

NCUA-IR - 80-2 NATIONAL ENVIRONMENTAL POLICY ACT 02/80

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Chapter VIII

Statement of Policy -- National Environmental Policy Act

AGENCY: National Credit Union Administration.

ACTION: Statement of policy.

SUMMARY: The National Environmental Policy Act (NEPA). (41 U.S.C. § 4321 et seq.) requires Federal agencies to include environmental concerns in their decision-making. Under Executive Order 11991, May 24, 1977 (42 F.R.26967), the Council on Environmental Quality (CEQ) was directed to issue regulations to Federal agencies for the implementation of the procedural provisions of NEPA. The Executive Order also required Federal agencies to comply with CEQ's regulations "except where ... inconsistent with statutory requirements." On November 29, 1978, CEQ published (43 F.R. 55978) final regulations for implementing the procedural provisions of NEPA.'s (40 C.F.R. Parts 1500-1508) require that "...each agency shall as necessary adopt procedures to supplement these § 1507.3(a)). This policy statement constitutes NCUA compliance requirement.

DATE: March 26, 1980. Comments are invited during this period.

ADDRESS: National Credit Union Administration, 1776 G St., N.W., Washington, D.C. 20456.

FOR FURTHER INFORMATION CONTACT: Robert S. Monheit, Senior Attorney, Office of General Counsel, at the above address. Telephone: (202) 357-1030.

Statement of Policy -- IRPS No. 80-2

Pursuant to 40 C.F.R. § 1507.3(a), the National Credit Union Administration required to adopt, as necessary, procedures to supplement the regulations issued by the Council on Environmental Quality (CEQ) (40 C.F.R. Parts 1500-1508). These regulations were adopted by CEQ to implement the procedural provisions of the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.).

The National Credit Union Administration's duties and responsibilities as conferred by Congress (such as the chartering and supervision of Federal credit unions, the insuring of member accounts of all Federal and selected State chartered credit unions, and the management of the NCUA Central Liquidity Facility) ordinarily do not, either individually or cumulatively, have a significant effect on the human environment. Therefore, it is not necessary for NCUA to set forth separate procedures to provide early involvement in action planned by private applicants requiring NCUA approval (40 C.F.R. § 1501.2(d)); nor to adopt procedures for introducing a supplemental environmental impact statement into formal administrative records (40 C.F.R. § 1502.9(c)(3)); nor to adopt procedures ensuring that environmental documents are actually considered in agency decision-making

(40 C.F.R. § 1505.1); nor to provide procedures where interested persons can get information or status reports on environmental impact statements (40 C.F.R. § 1506.6(e)). In accordance with 40 C.F.R. § 1507.3(b)(2) and 1508.4, NCUA believes that none of its actions will normally require the preparation of environmental assessments or environmental impact statements.

However, where it appears that, due to extraordinary circumstances, a particular action may have a significant effect on the human environment, NCUA will determine whether NEPA requires additional consideration of the environmental impact of a particular action. In addition, interested members of the public may raise objections to proposed actions by NCUA based upon environmental considerations. Such consideration will be reviewed by a designated official in the appropriate Central or Regional Office prior to NCUA action.

Interested persons may submit comments and views on the effect of NCUA's actions on the human environment, and may seek information concerning NCUA's compliance with the National Environmental Policy Act, by writing to the Secretary to the National Credit Union Administration Board at the address stated above.

Rosemary Brady,  
Secretary, National Credit Union Administration Board.

February 15, 1980.