

NEPA Overview

According to section 101 (a) of NEPA

"It is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans."

The CEQ issued regulations ([40 CFR 1500-1508](#)) in 1979 implementing NEPA. The regulations include procedures for Federal agencies to use in the environmental review process. The regulations implement Section 102(2) of NEPA, which contains the "action forcing" provisions, which includes Section 102(2)(C), the Environmental Impact Statement. To provide further guidance, NOAA Administrative Order 216-6 ([NAO 216-6](#)) provides specific guidance for implementing and complying with NEPA within NOAA.

In 1981, the CEQ issued the [Forty Most Asked Questions](#) to assist government agencies with responding to public inquiries about the NEPA process. The CEQ's [NEPAnet](#) website includes additional guidance for implementing NEPA and is an excellent resource for environmental impact assessment (EIA).

According to the Council on Environmental Quality's regulations for implementing NEPA

- Documents should concentrate on issues that are significant to the action in question, rather than amassing needless detail.
- Federal agencies shall to the fullest extent possible produce EIS documents that are concise, clear, and to the point, and shall be supported by evidence that agencies have done the necessary environmental analysis.
- Federal agencies are also directed to integrate the requirements of NEPA with other planning and environmental review procedures required by law or by agency practice so that all such procedures run concurrently rather than consecutively.

According to section 102(2)(C) of NEPA "all agencies of the Federal Government shall -- include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on --"

- (i) The environmental impact of the proposed action,
- (ii) Any adverse environmental effects which cannot be avoided should the proposal be implemented,
- (iii) Alternatives to the proposed action,
- (iv) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and
- (v) Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Section 201 of NEPA created the Council on Environmental Quality (CEQ), a branch of the Executive Office of the Whitehouse. Its duties, among others, were to: assist and advise the President in preparation of the annual Environmental Quality Report, gather timely and authoritative information on environmental quality trends, review and appraise the various programs and activities of the Federal Government in light of the policy set forth in Title I of NEPA, and develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation.

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