

FOR REVIEW: Draft Submissions for Regulatory Agenda

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, 23 Feb 2018 14:34:45 -0500
Attachments: RegAgenda_Draft.docx (20.22 kB)

Hi Mary and Viktoria,

Please find attached for your review.

Please let me know if you have any questions or comments.

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

RE: FOR REVIEW: Draft Submissions for Regulatory Agenda

From: "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Tue, 27 Feb 2018 19:35:25 -0500
Attachments: RegAgenda_Draft 2 27 18 edits.docx (18.06 kB)

Minor suggested edits attached.

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

From: Szabo, Aaron L. EOP/CEQ
Sent: Friday, February 23, 2018 2:35 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Subject: FOR REVIEW: Draft Submissions for Regulatory Agenda

Hi Mary and Viktoria,

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Senior Counsel
Council on Environmental Quality
(b) (6) (Desk)
(b) (6) (Cell)
(b) (6)

RegAgenda_Draft 2 27 18 edits2

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

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

Date: Wed, 28 Feb 2018 13:55:33 -0500

Attachments: RegAgenda_Draft 2 27 18 edits2.docx (18.23 kB)

RE: Final Version of Spring 2018 Agenda for Submission into ROCIS and Signature

From: "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
Cc: "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Mon, 05 Mar 2018 16:34:50 -0500
Attachments: CEQ Unified Agenda Entries--Spring 2018_Final.docx (26.99 kB)

Suggested edits attached.

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

From: Szabo, Aaron L. EOP/CEQ
Sent: Monday, March 5, 2018 3:28 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6)>
Cc: Smith, Katherine R. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Szabo, Aaron L. EOP/CEQ <(b) (6)>
Subject: Final Version of Spring 2018 Agenda for Submission into ROCIS and Signature

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Senior Counsel
Council on Environmental Quality
(b) (6) (Desk)
(b) (6) (Cell)

(b) (6) [REDACTED]

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Date: Mon, 05 Mar 2018 15:28:23 -0500
Attachment s: CEQ Unified Agenda Entries--Spring 2018_Final.docx (26.09 kB); CEQ Billing Letter_Spring 2018.docx (17.16 kB)

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Senior Counsel
Council on Environmental Quality
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RE: Updated Version of Spring Agenda

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To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Boling, Ted A. EOP/CEQ" <(b) (6)>
Date: Mon, 05 Mar 2018 11:32:24 -0500
Attachments: CEQ Unified Agenda Entries--Spring 2018 vzs edit.docx (27.61 kB)

A few minor suggested edits.

Ted, (b) (5) [REDACTED]
[REDACTED] ?

From: Szabo, Aaron L. EOP/CEQ
Sent: Monday, March 5, 2018 10:59 AM
To: Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Boling, Ted A. EOP/CEQ <(b) (6)>
Subject: Updated Version of Spring Agenda

All,

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Please let me know if you have any additional comments.

Thank you very much.

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Senior Counsel
Council on Environmental Quality
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Cc: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Mon, 05 Mar 2018 17:16:55 -0500
Attachment s: REVISED UPDATED CEQ Unified Agenda Entries--Spring 2018_Final.docx (27.21 kB)

Aaron,
Per our conversation, I made a few additional proposed revisions. Attached is the updated draft.
Thanks,
Mary

From: Szabo, Aaron L. EOP/CEQ
Sent: Monday, March 5, 2018 4:56 PM
To: Neumayr, Mary B. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Cc: Seale, Viktoria Z. EOP/CEQ <(b) (6)>
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Chief of Staff, Council on Environmental Quality
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Cc: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Mon, 05 Mar 2018 16:51:38 -0500

Attachments
: UPDATED CEQ Unified Agenda Entries--Spring 2018 Final.docx (26.91 kB)

Aaron/Katherine,
I have attached an updated draft with minor additional revisions. Please use this version. Thanks,
Mary

Mary B. Neumayr
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Council on Environmental Quality

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Cc: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Tue, 06 Mar 2018 11:27:00 -0500
Attachments: REVISED UPDATED CEQ Unified Agenda Entries–Spring 2018_Final.docx (26.22 kB)

Aaron,

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Katherine

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Sent: Monday, March 5, 2018 5:17 PM
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Senior Counsel
Council on Environmental Quality

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

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

(b) (6) [Redacted]

3225-F8

COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Part 1500

Semiannual Regulatory Agenda

AGENCY: Council on Environmental Quality.

ACTION: Semiannual regulatory agenda.

SUMMARY: This notice provides the semiannual agenda of the Council on Environmental Quality (CEQ) rules scheduled for review or development between Spring 2018 and Spring 2019. The Regulatory Flexibility Act and Executive Order 12866 require publication of the agenda.

ADDRESSES: All agency contacts are located at the Council on Environmental Quality, 730 Jackson Place Northwest, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: Please direct all comments and inquiries about these rules to the appropriate agency contact. Please direct general comments relating to the agenda to Aaron L. Szabo, at the address above or at (202) 395-5750.

SUPPLEMENTARY INFORMATION: With this publication, CEQ meets the requirement of Executive Order 12866 that CEQ publish an agenda of rules that CEO has issued or expects to issue and of currently effective rules that CEQ has scheduled for review. Additionally, CEO meets the requirement of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) to publish an agenda in April and October of each year, as necessary, identifying rules that may have significant economic effects on a substantial number of small entities. The complete Unified Agenda will be published at www.reginfo.gov, in a format that offers users enhanced ability to obtain information from the Agenda database. Agenda information is also available

[APG]

at www.regulations.gov, the government-wide website for submission of comments on proposed regulations.

Mary Neumayr
Chief of Staff,
Council on Environmental Quality

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
001	Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act	0331-AA03

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
002	Freedom of Information Act (FOIA) and Privacy Act Regulations Update	0331-AA02

001. UPDATE TO THE REGULATIONS FOR IMPLEMENTING THE PROCEDURAL PROVISIONS OF THE NATIONAL ENVIRONMENTAL POLICY ACT

[APG]

Priority: Other Significant

EO 13771 Designation: Undetermined

Legal Authority: 42 U.S.C. 4321 *et seq.*

CFR Citation: 40 CFR Parts 1500 to 1508

Legal Deadline: None

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 and one section was amended in 1986. 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.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/18	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

[APG]

Agency Contact: Ted A. Boling, Associate Director for NEPA

Phone: 202-395-5750

Email: (b) (6)

RIN: 0331-AA03

002. Freedom of Information Act (FOIA) and Privacy Act Regulations Update

Priority: Substantive, Nonsignificant

EO 13771 Designation: Not subject to, not significant

Legal Authority: 5 U.S.C. 552 *et seq.*, 5 U.S.C. 552a

CFR Citation: 40 CFR 1515 to 1516

Legal Deadline: None

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.

Timetable:

Action	Date	FR Cite
NPRM	07/00/18	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

[APG]

Government Levels Affected: None

Agency Contact: Viktoria Z. Seale, Deputy General Counsel

Phone: 202-395-5750

Email: (b) (6)

RIN: 0331-AA02

[APG]

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Council on Environmental Quality

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3225-F8

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at www.regulations.gov, the government-wide website for submission of comments on proposed regulations.

Mary Neumayr
Chief of Staff,
Council on Environmental Quality

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
001	Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act	0331-AA03

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
002	Freedom of Information Act (FOIA) and Privacy Act Regulations Update	0331-AA02

001. UPDATE TO THE REGULATIONS FOR IMPLEMENTING THE PROCEDURAL PROVISIONS OF THE NATIONAL ENVIRONMENTAL POLICY ACT

[APG]

Priority: Other Significant

EO 13771 Designation: Undetermined

Legal Authority: 42 U.S.C. 4321 *et seq.*

CFR Citation: 40 CFR Parts 1500 to 1508

Legal Deadline: None

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 and one section was amended in 1986. 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.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/18	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

[APG]

Agency Contact: Ted A. Boling, Associate Director for NEPA

Phone: 202-395-5750

Email: (b) (6)

RIN: 0331-AA03

002. Freedom of Information Act (FOIA) and Privacy Act Regulations Update

Priority: Substantive, Nonsignificant

EO 13771 Designation: Not subject to, not significant

Legal Authority: 5 U.S.C. 552 *et seq.*, 5 U.S.C. 552a

CFR Citation: 40 CFR 1515 to 1516

Legal Deadline: None

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.

Timetable:

Action	Date	FR Cite
NPRM	07/00/18	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

[APG]

Government Levels Affected: None

Agency Contact: Viktoria Z. Seale, Deputy General Counsel

Phone: (b) (6) [REDACTED]

Email: (b) (6) [REDACTED]

RIN: 0331-AA02

[APG]

ANPRM comments attached

From: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>
To: "Boling, Ted A. EOP/CEQ" <(b) (6)>
Cc: "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Mon, 14 May 2018 10:23:00 -0400
Attachments: EO12866 Review CEQ NEPA ANPRM - 5-14-2018 (two revisions and URL).docx (46.61 kB)

The version attached proposes corrections to (b) (5)

[Redacted]

[Redacted]

(b) (5)

[Redacted]

[Redacted]

From: Szabo, Aaron L. EOP/CEQ
Sent: Tuesday, May 8, 2018 10:20 AM
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: Szabo, Aaron L. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)>
Subject: FOR AWARENESS: Version of CEQ ANPRM on NEPA Provided for Interagency Review

All,

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

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

Aaron L. Szabo

Senior Counsel
Council on Environmental Quality

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

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

(b) (6) [REDACTED]

CEQ ANPRM: EPA Comments

From: "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)> "Sharp, Thomas L. EOP/CEQ"
To: <(b) (6)> "Loyola, Mario A. EOP/CEQ"
<(b) (6)> "Smith, Katherine R. EOP/CEQ"
<(b) (6)>
Cc: "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Thu, 24 May 2018 09:06:10 -0400
Attachments: EPA Cmnts - CEQ NEPA ANPRM - 23 May 2018.docx (53.53 kB)

All,

Please find attached EPA's comments on the CEQ ANPRM. I am thinking about scheduling a meeting sometime today or tomorrow morning to discuss.

Thanks.

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

CEQ Federal NEPA Contacts Webinar

Where: Webinar: (b) (6)

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

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

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

Required Attendees:

- FN-CEQ-NEPA (b) (6)
- "Boling, Ted A. EOP/CEQ" <(b) (6)>
- "Drummond, Michael R. EOP/CEQ" <(b) (6)>
- "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>
- "Upchurch, Sara H. EOP/CEQ" <(b) (6)>
- "Hanley, Karen A. EOP/CEQ" <(b) (6)>
- denise.freeman@hq.doe.gov
- "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>

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) [REDACTED]

Participant Code (b) (6) [REDACTED]

To join the meeting:

(b) (6) [REDACTED]

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>

Adobe, the Adobe logo, Acrobat and Adobe Connect are either registered trademarks or trademarks of Adobe Systems Incorporated in the United States and/or other countries



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**
- *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**

2

CEQ075FY18150_000001029



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**
- *ECCR Ten Year Report*
 - *One Federal Decision*
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 - *CE Guidance and CE List*
- 4:05pm OMB Accountability System**
- *Accountability System –Permitting Dashboard, agency CERPO roles*
- 4:15pm Open Discussion**

14

CEQ075FY18150_000001029



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 HOW?, 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



[3225-F8]

COUNCIL ON ENVIRONMENTAL QUALITY

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

[Docket No. CEQ-2018-0001]

RIN: 0331-AA03

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

AGENCY: Council on Environmental Quality (CEQ).

ACTION: Advance Notice of Proposed Rulemaking.

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

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

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

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

SUPPLEMENTARY INFORMATION:

I. Background

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

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

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

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

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

II. Request for Comment

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

NEPA Process:

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

Scope of NEPA Review:

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

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

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

General:

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

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

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

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

III. Statutory and Executive Order Reviews

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

Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

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

Federal NEPA Contacts Webinar

Wednesday, June 20, 2018

3:00 PM - 4:30 PM

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

(b) (6)

Agenda

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

ANPRM Final

From: "Smith, Katherine R. EOP/CEQ" <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=e45de0bbb5ca4e87a4c4528ec12a7b03-sm">
To: "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Date: Wed, 13 Jun 2018 19:00:50 -0400
Attachments EO12866 Review CEQ NEPA ANPRM_Revised_Clean_Final_KS_Redline.docx (49.05 kB); EO12866 Review CEQ NEPA ANPRM_Revised_Clean_Final_KS.docx (48.37 kB)

Mary,

I've attached a redline and a clean version for final suggested edits.

Thanks,

Katherine Smith
Special Assistant
Council on Environmental Quality
(b) (6)

ANPRM Final

From: "Smith, Katherine R. EOP/CEQ" <(b) (6)>
To: "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Date: Wed, 13 Jun 2018 19:00:51 -0400
Attachments: EO12866 Review CEQ NEPA ANPRM_Revised_Clean_Final_KS_Redline.docx (49.05 kB); EO12866 Review CEQ NEPA ANPRM_Revised_Clean_Final_KS.docx (48.37 kB)

Mary,

I've attached a redline and a clean version for final suggested edits.

Thanks,

Katherine Smith
Special Assistant
Council on Environmental Quality
(b) (6)

CEQ ANPRM

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
To: "Sun, Howard C. EOP/CEQ" <(b) (6)>
Date: Thu, 14 Jun 2018 15:39:53 -0400
Attachments: CEQ NEPA ANPRM_FRVersion.docx (46.6 kB)

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

Distribution list for ANOPR

From: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>
To: "Boling, Ted A. EOP/CEQ" (b) (6) "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Fri, 15 Jun 2018 14:03:46 -0400
Attachments: 2017 DOE NEPA Stakeholders Directory (2017-07-21).pdf (415.82 kB)

Would the attached be helpful? (If yes, I'd be happy to ask Brian on the status of the 2018 update.)

See Nongovernmental Organizations starting on page 24.

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

Draft ANPRM distribution email

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

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

Cc: "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>

Date: Mon, 18 Jun 2018 11:45:45 -0400

(b) (5)
[Redacted]

[Redacted]

[Redacted]

[Redacted]

Sincerely,
Ted

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

DRAFT response log / new ANOPR folder

From: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>
To: "Boling, Ted A. EOP/CEQ" (b) (6) "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Mon, 18 Jun 2018 11:39:00 -0400
Attachments: Draft response log.xlsx (25.02 kB)

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

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

FW: Draft ANPRM distribution email

From: "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Cc: "Boling, Ted A. EOP/CEQ" <(b) (6)>
Date: Mon, 18 Jun 2018 12:17:15 -0400

Viktoria,
Just fyi. Thanks,
Mary

From: Boling, Ted A. EOP/CEQ
Sent: Monday, June 18, 2018 11:46 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Cc: Neumayr, Mary B. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ
<(b) (6)> Mansoor, Yardena M. EOP/CEQ
<(b) (6)>
Subject: Draft ANPRM distribution email

(b) (5)
[Redacted]

[Redacted]

[Redacted]

[Redacted]

Sincerely,
Ted

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

730 Jackson Place
Washington, DC 20503

RE: Draft ANPRM distribution email

From: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
To: "Boling, Ted A. EOP/CEQ" <(b) (6)>
Cc: "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>
Date: Mon, 18 Jun 2018 11:47:28 -0400

Thanks for flagging, Ted. Please just Bcc me on the email you send for my awareness.

From: Boling, Ted A. EOP/CEQ
Sent: Monday, June 18, 2018 11:46 AM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Cc: Neumayr, Mary B. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: Draft ANPRM distribution email

(b) (5)

[Redacted]

Sincerely,
Ted

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

Washington, DC 20503

RE: From Greenwire -- REGULATIONS: Greens gird for fight as White House starts NEPA overhaul

From: "Boling, Ted A. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">
To: "Hammer, Nancy" <nancy.hammer@shrm.org>
Date: Tue, 19 Jun 2018 14:35:20 -0400

Too much fun!

From: Hammer, Nancy <Nancy.Hammer@shrm.org>
Sent: Tuesday, June 19, 2018 2:34 PM
To: Boling, Ted A. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] RE: From Greenwire -- REGULATIONS: Greens gird for fight as White House starts NEPA overhaul

20 Questions is fun!

Nancy Hammer | Vice President, Regulatory Affairs & Judicial Counsel
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From: eboling [mailto:email_this@eenews.net]
Sent: Tuesday, June 19, 2018 2:29 PM
To: Hammer, Nancy <Nancy.Hammer@shrm.org>
Subject: From Greenwire -- REGULATIONS: Greens gird for fight as White House starts NEPA overhaul

This Greenwire story was sent to you by: (b) (6)



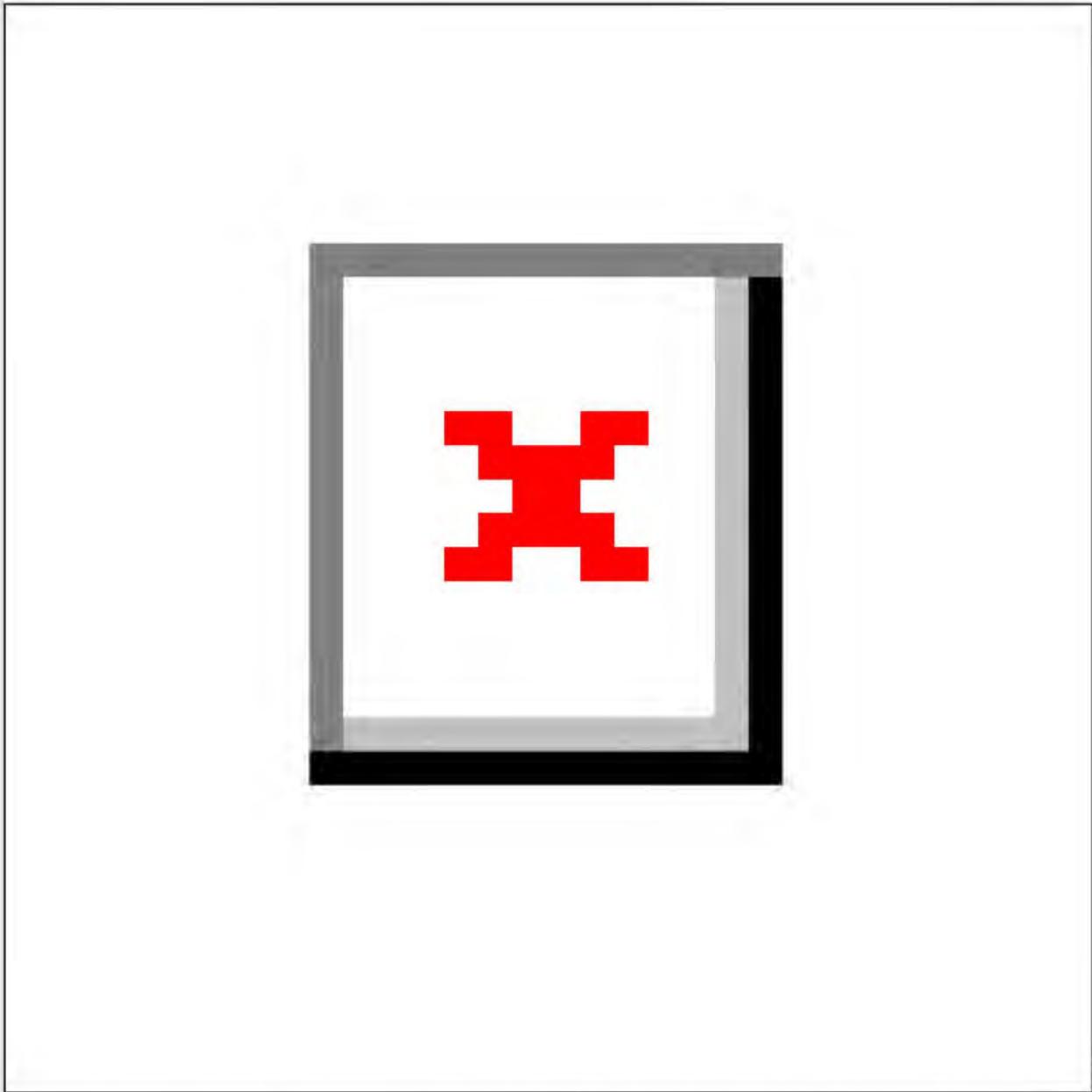
AN E&E NEWS PUBLICATION

REGULATIONS

Greens gird for fight as White House starts NEPA overhaul

[Nick Sobczyk](#), E&E News reporter

Published: Tuesday, June 19, 2018



The White House Council on Environmental Quality has submitted a rewrite of National Environmental Policy Act regulations to the *Federal Register*. Powhusku/Flickr

The White House has taken the first official steps toward rewriting regulations for the National Environmental Policy Act.

The Council on Environmental Quality submitted an **advanced notice of proposed rulemaking** on NEPA to the *Federal Register* last Friday. A CEQ spokesman said the document would be published "in the next couple of days."

While each federal agency has its own NEPA regulations, CEQ's serve as broad guidelines for the entire government.

The document lays out 20 questions about the regulations that will be the focus after their publication of a 30-day public comment period. The questions offer a look into just how far the Trump administration might try to go with NEPA changes.

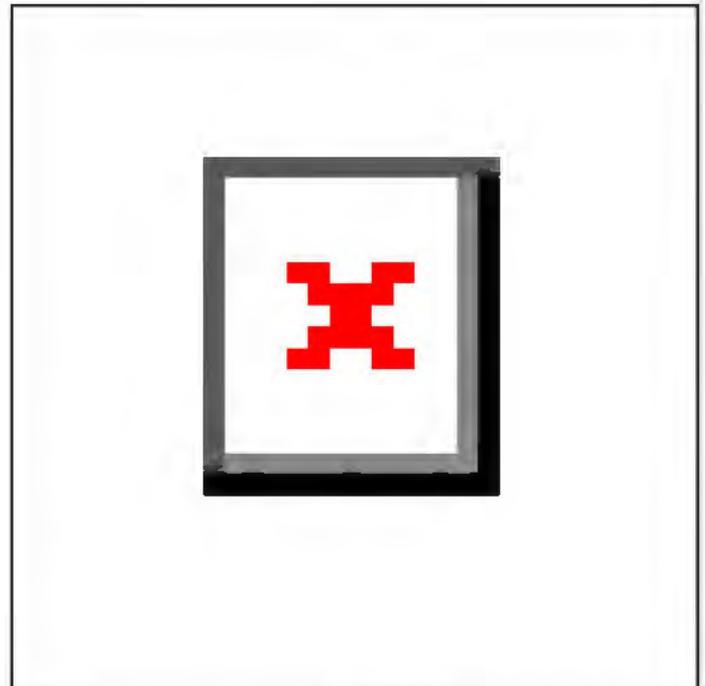
Environmentalists are already saying a monthlong comment period is too short.

"There's no question that this is causing outrage," said Raul Garcia, legislative counsel at Earthjustice. "The fact that it's only a 30-day public comment period really shows that they're not taking it seriously."

The CEQ spokesman said the agency would weigh requests for an expanded comment period.

"We feel this approach is the best way to increase public engagement," the spokesman said. "Given that we've had lots of interest over the years from stakeholders, we're hopeful we receive a number of substantive comments."

Fred Wagner, a partner with Venable LLP who served as chief counsel for the Federal Highway Administration in the Obama administration, said an extended comment period would make sense given the breadth of CEQ's proposal.



When a company wants to build a pipeline, road or other infrastructure, federal agencies are required by the National

While he had expected CEQ to try streamlining ideas from previous guidance documents and laws, Wagner said, the proposal asks sweeping questions, including whether some of the most litigated terms in the regulations — "major federal action," "cumulative impact" and "significantly," among others — should be redefined.

Environmental Policy Act (NEPA) to review the project's environmental impact. But how does NEPA work and why is it controversial? E&E News Explains provides a simple overview. Pamela King/E&E News

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Environmental groups are gearing up for a campaign to generate public comments, starting outreach to tribal and minority groups.

There is also a wild card in the process that could help both the agency and industry groups hoping to get the rewrite done quickly: President Trump's nomination of veteran Capitol Hill staffer Mary Neumayr to lead CEQ. She appears to be a more popular nominee than Kathleen Hartnett White, Trump's last pick to lead the agency ([Climatewire](#), June 14).

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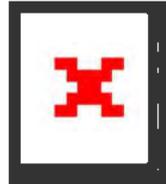
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[EXTERNAL] RE: From Greenwire -- REGULATIONS: Greens gird for fight as White House starts NEPA overhaul

From: "Hammer, Nancy" <nancy.hammer@shrm.org>

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

Date: Tue, 19 Jun 2018 14:34:21 -0400

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Society for Human Resource Management

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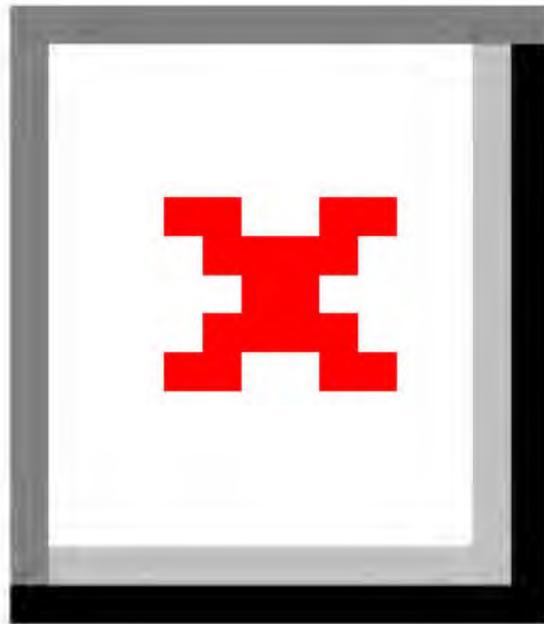
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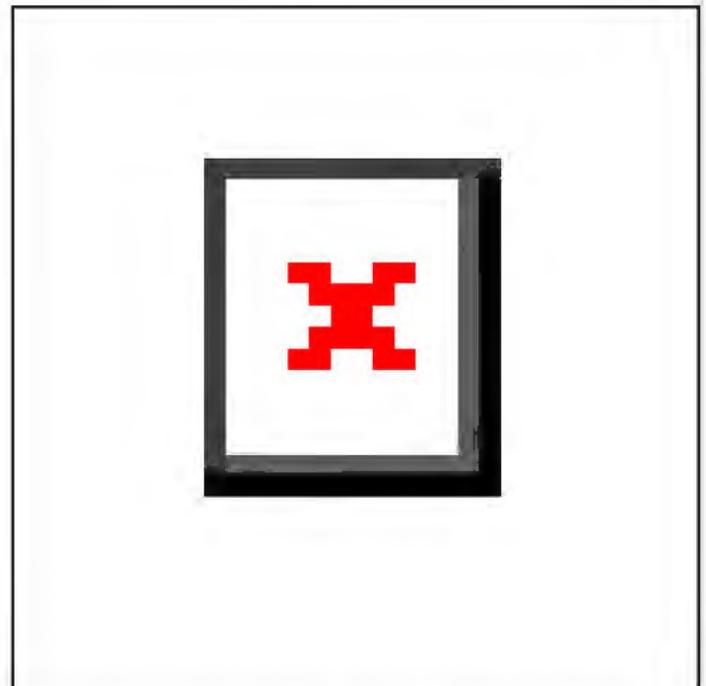
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CEQ NEPA Regulations ANPRM

From: FN-CEQ-NEPA (b) (6)
To: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
Cc: "Boling, Ted A. EOP/CEQ" (b) (6) "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Mansoor, Yarden M. EOP/CEQ" <(b) (6)>
Date: Tue, 19 Jun 2018 12:43:36 -0400
Attachments: 2018-13246.pdf (161.5 kB)

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



[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]

First article I've found - previewing the ANOPR

From: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>
To: "Boling, Ted A. EOP/CEQ" (b) (6) "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Tue, 19 Jun 2018 10:25:56 -0400

<https://www.jdsupra.com/legalnews/ceq-s-revamping-of-nepa-regulations-who-85989/>

From: Mansoor, Yardena M. EOP/CEQ
Sent: Tuesday, June 19, 2018 10:23 AM
To: Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)>
Subject: BLM NEPA Policy Memo of June 1

The Oil & Gas Journal has an article on a recent BLM policy memo. I don't see anything alarming.

<https://www.ogj.com/articles/print/volume-116/issue-6b/general-interest/watching-government-blm-issues-nepa-memo.html>

The policy memo is at <https://www.blm.gov/policy/ib-2018-061>.

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

FW: CEQ NEPA Regulations ANPRM

From: "Drummond, Michael R. EOP/CEQ" <"o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=a0bc62c0a5454e6fb7a1be504b7d284a-dr">
To: Reid Nelson <rnelson@achp.gov>
Date: Tue, 19 Jun 2018 16:05:01 -0400
Attachments: 2018-13246.pdf (161.5 kB)

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)>
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COUNCIL ON ENVIRONMENTAL QUALITY

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

[Docket No. CEQ-2018-0001]

RIN: 0331-AA03

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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]

FW: CEQ NEPA Regulations ANPRM

From: "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlit)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">
To: borgstrom@cox.net
Date: Tue, 19 Jun 2018 14:29:07 -0400
Attachments
: 2018-13246.pdf (161.5 kB)

From: FN-CEQ-NEPA
Sent: Tuesday, June 19, 2018 12:44 PM
To: Schneider, Daniel J. EOP/CEQ <(b) (6)>
Cc: Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ
<(b) (6)> Mansoor, Yardena M. EOP/CEQ
<(b) (6)>
Carol,

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

Regards,
Yardena

Subject: CEQ NEPA Regulations ANPRM

Dear Colleagues,

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

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Sincerely,
Ted

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



[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

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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.

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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?
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- c. Cumulative Impact;
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Chief of Staff, Council on Environmental Quality.

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

FW: CEQ NEPA Regulations ANPRM

From: FN-CEQ-NEPA </o=exchange organization/ou=exchange administrative group (fydibohf23spdlit)/cn=recipients/cn=3dfc5ad8035346949f6ddfdfa1953a47-fn">
To: Pam Ellen Hudson <(b) (6)>
Date: Tue, 19 Jun 2018 16:45:09 -0400
Attachments: 2018-13246.pdf (161.5 kB)

Pam - here's the biggest update in my world.

Looking forward to working with you on the response to this!

Best,
Ted

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
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Subject: CEQ NEPA Regulations ANPRM

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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

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

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From: FN-CEQ-NEPA <"/o=exchange organization/ou=exchange administrative group (fydibohf23spdl)/cn=recipients/cn=3dfc5ad8035346949f6ddfdfa1953a47-fn">
To: Marie Campbell (b) (6) Michael Smith
<(b) (6)>, Shannon Stewart (b) (6)>, Jill (b) (6)>
Date: Tue, 19 Jun 2018 15:35:56 -0400
Attachments
: 2018-13246.pdf (161.5 kB)

Jill, Marie, Michael and Shannon,

Could you please distribute this request for comments on NEPA reg revision to NAEP and IAIA membership?

Thanks!
Ted

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

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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]

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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

From: FN-CEQ-NEPA (b) (6) [REDACTED]

To: FN-CEQ-NEPA (b) (6) [REDACTED]

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

Date: Wed, 20 Jun 2018 12:55:54 -0400

Attachments : NEPA Contacts Mtg 6.20 - Agenda.docx (29.2 kB); CEQ NEPA Regulations ANPRM (pre-publication).pdf (161.5 kB); ECCR_Benefits_Recommendations_Report_5-02-018.pdf (259.56 kB); CEQNEPAContactsWebinar_06_20_18_final.pdf (1.39 MB); Webinar Instructions 062018.doc (235.52 kB)

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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) [REDACTED]

Participant Code: (b) (6) [REDACTED]

To join the meeting:

(b) (6)

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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**
- *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**

2

CEQ075FY18150_000000899



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14

CEQ075FY18150_000000899



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 HOW, LAWS & REGULATIONS, GUIDANCE, GET INVOLVED, NEPA PRACTICE, CEO PUBLICATIONS, and CEO REPORTS. The main banner features the text "INFRASTRUCTURE PERMITTING IMPROVEMENTS" with a "READ MORE" button. Below the banner, there is a "Welcome" section with the following text:

Welcome

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

Federal NEPA Contacts Webinar

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3:00 PM - 4:30 PM

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

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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

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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.

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

FW: Federal NEPA Contacts Webinar

From: "Osterhues, Marlys A. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=b7e9898c6a8e463cb2a7da10b55ed6af-os">
To: "Barnett, Steven W. EOP/CEQ" <(b) (6)>
Date: Wed, 20 Jun 2018 15:04:19 -0400
Attachment s: NEPA Contacts Mtg 6.20 - Agenda.docx (29.2 kB); CEQ NEPA Regulations ANPRM (pre-publication).pdf (161.5 kB); ECCR_Benefits_Recommendations_Report_5-02-018.pdf (259.56 kB); CEQNEPAContactsWebinar_06_20_18_final.pdf (1.39 MB); Webinar Instructions 062018.doc (235.52 kB)

From: FN-CEQ-NEPA
Sent: Wednesday, June 20, 2018 12:56 PM
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: Federal NEPA Contacts Webinar

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[3225-F8]

COUNCIL ON ENVIRONMENTAL QUALITY

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

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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?
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17. Are there additional ways CEQ's NEPA regulations should be revised to improve the efficiency and effectiveness of the implementation of NEPA, and if so, how?
18. Are there ways in which the role of tribal governments in the NEPA process should be clarified in CEQ's NEPA regulations, and if so, how?

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

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

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

III. Statutory and Executive Order Reviews

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

Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

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

Federal NEPA Contacts Webinar

Wednesday, June 20, 2018

3:00 PM - 4:30 PM

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

(b) (6)

Agenda

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



Council on Environmental Quality

Council on Environmental Quality

Federal NEPA Contacts Webinar



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

Council on Environmental Quality



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2

CEQ075FY18150_000002676



Council on Environmental Quality



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Council on Environmental Quality

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14

CEQ075FY18150_000002676



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 banner features the text "INFRASTRUCTURE PERMITTING IMPROVEMENTS" with a "READ MORE" button. Below the banner, a "Welcome" section contains the following text:

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

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

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

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



Council on Environmental Quality

FW: Federal NEPA Contacts Webinar

From: "Drummond, Michael R. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdl)/cn=recipients/cn=a0bc62c0a5454e6fb7a1be504b7d284a-dr">
To: "Cook, Kearstyn N. EOP/CEQ (Intern)" <(b) (6)> "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>
Date: Wed, 20 Jun 2018 13:09:53 -0400
Attachment s: NEPA Contacts Mtg 6.20 - Agenda.docx (29.2 kB); CEQ NEPA Regulations ANPRM (pre-publication).pdf (161.5 kB); ECCR_Benefits_Recommendations_Report_5-02-018.pdf (259.56 kB); CEQNEPAContactsWebinar_06_20_18_final.pdf (1.39 MB); Webinar Instructions 062018.doc (235.52 kB)

Meeting materials attached, please call in / join the webinar.

From: FN-CEQ-NEPA
Sent: Wednesday, June 20, 2018 12:56 PM
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: Federal NEPA Contacts Webinar

Federal NEPA Contacts,

Apologies for an additional email, but there were some indications that yesterday's calendar invite update was not received by all, so its contents are being resent in this email. See you all online at 3:00pm (EDT).

In advance of today'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:

(b) (6)

If you have never attended an Adobe Connect meeting before:

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

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

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Federal NEPA Contacts Webinar

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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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2

CEQ075FY18150_000003527



Council on Environmental Quality



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CEQ075FY18150_000003527



Council on Environmental Quality



Questions?

Council on Environmental Quality

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



Council on Environmental Quality



[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?
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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]

Preview of ANPR responses so far -- more extension requests

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

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

Cc: "Szabo, Aaron L. EOP/CEQ" (b) (6) "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>

Date: Thu, 28 Jun 2018 16:27:21 -0400

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

There are seven extension requests so far, one of which represents >350 NGOs. All request a 60-day extension; three also request public hearings, one requests a mail option for commenting (to provide access to individuals without internet access).

Notes:

- **Log:** For comments on reg.gov, these are the docket numbers; for others, I'm assigning numbers chronologically.
- **Name:** For comments submitted as an attachment, the name is the signer, not necessarily the uploader into reg.gov who is listed on the regs.gov comment folder.
- **In Scope:** "General" signifies support or opposition to revising the CEQ regulations, etc. "Yes" submittals address specific question from the ANPR and are tallied by question in columns to the right (not shown here).
- **Overview/Notable:** This is a high-level characterization, not necessarily using the commentor's wording.

Number of Responses				28	28
Log	Mode	Organization / Name	Posted/Rcd	In Scope?	Overview/Notable
0017	Portal	Env. Law & Policy Center, Howard Learner	20-Jun-2018	Extension	Requests 60 day extension, public hearings
0023	Portal	Assn. of Metr. Water Agencies, Diane VanDe Hei; American Water Works Assoc., Tracy Mehan	26-Jun-2018	Extension	Requests 60-day extension
0026	Portal	Amer. Soc. of Civil Engineers, Natalie Mamerow	28-Jun-2018	Extension	Requests 60-day extension
0027	Portal	Russell Hodin	28-Jun-2018	Extension	Requests 60 day extension, public forums, mail option for

0028	Portal	Western Urban Water Coalition, Michael Carlin	28-Jun-2018	Extension	commenting Requests 60-day extension
E-0001	Email	The Partnership Project (353 orgs.)	25-Jun-2018	Extension	Requests 60-day extension, public hearings
E-0002	Email	The Nature Conservancy, Karen Onley	26-Jun-2018	Extension	Requests 60-day extension
0006	Portal	Thomas King	25-Jun-2018	General	Objects to questions; re-imagine NEPA from scratch
0007	Portal	John Roberts	25-Jun-2018	General	Do not make changes
0009	Portal	Rue Eich	25-Jun-2018	General	Do not make changes
0013	Portal	Anonymous Anonymous	25-Jun-2018	General	Save all environmental protection provisions
0015	Portal	Judith Konig	25-Jun-2018	General	Retain protections for air, water, wildlife
0016	Portal	Ronald Estep	25-Jun-2018	General	Against changing NEPA role of scientists and public
0018	Portal	Whitney Kroschel	25-Jun-2018	General	Need better justification for changing
0020	Portal	Stephen Buckley	25-Jun-2018	General	NEPA community has interest in no change
0021	Portal	Michel Hammes	20-Jun-2018	General	Do not make changes
0022	Portal	Susan LaSala	25-Jun-2018	General	NEPA does not need an overhaul
0025	Portal	Susan Chapin	27-Jun-2018	General	Burdens, delay may protect future health, vitality of environment
PC-0001	Postcard	Katherine Delanoy(?)	18-Jun-2018	General	Do not weaken NEPA
PC-0002	Postcard	Schemy(?)	18-Jun-2018	General	Save NEPA
0014	Portal	Jennifer Blegen	25-Jun-2018	No	(Comments concern EPA)

0005	Portal	Thomas King	25-Jun-2018	Yes	Offers thoughts on whether and how to revise
0008	Portal	Larry Freilich	25-Jun-2018	Yes	Page and time limits may cause additional work, restrict information
0010	Portal	David Keys	25-Jun-2018	Yes	Implementation has adapted, little change needed to regs
0011	Portal	Daniel Holt	25-Jun-2018	Yes	Re-adopt GHG guidance
0012	Portal	Michael Dechter	25-Jun-2018	Yes	Page limits make EIS less useful, add work
0019	Portal	David Hill	25-Jun-2018	Yes	States specific provisions not to change and general opposition
0024	Portal	Jacob Siegel	26-Jun-2018	Yes	Address climate change, retain public involvement

Yardena Mansoor
Deputy Associate Director for NEPA
Council on Environmental Quality

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

CEQ NEPA ANPRM Comment Extension FRN: Final Version

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Cc: "Sun, Howard C. EOP/CEQ" <(b) (6)> "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>
Date: Wed, 04 Jul 2018 17:43:19 -0400
Attachments: CEQ NEPA ANPRM_Comment Period Extension_Final.docx (42.42 kB)

Viktoria and Mary,

I have accepted your comments and please find attached the final version of the CEQ NEPA ANPRM comment extension Federal Register Notice.

I am cc'ing Howard, Dan and Theresa for their awareness as I will be out of the office on Thursday and Friday (but available via phone and will have my laptop with me).

Thank you and let me know if you need anything.

Aaron L. Szabo
Senior Counsel
Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

From : "Smith, Katherine R. EOP/CEQ" <(b) (6)>
To: "Sun, Howard C. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
<(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
<(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Cc: "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>
Date: Thu, 05 Jul 2018 15:45:32 -0400

Thanks, I am going to schedule for 9am so we can get it taken care of first thing.

From: Sun, Howard C. EOP/CEQ
Sent: Thursday, July 5, 2018 2:33 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6)> Szabo, Aaron L. EOP/CEQ <(b) (6)>
Neumayr, Mary B. EOP/CEQ <(b) (6)>
Cc: Schneider, Daniel J. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)>
Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

Katherine,

I can be flexible tomorrow morning. Let me know when to bring my laptop over.

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

From: Seale, Viktoria Z. EOP/CEQ
Sent: Thursday, July 5, 2018 2:31 PM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Cc: Sun, Howard C. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)>
Pettigrew, Theresa L. EOP/CEQ <(b) (6)>
Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

All,

The Office of Federal Register has given the comment extension notice a preliminary review and made no suggested changes. I did make one minor change, however, "advance notice of proposed rulemaking" had been spelled out and abbreviated in the Summary so I removed "advance notice of proposed rulemaking" and the parentheses from around ANPRM from the Supplementary Information section.

Attached is the version that should be submitted to the Federal Register (by Howard) after the signature process is complete. Howard, we would like to submit this to the Federal Register tomorrow morning so let's coordinate the signature process with Mary and Katherine.

Please note that once the notice is officially submitted to the Federal Register we still may receive feedback so Howard and I will keep you posted if there are any last minute edits. If you have any questions, please let me know.

Thank you,

Viktoria

From: Szabo, Aaron L. EOP/CEQ

Sent: Wednesday, July 4, 2018 5:43 PM

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

<(b) (6)>

Cc: Sun, Howard C. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ

<(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)>

Subject: CEQ NEPA ANPRM Comment Extension FRN: Final Version

Viktoria and Mary,

I have accepted your comments and please find attached the final version of the CEQ NEPA ANPRM comment extension Federal Register Notice.

I am cc'ing Howard, Dan and Theresa for their awareness as I will be out of the office on Thursday and Friday (but available via phone and will have my laptop with me).

Thank you and let me know if you need anything.

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

From : "Sun, Howard C. EOP/CEQ" <(b) (6)>
To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Cc: "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)> "Smith, Katherine R. EOP/CEQ" <(b) (6)>
Date: Thu, 05 Jul 2018 14:32:41 -0400

Katherine,

I can be flexible tomorrow morning. Let me know when to bring my laptop over.

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

From: Seale, Viktoria Z. EOP/CEQ
Sent: Thursday, July 5, 2018 2:31 PM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Cc: Sun, Howard C. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

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From: Szabo, Aaron L. EOP/CEQ

Sent: Wednesday, July 4, 2018 5:43 PM

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<(b) (6)>

Cc: Sun, Howard C. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ

<(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)>

Subject: CEQ NEPA ANPRM Comment Extension FRN: Final Version

Viktoria and Mary,

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Thank you and let me know if you need anything.

Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

Re: CEQ NEPA ANPRM Comment Extension FRN: Final Version

From: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>
To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
Date: Thu, 05 Jul 2018 14:32:37 -0400

Thank you very much.

Sent from my iPhone

On Jul 5, 2018, at 2:31 PM, Seale, Viktoria Z. EOP/CEQ <(b) (6)> wrote:

All,

The Office of Federal Register has given the comment extension notice a preliminary review and made no suggested changes. I did make one minor change, however, "advance notice of proposed rulemaking" had been spelled out and abbreviated in the Summary so I removed "advance notice of proposed rulemaking" and the parentheses from around ANPRM from the Supplementary Information section.

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Sent: Wednesday, July 4, 2018 5:43 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Cc: Sun, Howard C. EOP/CEQ <Howard.C.Sun@ceq.eop.gov>; Schneider, Daniel J. EOP/CEQ <Daniel.J.Schneider@ceq.eop.gov>; Pettigrew, Theresa L. EOP/CEQ <(b) (6)>
Subject: CEQ NEPA ANPRM Comment Extension FRN: Final Version

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Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

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

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

(b) (6) [REDACTED]

<CEQ NEPA ANPRM_Comment Period Extension_FRVersion.docx>

Draft Notice - ANPRM Comment Period Extension

From: "Seale, Viktoria Z. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=af5f6888d706481b94d18088a30821c9-se">
To: miriam.vincent@nara.gov
Date: Thu, 05 Jul 2018 11:08:14 -0400
Attachments: CEQ NEPA ANPRM_Comment Period Extension_Final2.docx (42.42 kB)

Miriam,

I hope you had a nice 4th of July.

Attached please find a draft notice to extend the comment period for the CEQ ANPRM that was published in the Federal Register on June 20, 2018.

We would appreciate your office reviewing the notice and letting us know if there are any changes that need to be made before we submit it to OFR for publication.

If you need to speak with me, please feel free to contact me directly at (b) (6)

Thank you,

Viktoria

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

RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

From: "Sun, Howard C. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=d09f541a1ae44400bcf25f4ff89d91d7-su">
To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Cc: "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)> "Smith, Katherine R. EOP/CEQ" <(b) (6)>
Date: Thu, 05 Jul 2018 14:32:38 -0400

Katherine,

I can be flexible tomorrow morning. Let me know when to bring my laptop over.

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

From: Seale, Viktoria Z. EOP/CEQ
Sent: Thursday, July 5, 2018 2:31 PM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Cc: Sun, Howard C. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

All,

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Sent: Wednesday, July 4, 2018 5:43 PM

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

<(b) (6)>

Cc: Sun, Howard C. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ

<(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)>

Subject: CEQ NEPA ANPRM Comment Extension FRN: Final Version

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I am cc'ing Howard, Dan and Theresa for their awareness as I will be out of the office on Thursday and Friday (but available via phone and will have my laptop with me).

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Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

From: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>
To: "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Cc: "Sun, Howard C. EOP/CEQ" <(b) (6)> "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)> "Smith, Katherine R. EOP/CEQ" <(b) (6)>
Date: Thu, 05 Jul 2018 14:31:22 -0400

Attachments
: CEQ NEPA ANPRM_Comment Period Extension_FRVersion.docx (41.12 kB)

All,

The Office of Federal Register has given the comment extension notice a preliminary review and made no suggested changes. I did make one minor change, however, "advance notice of proposed rulemaking" had been spelled out and abbreviated in the Summary so I removed "advance notice of proposed rulemaking" and the parentheses from around ANPRM from the Supplementary Information section.

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From: Szabo, Aaron L. EOP/CEQ
Sent: Wednesday, July 4, 2018 5:43 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Cc: Sun, Howard C. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)>
Subject: CEQ NEPA ANPRM Comment Extension FRN: Final Version

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Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

From: "Smith, Katherine R. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=e45de0bbb5ca4e87a4c4528ec12a7b03-sm">
To: "Sun, Howard C. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)>
Cc: "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>
Date: Thu, 05 Jul 2018 15:45:29 -0400

Thanks, I am going to schedule for 9am so we can get it taken care of first thing.

From: Sun, Howard C. EOP/CEQ
Sent: Thursday, July 5, 2018 2:33 PM
To: Seale, Viktoria Z. EOP/CEQ <(b) (6)> Szabo, Aaron L. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Cc: Schneider, Daniel J. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

Katherine,

I can be flexible tomorrow morning. Let me know when to bring my laptop over.

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Howard Sun
Attorney Advisor
Council on Environmental Quality
Executive Office of the President
Office: (b) (6)

From: Seale, Viktoria Z. EOP/CEQ
Sent: Thursday, July 5, 2018 2:31 PM
To: Szabo, Aaron L. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>
Cc: Sun, Howard C. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>
Subject: RE: CEQ NEPA ANPRM Comment Extension FRN: Final Version

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Sent: Wednesday, July 4, 2018 5:43 PM

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

<(b) (6)>

Cc: Sun, Howard C. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ

<(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)>

Subject: CEQ NEPA ANPRM Comment Extension FRN: Final Version

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Aaron L. Szabo

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

**FW: [EXTERNAL] Office of the federal Register:Submission
Status: ID:W762018112957659**

From: "Sun, Howard C. EOP/CEQ" <(b) (6)>
:
"Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Neumayr, Mary B.
To: EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ"
<(b) (6)> "Matos, Angela R. EOP/CEQ"
<(b) (6)>
Date: Fri, 06 Jul 2018 11:33:15 -0400

FYI

From: noreply@fedreg.gov <noreply@fedreg.gov>
Sent: Friday, July 6, 2018 11:31 AM
To: Sun, Howard C. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

Submission ID: W762018112957659

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

RE: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

From: "Matos, Angela R. EOP/CEQ" <(b) (6)>
To: "Sun, Howard C. EOP/CEQ" <(b) (6)>
Date: Fri, 06 Jul 2018 12:46:50 -0400

When you say magnifying glass do you mean the 4 little boxes in the lower left corner? I'm at my desk if you wanna swing by.

From: Sun, Howard C. EOP/CEQ
Sent: Friday, July 6, 2018 11:53 AM
To: Matos, Angela R. EOP/CEQ <(b) (6)>
Subject: RE: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

Please check a couple of things.

- Click on the magnifying glass at the bottom left of your computer. Start typing GSA. You should see GSA PKCS7 Signing Tool. If you don't, let me know.
- Go to <https://webportal.fedreg.gov> and make sure you can login.

From: Matos, Angela R. EOP/CEQ
Sent: Friday, July 6, 2018 11:50 AM
To: Sun, Howard C. EOP/CEQ <(b) (6)>
Subject: Re: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

Yes however you may want to walk me through it. I've never done it before.

Sent from my iPhone

On Jul 6, 2018, at 11:49 AM, Sun, Howard C. EOP/CEQ <(b) (6)> wrote:

You're also on the list as an OFR liaison, right? Mary's asking what happens if we need to submit something to OFR when I'm away in August.

From: Matos, Angela R. EOP/CEQ
Sent: Friday, July 6, 2018 11:45 AM
To: Sun, Howard C. EOP/CEQ <(b) (6)>
Subject: Re: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

On top of as usual. Thanks Howard!

Sent from my iPhone

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Sent: Friday, July 6, 2018 11:31 AM
To: Sun, Howard C. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

Submission ID: W762018112957659

File Name	Validation Result	Handling File	Validation Result	Upload Status	Remarks
CEQ NEPA ANPRM_ Comment Period Extension_FRVersion.docx.p7m	PASSED			PASSED	

Re: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

From: "Matos, Angela R. EOP/CEQ" <(b) (6)>
To: "Sun, Howard C. EOP/CEQ" <(b) (6)>
Date: Fri, 06 Jul 2018 11:49:57 -0400

Yes however you may want to walk me through it. I've never done it before.

Sent from my iPhone

On Jul 6, 2018, at 11:49 AM, Sun, Howard C. EOP/CEQ (b) (6) > wrote:

You're also on the list as an OFR liaison, right? Mary's asking what happens if we need to submit something to OFR when I'm away in August.

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Subject: Re: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

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Sent: Friday, July 6, 2018 11:31 AM
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Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

Submission ID: W762018112957659

File Name	Validation Result	Handling File	Validation Result	Upload Status	Remarks
CEQ NEPA ANPRM_ Comment Period Extension_FRVersion.docx.p7m	PASSED			PASSED	

Re: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

From: "Matos, Angela R. EOP/CEQ" <(b) (6)>
To: "Sun, Howard C. EOP/CEQ" <(b) (6)>
Date: Fri, 06 Jul 2018 11:45:27 -0400

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Sent from my iPhone

On Jul 6, 2018, at 11:33 AM, Sun, Howard C. EOP/CEQ <(b) (6)> wrote:

FYI

From: noreply@fedreg.gov <noreply@fedreg.gov>
Sent: Friday, July 6, 2018 11:31 AM
To: Sun, Howard C. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

Submission ID: W762018112957659

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CEQ NEPA ANPRM_ Comment Period Extension_FRVersion.docx.p7m	PASSED			PASSED	

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From: "Sun, Howard C. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=d09f541a1ae44400bcf25f4ff89d91d7-su">
To: "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Matos, Angela R. EOP/CEQ" <(b) (6)>
Date: Fri, 06 Jul 2018 11:33:14 -0400

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Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

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CEQ NEPA ANPRM_Comment Period Extension_FRVersion.docx.p7m	PASSED			PASSED	

**[EXTERNAL] Office of the federal Register:Submission
Status: ID:W762018112957659**

From: noreply@fedreg.gov

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

Date: Fri, 06 Jul 2018 11:30:36 -0400

Submission ID: W762018112957659

File Name	Validation Result	Handling File	Validation Result	Upload Status	Remarks
CEQ NEPA ANPRM Comment Period Extension FR Version.docx.p7m	PASSED			PASSED	

RE: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

From: "Sun, Howard C. EOP/CEQ" <(b) (6)>
To: "Matos, Angela R. EOP/CEQ" <(b) (6)>
Date: Fri, 06 Jul 2018 11:52:32 -0400

Please check a couple of things.

- Click on the magnifying glass at the bottom left of your computer. Start typing GSA. You should see GSA PKCS7 Signing Tool. If you don't, let me know.
- Go to <https://webportal.fedreg.gov> and make sure you can login.

From: Matos, Angela R. EOP/CEQ
Sent: Friday, July 6, 2018 11:50 AM
To: Sun, Howard C. EOP/CEQ <(b) (6)>
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To: Sun, Howard C. EOP/CEQ <(b) (6)>

Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

Submission ID: W762018112957659

File Name	Validation Result	Handling File	Validation Result	Upload Status	Remarks
CEQ NEPA ANPRM_ Comment Period Extension_FRVersion.docx.p7m	PASSED			PASSED	

RE: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

From: "Sun, Howard C. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=d09f541a1ae44400bcf25f4ff89d91d7-su">
To: "Matos, Angela R. EOP/CEQ" (b) (6)
Date: Fri, 06 Jul 2018 11:52:29 -0400

Please check a couple of things.

- Click on the magnifying glass at the bottom left of your computer. Start typing GSA. You should see GSA PKCS7 Signing Tool. If you don't, let me know.
- Go to <https://webportal.fedreg.gov> and make sure you can login.

From: Matos, Angela R. EOP/CEQ
Sent: Friday, July 6, 2018 11:50 AM
To: Sun, Howard C. EOP/CEQ (b) (6)
Subject: Re: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

Yes however you may want to walk me through it. I've never done it before.

Sent from my iPhone

On Jul 6, 2018, at 11:49 AM, Sun, Howard C. EOP/CEQ (b) (6) > wrote:

You're also on the list as an OFR liaison, right? Mary's asking what happens if we need to submit something to OFR when I'm away in August.

From: Matos, Angela R. EOP/CEQ
Sent: Friday, July 6, 2018 11:45 AM
To: Sun, Howard C. EOP/CEQ (b) (6) >
Subject: Re: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

On top of as usual. Thanks Howard!

Sent from my iPhone

On Jul 6, 2018, at 11:33 AM, Sun, Howard C. EOP/CEQ (b) (6) > wrote:

FYI

From: noreply@fedreg.gov <noreply@fedreg.gov>

Sent: Friday, July 6, 2018 11:31 AM

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

Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

Submission ID: W762018112957659

File Name	Validation Result	Handling File	Validation Result	Upload Status	Remarks
CEQ NEPA ANPRM_ Comment Period Extension_FRVersion.docx.p7m	PASSED			PASSED	

RE: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

From: "Sun, Howard C. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=d09f541a1ae44400bcf25f4ff89d91d7-su">
To: "Matos, Angela R. EOP/CEQ" (b) (6)
Date: Fri, 06 Jul 2018 11:49:02 -0400

You're also on the list as an OFR liaison, right? Mary's asking what happens if we need to submit something to OFR when I'm away in August.

From: Matos, Angela R. EOP/CEQ
Sent: Friday, July 6, 2018 11:45 AM
To: Sun, Howard C. EOP/CEQ (b) (6)
Subject: Re: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

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Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

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

RE: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

From: "Sun, Howard C. EOP/CEQ" <(b) (6)>
To: "Matos, Angela R. EOP/CEQ" <(b) (6)>
Date: Fri, 06 Jul 2018 11:49:05 -0400

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From: Matos, Angela R. EOP/CEQ
Sent: Friday, July 6, 2018 11:45 AM
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Sent: Friday, July 6, 2018 11:31 AM
To: Sun, Howard C. EOP/CEQ <(b) (6)>
Subject: [EXTERNAL] Office of the federal Register:Submission Status: ID:W762018112957659

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

Task: initial review of comments on Advance Notice of Proposed Rulemaking

From: "Mansoor, Yarden M. EOP/CEQ" <(b) (6)>
To: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>
Cc: "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Mon, 09 Jul 2018 13:01:49 -0400
Attachments: Draft response log.xlsx (51.79 kB)

Erin,

Katherine suggested that you would be available to help with a task screening the comments received on the ANPR and filling in columns D onward in the attached spreadsheet.

Are you free to meet later this afternoon or tomorrow morning?

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

RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

From: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>
To: "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>
Cc: "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Mon, 09 Jul 2018 13:19:19 -0400

Hi Yardena,

I don't have any meetings for the rest of the day today if you would like to meet sometime this afternoon! I am also free most of the day tomorrow.

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Monday, July 9, 2018 1:02 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Cc: Smith, Katherine R. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)>
Subject: Task: initial review of comments on Advance Notice of Proposed Rulemaking

Erin,

Katherine suggested that you would be available to help with a task screening the comments received on the ANPR and filling in columns D onward in the attached spreadsheet.

Are you free to meet later this afternoon or tomorrow morning?

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

RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

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

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

Date: Mon, 09 Jul 2018 13:43:10 -0400

2:30 sounds good!

From: Mansoor, Yardena M. EOP/CEQ

Sent: Monday, July 9, 2018 1:42 PM

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

Subject: RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

I'm going to hunt down a sandwich, then we can get together. How about 2:30 in my office (next to Ted's).

I'm out of the office Wednesday, so it would be best to meet today -- if you have any questions as you get started, I'll still be around most of tomorrow.

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

Sent: Monday, July 9, 2018 1:19 PM

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

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

Subject: RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

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Sent: Monday, July 9, 2018 1:02 PM

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

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

Subject: Task: initial review of comments on Advance Notice of Proposed Rulemaking

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

RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

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, 09 Jul 2018 13:42:29 -0400

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Cc: Smith, Katherine R. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)>
Subject: RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

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Subject: Task: initial review of comments on Advance Notice of Proposed Rulemaking

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Are you free to meet later this afternoon or tomorrow morning?

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

FW: CEQ NEPA Regulations ANPRM

From: FN-CEQ-NEPA (b) (6)
To: "McLaurin, Juschelle D. EOP/CEQ" <(b) (6)> "Green, Mary A. EOP/CEQ" <(b) (6)>
Cc: "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Cook, Kearstyn N. EOP/CEQ (Intern)" <(b) (6)> "Carlin, Erin A. EQP/CEQ (Intern)" <(b) (6)> "Rand-Diaz, Jennifer N. EOP/CEQ (Intern)" <(b) (6)>
Date: Tue, 10 Jul 2018 16:04:49 -0400
Attachments: 2018-14821.pdf (212.33 kB)

FYI – in case there are any inquiries to the front desk about the comment deadline for the NEPA ANPRM. The deadline was extended to August 20.

From: FN-CEQ-NEPA
Sent: Tuesday, July 10, 2018 10:46 AM
To: FN-CEQ-NEPA (b) (6)
Subject: FW: CEQ NEPA Regulations ANPRM

Dear Colleagues,

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

Sincerely,

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

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



[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: CEQ NEPA Regulations ANPRM

From: FN-CEQ-NEPA (b) (6)
To: "Schneider, Daniel J. EOP/CEQ" <(b) (6)>
"Boling, Ted A. EOP/CEQ" <(b) (6)> "Drummond, Michael
Cc: R. EOP/CEQ" (b) (6) "Mansoor, Yardena M.
EOP/CEQ" <(b) (6)>
Date: Tue, 10 Jul 2018 10:44:08 -0400
Attachments 2018-14821.pdf (212.33 kB)
:

Dear Colleagues,

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

Sincerely,

Michael Drummond
Deputy Associate Director for NEPA
Council on Environmental Quality

(b) (6)

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

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Sincerely,
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Associate Director for the
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Council on Environmental Quality
730 Jackson Place
Washington, DC 20503



[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.

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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.

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]

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From: FN-CEQ-NEPA (b) (6)
To: FN-CEQ-NEPA (b) (6)
Date: Tue, 10 Jul 2018 10:46:29 -0400
Attachments: 2018-14821.pdf (212.33 kB)

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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

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730 Jackson Place
Washington, DC 20503



[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.

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

RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

From: "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">
To: "Carlin, Erin A. EOP/CEO (Intern)" <(b) (6)>
Date: Thu, 12 Jul 2018 11:06:03 -0400

Let's say 11:15.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Thursday, July 12, 2018 11:05 AM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

I can come now if it is a good time for you!

From: Mansoor, Yardena M. EOP/CEQ
Sent: Thursday, July 12, 2018 11:05 AM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

Shall we meet now or after lunch?

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Thursday, July 12, 2018 10:37 AM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

I finished the first part of the assignment! I have highlighted some of the entries that I have questions on.

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

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

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

Date: Thu, 12 Jul 2018 11:05:25 -0400

I can come now if it is a good time for you!

From: Mansoor, Yardena M. EOP/CEQ
Sent: Thursday, July 12, 2018 11:05 AM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
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(b) (6) / (b) (6)

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To: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>
Cc: "Drummond, Michael R. EOP/CEQ" <(b) (6)>
Date: Thu, 12 Jul 2018 14:29:55 -0400
Attachments: 02 ANOPR Comment Log to Erin 7-12 for updates.xlsx (56.19 kB)

Good work, Erin, thanks!

Here is the next batch to screen. I filled in a few, just to get a sense of the responses, so please resume with 0269.

Notes:

- Looks like there's a campaign from a group called Oregon Natural Desert Association (ONDA), though only a few of them cite the organization in their ID. When you recognize them, you can refer to the first one, as we did for the other campaign set.
- In column F, except for campaign comments, add periods or other punctuation to make it easier to read.
- In case we need to summarize the extension requests, translate them all into "Requested XX-day extension." That is, a request for a comment period of 90 days and a request for an additional 60 days are both recorded as "Requested 60-day extension." In some cases, it is "at least XX-day extension." I changed a few accordingly.

Let me know if you have any questions.

Yardena

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To: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>
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Date: Thu, 12 Jul 2018 10:37:02 -0400
Attachments: Draft response log.xlsx (52.46 kB)

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To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

I'm going to hunt down a sandwich, then we can get together. How about 2:30 in my office (next to Ted's).

I'm out of the office Wednesday, so it would be best to meet today -- if you have any questions as you get started, I'll still be around most of tomorrow.

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Monday, July 9, 2018 1:19 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Cc: Smith, Katherine R. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)>
Subject: RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

Hi Yardena,

I don't have any meetings for the rest of the day today if you would like to meet sometime this afternoon! I am also free most of the day tomorrow.

Best,

Erin Carlin

From: Mansoor, Yardena M. EOP/CEQ
Sent: Monday, July 9, 2018 1:02 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Cc: Smith, Katherine R. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)>
Subject: Task: initial review of comments on Advance Notice of Proposed Rulemaking

Erin,

Katherine suggested that you would be available to help with a task screening the comments received on the ANPR and filling in columns D onward in the attached spreadsheet.

Are you free to meet later this afternoon or tomorrow morning?

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

RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

From: "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">
To: "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>
Date: Thu, 12 Jul 2018 09:23:54 -0400

How's it going? Any questions or issues? When is a good time to meet today for an update?

Another 50 comments have been posted, so I updated the master chart. When you are done with the first batch, I'll transfer your entries onto the master and we can consider the workload going forward.

Y

From: Carlin, Erin A. EOP/CEQ (Intern)
Sent: Monday, July 9, 2018 1:43 PM
To: Mansoor, Yardena M. EOP/CEQ <(b) (6)>
Subject: RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

2:30 sounds good!

From: Mansoor, Yardena M. EOP/CEQ
Sent: Monday, July 9, 2018 1:42 PM
To: Carlin, Erin A. EOP/CEQ (Intern) <(b) (6)>
Subject: RE: Task: initial review of comments on Advance Notice of Proposed Rulemaking

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

Questions Doc

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)>
Date: Mon, 16 Jul 2018 11:16:47 -0400
Attachments: Mock Hearing_7_13_18.docx (155.27 kB)

Katherine Smith
Special Assistant
Council on Environmental Quality
(b) (6)

Questions Doc

From: "Smith, Katherine R. EOP/CEQ" <(b) (6)>
To: "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>
Date: Mon, 16 Jul 2018 11:16:49 -0400
Attachments: Mock Hearing_7_13_18.docx (155.27 kB)

Katherine Smith
Special Assistant
Council on Environmental Quality
(b) (6)

RE: Letter to CEQ on NEPA ANPRM

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)>

Date: Tue, 17 Jul 2018 09:07:04 -0400

You got it

From: Pettigrew, Theresa L. EOP/CEQ

Sent: Tuesday, July 17, 2018 9:07 AM

To: Smith, Katherine R. EOP/CEQ <(b) (6)>

Subject: Letter to CEQ on NEPA ANPRM

Katherine, Mary will ask you to print copies for the NEPA meeting this morning. thanks.

Letter to CEQ on NEPA ANPRM

From: "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>
To: "Smith, Katherine R. EOP/CEQ" <(b) (6)>
Date: Tue, 17 Jul 2018 09:06:49 -0400
Attachments: 07.11.18 - CEQ Letter FINAL.pdf (867.17 kB)

Katherine, Mary will ask you to print copies for the NEPA meeting this morning. thanks.

United States Senate
WASHINGTON, DC 20510

July 11, 2006

Ms. Mary Newman
Chief of Staff
Council on Environmental Quality
720 Jackson Place NW
Washington DC 20506

Dear Ms. Newman:

We write today in response to the Advanced Notice of Proposed Rulemaking (ANPRM) that was released by CEQ on June 20th. The questions posed in this ANPRM touch on every aspect of the National Environmental Policy Act (NEPA) process, and the regulatory changes that may result have the potential to profoundly affect how members of the public may engage in decisions made by Federal agencies. As you undertake such a broad review of NEPA, we request that you consider to hold public meetings and to extend the public comment period by an additional 60 days to allow for meaningful public input.

As you know, the current NEPA regulations were originally intended in 1970 in order to promote better decisions and to further the national policy to protect and enhance the quality of the environment. In the forty years since then, the substance of the regulations have been changed only once. Given the abundance of social, technological, and environmental changes that have occurred since 1970, we hope that the rulemaking process can result in a more active consideration of improving environmental outcomes, and opportunities for public involvement, while still expediting decision-making and reducing regulatory costs. Most importantly, any change must be certain not to degrade the quality of the human and natural environment, which is the central goal of NEPA.

In order for the regulatory process to achieve this optimal outcome, CEQ must commit to robust public involvement. Only by listening from the public can we be sure that the public will benefit from proposed changes. Unfortunately, the only mechanism for public input will be limited for the public to weigh in on the changes to implementation of the foundational environmental protection law. The ANPRM provides for only a 30-day comment period, and CEQ has made no commitment to hold public meetings, or forums or gather comments and suggestions from the general public.

Limiting public involvement for this type of regulatory overhaul is particularly concerning in this instance, given that the very intent of NEPA is to ensure that before undertaking significant actions—such as significant rulemaking—Federal agencies must hear from the public, and consider those public comments. As representatives of States from across the nation, our concerns about the implications of this rulemaking are wide-ranging. Changes to the NEPA process will affect decisions ranging from federal land management, to construction of roads and bridges, from flight patterns, to ecosystem restoration, to tribal negotiations, and more. Given this broad scope of potential changes, public involvement in the regulations should be *broader* than usual, and should include outreach to diverse constituents, through regional and national public meetings, as well as through online forums and targeted listening sessions with affected stakeholders.

As described in the current implementing regulations, which CEQ now seeks to change, one of the goals of NEPA is to “encourage and facilitate public involvement in decisions which affect the quality of the human environment.”¹¹ It further states explicitly that agencies shall “Make diligent efforts to involve the public in preparing and implementing their NEPA procedures.”¹² Changes to CEQ’s own NEPA procedures, which will affect project-level analysis and decisions in all Federal agencies, for decades to come, will have enormous consequences for the quality of the human environment, and therefore should be informed by ample public involvement.

Former CEQ directors have agreed on the importance of public involvement in developing implementing procedures, and there is significant precedent for CEQ to conduct public hearings as part of development of NEPA regulations. For instance, in 1977, in the notice of proposed rulemaking (NPRM) for the NEPA implementing procedures, CEQ described the process followed prior to publication of the NPRM and indicated the importance of the public hearings conducted. The NPRM stated in part that:

We have been greatly assisted in our task by the hundreds of people who responded to our call for suggestions on how to make the NEPA process work better. In public hearings which we held in June 1977, we invited testimony from a broad array of public officials, organizations, and private citizens, affirmatively involving NEPA’s critics as well as its friends. Among those represented were the U.S. Chamber of Commerce, which coordinated testimony from business; the Building and Construction Trades Department of the AFL-CIO, for labor; the National Conference of State Legislatures, for state and local governments; the Natural Resources Defense Council, for environmental groups. Scientists, scholars, and the general public were there.¹³

Additionally in 1985, the only other time that amendments have been made to CEQ’s NEPA procedures, public meetings were an important part of the process. The notice of proposed rulemaking in August 1985 provides record of CEQ’s outreach: “On March 18, 1985, the

¹¹ 40 CFR 15.0012(a)

¹² 40 CFR 15.0065(a)

¹³ National Environmental Policy Act—Regulations: Proposed Implementation of Procedural Provisions. Fed. Reg. Vol. 42, No. 112 (6/29/1977) page 25231. <https://eqlab.gov/doc/how-regulations/FR-1977-06-09-42-FR-25230-CEQ-NEPA-Regulations-1800FR.pdf>

Council held a meeting, open to the public, to discuss the comments received in response to the Advance Notice of Proposed Rulemaking.”⁴ In fact, CEQ at this time went so far as to prepare a special environmental assessment regarding the change, even though the change was limited to a single provision.

Another important way for CEQ to make “diligent efforts to involve the public” would be to provide a more meaningful public comment period. The rulemaking to propose the NEPA procedures that CEQ now seeks to change allowed 73 days for the public to provide comments and suggestions. Given the wide breadth of questions posed to the public in the ANPRM and the unprecedented scope of reforms that are being contemplated, it would be appropriate to provide an additional 60 days beyond the 30 days that has been proposed.

NEPA is perhaps the most important public involvement tool in our nation, and “diligent efforts to engage the public” is the standard established in the current NEPA implementing procedures. This standard should govern CEQ’s efforts to revise the implementing procedures. But perhaps even more important than compliance with existing regulations, CEQ should commit to ample public involvement because it will improve the quality of the final regulations. Thoughtful, effective, and publicly beneficial regulations are a shared goal for us all, and the best way to achieve that is by engaging the public. Thank you for working with us to ensure the best outcome for all Americans and for the natural environment we all share.

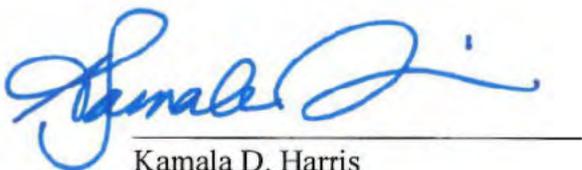
Sincerely,



Tom Carper
United States Senator



Benjamin L. Cardin
United States Senator



Kamala D. Harris
United States Senator

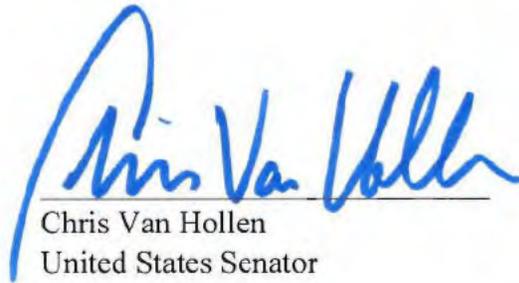


Robert Menendez
United States Senator

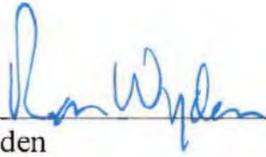
⁴ National Environmental Policy Act Regulations. Fed. Reg. Vol. 50, No. 154 (8/9/1985) page 32234
<https://ceq.doe.gov/docs/laws-regulations/FR-1985-08-09-50-FR-32238-CEQ-NEPA-Regulations-NOPR-amending-1502-22.pdf>



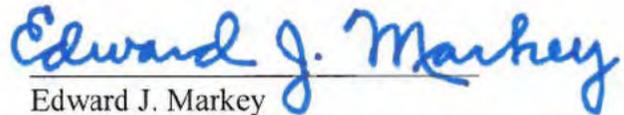
Tina Smith
United States Senator



Chris Van Hollen
United States Senator



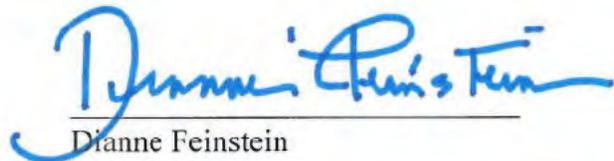
Ron Wyden
United States Senator



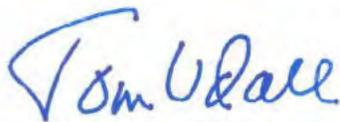
Edward J. Markey
United States Senator



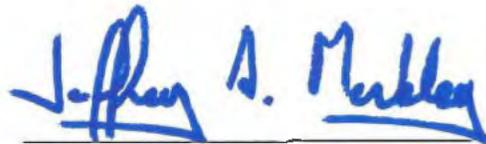
Sheldon Whitehouse
United States Senator



Dianne Feinstein
United States Senator



Tom Udall
United States Senator



Jeffrey A. Merkley
United States Senator

RE: Letter to CEQ on NEPA ANPRM

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

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

Date: Tue, 17 Jul 2018 09:07:07 -0400

You got it

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Sent: Tuesday, July 17, 2018 9:07 AM

To: Smith, Katherine R. EOP/CEQ <(b) (6)>

Subject: Letter to CEQ on NEPA ANPRM

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EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

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

On June 15, 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:

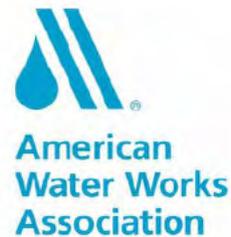
- On August 15, 2017, President Trump issued [Executive Order 13807](#) which directed CEQ to develop an initial list of actions it would take to enhance and modernize the Federal environmental review and authorization process.
- In its [initial list of actions](#) published in the *Federal Register* 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.



June 25, 2018

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

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

Dear Ms. Neumayr,

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

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

Thank you for consideration of our request.

Sincerely,

Diane VanDe Hei
Chief Executive Officer
Association of Metropolitan Water Agencies

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



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

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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 August 20, 2018. To comment, go to <https://www.regulations.gov> and follow the online instructions for submitting comments to Docket ID No. CEQ-2018-0001. Comments may also be submitted by mail. Send your comments to: Council on Environmental Quality, 730 Jackson Place NW, Washington, DC 20503, Attn: Docket No. CEQ-2018-0001.
- 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.

Certain browser plug-ins or extensions, such as Grammarly, may interfere with submitting comments on the comment form. If you have issues, please disable browser plugins and extensions and try submitting your comment again. If you need additional assistance, please contact the Help Desk at 1-877-378-5457.



Comment from David Ortman, NA

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

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

Comment

In response to CEQ's Federal Register Notice dated June 20, 2018 (83 FR 28591) request comments on an advanced notice of proposed rulemaking on "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act," the attached testimony and article are submitted as comments.

Thank you.

David E. Ortman
Attorney-at-Law
7043 22nd Ave N.W.
Seattle, WA 98117

Attachments (1)

[Oversight Hearing U.S. House Modernizing NEPA November 29, 20](#)

View Attachment: 

ID: CEQ-2018-0001-0521

Tracking Number: 1k2-94di-or4u

Document Information

Date Posted:

Jul 20, 2018

RIN:

0331-AA03

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Submitter Information

Submitter Name:

David Ortman

Organization Name:

NA

