

## FW: CEQ's agenda

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**From:** "Dorjets, Vlad EOP/OMB" <(b) (6)>  
**To:** "Marchese, April L. EOP/CEQ" <(b) (6)>  
**Date:** Mon, 26 Mar 2018 17:01:14 -0400  
**Attachments:** CEQ 2018 Spring Agenda Entries - 3\_23\_2018.docx (19.59 kB)

April – I am doing a quick review of CEQ's Spring Agenda since Chad is on vacation and noticed an item on NEPA regs. Could you please let me know (b) (5)

Thanks!

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**From:** Whiteman, Chad S. EOP/OMB  
**Sent:** Friday, March 23, 2018 5:15 PM  
**To:** Dorjets, Vlad EOP/OMB <(b) (6)>  
**Subject:** CEQ's agenda

Vlad,  
Attached is CEQ's agenda entries document and their change report. I've also attached the distribution list. Here is their MAX page: (b) (2)  
Thanks for doing the review!!!  
Chad

**COUNCIL ON ENVIRONMENTAL QUALITY**

**40 CFR 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 CEQ has issued or expects to issue and of currently effective rules that CEQ has scheduled for review. Additionally, CEQ 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](http://www.reginfo.gov), in a format that offers users enhanced ability to obtain information from the Agenda database. Agenda information is also available at [www.regulations.gov](http://www.regulations.gov), the government-wide website for submission of comments on proposed regulations.

[APG]

**NAME Mary Neumayr,**

*Chief of Staff,*

*Council on Environmental Quality.*

**Council on Environmental Quality—Prerule Stage**

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

**Council on Environmental Quality—Proposed Rule Stage**

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

<b>Council on Environmental Quality (CEQ)</b>	<b>Prerule Stage</b>

[APG]

**1. • UPDATE TO THE REGULATIONS FOR IMPLEMENTING THE PROCEDURAL PROVISIONS OF THE NATIONAL ENVIRONMENTAL POLICY ACT**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**EO 13771 Designation:** Other

**Legal Authority:** 42 U.S.C. 4371 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 the initial list of actions in the Federal Register on September 14, 2017 (82 FR 43226) and stated that CEQ intends to review existing CEQ regulations implementing the procedural requirements of the National Environmental Policy Act in order to identify changes needed to update and clarify those regulations. The regulations were issued in 1978, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents over the years, CEQ believes it is appropriate at this time to consider updating the implementing regulations.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/00/18	

**Regulatory Flexibility Analysis Required:** Undetermined

[APG]

**Government Levels Affected:** Undetermined

**Agency Contact:** Ted Boling, Council on Environmental Quality, 730 Jackson Place NW, Washington, DC 20506

Phone: 202 395-5750

**RIN:** 0331-AA03

Council on Environmental Quality (CEQ)	Proposed Rule Stage

**2. • FREEDOM OF INFORMATION ACT (FOIA) AND PRIVACY ACT REGULATIONS UPDATE**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**EO 13771 Designation:** Not subject to, not significant

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

**CFR Citation:** 40 CFR 1515 ; 40 CFR 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:**

[APG]

<b>Action</b>	<b>Date</b>	<b>FR Cite</b>
NPRM	07/00/18	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Viktoria Z. Seale, Council on Environmental Quality, 730 Jackson Place NW,  
Washington, DC 20506

Phone: 202 395-5750

**RIN:** 0331-AA02

[FR Doc. Filed 01-01-01; 0:00 AM]

[APG]

## [EXTERNAL] RE: Comment from CEQ?

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**From:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

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

**Date:** Mon, 07 May 2018 15:17:35 -0400

Very helpful. Thanks, Dan.

---

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

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

**To:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

**Subject:** RE: Comment from CEQ?

Hey Nick,

On background, attributable to a CEQ Spokesman:

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

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Hope that helps,

Dan

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**From:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

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

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

**Subject:** [EXTERNAL] Comment from CEQ?

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Thanks!

Nick Sobczyk  
E&E News reporter  
[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)  
Office: 202-446-0437  
Cell: (b) (6)  
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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

## RE: Comment from CEQ?

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

**To:** Nick Sobczyk <nsobczyk@eenews.net>

**Date:** Thu, 17 May 2018 11:58:27 -0400

Hey Nick,

What's your timing on this?

Dan

---

**From:** Nick Sobczyk <nsobczyk@eenews.net>

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

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

**Subject:** [EXTERNAL] RE: Comment from CEQ?

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**From:** Nick Sobczyk <nsobczyk@eenews.net>

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

**Date:** Thu, 17 May 2018 11:42:52 -0400

Hey Dan,

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**To:** Nick Sobczyk <nsobczyk@eenews.net>

**Date:** Fri, 18 May 2018 12:48:52 -0400

Hey Nick, still checking in on this.

Dan

---

**From:** Nick Sobczyk <nsobczyk@eenews.net>

**Sent:** Friday, May 18, 2018 10:06 AM

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

**Subject:** [EXTERNAL] RE: Comment from CEQ?

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

**Date:** Fri, 18 May 2018 10:05:42 -0400

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

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## [EXTERNAL] RE: Comment from CEQ?

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

**Date:** Mon, 21 May 2018 10:46:19 -0400

Sure: 202-446-0437

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

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

**To:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

**Subject:** RE: Comment from CEQ?

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

---

**From:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

**Sent:** Monday, May 21, 2018 10:39 AM

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

**Subject:** [EXTERNAL] RE: Comment from CEQ?

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

How long will the process take?

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

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

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

How many public comments is CEQ expecting to get?

Best,

Nick

---

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

**Sent:** Friday, May 18, 2018 12:49 PM

**To:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

**Subject:** RE: Comment from CEQ?

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**RE: EO 12866 Review of CEQ NEPA Procedural Provisions  
Prerule - CEQ passback attached - comments due noon 6/6**

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**From:** "Whiteman, Chad S. EOP/OMB" <(b) (6)>

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

**Date:** Fri, 01 Jun 2018 11:23:06 -0400

(b) (5)

**From:** Whiteman, Chad S. EOP/OMB

**Sent:** Friday, June 1, 2018 11:18 AM

**To:** Wold, Theo J. EOP/WHO <(b) (6)> Jain, Varun M. EOP/OMB

<(b) (6)> Upadhyaya, Shraddha A. EOP/OMB

<(b) (6)> Thomas, Amanda L. EOP/OMB

<(b) (6)> Wackler, Ted M. EOP/OSTP <(b) (6)>

Salvi, Mary E. EOP/WHO <(b) (6)> White, Peter J. EOP/WHO

<(b) (6)> Smith, Ja'Ron K. EOP/WHO <(b) (6)> Starling,

Ray A. EOP/WHO <(b) (6)> Brooke, Francis J. EOP/WHO

<(b) (6)> Fitzgerald, Timothy W. EOP/CEA

<(b) (6)> Abajian, Xander C. EOP/CEA

<(b) (6)> Pinkos, Stephen M. EOP/OVP <(b) (6)>

Hickey, Mike J. EOP/OMB <(b) (6)> Burgess, Scott H. EOP/OMB

<(b) (6)> Winters, Paul A. EOP/OMB <(b) (6)>

Derentz, Landon R. EOP/NSC <(b) (6)> Abbey, Tristan C. EOP/NSC

<(b) (6)> Laing, Sally S. EOP/USTR <Sally\_S\_Laing@ustr.eop.gov>; Patel, Mayur

R. EOP/USTR <Mayur\_R\_Patel@ustr.eop.gov>; Stradtman, Jennifer A. EOP/USTR

<Jennifer\_A\_Stradtman@ustr.eop.gov>; Miller, Ashley A. EOP/USTR <Ashley\_A\_Miller@ustr.eop.gov>;

Dougherty, Emily I. EOP/USTR <Emily\_I\_Dougherty@ustr.eop.gov>; 'John S. EOP/WHO Moran

(b) (6) <(b) (6)> 'Rosario A. EOP/OMB Palmieri

(b) (6) <(b) (6)> 'Laity, Jim (b) (6)

<(b) (6)> 'Christopher D. EOP/CEQ Prandoni

(b) (6) <(b) (6)> Trick, Bryant P.

EOP/USTR <Bryant\_Truck@ustr.eop.gov>; Abrams, Andrew D. EOP/OMB

<(b) (6)> Crutchfield, Craig C. EOP/OMB <(b) (6)>

McDonald, Christine A. EOP/OMB <(b) (6)> Roach, Emma K. EOP/OMB

<(b) (6)> Burnett, Ben D. EOP/OMB <(b) (6)>

Vallina, Cyndi A. EOP/OMB (b) (6) Nelson, Kimberly P. EOP/OMB

<(b) (6)> Lucas, Adrienne E. EOP/OMB

<(b) (6)> Fischietto, Mary S. EOP/OMB

<(b) (6)>

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

**Subject:** RE: EO 12866 Review of CEQ NEPA Procedural Provisions Prerule - CEQ passback attached - comments due noon 6/6

All, Attached is CEQs passback to interagency comments on the NEPA ANPRM. Please let me know if you have any follow-up comments by noon on Wednesday, June 6<sup>th</sup>. Thanks, Chad

**From:** Whiteman, Chad S. EOP/OMB

**Sent:** Monday, May 7, 2018 9:38 AM

**To:** Wold, Theo J. EOP/WHO <(b) (6)> Jain, Varun M. EOP/OMB

<(b) (6)> Upadhyaya, Shraddha A. EOP/OMB

<(b) (6)> Thomas, Amanda L. EOP/OMB

<(b) (6)> Wackler, Ted M. EOP/OSTP <(b) (6)>

Salvi, Mary E. EOP/WHO <(b) (6)> White, Peter J. EOP/WHO

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<(b) (6)> Pinkos, Stephen M. EOP/OVP <(b) (6)>

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

<(b) (6)> Hickey, Mike J. EOP/OMB <(b) (6)> Burgess,

Scott H. EOP/OMB <(b) (6)> Winters, Paul A. EOP/OMB

<(b) (6)> Derentz, Landon R. EOP/NSC <(b) (6)>

Abbey, Tristan C. EOP/NSC <(b) (6)> Laing, Sally S. EOP/USTR

<Sally\_S\_Laing@ustr.eop.gov>; Patel, Mayur R. EOP/USTR <Mayur\_R\_Patel@ustr.eop.gov>; Stradtman,

Jennifer A. EOP/USTR <Jennifer\_A\_Stradtman@ustr.eop.gov>; Miller, Ashley A. EOP/USTR

<Ashley\_A\_Miller@ustr.eop.gov>; Dougherty, Emily I. EOP/USTR <Emily\_I\_Dougherty@ustr.eop.gov>;

'John S. EOP/WHO Moran <(b) (6)> <(b) (6)> Rosario A.

EOP/OMB Palmieri <(b) (6)> <(b) (6)> Laity, Jim

<(b) (6)> <(b) (6)> Christopher D. EOP/CEQ Prandoni

<(b) (6)> <(b) (6)> Trick, Bryant P.

EOP/USTR <Bryant\_Trick@ustr.eop.gov>; Abrams, Andrew D. EOP/OMB

<(b) (6)> Crutchfield, Craig C. EOP/OMB <(b) (6)>

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<(b) (6)> Burnett, Ben D. EOP/OMB <(b) (6)>

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<(b) (6)> Lucas, Adrienne E. EOP/OMB

<(b) (6)>

**Cc:** Szabo, Aaron L. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ

<(b) (6)> 'Mary B. EOP/CEQ Neumayr <(b) (6)>

<(b) (6)>

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

All,

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

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

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

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

Thank you,  
Chad

Chad Whiteman  
Natural Resources and Environment Branch | Office of Information and Regulatory  
Affairs  
Office of Management and Budget | Executive Office of the President  
202-395-4718

(b) (6)

# Fwd: EO 12866 Review of CEQ NEPA Procedural Provisions

## Prerule - CEQ passback attached - comments due noon 6/6

**From:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**To:** "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)> "Smith, Katherine R. EOP/CEQ" <(b) (6)>  
**Date:** Fri, 01 Jun 2018 12:20:12 -0400  
**Attachments:** EO12866 Review CEQ NEPA ANPRM\_Revised\_RLSO.DOCX (48.1 kB); EO12866 Review CEQ Responses to Interagency Comments.docx (33.5 kB); EO12866 Review CEQ NEPA ANPRM\_Revised\_Clean.docx (47.61 kB)

FYI.

Sent from my iPhone

Begin forwarded message:

**From:** "Whiteman, Chad S. EOP/OMB" <(b) (6)>  
**Date:** June 1, 2018 at 11:18:20 AM EDT  
**To:** "Wold, Theo J. EOP/WHO" <(b) (6)> "Jain, Varun M. EOP/OMB" <(b) (6)>, "Upadhyaya, Shraddha A. EOP/OMB" <(b) (6)>, "Thomas, Amanda L. EOP/OMB" <(b) (6)>, "Wackler, Ted M. EOP/OSTP" <(b) (6)>, "Salvi, Mary E. EOP/WHO" <(b) (6)> "White, Peter J. EOP/WHO" <(b) (6)> "Smith, Ja'Ron K. EOP/WHO" <(b) (6)> "Starling, Ray A. EOP/WHO" <(b) (6)> "Brooke, Francis J. EOP/WHO" <(b) (6)> "Fitzgerald, Timothy W. EOP/CEA" <(b) (6)> "Abajian, Xander C. EOP/CEA" <(b) (6)> "Pinkos, Stephen M. EOP/OVP" <(b) (6)>, "Hickey, Mike J. EOP/OMB" <(b) (6)>, "Burgess, Scott H. EOP/OMB" <(b) (6)>, "Winters, Paul A. EOP/OMB" <(b) (6)>, "Derentz, Landon R. EOP/NSC" <(b) (6)> "Abbey, Tristan C. EOP/NSC" <(b) (6)> "Laing, Sally S. EOP/USTR" <Sally\_S\_Laing@ustr.eop.gov>, "Patel, Mayur R. EOP/USTR" <Mayur\_R\_Patel@ustr.eop.gov>, "Stradtman, Jennifer A. EOP/USTR" <Jennifer\_A\_Stradtman@ustr.eop.gov>, "Miller, Ashley A. EOP/USTR" <Ashley\_A\_Miller@ustr.eop.gov>, "Dougherty, Emily I. EOP/USTR" <Emily\_I\_Dougherty@ustr.eop.gov>, "Moran, John S. EOP/WHO" <(b) (6)> "Palmieri, Rosario A. EOP/OMB" <(b) (6)> "Laity, Jim A. EOP/OMB" <(b) (6)>, "Prandoni, Christopher D. EOP/CEQ" <(b) (6)> "Trick, Bryant P. EOP/USTR" <Bryant\_Trick@ustr.eop.gov>, "Abrams, Andrew D. EOP/OMB" <(b) (6)>, "Crutchfield, Craig C. EOP/OMB" <(b) (6)>, "McDonald, Christine A. EOP/OMB" <(b) (6)>, "Roach, Emma K. EOP/OMB" <(b) (6)>, "Burnett, Ben D. EOP/OMB" <(b) (6)>, "Vallina, Cyndi A. EOP/OMB" <(b) (6)> <(b) (6)>, "Nelson, Kimberly P. EOP/OMB" <(b) (6)>, "Lucas, Adrienne E. EOP/OMB" <(b) (6)>

"Fischietto, Mary S. EOP/OMB" <(b) (6)>  
Ce: "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
Subject: RE: EO 12866 Review of CEQ NEPA Procedural Provisions Prerule - CEQ passback attached - comments due noon 6/6

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**Sent:** Monday, May 7, 2018 9:38 AM  
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**Cc:** Szabo, Aaron L. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> 'Mary B. EOP/CEQ Neumayr (b) (6)> <(b) (6)>  
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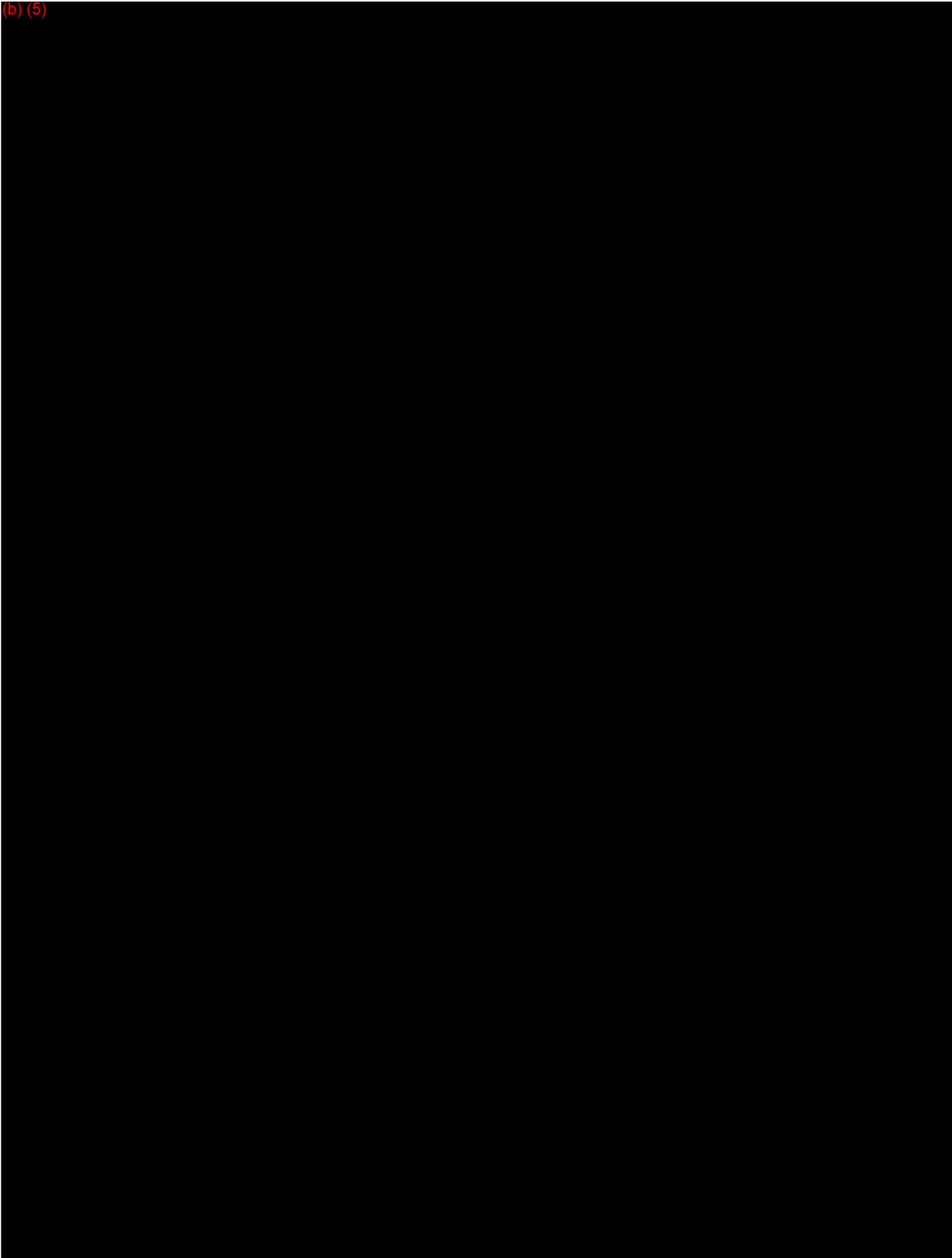
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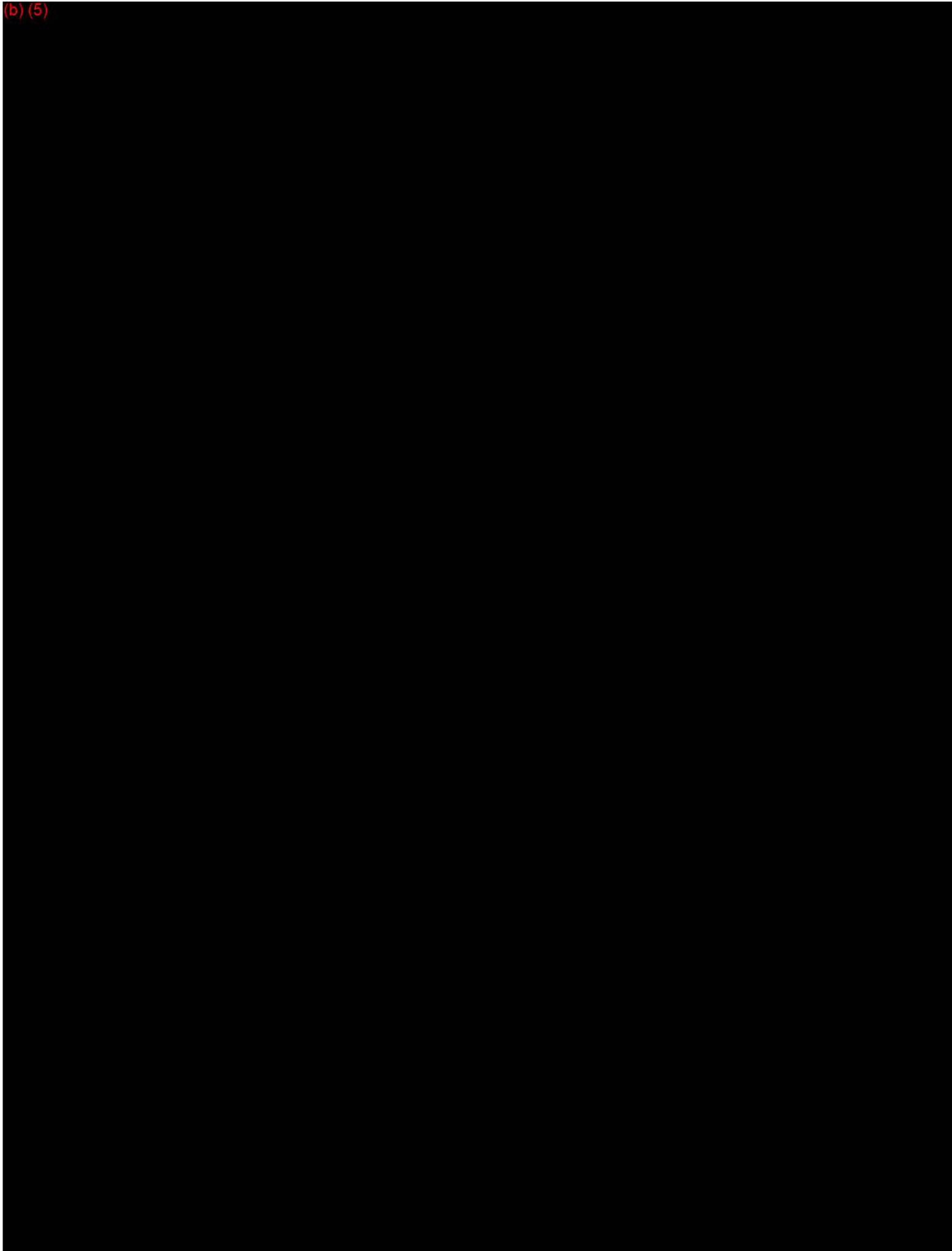
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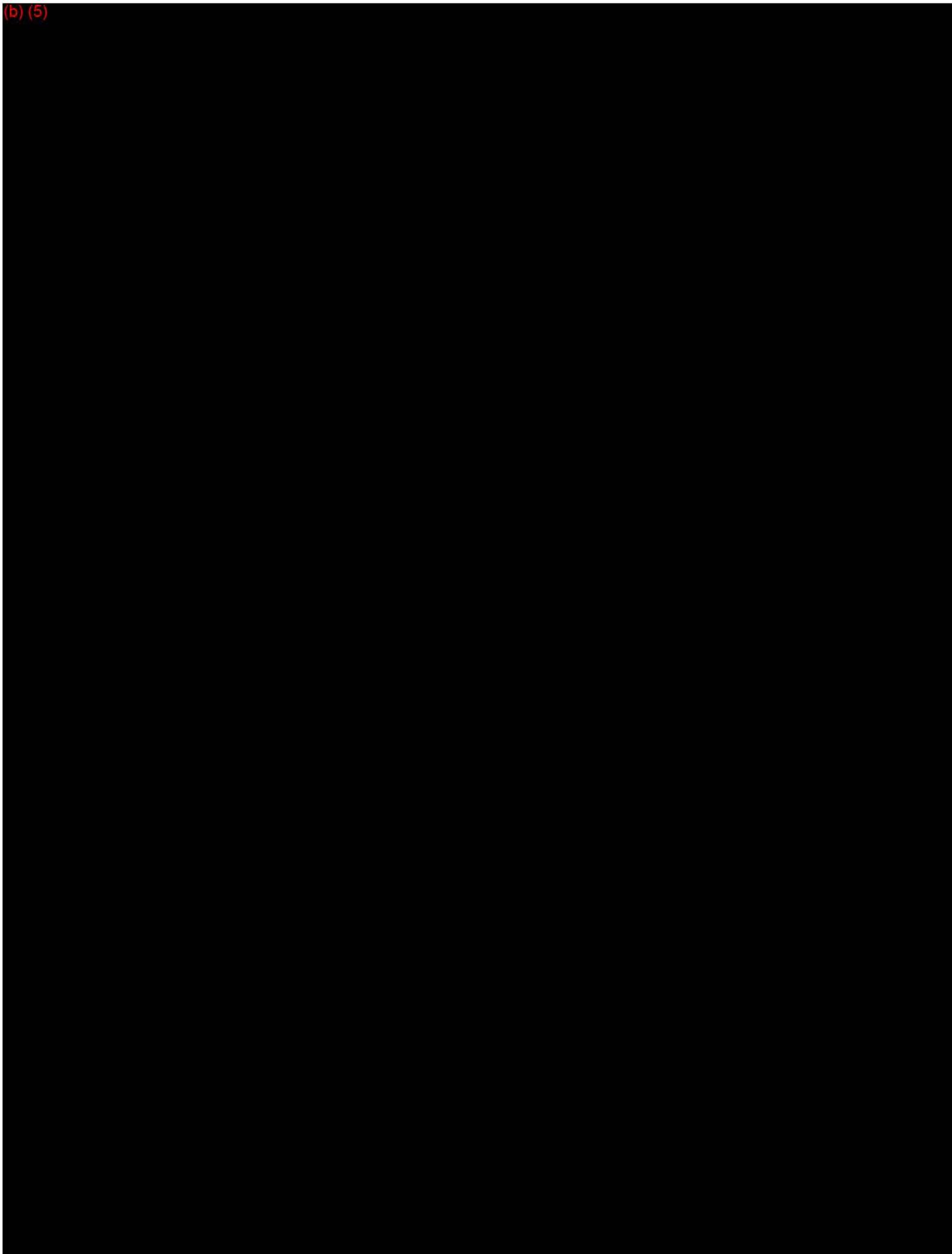
Thank you,  
Chad

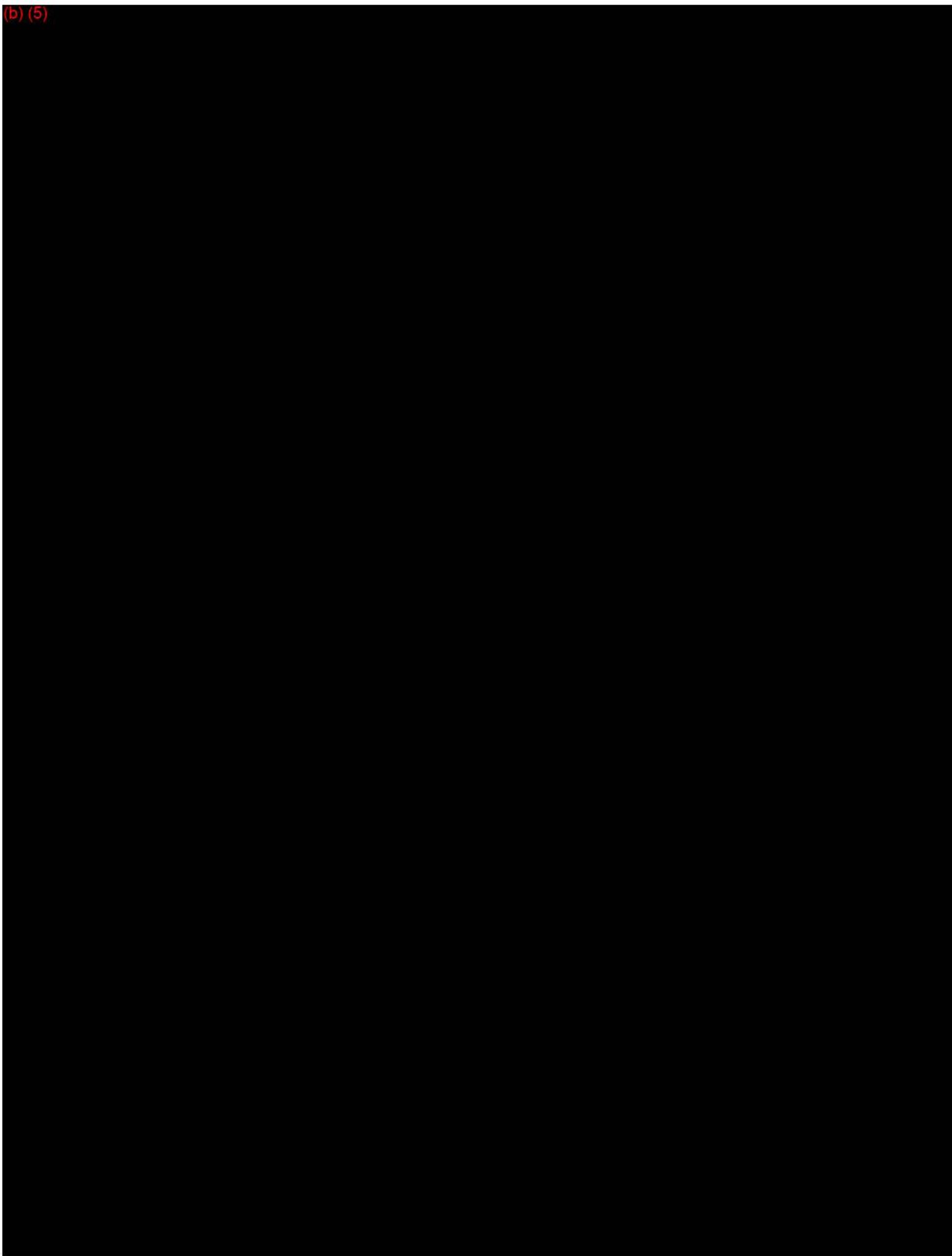
Chad Whiteman  
Natural Resources and Environment Branch | Office of Information and Regulatory Affairs  
Office of Management and Budget | Executive Office of the President  
202-395-4718

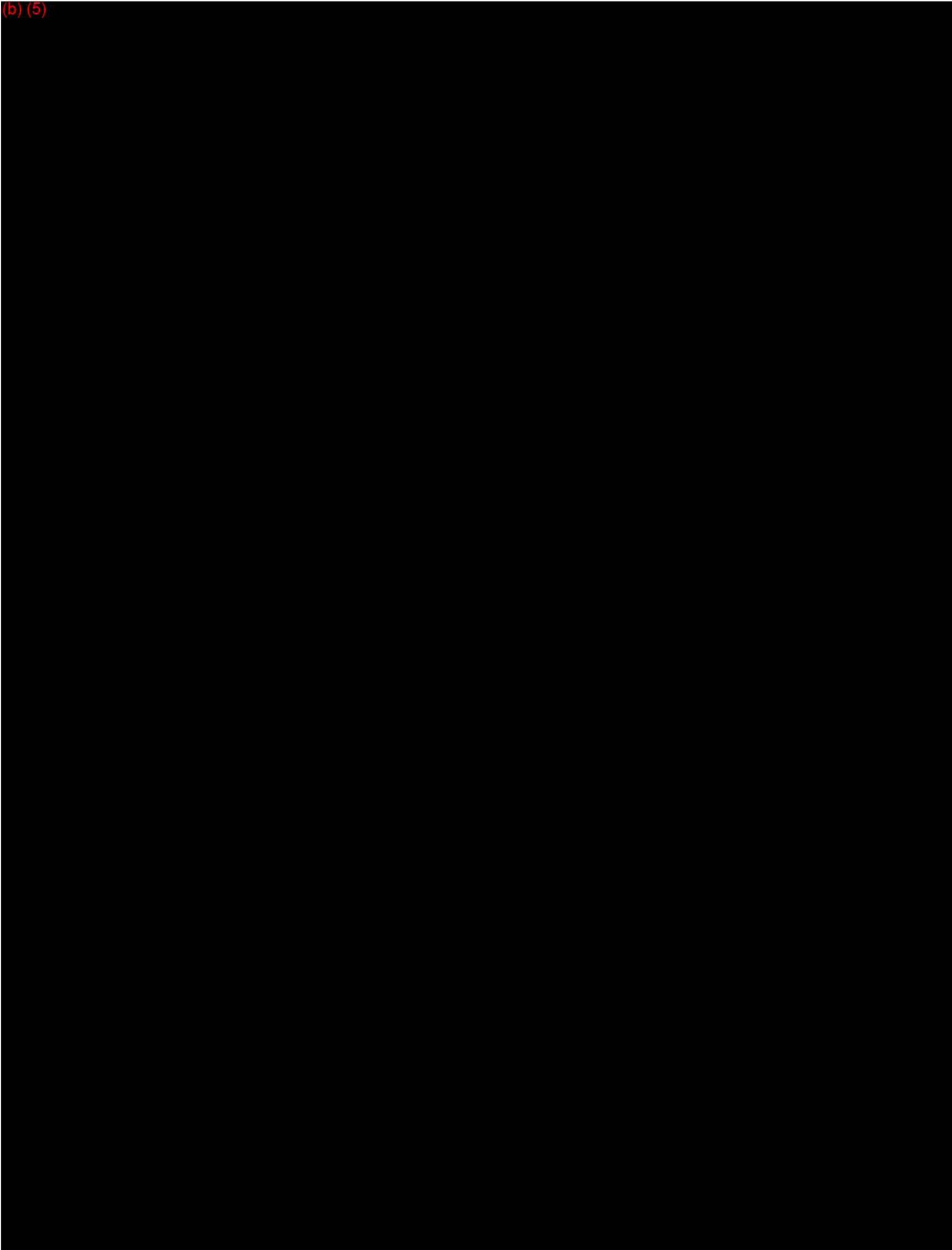
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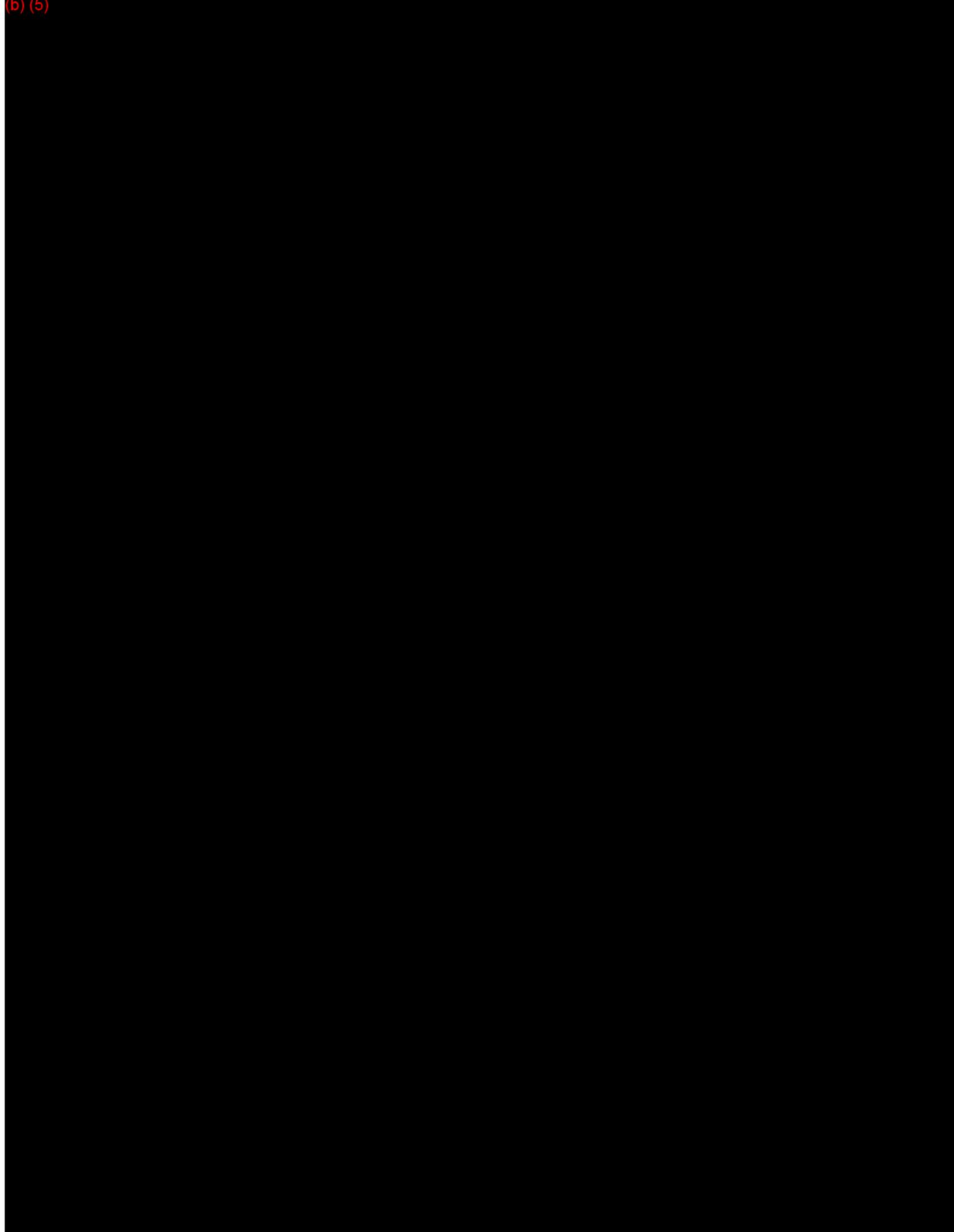




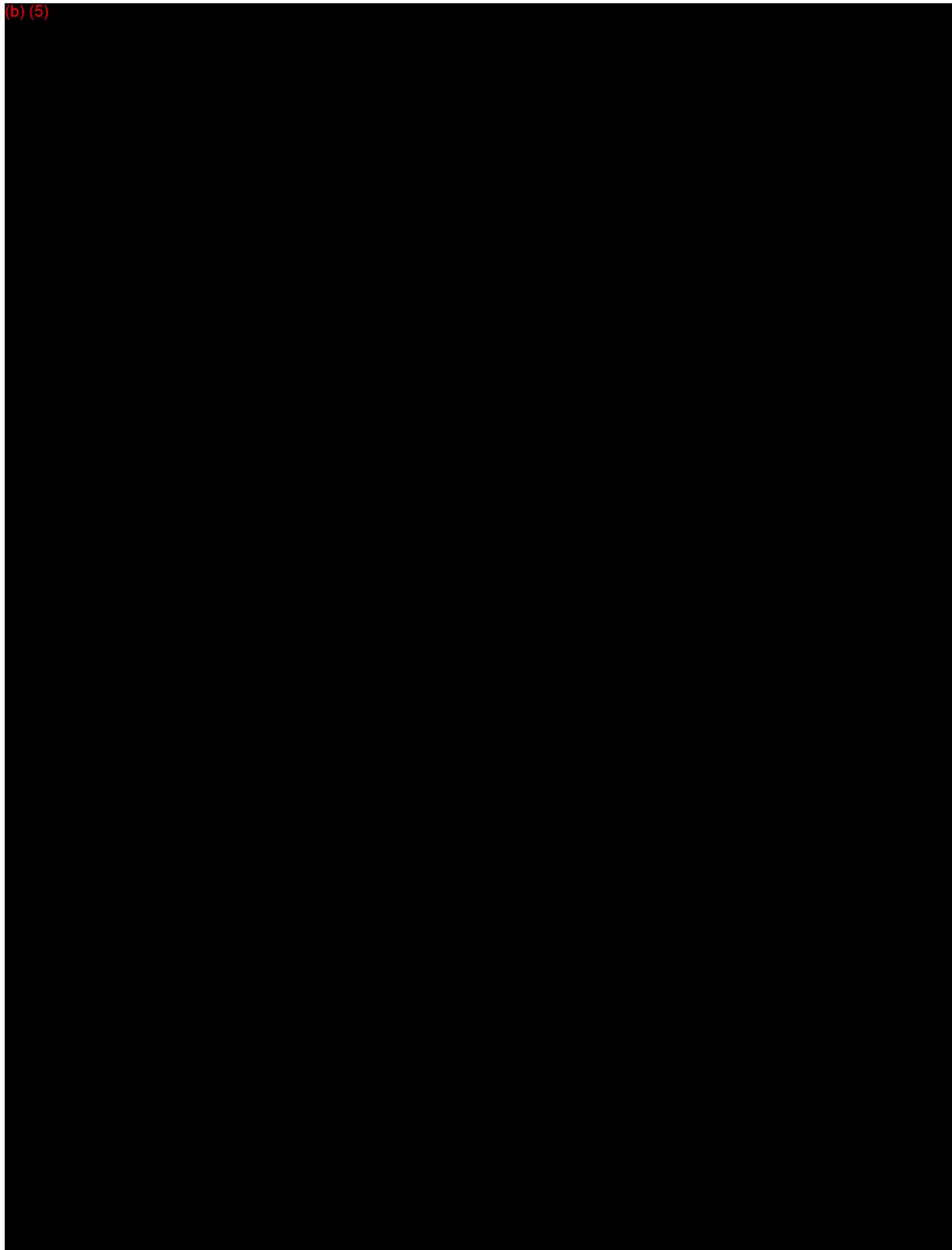


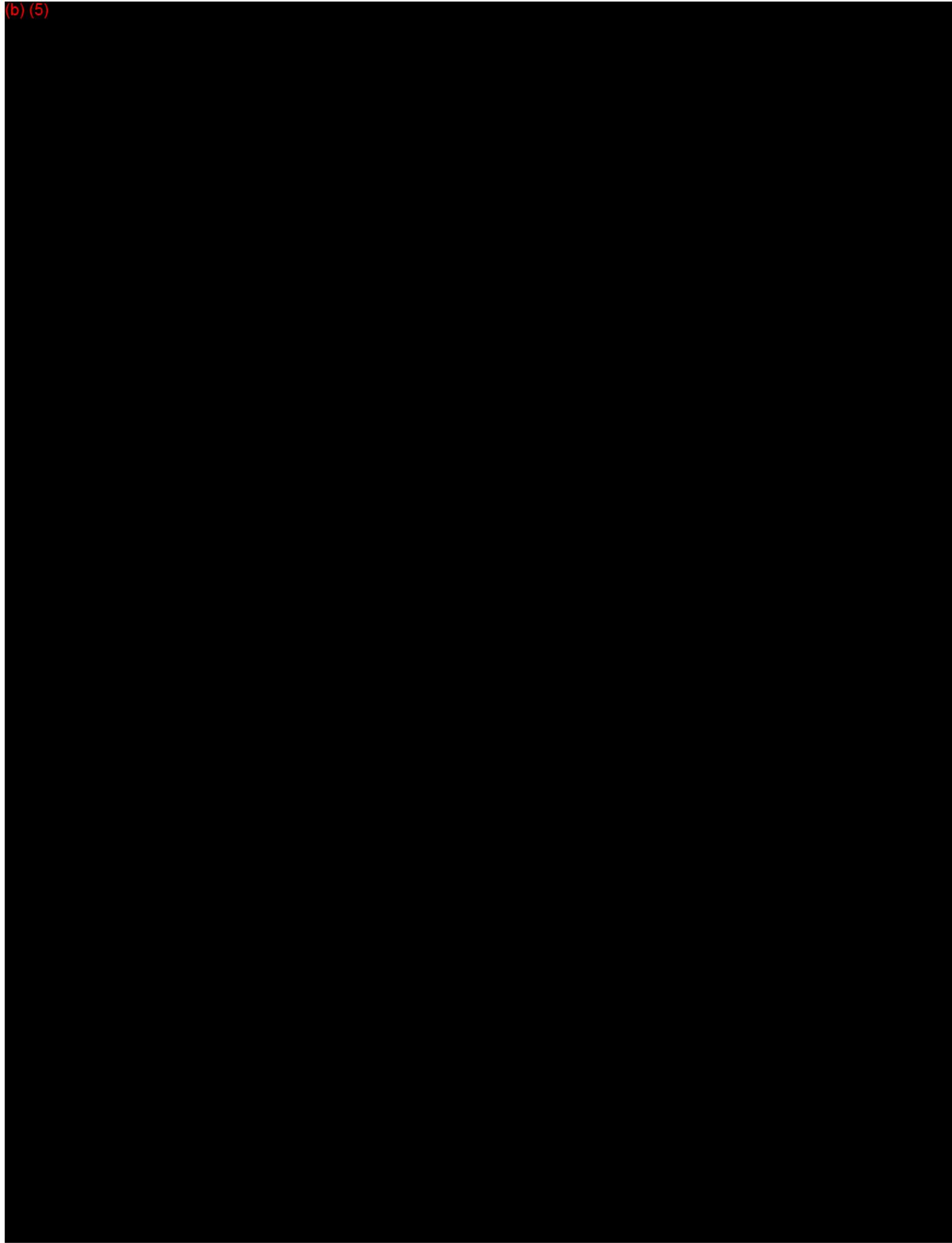


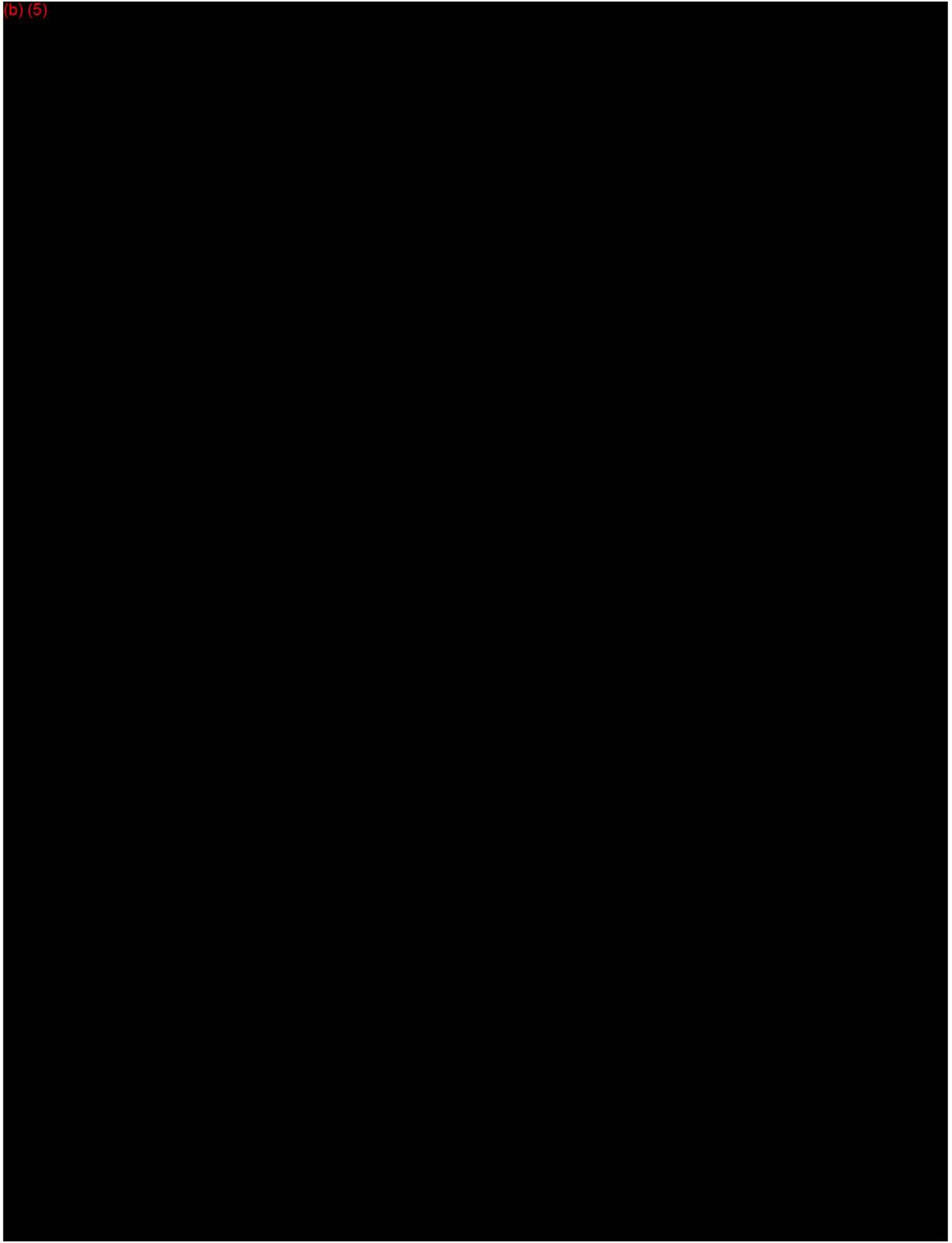


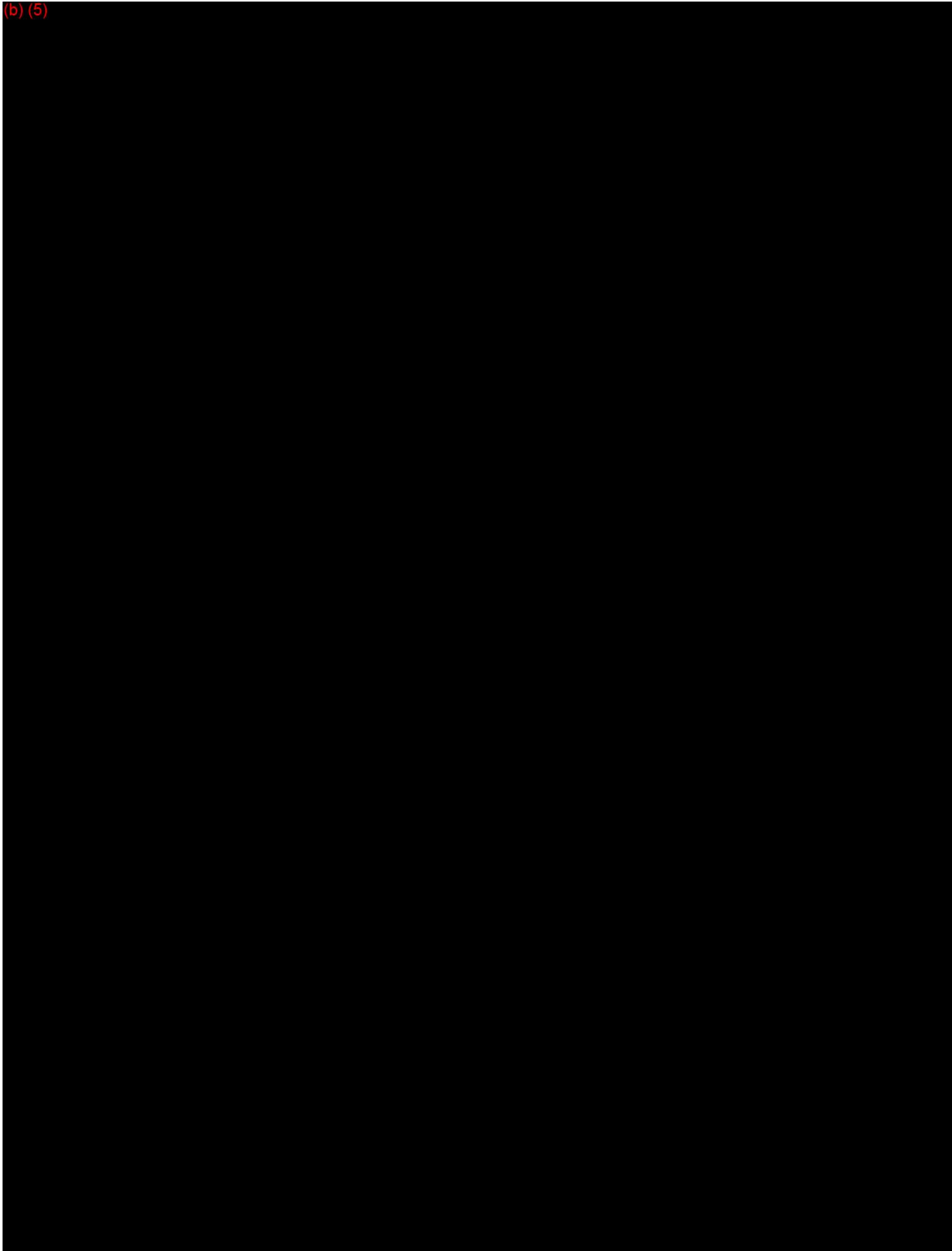


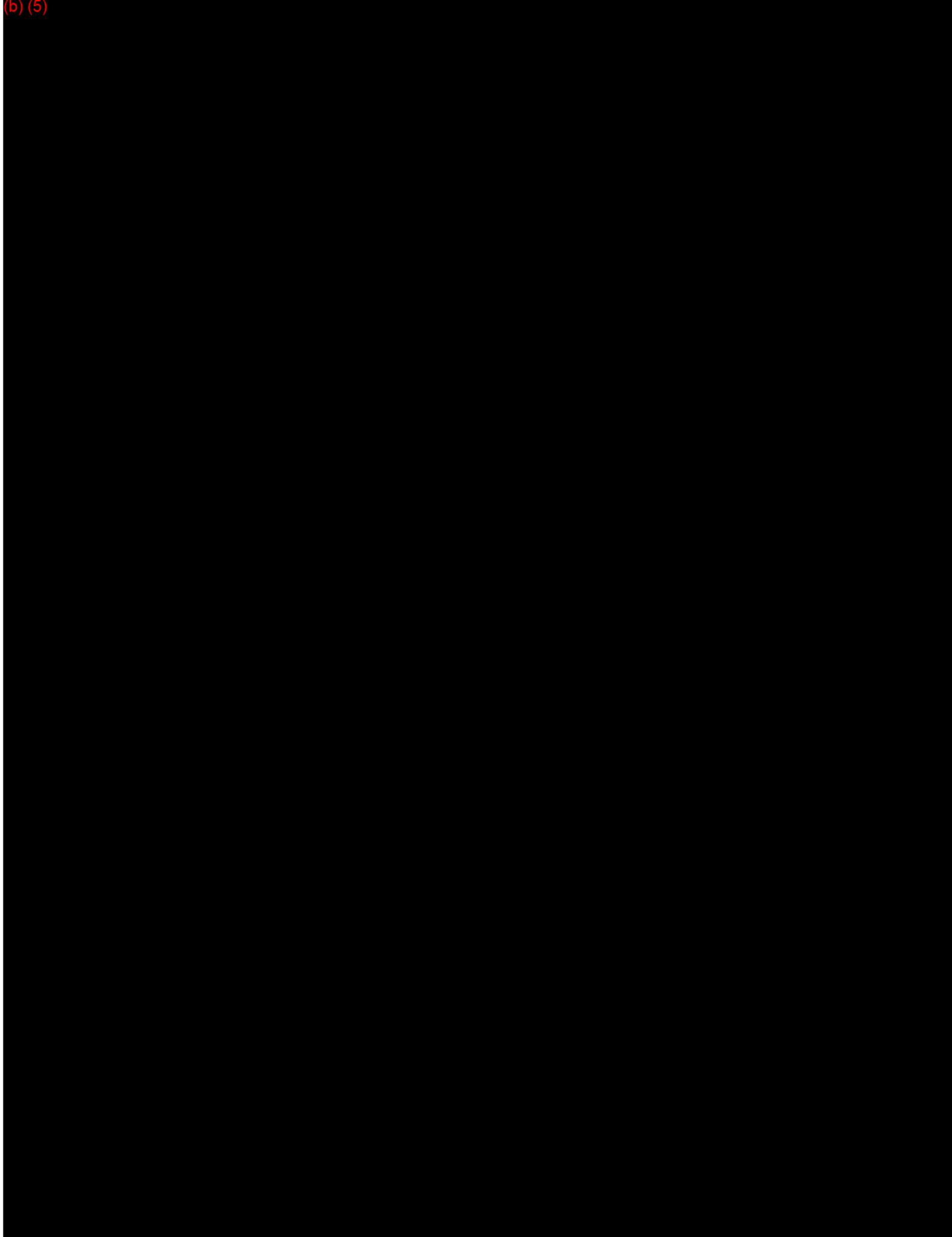


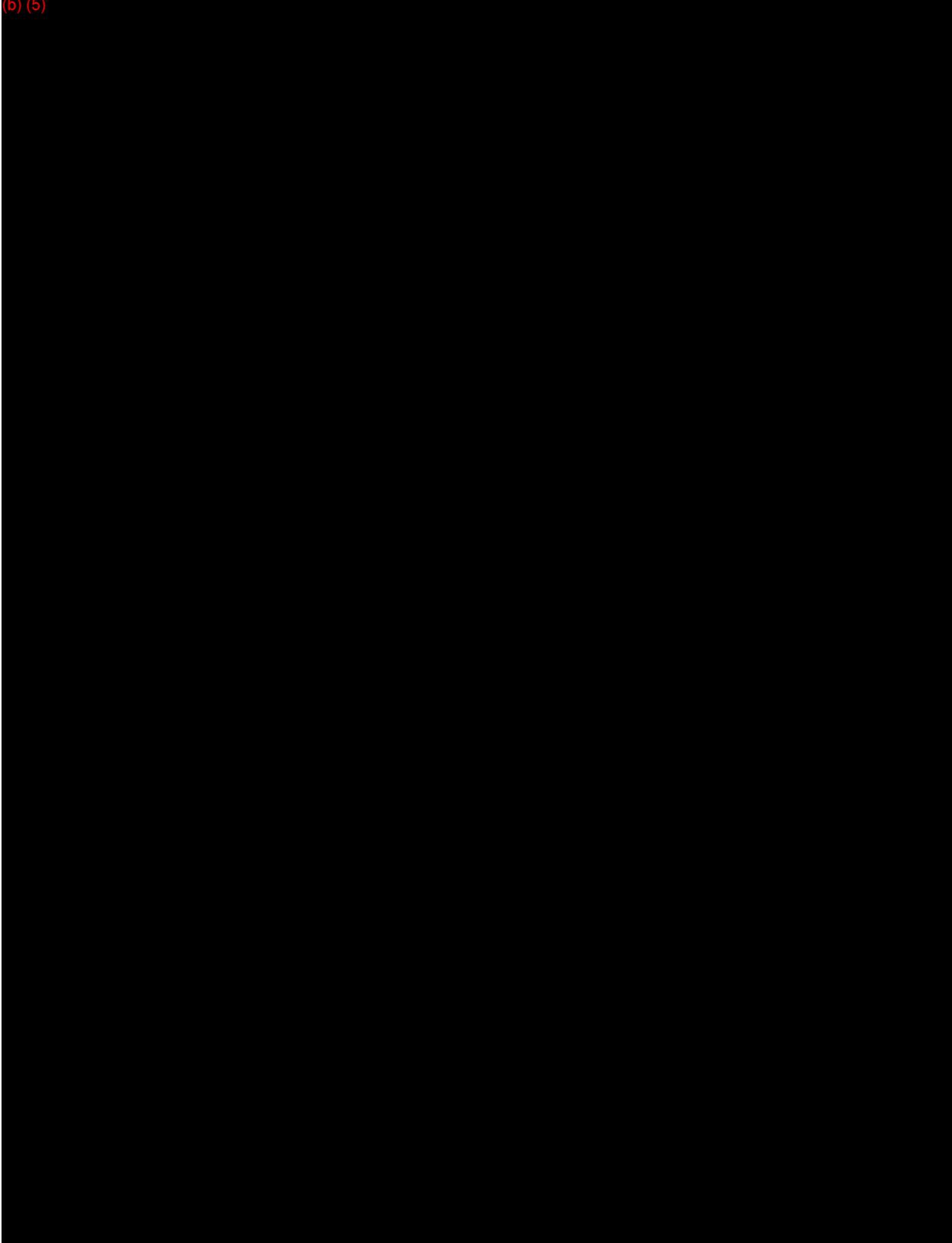


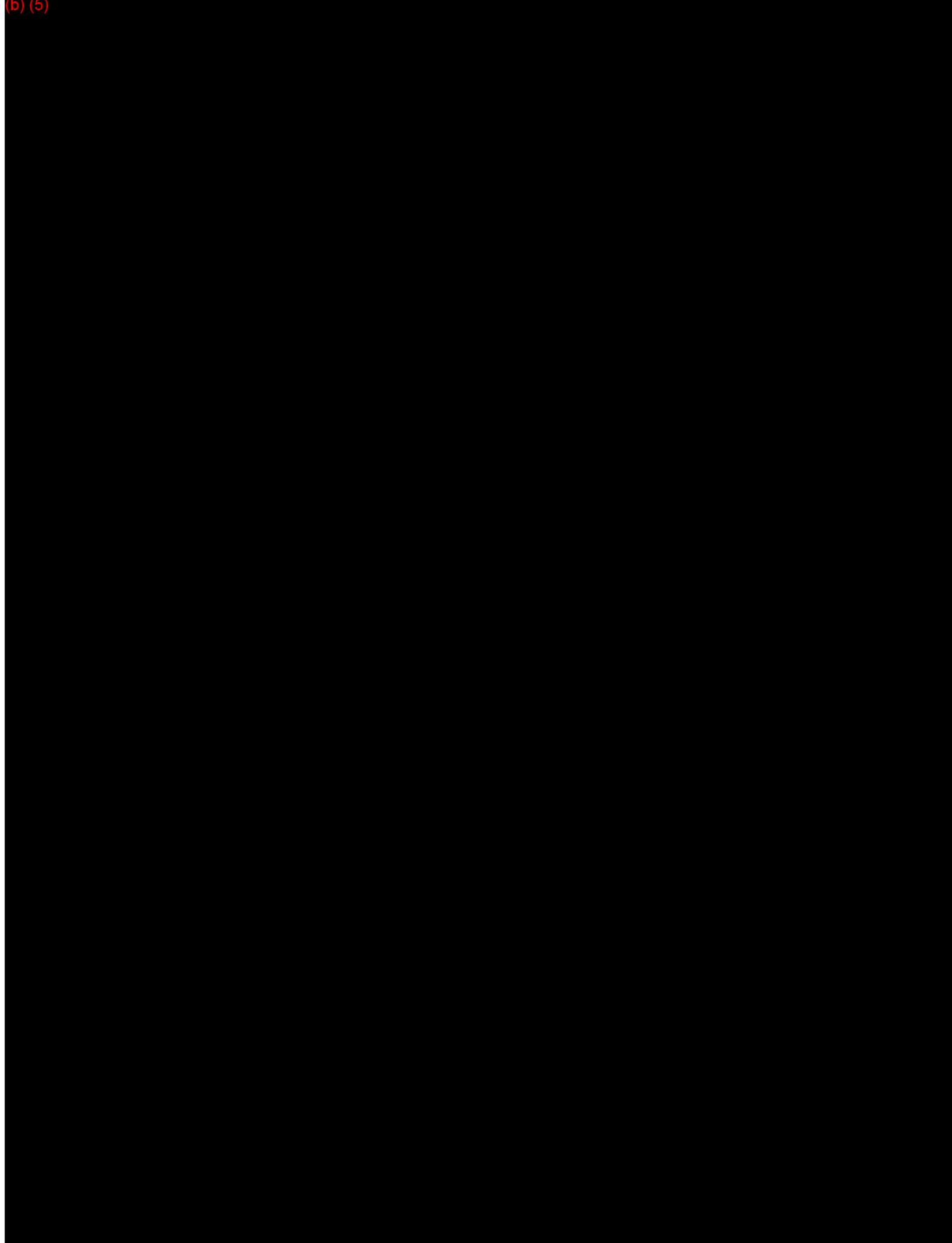


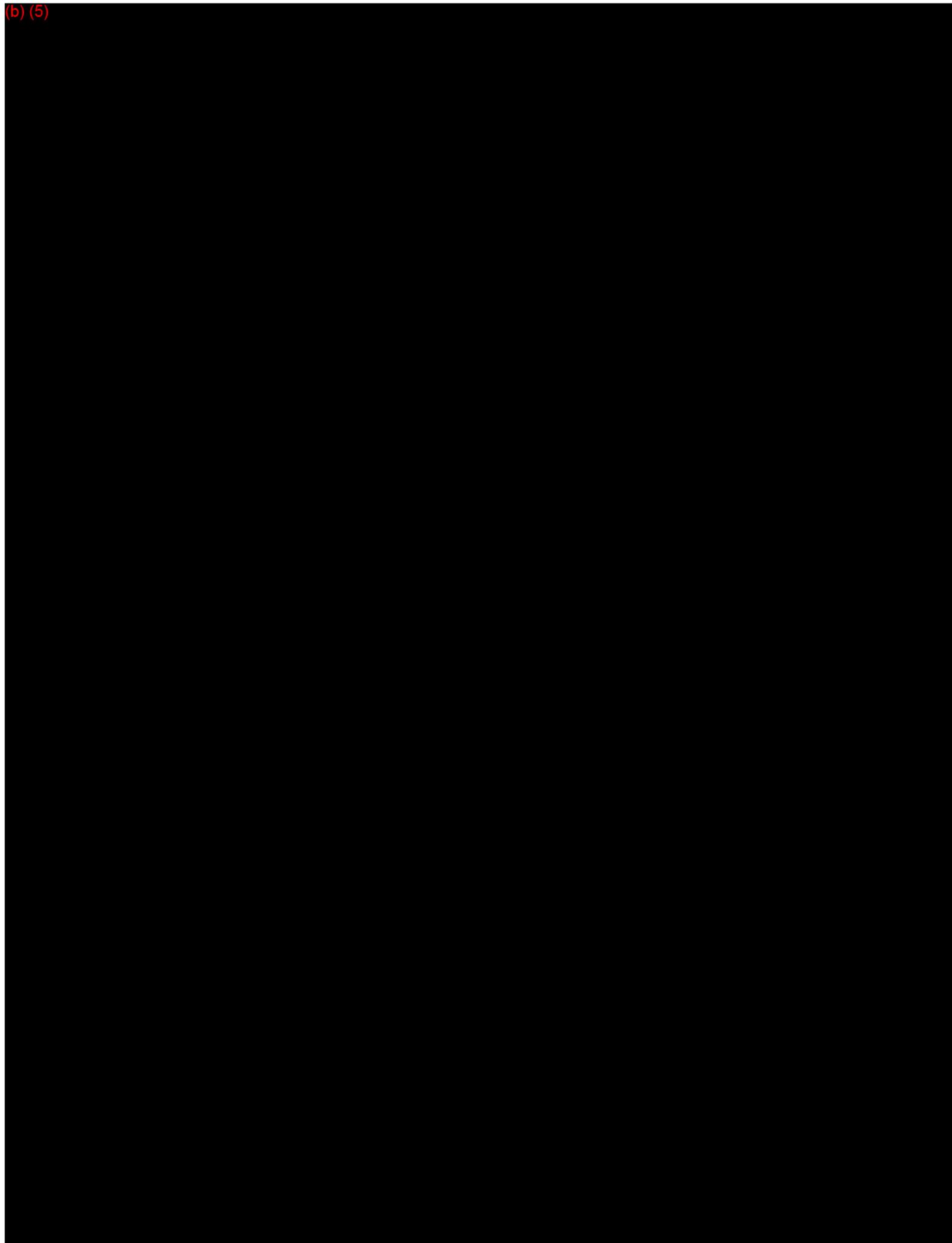


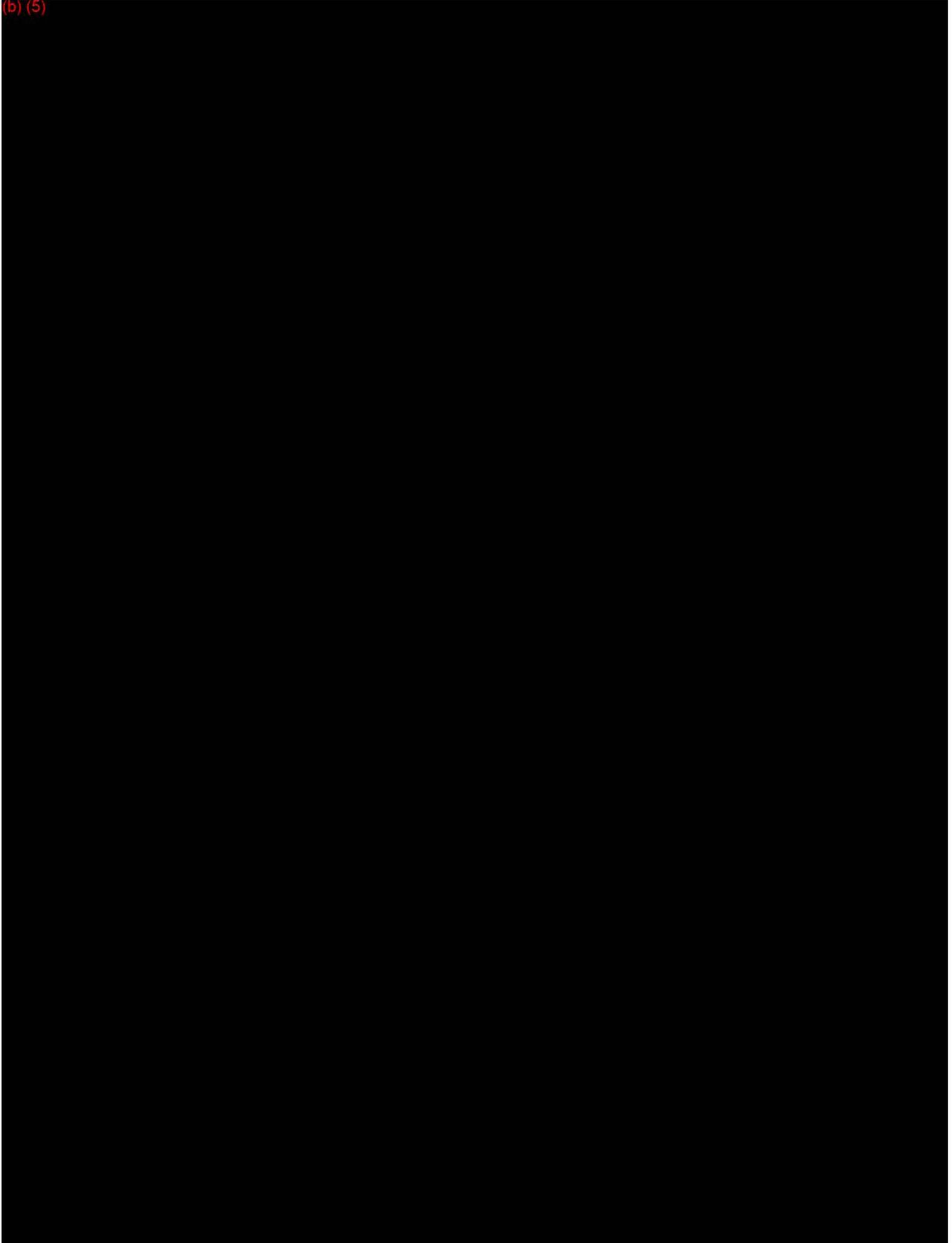


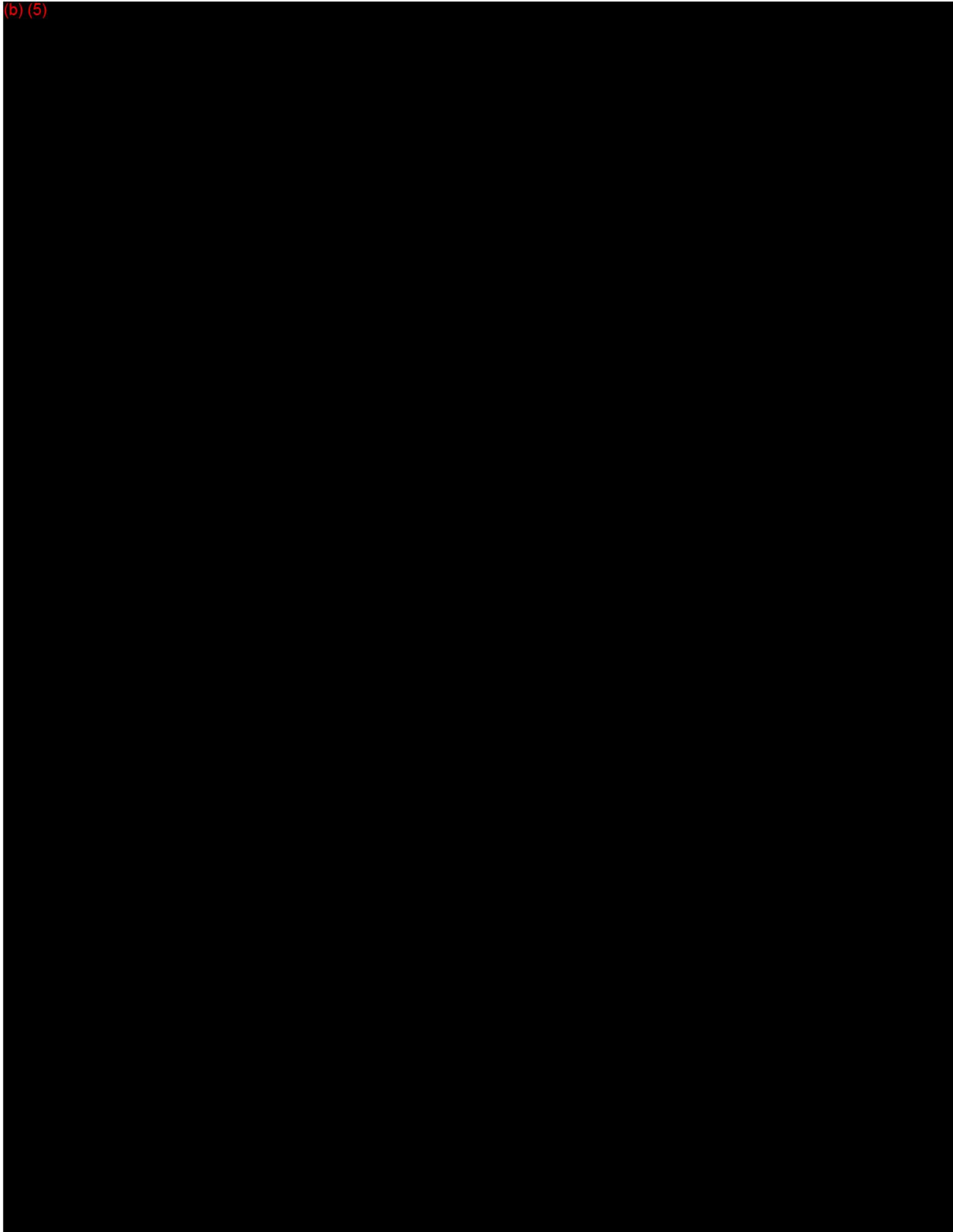


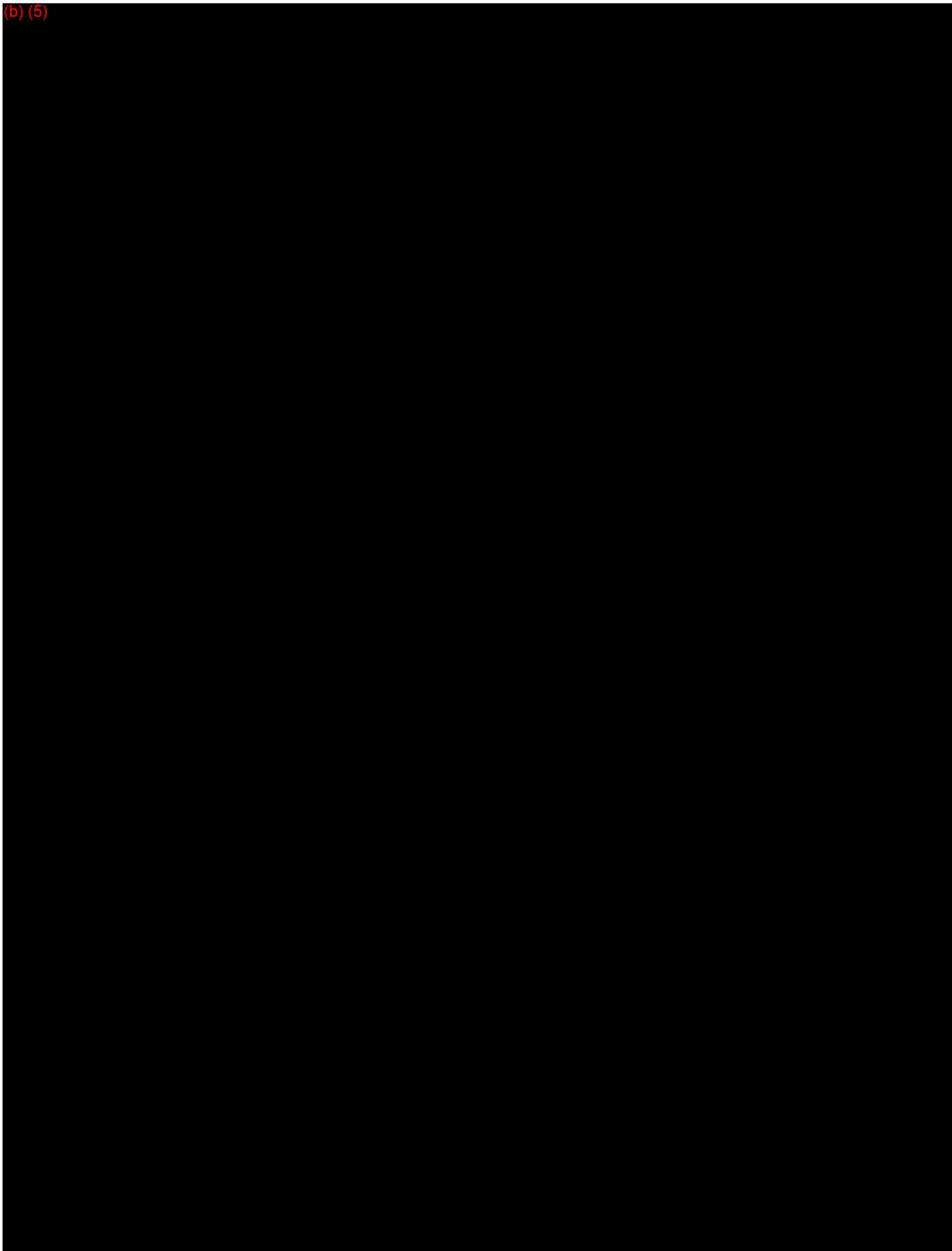


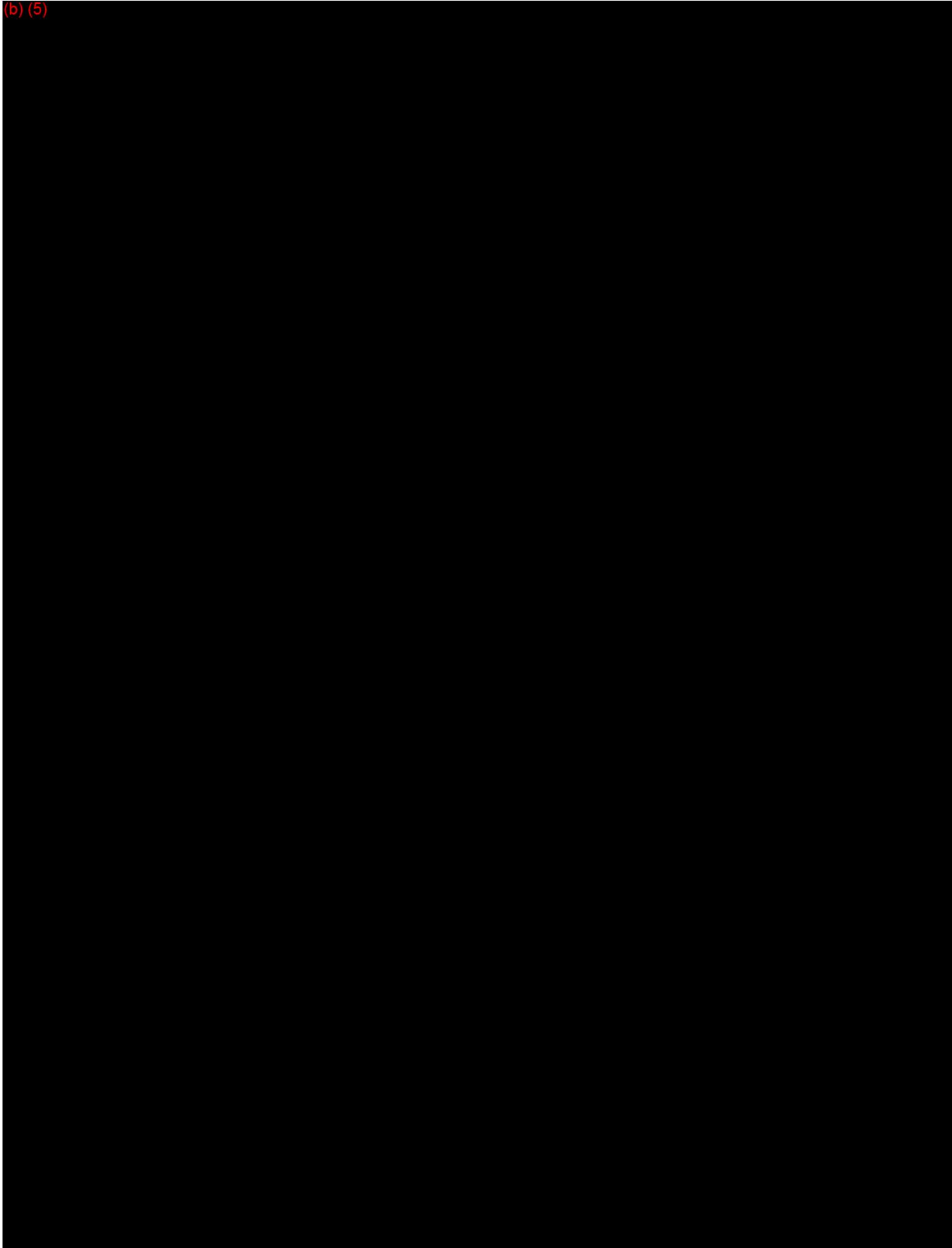


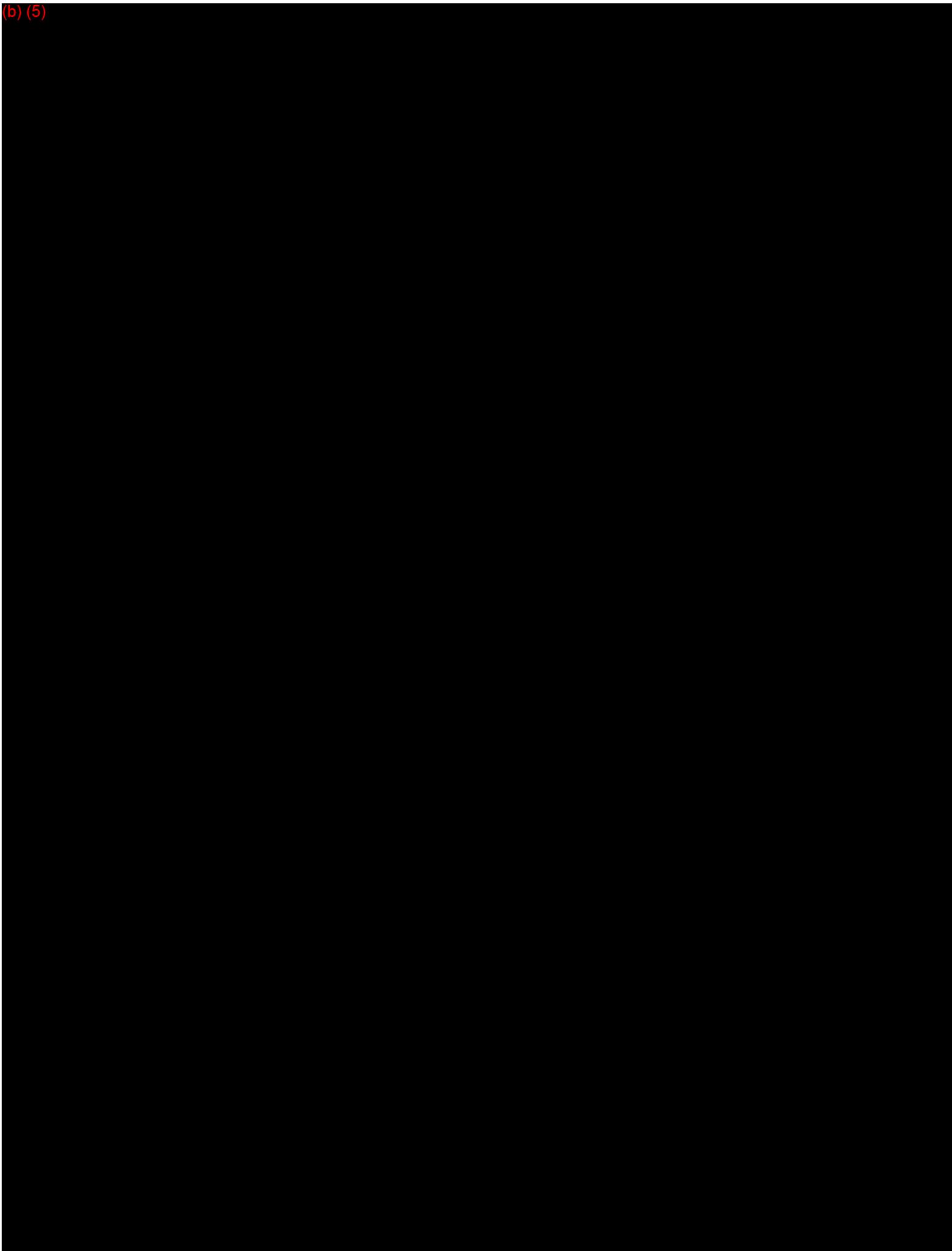


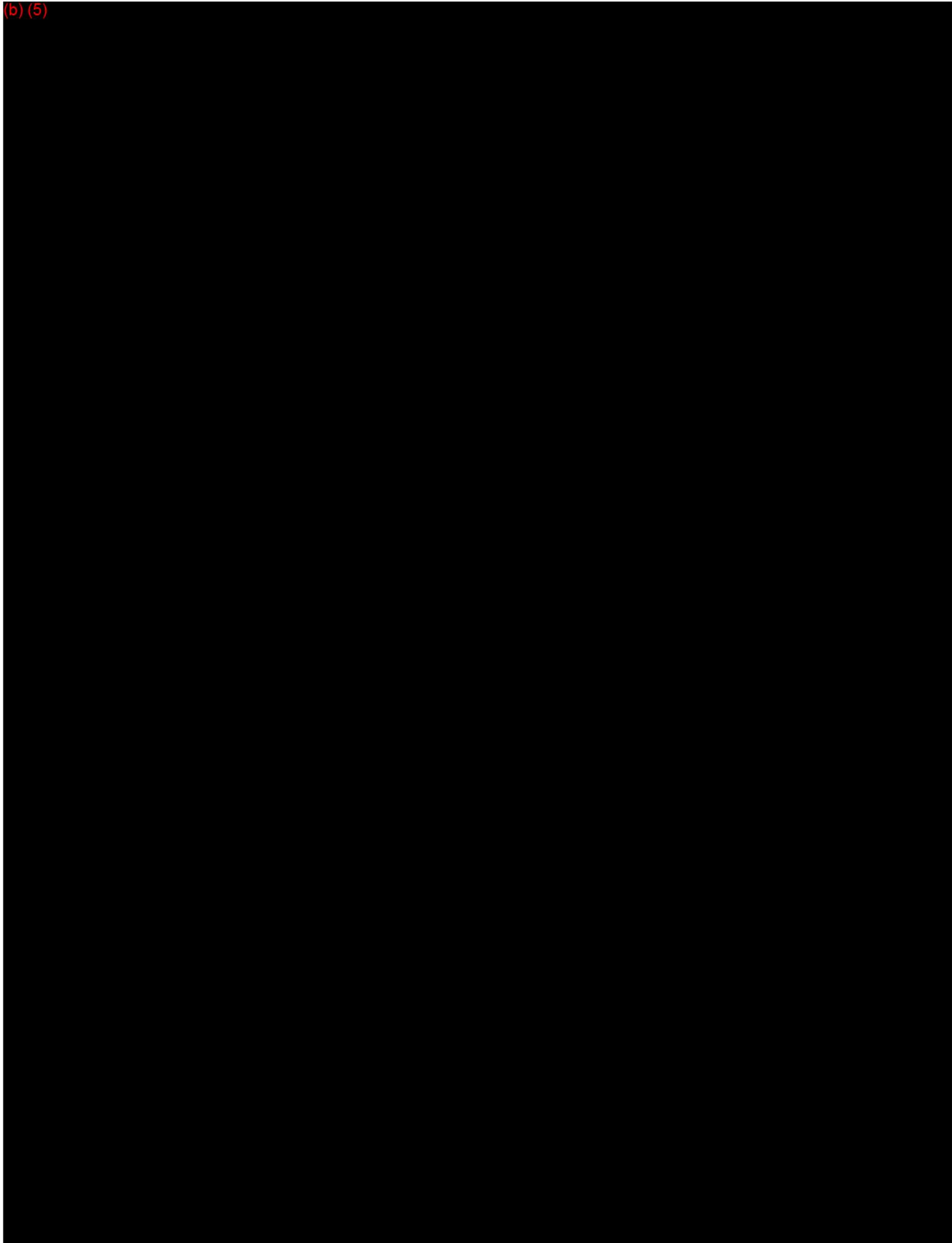


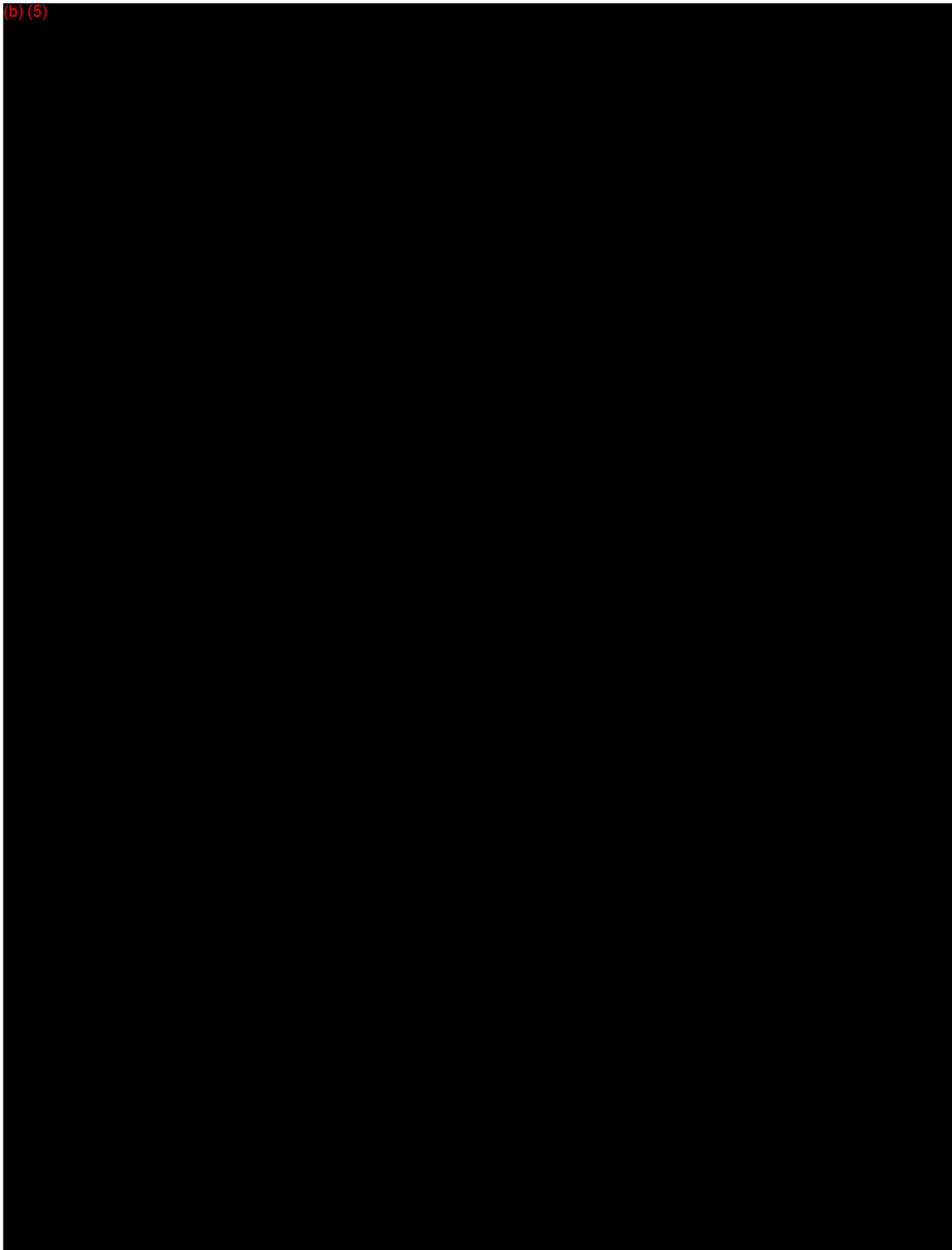


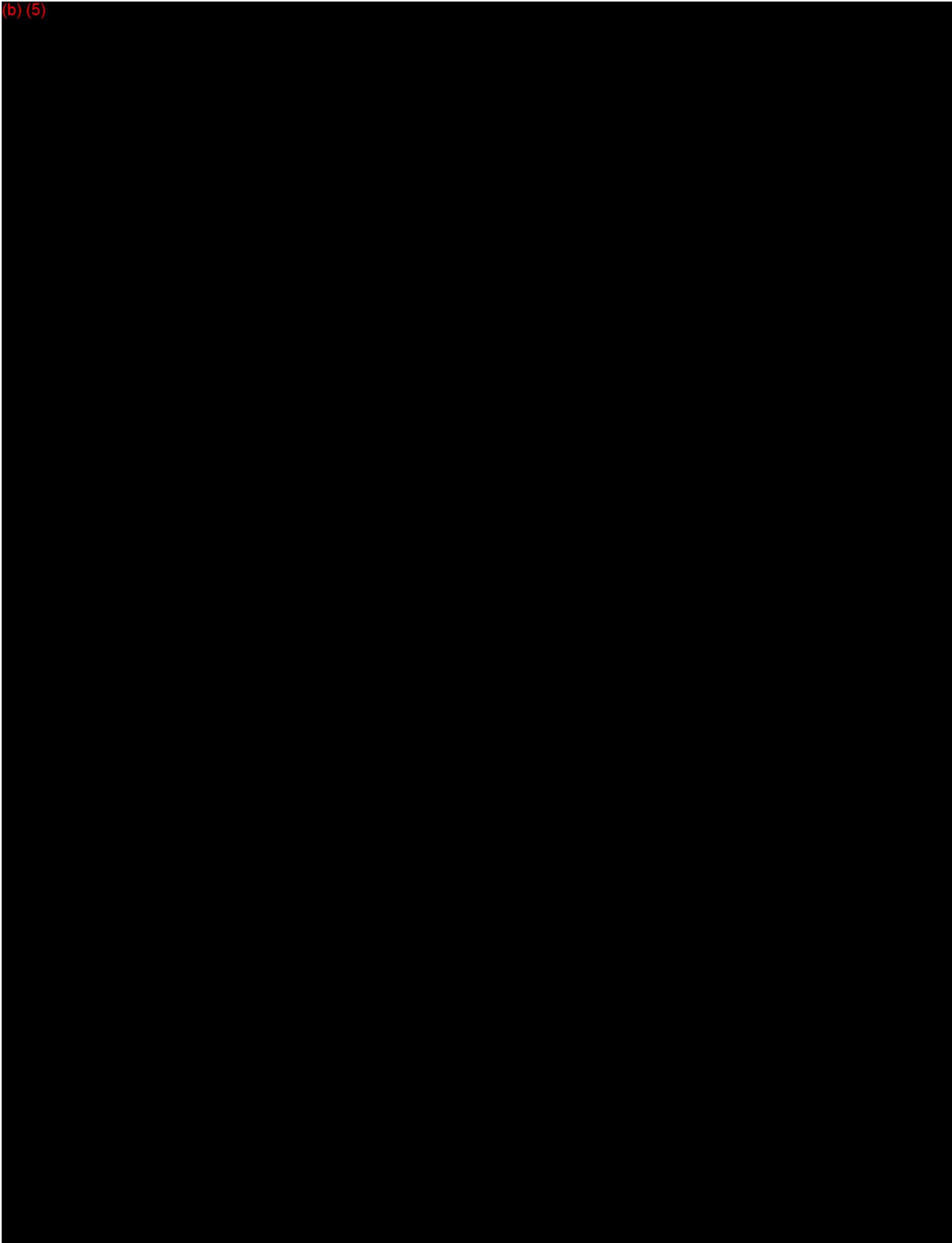


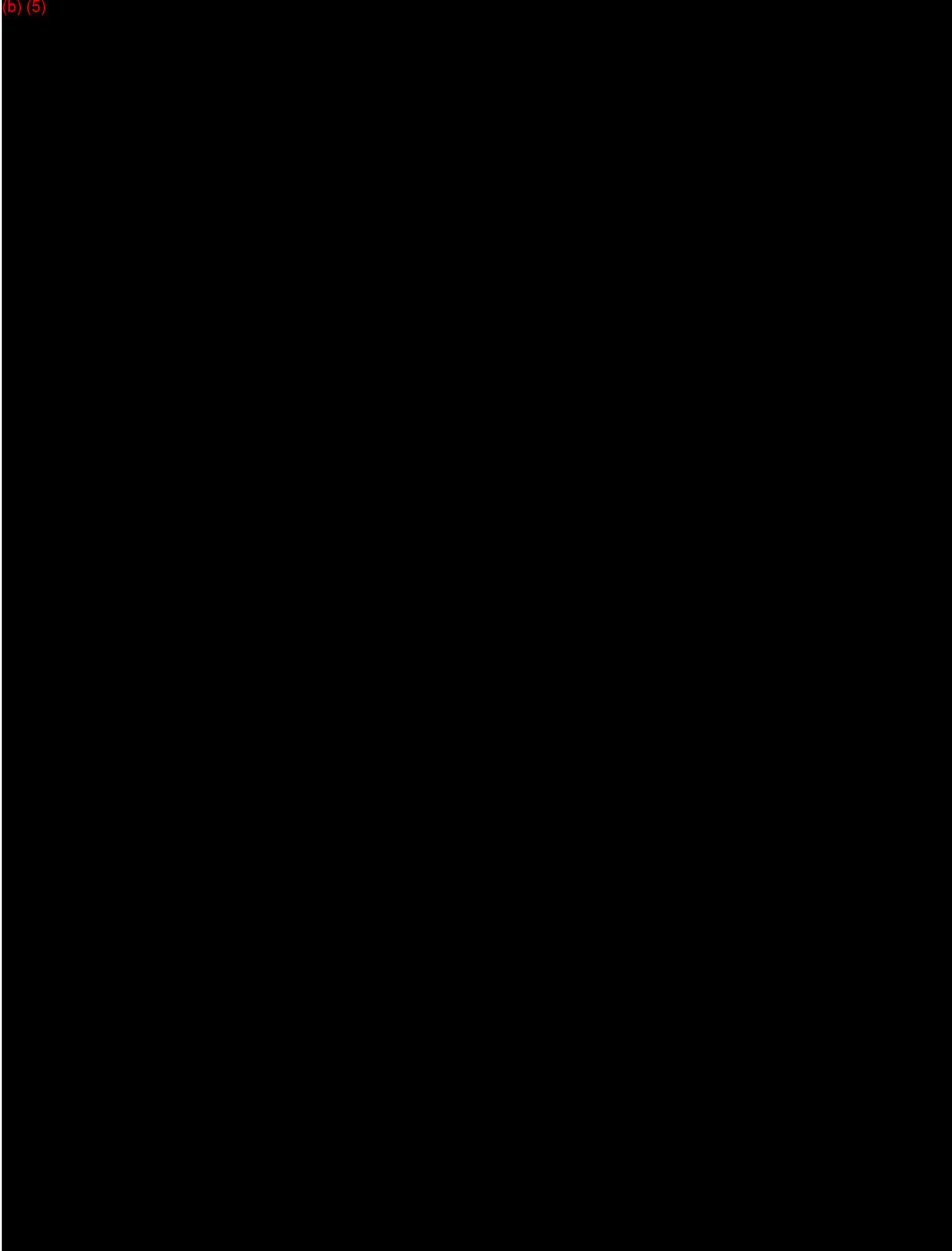


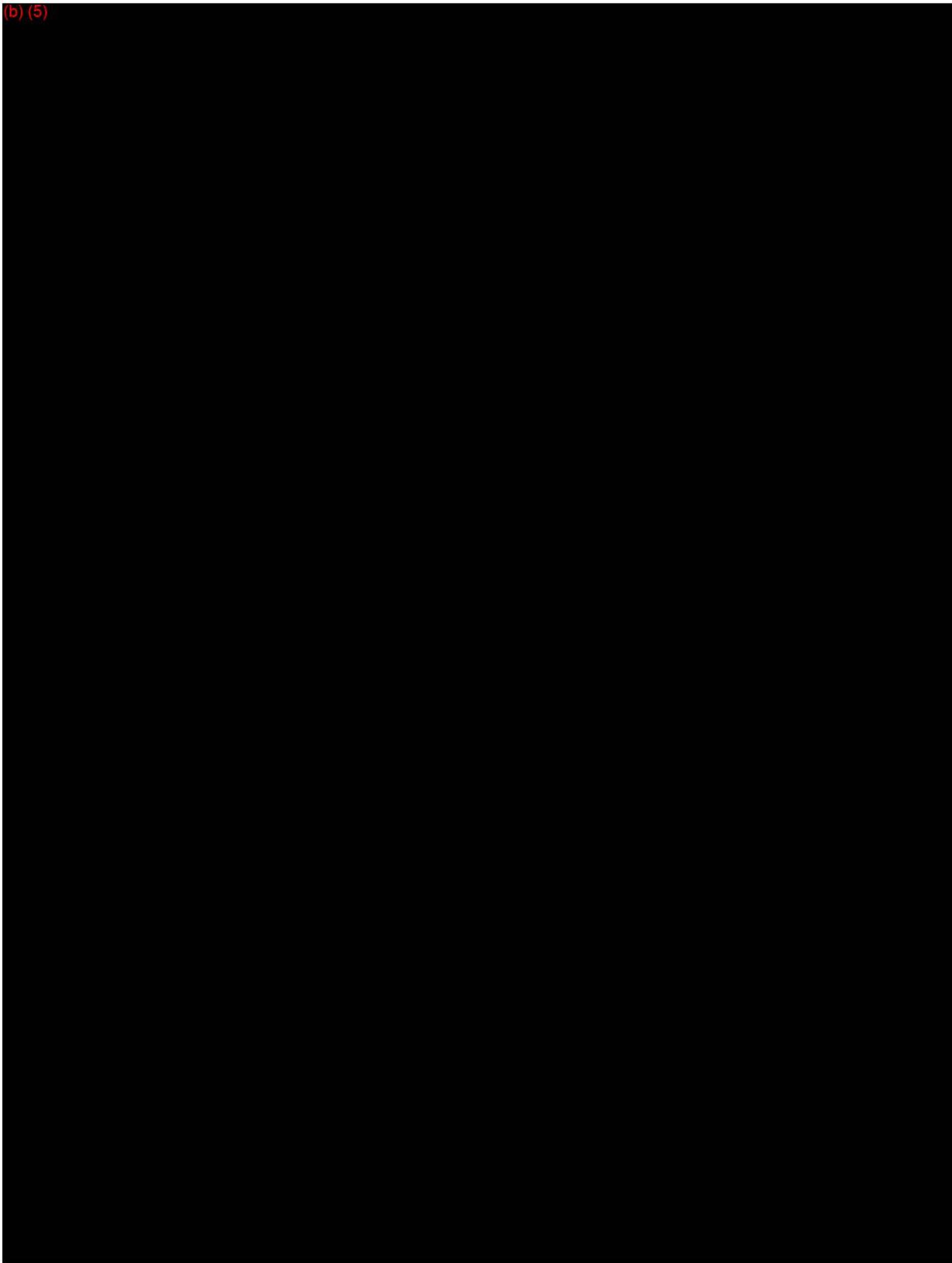


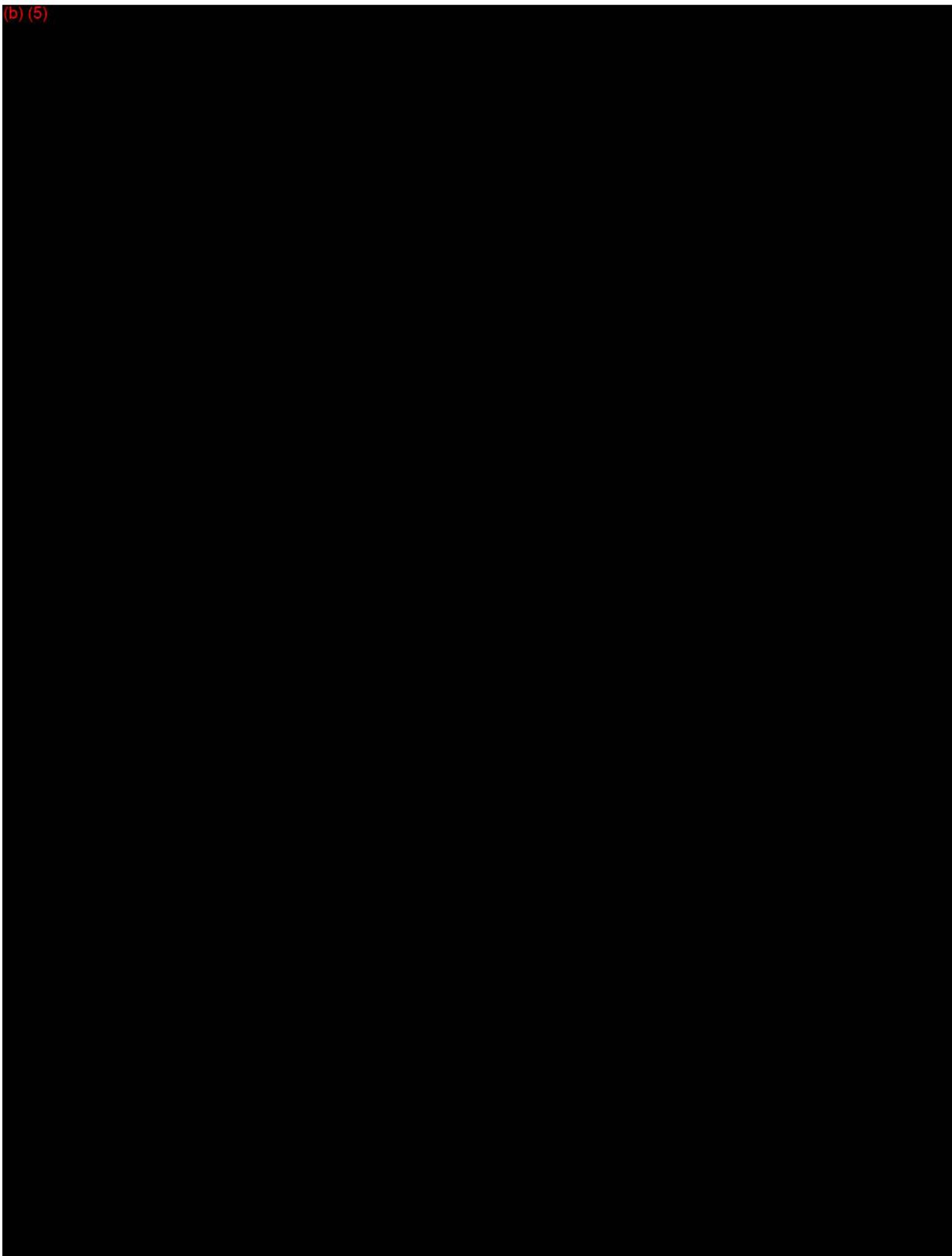


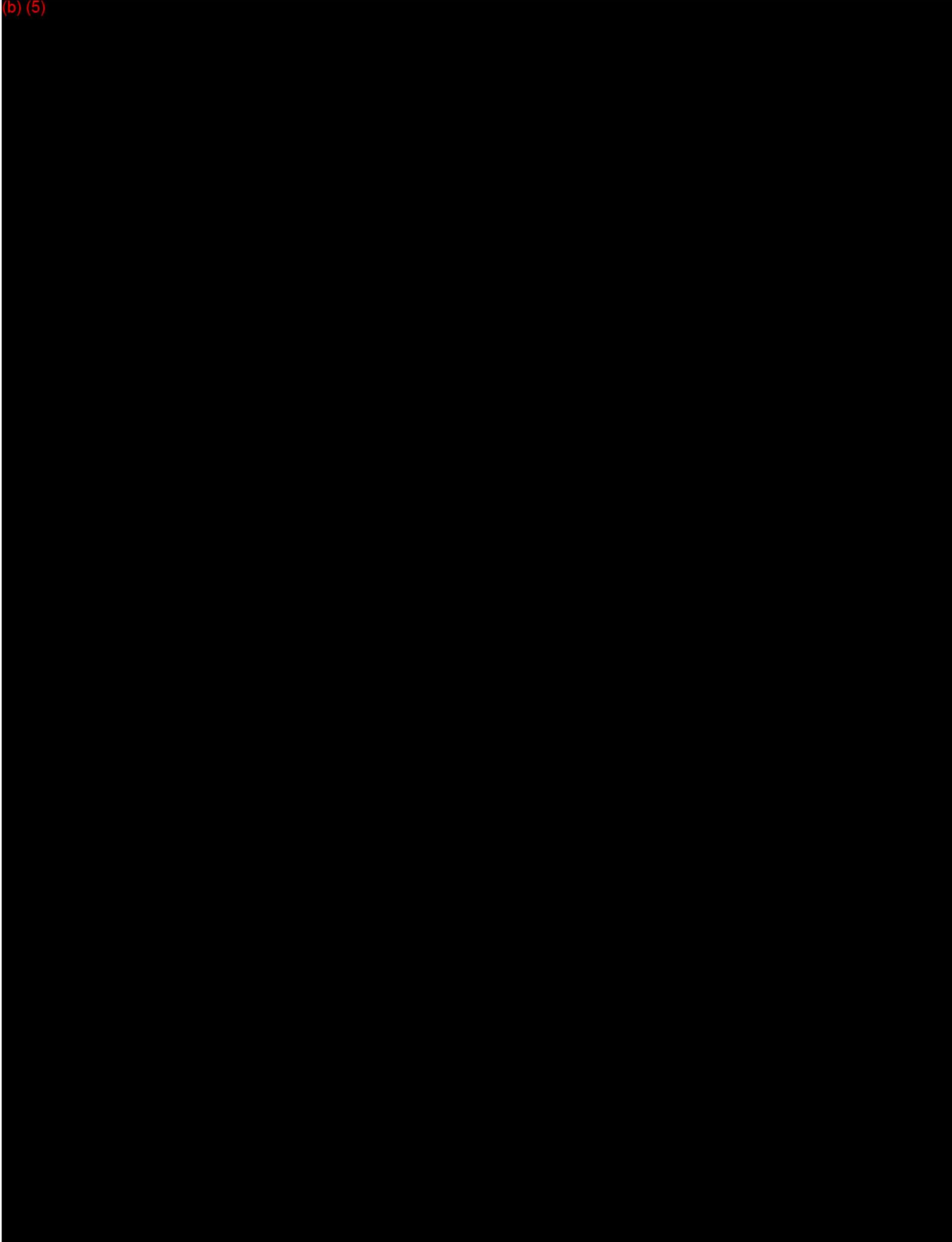












**RE: EO 12866 Review of CEQ NEPA Procedural Provisions  
Prerule - CEQ passback attached - comments due noon 6/6**

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**From:** "Whiteman, Chad S. EOP/OMB" <(b) (6)>

"Wold, Theo J. EOP/WHO" <(b) (6)> "Jain, Varun M. EOP/OMB" <(b) (6)>, "Upadhyaya, Shraddha A. EOP/OMB" <(b) (6)> "Thomas, Amanda L. EOP/OMB" <(b) (6)> "Wackler, Ted M. EOP/OSTP" <(b) (6)> "Salvi, Mary E. EOP/WHO" <(b) (6)> "White, Peter J. EOP/WHO" <(b) (6)> "Smith, Ja'Ron K. EOP/WHO" <(b) (6)> "Starling, Ray A. EOP/WHO" <(b) (6)> "Brooke, Francis J. EOP/WHO" <(b) (6)> "Fitzgerald, Timothy W. EOP/CEA" <(b) (6)> "Abajian, Xander C. EOP/CEA" <(b) (6)> "Pinkos, Stephen M. EOP/OVP" <(b) (6)> "Hickey, Mike J. EOP/OMB" <(b) (6)> "Burgess, Scott H. EOP/OMB" <(b) (6)> "Winters, Paul A. EOP/OMB" <(b) (6)> "Derentz, Landon R. EOP/NSC" <(b) (6)> "Abbey, Tristan C. EOP/NSC" <(b) (6)> "Laing, Sally S. EOP/USTR" <sally\_s\_laing@ustr.eop.gov>, "Patel, Mayur R. EOP/USTR" <mayur\_r\_patel@ustr.eop.gov>, "Stradtman, Jennifer A. EOP/USTR" <jennifer\_a\_stradtman@ustr.eop.gov>, "Miller, Ashley A. EOP/USTR" <ashley\_a\_miller@ustr.eop.gov>, "Dougherty, Emily I. EOP/USTR" <emily\_i\_dougherty@ustr.eop.gov>, "Moran, John S. EOP/WHO" <(b) (6)> "Palmieri, Rosario A. EOP/OMB" <(b) (6)> "Laity, Jim A. EOP/OMB" <(b) (6)> "Prandoni, Christopher D. EOP/CEQ" <(b) (6)> "Trick, Bryant P. EOP/USTR" <bryant\_trick@ustr.eop.gov>, "Abrams, Andrew D. EOP/OMB" <(b) (6)> "Crutchfield, Craig C. EOP/OMB" <(b) (6)> "McDonald, Christine A. EOP/OMB" <(b) (6)> "Roach, Emma K. EOP/OMB"

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<(b) (6)> "Fischietto, Mary S. EOP/OMB"  
<(b) (6)>

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

**Date:** Fri, 01 Jun 2018 11:18:20 -0400

**Attachments** EO12866 Review CEQ NEPA ANPRM\_Revised\_RLSO.DOCX (48.1 kB); EO12866  
: Review CEQ Responses to Interagency Comments.docx (33.5 kB); EO12866 Review  
CEQ NEPA ANPRM\_Revised\_Clean.docx (47.61 kB)

All, Attached is CEQs passback to interagency comments on the NEPA ANPRM. Please let me know if you have any follow-up comments by noon on Wednesday, June 6<sup>th</sup>. Thanks, Chad

**From:** Whiteman, Chad S. EOP/OMB

**Sent:** Monday, May 7, 2018 9:38 AM

**To:** Wold, Theo J. EOP/WHO <(b) (6)> Jain, Varun M. EOP/OMB  
<(b) (6)> Upadhyaya, Shraddha A. EOP/OMB  
<(b) (6)> Thomas, Amanda L. EOP/OMB  
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Abbey, Tristan C. EOP/NSC <(b) (6)> Laing, Sally S. EOP/USTR  
<Sally\_S\_Laing@ustr.eop.gov>; Patel, Mayur R. EOP/USTR <Mayur\_R\_Patel@ustr.eop.gov>; Stradtman,  
Jennifer A. EOP/USTR <Jennifer\_A\_Stradtman@ustr.eop.gov>; Miller, Ashley A. EOP/USTR  
<Ashley\_A\_Miller@ustr.eop.gov>; Dougherty, Emily I. EOP/USTR <Emily\_I\_Dougherty@ustr.eop.gov>;  
'John S. EOP/WHO Moran <(b) (6)> <(b) (6)> Rosario A.  
EOP/OMB Palmieri <(b) (6)> <(b) (6)> Laity, Jim  
<(b) (6)> <(b) (6)> Christopher D. EOP/CEQ Prandoni  
<(b) (6)> <(b) (6)> Trick, Bryant P.  
EOP/USTR <Bryant\_Trick@ustr.eop.gov>; Abrams, Andrew D. EOP/OMB  
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<(b) (6)>  
Cc: Szabo, Aaron L. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ  
<(b) (6)> Mary B. EOP/CEQ Neumayr <(b) (6)>  
<(b) (6)>  
**Subject:** EO 12866 Review of CEQ NEPA Procedural Provisions Prerule - comments due COB on 5/14

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

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

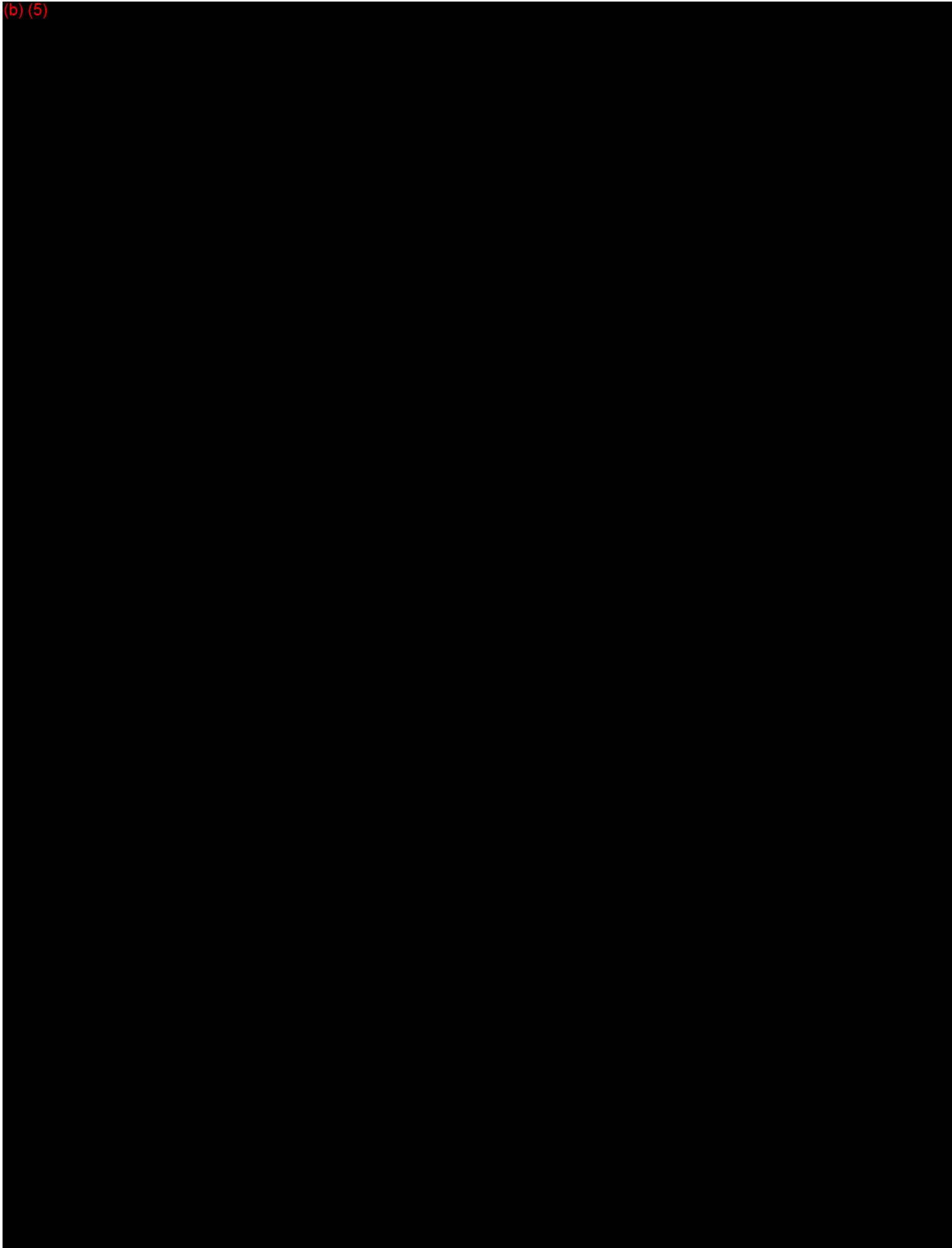
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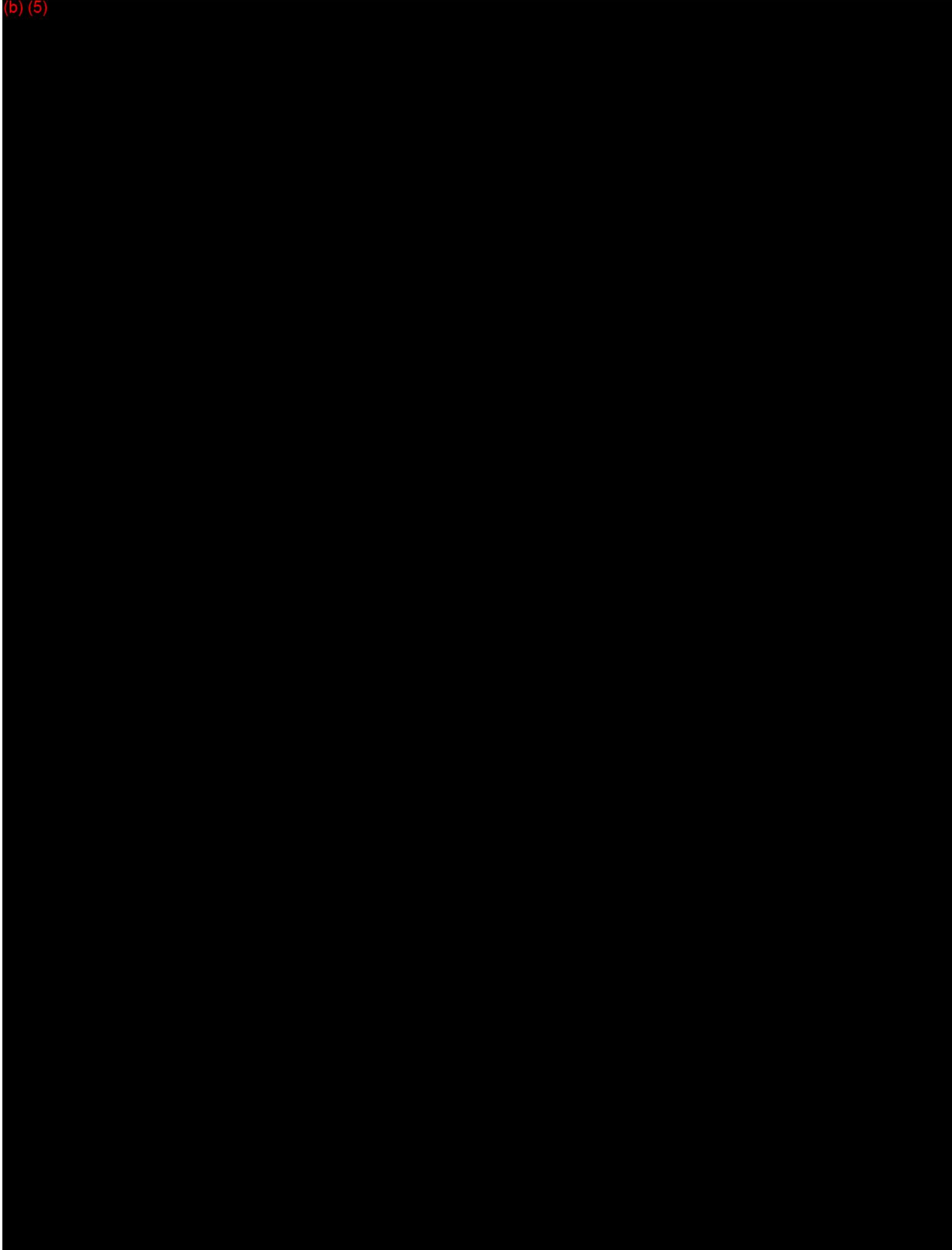
If you have questions or would like to discuss any aspect of the final rule, please feel free to contact me.

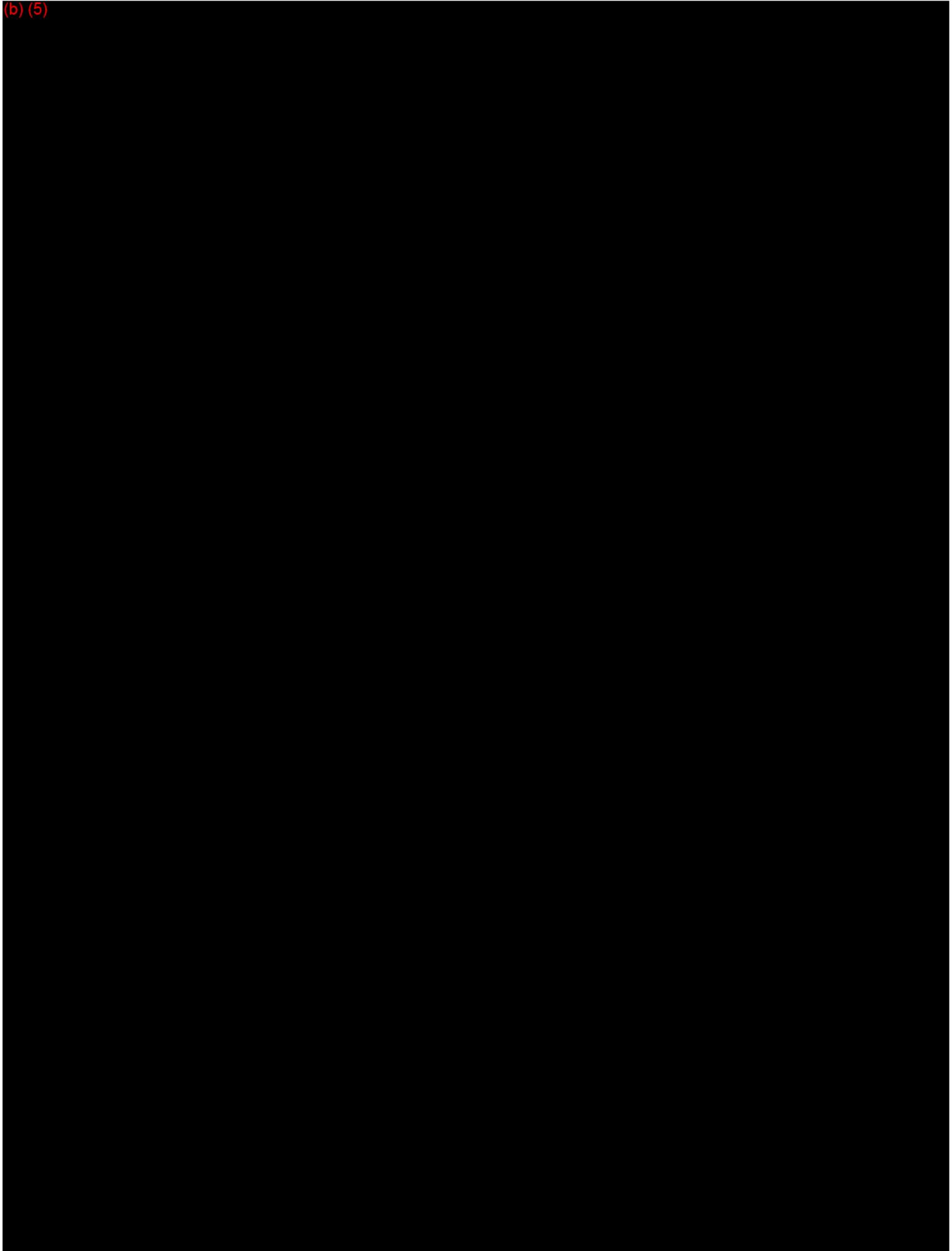
Thank you,  
Chad

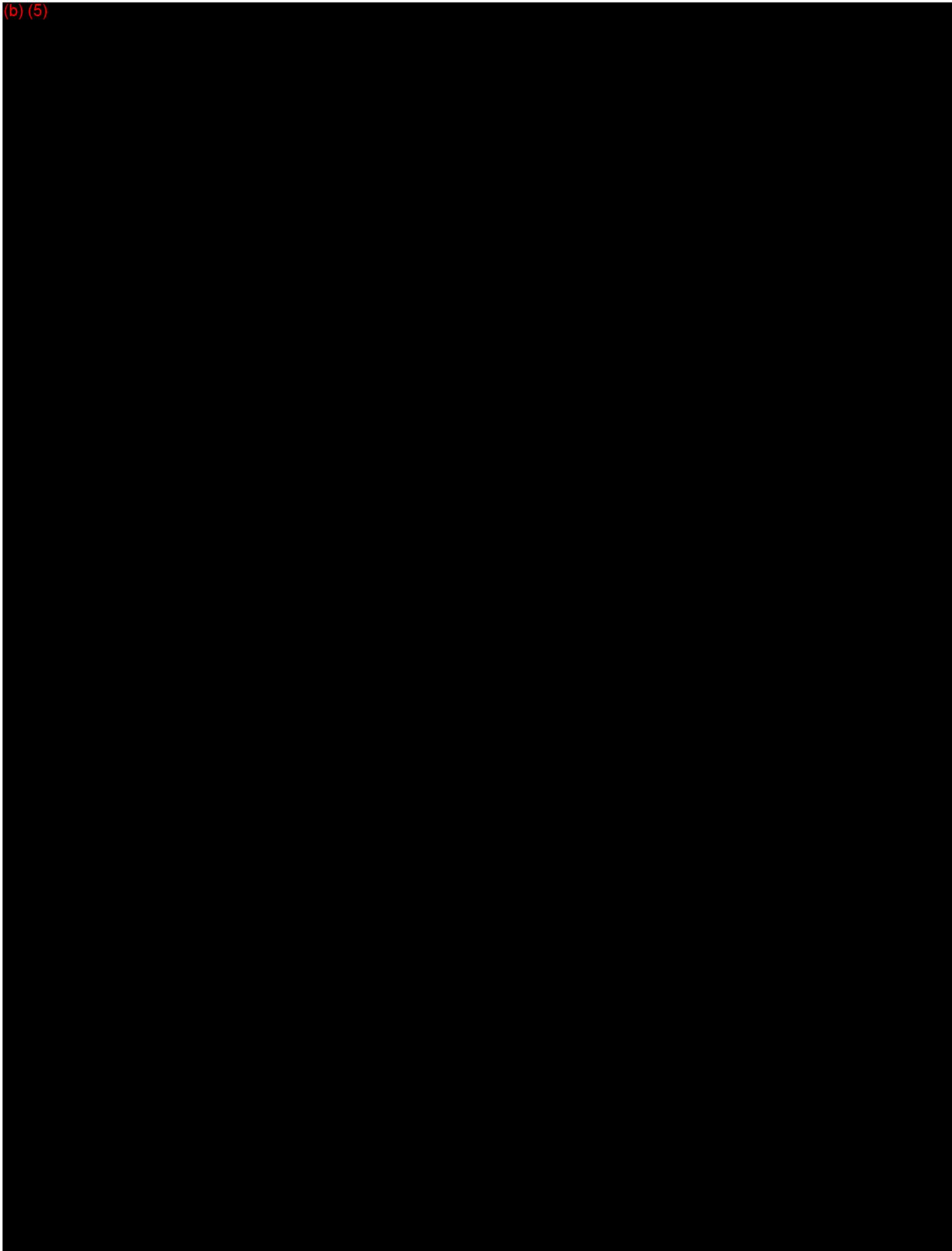
Chad Whiteman  
Natural Resources and Environment Branch | Office of Information and Regulatory Affairs  
Office of Management and Budget | Executive Office of the President  
202-395-4718  
<(b) (6)>

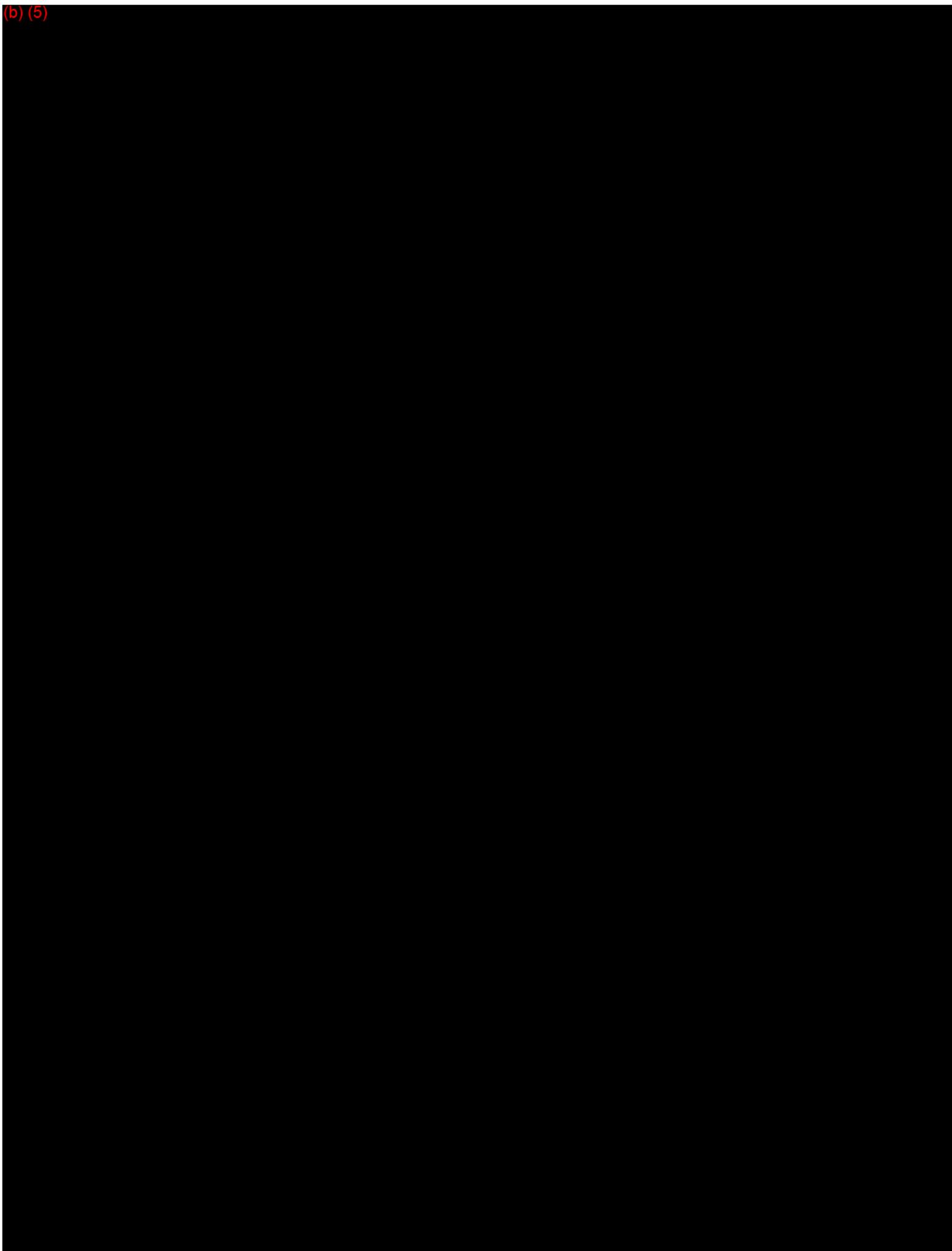


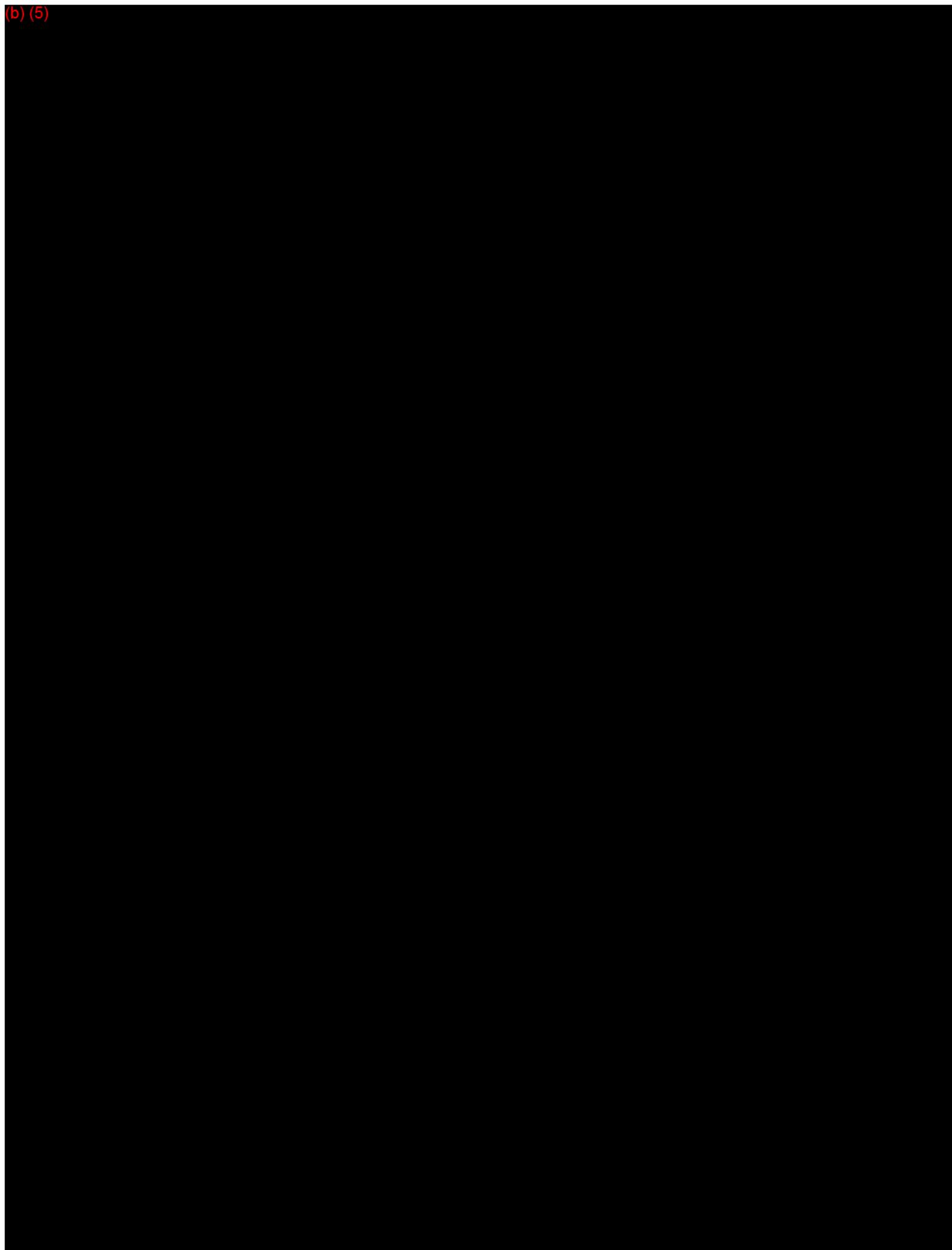


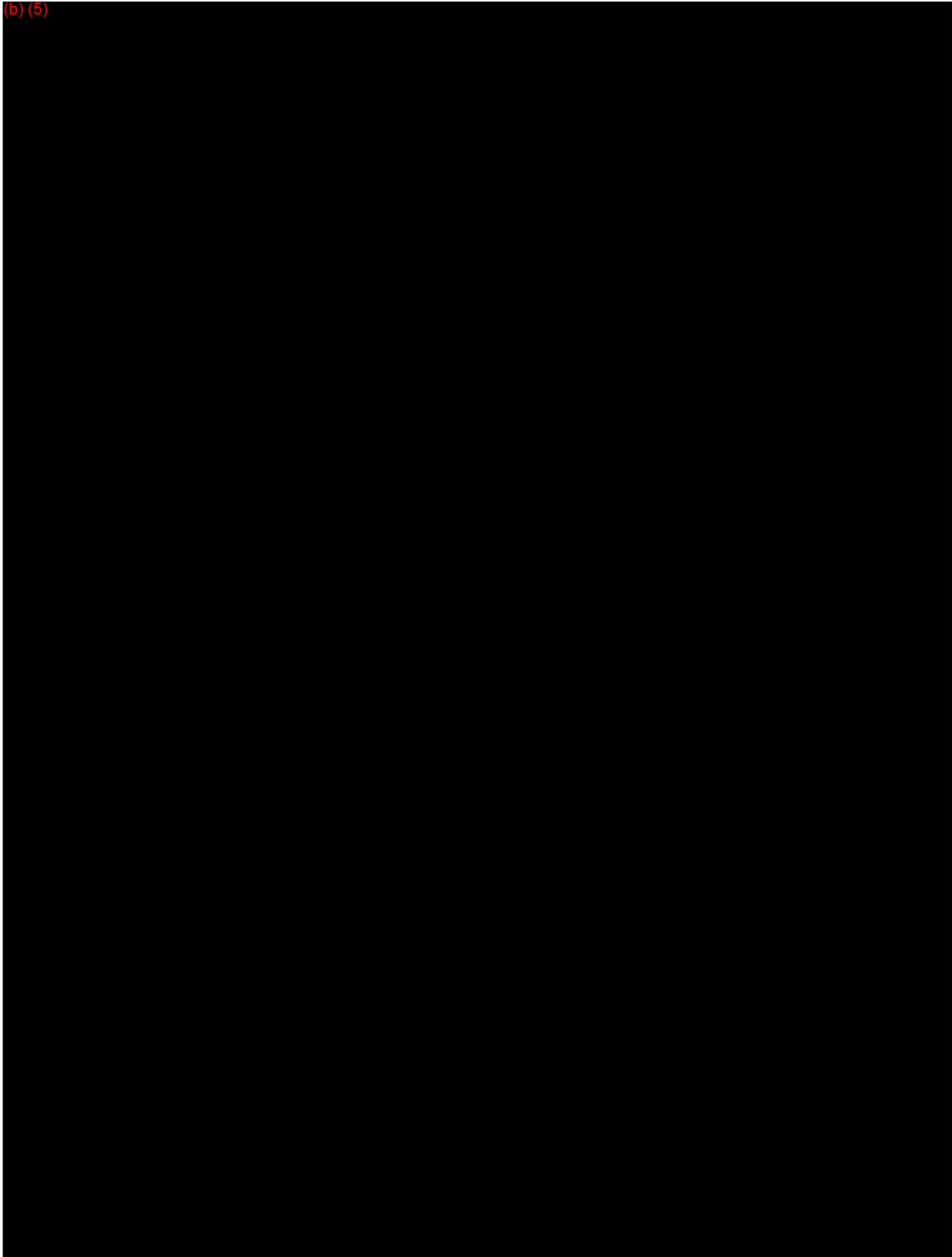




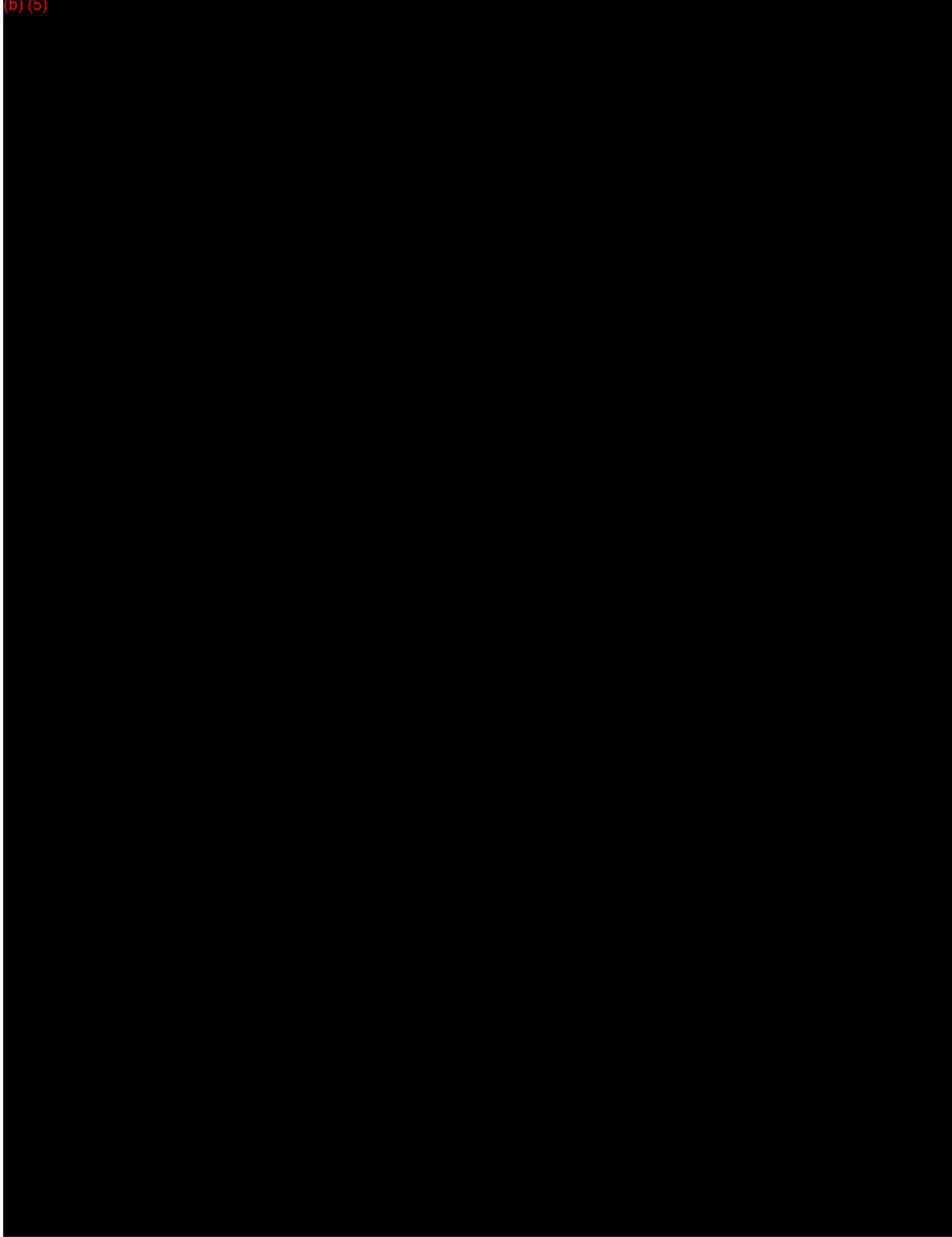


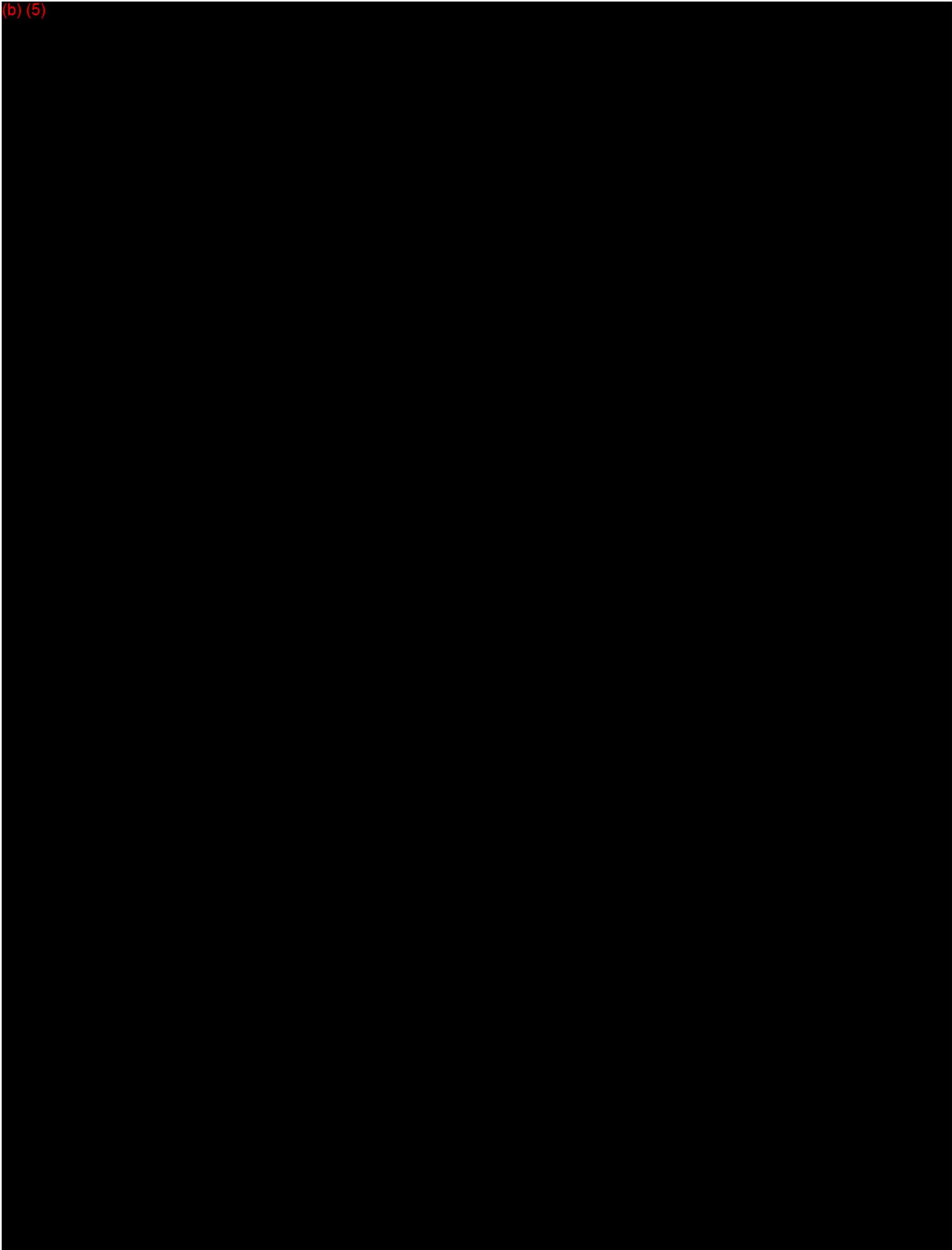


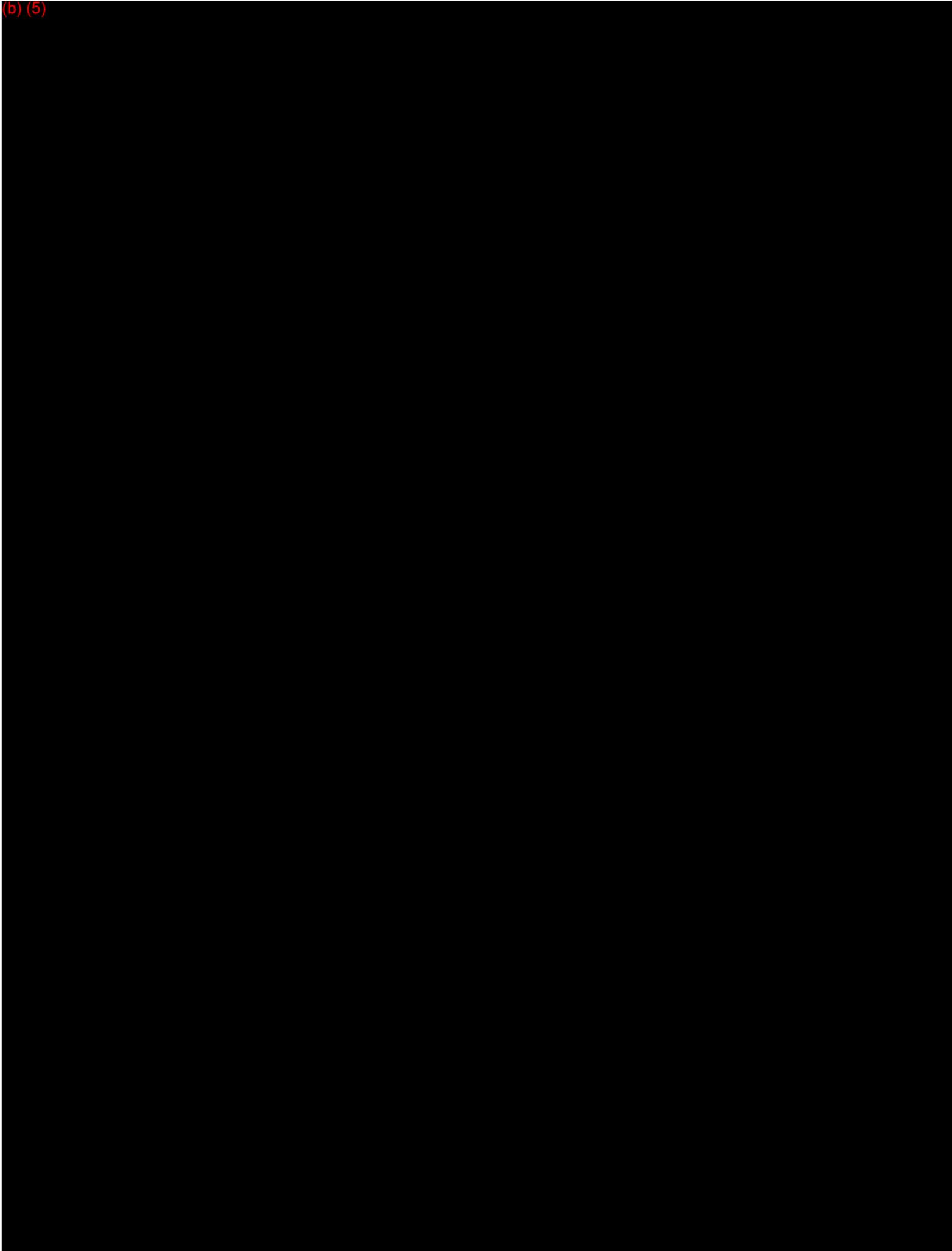


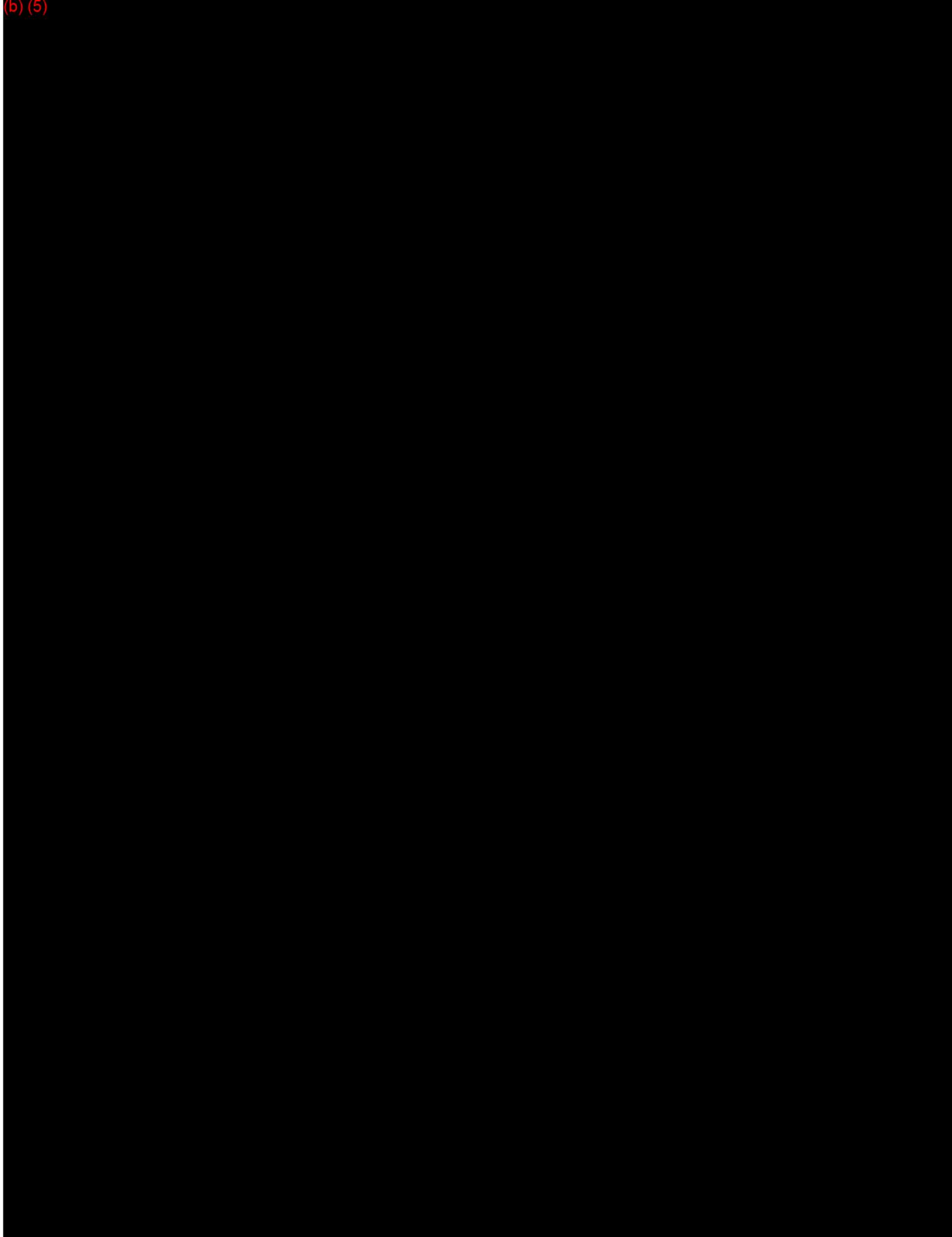


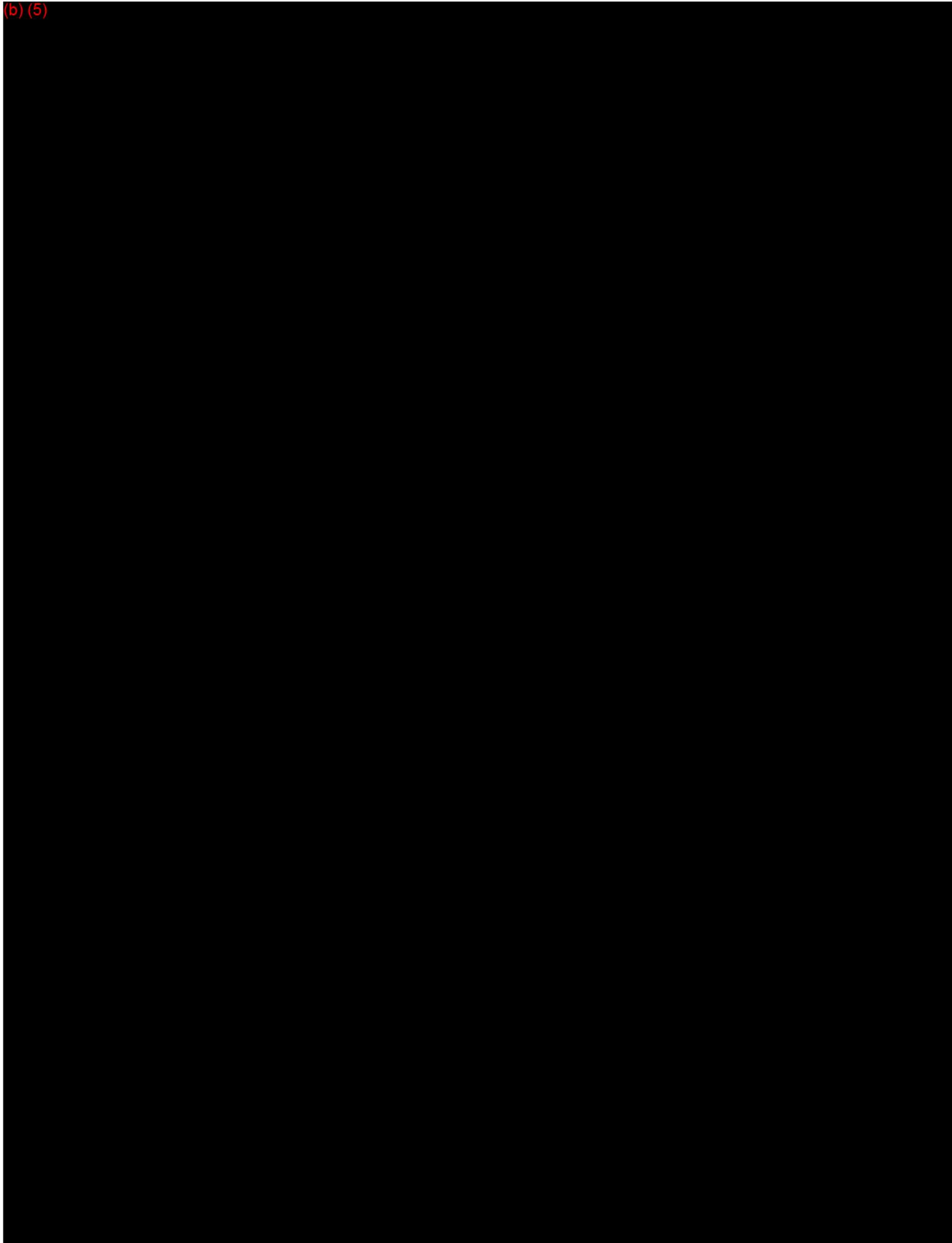


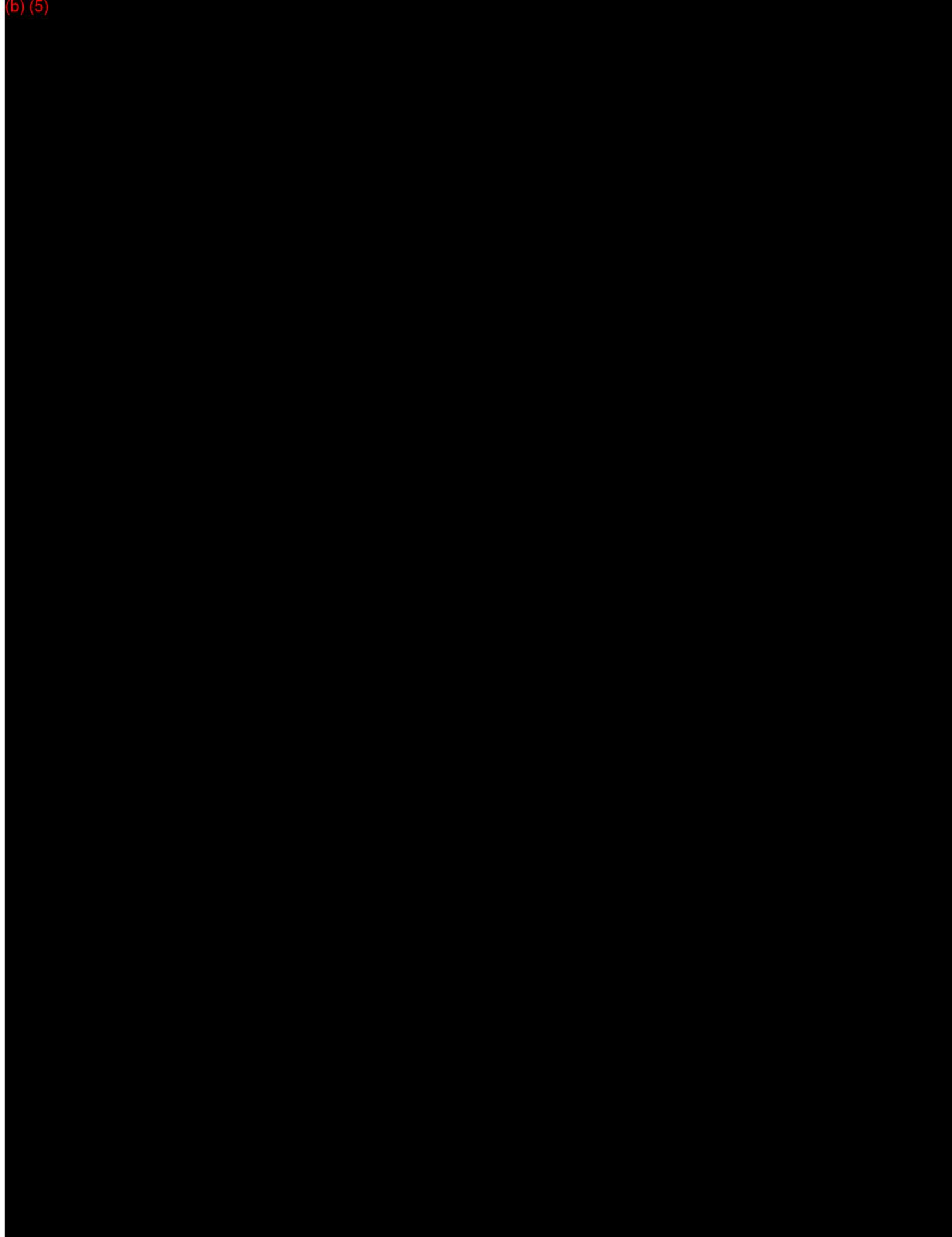


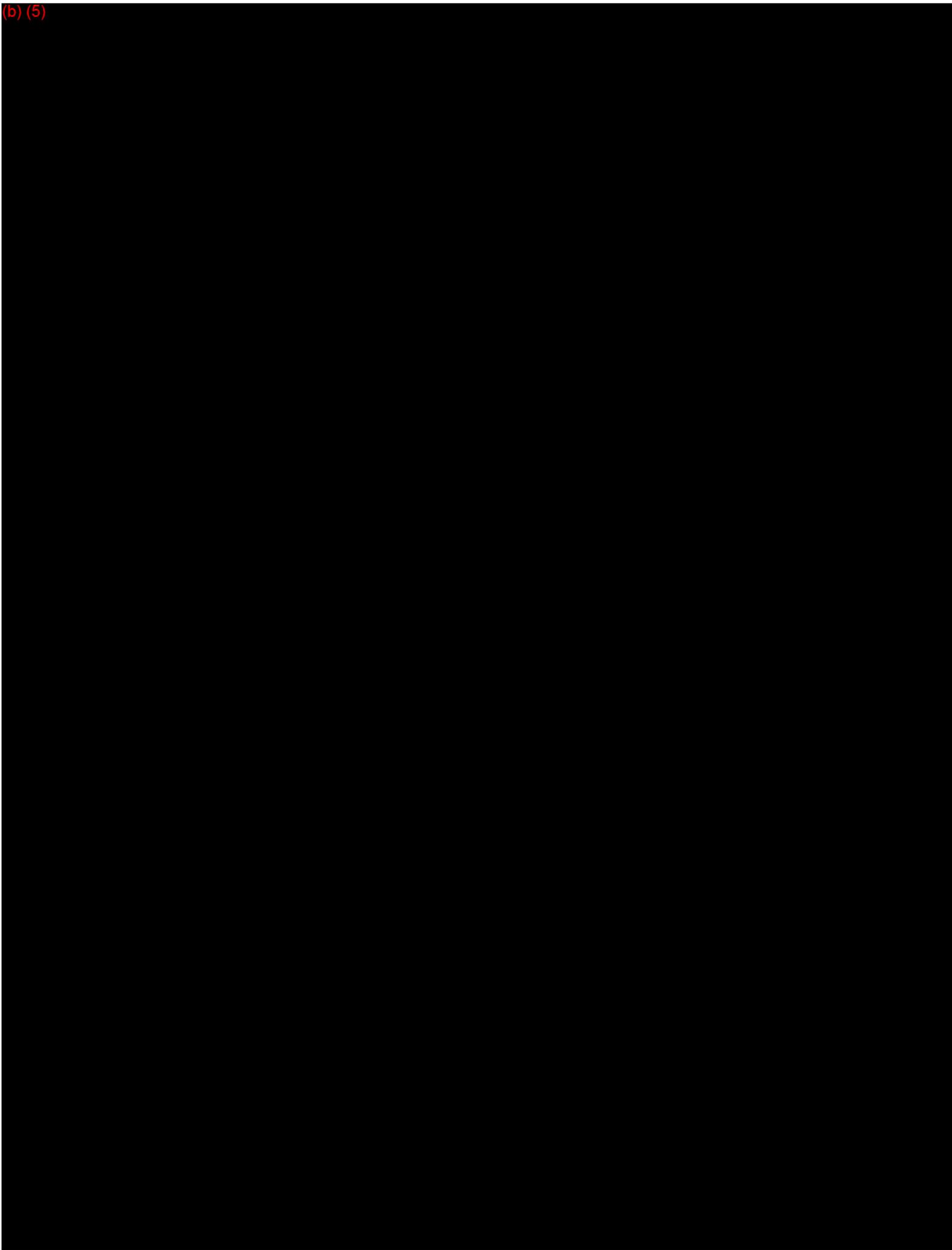


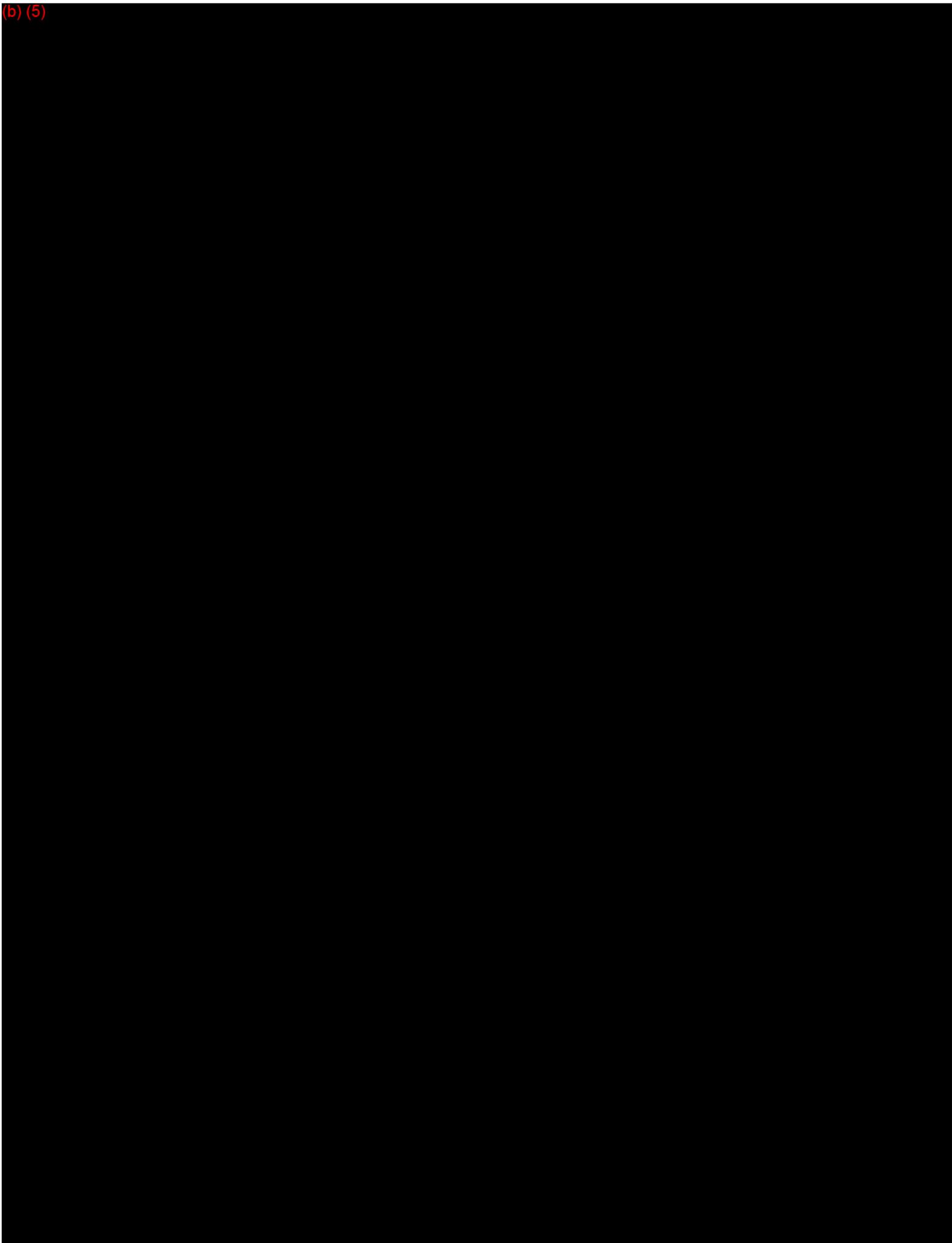


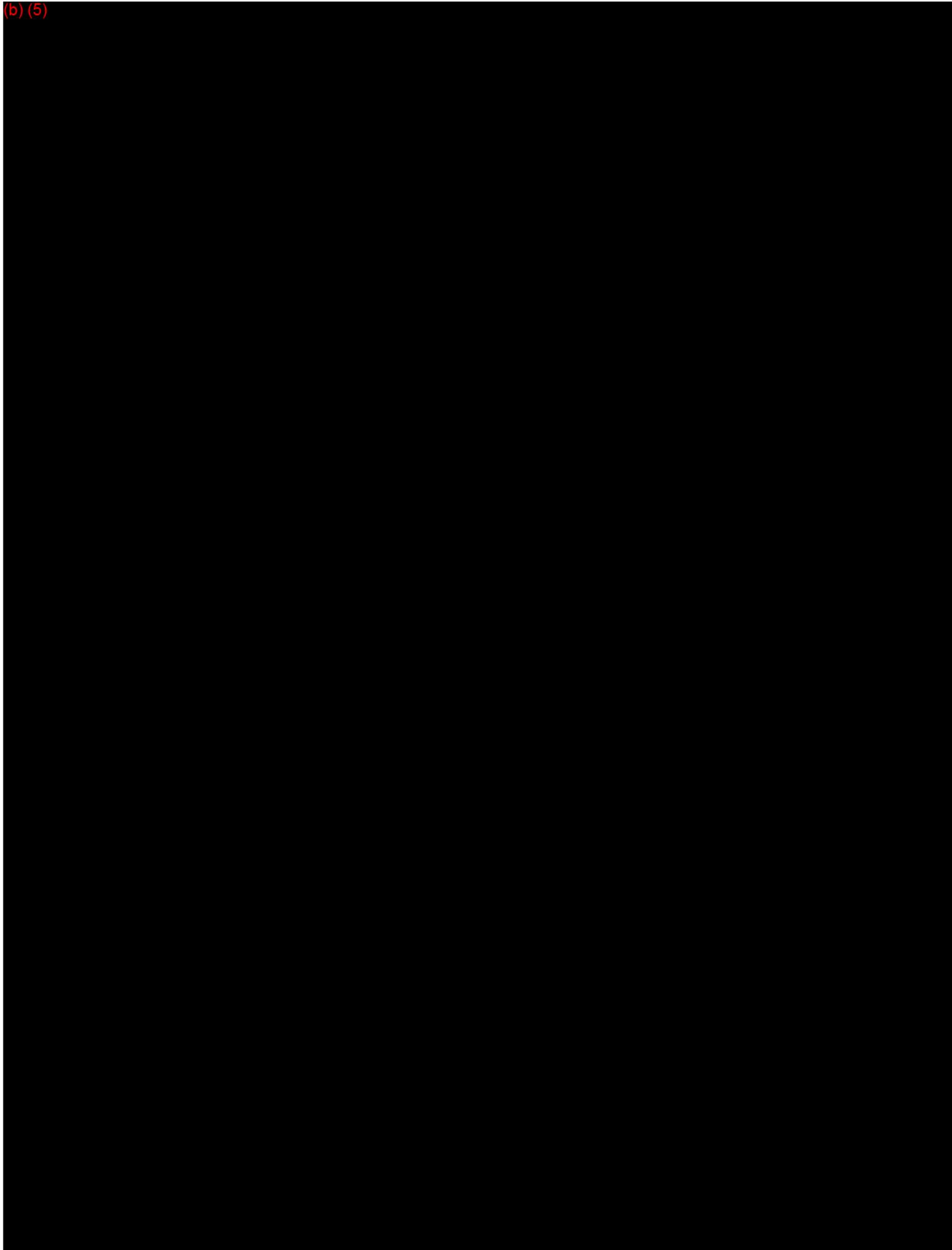


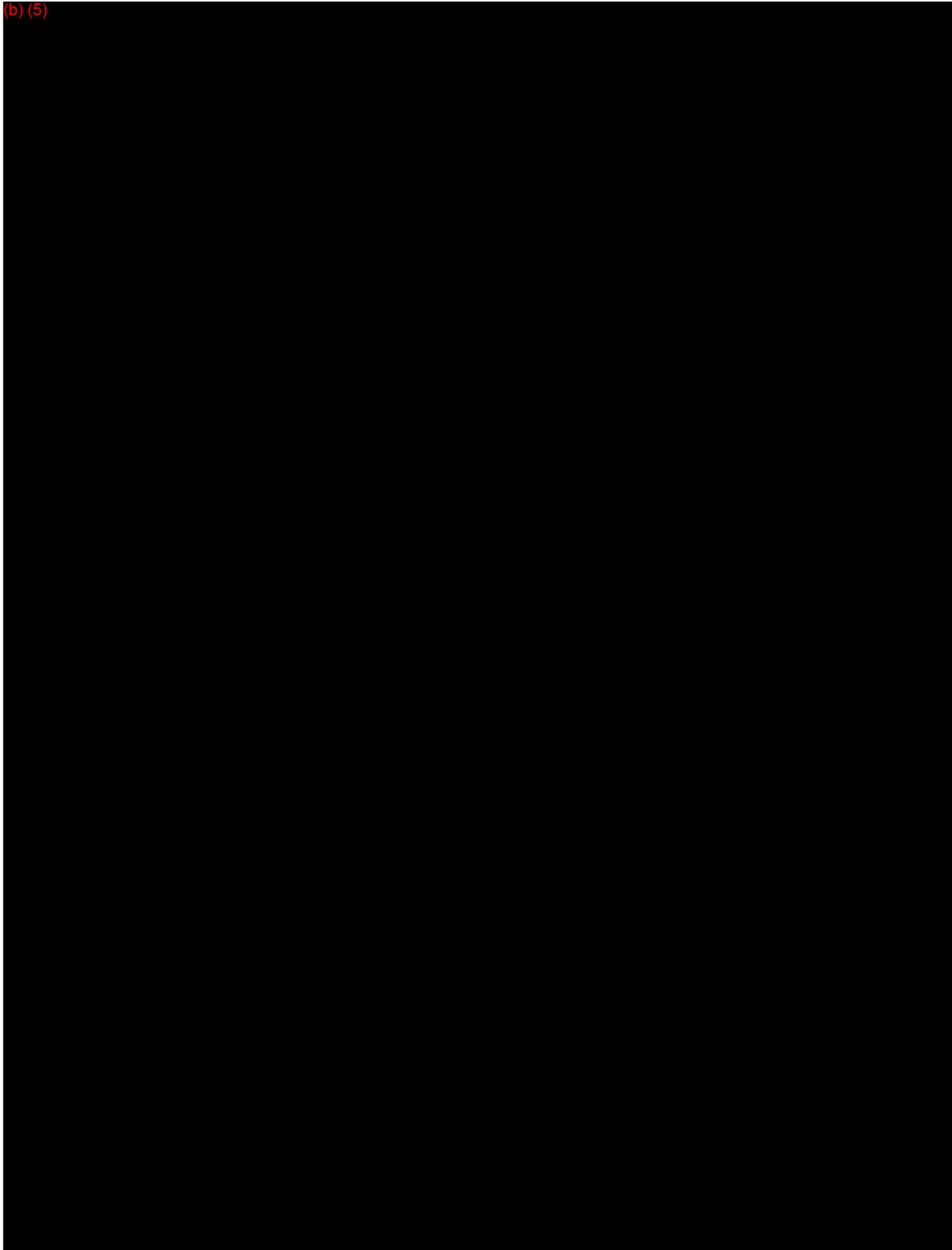


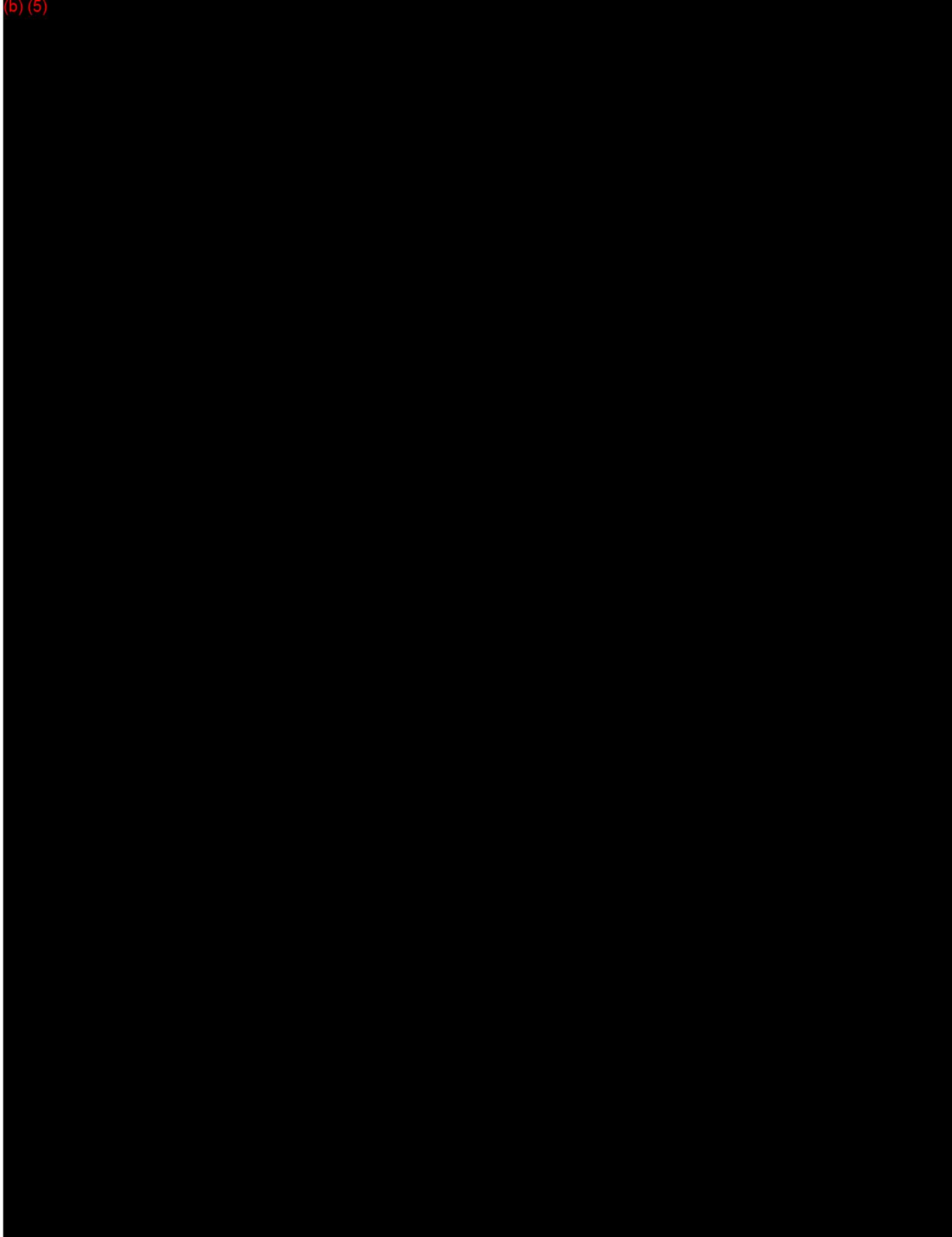


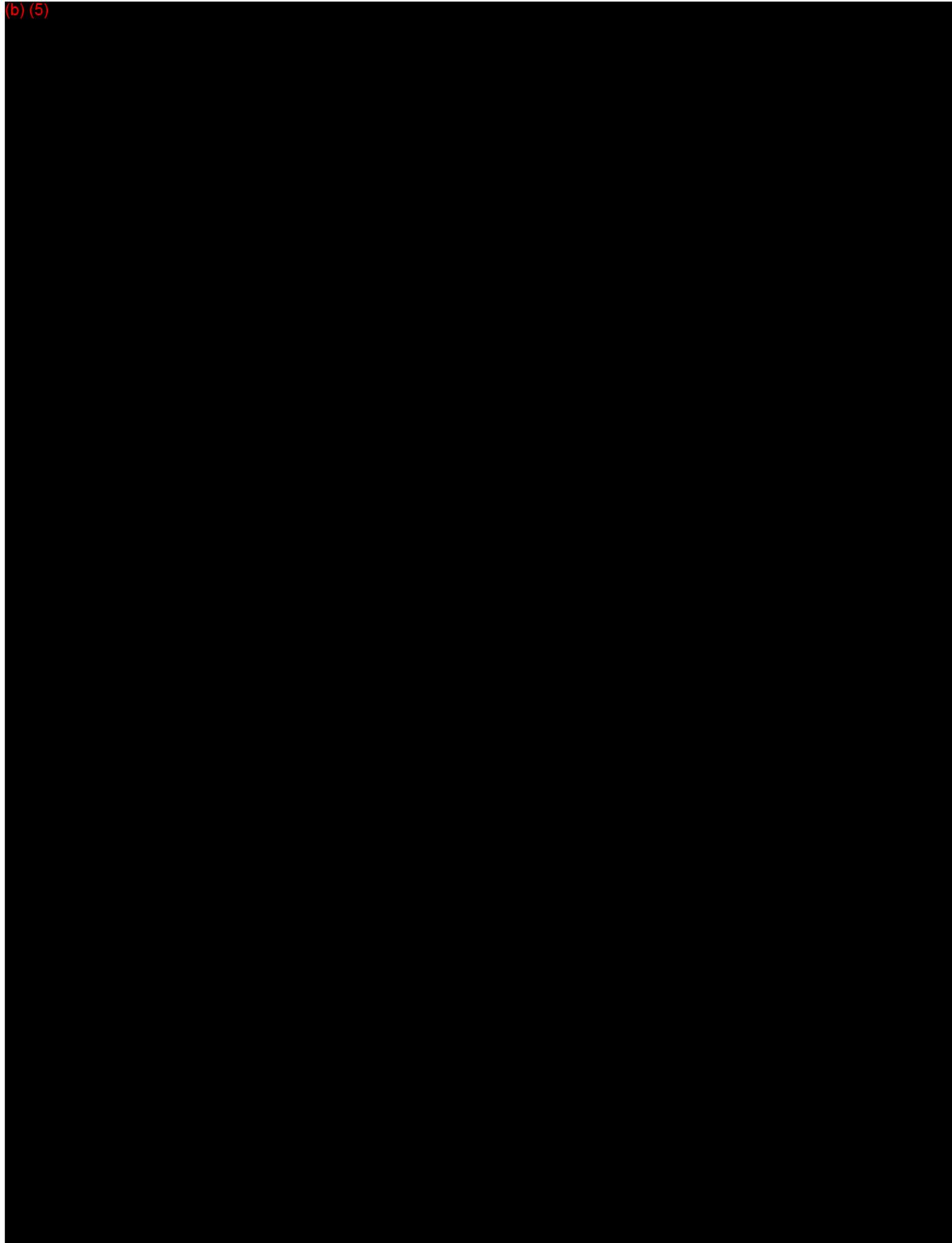


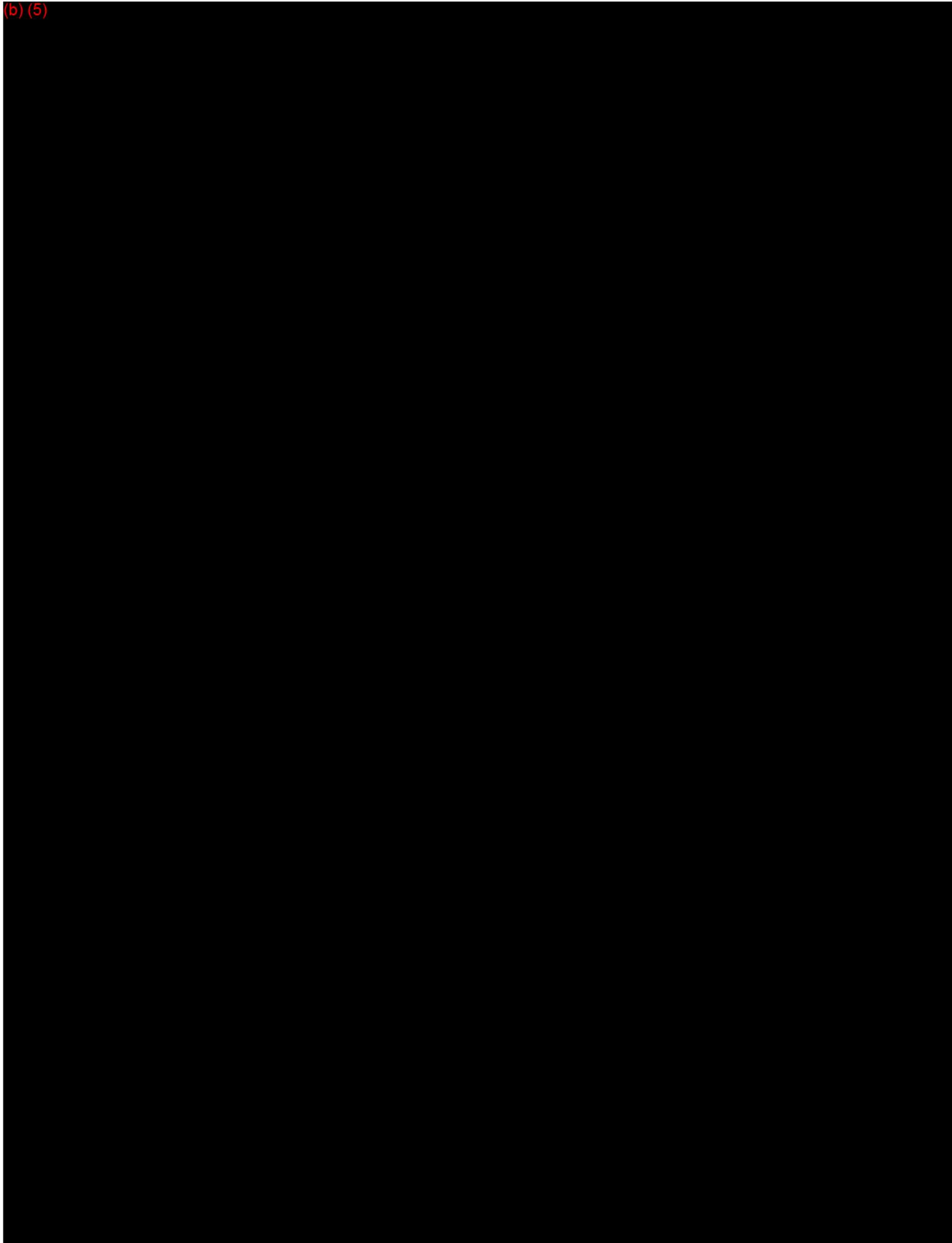


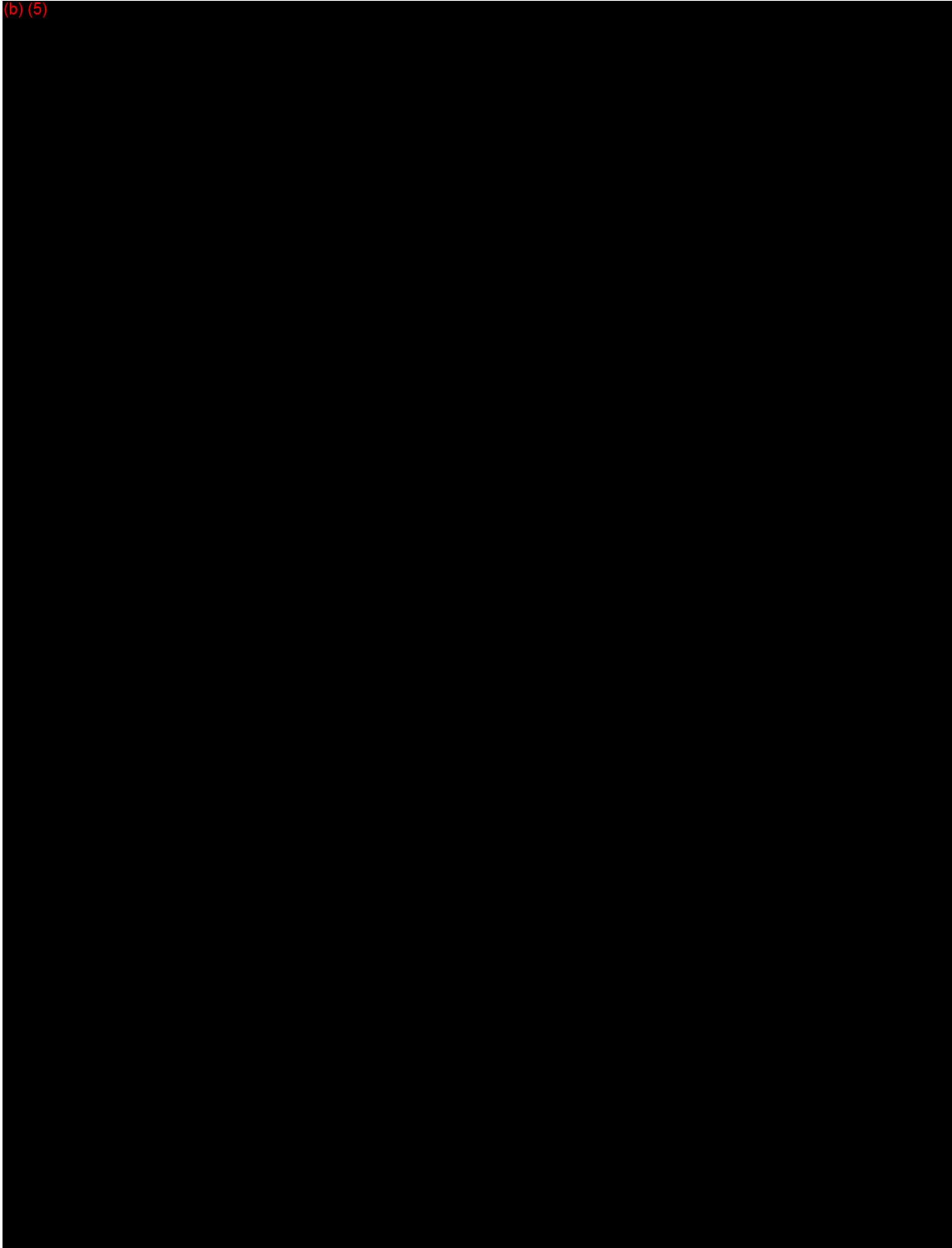


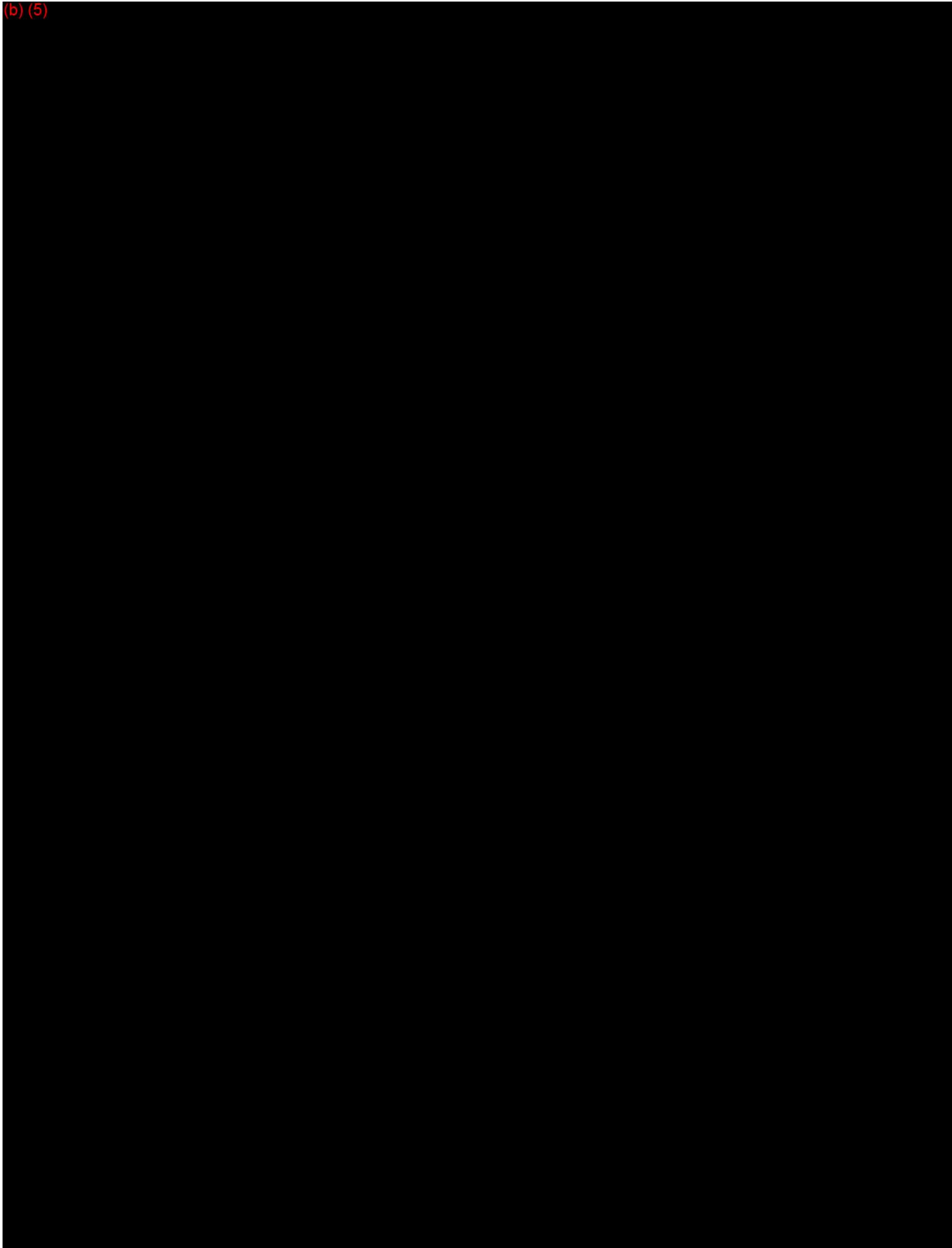


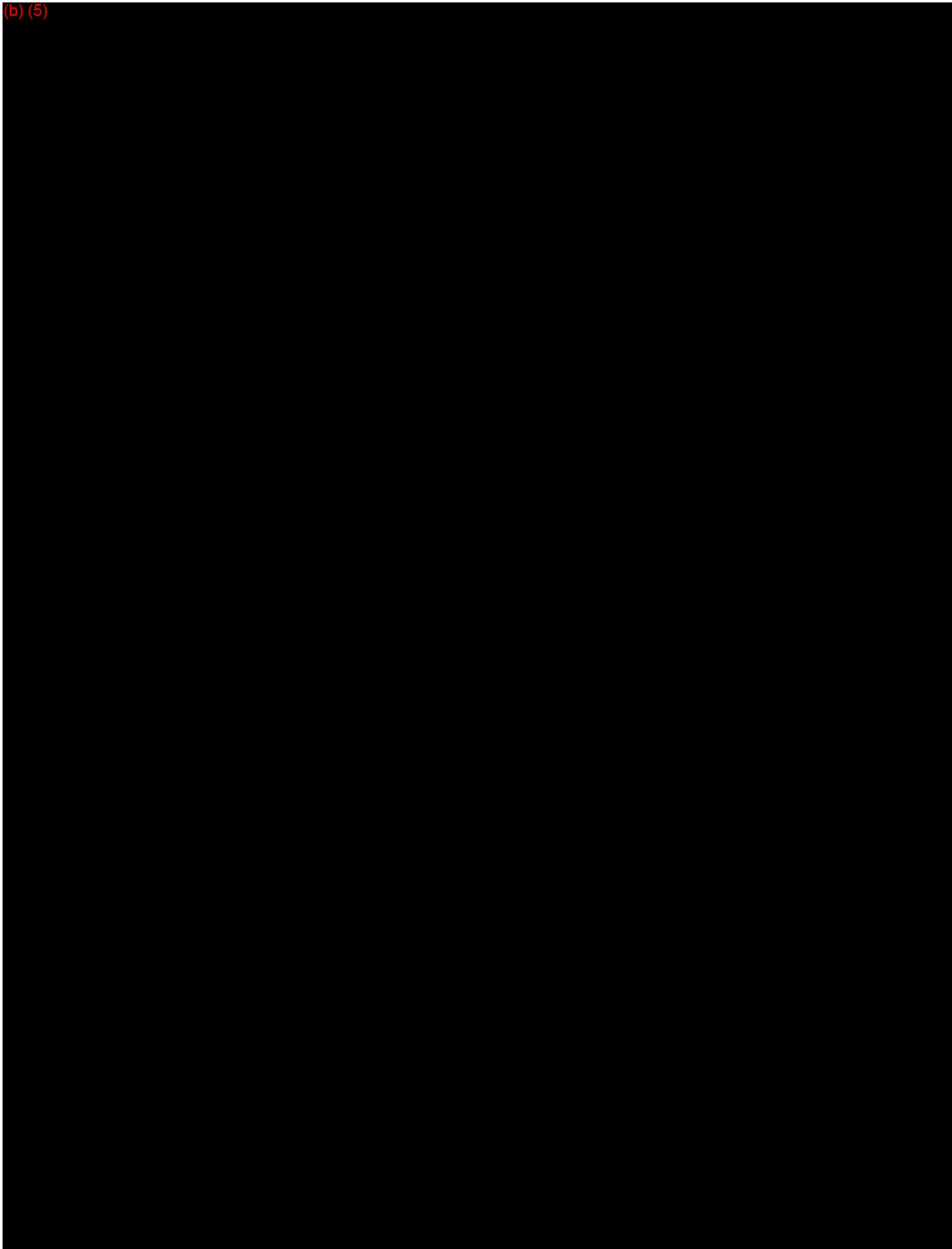


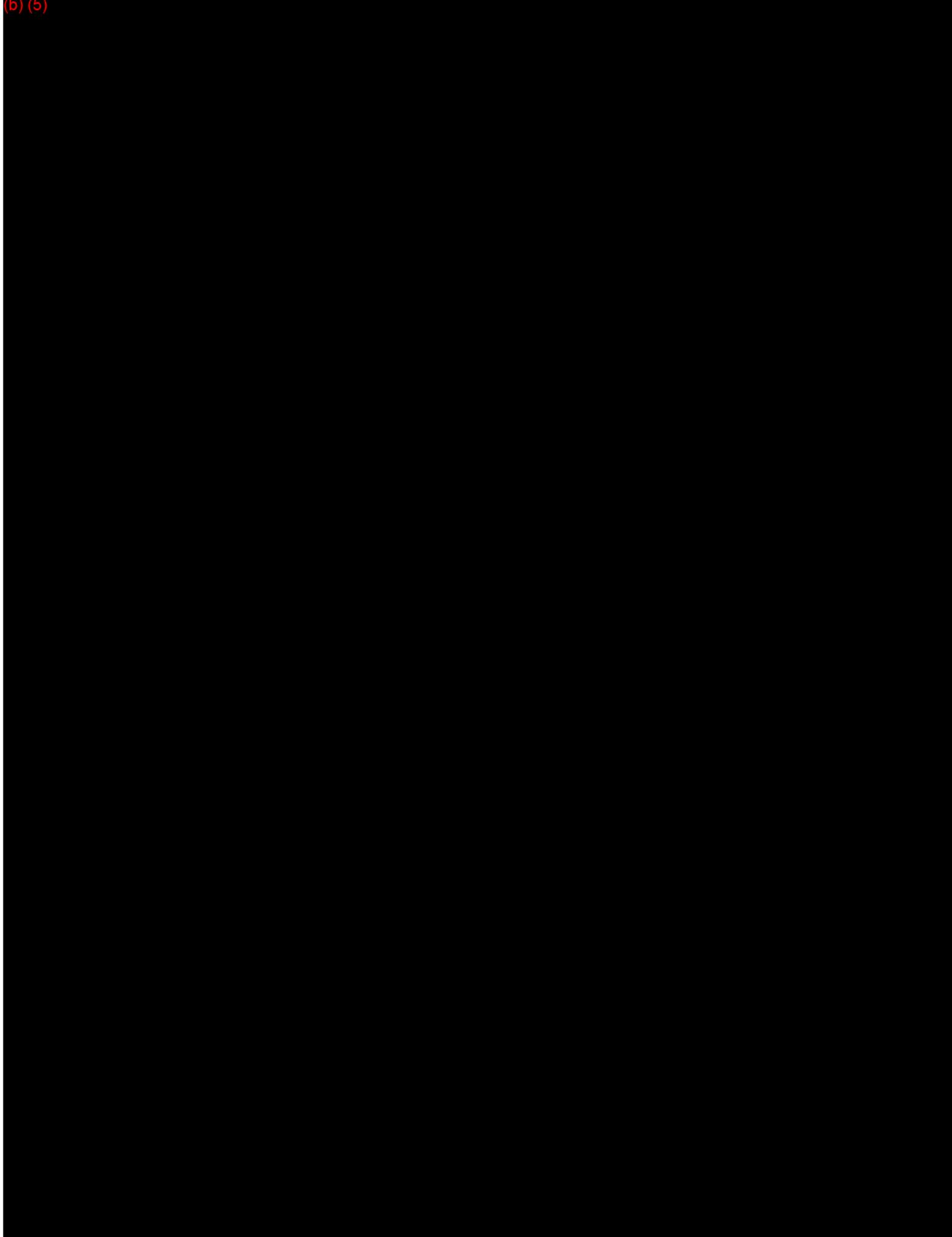


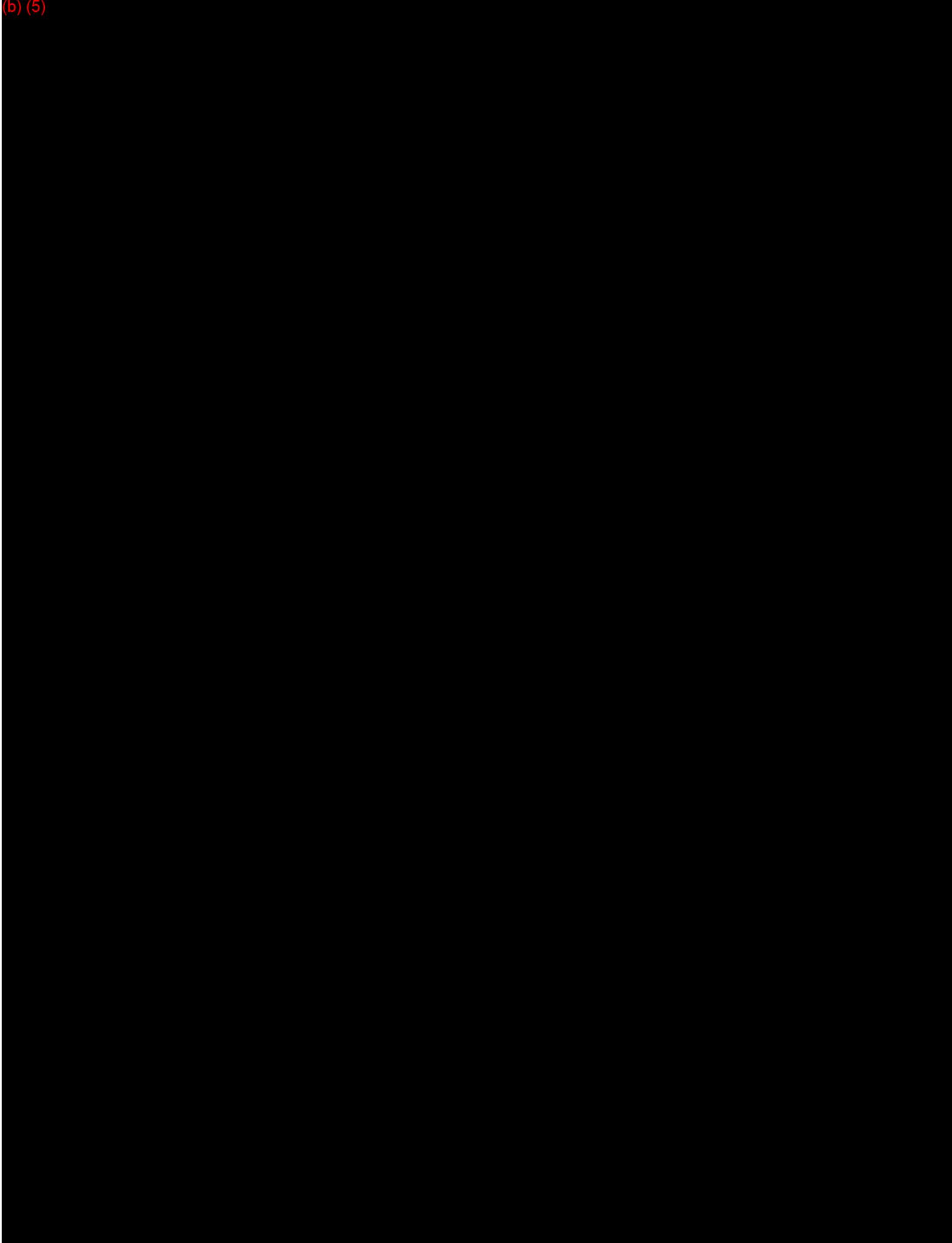


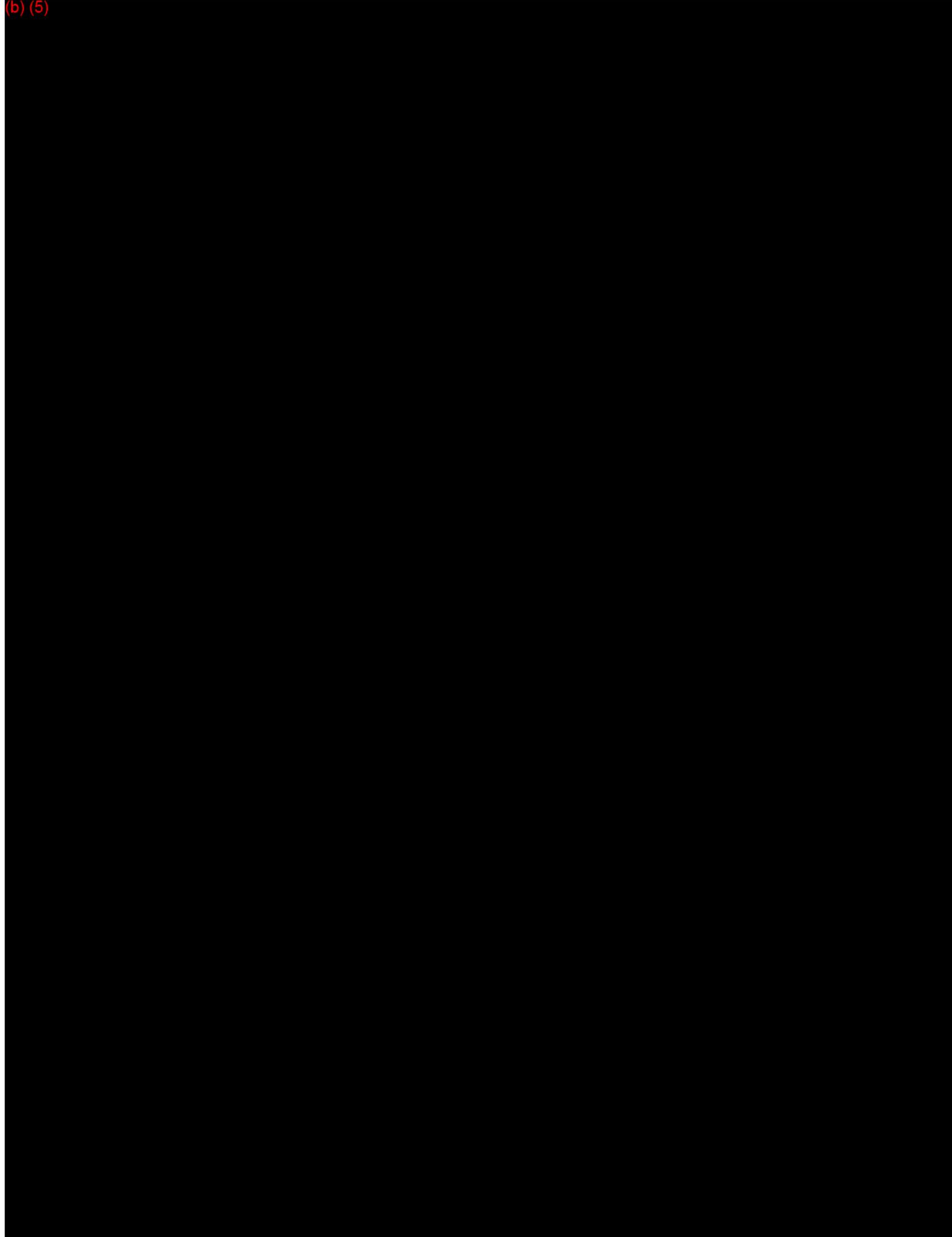












# FW: EO 12866 Review of CEQ NEPA Procedural Provisions

## Prerule - CEQ passback attached - comments due noon 6/6

---

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

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

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

**Date:** Sun, 03 Jun 2018 22:11:47 -0400

**Attachments**  
: EO12866 Review CEQ NEPA ANPRM\_Revised\_RLSO.DOCX (48.1 kB); EO12866 Review CEQ Responses to Interagency Comments.docx (33.5 kB); EO12866 Review CEQ NEPA ANPRM\_Revised\_Clean.docx (47.61 kB)

FYI...

**From:** Whiteman, Chad S. EOP/OMB  
**Sent:** Friday, June 1, 2018 11:18 AM  
**To:** Wold, Theo J. EOP/WHO <(b) (6)> Jain, Varun M. EOP/OMB <(b) (6)> Upadhyaya, Shraddha A. EOP/OMB <(b) (6)> Thomas, Amanda L. EOP/OMB <(b) (6)> Wackler, Ted M. EOP/OSTP <(b) (6)> Salvi, Mary E. EOP/WHO <(b) (6)> White, Peter J. EOP/WHO <(b) (6)> Smith, Ja'Ron K. EOP/WHO <(b) (6)> Starling, Ray A. EOP/WHO <(b) (6)> Brooke, Francis J. EOP/WHO <(b) (6)> Fitzgerald, Timothy W. EOP/CEA <(b) (6)> Abajian, Xander C. EOP/CEA <(b) (6)> Pinkos, Stephen M. EOP/OVP <(b) (6)> Hickey, Mike J. EOP/OMB <(b) (6)> Burgess, Scott H. EOP/OMB <(b) (6)> Winters, Paul A. EOP/OMB <(b) (6)> Derentz, Landon R. EOP/NSC <(b) (6)> Abbey, Tristan C. EOP/NSC <(b) (6)> Laing, Sally S. EOP/USTR <Sally\_S\_Laing@ustr.eop.gov>; Patel, Mayur R. EOP/USTR <Mayur\_R\_Patel@ustr.eop.gov>; Stradtman, Jennifer A. EOP/USTR <Jennifer\_A\_Stradtman@ustr.eop.gov>; Miller, Ashley A. EOP/USTR <Ashley\_A\_Miller@ustr.eop.gov>; Dougherty, Emily I. EOP/USTR <Emily\_I\_Dougherty@ustr.eop.gov>; Moran, John S. EOP/WHO <(b) (6)> Palmieri, Rosario A. EOP/OMB <(b) (6)> Laity, Jim A. EOP/OMB <(b) (6)> Prandoni, Christopher D. EOP/CEQ <(b) (6)> Trick, Bryant P. EOP/USTR <Bryant\_Trick@ustr.eop.gov>; Abrams, Andrew D. EOP/OMB <(b) (6)> Crutchfield, Craig C. EOP/OMB <(b) (6)> McDonald, Christine A. EOP/OMB <(b) (6)> Roach, Emma K. EOP/OMB <(b) (6)> Burnett, Ben D. EOP/OMB <(b) (6)>

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(b) (6) Lucas, Adrienne E. EOP/OMB

(b) (6) Fischietto, Mary S. EOP/OMB

(b) (6)

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

**Subject:** RE: EO 12866 Review of CEQ NEPA Procedural Provisions Prerule - CEQ passback attached - comments due noon 6/6

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'John S. EOP/WHO Moran (b) (6) (b) (6) Rosario A.

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(b) (6) 'Mary B. EOP/CEQ Neumayr (b) (6)

(b) (6)

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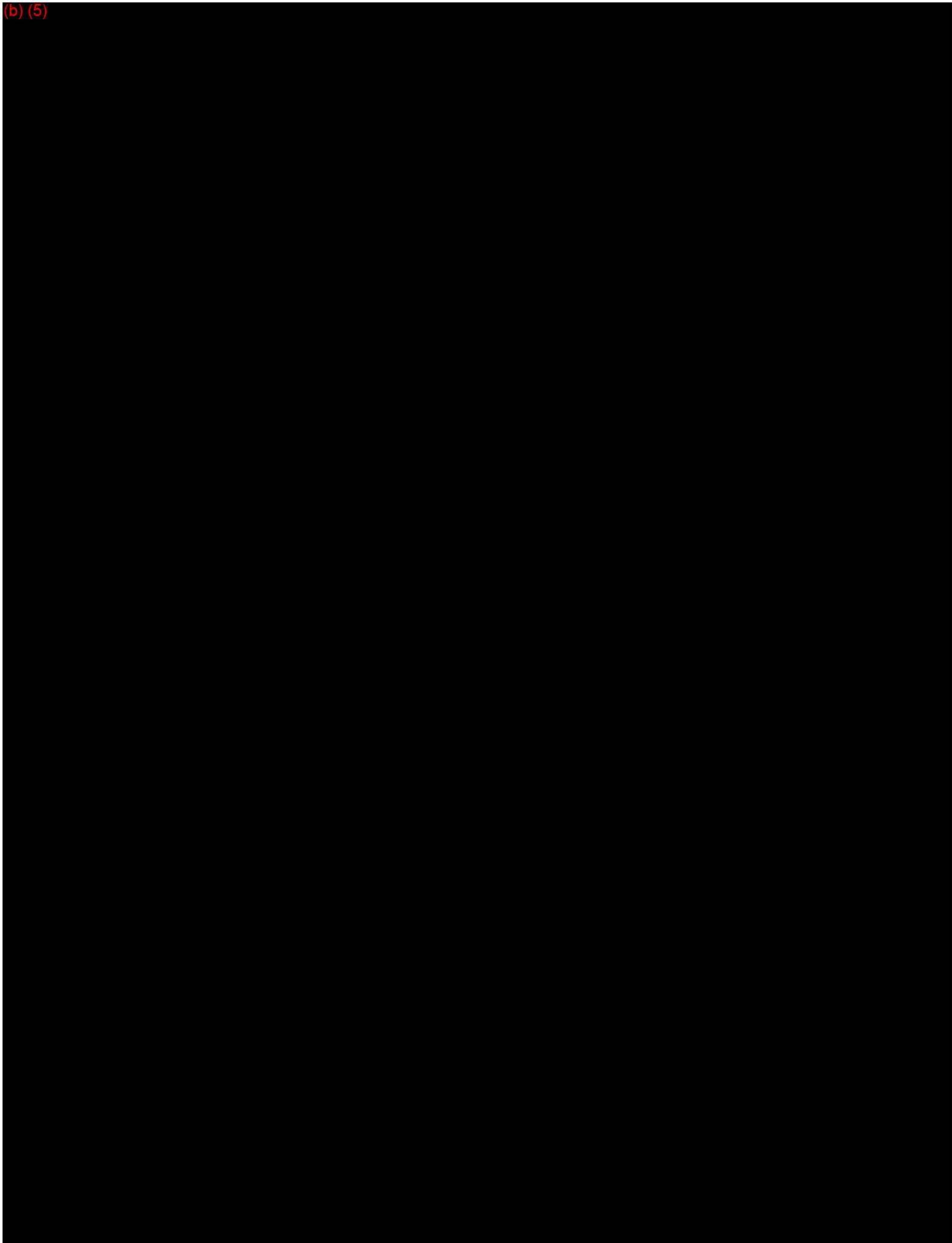
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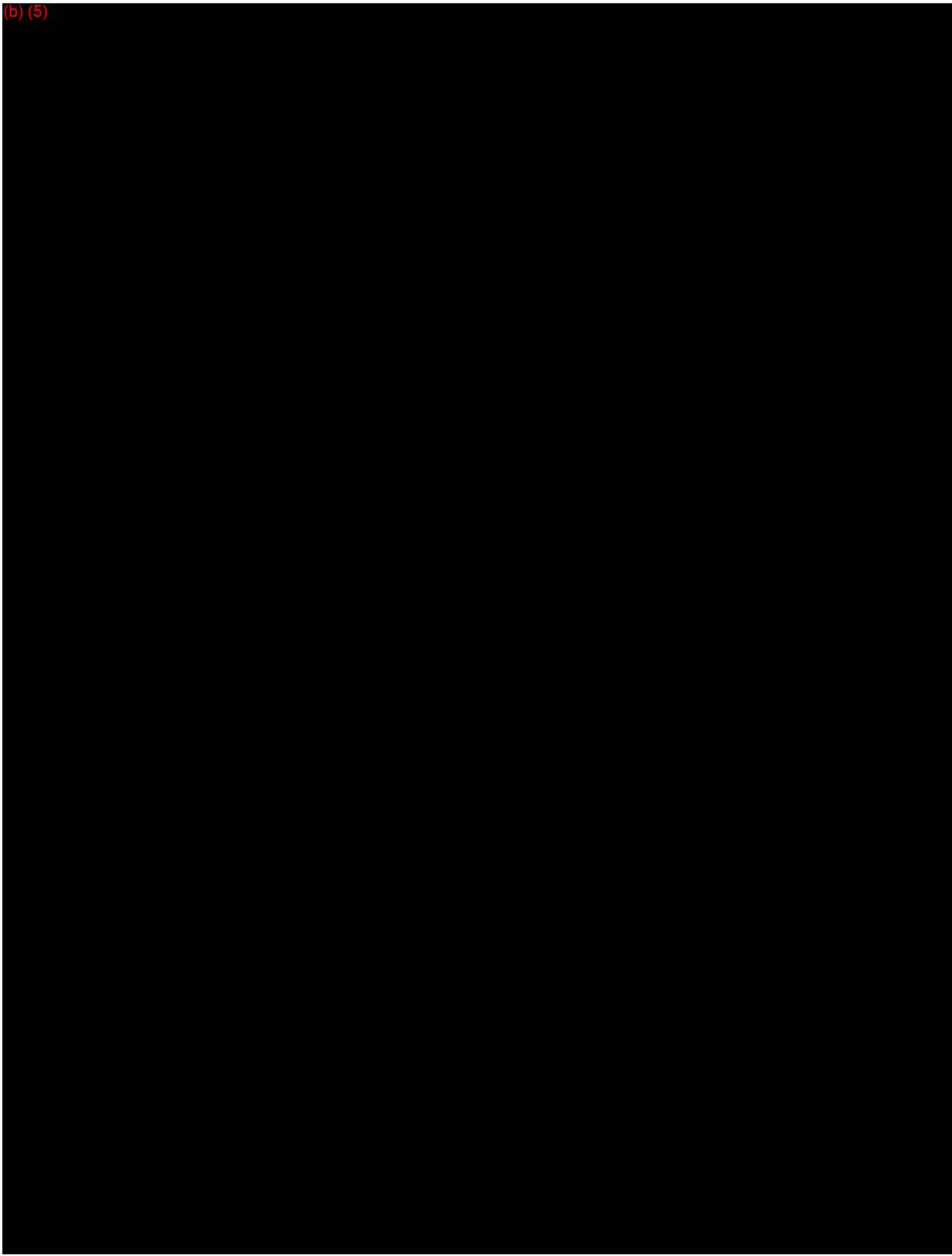
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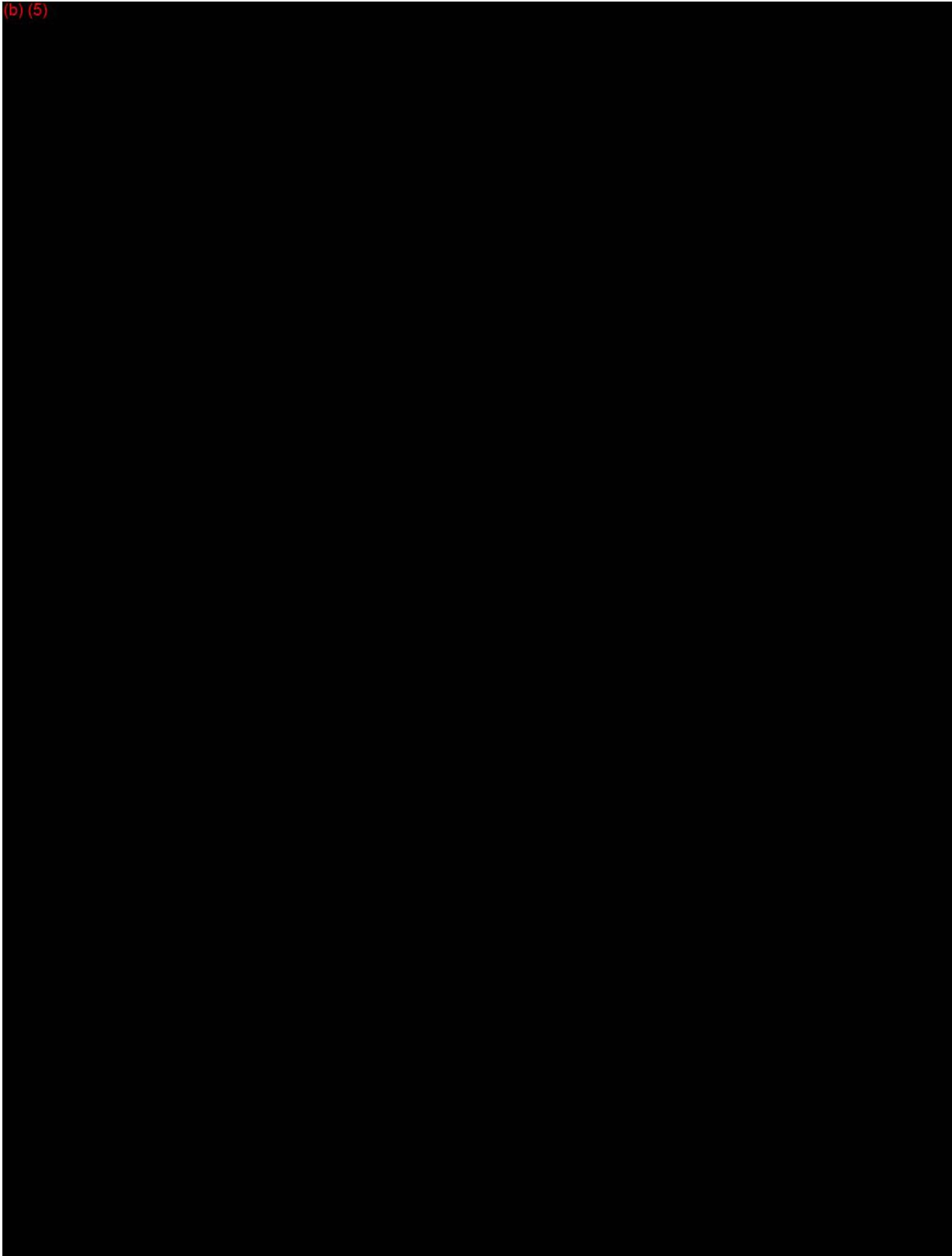
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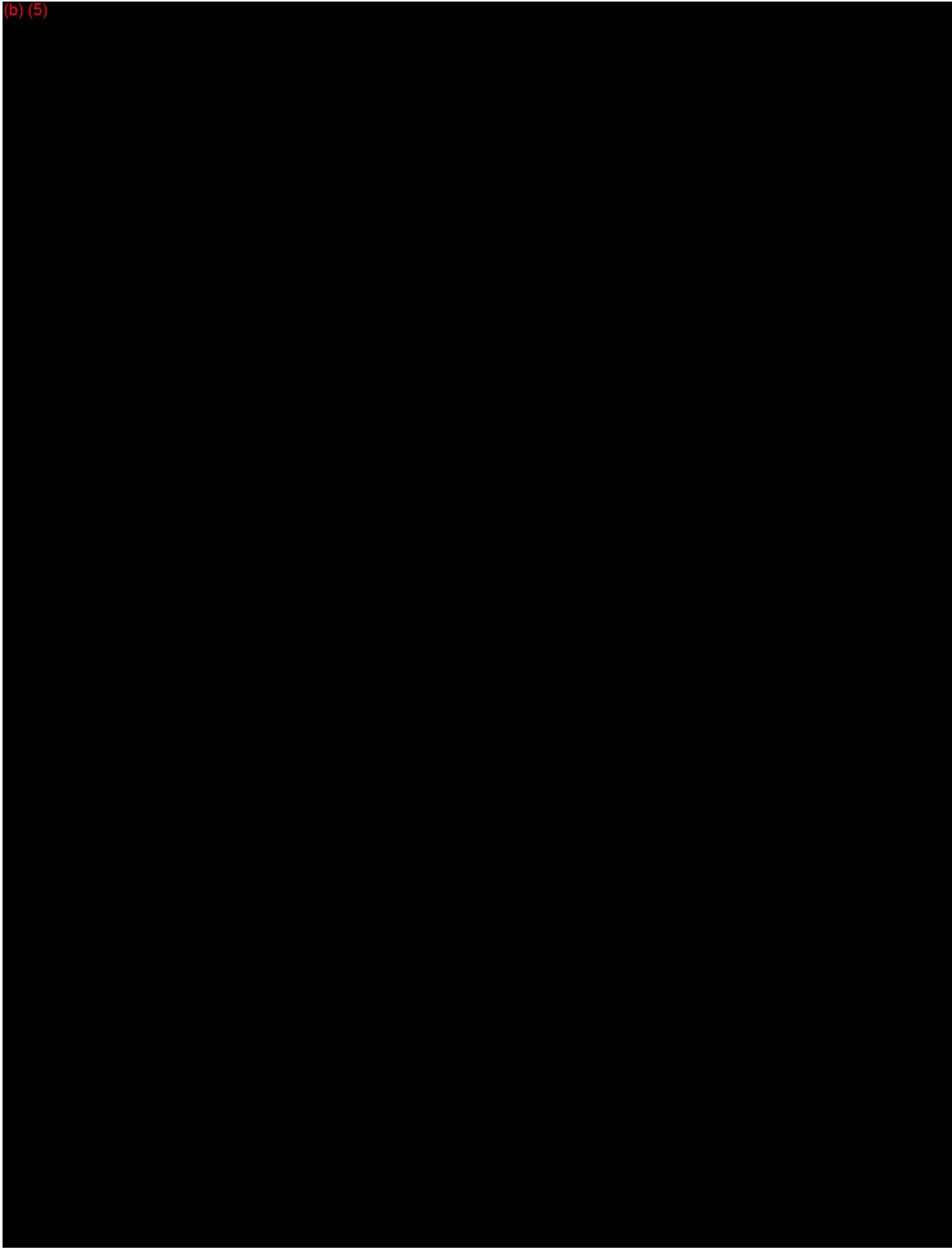
Chad Whiteman  
Natural Resources and Environment Branch | Office of Information and Regulatory  
Affairs  
Office of Management and Budget | Executive Office of the President  
202-395-4718

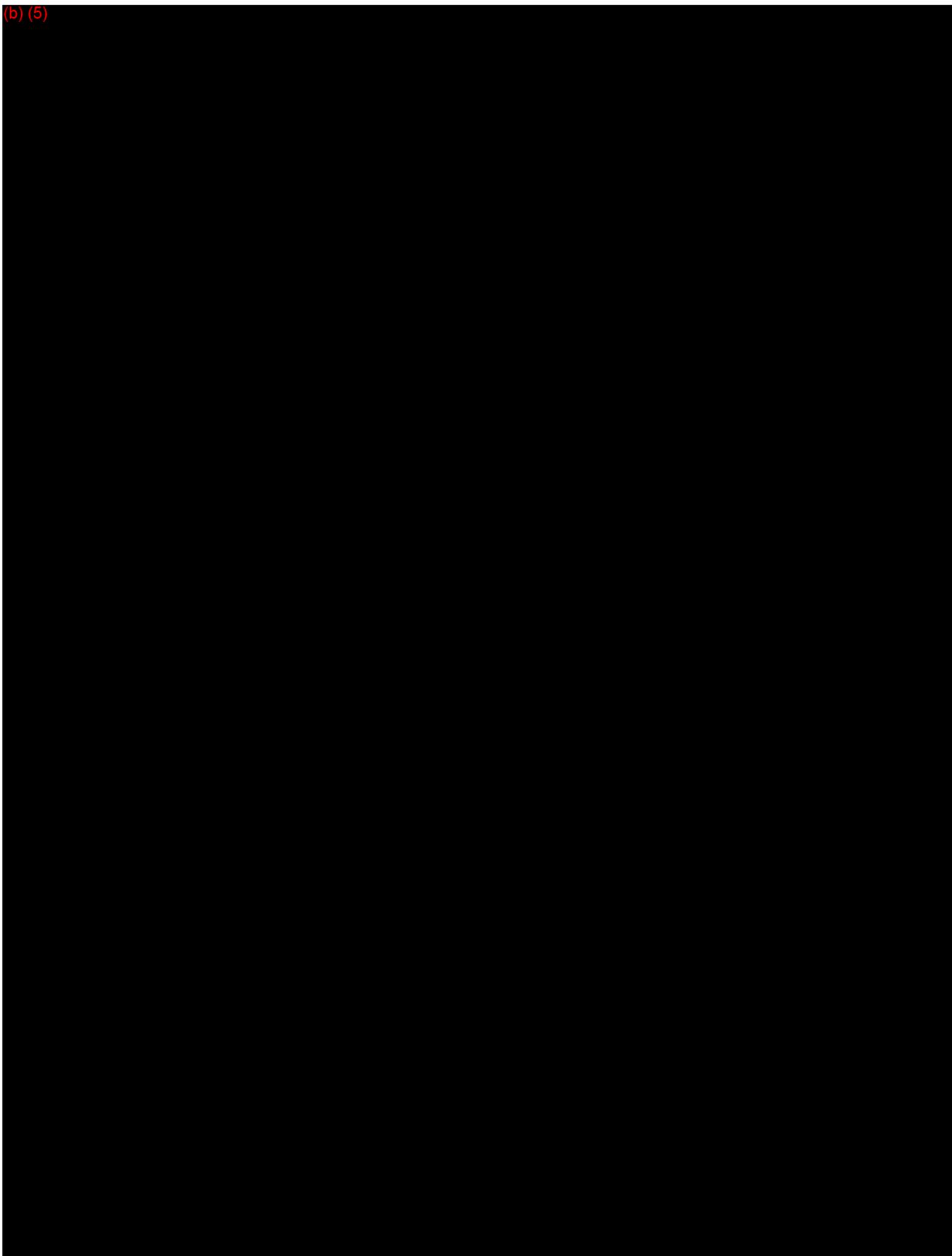
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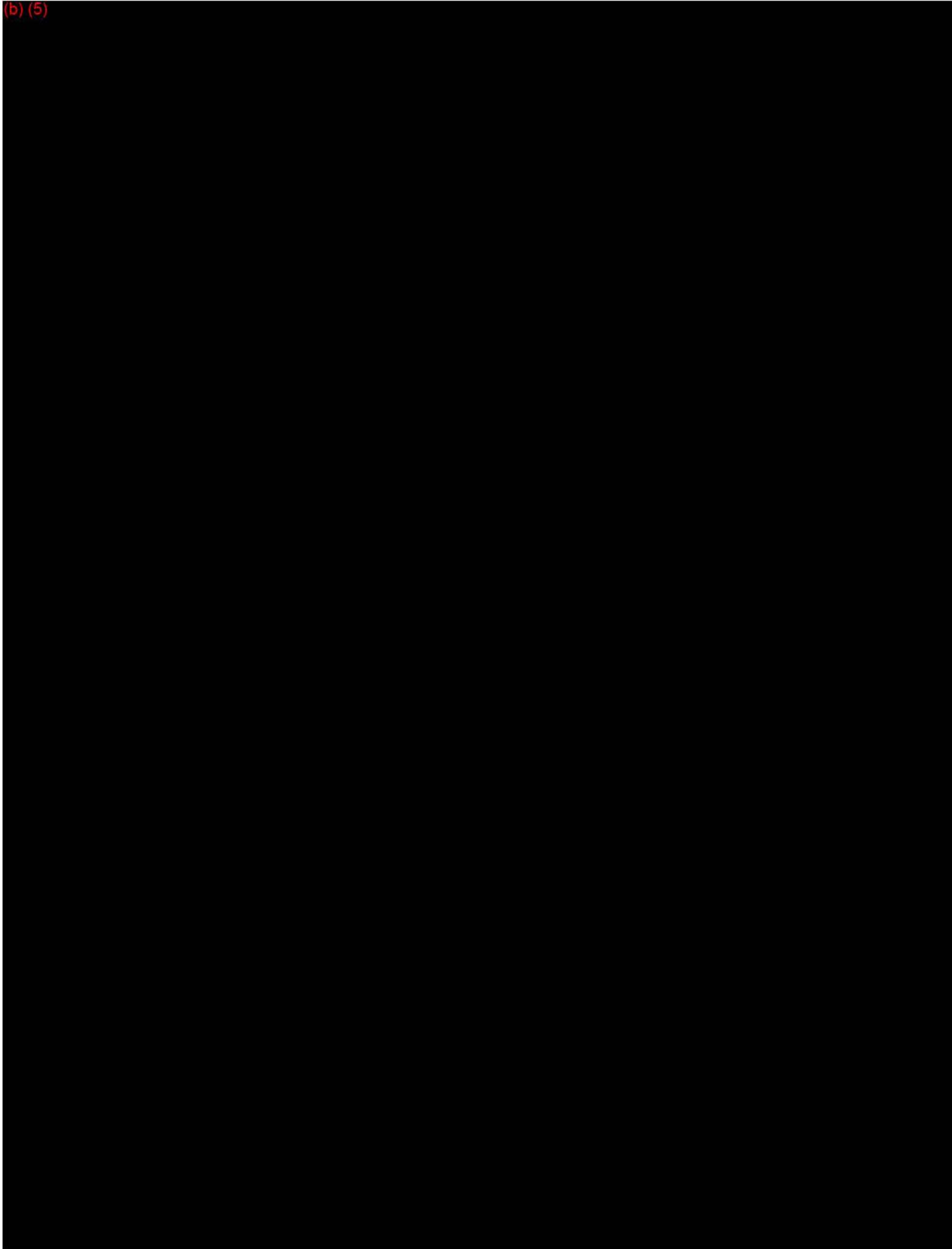


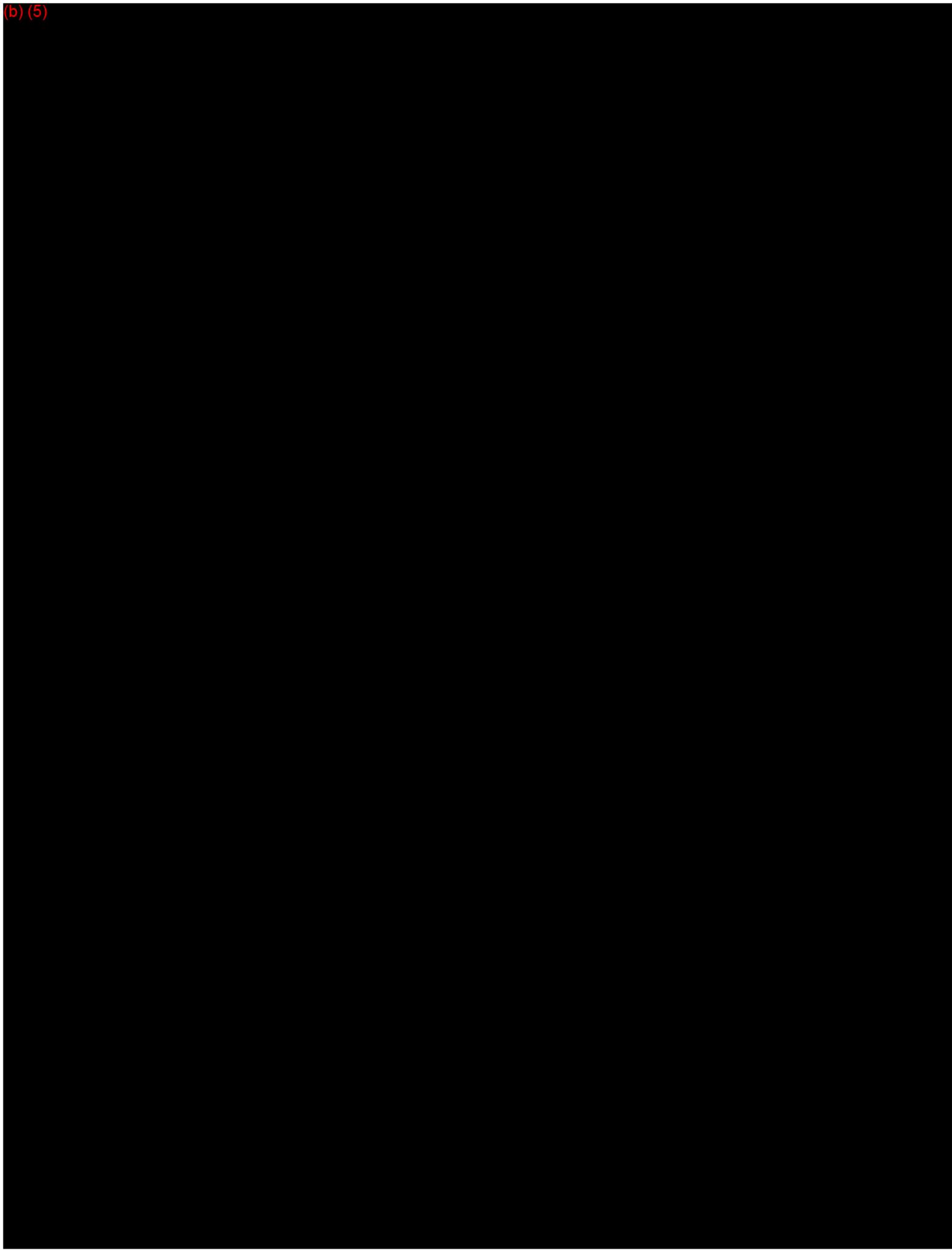


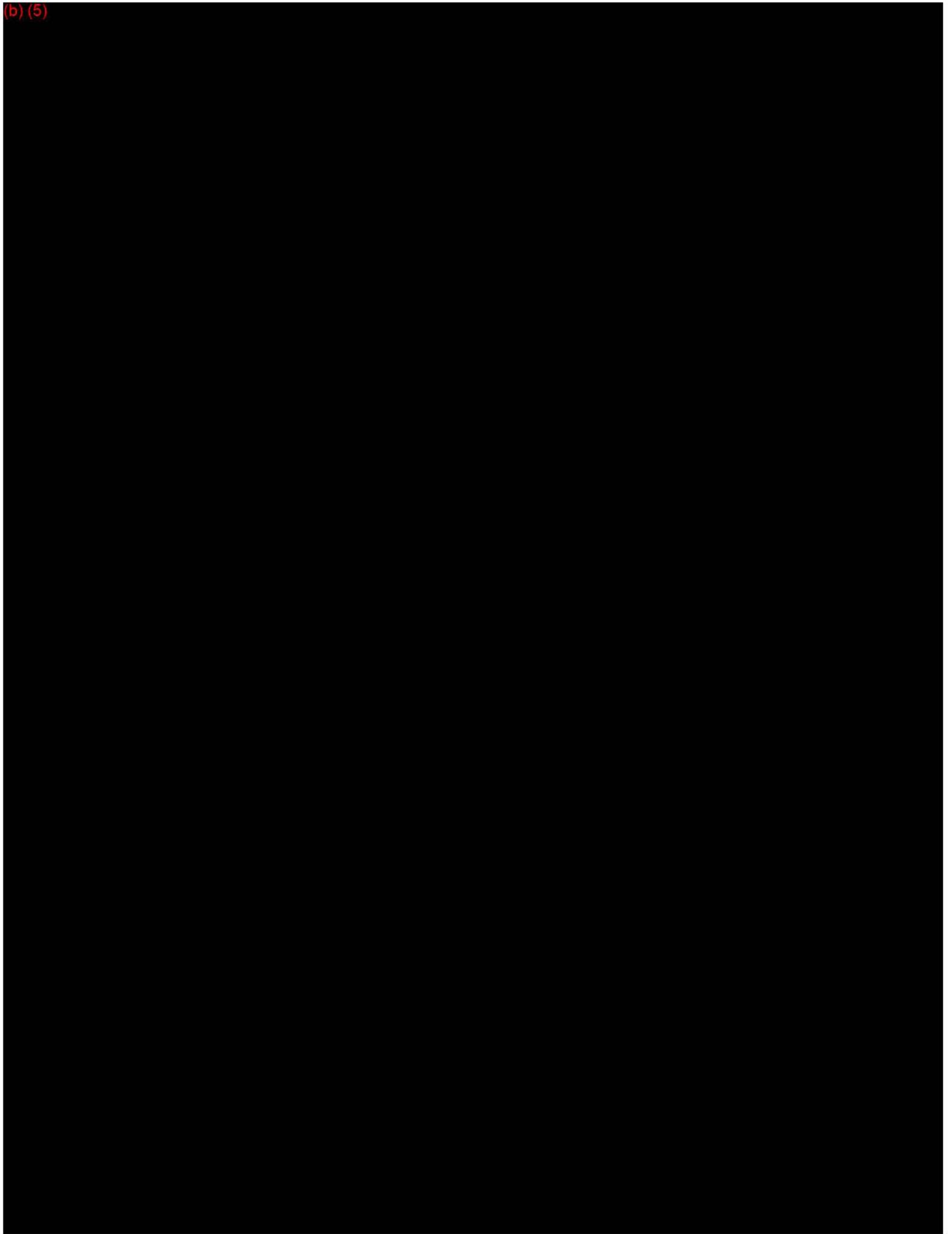


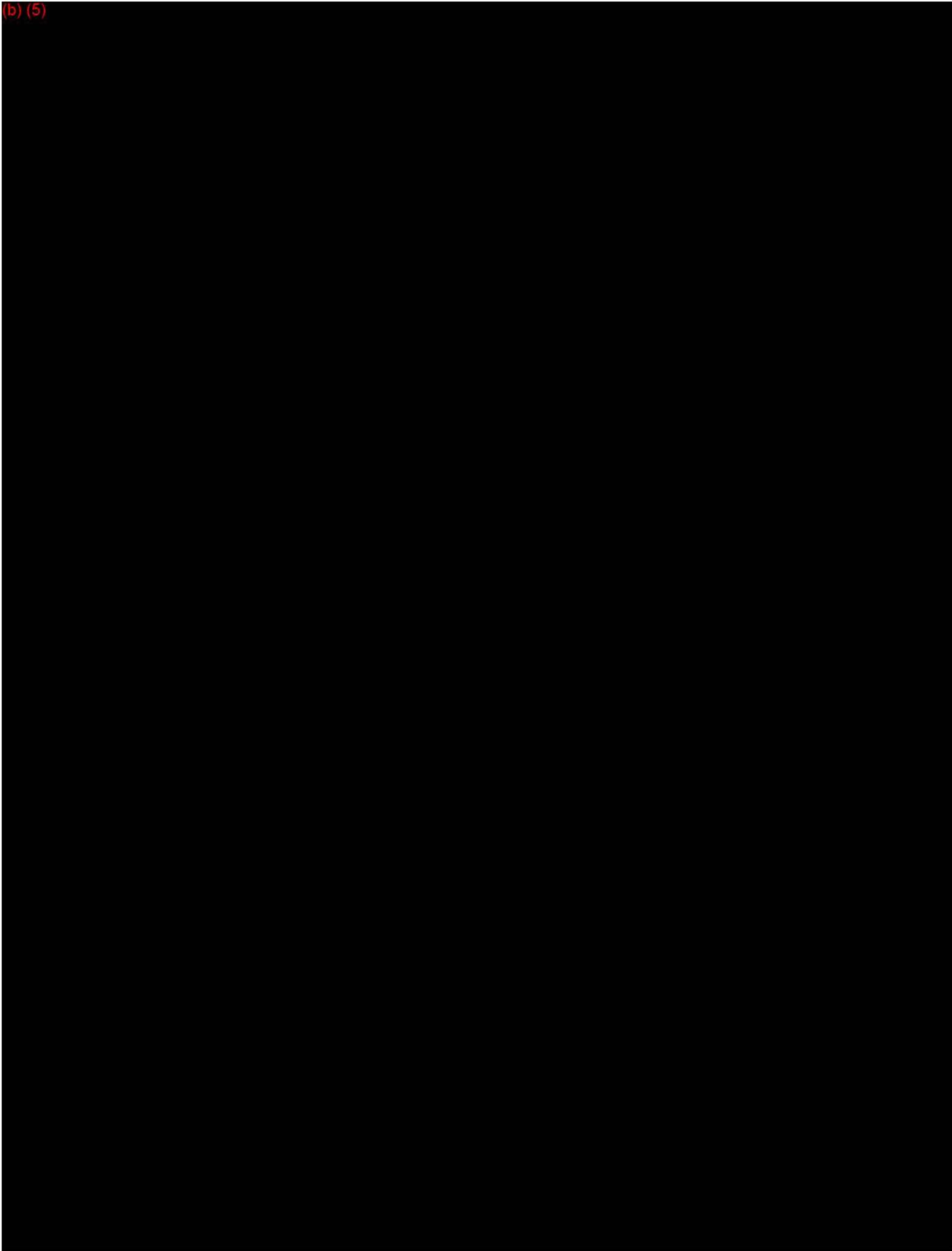


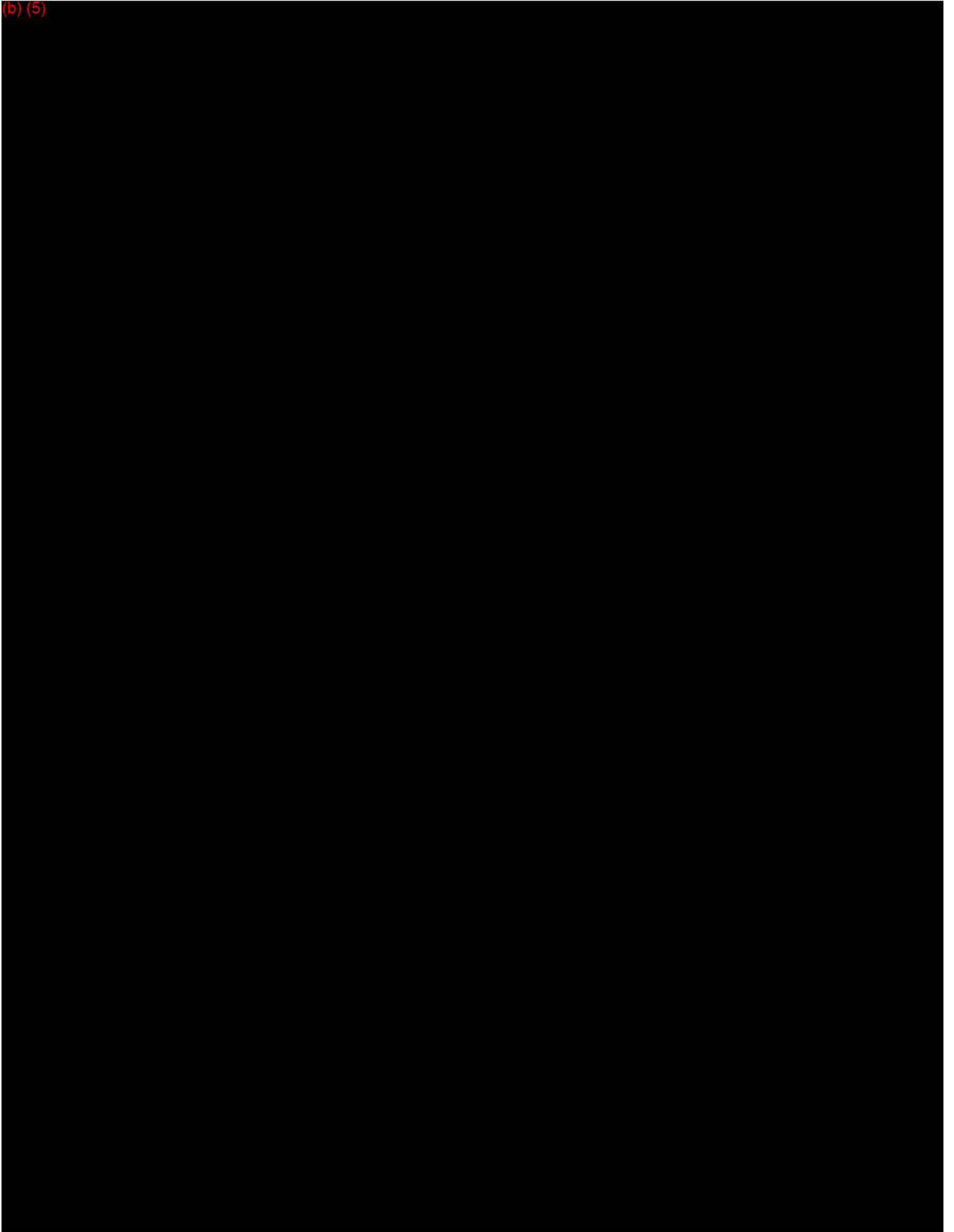


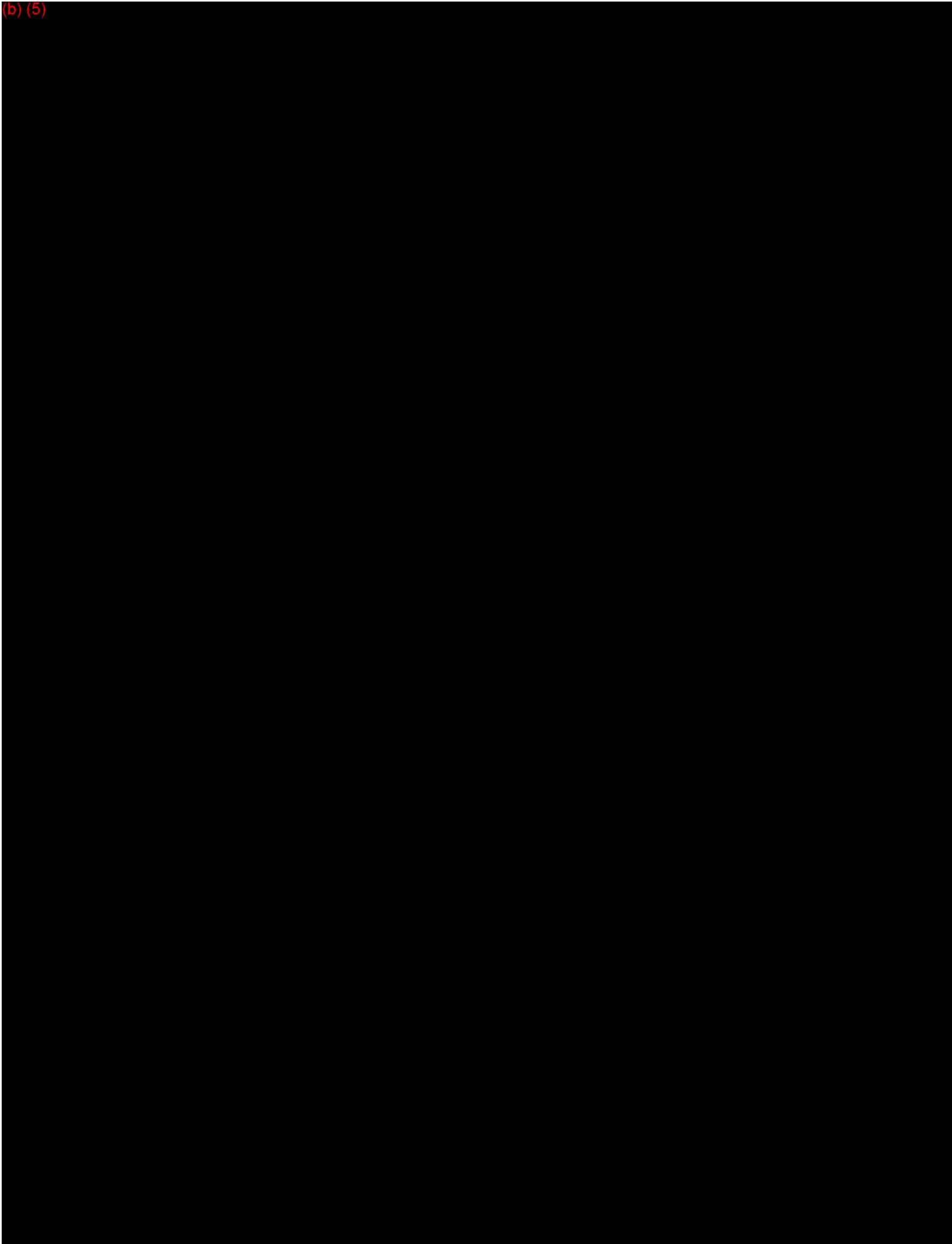


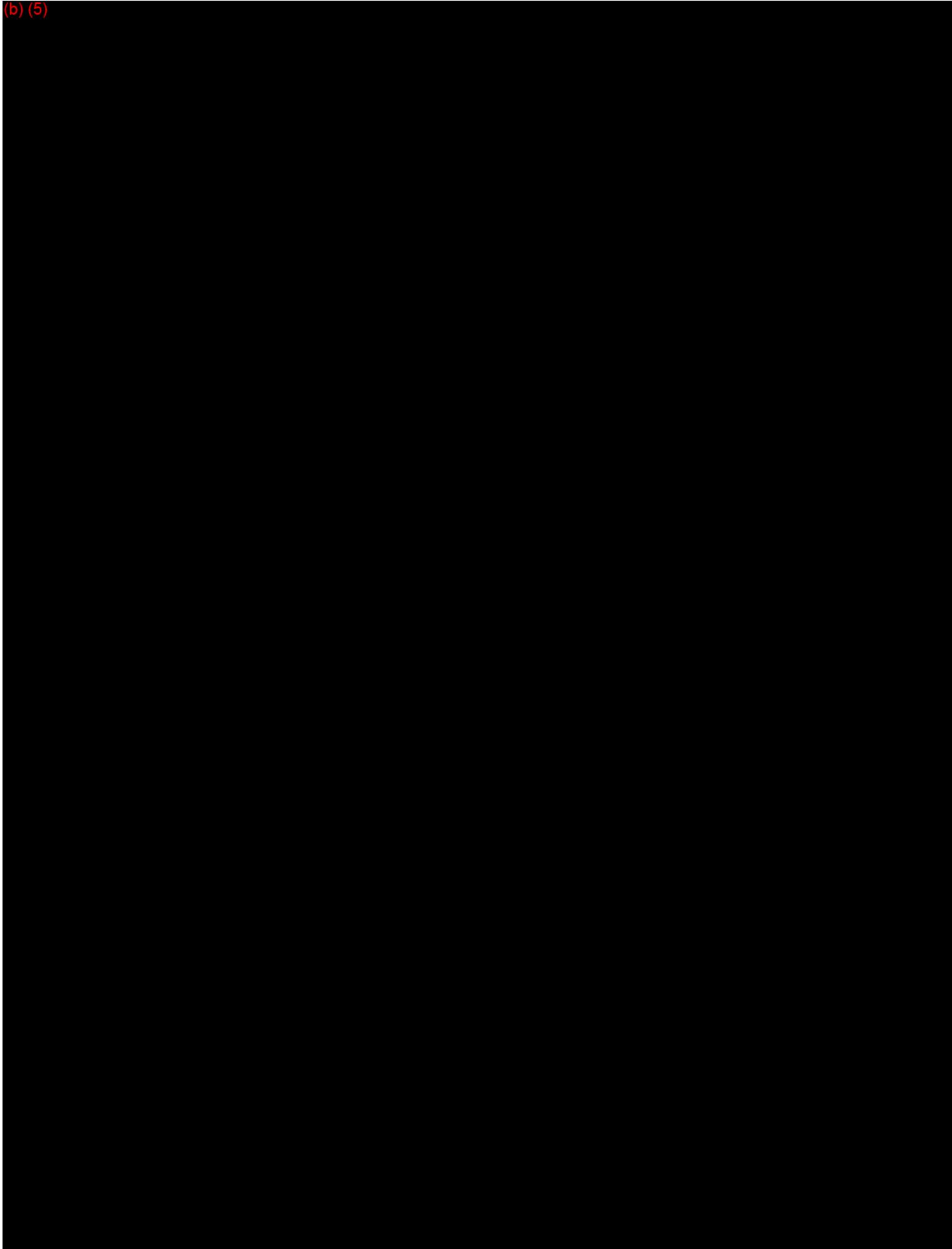


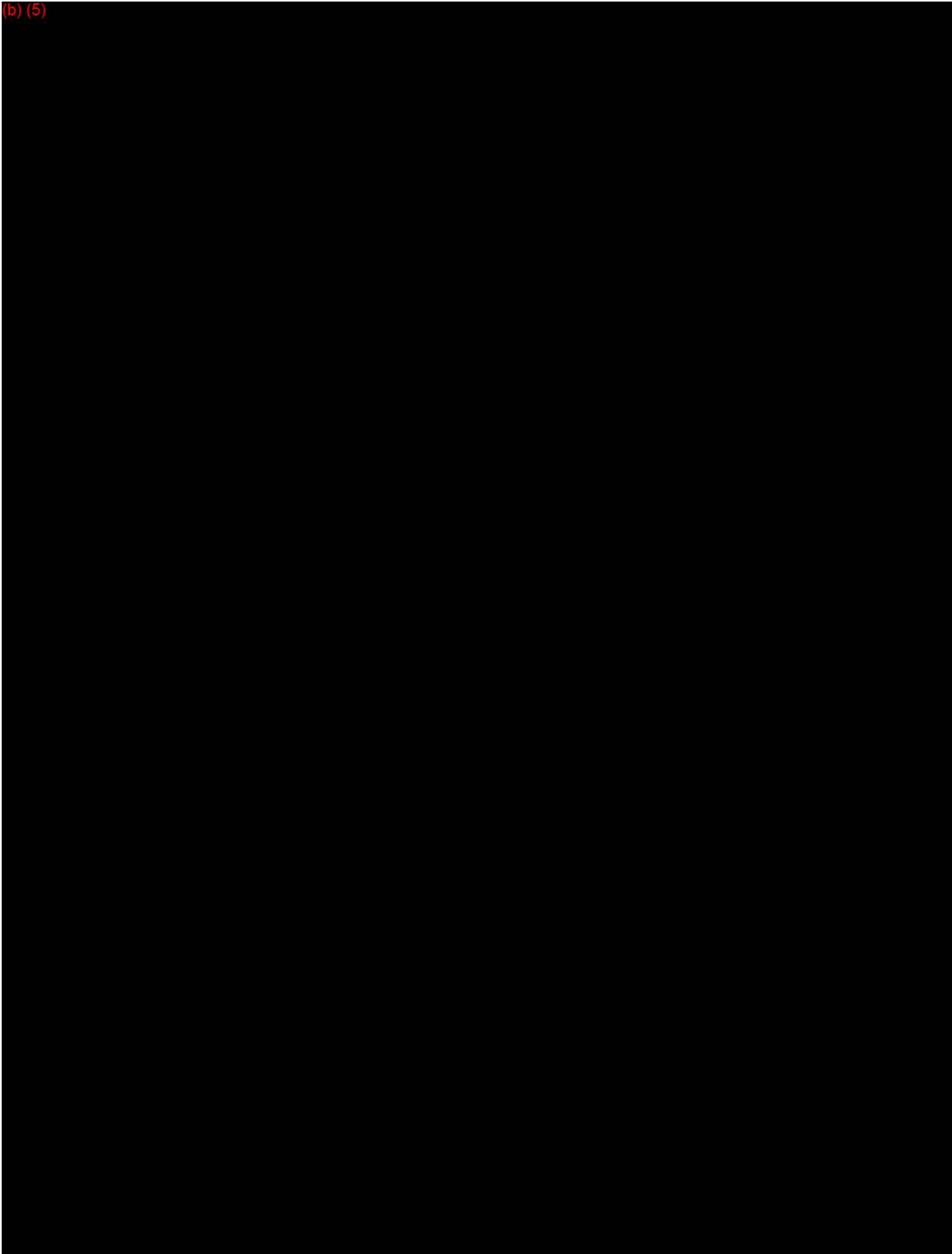


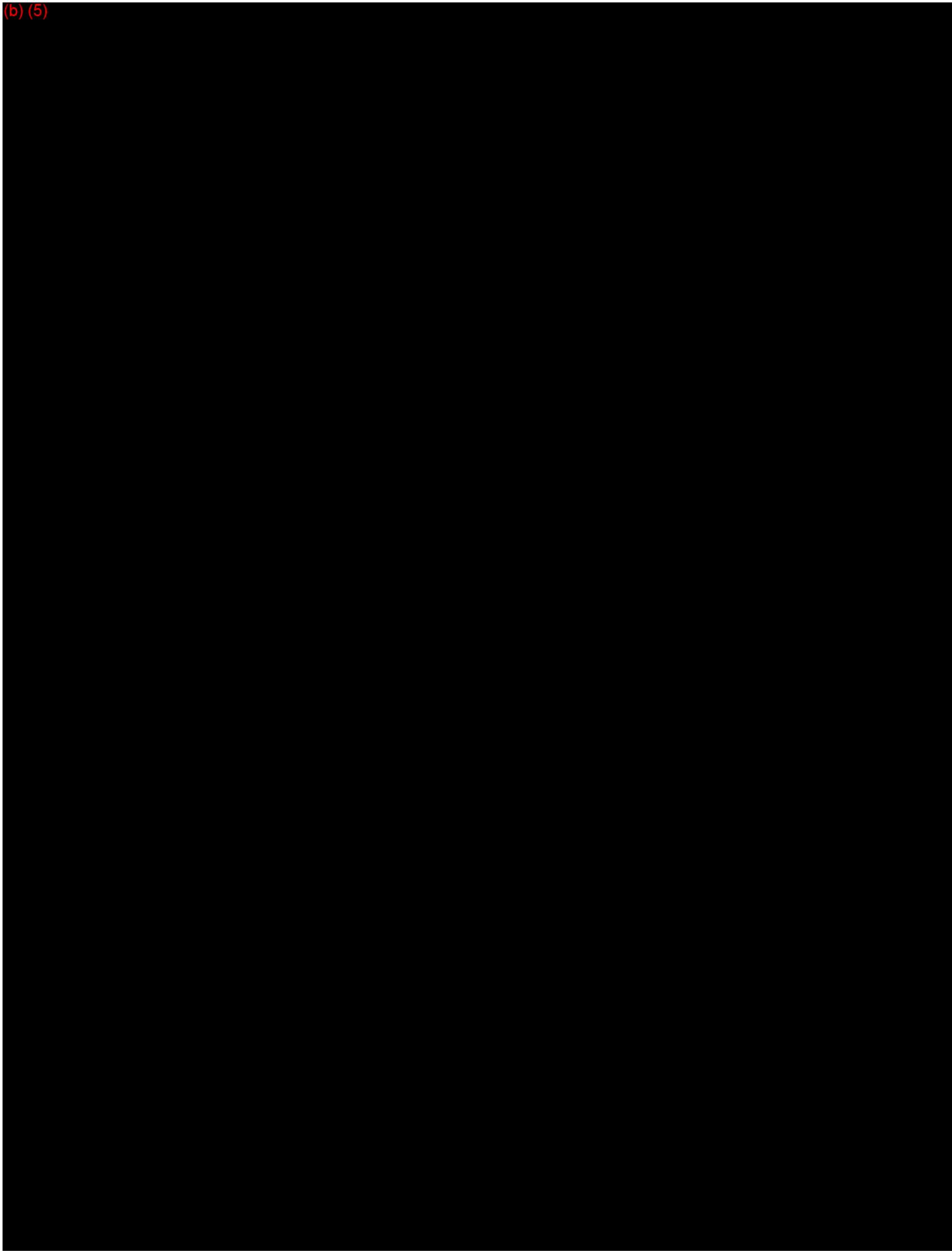




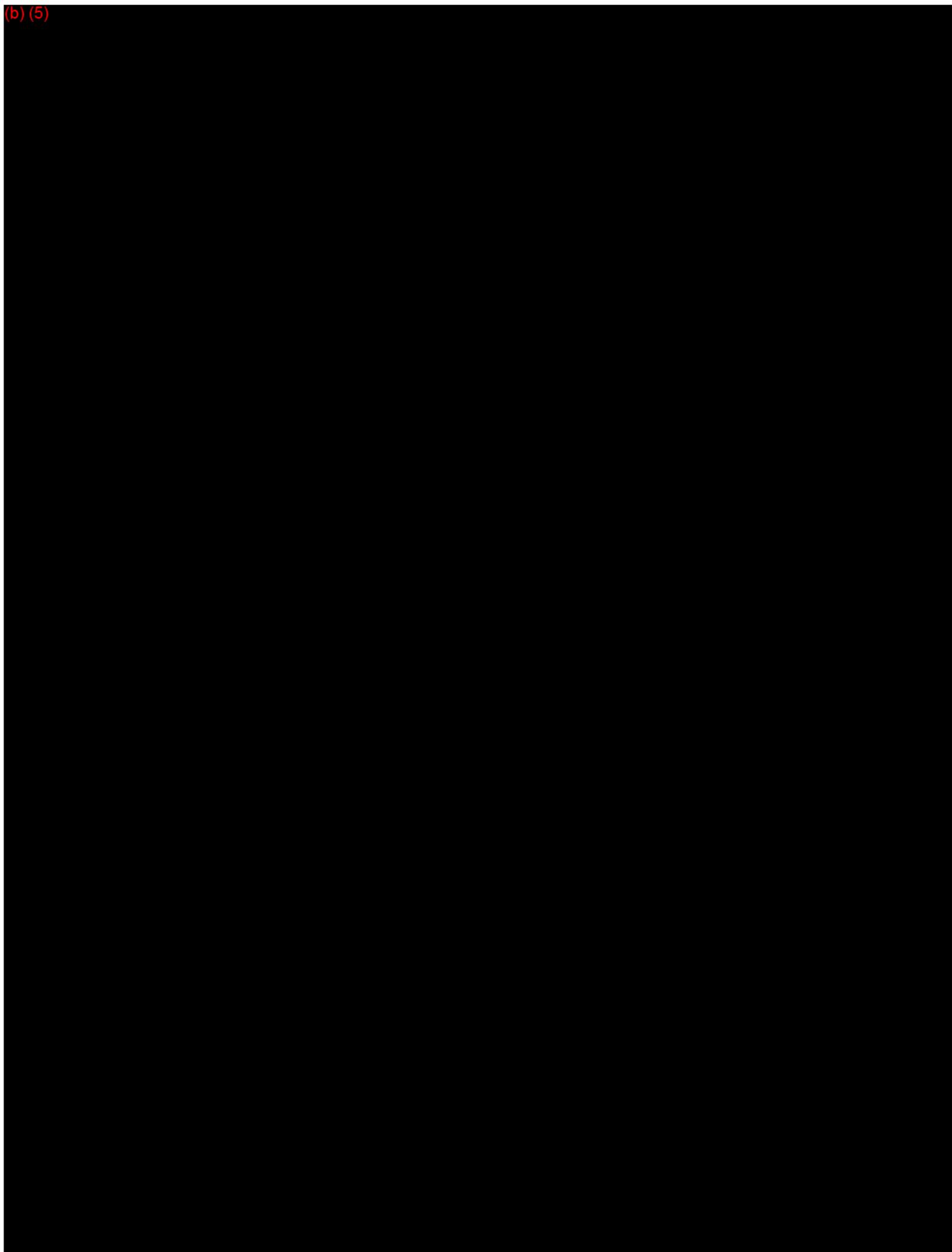


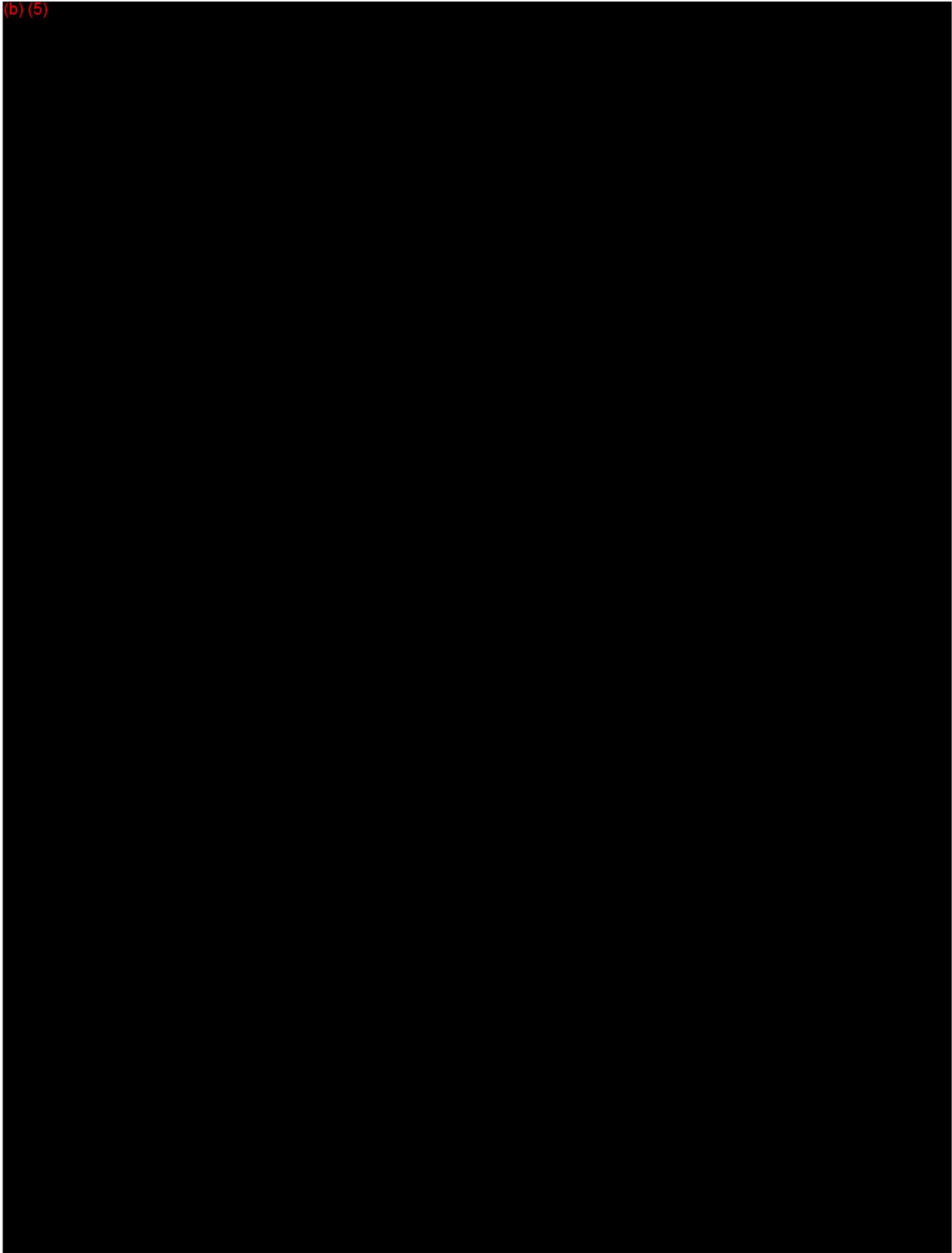


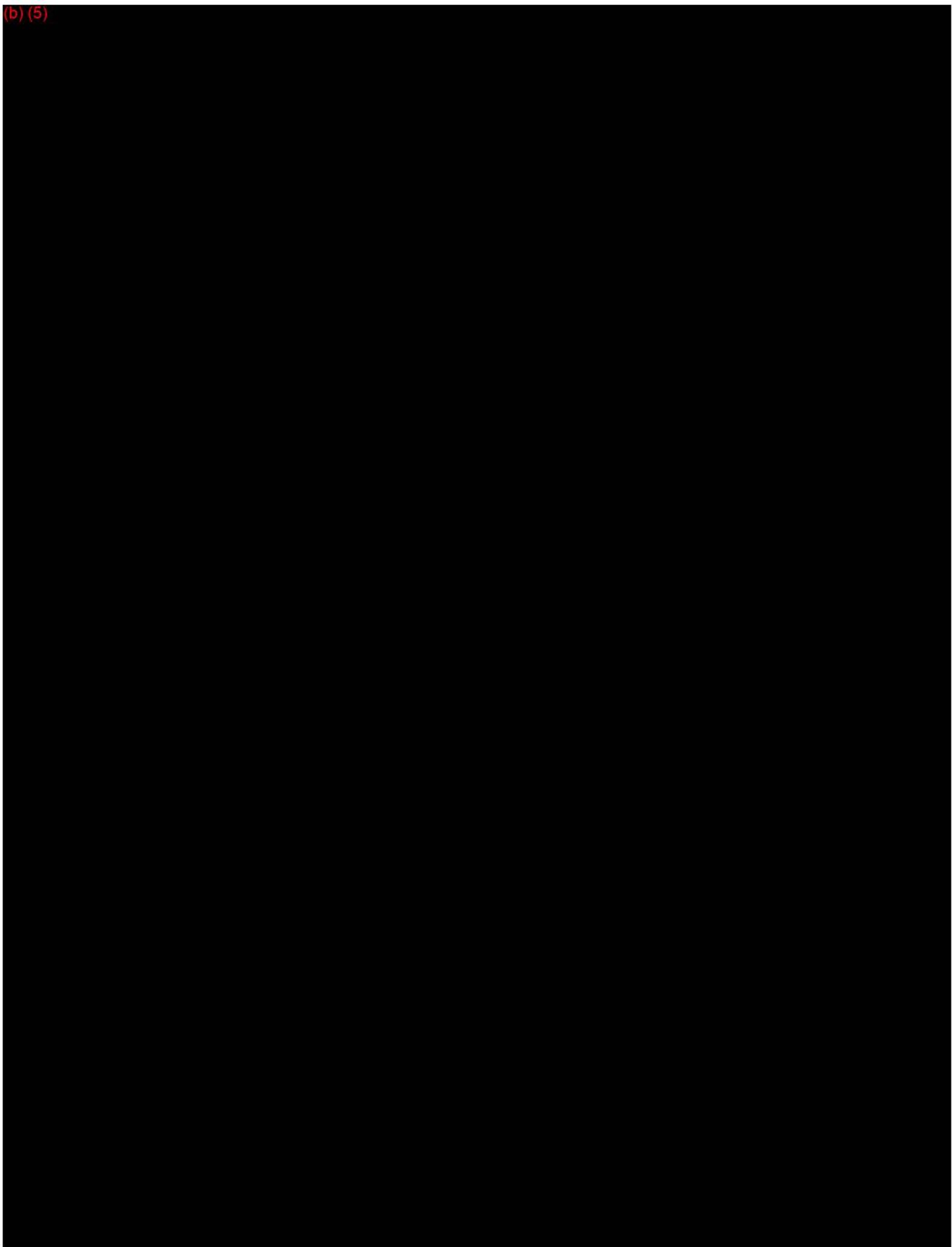


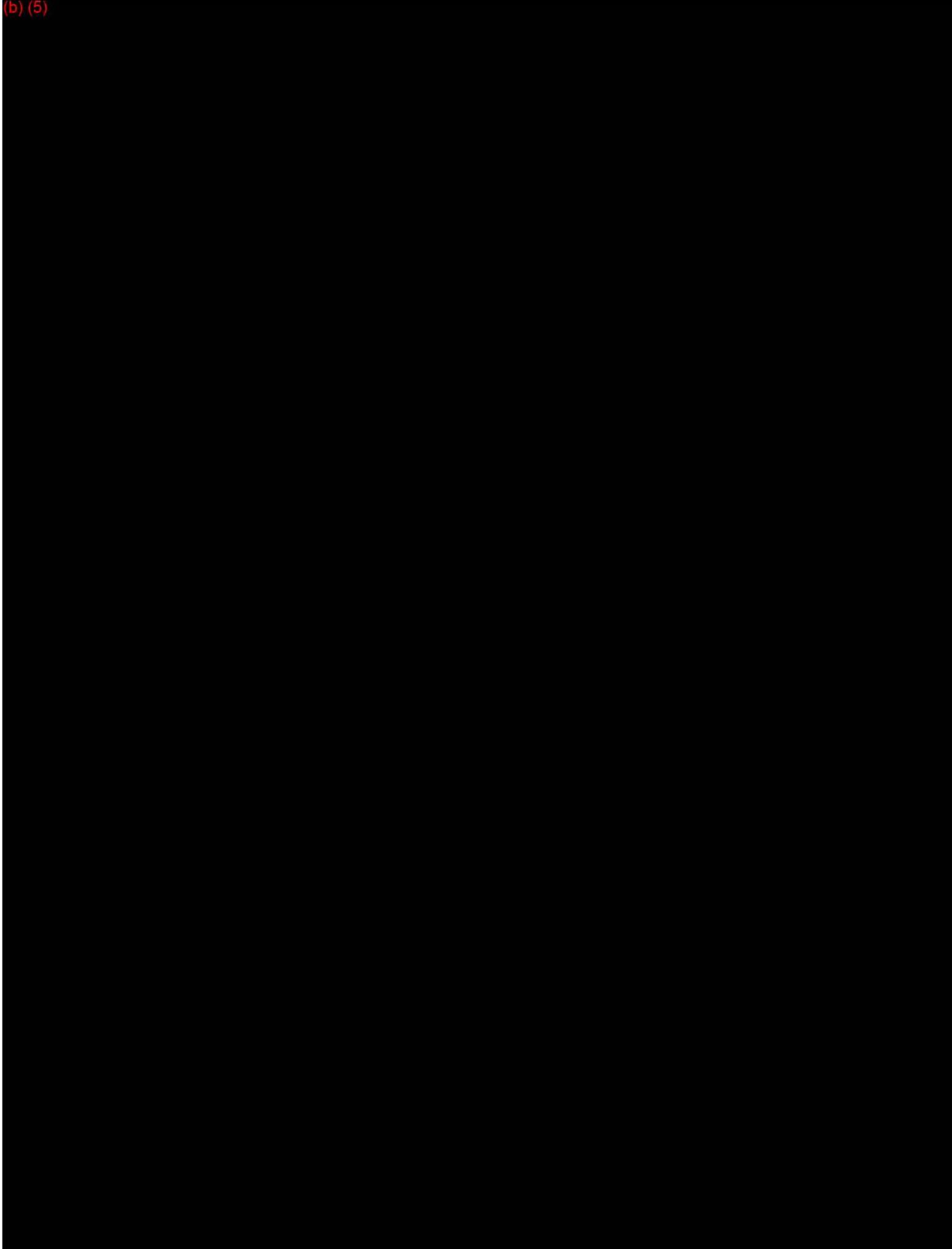


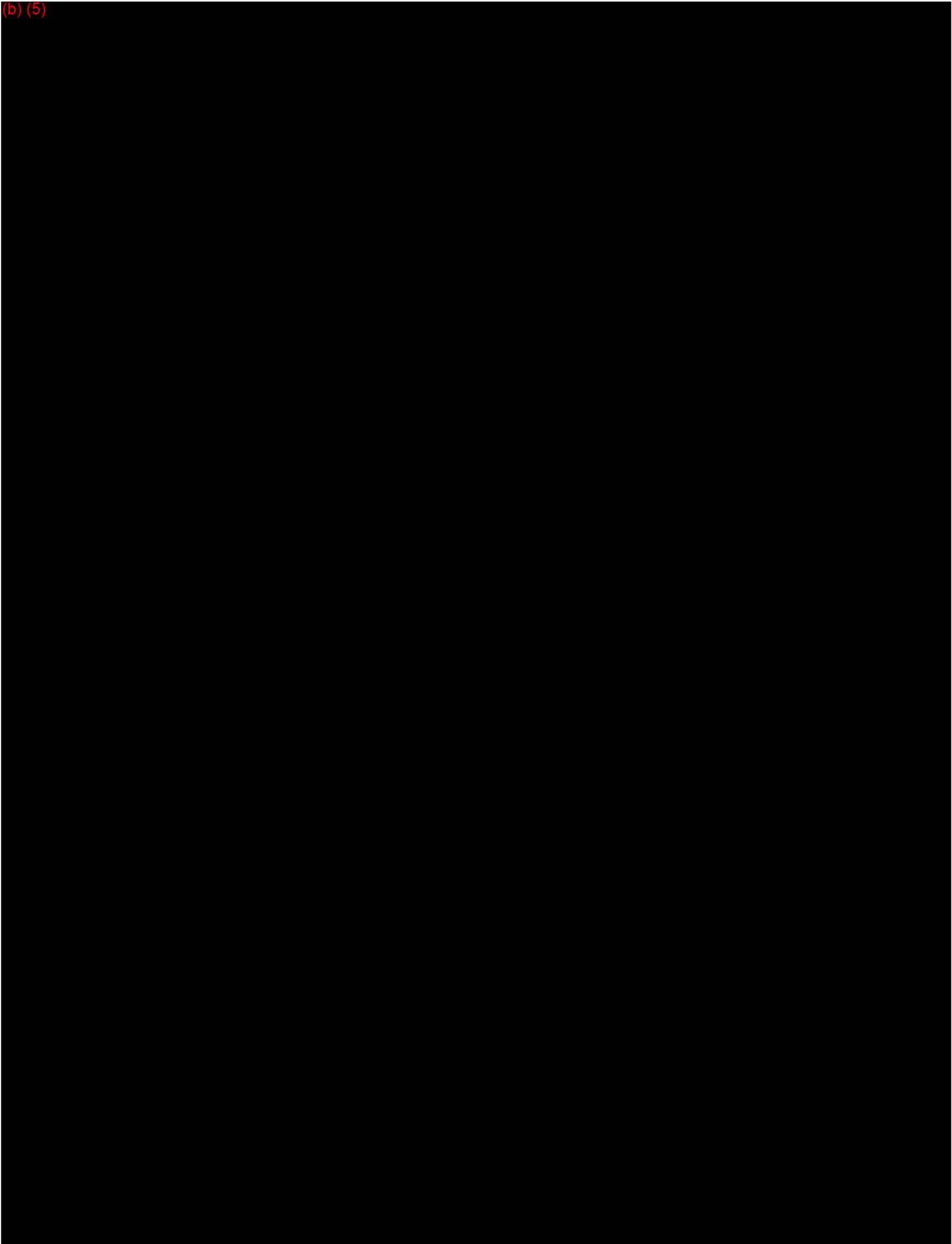


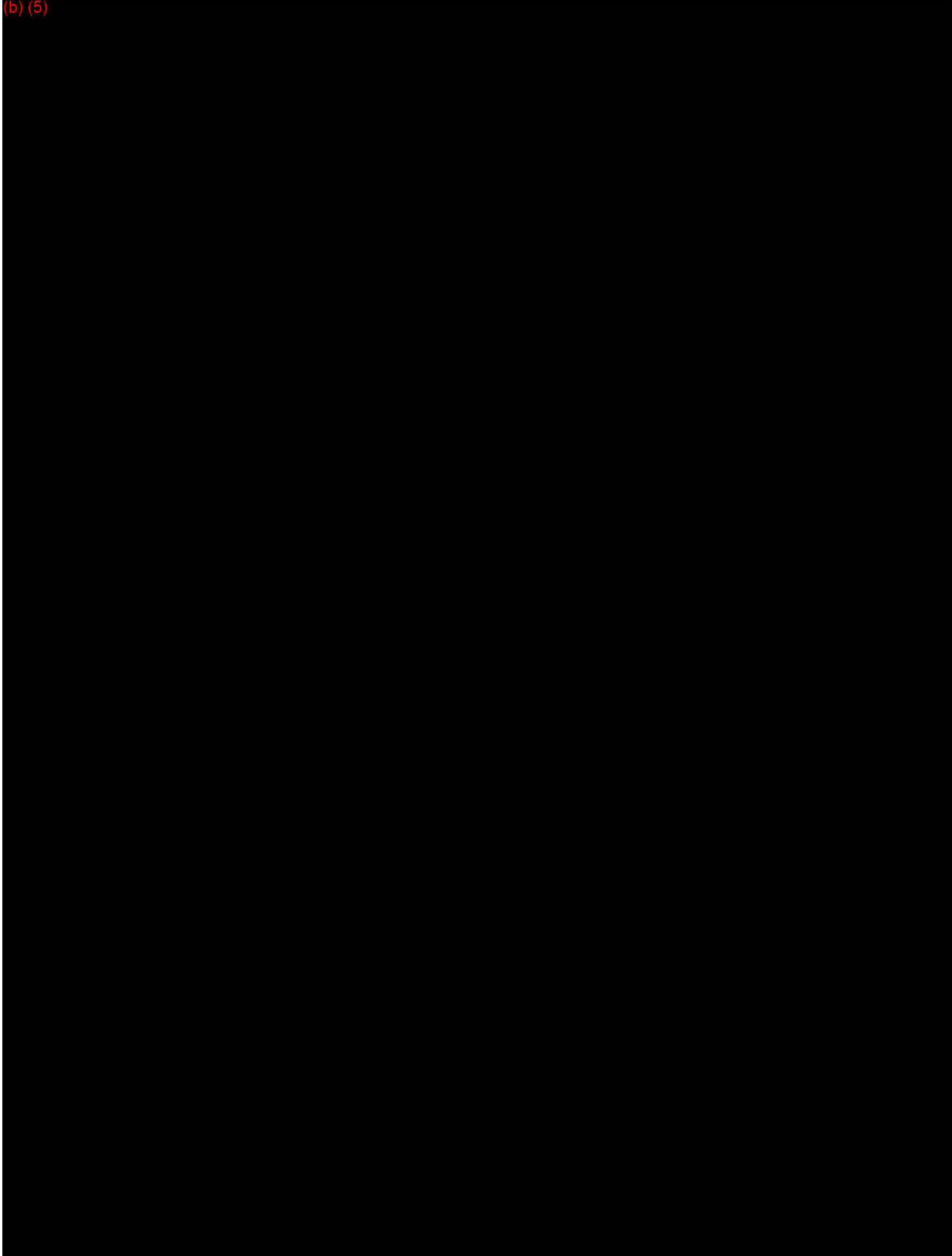


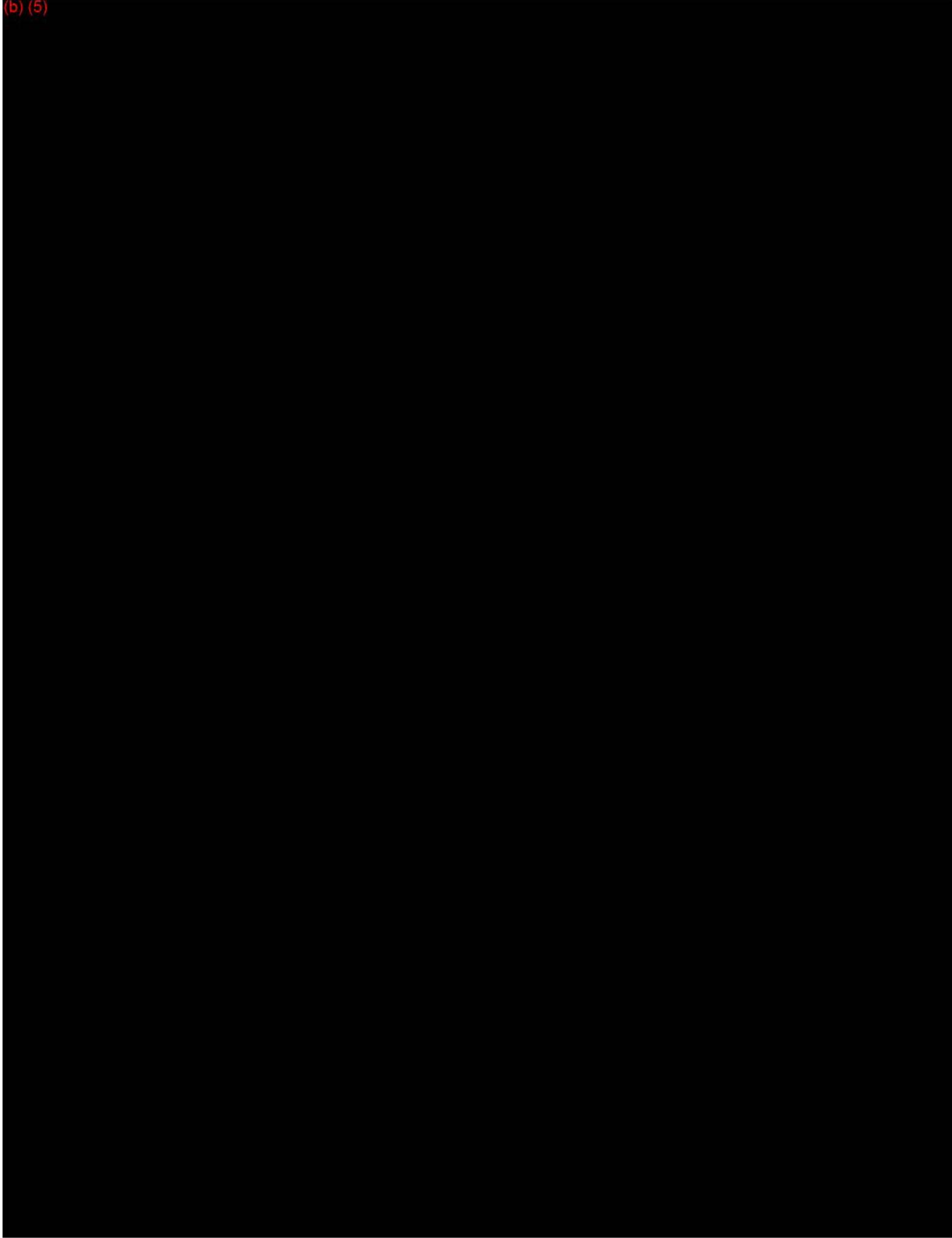


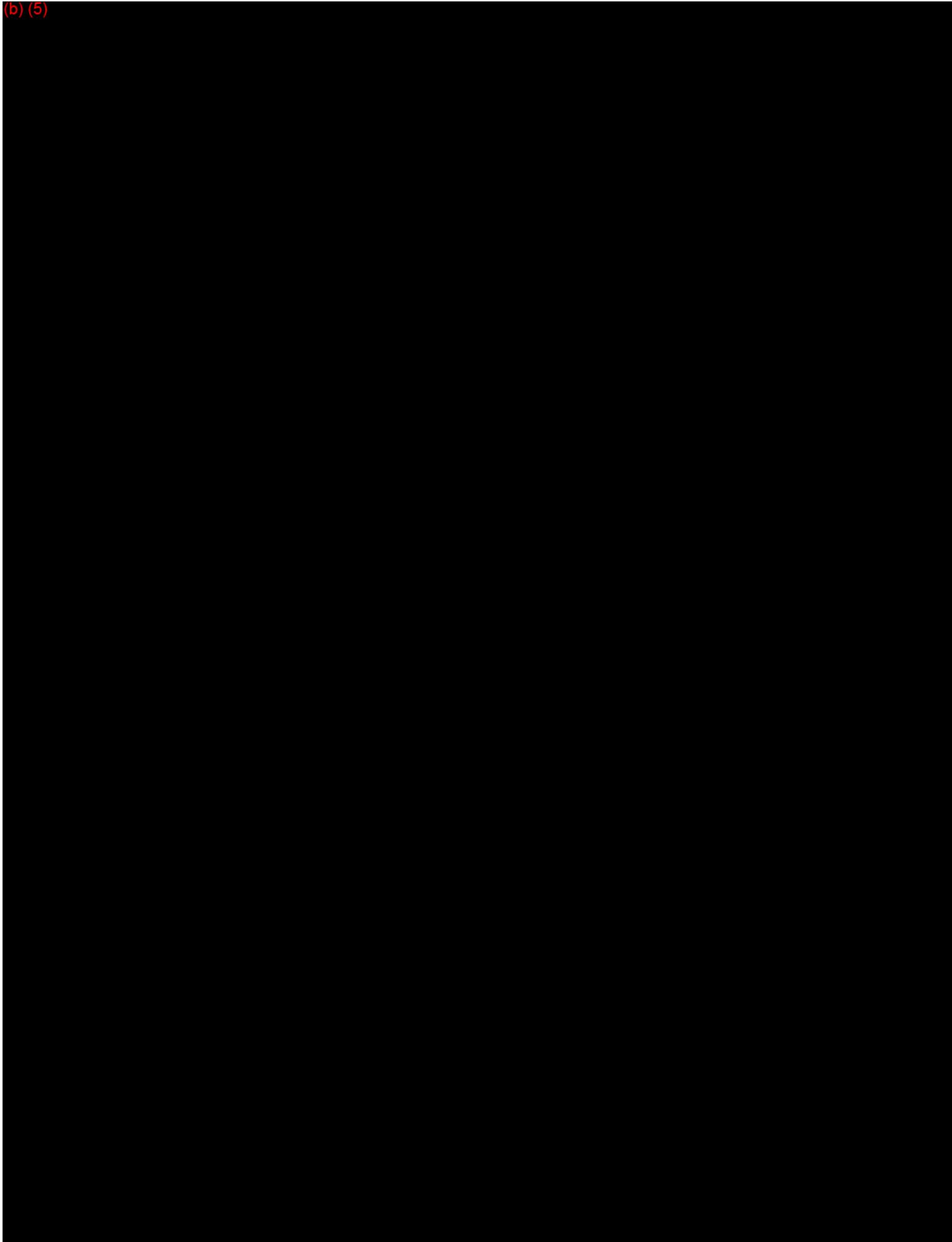


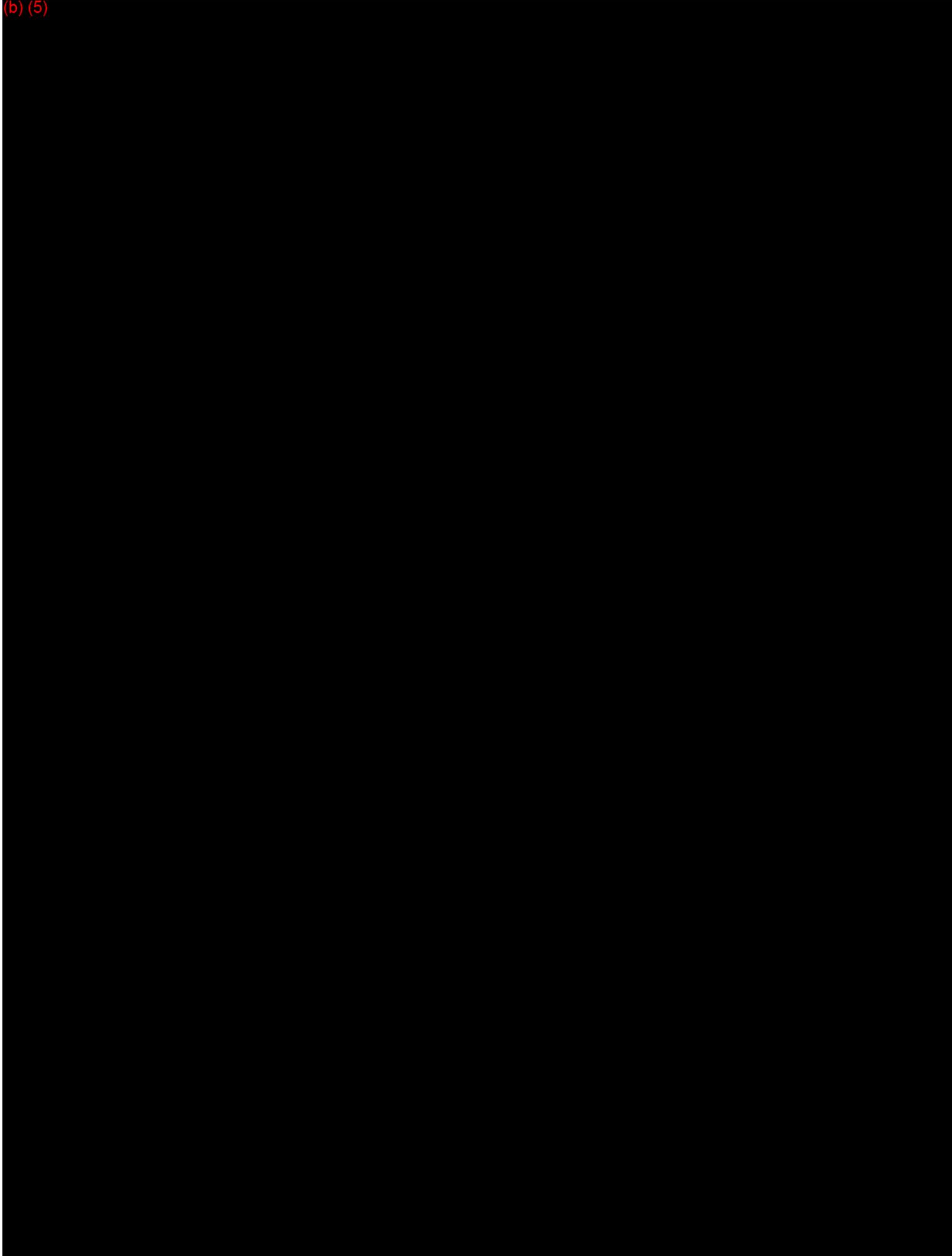


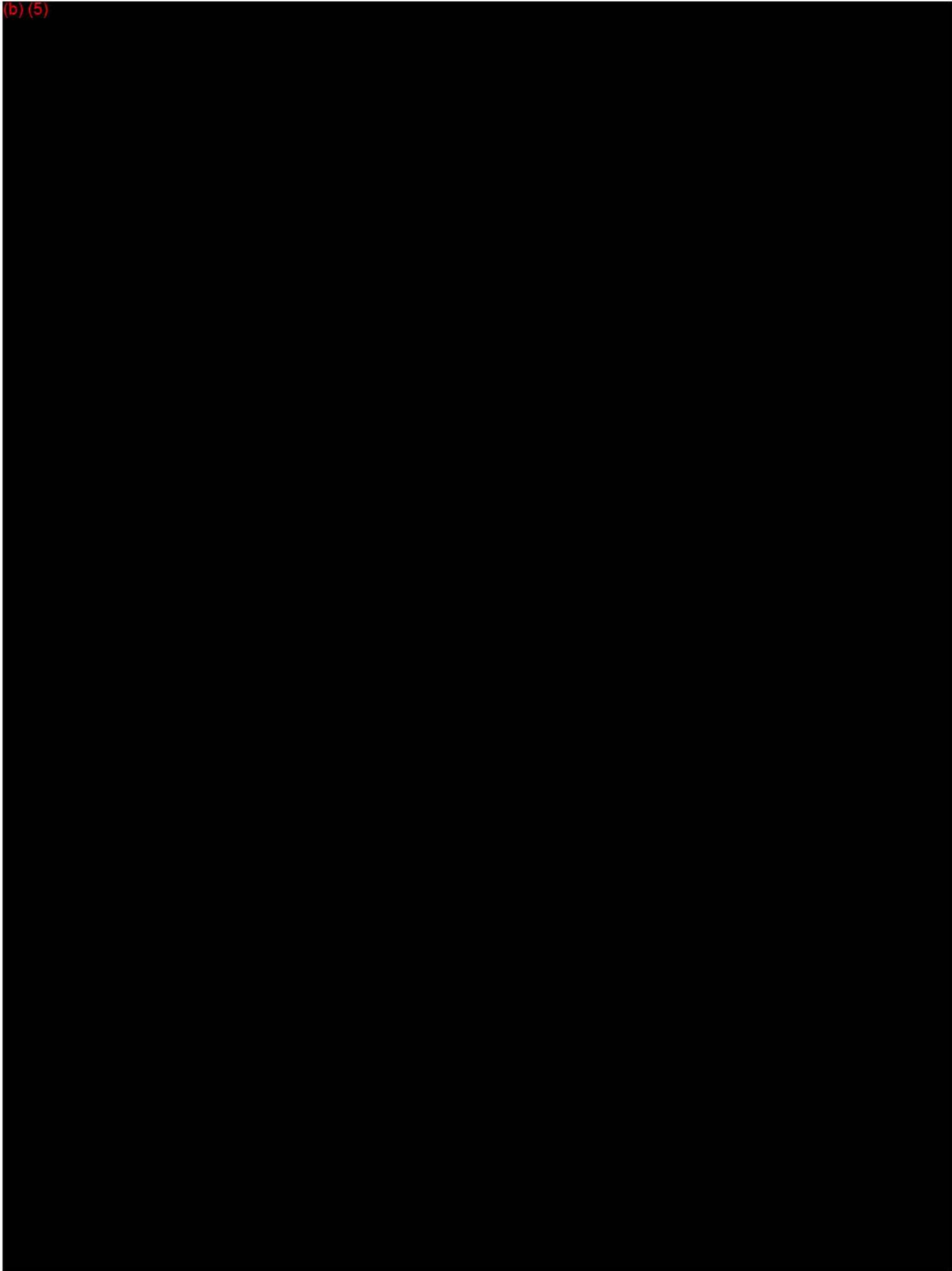


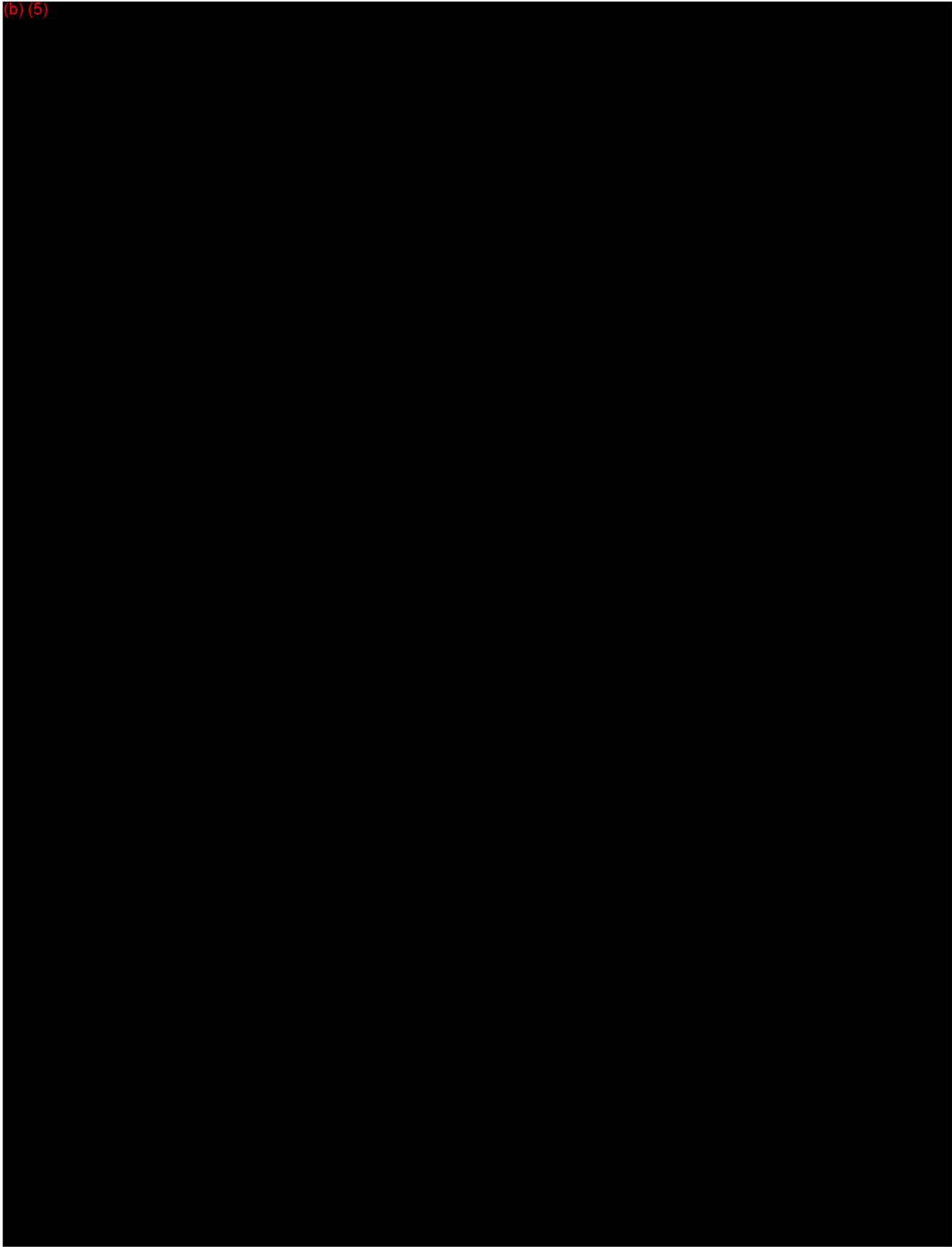


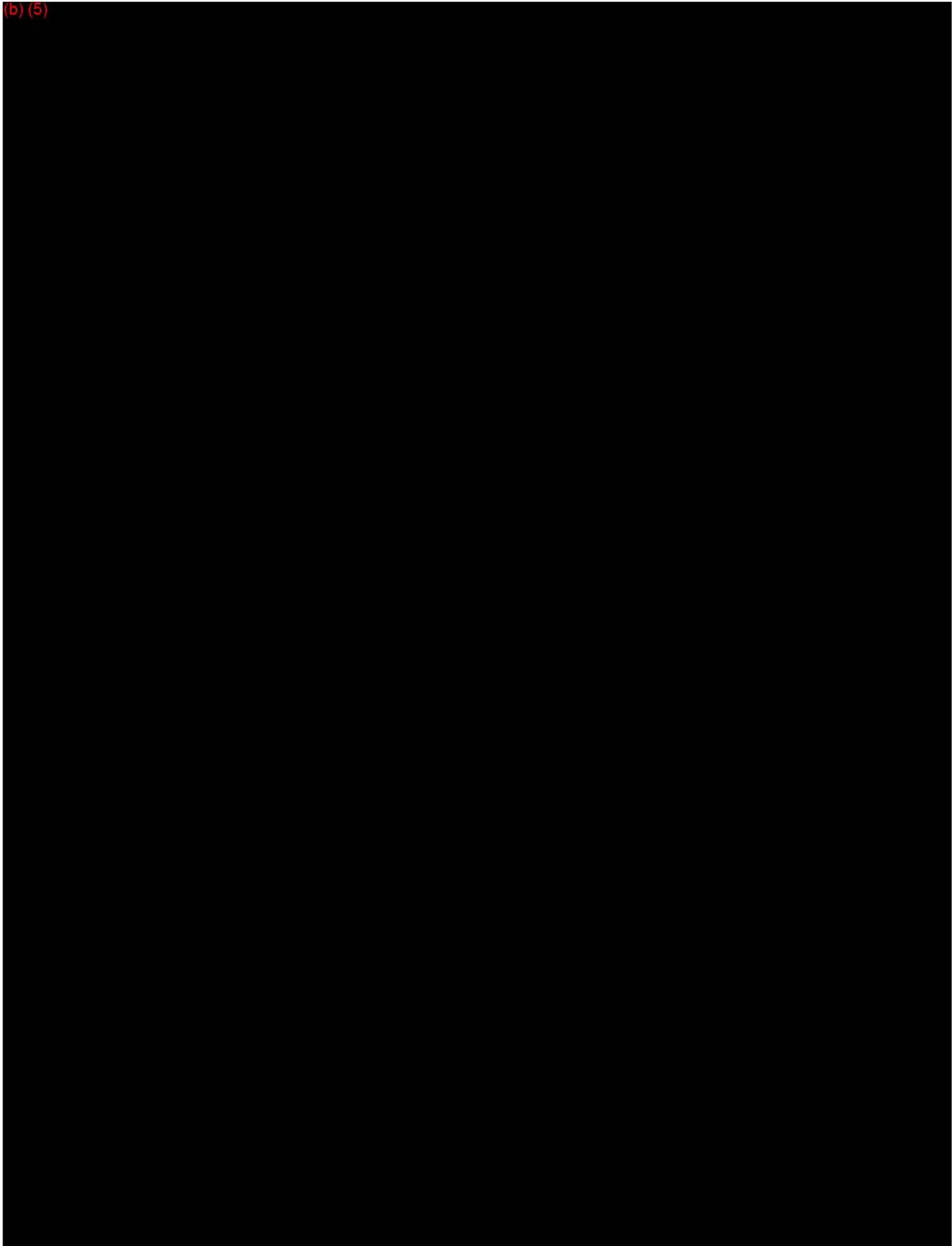












## ANPR information...

---

**From** "Pettigrew, Theresa L. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdl)/cn=recipients/cn=579eb754b4c34f0e8e46d1fb4cd708d7-pe">

**To:** matt\_leggett@epw.senate.gov

**Date:** Mon, 18 Jun 2018 16:26:23 -0400

---

Hello, Matt -

I wanted to follow up on this. Here is some info below. The 30 day comment period will start after this appears in the FR. Thank you.

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

# ANPRM

---

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

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

**Date:** Mon, 18 Jun 2018 15:48:37 -0400

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

## RE: Comment from CEQ?

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

**To:** Nick Sobczyk <nsobczyk@eenews.net>

**Date:** Mon, 18 Jun 2018 15:54:34 -0400

Hey Nick,

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

Sure: 202-446-0437

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Best,  
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Nick

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**Sent:** Monday, May 07, 2018 3:16 PM  
**To:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>  
**Subject:** RE: Comment from CEQ?

Hey Nick,

On background, attributable to a CEQ Spokesman:

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

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

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**Sent:** Monday, May 7, 2018 2:27 PM  
**To:** Schneider, Daniel J. EOP/CEQ <(b) (6)>  
**Subject:** [EXTERNAL] Comment from CEQ?

Hi Dan,

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

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

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

Thanks!

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

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

## [EXTERNAL] RE: Comment from CEQ?

---

**From:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

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

**Date:** Tue, 19 Jun 2018 11:36:56 -0400

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

---

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

**Sent:** Tuesday, June 19, 2018 11:35 AM

**To:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

**Subject:** RE: Comment from CEQ?

On background, attributable to a CEQ spokesman.

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

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

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

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**From:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

**Sent:** Tuesday, June 19, 2018 11:18 AM

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

**Subject:** [EXTERNAL] RE: Comment from CEQ?

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

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

**Sent:** Tuesday, June 19, 2018 10:32 AM

**To:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

**Subject:** RE: Comment from CEQ?

Hey Nick, what's your deadline?

Dan

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

Good Morning Dan,

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

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

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

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On background, attributable to a CEQ Spokesman:

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

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

Hope that helps,

Dan

---

**From:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>  
**Sent:** Monday, May 7, 2018 2:27 PM

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

Hi Dan,

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

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

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

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

Thanks!

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

**E&E NEWS**

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

# Fwd: White House Targets NEPA Implementation Regs for Revision

---

**From:** "Prandoni, Christopher D. EOP/CEQ" <"o=exchange organization/ou=exchange administrative group : (fydibohf23spdlt)/cn=recipients/cn=8c7259a79a094fb8b901a30a5c698949-pr">  
**To:** "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>  
**Date:** Wed, 20 Jun 2018 18:39:29 -0400

---

Sent from my iPhone

Begin forwarded message:

**From:** "Small, Jeff" <[Jeff.Small@mail.house.gov](mailto:Jeff.Small@mail.house.gov)>  
**Date:** June 20, 2018 at 6:31:25 PM EDT  
**To:** "Prandoni, Christopher D. EOP/CEQ" <(b) (6)>  
**Subject:** FW: White House Targets NEPA Implementation Regs for Revision

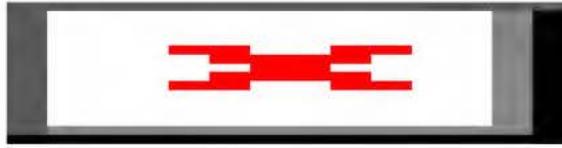
FYI. Thanks again for meeting yesterday!

**Jeff Small**  
*Executive Director | Congressional Western Caucus*  
*Senior Advisor | Congressman Paul A. Gosar, D.D.S.*  
2057 Rayburn HOB | Washington, DC 20515  
(202) 225-2315 main  
[jeff.small@mail.house.gov](mailto:jeff.small@mail.house.gov)



---

**From:** Congressional Western Caucus [<mailto:WesternCaucus@mail.house.gov>]  
**Sent:** Wednesday, June 20, 2018 5:17 PM  
**To:** Small, Jeff  
**Subject:** White House Targets NEPA Implementation Regs for Revision



**For Immediate Release**  
Contact: Tanner Hanson

**Date:** June 20, 2018  
[Tanner.Hanson@mail.house.gov](mailto:Tanner.Hanson@mail.house.gov)

## **White House Takes Up NEPA Implementation Rules** **Caucus: 'Revisions should remove bureaucratic hurdles'**



**WASHINGTON, D.C.** – Today, Members of the Congressional Western Caucus including Chairman **Paul Gosar (AZ-04)**, House Committee on Natural Resources Chairman **Rob Bishop (UT-01)**, Vice Chairman for Indian Affairs and Oceans **Don Young (AK-At Large)**, Chief Infrastructure and Forestry Officer **Bruce Westerman (AR-04)** and Congressman **Doug LaMalfa (CA-01)** released statements after the White House's Council on Environmental Quality published an advanced notice of proposed rulemaking indicating its intent to consider revising regulations governing implementation of the National Environmental Policy Act (NEPA):

**Congressman Gosar** said, "Issued in 1978 and amended in 1986, the Executive's NEPA regulations governing the law's implementation have barely been touched since they were first put in place. Given how much we have learned about how the law plays out in practice since then - and how impactful these regulations are - this fact borders on outrageous. Accordingly, we look forward to working with the White House's Council on Environmental Quality and other relevant federal entities to ensure that NEPA is implemented in a maximally efficient way. This restrictive law has been made far more onerous by executive decisions to bureaucratize rather than streamline its implementation, and it bodes well for our great companies and economy to see the President taking action here."

**Congressman Rob Bishop** stated, "NEPA's arbitrary and burdensome mandates are slowing infrastructure progress in the United States while doing little to actually improve environmental outcomes. I'm thankful CEQ and the Trump administration are serious about bringing our federal environmental review process into the 21<sup>st</sup> century, and today's action is critical step forward. My Committee will be working closely with CEQ and agency leadership to create a more logical NEPA enforcement process based on timely, transparent decision-making that yields better results for the economy and environment."

**Congressman Don Young** said, "NEPA is an important tool; however, in recent years it has become a method to delay and stall development projects. The current process can take a decade

or more to complete thanks to litigious environmental groups. These delays are not necessary for producing accurate environmental assessments. I am pleased that this administration has prioritized fixing the NEPA process so that proposals can be streamlined and receive a decision in a reasonable timeframe."

**Congressman Westerman** stated, "While the National Environmental Protection Act (NEPA) at its core is a vital piece of America's environmental policy, over the past four decades, the law has morphed into a bureaucratic nightmare, harming both our lands and our economy with layers and layers of costly regulation. It now takes our government over five years to complete an environmental impact statement, while other modern countries like Germany and Australia can complete similar studies in no more than two years. It is high time that CEQ reviews this policy, and a major revision will be essential to ensure America's future success."

**Congressman LaMalfa** concluded, "NEPA's review processes are severely outdated, and as a result, it often takes years – even decades – for important infrastructure projects to be approved. We've witnessed this problem countless times in Northern California, and I'm glad the Trump Administration and CEQ have recognized the issue and taken steps to modernize the environmental review process. This is about scaling back unnecessary bureaucracy and increasing efficiency between agencies so that we can actually build important new infrastructure in a timely manner. I look forward to reviewing the proposed changes after conclusion of the comment period."

### **Background:**

Today, the Council on Environmental Quality (CEQ) published an [advanced notice of proposed rulemaking](#) in the Federal Register announcing it is considering updating its implementing regulations for the procedural provisions of the National Environmental Policy Act (NEPA). According to CEQ, "Over the past four decades, CEQ has issued numerous guidance documents but has amended its regulations substantively only once."

In the notice, CEQ poses 20 individual questions concerning various aspects of the NEPA process and regulation that public commenters have 30 days to respond to. The questions are divided into sections, including those on the current NEPA process, the scope of NEPA reviews and the general NEPA process. More specific questions, including those pertaining to public input into NEPA, proper inter-agency procedures and others are included therein.

The Administration is likely to take further action at the conclusion of this 30-day public comment period by releasing draft changes to NEPA regulations, which will also be subject to public comment.

The extent to which NEPA has managed to sidestep improvements through substantial reform has not gone unnoticed in Congress, and many Members of the Western Caucus have led the charge in approaching reform at the statutory level. In a House Committee on Natural Resources [hearing on May 28, 2014](#), the Committee noted that "...Germany, Canada, and Australia are all able to approve most major infrastructure projects within two years. By contrast, a major infrastructure or energy project in the United States can undergo a decade of

environmental review with no guarantee that the project will ever be approved.”

With the advent of the Trump Administration and its emphasis on bureaucratic and regulatory streamlining, the issue of NEPA reform is now gaining significant traction across the government and industry. Western Caucus members anticipate important revisions to NEPA statute and implementation during the Trump Administration, including streamlining the inter-agency process, consolidation of reviews and decisions at the federal, state, tribal and local government levels across time, improving timing efficiencies and reducing the overall quantity of provisions, mandates and documents which comprise a NEPA analysis.

###

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# FW: White House Targets NEPA Implementation Regs for Revision

---

**From:** "Small, Jeff" <jeff.small@mail.house.gov>

**To:** "Prandoni, Christopher D. EOP/CEQ" <(b) (6)>

**Date:** Wed, 20 Jun 2018 18:31:25 -0400

FYI. Thanks again for meeting yesterday!

**Jeff Small**

*Executive Director | Congressional Western Caucus  
Senior Advisor | Congressman Paul A. Gosar, D.D.S.  
2057 Rayburn HOB | Washington, DC 20515  
(202) 225-2315 main*

[jeff.small@mail.house.gov](mailto:jeff.small@mail.house.gov)



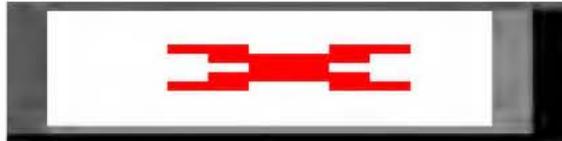
---

**From:** Congressional Western Caucus [mailto:WesternCaucus@mail.house.gov]

**Sent:** Wednesday, June 20, 2018 5:17 PM

**To:** Small, Jeff

**Subject:** White House Targets NEPA Implementation Regs for Revision



**For Immediate Release**

Contact: Tanner Hanson

**Date:** June 20, 2018

Tanner.Hanson@mail.house.gov

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Caucus: 'Revisions should remove bureaucratic hurdles'



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###

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## RE: Mail

---

**From:** "McLaurin, Juschelle D. EOP/CEQ" <(b) (6)>  
**To:** "Neumayr, Mary B. EOP/CEQ" <(b) (6)>  
**Cc:** "Boling, Ted A. EOP/CEQ" (b) (6) "Drummond, Michael R. EOP/CEQ" (b) (6)  
**Date:** Mon, 25 Jun 2018 16:23:51 -0400  
**Attachments** Neumayr-Boling D. VanSee Hei- GT Mehan Re Regulation Coment on Docket : CE....pdf (315.97 kB)

Sorry I realized I did not add the document and I left Katherine off. The original is in your mailbox.

---

**From:** McLaurin, Juschelle D. EOP/CEQ  
**Sent:** Monday, June 25, 2018 2:58 PM  
**To:** Neumayr, Mary B. EOP/CEQ <(b) (6)>  
**Cc:** Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** Mail

Hello Mary,

Send to Edward Boling and shared with Michael Drummond in his absence.

Juschelle

Juschelle D. McLaurin  
Administrative Assistant  
730 Jackson Place NW  
Washington, DC 20503  
(b) (6) Office  
(b) (6) Cell



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).

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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

## FW: Mail

---

**From:** "Drummond, Michael R. EOP/CEQ" <"o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=a0bc62c0a5454e6fb7a1be504b7d284a-dr">  
**To:** "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**Date:** Mon, 25 Jun 2018 16:26:47 -0400  
**Attachments** : Neumayr-Boling D. VanSee Hei- GT Mehan Re Regulation Coment on Docket CE....pdf (315.97 kB)

To be added to the tracking spreadsheet.

---

**From:** Neumayr, Mary B. EOP/CEQ  
**Sent:** Monday, June 25, 2018 4:26 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Cc:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** FW: Mail

---

**From:** McLaurin, Juschelle D. EOP/CEQ  
**Sent:** Monday, June 25, 2018 4:24 PM  
**To:** Neumayr, Mary B. EOP/CEQ <(b) (6)>  
**Cc:** Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RE: Mail

Sorry I realized I did not add the document and I left Katherine off. The original is in your mailbox.

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Juschelle D. McLaurin  
Administrative Assistant  
730 Jackson Place NW  
Washington, DC 20503

(b) (6) Office

(b) (6) Cell



June 25, 2018

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

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Chief Executive Officer  
Association of Metropolitan Water Agencies

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

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**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Cc:** "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**Date:** Mon, 25 Jun 2018 16:25:48 -0400  
**Attachments:** Neumayr-Boling D. VanSee Hei- GT Mehan Re Regulation Coment on Docket  
: CE....pdf (315.97 kB)

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Diane VanDe Hei  
Chief Executive Officer  
Association of Metropolitan Water Agencies

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

## Re: Q&As for your review

---

**From:** Angela Colamaria - Y-D <angela.colamaria@fpisc.gov>

**To:** Janet Pfleeger - Y <janet.pfleeger@gsa.gov>

Karen Hanley - Y <karen.hanley@gsa.gov>, "Osterhues, Marlys A. EOP/CEQ"  
<(b) (6)> Amber Levofsky - Y  
<amber.levofsky@gsa.gov>, Kavita Vaidyanathan - AY-DETAILEE

**Cc:** <kavita.vaidyanathan@gsa.gov>, "Sharp, Thomas L. EOP/CEQ"  
<(b) (6)> "Scott (Robert) Hillkirk - AY-C"  
<scott.hillkirk@gsa.gov>, "Drummond, Michael R. EOP/CEQ"  
<(b) (6)>

**Date:** Tue, 26 Jun 2018 19:54:48 -0400

**Attachments** Draft Question and Answer for Senate Roundtable 6-25-18- clean (2)AFC.docx  
:  
(48.65 kB)

I have added some suggestions on top of Janet's edits.

### **Angela F. Colamaria**

Acting Executive Director  
Office of the Executive Director (FPISC-OED)  
Federal Permitting Improvement Steering Council  
[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)  
202.705.1639  
1800 F St. NW  
Washington, DC 20405

On Tue, Jun 26, 2018 at 4:54 PM, Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)> wrote:

Marlys,

Please see edits discussed this afternoon to pages 2 and 5. I want to add these to Angie's binder as soon as CEQ is done with your edits from this afternoon so please "reply all" when you distribute later today.

Thanks!

Janet

Janet Pfleeger  
Deputy Director  
Federal Permitting Improvement Steering Council  
Office of the Executive Director (FPISC-OED)  
[janet.pfleeger@fpisc.gov](mailto:janet.pfleeger@fpisc.gov)  
(202) 714-7288  
1800 F St, NW  
Washington, DC 20405

On Mon, Jun 25, 2018 at 1:46 PM, Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)> wrote:  
Good afternoon everyone,

Please find some comments/edits for the Roundtable Q&As attached.

(b) (5)

On Thu, Jun 21, 2018 at 5:10 PM, Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)> wrote:  
All,

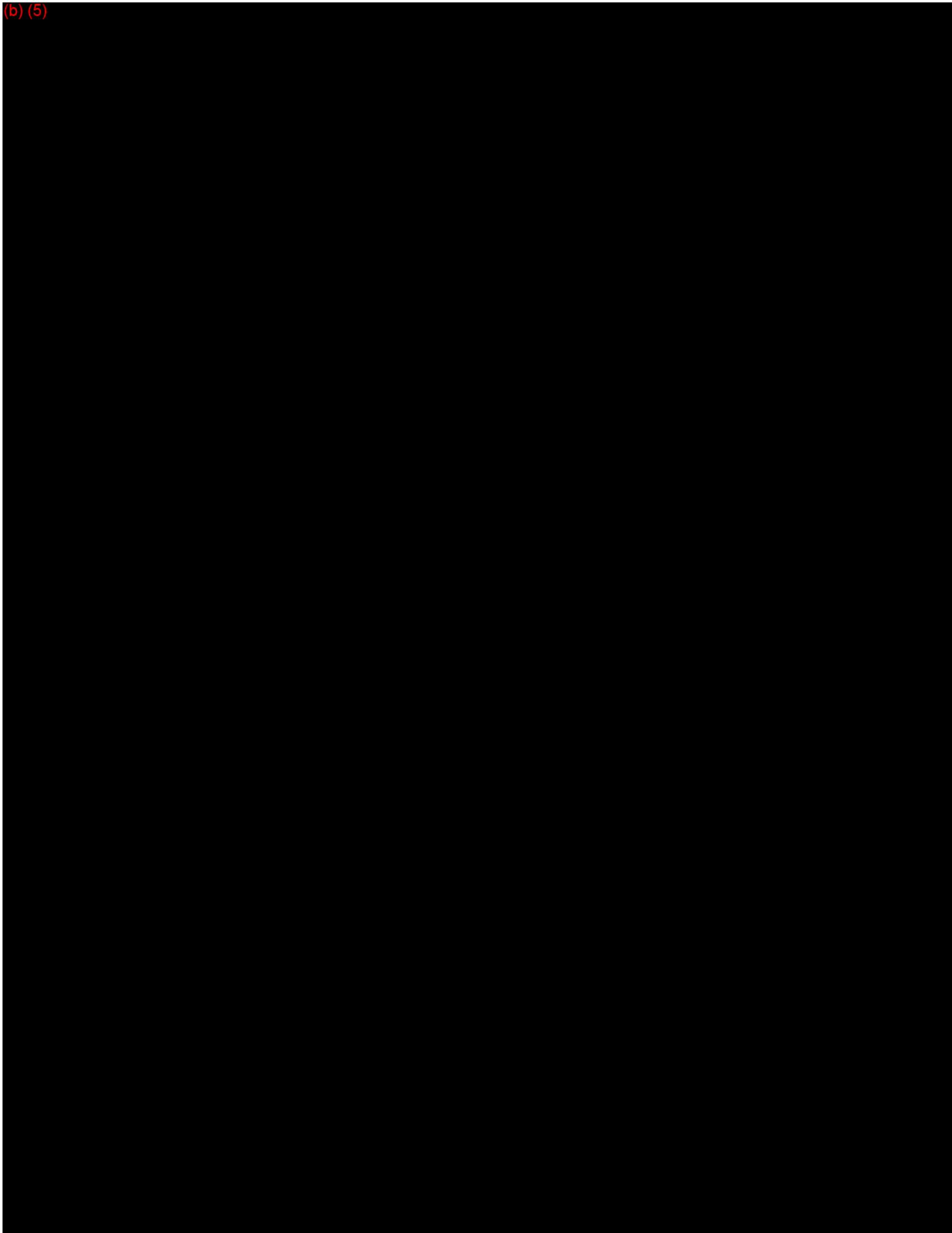
I haven't had time to read the actual answers yet, but I did put a few comment balloons to grab your attention as you review. Please add additional Q&A's and provide edits/answers to existing Q&A as needed by 4 pm tomorrow and send to Karen. (b) (5)

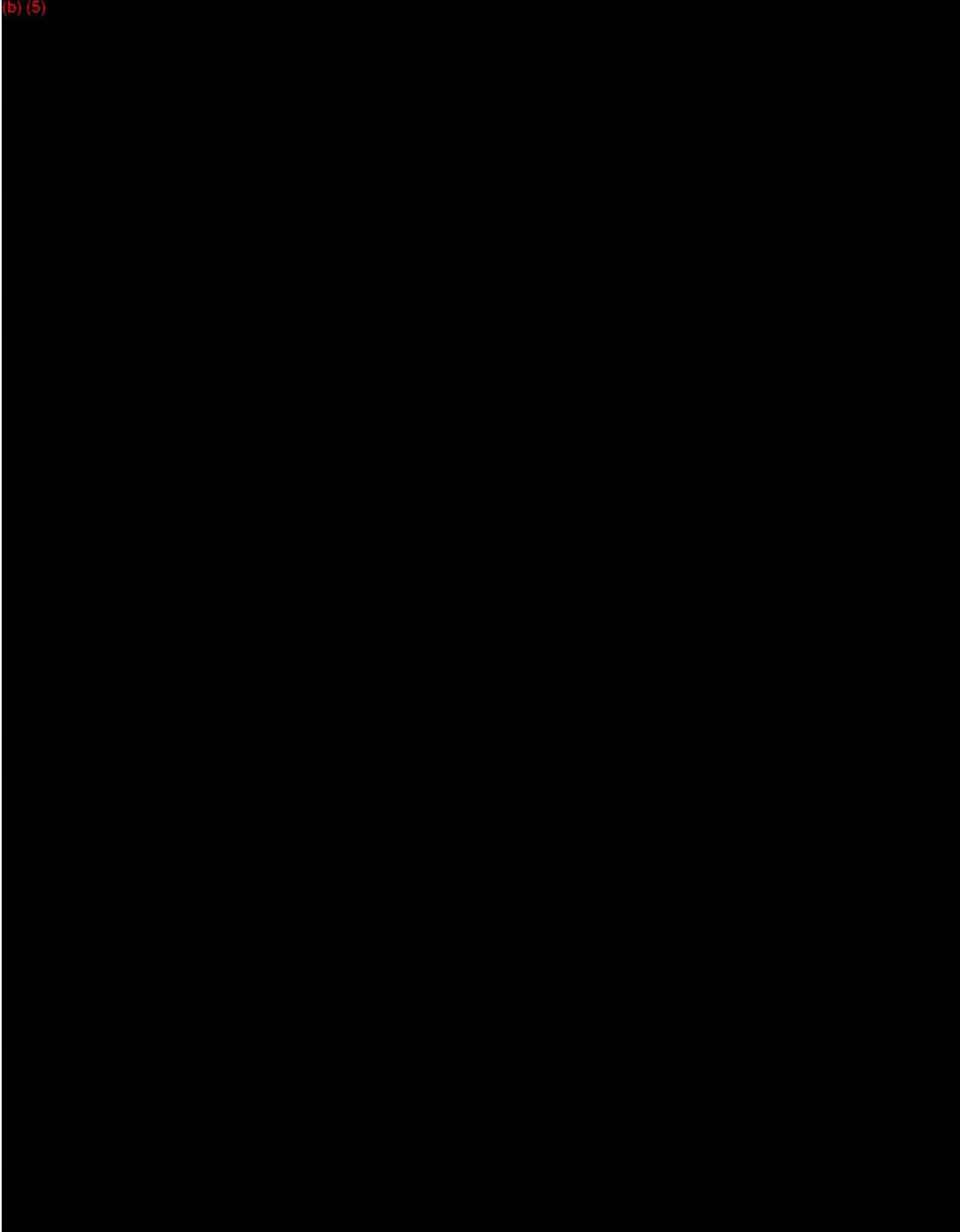
Thanks,  
Angie

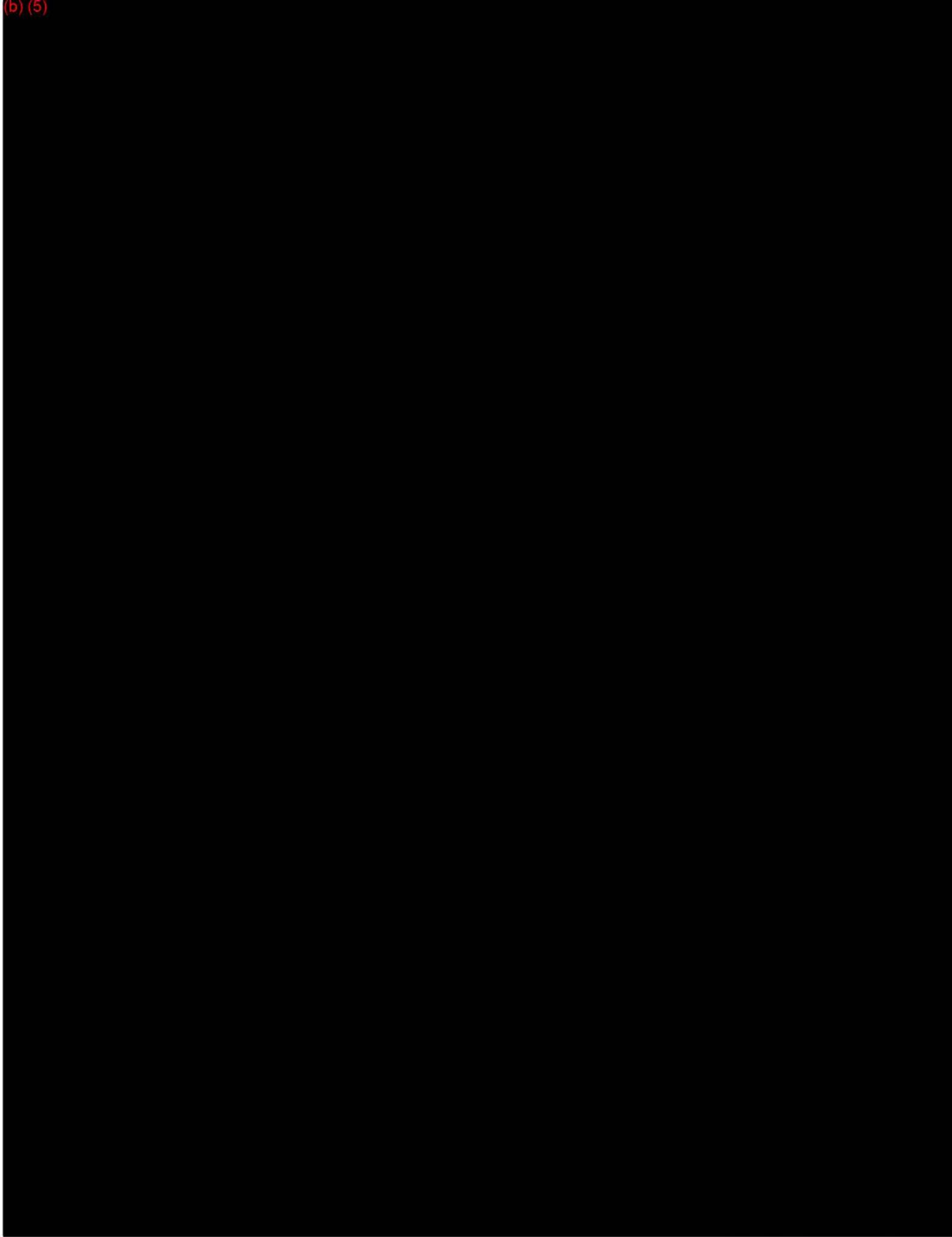
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Office of the Executive Director (FPISC-OED)  
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[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)  
202.705.1639  
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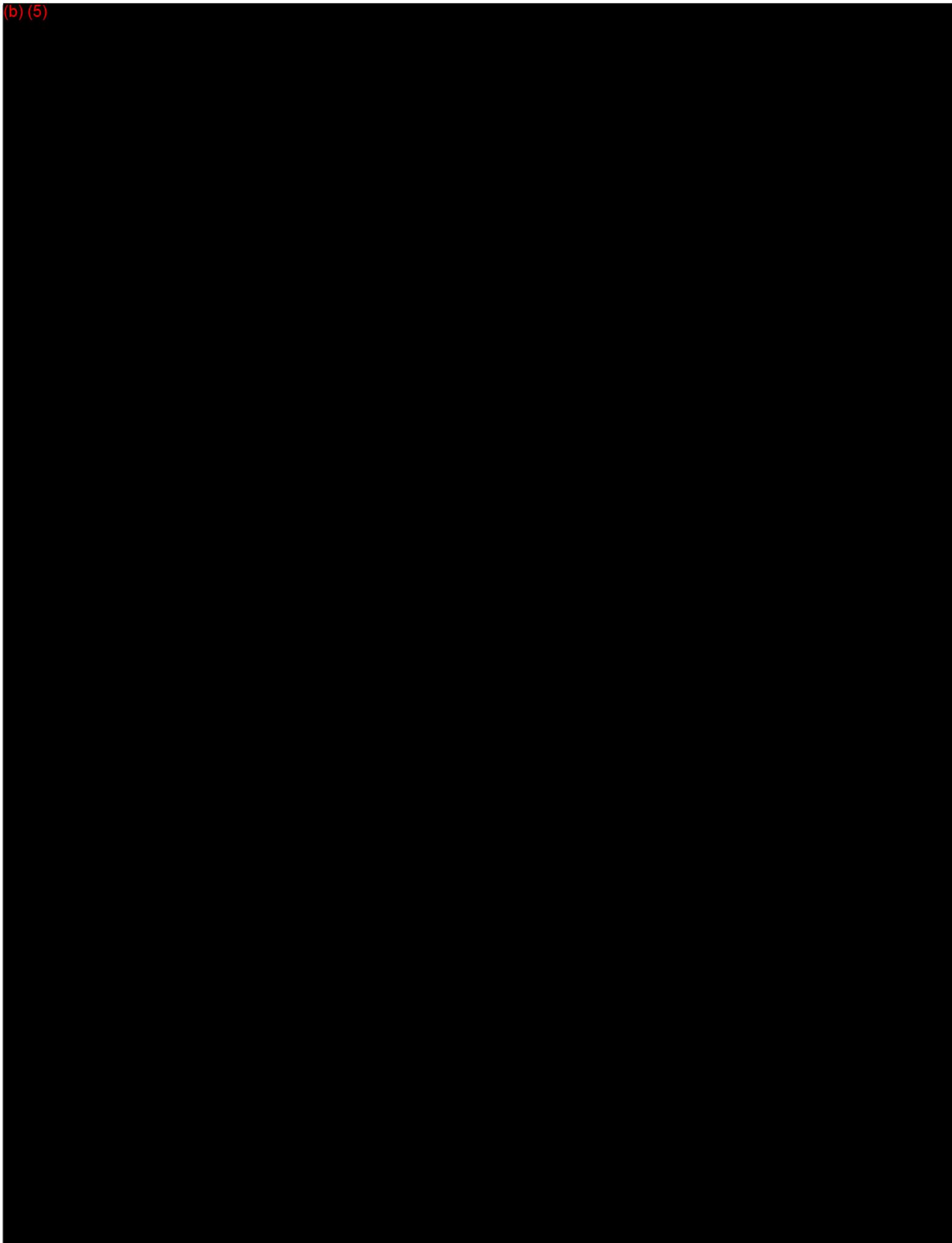
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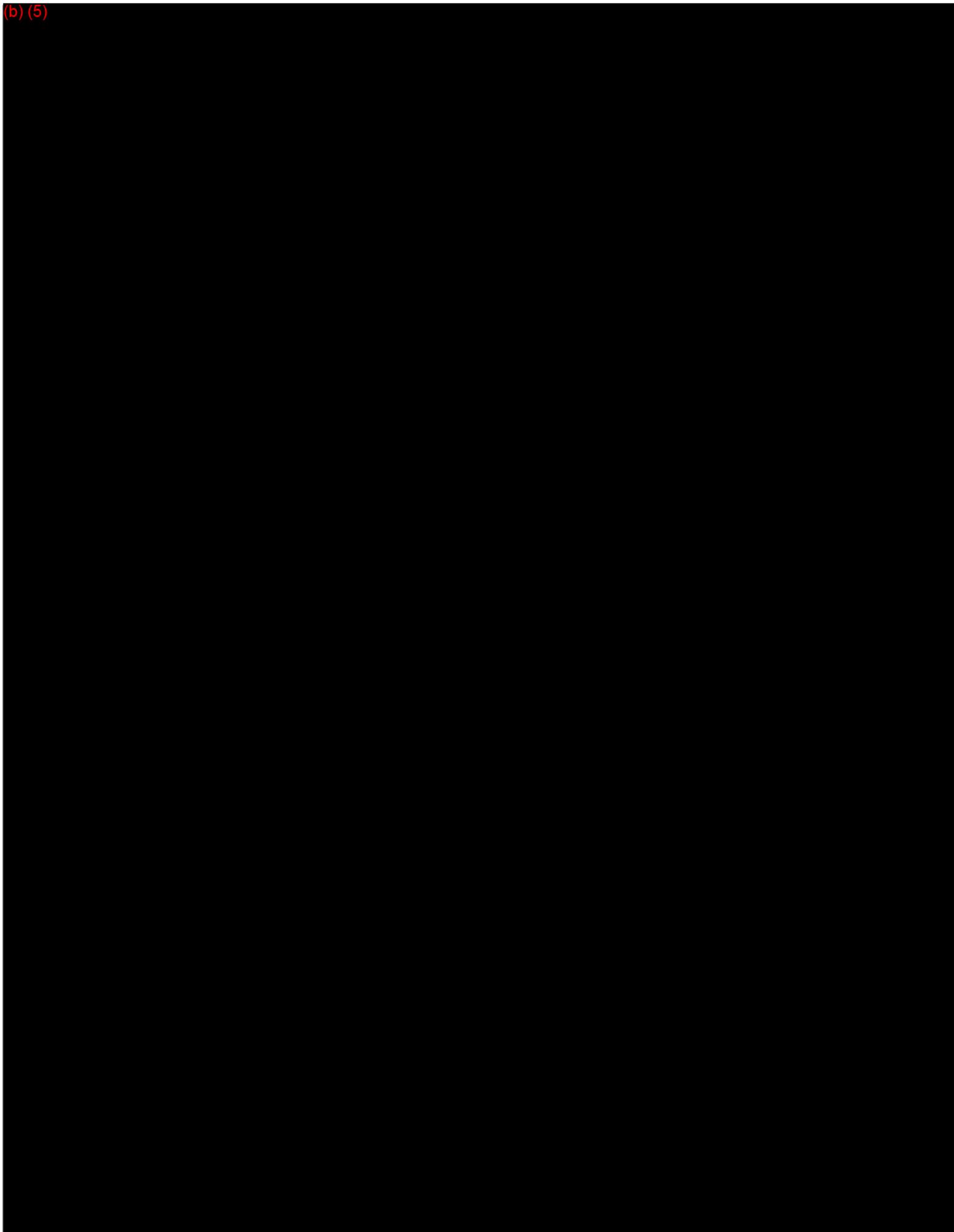
Karen A. Hanley  
Senior Environmental Policy Advisor, Federal Permitting Improvement Steering Council (FPISC), GSA  
Deputy Associate Director for NEPA, Council on Environmental Quality (CEQ)  
Phone (b) (6)

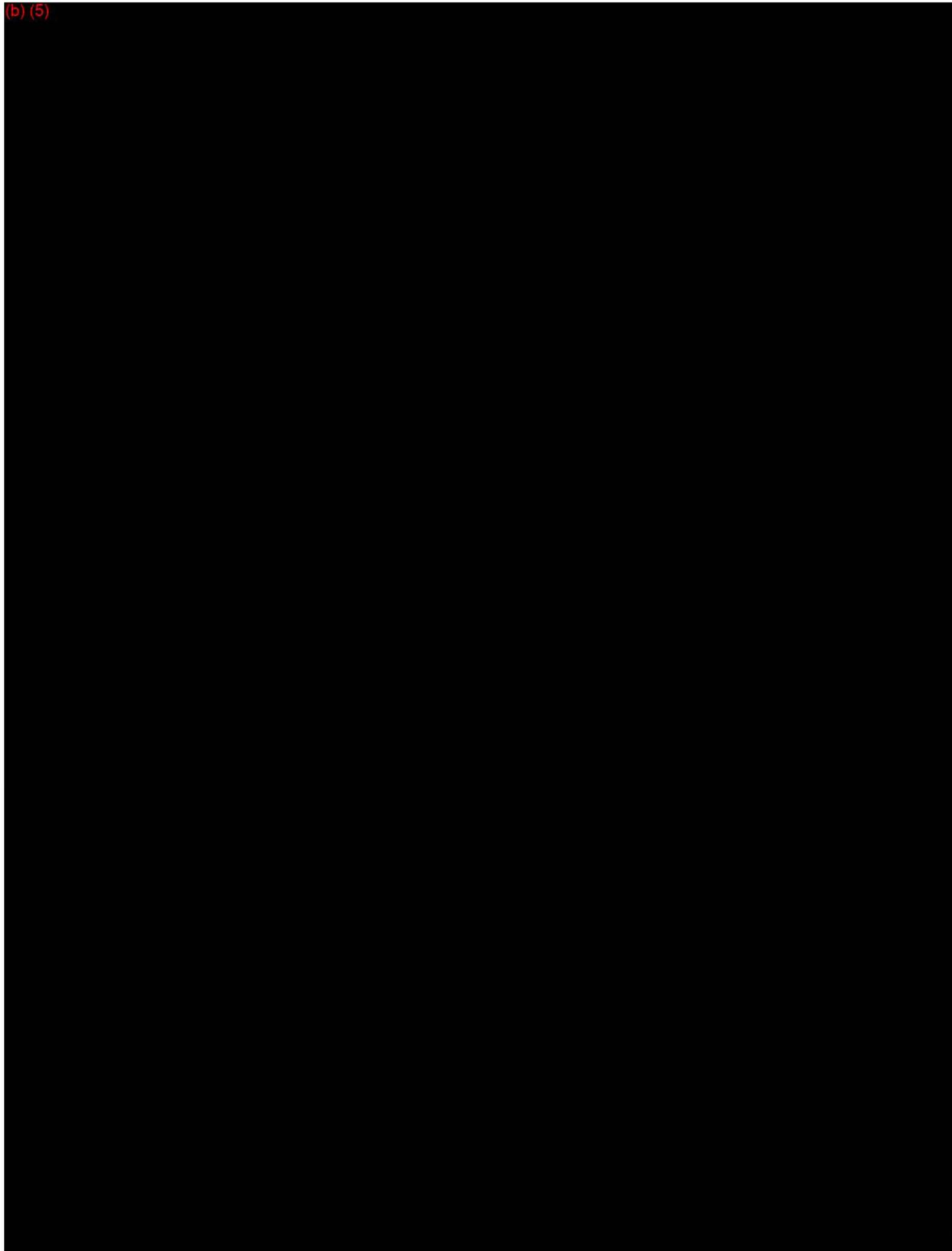


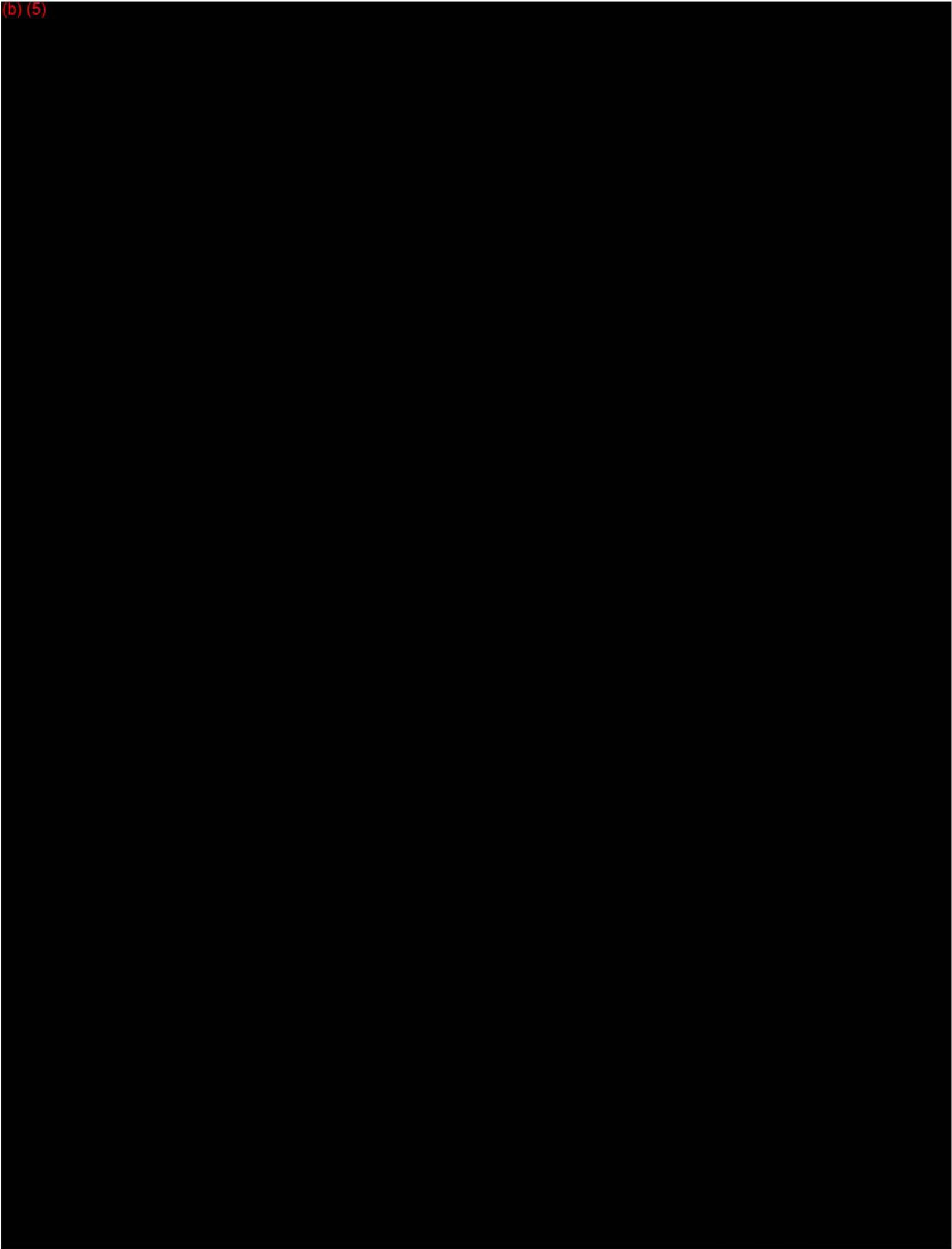


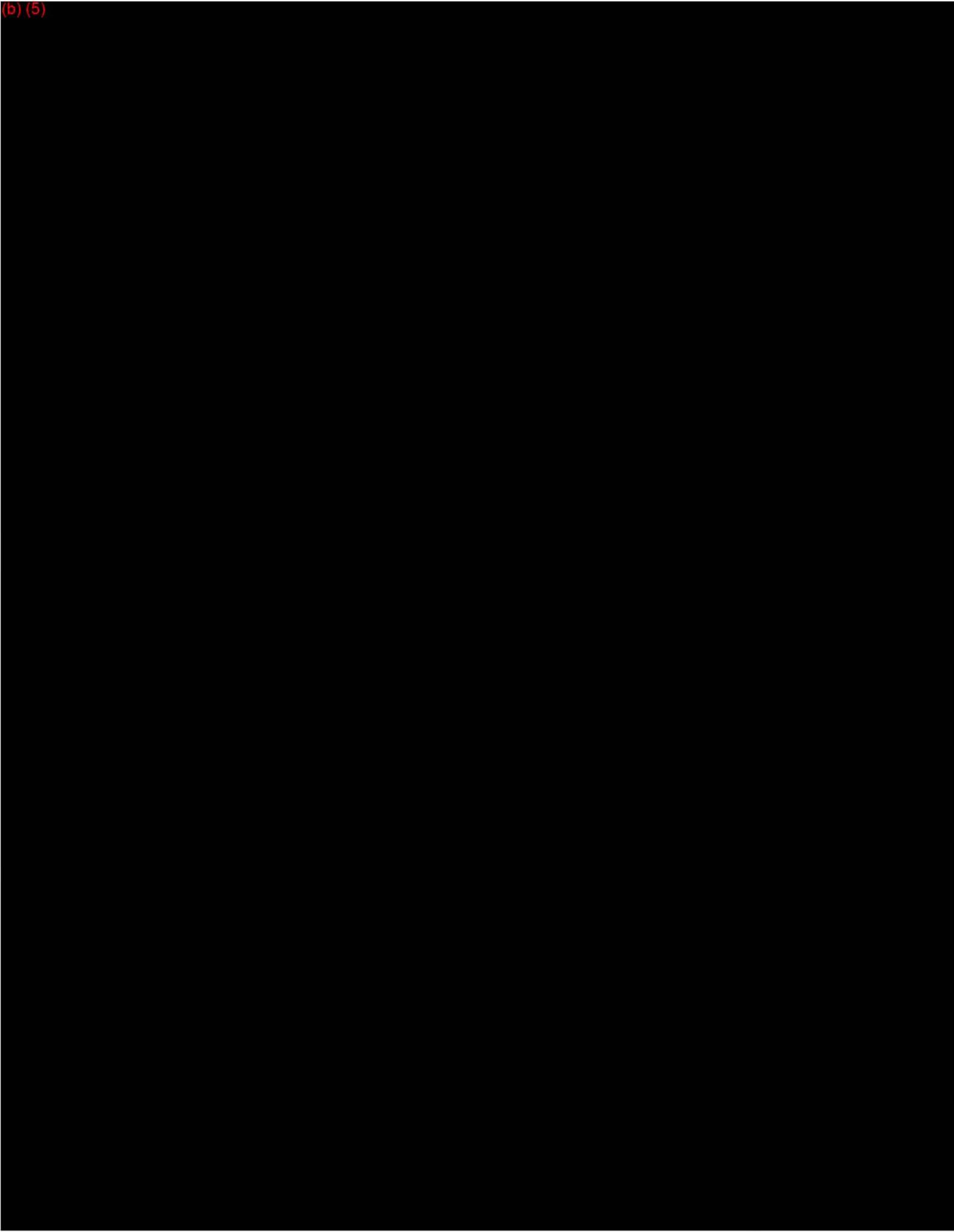












## Re: Q&As for your review

---

**From:** Janet Pfleeger - Y <janet.pfleeger@gsa.gov>

**To:** Karen Hanley - Y <karen.hanley@gsa.gov>, "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>

Angela Colamaria - Y-D <angela.colamaria@fpisc.gov>, Amber Levofsky - Y <amber.levofsky@gsa.gov>, Kavita Vaidyanathan - AY-DETAILEE <kavita.vaidyanathan@gsa.gov>, "Sharp, Thomas L. EOP/CEQ" <(b) (6)> "Scott (Robert) Hillkirk - AY-C" <scott.hillkirk@gsa.gov>

**Cc:**

**Date:** Tue, 26 Jun 2018 16:54:20 -0400

### Attachments

Draft Question and Answer for Senate Roundtable 6-25-18- clean.docx (44.17 kB)

Marlys,  
Please see edits discussed this afternoon to pages 2 and 5. I want to add these to Angie's binder as soon as CEQ is done with your edits from this afternoon so please "reply all" when you distribute later today.  
Thanks!  
Janet

Janet Pfleeger  
Deputy Director  
Federal Permitting Improvement Steering Council  
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[janet.pfleeger@fpisc.gov](mailto:janet.pfleeger@fpisc.gov)  
(202) 714-7288  
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On Mon, Jun 25, 2018 at 1:46 PM, Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)> wrote:  
Good afternoon everyone,

Please find some comments/edits for the Roundtable Q&As attached.

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On Thu, Jun 21, 2018 at 5:10 PM, Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)> wrote:  
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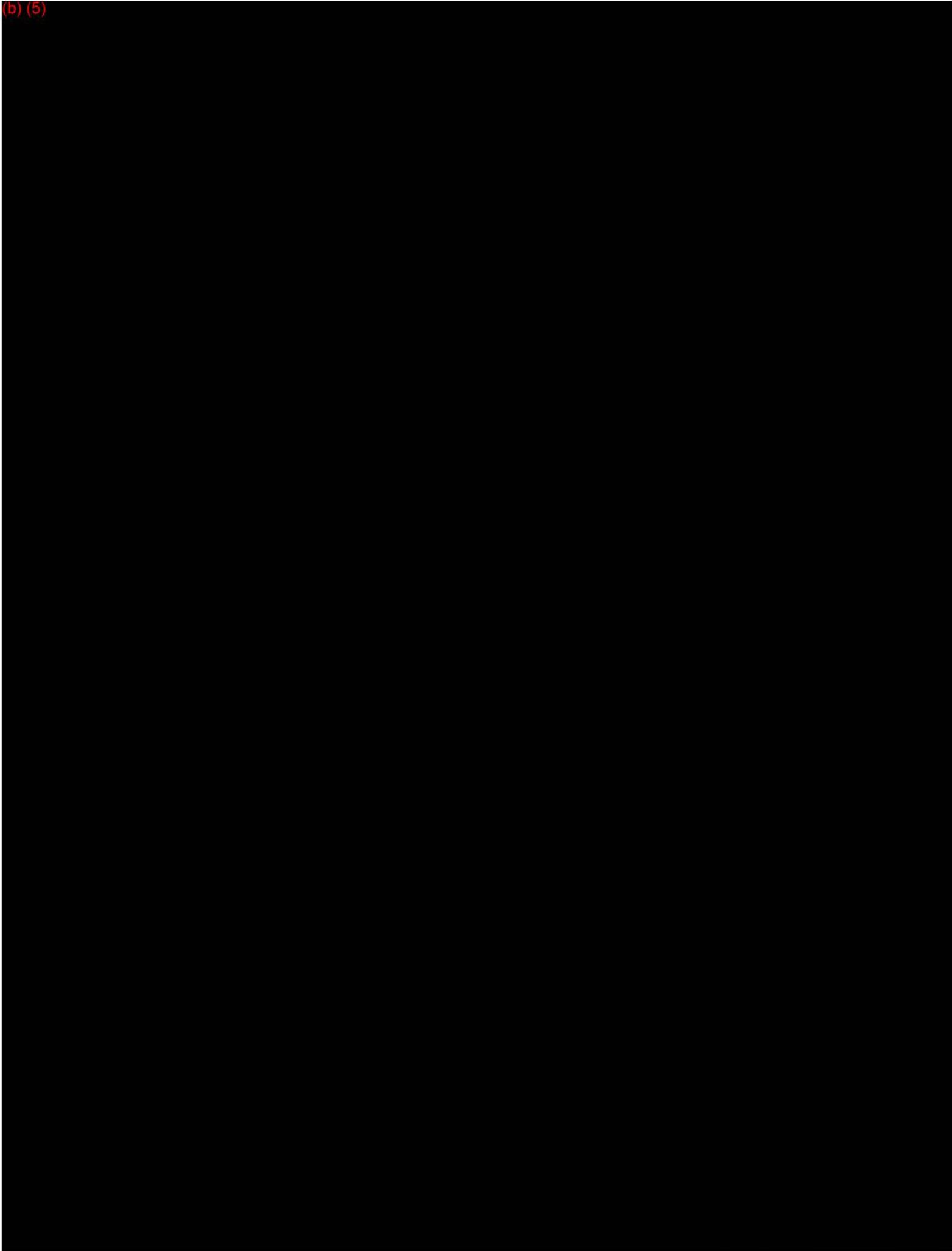
and send to Karen. (b) (5)

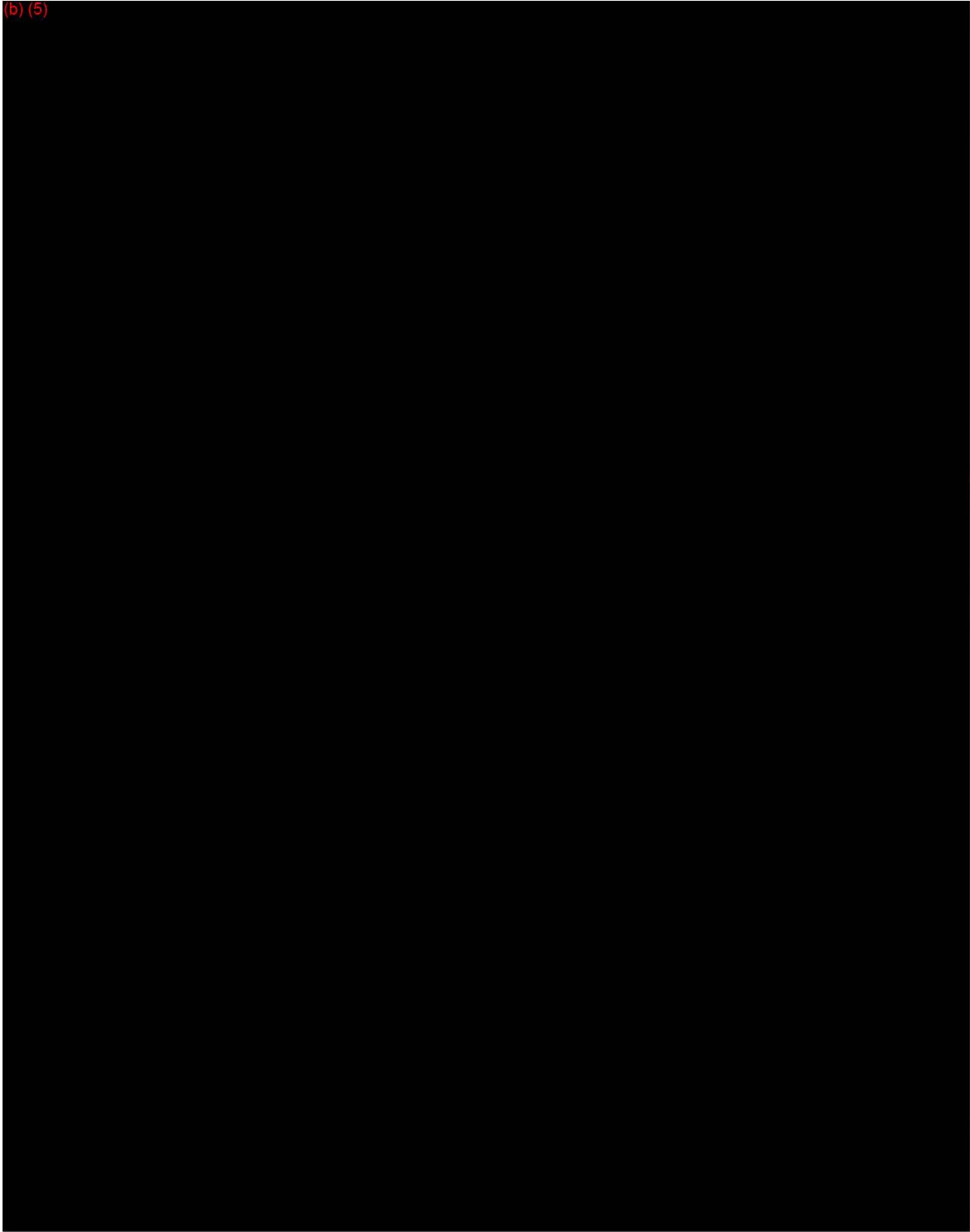
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Angie

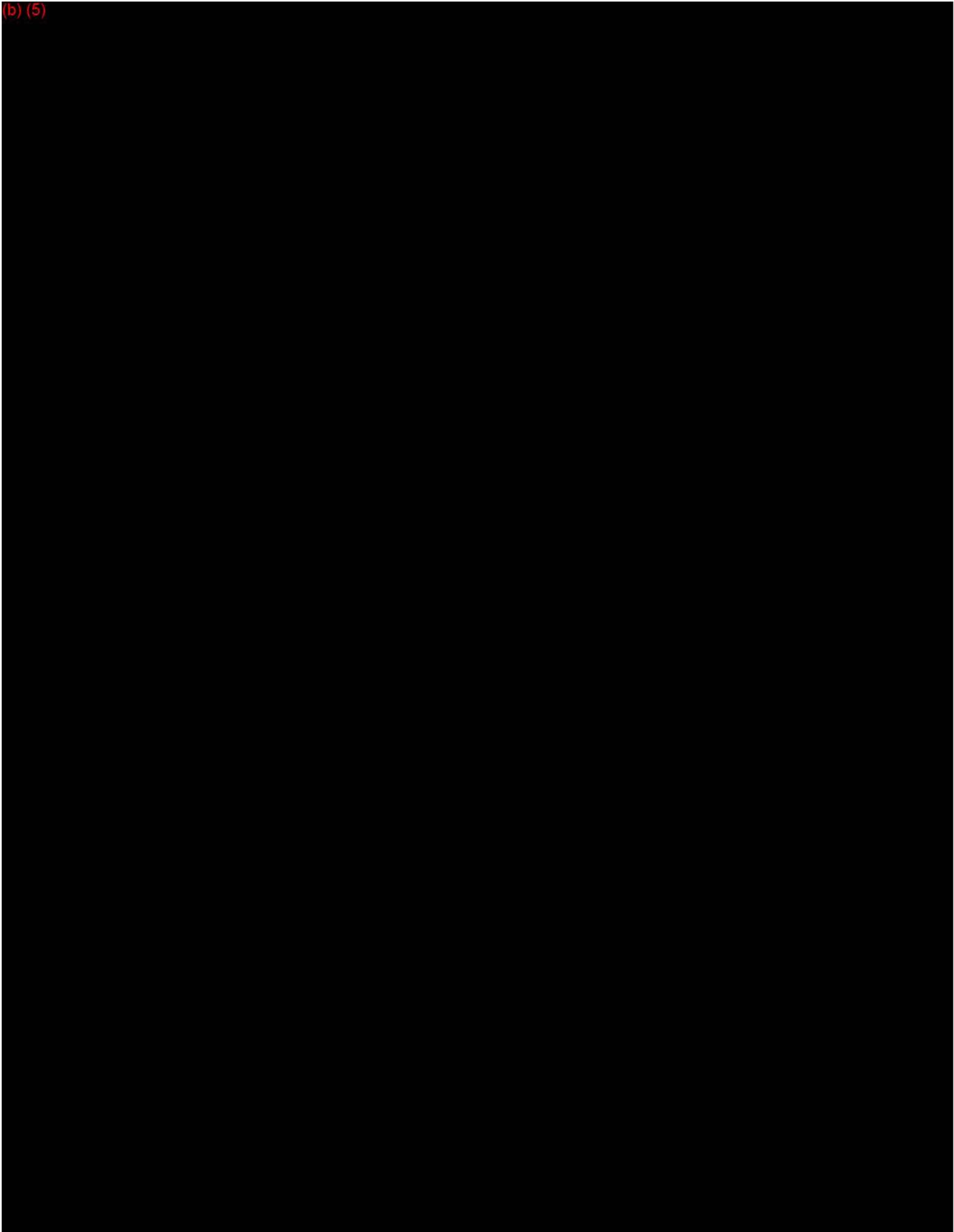
**Angela F. Colamaria**  
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Office of the Executive Director (FPISC-OED)  
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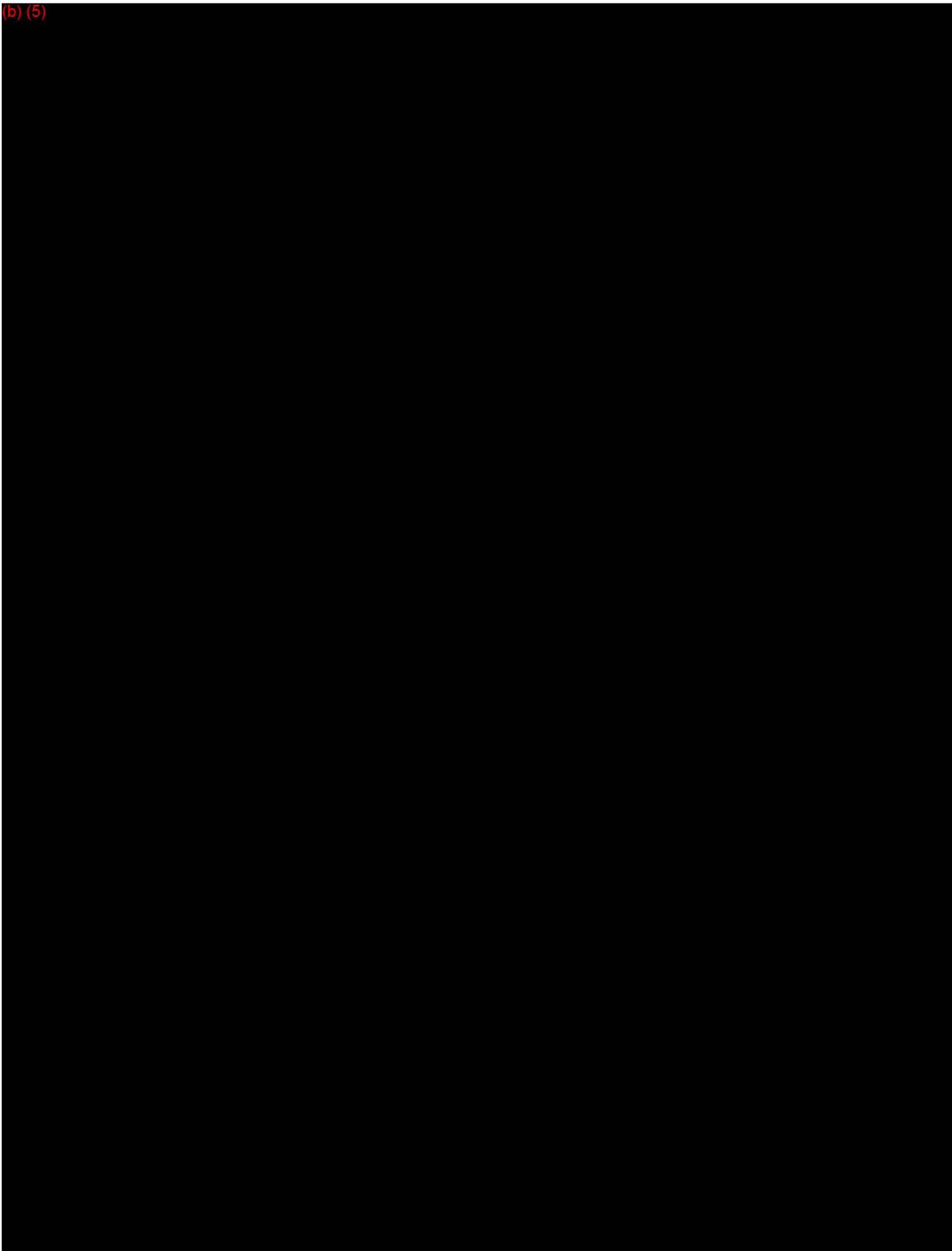
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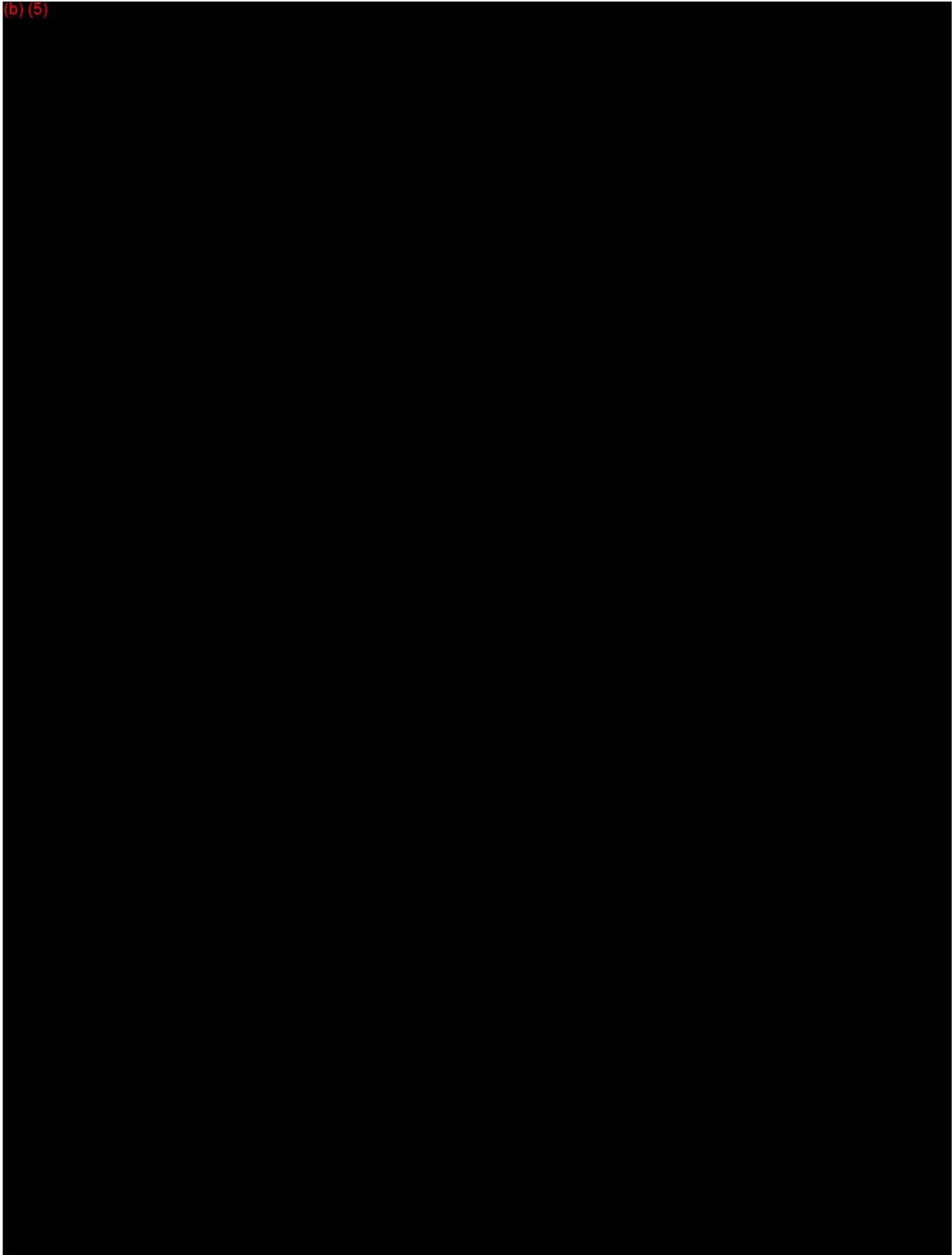
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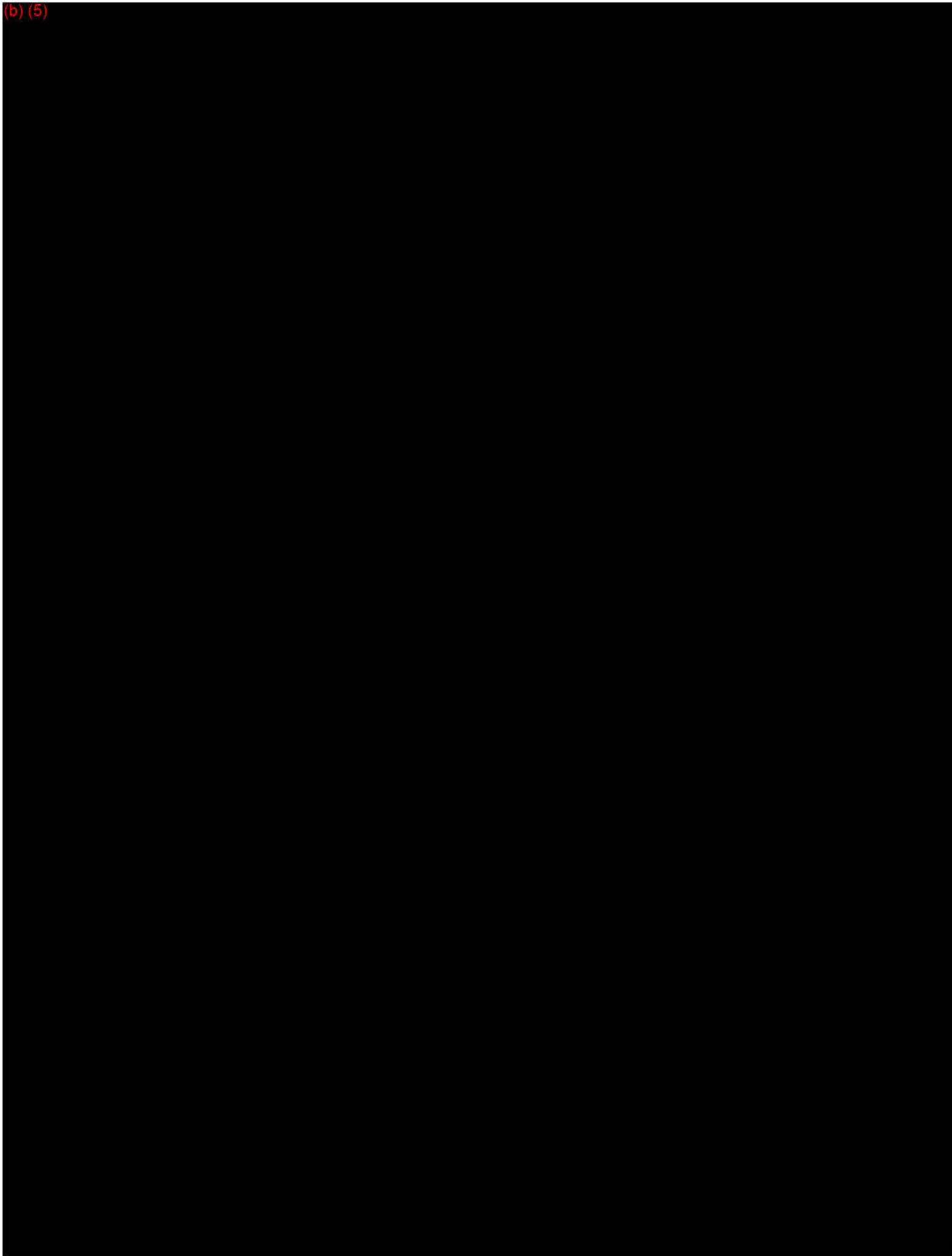


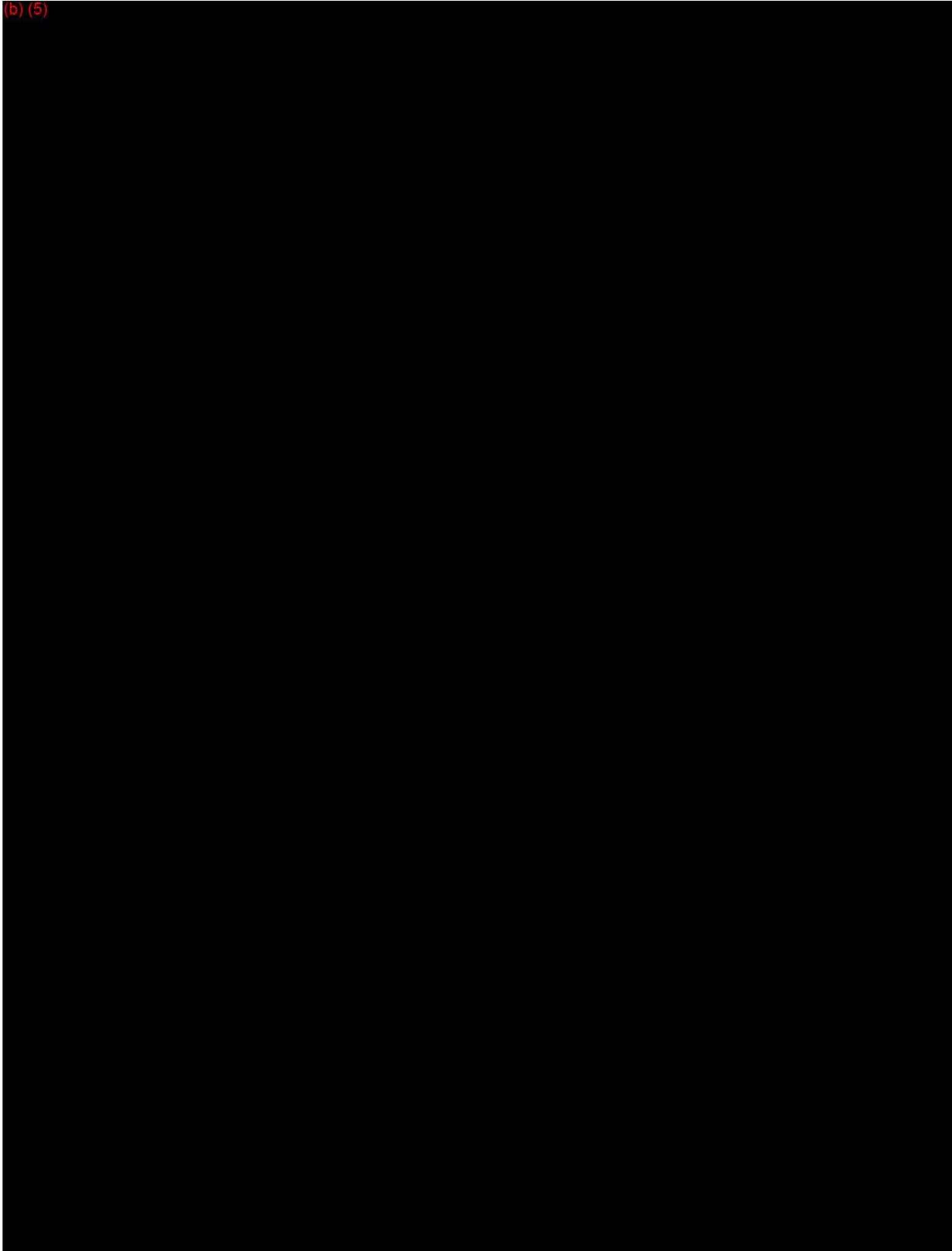


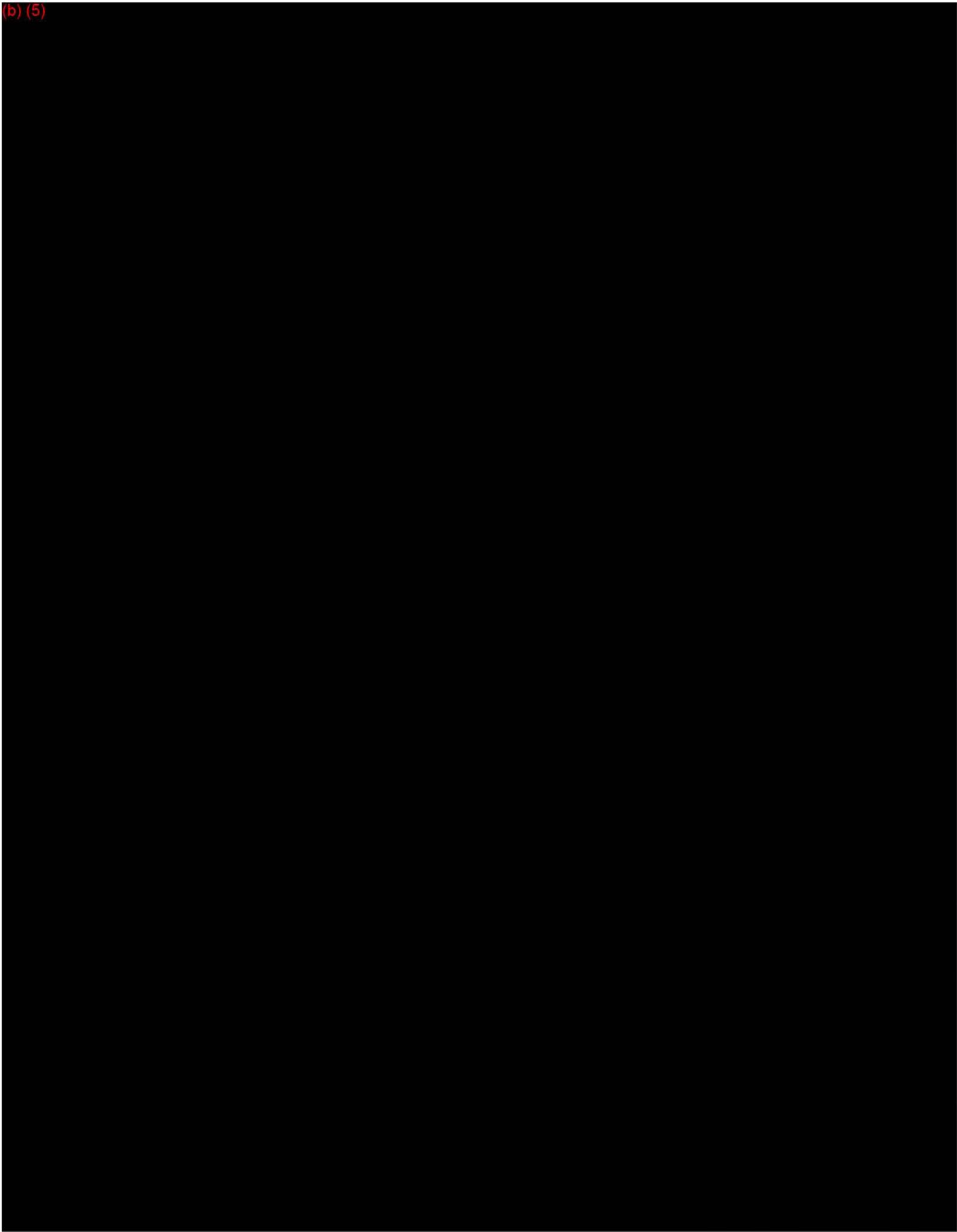


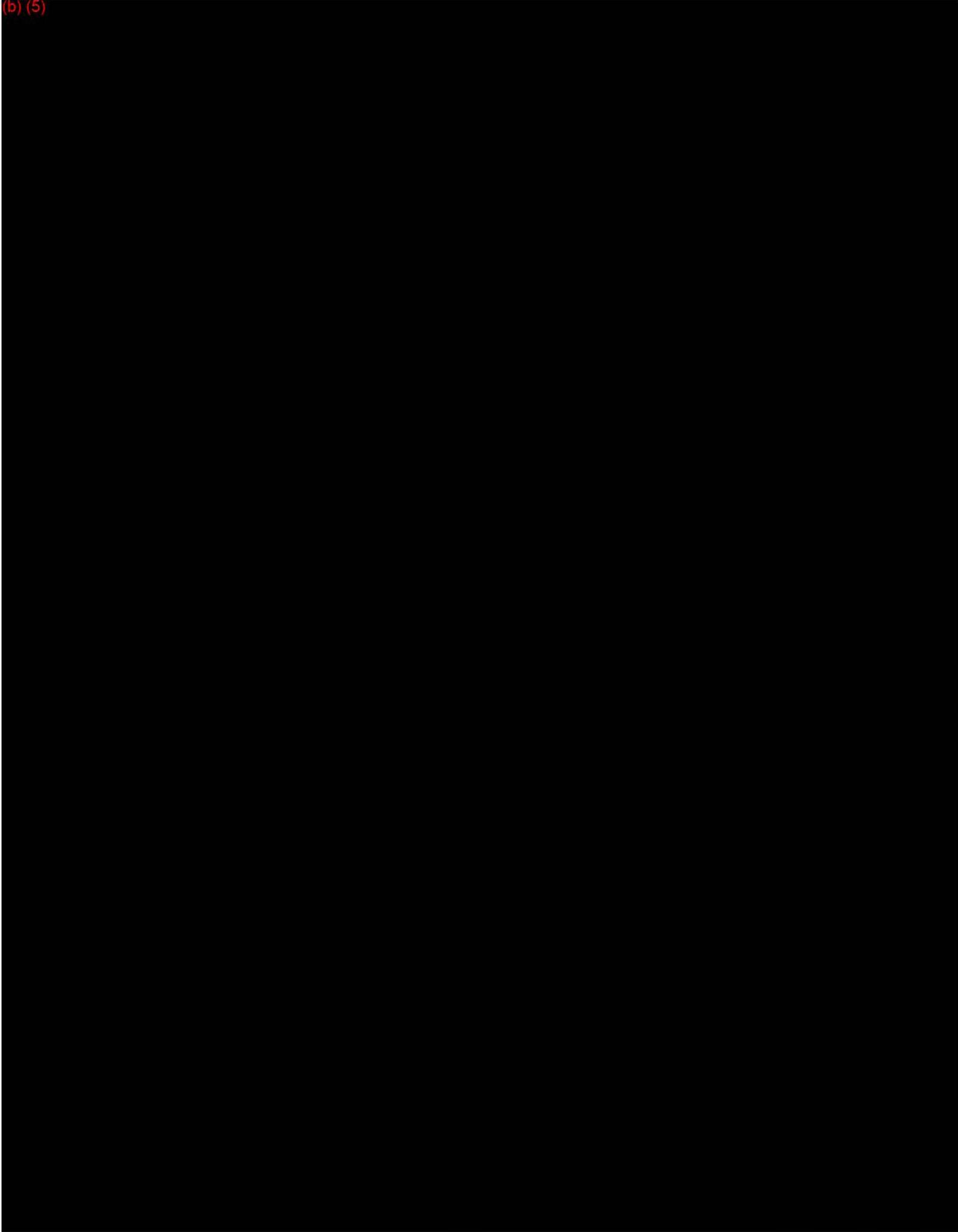












## FW: Mail

---

**From:** "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**To:** "Smith, Katherine R. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 26 Jun 2018 11:38:46 -0400  
**Attachments:** Neumayr-Boling D. VanSee Hei- GT Mehan Re Regulation Coment on Docket  
: CE....pdf (315.97 kB)

FYI

---

**From:** McLaurin, Juschelle D. EOP/CEQ  
**Sent:** Monday, June 25, 2018 4:24 PM  
**To:** Neumayr, Mary B. EOP/CEQ <(b) (6)>  
**Cc:** Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ  
<(b) (6)>  
**Subject:** RE: Mail

Sorry I realized I did not add the document and I left Katherine off. The original is in your mailbox.

---

**From:** McLaurin, Juschelle D. EOP/CEQ  
**Sent:** Monday, June 25, 2018 2:58 PM  
**To:** Neumayr, Mary B. EOP/CEQ <(b) (6)>  
**Cc:** Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ  
<(b) (6)>  
**Subject:** Mail

Hello Mary,

Send to Edward Boling and shared with Michael Drummond in his absence.

Juschelle

Juschelle D. McLaurin  
Administrative Assistant  
730 Jackson Place NW  
Washington, DC 20503  
(b) (6) Office  
(b) (6) Cell



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

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

---

**From:** Kameran Onley <konley@tnc.org>  
**To:** "Drummond, Michael R. EOP/CEQ" (b) (6)  
**Date:** Tue, 26 Jun 2018 14:15:32 -0400  
**Attachments:** TNC NEPA Comment Period Extension Request 06 26 2018.pdf (82.97 kB)

Good afternoon, Mr. Drummond-

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

Best,  
Kameran

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

Dear Mr. Boling:

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

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

Because of its broad application to federal actions, strong commitment to public engagement, and pathways for scientific input to inform and improve our decision making, the National Environmental Policy Act (NEPA), as implemented by CEQ regulations, is one of the most important bedrock

environmental laws in the United States. Given the importance of NEPA and implementing regulations, and the complexity of the issues implicated by the questions posed in the ANPRM, I am requesting an extension of the public comment period.

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

Sincerely,



**Please consider the environment before printing this email.**

**Kameron L. Onley**  
*Director, U.S. Government  
Relations*  
[konley@tnc.org](mailto:konley@tnc.org)  
+1 703 841 4229

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



[nature.org](http://nature.org)



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

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

konley@tnc.org  
nature.org

June 26, 2018

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

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

Dear Mr. Boling:

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

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Sincerely,

A handwritten signature in black ink that reads "Kameran L. Onley". The signature is fluid and cursive.

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

## FW: Q&As for your review

---

**From:** "Barnett, Steven W. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2e9fa21939394821b946485a90c4cb4e-ba">  
**To:** "Sharp, Thomas L. EOP/CEQ" <(b) (6)>  
**Date:** Wed, 27 Jun 2018 10:32:12 -0400  
**Attachments**  
: Draft Question and Answer for Senate Roundtable 6.27 swb CLEAN.docx (25.68 kB)

---

**From:** Barnett, Steven W. EOP/CEQ  
**Sent:** Wednesday, June 27, 2018 10:10 AM  
**To:** 'Angela Colamaria - Y-D' <angela.colamaria@fpisc.gov>  
**Cc:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Subject:** RE: Q&As for your review

Angie,

Please find attached Alex's revised Q&As.

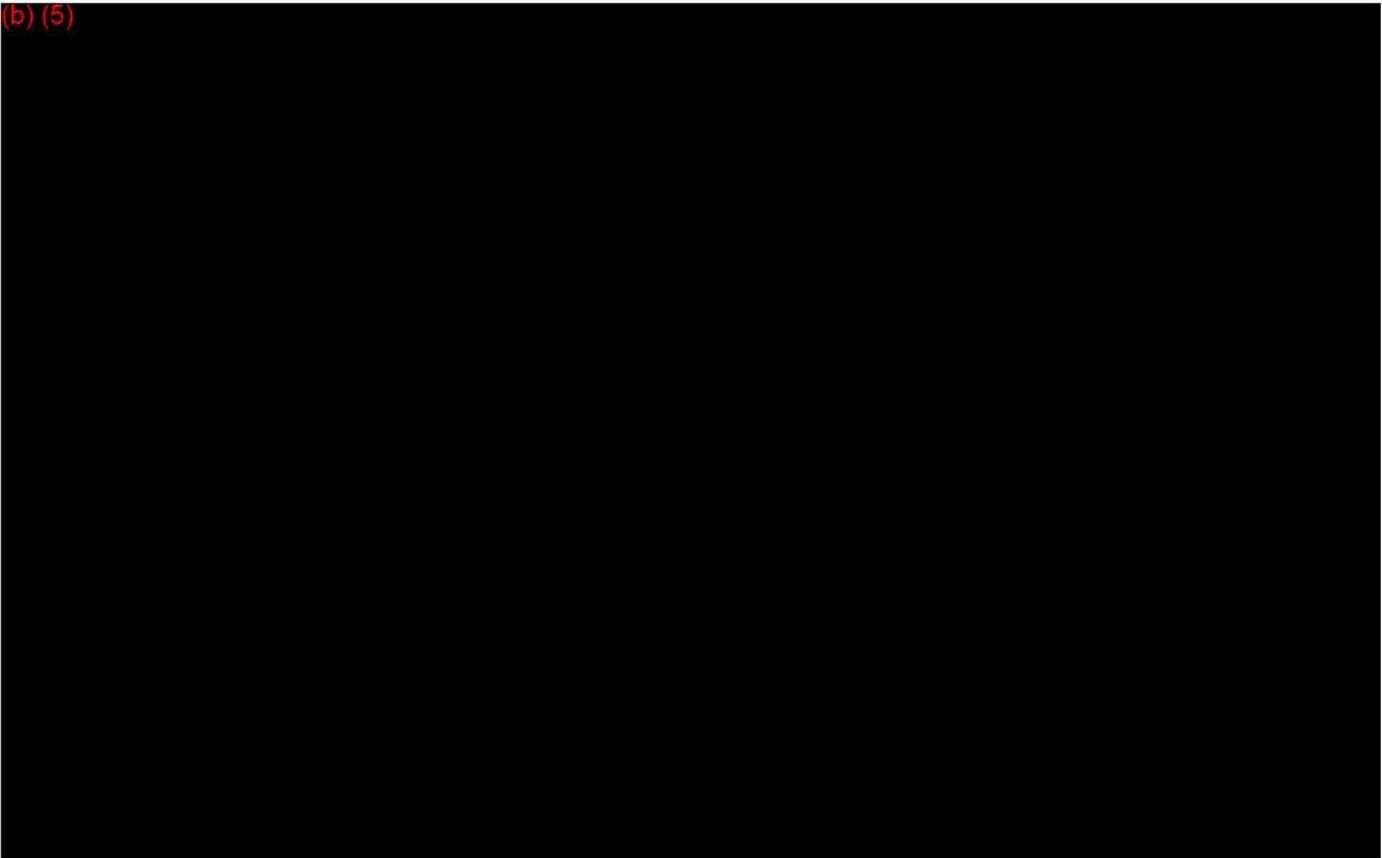
Steven

**From:** Angela Colamaria - Y-D <angela.colamaria@fpisc.gov>  
**Sent:** Wednesday, June 27, 2018 9:43 AM  
**To:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Cc:** Janet Pfleeger - Y <janet.pfleeger@gsa.gov>; Barnett, Steven W. EOP/CEQ <(b) (6)>  
**Subject:** Re: Q&As for your review

(b) (5)



(b) (5)



**Angela F. Colamaria**

Acting Executive Director

Office of the Executive Director (FPISC-OED)

Federal Permitting Improvement Steering Council

[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)

202.705.1639

1800 F St. NW

Washington, DC 20405

On Tue, Jun 26, 2018 at 11:11 PM, Osterhues, Marlys A. EOP/CEQ

<(b) (6)> wrote:

Thanks Angie. Steven and I are going to wrap our work on the Q&As in the morning and will share what we have.

**From:** Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)>

**Sent:** Tuesday, June 26, 2018 7:55 PM

**To:** Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)>

**Cc:** Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)>; Osterhues, Marlys A. EOP/CEQ

<(b) (6)> Amber Levofsky - Y <[amber.levofsky@gsa.gov](mailto:amber.levofsky@gsa.gov)>; Kavita

Vaidyanathan - AY-DETAILEE <[kavita.vaidyanathan@gsa.gov](mailto:kavita.vaidyanathan@gsa.gov)>; Sharp, Thomas L. EOP/CEQ

<(b) (6)> Scott (Robert) Hillkirk - AY-C <[scott.hillkirk@gsa.gov](mailto:scott.hillkirk@gsa.gov)>; Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** Re: Q&As for your review

I have added some suggestions on top of Janet's edits.

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Acting Executive Director  
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Janet Pfleeger  
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[Redacted text block]

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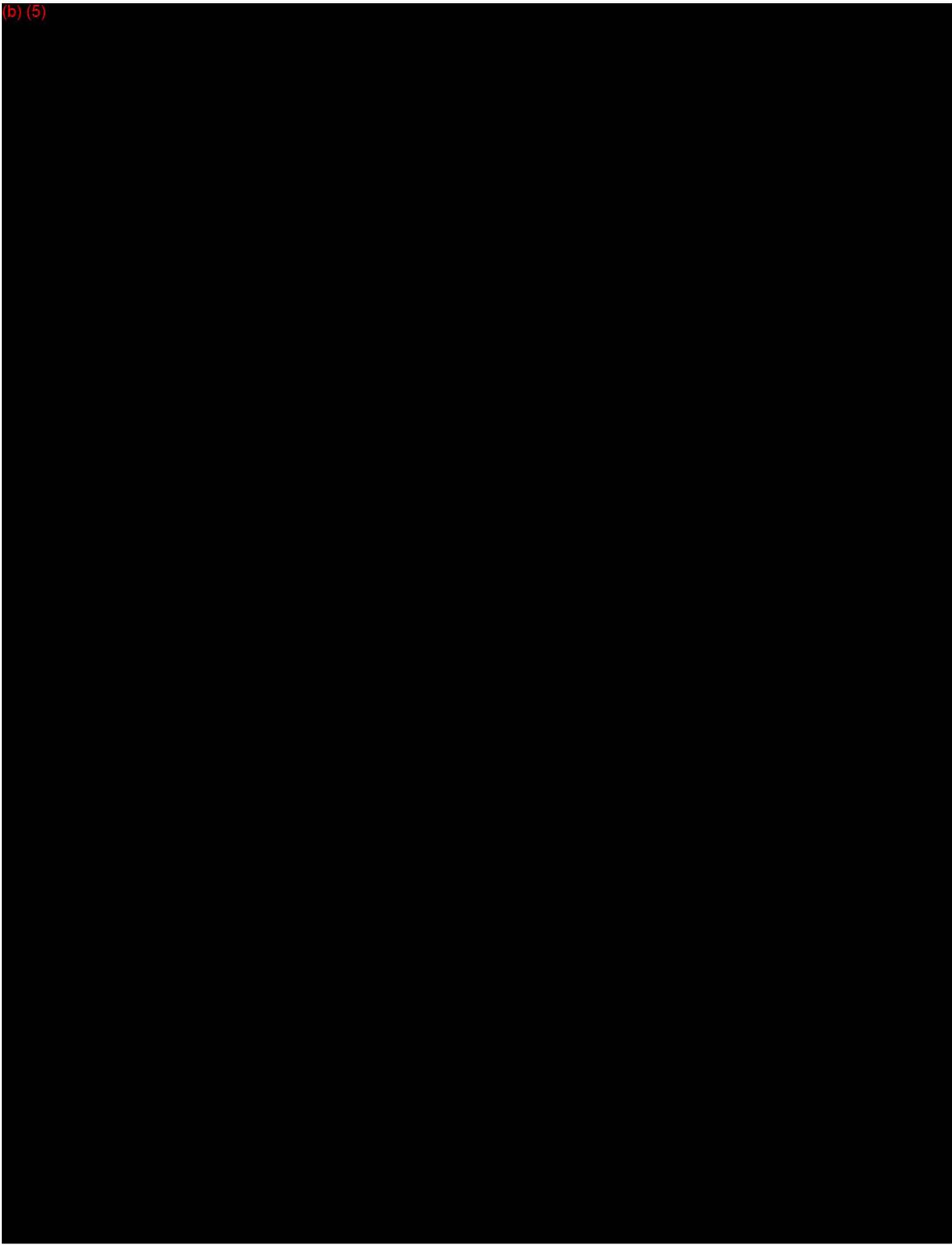
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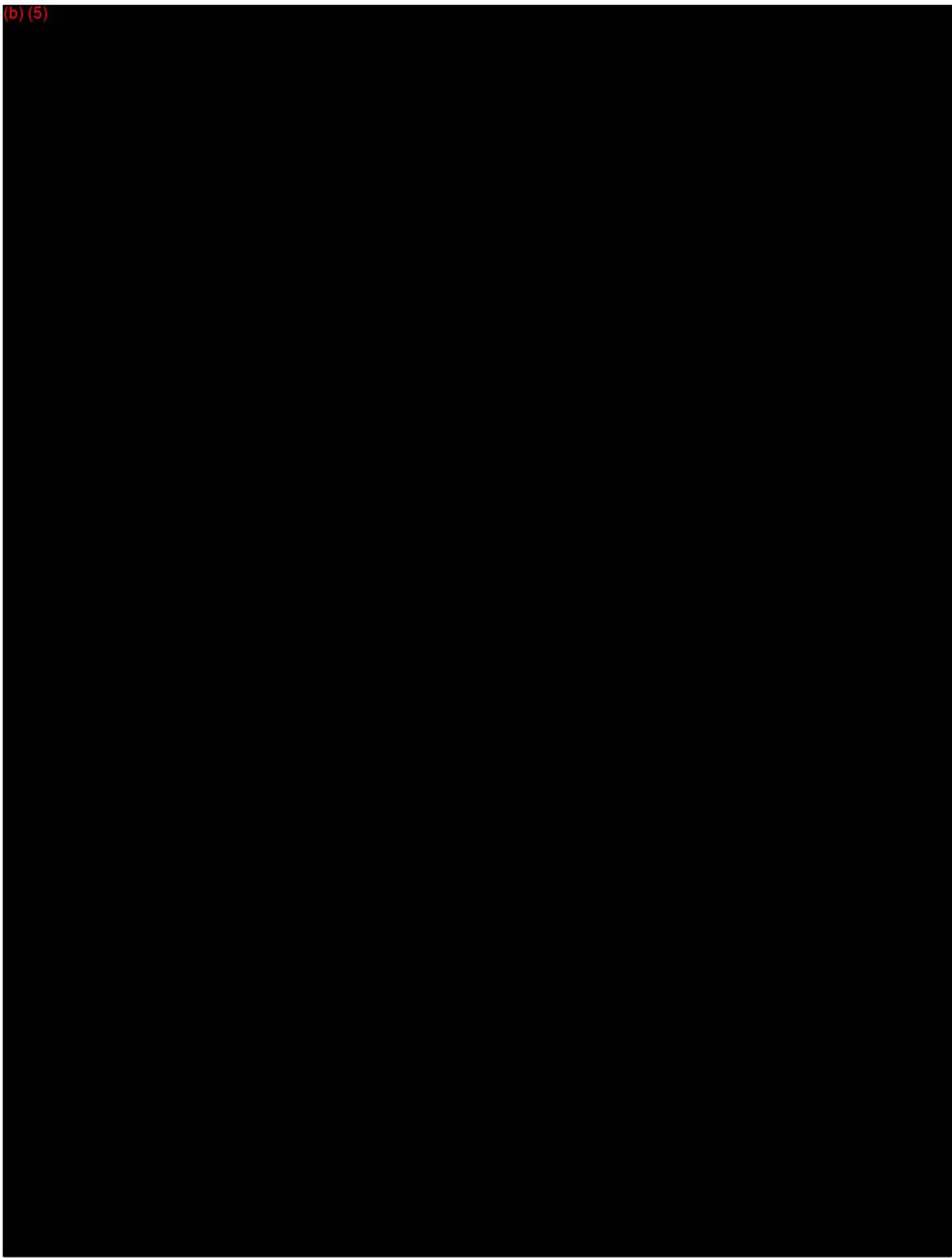
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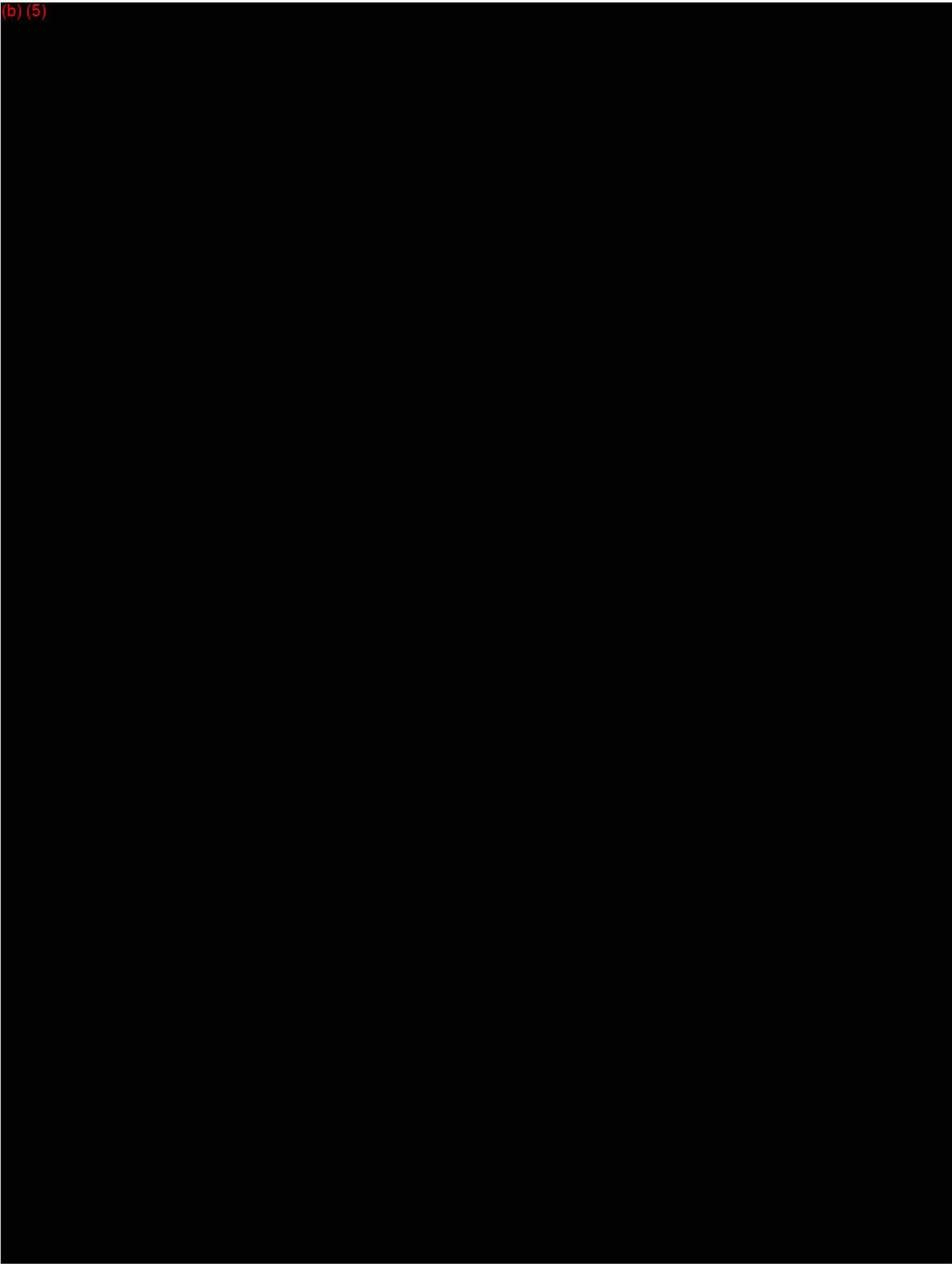
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--

Karen A. Hanley  
Senior Environmental Policy Advisor, Federal Permitting Improvement Steering Council (FPISC), GSA  
Deputy Associate Director for NEPA, Council on Environmental Quality (CEQ)  
Phone: (b) (6)







## RE: Q&As for your review

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**Cc:** "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>  
**Date:** Wed, 27 Jun 2018 10:09:36 -0400  
**Attachments:** Draft Question and Answer for Senate Roundtable 6.27 swb CLEAN.docx (25.68 kB)

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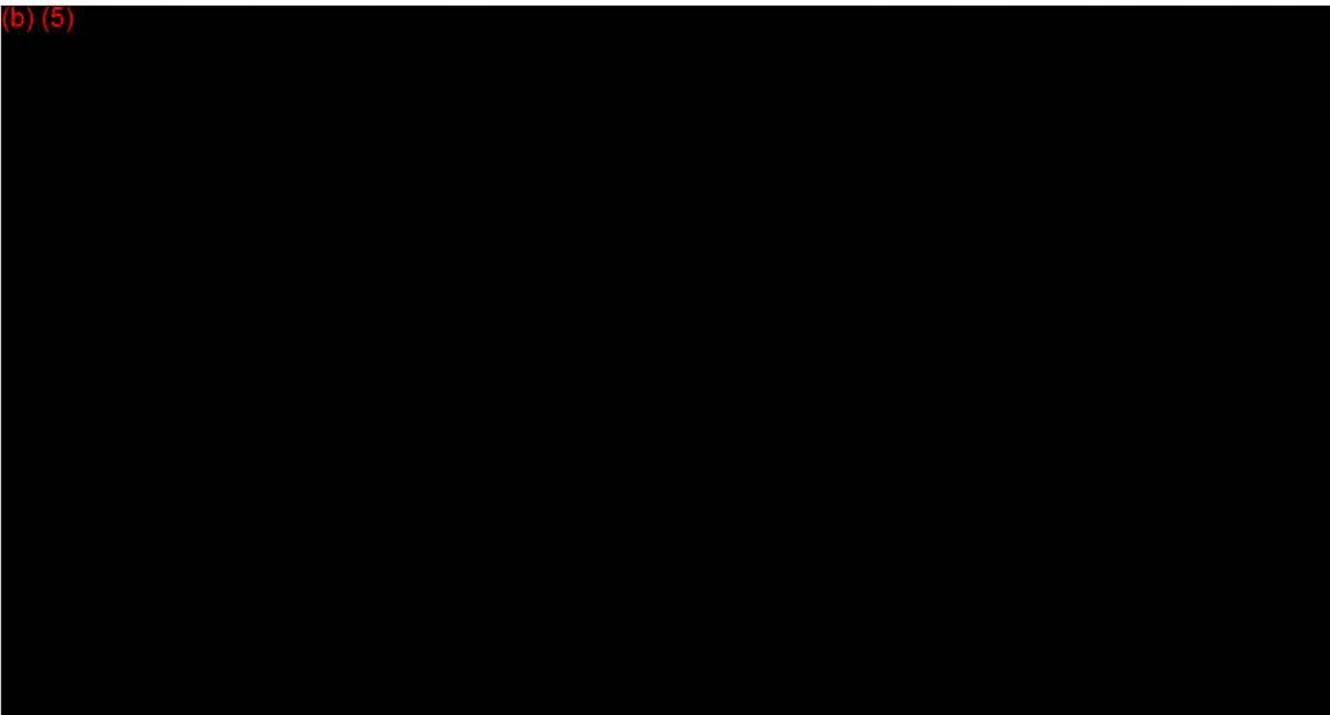
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**Subject:** Re: Q&As for your review

(b) (5)



(b) (5)



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Acting Executive Director

Office of the Executive Director (FPISC-OED)

Federal Permitting Improvement Steering Council

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Michael R. EOP/CEQ <(b) (6)>

**Subject:** Re: Q&As for your review

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Deputy Director  
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(b) (5) [REDACTED]

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Thanks,  
Angie

---

**Angela F. Colamaria**  
Acting Executive Director  
Office of the Executive Director (FPISC-OED)  
Federal Permitting Improvement Steering Council  
[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)  
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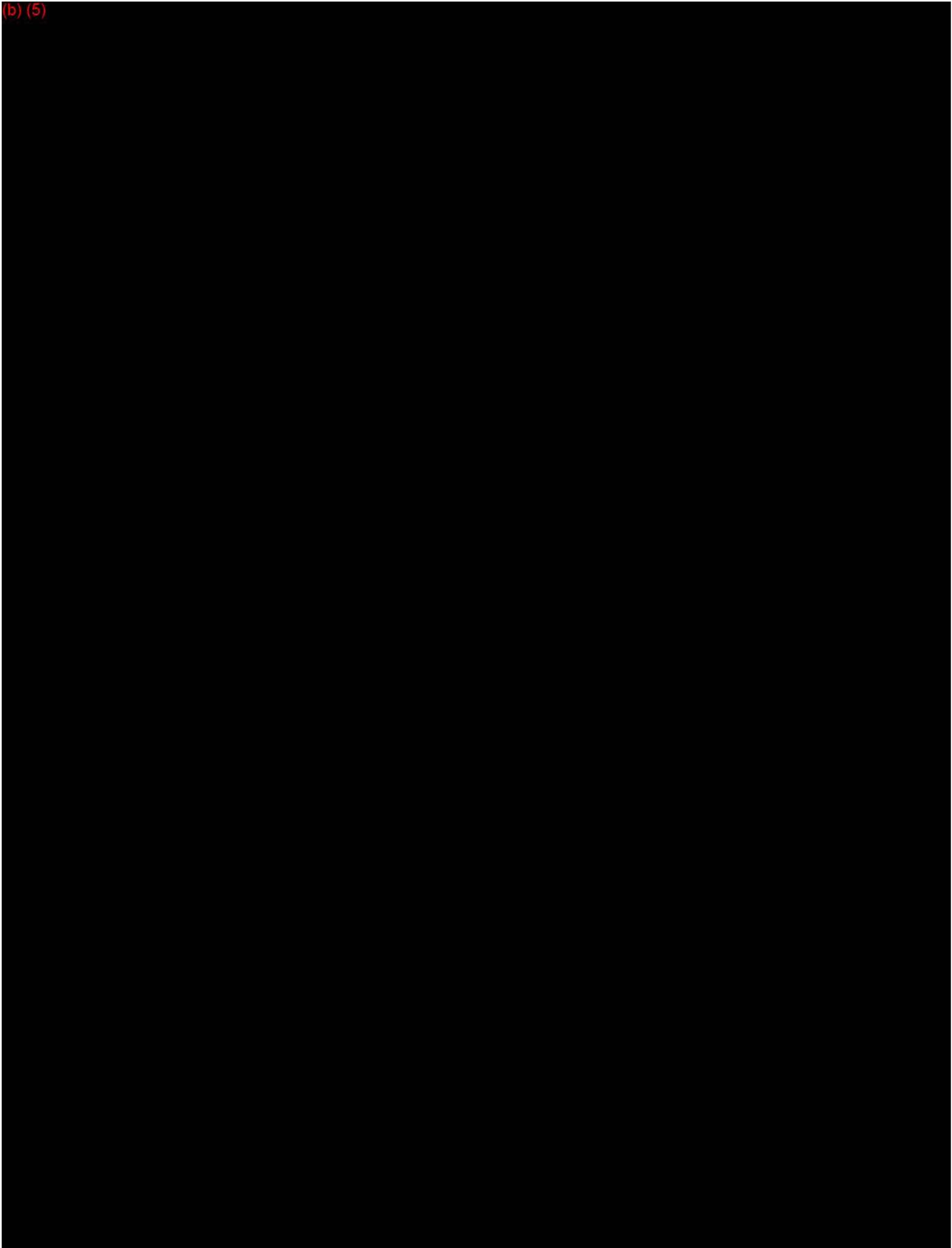
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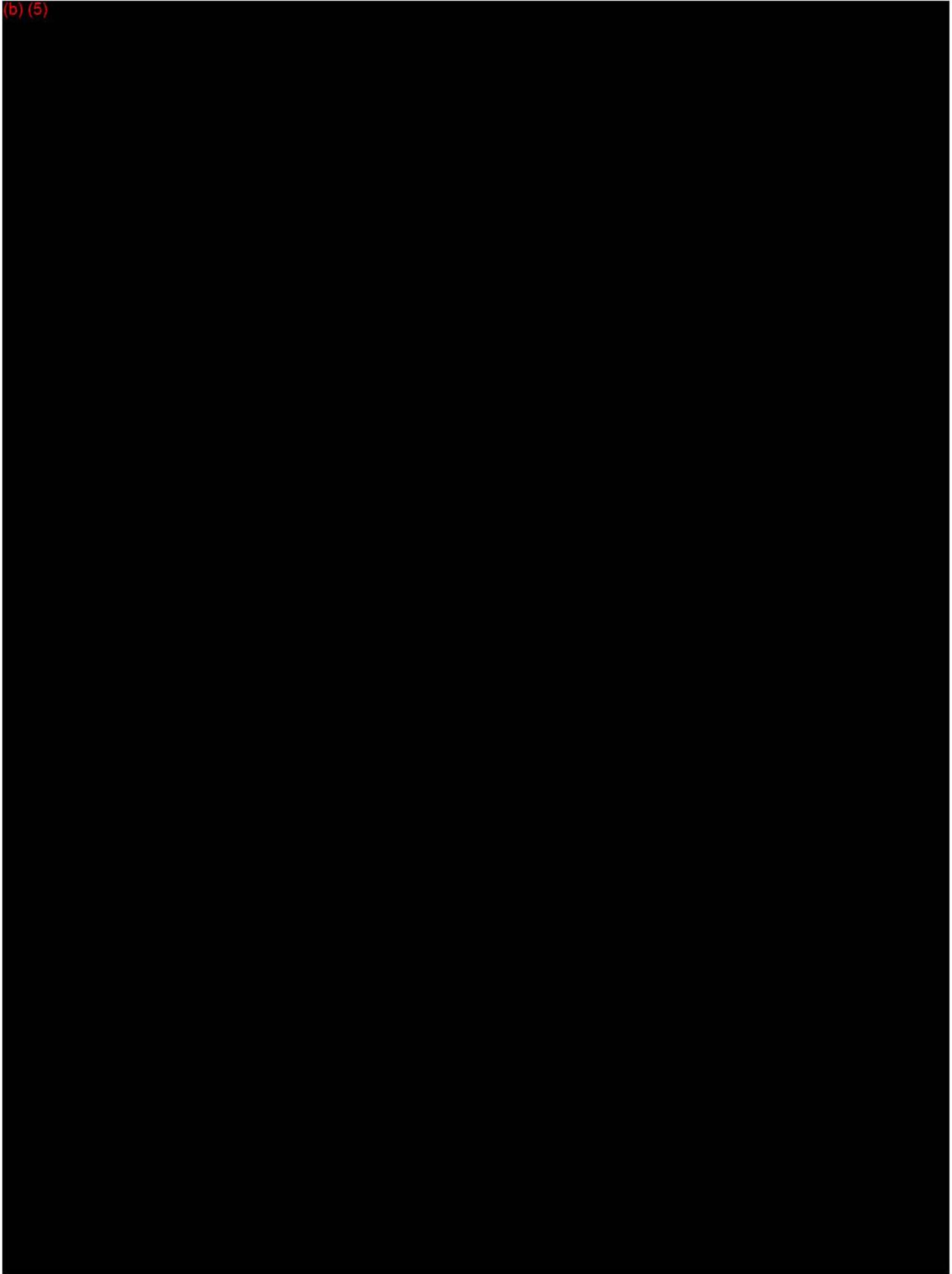
--  
Karen A. Hanley  
Senior Environmental Policy Advisor, Federal Permitting Improvement Steering Council (FPISC), GSA  
Deputy Associate Director for NEPA, Council on Environmental Quality (CEQ)  
Phone: (b) (6)

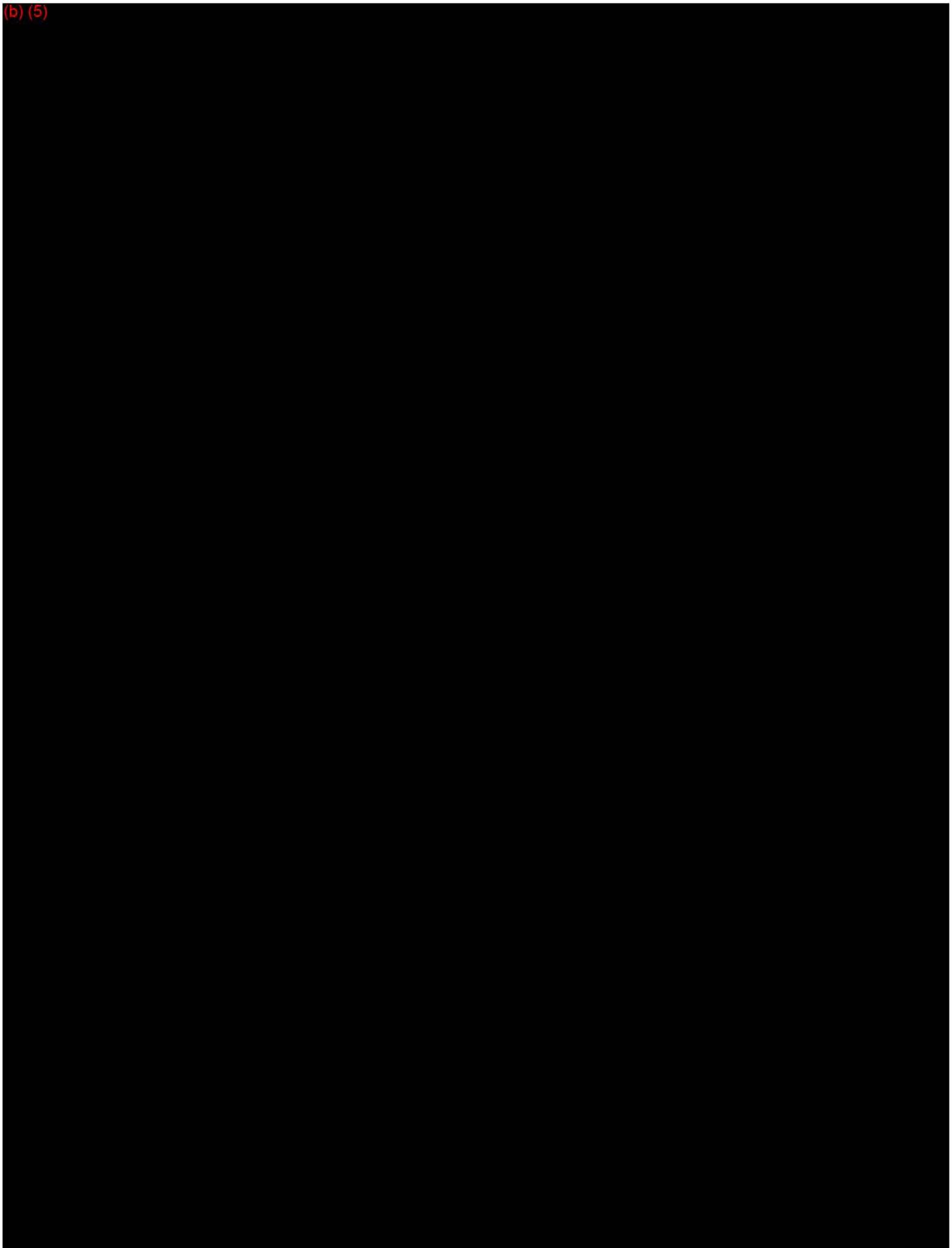
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## RE: Mail

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**From:** "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
:  
"Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**To:** <(b) (6)> "McLaurin, Juschelle D. EOP/CEQ" <(b) (6)> "Green, Mary A. EOP/CEQ" <(b) (6)>  
**Cc:** "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**Date:** Wed, 27 Jun 2018 08:37:42 -0400

Just so everyone knows, regarding ANPR correspondence that arrives here physically:

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

Yardena

---

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Monday, June 25, 2018 4:27 PM  
**To:** Mansoor, Yardena M. EOP/CEQ <(b) (6)>  
**Subject:** FW: Mail

To be added to the tracking spreadsheet.

---

**From:** Neumayr, Mary B. EOP/CEQ  
**Sent:** Monday, June 25, 2018 4:26 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Cc:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** FW: Mail

---

**From:** McLaurin, Juschelle D. EOP/CEQ  
**Sent:** Monday, June 25, 2018 4:24 PM  
**To:** Neumayr, Mary B. EOP/CEQ <(b) (6)>  
**Cc:** Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RE: Mail

Sorry I realized I did not add the document and I left Katherine off. The original is in your mailbox.

**From:** McLaurin, Juschelle D. EOP/CEQ  
**Sent:** Monday, June 25, 2018 2:58 PM  
**To:** Neumayr, Mary B. EOP/CEQ <(b) (6)>  
**Cc:** Boling, Ted A. EOP/CEQ <(b) (6)> Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** Mail

Hello Mary,

Send to Edward Boling and shared with Michael Drummond in his absence.

Juschelle

Juschelle D. McLaurin  
Administrative Assistant  
730 Jackson Place NW  
Washington, DC 20503  
(b) (6) Office  
(b) (6) Cell

## FW: Q&As for your review

---

**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, 27 Jun 2018 09:30:49 -0400  
**Attachments** Draft Question and Answer for Senate Roundtable 6-25-18- clean (2)AFC.docx  
: (48.65 kB)

---

**From:** Angela Colamaria - Y-D <angela.colamaria@fpisc.gov>  
**Sent:** Tuesday, June 26, 2018 7:55 PM  
**To:** Janet Pfleeger - Y <janet.pfleeger@gsa.gov>  
**Cc:** Karen Hanley - Y <karen.hanley@gsa.gov>; Osterhues, Marlys A. EOP/CEQ <(b) (6)>; Amber Levofsky - Y <amber.levofsky@gsa.gov>; Kavita Vaidyanathan - AY-DETAILEE <kavita.vaidyanathan@gsa.gov>; Sharp, Thomas L. EOP/CEQ <(b) (6)>; Scott (Robert) Hillkirk - AY-C <scott.hillkirk@gsa.gov>; Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** Re: Q&As for your review

I have added some suggestions on top of Janet's edits.

**Angela F. Colamaria**  
Acting Executive Director  
Office of the Executive Director (FPISC-OED)  
Federal Permitting Improvement Steering Council  
[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)  
202.705.1639  
1800 F St. NW  
Washington, DC 20405

On Tue, Jun 26, 2018 at 4:54 PM, Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)> wrote:

---

Marlys,  
Please see edits discussed this afternoon to pages 2 and 5. I want to add these to Angie's binder as soon as CEQ is done with your edits from this afternoon so please "reply all" when you distribute later today.  
Thanks!

---

Janet

Janet Pfleeger  
Deputy Director  
Federal Permitting Improvement Steering Council  
Office of the Executive Director (FPISC-OED)  
[janet.pfleeger@fpisc.gov](mailto:janet.pfleeger@fpisc.gov)  
(202) 714-7288  
1800 F St, NW  
Washington, DC 20405

On Mon, Jun 25, 2018 at 1:46 PM, Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)> wrote:

---

Good afternoon everyone,

Please find some comments/edits for the Roundtable Q&As attached.

(b) (5)  
[Redacted]

On Thu, Jun 21, 2018 at 5:10 PM, Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)> wrote:

---

All,

I haven't had time to read the actual answers yet, but I did put a few comment balloons to grab your attention as you review. Please add additional Q&A's and provide edits/answers to existing Q&A as needed by 4 pm tomorrow and send to Karen. (b) (5)  
[Redacted]

Thanks,  
Angie

**Angela F. Colamaria**  
Acting Executive Director  
Office of the Executive Director (FPISC-OED)  
Federal Permitting Improvement Steering Council  
[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)  
202.705.1639  
1800 F St. NW  
Washington, DC 20405

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Karen A. Hanley

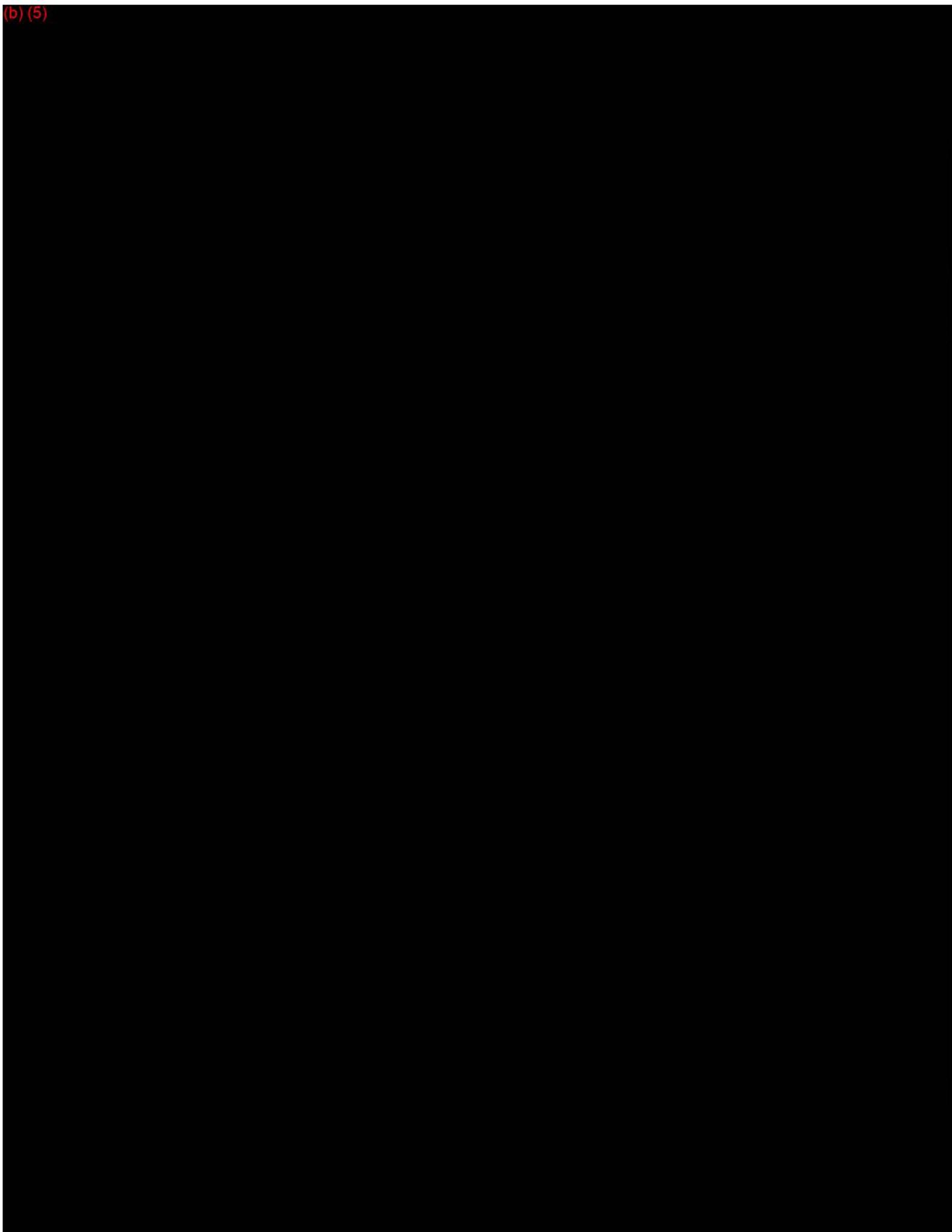
Senior Environmental Policy Advisor, Federal Permitting Improvement Steering Council (FPISC), GSA

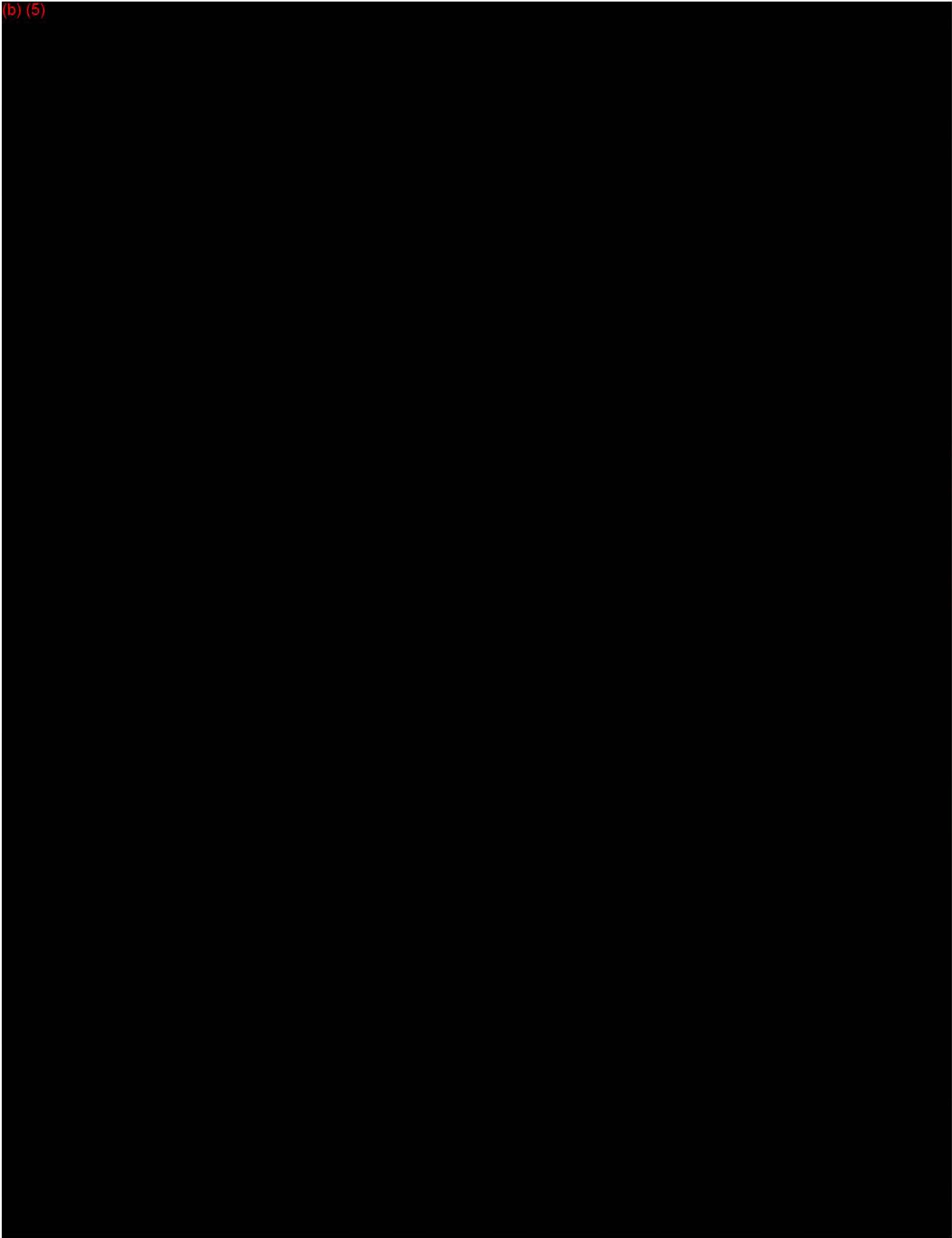
Deputy Associate Director for NEPA, Council on Environmental Quality (CEQ)

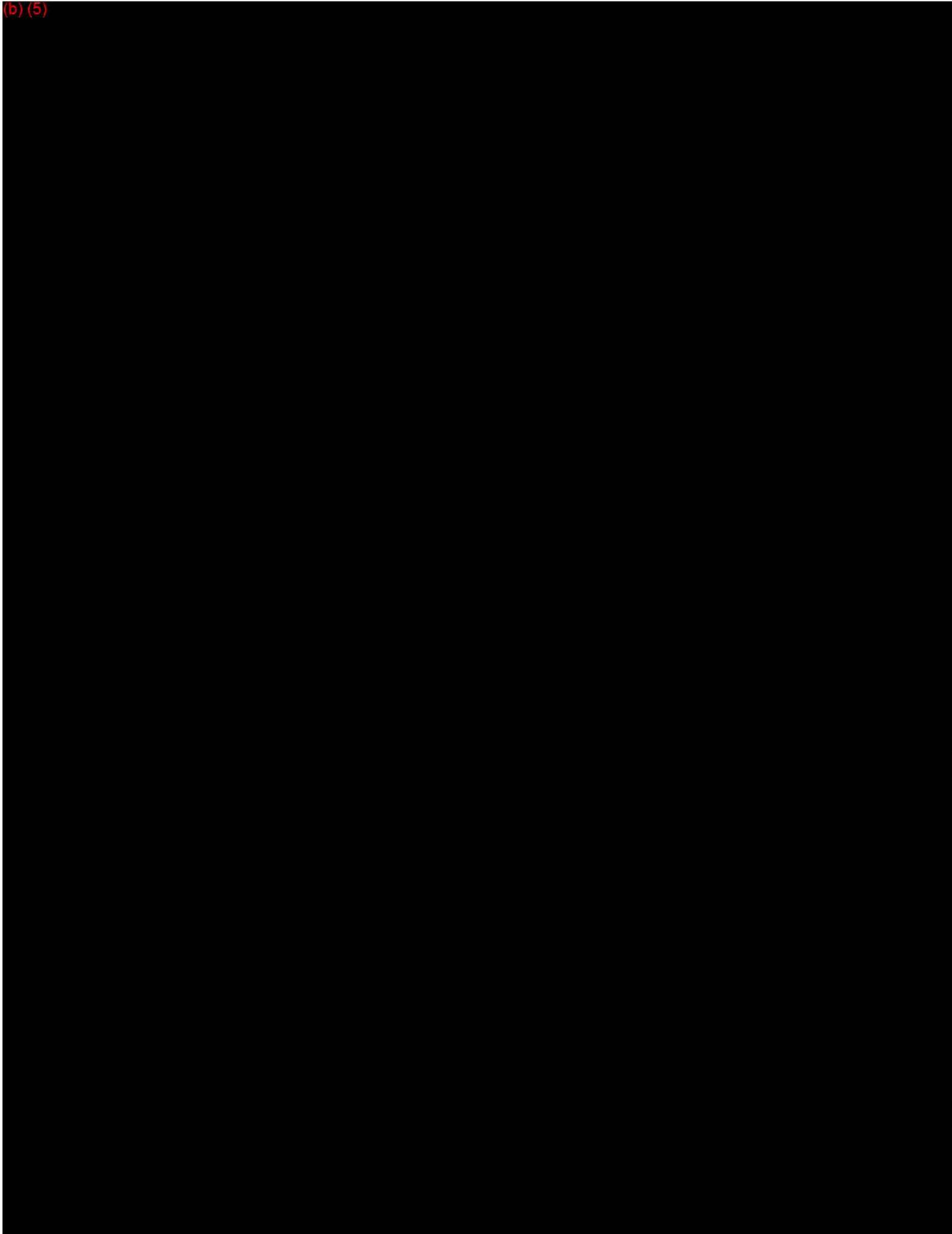
Phone: (b) (6)

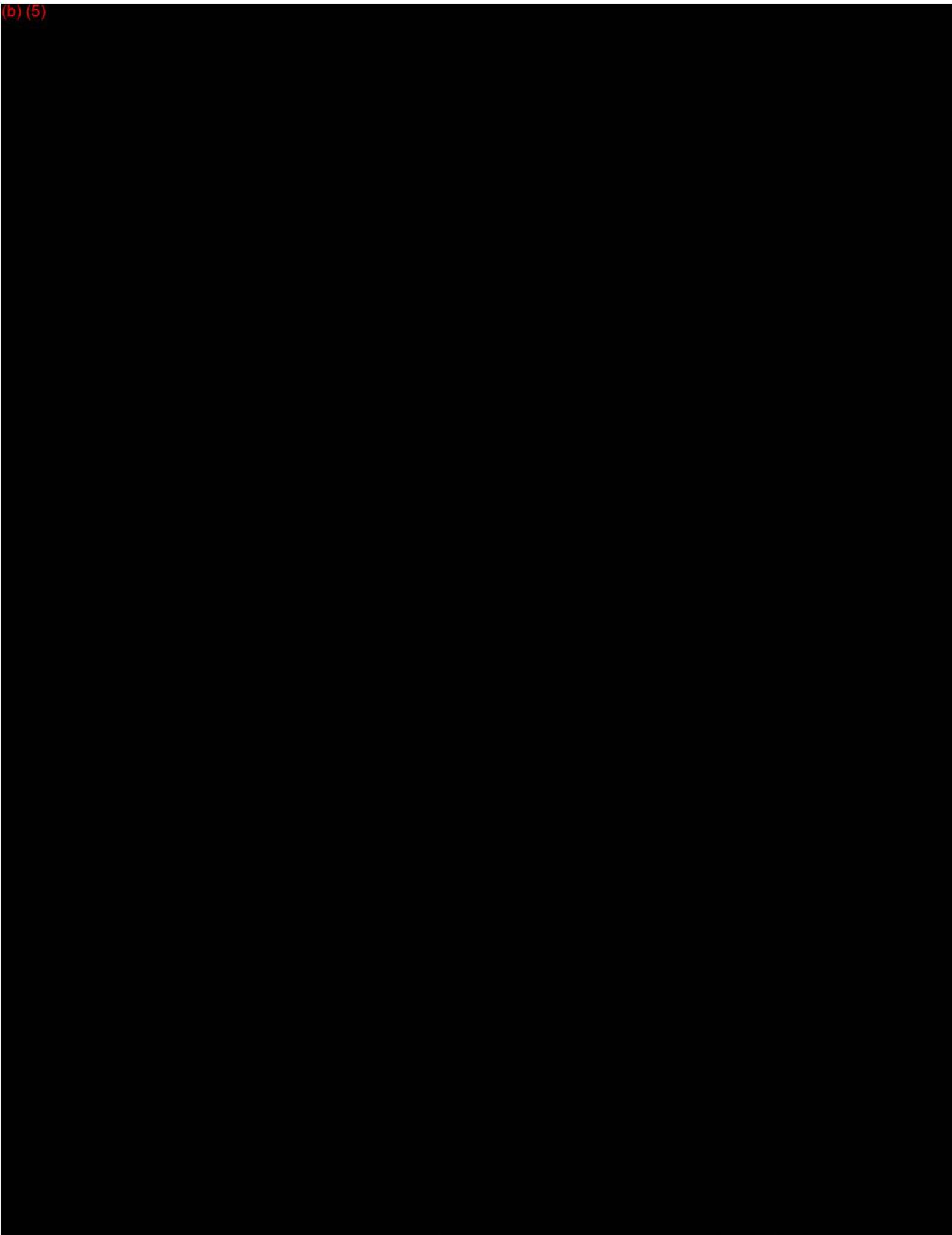
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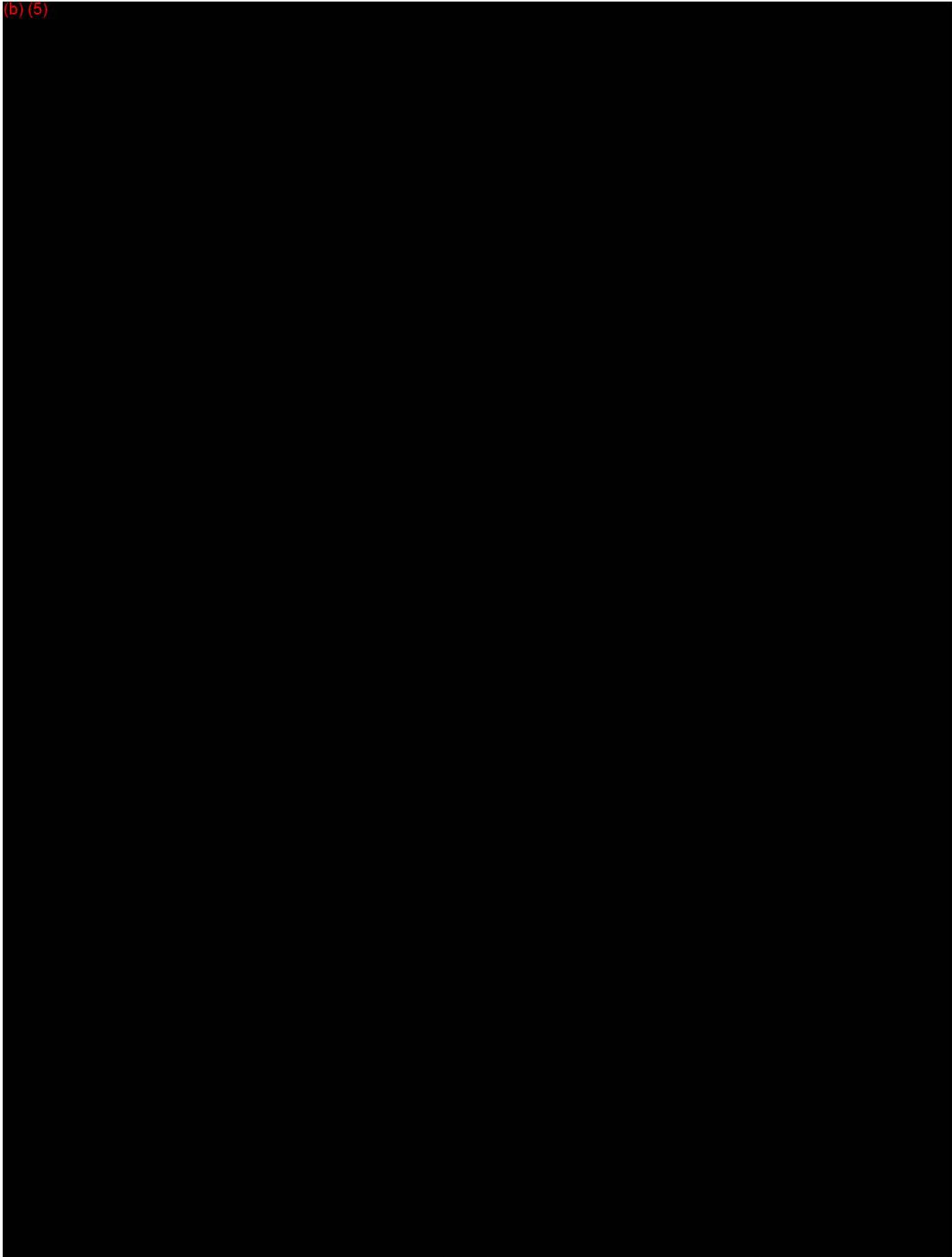
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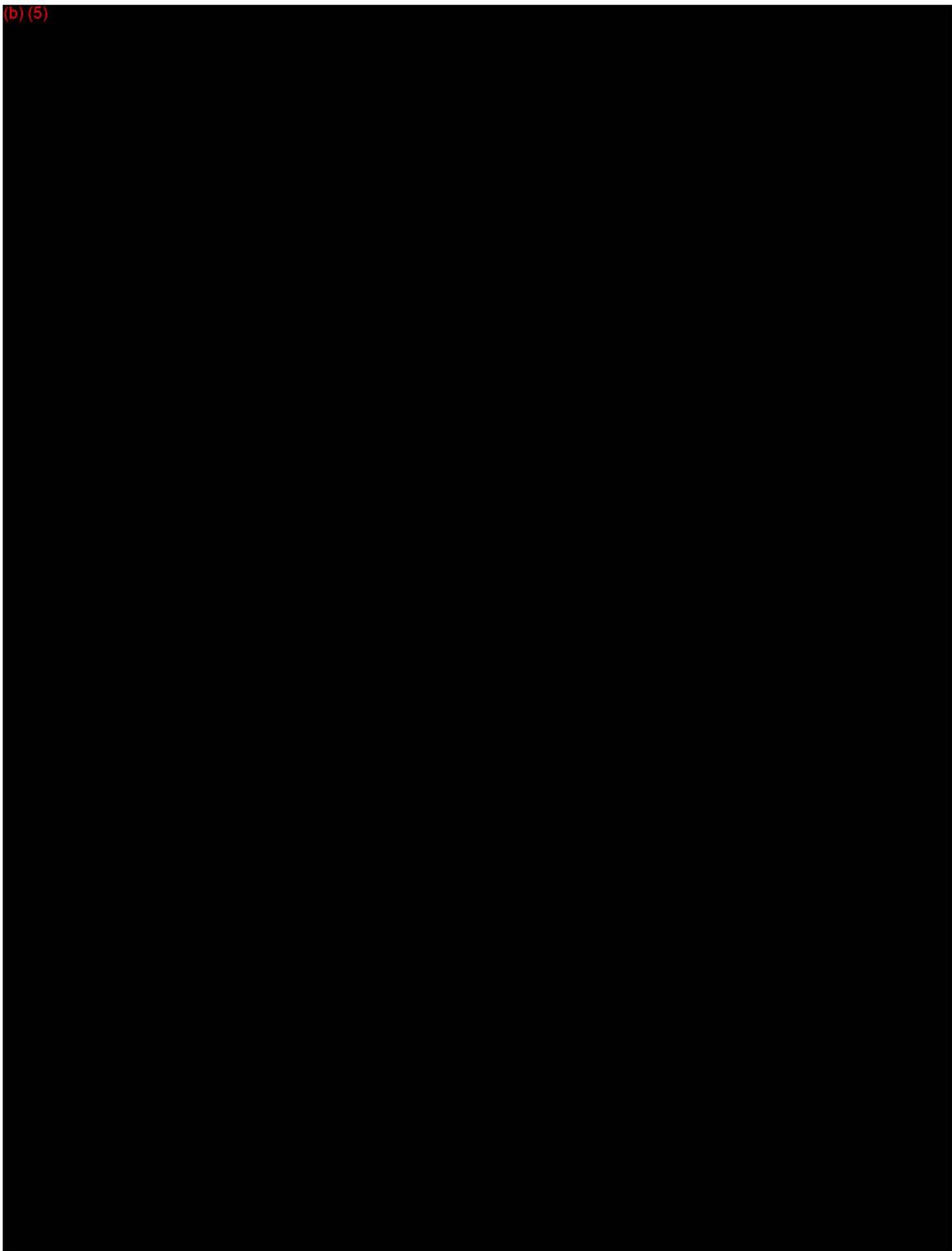


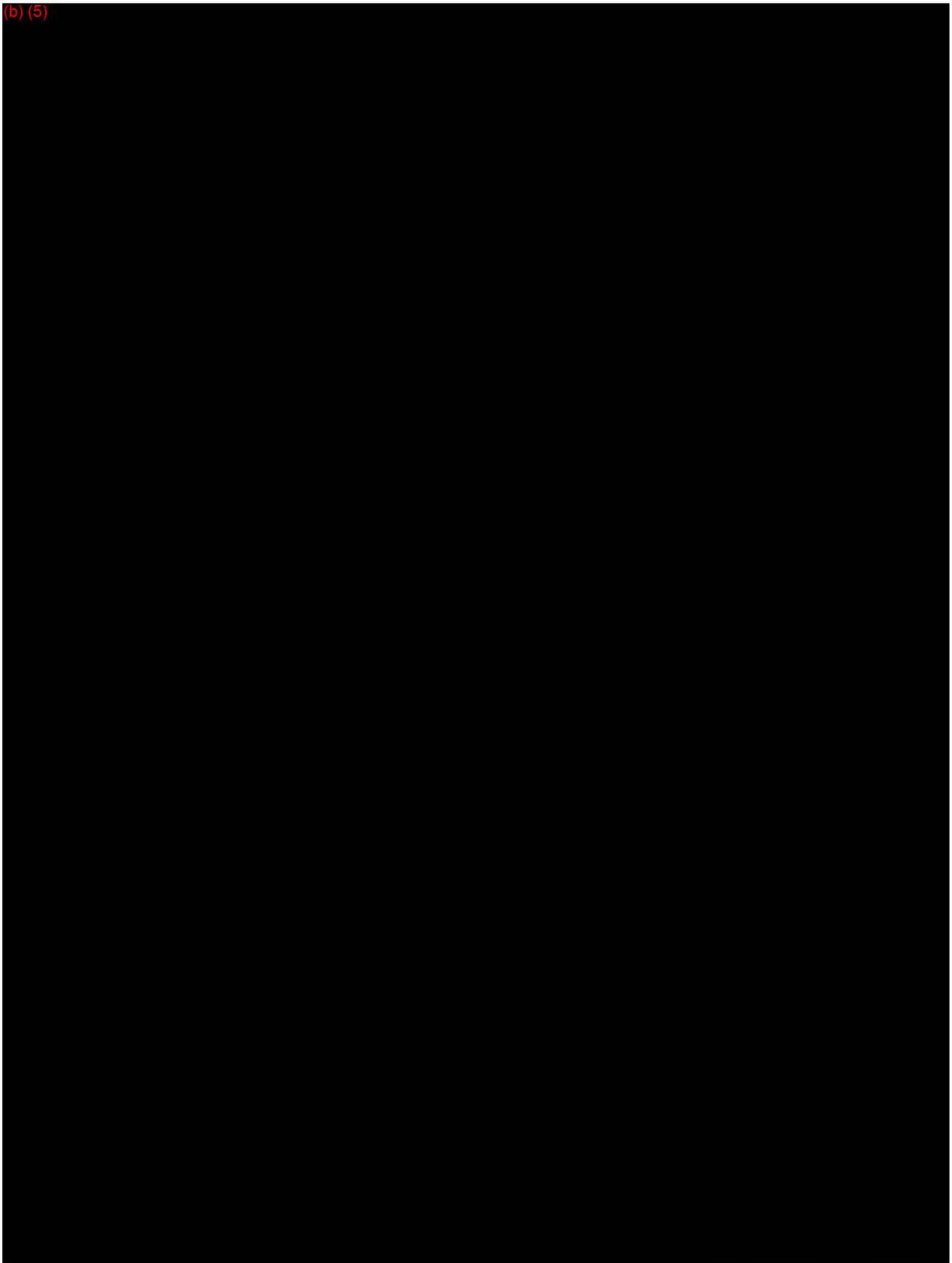


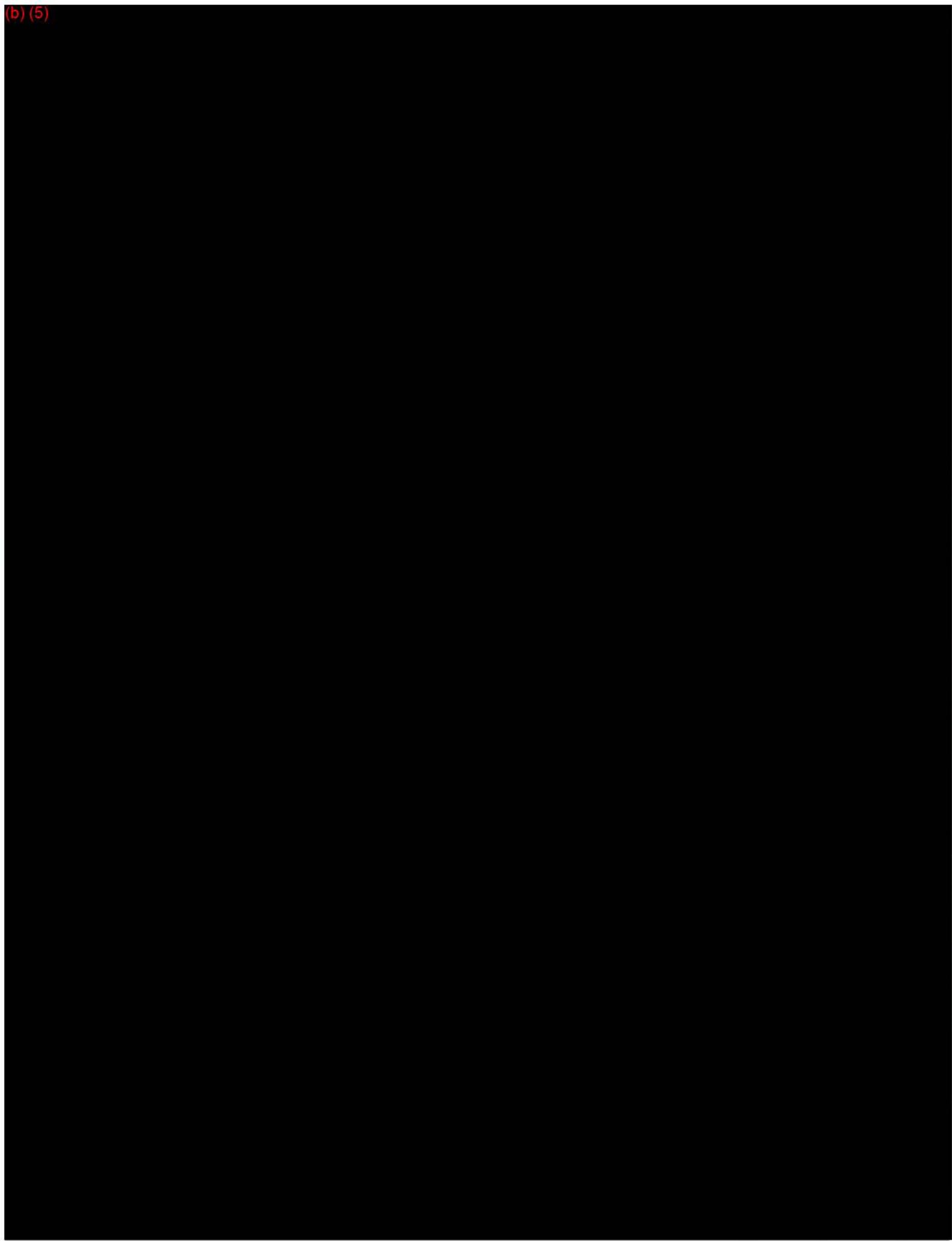












## FW: Q&As for your review

---

**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, 27 Jun 2018 09:30:31 -0400  
**Attachments**  
: Draft Question and Answer for Senate Roundtable 6-25-18- clean.docx (44.17 kB)

---

**From:** Janet Pfleeger - Y <janet.pfleeger@gsa.gov>  
**Sent:** Tuesday, June 26, 2018 4:54 PM  
**To:** Karen Hanley - Y <karen.hanley@gsa.gov>; Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Cc:** Angela Colamaria - Y-D <angela.colamaria@fpisc.gov>; Amber Levofsky - Y <amber.levofsky@gsa.gov>; Kavita Vaidyanathan - AY-DETAILEE <kavita.vaidyanathan@gsa.gov>; Sharp, Thomas L. EOP/CEQ <(b) (6)> Scott (Robert) Hillkirk - AY-C <scott.hillkirk@gsa.gov>  
**Subject:** Re: Q&As for your review

Marlys,  
Please see edits discussed this afternoon to pages 2 and 5. I want to add these to Angie's binder as soon as CEQ is done with your edits from this afternoon so please "reply all" when you distribute later today.  
Thanks!  
Janet

Janet Pfleeger  
Deputy Director  
Federal Permitting Improvement Steering Council  
Office of the Executive Director (FPISC-OED)  
[janet.pfleeger@fpisc.gov](mailto:janet.pfleeger@fpisc.gov)  
(202) 714-7288  
1800 F St, NW  
Washington, DC 20405

On Mon, Jun 25, 2018 at 1:46 PM, Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)> wrote:

---

Good afternoon everyone,

Please find some comments/edits for the Roundtable Q&As attached.

(b) (5)

On Thu, Jun 21, 2018 at 5:10 PM, Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)> wrote:

---

All,

I haven't had time to read the actual answers yet, but I did put a few comment balloons to grab your attention as you review. Please add additional Q&A's and provide edits/answers to existing Q&A as needed by 4 pm tomorrow and send to Karen. (b) (5)

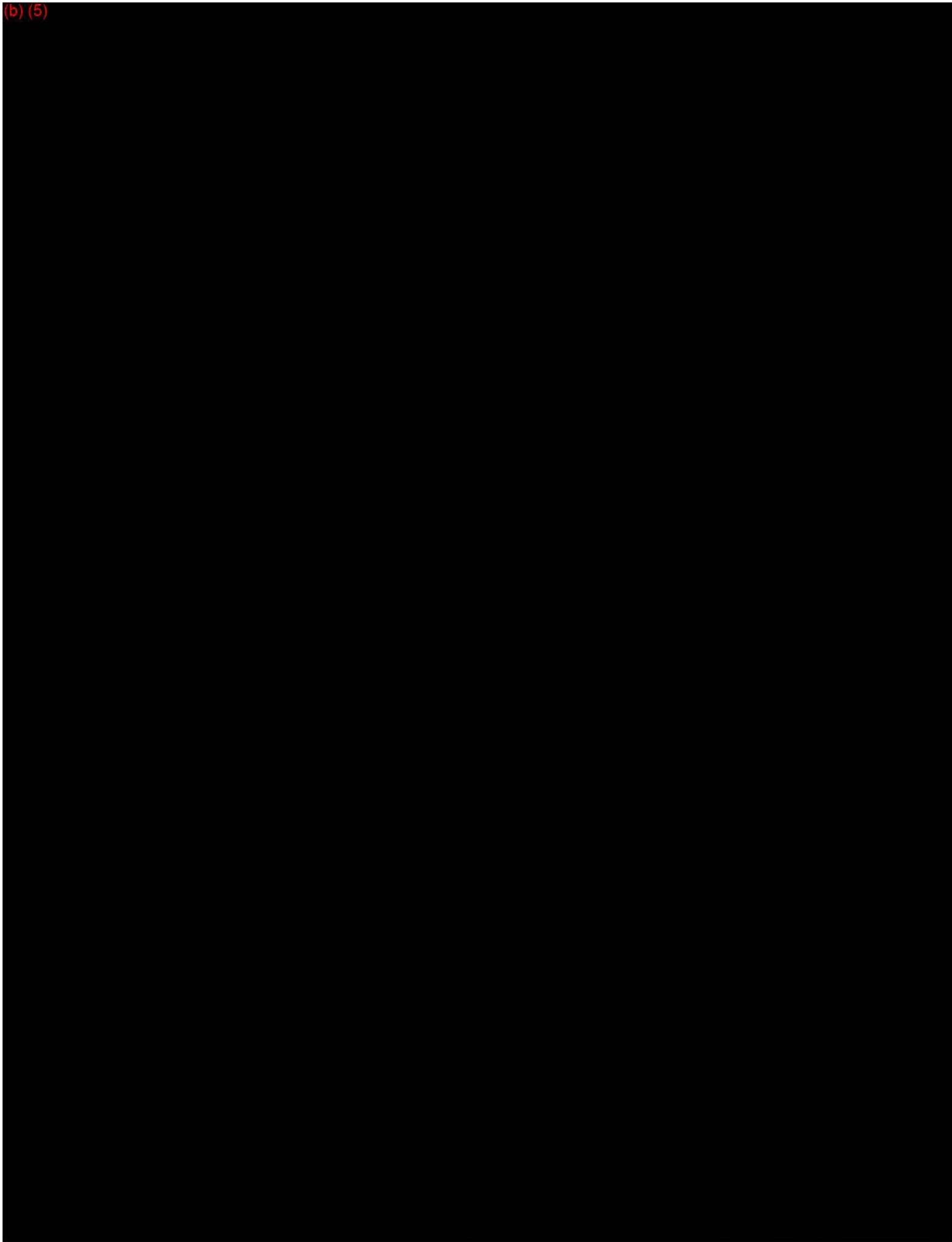
Thanks,  
Angie

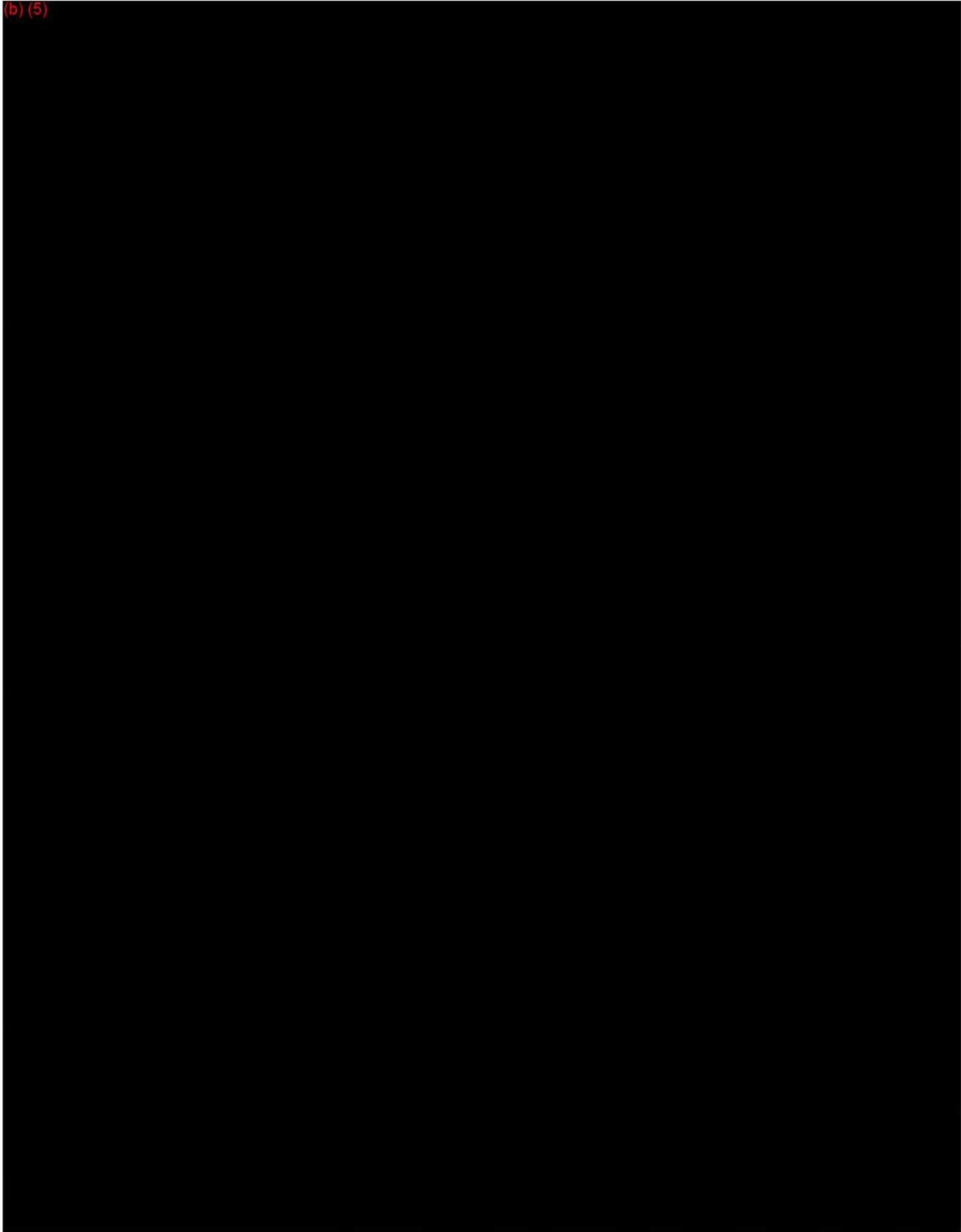
**Angela F. Colamaria**  
Acting Executive Director  
Office of the Executive Director (FPISC-OED)  
Federal Permitting Improvement Steering Council  
[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)  
202.705.1639  
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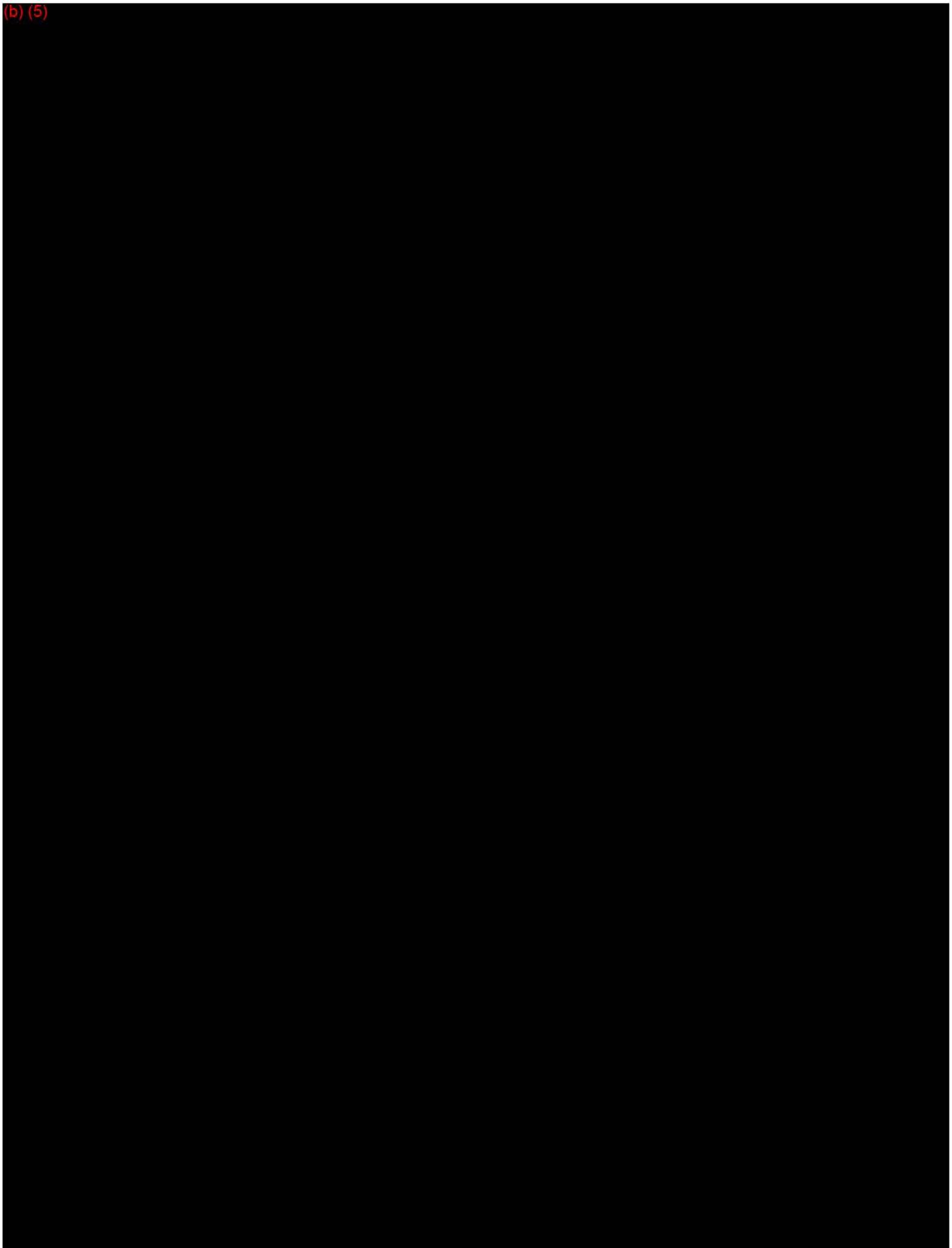
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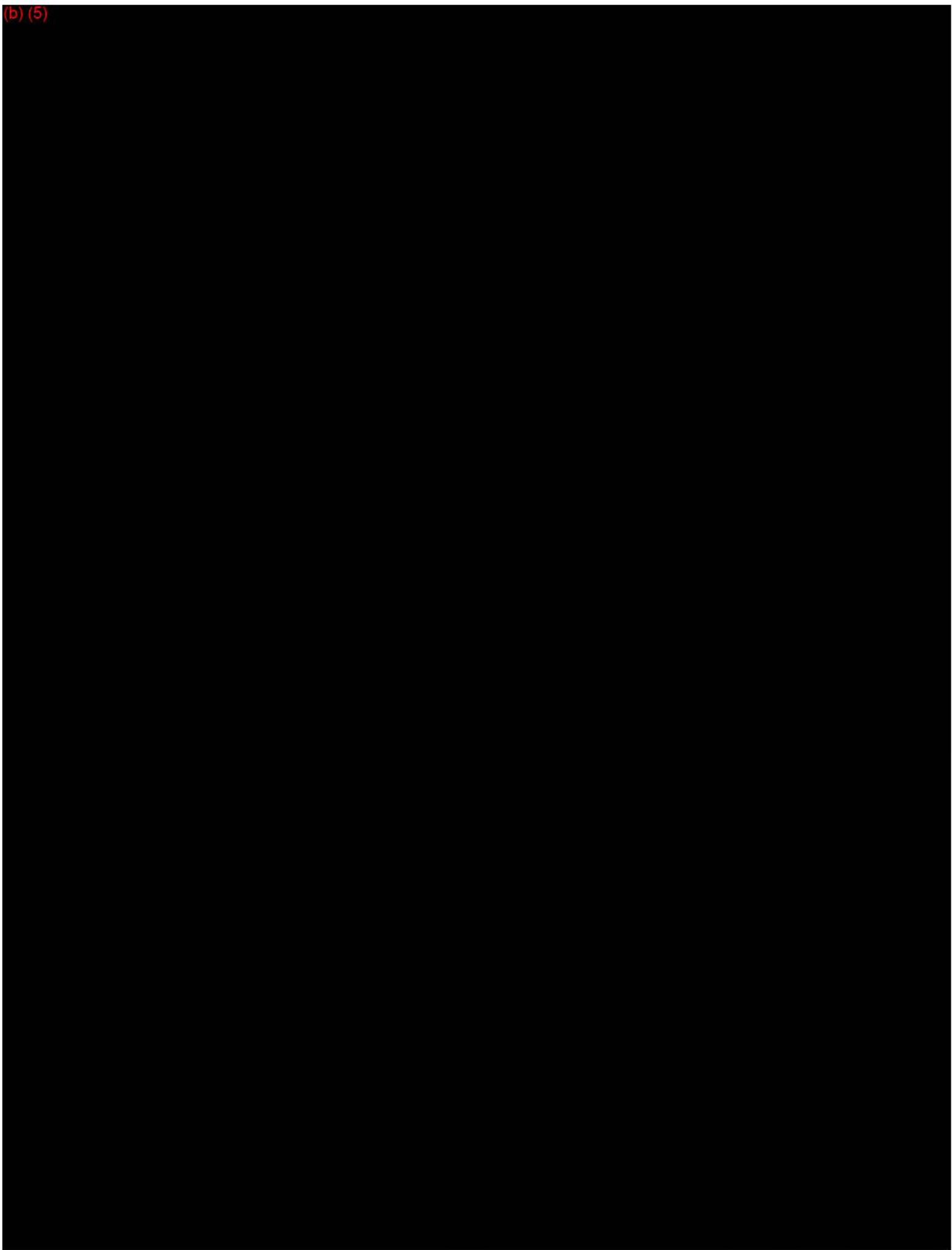
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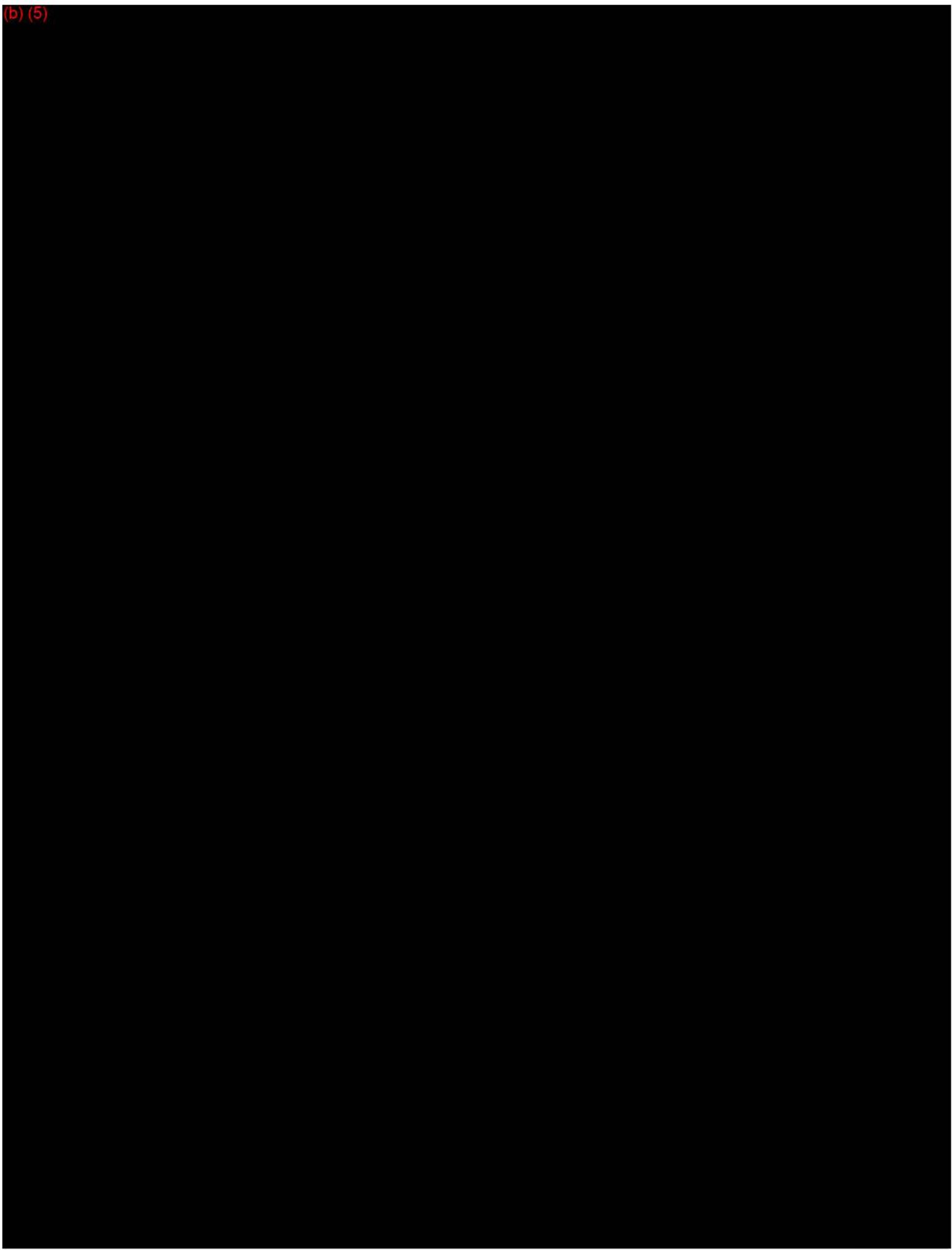
Karen A. Hanley  
Senior Environmental Policy Advisor, Federal Permitting Improvement Steering Council (FPISC), GSA  
Deputy Associate Director for NEPA, Council on Environmental Quality (CEQ)  
Phone: (b) (6)

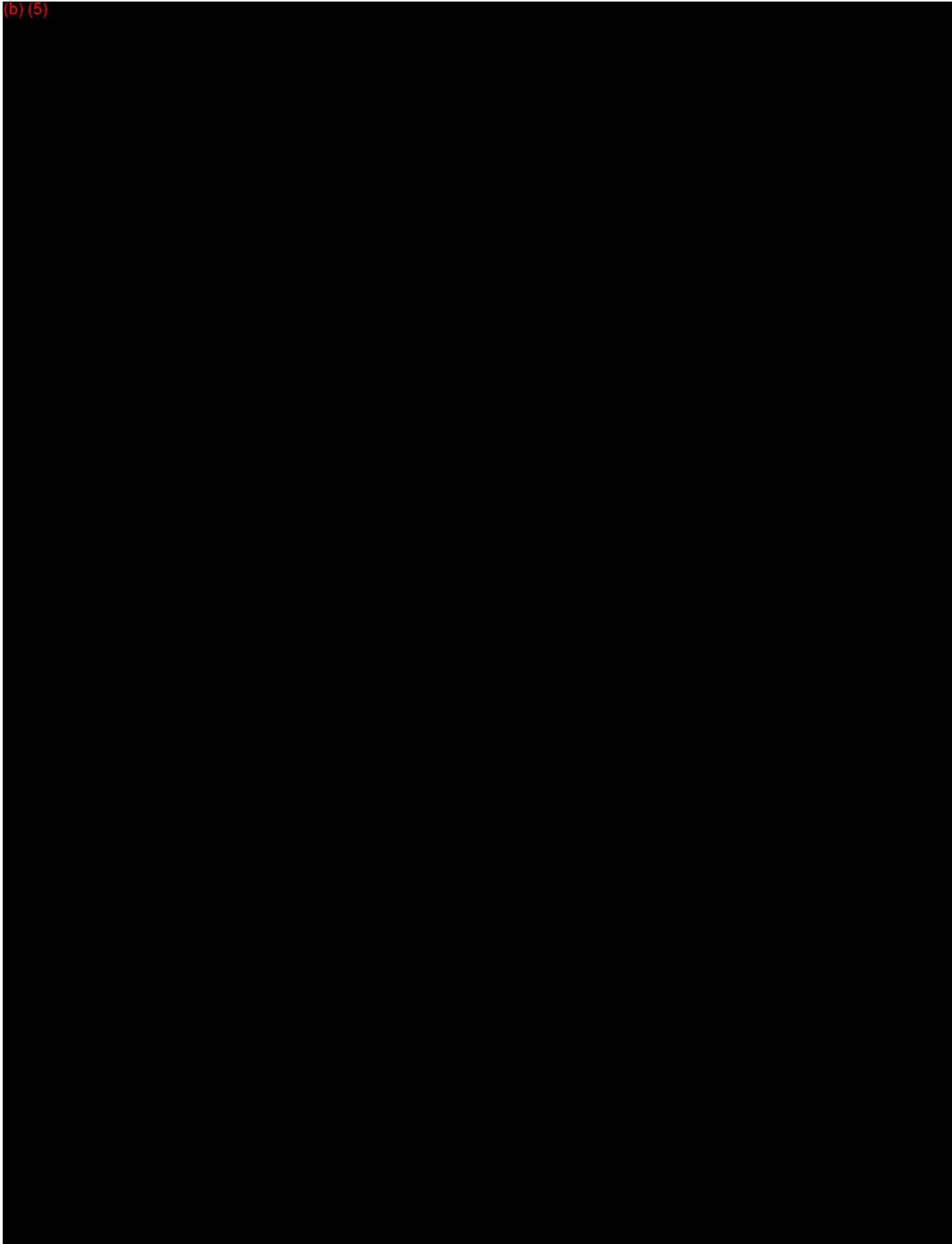


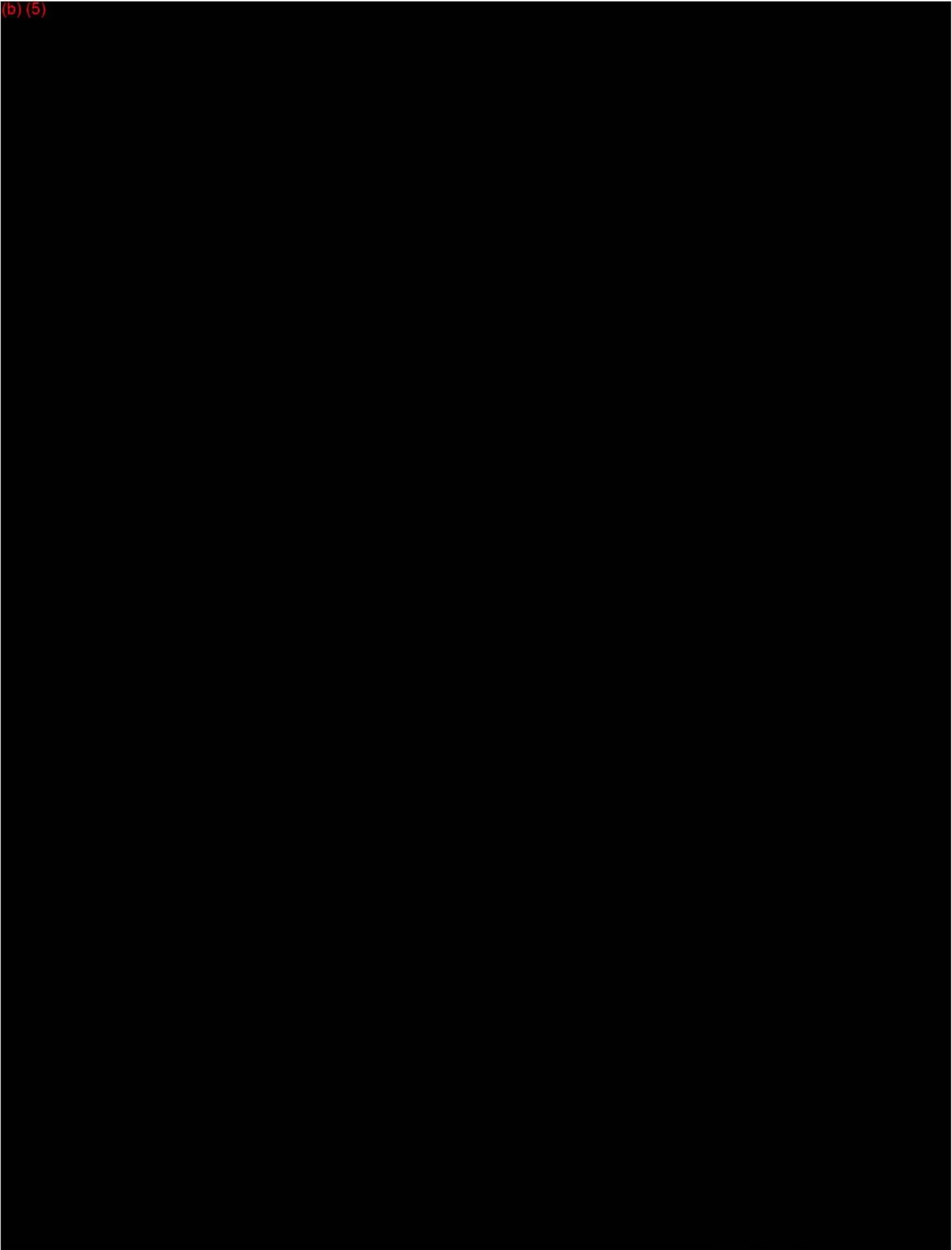


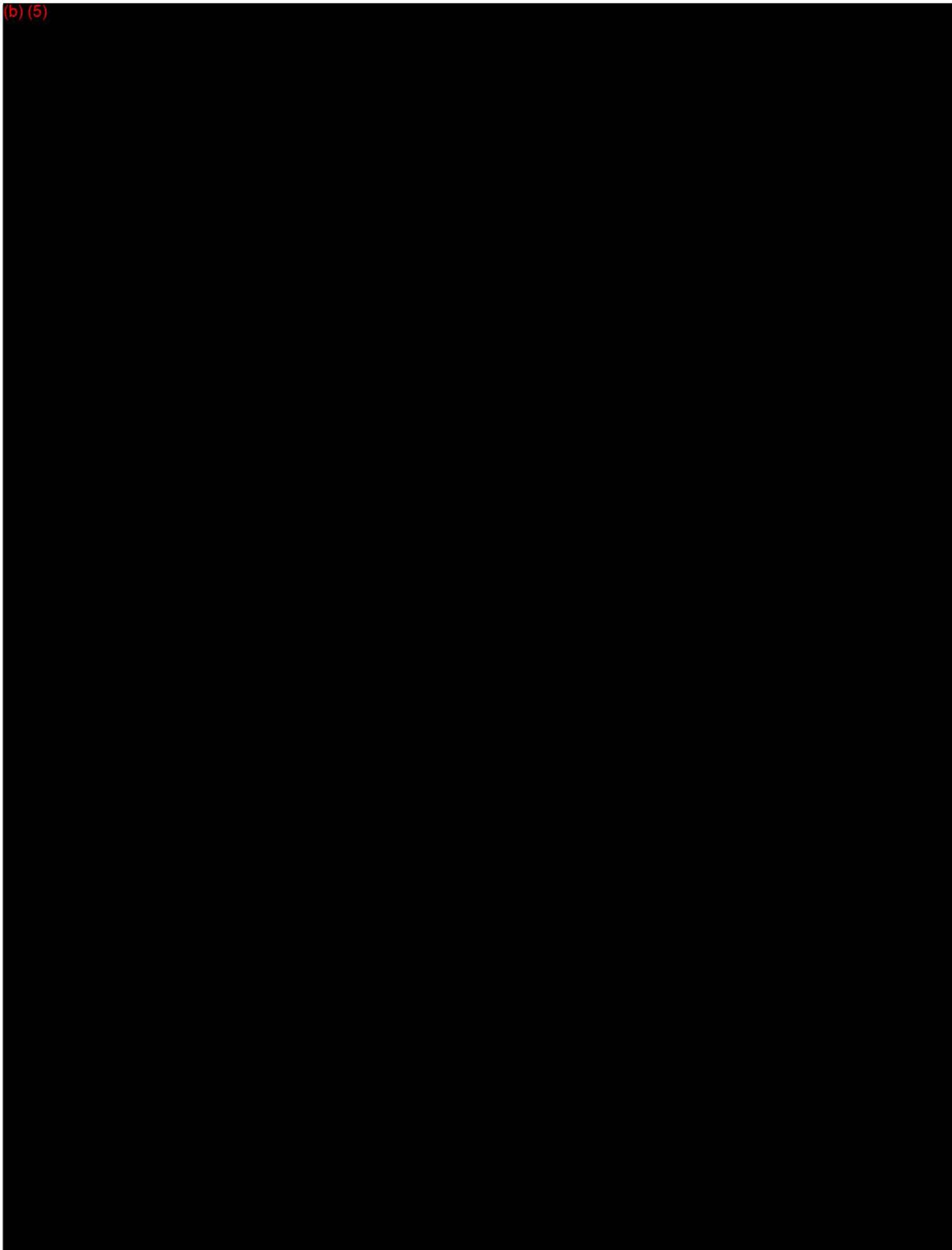


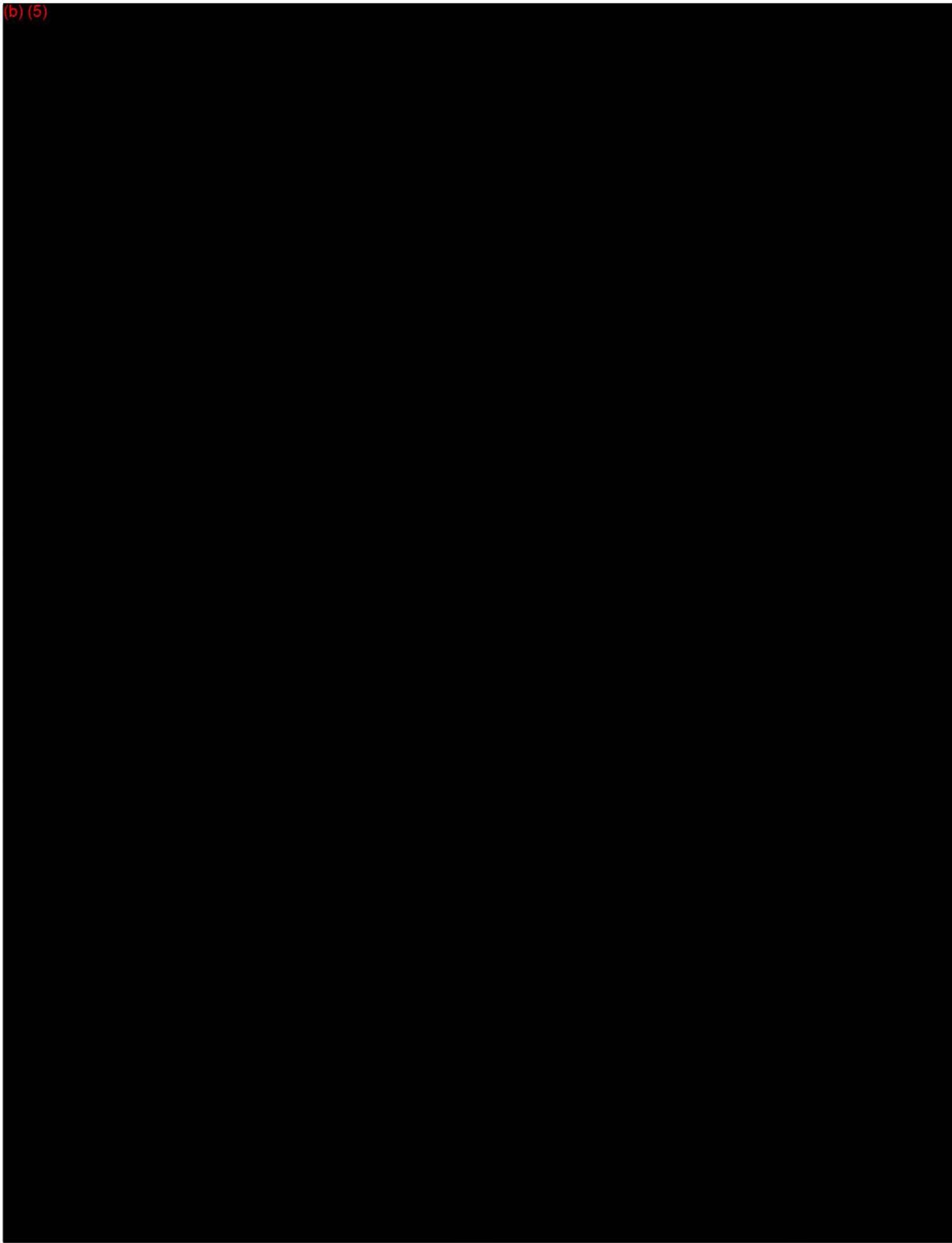












## RE: ANPRM

---

**From:** "Hass, Jennifer" <jennifer.hass@hq.dhs.gov>

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

**Date:** Mon, 02 Jul 2018 13:29:14 -0400

Thanks, Michael. Very helpful!

Jen

---

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

**Sent:** Monday, July 2, 2018 1:05 PM

**To:** Hass, Jennifer <jennifer.hass@hq.dhs.gov>

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

**Subject:** Re: ANPRM

No additional info at this time. Please stay tuned. I will communicate with the interagency on comment submission from NEPA contacts later this week.

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

On Jul 2, 2018, at 10:19 AM, Hass, Jennifer <jennifer.hass@hq.dhs.gov> wrote:

Ted or Michael,

Has a timeline or additional guidance been distributed for the interagency participation portion of the ADPRM for the NEPA Regulations? I came into the Federal NEPA contacts meeting a bit late (actually was pulled out and able to return later than I had hoped) and am worried I may have missed a discussion on internal dates outside of the [regulations.gov](http://regulations.gov) process. Do you all have a target date for receiving agency comments?

Thank you,

Jen

### **Jennifer DeHart Hass**

**Environmental Planning & Historic Preservation Program Manager**

**Office of the Chief Readiness Support Officer**

Department of Homeland Security

Tel: 202.834.4346

[jennifer.hass@hq.dhs.gov](mailto:jennifer.hass@hq.dhs.gov)

## RE: FOR REVIEW: ANPRM Comment Extension

---

**From:** "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Cc:** "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**Date:** Mon, 02 Jul 2018 11:57:27 -0400  
**Attachments** CEQ NEPA ANPRM\_Comment Period Extension\_06302018 YM comments.docx  
: (45.74 kB)

Here are my comments, as tracked changes.

### Highlights:

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

---

**From:** Szabo, Aaron L. EOP/CEQ  
**Sent:** Monday, July 2, 2018 10:58 AM  
**To:** Drummond, Michael R. EOP/CEQ <(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>  
**Subject:** FOR REVIEW: ANPRM Comment Extension

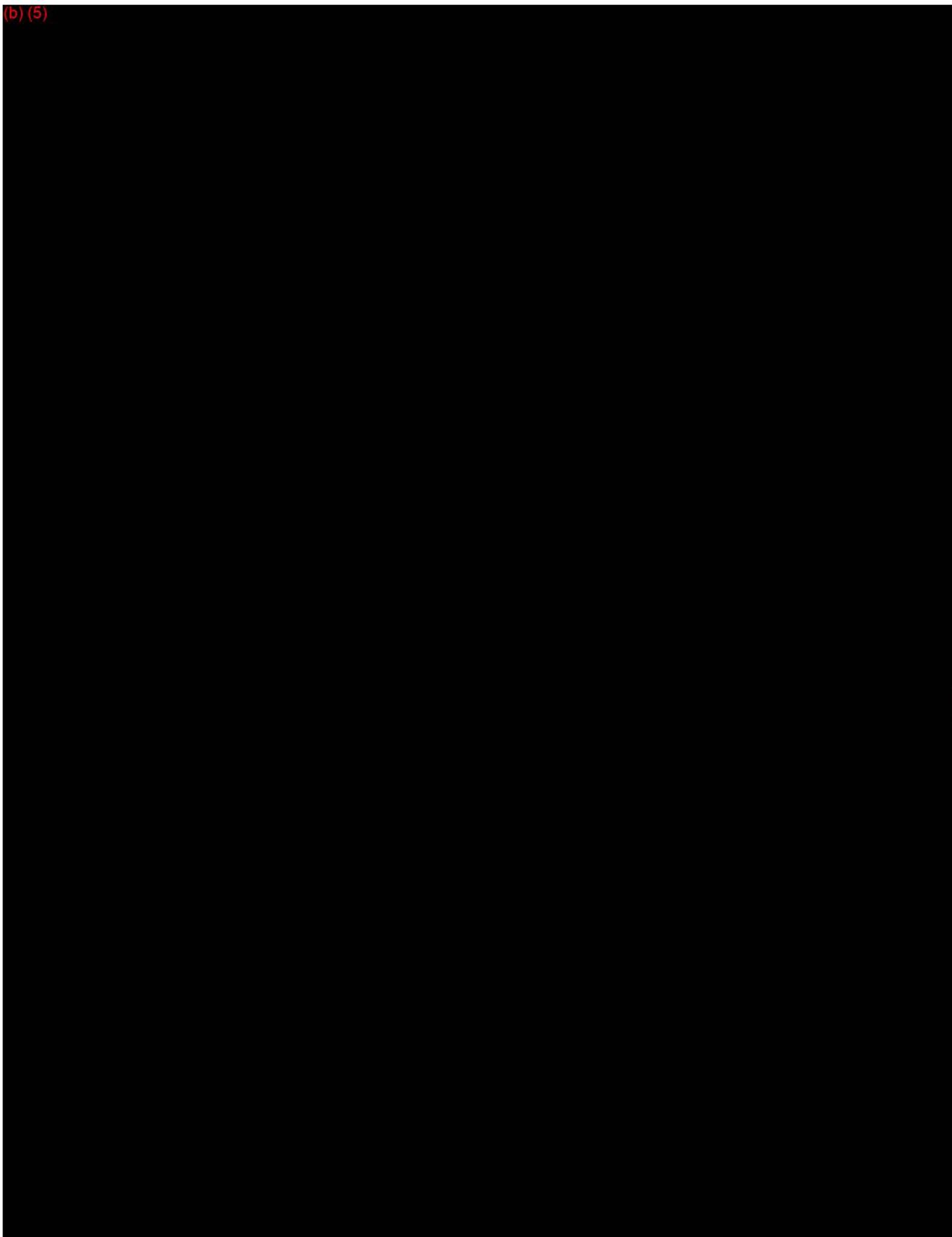
Mike and Yardena,

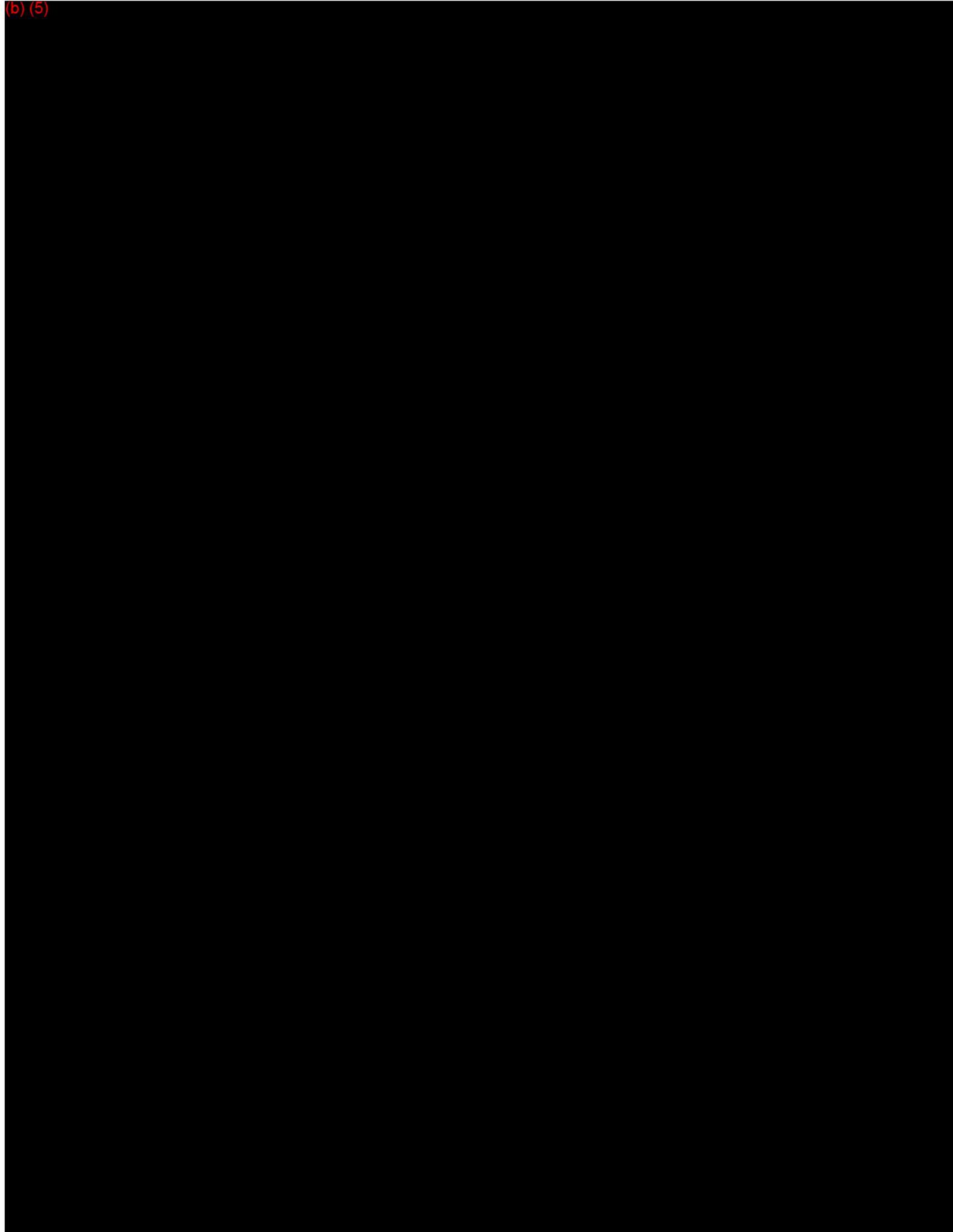
Please see attached for the ANPRM Comment Extension for your review. Please let me know if you have any comments.

Thanks.

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

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





## Re: ANPRM

---

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

**To:** "Hass, Jennifer" <jennifer.hass@hq.dhs.gov>

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

**Date:** Mon, 02 Jul 2018 13:05:18 -0400

---

No additional info at this time. Please stay tuned. I will communicate with the interagency on comment submission from NEPA contacts later this week.

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

On Jul 2, 2018, at 10:19 AM, Hass, Jennifer <jennifer.hass@hq.dhs.gov> wrote:

---

Ted or Michael,

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Thank you,

Jen

### **Jennifer DeHart Hass**

**Environmental Planning & Historic Preservation Program Manager**  
**Office of the Chief Readiness Support Officer**  
Department of Homeland Security  
Tel: 202.834.4346  
[jennifer.hass@hq.dhs.gov](mailto:jennifer.hass@hq.dhs.gov)

# ANPRM

---

**From** "Hass, Jennifer" <jennifer.hass@hq.dhs.gov>  
:

**To:** "Boling, Ted A. EOP/CEQ" (b) (6) "Drummond, Michael R.  
EOP/CEQ" (b) (6) >

**Date:** Mon, 02 Jul 2018 11:17:12 -0400

---

Ted or Michael,

Has a timeline or additional guidance been distributed for the interagency participation portion of the ADPRM for the NEPA Regulations? I came into the Federal NEPA contacts meeting a bit late (actually was pulled out and able to return later than I had hoped) and am worried I may have missed a discussion on internal dates outside of the regulations.gov process. Do you all have a target date for receiving agency comments?

Thank you,

Jen

## **Jennifer DeHart Hass**

**Environmental Planning & Historic Preservation Program Manager**

**Office of the Chief Readiness Support Officer**

Department of Homeland Security

Tel: 202.834.4346

[jennifer.hass@hq.dhs.gov](mailto:jennifer.hass@hq.dhs.gov)

## FOR REVIEW: ANPRM Comment Extension

---

**From:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**To:** "Drummond, Michael R. EOP/CEQ" (b) (6)  
"Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**Date:** Mon, 02 Jul 2018 10:58:29 -0400  
**Attachments**  
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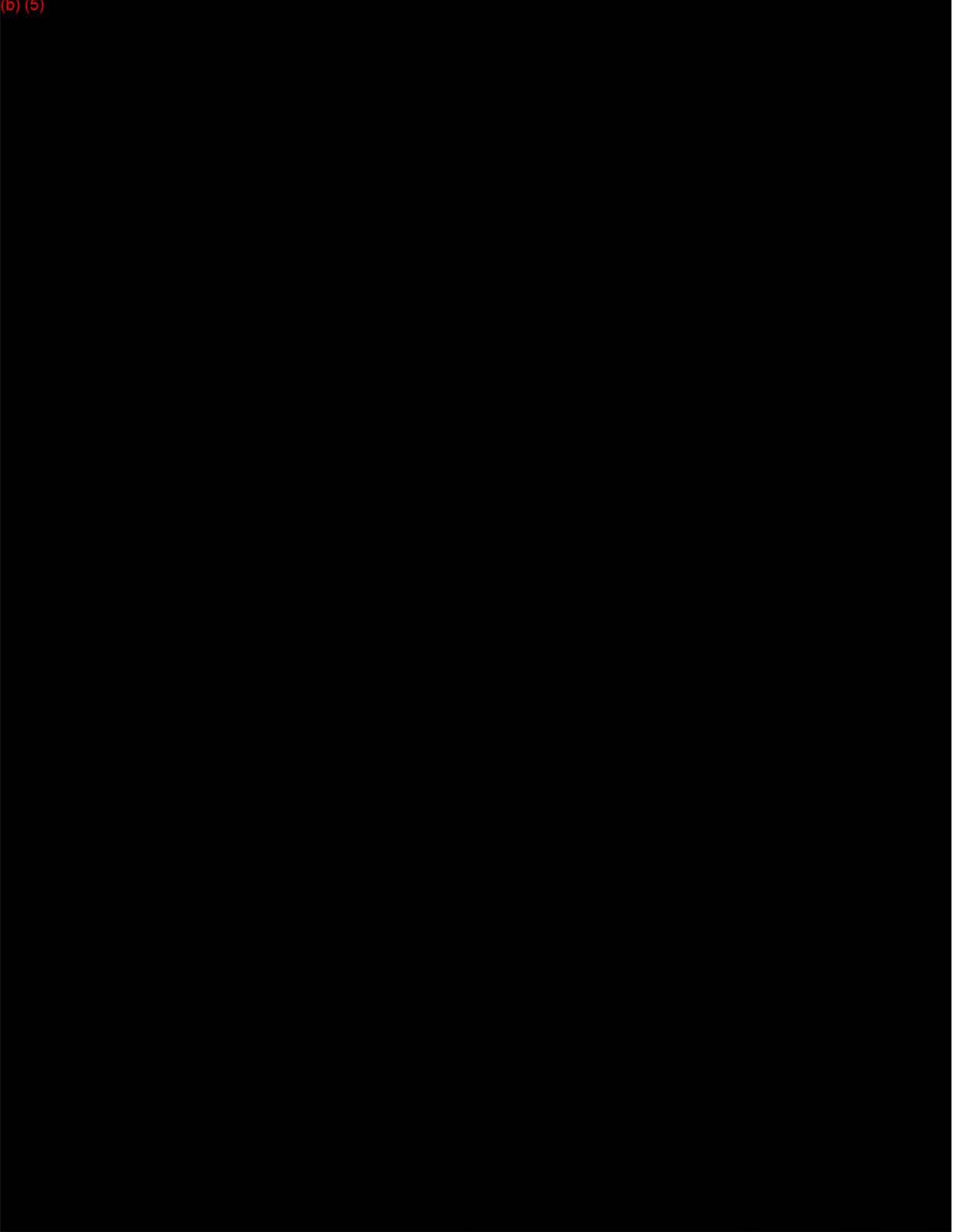
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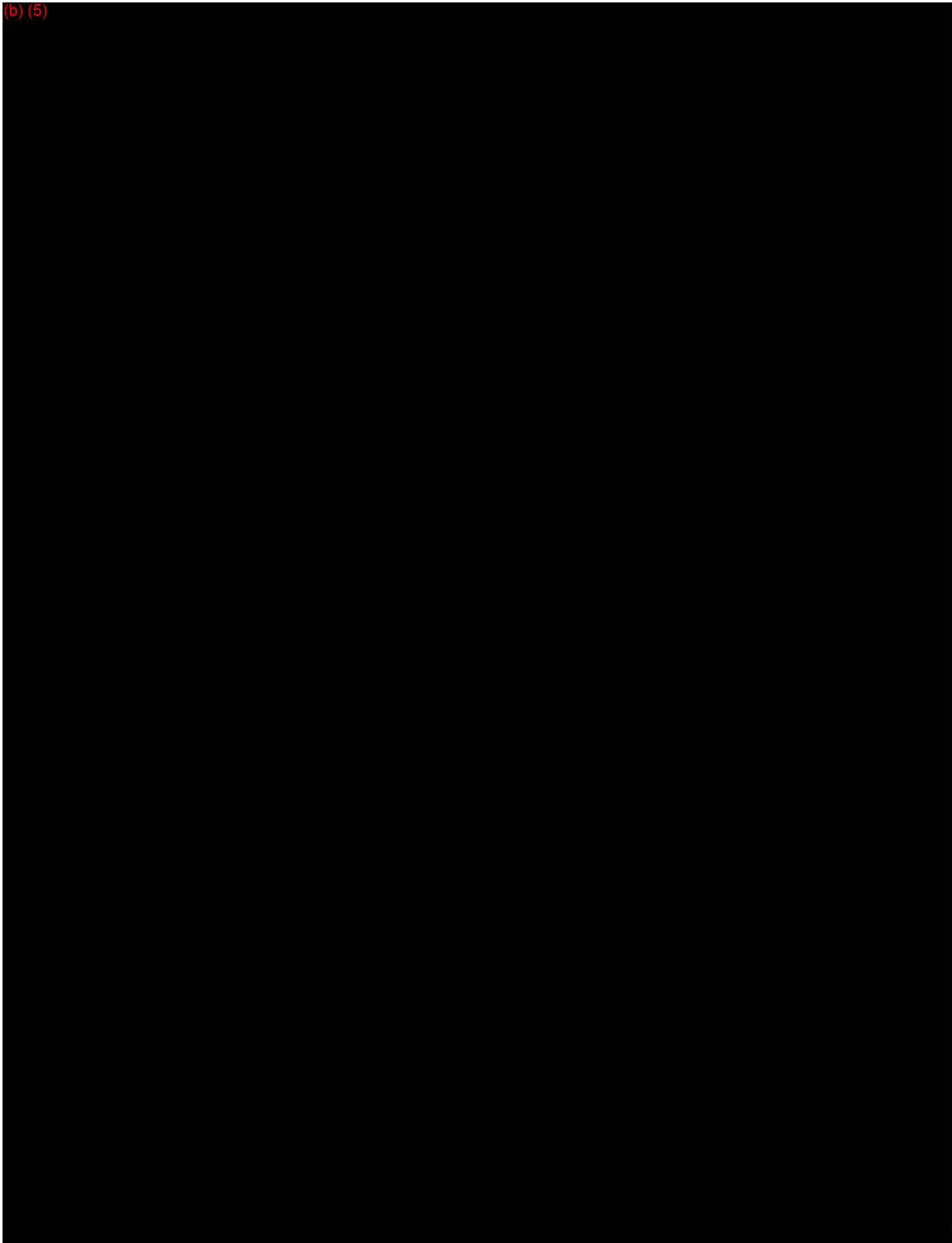
Mike and Yardena,

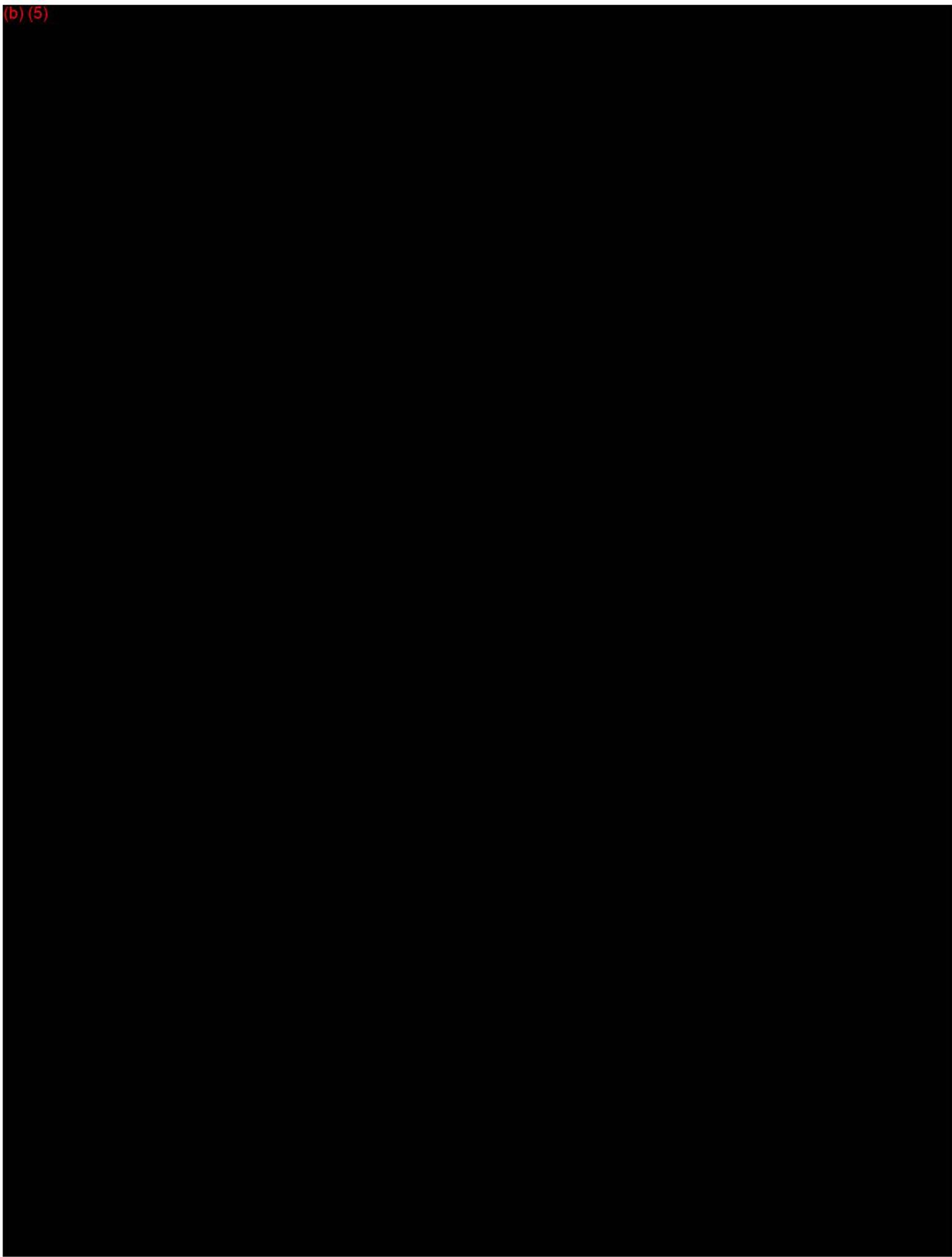
Please see attached for the ANPRM Comment Extension for your review. Please let me know if you have any comments.

Thanks.

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







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

---

**From:** "Freeman, Denise" <denise.freeman@hq.doe.gov>

dennis.ogden@gsa.gov, elizabeth.e.nelson@aphis.usda.gov, jsmalls@fs.fed.us, michelle.l.gray@aphis.usda.gov, david.a.bergsten@aphis.usda.gov, wendy.f.hall@aphis.usda.gov, caitlin.gregg@ogc.usda.gov, peggy.wade@wdc.usda.gov, kelsey.owens@wdc.usda.gov, "Costner, Brian" <brian.costner@hq.doe.gov>, "Miller, Steven (GC)" <steven.miller@hq.doe.gov>, nkeller@doc.gov, jroberson@doc.gov, everett.bole@foh.hhs.gov, kristen.beckhorn@fda.hhs.gov, meghan.kelley@dot.gov, sarah.carrino@fema.dhs.gov, jennifer.hass@hq.dhs.gov, james.m.potter@hud.gov, barbara.r.britton@hud.gov, sunaree.k.marshall@hud.gov, danielle.l.schopp@hud.gov, joseph.a.baietti@hud.gov, cheryl\_kelly@ios.doi.gov, rebrown@usbr.gov, hzarin@blm.gov, rwinthro@blm.gov, ccunningham@usbr.gov, doug\_wetmore@nps.gov, iris\_maska@fws.gov, "Collins, Brian M. (ENRD)" <brian.m.collins@usdoj.gov>, "Douglas, Joshua (CRT)" <joshua.douglas@usdoj.gov>, "Marvin, Barbara (ENRD)" <barbara.marvin@usdoj.gov>, "Neal, Daria (CRT)" <daria.neal@usdoj.gov>, hassellmd@state.gov, harold.peaks@dot.gov, carolyn.nelson@dot.gov, amy.coyle@dot.gov, krystyna.bednarczyk@dot.gov, antoinette.quagliata@dot.gov, "Boling, Ted A. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)> ruhl.suzi@epa.gov, buzzelle.stanley@epa.gov, tejada.matthew@epa.gov, roemele.julie@epa.gov, lee.charles@epa.gov, walter.simone@epa.gov, allen.dana@epa.gov, okorn.barbara@epa.gov, knorr.michele@epa.gov, musumeci.grace@epa.gov, kajumba.ntale@epa.gov, rudnick.barbara@epa.gov, harris.reggie@epa.gov, poole.elizabeth@epa.gov, jones.kima@epa.gov, kelly.thomasp@epa.gov, dawson.shelly@epa.gov, marshall.tom@epa.gov, brown.deborah@epa.gov, grass.running@epa.gov, phillip.washington@aphis.usda.gov, mbabaliye.theogene@epa.gov, peterson.erik@epa.gov, joanne.wachholder@ferc.gov, kelly.munoz@ferc.gov, robin.griffin@ferc.gov, katrina.scarpato@gsa.gov, carol.schafer@gsa.gov, jeffrey.rikhoff@nrc.gov, "Walters, Carmel I -FS" <carmeliwalters@fs.fed.us>, "Wade, Peggy - RD - St. Paul, MN" <peggy.wade@mn.usda.gov>, "Rountree, Marthea" <rountree.marthea@epa.gov>,

**To:**

Kandilarya Barakat <kandilarya.barakat@ferc.gov>, "Knishkowsy, Jeff - ASCR" <jeff.knishkowsy@ascr.usda.gov>, nowakowski.matt@epa.gov, "Huber, Cynthia (ENRD)" <cynthia.huber@usdoj.gov>, christy\_johnsonhughes@fws.gov, helen.serassio@dot.gov, elaine.baum@ferc.gov, hope.e.gerstler@uscg.mil, shelly.chichester@fema.gov, alan.tabachnick@dot.gov, sheila.ruffin@ferc.gov, velikonjamg@state.gov

**Date:** Thu, 05 Jul 2018 12:26:21 -0400

**Attachments**  
: CEQ\_ANOPR\_06\_20\_18.pdf (195.85 kB)

---

Greetings IWG EJ NEPA Committee:

FYI--For those who had not seen this Federal Register Notice (Advance Notice of Proposed Rulemaking), published on 6/20/18, CEQ is considering updating its implementing regulations for the procedural provisions of the National Environmental Policy Act (NEPA). The deadline for submission of comments: **July 20, 2018.**

Best,

Denise Freeman  
Cynthia Huber  
Co-chairs, IWG EJ NEPA Committee

Denise Freeman  
Senior Advisor  
DOE Environmental Justice Program  
Office of Legacy Management  
Denise.freeman@hq.doe.gov  
P: 202-586-7879

requirements, Superfund, Water pollution control, Water supply.

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

Dated: May 30, 2018.

**Cosmo Servidio,**

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

[FR Doc. 2018–12709 Filed 6–19–18; 8:45 am]

**BILLING CODE 6560–50–P**

## COUNCIL ON ENVIRONMENTAL QUALITY

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

[Docket No. CEQ–2018–0001]

RIN: 0331–AA03

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

**AGENCY:** Council on Environmental Quality (CEQ).

**ACTION:** Advance notice of proposed rulemaking.

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

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

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

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

**SUPPLEMENTARY INFORMATION:**

## I. Background

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

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

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

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

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

## II. Request for Comment

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

### NEPA Process

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

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

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

### Scope of NEPA Review

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

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

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

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

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

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

- a. Alternatives;
- b. Purpose and Need;
- c. Reasonably Foreseeable;
- d. Trivial Violation; and
- e. Other NEPA terms.

9. Should the provisions in CEQ's NEPA regulations relating to any of the types of documents listed below be revised, and if so, how?

- a. Notice of Intent;
- b. Categorical Exclusions

Documentation;

- c. Environmental Assessments;
- d. Findings of No Significant Impact;
- e. Environmental Impact Statements;
- f. Records of Decision; and
- g. Supplements.

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

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

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

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

#### General

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

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

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

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

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

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

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

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

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

### III. Statutory and Executive Order Reviews

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

Mary B. Neumayr,

Chief of Staff, Council on Environmental Quality.

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

BILLING CODE 3225-F8-P

### GENERAL SERVICES ADMINISTRATION

#### 41 CFR Part 105-60

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

RIN 3090-AJ74

#### Public Availability of Agency Records and Informational Materials

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

**ACTION:** Proposed rule.

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

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

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

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

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

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

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

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

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

## FW: Request for Extension of Comment Period on NEPA ANPRM

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

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

**Date:** Sun, 08 Jul 2018 07:15:09 -0400

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

[More for the file](#)

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

Ted,

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

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

Thanks and I hope all is well,

Stephen Schima  
NEPA Director  
The Partnership Project  
Sschima@partnershipproject.org  
(c) 503-830-5753

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

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

June 25, 2018

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

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

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

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

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

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

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

Respectfully submitted,

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

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

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

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

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

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

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

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

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

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

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

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

**Date:** Sun, 08 Jul 2018 07:14:40 -0400

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

[More for the file](#)

**From:** Kameran Onley <konley@TNC.ORG>

**Sent:** Tuesday, June 26, 2018 1:01 PM

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

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

Dear Mr. Boling:

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

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

Because of its broad application to federal actions, strong commitment to public engagement, and pathways for scientific input to inform and improve our decision making, the National Environmental Policy Act (NEPA), as implemented by CEQ regulations, is one of the most important bedrock environmental laws in the United States. Given the importance of NEPA and implementing regulations,

and the complexity of the issues implicated by the questions posed in the ANPRM, I am requesting an extension of the public comment period.

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

Sincerely,



**Please consider the environment before printing this email.**

**Kameran L. Onley**  
*Director, U.S. Government  
Relations*  
[konley@tnc.org](mailto:konley@tnc.org)  
+1 703 841 4229

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



[nature.org](http://nature.org)



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

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

konley@tnc.org  
nature.org

June 26, 2018

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

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

Dear Mr. Boling:

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

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

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Sincerely,

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

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

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

---

**From:** "Boling, Ted A. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlit)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">  
**To:** "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**Date:** Sun, 08 Jul 2018 07:06:36 -0400

**Attachments**  
: 2018.06.27 WUWC Letter Requesting Extentsion on ANPRM Period.pdf (41.39 kB)

[More for the file](#)

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**From:** Pais, Sheri (Perkins Coie) <SPais@perkinscoie.com>  
**Sent:** Thursday, June 28, 2018 9:31 AM  
**To:** Boling, Ted A. EOP/CEQ <(b) (6)>  
**Cc:** Baur, Don (Perkins Coie) <DBaur@perkinscoie.com>; mcarlin@sflower.org  
**Subject:** [EXTERNAL] CEQ / Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, Docket ID No. CEQ-2018-0001

Mr. Boling,

Attached please find a copy of a letter we submitted on the regulations.gov docket yesterday, for the Western Urban Water Coalition (WUWC), requesting a 60-day extension of the comment period for the above referenced docket.

Thank you for your consideration of this letter and please let us know if you have any questions.

Best,

Sheri

**Sheri Pais | Perkins Coie LLP**  
SENIOR PARALEGAL  
700 Thirteenth Street, N.W. Suite 600  
Washington, DC 20005-3960  
D. +1.202.654.1735  
F. +1.202.654.6211  
E. [SPais@perkinscoie.com](mailto:SPais@perkinscoie.com)

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.



June 27, 2018

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

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

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

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

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

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

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

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

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

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

Sincerely,



Michael P. Carlin  
Chairman

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

## Fwd: Q&As for your review

---

**From:** "Herrgott, Alex H. EOP/CEQ" <(b) (6)>  
**To:** "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 10 Jul 2018 17:43:58 -0400  
**Attachments**  
: Draft Question and Answer for Senate Roundtable 6.27 swb CLEAN.docx (25.68 kB)

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Sent from my iPhone

Begin forwarded message:

**From:** "Sharp, Thomas L. EOP/CEQ" <(b) (6)>  
**Date:** July 10, 2018 at 5:31:18 PM EDT  
**To:** "Herrgott, Alex H. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>  
**Subject:** FW: Q&As for your review

By request

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

---

**From:** Barnett, Steven W. EOP/CEQ  
**Sent:** Wednesday, June 27, 2018 10:32 AM  
**To:** Sharp, Thomas L. EOP/CEQ <(b) (6)>  
**Subject:** FW: Q&As for your review

---

**From:** Barnett, Steven W. EOP/CEQ  
**Sent:** Wednesday, June 27, 2018 10:10 AM  
**To:** 'Angela Colamaria - Y-D' <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)>

**Cc:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Subject:** RE: Q&As for your review

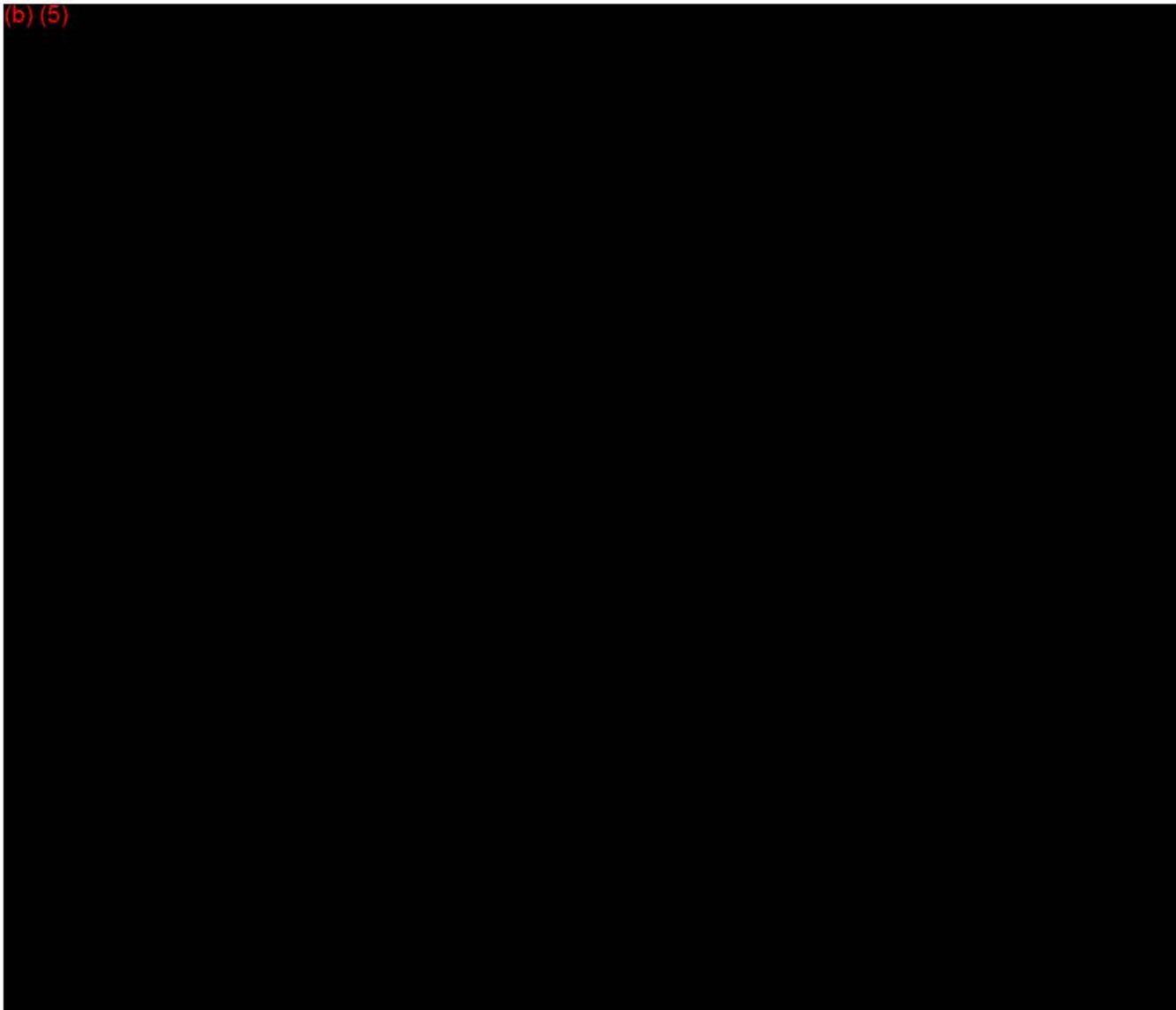
Angie,

Please find attached Alex's revised Q&As.

Steven

**From:** Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)>  
**Sent:** Wednesday, June 27, 2018 9:43 AM  
**To:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Cc:** Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)>; Barnett, Steven W. EOP/CEQ <(b) (6)>  
**Subject:** Re: Q&As for your review

(b) (5)



(b) (5)

**Angela F. Colamaria**

Acting Executive Director  
Office of the Executive Director (FPISC-OED)  
Federal Permitting Improvement Steering Council  
[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)  
202.705.1639  
1800 F St. NW  
Washington, DC 20405

On Tue, Jun 26, 2018 at 11:11 PM, Osterhues, Marlys A. EOP/CEQ

<(b) (6)> wrote:

Thanks Angie. Steven and I are going to wrap our work on the Q&As in the morning and will share what we have.

**From:** Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)>

**Sent:** Tuesday, June 26, 2018 7:55 PM

**To:** Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)>

**Cc:** Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)>; Osterhues, Marlys A. EOP/CEQ

<(b) (6)> Amber Levofsky - Y <[amber.levofsky@gsa.gov](mailto:amber.levofsky@gsa.gov)>; Kavita Vaidyanathan - AY-DETAILEE <[kavita.vaidyanathan@gsa.gov](mailto:kavita.vaidyanathan@gsa.gov)>; Sharp, Thomas L. EOP/CEQ

<(b) (6)> Scott (Robert) Hillkirk - AY-C <[scott.hillkirk@gsa.gov](mailto:scott.hillkirk@gsa.gov)>;

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

**Subject:** Re: Q&As for your review

I have added some suggestions on top of Janet's edits.

**Angela F. Colamaria**

Acting Executive Director  
Office of the Executive Director (FPISC-OED)  
Federal Permitting Improvement Steering Council  
[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)  
202.705.1639  
[1800 F St. NW](#)  
[Washington, DC 20405](#)

On Tue, Jun 26, 2018 at 4:54 PM, Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)> wrote:

Marlys,

Please see edits discussed this afternoon to pages 2 and 5. I want to add these to Angie's binder as soon as CEQ is done with your edits from this afternoon so please "reply all" when you distribute later today.

Thanks!

Janet

Janet Pfleeger  
Deputy Director  
Federal Permitting Improvement Steering Council  
Office of the Executive Director (FPISC-OED)  
[janet.pfleeger@fpisc.gov](mailto:janet.pfleeger@fpisc.gov)  
(202) 714-7288  
[1800 F St, NW](#)  
[Washington, DC 20405](#)

On Mon, Jun 25, 2018 at 1:46 PM, Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)> wrote:

Good afternoon everyone,

Please find some comments/edits for the Roundtable Q&As attached.

(b) (5)  
[Redacted]

On Thu, Jun 21, 2018 at 5:10 PM, Angela Colamaria - Y-D  
<[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)> wrote:

All,

I haven't had time to read the actual answers yet, but I did put a few comment balloons to grab your attention as you review. Please add additional Q&A's and provide edits/answers to existing Q&A as needed by 4 pm tomorrow and send to Karen. (b) (5)

[Redacted]

Thanks,  
Angie

**Angela F. Colamaria**  
Acting Executive Director  
Office of the Executive Director (FPISC-OED)  
Federal Permitting Improvement Steering Council  
[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)

202.705.1639  
[1800 F St. NW](#)  
[Washington, DC 20405](#)

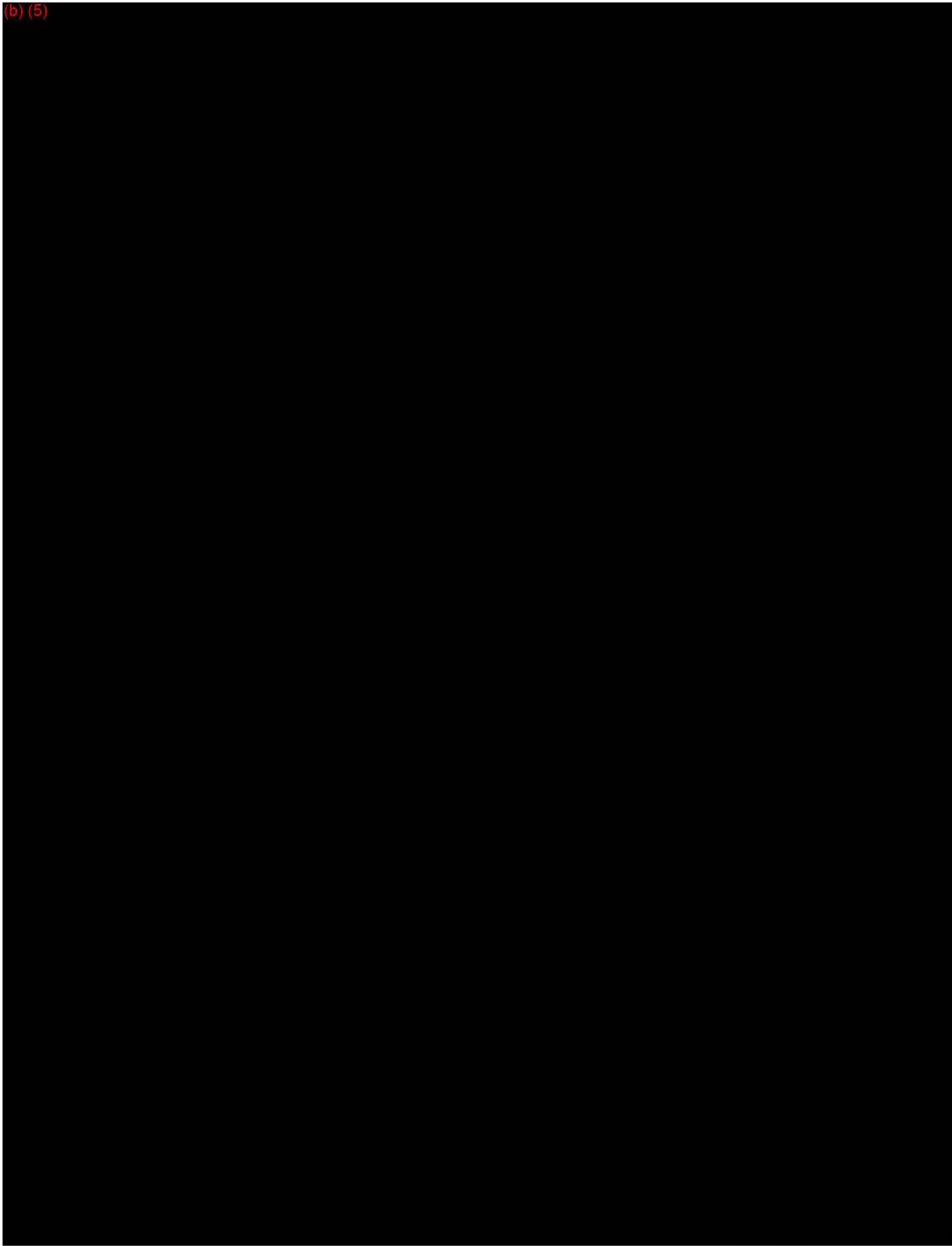
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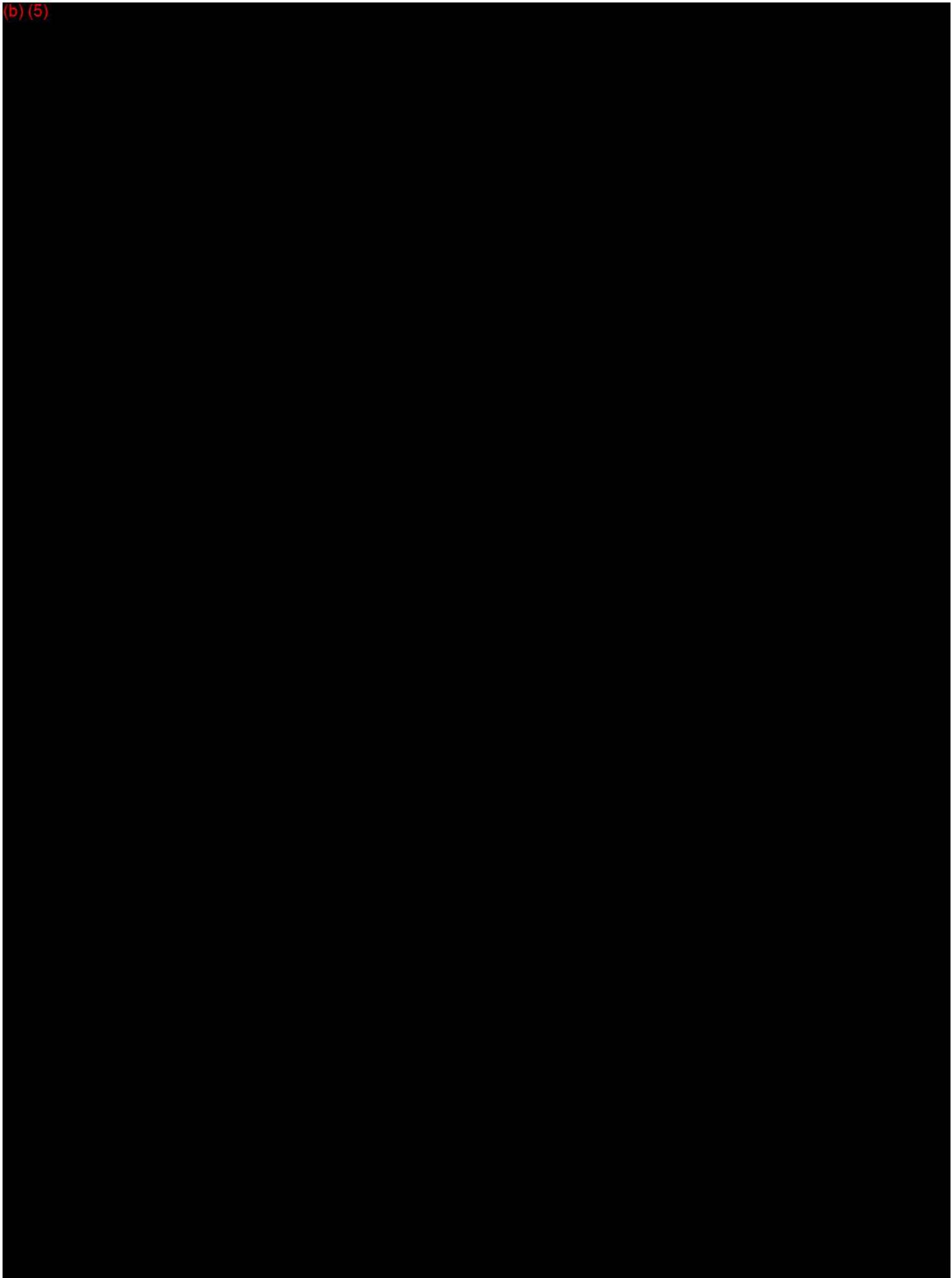
Karen A. Hanley

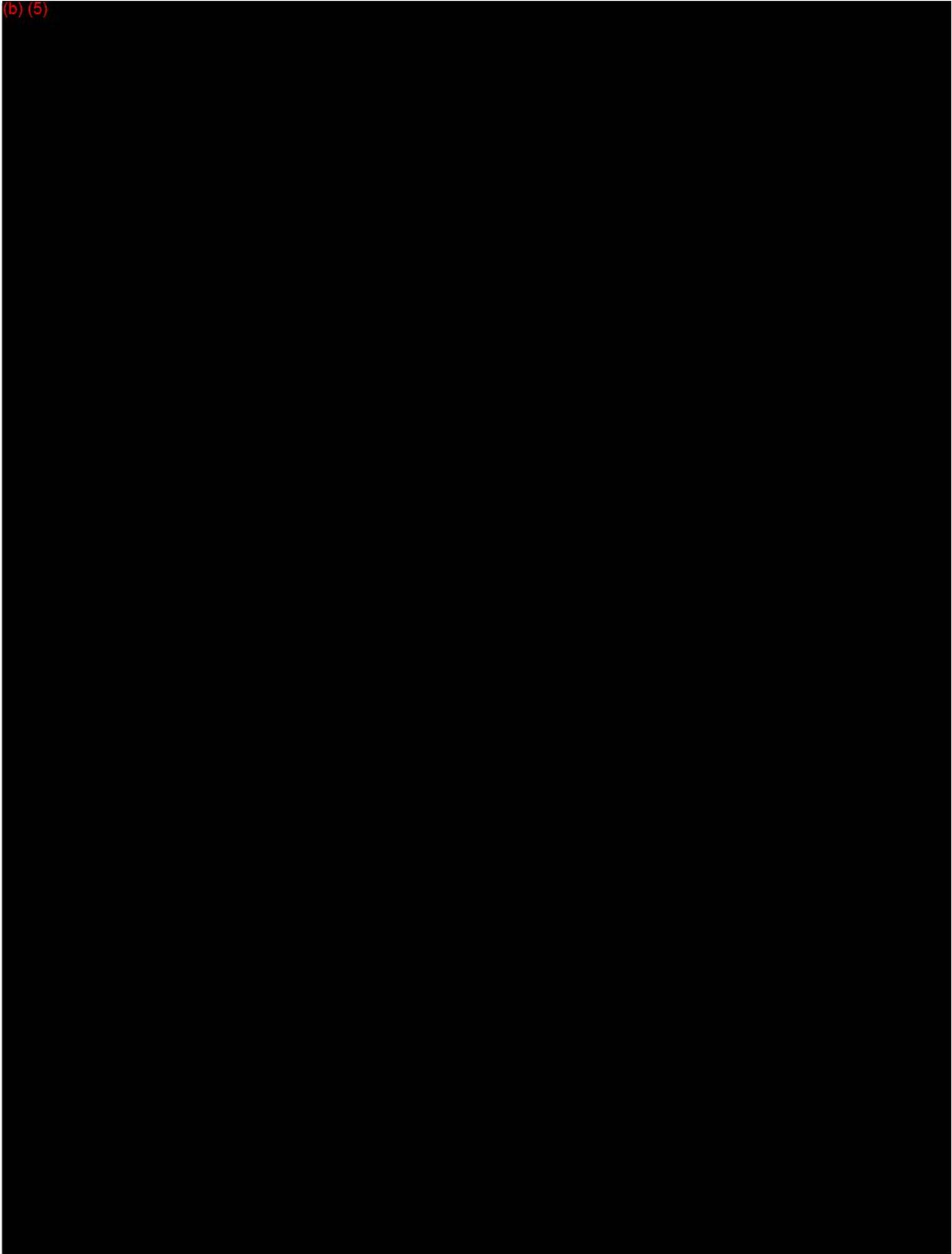
Senior Environmental Policy Advisor, Federal Permitting Improvement Steering Council (FPISC), GSA

Deputy Associate Director for NEPA, Council on Environmental Quality (CEQ)

Phone: (b) (6)







# RE: CEQ NEPA Regulations ANPRM Extension of Comment Period

---

**From:** "Freeman, Denise" <denise.freeman@hq.doe.gov>

dennis.ogden@gsa.gov, elizabeth.e.nelson@aphis.usda.gov, jsmalls@fs.fed.us, michelle.l.gray@aphis.usda.gov, david.a.bergsten@aphis.usda.gov, wendy.f.hall@aphis.usda.gov, caitlin.gregg@ogc.usda.gov, peggy.wade@wdc.usda.gov, kelsey.owens@wdc.usda.gov, "Costner, Brian" <brian.costner@hq.doe.gov>, "Miller, Steven (GC)" <steven.miller@hq.doe.gov>, nkeller@doc.gov, jroberson@doc.gov, everett.bole@foh.hhs.gov, kristen.beckhorn@fda.hhs.gov, sarah.carrino@fema.dhs.gov, jennifer.hass@hq.dhs.gov, james.m.potter@hud.gov, barbara.r.britton@hud.gov, danielle.l.schopp@hud.gov, joseph.a.baietti@hud.gov, cheryl\_kelly@ios.doi.gov, rebrown@usbr.gov, hzarin@blm.gov, rwinthro@blm.gov, ccunningham@usbr.gov, doug\_wetmore@nps.gov, iris\_maska@fws.gov, "Collins, Brian M. (ENRD)" <brian.m.collins@usdoj.gov>, "Douglas, Joshua (CRT)" <joshua.douglas@usdoj.gov>, "Marvin, Barbara (ENRD)" <barbara.marvin@usdoj.gov>, "Neal, Daria (CRT)" <daria.neal@usdoj.gov>, hassellmd@state.gov, harold.peaks@dot.gov, carolyn.nelson@dot.gov, amy.coyle@dot.gov, krystyna.bednarczyk@dot.gov, antoinette.quagliata@dot.gov, "Boling, Ted A. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)> ruhl.suzi@epa.gov, buzzelle.stanley@epa.gov, tejada.matthew@epa.gov, roemele.julie@epa.gov, lee.charles@epa.gov, walter.simone@epa.gov, allen.dana@epa.gov, okorn.barbara@epa.gov, knorr.michele@epa.gov, musumeci.grace@epa.gov, kajumba.ntale@epa.gov, rudnick.barbara@epa.gov, harris.reggie@epa.gov, poole.elizabeth@epa.gov, jones.kima@epa.gov, kelly.thomasp@epa.gov, dawson.shelly@epa.gov, marshall.tom@epa.gov, brown.deborah@epa.gov, grass.running@epa.gov, phillip.washington@aphis.usda.gov, mbabaliye.theogene@epa.gov, peterson.erik@epa.gov, joanne.wachholder@ferc.gov, kelly.munoz@ferc.gov, robin.griffin@ferc.gov, katrina.scarpato@gsa.gov, carol.schafer@gsa.gov, jeffrey.rikhoff@nrc.gov, "Walters, Carmel I -FS" <carmeliwalters@fs.fed.us>, "Wade, Peggy - RD - St. Paul, MN" <peggy.wade@mn.usda.gov>, "Rountree, Marthea" <rountree.marthea@epa.gov>, Kandilarya Barakat <kandilarya.barakat@ferc.gov>, "Knishkowsky, Jeff - ASCR"

**To:**

<jeff.knishkowsky@ascr.usda.gov>, nowakowski.matt@epa.gov, "Huber, Cynthia (ENRD)" <cynthia.huber@usdoj.gov>, christy\_johnsonhughes@fws.gov, helen.serassio@dot.gov, elaine.baum@ferc.gov, hope.e.gerstler@uscg.mil, alan.tabachnick@dot.gov, sheila.ruffin@ferc.gov, velikonjamg@state.gov, shelly.chichester@fema.dhs.gov

**Date:** Tue, 10 Jul 2018 11:54:38 -0400

**Attachments**  
: 2018-14821.pdf (212.33 kB)

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**FYI – NEPA Committee:**

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

Best,

*Denise Freeman*

Senior Advisor  
DOE Environmental Justice Program  
Office of Legacy Management  
[Denise.freeman@hq.doe.gov](mailto:Denise.freeman@hq.doe.gov)  
P: 202-586-7879

---

**From:** Freeman, Denise

**Sent:** Thursday, July 05, 2018 12:26 PM

**To:** 'dennis.ogden@gsa.gov' <dennis.ogden@gsa.gov>; 'Elizabeth.E.Nelson@aphis.usda.gov' <Elizabeth.E.Nelson@aphis.usda.gov>; 'jsmalls@fs.fed.us' <jsmalls@fs.fed.us>; 'Michelle.L.Gray@aphis.usda.gov' <Michelle.L.Gray@aphis.usda.gov>; 'David.A.Bergsten@aphis.usda.gov' <David.A.Bergsten@aphis.usda.gov>; 'Wendy.F.Hall@aphis.usda.gov' <Wendy.F.Hall@aphis.usda.gov>; 'Caitlin.Gregg@ogc.usda.gov' <Caitlin.Gregg@ogc.usda.gov>; 'peggy.wade@wdc.usda.gov' <peggy.wade@wdc.usda.gov>; 'kelsey.owens@wdc.usda.gov' <kelsey.owens@wdc.usda.gov>; Costner, Brian <Brian.Costner@hq.doe.gov>; Miller, Steven (GC) <STEVEN.MILLER@hq.doe.gov>; 'NKeller@doc.gov' <NKeller@doc.gov>; 'JRoberson@doc.gov' <JRoberson@doc.gov>; 'Everett.Bole@foh.hhs.gov' <Everett.Bole@foh.hhs.gov>; 'Kristen.Beckhorn@fda.hhs.gov' <Kristen.Beckhorn@fda.hhs.gov>; 'meghan.kelley@dot.gov' <meghan.kelley@dot.gov>; 'Sarah.Carrino@fema.dhs.gov' <Sarah.Carrino@fema.dhs.gov>; 'jennifer.hass@hq.dhs.gov' <jennifer.hass@hq.dhs.gov>;

'James.M.Potter@hud.gov' <James.M.Potter@hud.gov>; 'Barbara.R.Britton@hud.gov' <Barbara.R.Britton@hud.gov>; 'Sunaree.K.Marshall@hud.gov' <Sunaree.K.Marshall@hud.gov>; 'Danielle.L.Schopp@hud.gov' <Danielle.L.Schopp@hud.gov>; 'Joseph.A.Baietti@hud.gov' <Joseph.A.Baietti@hud.gov>; 'cheryl\_kelly@ios.doi.gov' <cheryl\_kelly@ios.doi.gov>; 'rebrown@usbr.gov' <rebrown@usbr.gov>; 'hzarin@blm.gov' <hzarin@blm.gov>; 'RWinthro@blm.gov' <RWinthro@blm.gov>; 'ccunningham@usbr.gov' <ccunningham@usbr.gov>; 'Doug\_Wetmore@nps.gov' <Doug\_Wetmore@nps.gov>; 'iris\_maska@fws.gov' <iris\_maska@fws.gov>; 'Collins, Brian M. (ENRD)' <Brian.M.Collins@usdoj.gov>; 'Douglas, Joshua (CRT)' <Joshua.Douglas@usdoj.gov>; 'Marvin, Barbara (ENRD)' <Barbara.Marvin@usdoj.gov>; 'Neal, Daria (CRT)' <Daria.Neal@usdoj.gov>; 'HassellMD@state.gov' <HassellMD@state.gov>; 'Harold.Peaks@dot.gov' <Harold.Peaks@dot.gov>; 'carolyn.nelson@dot.gov' <carolyn.nelson@dot.gov>; 'amy.coyle@dot.gov' <amy.coyle@dot.gov>; 'Krystyna.bednarczyk@dot.gov' <Krystyna.bednarczyk@dot.gov>; 'antoinette.quagliata@dot.gov' <antoinette.quagliata@dot.gov>; '(b) (6) <(b) (6)>' <(b) (6)>; 'Drummond, Michael R. EOP/CEQ' <(b) (6)> 'Ruhl.Suzi@epa.gov' <Ruhl.Suzi@epa.gov>; 'Buzzelle.Stanley@epa.gov' <Buzzelle.Stanley@epa.gov>; 'Tejada.Matthew@epa.gov' <Tejada.Matthew@epa.gov>; 'Roemele.Julie@epa.gov' <Roemele.Julie@epa.gov>; 'Lee.Charles@epa.gov' <Lee.Charles@epa.gov>; 'walter.simone@epa.gov' <walter.simone@epa.gov>; 'Allen.Dana@epa.gov' <Allen.Dana@epa.gov>; 'Okorn.Barbara@epa.gov' <Okorn.Barbara@epa.gov>; 'knorr.michele@epa.gov' <knorr.michele@epa.gov>; 'Musumeci.Grace@epa.gov' <Musumeci.Grace@epa.gov>; 'Kajumba.Ntale@epa.gov' <Kajumba.Ntale@epa.gov>; 'Rudnick.Barbara@epa.gov' <Rudnick.Barbara@epa.gov>; 'harris.reggie@epa.gov' <harris.reggie@epa.gov>; 'Poole.Elizabeth@epa.gov' <Poole.Elizabeth@epa.gov>; 'Jones.Kima@epa.gov' <Jones.Kima@epa.gov>; 'Kelly.ThomasP@epa.gov' <Kelly.ThomasP@epa.gov>; 'Dawson.Shelly@epa.gov' <Dawson.Shelly@epa.gov>; 'marshall.tom@epa.gov' <marshall.tom@epa.gov>; 'Brown.Deborah@epa.gov' <Brown.Deborah@epa.gov>; 'Grass.Running@epa.gov' <Grass.Running@epa.gov>; 'Phillip.Washington@aphis.usda.gov' <Phillip.Washington@aphis.usda.gov>; 'Mbabaliye.Theogene@epa.gov' <Mbabaliye.Theogene@epa.gov>; 'Peterson.Erik@epa.gov' <Peterson.Erik@epa.gov>; 'joanne.wachholder@ferc.gov' <joanne.wachholder@ferc.gov>; 'Kelley.munoz@ferc.gov' <Kelley.munoz@ferc.gov>; 'Robin.Griffin@ferc.gov' <Robin.Griffin@ferc.gov>; 'katrina.scarpato@gsa.gov' <katrina.scarpato@gsa.gov>; 'carol.schafer@gsa.gov' <carol.schafer@gsa.gov>; 'Jeffrey.Rikhoff@nrc.gov' <Jeffrey.Rikhoff@nrc.gov>; 'Walters, Carmel I -FS' <carmeliwalters@fs.fed.us>; 'Wade, Peggy - RD - St. Paul, MN' <Peggy.Wade@mn.usda.gov>; 'Rountree, Marthea' <Rountree.Marthea@epa.gov>; 'Kandilarya Barakat' <Kandilarya.Barakat@ferc.gov>; 'Knishkowsky, Jeff - ASCR' <Jeff.Knishkowsky@ascr.usda.gov>; 'Nowakowski.Matt@epa.gov' <Nowakowski.Matt@epa.gov>; 'Huber, Cynthia (ENRD)' <Cynthia.Huber@usdoj.gov>; 'christy\_johnsonhughes@fws.gov' <christy\_johnsonhughes@fws.gov>; 'helen.serassio@dot.gov' <helen.serassio@dot.gov>; 'elaine.baum@ferc.gov' <elaine.baum@ferc.gov>; 'hope.e.gerstler@uscg.mil' <hope.e.gerstler@uscg.mil>; 'shelly.chichester@fema.gov' <shelly.chichester@fema.gov>; 'alan.tabachnick@dot.gov' <alan.tabachnick@dot.gov>; 'sheila.ruffin@ferc.gov' <sheila.ruffin@ferc.gov>; 'velikonjamg@state.gov' <velikonjamg@state.gov>  
**Subject:** Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act

Greetings IWG EJ NEPA Committee:

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FYI--For those who had not seen this Federal Register Notice (Advance Notice of Proposed Rulemaking), published on 6/20/18, CEQ is considering updating its implementing regulations for the procedural provisions of the National Environmental Policy Act (NEPA). The deadline for submission of comments: **July 20, 2018.**

Best,

Denise Freeman  
Cynthia Huber  
Co-chairs, IWG EJ NEPA Committee

Denise Freeman  
Senior Advisor  
DOE Environmental Justice Program  
Office of Legacy Management  
Denise.freeman@hq.doe.gov  
P: 202-586-7879

<< File: CEQ\_ANOPR\_06\_20\_18.pdf >>



[3225-F8-P]

**COUNCIL ON ENVIRONMENTAL QUALITY**

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

**[Docket No. CEQ-2018-0001]**

**RIN: 0331-AA03**

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

**AGENCY:** Council on Environmental Quality (CEQ).

**ACTION:** Advance Notice of Proposed Rulemaking; extension of comment period.

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

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

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

cannot be edited or removed from <https://www.regulations.gov>. CEQ may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (e.g., audio, video) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make.

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

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

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

Mary B. Neumayr,

*Chief of Staff, Council on Environmental Quality.*

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

## FW: Q&As for your review

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**From:** "Sharp, Thomas L. EOP/CEQ" <(b) (6)>  
**To:** "Herrgott, Alex H. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 10 Jul 2018 17:31:18 -0400

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

By request

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

---

**From:** Barnett, Steven W. EOP/CEQ  
**Sent:** Wednesday, June 27, 2018 10:32 AM  
**To:** Sharp, Thomas L. EOP/CEQ <(b) (6)>  
**Subject:** FW: Q&As for your review

---

**From:** Barnett, Steven W. EOP/CEQ  
**Sent:** Wednesday, June 27, 2018 10:10 AM  
**To:** 'Angela Colamaria - Y-D' <angela.colamaria@fpisc.gov>  
**Cc:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Subject:** RE: Q&As for your review

Angie,

Please find attached Alex's revised Q&As.

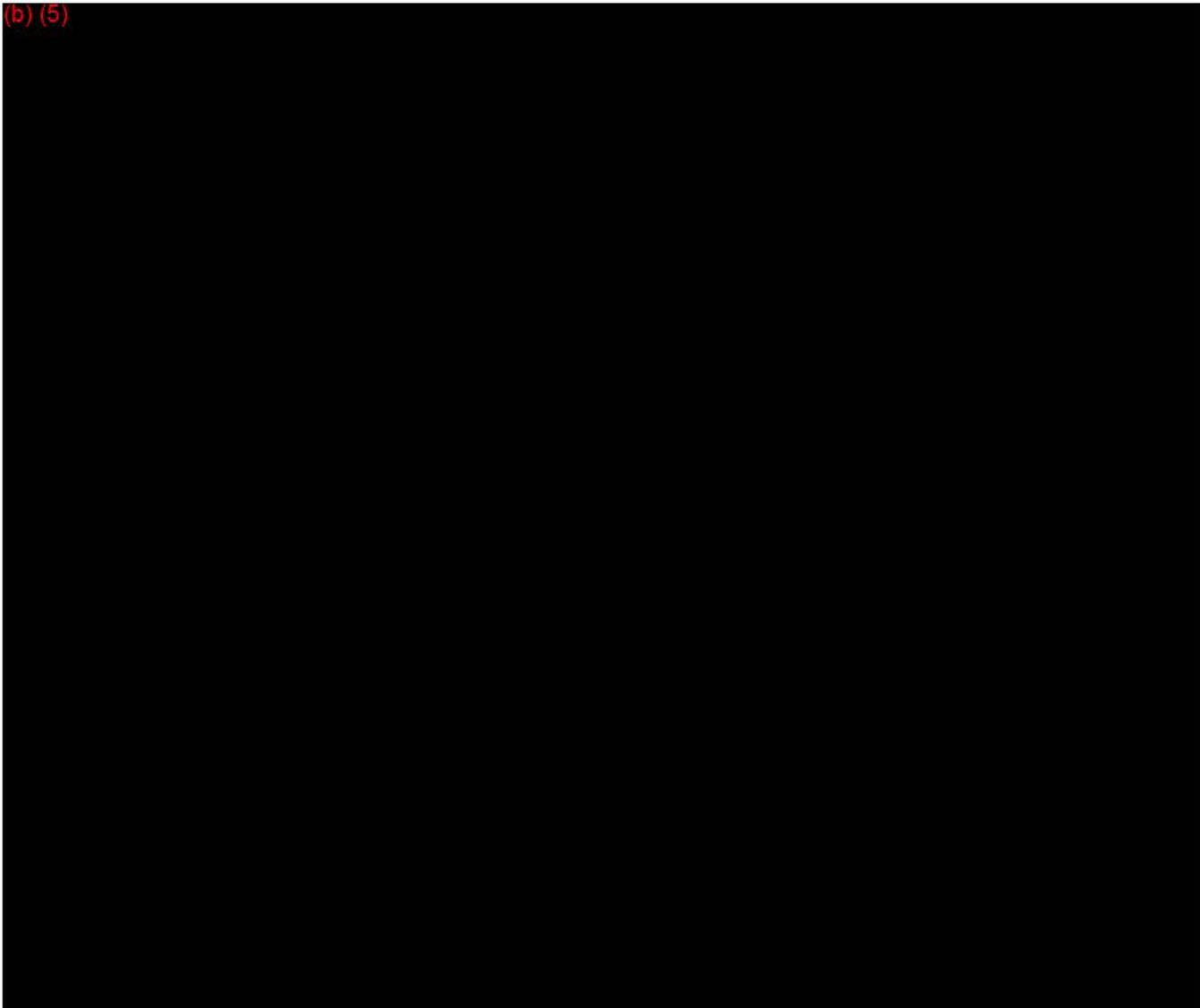
Steven

**From:** Angela Colamaria - Y-D <angela.colamaria@fpisc.gov>  
**Sent:** Wednesday, June 27, 2018 9:43 AM  
**To:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Cc:** Janet Pfleeger - Y <janet.pfleeger@gsa.gov>; Barnett, Steven W. EOP/CEQ

(b) (6)

Subject: Re: Q&As for your review

(b) (5)



**Angela F. Colamaria**

Acting Executive Director

Office of the Executive Director (FPISC-OED)

Federal Permitting Improvement Steering Council

[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)

202.705.1639

1800 F St. NW

Washington, DC 20405

On Tue, Jun 26, 2018 at 11:11 PM, Osterhues, Marlys A. EOP/CEQ

<(b) (6)> wrote:

Thanks Angie. Steven and I are going to wrap our work on the Q&As in the morning and will share what we have.

**From:** Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)>

**Sent:** Tuesday, June 26, 2018 7:55 PM

**To:** Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)>

**Cc:** Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)>; Osterhues, Marlys A. EOP/CEQ

<(b) (6)> Amber Levofsky - Y <[amber.levofsky@gsa.gov](mailto:amber.levofsky@gsa.gov)>; Kavita

Vaidyanathan - AY-DETAILEE <[kavita.vaidyanathan@gsa.gov](mailto:kavita.vaidyanathan@gsa.gov)>; Sharp, Thomas L. EOP/CEQ

<(b) (6)> Scott (Robert) Hillkirk - AY-C <[scott.hillkirk@gsa.gov](mailto:scott.hillkirk@gsa.gov)>; Drummond, Michael R. EOP/CEQ <(b) (6)>

**Subject:** Re: Q&As for your review

I have added some suggestions on top of Janet's edits.

**Angela F. Colamaria**

Acting Executive Director

Office of the Executive Director (FPISC-OED)

Federal Permitting Improvement Steering Council

[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)

202.705.1639

[1800 F St. NW](#)

[Washington, DC 20405](#)

On Tue, Jun 26, 2018 at 4:54 PM, Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)> wrote:

Marlys,

Please see edits discussed this afternoon to pages 2 and 5. I want to add these to Angie's binder as soon as CEQ is done with your edits from this afternoon so please "reply all" when you distribute later today.

Thanks!

Janet

Janet Pfleeger

Deputy Director

Federal Permitting Improvement Steering Council

Office of the Executive Director (FPISC-OED)

[janet.pfleeger@fpisc.gov](mailto:janet.pfleeger@fpisc.gov)

(202) 714-7288

[1800 F St. NW](#)

[Washington, DC 20405](#)

On Mon, Jun 25, 2018 at 1:46 PM, Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)> wrote:

Good afternoon everyone,

Please find some comments/edits for the Roundtable Q&As attached.

(b) (5)  
[Redacted]

On Thu, Jun 21, 2018 at 5:10 PM, Angela Colamaria - Y-D  
<[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)> wrote:

All,

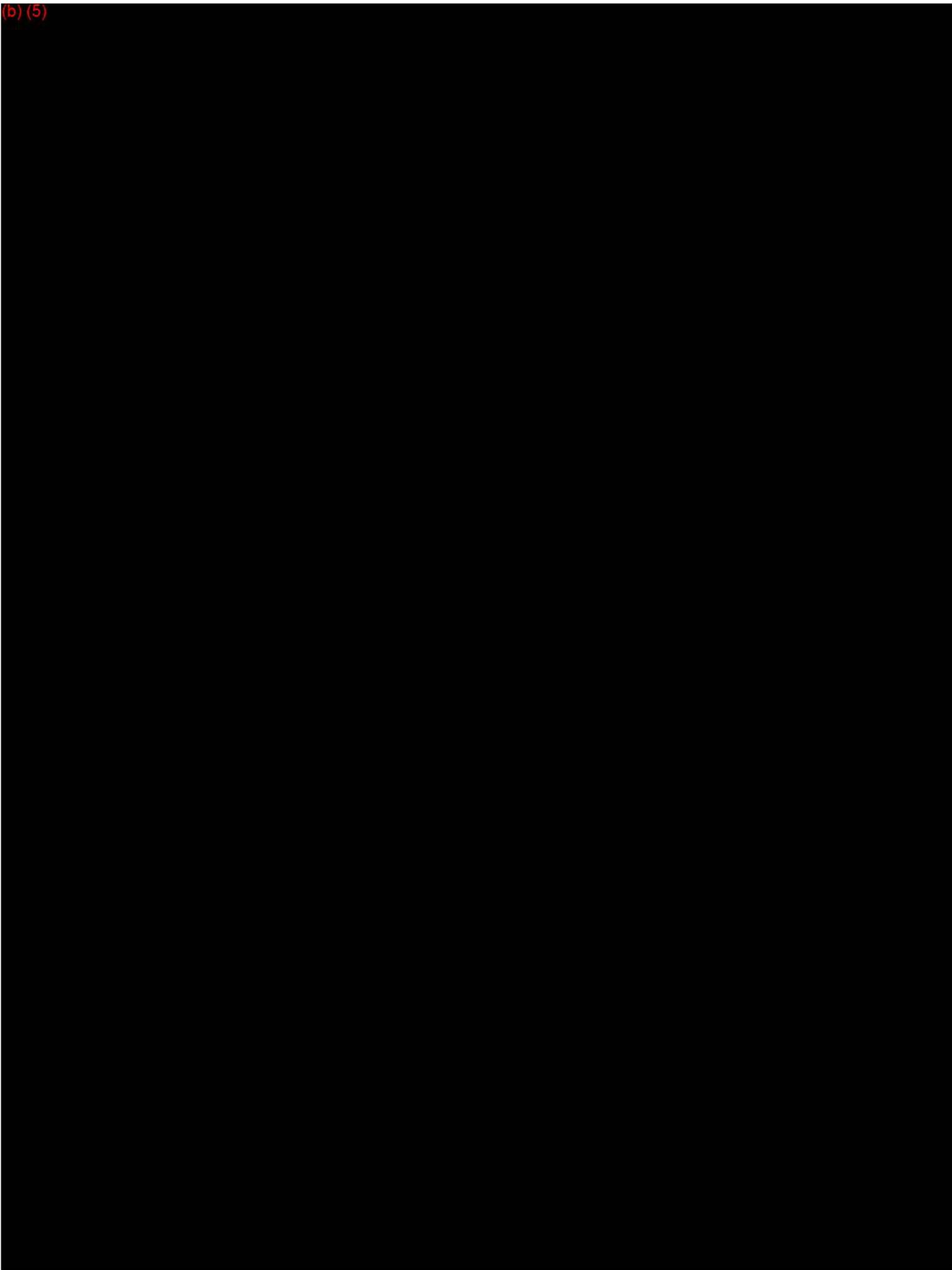
I haven't had time to read the actual answers yet, but I did put a few comment balloons to grab your attention as you review. Please add additional Q&A's and provide edits/answers to existing Q&A as needed by 4 pm tomorrow and send to Karen. (b) (5)  
[Redacted]

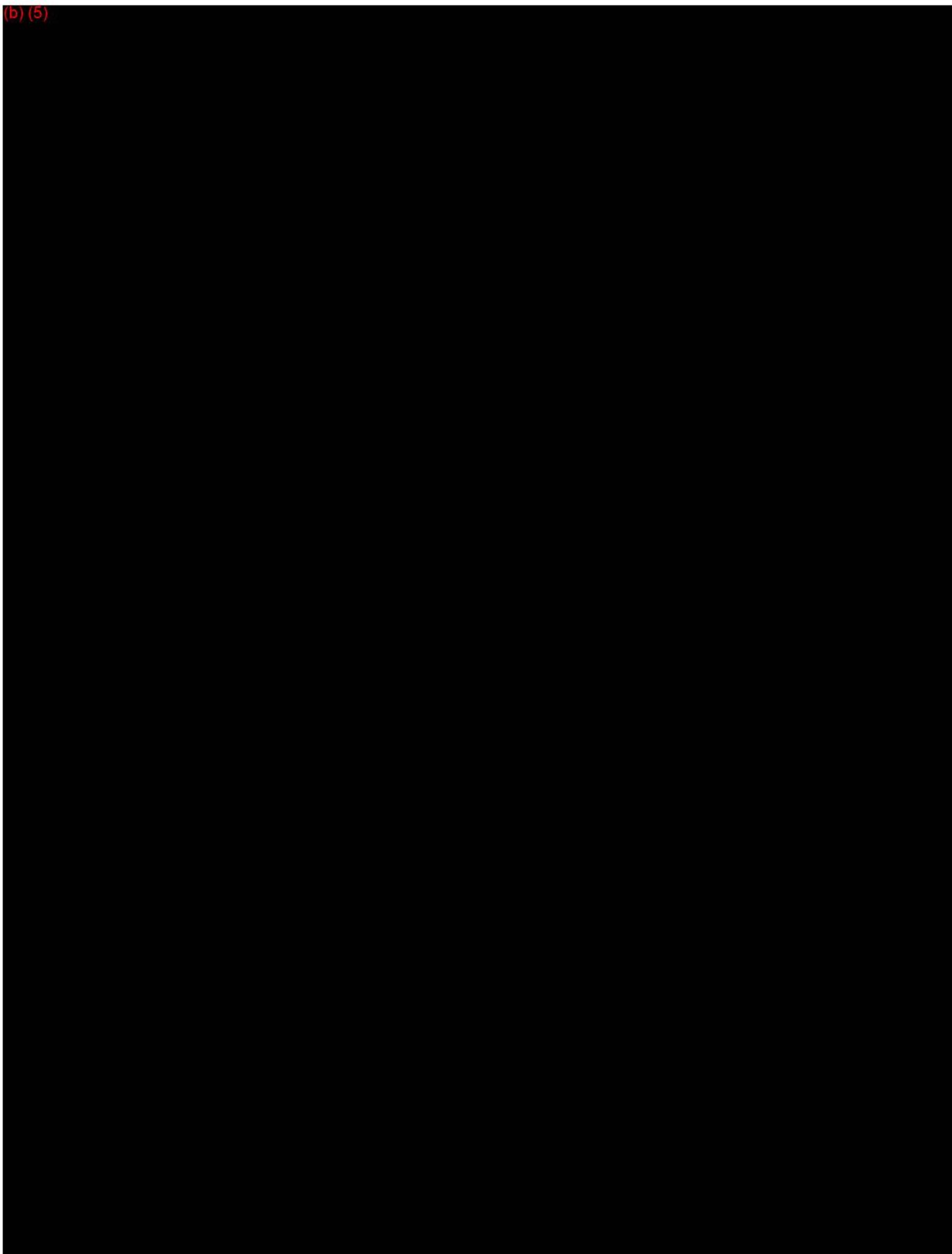
Thanks,  
Angie

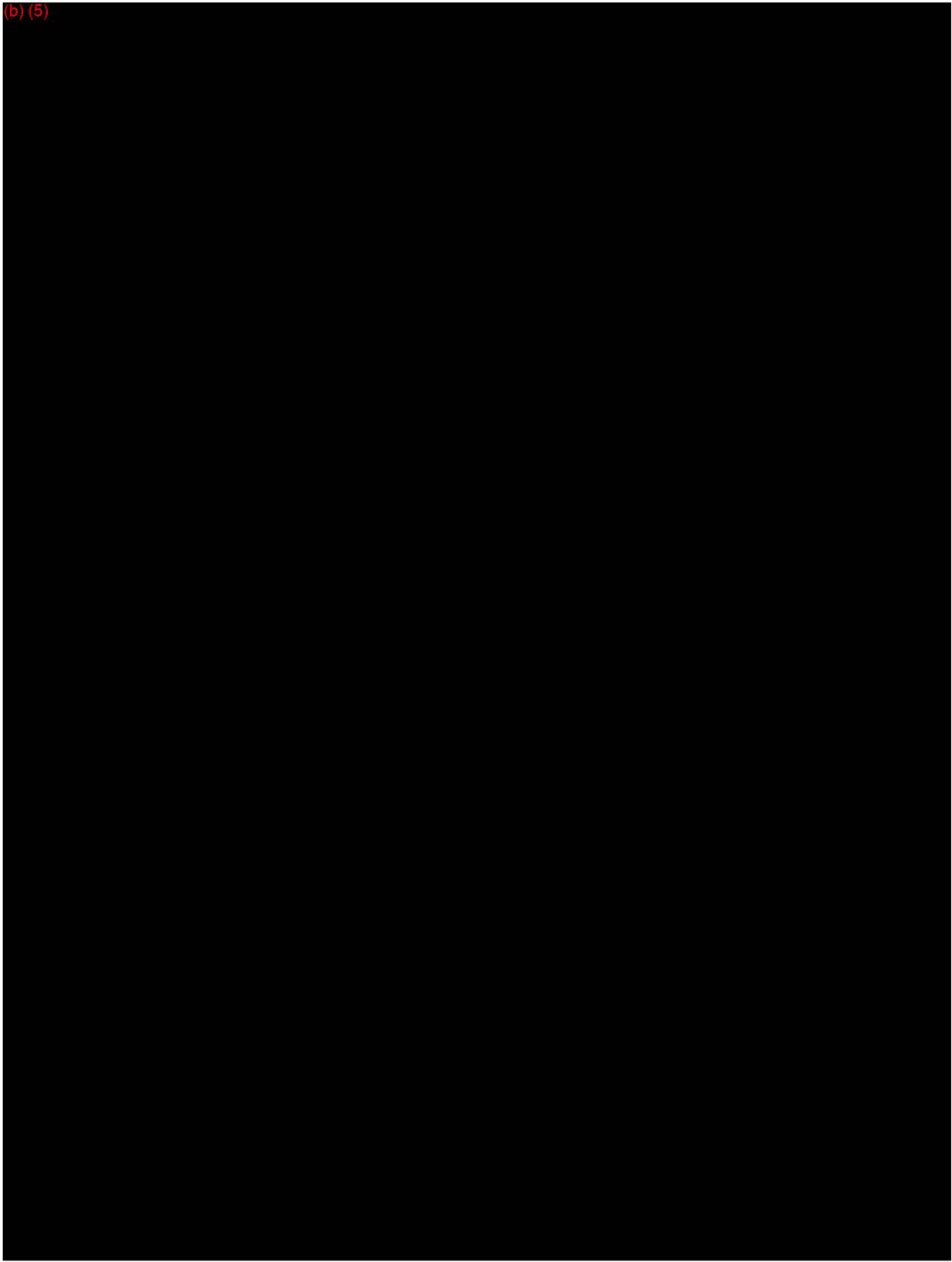
**Angela F. Colamaria**  
Acting Executive Director  
Office of the Executive Director (FPISC-OED)  
Federal Permitting Improvement Steering Council  
[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)  
202.705.1639  
[1800 F St. NW](#)  
[Washington, DC 20405](#)

--

Karen A. Hanley  
Senior Environmental Policy Advisor, Federal Permitting Improvement Steering Council (FPISC), GSA  
Deputy Associate Director for NEPA, Council on Environmental Quality (CEQ)  
Phone: (b) (6)







## [EXTERNAL] RE: CEQ NEPA Regulations ANPRM

---

**From:** "Wagner, Fred R." <frwagner@venable.com>  
**To:** FN-CEQ-NEPA <(b) (6)>  
**Date:** Tue, 10 Jul 2018 16:23:06 -0400

No problem; thanks for digging out the right email address and thanks for forwarding.

I hope you are doing well.

Fred

**Fred R. Wagner, Esq. | Venable LLP**  
t 202.344.4032 | f 202.344.8300 | m (b) (6)  
600 Massachusetts Avenue, NW, Washington, DC 20001

[FRWagner@Venable.com](mailto:FRWagner@Venable.com) | [www.Venable.com](http://www.Venable.com)

Visit our blog at <http://www.envirostructure.com/>

---

**From:** FN-CEQ-NEPA [mailto:(b) (6)]  
**Sent:** Tuesday, July 10, 2018 4:22 PM  
**To:** FN-CEQ-NEPA <(b) (6)>  
**Cc:** Wagner, Fred R. <FRWagner@Venable.com>  
**Subject:** FW: CEQ NEPA Regulations ANPRM

Sorry Fred, we had your B&D email on this announcement for some reason.

Best,

Michael

---

**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

\*\*\*\*\*  
This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply

transmission and delete the message without copying or disclosing it.

\*\*\*\*\*

**RE:**

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

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

**Date:** Tue, 10 Jul 2018 10:23:41 -0400

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**From:** Drummond, Michael R. EOP/CEQ

**Sent:** Tuesday, July 10, 2018 10:20 AM

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

**Subject:**

(b) (5)



Michael Drummond  
Deputy Associate Director for NEPA  
Council on Environmental Quality

(b) (6)

**[No Subject]**

---

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

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

**Date:** Tue, 10 Jul 2018 10:19:33 -0400

(b) (5)



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

## [EXTERNAL] RE: Comment from CEQ?

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**From:** Nick Sobczyk <nsobczyk@eenews.net>

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

**Date:** Tue, 10 Jul 2018 11:00:20 -0400

Hey Dan,

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

Best,  
Nick

---

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

**Sent:** Tuesday, July 10, 2018 10:49 AM

**To:** Nick Sobczyk <nsobczyk@eenews.net>

**Subject:** RE: Comment from CEQ?

Hey Nick,

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

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

Dan

---

**From:** Nick Sobczyk <nsobczyk@eenews.net>

**Sent:** Tuesday, June 19, 2018 11:37 AM

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

**Subject:** [EXTERNAL] RE: Comment from CEQ?

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

---

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

**Sent:** Tuesday, June 19, 2018 11:35 AM

**To:** Nick Sobczyk <nsobczyk@eenews.net>

**Subject:** RE: Comment from CEQ?

On background, attributable to a CEQ spokesman.

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

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

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

---

**From:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

**Sent:** Tuesday, June 19, 2018 11:18 AM

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

**Subject:** [EXTERNAL] RE: Comment from CEQ?

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

---

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

**Sent:** Tuesday, June 19, 2018 10:32 AM

**To:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

**Subject:** RE: Comment from CEQ?

Hey Nick, what's your deadline?

Dan

---

**From:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>

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

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

**Subject:** [EXTERNAL] RE: Comment from CEQ?

Good Morning Dan,

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

Is the series of 20 questions a typical format for an ANPRM? If not, what is the rationale?

Was CEQ waiting to advance this document until it got a nominee for director?

Does Ms. Neumayr's official nomination make things easier, or will it effectively be the same?

I suspect this will be a popular document. How many comments do you think you'll get?

Best,

Nick

---

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

Hey Nick,

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

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

Prepublication Text: [https://www.whitehouse.gov/wp-content/uploads/2017/11/CEQ-NEPA-ANPRM\\_WebVersion-20180615.pdf](https://www.whitehouse.gov/wp-content/uploads/2017/11/CEQ-NEPA-ANPRM_WebVersion-20180615.pdf)

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

Dan

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

Sure: 202-446-0437

---

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

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

---

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

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

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

Best,  
Nick

---

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

Hey Nick, still checking in on this.

Dan

---

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

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

Nick

---

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

Hey Nick,

What's your timing on this?

Dan

---

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

Hey Dan,

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

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

Best,  
Nick

---

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

Hey Nick,

On background, attributable to a CEQ Spokesman:

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

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

Hope that helps,

Dan

---

**From:** Nick Sobczyk <[nsobczyk@eenews.net](mailto:nsobczyk@eenews.net)>  
**Sent:** Monday, May 7, 2018 2:27 PM  
**To:** Schneider, Daniel J. EOP/CEQ <(b) (6)>  
**Subject:** [EXTERNAL] Comment from CEQ?

Hi Dan,

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

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

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

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

Thanks!

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

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

## RE: Letter to CEQ on NEPA ANPRM

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**From:** "Pettigrew, Theresa L. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=579eb754b4c34f0e8e46d1fb4cd708d7-pe">  
**To:** "Higgins, Rebecca (EPW)" <rebecca\_higgins@epw.senate.gov>  
**Cc:** "Freedhoff, Michal (EPW)" <michal\_freedhoff@epw.senate.gov>  
**Date:** Wed, 11 Jul 2018 15:16:34 -0400

Hello, Rebecca and Michal –  
Thank you for the electronic copy of the letter. It was nice to meet you both yesterday. We appreciated the opportunity to meet with the Senator and all of you.  
Thanks for making the time for the meeting.

Sincerely,  
Theresa

Theresa L. Pettigrew  
Associate Director for Legislative Affairs  
Council on Environmental Quality  
(b) (6) (direct)

---

**From:** Higgins, Rebecca (EPW) <Rebecca\_Higgins@epw.senate.gov>  
**Sent:** Wednesday, July 11, 2018 12:31 PM  
**To:** Pettigrew, Theresa L. EOP/CEQ <(b) (6)>  
**Cc:** Freedhoff, Michal (EPW) <Michal\_Freedhoff@epw.senate.gov>  
**Subject:** Letter to CEQ on NEPA ANPRM

Hi Theresa,

It was nice to meet you yesterday. Senator Carper is sending the attached letter to Ms. Neumayr asking for a commitment to hold public hearings as part of the NEPA rulemaking process, and for an extension to 90 days for the public comment period.

Best,  
Rebecca

Rebecca Higgins  
Environment and Public Works Committee  
202-224-8056

## Letter to CEQ on NEPA ANPRM

---

**From:** "Higgins, Rebecca (EPW)" <rebecca\_higgins@epw.senate.gov>

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

**Cc:** "Freedhoff, Michal (EPW)" <michal\_freedhoff@epw.senate.gov>

**Date:** Wed, 11 Jul 2018 12:30:34 -0400

**Attachments:** 07.11.18 - CEQ Letter FINAL.pdf (867.17 kB)

---

Hi Theresa,

It was nice to meet you yesterday. Senator Carper is sending the attached letter to Ms. Neumayr asking for a commitment to hold public hearings as part of the NEPA rulemaking process, and for an extension to 90 days for the public comment period.

Best,  
Rebecca

Rebecca Higgins  
Environment and Public Works Committee  
202-224-8056

# United States Senate

WASHINGTON, DC 20510

July 11, 2018

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

Dear Ms. Neumayr,

We write today in response to the Advanced Notice of Proposed Rulemaking (ANPRM) that was released by CEQ on June 20<sup>th</sup>. 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 commit 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 issued in 1978 in order to produce 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 1978, we hope that this rulemaking process can result in common-sense considerations to improve environmental outcomes and opportunities for public involvement, while also improving 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 essential goal of NEPA.

In order for the regulatory process to achieve this optimal outcome, CEQ must commit to robust public involvement. Only by hearing from the public can we be sure that the public will benefit from proposed changes. Unfortunately, the early indication is that opportunities will be limited for the public to weigh in on the changes to implementation of this foundational environmental protection law. The ANPRM provides for only a 30-day comment period, and CEQ has made no commitment to hold public meetings as a forum to 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 a 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.”<sup>1</sup> It further states explicitly that agencies shall “Make diligent efforts to involve the public in preparing and implementing their NEPA procedures.”<sup>2</sup> 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 1978, 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.<sup>3</sup>

Additionally in 1986, 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

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<sup>1</sup> 40 CFR 1500.2(d)

<sup>2</sup> 40 CFR 1506.6(a)

<sup>3</sup> National Environmental Policy Act—Regulations: Proposed Implementation of Procedural Provisions. Fed. Reg. Vol. 43, No. 112 (6/9/1978) page 25231. <https://ceq.doe.gov/docs/laws-regulations/FR-1978-06-09-43-FR-25230-CEQ-NEPA-Regulations-NOPR.pdf>

Council held a meeting, open to the public, to discuss the comments received in response to the Advance Notice of Proposed Rulemaking.”<sup>4</sup> 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.

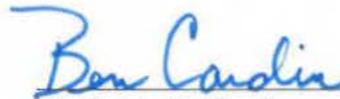
Another important way for CEQ to make “diligent efforts to involve the public” would be to provide a more meaningful public comment period. The rulemaking to propose the NEPA procedures that CEQ now seeks to change allowed 73 days for the public to provide comments and suggestions. Given the wide breadth 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.

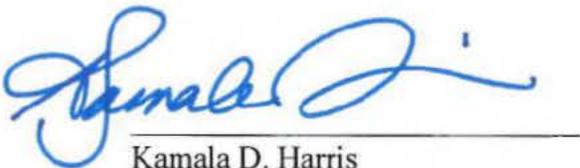
Sincerely,



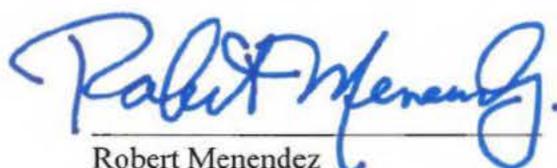
Tom Carper  
United States Senator



Benjamin L. Cardin  
United States Senator



Kamala D. Harris  
United States Senator

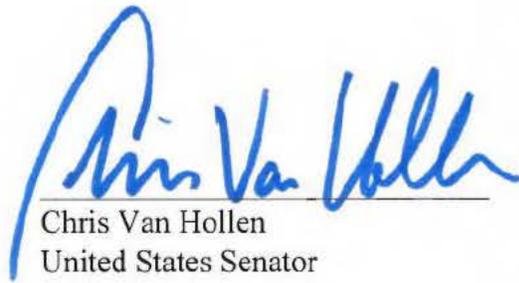


Robert Menendez  
United States Senator

<sup>4</sup> 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>



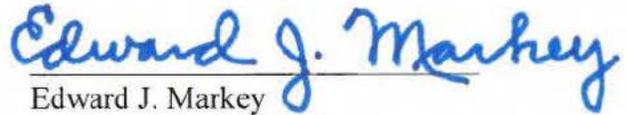
Tina Smith  
United States Senator



Chris Van Hollen  
United States Senator



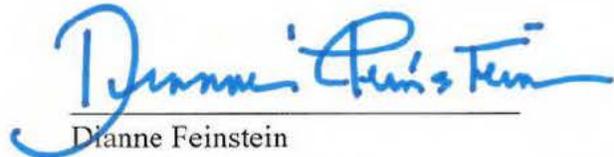
Ron Wyden  
United States Senator



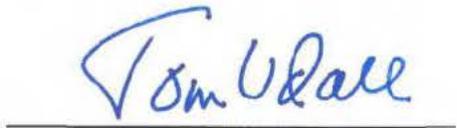
Edward J. Markey  
United States Senator



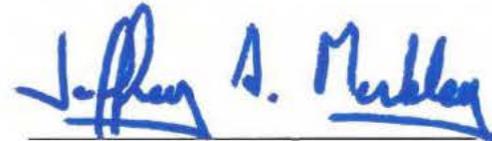
Sheldon Whitehouse  
United States Senator



Dianne Feinstein  
United States Senator



Tom Udall  
United States Senator



Jeffrey A. Merkley  
United States Senator

## RE: Updating Regulations.gov

---

**From:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**To:** "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**Cc:** "Boling, Ted A. EOP/CEQ" <(b) (6)> "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 12 Jul 2018 12:52:51 -0400

Updated.

---

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Thursday, July 12, 2018 11:19 AM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Cc:** Boling, Ted A. EOP/CEQ <(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>  
**Subject:** Updating Regulations.gov

Aaron,

Can you update the Regulations.gov page for the CEQ ANPRM? It is still showing July 20 as the comment deadline.

Thanks,

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

## RE: Updating Regulations.gov

---

**From:** "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Cc:** "Boling, Ted A. EOP/CEQ" <(b) (6)> "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 12 Jul 2018 12:53:23 -0400

Thanks.

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**From:** Szabo, Aaron L. EOP/CEQ  
**Sent:** Thursday, July 12, 2018 12:53 PM  
**To:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Cc:** Boling, Ted A. EOP/CEQ <(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>  
**Subject:** RE: Updating Regulations.gov

Updated.

---

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Thursday, July 12, 2018 11:19 AM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Cc:** Boling, Ted A. EOP/CEQ <(b) (6)> Mansoor, Yardena M. EOP/CEQ <(b) (6)>  
**Subject:** Updating Regulations.gov

Aaron,

Can you update the Regulations.gov page for the CEQ ANPRM? It is still showing July 20 as the comment deadline.

Thanks,

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

## Updating Regulations.gov

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**From:** "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Cc:** "Boling, Ted A. EOP/CEQ" <(b) (6)> "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 12 Jul 2018 11:18:45 -0400

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Aaron,

Can you update the Regulations.gov page for the CEQ ANPRM? It is still showing July 20 as the comment deadline.

Thanks,

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

## Rulemaking update

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**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:** Fri, 13 Jul 2018 18:34:30 -0400

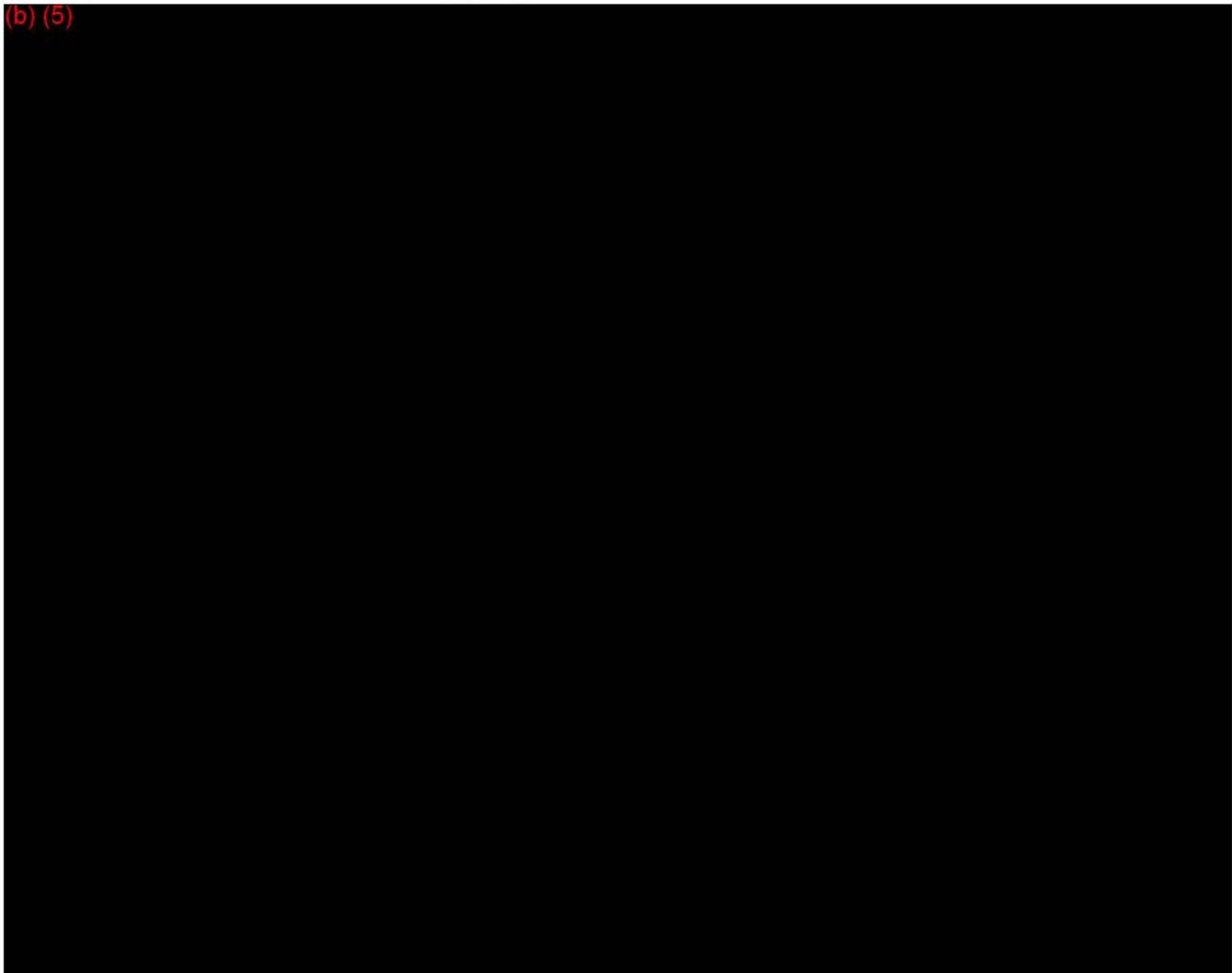
**Attachments:** 01 NPRM YM working draft CURRENT.DOCX (71.76 kB)

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Ted,

Welcome back! Status of rulemaking tasks:

(b) (5)

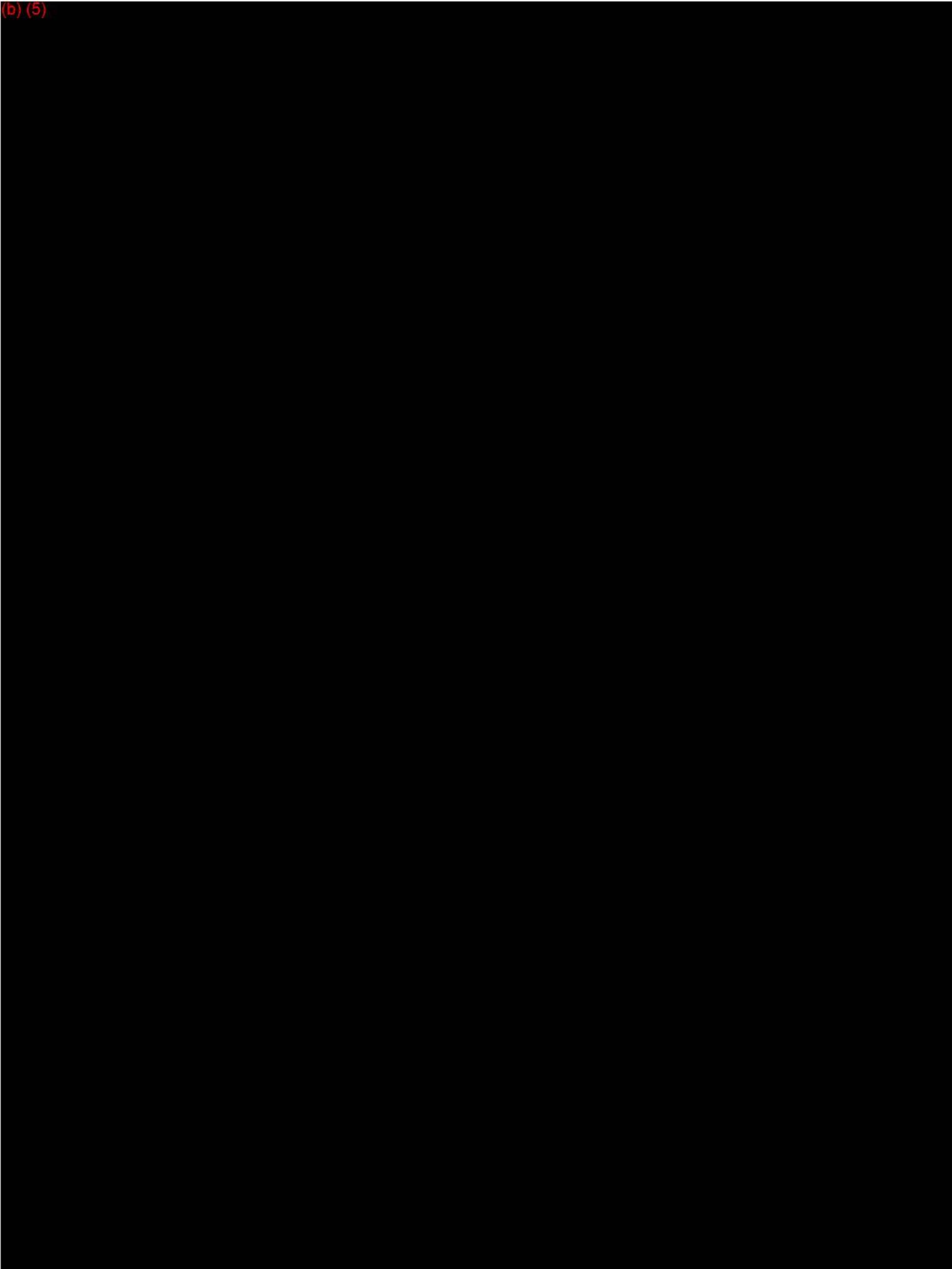


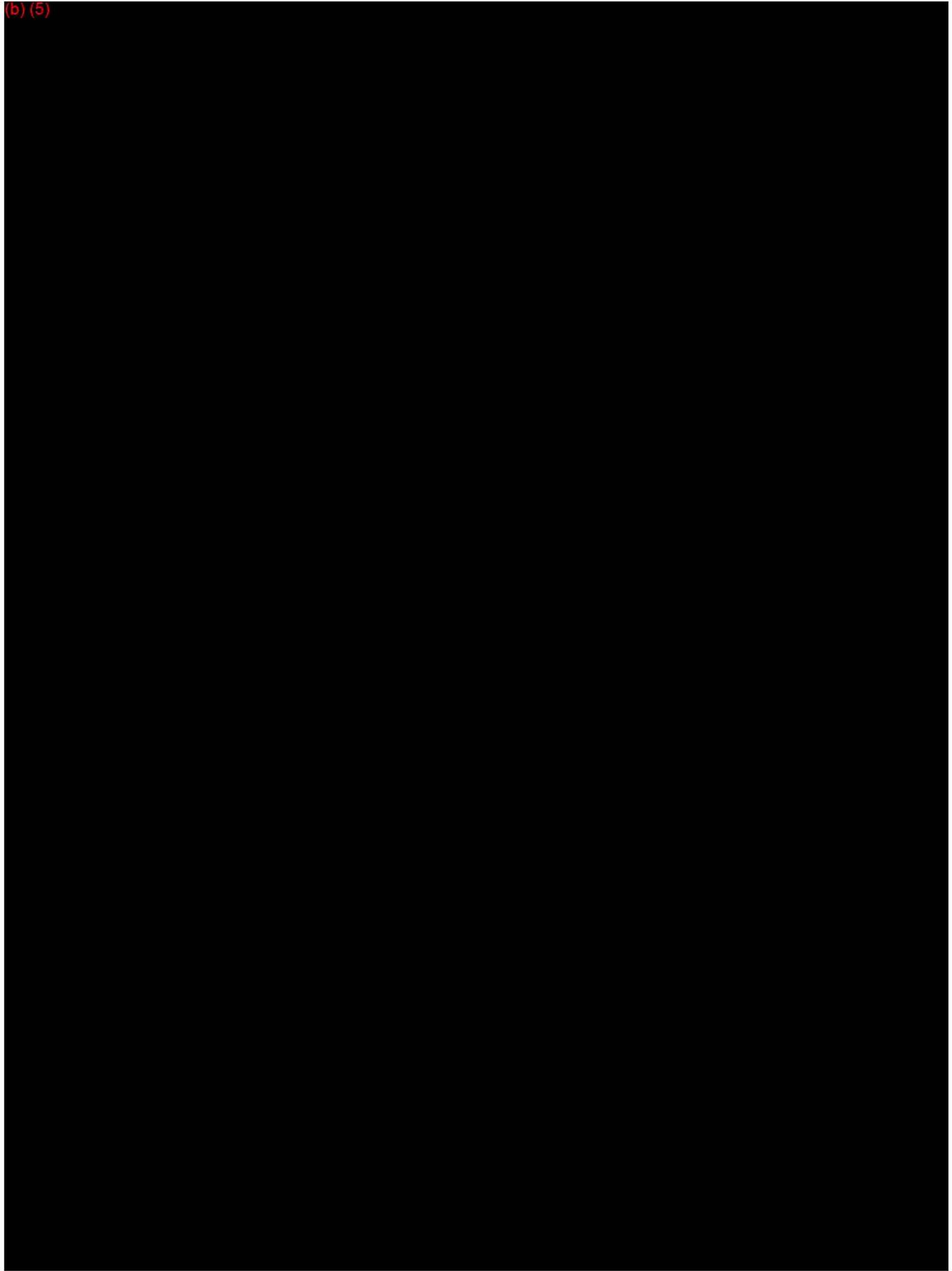
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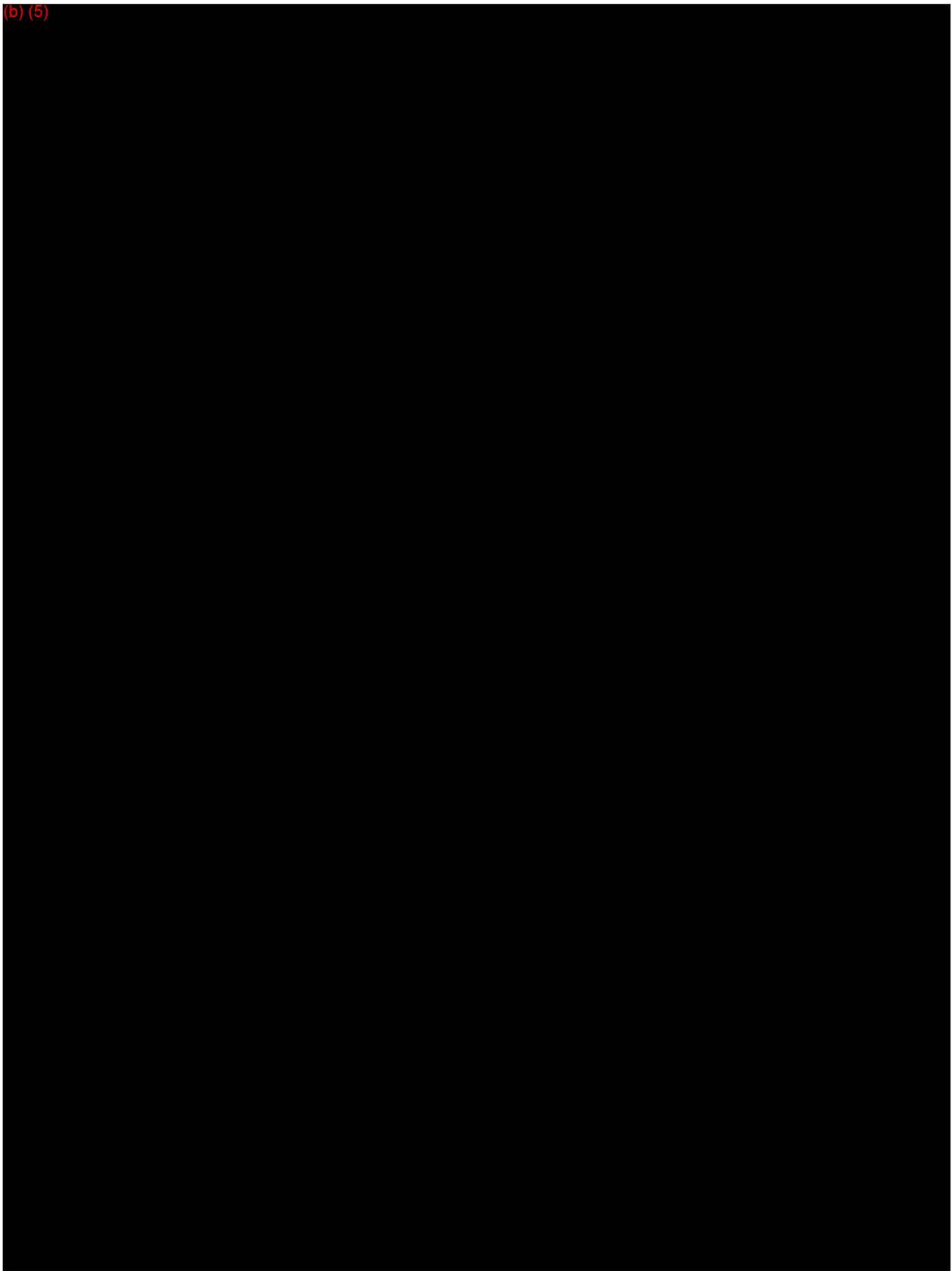
Looking forward to hearing about your travels. See you Monday.

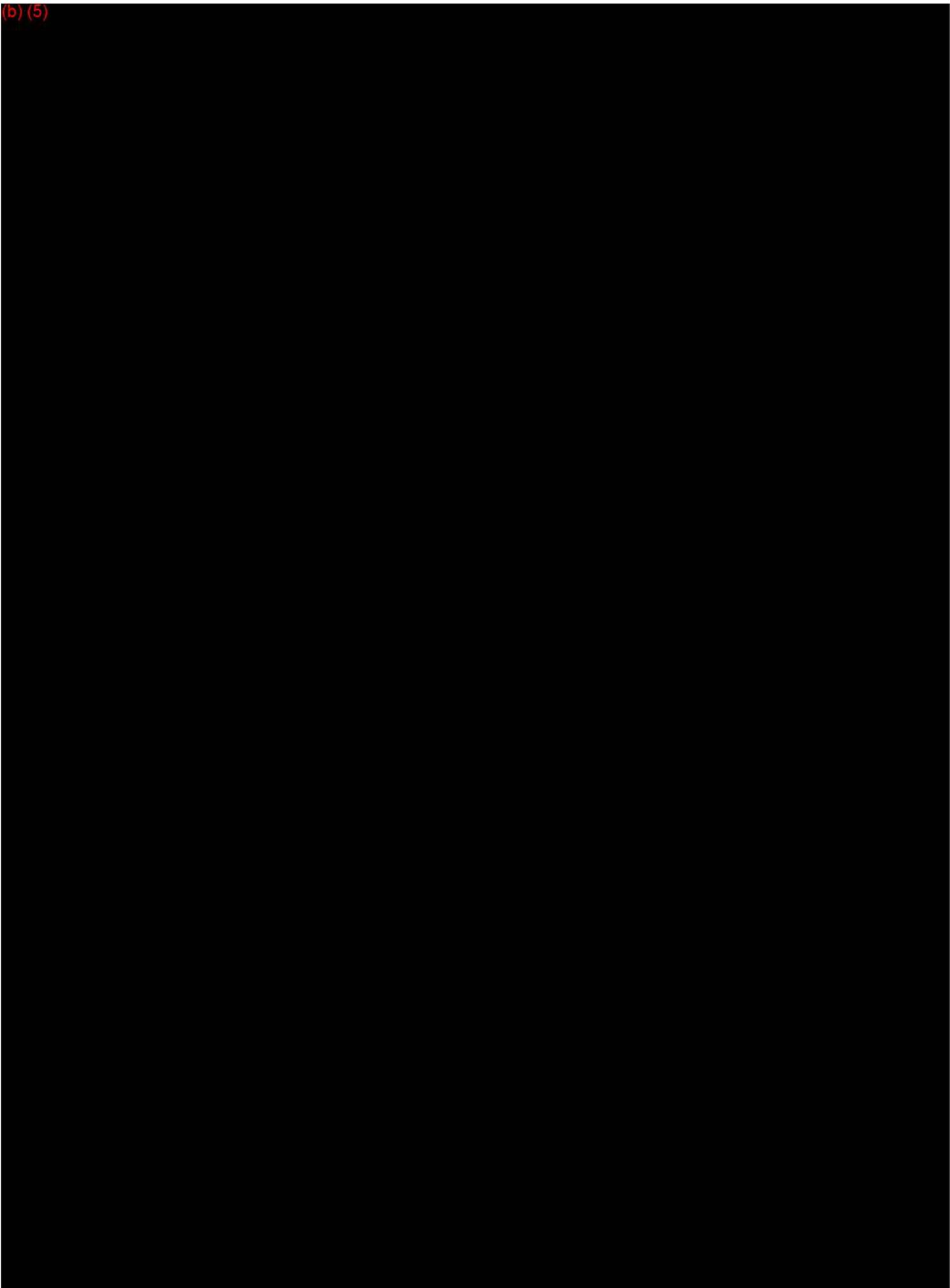
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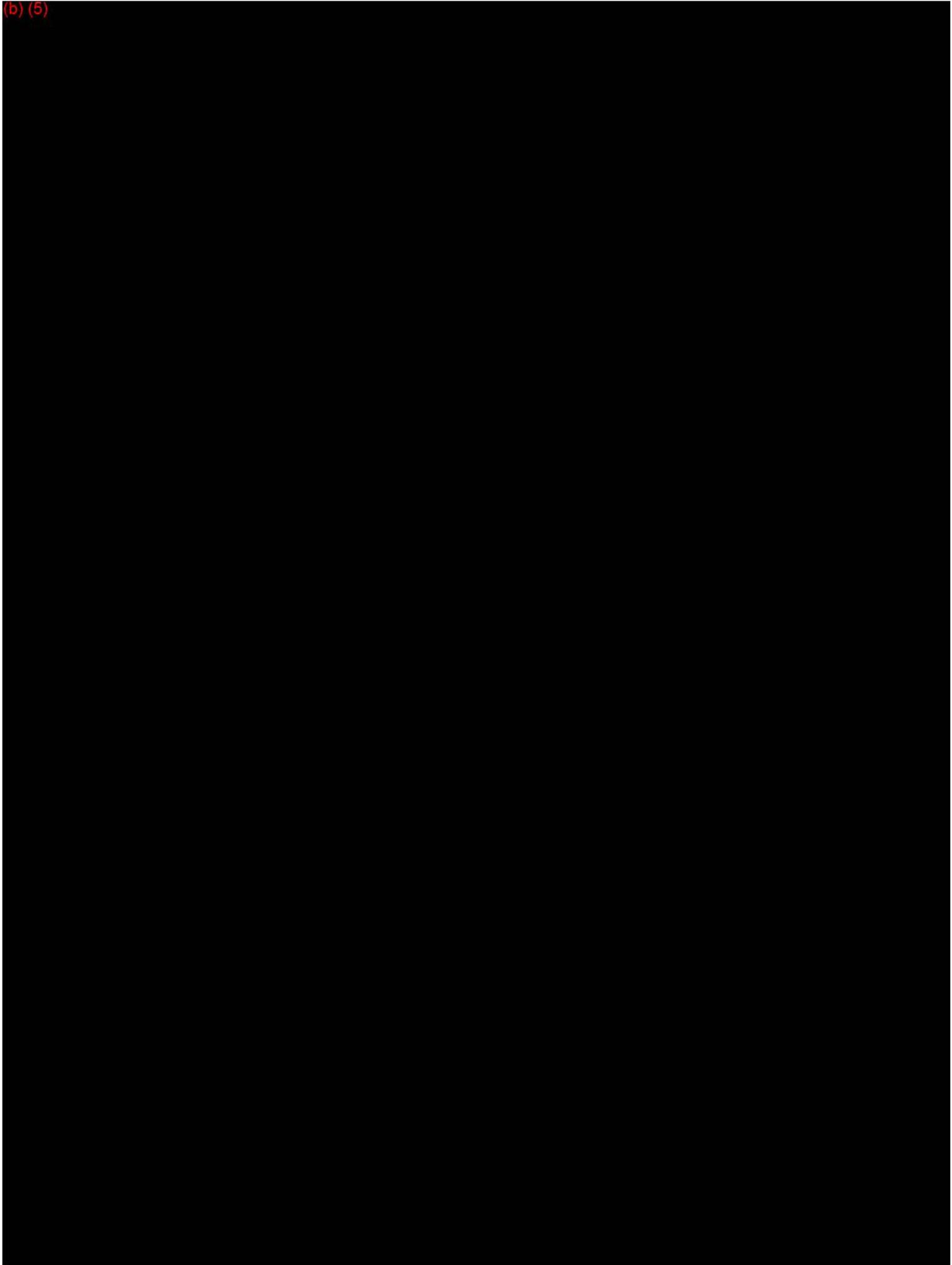
Yardena Mansoor  
Deputy Associate Director for NEPA  
Council on Environmental Quality  
(b) (6) / (b) (6)

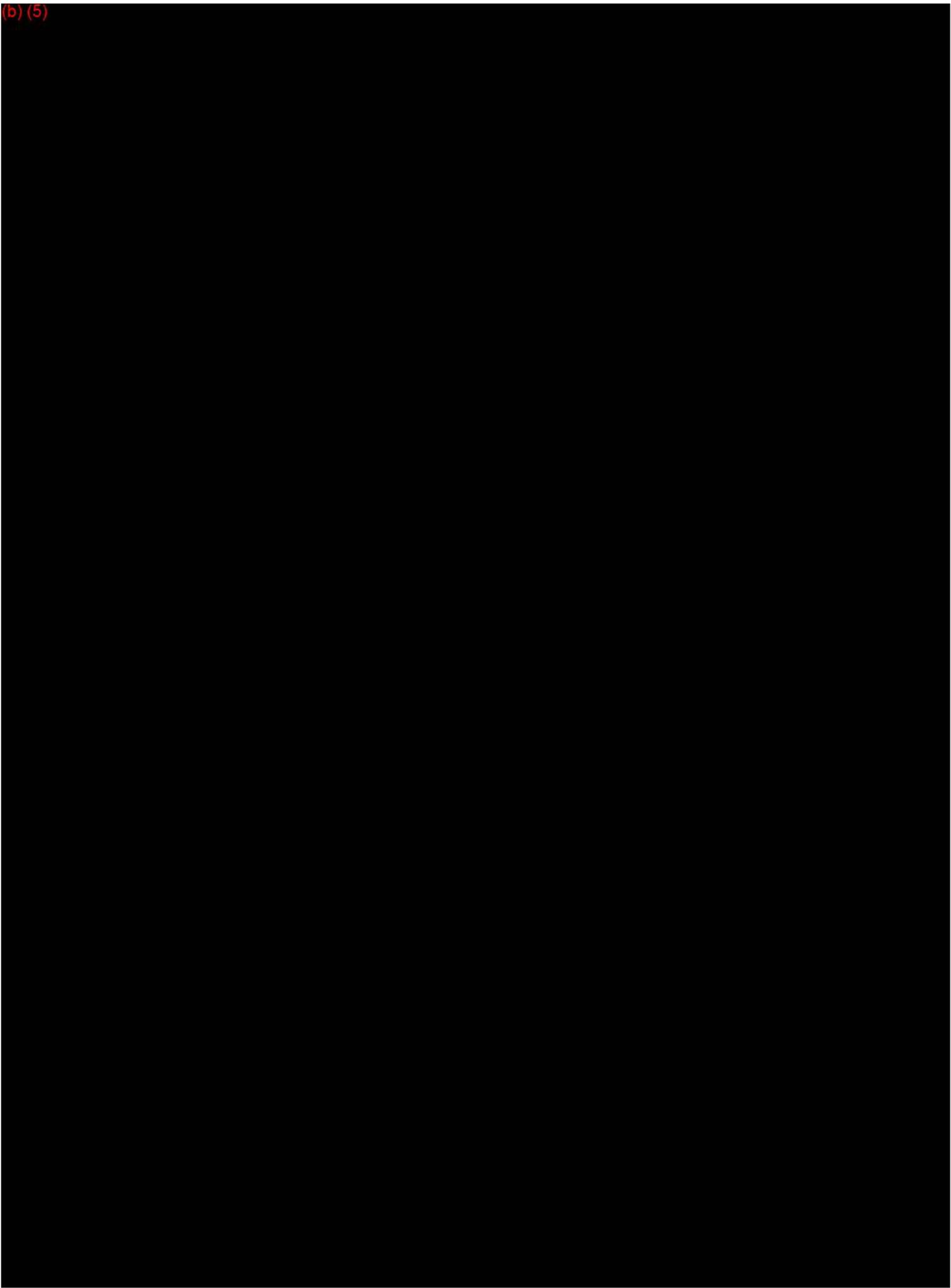


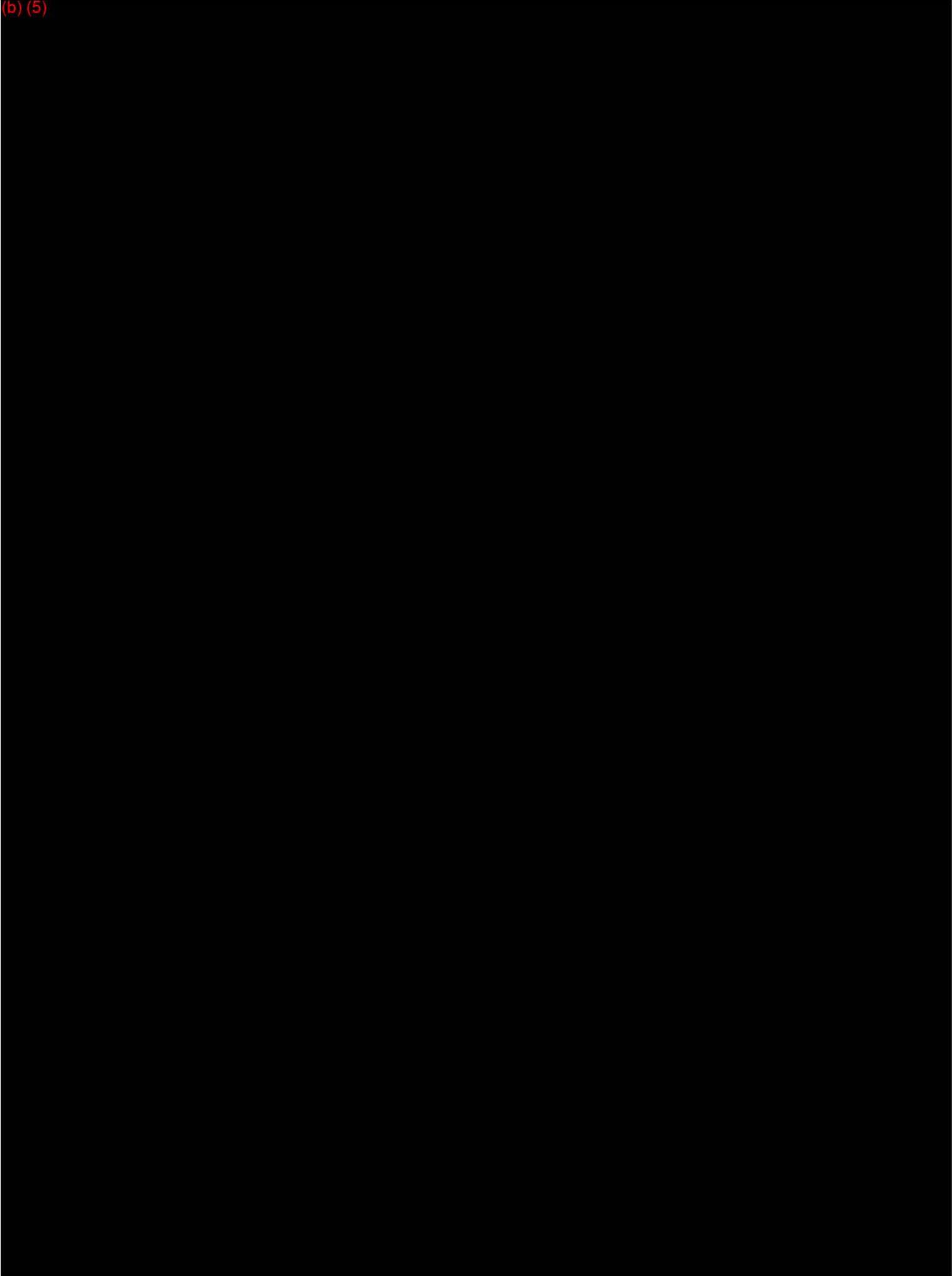


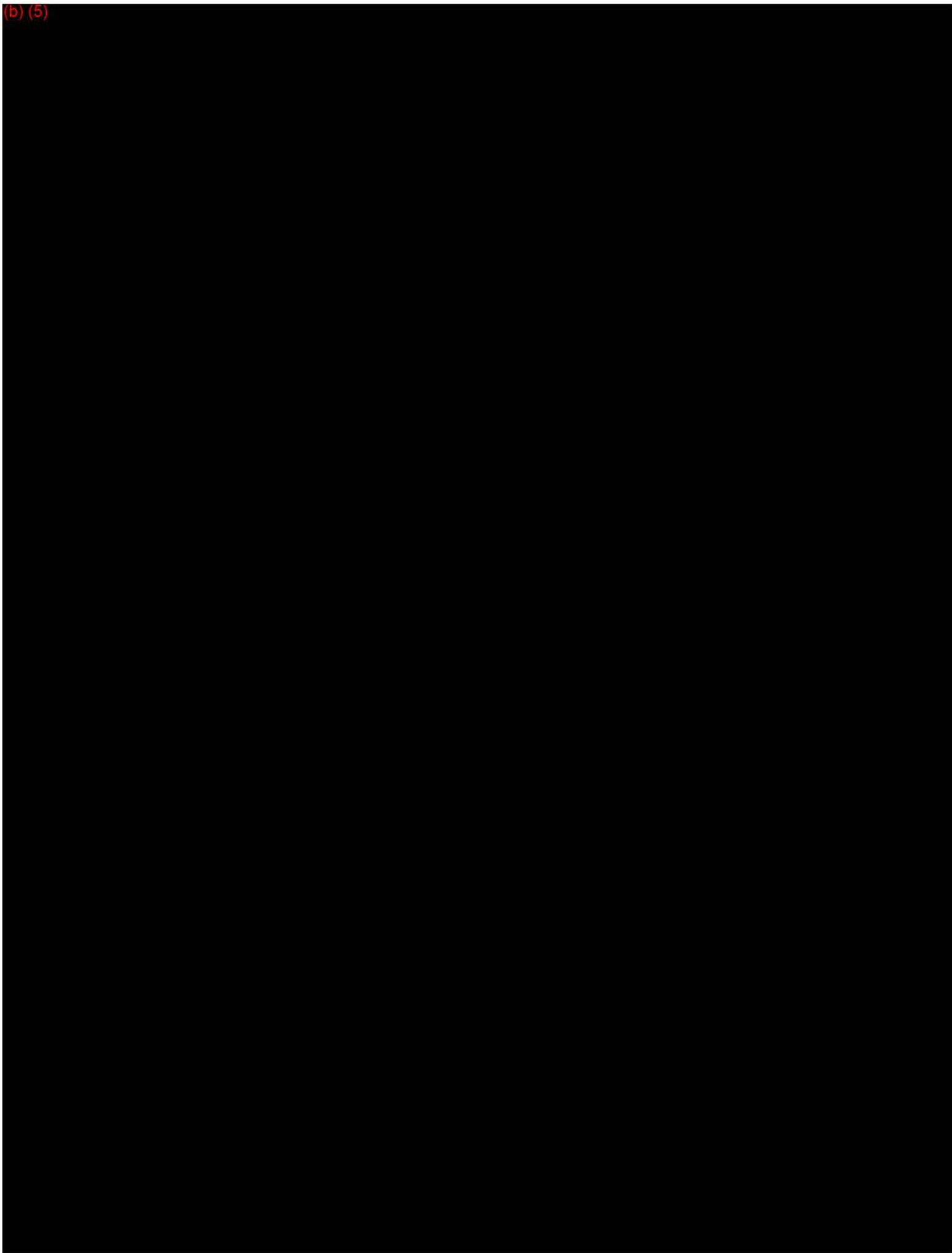


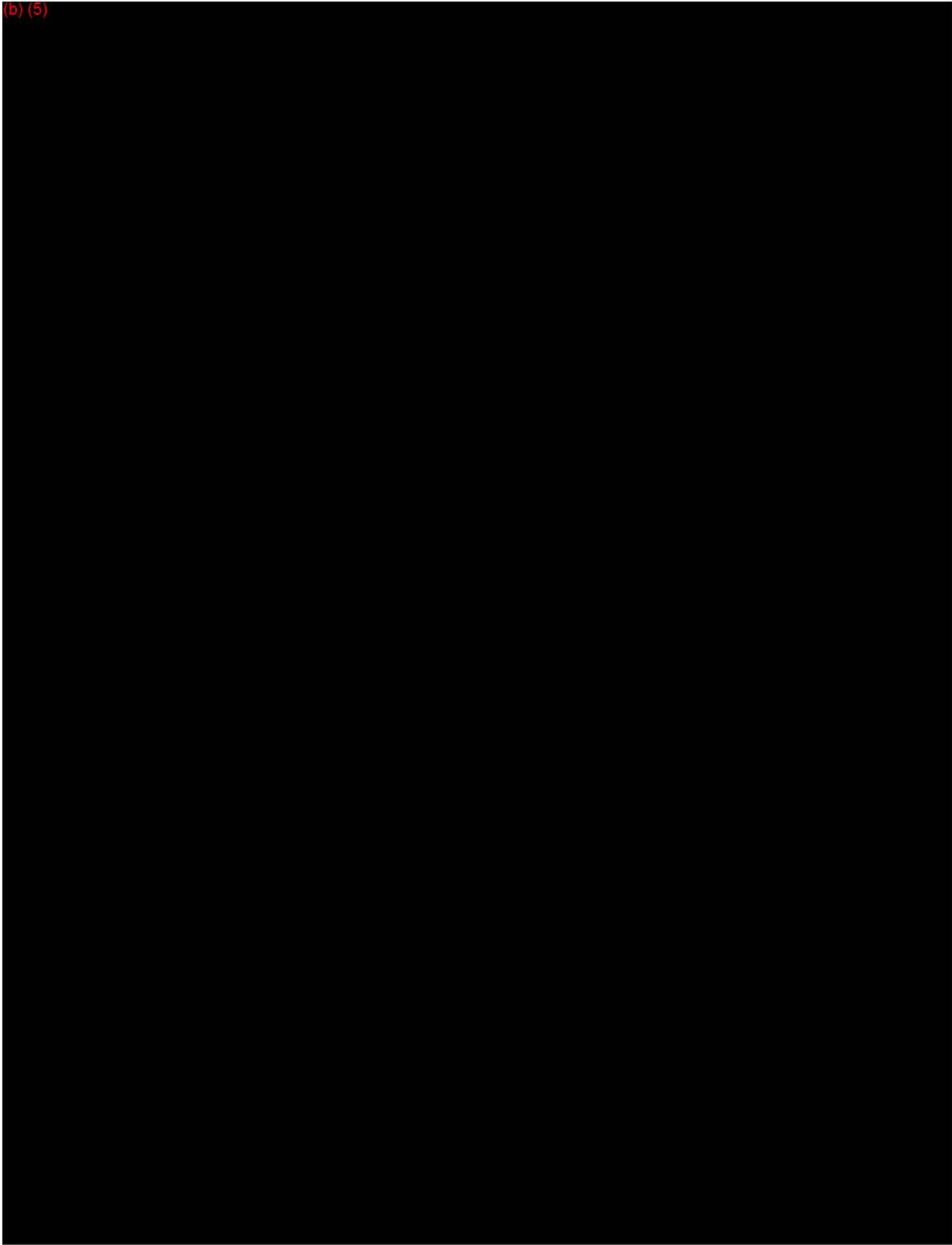


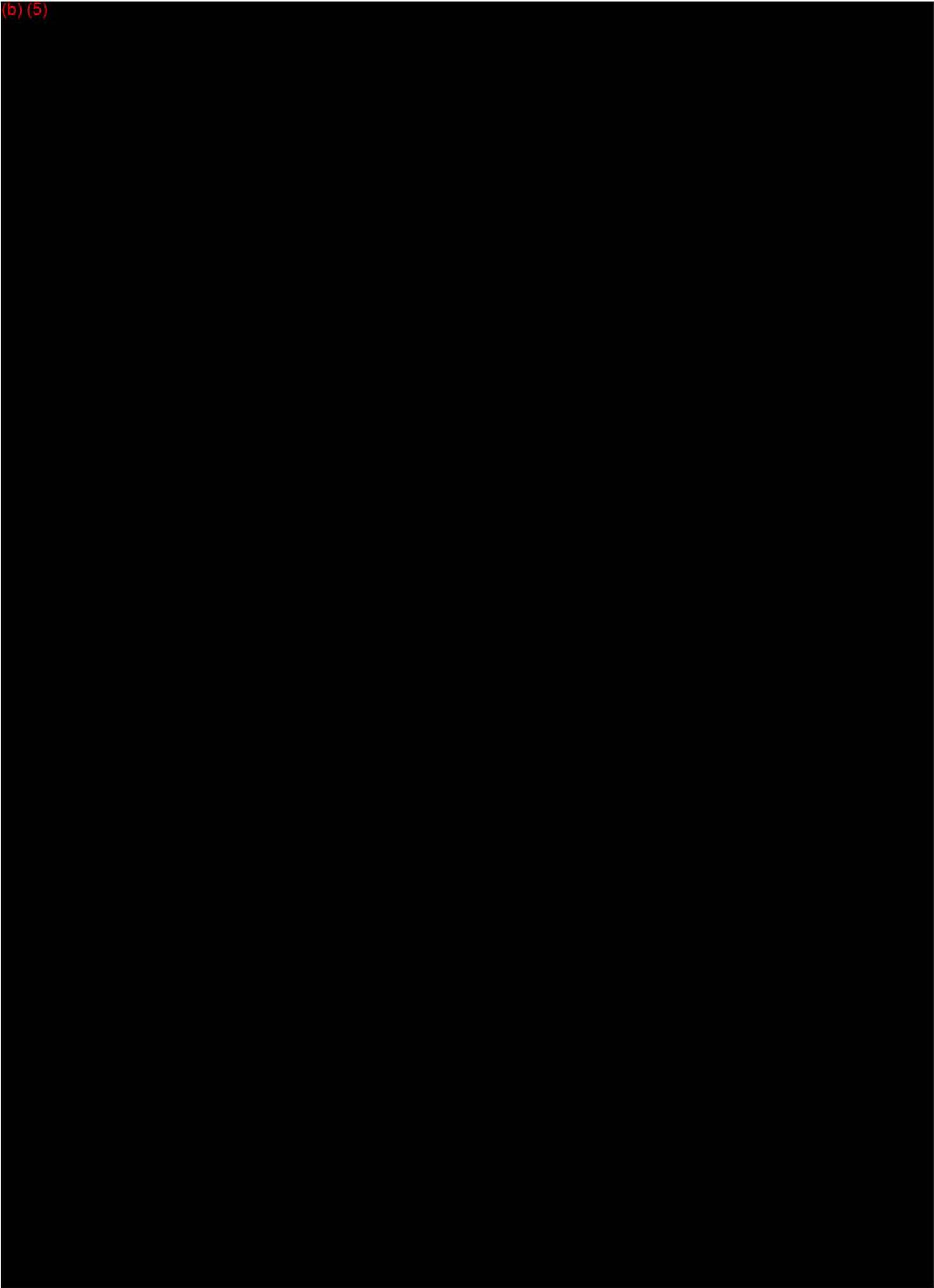


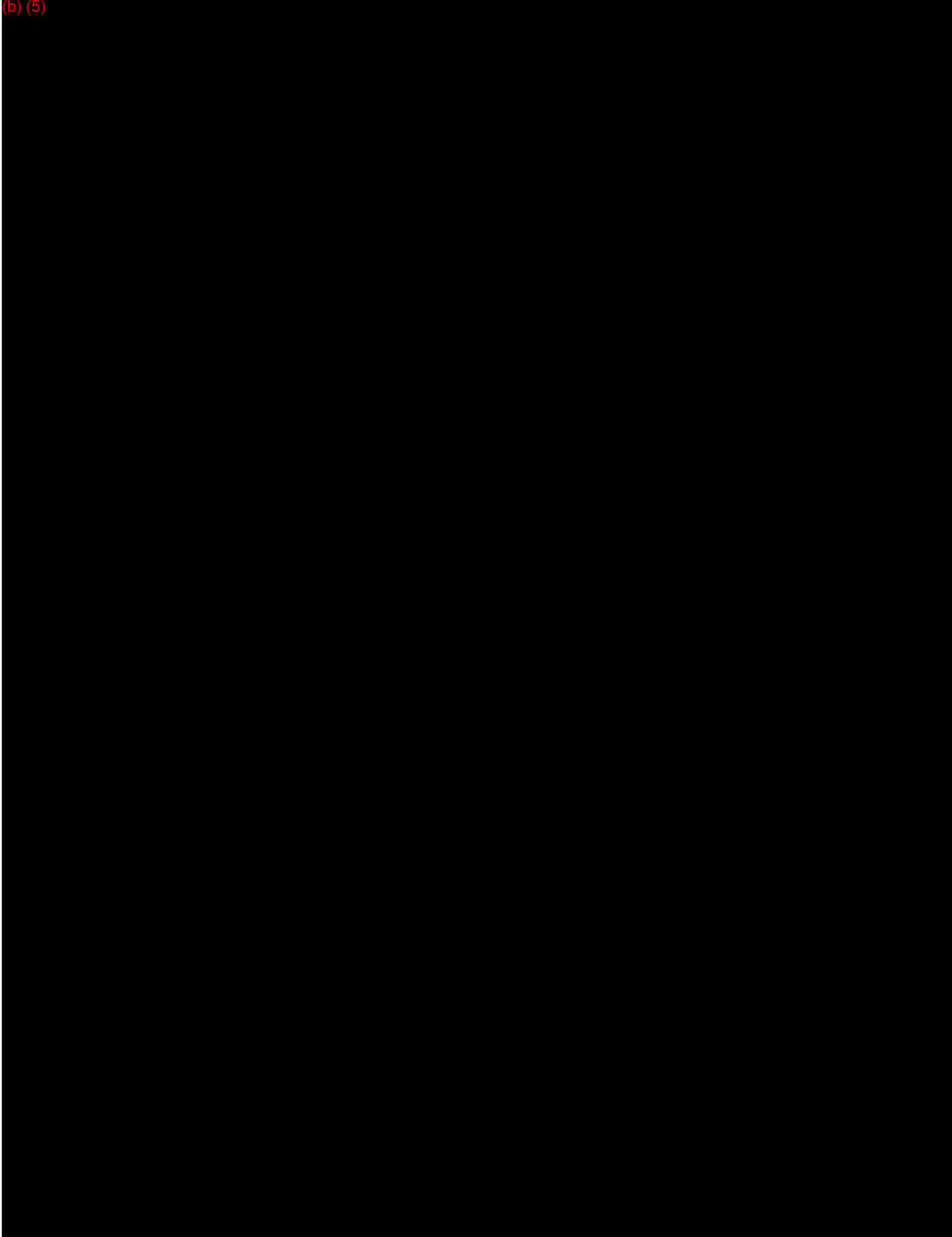


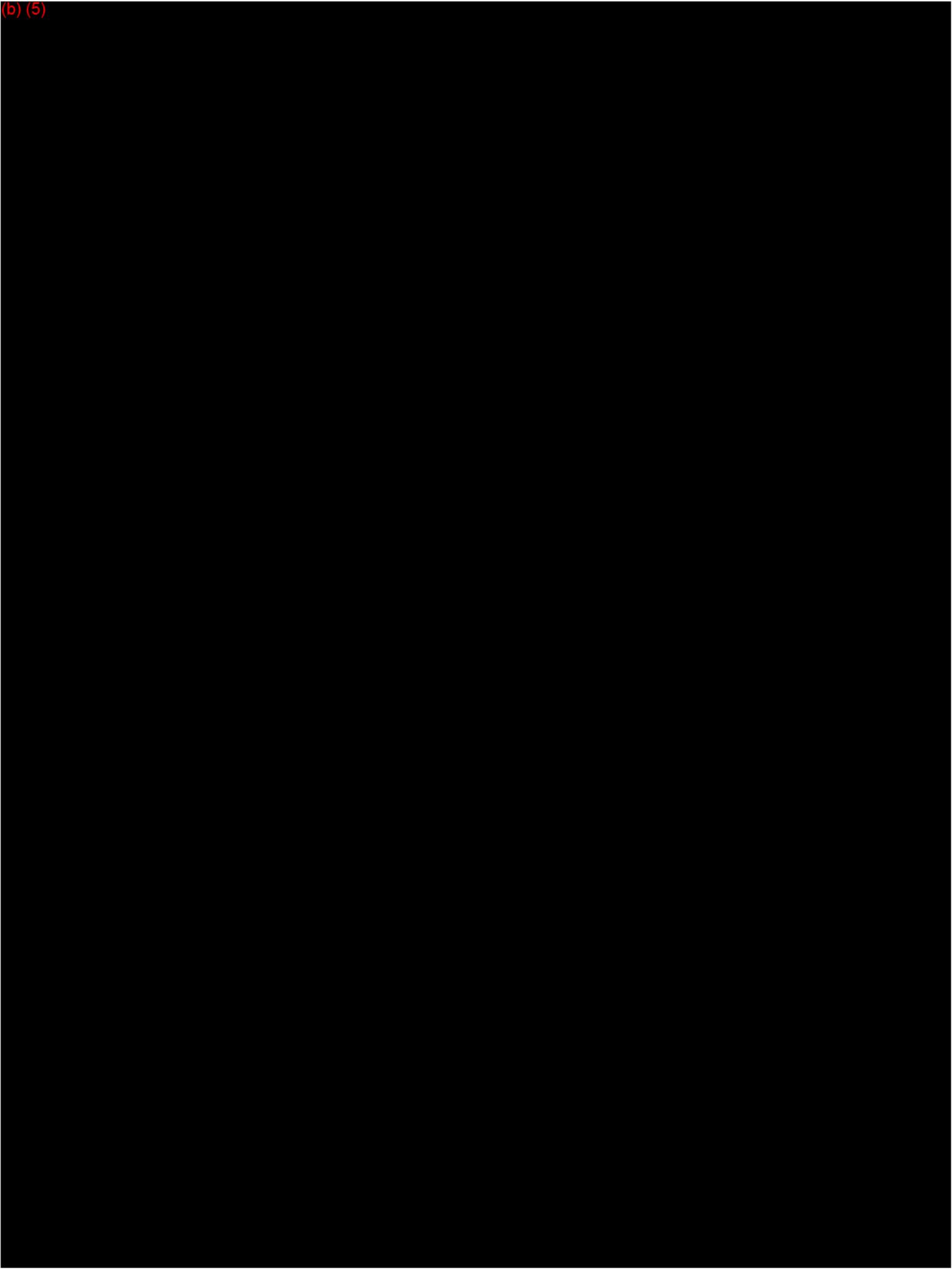


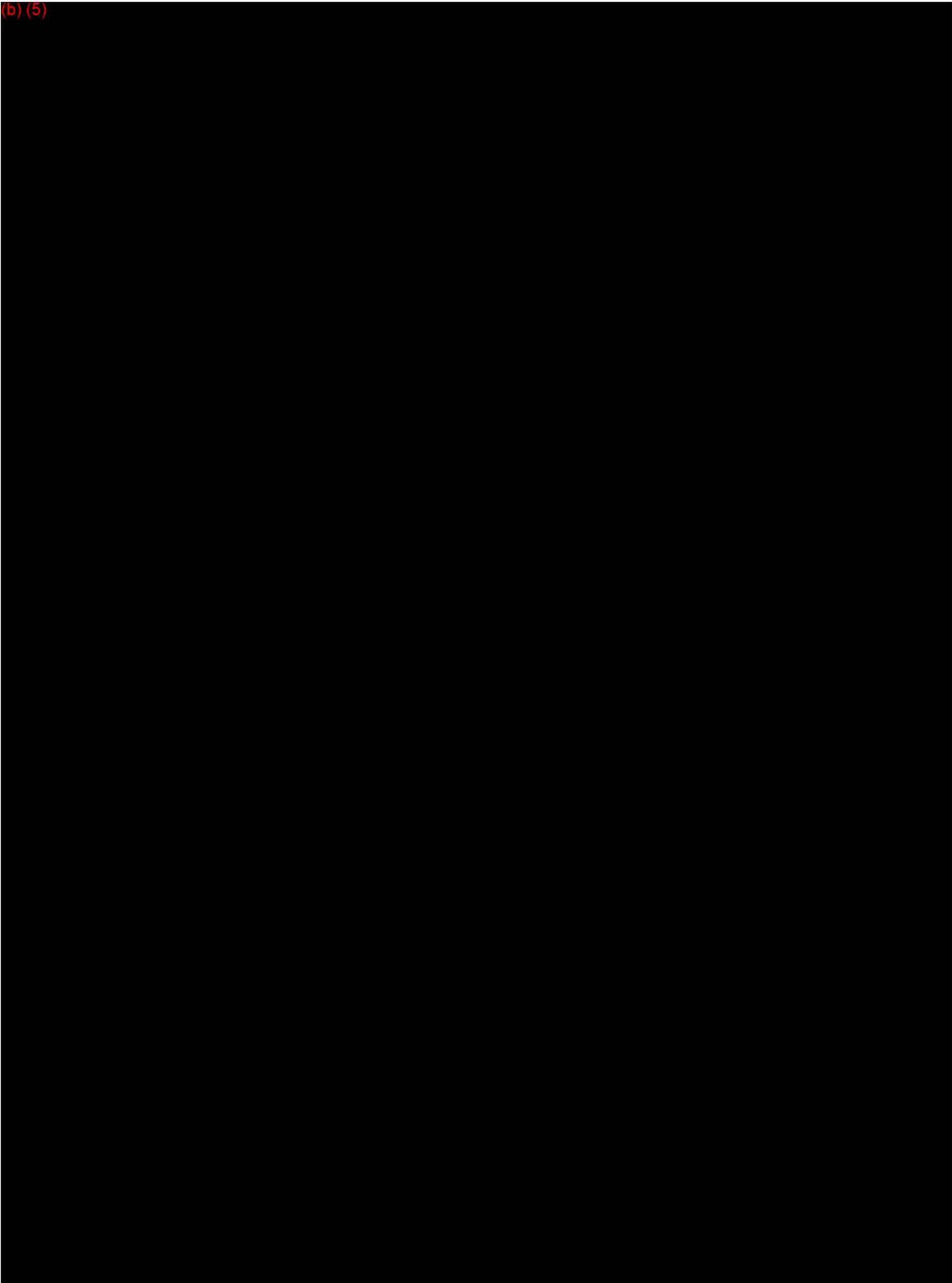


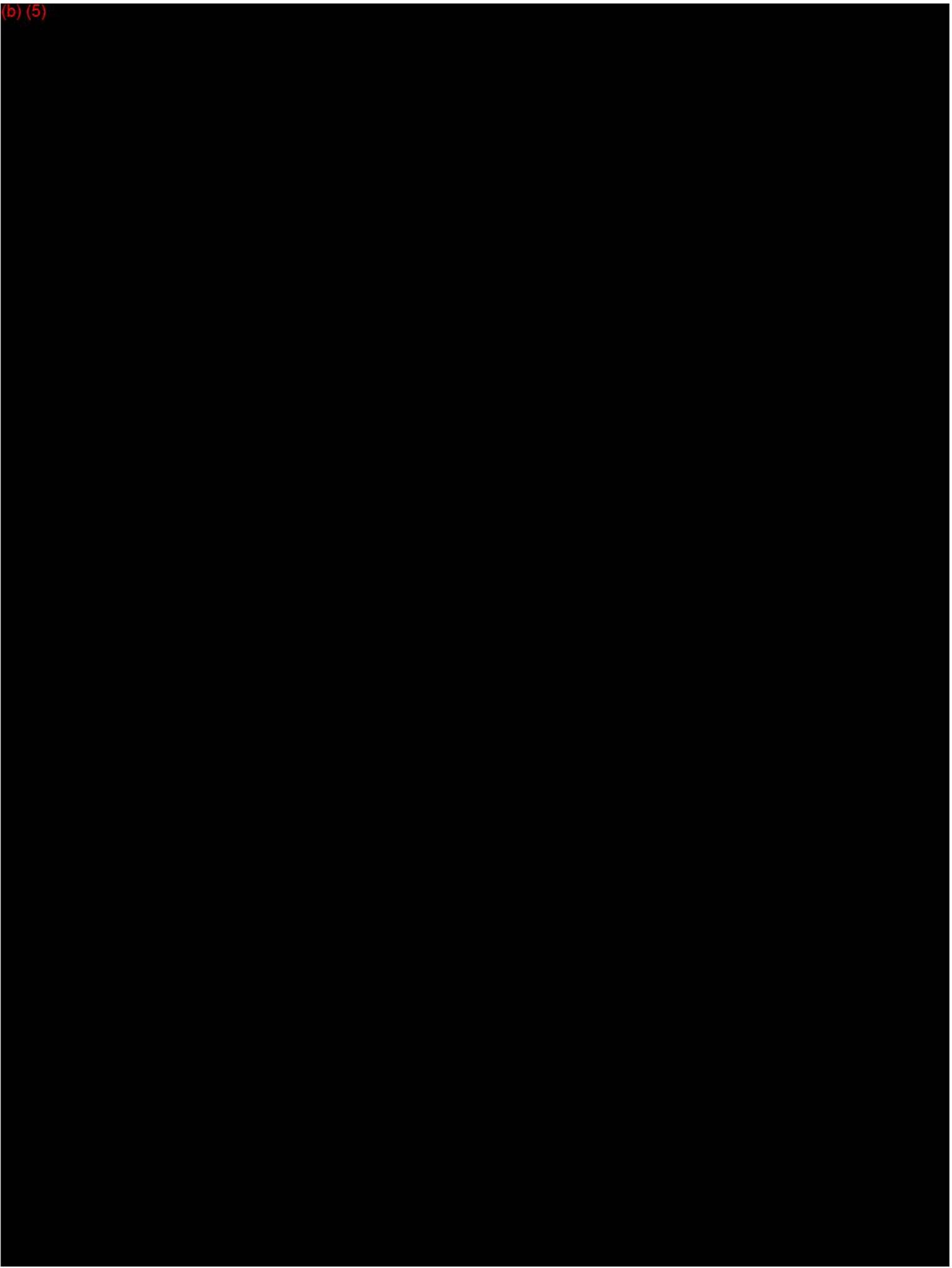


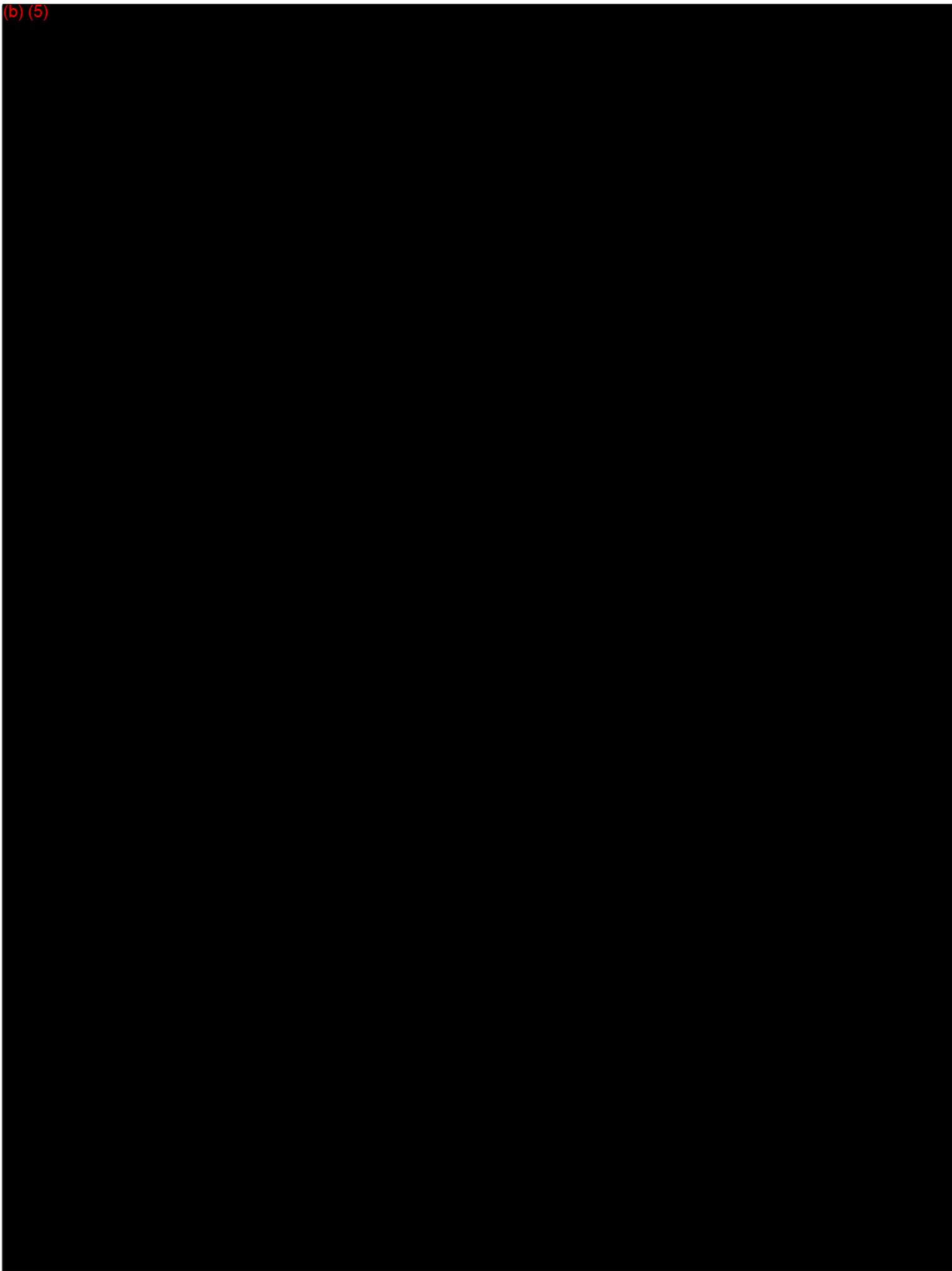


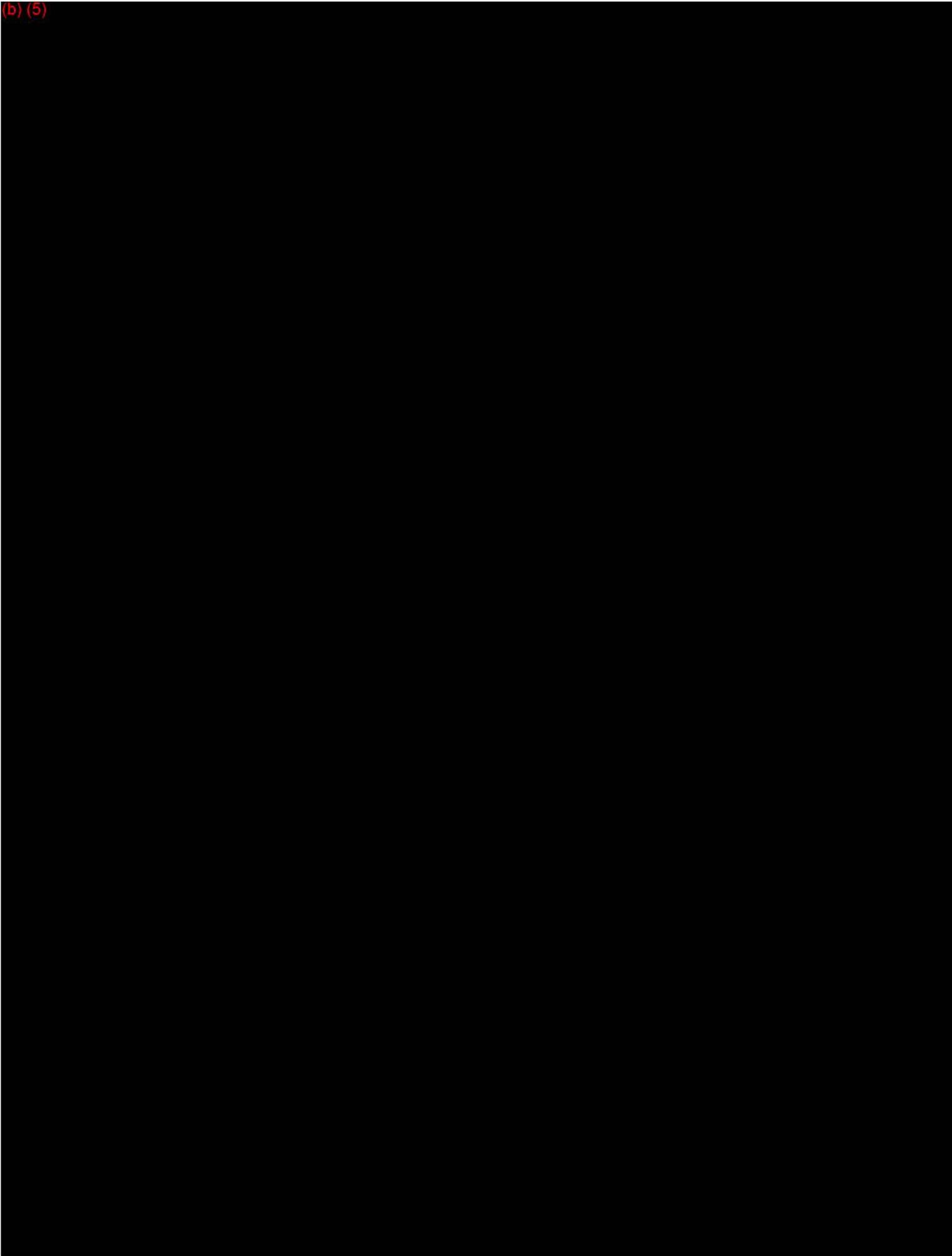












## RE: Letter to CEQ on NEPA ANPRM

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**From:** "Pettigrew, Theresa L. EOP/CEQ" <"o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=579eb754b4c34f0e8e46d1fb4cd708d7-pe">  
**To:** "Higgins, Rebecca (EPW)" <rebecca\_higgins@epw.senate.gov>  
**Cc:** "Freedhoff, Michal (EPW)" <michal\_freedhoff@epw.senate.gov>  
**Date:** Wed, 18 Jul 2018 14:44:54 -0400

**Attachments**  
: 2018-07-18\_Letter to Sen Carper\_re ANPRM.pdf (213.76 kB)

Hello, Rebecca and Michal – as a follow up, here is a response to the letter regarding the recent ANPR.  
Thank you,  
Theresa

Theresa L. Pettigrew  
Associate Director for Legislative Affairs  
Council on Environmental Quality  
(b) (6) (direct)

---

**From:** Higgins, Rebecca (EPW) <Rebecca\_Higgins@epw.senate.gov>  
**Sent:** Wednesday, July 11, 2018 12:31 PM  
**To:** Pettigrew, Theresa L. EOP/CEQ <(b) (6)>  
**Cc:** Freedhoff, Michal (EPW) <Michal\_Freedhoff@epw.senate.gov>  
**Subject:** Letter to CEQ on NEPA ANPRM

Hi Theresa,

It was nice to meet you yesterday. Senator Carper is sending the attached letter to Ms. Neumayr asking for a commitment to hold public hearings as part of the NEPA rulemaking process, and for an extension to 90 days for the public comment period.

Best,  
Rebecca

Rebecca Higgins  
Environment and Public Works Committee  
202-224-8056





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

July 18, 2018

The Honorable Thomas R. Carper  
Ranking Member  
Committee on Environment and Public Works  
United States Senate  
513 Hart Senate Office Building  
Washington, DC 20510

Dear Ranking Member Carper:

Thank you for your letter of July 11, 2018 regarding the advance notice of proposed rulemaking titled "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act" that the Council on Environmental Quality (CEQ) published in the Federal Register on June 20, 2018. The original comment period was scheduled to close on July 20, 2018.

On July 11, 2018, CEQ published a notice in the Federal Register extending the comment period for an additional 31 days in response to requests from the public. The comment period is now scheduled to close on August 20, 2018, and comments can be submitted electronically via <http://www.regulations.gov> or by mail. The extension notice is available at <https://www.gpo.gov/fdsys/pkg/FR-2018-07-11/pdf/2018-14821.pdf>.

Robust public engagement is critical to the rulemaking process. Should CEQ propose potential revisions to update its regulations implementing the procedural provisions of the National Environmental Policy Act, CEQ will provide additional opportunities for public input. Thank you again and I look forward to working with you on important national environmental policy matters.

Sincerely,

Mary B. Neumayr  
Chief of Staff

## ANOPR Comments

---

Where: NEPA Suite - my desk

When: Thu Jul 26 10:00:00 2018 (America/New\_York)

Until: Thu Jul 26 10:30:00 2018 (America/New\_York)

Organiser: "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdl)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">

Required Attendees : "Carlin, Erin A. EOP/CEQ (Intern)" <(b) (6)>  
"Drummond, Michael R. EOP/CEQ" <(b) (6)>

---

Erin, Let's discuss how to stay on top of managing the comment documents while I am on vacation

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

Michael, You are welcome to join us, but I believe you have a schedule conflict, so I'll fill you in later.

## FW: 0331-CEQ Spring Agenda Submission

---

**From:** "Whiteman, Chad S. EOP/OMB" <(b) (6)>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Date:** Fri, 09 Mar 2018 15:16:06 -0500  
**Attachments** Change Report 0331-CEQ Spring 2018.pdf (49.9 kB); Original CEQ-0331 Agenda  
: Entries--Spring 2018 (unreviewed).docx (21.97 kB)

FYI

**From:** Elizabeth Harris-Marshall - M1V1E [mailto:liz.harris-marshall@gsa.gov]  
**Sent:** Friday, March 9, 2018 2:59 PM  
**To:** Whiteman, Chad S. EOP/OMB <(b) (6)>  
**Cc:** Higgins, Cortney J. EOP/OMB <(b) (6)>  
**Subject:** 0331-CEQ Spring Agenda Submission

Chad:

CEQ-0331 has locked their submission in ROCIS, however, we are in the process of getting the MAX administrator's to make them a page in MAX so I can upload their data. Attached is the two RINs and the preamble for this agency for your review prior to the page being established. As soon as the page is ready, I will make sure this information is uploaded.

If you have questions, please let me know.

---

### U.S. General Services Administration

Liz Harris-Marshall

Program Analyst

Regulatory Information Service Center

Office of Government-wide Policy

Office [202-482-7340](tel:202-482-7340) | Direct [202-501-8971](tel:202-501-8971)

[1800 F Street, NW](#)

[Washington, DC 20405](#)

[>www.gsa.gov<](#)

# Change Report

0331-AA02

03/09/2018 2:09 PM

201804

## RFA Section 610 Review

### TITLE:

@ Freedom of Information Act (FOIA) and Privacy Act Regulations Update

### REGULATORY PLAN:

No

### PRIORITY:

Substantive, Nonsignificant  
Major status under 5 USC 801 is undetermined

### UNFUNDED MANDATES:

No

### MAJOR:

Undetermined

### EO 13771 DESIGNATION:

Not subject to, not significant

### LEGAL AUTHORITY:

5 U.S.C. 552 et seq.

### CFR CITATION:

40 CFR 1515 ; 40 CFR 1516

### LEGAL DEADLINE:

None

### ABSTRACT TEXT:

!DOCTYPE html>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:

<u>ACTION</u>	<u>DATE</u>	<u>FR CITE</u>
NPRM	07/00/2018	

### REGULATORY FLEXIBILITY ANALYSIS REQUIRED:

No

### GOVERNMENT LEVELS AFFECTED:

None

### FEDERALISM:

No

### AGENCY CONTACT:

1

CEQ075FY18150\_000003661

# Change Report

03/09/2018 2:09 PM

0331-AA02

201804

Viktorija Z. Seale,  
730 Jackson Place NW,  
Washington, DC 20506  
PHONE: 202 395-5750

0331-AA03

201804

RFA Section 610 Review

TITLE:

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

REGULATORY PLAN:

No

PRIORITY:

Other Significant  
Major status under 5 USC 801 is undetermined

UNFUNDED MANDATES:

Undetermined

MAJOR:

Undetermined

EO 13771 DESIGNATION:

Other

LEGAL AUTHORITY:

42 U.S.C. 4371 et seq.

CFR CITATION:

40 CFR Parts 1500 to 1508

LEGAL DEADLINE:

None

ABSTRACT TEXT:

!DOCTYPE html>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 the 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

# Change Report

03/09/2018 2:09 PM

0331-AA03

201804

issued in 1978, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents over the years CEQ believes it is appropriate at this time to consider updating the implementing regulations.

**TIMETABLE:**

<u>ACTION</u>	<u>DATE</u>	<u>FR CITE</u>
ANPRM	05/00/2018	

**REGULATORY FLEXIBILITY ANALYSIS REQUIRED:**

Undetermined

**GOVERNMENT LEVELS AFFECTED:**

Undetermined

**FEDERALISM:**

No

**AGENCY CONTACT:**

Ted Boling,  
730 Jackson Place NW,  
Washington, DC 20506  
PHONE: 202 395-5750

**COUNCIL ON ENVIRONMENTAL QUALITY**

**40 CFR 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 CEQ has issued or expects to issue and of currently effective rules that CEQ has scheduled for review. Additionally, CEQ 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](http://www.reginfo.gov), in a format that offers users enhanced ability to obtain information from the Agenda database. Agenda information is also available at [www.regulations.gov](http://www.regulations.gov), the government-wide website for submission of comments on proposed regulations.

[APG]

**NAME Mary Neumayr,**

*Chief of Staff,*

*Council on Environmental Quality.*

**Council on Environmental Quality—Prerule Stage**

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

**Council on Environmental Quality—Proposed Rule Stage**

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

<b>Council on Environmental Quality (CEQ)</b>	<b>Prerule Stage</b>

[APG]

**1. • UPDATE TO THE REGULATIONS FOR IMPLEMENTING THE PROCEDURAL PROVISIONS OF THE NATIONAL ENVIRONMENTAL POLICY ACT**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**EO 13771 Designation:** Other

**Legal Authority:** 42 U.S.C. 4371 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 the initial list of actions in the Federal Register on September 14, 2017 (82 FR 43226) and stated that CEQ intends to review existing CEQ regulations implementing the procedural requirements of the National Environmental Policy Act in order to identify changes needed to update and clarify those regulations. The regulations were issued in 1978, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents over the years, CEQ believes it is appropriate at this time to consider updating the implementing regulations.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/00/18	

**Regulatory Flexibility Analysis Required:** Undetermined

[APG]

**Government Levels Affected:** Undetermined

**Agency Contact:** Ted Boling, Council on Environmental Quality, 730 Jackson Place NW, Washington, DC 20506

Phone: 202 395-5750

**RIN:** 0331-AA03

Council on Environmental Quality (CEQ)	Proposed Rule Stage

**2. • FREEDOM OF INFORMATION ACT (FOIA) AND PRIVACY ACT REGULATIONS UPDATE**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**EO 13771 Designation:** Not subject to, not significant

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

**CFR Citation:** 40 CFR 1515 ; 40 CFR 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:**

[APG]

Action	Date	FR Cite
NPRM	07/00/18	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Viktoria Z. Seale, Council on Environmental Quality, 730 Jackson Place NW,  
Washington, DC 20506

Phone: 202 395-5750

**RIN:** 0331-AA02

[FR Doc. Filed 01-01-01; 0:00 AM]

[APG]

# LAST LOOK

---

**From:** Elizabeth Harris-Marshall - M1V1E <liz.harris-marshall@gsa.gov>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Date:** Fri, 06 Apr 2018 13:25:16 -0400  
**Attachments** Final ARR 0331-CEQ Spring 2018.pdf (74.44 kB); FINAL WORD 0331-CEQ Agenda  
: Entries--Spring 2018.docx (22.12 kB)

Aaron:

I've attached the word document and the Final Agenda Review Reports for one **Last Look**. **You may want to take one last look prior to publication**. Please let me know of any changes or updates needed **ASAP** as we will be processing the data for final publication shortly thereafter. **If you do not have any changes, please send an email indicating you approve your agenda as is. Once I receive approval, I will advance your agency to "Ready To Publish."**

Thank you for your assistance during this cycle.



---

## U.S. General Services Administration

Liz Harris-Marshall  
Program Analyst  
Regulatory Information Service Center  
Office of Government-wide Policy  
Office [202-482-7340](tel:202-482-7340) | Direct [202-501-8971](tel:202-501-8971)

[1800 F Street, NW  
Washington, DC 20405  
>www.gsa.gov<](https://www.gsa.gov)

**TITLE:**

@ Freedom of Information Act (FOIA) and Privacy Act Regulations Update

**RIN:** 0331-AA02 (Proposed Rule Stage)

**# Paper Print:** No

**REGULATORY PLAN:** No

**PRIORITY:** Substantive, Nonsignificant  
Major status under 5 USC 801 is undetermined

**# UNFUNDED MANDATES:** No

**EO 13771 Designation :** Not subject to, not significant

**LEGAL AUTHORITY:**

5 U.S.C. 552 et seq.

**CFR CITATION:**

40 CFR 1515; 40 CFR 1516

**LEGAL DEADLINE:**

None

None

**OVERALL DESCRIPTION OF DEADLINE:**

**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.

**STATEMENT OF NEED:**

**SUMMARY OF LEGAL BASIS:**

**ALTERNATIVES:**

**ANTICIPATED COSTS AND BENEFITS:**

**RISKS:**

**TIMETABLE:**

ACTION	DATE	FR CITE
NPRM	07/00/2018	

**REGULATORY FLEXIBILITY ANALYSIS REQUIRED:**

No

**# SMALL ENTITIES AFFECTED:**

**GOVERNMENT LEVELS AFFECTED:** None

**# FEDERALISM AFFECTED:** No

**ENERGY AFFECTED:**

**INTERNATIONAL IMPACTS:** No

**USER SORT CODES:**

\* - Missing data

# - Will not print in agenda

**ADDITIONAL INFORMATION:**

**URL FOR MORE INFORMATION:**

**URL FOR PUBLIC COMMENTS:**

**RELATED RIN:**

**RELATED AGENCY:**

**AGENCY CONTACT:**

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

\* - Missing data

# - Will not print in agenda

**TITLE:**

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

**RIN:** 0331-AA03 (Prerule Stage)

**# Paper Print:** No

**REGULATORY PLAN:** No

**PRIORITY:** Other Significant  
Major status under 5 USC 801 is undetermined

**UNFUNDED MANDATES:** Undetermined

**EO 13771 Designation :** Other

**LEGAL AUTHORITY:**

42 U.S.C. 4371 et seq.

**CFR CITATION:**

40 CFR 1500 to 1508

**LEGAL DEADLINE:**

None

None

**OVERALL DESCRIPTION OF DEADLINE:**

**ABSTRACT:**

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

**STATEMENT OF NEED:**

**SUMMARY OF LEGAL BASIS:**

**ALTERNATIVES:**

**ANTICIPATED COSTS AND BENEFITS:**

**RISKS:**

**TIMETABLE:**

ACTION	DATE	FR CITE
ANPRM	05/00/2018	

**REGULATORY FLEXIBILITY ANALYSIS REQUIRED:**

Undetermined

**# SMALL ENTITIES AFFECTED:**

**GOVERNMENT LEVELS AFFECTED:**

Undetermined

**# FEDERALISM AFFECTED:**

No

**ENERGY AFFECTED:**

\* - Missing data

# - Will not print in agenda

**INTERNATIONAL IMPACTS:**

No

**USER SORT CODES:**

**ADDITIONAL INFORMATION:**

**URL FOR MORE INFORMATION:**

**URL FOR PUBLIC COMMENTS:**

**RELATED RIN:**

**RELATED AGENCY:**

**AGENCY CONTACT:**

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

\* - Missing data

# - Will not print in agenda

**COUNCIL ON ENVIRONMENTAL QUALITY**

**40 CFR 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 NW, Washington, DC 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 CEQ has issued or expects to issue and of currently effective rules that CEQ has scheduled for review. Additionally, CEQ 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](http://www.reginfo.gov), in a format that offers users enhanced ability to obtain information from the Agenda database. Agenda information is also available at [www.regulations.gov](http://www.regulations.gov), the government-wide website for submission of comments on proposed regulations.

[APG]

**NAME: Mary Neumayr,**  
*Chief of Staff,*  
*Council on Environmental Quality.*

**Council on Environmental Quality—Prerule Stage**

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

**Council on Environmental Quality—Proposed Rule Stage**

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

Council on Environmental Quality (CEQ)	Prerule Stage

[APG]

**1. • UPDATE TO THE REGULATIONS FOR IMPLEMENTING THE PROCEDURAL PROVISIONS OF THE NATIONAL ENVIRONMENTAL POLICY ACT**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**EO 13771 Designation:** Other

**Legal Authority:** 42 U.S.C. 4371 et seq.

**CFR Citation:** 40 CFR 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, were amended in 1986, and have never been comprehensively revised. While CEQ has issued memoranda and guidance documents over the years, CEQ believes it is appropriate at this time to consider updating the implementing regulations.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/00/18	

**Regulatory Flexibility Analysis Required:** Undetermined

[APG]

**Government Levels Affected:** Undetermined

**Agency Contact:** Ted Boling, Council on Environmental Quality, 730 Jackson Place NW, Washington, DC 20506

Phone: 202 395-5750

**RIN:** 0331-AA03

Council on Environmental Quality (CEQ)	Proposed Rule Stage

**2. • FREEDOM OF INFORMATION ACT (FOIA) AND PRIVACY ACT REGULATIONS UPDATE**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**EO 13771 Designation:** Not subject to, not significant

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

**CFR Citation:** 40 CFR 1515; 40 CFR 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:**

[APG]

Action	Date	FR Cite
NPRM	07/00/18	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Viktoria Z. Seale, Council on Environmental Quality, 730 Jackson Place NW,  
Washington, DC 20506

Phone: 202 395-5750

**RIN:** 0331-AA02

[FR Doc. Filed 01-01-01; 0:00 AM]

[APG]

## RE: NEPA Blurb - could you have a look by 4pm today?

---

**From:** "Whiteman, Chad S. EOP/OMB" <(b) (6)>

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

**Date:** Mon, 30 Apr 2018 14:51:33 -0400

Okay, I'll pass this along.

---

**From:** Szabo, Aaron L. EOP/CEQ

**Sent:** Monday, April 30, 2018 2:50 PM

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

**Subject:** RE: NEPA Blurb - could you have a look by 4pm today?

Chad,

(b) (5)

Thank you very much for checking with us first and please let me know if you have any questions.

---

**From:** Whiteman, Chad S. EOP/OMB

**Sent:** Monday, April 30, 2018 10:12 AM

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

**Subject:** RE: NEPA Blurb - could you have a look by 4pm today?

Aaron, (b) (5). Let me know if you have any thoughts. I have a few suggestions. Chad

(b) (5)

(b) (5)

---

**From:** Whiteman, Chad S. EOP/OMB  
**Sent:** Friday, April 27, 2018 5:47 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Subject:** RE: NEPA Blurb - could you have a look by 4pm today?

Thanks Aaron! (b) (5)

---

**From:** Szabo, Aaron L. EOP/CEQ  
**Sent:** Friday, April 27, 2018 3:01 PM  
**To:** Whiteman, Chad S. EOP/OMB <(b) (6)>  
**Subject:** RE: NEPA Blurb - could you have a look by 4pm today?

Chad,

(b) (5)

---

**From:** Whiteman, Chad S. EOP/OMB  
**Sent:** Friday, April 27, 2018 2:17 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Subject:** RE: NEPA Blurb - could you have a look by 4pm today?

Latest is that it is going to be released May 9<sup>th</sup>.

---

**From:** Szabo, Aaron L. EOP/CEQ  
**Sent:** Friday, April 27, 2018 2:16 PM  
**To:** Whiteman, Chad S. EOP/OMB <(b) (6)>  
**Subject:** RE: NEPA Blurb - could you have a look by 4pm today?

What is the timing of the Spring Agenda?

---

**From:** Whiteman, Chad S. EOP/OMB  
**Sent:** Friday, April 27, 2018 1:24 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Subject:** NEPA Blurb - could you have a look by 4pm today?

Aaron,

(b) (5)

Let me know if you have any suggestions.

Thanks,  
Chad

(b) (5)  
[Redacted text block consisting of approximately 12 lines of blacked-out content]

## RE: NEPA Blurb - could you have a look by 4pm today?

---

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

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

**Date:** Mon, 30 Apr 2018 14:50:27 -0400

Chad,

(b) (5)

Thank you very much for checking with us first and please let me know if you have any questions.

---

**From:** Whiteman, Chad S. EOP/OMB

**Sent:** Monday, April 30, 2018 10:12 AM

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

**Subject:** RE: NEPA Blurb - could you have a look by 4pm today?

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(b) (5)

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**Subject:** RE: NEPA Blurb - could you have a look by 4pm today?

Chad,

(b) (5)

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**From:** Whiteman, Chad S. EOP/OMB  
**Sent:** Friday, April 27, 2018 2:17 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Subject:** RE: NEPA Blurb - could you have a look by 4pm today?

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---

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**Sent:** Friday, April 27, 2018 1:24 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Subject:** NEPA Blurb - could you have a look by 4pm today?

Aaron,

(b) (5)

Let me know if you have any suggestions.

Thanks,  
Chad

(b) (5)

(b) (5) [Redacted text block]

# CEQ 2018 Spring Regulatory Agenda

---

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

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

**Date:** Mon, 30 Apr 2018 10:51:07 -0400

**Attachments**  
: Final ARR 0331-CEQ Spring 2018.pdf (74.44 kB)

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Theresa and Dan,

Per our conversation, please find attached the final version of CEQ's 2018 Spring Regulatory Agenda. This is currently expected to be published next week and will show up on RegInfo.gov.

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

**TITLE:**

@ Freedom of Information Act (FOIA) and Privacy Act Regulations Update

**RIN:** 0331-AA02 (Proposed Rule Stage)

**# Paper Print:** No

**REGULATORY PLAN:** No

**PRIORITY:** Substantive, Nonsignificant  
Major status under 5 USC 801 is undetermined

**# UNFUNDED MANDATES:** No

**EO 13771 Designation :** Not subject to, not significant

**LEGAL AUTHORITY:**

5 U.S.C. 552 et seq.

**CFR CITATION:**

40 CFR 1515; 40 CFR 1516

**LEGAL DEADLINE:**

None

None

**OVERALL DESCRIPTION OF DEADLINE:**

**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.

**STATEMENT OF NEED:**

**SUMMARY OF LEGAL BASIS:**

**ALTERNATIVES:**

**ANTICIPATED COSTS AND BENEFITS:**

**RISKS:**

**TIMETABLE:**

ACTION	DATE	FR CITE
NPRM	07/00/2018	

**REGULATORY FLEXIBILITY ANALYSIS REQUIRED:**

No

**# SMALL ENTITIES AFFECTED:**

**GOVERNMENT LEVELS AFFECTED:** None

**# FEDERALISM AFFECTED:** No

**ENERGY AFFECTED:**

**INTERNATIONAL IMPACTS:** No

**USER SORT CODES:**

\* - Missing data

# - Will not print in agenda

**ADDITIONAL INFORMATION:**

**URL FOR MORE INFORMATION:**

**URL FOR PUBLIC COMMENTS:**

**RELATED RIN:**

**RELATED AGENCY:**

**AGENCY CONTACT:**

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

\* - Missing data

# - Will not print in agenda

**TITLE:**

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

**RIN:** 0331-AA03 (Prerule Stage)

**# Paper Print:** No

**REGULATORY PLAN:** No

**PRIORITY:** Other Significant  
Major status under 5 USC 801 is undetermined

**UNFUNDED MANDATES:** Undetermined

**EO 13771 Designation :** Other

**LEGAL AUTHORITY:**

42 U.S.C. 4371 et seq.

**CFR CITATION:**

40 CFR 1500 to 1508

**LEGAL DEADLINE:**

None

None

**OVERALL DESCRIPTION OF DEADLINE:**

**ABSTRACT:**

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

**STATEMENT OF NEED:**

**SUMMARY OF LEGAL BASIS:**

**ALTERNATIVES:**

**ANTICIPATED COSTS AND BENEFITS:**

**RISKS:**

**TIMETABLE:**

ACTION	DATE	FR CITE
ANPRM	05/00/2018	

**REGULATORY FLEXIBILITY ANALYSIS REQUIRED:**

Undetermined

**# SMALL ENTITIES AFFECTED:**

**GOVERNMENT LEVELS AFFECTED:** Undetermined

**# FEDERALISM AFFECTED:** No

**ENERGY AFFECTED:**

\* - Missing data

# - Will not print in agenda

**INTERNATIONAL IMPACTS:**

No

**USER SORT CODES:**

**ADDITIONAL INFORMATION:**

**URL FOR MORE INFORMATION:**

**URL FOR PUBLIC COMMENTS:**

**RELATED RIN:**

**RELATED AGENCY:**

**AGENCY CONTACT:**

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

\* - Missing data

# - Will not print in agenda

## [EXTERNAL] Scott is going crazy over there

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**From:** "Crandall, Doug -" <dcrandall@fs.fed.us>  
**To:** "Vandegrift, Scott F. EOP/CEQ" <(b) (6)>  
**Cc:** FS-pdl wo external aff la staff <pdl\_wo\_external\_aff\_la\_staff@ms.fs.fed.us>  
**Date:** Mon, 07 May 2018 16:32:40 -0400

### REGULATIONS

#### White House plots update to NEPA guidelines

[Nick Sobczyk](#), E&E News reporter  
Published: Monday, May 7, 2018



A sign blocks motorists from entering a construction zone in North Dakota. North Dakota/Flickr

The Trump administration has signaled its intent to update the baseline National Environmental Policy Act guidelines for the whole federal government.

The White House Council on Environmental Quality has submitted a [draft advanced notice of proposed rulemaking](#), dated Thursday, with the Office of Information and Regulatory Affairs, indicating that it will update "the regulations for implementing the procedural provisions" of NEPA.

The draft will be published in the *Federal Register* as an advanced notice of proposed rulemaking in the coming weeks after an interagency review, a CEQ spokesman told E&E News. That will trigger a public comment period before CEQ submits a more detailed proposal for what, exactly, it wants to change. If it eventually goes through, the new guidelines could mark a major change for how agencies across the government handle permitting.

Other agencies have their own NEPA regulations, and some, such as the Department of the Interior, have already undergone changes during the Trump administration.

Advertisement

But CEQ guides implementation of the landmark law, and its regulations set minimum standards. Environmental groups fear the Trump administration could seek to take out NEPA's teeth.

"As much as we talk about NEPA, the statute itself is very short, very concise," said Raul Garcia, legislative counsel with Earthjustice. "What gives it a lot of its teeth and value are the regulations that CEQ put in place in order to implement the statute."

The draft has few details, so it's unclear as of yet exactly how CEQ will proceed. The spokesman said the rule was developed in accordance with President Trump's Aug. 15, 2017, executive order, which sought to limit NEPA reviews to two years.

"While CEQ has issued memoranda and guidance documents over the years, it has only amended its regulations once," the spokesman said. "Therefore, CEQ believes it is appropriate at this time to solicit public comment and consider updating the implementation regulations."

One potential roadblock is that CEQ still does not have a permanent director. Trump's pick for that position, Kathleen Hartnett White, withdrew her name from consideration after it became clear she would not pass the Senate. CEQ's chief of staff, Mary Neumayr, has been handling that role on an interim basis. Still, the draft comes as no surprise. Environmentalists and other agency watchers have for months been expecting CEQ to update its NEPA guidelines, and the White House outlined its intent to do so in its infrastructure plan, released in February (*Greenwire*, Feb. 12).

The rewrite could aim to expand categorical exclusions or set shorter time limits on permitting litigation, both of which were outlined in the infrastructure plan.

The plan notes that CEQ's regulations have not been updated since 1978 and says the "environmental review process under NEPA as it exists today is lengthy, inefficient and costly."

The potential rewrite also follows several moves aimed at streamlining environmental permitting, including an interagency agreement signed last month (*Greenwire*, April 9).

Energy industry groups have generally praised the Trump administration for its moves to speed up permitting, saying that it gives companies more certainty as they move ahead with big, expensive infrastructure projects.

But environmentalists are already sounding the alarm about what they see as one of the biggest attempts yet to weaken environmental requirements.

"This could be a really big problem for anybody that cares about communities having a voice in the process, for anybody that cares about smart decisionmaking," Garcia said.



**Doug Crandall**  
Director  
Legislative Affairs  
Forest Service  
Washington Office

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# CEQ Federal NEPA Contacts Webinar

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Where: Webinar: (b) (6)

When: Wed Jun 20 15:00:00 2018 (America/New\_York)

Until: Wed Jun 20 16:30:00 2018 (America/New\_York)

Organiser: FN-CEQ-NEPA </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=3dfc5ad8035346949f6dddfa1953a47-fn">  
FN-CEQ-NEPA <(b) (6)>  
"Boling, Ted A. EOP/CEQ" <(b) (6)>  
"Drummond, Michael R. EOP/CEQ" <(b) (6)>  
"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)>

Required Attendees :

---

Good afternoon Federal NEPA Contacts,

In advance of tomorrow's webinar, please note the change to the tele-conference participant code. Also, 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.

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

Sincerely,

The CEQ NEPA Team

\*\*\*\*\*

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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)

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If you have never attended an Adobe Connect meeting before:

Test your connection: [https://meet.gsa.gov/common/help/en/support/meeting\\_test.htm](https://meet.gsa.gov/common/help/en/support/meeting_test.htm)

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

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# Federal NEPA Contacts Webinar

Wednesday, June 20, 2018

3:00 PM - 4:30 PM

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

(b) (6)

## Agenda

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



# Council on Environmental Quality

Council on Environmental Quality

## *Federal NEPA Contacts Webinar*



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

*Council on Environmental Quality*



# Agenda

Council on Environmental Quality

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2

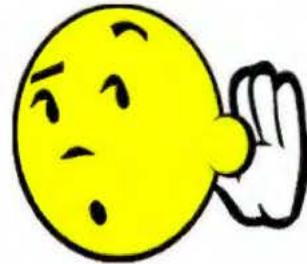
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Council on Environmental Quality

# “Have you heard about the Promising Practices Report?”

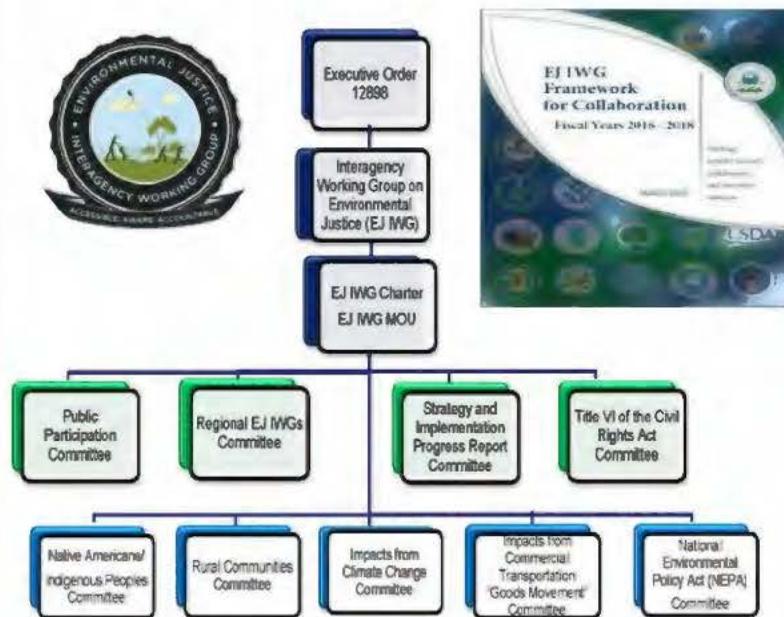


**Denise C. Freeman**  
**Co-chair, NEPA Committee**  
**Federal Interagency Working Group on Environmental Justice**  
**CEQ Federal NEPA Contacts Webinar**

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



## EJ IWG Governance Structure 2016 - 2018



December 2015

## Charter & MOU (2011)

## NEPA Committee Purpose:

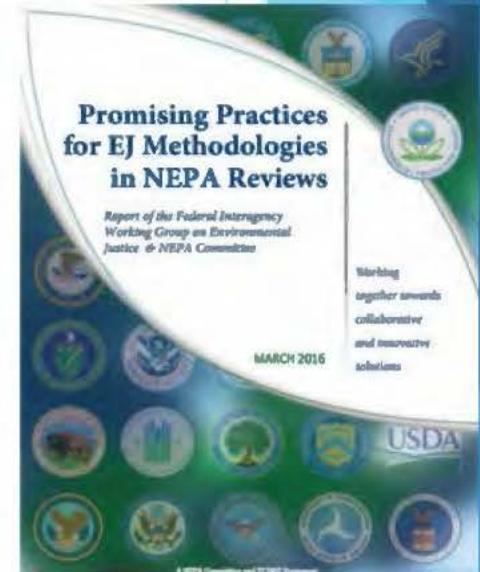
- Improve effective, efficient and consistent consideration of EJ in the NEPA process
- Share promising practices/lessons learned developed by federal government NEPA practitioners
- Provide cross agency training on EJ and NEPA



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



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



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

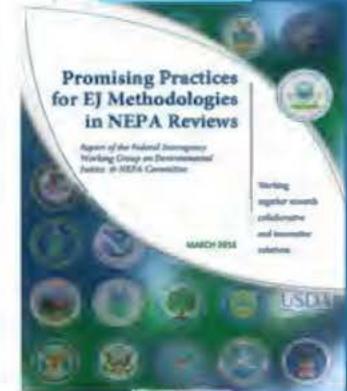
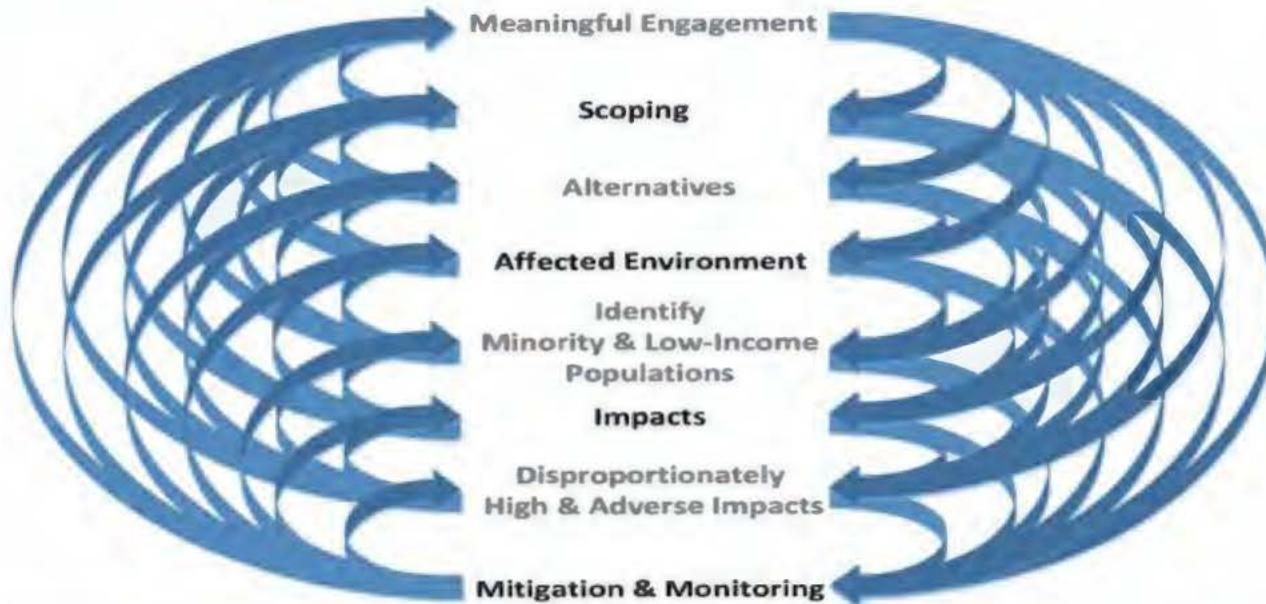


- Compilation of “promising practices” organized in coordinated, functional framework concerning interface of environmental justice considerations through NEPA processes
- Builds upon existing EJ and NEPA Guidance developed by CEQ and federal agencies
- Represents professional experience, knowledge and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



# Elements of the Promising Practices Report

## Environmental Justice Within National Environmental Policy Act Reviews





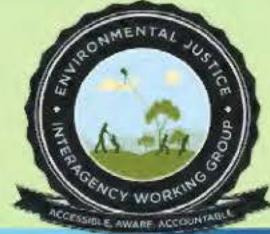
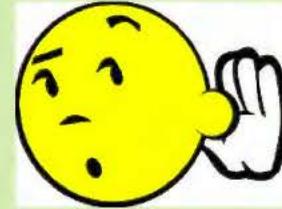
# Future & Next Steps: Implementation Collaboration, and Innovation



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



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



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



Thank You

Denise C. Freeman

[Denise.Freeman@hq.doe.gov](mailto:Denise.Freeman@hq.doe.gov)

# EPA NEPA/309 Update



# NEPA/309 Survey Results

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



## Subsequent EPA Actions

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





# Agenda

Council on Environmental Quality

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- 4:15pm Open Discussion**

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Council on Environmental Quality



# Questions?

Council on Environmental Quality

The screenshot shows the NEPA.GOV website. At the top, there is a search bar and a navigation menu with links for HOME, LAWS & REGULATIONS, GUIDANCE, GET INVOLVED, NEPA PRACTICE, CEO PUBLICATIONS, and CEO REPORTS. The main 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 honor 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]

## [EXTERNAL] RE: CEQ NEPA Regulations ANPRM

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**From:** Marie Campbell <mcampbell@sapphosenvironmental.com>  
:  
FN-CEQ-NEPA <(b) (6)> "Michael D. Smith, Ph.D."  
**To:** <michael.smith84@gmail.com>, Shannon Stewart <stewart.shannonc@gmail.com>, Jill <jill@iaia.org>  
**Date:** Tue, 19 Jun 2018 16:08:00 -0400

Will do!

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

**Sapphos**   
environmental inc.

---

**From:** FN-CEQ-NEPA <(b) (6)>  
**Sent:** Tuesday, June 19, 2018 12:36 PM  
**To:** Marie Campbell <mcampbell@sapphosenvironmental.com>; Michael D. Smith, Ph.D. <michael.smith84@gmail.com>; Shannon Stewart <stewart.shannonc@gmail.com>; Jill <jill@iaia.org>  
**Subject:** FW: CEQ NEPA Regulations ANPRM

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

**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

## [EXTERNAL] Re: CEQ NEPA Regulations ANPRM

---

**From:** Jill <jill@iaia.org>  
**To:** FN-CEQ-NEPA <(b) (6)>  
**Date:** Tue, 19 Jun 2018 15:46:56 -0400

Hi Ted,

Happy to do so!

Thanks for your time today,

Best regards,  
Jill

On Jun 19, 2018, at 3:37 PM, FN-CEQ-NEPA <(b) (6)> wrote:

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

---

**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, Yarden M. EOP/CEQ <(b) (6)>  
**Subject:** CEQ NEPA Regulations ANPRM

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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

<2018-13246.pdf>

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

---

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:

Required Attendee:

Optional Attendee:

robert.noecker@gsa.gov has accepted this invitation.

## FW: CEQ Federal NEPA Contacts Webinar

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

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

Calendar FN-CEQ-NEPA

Who

- FN-CEQ-NEPA - organizer
- robert.noecker@gsa.gov - creator

Attachments

- [NEPA Contacts Mtg 6.20 - Agenda.docx](#)
- [CEQNEPAContactsWebinar\\_06\\_20\\_18\\_final.pdf](#)
- [Webinar Instructions 062018.doc](#)
- [CEQ NEPA Regulations ANPRM \(pre-publication\).pdf](#)
- [ECCR Benefits Recommendations Report\\_5-02-018.pdf](#)

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

From: FN-CEQ-NEPA

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

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

Cc: Kaisershot, Wesley (Federal); Zepeda, Elizabeth G; Foley, Paige A CIV; Yi, David Y. EOP/OMB; Elaine P. Baum; Seale, Viktoria Z. EOP/CEQ

Subject: CEQ Federal NEPA Contacts Webinar

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

Where: Webinar: (b) (6)

Good afternoon Federal NEPA Contacts,

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

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

Sincerely,

The CEQ NEPA Team

\*\*\*\*\*

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

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

Audio Conference Details:

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

Participant Code: (b) (6)

To join the meeting:

(b) (6)

-----

If you have never attended an Adobe Connect meeting before:

Test your connection: [https://meet.gsa.gov/common/help/en/support/meeting\\_test.htm](https://meet.gsa.gov/common/help/en/support/meeting_test.htm)

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

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Invitation from [Google Calendar](#)

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

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

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

## FW: 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 Attendee: Robert Noecker - AY-C <robert.noecker@fpisc.gov>

---

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

**From:** FN-CEQ-NEPA

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

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

**Cc:** Kaisershot, Wesley (Federal); Zepeda, Elizabeth G; Foley, Paige A CIV; Yi, David Y. EOP/OMB; Elaine P. Baum; Seale, Viktoria Z. EOP/CEQ

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---

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Sincerely,

The CEQ NEPA Team

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-----  
If you have never attended an Adobe Connect meeting before:

Test your connection: [https://meet.gsa.gov/common/help/en/support/meeting\\_test.htm](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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# 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

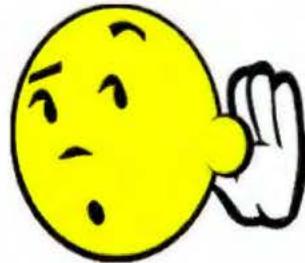
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Council on Environmental Quality

# “Have you heard about the Promising Practices Report?”

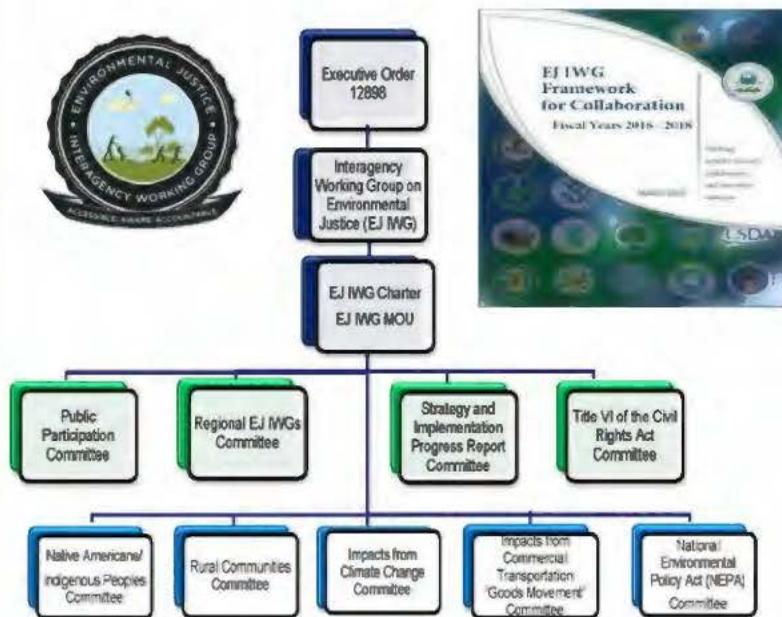


**Denise C. Freeman**  
**Co-chair, NEPA Committee**  
**Federal Interagency Working Group on Environmental Justice**  
**CEQ Federal NEPA Contacts Webinar**

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



## EJ IWG Governance Structure 2016 - 2018



December 2015

## Charter & MOU (2011)

## NEPA Committee Purpose:

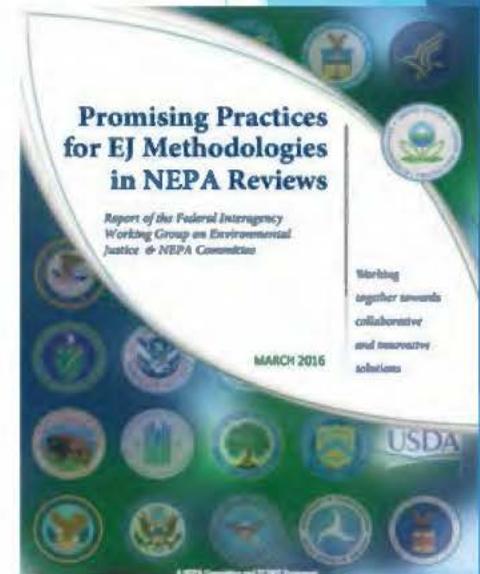
- Improve effective, efficient and consistent consideration of EJ in the NEPA process
- Share promising practices/lessons learned developed by federal government NEPA practitioners
- Provide cross agency training on EJ and NEPA



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



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

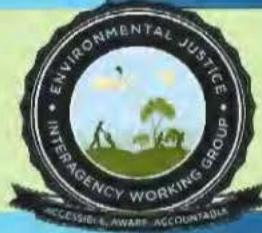


## Substance: Report on Promising Practices for EJ Methodologies in NEPA Reviews

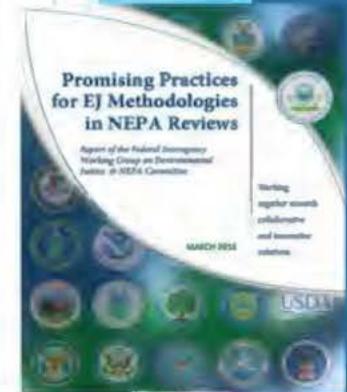
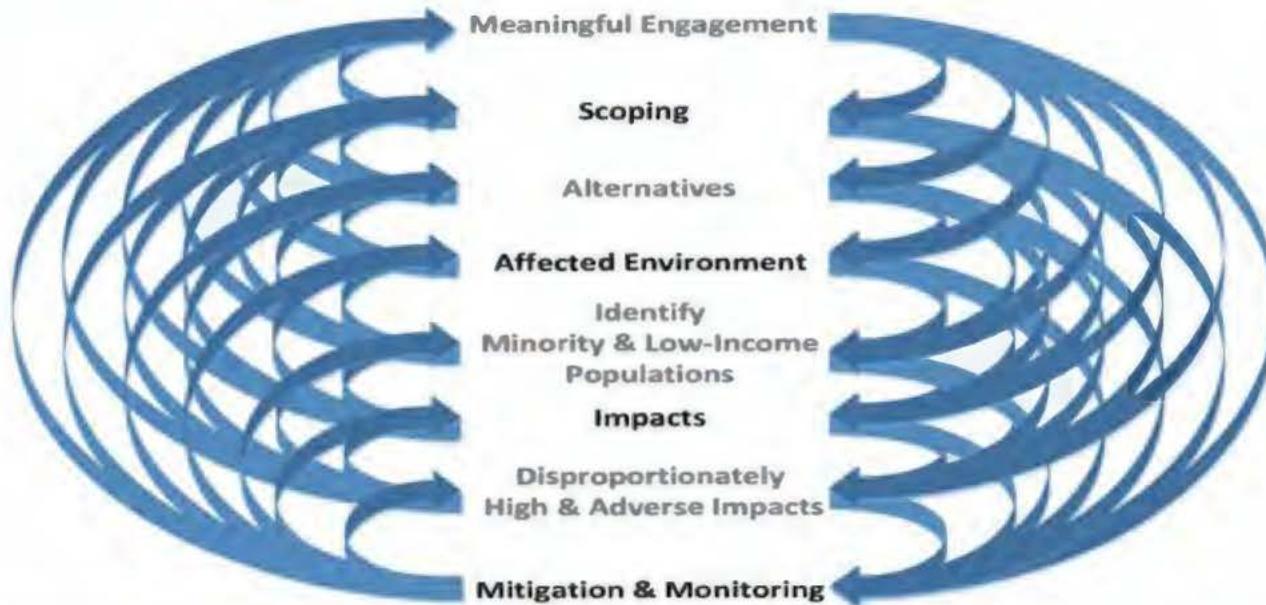


- Compilation of “promising practices” organized in coordinated, functional framework concerning interface of environmental justice considerations through NEPA processes
- Builds upon existing EJ and NEPA Guidance developed by CEQ and federal agencies
- Represents professional experience, knowledge and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

# Elements of the Promising Practices Report



## Environmental Justice Within National Environmental Policy Act Reviews

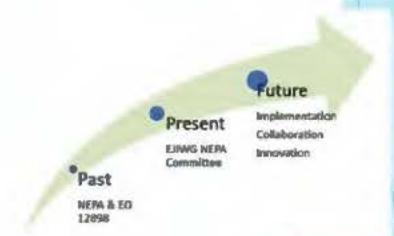




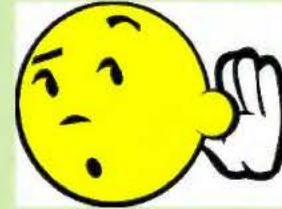
# Future & Next Steps: Implementation Collaboration, and Innovation



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



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



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



Thank You

Denise C. Freeman

[Denise.Freeman@hq.doe.gov](mailto:Denise.Freeman@hq.doe.gov)

# EPA NEPA/309 Update



# NEPA/309 Survey Results

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



## Subsequent EPA Actions

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





# Agenda

Council on Environmental Quality

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- 4:15pm Open Discussion**

14

CEQ075FY18150\_000003613



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Council on Environmental Quality



# Questions?

Council on Environmental Quality

The screenshot shows the NEPA.GOV website. At the top left is the NEPA logo with the text 'NEPA.GOV NATIONAL ENVIRONMENTAL POLICY ACT'. To the right is a search bar labeled 'Enter search request'. Below the logo is a navigation menu with links: HOME, LAWS & REGULATIONS, GUIDANCE, GET INVOLVED, NEPA PRACTICE, CEO PUBLICATIONS, and CEO REPORTS. The main content area features a large blue banner with the text 'INFRASTRUCTURE PERMITTING IMPROVEMENTS' and a 'READ MORE' button. Below the banner is a 'Welcome' section with a horizontal line. 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 honor 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

Wednesday, June 20, 2018

3:00 PM - 4:30 PM

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

## Agenda

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- 4:15pm Open Discussion**



[3225-F8]

**COUNCIL ON ENVIRONMENTAL QUALITY**

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

**[Docket No. CEQ-2018-0001]**

**RIN: 0331-AA03**

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

**AGENCY:** Council on Environmental Quality (CEQ).

**ACTION:** Advance Notice of Proposed Rulemaking.

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

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

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

Follow the online instructions for submitting comments.

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

**SUPPLEMENTARY INFORMATION:**

**I. Background**

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

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

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

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

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

## **II. Request for Comment**

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

### ***NEPA Process:***

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

***Scope of NEPA Review:***

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

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

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

***General:***

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

## Materials from Federal NEPA Contacts Webinar

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**From:** "Osterhues, Marlys A. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=b7e9898c6a8e463cb2a7da10b55ed6af-os">  
**To:** "Martin, Andrea (FRA)" <andrea.martin@dot.gov>  
**Date:** Fri, 29 Jun 2018 12:48:59 -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)

Andrea –

Was this what you were looking for?

---

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

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

Sincerely,

The CEQ NEPA Team

\*\*\*\*\*

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

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

Audio Conference Details:

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

Participant Code: (b) (6)

To join the meeting:

(b) (6)

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If you have never attended an Adobe Connect meeting before:

Test your connection: [https://meet.gsa.gov/common/help/en/support/meeting\\_test.htm](https://meet.gsa.gov/common/help/en/support/meeting_test.htm)

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

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# Federal NEPA Contacts Webinar

Wednesday, June 20, 2018

3:00 PM - 4:30 PM

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

## Agenda

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



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

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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]



# Council on Environmental Quality

Council on Environmental Quality

## *Federal NEPA Contacts Webinar*



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

*Council on Environmental Quality*



# Agenda

Council on Environmental Quality

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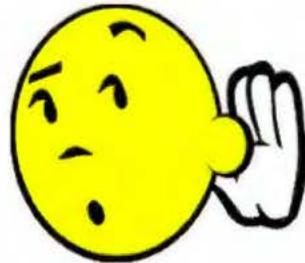
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Council on Environmental Quality

# “Have you heard about the Promising Practices Report?”

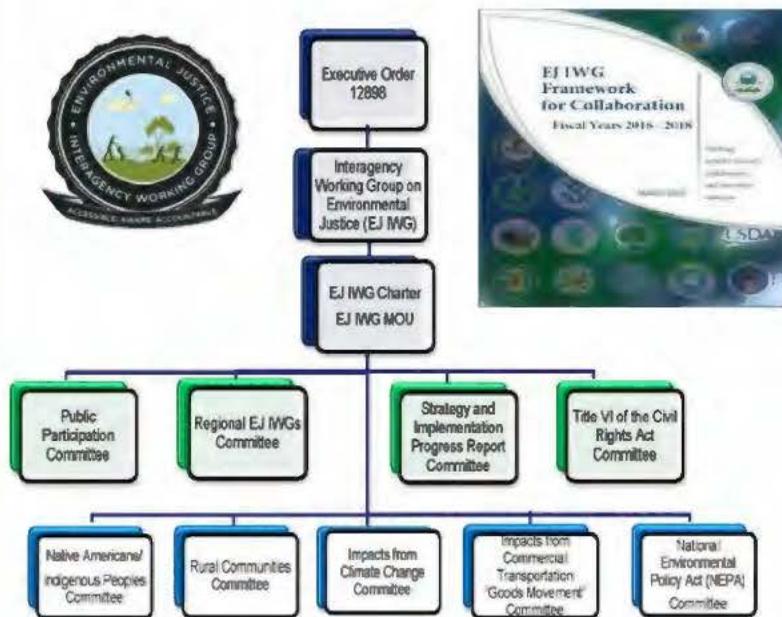


**Denise C. Freeman**  
**Co-chair, NEPA Committee**  
**Federal Interagency Working Group on Environmental Justice**  
**CEQ Federal NEPA Contacts Webinar**

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



## EJ IWG Governance Structure 2016 - 2018



December 2015

## Charter & MOU (2011)

## NEPA Committee Purpose:

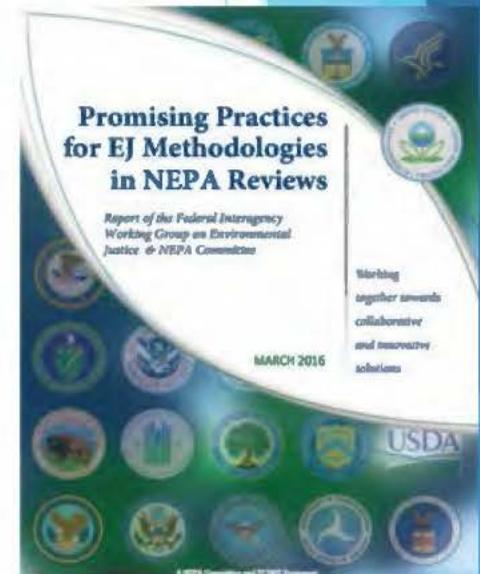
- Improve effective, efficient and consistent consideration of EJ in the NEPA process
- Share promising practices/lessons learned developed by federal government NEPA practitioners
- Provide cross agency training on EJ and NEPA



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



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

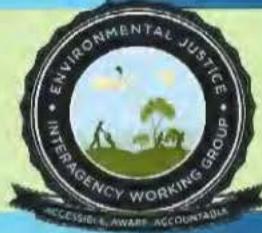


## Substance: Report on Promising Practices for EJ Methodologies in NEPA Reviews



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

# Elements of the Promising Practices Report



## Environmental Justice Within National Environmental Policy Act Reviews

