

NEPA Fact Sheet

Marine Relocation, Transient Nuclear Aircraft Carrier (CVN) Berthing, and Army Ballistic Missile Defense (BMD) Task Force

What is an environmental impact statement?

An environmental impact statement, or EIS, is a detailed study of the potential consequences a federal action might have on people or the environment. An EIS informs decision-makers and the public of reasonable alternatives that would avoid or reduce impacts, or enhance the quality of the environment.

Why prepare an EIS?

Federal agencies are required to prepare an EIS for actions that may significantly affect the human or natural environment. This requirement is part of the National Environmental Policy Act (NEPA).

The United States Congress passed NEPA in 1969 to ensure that federal agencies consider environmental issues in planning and decision-making. The President's Council on Environmental Quality (CEQ) established guidelines for federal agency implementation of the act.

How is an EIS prepared?

Biologists, engineers, planners and other technical professionals examine existing conditions such as land use, socioeconomics, noise, air quality, water quality, traffic, vegetation and wildlife, and hazardous materials. Data are gathered and analyzed to identify how the proposed action might change current conditions. Issues most likely to be of concern to the public are identified and addressed.

The evaluation of impacts sometimes requires the use of methods such as computer modeling to determine potential changes (noise analysis is an example of where computer modeling plays a major analytical role). Where findings indicate that there might be significant im-

pacts, the agency identifies ways to reduce or minimize those impacts.

What is the process and how is the public involved?

The EIS process includes multiple steps, which are virtually all designed to encourage input from the public. Citizens, elected officials, special interest groups, and local, state, and federal agencies are encouraged to provide comments.

Agencies' public involvement programs for EISs should:

- Promote public understanding about the way environmental problems are studied and solved.
- Keep the public informed about the project and the EIS.
- Actively seek opinions and perceptions from concerned citizens.

Formal public involvement begins after a **notice of intent (NOI)** to perform an EIS is published in the *Federal Register*. Additionally, a notice may be published in local newspapers. The NOI provides an overview of the proposed project and initiates the process called "scoping."

Scoping is an early and open opportunity for public review of the intended project. During the scoping period, public input, both written and oral, is sought on significant issues that the EIS should address.

After scoping, a **draft EIS (DEIS)** is prepared that considers all scoping comments received. After a **notice of availability (NOA)** is issued by the U.S. Environmental Protection Agency, the DEIS is circulated for review and comment to government agencies, interested

private citizens, and local organizations, and is made available for general review in public libraries and other publicly accessible locations. *Public hearings are held during this 45-day public review period.*

A **final EIS (FEIS)** is then prepared that incorporates, and formally responds to, all public comments received on the DEIS. This response can take the form of corrections of data inaccuracies, clarifications of and modifications to analytical approaches, inclusion of additional data or analyses, and modification of the proposed action or alternatives. *The preferred alternative for implementation is identified in the FEIS, if it was not indicated in the DEIS.*

The **record of decision (ROD)** follows the FEIS after a 30-day period. The ROD provides the public record of the agency's decision, describes the public involvement and agency decision-making process, and presents the commitments to efforts to reduce impacts. The proposed action can then be implemented.

What is the difference between an EIS and an OEIS?

An EIS is prepared under NEPA, which applies to federal actions within the United States. An overseas environmental impact statement (OEIS) is prepared under Executive Order (EO) 12114, *Environmental Effects Abroad of Major Federal Actions*, which directs federal agencies to provide for informed decision making for major federal actions outside the U.S., including actions outside U.S. territorial waters. The DOD has published procedures for implementing EO 12114 in 21 Code of Federal Regulations Part 187.

