



National Environmental Policy Act

General Information

What Is NEPA?

The National Environmental Policy Act (NEPA) is one of the first and most significant pieces of environmental legislation enacted in the United States. NEPA provides the basic national charter for protection of the environment. NEPA is intended to ensure that information about environmental effects of an Agency's proposal and alternative actions are available to agency decision makers and the public. The Fish and Wildlife Service (Service) may provide information for use in NEPA documents and reviews and provides comments on these documents. Through this process, the Service seeks to ensure that impacts to fish and wildlife resources are adequately described and that needed mitigation is provided.

When Does NEPA Apply?

Responsibility for coordinating Fish and Wildlife Service responsibilities for proposed actions subject to National Environmental Policy Act (NEPA) reside in the Branch of Conservation Planning Assistance within the Division of Habitat and Resource Conservation (DHRC). The Division is responsible for preparing NEPA policies, directives, guidance, and training materials for Service personnel related to environmental review and other related matters. The Fish and Wildlife Service is involved in the preparation of about 65 environmental impact statements and 1,000 environmental assessments annually. Service actions that may require NEPA documentation include: issuance of permits or licenses, land acquisition, establishment of national wildlife refuges and national fish hatcheries, operation and management of lands and waters administered under the NWR and NFH systems, issuance of regulations, policies, procedures, and guidance, and issuance of financial assistance, including grants, cooperative agreements, and private land restorations.



Monarch (*Danaus p. plexippus*). Photo Credit: Philip Koenig, Missouri regional coordinator for Butterflies and Moths of North America

What Is The Purpose of an EA/EIS?

The purpose of an EA is to determine if the action will have significant impacts and to address unresolved environmental issues. The EA may provide a rationale for a decision on a proposed action. Any action that is not categorically excluded and does not require an EIS, has impacts that are uncertain, or has unresolved environmental issues, requires preparation of an EA. In addition, you may prepare an EA if you determine that it would help with planning or decision-making, simplify permit approval, or help obtain other necessary legal clearances. An EIS is used by Federal agencies, in conjunction with other relevant information, to plan actions and make decisions. The primary purpose of an EIS is to ensure that a full and fair discussion of all significant environmental impacts occurs and to inform decision-makers and the public of reasonable

alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment.

What Is a Categorical Exclusion?

Categorical exclusions are classes of actions which do not individually or cumulatively have a significant effect on the human environment. Actions that are categorically excluded do not require the preparation of an EA or EIS. A list of actions that are categorically excluded can be found in 516 DM 2, Appendix 1 and 516 DM 8.5. If an action would normally be categorically excluded but may result in significant impacts on the human environment, or if the action is covered by extraordinary circumstances (listed at 516 DM 2.3A(3)), an EA or EIS must be prepared. If it is determined that a proposed action is a categorical exclusion and the extraordinary circumstances do not apply, the action can be implemented immediately.

What Is The Service's Role In The NEPA Process?

The Service's NEPA goal is "to make better environmental decisions in a cost and time-efficient manner to further our mission to conserve, protect, and enhance fish and wildlife and their habitats for the continued benefit of the American people." Responsibility for coordinating Fish and Wildlife Service responsibilities and activities associated with the National Environmental Policy Act (NEPA) reside in the Branch of Conservation Planning Assistance in the Division of Habitat and Resource Conservation. The Fish and Wildlife Service is involved in the preparation of about 65 environmental impact statements and 1,000 environmental assessments annually. In addition, the Service reviews over 2,000 environmental documents annually from other Federal agencies, providing comments from Service field, Regional, and other offices and facilities.

How Does The Public Play a Role In The NEPA Process?

Public participation is an integral part of NEPA's procedural requirements. Public participation is accomplished through the scoping process. Scoping is an important step in the early planning stage of an environmental document. The objective of scoping is to identify significant issues and initiate community-based planning and collaboration to determine what the action is, why it is being considered, and to outline what is needed to conduct the action. Scoping is also used to identify alternatives to consider in detail, impacts to be addressed, and to design the EA and EIS. Scoping reduces paperwork, delays, and costs, and improves the effectiveness of the NEPA process. Public participation in scoping is initiated through notices in local newspapers,



Rapidan River: Photo Credit: PXLPusher

direct mailings, Federal Register notices, etc. The Service makes every effort to understand public concerns, accurately record public comments, and allow adequate time for involvement by the affected public.

Where Can I Obtain More Information?

Please contact the Service's Washington Office Environmental Coordinator, at 703/358-2183 if you have questions regarding the NEPA process. Fish and Wildlife Service and Department of the Interior NEPA guidance and procedures are contained in the Service's NEPA Reference Handbook at www.fws.gov/r9esnepa/. For additional information on NEPA, visit the Council on Environmental Quality NEPANET Home Page at ceq.eh.doe.gov/nepa/nepanet.htm