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## What is an Environmental Impact Statement?

*“When an Environmental Impact Statement (EIS) is necessary in making a Corps permit decision, it provides staff with a comprehensive document to gain an understanding of environmental consequences that a proposed project may have and allows us to make balanced public interest decisions to protect, restore, and enhance the environment.” -- Fred Anthamatten, Chief, Regulatory Branch*

### Q. What is an EIS?

**A.** An EIS is a supporting document that is the most thorough and comprehensive level of National Environmental Policy Act (NEPA) documentation used to assist in making a decision. It is a report that outlines the predicted environmental effects of a particular action or project in which the federal government is involved, seeks to highlight the significant environmental ramifications of a project, provides alternative actions, and is regulated under Section 102(2) (C) of the NEPA of 1969 (PL91-190). The EIS is not a decision document when developed in conjunction with a Corps Regulatory action, meaning that the U.S. Army Corps of Engineers fully considers the information gained when making the decision to approve or deny a proposed Regulatory application, but does not solely base its decision on the outcome of the EIS.

### Q. Is an EIS mandatory?

**A.** No, however, all of our Regulatory permits comply with the NEPA. The majority of permit decisions have an environmental assessment developed as a result of our public interest process. The NEPA requires an environmental impact statement when a project is federally controlled and the project is likely to have a significant impact on the quality of the human environment. A project is determined to be federally controlled when it requires federal licensing, federal funding or is undertaken by the federal government. Since Corps' programs support an array of nationally important environmental goals ranging from restoring ecosystem health to achieving no overall net-loss of wetlands, EISs are frequently requested.

### Q. How does the U.S. Army Corps of Engineers determine whether or not to conduct an EIS?

**A.** The decision whether or not to prepare an EIS is case-specific and is based on the unique circumstances surrounding a specific proposed project. The Corps defers to the Council on Environmental Quality's Regulation for implementing the NEPA, (40 CFR Parts 1500-1508), Section 1508.27, which sets forth considerations in defining the significance of proposed actions in terms of context (analyzed in context of affected region, interests and locality), and intensity (severity of impact). If the Corps determines, through the preparation of an Environmental Assessment (EA), that a proposed activity may result in "significant" environmental impacts, an EIS is justified.

**Q. What areas are considered when conducting an EIS?**

**A.** Although requirements differ between situations, an EIS must address the total impact on the environment and consider numerous factors. Examples of factors considered are:

- the environmental impact of the proposed action
- any adverse environmental effects which cannot be avoided should the proposal be implemented
- alternatives to the proposed action
- the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented

**Q. Who can conduct an EIS?**

**A.** The assurance of completion of an EIS is the responsibility of the federal agency controlling the project and is also responsible for any legal consequences of the EIS. The Corps may prepare its own EIS or may require the permit applicant to hire a contractor to work with the Corps to prepare an EIS as part of the permit decision process. If the document is prepared under a contract, the Corps must participate in the preparation and will independently evaluate the statement prior to its approval. In any case, an EIS becomes the responsibility of the federal agency providing the permit.

**Q. What is the average cost associated with an EIS and who pays this fee?**

**A.** The cost of preparing an EIS will vary depending upon the nature of the project. Within the context of the Corps' Regulatory Program, all costs are generally incurred by the applicant. Though an EIS can prove to be costly, it provides invaluable information that assists the Corps in making decisions that are in keeping with its environmental management framework to help enhance and expand the positive impacts of its mission, while reducing, mitigating or eliminating the negative impacts.

**Q. Are the results of an EIS made public?**

**A.** Working in partnership with others is vital to ensuring that the Corps' environmental efforts meet the needs of the American public. Impacts from proposed projects, both positive and negative, have an influence on public resources. One key component of an EIS requires gathering input from the public and stakeholders, agencies, communities, organizations, and citizens. The data is reviewed and included in the EIS to ensure that every effort is made to address all environmental protections as well as identified issues.

The USACE Galveston District staff works diligently to partner with the public and stakeholders to deliver innovative and sustainable solutions to the nation's engineering and environmental challenges.

**U.S. ARMY CORPS OF ENGINEERS – GALVESTON DISTRICT**

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EIS

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**Q. Where can I find out more about an EIS?**

A. There are a variety of websites that offer information about an EIS including:

- [Environmental Protection Agency](#)
- [National Environmental Policy Act](#)  
[Guidance on Environmental Impact Statement Preparation, Corps Regulatory Program](#)

For more news and information, find us on Facebook, [www.facebook.com/GalvestonDistrict](http://www.facebook.com/GalvestonDistrict), or follow us on Twitter, [www.twitter.com/USACEgalveston](http://www.twitter.com/USACEgalveston).

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