Goals

❯ What is NEPA?

❯ Why is it important?

❯ What triggers it?

❯ What is the process?

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Significant Events Leading to NEPA

Cuyahoga River Fire Nov. 3, 1952
Courtesy of Cleveland Press Collection at Cleveland State University Library.

> Everglades National Park, Florida

> Cuyahoga River, Cleveland, Ohio

> Santa Barbara, CA oil spill

> "Freeway Revolts"
  (Interstate Highway System)

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Purpose of the Act

- Declares national environmental policy and goals
- Establishes the Council of Environmental Quality (CEQ)
- Requires full disclosure
- Decision making tool

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NEPA Regulations

- Lead agency
- Cooperating agencies
- NEPA procedures established by each federal agency

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What triggers NEPA ?

> A Federal action involving:
>> Federal funding
>> Federal land
>> Federal authorization (i.e., license or permit)

Classes of Action

> Categorical Exclusion (CAT EX):
>> Insignificant effect on the environment

> Environmental Assessment (EA):
>> Impacts not clear, evaluates alternatives

> Environmental Impact Statement (EIS):
>> Detailed analysis

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NEPA Umbrella

- Endangered Species Act
- Migratory Bird Treaty Act
- Clean Air Act
- Paleontological Resources Preservation Act
- Clean Water Act
- Safe Drinking Water Act
- National Historic Preservation Act

- Farmland Protection Policy Act
- Resource Conservation Recovery Act
- Bald & Golden Eagle Protection Act
- Environmental Justice Executive Order
- Coastal Zone Management Act
- Title VI of Civil Rights Act
- State & Local Laws

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Why is NEPA Important?

- Project Analysis
  - Informs Decision Makers
  - Full Disclosure
- Streamline permits/approvals
- Avoids unintended consequences
- Enhance public perception

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Principles of NEPA Decision-making

- Alternatives analysis
- Impact assessment
- Impact mitigation
- Interagency coordination
- Public involvement
- Documentation

Where Do I Start

> Identify the project/federal action

> Identify funding sources

> Plan ahead

> Hire a third party NEPA consultant

> Complete a high level site selection or route review

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Purpose and Need

› Purpose – What is the objective?

› Need – Why is it necessary?

› Foundation of alternatives analysis

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Alternatives

- Reasonable Range
  - No action
  - Action(s)
    - Preferred

- History & methodology

- Alternatives not being carried forward

Public and Agency Involvement
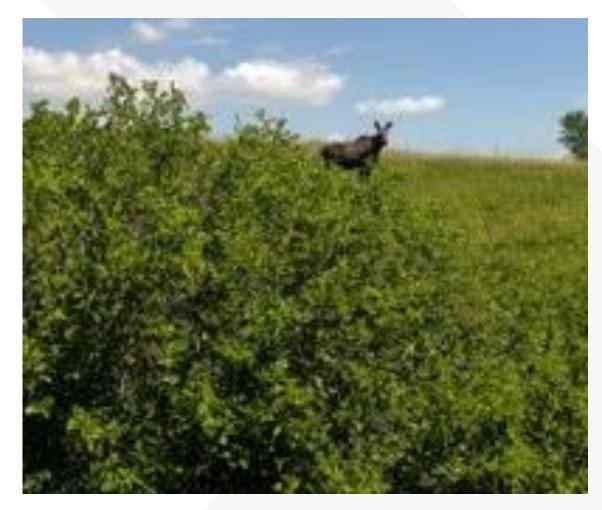
› Notice of Intent in Federal Register for EIS

› Public input meeting

› Agency scoping letters and/or meeting

› Alternatives public workshop

› Public Hearing

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Affected Environment

> Baseline Conditions

> Best Available Data
>> Existing documents/studies
>> Field Inventory
>> Agency information
>> In-house knowledge

Impact Categories

- Air Quality
- Cultural Resources
- Economic
- Environmental Justice
- Farmland
- Floodplain
- Hazardous Waste

- Noise
- Social
- Wildlife
- Aquatic Resources
- Land Use

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Impact Analysis

> **Impacts**
> > Direct
> > Indirect
> > Cumulative

> **Mitigation**
> > Avoid
> > Minimize
> > Rectify
> > Reduce/Eliminate over time
> > Compensate

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Draft and Final NEPA Documents

> Draft NEPA document
>> Public Hearing
>> Public and agency review
> Final NEPA document
>> FONSI or ROD

Challenges

> Seasonality for completion of data gathering

> Engagement of agencies and interested parties

> Opposition to the project

> Timelines for approval

Thank You

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