

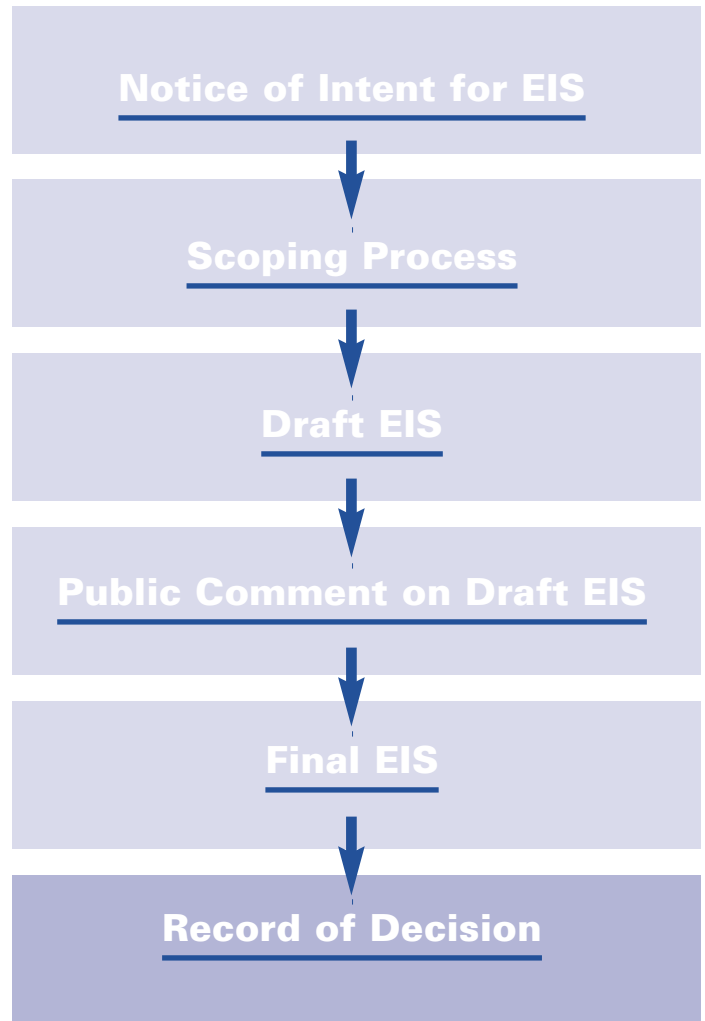
National Environmental Policy Act

The National Environmental Policy Act (NEPA) of 1969 requires the preparation of an Environmental Impact Statement (EIS) for joint federal and state actions that may significantly affect the quality of the environment. Under NEPA, the term “environment” encompasses the natural and physical environment (air, water, geology, and ecology) as well as the relationship of people with that environment (health and safety, jobs, housing, schools, transportation, cultural resources, noise, and aesthetics). NEPA was enacted by Congress to ensure that federal agencies consider the potential environmental impacts of their proposed actions and alternatives before deciding on a course of action.

The Council on Environmental Quality established NEPA requirements for all federal agencies, including procedures for preparing Environmental Impact Statements. Individual agencies, including the National Oceanic and Atmospheric Administration and the Indiana Department of Natural Resources, have established their own regulations to meet or exceed these requirements. The major steps in the NEPA process for preparing an EIS are:

- Issue a Notice of Intent to begin the EIS process.
- Gather input from citizens, federal agencies, state and local governments, Native American tribes, and other stakeholders. This is called the scoping process.
- Prepare and distribute the draft EIS.
- Receive and respond to public comments on the draft EIS.
- Prepare and distribute the final EIS.

Decisions are not made in an EIS; rather, an EIS is only one body of information federal and state decision-makers must consider when deciding among various reasonable alternatives for a program. The joint agencies issue the actual decision in a Record of Decision, which considers the findings in the EIS, as well as other factors like technical feasibility, cost missions, and policy issues.



Notice of Intent and Scoping Process

The National Oceanic and Atmospheric Administration and the Indiana Department of Natural Resources first issue a Notice of Intent (NOI) to prepare an EIS. The joint agencies publish the NOI in the Federal Register to inform the public that an EIS will be prepared, and to formally announce the beginning of the scoping process. The NOI describes the proposed action and the agencies’ preliminary plans regarding the consideration of reasonable alternatives and the analysis of potential environmental impacts. The National Oceanic and Atmospheric Administration and the Indiana Department of Natural Resources regulations require at least one scoping meeting be held to facilitate the collection of public comments. However, the agencies will go beyond the minimum and provide three opportunities for public comment. The public may also provide input and comment on the scope of an EIS by phone, fax, e-mail, and

U.S. mail. All comments received by a specified date are considered in the preparation of the draft EIS. The National Oceanic and Atmospheric Administration and the Indiana Department of Natural Resources will consider some late comments.

Draft EIS

The joint agencies describe, analyze, and compare the potential environmental impacts of proposed actions and alternatives. The draft EIS also provides information on the methodologies and assumptions used for the analysis. If any alternatives exist at this stage of the NEPA process, they will be identified in the draft EIS.

Public Comment on the Draft EIS

Once the draft EIS is published and distributed, a minimum of 45 days is provided for federal, state and local governments; Native American tribes; and the public to provide comments. A second public comment period begins upon the National Oceanic and Atmospheric Administration publication of a Notice of Availability (NOA) for the draft EIS in the Federal Register. As in the scoping phase, the National Oceanic and Atmospheric Administration and the Indiana Department of Natural Resources will hold three public meetings to seek public input and comments on the draft EIS. Other methods for submission of comments may likewise include phone, fax, e-mail, and U.S. mail. All comments received by a specified date are considered in the preparation of the final EIS. Some late comments will be considered, if possible.

Final EIS

Following the public comment period, the final EIS is prepared and distributed. The final EIS reflects consideration of all comments and contains the agencies' responses to

those comments. In addition, the final EIS will identify the agencies' preferred alternative(s). The issuance of the final EIS is announced in the Federal Register in a National Oceanic and Atmospheric Administration Notice of Availability.

Record of Decision

Once the final EIS is published, a minimum 30-day waiting period is required before a Record of Decision (ROD) can be issued. The Record of Decision presents the agencies' decision on the proposed action and the reasons for that decision, including environmental considerations and other factors such as costs, technical feasibility, agency statutory mission, and state policy objectives. The National Oceanic and Atmospheric Administration and the Indiana Department of Natural Resources publish the EIS Record of Decision in the Federal Register.

The EIS process does not dictate that an agency selects the most environmentally beneficial alternative, although the ROD must identify the environmentally preferred alternative. The purpose of the EIS process is to ensure that accurate environmental analyses are performed, and that public officials make decisions with full knowledge of their environmental consequences.

You are vital to the process

The Indiana Department of National Resources is fully committed to providing public access to information about its activities and opportunities for involvement throughout the NEPA process. Accordingly, the Indiana Department of National Resources encourages public involvement in the EIS development process. Your participation in the department's process helps shape the scope and issues addressed in the EIS.

For more information on the NEPA process, please contact:

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