together with name of fishery management plan to which the action applies.		
Name, address, e-mail address, and telephone number of a contact person.		
Identification of type of document (draft or final; supplemental; EA or EIS).		
A one-paragraph abstract of the document stating major conclusions.		
The date by which comments must be received (Draft EA or EIS only).		
Clearly state whether it is a separate EIS or an EIS consolidated with a management plan or amendment, and whether the document supplements an earlier EIS	5.04.b.2.	
Table of Contents	1502.10(c) 5.04 b.1(a)	
Summary (optional for EAs)	1502.12	
Adequately and accurately summarizes statement or assessment.	5.04 b.1(c)	
Stresses:		
Major conclusions (especially environmental impacts of all alternatives).		
Areas of controversy (including issues raised by agencies and the public).		
Issues to be resolved (including the choice among alternatives).		
Summary table or matrix built from issues and impacts displayed against alternatives.	Optional	

Contents	Authority CEQ, NAO 216-6	Suggestions/Remarks
1.0 Purpose and Need	1502.13	
Briefly specify underlying purpose and need to which agency is responding in proposing alternatives including proposed action.	5.03.b.2 5.04.b.1(b)	
List all Federal permits, licenses, and other entitlements which must be obtained in implementing the proposal	1502.25(b)	
Specify why the proposed action is required now (statutory, operational policy, new program, etc.)	5.03.b	
2.0 Alternatives Including the Proposed Action	1502.14	
Based on information and analysis presented in sections on affected environment and environmental consequences, should present:	5.03.3 5.04.b(d)	
Environmental impacts of proposal and the alternatives in comparative form.		
Sharply defined issues.		
Clear basis for choice among options.		
Rigorously explore and objectively evaluate all reasonable alternatives.	1502.14 (a)	
For alternatives eliminated from detailed study, briefly discuss reasons they were eliminated.		
Devote substantial treatment to each alternative considered in detail including proposed action.	1502.14 (b)	
Include reasonable alternatives not within jurisdiction of lead agency.	1502.14 (c)	
Include no action alternative.	1502.14 (d)	
Identify preferred alternative (optional in draft EIS and EAs).	1502.14 (e) 5.04.b.3.	
Include appropriate mitigation measures not already included in proposed action or alternatives.	1502.14 (f)	
3.0 Affected Environment		
Succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration. Descriptions shall be no longer than is necessary to understand the effects of the alternatives. Data and analyses in a statement shall be commensurate with the importance	1502.15 5.04.b.1(e)	

Contents	Authority CEQ, NAO 216-6	Suggestions/Remarks
of the impact, with less important material summarized, consolidated, or simply referenced. Avoid useless bulk in statements and concentrate effort and attention on important issues.		
Structure Affected Environment around issues pertinent to the proposed action identified during scoping.		
Provide explanatory background of criteria and reference points used to evaluate impact significance in the Environmental Consequences.		
Cumulative impacts:	1508.27(b)(7)	
Stipulate geographic and time boundaries appropriate for issues pertinent to the proposed action	1508.7 CCE	
Identify past, present, and reasonably foreseeable future actions	CCE	
4.0 Environmental Consequences (forms scientific and analytic basis for comparisons under alternatives).	1502.16 5.03.4 5.04.b.1(f)	
Shall consolidate discussions of those elements which are within the scope of the analysis (should not duplicate discussions in Chapter 2.0 Alternatives Including Proposed Action Section).		
If the following are issues pertinent to the proposed action they should be considered in evaluating intensity:	NEPA (102(2)(C)(i))	
Public health or safety.	1508.27(b)(2) 6.01.b(2)	
Unique characteristics of the geographic area.	1508.27(b)(3) 6.01.b(3)	
Degree to which effects on the quality of the human environment are likely to be controversial.	1508.27(b)(4) 6.01.b(4)	
Degree to which possible effects on the human environment are highly uncertain or involve unique or unknown risks.	1508.27(b)(5) 6.01.b(5)	
Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.	1508.27(b)(6) 6.01.b(6)	
Whether action may affect districts,	1508.27(b)(8)	

Contents	Authority CEQ, NAO 216-6	Suggestions/Remarks
sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.	6.01.b(8)	
Degree to which action may adversely affect an ESA listed endangered or threatened species or its critical habitat.	1508.27(b)(9) 6.01.b(9)	
Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.	1508.27(b)(10) 6.01.b(10)	
Whether action may result in the introduction or spread of a non-indigenous species.	6.01.b(11)	
Where relevant, consideration of the impact of the proposed action on the environmental and health impact on low-income and minority populations	5.02.c.3(f)	
Relationships between local short-term uses of man's environment and maintenance and enhancement of long-term productivity.	NEPA (102(2)(C)(iv))	
Irreversible and irretrievable commitments of resources which would be involved in proposed action should it be implemented.	NEPA (102(2)(C)(v))	
The analysis should provide as much detail about alternatives to the proposed action as is necessary to support comparisons of impacts.	NEPA (102(2)(C)(iii))	
Information about incomplete or unavailable information, including how such information might influence the analysis and conclusion.	1502.22	
Shall include:	1502.16	
Direct effects and their significance.	1502.16 (a)	
Indirect effects and their significance.	1502.16 (b)	
Both beneficial and adverse impacts.	1508.27 (b)(1) 6.01.b.1	
Possible conflicts between proposed action and the objectives of Federal, regional, State, and local land use plans, policies and controls for the area concerned.	1502.16 (c)	
Environmental effects of	1502.16 (d)	

Contents	Authority CEQ, NAO 216-6	Suggestions/Remarks
alternatives including proposed action (comparisons under alternatives in Chapter 2.0, including the proposed action, will be based on this discussion)		
Energy requirements and conservation potential of various alternatives and mitigation measures.	1502.16 (e)	
Natural or depletable resource requirements and conservation potential of various alternatives and mitigation measures.	1502.16 (f)	
Urban quality, historic and cultural resources, and the design of the built environment, including the reuse and conservation potential of various alternatives and mitigation measures.	1502.16 (g)	
Information adequate to conduct an Essential Fish Habitat (EFH) consultation. If the action “may adversely affect” EFH notify the appropriate regional Habitat Conservation Division to conduct EFH consultation on the proposal. The EFH Assessment may be included in the NEPA document. If the consultation has been completed (e.g., for a Final EIS), discuss the results of the consultation including any EFH Conservation Recommendations and NMFS' responses.	5.02.c.3(i)	
Means to mitigate adverse environmental impacts (if not fully incorporated into the alternatives).	1502.16 (h)	
Sufficient evidence and analysis for determining whether to prepare an EIS or a FONSI (in an EA)	5.03.b.1	
Threatened, endangered, or candidate species and/or their critical habitat. An ESA Section 7 consultation is needed if analysis reveals the proposed action “may affect” an ESA listed species. Section 7 consultation may be packaged within the NEPA document.	1508.27 (b)(9) 5.02.c.3(h)	

Contents	Authority CEQ, NAO 216-6	Suggestions/Remarks
Cumulative impacts:	1508.7	
Identify important cause-and-effect relationships between human activities and resources, ecosystems and human communities.	CCE	
Determine magnitude and significance of cumulative effects.	CCE	
Modify or add alternatives to avoid, minimize, or mitigate significant cumulative effects		
Issue by issue summaries of cumulative impact assessment findings	Optional	
List of Literature Cited	Optional	
5.0 List of Preparers	1502.17	
List names, together with their qualifications (expertise, experience, professional disciplines) of persons primarily responsible for preparing document or significant background papers.	1502.18 5.04.b.1(g)	
Identify persons responsible for a particular analysis, including background papers.		
6.0 List of Agencies, Organizations, and Persons to Whom Copies of the Statement Are Sent	1502.10 1502.19 5.04.b.1(g)	
Shall be sent to any of the listed groups or individuals, guaranteeing full and honest notification and disclosure.		
7.0 Index	1502.10(j) 5.04.b.1(g)	
Public Comments (Final EISs only) all substantive public comments or summaries of comments received during the public comment period	1503.4(b) 5.04.c.6	
Responses to Public Comments (Final EISs only)		
Appendices (Optional)	5.04.b.1(i)	
Summary report of scoping process and/or other documentation that scoping was conducted.	Optional	
Consists of material prepared in connection with an EIS (as distinct from material which is not so prepared and which is incorporated by reference).	1502.18 (a)	
Consists of material which	1502.18 (b)	

Contents	Authority CEQ, NAO 216-6	Suggestions/Remarks
substantiates any analysis fundamental to the document.		
Analytic and relevant to the decision being made.	1502.18 (c)	
Circulated with the EIS or be readily available upon request.	1502.18 (d)	

Public Involvement: Preparing environmental impact assessments under NEPA involves public involvement components. Though some of the components (scoping, public review, responding to comments) are structured and applied universally, they that are not readily translated into a checklist. Demonstrating completion of adequate public involvement is, however, necessary to any determination of EA or EIS adequacy. If applicable, make a qualitative evaluation of the public involvement description in subject analysis. Also be aware that what the NEPA document describes is not necessarily comprehensive of everything that took place (nor is it required to be).

Editorial comments: List page number and editorial glitches below (misspelling, awkward phrase, wrong place name, incomplete sentences, mistake in sequential labeling, garbled text, redundant section, etc.)

^a The National Environmental Policy Act (NEPA) implementing regulations issued by the Council on Environmental Quality (CEQ) as codified in Parts 1500-1508 of Title 40 of the Code of Federal Regulations (40 CFR Parts 1500-1508).

^b NAO 216-6 Describes NOAA’s policies, requirements, and procedures for complying with NEPA and the implementing regulations issued by the CEQ and those issued by the Department of Commerce (DOC) in Department Administrative Order (DAO) 216-6. The Order incorporates the requirements of Executive Order (E.O.) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Also, the Order reiterates provisions to E.O. 12114, Environmental Effects Abroad of Major Federal Actions, as implemented by DOC in DAO 216-12, Environmental Effects Abroad of Major Federal Actions. Citations from NAO 216-6 in the second column of the table are highlighted to distinguish them from citations to the CEQ Regulations.

^c Considering Cumulative Effects. Council on Environmental Quality Executive Office of the President. January 1997. 64 pg + Appendices. (Recommendations in this Handbook are not considered legally binding.)