



National Environmental Policy Act (NEPA)

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What is it?

The National Environmental Policy Act (NEPA), signed into law on January 1, 1970, requires Federal agencies to consider the effects of proposed Federal actions on the human environment. This Act and regulations require in some cases, environmental assessments and environmental impact statements.

Why is it important?

NEPA is a tool to foster better decision-making. The NEPA process is intended to help public officials and locally-led planning groups make decisions that are based on an understanding of environmental and human consequences, and to take actions that protect, restore, and enhance the environment.

When do we do it?

In site-specific planning, the decision-maker is often the landowner instead of NRCS. That is the case when NRCS is providing pure technical assistance and simply helping the landowner decide what to do. There are other circumstances when NRCS is giving advice and recommendations about what conservation practices or systems would help the landowner meet their personal goals. In these cases, NRCS has no real control over what kind of action will ultimately result, so no federal action has occurred that triggers NEPA requirements.

However, once financial assistance is provided to the landowner, federal action has occurred, and NEPA requirements are triggered. For this reason, when NRCS provides technical assistance, NRCS will immediately complete an environmental evaluation and complete the NRCS-CPA-52 form. This document can constitute the environmental assessment that NRCS requires for activities involving a single landowner, if properly documented.

During locally-led resource planning, it makes sense for NRCS to follow the NEPA process. In doing so NRCS can consider the cumulative effects of its activities. This is required not only by the Council on Environmental Quality NEPA regulations, but NRCS regulations as well.

The goal of both NEPA and the NRCS resource planning process is to help stakeholders make informed and environmentally-sensitive decisions about their resources. Incorporating NEPA in the planning process gives stakeholders complete information and promotes consistency in their decision-making.

Furthermore, at the time NRCS provides technical assistance NRCS may not know whether financial assistance will also eventually be provided. Complying with NEPA early in the planning process enables federal funding to be used later without having to do additional documentation or perform additional analysis.

NRCS' NEPA requirements for Resource Planning involving federal technical and/or financial assistance are as follows:

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• An *Environmental Evaluation (EE)* is always required, unless the planning effort proceeds directly to an Environmental Assessment or an Environmental Impact Statement.

• An *Environmental Assessment (EA)* is required when the EE indicates that further investigation is needed.

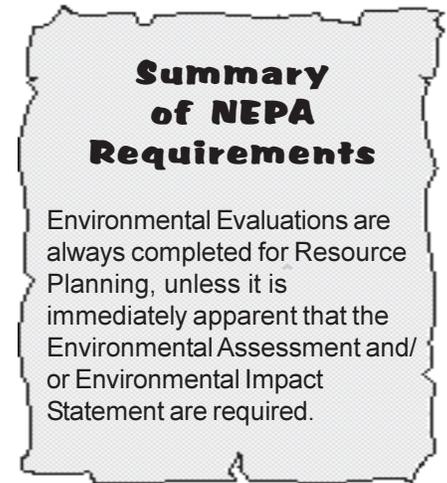
• An *Environmental Impact Statement (EIS)* is required when....

1. The project involves stream channel realignment or work to modify channel capacity by deepening or widening where significant aquatic or wildlife habitat exists. The EE will determine if the channel supports significant aquatic or wildlife habitat.

2. The project requires Congressional action.

3. The project involves a broad Federal assistance program administered by NRCS when the environmental evaluation indicates there may be significant cumulative impacts on the human environment.

4. The project involves other major Federal actions that are determined, after environmental evaluation, to affect significantly the quality of the human environment. If it is difficult to determine whether there is significant impact on the human environment, it may be necessary to complete the EE and prepare an EA in order to decide if an EIS is required.



How do we do it?

Following is more information about Environmental Evaluations, Assessments and Impact Statements.

Environmental Evaluations (EE)

An EE is a brief evaluation of potential impacts of projects on the ecological and human environment. NRCS completes an EE during resource planning. The planning intensity, public participation, and documentation of actions will depend on the scope of the planning process (refer to RPG factsheet "Scoping the Planning Process").

Attached to this factsheet is NRCS-CPA-52. Use this form to complete an Environmental Evaluation during resource planning. This form may be copied and used to document environmental impacts of a proposed plan where a more detailed Environmental Assessment is not required.

The inventories needed to do an EE include:

1. All environmental concerns within the area. *This is completed during Phase One.*

2. An evaluation of how all relevant resources will be affected by the action. *This is completed during Phase II of planning process.* For most projects, the most critical issues that must be investigated include:

- Cultural resources
- Natural areas
- Threatened and endangered species
- Water quality
- Erosion
- Wetlands
- Human health and safety
- Environmental justice or equity

3. How alternatives will avoid or minimize negative impacts, or plan to mitigate for losses. *This is completed during Phase II of planning process.*

Environmental Assessment (EA)

An EA is used to determine whether an Environmental Impact Statement (EIS) is needed. The EA includes a brief description of the need for the proposed activity, possible alternatives to the proposed activity, and persons consulted. The EA documents potential environmental and human impacts of a project and assesses whether those impacts are significant. An EA will result in either a "Finding of No Significant Impact," or a "Notice of Intent to Develop an Environmental Impact Statement."



An Environmental Assessment (EA) is required if:

1. The proposed action is *not* a major Federal action positively or negatively affecting the quality of the human environment, OR
2. It is not *known* whether or not the proposed action is a major Federal action positively or negatively affecting the quality of the human environment.

Environmental Impact Statement

If the proposed action is a major Federal action significantly affecting the quality of the human environment, an Environmental Impact Statement (EIS) is required. The EIS details all environmental, social, and economic impacts of the project. Preparation of the EIS gives the public an opportunity to contribute to the decision making process. The result of the EIS is publication of a "Record of Decision" identifying which alternative was selected and why.

For More Information

The NRCS Environmental Specialist can help stakeholders address NEPA issues. Contact the Environmental Specialist at the NRCS State Office in Champaign, Illinois. For additional guidance, consult the following publications:

- General Manual 190, Part 410 - Compliance with NEPA.
- Environmental Technical Note No. IL-3, May 1994.