Comments on ANPRM

From:	"Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]
To:	"Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted]
Date:	Wed, 14 Mar 2018 15:53:01 -0400
Attachments:	FR Notice for ANPRM als.docx (60.69 kB)

Hi Mary,

Please see attached.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

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[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

Draft

From:	"Neumayr, Mary B. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=4e618ec0a8d749c29c9f64889897f4bb-ne">
To:	"Loyola, Mario A. EOP/CEQ ([redacted] <[redacted]
Date:	Tue, 27 Mar 2018 10:34:56 -0400
Attachments:	FR Notice for ANPRM.DOCX (64.27 kB)

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
[redacted] (office), [redacted] (cell)
[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

Revised ANPR

From: "Loyola, Mario A. EOP/CEQ" (b) (6) [redacted]

To: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 28 Mar 2018 14:25:24 -0400

Attachments: FR Notice for ANPRM - 3-28-2018.DOCX (52.4 kB)

Dear friends – Please see attached a clean revised draft reflecting all changes so far. Please review and get back to me with any further suggested changes. Thank you.

N.B. the CEQ guidance documents published in the FR vary slightly in their citation format (particularly the weighty question of whether publication dates should be set off by commas or parenthesis). To be consistent I'm following the citation formats used in the 2012 guidance on efficient environmental reviews, 77 FR 14473 (Mar. 12, 2012)).

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: Revised ANPR

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

To: "Loyola, Mario A. EOP/CEQ" (b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]

Date: Thu, 29 Mar 2018 11:15:57 -0400

Attachments: FR Notice for ANPRM - 3-28-2018 VZS edits.DOCX (52.84 kB)

Mario,

Attached please find suggested edits to conform with the Document Drafting Handbook, correct citations, and address a few other minor issues.

Thanks

Viktoria

From: Loyola, Mario A. EOP/CEQ
Sent: Wednesday, March 28, 2018 2:25 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Subject: Revised ANPR

Dear friends – Please see attached a clean revised draft reflecting all changes so far. Please review and get back to me with any further suggested changes. Thank you.

N.B. the CEQ guidance documents published in the FR vary slightly in their citation format (particularly the weighty question of whether publication dates should be set off by commas or parenthesis). To be consistent I'm following the citation formats used in the 2012 guidance on efficient environmental reviews, 77 FR 14473 (Mar. 12, 2012)).

Mario Loyola
Associate Director, Regulatory Reform

White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

[redacted]

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[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

Suggestions on ANPRM

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

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

Date: Thu, 29 Mar 2018 09:59:55 -0400

Attachments: FR Notice for ANPRM - 3-28-2018_als edits.docx (53.97 kB)

Mary,

See attached for some suggestions. I am not wedded to any of these suggestions.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

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[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

Revised ANPR

From: "Loyola, Mario A. EOP/CEQ" (b) (6) [redacted]

To: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]

Date: Mon, 02 Apr 2018 13:54:28 -0400

Attachments: FR Notice for ANPRM - 3-30-2018.docx (54.07 kB)

Dear Friends – Please see attached a revised draft tracking changes from the draft circulated last Wednesday. Please get back to me with any further changes. Thank you.

Respectfully,

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

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[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

Fwd: Revised ANPR

From:	"Boling, Ted A. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">
To:	"Drummond, Michael R. EOP/CEQ" (b) (6) [redacted] "Mansoor, Yardena M. EOP/CEQ" <(b) (6) [redacted]
Date:	Mon, 02 Apr 2018 14:14:28 -0400
Attachments:	FR Notice for ANPRM - 3-30-2018.docx (54.07 kB)

For your review

Sent from my iPhone

Begin forwarded message:

From: "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted]
Date: April 2, 2018 at 1:54:28 PM EDT
To: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]>, "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]>, "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]>
Subject: Revised ANPR

Dear Friends – Please see attached a revised draft tracking changes from the draft circulated last Wednesday. Please get back to me with any further changes. Thank you.

Respectfully,

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

FW: Revised ANPR

From:	"Boling, Ted A. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">
To:	"Drummond, Michael R. EOP/CEQ" (b) (6) [redacted] "Mansoor, Yardena M. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">
Date:	Tue, 03 Apr 2018 10:06:04 -0400
Attachments:	FR Notice for ANPRM - 3-30-2018.docx (54.07 kB)

This is CLOSE HOLD for your review/comment

From: Loyola, Mario A. EOP/CEQ
Sent: Monday, April 2, 2018 1:54 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Subject: Revised ANPR

Dear Friends – Please see attached a revised draft tracking changes from the draft circulated last Wednesday. Please get back to me with any further changes. Thank you.

Respectfully,

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

[redacted]

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(b) (5)

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[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: Revised ANPR

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

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

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

Date: Wed, 04 Apr 2018 10:56:32 -0400

Attachments: FR Notice for ANPRM - 3-30-2018 YM.docx (58.17 kB)

My comments are attached. Since the incoming version removed the author ID from tracked changes, my comments can be identified by comparing the documents.

From: Boling, Ted A. EOP/CEQ
Sent: Tuesday, April 3, 2018 10:06 AM
To: Drummond, Michael R. EOP/CEQ <(b) (6) [redacted] Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted]
Subject: FW: Revised ANPR

This is CLOSE HOLD for your review/comment

From: Loyola, Mario A. EOP/CEQ
Sent: Monday, April 2, 2018 1:54 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Subject: Revised ANPR

Dear Friends – Please see attached a revised draft tracking changes from the draft circulated last Wednesday. Please get back to me with any further changes. Thank you.

Respectfully,

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

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(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: Revised ANPR

From: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

To: "Loyola, Mario A. EOP/CEQ" (b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]

Cc: "Mansoor, Yardena M. EOP/CEQ" <(b) (6) [redacted]
"Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted]

Date: Thu, 05 Apr 2018 09:17:01 -0400

Attachments: FR Notice for ANPRM - 3-30-2018 YM MN TB.docx (58.5 kB)

Attached are edits from Mary and the NEPA Team. The tracking of changes is attributed to one "author" in this version, but I have hard copies that source the edits.

Best,
Ted

From: Loyola, Mario A. EOP/CEQ
Sent: Monday, April 2, 2018 1:54 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Subject: Revised ANPR

Dear Friends – Please see attached a revised draft tracking changes from the draft circulated last Wednesday. Please get back to me with any further changes. Thank you.

Respectfully,

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

[redacted]

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[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

Draft ANPRM on Update to NEPA Implementing Regs

From: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]

To: "Catanzaro, Michael J. EOP/WHO" <(b) (6) [redacted] "Moran, John S. EOP/WHO" <(b) (6) [redacted]

Cc: "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 10 Apr 2018 18:58:50 -0400

Attachments: FR Notice for ANPRM - 4-10-2018.docx (53.26 kB)

Mike/John:

Attached for your review is the current draft ANPRM. Thanks,

Mary

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
(b) (6) [redacted] (office), (b) (6) [redacted] (cell)
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

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(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: Revised ANPR

From: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]

To: "Boling, Ted A. EOP/CEQ" (b) (6) [redacted] "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]

Cc: "Mansoor, Yardena M. EOP/CEQ" <(b) (6) [redacted]
"Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 10 Apr 2018 18:51:27 -0400

Attachments: FR Notice for ANPRM - 4-10-2018.docx (53.53 kB)

Ted,

Thanks, attached is an updated version which incorporates all of the changes you provided and adds a few additional minor edits in track changes. If you have any additional revisions, please let me know. Thanks,

Mary

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
(b) (6) [redacted] (office), (b) (6) [redacted] (cell)
(b) (6) [redacted]

From: Boling, Ted A. EOP/CEQ
Sent: Thursday, April 5, 2018 9:17 AM
To: Loyola, Mario A. EOP/CEQ <(b) (6) [redacted] Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Cc: Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted]>
Subject: RE: Revised ANPR

Attached are edits from Mary and the NEPA Team. The tracking of changes is attributed to one "author" in this version, but I have hard copies that source the edits.

Best,
Ted

From: Loyola, Mario A. EOP/CEQ
Sent: Monday, April 2, 2018 1:54 PM

To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Subject: Revised ANPR

Dear Friends – Please see attached a revised draft tracking changes from the draft circulated last Wednesday. Please get back to me with any further changes. Thank you.

Respectfully,

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

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[redacted]

(b) (5)

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(b) (5)

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(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: Revised ANPR

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

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

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

Date: Wed, 11 Apr 2018 08:29:41 -0400

Mary's changes are good – (b) (5) [redacted]

For consistency, consider:
(b) (5) [redacted]

From: Neumayr, Mary B. EOP/CEQ
Sent: Tuesday, April 10, 2018 6:51 PM
To: Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Loyola, Mario A. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Cc: Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted]>
Subject: RE: Revised ANPR

Ted,

Thanks, attached is an updated version which incorporates all of the changes you provided and adds a few additional minor edits in track changes. If you have any additional revisions, please let me know.
Thanks,

Mary

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
(b) (6) [redacted] (office), (b) (6) [redacted] (cell)
(b) (6) [redacted]

From: Boling, Ted A. EOP/CEQ
Sent: Thursday, April 5, 2018 9:17 AM
To: Loyola, Mario A. EOP/CEQ <(b) (6) [redacted] Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]

Cc: Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted]>
Subject: RE: Revised ANPR

Attached are edits from Mary and the NEPA Team. The tracking of changes is attributed to one "author" in this version, but I have hard copies that source the edits.

Best,
Ted

From: Loyola, Mario A. EOP/CEQ
Sent: Monday, April 2, 2018 1:54 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Subject: Revised ANPR

Dear Friends – Please see attached a revised draft tracking changes from the draft circulated last Wednesday. Please get back to me with any further changes. Thank you.

Respectfully,

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

RE: Revised ANPR

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

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

Date: Wed, 18 Apr 2018 11:38:09 -0400

Mary,

I have one small nit. (b) (5) [redacted]

Other than that I think that it is good to go.

From: Neumayr, Mary B. EOP/CEQ
Sent: Tuesday, April 10, 2018 6:51 PM
To: Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Loyola, Mario A. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Cc: Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted]>
Subject: RE: Revised ANPR

Ted,

Thanks, attached is an updated version which incorporates all of the changes you provided and adds a few additional minor edits in track changes. If you have any additional revisions, please let me know.
Thanks,

Mary

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
(b) (6) [redacted] (office), (b) (6) [redacted] (cell)
(b) (6) [redacted]

From: Boling, Ted A. EOP/CEQ
Sent: Thursday, April 5, 2018 9:17 AM
To: Loyola, Mario A. EOP/CEQ <(b) (6) [redacted] Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Cc: Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted]>
Subject: RE: Revised ANPR

Attached are edits from Mary and the NEPA Team. The tracking of changes is attributed to one "author" in this version, but I have hard copies that source the edits.

Best,
Ted

From: Loyola, Mario A. EOP/CEQ
Sent: Monday, April 2, 2018 1:54 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted]
Subject: Revised ANPR

Dear Friends – Please see attached a revised draft tracking changes from the draft circulated last Wednesday. Please get back to me with any further changes. Thank you.

Respectfully,

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

RE: Draft ANPRM on Update to NEPA Implementing Regs

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

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

Cc: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 20 Apr 2018 12:10:58 -0400

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

Mary,

Please see attached as I have added the Docket ID numbers in a clean version.

From: Neumayr, Mary B. EOP/CEQ
Sent: Friday, April 20, 2018 11:58 AM
To: Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted]
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted]
Subject: FW: Draft ANPRM on Update to NEPA Implementing Regs

Aaron:
Attached is the current draft of the ANPRM. Please don't hesitate to revise as appropriate. Thanks,
Mary

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
(b) (6) [redacted] (office), (b) (6) [redacted] (cell)
(b) (6) [redacted]

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FW: Draft ANPRM on Update to NEPA Implementing Regs

From: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]

To: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Cc: "Boling, Ted A. EOP/CEQ" (b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 20 Apr 2018 11:58:14 -0400

Attachments: FR Notice for ANPRM - 4-10-2018.docx (53.26 kB)

Aaron:
Attached is the current draft of the ANPRM. Please don't hesitate to revise as appropriate. Thanks, Mary

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
(b) (6) [redacted] (office), (b) (6) [redacted] (cell)
(b) (6) [redacted]

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FYI: CEQ NEPA ANPRM and Draft GHG Guidance

From:	"Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]
To:	"Brooke, Francis J. EOP/OVP" <(b) (6) [redacted] "Catanzaro, Michael J. EOP/WHO" <(b) (6) [redacted]
Cc:	"Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]
Date:	Mon, 23 Apr 2018 16:40:10 -0400
Attachments:	FR Notice for ANPRM - 4-20-2018.docx (52.74 kB); FR Notice for GHG Guidance 4 20 18 V. 2.docx (54.21 kB)

See Attached.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
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FW: FYI: CEQ NEPA ANPRM and Draft GHG Guidance

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Cc: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Date: Mon, 23 Apr 2018 16:40:26 -0400

Attachments: FR Notice for ANPRM - 4-20-2018.docx (52.74 kB); FR Notice for GHG Guidance 4 20 18 V. 2.docx (54.21 kB)

From: Szabo, Aaron L. EOP/CEQ
Sent: Monday, April 23, 2018 4:40 PM
To: Brooke, Francis J. EOP/OVP <(b) (6) [redacted] Catanzaro, Michael J. EOP/WHO <(b) (6) [redacted]
Cc: Mary B. EOP/CEQ Neumayr ((b) (6) [redacted] <(b) (6) [redacted]
Subject: FYI: CEQ NEPA ANPRM and Draft GHG Guidance

See Attached.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

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FW: Proposed Rule Drafts for your Review

From: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]

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

Date: Fri, 27 Apr 2018 17:06:35 -0400

Attachments: CEQ Proposed Revised Regulation v1.DOCX (164.93 kB); Skeleton - Proposed Rule - CEQ Regulation Amendment.docx (49.88 kB)

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
(b) (6) [redacted] (office), (b) (6) [redacted] (cell)
(b) (6) [redacted]

From: Loyola, Mario A. EOP/CEQ
Sent: Friday, April 27, 2018 1:06 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted]
Subject: Proposed Rule Drafts for your Review

Please see attached. To reiterate my taskers, (b) (5) [redacted] Please review the proposed revised regulation and notes, and get back to me with initial thoughts. Thank you.

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

[redacted]

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FW: thanks for the great discussion yesterday

From: "Boling, Ted A. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">

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

Date: Fri, 27 Apr 2018 17:41:46 -0400

Attachments: Cumulative Effects 4.24.2014.doc (80.9 kB)

The email chain below is relevant to the ANPRM. I'd like to get NAS front-loaded to participate. Would you like to join in a call with NAS next week?

The attached paper is off-topic, but interesting from the Arctic EIA angle.

From: Symmes, Gregory <GSymmes@nas.edu>
Sent: Tuesday, April 24, 2018 1:50 PM
To: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted]
Subject: [EXTERNAL] RE: thanks for the great discussion yesterday

Ted-

Great to hear from you. We'd be happy to continue the discussion about the potential for an NAS review of promising practices in environmental impact assessment.

Attached is a short version of a draft NAS proposal focused on "cumulative effects" that was circulated around CEQ and a number of offices within DOI in the 2013-2015 time frame. As you'll see, at the time discussions were focused primarily on Arctic-region dynamics, although the issue could be framed more broadly if that is what you have in mind today. Hopefully this provides a useful starting point for further discussions.

Should we try to schedule a call or in-person meeting with you and your team for some time next week (after April 30?)?

Greg

From: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]
Sent: Friday, April 20, 2018 10:50 AM
To: Symmes, Gregory <GSymmes@nas.edu>
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted]
Subject: RE: thanks for the great discussion yesterday

Thanks, Greg – I'd like to pick up where we left off in the potential for NAS review of promising practices in environmental impact assessment (EIA).

As I noted in our meeting, CEQ has announced that it is reviewing the CEQ NEPA regulations in order to identify changes needed to update and clarify those regulations. We discussed some work that NAS did about five years ago to develop a proposal for reviewing the state of EIA practice. I'd like to look at whatever you have from that collaboration with CEQ to see if we might be able to use the same scope of work. I'm thinking that it may be useful to have NAS engaged in tandem with a public process.

Looping Amanda, Laura, and Laurie back into the email chain. I'm happy to discuss this, today after April 30, if you have any questions.

Regards,
Ted

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

From: Symmes, Gregory <GSymmes@nas.edu>
Sent: Friday, April 20, 2018 7:53 AM
To: Marchese, April L. EOP/CEQ <(b) (6) [redacted]
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted]
Subject: [EXTERNAL] RE: thanks for the great discussion yesterday

April-

Thanks for letting me know of your transition back to DOT.

My colleagues and I look forward to continuing the conversation with Ted and Marlys, when you are ready.

Greg

From: Marchese, April L. EOP/CEQ <(b) (6) [redacted]
Sent: Thursday, April 19, 2018 9:27 PM
To: Symmes, Gregory <GSymmes@nas.edu>
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted]
Subject: RE: thanks for the great discussion yesterday

Greg, I apologize for the belated follow up. Easy to get sidetracked here.
I wanted to let you know that I will be returning to my home agency, DOT, but Ted will continue to pursue the issues that we've discussed and will be reaching out to you (although I believe in the near term he is traveling). I'm also copying Marlys Osterhues, on detail to CEQ from DOT, who will also be engaged in this effort.

I really appreciated the good discussions and information that you and your folks provided, and hope we can make some progress on resolving these difficult issues.

Thanks again—
April

From: Symmes, Gregory <GSymmes@nas.edu>
Sent: Friday, February 23, 2018 3:57 PM
To: Marchese, April L. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>
Subject: [EXTERNAL] thanks for the great discussion yesterday

Dear April and Ted-

Amanda, Laura, Laurie, and I really enjoyed our conversation with you yesterday.

I hope our wide-ranging discussion was of some use as you continue to develop near-term guidance and consider potential longer-term efforts to improve the efficiency and effectiveness of environmental reviews.

We would be happy to continue the conversation on any of the topics after you've had a chance to reflect on our discussions and confer with your colleagues. My sense is that some of the more promising areas where the Academies could be of assistance include the idea of having carrying out technical peer reviews of key documents, convening workshops to bring together experts and other stakeholders to provide input or feedback on your plans, and carrying out consensus studies that would provide advice on particularly challenging issues such as improving methods for evaluating cumulative effects and/or characterizing and communicating uncertainties to decision makers and the public.

I'm copying my colleagues so you can reach out to any of us individually or as a group if you want to follow up on specific issues that arose during yesterday's meeting.

Best,

Greg

Gregory H. Symmes, Ph.D.
Executive Director

Division on Earth and Life Studies
The National Academies of Sciences, Engineering, and Medicine
500 Fifth Street, NW
Washington, DC 20001
202-334-2500
gsymmes@nas.edu

CEQ075FY18150_000002177

Draft Proposal for an NAS study:

Cumulative Effects Analysis for Decision Making in the Context of Arctic Development

As discussed in EPA(1999), "cumulative impacts" refers to the combined, incremental effects of human activity on a resource, ecosystem, or human community. Such effects could be relatively insignificant by themselves, but impacts that accumulate over time, from multiple sources, can result in the degradation of important resources. The National Environmental Policy Act (NEPA) requires the assessment of cumulative impacts, under Council on Environmental Quality (CEQ) regulations, for federal projects that require an environmental impact assessment. But assessing cumulative effects presents many challenges, due to the paucity of models and limited data to assess the combined impacts of different stressors on organisms and other natural features. In addition, the increased pace of global environmental change complicates the assessment of the cumulative impact of any given activity (i.e., stressor) over time.

The potential for new development activities in the Arctic is an important focal point for the growing interest in research on cumulative effects. As oceanic ice cover diminishes and warming trends accelerate in the Arctic, the region is becoming a more attractive option for oil/gas exploration and development, mining for mineral resources, and accommodations for increased shipping activity (including port development). The effects of this development on the region's biological, ecological and social systems could be particularly difficult to anticipate, given the additional environmental stresses from climate change. A few recent reports, including the USGS report "*An Evaluation of the Science Needs to Inform Decisions on Outer Continental Shelf Energy Development in the Chukchi and Beaufort Seas, Alaska*" (2011), have highlighted the need for a better understanding of the potential cumulative effects of development in this region.

This issue involves a wide array of government agencies, private sector interests, academic researchers, and other stakeholders. The National Academy of Sciences (NAS) proposes to organize an activity (either taking the form of a consensus study or a workshop-type forum) to bring together these diverse actors for discussion across institutional and disciplinary lines – with the goal of identifying approaches for robust cumulative effects analyses. A particular focus may be given to analyses that support planning for energy and industrial development in Alaska (both on land and offshore); but it could also consider case studies in different geographic settings to help foster sharing of best practices and lessons-learned.

Potential topics for inclusion in the Statement of Task:

- Examine the range of methodologies and strategies currently used to assess cumulative effects across different sectors, regions, and time periods (given the difficulty that driving forces may be separated in time or space, or involve different resources --e.g. indirect or secondary effects).
- Identify approaches for establishing "baselines" in the context of ongoing environmental change.
- Explore how cumulative effects can be compared across different resource types and different activities, and how appropriate time and space scales for analysis are chosen.
- Identify the specific types of research, model development, and data collection most needed to improve the scientific assessment of cumulative effects.

Although the proposed study's focus is primarily on Arctic development, the findings would likely be applicable for assessing cumulative effects in other contexts. Audiences for this study would include federal agencies, scientists, private sector stakeholders (e.g., oil/gas industry), environmental NGOs, and Arctic Native organizations.

Proposed Rule Drafts for your Review

From: "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted]

To: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]>

Date: Fri, 27 Apr 2018 13:06:08 -0400

Attachments: CEQ Proposed Revised Regulation v1.DOCX (164.93 kB); Skeleton - Proposed Rule - CEQ Regulation Amendment.docx (49.88 kB)

Please see attached. To reiterate my taskers, (b) (5) [redacted] Please review the proposed revised regulation and notes, and get back to me with initial thoughts. Thank you.

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

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Talking Points for ANPRM

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

To: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 01 May 2018 15:37:16 -0400

Attachments: Talking Points for CEQ ANPRM For OMB EO 12866 Submittal.docx (16.29 kB)

Mary, Viktoria and Dan,

Please find attached the talking points for the CEQ NEPA ANPRM for when it goes over to OIRA. This incorporates Dan's helpful comments as well.

Let me know the time-table that you would like for the rule so I can give OIRA a heads up.

Thanks.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

Talking Points for CEQ NEPA ANPRM to OIRA

From:	"Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]
To:	"Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Pettigrew, Theresa L. EOP/CEQ" <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted]
Cc:	"Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]>
Date:	Wed, 02 May 2018 12:26:31 -0400
Attachments:	Talking Points for CEQ ANPRM For OMB EO 12866 Submittal.docx (16.29 kB)

All,

Please find the talking points for CEQ's NEPA ANPRM that is being sent to OIRA today and will show up on their website tomorrow morning (www.RegInfo.gov).

Thank you and let me know if you have any questions.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

FOR REVIEW: EO 12866 Prep

From:	"Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]
To:	"Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]>
Date:	Thu, 03 May 2018 17:49:03 -0400
Attachments:	EO 12866 prep.docx (15.4 kB)

Hi Mary and Viktoria,

Please find attached for your review. I would like to send this out tomorrow, if possible, and follow up with in-person training at the end of the CEQ weekly on Tuesday.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: Talking Points for CEQ NEPA ANPRM to OIRA

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

To: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Pettigrew, Theresa L. EOP/CEQ" <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted]

Cc: "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]

Date: Thu, 03 May 2018 10:58:49 -0400

All,

OIRA has accepted the package and the visible information to the public is available at: https://www.reginfo.gov/public/do/eoReviewSearch and go down to Council on Environmental Quality.

From: Szabo, Aaron L. EOP/CEQ
Sent: Wednesday, May 2, 2018 12:26 PM
To: Mary B. EOP/CEQ Neumayr ((b) (6) [redacted] <(b) (6) [redacted] Viktoria Z. EOP/CEQ Seale ((b) (6) [redacted] <(b) (6) [redacted] Pettigrew, Theresa L. EOP/CEQ <(b) (6) [redacted] Schneider, Daniel J. EOP/CEQ <(b) (6) [redacted]>
Cc: Katherine R. EOP/CEQ Smith ((b) (6) [redacted] <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted]
Subject: Talking Points for CEQ NEPA ANPRM to OIRA

All,

Please find the talking points for CEQ's NEPA ANPRM that is being sent to OIRA today and will show up on their website tomorrow morning (www.RegInfo.gov).

Thank you and let me know if you have any questions.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

RE: FOR REVIEW: EO 12866 Prep

From:	"Seale, Viktoria Z. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=af5f6888d706481b94d18088a30821c9-se">
To:	"Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]
Date:	Fri, 04 May 2018 11:01:20 -0400
Attachments:	EO 12866 prep -edit.docx (17.25 kB)

Hi Aaron,

Attached are suggested edits and formatting changes in redline.

Thanks

Viktoria

From: Szabo, Aaron L. EOP/CEQ
Sent: Thursday, May 3, 2018 5:49 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted]
Subject: FOR REVIEW: EO 12866 Prep

Hi Mary and Viktoria,

Please find attached for your review. I would like to send this out tomorrow, if possible, and follow up with in-person training at the end of the CEQ weekly on Tuesday.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: FOR REVIEW: EO 12866 Prep

From: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]

To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Date: Mon, 07 May 2018 17:58:26 -0400

Attachments: EO 12866 prep -edit.docx (17.26 kB)

Aaron: I have added one minor edit to Viktoria's revisions. Thanks, Mary

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
(b) (6) [redacted] (office), (b) (6) [redacted] (cell)
(b) (6) [redacted]

From: Seale, Viktoria Z. EOP/CEQ
Sent: Friday, May 4, 2018 11:01 AM
To: Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted]
Subject: RE: FOR REVIEW: EO 12866 Prep

Hi Aaron,

Attached are suggested edits and formatting changes in redline.

Thanks

Viktoria

From: Szabo, Aaron L. EOP/CEQ
Sent: Thursday, May 3, 2018 5:49 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted]
Subject: FOR REVIEW: EO 12866 Prep

Hi Mary and Viktoria,

Please find attached for your review. I would like to send this out tomorrow, if possible, and follow up with in-person training at the end of the CEQ weekly on Tuesday.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)

(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

EO 12866 Review of CEQ NEPA Procedural Provisions Prerule - comments due COB on 5/14

From: "Whiteman, Chad S. EOP/OMB" <(b) (6) [redacted]

To: "Wold, Theo J. EOP/WHO" <(b) (6) [redacted] "Jain, Varun M. EOP/OMB" <(b) (6) [redacted] "Upadhyaya, Shraddha A. EOP/OMB" <(b) (6) [redacted]>, "Thomas, Amanda L. EOP/OMB" <(b) (6) [redacted] "Wackler, Ted M. EOP/OSTP" <ted_m._wackler@ostp.eop.gov>, "Salvi, Mary E. EOP/WHO" <(b) (6) [redacted] "White, Peter J. EOP/WHO" <(b) (6) [redacted] "Smith, Ja'Ron K. EOP/WHO" <(b) (6) [redacted] "Starling, Ray A. EOP/WHO" <(b) (6) [redacted] "Brooke, Francis J. EOP/WHO" <(b) (6) [redacted] "Fitzgerald, Timothy W. EOP/CEA" <(b) (5) [redacted]>, "Abajian, Xander C. EOP/CEA" <(b) (5) [redacted]>, "Pinkos, Stephen M. EOP/OVP" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted] "Hickey, Mike J. EOP/OMB" <(b) (6) [redacted] "Burgess, Scott H. EOP/OMB" <(b) (6) [redacted]>, "Winters, Paul A. EOP/OMB" <(b) (6) [redacted]>, "Derentz, Landon R. EOP/NSC" <(b) (6) [redacted]>, "Abbey, Tristan C. EOP/NSC" <(b) (6) [redacted]>, "Laing, Sally S. EOP/USTR" <sally_s_laing@ustr.eop.gov>, "Patel, Mayur R. EOP/USTR" <mayur_r_patel@ustr.eop.gov>, "Stradtman, Jennifer A. EOP/USTR" <jennifer_a_stradtman@ustr.eop.gov>, "Miller, Ashley A. EOP/USTR" <ashley_a_miller@ustr.eop.gov>, "Dougherty, Emily I. EOP/USTR" <emily_i_dougherty@ustr.eop.gov>, "Moran, John S. EOP/WHO" <(b) (6) [redacted] "Palmieri, Rosario A. EOP/OMB" <(b) (6) [redacted]>, "Laity, Jim A. EOP/OMB" <(b) (6) [redacted]>, "Prandoni, Christopher D. EOP/CEQ" <(b) (6) [redacted] "Trick, Bryant P. EOP/USTR" <bryant_trick@ustr.eop.gov>, "Abrams, Andrew D. EOP/OMB" <(b) (6) [redacted]>, "Crutchfield, Craig C. EOP/OMB" <(b) (6) [redacted]>, "McDonald, Christine A. EOP/OMB" <(b) (6) [redacted]>, "Roach, Emma K. EOP/OMB" <(b) (6) [redacted]>, "Burnett, Ben D. EOP/OMB" <(b) (6) [redacted]>, "Vallina, Cyndi A. EOP/OMB" <(b) (6) [redacted]>, "Nelson, Kimberly P. EOP/OMB" <(b) (6) [redacted]>, "Lucas, Adrienne E. EOP/OMB" <(b) (6) [redacted]>

Cc: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]

Date: Mon, 07 May 2018 09:38:10 -0400

Attachments: EO12866 Review CEQ NEPA ANPRM - 5-07-2018.docx (47.71 kB)

All,

Please review and send to me any EO 12866 comments on the Council on Environmental Quality (CEQ) advanced notice of proposed rulemaking, "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act," (RIN 0331-AA03) by **5pm on Monday, May 14th**.

As a reminder, the attached materials are deliberative and pre-decisional while under OMB review and may not be shared or discussed with anyone outside of the Executive Branch. If there are others within the EOP that you believe should review the rule, please let me know so that I can send the rule to them and add them to my distribution list so that they will receive future communications/versions of the rule. As a note, I have distributed the rule to agencies in a separate email. If you have contacts in the agencies that you believe should review, please let me know and I will forward to them.

Summary: 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 only once. Given the length of time since its NEPA implementing regulations were issued, CEQ is soliciting 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.

If you have questions or would like to discuss any aspect of the final rule, please feel free to contact me.

Thank you,
Chad

Chad Whiteman
Natural Resources and Environment Branch | Office of Information and Regulatory Affairs
Office of Management and Budget | Executive Office of the President
202-395-4718
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: CEQ's ANPRM on NEPA: Process and Communications During the Interagency Review Process

From: "Szabo, Aaron L. EOP/CEQ" [redacted]

To: "Herrgott, Alex H. EOP/CEQ" <[redacted] "Barnett, Steven W. EOP/CEQ" <[redacted] "Osterhues, Marlys A. EOP/CEQ" <[redacted] "Patella, Michael A. EOP/CEQ" <[redacted] "Sharp, Thomas L. EOP/CEQ" <[redacted] "Vandegrift, Scott F. EOP/CEQ" <[redacted] "Pettigrew, Theresa L. EOP/CEQ" <[redacted] "Schneider, Daniel J. EOP/CEQ" <[redacted] "Boling, Ted A. EOP/CEQ" <[redacted] "Drummond, Michael R. EOP/CEQ" <[redacted] "Prandoni, Christopher D. EOP/CEQ" <[redacted] "Loyola, Mario A. EOP/CEQ" <[redacted] "Mansoor, Yardena M. EOP/CEQ" <[redacted]

Cc: "Seale, Viktoria Z. EOP/CEQ" <[redacted] "Neumayr, Mary B. EOP/CEQ" <[redacted]

Date: Tue, 08 May 2018 10:46:02 -0400

All,

For your awareness, here is the link for requesting a meeting about a regulatory action under OIRA review: https://www.reginfo.gov/public/jsp/Utilities/faq.jsp.

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 8, 2018 10:18 AM
To: Herrgott, Alex H. EOP/CEQ <[redacted] Barnett, Steven W. EOP/CEQ <[redacted] Osterhues, Marlys A. EOP/CEQ <[redacted] Patella, Michael A. EOP/CEQ <[redacted] Sharp, Thomas L. EOP/CEQ <[redacted] Vandegrift, Scott F. EOP/CEQ <[redacted] Pettigrew, Theresa L. EOP/CEQ <[redacted] Schneider, Daniel J. EOP/CEQ <[redacted] Boling, Ted A. EOP/CEQ <[redacted] Drummond, Michael R. EOP/CEQ <[redacted] Prandoni, Christopher D. EOP/CEQ <[redacted] Loyola, Mario A. EOP/CEQ <[redacted] Mansoor, Yardena M. EOP/CEQ <[redacted]
Cc: Szabo, Aaron L. EOP/CEQ <[redacted] Viktoria Z. EOP/CEQ Seale ([redacted] <[redacted] Mary B. EOP/CEQ Neumayr ([redacted] <[redacted]
Subject: CEQ's ANPRM on NEPA: Process and Communications During the Interagency Review Process

All,

(b) (5)

[redacted]

(b) (5)

[redacted]

FOR AWARENESS: Version of CEQ ANPRM on NEPA Provided for Interagency Review

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

To: "Herrgott, Alex H. EOP/CEQ" <(b) (6) [redacted] "Barnett, Steven W. EOP/CEQ" <(b) (6) [redacted] "Osterhues, Marlys A. EOP/CEQ" <(b) (6) [redacted] "Patella, Michael A. EOP/CEQ" <(b) (6) [redacted] "Sharp, Thomas L. EOP/CEQ" <(b) (6) [redacted] "Vandegrift, Scott F. EOP/CEQ" <(b) (6) [redacted] "Pettigrew, Theresa L. EOP/CEQ" <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted] "Prandoni, Christopher D. EOP/CEQ" <(b) (6) [redacted] "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted] "Mansoor, Yardena M. EOP/CEQ" <(b) (6) [redacted]

Cc: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 08 May 2018 10:19:46 -0400

Attachments: EO12866 Review CEQ NEPA ANPRM - 5-07-2018.docx (47.71 kB)

All,

Please find attached for your awareness, the version of the CEQ Advanced Notice of Proposed Rulemaking (ANPRM) that was sent to OIRA for interagency review. This is a pre-decisional document and should not be shared. If members from other agencies have not received the document, please let me know and ask them to work through their agency's OIRA point of contact. Please do not send this document directly to anyone else to ensure version control.

Thank you very much and please let me know if you have any questions.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

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(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

CEQ's ANPRM on NEPA: Process and Communications During the Interagency Review Process

From: "Szabo, Aaron L. EOP/CEQ" (b) (6) [redacted]

To: "Herrgott, Alex H. EOP/CEQ" <(b) (6) [redacted] "Barnett, Steven W. EOP/CEQ" <(b) (6) [redacted] "Osterhues, Marlys A. EOP/CEQ" <(b) (6) [redacted] "Patella, Michael A. EOP/CEQ" <(b) (6) [redacted] "Sharp, Thomas L. EOP/CEQ" <(b) (6) [redacted] "Vandegrift, Scott F. EOP/CEQ" <(b) (6) [redacted] "Pettigrew, Theresa L. EOP/CEQ" <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted] "Prandoni, Christopher D. EOP/CEQ" <(b) (6) [redacted] "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted] "Mansoor, Yardena M. EOP/CEQ" <(b) (6) [redacted]

Cc: "Szabo, Aaron L. EOP/CEQ" (b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 08 May 2018 10:18:24 -0400

All,

For those who have not been involved in the process, CEQ submitted an Advanced Notice for Proposed Rulemaking (ANPRM) to the Office of Information and Regulatory Affairs (OIRA) for interagency review titled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act." This marks the first of many more milestones ahead of us during this rulemaking process. CEQ is taking this action in response to Executive Order 13807 and the list of actions related to NEPA that CEQ developed in September 2017.

Now that the ANPRM is under review with OIRA, there are certain communication rules that CEQ must follow related to the ANPRM. These rules do not apply to discussing issues outside of the scope of the ANPRM.

Interactions with the Public (including Congress):

- The purpose of the EO 12866 meeting process, which is run by OIRA, is to provide members of the public an opportunity to voice their thoughts to the EOP and the respective promulgating agency (here, CEQ).
  - In 12866 meetings, CEQ staff should primarily be in listening mode and only if necessary, ask clarifying questions based on the information provided. CEQ staff should not make declarative statements during the meetings or state explicit agreement or disagreement with anything stated by members of the public. In

addition, CEQ staff should not state or hint anything that is in the predecisional document.

- CEQ should not discuss anything that is included within the ANPRM until it is publically released.
  - This is a predecisional document that is subject to change. Telling members of the public what is in the document before it is finalized hurts the internal deliberation process and creates a chilling effect on the honest and open dialogue that occurs between agencies.

- CEQ should not hold meetings with members of the public on the ANPRM.
  - If a member of the public would like to discuss the ANPRM with CEQ, you should work through OIRA to schedule a meeting.

- If you are holding a meeting on another topic and the ANPRM is raised, you should state that you cannot discuss the ANPRM since it is under EO 12866 review.
  - However, you should tell members of the public that they can contact OIRA and request a meeting to discuss the ANPRM as part of the EO 12866 process.

Interactions with Other Agencies:

- CEQ should not have meetings with other agencies regarding the ANPRM without OIRA being invited and having prior knowledge.
  - It is strongly discouraged that CEQ set up meetings with other agencies. Other agencies should work through OIRA to set up such meetings, as necessary. This ensures that proper process is followed for the interagency review and there is no "end-running" of the process.

- If speaking or writing on this issue with other agencies, CEQ staff must properly vet comments within CEQ. This ensures that there is no pre-commitment on issues before the issue is properly briefed up to CEQ management.

- The EO 12866 process should be a constructive process that permits other agencies to provide input into the rulemaking process. When interacting with others, always be respectful, regardless of whether you agree with their statement.

- I will act as the point-of-contact with OIRA, with Viktoria Seale acting as the back up. This will ensure that CEQ is responding with one voice and there is no potential confusion created within the process (e.g., how CEQ is responding to comments).

If you have any questions, please do not hesitate to reach out to me. Thank you.

Aaron L. Szabo
Senior Counsel

CEQ075FY18150_000002027

Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

FW: FOR AWARENESS: Version of CEQ ANPRM on NEPA Provided for Interagency Review

From: "Boling, Ted A. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">

To: "Upchurch, Sara H. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 09 May 2018 17:01:35 -0400

Attachments: EO12866 Review CEQ NEPA ANPRM - 5-07-2018.docx (47.71 kB)

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 8, 2018 10:20 AM
To: Herrgott, Alex H. EOP/CEQ <(b) (6) [redacted] Barnett, Steven W. EOP/CEQ <(b) (6) [redacted] Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted] Patella, Michael A. EOP/CEQ <(b) (6) [redacted] Sharp, Thomas L. EOP/CEQ <(b) (6) [redacted] Vandegrift, Scott F. EOP/CEQ <(b) (6) [redacted] Pettigrew, Theresa L. EOP/CEQ <(b) (6) [redacted] Schneider, Daniel J. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted] Prandoni, Christopher D. EOP/CEQ <(b) (6) [redacted] Loyola, Mario A. EOP/CEQ <(b) (6) [redacted] Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted]
Cc: Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted]
Subject: FOR AWARENESS: Version of CEQ ANPRM on NEPA Provided for Interagency Review

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Thank you very much and please let me know if you have any questions.

Aaron L. Szabo
Senior Counsel

Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

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[redacted]

(b) (5)

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(b) (5)

[redacted]

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To: "Upchurch, Sara H. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 09 May 2018 17:01:05 -0400

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 8, 2018 10:46 AM
To: Herrgott, Alex H. EOP/CEQ <(b) (6) [redacted] Barnett, Steven W. EOP/CEQ <(b) (6) [redacted] Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted] Patella, Michael A. EOP/CEQ <(b) (6) [redacted] Sharp, Thomas L. EOP/CEQ <(b) (6) [redacted] Vandegrift, Scott F. EOP/CEQ <(b) (6) [redacted] Pettigrew, Theresa L. EOP/CEQ <(b) (6) [redacted] Schneider, Daniel J. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted] Prandoni, Christopher D. EOP/CEQ <(b) (6) [redacted] Loyola, Mario A. EOP/CEQ <(b) (6) [redacted] Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted]
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Subject: RE: CEQ's ANPRM on NEPA: Process and Communications During the Interagency Review Process

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Cc: Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted] Viktoria Z. EOP/CEQ Seale ((b) (6) [redacted] <(b) (6) [redacted] Mary B. EOP/CEQ Neumayr

([redacted] <[redacted]
Subject: CEQ's ANPRM on NEPA: Process and Communications During the Interagency Review Process

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- CEQ should not discuss anything that is included within the ANPRM until it is publically released.
  - This is a predecisional document that is subject to change. Telling members of the public what is in the document before it is finalized hurts the internal deliberation process and creates a chilling effect on the honest and open dialogue that occurs between agencies.

- CEQ should not hold meetings with members of the public on the ANPRM.
  - If a member of the public would like to discuss the ANPRM with CEQ, you should work through OIRA to schedule a meeting.

- If you are holding a meeting on another topic and the ANPRM is raised, you should state that you cannot discuss the ANPRM since it is under EO 12866 review.
  - However, you should tell members of the public that they can contact OIRA and request a meeting to discuss the ANPRM as part of the EO 12866 process.

Interactions with Other Agencies:

- CEQ should not have meetings with other agencies regarding the ANPRM without OIRA being invited and having prior knowledge.
  - It is strongly discouraged that CEQ set up meetings with other agencies. Other agencies should work through OIRA to set up such meetings, as necessary. This ensures that proper process is followed for the interagency review and there is no "end-running" of the process.

- If speaking or writing on this issue with other agencies, CEQ staff must properly vet comments within CEQ. This ensures that there is no pre-commitment on issues before the issue is properly briefed up to CEQ management.

- The EO 12866 process should be a constructive process that permits other agencies to provide input into the rulemaking process. When interacting with others, always be respectful, regardless of whether you agree with their statement.

- I will act as the point-of-contact with OIRA, with Viktoria Seale acting as the back up. This will ensure that CEQ is responding with one voice and there is no potential confusion created within the process (e.g., how CEQ is responding to comments).

If you have any questions, please do not hesitate to reach out to me. Thank you.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

[EXTERNAL] Re: ANPRM at OIRA

From: Stephen Schima <sschima@partnershipproject.org>

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 11 May 2018 14:13:17 -0400

Ted,

Apologies for the delayed reply – I've just now (reluctantly) emerged from the mountains near Yellowstone where I was gleefully disconnected. Nevertheless, thank you for taking the time to chat and sending along the information – I'm going to pass along to my colleagues.

Didn't get to see any bison, but did see a Grizzly and her cub!

Cheers,
Stephen

From: Ted Boling <(b) (6) [redacted]
Date: Tuesday, May 8, 2018 at 10:56 AM
To: Stephen Schima <sschima@partnershipproject.org>
Cc: Michael Drummond <(b) (6) [redacted]
Subject: ANPRM at OIRA

Steve,

Thanks for your call this morning. For your awareness, here is the link for requesting a meeting about a regulatory action under OIRA review: >https://www.reginfo.gov/public/jsp/Utilities/faq.jsp<
Please spread the word and have a great time in Yellowstone!

Best,
Ted

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

HOLD: Interagency Phone Call on CEQ NEPA ANPRM

Where:	734 JP 2nd Floor
When:	Wed May 30 15:00:00 2018 (America/New_York)
Until:	Wed May 30 16:00:00 2018 (America/New_York)
Organiser:	"Szabo, Aaron L. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=f93a8d1dd2b4420ca81e53ff8199b780-sz">
Required Attendees:	"Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Barnett, Steven W. EOP/CEQ" <(b) (6) [redacted] "Sharp, Thomas L. EOP/CEQ" <(b) (6) [redacted] "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted] "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted] "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted] "Osterhues, Marlys A. EOP/CEQ" <(b) (6) [redacted] "Herrgott, Alex H. EOP/CEQ" <(b) (6) [redacted] "Pettigrew, Theresa L. EOP/CEQ" <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted]

Participant Dial-In: (b) (6) [redacted] Participant Code: (b) (6) [redacted]

Re: HOLD: Interagency Phone Call on CEQ NEPA ANPRM

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 29 May 2018 22:03:01 -0400

Have the call later this week.

Sent from my iPhone

On May 29, 2018, at 9:36 PM, Boling, Ted A. EOP/CEQ <(b) (6) [redacted]> wrote:

What's the plan?

-----Original Appointment-----
From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 29, 2018 9:36 PM
To: Seale, Viktoria Z. EOP/CEQ; Boling, Ted A. EOP/CEQ; Barnett, Steven W. EOP/CEQ; Sharp, Thomas L. EOP/CEQ; Loyola, Mario A. EOP/CEQ; Smith, Katherine R. EOP/CEQ; Drummond, Michael R. EOP/CEQ; Osterhues, Marlys A. EOP/CEQ; Herrgott, Alex H. EOP/CEQ; Pettigrew, Theresa L. EOP/CEQ; Schneider, Daniel J. EOP/CEQ
Subject: Canceled: HOLD: Interagency Phone Call on CEQ NEPA ANPRM
When: Wednesday, May 30, 2018 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 734 JP 2nd Floor
Importance: High

Participant Dial-In: (b) (6) [redacted] Participant Code: (b) (6) [redacted]

Canceled: HOLD: Interagency Phone Call on CEQ NEPA ANPRM

Where:	734 JP 2nd Floor
When:	Wed May 30 15:00:00 2018 (America/New_York)
Until:	Wed May 30 16:00:00 2018 (America/New_York)
Organiser:	"Szabo, Aaron L. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=f93a8d1dd2b4420ca81e53ff8199b780-sz">
Required Attendees:	"Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Barnett, Steven W. EOP/CEQ" <(b) (6) [redacted] "Sharp, Thomas L. EOP/CEQ" <(b) (6) [redacted] "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted] "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted] "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted] "Osterhues, Marlys A. EOP/CEQ" <(b) (6) [redacted] "Herrgott, Alex H. EOP/CEQ" <(b) (6) [redacted] "Pettigrew, Theresa L. EOP/CEQ" <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted]

Participant Dial-In: (b) (6) [redacted] Participant Code: (b) (6) [redacted]

FOR REVIEW: Response to Interagency Comments on CEQ ANPRM

From:	"Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]
To:	"Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]
Date:	Tue, 29 May 2018 21:35:27 -0400
Attachments:	Draft Responses to Agency Comments Draft 3 5-29-18.docx (33.05 kB)

Mary and Viktoria,

Please find attached the cleared staff comments on the response to interagency comments on CEQ ANPRM.

Let me know if you would like to talk through the comments. I am going to cancel the phone call for tomorrow, but would like to try and schedule one either Thursday or Friday.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

FOR REVIEW BY COB TODAY: CEQ Draft Responses to Interagency Comments on CEQ ANPRM

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Barnett, Steven W. EOP/CEQ" <(b) (6) [redacted] "Sharp, Thomas L. EOP/CEQ" <(b) (6) [redacted] "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted] "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted] "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted] "Osterhues, Marlys A. EOP/CEQ" <(b) (6) [redacted] "Herrgott, Alex H. EOP/CEQ" <(b) (6) [redacted] "Pettigrew, Theresa L. EOP/CEQ" <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted]

Cc: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 29 May 2018 13:52:58 -0400

Attachments: Draft Responses to Agency Comments Draft 3 5-29-18.docx (32.87 kB)

All,

Please find attached for your review **by COB today**, CEQ's draft responses to the interagency comments that we received on the CEQ ANPRM.

Thank you Tom for putting this together.

Please let Tom or I know if you have any questions.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: HOLD: Interagency Phone Call on CEQ NEPA ANPRM

From: "Boling, Ted A. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">

To: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 29 May 2018 21:36:29 -0400

What's the plan?

-----Original Appointment-----
From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 29, 2018 9:36 PM
To: Seale, Viktoria Z. EOP/CEQ; Boling, Ted A. EOP/CEQ; Barnett, Steven W. EOP/CEQ; Sharp, Thomas L. EOP/CEQ; Loyola, Mario A. EOP/CEQ; Smith, Katherine R. EOP/CEQ; Drummond, Michael R. EOP/CEQ; Osterhues, Marlys A. EOP/CEQ; Herrgott, Alex H. EOP/CEQ; Pettigrew, Theresa L. EOP/CEQ; Schneider, Daniel J. EOP/CEQ
Subject: Canceled: HOLD: Interagency Phone Call on CEQ NEPA ANPRM
When: Wednesday, May 30, 2018 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 734 JP 2nd Floor
Importance: High

Participant Dial-In: (b) (6) [redacted] Participant Code: (b) (6) [redacted]

RE: FOR REVIEW BY COB TODAY: CEQ Draft Responses to Interagency Comments on CEQ ANPRM

From:	"Smith, Katherine R. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=e45de0bbb5ca4e87a4c4528ec12a7b03-sm">
To:	"Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]
Date:	Tue, 29 May 2018 17:10:50 -0400
Attachments:	Draft Responses to Agency Comments Draft 3 5-29-18_KS Edits.docx (37.99 kB)

I've made a few small suggested edits for consistency within the document.

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 29, 2018 1:53 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Barnett, Steven W. EOP/CEQ <(b) (6) [redacted] Sharp, Thomas L. EOP/CEQ <(b) (6) [redacted] Loyola, Mario A. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted] Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted] Herrgott, Alex H. EOP/CEQ <(b) (6) [redacted] Pettigrew, Theresa L. EOP/CEQ <(b) (6) [redacted] Schneider, Daniel J. EOP/CEQ <(b) (6) [redacted]
Cc: Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted]
Subject: FOR REVIEW BY COB TODAY: CEQ Draft Responses to Interagency Comments on CEQ ANPRM

All,

Please find attached for your review **by COB today**, CEQ's draft responses to the interagency comments that we received on the CEQ ANPRM.

Thank you Tom for putting this together.

Please let Tom or I know if you have any questions.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

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(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: FOR REVIEW BY COB TODAY: CEQ Draft Responses to Interagency Comments on CEQ ANPRM

From: "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]

To: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 29 May 2018 17:10:52 -0400

Attachments: Draft Responses to Agency Comments Draft 3 5-29-18_KS Edits.docx (37.99 kB)

I've made a few small suggested edits for consistency within the document.

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 29, 2018 1:53 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Barnett, Steven W. EOP/CEQ <(b) (6) [redacted] Sharp, Thomas L. EOP/CEQ <(b) (6) [redacted] Loyola, Mario A. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted] Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted] Herrgott, Alex H. EOP/CEQ <(b) (6) [redacted] Pettigrew, Theresa L. EOP/CEQ <(b) (6) [redacted] Schneider, Daniel J. EOP/CEQ <(b) (6) [redacted]
Cc: Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted]
Subject: FOR REVIEW BY COB TODAY: CEQ Draft Responses to Interagency Comments on CEQ ANPRM

All,

Please find attached for your review **by COB today**, CEQ's draft responses to the interagency comments that we received on the CEQ ANPRM.

Thank you Tom for putting this together.

Please let Tom or I know if you have any questions.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

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(b) (5)

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(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: FOR REVIEW: Response to Interagency Comments on CEQ ANPRM

From: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]

To: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 30 May 2018 14:16:46 -0400

Attachments: Draft Responses to Agency Comments Draft 3 5-30-18 Edits.docx (35.67 kB)

Minor suggested edits attached.

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
(b) (6) [redacted] (office), (b) (6) [redacted] (cell)
(b) (6) [redacted]

From: Szabo, Aaron L. EOP/CEQ
Sent: Wednesday, May 30, 2018 12:30 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted]
Subject: RE: FOR REVIEW: Response to Interagency Comments on CEQ ANPRM

Mary and Viktoria,

Not sure if you have started reviewing, but I received a couple of late (but helpful) comments that I have included. Please see attached.

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 29, 2018 9:35 PM
To: Viktoria Z. EOP/CEQ Seale ((b) (6) [redacted] <(b) (6) [redacted] Mary B. EOP/CEQ Neumayr ((b) (6) [redacted] <(b) (6) [redacted]
Subject: FOR REVIEW: Response to Interagency Comments on CEQ ANPRM

Mary and Viktoria,

Please find attached the cleared staff comments on the response to interagency comments on CEQ ANPRM.

Let me know if you would like to talk through the comments. I am going to cancel the phone call for tomorrow, but would like to try and schedule one either Thursday or Friday.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: FOR REVIEW: Response to Interagency Comments on CEQ ANPRM

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 30 May 2018 12:29:33 -0400

Attachments: Draft Responses to Agency Comments Draft 3 5-30-18.docx (33.26 kB)

Mary and Viktoria,

Not sure if you have started reviewing, but I received a couple of late (but helpful) comments that I have included. Please see attached.

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 29, 2018 9:35 PM
To: Viktoria Z. EOP/CEQ Seale ([redacted] <(b) (6) [redacted] Mary B. EOP/CEQ Neumayr ([redacted] <(b) (6) [redacted]
Subject: FOR REVIEW: Response to Interagency Comments on CEQ ANPRM

Mary and Viktoria,

Please find attached the cleared staff comments on the response to interagency comments on CEQ ANPRM.

Let me know if you would like to talk through the comments. I am going to cancel the phone call for tomorrow, but would like to try and schedule one either Thursday or Friday.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

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(b) (5)

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(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: FOR REVIEW BY COB TODAY: CEQ Draft Responses to Interagency Comments on CEQ ANPRM

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

To: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Barnett, Steven W. EOP/CEQ" <(b) (6) [redacted] "Sharp, Thomas L. EOP/CEQ" <(b) (6) [redacted] "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted] "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted] "Osterhues, Marlys A. EOP/CEQ" <(b) (6) [redacted] "Herrgott, Alex H. EOP/CEQ" <(b) (6) [redacted] "Pettigrew, Theresa L. EOP/CEQ" <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 30 May 2018 10:50:09 -0400

Attachments: Draft Responses to Agency Comments Draft 3 5-29-18 MRD edits.docx (39.4 kB)

Aaron,

Please see my attached edits in track changes.

Note, I have one edit potential edit to the ANPRM itself that I came across during my review of the comment response document. I propose we consider (b) (5) [redacted].

Best,

Michael

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 29, 2018 1:53 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Barnett, Steven W. EOP/CEQ <(b) (6) [redacted] Sharp, Thomas L. EOP/CEQ <(b) (6) [redacted] Loyola, Mario A. EOP/CEQ <(b) (6) [redacted] Smith, Katherine R. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted] Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted] Herrgott, Alex H. EOP/CEQ <(b) (6) [redacted] Pettigrew, Theresa L. EOP/CEQ <(b) (6) [redacted] Schneider, Daniel J. EOP/CEQ <(b) (6) [redacted]
Cc: Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted]
Subject: FOR REVIEW BY COB TODAY: CEQ Draft Responses to Interagency Comments on CEQ ANPRM

All,

Please find attached for your review **by COB today**, CEQ's draft responses to the interagency comments that we received on the CEQ ANPRM.

Thank you Tom for putting this together.

Please let Tom or I know if you have any questions.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) [redacted] (Desk)
(b) (6) [redacted] (Cell)
(b) (6) [redacted]

(b) (5)

[redacted]

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(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

Proposed Regulation Amendments and Preamble Skeleton

From: "Loyola, Mario A. EOP/CEQ" (b) (6) [redacted]

To: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 01 Jun 2018 09:59:13 -0400

Attachments: CEQ Proposed Revised Regulation v6.docx (233.59 kB); Preamble Skeleton - Proposed Rule - CEQ Regulation Amendment v2.docx (54.62 kB)

Dear Mary and Viktoria, please see attached for your review. (b) (5) [redacted] I look forward to your comments.

A couple of notes: (b) (5) [redacted]

(b) (5) [redacted]

With that, I'm on the road!

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

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(b) (5)

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[redacted]

RE: Ted out

From: "Boling, Ted A. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">

To: "Loyola, Mario A. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 01 Jun 2018 11:41:59 -0400

I'm happy to do it. (b) (5) [redacted].
I'm trying to relax, recalling the song "The Road Goes on Forever, and the Party Never Ends"
I recommend Robert Earl Keane for your road trip.

From: Loyola, Mario A. EOP/CEQ
Sent: Friday, June 1, 2018 11:38 AM
To: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]
Subject: Re: Ted out

Ted thank you so much for being so responsive helpful and patient. I'll call this afternoon to go over where we are and next steps. Thank you!

Mario Loyola
Associate Director, Regulatory Reform
White House Council on Environmental Quality
(o) (b) (6) [redacted] | (c) (b) (6) [redacted]

On May 31, 2018, at 9:53 PM, Boling, Ted A. EOP/CEQ <(b) (6) [redacted]> wrote:

Mario,

I'm out of v5
Have a great road trip!

Best,
Ted

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

[EXTERNAL] quick question for you

From: dawn reeves <dawn.reeves@iwpnews.com>

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 06 Jun 2018 13:18:32 -0400

Hi Ted,
It's Dawn at Inside EPA. We have a reporter at a meeting in NY at Columbia law school featuring EPA Region 2 folks and someone from EPA there said that CEQ is working on a new guidance to agencies for how to implement NEPA.
I don't know if this is the same/related/the next step after the ANPRM that is over at the WH re updating CEQ's NEPA regulations.
Do you have any information you can share?
Please let me know, thanks.
Dawn
(b) (6) [redacted] – on cell today if you wan to chat

[EXTERNAL] FS Comments on CEQ ANPR

From: "Gaugush, Samuel F - FS" <sfgaugush@fs.fed.us>

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 08 Jun 2018 13:14:29 -0400

Ted – Jim followed up with the Forest Service office that handles regulatory affairs. We will be making sure that CEQ receives a single, consolidated set of Forest Service comments in subsequent stages of CEQ's rulemaking process. We are also working with our regulatory affairs office to ensure Forest Service comments are run through the NEPA shop before submission. Sorry that didn't happen this time around—and for any extra work it caused you all.

Sam

Sam Gaugush
National Environmental Policy Act Specialist
Forest Service
Ecosystem Management Coordination Staff
p: 202-205-0917
sfgaugush@fs.fed.us
1400 Independence Ave SW
Washington, DC 20250
>www.fs.fed.us<

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Check out the new EMC portal!

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[EXTERNAL] RE: EO 12866 Call on CEQ NEPA Procedural Provisions Prerule

From: "Gaugush, Samuel F - FS" <sfgaugush@fs.fed.us>

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 08 Jun 2018 09:22:12 -0400

Thanks, Ted.

-----Original Appointment-----
From: (b) (6) [redacted] [mailto:(b) (6) [redacted] **On Behalf Of** Whiteman, Chad S. EOP/OMB
Sent: Friday, June 8, 2018 9:21 AM
To: Gaugush, Samuel F - FS
Subject: Fwd: EO 12866 Call on CEQ NEPA Procedural Provisions Prerule
When: Friday, June 8, 2018 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Dial-In: (b) (6) [redacted] Code: (b) (6) [redacted]

Sent from my iPhone

Begin forwarded message:

From: "Whiteman, Chad S. EOP/OMB" <(b) (6) [redacted]>
Date: June 7, 2018 at 6:10:41 PM EDT
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]>, "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted]>, "Barnett, Steven W. EOP/CEQ" <(b) (6) [redacted]>, "Sharp, Thomas L. EOP/CEQ" <(b) (6) [redacted] "Gignoux, Caroline M. EOP/CEQ (Intern)" <(b) (6) [redacted]>, "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]
Cc: "Bolen, Brittany" <bolen.brittany@epa.gov>, "Justin Schwab (schwab.justin@epa.gov)" <schwab.justin@epa.gov>
Subject: FW: EO 12866 Call on CEQ NEPA Procedural Provisions Prerule

All, In order to work through the comments in an expedited manner (b) (5) [redacted] Chad

(b) (5)

[redacted]

<< File: mime-attachment.ics >> << File: ATT00001.htm >>

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

Fwd: EO 12866 Call on CEQ NEPA Procedural Provisions Prerule

Where:	Dial-In: (b) (6) [redacted] Code: (b) (6) [redacted]
When:	Fri Jun 08 09:00:00 2018 (America/New_York)
Until:	Fri Jun 08 10:00:00 2018 (America/New_York)
Organiser:	"Whiteman, Chad S. EOP/OMB" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=1eab5b65831b4f7fb65d73703504e13e-wh">
Required Attendee:	sfgaugush@fs.fed.us

Sent from my iPhone

Begin forwarded message:

From: "Whiteman, Chad S. EOP/OMB" <(b) (6) [redacted]>
Date: June 7, 2018 at 6:10:41 PM EDT
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]>, "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted]>, "Barnett, Steven W. EOP/CEQ" <(b) (6) [redacted] "Sharp, Thomas L. EOP/CEQ" <(b) (6) [redacted] "Gignoux, Caroline M. EOP/CEQ (Intern)" <(b) (6) [redacted]>, "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]
Cc: "Bolen, Brittany" <bolen.brittany@epa.gov>, "Justin Schwab (schwab.justin@epa.gov)" <schwab.justin@epa.gov>
Subject: FW: EO 12866 Call on CEQ NEPA Procedural Provisions Prerule

All, In order to work through the comments in an expedited manner, (b) (5) [redacted] Chad

(b) (5) [redacted]

(b) (5)

[redacted]

Draft ANPRM Fact Sheet

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

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

Date: Tue, 12 Jun 2018 09:52:49 -0400

Attachments: Draft ANPRM Fact Sheet 6-12-18 V2 als.docx (22.18 kB)

Please see the attached document for review. Aaron's tracked edits are included.

Dan

Dan Schneider
Associate Director for Communications
Council on Environmental Quality
Executive Office of the President
(b) (6) [redacted] (desk)
(b) (6) [redacted]
www.whitehouse.gov/ceq

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: Draft ANPRM Fact Sheet

From:	"Neumayr, Mary B. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=4e618ec0a8d749c29c9f64889897f4bb-ne">
To:	"Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted]
Date:	Thu, 14 Jun 2018 10:03:22 -0400
Attachments:	Draft ANPRM Fact Sheet 6-12-18 V2 als MN 6 14 18.docx (23.64 kB)

Apologies for my delayed response and attached are proposed revisions.

Mary B. Neumayr
Chief of Staff, Council on Environmental Quality
(b) (6) [redacted] (office), (b) (6) [redacted] (cell)
(b) (6) [redacted]

From: Schneider, Daniel J. EOP/CEQ
Sent: Thursday, June 14, 2018 9:41 AM
To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted]
Subject: FW: Draft ANPRM Fact Sheet

Hey Mary – just wanted to resend this for your review.

Dan

From: Schneider, Daniel J. EOP/CEQ
Sent: Tuesday, June 12, 2018 9:53 AM
To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted]
Subject: Draft ANPRM Fact Sheet

Please see the attached document for review. Aaron's tracked edits are included.

Dan

Dan Schneider
Associate Director for Communications
Council on Environmental Quality
Executive Office of the President
(b) (6) [redacted] (desk)
(b) (6) [redacted]
www.whitehouse.gov/ceq

(b) (5)

[redacted]

FW: Draft ANPRM Fact Sheet

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

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

Date: Thu, 14 Jun 2018 09:41:27 -0400

Attachments: Draft ANPRM Fact Sheet 6-12-18 V2 als.docx (22.18 kB)

Hey Mary – just wanted to resend this for your review.

Dan

From: Schneider, Daniel J. EOP/CEQ
Sent: Tuesday, June 12, 2018 9:53 AM
To: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted]
Subject: Draft ANPRM Fact Sheet

Please see the attached document for review. Aaron's tracked edits are included.

Dan

Dan Schneider
Associate Director for Communications
Council on Environmental Quality
Executive Office of the President
(b) (6) [redacted] (desk)
(b) (6) [redacted]
www.whitehouse.gov/ceq

(b) (5)

[redacted]

(b) (5)

[redacted]

FW: FR 2018-13246_1644312 (b) (5) [redacted]

From:	"Sun, Howard C. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=d09f541a1ae44400bcf25f4ff89d91d7-su">
To:	"Reid, Chipp (OFR)" <creid@gpo.gov>
Date:	Fri, 15 Jun 2018 15:33:20 -0400
Attachments:	FR 2018-13246_1644312 (b) (5) [redacted].docx (49.52 kB)

Hi Chipp,

Revised (b) (5) [redacted] in redline. Can you please send us a final version for our records?

Very Respectfully,
Howard Sun
Attorney Advisor
Council on Environmental Quality
Executive Office of the President
Office: (b) (6) [redacted]

From: Seale, Viktoria Z. EOP/CEQ
Sent: Friday, June 15, 2018 3:18 PM
To: Sun, Howard C. EOP/CEQ <(b) (6) [redacted]
Cc: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted]
Subject: FR 2018-13246_1644312 (b) (5) [redacted]

Howard,

Please send the attached version (b) (5) [redacted] back to Chipp.

Thank you,

Viktoria

(b) (5)

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[redacted]

FW: [EXTERNAL] Office of the federal Register:Submission Status: ID:W6152018115024354

From: "Sun, Howard C. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=d09f541a1ae44400bcf25f4ff89d91d7-su">

To: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 15 Jun 2018 12:07:23 -0400

From: noreply@fedreg.gov <noreply@fedreg.gov>
Sent: Friday, June 15, 2018 11:50 AM
To: Sun, Howard C. EOP/CEQ <(b) (6) [redacted]
Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W6152018115024354

Submission ID: W6152018115024354

File Name	Validation Result	Handling File	Validation Result	Upload Status	Remarks
CEQ NEPA ANPRM_FRVersion.docx.p7m	PASSED			PASSED	

FR 2018-13246_1644312 (b) (5) [redacted]

From: "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted]

To: "Sun, Howard C. EOP/CEQ" <(b) (6) [redacted]

Cc: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 15 Jun 2018 15:17:51 -0400

Attachments: FR 2018-13246_1644312 (b) (5) [redacted].docx (49.52 kB)

Howard,

Please send the attached version (b) (5) [redacted] back to Chipp.

Thank you,

Viktoria

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[redacted]

[EXTERNAL] Office of the federal Register:Submission Status: ID:W6152018115024354

From: noreply@fedreg.gov

To: "Sun, Howard C. EOP/CEQ" <(b) (6)[redacted]

Date: Fri, 15 Jun 2018 11:50:26 -0400

Submission ID: W6152018115024354

File Name	Validation Result	Handling File	Validation Result	Upload Status	Remarks
CEQ NEPA ANPRM FRVersion.docx.p7m	PASSED			PASSED	

FR 2018-13246_1644312 (b) (5) [redacted]

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

To: "Sun, Howard C. EOP/CEQ" <(b) (6) [redacted]

Cc: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 15 Jun 2018 15:17:49 -0400

Attachments: FR 2018-13246_1644312 (b) (5) [redacted].docx (49.52 kB)

Howard,

Please send the attached version (b) (5) [redacted] back to Chipp.

Thank you,

Viktoria

(b) (5)

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FW: [EXTERNAL] Office of the federal Register:Submission Status: ID:W6152018115024354

From: "Sun, Howard C. EOP/CEQ" <(b) (6) [redacted]

To: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted], "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted], "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted], "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 15 Jun 2018 12:07:27 -0400

From: noreply@fedreg.gov <noreply@fedreg.gov>
Sent: Friday, June 15, 2018 11:50 AM
To: Sun, Howard C. EOP/CEQ <(b) (6) [redacted]
Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W6152018115024354

Submission ID: W6152018115024354

File Name	Validation Result	Handling File	Validation Result	Upload Status	Remarks
CEQ NEPA ANPRM_FRVersion.docx.p7m	PASSED			PASSED	

FW: FR 2018-13246_1644312 (b) (5) [redacted]

From: "Boling, Ted A. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">

To: "Drummond, Michael R. EOP/CEQ" (b) (6) [redacted]
"Mansoor, Yardena M. EOP/CEQ" <(b) (6) [redacted]

Date: Mon, 18 Jun 2018 10:21:47 -0400

Attachments: FR 2018-13246_1644312 (b) (5) [redacted].docx (49.52 kB)

From: Seale, Viktoria Z. EOP/CEQ
Sent: Friday, June 15, 2018 3:18 PM
To: Sun, Howard C. EOP/CEQ <(b) (6) [redacted]
Cc: Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Szabo, Aaron L. EOP/CEQ <(b) (6) [redacted]
Subject: FR 2018-13246_1644312 (b) (5) [redacted]

Howard,

Please send the attached version (b) (5) [redacted] back to Chipp.

Thank you,

Viktoria

(b) (5)

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(b) (5)

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[redacted]

(b) (5)

[redacted]

RE: [EXTERNAL] RE: thanks for the great discussion yesterday

From: "Symmes, Gregory" <gsymmes@nas.edu>

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

Cc: "Staudt, Amanda" <astaudt@nas.edu>, "DeFeo, Laura" <ldefeo@nas.edu>, "Geller, Laurie" <lgeller@nas.edu>, "Osterhues, Marlys A. EOP/CEQ" <(b) (6) [redacted] "Jones, Dawn" <djones@nas.edu>, "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted] "Mansoor, Yardena M. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 20 Jun 2018 17:24:43 -0400

Ted:
Thanks for letting us know about the advance notice of proposed rulemaking. We'll take a look at the notice.

We also continue to stand ready to be of assistance to CEQ as the review progresses if you identify such an opportunity.

Best,

Greg

From: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]
Sent: Wednesday, June 20, 2018 5:15 PM
To: Symmes, Gregory <GSymmes@nas.edu>
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted] Jones, Dawn <DJones@nas.edu>; Drummond, Michael R. EOP/CEQ <(b) (6) [redacted] Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted]
Subject: RE: [EXTERNAL] RE: thanks for the great discussion yesterday

Greg, et al.,

As expected during our meeting, the Council on Environmental Quality has published an Advance Notice of Proposed Rulemaking (ANPRM) titled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act" (>https://www.regulations.gov/document?D=CEQ-2018-0001-0001<). As a respected member of the NEPA community, I would like to ensure that you and your colleagues at the Academies are engaged early in the process as CEQ begins this significant undertaking. 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.

If I find an opportunity for a the Academies to provide greater assistance to CEQ as this review progresses. I would appreciate any and all comments in that regard.

Sincerely,
Ted

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

From: Boling, Ted A. EOP/CEQ
Sent: Tuesday, May 8, 2018 1:14 PM
To: 'Symmes, Gregory' <GSymmes@nas.edu>
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted] Jones, Dawn <DJones@nas.edu>; Drummond, Michael R. EOP/CEQ <(b) (6) [redacted]>
Subject: RE: [EXTERNAL] RE: thanks for the great discussion yesterday

Greg,

Thank you for such a timely and well-developed response. I am particularly interested in the designation of a standing advisory committee to provide:

- Advice on public participation in science-based decision making
- Approaches for effective science communication with decision makers
- Structured engagement with academics, decision makers, and other stakeholders throughout the NEPA update process
- Expert reviews of draft regulations or other documents authored by CEQ

I will queue this up for discussion with CEQ leadership and get back to you soon on our inclinations.

Best,
Ted

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

From: Symmes, Gregory <GSymmes@nas.edu>
Sent: Tuesday, May 8, 2018 11:58 AM
To: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted] Jones, Dawn <DJones@nas.edu>
Subject: RE: [EXTERNAL] RE: thanks for the great discussion yesterday

Ted:

It was great to talk with you on Friday afternoon. Attached as promised is a brief discussion paper describing some of the options for how the Academies could be of assistance to CEQ and the agencies during the process of updating NEPA regulations.

Please let us know what you think. We would be happy to provide additional details about any of the options and/or continue our conversations if it would be helpful.

Best,

Greg

Gregory H. Symmes, Ph.D.
Executive Director
Division on Earth and Life Studies
The National Academies of Sciences, Engineering, and Medicine
500 Fifth Street, NW
Washington, DC 20001
202-334-2500
gsymmes@nas.edu

From: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>
Sent: Friday, May 04, 2018 7:35 AM
To: Symmes, Gregory <GSymmes@nas.edu>
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted] Jones, Dawn <DJones@nas.edu>
Subject: Re: [EXTERNAL] RE: thanks for the great discussion yesterday

4pm would work nicely
I can send around a conference line
There are no materials to share at this point
Thanks

Sent from my iPhone

On May 4, 2018, at 7:18 AM, Symmes, Gregory <GSymmes@nas.edu> wrote:

Ted-

Thanks for your note. We would be happy to talk with you about potential NAS participation in the CEQ update to NEPA regulations.

Are you available for a call this afternoon at 4pm? Some of my staff will be offsite, so if that works for you we'll set up a conference call.

We look forward to talking with you. Are there any background materials? I was able to find the notice on OMB's website (>>>https://www.reginfo.gov/public/do/eoDetails?rrid=128051<<<) but don't see any supporting documents. If there are any such documents that you can share please send them along so we can look them over before our call.

Best,

Greg

Gregory H. Symmes, Ph.D.
Executive Director
Division on Earth and Life Studies
The National Academies of Sciences, Engineering, and Medicine
500 Fifth Street, NW
Washington, DC 20001
202-334-2500
gsymmes@nas.edu

From: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>
Sent: Thursday, May 03, 2018 8:36 PM
To: Symmes, Gregory <GSymmes@nas.edu>
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted]
Subject: RE: thanks for the great discussion yesterday

Greg,

I regret having taken so long to get back to you. I was at an Arctic Council meeting on environmental impact assessment in Canada last week which, coincidentally, was directly related to this proposal. I'd like to talk with you tomorrow or next week about potential NAS participation in the CEQ update to its NEPA regulations, which would be the first comprehensive update of the regulations in 40 years. Today, OMB recorded the receipt of our ANPRM for clearance (see >>>https://www.reginfo.gov/public/do/eoReviewSearch<<<;;). If you are available tomorrow afternoon or next Monday afternoon, I'd like to talk with you about this.

Regards,
Ted

From: Symmes, Gregory <GSymmes@nas.edu>
Sent: Tuesday, April 24, 2018 1:50 PM
To: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted]
Subject: [EXTERNAL] RE: thanks for the great discussion yesterday

Ted-

Great to hear from you. We'd be happy to continue the discussion about the potential for an NAS review of promising practices in environmental impact assessment.

Attached is a short version of a draft NAS proposal focused on "cumulative effects" that was circulated around CEQ and a number of offices within DOI in the 2013-2015 time frame. As you'll see, at the time discussions were focused primarily on Arctic-region dynamics, although the issue could be framed more broadly if that is what you have in mind today. Hopefully this provides a useful starting point for further discussions.

Should we try to schedule a call or in-person meeting with you and your team for some time next week (after April 30?)?

Greg

From: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>
Sent: Friday, April 20, 2018 10:50 AM
To: Symmes, Gregory <GSymmes@nas.edu>
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted]
Subject: RE: thanks for the great discussion yesterday

Thanks, Greg – I'd like to pick up where we left off in the potential for NAS review of promising practices in environmental impact assessment (EIA).

As I noted in our meeting, CEQ has announced that it is reviewing the CEQ NEPA regulations in order to identify changes needed to update and clarify those regulations. We discussed some work that NAS did about five years ago to develop a proposal for reviewing the state of EIA practice. I'd like to look at whatever you have from that collaboration with CEQ to see if we might be able to use the same scope of work. I'm thinking that it may be useful to have NAS engaged in tandem with a public process.

Looping Amanda, Laura, and Laurie back into the email chain. I'm happy to discuss this, today after April 30, if you have any questions.

Regards,
Ted

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

From: Symmes, Gregory <GSymmes@nas.edu>
Sent: Friday, April 20, 2018 7:53 AM
To: Marchese, April L. EOP/CEQ <(b) (6) [redacted]
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted]
Subject: [EXTERNAL] RE: thanks for the great discussion yesterday

April-

Thanks for letting me know of your transition back to DOT.

My colleagues and I look forward to continuing the conversation with Ted and Marlys, when you are ready.

Greg

From: Marchese, April L. EOP/CEQ <(b) (6) [redacted]
Sent: Thursday, April 19, 2018 9:27 PM
To: Symmes, Gregory <GSymmes@nas.edu>
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>; Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted]
Subject: RE: thanks for the great discussion yesterday

Greg, I apologize for the belated follow up. Easy to get sidetracked here.
I wanted to let you know that I will be returning to my home agency, DOT, but Ted will continue to pursue the issues that we've discussed and will be reaching out to you (although I believe in the near term he is traveling). I'm also copying Marlys Osterhues, on detail to CEQ from DOT, who will also be engaged in this effort.

I really appreciated the good discussions and information that you and your folks provided, and hope we can make some progress on resolving these difficult issues.

Thanks again—
April

From: Symmes, Gregory <GSymmes@nas.edu>
Sent: Friday, February 23, 2018 3:57 PM
To: Marchese, April L. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>
Cc: Staudt, Amanda <AStaudt@nas.edu>; DeFeo, Laura <LDeFeo@nas.edu>; Geller, Laurie <LGeller@nas.edu>
Subject: [EXTERNAL] thanks for the great discussion yesterday

Dear April and Ted-

Amanda, Laura, Laurie, and I really enjoyed our conversation with you yesterday.

I hope our wide-ranging discussion was of some use as you continue to develop near-term guidance and consider potential longer-term efforts to improve the efficiency and effectiveness of environmental reviews.

We would be happy to continue the conversation on any of the topics after you've had a chance to reflect on our discussions and confer with your colleagues. My sense is that some of the more promising areas where the Academies could be of assistance include the idea of having carrying out technical peer reviews of key documents, convening workshops to bring together experts and other stakeholders to provide input or feedback on your plans, and carrying out consensus studies that would provide advice on particularly challenging issues such as improving methods for evaluating cumulative effects and/or characterizing and communicating uncertainties to decision makers and the public.

I'm copying my colleagues so you can reach out to any of us individually or as a group if you want to follow up on specific issues that arose during yesterday's meeting.

Best,

Greg

Gregory H. Symmes, Ph.D.
Executive Director
Division on Earth and Life Studies
The National Academies of Sciences, Engineering, and Medicine
500 Fifth Street, NW
Washington, DC 20001
202-334-2500
gsymmes@nas.edu

Fwd: CEQ NEPA Regulations ANPRM

From: "Upchurch, Sara" <sara.upchurch@fema.dhs.gov>

To: "Boling, Ted A. EOP/CEQ" (b) (6) [redacted] "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 20 Jun 2018 13:43:28 -0400

Attachments: 2018-13246.pdf (195.85 kB)

FYSA

Sara Upchurch, AICP
Office of Environmental Planning and Historic Preservation (OEHP)
Unified Federal Review (UFR)
Liaison to Council on Environmental Quality (CEQ)
FIMA/FEMA/DHS
400 C Street SW
Washington, DC 20472-3020
(b) (6) [redacted] (c)
sara.upchurch@fema.dhs.gov

From: "Ketchum, John" <John.Ketchum@fema.dhs.gov>
Date: Wednesday, June 20, 2018 at 1:29:18 PM
To: "Ross, Portia" <Portia.Ross@fema.dhs.gov>, "Weisgerber, Julie" <julie.weisgerber@fema.dhs.gov>, "Potosnak, Ryan" <Ryan.Potosnak@fema.dhs.gov>, "Upchurch, Sara" <sara.upchurch@fema.dhs.gov>, "Dodds, Luke" <luke.dodds@fema.dhs.gov>, "Feldman, Rebecca" <rebecca.feldman@fema.dhs.gov>
Cc: "Weinhouse, Amy" <Amy.Weinhouse@fema.dhs.gov>
Subject: FW: CEQ NEPA Regulations ANPRM

Fyi.

From: Reid Nelson [mailto:rnelson@achp.gov]
Sent: Wednesday, June 20, 2018 1:14 PM
To: shpo <shpo@achp.gov>; Tribal 106 Contacts <Tribal106Contacts@achp.gov>; NHO 106 Contacts <NHO106Contacts@achp.gov>; fpo <fpo@achp.gov>; FPOrep <FPOrep@achp.gov>
Subject: CEQ NEPA Regulations ANPRM

The Council on Environmental Quality (CEQ) has issued an Advance Notice of Proposed Rulemaking (ANPRM) titled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act." The notice was published in the *Federal Register* and is now open for public comment. 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<. It is also available on regulations.gov at >https://www.regulations.gov/docket?D=CEQ-2018-0001<.

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 its

NEPA regulations. Given the important intersections between environmental reviews carried out under NEPA and those carried out under Section 106 of the National Historic Preservation Act, we encourage you to consider providing your responses to these questions. Note that Questions 3 and 16 in particular request the public's views on the coordination of environmental reviews, and that Question 18 speaks to the role of Indian tribes in NEPA reviews.

Further questions on the ANPRM should be directed to CEQ using the contact information provided in the *Federal Register*.

Reid Nelson
Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation

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 6–19–18; 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 snbmitted 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?

CEQ075FY18150_000002108

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.* Submit comments via the Federal eRulemaking portal by searching for "GSPMR Case 2016–105–1". Select the link "Comment Now" that corresponds with "GPSMR 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.

CEQ075FY18150_000002108

FW: CEQ NEPA Regulations ANPRM

From: John Fowler <jfowler@achp.gov>

To: councilmembers <councilmembers@achp.gov>

Cc: Reid Nelson <rnelson@achp.gov>, Blythe Semmer <bsemmer@achp.gov>, Charlene Vaughn <cvaughn@achp.gov>, Kelly Yasaitis Fanizzo <kfanizzo@achp.gov>, Javier Marques <jmarques@achp.gov>, Javier Marques <jmarques@achp.gov>

Date: Thu, 21 Jun 2018 11:10:40 -0400

Attachments: 2018-13246.pdf (195.85 kB)

I wanted to share with you an important call for input on potential revisions to CEQ's NEPA regulations. We have shared them widely with our Section 106 stakeholders and urge members to take a close look at them.

You may recall that CEQ and the AHCP jointly issued a handbook on coordinating NEPA and NHPA reviews: >http://www.achp.gov/docs/NEPA_NHPA_Section_106_Handbook_Mar2013.pdf< So potential NEPA regulation changes that might affect the relationship between the two statutes are of particular interest to the ACHP.

John

From: Reid Nelson
Sent: Wednesday, June 20, 2018 1:14 PM
To: shpo; Tribal 106 Contacts; NHO 106 Contacts; fpo; FPOrep
Subject: CEQ NEPA Regulations ANPRM

The Council on Environmental Quality (CEQ) has issued an Advance Notice of Proposed Rulemaking (ANPRM) titled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act." The notice was published in the *Federal Register* and is now open for public comment. 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<. It is also available on regulations.gov at >https://www.regulations.gov/docket?D=CEQ-2018-0001<.

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 its NEPA regulations. Given the important intersections between environmental reviews carried out under NEPA and those carried out under Section 106 of the National Historic Preservation Act, we encourage

(b) (5) [redacted]

Further questions on the ANPRM should be directed to CEQ using the contact information provided in the *Federal Register*.

Reid Nelson
Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation

CEQ075FY18150_000002094

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 6–19–18; 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 snbmitted 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?

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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.* Submit comments via the Federal eRulemaking portal by searching for "GSPMR Case 2016–105–1". Select the link "Comment Now" that corresponds with "GPSMR 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.

CEQ075FY18150_000002095

[EXTERNAL] 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)

From: Kameran Onley <konley@tnc.org>

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 26 Jun 2018 13:00:30 -0400

Attachments: TNC NEPA Comment Period Extension Request 06 26 2018.pdf (82.97 kB)

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,

Kameran L Onley

Please consider the environment before printing this email.

Kameran L. Onley
Director, U.S. Government Relations
konley@tnc.org
+1 703 841 4229

The Nature Conservancy
Worldwide Office
4245 N. Fairfax Drive, Suite 100
Arlington, VA
United States

nature.org

The Nature Conservancy

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.

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Sincerely,

Kameran L. Onley

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

CEQ075FY18150_000002078

[EXTERNAL] Request for Extension of Comment Period on NEPA ANPRM

From: Stephen Schima <sschima@partnershipproject.org>

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

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

Date: Tue, 26 Jun 2018 11:47:48 -0400

Attachments: ANPRM Request for Extension of Public Comment Final.pdf (105.82 kB)

Ted,

Attached is a request, on behalf of over 350 organizations, asking for an extension of the comment period on the NEPA ANPRM to 90 days.

Please let me know if you have any questions or have difficulty opening the document.

Thanks and I hope all is well,

Stephen Schima
NEPA Director
The Partnership Project
Sschima@partnershipproject.org
(c) (b) (6) [redacted]

The Partnership Project – A coalition of over twenty national environmental advocacy groups – including The Wilderness Society, Natural Resources Defense Council, and Sierra Club – united to advance and defend key environmental policies.

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

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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 Pl 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 Allinance
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

RE: Questions

From: "Osterhues, Marlys A. EOP/CEQ" <(b) (6) [redacted]

To: "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 27 Jun 2018 17:14:23 -0400

Attachments: Draft Question and Answer for Senate Roundtable 6.27 swb CLEAN.DOCX (25.68 kB)

Here is what I believe is the final version of his Q&As.

-----Original Message-----
From: Smith, Katherine R. EOP/CEQ
Sent: Wednesday, June 27, 2018 4:24 PM
To: Osterhues, Marlys A. EOP/CEQ <(b) (6) [redacted]
Subject: Questions

Hey can you send me the prep questions doc you guys made for Alex please?

Sent from my iPhone

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

[EXTERNAL] comments filed in CEQ-2018-0001-0001

From: "Pidot, Justin" <jpidot@law.du.edu>

To: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 03 Jul 2018 16:40:50 -0400

Attachments: NEPA extension comment_filed.pdf (97.16 kB)

Dear Mr. Boling and Mr. Drummond,

Please find attached comments I filed today on Regulations.gov on behalf of 36 law professors in response to CEQ's ANPR related to its NEPA regulations. As you will see, we request that CEQ extend the comment period for an addition 60 days, due to the breadth and complexity of issues that are raised in the ANPR.

Please don't hesitate to contact me if you have any questions.

Best,

Justin

Justin Pidot
Associate Professor
University of Denver Sturm College of Law
>http://ssrn.com/author=1173128<

July 3, 2018

To: Council on Environmental Quality

RE: Comments on Advanced Notice of Proposed Rulemaking, Implementation of Procedural Provisions of National Environmental Policy Act, Docket Number CEQ-2018-0001-0001

RIN: 0331-AA03

We, 36 law professors with expertise related to the National Environmental Policy Act (NEPA), request an extension of the public comment period for the Council of Environmental Quality's (CEQ) Advanced Notice of Proposed Rulemaking (ANPR) titled "Implementation of Procedural Provisions of National Environmental Policy Act." 83 Fed. Reg. 28,591 (June 20, 2018) (2018 NEPA ANPR). We believe that a 30-day comment period provides the public with insufficient opportunity to address the complicated issues presented by the 2018 NEPA ANPR, and we would request that the comment period be extended for 60 additional days, providing for a 90-day comment period.

Congress enacted NEPA in 1970, to create the CEQ and to require that:

> all of the Federal Government shall . . . include in every recommendation or report on proposals for legislation and other major Federal actions significant affecting the quality of the human environment, a detailed statement by the responsible official on – (i) the environmental impact of the proposed action, (ii) any adverse environmental effects which cannot be avoided should the proposal be implements, (iii) alternatives to the proposed action, (iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and (v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

42 U.S.C. § 4332(2)(C).

As the 2018 NEPA ANPR acknowledges, CEQ promulgated regulations in 1978 to govern compliance with NEPA and amended those regulations once in 1986. The CEQ regulations span 8 parts, including 67 sections, of the U.S. Code of Federal Regulations. *See* 40 C.F.R. §§ 1501.1-1508.28. Federal agencies have incorporated the CEQ regulations into their own implementing regulations and guidance documents. *See, e.g.*, 43 C.F.R. §§ 46.10-46.450 (Department of the Interior's regulations implementing NEPA); Department of the Interior, Departmental Manual parts 515-525.

NEPA and CEQ's implementing regulations have given rise to a substantial body of law and have generated extensive academic interest. Since the 1986 amendments to CEQ's regulations,

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NEPA has been referenced in 5,278 court decisions,[1] nearly 60,000 Federal Register documents,[2] and thousands of congressional hearings.[3] During that same period, NEPA has been referenced in more than 8,700 law review articles.[4]

For the last thirty years, CEQ's NEPA regulations have anchored the process by which agencies across the federal government engage in environmental review. Agencies have adhered to the current procedures in making countless decisions affecting every state, industry, and American citizen. The process has largely worked smoothly. The nonpartisan Government Accountability Office has estimated that agencies rely on categorical exclusions—the least onerous form of NEPA compliance—to review at least 94% of federal actions, and they rely on environmental assessments—an intermediate form of NEPA compliance—to review less than 4% of federal actions. U.S. GOVERNMENT ACCOUNTABILITY OFFICE, GAO-14-370, NATIONAL ENVIRONMENTAL POLICY ACT: LITTLE INFORMATION EXISTS ON NEPA ANALYSES 8-9 (2014). Agencies rely on environmental impact statements—the most thorough and time-consuming form of NEPA compliance—to review less than 1% of federal actions. *Id.*

A 90-day comment period would provide the public with a reasonable opportunity to comment on the questions that CEQ has posed in the 2018 NEPA ANPR. Federal agencies have provided 90-day comment periods for ANPRs and Notices of Inquiry (NOIs), the functional equivalent of ANPRs, related to measures that would sweep much more narrowly. *See, e.g.*, 81 Fed. Reg. 83,190 (2016) (providing 90-day comment period for ANPR related to cargo tank identification numbers); 73 Fed. Reg. 5784 (2008) (providing 90-day comment period for NOI related to designation of constrictor snakes as injurious wildlife); 67 Fed. Reg. 51,800 (2002) (extending to 90 days comment period for ANPR related to Coastal Zone Management Act consistency regulations); 69 Fed. Reg. 21,800 (2004) (proving 90 day comment period for ANPR related to regulation of hazardous waste generators).

The federal government's experience over three decades may warrant some adjustment to CEQ's existing regulations. It may also be appropriate to amend the regulations to account for new

---

[1] This number was obtained by searching Westlaw's "All Federal" database and reporting the numbers of "cases" returned by the search.

[2] This number includes 48,035 documents published in the Federal Register since 1994, a number obtained by searching the Federal Register's website, and 11,358 documents published after April 26, 1986 and before January 1, 1994, a number obtained by searching Westlaw's Federal Register database.

[3] This number was obtained by searching the ProQuest Congressional database using the search term "national environmental policy act," limiting the document type to "Hearings 1824-Present," and limiting the date to after April 26, 1986. The search returned 4,848 published hearings and 2,995 hearing transcripts.

[4] This number was obtained by searching Westlaw's "Secondary Sources – Law Reviews & Journals" database using the search term "advanced: 'national environmental policy act' & DA(aft 04-25-1986)," and selecting "Law Reviews & Journals" as the publication type.

information about environmental problems, like climate change, produced since 1986. Any process for considering and adopting amendments should, however, provide ample opportunity for public participation and comment, including at the ANPR stage.

For these reasons we respectfully request that the CEQ extend the period for comments on the 2018 NEPA ANPR to 90 days.

Sincerely yours,

(All of the following are signatories in their personal capacity only. Institutional affiliations are included for identification purposes only.)

David E. Adelman
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Barry University Dwayne O. Andreas School of Law

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Alexander Blewett III School of Law
University of Montana

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RE: CEQ 2018-14803 - IMPROPER SUBMISSION

From: "Sun, Howard C. EOP/CEQ" <(b) (6) [redacted]

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

Cc: "Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Matos, Angela R. EQP/CEQ" <(b) (6) [redacted]

Date: Fri, 06 Jul 2018 11:32:19 -0400

Attachments: CEQ NEPA ANPRM_Comment Period Extension_FRVersion.docx (39.75 kB)

+ Angela Matos

This was resubmitted using the original name.

Very Respectfully,
Howard Sun
Attorney Advisor
Council on Environmental Quality
Executive Office of the President
Office: (b) (6) [redacted]

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Cc: Smith, Katherine R. EOP/CEQ <(b) (6) [redacted] Neumayr, Mary B. EOP/CEQ <(b) (6) [redacted]
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Howard,

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Please let me know if you have any questions.

Thank You,

Linda M. Grimm
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From:	"Seale, Viktoria Z. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=af5f6888d706481b94d18088a30821c9-se">
To:	"Sun, Howard C. EOP/CEQ" <(b) (6) [redacted]
Cc:	"Smith, Katherine R. EOP/CEQ" <(b) (6) [redacted] "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted]
Date:	Fri, 06 Jul 2018 11:08:24 -0400
Attachments:	FR 2018-14803_1668915.docx (39.75 kB)

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Attachments: FR 2018-14803_1668915.docx (41.06 kB)

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To: "Neumayr, Mary B. EOP/CEQ" <(b) (6) [redacted] "Seale, Viktoria Z. EOP/CEQ" <(b) (6) [redacted] "Szabo, Aaron L. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 06 Jul 2018 09:26:34 -0400

FYI

From: noreply@fedreg.gov <noreply@fedreg.gov>
Sent: Friday, July 6, 2018 9:26 AM
To: Sun, Howard C. EOP/CEQ <(b) (6) [redacted]
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Date:	Fri, 06 Jul 2018 11:32:15 -0400
Attachments:	CEQ NEPA ANPRM_Comment Period Extension_FRVersion.docx (39.75 kB)

+ Angela Matos

This was resubmitted using the original name.

Very Respectfully,
Howard Sun
Attorney Advisor
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[redacted]

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Page [APG] of [ANP]

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From: "Sun, Howard C. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=d09f541a1ae44400bcf25f4ff89d91d7-su">

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Date: Fri, 06 Jul 2018 09:26:31 -0400

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Date:	Fri, 06 Jul 2018 10:58:23 -0400
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[redacted]

(b) (5)

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Page [APG] of [ANP]

(b) (5)

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To: "Sun, Howard C. EOP/CEQ" <(b) (6) [redacted] "Matos, Angela R. EOP/CEQ" <(b) (6) [redacted]

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(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

[EXTERNAL] Office of the federal Register:Submission Status: ID:W76201892556620

From: noreply@fedreg.gov

To: "Sun, Howard C. EOP/CEQ" <(b) (6) [redacted]

Date: Fri, 06 Jul 2018 09:25:57 -0400

Submission ID: W76201892556620

File Name	Validation Result	Handling File	Validation Result	Upload Status	Remarks
CEQ NEPA ANPRM_Comment Period Extension FRVersion.docx.p7m	PASSED			PASSED	

[EXTERNAL] Office of the federal Register:Submission Status: ID:W76201892336675

From: noreply@fedreg.gov

To: "Sun, Howard C. EOP/CEO" <(b) (6) [redacted]

Date: Fri, 06 Jul 2018 09:23:38 -0400

Submission ID: W76201892336675

File Name	Validation Result	Handling File	Validation Result	Upload Status	Remarks
CEQ NEPA ANPRM_FRVersion.docx.p7m	FAILED			FAILED	File is a duplicate of an existing file

[EXTERNAL] CEQ NEPA ANPRM public comment extension request

From: Ann Mesnikoff <amesnikoff@elpc.org>

To: "Boling, Ted A. EOP/CEQ" <(b) (6)[redacted]

Date: Fri, 06 Jul 2018 15:07:54 -0400

Attachments: ANPRM.NEPA.ELPC Extension Request to CEQ.June 20.2018.pdf (306.86 kB)

Ted

I submitted ELPC's request for an extension of the comment period to the docket but wanted to be sure you had a copy of it as well.

As noted in the attached, we believe a 90 day comment period will allow our organization and our Midwest partners the best opportunity to meaningfully comment on the ANRPM.

Thanks
Ann

Ann Mesnikoff
Federal Legislative Director
Environmental Law & Policy Center
Phone: (202) 375-8296
Email: amesnikoff@elpc.org
>www.ELPC.org<

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

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Harry Drucker, Chairperson • Howard A. Learner, Executive Director
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Madison, WI • Minneapolis/St. Paul, MN • Sioux Falls, SD • Washington, D.C.

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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,

Howard Learner

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

CEQ075FY18150_000002290

FW: CEQ NEPA ANPRM public comment extension request

From: "Boling, Ted A. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">

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

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

Date: Sun, 08 Jul 2018 06:30:16 -0400

Attachments: ANPRM.NEPA.ELPC Extension Request to CEQ.June 20.2018.pdf (306.86 kB)

Mary,

I hope all's well at CEQ. I gather this is one of many requests for extension and that a 31-day extension has been prepared.

I would love to catch up with you on this and other matters at your convenience. I'm back from Spain and heading to the Boy Scout Reservation in Goshen, VA. I don't know how good the cell phone coverage will be down there (probably better on mountain tops), but if you're up for a call today I know I will be available between 10am and 2pm as I drive scouts down I-66 and I-81. I should be reachable on (b) (6) [redacted]

Best,
Ted

From: Ann Mesnikoff <AMesnikoff@elpc.org>
Sent: Friday, July 6, 2018 3:08 PM
To: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]
Subject: [EXTERNAL] CEQ NEPA ANPRM public comment extension request

Ted

I submitted ELPC's request for an extension of the comment period to the docket but wanted to be sure you had a copy of it as well.

As noted in the attached, we believe a 90 day comment period will allow our organization and our Midwest partners the best opportunity to meaningfully comment on the ANRPM.

Thanks
Ann

Ann Mesnikoff
Federal Legislative Director
Environmental Law & Policy Center
Phone: (202) 375-8296

Email: amesnikoff@elpc.org
>www.ELPC.org<

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

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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,

Howard Learner

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

CEQ075FY18150_000002288

[EXTERNAL] FW: CEQ NEPA Regulations ANPRM

From: Marie Campbell <mcampbell@sapphosenvironmental.com>

To: "Boling, Ted A. EOP/CEQ" (b) (6) [redacted] "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted]

Cc: Chuck Nicholson <cpnicholson53@gmail.com>, Stacy Woodson <swoodson@hrgreen.com>, Brock Hoegh <bahoegh@hntb.com>, Betty Dehoney <betty.dehoney@hdrinc.com>, "Joseph Musil, Jr." <jfmusil@urbanengineers.com>, JimSpangler <jspangler@spanglerenvironmental.com>, Rona Spellecacy <ronalee.spellecacy@hdrinc.com>

Date: Mon, 09 Jul 2018 17:20:37 -0400

Good afternoon
In addition to responding to the proposed rule when it is published, NAEP is available to be a resource in any manner that CEQ deems appropriate. Please let us know how NAEP can best support your efforts.

Marie Campbell
Principal and CEO
430 North Halstead St.
Pasadena, CA 91107
Tel: (626) 683-3547 ext. 103
Fax: (626) 628-1745
>www.sapphosenvironmental.com<
WBE/MBE/DBE/SBE/CBE Certified

Sapphos environmental inc.

From: Marie Campbell
Sent: Tuesday, June 19, 2018 2:48 PM
To: 'Dehoney, Betty J.' <Betty.Dehoney@hdrinc.com>; Joseph Musil, Jr. <jfmusil@urbanengineers.com>; Betty Dehoney <betty.dehoney@hdrinc.com>; Brock Hoegh <bahoegh@hntb.com>; Jim Spangler <jspangler@spanglerenvironmental.com>; Rona Spellecacy <ronalee.spellecacy@hdrinc.com>; Stacy Woodson <swoodson@hrgreen.com>; Chuck Nicholson <cpnicholson53@gmail.com>; Nicholson, Charles <Charles.Nicholson@hdrinc.com>
Subject: RE: CEQ NEPA Regulations ANPRM

Yes! Ted Boling sent this morning. I sent to Chuck and Lynne. I will forward the email that I sent.

Marie Campbell
Principal and CEO
430 North Halstead St.
Pasadena, CA 91107
Tel: (626) 683-3547 ext. 103

Fax: (626) 628-1745
>www.sapphosenvironmental.com<
WBE/MBE/DBE/SBE/CBE Certified

Sapphos environmental inc.

From: Dehoney, Betty J. <Betty.Dehoney@hdrinc.com>
Sent: Tuesday, June 19, 2018 2:47 PM
To: Marie Campbell <mcampbell@sapphosenvironmental.com>; Joseph Musil, Jr. <jfmusil@urbanengineers.com>; Betty Dehoney <betty.dehoney@hdrinc.com>; Brock Hoegh <bahoegh@hntb.com>; Jim Spangler <jspangler@spanglerenvironmental.com>; Rona Spellecacy <ronalee.spellecacy@hdrinc.com>; Stacy Woodson <swoodson@hrgreen.com>; Chuck Nicholson <cpnicholson53@gmail.com>; Nicholson, Charles <Charles.Nicholson@hdrinc.com>
Subject: FW: CEQ NEPA Regulations ANPRM

Do not know if you have seen a copy of this. I assume that we will be transmitting a response.

Betty Dehoney, CEP, PMP, ENV SP
M 619.540.3152

hdrinc.com/follow-us

Confidential Information: Privileged & Confidential Work Product

From: FN-CEQ-NEPA [mailto(b) (6) [redacted]
Sent: Tuesday, June 19, 2018 9:44 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6) [redacted]
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>; Drummond, Michael R. EOP/CEQ <(b) (6) [redacted]>; Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted]
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

CEQ075FY18150_000002269

[EXTERNAL] Re: CEQ NEPA Regulations ANPRM

From: bear6@verizon.net

To: FN-CEQ-NEPA <(b) (6) [redacted] "Schneider, Daniel J. EOP/CEQ" <(b) (6) [redacted]

Cc: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted] "Drummond, Michael R. EOP/CEQ" <(b) (6) [redacted] "Mansoor, Yardena M. EOP/CEQ" <(b) (6) [redacted]

Date: Tue, 10 Jul 2018 10:54:08 -0400

Wonderful news!!! Thank you so much. And I'm glad to see it also allows submission by mail for those who for whatever reason, aren't likely to use the electronic portal. Good move for everyone, whatever one's views. All the best to all, Dinah Bear

-----Original Message-----
From: FN-CEQ-NEPA <(b) (6) [redacted]
To: Schneider, Daniel J. EOP/CEQ <(b) (6) [redacted]
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted] Drummond, Michael R. EOP/CEQ <(b) (6) [redacted] Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted]
Sent: Tue, Jul 10, 2018 7:44 am
Subject: RE: CEQ NEPA Regulations ANPRM

Dear Colleagues,

The Council on Environmental Quality (CEQ) is extending the comment period on the Advance Notice of Proposed Rulemaking (ANPRM), which was originally scheduled to close on July 20, 2018, through August 20, 2018. CEQ is making this change in response to public requests for an extension of the comment period. The notice of the extension of the ANPRM is scheduled to be published in the Federal Register tomorrow, July 11, 2018. The pre-publication version of the notice is attached to this email and available here.

Sincerely,

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

From: FN-CEQ-NEPA
Sent: Tuesday, June 19, 2018 12:44 PM

To: Schneider, Daniel J. EOP/CEQ <(b) (6) [redacted]
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>; Drummond, Michael R. EOP/CEQ <(b) (6) [redacted]>; Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted]
Subject: CEQ NEPA Regulations ANPRM

Dear Colleagues,

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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

CEQ Website update request

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

To: john.adams@hq.doe.gov, marian.carter@hq.doe.gov, lillian.alexander@hq.doe.gov

Cc: "Mansoor, Yardena M. EOP/CEQ" <(b) (6) [redacted] "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

Date: Wed, 11 Jul 2018 14:56:02 -0400

Attachments: 2018-14821.pdf (169.88 kB)

John,

At https://ceq.doe.gov/laws-regulations/regulations.html, **please make the indicated change and post the attached document:**

> **Proposed Rulemaking:**
>
> CEQ is considering updating its NEPA implementing regulations and solicits public comment on potential revisions to update the regulations and ensure a more efficient, timely, and effective NEPA process. Submit comments, identified by docket ID number CEQ-2018-0001, through the Federal eRulemaking portal, https://www.regulations.gov. Comments should be submitted on or before ~~July~~ **August** 20, 2018.
>
> June 20, 2018: Advance Notice of Proposed Rulemaking
> **July 11, 2018: Extension of Comment Period**

As always, thank you for your help.

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

U.S.C. 505, Lawrence Fenster is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

IV. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. RM2018–10 for consideration of the matters raised by the Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Seven), filed June 29, 2018.

2. Comments by interested persons in this proceeding are due no later than September 5, 2018.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Lawrence Fenster to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

4. The Secretary shall arrange for publication of this Order in the **Federal Register**.

By the Commission.

Ruth Ann Abrams,

Acting Secretary.

[FR Doc. 2018–14768 Filed 7–10–18; 8:45 am]

BILLING CODE 7710–FW–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; extension of comment period.

SUMMARY: On June 20, 2018, the Council on Environmental Quality (CEQ) published an advance notice of proposed rulemaking (ANPRM) titled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act." The CEQ is extending the comment period on the ANPRM, which was scheduled to close on July 20, 2018, for 31 days until August 20, 2018. The CEQ is making this change in response to public requests for an extension of the comment period.

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

ADDRESSES: Submit your comments, identified by docket identification number CEQ–2018–0001 through the Federal eRulemaking portal at *https://www.regulations.gov*. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *https://www.regulations.gov*. CEQ may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (*e.g.*, audio, video) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make.

Comments may also be submitted by mail. Send your comments to: Council on Environmental Quality, 730 Jackson Place NW, Washington, DC 20503, Attn: Docket No. CEQ–2018–0001.

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: On June 20, 2018, CEQ published an ANPRM titled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act" in the **Federal Register** (83 FR 28591). The original deadline to submit comments was July 20, 2018. This action extends the comment period for 31 days to ensure the public has sufficient time to review and comment on the ANPRM. Written comments should be submitted on or before August 20, 2018.

Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

[FR Doc. 2018–14821 Filed 7–10–18; 8:45 am]

BILLING CODE 3225–F8–P

Re: CEQ NEPA Regulations ANPRM Extension of Comment Period

From: "Boling, Ted A. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">

To: "Teel, Pam" <teel.pam@epa.gov>

Date: Sat, 21 Jul 2018 10:45:55 -0400

Thanks!

Sent from my iPhone

On Jul 20, 2018, at 6:21 PM, Teel, Pam <Teel.Pam@epa.gov> wrote:

FYI: provided CEQ's ANPRM to CEAA with deadline extension to August 20, 2018.

From: Teel, Pam
Sent: Friday, July 20, 2018 6:03 PM
To: Christine Loth-Bown (Christine.Loth-Bown@ceaa-acee.gc.ca) <Christine.Loth-Bown@ceaa-acee.gc.ca>; Yordanka Stoimenova (Yordanka.Stoimenova@ceaa.acee.gc.ca) <Yordanka.Stoimenova@ceaa.acee.gc.ca>; 'Regina.Wright@ceaa.acee.gc.ca' <Regina.Wright@ceaa.acee.gc.ca>
Cc: Knight, Kelly <knight.kelly@epa.gov>
Subject: FW: CEQ NEPA Regulations ANPRM Extension of Comment Period

FYI: The comment period for the U.S.'s Advance Notice of Proposed Rulemaking has been extended from July 20, 2018 to August 20, 2018 (see attached).

From: Boling, Ted A. EOP/CEQ [mailto:(b) (6) [redacted]]
Sent: Friday, July 20, 2018 2:16 PM
To: Teel, Pam <Teel.Pam@epa.gov>
Subject: FW: CEQ NEPA Regulations ANPRM Extension of Comment Period

Pam – Thanks so much for your call. Please share this information with CEAA.

Best,
Ted

Edward A. Boling
Associate Director for the

National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place
Washington, DC 20503

From: FN-CEQ-NEPA
Sent: Tuesday, July 10, 2018 11:03 AM
To: FN-CEQ-NEPA <(b) (6) [redacted]
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]>; Drummond, Michael R. EOP/CEQ <(b) (6) [redacted]>; Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted]
Subject: CEQ NEPA Regulations ANPRM Extension of Comment Period

Federal NEPA Contacts,

The Council on Environmental Quality (CEQ) is extending the public comment period on the Advance Notice of Proposed Rulemaking (ANPRM), which was originally scheduled to close on July 20, 2018, through August 20, 2018. CEQ is making this change in response to public requests for an extension of the comment period. The notice of the extension of the ANPRM is scheduled to be published in the Federal Register tomorrow, July 11, 2018. The pre-publication version of the notice is attached to this email and available here.

Sincerely,

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

<2018-14821.pdf>

RE: CEQ Request for Input on Potential Revamping of NEPA Regulations

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

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

Cc: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

Date: Mon, 23 Jul 2018 15:30:06 -0400

Thanks Yardena. As to your SharePoint URL question, if you copy the link from the navigation bar in File Explorer, then the same location will look like this instead:
(b) (2) [redacted]
You will need to manually make it a hyperlink however.

From: Mansoor, Yardena M. EOP/CEQ
Sent: Monday, July 23, 2018 3:03 PM
To: Drummond, Michael R. EOP/CEQ <(b) (6) [redacted]
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]
Subject: RE: CEQ Request for Input on Potential Revamping of NEPA Regulations

The "Specific comments received" folder in "2018 ANOPR" now has a subfolder called "Federal agency comments." The text of this incoming email (including earlier messages below) and the attachment are saved there as pdf files.

(b) (2) [redacted]
(b) (2) [redacted] –Yikes! Is there a better way of expressing a SharePoint link? I copied this from the URL field.

This comment is F-0001 on the log.

From: Drummond, Michael R. EOP/CEQ
Sent: Monday, July 23, 2018 1:15 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted]
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]
Subject: FW: CEQ Request for Input on Potential Revamping of NEPA Regulations

Yardena,

What are your thoughts on (b) (5) [redacted]

Best,

Michael

From: Kizzie, Keith (HRSA) <KKizzie@hrsa.gov>
Sent: Monday, July 23, 2018 12:18 PM
To: Drummond, Michael R. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted]
Cc: Bole, Everett (PSC/FOH/EHSS) <Everett.Bole@foh.hhs.gov>
Subject: FW: CEQ Request for Input on Potential Revamping of NEPA Regulations

Hello Mike and Ted,

Please accept my attached notes on the NEPA for consideration in future NEPA changes.

Thanks,

Keith Kizzie, AIA, NCARB
Project Officer, Architect
Environmental Officer
Health Resources and Services Administration, HHS
5600 Fishers Lane, Rockville, MD 20857
Phone: 301-443-2381
Email: kkizzie@hrsa.gov

From: Kizzie, Keith (HRSA)
Sent: Friday, July 20, 2018 12:17 PM
To: 'McCarthy, Annette' <Annette.McCarthy@fda.hhs.gov>; Bole, Everett (PSC/FOH/EHSS) <Everett.Bole@foh.hhs.gov>
Subject: RE: CEQ Request for Input on Potential Revamping of NEPA Regulations

Hello All,

(b) (5) [redacted]

Please forward to Ted or Michael as I do not see their email addresses below.

Please let me know if you have questions.

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Environmental Officer
Health Resources and Services Administration, HHS
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Phone: 301-443-2381
Email: kkizzie@hrsa.gov

From: McCarthy, Annette <Annette.McCarthy@fda.hhs.gov>
Sent: Thursday, June 21, 2018 8:01 AM
To: Bole, Everett (PSC/FOH/EHSS) <Everett.Bole@foh.hhs.gov>; Kizzie, Keith (HRSA) <KKizzie@hrsa.gov>; Nottingham, Valerie (NIH/OD/ORF) [E] <nottingv@mail.nih.gov>; Shuman, Benjamin (IHS/HQ) <Benjamin.Shuman@ihs.gov>; Tarr, Michael S. (Sam) (CDC/OCOO/OSSAM) <mst1@CDC.GOV>
Subject: RE: CEQ Request for Input on Potential Revamping of NEPA Regulations

(b) (5) [redacted]

Annette McCarthy

From: Bole, Everett (PSC/FOH/EHSS) [mailto:Everett.Bole@foh.hhs.gov]
Sent: Thursday, June 21, 2018 7:57 AM
To: Kizzie, Keith (HRSA) <KKizzie@hrsa.gov>; McCarthy, Annette <Annette.McCarthy@fda.hhs.gov>; Nottingham, Valerie J (NIH) <nottingv@mail.nih.gov>; Shuman, Benjamin (IHS) <Benjamin.Shuman@ihs.gov>; Tarr, Michael S (CDC) <mst1@cdc.gov>
Subject: CEQ Request for Input on Potential Revamping of NEPA Regulations

ALCON
(b) (5) [redacted]

Thank you,
Ev

<< File: Federal Register 20 June 2018.pdf >>
Everett I. Bole, CHMM
Safety and Environmental Compliance, Environmental Health and Safety Services
Chief HHS Environmental Officer
Federal Occupational Health
Program Support Center

U.S. Department of Health and Human Services
200 Independence Ave. SW RM 315B.13
Washington, DC 20201

Office: 202-260-6127
Mobile: (b) (6) [redacted]

foh.psc.gov
psc.gov

<< OLE Object: Picture (Device Independent Bitmap) >>

FW: CEQ Request for Input on Potential Revamping of NEPA Regulations

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

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

Cc: "Boling, Ted A. EOP/CEQ" <(b) (6) [redacted]

Date: Mon, 23 Jul 2018 13:15:26 -0400

Attachments: The Future of Public Notice July 2018.docx (24.57 kB)

Yardena,

What are your thoughts on (b) (5) [redacted]

Best,

Michael

From: Kizzie, Keith (HRSA) <KKizzie@hrsa.gov>
Sent: Monday, July 23, 2018 12:18 PM
To: Drummond, Michael R. EOP/CEQ <(b) (6) [redacted] Boling, Ted A. EOP/CEQ <(b) (6) [redacted]
Cc: Bole, Everett (PSC/FOH/EHSS) <Everett.Bole@foh.hhs.gov>
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ALCON

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Mobile: (b) (6) [redacted]

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<< OLE Object: Picture (Device Independent Bitmap) >>

(b) (5)

[redacted]

(b) (5)

[redacted]

RE: CEQ Request for Input on Potential Revamping of NEPA Regulations

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

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

Cc: "Boling, Ted A. EQP/CEQ" <(b) (6) [redacted]

Date: Mon, 23 Jul 2018 15:03:22 -0400

The "Specific comments received" folder in "2018 ANOPR" now has a subfolder called "Federal agency comments." The text of this incoming email (including earlier messages below) and the attachment are saved there as pdf files.

((b) (2) [redacted] –Yikes! Is there a better way of expressing a SharePoint link? I copied this from the URL field.

This comment is F-0001 on the log.

From: Drummond, Michael R. EOP/CEQ
Sent: Monday, July 23, 2018 1:15 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6) [redacted]
Cc: Boling, Ted A. EOP/CEQ <(b) (6) [redacted]
Subject: FW: CEQ Request for Input on Potential Revamping of NEPA Regulations

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psc.gov

<< OLE Object: Picture (Device Independent Bitmap) >>

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Your Voice in Federal Decision-Making

Comment from Michael Dechter, NA

The 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**

ID: CEQ-2018-0001-0012

Tracking Number: 1k2-93ul-gebq

Document Information

Date Posted:
Jun 25, 2018

RIN:
0331-AA03

Show More Details

Submitter Information

Submitter Name:
Michael Dechter

Organization Name:
NA

Comment

Enclosed are my comments on the advanced notice of proposed rulemaking to update the procedural provisions for the National Environmental Policy Act:

1) The CEQ regulations should not include prescribed page lengths or formatting. Prescribed page length requirements for NEPA documents would likely result in longer NEPA timeframes and more fragmented project analyses. My job as a planner in cludes regularly writing and editing NEPA documents including EAs, EISs, and CEs. The way EAs and EISs are commonly written is that they are built from various specialist reports and other documents. This often results in long documents that can be repetitive, and if poorly edited, can include contradictory information. However, these EAs or EISs often provide a comprehensive analysis of a proposal and potential alternatives for public disclosure and improving the decision-making process.

If page limits are mandated, it will add an extra step to the writing/editing process, which would mean it would take more time to get through the NEPA process. Furthermore, page limits will be met by cutting out portions of the environmental analysis and posting them as separate reports that are summarized in the EA or EIS. This means that while the document may be more easy to read to understand the main elements of alternatives and their effects, key elements of the effects analysis could easily be left out of the EA or EIS during editing. Thus there is a reduced effectiveness of adequately disclosing all of the effects of a proposed activity. It can also impair the decision-making process if there are multiple publications and reports that need to be consulted to fully understand the full effect of an alternative and its impacts.

From a legal point-of-view I would be concerned about regulatory-mandated page numbers as well. It is unclear how re-writing and re-publishing an EA or an EIS because it

is over the page limit would improve the efficiency or effectiveness of the NEPA process. Establishing a regulatory page limit would be a tool used for those who desire to delay and obfuscate the NEPA process, not make it more efficient or effective.

Also, by establishing a page limit, NEPA EAs and EISs will be more like summary documents that refer to more detailed analysis and reports maintained in the project record. Thus, when there are legal challenges on a NEPA decision, there is likely to be more focus on the technical reports and analyses that were cited in the EA/EIS rather than the EA/EIS itself. While technical reports and analysis may be the building blocks of the EA/EIS, they can be difficult to defend because they may contain outdated information on the proposed action or alternatives, may contradict assumptions in other analyses, or may include recommendations or best management practices that are ultimately not included in an alternative. By de-emphasizing the role of the EA/EIS in the decision-making process, it can be difficult to explain to a judge how incorrect or contradictory information among various technical reports was addressed in the decision-making process.

2) CEQ regulations should be revised to allow agencies to use another's categorical exclusions when both agencies have expertise or jurisdiction related to the project. All of the CE requirements (e.g. extraordinary circumstances) still must be met regardless of which agency is using the CE category.

3) Section 40 CFR 1502.7 should be removed based on the comments above regarding page limits. The 150-page limit is not enforced anyway, so I would argue this is out-of-date information.

4) Section 1506.6 should be updated to change direction for mailing individuals and organizations and publishing notices in newspapers to more modern analogues such as e-mailing individuals and organizations and posting information on webpages.

JAMESTOWN S'KLALLAM TRIBE

1033 Old Blyn Highway, Sequim, WA 98382 360/683-1109 FAX 360/681-4643

July 17, 2018

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

Dear Council on Environmental Quality,

The Jamestown S'Klallam Tribe (Tribe) thanks you for the opportunity to comment on "*Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act*" (Docket No. CEQ-2018-0001). As a sovereign nation Jamestown S'Klallam Tribe signed a treaty with the United States, ceding territory, while reserving rights to harvest salmon and other natural resources. For these rights to be meaningful, there must be abundant and healthy natural resources. Treaty resources and the environment that supports these resources are of cultural, social, and economic importance to the Tribe both on and off of tribal trust lands. The Tribe pays close attention to development proposals within the Tribe's Usual and Accustomed (U&A) area and even to those proposals outside the U&A that would impact tribal resources (because air/water and fish/wildlife are mobile). As a small tribe, Jamestown has limited capacity to participate in environmental review and must carefully deploy our capacity to proposals that may pose the largest threat on the Tribe and its treaty resources. Comment and review provided under the National Environmental Policy Act (NEPA) is an important tool for the Tribe to efficiently and effectively provide feedback on projects that impact tribal resources or that may be damaging to species of tribal significance.

The advanced notice of proposed rulemaking (Docket No. CEQ-2018-0001) poses 20 questions related to the Council on Environmental Quality (CEQ) and NEPA regulations. The questions are very helpful in framing the proposed rulemaking but also involve important and detailed rules, definitions, and policies. The Tribe does not have capacity to respond in detail to the questions in the allotted time and we request that more time be provided for comment. In addition it would help to have a webinar or series that presented details of the current CEQ NEPA regulation and guidelines such that respondents to the questions would have a similar baseline understanding of the existing regulations and issues with these regulations. With regards to question 18, we provide the following brief yet incomplete comments:

> 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?* Tribes should be consulted early in the NEPA process, ideally during the scoping or Environmental Assessment phase. Early and substantive consultation will improve efficiency of the NEPA process and lead to better decisions. CEQ should also work with tribes to build and support capacity such

that tribes can be fully participate in decisions that affect their lands and resources. The Jamestown S'Klallam Tribe has a long history of working collaboratively with partners, stakeholders, and agencies. Active tribal consultation and partnership early in project development has proven to be an effective and efficient means of collaboration. These collaborations are well known in our region. NEPA processes can be made more efficient by active participation by tribes and through building and maintaining tribal capacity to participate.

The federal government has a trust responsibility to honor its treaties with Tribes. We look forward to the opportunity to comment more fully on the proposed rulemaking. If you have any questions, please contact me at: 360-681-4666 or rknapp@jamestowntribe.org .

Sincerely,

Robert Knapp
Environmental Planning Program Manager
Natural Resources Department,
Jamestown S'Klallam Tribe
1033 Old Blyn Highway
Sequim, WA 98382