

NEPA Process Summary

What is NEPA?

NEPA stands for the National Environmental Policy Act. NEPA is a federal law that requires federally funded projects to evaluate a range of alternatives—including doing nothing, known as “No Build”—and the impacts of those alternatives on the environment. It also requires agencies proposing a project to consider input from the public, Tribal Governments and other agencies before making a final decision.

The federal law was enacted in 1970, a time when many modern environmental laws were written as a result of several environmental disasters and a national consensus that clean air, clean water, healthy forests and thriving animal populations are important to U.S. citizens.

Confusion can arise over the “NEPA” acronym. The “P” stands for “policy” not “protection.” Agencies are not required to select an option or alternative that has the least impact to the environment. They are required to consider the full range of alternatives before making that decision.

NEPA can be considered a complex law that slows a decision-making process. However, it also can be considered a law that ensures that people affected by a problem and/or federal project have an opportunity to learn about and affect the proposals before a decision is made.

How does NEPA apply to this project?

The NEPA process applies to the Columbia River Crossing project for two reasons: Interstate 5 is a publicly-owned facility and the project receives federal funding.

How does NEPA work?

Depending on the type of project, the environmental effects fall into one of three categories: 1) No effect on the environment; 2) No “significant” effect on the

environment; and 3) Environmental effects expected. Based on the size of the Columbia River Crossing project, we expect significant effects on the human and/or natural environment. Projects with little or no effect on the environment have fewer requirements under the law.

Overview of the NEPA process:

1. Explain why the project is needed. (“Define the Purpose and Need”)

The Purpose and Need statement explains why the project is necessary and the fundamental problems the project should address. The Purpose and Need also guides the development of preliminary alternatives, and helps decision makers narrow those alternatives to one that best meets the project needs.

2. Ask the public: What should the agency consider in this project? (“Scoping”)

Early in the NEPA process, Tribal Governments, the public and other agencies are given a chance to contribute information about community and environmental issues. Often public meetings are held. This step informs tribes, citizens and agencies about the proposed project, lets them know how any studies will be conducted, and solicits their input on issues and potential solutions to consider.

3. Identify the potential range of options to address the need. (“Define Proposed Action and Preliminary Alternative”)

Project managers will describe the proposed project and the initial range of alternatives. Preliminary alternatives are usually broad and subject to change. Information from the previous step is often used to develop the preliminary alternatives.

4. Answer the question: Will the project affect the environment? (“Will the project result in significant environmental impacts?”)

If the agency leading the work effort knows a project will have significant environmental impacts, the agency will plan to write a report, called an “Environmental Impact Statement (EIS).” An EIS is a comprehensive report that describes in detail the effects to the natural and human environment for each of the alternatives under consideration.

5. Evaluate options to deal with the need (“Preliminary Alternatives Analysis and Screening”)

Before writing the Draft EIS, project managers will compare each of the preliminary alternatives to ensure that a broad range of options has been considered. Project managers and the public have the opportunity to compare benefits and impacts of implementing different project approaches. Some alternatives will be dropped at this stage and the most promising carried forward into the Draft EIS.

6. Study the impacts to the natural and human environment (“Prepare and Issue Draft EIS”)

Project managers will thoroughly research and analyze all of the potential environmental effects associated with the alternatives being considered and write the Draft EIS. The Draft EIS is made available for public review and comment.

7. Hold a public hearing

One or more public hearings are required for a Draft EIS. The hearing is advertised locally and is usually held during the public review period with enough time remaining to gather additional public comments.

8. Identify the best option/alternative (“Prepare and Issue Final EIS)

After the public hearing and the Draft EIS comment period, project managers prepare the Final EIS. The Final EIS includes public comments received, and describes coordination that occurred since the Draft EIS was published. It also identifies the best or “locally preferred” alternative, why it was chosen, and any design commitments and mitigation measures.

9. Publish decision on best option (“Prepare Record of Decision”)

The federal lead agencies for this project, the Federal Highway Administration and the Federal Transit Administration, must publish their decision in the Federal Register. Nonfederal agencies seek approval for the chosen option at this step. The Record of Decision (ROD) summarizes the basis for the project decision. The ROD does not commit an agency to action, and does not guarantee funding. It identifies the alternatives considered, including any “preferred alternative,” and whether the project proponent has taken steps to minimize environmental harm. The ROD includes responses to substantive public comments on the Final EIS, and summarizes any mitigation measures or environmental commitments.

How can I get involved?

- Visit the website at www.ColumbiaRiverCrossing.org to learn about the project and sign up for updates
- Attend an advisory group meeting
- Invite CRC staff to an event or meeting to discuss the project

How can I comment on the project?


E-mail: feedback@columbiarivercrossing.org


Mail: 700 Washington Street, Suite 300
Vancouver, WA 98660

Phone: 360-737-2726 or 503-256-2726

Fax: 360-737-0294

April 2007

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION  Materials can be provided in alternative formats: large print, Braille, cassette tape, or on computer disk for people with disabilities by calling the Office of Equal Opportunity (OEO) at (360) 705-7097. Persons who are deaf or hard of hearing may contact OEO through the Washington Relay Service at 7-1-1.

TITLE VI NOTICE TO PUBLIC  It is the Washington State Department of Transportation's (WSDOT) policy to assure that no person shall, on the grounds of race, color, national origin and sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. For language interpretation services, please contact the project office at (866) 396-2726. Any person who believes his/her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equal Opportunity (OEO). For Title VI complaint forms and advice, please contact OEO's Title VI Coordinator at (360) 705-7098.