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