

**FSH 1909.15 – NATIONAL ENVIRONMENTAL POLICY ACT HANDBOOK
CHAPTER 40 – ENVIRONMENTAL ASSESSMENTS AND RELATED DOCUMENTS**

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This chapter is focused on documentation requirements for an environmental assessment (EA). Guidance for conducting an environmental analysis is found in chapter 10; definitions are in the zero code.

For ease of reference, [Council on Environmental Quality \(CEQ\) regulations](#) for implementing requirements of the [National Environmental Policy Act](#) (NEPA) are set out in **boldface type** and block-indented and [Forest Service regulations](#), that supplement the CEQ regulations, are in **boldface type**, *italicized*, and block-indented.

41 - ENVIRONMENTAL ASSESSMENTS AND DECISION NOTICE

An environmental assessment (EA) shall be prepared for proposals as described in § 220.4(a) that are not categorically excluded from documentation (§ 220.6) and for which the need of an EIS has not been determined (§220.5). (36 CFR 220.7(a))

The CEQ regulations provide that an EA is not necessary if the Agency has decided to prepare an environmental impact statement (EIS) ([40 CFR 1501.3\(a\)](#)). Therefore, if, prior to completion of the EA, the responsible official determines an EIS should be prepared, discontinue the EA documentation, prepare a notice of intent, and proceed with the preparation of an EIS (ch. 20).

41.1 - Purpose of Environmental Assessments

The purpose of an EA is to:

- (1) **Briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact.**
- (2) **Aid an agency's compliance with the Act when no environmental impact statement is necessary.**
- (3) **Facilitate preparation of a statement when one is necessary. (40 CFR 1508.9(a))**

41.2 - Content

"Environmental Assessment" means a concise public document...
(40 CFR 1508.9(a))

An EA may be prepared in any format useful to facilitate planning, decisionmaking, and public disclosure as long as the requirements of paragraph (b) are met. (36 CFR 220.7(a))

The requirements of [36 CFR 220.7\(a\)](#) are discussed in the following sections. The length and detail of an EA may vary; however, CEQ advises agencies that they should be concise and normally not exceed 15 pages. See "[NEPA's 40 Most Asked Questions](#)", #36.

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41.21 - Need for the Proposal

An EA:

Shall include brief discussions of the need for the proposal, of alternatives as required by section 102(2)(E), of the environmental impacts of the proposed action and alternatives, and a listing of agencies and persons consulted. (40 CFR 1508.9(b))

An EA must include the following:

(1) Need for the proposal. The EA must briefly describe the need for the project. (36 CFR 220.7(b)(1))

The need for action discusses the relationship between the desired condition and the existing condition in order to answer the question, “Why consider taking any action?” The breadth or narrowness of the need for action has a substantial influence in the scope of the subsequent analysis.

41.22 - Proposed Action and Alternatives

An EA must include the following:

Proposed action and alternative(s). The EA shall briefly describe the proposed action and alternative(s) that meet the need for action. No specific number of alternatives is required or prescribed. (36 CFR 220.7(b)(2))

When there are no unresolved conflicts concerning alternative uses of available resources (NEPA, section 102(2)(E)), the EA need only analyze the proposed action and proceed without consideration of additional alternatives. (36 CFR 220.7(b)(2)(i))

See section 14 for guidance on alternative development.

The EA may document consideration of a no-action alternative through the effects analysis by contrasting the impacts of the proposed action and any alternative(s) with the current condition and expected future condition if the proposed action were not implemented. (36 CFR 220.7(b)(2)(ii))

A stand-alone no-action alternative is not required. However, the effect of taking no action should correlate closely with the purpose and need. In other words, the effects of not taking action should provide a compelling reason for taking action and, therefore, should be consistent with the purpose and need for action.

The description of the proposal and alternative(s) may include a brief description of modifications and incremental design features developed through the analysis process to develop the range of alternatives considered. (36 CFR 220.7(b)(2)(iii))

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If applicable, summarize how a proposal or alternative was changed through collaboration and analysis. Incorporate by reference any existing documents regarding alternative development.

The proposed action and one or more alternatives to the proposed action may include adaptive management. An adaptive management proposal or alternative must clearly identify the adjustment(s) that may be made when monitoring during project implementation indicates that the action is not having its intended effect, or is causing unintended and undesirable effects. The EA must disclose not only the effect of the proposed action or alternative but also the effect of the adjustment. Such proposal or alternative must also describe the monitoring that would take place to inform the responsible official whether the action is having its intended effect. (36 CFR 220.7(b)(2)(iv))

Adaptive management strategies should include an estimate of the conditions that would cause a change in agency actions.

41.23 - Environmental Impacts of the Proposed Action and Alternative(s)

An EA must include the following:

(3) Environmental Impacts of the Proposed Action and Alternative(s). The EA:

(i) Shall briefly provide sufficient evidence and analysis, including the environmental impacts of the proposed action and alternative(s), to determine whether to prepare either an EIS or a finding of no significant impact (FONSI). (40 CFR 1508.9);

(ii) Shall disclose the environmental effects of any adaptive management strategy. (36 CFR 220.7(b))

The effects discussion for an alternative with an adaptive management strategy includes not only the effects of implementing the alternative without adjustments, but also includes the effects of making any of the identified adjustments.

The EA:

Shall describe the impacts of the proposed action and any alternatives in terms of context and intensity as described in the definition of “significantly” at 40 CFR 1508.27. (36 CFR 220.7(b)(3)(iii))

See the definition of “significantly” in section 05, for a description of context and intensity, and in section 15.

The EA:

May discuss the impact(s) (direct, indirect, and cumulative) of alternatives together in a comparative description or describe the impacts of each alternative separately. (36 CFR 220.7(b)(3)(iv))