



# NEPA : NATIONAL ENVIRONMENTAL POLICY ACT

## FRAMEWORK AND APPLICATIONS

In the 1960's, strong support was building for legislation to protect the environment from the impacts of industrialization. The National Environmental Policy Act was signed into law by President Nixon on January 1, 1970, thus kicking off America's 'Environmental Decade'.

The law established policy and procedures that agencies must follow to assess a project's environmental impacts. At its core, NEPA requires federal agencies to analyze the environmental impacts of major federal projects and actions before making decisions, and to disclose these impacts to the public. After nearly 50 years, NEPA is far from static. Its significance and how it is implemented has been shaped by amendments passed by Congress, regulations set by agencies, presidential directives, and lawsuits and court interpretations.



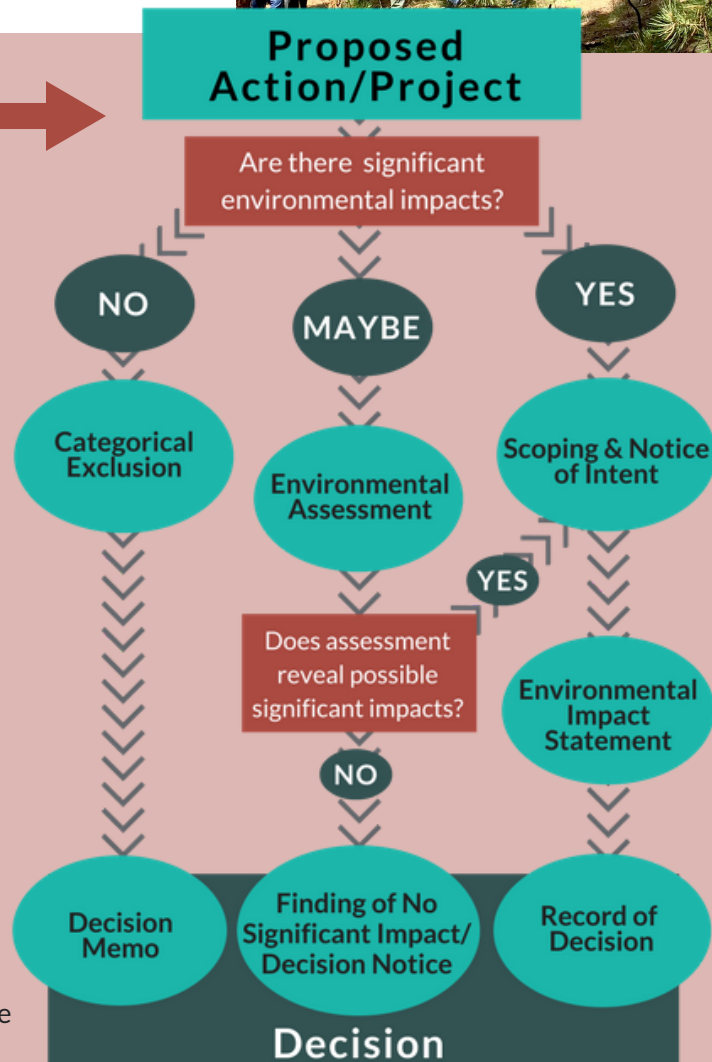
## THE 3 PATHS TO NEPA COMPLIANCE

When an agency proposes an action or project, it initiates a scoping process to determine which path is appropriate for fulfilling NEPA compliance, following regulations from the Council on Environmental Quality.

If the action will have a significant impact on the environment, the agency must prepare an **Environmental Impact Statement (EIS)**, which requires an in-depth review of alternative actions and their effects. If impacts are unknown, the agency completes an **Environmental Assessment (EA)**. If the EA finds no significant impacts a **Finding of No Significant Impact (FONSI)** is issued. An EA/FONSI generally requires less analysis than an EIS. If the proposed action will have minimal and predictable impacts, the agency can use an authorized **Categorical Exclusion (CE)**. CEs generally apply to smaller areas of land.

## DEFINING "SIGNIFICANT IMPACT"

The significance of an environmental impact is determined by its **context** and **intensity**. **Context** is the geographic, biophysical, and social context in which the effects will occur. **Intensity** refers to the severity of the impact, in whatever context(s) it occurs, regardless of whether the impact is beneficial or adverse. (See 40 CFR 1508.27)



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## CITIZEN INVOLVEMENT

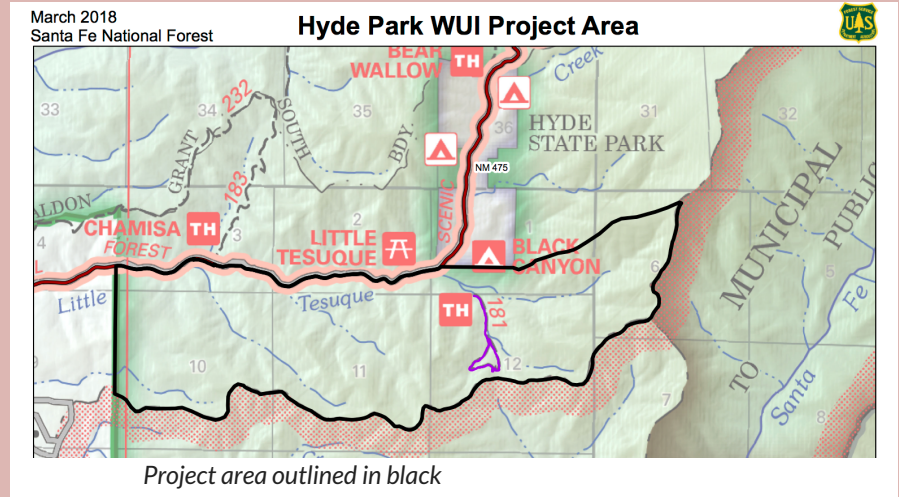
Federal land management agencies have well-established procedures for working with the public to develop projects. Public input is solicited during scoping, preparation, and completion of each level of NEPA compliance.

The USDA Forest Service (USFS) commonly collaborates with groups such as the Greater Santa Fe Fireshed Coalition throughout the NEPA process. Collaborative groups draw together a variety of stakeholders who can provide input through the consultation process, and can communicate with interested citizens to ensure meaningful public input.

NEPA serves to ensure that land management agencies operate in an inclusive, democratic fashion. Diverse perspectives produce better outcomes. NEPA's greatest contribution may be in enhancing two-way communication between agencies and the public.

## HYDE PARK WILDLAND-URBAN INTERFACE PROJECT

This 1,840-acre project was proposed in February 2017, with the goal of using prescribed fire and hand-thinning to move the forest toward a more sustainable tree species composition and structure.



The Hyde Park WUI Project is situated adjacent to the Santa Fe Municipal Watershed, the site of a decades-long effort to reduce the threat of wildfire to 40 percent of the city's water supply. The project area is within a landscape-scale insect and disease area that was designated by the Secretary of Agriculture in April 2014 under the Healthy Forest Restoration Act (HFRA) of 2003.

This project was identified and developed using a collaborative process, it will retain large diameter trees, and it will not require the establishment of new permanent roads. As a result, it was determined that the project fits within the 'insect and disease' categorical exclusion. A decision memo was signed on March 21, 2018.

For more information on NEPA visit:

A Citizen's Guide to NEPA: [www.ceq.doe.gov/get-involved/citizens\\_guide\\_to\\_nepa.html](http://www.ceq.doe.gov/get-involved/citizens_guide_to_nepa.html)

Forest Service NEPA Procedures, Policy, and Guidance: [www.fs.fed.us/emc/nepa/](http://www.fs.fed.us/emc/nepa/)

*This briefing paper was produced by the Forest Stewards Guild. Contributing authors are Hannah Bergemann (USFS), Sandra Imler-Jacquez (USFS), and Alan Barton (New Mexico Forest & Watershed Restoration Institute).*

For more more information and to see all the briefing papers visit us at:

[www.santafefireshed.org](http://www.santafefireshed.org)

The Greater Santa Fe Fireshed Coalition is a partnership of agencies, private organizations, and concerned citizens who are working to build resilient ecosystems, protect watersheds, and reduce wildfire risk to the forests and communities in and around Santa Fe.

