

PRO 400-b2: Requesting Agency Cooperation

Effective June 2012

See also: EM Chapter [400](#)

Start procedure: The EIS Compliance Strategy meeting has been completed and the ESO NEPA Specialist has informed Region Environmental Coordinator (REC) that the NOI was received by the ESO Director.

End procedure: Project NEPA Lead records procedure outcomes in project file.

Actor:	Action:
HQ ESO NEPA Specialist	1. Notifies REC that the NOI was received by the ESO Director.
	2. Conveys all concerns, comments, and questions about the project from the ESO Director to the REC.
Region/Modal Project Lead or Region Environmental Coordinator (REC)	3. Schedules an EIS Compliance Strategy meeting with team. a. Contact HQ ESO NEPA Specialist to schedule meeting.
	4. Identifies all agencies with jurisdiction and environmental expertise. a. Jurisdiction is determined by investigating: <ul style="list-style-type: none"> • Federal or state land ownership • Regulatory authorities requiring project permits. • Project funding involving other state or federal funding. b. "Agencies with environmental expertise" includes agencies that have special knowledge regarding a resource that will be investigated in the EIS, without having specific authority/jurisdiction to regulate that resource.
	5. Presents list of agencies with jurisdiction and environmental expertise at EIS Compliance Strategy meeting. a. Secures concurrence that list is complete. b. Defines which team member will invite agencies. Typically: <ul style="list-style-type: none"> • The federal NEPA lead sends letters to federal agencies. • The REC sends letters to state, regional, and local agencies.
	6. Writes Cooperating Agency invite letters and forwards to Federal Lead Agency.
	7. Sends letters to state, regional, and local agencies.
Federal lead Agency	8. Sends letters to federal agencies.

Actor:	Action:
Invited Agencies	<p>9. Consider FHWA/WSDOT invitation to participate in EIS process as Cooperating Agency:</p> <p>a. Federal agencies with jurisdiction must accept invitation to be a cooperating agency, unless:</p> <ul style="list-style-type: none"> • Their agency’s action will not require an EIS; and, • The federal NEPA lead accepts the agency’s decision to decline. <p>b. State, regional and local agencies may accept role as cooperating agency, or describe how team can ensure its SEPA process meets its agency’s SEPA requirements.</p>
	10. Responds to FHWA/WSDOT request in writing.
Federal Lead Agency	11. Notifies REC of agency response.
Region/Modal Project Lead or REC	<p>12. Reviews agency responses and updates team on any changes to compliance strategy.</p> <p>a. Prepares draft EIS Coordination Plan for review at Agency Scoping meeting.</p> <p>b. Prepares draft Tribal Coordination Plan for review at Agency Scoping meeting.</p>
	13. Ensures cooperating agencies are engaged appropriately throughout EIS process.
	<p>14. Places Cooperating Agency correspondence letters in project files. And, ensures letters are made part of the project file.</p> <p>a. See TSK 400-ab7: Creating a Project File to support the Administrative Record.</p>