

CEQ Unified Agenda

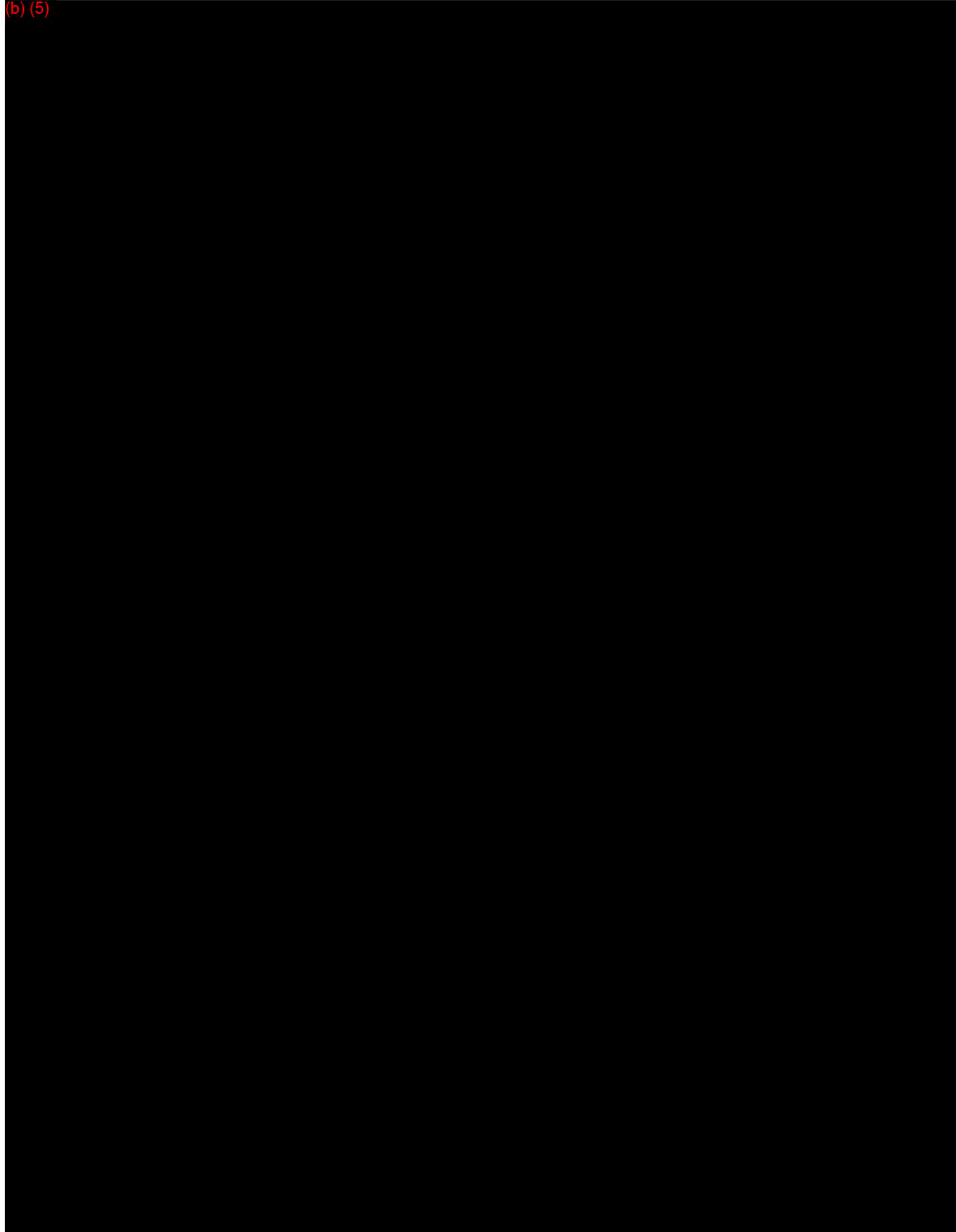
From: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
To: "Elizabeth Harris-Marshall - M1V1E (liz.harris-marshall@gsa.gov)" <liz.harris-marshall@gsa.gov>
Cc: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Fri, 09 Mar 2018 13:35:33 -0500
Attachments
: CEQ Unified Agenda Entries--Spring 2018 Final.docx (26.14 kB)

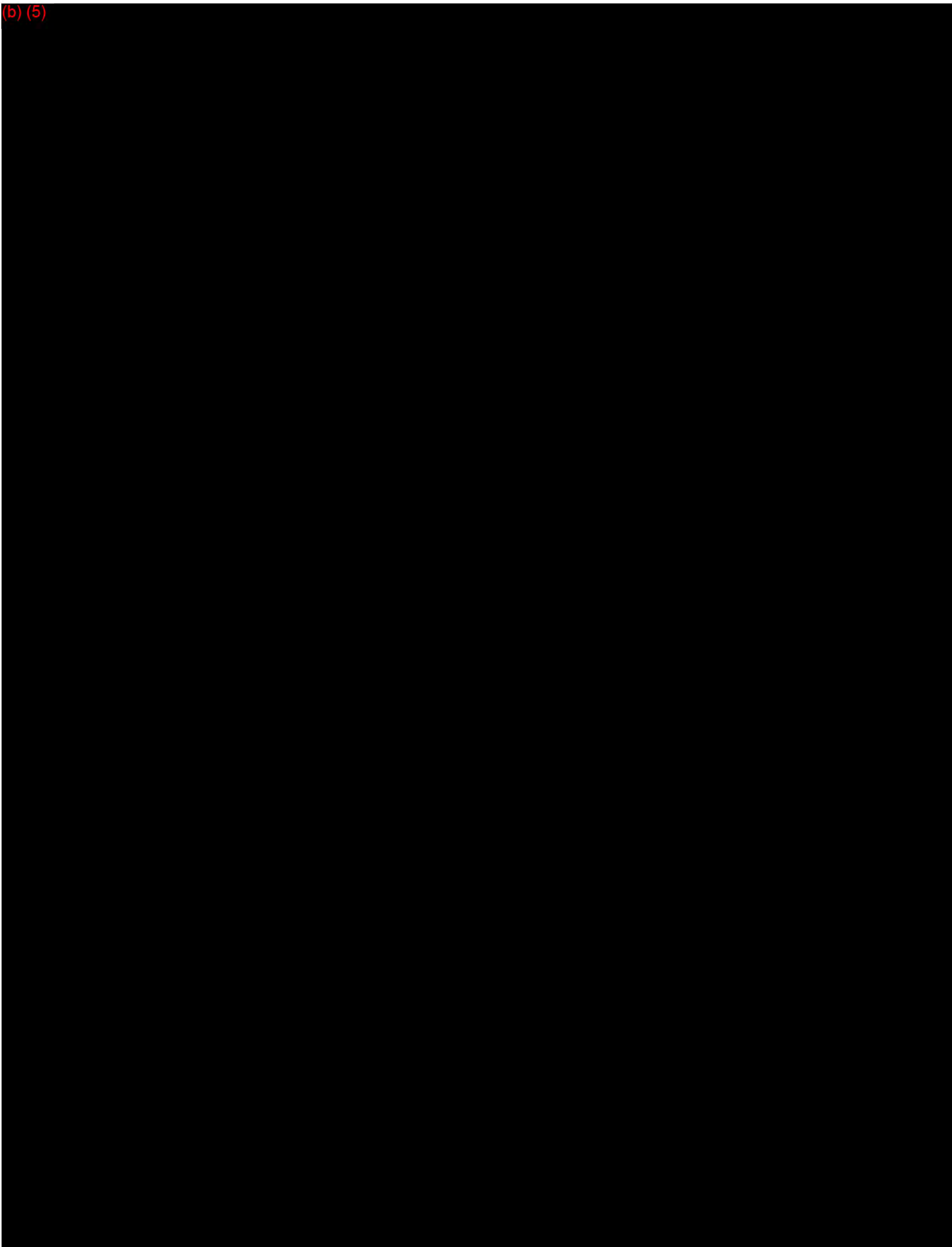
Liz,

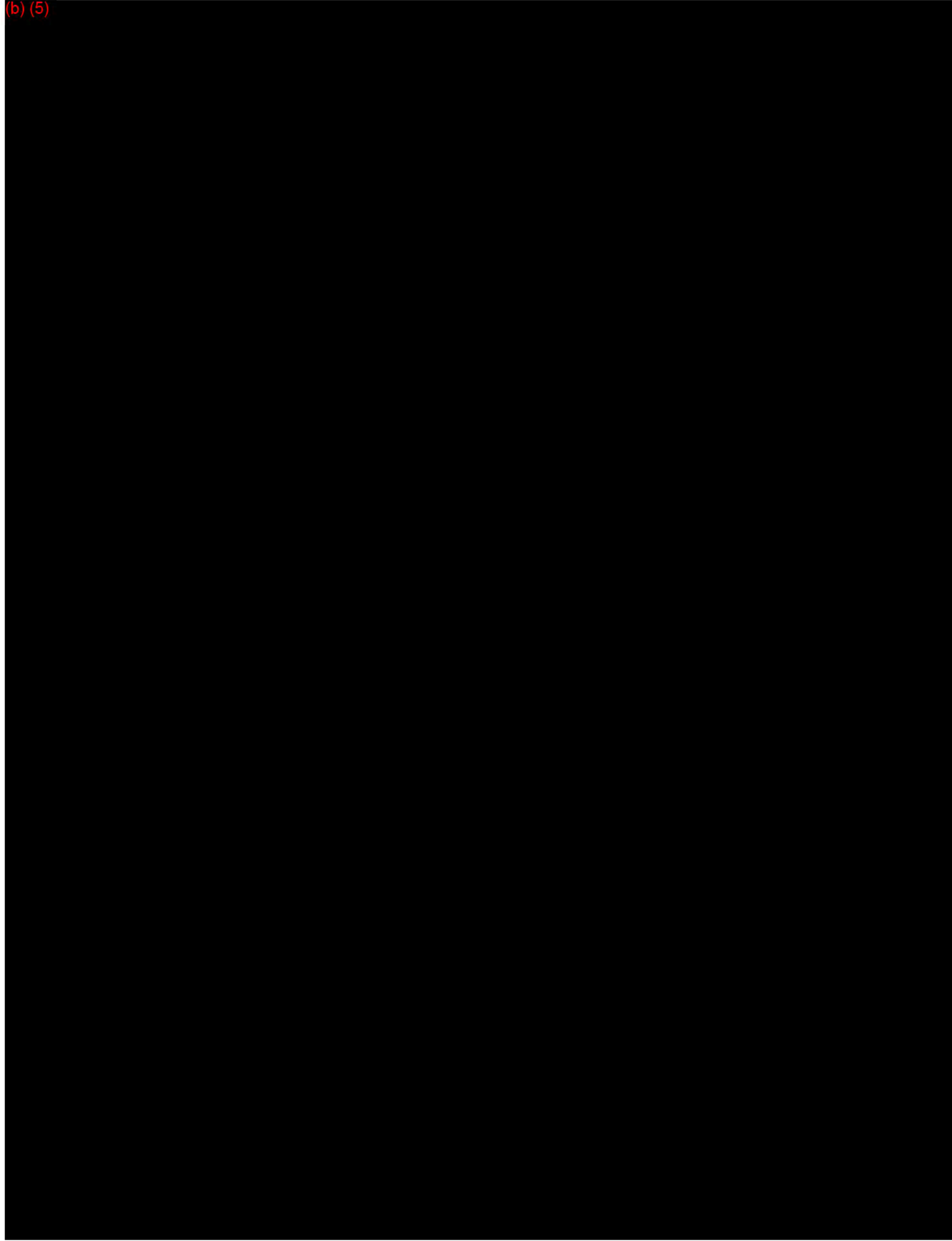
Based on our phone call, please see CEQ's unified agenda.

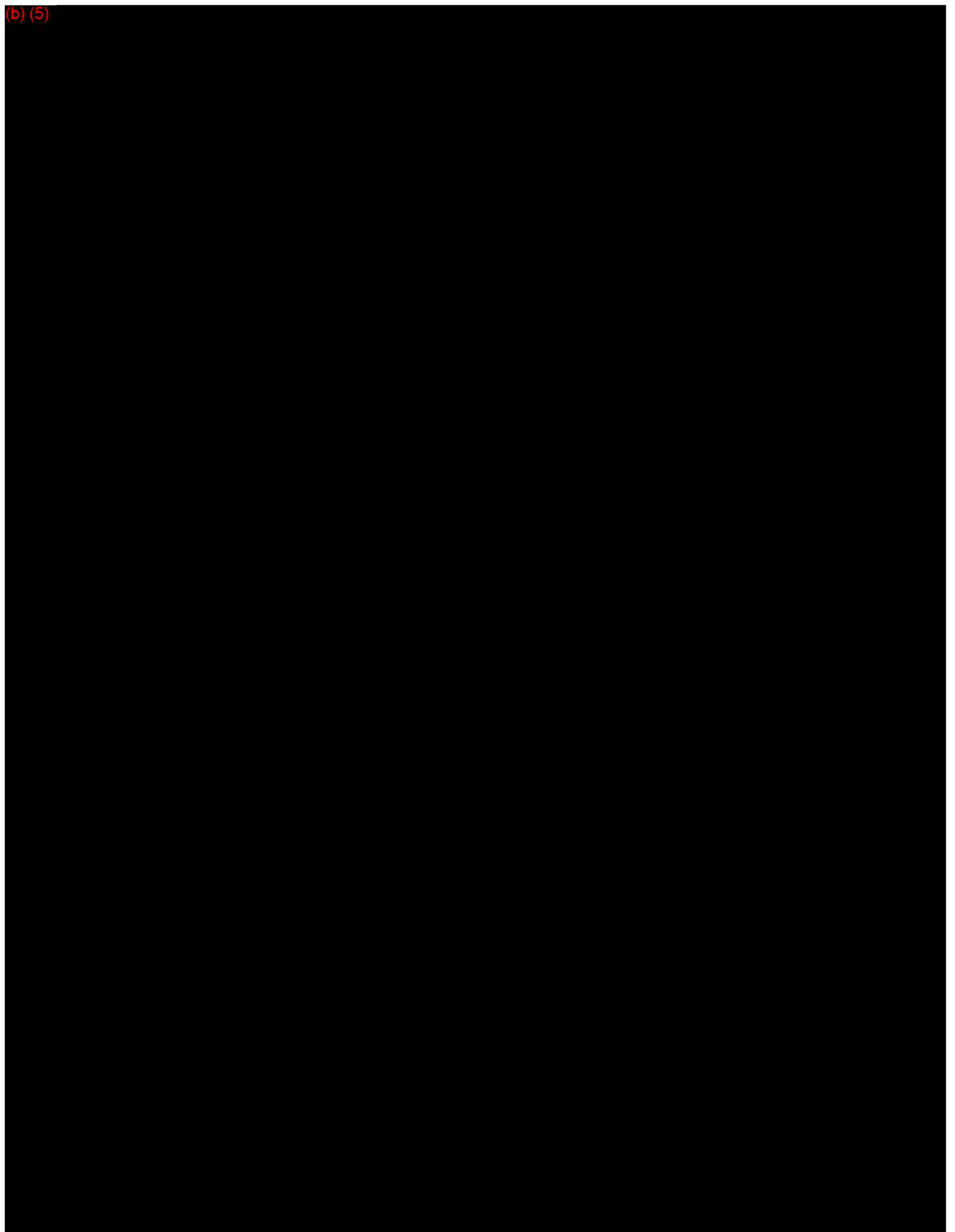
Thank you and let me know if there is anything else that you need.

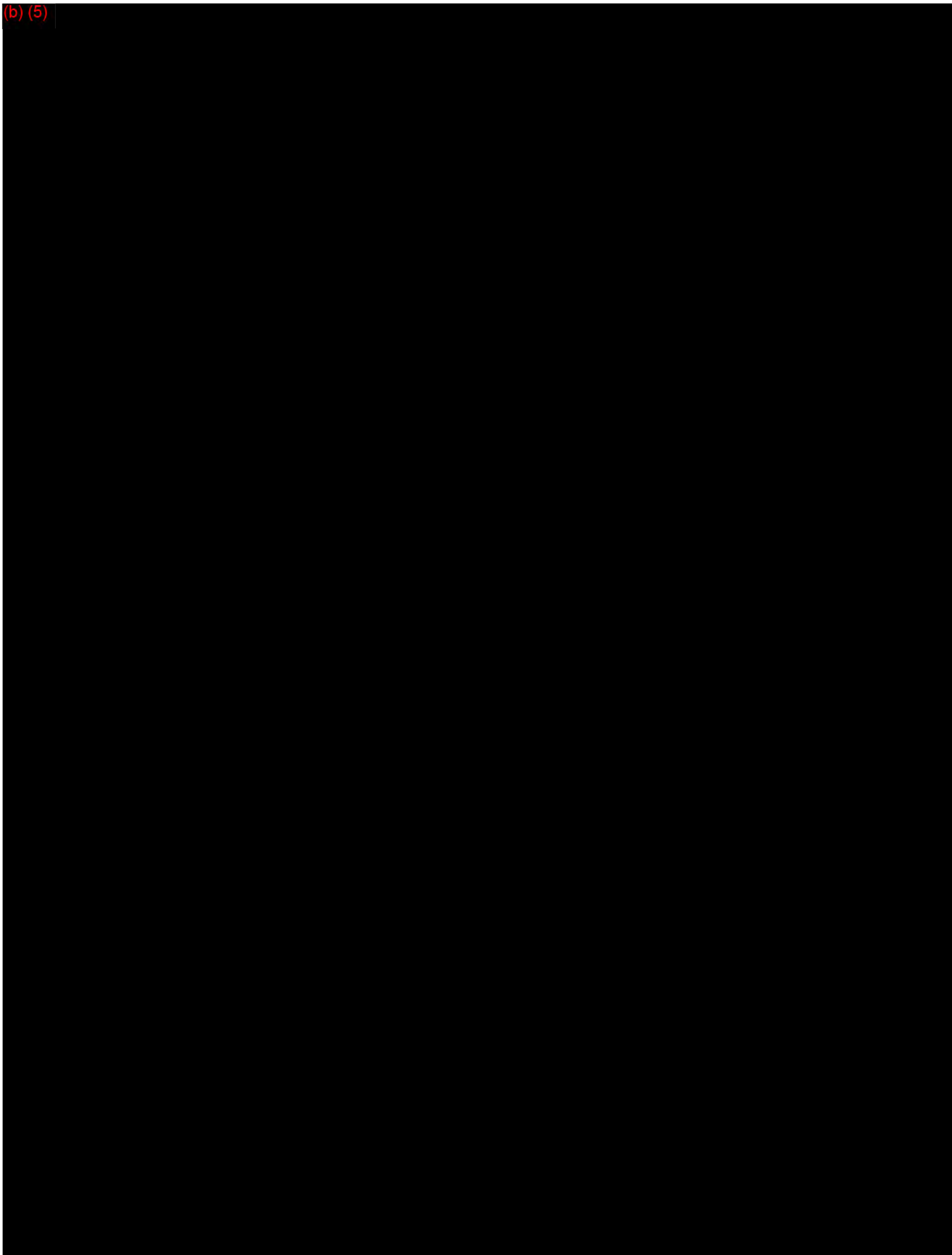
Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) (Desk)
(b) (6) (Cell)
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Draft ANPRM for NEPA Regulations

From: "Szabo, Aaron L. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=f93a8d1dd2b4420ca81e53ff8199b780-sz">

To: "Pettigrew, Theresa L. EOP/CEQ" (b) (6) "Schneider, Daniel J. EOP/CEQ" <(b) (6)>

Date: Mon, 30 Apr 2018 10:49:19 -0400

Attachments
: FR Notice for ANPRM - 4-20-2018.docx (52.74 kB)

Theresa and Dan,

Per our conversation, please find attached the draft Advanced Notice of Proposed Rulemaking for the NEPA regulations. Unless something changes, this should be the version that will be sent over to OIRA for interagency review.

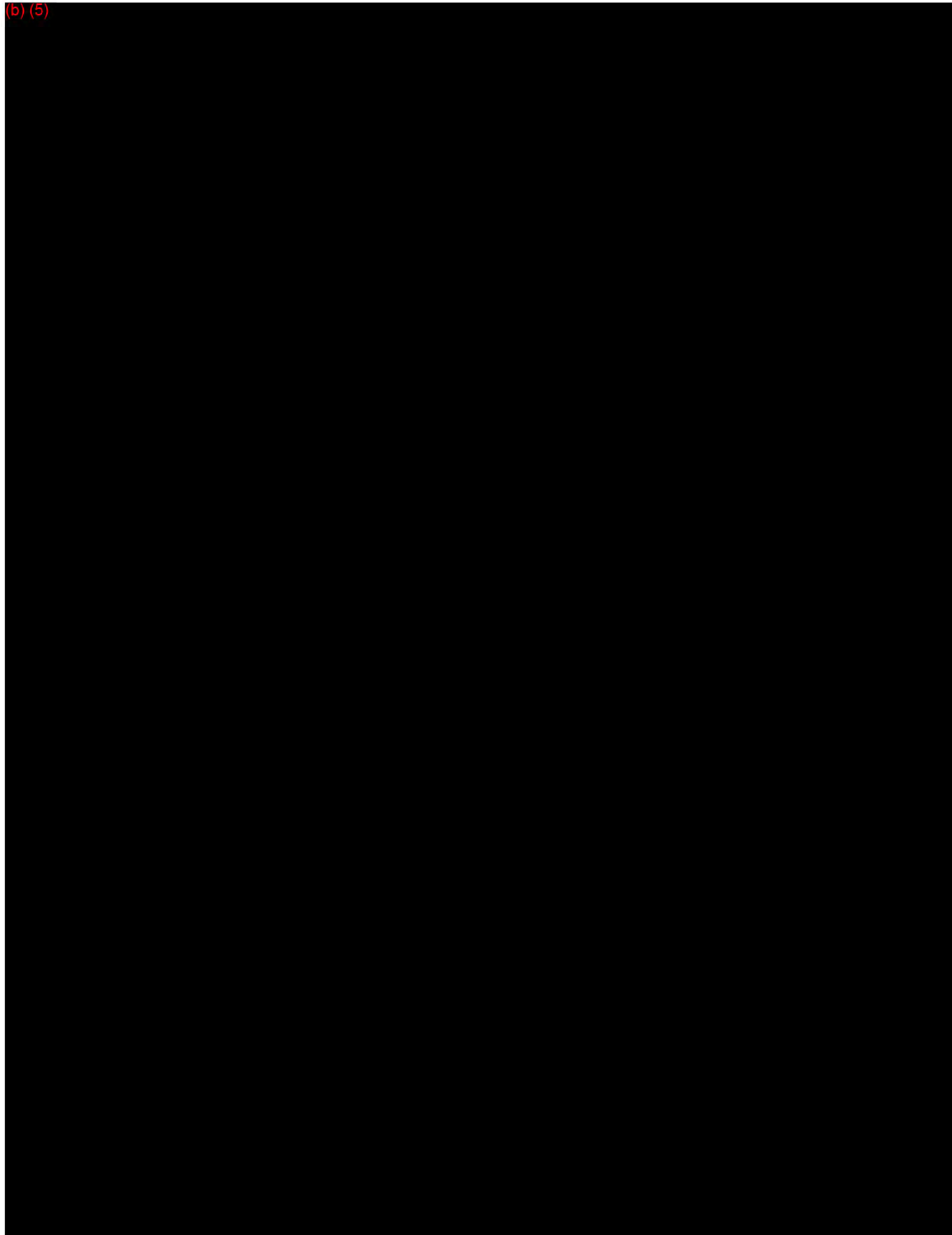
If you have any questions related to the content or process, please let me know.

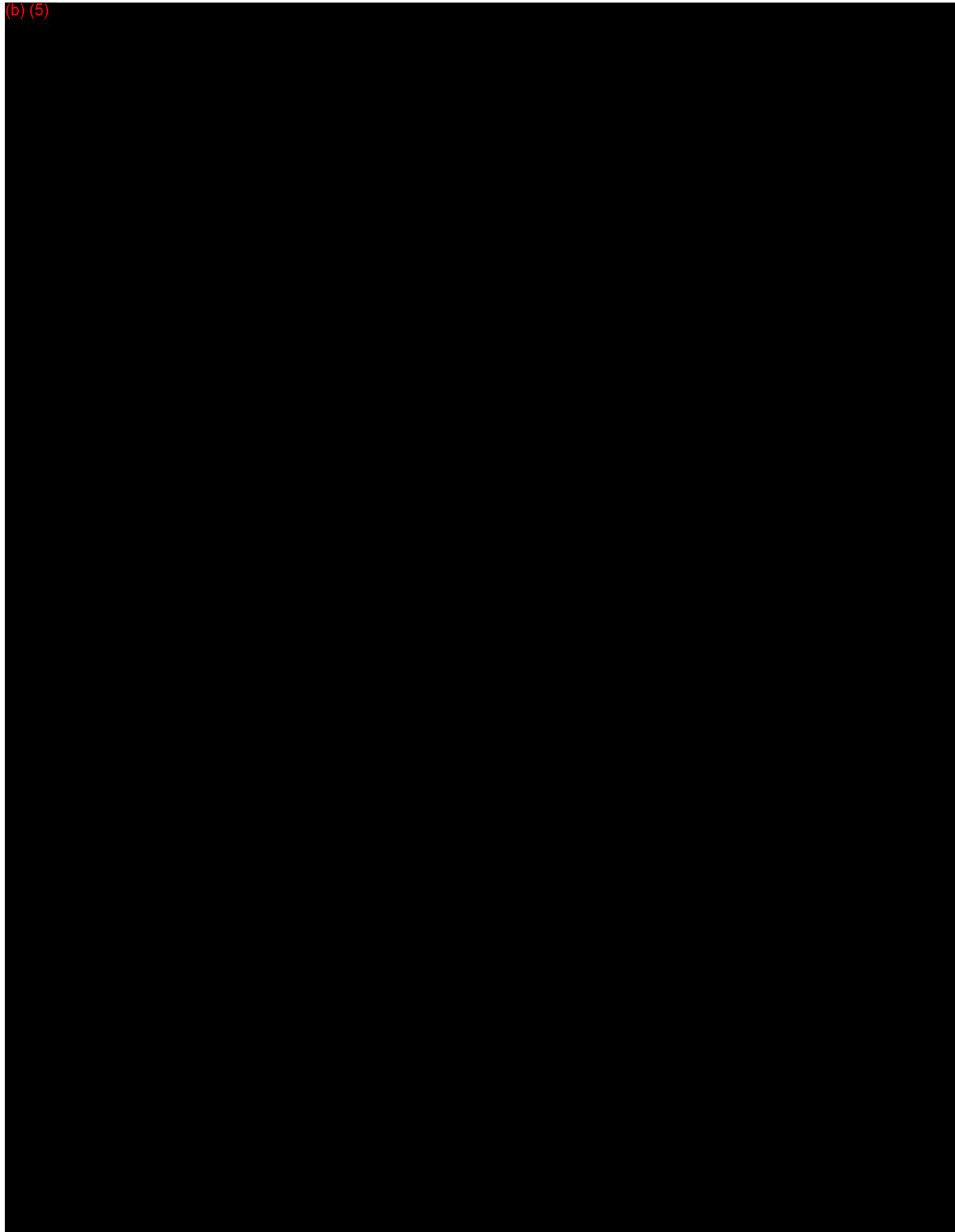
Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

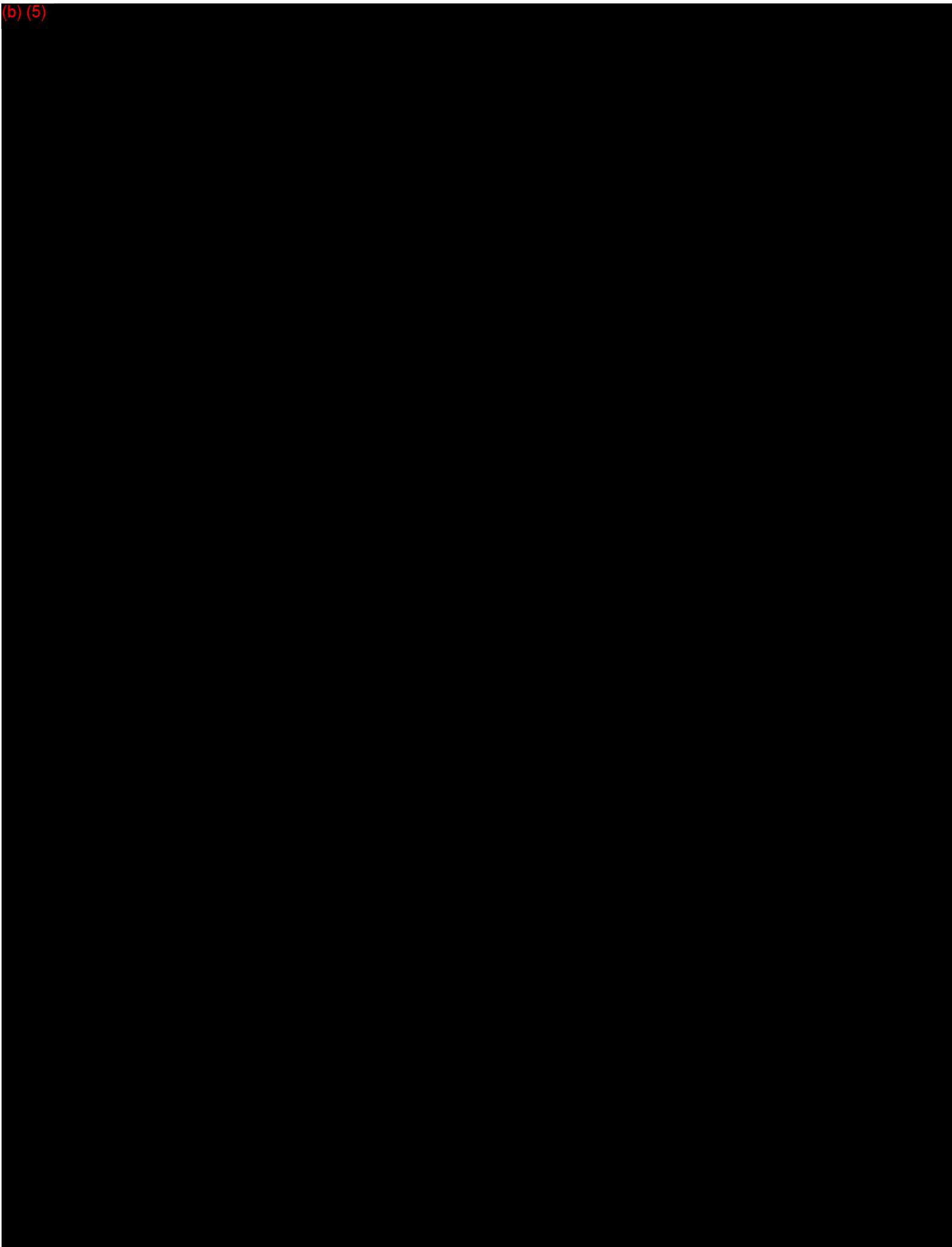
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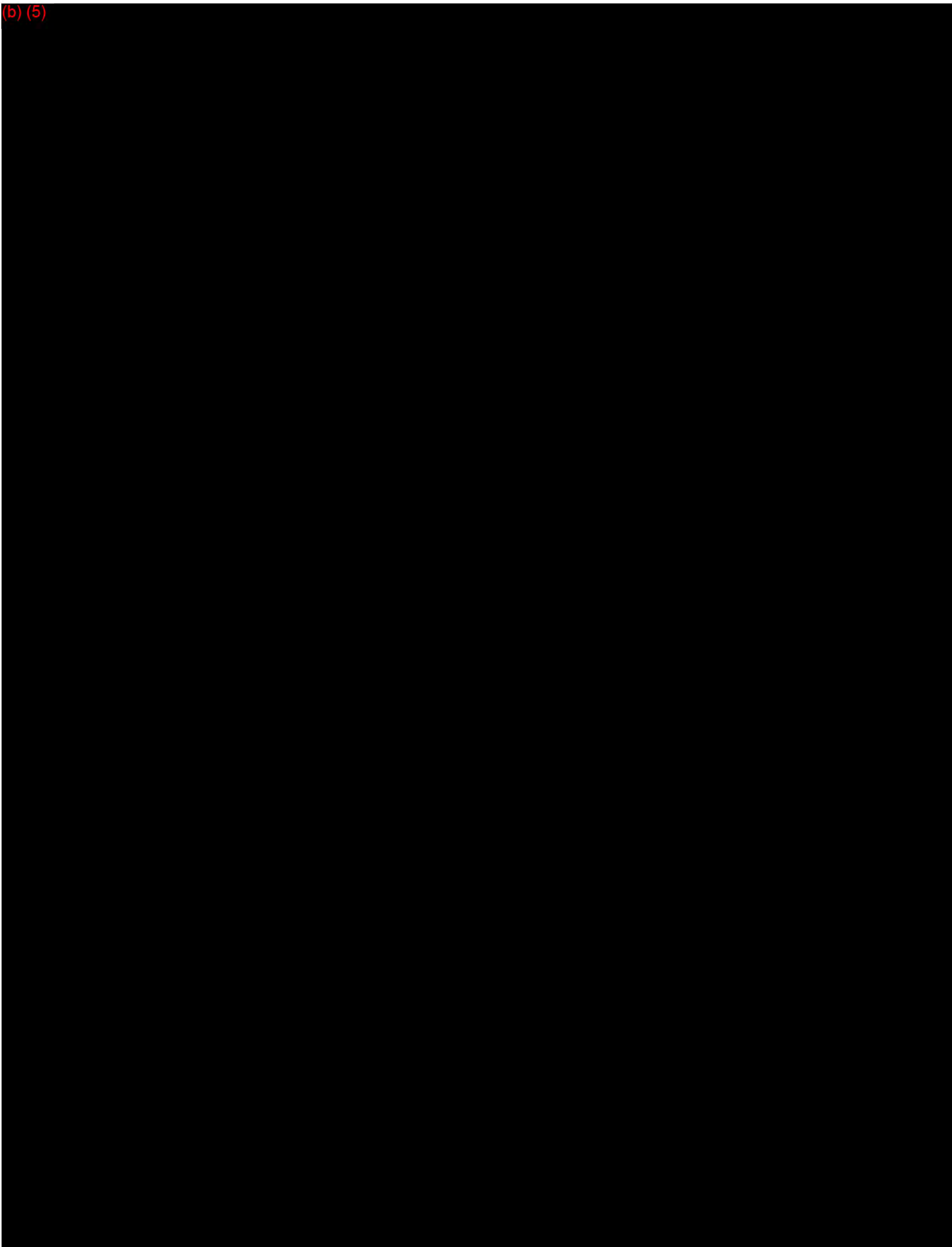
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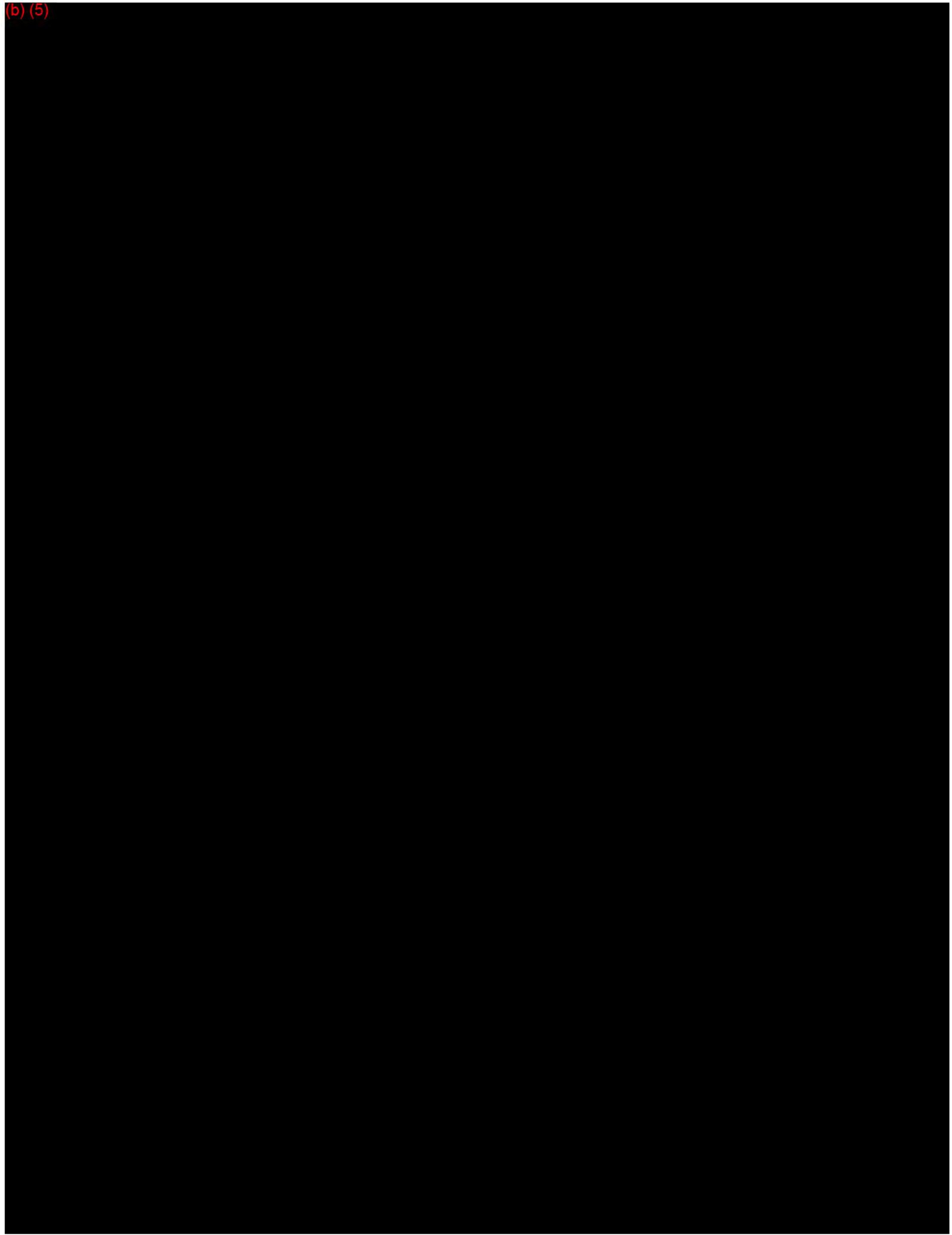
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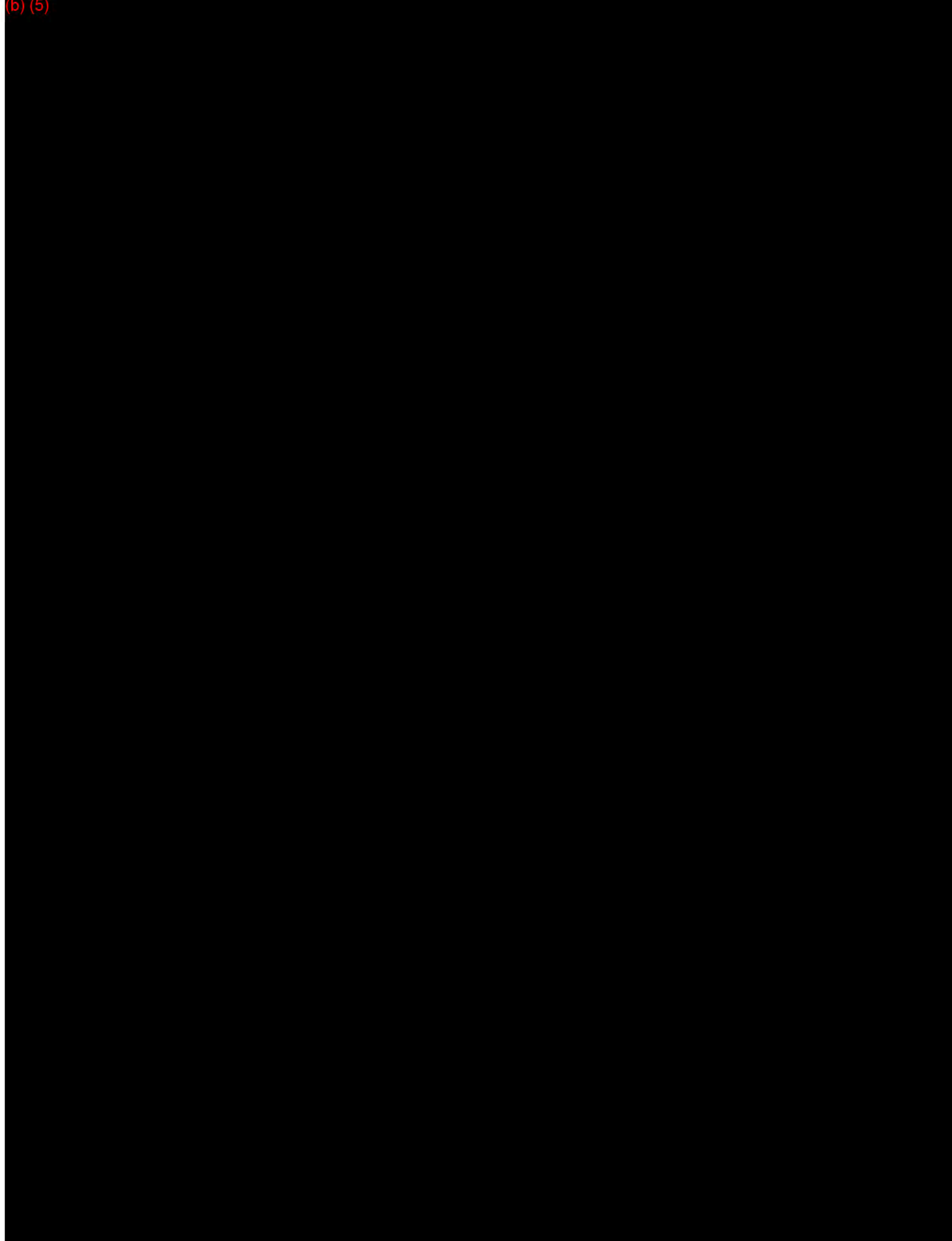


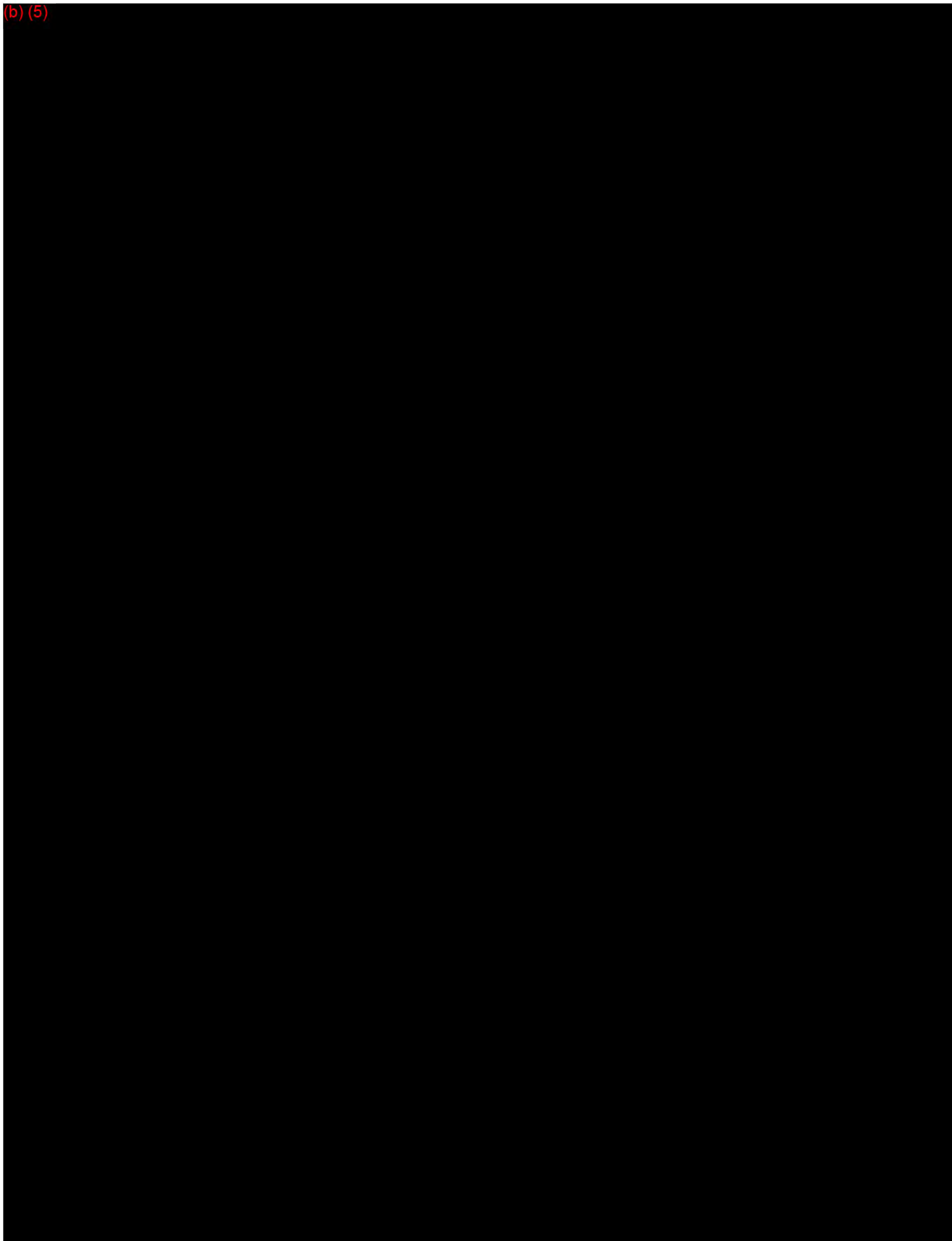


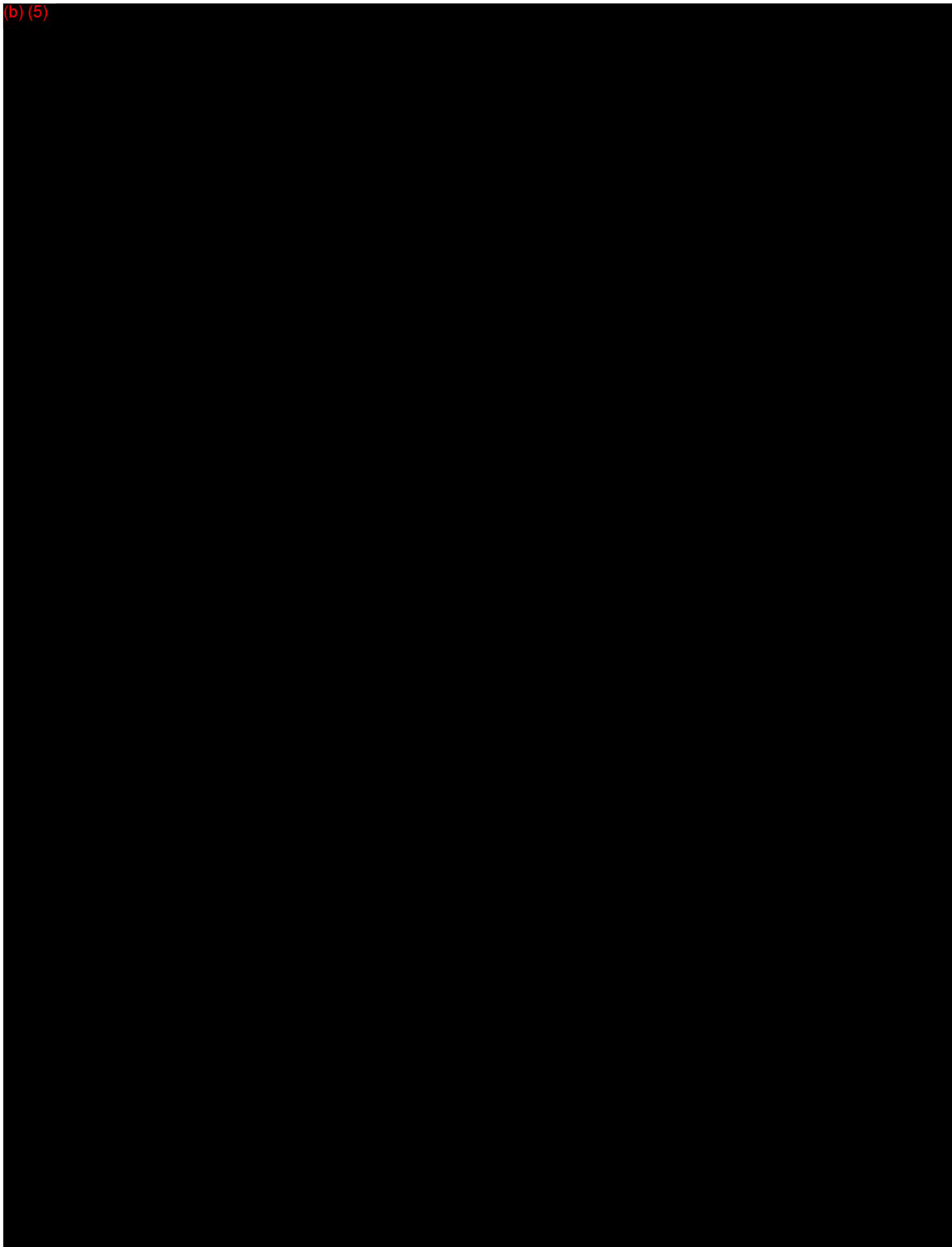


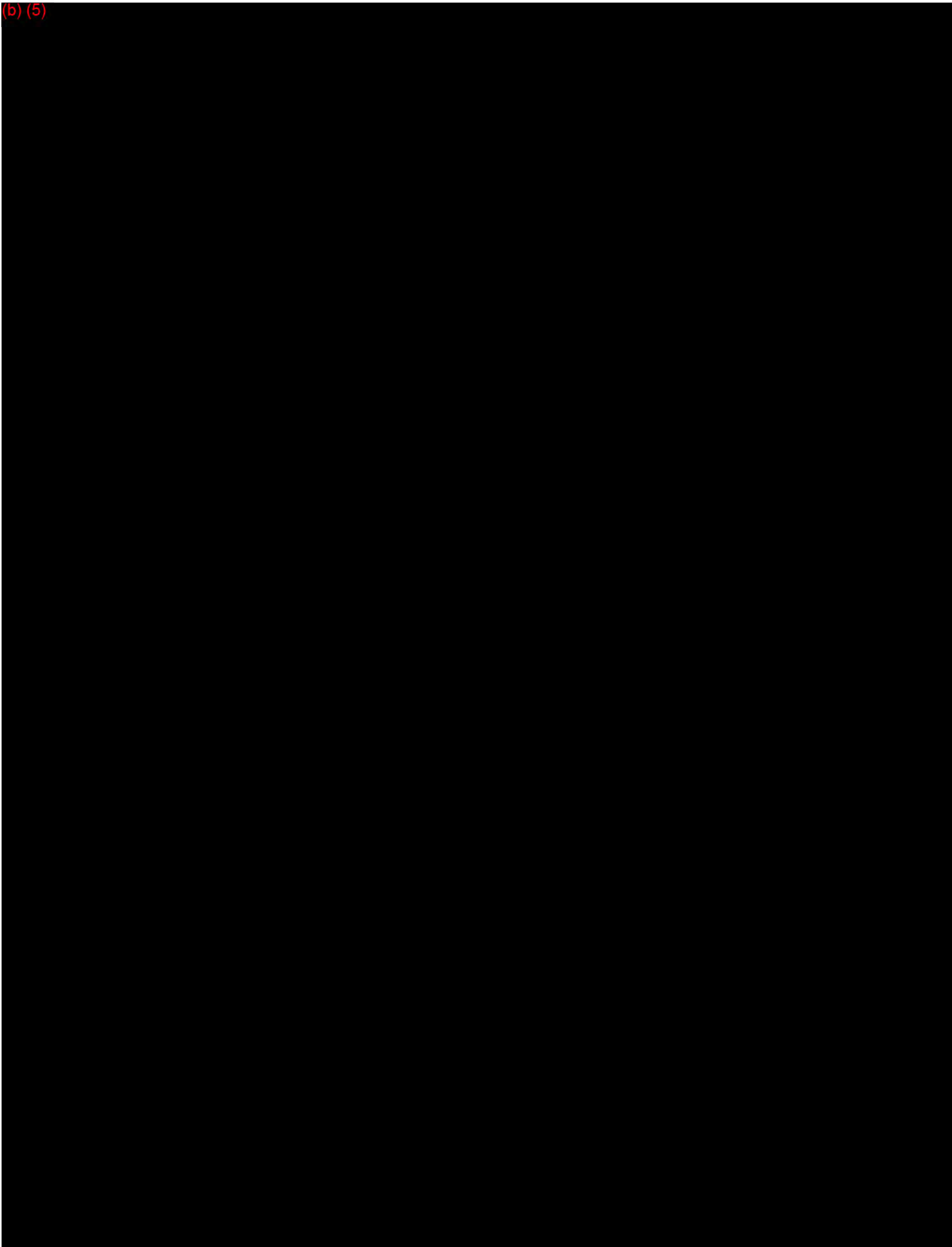












File 6 of 8

From: "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">

To: "Adams, John (AU) (CONTR)" <john.adams@hq.doe.gov>

Cc: "Carter, Marian (CONTR)" <marian.carter@hq.doe.gov>

Date: Thu, 10 May 2018 15:51:45 -0400

Attachments FR-1985-08-09 (50 FR 32238) CEQ NEPA Regulations NOPR amending : 1502.22.pdf (1.16 MB)

Yardena Mansoor
Deputy Associate Director for NEPA
Council on Environmental Quality
(b) (6) / (b) (6)

competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4302. The Finding of No Significant Impact is available for public inspection during regular business hours at the Office of the Rules Docket Clerk, Office of the General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20416.

Under the Regulatory Flexibility Act (5 U.S.C. 605(b)), the undersigned hereby certifies that this rule would not have a significant economic impact on a substantial number of small entities, because the scope of revised reporting requirements contained in the rule is extremely limited.

The information collection requirement contained in this rule was submitted to the Office of Management and Budget for approval under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520) and has been assigned OMB Control Number 2502-0041.

This Rule is listed as item number 66 (11-4-84) in the Department's Semiannual Agenda of Regulations published on April 29, 1985 (50 FR 17296), under Executive Order 12291 and the Regulatory Flexibility Act.

The Catalog of Federal Domestic Assistance program numbers are 14.103, 14.112, 14.115, 14.118, 14.123, 14.124, 14.125, 14.128, 14.127, 14.128, 14.129, 14.134, 14.135, 14.137, 14.138, 14.139, 14.151, 14.154 and 14.155.

List of Subjects in 24 CFR Part 207

Mortgage insurance.

PART 207—(AMENDED)

Accordingly, 24 CFR Part 207 is proposed to be amended as follows:

1. The Authority Citation for 24 CFR Part 207 would continue to read as follows:

Authority: Secs. 207, 211, National Housing Act (12 U.S.C. 1713, 1715b); Sec. 7(a), Department of Housing and Urban Development Act (42 U.S.C. 3885(d)).

2. Section 207.256(n) would be revised to read as follows:

§ 207.256 Notice.

(4) If the default, as defined in § 207.255, is not cured by close of business of the 10th day after such

default occurs, the mortgagee shall immediately notify the Commissioner in writing of such default. At the end of the 30-day grace period, the mortgagee shall file with the Commissioner, on a form approved by the Commissioner, its formal notice of default. Unless waived by the Commissioner, the mortgagee must continue to submit this notice monthly until (1) the default has been cured; (2) the mortgagee has acquired title to the property; or (3) the insurance contract has been terminated.

[Approved by the Office of Management and Budget under OMB control number 2502-0041]

Dated: July 16, 1985.

Janet Hale,

Acting Assistant Secretary for Housing—
Deputy Federal Housing Commissioner.

[FR Doc. 85-18057 Filed 8-9-85; 8:45 am]

BILLING CODE 4210-01-W

COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Part 1502

National Environmental Policy Act Regulations

AGENCY: Executive Office of the President, CEQ.

ACTION: Proposed amendment to 40 CFR 1502.22.

SUMMARY: In 1978, the Council on Environmental Quality (CEQ) issued binding regulations to implement the procedural provisions of the National Environmental Policy Act (NEPA). The regulations address the administration of the environmental assessment process for actions undertaken by all federal agencies. Since 1978, CEQ has continued its oversight of the regulations by, among other things, maintaining active monitoring of the implementation of the regulations in the federal agencies, reviewing the interpretations of the regulations by the federal courts, seeking for public comment on methods of improving the effectiveness of the regulations, holding public meetings, and issuing guidance documents interpreting various aspects of the regulations. During the past two years, CEQ has paid particular attention to one of the regulations (40 CFR 1502.22) which, among other things, requires federal agencies to include a "worst case analysis" in an environmental impact statement if there is incomplete or unavailable information relevant to significant adverse impacts. CEQ is concerned that the requirement to prepare a "worst case analysis" in

certain circumstances has been the impetus for judicial decisions which require federal agencies to go beyond the "rule of reason" in their analysis of potentially severe impacts. After an intensive review of the "worst case analysis" issue, including publication of an Advance Notice of Proposed Rulemaking asking for comment on the entire regulation which addresses "incomplete or unavailable information" in an environmental impact statement, CEQ has voted to amend the regulation. The proposed amendment requires the agencies (1) to affirmatively disclose the fact that information important to evaluating significant adverse effects on the human environment is missing; (2) to explain the relevance of the missing information; (3) to summarize the existing credible scientific evidence which is relevant to the agency's evaluation of the significant adverse impacts on the human environment; and (4) to evaluate that evidence. The proposed amendment also specifies that the impacts to be evaluated include low probability/catastrophic consequences when the analysis is based on credible scientific support and not on pure conjecture, and is within the rule of reason. These requirements are proposed as a substitute for "worst case analysis". The proposed amendment also rewords and clarifies the other portions of the regulation.

Upon promulgation of this proposed amendment, conforming guidance will be provided in place of the Council's existing guidance on this regulation. Question 20 of *Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations*, 40 FR 18032 (1981).

DATE: Comments must be received by September 23, 1985. All comments received will be available for public inspection at CEQ.

ADDRESS: Comments should be sent to Dinah Bear, General Counsel, Council on Environmental Quality, 722 Jackson Place NW, Washington, D.C. 20006.

FOR FURTHER INFORMATION CONTACT: Dinah Bear, General Counsel, Council on Environmental Quality (address same as above), 202-395-5754.

SUPPLEMENTARY INFORMATION:
Executive Order 12291

Under Executive Order 12291, CEQ must judge whether a regulation is major and, therefore, whether a Regulatory Impact Analysis must be prepared. This regulation does not satisfy any of the criteria specified in section 1(f) of the Executive Order and, as such, does not constitute a major rulemaking. A-

required by Executive Order 12291, this regulation was submitted to the Office of Management and Budget for review. Any written comments from OMB to CEQ are available from Julia Alessio, Council on Environmental Quality, 723 Jackson Place NW., Washington, D.C. 20503.

Paperwork Reduction Act

The information collection requirements in this proposed rule have been submitted for approval to the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.* Comments on these requirements should be submitted to Mr. Richard Otis, Office of Management and Budget, Office of Information and Regulatory Affairs, New Executive Office Building (Room 2228), 20 Jackson Place, NW., Washington, D.C. 20503. The final rule responds to OMB and public comments on the information collecting requirements.

Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* CEQ is required to prepare a Regulatory Flexibility Analysis for proposed regulations which would have a significant impact on a substantial number of small entities. No analysis is required, however, when the Chairman of the Council certifies that the rule will not have a significant economic impact on a substantial number of small entities. Today's proposed rule would have no effect upon small entities. Accordingly, I hereby certify, pursuant to 5 U.S.C. 605(f), that this final proposed rule would not have a significant impact on a substantial number of small entities.

1. Background

The National Environmental Policy Act, signed into law by President Nixon on January 1, 1970, articulated national policy and goals for the nation, established the Council on Environmental Quality, and, among other things, required all federal agencies to assess the environmental impacts of and alternatives to proposals for major federal actions significantly affecting the quality of the human environment. The Council on Environmental Quality (CEQ), charged with the duty of overseeing the implementation of NEPA, developed guidelines to aid federal agencies in assessing the environmental impacts of their proposals. A combination of CEQ guidance resulted in the development of an environmental impact assessment process, which

includes the preparation of environmental impact statements (EIS's) for certain types of federal actions.

In 1977, CEQ was directed by Executive Order 11991 to promulgate binding regulations implementing the procedural provisions of NEPA. The Council was specifically directed to:

... make the environmental impact statement more useful to decisionmakers and the public, and to reduce paperwork and the accumulation of extraneous background data, in order to emphasize the need to focus on real environmental issues and alternatives.

Accordingly, after receiving and responding to the suggestions and comments of federal, state and local governmental officials, private citizens, business and industry representatives, and public interest organizations, the Council issued the NEPA regulations on November 29, 1978, 40 CFR 1500-1508 (1984). The regulations became effective for, and binding upon, most federal agencies on July 30, 1979, and for all remaining federal agencies on November 30, 1979.

Since promulgation of the NEPA regulations, the Council has continually reviewed the regulations to identify areas where further interpretation or guidance is required. This review has resulted in several guidance documents.¹ Although continual attention is required to ensure that the mandate of the regulations is being fulfilled, the Council believes that the regulations are generally working well.

During the past two years, however, the Council has received numerous requests from both government agencies and private parties to review the regulation which addresses "incomplete or unavailable information" in the EIS process. That regulation currently reads as follows:

§ 1502.22 Incomplete or unavailable information.

When an agency is evaluating significant adverse effects on the human environment in an environmental impact statement and there are gaps in relevant information or scientific uncertainty, the agency shall always make clear that such information is lacking or that uncertainty exists.

(b) If the information relevant to adverse impacts is essential to a reasoned choice among alternatives and is not known and the overall costs of obtaining it are not exorbitant, the agency shall include the information in the environmental impact statement.

¹ Fifty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, 40 FR 18022 (1981); Memorandum for General Counsel, NEPA Litigation and Participation in Siteing, April 22, 1980 (Available upon request to the General Counsel's Office, CEQ, Guidance Proceedings 80778, Regulations, 40 FR 14704 (1981)).

(b) If (1) the information relevant to adverse impacts is essential to a reasoned choice among alternatives and is not known and the overall costs of obtaining it are exorbitant or (2) the information relevant to adverse impacts is important to the decision and the means to obtain it are not known (e.g., the means for obtaining it are beyond the state of the art) the agency shall weigh the need for the action against the risk and severity of possible adverse impacts were the action to proceed in the face of uncertainty. If the agency proceeds, it shall include a worst case analysis and an indication of the probability or improbability of its occurrence. 40 CFR 1502.22

On August 11, 1983, the Council proposed guidance regarding the "worst case analysis" requirement and asked for comments on the proposed guidance, 48 FR 36488 (1983). The draft guidance suggested an initial threshold of probability should be crossed before the requirements in 40 CFR 1502.22 became applicable. Although some commentators agreed with the guidance, others believed that the proposed threshold would unjustly undercut analysis of low probability/severe consequences. Other writers suggested different approaches to the issue, or advocated an amendment to the regulation rather than guidance. After reviewing the comments received in response to that proposal, the Council withdrew the proposed guidance, stating its intent to give the matter additional examination before publishing a new proposal, 48 FR 5921 (1984). On December 31, 1984, the Council issued an Advance Notice of Proposed Rulemaking for 40 CFR 1502.22, and stated that it was considering the need to amend the regulation, 49 FR 50744 (1984). The Advance Notice of Proposed Rulemaking posed five questions and asked for thoughtful written comments in response to them. The questions were:

1. Under what circumstances and to what extent must a federal agency engage in forecasting or speculation when confronted with scientific uncertainty or gaps in information concerning the environmental effects of a proposed action?
2. How can an analysis be structured to present reasonable forecasting in the face of scientific uncertainty or information gaps about the effects of proposed action to provide more useful and understandable information for decisionmakers and other interested parties?
3. Does the type of analysis called for in 40 CFR 1502.22 require federal agencies to go beyond the "rule of reason", as traditionally expressed in judicial decisions interpreting NEPA?

3. Does the type of analysis called for in 40 CFR 1502.22 require federal agencies to go beyond the "rule of reason", as traditionally expressed in judicial decisions interpreting NEPA?

4. Should a threshold standard be established which would trigger the preparation of the type of analysis identified in response to question one, such as a threshold of severe consequences, a threshold of probability, or a threshold of scientific credibility?

5. Is the term "worst case" appropriate for this type of analysis? If so, how should it be defined? If not, what is the most appropriate term for this type of analysis, and how should it be defined?

The Council received a total of 181 responses: 98 comments from business and industry; 33 from public interest groups; 23 from federal agencies; 19 from individual commentators; 16 from state governments; and 2 from Congressional or legislative interests. A majority of commentators cited problems with the requirement to perform a "worst case analysis", although they recognized the need to address potential impacts in the face of missing information. Many commentators thought that either the regulation itself or recent judicial decisions from the U.S. Court of Appeals for the Ninth Circuit required agencies to go beyond the "rule of reason". These commentators suggested that the "rule of reason" should be made specifically applicable to the requirements of § 1902.22. A minority of commentators felt strongly that the current regulation is adequate and should not be amended.

Some commentators stressed the disclosure part of the regulation, and said that the truly important feature of the regulation was to force the agencies to acknowledge scientific uncertainty or information gaps. Other commentators offered specific suggestions for defining the type of analysis which would be appropriate in particular instances where missing information is an important factor in the decisionmaking process. A summary of all comments received is available from the Office of General Counsel.

On March 16, 1985, the Council held a meeting, open to the public, to discuss the comments received in response to the Advance Notice of Proposed Rulemaking, 50 FR 9528 (1985). Shortly after that meeting, the Council voted to amend the regulation.

PURPOSE AND ANALYSIS OF PROPOSED AMENDMENT

Discussion of Existing Regulation and Problems

The NEPA process requires federal agencies to disclose the environmental impacts of proposed major federal actions which significantly affect the quality of the human environment in an

environmental impact statement (EIS). The EIS must include a rigorous evaluation of the direct and indirect environmental impacts of the proposed action and of all reasonable alternatives to the proposed action. In the context of preparing an EIS, agencies are sometimes faced with a situation in which there is information missing which relates to significant adverse impacts. Early in the history of interpreting NEPA, it was decided that an agency cannot avoid drafting an EIS because some information regarding the potential environmental impacts is unknown; indeed, "one of the functions of a NEPA statement is to indicate the extent to which environmental effects are essentially unknown." *Scientists' Institute for Public Information, Inc. v. Atomic Energy Commission*, 481 F.2d 1009, 1002 (D.C. Cir. 1973).

Section 1902.22 attempts to address the difficulty of analyzing in an environmental impact statement (EIS) the consequences of a proposed action in the face of incomplete or unavailable information. The regulation requires an agency to disclose the fact that information is lacking or that scientific uncertainty exists, and to obtain that information if it is essential to a reasoned choice among alternatives and the overall costs of doing so are not exorbitant. If the agency is unable to obtain the information because of overall costs or because the means to obtain it are not known, and the agency proceeds in the face of uncertainty, it must include a "worst case analysis" in the EIS. Although nothing in the official regulatory record reveals the reasons that the Council chose the "worst case analysis" construct, which was not required by previous judicial opinions constraining NEPA or by CEQ guidelines, it was apparently created as a device to require agencies to complete the analysis in the EIS, rather than allowing agencies to disregard uncertainties as having no weight in the balancing process.

After an intensive review of the regulation, the Council has concluded that the "worst case analysis" requirement is an unsatisfactory approach to the analysis of potential consequences in the face of missing information. The requirement challenges the agencies to speculate on the "worst" possible consequences of a proposed action. Many respondents to the Council's Advance Notice of Proposed Rulemaking pointed to the limitless nature of the inquiry established by this requirement: that is, one can always conjure up a worse "worst case" by adding an additional variable to a hypothetical scenario. Experts in the

field of risk analysis and perception stated that the "worst case analysis" lacks defensible rationale or procedures, and that the current regulatory language stands "without any discernible link to the disciplines that have devoted as much thought and effort toward developing rational ways to cope with problems of uncertainty. It is, therefore, not surprising that no one knows how to do a worst case analysis...." Slovic, P., February 1, 1985, Response to ANPRM.

Moreover, in the institutional context of litigation over EIS(s) the "worst case" rule has proved counterproductive, because it has led to agencies being required to devote substantial time and resources to preparation of analyses which are not considered useful to decisionmakers and divert the EIS process from its intended purpose.

The "worst case analysis" requirement has been interpreted to require agencies to present a discussion of a particular disastrous impact even when the agency believes that no credible scientific data has indicated that the particular impact could be caused by the proposed action. For example, in *Save Our Ecosystems v. Clark*, 747 F.2d 1240 (9th Cir. 1984), the Bureau of Land Management was ordered to prepare a "worst case analysis" assuming a causal effect between the use of certain herbicides on federal forest land and the development of cancer in human beings, despite the agency's contention that such an analysis would be pure guesswork because no credible scientific data supported the contention that cancer could occur at any dose. The Council believes that pure conjecture, that is, a conjectural analysis, lacking a credible scientific basis is not useful to either the decisionmaker or the public; rather, it could appear to be an indulgence in speculation for its own sake without a firm connection between credible science and the hypothetical consequences of an agency's proposed action.

Further, the Council views such an interpretation of the "worst case analysis" requirement as inconsistent with the "rule of reason", which courts have traditionally used to interpret an agency's duty under NEPA when faced with the problem of uncertainty.⁴ In

⁴ Because NEPA is silent on the problem of uncertainty resulting from missing information, the courts have been forced to grapple with the issue case by case and have established a "rule of reason" approach. *Sierra Club v. Blythe*, 50 F.2d 87 (9th Cir. 1981).

interpreting the requirements of NEPA, courts have recognized, "on the one hand that the Act mandates that no agency limit its environmental activity by the use of an artificial framework and on the other that the Act does not intend to impose an impossible standard on the agency." *Environmental Defense Fund, Inc. v. Corps of Engineers*, 492 F.2d 1123 (5th Cir. 1974). Similarly, in the first NEPA case to deal specifically with the "rule of reason" standard as applied to the problem of scientific uncertainty or missing information, the Court of Appeals for the District of Columbia Circuit stated that, "[NEPA's] requirement that the agency describe the anticipated environmental effects of a proposed action is subject to a rule of reason. The agency need not foresee the unforeseeable, but by the same token, neither can it avoid drafting an impact statement simply because describing the environmental effects of alternatives to particular agency action involves some degree of forecasting. . . . The statute must be construed in the light of reason if it is not to demand what is, fairly speaking, not meaningfully possible. . . ." (*City of Calvert Cliffs Coordinating Committee v. Atomic Energy Commission*, 403 F.2d 1109, 1114 [D.C. Cir. 1973]). But implicit in this rule of reason is the overriding statutory duty of compliance with impact statement procedures "to the fullest extent possible." *Scientists' Institute for Public Information, Inc. v. Atomic Energy Commission*, 403 F.2d 1070, 1082 [D.C. Cir. 1973]. The Council believes that the current "worst case analysis" requirement, as interpreted by recent judicial decisions, imposes a requirement on the agencies which goes beyond this "rule of reason". That of defining and analyzing a particular set of hypothetical consequences which can be imagined as the "worst" possible result of a proposed action, without regard to support from scientific opinion, evidence, and experience.

The Proposed Amendment

It is well established that, in complying with NEPA, agencies must fairly analyze and comment upon the consequences of their actions in the face of missing information in an EIS. The Council strongly believes such analyses must be based upon credible evidence, so that the information will be of value to the decisionmaker and the public. The proposed amendment simply but precisely sets forth an agency's duties when, in preparing an EIS, the agency determines that there is missing information which is important to evaluating significant adverse impacts on the human environment. First, the

agency must make reasonable efforts, in light of overall costs and the state of the art, to obtain the missing information. If that effort is not possible or successful, the agency must then disclose the fact that the information is missing; explain the relevance of the missing information to the agency's evaluation of significant adverse impacts on the human environment; summarize the existing credible scientific evidence which is relevant to analysis of significant adverse impacts; and present the agency's own evaluation of that scientific evidence in the EIS. Thus, the proposed regulation retains the duty to describe the consequences of a remote, but potentially severe impact, but grounds the duty in evaluation of scientific opinion rather than in the framework of a conjunctural "worst case analysis". Section 1502.32 must, of course, be read in the context of the more general requirements for preparation of an EIS (40 CFR 1502, *et seq.*). These include the rigorous evaluation of the direct, indirect and cumulative impacts of a proposed action, alternatives to the proposed action, and appropriate mitigation measures. (40 CFR 1502 *et seq.*)

The proposed regulation would apply in the circumstances which frame the current requirement, that is, when there is missing information important to the evaluation of significant adverse impacts on the human environment. After consideration of the comments received in response to the Advance Notice of Proposed Rulemaking, the Council has chosen to impose scientific credibility as the "threshold" to trigger the requirements of the proposed regulation. In identifying potentially significant adverse impacts, an agency must forecast those consequences which have a low probability of occurrence but have potentially catastrophic consequences when there is credible scientific support to suggest that the impact could occur as a result of the proposed action. The agency is not required to include opinions about or an evaluation of impacts which are based on pure conjecture, without a sound rationale or valid data.

The Council intends for the phrase "overall costs" to be interpreted as including financial and other costs, such as cost in terms of time. This is consistent with the interpretation of the phrase in the current regulation. 43 FR 59970, 59984 (1978).

Finally, in light of the attention paid in recent months to "Bhopal"-type disasters, the Council wishes to emphasize that, in our judgment, the proposed regulation is better designed to

lead to more informed decisionmaking and, thus, will be more helpful in preventing such low probability/high consequence disasters than the current "worst case" rule. By requiring agencies to focus their analysis on reasonably foreseeable impacts, the proposal will generate information and discussion on those consequences of greatest concern to the public and of greatest relevance to the agency's decision. This will, we believe, constitute a substantial step forward over the current "worst case analysis" approach.

The proposed regulation requires agencies to take affirmative action, not otherwise required in the EIS process, when there is missing information about a significant adverse impact. The requirement to disclose all credible scientific evidence extends to those views which are generally viewed as "minority views" within the scientific community or to those views which are opposite those of the views subscribed to by the agency. The proposed amendment is thus consistent with the "rule of reason" as applied to the requirement that an agency make a good faith effort to describe the reasonably foreseeable environmental impacts of a program, even in the face of missing information. *Scientists' Institute for Public Information v. Atomic Energy Commission*, 403 F.2d 1070 at 1082 [D.C. Cir. 1973]. It is also consistent with the holding in *Sierra Club v. Slight*, 605 F.2d 957 (5th Cir. 1979), that the probable remoteness of an impact does not excuse an agency from an evaluation of those impacts when there is a body of data with which an evaluation can be made which is not unreasonably speculative. *Id.* at 974. The Council intends that the evaluation of adverse impacts under this section will be founded on science which is competent and worthy of belief, and which is based upon theoretical approaches or research results generally accepted in the scientific community. The Council believes that this requirement will greatly enhance the utility of analyses under this section for both the decisionmaker and the public.

List of Subjects in 40 CFR Part 1502

Environmental impact statements.

PART 1502—(Amended)

40 CFR Part 1502 is proposed to be amended as follows:

1. The authority citation for Part 1502 continues to read:

Authority: NEPA, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4321 *et seq.*), sec. 302 of

the Clean Air Act, as amended (42 U.S.C. 7601), and E.O. 11514 (Mar. 5, 1973, as amended) by E.O. 11801, May 24, 1977).

2. Section 1502.22 is revised to read as follows:

§ 1502.22. Incomplete or unavailable information.

In preparing an environmental impact statement, the agency shall make reasonable efforts, in light of overall costs and state of the art, to obtain missing information which, in its judgment, is important to evaluating significant adverse impacts on the human environment that are reasonably foreseeable. If, for the reasons stated above, the agency is unable to obtain this missing information, the agency shall include within the environmental impact statement (a) a statement that such information is missing; (b) a statement of the relevance of the missing information to evaluating significant adverse impacts on the human environment; (c) a summary of existing credible scientific evidence which is relevant to evaluating the significant adverse impacts on the human environment; and (d) the agency's evaluation of such evidence. "Reasonably foreseeable" includes impacts which have catastrophic consequences, even if their probability of occurrence is low, provided that they have credible scientific support, are not based on pure conjecture, and are within the role of reason.

A. Add HE.

Changes:

[FR Doc. 85-22897 Filed 8-6-85; 8:43 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 405

(OMB-905-N)

Medicare Program; Office of Management and Budget Request for Review of Collection of Information Requirements

AGENCY: Health Care Financing Administration (HCFA), HHS.
ACTION: Notice of OMB action on collection of information requirements.

SUMMARY: As a result of reviews performed under the authority of the Paperwork Reduction Act of 1980, the Office of Management and Budget has directed that HCFA revise selected collection of information requirements in HCFA regulations. This notice

informs the public of OMB's decision and states our intention to develop notices of proposed rulemaking: (1) To change the regulations, as appropriate; and (2) to solicit comments on the collection of information requirements. Consistent with the provisions of 5 CFR 1320.14, OMB has granted continued approval of the current collection of information requirements for a limited time.

DATE: To assure consideration, comments must be received by September 9, 1985.

ADDRESS: Address comments in writing to: Health Care Financing Administration, Department of Health and Human Services, Attention: OMB-905-N, P.O. Box 26678, Baltimore, Maryland 21297.

Address a copy of comments on collection of information requirements to: Office of Information and Regulatory Affairs, Office of Management and Budget, Room 3233, New Executive Office Building, Washington, D.C. 20503, Attention: Fay Indicello.

FOR FURTHER INFORMATION CONTACT: Frank Burns, (301) 594-6051—Information Collection Requirements; Stefan Miller, (301) 597-4394—Conditions of Participation and Coverage.

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1980 (44 U.S.C. 3507) establishes policies and procedures for controlling paperwork burdens imposed by Federal agencies on the public. In regulations at 5 CFR 1320.14, effective May 3, 1982, the Office of Management and Budget (OMB) set forth procedures for its review of collection of information requirements contained in existing regulations that had not been previously reviewed by OMB or the General Accounting Office.

In accordance with an agreed-upon schedule, HCFA identified and submitted for review a number of items for approval. [Approval results in assignment of a control number, listed at 42 CFR 400.310.] OMB has directed that we initiate proposals to change certain collection of information requirements. In such instances, OMB's procedures require Federal agencies to publish a notice in the *Federal Register* informing the public of these proposed changes in the collection of information requirements and that OMB has approved the information requirements for a limited period of time. (This process is described in OMB regulations, 5 CFR 1320.14(f).)

The collection of information requirements most recently identified as those that may be overly prescriptive

appear in 42 CFR Part 405, Subparts L, M, and O. Therefore, we are publishing this notice to solicit public comments on the feasibility of revising the collection of information requirements that are not specifically required by statute and to inform the public that OMB has granted limited continued approval of those questioned requirements. Under an interagency agreement, HCFA will work with the Centers for Disease Control on the requirements in Subpart M (Conditions of Coverage of Services of Independent Laboratories).

We will accept comments on the collection of information requirements contained in the following rules that OMB has identified for change:

1. 42 CFR Part 405, Subpart L (Conditions of Participation: Home Health Agencies).

(a) Section 405.1221, which specifies that written requirements be developed for home health agencies' organizational structure, qualifying services, administrative controls, personnel policies and contracts, coordination of patient services, services under arrangements, and institutional planning.

(b) Section 405.1223(a), which specifies the development of a written plan of treatment established and periodically reviewed by a physician and details the requirements of the plan of treatment.

(c) Section 405.1223(b), which requires a review of the total plan of treatment by home health agency personnel and the attending physician as often as the severity of the patient's condition requires, but at least once every 90 days. The agency professional staff is also required to alert the physician promptly of any changes that suggest a need to alter the plan of treatment.

(d) Sections 405.1224 (a) and (b), which describe the duties of registered nurses and licensed practical nurses as those duties which relate to the preparation of clinical and progress notes set forth in the plan of treatment.

(e) Section 405.1223(a), which describes the duties of physical therapist and occupational therapist assistants under the supervision of a qualified physical or occupational therapist as those which include the preparation of clinical and progress notes in accordance with the plan of treatment.

(f) Section 405.1226, which describes the duties of qualified social workers offering medical social services as those which include preparing clinical and

CEQ Federal NEPA Contacts Webinar

Where: Webinar: (b) (6)

When: Wed Jun 20 15:00:00 2018 (America/New_York)

Until: Wed Jun 20 16:30:00 2018 (America/New_York)

Organiser: FN-CEQ-NEPA </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=3dfc5ad8035346949f6dddfa1953a47-fn">
FN-CEQ-NEPA <(b) (6)>
"Boling, Ted A. EOP/CEQ" <(b) (6)>
"Drummond, Michael R. EOP/CEQ" <(b) (6)>
Required Attendees: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>
"Upchurch, Sara H. EOP/CEQ" <(b) (6)>
: "Hanley, Karen A. EOP/CEQ" <(b) (6)>
denise.freeman@hq.doe.gov
"Osterhues, Marlys A. EOP/CEQ" <(b) (6)>
Robert Noecker - AY-C <robert.noecker@fpisc.gov>
"Kaisershot, Wesley (Federal)" <wkaisershot@eda.gov>
Optional Attendees: "Zepeda, Elizabeth G" <elizabeth.g.zepeda@hud.gov>
"Foley, Paige A CIV" <paige.a.foley@uscg.mil>
: "Yi, David Y. EOP/OMB" <(b) (6)>
"Elaine P. Baum" <elaine.baum@ferc.gov>
"Seale, Viktoria Z. EOP/CEQ" <(b) (6)>

Good afternoon Federal NEPA Contacts,

In advance of tomorrow's webinar, we have updated the tele-conference participant code (correct code is (b) (6)). Please find attached 1) a meeting agenda for tomorrow's webinar, 2) a slide deck for those unable to join the webinar, 3) instructions for joining the webinar, 4) the pre-publication version of the Advance Notice of Proposed Rulemaking for the CEQ NEPA Regulations, and 5) a Report from the Federal Forum on Environmental Collaboration and Conflict Resolution.

Lastly, please take a moment to review your agency's NEPA Contact listed here: <https://ceq.doe.gov/docs/nepa-practice/2018-Federal-NEPA-contacts-and-websites-2018-06-15.pdf> and provide any necessary updates via email to (b) (6)

Sincerely,

The CEQ NEPA Team

CEQ will host the Summer Meeting of the Federal NEPA Contacts via webinar on Wednesday, June 20 from 3:00pm – 4:30pm EDT.

Conference number and webinar URL are provided below. An agenda will be provided in advance of the meeting along with a PDF of the webinar slides for those unable to join the webinar.

Audio Conference Details:

Conference Number (Toll Free): (b) (6)

Participant Code: (b) (6)

To join the meeting:

(b) (6)

If you have never attended an Adobe Connect meeting before:

Test your connection: https://meet.gsa.gov/common/help/en/support/meeting_test.htm

Get a quick overview: <http://www.adobe.com/products/adobeconnect.html>

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Federal NEPA Contacts Webinar

Wednesday, June 20, 2018

3:00 PM - 4:30 PM

(b) (6) Participant Code (b) (6)

(b) (6)

Agenda

- 3:00pm Introduction**
- 3:05pm Update from EJ Interagency Working Group NEPA Sub-Committee**
- 3:15pm Update from EPA's Office of Federal Activities**
- 3:20pm CEQ's Review of Regulations Implementing NEPA**
- 3:55pm Updates on CEQ Initiatives**
- o *ECCR Ten Year Report*
 - o *One Federal Decision*
 - o *EIS Timeline Data*
 - o *CE Guidance and CE List*
- 4:05pm OMB Accountability System**
- o *Accountability System –Permitting Dashboard, agency CERPO roles*
- 4:15pm Open Discussion**



[3225-F8]

COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Parts 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, and 1508

[Docket No. CEQ-2018-0001]

RIN: 0331-AA03

Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

AGENCY: Council on Environmental Quality (CEQ).

ACTION: Advance Notice of Proposed Rulemaking.

SUMMARY: The Council on Environmental Quality (CEQ) is considering updating its implementing regulations for the procedural provisions of the National Environmental Policy Act (NEPA). Over the past four decades, CEQ has issued numerous guidance documents but has amended its regulations substantively only once. Given the length of time since its NEPA implementing regulations were issued, CEQ solicits public comment on potential revisions to update the regulations and ensure a more efficient, timely, and effective NEPA process consistent with the national environmental policy stated in NEPA.

DATES: Comments should be submitted on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Submit your comments, identified by docket identification (ID) number CEQ-2018-0001 through the Federal eRulemaking portal at <https://www.regulations.gov>. Follow the online instructions for submitting comments.

FOR FURTHER INFORMATION CONTACT: Edward A. Boling, Associate
Director for the National Environmental Policy Act, Council on Environmental Quality,
730 Jackson Place, N.W., Washington, DC 20503. Telephone: (202) 395-5750.

SUPPLEMENTARY INFORMATION:

I. Background

The National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq., was enacted in 1970. NEPA states that “it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.” 42 U.S.C. § 4331(a). NEPA also established CEQ as an agency within the Executive Office of the President. 42 U.S.C. § 4342.

By Executive Order (E.O.) 11514, “Protection and Enhancement of Environmental Quality” (March 5, 1970), President Nixon directed CEQ in Section 3(h) to issue “guidelines to Federal agencies for the preparation of detailed statements on proposals for legislation and other Federal actions affecting the environment, as required by section 102(2)(C) of the Act.” CEQ published these guidelines in April of 1970 and revised them in 1973.

President Carter issued E.O. 11991 (May 24, 1977), “Relating to Protection and Enhancement of Environmental Quality,” which amended Section 3(h) of E.O. 11514 to direct CEQ to issue regulations providing uniform standards for the implementation of

NEPA, and amended Section 2 of E.O. 11514 to require agency compliance with the CEQ regulations. CEQ promulgated its “Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act” (CEQ’s NEPA regulations) at 40 CFR parts 1500-1508. 43 FR 55978 (November 29, 1978). Since that time, CEQ has amended its NEPA regulations substantively only once, to eliminate the “worst case” analysis requirement of 40 CFR 1502.22. 51 FR 15618 (April 25, 1986).

On August 15, 2017, President Trump issued E.O. 13807, “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects.” 82 FR 40463 (August 24, 2017). Section 5(e) of E.O. 13807 directed CEQ to develop an initial list of actions to enhance and modernize the Federal environmental review and authorization process. In response, CEQ published its initial list of actions pursuant to E.O. 13807 and stated that it intends to review its existing NEPA regulations in order to identify changes needed to update and clarify these regulations. 82 FR 43226 (September 14, 2017).

II. Request for Comment

CEQ requests comments on potential revisions to update and clarify CEQ NEPA regulations. In particular, CEQ requests comments on the following specific aspects of these regulations, and requests that commenters include question numbers when providing responses. Where possible, please provide specific recommendations on additions, deletions, and modifications to the text of CEQ’s NEPA regulations and their justifications.

NEPA Process:

1. Should CEQ's NEPA regulations be revised to ensure that environmental reviews and authorization decisions involving multiple agencies are conducted in a manner that is concurrent, synchronized, timely, and efficient, and if so, how?
2. Should CEQ's NEPA regulations be revised to make the NEPA process more efficient by better facilitating agency use of environmental studies, analysis, and decisions conducted in earlier Federal, State, tribal or local environmental reviews or authorization decisions, and if so, how?
3. Should CEQ's NEPA regulations be revised to ensure optimal interagency coordination of environmental reviews and authorization decisions, and if so, how?

Scope of NEPA Review:

4. Should the provisions in CEQ's NEPA regulations that relate to the format and page length of NEPA documents and time limits for completion be revised, and if so, how?
5. Should CEQ's NEPA regulations be revised to provide greater clarity to ensure NEPA documents better focus on significant issues that are relevant and useful to decisionmakers and the public, and if so, how?
6. Should the provisions in CEQ's NEPA regulations relating to public involvement be revised to be more inclusive and efficient, and if so, how?
7. Should definitions of any key NEPA terms in CEQ's NEPA regulations, such as those listed below, be revised, and if so, how?
 - a. Major Federal Action;
 - b. Effects;

- c. Cumulative Impact;
 - d. Significantly;
 - e. Scope; and
 - f. Other NEPA terms.
8. Should any new definitions of key NEPA terms, such as those noted below, be added, and if so, which terms?
- a. Alternatives;
 - b. Purpose and Need;
 - c. Reasonably Foreseeable;
 - d. Trivial Violation; and
 - e. Other NEPA terms.
9. Should the provisions in CEQ's NEPA regulations relating to any of the types of documents listed below be revised, and if so, how?
- a. Notice of Intent;
 - b. Categorical Exclusions Documentation;
 - c. Environmental Assessments;
 - d. Findings of No Significant Impact;
 - e. Environmental Impact Statements;
 - f. Records of Decision; and
 - g. Supplements.
10. Should the provisions in CEQ's NEPA regulations relating to the timing of agency action be revised, and if so, how?

11. Should the provisions in CEQ's NEPA regulations relating to agency responsibility and the preparation of NEPA documents by contractors and project applicants be revised, and if so, how?
12. Should the provisions in CEQ's NEPA regulations relating to programmatic NEPA documents and tiering be revised, and if so, how?
13. Should the provisions in CEQ's NEPA regulations relating to the appropriate range of alternatives in NEPA reviews and which alternatives may be eliminated from detailed analysis be revised, and if so, how?

General:

14. Are any provisions of the CEQ's NEPA regulations currently obsolete? If so, please provide specific recommendations on whether they should be modified, rescinded, or replaced.
15. Which provisions of the CEQ's NEPA regulations can be updated to reflect new technologies that can be used to make the process more efficient?
16. Are there additional ways CEQ's NEPA regulations should be revised to promote coordination of environmental review and authorization decisions, such as combining NEPA analysis and other decision documents, and if so, how?
17. Are there additional ways CEQ's NEPA regulations should be revised to improve the efficiency and effectiveness of the implementation of NEPA, and if so, how?
18. Are there ways in which the role of tribal governments in the NEPA process should be clarified in CEQ's NEPA regulations, and if so, how?

19. Are there additional ways CEQ's NEPA regulations should be revised to ensure that agencies apply NEPA in a manner that reduces unnecessary burdens and delays as much as possible, and if so, how?

20. Are there additional ways CEQ's NEPA regulations related to mitigation should be revised, and if so, how?

(Authority: 42 U.S.C. 4332, 4342, 4344 and 40 CFR Parts 1500, 1501, 1502, 1503, 1505, 1506, 1507, and 1508)

III. Statutory and Executive Order Reviews

Under E.O. 12866, "Regulatory Planning and Review," 58 FR 51735 (October 4, 1993), this is a "significant regulatory action." Accordingly, CEQ submitted this action to the Office of Management and Budget (OMB) for review under E.O. 12866 and any changes made in response to OMB recommendations have been documented in the docket for this action. Because this action does not propose or impose any requirements, and instead seeks comments and suggestions for CEQ to consider in possibly developing a subsequent proposed rule, the various statutes and executive orders that normally apply to rulemaking do not apply in this case. If CEQ decides in the future to pursue a rulemaking, CEQ will address the statutes and executive orders applicable to that rulemaking at that time.

Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

[FR Doc. 2018-13246 Filed: 6/19/2018 8:45 am; Publication Date: 6/20/2018]



Council on Environmental Quality

Council on Environmental Quality

Federal NEPA Contacts Webinar



*Wednesday, June 20, 2018
3:00-4:30pm*

Council on Environmental Quality



Agenda

Council on Environmental Quality

- 3:00pm Introduction**
- 3:05pm Update from EJ Interagency Working Group NEPA Sub-Committee**
- 3:15pm Update from EPA's Office of Federal Activities**
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- *Accountability System –Permitting Dashboard, agency CERPO roles*
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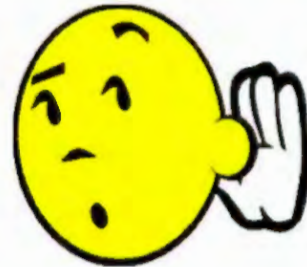
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CEQ075FY18150_000002647



Council on Environmental Quality

“Have you heard about the Promising Practices Report?”

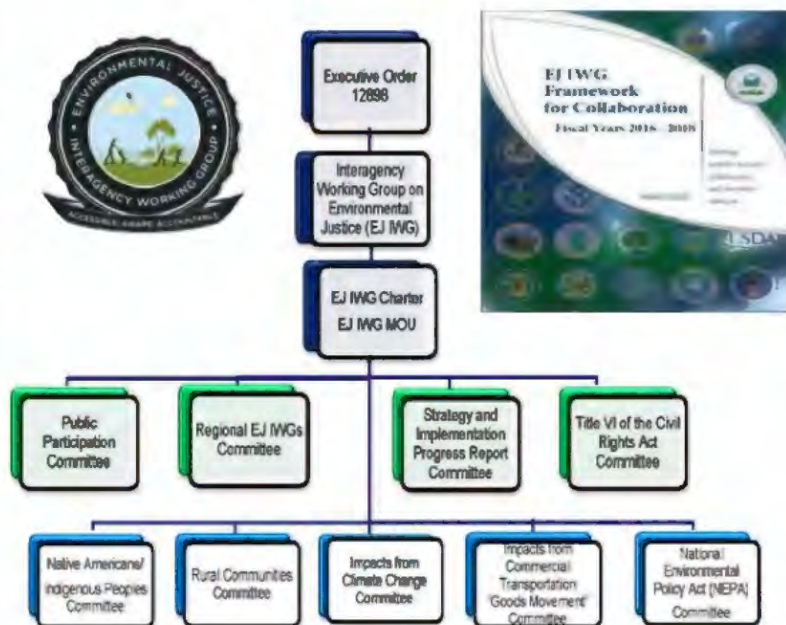


Denise C. Freeman
Co-chair, NEPA Committee
Federal Interagency Working Group on Environmental Justice
CEQ Federal NEPA Contacts Webinar

EJ and NEPA Through the Federal Interagency Working Group on Environmental Justice



EJ IWG Governance Structure 2016 - 2018



December 2015

Charter & MOU (2011)

NEPA Committee Purpose:

Improve effective, efficient and consistent consideration of EJ in the NEPA process

- Share promising practices/lessons learned developed by federal government NEPA practitioners

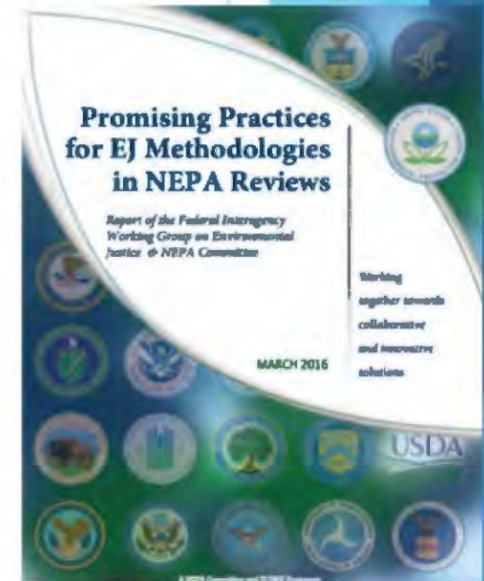
- Provide cross agency training on EJ and NEPA



Promising Practices for EJ Methodologies in NEPA Reviews Report of the Federal Interagency Working Group on Environmental Justice & NEPA Committee (March 2016)



- The report provides an in-depth collection of principles and practices for considering and addressing EJ issues at every step of the NEPA process and should be used in conjunction with established CEQ and NEPA Guidance.
- The NEPA Committee, comprised of Federal NEPA practitioners across the federal family, believes that all federal agencies can benefit from developing effective, efficient, and consistent approaches to addressing environmental justice in their NEPA process.
- The report is available on the EJ IWG's website:
<https://www.epa.gov/environmentaljustice/ej-iwg-promising-practices-ej-methodologies-nepa-reviews>.



Substance: Report on Promising Practices for EJ Methodologies in NEPA Reviews

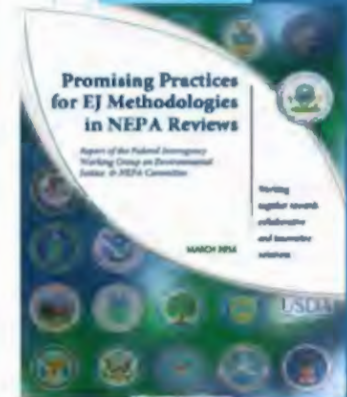


- Compilation of “promising practices” organized in coordinated, functional framework concerning interface of environmental justice considerations through NEPA processes
- Builds upon existing EJ and NEPA Guidance developed by CEQ and federal agencies
- Represents professional experience, knowledge and expertise of individuals participating in the NEPA Committee who are NEPA practitioners in federal agencies
- Captures collective thinking and thoughtful deliberation of shared information and results of research, analysis and discussions
- Joint efforts of the Committee reflect community of NEPA practitioners who seek to enable consideration of EJ within the context of NEPA
- Allows agencies to compare and improve their methodologies for considering EJ now and in the future
- **Does not establish new requirements for NEPA analysis**
- **Is not formal agency guidance**
- **Is not intended to be legally binding or create rights and benefits for any person**

Elements of the Promising Practices Report



Environmental Justice Within National Environmental Policy Act Reviews





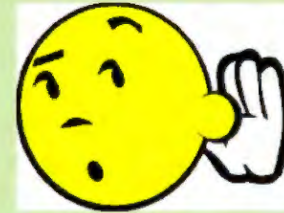
Future & Next Steps: Implementation Collaboration, and Innovation



- Continue to promote and encourage agency-wide use of the Promising Practices Report
- Publish and promote the use of the Community Guide to Environmental Justice and NEPA Methods
- Support CEQ's efforts in implementing EO 13087



“Now that you’ve heard about the Promising Practices Report...”



- Spread the word about the Promising Practices Report and the Community Guide, i.e., training or a briefing at your agency
- Volunteer and get involved with our efforts to promote more awareness
- Continue Implementation and Collaboration at your agencies on EJ and NEPA issues
- Give feedback on the Promising Practices Report



Thank You

Denise C. Freeman

Denise.Freeman@hq.doe.gov

EPA NEPA/309 Update



NEPA/309 Survey Results

- ▶ Over 160 respondents across 43 agencies
- ▶ Feedback centered around 3 primary subject areas:
 - ▶ Quality and consistency of 309 letters
 - ▶ Value of early engagement
 - ▶ Utility of 309 Rating System



Subsequent EPA Actions

- ▶ Letter Writing Guidance to regions (August 2017)
- ▶ Increased emphasis on early engagement
- ▶ Evaluation of alternatives to current 309 Rating System





Agenda

Council on Environmental Quality

- 3:00pm Introduction**
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Questions?

Council on Environmental Quality

The screenshot shows the NEPA.GOV website. At the top, there is a search bar and a navigation menu with links for HOME, LAWS & REGULATIONS, GUIDANCE, GET INVOLVED, NEPA PRACTICE, CEO PUBLICATIONS, and CEO REPORTS. The main banner features the text "INFRASTRUCTURE PERMITTING IMPROVEMENTS" with a "READ MORE" button. Below the banner is a "Welcome" section with the following text:

The National Environmental Policy Act (NEPA) was enacted to declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation, and to establish a Council on Environmental Quality. (Sec. 2 (42 U.S. Code § 4321)

NEPA is our basic national charter for protection of the environment. It establishes policy, sets goals (section 101), and provides means (section 102) for carrying out the policy. Section 102 (2) contains "action-forcing" provisions to make sure that federal agencies act according to the letter and spirit of the Act.

President Nixon signed NEPA into law on January 1, 1970. NEPA set forth a bold new vision for America. Acknowledging the decades of environmental neglect that had significantly degraded the nation's landscape and damaged the human environment, the law was established to foster and promote the general welfare; to create and maintain conditions under which

<https://ceq.doe.gov/index.html>



Council on Environmental Quality

[EXTERNAL] RE: Comment from CEQ?

From: Nick Sobczyk <nsobczyk@eenews.net>

To: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>

Date: Mon, 18 Jun 2018 17:10:11 -0400

Hi Dan, thanks for sending.

Best,
Nick

From: Schneider, Daniel J. EOP/CEQ <(b) (6)>

Sent: Monday, June 18, 2018 3:54 PM

To: Nick Sobczyk

Subject: RE: Comment from CEQ?

Hey Nick,

Just wanted to flag this for you given your interest in the subject matter. CEQ submitted an ANPRM to the Federal Register for publication on Friday, June 15, 2018 requesting public comment on potential revisions to update and clarify CEQ's NEPA regulations. Through a series of 20 questions, CEQ is requesting comments on provisions of the regulations to the NEPA process and the scope of NEPA review. It should be published in the Federal Register in the next couple of days.

Fact Sheet: <https://www.whitehouse.gov/wp-content/uploads/2017/11/FINAL-ANPRM-Fact-Sheet-20180615.pdf>

Prepublication Text: https://www.whitehouse.gov/wp-content/uploads/2017/11/CEQ-NEPA-ANPRM_WebVersion-20180615.pdf

Webpage: <https://www.whitehouse.gov/ceq/initiatives/>

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>

Sent: Monday, May 21, 2018 10:46 AM

To: Schneider, Daniel J. EOP/CEQ <(b) (6)>

Subject: [EXTERNAL] RE: Comment from CEQ?

Sure: 202-446-0437

From: Schneider, Daniel J. EOP/CEQ [mailto:(b) (6)]

Sent: Monday, May 21, 2018 10:46 AM

To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

What's the best number to reach you at? Would like to discuss. Thanks.

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Monday, May 21, 2018 10:39 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan – any update on this? If you'd like to provide a statement from CEQ, I could work with that, too. I'm wondering:

How long will the process take?
Are there any specific areas of the NEPA regulations that are ripe for reform?
Do you think the FAST Act and MAP-21 provide a model for streamlining/change?
How will the current lack of Senate-confirmed political leadership affect how CEQ handles the potential regulatory changes?
How many public comments is CEQ expecting to get?

Best,
Nick

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Friday, May 18, 2018 12:49 PM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick, still checking in on this.

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Friday, May 18, 2018 10:06 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan – any word yet on whether you'll be able to connect me with Mr. Boling?

Nick

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Thursday, May 17, 2018 11:58 AM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick,

What's your timing on this?

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Thursday, May 17, 2018 11:43 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan,

I'm hoping to do a follow up to the below examining in more detail what the process will look like and what areas of CEQ's NEPA regulations would be ripe for change.

Would you be able to set up an interview with Ted Boling? Would be great to get some of his thoughts on the issue and have his voice in the story.

Best,
Nick

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Monday, May 07, 2018 3:16 PM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick,

On background, attributable to a CEQ Spokesman:

On May 3rd, the Council on Environmental Quality (CEQ) submitted a draft Advanced Notice of Proposed Rulemaking (ANPRM) entitled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act" to the Office of Management and Budget for interagency review consistent with Executive Order 12866. After completion of interagency review, CEQ anticipates will publish the ANPRM in the Federal Register for public comment.

This ANPRM is being developed in response to Executive Order 13807 issued by President Trump on August 15, 2017. While CEQ has issued memoranda and guidance documents over the years, it has only amended its regulations once. Therefore, CEQ believes it is appropriate at this time to solicit public comment and consider updating the implementation regulations.

Hope that helps,

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>

Sent: Monday, May 7, 2018 2:27 PM

To: Schneider, Daniel J. EOP/CEQ <(b) (6)>

Subject: [EXTERNAL] Comment from CEQ?

Hi Dan,

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What specific changes will CEQ make to its NEPA regs? How will they affect permitting processes at other agencies?

Thanks!

Nick Sobczyk

E&E News reporter

nsobczyk@eenews.net

Office: 202-446-0437

Cell: (b) (6)

[@nick_sobczyk](#)

E&E NEWS

122 C Street NW 7th Floor Washington, DC 20001

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

RE: CEQ Federal NEPA Contacts Webinar

From: "Drummond, Michael R. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=a0bc62c0a5454e6fb7a1be504b7d284a-dr">

To: Lamb CIV Ronald E <ronald.e.lamb@usmc.mil>, FN-CEQ-NEPA <(b) (6)>
[REDACTED]

Date: Tue, 19 Jun 2018 15:47:27 -0400

Attachments
: Webinar Instructions 062018.pdf (185.21 kB)

Sure thing Ron, here you go. I'll try and kick my Office97 habit before the next go around.

From: Lamb CIV Ronald E <ronald.e.lamb@usmc.mil>
Sent: Tuesday, June 19, 2018 3:19 PM
To: FN-CEQ-NEPA <(b) (6)>
Cc: Drummond, Michael R. EOP/CEQ <(b) (6)>
Subject: RE: CEQ Federal NEPA Contacts Webinar

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v/r

Ron Lamb

NEPA Specialist

HQMC LF/MCICOM GF-7

(571) 256-2784

-----Original Appointment-----

From: FN-CEQ-NEPA [mailto:(b) (6)]
Sent: Tuesday, June 19, 2018 3:05 PM
To: Boling, Ted A. EOP/CEQ; Drummond, Michael R. EOP/CEQ; Mansoor, Yardena M. EOP/CEQ; Upchurch, Sara H. EOP/CEQ; Hanley, Karen A. EOP/CEQ; denise.freeman@hq.doe.gov; Osterhues, Marlys A. EOP/CEQ
Subject: CEQ Federal NEPA Contacts Webinar

When: Wednesday, June 20, 2018 3:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Webinar: (b) (6) (b) (6) (b) (6)

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Sincerely,

The CEQ NEPA Team

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<< File: NEPA Contacts Mtg 6.20 - Agenda.docx >> << File: CEQNEPAContactsWebinar_06_20_18_final.pdf >> << File: ATT00001.txt >> << File: CEQ NEPA Regulations ANPRM (pre-publication).pdf >> << File: ECCR_Benefits_Recommendations_Report_5-02-018.pdf >>

RE: Comment from CEQ?

From: "Schneider, Daniel J. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=70576341fcb44ab780c5f4d1ca218647-sc">

To: Nick Sobczyk <nsobczyk@eenews.net>

Date: Tue, 19 Jun 2018 10:32:08 -0400

Hey Nick, what's your deadline?

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>

Sent: Tuesday, June 19, 2018 9:52 AM

To: Schneider, Daniel J. EOP/CEQ <(b) (6)>

Subject: [EXTERNAL] RE: Comment from CEQ?

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Best,

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From: Schneider, Daniel J. EOP/CEQ [mailto:(b) (6)]

Sent: Monday, June 18, 2018 3:55 PM

To: Nick Sobczyk <nsobczyk@eenews.net>

Subject: RE: Comment from CEQ?

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Sent: Monday, May 21, 2018 10:46 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Sure: 202-446-0437

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How many public comments is CEQ expecting to get?

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From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Monday, May 07, 2018 3:16 PM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick,

On background, attributable to a CEQ Spokesman:

On May 3rd, the Council on Environmental Quality (CEQ) submitted a draft Advanced Notice of Proposed Rulemaking (ANPRM) entitled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act" to the Office of Management and Budget for interagency review consistent with Executive Order 12866. After completion of interagency review, CEQ anticipates will publish the ANPRM in the Federal Register for public comment.

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Hope that helps,

Dan

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Sent: Monday, May 7, 2018 2:27 PM

To: Schneider, Daniel J. EOP/CEQ <(b) (6)>

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

[EXTERNAL] RE: CEQ ANPRM

From: Chris Knight <chris.knight@argusmedia.com>

To: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>

Date: Tue, 19 Jun 2018 10:05:46 -0400

Hey, thanks for the heads up, and congrats on the move. The final pre-summer push is super busy right now but we should grab coffee when things slow down.

One question: Is there any timeline right now for a proposed rulemaking on the NEPA revisions, and then a final one?

From: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Sent: Tuesday, June 19, 2018 10:00 AM
To: Chris Knight <chris.knight@argusmedia.com>
Subject: CEQ ANPRM

Notice: external email – please use caution.

Hey Chris,

Saw your tweet regarding the ANPRM we put out. Just wanted to send over this fact sheet for you as well so you had it.

<https://www.whitehouse.gov/wp-content/uploads/2017/11/FINAL-ANPRM-Fact-Sheet-20180615.pdf>

Also, I used to be at Energy and Commerce but moved over here to CEQ in April. My new contact information is below.

Best,

Dan

Dan Schneider
Associate Director for Communications
Council on Environmental Quality
Executive Office of the President

(b) (6) (desk)

(b) (6)

www.whitehouse.gov/ceq

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Argus Media Limited has moved offices. Please note our new address below.

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From: Nick Sobczyk <nsobczyk@eenews.net>

To: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>

Date: Tue, 19 Jun 2018 09:52:25 -0400

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NEPA Specialist

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Canceled: CEQ Federal NEPA Contacts Webinar

Where: Webinar: (b) (6) (b) (6) (b) (6)

When: Wed Jun 20 15:00:00 2018 (America/New_York)

Until: Wed Jun 20 16:30:00 2018 (America/New_York)

Organiser: FN-CEQ-NEPA </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=3dfc5ad8035346949f6ddfdfa1953a47-fn">

Optional Attendee: "Yi, David Y. EOP/OMB" <(b) (6)>

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Get a quick overview: <http://www.adobe.com/products/adobeconnect.html>

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[3225-F8]

COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Parts 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, and 1508

[Docket No. CEQ-2018-0001]

RIN: 0331-AA03

Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

AGENCY: Council on Environmental Quality (CEQ).

ACTION: Advance Notice of Proposed Rulemaking.

SUMMARY: The Council on Environmental Quality (CEQ) is considering updating its implementing regulations for the procedural provisions of the National Environmental Policy Act (NEPA). Over the past four decades, CEQ has issued numerous guidance documents but has amended its regulations substantively only once. Given the length of time since its NEPA implementing regulations were issued, CEQ solicits public comment on potential revisions to update the regulations and ensure a more efficient, timely, and effective NEPA process consistent with the national environmental policy stated in NEPA.

DATES: Comments should be submitted on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Submit your comments, identified by docket identification (ID) number CEQ-2018-0001 through the Federal eRulemaking portal at <https://www.regulations.gov>. Follow the online instructions for submitting comments.

FOR FURTHER INFORMATION CONTACT: Edward A. Boling, Associate
Director for the National Environmental Policy Act, Council on Environmental Quality,
730 Jackson Place, N.W., Washington, DC 20503. Telephone: (202) 395-5750.

SUPPLEMENTARY INFORMATION:

I. Background

The National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq., was enacted in 1970. NEPA states that “it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.” 42 U.S.C. § 4331(a). NEPA also established CEQ as an agency within the Executive Office of the President. 42 U.S.C. § 4342.

By Executive Order (E.O.) 11514, “Protection and Enhancement of Environmental Quality” (March 5, 1970), President Nixon directed CEQ in Section 3(h) to issue “guidelines to Federal agencies for the preparation of detailed statements on proposals for legislation and other Federal actions affecting the environment, as required by section 102(2)(C) of the Act.” CEQ published these guidelines in April of 1970 and revised them in 1973.

President Carter issued E.O. 11991 (May 24, 1977), “Relating to Protection and Enhancement of Environmental Quality,” which amended Section 3(h) of E.O. 11514 to direct CEQ to issue regulations providing uniform standards for the implementation of

NEPA, and amended Section 2 of E.O. 11514 to require agency compliance with the CEQ regulations. CEQ promulgated its “Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act” (CEQ’s NEPA regulations) at 40 CFR parts 1500-1508. 43 FR 55978 (November 29, 1978). Since that time, CEQ has amended its NEPA regulations substantively only once, to eliminate the “worst case” analysis requirement of 40 CFR 1502.22. 51 FR 15618 (April 25, 1986).

On August 15, 2017, President Trump issued E.O. 13807, “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects.” 82 FR 40463 (August 24, 2017). Section 5(e) of E.O. 13807 directed CEQ to develop an initial list of actions to enhance and modernize the Federal environmental review and authorization process. In response, CEQ published its initial list of actions pursuant to E.O. 13807 and stated that it intends to review its existing NEPA regulations in order to identify changes needed to update and clarify these regulations. 82 FR 43226 (September 14, 2017).

II. Request for Comment

CEQ requests comments on potential revisions to update and clarify CEQ NEPA regulations. In particular, CEQ requests comments on the following specific aspects of these regulations, and requests that commenters include question numbers when providing responses. Where possible, please provide specific recommendations on additions, deletions, and modifications to the text of CEQ’s NEPA regulations and their justifications.

NEPA Process:

1. Should CEQ's NEPA regulations be revised to ensure that environmental reviews and authorization decisions involving multiple agencies are conducted in a manner that is concurrent, synchronized, timely, and efficient, and if so, how?
2. Should CEQ's NEPA regulations be revised to make the NEPA process more efficient by better facilitating agency use of environmental studies, analysis, and decisions conducted in earlier Federal, State, tribal or local environmental reviews or authorization decisions, and if so, how?
3. Should CEQ's NEPA regulations be revised to ensure optimal interagency coordination of environmental reviews and authorization decisions, and if so, how?

Scope of NEPA Review:

4. Should the provisions in CEQ's NEPA regulations that relate to the format and page length of NEPA documents and time limits for completion be revised, and if so, how?
5. Should CEQ's NEPA regulations be revised to provide greater clarity to ensure NEPA documents better focus on significant issues that are relevant and useful to decisionmakers and the public, and if so, how?
6. Should the provisions in CEQ's NEPA regulations relating to public involvement be revised to be more inclusive and efficient, and if so, how?
7. Should definitions of any key NEPA terms in CEQ's NEPA regulations, such as those listed below, be revised, and if so, how?
 - a. Major Federal Action;
 - b. Effects;

- c. Cumulative Impact;
 - d. Significantly;
 - e. Scope; and
 - f. Other NEPA terms.
8. Should any new definitions of key NEPA terms, such as those noted below, be added, and if so, which terms?
- a. Alternatives;
 - b. Purpose and Need;
 - c. Reasonably Foreseeable;
 - d. Trivial Violation; and
 - e. Other NEPA terms.
9. Should the provisions in CEQ's NEPA regulations relating to any of the types of documents listed below be revised, and if so, how?
- a. Notice of Intent;
 - b. Categorical Exclusions Documentation;
 - c. Environmental Assessments;
 - d. Findings of No Significant Impact;
 - e. Environmental Impact Statements;
 - f. Records of Decision; and
 - g. Supplements.
10. Should the provisions in CEQ's NEPA regulations relating to the timing of agency action be revised, and if so, how?

11. Should the provisions in CEQ's NEPA regulations relating to agency responsibility and the preparation of NEPA documents by contractors and project applicants be revised, and if so, how?
12. Should the provisions in CEQ's NEPA regulations relating to programmatic NEPA documents and tiering be revised, and if so, how?
13. Should the provisions in CEQ's NEPA regulations relating to the appropriate range of alternatives in NEPA reviews and which alternatives may be eliminated from detailed analysis be revised, and if so, how?

General:

14. Are any provisions of the CEQ's NEPA regulations currently obsolete? If so, please provide specific recommendations on whether they should be modified, rescinded, or replaced.
15. Which provisions of the CEQ's NEPA regulations can be updated to reflect new technologies that can be used to make the process more efficient?
16. Are there additional ways CEQ's NEPA regulations should be revised to promote coordination of environmental review and authorization decisions, such as combining NEPA analysis and other decision documents, and if so, how?
17. Are there additional ways CEQ's NEPA regulations should be revised to improve the efficiency and effectiveness of the implementation of NEPA, and if so, how?
18. Are there ways in which the role of tribal governments in the NEPA process should be clarified in CEQ's NEPA regulations, and if so, how?

19. Are there additional ways CEQ's NEPA regulations should be revised to ensure that agencies apply NEPA in a manner that reduces unnecessary burdens and delays as much as possible, and if so, how?

20. Are there additional ways CEQ's NEPA regulations related to mitigation should be revised, and if so, how?

(Authority: 42 U.S.C. 4332, 4342, 4344 and 40 CFR Parts 1500, 1501, 1502, 1503, 1505, 1506, 1507, and 1508)

III. Statutory and Executive Order Reviews

Under E.O. 12866, "Regulatory Planning and Review," 58 FR 51735 (October 4, 1993), this is a "significant regulatory action." Accordingly, CEQ submitted this action to the Office of Management and Budget (OMB) for review under E.O. 12866 and any changes made in response to OMB recommendations have been documented in the docket for this action. Because this action does not propose or impose any requirements, and instead seeks comments and suggestions for CEQ to consider in possibly developing a subsequent proposed rule, the various statutes and executive orders that normally apply to rulemaking do not apply in this case. If CEQ decides in the future to pursue a rulemaking, CEQ will address the statutes and executive orders applicable to that rulemaking at that time.

Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

[FR Doc. 2018-13246 Filed: 6/19/2018 8:45 am; Publication Date: 6/20/2018]

Federal NEPA Contacts Webinar

Wednesday, June 20, 2018

3:00 PM - 4:30 PM

(b) (6) Participant Code (b) (6)

(b) (6)

Agenda

- 3:00pm Introduction**
- 3:05pm Update from EJ Interagency Working Group NEPA Sub-Committee**
- 3:15pm Update from EPA's Office of Federal Activities**
- 3:20pm CEQ's Review of Regulations Implementing NEPA**
- 3:55pm Updates on CEQ Initiatives**
- o *ECCR Ten Year Report*
 - o *One Federal Decision*
 - o *EIS Timeline Data*
 - o *CE Guidance and CE List*
- 4:05pm OMB Accountability System**
- o *Accountability System –Permitting Dashboard, agency CERPO roles*
- 4:15pm Open Discussion**



Council on Environmental Quality

Council on Environmental Quality

Federal NEPA Contacts Webinar



*Wednesday, June 20, 2018
3:00-4:30pm*

Council on Environmental Quality



Agenda

Council on Environmental Quality

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Council on Environmental Quality

“Have you heard about the Promising Practices Report?”

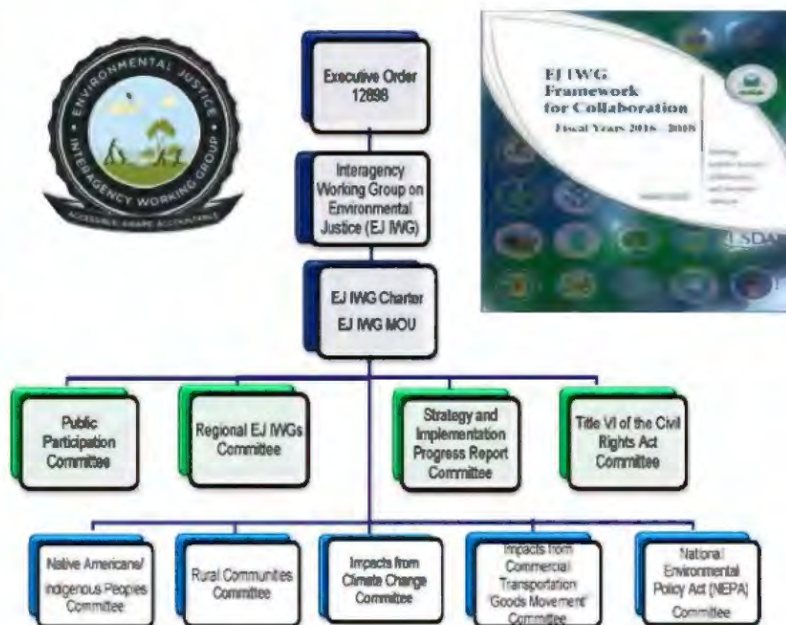


Denise C. Freeman
Co-chair, NEPA Committee
Federal Interagency Working Group on Environmental Justice
CEQ Federal NEPA Contacts Webinar

EJ and NEPA Through the Federal Interagency Working Group on Environmental Justice



EJ IWG Governance Structure 2016 - 2018



December 2015

Charter & MOU (2011)

NEPA Committee Purpose:

Improve effective, efficient and consistent consideration of EJ in the NEPA process

- Share promising practices/lessons learned developed by federal government NEPA practitioners

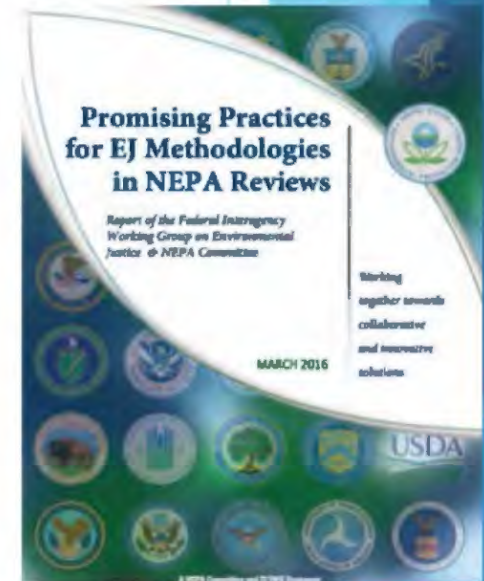
- Provide cross agency training on EJ and NEPA



Promising Practices for EJ Methodologies in NEPA Reviews Report of the Federal Interagency Working Group on Environmental Justice & NEPA Committee (March 2016)



- The report provides an in-depth collection of principles and practices for considering and addressing EJ issues at every step of the NEPA process and should be used in conjunction with established CEQ and NEPA Guidance.
- The NEPA Committee, comprised of Federal NEPA practitioners across the federal family, believes that all federal agencies can benefit from developing effective, efficient, and consistent approaches to addressing environmental justice in their NEPA process.
- The report is available on the EJ IWG's website:
<https://www.epa.gov/environmentaljustice/ej-iwg-promising-practices-ej-methodologies-nepa-reviews>.



Substance: Report on Promising Practices for EJ Methodologies in NEPA Reviews

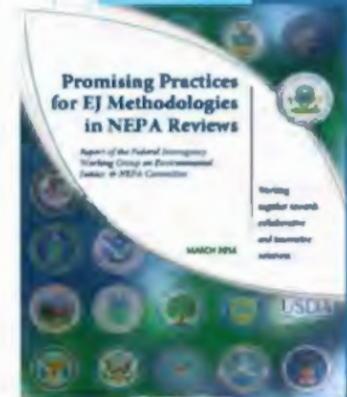


- Compilation of “promising practices” organized in coordinated, functional framework concerning interface of environmental justice considerations through NEPA processes
- Builds upon existing EJ and NEPA Guidance developed by CEQ and federal agencies
- Represents professional experience, knowledge and expertise of individuals participating in the NEPA Committee who are NEPA practitioners in federal agencies
- Captures collective thinking and thoughtful deliberation of shared information and results of research, analysis and discussions
- Joint efforts of the Committee reflect community of NEPA practitioners who seek to enable consideration of EJ within the context of NEPA
- Allows agencies to compare and improve their methodologies for considering EJ now and in the future
- **Does not establish new requirements for NEPA analysis**
- **Is not formal agency guidance**
- **Is not intended to be legally binding or create rights and benefits for any person**

Elements of the Promising Practices Report



Environmental Justice Within National Environmental Policy Act Reviews





Future & Next Steps: Implementation Collaboration, and Innovation



- Continue to promote and encourage agency-wide use of the Promising Practices Report
- Publish and promote the use of the Community Guide to Environmental Justice and NEPA Methods
- Support CEQ's efforts in implementing EO 13087



“Now that you’ve heard about the Promising Practices Report...”



- Spread the word about the Promising Practices Report and the Community Guide, i.e., training or a briefing at your agency
- Volunteer and get involved with our efforts to promote more awareness
- Continue Implementation and Collaboration at your agencies on EJ and NEPA issues
- Give feedback on the Promising Practices Report



Thank You

Denise C. Freeman

Denise.Freeman@hq.doe.gov

EPA NEPA/309 Update



NEPA/309 Survey Results

- ▶ Over 160 respondents across 43 agencies
- ▶ Feedback centered around 3 primary subject areas:
 - ▶ Quality and consistency of 309 letters
 - ▶ Value of early engagement
 - ▶ Utility of 309 Rating System



Subsequent EPA Actions

- ▶ Letter Writing Guidance to regions (August 2017)
- ▶ Increased emphasis on early engagement
- ▶ Evaluation of alternatives to current 309 Rating System





Agenda

Council on Environmental Quality

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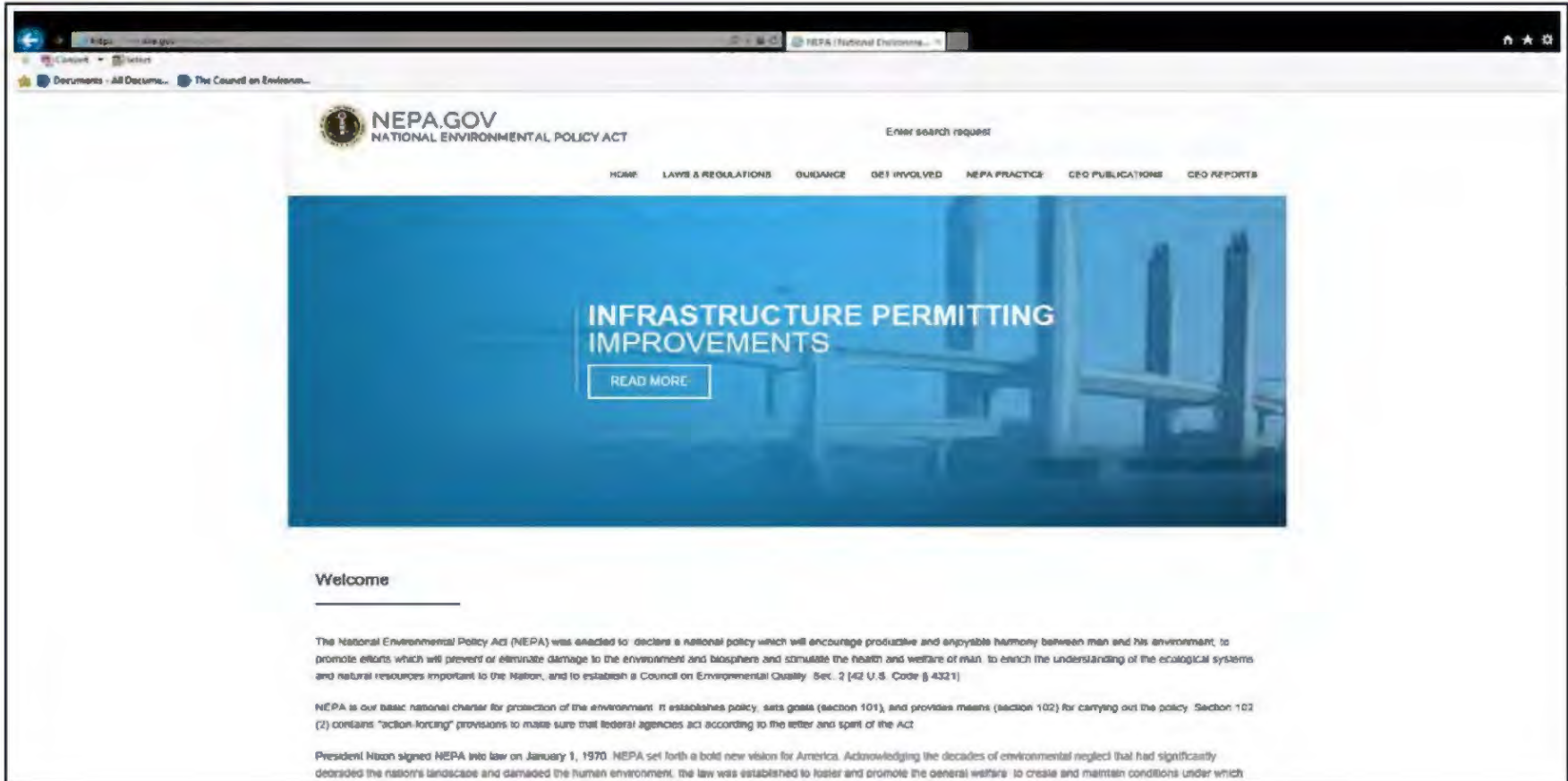


Council on Environmental Quality



Questions?

Council on Environmental Quality



<https://ceq.doe.gov/index.html>



Council on Environmental Quality

[EXTERNAL] Re: FW: CEQ NEPA Regulations ANPRM

From: borgstrom <borgstrom@cox.net>

To: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>

Date: Tue, 19 Jun 2018 14:43:44 -0400

Thanks. Can you give me a call at (b) (6)?

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>

Date: 6/19/18 2:29 PM (GMT-05:00)

To: borgstrom@cox.net

Subject: FW: CEQ NEPA Regulations ANPRM

From: FN-CEQ-NEPA

Sent: Tuesday, June 19, 2018 12:44 PM

To: Schneider, Daniel J. EOP/CEQ <(b) (6)>

Cc: Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ

<(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>

Carol,

If you have thoughts on what might be improved in the CEQ regulations, feel free to submit comments. At tomorrow's meeting of the Federal NEPA Contacts, Ted plans to encourage them to distribute this widely.

Regards,

Yardena

Subject: CEQ NEPA Regulations ANPRM

Dear Colleagues,

The Council on Environmental Quality (CEQ) has submitted an Advance Notice of Proposed Rulemaking (ANPRM) titled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act" to the *Federal Register* for publication and public comment. As a respected member of the NEPA community, I want to ensure that you are engaged early in the process as CEQ begins this undertaking.

I've attached a copy of the ANPRM for your reference. (><https://s3.amazonaws.com/public-inspection.federalregister.gov/2018-13246.pdf><) The official version will publish in the *Federal Register*. The ANPRM asks a series of 20 questions on the NEPA process, the scope of NEPA review, and other areas of interest related to NEPA. CEQ requests comment on potential revisions to update and clarify CEQ's NEPA regulations. Comments should be submitted on or before July 20, 2018, and should be submitted through ><https://www.regulations.gov>< by following the online instructions for submitting comments to Docket ID No. CEQ-2018-0001.

Sincerely,

Ted

Edward A. Boling

Associate Director for the

National Environmental Policy Act

Council on Environmental Quality

730 Jackson Place

Washington, DC 20503

RE: CEQ NEPA Regulations ANPRM

From: Reid Nelson <rnelson@achp.gov>

To: "Drummond, Michael R. EOP/CEQ" <(b) (6)>

Date: Wed, 20 Jun 2018 10:30:41 -0400

Thx.

From: Drummond, Michael R. EOP/CEQ [mailto:(b) (6)]

Sent: Wednesday, June 20, 2018 10:16 AM

To: Reid Nelson

Subject: FW: CEQ NEPA Regulations ANPRM

Reid,

The official Federal Register version is attached and available here:

<https://www.federalregister.gov/documents/2018/06/20/2018-13246/update-to-the-regulations-for-implementing-the-procedural-provisions-of-the-national-environmental-act>

It is also available on regulations.gov at <https://www.regulations.gov/docket?D=CEQ-2018-0001>

Best,

Michael

From: FN-CEQ-NEPA

Sent: Tuesday, June 19, 2018 12:44 PM

To: Schneider, Daniel J. EOP/CEQ <(b) (6)>

Cc: Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ

<(b) (6)> Mansoor, Yardena M. EOP/CEQ

<(b) (6)>

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Sincerely,

Ted

Edward A. Boling
Associate Director for the
National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place
Washington, DC 20503

Accepted: CEQ Federal NEPA Contacts Webinar @ Wed Jun 20, 2018 3pm - 4:30pm (EDT) (FN-CEQ-NEPA)

Where: Webinar: (b) (6) (b) (6) (b) (6)

When: Wed Jun 20 15:00:00 2018 (America/New_York)

Until: Wed Jun 20 16:30:00 2018 (America/New_York)

Organiser:

Required Attendee:

Optional Attendee:

joyce_stanley@ios.doi.gov has accepted this invitation.

CEQ Federal NEPA Contacts Webinar

When Wed Jun 20, 2018 3pm – 4:30pm Eastern Time

Where Webinar: (b) (6) (b) (6) (b) (6) ([map](#))

Calendar FN-CEO-NEPA

Who

- FN-CEQ-NEPA - organizer
- joyce_stanley@ios.doi.gov - creator
- denise.freeman@hq.doe.gov
- Upchurch, Sara H. EOP/CEQ
- Hanley, Karen A. EOP/CEQ
- Drummond, Michael R. EOP/CEQ
- Mansoor, Yardena M. EOP/CEQ
- Boling, Ted A. EOP/CEQ
- Osterhues, Marlys A. EOP/CEQ

Attachments [NEPA Contacts Mtg 6.20 - Agenda.docx](#)
[CEQNEPAContactsWebinar_06_20_18_final.pdf](#)
[Webinar Instructions 062018.doc](#)
[CEQ NEPA Regulations ANPRM \(pre-publication\).pdf](#)
[ECCR Benefits Recommendations Report_5-02-018.pdf](#)

Good afternoon Federal NEPA Contacts,

In advance of tomorrow's webinar, we have updated the tele-conference participant code (correct code is (b) (6)). Pleased find attached 1) a meeting agenda for tomorrow's webinar, 2) a slide deck for those unable to join the webinar, 3) instructions for joining the webinar, 4) the pre-publication version of the Advance Notice of Proposed Rulemaking for the CEQ NEPA Regulations,

and 5) a Report from the Federal Forum on Environmental Collaboration and Conflict Resolution.

Lastly, please take a moment to review your agency's NEPA Contact listed here:
><https://ceq.doe.gov/docs/nepa-practice/2018-Federal-NEPA-contacts-and-websites-2018-06-15.pdf>< and provide any necessary updates via email to (b) (6)

Sincerely,

The CEQ NEPA Team

CEQ will host the Summer Meeting of the Federal NEPA Contacts via webinar on Wednesday, June 20 from 3:00pm – 4:30pm EDT.

Conference number and webinar URL are provided below. An agenda will be provided in advance of the meeting along with a PDF of the webinar slides for those unable to join the webinar.

Audio Conference Details:

Conference Number (Toll Free): (b) (6)

Participant Code: (b) (6)

To join the meeting:

(b) (6)

If you have never attended an Adobe Connect meeting before:

Test your connection: >https://meet.gsa.gov/common/help/en/support/meeting_test.htm<

Get a quick overview: ><http://www.adobe.com/products/adobeconnect.html><

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Invitation from [Google Calendar](#)

You are receiving this courtesy email at the account (b) (6) because you are an attendee of this event.

To stop receiving future updates for this event, decline this event. Alternatively you can sign up for a Google account at ><https://www.google.com/calendar/>< and control your notification settings for your entire calendar.

Forwarding this invitation could allow any recipient to modify your RSVP response. [Learn More](#).

Re: Regulation Digest, June 20

From: "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">

To: "Phillips, Michael B." <mphillips@fdic.gov>

Date: Wed, 20 Jun 2018 16:31:56 -0400

Unfortunately just a link to the Federal Register.

On Jun 20, 2018, at 2:44 PM, Phillips, Michael B. <MPhillips@FDIC.gov> wrote:

CEQ's ANPR is the featured article.

Michael Phillips
Counsel, Legal Division, FDIC
550 17th Street, NW
Washington, DC 20429
(202) 898-3581
mphillips@fdic.gov

From: Regulatory Studies Center [<mailto:regulatorystudies@gwu.edu>]
Sent: Wednesday, June 20, 2018 2:38 PM
To: Phillips, Michael B.
Subject: Regulation Digest, June 20

Having trouble viewing this email? [Click here](#)



	<h1>Regulation Digest</h1> <p>June 20, 2018 Vol. 7 No. 25 Edited by Bryce Chinault</p> <p>Tweet @RegStudies . Like us on Facebook Subscribe</p>
---	---

Marketplace of Ideas

American Action

Feature Story

Forum

- [An Active Week For Homeland Security](#), Dan Goldbeck
- [Don't Forget About The GSEs](#), Meghan Milloy

AEI

- [Patent Issues in 2018](#) (Event, 6/21)
- [Glimpsing into the Future After the AT&T-Time Warner Trial](#), Daniel Lyons
- [Forward to the Future in AT&T-Time Warner Decision](#), Bronwyn Howell

Bipartisan Policy Center

- [How Can We Fix the Opioid Crisis: Four Ideas](#), Parekh & Ridlon
- [The Power of Local Innovation: Tackling Economic Insecurity](#) (Event, 6/24)

Brookings

- [Spurring Innovation and Competition in the U.S. Economy](#) (Event recap)
- [The State of Competition and Dynamism: Facts about Concentration, Start-Ups, and Related Policies](#), Shambaugh, Nunn, Breitwieser, & Liu
- [The FCC and Cities: The Good, the Bad, and the Ugly](#), Blair Levin

Cato Institute

- [Lobbying on Regulatory Enforcement Actions: Evidence from U.S. Commercial and Savings Banks](#), Thomas Lambert
- [Trump's AHPs Rule: a Generally Lousy Idea that Would Reduce Premiums for Some and Make ObamaCare Costs More Transparent](#), Michael Cannon

Center for Progressive Reform

- [Deconstructing Regulatory Science](#), Wendy Wagner & Rena Steinzor

[Comments Sought on NEPA Updates](#)

The Council on Environmental Quality is seeking public comment on potential revisions to update the National Environmental Policy Act regulations and ensuring a more efficient, timely, and effective NEPA process. Comments are due by July 20.

Rulemaking

Federal Reserve Issues Multiple Final Rules

The Fed issues final rules on [Regulation A: Extensions of Credit by Federal Reserve Banks](#) which increases the primary credit rate from 2.75% to 3.0%, and [Regulation D: Reserve Requirements of Depository Institutions](#) which increases the interest paid on balances maintained to satisfy reserve balance requirements by 0.2% to 1.95%.

[17 Agencies Issue Delay to Human Research Subjects Rule](#)

17 agencies, including EPA, HHS, DHS, DOL, and DOT, jointly published a final rule that delays the effective date of their January 2017 [rule](#) revising federal policies and oversight for human subjects of research. The final rule delays the effective date until January 2019.

[EPA Proposes Waste Incineration Standards](#)

On June 23, 2016 the EPA promulgated its final response to petitions for reconsideration of the final new source performance standards and emission guidelines for commercial and industrial solid waste incineration units which were promulgated on March 21, 2011 and were revised after reconsideration on February 7, 2013. This proposed rule addresses issues related to testing and monitoring issues following the June 2016 announcement. Comments are due by July 30.

[HUD Seeks Comments on Fair Housing Standards](#)

Housing and Urban Development's ANPR invites public comment on possible amendments to HUD's 2013 final rule implementing the Fair Housing Act's disparate impact standard, as well as the 2016 supplement to HUD's responses to certain insurance industry comments. HUD is reviewing the final rule and supplement to determine what changes, if any, are appropriate following a recent Supreme Court ruling. The ruling held that disparate impact claims were cognizable under the Fair Housing Act and discussed standards for, and the constitutional limitations on, such claims. Comments are due by August 20.

Agencies

CEI

- [This Week in Ridiculous Regulations](#), Ryan Young
- [Options for Regulatory Reform](#), Ryan Young
- [Unshackle Middle-Class Investors and Entrepreneurs](#), John Berlau
- [Labor and Employment](#), Trey Kovacs
- [Bring Accountability to the Financial Regulators](#), Daniel Press

Federalist Society

- [Net Neutrality - CRA Weekly Roundup 2](#)
- [Executive Overreach at the EPA? The Pebble Mine Clean Water Act Dispute](#), (Event recap)

Free State Foundation

- [FSF Seminar](#), (Event 6/28)

GW Regulatory Studies Center

- [Public Interest Comment on FDA's Tobacco Product Standard for Nicotine Level of Combusted Cigarettes](#), David Zorn

GAO

- [Lead Paint in Housing](#)

Heritage Foundation

- [The Administrative State and the Structure of the Constitution](#), Neomi Rao

Manhattan Institute

- [Streamlining Infrastructure Environmental Review](#), Charles Hughes

Mercatus Center

- [The Internet of Things and Consumer Product Hazards](#), Thierer, Huddleston Skees, & Hobson
- [Fintech Sandboxes at the Bureau of Consumer Financial Protection](#), Brian Knight

R Street

- [The Role of Markets in Spectrum Policy](#), Joe Kane

[FDA Schedules Meeting on Lab-Grown Meat](#)

The Food and Drug Administration announced a public meeting entitled "Foods Produced Using Animal Cell Culture Technology" will take place July 12 from 8:30 am - 3:00 pm. FDA is holding the public meeting to provide the public with an opportunity to provide comments related to the production of foods using animal cell culture technology.

See also: Susan Dudley's op-ed, "[There's The Beef But Where's The Cow?](#)"

In Opinion

- **Susan E. Dudley:** [Increasing EPA's Scientific Transparency](#)
- **Philip Wallach:** [Why a Delegation Skeptic Is Suspicious of the REINS Act](#)
- **Sarah Morris:** [Net Neutrality has been Repealed, but Congress Could Still Bring it Back](#)
- **Rami Essaid:** [America has Reason to Remember its Consumer Protection Tradition When it Comes to Privacy](#)
- **Jeff Hauser:** [Dems Must Stop Picking Foxes to Guard the Financial Hen House](#)
- **Jay Shah:** [The SEC Fires a Warning Shot, Now It's Time For Investors to Storm the Gates](#)
- **Fred Campbell:** [Applying the Trump Doctrine To Net Neutrality](#)
- **John Kneuer:** [The New T-Mobile Won't Thwart the 5G Revolution, It Will Start It](#)
- **Randolph May & Theodore Bolema:** [After AT&T/Time Warner, Antitrust Authorities Should Abandon Their Craft](#)
- **Marc Edelman:** [How the Practice of Fantasy Sports Law Has Transformed Into Administrative Law](#)
- **Dante Disparte:** [When It Comes to Cryptocurrencies and the SEC, Decentralization is Key](#)
- **Erin Smith:** [Should Environmentalists Support Carbon Capture?](#)
- **Devin Hartman:** [The Grid of the Future](#)
- **Henry Miller & Josh Bloom:** [Dianne Feinstein's Unscientific Chemical Scare Bill](#)
- **Henry Miller & Jeff Stier:** [USDA is Supposed to Regulate Animal Health, Not Animal Happiness](#)
- **Holly Bunting, Steve Kaplan, & Elyse Moyer:** [Crapo Act is More Than a Deregulatory Party for Banks](#)

In the News

The Regulatory Review

- [Science, Transparency, and Environmental Policy](#), Series of Essays
- [Week in Review](#)
- [More Permissive Zoning Codes Could Make U.S. Workers Richer](#), Benjamin Somogyi
- [Science and Democratic Policy in a Data-Driven World](#), David Zorn

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[Want to Rent Out Your Car? You Might Be Regulated](#), *Wall Street*

Journal

[Regulation Adding More than 30 Percent to New Multifamily Projects, Survey Finds](#), *Washington Business Journal*

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[Ether Shouldn't Be Subject to SEC Regulation, Official Says](#), *Wall Street Journal*

[How Coinbase Thinks About Crypto Regulation](#) (Video), *Yahoo*

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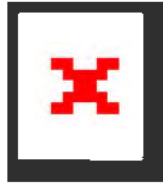


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FW: Regulation Digest, June 20

From: "Phillips, Michael B." <mphillips@fdic.gov>

To: "Mansoor, Yarden M. EOP/CEQ" <(b) (6)>

Date: Wed, 20 Jun 2018 14:43:40 -0400

CEQ's ANPR is the featured article.

Michael Phillips
Counsel, Legal Division, FDIC
550 17th Street, NW
Washington, DC 20429
(202) 898-3581
mphillips@fdic.gov

From: Regulatory Studies Center [<mailto:regulatorystudies@gwu.edu>]

Sent: Wednesday, June 20, 2018 2:38 PM

To: Phillips, Michael B.

Subject: Regulation Digest, June 20

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	<h1>Regulation Digest</h1> <p>June 20, 2018 Vol. 7 No. 25 Edited by Bryce Chinault</p> <p>Tweet @RegStudies . Like us on Facebook Subscribe</p>
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Marketplace of Ideas

American Action Forum

- [An Active Week For Homeland Security](#), Dan Goldbeck
- [Don't Forget About The GSEs](#), Meghan Milloy

Feature Story

[Comments Sought on NEPA Updates](#)

The Council on Environmental Quality is seeking public comment on potential revisions to update the National Environmental Policy Act regulations and ensuring a more efficient, timely, and effective NEPA process. Comments are due by July 20.

AEI

- [Patent Issues in 2018](#) (Event, 6/21)
- [Glimpsing into the Future After the AT&T-Time Warner Trial](#), Daniel Lyons
- [Forward to the Future in AT&T-Time Warner Decision](#), Bronwyn Howell

Bipartisan Policy Center

- [How Can We Fix the Opioid Crisis: Four Ideas](#), Parekh & Ridlon
- [The Power of Local Innovation: Tackling Economic Insecurity](#) (Event, 6/24)

Brookings

- [Spurring Innovation and Competition in the U.S. Economy](#) (Event recap)
- [The State of Competition and Dynamism: Facts about Concentration, Start-Ups, and Related Policies](#), Shambaugh, Nunn, Breitwieser, & Liu
- [The FCC and Cities: The Good, the Bad, and the Ugly](#), Blair Levin

Cato Institute

- [Lobbying on Regulatory Enforcement Actions: Evidence from U.S. Commercial and Savings Banks](#), Thomas Lambert
- [Trump's AHPs Rule: a Generally Lousy Idea that Would Reduce Premiums for Some and Make ObamaCare Costs More Transparent](#), Michael Cannon

Center for Progressive Reform

- [Deconstructing Regulatory Science](#), Wendy Wagner & Rena Steinzor

CEI

- [This Week in Ridiculous Regulations](#), Ryan Young
- [Options for Regulatory Reform](#), Ryan Young
- [Unshackle Middle-Class](#)

Rulemaking

Federal Reserve Issues Multiple Final Rules

The Fed issues final rules on [Regulation A: Extensions of Credit by Federal Reserve Banks](#) which increases the primary credit rate from 2.75% to 3.0%, and [Regulation D: Reserve Requirements of Depository Institutions](#) which increases the interest paid on balances maintained to satisfy reserve balance requirements by 0.2% to 1.95%.

17 Agencies Issue Delay to Human Research Subjects Rule

17 agencies, including EPA, HHS, DHS, DOL, and DOT, jointly published a final rule that delays the effective date of their January 2017 [rule](#) revising federal policies and oversight for human subjects of research. The final rule delays the effective date until January 2019.

EPA Proposes Waste Incineration Standards

On June 23, 2016 the EPA promulgated its final response to petitions for reconsideration of the final new source performance standards and emission guidelines for commercial and industrial solid waste incineration units which were promulgated on March 21, 2011 and were revised after reconsideration on February 7, 2013. This proposed rule addresses issues related to testing and monitoring issues following the June 2016 announcement. Comments are due by July 30.

HUD Seeks Comments on Fair Housing Standards

Housing and Urban Development's ANPR invites public comment on possible amendments to HUD's 2013 final rule implementing the Fair Housing Act's disparate impact standard, as well as the 2016 supplement to HUD's responses to certain insurance industry comments. HUD is reviewing the final rule and supplement to determine what changes, if any, are appropriate following a recent Supreme Court ruling. The ruling held that disparate impact claims were cognizable under the Fair Housing Act and discussed standards for, and the constitutional limitations on, such claims. Comments are due by August 20.

Agencies

FDA Schedules Meeting on Lab-Grown Meat

The Food and Drug Administration announced a public meeting entitled "Foods Produced Using Animal Cell Culture Technology" will take place July 12 from 8:30 am - 3:00 pm. FDA is holding the public meeting to provide the public with an opportunity to provide

[Investors and Entrepreneurs](#), John Berlau
- [Labor and Employment](#), Trey Kovacs
- [Bring Accountability to the Financial Regulators](#), Daniel Press

Federalist Society

- [Net Neutrality - CRA Weekly Roundup 2](#)
- [Executive Overreach at the EPA? The Pebble Mine Clean Water Act Dispute](#), (Event recap)

Free State Foundation

- [FSF Seminar](#), (Event 8/28)

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- [Public Interest Comment on FDA's Tobacco Product Standard for Nicotine Level of Combusted Cigarettes](#), David Zorn

GAO

- [Lead Paint in Housing](#)

Heritage Foundation

- [The Administrative State and the Structure of the Constitution](#), Neomi Rao

Manhattan Institute

- [Streamlining Infrastructure Environmental Review](#), Charles Hughes

Mercatus Center

- [The Internet of Things and Consumer Product Hazards](#), Thierer, Huddleston Skees, & Hobson
- [Fintech Sandboxes at the Bureau of Consumer Financial Protection](#), Brian Knight

R Street

- [The Role of Markets in Spectrum Policy](#), Joe Kane

The Regulatory Review

- [Science, Transparency, and Environmental Policy](#), Series of Essays
- [Week in Review](#)
- [More Permissive Zoning](#)

comments related to the production of foods using animal cell culture technology.

See also: Susan Dudley's op-ed, "[There's The Beef But Where's The Cow?](#)"

In Opinion

- **Susan E. Dudley:** [Increasing EPA's Scientific Transparency](#)
- **Philip Wallach:** [Why a Delegation Skeptic Is Suspicious of the REINS Act](#)
- **Sarah Morris:** [Net Neutrality has been Repealed, but Congress Could Still Bring it Back](#)
- **Rami Essaid:** [America has Reason to Remember its Consumer Protection Tradition When it Comes to Privacy](#)
- **Jeff Hauser:** [Dems Must Stop Picking Foxes to Guard the Financial Hen House](#)
- **Jay Shah:** [The SEC Fires a Warning Shot, Now It's Time For Investors to Storm the Gates](#)
- **Fred Campbell:** [Applying the Trump Doctrine To Net Neutrality](#)
- **John Kneuer:** [The New T-Mobile Won't Thwart the 5G Revolution, It Will Start It](#)
- **Randolph May & Theodore Bolema:** [After AT&T/Time Warner, Antitrust Authorities Should Abandon Their Craft](#)
- **Marc Edelman:** [How the Practice of Fantasy Sports Law Has Transformed Into Administrative Law](#)
- **Dante Disparte:** [When It Comes to Cryptocurrencies and the SEC, Decentralization is Key](#)
- **Erin Smith:** [Should Environmentalists Support Carbon Capture?](#)
- **Devin Hartman:** [The Grid of the Future](#)
- **Henry Miller & Josh Bloom:** [Dianne Feinstein's Unscientific Chemical Scare Bill](#)
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Street Journal

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CEQ is considering amending its NEPA Regulations

From: "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">
To: mandelker@wustl.edu
Date: Thu, 21 Jun 2018 13:00:23 -0400
Attachments
: ANPR (83 FR 28591) 2018-06-20.pdf (195.85 kB)

Professor Mandelker,

I hope this finds you well -- thought I'd take a minute to say hello and alert you to NEPA news, in case you hadn't heard. . . .

Michael and I are still both working, respectively at FDIC and Department of Energy. DOE's NEPA Program has been less vibrant at headquarters since Carol Borgstrom's retirement in early 2017 and a subsequent reassignment of NEPA responsibilities from headquarters to the field offices. You have probably noticed that we have not published *Lessons Learned Quarterly Report* since last September. Since January, I have been on detail to the Council on Environmental Quality, which has been an interesting and gratifying opportunity for me to contribute in a different way.

Yesterday CEQ published an advance notice of proposed rulemaking (attached) inviting comments on potential revisions to update and clarify the CEQ NEPA regulations. Twenty questions are provided as means of structuring the conversation. Comments should be submitted on or before July 20, 2018, and should be submitted through <https://www.regulations.gov> by following the online instructions for submitting comments to Docket ID No. CEQ-2018-0001. We would especially value any recommendations you may make that reflect your unique depth of experience with NEPA.

Fond regards,

Yardena Mansoor

Deputy Associate Director for NEPA
Council on Environmental Quality

(b) (6) / (b) (6)

requirements, Superfund, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(d); 42 U.S.C. 9601–9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p. 306; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Dated: May 30, 2018.

Cosmo Servidio,

Regional Administrator, U.S. Environmental Protection Agency Region 3.

[FR Doc. 2018–12709 Filed 6–10–18; 8:45 am]

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COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Parts 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, and 1508

[Docket No. CEQ–2018–0001]

RIN: 0331–AA03

Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

AGENCY: Council on Environmental Quality (CEQ).

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Council on Environmental Quality (CEQ) is considering updating its implementing regulations for the procedural provisions of the National Environmental Policy Act (NEPA). Over the past four decades, CEQ has issued numerous guidance documents but has amended its regulations substantively only once. Given the length of time since its NEPA implementing regulations were issued, CEQ solicits public comment on potential revisions to update the regulations and ensure a more efficient, timely, and effective NEPA process consistent with the national environmental policy stated in NEPA.

DATES: Comments should be submitted on or before July 20, 2018.

ADDRESSES: Submit your comments, identified by docket identification (ID) number CEQ–2018–0001 through the Federal eRulemaking portal at <https://www.regulations.gov>. Follow the online instructions for submitting comments.

FOR FURTHER INFORMATION CONTACT: Edward A. Boling, Associate Director for the National Environmental Policy Act, Council on Environmental Quality, 730 Jackson Place NW, Washington, DC 20503. Telephone: (202) 395–5750.

SUPPLEMENTARY INFORMATION:

I. Background

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, was enacted in 1970. NEPA states that “it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.” 42 U.S.C. 4331(a). NEPA also established CEQ as an agency within the Executive Office of the President. 42 U.S.C. 4342.

By Executive Order (E.O.) 11514, “Protection and Enhancement of Environmental Quality” (March 5, 1970), President Nixon directed CEQ in Section 3(h) to issue “guidelines to Federal agencies for the preparation of detailed statements on proposals for legislation and other Federal actions affecting the environment, as required by section 102(2)(C) of the Act.” CEQ published these guidelines in April of 1970 and revised them in 1973.

President Carter issued E.O. 11991 (May 24, 1977), “Relating to Protection and Enhancement of Environmental Quality,” which amended Section 3(h) of E.O. 11514 to direct CEQ to issue regulations providing uniform standards for the implementation of NEPA, and amended Section 2 of E.O. 11514 to require agency compliance with the CEQ regulations. CEQ promulgated its “Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act” (CEQ’s NEPA regulations) at 40 CFR parts 1500–1508. 43 FR 55978 (November 29, 1978). Since that time, CEQ has amended its NEPA regulations substantively only once, to eliminate the “worst case” analysis requirement of 40 CFR 1502.22. 51 FR 15618 (April 25, 1986).

On August 15, 2017, President Trump issued E.O. 13807, “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects.” 82 FR 40463 (August 24, 2017). Section 5(e) of E.O. 13807 directed CEQ to develop an initial list of actions to enhance and modernize the Federal environmental review and authorization process. In response, CEQ published its initial list of actions pursuant to E.O. 13807 and stated that it intends to

review its existing NEPA regulations in order to identify changes needed to update and clarify these regulations. 82 FR 43226 (September 14, 2017).

II. Request for Comment

CEQ requests comments on potential revisions to update and clarify CEQ NEPA regulations. In particular, CEQ requests comments on the following specific aspects of these regulations, and requests that commenters include question numbers when providing responses. Where possible, please provide specific recommendations on additions, deletions, and modifications to the text of CEQ’s NEPA regulations and their justifications.

NEPA Process

1. Should CEQ’s NEPA regulations be revised to ensure that environmental reviews and authorization decisions involving multiple agencies are conducted in a manner that is concurrent, synchronized, timely, and efficient, and if so, how?

2. Should CEQ’s NEPA regulations be revised to make the NEPA process more efficient by better facilitating agency use of environmental studies, analysis, and decisions conducted in earlier Federal, State, tribal or local environmental reviews or authorization decisions, and if so, how?

3. Should CEQ’s NEPA regulations be revised to ensure optimal interagency coordination of environmental reviews and authorization decisions, and if so, how?

Scope of NEPA Review

4. Should the provisions in CEQ’s NEPA regulations that relate to the format and page length of NEPA documents and time limits for completion be revised, and if so, how?

5. Should CEQ’s NEPA regulations be revised to provide greater clarity to ensure NEPA documents better focus on significant issues that are relevant and useful to decisionmakers and the public, and if so, how?

6. Should the provisions in CEQ’s NEPA regulations relating to public involvement be revised to be more inclusive and efficient, and if so, how?

7. Should definitions of any key NEPA terms in CEQ’s NEPA regulations, such as those listed below, be revised, and if so, how?

- a. Major Federal Action;
- b. Effects;
- c. Cumulative Impact;
- d. Significantly;
- e. Scope; and
- f. Other NEPA terms.

8. Should any new definitions of key NEPA terms, such as those noted below, be added, and if so, which terms?

a. Alternatives;
 b. Purpose and Need;
 c. Reasonably Foreseeable;
 d. Trivial Violation; and
 e. Other NEPA terms.
 9. Should the provisions in CEQ's NEPA regulations relating to any of the types of documents listed below be revised, and if so, how?

a. Notice of Intent;
 b. Categorical Exclusions Documentation;
 c. Environmental Assessments;
 d. Findings of No Significant Impact;
 e. Environmental Impact Statements;
 f. Records of Decision; and
 g. Supplements.

10. Should the provisions in CEQ's NEPA regulations relating to the timing of agency action be revised, and if so, how?

11. Should the provisions in CEQ's NEPA regulations relating to agency responsibility and the preparation of NEPA documents by contractors and project applicants be revised, and if so, how?

12. Should the provisions in CEQ's NEPA regulations relating to programmatic NEPA documents and tiering be revised, and if so, how?

13. Should the provisions in CEQ's NEPA regulations relating to the appropriate range of alternatives in NEPA reviews and which alternatives may be eliminated from detailed analysis be revised, and if so, how?

General

14. Are any provisions of the CEQ's NEPA regulations currently obsolete? If so, please provide specific recommendations on whether they should be modified, rescinded, or replaced.

15. Which provisions of the CEQ's NEPA regulations can be updated to reflect new technologies that can be used to make the process more efficient?

16. Are there additional ways CEQ's NEPA regulations should be revised to promote coordination of environmental review and authorization decisions, such as combining NEPA analysis and other decision documents, and if so, how?

17. Are there additional ways CEQ's NEPA regulations should be revised to improve the efficiency and effectiveness of the implementation of NEPA, and if so, how?

18. Are there ways in which the role of tribal governments in the NEPA process should be clarified in CEQ's NEPA regulations, and if so, how?

19. Are there additional ways CEQ's NEPA regulations should be revised to ensure that agencies apply NEPA in a manner that reduces unnecessary

burdens and delays as much as possible, and if so, how?

20. Are there additional ways CEQ's NEPA regulations related to mitigation should be revised, and if so, how?

(Authority: 42 U.S.C. 4332, 4342, 4344 and 40 CFR parts 1500, 1501, 1502, 1503, 1505, 1506, 1507, and 1508)

III. Statutory and Executive Order Reviews

Under E.O. 12866, "Regulatory Planning and Review," 58 FR 51735 (October 4, 1993), this is a "significant regulatory action." Accordingly, CEQ submitted this action to the Office of Management and Budget (OMB) for review under E.O. 12866 and any changes made in response to OMB recommendations have been documented in the docket for this action. Because this action does not propose or impose any requirements, and instead seeks comments and suggestions for CEQ to consider in possibly developing a subsequent proposed rule, the various statutes and executive orders that normally apply to rulemaking do not apply in this case. If CEQ decides in the future to pursue a rulemaking, CEQ will address the statutes and executive orders applicable to that rulemaking at that time.

Mary B. Neumayr,
 Chief of Staff, Council on Environmental Quality.

[FR Doc. 2018-13246 Filed 6-19-18; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

41 CFR Part 105-60

[GSPMR Case 2016-105-1; Docket No. 2016-0004, Sequence No. 1]

RIN 3090-AJ74

Public Availability of Agency Records and Informational Materials

AGENCY: Office of Administrative Services (OAS), General Services Administration (GSA).

ACTION: Proposed rule.

SUMMARY: The General Services Administration (GSA) is issuing a proposed rule to amend its regulations implementing the Freedom of Information Act (FOIA). The regulations are being revised to update and streamline the language of several procedural provisions and to incorporate certain changes brought about by the amendments to the FOIA under both statutory and nonstatutory authorities. This rule also amends the

GSA's regulations under the Freedom of Information Act (FOIA) to incorporate certain changes made to the FOIA by the FOIA Improvement Act of 2016.

Additionally, the regulations are being updated to reflect developments in case law, executive guidance from the Department of Justice—Office of Information Policy, technological advancements in how the FOIA is administered, and to include current cost figures to be used in calculating and charging fees. Finally, the revisions increase the amount of information that members of the public may receive from the Agency without being charged processing fees through proactive disclosures.

DATES: Interested parties should submit written comments to the Regulatory Secretariat Division at one of the addresses shown below on or before August 20, 2018 to be considered in the formation of the final rule.

ADDRESSES: Submit comments in response to GSPMR case 2016-105-1 by any of the following methods:

- *Regulations.gov*; <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching for "GSPMR Case 2016-105-1". Select the link "Comment Now" that corresponds with "GSPMR Case 2016-105-1." Follow the instructions provided on the screen. Please include your name, company name (if any), and "GSPMR Case 2016-105-1" on your attached document.

- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), ATTN: Ms. Lois Mandell, 1800 F Street NW, 2nd Floor, Washington, DC 20405.

Instructions: Please submit comments only and cite GSPMR Case 2016-105-1, in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check www.regulations.gov, approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Travis S. Lewis, Director of GSA, OAS, Freedom of Information Act and Records Management Division, at 202-219-3078 via email at travis.lewis@gsa.gov for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202-501-4755. Please cite GSPMR Case 2016-105-1.

Preview of ANPR responses so far

From: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>

To: "Drummond, Michael R. EOP/CEQ" <(b) (6)>

Date: Wed, 27 Jun 2018 14:13:02 -0400

Thought I'd give you a preview. If you have any suggestions, please let me know.

Notes:

- **Log:** For comments on reg.gov, these are the docket numbers; for the others, I'm assigning numbers chronologically.
- **Name:** For comments submitted as an attachment, the name is the signer, not necessarily the uploader into reg.gov (who is listed on the regs.gov comment folder).
- **In Scope:** "General" signifies support or opposition to revising the CEQ regulations, etc. "Yes" submittals address specific question from the ANPR and are tallied in columns to the right (not shown here) for each of the questions. "Overview/Notable" is a high-level characterization, and not necessarily the commenter's wording.
- There are four extension requests so far, one of which represents >350 NGOs; all request a 60-day extension; two also request public hearings.
- I also have columns not shown here for address, zip code, and email. I'm not sure it's worth the effort of transcribing these, as most the submittals lack this information.

25		Number of Responses			25
Log	Mode	Organization / Name	Posted/Rcd.	In Scope?	Overview/Notable
0005	Portal	Thomas King	25-Jun-2018	Yes	Offers thoughts on whether and how to revise
0006	Portal	Thomas King	25-Jun-2018	General	Objects to Qs; re-imagine NEPA from scratch
0007	Portal	John Roberts	25-Jun-2018	General	Do not make changes
0008	Portal	Larry Freilich	25-Jun-2018	Yes	Page and time limits may cause problems
0009	Portal	Rue Eich	25-Jun-2018	General	Do not make changes
0010	Portal	David Keys	25-Jun-2018	Yes	Implementation has adapted, little change needed to regs

0011	Portal	Daniel Holt	25-Jun-2018	Yes	Re-adopt GHG guidance
0012	Portal	Michael Dechter	25-Jun-2018	Yes	Page limits make EIS less useful, add work
0013	Portal	Anonymous Anonymous	25-Jun-2018	General	Save all environmental protection provisions
0014	Portal	Jennifer Blegen	25-Jun-2018	No	(Comments concern EPA)
0015	Portal	Judith Konig	25-Jun-2018	General	Retain protections for air, water, wildlife
0016	Portal	Ronald Estepp	25-Jun-2018	General	Against changing NEPA role of scientists and public
0017	Portal	Env. Law & Policy Center, Howard Learner	20-Jun-2018	Extension	Requests public hearings, 60 day extension
0018	Portal	Whitney Kroschel	25-Jun-2018	General	Need better justification for changing
0019	Portal	David Hill	25-Jun-2018	Yes	States specific provisions not to change and general opposition
0020	Portal	Stephen Buckley	25-Jun-2018	General	NEPA community has interest in no change
0021	Portal	Michel Hammes	20-Jun-2018	General	Do not make changes
0022	Portal	Ssusan LaSala	25-Jun-2018	General	NEPA does not need an overhaul
0023	Portal	Assn. of Metr. Water Agencies, Diane VanDe Hei; American Water Works Assoc., Tracy Mehan	26-Jun-2018	Extension	Requests 60-day extension
0024	Portal	Jacob Siegel	26-Jun-2018	Yes	Address climate change, retain public involvement
0025	Portal	Susan Chapin	27-Jun-2018	General	Burdens, delay may protect future health, vitality of environment

PC-0001	Postcard	Katherine Delanoy(?)	18-Jun-2018	General	Do not weaken NEPA
PC-0002	Postcard	Schemy(?)	18-Jun-2018	General	Save NEPA
E-0001	Email	The Partnership Project (353 orgs.)	25-Jun-2018	Extension	Requests public hearings, 60-day extension
E-0002	Email	The Nature Conservancy, Karen Onley	26-Jun-2018	Extension	Requests 60-day extension

Yardena Mansoor
Deputy Associate Director for NEPA
Council on Environmental Quality
(b) (6) / (b) (6)

Extension requests

From: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>

To: "Neumayr, Mary B. EOP/CEQ" <(b) (6)>

Cc: "Drummond, Michael R. EOP/CEQ" <(b) (6)>

Date: Mon, 02 Jul 2018 10:25:21 -0400

Attachments: Extension requests as of 2018-06-29.pdf (3.48 MB)

As discussed, here are the 9 extension requests received through the regulations.gov portal and 2 by email. Please let me know if I can be of further help.

Yardena Mansoor
Deputy Associate Director for NEPA
Council on Environmental Quality
(b) (6) / (b) (6)



ENVIRONMENTAL LAW & POLICY CENTER

Protecting the Midwest's Environment and Natural Heritage

June 20, 2018

Mr. Edward Bolling
Director for the National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place, N.W.
Washington, DC 20503

**Re: Comment Period Extension Request for Advanced Notice of Proposed Rulemaking—
Update to the Regulations for Implementing the Procedural Provisions of the National
Environmental Policy RIN: 0331-AA03**

Dear Mr. Bolling,

The Environmental Law & Policy Center (ELPC) is the Midwest's leading public interest environmental legal advocacy and eco-business innovation organization with offices and staff in eight states and Washington DC. Our organization brings decades of experience engaging in a broad range of transportation, forestry and energy related actions involving the National Environmental Policy Act (NEPA). We are concerned about the Council on Environmental Quality's recently released Advanced Notice of Proposed Rule Making (ANPRM) to update "Implementation of the Procedural Provisions" of NEPA.

As we discussed with you in our June 14, 2018 meeting regarding this ANRPM related to Executive Order 12866, NEPA is the backbone of sound federal environmental decision-making. There is no reasonable justification or necessity for a wholesale rewriting of these regulations. In our meeting, we noted that if CEQ were to nonetheless pursue the ANPRM, the public would need adequate time to evaluate the ANPRM and comment on it, including through public hearings held in the Midwest and other regions of the United States. NEPA provides the public with an essential right of public participation. Indeed, that public participation is even more justified and essential in any process to revise the NEPA regulations.

ELPC specifically noted that many smaller environmental, conservation and community groups across the Midwest rely on NEPA to give them a voice in protecting their communities and special places and to ensure that projects are well understood and that alternatives are fully and fairly considered. The expansive potential outcomes from this proposed ANPRM warrant opportunity for the public's full analysis and comments.

ELPC recognizes that this is an ANPRM. Consistent with the requirement in 5 U.S.C. § 553(c) that the public have a meaningful opportunity to comment, ELPC requests that CEQ: (1) provide public hearings in a central Midwest location, and (2) extend the 30-day comment period from July 20, 2018 to at least September 20, 2018. Given the scope of the ANPRM and its potential

35 East Wacker Drive, Suite 1600 • Chicago, Illinois 60601
(312) 673-6500 • www.ELPC.org

Harry Drucker, Chairperson • Howard A. Learner, Executive Director
Chicago, IL • Columbus, OH • Des Moines, IA • Duluth, MN • Grand Rapids, MI • Jamestown, ND
Madison, WI • Minneapolis/St. Paul, MN • Sioux Falls, SD • Washington, D.C.

impacts on federal actions and public participation through NEPA, a public hearing should be held and a meaningful comment period “should generally be at least 60 days.” Exec. Order No. 13563 § 2(b); *see also* Exec. Order No. 12866 § 6(a).

As noted above, ELPC suggests that CEQ hold hearings across the country to hear input from regional groups. Adding 30 days to permit a public hearing or hearings, and an additional 30 days after the close of the public hearing(s) would provide the minimum reasonable opportunity for ELPC and our members and community partners to comment on this significant proposal and meaningfully inform CEQ’s process.

Sincerely,

A handwritten signature in black ink that reads "HOWARD LEARNER". The letters are in all caps and have a slightly cursive, hand-drawn appearance.

Howard A. Learner
Executive Director
Environmental Law & Policy Center
35 East Wacker Drive, Suite 1600
Chicago, IL 60601
(312) 673-6500
HLearner@elpc.org



June 25, 2018

Mary B. Neumayr
Chief of Staff
Council on Environmental Quality
730 Jackson Place, N.W.
Washington, DC 20503

Re: Request for Comment Extension on CEQ's Advanced Notice of Proposed Rulemaking (ANPRM) *Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act* (Docket ID No. CEQ-2018-0001)

Dear Ms. Neumayr,

The Association of Metropolitan Water Agencies (AMWA) is an organization representing CEOs and general managers of the largest publicly owned drinking water utilities in the United States and the American Water Works Association (AWWA) is an international, nonprofit, scientific and educational society dedicated to providing total water solutions assuring the effective management of water. AMWA and AWWA thank the Council on Environmental Quality for the opportunity to comment on CEQ's Advanced Notice of Proposed Rulemaking (ANPRM): *Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA)* (CEQ-2018-0001).

As many members from both organizations are often applicants for or involved in projects that require review under NEPA, such as those for water supply and delivery, any changes in the NEPA process would significantly impact our members. Therefore our organizations request a 60 day extension to the comment period due to the scope of the requested information and the level of detail that is necessary for the responses. This extension would allow both AMWA and AWWA the time needed to more fully engage our members and to provide the most useful and comprehensive comments possible for the council.

Thank you for consideration of our request.

Sincerely,

Diane VanDe Hei
Chief Executive Officer
Association of Metropolitan Water Agencies

G. Tracy Mehan, III
Executive Director of Government Affairs
American Water Works Association



June 27, 2018

Submitted via Federal eRulemaking Portal

<http://www.regulations.gov/>

Edward A. Boling
Associate Director for the National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place NW
Washington, D.C. 20503

Re: Request for 60-day extension of comment period on advance notice of proposed rulemaking: Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, Docket ID No. CEQ-2018-0001

The Western Urban Water Coalition (“WUWC”) requests a 60-day extension of the comment period on the Council on Environmental Quality’s (“CEQ”) advance notice of proposed rulemaking (“ANPRM”) to update its implementing regulations for the procedural provisions of the National Environmental Policy Act (“NEPA”). 83 Fed. Reg. 28591 (June 20, 2018). We thank CEQ for taking the time to update its implementing regulations, but believe that additional time is needed for the public to provide meaningful comments.

Created in June 1992 to address the West’s unique water issues, WUWC consists of the largest urban water utilities in the West, serving over 40 million western water consumers in major metropolitan areas in the western states. The membership of WUWC includes the following urban water utilities:

- *Arizona* – Central Arizona Project, City of Phoenix and Salt River Project;
- *California* – Eastern Municipal Water District, Los Angeles Department of Water and Power, The Metropolitan Water District of Southern California, San Diego County Water Authority, and City and County of San Francisco Public Utilities Commission;
- *Colorado* – Aurora Water, Colorado Springs Utilities, and Denver Water;
- *Nevada* – Las Vegas Valley Water District, Southern Nevada Water Authority, and Truckee Meadows Water Authority;
- *New Mexico* – Albuquerque Bernalillo County Water Utility Authority; and
- *Washington* – Seattle Public Utilities.

WUWC is committed to presenting a new and different perspective on the management of water resources in the modern West. WUWC articulates the needs and values of Western cities to provide a reliable, high quality urban water supply for present and future generations. As operators of public water supply systems, WUWC members serve the health, environmental, and

economic needs of their communities around the clock and every day of the year. WUWC advocates for effective and practicable approaches to the implementation of environmental protection programs in a time when water is becoming more scarce and critical to the West's sustainability.

WUWC has been very active in legislative and regulatory initiatives related to NEPA throughout its 26-year history. We have appeared before congressional committees, met with federal agencies, and commented during many CEQ guidance procedures. Consistent with this involvement, WUWC intends to submit comments on the ANPRM, but requests that CEQ extend the comment period from 30 to 90 days. NEPA can be an important tool in helping federal agencies to address environmental effects and facilitate informed decision-making. The ANPRM addresses many broad and complex issues and covers regulations that have in been in place since 1978. These issues must be reviewed and commented on by a substantial number of parties with relevant expertise in environmental analysis based on decades of experience on a wide range of NEPA issues. CEQ will deprive itself of important and informative comments if it allows only a 30-day comment period. In addition to matters of procedure, the twenty questions posed by CEQ address important, fundamental questions regarding the reach and application of NEPA that, in our view require more than 30 days to address. WUWC therefore feels that a 90-day comment period is more appropriate to better assist CEQ in meaningfully updating the regulations.

We appreciate the opportunity to provide comments on the ANPRM. If you have any questions regarding this request to extend the comment period from 30 days to 90 days, please contact Don Baur of Perkins Coie, LLP at (202) 654-6234, dbaur@perkinscoie.com or me at (415) 934-5787, mcarlin@sfwater.org.

Sincerely,



Michael P. Carlin
Chairman

cc: Donald C. Baur
Perkins Coie LLP
700 Thirteenth St., NW, Suite 600
Washington, D.C. 20005



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Comment from Russell Hodin, NA

This is a Comment on the Council on Environmental Quality (CEQ) Proposed Rule: [Implementation of Procedural Provisions of National Environmental Policy Act](#)

For related information, [Open Docket Folder](#)

Show agency attachment(s)

Attachments

View All (0)

Comment

View document:

I am requesting a sixty-day extension on the comment period for this proposed change

I am requesting public forums in urban and rural settings across the U.S. for this proposed change

I am requesting the opportunity for comments to be submitted via mail as well as in person at the public meetings (currently the only way to submit comments is online) for this proposed change.

No documents available.

Attachments

View All (0)



June 27, 2018

Submitted via Federal eRulemaking Portal

<http://www.regulations.gov/>

Edward A. Boling
Associate Director for the National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place NW
Washington, D.C. 20503

Re: Request for 60-day extension of comment period on advance notice of proposed rulemaking: Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, Docket ID No. CEQ-2018-0001

The Western Urban Water Coalition (“WUWC”) requests a 60-day extension of the comment period on the Council on Environmental Quality’s (“CEQ”) advance notice of proposed rulemaking (“ANPRM”) to update its implementing regulations for the procedural provisions of the National Environmental Policy Act (“NEPA”). 83 Fed. Reg. 28591 (June 20, 2018). We thank CEQ for taking the time to update its implementing regulations, but believe that additional time is needed for the public to provide meaningful comments.

Created in June 1992 to address the West’s unique water issues, WUWC consists of the largest urban water utilities in the West, serving over 40 million western water consumers in major metropolitan areas in the western states. The membership of WUWC includes the following urban water utilities:

- *Arizona* – Central Arizona Project, City of Phoenix and Salt River Project;
- *California* – Eastern Municipal Water District, Los Angeles Department of Water and Power, The Metropolitan Water District of Southern California, San Diego County Water Authority, and City and County of San Francisco Public Utilities Commission;
- *Colorado* – Aurora Water, Colorado Springs Utilities, and Denver Water;
- *Nevada* – Las Vegas Valley Water District, Southern Nevada Water Authority, and Truckee Meadows Water Authority;
- *New Mexico* – Albuquerque Bernalillo County Water Utility Authority; and
- *Washington* – Seattle Public Utilities.

WUWC is committed to presenting a new and different perspective on the management of water resources in the modern West. WUWC articulates the needs and values of Western cities to provide a reliable, high quality urban water supply for present and future generations. As operators of public supply systems, WUWC members serve the health, environmental, and

economic needs of their communities around the clock and every day of the year. WUWC advocates for effective and practicable approaches to the implementation of environmental protection programs in a time when water is becoming more scarce and critical to the West's sustainability.

WUWC has been very active in legislative and regulatory initiatives related to NEPA throughout its 26-year history. We have appeared before congressional committees, met with federal agencies, and commented during many CEQ guidance procedures. Consistent with this involvement, WUWC intends to submit comments on the ANPRM, but requests that CEQ extend the comment period from 30 to 90 days. NEPA can be an important tool in helping federal agencies to address environmental effects and facilitate informed decision-making. The ANPRM addresses many broad and complex issues and covers regulations that have in been in place since 1978. These issues must be reviewed and commented on by a substantial number of parties with relevant expertise in environmental analysis based on decades of experience on a wide range of NEPA issues. CEQ will deprive itself of important and informative comments if it allows only a 30-day comment period. In addition to matters of procedure, the twenty questions posed by CEQ address important, fundamental questions regarding the reach and application of NEPA that, in our view require more than 30 days to address. WUWC therefore feels that a 90-day comment period is more appropriate to better assist CEQ in meaningfully updating the regulations.

We appreciate the opportunity to provide comments on the ANPRM. If you have any questions regarding this request to extend the comment period from 30 days to 90 days, please contact Don Baur of Perkins Coie, LLP at (202) 654-6234, dbaur@perkinscoie.com or me at (415) 934-5787, mcarlin@sfwater.org.

Sincerely,



Michael P. Carlin
Chairman

cc: Donald C. Baur
Perkins Coie LLP
700 Thirteenth St., NW, Suite 600
Washington, D.C. 20005



Delivering water and power™

Kara Montalvo, Director
Environmental Compliance and Permitting
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June 27, 2018

Submitted via Federal eRulemaking Portal
<http://www.regulations.gov/>

Edward A. Boling
Associate Director for the National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place NW
Washington, D.C. 20503

RE: Request for 60-day extension of comment period on advance notice of proposed rulemaking: Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, Docket ID No. CEQ-2018-0001

Dear Mr. Boling,

The Salt River Valley Water Users' Association ("Association") and the Salt River Project Agricultural Improvement and Power District ("District"), (collectively "SRP")¹ respectfully request a 60-day extension of the comment period on the Council on Environmental Quality's ("CEQ") advance notice of proposed rulemaking ("ANPRM") to update its implementing regulations for the procedural provisions of the National Environmental Policy Act ("NEPA").² NEPA and the federal decisions based upon the environmental analyses arising from NEPA are critically important to SRP and the water and power customers we serve. SRP appreciates CEQ for considering updates to its implementing regulations. If finalized, the updates will cause federal agencies to review and revise, as necessary, their individual regulations, policies, and procedures. Due to the breadth and potentially far reaching implications of the ANPRM, SRP

¹ Collectively, the District and Association operate the Salt River Project

² See Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act 83 Fed. Reg. 28591 (proposed June 20, 2018) (to be codified at 40 C.F.R. Parts 1500-1508).

believes that additional time is needed for the public and affected organizations, such as SRP, to provide meaningful comments that will help inform future CEQ NEPA revisions.

SRP is a multi-purpose federal reclamation project authorized and constructed under the Reclamation Act of 1902.³ Pursuant to contracts with the United States, SRP operates the Project works, which include, among other things, six dams and reservoirs on the Salt and Verde rivers in central Arizona, and one dam and reservoir on East Clear Creek in northern Arizona. Water is stored by SRP in these reservoirs for subsequent delivery to municipal, industrial and agricultural water rights and uses. The watersheds for these dams include portions of five national forests. SRP's delivery system in the Phoenix metropolitan area encompasses 1,300 miles of canals and laterals serving cities, Indian communities, irrigation districts, homes and agricultural enterprises.

SRP also operates one of the nation's largest not-for-profit public power systems, providing retail electrical services to more than one million residential, commercial, industrial, agricultural and mining customers. SRP relies on a diverse portfolio of owned and purchased generation resources that include coal, natural gas, hydroelectric, nuclear, solar, wind, biomass and geothermal. In addition, SRP constructs, leases, owns, operates and maintains over 3,000 miles of electrical transmission and distribution lines and rights-of-way in various areas throughout Arizona on federal, state, tribal, and private lands.

Actions and projects undertaken by SRP are frequently subject to federal permits or approvals and, therefore, require compliance with NEPA. Most recently, SRP obtained an Extension Lease for the Navajo Generating Station requiring approvals from the U.S. Bureau of Reclamation and U.S. Bureau of Indian Affairs. Additionally, we are actively participating in the Four Forest Restoration initiative project and other U.S. National Forest restoration projects to protect critical watersheds in Arizona. To assure reliable and safe power transmission, SRP frequently engages and seeks authorizations from the U.S. Forest Service and U.S. Bureau of Land Management for powerline and associated infrastructure maintenance and vegetation treatments.

As a result of SRP's responsibility to provide and manage essential water and power resources in Arizona, we have a long history in navigating the NEPA process involving multiple federal agencies. SRP intends to submit substantive comments on the ANPRM based upon our working knowledge and experience with the law and its implementing regulations. The ANPRM addresses many broad and complex issues and covers regulations that have been in place since 1978. In addition, the twenty questions posed by CEQ⁴ address important, fundamental questions regarding the reach and application of NEPA that, in our view, require more than 30 days to address. Therefore, a 60-day extension of the comment period is necessary to better assist CEQ in meaningfully updating NEPA regulations.

³ See 43 U.S.C. § 371 *et seq.*

⁴ See 83 Fed. Reg. 28591-2 (June 20, 2018)

SRP appreciates the opportunity to provide comments on the ANPRM. If you have any questions regarding this request to extend the comment period from 30 days to 90 days, please contact me at (602) 236-5256, kara.montalvo@srpnet.com.

Sincerely,

A handwritten signature in black ink that reads "Kara M. Montalvo". The signature is written in a cursive style with a long horizontal stroke at the end.

Kara Montalvo



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

June 28, 2018

Submitted via regulations.gov and U.S. Mail

Edward A. Bowling
Associate Director for the National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place, NW
Washington, DC 20503

RE: Comment Period Extension Request for Advance Notice of Proposed Rulemaking, *Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act* Docket ID No. CEQ-2018-0001

Dear Mr. Bowling:

The Chesapeake Bay Foundation, Inc. (CBF) respectfully requests that the Council on Environmental Quality (CEQ) extend the comment period for the above-referenced Advance Notice of Proposed Rulemaking (ANPRM) for an additional 60 days beyond the currently scheduled comment deadline of July 20, 2018.

CBF is a 501(c)(3) non-profit organization, founded in 1967. The organization's mission --carried out from offices in Maryland, Virginia, Pennsylvania and the District of Columbia -- is to restore and protect the ecological health of the Chesapeake Bay, one of the nation's most vital estuaries. As such, and on behalf of our 240,000 members across the United States, we are very interested in matters that will impact the health of the Chesapeake Bay and the waters that feed into the watershed.

In its ANPRM, *Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act*,¹ CEQ notes that in response to E.O. 13807,² it "intends to review its existing NEPA regulations in order to identify changes needed to update and clarify these regulations." CEQ requests comment on potential revisions and poses *twenty* broad questions (some with subparts) categorized as follows: (A) NEPA Process; (B) Scope of NEPA Review; and (C) General.

¹ 83 Fed. Reg. 28591, June 20, 2018.

² *Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects*, 82 Fed. Reg. 40463, August 24, 2017.

Edward A. Bowling
Associate Director for the National Environmental Policy Act
Council on Environmental Quality

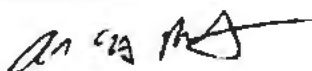
Page 2

The public's opportunity to have input regarding major federal actions is essential to fulfilling two of the key purposes of NEPA – *better informed decisions and citizen involvement*.³ CBF has participated in numerous NEPA procedures including the review of major highway construction and providing comments and analysis for countless Environmental Impact Statements for major federal actions affecting the Chesapeake Bay. Through these efforts, CBF's staff of water and fisheries scientists, educators, lawyers, land use planners and agricultural experts contributed to the development of these actions. We fully anticipate that forthcoming major federal actions will be initiated that will impact the Bay Region and that we – and other stakeholders - will engage in the NEPA process.

A 30-day comment period is an inadequate amount of time within which to respond to CEQ's ANPRM to update NEPA regulations. It will take a substantial amount of time to review the current NEPA regulations and policies, evaluate how changes to these regulations may impact the enabling statute's ability to result in better informed decisions and citizen involvement, consider CEQ's twenty open-ended questions and provide recommendations. In general, a meaningful comment period should be at least 60 days.⁴ As with any ANPRM that may result in significant changes to the implementation of environmental laws - but particularly given the expansive nature of this request and that one of the outcomes could be to alter the public's ability to engage in the NEPA process, which has been a bedrock of our environmental legal infrastructure for more than 40 years - a reasonable comment period is required. We therefore respectfully request that CEQ extend the comment period 60 days beyond the currently scheduled date of July 20, 2018.

Thank you for considering this request. We look forward to your reply and would appreciate acknowledgement of this letter.

Sincerely,



Alison Prost
Maryland Executive Director
Interim Vice President of Environmental Protection and Restoration
Chesapeake Bay Foundation

³ See 42 U.S.C. §§ 4321, *et seq.*; Council on Environmental Quality, *A Citizen's Guide to the NEPA*, December 2007, p. 2.

⁴ See E.O. 13563 §2(b), *Improving Regulation and Regulatory Review*, 76 Fed. Reg. 3821, January 21, 2011; E.O. 12866 §6(a)(1), *Regulatory Planning and Review*, 58 Fed. Reg. 51,735, October 4, 1993.

June 28, 2018

Edward A. Boling
Associate Director for the National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place, NW
Washington, DC 20503

Submitted via regulations.gov and overnight mail

Re: Request for 30 Day Extension of Comment Period for Council on Environmental Quality Advance Notice of Proposed Rulemaking to Update the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 83 Fed. Reg. 28,591 (June 20, 2018); Dkt. No. CEQ-2018-0001

Dear Mr. Boling:

The Utility Water Act Group (“UWAG”) respectfully requests a thirty day extension of the comment period on the Council on Environmental Quality’s (“CEQ”) Advance Notice of Proposed Rulemaking (“ANPRM”) to Update the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (“NEPA”), 83 Fed. Reg. 28,591 (June 20, 2018). Comments are currently due on July 20, 2018. UWAG requests that the comment period be extended through August 20, 2018, and that CEQ promptly notify the public regarding any applicable extension.

UWAG is a voluntary, non-profit, unincorporated group of 145 individual energy companies and three national trade associations of energy companies: the Edison Electric Institute, the National Rural Electric Cooperative Association, and the American Public Power Association. UWAG members operate power plants and other facilities that generate, transmit, and distribute electricity to residential, commercial, industrial, and institutional customers. One of UWAG’s purposes is to participate on behalf of its members in regulatory actions under the Clean Water Act (“CWA”) and in litigation arising from those regulatory actions.

UWAG is comprised of a diverse and extensive range of public and private entities whose activities are conducted nationwide. In the course of providing electricity, UWAG’s members must engage in activities that sometimes involve federal agency action. For example, its members may perform work in wetlands and other waters of the United States and must obtain permits under CWA section 404, section 10 of the Rivers and Harbors Act (“RHA”), or both. The issuance of a permit by the U.S. Army Corps of Engineers (“Corps”) under either

Edward A. Boling
June 28, 2018
Page 2

of these Acts is a federal action subject to review pursuant to NEPA. UWAG members undertake activities that involve actions by other federal agencies that are also subject to NEPA review. Accordingly, the implementation of NEPA, particularly (but not only) in connection with permits issued pursuant to the Corps regulatory program under section 404 of the CWA and section 10 of the RHA, is important to UWAG members, as well as to the public at large, whose health, safety, and general welfare depends on a cost-effective and reliable supply of electricity. Due to the nature of electric utility companies' operations, UWAG members expect to have a continuing need for federal agency permits and approvals that will undergo NEPA review.

In UWAG's experience, overly broad NEPA reviews can add significant and unreasonable costs and delays to projects, which can challenge the viability of projects that grow the economy and further energy development. Given its substantial experience with NEPA reviews, UWAG is well positioned to offer an important perspective on CEQ's ANPRM, which requests comment on a broad range of issues. In order to provide meaningful recommendations, we respectfully request that CEQ provide an additional thirty days, through August 20, to comment on the ANPRM and notify the public as soon as possible as to the extension.

Thank you for your prompt attention to this important matter.

Sincerely,



Karma B. Brown



Energy and Wildlife Action Coalition
c/o Nossaman LLP
1666 K Street, NW
Suite 500
Washington, DC 20006
www.energyandwildlife.com

June 28, 2018

Request of extension of comment period regarding the June 20, 2018 Notice of Proposed Rulemaking—Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) (CEQ-2018-0001)

Submitted by:

Energy and Wildlife Action Coalition

Filed electronically to the attention of:
Docket No: CEQ-2018-0001
Edward A. Boling,
Associate Director for the National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place NW
Washington, DC 20503

We are writing today regarding the Council on Environmental Quality’s (“CEQ”) Advance Notice of Proposed Rulemaking—*Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act*.¹ The Energy and Wildlife Action Coalition (“EWAC”)² commends the CEQ for undertaking a comprehensive review of its regulations governing NEPA implementation procedures pursuant to Executive Order 12866, and believes that thoughtful and careful changes could be made to such regulations that would provide a benefit not only to the regulated community, but to the human environment as well.

However, given both the scope and reach that changes to the CEQ’s NEPA implementation regulations could have on all sectors of the regulated community, and stakeholders more broadly, EWAC respectfully requests that the CEQ extend the comment period by no fewer than 30 days, until August 20, 2018, in order to provide a more complete opportunity for the public to provide thoughtful, useful, and constructive comments to CEQ regarding potential changes to long-standing regulations.

EWAC appreciates the consideration of this request and looks forward to providing comments on the proposed rulemaking. Please do not hesitate to contact the following EWAC representatives should the CEQ seek additional clarity on any of the above:

Timothy G. Rogers, EWAC Policy Chair, timothy.g.rogers@xcelenergy.com, (612) 330-1955

John M. Anderson, EWAC Policy Director, janderson@nossaman.com, 202-887-1441

Alan M. Glen, Nossaman, LLP, aglen@nossaman.com, 512-813-7943

¹ *Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act*, 83 Fed. Reg. 28591 (June 20, 2018)

² EWAC is a national coalition formed in 2014 whose members consist of electric utilities, electric transmission providers, and renewable energy entities operating throughout the United States. The fundamental goals of EWAC are to evaluate, develop, and promote sound environmental policies for federally protected wildlife and closely related natural resources while ensuring the continued generation and transmission of reliable and affordable electricity. EWAC supports public policies, based on sound science, that protect wildlife and natural resources in a reasonable, consistent, and cost-effective manner.

Edward A. Boling
Associate Director for the National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place, N.W.
Washington, DC 20503

June 25, 2018

Re: Request for Sixty-day Extension on Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) [Docket No. CEQ-2018-0001]

The 353 undersigned public interest organizations hereby request a sixty-day extension of the public comment period for the recently noticed Advance Notice of Proposed Rulemaking (ANPRM) on the “Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.”

This ANPRM opens up the entire set of regulations applicable to almost all proposed executive branch actions, from energy development decisions on our public lands and waters to the construction of industrial facilities and major transportation infrastructure that release vast quantities of air, and water pollution and that will affect our planet’s future. Given that this proposal could fundamentally change how every single agency in the federal government considers the health and environmental impacts of federal decisions as well as public input under NEPA, we believe that a minimum of 90 days is necessary to provide everyone, but especially the public, the time to properly understand and meaningfully respond to the questions outlined in the ANPRM. We note that given the multiple subparts in several of the questions, there are closer to 40, not 20 questions, in the ANPRM. As you well know, many of the questions involve understanding not just the words in the regulation itself, but decades of administrative and judicial interpretation. The current comment period of 30 days is simply not adequate – especially for the public who rely on NEPA as the only way to weigh in on decisions impacting their communities and who must take time off work and away from their families to read the regulations and respond to this notice. Like previous processes accompanying CEQ promulgation regulations, we encourage CEQ to host public forums to listen to people’s experiences and views regarding the NEPA process. Such forums should be held in both urban and rural settings in several areas of the country. Indeed, a 30-day comment period, without a variety of public meetings, strongly suggests a lack of sincere interest in thoughtful comments and broad engagement with the diverse constituencies affected by America’s environmental Magna Carta.

We also request that CEQ give those without access to reliable internet service an opportunity to comment on this ANPRM by providing the option of submitting comments via regular mail. Currently, over 25% of U.S. adults do not have home broadband. However, the ANPRM only allows for comments to be submitted through the Federal eRulemaking portal. A U.S. Forest Service ANPRM released in January of 2018 that proposed to revise the agency’s NEPA regulations provided no less than three different ways to submit comments: online, by email, or by regular mail. This ANPRM has the potential to impact an exponentially larger number of people, and thus there is no reason why CEQ should not similarly accept these same three methods for

comment submission. Additionally, CEQ should provide an opportunity for in-person comments at the public meetings requested above.

For this request of public comment to be meaningful, it is critical that the entire public, not just those with internet access, be allowed to comment. This request is consistent with Question 6 concerning revision of the NEPA regulations to be more inclusive and efficient. Lack of reliable access to broadband, especially in rural, remote areas, further underscores the need to extend the comment period for this ANPRM.

Accordingly, we request the public comment period be extended to a minimum of 90 days, CEQ host public forums in urban and rural settings, and that CEQ provide the opportunity for comments to be submitted via mail as well as in person at the public meetings.

Respectfully submitted,

350 Bay Area
350 New Orleans
350.org
Alabama Environmental Council
Alaska Clean Water Advocacy
Alaska Climate Action Network
Alaska Wilderness League
Alaska's Big Village Network
All-Creatures.org
Allegheny Defense Project
Alliance for Democracy
Alliance for the Wild Rockies
American Bird Conservancy
American Rivers
Americas for Conservation + the Arts
Amigos de Tres Palmas
Animal Legal Defense Fund
Animal Welfare Institute
Animas Valley Institute
Arizona Mining Coalition
Atchafalaya Basinkeeper
Audubon Naturalist Society
Ballona Institute
Bark
Basin and Range Watch
Battle Creek Alliance
Bay Area – System Change not Climate Change
Berkshire Environmental Action Team (BEAT)
Biofuelwatch

Bird Conservation Network
Black Hills Clean Water Alliance
Black Warrior Riverkeeper
Blue Mountains Biodiversity Project
Blue Water Baltimore
Bold Alliance
Boulder County Audubon Society
Boulder Rights of Nature, Inc.
Brass Tactics
Buffalo Field Campaign
Buka Environmental
Bullitt Foundation
Cahaba River Society
California Brain Tumor Association
California Chaparral Institute
California Environmental Health Initiative
California Native Plant Society
California Sportfishing Protection Alliance
Californians for Alternatives to Toxics
Californians for Western Wilderness
Cascade Forest Conservancy
Cascades Raptor Center
CEMAR
Center for Biological Diversity
Center for Climate Adaptation Science and Solutions, University of Arizona
Center for International Environmental Law
Center for People, Food and Environment
Center for Safer Wireless
Center for Science in the Public Interest
Center for Sierra Nevada Conservation
Central New Mexico Audubon Society
Charleston Audubon
Chesapeake Climate Action Network
Citizens Action Coalition of Indiana
Citizens Against Ruining the Environment
Citizens Against the Newport Silicon Smelter
Citizens Coalition for a Safe Community
Citizens Committee to Complete the Refuge
Clean Air Watch
Clean Water Action
Climate Law & Policy Project
Climate Resilience Consulting
The Clinch Coalition
Coal River Mountain Watch
Coalition for American Heritage
Coast Action Group

Coast Range Association
Colorado EcoWomen
Colorado Native Plant Society
Coming Clean
Committee for Green Foothills
Compassion Over Killing
Concerned Health Professionals New York
Conservation Congress
Conservation Kids
Conservation Northwest
Conserve Southwest Utah
Consumers for Safe Cell Phones
CORALations
County News Service
Crawford Stewardship Project
CRSP
Cynthia Howard Architect & Preservation Planner
Dakota Rural Action
DC Environmental Network
DC Statehood Green Party
Deer Creek Valley Natural Resources Conservation Association
Defenders of Wildlife
Delaware-Otsego Audubon Society (NY)
Desert Tortoise Council
Dogwood Alliance
Dolores River Boating Advocates
Don't Waste Arizona
Earth Guardians
Earth Island Institute
Earthjustice
Earthworks
EcoFlight
Eco-Justice Ministries
El Sendero Backcountry Ski and Snowshoe Club
EMF Safety Network
Endangered Habitats League
Endangered Species Coalition
Enterprise Community Partners
Environment and Human Health Inc.
Environment New Jersey
Environmental Protection Information Center
Environmental Protection Network EPN
Eyak Preservation Council
Fairmont, MN Peace Group
Family Farm Defenders
Farmworker Association of Florida

Food Democracy Now!
Food Empowerment Project
Foundation for Louisiana
Four Years. Go.
Franciscan Action Network
Friends of Blackwater
Friends of Corte Madera Creek Watershed
Friends of Dyke Marsh
Friends of Harbors, Beaches and Parks
Friends of Merrymeeting Bay
Friends of the Bitterroot
Friends of the Clearwater
Friends of the Earth US
Friends of the Eel River
Friends of the Inyo
Friends of the Kalmiopsis
Friends of the Locust Fork River
Friends of the Northern San Jacinto Valley
Friends of the Sonoran Desert
Friends of the Weskeag
Fund for Wild Nature
GARDEN Inc. (Growing Alternative Resource Development and Enterprise Network)
Gasp
Generation E Political Action Committee
Geos Institute
Gila Conservation Coalition
Gila Resources Information Project
Global Justice Ecology Project
Global Union Against Radiation Deployment from Space (GUARDS)
Glynn Environmental Coalition
Golden West Women Flyfishers
Grand Canyon Trust
Grand Canyon Wildlands Council
Grassroots Ecology
Great Egg Harbor Watershed Association
Great Old Broads For Wilderness
Great Rivers Environmental Law Center
Greater Hells Canyon Council
Green Retirement, Inc.
Green River Action Network
GreenARMY
GreenLatinos
Greenpeace USA
Greg Alan Walter Insurance
Gulf Restoration Network
Hands Across the Sand

Harambee House, Inc./Coalition for Environmental Justice (CFEJ)
Heartwood
High Country Conservation Advocates
Hilton Pond Center for Piedmont Natural History
Honor the Earth
Howarth & Marino Lab Group, Cornell University
Humboldt Baykeeper
Idaho Conservation League
Idaho Sporting Congress, Inc.
iMatter
inNative
Institute for Fisheries Resources
International Wildlife Rehabilitation Council (IWRC)
Kentucky Heartwood
Kettle Range Conservation Group
Klamath Forest Alliance
KyotoUSA
Lahontan Audubon Society
Lake Superior Research Institute
Laurie M. Tisch Center for Food, Education & Policy, Teachers College Columbia University
Law for the Environmental Grassroots
League of Conservation Voters
Living Economy Advisors
Local Clean Energy Alliance
Long Beach 350
Long Beach Gray Panthers
Los Angeles Audubon Society
Los Padres ForestWatch
Louisiana Environmental Action Network/Lower Mississippi Riverkeeper (LEAN)
Lower Brazos Riverwatch
Lower Ohio River Waterkeeper
Mankato Area Environmentalists
Maryland Ornithological Society
Maryland Smart Meter Awareness
Mass Forest Rescue Campaign
Miami Waterkeeper
Midwest Pesticide Action Center
Mining Action Group of the Upper Peninsula Environmental Coalition
Moloka'i Community Service Council
Moms Advocating Sustainability (MOMAS)
Mount Graham Coalition
MountainTrue
National Alliance of Community Economic Development Associations (NACEDA)
National Congress of American Indians
National Institute for Science, Law & Public Policy

National Latino Farmers & Ranchers Trade Association
National Wildlife Federation
National Whistleblower Center
National Wolfwatcher Coalition
Native Conservancy Land Trust
Native Justice Coalition
Natural Resources Defense Council
Nature Coast Conservation, Inc.
NC WARN
New Jersey Conservation Foundation
New Jersey Highlands Coalition
New Mexico Audubon Council
New Mexico Wild
No Smart Meters or Small Cells LI
Northcoast Environmental Center
Northeast Oregon Ecosystems
Northeastern Minnesotans for Wilderness
Northwest Animal Rights Network
Ocean Conservancy
Ocean Conservation Research
Oceana
Ohio Valley Environmental Coalition (OVEC)
Olympic Forest Coalition
Olympic Park Associates
One More Generation™
Operation HomeCare, Inc.
Orca Conservancy
Oregon Natural Desert Association
Oregon Shores Conservation Coalition
Oregon Wild
Oxfam America
Pacific Coast Federation of Fishermen's Associations
Pacific Rivers
Partnership for Policy Integrity
Partnership for the National Trails System
Partnership for Working Families
Peace and Social Justice Center of South Central Kansas
Pelican Media
Penguin PI LLC
Pinelands Preservation Alliance
Pipeline Awareness Southern Oregon
PolicyLink
Post Carbon Institute
Powder River Basin Resource Council
Prairie Hills Audubon Society of Western South Dakota
Presidio Historical Association

Progressive Caucus Action Fund
PSR Arizona
Public Citizen
Public Lands Project
Rails-to-Trails Conservancy
Rainier Audubon Society
Raptors Are The Solution
Regional Association of Concerned Environmentalists (RACE)
Regional Parks Association, Berkeley CA
Richmond Trees
Rivers Without Borders
Rock Creek Alliance
Rocky Mountain Wild
Rural Coalition
Sacramento Audubon Society
Safe Alternatives for our Forest Environment
San Bernardino Valley Audubon Society
San Francisco Baykeeper
San Juan Citizens Alliance
San Luis Valley Ecosystem Council
SanDiego350
Save Nevada's Water: Ban Fracking In Nevada
Save Our Cabinets
Save Our Shores
Save Our Sky Blue Waters
SAVE THE FROGS!
Save the Scenic Santa Ritas
Science and Environmental Health Network
Selkirk Conservation Allinace
Sequoia ForestKeeper®
Shawnee Chapter, Illinois Audubon Society
Shawnee Forest Defense
Shawnee Forest Sentinels
Sierra Club
Sky Island Alliance
Slow Food USA
Smith River Alliance
Snake River Alliance
Soda Mountain Wilderness Council
Song to Gaia
Southern Illinoisans Against Fracturing Our Environment
Spottswoode Winery
Sustain Rural Wisconsin Network
Sustainable Arizona
Swan View Coalition
Talon Scientific

TAP Communications
Tennessee Environmental Council
The Bay Institute
The Campaign for Sustainable Transportation
The Coalition for Sonoran Desert Protection
The Interfaith Council for the Protection of Animals and Nature
The Lands Council
The Moving Forward Network
The Rewilding Institute
The Story of Stuff Project
The Urban Wildlands Group
The Wilderness Society
Time Laboratory
Topanga Peace Alliance and MLK Coalition of Greater Los Angeles
Torrance Refinery Action Alliance
TransForm
Transition Cornwall Network
Tre Gatti Vineyards
Tri-Valley CAREs (Communities Against a Radioactive Environment)
Trustees for Alaska
Tulane Institute on Water Resources Law and Policy, Tulane Law School
Turtle Island Restoration Network
Umpqua Watersheds, Inc.
Upper Peninsula Environmental Coalition
Uranium Watch
Utah Physicians for a Healthy Environment
Valley Watch
Wallin Mental Medical
Waterways Restoration Institute
West Montgomery County Citizens Association
Western Colorado Alliance for Community Action
Western Environmental Law Center
Western Nebraska Resources Council
Western Organization of Resource Councils
Western Watersheds Project
Western Wildlife Conservation
Western Wildlife Outreach
Wbolly H2O
Wild Connections
Wild Heritage Planners
Wild Horse Education
Wild Nature Institute
WILDCOAST
WildEarth Guardians
Wilderness Workshop
Wildlands Network

**Women's International League for Peace and Freedom, U.S./Earth Democracy Group
Worksafe**



Kameran Onley
Director
U.S. Government Relations
The Nature Conservancy
4245 N. Fairfax Drive
Arlington, VA 22203-1606

Tel (703) 841-4229
Fax (703) 841-7400

konley@tnc.org
nature.org

June 26, 2018

Edward A. Boling
Associate Director for NEPA
Council on Environmental Quality
730 Jackson Place, NW
Washington, DC 20503

RE: Request for Sixty-day Extension for Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) (Docket No. CEQ-2018-0001).

Dear Mr. Boling:

I am writing to request a sixty-day extension to the comment period for CEQ's advanced notice of proposed rulemaking (ANPRM) to "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act" (Docket No. CEQ-2018-0001).

Our mission at The Nature Conservancy is to conserve the lands and waters on which all life depends. Today, we operate in all 50 U.S. states and contribute to conservation outcomes in 72 countries around the world. Environmental laws adopted over the last five decades in the United States have dramatically improved the quality of the nation's air and water, reduced the public's exposure to harmful chemicals, given the public a greater voice in government decisions, and conserved our fish, wildlife, and other natural resources. Generations of Americans have benefitted from this legacy of leadership in environmental protection.

Because of its broad application to federal actions, strong commitment to public engagement, and pathways for scientific input to inform and improve our decision making, the National Environmental Policy Act (NEPA), as implemented by CEQ regulations, is one of the most important bedrock environmental laws in the United States. Given the importance of NEPA and implementing regulations, and the complexity of the issues implicated by the questions posed in the ANPRM, I am requesting an extension of the public comment period.

An extension of the comment period is necessary to provide sufficient time to provide detailed responses to the questions in the ANPRM that will be most useful to the rule-making process, and to ensure that the general public has a sufficient opportunity to be made aware of this process and provide input. Accordingly, I respectfully request no less than a sixty-day extension of the comment period from the originally proposed end date for the ANPRM to Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.

Sincerely,

A handwritten signature in black ink that reads "Kameran L. Onley".

Kameran L. Onley
Director, U.S. Government Relations
The Nature Conservancy

Re: NEPA ANPR

From: (b) (6) Michael Drummond
To: "Knight, Kelly" <knight.kelly@epa.gov>
Date: Tue, 03 Jul 2018 07:27:20 -0400

Yes, that would be great. We've taken the "cast a wide net" approach. In fact, the head of IAIA was in town the other week (I'm blanking on her name) and she offered to share the ANPRM with her membership.

Best,

Michael Drummond
Deputy Associate Director for NEPA
Council on Environmental Quality
(b) (6)

On Jul 3, 2018, at 6:43 AM, Knight, Kelly <knight.kelly@epa.gov> wrote:

Good Morning Michael,

Some of my regions folks are asking whether it would be ok to share the NEPA ANPR with our Canadian friends. Since we (the US) have commented on their proposed new legislation, I am assuming the answer is yes?

Thanks

Kelly Knight
Director, NEPA Compliance Division
Environmental Protection Agency
202-564-2141 (office)
(b) (6) (cell)

NEPA ANPR

From: "Knight, Kelly" <knight.kelly@epa.gov>

To: "Drummond, Michael R. EOP/CEQ" <(b) (6)>

Date: Tue, 03 Jul 2018 06:42:32 -0400

Good Morning Michael,

Some of my regions folks are asking whether it would be ok to share the NEPA ANPR with our Canadian friends. Since we (the US) have commented on their proposed new legislation, I am assuming the answer is yes?

Thanks

Kelly Knight
Director, NEPA Compliance Division
Environmental Protection Agency
202-564-2141 (office)
(b) (6) (cell)

RE: CEQ NEPA ANPRM_Comment Period Extension_Final2

From: "Drummond, Michael R. EOP/CEQ" <(b) (6)>

To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>

Date: Thu, 05 Jul 2018 14:15:14 -0400

Viktoria,

Thank you, I have reviewed and have no suggested changes.

Best,

Michael

From: Seale, Viktoria Z. EOP/CEQ

Sent: Thursday, July 5, 2018 2:06 PM

To: Drummond, Michael R. EOP/CEQ <(b) (6)>

Subject: CEQ NEPA ANPRM_Comment Period Extension_Final2

Michael,

Attached for your review is the final draft of the extension notice for the ANPRM comment period.

The Office of Federal Register has given it a preliminary review and made no suggested changes.

Could you please review it one more time and let me know if you have comments/edits? (b) (5)

Thank you,

Viktoria

CEQ NEPA ANPRM_Comment Period Extension_Final2

From: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
To: "Drummond, Michael R. EOP/CEQ" (b) (6)
Date: Thu, 05 Jul 2018 14:05:30 -0400
Attachments: CEQ NEPA ANPRM Comment Period Extension Final2.docx (41.57 kB)

Michael,

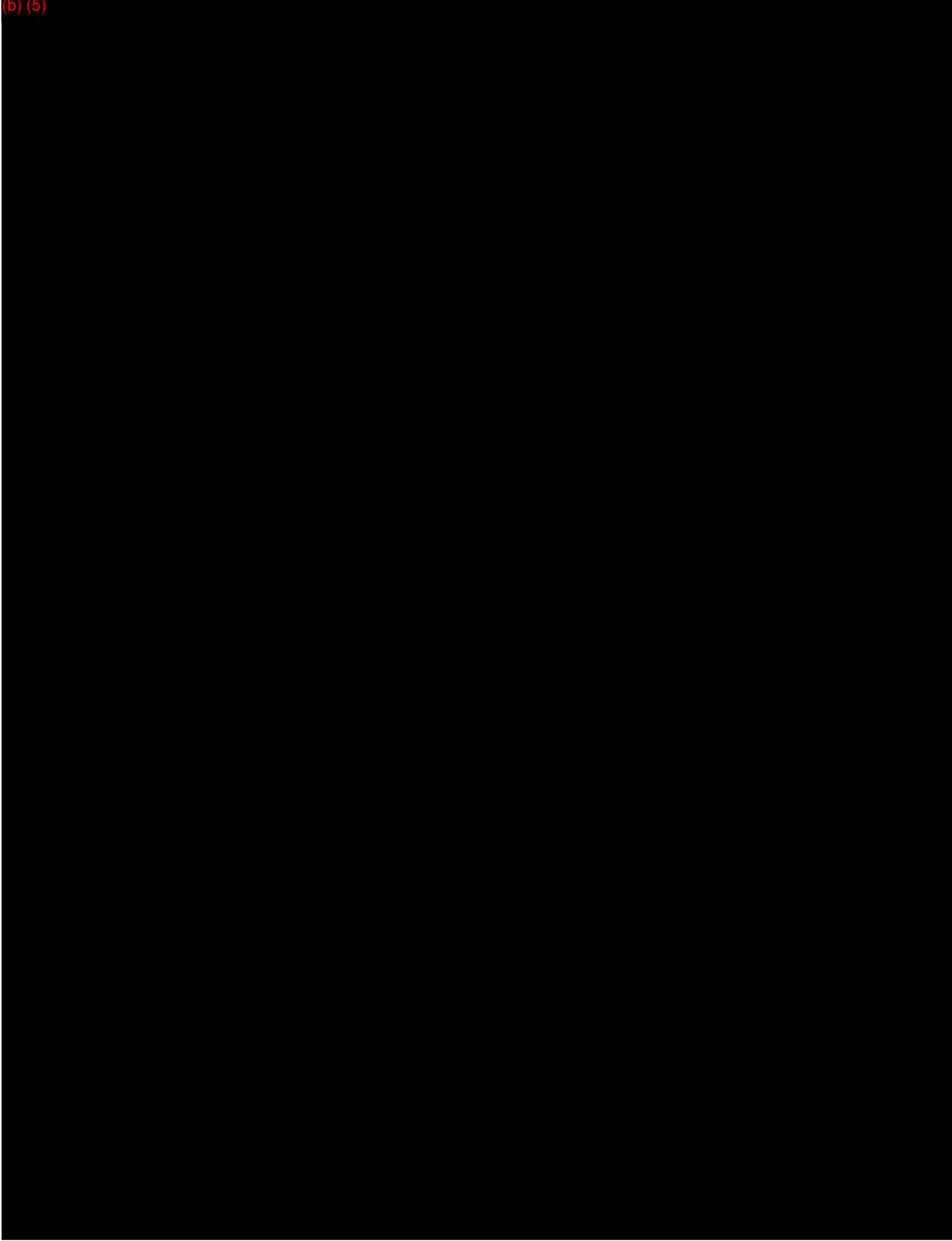
Attached for your review is the final draft of the extension notice for the ANPRM comment period.

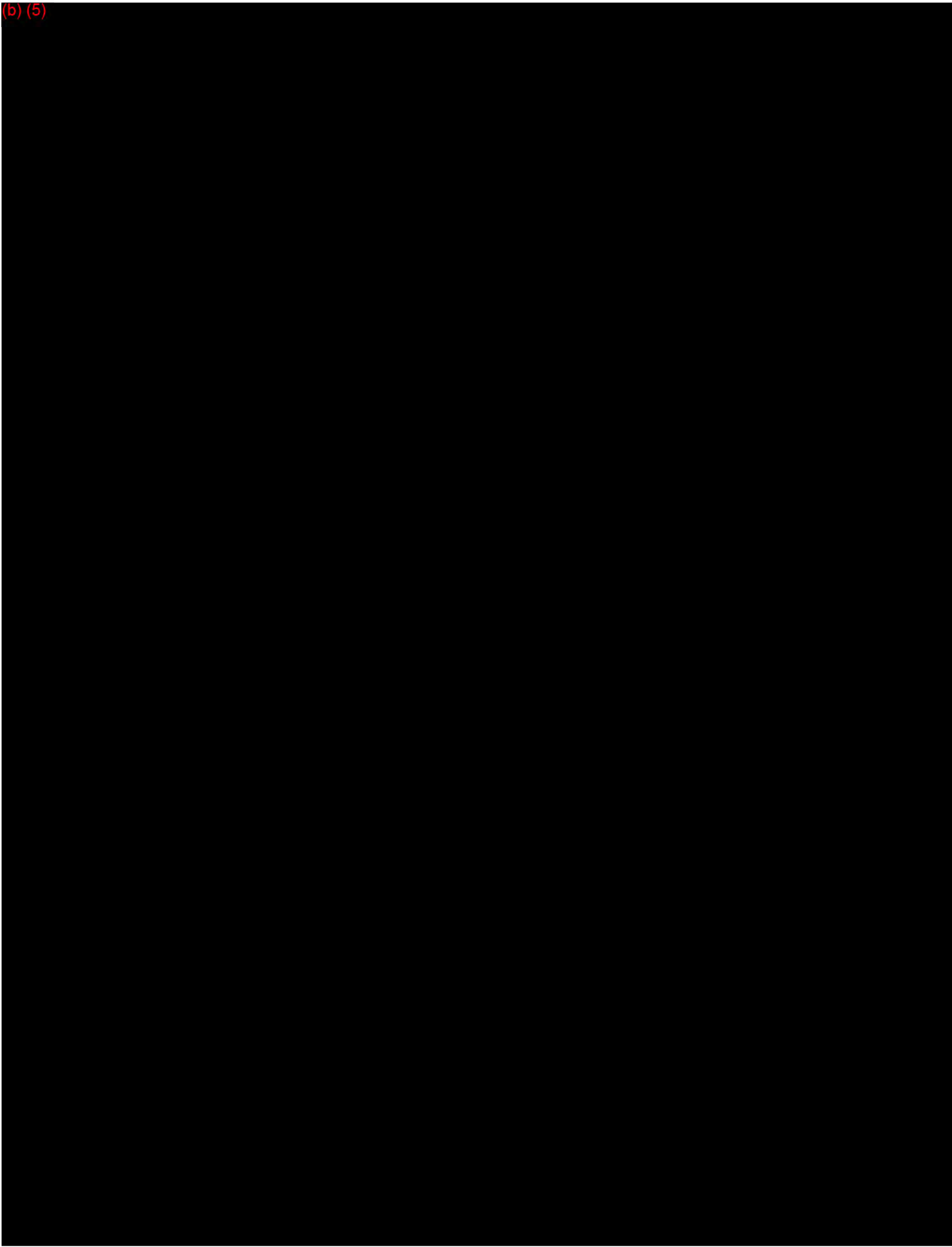
The Office of Federal Register has given it a preliminary review and made no suggested changes.

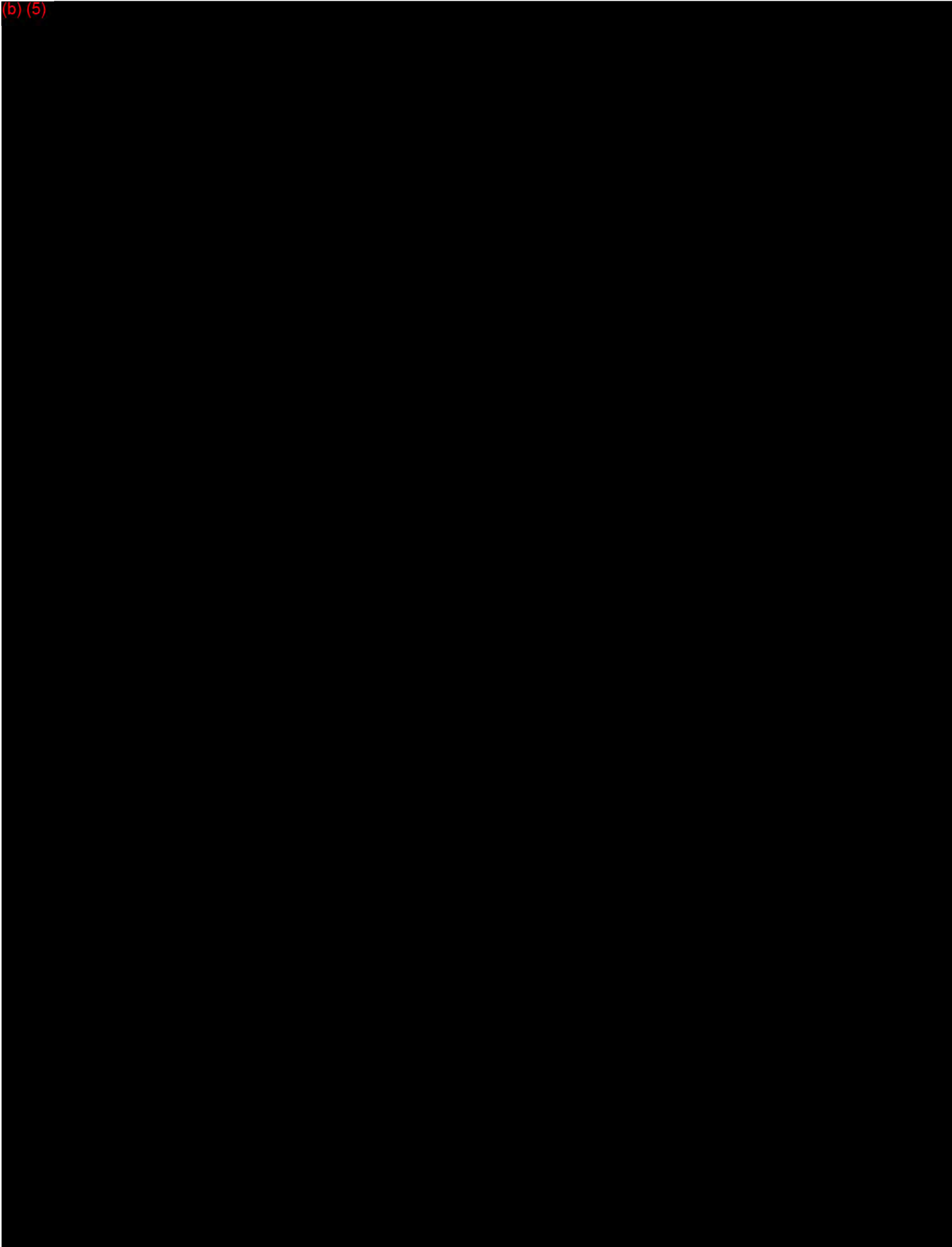
Could you please review it one more time and let me know if you have comments/edits? (b) (5)
[REDACTED]

Thank you,

Viktoria







CEQ NEPA ANPRM_Comment Period Extension_Final2

From: "Seale, Viktoria Z. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=af5f6888d706481b94d18088a30821c9-se">

To: "Drummond, Michael R. EOP/CEQ" (b) (6)

Date: Thu, 05 Jul 2018 14:05:28 -0400

Attachments
: CEQ NEPA ANPRM Comment Period Extension Final2.docx (41.57 kB)

Michael,

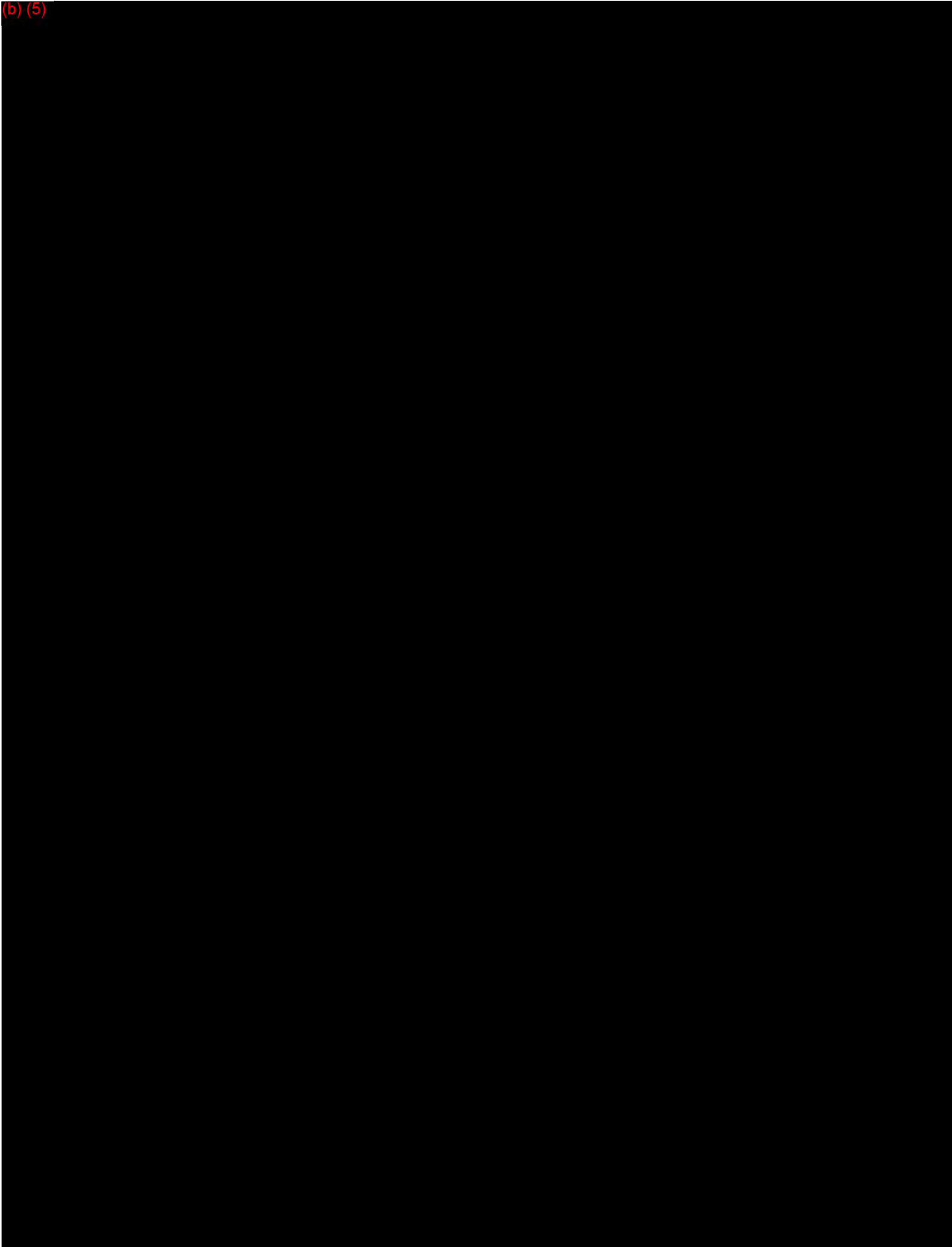
Attached for your review is the final draft of the extension notice for the ANPRM comment period.

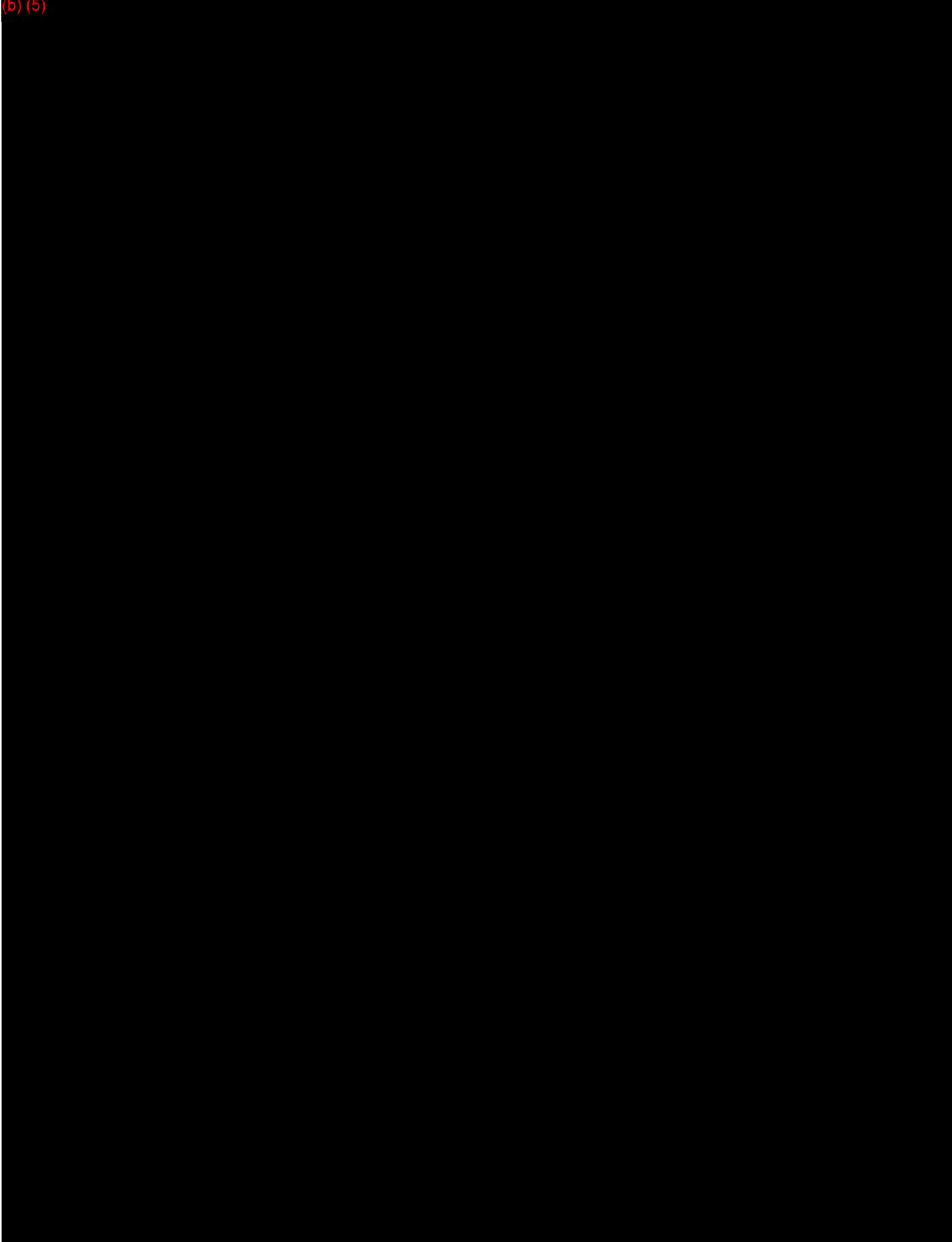
The Office of Federal Register has given it a preliminary review and made no suggested changes.

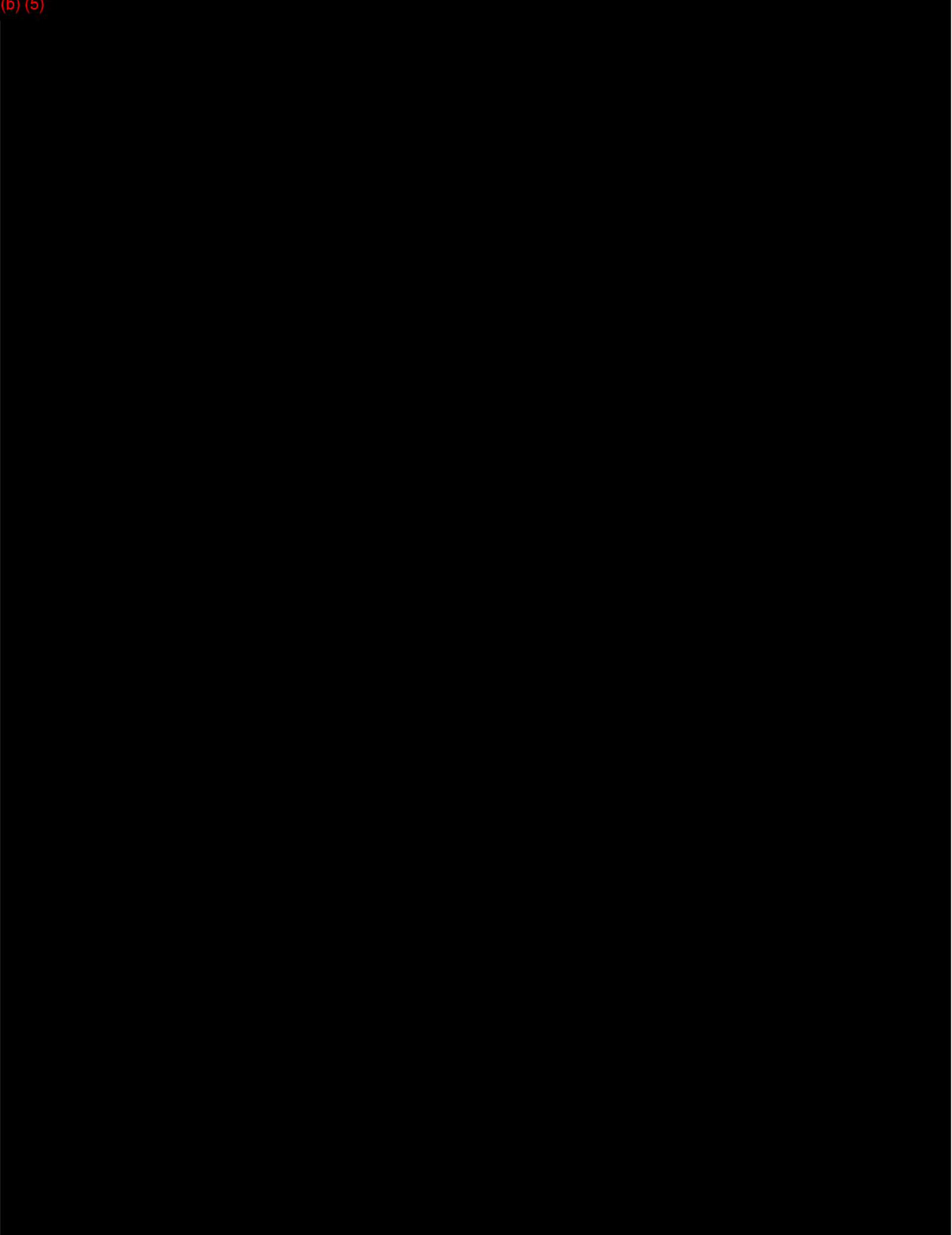
Could you please review it one more time and let me know if you have comments/edits? (b) (5)

Thank you,

Viktoria







RE: Comment from CEQ?

From: "Schneider, Daniel J. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=70576341fcb44ab780c5f4d1ca218647-sc">
To: Nick Sobczyk <nsobczyk@eenews.net>
Date: Tue, 10 Jul 2018 11:03:32 -0400

We received a number of requests to extend public comment.

<https://www.regulations.gov/docketBrowser?rpp=25&po=0&dct=PS&D=CEQ-2018-0001&refD=CEQ-2018-0001-0001>

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Tuesday, July 10, 2018 11:00 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan,

Thanks for the heads up. Does this come in direct response to the environmental groups that requested last month that it be extended to 90 days? Or did you get other input as well?

Best,
Nick

From: Schneider, Daniel J. EOP/CEQ [mailto:(b) (6)]
Sent: Tuesday, July 10, 2018 10:49 AM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick,

Just wanted to make sure you were aware. CEQ is extending the comment period on the Advanced Notice of Proposed Rulemaking, which was originally set to close on July 20, 2018. We've extended it through August 20, 2018. The notice is expected to be published in the Federal Register tomorrow, July 11, 2018. The pre-publication version is available at the link below.

><https://www.federalregister.gov/documents/2018/07/11/2018-14821/implementation-of-the-procedural-provisions-of-the-national-environmental-policy-act><

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Tuesday, June 19, 2018 11:37 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Thanks, Dan. Appreciate you getting back to me. I'll let you know if I have any additional follow ups.

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Tuesday, June 19, 2018 11:35 AM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

On background, attributable to a CEQ spokesman.

In terms of the format of the ANPRM, it depends on agency preference and different groups choose different techniques. We feel this approach is the best way to increase public engagement. Given that we've had lots of interest over the years from stakeholders, we're hopeful we receive a number of substantive comments.

In regards to the 30 day comment period, if we receive requests for a longer than a 30 day comment period, we will consider it.

I'm happy to keep you informed as things progress.

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Tuesday, June 19, 2018 11:18 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan – one additional question for you. An early criticism I'm hearing from environmentalists is that 30 days is an exceedingly short comment period. Do you have a response to that? What was the rationale for that time frame?

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Tuesday, June 19, 2018 10:32 AM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick, what's your deadline?

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Tuesday, June 19, 2018 9:52 AM

To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Good Morning Dan,

We're going to run a story on this in today's Greenwire, so I wanted to see if CEQ has any additional comment.

Is the series of 20 questions a typical format for an ANPRM? If not, what is the rationale?
Was CEQ waiting to advance this document until it got a nominee for director?
Does Ms. Neumayr's official nomination make things easier, or will it effectively be the same?
I suspect this will be a popular document. How many comments do you think you'll get?

Best,
Nick

From: Schneider, Daniel J. EOP/CEQ [mailto:(b) (6)]
Sent: Monday, June 18, 2018 3:55 PM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick,

Just wanted to flag this for you given your interest in the subject matter. CEQ submitted an ANPRM to the Federal Register for publication on Friday, June 15, 2018 requesting public comment on potential revisions to update and clarify CEQ's NEPA regulations. Through a series of 20 questions, CEQ is requesting comments on provisions of the regulations to the NEPA process and the scope of NEPA review. It should be published in the Federal Register in the next couple of days.

Fact Sheet: <https://www.whitehouse.gov/wp-content/uploads/2017/11/FINAL-ANPRM-Fact-Sheet-20180615.pdf>

Prepublication Text: https://www.whitehouse.gov/wp-content/uploads/2017/11/CEQ-NEPA-ANPRM_WebVersion-20180615.pdf

Webpage: <https://www.whitehouse.gov/ceq/initiatives/>

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Monday, May 21, 2018 10:46 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Sure: 202-446-0437

From: Schneider, Daniel J. EOP/CEQ [mailto:(b) (6)]
Sent: Monday, May 21, 2018 10:46 AM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

What's the best number to reach you at? Would like to discuss. Thanks.

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Monday, May 21, 2018 10:39 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan – any update on this? If you'd like to provide a statement from CEQ, I could work with that, too. I'm wondering:

How long will the process take?
Are there any specific areas of the NEPA regulations that are ripe for reform?
Do you think the FAST Act and MAP-21 provide a model for streamlining/change?
How will the current lack of Senate-confirmed political leadership affect how CEQ handles the potential regulatory changes?
How many public comments is CEQ expecting to get?

Best,
Nick

From: Schneider, Daniel J. EOP/CEQ [mailto:(b) (6)]
Sent: Friday, May 18, 2018 12:49 PM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick, still checking in on this.

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Friday, May 18, 2018 10:06 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan – any word yet on whether you'll be able to connect me with Mr. Boling?

Nick

From: Schneider, Daniel J. EOP/CEQ [mailto:(b) (6)]
Sent: Thursday, May 17, 2018 11:58 AM

To: Nick Sobczyk <nsobczyk@eenews.net>

Subject: RE: Comment from CEQ?

Hey Nick,

What's your timing on this?

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>

Sent: Thursday, May 17, 2018 11:43 AM

To: Schneider, Daniel J. EOP/CEQ <(b) (6)>

Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan,

I'm hoping to do a follow up to the below examining in more detail what the process will look like and what areas of CEQ's NEPA regulations would be ripe for change.

Would you be able to set up an interview with Ted Boling? Would be great to get some of his thoughts on the issue and have his voice in the story.

Best,
Nick

From: Schneider, Daniel J. EOP/CEQ [[mailto:\(b\) \(6\)](mailto:(b) (6)@)]

Sent: Monday, May 07, 2018 3:16 PM

To: Nick Sobczyk <nsobczyk@eenews.net>

Subject: RE: Comment from CEQ?

Hey Nick,

On background, attributable to a CEQ Spokesman:

On May 3rd, the Council on Environmental Quality (CEQ) submitted a draft Advanced Notice of Proposed Rulemaking (ANPRM) entitled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act" to the Office of Management and Budget for interagency review consistent with Executive Order 12866. After completion of interagency review, CEQ anticipates will publish the ANPRM in the Federal Register for public comment.

This ANPRM is being developed in response to Executive Order 13807 issued by President Trump on August 15, 2017. While CEQ has issued memoranda and guidance documents over the years, it has only amended its regulations once. Therefore, CEQ believes it is appropriate at this time to solicit public comment and consider updating the implementation regulations.

Hope that helps,

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>

Sent: Monday, May 7, 2018 2:27 PM

To: Schneider, Daniel J. EOP/CEQ <(b) (6)>

Subject: [EXTERNAL] Comment from CEQ?

Hi Dan,

Hope all is well and that you're enjoying your new gig at the White House! I saw CEQ submitted a prerule with OMB on May 3 to update its NEPA regulations. I'm looking for a comment from CEQ on the following questions. My deadline is 3:15 pm.

Does CEQ plan to follow this up with an advanced notice of proposed rulemaking? Or are there other options available?

What are the next steps and what is the timeline looking like?

What specific changes will CEQ make to its NEPA regs? How will they affect permitting processes at other agencies?

Thanks!

Nick Sobczyk
E&E News reporter
nsobczyk@eenews.net
Office: 202-446-0437
Cell: (b) (6)
[@nick_sobczyk](https://twitter.com/nick_sobczyk)

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RE: Comment from CEQ?

From: "Schneider, Daniel J. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=70576341fcb44ab780c5f4d1ca218647-sc">
To: Nick Sobczyk <nsobczyk@eenews.net>
Date: Tue, 10 Jul 2018 10:49:11 -0400

Hey Nick,

Just wanted to make sure you were aware. CEQ is extending the comment period on the Advanced Notice of Proposed Rulemaking, which was originally set to close on July 20, 2018. We've extended it through August 20, 2018. The notice is expected to be published in the Federal Register tomorrow, July 11, 2018. The pre-publication version is available at the link below.

<https://www.federalregister.gov/documents/2018/07/11/2018-14821/implementation-of-the-procedural-provisions-of-the-national-environmental-policy-act>

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Tuesday, June 19, 2018 11:37 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Thanks, Dan. Appreciate you getting back to me. I'll let you know if I have any additional follow ups.

From: Schneider, Daniel J. EOP/CEQ [mailto:(b) (6)]
Sent: Tuesday, June 19, 2018 11:35 AM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

On background, attributable to a CEQ spokesman.

In terms of the format of the ANPRM, it depends on agency preference and different groups choose different techniques. We feel this approach is the best way to increase public engagement. Given that we've had lots of interest over the years from stakeholders, we're hopeful we receive a number of substantive comments.

In regards to the 30 day comment period, if we receive requests for a longer than a 30 day comment period, we will consider it.

I'm happy to keep you informed as things progress.

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Tuesday, June 19, 2018 11:18 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan – one additional question for you. An early criticism I’m hearing from environmentalists is that 30 days is an exceedingly short comment period. Do you have a response to that? What was the rationale for that time frame?

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Tuesday, June 19, 2018 10:32 AM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick, what’s your deadline?

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Tuesday, June 19, 2018 9:52 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Good Morning Dan,

We’re going to run a story on this in today’s Greenwire, so I wanted to see if CEQ has any additional comment.

Is the series of 20 questions a typical format for an ANPRM? If not, what is the rationale?
Was CEQ waiting to advance this document until it got a nominee for director?
Does Ms. Neumayr’s official nomination make things easier, or will it effectively be the same?
I suspect this will be a popular document. How many comments do you think you’ll get?

Best,
Nick

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Monday, June 18, 2018 3:55 PM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick,

Just wanted to flag this for you given your interest in the subject matter. CEQ submitted an ANPRM to the Federal Register for publication on Friday, June 15, 2018 requesting public comment on potential revisions to update and clarify CEQ’s NEPA regulations. Through a series of 20 questions, CEQ is

requesting comments on provisions of the regulations to the NEPA process and the scope of NEPA review. It should be published in the Federal Register in the next couple of days.

Fact Sheet: <https://www.whitehouse.gov/wp-content/uploads/2017/11/FINAL-ANPRM-Fact-Sheet-20180615.pdf>

Prepublication Text: https://www.whitehouse.gov/wp-content/uploads/2017/11/CEQ-NEPA-ANPRM_WebVersion-20180615.pdf

Webpage: <https://www.whitehouse.gov/ceq/initiatives/>

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Monday, May 21, 2018 10:46 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Sure: 202-446-0437

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Monday, May 21, 2018 10:46 AM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

What's the best number to reach you at? Would like to discuss. Thanks.

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Monday, May 21, 2018 10:39 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan – any update on this? If you'd like to provide a statement from CEQ, I could work with that, too. I'm wondering:

How long will the process take?

Are there any specific areas of the NEPA regulations that are ripe for reform?

Do you think the FAST Act and MAP-21 provide a model for streamlining/change?

How will the current lack of Senate-confirmed political leadership affect how CEQ handles the potential regulatory changes?

How many public comments is CEQ expecting to get?

Best,
Nick

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Friday, May 18, 2018 12:49 PM

To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick, still checking in on this.

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Friday, May 18, 2018 10:06 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan – any word yet on whether you'll be able to connect me with Mr. Boling?

Nick

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Thursday, May 17, 2018 11:58 AM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick,

What's your timing on this?

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>
Sent: Thursday, May 17, 2018 11:43 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan,

I'm hoping to do a follow up to the below examining in more detail what the process will look like and what areas of CEQ's NEPA regulations would be ripe for change.

Would you be able to set up an interview with Ted Boling? Would be great to get some of his thoughts on the issue and have his voice in the story.

Best,
Nick

From: Schneider, Daniel J. EOP/CEQ [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Monday, May 07, 2018 3:16 PM
To: Nick Sobczyk <nsobczyk@eenews.net>
Subject: RE: Comment from CEQ?

Hey Nick,

On background, attributable to a CEQ Spokesman:

On May 3rd, the Council on Environmental Quality (CEQ) submitted a draft Advanced Notice of Proposed Rulemaking (ANPRM) entitled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act" to the Office of Management and Budget for interagency review consistent with Executive Order 12866. After completion of interagency review, CEQ anticipates will publish the ANPRM in the Federal Register for public comment.

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Hope that helps,

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>

Sent: Monday, May 7, 2018 2:27 PM

To: Schneider, Daniel J. EOP/CEQ <(b) (6)>

Subject: [EXTERNAL] Comment from CEQ?

Hi Dan,

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Nick Sobczyk
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RE: Comment analysis

From: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>

To: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>

Date: Thu, 19 Jul 2018 16:11:03 -0400

Hello Yardena,

After reviewing 0498, (b) (5)

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]
[redacted] Please let me know if you would like me to revise this or review other comments. Thank you!

Best,
Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Thursday, July 19, 2018 2:10 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: Comment analysis

Please take a look at 0498 (b) (5)
[redacted]

Hang on to the FR notice. I may send you additional comment documents to sort out. Thanks for the help.

Yardena Mansoor
Deputy Associate Director for NEPA
Council on Environmental Quality
(b) (6) / (b) (6)

Comment analysis

From: "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">

To: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>

Date: Thu, 19 Jul 2018 14:10:27 -0400

Attachments
: 0498.pdf (370.94 kB); ANPR (83 FR 28591) 2018-06-20.pdf (195.85 kB)

Please take a look at 0498 (b) (5)

Hang on to the FR notice. I may send you additional comment documents to sort out. Thanks for the help.

Yardena Mansoor
Deputy Associate Director for NEPA
Council on Environmental Quality
(b) (6) / (b) (6)



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July 18, 2018

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Edward Boling, Associate Director for NEPA
Council on Environmental Quality
730 Jackson Place NW
Washington, D.C. 20503

RE: National Environmental Policy Act implementing regulations,
Docket ID No. CEQ-2018-0001

Dear Council on Environmental Quality,

Alaska Institute for Justice submits these comments regarding CEQ's proposal to amend its regulations implementing the National Environmental Policy Act. The Alaska Institute for Justice is a non-profit agency headquartered in Anchorage, Alaska. Through its research and policy program, Alaska Institute for Justice is working in collaboration with 15 Alaska Native communities that are threatened by erosion, permafrost thaw, flooding, shrinking sea ice, and storm surges. In order to protect these communities in their current location, or, as a last resort, relocate communities, these Alaska Native villages have applied for grant funding and assistance from federal agencies. In some cases, environmental review requirements have delayed critical actions needed to address imminent threats to communities. These delays can be dangerous in rural Alaskan communities where summer construction seasons are short and needs are critical. A delay of even a couple of months may mean the loss of someone's home to erosion or the loss of an entire construction season and consequent exposure of the community to another storm season without completing needed protective measures. We submit these comments in order to suggest amendments to the NEPA regulatory scheme so that the NEPA environmental review process is not a barrier for Alaska Native communities threatened by flooding and erosion and urgently needing federal funding to develop protection strategies.

Background: Challenges faced by Alaskan communities in adapting to a changing climate

Each of the 15 communities with which AIJ collaborates is working to respond to increasing danger from environmental threats. Loss of arctic sea ice, the natural storm barrier for coastal communities, results in inundation of coastal communities by flooding and storm surges during extreme weather events. During the winter of 2017-2018, 42 storms battered the west coast of Alaska, causing damage in many communities that collaborate with AIJ. The communities, all identified by a 2009 Government Accountability Office report as ‘imminently threatened by flooding and erosion’, are located in northern Alaska, northwestern Alaska, the Yukon-Kuskokwim Delta, and southwestern Alaska, and are already losing homes as a result of rapid environmental changes. In some communities, homes are currently located on the edge of eroding river banks or coastal bluffs and may be lost within the next year or the next several years. Alternate living spaces are not available in the communities for the families who will be displaced, putting these families at serious risk of homelessness from the next storm or extreme weather event. Many of these communities, and other similarly-situated communities in Alaska, have had difficulty obtaining funding to repair and protect existing homes and village infrastructure, or to construct new homes and infrastructure in safe locations either within the community or, for communities left with no alternative but relocation, in a new village site.



Figure 1 Map of the 15 communities collaborating with AIJ.

The 2009 Government Accountability Office report, *Alaska Native Villages: Limited Progress Has Been Made in Relocating Villages Threatened by Flooding and Erosion*, identified the NEPA process as one of several barriers for Alaska Native communities to protect their lives and their homes. The need to take action to assist threatened communities is urgent. Protecting communities from extreme weather events, through mitigation measures or relocation, is a complicated process and federal assistance is critical to allow communities to succeed in the face of a rapidly changing climate.

RECOMMENDATIONS:

We ask CEQ to consider revising its regulations to improve the process for communities that are working to address urgent safety priorities. Specifically, we ask you to adopt the following recommendations:

1. Clarify regulations regarding the designation of a lead agency for communities that have chosen, as a last resort, to relocate because of increasing environmental threats.

We ask that you revise 40 C.F.R. § 1501.5 to provide clear guidance in identifying a lead agency for the NEPA environmental review process for community relocation projects. This will help communities move forward with environmental reviews in an expedited, coordinated fashion so that they can take the actions that are necessary to protect their residents, homes, and infrastructure.

When multiple agencies are involved in a project, 40 C.F.R. § 1501.5 requires a lead agency to supervise the preparation of an environmental impact statement. For villages that are seeking to relocate, there are many federal agencies involved in permitting, funding, and building infrastructure for the community's relocation. Communities like Shishmaref, Kivalina, and Newtok have experienced difficulties in getting the environmental review process started because no federal agency wants to take the lead role in the NEPA process. For example in Newtok, Alaska, a community that elected to relocate, the Denali Commission completed an EIS to discuss the environmental effects of relocation in 15 months.¹ This process, however, began in 2007 but at that time no federal government agency wanted to be the lead agency for the NEPA review. Ultimately, the NEPA review occurred because the Denali Commission prioritized and funded the work.

The 2009 Government Accountability Office report identified this problem, but the problem has not been addressed.² This report found:

A primary matter of concern is how to address NEPA requirements, which require federal agencies to review the likely environmental effects of major federal actions. If more than one federal agency is involved in the same action or group of actions directly related to each other, NEPA regulations require a lead agency to supervise the NEPA evaluation. Currently, the Corps is the lead agency for funding and planning the design and construction of the evacuation center [in Newtok] to be built at the new village site, but there is no designated lead federal agency for the overall relocation of the village. The Corps issued an environmental assessment that found no significant impacts in July 2008. However, the Corps assessed only the environmental effects of the evacuation center and associated project features, including an access road from the barge landing, a sewage lagoon and landfill, a quarry site, and connecting roads. Participants in the Newtok Planning Group [interagency working group

¹ See Denali Commission, *Proactive approach to environmental permitting pays off for village in Alaska*, available at <https://www.denali.gov/images/Denali%20Commission%20-%20ROD%20Press%20Release.pdf>.

² See Government Accountability Office, *Alaska Native Villages: Limited Progress Has Been Made in Relocating Villages Threatened by Flooding and Erosion* (June 2009).

coordinating the construction of infrastructure at Newtok's relocation site] are concerned that until a federal lead agency is identified for funding, planning, designing, or constructing all of the other components of the village relocation, the NEPA requirements for these other relocation components will remain unfulfilled.

Government Accountability Office, *Alaska Native Villages: Limited Progress Has Been Made in Relocating Villages Threatened by Flooding and Erosion* (June 2009) at 31.

Communities continue to struggle with planning and carrying out relocations because there is no clear guidance to determine which federal agency must act as the lead agency for NEPA purposes. The existing guidance in 40 C.F.R. § 1501.5 has not been sufficient in these circumstances because no one agency has expertise in all of the areas relevant to a community relocation and agencies are hesitant to undertake the complex task. With at least 31 communities in Alaska imminently threatened by flooding and erosion, this is a recurring problem that needs to be addressed through uniform guidance, not on a case-by-case basis that results in delays for imperiled communities.

2. Require federal agencies to prioritize NEPA reviews for projects addressing imminent environmental threats in order to expedite these critical projects.

We ask CEQ to adopt a regulation establishing a prioritization schedule and timeline for NEPA reviews to expedite the review process for projects to protect or relocate communities imminently threatened by environmental hazards. We request that CEQ establish a prioritization schedule for NEPA reviews for projects to protect or relocate communities imminently threatened by environmental hazards so that these reviews are a first priority and agencies can complete these reviews in an expedited fashion, as is appropriate given the urgency of the threats. Without the establishment of a prioritization schedule, these reviews can be delayed by agency work on NEPA reviews for other, complex projects that do not have urgent timelines. In addition, please consider establishing maximum timelines for this type of environmental review.

Completing the NEPA review process can take months to years depending on the project involved. In both the 2003 and 2009 Government Accountability Office (GAO) reports, the GAO identified problems with the environmental review process for village relocations.³ The lengthy process of completing NEPA reviews is a serious problem for imminently threatened communities seeking to complete projects that are critical for the survival of the community and the protection of residents, their homes, and critical infrastructure.

³ See Government Accountability Office, *Alaska Native Villages: Limited Progress Has Been Made in Relocating Villages Threatened by Flooding and Erosion* (June 2009); Government Accountability Office, *Alaska Native Villages: Most Are Affected by Flooding and Erosion, but Few Qualify for federal Assistance* (December 2003).

3. Establish categorical exclusions for imminent threats and provide a process to minimize delay for projects covered by categorical exclusions addressing imminent threats.

We ask CEQ to adopt a regulation establishing a categorical exclusion for projects that do not alter environmental conditions and are necessary to control or arrest the effects from disasters or imminent threats to public safety. Under 40 C.F.R. § 1508.4, agencies are authorized to adopt categorical exclusions covering projects that generally do not require environmental impact statements. Some agencies have established categorical exclusions for certain projects that address imminent environmental threats. For example, the Department of Housing and Urban Development considers “temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration” to be exempt from environmental review requirements.⁴ Not all agencies have similar categorical exclusions, and this presents a problem for villages attempting to relocate or mitigate imminent environmental threats.

This categorical exclusion for projects that do not alter environmental conditions and are necessary to control or arrest the effects from disasters or imminent threats to public safety would also be consistent with the authority provided under 40 C.F.R. § 1506.11 allowing agencies to follow alternative procedures in emergencies. Instead of requiring agencies to consult with CEQ in each case, as required under 40 C.F.R. § 1506.11, however, a categorical exclusion would clarify that an environmental impact statement is not required where action is needed to address imminent threats.

To improve the process of reviewing these urgent projects, we ask CEQ to adopt a regulation that requires cooperating agencies, in the case of projects that are addressing imminent threats and are covered by categorical exclusions, to meet within one week of receiving an application for funding or permitting to complete and approve the environmental review. An expedited process for reviewing projects subject to this type of categorical exclusion is necessary. Projects that meet the requirements for categorical exclusions are still subject to delay because each relevant agency has a period of time to review and approve the project. When those review periods are not coterminous, the delay can be extensive. Given the urgent nature of projects addressing imminent environmental threats, it is critical to establish an expedited process for completing NEPA requirements.

4. Amend 40 C.F.R. § 1501.4 to include a statement explaining the category of review (environmental assessment or environmental impact statement) generally required for community relocations resulting from environmental threats.

As discussed above, with dozens of villages in Alaska facing the need to relocate because of environmental threats, and communities in other states facing similar situations, federal agencies are likely to be involved in the planning and implementation of many community relocation projects. In each case, the situation is urgent. To facilitate and expedite this process, please amend 40 C.F.R. § 1501.4 to include guidance indicating whether these projects will normally require an environmental assessment or an environmental impact statement.

⁴ 24 C.F.R. § 58.34(a)(10). HUD has established similar categorical exclusions under 24 C.F.R. § 58.35.

5. Amend 40 C.F.R. § 1502.14 to provide that when a federal agency completes an environmental impact statement or environmental assessment for a community relocation and the community has selected a relocation site within the community's traditional lands, the agency is not required to analyze alternatives that would require relocation in another site.

Communities that are left with no alternative but to relocate because of environmental threats that cannot be mitigated face a difficult choice. Communities have a right to self-determination and should be granted deference in deciding where to live. When a community chooses a relocation site on the community's traditional lands, federal agencies should not be required to consider alternative locations. Adopting a regulation specifying that federal agencies do not have to consider alternative relocation sites under these circumstances would ensure that communities are not forced to relocate to an area outside of their traditional territory against their will.

Thank you for considering these comments. We would be happy to discuss these issues with you in more detail at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Robin Bronen". The signature is written in a cursive, flowing style.

Robin Bronen

Executive Director

requirements, Superfund, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(d); 42 U.S.C. 9601–9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p. 306; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Dated: May 30, 2018.

Cosmo Servidio,

Regional Administrator, U.S. Environmental Protection Agency Region 3.

[FR Doc. 2018–12709 Filed 6–10–18; 8:45 am]

BILLING CODE 6560–50–P

COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Parts 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, and 1508

[Docket No. CEQ–2018–0001]

RIN: 0331–AA03

Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

AGENCY: Council on Environmental Quality (CEQ).

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Council on Environmental Quality (CEQ) is considering updating its implementing regulations for the procedural provisions of the National Environmental Policy Act (NEPA). Over the past four decades, CEQ has issued numerous guidance documents but has amended its regulations substantively only once. Given the length of time since its NEPA implementing regulations were issued, CEQ solicits public comment on potential revisions to update the regulations and ensure a more efficient, timely, and effective NEPA process consistent with the national environmental policy stated in NEPA.

DATES: Comments should be submitted on or before July 20, 2018.

ADDRESSES: Submit your comments, identified by docket identification (ID) number CEQ–2018–0001 through the Federal eRulemaking portal at <https://www.regulations.gov>. Follow the online instructions for submitting comments.

FOR FURTHER INFORMATION CONTACT: Edward A. Boling, Associate Director for the National Environmental Policy Act, Council on Environmental Quality, 730 Jackson Place NW, Washington, DC 20503. Telephone: (202) 395–5750.

SUPPLEMENTARY INFORMATION:

I. Background

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, was enacted in 1970. NEPA states that “it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.” 42 U.S.C. 4331(a). NEPA also established CEQ as an agency within the Executive Office of the President. 42 U.S.C. 4342.

By Executive Order (E.O.) 11514, “Protection and Enhancement of Environmental Quality” (March 5, 1970), President Nixon directed CEQ in Section 3(h) to issue “guidelines to Federal agencies for the preparation of detailed statements on proposals for legislation and other Federal actions affecting the environment, as required by section 102(2)(C) of the Act.” CEQ published these guidelines in April of 1970 and revised them in 1973.

President Carter issued E.O. 11991 (May 24, 1977), “Relating to Protection and Enhancement of Environmental Quality,” which amended Section 3(h) of E.O. 11514 to direct CEQ to issue regulations providing uniform standards for the implementation of NEPA, and amended Section 2 of E.O. 11514 to require agency compliance with the CEQ regulations. CEQ promulgated its “Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act” (CEQ’s NEPA regulations) at 40 CFR parts 1500–1508. 43 FR 55978 (November 29, 1978). Since that time, CEQ has amended its NEPA regulations substantively only once, to eliminate the “worst case” analysis requirement of 40 CFR 1502.22. 51 FR 15618 (April 25, 1986).

On August 15, 2017, President Trump issued E.O. 13807, “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects.” 82 FR 40463 (August 24, 2017). Section 5(e) of E.O. 13807 directed CEQ to develop an initial list of actions to enhance and modernize the Federal environmental review and authorization process. In response, CEQ published its initial list of actions pursuant to E.O. 13807 and stated that it intends to

review its existing NEPA regulations in order to identify changes needed to update and clarify these regulations. 82 FR 43226 (September 14, 2017).

II. Request for Comment

CEQ requests comments on potential revisions to update and clarify CEQ NEPA regulations. In particular, CEQ requests comments on the following specific aspects of these regulations, and requests that commenters include question numbers when providing responses. Where possible, please provide specific recommendations on additions, deletions, and modifications to the text of CEQ’s NEPA regulations and their justifications.

NEPA Process

1. Should CEQ’s NEPA regulations be revised to ensure that environmental reviews and authorization decisions involving multiple agencies are conducted in a manner that is concurrent, synchronized, timely, and efficient, and if so, how?

2. Should CEQ’s NEPA regulations be revised to make the NEPA process more efficient by better facilitating agency use of environmental studies, analysis, and decisions conducted in earlier Federal, State, tribal or local environmental reviews or authorization decisions, and if so, how?

3. Should CEQ’s NEPA regulations be revised to ensure optimal interagency coordination of environmental reviews and authorization decisions, and if so, how?

Scope of NEPA Review

4. Should the provisions in CEQ’s NEPA regulations that relate to the format and page length of NEPA documents and time limits for completion be revised, and if so, how?

5. Should CEQ’s NEPA regulations be revised to provide greater clarity to ensure NEPA documents better focus on significant issues that are relevant and useful to decisionmakers and the public, and if so, how?

6. Should the provisions in CEQ’s NEPA regulations relating to public involvement be revised to be more inclusive and efficient, and if so, how?

7. Should definitions of any key NEPA terms in CEQ’s NEPA regulations, such as those listed below, be revised, and if so, how?

- a. Major Federal Action;
- b. Effects;
- c. Cumulative Impact;
- d. Significantly;
- e. Scope; and
- f. Other NEPA terms.

8. Should any new definitions of key NEPA terms, such as those noted below, be added, and if so, which terms?

- a. Alternatives;
 - b. Purpose and Need;
 - c. Reasonably Foreseeable;
 - d. Trivial Violation; and
 - e. Other NEPA terms.
9. Should the provisions in CEQ's NEPA regulations relating to any of the types of documents listed below be revised, and if so, how?
- a. Notice of Intent;
 - b. Categorical Exclusions Documentation;
 - c. Environmental Assessments;
 - d. Findings of No Significant Impact;
 - e. Environmental Impact Statements;
 - f. Records of Decision; and
 - g. Supplements.
10. Should the provisions in CEQ's NEPA regulations relating to the timing of agency action be revised, and if so, how?
11. Should the provisions in CEQ's NEPA regulations relating to agency responsibility and the preparation of NEPA documents by contractors and project applicants be revised, and if so, how?
12. Should the provisions in CEQ's NEPA regulations relating to programmatic NEPA documents and tiering be revised, and if so, how?
13. Should the provisions in CEQ's NEPA regulations relating to the appropriate range of alternatives in NEPA reviews and which alternatives may be eliminated from detailed analysis be revised, and if so, how?

General

14. Are any provisions of the CEQ's NEPA regulations currently obsolete? If so, please provide specific recommendations on whether they should be modified, rescinded, or replaced.
15. Which provisions of the CEQ's NEPA regulations can be updated to reflect new technologies that can be used to make the process more efficient?
16. Are there additional ways CEQ's NEPA regulations should be revised to promote coordination of environmental review and authorization decisions, such as combining NEPA analysis and other decision documents, and if so, how?
17. Are there additional ways CEQ's NEPA regulations should be revised to improve the efficiency and effectiveness of the implementation of NEPA, and if so, how?
18. Are there ways in which the role of tribal governments in the NEPA process should be clarified in CEQ's NEPA regulations, and if so, how?
19. Are there additional ways CEQ's NEPA regulations should be revised to ensure that agencies apply NEPA in a manner that reduces unnecessary

burdens and delays as much as possible, and if so, how?

20. Are there additional ways CEQ's NEPA regulations related to mitigation should be revised, and if so, how?

(Authority: 42 U.S.C. 4332, 4342, 4344 and 40 CFR parts 1500, 1501, 1502, 1503, 1505, 1506, 1507, and 1508)

III. Statutory and Executive Order Reviews

Under E.O. 12866, "Regulatory Planning and Review," 58 FR 51735 (October 4, 1993), this is a "significant regulatory action." Accordingly, CEQ submitted this action to the Office of Management and Budget (OMB) for review under E.O. 12866 and any changes made in response to OMB recommendations have been documented in the docket for this action. Because this action does not propose or impose any requirements, and instead seeks comments and suggestions for CEQ to consider in possibly developing a subsequent proposed rule, the various statutes and executive orders that normally apply to rulemaking do not apply in this case. If CEQ decides in the future to pursue a rulemaking, CEQ will address the statutes and executive orders applicable to that rulemaking at that time.

Mary B. Neumayr,
Chief of Staff, Council on Environmental Quality.

[FR Doc. 2018-13246 Filed 6-19-18; 8:45 am]

BILLING CODE 3225-F8-P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 105-60

[GSPMR Case 2016-105-1; Docket No. 2016-0004, Sequence No. 1]

RIN 3090-AJ74

Public Availability of Agency Records and Informational Materials

AGENCY: Office of Administrative Services (OAS), General Services Administration (GSA).

ACTION: Proposed rule.

SUMMARY: The General Services Administration (GSA) is issuing a proposed rule to amend its regulations implementing the Freedom of Information Act (FOIA). The regulations are being revised to update and streamline the language of several procedural provisions and to incorporate certain changes brought about by the amendments to the FOIA under both statutory and nonstatutory authorities. This rule also amends the

GSA's regulations under the Freedom of Information Act (FOIA) to incorporate certain changes made to the FOIA by the FOIA Improvement Act of 2016. Additionally, the regulations are being updated to reflect developments in case law, executive guidance from the Department of Justice—Office of Information Policy, technological advancements in how the FOIA is administered, and to include current cost figures to be used in calculating and charging fees. Finally, the revisions increase the amount of information that members of the public may receive from the Agency without being charged processing fees through proactive disclosures.

DATES: Interested parties should submit written comments to the Regulatory Secretariat Division at one of the addresses shown below on or before August 20, 2018 to be considered in the formation of the final rule.

ADDRESSES: Submit comments in response to GSPMR case 2016-105-1 by any of the following methods:

- [Regulations.gov](http://www.regulations.gov); <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching for "GSPMR Case 2016-105-1". Select the link "Comment Now" that corresponds with "GSPMR Case 2016-105-1." Follow the instructions provided on the screen. Please include your name, company name (if any), and "GSPMR Case 2016-105-1" on your attached document.

- **Mail:** General Services Administration, Regulatory Secretariat Division (MVCB), ATTN: Ms. Lois Mandell, 1800 F Street NW, 2nd Floor, Washington, DC 20405.

Instructions: Please submit comments only and cite GSPMR Case 2016-105-1, in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check www.regulations.gov, approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Travis S. Lewis, Director of GSA, OAS, Freedom of Information Act and Records Management Division, at 202-219-3078 via email at travis.lewis@gsa.gov for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202-501-4755. Please cite GSPMR Case 2016-105-1.

RE: Comment analysis

From: "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">

To: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>

Date: Thu, 19 Jul 2018 16:12:44 -0400

Thanks. If I encounter more of these, I'll send them on.

From: Carlin, Erin A. EOP/CEQ (Intern)

Sent: Thursday, July 19, 2018 4:11 PM

To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>

Subject: RE: Comment analysis

Hello Yardena,

After reviewing 0498, (b) (5)

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]
[REDACTED] Please let me know if you would like me to revise this or review other comments. Thank you!

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ

Sent: Thursday, July 19, 2018 2:10 PM

To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>

Subject: Comment analysis

Please take a look at 0498 (b) (5)

Hang on to the FR notice. I may send you additional comment documents to sort out. Thanks for the help.

Yardena Mansoor
Deputy Associate Director for NEPA
Council on Environmental Quality
(b) (6) / (b) (6)

RE: A flood of comments

From: "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">

To: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>

Date: Tue, 24 Jul 2018 10:37:58 -0400

Attachments
: 02 ANOPR Comment Log 07-23 to Erin.xlsx (75.45 kB)

(b) (5)

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Tuesday, July 24, 2018 10:17 AM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: A flood of comments

Hello Yardena,

I have been looking through some of the comments, (b) (5)

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Tuesday, July 24, 2018 9:37 AM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Cc: Drummond, Michael R. EOP/CEQ <(b) (6)> 8oling, Ted A. EOP/CEQ

<(b) (6) [REDACTED]

Subject: A flood of comments

Overnight we went from 517 comments to 847. I'll download the new data into the spreadsheet and we can then split the set for screening. At this point, (b) (5) [REDACTED].

Yardena Mansoor
Deputy Associate Director for NEPA
Council on Environmental Quality
(b) (6) [REDACTED] / (b) (6) [REDACTED]

Number of Responses		60		530		23 23 16 24 14 18 11 8 6 7 2 5 8 1 3 3 2 5 9 5 2 5 2 5 9 10 11 10 8 16 11 10 10 14 9																																											
Log	Organization / Name	In Scope?	Att.	Overview/Notable	1	2	3	4	5	6	7a	7b	7c	7d	7e	7f	8a	8b	8c	8d	8e	9a	9b	9c	9d	9e	9f	9g	10	11	12	13	14	15	16	17	18	19	20										
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5	Thomas King	Yes		Offers thoughts on whether and how to revise NEPA implementation.	1	1																																											
6	Thomas King	General		Objects to questions; re-imagine NEPA from scratch.																																													
7	John Roberts	General		Do not make changes.																																													
8	Larry Freilich	Yes		Page and time limits may cause additional work, restrict information.				1																																									
9	Rue Eich	General		Do not make changes.																																													
10	David Keys	Yes		Implementation has adapted, little change needed to regs.																	1							1	1		1	1	1																
11	Daniel Holt	Yes		Re-adopt GHG guidance.					1																																								
12	Michael Dechter	Yes		Page limits make EIS less useful, add work				1														1																											
13	Anonymous Anonymous	General		Save all environmental protection provisions.																																													
14	Jennifer Blegen	No		[Re EPA.]																																													
15	Judith Konig	General		Retain protections for air, water, wildlife.																																													
16	Ronald Estep	General		Against changing NEPA role of scientists and public.																																													
17	Env. Law & Policy Center, Howard Learner	Extension	1	Requests 60-day extension, public hearings.																																													
18	Whitney Kroschel	General		Need better justification for changing.																																													
19	David Hill	General		States specific provisions not to change and general opposition.					1																																								
20	Stephen Buckley	General		NEPA community has interest in no change.																																													
21	Michel Hammes	General		Do not make changes.																																													
22	Ssusana LaSala	General		NEPA does not need an overhaul.																																													
23	Association of Metropolitan Water Agencies, Diane VanDe Hei; American Water Works Association, Tracy Mehan	Extension	1	Requests 60-day extension. [Same as E-0005.]																																													
24	Jacob Siegel	Yes		Address climate change, retain public involvement.																																													
25	Susan Chapin	General		Burdens, delay may protect future health, vitality of environment.																																													
26	Amer. Soc. of Civil Engineers, Natalie Mamerow	Extension	1	Requests 60-day extension.																																													
27	Russell Hodin	Extension		Requests 60 day extension, public forums, mail option for commenting.																																													
28	Western Urban Water Coalition, Michael Carlin	Extension	1	Requests 60-day extension.																																													
29	Marilyn Price	General		Opposed to rollback of NEPA.																																													
30	Patricia Always	General		Preserve the strength of NEPA.																																													
31	Elizabeth Tachick	General		We need govt transparency, input on projects.																																													
32	Nora Rawn	General		Preserve public comment, consideration of EJ communities.																																													
33	Dobi Dobroslawa	General		Concerned about possibly weakened NEPA.																																													
34	Jeffrey Waggoner	General		Leave NEPA alone.																																													
35	Andrew Hawkins	General		Retain public comment and involvement.																																													
36	Nasreen Hosein	General		Against updates to NEPA.																																													

Number of Responses		60	530	23	23	16	24	14	18	11	8	6	7	2	5	8	1	3	3	2	5	9	5	2	5	9	10	11	10	8	16	11	10	14	9			
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86	Lenore Reeves	Gen./Extension		Campaign: same as 0047																																		
87	Melvin Czechowski	Gen./Extension		Campaign: same as 0047																																		
88	Elizabeth Thompson	Gen./Extension		Campaign: same as 0047																																		
89	David Kagan	Gen./Extension		Campaign: same as 0047																																		
90	Marc Obernesser	Gen./Extension		Campaign: same as 0047																																		
91	James Rosenthal	Gen./Extension		Campaign: same as 0047																																		
92	Mary Ann Leitch	Gen./Extension		Campaign: same as 0047																																		
93	Susan Nierenberg	Gen./Extension		Campaign: same as 0047																																		
94	jeffrey shuben	Gen./Extension		Campaign: same as 0047																																		
95	Rebecca Canright	Gen./Extension		Campaign: same as 0047																																		
96	Amy Hansen	Gen./Extension		Campaign: same as 0047																																		
97	Patricia Rossi	Gen./Extension		Campaign: same as 0047																																		
98	Mark Canright	Gen./Extension		Campaign: same as 0047																																		
99	Susan VanMeter	Gen./Extension		Campaign: same as 0047																																		
100	Margaret McGinnis	General		Opposed to weakening NEPA.																																		
101	Mark Dodel	Gen./Extension		Campaign: same as 0047																																		
102	Kathie E Takush	Gen./Extension		Campaign: same as 0047																																		
103	Patricia Libbey	Gen./Extension		Campaign: same as 0047																																		
104	Carl Doll	Gen./Extension		Campaign: same as 0047																																		
105	kiujhy erdwq	No		[Re wind power in German and solar in China]																																		
106	Bonnie Stoeckl	Gen./Extension		Campaign: same as 0047																																		
107	Marvin Feil	Gen./Extension		Campaign: same as 0047																																		
108	Clifford Phillips	Gen./Extension		Campaign: same as 0047																																		
109	Lawrence Stauffer	Gen./Extension		Campaign: same as 0047																																		
110	Lawrence Stauffer	Gen./Extension		Campaign: same as 0047																																		
111	Cindy Carlin	Gen./Extension		Campaign: same as 0047																																		
112	JOHN PASQUA	Gen./Extension		Campaign: same as 0047																																		
113	Nicholas Lenchner	Gen./Extension		Campaign: same as 0047																																		
114	Susan Shaak	Gen./Extension		Campaign: same as 0047																																		
115	lydia garvey	Gen./Extension		Campaign: same as 0047																																		
116	MH Higgins	Gen./Extension		Campaign: same as 0047																																		
117	Suzanne Roth	Gen./Extension		Campaign: same as 0047																																		
118	Jessica Reed	Gen./Extension		Campaign: same as 0047																																		
119	Steve Mattan	Gen./Extension		Campaign: same as 0047																																		
120	Craig Way	Gen./Extension		Campaign: same as 0047																																		
121	Julian Pinto	Gen./Extension		Campaign: same as 0047																																		
122	Rebecca Berlant	Gen./Extension		Campaign: same as 0047																																		
123	Ellis Woodward	Gen./Extension		Campaign: same as 0047																																		
124	William Kellner	Gen./Extension		Campaign: same as 0047																																		
125	Bettie Reina	Gen./Extension		Campaign: same as 0047																																		
126	Mare McClellan	Gen./Extension		Campaign: same as 0047																																		
127	Eric Bare	Gen./Extension		Campaign: same as 0047																																		
128	Christopher Kratzer	Gen./Extension		Opposes revising NEPA; requests 90-day extension.																																		
129	Tom Hoffman	Gen./Extension		Campaign: same as 0047																																		
130	Chuck Graver	Gen./Extension		Campaign: same as 0047																																		
131	Kelley Scanlon	Gen./Extension		Campaign: same as 0047																																		
132	marion M Kyde Ph.D.	Gen./Extension		Campaign: same as 0047																																		
133	William Huston	Gen./Extension		Campaign: same as 0047																																		
134	Rob Moore	Gen./Extension		Campaign: same as 0047																																		
135	Susan Babbitt	Gen./Extension		Campaign: same as 0047																																		
136	Elizabeth A. Roedell	Gen./Extension		Campaign: same as 0047																																		
137	Steve Troyanovich	Gen./Extension		Campaign: same as 0047																																		
138	Rosemarie Brenner	Gen./Extension		Campaign: same as 0047																																		
139	Leslie Sauer	Gen./Extension		Campaign: same as 0047																																		
140	Sue Harmon	General		Do not change NEPA																																		

Number of Responses			60	530	23	23	16	24	14	18	11	8	6	7	2	5	8	1	3	3	2	5	9	5	2	5	5	9	10	11	10	8	16	11	10	10	14	9			
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347	Janeese Jackson	General		Campaign: same as 222																																					
348	Beth Levin	General		Campaign: Similar to 222																																					
349	Dorothy Wylie	General		Campaign: Similar to 222																																					
350	James Miller	General		Campaign: Similar to 222; Don't take away safeguards.																																					
351	Christopher Troxell	General		Campaign: same as 222																																					
352	Keith Harris	General		Campaign: Similar to 222																																					
353	Pamela Green	General		Campaign: Similar to 222																																					
354	Great Old Broads for Wilderness, Susan Ostlie	General		Campaign: Similar to 222																																					
355	maureen rogers	General		Wants more, strict regulations that protect public lands.																																					
356	Lily Frey	General		Campaign: Similar to 222																																					
357	American Citizen	General		Campaign: Similar to 222																																					
358	Kay Nelson	General		Campaign: Similar to 222																																					
359	Walter Kuciej	General		Campaign: Similar to 222																																					
360	David Cooper	General		Campaign: Similar to 222																																					
361	David Worley			Weakening NEPA would negatively affect public and scientific input on decisionmaking.																																					
362	Bill Smith	General		Campaign: Similar to 222																																					
363	Gary Kish	General		Campaign: Similar to 222																																					
364	John Richen	General		Campaign: Similar to 222																																					
365	James Davis	General		Campaign: Similar to 222																																					
366	Margaret Wolf	General		Opposes any changes to NEPA.																																					
367	Kristen Swanson	General		Campaign: Similar to 222																																					
368	Kevin Brown	General		Campaign: Similar to 222																																					
369	Christine McKenzie	General		Campaign: Similar to 222																																					
370	LeeAnn Kriegh	General		Campaign: Similar to 222																																					
371	Fuji Kreider	General		Campaign: Similar to 222																																					
372	Pete Sandrock	General		Campaign: Similar to 222																																					
373	Joanne Diepenheim	General		Campaign: Similar to 222																																					
374	Environmental Protection Agency, Rebecca Ramage (likely not accurate)	General		Don't rescind procedural provisions of NEPA.																																					
375	Catherine Williams	General		Campaign: same as 222																																					
376	Ilan Bubb	General		Do not alter or weaken NEPA.																																					
377	Mike Farley	General		Campaign: same as 222																																					
378	Cindy Thomas	General		Campaign: same as 222																																					
379	Steven Haycock	General		Don't change NEPA																																					
380	Cheryl Fergeson	General		Campaign: same as 222																																					
381	Sandi Cornez	General		Campaign: similar to 222																																					
382	Craig Loftin	General		Campaign: similar to 222																																					
383	Jane Heisler	General		Campaign: same as 222																																					
384	Brad Stevens	General		Campaign: similar to 222																																					
385	Annette Ancel-Wisner	General		Wants three tiers of NEPA to remain intact																																					
386	Derek Gendvil	General		Campaign: same as 222																																					
387	Kevin Manion	General		Campaign: similar to 222																																					
388	Carolyn Eckel	General		Campaign: similar to 222																																					
389	rosalind o'donoghue	General		NEPA protects communities.																																					
390	Oregon Natural Desert Association, Katie Kelley	General		Campaign: same as 222																																					
391	Priscilla Galasso	General		Campaign: similar to 222																																					
392	Tim Brelinski	General		Campaign: similar to 222																																					
393	Kate Walter	General		Don't diminish NEPA.																																					
394	Lisa Jones	General		Campaign: similar to 222																																					
395	Denis Besson	General		Support existing NEPA system.																																					

Number of Responses			60	530	23	23	16	24	14	18	11	8	6	7	2	5	8	1	3	3	2	5	9	5	2	5	2	5	9	10	11	10	8	16	11	10	14	9				
Log	Organization / Name	In Scope?	Att.	Overview/Notable	1	2	3	4	5	6	7a	7b	7c	7d	7e	7f	8a	8b	8c	8d	8e	9a	9b	9c	9d	9e	9f	9g	10	11	12	13	14	15	16	17	18	19	20			
396	David Regan	General		Campaign: similar to 222																																						
397	Anonymous Anonymous	General		Public input and thorough planning under NEPA are vital.																																						
398	Martha Ahern	General		Campaign: similar to 222																																						
399	John Nettleton	General		Campaign: similar to 222																																						
400	Oregon Natural Desert Association, Linda Watts	General		Campaign: similar to 222																																						
401	Oregon Natural Desert Association, Peter Nunnenkamp	General		Campaign: similar to 222																																						
402	Rick Ray	General		Campaign: similar to 222																																						
403	Judy Merrick	General		Campaign: similar to 222																																						
404	Seth Hanson	General		Campaign: similar to 222																																						
405	Tara Miner	General		Campaign: similar to 222																																						
406	John Murphy	General		Campaign: similar to 222																																						
407	Anonymous Anonymous	General		Campaign: similar to 222																																						
408	Donald Mansfield	General		Campaign: similar to 222																																						
409	Brian M.	General		Campaign: similar to 222																																						
410	Brooke Wickham	General		Campaign: similar to 222																																						
411	Akila Mosier	General		Opposed to NEPA revisions and House Farm Bill that would reduce scientific analysis or public involvement in environmental decisionmaking.																																						
412	Jennifer Goebel	No		[Re preventing government and corporate overreach]																																						
413	Linda Greaves	General		Campaign: similar to 222																																						
414	Oregon Natural Desert Association, Alan Winter	General		Campaign: similar to 222																																						
415	George and Frances Alderson	General		Campaign: similar to 222																																						
416	Lynn Norris	General		Campaign: similar to 222																																						
417	Amalie Duvall	General		Don't restrict public input.																																						
418	Amy Wolfberg	General		Keep NEPA rules are is or strengthen them.																																						
419	Joshua Bleecher Snyder	General		Campaign: similar to 222																																						
420	David Beltz	General		Campaign: similar to 222																																						
421	Alex McDaniel	General		Campaign: similar to 222																																						
422	Susan Harmon	General		Keep NEPA unchanged.																																						
423	Robert Currie	General		Against weakening NEPA.																																						
424	Geoff King	General		Campaign: similar to 222																																						
425	Gary Landers	General		Campaign: similar to 222																																						
426	Peggy McConnell	General		Campaign: similar to 222																																						
427	Oregon Natural Desert Association, Mackenzie Clark	General		Campaign: similar to 222																																						
428	Anonymous Anonymous	Incorrectly posted?		Comment 0428 is the FR extension notice.																																						
429	Douglas Krueger, Citizen of America	General		NEPA works.																																						
430	Kirk Barnes	General		Opposed to any change.																																						
431	PATRICIA KOSKI	General		Same as 430																																						
432	Rica Fulton	General		Keep intact or improve training, public outreach, use of scientific information.																																						
433	Benton Elliott	General		Don't restrict public input, limit alternatives, establish hard deadlines for project approval, or narrow obligations to consider climate impacts.																																						
434	Melissa Burke	General		Same as 433																																						
435	Steven Dunn	General		Similar to 433																																						
436	Suzanne Geraci	General		Same as 433																																						
437	Michael Smith	General		Same as 433																																						

Number of Responses			60	530	23	23	16	24	14	18	11	8	6	7	2	5	8	1	3	3	2	5	9	5	2	5	2	5	9	10	11	10	8	16	11	10	10	14	9					
Log	Organization / Name	In Scope?	Att.	Overview/Notable	1	2	3	4	5	6	7a	7b	7c	7d	7e	7f	8a	8b	8c	8d	8e	9a	9b	9c	9d	9e	9f	9g	10	11	12	13	14	15	16	17	18	19	20					
438	Michele McKay	General		Same as 433																																								
439	Richard Stellner	General		Same as 433																																								
440	Danika EsdenTempski	General		Same as 433																																								
441	Lisa Olsen	General		Same as 433																																								
442	M. Bourke	Yes	1	Comments on several questions.						1																																		
443	satya vayu	General		Same as 433																																								
444	louj tgre	No		[Re Germany energy sources]																																								
445	Lynn Putnam	General		Same as 433																																								
446	Eric Downes	Gen./Extension		No change; requests 60-day extension.																																								
447	Marie Dunkle	Extension		Requests 30-day extension.																																								
448	Dawn Page	General		Don't use government efficiency claim to allow private gain without oversight.																																								
449	Scott Kaiser	General		Keep NEPA in current form.																																								
450	Jamie Brackman	General		Protect public interests over private, but regulatory agencies need to be efficient, accountable, and transparent.																																								
451	John Koenig	General		Same as 433																																								
452	Anonymous Anonymous	General		Environment must come first.																																								
453	Reva Fabrikant	Gen./Extension		Campaign: same as 0047																																								
454	Joel Ban	General		Against any changes in NEPA.																																								
455	Richard Grasseti	General or Yes?		Any changes to NEPA should be to increase its effectiveness; against limiting public input, limiting scope or page length.																																								
456	ronald strickland	General		Keep NEPA.																																								
457	Phillip Callaway	General		Same as 433																																								
458	Minnesota DOT, Nancy Frick	Yes	1	Addresses several questions.		1										1	1																											
459	Kimberly Carihfield	General		Same as 433																																								
460	Elizabeth Greenman	Yes		Addresses several questions.		1	1	1																																				
461	Charles Scudder	General		Same as 433; do not weaken in name of efficiency.																																								
462	Michael Young	General		Same as 433																																								
463	MARTIN KAPLAN	General		Continue without changes.																																								
464	Joseph Merkelbach	General		We need intact and robust NEPA.																																								
465	Michelle Turner	General		Archaeologist urges protection of environment and cultural resources; don't restrict public participation, prevent agencies from objecting to plans or proposing alternatives, limit the role of the EPA to protect air quality, or otherwise weaken NEPA.																																								
466	Derek Turner	Yes		NEPA should not be weakened for the sake of efficiency.		1																																						
467	Byron Rendar	General		Same as 433																																								
468	William Forbes	General		Keep NEPA as is.																																								
469	Jill Wyatt	General		Same as 433																																								
470	Jeremy Wells	Yes		Addresses several questions (without number references). Do not weaken NEPA; involve social scientists to collect data on the impacted humans; use environmental psychology; enhance use of technology for public involvement.																																								
471	Suzanne Painter	General		NEPA has worked well. Do not restrict public input.																																								
472	AAMU Community Development Corporation, Joseph Lee	Yes		Strengthen NEPA.		1																																						
473	Martha Bibb	General		Do not change NEPA.																																								

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534	John Young		1																																							
535	Portland Housing Bureau, Emily Benoit		1																																							
536	Frank Phillip Davis																																									
537	Frank Phillip Davis																																									
538	Northwest Indian Fisheries Commission, Alice Johnstone		1																																							
539	Blue Ridge Environmental Defense League, Louis Zeller		1																																							
540	North Cascades Conservation Council, David Fluharty		1																																							
541	Montgomery County Quiet Skies Coalition, Gretchen Gaston		1																																							
542	Douglas Fenner																																									
543	Micah Brodsky																																									
544	Micah Brodsky																																									
545	Micah Brodsky																																									
546	Emily Johnson																																									
547	Rhett Diessner																																									
548	Kathy Bowman																																									
549	Leslie O'Neil																																									
550	Sue House																																									
551	Beverly Boyce																																									
552	Laurie Warhurst																																									
553	Kermit Heid																																									
554	Susan DeFeo																																									
555	HB Welsh																																									
556	njhm weds																																									
557	nick burns																																									
558	Trisha Gill																																									
559	rick baird																																									
560	William Ingalls																																									
561	Stanley Holmes																																									
562	Randal Klein																																									
563	Chris Amrhein																																									
564	Veronica Egan																																									
565	Dave and Sue Click, Dave and Sue Click																																									
566	JoAnn Stoddard																																									
567	robert hugie																																									
568	Carolyn Shelton																																									
569	Ben Burdett																																									
570	JaNel VanDenBerghe																																									
571	Waid Reynolds																																									
572	Priscilla Atwell																																									
573	Priscilla Atwell																																									
574	James Bowen																																									
575	James Ruiz, democratic environmentalists																																									
576	Martin Seigel																																									
577	Keith Valencourt																																									
578	Greg Golden																																									
579	eric biemuller																																									
580	Janet Fotos																																									
581	John Roush																																									
582	Damon Hooten																																									
583	Arthur Kissel																																									

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584	Jennifer Wittlinger																																							
585	Francis Furmanek																																							
586	Denise Hickey																																							
587	Tom Clark																																							
588	Leo Goriss																																							
589	James Reynolds																																							
590	Lawrence Newlin																																							
591	Michael Pilsner																																							
592	jeffrey hogg																																							
593	Anonymous Anonymous																																							
594	George Miller																																							
595	Scott Newton																																							
596	Judy Ratliff																																							
597	Ronald Everett																																							
598	Robin Somerville, Somerville Environmental																																							
599	Katharine Dupre																																							
600	a.l. Ortiz																																							
601	Garland Schnack																																							
602	DEAN HUNKELE																																							
603	jm fay																																							
604	William Merrell																																							
605	Werner Alber																																							
606	Jeffery Walke																																							
607	Stephen Taus																																							
608	Stephen Pulliam																																							
609	albert clark																																							
610	Linda Anonymous																																							
611	Oudrey Wilson																																							
612	John Rohe																																							
613	Mary Davidson																																							
614	Carolyn Porys																																							
615	Jeremy Beck																																							
616	Stuart Reynolds																																							
617	Carrie Soltay																																							
618	Robert French, Adecco																																							
619	Paul Alexander, NumbersUSA																																							
620	Albert Kennedy																																							
621	Robert Finkle																																							
622	David Luck																																							
623	Jan Williams																																							
624	John Gyorffy																																							
625	Karen Finkle																																							
626	Claude Gilbert, NumbersUSA																																							
627	anonymous anonymous																																							
628	Marshall Richards																																							
629	Bart Henkle																																							
630	Gerald Hardesty																																							
631	Beverly Rigsby																																							
632	William Patrick																																							
633	J Bruce Gabriel																																							
634	Anonymous Citizen																																							
635	terry spahr																																							
636	Steve Lanard																																							
637	anonymous anonymous																																							
638	Sofia Byrne																																							
639	Paul Alexander, NumbersUSA																																							

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640	Richard Miller																																							
641	Tim Aaronson																																							
642	John Byrne																																							
643	Christine Hayes																																							
644	Bruice C PerrymanPHD																																							
645	John LaFever																																							
646	John Braund																																							
647	Karen Alstrup																																							
648	Curt Bartrug																																							
649	Vic Anderson																																							
650	Pamela Opdyke, Regulations.gov																																							
651	Elaine Mehigen																																							
652	AM Brown																																							
653	Bryan Stewart																																							
654	Robert Emerick																																							
655	Karin Anderson																																							
656	Paul Hanson			1																																				
657	Dennis Andersen, NumbersUSA																																							
658	Sandra Mathes																																							
659	Carol Reid																																							
660	Nicki Howerton																																							
661	Michael Harris																																							
662	CYNTHIA OCONNELL																																							
663	Ray Harney																																							
664	Abraham Kofman																																							
665	Cornelius Gerst, Personal																																							
666	elizabeth comer																																							
667	Jim Reznik																																							
668	Anonymous Anonymous, NumbersUSA																																							
669	Gregory Moses																																							
670	Janice Jones, Numbersusa																																							
671	James Heide																																							
672	Chuck O'Reilly																																							
673	Wayne Smyly																																							
674	Gary Frederick																																							
675	Frances Raley																																							
676	Demetrios Vagalatos																																							
677	Benjamin Watson																																							
678	David L. Casey																																							
679	Jonathan Eden																																							
680	MM Spevack																																							
681	Randolph Hughes																																							
682	Ronald Goodden																																							
683	Debra Pope																																							
684	Greg Raven																																							
685	Greg Raven																																							
686	Leslie Anchors																																							
687	Flower Fox																																							
688	Delrita Jungnitsch																																							
689	Jean Campbell																																							
690	James Bullock																																							
691	Hugh Latham																																							
692	Elaine T.																																							
693	Gaylord Yost																																							
694	Charles Starr																																							
695	Douglas Kennedy																																							

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696	Sandra Witt																																									
697	Dan Hart, NumbersUSA																																									
698	Roy Buckridge																																									
699	Laura Cruz																																									
700	Aaron Thoroman																																									
701	Al Olson																																									
702	Patricia Shank																																									
703	Timothy Conway																																									
704	Kenneth Pasternack																																									
705	Anonymous Anonymous, Numbers USA																																									
706	Allan Dredge																																									
707	Larry Davis																																									
708	Scott Kelley																																									
709	David Way																																									
710	Linda Siefert, Numbers USA																																									
711	Evelyn Mills, n/a																																									
712	John Berger																																									
713	Charles Sigars, Self																																									
714	Rick Gluck																																									
715	Linda Daugherty, - None -																																									
716	Daniel Davis																																									
717	Richard Tavano, Numbers USA																																									
718	Steven Cox																																									
719	Anonymous Anonymous																																									
720	Kirsten Leman																																									
721	Jerry Pringle																																									
722	RAYMOND DOMINGUEZ																																									
723	Ronald Sobchik																																									
724	Edward Fatton																																									
725	Lois Alice																																									
726	Richard Mixon																																									
727	Carol Farr																																									
728	J. A. McSwain																																									
729	Debi Wagner																																									
730	Mike Hoban																																									
731	Sabrina Wells																																									
732	Stanley Chappell																																									
733	Susan Werkheiser																																									
734	Jeannette Wilkins																																									
735	Roger Hamilton																																									
736	Richard W. Firth																																									
737	Robert Brueggeman																																									
738	Jeffery Fain																																									
739	Milton Horst																																									
740	Mark Wakeford																																									
741	Derek Anderson																																									
742	Donna Casas																																									
743	Paul Hanson																																									
744	Michael Miller																																									
745	Donald Woods																																									
746	james holleny																																									
747	Gary Conley																																									
748	CHARLOTTE BELDEN, IMMIGRATION																																									
749	Jordan Duncan																																									
750	Leslie Wilder, Acs, cleaning service																																									
751	John Neal																																									

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752	Ronald Shipe																																							
753	Dave Root																																							
754	T Cameron, Numbers USA																																							
755	lois lockwood																																							
756	Letitia Ann Desjardins																																							
757	RAMIRO SANCHEZ																																							
758	clyde sawyer																																							
759	Stan Kaconas																																							
760	Gary Lanford																																							
761	Donald Wise																																							
762	Veronica Reimann																																							
763	roger chenoweth																																							
764	Dorothy Duda																																							
765	Anonymous Anonymous																																							
766	Carol Stevens																																							
767	Steve Stocklin																																							
768	James Thurman																																							
769	Vincent Lasak																																							
770	Campbell Taylor, Jr.																																							
771	Charles Roscoe																																							
772	John Mullin																																							
773	Anthony Coluccio																																							
774	ROBERT CARROLL																																							
775	Rebecca Nelson																																							
776	Yancey Summerour, Numbers USA																																							
777	Leslie Ross																																							
778	Macky Patton																																							
779	Jon von Leden																																							
780	Wolfgang Gielisch, Citizens who care																																							
781	Harry Lenhart, Company																																							
782	Robert M. Stuendel																																							
783	Gabriel Gardner																																							
784	Dale Breidenbach																																							
785	William Aiello																																							
786	Ed Pelton, ME																																							
787	Willard Duffey, Sr																																							
788	Diane Janovyak																																							
789	Sylvia Keiser																																							
790	njhm edfs																																							
791	RICHARD STERNBERG																																							
792	Robert Mandarino																																							
793	William Parker																																							
794	Jean Dibble																																							
795	Ellen Tate																																							
796	Randle Sink																																							
797	Annelie Menzies																																							
798	Sandra Gray																																							
799	Brian Schutsky																																							
800	Dennis Siebers																																							
801	Larry Hutson																																							
802	Ramey Brandon																																							
803	Jim Dixon																																							
804	Anonymous Anonymous																																							
805	Neil Connolly																																							
806	Michael Paige																																							
807	Sue Merriner																																							
808	Martha Patton																																							

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809	Ken Burkhead																																										
810	Dena Charvat																																										
811	Russell Cave																																										
812	Matthew Russell																																										
813	Amy Mills																																										
814	Byron Kilbourne																																										
815	Steven Freise																																										
816	Bryon Karow																																										
817	Edward Bagnell																																										
818	Edward Bagnell																																										
819	Dianne Glass																																										
820	Marilyn Griffin, Year																																										
821	RICHARD MARINO																																										
822	Jane Miller																																										
823	anonymous anonymous																																										
824	Dennis Larson																																										
825	Larry Huber																																										
826	City of Phoenix Aviation Department, Jordan Feld			1																																							
827	William Vaello																																										
828	James Johnston																																										
829	John Duntley																																										
830	Don England																																										
831	ROBERT STOKELY																																										
832	Dave Auger																																										
833	Howard Norton																																										
834	Albert Simpson, Retired																																										
835	Arthur Lang																																										
836	Michael Schmulbach																																										
837	T. S																																										
838	Matt van Wersch																																										
839	KINSMAN xkxkz, republicans																																										
840	Ron Oliphant																																										
841	Amy Brunvand																																										
842	Gene Adams																																										
843	Susan White																																										
844	David Shall																																										
845	Mark Schuster																																										
846	Marlene Drozd																																										
847	J. Barry Gurdin																																										
848	Margaret Sullivan																																										
849	Boyd Lieberman																																										
850	GARY MILLS																																										
851	Michael Harding																																										
852	Christine Love																																										
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M-0001	Katherine Delanoy(?)	General		Do not weaken NEPA.																																					
M-0002	Schemy(?)	General		Save NEPA.																																					
M-0003	Indiana Wildlife Federation	Extension		Requests 60-day extension.																																					
M-0004	Chesapeake Bay Foundation, Alison Prost	Extension		Requests 60-day extension. [Duplicate of Portal 41.]																																					
M-0005	Maryland Nonprofits, Henry Bogdan	Extension		Requests 60-day extension. [Duplicate of Portal 260.]																																					
M-0006	Duchesne County, Utah, Michael Hyde	Yes		Comments on all questions. [Duplicate of Portal 269.]	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
E-0001	The Partnership Project (353 orgs.)	Extension	1	Requests 60-day extension, public hearings.																																					
E-0002	The Nature Conservancy, Karen Onley	Extension	1	Requests 60-day extension.																																					

NEPA Process:

- 1 Should CEQ's NEPA regulations be revised to ensure that environmental reviews and authorization **decisions involving multiple agencies** are conducted in a manner that is concurrent, synchronized, timely, and efficient, and if so, how?
- 2 Should CEQ's NEPA regulations be revised to make the NEPA process more efficient by better facilitating agency use of **environmental studies, analysis, and decisions conducted in earlier** Federal, State, tribal or local environmental reviews or authorization decisions, and if so, how?
- 3 Should CEQ's NEPA regulations be revised to ensure optimal **interagency coordination** of environmental reviews and authorization decisions, and if so, how?

Scope of NEPA Review:

- 4 Should the provisions in CEQ's NEPA regulations that relate to the **format and page length** of NEPA documents and time limits for completion be revised, and if so, how?
- 5 Should CEQ's NEPA regulations be revised to provide greater clarity to ensure NEPA documents **better focus on significant issues** that are relevant and useful to decisionmakers and the public, and if so, how?
- 6 Should the provisions in CEQ's NEPA regulations relating to **public involvement** be revised to be more inclusive and efficient, and if so, how?
- 7 Should **definitions** of any key NEPA terms in CEQ's NEPA regulations, such as those listed below, be revised, and if so, how?
 - 7a Major Federal Action;
 - 7b Effects;
 - 7c Cumulative Impact;
 - 7d Significantly;
 - 7e Scope; and
 - 7f Other NEPA terms.
- 8 Should any **new definitions** of key NEPA terms, such as those noted below, be added, and if so, which terms?
 - 8a Alternatives;
 - 8b Purpose and Need;
 - 8c Reasonably Foreseeable;
 - 8d Trivial Violation; and
 - 8e Other NEPA terms.
- 9 Should the provisions in CEQ's NEPA regulations relating to any of the **types of documents** listed below be revised, and if so, how?
 - 9a Notice of Intent;
 - 9b Categorical Exclusions Documentation;
 - 9c Environmental Assessments;
 - 9d Findings of No Significant Impact;
 - 9e Environmental Impact Statements;
 - 9f Records of Decision; and
 - 9g Supplements.
- 10 Should the provisions in CEQ's NEPA regulations relating to the **timing of agency action** be revised, and if so, how?
- 11 Should the provisions in CEQ's NEPA regulations relating to **agency responsibility** and the preparation of NEPA documents by **contractors and project applicants** be revised, and if so, how?
- 12 Should the provisions in CEQ's NEPA regulations relating to **programmatic NEPA** documents and tiering be revised, and if so, how?
- 13 Should the provisions in CEQ's NEPA regulations relating to the appropriate **range of alternatives** in NEPA reviews and which alternatives may be eliminated from detailed analysis be revised, and if so, how?

General:

- 14 Are any provisions of the CEQ's NEPA regulations currently **obsolete**? If so, please provide specific recommendations on whether they should be modified, rescinded, or replaced.
- 15 Which provisions of the CEQ's NEPA regulations can be updated to reflect **new technologies** that can be used to make the process more efficient?
- 16 Are there additional ways CEQ's NEPA regulations should be revised to promote **coordination of environmental review and authorization decisions**, such as combining NEPA analysis and other decision documents, and if so, how?
- 17 Are there additional ways CEQ's NEPA regulations should be revised to improve the **efficiency and effectiveness** of the implementation of NEPA, and if so, how?
- 18 Are there ways in which the role of **tribal governments** in the NEPA process should be clarified in CEQ's NEPA regulations, and if so, how?
- 19 Are there additional ways CEQ's NEPA regulations should be revised to ensure that agencies apply NEPA in a manner that reduces **unnecessary burdens and delays** as much as possible, and if so, how?
- 20 Are there additional ways CEQ's NEPA regulations related to **mitigation** should be revised, and if so, how?

Updated ANOPR document

From: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>

To: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>

Date: Thu, 26 Jul 2018 09:56:49 -0400

Attachments: 02 ANOPR Comment Log 07-23 to Erin.xlsx (77.66 kB)

Number of Responses		60	583	32	36	27	33	24	29	17	12	11	13	6	13	12	6	9	7	9	10	18	11	6	10	6	9	15	19	20	18	14	22	18	17	18	22	13														
Log	Organization / Name	In Scope?	Att.	Overview/Notable	1	2	3	4	5	6	7a	7b	7c	7d	7e	7f	8a	8b	8c	8d	8e	9a	9b	9c	9d	9e	9f	9g	10	11	12	13	14	15	16	17	18	19	20													
Column1	Column3	Column6	blumn6	Column2	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum	lum										
5	Thomas King	Yes		Offers thoughts on whether and how to revise NEPA implementation.	1	1																																														
6	Thomas King	General		Objects to questions; re-imagine NEPA from scratch.																																																
7	John Roberts	General		Do not make changes.																																																
8	Larry Freilich	Yes		Page and time limits may cause additional work, restrict information.				1																																												
9	Rue Eich	General		Do not make changes.																																																
10	David Keys	Yes		Implementation has adapted, little change needed to regs.																	1									1	1																					
11	Daniel Holt	Yes		Re-adopt GHG guidance.					1																																											
12	Michael Dechter	Yes		Page limits make EIS less useful, add work				1																																												
13	Anonymous Anonymous	General		Save all environmental protection provisions.																																																
14	Jennifer Blegen	No		[Re EPA.]																																																
15	Judith Konig	General		Retain protections for air, water, wildlife.																																																
16	Ronald Estep	General		Against changing NEPA role of scientists and public.																																																
17	Env. Law & Policy Center, Howard Learner	Extension	1	Requests 60-day extension, public hearings.																																																
18	Whitney Kroschel	General		Need better justification for changing.																																																
19	David Hill	General		States specific provisions not to change and general opposition.					1																																											
20	Stephen Buckley	General		NEPA community has interest in no change.																																																
21	Michel Hammes	General		Do not make changes.																																																
22	Ssusana LaSala	General		NEPA does not need an overhaul.																																																
23	Association of Metropolitan Water Agencies, Diane VanDe Hei; American Water Works Association, Tracy Mehan	Extension	1	Requests 60-day extension. [Same as E-0005.]																																																
24	Jacob Siegel	Yes		Address climate change, retain public involvement.																																																
25	Susan Chapin	General		Burdens, delay may protect future health, vitality of environment.																																																
26	Amer. Soc. of Civil Engineers, Natalie Mamerow	Extension	1	Requests 60-day extension.																																																
27	Russell Hodin	Extension		Requests 60 day extension, public forums, mail option for commenting.																																																
28	Western Urban Water Coalition, Michael Carlin	Extension	1	Requests 60-day extension.																																																
29	Marilyn Price	General		Opposed to rollback of NEPA.																																																
30	Patricia Always	General		Preserve the strength of NEPA.																																																
31	Elizabeth Tachick	General		We need govt transparency, input on projects.																																																
32	Nora Rawn	General		Preserve public comment, consideration of EJ communities.																																																
33	Dobi Dobroslawa	General		Concerned about possibly weakened NEPA.																																																
34	Jeffrey Waggoner	General		Leave NEPA alone.																																																
35	Andrew Hawkins	General		Retain public comment and involvement.																																																
36	Nasreen Hosein	General		Against updates to NEPA.																																																

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86	Lenore Reeves	Gen./Extension		Campaign: same as 0047																																		
87	Melvin Czechowski	Gen./Extension		Campaign: same as 0047																																		
88	Elizabeth Thompson	Gen./Extension		Campaign: same as 0047																																		
89	David Kagan	Gen./Extension		Campaign: same as 0047																																		
90	Marc Obernesser	Gen./Extension		Campaign: same as 0047																																		
91	James Rosenthal	Gen./Extension		Campaign: same as 0047																																		
92	Mary Ann Leitch	Gen./Extension		Campaign: same as 0047																																		
93	Susan Nierenberg	Gen./Extension		Campaign: same as 0047																																		
94	jeffrey shuben	Gen./Extension		Campaign: same as 0047																																		
95	Rebecca Canright	Gen./Extension		Campaign: same as 0047																																		
96	Amy Hansen	Gen./Extension		Campaign: same as 0047																																		
97	Patricia Rossi	Gen./Extension		Campaign: same as 0047																																		
98	Mark Canright	Gen./Extension		Campaign: same as 0047																																		
99	Susan VanMeter	Gen./Extension		Campaign: same as 0047																																		
100	Margaret McGinnis	General		Opposed to weakening NEPA.																																		
101	Mark Dodel	Gen./Extension		Campaign: same as 0047																																		
102	Kathie E Takush	Gen./Extension		Campaign: same as 0047																																		
103	Patricia Libbey	Gen./Extension		Campaign: same as 0047																																		
104	Carl Doll	Gen./Extension		Campaign: same as 0047																																		
105	kiujhy erdwq	No		[Re wind power in German and solar in China]																																		
106	Bonnie Stoeckl	Gen./Extension		Campaign: same as 0047																																		
107	Marvin Feil	Gen./Extension		Campaign: same as 0047																																		
108	Clifford Phillips	Gen./Extension		Campaign: same as 0047																																		
109	Lawrence Stauffer	Gen./Extension		Campaign: same as 0047																																		
110	Lawrence Stauffer	Gen./Extension		Campaign: same as 0047																																		
111	Cindy Carlin	Gen./Extension		Campaign: same as 0047																																		
112	JOHN PASQUA	Gen./Extension		Campaign: same as 0047																																		
113	Nicholas Lenchner	Gen./Extension		Campaign: same as 0047																																		
114	Susan Shaak	Gen./Extension		Campaign: same as 0047																																		
115	lydia garvey	Gen./Extension		Campaign: same as 0047																																		
116	MH Higgins	Gen./Extension		Campaign: same as 0047																																		
117	Suzanne Roth	Gen./Extension		Campaign: same as 0047																																		
118	Jessica Reed	Gen./Extension		Campaign: same as 0047																																		
119	Steve Mattan	Gen./Extension		Campaign: same as 0047																																		
120	Craig Way	Gen./Extension		Campaign: same as 0047																																		
121	Julian Pinto	Gen./Extension		Campaign: same as 0047																																		
122	Rebecca Berlant	Gen./Extension		Campaign: same as 0047																																		
123	Ellis Woodward	Gen./Extension		Campaign: same as 0047																																		
124	William Kellner	Gen./Extension		Campaign: same as 0047																																		
125	Bettie Reina	Gen./Extension		Campaign: same as 0047																																		
126	Mare McClellan	Gen./Extension		Campaign: same as 0047																																		
127	Eric Bare	Gen./Extension		Campaign: same as 0047																																		
128	Christopher Kratzer	Gen./Extension		Opposes revising NEPA; requests 90-day extension.																																		
129	Tom Hoffman	Gen./Extension		Campaign: same as 0047																																		
130	Chuck Graver	Gen./Extension		Campaign: same as 0047																																		
131	Kelley Scanlon	Gen./Extension		Campaign: same as 0047																																		
132	marion M Kyde Ph.D.	Gen./Extension		Campaign: same as 0047																																		
133	William Huston	Gen./Extension		Campaign: same as 0047																																		
134	Rob Moore	Gen./Extension		Campaign: same as 0047																																		
135	Susan Babbitt	Gen./Extension		Campaign: same as 0047																																		
136	Elizabeth A. Roedell	Gen./Extension		Campaign: same as 0047																																		
137	Steve Troyanovich	Gen./Extension		Campaign: same as 0047																																		
138	Rosemarie Brenner	Gen./Extension		Campaign: same as 0047																																		
139	Leslie Sauer	Gen./Extension		Campaign: same as 0047																																		
140	Sue Harmon	General		Do not change NEPA																																		

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193	Robert Depew	Gen./Extension		Campaign: same as 0047																																																				
194	Gary Hinesley	Gen./Extension		Campaign: same as 0047																																																				
195	Jose Almanzar	Gen./Extension		Campaign: same as 0047																																																				
196	Lisa Levine	Gen./Extension		Campaign: same as 0047																																																				
197	Vicki Dodge	General		Public needs to be considered.																																																				
198	Cathy Snyder	Gen./Extension		Campaign: same as 0047																																																				
199	Justin Pidot for 36 law professors with NEPA expertise	Gen./Extension	1	Extend comment period; open to some adjustments to regulations.																																																				
200	Aurora Janke for Attorneys General of WA, MD, MA, NJ, NY, OR	Gen./Extension	1	6 State AGs request at least 60-day extension, public hearings. [same as E-0003]																																																				
201	Megan Flaherty	General		Don't use revisions to undermine NEPA. Supports increased efficiency and communication.																																																				
202	Elizabeth Ike	General		Important to consider alternatives, low income communities, communities of color, and opinions of different agencies.																																																				
203	Tom Petersen	Gen./Extension		Campaign: same as 0047																																																				
204	Alliance for the Great Lakes, Sheyda Esnaashari	Extension	1	Requests 60-day extension.																																																				
205	Denise Lytle	Gen./Extension		Campaign: same as 0047																																																				
206	Henry Berkowitz	Gen./Extension		Campaign: same as 0047																																																				
207	Ronald Bishop	Gen./Extension		Campaign: same as 0047																																																				
208	Collin Keyes	Gen./Extension		Campaign: same as 0047																																																				
209	Andrea Zinn	Gen./Extension		Campaign: same as 0047																																																				
210	Bob Nebel	Yes		Enforce page limits and plain language.					1																																															
211	Gokhan Seker	Gen./Extension		Campaign: same as 0047																																																				
212	Faith Zerbe	Gen./Extension		Campaign: same as 0047																																																				
213	B Soltis	Gen./Extension		Campaign: same as 0047																																																				
214	Diana Rarig	Gen./Extension		Similar to 0047																																																				
215	Dennis Grzezinski	Gen./Extension	1	Requests 90-day extension.																																																				
216	Theodore Doll	General		Opposed to weakening NEPA and any version of Farm Bill.																																																				
217	Western New York Environmental Alliance, Lynda Schneekloth	Gen./Extension		Requests 90-day extension.																																																				
218	Suzanne McCarthy	Gen./Extension		Campaign: similar to 0047																																																				
219	Grace Bergin	Gen./Extension		Campaign: same as 0047																																																				
220	Janet Eisenhauer	Gen./Extension		Campaign: same as 0047																																																				
221	arline Soffian	Gen./Extension		Campaign: similar to 0047																																																				
222	Great Egg Harbor Watershed Association, Fred Akers	General	1	Opposed to weakening public input and alternative consideration, eliminating climate consideration, and establishing hard deadlines.																																																				
223	Mark Simcoe	General		Don't change NEPA.																																																				
224	Michael Litzky	General		Opposed to proposed revisions.																																																				
225	Geri Weitzman	General		Opposed to proposed revisions.																																																				
226	Wendy Redal	General		Opposed to revisions to NEPA.																																																				
227	Western Resource Advocates, Robert Harris	Yes	1	Believes in the goals of the rulemaking but not in the execution. Suggests reform of the implementation of NEPA rather than of its regulations. Cites examples from Lean Event in Colorado.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1				
228	Aaron Miller	Yes		Consider that the resources of agencies that conduct NEPA reviews are low so expediting the process will cost the public.	1				1																																															
229	Gregory Esteve	General		Opposed to any change in NEPA.																																																				

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332	Debra Rehn	No		[Re Sinclair-Tribune Merger (an FCC docket)]																																					
333	Noel Plemmons	General		Campaign: same as 222																																					
334	J Blagen	General		Campaign: same as 222																																					
335	Susan Strible	General		Campaign: Similar to 222																																					
336	Delwin R. Holland	General		Don't change NEPA.																																					
337	San Diego State University, Roger Sabbadini	General		Campaign: same as 222																																					
338	Andrea Pellicani	General		Campaign: same as 222																																					
339	Sandra Thompson	General		Campaign: Similar to 222																																					
340	Alan Bartl	General		Campaign: same as 222																																					
341	Kelsey Ward	General		Campaign: same as 222																																					
342	Sandra Mooney	General		Campaign: same as 222																																					
343	john costello	General		Campaign: Similar to 222																																					
344	David Funk	General		Campaign: Similar to 222																																					
345	David Kaiser	General		Campaign: same as 222																																					
346	Sharon Evoy	General		Campaign: Similar to 222 (includes the campaign instructions to past the paragraph into reg.gov.)																																					

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347	Janeese Jackson	General		Campaign: same as 222																																																				
348	Beth Levin	General		Campaign: Similar to 222																																																				
349	Dorothy Wylie	General		Campaign: Similar to 222																																																				
350	James Miller	General		Campaign: Similar to 222; Don't take away safeguards.																																																				
351	Christopher Troxell	General		Campaign: same as 222																																																				
352	Keith Harris	General		Campaign: Similar to 222																																																				
353	Pamela Green	General		Campaign: Similar to 222																																																				
354	Great Old Broads for Wilderness, Susan Ostlie	General		Campaign: Similar to 222																																																				
355	maureen rogers	General		Wants more, strict regulations that protect public lands.																																																				
356	Lily Frey	General		Campaign: Similar to 222																																																				
357	American Citizen	General		Campaign: Similar to 222																																																				
358	Kay Nelson	General		Campaign: Similar to 222																																																				
359	Walter Kuciej	General		Campaign: Similar to 222																																																				
360	David Cooper	General		Campaign: Similar to 222																																																				
361	David Worley			Weakening NEPA would negatively affect public and scientific input on decisionmaking.																																																				
362	Bill Smith	General		Campaign: Similar to 222																																																				
363	Gary Kish	General		Campaign: Similar to 222																																																				
364	John Richen	General		Campaign: Similar to 222																																																				
365	James Davis	General		Campaign: Similar to 222																																																				
366	Margaret Wolf	General		Opposes any changes to NEPA.																																																				
367	Kristen Swanson	General		Campaign: Similar to 222																																																				
368	Kevin Brown	General		Campaign: Similar to 222																																																				
369	Christine McKenzie	General		Campaign: Similar to 222																																																				
370	LeeAnn Kriegh	General		Campaign: Similar to 222																																																				
371	Fuji Kreider	General		Campaign: Similar to 222																																																				
372	Pete Sandrock	General		Campaign: Similar to 222																																																				
373	Joanne Diepenheim	General		Campaign: Similar to 222																																																				
374	Environmental Protection Agency, Rebecca Ramage (likely not accurate)	General		Don't rescind procedural provisions of NEPA.																																																				
375	Catherine Williams	General		Campaign: same as 222																																																				
376	Ilan Bubb	General		Do not alter or weaken NEPA.																																																				
377	Mike Farley	General		Campaign: same as 222																																																				
378	Cindy Thomas	General		Campaign: same as 222																																																				
379	Steven Haycock	General		Don't change NEPA																																																				
380	Cheryl Fergeson	General		Campaign: same as 222																																																				
381	Sandi Cornez	General		Campaign: similar to 222																																																				
382	Craig Loftin	General		Campaign: similar to 222																																																				
383	Jane Heisler	General		Campaign: same as 222																																																				
384	Brad Stevens	General		Campaign: similar to 222																																																				
385	Annette Ancel-Wisner	General		Wants three tiers of NEPA to remain intact																																																				
386	Derek Gendvil	General		Campaign: same as 222																																																				
387	Kevin Manion	General		Campaign: similar to 222																																																				
388	Carolyn Eckel	General		Campaign: similar to 222																																																				
389	rosalind o'donoghue	General		NEPA protects communities.																																																				
390	Oregon Natural Desert Association, Katie Kelley	General		Campaign: same as 222																																																				
391	Priscilla Galasso	General		Campaign: similar to 222																																																				
392	Tim Brelinski	General		Campaign: similar to 222																																																				
393	Kate Walter	General		Don't diminish NEPA.																																																				
394	Lisa Jones	General		Campaign: similar to 222																																																				
395	Denis Besson	General		Support existing NEPA system.																																																				

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Log	Organization / Name	In Scope?	Att.	Overview/Notable																																			
396	David Regan	General		Campaign: similar to 222																																			
397	Anonymous Anonymous	General		Public input and thorough planning under NEPA are vital.																																			
398	Martha Ahern	General		Campaign: similar to 222																																			
399	John Nettleton	General		Campaign: similar to 222																																			
400	Oregon Natural Desert Association, Linda Watts	General		Campaign: similar to 222																																			
401	Oregon Natural Desert Association, Peter Nunnenkamp	General		Campaign: similar to 222																																			
402	Rick Ray	General		Campaign: similar to 222																																			
403	Judy Merrick	General		Campaign: similar to 222																																			
404	Seth Hanson	General		Campaign: similar to 222																																			
405	Tara Miner	General		Campaign: similar to 222																																			
406	John Murphy	General		Campaign: similar to 222																																			
407	Anonymous Anonymous	General		Campaign: similar to 222																																			
408	Donald Mansfield	General		Campaign: similar to 222																																			
409	Brian M.	General		Campaign: similar to 222																																			
410	Brooke Wickham	General		Campaign: similar to 222																																			
411	Akila Mosier	General		Opposed to NEPA revisions and House Farm Bill that would reduce scientific analysis or public involvement in environmental decisionmaking.																																			
412	Jennifer Goebel	No		[Re preventing government and corporate overreach]																																			
413	Linda Greaves	General		Campaign: similar to 222																																			
414	Oregon Natural Desert Association, Alan Winter	General		Campaign: similar to 222																																			
415	George and Frances Alderson	General		Campaign: similar to 222																																			
416	Lynn Norris	General		Campaign: similar to 222																																			
417	Amalie Duvall	General		Don't restrict public input.																																			
418	Amy Wolfberg	General		Keep NEPA rules are is or strengthen them.																																			
419	Joshua Bleecher Snyder	General		Campaign: similar to 222																																			
420	David Beltz	General		Campaign: similar to 222																																			
421	Alex McDaniel	General		Campaign: similar to 222																																			
422	Susan Harmon	General		Keep NEPA unchanged.																																			
423	Robert Currie	General		Against weakening NEPA.																																			
424	Geoff King	General		Campaign: similar to 222																																			
425	Gary Landers	General		Campaign: similar to 222																																			
426	Peggy McConnell	General		Campaign: similar to 222																																			
427	Oregon Natural Desert Association, Mackenzie Clark	General		Campaign: similar to 222																																			
428	Anonymous Anonymous	Incorrectly posted?		Comment 0428 is the FR extension notice.																																			
429	Douglas Krueger, Citizen of America	General		NEPA works.																																			
430	Kirk Barnes	General		Opposed to any change.																																			
431	PATRICIA KOSKI	General		Same as 430																																			
432	Rica Fulton	General		Keep intact or improve training, public outreach, use of scientific information.																																			
433	Benton Elliott	General		Don't restrict public input, limit alternatives, establish hard deadlines for project approval, or narrow obligations to consider climate impacts.																																			
434	Melissa Burke	General		Same as 433																																			
435	Steven Dunn	General		Similar to 433																																			
436	Suzanne Geraci	General		Same as 433																																			
437	Michael Smith	General		Same as 433																																			

Number of Responses		60	583	32 36 27 33 24 29 17 12 11 13 6 13 12 6 9 7 9 10 18 11 6 10 6 9 15 19 20 18 14 22 18 17 18 22 13																																							
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438	Michele McKay	General		Same as 433																																							
439	Richard Stellner	General		Same as 433																																							
440	Danika EsdenTempski	General		Same as 433																																							
441	Lisa Olsen	General		Same as 433																																							
442	M. Bourke	Yes	1	Comments on several questions.						1																																	
443	satya vayu	General		Same as 433																																							
444	louj tgre	No		[Re Germany energy sources]																																							
445	Lynn Putnam	General		Same as 433																																							
446	Eric Downes	Gen./Extension		No change; requests 60-day extension.																																							
447	Marie Dunkle	Extension		Requests 30-day extension.																																							
448	Dawn Page	General		Don't use government efficiency claim to allow private gain without oversight.																																							
449	Scott Kaiser	General		Keep NEPA in current form.																																							
450	Jamie Brackman	General		Protect public interests over private, but regulatory agencies need to be efficient, accountable, and transparent.																																							
451	John Koenig	General		Same as 433																																							
452	Anonymous Anonymous	General		Environment must come first.																																							
453	Reva Fabrikant	Gen./Extension		Campaign: same as 0047																																							
454	Joel Ban	General		Against any changes in NEPA.																																							
455	Richard Grasseti	General or Yes?		Any changes to NEPA should be to increase its effectiveness; against limiting public input, limiting scope or page length.																																							
456	ronald strickland	General		Keep NEPA.																																							
457	Phillip Callaway	General		Same as 433																																							
458	Minnesota DOT, Nancy Frick	Yes	1	Addresses several questions.						1																																	
459	Kimberly Carihfield	General		Same as 433																																							
460	Elizabeth Greenman	Yes		Addresses several questions.						1	1	1																															
461	Charles Scudder	General		Same as 433; do not weaken in name of efficiency.																																							
462	Michael Young	General		Same as 433																																							
463	MARTIN KAPLAN	General		Continue without changes.																																							
464	Joseph Merkelbach	General		We need intact and robust NEPA.																																							
465	Michelle Turner	General		Archaeologist urges protection of environment and cultural resources; don't restrict public participation, prevent agencies from objecting to plans or proposing alternatives, limit the role of the EPA to protect air quality, or otherwise weaken NEPA.																																							
466	Derek Turner	Yes		NEPA should not be weakened for the sake of efficiency.						1																																	
467	Byron Rendar	General		Same as 433																																							
468	William Forbes	General		Keep NEPA as is.																																							
469	Jill Wyatt	General		Same as 433																																							
470	Jeremy Wells	Yes		Addresses several questions (without number references). Do not weaken NEPA; involve social scientists to collect data on the impacted humans; use environmental psychology; enhance use of technology for public involvement.																																							
471	Suzanne Painter	General		NEPA has worked well. Do not restrict public input.																																							
472	AAMU Community Development Corporation, Joseph Lee	Yes		Strengthen NEPA.						1																																	
473	Martha Bibb	General		Do not change NEPA.																																							

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529	Shoshone Bannock Tribes, Christina Cutler	Yes	1	Requests that tribes are not a part of the general public in documentation as a general comment and answers several questions in the ANPRM directly.	1	1	1	1	1	1						1						1																									
530	Timothy Lavallee	Yes	1	Answers several questions.	1	1	1	1	1	1	1			1	1						1																										
531	cheryl noncarrow	General		Campaign: same as 278																																											
532	Cheyenne and Arapaho Tribes, Micah Looper	Yes	1	Answers several questions.		1	1	1	1																					1																	
533	Catherine Pharis	No?	1	Cites changes that should occur to the HUD Community Planning and Development environmental officer review process. Not sure if this is something covered by the ANPRM.																																											
534	John Young		1	Internal server error appears																																											
535	Portland Housing Bureau, Emily Benoit	Yes	1	Answers several questions.	1	1	1																																								
536	Frank Phillip Davis	Yes		Answers several questions		1		1			1					1																															
537	Frank Phillip Davis	Yes		Answers several questions																		1		1	1	1																					
538	Northwest Indian Fisheries Commission, Alice Johnstone	Gen./Extension	1	Requests a 60-day extension.																																											
539	Blue Ridge Environmental Defense League, Louis Zeller	General	1	Believes that EO 13807 and the ANPRM have the goal of reducing environmental review times for infrastructure projects without demonstrating any need to do so. Criticizes parts of the EO.																																											
540	North Cascades Conservation Council, David Fluharty	Yes	1	Contains lines from campaign 278 and answers several questions	1	1	1	1	1	1																																					
541	Montgomery County Quiet Skies Coalition, Gretchen Gaston	Yes	1	Answers several questions.		1				1			1										1	1																							
542	Douglas Fenner	General		Do not change NEPA.																																											
543	Micah Brodsky	Yes	1	First, states that making changes to NEPA without a CEQ is a violation; then answers question 1.	1																																										
544	Micah Brodsky	Yes		Answers several questions		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1																										
545	Micah Brodsky	Yes		Answers several questions																		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
546	Emily Johnson	General		Campaign: similar to 278																																											
547	Rhett Diessner	General		Encourage use of scientific data to back up alternatives and maintain the obligation to respond to public comment.																																											
548	Kathy Bowman			?																																											
549	Leslie O'Neil	General		Campaign: similar to 278																																											
550	Sue House	General		Campaign: similar to 278																																											
551	Beverly Boyce	General		Don't change NEPA.																																											
552	Laurie Warhurst	General		Campaign: similar to 278																																											
553	Kermit Heid	General		Don't change NEPA.																																											
554	Susan DeFeo	General		Leave NEPA alone.																																											
555	HB Welsh	General		Keep NEPA intact.																																											
556	njhm weds	No		Re: Equal Access to Justice Act and wildfires in California																																											
557	nick burns	General		Don't change NEPA.																																											
558	Trisha Gill	General		Don't change NEPA.																																											
559	rick baird	General		Don't change NEPA.																																											
560	William Ingalls	General		Don't change NEPA.																																											
561	Stanley Holmes	General		Don't change NEPA.																																											
562	Randal Klein	General		Don't diminish NEPA requirements.																																											

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614	Carolyn Porys																																										
615	Jeremy Beck																																										
616	Stuart Reynolds																																										
617	Carrie Soltay																																										
618	Robert French, Adecco																																										
619	Paul Alexander, NumbersUSA																																										
620	Albert Kennedy																																										
621	Robert Finkle																																										
622	David Luck																																										
623	Jan Williams																																										
624	John Gyorffy																																										
625	Karen Finkle																																										
626	Claude Gilbert, NumbersUSA																																										
627	anonymous anonymous																																										
628	Marshall Richards																																										
629	Bart Henkle																																										
630	Gerald Hardesty																																										
631	Beverly Rigsby																																										
632	William Patrick																																										
633	J Bruce Gabriel																																										
634	Anonymous Citizen																																										
635	terry spahr																																										
636	Steve Lanard																																										
637	anonymous anonymous																																										
638	Sofia Byrne																																										
639	Paul Alexander, NumbersUSA																																										
640	Richard Miller																																										
641	Tim Aaronson																																										
642	John Byrne																																										
643	Christine Hayes																																										
644	Bruce C PerrymanPHD																																										
645	John LaFever																																										
646	John Braund																																										
647	Karen Alstrup																																										
648	Curt Bartrug																																										
649	Vic Anderson																																										
650	Pamela Opdyke, Regulations.gov																																										
651	Elaine Mehigen																																										
652	AM Brown																																										
653	Bryan Stewart																																										
654	Robert Emerick																																										
655	Karin Anderson																																										
656	Paul Hanson																																										
657	Dennis Andersen, NumbersUSA																																										
658	Sandra Mathes																																										
659	Carol Reid																																										
660	Nicki Howerton																																										
661	Michael Harris																																										
662	CYNTHIA OCONNELL																																										
663	Ray Harney																																										
664	Abraham Kofman																																										
665	Cornelius Gerst, Personal																																										
666	elizabeth comer																																										
667	Jim Reznik																																										
668	Anonymous Anonymous, NumbersUSA																																										
669	Gregory Moses																																										

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670	Janice Jones, Numbersusa																																									
671	James Heide																																									
672	Chuck O'Reilly																																									
673	Wayne Smyly																																									
674	Gary Frederick																																									
675	Frances Raley																																									
676	Demetrios Vagalatos																																									
677	Benjamin Watson																																									
678	David L. Casey																																									
679	Jonathan Eden																																									
680	MM Spevack																																									
681	Randolph Hughes																																									
682	Ronald Goodden																																									
683	Debra Pope																																									
684	Greg Raven																																									
685	Greg Raven																																									
686	Leslie Anchors																																									
687	Flower Fox																																									
688	Delrita Jungnitsch																																									
689	Jean Campbell																																									
690	James Bullock																																									
691	Hugh Latham																																									
692	Elaine T.																																									
693	Gaylord Yost																																									
694	Charles Starr																																									
695	Douglas Kennedy																																									
696	Sandra Witt																																									
697	Dan Hart, NumbersUSA																																									
698	Roy Buckridge																																									
699	Laura Cruz																																									
700	Aaron Thoroman																																									
701	Al Olson																																									
702	Patricia Shank																																									
703	Timothy Conway																																									
704	Kenneth Pasternack																																									
705	Anonymous Anonymous, Numbers USA																																									
706	Allan Dredge																																									
707	Larry Davis																																									
708	Scott Kelley																																									
709	David Way																																									
710	Linda Siefert, Numbers USA																																									
711	Evelyn Mills, n/a																																									
712	John Berger																																									
713	Charles Sigars, Self																																									
714	Rick Gluck																																									
715	Linda Daugherty, - None -																																									
716	Daniel Davis																																									
717	Richard Tavano, Numbers USA																																									
718	Steven Cox																																									
719	Anonymous Anonymous																																									
720	Kirsten Leman																																									
721	Jerry Pringle																																									
722	RAYMOND DOMINGUEZ																																									
723	Ronald Sobchik																																									
724	Edward Fatton																																									
725	Lois Alice																																									

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726	Richard Mixon																																									
727	Carol Farr																																									
728	J. A. McSwain																																									
729	Debi Wagner																																									
730	Mike Hoban																																									
731	Sabrina Wells																																									
732	Stanley Chappell																																									
733	Susan Werkheiser																																									
734	Jeannette Wilkins																																									
735	Roger Hamilton																																									
736	Richard W. Firth																																									
737	Robert Brueggeman																																									
738	Jeffery Fain																																									
739	Milton Horst																																									
740	Mark Wakeford																																									
741	Derek Anderson																																									
742	Donna Casas																																									
743	Paul Hanson		1																																							
744	Michael Miller																																									
745	Donald Woods																																									
746	james holleny																																									
747	Gary Conley																																									
748	CHARLOTTE BELDEN, IMMIGRATION																																									
749	Jordan Duncan																																									
750	Leslie Wilder, Acs, cleaning service																																									
751	John Neal																																									
752	Ronald Shipe																																									
753	Dave Root																																									
754	T Cameron, Numbers USA																																									
755	lois lockwood																																									
756	Letitia Ann Desjardins																																									
757	RAMIRO SANCHEZ																																									
758	clyde sawyer																																									
759	Stan Kaonas																																									
760	Gary Lanford																																									
761	Donald Wise																																									
762	Veronica Reimann																																									
763	roger chenoweth																																									
764	Dorothy Duda																																									
765	Anonymous Anonymous																																									
766	Carol Stevens																																									
767	Steve Stocklin																																									
768	James Thurman																																									
769	Vincent Lasak																																									
770	Campbell Taylor, Jr.																																									
771	Charles Roscoe																																									
772	John Mullin																																									
773	Anthony Coluccio																																									
774	ROBERT CARROLL																																									
775	Rebecca Nelson																																									
776	Yancey Summerour, Numbers USA																																									
777	Leslie Ross																																									
778	Macky Patton																																									
779	Jon von Leden																																									
780	Wolfgang Gielsch, Citizens who care																																									
781	Harry Lenhart, Company																																									
782	Robert M. Stuendel																																									

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783	Gabriel Gardner																																											
784	Dale Breidenbach																																											
785	William Aiello																																											
786	Ed Pelton, ME																																											
787	Willard Duffey, Sr																																											
788	Diane Janovyak																																											
789	Sylvia Keiser																																											
790	njhm edfs																																											
791	RICHARD STERNBERG																																											
792	Robert Mandarino																																											
793	William Parker																																											
794	Jean Dibble																																											
795	Ellen Tate																																											
796	Randle Sink																																											
797	Annelie Menzies																																											
798	Sandra Gray																																											
799	Brian Schutsky																																											
800	Dennis Siebers																																											
801	Larry Hutson																																											
802	Ramey Brandon																																											
803	Jim Dixon																																											
804	Anonymous Anonymous																																											
805	Neil Connolly																																											
806	Michael Paige																																											
807	Sue Merriner																																											
808	Martha Patton																																											
809	Ken Burkhead																																											
810	Dena Charvat																																											
811	Russell Cave																																											
812	Matthew Russell																																											
813	Amy Mills																																											
814	Byron Kilbourne																																											
815	Steven Freise																																											
816	Bryon Karow																																											
817	Edward Bagnell																																											
818	Edward Bagnell																																											
819	Dianne Glass																																											
820	Marilyn Griffin, Year																																											
821	RICHARD MARINO																																											
822	Jane Miller																																											
823	anonymous anonymous																																											
824	Dennis Larson																																											
825	Larry Huber																																											
826	City of Phoenix Aviation Department, Jordan Feld																																											
827	William Vaello																																											
828	James Johnston																																											
829	John Duntley																																											
830	Don England																																											
831	ROBERT STOKELY																																											
832	Dave Auger																																											
833	Howard Norton																																											
834	Albert Simpson, Retired																																											
835	Arthur Lang																																											
836	Michael Schmulbach																																											
837	T. S																																											
838	Matt van Wersch																																											

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839	KINSMAN xxxkzk, republicans																																									
840	Ron Oliphant																																									
841	Amy Brunvand																																									
842	Gene Adams																																									
843	Susan White																																									
844	David Shall																																									
845	Mark Schuster																																									
846	Marlene Drozd																																									
847	J. Barry Gurdin																																									
848	Margaret Sullivan																																									
849	Boyd Lieberman																																									
850	GARY MILLS																																									
851	Michael Harding																																									
852	Christine Love																																									
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NEPA Process:

- 1 Should CEQ's NEPA regulations be revised to ensure that environmental reviews and authorization **decisions involving multiple agencies** are conducted in a manner that is concurrent, synchronized, timely, and efficient, and if so, how?
- 2 Should CEQ's NEPA regulations be revised to make the NEPA process more efficient by better facilitating agency use of **environmental studies, analysis, and decisions conducted in earlier** Federal, State, tribal or local environmental reviews or authorization decisions, and if so, how?
- 3 Should CEQ's NEPA regulations be revised to ensure optimal **interagency coordination** of environmental reviews and authorization decisions, and if so, how?

Scope of NEPA Review:

- 4 Should the provisions in CEQ's NEPA regulations that relate to the **format and page length** of NEPA documents and time limits for completion be revised, and if so, how?
- 5 Should CEQ's NEPA regulations be revised to provide greater clarity to ensure NEPA documents **better focus on significant issues** that are relevant and useful to decisionmakers and the public, and if so, how?
- 6 Should the provisions in CEQ's NEPA regulations relating to **public involvement** be revised to be more inclusive and efficient, and if so, how?
- 7 Should **definitions** of any key NEPA terms in CEQ's NEPA regulations, such as those listed below, be revised, and if so, how?
 - 7a Major Federal Action;
 - 7b Effects;
 - 7c Cumulative Impact;
 - 7d Significantly;
 - 7e Scope; and
 - 7f Other NEPA terms.
- 8 Should any **new definitions** of key NEPA terms, such as those noted below, be added, and if so, which terms?
 - 8a Alternatives;
 - 8b Purpose and Need;
 - 8c Reasonably Foreseeable;
 - 8d Trivial Violation; and
 - 8e Other NEPA terms.
- 9 Should the provisions in CEQ's NEPA regulations relating to any of the **types of documents** listed below be revised, and if so, how?
 - 9a Notice of Intent;
 - 9b Categorical Exclusions Documentation;
 - 9c Environmental Assessments;
 - 9d Findings of No Significant Impact;
 - 9e Environmental Impact Statements;
 - 9f Records of Decision; and
 - 9g Supplements.
- 10 Should the provisions in CEQ's NEPA regulations relating to the **timing of agency action** be revised, and if so, how?
- 11 Should the provisions in CEQ's NEPA regulations relating to **agency responsibility** and the preparation of NEPA documents by **contractors and project applicants** be revised, and if so, how?
- 12 Should the provisions in CEQ's NEPA regulations relating to **programmatic NEPA** documents and tiering be revised, and if so, how?
- 13 Should the provisions in CEQ's NEPA regulations relating to the appropriate **range of alternatives** in NEPA reviews and which alternatives may be eliminated from detailed analysis be revised, and if so, how?

General:

- 14 Are any provisions of the CEQ's NEPA regulations currently **obsolete**? If so, please provide specific recommendations on whether they should be modified, rescinded, or replaced.
- 15 Which provisions of the CEQ's NEPA regulations can be updated to reflect **new technologies** that can be used to make the process more efficient?
- 16 Are there additional ways CEQ's NEPA regulations should be revised to promote **coordination of environmental review and authorization decisions**, such as combining NEPA analysis and other decision documents, and if so, how?
- 17 Are there additional ways CEQ's NEPA regulations should be revised to improve the **efficiency and effectiveness** of the implementation of NEPA, and if so, how?
- 18 Are there ways in which the role of **tribal governments** in the NEPA process should be clarified in CEQ's NEPA regulations, and if so, how?
- 19 Are there additional ways CEQ's NEPA regulations should be revised to ensure that agencies apply NEPA in a manner that reduces **unnecessary burdens and delays** as much as possible, and if so, how?
- 20 Are there additional ways CEQ's NEPA regulations related to **mitigation** should be revised, and if so, how?