

National Environmental Policy Act

Critical Need for Increased Resources

The National Environmental Policy Act (NEPA) was enacted by overwhelming bi-partisan majorities and signed into law in 1970. NEPA requires federal agencies to fully assess the environmental effects of their proposed actions. This assessment ensures that major federal actions are grounded in rigorous scientific analysis and that our government's decisions are made in a transparent manner, providing the public an opportunity to have a say in federal actions that impact their environment, their families' health, and their quality of life.

NEPA applies to all major federal actions that may significantly affect the environment. To comply with NEPA, federal agencies assess and disclose the potential environmental effects of their actions in an Environmental Assessment or Environmental Impact Statement. In preparing these documents, the agencies must summarize the environmental impacts of their proposed action and alternatives, as well as the interrelated economic, health, or social effects. This process provides citizens an opportunity to learn about the actions that federal agencies are proposing and offers agencies an opportunity to receive valuable input from the public, state and local governments, other agencies, and other stakeholders. NEPA does not require agencies to choose the most environmentally-friendly option, but it does require that agencies "look before they leap" and ensures that the effects of federal actions will not be overlooked or underestimated.

NEPA also created the Council on Environmental Quality (CEQ), which has the primary responsibility of ensuring that agencies meet their obligations under NEPA. CEQ was established to serve as the President's principle environmental advisory body. One of CEQ's primary responsibilities is to ensure that agencies meet their obligations under NEPA by providing oversight on NEPA through the issuance and interpretation of NEPA regulations, as well as reviewing and approving federal agency NEPA procedures.

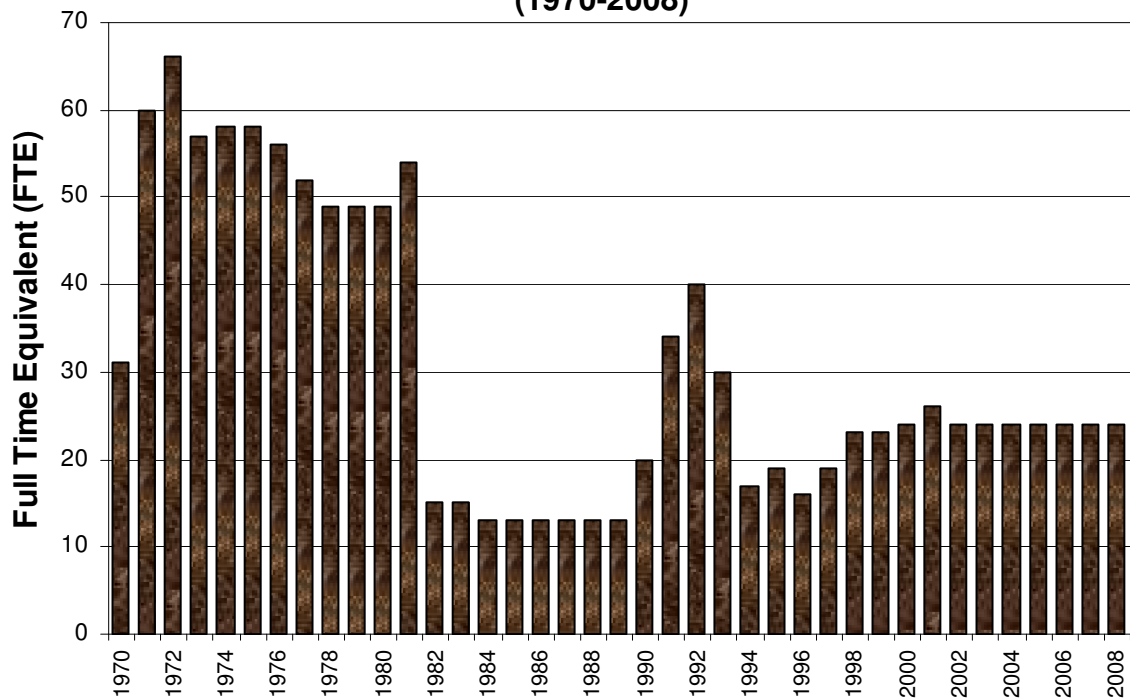
NEPA Funding: A Legacy of Inadequacy

The need for additional NEPA resources across all agencies, including CEQ is critical. Increasing NEPA funding would ensure that agencies have the resources to carry out their NEPA activities, and have the ability to increase training opportunities for federal agency employees who are responsible for implementing NEPA. With proper funding, agencies will be able to move forward with the information and the transparency necessary on projects to garner the support of the American people while ensuring our environment will not be harmed.

CEQ staff has been cut back sharply and its funding has remained at approximately \$2.7 million over the past few years. During the 1970's and the early 1980's CEQ had approximately 50-70 FTEs. However, in 2008 CEQ only had 24 FTEs. Of these 24 FTEs, only one CEQ staff is assigned to full-time oversight of NEPA related-activities and has the primary responsibility of ensuring that CEQ meets its NEPA mandate. In addition, CEQ has experienced a 4.4% decline in funding over the last eight years, receiving \$2.827 million in FY 2000, but only \$2.703 million in FY 2008, while the budgets of other White House offices have grown.

The CEQ staff and funding levels have been inadequate to provide basic advice, responses to conflicts, and supervision of NEPA implementation. Meanwhile, environmental protection has increased in scope and complexity. CEQ's leadership and coordinating role within the federal Executive Branch is increasingly important, given the urgency and cross-cutting nature of global warming and other current environmental challenges. To enable CEQ to serve effectively in its role as environmental advisor, policy-maker, coordinator, and overseer of NEPA compliance, the staff and budget of CEQ should be restored to the levels that made it effective in past administrations and it should be provided with at least 45 FTEs, with 4 FTEs devoted to NEPA compliance work.

Council on Environmental Quality (CEQ) Staffing Levels (1970-2008)



While CEQ is charged with ensuring NEPA compliance across all federal agencies, it is each of the 85 federal agencies and departments that plan or permit activities that may be subject to NEPA's requirements. Each of these agencies must carry out NEPA analysis and ensure implementation within their own jurisdiction. Unfortunately, federal agencies over the past decade have not been allocated adequate resources to implement their NEPA responsibilities. The decrease in available resources has left federal agencies understaffed and undertrained, leading to delays in the implementation of NEPA responsibilities and production of NEPA documents.

For example, the Forest Service (FS) has faced tight budget constraints over the past several years, constraints that have directly limited the funds available for NEPA implementation. Due to this lack of adequate funding, the FS faces many challenges when conducting their NEPA reviews, including not being able to consistently staff its NEPA interdisciplinary teams that are tasked with integrated resource planning for the National Forests and the concurrent environmental analysis; the FS losing key NEPA personnel at inopportune times as people are assigned to perform both NEPA related activities and other unrelated tasks, including all-hazard detail; and lack of NEPA training opportunities for FS employees. In order to address the challenges outlined above, the FS needs significant additional resources to dedicate to NEPA implementation including funding for additional staff.

Federal agencies should receive increased funding for NEPA activities and be directed to undertake a study of resource needs for NEPA to help develop proposals for additional funding in future years. Adequate funding and staff for CEQ and federal agencies to meet their NEPA obligations will ensure that as we confront the challenges of harmonizing our economic, environmental, and social goals, we make transparent decisions based on the best available information.

For more information, please contact:

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