

## Part 610 – National Environmental Compliance Handbook

### Subpart H – Exhibits

#### 610.100 Sample Letter of Invitation for Cooperating Agency

Joe Smith  
National Oceanic and Atmospheric Administration  
XXXXX

RE: Formal Request to be a Cooperating Agency on the Justice River Restoration Environmental Assessment

In accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Section 1501.6, NRCS is formally requesting that your agency become a cooperating agency in the planning and development of the Justice River Restoration Environmental Assessment. Your agency has been identified as having expertise or jurisdiction by law related to this project and that is the reason for this request.

An environmental assessment (EA) is being prepared to fulfill NRCS's NEPA compliance responsibilities pertaining to potential Federal financial assistance through our Wildlife Habitat Incentives Program (WHIP) on this project. As your agency may also have NEPA compliance responsibilities concerning this project or other future projects that may be evaluated in this EA, preparation of this EA should also assist in fulfilling environmental review requirements for your agency and other Federal agencies and meet NEPA's intent of reducing duplication and delay between agencies.

Attached is a memorandum of understanding (MOU) for your agency's consideration and signature. This MOU will formalize our agreement to work together on the proposed project. It identifies NRCS as the lead Federal agency for NEPA compliance with the requirements of this role being understood as encompassing those defined in 40 CFR Section 1501.5. Your agency is identified as a cooperating agency for purposes of NEPA compliance, which also encompasses those requirements of a cooperating agency as defined at 40 CFR Section 1501.6. Please note that other agencies are also listed as cooperating agencies on the MOU; once your responsible Federal official for NEPA compliance has signed and dated this MOU, please return it to the NRCS point of contact listed below so that we can route it to the other cooperating agencies.

If your agency is unable to participate as a cooperating agency, please return the enclosed MOU unsigned along with an explanation of why your agency will not participate. Please note that a copy of the response declining to be a cooperating agency must also be submitted to the Council on Environmental Quality in accordance with 40 CFR Section 1501.6(c).

Thank you for your timely assistance and cooperation with this project. If you have any questions or comments, please contact Jim Smith on my staff at [jim.smith@ab.usda.gov](mailto:jim.smith@ab.usda.gov) or by phone at (xxx) xxx-xxxx.

Sincerely,

Sarah Jones  
State Conservationist

cc: