



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
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LENGTH OF ENVIRONMENTAL IMPACT STATEMENTS (2013-2018)

This document presents information and statistical analysis on the length, by page count, of environmental impact statements (EISs) prepared by Federal agencies between 2013 and 2018 pursuant to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321-4347. This report serves as an update to the July 2019 CEQ report on the length of EISs that were issued between 2013 – 2017.ⁱ Based on the available information and analysis, this report summarizes several factors that may influence the page length of EISs.

OVERVIEW

To conduct this analysis, the Council on Environmental Quality (CEQ) compiled information on draft and final EISs available on the U.S. Environmental Protection Agency's (EPA) public EIS database, as well as Federal agency and project websites.ⁱⁱ CEQ identified 761 actions for which EPA published a notice of availability for a final EIS between January 1, 2013, and December 31, 2018, and for which a record of decision (ROD) was issued by June 18, 2019. For these 761 actions, CEQ was able to obtain the draft and final EISs for 656 actions. This represents 88 additional EISs compared to the 2019 report.

From each of these 656 EISs, CEQ compiled the following information: number of pages in the draft EIS, number of pages in the draft EIS appendices, number of pages in the final EIS, and number of pages in the final EIS appendices.ⁱⁱⁱ EIS page count and document length data in this report do not include appendices. To access the underlying data for this report, click [here](#).

Based on its review, CEQ found, across all Federal agencies, that for draft EISs, the average (*i.e.*, mean) document length in this sample was 575 pages, a decrease of 11 pages compared to the 2019 Report, and the median document length was 397 pages, a decrease of 6 pages compared to the 2019 Report. One quarter of the draft EISs were 279 pages or shorter (*i.e.*, the 25th percentile), a decrease of 9 pages from the 2019 report, and one quarter were 621 pages or longer (*i.e.*, the 75th percentile), a decrease of 9 pages from the 2019 Report.

CEQ also found that, for final EISs, the average document length was 661 pages, a decrease of 8 pages compared to the 2019 Report, and the median document length was 447 pages, an increase of 2 pages compared to the 2019 Report. One quarter of the final EISs were 286 pages or shorter (*i.e.*, the 25th percentile), a decrease of 13 pages compared to the 2019 Report, and one quarter were 748 pages or longer (*i.e.*, the 75th percentile), an increase of 19 pages compared to the 2019 Report.

CEQ found that, on average, the change in document length from draft EIS to final EIS was an addition of 86 pages or a 15 percent increase (shown in Figure 3). The median change in document length from draft to final EIS was an addition of 33 pages. One quarter of EISs

increased by up to 6 pages between draft and final EIS (*i.e.*, the 25th percentile), and one quarter increased by 108 pages or more between draft and final EIS (*i.e.*, the 75th percentile).

CEQ's findings are provided in Figures 1 through 4 below. CEQ's NEPA regulations at 40 CFR 1502.7 state that the text of final EISs "shall normally be less than 150 pages and for proposals of unusual scope or complexity shall normally be less than 300 pages."^{iv} Of the final EISs in this sample, approximately 7 percent were 150 pages or shorter, and 27 percent were 300 pages or shorter. The skewed distribution of some EIS page counts (shown in Figures 1 and 2) indicates that there may be factors that cause some EISs to be much longer than is typical (*i.e.*, deviation from the average is much greater for the longest documents than the shortest). This report does not attempt to measure the effect of these factors on document length. The page counts compiled for this report include both the text of the EIS and supporting content to which the page limit at 40 CFR 1502.7 does not apply.^v

In order to better understand actual compliance with the recommended page limits in the CEQ regulations, CEQ analyzed the calendar year 2018 data further. CEQ calculated the page count of the EIS text separately from the supporting content. CEQ found that the average 2018 final EIS text length was 489 pages, and the supporting content averaged 178 pages. For 2018, CEQ found that approximately 19 percent of the EISs were 150 pages or shorter and 51 percent were 300 pages or shorter.

Factors that may affect the length of an EIS are:

- **Variation in Scope and Complexity:** Even within an agency, EISs may vary widely in technical complexity, the number of alternatives studied, the level of detail needed to address potentially significant environmental impacts, and other factors that may influence the length of the document. Examples of such factors include need for information to satisfy non-NEPA requirements,^{vi} unprecedented or unique actions for which existing analysis is unavailable for incorporation by reference, and the extent of community and stakeholder interest in a project. This document presents Federal government-wide and agency-specific data, but does not subdivide EISs by sector or project type. This report does not attempt to identify particular factors or to measure their possible effect on EIS length.
- **Variation among Agencies:** CEQ found variation among Federal agencies in draft EIS and final EIS average page count, as shown in Figure 3. This variation may reflect differences in management, oversight, and contracting practices among agencies that could result in lengthier documents. This also reflects whether agencies include responses to comments received on the draft EIS in an appendix to the final EIS (rather than in the text of the final EIS),^{vii} whether they include summary comment response documents in the text of the EIS, whether they attach copies of substantive comments to the final EIS,^{viii} or whether they use errata sheets for the final EIS (as an alternative to rewriting the draft EIS).^{ix} For purposes of this report, CEQ counted the length of comments or comment response documents as part of the final EIS unless they were identified as an appendix.^x Agency practice may also vary within an agency; however, CEQ did not analyze EIS page length variation within agencies.

- **Multi-agency EISs:** The CEQ NEPA regulations direct agencies to cooperate on the preparation of EISs.^{xi} When multiple agencies are involved in the preparation of an EIS, as either co-lead or lead and cooperating agencies, the EIS prepared must satisfy the information needs of each agency's decision-making process. In these cases, the length of the EIS may increase in order to accommodate the level of detail required by each agency's underlying jurisdiction.
- **Potential Legal Challenges:** Agency decisions supported by EISs can be subject to legal challenges under the Administrative Procedure Act. In some instances, the length of EISs may be affected by agency considerations relating to potential future legal challenges.
- **Appendices to Draft and Final EISs:** CEQ's recommended page limits apply only to the text of the final EIS and do not apply to the appendices to the EIS.^{xii} Examples of information that agencies may include in an appendix to an EIS are: i) information prepared in connection with an EIS, ii) material that substantiates analysis in the EIS, iii) descriptions of methodologies used in the EIS, and iv) comments received on a draft EIS.^{xiii} CEQ found that draft EIS appendices averaged 584 pages in length, with a median of 180 pages. Final EIS appendices averaged 1042 pages in length, with a median of 423 pages. The increase between draft and final appendices for some EISs is attributable to the inclusion of comments on the draft EIS in the final EIS appendices. The large difference between the average and median values for the length of appendices (both draft and final) is the result of a number of unusually long appendix documents.

Figure 1

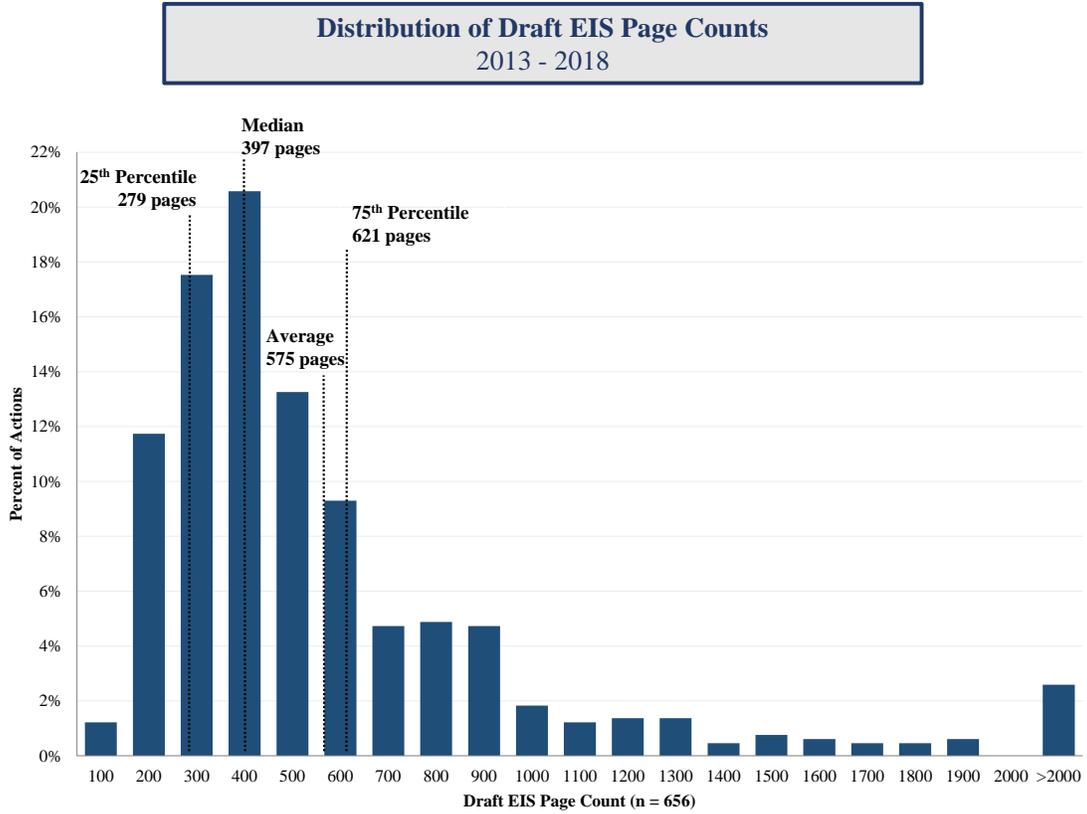


Figure 2

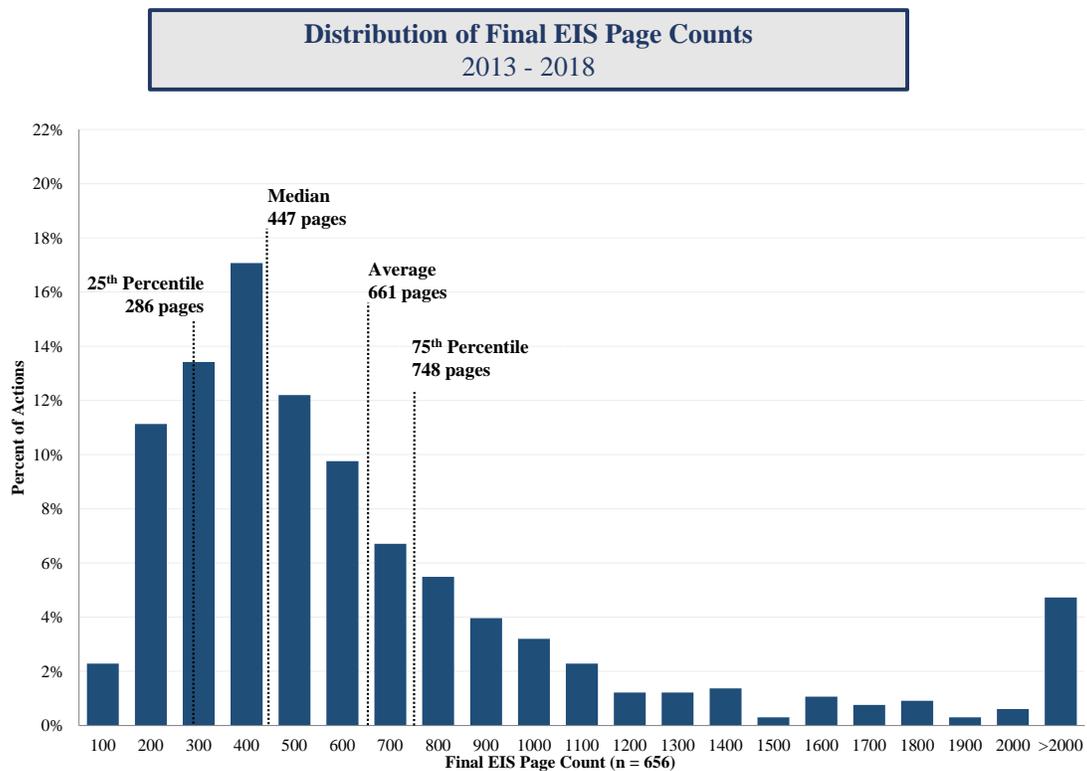


Figure 3

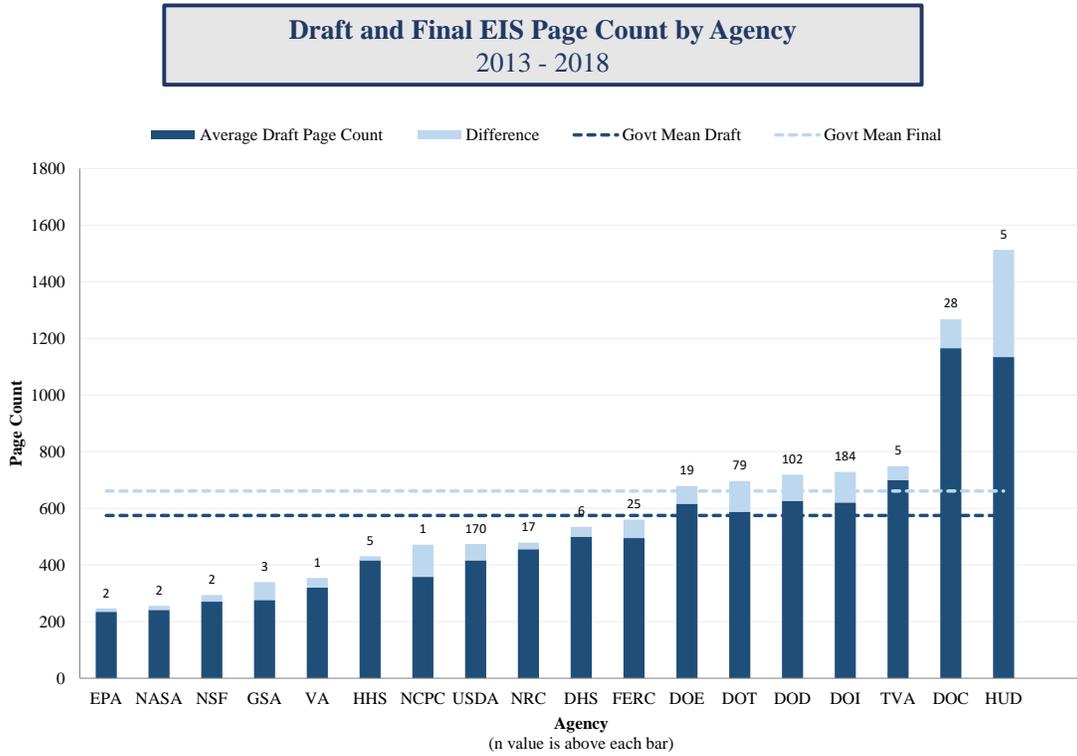


Figure 4: Agency Page Counts for Draft and Final EISs (n = 656)
2013 – 2018

Agency	EISs Completed	Average Draft EIS Page Count	Median Draft EIS Page Count	Average Final EIS Page Count	Median Final EIS Page Count
Department of Agriculture (USDA)					
Agricultural Research Service	1	232	232	264	264
Animal and Plant Health Inspection Service (APHIS)	6	241	254	232	223
Natural Resources Conservation Service (NRCS)	1	160	160	166	166
Rural Utilities Service (RUS)	1	390	390	463	463
United States Forest Service (USFS)	161	426	327	486	365

Department of Commerce (DOC)					
First Responder Network Authority (FirstNet)	4	5442	5577	5654	5886
National Oceanic and Atmospheric Administration (NOAA)	24	452	333	537	393

Department of Defense (DOD)					
National Geospatial-Intelligence Agency (NGA)	1	468	468	491	491
National Security Agency (NSA)	1	262	262	252	252

Agency	EISs Completed	Average Draft EIS Page Count	Median Draft EIS Page Count	Average Final EIS Page Count	Median Final EIS Page Count
United States Air Force (USAF)	11	501	464	530	535
United States Army (USA)	9	389	350	380	374
United States Army Corps of Engineers (USACE)	61	623	405	740	544
United States Marine Corps (USMC)	3	367	328	389	370
United States Navy (USN)	16	944	628	1069	808

Department of Energy (DOE)	10	741	645	803	690
Bonneville Power Administration (BPA)	3	280	224	225	237
Western Area Power Administration (WAPA)	5	469	422	516	462
National Nuclear Security Administration (NNSA)	1	1111	1111	1619	1619

Department of Health and Human Services (HHS)					
Centers for Disease Control and Prevention (CDC)	2	502	502	512	512
Food and Drug Administration (FDA)	1	489	489	538	538
National Institutes of Health (NIH)	2	295	295	296	296

Agency	EISs Completed	Average Draft EIS Page Count	Median Draft EIS Page Count	Average Final EIS Page Count	Median Final EIS Page Count
Department of Homeland Security (DHS)					
Federal Emergency Management Agency (FEMA)	3	551	620	584	654
United States Coast Guard (USCG)	3	448	491	485	549

Department of Housing and Urban Development (HUD)	5	1134	928	1513	1014
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Department of the Interior (DOI)	2	1436	1436	1719	1719
Bureau of Indian Affairs (BIA)	5	413	361	538	380
Bureau of Land Management (BLM)	72	764	599	935	840
Bureau of Ocean Energy Management (BOEM)	12	480	386	614	517
Bureau of Reclamation (BR)	16	845	555	1075	628
National Park Service (NPS)	47	440	328	419	330
Office of Surface Mining Reclamation and Enforcement (OSMRE)	4	946	930	983	942
United States Fish and Wildlife Service (USFWS)	26	406	342	478	364

Agency	EISs Completed	Average Draft EIS Page Count	Median Draft EIS Page Count	Average Final EIS Page Count	Median Final EIS Page Count
Department of Transportation (DOT)					
Federal Aviation Administration (FAA)	4	489	430	589	582
Federal Highway Administration (FHWA)	52	494	381	742	437
Federal Railroad Administration (FRA)	9	506	416	517	403
Federal Transit Administration (FTA)	12	1097	576	557	585
National Highway Traffic Safety Administration (NHTSA)	1	694	694	2497	2497
Surface Transportation Board (STB) ^{xiv}	1	359	359	127	127

Department of Veterans Affairs (VA)	1	320	320	354	354
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Environmental Protection Agency (EPA)	2	235	235	246	246
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Federal Energy Regulatory Commission (FERC)	25	495	450	560	479
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General Services Administration (GSA)	3	276	256	340	342
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Agency	EISs Completed	Average Draft EIS Page Count	Median Draft EIS Page Count	Average Final EIS Page Count	Median Final EIS Page Count
National Aeronautics and Space Administration (NASA)	2	241	241	256	256

National Capital Planning Commission	1	358	358	472	472
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National Science Foundation (NSF)	2	271	271	294	294
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Nuclear Regulatory Commission (NRC)	17	456	369	479	368
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Tennessee Valley Authority (TVA)	5	700	443	749	570
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ⁱ The 2019 Report can be found here: https://ceq.doe.gov/docs/nepa-practice/CEQ_EIS_Length_Report_2019-7-22.pdf. In updating this report, CEQ has reclassified a small number of projects (between FEIS with RODs, FEIS with no RODs, Supplements, and Adoptions).

ⁱⁱ Federal agencies are required to file EISs with the U.S. Environmental Protection Agency (EPA). 40 CFR 1506.9. The EPA database is available at <https://cdxnodengn.epa.gov/cdx-enepa-II/public/action/eis/search> and includes records of all EISs received by EPA since 1987. The EPA database includes the dates of EPA's publication of a notice of availability of a draft or final EIS. 40 CFR 1506.10. Under certain authorities, States, Tribes, and units of local government have been granted the authority to conduct NEPA reviews on behalf of Federal agencies (*e.g.*, the Department of Transportation's Surface Transportation Project Delivery Program under 23 U.S.C. § 327 and the Department of Housing and Urban Development's Community Development Block Grant Program under 42 U.S.C. §5304(g)). EISs conducted by non-Federal agencies are included in this report if the Federal agency on whose behalf the EIS was being conducted filed the EIS with the EPA.

ⁱⁱⁱ CEQ's regulation on page limits applies only to certain sections of the final EIS (purpose and need, alternatives, affected environment, and environmental consequences). 40 CFR 1502.7. For the analysis in this report, CEQ calculated the aggregate page counts of the publicly available electronic versions of draft and final EISs, which also include supporting content of the EIS (cover sheet, summary, table of contents, list of preparers, list of agencies, organizations and persons to whom the EIS was sent. 40 CFR 1502.10(a)-(c) and (h)-(j)). In this report, for EISs issued in calendar year 2018, CEQ has calculated page length excluding the supporting content of the EIS, which composes an average of 27% of the total EIS length. CEQ calculated appendices to EISs separately and discusses them later in this report. 40 CFR 1502.10(k).

^{iv} A final EIS includes comments received on the draft EIS and the agency responses to those comments. These comments and responses typically constitute most of the change in page length from draft to final EIS. 40 CFR 1502.10 does not identify where comments and responses should be included in the EIS, and 40 CFR 1502.7 does not count comments and responses against EIS page limits. Agencies typically use one of three approaches for incorporating comments and responses in a final EIS: include them as a chapter in the main volume of the EIS, include them as an appendix, or place them in a separate volume of the EIS (often referred to as a comment-response document).

^v As noted above in endnote iii, CEQ's regulations on page limits apply only to the purpose and need, alternatives, affected environment, and environmental consequences sections of an EIS. 40 CFR 1502.7.

^{vi} Consistent with 40 CFR 1502.25 and 1505.1, agencies integrate some EISs with other documents necessary for agency decision-making, such as resource management plans. The practice of integrating EISs with other decision-making documents is intended to improve overall efficiencies, though it may increase the length of those EISs. For instance, NOAA routinely prepares integrated documents under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (*e.g.*, Omnibus Essential Fish Habitat Amendment 2), the Oil Pollution Act (*e.g.*, Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement), and the National Marine Sanctuaries Act (*e.g.*, Fagatele Bay National Marine Sanctuary Management Plan and EIS).

^{vii} 40 CFR 1503.4(a).

^{viii} 40 CFR 1503.4(b).

^{ix} Between 2010 and 2017, CEQ identified 107 final EISs or approximately 19 percent that were of equal length or shorter than the preceding draft EIS. Of those, 20 used errata sheets as an alternative to rewriting the draft EIS. CEQ's NEPA regulations state that agencies can attach errata sheets to the draft EIS, in place of rewriting the draft EIS, when changes in response to comments are minor (*i.e.*, factual corrections). 40 CFR 1503.4(c). These 20 errata sheet documents have an average length of 152 pages. (CEQ used the page length of the errata sheet document as the total for the final EIS, and did not add the length of the draft EIS.) CEQ found that errata sheet documents often included copies of stakeholder comments, as well as the agency's response to these comments, in the body of the errata sheet document increasing the length of those documents compared to including those items in an appendix. CEQ did not continue to track errata sheets for calendar year 2018.

^x CEQ found that the number of pages between draft and final increased by more than 1,000 pages for 18 EISs and by more than 500 pages for 43 EISs. Many of these large increases are due to comments on the draft EIS and agency responses to those comments being counted as part of the final EIS.

^{xi} 40 CFR 1501.5 and 1501.6.

^{xii} 40 CFR 1502.7.

^{xiii} 40 CFR 1502.18 and 1502.24.

^{xiv} The Surface Transportation Board Reauthorization Act of 2015 (P.L. 114-110) established the STB as a wholly independent federal agency. Prior to the Act, the STB was administratively aligned with the U.S. Department of Transportation, although it had been decisionally independent since its establishment in 1996. The projects listed here were completed when the Surface Transportation Board was still administratively aligned with Department of Transportation.