

40 C.F.R. § 1504.3

Procedure for referrals and response.

(a) A Federal agency making the referral to the Council shall:

- (1) Notify the lead agency at the earliest possible time that it intends to refer a matter to the Council unless a satisfactory agreement is reached;
- (2) Include such a notification whenever practicable in the referring agency's comments on the environmental assessment or draft environmental impact statement;
- (3) Identify any essential information that is lacking and request that the lead agency make it available at the earliest possible time; and
- (4) Send copies of the referring agency's views to the Council.

(b) The referring agency shall deliver its referral to the Council no later than 25 days after the lead agency has made the final environmental impact statement available to the Environmental Protection Agency, participating agencies, and the public, and in the case of an environmental assessment, no later than 25 days after the lead agency makes it available. Except when the lead agency grants an extension of this period, the Council will not accept a referral after that date.

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