10 Important Tips for NEPA Success

Important Consideration	CEQ Regulation Cite	Common Mistakes	Tips for Success
1. Is the NEED for action compelling? If no action is taken, is it clear what the consequences will be?	1502.10(d); 1502.13; 1502.34	The need does not recognize or emphasize the either the positive or negative aspects of the proposed undertaking (e.g., positive social and economic or negative environmental). The No-action alternative, which helps support the P&N, is viewed as current conditions and not the condition in the future if nothing is done.	Contrast a desired state against a future state that would exist if the action were not taken—this can help support a NEED for action. The discussion of the No-Action alternative in the effects section should clearly compel action.
2. Is it clear what the specific actions you are proposing are, including all connected or similar actions?	1502.4(a, c, d); 1508.25(a);	Actions are described in general terms, leaving the what, where, how, and when to each specialist to interpret. DO NOT PUT PROPOSED ACTION IN THE PURPOSE AND NEED	Actions should be described with what, where, how, and when. ALL the actions are a part of the project—especially actions that might, by themselves, be categorically excluded.
3. Are the issues tied to the action(s) identified and have you made them clear and transparent?	1500.5(d); 1500.4(g); 1500.1(b);	Issues are stated broadly without a logical connection from an action to an important end point.	Issue statements should be framed with a causative action, through a chain of effects to an ultimate end point important to interested parties.
4. If you modify the action in response to issues—is it clear how this might be done?	1502.14(f); 1508.25(b); 1502.14(f)	Mitigation measures are listed without any incremental analysis of the benefit to the end effect. Results in MITIGOBBING!	Describe the incremental benefits and costs of each mitigation measure and the analysis behind these estimates.
5. Are other reasonable alternatives to accomplish the need for the project or program-level action developed and described?	1502.14(a, b, c)	Not developing a complete list of issues, can lead to a limited number of reasonable alternatives. Not documenting alternatives considered and eliminated and the process used to limit the alternatives considered in detail.	Initial development of alternatives should be done by: 1) generating many alternatives which address the need, 2) reserving judgment, and 3) describing actions broadly (strategically). THEN, and only THEN, reduce the number of alternatives through a structured and described process.
6. Are the alternative actions and their effects compared sufficiently for a decision?	1502.14(b); 1502.16(d); 1505.1(e);	Assuming the alternatives are compared and evaluated in the various ”Effects Section” of the document.	Have a separate section in the “Alternative Section” that graphically compares the merits of the alternatives (i.e., their ability to satisfy the purpose and need, address issues, and respond to important effects).

7. Are the methods of analysis transparent, supportable (appropriate science) and logical? For example: T&E species, air quality, water quality, historic properties, social, economic.	1502.21; 1502.24; 1508.8;	The methods and assumptions used to estimate effects are not described, supported by logic and science, or incorporated by reference. They are assumed to be "intuitively obvious."	Construct cause-effect diagrams developed with an interdisciplinary team. These cause-effect logic trains should be discussed. Ensure physical impacts lead to biological impacts and ultimately to social/economic effects. Ensure these logic trains are easily understood with diagrams and figures that convey the cause-effect thinking.
8. What assumptions were made? How were data gaps filled and unknowns resolved? Are there weaknesses in the methodologies used?	1502.22; 1502.24;	Contrary evidence is often not discussed nor the rational for dismissal of this evidence presented. Where weaknesses in data and methodologies exist, the weaknesses are not made transparent to the reader.	Discuss all the evidence, the good, the bad, the ugly. Be honest and open. Tell what you know, tell what you don't know, then, and only then, say what you think.
9. Can you show how consulted agencies and the public were involved and influenced your analysis	1500.2(d); 1500.4(n); 1502./16(c); 1502.19; 1503.2; 1503.4; 1506.2(d); 1506.6; 1508.5	The public involvement and collaboration process is not discussed nor changes made in the document and analysis in response to public comment. Consultation with Federal, state, local, and Tribal governments and agencies are not specifically pointed out.	Be open and early with your opportunities for public engagement. Document all that you do.
10. Is everything documented in the record ?	1500.4(f);1505.1(c);	Not realizing what is not in the NEPA document (directly in the text of the EA or EIS or Appendices, or record and cited through specific reference) was NOT DONE.	If a study, research publication, data, model simulations, or other information is essential to support your logic, make sure a specific reference to those important records is explicitly made in the NEPA document, FONSI, or decision document.