

NEPA Process

NEPA—The National Environmental Policy Act of 1969 (Title 42 of the *United States Code*, sections 4321 to 4375—is our national charter for protecting the environment. The goals of NEPA are to (1) consider all appropriate environmental factors when making decisions, not basing decisions solely on technical and economic factors; (2) involve the affected and interested public early in the environmental analysis process; (3) seek less environmentally damaging ways to do our jobs; and (4) document in plain language for the decision-maker (in this case, the District Engineer) and the public the environmental process we used in developing the Greers Ferry Lake Shoreline Management Plan. The product we use to document our analysis of the likely effects of implementing the preferred plan or a plan containing different combinations of key lakeshore management elements (alternative management options) is the Environmental Impact Statement, or EIS, the highest level of analysis prepared under NEPA. Compliance with NEPA guidance for our EIS preparation involved several steps:

1. *Announce that an EIS will be prepared.* For this EIS, a Notice of Intent was published on August 23, 2000, in the *Federal Register*.
2. *Conduct scoping.* Scoping was the first step in identifying relevant issues to be analyzed in depth and eliminating issues that were not relevant. Within this process we were very active in soliciting comments from the public, local governments, Federal and State agencies, tribes, and environmental groups to ensure their concerns and issues about the proposed project were included in the analyses. For this EIS, the Corps held a scoping meeting on December 5, 2000, in Heber Springs, Arkansas. In addition, in January 2001 the Corps sent 24 Intergovernmental Interagency Coordination of Environmental Planning (IICEP) letters to announce the proposal and to request input from governmental agencies.
3. *Prepare an Environmental Assessment (EA).* The decision to prepare an EIS often begins with the preparation of an assessment of environmental consequences of the proposed action. This EA process, which is always conducted before an EIS, is not as in-depth as the process for preparing an EIS. The EA usually provides enough information and analysis to determine either that the proposed action would not result in significant environmental impact (resulting in a document called a Finding of No Significant Impact, or FNSI) or a decision that a more in-depth study is needed. This in-depth study is the EIS. The Corps used extensive public input and analysis to prepare the EA, which was finalized in March 2000. It addressed 525 comments received orally at public hearings on the proposal and in writing from the public and agencies. Upon completion of the EA, the Corps concluded that the proposed action would not result in significant environmental impacts and produced a FNSI. In a court hearing, a judge ruled that the conclusions in the FNSI were not properly supported by the EA. Although it was possible to rewrite the EA in an attempt to better support the conclusions of the FNSI, the Corps decided to prepare an EIS.
4. *Prepare a Draft EIS.* This document examined environmental issues associated with the proposed project determined to be relevant from our scoping initiatives. It considered a range of alternatives, analyzing in detail those representative of “all reasonable” alternatives and a procedurally required “no action” alternative. It also provided rationale for alternatives considered but eliminated from detailed analysis. More than 100 copies of the Draft EIS were distributed to agencies, members of the public who requested copies,

and several repositories to ensure the widest dissemination possible. The Draft EIS was placed in the Greers Ferry Lake Project Office and local public libraries and also was placed electronically on a web site.

5. *Have a public comment period on the Draft EIS.* Our goal during this process was to solicit oral and written comments about the Draft EIS. We accomplished this by receiving comments through the mail and conducting public hearings. The public hearings were held in Heber Springs, Arkansas. The hearings provided a feedback mechanism for the public and agencies to orally address or submit written comments directly to the Corps.
6. *Prepare a Final EIS.* Following the public comment period, a Final EIS was prepared. This document was a revision of the Draft EIS, including all public and agency comments and the Corps responses. It provided the decision maker a comprehensive review of the alternatives and their environmental impacts.
7. *Issue a Record of Decision (ROD).* The final step in the NEPA process is the ROD. It identifies which alternative was selected by the decision maker and what measures the Corps will carry out to reduce adverse impacts on the environment.