

# National Environmental Policy Act (NEPA) Compliance



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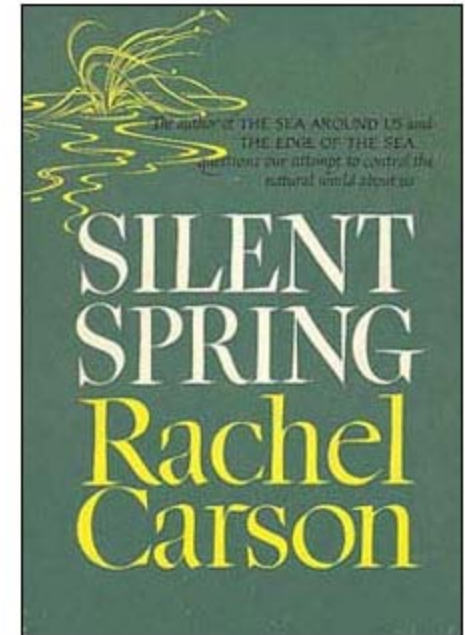
# Agenda

- What is the National Environmental Policy Act?
- How does this effect local recovery efforts?
- What is the review process?
- What other federal environmental laws affect our local projects?
- How does review and compliance vary by project type?
- Questions/Discussion

# What is the National Environmental Policy Act?

# National Environmental Policy Act

- Mounting public concern for the United States' environment
- Congress passed in 1969, last amended in 1982
- Established to create a cohesive national environmental policy and to provide federal agencies with a decision-making process to protect and maintain the environment.



# Purpose: Sec. 2 [42 USC § 4321]

The purposes of this Act are:

- to declare a national policy which will encourage productive and enjoyable harmony between man and his environment;
- to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man;
- to enrich the understanding of the ecological systems and natural resources important to the Nation;
- and to establish a Council on Environmental Quality.

# National Environmental Policy Act

Prior to funding or implementing an action, federal agencies must consider the effect the proposed undertaking may have on the environment.

- Larger scale
- All consequences
- Cumulative effects
- Public involvement
- Alternatives



# NEPA turns 40!!

- President Richard Nixon signed NEPA into law on January 1, 1970.
- A new entity was formed within the Executive Office of the President to oversee NEPA implementation:
  - The Council on Environmental Quality (CEQ)
- "...the cornerstone of our Nation's modern environmental protections."

# National Environmental Policy Act

- NEPA did not advocate environmental preservation at all costs
- Rather, it sought to balance environmental concerns with the social, economic, and other requirements of present and future generations of Americans.



# National Environmental Policy Act

Interdisciplinary approach to Federal project planning and decision-making through the use of sustainability principles:

- Environmental
- Economic
- Social



How does this affect local  
recovery efforts?

# FEMA Public Assistance

- FEMA provides Public Assistance funding for state agencies, local municipalities, and other public entities that incur disaster-related expenditures during Federally Declared disasters
- NEPA compliance required for:
  - Federal actions
  - Actions receiving federal funding
- FEMA EHP Review



# Hazard Mitigation Assistance

- Funding opportunities for pre- and post-disaster mitigation
- Goal of reducing the risk of loss of life and property due to Natural Hazards
  - Hazard Mitigation Grant Program (HMGP)
  - Pre-Disaster Mitigation (PDM)
  - Flood Mitigation Assistance (FMA)
  - Repetitive Flood Claims (RFC)
  - Severe Repetitive Loss (SRL)

# Environmental Review Roles and Responsibilities

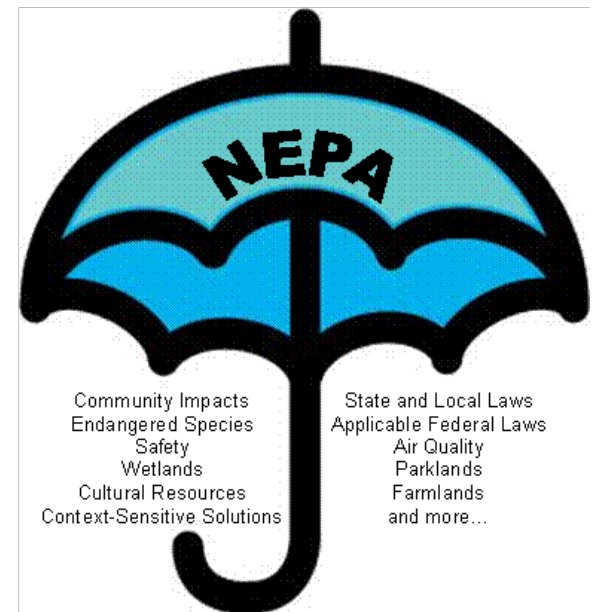
Applicant	<ul style="list-style-type: none"><li>• Submit a complete project worksheet or mitigation application package</li><li>• Coordinate project review with necessary regulatory agencies and obtain concurrence/permits</li></ul>
State	<ul style="list-style-type: none"><li>• Review application package for completeness to ensure necessary environmental review information and documentation is included</li><li>• Determine project review requirements by federal and state agencies</li><li>• Conduct site inspection and provide technical assistance to applicant if necessary</li><li>• Consult with local, state, and federal agencies</li></ul>
FEMA	<ul style="list-style-type: none"><li>• Ensure project complies with federal laws and executive orders</li><li>• Conduct site inspections with the State, as needed</li><li>• Provide technical assistance to the State and applicant, if necessary</li><li>• Coordinate consultation with other federal agencies, if necessary</li></ul>

What is the review  
process?

# Environmental and Historic Preservation Review Process

Evaluating proposed federally-funded projects and activities to ensure that they are in compliance with Federal environmental/historic preservation laws and Executive orders

- NEPA Review
- Other federal, state, and local laws



# NEPA Levels of Review

- Statutory Exclusion (94%)
- Categorical Exclusion (5%)
- Environmental Assessment
- Environmental Impact Statement



# Statutory Exclusion (STATEX)

- An action may be exempt from review under NEPA.
- Only Congress can statutorily exclude an action. Generally these are emergency actions:
  - life and safety issues
  - search and rescue
  - debris removal
  - repair or restoration to pre-disaster condition.
- **However, exemption from NEPA does not preclude compliance with all other laws.**

# Categorical Exclusion (CATEX)

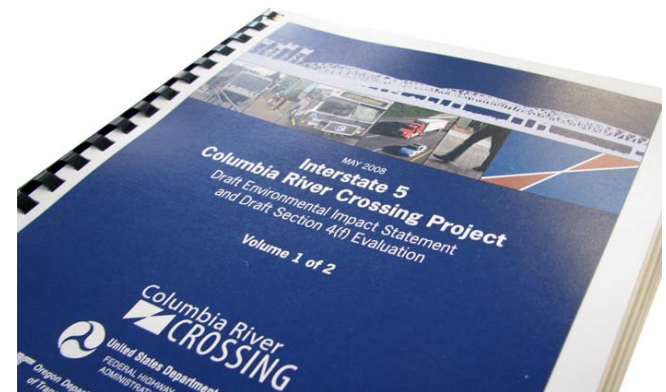
- List of actions that FEMA has determined to have no significant impact on the environment.
- Currently FEMA has 19 categories of actions:
  - Studies
  - Acquisitions
  - Elevations
  - Retrofits
  - Small-scale construction.
- There are three levels for the administrative recordation of a CATEX

# Environmental Assessment (EA)

- If a project is not statutorily or categorically excluded, preparation of an Environmental Assessment (EA) is mandated.
  - Brief and concise review to determine if an action (project) will have a significant effect on the environment.
  - Applicant prepares the EA, submits to FEMA for evaluation
- FEMA outcomes:
  - Finding of No Significant Impact (FONSI)
  - Notice of Intent to prepare an Environmental Impact Statement (EIS)

# Environmental Impact Statement (EIS)

- Much more extensive review of impacts analyzing and documenting the impact the action will have on the environment.
- A Record of Decision (ROD) is prepared which outlines the necessary actions that must be taken.



# Do Not Forget!

In addition to the NEPA review process, projects must meet all applicable federal state and local environmental laws and regulations.



What other federal  
environmental laws affect  
our local projects?

# Clean Water Act

- Enacted to control industrial and municipal water pollution
- Requires states to set minimum water quality standards
- Established a system requiring permits for specific regulated activities, regardless of the existence of federal funding:
  - Section 401 - allows for states to set and monitor their own water quality standards
  - Section 404 - mandates that discharge of dredged and fill material in any part of wetlands or water bodies requires appropriate permits

# Clean Water Act

Applicants are responsible for obtaining and complying with all required permits from the appropriate regulatory agencies.

## **Regulatory Agencies:**

- U.S. Army Corps of Engineers
- Florida Department of Environmental Protection
- Florida Water Management Districts



# Endangered Species Act

- Created a program for the conservation and protection of threatened and endangered species
- Protects against the destruction or modification of critical habitat of threatened and endangered species



## Review Agencies:

- U.S. Fish and Wildlife Service
- National Marine Fisheries Service (NOAA)
- Florida Fish and Wildlife Conservation Commission



# Fish and Wildlife Coordination Act

- Protect fish and wildlife and their habitat from the impact of water resources development projects
- Consideration of the effect that water-related projects will have on fish and wildlife resources.

# Fish and Wildlife Coordination Act

- Exempt from the provisions of this act are impoundments less than 10 acres and land management programs by federal agencies on federal land.
- This act requires mitigation for project-related losses.
- **Review Agencies:**
  - U.S. Fish and Wildlife Service
  - National Marine Fisheries Service (NOAA)

# Clean Air Act

Maintain and protect the quality of air resources

- debris burning
- demolition of properties
- construction dust

## **Regulatory Agencies:**

- Florida Department of Environmental Protection
- Florida Division of Forestry
- U.S. Environmental Protection Agency

# Executive Order 11988

## Floodplain Management

- Avoid or minimize long and short-term adverse impacts associated with the occupancy and modification of floodplains
- For most projects, the floodplain is delineated by the 100-year floodline
- Critical projects, such as schools and hospitals, the 500-year floodline demarcates the floodplain

# Executive Order 11988

## Floodplain Management

- This Executive Order also requires federal agencies to avoid direct or indirect support of floodplain development if practicable alternatives exist
- 8-Step Process

### **Review Agency:**

- Federal Emergency Management Agency

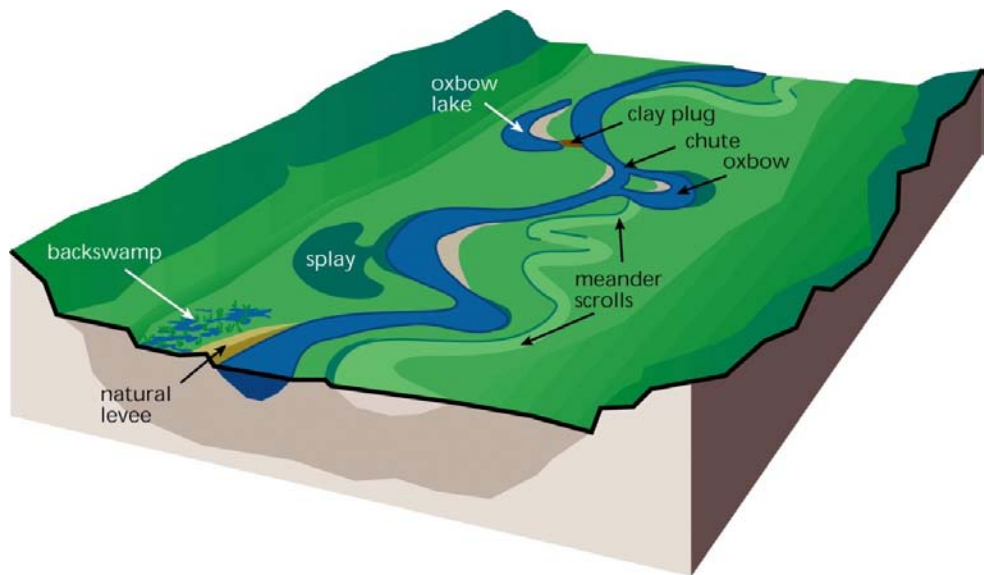
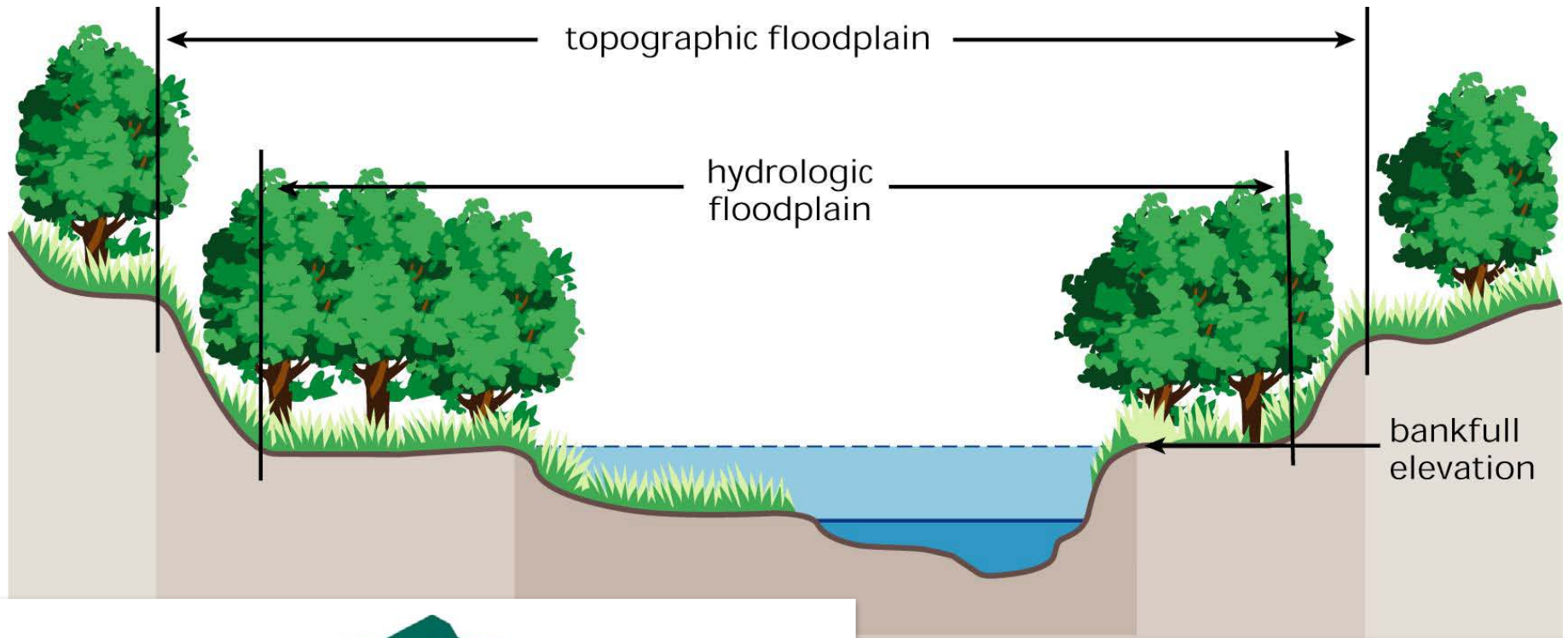


Fig. 1.21 – Landforms and deposits of a floodplain. Topographic features on the floodplain caused by meandering streams. In Stream Corridor Restoration: Principles, Processes, and Practices (10/98). Interagency Stream Restoration Working Group (15 federal agencies)(FISRWG).

# Executive Order 11990

## Wetland Protection

- Avoid the adverse impacts associated with the destruction or modification of wetlands
- Alternatives and mitigation measures must be taken into account by federal agencies if wetlands would be impacted as a result of their actions
- 8 –Step Process

### **Review Agency:**

- Federal Emergency Management Agency

# Eight-Step Planning Process Executive Orders 11988 and 11990

1. Determine project location.
2. Encourage public involvement.
3. Identify and evaluate alternatives.
4. Identify all potential impacts.
5. Minimize impacts.
6. Reevaluate alternatives.
7. Issue findings and provide public explanation.
8. Comply with Executive Orders.



# Farmland Protection Policy Act

- Minimize the unnecessary conversion of “prime” or “unique” farmland for non-agricultural uses

## Review Agency:

- Natural Resources Conservation Service



# Coastal Barrier Resources Act

- The Coastal Barrier Resources Act (CBRA) originally passed in 1982 and reauthorized in 2005
- Enacted to protect coastal barrier islands and their resources
- Created the Coastal Barrier Resources System

# Coastal Barrier Resources Act

- Under CBRA, there are limitations on federal expenditures in designated CBRA units
- however there are certain project specific allowances on a project by project basis

## **Regulatory Agency:**

- U.S. Fish and Wildlife Service

# Coastal Zone Management Act

Preserve and protect coastal resources

- Wetlands
- Floodplains
- Estuaries
- Beaches
- Dunes
- Barrier islands
- Coral reefs
- Fish and wildlife using those habitats



## **Regulatory Agencies:**

- Florida Department of Environmental Protection
- Florida Water Management Districts

# Wild and Scenic Rivers Act

- Protects free-flowing rivers and establishes a classification system as wild, scenic and recreational
- There are two bodies of water falling under this act in Florida:
  - Loxahatchee River
  - Wekiva River

## **Review Agencies:**

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- National Park Service
- U.S. Forest Service

# National Historic Preservation Act



- Section 106 - Federal agencies must consider the effect of an action on a property listed *or eligible for listing* on the National Register of Historic Places
- Significant at the national, state, or local level in American history, architecture, archaeology, engineering, or culture
- Programmatic Agreement

# National Historic Preservation Act

- Typically, must be 50 years or older, or have historic/cultural significance:
  - Buildings
  - Sites
  - Structures
  - Objects
  - Districts

## **Review Agencies:**

- State Historic Preservation Office
- Tribal Historic Preservation Office
- Advisory Council on Historic Preservation

# Executive Order 12988

## Environmental Justice

Fair treatment of people of all races, cultures, and income with respect to the development, implementation, and enforcement of environmental laws, regulations, programs and policies

### **Review Agency:**

- Federal Emergency Management Agency

# Migratory Bird Treaty Act

- Treaty between the United States, Canada, Mexico, Japan, and Russia
- Illegal "to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or any attempt to carry out these activities" without a take permit



# Migratory Bird Treaty Act

The list of birds was revised in 2010 to protect over 1000 species of birds, but does allow, with permitting, 170 species of game birds to be hunted seasonally.

## **Review Agency:**

- U.S. Fish and Wildlife Service

# Magnuson-Stevens Fishery Conservation and Management Act

- Protect the United States fisheries
  - Decrease overfishing
  - Encourage conservation and protection of essential fish habitat
- The original act also phased out foreign fishing in United States waters

## **Review Agency:**

- National Marine Fisheries Service (NOAA)

# Five Things that Can Kill Your Project!

1. Thinking your project does not need environmental and historic review.
2. Starting your project BEFORE the environmental review is complete.
3. Assuming that because your project is statutorily excluded, it does not have to comply with environmental laws.
4. Not providing a defined scope of work and project location.
5. Not informing the State/FEMA of any changes in scope of work before initiating the changes.



How does review and  
compliance vary  
by project type?

# General Environmental Guidance for Applicants

A complete project scope of work must be submitted to the State to include following information:

- Purpose and need of project
- Detailed, accurate project description or scope of work
- Documentation – Maps, including FIRM map, plans, drawings, permits, and studies
- Project alternatives (if applicable)
- Project location (narrative)
- Project area maps (with project site marked)
- Accurate project location latitude and longitude in decimal degrees
- Photographs
- Preliminary project plans (if applicable)
- Public Notice (if applicable)

# Emergency Actions



- Debris Removal (not necessarily storage, staging, or disposal)
- Repairs/restoration to pre-disaster condition (with no footprint change, including the construction limit of disturbance)
  - unless the structure is 50 years or older or has historical significance
- Temporary repairs
  - unless the structure is 50 years or older or has historical significance

# Special Considerations

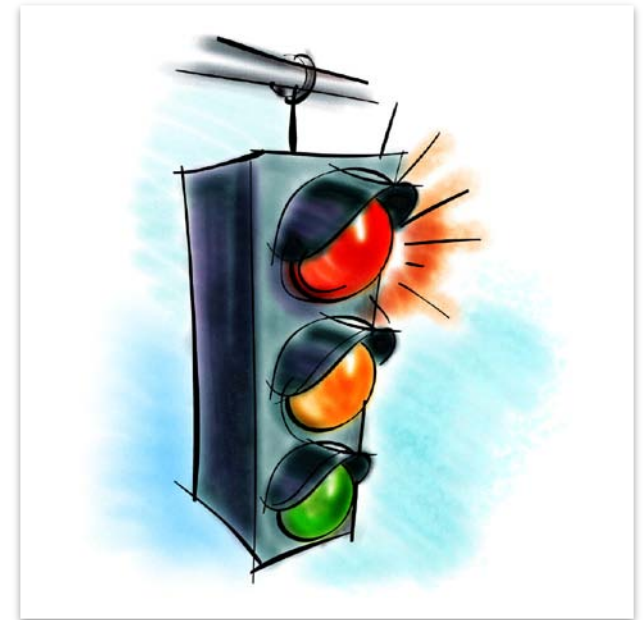
- Debris staging and disposal (other than to an appropriately permitted landfill)
- Any project where the footprint is different than pre-disaster condition
- Projects with Section 406 mitigation
- Any project affecting a site 50 years or older or has historical significance

# Special Considerations

- Any project affecting a state or federally-listed or proposed threatened, endangered, or other protected species or habitat
- Any project affecting a wetland or water body
- Any project affecting a floodplain
- Any project with known or potential environmental concerns

# Require Review PRIOR to Construction

- Improved projects
- Alternate projects
- Projects where the scope of work has been changed



# Florida State Clearinghouse

## Hazard Mitigation Grant Program

The Florida State Clearinghouse (SCH) is responsible for coordinating state review of applications for federal financial assistance.

- Streamlined review process for state agency involvement in determining consistency with state laws, policies, plans and programs.
- Routes projects to various state agencies depending on the type of project and its location.

# Florida State Clearinghouse

Reviews projects, programs and documents under:

- National Environmental Policy Act (environmental assessments, environmental impact statements, etc.)
- National Historic Preservation Act
- Coastal Zone Management Act of 1972 as amended, determining consistency with the Florida Coastal Management Program (FCMP)

# Florida State Clearinghouse

- Florida Department of Environmental Protection
- Florida Department of Transportation
- State Historic Preservation Officer (SHPO)
- Water Management District (as applicable)
- Florida Coastal Zone Management Program

# Florida State Clearinghouse

- Regional Planning Council (as applicable)
- Florida Fish and Wildlife Conservation Commission
- Governor's Office of Planning and Budgeting
- Florida Department of Agriculture

# Florida State Clearinghouse

- Project Types:
  - Small-scale drainage improvement projects
  - Road elevations
  - Disturbing new ground
  - Impacting historic structures
- Review process takes about 60 days
- Clearance letter
  - Potential concerns
  - Inconsistencies
  - Information on obtaining necessary state permits
  - Possible need for additional information for review

# Public Notice

- A public notice may be required for projects that will have a significant impact to the environment and community, will impact the floodplain or will impact wetlands.
- Typical projects that require a public notice are new construction, drainage improvement projects and multiple acquisition or elevation projects.

# Environmental Review Requirements by Project Types

- The environmental review requirements depend on the proposed action or scope of work (project activity).
- Keep in mind that all projects will be evaluated on a case by case basis.
- If a project type is not discussed, this does not mean this project is ineligible for funding or exempt from environmental review.

# Beaches

- 1200 miles coastline
- 650 miles open sandy beaches
- 200 miles restored
- Storms
  - Eroded the coastlines
  - Potentially hazardous escarpments



# Beaches

- Potentially Eligible
  - emergency sand placement
  - permanent restoration.
- FEMA Policy 9580.8 Eligible Sand Replacement on Public Beaches

# Beaches – Emergency Work

- Emergency placement of sand on natural or engineered beaches may be eligible when necessary to protect improved property from an immediate threat.
- An eligible berm may be built to a profile to protect against a storm that has a 20 percent chance of occurring in a given year, or to the berm's pre-storm profile, whichever is less.

# Beaches – Permanent Work

A beach is considered eligible for permanent repair if it is an improved beach and has been routinely maintained prior to the disaster.

- The beach was constructed by the placement of sand to a designed elevation, width, grain size, and slope
- The beach has been maintained in accordance with a maintenance program involving the periodic renourishment of sand

# Documentation Requirements

- Latitude and longitude of project in decimal degrees
- R-monuments or V-monuments
- Linear feet of beach involved/affected
- Above or below mean high water line
- Dune slope ratio
- Escarpment height and length
- Dates of construction (start to finish)
- Potentially affected threatened or endangered species
- USFWS Conservation and Other Minimization Measures Required
- Turtle monitoring program (monitoring results/report)
- Latitude and longitude of sand source in decimal degrees
- In or near CBRA unit

# Potential Agency Coordination

- Federal

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- NOAA/National Marine Fisheries Service

- State

- Florida Department of Environmental Protection
- Florida Fish and Wildlife Conservation Commission
- Water Management Districts
- State Historic Preservation Officer

# Roads and Bridges

- Access to emergency and essential services
- Must be disaster-related damage
- Pre-disaster damage NOT eligible
  - normal deterioration, such as “alligator cracking”



# Roads & Bridges - Eligibility

- Roads

- Eligible repairs
  - Surfaces
  - Bases
  - Shoulders
  - Ditches
  - Culverts
  - Low water crossings
  - Guardrails & other features

- Bridges

- NOT eligible
  - Federal-Aid Road
- Eligible repairs
  - Decking
  - Guardrails
  - Girders
  - Pavement
  - Abutments
  - Piers
  - Slope protection
  - Approaches

# Documentation Requirements

- Under Section 106 of the National Historic Preservation Act, FEMA must consult with the State Historic Preservation Officer (SHPO)
- Fill source material – ground disturbing activities
  - Location of the borrow pit (latitude and longitude in decimal degrees)
  - Verification of whether the pit has been expanded outside of its original footprint or permitted area

# Potential Agency Coordination

- Federal

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- NOAA/National Marine Fisheries Service
- U.S. Coast Guard

- State

- Florida Department of Environmental Protection
- Florida Fish and Wildlife Conservation Commission
- Water Management Districts
- State Historic Preservation Officer

# Debris

- Eliminate any health and safety risk
- Can include:
  - Downed trees
  - Silt and sand
  - Building components
  - Wreckage
  - Personal property
- Must be separated for proper handling, transport and disposal of hazardous materials and toxic waste (i.e. asbestos containing materials, lead-based paints, household chemicals).



# Debris - Eligibility

- Work must be necessary to:
  - Eliminate an immediate threat to lives, public health and safety
  - Eliminate immediate threats of significant damage to improved public or private property when the measures are cost effective
  - Ensure the economic recovery of the affected community
  - Mitigate the risk to life and property by removing substantially damaged structures and associated appurtenances as needed



# Documentation Requirements

- Staging
  - Location of temporary debris management site(s) approved by FDEP
  - Verification that temporary staging areas will be remediated to pre-disaster condition
- Reduction
  - Burn authorization by FDOF or local fire department for vegetative debris

# Documentation Requirements

- Disposal
  - Verification that debris will not be staged or disposed of in floodplains or wetlands
  - Verification that final disposition / disposal is in DEP permitted facility by waste class

\*\* Water-borne debris has special concerns depending on what it is and where it is located.

# Potential Agency Coordination

- Federal

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- NOAA/National Marine Fisheries Service

- State

- Florida Department of Environmental Protection
- Florida Fish and Wildlife Conservation Commission
- Water Management Districts
- State Historic Preservation Officer

# Vector Control

- Mosquitoes may present a problem to safety and hamper the response effort



- Take the necessary actions to prevent a health and safety threat as soon as possible...

# Vector Control

...but know the rules for reimbursement following a Presidential Disaster Declaration

# Vector Control - Eligibility

- ❑ Emergency protective measures
- ❑ Serious health hazard
- ❑ Hampering recovery efforts
- ❑ Verification of the threat by the State and local health agencies
- ❑ Short-term abatement costs that are in excess of usual costs

# Documentation requirements

- Letter from the health department
- Trap data (for adulticide use) or dip data (for larvicide use)
- US Fish and Wildlife Service concurrence
- Spay/dip area maps
- The chemical used, application method and concentration used
- Dates of application

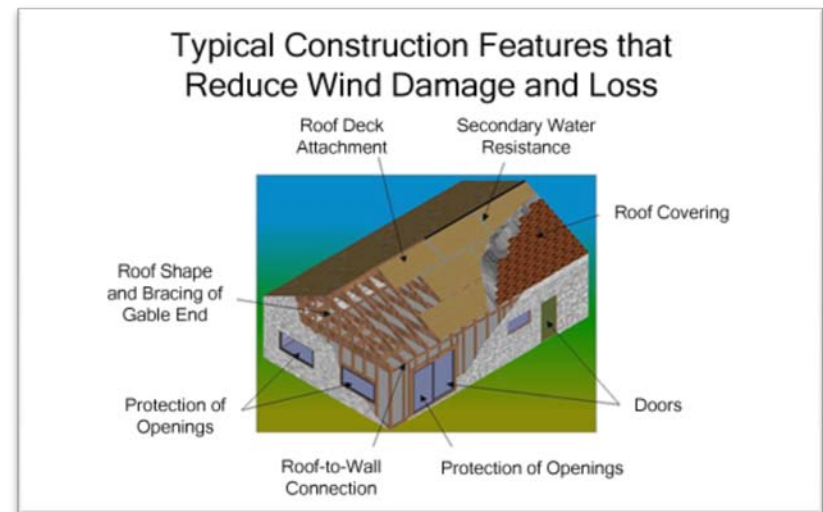
# Do Not Delay

- ❑ Start surveillance immediately to establish a baseline
- ❑ Technical assistance
  - ❑ EM Constellation
  - ❑ ESF 17 – Florida Department of Agriculture and Consumer Services



# Acquisition and Retrofit Projects

- Addresses actual wind and/or flood damage or its potentiality
- These types of projects can include:
  - acquisition/demolition
  - retrofit/upgrade to current code
  - installation of storm shutters
  - flood-proofing
  - elevation
  - safe room projects

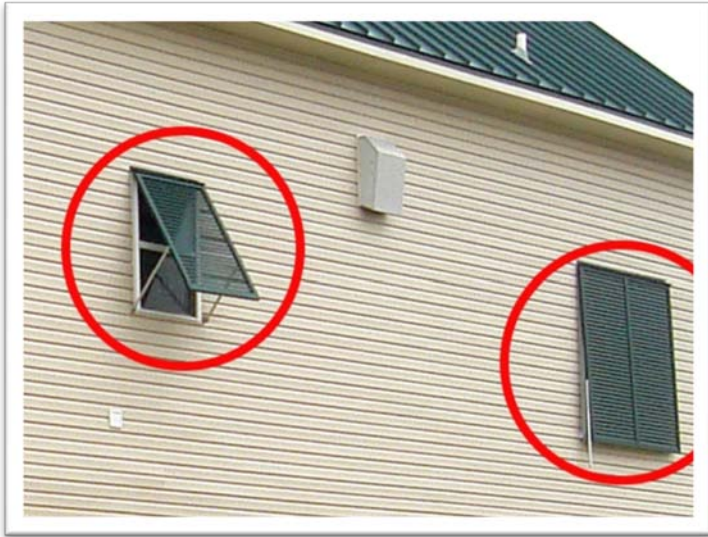


# Acquisition/Demolition

- Existing at-risk structure
- Demolition
- Conversion of the land to open space

The area shall be dedicated and maintained in perpetuity for uses compatible with open space, recreational, or wetlands management practices

# Retrofit/upgrade to current code



- Hurricane protection measures
  - storm shutters
  - impact resistant products
- Modifications
  - roof retrofits
  - roof upgrades
  - strengthening of foundation anchors, load path, etc.

# Flood-proofing

- Structural strengthening of walls
- Special doors and closures for other openings
- Measures to handle seepage
- Lift stations
  - modifying the structure
  - elevating interior elements
  - raising transformers

# Structure Elevation

- Physically raising an existing structure
  - Base Flood Elevation (BFE)
  - FEMA or local ordinance
- Elevating on:
  - Continuous foundation walls
  - Open foundations, such as piles, piers, posts, or columns
  - Fill



# Safe Room Construction

- Immediate life safety protection for people in public and private structures
  - Tornados
  - Severe winds
  - Hurricanes
- Retrofits of existing facilities
- New construction projects

# Documentation Requirements

- Location: Street Address and latitude and longitude in decimal degrees
- Date of Construction/Year built
- Photographs of the structure
- Historic
  - 50 years or older
  - State Historic Preservation Office (SHPO)
- Clean Air Act
  - Demolition and elevation projects
  - Florida Department of Environmental Protection
  - National Emission Standards for Hazardous Air Pollutants (NESHAP)

# Drainage Improvements

- Installation of new culverts, pipe or culvert upgrades
- Ditch improvements
- Detention/retention ponds
- Swales
- Water control structures
- Outfalls
- Road elevations



# Documentation Requirements

- USACE
  - Clean Water Act, Section 404
  - Rivers and Harbors Act, Section 10
  - Potential to affect “waters of the United States”
- Stormwater and/or wetland permitting

## Contact

- U.S. Army Corps of Engineers
- Water Management Districts
- Florida Department of Environmental Protection

# Documentation Requirements

- T&E Species
  - State or Federal-listed species or their habitat

## Contact

- U.S. Fish and Wildlife Service
- Florida Fish and Wildlife Conservation Commission
- National Marine Fisheries Service (NOAA)

# Documentation Requirements

- Undisturbed area
  - SHPO Review

## Contact

- Florida Department of State,  
Division of Historical Resources

- Unincorporated areas
  - “prime or unique” farmland

## Contact

- Natural Resource
- Conservation Service




# Questions/Discussion



What does NEPA stand for?




# National Environmental Policy Act




Can road work begin right away,  
or are there environmental  
issues to consider?

- Although Cat B road work may need to begin immediately, fill material is a point of concern.
  
- FEMA consults with SHPO about borrow pits.
  - Location
  - Expansion




What are the four levels  
of NEPA review?

- 
- STATEX
  - CATEX
  - EA/FONSI
  - EIS





Which agencies are involved in coordinating approval for emergency vector control after a disaster?

- 
- FEMA
  - FDEM
  - USFWS
  - FDACS
  - CDC
  - FDOH



The National Historic Preservation Act  
requires consultation with SHPO under  
what circumstances?

- 
- 50 years or older
  - Any culturally significant area/building
  - Any historically significant area/building



What two Executive Orders  
require an eight-step review  
process for compliance?


- EO 11988 Floodplain Management
- EO 11990 Wetland Protection
  
- Eight-Steps:
  - Project location
  - Public Involvement
  - Alternatives
  - Potential impacts
  - Minimize impacts
  - Reevaluate alternatives
  - Issue findings and public explanation
  - Comply with orders



Is NEPA compliance required  
for all projects in the  
State of Florida?



No, NEPA compliance is only required  
for Federal projects or  
Federally funded projects.




Who's ultimate responsibility is it that all laws are followed during project implementation?



# The applicant



If you do not complete NEPA review,  
can funding be denied?

- 
- Failure to complete the proper environmental review could result in delays or jeopardize federal funding.
  - If the project is implemented before NEPA review has been completed, funding may be denied.

# For more information on NEPA

<http://www.nepa.gov>



The screenshot shows a web browser window displaying the NEPA website. The address bar shows the URL [http://ceq.hss.doe.gov/current\\_developments/NEPA40.html](http://ceq.hss.doe.gov/current_developments/NEPA40.html). The page title is "NEPA | National Environmental Policy Act - NEPA's 40th Anniversary". The date and time are "FRIDAY, MAY 21, 2010 | 9:49 AM". The page features the NEPA logo and a navigation menu with links: Home, Current Developments, Laws and Executive Orders, CEQ Regulations and Guidance, CEQ Publications, CEQ Reports, Federal Agency NEPA Information, State Information, Legal Corner, and Other NEPA Information. Below the navigation menu is a banner image with several small photos. The main content area is divided into two columns. The left column is titled "Current Developments" and lists links: NEPA's 40th Anniversary, American Recovery and Reinvestment Act of 2009 & NEPA, New Agency NEPA Procedures, EIS Filings, and New CEQ NEPA Guidance. The right column is titled "NEPA's 40th Anniversary" and contains a paragraph of text followed by two bullet points with links to a Presidential Proclamation and CEQ Proposes New Guidance. At the bottom, there is a link to a White House Council symposium video.

NEPA | National Environmental Policy Act - NEPA's 40th Anniversary

FRIDAY, MAY 21, 2010 | 9:49 AM

NEPA | NATIONAL ENVIRONMENTAL POLICY ACT

## National Environmental Policy Act

Home | **Current Developments** | Laws and Executive Orders | CEQ Regulations and Guidance | CEQ Publications  
CEQ Reports | Federal Agency NEPA Information | State Information | Legal Corner | Other NEPA Information

**Current Developments**

- NEPA's 40th Anniversary
- American Recovery and Reinvestment Act of 2009 & NEPA
- New Agency NEPA Procedures
- EIS Filings
- New CEQ NEPA Guidance

**NEPA's 40th Anniversary**

January 1, 2010 was the 40th anniversary of NEPA's enactment. To mark this important date in American environmental policy, President Obama issued a proclamation on NEPA's 40th. The proclamation highlights NEPA's enduring role as "the cornerstone of our Nation's modern environmental protections." It celebrates the NEPA process' emphasis on ensuring present-day needs and priorities are achieved through responsible, informed decision making that involves the American public. It also calls for our continued commitment to protecting and enhancing the environment for future generations of Americans.

- [Presidential Proclamation on the 40th Anniversary of the National Environmental Policy Act, 2009](#)
- [CEQ Proposes New Guidance at NEPA's 40th Anniversary Celebration](#)

The White House Council on Environmental Quality (CEQ) held a symposium in celebration of the 40th Anniversary of the National Environmental Policy Act (NEPA) on Thursday, February 18, 2010. Event participants included former CEQ Chairs, NEPA practitioners, former CEQ senior staff and senior Obama administration officials. The Symposium featured two expert panel discussions focused on NEPA's successes and its future. A video of the symposium is available at:  
<http://www.whitehouse.gov/administration/eop/ceq/initiatives/nepa/symposium>