

CEQ Issues Handbooks on Coordinating NEPA Review with Review Under CEQA and Review Under the Historic Preservation Act

On March 5, 2013, the Council on Environmental Quality released a handbook intended to help agencies and practitioners coordinate environmental reviews under the National Environmental Policy Act with overlapping review requirements under the California Environmental Quality Act. It also released a separate handbook on coordination of review under NEPA and the National Historic Preservation Act.

Neither handbook makes new rules. Instead, each summarizes existing streamlining procedures in the hope that more agencies will take advantage of them. The two handbooks are:

NEPA and CEQA: Integrating State and Federal Environmental Reviews. This handbook is a draft for public review, with a comment period that will close on April 19, 2013. Significant comments by stakeholders seem likely. The handbook touches on numerous hot-button NEPA and CEQA issues – particularly those raised by large-scale energy development on federal lands in California. The handbook, prepared jointly by CEQ and the California Governor's Office of Planning and Research, suggests how NEPA and CEQA documents can successfully be combined despite the differences between the two statutes. The authors advocate, and provide a framework for, Memoranda of Understanding between federal and California lead agencies to help coordinate NEPA/CEQA reviews from the outset. The handbook concludes with a short discussion of renewable energy projects that undergo both NEPA review and the California Energy Commission's CEQA-equivalent process. The CEC licenses thermal power plants – including solar thermal power plants – 50 megawatts or larger. As the handbook notes, the CEC process, which includes evidentiary hearings with sworn testimony, "can be disorienting" to federal agency partners. The handbook recognizes that energy projects subject to both federal and CEC approval have proven particularly challenging and advocates "close coordination" as a remedy. The handbook is available online: [NEPA/CEQA Handbook](#).

NEPA and NHPA: A Handbook for Integrating NEPA and Section 106. This handbook, prepared jointly by CEQ and the Advisory Council on Historic Preservation, focuses on ways NEPA and NHPA analyses can occur simultaneously, so as to minimize duplication of effort while also making sure that effects on historic properties are fully evaluated. Citing streamlining regulations adopted in 1999, the handbook provides a roadmap for the coordination of the NEPA and NHPA processes, and also for the less common approach that allows for the "substitution" of the NEPA process for the NHPA process. This handbook is also available online: [NEPA/NHPA Handbook](#).

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