

# GENERAL ENVIRONMENTAL LAW

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## National Environmental Policy Act\*

42 U.S.C. §§4321-4370d

### Purpose

The statute sets forth the **general policy** of the federal government concerning the environment. [NEPA §2] The regulations and laws of the United States should be interpreted and administered according to this policy. [NEPA §102(1)]

The federal government, in cooperation with **state and local governments** and other concerned public and private organizations, shall use **all practicable means** to foster and promote the **general welfare**; develop conditions for the harmonious **coexistence of people and nature**; and fulfill the social, economic, and other requirements of **present and future generations** of Americans. [NEPA §101(a)]

The federal **agencies** shall use a **systematic interdisciplinary** approach in making decisions that may affect the environment. [NEPA §102(2)(A)]

### Environmental Impact Statements (EISs)

For **all major federal actions significantly affecting the quality of the human environment**, federal agencies shall prepare a detailed statement on the environmental impact of the proposed action. The statute establishes the **requirements** for such statements and the **procedures** for preparing them. [NEPA §102(2)(C)]

Under certain circumstances, **state agencies or officials** may prepare EISs for major federal actions funded under programs of grants to states. This does not relieve federal officials of their responsibility for such EISs. [NEPA §102(2)(D)]

**Federal agencies** shall develop and describe appropriate **alternatives to a recommended course of action** in any proposal that involves unresolved conflicts concerning **alternative uses of available resources**. [NEPA §102(2)(E)]

### Environmental Quality Reports

The President shall submit to Congress an annual **Environmental Quality Report** describing the **status** of the nation's environment and **trends** in the quality and use of the environment. [NEPA §201]

### Council on Environmental Quality (CEQ)

The statute creates the **Council on Environmental Quality (CEQ)** to advise the President on the preparation of the Environmental Quality Report, to **gather information** concerning trends in the quality of the environment, to **appraise actions** of the federal government in light of the policies set forth in this Act, to make **recommendations**, and to **conduct studies**. [NEPA §§202, 204]