

Unit 6 NEPA

Introduction

- Enacted 1969
- Spending power

Introduction

- Purpose - to force government agencies to review environmental impact of actions
- EIS - central to purpose
- No judicial review provision
 - Created by judicial decision
 - Administrative Procedures Act (APA)
 - U.S. District Court

When is an EIS required?

- Is activity federal?
- Is federal activity major?
- Significant impact on human environment?

Procedure

- Environmental assessment (EA)
- Finding of No Significant Impact (FONSI)
 - No EIS
- Environmental Impact Statement (EIS)
 - Draft published in *Federal Register*
 - Agency & public comments
 - Final EIS published in *Federal Register*

Content of EIS

- Statement of environmental impacts
- Unavoidable adverse environmental impacts
- Alternatives
- Short-term uses of the environment versus enhancement of long-range productivity
- Irreversible commitments of resources

Judicial interpretation of NEPA

- Procedural versus substantive

NC Environmental Policy Act