§ 520.25 External review of draft environmental impact statements.

(a) Requirements. The official responsible for the DEIS shall:

1. Transmit 5 copies of the DEIS to the CEQ and 2 copies to TES;
2. Solicit comments from all Federal, State, and local agencies which have jurisdiction by law or special expertise with respect to the possible environmental impact involved, and from the public (see Attachment 2); and
3. Inform the public and interested parties of the availability of the DEIS and provide copies as appropriate; and
4. Allow a comment period of not less than 45 days from the Friday of the week following receipt of the draft impact statement by CEQ. Requests for extensions shall be granted whenever possible, and particularly when warranted by the magnitude and complexity of the statement or the extent of citizen interest.

(b) Procedures—(1) Federal and Federal-State agency review. (i) The DEIS shall be circulated for review to the Federal and Federal-State agencies with special expertise or jurisdiction by law with regard to the potential environmental impact involved. These agencies and their relevant areas of expertise are identified in Attachment 2.
(ii) For actions within the jurisdiction of the Environmental Protection Agency (air or water quality, solid wastes, pesticides, radiation standards, noise), the DEIS shall be sent to EPA.
(iii) For actions which would affect any property that is included in the National Register of Historic Preservation, the DEIS should be sent to the Advisory Council on Historic Preservation and the State Liaison Office for Historic Preservation.
(2) State and local review. Where a review of the proposed action by State and local agencies authorized to develop and enforce environmental standards is relevant, comments are to be solicited directly from such agencies with known responsibilities in environmental matters, and shall be obtained as follows:
(i) Where review of direct Federal development projects, and of projects assisted under programs listed in Attachment D to revised OMB Circular A-95 (as implemented by DOT 4600.4B “Evaluation, Review and Coordination of DOT Assistance Programs and Projects”, dated February 27, 1974), takes place prior to preparation of an environmental statement, comments of the reviewing agencies on the environmental effects of the proposed project are inputs to the environmental statement. These comments shall be attached to the draft statement when it is circulated for review and copies of the draft shall be sent to those who commented. A–05 clearinghouses or other agencies designated by the Governor may also secure comments on environmental statements. In all cases, copies of the draft environmental

1Filed as part of the original document.