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NEPA Compliance at APHIS

Last Modified:

The National Environmental Policy Act (NEPA) is a law that requires Federal agencies to assess the possible environmental effects of our proposed actions before making decisions. We must also offer opportunities for public review and comment during that process. This helps make sure that Federal decisions are well-informed and environmentally responsible.

As a Federal agency, APHIS must follow many laws, but NEPA is one of our most central obligations. A wide range of actions we take—[rulemaking](#) to address animal and plant health risks, programs that reduce wildlife damage, decisions on biotechnology permits, and more—may invoke NEPA requirements.

[Learn More About NEPA](#)

Our NEPA Procedures

The NEPA review process begins at APHIS when an issue and need for action first arise, either through ongoing work or an outside request. We analyze potential proposed agency actions and establish whether they may have significant environmental effects.

We follow the [APHIS NEPA implementing procedures](#) to determine whether to prepare one of three types of environmental compliance documentation:

1. Categorical exclusion
2. Environmental assessment
3. Environmental impact statement

Regardless of the chosen path, we may need to consult and coordinate with other Federal, State, and local agencies and Tribal governments throughout the process.

Categorical Exclusion

A categorical exclusion is a category of actions that do not have the potential to significantly affect the environment. If our review shows that a proposed action falls within a categorical exclusion, neither an environmental assessment nor an environmental impact statement is generally required.

Categorical exclusions allow for immediate action to be taken once analysis is complete, but the situations under which they may be used are limited. Our [NEPA implementing procedures](#) identify the criteria for actions that qualify to be categorically excluded ([7 CFR 372.5\[c\]](#)).

Environmental Assessment

An environmental assessment is a concise public document that uses best available science and information to determine if a proposed Federal action will have a significant impact on the environment. This assessment must describe (but is not limited to): the need for the proposed action; alternatives to the proposed action, including a “no-action” alternative; and the potential environmental effects of all alternatives.

During the assessment process, we may find no significant impacts are likely to occur from the preferred action. In that case, we prepare a decision document called a “finding of no significant impact.” This document explains the reasons for our conclusion. Our [NEPA implementing procedures](#) identify the criteria for actions that qualify for an environmental assessment ([7 CFR 372.5\[b\]](#)).

Environmental Impact Statement

An environmental impact statement is a more detailed public document APHIS prepares if:

1. We expect our proposed action's effects on the environment may be significant,
2. Our environmental assessment indicates a need for further evaluation of the proposed action's impacts, or
3. The proposed action is one that requires an environmental impact statement due to agency regulations.

The statement describes the potential environmental effects of the proposed action, explains what steps may be taken to minimize any negative impacts, and offers at least two alternative actions.

After publishing a final environmental impact statement, we proceed with a decision document called a “record of decision.” This document identifies our selected environmentally preferred alternative. It also details related commitments, such as specific enforcement and monitoring activities. After publishing a record of decision, we will proceed with the selected action.

Public Involvement

We work to maximize public participation in the NEPA process. We publish notices and documents in the [Federal Register](#), on our website, and in local newspapers and provide commenting opportunities via [regulations.gov](#) and mail. See what APHIS has available for public comment on [animal health](#), [animal welfare](#), [biotechnology](#), [plant health](#), and [wildlife damage management](#).

Final NEPA Documents by Program Area

Most APHIS environmental documents and comments received are available to the public on [regulations.gov](#). For easy reference, we also make final NEPA documents available on our website by APHIS program area.

[National Environmental Policy Act Documents: Wildlife Services](#)

[National Environmental Policy Act Documents: Plant Protection and Quarantine](#)

Other Environmental Laws

APHIS also complies with all other applicable environment regulations, including the [Endangered Species Act](#) and [the Federal Insecticide, Fungicide, Rodenticide Act](#) (FIFRA). Under FIFRA, the Environmental Protection Agency oversees the registration, distribution, sale, and use of all [pesticides](#) in the United States. The U.S. Fish and Wildlife Service and National Marine Fisheries Service enforce compliance with the Endangered Species Act to protect threatened and endangered species and critical habitat.

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