National Environmental Policy Act (NEPA)
Purpose of NEPA

The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high density urbanization, industrial expansion, resource exploitation, and new expanding technological advances in recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the federal government, in cooperation with state and local governments, and other concerned public and private organizations, to use all practical means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.
Specific Purposes of NEPA (Statutory)

- Declare a national policy to encourage productive/enjoyable harmony between humans and the environment
- Promote prevention and elimination of damage to the environment
- Enrich understanding of importance of ecological systems and natural resources
- Establish Council on Environmental Quality
Goals (Policies) of NEPA

1. Fulfill responsibilities of each generation to succeeding generations
2. Ensure safe, healthful, productive, aesthetically and culturally pleasing surrounding
3. Obtain beneficial use of environment without degradation
4. Preserve historic, cultural and natural aspects of national heritage
5. Balance population and resource use to permit high standard of living
6. Enhance renewable resources and approach maximum of recycling of depletable resources
Title I – Procedures

- Congress directs Federal policies, regulations and laws be interpreted and administered according to NEPA
- Directs all Federal agencies to follow:
  - Systematic/interdisciplinary approach to integrate use of social, natural and environmental sciences in decision making
  - Consult with CEQ
  - Prepare Environmental Statements
Title 2 - Council on Environmental Quality (CEQ) -- Functions

- Assist President in preparing annual Environmental Quality Report
- Monitor progress toward NEPA goals
- Gather data and conduct studies
- Develop/recommend national policies and legislation to President
CEQ’s NEPA Responsibilities

- Issue regulations and guidance regarding NEPA compliance
- Resolve lead agency disputes
- Mediate interagency disputes over environmental policy
- Provide training and advice to federal agencies
CEQ Funding

Figure 1-4. Council on Environmental Quality
Historic Funding and Staffing

Funds Appropriated (millions)

Permanent Staff Positions
NEPA Guidelines

- **EIS Should Include:**
  - Description of Proposed Action
  - Purpose
  - Description of Affected Environment
  - Related Federal Activities
  - Cumulative Impacts
  - Secondary Impacts

- **Address Land-Use Policies/Plans**
- **Probable Impacts**
- **Alternatives**
- **Unavoidable Adverse Impacts**
- **Off Sets or Mitigation of Impacts**
NEPA Regulations

- Apply NEPA early in process
- Types of Environmental Documentation
- Lead Agency
- Scoping
- EIS
- Commenting
- Decision Making
- Public Involvement
- Timing
Essence of NEPA Regulations

- Use systematic/interdisciplinary approach to evaluate consequences
- Include this analysis in environmental documents
- Give appropriate consideration to environmental issues
- Incorporate results in decision making process
Participants
Role of Federal Agencies

- Applies to all administrative and regulatory federal agencies
- Expand the role of agencies from narrow view of traditional policies and missions to include NEPA’s environmental objectives
- Must include environmental impacts in decision making
- Maintain staff to comply with NEPA compliance
- Prepare agency procedures to comply with NEPA
- Acts as Cooperating Agency
Role of U.S. Environmental Protection Agency

- Receives and provide Notice of Availability (NOA) of all Draft EISs
- Review all Draft EISs for adequacy and acceptability of impacts
- Acts as Cooperating Agency
Role of Public

- NEPA’s success depends on public disclosure and review
- NEPA requires invitation of public review and comment
  - Scoping
  - Draft EIS/EA
  - Public hearings
- Public Enforce NEPA
  - Involvement
  - Administrative Appeals
  - Litigation
Role of State/Local Agencies

- NEPA requires invitation of State/Local review and comment
  - Scoping
  - Draft EIS/EA
  - Public hearings
- Review for areas of expertise
- Review for conflicts with state/local regulations