

Bureau of Reclamation Podcast  
National Environmental Policy Act  
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5:20 running time

USBR SOUNDER:

Welcome to the Bureau of Reclamation Great Plains Region Podcast.

More than 40 years ago, the first major environmental law in the United States was passed by Congress and signed into Law by President Richard Nixon.

The National Environmental Policy Act, better known as NEPA, established the nation's environmental policies and requires agencies to consider the effects of their proposed actions before making decisions.

A major component of this process is the participation of, and input from, the public regarding the potential positive and negative effects of a particular project.

The law applies to any project that involves federal funding, work performed by the federal government, or where the federal government grants permission to do work.

In the Great Plains Region, there are hundreds of water projects of all sizes that fall under NEPA requirements.

Nell McPhillips is a Natural Resource Specialist with the Dakotas Area Office of Reclamation, but as she explains, NEPA addresses a wide range of potential concerns:

**(MCPHILLIPS 01)**

**AND THIS ISN'T JUST NATURAL RESOURCE IMPACTS, BUT ALSO SOCIO-ECONOMIC TYPE IMPACTS. A FEDERAL AGENCY WILL LOOK AT NEPA AND EVALUATE THE IMPACTS, AND KIND OF USE IT AS A DECISION MAKING TOOL ON HOW TO PROCEED FORWARD WITH THE PROJECT.**

NEPA provides for three types of analysis that a federal agency can undertake in order to comply:

**(MCPHILLIPS 02)**

**THERE ARE DIFFERENT LEVELS IN NEPA, FIRST THING WE DO IS WE LOOK AT IT AND SAY – IS THERE A CATAGORICAL EXCLUSION THAT WE CAN USE TO GET THROUGH THE NEPA PROCESS, WE'RE LOOKING AT A LIST OF CLASSES OF ACTIONS THAT WOULDN'T NORMALLY REQUIRE AN ENVIRONMENTAL IMPACT STATEMENT OR AN ENVIRONMENTAL ASSESSMENT.**

**(MCPHILLIPS 03)**

**CATAGORICAL EXCLUSIONS ARE LISTED OUT SPECIFICALLY IN REGULATIONS AND IN OUR POLICY, SO THEY HAVE TO FIT IN PARTICULAR CATAGORIES IN ORDER TO WORK, AND OF COURSE THEY HAVE TO HAVE MINIMAL IMPACTS ON THE ENVIRONMENT.**

If the project is determined to not qualify for an exclusion, the process levels up:

**(MCPHILLIPS 04)**

**SO IF WE'RE WORKING ON A NEW PROJECT, A LOT TIMES WE'LL CONSIDER DOING AN ENVIRONMENTAL ASSESSMENT, AND IF WE'RE DOING A BIG PROJECT, FOR EXAMPLE A LARGE WATER SUPPLY PROJECT, THEN WE MIGHT HAVE TO GO INTO AN ENVIRONMENTAL IMPACT STATEMENT. WHICH REQUIRES A DETAILED ANALYSIS OF THE POTENTIAL ENVIRONMENTAL IMPACTS. WE GET INTO WHATEVER THE ACTION IS AND LOOK AT A RANGE OF ALTERNATIVES THAT WE CAN DO TO COMPLETE THE ACTION.**

McPhillips goes on to explain that preparing these more detailed reports involves a wide range of expertise:

**(MCPHILLIPS 05-1)**

**WHEN WE DO THESE PROCESSES IN THE DAKOTAS AREA OFFICE, WE WORK WITH MULTI-DISCIPLINARY TEAMS THAT ARE MADE UP OF THE ENGINEERS AND THE RESOURCE SPECIALISTS, SO YOU MIGHT HAVE AN ECONOMIST, AN ARCHEOLOGIST, A NATURAL RESOURCE SPECIALIST, AND ENGINEERS, ALL WORKING ON THE SAME TEAM.**

**(MCPHILLIPS 05-2)**

**IN OUR WORK PLANNING PROCESS, WHICH IS WHERE WE IDENTIFY THE ACTIONS THAT WE NEED TO COMPLETE AS AN OFFICE EVERY YEAR WHETHER IT'S UNDER OUR EXISTING PROJECTS OR WHETHER IT'S NEW PROJECTS, WE HAVE TEAMS FOR EACH OF THESE DIFFERENT PROJECTS IN THE AREAS THAT WE WORK ON AND WE GET TOGETHER EARLY ON IN THE PLANNING PROCESS TO EVALUATE WHAT ARE THE ACTIONS BEING DONE, AND THEN WHAT IS THE NEPA THAT WOULD BE REQUIRED, WHAT IS THE PLANNING PROCESS THAT WE'RE GOING TO HAVE TO USE?**

At every level of the NEPA process, Public Comment needs to be considered to ensure that all concerns are being addressed:

**(MCPHILLIPS 06)**

**THE PUBLIC'S INVOLVEMENT EARLY ON IS VERY IMPORTANT, SO IF WE'RE LOOKING AT A LARGE PROJECT, LIKE A LARGE WATER SUPPLY PROJECT, ONE THAT WE WORKED ON HERE IN THE DAKOTAS WAS THE RED RIVER VALLEY WATER SUPPLY PROJECT, AND IN THAT PROCESS, WHEN WE KNOW IT'S GOING TO BE A BIG PROJECT AND REQUIRES AN ENVIRONMENT IMPACT STATEMENT, THE FIRST THING WE DO IS WE GO OUT TO THE PUBLIC AND SAY, HERE'S WHAT WE'RE THINKING ABOUT, PROVIDING WATER TO THE RED RIVER VALLEY...WHAT DO YOU THINK ABOUT THIS, WHAT ARE YOUR THOUGHTS AND IDEAS, WHAT DO YOU THINK THE IMPACTS ARE GOING TO BE, HOW DO YOU THINK THIS PROJECT SHOULD BE DONE? AND IN OTHER WORDS, IT'S AN OPPORTUNITY TO INVOLVE THE PUBLIC EARLY ON, TO LET THEM HAVE A SAY IN IT. AND A LOT OF TIMES, I THINK THE PUBLIC GETS MISCONCEPTIONS THAT WE'VE ALREADY MADE A DECISION ABOUT A PROJECT AND WE'RE GOING TO FORWARD, AND IT'S NOT NECESSARILY THE CASE WHEN WE'RE DOING THE EIS, WE'RE GOING TO EVALUATE DIFFERENT ALTERNATIVES AND SOMETIMES THE PUBLIC CAN COME UP WITH THEIR OWN ALTERNATIVES THAT WE CAN EVALUATE.**

Reclamation continues to work with our local communities through the NEPA process to ensure that the proper balance between providing a safe, reliable supply of water while protecting the social, economic, cultural and natural environment is maintained.

For more information on NEPA and current projects undergoing the process, visit Reclamation's website at: [www.usbr.gov/gp/nepa/](http://www.usbr.gov/gp/nepa/)

This Podcast was produced for the Bureau of Reclamation Great Plains Region Office of Public Affairs.

SOUNDER:

RECLAMATION: MANAGING WATER IN THE WEST.