

The National Environmental Policy Act



Wildlife Services (WS), a program of the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS), provides Federal leadership and expertise in managing conflicts between people and wildlife to help protect the Nation's agricultural and natural resources, property and infrastructure, and public health and safety.

WS officials are fully committed to making well-informed and environmentally responsible decisions that excel at meeting the National Environmental Policy Act of 1969 (NEPA). The Act provides a national policy for protecting the environment by establishing an informed decisionmaking process for Federal activities that have potential impact on the environment.

Under NEPA, Federal agencies must look closely at the possible environmental effects of their proposed actions *before* making decisions and offer opportunities for public comment and input during that process. In planning and conducting program activities, WS closely follows NEPA and views the public's participation as an integral part of its environmental decisionmaking.

Three Paths for Decisionmaking

For WS, the NEPA review process begins when a wildlife management issue and need for action first arise, either through ongoing WS work or an outside request for assistance. In determining how best to respond, WS officials analyze potential proposed actions and establish whether they may have significant environmental effects. Under the APHIS NEPA implementing regulations¹, WS officials may use one of three paths to assist in decisionmaking. They may develop and issue: a categorical exclusion (CE), an environmental assessment (EA), or an environmental impact statement (EIS). Regardless of the selected path, WS completes this process in close consultation and coordination with other Federal, State, and local agencies and Tribal governments.

A categorical exclusion (CE) is a determination that a category of actions does not have the potential to significantly affect the environment and, therefore, neither an EA nor an EIS needs to be prepared. CEs allow for immediate action to be taken, but the situations under which they may be used are limited. APHIS' NEPA implementing regulations identify the criteria for actions that may be categorically excluded.

An environmental assessment (EA) is a concise public document that provides sufficient evidence and analysis for determining whether a proposed Federal action will have a significant impact on the environment. An EA must include information detailing: the need for the proposed action; alternatives to the proposed action, including a "no-action" alternative; the potential environmental effects of the proposed action and its alternatives; and a list of agencies and

¹ CEQ NEPA Regulations (40 CFR 1500–1508) and USDA APHIS NEPA implementing procedures (40 CFR 372) provide guidance for determining significance and the appropriate level of NEPA compliance. *Federal Register*, March 21, 2007 (Volume 72, Number 54, pp. 13,237–13,238).



individuals consulted. An EA requires advanced planning, takes months to complete, and involves the public in the decisionmaking process.

If the agency finds no significant impacts are likely to occur from the preferred action during the assessment process, WS officials prepare a decision document called a “finding of no significant impact” (FONSI). A FONSI document explains the agency’s reasons for this conclusion.

An environmental impact statement (EIS) is a more detailed public document that is prepared if (1) a proposal’s effects on the quality of the environment are expected to be significant; (2) an EA indicates that one is warranted; or (3) the proposed action is one that requires an EIS due to agency regulations. It describes the potential environmental effects of the proposed action, explains what steps may be taken to minimize any negative impacts, and offers at least two alternative actions. Developing an EIS is a formalized process that requires advanced planning, substantial public participation, and U.S. Environmental Protection Agency review. The process may take 1 or more years to complete.

After publishing a final EIS, WS officials may proceed with a decision document called a “record of decision” (ROD), which identifies the program’s selected environmentally preferred alternative. It also details related program commitments, such as specific

enforcement and monitoring activities. After publishing a ROD, WS officials may proceed with the selected action.

Public Notification and Involvement

WS NEPA notices and documents can be found at www.aphis.usda.gov/wildlifedamage/nepa. Notices may also be published in the *Federal Register* and in local newspapers. WS often uses additional outreach methods, including direct mailing and electronic notices through the [APHIS Registry](#), to maximize public participation opportunities.

Additional Information

WS’ Environmental Compliance staff helps facilitate the program’s NEPA processes and serves as a resource for questions on the Act and related issues. For more information, visit APHIS’ Web site at www.aphis.usda.gov. You can also reach WS by phone at (301) 851-4009 or via postal mail at: WS/APHIS/USDA, 4700 River Road, Unit 87, Riverdale, MD 20737.

The Council on Environmental Quality (CEQ) has published *A Citizen’s Guide to the NEPA: Having Your Voice Heard*. To view a copy, go to www.slideshare.net/whitehouse/citizens-guide-to-nepa. For more information about CEQ, see www.whitehouse.gov/administration/eop/ceq.



United States Department of Agriculture

Animal and Plant Health Inspection Service

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