

# **NEPA and BRS: Our Current Environment**

**BRS Stakeholder Meeting  
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# NEPA and the Plant Protection Act

GE Organisms are regulated by APHIS under the PPA

- Plant Protection Act of 2000
- Regulations for GE Organisms at 7 CFR 340



All Actions taken under the PPA must comply with NEPA



NEPA

- National Environmental Policy Act of 1970
- CEQ Regulations at 40 CFR 1500
- APHIS' NEPA Implementing Procedures at 7 CFR 372

# NEPA and the Plant Protection Act



## All Agency Actions Subject to NEPA

- Notifications
- Permits
- Petitions for deregulation
- Rulemaking

## Classification of Actions

- Categorically Excluded
- Actions requiring an Environmental Assessment
- Actions requiring an Environmental Impact Statement



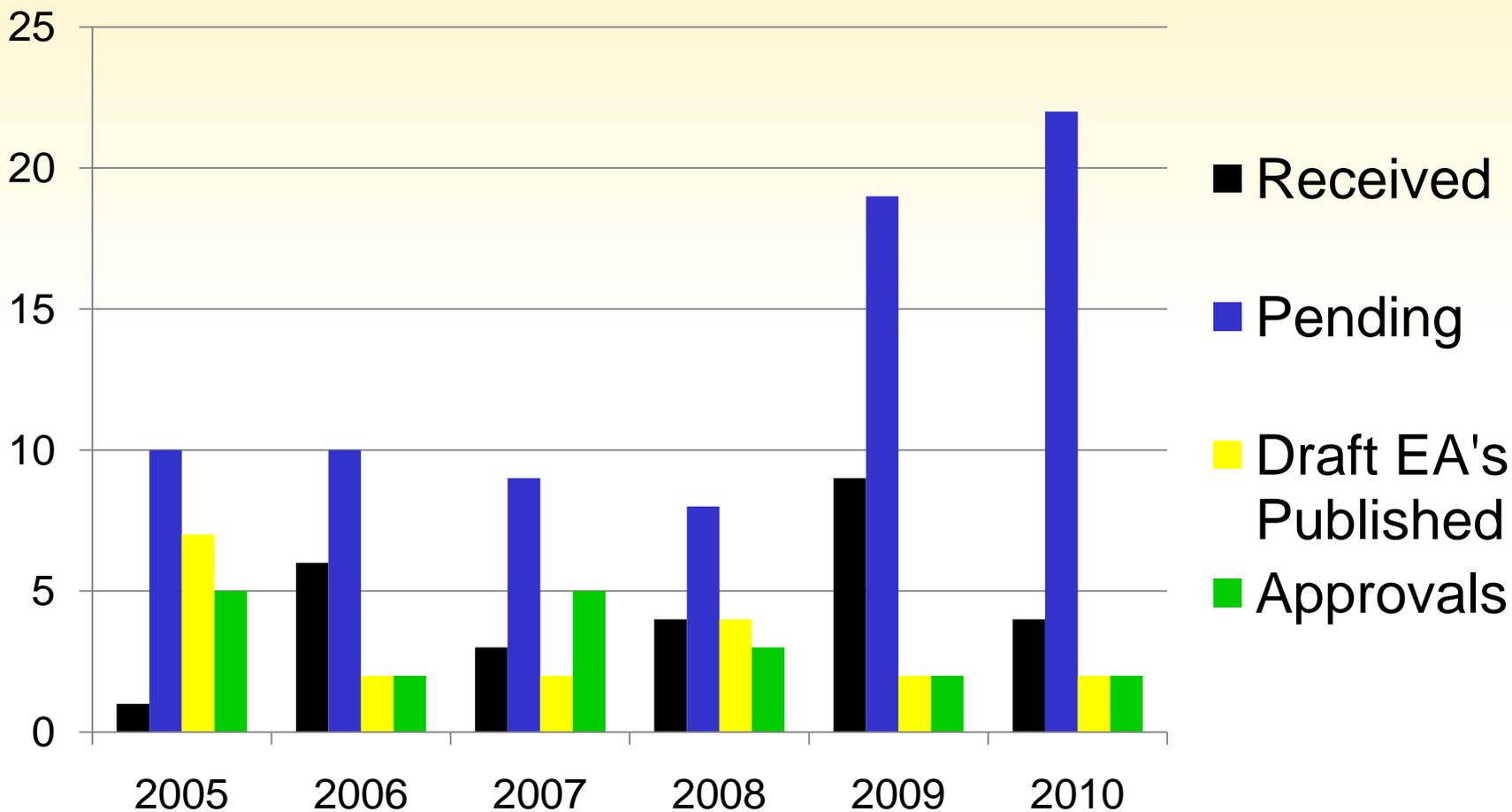
# NEPA and the Plant Protection Act



- NEPA compliance has been the subject of litigation against BRS
- Ensuring NEPA compliance takes an increasingly large portion of the agency's resources
- APHIS is committed to meeting the standards of NEPA and ensuring that environmental impacts are examined according to the “hard look” standard

# Workload Trends

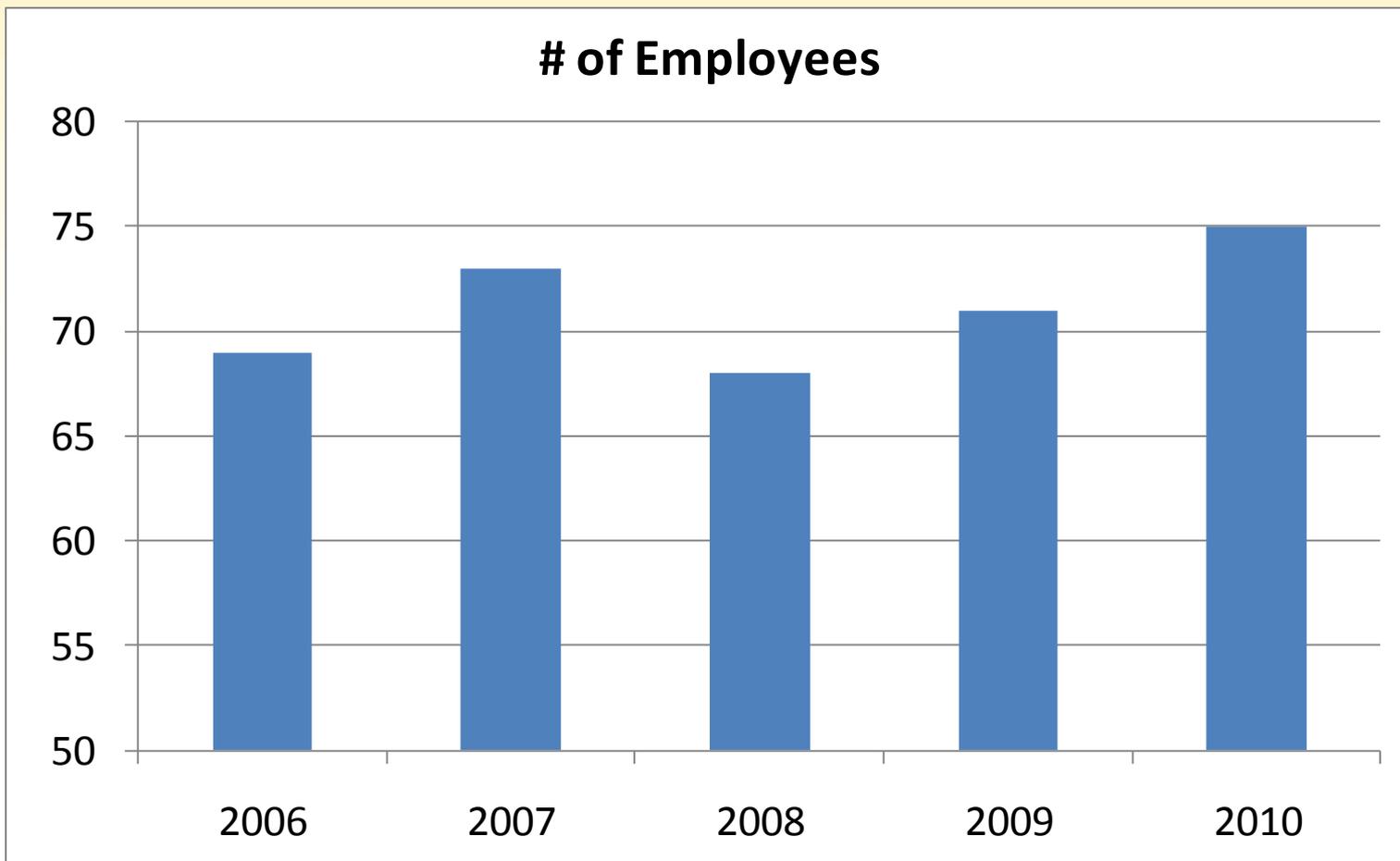
## Petitions for Non-Regulated Status



# NEPA and the Workload

- Historically, BRS staff who worked on NEPA also worked on other aspects of petitions, permits, and notifications
- NEPA demands increased at time when other work demands were increasing also, in particular, increased complexity of notification and permits
- Petitions and permits also may require more complex analyses as new products may be based on more advanced technologies

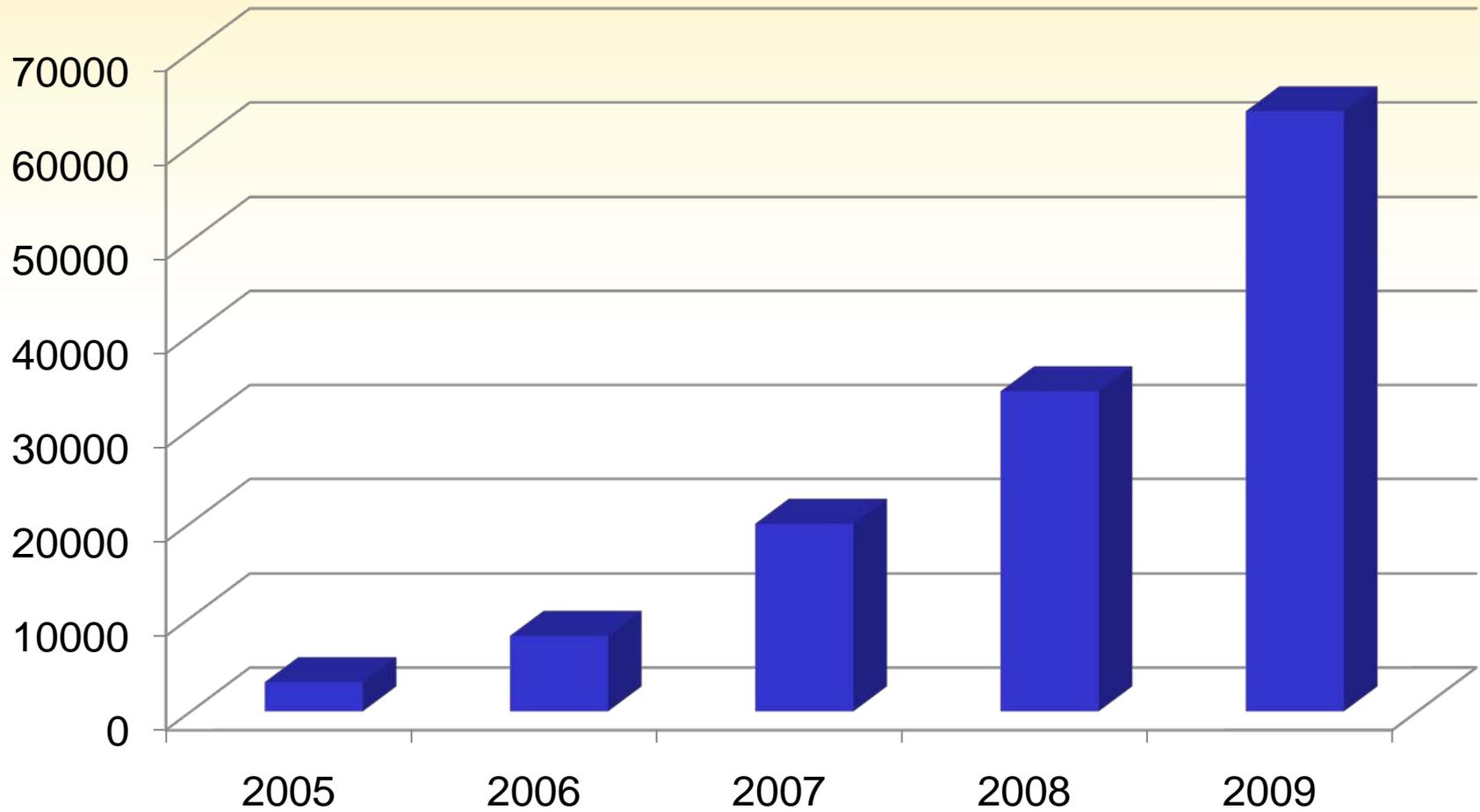
# BRS Staffing History



# Workload Trends

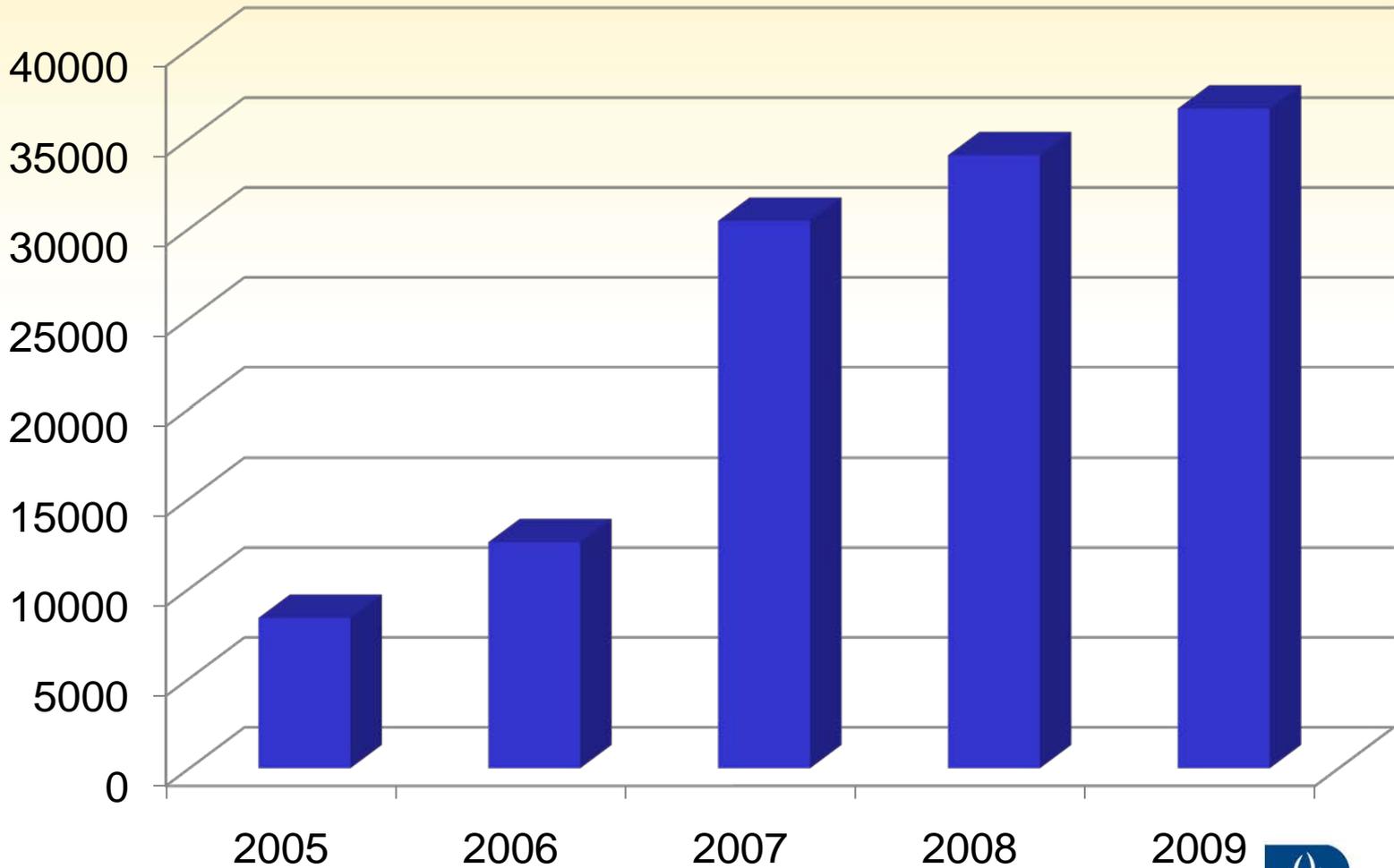
## Constructs Authorized

Permits and Notifications



# Workload Trends Locations Authorized

Permits and Notifications



# Added Complexity

- Pharmaceutical Plants
- Industrial Plants
- Genomics Libraries
- Zinc Finger Proteins
- Synthetic Biology
- Plants for Biofuels
- Cisgenics

# Initiatives to Improve the Quality and Efficiency of NEPA Compliance

- Formation of Dedicated NEPA Team within BRS
  - Initiated January 2010
  - Three Experienced NEPA-trained Scientists
  - Led by David Reinhold
  - Plans to add 3 more NEPA Specialists in 2011
- APHIS Use of Outside Contractors
- NEPA Pilot Project
- Greater collaboration with other USDA programs



# Thank You

For More Information on APHIS Biotechnology  
Regulation visit:

[http://www.aphis.usda.gov/biotechnology/brs\\_main.shtml](http://www.aphis.usda.gov/biotechnology/brs_main.shtml)