

NEPA 101

An introduction to the National
Environmental Policy Act for highway
projects



What is NEPA?

- National Environmental Policy Act
- Passed in 1969
- Whenever federal funds or actions occur that could effect the environment, an analysis needs to be made to determine the impacts



What does NEPA require?

- Two main requirements:
 - Continuous and meaningful involvement of the public in the development of the project
 - Analysis and disclosure of the project's impacts on the human environment, both natural and social



Public Involvement

- This project is meeting that requirement through:
 - Stakeholders Working Group
 - Public meetings, open houses
 - Written information
 - Meetings with neighborhoods and community groups
 - Public hearing



NEPA Classification and Impact Analysis

- Projects are classified by their potential to have a “significant” impact and require documentation accordingly:
 - Categorical Exclusion: no significant impact
 - Class 1: has significant impacts and requires an Environmental Impact Statement (EIS)
 - Class 3: impacts are unclear, requires an Environmental Assessment (EA), but must result in a Finding of No Significant Impact (FONSI) or change to an EIS.



What is a “significant” impact?

- Measured from the broader community perspective, not the individual perspective
- A matter of context and intensity:
 - Only wetland in the desert vs. one of many in the area
 - Impacts that can be mitigated vs. ones that are difficult to mitigate



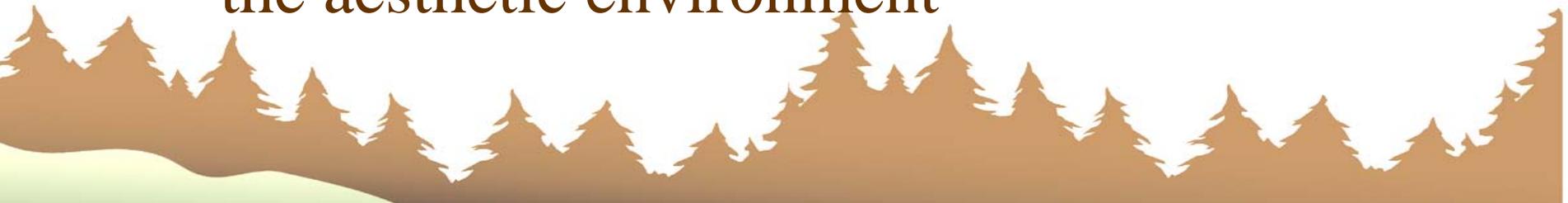
For Glencoe---

- Judged to be Class 3, requiring an Environmental Assessment
- Is expected to result in a Finding of No Significant Impact (FONSI)
- Does not mean that individuals or businesses will not be impacted in a way that feels “significant” to them
- Means that the project’s impacts to economic, social or natural resources are not expected to change the character of the community



Three Types of impacts

- **Direct**—happens when the project is implemented
 - Example: removal of buildings
- **Indirect**—happens after project implementation, but is caused by project
 - Example: gradual change in the land use next to the freeway as a result of a change in the aesthetic environment



Three Types of Impacts

- **Cumulative**—the implementation of the project, added to other actions and projects over a period of time add up to a significant impact
 - Example: This added bit of impervious surface, added to other bits of impervious surface, have ultimately created frequent flash flooding in a creek that used to experience only occasional moderate flooding



General content of the Environmental Assessment

- Purpose and Need for the project
- Alternatives
 - Different ways the Purpose and Need for the project might be met
- Affected Environment
 - Natural and Social, what is there now?
- Environmental Consequences
 - What would likely happen if each of the alternatives were implemented?



All those other environmental laws!

- At last count, there were 79 federal, state, and local environmental regulations that need to be met during the development of the project
- Many can be addressed within the NEPA document, even if the permit comes later



For Glencoe Interchange, the focus is on....

- Economic impacts
- Social impacts
- Land Use and Planning impacts
- Right-of-way impacts
- Wetlands and other natural habitats near the interchange
- Floodplain and water quality impacts
- Noise
- Hazardous materials



What is the process?

- Determine the interested parties, public, regulatory agencies
- Determine the environmental resources in the area, through research and scoping
- Document the project need, and develop alternatives that meet the purpose and satisfy the need



The process continues

- Evaluate the alternatives on how well each achieves the purpose of the project, and on the impacts of implementing it
- Look for opportunities to avoid, minimize and mitigate impacts
- Document and circulate a formal NEPA document explaining everything above.
(EA or Draft EIS)



The process continues

- Offer an opportunity for public comment and a public hearing
- Choose a preferred alternative
- Add documentation and republish the NEPA document (Revised EA with FONSI, or a Final EIS followed by a ROD)
- The FONSI and ROD determine the “selected” alternative, and constitute “design approval” which means the project can proceed to final design



So, what is NEPA about?

- Involving the public in decisions using federal money
- Providing a straight-forward, logical development process
- Forecasting what will happen “if” a course of action is taken, and documenting and disclosing the forecast
- Making informed decisions

