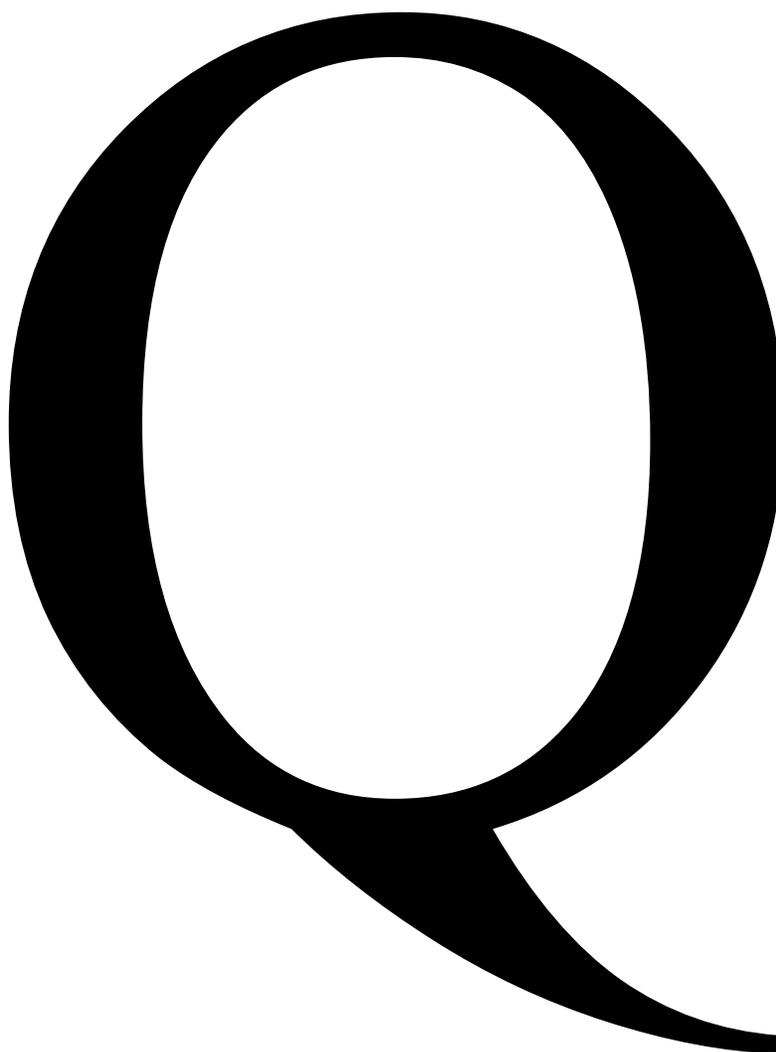


APPENDIX

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# FEMA ENVIRONMENTAL REVIEW PROCESS

Any project submitted and determined likely to be eligible for federal funding must undergo a National Environmental Policy Act (NEPA) review prior to the initiation of the project. In accordance with federal environmental policy, FEMA must take into account environmental considerations, including review of the project for compliance with other federal environmental laws and related executive orders, and apply the NEPA guidelines for environmental review when authorizing or approving projects. The FEMA review process entails numerous steps; this information sheet highlights only the environmental review step in accordance with NEPA.

## What is the National Environmental Policy Act (NEPA)?

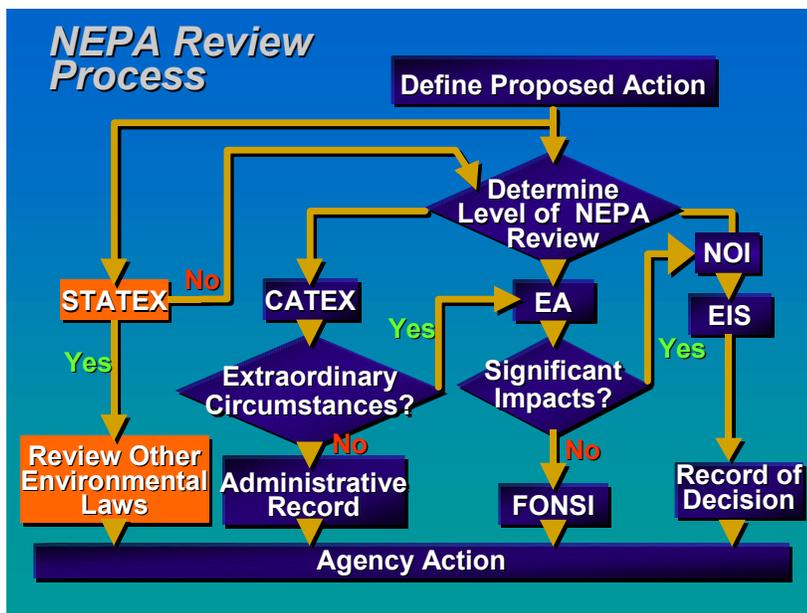
NEPA is a federal law which established a national policy for the protection and maintenance of the environment by providing for a process which all federal agencies must follow to ensure that:

- The federal agency has considered the effects of their actions on the environment before deciding to fund and implement a proposed action, and
- Environmental information is made available to other public officials and citizens before agency decisions are made and before actions are taken

NOTE: Accordingly, the applicant may not initiate any action with respect to a project or a portion of a project proposed for FEMA funding until FEMA has completed NEPA review; doing so jeopardizes federal funding for the project.

## What is the environmental review process?

- See flow chart on the right that summarizes the review process
- All projects that are considered for federal funding will be reviewed in a local, tribal, state, and federal partnership scoping meeting. When the partnership decided on a course of action, FEMA will determine if it
  - Qualifies to be categorically excluded from the environmental review process
  - Requires an environmental assessment
  - Requires an Environmental Impact Statement
  - Environmental documentation responsibilities will be determined



## What is the difference between a categorical exclusion, and an environmental assessment, and an environmental impact statement?

- A categorical exclusion is typically determined for projects which fit one of the categories of actions that FEMA has previously identified and listed as normally having minimal or no effect on the environment, propose no significant change to existing environmental conditions, and will not contribute to a significant cumulative impact

In addition, when the FEMA regional director determines that a project qualifies to be categorically excluded, the director must assure and document that there are no "extraordinary circumstances", such

as considerable impact on upstream or downstream resources, the presence of wetlands, protected species, historic resources or hazardous materials in the project area, or public controversy associated with the project. Certain types of mitigation projects such as the preparation of regulations, directives, manuals, or other guidance are often categorically excluded.

- An environmental assessment is conducted when a proposal does not qualify for a categorical exclusion. An assessment evaluates and concisely documents an action's potential for impacting the human and natural environment and is the basis for either a Finding of No Significant Impact (FONSI), in which the project may proceed, or a determination that further study is required and an EIS must be prepared.
- An environmental impact statement is a detailed document prepared for projects that will have a significant adverse effect on the human or natural environment and where that effect cannot be fully mitigated or is the subject of significant public controversy

**NOTE:** A major difference between NEPA and many similar state environmental laws is that these laws only assess and document impacts on the proposed alternative, whereas NEPA requires that feasible alternatives be assessed and documented. To comply with NEPA, an EA or EIS must have identified and assessed at least one feasible alternative in addition to the proposed alternative and the "No Action" Alternative.

### **What type of information does an Environmental Assessment or an Environmental Impact Statement include?**

- Purpose and need for the action
- Description of alternative solutions including the proposed action
- Description of social, natural and economic resources that could be impacted by the project, with special attention to specific resources and issues relevant to the proposed action and alternatives, such as:
  - Water resources (hydrology, wetlands, floodplain management, water quality)
  - Natural resources (plant and animal species and their habitat)
  - Physical environment (slope stability, soil and sedimentation)
  - Historic and archeological resources;
  - Air quality, and
  - Social and economic impacts (noise, traffic and circulation, affected population, minority and income populations, public facilities, and services.)
- An analysis of the consequences of the proposed action and each alternative on those resources

### **How can an applicant assist in expediting the environmental review process?**

- The applicant should make the state and FEMA aware of its intention to submit a project as early as possible.
- FEMA and the state will coordinate with the applicant to develop work tasks to expedite the preparation and completion of NEPA documentation, and where appropriate, coordinate it with the review and documentation required by state environmental assessment laws.
- The applicant should share with FEMA and the state all information concerning the alternative actions considered during the early planning process, as well as all environmental information available to the applicant to expedite the process.
- The applicant may be asked to assist in identifying or documenting site conditions, such as the following:
  - Native American lands or treaty rights,
  - Socio-economic impacts and minority and low income populations
  - Hydrologic regime, including wetland and floodplain conditions
  - Topography and land form, including unique physical features, unstable soil or steep slopes,
  - Habitat types, including any threatened or endangered species habitat
  - Historic properties or districts
  - Archeological resources, relics, or human remains, and
  - Toxic or hazardous waste sites.