

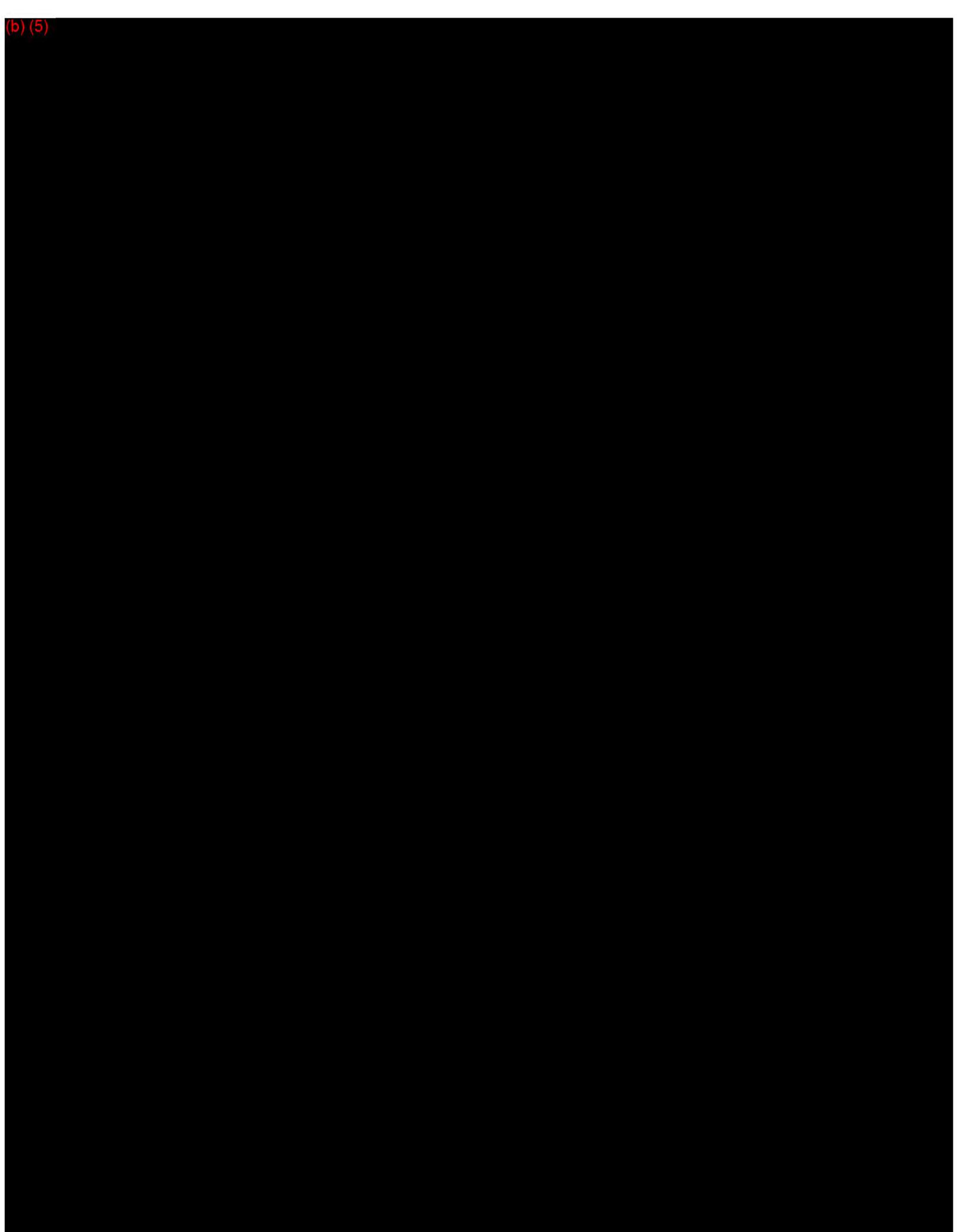
Talking Points

From: "Szabo, Aaron L. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=f93a8d1dd2b4420ca81e53ff8199b780-sz">
To: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
Date: Tue, 01 May 2018 14:51:43 -0400
Attachments: Talking Points for CEQ ANPRM For OMB EO 12866 Submittal.docx (19.16 kB)

Hey Dan,

Just wanted to run this by you for your first thoughts.

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



(b) (5)

RE: Talking Points

From: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Tue, 01 May 2018 15:05:13 -0400
Attachments: Talking Points for CEQ ANPRM For OMB EO 12866 Submittal (002).docx (16.68 kB)

Hey Aaron, minor suggestions.

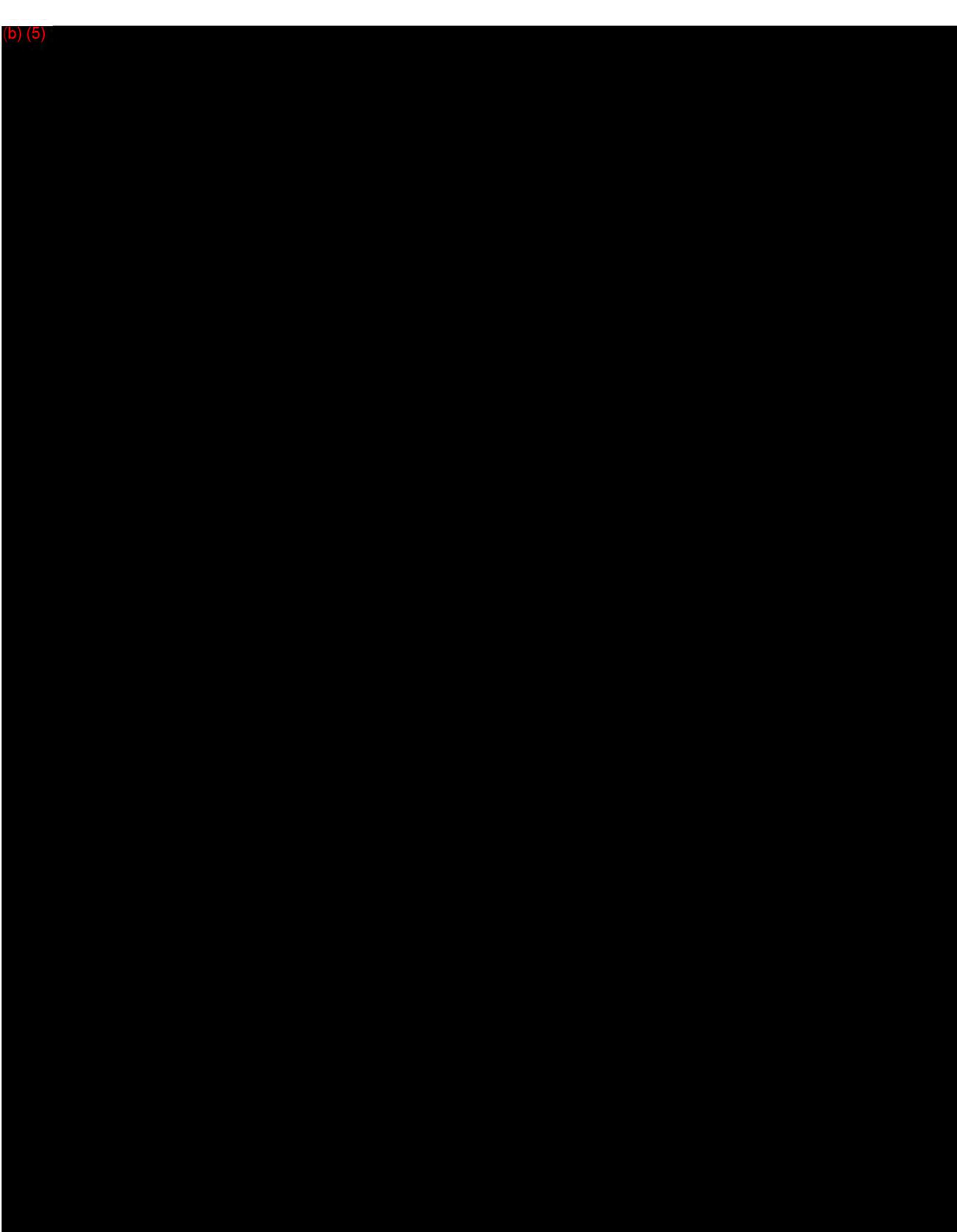
Dan

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 1, 2018 2:52 PM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Subject: Talking Points

Hey Dan,

Just wanted to run this by you for your first thoughts.

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



RE: Comment from CEQ?

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

To: Nick Sobczyk <nsobczyk@eenews.net>

Date: Mon, 07 May 2018 15:16:14 -0400

Hey Nick,

On background, attributable to a CEQ Spokesman:

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

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

Hope that helps,

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>

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

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

Subject: [EXTERNAL] Comment from CEQ?

Hi Dan,

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

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

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

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

Thanks!

Nick Sobczyk
E&E News reporter
nsobczyk@eenews.net
Office: 202-446-0437
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[@nick_sobczyk](#)

E&E NEWS

122 C Street NW 7th Floor Washington, DC 20001
www.eenews.net | [@EENewsUpdates](#)
Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

[EXTERNAL] Comment from CEQ?

From: Nick Sobczyk <nsobczyk@eenews.net>

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

Date: Mon, 07 May 2018 14:27:02 -0400

Hi Dan,

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

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

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

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Thanks!

Nick Sobczyk
E&E News reporter
nsobczyk@eenews.net
Office: 202-446-0437
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[@nick_sobczyk](#)

E&E NEWS

122 C Street NW 7th Floor Washington, DC 20001

www.eenews.net | [@EENewsUpdates](#)

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

RE: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

From: "Boling, Ted A. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eeae5b047f871428b9b46baf8afd1176a-bo">
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Wed, 09 May 2018 17:11:45 -0400

Just noticed that the Legal Authority cite is wrong. It should be 42 U.S.C. 4321 et seq. Section 4371 is the Environmental Quality Improvement Act of 1970, Pub. L. 91-224, title II, §201, Apr. 3, 1970, 84 Stat. 114

From: Szabo, Aaron L. EOP/CEQ
Sent: Wednesday, May 9, 2018 12:41 PM
To: Herrgott, Alex H. EOP/CEQ <(b) (6)> Barnett, Steven W. EOP/CEQ <(b) (6)> Osterhues, Marlys A. EOP/CEQ <(b) (6)> Patella, Michael A. EOP/CEQ <(b) (6)> Sharp, Thomas L. EOP/CEQ <(b) (6)> Vandegrift, Scott F. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)>; Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)> Prandoni, Christopher D. EOP/CEQ <(b) (6)> Loyola, Mario A. EOP/CEQ <(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Cc: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

All,

CEQ's regulatory agenda is now publicly available at the following link:
https://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION_GET_AGENCY_RULE_LIST¤tPub=true&agencyCode=&showStage=active&agencyCd=0331.

For ease, I am also providing the information that can be found on the website below:

CEQ RIN: 0331-AA03 Publication ID: Spring 2018

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

Abstract:

On August 15, 2017, President Trump issued Executive Order 13807, titled "Establishing Discipline and Accountability in the Environment Review and Permitting Process for Infrastructure." Section 5(e) of Executive Order 13807 directed the Council on Environmental Quality (CEQ) to develop an initial list of actions it will take to enhance and modernize the Federal environmental review and authorization process. CEQ published its initial list of actions in the Federal Register on September 14, 2017, (82 FR 43226) and stated that CEQ intends to review existing CEQ

regulations implementing the procedural requirements of the National Environmental Policy Act in order to identify changes needed to update and clarify those regulations. The regulations were issued in 1978, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents over the years, CEQ believes it is appropriate at this time to consider updating the implementing regulations.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1500 to 1508](#)
Legal Authority: [42 U.S.C. 4371 et seq.](#)

Priority: Other Significant
Agenda Stage of Rulemaking: Prerule Stage
Unfunded Mandates: Undetermined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required:
 Undetermined

Government Levels Affected: Undetermined

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Ted Boling
 Council on Environmental Quality
 730 Jackson Place NW,
 Washington, DC 20506
 Phone:202 395-5750

CEQ

RIN: 0331-AA02

Publication ID: Spring 2018

Title: •Freedom of Information Act (FOIA) and Privacy Act Regulations Update

Abstract:

The Council on Environmental Quality (CEQ) is developing a proposal to revise its Freedom of Information Act (FOIA) regulations, in order to comply with the FOIA Improvement Act of 2016; to reflect CEQ's business process; and to correct or remove obsolete information. CEQ is also revising its Privacy Act implementation regulations due to changes of address and other administrative issues.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)
Legal Authority: [5 U.S.C. 552 et seq.](#)

Priority: Substantive, Nonsignificant
Agenda Stage of Rulemaking: Proposed Rule Stage
Unfunded Mandates: No

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No
Federalism: No

Government Levels Affected: None

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Viktoria Z. Seale
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) [REDACTED] (Desk)

(b) (6) [REDACTED] (Cell)

(b) (6) [REDACTED]

FW: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

From: "Boling, Ted A. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">
To: eaboling@icloud.com
Date: Wed, 09 May 2018 17:02:42 -0400

From: Szabo, Aaron L. EOP/CEQ
Sent: Wednesday, May 9, 2018 12:41 PM
To: Herrgott, Alex H. EOP/CEQ <(b) (6)> Barnett, Steven W. EOP/CEQ <(b) (6)> Osterhues, Marlys A. EOP/CEQ <(b) (6)> Patella, Michael A. EOP/CEQ <(b) (6)> Sharp, Thomas L. EOP/CEQ <(b) (6)> Vandegrift, Scott F. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)> Prandoni, Christopher D. EOP/CEQ <(b) (6)> Loyola, Mario A. EOP/CEQ <(b) (6)> Mansoor, Yarden M. EOP/CEQ <(b) (6)>
Cc: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
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For ease, I am also providing the information that can be found on the website below:

CEQ

RIN: 0331-AA03

Publication ID: Spring 2018

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

Abstract:

On August 15, 2017, President Trump issued Executive Order 13807, titled "Establishing Discipline and Accountability in the Environment Review and Permitting Process for Infrastructure." Section 5(e) of Executive Order 13807 directed the Council on Environmental Quality (CEQ) to develop an initial list of actions it will take to enhance and modernize the Federal environmental review and authorization process. CEQ published its initial list of actions in the Federal Register on September 14, 2017, (82 FR 43226) and stated that CEQ intends to review existing CEQ regulations implementing the procedural requirements of the National Environmental Policy Act in order to identify changes needed to update and clarify those regulations. The regulations were issued in 1978, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents

over the years, CEQ believes it is appropriate at this time to consider updating the implementing regulations.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1500 to 1508](#)
Legal Authority: [42 U.S.C. 4371 et seq.](#)

Priority: Other Significant
Agenda Stage of Rulemaking: Prerule Stage
Unfunded Mandates: Undetermined

Legal Deadline: None
Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required:
Undetermined
Federalism: No

Government Levels Affected: Undetermined

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:
Ted Boling
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

CEQ

RIN: 0331-AA02

Publication ID: Spring 2018

Title: •Freedom of Information Act (FOIA) and Privacy Act Regulations Update

Abstract:

The Council on Environmental Quality (CEQ) is developing a proposal to revise its Freedom of Information Act (FOIA) regulations, in order to comply with the FOIA Improvement Act of 2016; to reflect CEQ's business process; and to correct or remove obsolete information. CEQ is also revising its Privacy Act implementation regulations due to changes of address and other administrative issues.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)
Legal Authority: [5 U.S.C. 552 et seq.](#)

Priority: Substantive, Nonsignificant
Agenda Stage of Rulemaking: Proposed Rule Stage
Unfunded Mandates: No

Legal Deadline: None
Timetable:

Action	Date	FR Cite
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Viktoria Z. Seale

Council on Environmental Quality

730 Jackson Place NW,

Washington, DC 20506

Phone:202 395-5750

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

FW: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

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)>
Date: Wed, 09 May 2018 17:02:02 -0400

From: Szabo, Aaron L. EOP/CEQ
Sent: Wednesday, May 9, 2018 12:41 PM
To: Herrgott, Alex H. EOP/CEQ <(b) (6)> Barnett, Steven W. EOP/CEQ <(b) (6)> Osterhues, Marlys A. EOP/CEQ <(b) (6)> Patella, Michael A. EOP/CEQ <(b) (6)> Sharp, Thomas L. EOP/CEQ <(b) (6)> Vandegrift, Scott F. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)> Prandoni, Christopher D. EOP/CEQ <(b) (6)> Loyola, Mario A. EOP/CEQ <(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Cc: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
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For ease, I am also providing the information that can be found on the website below:

CEQ

RIN: 0331-AA03

Publication ID: Spring 2018

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

Abstract:

On August 15, 2017, President Trump issued Executive Order 13807, titled "Establishing Discipline and Accountability in the Environment Review and Permitting Process for Infrastructure." Section 5(e) of Executive Order 13807 directed the Council on Environmental Quality (CEQ) to develop an initial list of actions it will take to enhance and modernize the Federal environmental review and authorization process. CEQ published its initial list of actions in the Federal Register on September 14, 2017, (82 FR 43226) and stated that CEQ intends to review existing CEQ regulations implementing the procedural requirements of the National Environmental Policy Act in order to identify changes needed to update and clarify those regulations. The regulations were issued in 1978, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents

over the years, CEQ believes it is appropriate at this time to consider updating the implementing regulations.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1500 to 1508](#)
Legal Authority: [42 U.S.C. 4371 et seq.](#)

Priority: Other Significant
Agenda Stage of Rulemaking: Prerule Stage
Unfunded Mandates: Undetermined

Legal Deadline: None
Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required:
Undetermined
Federalism: No

Government Levels Affected: Undetermined

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:
Ted Boling
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

CEQ

RIN: 0331-AA02

Publication ID: Spring 2018

Title: •Freedom of Information Act (FOIA) and Privacy Act Regulations Update

Abstract:

The Council on Environmental Quality (CEQ) is developing a proposal to revise its Freedom of Information Act (FOIA) regulations, in order to comply with the FOIA Improvement Act of 2016; to reflect CEQ's business process; and to correct or remove obsolete information. CEQ is also revising its Privacy Act implementation regulations due to changes of address and other administrative issues.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)
Legal Authority: [5 U.S.C. 552 et seq.](#)

Priority: Substantive, Nonsignificant
Agenda Stage of Rulemaking: Proposed Rule Stage
Unfunded Mandates: No

Legal Deadline: None
Timetable:

Action	Date	FR Cite
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Viktoria Z. Seale

Council on Environmental Quality

730 Jackson Place NW,

Washington, DC 20506

Phone:202 395-5750

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

FW: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

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)>
Date: Wed, 09 May 2018 15:46:50 -0400

From: Szabo, Aaron L. EOP/CEQ
Sent: Wednesday, May 9, 2018 12:41 PM
To: Herrgott, Alex H. EOP/CEQ <(b) (6)> Barnett, Steven W. EOP/CEQ <(b) (6)> Osterhues, Marlys A. EOP/CEQ <(b) (6)> Patella, Michael A. EOP/CEQ <(b) (6)> Sharp, Thomas L. EOP/CEQ <(b) (6)> Vandegrift, Scott F. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)> Prandoni, Christopher D. EOP/CEQ <(b) (6)> Loyola, Mario A. EOP/CEQ <(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Cc: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
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RIN: 0331-AA03

Publication ID: Spring 2018

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

Abstract:

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Agency: Council on Environmental Quality(CEQ) **Priority:** Other Significant
RIN Status: First time published in the Unified Agenda **Agenda Stage of Rulemaking:** Prerule Stage
Major: Undetermined **Unfunded Mandates:** Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1500 to 1508](#)
Legal Authority: [42 U.S.C. 4371 et seq.](#)

Legal Deadline: None
Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required: Undetermined **Government Levels Affected:** Undetermined
Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:
Ted Boling
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

CEQ **RIN:** 0331-AA02 **Publication ID:** Spring 2018

Title: •Freedom of Information Act (FOIA) and Privacy Act Regulations Update
Abstract:

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Agency: Council on Environmental Quality(CEQ) **Priority:** Substantive, Nonsignificant
RIN Status: First time published in the Unified Agenda **Agenda Stage of Rulemaking:** Proposed Rule Stage
Major: Undetermined **Unfunded Mandates:** No
EO 13771 Designation:
CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)
Legal Authority: [5 U.S.C. 552 et seq.](#)

Legal Deadline: None
Timetable:

Action	Date	FR Cite
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Viktoria Z. Seale
Council on Environmental Quality
730 Jackson Place NW,
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Phone:202 395-5750

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

FOR AWARENESS: CEQ's Regulatory Agenda Now Public

From : "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
"Herrgott, Alex H. EOP/CEQ" <(b) (6)> "Barnett, Steven W. EOP/CEQ" <(b) (6)> "Osterhues, Marlys A. EOP/CEQ"
<(b) (6)> "Patella, Michael A. EOP/CEQ"
<(b) (6)> "Sharp, Thomas L. EOP/CEQ"
<(b) (6)> "Vandegrift, Scott F. EOP/CEQ"
To: <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ"
<(b) (6)> "Schneider, Daniel J. EOP/CEQ"
<(b) (6)> "Boling, Ted A. EOP/CEQ"
<(b) (6)> "Drummond, Michael R. EOP/CEQ"
<(b) (6)> "Prandoni, Christopher D. EOP/CEQ"
<(b) (6)> "Loyola, Mario A. EOP/CEQ"
<(b) (6)> "Mansoor, Yardena M. EOP/CEQ"
Cc: "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Smith, Katherine R. EOP/CEQ" <(b) (6)>
Date: Wed, 09 May 2018 12:41:25 -0400

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RIN: 0331-AA03

Publication ID: Spring 2018

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

Abstract:

On August 15, 2017, President Trump issued Executive Order 13807, titled "Establishing Discipline and Accountability in the Environment Review and Permitting Process for Infrastructure." Section 5(e) of Executive Order 13807 directed the Council on Environmental Quality (CEQ) to develop an initial list of actions it will take to enhance and modernize the Federal environmental review and authorization process. CEQ published its initial list of actions in the Federal Register on September 14, 2017, (82 FR 43226) and stated that CEQ intends to review existing CEQ regulations implementing the procedural requirements of the National Environmental Policy Act in order to identify changes needed to update and clarify those regulations. The regulations were issued in 1978, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents over the years, CEQ believes it is appropriate at this time to consider updating the implementing regulations.

Agency: Council on Environmental Quality(CEQ)

Priority: Other Significant

RIN Status: First time published in the Unified Agenda

Agenda Stage of Rulemaking: Prerule Stage

Major: Undetermined

Unfunded Mandates: Undetermined

EO 13771 Designation:

CFR Citation: [40 CFR 1500 to 1508](#)

Legal Authority: [42 U.S.C. 4371 et seq.](#)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Ted Boling

Council on Environmental Quality

730 Jackson Place NW,

Washington, DC 20506

Phone:202 395-5750

CEQ

RIN: 0331-AA02

Publication ID: Spring 2018

Title: •Freedom of Information Act (FOIA) and Privacy Act Regulations Update

Abstract:

The Council on Environmental Quality (CEQ) is developing a proposal to revise its Freedom of Information Act (FOIA) regulations, in order to comply with the FOIA Improvement Act of 2016; to reflect CEQ's business process; and to correct or remove obsolete information. CEQ is also revising its Privacy Act implementation regulations due to changes of address and other administrative issues.

Agency: Council on Environmental Quality(CEQ)

Priority: Substantive, Nonsignificant

RIN Status: First time published in the Unified Agenda

Agenda Stage of Rulemaking: Proposed Rule Stage

Major: Undetermined

Unfunded Mandates: No

EO 13771 Designation:

CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)

Legal Authority: [5 U.S.C. 552 et seq.](#)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Viktoria Z. Seale
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

(b) (6) [REDACTED] (Desk)

(b) (6) [REDACTED] (Cell)

(b) (6) [REDACTED]

From: Boling, Ted A. EOP/CEQ
Sent: Tuesday, May 15, 2018 12:38 PM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)>
Cc: Drummond, Michael R. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Subject: RE: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

(b) (5)
[Redacted]
[Redacted]

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 15, 2018 12:32 PM
To: Boling, Ted A. EOP/CEQ <(b) (6)>
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For ease, I am also providing the information that can be found on the website below:

CEQ

RIN: 0331-AA03

Publication ID: Spring 2018

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

Abstract:

On August 15, 2017, President Trump issued Executive Order 13807, titled "Establishing Discipline and Accountability in the Environment Review and Permitting Process for Infrastructure." Section 5(e) of Executive Order 13807 directed the Council on Environmental Quality (CEQ) to develop an initial list of actions it will take to enhance and modernize the Federal environmental review and authorization process. CEQ published its initial list of actions in the Federal Register on September 14, 2017, (82 FR 43226) and stated that CEQ intends to review existing CEQ regulations implementing the procedural requirements of the National Environmental Policy Act in order to identify changes needed to update and clarify those regulations. The regulations were issued in 1978, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents over the years, CEQ believes it is appropriate at this time to consider updating the implementing regulations.

Agency: Council on Environmental Quality(CEQ)

Priority: Other Significant

RIN Status: First time published in the Unified Agenda

Agenda Stage of Rulemaking: Prerule Stage

Major: Undetermined

Unfunded Mandates: Undetermined

EO 13771 Designation:

CFR Citation: [40 CFR 1500 to 1508](#)

Legal Authority: [42 U.S.C. 4371 et seq.](#)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required:

Government Levels Affected: Undetermined

Undetermined

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Ted Boling

Council on Environmental Quality

730 Jackson Place NW,

Washington, DC 20506

Phone:202 395-5750

Title: •Freedom of Information Act (FOIA) and Privacy Act Regulations Update

Abstract:

The Council on Environmental Quality (CEQ) is developing a proposal to revise its Freedom of Information Act (FOIA) regulations, in order to comply with the FOIA Improvement Act of 2016; to reflect CEQ's business process; and to correct or remove obsolete information. CEQ is also revising its Privacy Act implementation regulations due to changes of address and other administrative issues.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)
Legal Authority: [5 U.S.C. 552 et seq.](#)

Priority: Substantive, Nonsignificant
Agenda Stage of Rulemaking: Proposed Rule Stage
Unfunded Mandates: No

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

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730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

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(b) (6) (Cell)

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Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined

Priority: Other Significant
Agenda Stage of Rulemaking: Prerule Stage
Unfunded Mandates: Undetermined

EO 13771 Designation:

CFR Citation: [40 CFR 1500 to 1508](#)

Legal Authority: [42 U.S.C. 4371 et seq.](#)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required:
Undetermined

Government Levels Affected: Undetermined

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Ted Boling
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

CEO

RIN: 0331-AA02

Publication ID: Spring 2018

Title: •Freedom of Information Act (FOIA) and Privacy Act Regulations Update

Abstract:

The Council on Environmental Quality (CEQ) is developing a proposal to revise its Freedom of Information Act (FOIA) regulations, in order to comply with the FOIA Improvement Act of 2016; to reflect CEQ's business process; and to correct or remove obsolete information. CEQ is also revising its Privacy Act implementation regulations due to changes of address and other administrative issues.

Agency: Council on Environmental Quality(CEQ)

Priority: Substantive, Nonsignificant

RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)
Legal Authority: [5 U.S.C. 552 et seq.](#)

Agenda Stage of Rulemaking: Proposed Rule Stage
Unfunded Mandates: No

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Viktoria Z. Seale
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

RE: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

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)>

Date: Tue, 15 May 2018 11:47:53 -0400

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

From: Drummond, Michael R. EOP/CEQ
Sent: Tuesday, May 15, 2018 11:46 AM
To: Boling, Ted A. EOP/CEQ <(b) (6)>
Subject: RE: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

(b) (5)

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CEQ

RIN: 0331-AA03

Publication ID: Spring 2018

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

Abstract:

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Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined

Priority: Other Significant
Agenda Stage of Rulemaking: Prerule Stage
Unfunded Mandates: Undetermined

EO 13771 Designation:

CFR Citation: [40 CFR 1500 to 1508](#)

Legal Authority: [42 U.S.C. 4371 et seq.](#)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required:
 Undetermined

Government Levels Affected: Undetermined

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Ted Boling
 Council on Environmental Quality
 730 Jackson Place NW,
 Washington, DC 20506
 Phone:202 395-5750

CEQ

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RIN Status: First time published in the Unified Agenda
Major: Undetermined

Priority: Substantive, Nonsignificant
Agenda Stage of Rulemaking: Proposed Rule Stage
Unfunded Mandates: No

EO 13771 Designation:

CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)

Legal Authority: [5 U.S.C. 552 et seq.](#)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

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Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

RE: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

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To: "Boling, Ted A. EOP/CEQ" <(b) (6)>
Date: Tue, 15 May 2018 11:46:12 -0400

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Priority: Other Significant
Agenda Stage of Rulemaking: Prerule Stage
Unfunded Mandates: Undetermined

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Legal Authority: [42 U.S.C. 4371 et seq.](#)

Legal Deadline: None

Timetable:

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ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required:
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Government Levels Affected: Undetermined

Federalism: No

Included in the Regulatory Plan: No

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Priority: Substantive, Nonsignificant

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Major: Undetermined

Unfunded Mandates: No

EO 13771 Designation:

CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)

Legal Authority: [5 U.S.C. 552 et seq.](#)

Legal Deadline: None

Timetable:

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NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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Aaron L. Szabo

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(b) (6) (Cell)

(b) (6)

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To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
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Abstract:

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Order 13807 directed the Council on Environmental Quality (CEQ) to develop an initial list of actions it will take to enhance and modernize the Federal environmental review and authorization process. CEQ published its initial list of actions in the Federal Register on September 14, 2017, (82 FR 43226) and stated that CEQ intends to review existing CEQ regulations implementing the procedural requirements of the National Environmental Policy Act in order to identify changes needed to update and clarify those regulations. The regulations were issued in 1978, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents over the years, CEQ believes it is appropriate at this time to consider updating the implementing regulations.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1500 to 1508](#)
Legal Authority: [42 U.S.C. 4371 et seq.](#)

Priority: Other Significant
Agenda Stage of Rulemaking: Prerule Stage
Unfunded Mandates: Undetermined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required:
 Undetermined

Government Levels Affected: Undetermined

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Ted Boling
 Council on Environmental Quality
 730 Jackson Place NW,
 Washington, DC 20506
 Phone:202 395-5750

CEQ

RIN: 0331-AA02

Publication ID: Spring 2018

Title: •Freedom of Information Act (FOIA) and Privacy Act Regulations Update

Abstract:

The Council on Environmental Quality (CEQ) is developing a proposal to revise its Freedom of Information Act (FOIA) regulations, in order to comply with the FOIA Improvement Act of 2016; to reflect CEQ's business process; and to correct or remove obsolete information. CEQ is also revising its Privacy Act implementation regulations due to changes of address and other administrative issues.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)
Legal Authority: [5 U.S.C. 552 et seq.](#)

Priority: Substantive, Nonsignificant
Agenda Stage of Rulemaking: Proposed Rule Stage
Unfunded Mandates: No

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No
Federalism: No

Government Levels Affected: None

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Viktoria Z. Seale
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

RE: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

From: "Boling, Ted A. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eeae5b047f871428b9b46baf8afd1176a-bo">
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Cc: "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Date: Tue, 15 May 2018 12:37:49 -0400

(b) (5)
[Redacted]
[Redacted]

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 15, 2018 12:32 PM
To: Boling, Ted A. EOP/CEQ <(b) (6)>
Cc: Drummond, Michael R. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Subject: RE: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

(b) (5)
[Redacted]

From: Boling, Ted A. EOP/CEQ
Sent: Tuesday, May 15, 2018 11:33 AM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)>
Cc: Drummond, Michael R. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Subject: RE: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

Aaron – (b) (5)
[Redacted]
[Redacted]

From: Szabo, Aaron L. EOP/CEQ
Sent: Wednesday, May 9, 2018 12:41 PM
To: Herrgott, Alex H. EOP/CEQ <(b) (6)> Barnett, Steven W. EOP/CEQ <(b) (6)> Osterhues, Marlys A. EOP/CEQ <(b) (6)> Patella, Michael A. EOP/CEQ <(b) (6)> Sharp, Thomas L. EOP/CEQ <(b) (6)> Vandegrift, Scott F. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> >; Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)> Prandoni, Christopher D. EOP/CEQ <(b) (6)> Loyola, Mario A. EOP/CEQ

<(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Cc: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ
<(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

All,

CEQ's regulatory agenda is now publicly available at the following link:
https://www.reginfo.gov/public/do/eAgendaMain?operation=OPERATION_GET_AGENCY_RULE_LIST¤tPub=true&agencyCode=&showStage=active&agencyCd=0331.

For ease, I am also providing the information that can be found on the website below:

CEQ RIN: 0331-AA03 Publication ID: Spring 2018

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

Abstract:

On August 15, 2017, President Trump issued Executive Order 13807, titled "Establishing Discipline and Accountability in the Environment Review and Permitting Process for Infrastructure." Section 5(e) of Executive Order 13807 directed the Council on Environmental Quality (CEQ) to develop an initial list of actions it will take to enhance and modernize the Federal environmental review and authorization process. CEQ published its initial list of actions in the Federal Register on September 14, 2017, (82 FR 43226) and stated that CEQ intends to review existing CEQ regulations implementing the procedural requirements of the National Environmental Policy Act in order to identify changes needed to update and clarify those regulations. The regulations were issued in 1978, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents over the years, CEQ believes it is appropriate at this time to consider updating the implementing regulations.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined

Priority: Other Significant
Agenda Stage of Rulemaking: Prerule Stage
Unfunded Mandates: Undetermined

EO 13771 Designation:

CFR Citation: [40 CFR 1500 to 1508](#)

Legal Authority: [42 U.S.C. 4371 et seq.](#)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required:
Undetermined

Government Levels Affected: Undetermined

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Ted Boling

Council on Environmental Quality

730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

CEQ

RIN: 0331-AA02

Publication ID: Spring 2018

Title: •Freedom of Information Act (FOIA) and Privacy Act Regulations Update

Abstract:

The Council on Environmental Quality (CEQ) is developing a proposal to revise its Freedom of Information Act (FOIA) regulations, in order to comply with the FOIA Improvement Act of 2016; to reflect CEQ's business process; and to correct or remove obsolete information. CEQ is also revising its Privacy Act implementation regulations due to changes of address and other administrative issues.

Agency: Council on Environmental Quality(CEQ)

Priority: Substantive, Nonsignificant

RIN Status: First time published in the Unified Agenda

Agenda Stage of Rulemaking: Proposed Rule Stage

Major: Undetermined

Unfunded Mandates: No

EO 13771 Designation:

CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)

Legal Authority: [5 U.S.C. 552 et seq.](#)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Viktoria Z. Seale
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

RE: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

From : "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
To: "Boling, Ted A. EOP/CEQ" <(b) (6)>
Cc: "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Date: Tue, 15 May 2018 12:32:13 -0400

(b) (5)

From: Boling, Ted A. EOP/CEQ
Sent: Tuesday, May 15, 2018 11:33 AM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)>
Cc: Drummond, Michael R. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Subject: RE: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

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From: Szabo, Aaron L. EOP/CEQ
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Cc: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: FOR AWARENESS: CEQ's Regulatory Agenda Now Public

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CEQ

RIN: 0331-AA03

Publication ID: Spring 2018

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Agency: Council on Environmental Quality(CEQ)

Priority: Other Significant

RIN Status: First time published in the Unified Agenda

Agenda Stage of Rulemaking: Prerule Stage

Major: Undetermined

Unfunded Mandates: Undetermined

EO 13771 Designation:

CFR Citation: [40 CFR 1500 to 1508](#)

Legal Authority: [42 U.S.C. 4371 et seq.](#)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	05/00/2018	

Regulatory Flexibility Analysis Required:
Undetermined

Government Levels Affected: Undetermined

Federalism: No

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:

Ted Boling

Council on Environmental Quality

730 Jackson Place NW,

Washington, DC 20506

Phone:202 395-5750

CEQ

RIN: 0331-AA02

Publication ID: Spring 2018

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Abstract:

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and to correct or remove obsolete information. CEQ is also revising its Privacy Act implementation regulations due to changes of address and other administrative issues.

Agency: Council on Environmental Quality(CEQ)
RIN Status: First time published in the Unified Agenda
Major: Undetermined
EO 13771 Designation:
CFR Citation: [40 CFR 1515](#) [40 CFR 1516](#)
Legal Authority: [5 U.S.C. 552 et seq.](#)

Priority: Substantive, Nonsignificant
Agenda Stage of Rulemaking: Proposed Rule Stage
Unfunded Mandates: No

Legal Deadline: None
Timetable:

Action	Date	FR Title
NPRM	07/00/2018	

Regulatory Flexibility Analysis Required: No
Federalism: No

Government Levels Affected: None

Included in the Regulatory Plan: No

RIN Data Printed in the FR: No

Agency Contact:
Viktoria Z. Seale
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20506
Phone:202 395-5750

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

[EXTERNAL] RE: Comment from CEQ?

From: Nick Sobczyk <nsobczyk@eenews.net>

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

Date: Thu, 17 May 2018 11:59:58 -0400

Hey Dan – I'm hoping to have the story out Monday. So my deadline would be noon Monday.

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

Sent: Thursday, May 17, 2018 11:58 AM

To: Nick Sobczyk <nsobczyk@eenews.net>

Subject: RE: Comment from CEQ?

Hey Nick,

What's your timing on this?

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>

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

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

Subject: [EXTERNAL] RE: Comment from CEQ?

Hey Dan,

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

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

Best,
Nick

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

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

To: Nick Sobczyk <nsobczyk@eenews.net>

Subject: RE: Comment from CEQ?

Hey Nick,

On background, attributable to a CEQ Spokesman:

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

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

Hope that helps,

Dan

From: Nick Sobczyk <nsobczyk@eenews.net>

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

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

Subject: [EXTERNAL] Comment from CEQ?

Hi Dan,

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

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

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

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

Thanks!

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

E&E NEWS

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

Comments Received on CEQ ANPRM

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

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

Date: Mon, 21 May 2018 10:43:04 -0400

Attachments: (b) (5) -EO12866 Review CEQ NEPA ANPRM.DOCX (49.89 kB); (b) (5) -EO12866 Review CEQ NEPA ANPRM.DOCX (24.79 kB); (b) (5) - EO12866 Review CEQ NEPA ANPRM.DOCX (53.1 kB); (b) (5) - EO12866 Review CEQ NEPA ANPRM.DOCX (49.35 kB); (b) (5) - EO12866 Review CEQ NEPA ANPRM.DOCX (18.49 kB)

Viktoria,

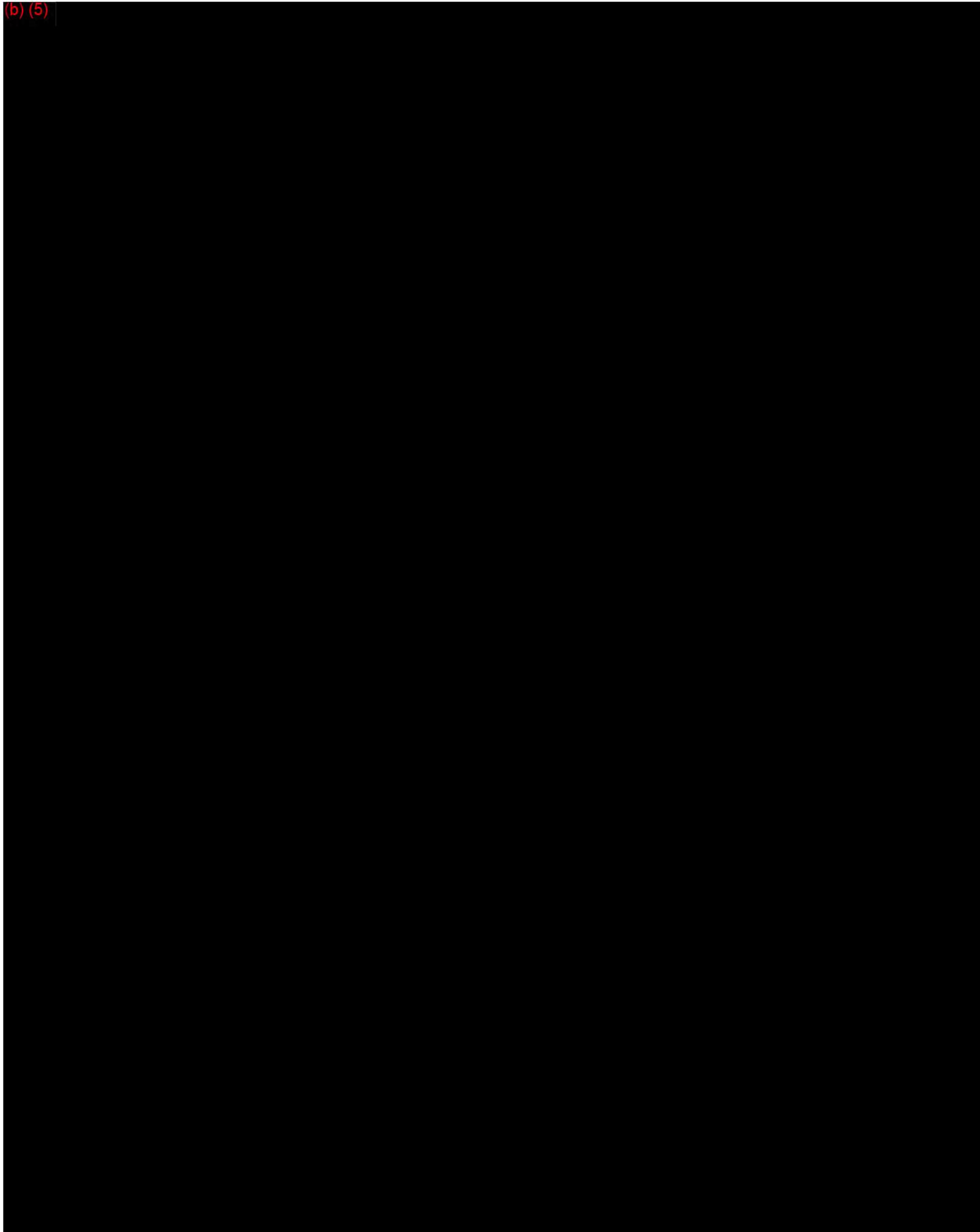
Please find attached the interagency comments that we have received thus far via OIRA.

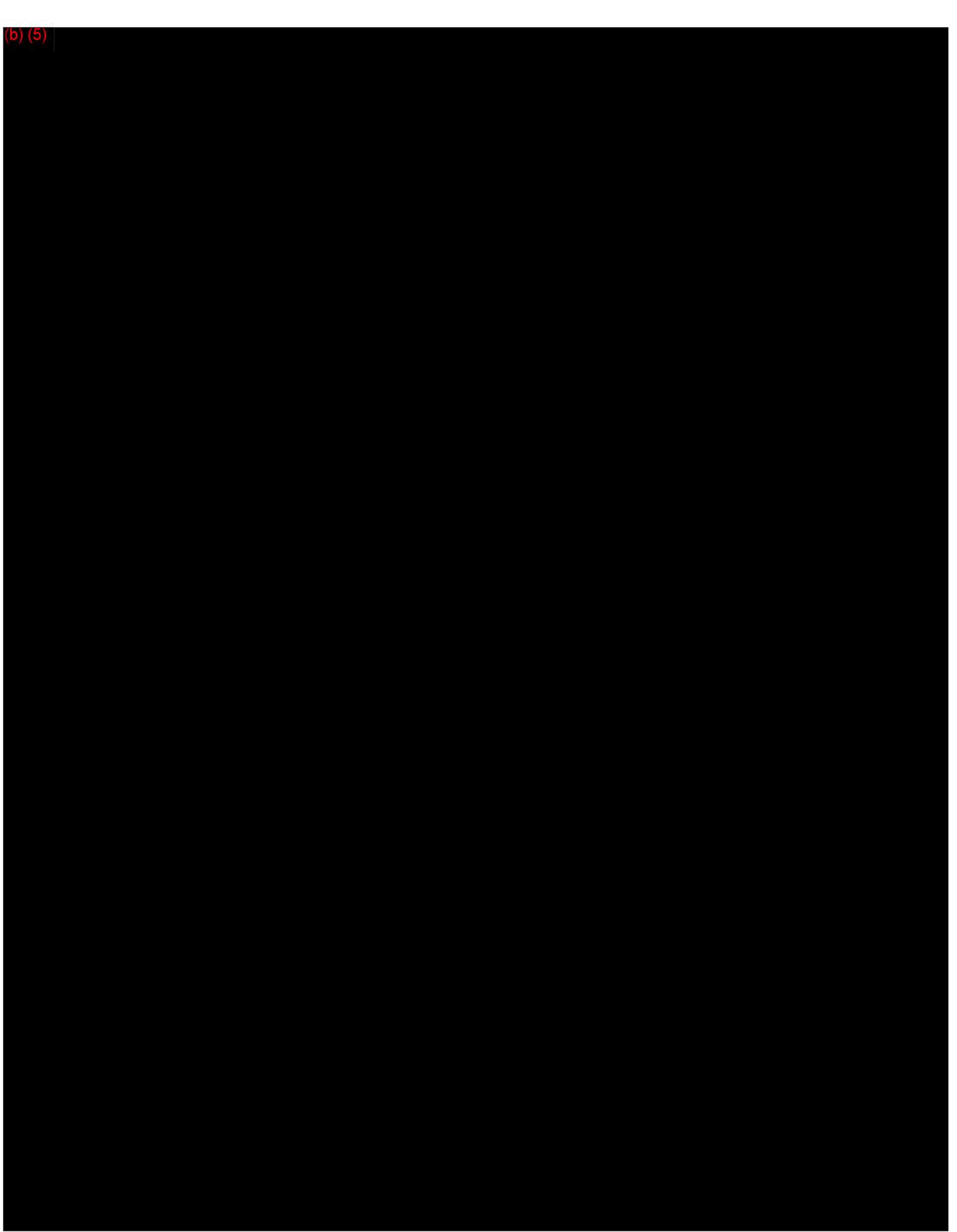
Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

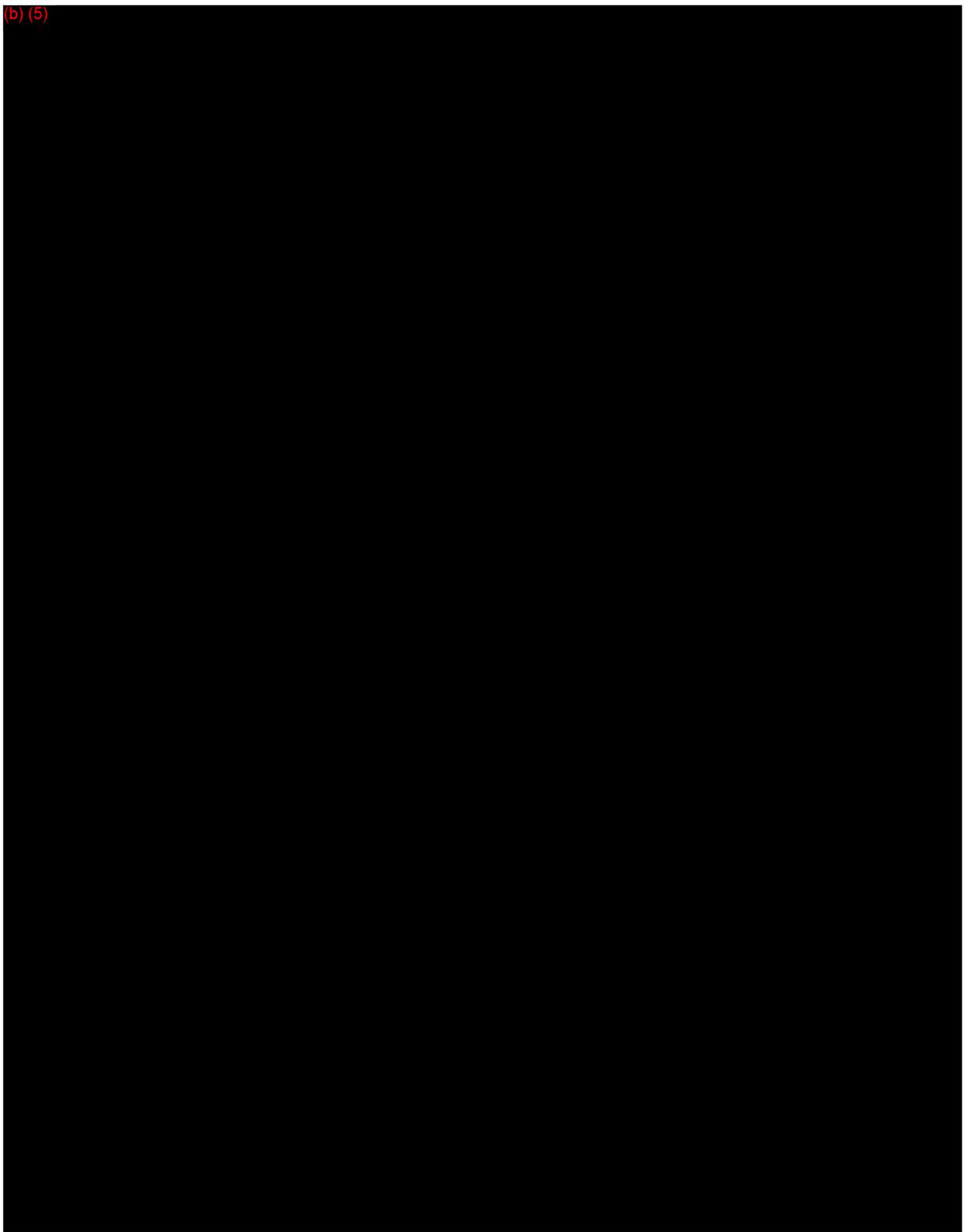
(b) (6) (Desk)

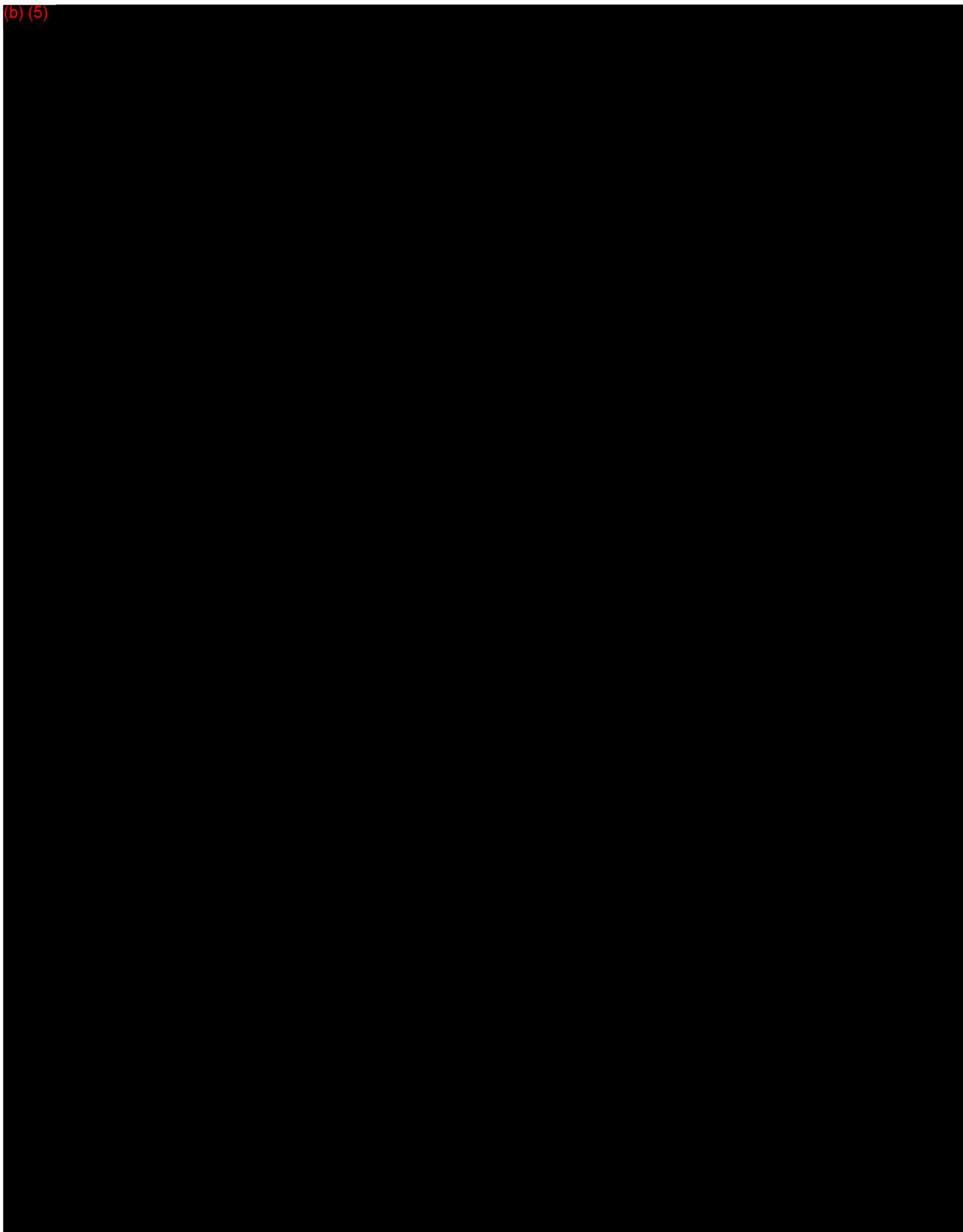
(b) (6) (Cell)

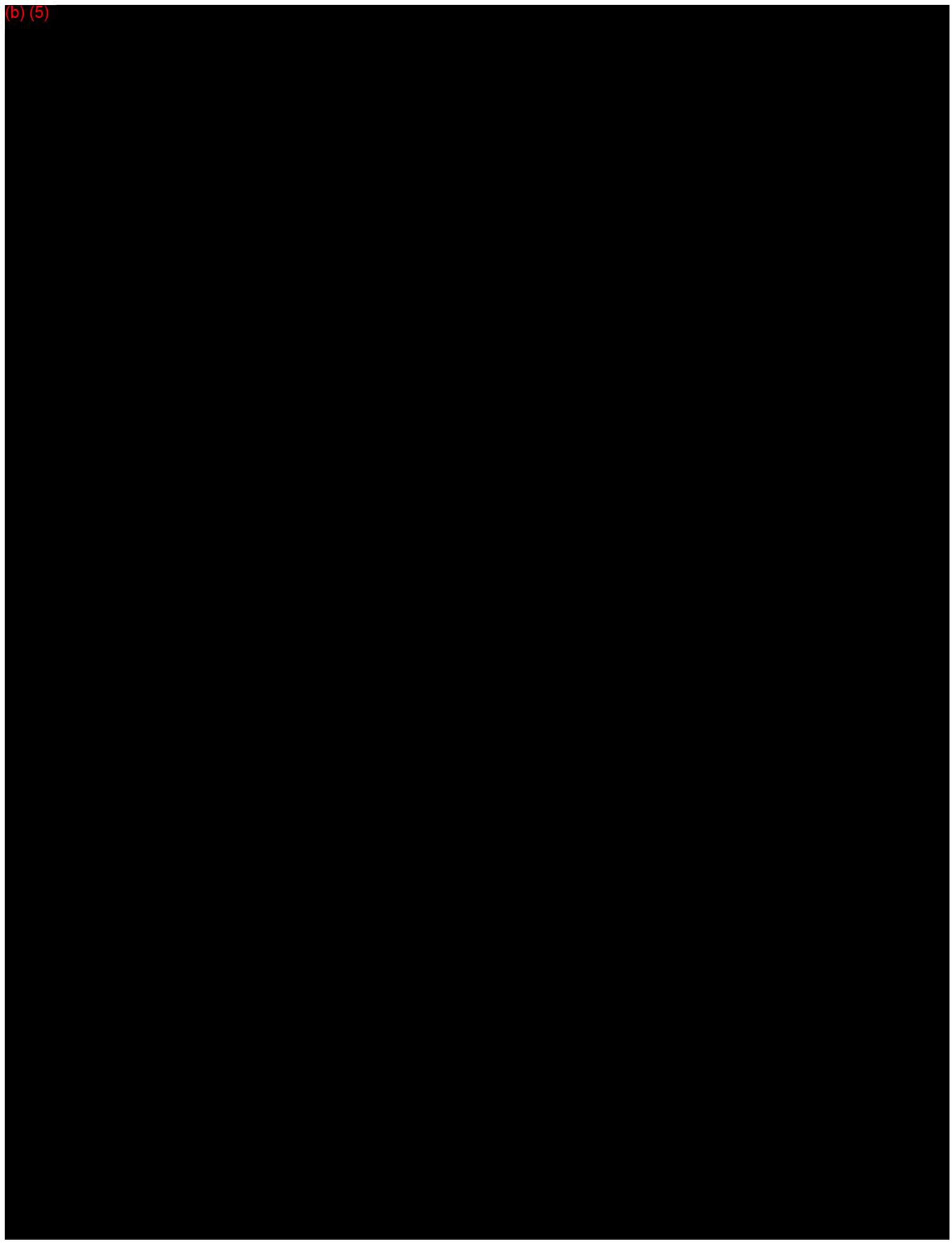
(b) (6)

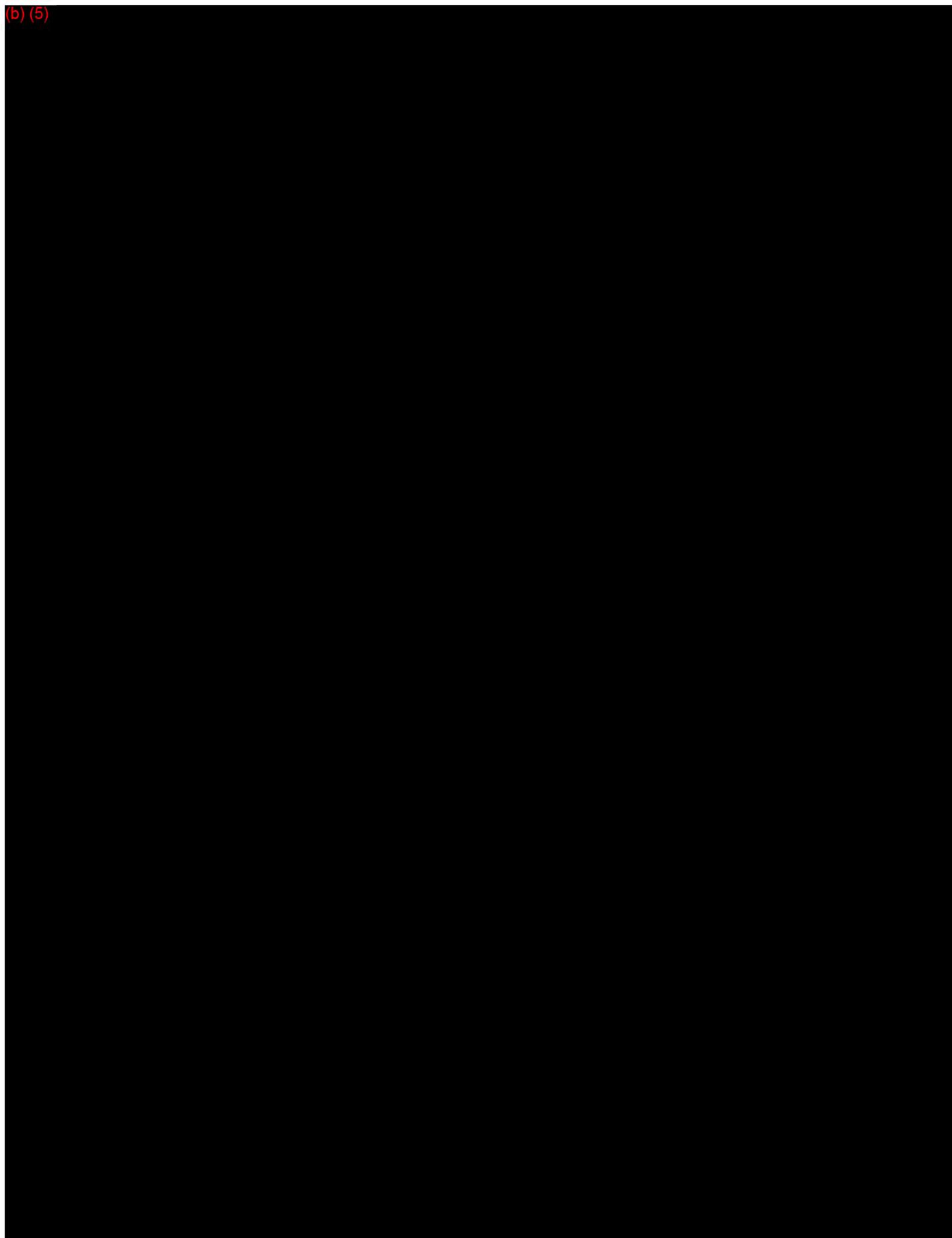


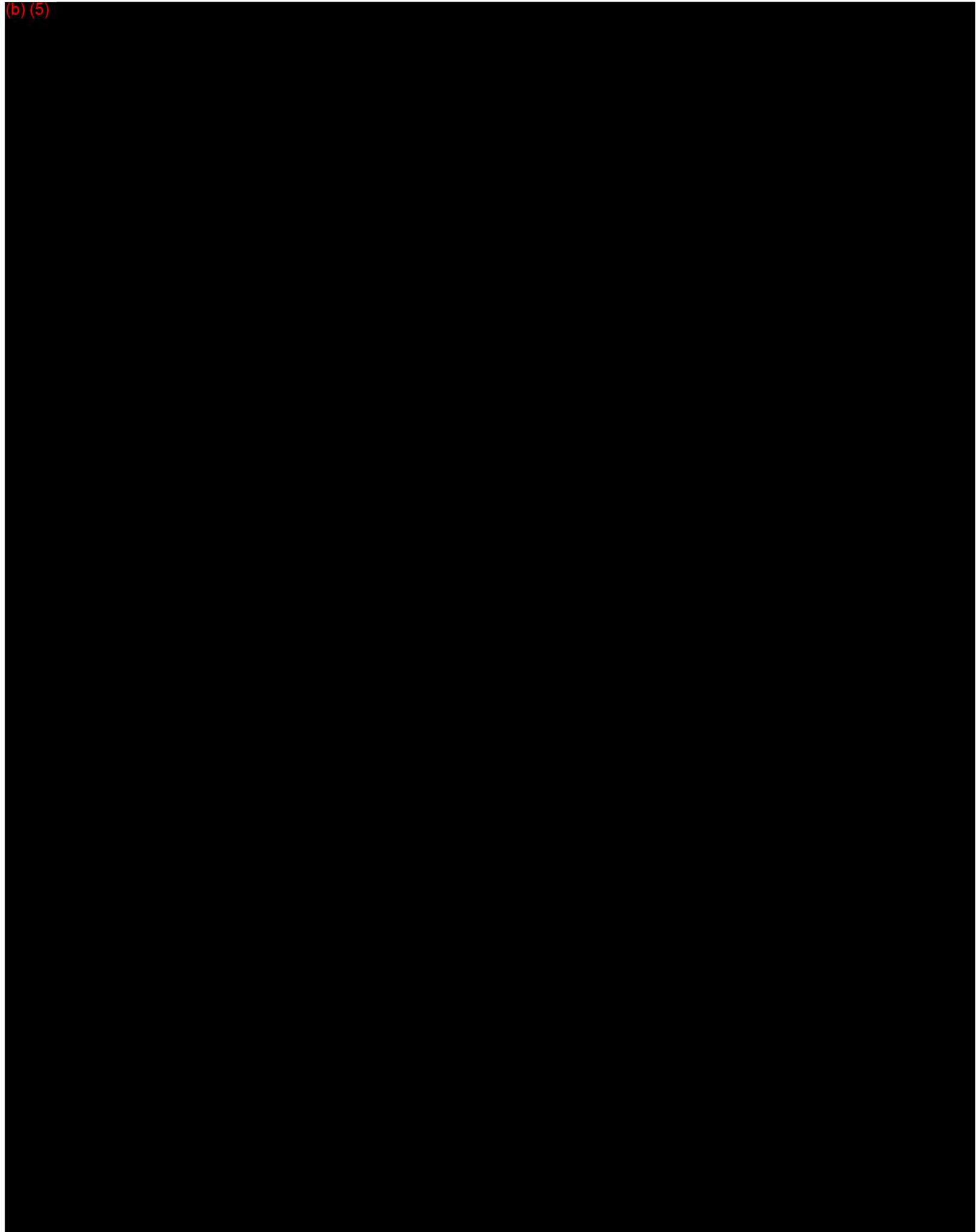


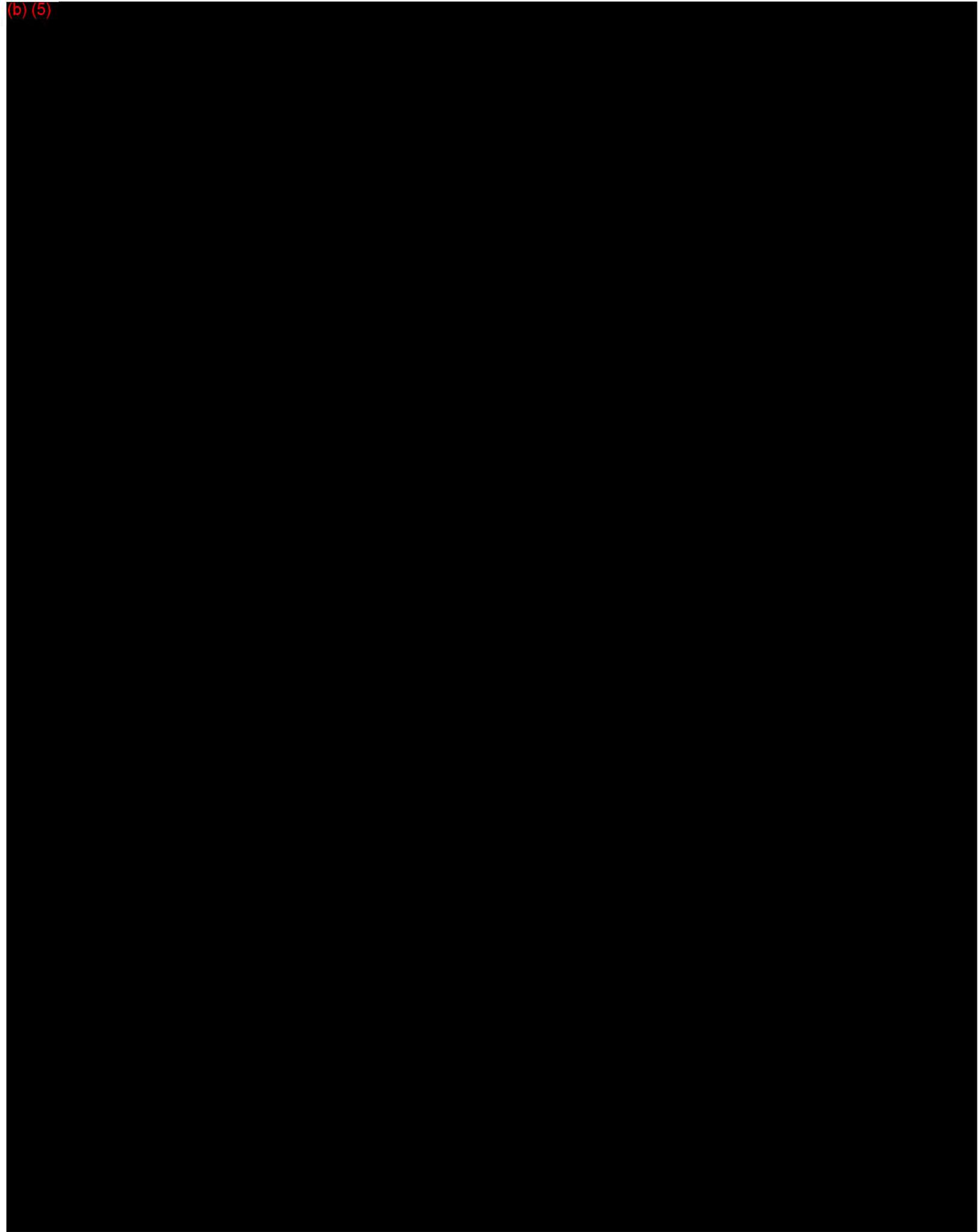


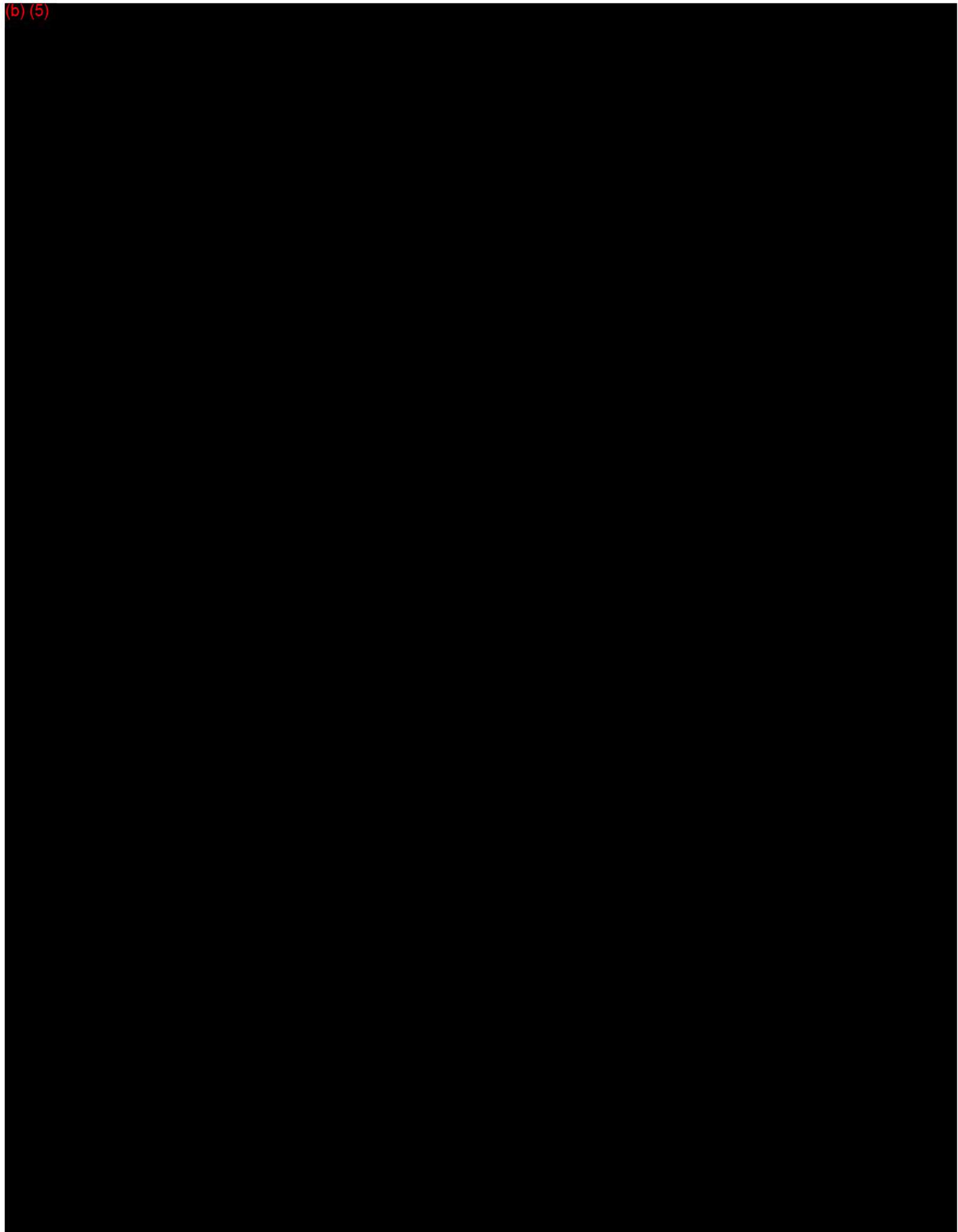


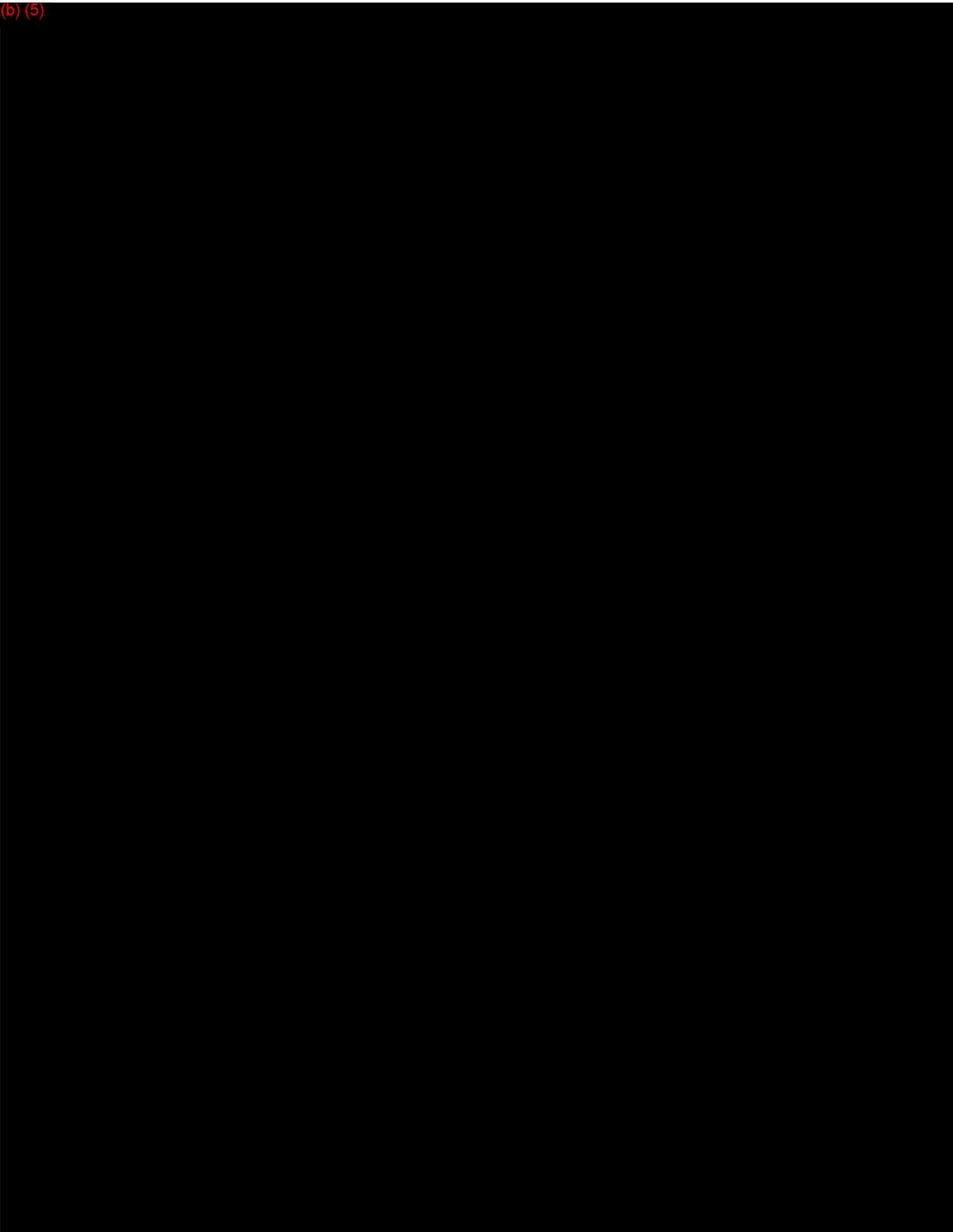


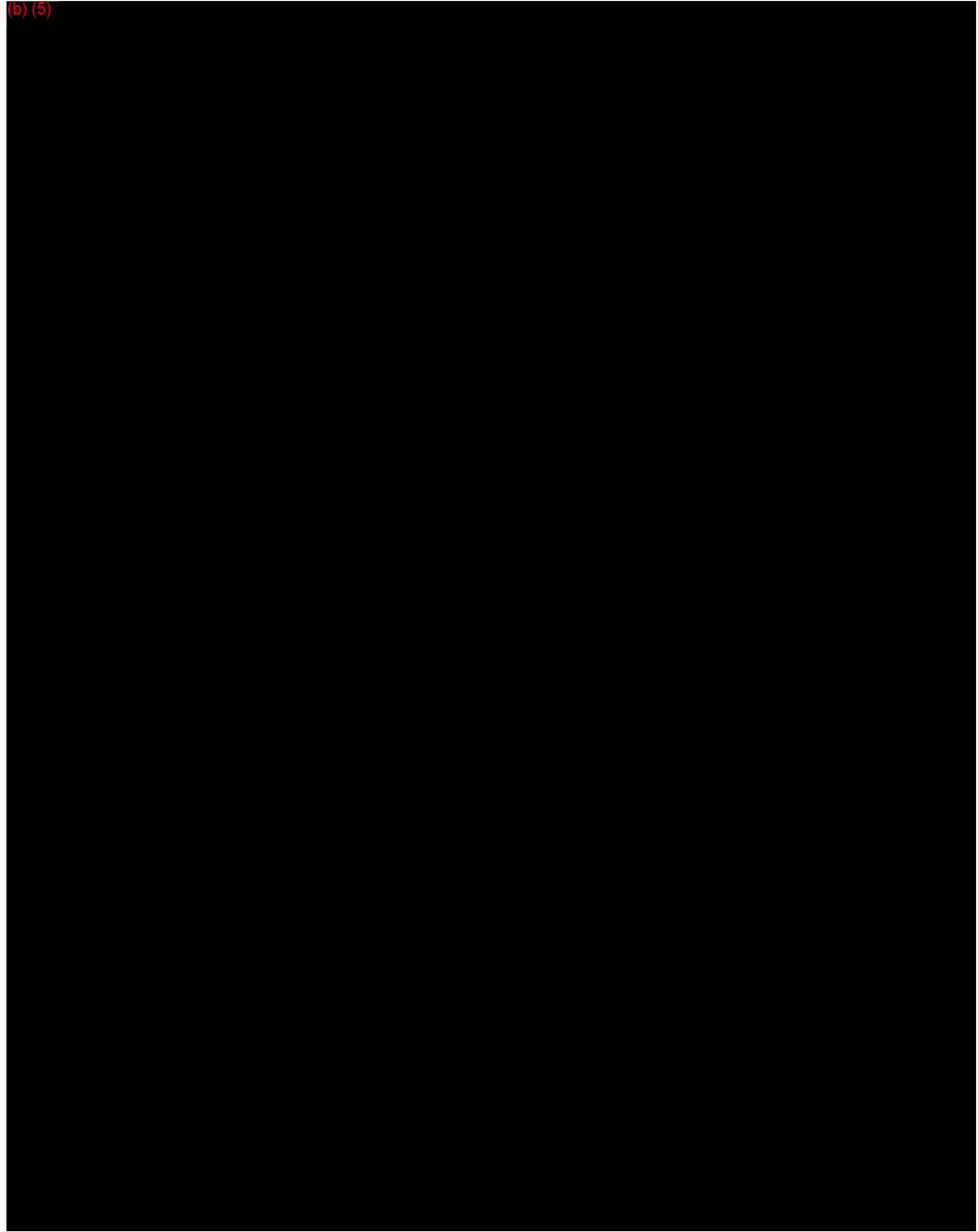


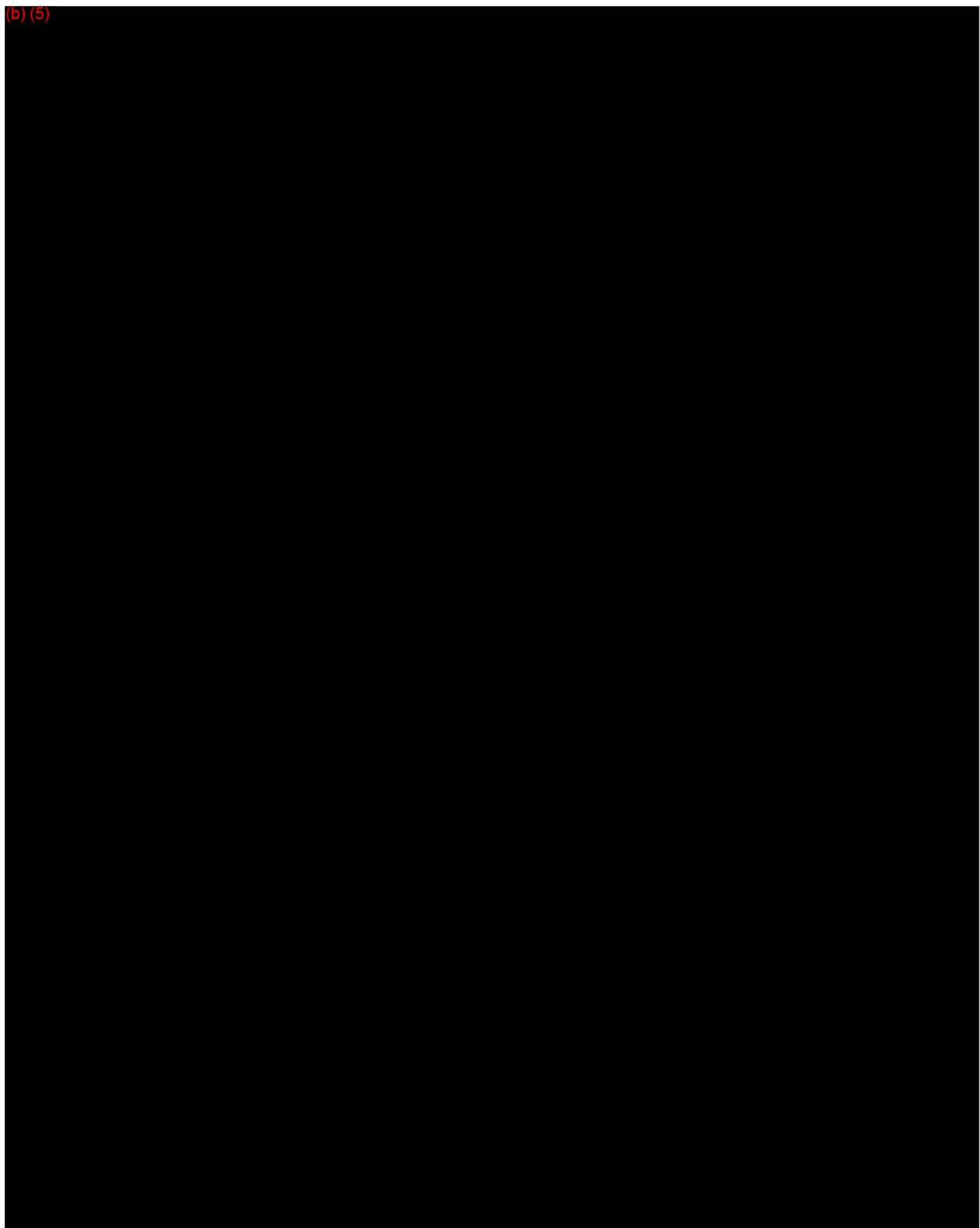


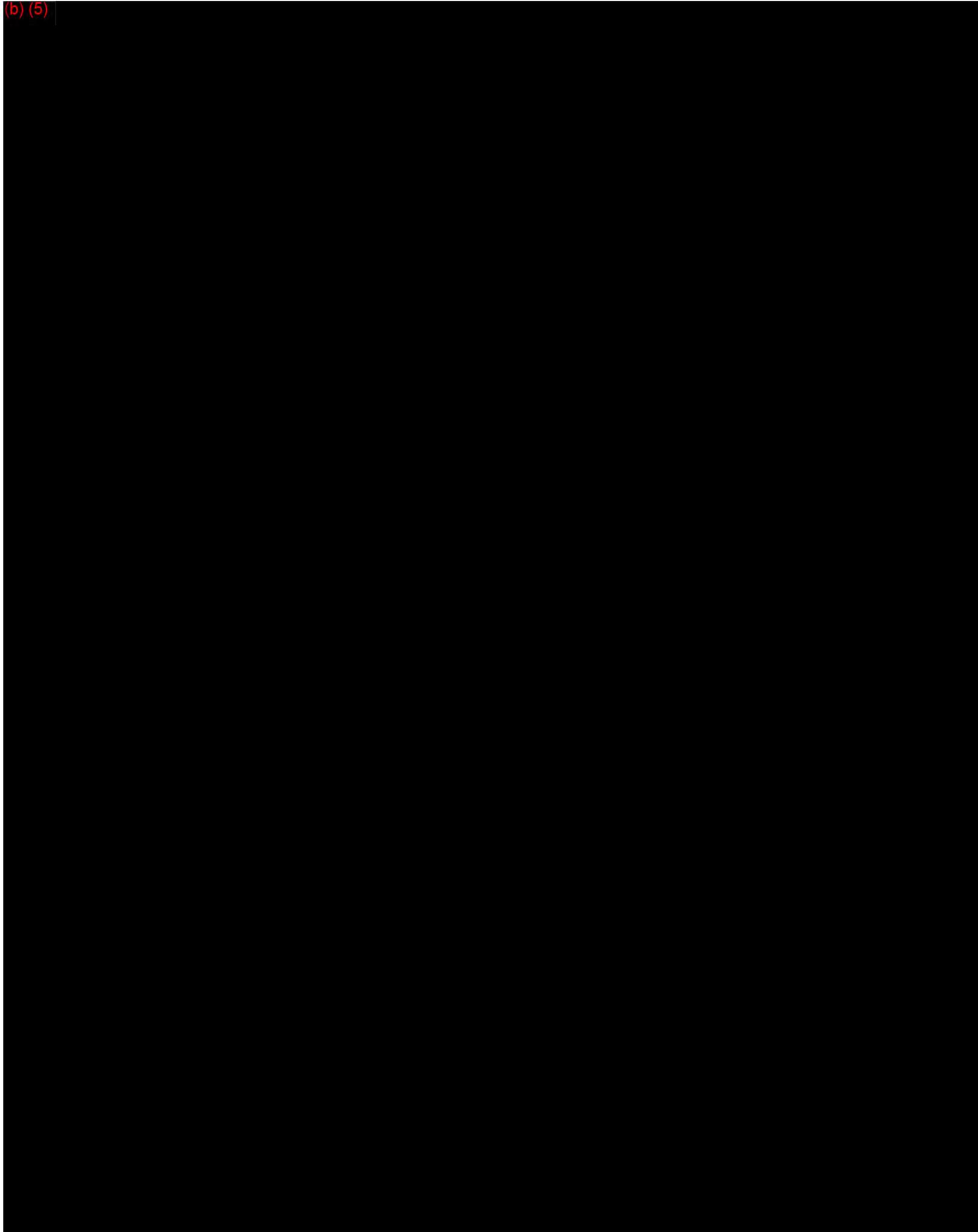


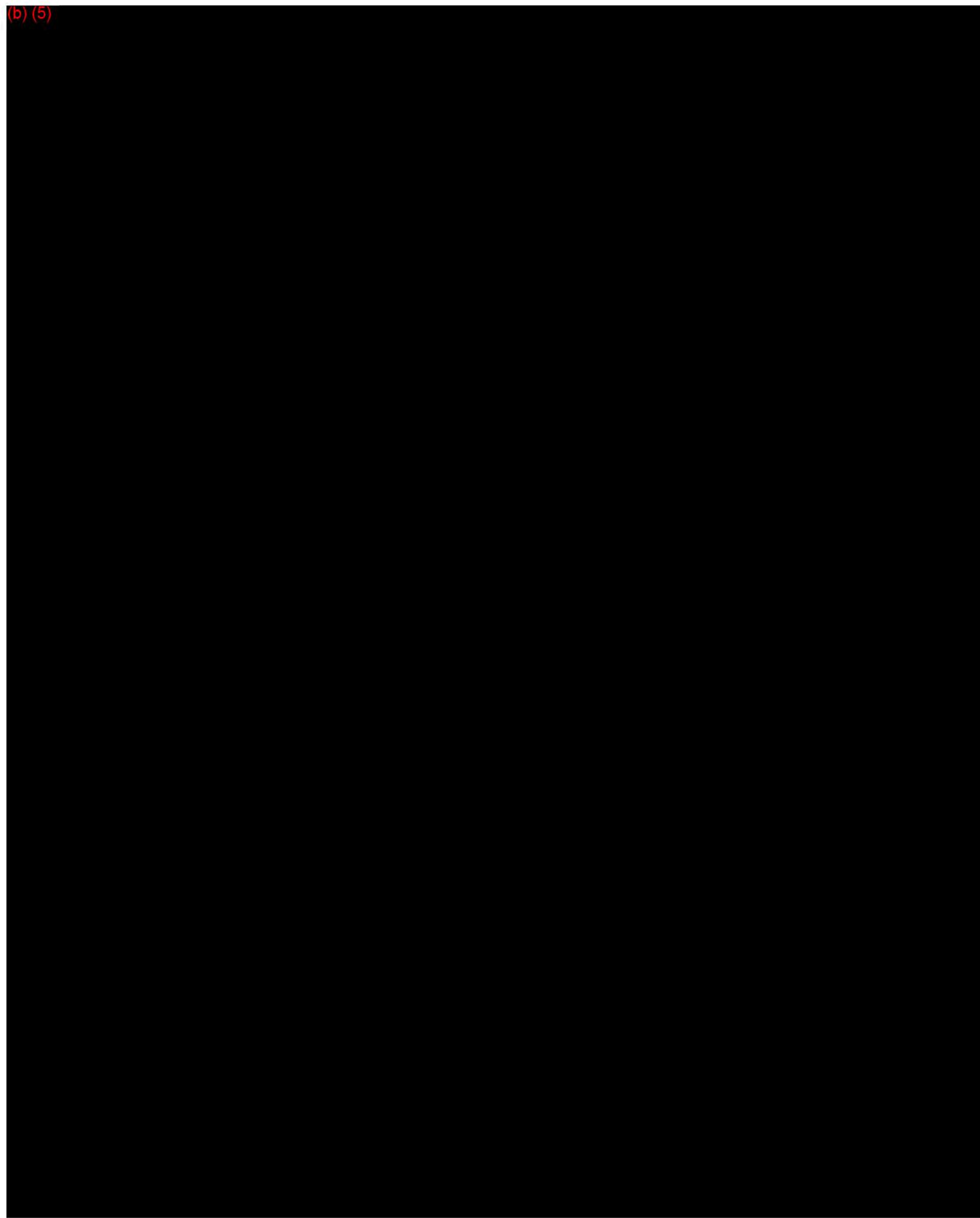




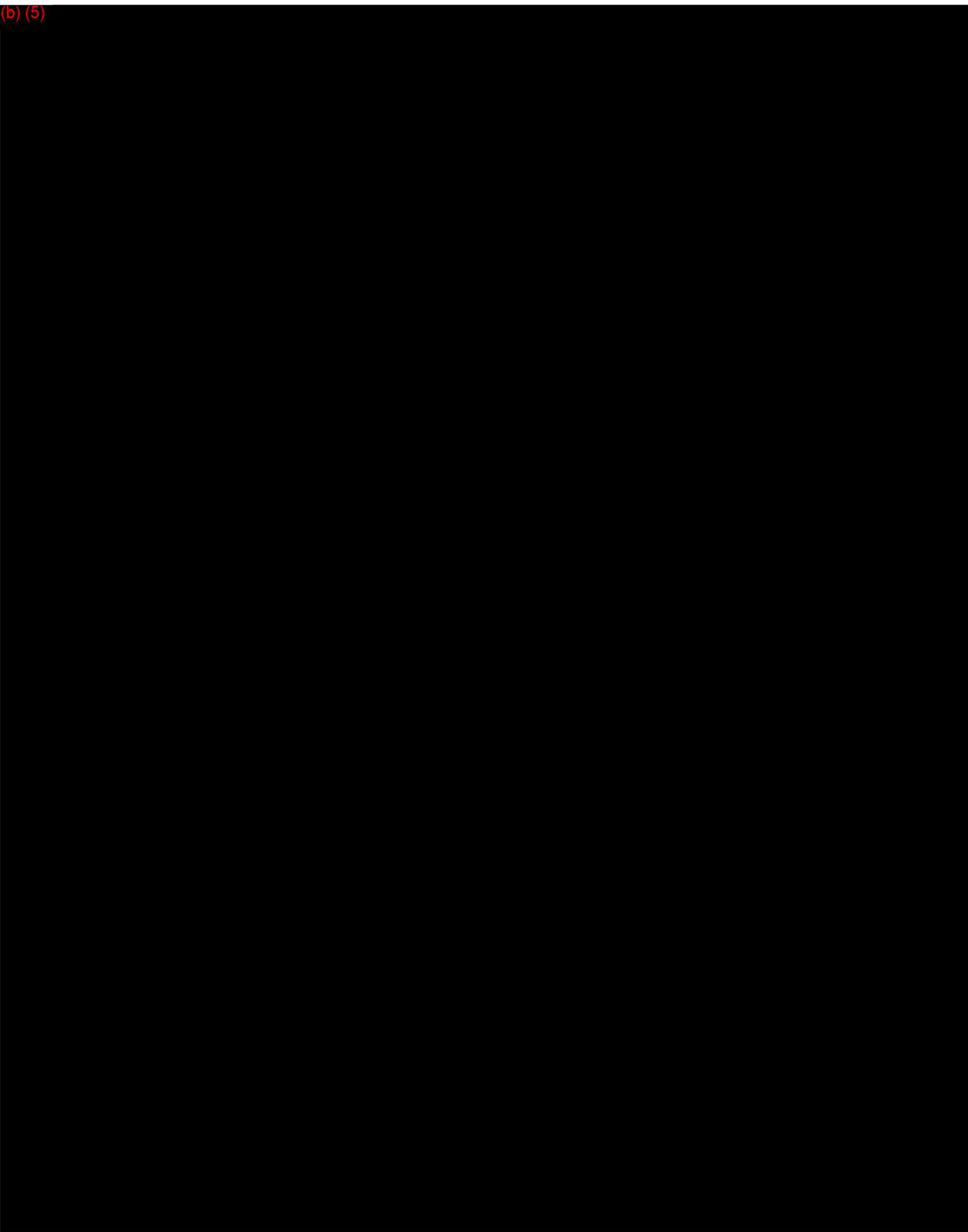


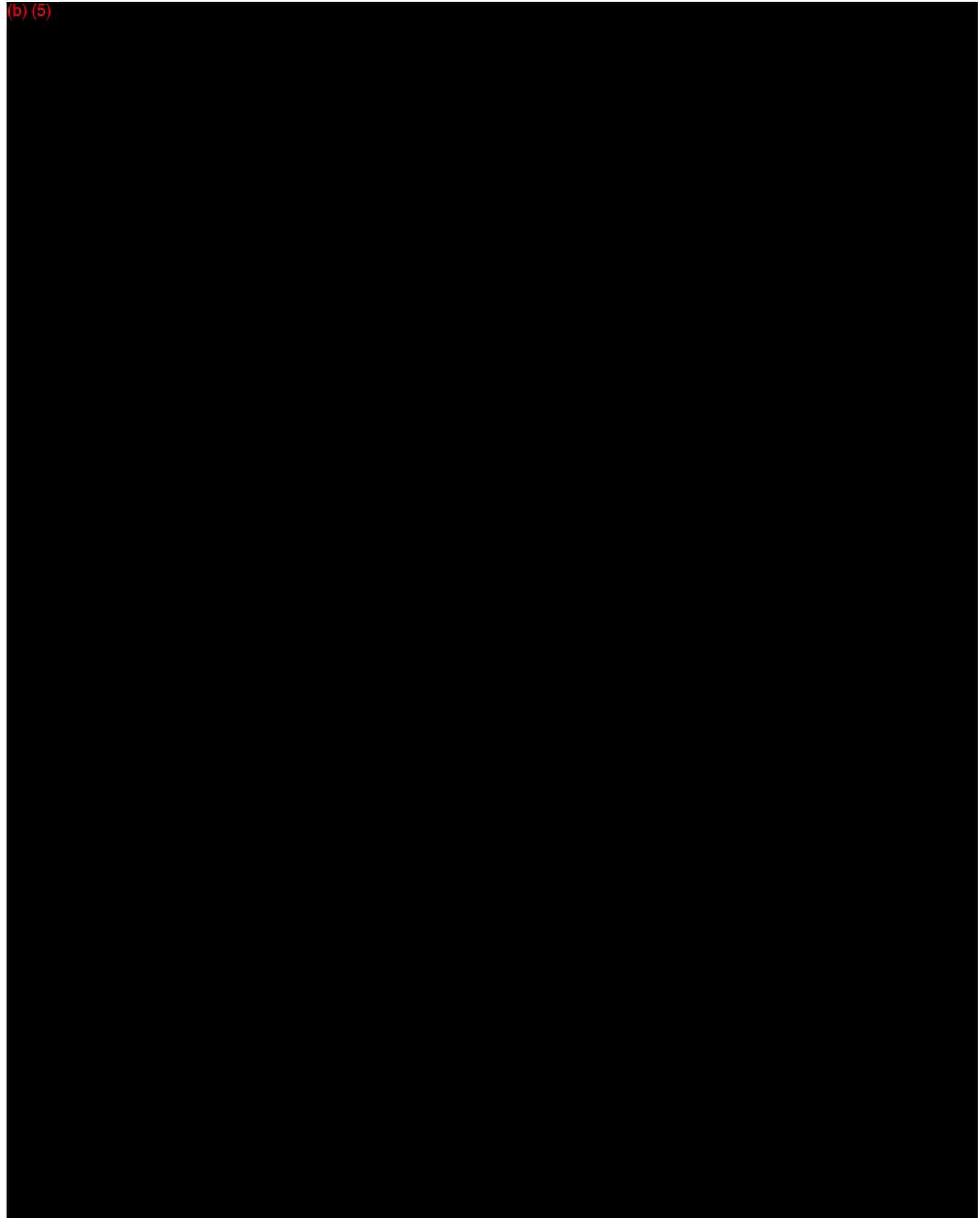


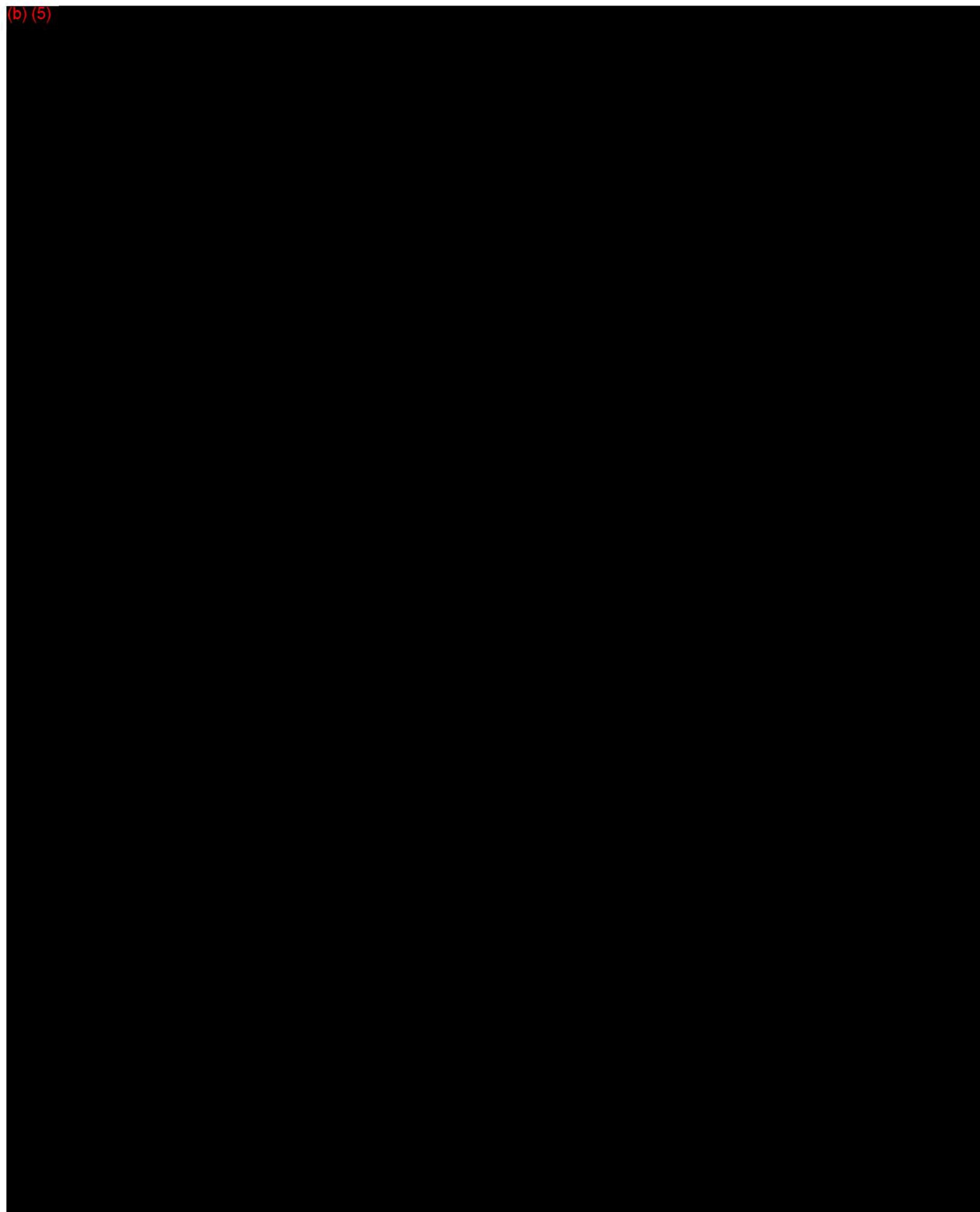


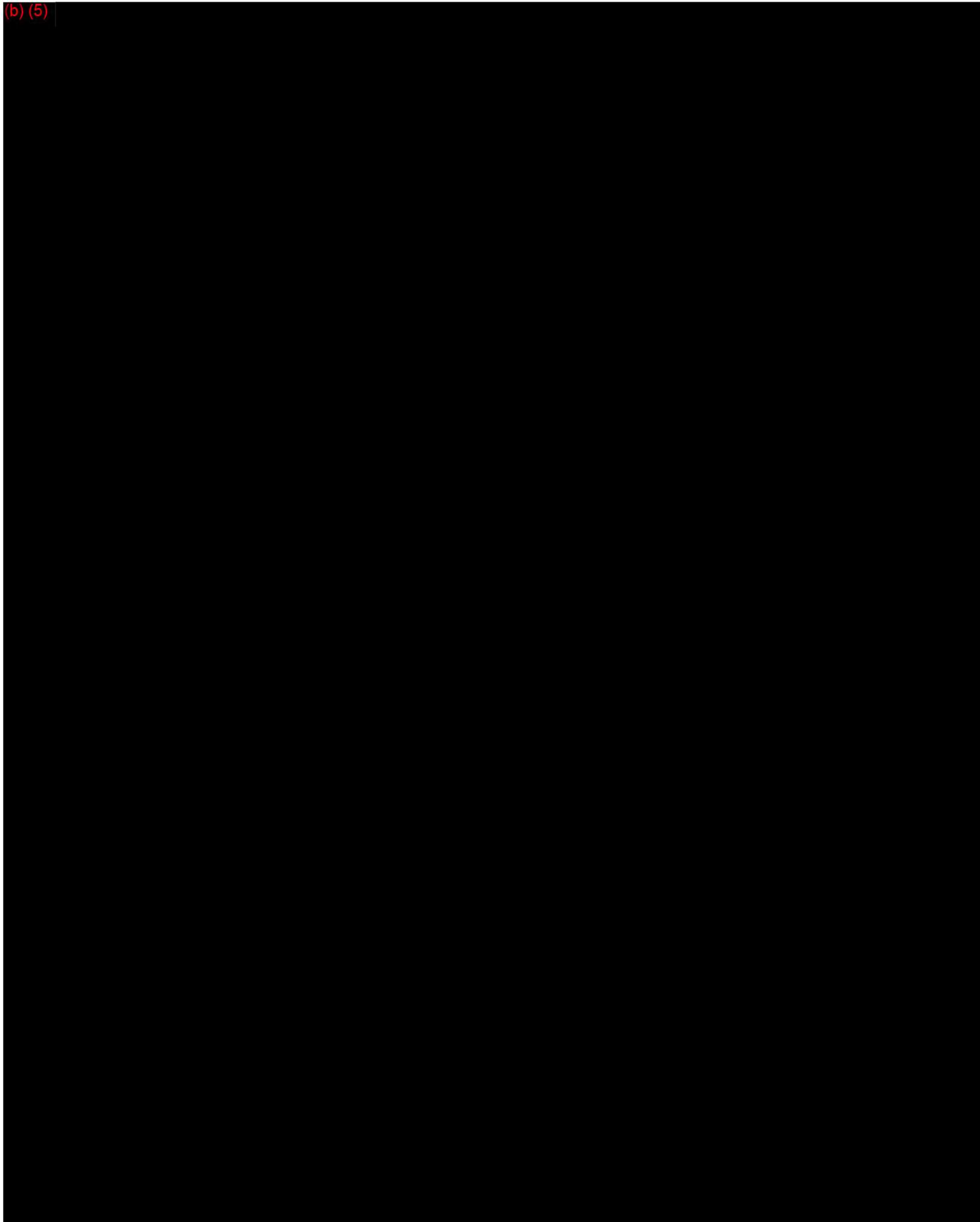


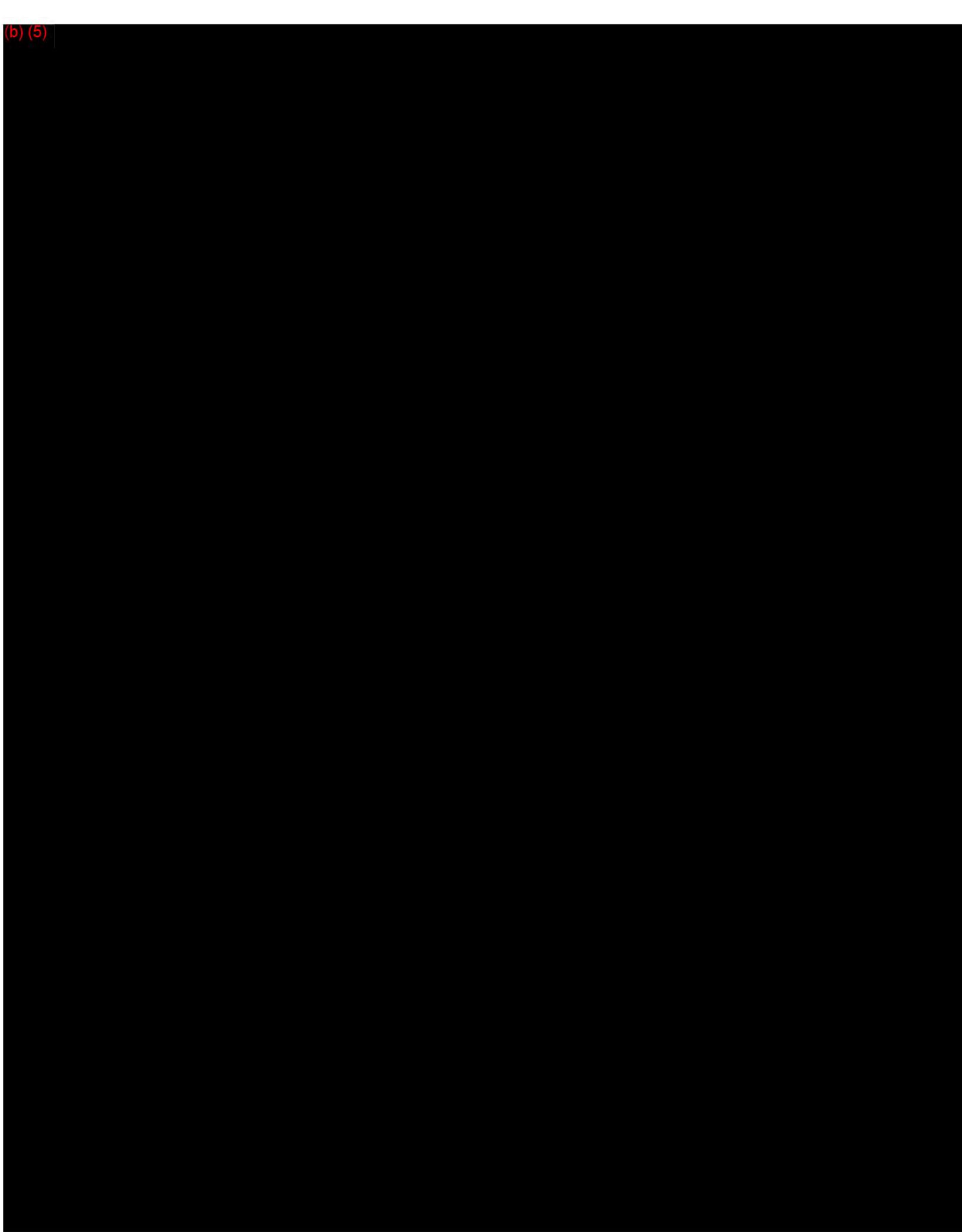


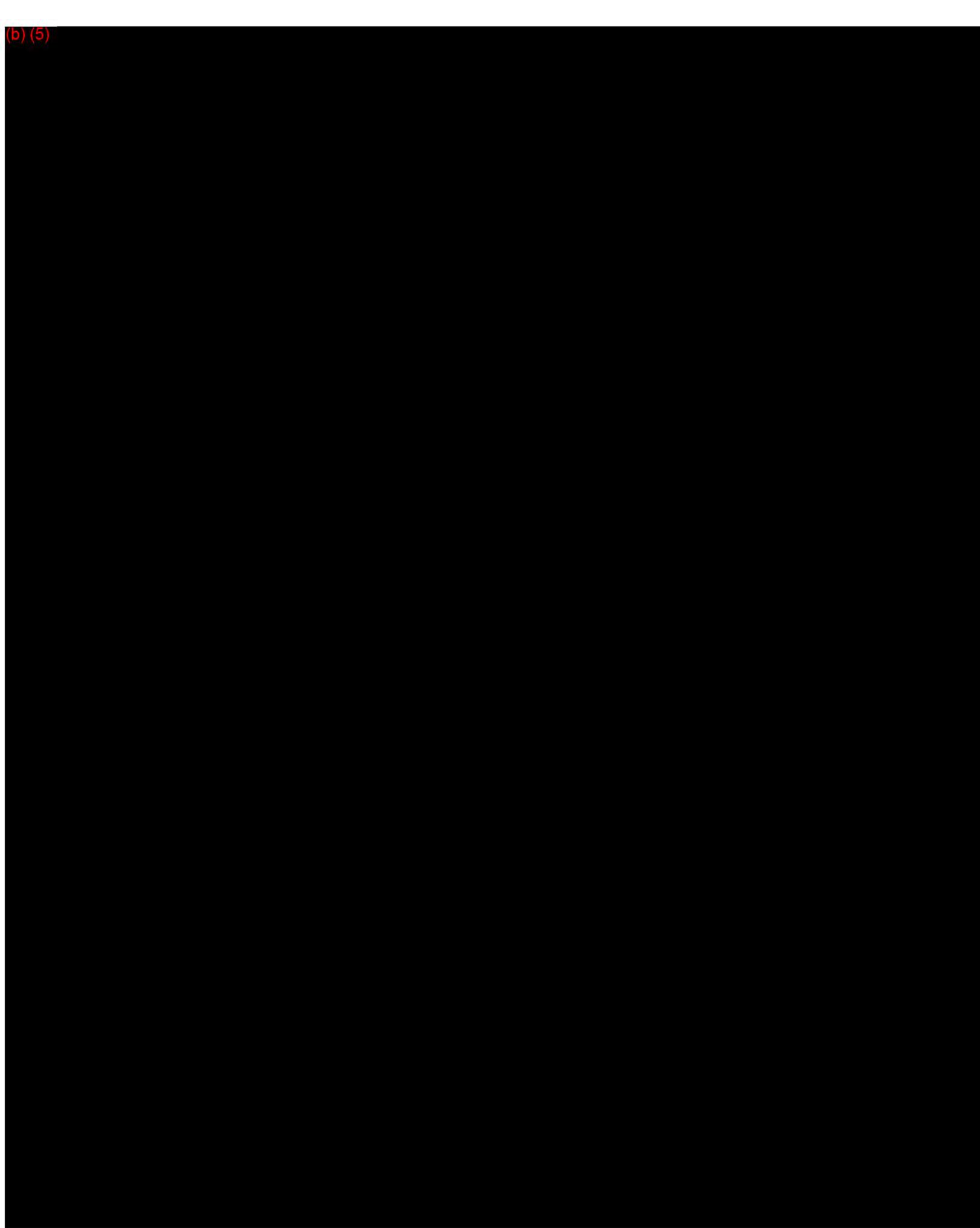


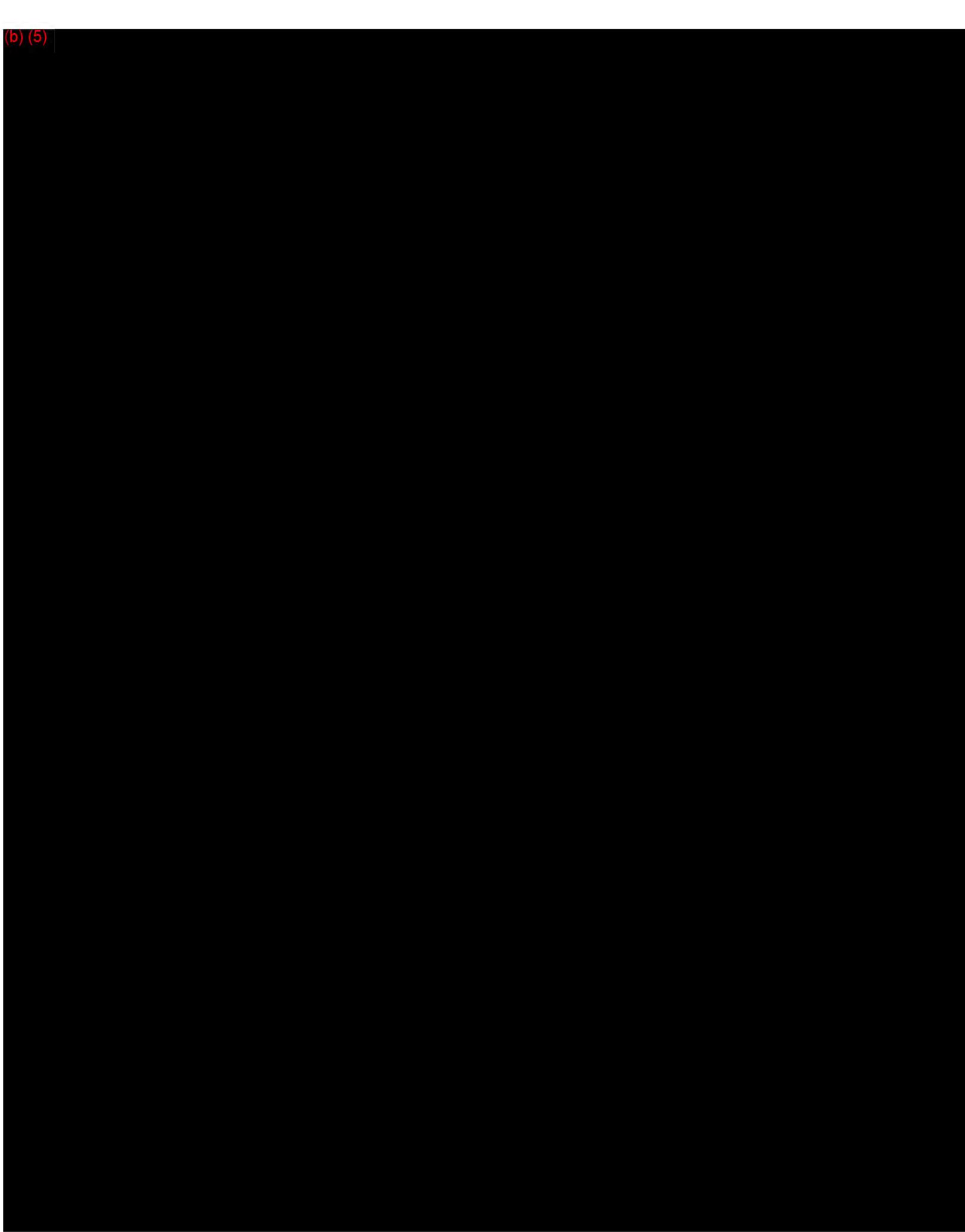


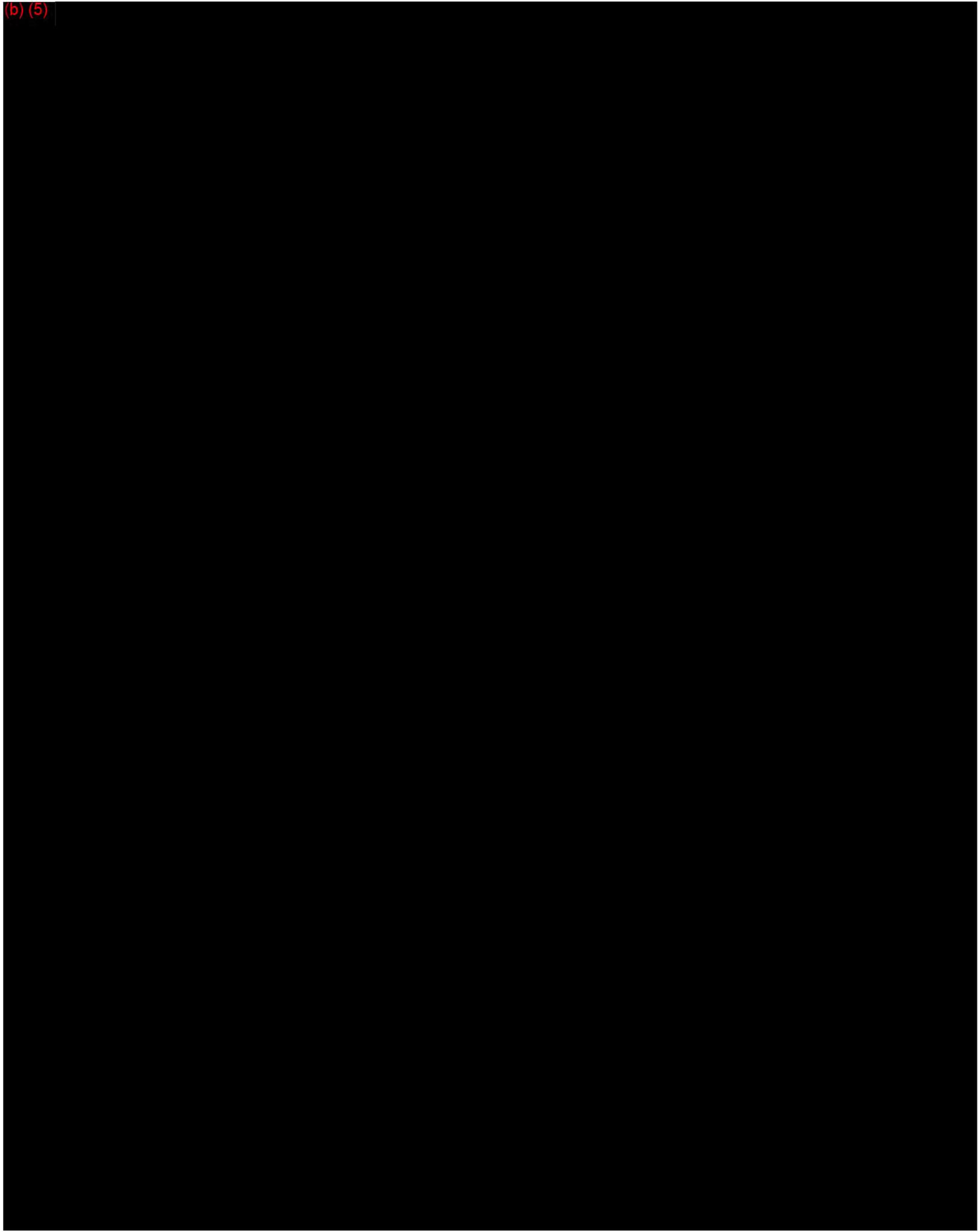


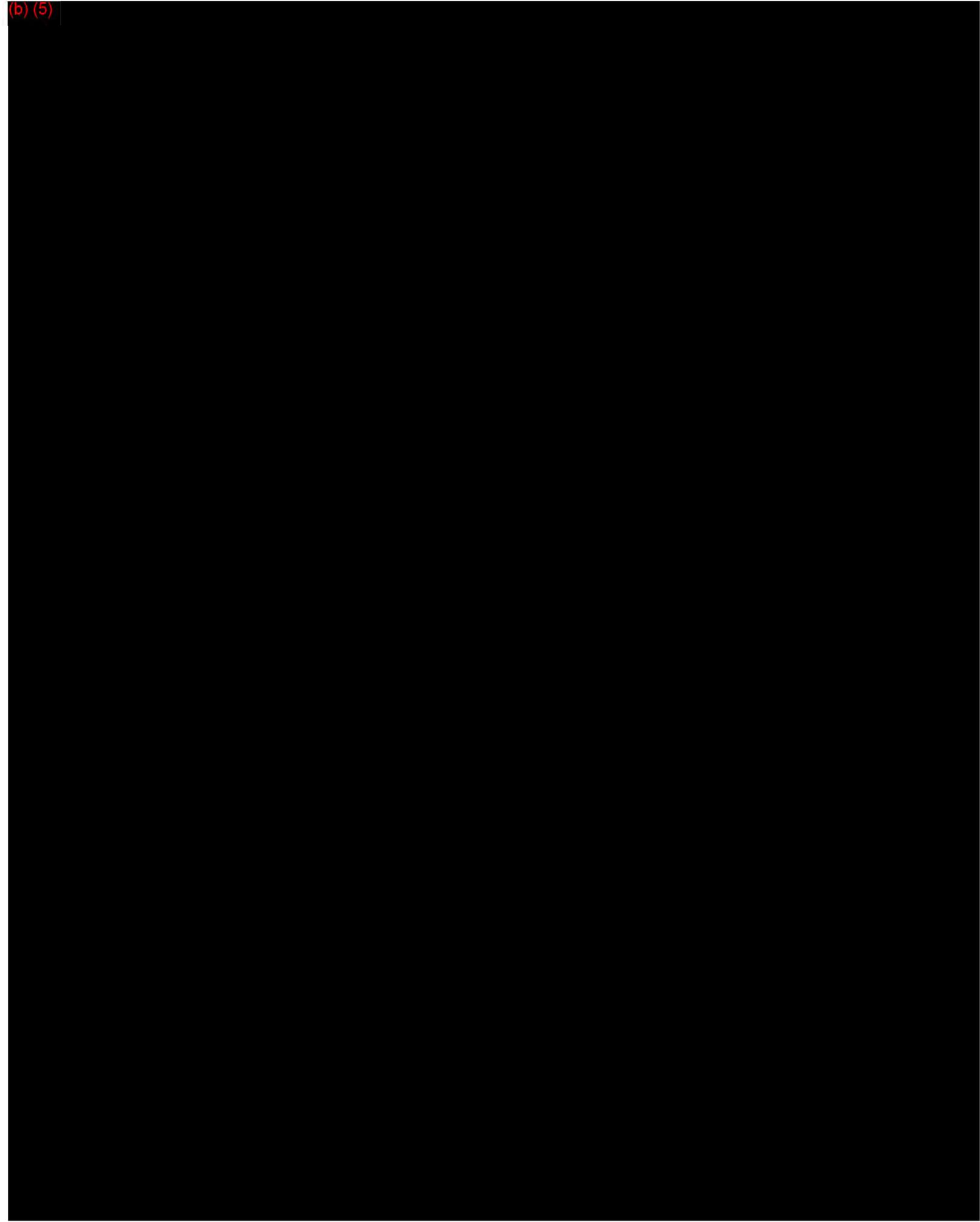


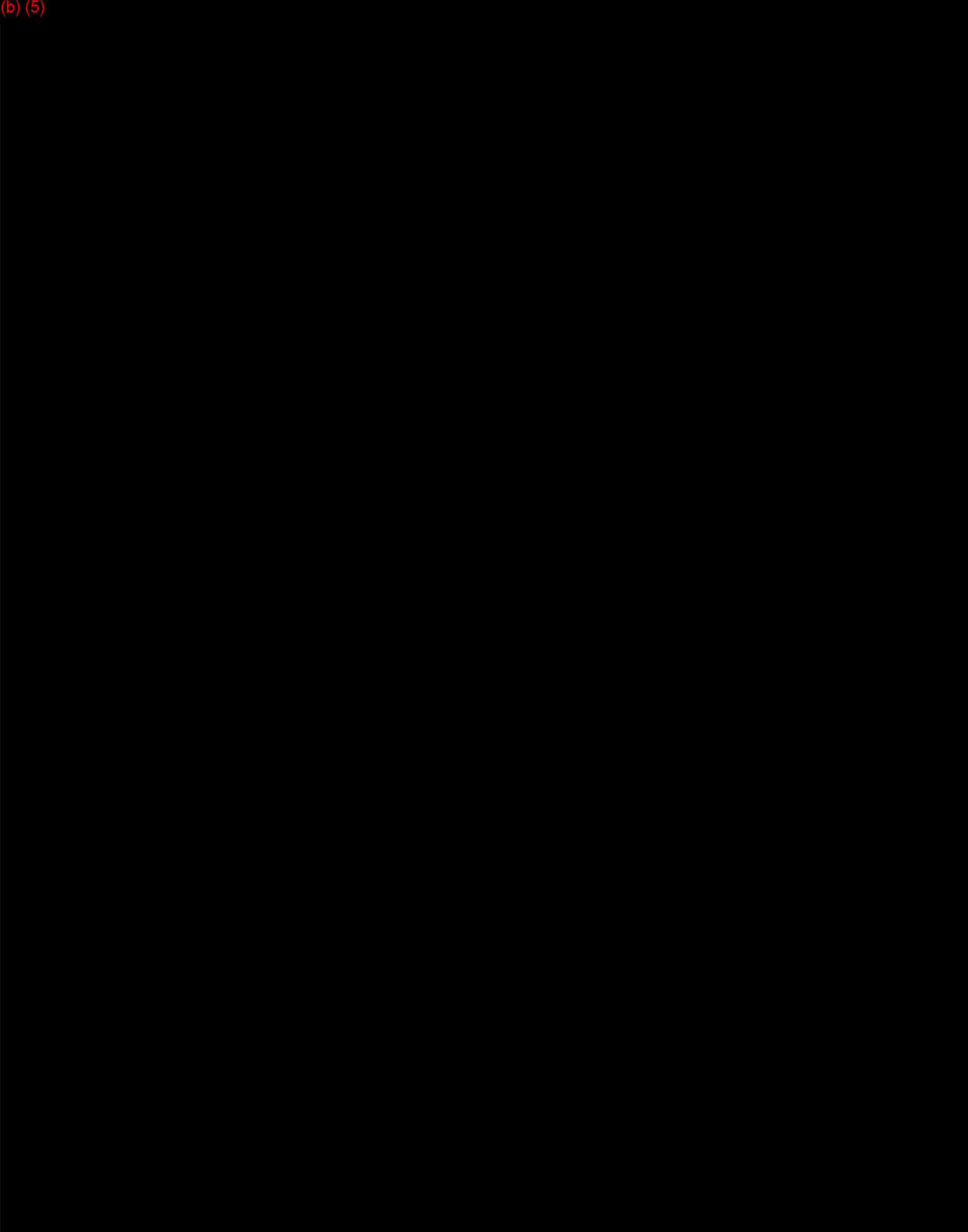


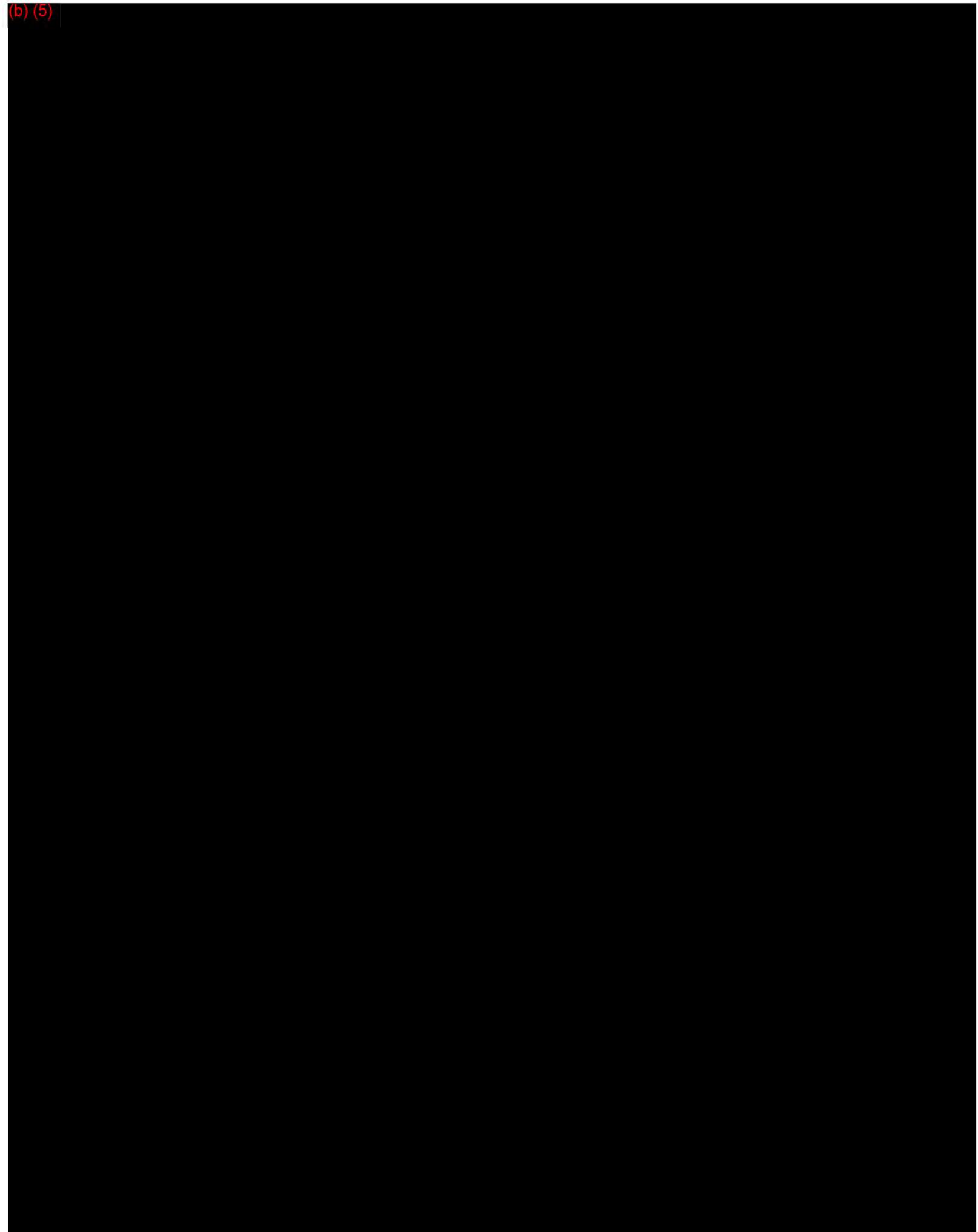




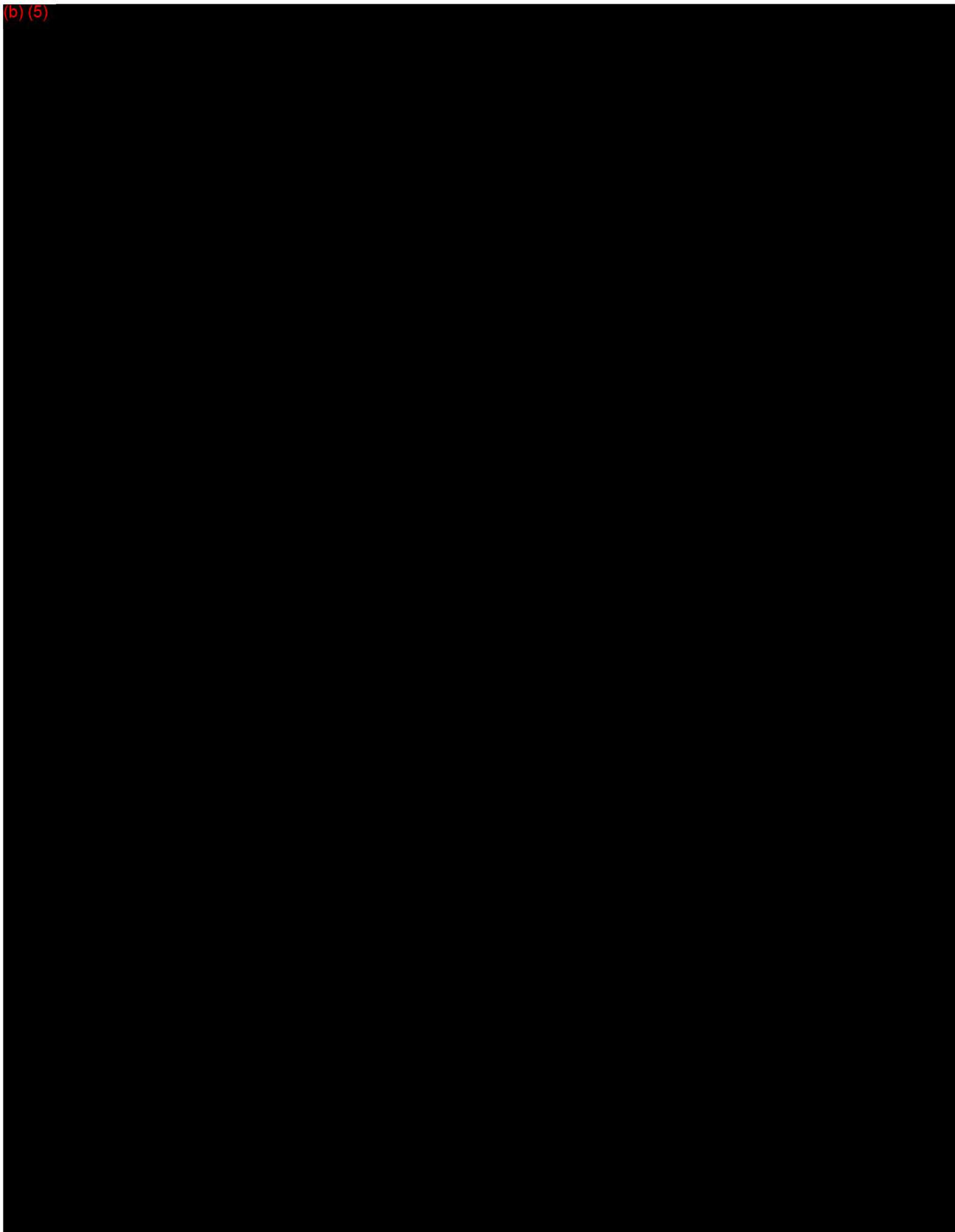


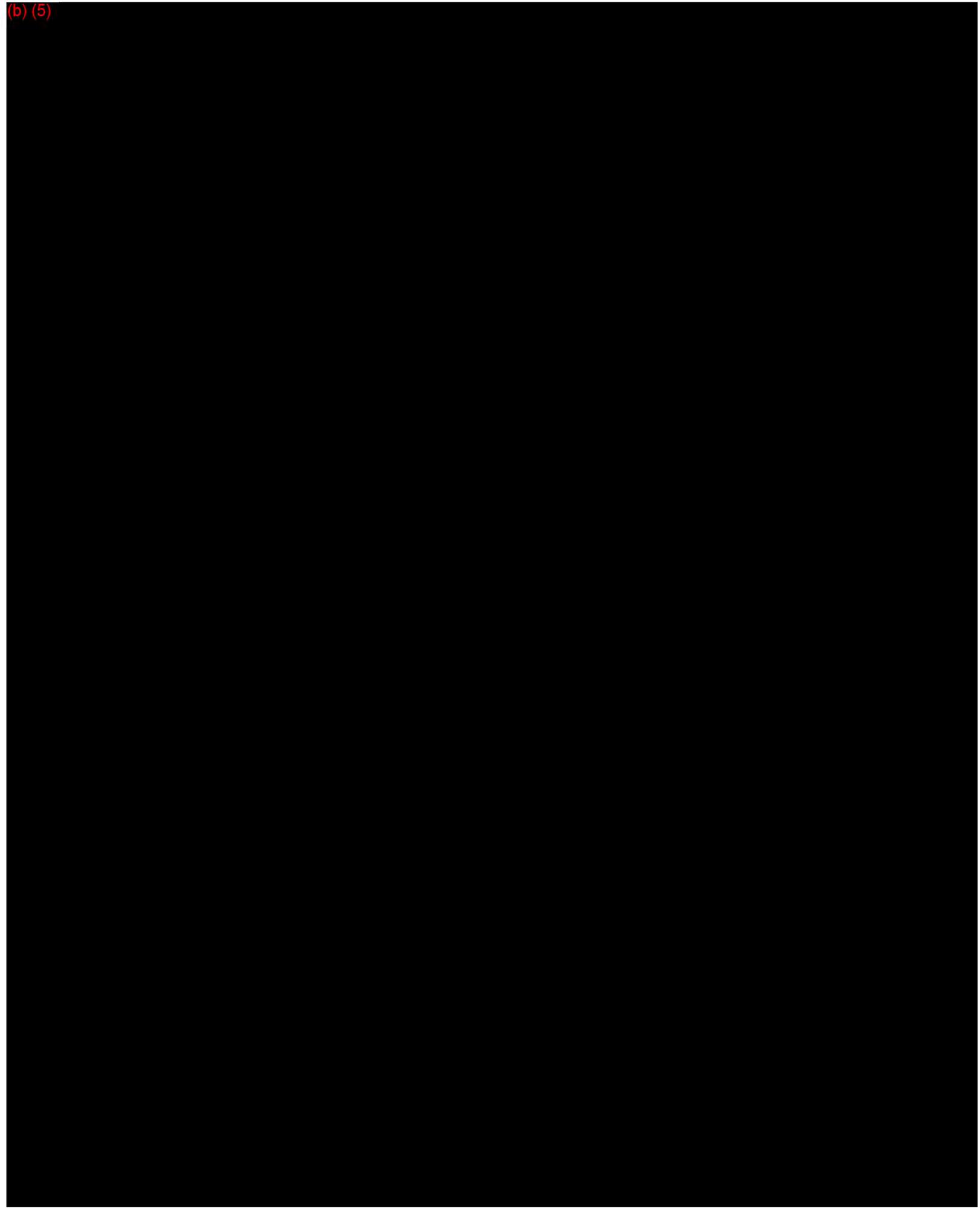


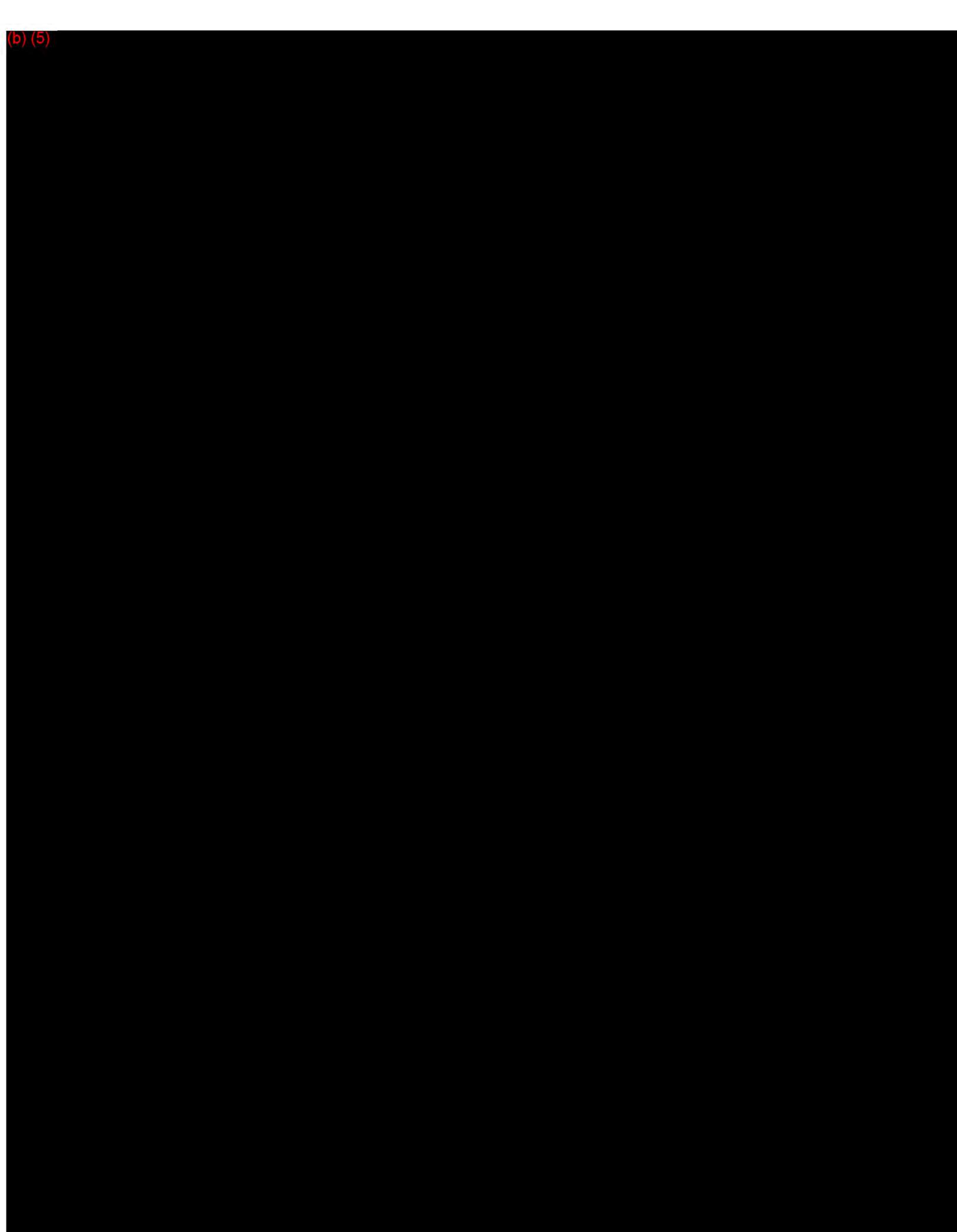


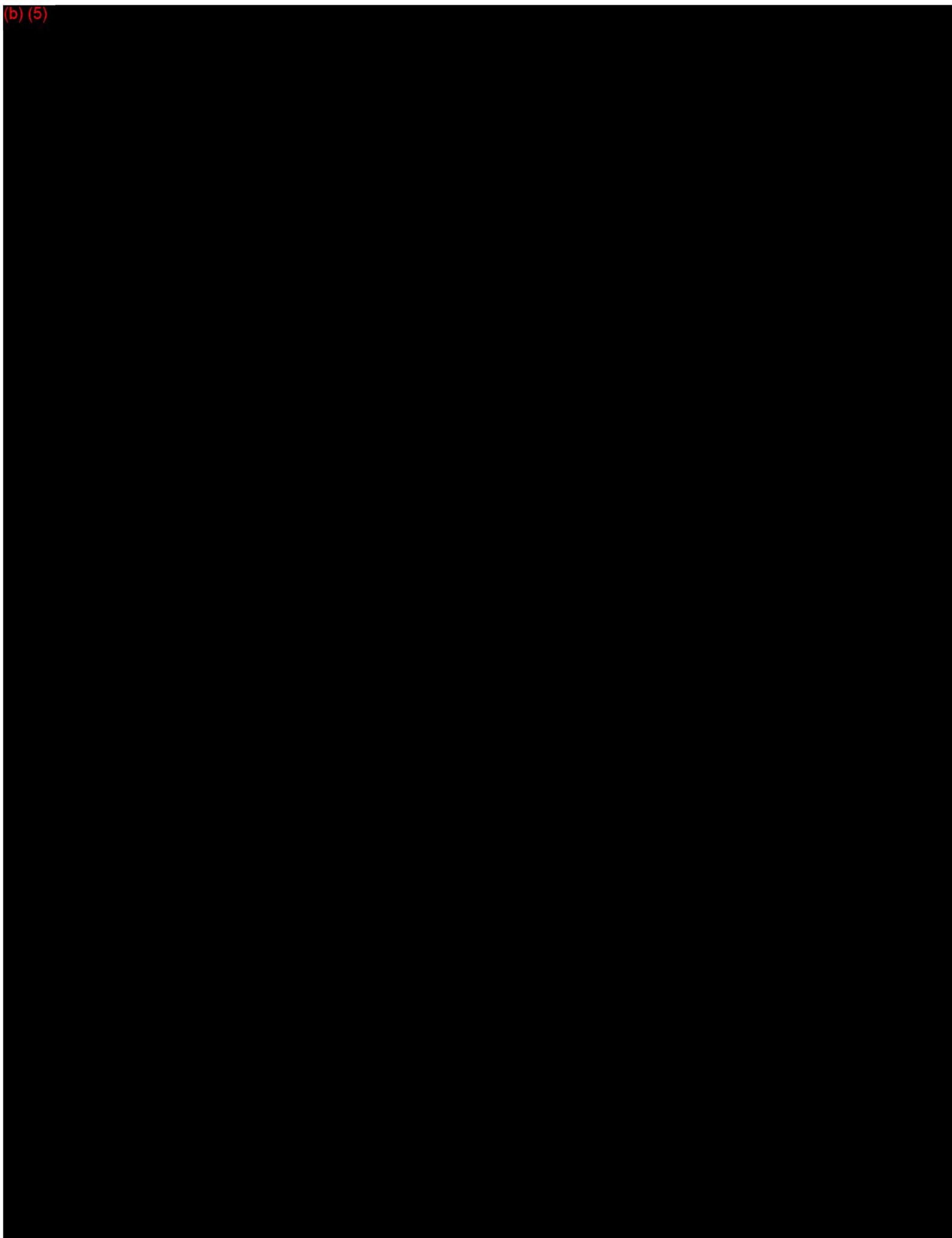


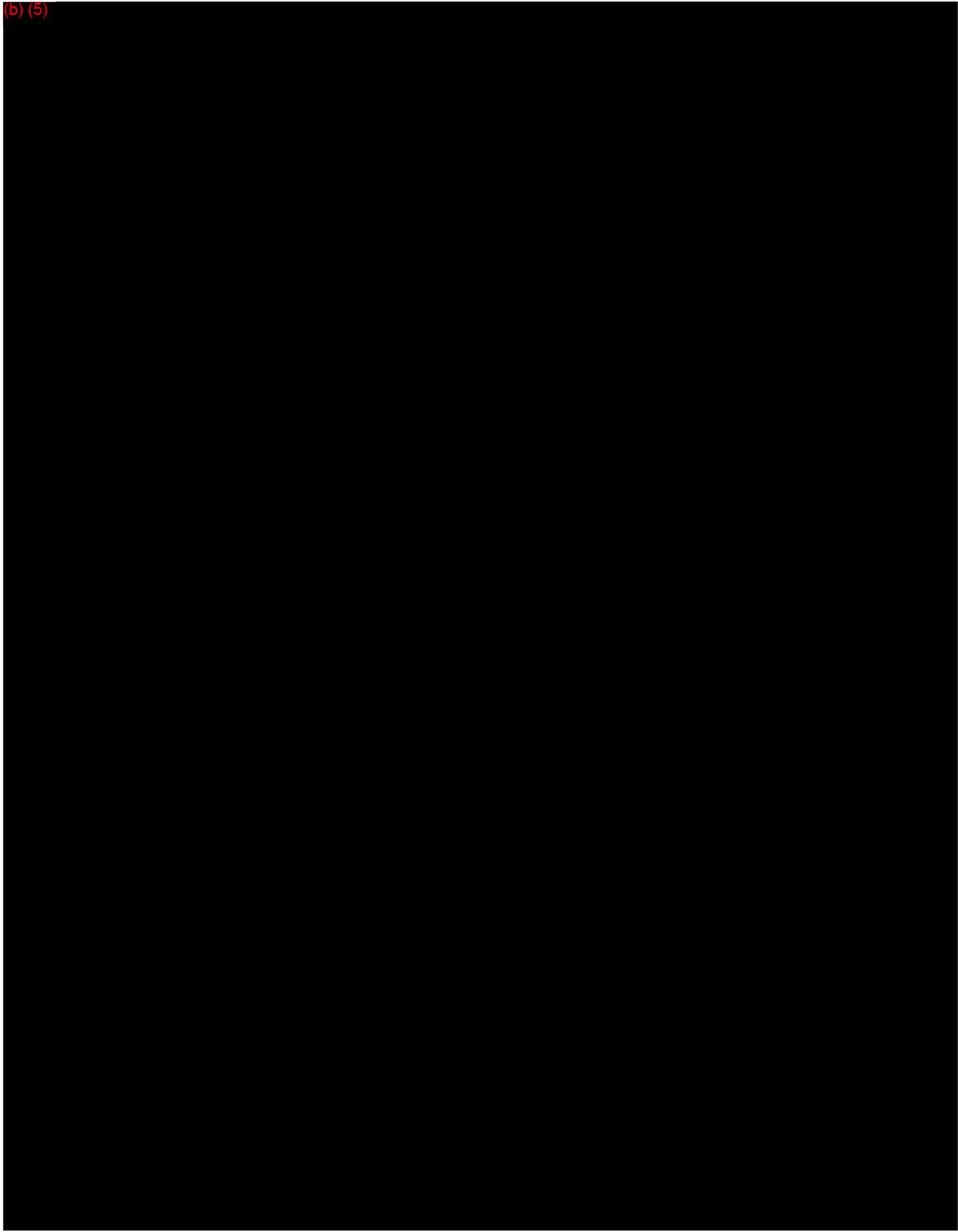


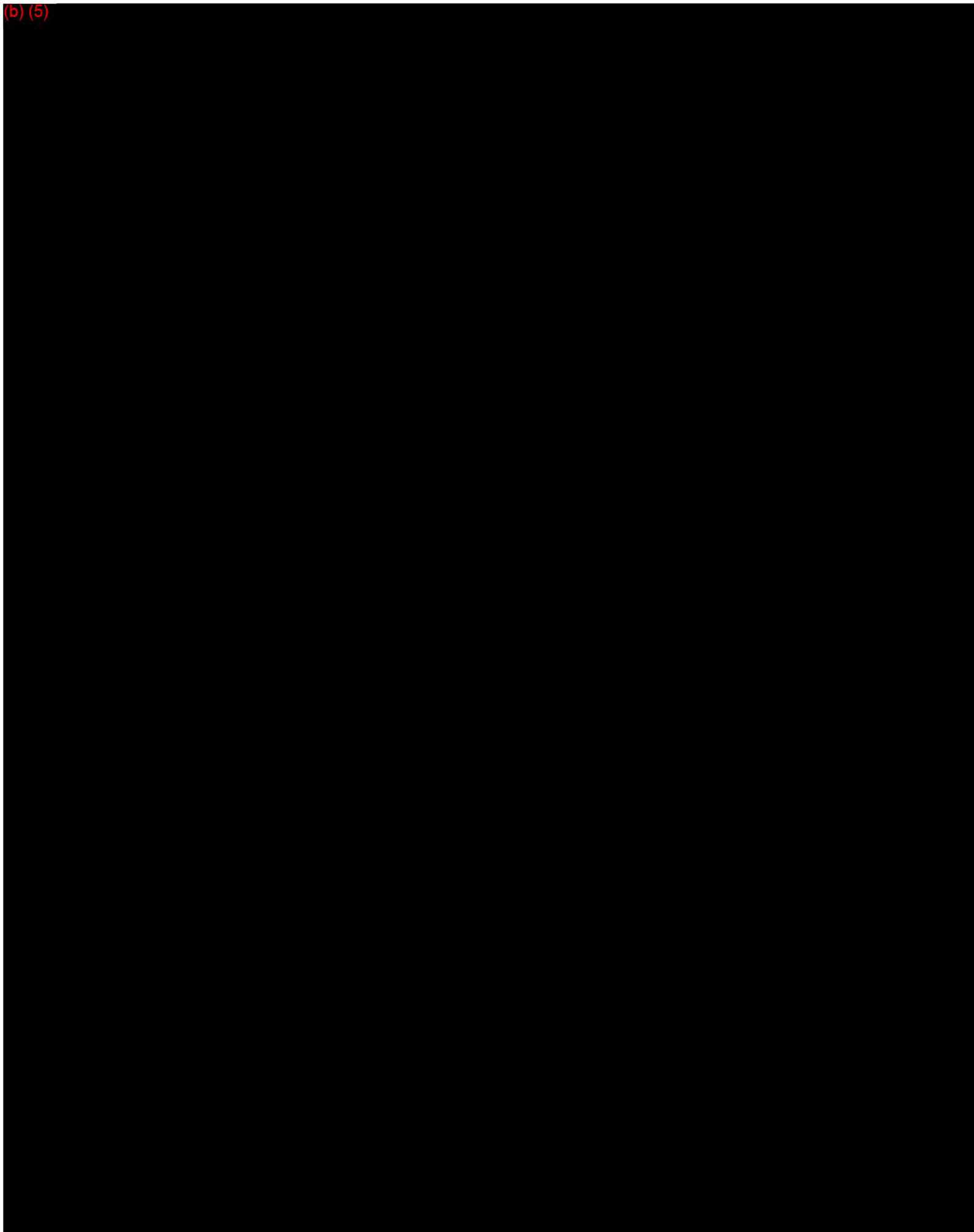


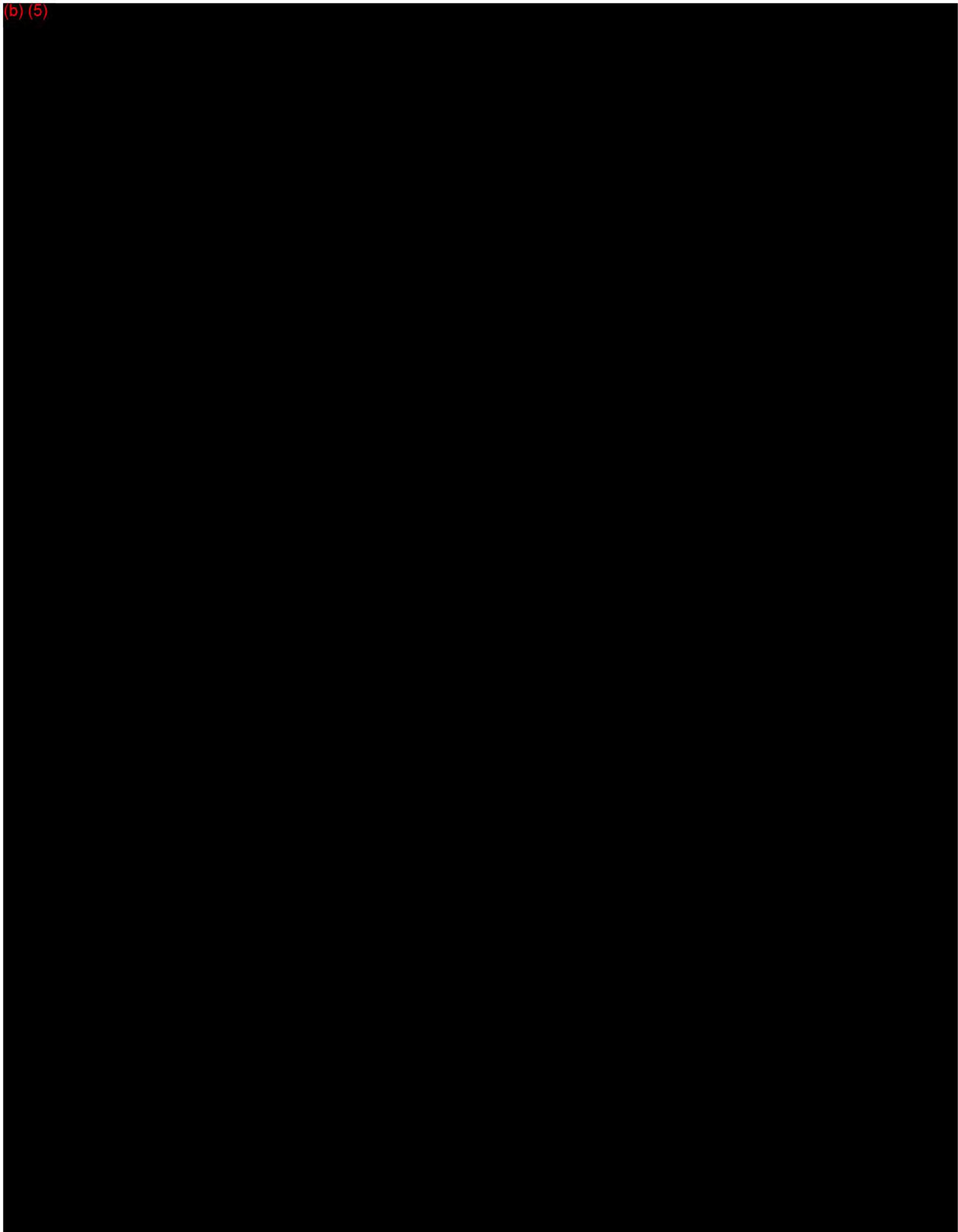


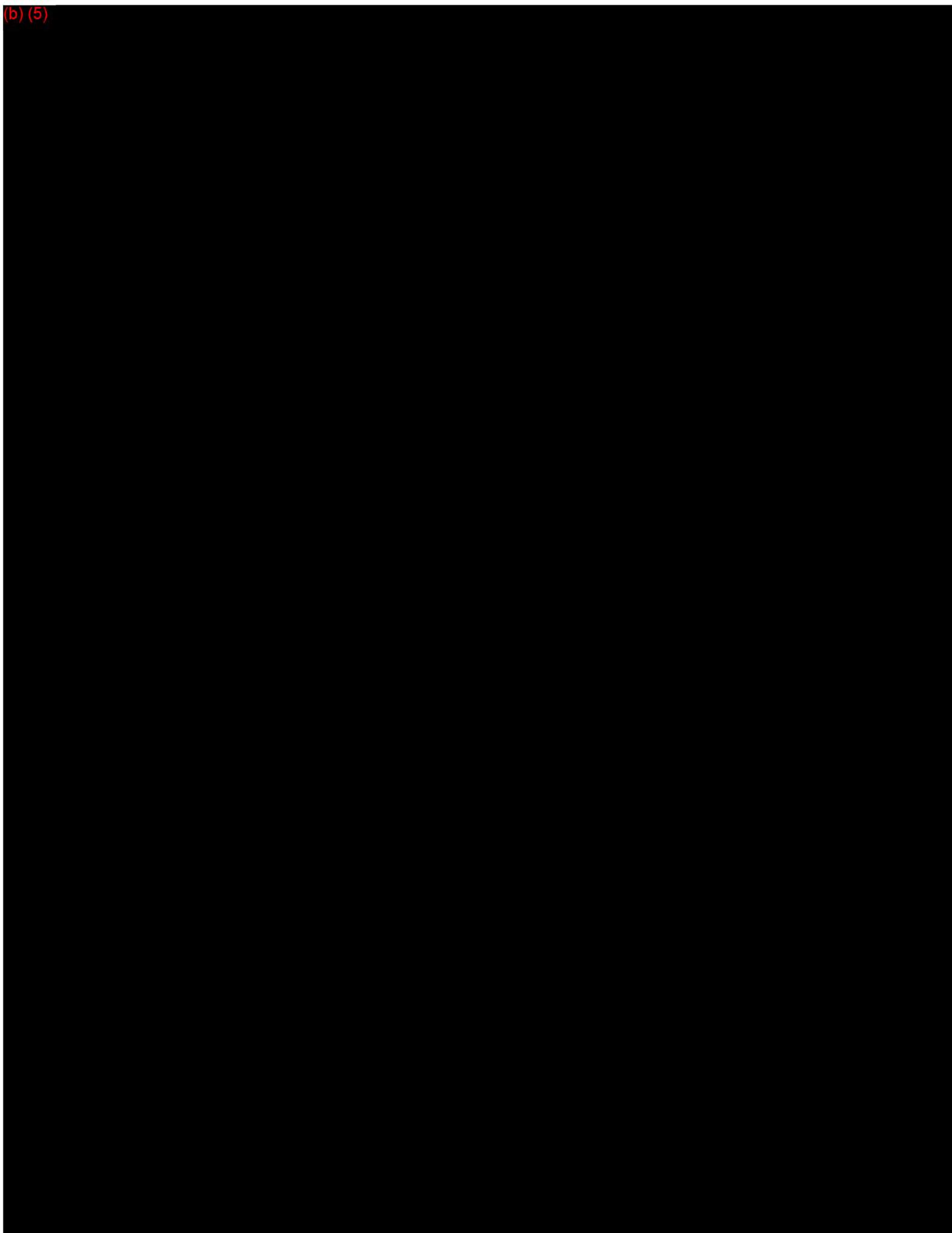


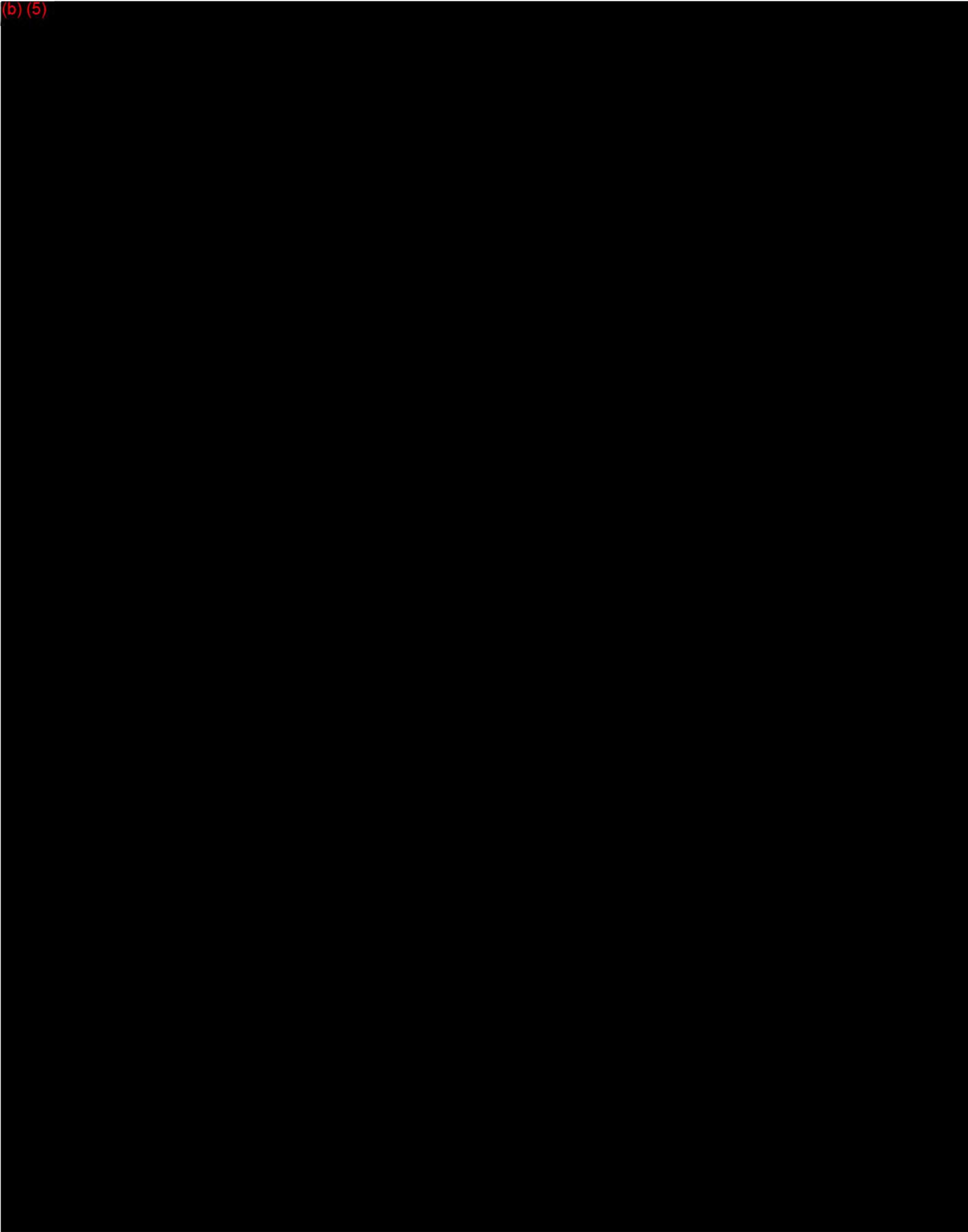












CEQ ANPRM Agency Text Changes - Draft

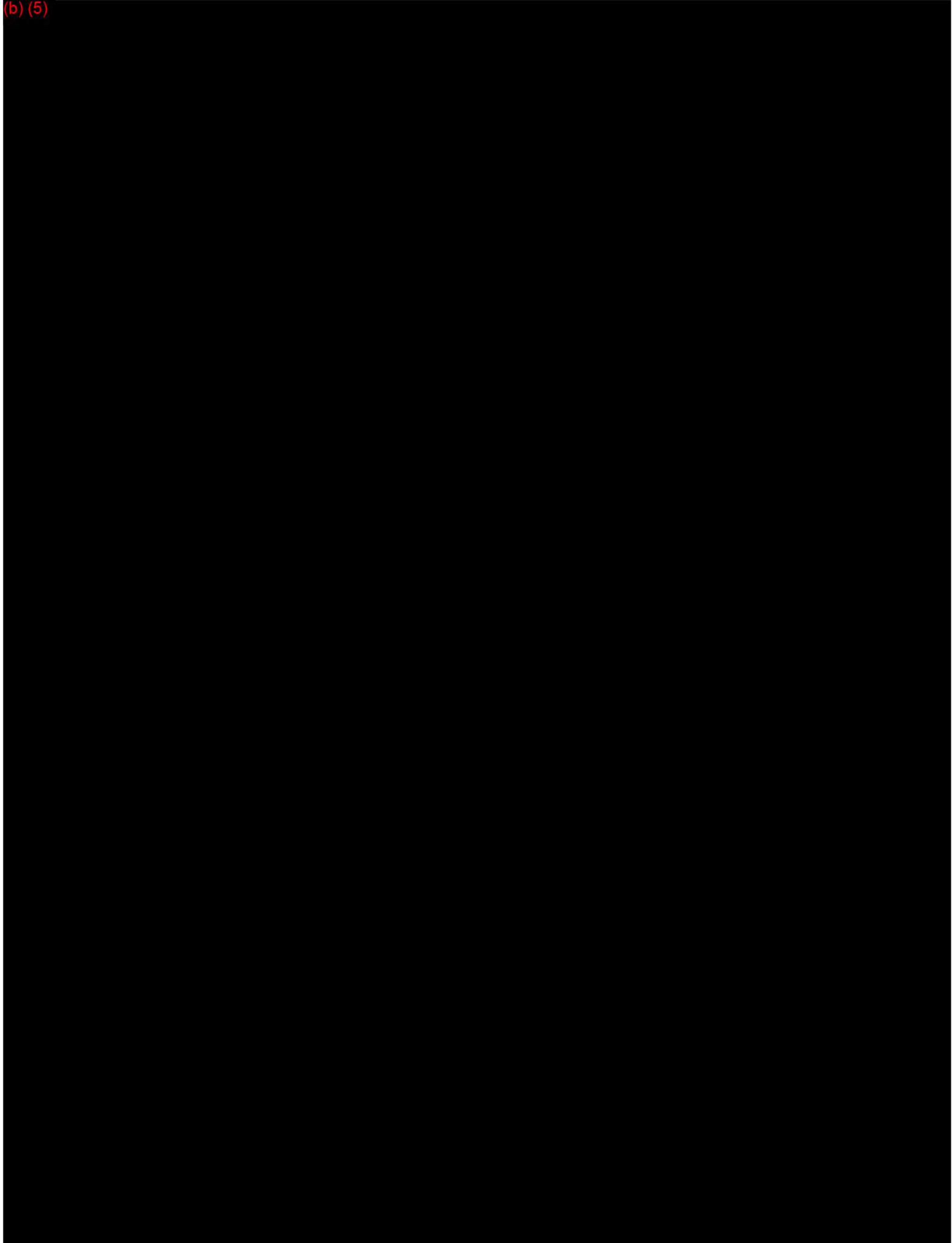
From: "Sharp, Thomas L. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Thu, 24 May 2018 13:37:16 -0400
Attachments: EO12866 Review CEQ NEPA ANPRM WITH AGENCY COMMENTS 5-24-18.docx (47.95 kB)

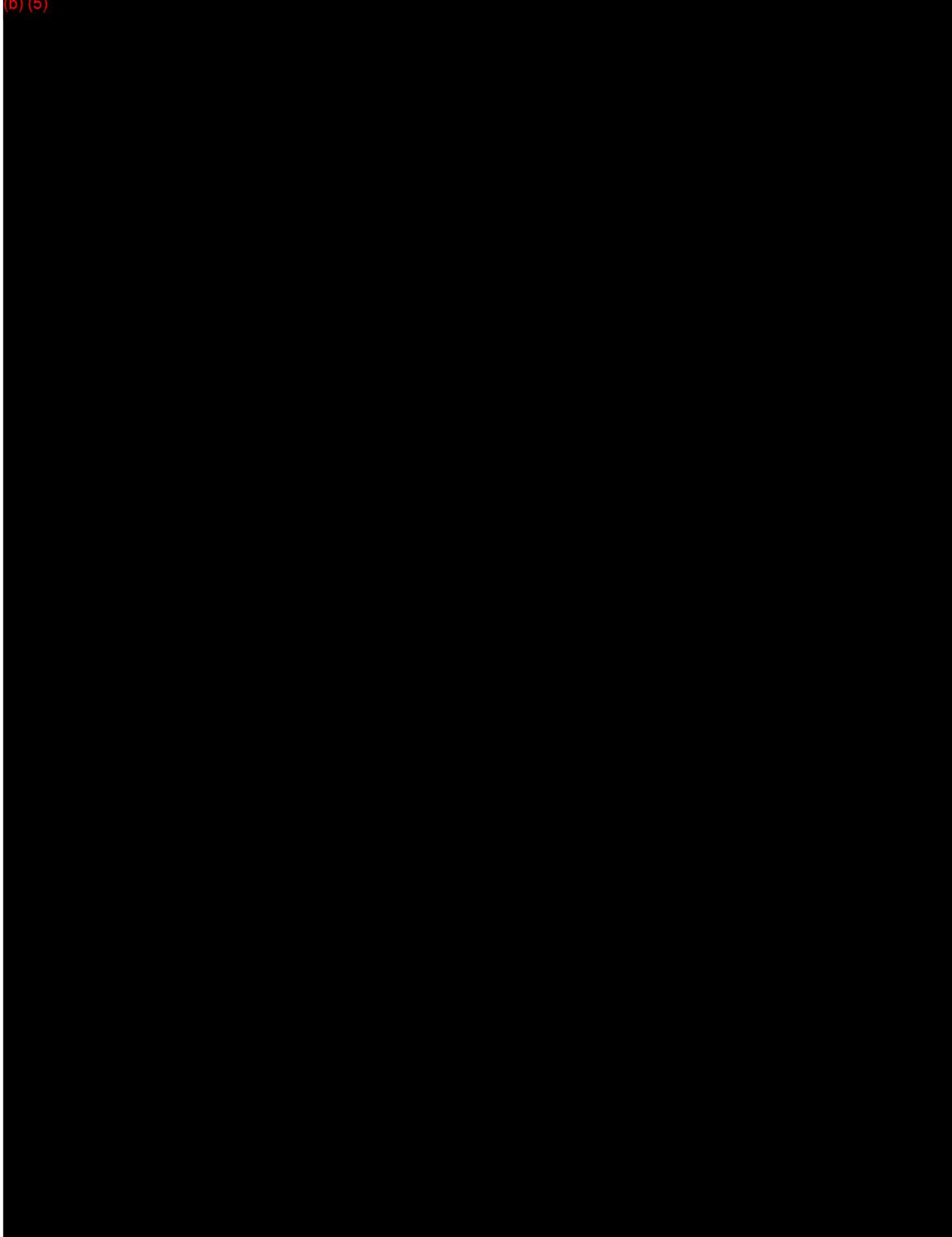
Aaron,

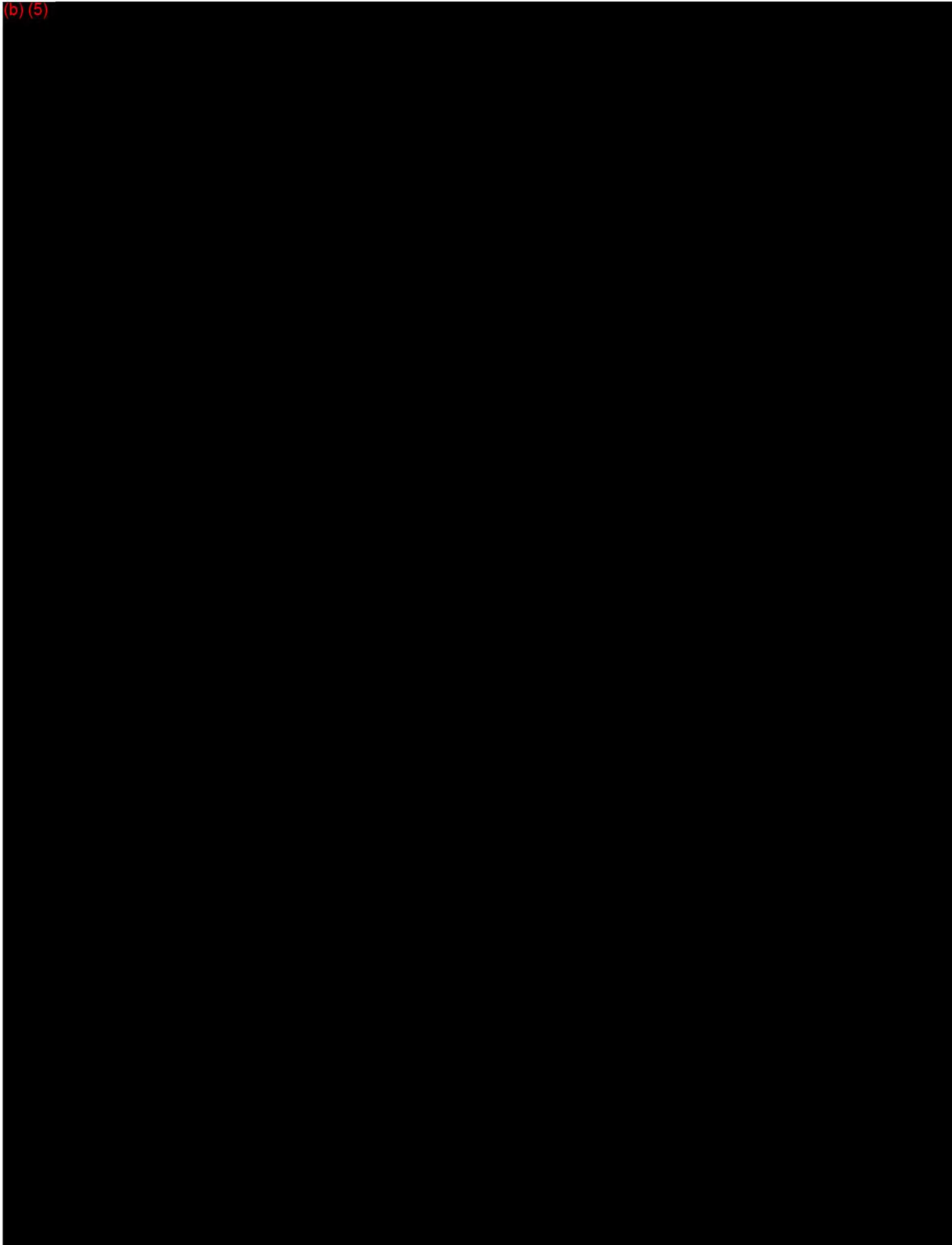
In advance of our 2:00 meeting, please see the attached document which includes the potential changes to the text of the ANPRM. I am still working on the comment responses document. Will update you shortly.

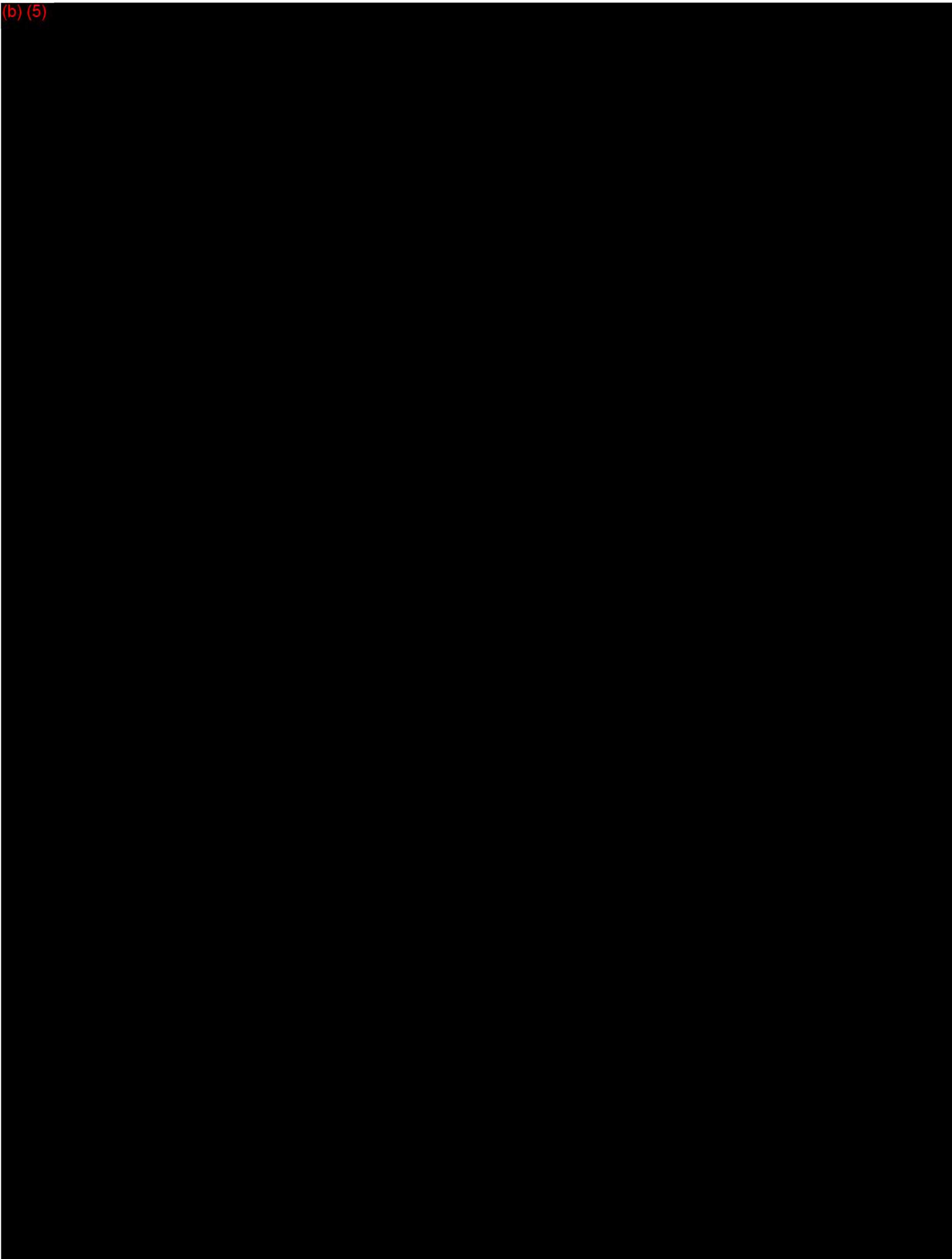
Thanks,

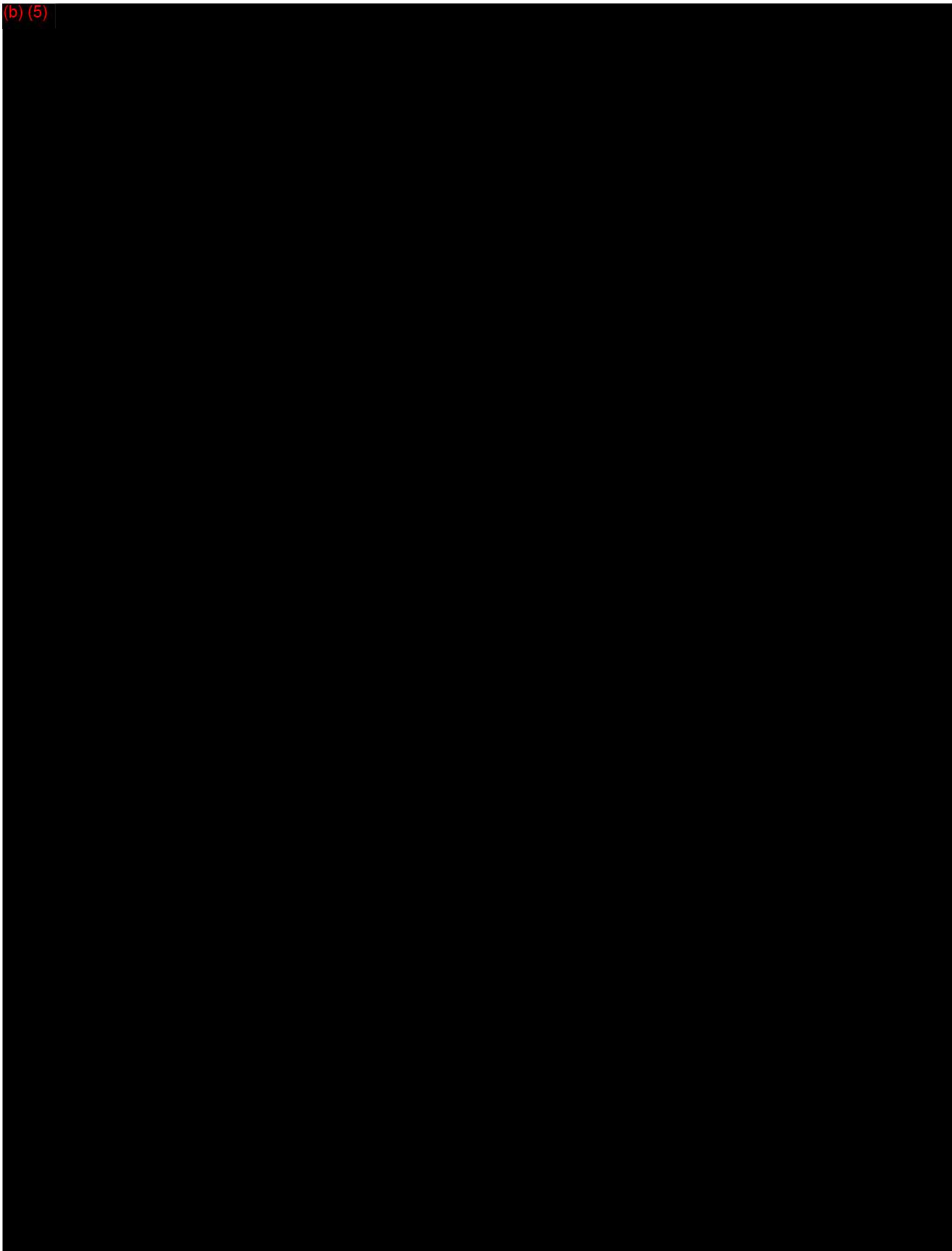
Thomas L. Sharp
Senior Advisor for Infrastructure
Council on Environmental Quality
Executive Office of the President
(b) (6)
(b) (6)
www.whitehouse.gov/ceq

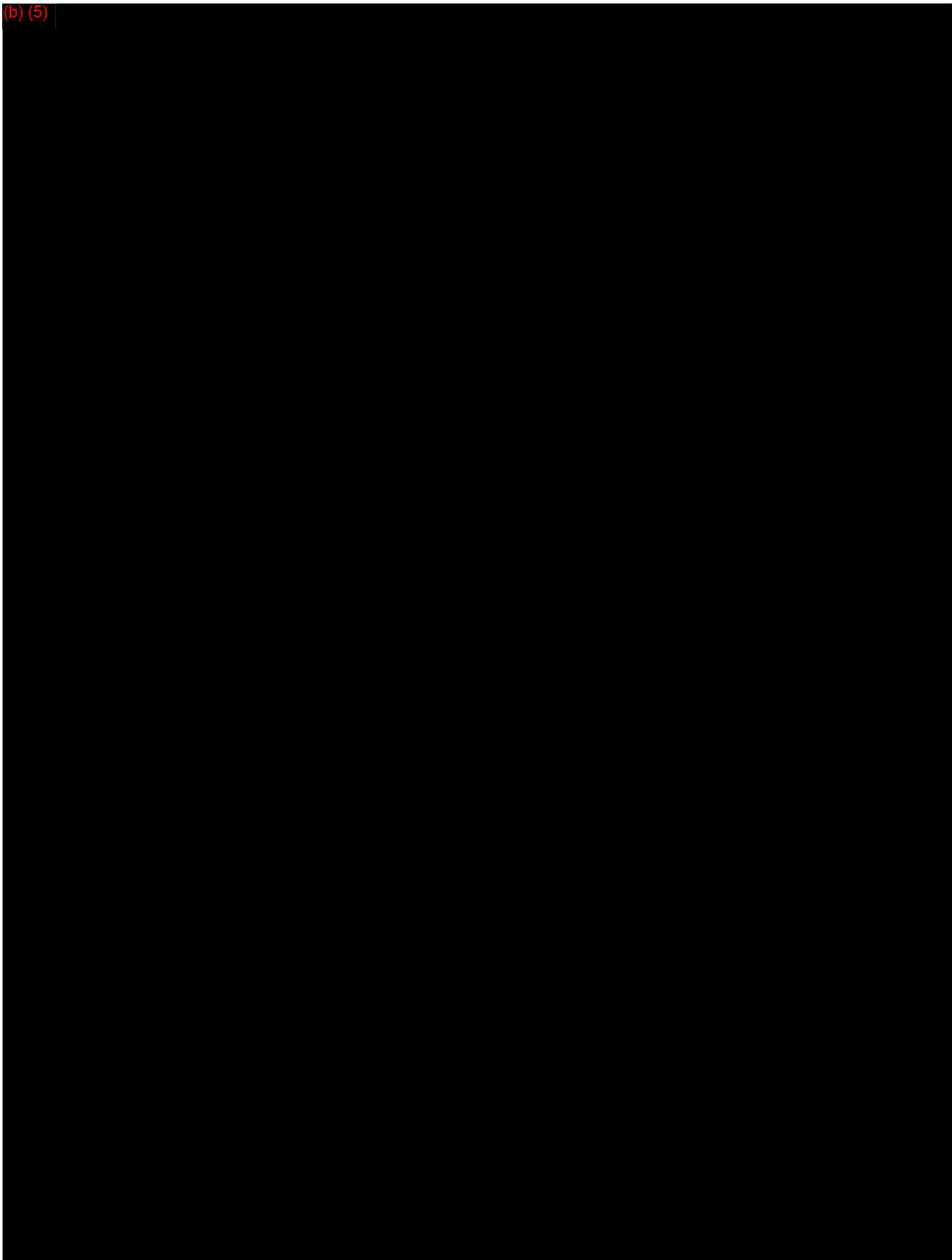


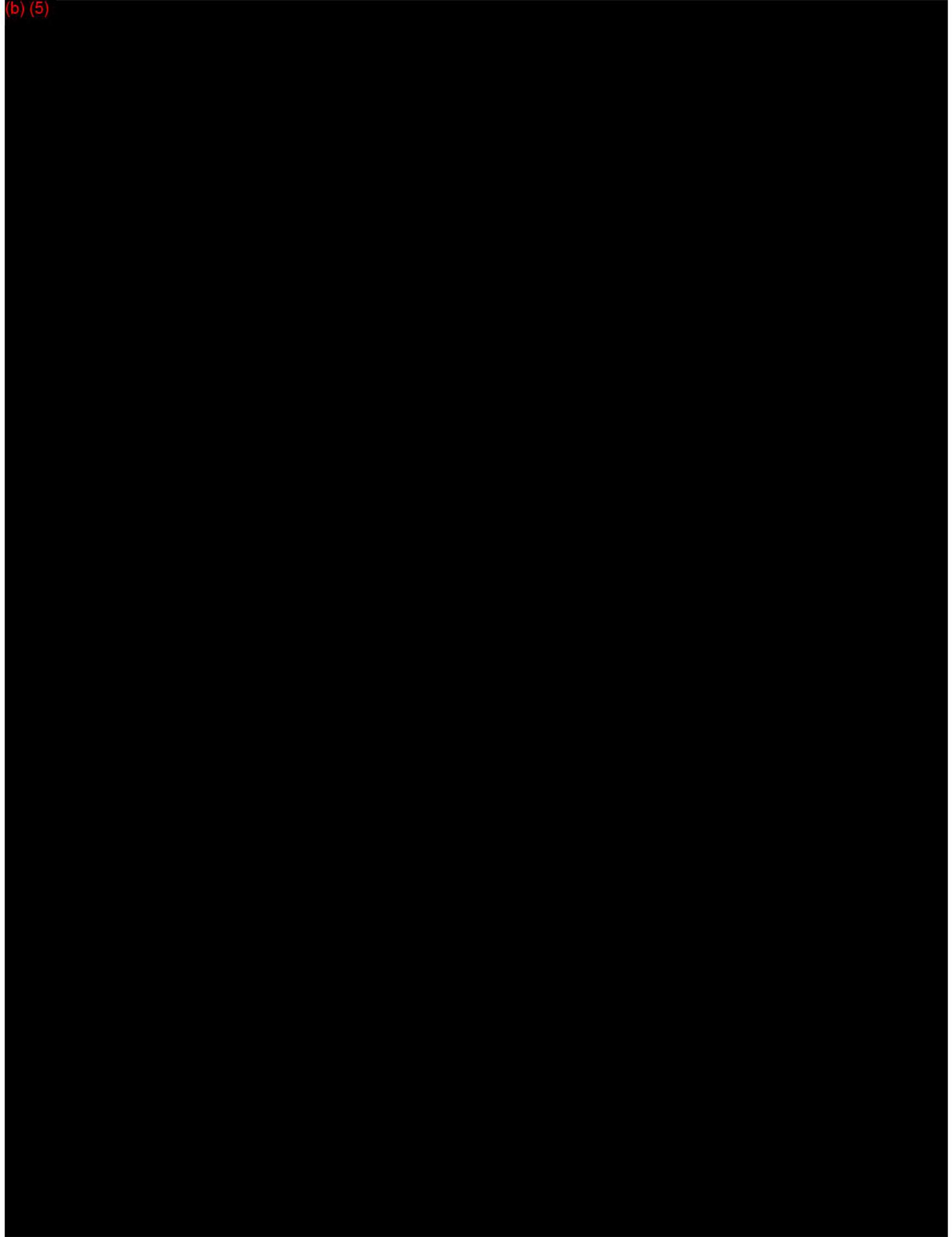


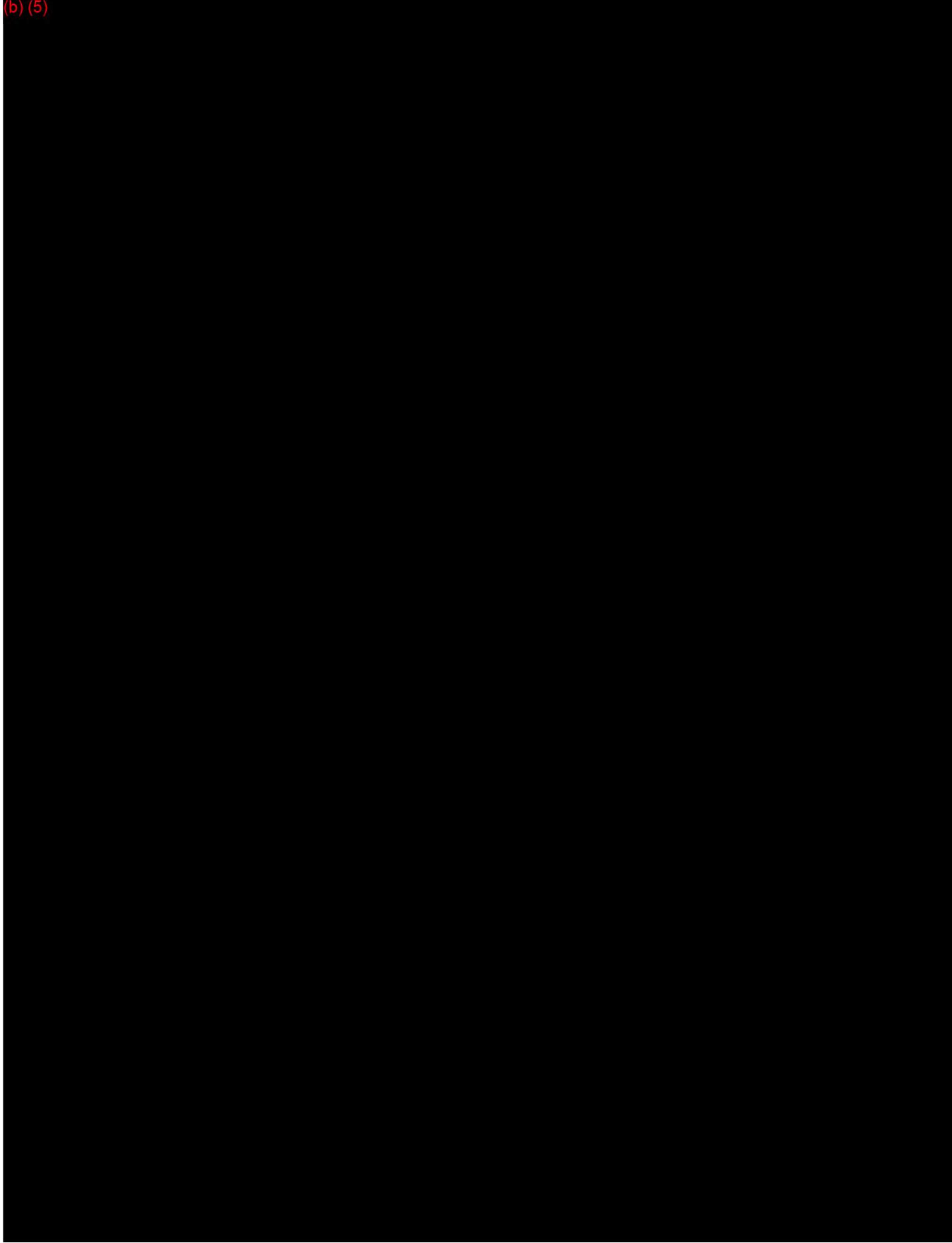


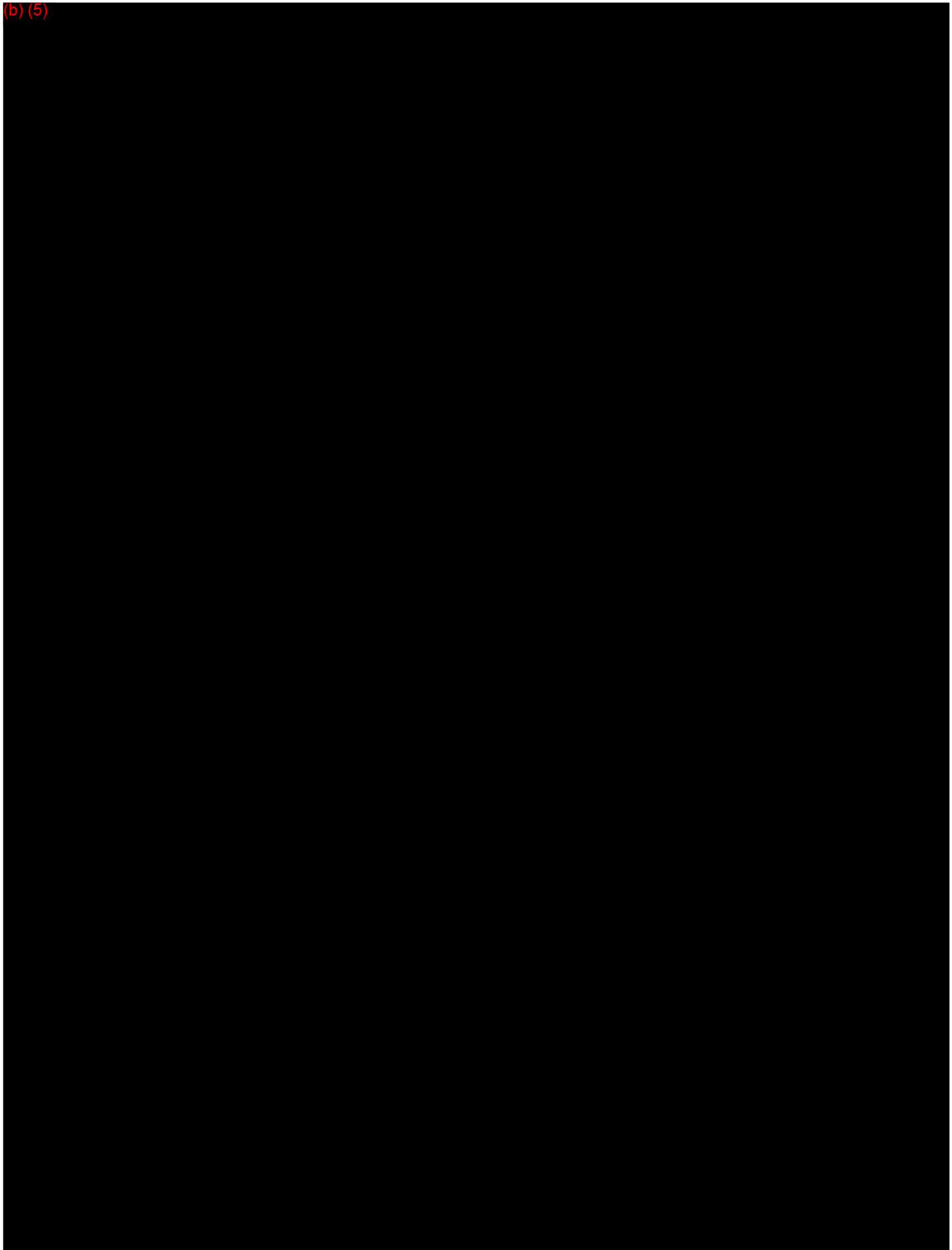












HOLD: Interagency Phone Call on CEQ NEPA ANPRM

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">

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

Required Attendees :
:

Participant Dial-In: (b) (6) Participant Code: (b) (6)

CEQ ANPRM Agency Comments and Responses Draft

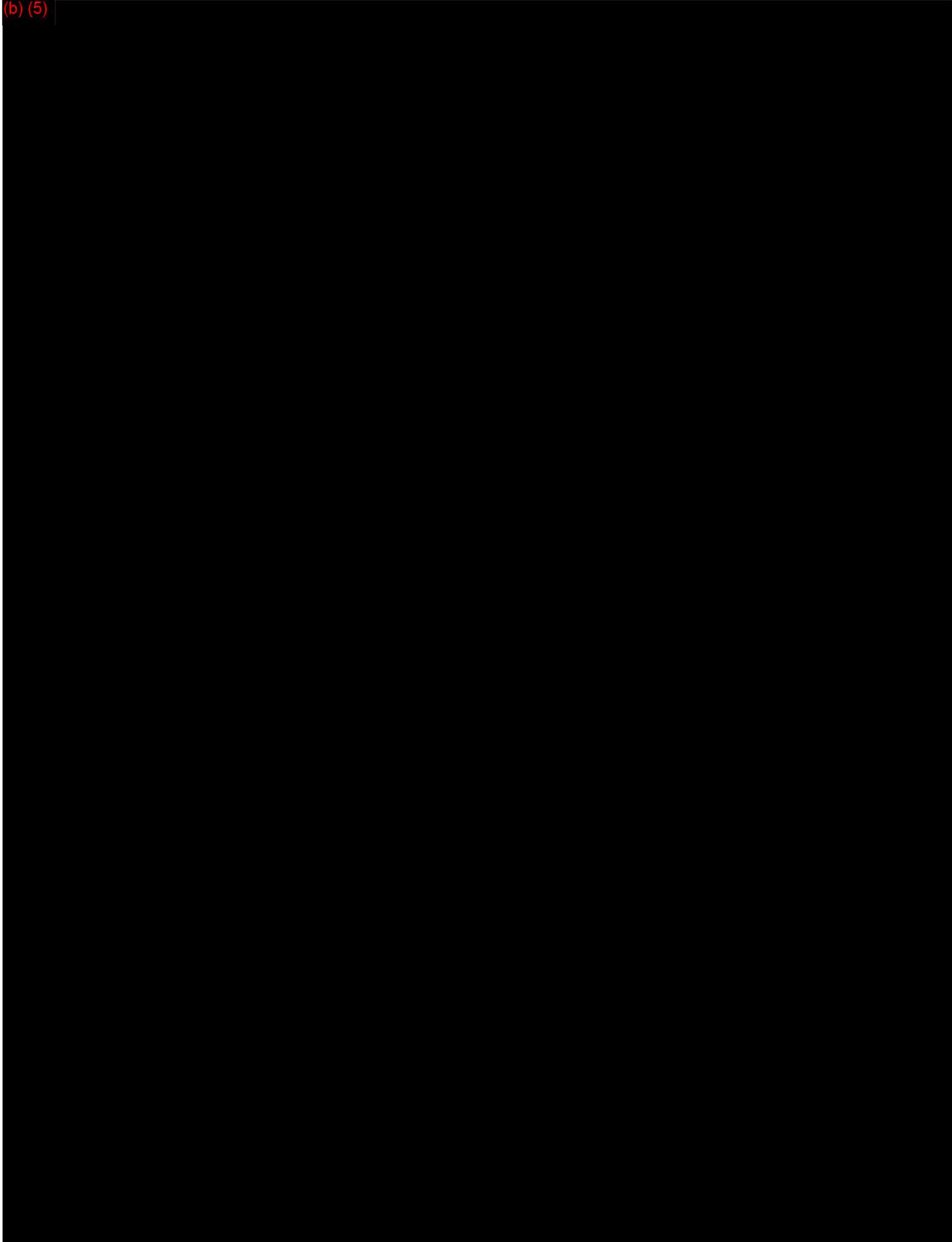
From: "Sharp, Thomas L. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Fri, 25 May 2018 12:17:30 -0400
Attachments: Draft Responses to Agency Comments Draft 2 5-25-18.docx (23.77 kB)

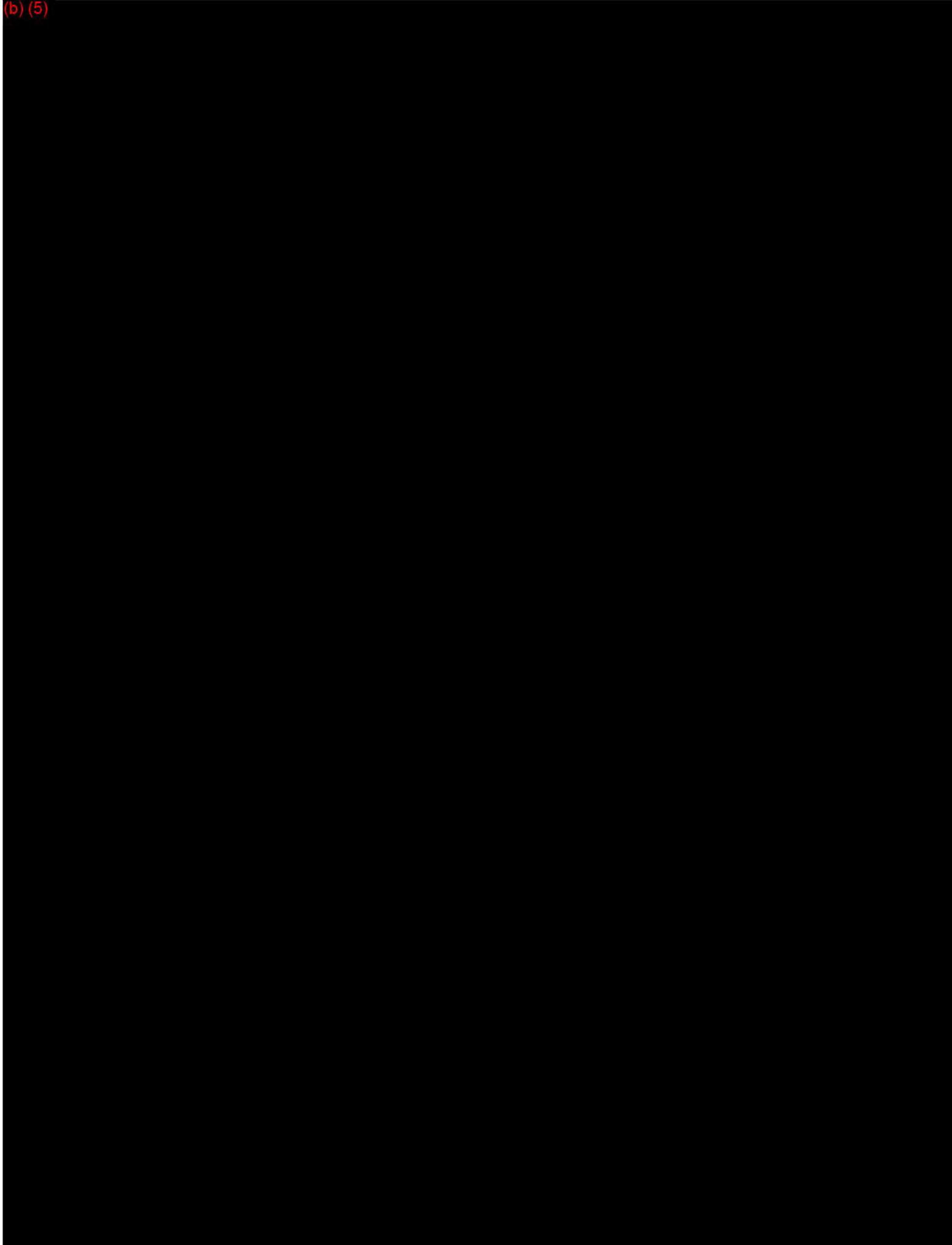
Aaron,

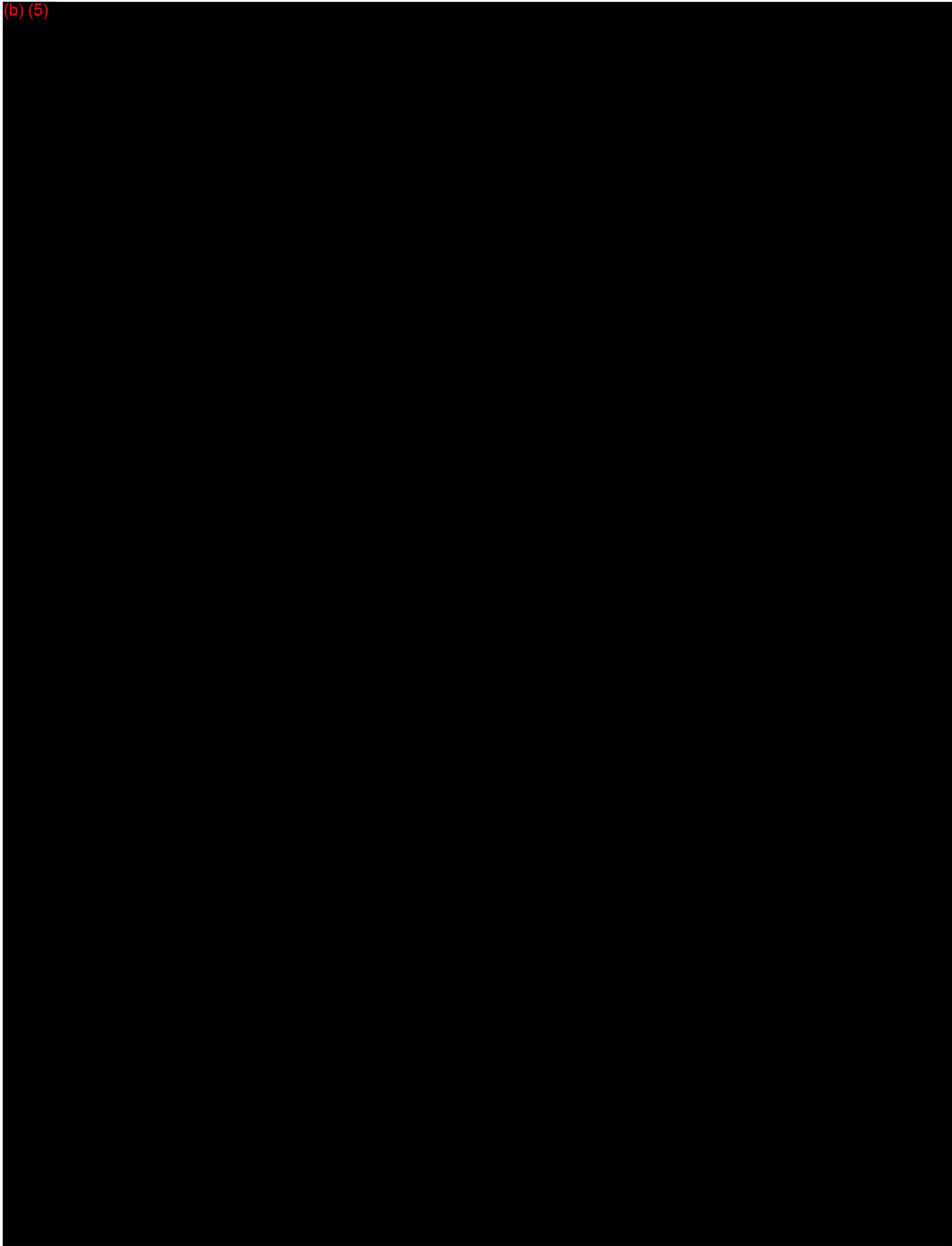
As requested, please see the attached comments and responses document. I reformatted it, please give further direction as you see fit. This draft does not include (b) (5) which I will incorporate next week.

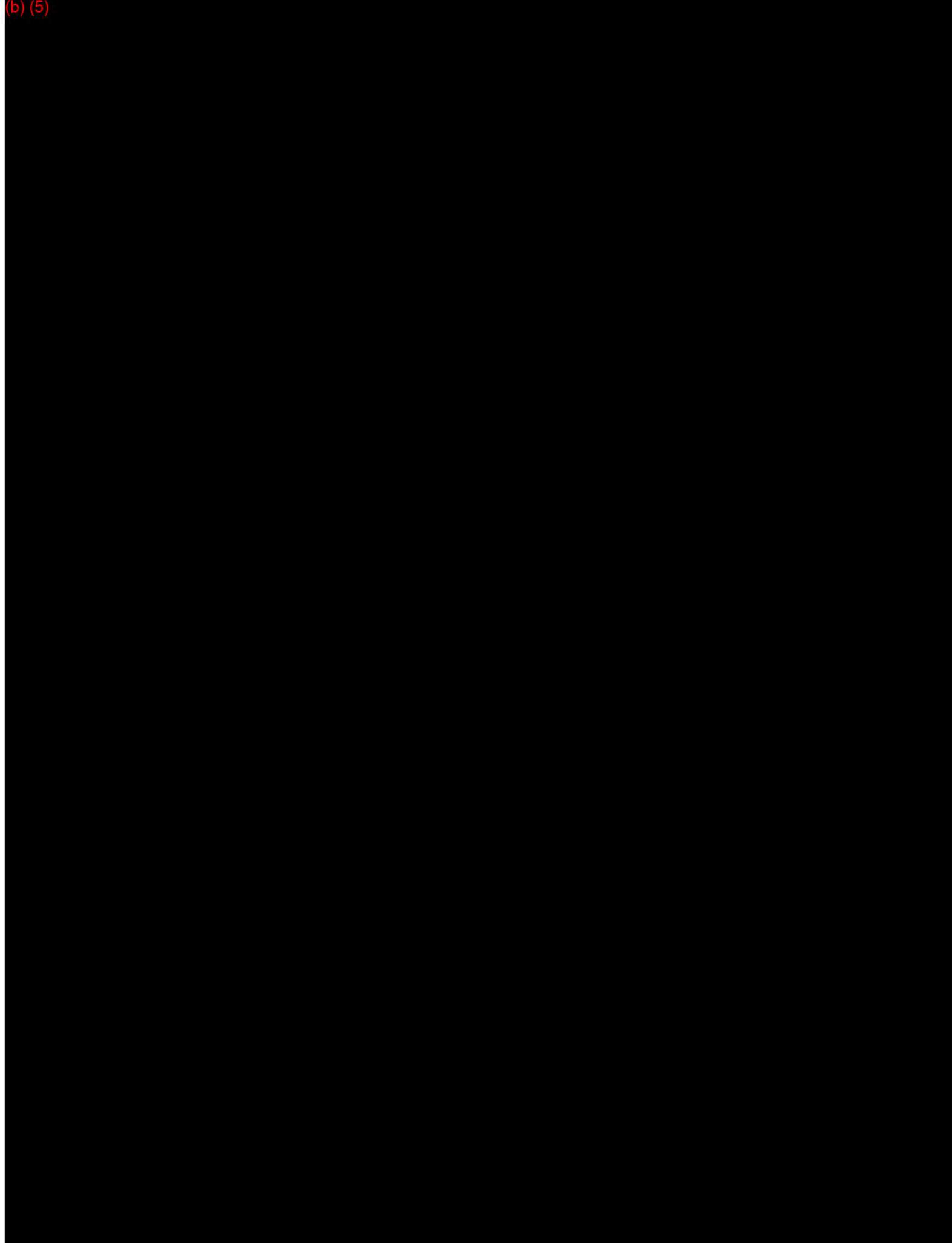
Thanks for the work!

Thomas L. Sharp
Senior Advisor for Infrastructure
Council on Environmental Quality
Executive Office of the President
(b) (6)
(b) (6)
www.whitehouse.gov/ceq









RE: Latest ANPRM

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
To: "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Thu, 07 Jun 2018 14:16:21 -0400
Attachments: EO12866 Review CEQ NEPA ANPRM_Revised_Clean.docx (47.61 kB)

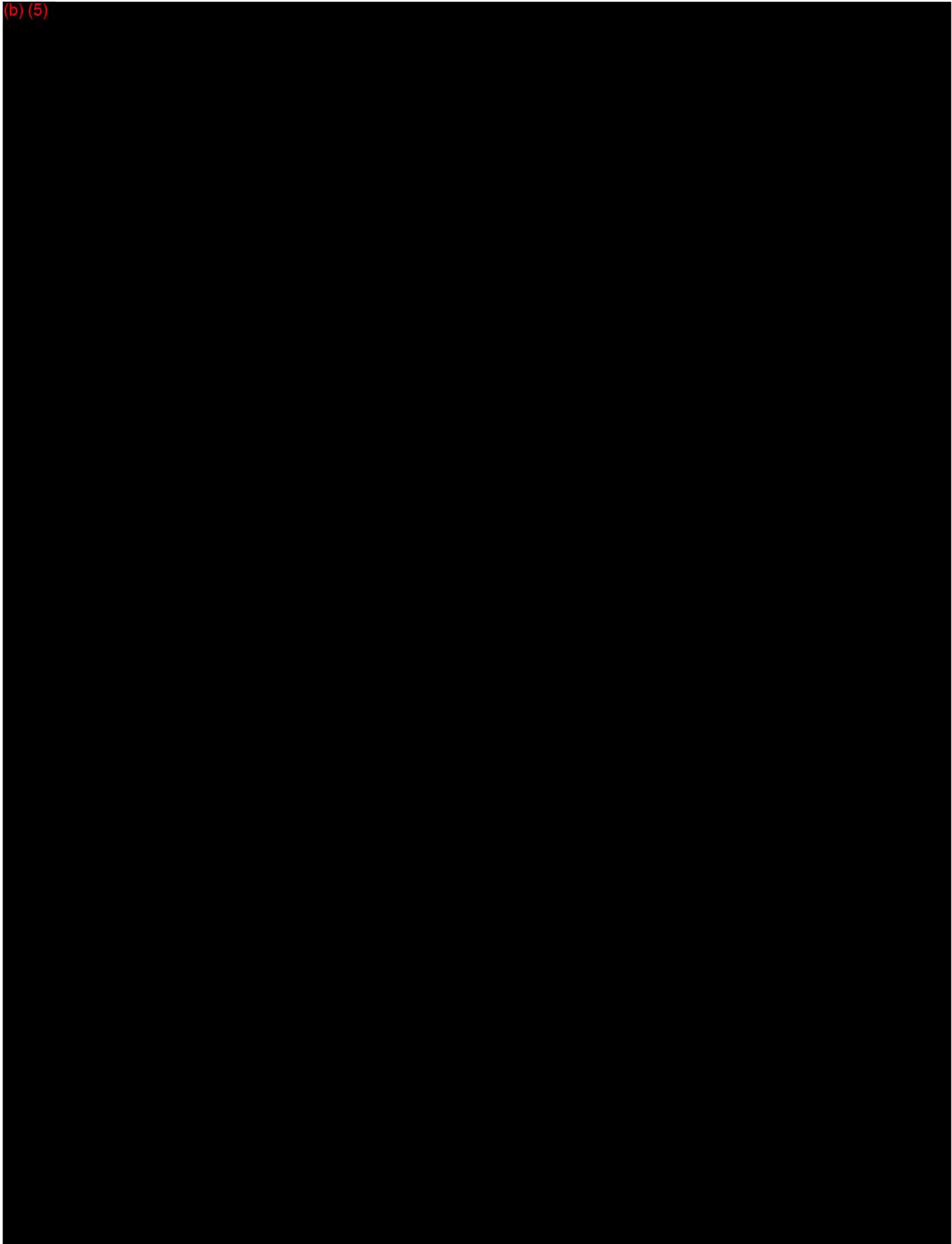
From: Drummond, Michael R. EOP/CEQ
Sent: Thursday, June 7, 2018 1:46 PM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)>
Cc: Boling, Ted A. EOP/CEQ <(b) (6)>
Subject: Latest ANPRM

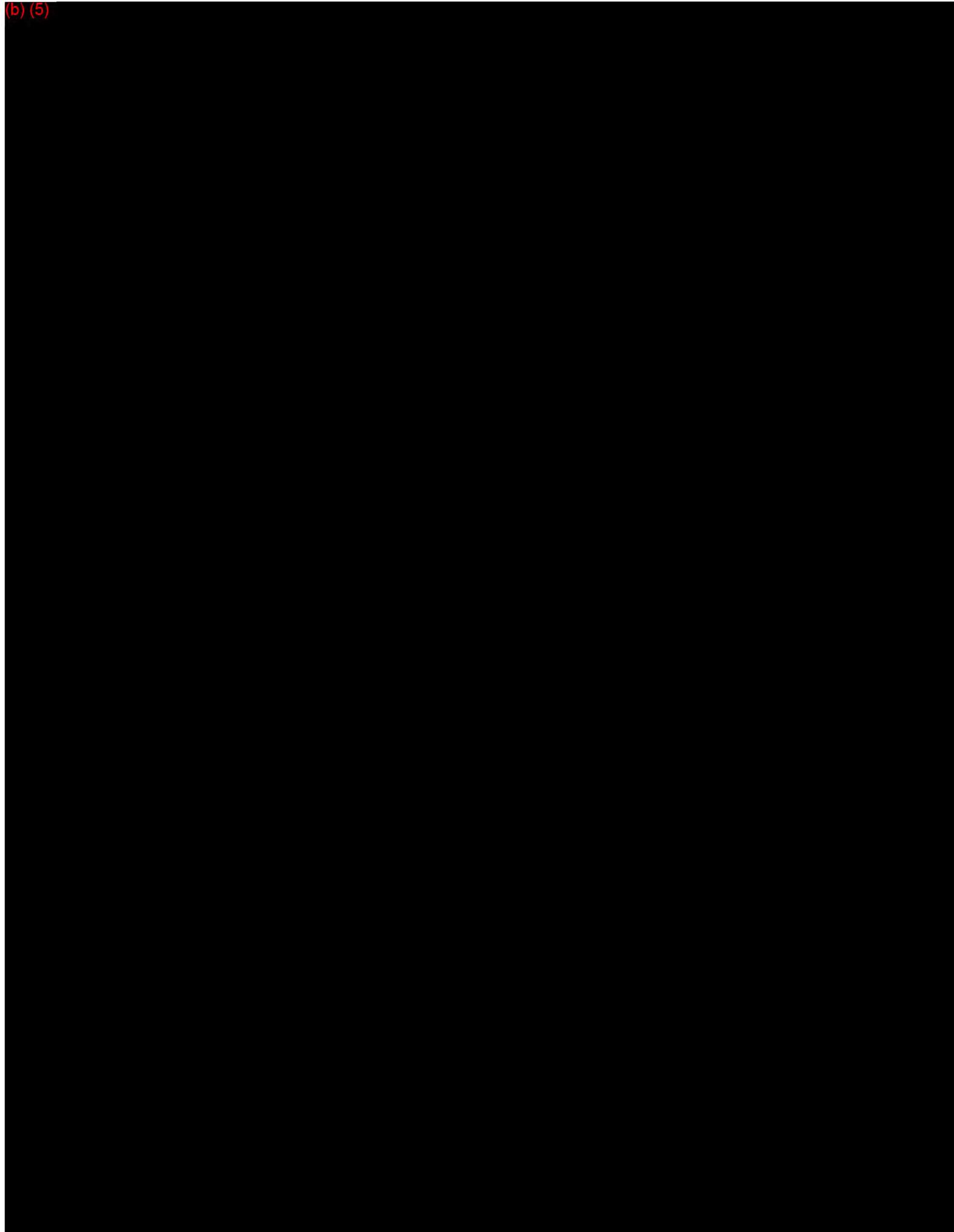
Aaron,

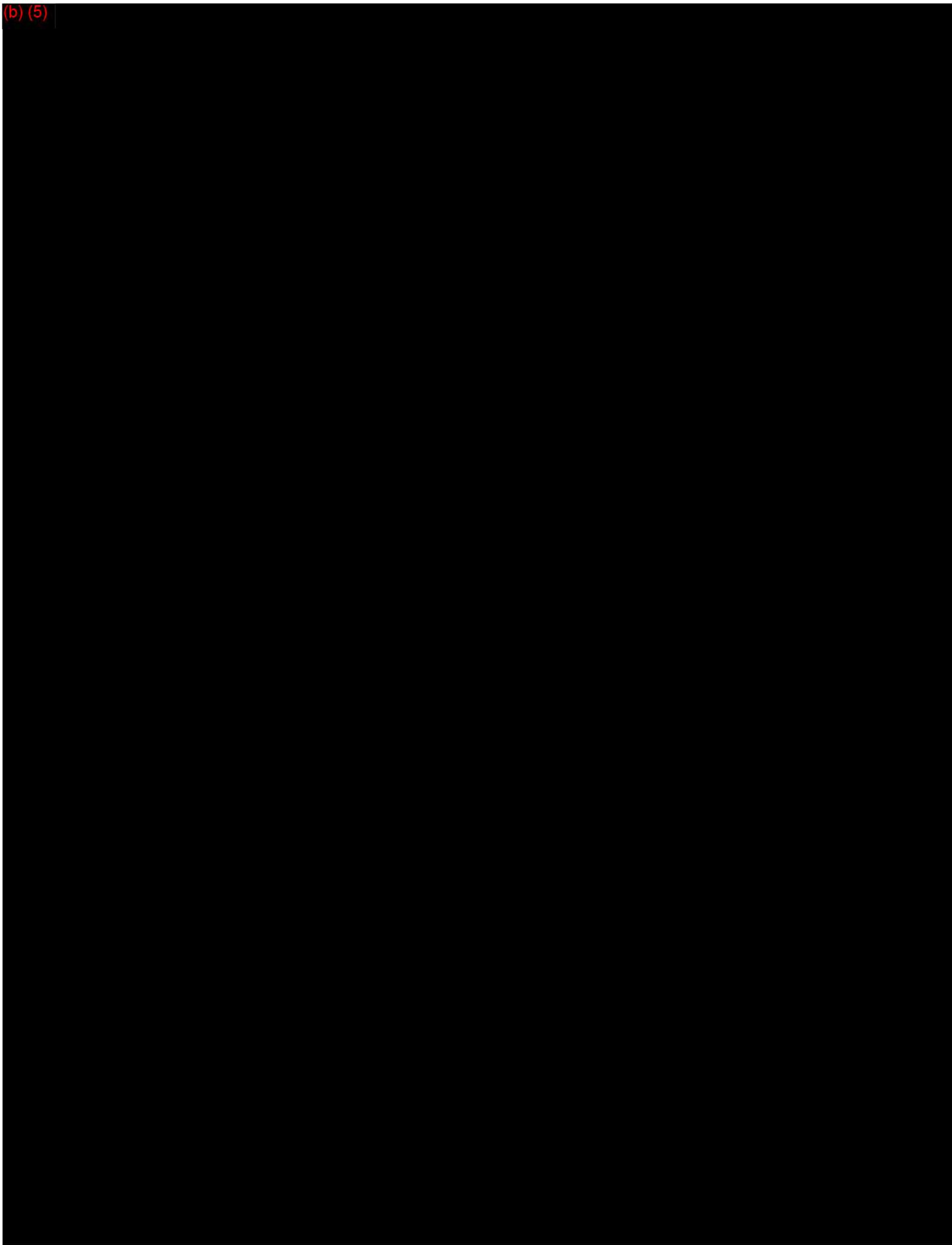
I can't find the latest version, please send and I'll add (b) (5).

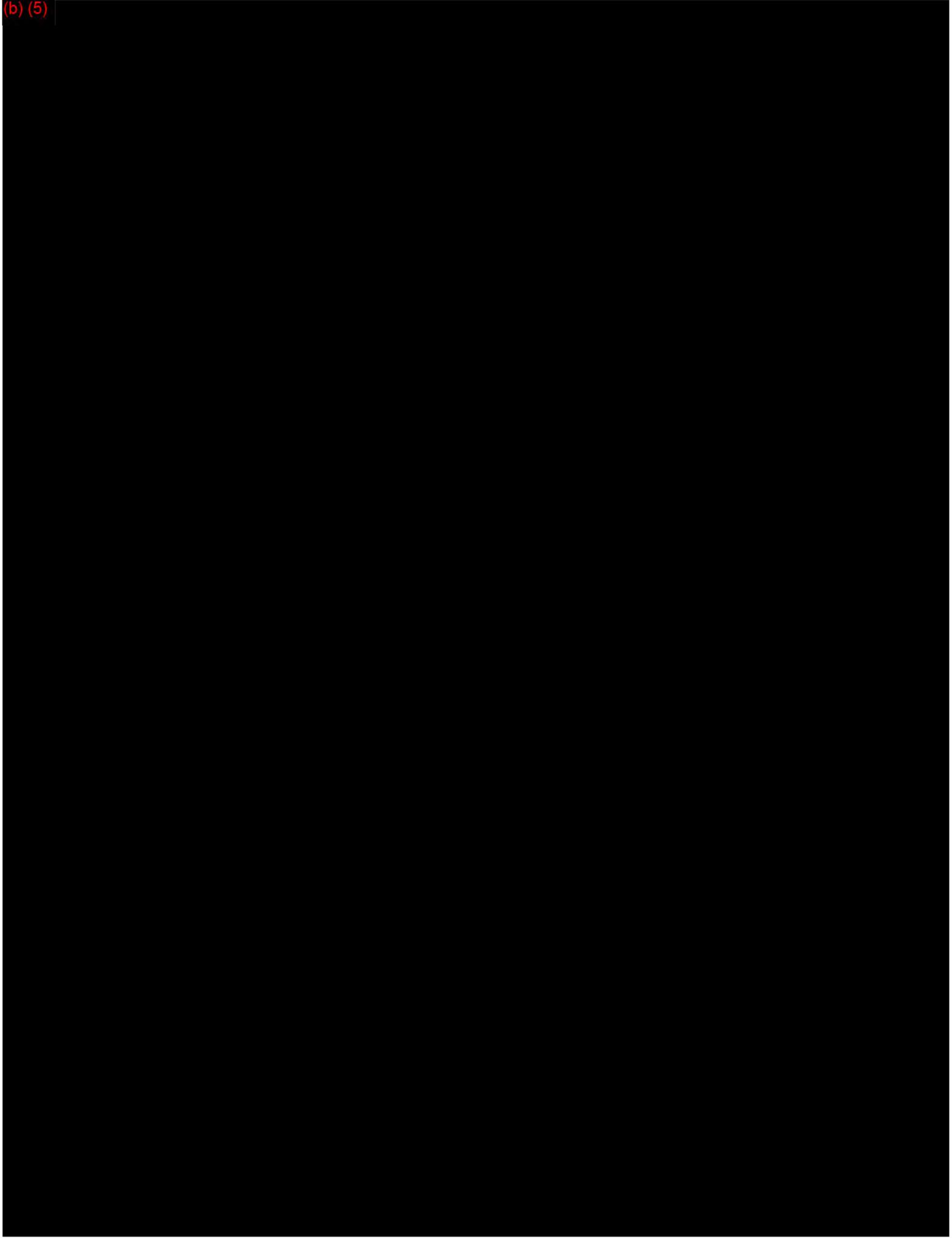
Best.

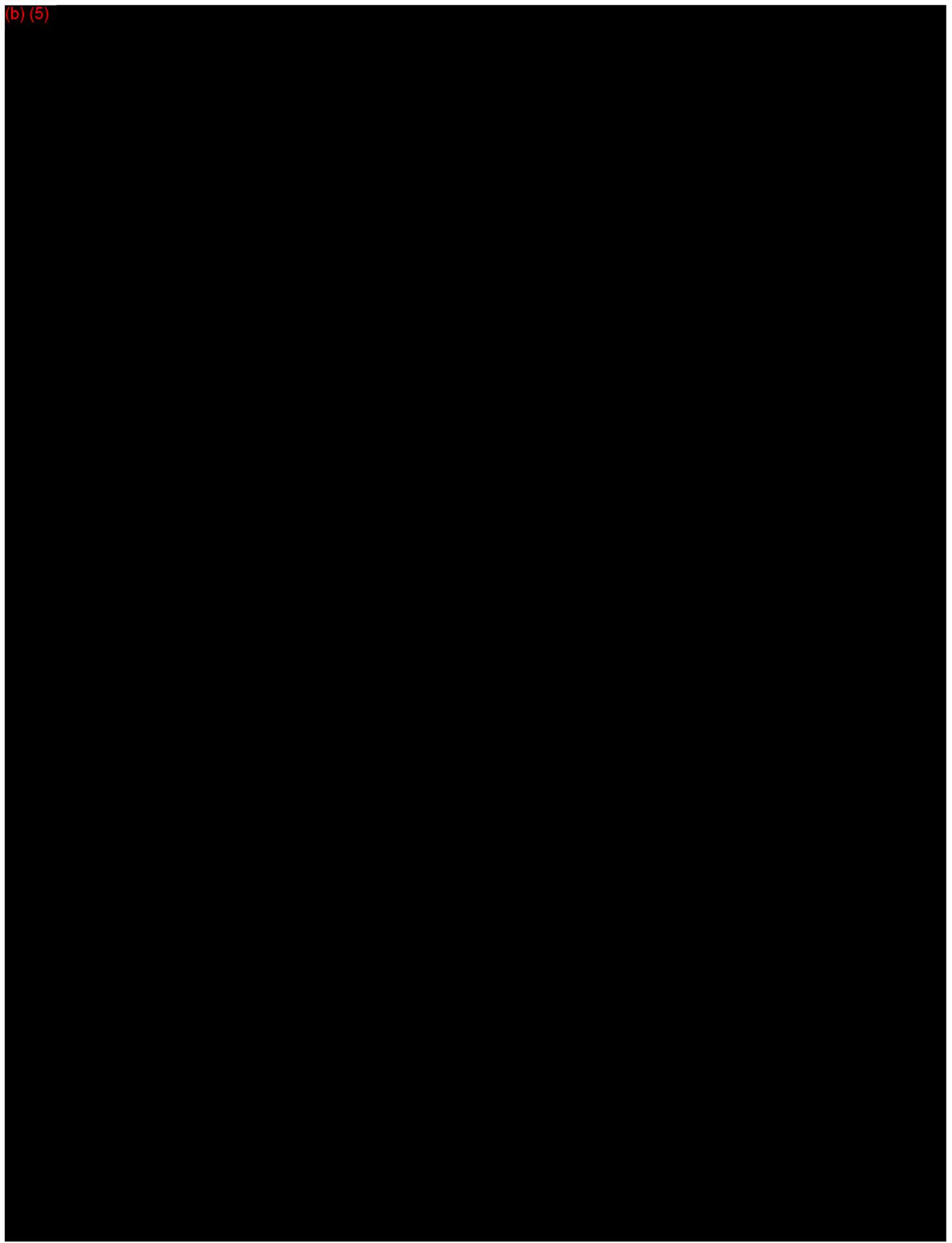
Michael

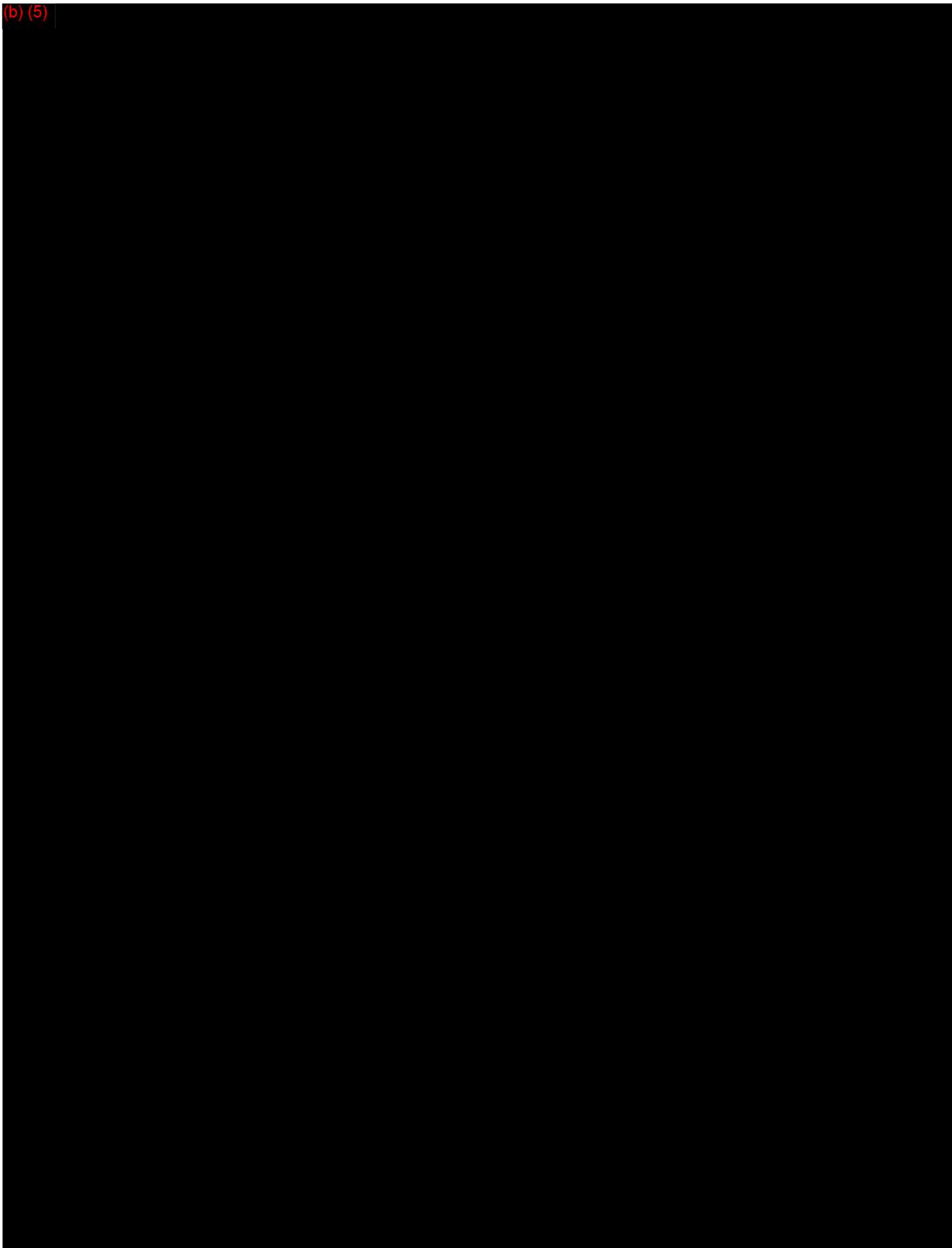


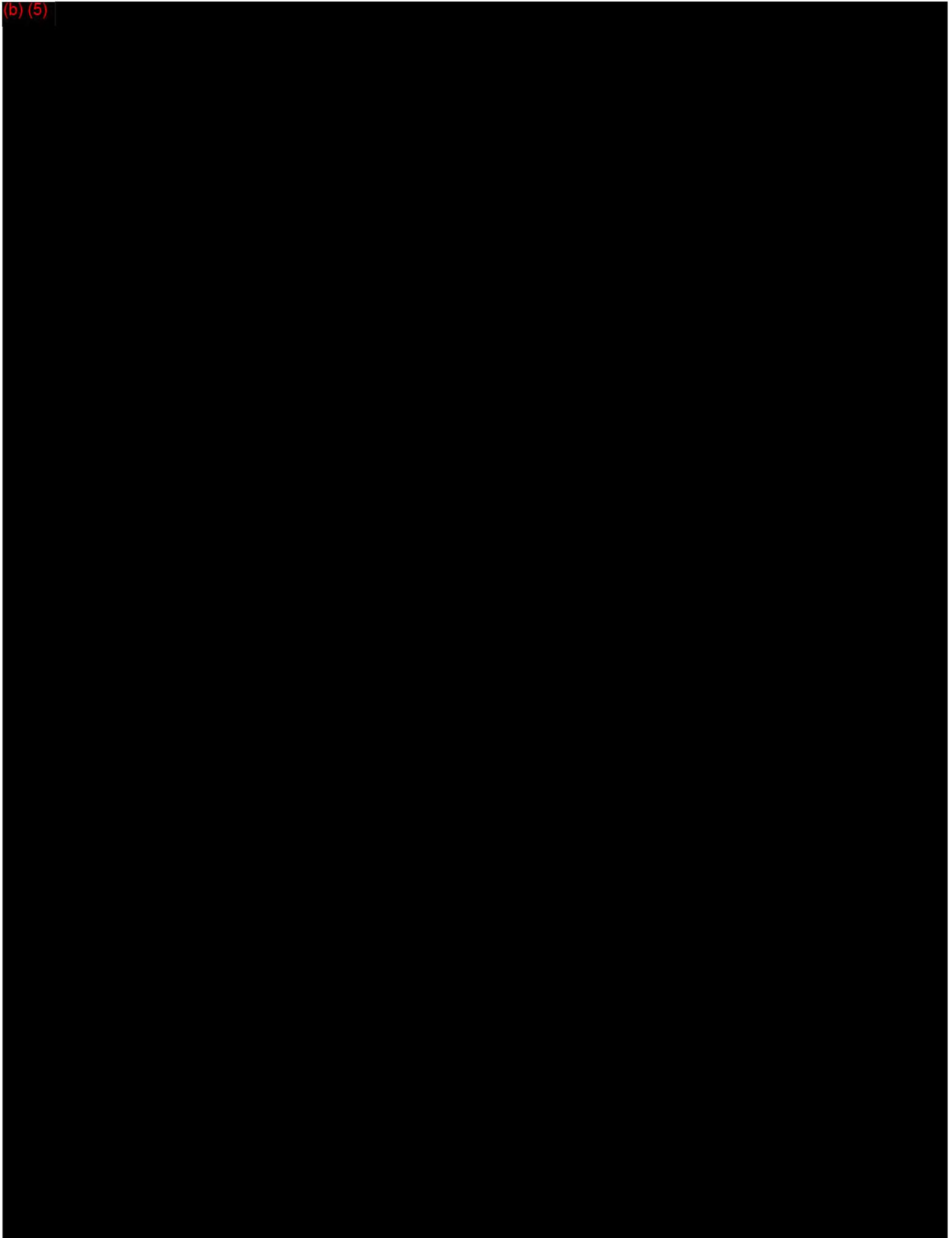


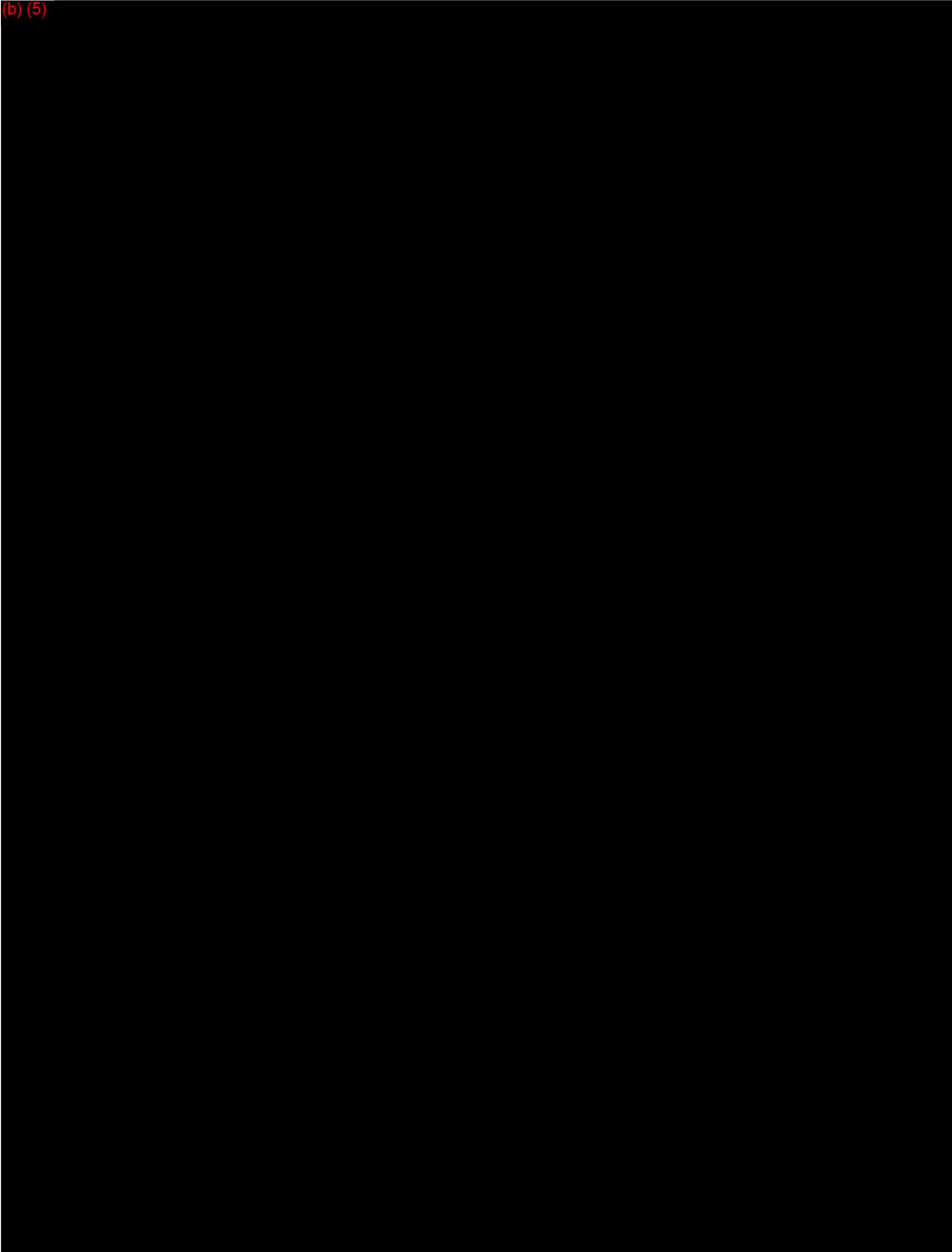


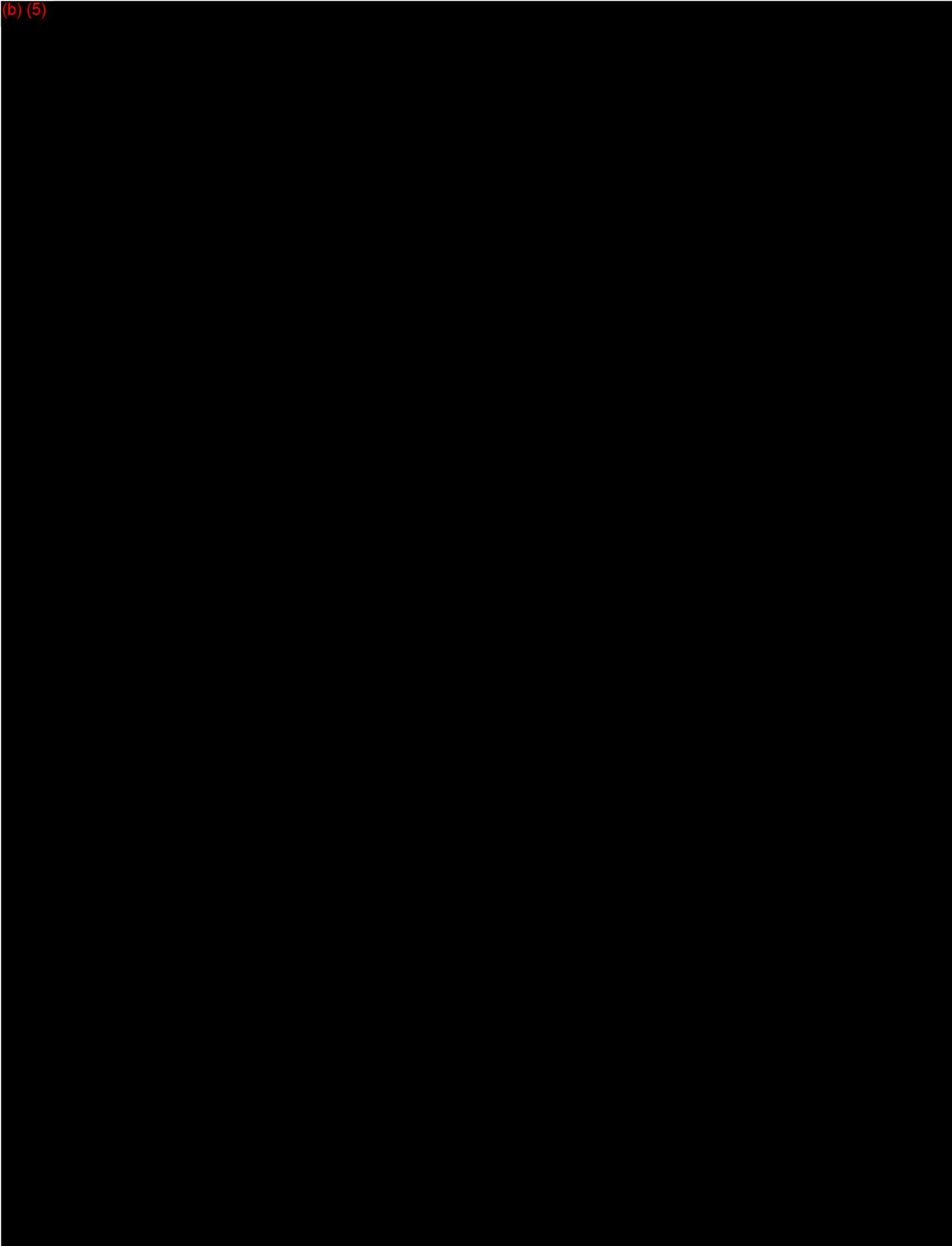












FW: FW: EO 12866 Call on CEQ NEPA Procedural Provisions Prerule

Where: Dial-In: (b) (6) Code: (b) (6)
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 (fydibohf23spdt)/cn=recipients/cn=1eab5b65831b4f7fb65d73703504e13e-wh">
Required Attendees: "Bolen, Brittany" <bolen.brittany@epa.gov>
: "Justin Schwab (schwab.justin@epa.gov)" <schwab.justin@epa.gov>

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

From: Whiteman, Chad S. EOP/OMB
Sent: Thursday, June 7, 2018 12:43 PM
To: Whiteman, Chad S. EOP/OMB; Szabo, Aaron L. EOP/CEQ; Boling, Ted A. EOP/CEQ; Drummond, Michael R. EOP/CEQ; Barnett, Steven W. EOP/CEQ; Sharp, Thomas L. EOP/CEQ; Gignoux, Caroline M. EOP/CEQ (Intern); Smith, Katherine R. EOP/CEQ
Subject: FW: 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) Code: (b) (6)

All, in order to work through the comments in an expedited manner (b) (5)

[REDACTED]

-

[REDACTED]

[REDACTED]

(b) (5) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

For EO 12866: Revised CEQ ANPRM

From: "Szabo, Aaron L. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=f93a8d1dd2b4420ca81e53ff8199b780-sz">
To: "Chad S. EOP/OMB Whiteman ((b) (6)) [REDACTED]" <(b) (6)>
Date: Fri, 08 Jun 2018 09:59:54 -0400
Attachments: EO12866 Review CEQ NEPA ANPRM_Revised_RLSO_Final.docx (47.58 kB); EO12866 Review CEQ NEPA ANPRM_Revised_Clean_Final.docx (47.46 kB)

Chad,

Per the meeting, please see attached the revised clean and RLSO version.

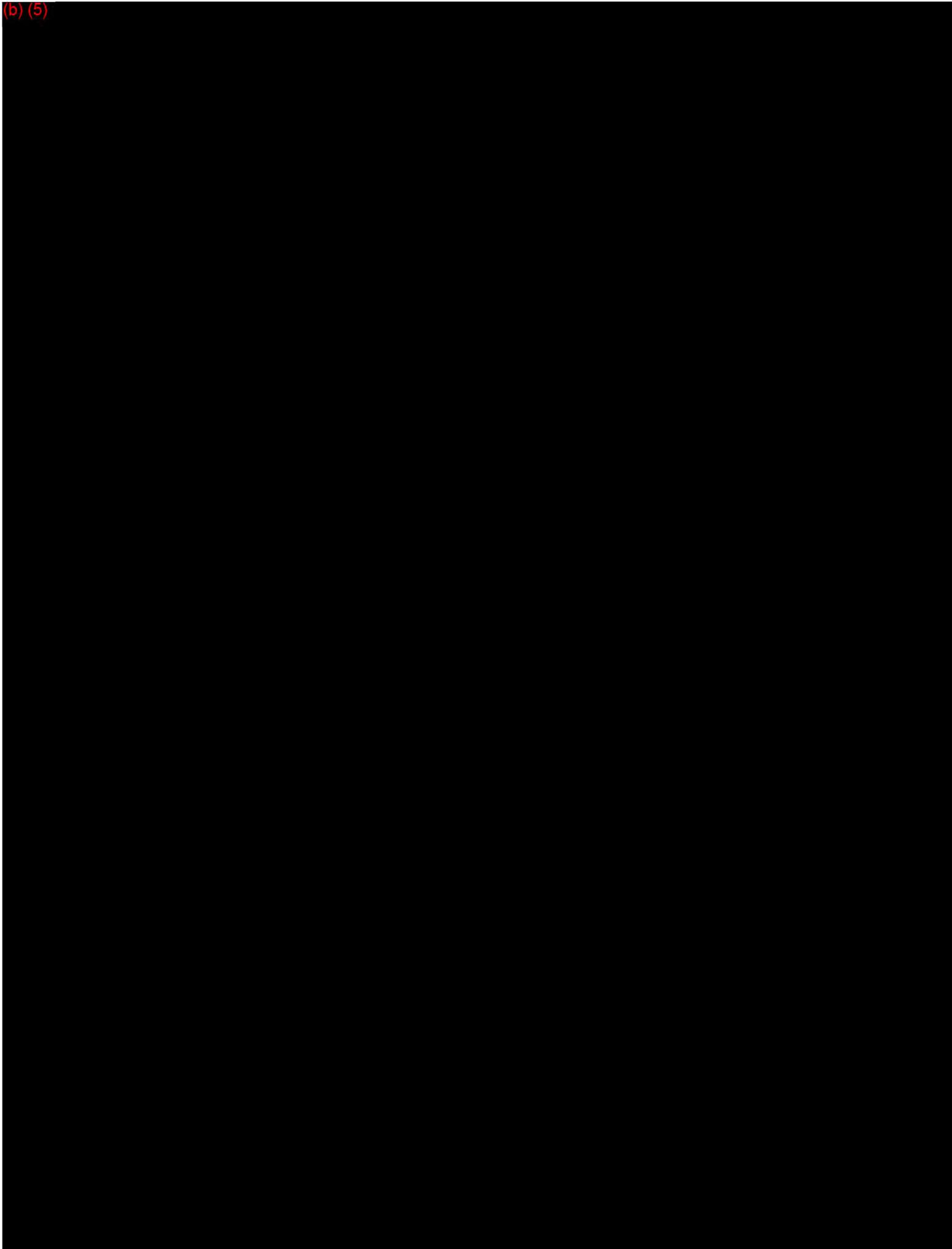
Thanks.

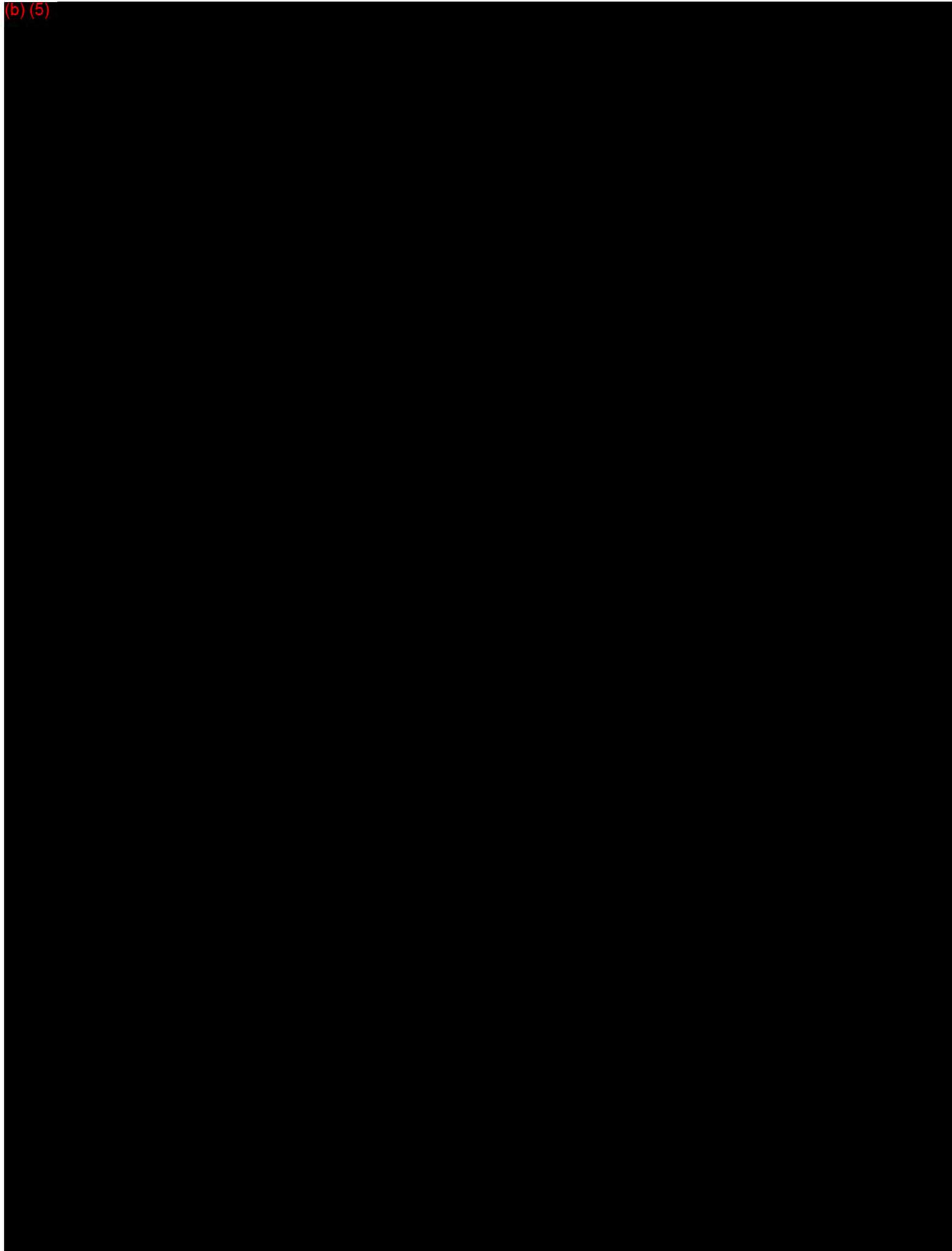
Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

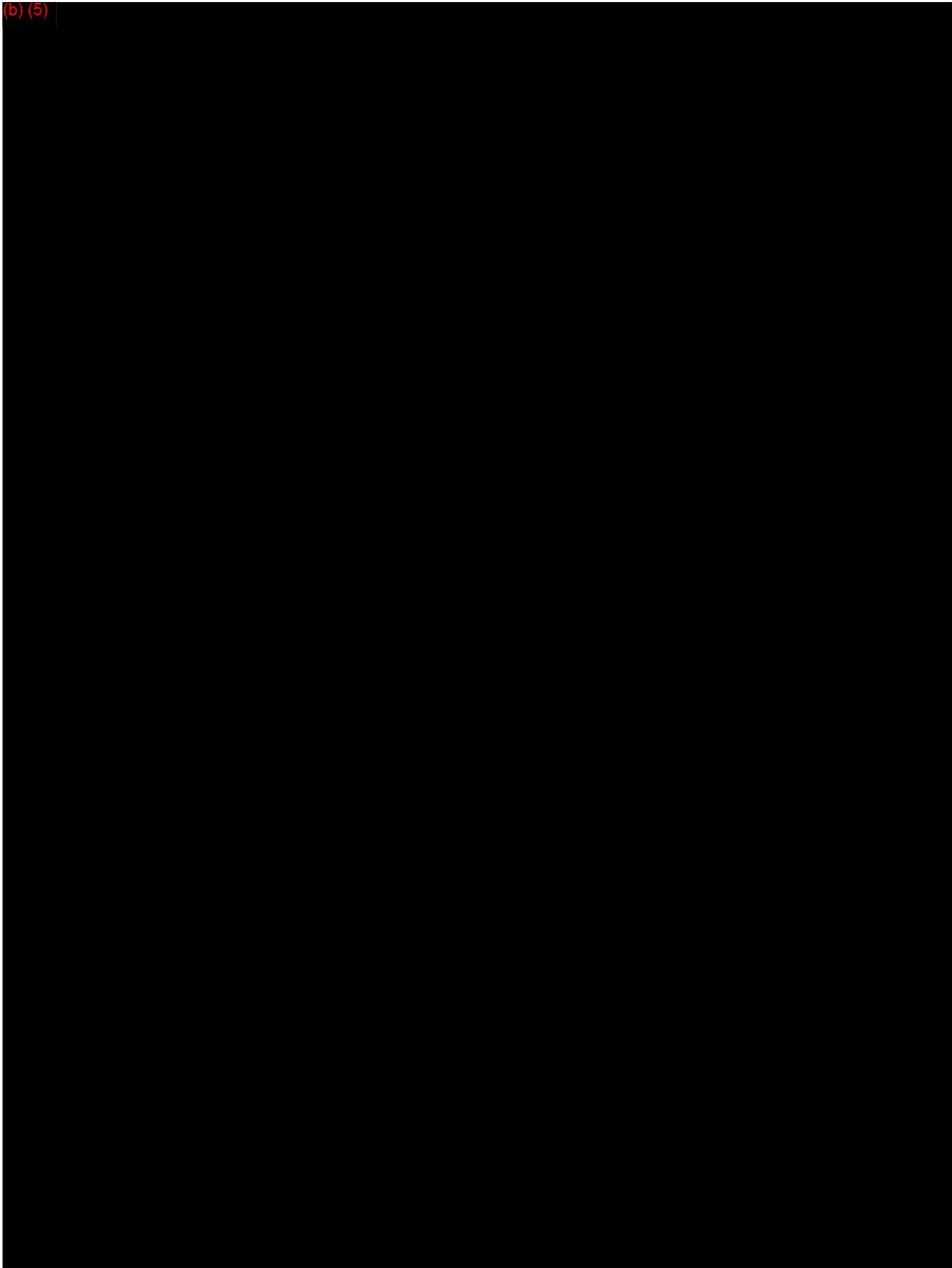
(b) (6) [REDACTED] (Desk)

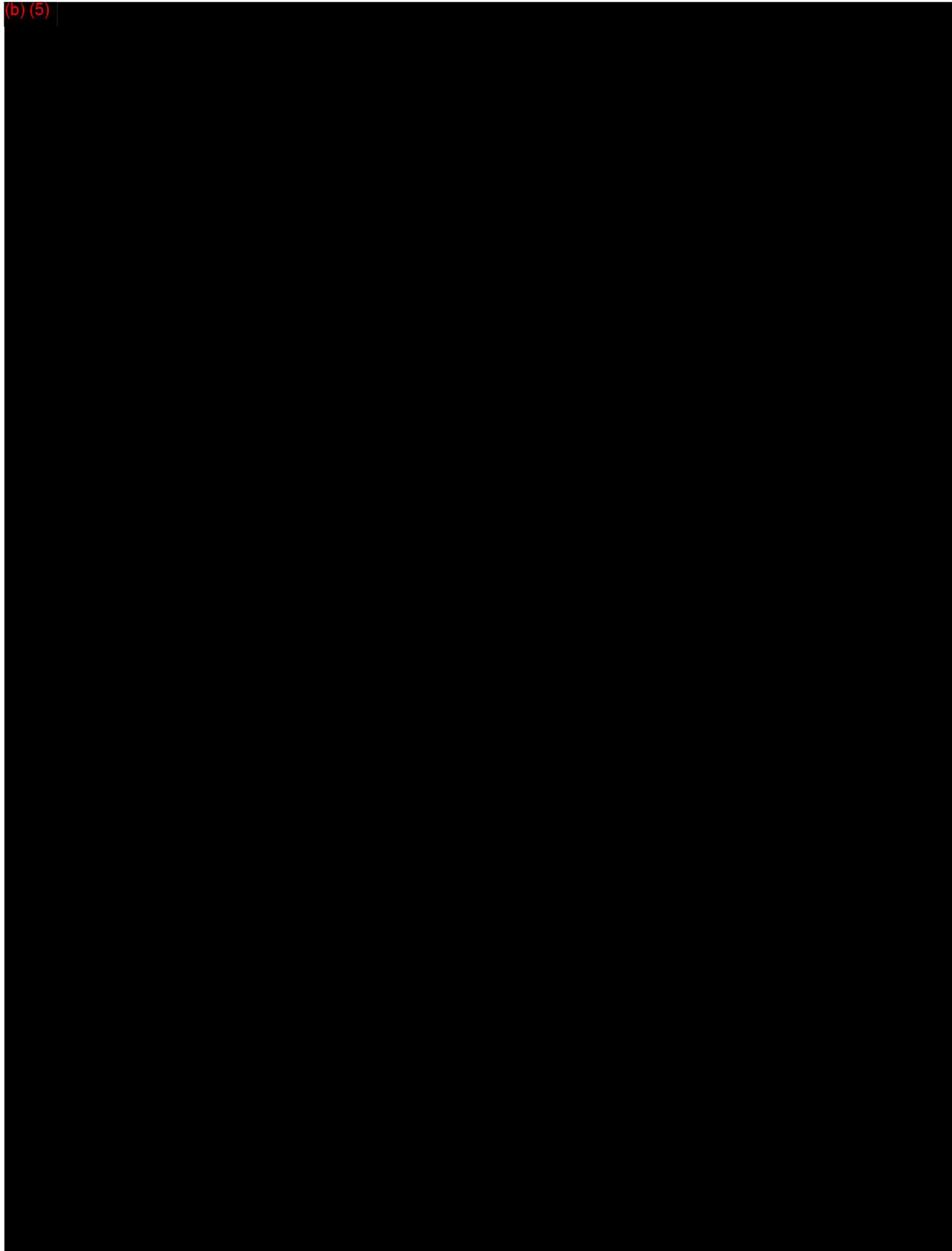
(b) (6) [REDACTED] (Cell)

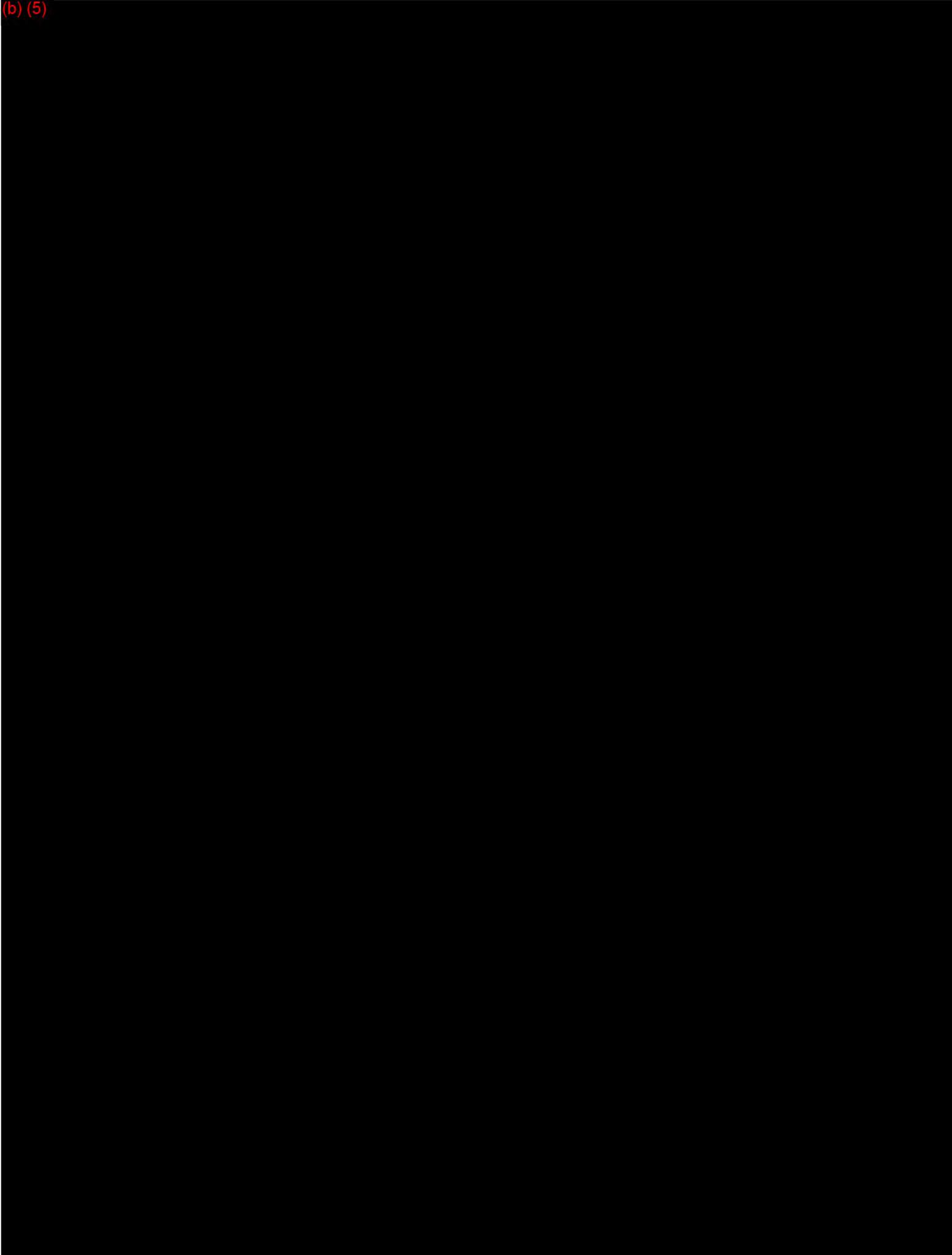
(b) (6) [REDACTED]

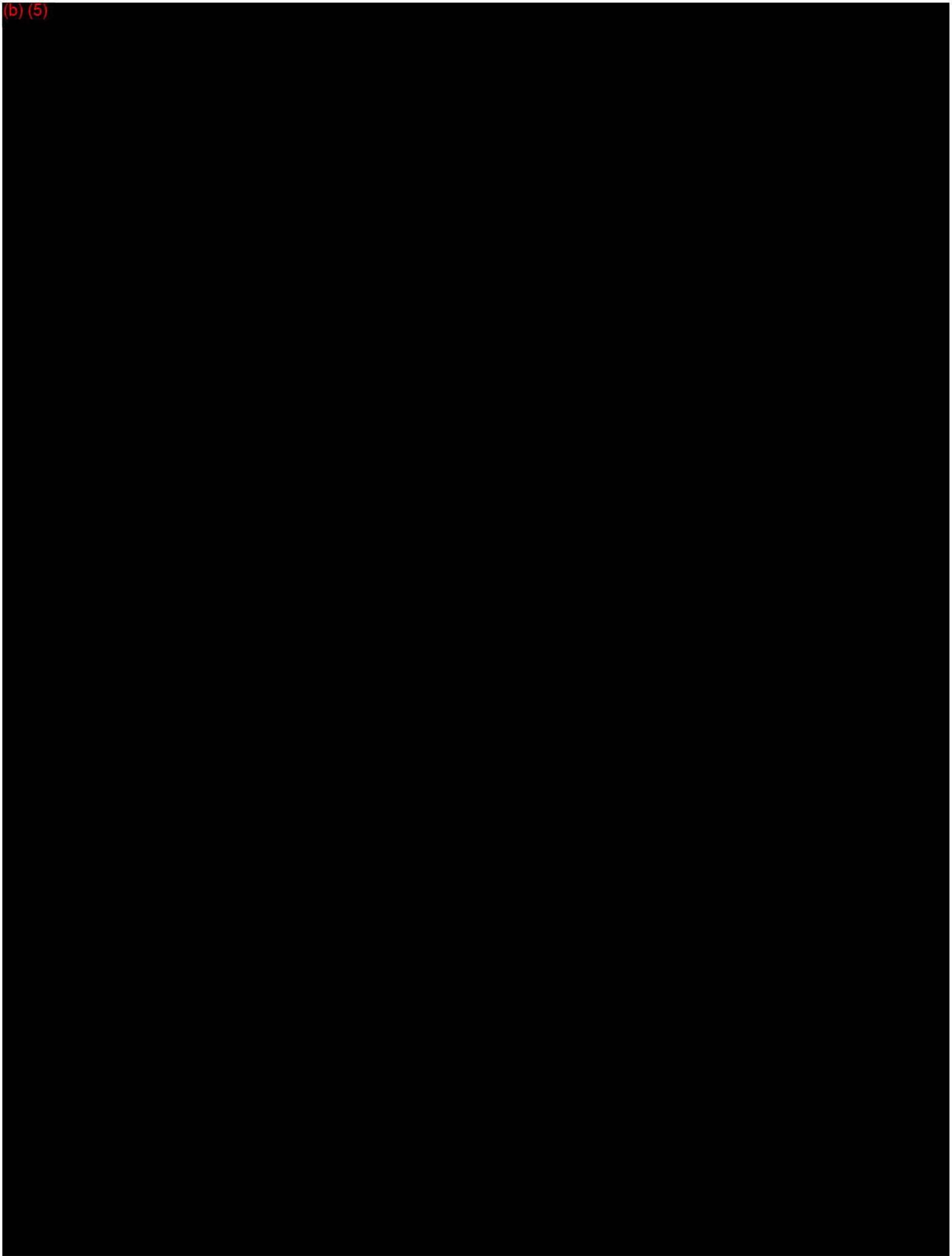


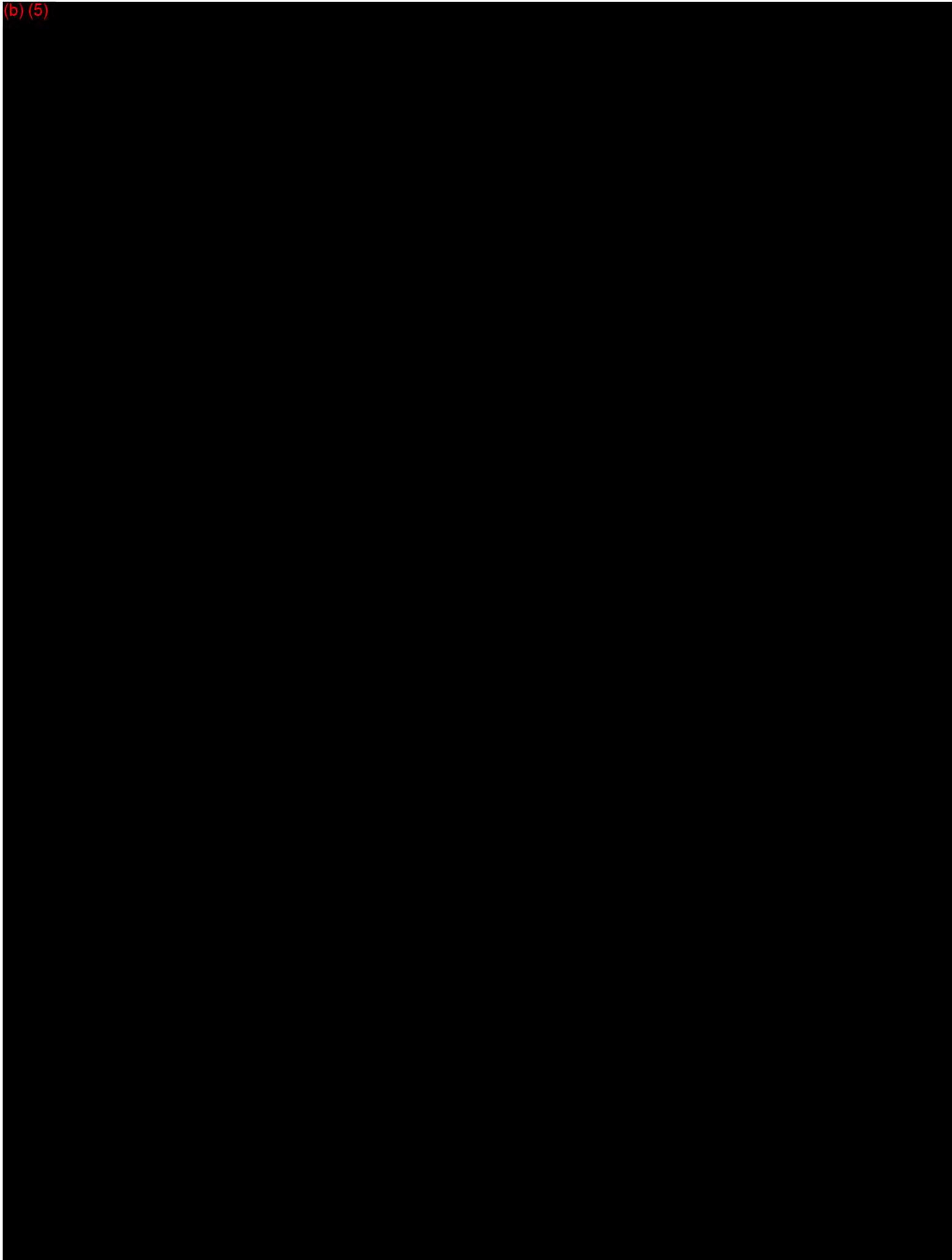


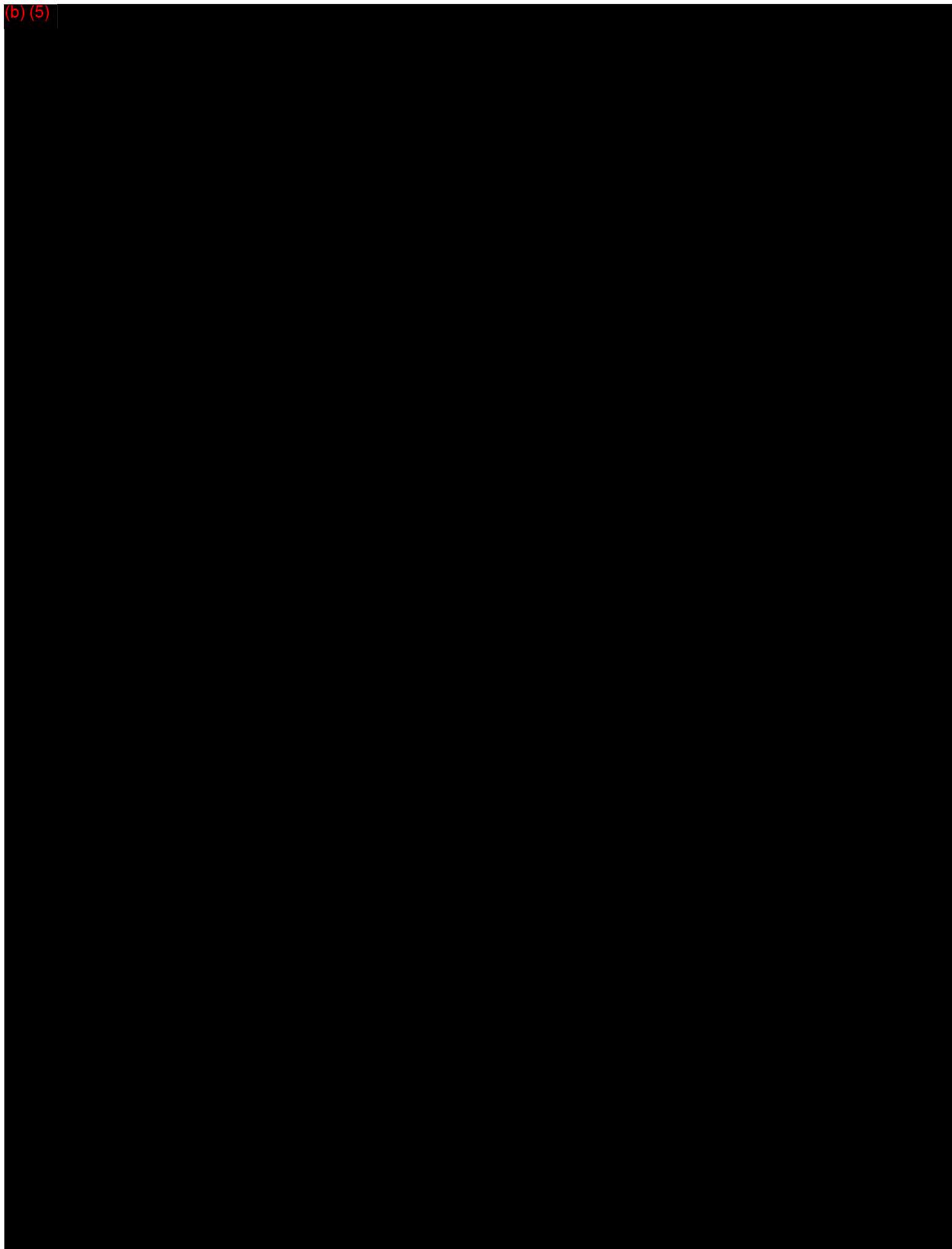


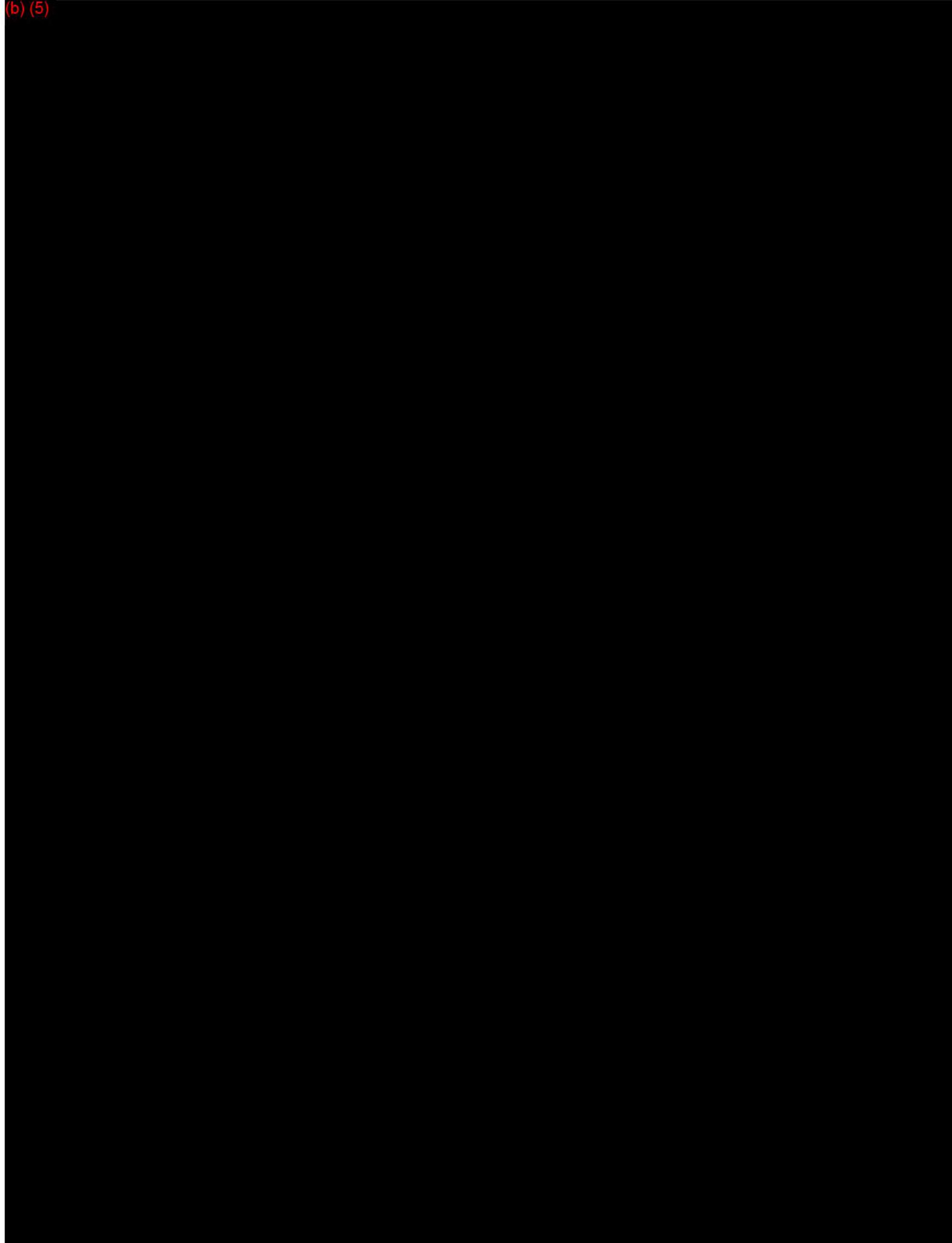


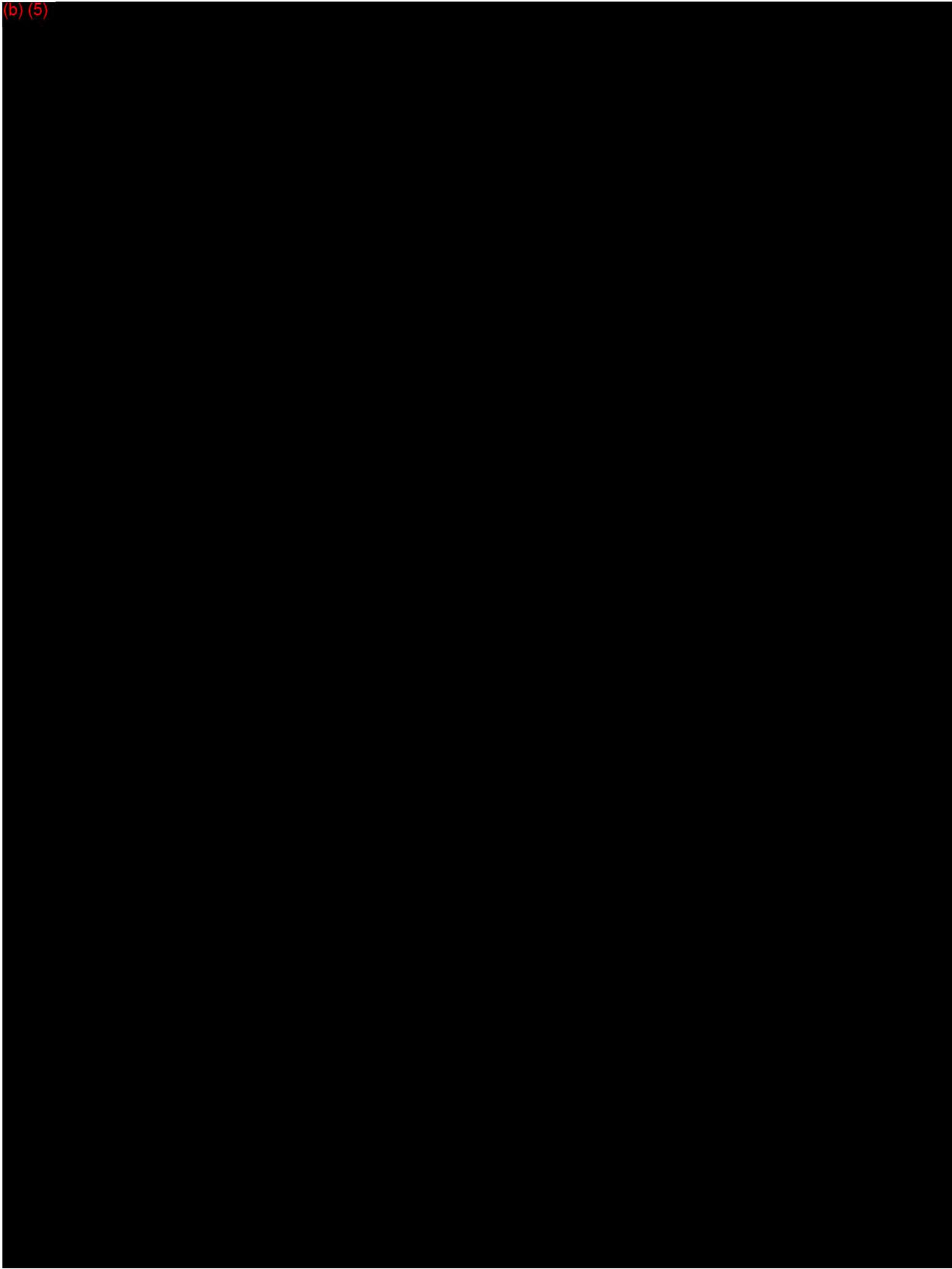


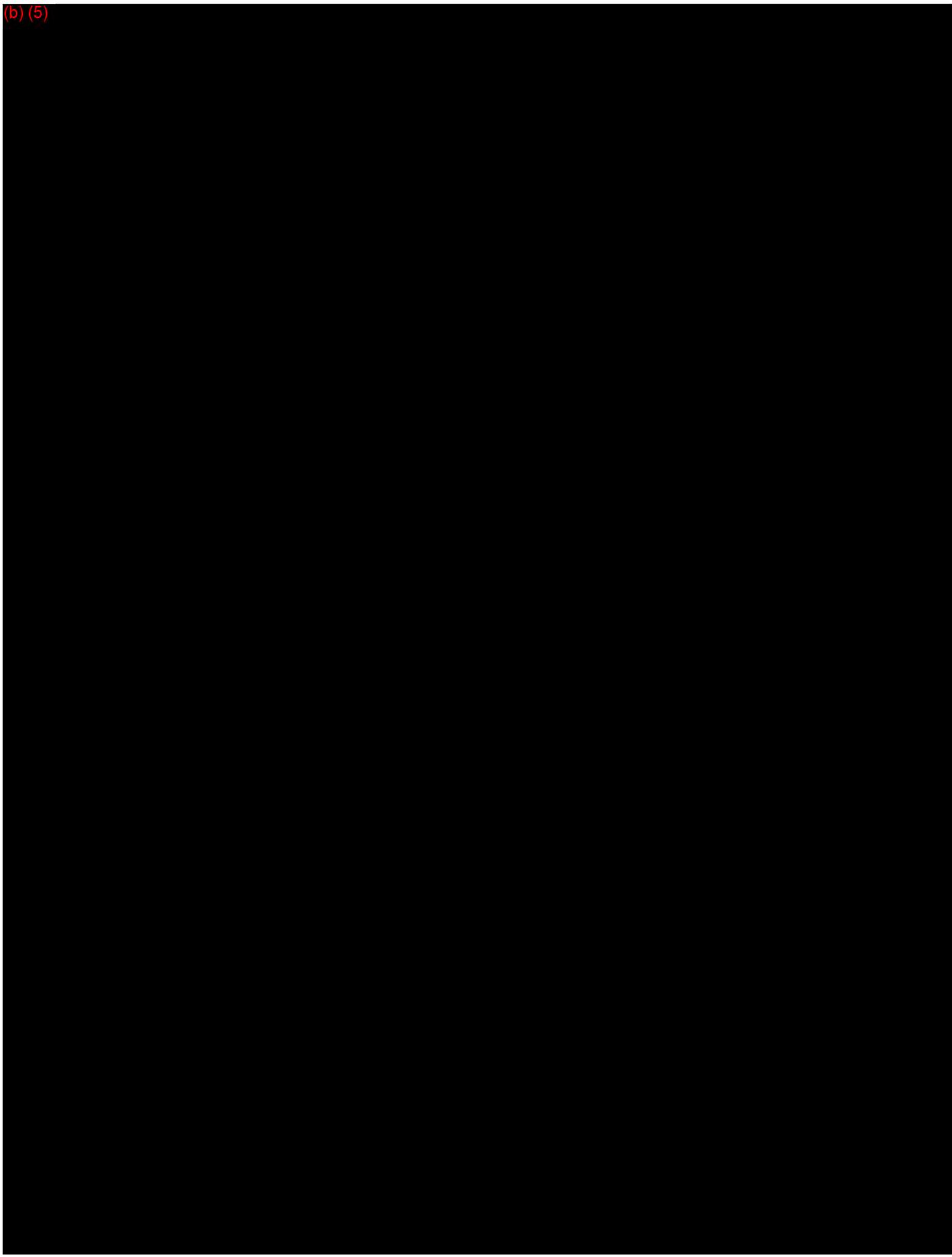


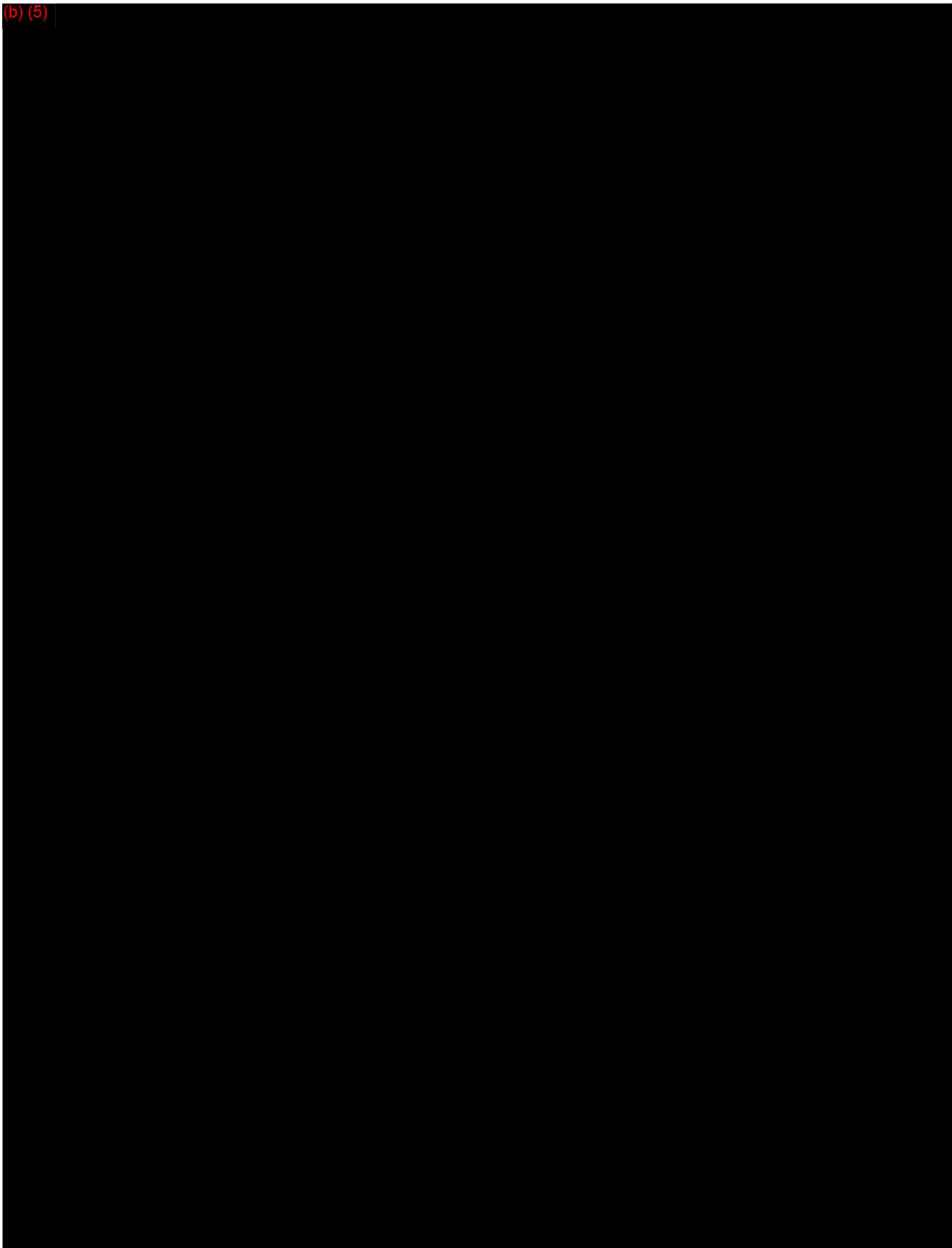


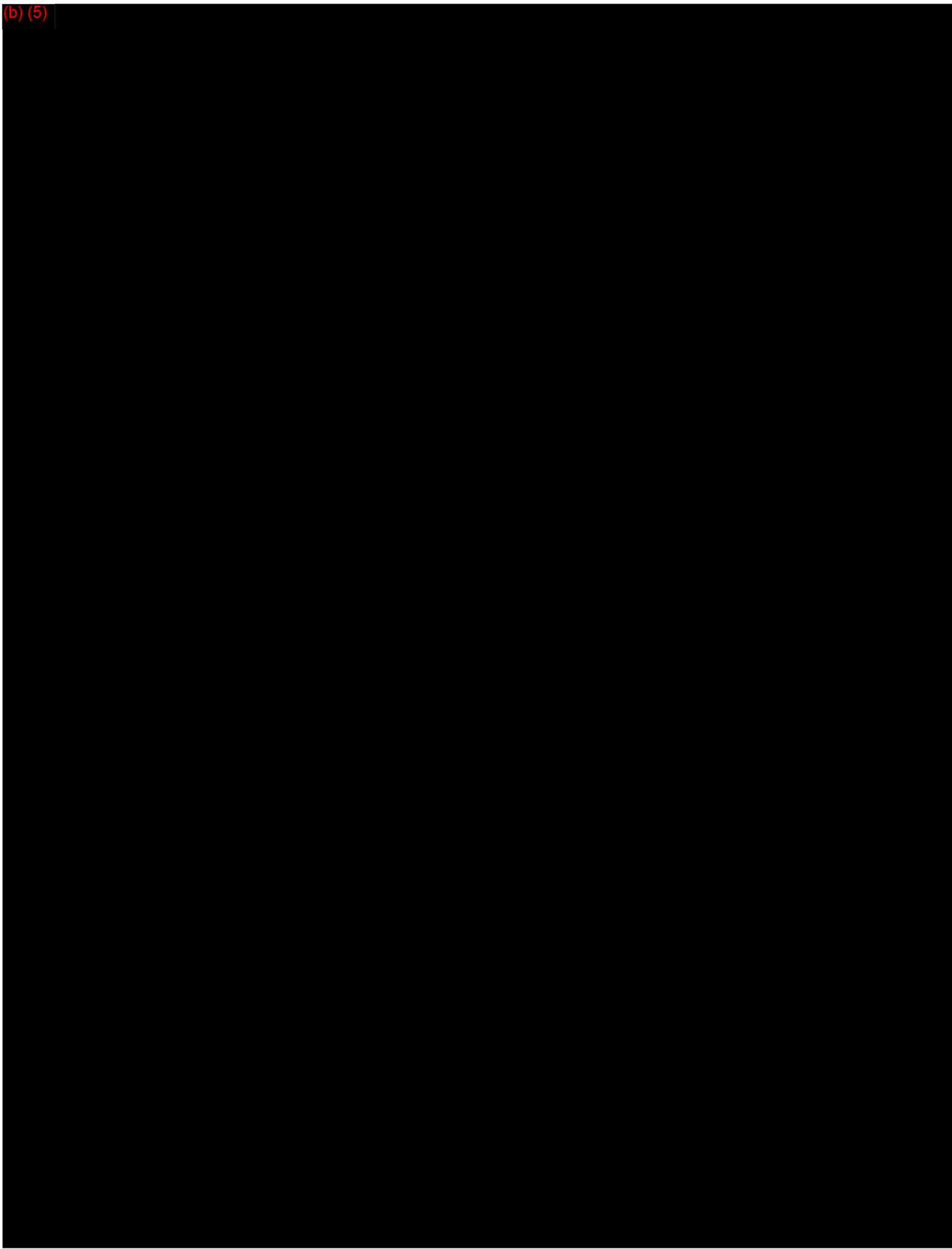


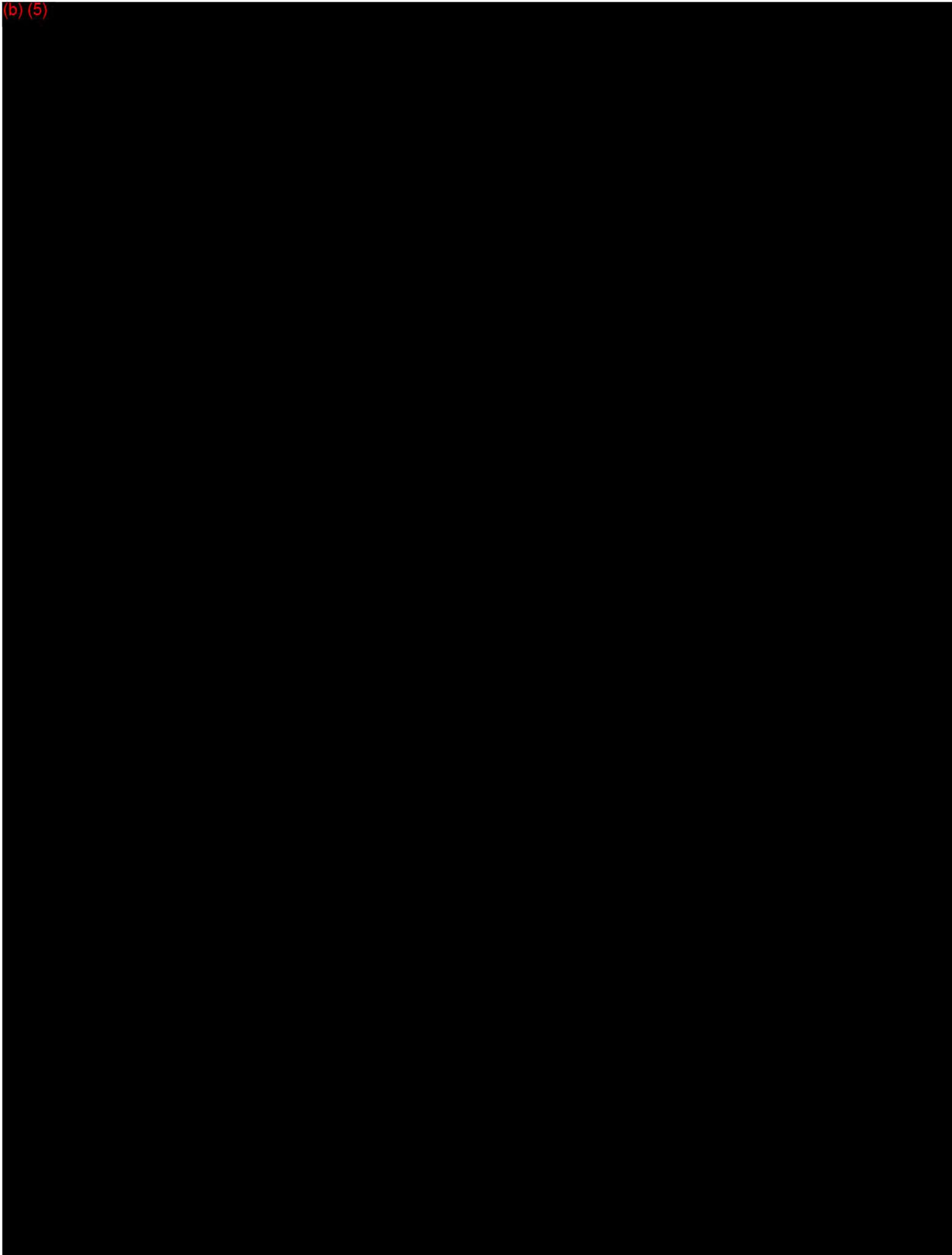


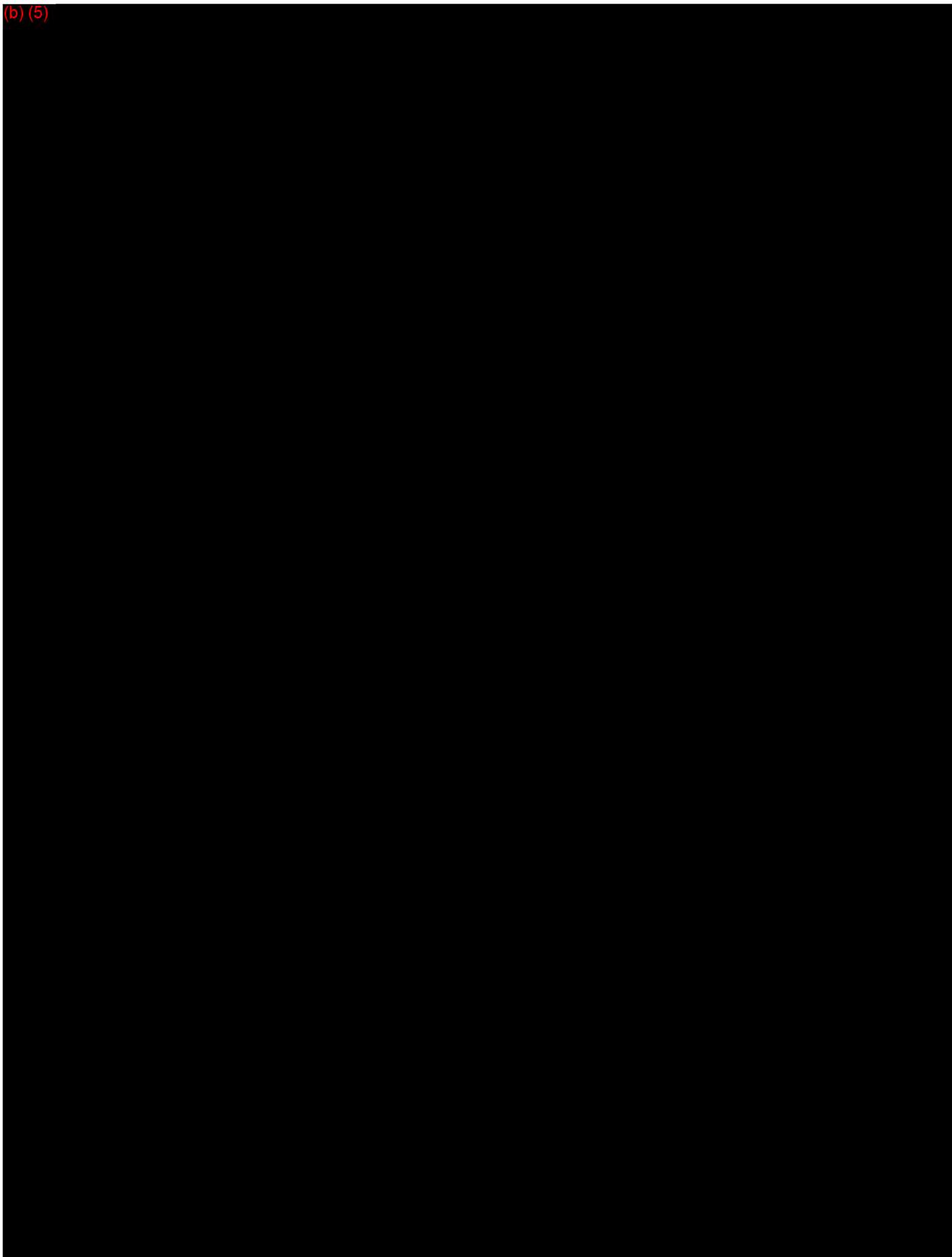


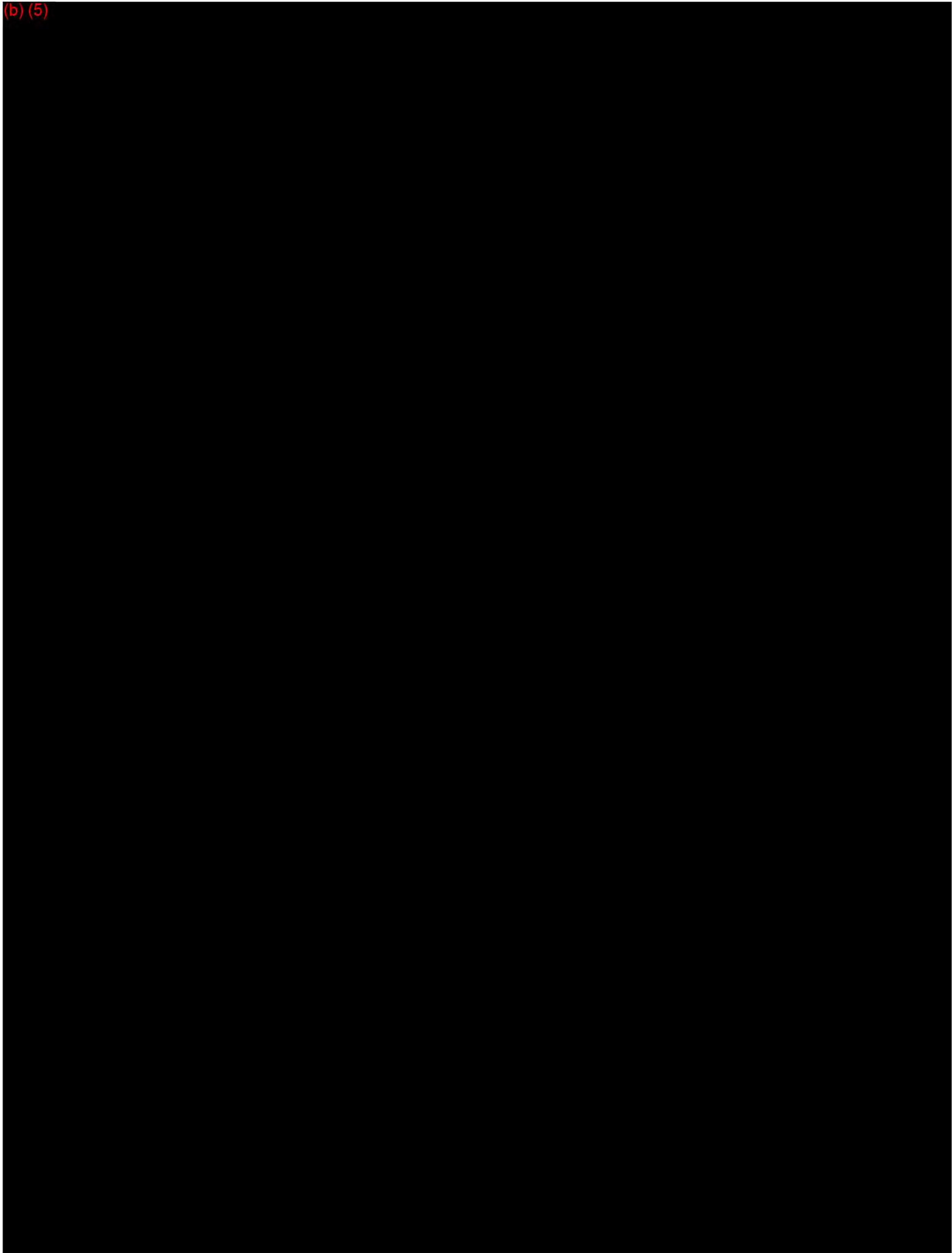


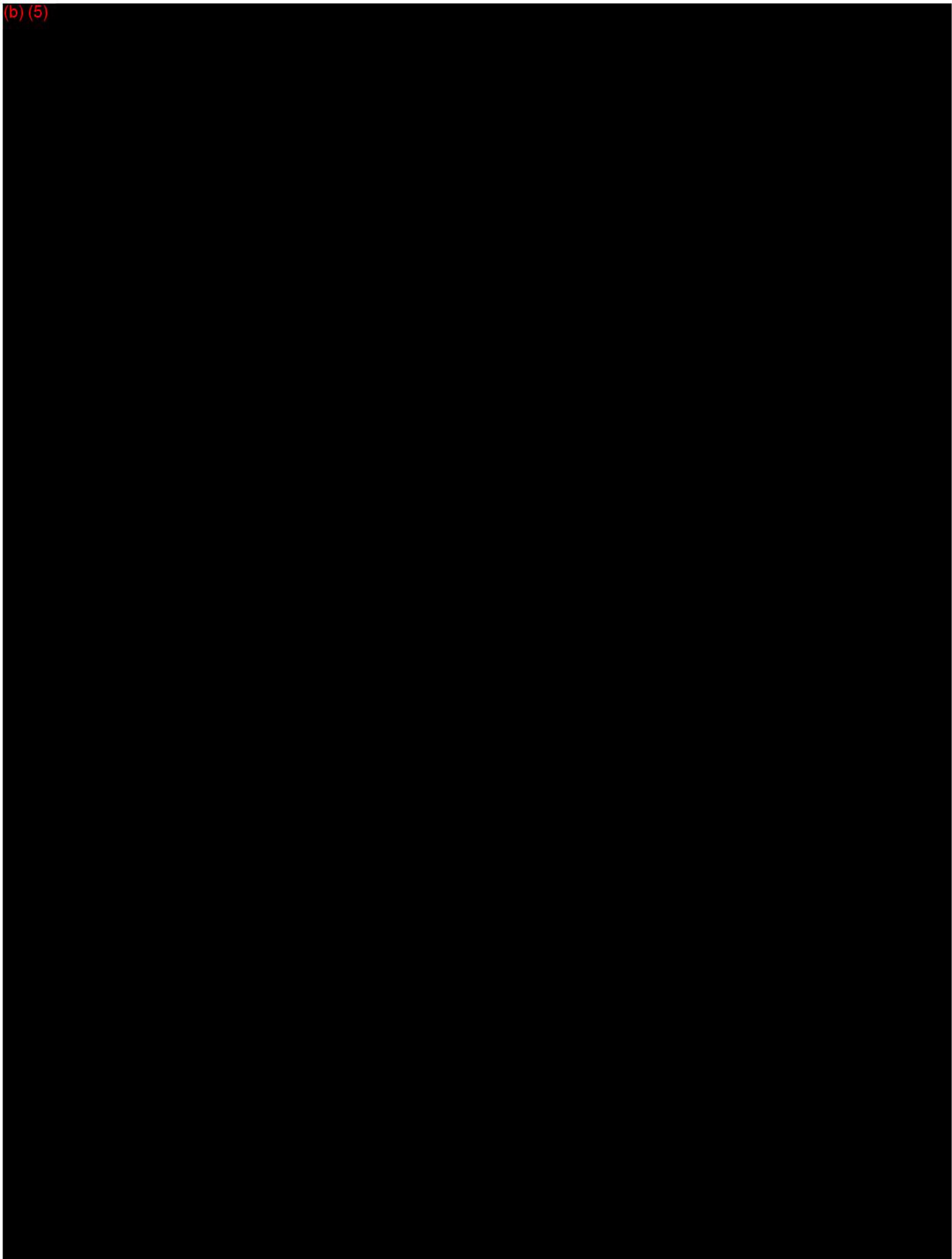












RE: Latest ANPRM

From: "Drummond, Michael R. EOP/CEQ" <(b) (6)>
"Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Boling, Ted A. EOP/CEQ" <(b) (6)> "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Sharp, Thomas L. EOP/CEQ" <(b) (6)>
To: <(b) (6)> "Barnett, Steven W. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>

Date: Fri, 08 Jun 2018 09:12:26 -0400

Attachments
: EO12866 Review CEQ NEPA ANPRM_Revised_6.7.18.docx (47.6 kB)

All,

See attached version of the ANPRM (b) (5)

Best,

Michael

From: Szabo, Aaron L. EOP/CEQ
Sent: Thursday, June 7, 2018 2:16 PM
To: Drummond, Michael R. EOP/CEQ <(b) (6)>
Subject: RE: Latest ANPRM

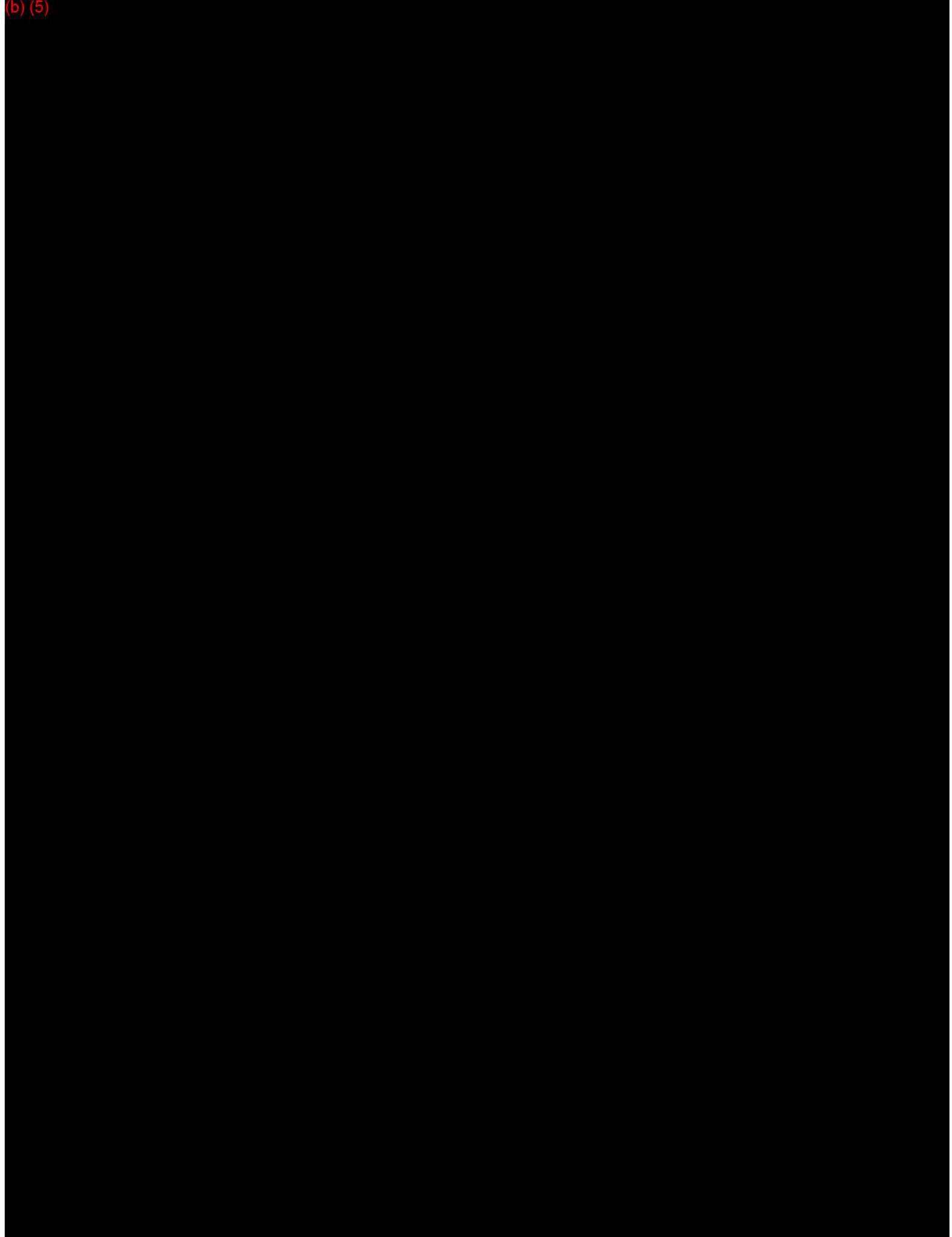
From: Drummond, Michael R. EOP/CEQ
Sent: Thursday, June 7, 2018 1:46 PM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)>
Cc: Boling, Ted A. EOP/CEQ <(b) (6)>
Subject: Latest ANPRM

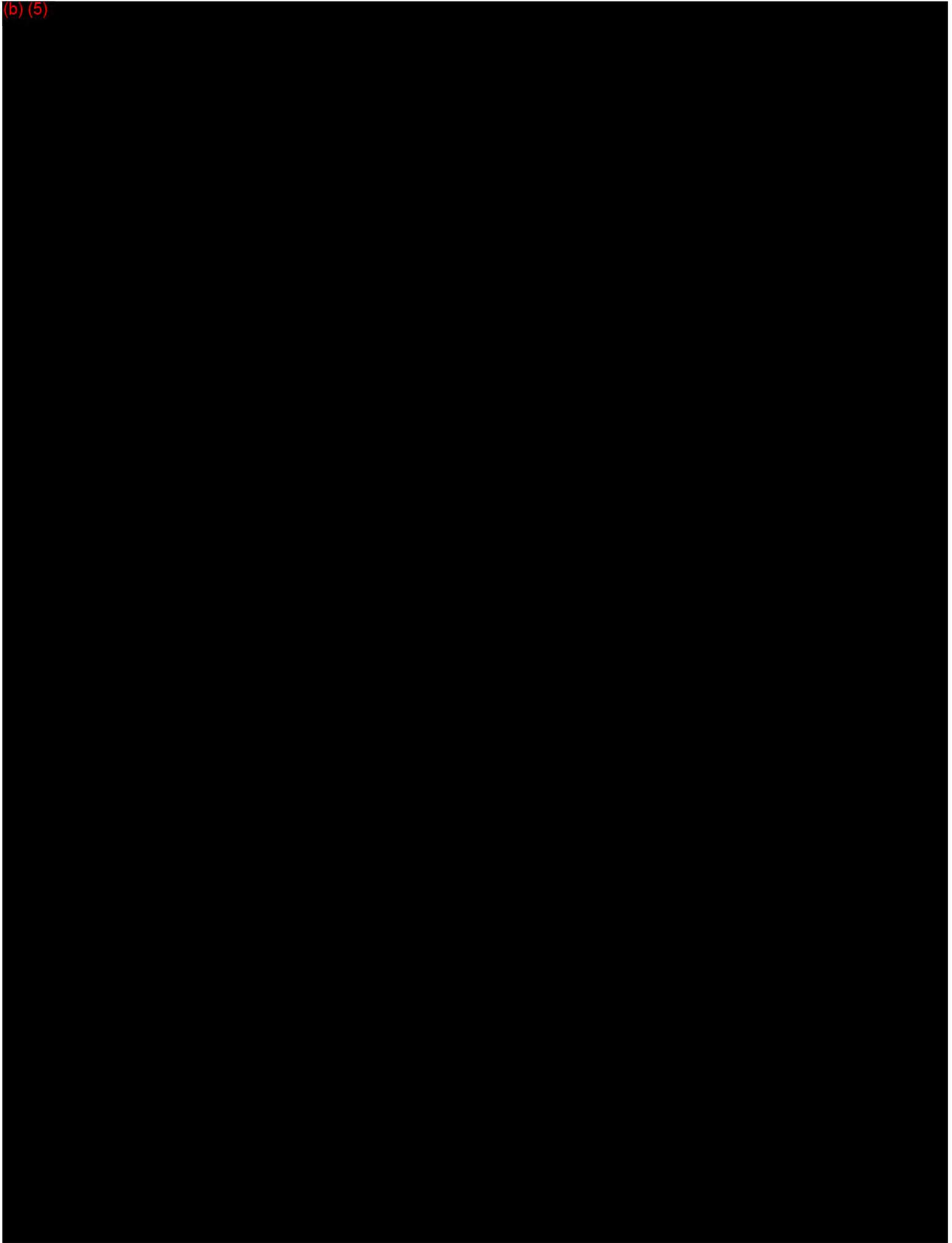
Aaron,

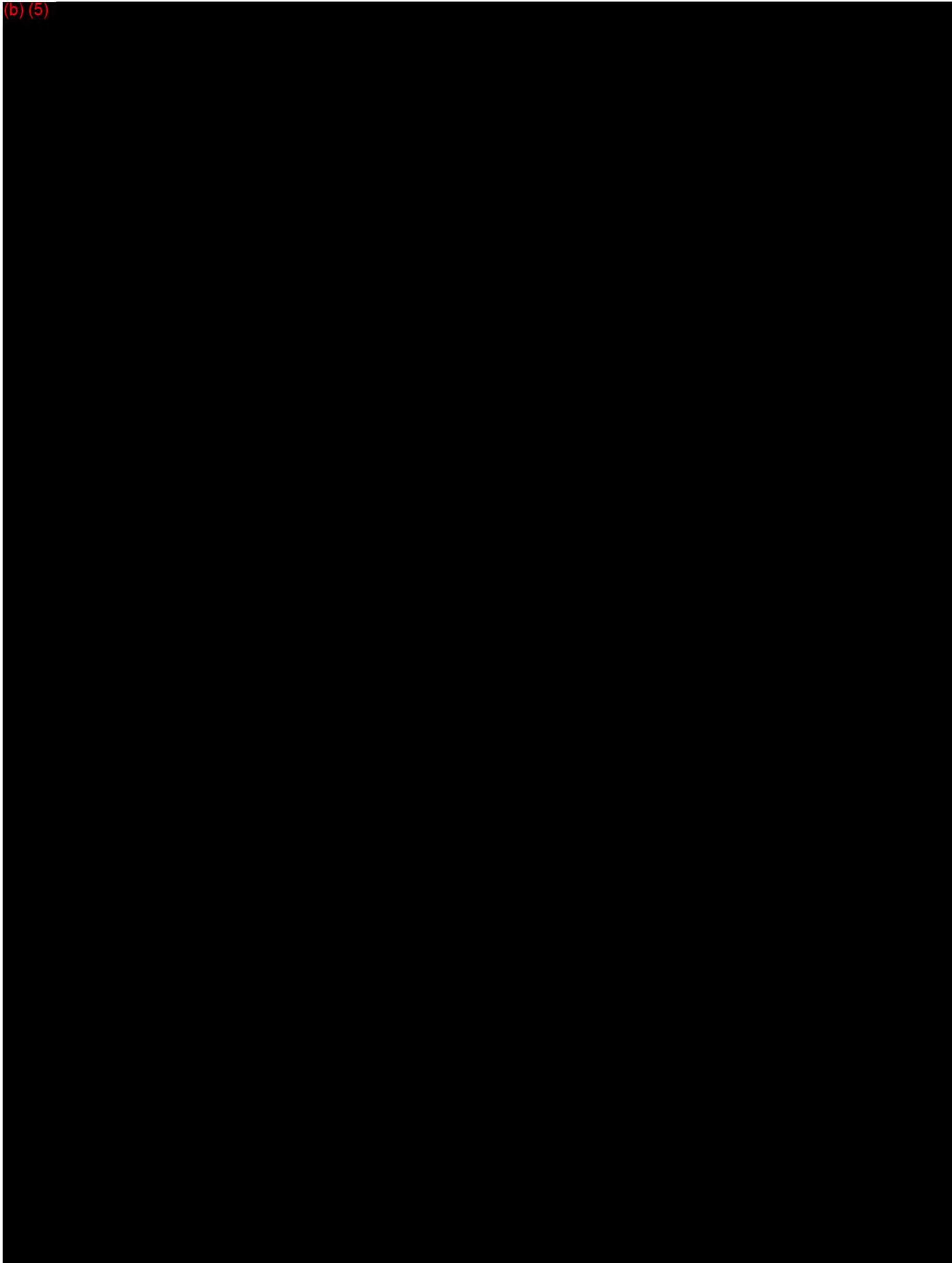
I can't find the latest version, please send and I'll add (b) (5).

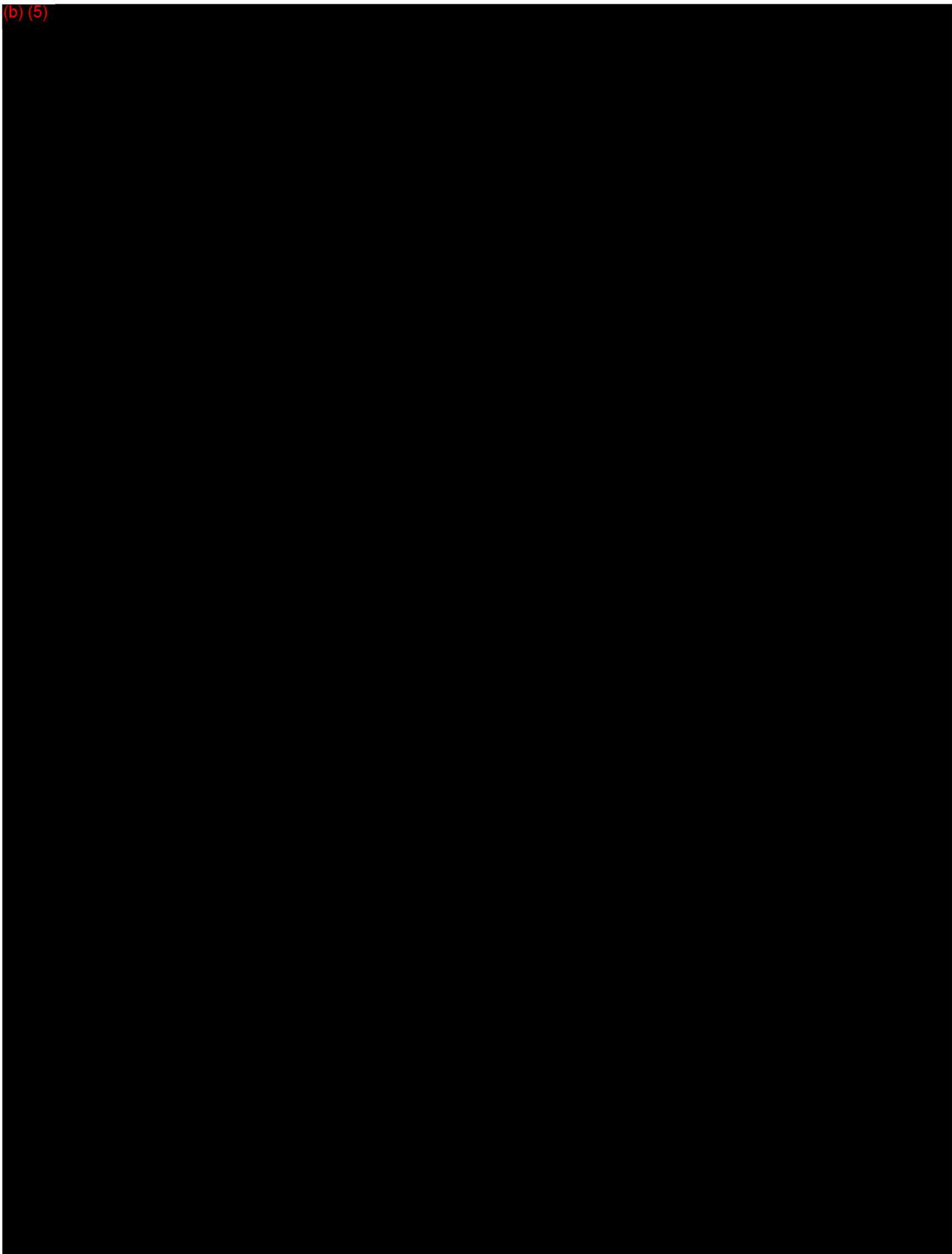
Best.

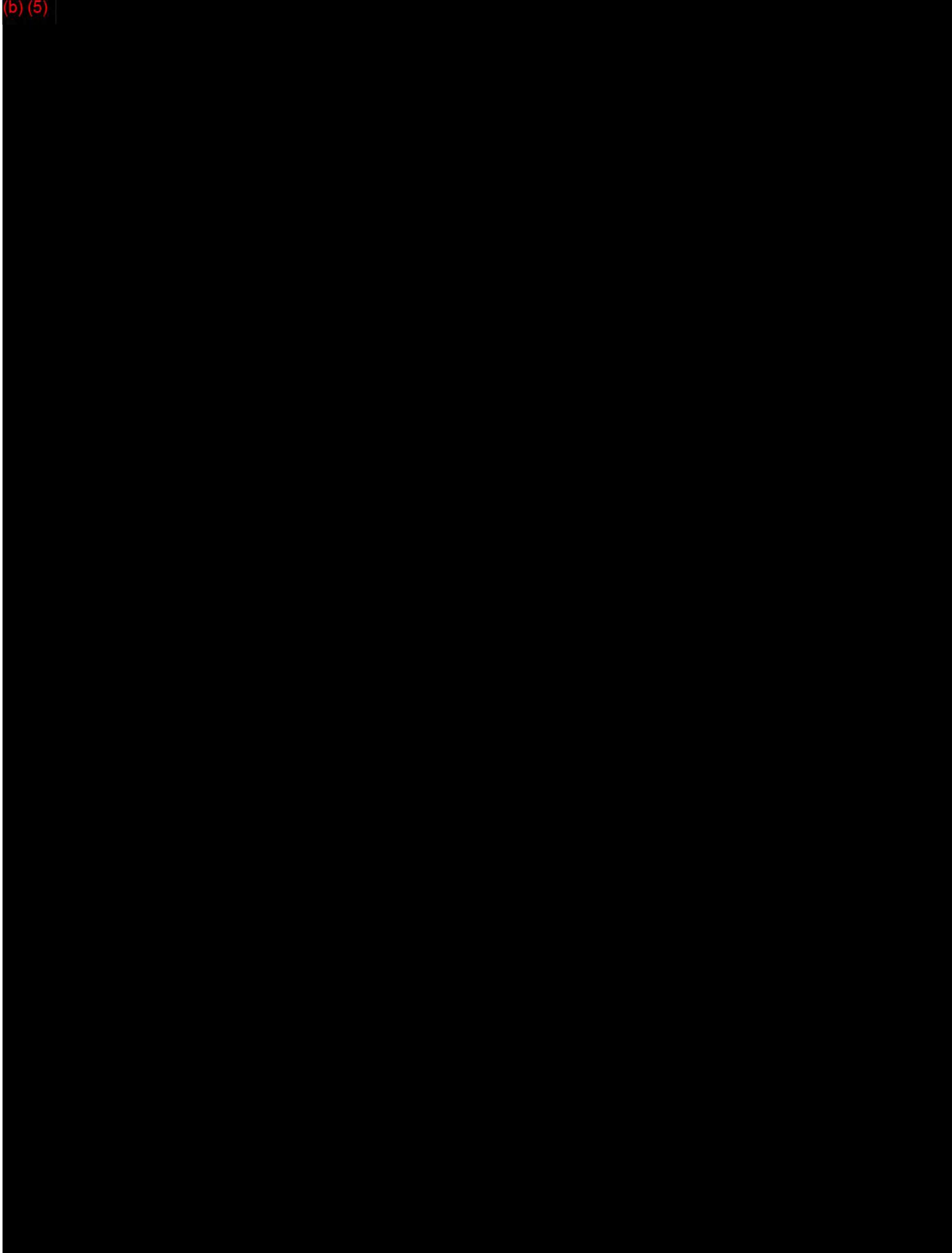
Michael

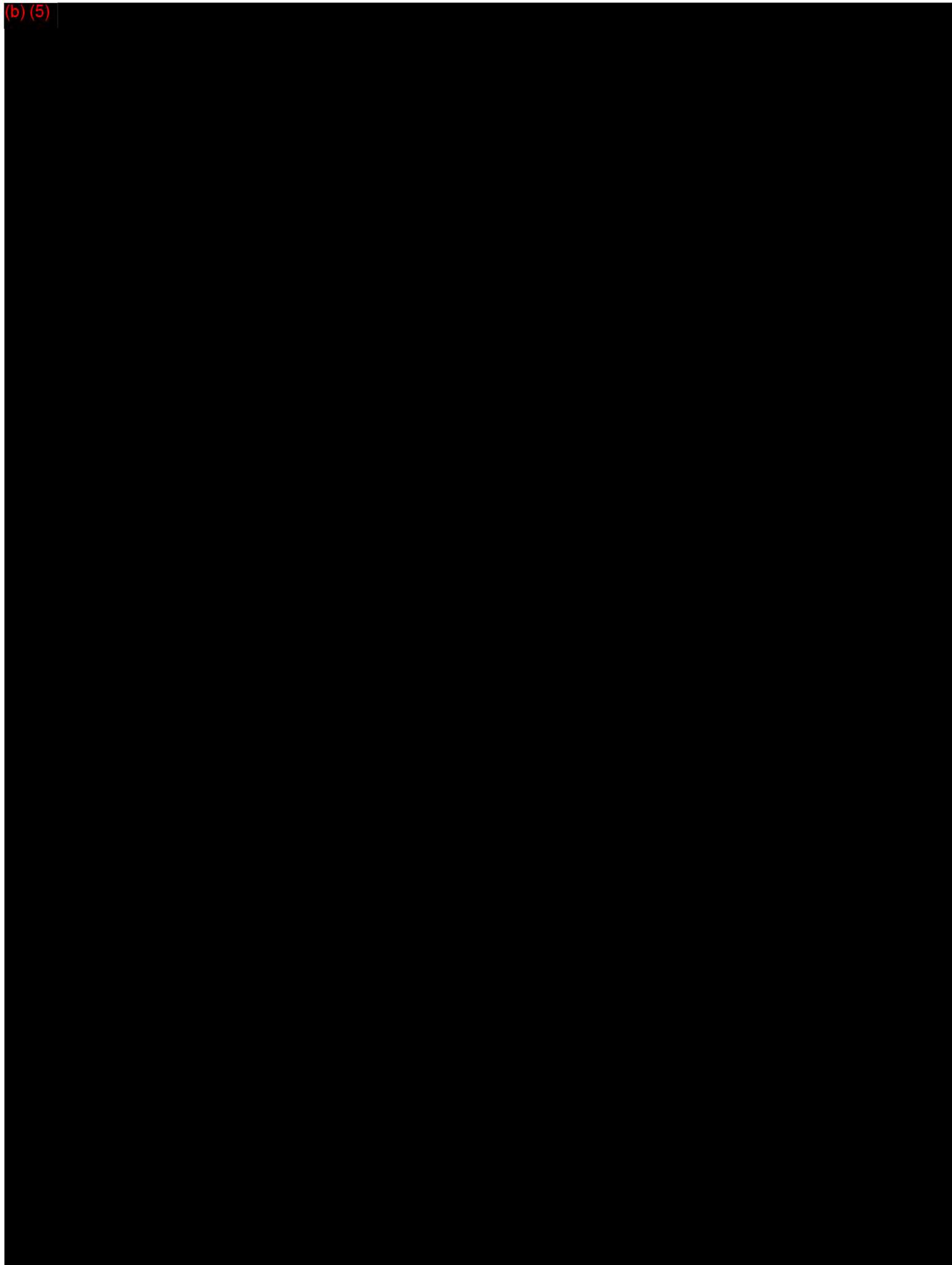


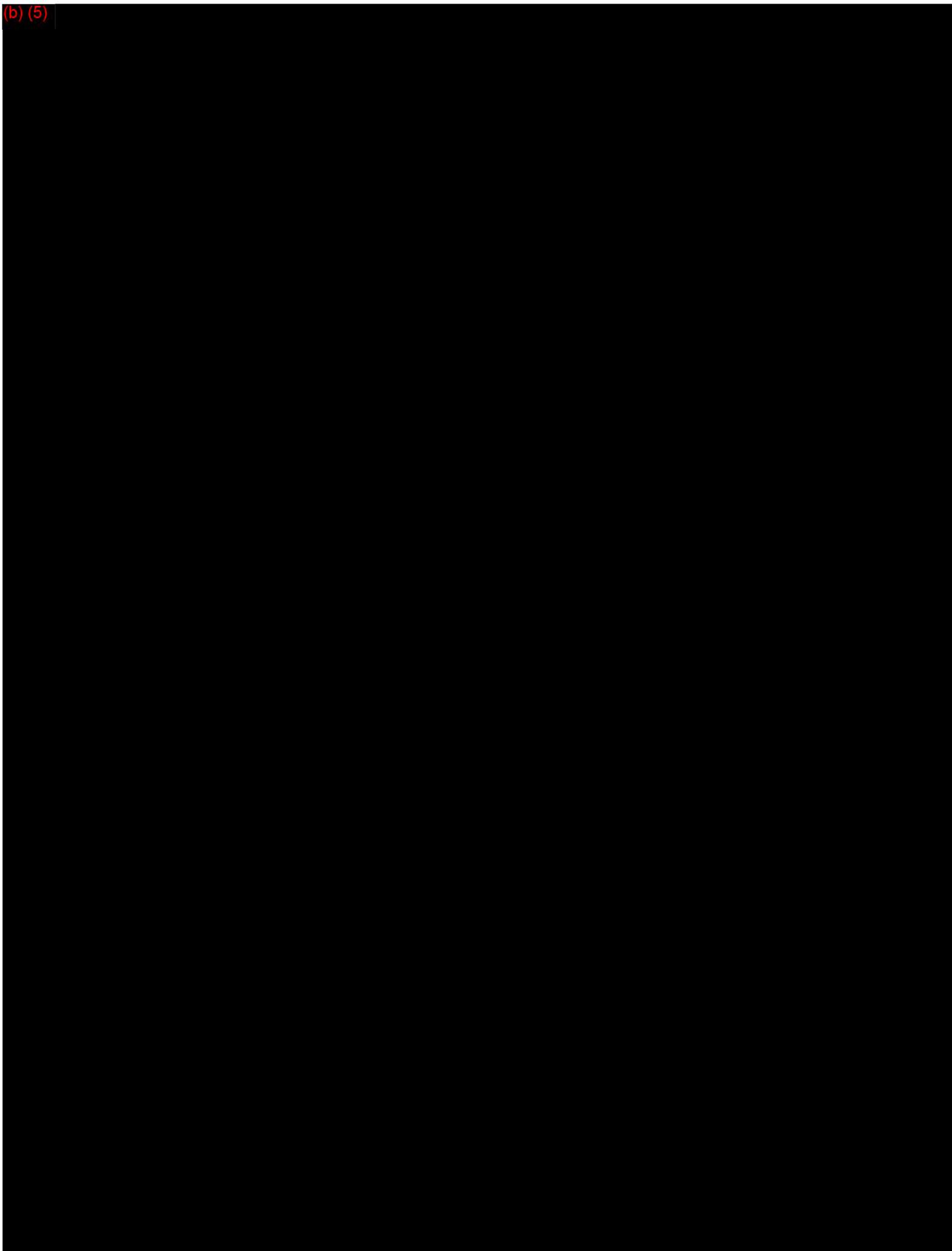


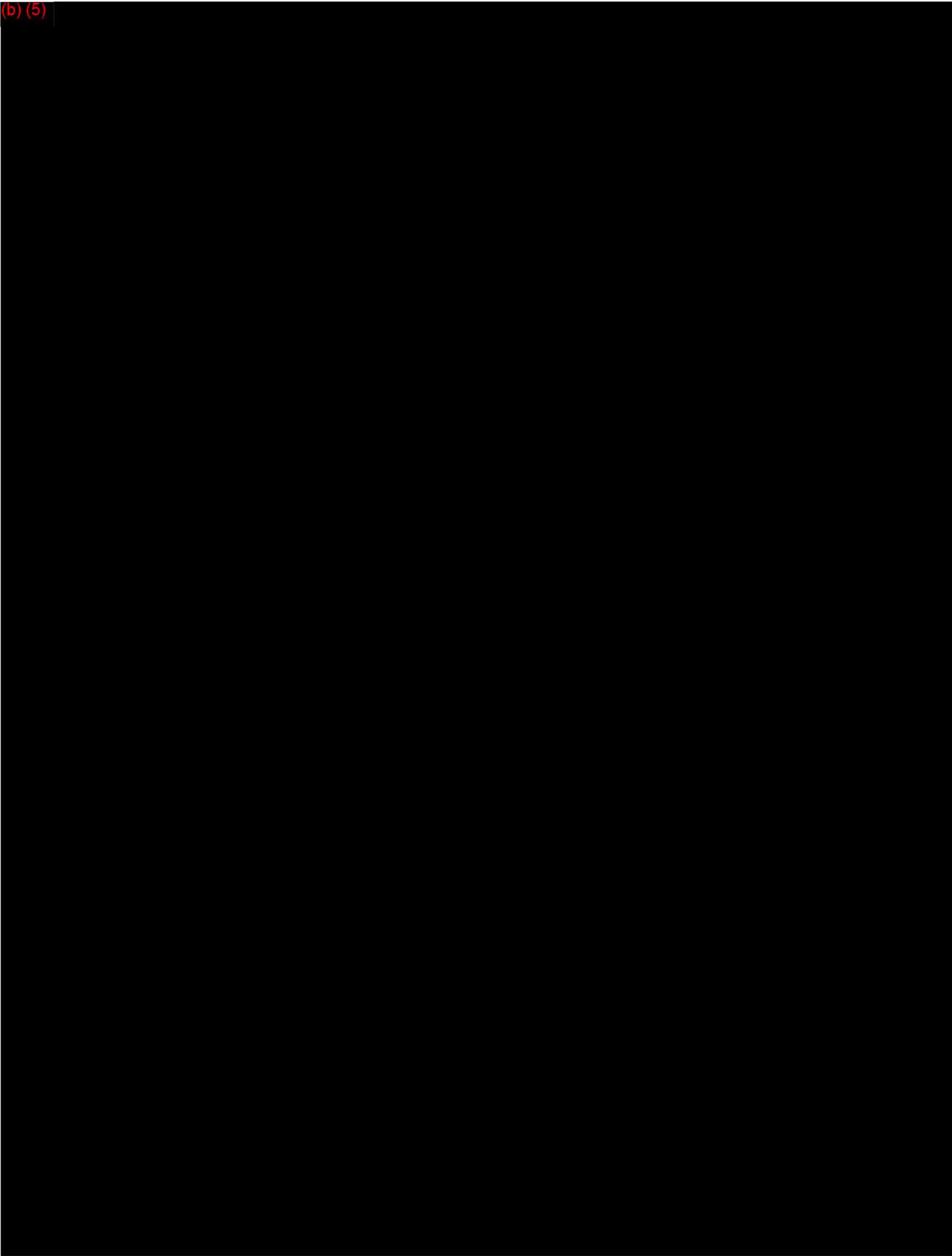


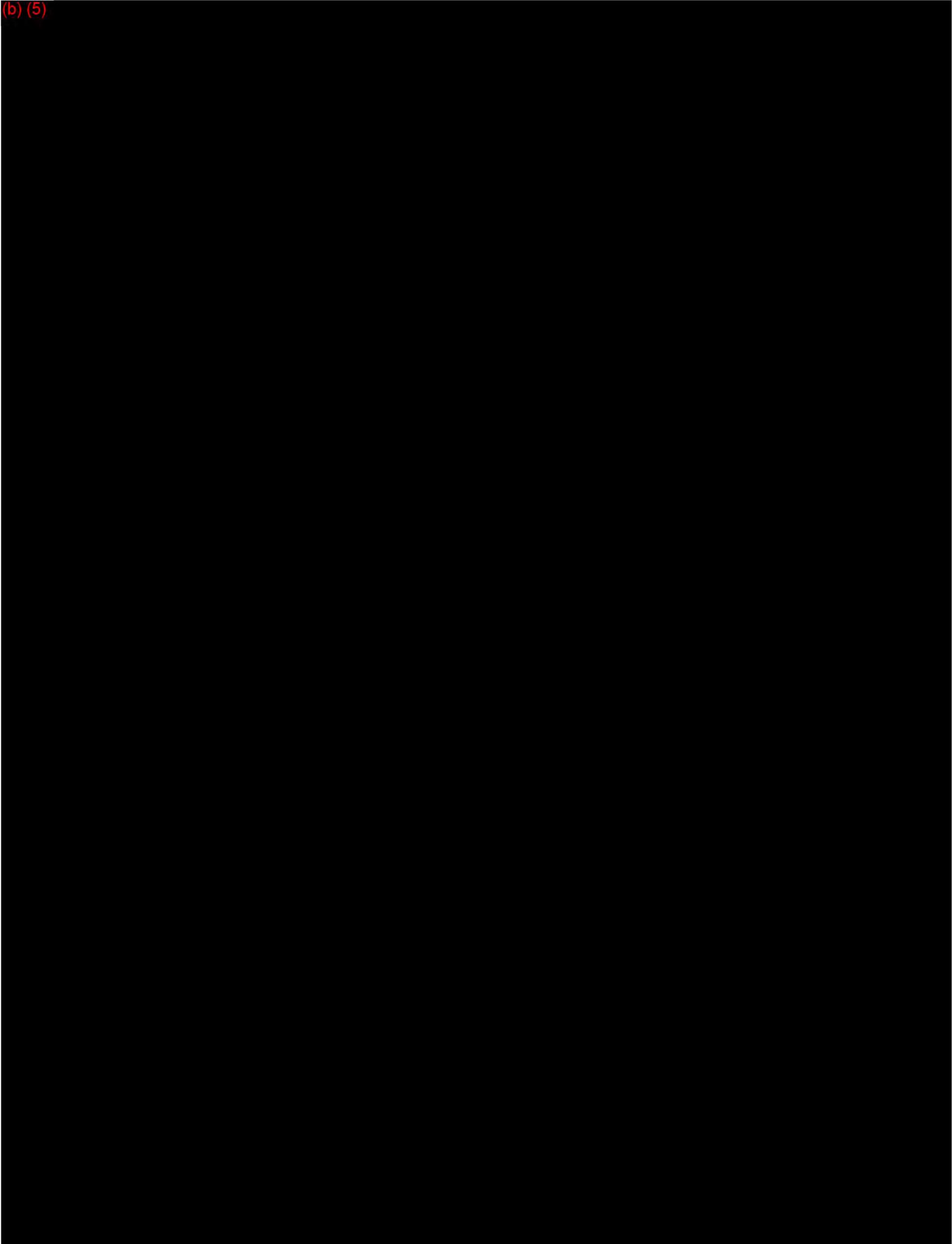












FW: FW: EO 12866 Call on CEQ NEPA Procedural Provisions Prerule

Where: Dial-In: (b) (6) Code: (b) (6)
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: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>

From: Whiteman, Chad S. EOP/OMB
Sent: Thursday, June 7, 2018 4:43:21 PM UTC
To: Whiteman, Chad S. EOP/OMB; Szabo, Aaron L. EOP/CEQ; Boling, Ted A. EOP/CEQ; Drummond, Michael R. EOP/CEQ; Barnett, Steven W. EOP/CEQ; Sharp, Thomas L. EOP/CEQ; Gignoux, Caroline M. EOP/CEQ (Intern); Smith, Katherine R. EOP/CEQ
Cc: Bolen, Brittany; Justin Schwab (schwab.justin@epa.gov)
Subject: FW: EO 12866 Call on CEQ NEPA Procedural Provisions Prerule
When: Friday, June 8, 2018 1:00 PM-2:00 PM.
Where: Dial-In: (b) (6) Code: (b) (6)

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

[Redacted]

[Redacted]

[Redacted]

(b) (5) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Draft ANPRM Fact Sheet

From: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Mon, 11 Jun 2018 15:00:40 -0400
Attachments: Draft ANPRM Fact Sheet 6-11-18 V2.docx (18.95 kB)

Hey Aaron, please see attached for your review.

Thanks,

Dan

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

Version 6.11.18

Council on Environmental Quality Requests Public Comment on Potential Revisions to Update the National Environment Policy Act

On **June XX**, 2018, the Council on Environmental Quality (CEQ) submitted an Advance Notice of Proposed Rulemaking entitled, “Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act” to the *Federal Register* for public comment.

Background:

- On August 15, 2017, President Trump issued [Executive Order 13807](#) which directed CEQ to develop an initial list of actions it would take to enhance and modernize the Federal environmental review and authorization process.
- CEQ’s [initial list of actions](#) was published in the *Federal Register* on September 14, 2017 and stated CEQ intended to review existing CEQ regulations implementing the procedural requirements of 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 National Environmental Policy Act (NEPA) implementing regulations were issued, CEQ has determined it appropriate to solicit 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.
- In May 2018, CEQ [submitted the draft ANPRM](#) to the Office of Management and Budget for interagency review consistent with Executive Order 12866. Following the interagency review, CEQ believes it is appropriate to now solicit public comment.

Request for Public Comment:

- CEQ requests comment on potential revisions to update and clarify CEQ NEPA regulations. Comments should be submitted on or before 30 days after the date of publication in the *Federal Register*.
- Through a series of 20 questions, CEQ is requesting comments on the NEPA process, the scope of NEPA review, and ways to improve and make the NEPA process more efficient.

Next Steps:

- Following the conclusion of the public comment period, CEQ will review the comments before taking any potential further action.

RE: Draft ANPRM Fact Sheet

From: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Tue, 12 Jun 2018 09:39:02 -0400
Attachments: Draft ANPRM Fact Sheet 6-11-18 V2.docx (18.95 kB)

Hey Aaron, can you take a look at this today so I can get it up to Mary?

Thanks!

From: Schneider, Daniel J. EOP/CEQ
Sent: Monday, June 11, 2018 3:01 PM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)>
Subject: Draft ANPRM Fact Sheet

Hey Aaron, please see attached for your review.

Thanks,

Dan

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

Version 6.11.18

Council on Environmental Quality Requests Public Comment on Potential Revisions to Update the National Environment Policy Act

On **June XX**, 2018, the Council on Environmental Quality (CEQ) submitted an Advance Notice of Proposed Rulemaking entitled, “Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act” to the *Federal Register* for public comment.

Background:

- On August 15, 2017, President Trump issued [Executive Order 13807](#) which directed CEQ to develop an initial list of actions it would take to enhance and modernize the Federal environmental review and authorization process.
- CEQ’s [initial list of actions](#) was published in the *Federal Register* on September 14, 2017 and stated CEQ intended to review existing CEQ regulations implementing the procedural requirements of 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 National Environmental Policy Act (NEPA) implementing regulations were issued, CEQ has determined it appropriate to solicit 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.
- In May 2018, CEQ [submitted the draft ANPRM](#) to the Office of Management and Budget for interagency review consistent with Executive Order 12866. Following the interagency review, CEQ believes it is appropriate to now solicit public comment.

Request for Public Comment:

- CEQ requests comment on potential revisions to update and clarify CEQ NEPA regulations. Comments should be submitted on or before 30 days after the date of publication in the *Federal Register*.
- Through a series of 20 questions, CEQ is requesting comments on the NEPA process, the scope of NEPA review, and ways to improve and make the NEPA process more efficient.

Next Steps:

- Following the conclusion of the public comment period, CEQ will review the comments before taking any potential further action.

RE: Draft ANPRM Fact Sheet

From: "Szabo, Aaron L. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=f93a8d1dd2b4420ca81e53ff8199b780-sz">
To: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
Date: Tue, 12 Jun 2018 09:43:28 -0400
Attachments: Draft ANPRM Fact Sheet 6-11-18 V2 als.docx (22.02 kB)

From: Schneider, Daniel J. EOP/CEQ
Sent: Tuesday, June 12, 2018 9:39 AM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)>
Subject: RE: Draft ANPRM Fact Sheet

Hey Aaron, can you take a look at this today so I can get it up to Mary?

Thanks!

From: Schneider, Daniel J. EOP/CEQ
Sent: Monday, June 11, 2018 3:01 PM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)>
Subject: Draft ANPRM Fact Sheet

Hey Aaron, please see attached for your review.

Thanks,

Dan

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

Version 6.11.18

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- [On May 3, 2018, CEQ submitted the draft ANPRM to the Office of Management and Budget for interagency review consistent with Executive Order 12866. Following the interagency review, CEQ believes it is appropriate to now solicit public comment.](#)

Deleted: has

Deleted: its

Deleted: In

Commented [ALS1]: I do not think this is necessary and could be deleted, but I defer to Mary’s judgment. Usually agencies do not discuss the EO 12866 process in their fact sheets.

Request for Public Comment:

- CEQ requests comment on potential revisions to update and clarify CEQ NEPA regulations. Comments should be submitted on or before 30 days after the date of publication in the *Federal Register*. [To comment, go to https://www.regulations.gov and follow the online instructions for submitting comments to Docket ID No. CEQ-2018-0001.](https://www.regulations.gov)
- Through a series of 20 questions, CEQ is requesting comments on the NEPA process, the scope of NEPA review, and ways to improve and make the NEPA [better for all stakeholders](#).

Deleted: process more efficient

Next Steps:

- Following the conclusion of the public comment period, CEQ will review the comments before taking any potential further action.

RE: For EO 12866: Revised CEQ ANPRM

From: "Whiteman, Chad S. EOP/OMB" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
"Boling, Ted A. EOP/CEQ" (b) (6) "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Barnett, Steven W. EOP/CEQ" <(b) (6)>
Cc: "Sharp, Thomas L. EOP/CEQ" <(b) (6)>
"Gignoux, Caroline M. EOP/CEQ (Intern)" <(b) (6)>
"Smith, Katherine R. EOP/CEQ" <(b) (6)>
"Loyola, Mario A. EOP/CEQ" <(b) (6)>
Date: Wed, 13 Jun 2018 09:48:06 -0400

Aaron,

(b) (5)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Thanks,
Chad

From: Szabo, Aaron L. EOP/CEQ
Sent: Wednesday, June 13, 2018 9:36 AM
To: Whiteman, Chad S. EOP/OMB <(b) (6)>
Cc: Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)> Barnett, Steven W. EOP/CEQ <(b) (6)> Sharp, Thomas L. EOP/CEQ <(b) (6)> Gignoux, Caroline M. EOP/CEQ (Intern) <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)> Loyola, Mario A. EOP/CEQ <(b) (6)>
Subject: RE: For EO 12866: Revised CEQ ANPRM

Chad,

(b) (5)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

(b) (5) [Redacted]

[Redacted]

From: Whiteman, Chad S. EOP/OMB
Sent: Wednesday, June 13, 2018 9:23 AM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)>
Cc: Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)> Barnett, Steven W. EOP/CEQ <(b) (6)> Sharp, Thomas L. EOP/CEQ <(b) (6)> Gignoux, Caroline M. EOP/CEQ (Intern) <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)> Loyola, Mario A. EOP/CEQ <(b) (6)>
Subject: RE: For EO 12866: Revised CEQ ANPRM

Aaron,
Would the agency consider (b) (5) [Redacted].

(b) (5) [Redacted]

Chad

From: Szabo, Aaron L. EOP/CEQ
Sent: Friday, June 8, 2018 10:00 AM
To: Whiteman, Chad S. EOP/OMB <(b) (6)>
Subject: For EO 12866: Revised CEQ ANPRM

Chad,

Per the meeting, please see attached the revised clean and RLSO version.

Thanks.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

(b) (6) [Redacted] (Desk)

(b) (6) [Redacted] (Cell)

(b) (6) [Redacted]

RE: For EO 12866: Revised CEQ ANPRM

From : "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
To: "Whiteman, Chad S. EOP/OMB" <(b) (6)>
"Boling, Ted A. EOP/CEQ" (b) (6) "Drummond, Michael R. EOP/CEQ" <(b) (6)>
"Barnett, Steven W. EOP/CEQ"
Cc: <(b) (6)> "Sharp, Thomas L. EOP/CEQ"
<(b) (6)> "Gignoux, Caroline M. EOP/CEQ (Intern)"
<(b) (6)> "Smith, Katherine R. EOP/CEQ"
<(b) (6)> "Loyola, Mario A. EOP/CEQ"
<(b) (6)>
Date: Wed, 13 Jun 2018 09:36:15 -0400

Chad,

(b) (5)
[Redacted]

[Redacted]

[Redacted]

From: Whiteman, Chad S. EOP/OMB
Sent: Wednesday, June 13, 2018 9:23 AM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)>
Cc: Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)>
Barnett, Steven W. EOP/CEQ <(b) (6)>
Sharp, Thomas L. EOP/CEQ <(b) (6)>
Gignoux, Caroline M. EOP/CEQ (Intern) <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Loyola, Mario A. EOP/CEQ <(b) (6)>
Subject: RE: For EO 12866: Revised CEQ ANPRM

Aaron,

Would the agency consider (b) (5) [REDACTED]

[REDACTED]

Chad

From: Szabo, Aaron L. EOP/CEQ

Sent: Friday, June 8, 2018 10:00 AM

To: Whiteman, Chad S. EOP/OMB <(b) (6)>

Subject: For EO 12866: Revised CEQ ANPRM

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Thanks.

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

EO12866: CEQ ANPRM RLSO

From: "Szabo, Aaron L. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=f93a8d1dd2b4420ca81e53ff8199b780-sz">
To: "Chad S. EOP/OMB Whiteman ((b) (6) [REDACTED]) <(b) (6) [REDACTED]>
Date: Thu, 14 Jun 2018 11:44:00 -0400
Attachments: EO12866 Review CEQ NEPA ANPRM_Revised_RLSO_Final_06142018.docx (48.23 kB)

Chad,

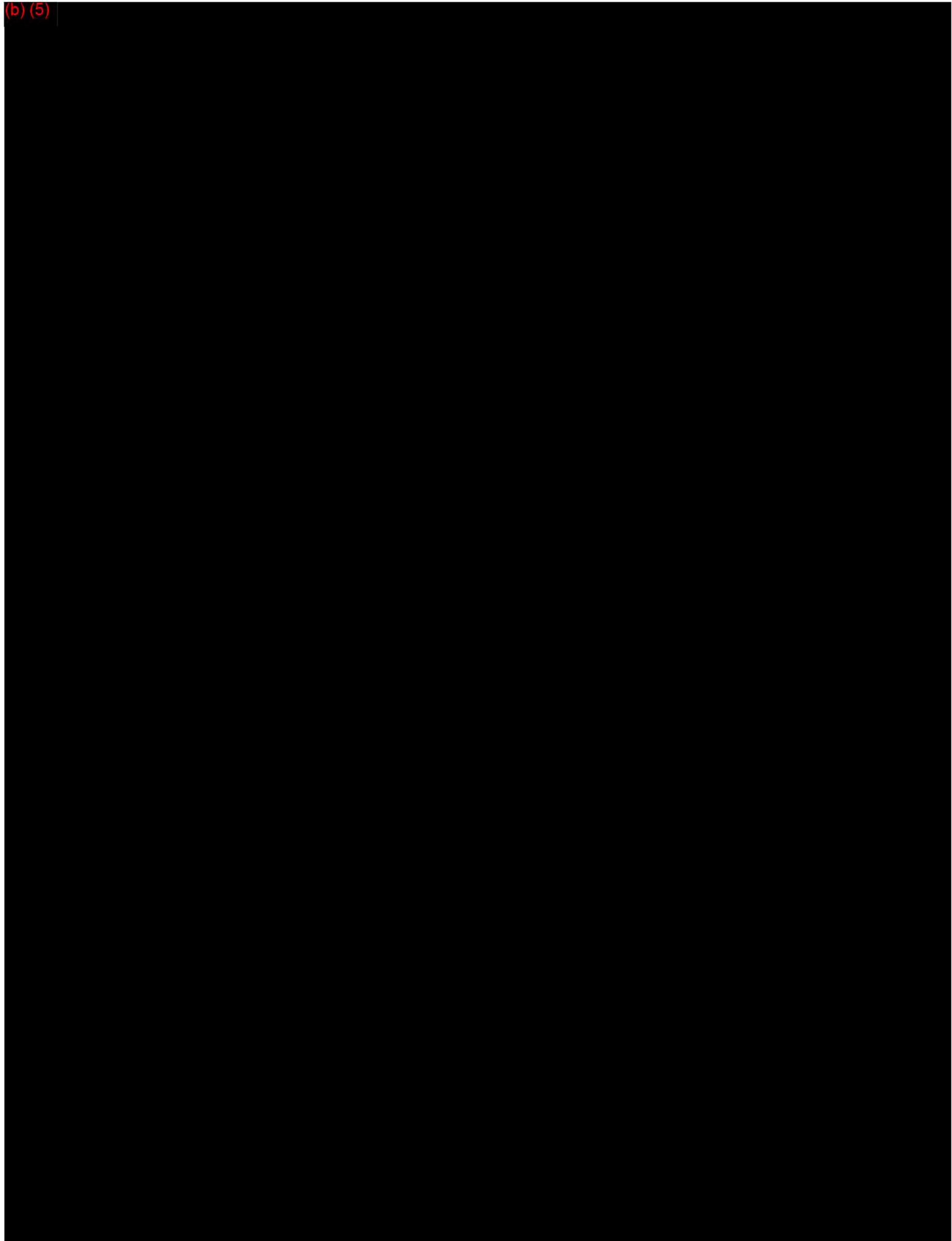
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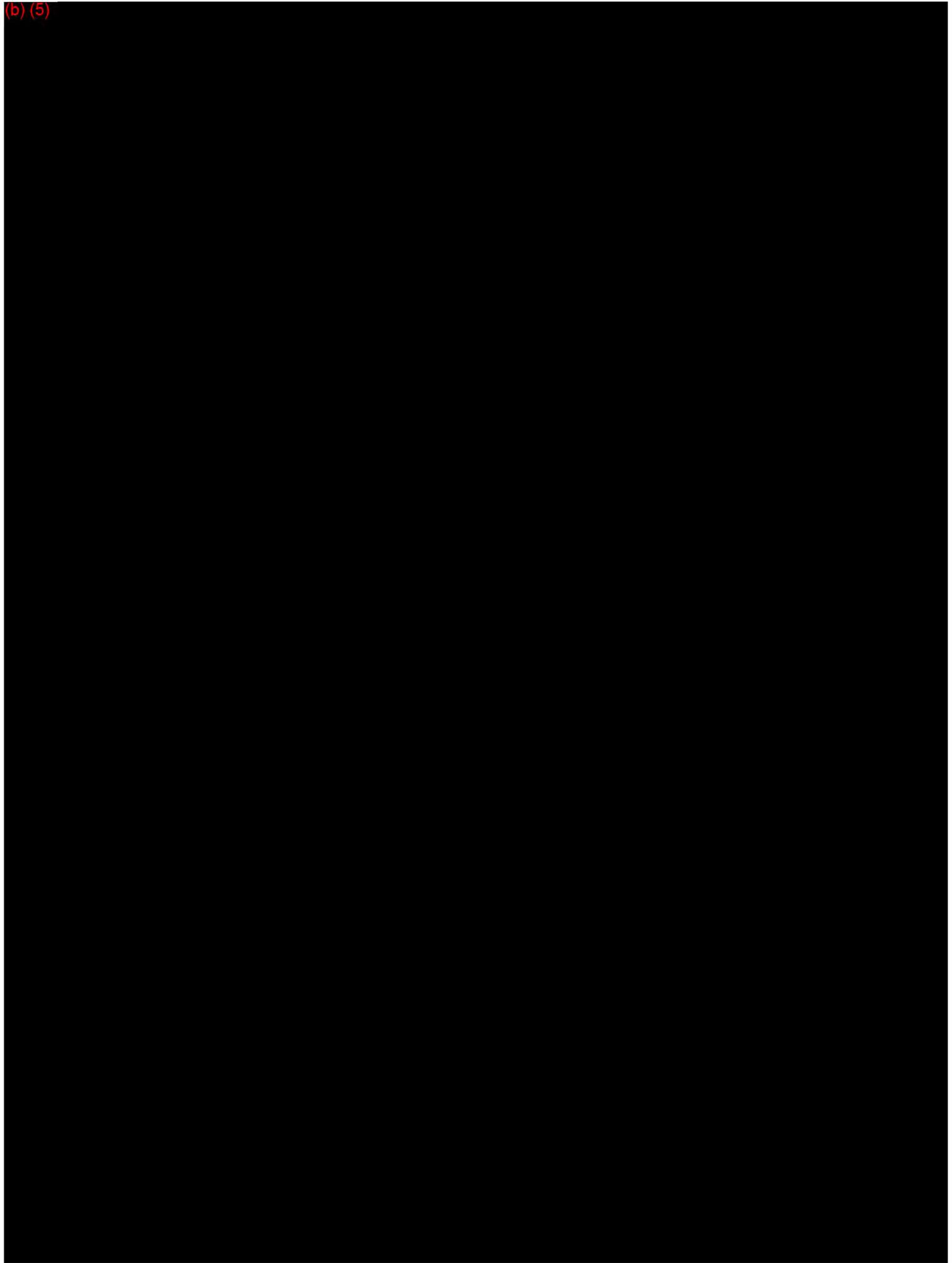
Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

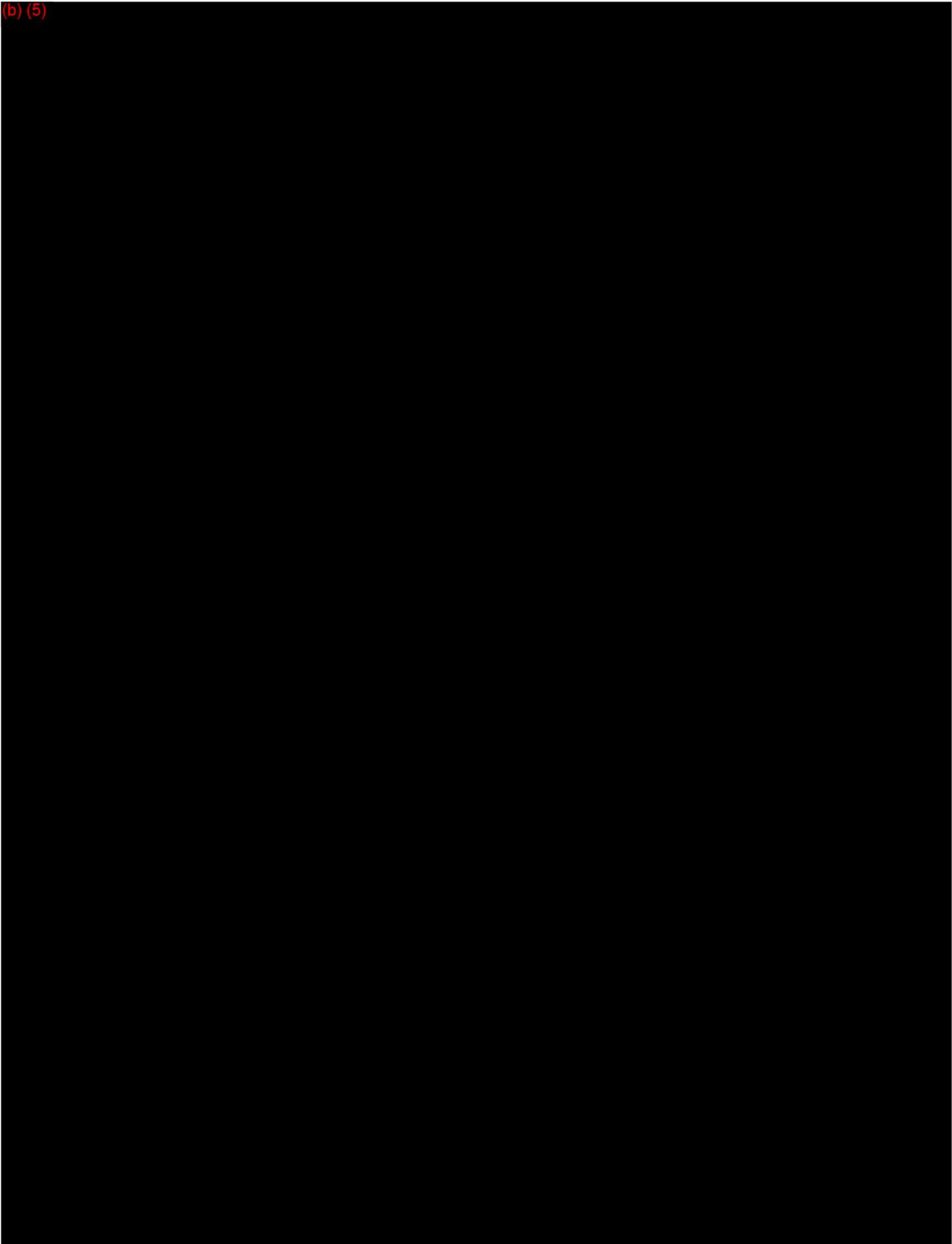
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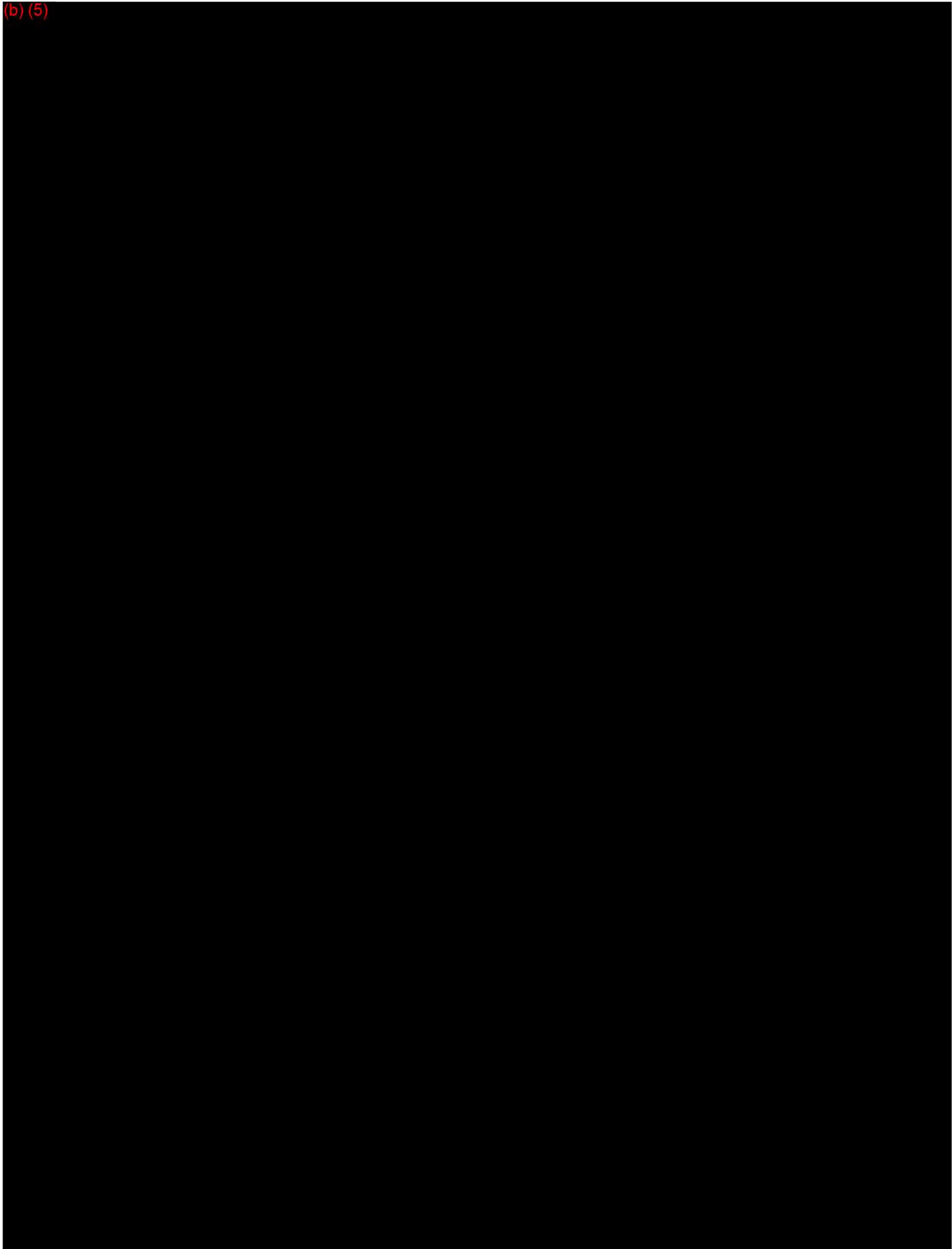
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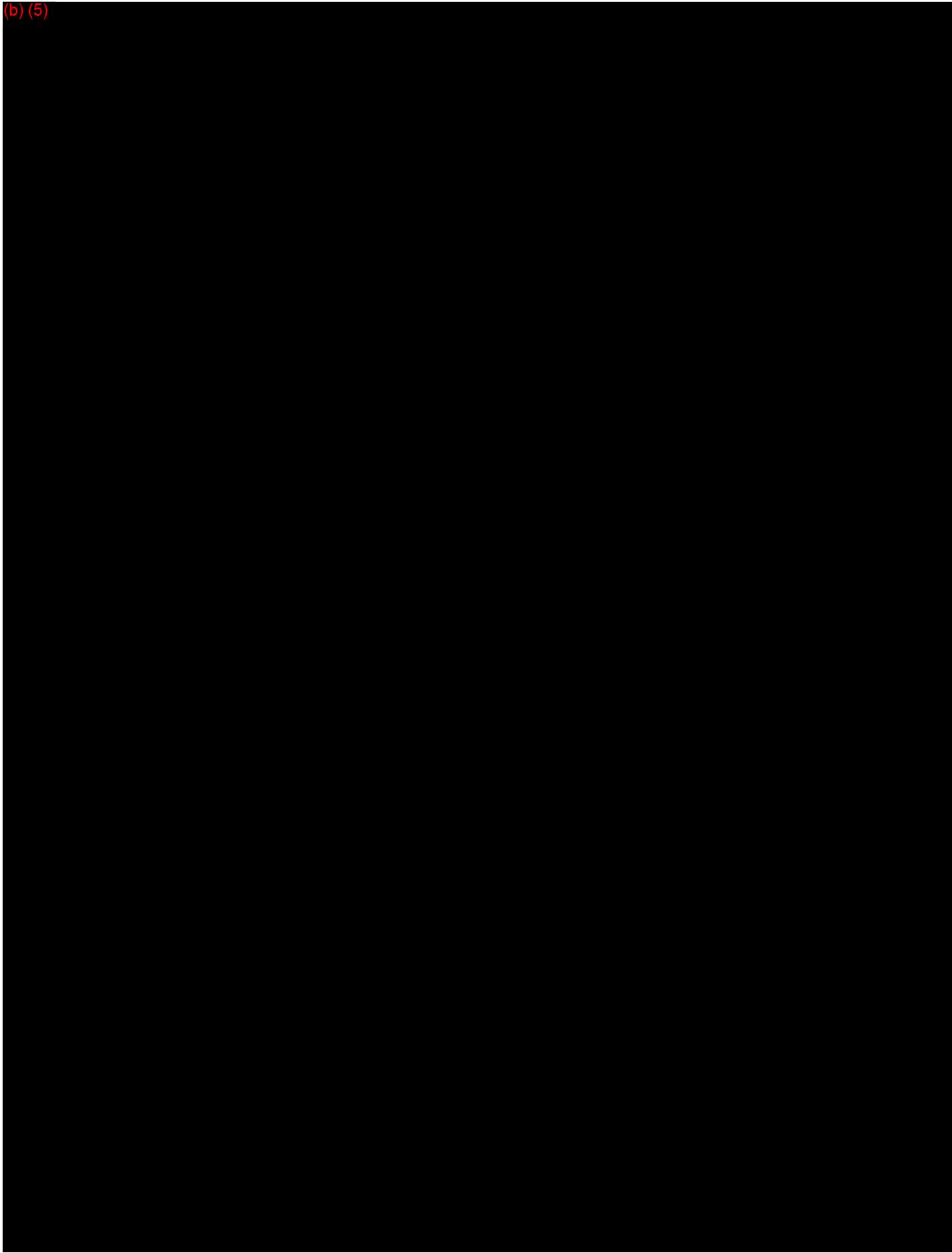
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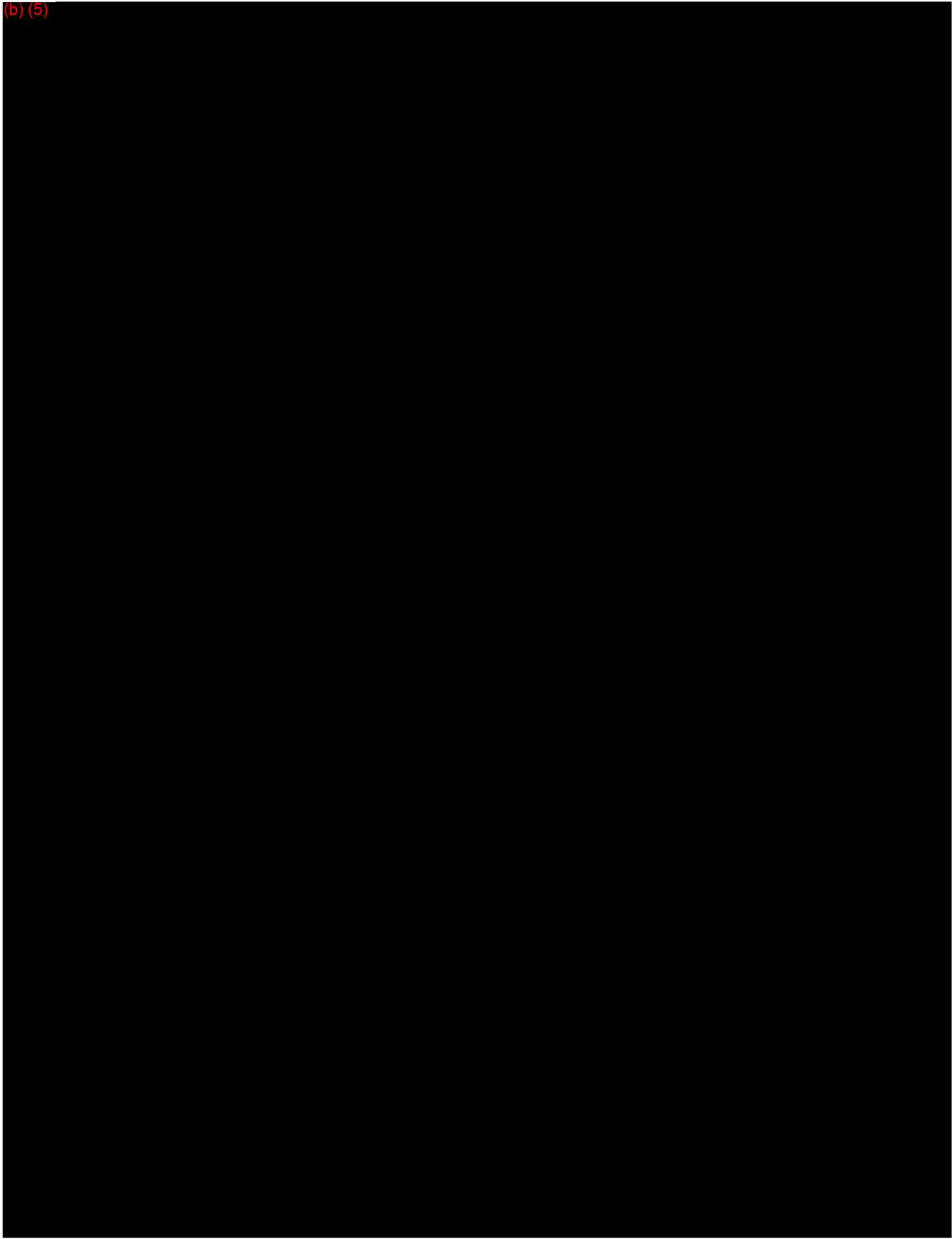


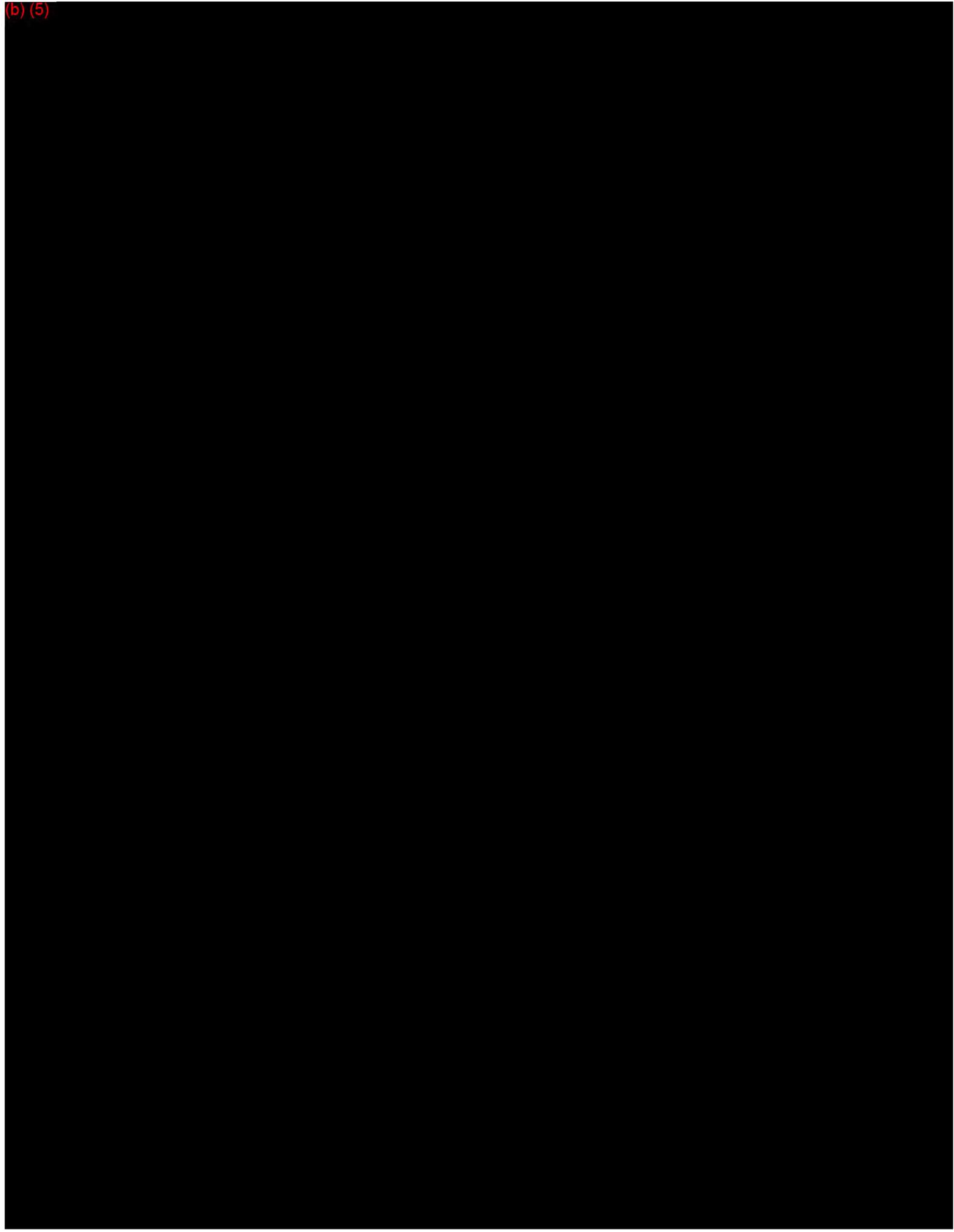


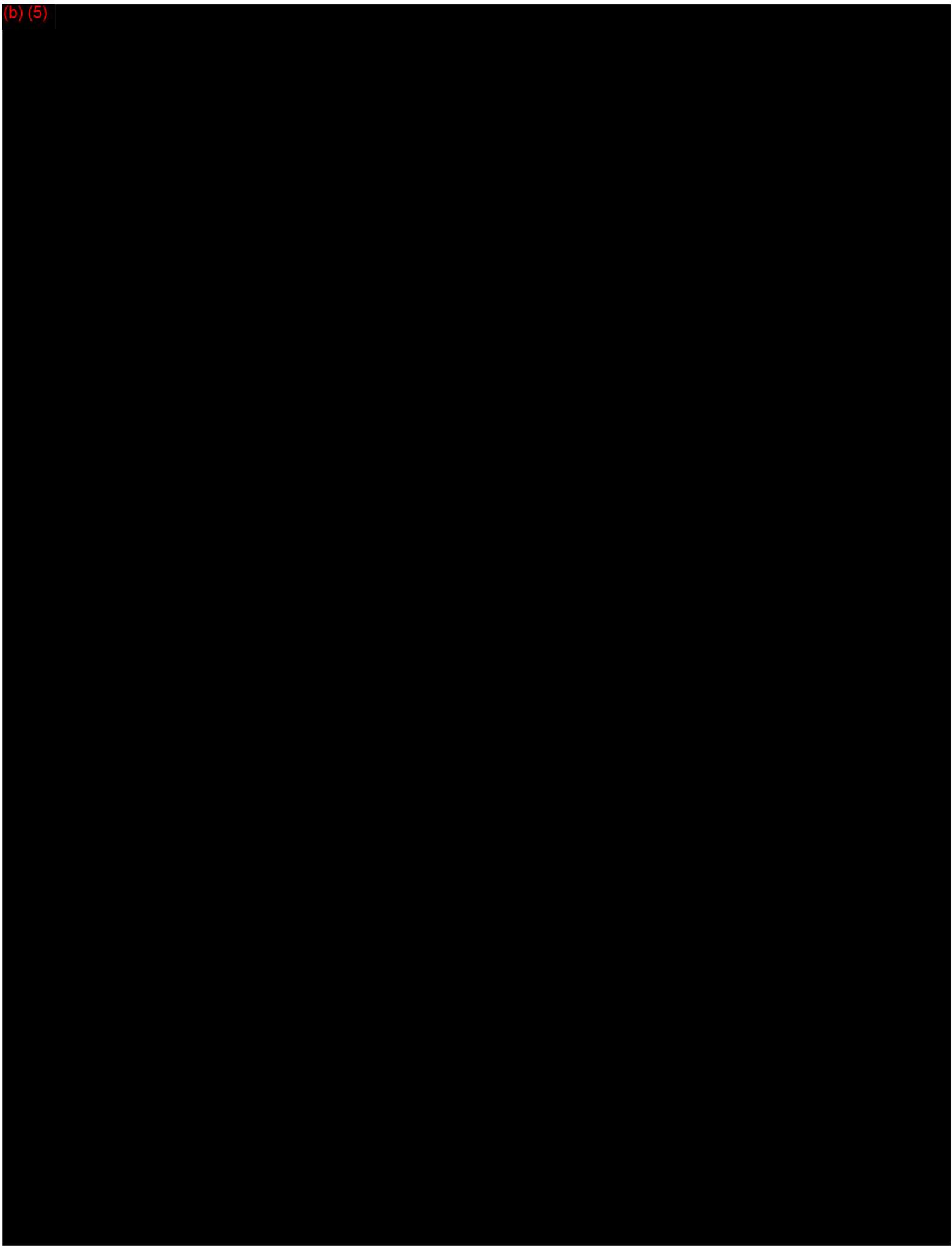












FW: FW: Edits to proposed rule on NEPA review

From: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
To: "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Boling, Ted A. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Fri, 15 Jun 2018 14:31:48 -0400
Attachment s: FR 2018-13246_1644312.docx (50.76 kB)

Let's discuss. Ted is in my office.

From: Miriam Vincent <miriam.vincent@nara.gov>
Sent: Friday, June 15, 2018 2:29 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Cc: fedreg.legal@nara.gov; ofr-legal@gpo.gov
Subject: Re: FW: Edits to proposed rule on NEPA review

Viktoria,

(b) (5)

(b) (5)

We allow quotations where the agency has added value to the quotation - addressing the specific language used, contrasting with other relevant language, showing how the specific language directed or led to specific agency action.

(b) (5)

I have a flexible schedule on Monday, so can be available (with a little notice) anytime between 9:30 and 3:30. I'm finishing up for the day shortly, but I'll be starting early enough on Monday that I can be ready for a 9:30 meeting if you send a meeting request after I log off this afternoon.

Miriam

Miriam Vincent
Staff Attorney, Legal Affairs and Policy Division

Office of the Federal Register
National Archives and Records Administration
(o)202.741.6024 (c) (b) (6) (c) (b) (6)

On Fri, Jun 15, 2018 at 1:16 PM, Seale, Viktoria Z. EOP/CEQ <(b) (6)>
wrote:

Dear Sir or Madam,

I am writing with regards to an Advance Notice of Proposed Rulemaking that the Council on Environmental Quality (CEQ) has submitted to the Federal Register for publication. (b) (5)

I am available to discuss this matter at your earliest convenience and can be reached at (b) (6) (direct) or (b) (6) (cell).

Sincerely,

Viktoria

Viktoria Z. Seale
General Counsel
Executive Office of the President
Council on Environmental Quality
(b) (6) (direct)
(b) (6) (cell)

From: Sun, Howard C. EOP/CEQ
Sent: Friday, June 15, 2018 12:24 PM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)> Szabo, Aaron L. EOP/CEQ <(b) (6)>; Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Subject: FW: Edits to proposed rule on NEPA review

From: Reid, Chipp (OFR) <creid@gpo.gov>
Sent: Friday, June 15, 2018 12:23 PM
To: Sun, Howard C. EOP/CEQ <(b) (6)>
Subject: Edits to proposed rule on NEPA review

(b) (5)

Please see the Document Drafting Handbook, page 2-15, which states:

2.6 When can I use direct quotes? The OFR does not allow lengthy or excessive quotation from Federal regulations or Federal law. This includes text from regulatory documents published in the Federal Register. However, if your agency has a compelling legal reason to extensively quote this type of material, contact OFR's Legal Affairs and Policy Division (fedreg.legal@nara.gov) before you submit your document for publication.

(b) (5)

Please let me know if you have any questions.

Chipp Reid
Writer/Editor
Office of the Federal Register
creid@gpo.gov
chipp.reid@nara.gov
202-741-6007

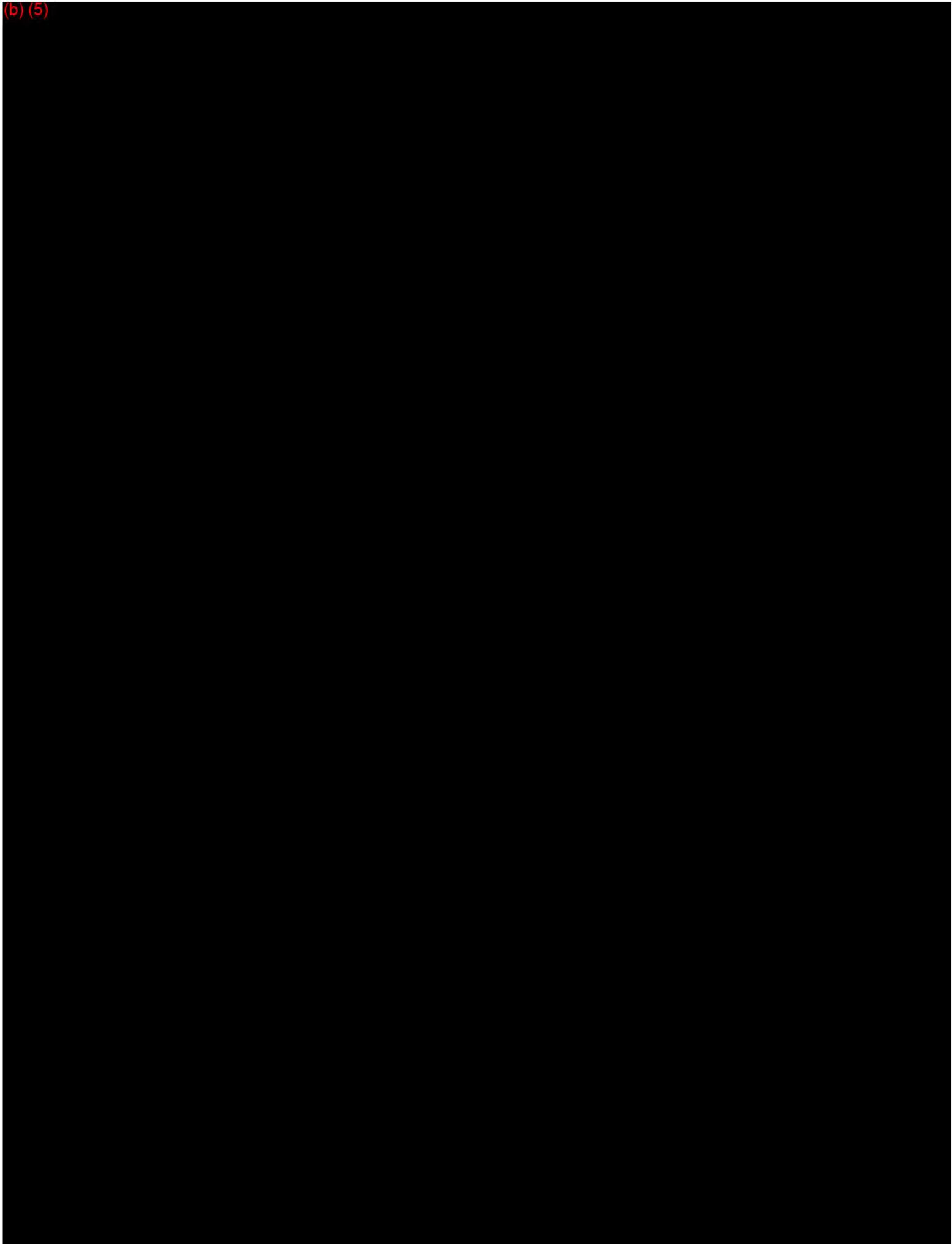
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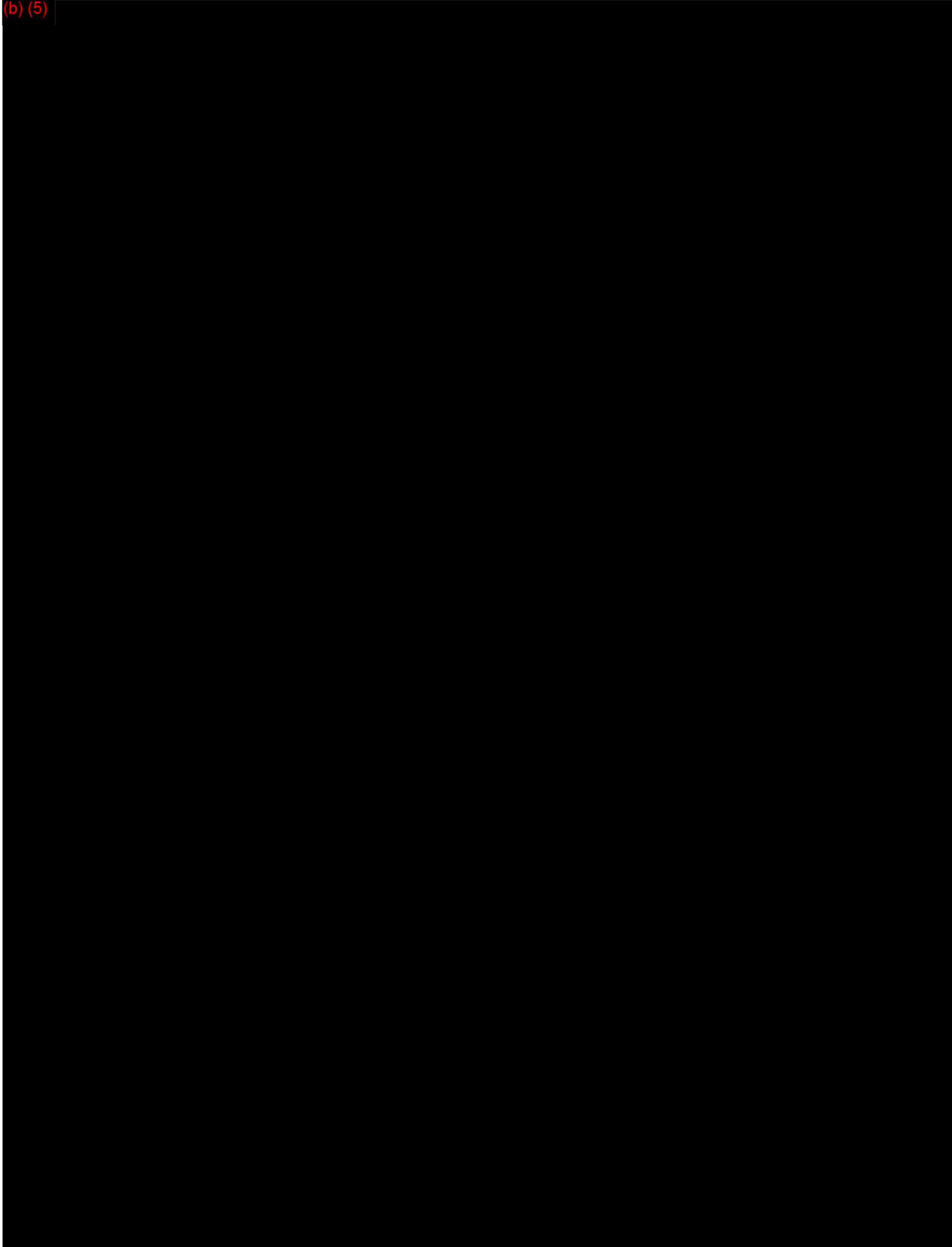
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Office of the Federal Register
National Archives and Records Administration

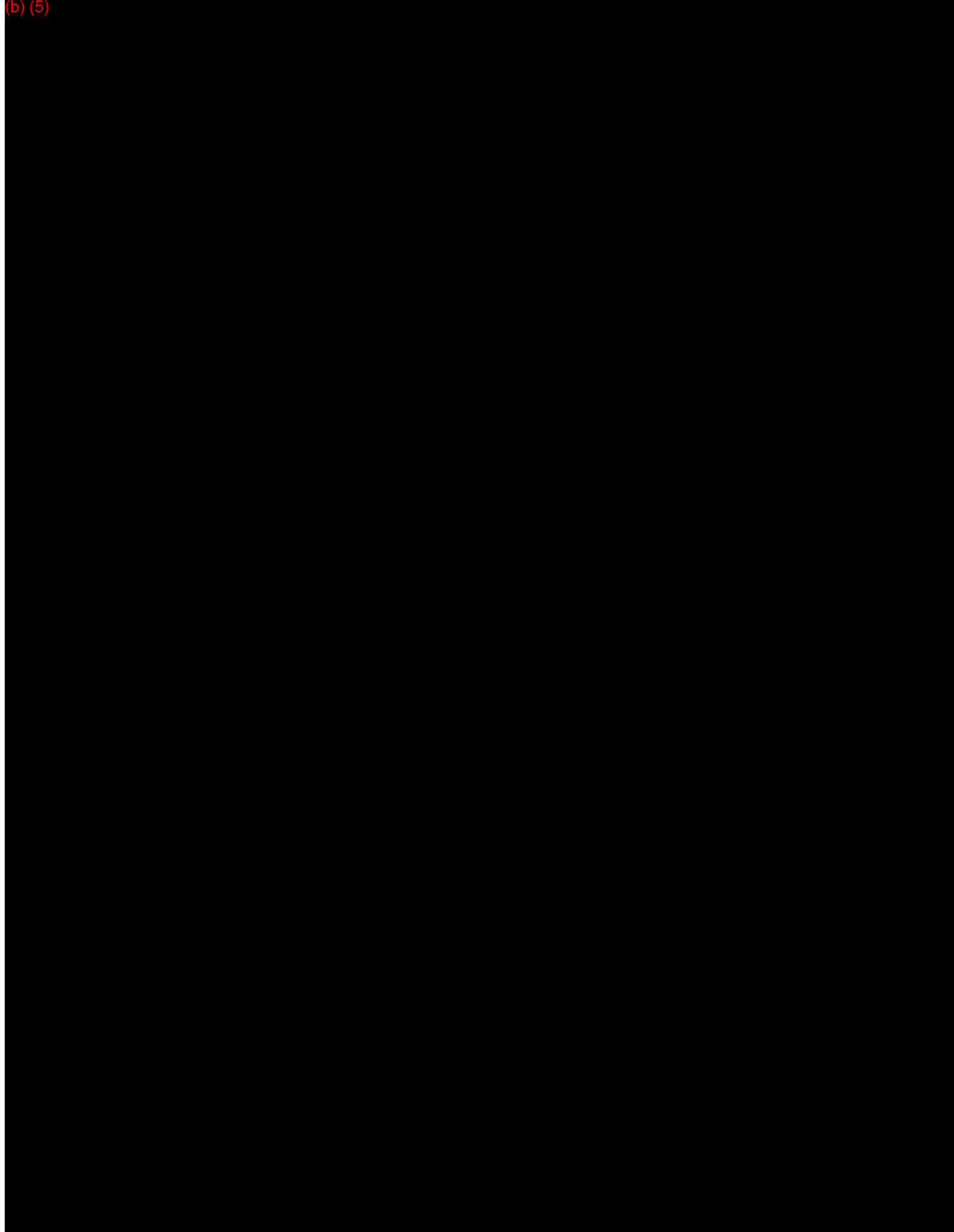
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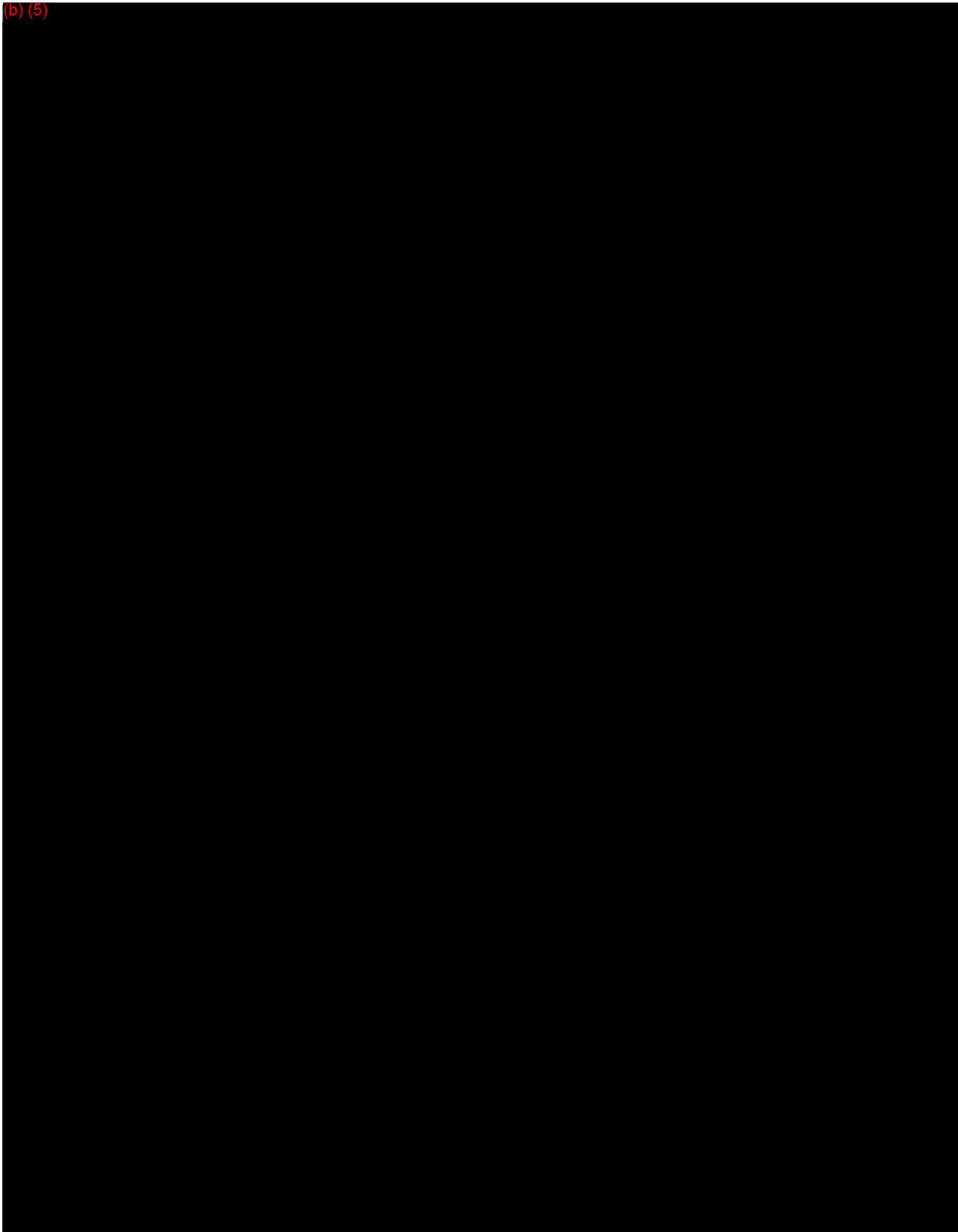
To unsubscribe from this group and stop receiving emails from it, send an email to fedreg.legal+unsubscribe@nara.gov.

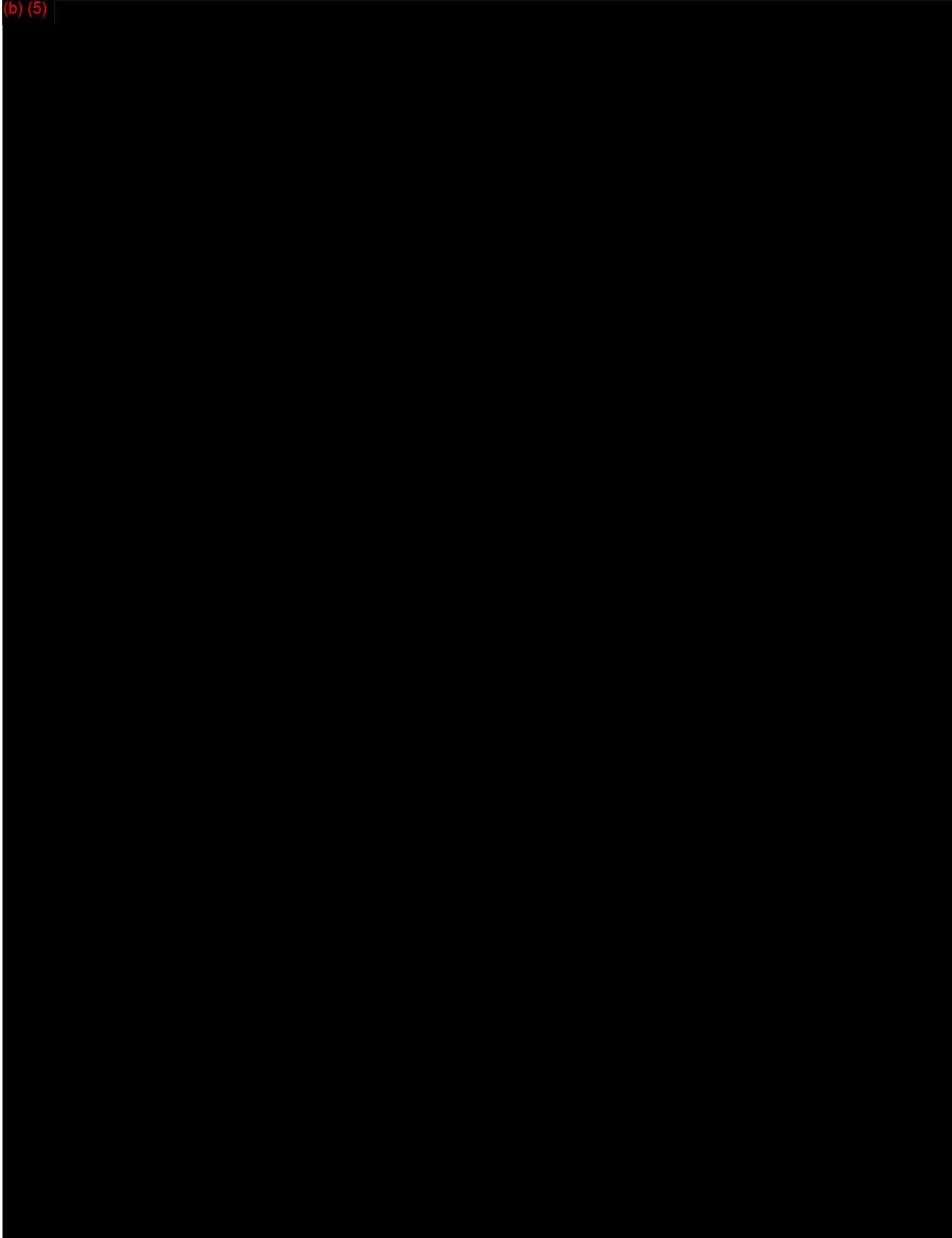
For more options, visit <https://groups.google.com/a/nara.gov/d/optout>.

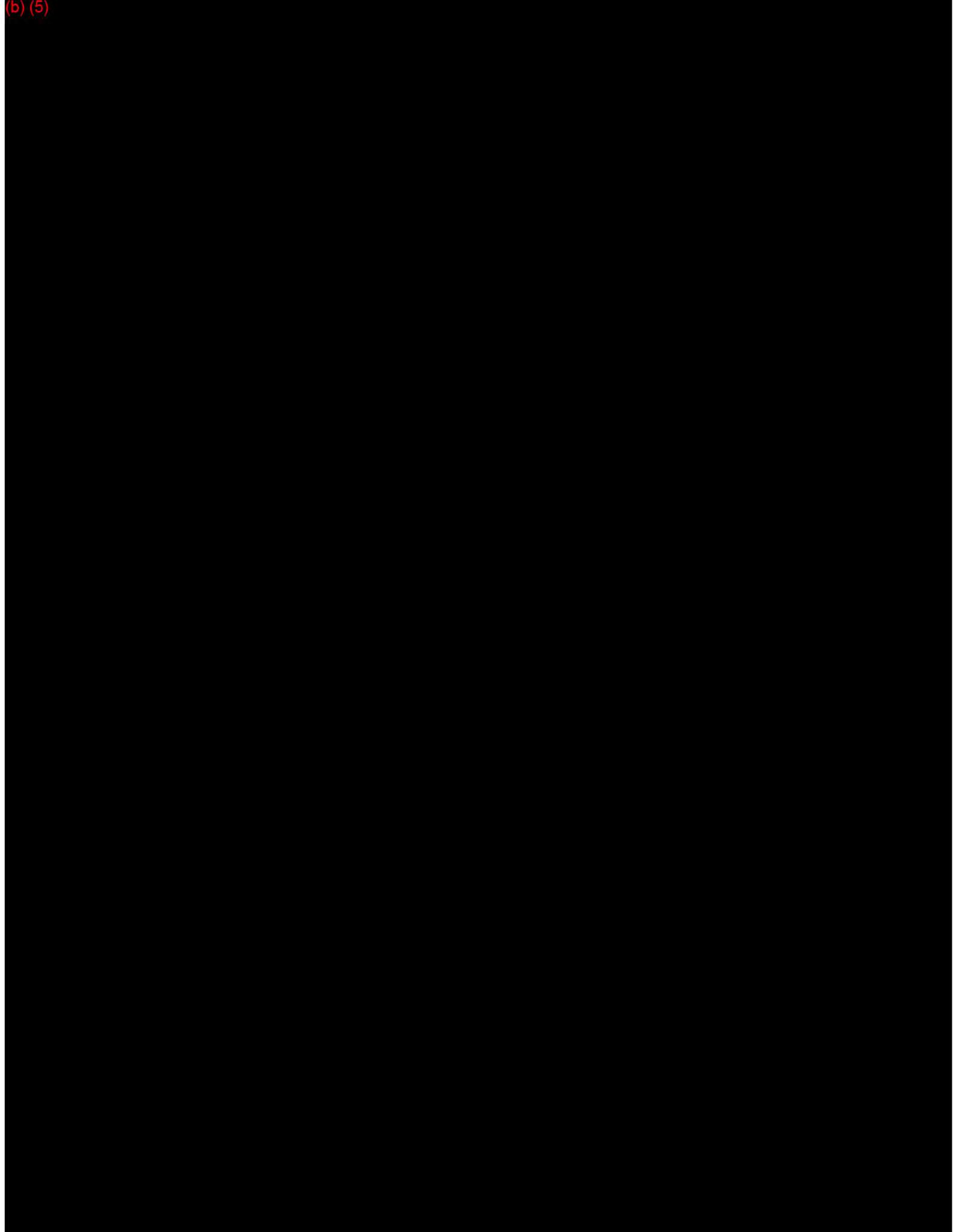


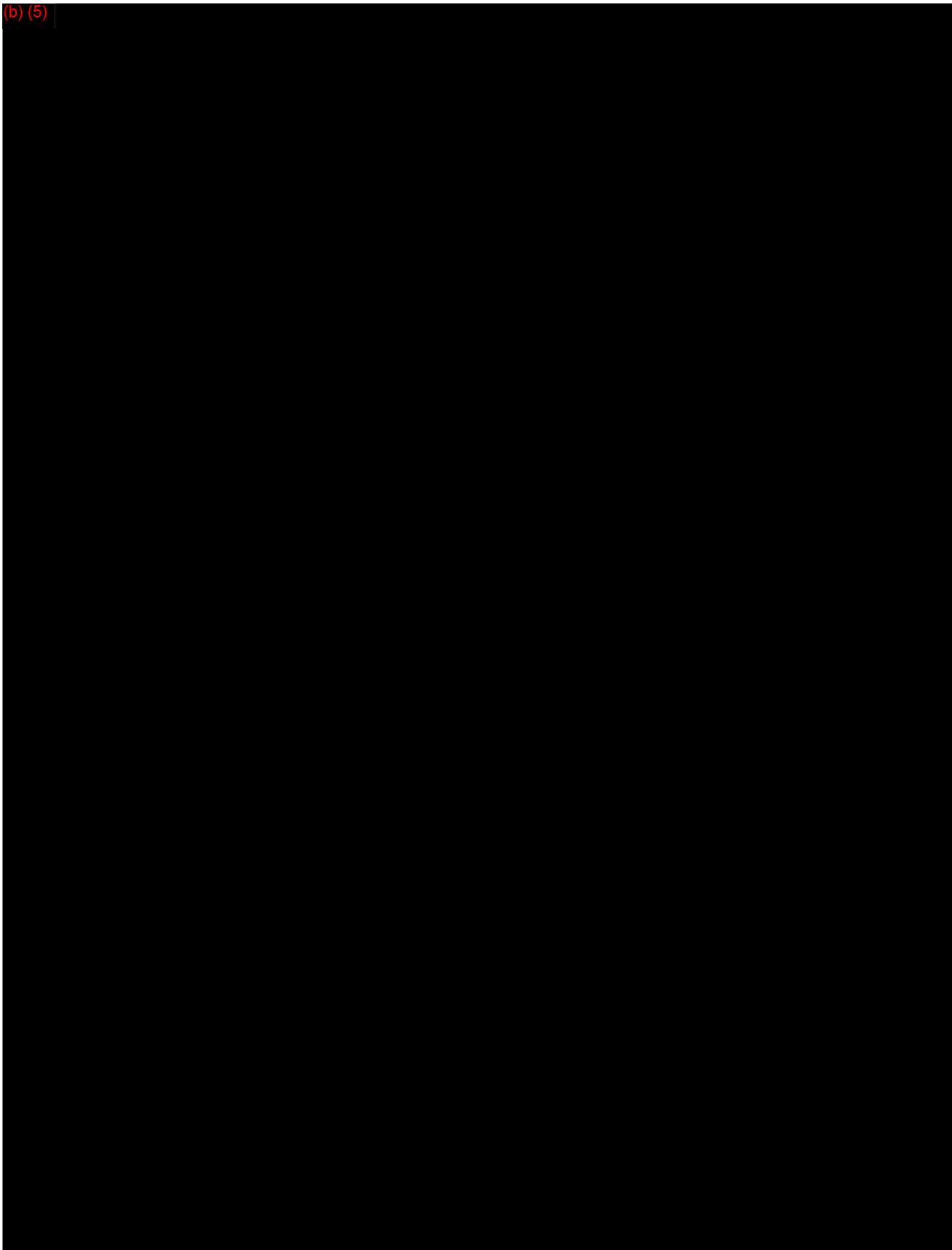


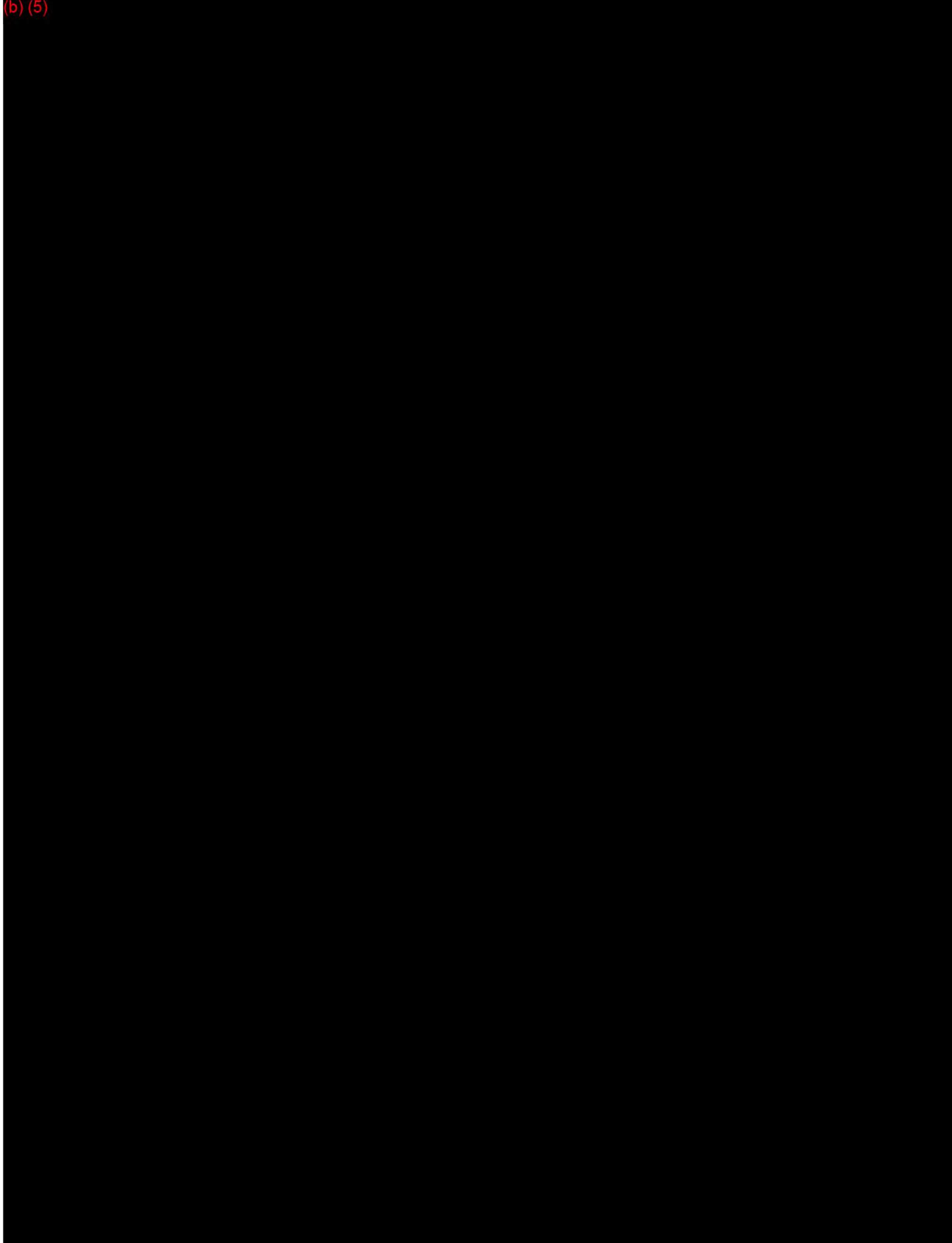








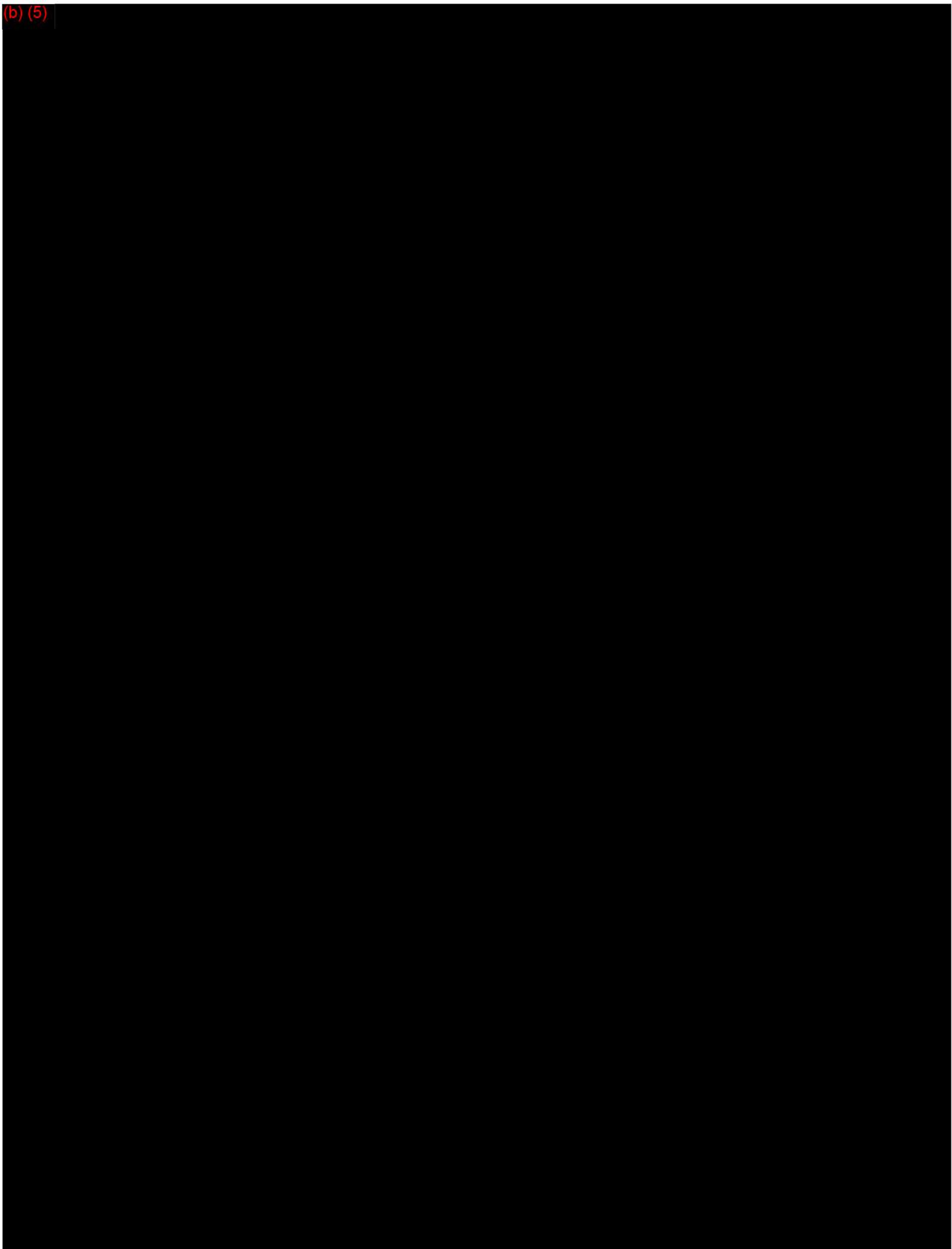


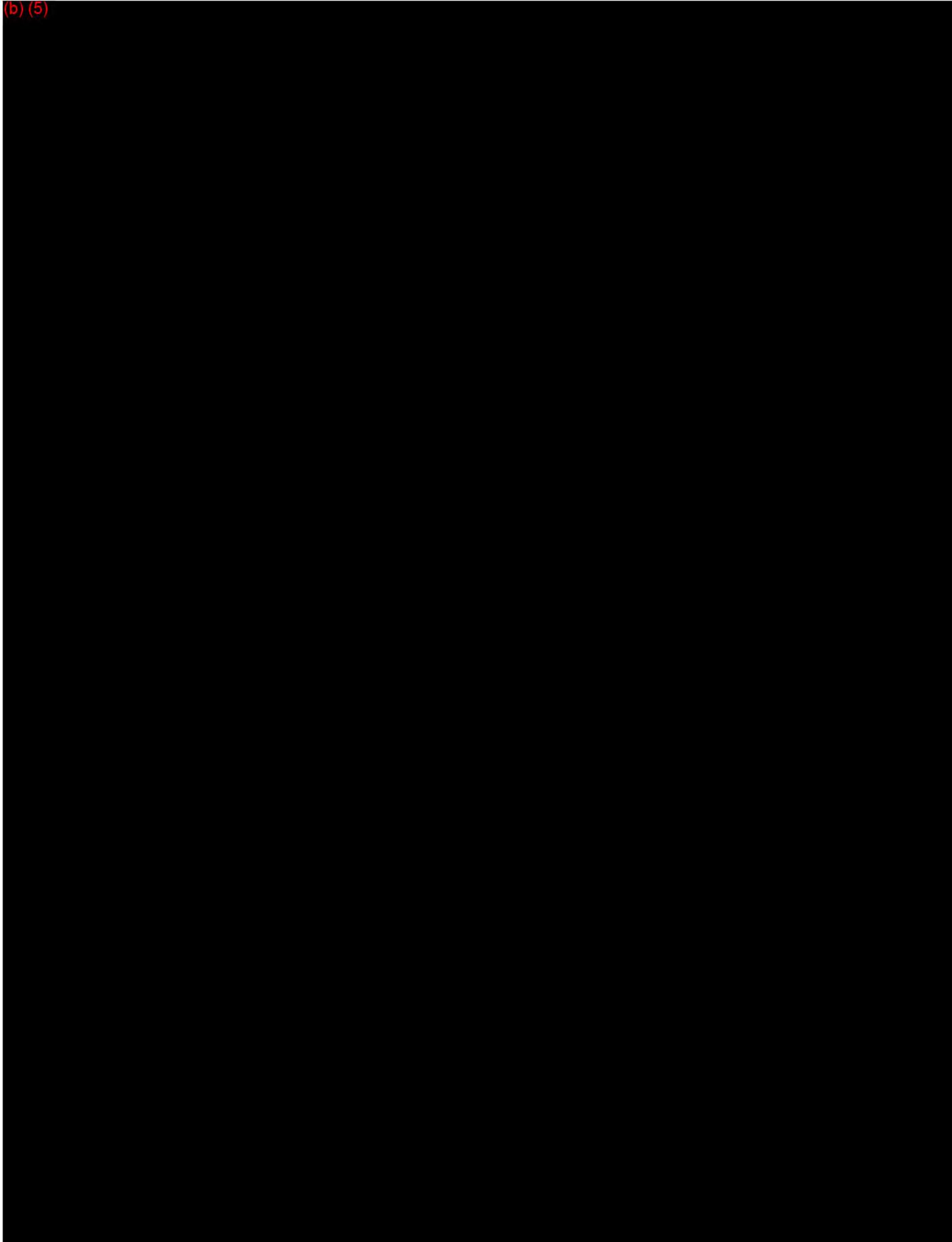


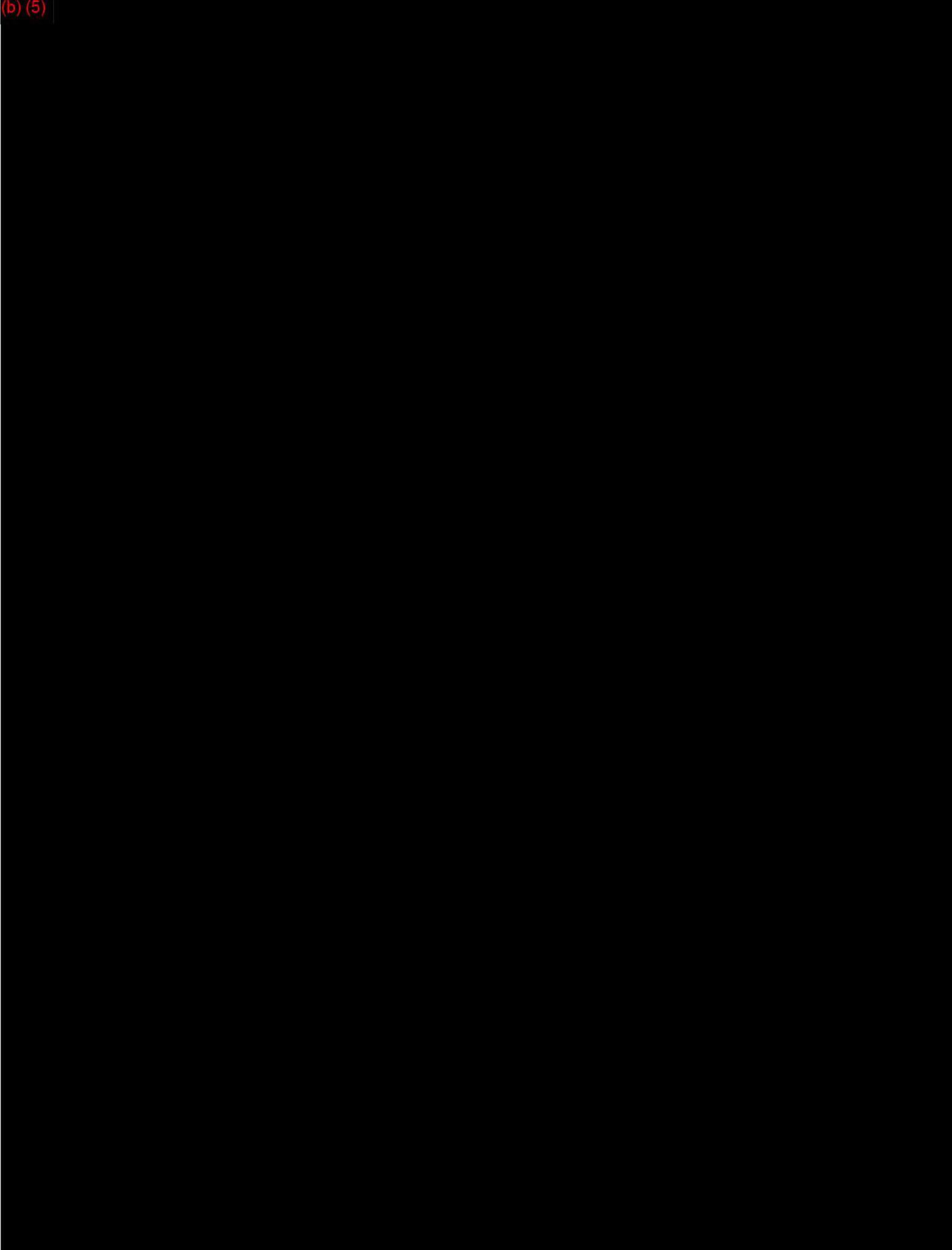
Website Version

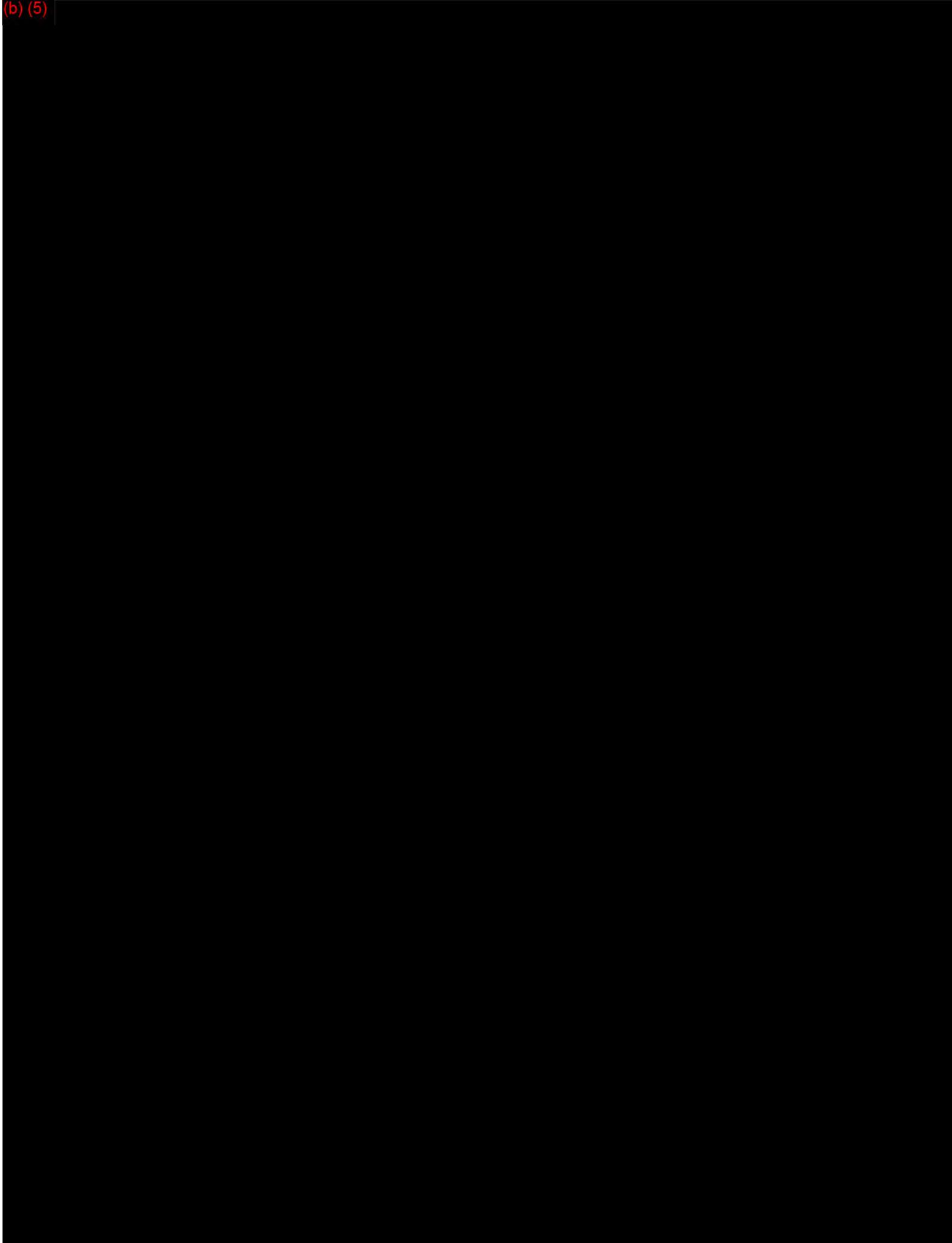
From: "Szabo, Aaron L. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=f93a8d1dd2b4420ca81e53ff8199b780-sz">
To: "Daniel J. EOP/CEQ Schneider (b) (6)" <(b) (6)>
Date: Fri, 15 Jun 2018 11:58:27 -0400
Attachments: CEQ NEPA ANPRM_WebVersion.docx (48.17 kB)

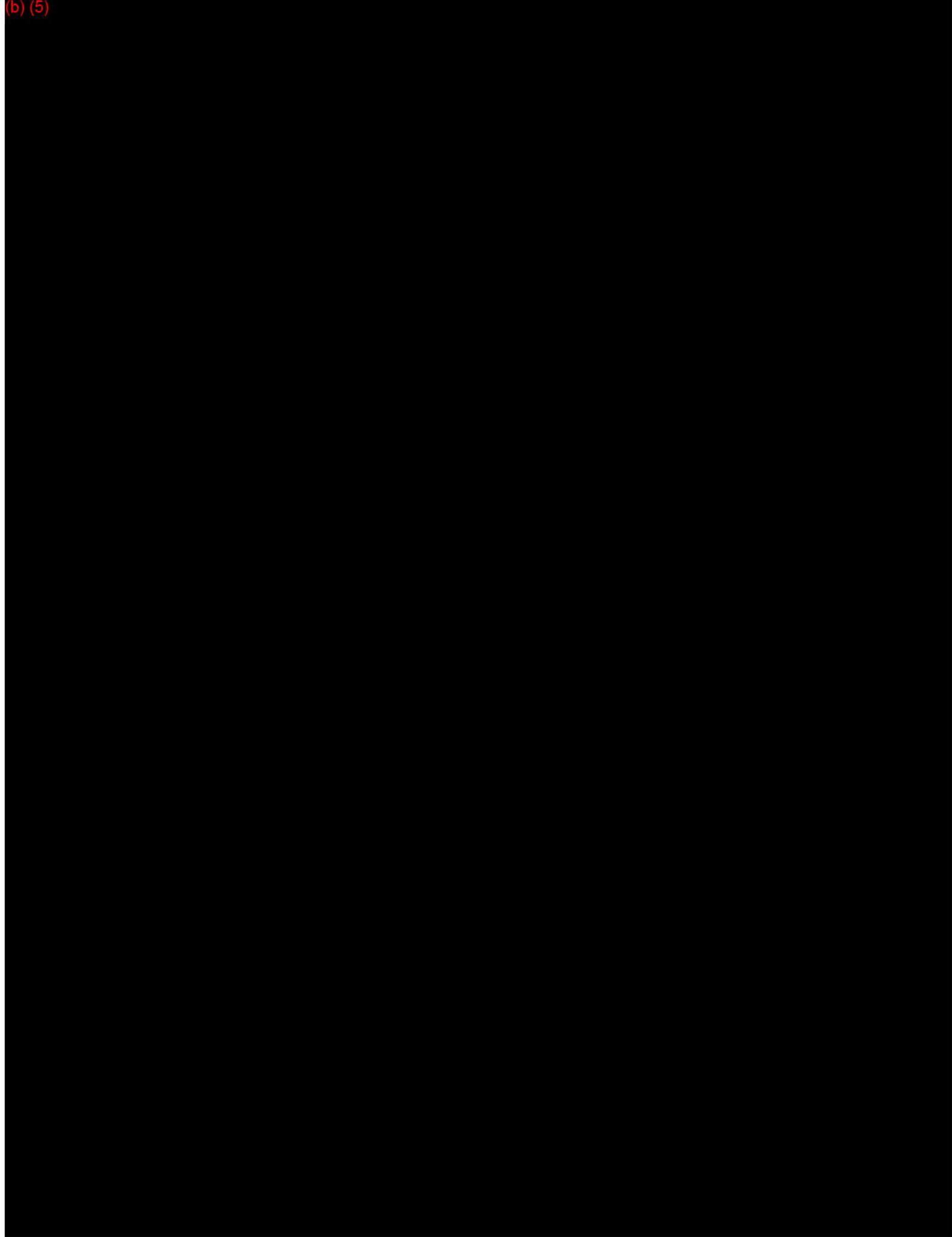
Aaron L. Szabo
Senior Counsel
Council on Environmental Quality
(b) (6) (Desk)
(b) (6) (Cell)
(b) (6)

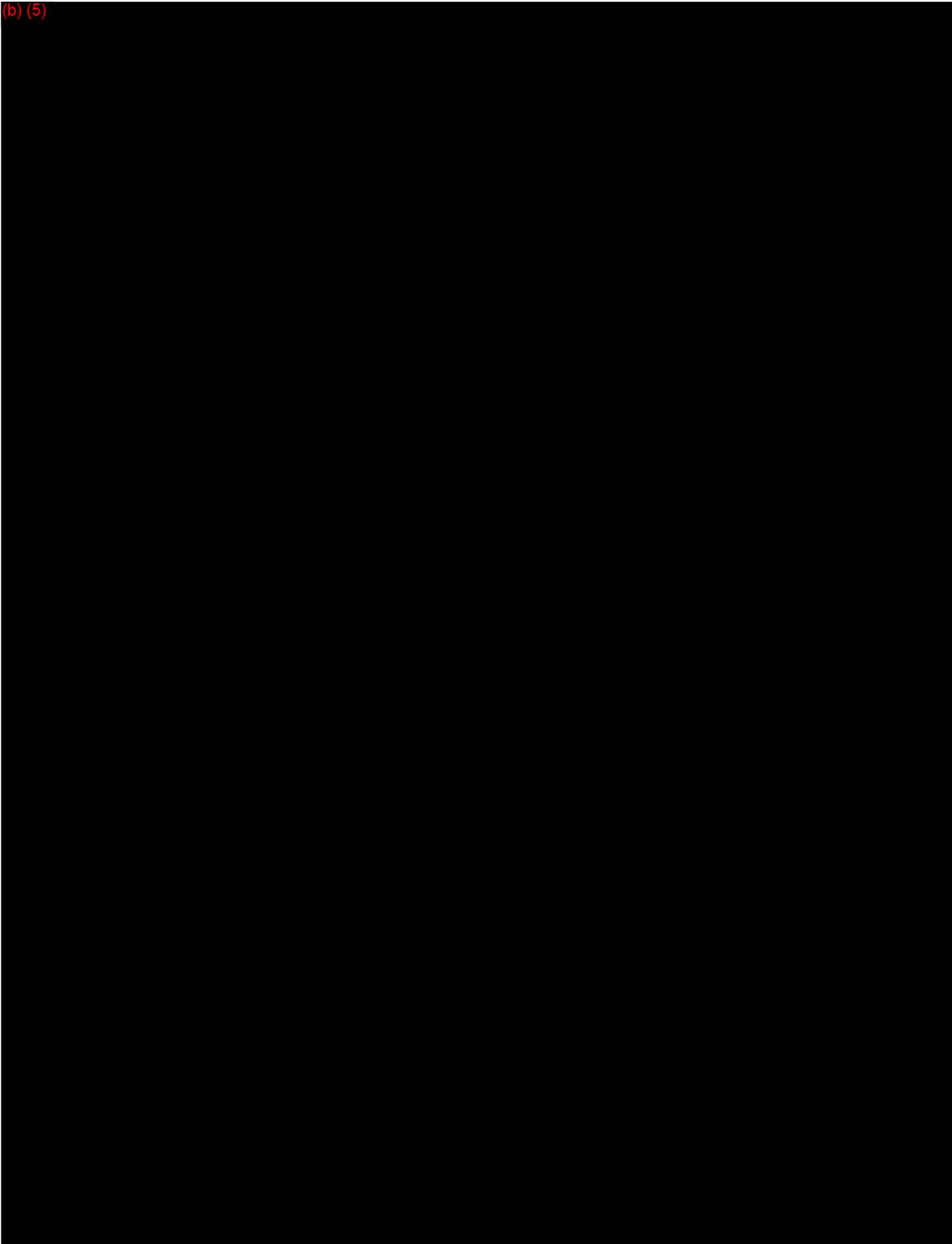


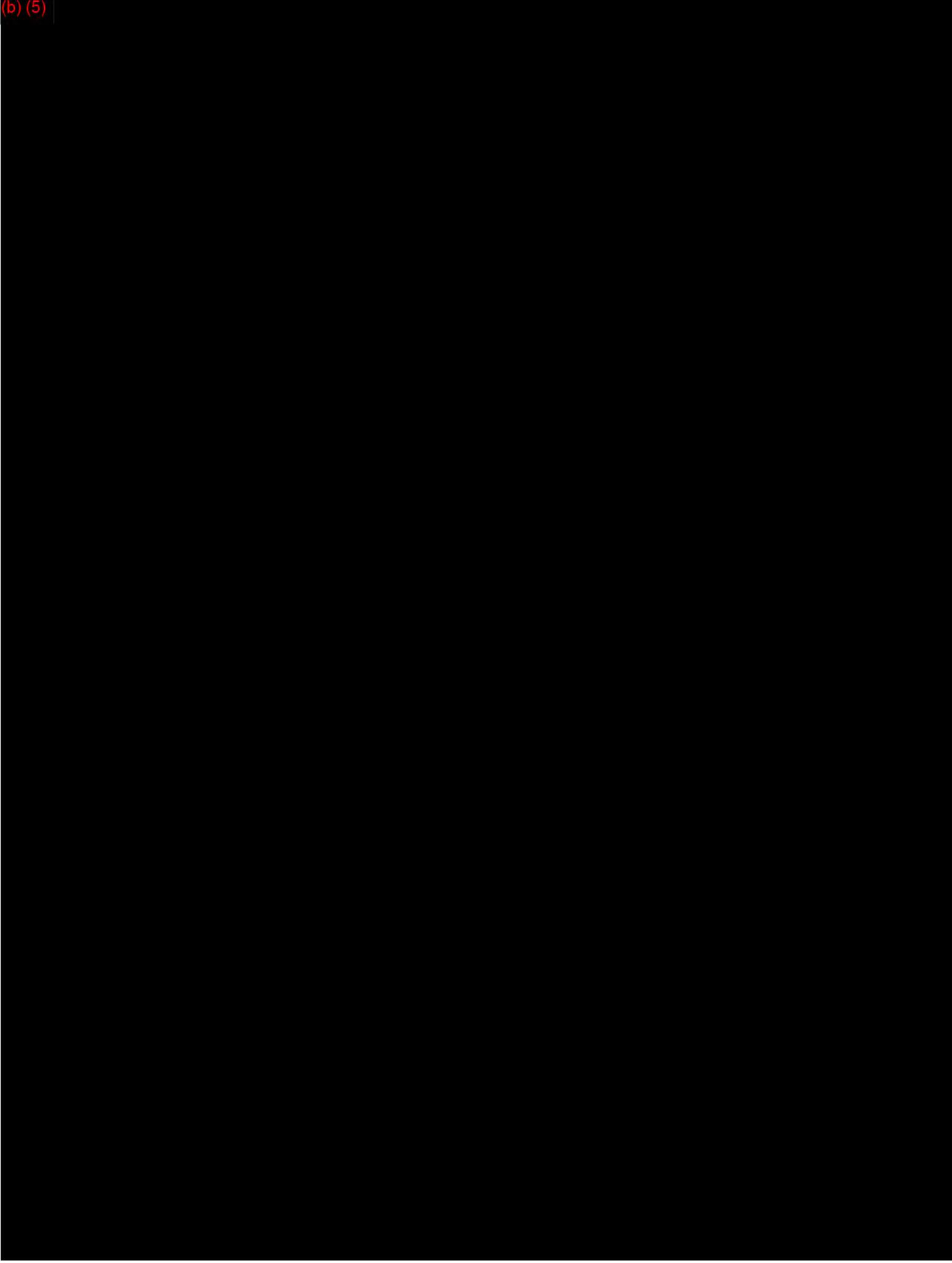


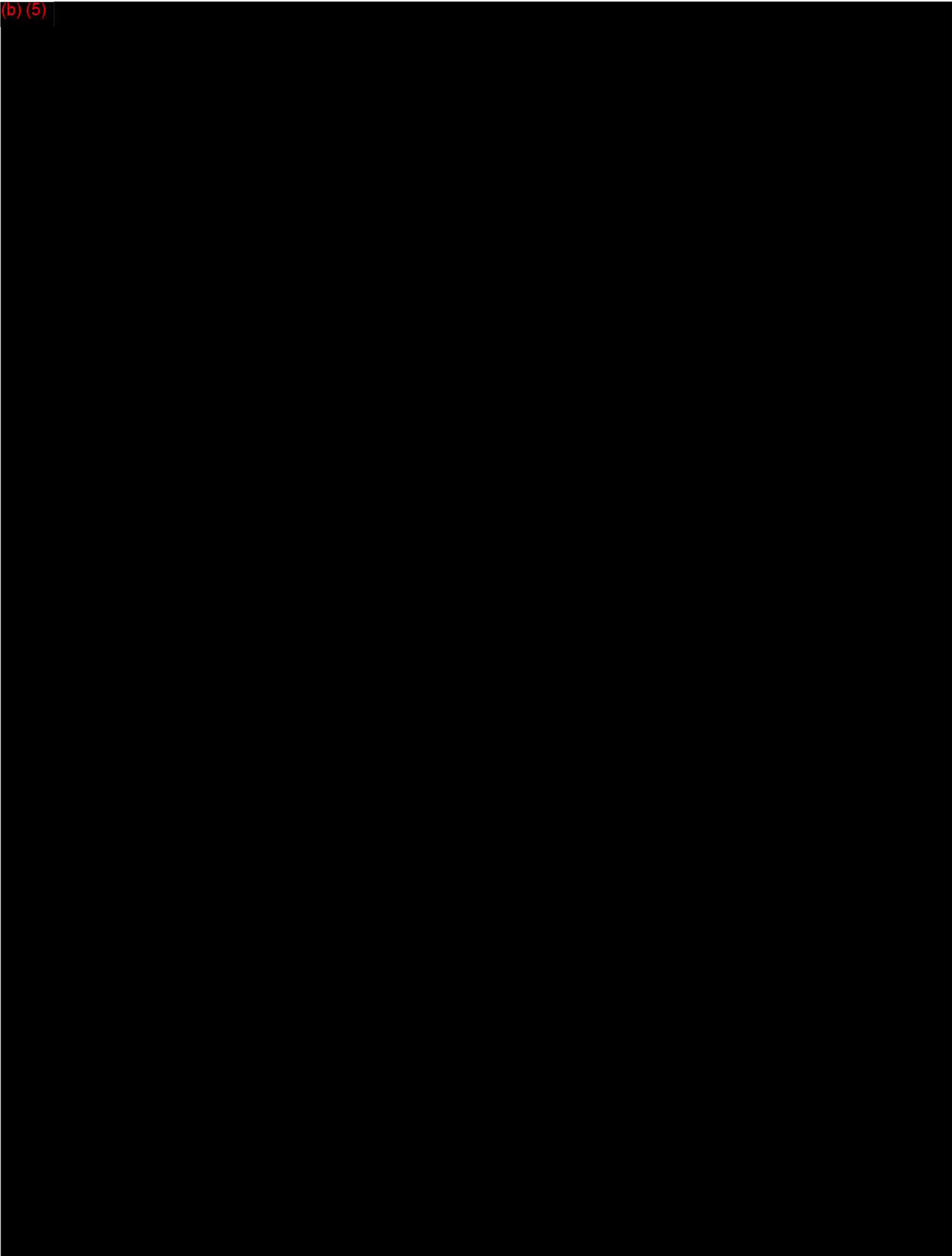


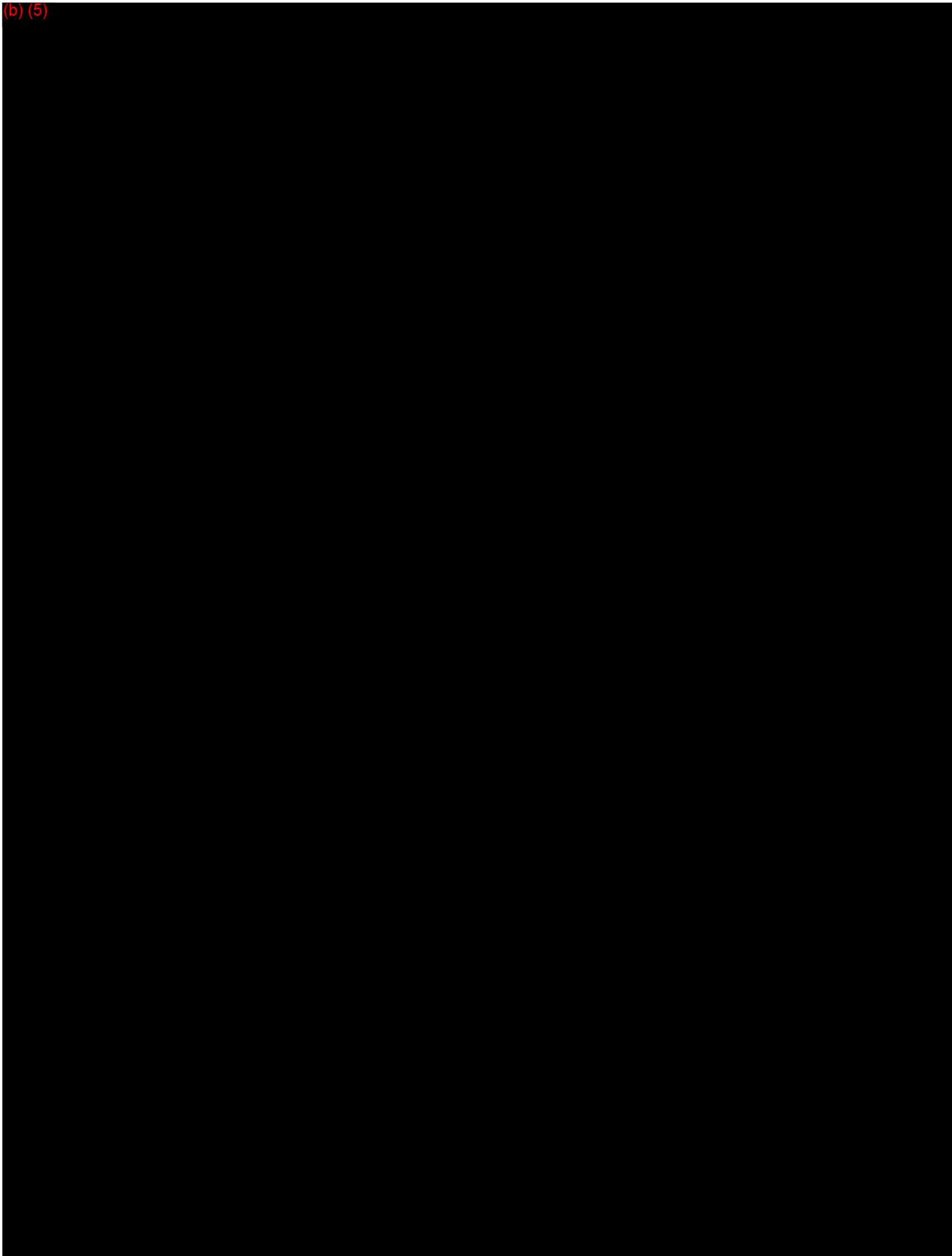












Re: FW: Edits to proposed rule on NEPA review

From: Miriam Vincent <miriam.vincent@nara.gov>

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

Cc: fedreg.legal@nara.gov, ofr-legal@gpo.gov

Date: Fri, 15 Jun 2018 14:29:26 -0400

Attachments: FR 2018-13246 1644312.docx (50.76 kB)

Viktoria,

(b) (5)

We allow quotations where the agency has added value to the quotation - addressing the specific language used, contrasting with other relevant language, showing how the specific language directed or led to specific agency action.

(b) (5)

I have a flexible schedule on Monday, so can be available (with a little notice) anytime between 9:30 and 3:30. I'm finishing up for the day shortly, but I'll be starting early enough on Monday that I can be ready for a 9:30 meeting if you send a meeting request after I log off this afternoon.

Miriam

Miriam Vincent
Staff Attorney, Legal Affairs and Policy Division
Office of the Federal Register
National Archives and Records Administration
(o)202.741.6024 (c) (b) (6) (c) (b) (6)

On Fri, Jun 15, 2018 at 1:16 PM, Seale, Viktoria Z. EOP/CEQ <(b) (6)> wrote:

Dear Sir or Madam,

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(b) (5)

I am available to discuss this matter at your earliest convenience and can be reached at (b) (6) (direct) or (b) (6) (cell).

Sincerely,

Viktoria

Viktoria Z. Seale

General Counsel

Executive Office of the President

Council on Environmental Quality

(b) (6) (direct)

(b) (6) (cell)

From: Sun, Howard C. EOP/CEQ

Sent: Friday, June 15, 2018 12:24 PM

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

Subject: FW: Edits to proposed rule on NEPA review

From: Reid, Chipp (OFR) <creid@gpo.gov>

Sent: Friday, June 15, 2018 12:23 PM

To: Sun, Howard C. EOP/CEQ <(b) (6)>

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(b) (5)

Please let me know if you have any questions.

Chipp Reid

Writer/Editor

Office of the Federal Register

creid@gpo.gov

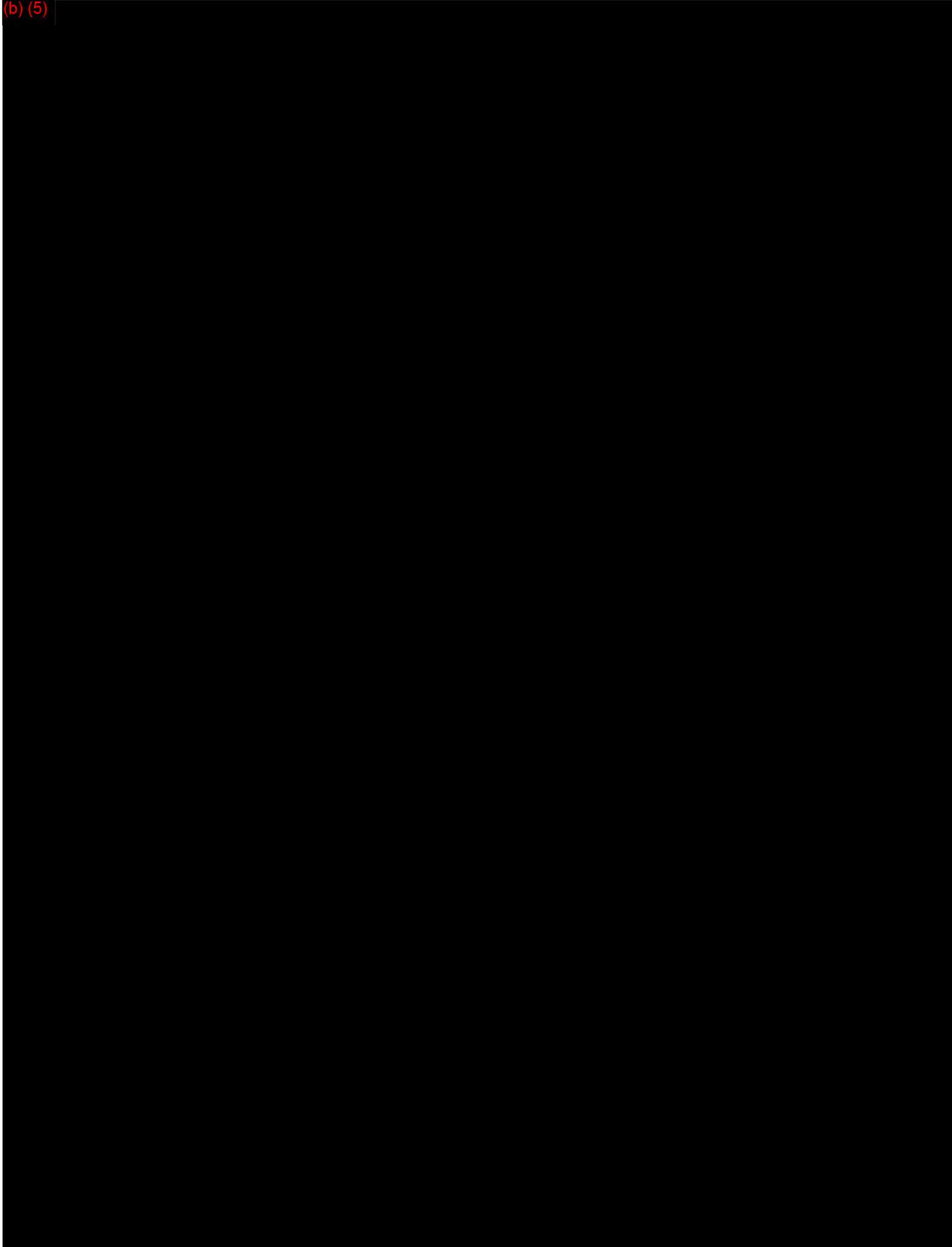
chipp.reid@nara.gov

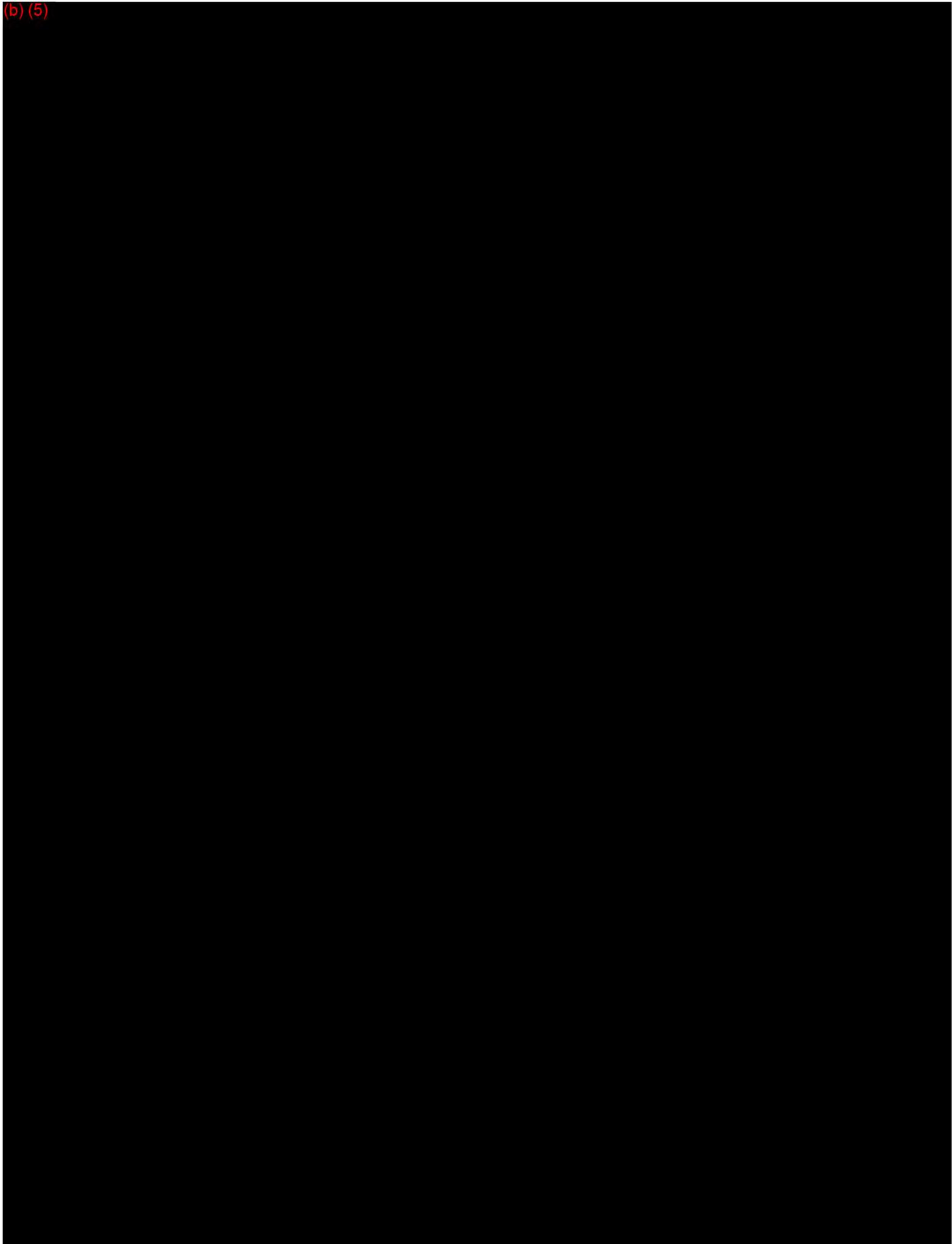
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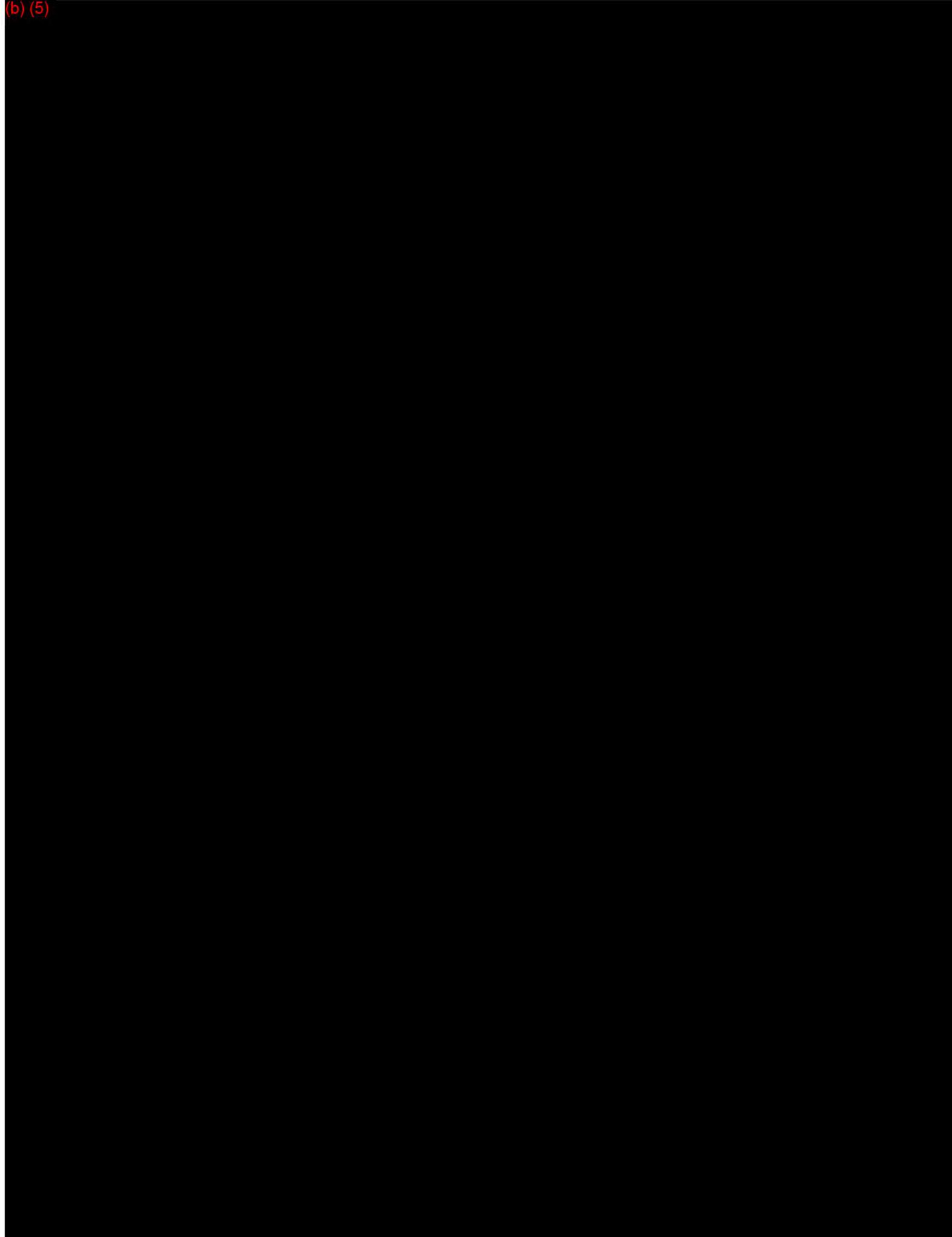
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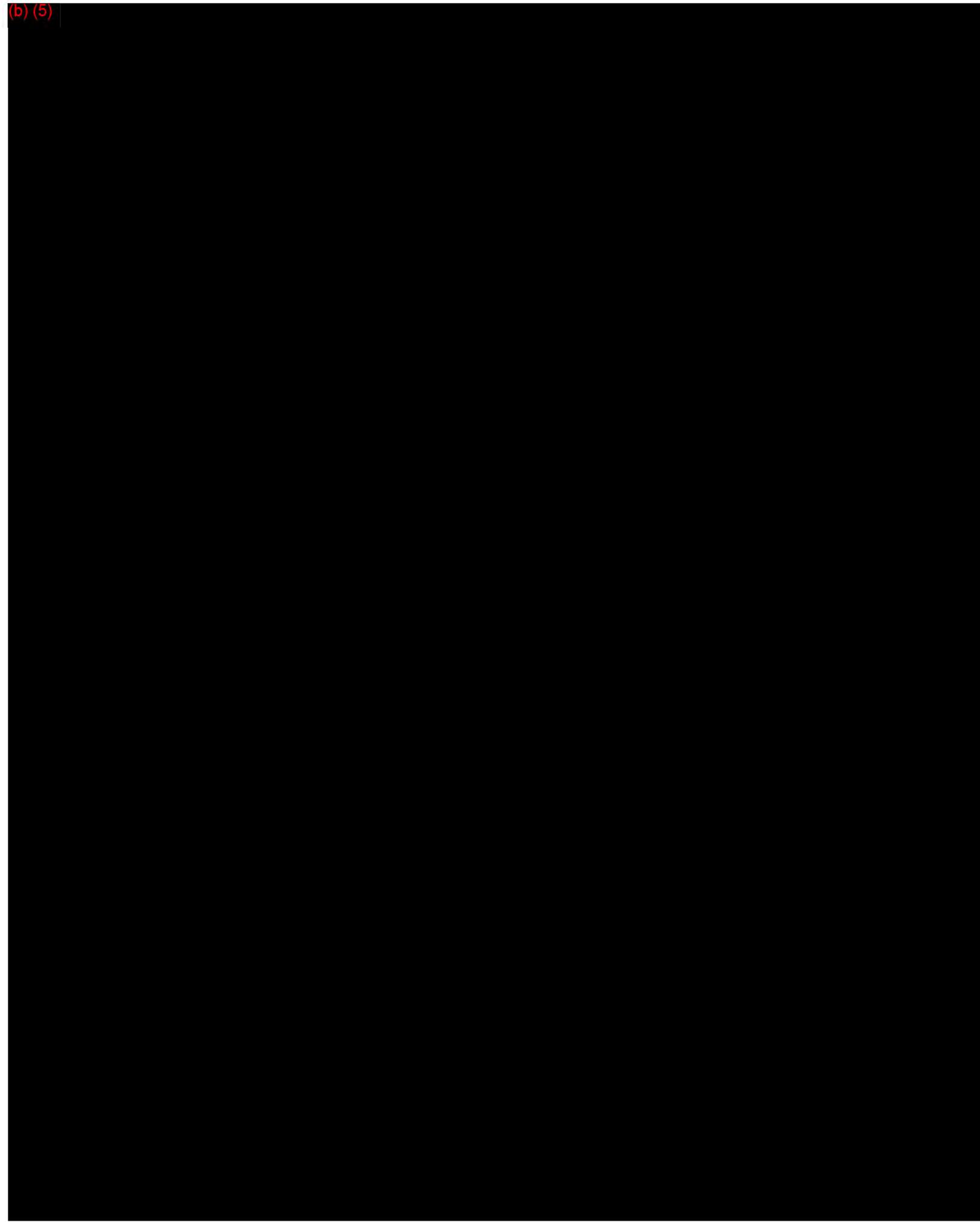
Legal Affairs and Policy Staff
Office of the Federal Register
National Archives and Records Administration

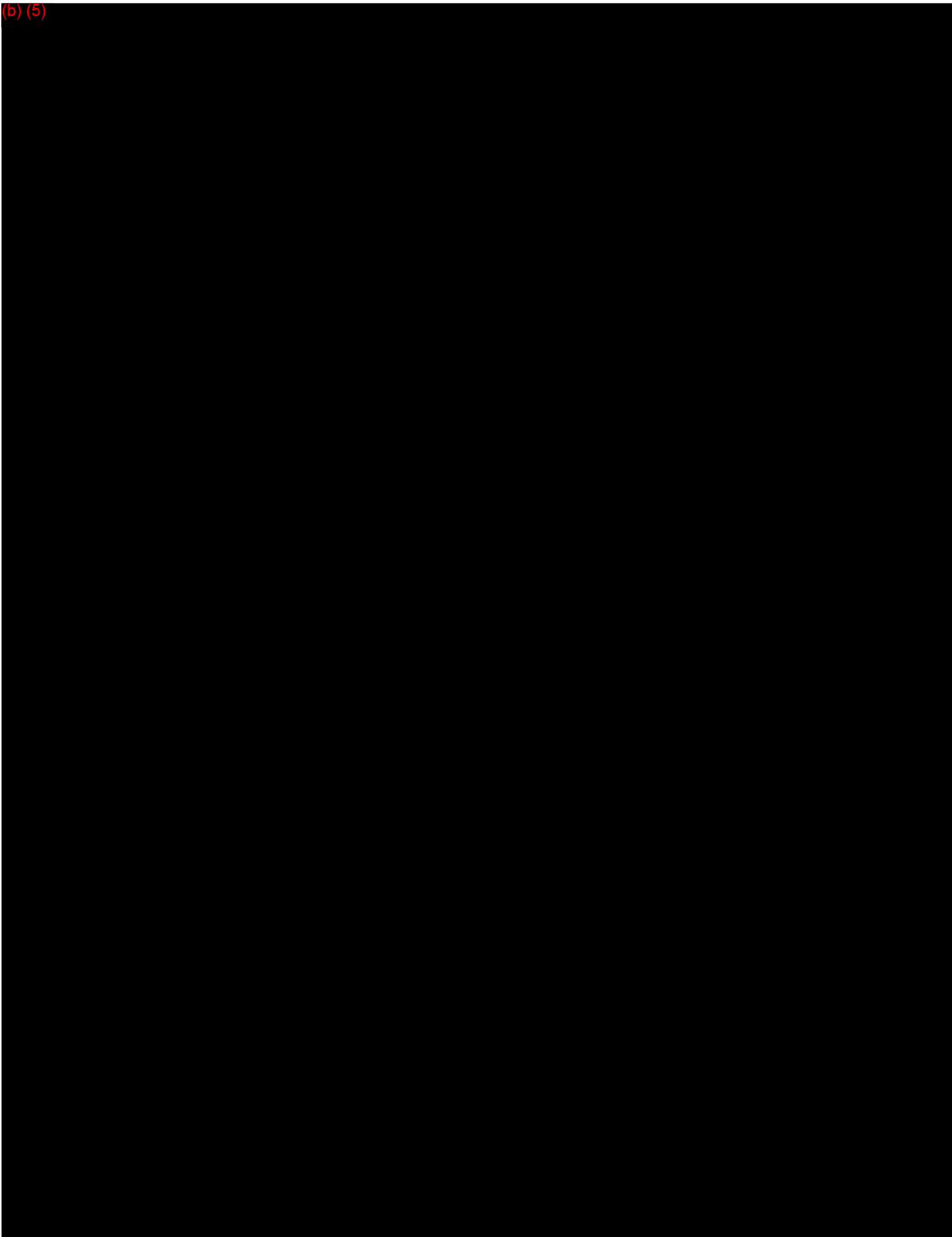
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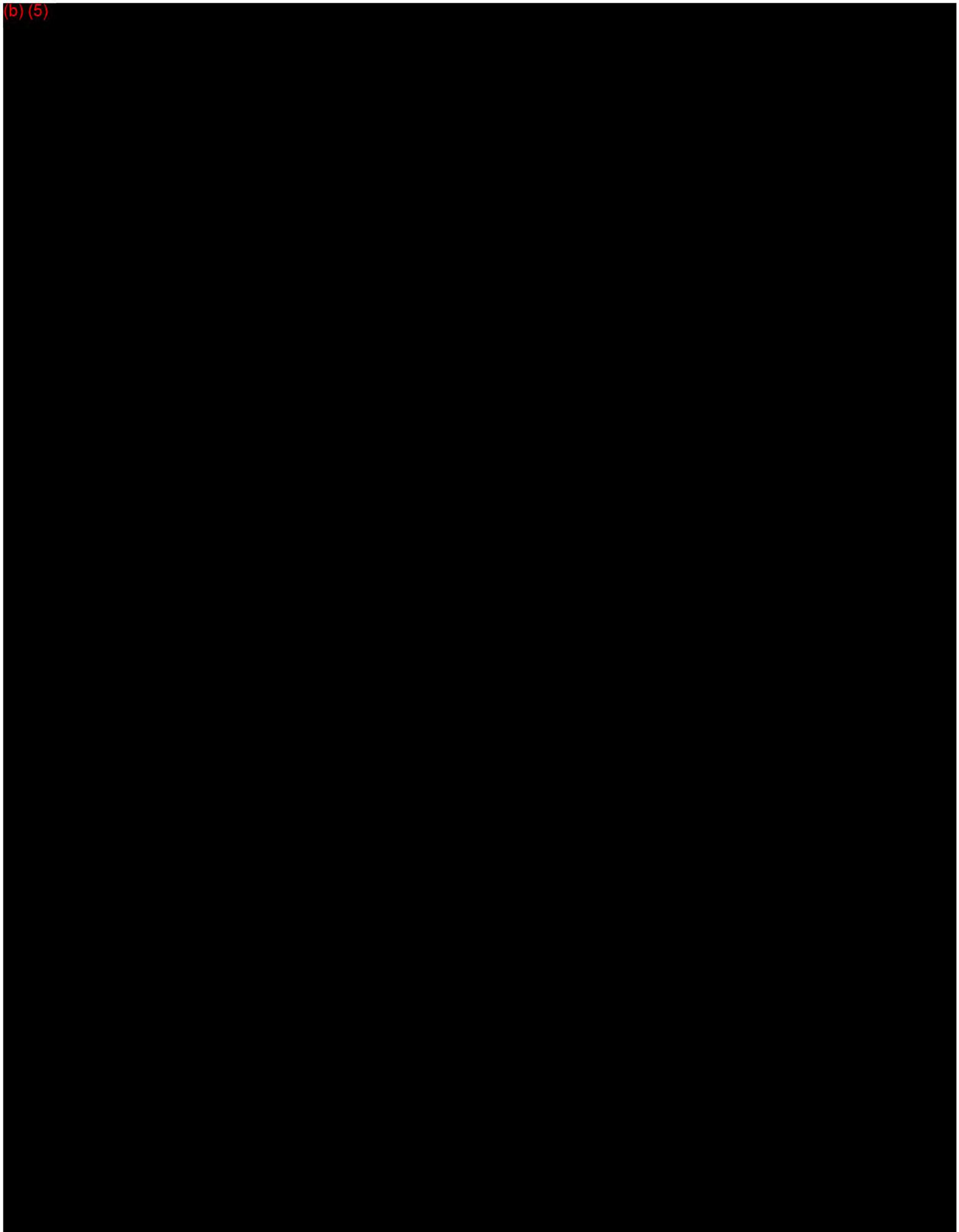


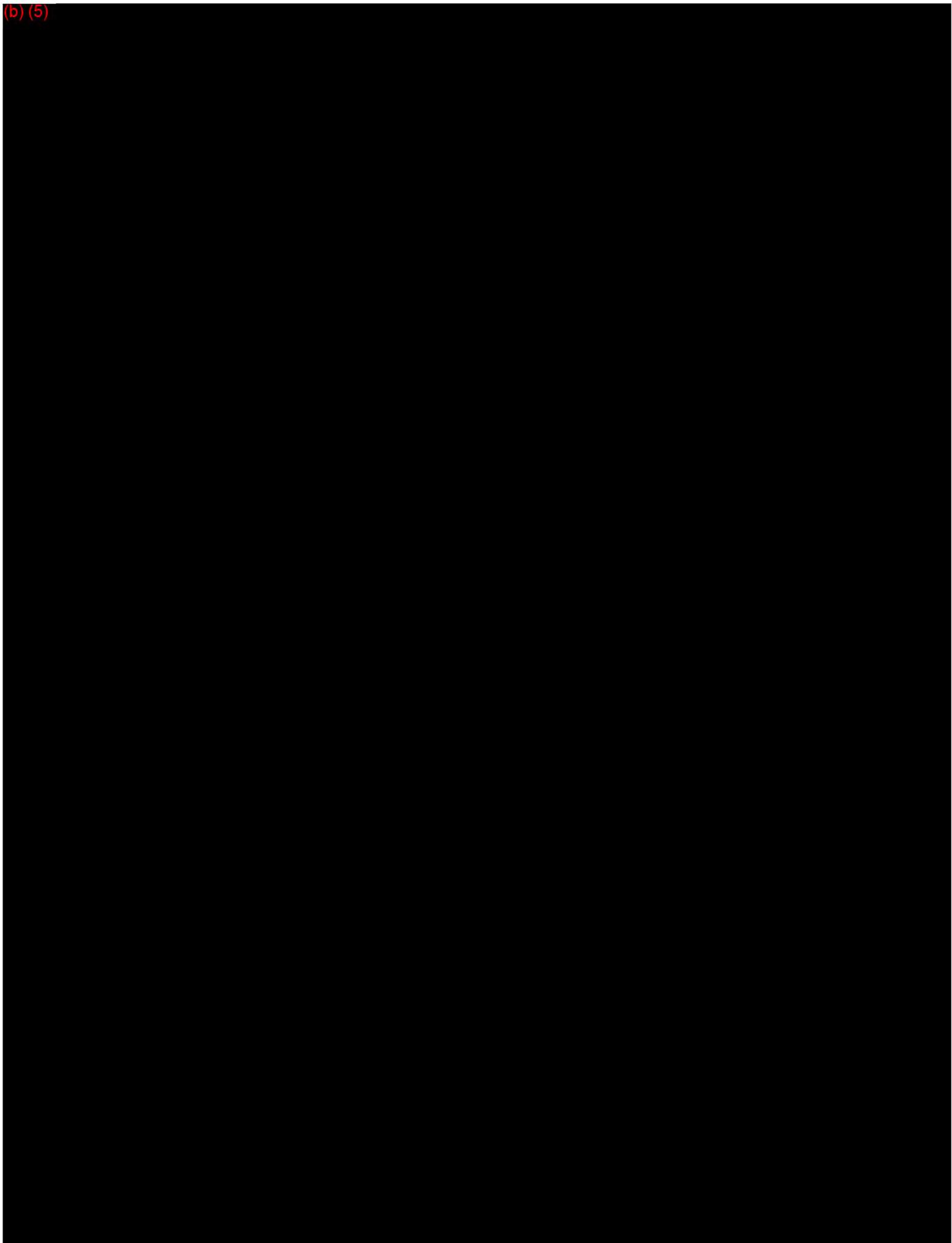


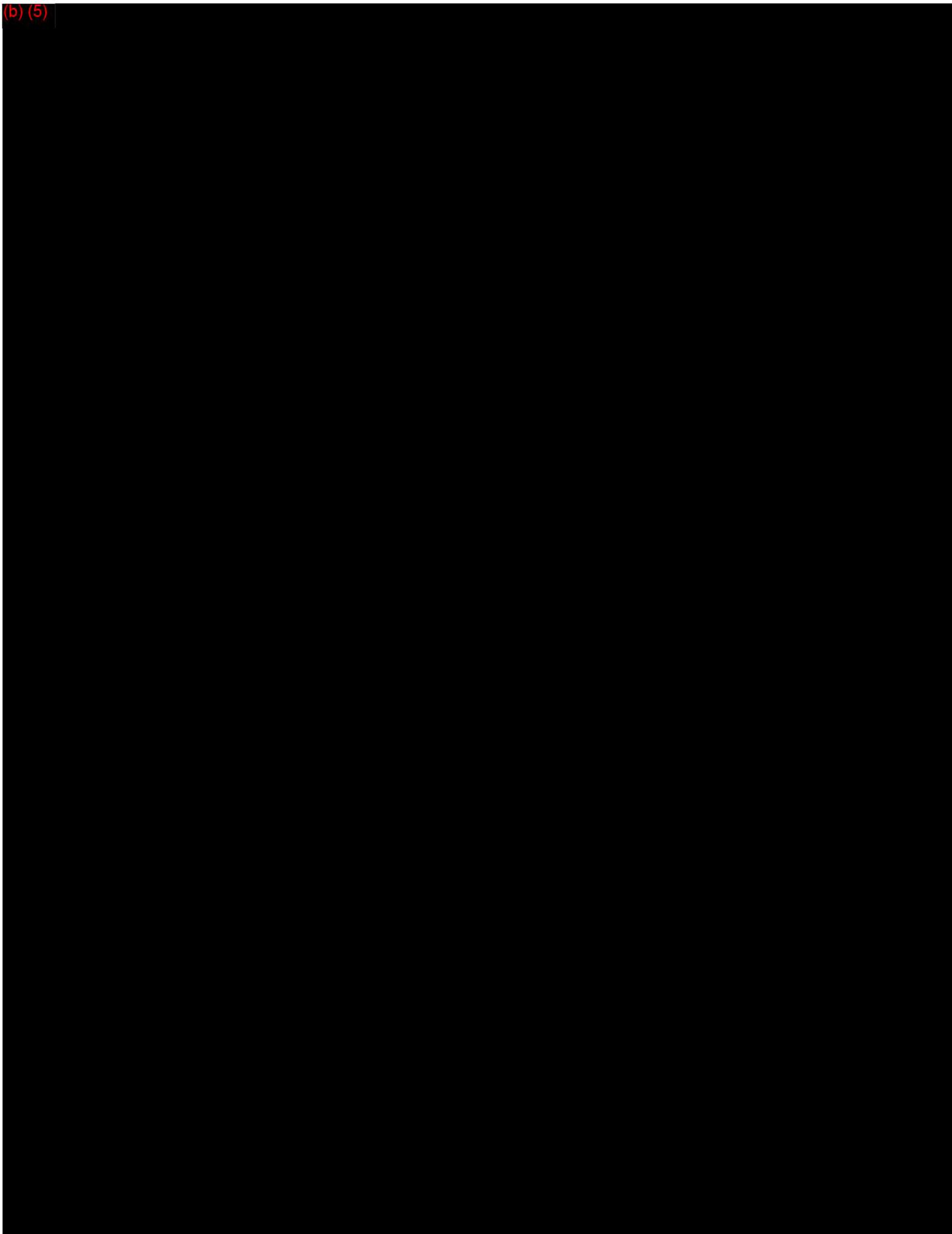












FW: FW: Edits to proposed rule on NEPA review

From: "Seale, Viktoria Z. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=af5f6888d706481b94d18088a30821c9-se">
To: "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Boling, Ted A. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Fri, 15 Jun 2018 14:31:46 -0400
Attachment s: FR 2018-13246_1644312.docx (50.76 kB)

Let's discuss. Ted is in my office.

From: Miriam Vincent <miriam.vincent@nara.gov>
Sent: Friday, June 15, 2018 2:29 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Cc: fedreg.legal@nara.gov; ofr-legal@gpo.gov
Subject: Re: FW: Edits to proposed rule on NEPA review

Viktoria,

(b) (5)

We allow quotations where the agency has added value to the quotation - addressing the specific language used, contrasting with other relevant language, showing how the specific language directed or led to specific agency action.

(b) (5)

I have a flexible schedule on Monday, so can be available (with a little notice) anytime between 9:30 and 3:30. I'm finishing up for the day shortly, but I'll be starting early enough on Monday that I can be ready for a 9:30 meeting if you send a meeting request after I log off this afternoon.

Miriam

Miriam Vincent
Staff Attorney, Legal Affairs and Policy Division
Office of the Federal Register
National Archives and Records Administration
(o)202.741.6024 (c) (b) (6) (c) (b) (6)

On Fri, Jun 15, 2018 at 1:16 PM, Seale, Viktoria Z. EOP/CEQ <(b) (6)>
wrote:

Dear Sir or Madam,

I am writing with regards to an Advance Notice of Proposed Rulemaking that the Council on Environmental Quality (CEQ) has submitted to the Federal Register for publication. (b) (5)

I am available to discuss this matter at your earliest convenience and can be reached at (b) (6) (direct) or (b) (6) (cell).

Sincerely,

Viktoria

Viktoria Z. Seale
General Counsel
Executive Office of the President
Council on Environmental Quality
(b) (6) (direct)
(b) (6) (cell)

From: Sun, Howard C. EOP/CEQ
Sent: Friday, June 15, 2018 12:24 PM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)> Neumayr, Mary B.
EOP/CEQ <(b) (6)> Szabo, Aaron L. EOP/CEQ
<(b) (6)> Seale, Viktoria Z. EOP/CEQ
<(b) (6)>
Subject: FW: Edits to proposed rule on NEPA review

From: Reid, Chipp (OFR) <creid@gpo.gov>
Sent: Friday, June 15, 2018 12:23 PM

To: Sun, Howard C. EOP/CEQ <(b) (6)>
Subject: Edits to proposed rule on NEPA review

(b) (5)
Please see the Document Drafting Handbook, page 2-15, which states:

2.6 When can I use direct quotes? The OFR does not allow lengthy or excessive quotation from Federal regulations or Federal law. This includes text from regulatory documents published in the Federal Register. However, if your agency has a compelling legal reason to extensively quote this type of material, contact OFR's Legal Affairs and Policy Division (fedreg.legal@nara.gov) before you submit your document for publication.

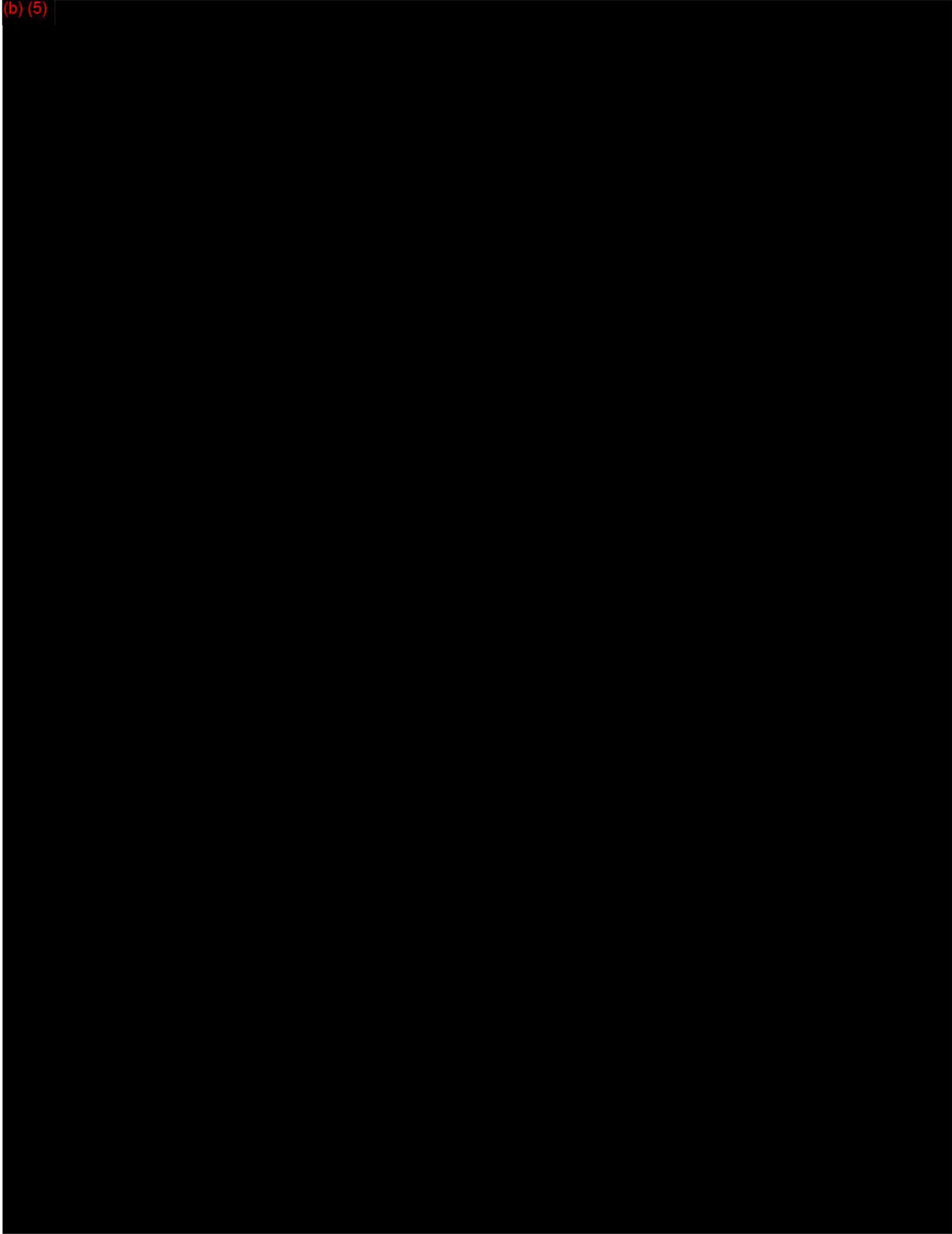
(b) (5)

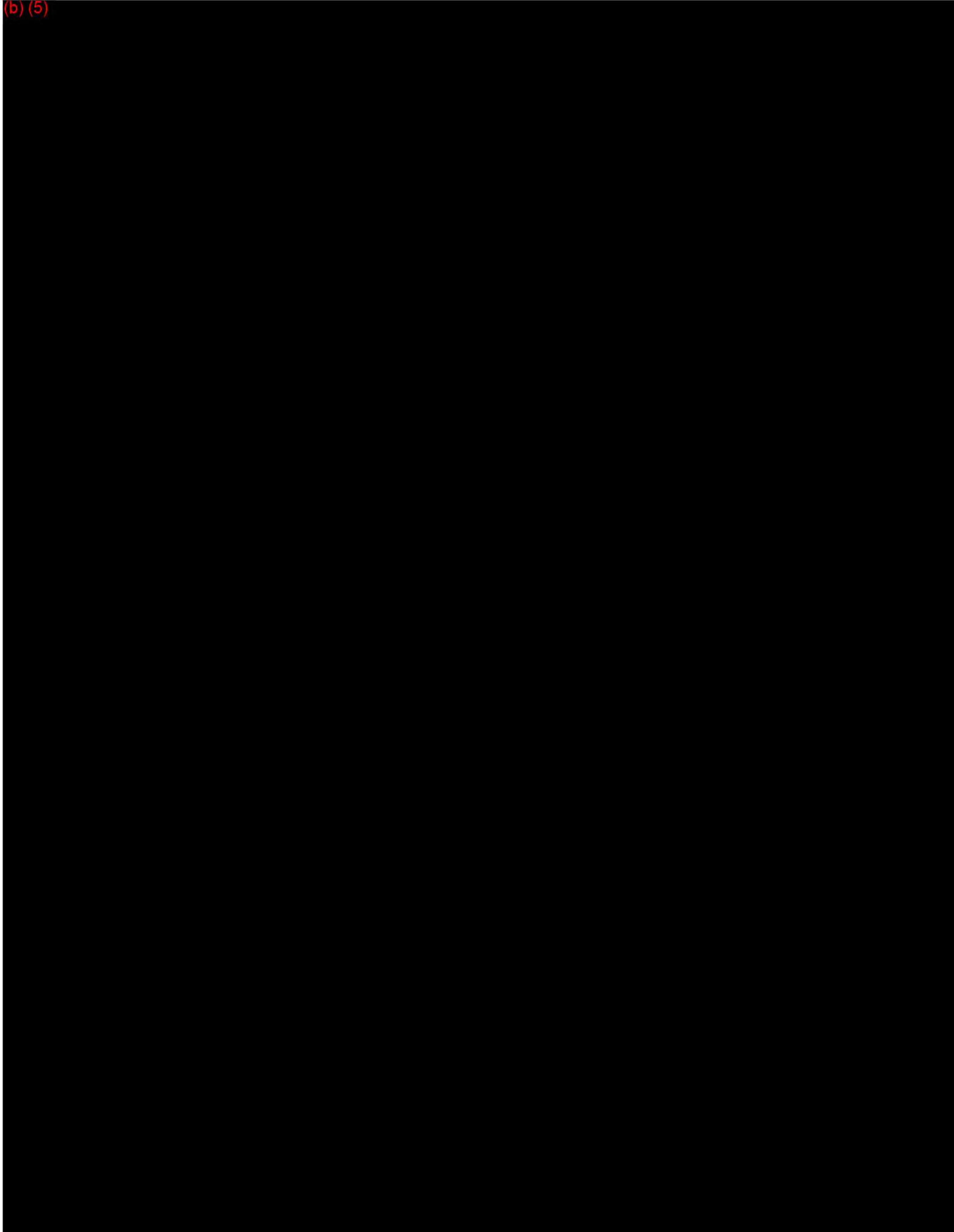
Please let me know if you have any questions.

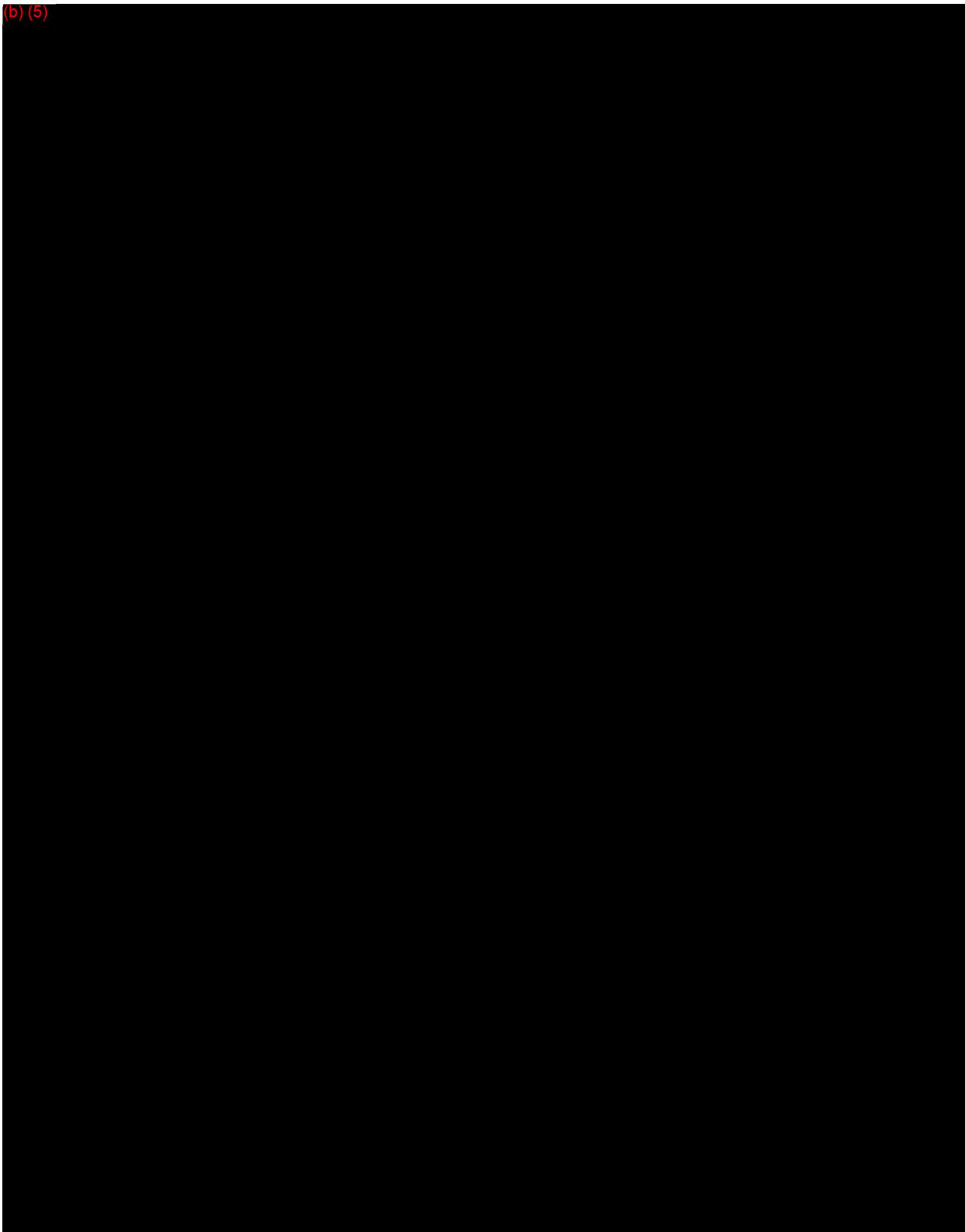
Chipp Reid
Writer/Editor
Office of the Federal Register
creid@gpo.gov
chipp.reid@nara.gov
202-741-6007

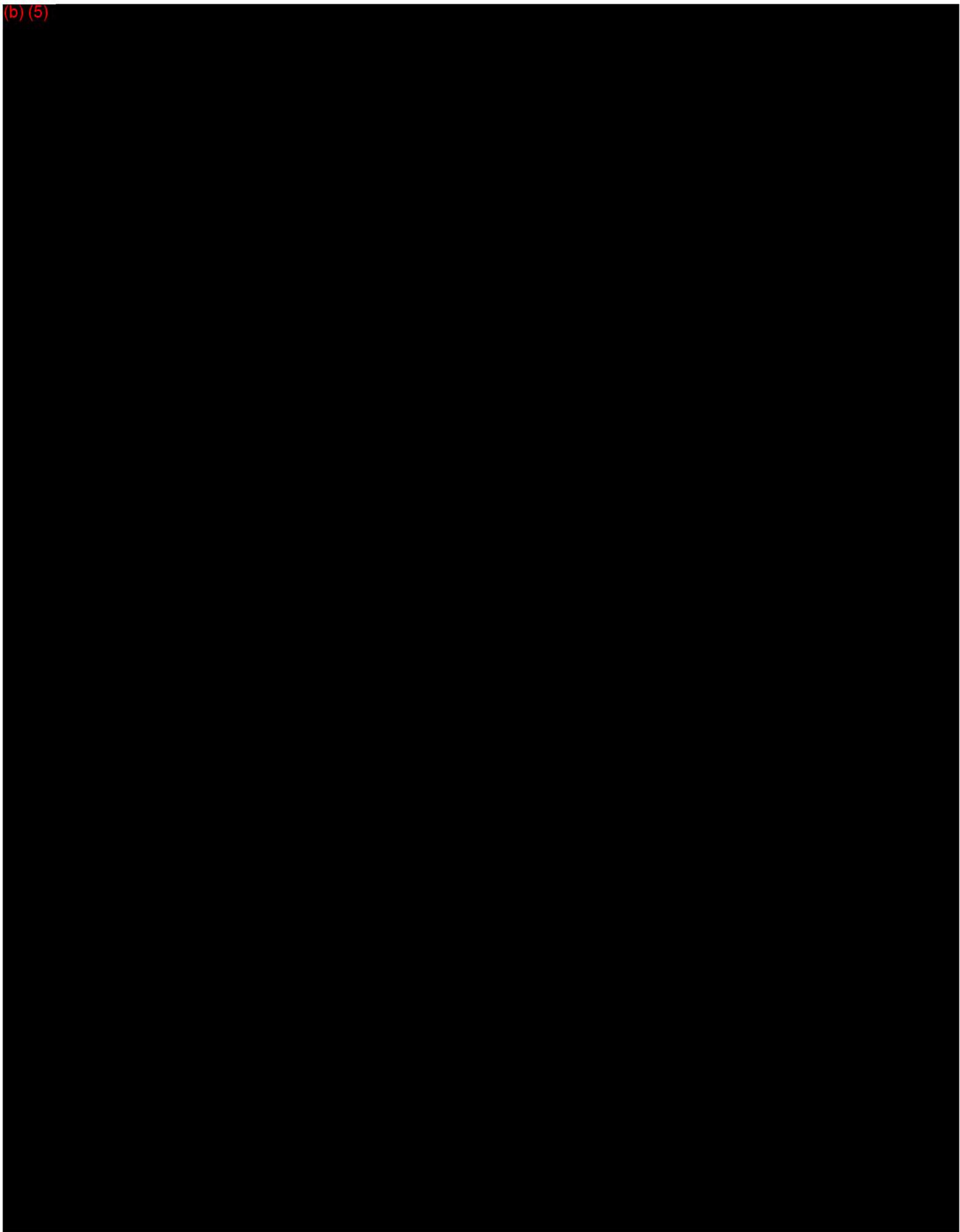
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Legal Affairs and Policy Staff
Office of the Federal Register
National Archives and Records Administration

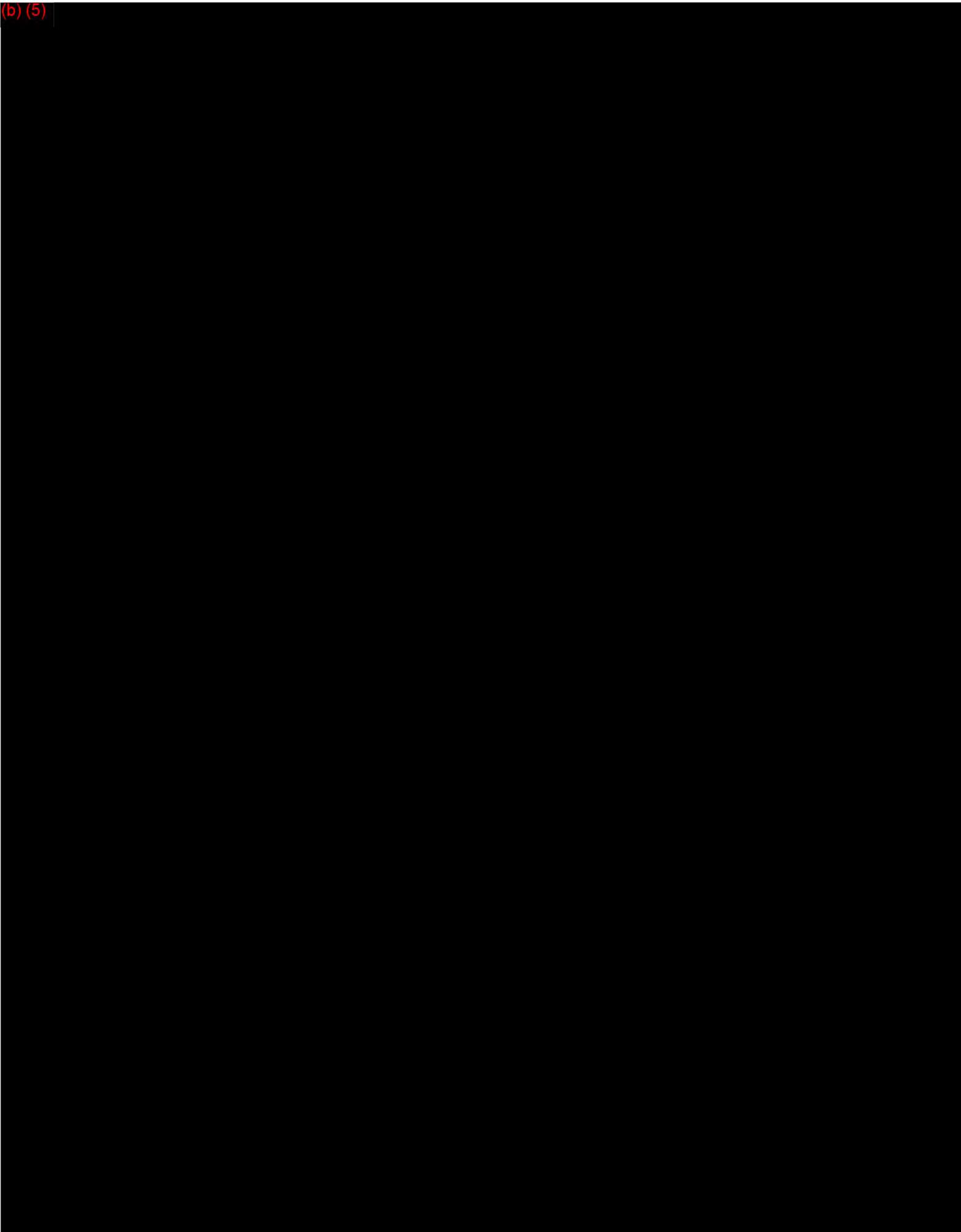
You received this message because you are subscribed to the Google Groups "Federal Register Legal" group.
To unsubscribe from this group and stop receiving emails from it send an email to fedreg.legal+unsubscribe@nara.gov.
For more options, visit <https://groups.google.com/a/nara.gov/d/optout>.

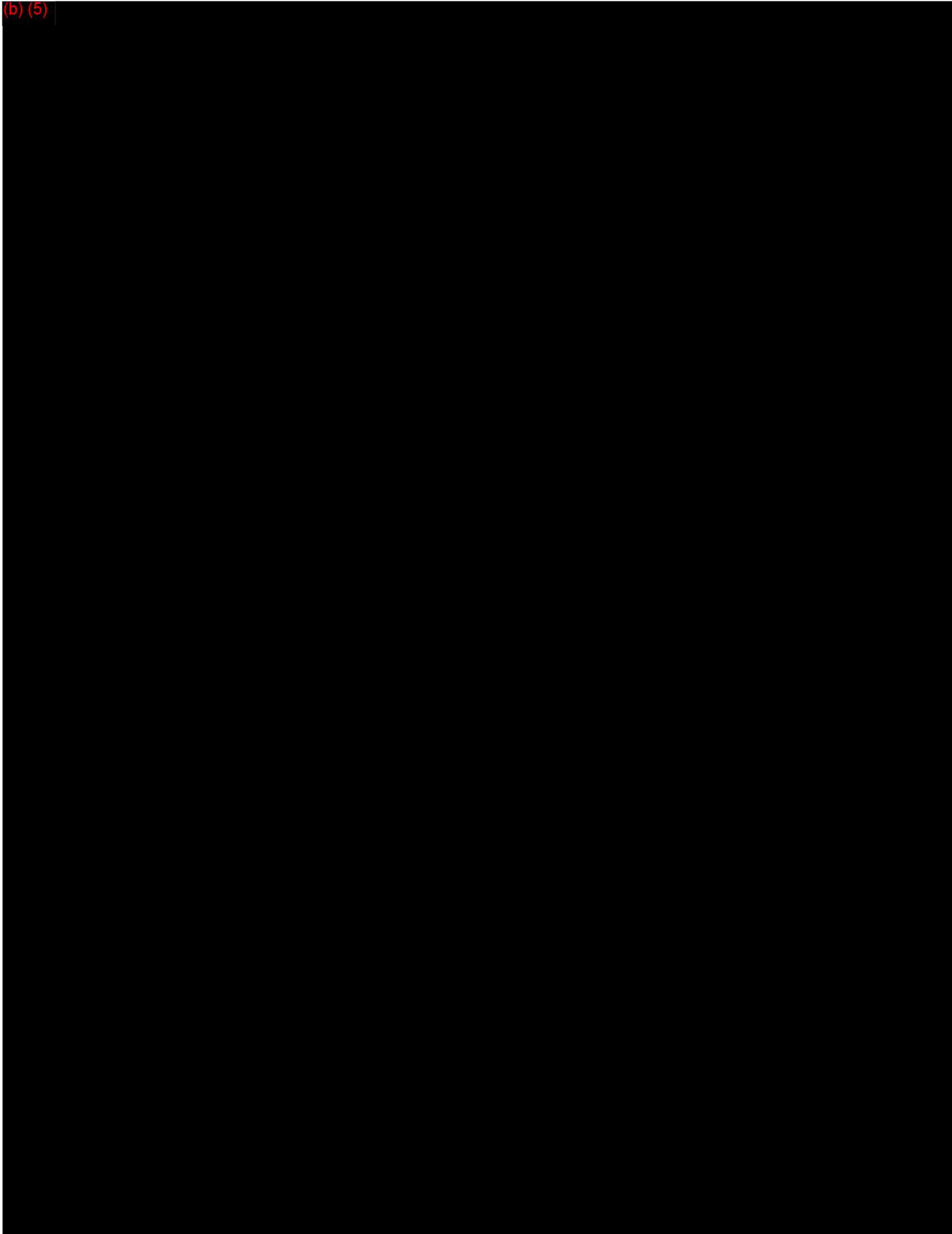


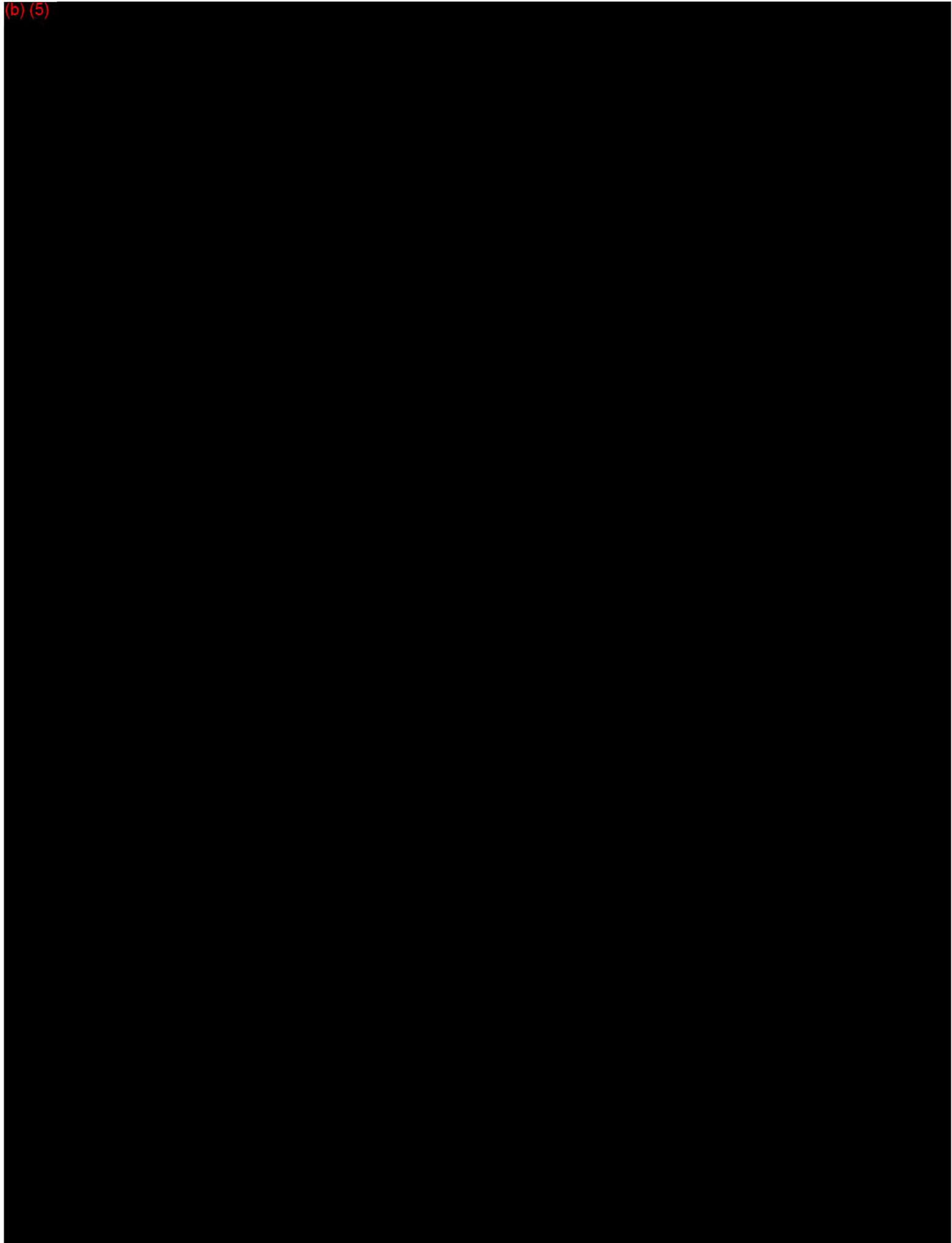












FR 2018-13246 1644312 (b) (5)

From: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
To: "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Cc: "Boling, Ted A. EOP/CEQ" (b) (6) "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Fri, 15 Jun 2018 15:03:15 -0400
Attachments: FR 2018-13246_1644312 (b) (5).docx (49.21 kB)

Mary,

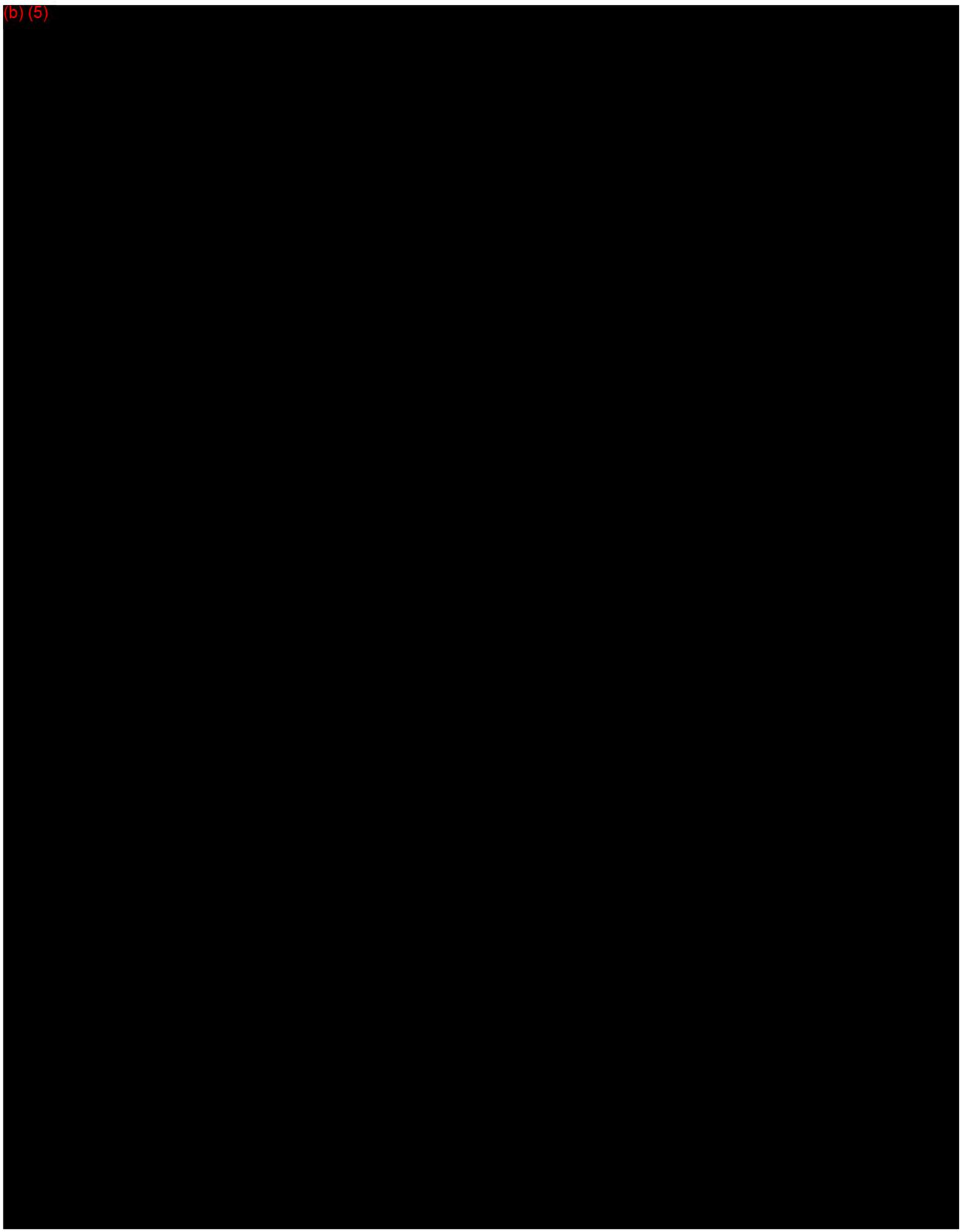
(b) (5)

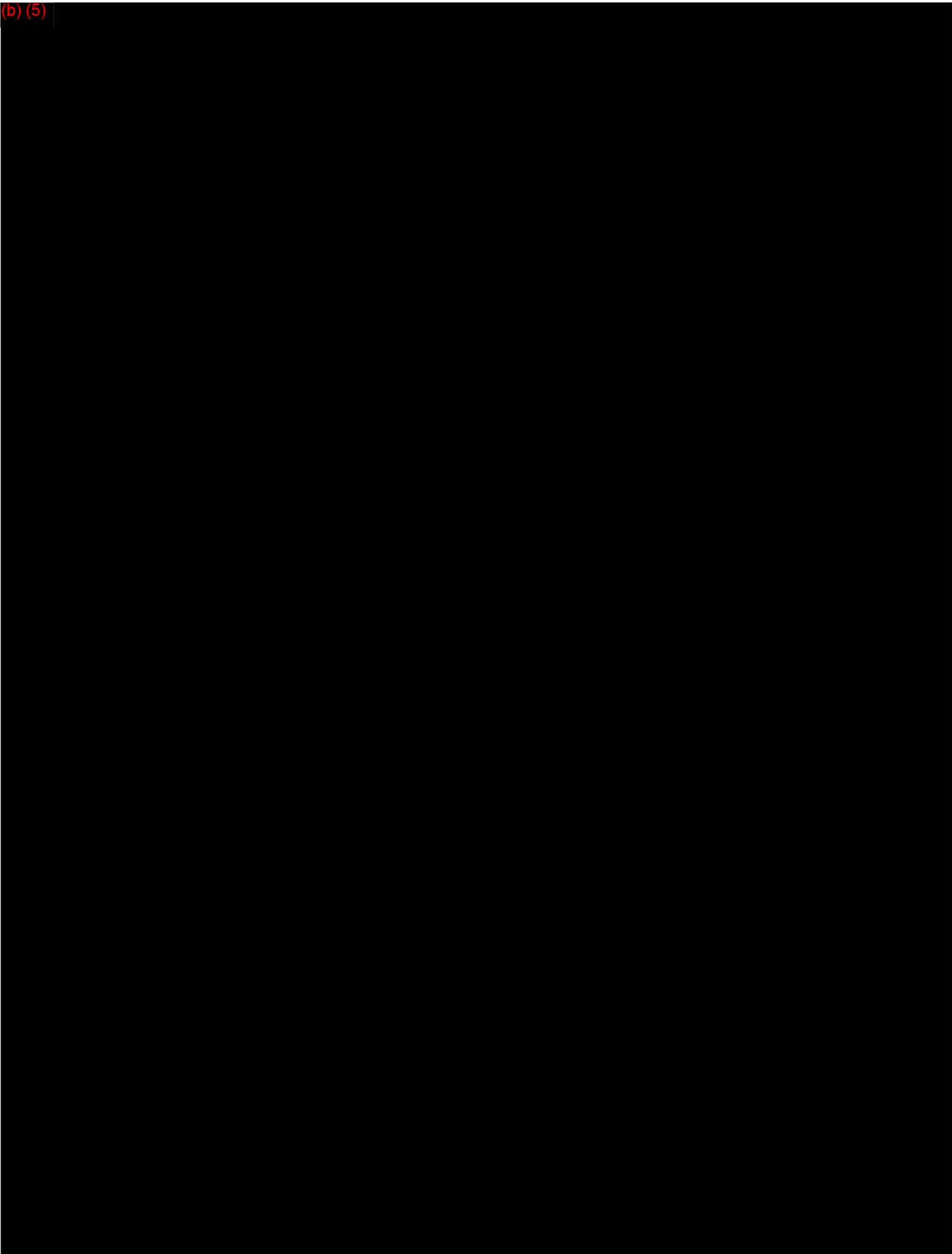
Attached is the redline (b) (5). Aaron and I have reviewed it.

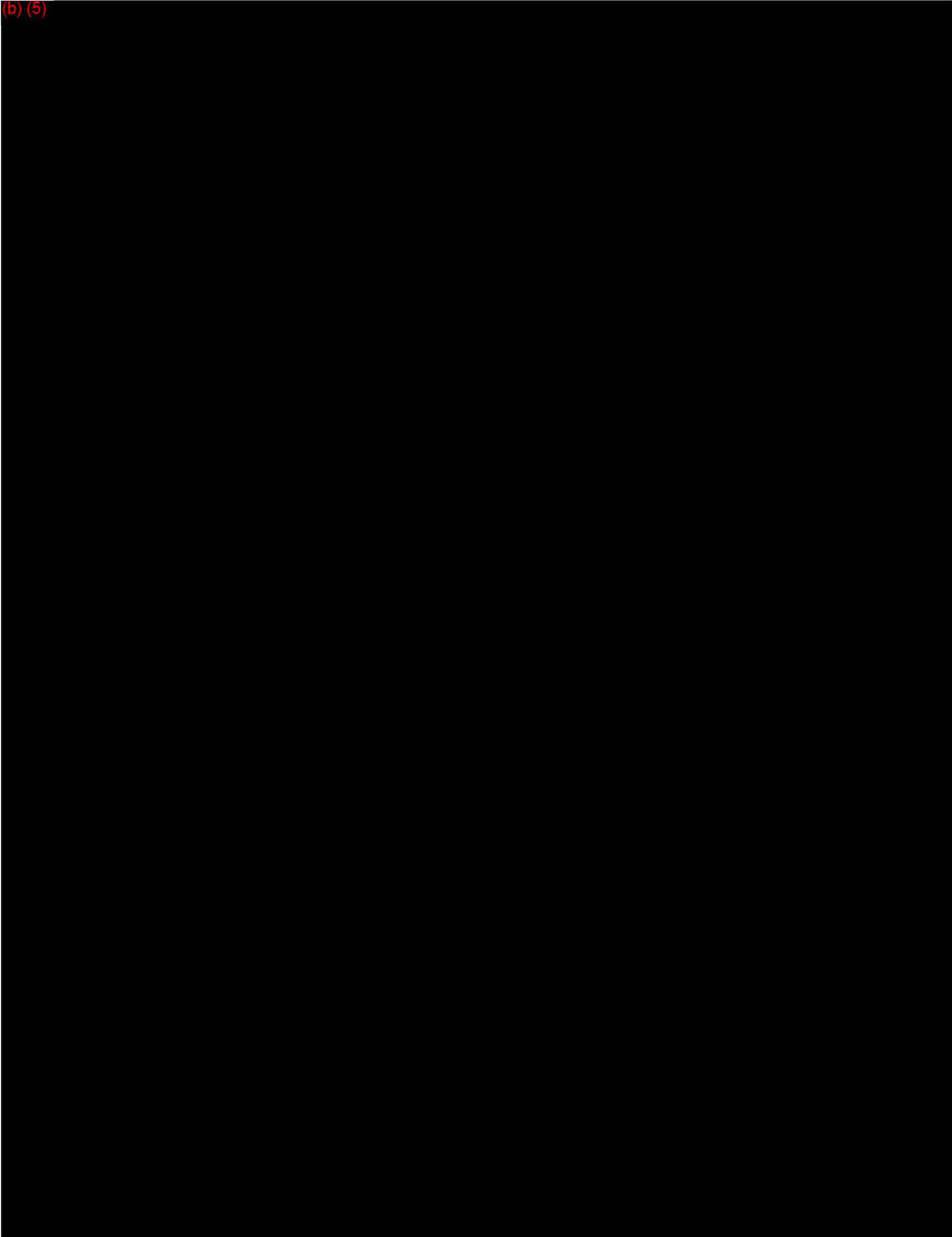
Please let us know if you have any concerns. Otherwise, we will have Howard send this version back to OFR.

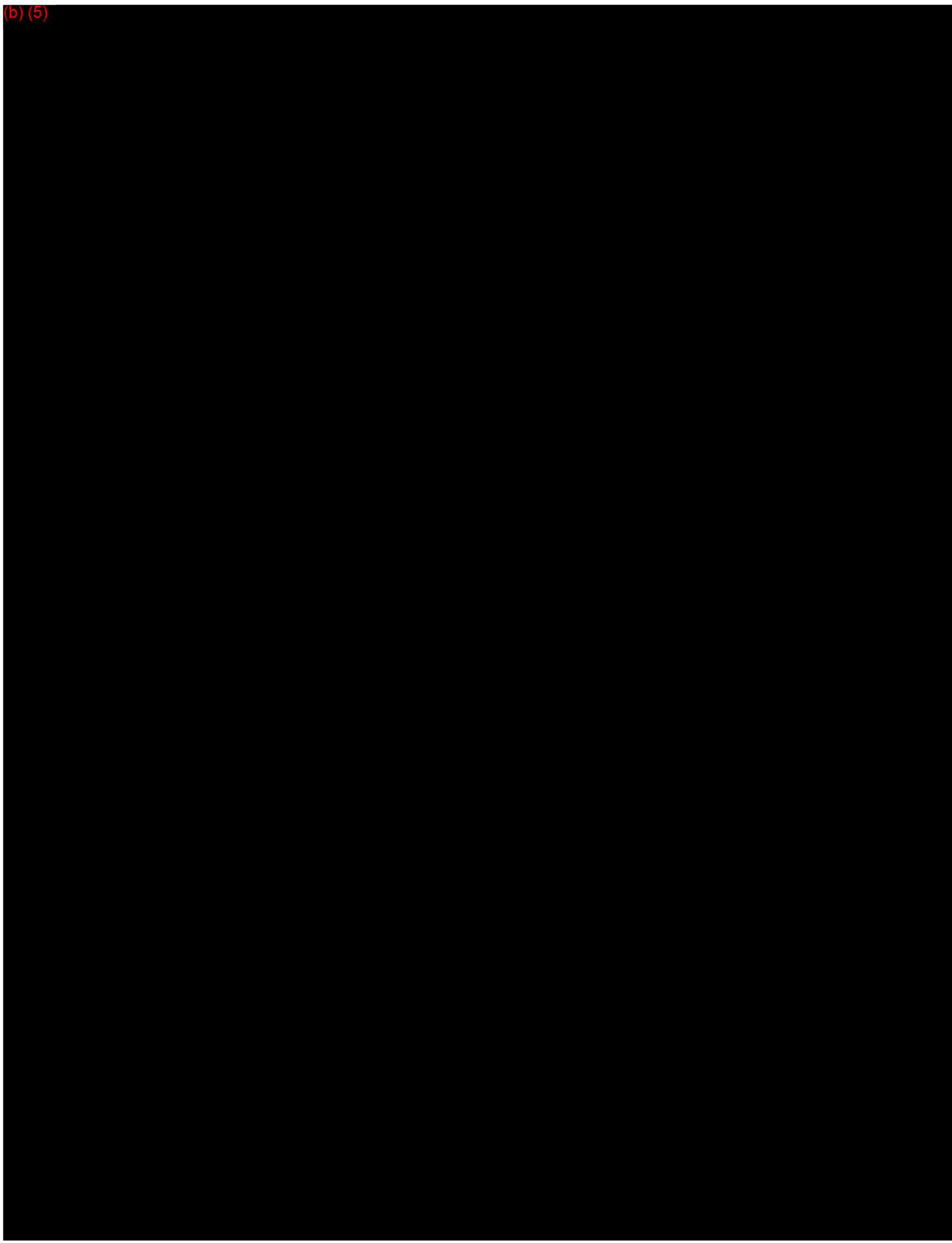
Thank you,

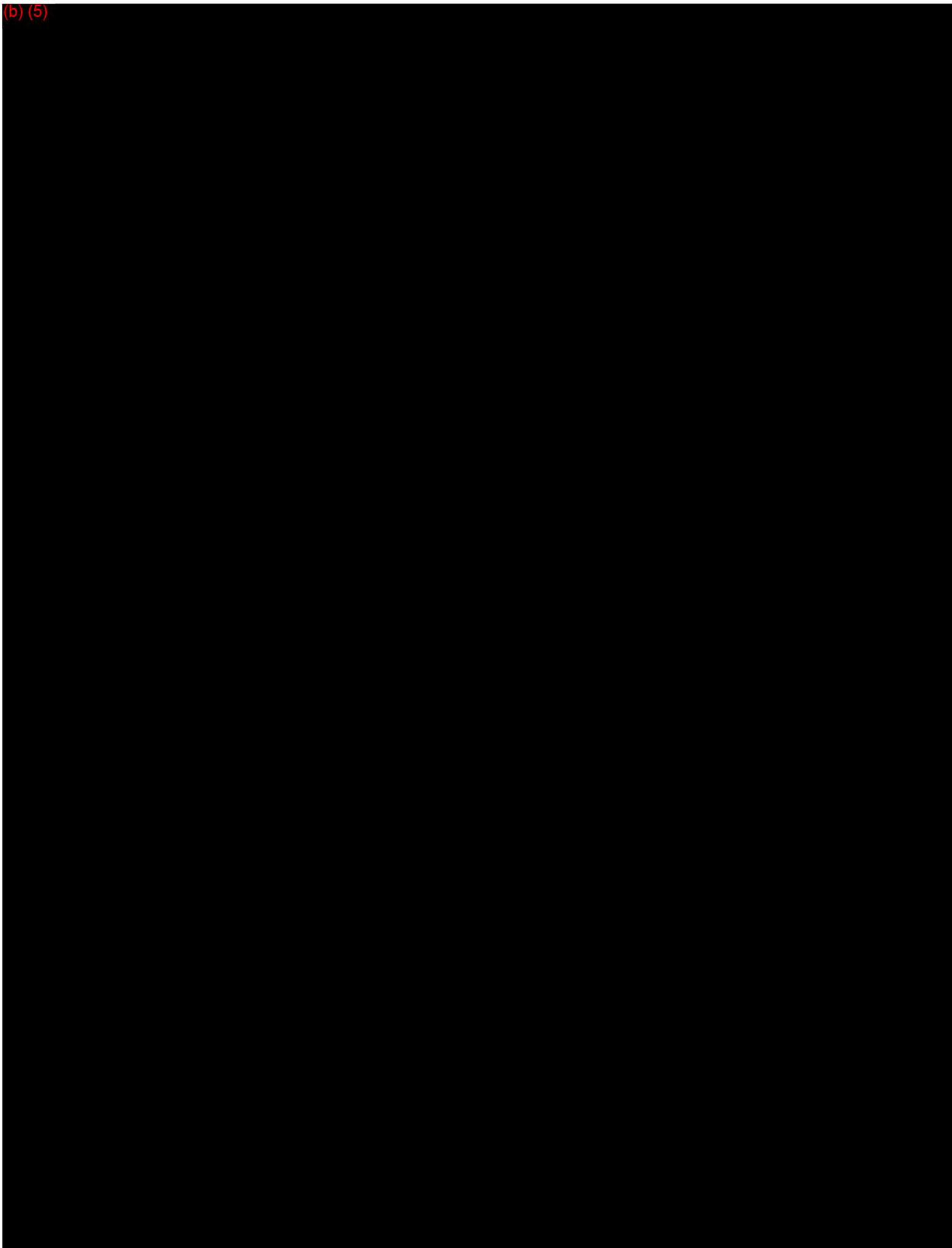
Viktoria











ANPRM Fact Sheet

From: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Mon, 18 Jun 2018 09:51:51 -0400
Attachments: Draft FINAL ANPRM Fact Sheet 6-15-18.docx (19.82 kB)

Here's the most recent version that has been finalized.

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

Version 6.15.18

Council on Environmental Quality Requests Public Comment on Potential Revisions to Update National Environment Policy Act Regulations

On **June XX**, 2018, the Council on Environmental Quality (CEQ) 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.

Background:

- On August 15, 2017, President Trump issued [Executive Order 13807](#) which directed CEQ to develop an initial list of actions it would take to enhance and modernize the Federal environmental review and authorization process.
- In its [initial list of actions](#) published in the *Federal Register* on September 14, 2017, CEQ stated that it intended to review its 1978 regulations implementing the procedural requirements of the National Environmental Policy Act (NEPA) in order to identify potential updates and clarifications to those regulations.
- Over the past four decades, CEQ has issued numerous guidance documents but has amended its NEPA regulations substantively only once in 1986. Given the length of time since those regulations were issued, CEQ has determined it appropriate to solicit public comment on potential revisions to update the regulations.

Request for Public Comment:

- CEQ requests comment on potential revisions to update and clarify CEQ’s NEPA regulations. Comments should be submitted on or before 30 days after the date of publication in the *Federal Register*. To comment, go to <https://www.regulations.gov> and follow the online instructions for submitting comments to Docket ID No. CEQ-2018-0001.
- Through a series of 20 questions, CEQ is requesting comments on provisions of the regulations related to the NEPA process and the scope of NEPA review.

Next Steps:

- Following the conclusion of the public comment period, CEQ will review the comments before taking any potential further action.

FW: ANPRM Fact Sheet

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

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

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

Date: Mon, 18 Jun 2018 10:18:14 -0400

Attachments: Draft FINAL ANPRM Fact Sheet 6-15-18.docx (19.82 kB)

Dan,

I think the fact sheet looks good. The only update that can be made is to update the date it was submitted to the Federal Register as June 15.

I am also copying Aaron so that he can take a last look at the fact sheet.

Thanks

Viktoria

From: Schneider, Daniel J. EOP/CEQ

Sent: Monday, June 18, 2018 9:52 AM

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

Subject: ANPRM Fact Sheet

Here's the most recent version that has been finalized.

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

(b) (6) (desk)

(b) (6)

www.whitehouse.gov/ceq

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FW: ANPRM Fact Sheet

From: "Seale, Viktoria Z. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=af5f6888d706481b94d18088a30821c9-se">
To: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
Cc: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Date: Mon, 18 Jun 2018 10:18:13 -0400
Attachments: Draft FINAL ANPRM Fact Sheet 6-15-18.docx (19.82 kB)

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Sent: Monday, June 18, 2018 9:52 AM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Subject: ANPRM Fact Sheet

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

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Next Steps:

- Following the conclusion of the public comment period, CEQ will review the comments before taking any potential further action.

RE: CEQ NEPA Regulations ANPRM

From: Reid Nelson <melson@achp.gov>

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

Date: Tue, 19 Jun 2018 16:06:23 -0400

Happy to wait for tomorrow, can you resend then? I'll share the draft broadcast email with you all before it goes out, to be sure I've got it right.

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

Sent: Tuesday, June 19, 2018 4:05 PM

To: Reid Nelson

Subject: FW: CEQ NEPA Regulations ANPRM

Here you go Reid. Bear in mind this is the pre-publication version. The actual version will publish tomorrow. Your call as to whether you distribute this version or wait for tomorrows.

Best,

Michael

From: FN-CEQ-NEPA

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

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

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

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

<(b) (6)>

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

ANPR

From: Reid Nelson <rnelson@achp.gov>

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

Date: Tue, 19 Jun 2018 16:02:49 -0400

I spoke with Ted late last week and promised to get word out among the preservation community when this is out – can you let me know when it is (out), and you have something I can link to in our announcement? Thanks. Reid

ACHP offers **NEW! FREE! and low-cost e-learning courses for the public, applicants, and NEPA-106 practitioners.**

Learn more at <http://www.achp.gov/elearning.html>

FW: CEQ Federal NEPA Contacts Webinar

Where: Webinar: <https://meet.gsa.gov/ceqwebinar/> (b) (6) (b) (6)

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

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

Organiser: FN-CEQ-NEPA </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=3dfc5ad8035346949f6dddfa1953a47-fn">

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

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

From: FN-CEQ-NEPA

Sent: Monday, June 4, 2018 1:08 PM

To: FN-CEQ-NEPA; Boling, Ted A. EOP/CEQ; Drummond, Michael R. EOP/CEQ; Mansoor, Yardena M. EOP/CEQ; Upchurch, Sara H. EOP/CEQ; Hanley, Karen A. EOP/CEQ; denise.freeman@hq.doe.gov; Osterhues, Marlys A. EOP/CEQ

Subject: CEQ Federal NEPA Contacts Webinar

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

Where: Webinar: <https://meet.gsa.gov/ceqwebinar/> (b) (6) (b) (6)

Good afternoon Federal NEPA Contacts,

In advance of tomorrow's webinar, we have updated the tele-conference participant code (correct code is (b) (6))

Please find attached 1) a meeting agenda for tomorrow's webinar, 2) a slide deck for those unable to join the webinar, 3) instructions for joining the webinar, 4) the pre-publication version of the Advance Notice of Proposed Rulemaking for the CEQ NEPA Regulations, and 5) a Report from the Federal Forum on Environmental Collaboration and Conflict Resolution.

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

Sincerely,

The CEQ NEPA Team

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

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

Audio Conference Details:

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

Participant Code: (b) (6)

To join the meeting:

<https://meet.gsa.gov/ceqwebinar/>

If you have never attended an Adobe Connect meeting before:

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

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

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Federal NEPA Contacts Webinar

Wednesday, June 20, 2018

3:00 PM - 4:30 PM

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

<https://meet.gsa.gov/ceqwebinar/>

Agenda

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



Council on Environmental Quality

Council on Environmental Quality

Federal NEPA Contacts Webinar



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

Council on Environmental Quality



Agenda

Council on Environmental Quality

- 3:00pm Introduction**
- 3:05pm Update from EJ Interagency Working Group NEPA Sub-Committee**
- 3:15pm Update from EPA's Office of Federal Activities**
- 3:20pm CEQ's Review of Regulations Implementing NEPA**
- 3:55pm Updates on CEQ Initiatives**
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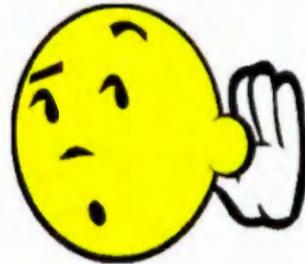
2

CEQ075FY18150_000001421



Council on Environmental Quality

“Have you heard about the Promising Practices Report?”

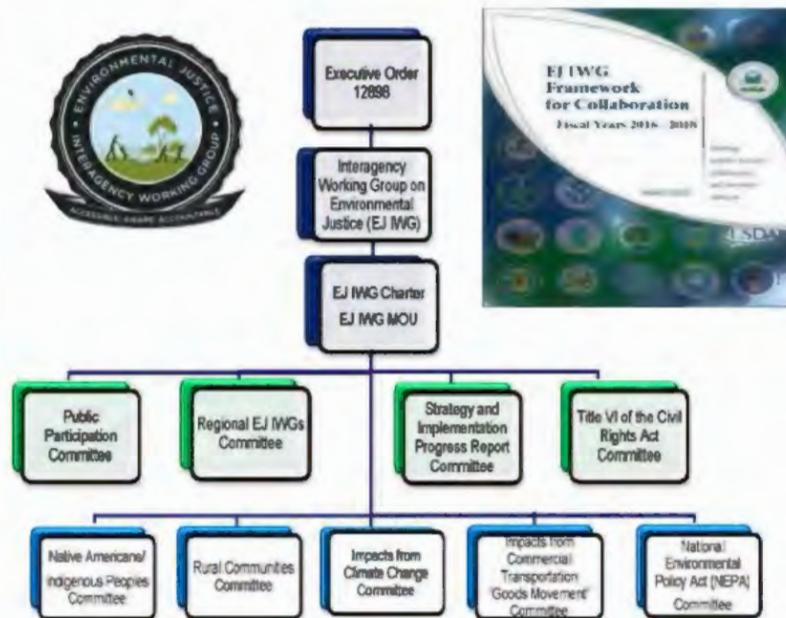


Denise C. Freeman
Co-chair, NEPA Committee
Federal Interagency Working Group on Environmental Justice
CEQ Federal NEPA Contacts Webinar

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



EJ IWG Governance Structure 2016 - 2018



December 2015

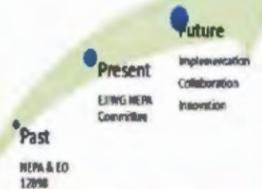
Charter & MOU (2011)

NEPA Committee Purpose:

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

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

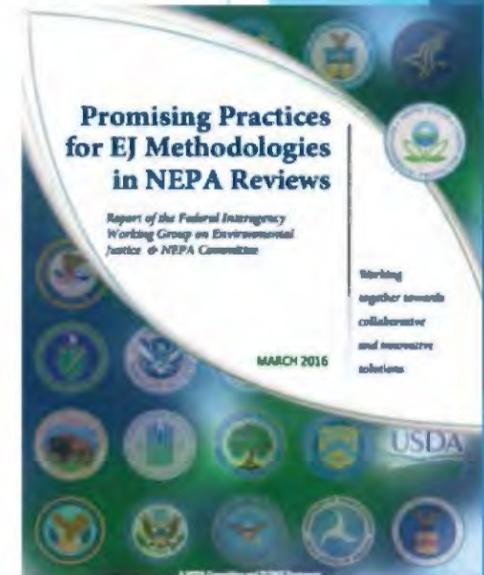
- Provide cross agency training on EJ and NEPA



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



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



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

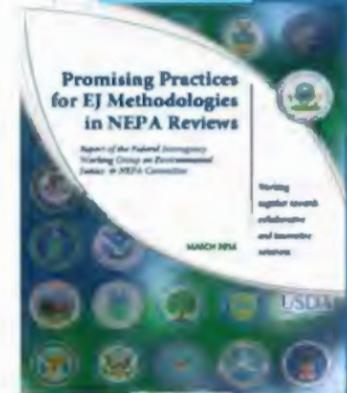
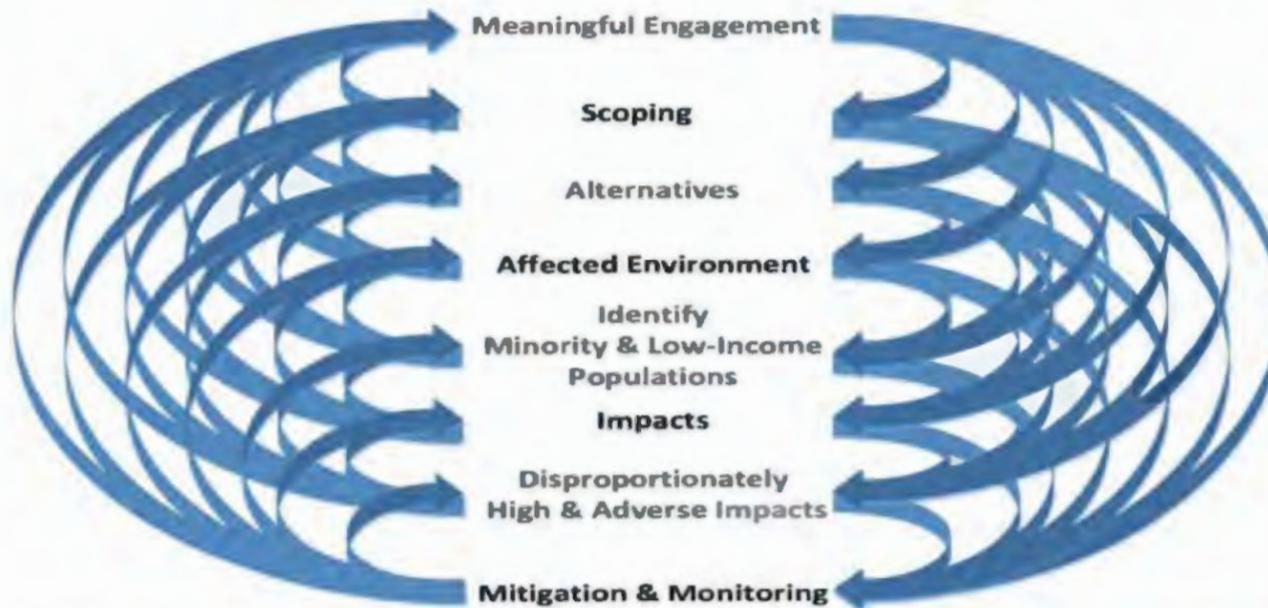


- Compilation of “promising practices” organized in coordinated, functional framework concerning interface of environmental justice considerations through NEPA processes
- Builds upon existing EJ and NEPA Guidance developed by CEQ and federal agencies
- Represents professional experience, knowledge and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

Elements of the Promising Practices Report



Environmental Justice Within National Environmental Policy Act Reviews

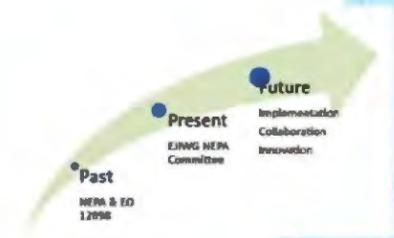




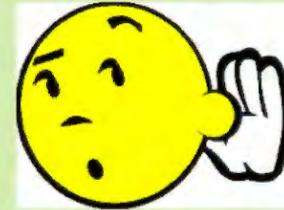
Future & Next Steps: Implementation Collaboration, and Innovation



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



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



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



Thank You

Denise C. Freeman

Denise.Freeman@hq.doe.gov

EPA NEPA/309 Update



NEPA/309 Survey Results

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



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Council on Environmental Quality

- 3:00pm Introduction**
- 3:05pm Update from EJ Interagency Working Group NEPA Sub-Committee**
- 3:15pm Update from EPA's Office of Federal Activities**
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Council on Environmental Quality

FW: CEQ Federal NEPA Contacts Webinar

Where: Webinar: <https://meet.gsa.gov/ceqwebinar/> (b) (6) (b) (6)

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

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

Organiser: FN-CEQ-NEPA </o=exchange organization/ou=exchange administrative group (fydibohf23spdlf)/cn=recipients/cn=3dfc5ad8035346949f6dddfa1953a47-fn">

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

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

From: FN-CEQ-NEPA

Sent: Monday, June 4, 2018 1:08 PM

To: FN-CEQ-NEPA; Boling, Ted A. EOP/CEQ; Drummond, Michael R. EOP/CEQ; Mansoor, Yardena M. EOP/CEQ; Upchurch, Sara H. EOP/CEQ; Hanley, Karen A. EOP/CEQ; denise.freeman@hq.doe.gov; Osterhues, Marlys A. EOP/CEQ

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Sincerely,

The CEQ NEPA Team

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

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

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[3225-F8]

COUNCIL ON ENVIRONMENTAL QUALITY

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

[Docket No. CEQ-2018-0001]

RIN: 0331-AA03

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

AGENCY: Council on Environmental Quality (CEQ).

ACTION: Advance Notice of Proposed Rulemaking.

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

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

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

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

SUPPLEMENTARY INFORMATION:

I. Background

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

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

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

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

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

II. Request for Comment

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

NEPA Process:

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

Scope of NEPA Review:

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

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

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

General:

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

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

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

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

III. Statutory and Executive Order Reviews

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

Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

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

Federal NEPA Contacts Webinar

Wednesday, June 20, 2018

3:00 PM - 4:30 PM

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

<https://meet.gsa.gov/ceqwebinar/>

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Council on Environmental Quality

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*Wednesday, June 20, 2018
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Council on Environmental Quality



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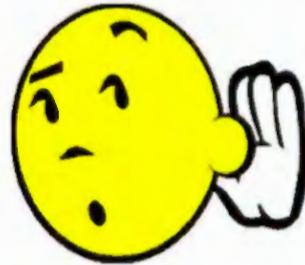
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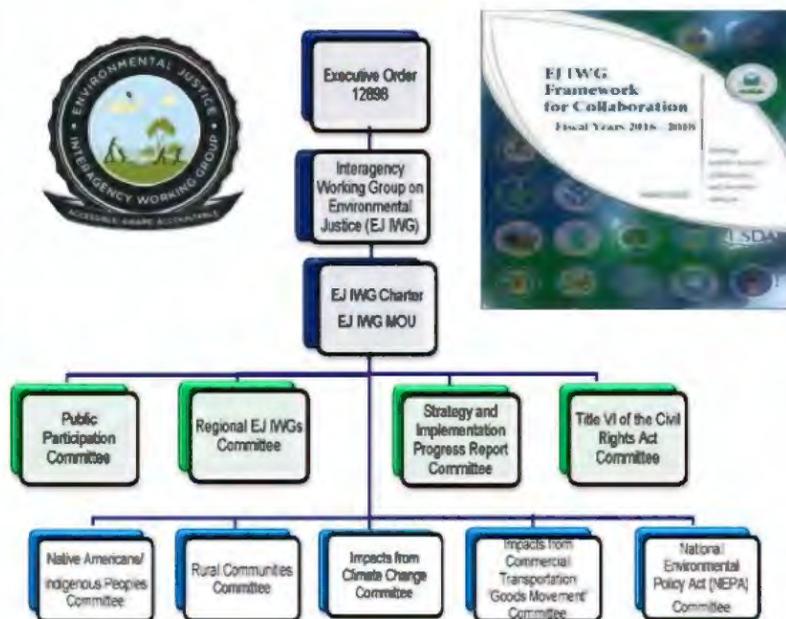


Denise C. Freeman
Co-chair, NEPA Committee
Federal Interagency Working Group on Environmental Justice
CEQ Federal NEPA Contacts Webinar

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



EJ IWG Governance Structure 2016 - 2018



December 2015

Charter & MOU (2011)

NEPA Committee Purpose:

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

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

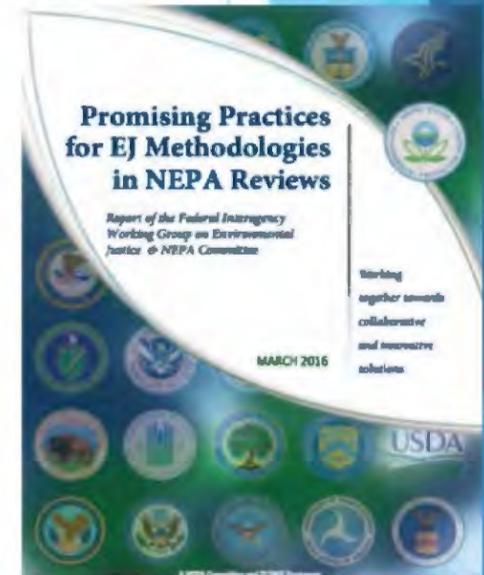
- Provide cross agency training on EJ and NEPA



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



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



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

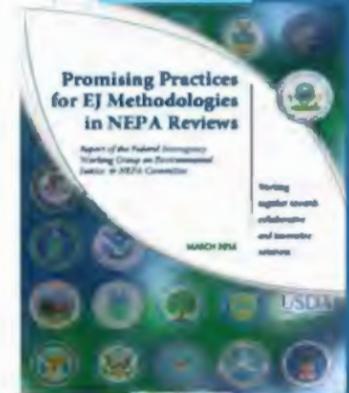
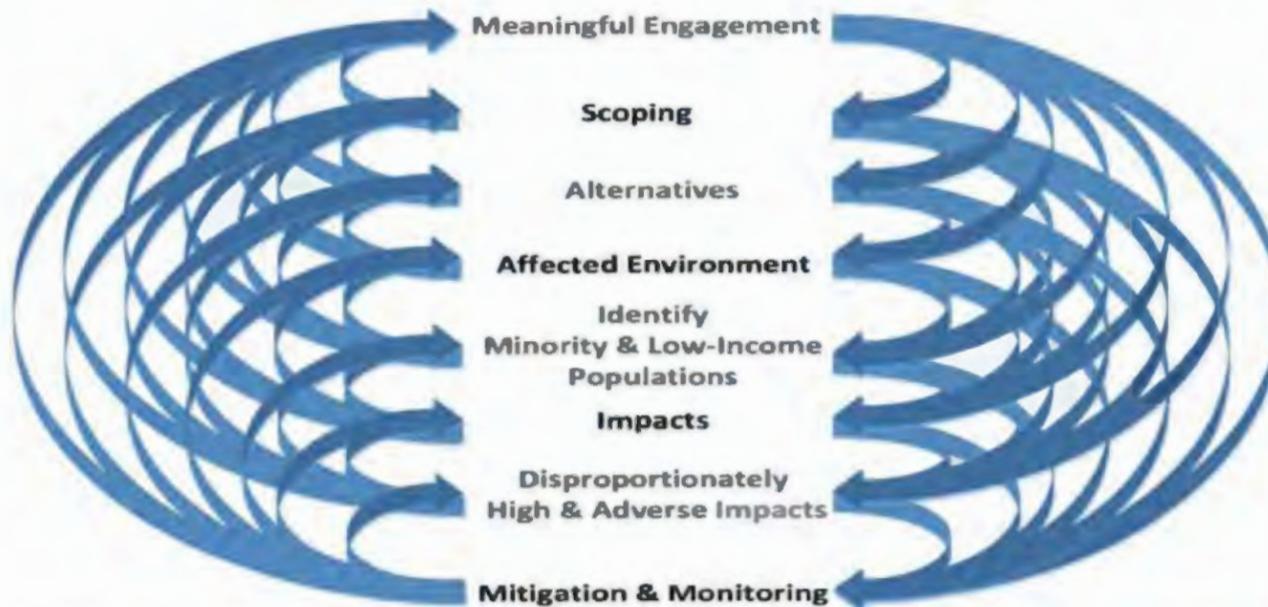


- Compilation of “promising practices” organized in coordinated, functional framework concerning interface of environmental justice considerations through NEPA processes
- Builds upon existing EJ and NEPA Guidance developed by CEQ and federal agencies
- Represents professional experience, knowledge and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

Elements of the Promising Practices Report



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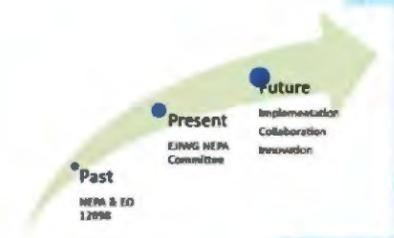




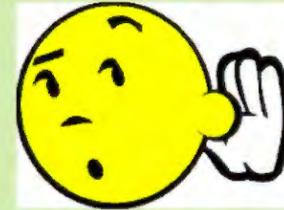
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[3225-F8]

COUNCIL ON ENVIRONMENTAL QUALITY

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SUPPLEMENTARY INFORMATION:

I. Background

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

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

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

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

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

II. Request for Comment

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

NEPA Process:

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

Scope of NEPA Review:

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

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

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

General:

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

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

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

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

III. Statutory and Executive Order Reviews

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

Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

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

Federal NEPA Contacts Webinar

Wednesday, June 20, 2018

3:00 PM - 4:30 PM

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

<https://meet.gsa.gov/ceqwebinar/>

Agenda

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



Council on Environmental Quality

Council on Environmental Quality

Federal NEPA Contacts Webinar



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

Council on Environmental Quality



Agenda

Council on Environmental Quality

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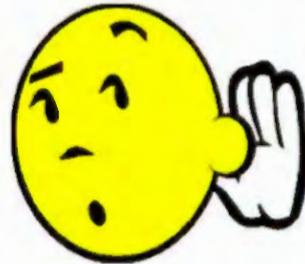
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CEQ075FY18150_000001929



Council on Environmental Quality

“Have you heard about the Promising Practices Report?”

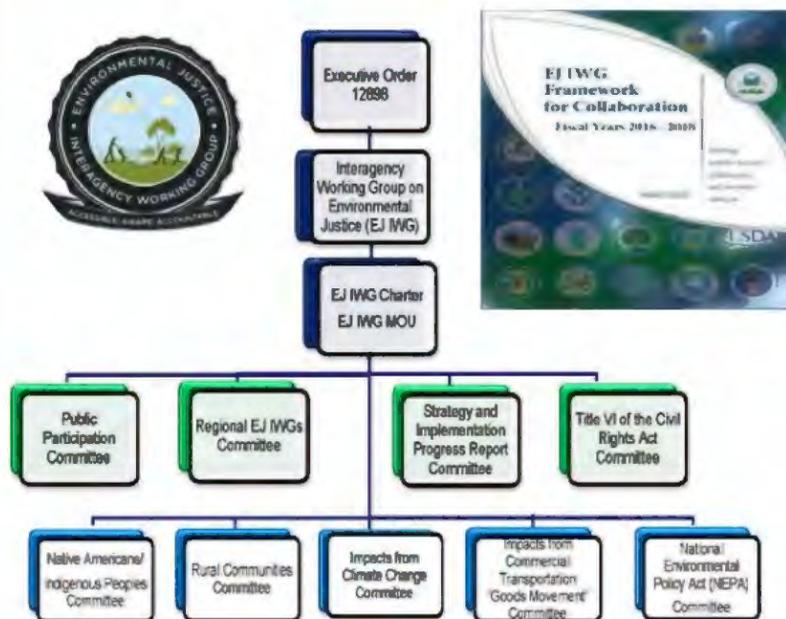


Denise C. Freeman
Co-chair, NEPA Committee
Federal Interagency Working Group on Environmental Justice
CEQ Federal NEPA Contacts Webinar

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



EJ IWG Governance Structure 2016 - 2018



December 2015

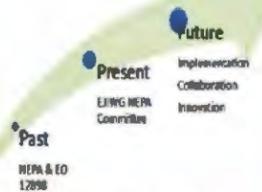
Charter & MOU (2011)

NEPA Committee Purpose:

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

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

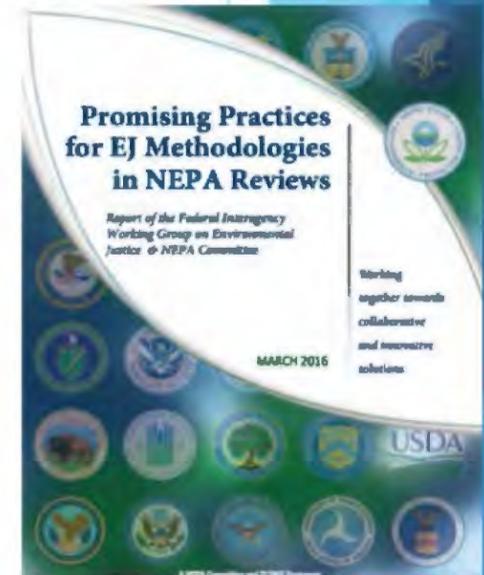
- Provide cross agency training on EJ and NEPA



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



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



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

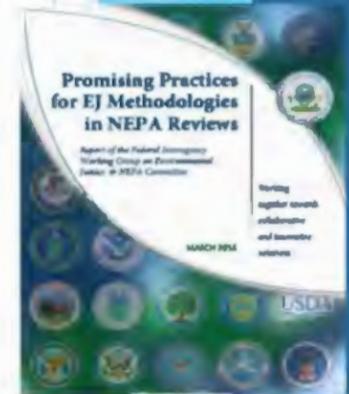
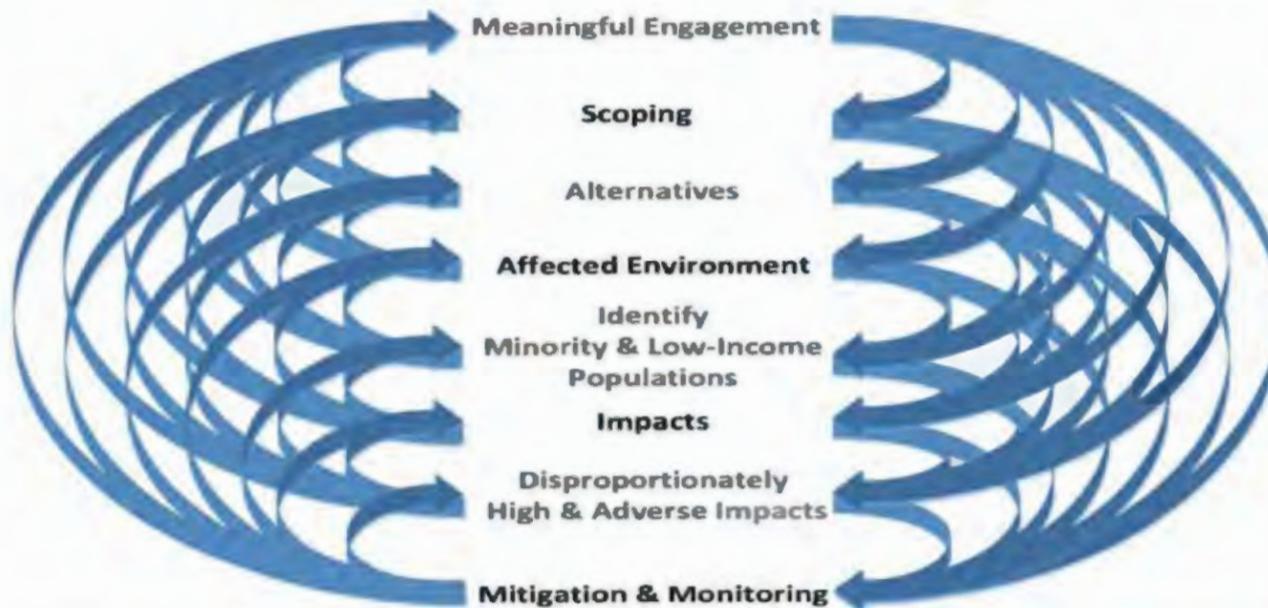


- Compilation of “promising practices” organized in coordinated, functional framework concerning interface of environmental justice considerations through NEPA processes
- Builds upon existing EJ and NEPA Guidance developed by CEQ and federal agencies
- Represents professional experience, knowledge and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

Elements of the Promising Practices Report



Environmental Justice Within National Environmental Policy Act Reviews

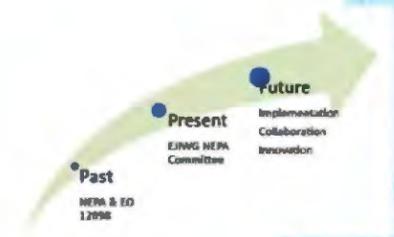




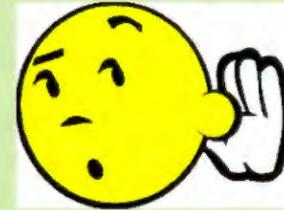
Future & Next Steps: Implementation Collaboration, and Innovation



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



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



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



Thank You

Denise C. Freeman

Denise.Freeman@hq.doe.gov

EPA NEPA/309 Update



NEPA/309 Survey Results

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



Subsequent EPA Actions

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





Agenda

Council on Environmental Quality

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Council on Environmental Quality



Questions?

Council on Environmental Quality

The screenshot shows the NEPA.GOV website. At the top, there is a search bar and a navigation menu with links for HOME, LAWS & REGULATIONS, GUIDANCE, GET INVOLVED, NEPA PRACTICE, CEO PUBLICATIONS, and CEO REPORTS. The main content area features a large blue banner with the text "INFRASTRUCTURE PERMITTING IMPROVEMENTS" and a "READ MORE" button. Below the banner, there is a "Welcome" section with a horizontal line under the heading. The text in the welcome section reads: "The National Environmental Policy Act (NEPA) was enacted to declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation, and to establish a Council on Environmental Quality (Sec. 2 (42 U.S. Code § 4321)). NEPA is our basic national charter for protection of the environment; it establishes policy, sets goals (section 101), and provides means (section 102) for carrying out the policy. Section 102 (2) contains "action-forcing" provisions to make sure that federal agencies act according to the letter and spirit of the Act. President Nixon signed NEPA into law on January 1, 1970. NEPA set forth a bold new vision for America. Acknowledging the decades of environmental neglect that had significantly degraded the nation's landscape and damaged the human environment, the law was established to foster and promote the general welfare; to create and maintain conditions under which

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



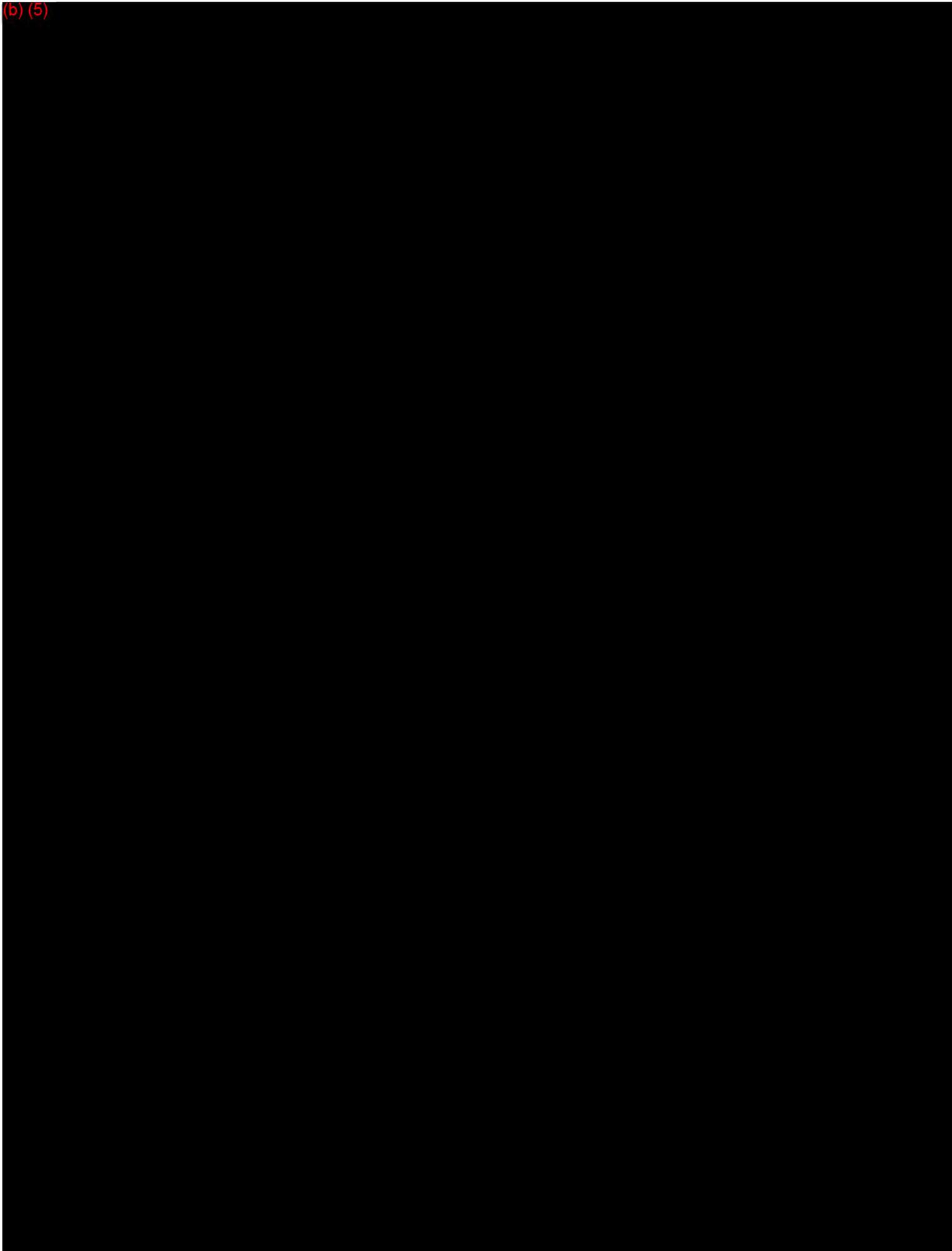
Council on Environmental Quality

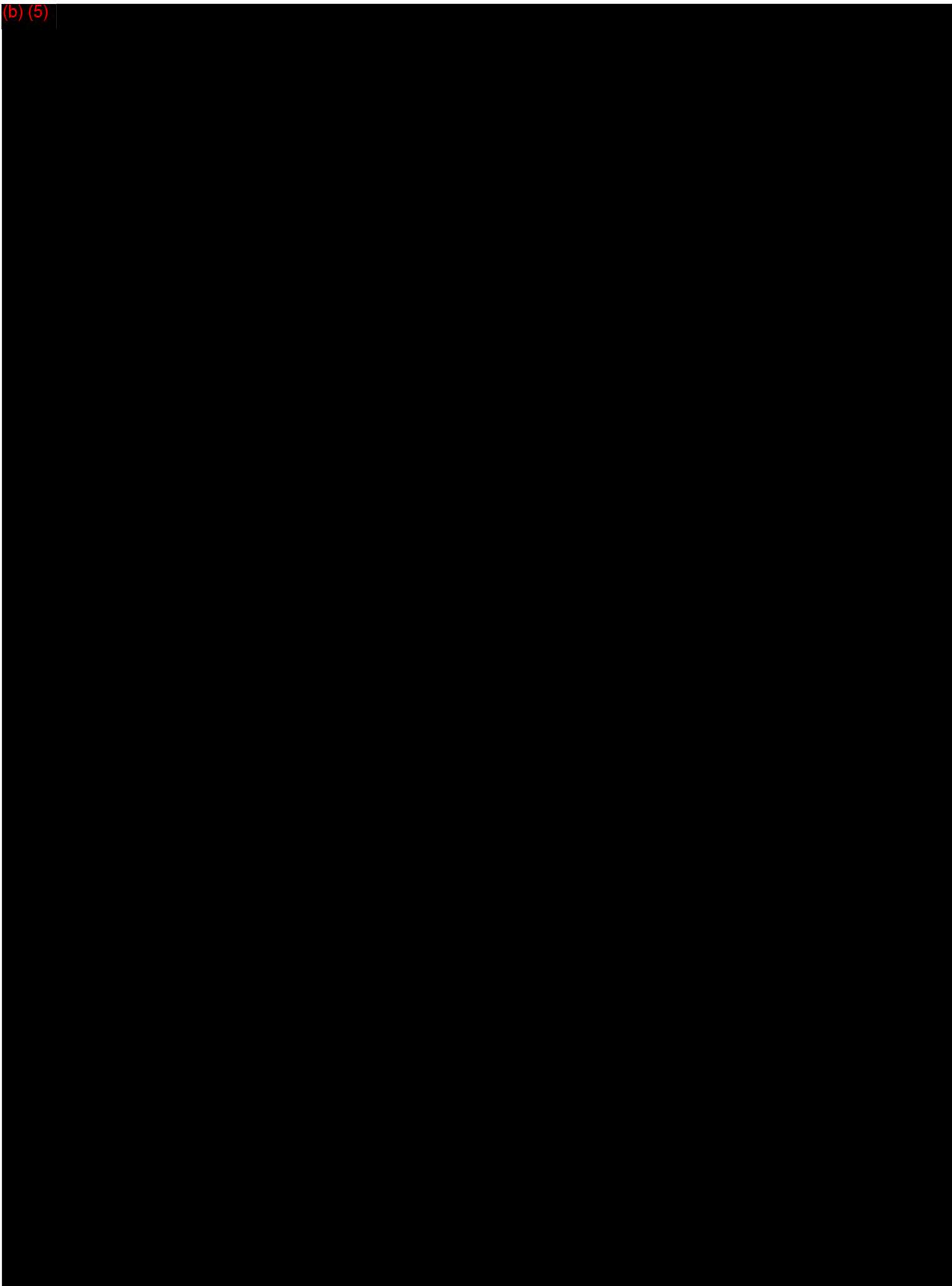
latest Q&A

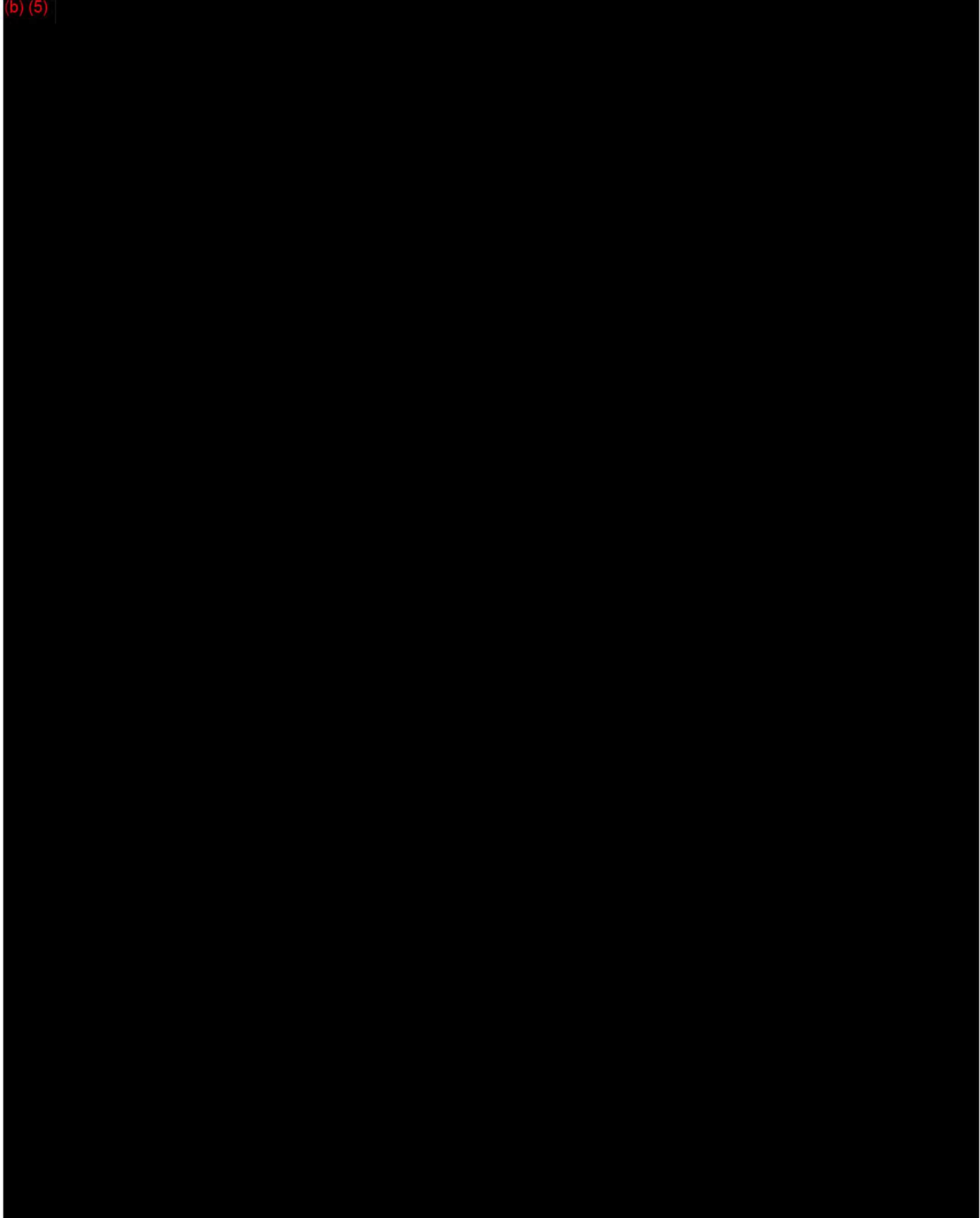
From: "Sharp, Thomas L. EOP/CEQ" <(b) (6)>
To: "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Mon, 25 Jun 2018 12:42:56 -0400
Attachments: Draft Question and Answer for Senate Roundtable 062218_confcall TLS.docx (33.9 kB)

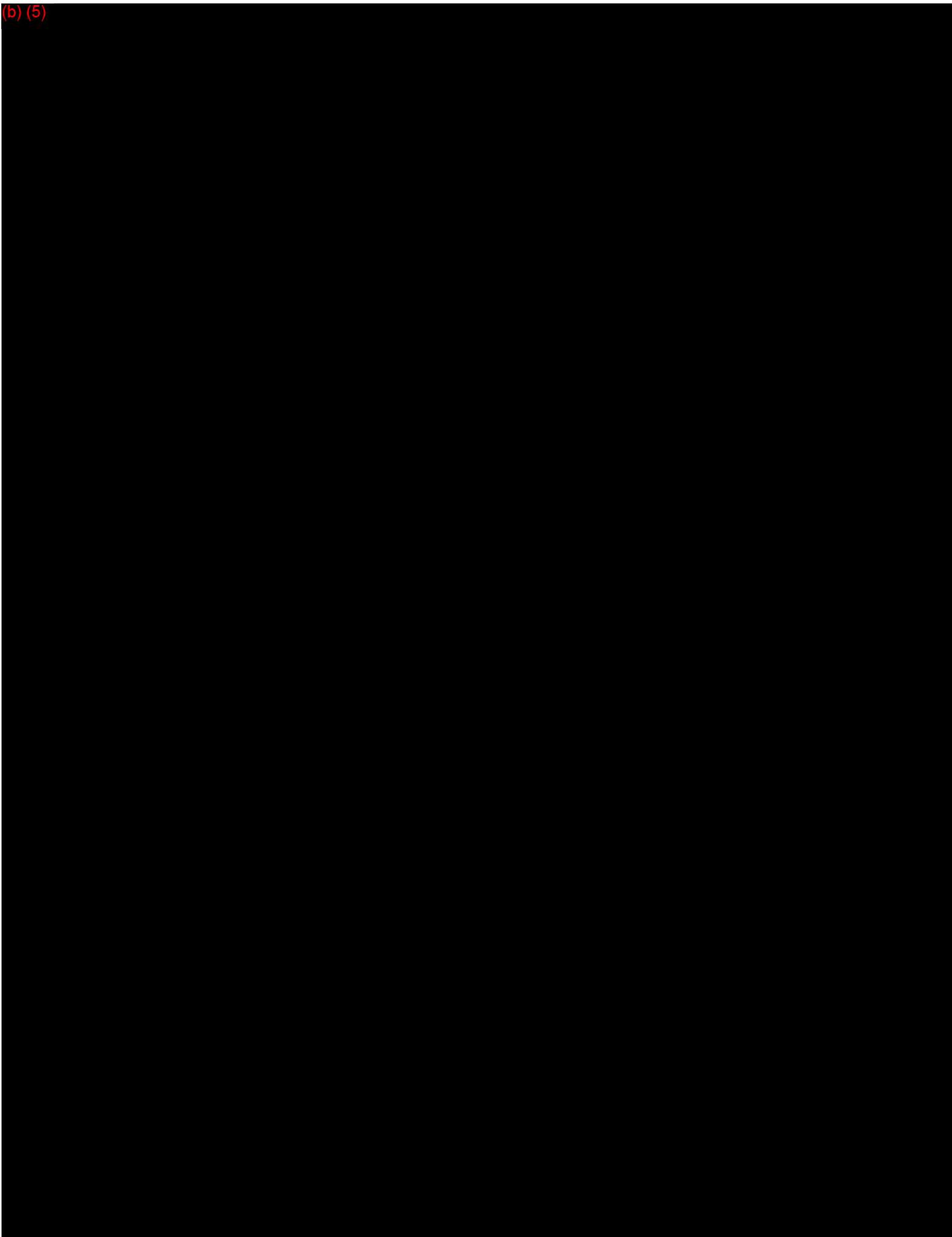
From various sources, not complete, off to (b) (6) back in a few hours. In case you/Karen/Amber want to move the ball forward, feel free. I'm taking my computer (b) (6), and will have my phone.

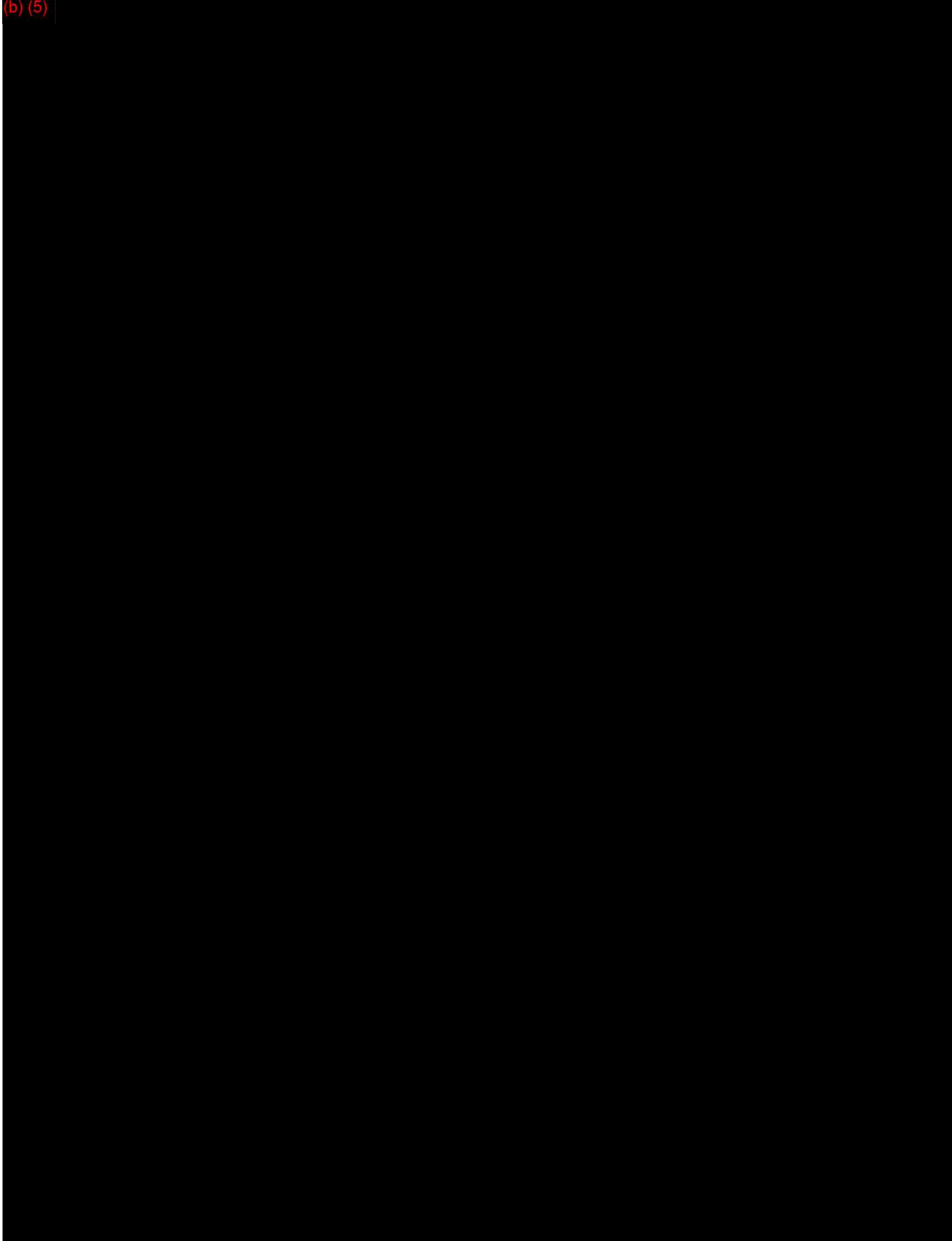
Thomas L. Sharp
Senior Advisor for Infrastructure
Council on Environmental Quality
Executive Office of the President
(b) (6)
(b) (6)
www.whitehouse.gov/ceq

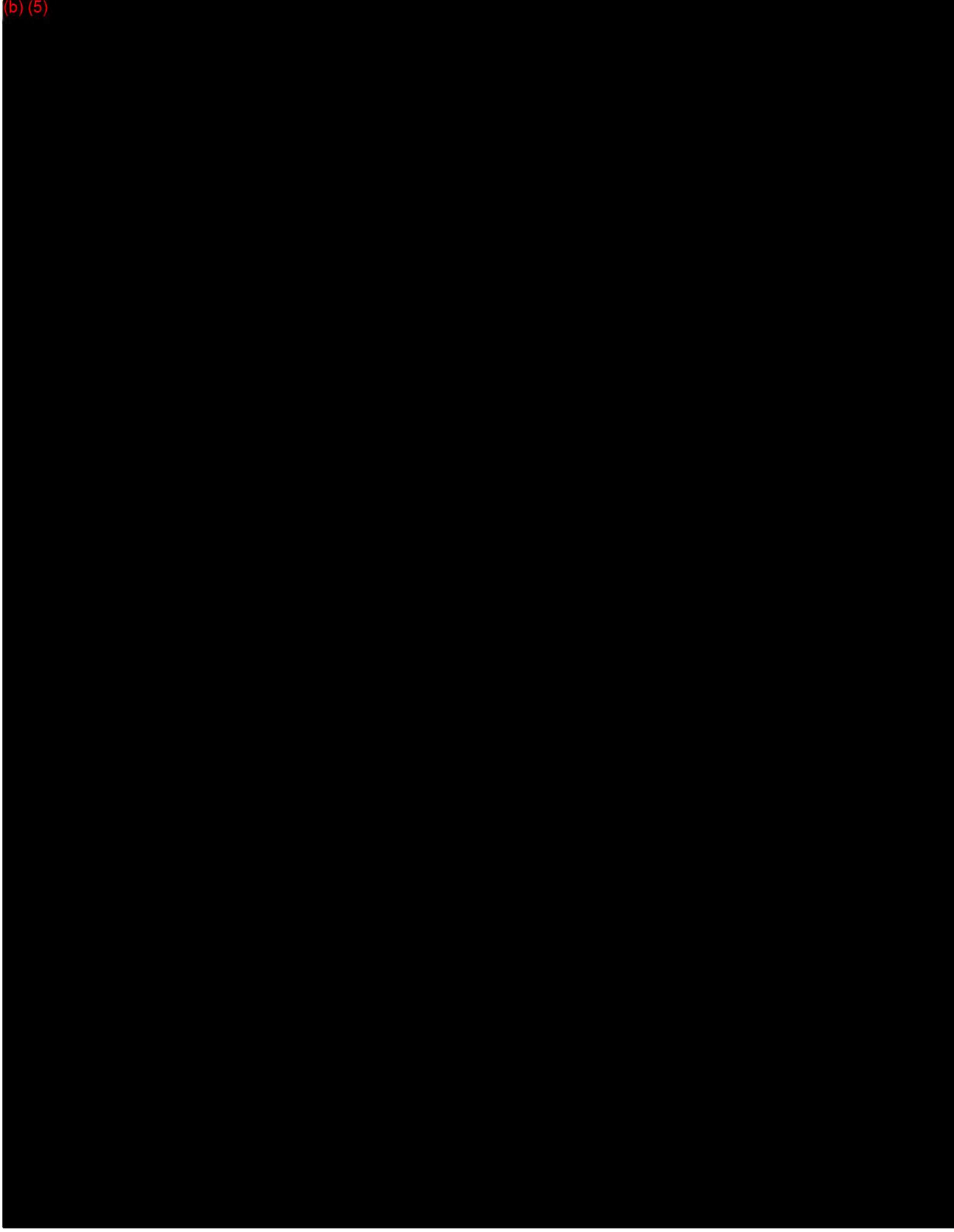


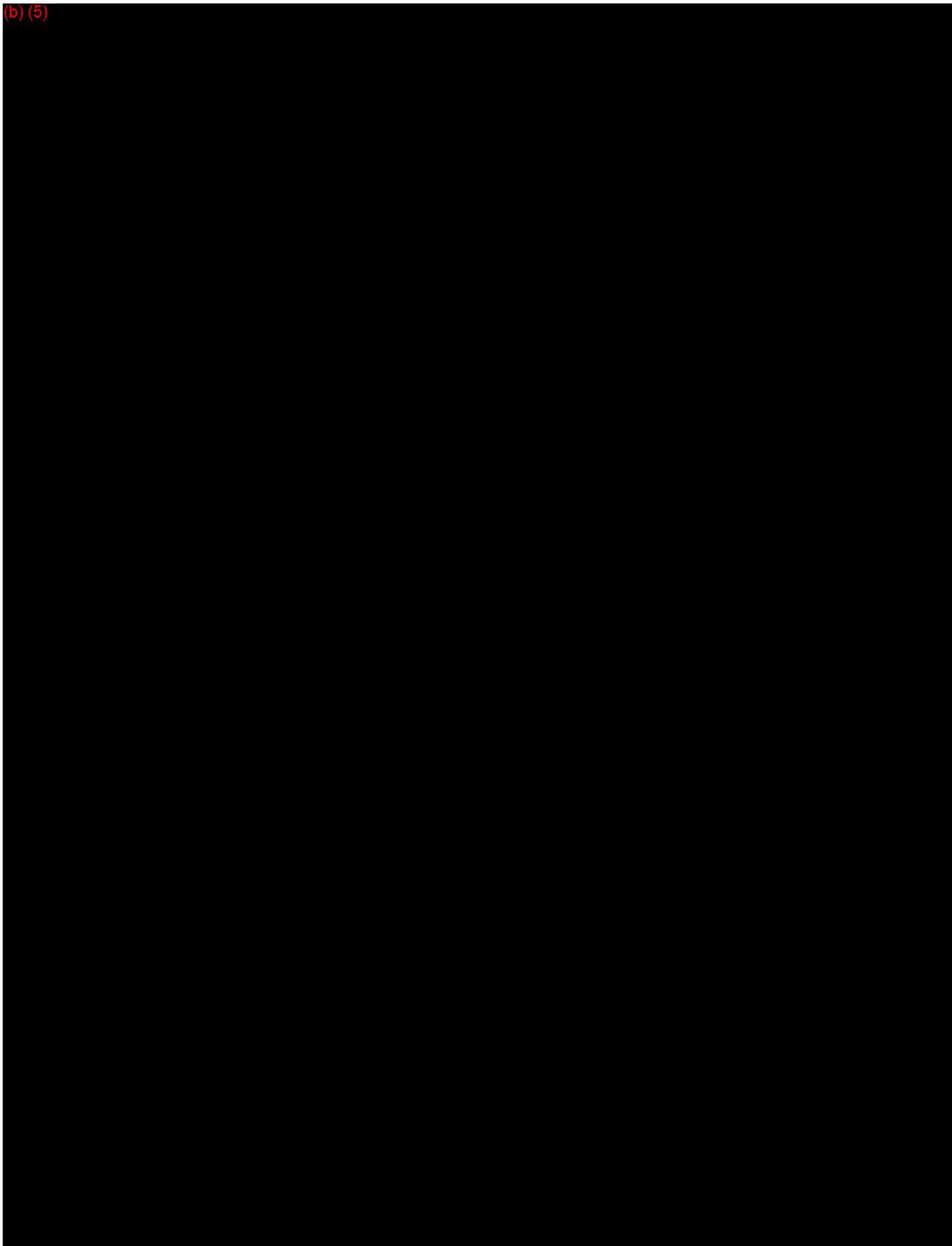












Comment Extension Package for NEPA ANPRM

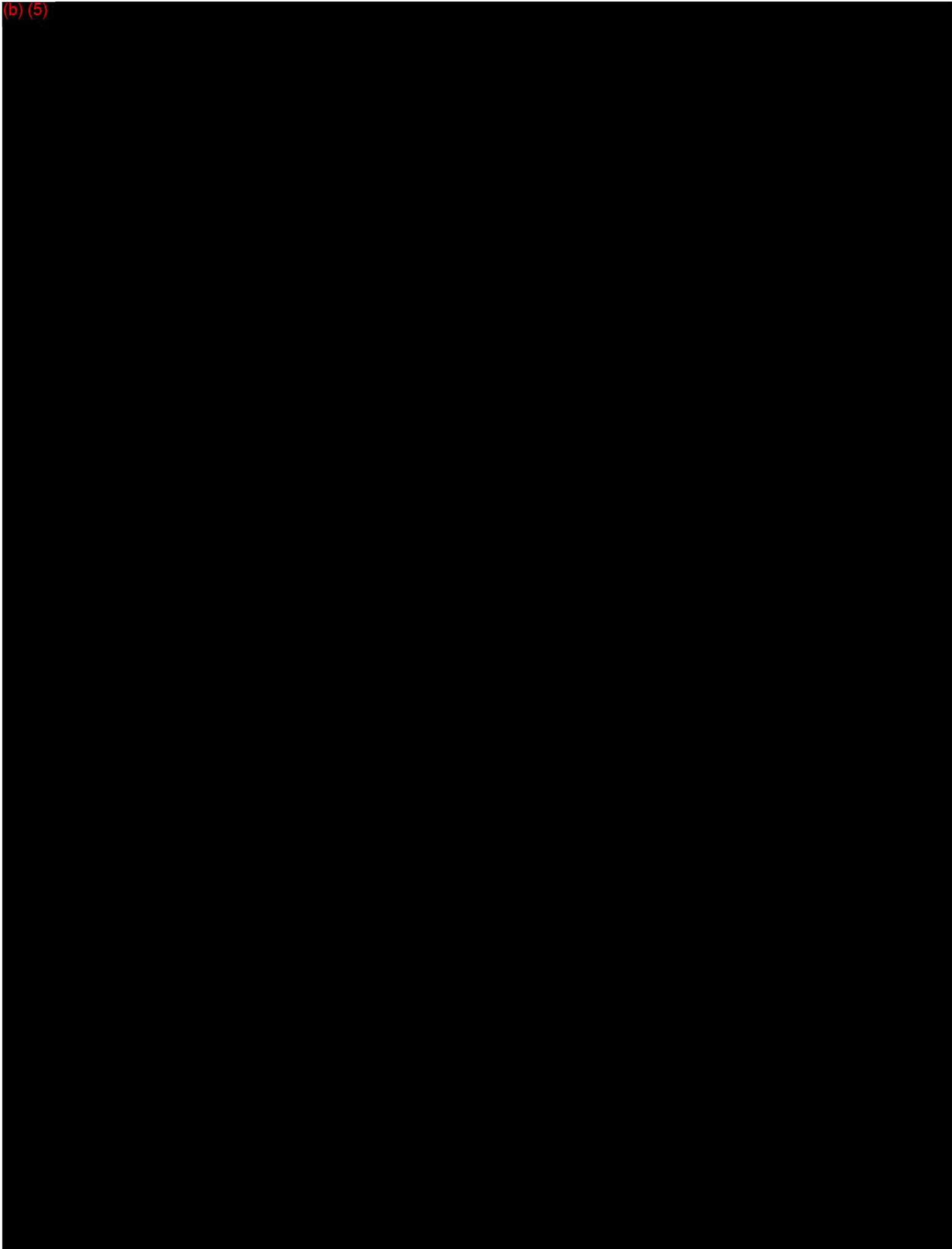
From: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
To: "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Tue, 26 Jun 2018 16:59:20 -0400
Attachments: CEQ NEPA ANPRM_Comment Period Extension.docx (43.11 kB)

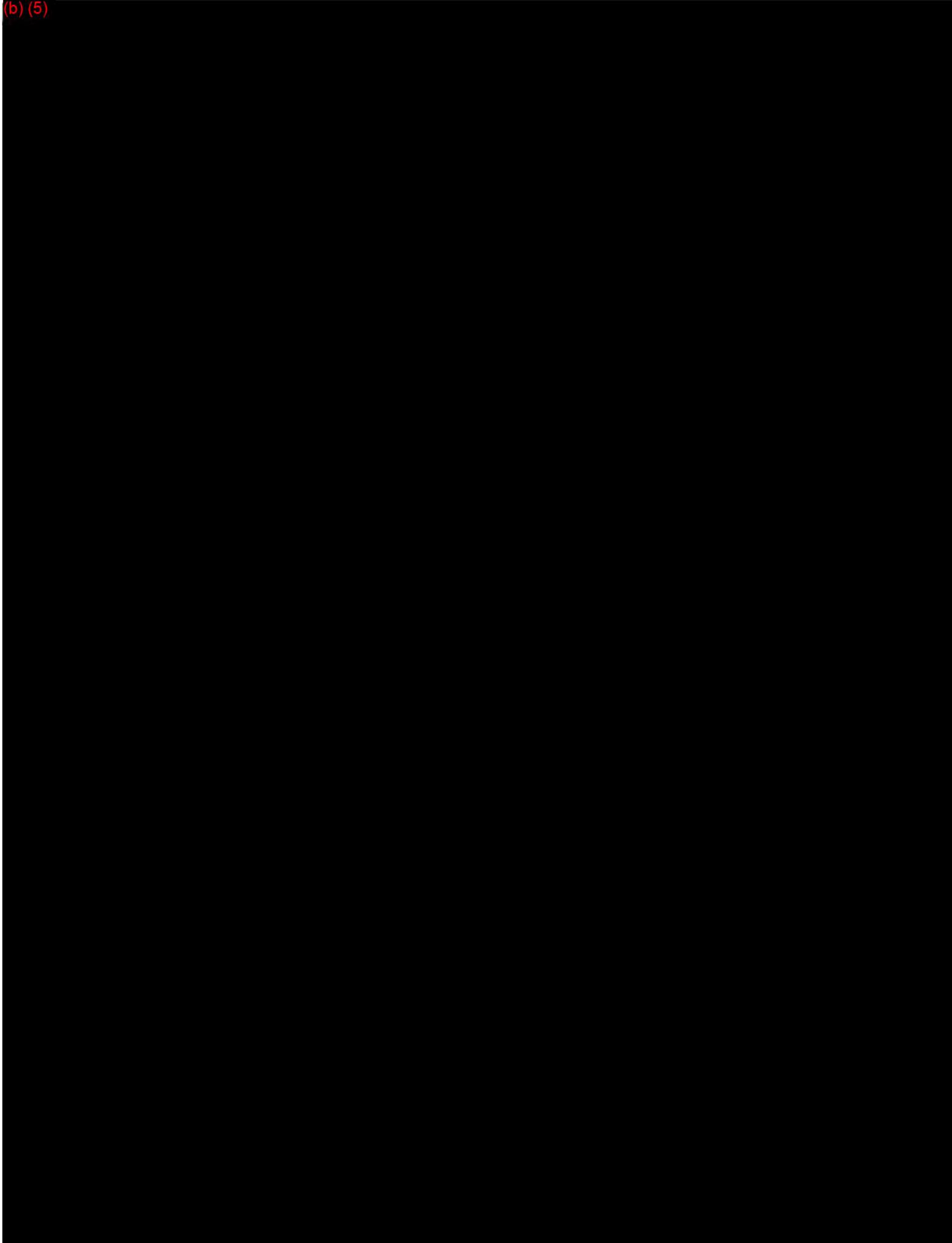
Hey Mary and Viktoria,

Please see attached a draft comment period extension notice. The extension would be for 31 days as I believe the comment period needs to close on a business day. (I believe that is correct based on the chart found on the *Federal Register* website: [here](#) that did not seem to include weekends or holidays).

Let me know if you have any comments or questions.

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





FW: Request for Extension of Comment Period on NEPA ANPRM

From: "Drummond, Michael R. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Cc: "Mansoor, Yarden M. EOP/CEQ" <(b) (6)> "Smith, Katherine R. EOP/CEQ" <(b) (6)>
Date: Tue, 26 Jun 2018 14:44:45 -0400
Attachment s: ANPRM Request for Extension of Public Comment Final.pdf (105.82 kB)

FYI – A comment period extension request from the Partnership Project (a coalition of advocacy organization), they came in to meet with OIRA and us during the EO 12866 process.

From: Stephen Schima <sschima@partnershipproject.org>
Sent: Tuesday, June 26, 2018 11:48 AM
To: Boling, Ted A. EOP/CEQ <(b) (6)>
Cc: Drummond, Michael R. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] Request for Extension of Comment Period on NEPA ANPRM

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)

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

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

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

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

Respectfully submitted,

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

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

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

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

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

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

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

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

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

FW: 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: "Drummond, Michael R. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Cc: "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Mansoor, Yarden M. EOP/CEQ" <(b) (6)>
Date: Tue, 26 Jun 2018 14:35:16 -0400
Attachment s: TNC NEPA Comment Period Extension Request 06 26 2018.pdf (82.97 kB)

FYI - Comment period extension request from The Nature Conservancy.

From: Kameran Onley <konley@TNC.ORG>
Sent: Tuesday, June 26, 2018 2:16 PM
To: Drummond, Michael R. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] FW: 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)

Good afternoon, Mr. Drummond-

We received the *Out of Office* message from Mr. Boling and are forwarding our request to you.

Best,
Kameran

From: Kameran Onley
Sent: Tuesday, June 26, 2018 1:01 PM
To: (b) (6) <(b) (6)>
Subject: Request for Sixty-day Extension for Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) (Docket No. CEQ-2018-0001)

Dear Mr. Boling:

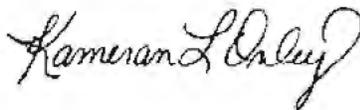
I am writing to request a sixty-day extension to the comment period for CEQ's advanced notice of proposed rulemaking (ANPRM) to "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act" (Docket No. CEQ-2018-0001).

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

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

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

Sincerely,



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



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.

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Sincerely,

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

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

RE: Comment Extension Package for NEPA ANPRM

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)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Date: Fri, 29 Jun 2018 17:18:21 -0400
Attachments: CEQ NEPA ANPRM_Comment Period Extension_06232018 VZS edit.docx (42.73 kB)

Suggested edits attached.

From: Szabo, Aaron L. EOP/CEQ
Sent: Friday, June 29, 2018 2:05 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Subject: RE: Comment Extension Package for NEPA ANPRM

Per Mary's edits, please find a revised version attached.

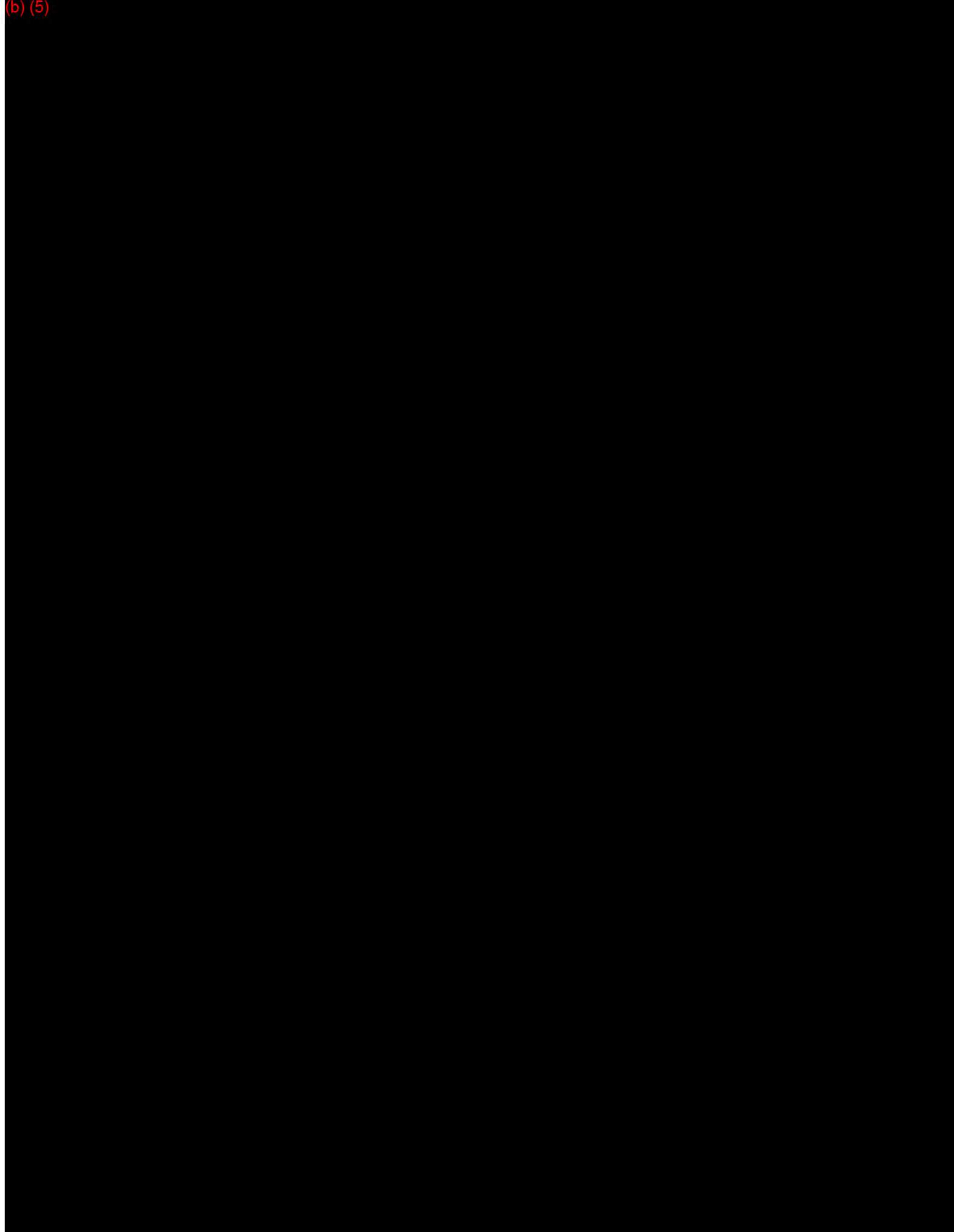
From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, June 26, 2018 4:59 PM
To: Mary B. EOP/CEQ Neumayr ((b) (6)) <(b) (6)>
Viktoria Z. EOP/CEQ Seale ((b) (6)) <(b) (6)>
Subject: Comment Extension Package for NEPA ANPRM

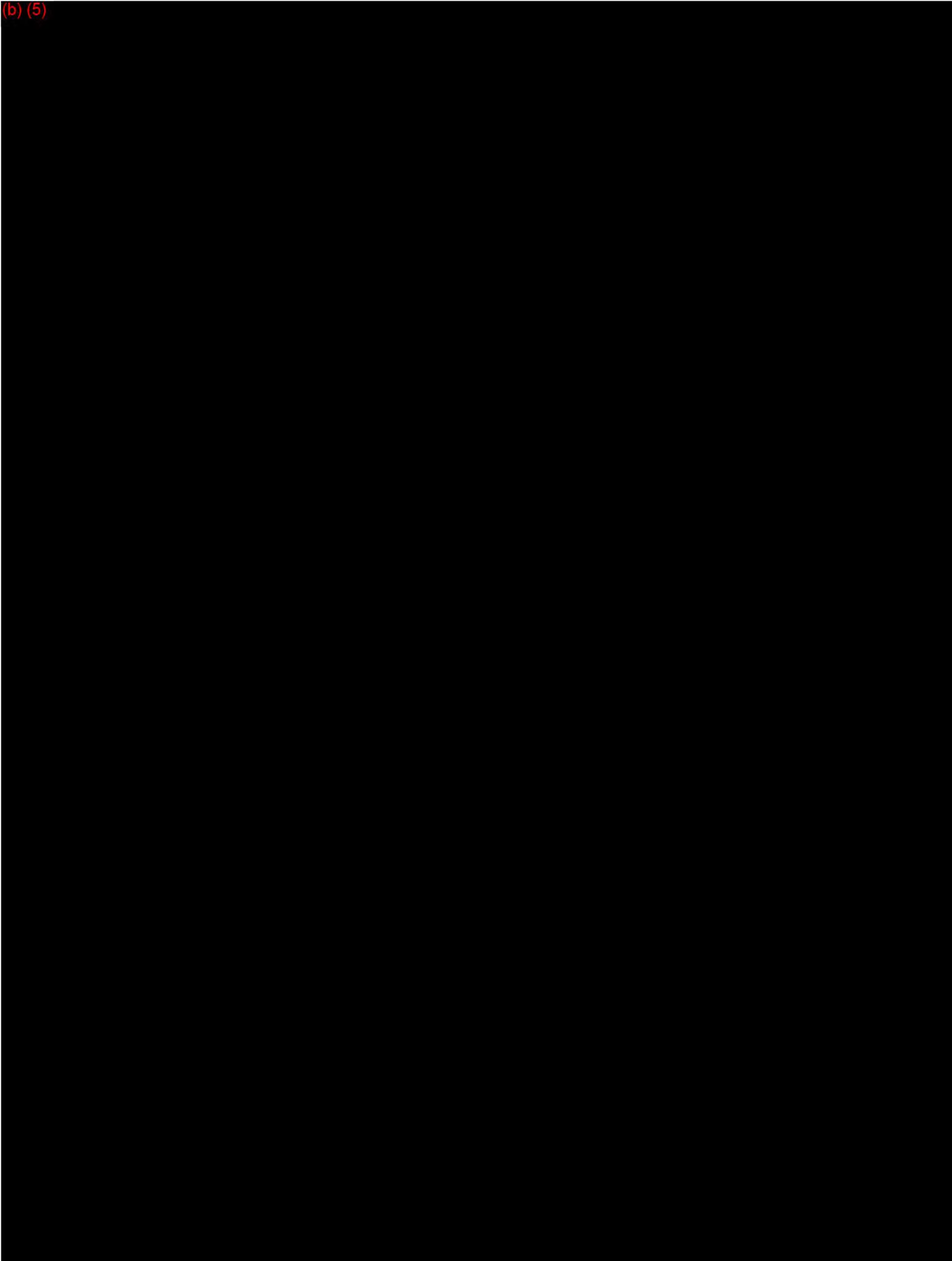
Hey Mary and Viktoria,

Please see attached a draft comment period extension notice. (b) (5)
[Redacted]

Let me know if you have any comments or questions.

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





RE: Comment Extension Package for NEPA ANPRM

From: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Date: Fri, 29 Jun 2018 17:18:24 -0400
Attachments: CEQ NEPA ANPRM_Comment Period Extension_06232018 VZS edit.docx (42.73 KB)

[Suggested edits attached.](#)

From: Szabo, Aaron L. EOP/CEQ
Sent: Friday, June 29, 2018 2:05 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Subject: RE: Comment Extension Package for NEPA ANPRM

[Per Mary's edits, please find a revised version attached.](#)

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, June 26, 2018 4:59 PM
To: Mary B. EOP/CEQ Neumayr <(b) (6)> <(b) (6)>
Viktoria Z. EOP/CEQ Seale <(b) (6)> <(b) (6)>
Subject: Comment Extension Package for NEPA ANPRM

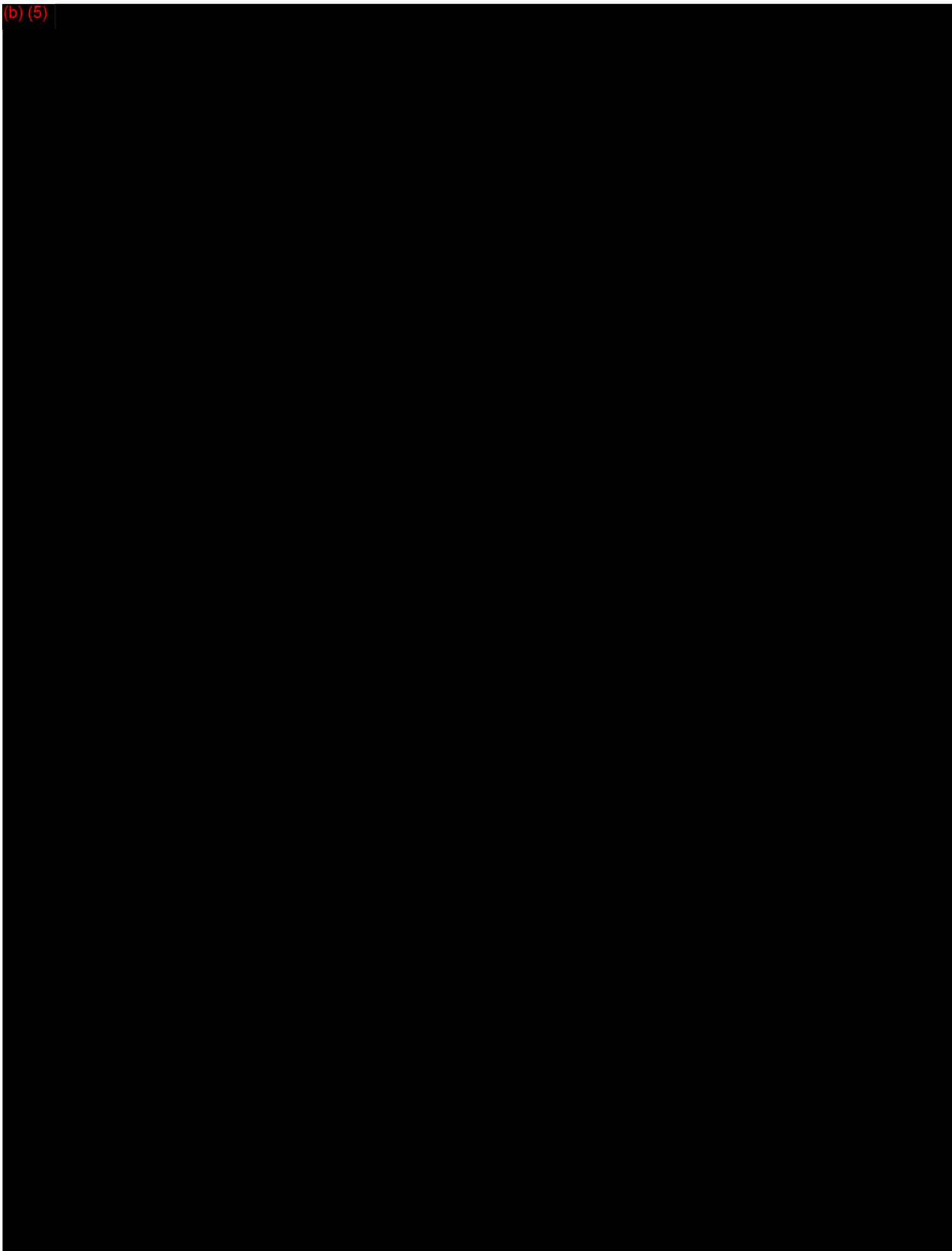
Hey Mary and Viktoria,

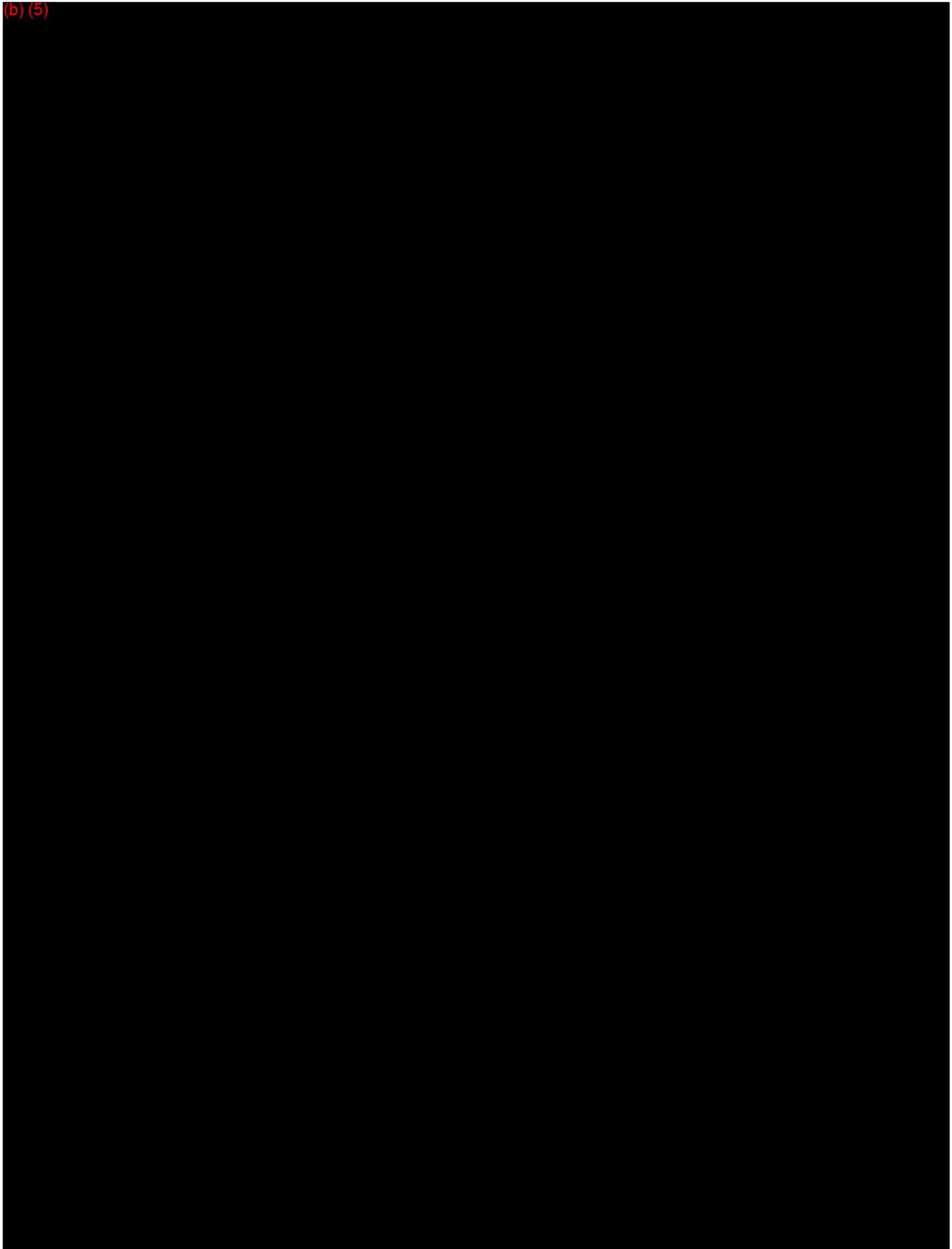
Please see attached a draft comment period extension notice. (b) (5)

[REDACTED]

Let me know if you have any comments or questions.

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





RE: Comment Extension Package for NEPA ANPRM

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
To: "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Fri, 29 Jun 2018 14:04:52 -0400
Attachments: CEQ NEPA ANPRM_Comment Period Extension_06232018.docx (43.22 kB)

Per Mary's edits, please find a revised version attached.

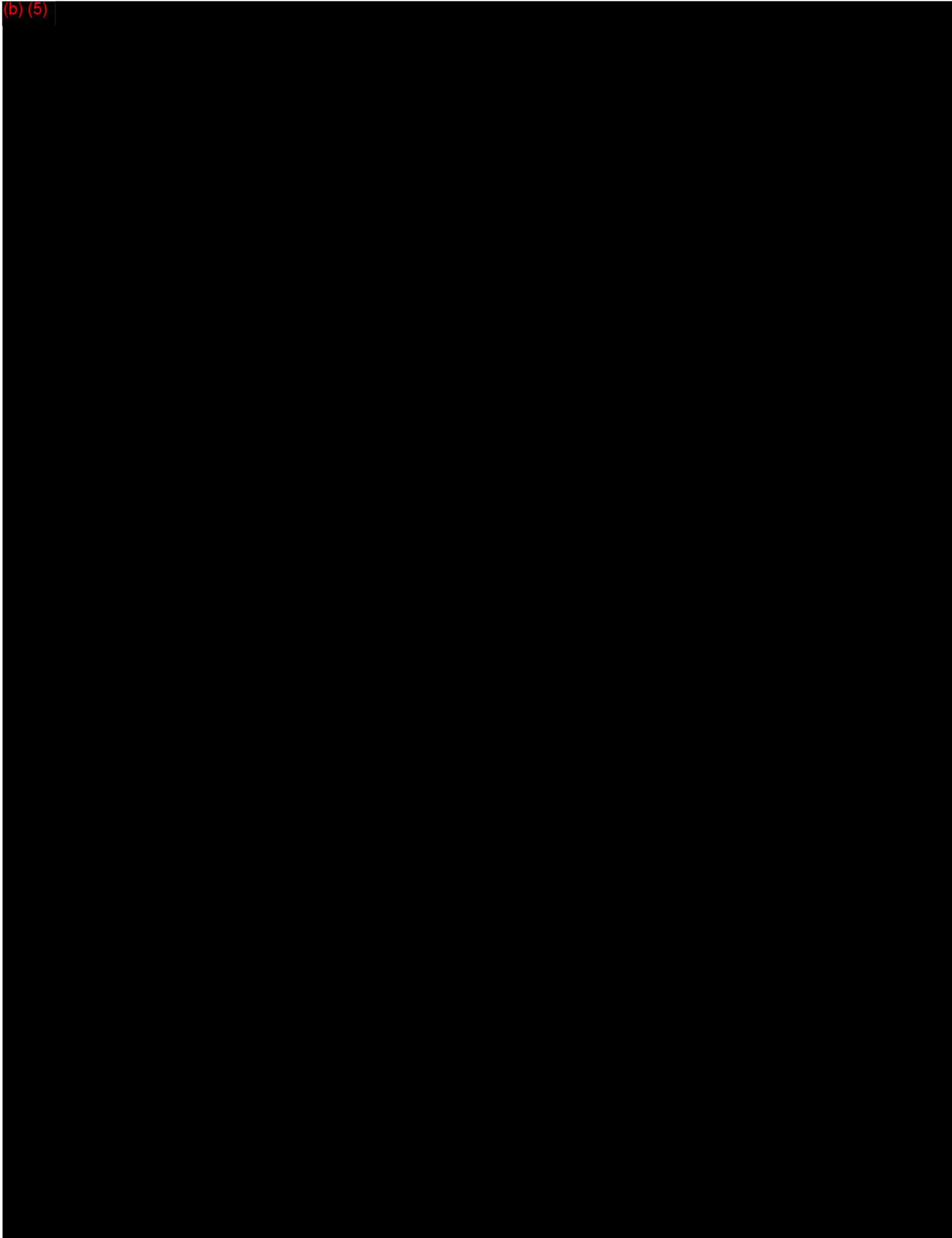
From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, June 26, 2018 4:59 PM
To: Mary B. EOP/CEQ Neumayr ((b) (6)) <(b) (6)>
Viktoria Z. EOP/CEQ Seale ((b) (6)) <(b) (6)>
Subject: Comment Extension Package for NEPA ANPRM

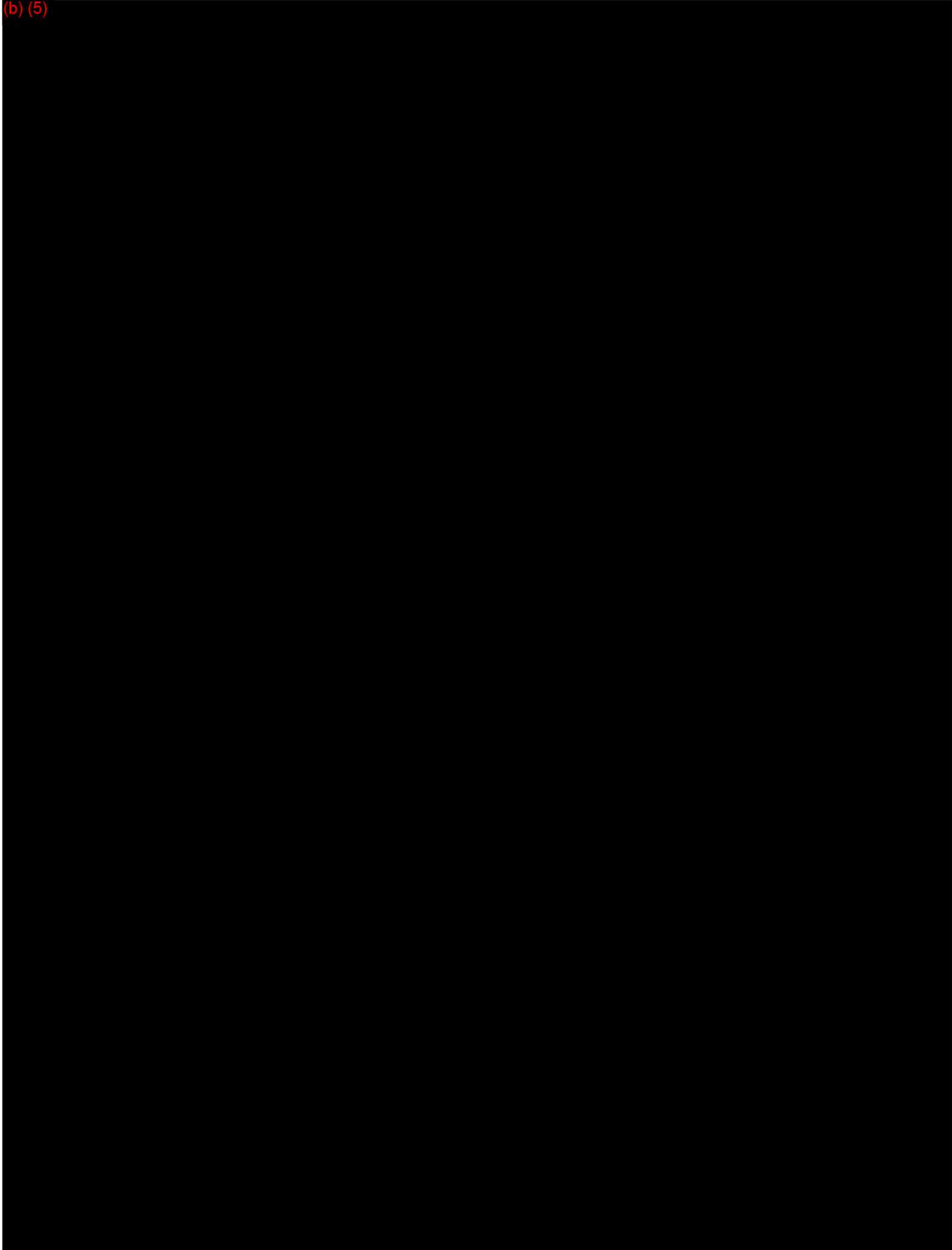
Hey Mary and Viktoria,

Please see attached a draft comment period extension notice. (b) (5)

Let me know if you have any comments or questions.

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





RE: Comment Extension Package for NEPA ANPRM

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Date: Sat, 30 Jun 2018 13:17:17 -0400
Attachments: CEQ NEPA ANPRM_Comment Period Extension_06302018.docx (43.49 kB)

Viktoria,

Thank you very much for your comments.

(b) (5)
Please let me know if you have any comments.

From: Seale, Viktoria Z. EOP/CEQ
Sent: Friday, June 29, 2018 5:18 PM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Subject: RE: Comment Extension Package for NEPA ANPRM

Suggested edits attached.

From: Szabo, Aaron L. EOP/CEQ
Sent: Friday, June 29, 2018 2:05 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Subject: RE: Comment Extension Package for NEPA ANPRM

Per Mary's edits, please find a revised version attached.

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, June 26, 2018 4:59 PM
To: Mary B. EOP/CEQ Neumayr <(b) (6)> <(b) (6)>
Viktoria Z. EOP/CEQ Seale <(b) (6)> <(b) (6)>
Subject: Comment Extension Package for NEPA ANPRM

Hey Mary and Viktoria,

Please see attached a draft comment period extension notice. (b) (5)

(b) (5)

(b) (5)

(b) (5)

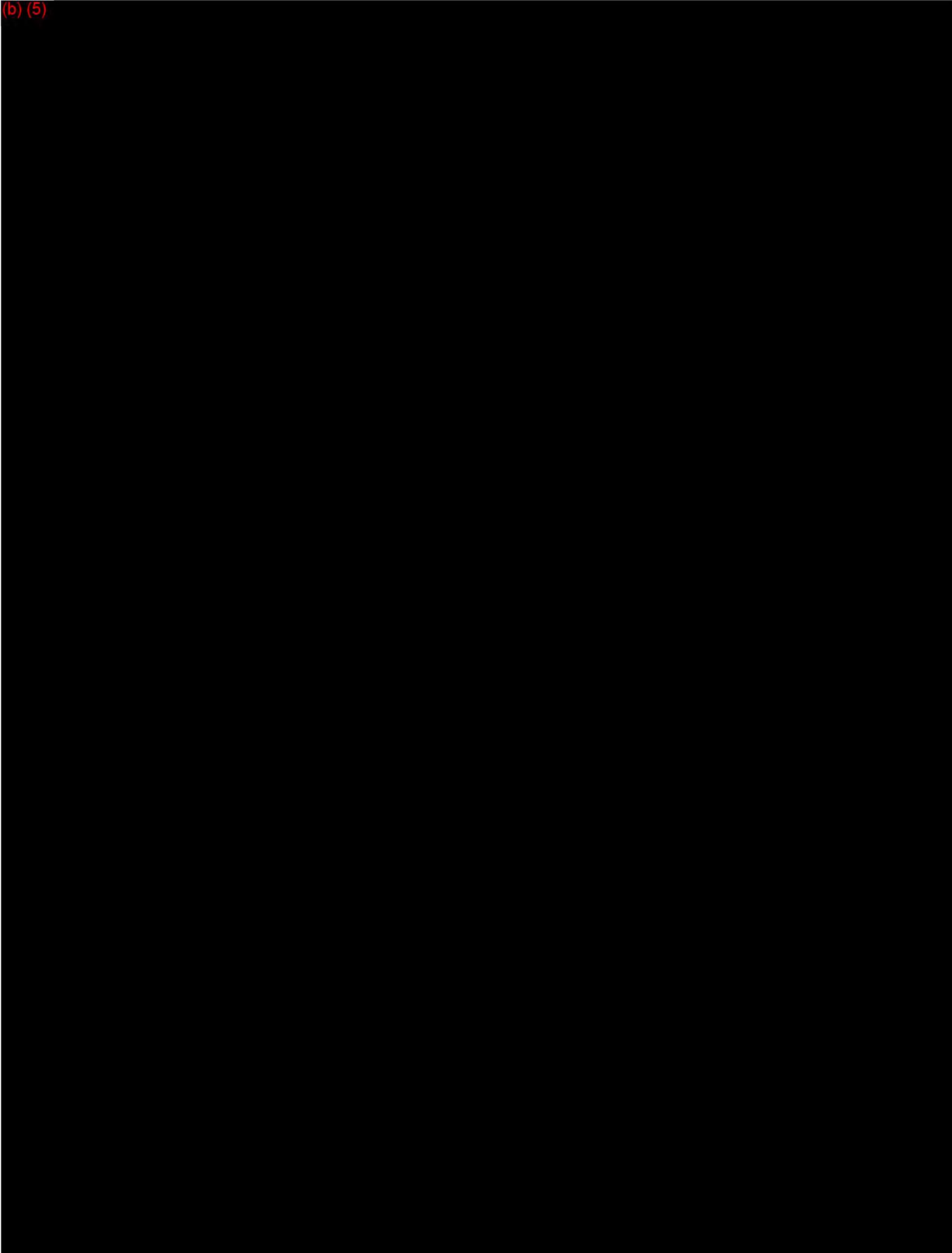
Let me know if you have any comments or questions.

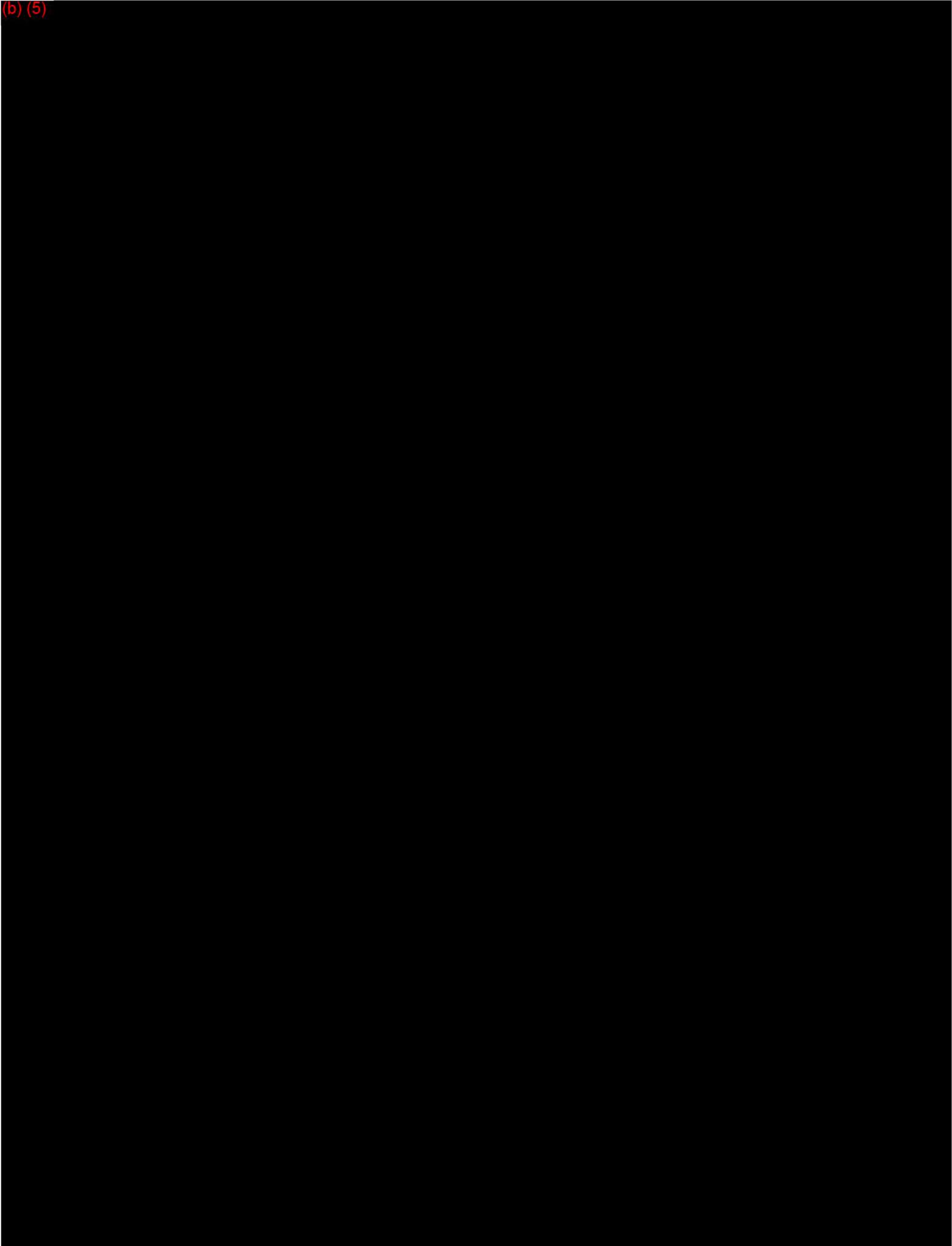
Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

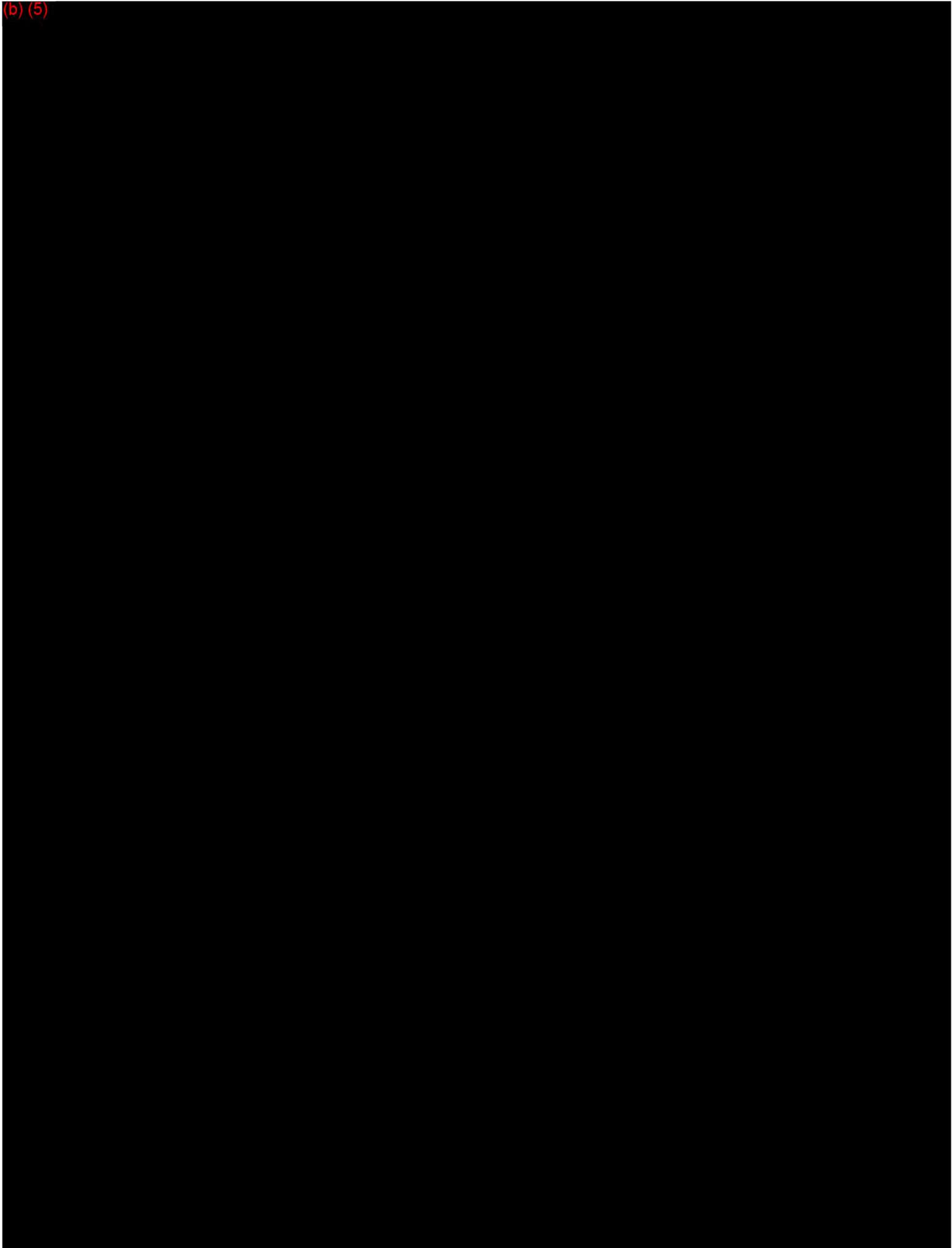
(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)







CEQ NEPA Regulations ANPRM Extension of Comment Period

From: FN-CEQ-NEPA <(b) (6)>
To: FN-CEQ-NEPA <(b) (6)>
Cc: "Boling, Ted A. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>
Date: Tue, 10 Jul 2018 11:03:23 -0400

Attachments
: 2018-14821.pdf (212.33 kB)

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)



[3225-F8-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, N.W., 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, N.W., 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: 7/10/2018 8:45 am; Publication Date: 7/11/2018]

RE: Update

From: "Mansoor, Yardena M. EOP/CEQ" <"o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">
To: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>
Date: Fri, 13 Jul 2018 16:16:37 -0400

Good, thanks! Have a great weekend.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Friday, July 13, 2018 3:49 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Update

Hello Yardena,

(b) (5)

I started the additional comments this morning so I don't know how different the content of the second set will be, but I believe that the summary I included above is a good indication of the content of the first set.

Please let me know if there is anything else I can help with as well!

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Friday, July 13, 2018 3:30 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: Update

Erin,

I'd like to leave some notes for Ted's arrival Monday. Do you want to say anything about the screening of the comments? It can be a sentence or two. Send to me and I'll add something.

Yardena

RE: Update

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

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

Date: Fri, 13 Jul 2018 15:49:29 -0400

Hello Yardena,

(b) (5)
[Redacted]

I started the additional comments this morning so I don't know how different the content of the second set will be, but I believe that the summary I included above is a good indication of the content of the first set.

Please let me know if there is anything else I can help with as well!

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Friday, July 13, 2018 3:30 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: Update

Erin,

I'd like to leave some notes for Ted's arrival Monday. Do you want to say anything about the screening of the comments? It can be a sentence or two. Send to me and I'll add something.

Yardena

RE: Questions, please review

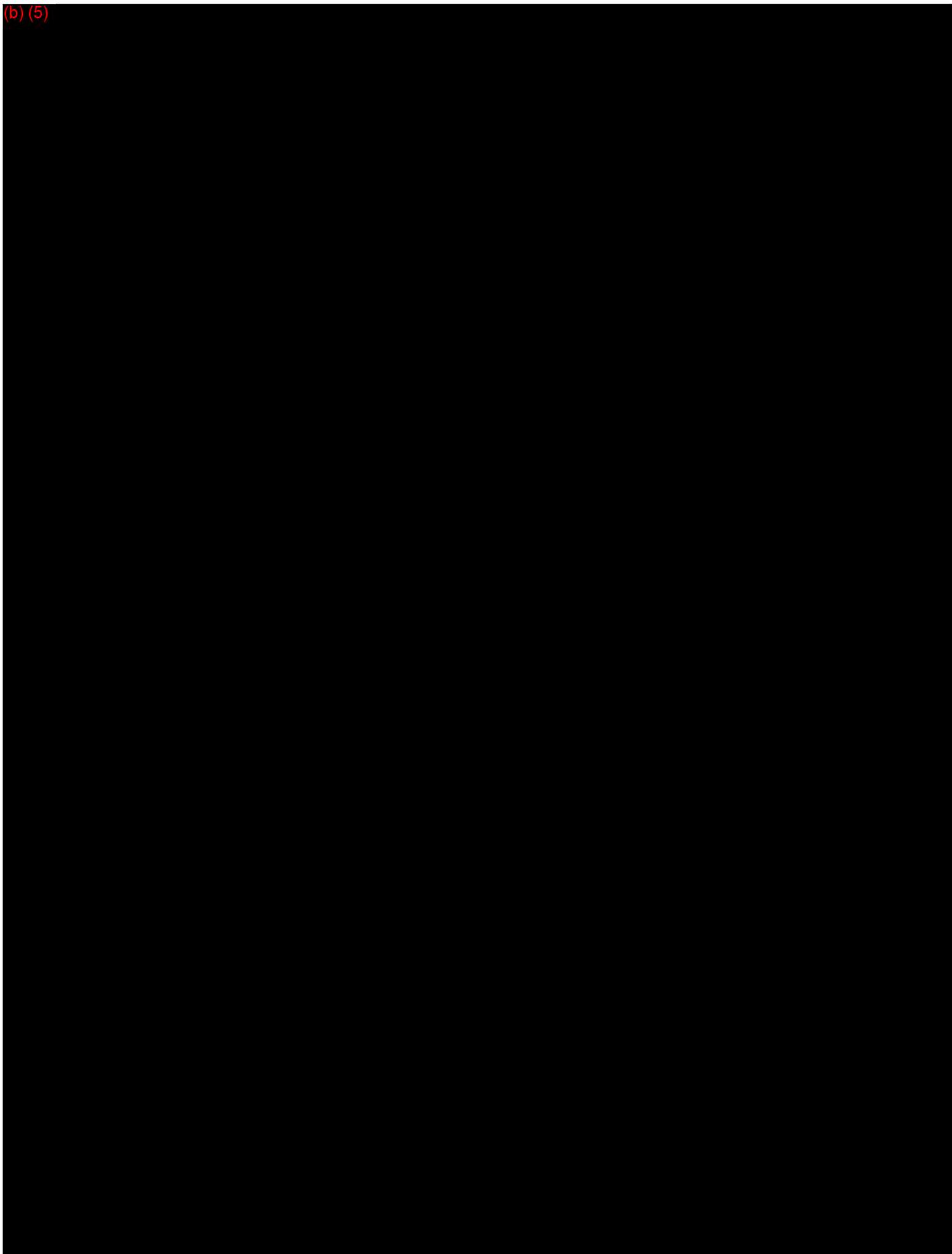
From: "Smith, Katherine R. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=e45de0bbb5ca4e87a4c4528ec12a7b03-sm">
To: "Pettigrew, Theresa L. EOP/CEQ" (b) (6) "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Herrgott, Alex H. EOP/CEQ" <(b) (6)>
Date: Mon, 16 Jul 2018 16:58:48 -0400
Attachments: Draft Questions.docx (21.4 kB)

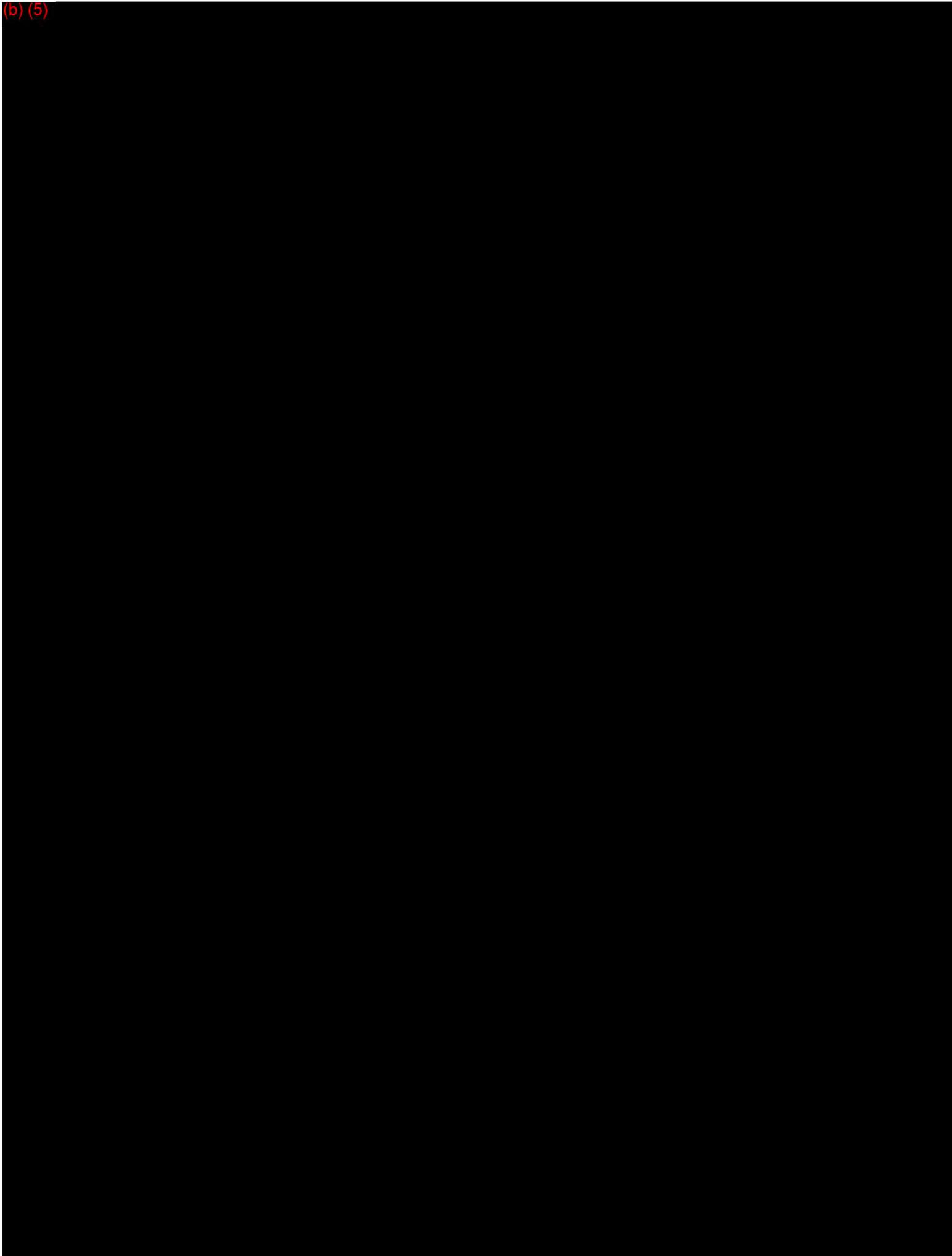
Adjusted spacing

From: Pettigrew, Theresa L. EOP/CEQ
Sent: Monday, July 16, 2018 4:52 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Herrgott, Alex H. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: Questions, please review

Please review this document now, if possible. (b) (5)
Thank you!
Theresa

Theresa L. Pettigrew
Associate Director for Legislative Affairs
Council on Environmental Quality
Executive Office of the President
(b) (6) (office)
(202) 456-6546 (fax)
www.whitehouse.gov/ceq





RE: Questions, please review

From: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
To: "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Herrgott, Alex H. EOP/CEQ" <(b) (6)>
Date: Mon, 16 Jul 2018 17:01:40 -0400
Attachments: Draft Questions DS.docx (24.36 kB)

Minor suggestions.

From: Smith, Katherine R. EOP/CEQ
Sent: Monday, July 16, 2018 4:59 PM
To: Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)>; Herrgott, Alex H. EOP/CEQ <(b) (6)>
Subject: RE: Questions, please review

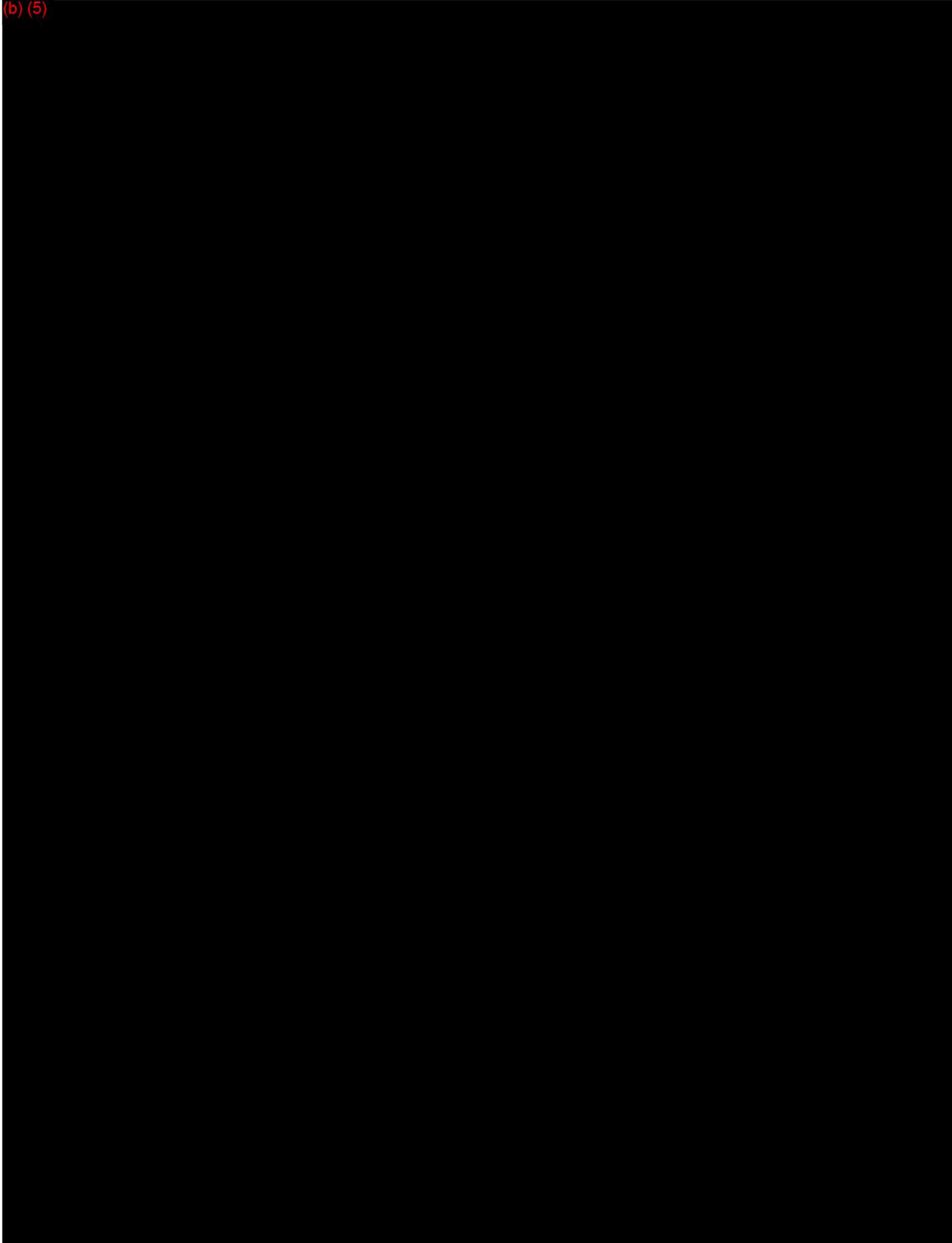
Adjusted spacing

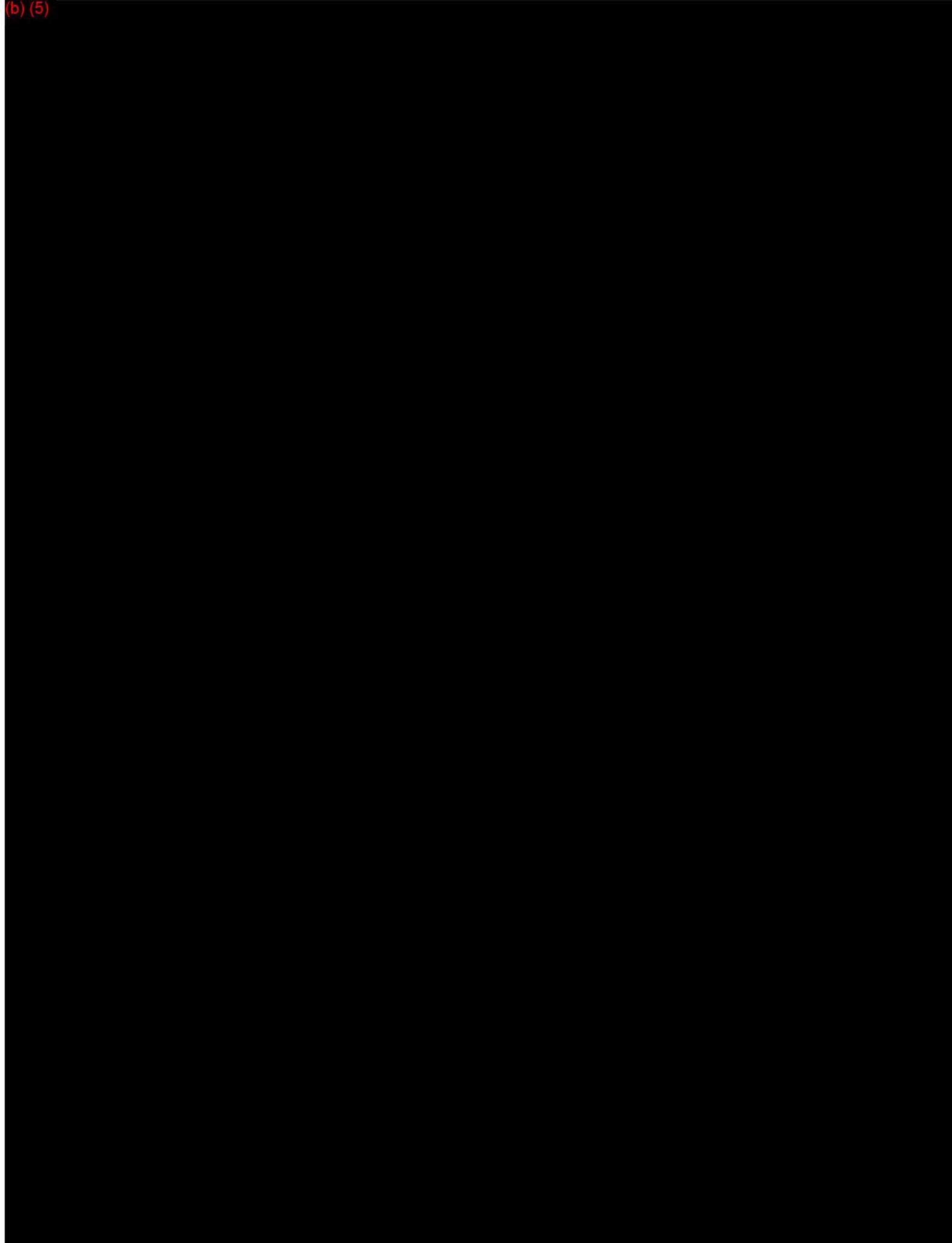
From: Pettigrew, Theresa L. EOP/CEQ
Sent: Monday, July 16, 2018 4:52 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Herrgott, Alex H. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: Questions, please review

Please review this document now, if possible. (b) (5)

Thank you!
Theresa

Theresa L. Pettigrew
Associate Director for Legislative Affairs
Council on Environmental Quality
Executive Office of the President
(b) (6) (office)
(202) 456-6546 (fax)
www.whitehouse.gov/ceq





RE: Questions, please review

From: "Smith, Katherine R. EOP/CEQ" <(b) (6)>
"Pettigrew, Theresa L. EOP/CEQ" (b) (6) "Neumayr,
Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ"
To: <(b) (6)> "Schneider, Daniel J. EOP/CEQ"
<(b) (6)> "Herrgott, Alex H. EOP/CEQ"
<(b) (6)>
Date: Mon, 16 Jul 2018 16:58:53 -0400

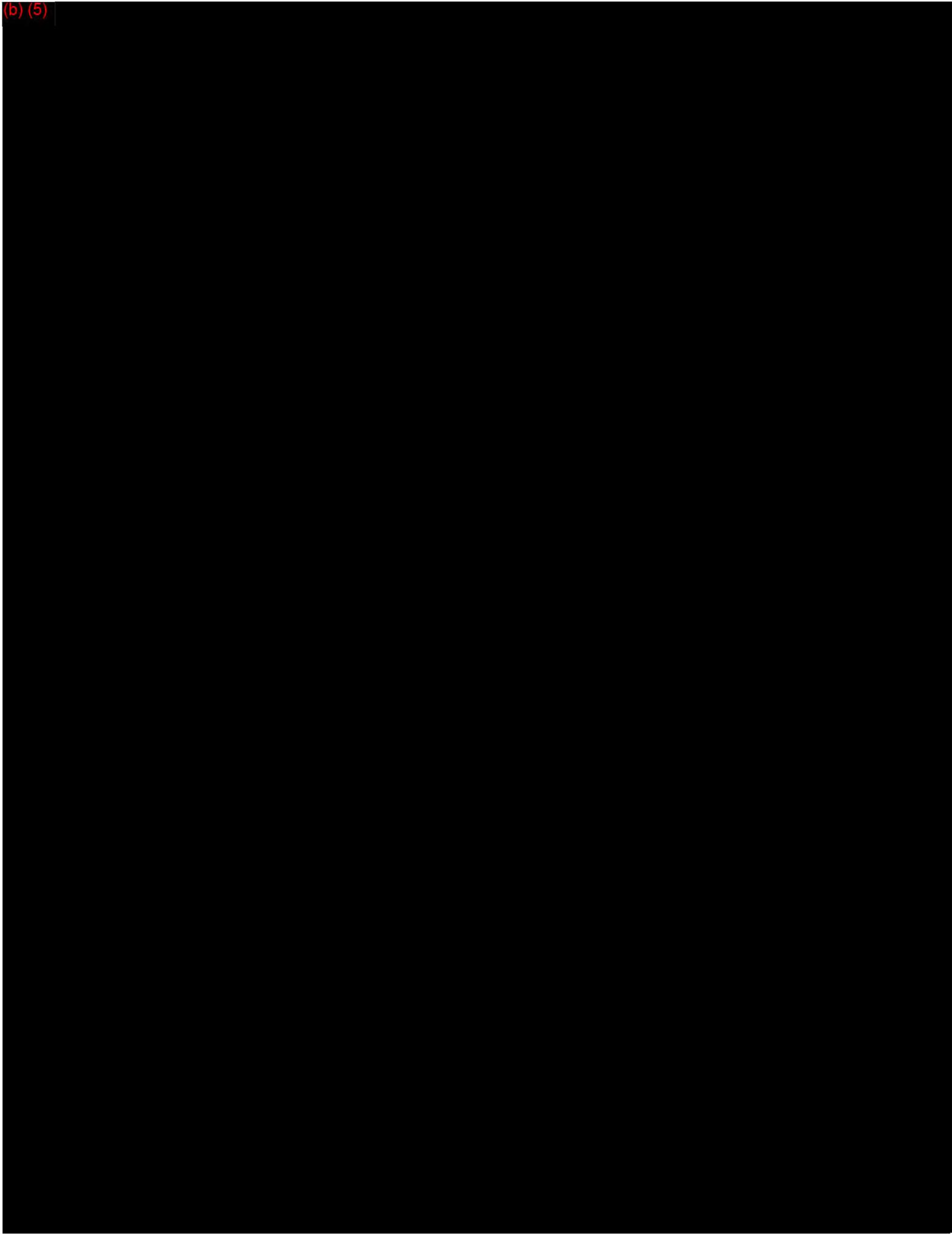
Attachments
: Draft Questions.docx (21.4 kB)

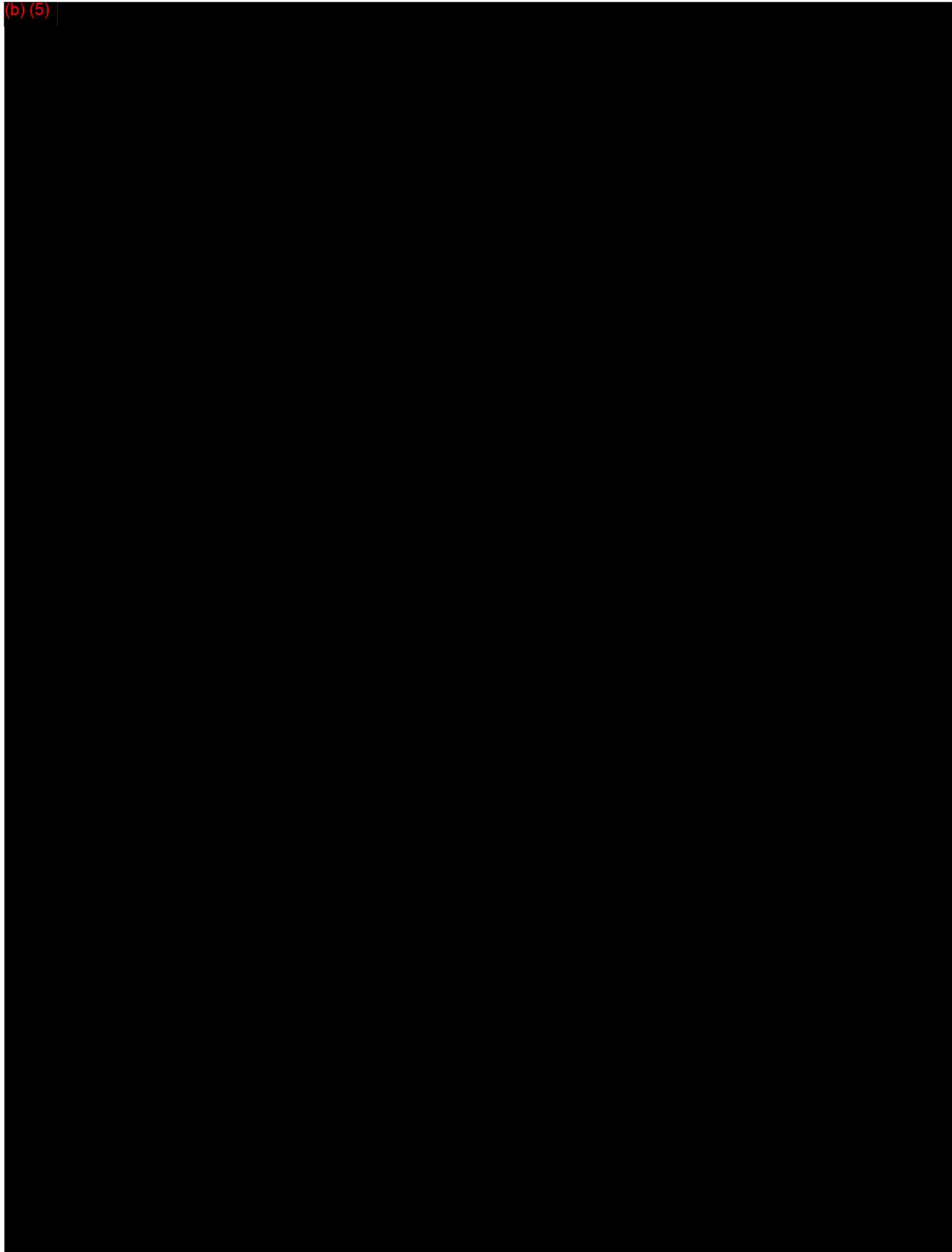
Adjusted spacing

From: Pettigrew, Theresa L. EOP/CEQ
Sent: Monday, July 16, 2018 4:52 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ
<(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)>
Herrgott, Alex H. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ
<(b) (6)>
Subject: Questions, please review

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Thank you!
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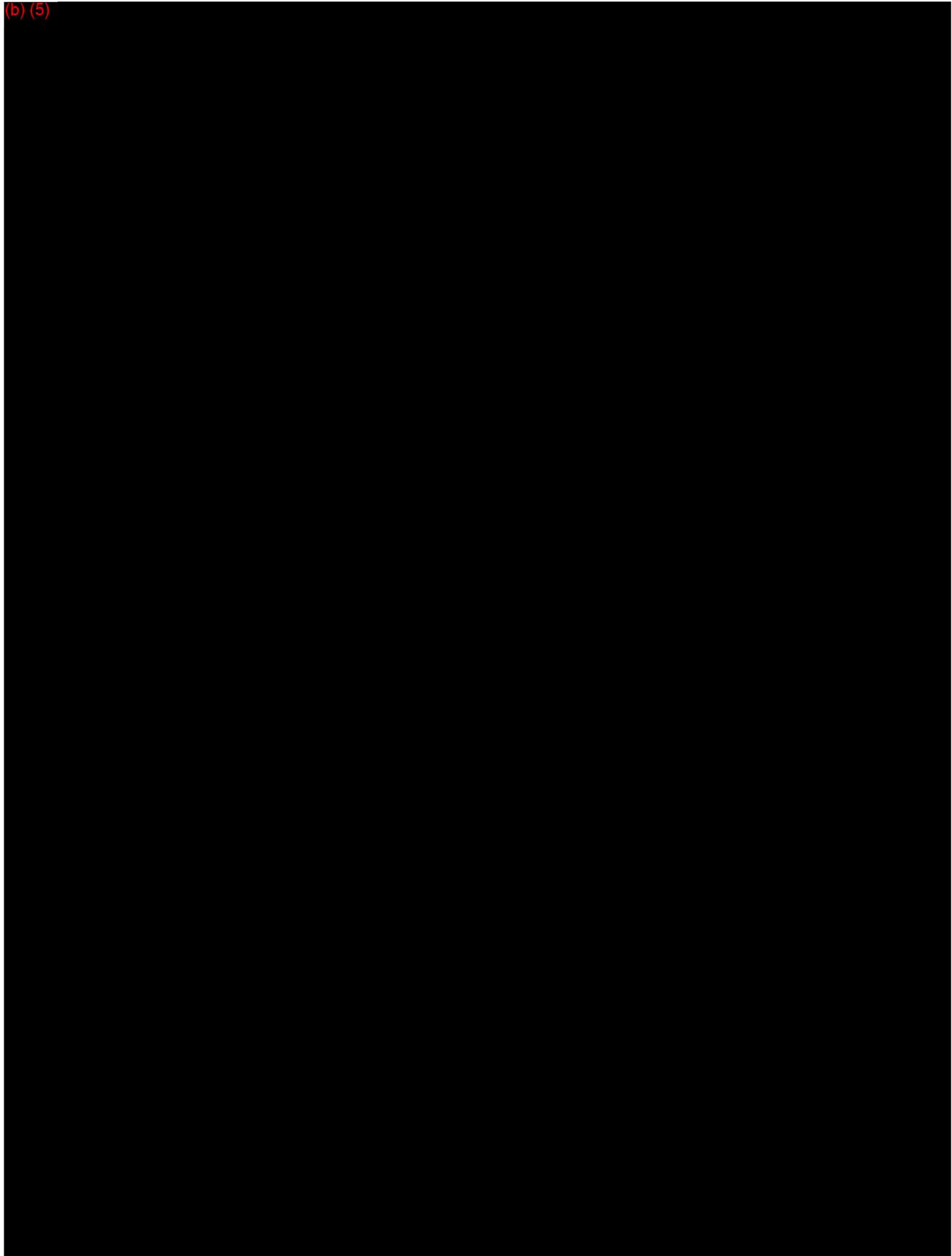


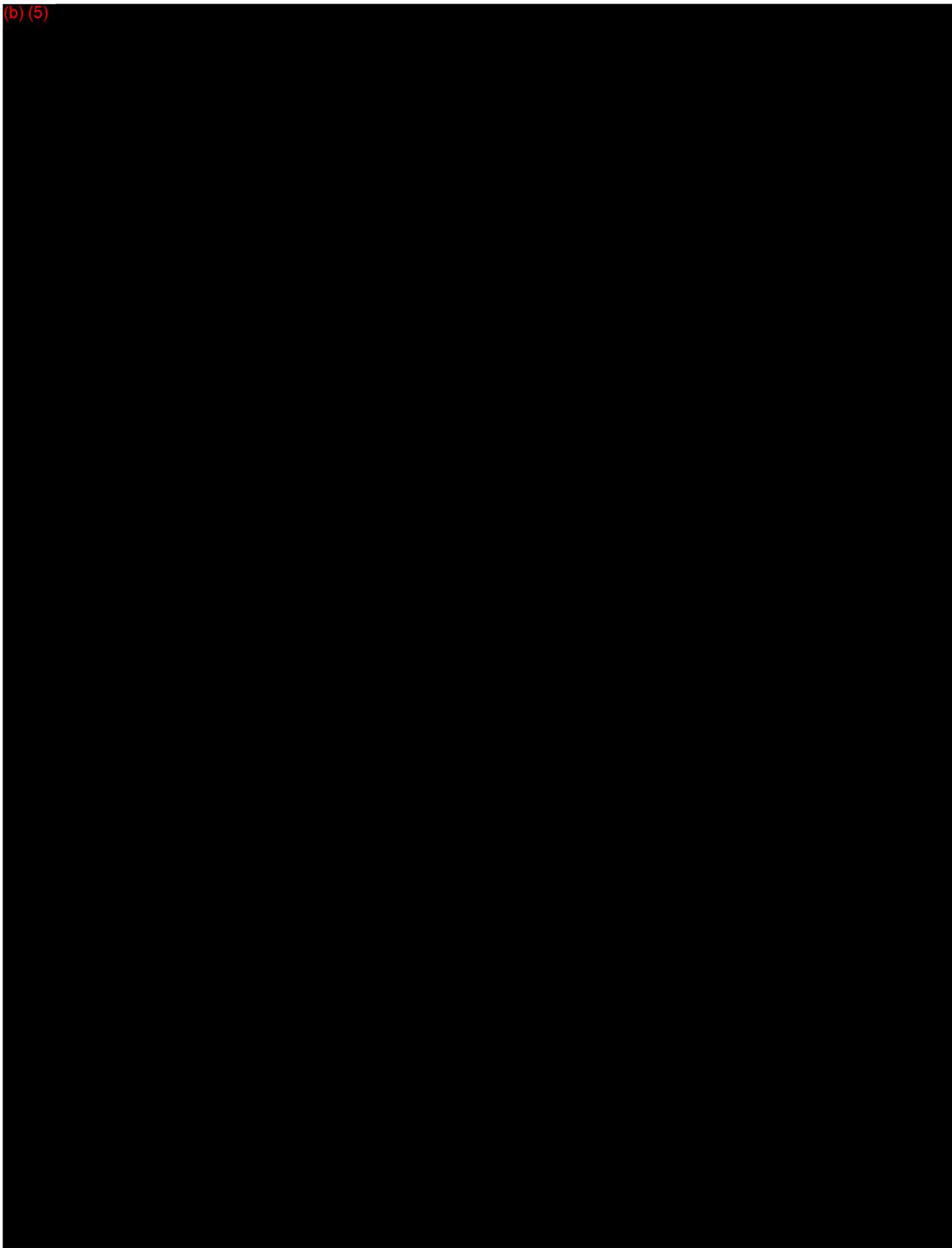
Questions, please review

From: "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>
"Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Schneider, Daniel J. EOP/CEQ"
To: <(b) (6)> "Herrgott, Alex H. EOP/CEQ"
<(b) (6)> "Smith, Katherine R. EOP/CEQ"
<(b) (6)>
Date: Mon, 16 Jul 2018 16:51:55 -0400
Attachments
: Draft Questions.docx (21.46 kB)

Please review this document now, if possible. (b) (5)
Thank you!
Theresa

Theresa L. Pettigrew
Associate Director for Legislative Affairs
Council on Environmental Quality
Executive Office of the President
(b) (6) (office)
(202) 456-6546 (fax)
www.whitehouse.gov/ceq





RE: Update

From: "Mansoor, Yardena M. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">
To: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>
Date: Mon, 16 Jul 2018 16:10:38 -0400

Good, thanks. I agree.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Monday, July 16, 2018 4:04 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Update

Hello Yardena,

I have been going through the new comments you assigned me, and I believe "Anonymous Anonymous" with the ID numbers of 293, 294, 296, and 297 is the same person because the questions are answered sequentially throughout these four entries.

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Friday, July 13, 2018 4:17 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Update

Good, thanks! Have a great weekend.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Friday, July 13, 2018 3:49 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Update

Hello Yardena,

The overarching pattern I saw in the comments that I was assigned on Tuesday was that most commenters opposed any weakening of NEPA, requested a comment period extension of 60–90 days, or expressed both of these. Regarding the specific content of the comments, I would say that many commenters did not address specific questions that were in the ANPRM, but rather cited the general importance of NEPA and public involvement in the process.

I started the additional comments this morning so I don't know how different the content of the second set will be, but I believe that the summary I included above is a good indication of the content of the first set.

Please let me know if there is anything else I can help with as well!

Best,

Erin Carlin

From: Mansoor, Yarden M. EOP/CEQ

Sent: Friday, July 13, 2018 3:30 PM

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

Subject: Update

Erin,

I'd like to leave some notes for Ted's arrival Monday. Do you want to say anything about the screening of the comments? It can be a sentence or two. Send to me and I'll add something.

Yardena

RE: Update

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

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

Date: Mon, 16 Jul 2018 16:04:03 -0400

Hello Yardena,

I have been going through the new comments you assigned me, and I believe "Anonymous Anonymous" with the ID numbers of 293, 294, 296, and 297 is the same person because the questions are answered sequentially throughout these four entries.

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ

Sent: Friday, July 13, 2018 4:17 PM

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

Subject: RE: Update

Good, thanks! Have a great weekend.

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

Sent: Friday, July 13, 2018 3:49 PM

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

Subject: RE: Update

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From: Mansoor, Yardena M. EOP/CEQ

Sent: Friday, July 13, 2018 3:30 PM

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

Subject: Update

Erin,

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Yardena

RE: Update

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

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

Date: Tue, 17 Jul 2018 11:28:29 -0400

2:30 sounds good! Thank you.

From: Mansoor, Yardena M. EOP/CEQ

Sent: Tuesday, July 17, 2018 11:24 AM

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

Subject: RE: Update

I'll start at 393.

How about meeting at 2:30?

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

Sent: Tuesday, July 17, 2018 11:19 AM

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

Subject: RE: Update

Hi Yardena,

I have from 355 – 428 left! If you want to split them, I can do 355 – 392 if you want to take the last half! I was also wondering if you would be available to meet sometime this afternoon to discuss the campaigns I've identified. I believe there are three of them, but one of them varies more than the others, and I'm not sure if the messages are similar enough to be considered the same campaign message. I don't have any meetings this afternoon so I am free at any time that may be convenient for you!

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ

Sent: Tuesday, July 17, 2018 11:12 AM

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

Subject: RE: Update

How much is left in your batch? Shall we split the remaining ones?

From: Mansoor, Yardena M. EOP/CEQ
Sent: Monday, July 16, 2018 4:11 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Update

Good, thanks. I agree.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Monday, July 16, 2018 4:04 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Update

Hello Yardena,

I have been going through the new comments you assigned me, and I believe "Anonymous Anonymous" with the ID numbers of 293, 294, 296, and 297 is the same person because the questions are answered sequentially throughout these four entries.

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Friday, July 13, 2018 4:17 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Update

Good, thanks! Have a great weekend.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Friday, July 13, 2018 3:49 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Update

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From: Mansoor, Yardena M. EOP/CEQ

Sent: Friday, July 13, 2018 3:30 PM

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

Subject: Update

Erin,

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Yardena

RE: Update

From: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>
To: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>
Date: Tue, 17 Jul 2018 14:21:53 -0400
Attachments: 02 ANOPR Comment Log to Erin 7-12 for updates.xlsx (57.39 kB)

From: Mansoor, Yardena M. EOP/CEQ
Sent: Tuesday, July 17, 2018 2:20 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: Re: Update

I think the problem just got fixed. Let's meet at my office.

On Jul 17, 2018, at 2:16 PM, Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)> wrote:

My computer has been working! We can meet in my office if you would like.

From: Mansoor, Yardena M. EOP/CEQ
Sent: Tuesday, July 17, 2018 2:16 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Update

Are you having computer problems? I can't connect to the network.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Tuesday, July 17, 2018 11:28 AM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Update

2:30 sounds good! Thank you.

From: Mansoor, Yardena M. EOP/CEQ
Sent: Tuesday, July 17, 2018 11:24 AM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Update

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Sent: Tuesday, July 17, 2018 11:19 AM

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

Subject: RE: Update

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Sent: Tuesday, July 17, 2018 11:12 AM

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

Subject: RE: Update

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From: Mansoor, Yardena M. EOP/CEQ

Sent: Monday, July 16, 2018 4:11 PM

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

Subject: RE: Update

Good, thanks. I agree.

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

Sent: Monday, July 16, 2018 4:04 PM

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

Subject: RE: Update

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Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ

Sent: Friday, July 13, 2018 4:17 PM

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

Subject: RE: Update

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Sent: Friday, July 13, 2018 3:49 PM

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

Subject: RE: Update

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Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ

Sent: Friday, July 13, 2018 3:30 PM

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

Subject: Update

Erin,

I'd like to leave some notes for Ted's arrival Monday. Do you want to say anything about the screening of the comments? It can be a sentence or two. Send to me and I'll add something.

Yardena

Number of Responses				27	394	#	9	8	#	9	#	8	7	8	7	6	6	7	6	6	5	4	7	4	4	4	4	4	6	6	5	6	7	8	5	7	4	8	6		
Log	Organization / Name	In Scope?	Att.	Overview/Notable	1	2	3	4	5	6	7a	7b	7c	7d	7e	7f	8a	8b	8c	8d	8e	9a	9b	9c	9d	9e	9f	9g	10	11	12	13	14	15	16	17	18	19	20		
Column1	Column3	Column6	blumn6	Column62	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um	um
5	Thomas King	Yes		Offers thoughts on whether and how to revise NEPA implementation.	1	1																																			
6	Thomas King	General		Objects to questions; re-imagine NEPA from scratch.																																					
7	John Roberts	General		Do not make changes.																																					
8	Larry Freilich	Yes		Page and time limits may cause additional work, restrict information.				1																																	
9	Rue Eich	General		Do not make changes.																																					
10	David Keys	Yes		Implementation has adapted, little change needed to regs.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
11	Daniel Holt	Yes		Re-adopt GHG guidance.					1																																
12	Michael Dechter	Yes		Page limits make EIS less useful, add work				1																																	
13	Anonymous Anonymous	General		Save all environmental protection provisions.																																					
14	Jennifer Blegen	No		(Comments concern EPA.)																																					
15	Judith Konig	General		Retain protections for air, water, wildlife.																																					
16	Ronald Estep	General		Against changing NEPA role of scientists and public.																																					
17	Env. Law & Policy Center, Howard Learner	Extension	1	Requests 60-day extension, public hearings.																																					
18	Whitney Kroschel	General		Need better justification for changing.																																					
19	David Hill	General		States specific provisions not to change and general opposition.					1																																
20	Stephen Buckley	General		NEPA community has interest in no change.																																					
21	Michel Hammes	General		Do not make changes.																																					
22	Susan LaSala	General		NEPA does not need an overhaul.																																					
23	Assn. of Metr. Water Agencies, Diane VanDe Hei; American Water Works Assoc., Tracy Mehan	Extension	1	Requests 60-day extension.																																					
24	Jacob Siegel	Yes		Address climate change, retain public involvement.						1																															
25	Susan Chapin	General		Burdens, delay may protect future health, vitality of environment.																																					
26	Amer. Soc. of Civil Engineers, Natalie Mamerow	Extension	1	Requests 60-day extension.																																					
27	Russell Hodin	Extension		Requests 60 day extension, public forums, mail option for commenting.																																					
28	Western Urban Water Coalition, Michael Carlin	Extension	1	Requests 60-day extension.																																					
29	Marilyn Price	General		Opposed to rollback of NEPA.																																					
30	Patricia Always	General		Preserve the strength of NEPA.																																					
31	Elizabeth Tachick	General		We need govt transparency, input on																																					
32	Nora Rawn	General		Preserve public comment, consideration of EJ communities.																																					
33	Dobi Dobrosława	General		Concerned about possibly weakened NEPA.																																					
34	Jeffrey Waggoner	General		Leave NEPA alone.																																					
35	Andrew Hawkins	General		Retain public comment and involvement.																																					
36	Nasreen Hosein	General		Against updates to NEPA.																																					
37	Tim Chapp	General		Update to streamline, but retain EPA and state review.																																					

Number of Responses			27	394	#	9	8	#	9	#	8	7	8	7	6	6	7	6	6	5	4	7	4	4	4	4	4	6	6	5	6	7	8	5	7	4	8	6				
Log	Organization / Name	In Scope?	Att.	Overview/Notable	1	2	3	4	5	6	7a	7b	7c	7d	7e	7f	8a	8b	8c	8d	8e	9a	9b	9c	9d	9e	9f	9g	10	11	12	13	14	15	16	17	18	19	20			
84	Bryn Hammarstrom, RN	Gen /Extension		Campaign: same as 0047																																						
85	Jeffrey Laubach	Gen /Extension		Campaign: same as 0047																																						
86	Lenore Reeves	Gen /Extension		Campaign: same as 0047																																						
87	Melvin Czechowski	Gen /Extension		Campaign: same as 0047																																						
88	Elizabeth Thompson	Gen /Extension		Campaign: same as 0047																																						
89	David Kagan	Gen /Extension		Campaign: same as 0047																																						
90	Marc Obernesser	Gen /Extension		Campaign: same as 0047																																						
91	James Rosenthal	Gen /Extension		Campaign: same as 0047																																						
92	Mary Ann Leitch	Gen /Extension		Campaign: same as 0047																																						
93	Susan Nierenberg	Gen /Extension		Campaign: same as 0047																																						
94	jeffrey shuben	Gen /Extension		Campaign: same as 0047																																						
95	Rebecca Canright	Gen /Extension		Campaign: same as 0047																																						
96	Amy Hansen	Gen /Extension		Campaign: same as 0047																																						
97	Patricia Rossi	Gen /Extension		Campaign: same as 0047																																						
98	Mark Canright	Gen /Extension		Campaign: same as 0047																																						
99	Susan VanMeter	Gen /Extension		Campaign: same as 0047																																						
100	Margaret McGinnis	General		Opposed to weakening NEPA.																																						
101	Mark Dodel	Gen /Extension		Campaign: same as 0047																																						
102	Kathie E Takush	Gen /Extension		Campaign: same as 0047																																						
103	Patricia Libbey	Gen /Extension		Campaign: same as 0047																																						
104	Carl Doll	Gen /Extension		Campaign: same as 0047																																						
105	kiujhy erdwq	No		Re Wind power in German and solar in China.																																						
106	Bonnie Stoeckl	Gen /Extension		Campaign: same as 0047																																						
107	Marvin Feil	Gen /Extension		Campaign: same as 0047																																						
108	Clifford Phillips	Gen /Extension		Campaign: same as 0047																																						
109	Lawrence Stauffer	Gen /Extension		Campaign: same as 0047																																						
110	Lawrence Stauffer	Gen /Extension		Campaign: same as 0047																																						
111	Cindy Carlin	Gen /Extension		Campaign: same as 0047																																						
112	JOHN PASQUA	Gen /Extension		Campaign: same as 0047																																						
113	Nicholas Lenchner	Gen /Extension		Campaign: same as 0047																																						
114	Susan Shaak	Gen /Extension		Campaign: same as 0047																																						
115	lydia garvey	Gen /Extension		Campaign: same as 0047																																						
116	MH Higgins	Gen /Extension		Campaign: same as 0047																																						
117	Suzanne Roth	Gen /Extension		Campaign: same as 0047																																						
118	Jessica Reed	Gen /Extension		Campaign: same as 0047																																						
119	Steve Mattan	Gen /Extension		Campaign: same as 0047																																						
120	Craig Way	Gen /Extension		Campaign: same as 0047																																						
121	Juliann Pinto	Gen /Extension		Campaign: same as 0047																																						
122	Rebecca Berlant	Gen /Extension		Campaign: same as 0047																																						
123	Ellis Woodward	Gen /Extension		Campaign: same as 0047																																						
124	William Kellner	Gen /Extension		Campaign: same as 0047																																						
125	Bettie Reina	Gen /Extension		Campaign: same as 0047																																						
126	Mare McClellan	Gen /Extension		Campaign: same as 0047																																						
127	Eric Bare	Gen /Extension		Campaign: same as 0047																																						
128	Christopher Kratzer	Gen /Extension		Opposes revising NEPA; requests 90-day extension.																																						
129	Tom Hoffman	Gen /Extension		Campaign: same as 0047																																						
130	Chuck Graver	Gen /Extension		Campaign: same as 0047																																						
131	Kelley Scanlon	Gen /Extension		Campaign: same as 0047																																						
132	marion M Kyde Ph.D.	Gen /Extension		Campaign: same as 0047																																						
133	William Huston	Gen /Extension		Campaign: same as 0047																																						

Number of Responses			27	394	#	9	8	#	9	#	8	7	8	7	6	6	7	6	6	5	4	7	4	4	4	4	4	6	6	5	6	7	8	5	7	4	8	6				
Log	Organization / Name	In Scope?	Att.	Overview/Notable	1	2	3	4	5	6	7a	7b	7c	7d	7e	7f	8a	8b	8c	8d	8e	9a	9b	9c	9d	9e	9f	9g	10	11	12	13	14	15	16	17	18	19	20			
311	Gail Harris	General		Campaign: same as 222																																						
312	Emily Estrada	General		Campaign: same as 222																																						
313	Amy Hunter	General		Campaign: same as 222																																						
314	Ben Gordon	General		Campaign: same as 222																																						
315	Sarah Graham	General		Campaign: Similar to 222																																						
316	Matthew Anonymous	Yes		Answers several questions	1	1		1																															1	1		
317	Leigh Schwarz	General		Campaign: similar to 222; Stresses importance of public input.																																						
318	Karen Sinclair	General		Campaign: Similar to 222; retain current policy regarding decisions about the environment that enforce maximum																																						
319	Concerned citizen in Bend Oregon	General		Campaign: Similar to 222																																						
320	Mark McCormick	General		Campaign: Similar to 222; cites importance of citizens having an equal voice regarding managing and protecting land.																																						
321	Aryeh Frankfurter	General		Campaign: same as 222																																						
322	Darryl Lloyd	General		Campaign: Similar to 222																																						
323	Freda Sherburne	General		Campaign: Similar to 222; stresses importance of public input.																																						
324	Marsha Swanson	General		Campaign: Similar to 222																																						
325	Jeff Pokorny	General		Don't change NEPA.																																						
326	stephen gerould	General		Campaign: same as 222																																						
327	Rebeckah Berry	General		Campaign: same as 222																																						
328	Diana Pope	General		Campaign: same as 222																																						
329	Hardin King	General		Campaign: Similar to 222																																						
330	Bruce Jackson	General		Don't change NEPA.																																						
331	Dan Struble	General		Campaign: same as 222																																						
332	Debra Rehn	No		Re: Sinclair-Tribune Merger																																						
333	Noel Plemmons	General		Campaign: same as 222																																						
334	J Blagen	General		Campaign: same as 222																																						
335	Susan Strible	General		Campaign: Similar to 222																																						
336	Delwin R. Holland	General		Don't change NEPA.																																						
337	San Diego State University, Roger Sabbadini	General		Campaign: same as 222																																						
338	Andrea Pellicani	General		Campaign: same as 222																																						
339	Sandra Thompson	General		Campaign: Similar to 222																																						
340	Alan Bartl	General		Campaign: same as 222																																						
341	Kelsey Ward	General		Campaign: same as 222																																						
342	Sandra Mooney	General		Campaign: same as 222																																						
343	john costello	General		Campaign: Similar to 222																																						
344	David Funk	General		Campaign: Similar to 222																																						
345	David Kaiser	General		Campaign: same as 222																																						
346	Sharon Evoy	General		Campaign: Similar to 222** (original comment)																																						
347	Janeese Jackson	General		Campaign: same as 222																																						
348	Beth Levin	General		Campaign: Similar to 222																																						
349	Dorothy Wylie	General		Campaign: Similar to 222																																						
350	James Miller	General		Campaign: Similar to 222; Don't take away safeguards.																																						
351	Christopher Troxell	General		Campaign: same as 222																																						
352	Keith Harris	General		Campaign: Similar to 222																																						

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431																																									
432																																									
433																																									
434																																									
435																																									
436																																									
PC-0001	Katherine Delanoy(?)	General		Do not weaken NEPA.																																					
PC-0002	Schemy(?)	General		Save NEPA.																																					
E-0001	The Partnership Project (353 orgs.)	Extension	1	Requests 60-day extension, public hearings.																																					
E-0002	The Nature Conservancy, Karen Onley	Extension	1	Requests 60-day extension.																																					
E-0003	Attorneys General of WA, MD, MA, NJ, NY,	Extension	1	Request 60-day extension, public hearings. [also via regulations.gov]																																					
E-0004	36 law professors with NEPA expertise	Extension	1	Request 90-day extension.																																					

Email
Letter
Portal
Postcard

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

Scope of NEPA Review:

- 4 Should the provisions in CEQ's NEPA regulations that relate to the **format and page length** of NEPA documents and time limits for completion be revised, and if so, how?
- 5 Should CEQ's NEPA regulations be revised to provide greater clarity to ensure NEPA documents **better focus on significant issues** that are relevant and useful to decisionmakers and the public, and if so, how?
- 6 Should the provisions in CEQ's NEPA regulations relating to **public involvement** be revised to be more inclusive and efficient, and if so, how?
- 7 Should **definitions** of any key NEPA terms in CEQ's NEPA regulations, such as those listed below, be revised, and if so, how?
 - 7a Major Federal Action;
 - 7b Effects;
 - 7c Cumulative Impact;
 - 7d Significantly;
 - 7e Scope; and
 - 7f Other NEPA terms.
- 8 Should any **new definitions** of key NEPA terms, such as those noted below, be added, and if so, which terms?
 - 8a Alternatives;
 - 8b Purpose and Need;
 - 8c Reasonably Foreseeable;
 - 8d Trivial Violation; and
 - 8e Other NEPA terms.
- 9 Should the provisions in CEQ's NEPA regulations relating to any of the **types of documents** listed below be revised, and if so, how?
 - 9a Notice of Intent;
 - 9b Categorical Exclusions Documentation;
 - 9c Environmental Assessments;
 - 9d Findings of No Significant Impact;
 - 9e Environmental Impact Statements;
 - 9f Records of Decision; and
 - 9g Supplements.
- 10 Should the provisions in CEQ's NEPA regulations relating to the **timing of agency action** be revised, and if so, how?
- 11 Should the provisions in CEQ's NEPA regulations relating to **agency responsibility** and the preparation of NEPA documents by **contractors and project applicants** be revised, and if so, how?
- 12 Should the provisions in CEQ's NEPA regulations relating to **programmatic NEPA** documents and tiering be revised, and if so, how?
- 13 Should the provisions in CEQ's NEPA regulations relating to the appropriate **range of alternatives** in NEPA reviews and which alternatives may be eliminated from detailed analysis be revised, and if so, how?

General:

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

Re: Update

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

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

Date: Tue, 17 Jul 2018 14:20:04 -0400

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Subject: RE: Update

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Subject: RE: Update

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Subject: RE: Update

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

Date: Tue, 17 Jul 2018 11:19:29 -0400

Hi Yardena,

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

Date: Tue, 17 Jul 2018 14:20:30 -0400

Ok! I will send my updated spreadsheet as well.

From: Mansoor, Yardena M. EOP/CEQ

Sent: Tuesday, July 17, 2018 2:20 PM

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

Subject: Re: Update

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

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Subject: RE: Update

Good, thanks. I agree.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Monday, July 16, 2018 4:04 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Update

Hello Yardena,

I have been going through the new comments you assigned me, and I believe "Anonymous Anonymous" with the ID numbers of 293, 294, 296, and 297 is the same person because the questions are answered sequentially throughout these four entries.

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Friday, July 13, 2018 4:17 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Update

Good, thanks! Have a great weekend.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Friday, July 13, 2018 3:49 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Update

Hello Yardena,

The overarching pattern I saw in the comments that I was assigned on Tuesday was that most commenters opposed any weakening of NEPA, requested a comment period extension of 60 – 90 days, or expressed both of these. Regarding the specific content of the comments, I would say that many commenters did not address specific questions that were in the ANPRM, but rather cited the general importance of NEPA and public involvement in the process.

I started the additional comments this morning so I don't know how different the content of the second set will be, but I believe that the summary I included above is a good indication of the content of the first set.

Please let me know if there is anything else I can help with as well!

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Friday, July 13, 2018 3:30 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: Update

Erin,

I'd like to leave some notes for Ted's arrival Monday. Do you want to say anything about the screening of the comments? It can be a sentence or two. Send to me and I'll add something.

Yardena

RE: Update

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

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

Date: Tue, 17 Jul 2018 11:23:36 -0400

I'll start at 393.

How about meeting at 2:30?

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Tuesday, July 17, 2018 11:19 AM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Update

Hi Yardena,

I have from 355 – 428 left! If you want to split them, I can do 355 – 392 if you want to take the last half! I was also wondering if you would be available to meet sometime this afternoon to discuss the campaigns I've identified. I believe there are three of them, but one of them varies more than the others, and I'm not sure if the messages are similar enough to be considered the same campaign message. I don't have any meetings this afternoon so I am free at any time that may be convenient for you!

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Tuesday, July 17, 2018 11:12 AM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Update

How much is left in your batch? Shall we split the remaining ones?

From: Mansoor, Yardena M. EOP/CEQ
Sent: Monday, July 16, 2018 4:11 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Update

Good, thanks. I agree.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Monday, July 16, 2018 4:04 PM
To: Mansoor, Yardená M. EOP/CEQ <(b) (6)>
Subject: RE: Update

Hello Yardená,

I have been going through the new comments you assigned me, and I believe “Anonymous Anonymous” with the ID numbers of 293, 294, 296, and 297 is the same person because the questions are answered sequentially throughout these four entries.

Best,

Erin Carlin

From: Mansoor, Yardená M. EOP/CEQ
Sent: Friday, July 13, 2018 4:17 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Update

Good, thanks! Have a great weekend.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Friday, July 13, 2018 3:49 PM
To: Mansoor, Yardená M. EOP/CEQ <(b) (6)>
Subject: RE: Update

Hello Yardená,

The overarching pattern I saw in the comments that I was assigned on Tuesday was that most commenters opposed any weakening of NEPA, requested a comment period extension of 60 – 90 days, or expressed both of these. Regarding the specific content of the comments, I would say that many commenters did not address specific questions that were in the ANPRM, but rather cited the general importance of NEPA and public involvement in the process.

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Sent: Friday, July 13, 2018 3:30 PM

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

Subject: Update

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RE: Update

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

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

Date: Tue, 17 Jul 2018 11:12:27 -0400

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

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

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Subject: RE: Update

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Yardena

FW: Docket No. CEQ-2018-0001: Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

From: "Seale, Viktoria Z. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdl)/cn=recipients/cn=af5f6888d706481b94d18088a30821c9-se">
To: "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Boling, Ted A. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Wed, 18 Jul 2018 18:16:53 -0400
Attachments: Final-Recommendation-2012-5-Improving-Agency-Coordination.pdf (201.42 kB)

FYI – we received the email below and attachment from the Administrative Conference of the United States today.

From: Todd Rubin <TRubin@acus.gov>
Sent: Wednesday, July 18, 2018 10:30 AM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Subject: Docket No. CEQ-2018-0001: Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

Dear Viktoria,

We thank the Council on Environmental Quality for issuing this Advanced Notice of Proposed Rulemaking. We believe that ACUS's Recommendation 2012-5, *Improving Coordination of Related Agency Responsibilities*, 77 Fed. Reg. 47,810, 47,810 (Aug. 10, 2012) offers guidance that the CEQ would likely find useful as it considers updating its National Environmental Policy Act (NEPA) regulations. Although the Recommendation does not address NEPA, we believe that overall, it offers helpful guidance on portions of the following questions:

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

A copy of the Recommendation is attached.

Please let us know if you have any questions. Thank you again.

Best regards,

Todd Rubin

Todd Rubin | Attorney Advisor



**ADMINISTRATIVE CONFERENCE
OF THE UNITED STATES**

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trubin@acus.gov . www.acus.gov



Administrative Conference Recommendation 2012-5

Improving Coordination of Related Agency Responsibilities

Adopted June 15, 2012

Many areas of government agency activities are characterized by fragmented and overlapping delegations of power to administrative agencies. Congress often assigns more than one agency the same or similar functions or divides responsibilities among multiple agencies, giving each responsibility for part of a larger whole. Instances of overlap and fragmentation are common. They can be found throughout the administrative state, in virtually every sphere of social and economic regulation, in contexts ranging from border security to food safety to financial regulation.¹ The following recommendation suggests some reforms aimed at improving coordination of agency policymaking, including joint rulemaking, interagency agreements, and agency consultation provisions.

The study underlying this recommendation² provides a comprehensive picture of overlapping and fragmented delegations, and makes some practical suggestions for addressing

¹ As the Comptroller General of the United States has noted, “[v]irtually all of the results that the federal government strives to achieve require the concerted and coordinated efforts of two or more agencies.” U.S. GEN. ACCOUNTING OFFICE, GAO/T-GGD-00-95, MANAGING FOR RESULTS: USING GPRA TO HELP CONGRESSIONAL DECISIONMAKING AND STRENGTHEN OVERSIGHT 19 (2000), available at <http://www.gao.gov/assets/110/108330.pdf> (statement of David M. Walker, Comptroller General of the United States, before the Subcomm. on Rules & Org. of the H. Comm. on Rules). GAO is now required by statute to identify federal programs, agencies, offices, and initiatives, either within departments or government-wide, which have duplicative goals or activities, and to report annually (Pub. L. No. 111-139, § 21, 124 Stat. 29 (2010), 31 U.S.C. § 712 Note). See U.S. GOV’T ACCOUNTABILITY OFFICE, GAO-11-318SP, OPPORTUNITIES TO REDUCE POTENTIAL DUPLICATION IN GOVERNMENT PROGRAMS, SAVE TAX DOLLARS, AND ENHANCE REVENUE (2011), available at <http://www.gao.gov/new.items/d11318sp.pdf>

² Jody Freeman & Jim Rossi, *Improving Coordination of Related Agency Responsibilities* (May 30, 2012) (report to the Administrative Conference of the U.S.). See also Jody Freeman & Jim Rossi, *Agency Coordination in Shared Regulatory Space*, 125 HARV. L. REV. 1131 (2012).



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the coordination problems they create.³ Because characterizing such delegations as redundant might suggest literal duplication, the study adopts the more nuanced concept of “shared regulatory space.” This term includes not only literally duplicative or overlapping responsibilities, but also instances where cumulative statutory delegations create a situation in which agencies share closely related responsibilities for different aspects of a larger regulatory, programmatic, or management enterprise.

Such delegations may produce redundancy, inefficiency, and gaps, but they also create underappreciated coordination challenges. A key advantage to such delegations may be the potential to harness the expertise and competencies of specialized agencies. But that potential can be wasted if the agencies work at cross-purposes or fail to capitalize on one another’s unique strengths and perspectives. By improving efficiency, effectiveness, and accountability, coordination can help to overcome potential dysfunctions created by shared regulatory space. Greater coordination can reduce costs for both the government and regulated entities not only by avoiding literal duplication of functions but also by increasing opportunities for agencies exercising related responsibilities to manage and reconcile differences in approach. Coordination that takes the form of interagency consultation can improve the overall quality of decisionmaking by introducing multiple perspectives and specialized knowledge, and structuring opportunities for agencies mutually to test their information and ideas. Coordination instruments can also equip and incentivize agencies to monitor each other constructively, which should help both the President and Congress to better manage agency policy choices and compliance with statutes. It is plausible too, that greater coordination will make it harder for interest groups to capture the administrative process or to play agencies against each other.

Much coordination occurs against the backdrop of day-to-day, informal interactions among agency staffs, including casual conversations, meetings, and working groups. However,

³ The underlying study and this recommendation focus on federal government agencies only, and do not address the coordination problems presented more generally by federalism due to dispersed responsibilities between federal and state governments.



ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

systematic efforts to institutionalize coordination (as opposed to relying exclusively on the ad hoc coordination that occurs as a matter of course among agencies) will tend to be more stable, visible, and durable than relying only on informal networks for promoting interagency interactions. This recommendation does not purport to address all agency interactions, but focuses on the processes and instruments agencies use to memorialize agency interactions and agreements. In such instances, this recommendation endorses documented coordination policies to help formalize ad hoc approaches and provide useful guidelines for agency staff. Coordination policies can be top-down, through the President's leadership, as well as bottom-up, beginning with agencies themselves.

Presidential leadership can be helpful in addressing the challenges posed by fragmented and overlapping delegations, especially in instances where there is conflict among agencies, inability of agency staffs to coordinate, or a reluctance of agency officials to work together. Components of the Executive Office of the President (EOP) with relevant policy expertise may be well positioned to promote coordination in their respective domains, and efforts in this regard could be bolstered. The EOP can play a crucial role in fostering coordination by establishing priorities, convening the relevant agencies, and managing a process that is conducive to producing agreement. For example, the White House Office of Energy and Climate Change Policy has been credited with facilitating the joint rulemaking effort of EPA and the Department of Transportation, which produced new fuel efficiency and greenhouse gas standards,⁴ and the EOP played a central role in convening and coordinating the nine-agency memorandum of understanding on siting of transmission lines on federal lands.⁵ The President recently established an interagency task force to coordinate federal regulation of natural gas

⁴ See Jody Freeman, *The Obama Administration's National Auto Policy: Lessons from the "Car Deal,"* 35 HARV. ENVTL. L. REV. 343 (2011).

⁵ See Press Release, Advisory Council on Historic Preservation, Nine Federal Agencies Enter into a Memorandum of Understanding Regarding Transmission Siting on Federal Lands (Oct. 28, 2009), *available at* <http://www.achp.gov/docs/pressrelease10282009.pdf>.



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production.⁶ There are many other examples from prior administrations, involving policy initiatives large and small.

The President could seek to promote coordination through a comprehensive management strategy that puts coordination at its core, which might be done via a new executive order tasking one or more EOP offices with an oversight role. Promoting consistency in agency rulemaking is already explicitly within the mandate of the Office of Information and Regulatory Affairs under Executive Order 12,866 and was reiterated by President Obama in Executive Order 13,563.⁷ While this is compatible with the larger goal of promoting greater interagency coordination where agencies exercise overlapping and closely related responsibilities, still more could be done. For example, the Office of Management and Budget (OMB) could consider ways to achieve coordination as part of its implementation of the Government Performance and Results Modernization Act (GPRMA),⁸ and propose cross-cutting budget allocations (sometimes referred to as “portfolio budgeting”) to help incentivize the agencies to work together on a variety of projects, some of which might involve rulemakings. The White House might explore ways to strengthen existing interagency task forces or encourage similar interagency efforts where their potential benefits have been overlooked.⁹

⁶ Exec. Order No. 13,605, Supporting Safe and Responsible Development of Unconventional Domestic Natural Gas Resources, 77 Fed. Reg. 23,107 (Apr. 17, 2012).

⁷ See also OIRA’s March 20, 2012 memorandum to agencies on cumulative regulations, which seeks to promote harmonization and streamline agency regulations in an effort to reduce the cost of agency rules. Memorandum from Cass R. Sunstein, Admin., Office of Info. & Regulatory Affairs, to the Heads of Executive Departments and Agencies, Cumulative Effects of Regulations (Mar. 20, 2012), available at <http://www.whitehouse.gov/sites/default/files/omb/assets/inforeg/cumulative-effects-guidance.pdf>.

⁸ Pub. L. No. 111-352, 124 Stat. 3866 (2011). GPRMA amends the Government Performance and Results Act of 1993 (GPRA), Pub. L. No. 103-62, 107 Stat. 285 (1993).

⁹ The Conference recognizes the special concerns about presidential authority with respect to independent regulatory agencies. However, various presidential actions have sought to extend administration policies to the independent agencies. For example, sec. 4 of Executive Order 12,866 “Regulatory Planning and Review,” includes independent regulatory agencies in its requirements for the semiannual Unified Regulatory Agenda and the annual Regulatory Plan, “to the extent permitted by law.” Similarly, Executive Order 13,579, “Regulation and Independent Regulatory Agencies,” and the further guidance contained in the OIRA Administrator’s Memorandum for the Heads



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Beyond OMB, other councils and offices within the EOP may also play important roles facilitating coordination.

However, centralized supervision is not the only means of improving agency coordination. Congress could prescribe specific reforms via statute. Yet even absent direction from the President or Congress, agencies could voluntarily adopt certain targeted reforms. This recommendation suggests some initial and relatively modest measures that agencies could adopt to help conduct, track and evaluate existing coordination initiatives, subject, of course, to budget constraints. These include development of agency policies on coordination, sharing of best practices, adopting protocols for joint rulemaking and memoranda of understanding, ex post evaluation of at least a subset of coordination processes, tracking of outcomes and costs, and making coordination tools more transparent. These measures are not intended to impose substantial additional burdens on agencies, but to the extent they do, the recommendation urges OMB to recognize the need to devote sufficient resources to allow agencies to participate effectively in interagency processes.

Nor, of course, does this recommendation seek to preclude other measures that might promote interagency collaboration, consultation and coordination, either at the federal level, or between federal and state and local agencies. It is not meant to displace or preclude any additional effort, whether under the GPRA amendments or otherwise, to develop national strategies. In addition, in many instances, informal agency consultation and negotiation work effectively to resolve inconsistencies and conflict. This recommendation is meant to augment rather than displace such efforts.

of Independent Regulatory Agencies, M-11-28, ask independent regulatory agencies to comply with directives to Executive Branch agencies with respect to public participation, regulatory analyses, and retrospective review of existing regulations. Memorandum from Cass R. Sunstein, Admin., Office of Info. & Regulatory Affairs, to the Heads of Independent Regulatory Agencies, Executive Order 13579, "Regulation and Independent Regulatory Agencies" (July 22, 2011), available at <http://www.whitehouse.gov/sites/default/files/omb/memoranda/2011/m11-28.pdf>.



RECOMMENDATION

1. *Developing Agency Coordination Policies.*

(a) Federal agencies should identify any areas of shared, overlapping or closely related jurisdiction or operation that might require, or benefit from, interagency coordination.¹⁰

Federal agencies that share overlapping or closely related responsibilities should adopt policies or procedures, as appropriate, to document ongoing coordination efforts, and to facilitate additional coordination with other agencies.¹¹

(b) Concurrently, the Executive Office of the President (EOP) should work with the agencies to develop a policy to promote coordination where agencies share overlapping or closely related responsibilities. The policy, while maintaining the need for flexibility,¹² should require agencies to address, among other things, how they will:

(i) resolve disagreements over jurisdiction;

(ii) share or divide information-production responsibilities;

(iii) solicit and address potentially conflicting views on executing shared responsibilities;

¹⁰ A recent GAO report on the implementation of the Dodd-Frank Act faulted the financial regulatory agencies for not pursuing coordination more systematically and noted that the majority of agencies reviewed had not developed internal policies on coordination. See U.S. GOV'T ACCOUNTABILITY OFFICE, GAO-12-151, DODD FRANK ACT REGULATIONS: IMPLEMENTATION COULD BENEFIT FROM BETTER ANALYSIS AND COORDINATION 25 (2011) (noting that seven of nine regulators reviewed "did not have written policies and procedures to facilitate coordination on rulemaking").

¹¹ 31 U.S.C. § 1115(b)(5)(D) of GPRMA, as amended by sec. 3 of GPRMA, *supra* note 8, requires each agency to have an annual performance plan providing a description of how its performance goals are to be achieved, including how the agency is working with other agencies to achieve those goals.

¹² See Exec. Order No. 13,609, Promoting International Regulatory Cooperation, 77 Fed. Reg. 26,413 (May 4, 2012), for an approach that combines a government-wide policy with individual agency responsibilities, coordinated by the Regulatory Working Group. See *infra* note 14.



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- (iv) minimize duplication of effort;
- (v) identify and resolve differences over the application of analytic requirements imposed by statute or executive order;¹³ and
- (vi) formalize agreements allocating respective responsibilities or develop standards or policies jointly, where appropriate.

In addition, the policy should establish a mechanism by which agencies can share best practices and evaluate their coordination initiatives ex post, and assist them in doing so effectively and efficiently.

(c) The EOP should effectively utilize the Regulatory Working Group, established by Executive Order 12,866, or establish or utilize other comparable bodies to assist agencies in identifying opportunities for coordination.¹⁴

2. Improving Joint Rulemaking

The coordination policies and procedures adopted by the EOP and the agencies should include best practices for joint rulemaking and recommend when agencies should consider using it even when not statutorily required to do so. Best practices might include establishing joint technical teams for developing the rule and requiring early consultation, where appropriate, (a) with the Office of Information and Regulatory Affairs (OIRA) regarding joint production of cost-benefit analyses and other analyses required by statute or executive

¹³ See generally Curtis W. Copeland, *Regulatory Analysis Requirements, A Review and Recommendations for Reform* (2012) (report to the Administrative Conference of the U.S.), available at <http://www.acus.gov/wp-content/uploads/downloads/2012/04/COR-Final-Reg-Analysis-Report-for-5-3-12-Mtg.pdf>; and Administrative Conference Recommendation 2012-1, Regulatory Analysis Requirements.

¹⁴ Exec. Order No. 12,866, § 4(d) (announcing the establishment of a Regulatory Working Group as “a forum to assist agencies in identifying and analyzing important regulatory issues”).



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order, and (b) among agency legal staff and lawyers at the Department of Justice who may need ultimately to defend the rule in litigation.

3. *Improving Interagency Agreements*

(a) The coordination policies and procedures adopted by the EOP and the agencies should include best practices for agency agreements such as memoranda of understanding (MOUs). Such best practices might include specification of progress metrics that will enable agencies to assess the effectiveness of their agreement and sunset provisions that would require signatory agencies to review MOUs regularly to determine whether they continue to be of value.¹⁵

(b) Agencies should make available to the public, in an accessible manner, interagency agreements that have broad policy implications or that may affect the rights and interests of the general public unless the agency finds good cause not to do so.

4. *Supporting and Funding Interagency Consultation.*

(a) The EOP should encourage agencies to conduct interagency consultations early in a decisionmaking process, before initial positions are locked in, and to conduct such consultations in a continuing and integrated, rather than periodic and reactive, way. To this end, when appropriate, the EOP should encourage coordinating agencies to establish an interagency team to produce and analyze data together over the course of the decisionmaking process, and ensure such teams have adequate funding and support.

(b) The Office of Management and Budget and agencies involved in coordinated interagency activities should take into account, in the budgetary process, the need for sufficient resources to participate effectively in interagency processes, and the need to provide

¹⁵ In several of the examples reviewed in the Freeman/Rossi report, *supra* note 2, the agencies were negotiating new MOUs to replace outdated ones (often negotiated by previous administrations)—a clear sign that ineffective MOUs can be left to languish for too long.



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specifically for such cross-cutting activities. Further, an action agency, on which a duty to consult with other agencies falls, should contribute a share of its resources, as appropriate, to the extent it possesses the discretion to do so, to support joint technical and analytic teams, even if those resources will be consumed in part by other agencies.

5. Tracking Total Resources.

To better evaluate the effectiveness of coordination initiatives, an appropriate office or offices of the federal government should assess the costs and benefits, both quantitative and qualitative, of interagency consultations, MOUs, joint rules, and other similar instruments. Such offices might include the Government Accountability Office or the Congressional Research Service, perhaps with the assistance of the Administrative Conference of the United States. To minimize the burden on the agencies of such evaluation, at the outset, this effort might be limited to high-priority, high-visibility interagency coordination efforts, such as important joint rulemakings, or equivalent initiatives.

Docket No. CEQ-2018-0001: Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

From: Todd Rubin <trubin@acus.gov>
To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Wed, 18 Jul 2018 10:30:00 -0400
Attachments: Final-Recommendation-2012-5-Improving-Agency-Coordination.pdf (201.42 kB)

Dear Viktoria,

We thank the Council on Environmental Quality for issuing this Advanced Notice of Proposed Rulemaking. We believe that ACUS's Recommendation 2012-5, *Improving Coordination of Related Agency Responsibilities*, 77 Fed. Reg. 47,810, 47,810 (Aug. 10, 2012) offers guidance that the CEQ would likely find useful as it considers updating its National Environmental Policy Act (NEPA) regulations. Although the Recommendation does not address NEPA, we believe that overall, it offers helpful guidance on portions of the following questions:

- 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?"

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- 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?"

A copy of the Recommendation is attached.

Please let us know if you have any questions. Thank you again.

Best regards,

Todd Rubin

Todd Rubin | Attorney Advisor



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Administrative Conference Recommendation 2012-5

Improving Coordination of Related Agency Responsibilities

Adopted June 15, 2012

Many areas of government agency activities are characterized by fragmented and overlapping delegations of power to administrative agencies. Congress often assigns more than one agency the same or similar functions or divides responsibilities among multiple agencies, giving each responsibility for part of a larger whole. Instances of overlap and fragmentation are common. They can be found throughout the administrative state, in virtually every sphere of social and economic regulation, in contexts ranging from border security to food safety to financial regulation.¹ The following recommendation suggests some reforms aimed at improving coordination of agency policymaking, including joint rulemaking, interagency agreements, and agency consultation provisions.

The study underlying this recommendation² provides a comprehensive picture of overlapping and fragmented delegations, and makes some practical suggestions for addressing

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Such delegations may produce redundancy, inefficiency, and gaps, but they also create underappreciated coordination challenges. A key advantage to such delegations may be the potential to harness the expertise and competencies of specialized agencies. But that potential can be wasted if the agencies work at cross-purposes or fail to capitalize on one another’s unique strengths and perspectives. By improving efficiency, effectiveness, and accountability, coordination can help to overcome potential dysfunctions created by shared regulatory space. Greater coordination can reduce costs for both the government and regulated entities not only by avoiding literal duplication of functions but also by increasing opportunities for agencies exercising related responsibilities to manage and reconcile differences in approach. Coordination that takes the form of interagency consultation can improve the overall quality of decisionmaking by introducing multiple perspectives and specialized knowledge, and structuring opportunities for agencies mutually to test their information and ideas. Coordination instruments can also equip and incentivize agencies to monitor each other constructively, which should help both the President and Congress to better manage agency policy choices and compliance with statutes. It is plausible too, that greater coordination will make it harder for interest groups to capture the administrative process or to play agencies against each other.

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Presidential leadership can be helpful in addressing the challenges posed by fragmented and overlapping delegations, especially in instances where there is conflict among agencies, inability of agency staffs to coordinate, or a reluctance of agency officials to work together. Components of the Executive Office of the President (EOP) with relevant policy expertise may be well positioned to promote coordination in their respective domains, and efforts in this regard could be bolstered. The EOP can play a crucial role in fostering coordination by establishing priorities, convening the relevant agencies, and managing a process that is conducive to producing agreement. For example, the White House Office of Energy and Climate Change Policy has been credited with facilitating the joint rulemaking effort of EPA and the Department of Transportation, which produced new fuel efficiency and greenhouse gas standards,⁴ and the EOP played a central role in convening and coordinating the nine-agency memorandum of understanding on siting of transmission lines on federal lands.⁵ The President recently established an interagency task force to coordinate federal regulation of natural gas

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production.⁶ There are many other examples from prior administrations, involving policy initiatives large and small.

The President could seek to promote coordination through a comprehensive management strategy that puts coordination at its core, which might be done via a new executive order tasking one or more EOP offices with an oversight role. Promoting consistency in agency rulemaking is already explicitly within the mandate of the Office of Information and Regulatory Affairs under Executive Order 12,866 and was reiterated by President Obama in Executive Order 13,563.⁷ While this is compatible with the larger goal of promoting greater interagency coordination where agencies exercise overlapping and closely related responsibilities, still more could be done. For example, the Office of Management and Budget (OMB) could consider ways to achieve coordination as part of its implementation of the Government Performance and Results Modernization Act (GPRMA),⁸ and propose cross-cutting budget allocations (sometimes referred to as “portfolio budgeting”) to help incentivize the agencies to work together on a variety of projects, some of which might involve rulemakings. The White House might explore ways to strengthen existing interagency task forces or encourage similar interagency efforts where their potential benefits have been overlooked.⁹

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Beyond OMB, other councils and offices within the EOP may also play important roles facilitating coordination.

However, centralized supervision is not the only means of improving agency coordination. Congress could prescribe specific reforms via statute. Yet even absent direction from the President or Congress, agencies could voluntarily adopt certain targeted reforms. This recommendation suggests some initial and relatively modest measures that agencies could adopt to help conduct, track and evaluate existing coordination initiatives, subject, of course, to budget constraints. These include development of agency policies on coordination, sharing of best practices, adopting protocols for joint rulemaking and memoranda of understanding, ex post evaluation of at least a subset of coordination processes, tracking of outcomes and costs, and making coordination tools more transparent. These measures are not intended to impose substantial additional burdens on agencies, but to the extent they do, the recommendation urges OMB to recognize the need to devote sufficient resources to allow agencies to participate effectively in interagency processes.

Nor, of course, does this recommendation seek to preclude other measures that might promote interagency collaboration, consultation and coordination, either at the federal level, or between federal and state and local agencies. It is not meant to displace or preclude any additional effort, whether under the GPRA amendments or otherwise, to develop national strategies. In addition, in many instances, informal agency consultation and negotiation work effectively to resolve inconsistencies and conflict. This recommendation is meant to augment rather than displace such efforts.

of Independent Regulatory Agencies, M-11-28, ask independent regulatory agencies to comply with directives to Executive Branch agencies with respect to public participation, regulatory analyses, and retrospective review of existing regulations. Memorandum from Cass R. Sunstein, Admin., Office of Info. & Regulatory Affairs, to the Heads of Independent Regulatory Agencies, Executive Order 13579, "Regulation and Independent Regulatory Agencies" (July 22, 2011), available at <http://www.whitehouse.gov/sites/default/files/omb/memoranda/2011/m11-28.pdf>.



RECOMMENDATION

1. *Developing Agency Coordination Policies.*

(a) Federal agencies should identify any areas of shared, overlapping or closely related jurisdiction or operation that might require, or benefit from, interagency coordination.¹⁰

Federal agencies that share overlapping or closely related responsibilities should adopt policies or procedures, as appropriate, to document ongoing coordination efforts, and to facilitate additional coordination with other agencies.¹¹

(b) Concurrently, the Executive Office of the President (EOP) should work with the agencies to develop a policy to promote coordination where agencies share overlapping or closely related responsibilities. The policy, while maintaining the need for flexibility,¹² should require agencies to address, among other things, how they will:

(i) resolve disagreements over jurisdiction;

(ii) share or divide information-production responsibilities;

(iii) solicit and address potentially conflicting views on executing shared responsibilities;

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¹¹ 31 U.S.C. § 1115(b)(5)(D) of GPRMA, as amended by sec. 3 of GPRMA, *supra* note 8, requires each agency to have an annual performance plan providing a description of how its performance goals are to be achieved, including how the agency is working with other agencies to achieve those goals.

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- (iv) minimize duplication of effort;
- (v) identify and resolve differences over the application of analytic requirements imposed by statute or executive order;¹³ and
- (vi) formalize agreements allocating respective responsibilities or develop standards or policies jointly, where appropriate.

In addition, the policy should establish a mechanism by which agencies can share best practices and evaluate their coordination initiatives ex post, and assist them in doing so effectively and efficiently.

(c) The EOP should effectively utilize the Regulatory Working Group, established by Executive Order 12,866, or establish or utilize other comparable bodies to assist agencies in identifying opportunities for coordination.¹⁴

2. Improving Joint Rulemaking

The coordination policies and procedures adopted by the EOP and the agencies should include best practices for joint rulemaking and recommend when agencies should consider using it even when not statutorily required to do so. Best practices might include establishing joint technical teams for developing the rule and requiring early consultation, where appropriate, (a) with the Office of Information and Regulatory Affairs (OIRA) regarding joint production of cost-benefit analyses and other analyses required by statute or executive

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order, and (b) among agency legal staff and lawyers at the Department of Justice who may need ultimately to defend the rule in litigation.

3. *Improving Interagency Agreements*

(a) The coordination policies and procedures adopted by the EOP and the agencies should include best practices for agency agreements such as memoranda of understanding (MOUs). Such best practices might include specification of progress metrics that will enable agencies to assess the effectiveness of their agreement and sunset provisions that would require signatory agencies to review MOUs regularly to determine whether they continue to be of value.¹⁵

(b) Agencies should make available to the public, in an accessible manner, interagency agreements that have broad policy implications or that may affect the rights and interests of the general public unless the agency finds good cause not to do so.

4. *Supporting and Funding Interagency Consultation.*

(a) The EOP should encourage agencies to conduct interagency consultations early in a decisionmaking process, before initial positions are locked in, and to conduct such consultations in a continuing and integrated, rather than periodic and reactive, way. To this end, when appropriate, the EOP should encourage coordinating agencies to establish an interagency team to produce and analyze data together over the course of the decisionmaking process, and ensure such teams have adequate funding and support.

(b) The Office of Management and Budget and agencies involved in coordinated interagency activities should take into account, in the budgetary process, the need for sufficient resources to participate effectively in interagency processes, and the need to provide

¹⁵ In several of the examples reviewed in the Freeman/Rossi report, *supra* note 2, the agencies were negotiating new MOUs to replace outdated ones (often negotiated by previous administrations)—a clear sign that ineffective MOUs can be left to languish for too long.



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specifically for such cross-cutting activities. Further, an action agency, on which a duty to consult with other agencies falls, should contribute a share of its resources, as appropriate, to the extent it possesses the discretion to do so, to support joint technical and analytic teams, even if those resources will be consumed in part by other agencies.

5. Tracking Total Resources.

To better evaluate the effectiveness of coordination initiatives, an appropriate office or offices of the federal government should assess the costs and benefits, both quantitative and qualitative, of interagency consultations, MOUs, joint rules, and other similar instruments. Such offices might include the Government Accountability Office or the Congressional Research Service, perhaps with the assistance of the Administrative Conference of the United States. To minimize the burden on the agencies of such evaluation, at the outset, this effort might be limited to high-priority, high-visibility interagency coordination efforts, such as important joint rulemakings, or equivalent initiatives.

FW: Docket No. CEQ-2018-0001: Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

From: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
To: "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Boling, Ted A. EOP/CEQ" <(b) (6)>, "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Wed, 18 Jul 2018 18:16:56 -0400
Attachments: Final-Recommendation-2012-5-Improving-Agency-Coordination.pdf (201.42 kB)

FYI – we received the email below and attachment from the Administrative Conference of the United States today.

From: Todd Rubin <TRubin@acus.gov>
Sent: Wednesday, July 18, 2018 10:30 AM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Subject: Docket No. CEQ-2018-0001: Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

Dear Viktoria,

We thank the Council on Environmental Quality for issuing this Advanced Notice of Proposed Rulemaking. We believe that ACUS's Recommendation 2012-5, *Improving Coordination of Related Agency Responsibilities*, 77 Fed. Reg. 47,810, 47,810 (Aug. 10, 2012) offers guidance that the CEQ would likely find useful as it considers updating its National Environmental Policy Act (NEPA) regulations. Although the Recommendation does not address NEPA, we believe that overall, it offers helpful guidance on portions of the following questions:

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

A copy of the Recommendation is attached.

Please let us know if you have any questions. Thank you again.

Best regards,

Todd Rubin

Todd Rubin | Attorney Advisor



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Administrative Conference Recommendation 2012-5

Improving Coordination of Related Agency Responsibilities

Adopted June 15, 2012

Many areas of government agency activities are characterized by fragmented and overlapping delegations of power to administrative agencies. Congress often assigns more than one agency the same or similar functions or divides responsibilities among multiple agencies, giving each responsibility for part of a larger whole. Instances of overlap and fragmentation are common. They can be found throughout the administrative state, in virtually every sphere of social and economic regulation, in contexts ranging from border security to food safety to financial regulation.¹ The following recommendation suggests some reforms aimed at improving coordination of agency policymaking, including joint rulemaking, interagency agreements, and agency consultation provisions.

The study underlying this recommendation² provides a comprehensive picture of overlapping and fragmented delegations, and makes some practical suggestions for addressing

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(b) Agencies should make available to the public, in an accessible manner, interagency agreements that have broad policy implications or that may affect the rights and interests of the general public unless the agency finds good cause not to do so.

4. *Supporting and Funding Interagency Consultation.*

(a) The EOP should encourage agencies to conduct interagency consultations early in a decisionmaking process, before initial positions are locked in, and to conduct such consultations in a continuing and integrated, rather than periodic and reactive, way. To this end, when appropriate, the EOP should encourage coordinating agencies to establish an interagency team to produce and analyze data together over the course of the decisionmaking process, and ensure such teams have adequate funding and support.

(b) The Office of Management and Budget and agencies involved in coordinated interagency activities should take into account, in the budgetary process, the need for sufficient resources to participate effectively in interagency processes, and the need to provide

¹⁵ In several of the examples reviewed in the Freeman/Rossi report, *supra* note 2, the agencies were negotiating new MOUs to replace outdated ones (often negotiated by previous administrations)—a clear sign that ineffective MOUs can be left to languish for too long.



ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

specifically for such cross-cutting activities. Further, an action agency, on which a duty to consult with other agencies falls, should contribute a share of its resources, as appropriate, to the extent it possesses the discretion to do so, to support joint technical and analytic teams, even if those resources will be consumed in part by other agencies.

5. Tracking Total Resources.

To better evaluate the effectiveness of coordination initiatives, an appropriate office or offices of the federal government should assess the costs and benefits, both quantitative and qualitative, of interagency consultations, MOUs, joint rules, and other similar instruments. Such offices might include the Government Accountability Office or the Congressional Research Service, perhaps with the assistance of the Administrative Conference of the United States. To minimize the burden on the agencies of such evaluation, at the outset, this effort might be limited to high-priority, high-visibility interagency coordination efforts, such as important joint rulemakings, or equivalent initiatives.

FW: CEQ NEPA Regulations ANPRM Extension of Comment Period

From: "Teel, Pam" <teel.pam@epa.gov>
To: "Katchinoff, Julien M" <katchinoffjm@state.gov>, "Boling, Ted A. EOP/CEQ" <(b) (6)>, wingrd@state.gov
Cc: Ellen Dunlap <dunlapem@state.gov>, duncan.stewart@international.gc.ca
Date: Fri, 20 Jul 2018 18:21:34 -0400
Attachments: 2018-14821.pdf (212.33 kB)

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)]
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)>

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

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)



[3225-F8-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, N.W., 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, N.W., 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: 7/10/2018 8:45 am; Publication Date: 7/11/2018]

FW: 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: Fri, 20 Jul 2018 14:16:10 -0400
Attachments
: 2018-14821.pdf (212.33 kB)

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)>
Cc: Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: CEQ NEPA Regulations ANPRM Extension of Comment Period

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Sincerely,

Michael Drummond
Deputy Associate Director for NEPA
Council on Environmental Quality

(b) (6)



[3225-F8-P]

COUNCIL ON ENVIRONMENTAL QUALITY

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

[Docket No. CEQ-2018-0001]

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Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

[FR Doc. 2018-14821 Filed: 7/10/2018 8:45 am; Publication Date: 7/11/2018]

FW: CEQ NEPA Regulations ANPRM Extension of Comment Period

From: "Drummond, Michael R. EOP/CEQ" <(b) (6)>
To: Stephanie Kavanaugh <kavanaugh@udall.gov>
Cc: "Boling, Ted A. EOP/CEQ" <(b) (6)>
Date: Wed, 25 Jul 2018 17:57:35 -0400
Attachment s: 2018-14821.pdf (212.33 kB); CEQ NEPA Regulations ANPRM (pre-publication).pdf (161.5 kB); MOU-One-Federal-Decision-m-18-13-Part-2-1.pdf (1.85 MB)

Stephanie,

Attached are two notices regarding the CEQ ANPRM, the ANPRM itself and the comment extension and the One Federal Decision MOU for distribution to the ECCR Forum.

Best,

Michael

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

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Sincerely,

Michael Drummond
Deputy Associate Director for NEPA
Council on Environmental Quality

(b) (6)



[3225-F8-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.

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

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Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

[FR Doc. 2018-14821 Filed: 7/10/2018 8:45 am; Publication Date: 7/11/2018]



[3225-F8]

COUNCIL ON ENVIRONMENTAL QUALITY

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

[Docket No. CEQ-2018-0001]

RIN: 0331-AA03

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

AGENCY: Council on Environmental Quality (CEQ).

ACTION: Advance Notice of Proposed Rulemaking.

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

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

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

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

SUPPLEMENTARY INFORMATION:

I. Background

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

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

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

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

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

II. Request for Comment

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

NEPA Process:

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

Scope of NEPA Review:

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

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

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

General:

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

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

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

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

III. Statutory and Executive Order Reviews

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

Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

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

RE: CEQ NEPA Regulations ANPRM Extension of Comment Period

From: Stephanie Kavanaugh <kavanaugh@udall.gov>

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

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

Date: Thu, 26 Jul 2018 09:07:47 -0400

Thanks, Michael. We'll be sure to send these out with the notes.

~SK

Stephanie Kavanaugh, CPF

Director, Washington, DC Office

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

1825 K Street NW, Suite 701, Washington, DC 20006

Desk: 202.540.1041 ~ Mobile: (b) (6) ~ Fax: 202.540.1044

Email: kavanaugh@udall.gov Website: www.udall.gov

Civility | Integrity | Consensus

If you received this message in error, please notify the sender immediately by return email, and delete this message and any attachments. This email may contain information subject to the Privacy Act, the Trade Secrets Act, and/or dispute resolution information protected as confidential by the Administrative Dispute Resolution Act, 5 U.S.C. § 571 *et seq.* You are reminded that improper use of such information is prohibited by law. Thank you.

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

Sent: Wednesday, July 25, 2018 5:58 PM

To: Stephanie Kavanaugh <kavanaugh@udall.gov>

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

Subject: FW: CEQ NEPA Regulations ANPRM Extension of Comment Period

Stephanie,

Attached are two notices regarding the CEQ ANPRM, the ANPRM itself and the comment extension and the One Federal Decision MOU for distribution to the ECCR Forum.

Best,

Michael

From: FN-CEQ-NEPA

Sent: Tuesday, July 10, 2018 11:03 AM

To: FN-CEQ-NEPA <(b) (6)>

Cc: Boling, Ted A. EOP/CEQ <(b) (6)>; Drummond, Michael R. EOP/CEQ
<(b) (6)>; Mansoor, Yardena M. EOP/CEQ
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Sincerely,

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

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.

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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.

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FOR FURTHER INFORMATION CONTACT:

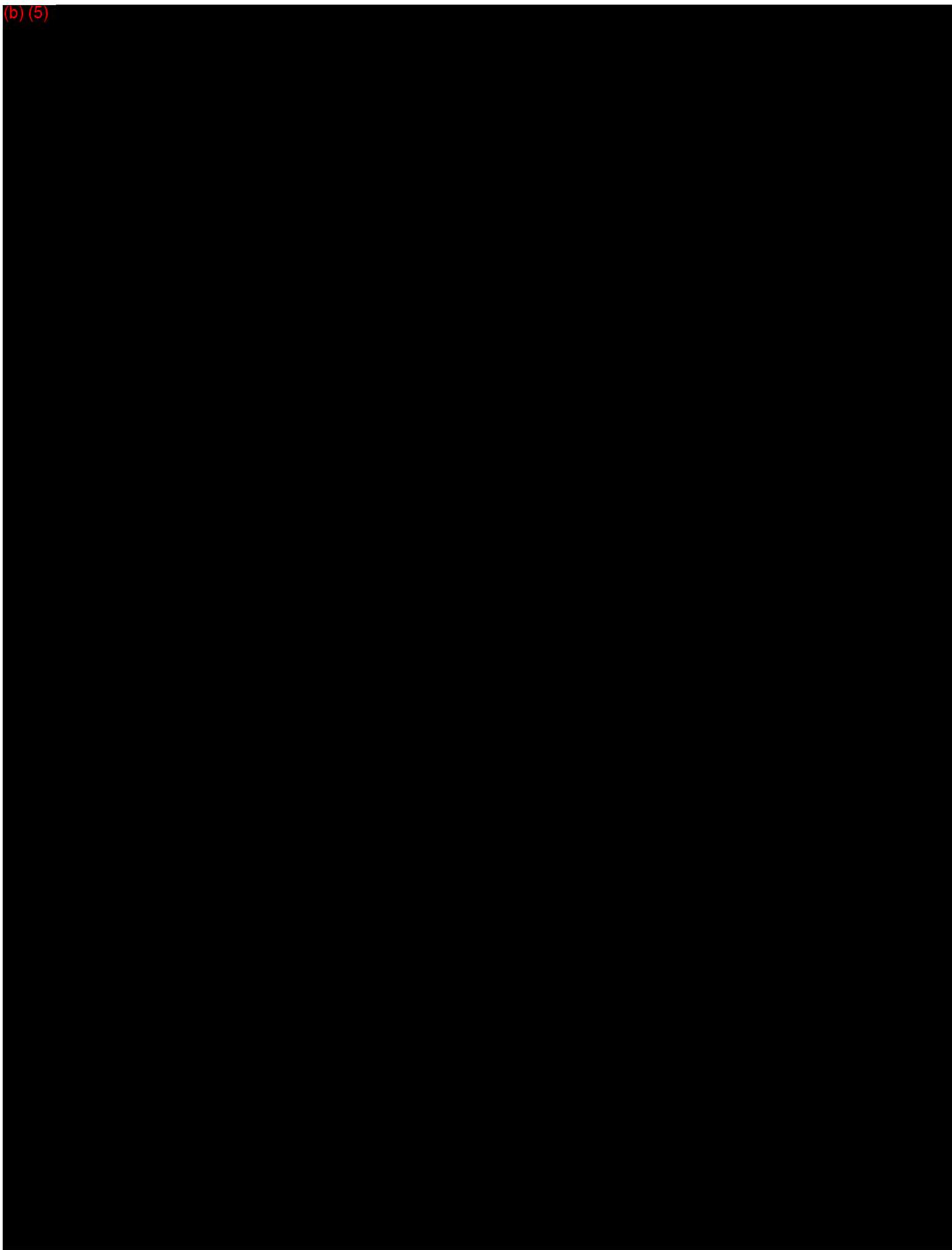
Edward A. Boling, Associate Director for the National Environmental Policy Act, Council on Environmental Quality, 730 Jackson Place NW, Washington, DC 20503. Telephone: (202) 395–5750.

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



requirements, Superfund, Water pollution control, Water supply.

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

Dated: May 30, 2018.

Cosmo Servidio,

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

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

BILLING CODE 6560–50–P

COUNCIL ON ENVIRONMENTAL QUALITY

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

[Docket No. CEQ–2018–0001]

RIN: 0331–AA03

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

AGENCY: Council on Environmental Quality (CEQ).

ACTION: Advance notice of proposed rulemaking.

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

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

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

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

SUPPLEMENTARY INFORMATION:

I. Background

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

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

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

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

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

II. Request for Comment

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

NEPA Process

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

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

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

Scope of NEPA Review

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

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

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

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

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

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

- a. Alternatives;
 b. Purpose and Need;
 c. Reasonably Foreseeable;
 d. Trivial Violation; and
 e. Other NEPA terms.
9. Should the provisions in CEQ's NEPA regulations relating to any of the types of documents listed below be revised, and if so, how?
 a. Notice of Intent;
 b. Categorical Exclusions Documentation;
 c. Environmental Assessments;
 d. Findings of No Significant Impact;
 e. Environmental Impact Statements;
 f. Records of Decision; and
 g. Supplements.
10. Should the provisions in CEQ's NEPA regulations relating to the timing of agency action be revised, and if so, how?
11. Should the provisions in CEQ's NEPA regulations relating to agency responsibility and the preparation of NEPA documents by contractors and project applicants be revised, and if so, how?
12. Should the provisions in CEQ's NEPA regulations relating to programmatic NEPA documents and tiering be revised, and if so, how?
13. Should the provisions in CEQ's NEPA regulations relating to the appropriate range of alternatives in NEPA reviews and which alternatives may be eliminated from detailed analysis be revised, and if so, how?
- General**
14. Are any provisions of the CEQ's NEPA regulations currently obsolete? If so, please provide specific recommendations on whether they should be modified, rescinded, or replaced.
15. Which provisions of the CEQ's NEPA regulations can be updated to reflect new technologies that can be used to make the process more efficient?
16. Are there additional ways CEQ's NEPA regulations should be revised to promote coordination of environmental review and authorization decisions, such as combining NEPA analysis and other decision documents, and if so, how?
17. Are there additional ways CEQ's NEPA regulations should be revised to improve the efficiency and effectiveness of the implementation of NEPA, and if so, how?
18. Are there ways in which the role of tribal governments in the NEPA process should be clarified in CEQ's NEPA regulations, and if so, how?
19. Are there additional ways CEQ's NEPA regulations should be revised to ensure that agencies apply NEPA in a manner that reduces unnecessary

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

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

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

III. Statutory and Executive Order Reviews

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

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

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

BILLING CODE 3225-F8-P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 105-60

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

RIN 3090-AJ74

Public Availability of Agency Records and Informational Materials

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

ACTION: Proposed rule.

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

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

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

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

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

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

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

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