

730 Jackson Place  
Washington, DC 20503

**From:** Sucari, Elliot <[ESucari@oas.org](mailto:ESucari@oas.org)>  
**Sent:** Monday, August 27, 2018 9:35 AM  
**To:** Boling, Ted A. EOP/CEQ <[REDACTED]>  
**Cc:** 'elliot@sucari.com' <[elliot@sucari.com](mailto:elliot@sucari.com)>; 'Manuel Frávega' <[fravega.manuel@gmail.com](mailto:fravega.manuel@gmail.com)>; 'Hill-Macon, Cam' <[Hill-Macon.Cam@epa.gov](mailto:Hill-Macon.Cam@epa.gov)>  
**Subject:** [EXTERNAL] FW: Ted Boling's email

Dear Mr. Boling,

My name is Elliot Sucari and I work at the Department of Sustainable Development at the Organization American States and I am contacting you through Ms. Cam Hill-Macon Senior Advisor at the EPA. This week **Manuel Fravega**, the undersecretary of Environmental Control and Compliance Assessment of the Province of Buenos Aires (Argentina) will be on an official visit here in Washington DC.

We think it would be a great opportunity (if possible) to schedule a meeting with you or your team, in order to explore possible synergies regarding Environmental Assessment and compliance.

He would be free to meet Tuesday after 5 pm or Wednesday as from 2 pm onwards.  
My apologies in advance for the last minute request.

Best regards,  
Elliot Sucari

---

**From:** Hill-Macon, Cam [<mailto:Hill-Macon.Cam@epa.gov>]  
**Sent:** Friday, August 24, 2018 6:21 PM  
**To:** Sucari, Elliot  
**Subject:** [EXT] FW: Ted Boling's email

Hi Elliot,

Here is the email address for Ted Boling, the person at the Council on Environmental Quality (CEQ) who has been working across the U.S. Government to streamline the environmental impact assessment process: [REDACTED] I've also included information below from CEQ's website on their infrastructure permitting initiatives (<https://www.whitehouse.gov/ceq/initiatives/>). It should provide Mr. Fravega with addition information related to his interest in the U.S. environmental impact assessment process.

Thanks,

Cam

(Ms.) Cam Hill-Macon • Senior Advisor  
Middle East, Latin America, Africa, and Caribbean Programs  
EPA • Office of International and Tribal Affairs  
+ (202) 564-6408 | [hill-macon.cam@epa.gov](mailto:hill-macon.cam@epa.gov) | [www.epa.gov/international](http://www.epa.gov/international)

Council on Environmental Quality

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*Council on Environmental Quality*

### Infrastructure & Executive Order 13807

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To comply with Section 5(d) of Executive Order 13807, CEQ will refer various requests for designation of State projects pursuant to [Executive Order 13766](#) to the Federal Permitting Improvement Steering Council, Department of Transportation and U.S. Army Corps of Engineers as appropriate. CEQ will, as appropriate in response to any additional requests from States, refer projects that qualify for designation as high priority projects in accordance with Section 5(d) of Executive Order 13807. [The Federal Infrastructure Permitting Dashboard](#) tracks the Federal government’s environmental review and authorization processes for covered major infrastructure projects.

To comply with Section 5(b) of Executive Order 13807, on March 20, 2018, the Office of Management and Budget (OMB) and CEQ signed a Memorandum titled “One Federal Decision Framework for the Environmental Review and Authorization Process for Major Infrastructure Projects under Executive Order 13807.” Pursuant to that Memorandum,

federal agencies signed a One Federal Decision Memorandum of Understanding (MOU) which was announced on April 9, 2018. Signatories to the MOU include the Departments of the Interior, Agriculture, Commerce, Housing and Urban Development, Transportation, Energy, and Homeland Security, Environmental Protection Agency, U.S. Army Corps of Engineers, Federal Energy Regulatory Commission, Advisory Council on Historic Preservation, and Federal Permitting Improvement Steering Council. Links to the executive order and related materials are provided below:

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## [EXTERNAL] Re: Ted Boling's email

---

**From:** Elliot Sucari <elliott@sucari.com>  
:  
**To:** "Boling, Ted A. EOP/CEQ" <(b) (6)>  
**Cc:** "Sucari, Elliot" <esucari@oas.org>, "Manuel Frávega" <fravega.manuel@gmail.com>, "Hill-Macon, Cam" <hill-macon.cam@epa.gov>, cdewindt@oas.org  
**Date:** Mon, 27 Aug 2018 10:52:11 -0400

Mr. Boling,

Thanks for your e-mail, and again sorry for the last minute requests.

He is meeting with officials at the Environmental Appeals Board and the EPA, on Tuesday afternoon and Wednesday at noon.

Ms. Cam Hill-Macon is managing that agenda. We would be happy to include an additional meeting with your colleagues at the EPA

All best,  
Elliot

On Aug 27, 2018, at 10:19 AM, Boling, Ted A. EOP/CEQ <(b) (6)> wrote:

Mr. Sucari – I'm afraid that Mr. Fravega's availability this week does not match mine. Is he meeting with officials at the Environmental Protection Agency? I might suggest that he include a meeting with my colleagues there.

Regards,

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

---

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Cam

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# Initiatives

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**Cc:** elliot@sucari.com, "Manuel Frávega" <fravega.manuel@gmail.com>, "Hill-Macon, Cam" <hill-macon.cam@epa.gov>  
**Date:** Mon, 27 Aug 2018 09:35:02 -0400

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## FW: Following up on our call last week

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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)  
"Mansoor, Yardena M. EOP/CEQ" (b) (6)  
**Date:** Tue, 28 Aug 2018 10:02:01 -0400  
**Attachments**  
: CEAA comments to ANPR CEQ's NEPA regulations.docx (23.31 kB)

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**From:** Stoimenova, Yordanka (CEAA/ACEE) <yordanka.stoimenova@canada.ca>  
**Sent:** Tuesday, August 28, 2018 9:47 AM  
**To:** Boling, Ted A. EOP/CEQ (b) (6)  
**Cc:** Hynes, Aaron (CEAA/ACEE) <aaron.hynes@canada.ca>; Rooney, Audrey (CEAA/ACEE) <audrey.rooney@canada.ca>  
**Subject:** [EXTERNAL] RE: Following up on our call last week

Good morning Ted,

Apologies for the delay in getting back to you, I was away yesterday.

Please find attached Canadian Environmental Assessment Agency's comments on the Council of Environmental Quality's (CEQ) regulations for implementing the procedural provisions of the National Environmental Policy Act. We appreciate your flexibility in accepting our submission.

With regard to BBNJ, the Agency supports Global Affairs Canada on EIA-related topics. I participated in the discussions at the Preparatory Committee and will be representing the Agency during the upcoming BBNJ IGC negotiations. Are you going to be directly involved in this work?

Best regards,  
Yordanka

**Yordanka Stoimenova**  
Policy Analyst, Policy Analysis Division  
Canadian Environmental Assessment Agency / Government of Canada  
[yordanka.stoimenova@canada.ca](mailto:yordanka.stoimenova@canada.ca) / Tel: 613-793-7086

Analyste des politiques, Direction de l'analyse des politiques  
Agence canadienne d'évaluation environnementale / Gouvernement du Canada  
[yordanka.stoimenova@canada.ca](mailto:yordanka.stoimenova@canada.ca) / Tél. : 613-793-7086

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**From:** Boling, Ted A. EOP/CEQ [mailto:(b) (6)]  
**Sent:** August 27, 2018 1:52 PM  
**To:** Stoimenova, Yordanka (CEAA/ACEE)  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* Following up on our call last week

Yordanka,

I haven't seen any comments from CEAA yet, so I'm hoping that you can send them to me directly. Also, is anyone from CEAA working on the Biodiversity Beyond National Jurisdiction negotiations that will start next week at the U.N.?

Regards,  
Ted

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

**Canadian Environmental Assessment Agency comments on the potential revisions to the Council of Environmental Quality's (CEQ) regulations for implementing the procedural provisions of the *National Environmental Policy Act (NEPA)***

The Canadian Environmental Assessment Agency (the Agency) appreciates the opportunity to provide comments on the potential revisions to update and clarify the Council of Environmental Quality's (CEQ) regulations for implementing the procedural provisions of the *National Environmental Policy Act (NEPA)*.

The Agency's general comment is related to the inclusion of specific provisions in the CEQ's NEPA regulations for consideration of potential transboundary impacts as part of the NEPA review of proposed federal actions. Such provisions would clarify that NEPA applies to transboundary impacts that may occur as the result of a proposed federal action in the U.S. and would ensure greater consistency among the federal agencies in applying these requirements.

In response to some of the specific questions set out in the Advance Notice of Proposed Rulemaking, the following are our specific comments on considering transboundary impacts:

- *Question 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 decision-makers and the public, and if so, how?*

The Agency recommends that a specific requirement to consider and analyze transboundary impacts of actions in the U.S. be incorporated in the CEQ's NEPA regulations (e.g. in §1501.7).

In particular, if a proposed federal action has a potential to significantly impact resources, environmental components or human health across international borders, the lead federal agency should be required to consider these impacts in the NEPA review, notify potentially affected foreign governments and provide them with opportunities to review and comment on related environmental impact statement (EIS) documents.

The CEQ 1997 Guidance on Transboundary Environmental Impacts directs federal agencies to include analysis of reasonably foreseeable transboundary effects of proposed actions in their analysis of proposed actions in the U.S. However, the Agency has noted a gap in the application of these directions by the federal agencies in considering potential impacts to Canada of activities in the U.S. including such provisions in the CEQ NEPA regulations could help address this gap by setting firm requirements for federal agencies to consider transboundary impacts in their NEPA reviews and possibly develop steps in their respective environmental review procedures that reflect this requirement.

For example, under the *Canadian Environmental Assessment Act, 2012 (CEAA 2012)*, as well as its proposed replacement, the Impact Assessment Act, the authority responsible for assessing a designated project is required to consider, among other effects, changes to the environment that would occur outside of Canada.

In addition, the Agency has established a consistent approach for engaging with U.S. officials on environmental assessments of designated projects with potential transboundary effects. Since the coming into force of CEAA 2012, there have been several projects, mainly in British Columbia and Ontario, for which the Canadian government had to take into account the potential for transboundary effects in the U.S. For those projects, the federal government:

- notifies the U.S. federal and state agencies about a proposed project that may have transboundary environmental impacts ;
- provides them with relevant information about the federal environmental assessment process; and
- provides them with the opportunity to participate in the assessment process and provide comments.

➤ *Question 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?*

Similar to the comments to Question 5, the Agency recommends revisions to the CEQ's NEPA regulations (e.g. in §1503.1) to require the lead agency to invite comments on a draft EIS from the public of a foreign country that may be affected by transboundary impacts of a proposed federal action.

Such a requirement would facilitate Canadian stakeholders' participation in the review of federal actions in the U.S. that may have transboundary impacts in Canada. Procedures or guidance on how to operationalize such a requirement could be developed subsequently as needed.

Transboundary coordination and cooperation in environmental impact assessment is an area of mutual interest for our two countries. We acknowledge that the above comments are high level and we look forward to further engaging with the CEQ and EPA in exploring options for information-sharing and consultation on projects with potential transboundary impacts.

## Indian Health Service

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**From:** "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**To:** "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 30 Aug 2018 09:49:32 -0400  
**Attachments:** 20180830092134713.pdf (553.84 kB); HHS Indian Health Service.pdf (518.92 kB)

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-----Original Message-----

**From:** <>  
**Sent:** Thursday, August 30, 2018 9:22 AM  
**To:** Mansoor, Yardena M. EOP/CEQ <(b) (6)>  
**Subject:** Message from "RNP00267332FCE5"

This E-mail was sent from "RNP00267332FCE5" (C9155).

**Scan Date:** 08.30.2018 09:21:34 (-0400)  
**Queries to:** <>



JUL 25 2018

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

Dear Mr. Boling:

The Indian Health Service (IHS) understands the Council on Environmental Quality (CEQ) is considering updating the procedural provisions of the regulations implementing the National Environmental Policy Act (NEPA). IHS is aware these regulations have only been significantly amended once since promulgation and appreciates this opportunity to provide input to the CEQ.

IHS supports CEQ making the following changes that may further the goals of NEPA, while simplifying compliance. We understand that these comments are being submitted after the deadline in the Advance Notice of Proposed Rulemaking published at 83 FR 28591, but we hope they are still helpful. Please note the question numbers below correspond to questions in the Advance Notice of Proposed Rulemaking published at 83 FR 28591.

1. Requirements for public notices related to Findings of No Significant Impact should be more specific in §1506.6 (Question 6).
2. IHS supports using a more precise definition of the term “significantly” (§1508.27). This could be accomplished in part by clarifying the concept of context in §1508.27(a). In addition, the concept of controversy (§1508.27(b)(4)) is considered in evaluating the intensity of significance and this may be confusing and should be clarified or eliminated (Question 7).
3. A definition should be added for the concept of a “Mitigated Finding of No Significant Impact” (§1508) that clarifies with proper mitigation a proposed action that would otherwise require an Environmental Impact Statement (EIS) would not require one (Questions 8 and 20).
4. IHS supports the addition of regulatory language expanding on existing language that states that Environmental Assessments (EA) should be “concise” documents (§1508.9) by addition of a page limit to the definition of an EA (Question 9).
5. IHS supports the CEQ establishing common procedures for EAs to make it easier for Federal agencies to improve coordination during NEPA related reviews. A separate section of the regulation should be added for EAs that would include procedures, format, and public notice requirements (Question 9).
6. Provisions on the timing of agency action should be revised to specifically clarify that a Federal agency setting aside funding for a proposed action is not an action in itself, so that completion of a NEPA related review could be completed prior to initiating the action itself (e.g. construction) (Question 10).

7. IHS supports measures that would establish time limits for injunctive relief after a Finding of No Significant Impact or Record of Decision has been signed (Question 17).
8. With regard to question #18 about the role of tribal governments, IHS recommends the following:
  - a. A definition of "Indian Tribe" matching that in the Indian Self-Determination and Education Assistance Act at 25 U.S.C. §5304 should be added to §1508.
  - b. IHS suggests that Federal agencies must ensure Indian Tribes are able to provide input into Federal actions that affect them beyond the language in §1506.6(b)(3)(ii). IHS suggests language be added as a new section 1506.6(b)(4) to address interactions between tribes and the Federal government when completing NEPA reviews.
  - c. As a reminder, under Section 509 of the Indian Self Determination and Education Assistance Act (25 U.S.C. 5389(a)), Self-Governance Tribes are required to assume responsibility for NEPA compliance. It should be noted that when such Tribes accept responsibility for NEPA they have the option of developing their own environmental review process, adopting the procedures of the IHS, or adopting the procedures of another Federal agency in accordance with 42 CFR 137.295. It would be important with regard to any potential changes to the CEQ NEPA regulations affecting Tribes that this right and responsibility of Self-Governance Tribes is preserved.

If there are any questions, please contact Ben Shuman at [benjamin.shuman@ihs.gov](mailto:benjamin.shuman@ihs.gov) or 301-443-4169.

Sincerely,



Gary J. Hartz, P.E.  
RADM, USPHS (ret.)  
Director, Office of Environmental Health & Engineering  
Indian Health Service



JUL 25 2018

Edward A. Boling  
Associate Director for the National Environmental Policy Act  
Council on Environmental Quality  
730 Jackson Place NW  
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3. A definition should be added for the concept of a “Mitigated Finding of No Significant Impact” (§1508) that clarifies with proper mitigation a proposed action that would otherwise require an Environmental Impact Statement (EIS) would not require one (Questions 8 and 20).
4. IHS supports the addition of regulatory language expanding on existing language that states that Environmental Assessments (EA) should be “concise” documents (§1508.9) by addition of a page limit to the definition of an EA (Question 9).
5. IHS supports the CEQ establishing common procedures for EAs to make it easier for Federal agencies to improve coordination during NEPA related reviews. A separate section of the regulation should be added for EAs that would include procedures, format, and public notice requirements (Question 9).
6. Provisions on the timing of agency action should be revised to specifically clarify that a Federal agency setting aside funding for a proposed action is not an action in itself, so that completion of a NEPA related review could be completed prior to initiating the action itself (e.g. construction) (Question 10).

7. IHS supports measures that would establish time limits for injunctive relief after a Finding of No Significant Impact or Record of Decision has been signed (Question 17).
8. With regard to question #18 about the role of tribal governments, IHS recommends the following:
  - a. A definition of "Indian Tribe" matching that in the Indian Self-Determination and Education Assistance Act at 25 U.S.C. §5304 should be added to §1508.
  - b. IHS suggests that Federal agencies must ensure Indian Tribes are able to provide input into Federal actions that affect them beyond the language in §1506.6(b)(3)(ii). IHS suggests language be added as a new section 1506.6(b)(4) to address interactions between tribes and the Federal government when completing NEPA reviews.
  - c. As a reminder, under Section 509 of the Indian Self Determination and Education Assistance Act (25 U.S.C. 5389(a)), Self-Governance Tribes are required to assume responsibility for NEPA compliance. It should be noted that when such Tribes accept responsibility for NEPA they have the option of developing their own environmental review process, adopting the procedures of the IHS, or adopting the procedures of another Federal agency in accordance with 42 CFR 137.295. It would be important with regard to any potential changes to the CEQ NEPA regulations affecting Tribes that this right and responsibility of Self-Governance Tribes is preserved.

If there are any questions, please contact Ben Shuman at [benjamin.shuman@ihs.gov](mailto:benjamin.shuman@ihs.gov) or 301-443-4169.

Sincerely,



Gary J. Hartz, P.E.  
RADM, USPHS (ret.)  
Director, Office of Environmental Health & Engineering  
Indian Health Service

# RE: DO OUTS for August 28, 2018 NEPA Implementing Regulations Working Group Meeting

---

**From:** "Mansoor, Yarden M. EOP/CEQ" <(b) (6)>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Cc:** "Boling, Ted A. EOP/CEQ" (b) (6) "Drummond, Michael R. EOP/CEQ" (b) (6)  
**Date:** Thu, 30 Aug 2018 12:56:17 -0400

**Attachments**  
: American Public Works Association.pdf (502.12 kB); Coalition for a Sustainable Delta CA.pdf (2.31 MB); Credo Action Petitions.pdf (586.29 kB); King County WA.pdf (495.64 kB); Lindon Schultz.pdf (211.04 kB); Postcards (12) from individuals.pdf (917.24 kB); South Dakota Dept Game, Fish and Parks.pdf (1.1 MB); Truckee-Carson Irrigation District NV.pdf (2.86 MB); Blueprint 2025.pdf (1.41 MB)

---

The 3 Federal agency comment submittals received to date have been moved into the designated folder. (HHS sent a cover email and an attachment in Word and pdf, so it shows as 3 files. Let me know if you prefer the two pdfs consolidated in a single file and not posting the duplicate Word attachment.) I'll continue to post the agency comments as they come in.

Attached for posting are the public comments received at CEQ and that are not duplicates of regulations.gov submittals. I'll send any additional ones as they arrive. The 12 postcards are grouped together because they are all postmarked San Francisco 8/13/2018, and signatures are not uniformly provided, complete, or legible.

Two items from the task are done for now:

## NEPA Team

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

## FW: Suggested Reading

---

**From:** "Boling, Ted A. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlf)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">  
**To:** "Loyola, Mario A. EOP/CEQ" <(b) (6)>  
**Cc:** "Drummond, Michael R. EOP/CEQ" (b) (6)  
**Date:** Fri, 31 Aug 2018 14:03:24 -0400

**Attachments** : 10400 Nicholas Yost.pdf (137.08 kB); 11898 Nicholson (NAEP).pdf (196.87 kB); 11812 Multistate AG comments (76 pages).pdf (3.62 MB); 12056 Dinah Bear.pdf (161.77 kB); 12161 Ray Clark.pdf (113.82 kB); 12381 Horst Greczmiel.pdf (431.04 kB); E-0014 King County WA.pdf (129.6 kB); CEQ-2018-0001-10973-A1.pdf (141.07 kB); 11660-A1.pdf (320.04 kB); 11597-A1.pdf (354.71 kB); 11574-A2.pdf (446.94 kB); 11561-A1.pdf (2.07 MB); 11542-A1.pdf (2.75 MB); 11539-A1.pdf (195.09 kB)

Michael's suggestions, with a substantial degree of overlap and Pacific NW bias.

---

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Friday, August 31, 2018 11:09 AM  
**To:** Boling, Ted A. EOP/CEQ <(b) (6)>  
**Subject:** Suggested Reading

Michael Drummond  
Deputy Associate Director for NEPA  
Council on Environmental Quality  
[REDACTED]

## FW: Suggested Reading

---

**From:** "Boling, Ted A. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlf)/cn=recipients/cn=eae5b047f871428b9b46baf8afd1176a-bo">

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

**Date:** Fri, 31 Aug 2018 13:42:17 -0400

**Attachments**  
: 10400 Nicholas Yost.pdf (137.08 kB); 11898 Nicholson (NAEP).pdf (196.87 kB); 11812 Multistate AG comments (76 pages).pdf (3.62 MB); 12056 Dinah Bear.pdf (161.77 kB); 12161 Ray Clark.pdf (113.82 kB); 12381 Horst Greczmiel.pdf (431.04 kB); E-0014 King County WA.pdf (129.6 kB); CEQ-2018-0001-10973-A1.pdf (141.07 kB); 11660-A1.pdf (320.04 kB); 11597-A1.pdf (354.71 kB); 11574-A2.pdf (446.94 kB); 11561-A1.pdf (2.07 MB); 11542-A1.pdf (2.75 MB); 11539-A1.pdf (195.09 kB)

---

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

**Sent:** Friday, August 31, 2018 11:09 AM

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

**Subject:** Suggested Reading

Michael Drummond  
Deputy Associate Director for NEPA  
Council on Environmental Quality  
[REDACTED]

## RE: NEPA Team Meeting

---

**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:** Wed, 05 Sep 2018 11:24:44 -0400

Well done. (b) (5)

Can we talk at noon?

---

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Wednesday, September 5, 2018 11:21 AM  
**To:** Boling, Ted A. EOP/CEQ <(b) (6)>  
**Subject:** RE: NEPA Team Meeting

Okay, here's the agenda as it currently stands. Any edits?

- 3:00**      **Welcome**
- 3:05**      **Update on Advance Notice of Proposed Rulemaking**
  - CEQ
- 3:20**      **Categorical Exclusion List**
  - Michelle Lennox, NOAA
- 3:30**      **NEPA Timelines and One Federal Decision**
  - CEQ
- 3:45**      **EPA Update**
  - Rob Tomiak or Kelly Knight, EPA
- 4:00**      **13807 Implementation Update**
  - CEQ
- 4:10**      **Looking Ahead: NEPA 50<sup>th</sup> Anniversary**
  - Ted Boling
- 4:20**      **Questions / Discussion**

---

**From:** Boling, Ted A. EOP/CEQ  
**Sent:** Wednesday, September 5, 2018 11:06 AM  
**To:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RE: NEPA Team Meeting

(b) (5)

---

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Wednesday, September 5, 2018 10:54 AM  
**To:** Boling, Ted A. EOP/CEQ <(b) (6)>  
**Subject:** RE: NEPA Team Meeting

Hello Jessie!

I'm planning to send out the NEPA Contacts Meeting invite. (b) (5)

---

**From:** Boling, Ted A. EOP/CEQ  
**Sent:** Wednesday, September 5, 2018 10:43 AM  
**To:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RE: NEPA Team Meeting

Jessica McGrath sends her regards

---

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Wednesday, September 5, 2018 10:31 AM  
**To:** Boling, Ted A. EOP/CEQ <(b) (6)>  
**Subject:** NEPA Team Meeting

Concluded in 29 minutes.

Let me know if you have time today to chat.

Best,

Michael Drummond  
Deputy Associate Director for NEPA  
Council on Environmental Quality

## RE: 9/26 Talking Points

---

**From:** "Smith, Katherine R. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=e45de0bbb5ca4e87a4c4528ec12a7b03-sm">

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

**Date:** Thu, 06 Sep 2018 13:01:04 -0400

**Attachments**  
: 20180926 DRAFT Mary DOI NEPA Conference Remarks\_KRS.docx (25.72 kB)

See attached.

Thanks

---

**From:** Schneider, Daniel J. EOP/CEQ  
**Sent:** Thursday, September 6, 2018 11:15 AM  
**To:** Smith, Katherine R. EOP/CEQ <(b) (6)>  
**Subject:** 9/26 Talking Points

Katherine,

Per our phone call, please see the attached draft for your review/additions.

Thank you!

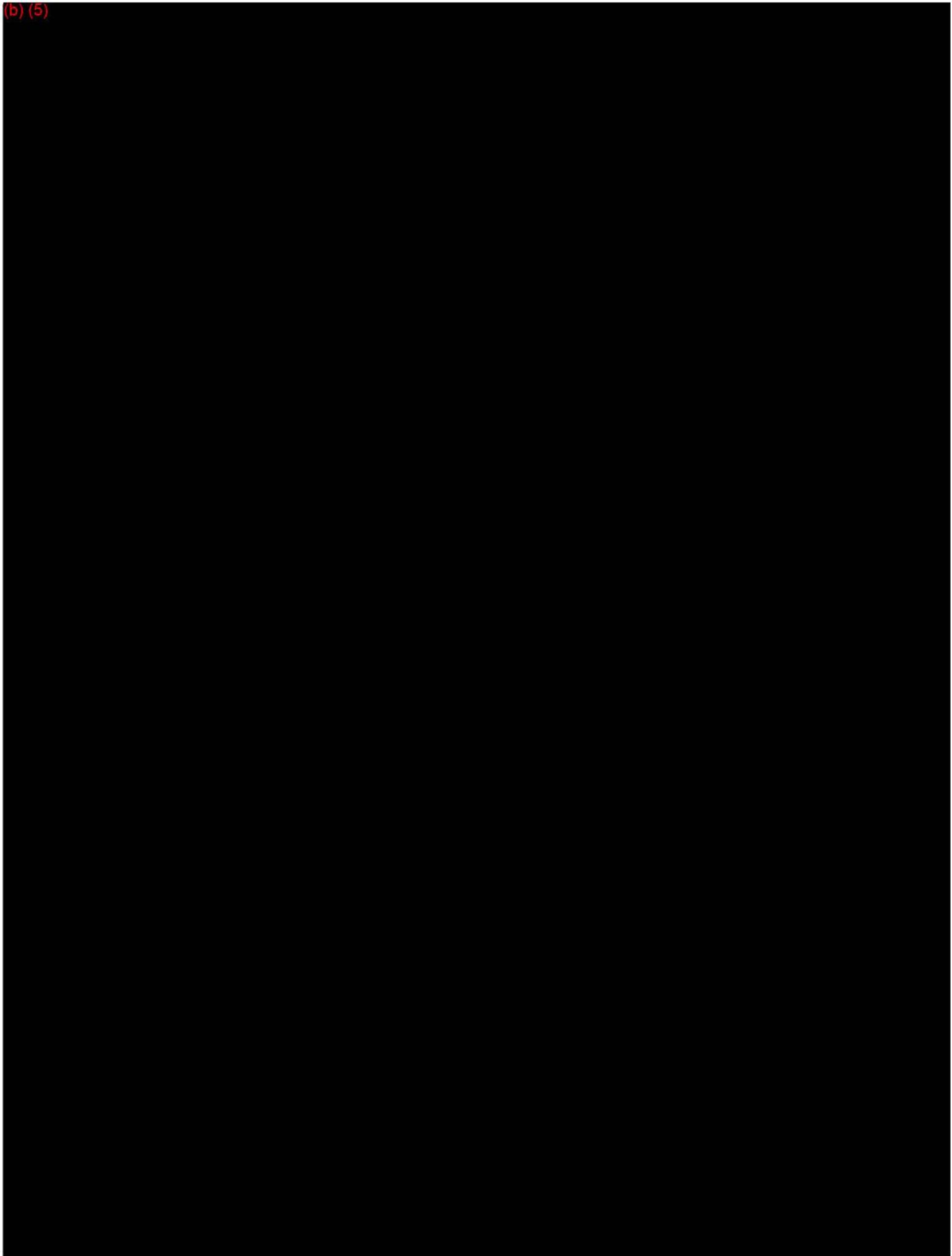
Dan

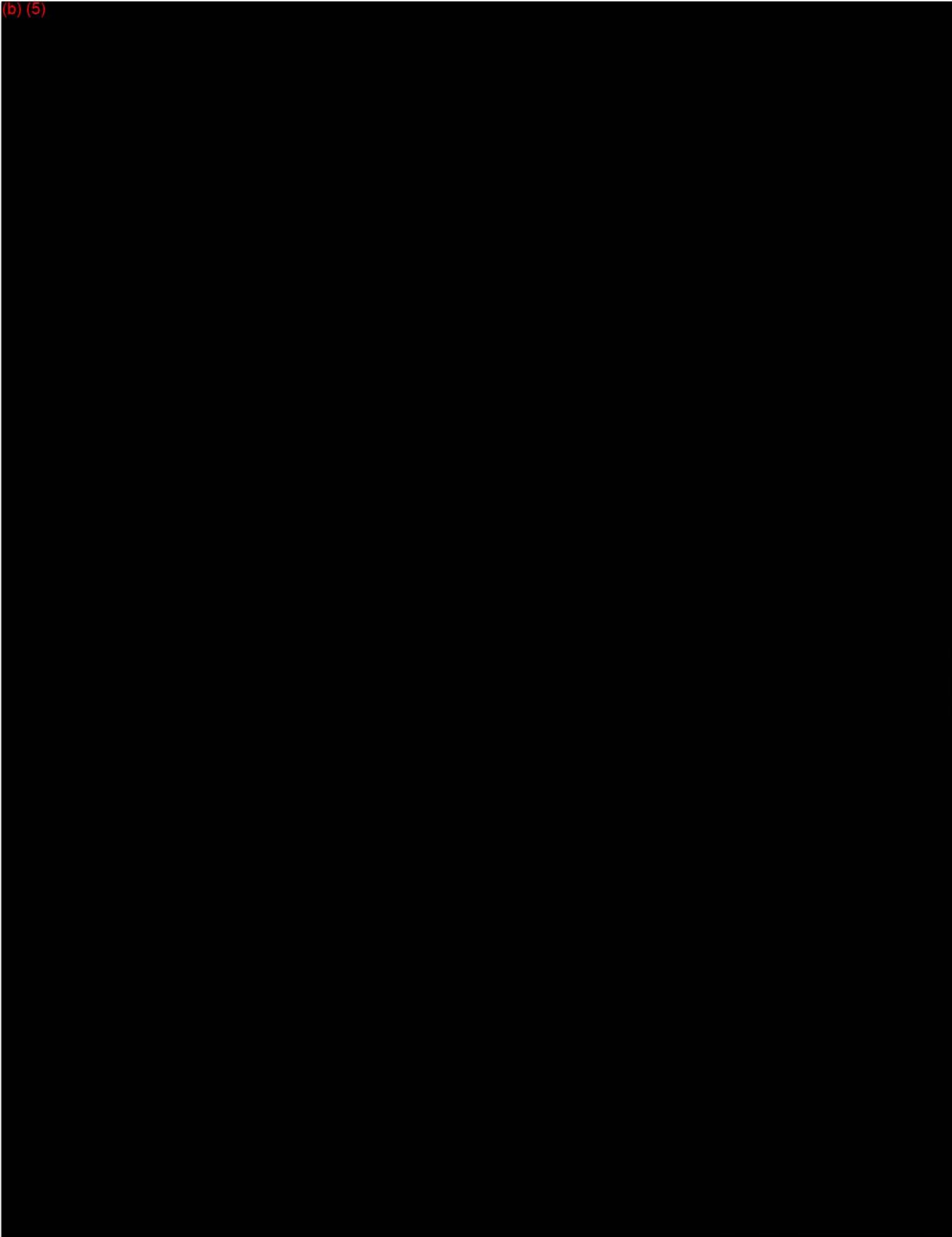
Dan Schneider  
Associate Director for Communications  
Council on Environmental Quality  
Executive Office of the President

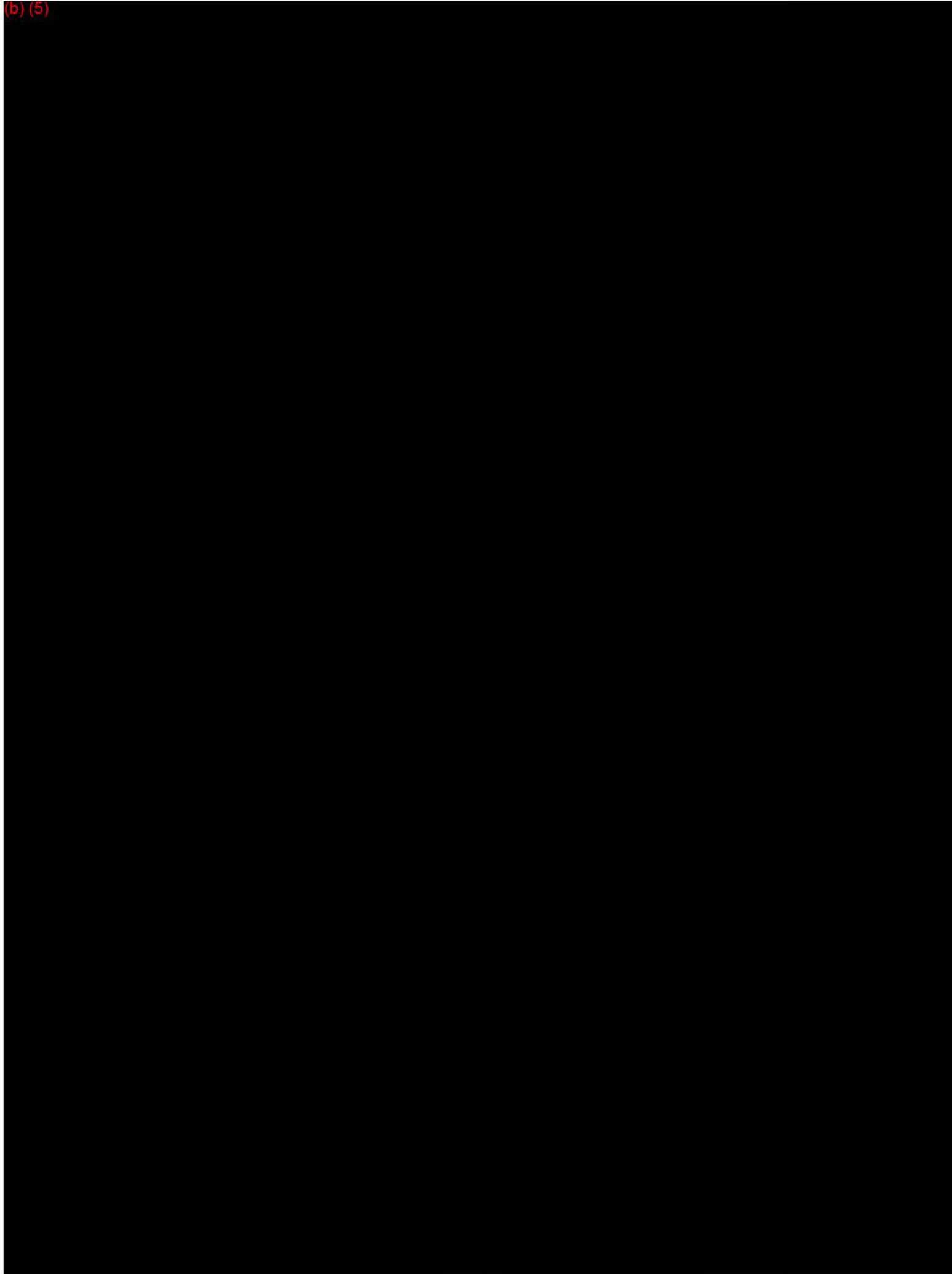
(b) (6) desk)

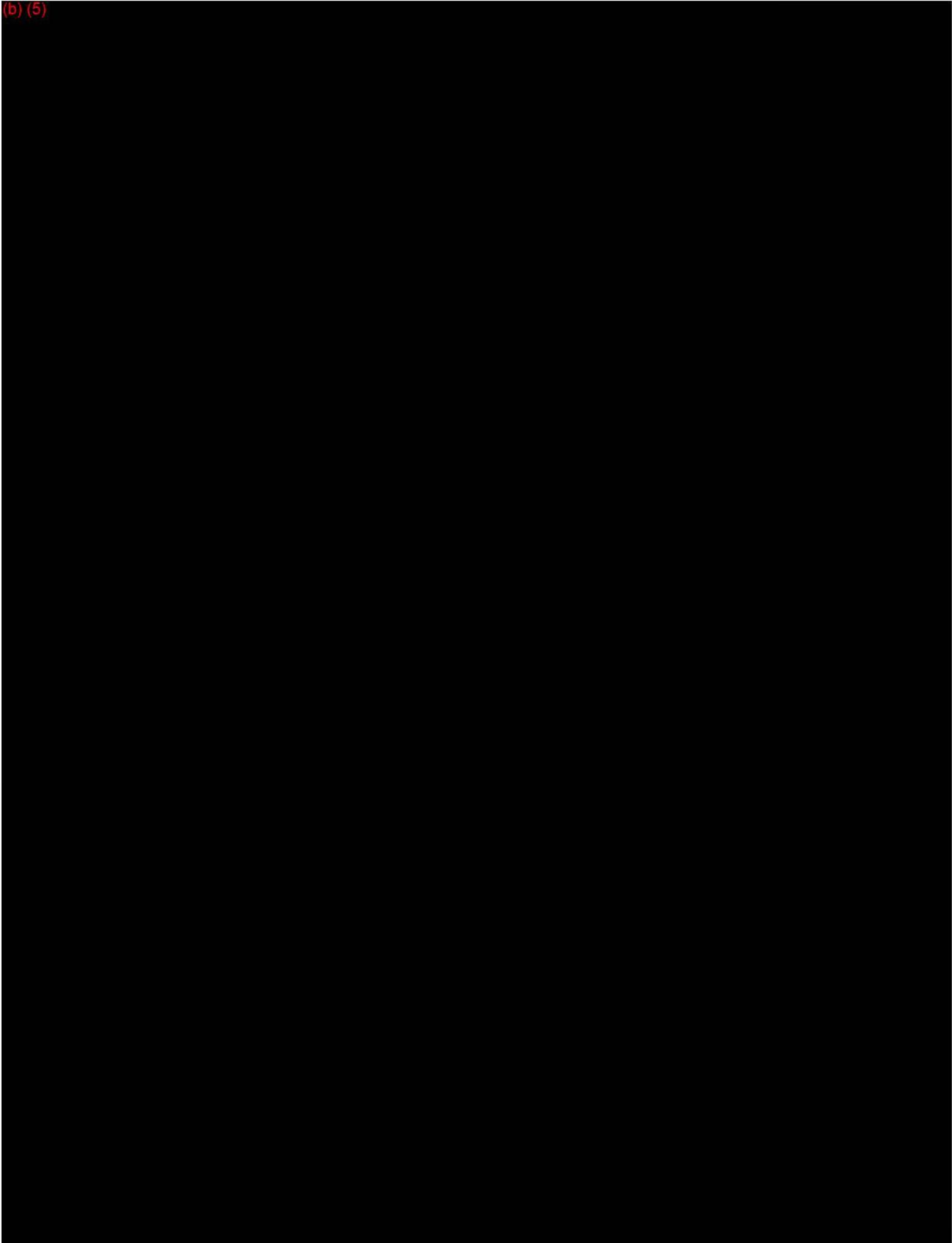
(b) (6)

[www.whitehouse.gov/ceq](http://www.whitehouse.gov/ceq)









# RE: CEQ's NEPA Implementing Regulations - Working Group Meeting

---

**From:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
"Boling, Ted A. EOP/CEQ" <(b) (6)> "Loyola, Mario A. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Mansoor, Yardena M. EOP/CEQ" <(b) (6)> "Sharp, Thomas L. EOP/CEQ" <(b) (6)>  
**To:** "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Barnett, Steven W. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>  
**Cc:** "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)> "Schneider, Daniel J. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 06 Sep 2018 11:31:12 -0400  
**Attachments:** Draft Agenda\_09062018.docx (15.72 kB)

---

All,

Please find the Agenda for the meeting attached.

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

**From:** Szabo, Aaron L. EOP/CEQ  
**Sent:** Tuesday, August 7, 2018 5:24 PM  
**To:** Szabo, Aaron L. EOP/CEQ; Boling, Ted A. EOP/CEQ; Loyola, Mario A. EOP/CEQ; Drummond, Michael R. EOP/CEQ; Mansoor, Yardena M. EOP/CEQ; Thomas L. EOP/CEQ Sharp <(b) (6)> Katherine R. EOP/CEQ Smith <(b) (6)> Barnett, Steven W. EOP/CEQ; Viktoria Z. EOP/CEQ Seale <(b) (6)>  
**Cc:** Theresa L. EOP/CEQ Pettigrew <(b) (6)> Daniel J. EOP/CEQ Schneider <(b) (6)>  
**Subject:** CEQ's NEPA Implementing Regulations - Working Group Meeting  
**When:** Thursday, September 6, 2018 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** 734 JP 2nd FL

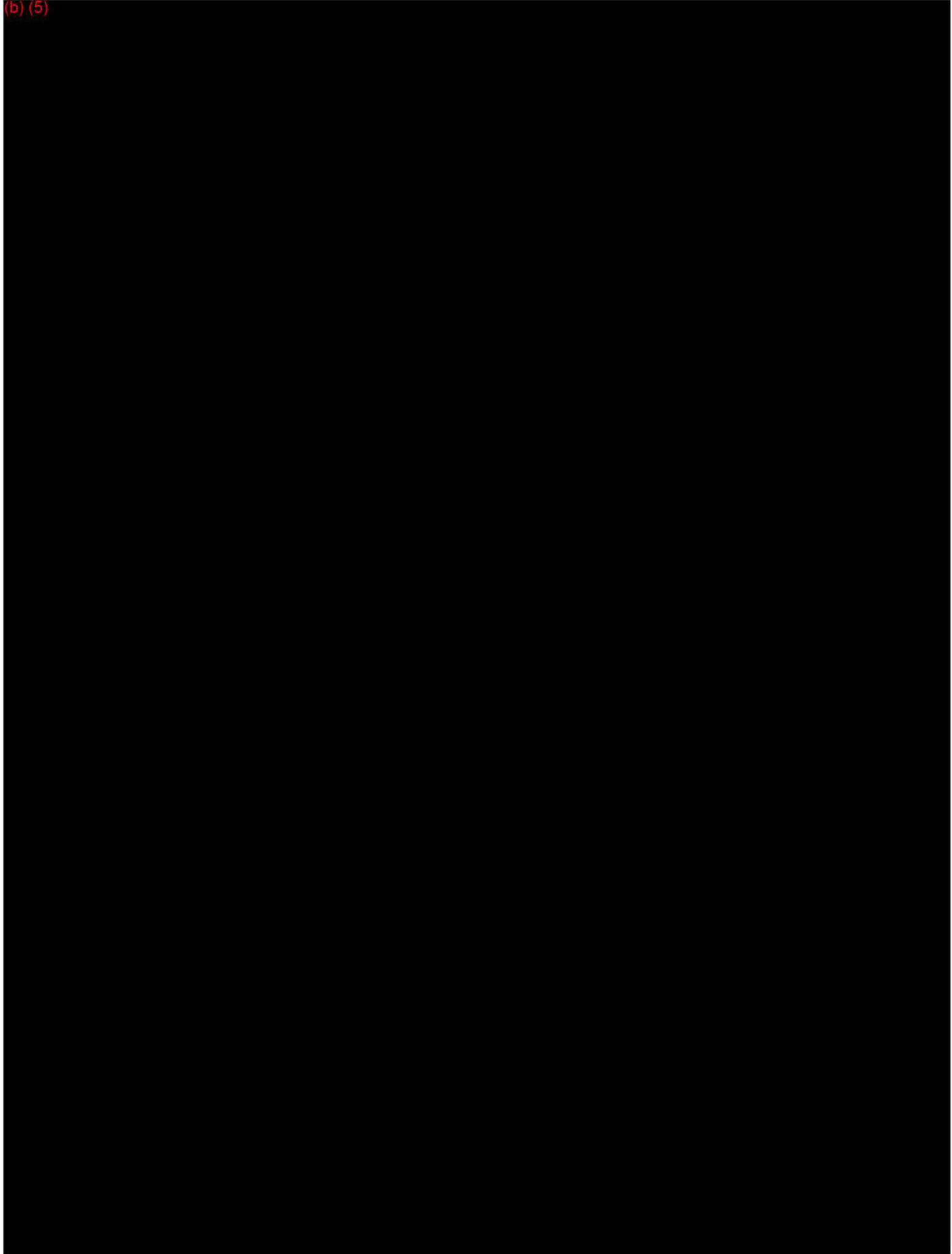
ADDED call-in information:

Participant Dial-In: <(b) (6)>

---

Participant Code: (b) (6)

Moved due to conflicts with people's schedules



## 9/26 Talking Points

---

**From:** "Schneider, Daniel J. EOP/CEQ" <(b) (6)>  
**To:** "Smith, Katherine R. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 06 Sep 2018 11:15:17 -0400  
**Attachments:** 20180926 DRAFT Mary DOI NEPA Conference Remarks.docx (21.39 kB)

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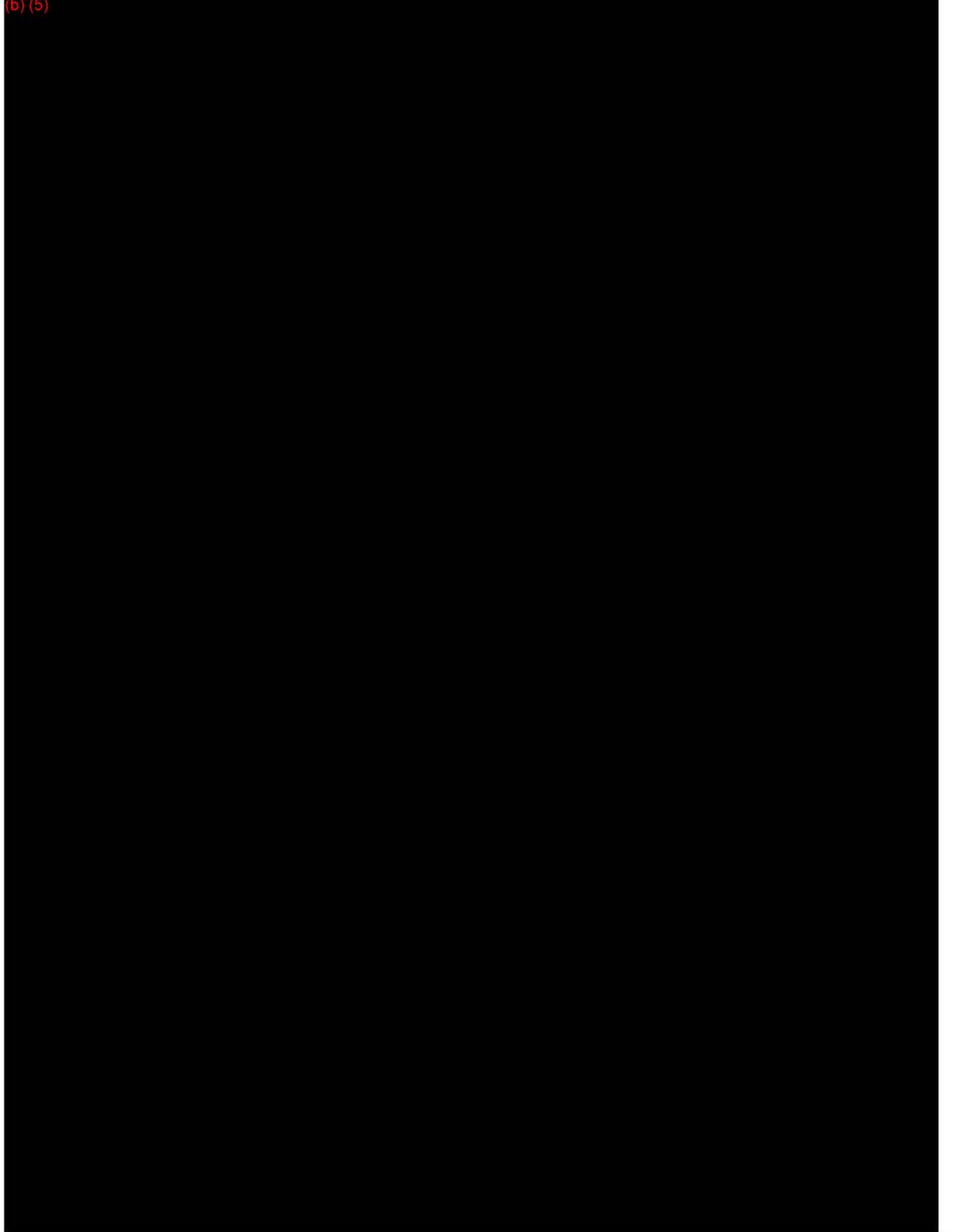
Katherine,

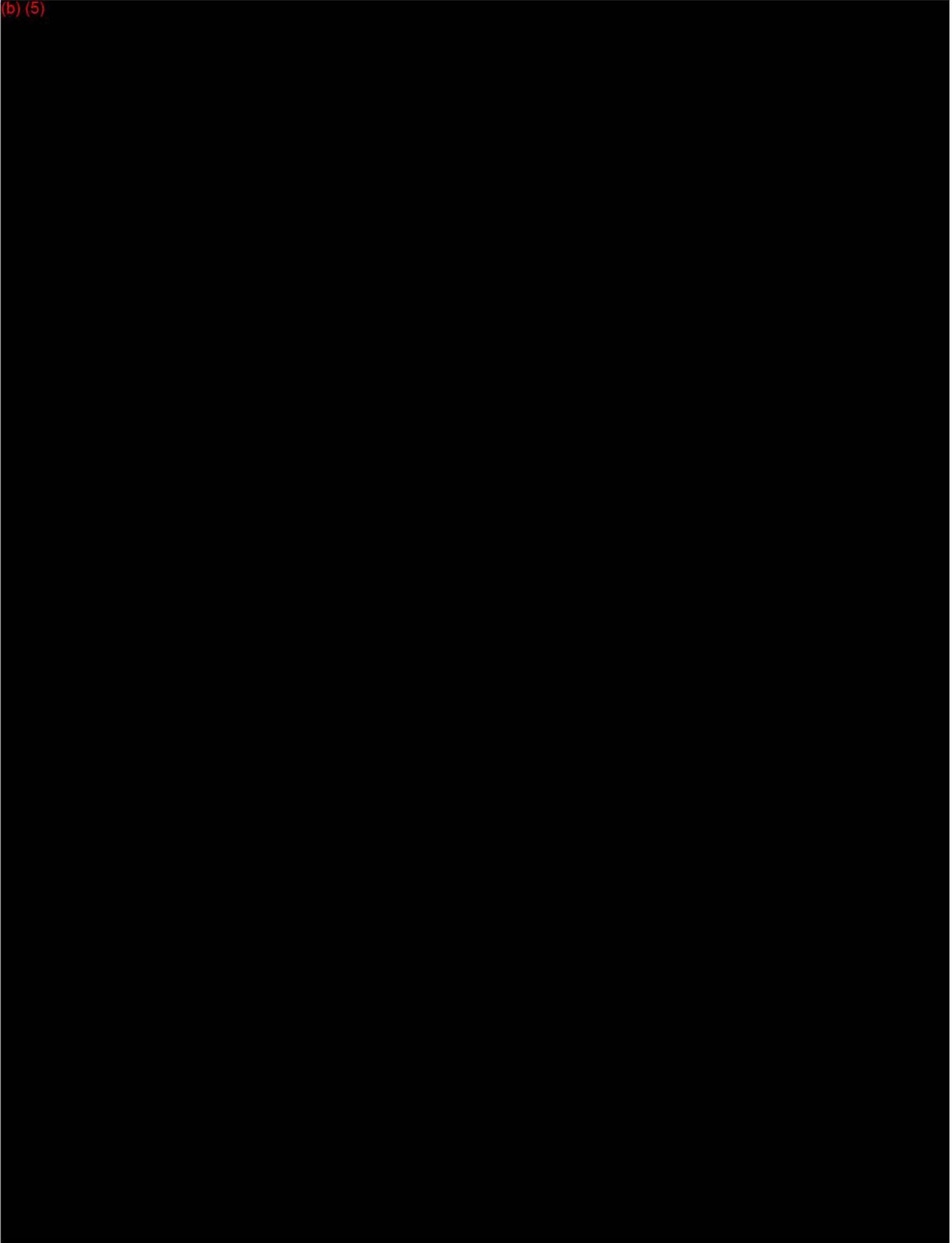
Per our phone call, please see the attached draft for your review/additions.

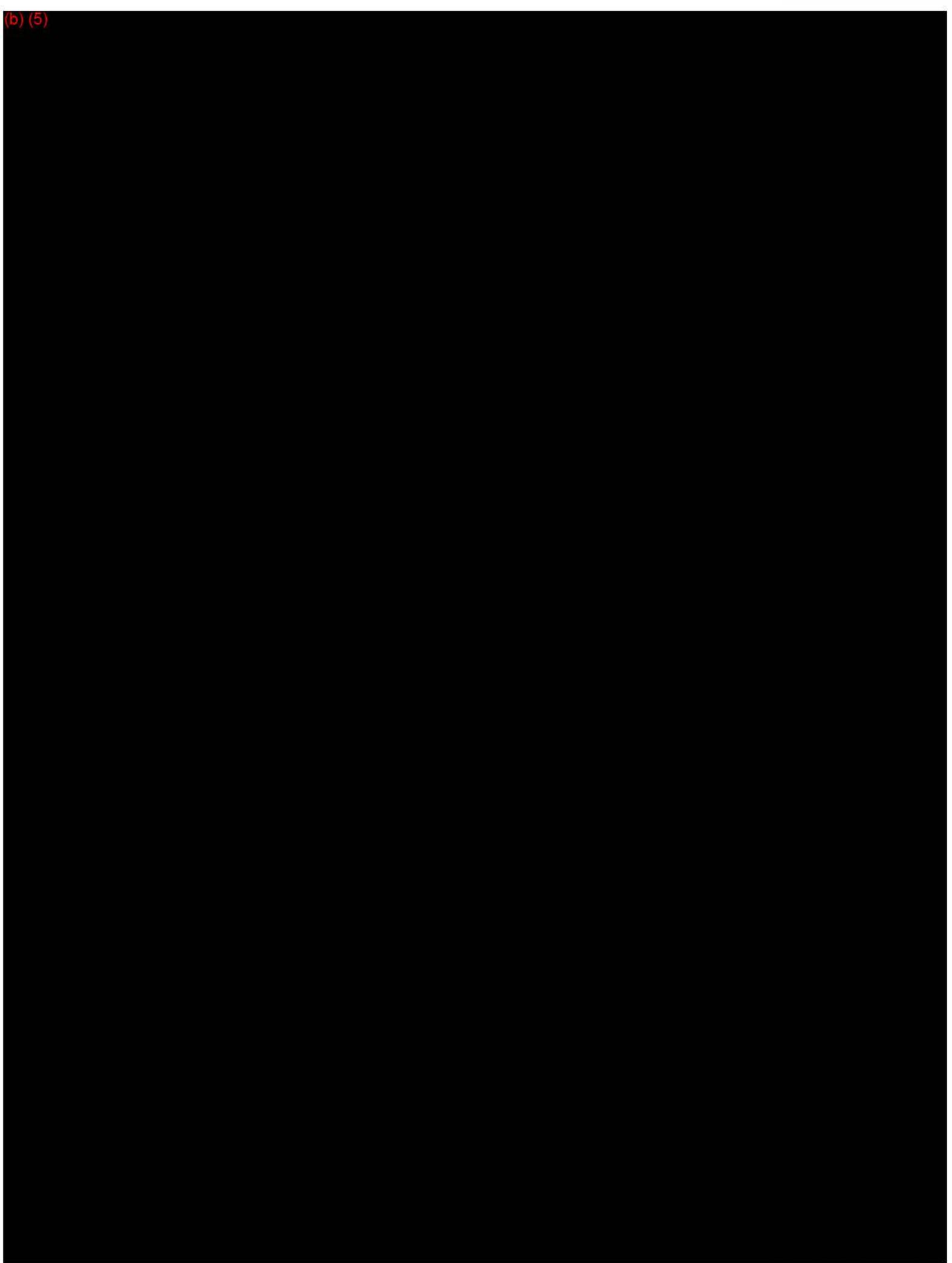
Thank you!

Dan

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







## Transboundary notification

---

**From:** "Teel, Pam" <teel.pam@epa.gov>  
**To:** "Katchinoff, Julien M" <katchinoffjm@state.gov>  
**Cc:** "Boling, Ted A. EOP/CEQ" <(b) (6)> "Boling, Ted A. EOP/CEQ" <(b) (6)> wingrd@state.gov  
**Date:** Fri, 20 Jul 2018 14:39:07 -0400

---

Hi Julien,

I've spoken with Ted and left a long (rambling) message with Rob W. on the possibility of having an initial conference call with GAC sometime during the month of August (might be good to schedule well before Aug. 20, the deadline for CEQ's Advance Notice of Proposed Rulemaking for NEPA). Ted is fine with participating on a conference call.

For Tuesday, you might indicate to GAC that we should set up a date/time in August for having this call, between State-CEQ-EPA/OITA on the US side and GAC-CEAA on the Canadian side. This initial call would not need to involve the Regions (yet). (b) (5)

[REDACTED]

[REDACTED]

In addition to setting up a date/time for discussing, we would probably want to have a jointly-developed agenda before the call so all can come prepared to have a fruitful discussion and set out next steps.

Pam

\*\*\*\*\*

Pam Teel, Canada Program Manager  
North America Programs  
Office of International and Tribal Affairs  
U.S. EPA  
Tel. 202-564-6424  
><http://www.epa.gov/><  
><http://www2.epa.gov/international-cooperation/epa-efforts-north-america><

## RE: CEQ NEPA Regulations ANPRM

---

**From:** "McCarthy, Annette" <annette.mccarthy@fda.hhs.gov>  
**To:** FN-CEQ-NEPA <[REDACTED]>  
"Boling, Ted A. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**Cc:** "Kux, Leslie" <leslie.kux@fda.hhs.gov>, "Flamm, Eric" <eric.flamm@fda.hhs.gov>  
**Date:** Mon, 20 Aug 2018 11:18:22 -0400

**Attachments**  
: FDA on CEQ ANPRM\_ Final.pdf (192.66 kB)

Attached please find the comments of the Food and Drug Administration in response to the ANPRM on the CEQ NEPA Regulations. If you have any questions, please let us know. Thank you.

**Annette McCarthy, Ph.D.**  
*Consumer Safety Officer*

Center for Food Safety and Applied Nutrition  
Office of Food Additive Safety  
U.S. Food and Drug Administration  
Tel: 240-402-1057  
[annette.mccarthy@fda.hhs.gov](mailto:annette.mccarthy@fda.hhs.gov)



---

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

Federal NEPA Contacts,

The Council on Environmental Quality (CEQ) is extending the public comment period on the Advance Notice of Proposed Rulemaking (ANPRM), which was originally scheduled to close on July 20, 2018, through August 20, 2018. CEQ is making this change in response to public requests for an extension of the comment period. The notice of the extension of the ANPRM is

scheduled to be published in the Federal Register tomorrow, July 11, 2018. The pre-publication version of the notice is attached to this email and available [here](#).

Sincerely,

Michael Drummond  
Deputy Associate Director for NEPA  
Council on Environmental Quality





Mr. Edward Boling  
Associate Director for National Environmental Policy Act  
Council on Environmental Quality Act  
730 Jackson Place, NW  
Washington, D.C. 20506

Dear Mr. Boling:

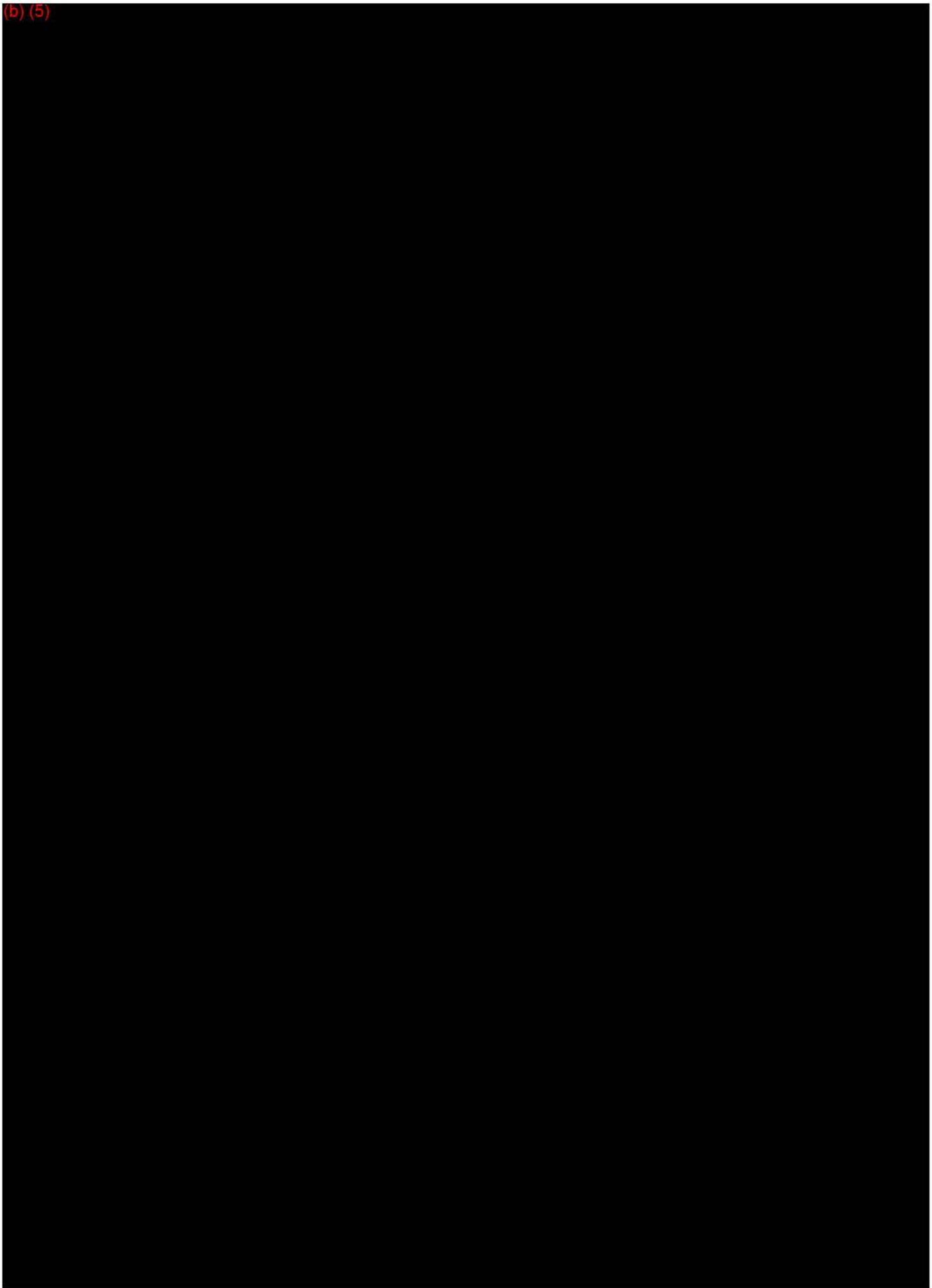
(b) (5)

A large, solid black rectangular redaction box covers the majority of the page, starting below the salutation and extending nearly to the bottom. The text "(b) (5)" is printed in red at the top left corner of this redacted area.

(b) (5)

(b) (5)

(b) (5)



(b) (5)



**Document History:**

# NRC staff's comments on CEQ's Advance Notice of Proposed Rulemaking, "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act."

---

**From:** "Erwin, Kenneth" <kenneth.erwin@nrc.gov>

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

"Diaz Toro, Diana" <diana.diaz-toro@nrc.gov>, "Roman-Cuevas, Cinthya" <cinthya.roman-cuevas@nrc.gov>, "Kugler, Andrew" <andrew.kugler@nrc.gov>, "Kratchman, Jessica" <jessica.kratchman@nrc.gov>, "Taylor, Robert" <robert.taylor@nrc.gov>, "Kim, Grace" <grace.kim@nrc.gov>, "Adler, James" <james.adler@nrc.gov>, "Martin, Jody" <jody.martin@nrc.gov>, "Campbell, Andy" <andy.campbell@nrc.gov>, "Bradford, Anna" <anna.bradford@nrc.gov>, "Beasley, Benjamin" <benjamin.beasley@nrc.gov>, "Rikhoff, Jeffrey" <jeffrey.rikhoff@nrc.gov>

**Cc:**

**Date:** Mon, 20 Aug 2018 13:38:39 -0400

**Attachments** Consolidated Comments on CEQ Questions in its ANPR-Rev 2-Clean.docx (39.91 kB)

---

Ted,

Please see our attached copy of NRC staff's comments on CEQ's Advance Notice of Proposed Rulemaking, "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act."

(b) (5)

If you have any questions on these comments; please contact myself or Diana Diaz-Toro.

Thank you for the opportunity to provide input!

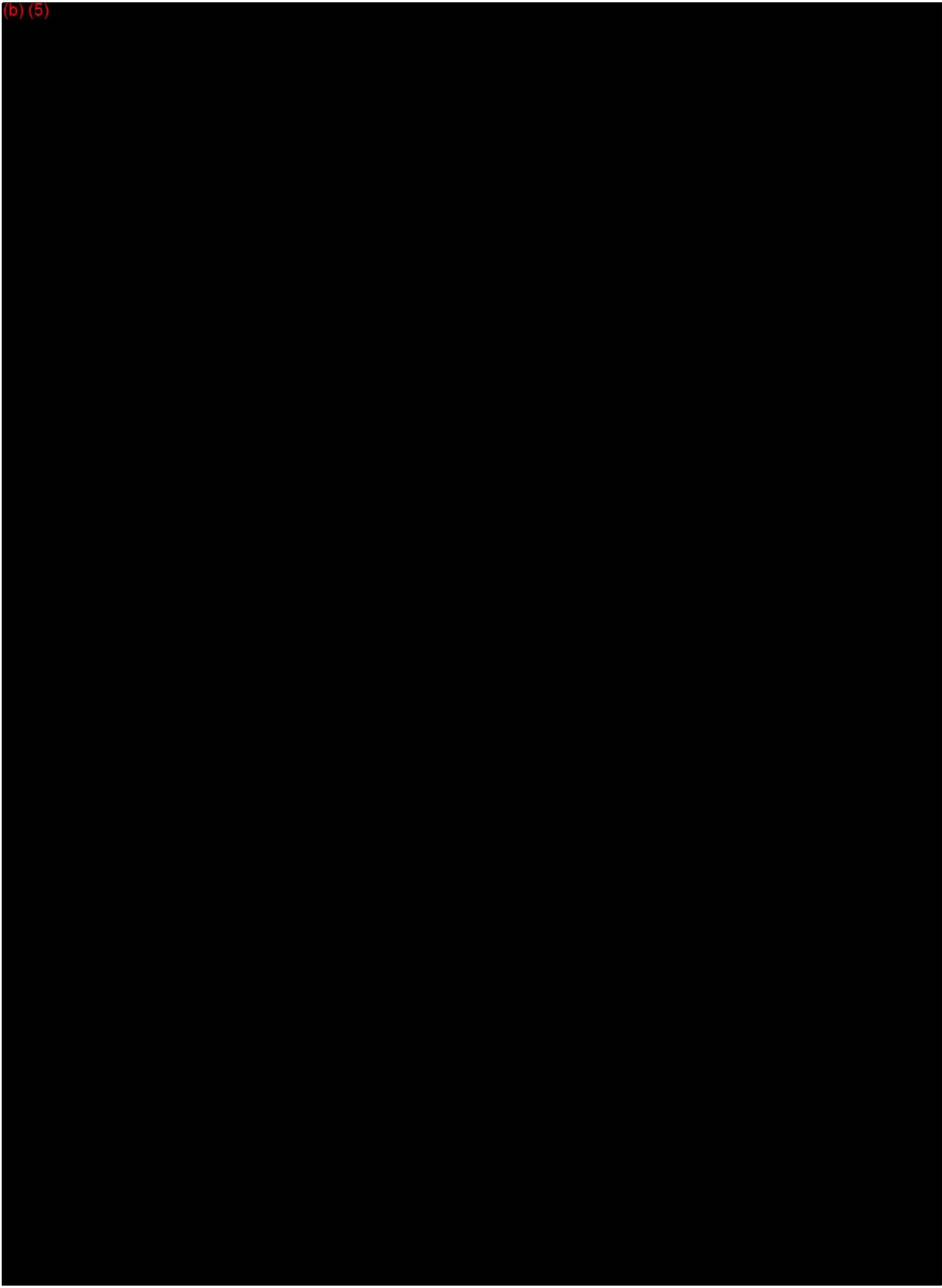
Ken T. Erwin, Branch Chief  
Environmental Technical Review Branch (RENV)  
U.S. Nuclear Regulatory Commission  
Office of New Reactors  
Division of Site Safety and Environmental Analysis  
M.S. 07H4  
Washington, D.C. 20555

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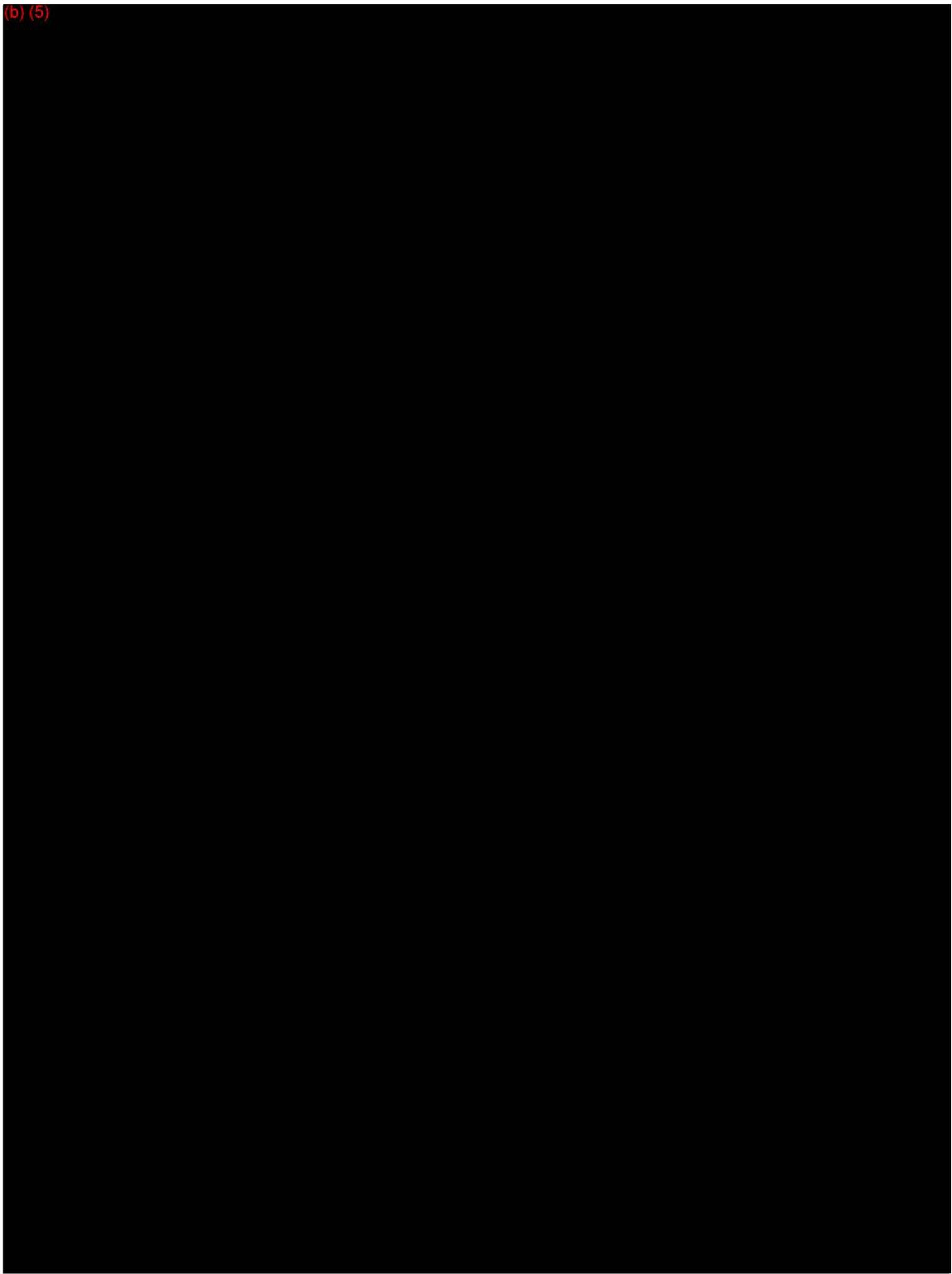
Telephone: (301) 415-7559

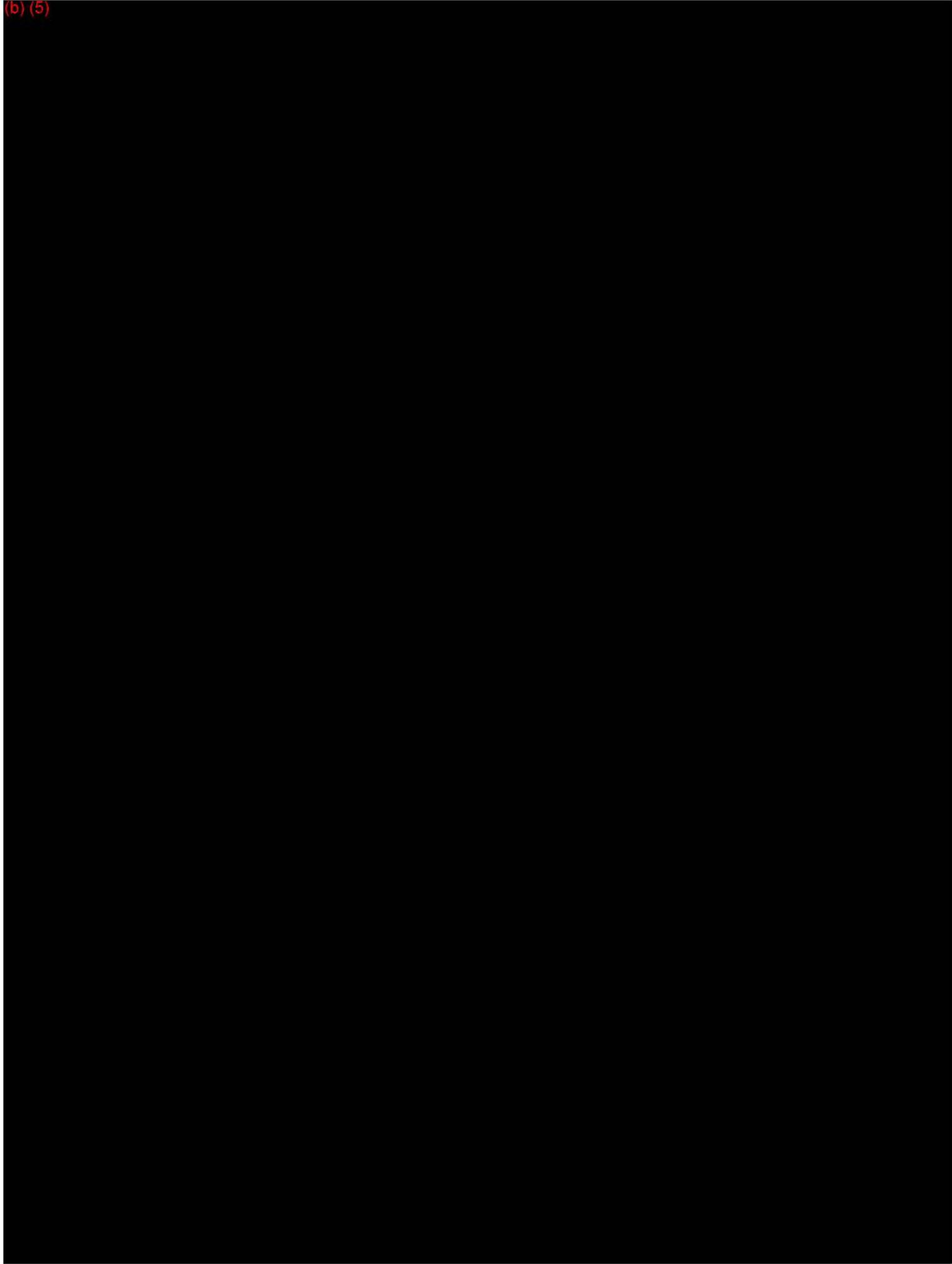
(b) (5)

(b) (5)



(b) (5)





## Re: CEQ NEPA Regulation - USACE Review (UNCLASSIFIED)

---

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

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

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

**Date:** Mon, 06 Aug 2018 11:41:46 -0400

---

Thanks (b) (5)

Sent from my iPhone

> On Aug 6, 2018, at 11:31 AM, Whiteman, Chad S. EOP/OMB <(b) (6)> wrote:

>

> FYI

>

> -----Original Message-----

> From: (b) (6) CIV (US) <(b) (6)>@usace.army.mil>

> Sent: Monday, August 6, 2018 11:05 AM

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

> Subject: RE: CEQ NEPA Regulation - USACE Review (UNCLASSIFIED)

>

> Yes.

>

> (b) (5)

>

> We look forward to the interagency discussions when planned.

>

> -----Original Message-----

> From: Whiteman, Chad S. EOP/OMB [mailto:(b) (6)]

> Sent: Monday, August 6, 2018 10:51 AM

> To: (b) (6) CIV (US) <(b) (6)>@usace.army.mil>

> Subject: RE: CEQ NEPA Regulation - USACE Review (UNCLASSIFIED)

>

> (b) (6)

> (b) (5)

[REDACTED]

> Chad

>

> Chad Whiteman

> Deputy Chief, Natural Resources and Environment Branch Office of Information and Regulatory Affairs Office of Management and Budget | Executive Office of the President

> (b) (6)

> [REDACTED]

>

>  
>

> -----Original Message-----

> From: Dorjets, Vlad EOP/OMB

> Sent: Monday, August 6, 2018 10:13 AM

> To: (b) (6) E CIV (US) <(b) (6)@usace.army.mil>

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

> Subject: RE: CEQ NEPA Regulation - USACE Review (UNCLASSIFIED)

>

> Chad Whiteman is leading. I've copied him.

>

> -----Original Message-----

> From: (b) (6) E CIV (US) <(b) (6)@usace.army.mil>

> Sent: Monday, August 6, 2018 8:11 AM

> To: Dorjets, Vlad EOP/OMB <>

> Subject: FW: CEQ NEPA Regulation - USACE Review (UNCLASSIFIED)

>

> Hi Vlad do you know who at OMB is leading the NEPA comments? Is it Matt?

>

> (b) (5)

> \_\_\_\_\_

>

> Thanks,

> (b) (6)

>

>

>

# FW: CEQ NEPA Regulation - USACE Review (UNCLASSIFIED)

---

**From:** "Whiteman, Chad S. EOP/OMB" <(b) (6)>  
**To:** "Boling, Ted A. EOP/CEQ" <(b) (6)>  
**Date:** Mon, 06 Aug 2018 11:31:32 -0400

---

FYI

-----Original Message-----

**From:** (b) (6) E CIV (US) <(b) (6)>@usace.army.mil>  
**Sent:** Monday, August 6, 2018 11:05 AM  
**To:** Whiteman, Chad S. EOP/OMB <(b) (6)>  
**Subject:** RE: CEQ NEPA Regulation - USACE Review (UNCLASSIFIED)

Yes.

(b) (5)

We look forward to the interagency discussions when planned.

-----Original Message-----

**From:** Whiteman, Chad S. EOP/OMB [mailto:(b) (6)]  
**Sent:** Monday, August 6, 2018 10:51 AM  
**To:** (b) (6) E CIV (US) <(b) (6)>@usace.army.mil>  
**Subject:** RE: CEQ NEPA Regulation - USACE Review (UNCLASSIFIED)

(b) (6)  
(b) (5)  
[Redacted]

Chad

Chad Whiteman  
Deputy Chief, Natural Resources and Environment Branch Office of Information and Regulatory Affairs Office of Management and Budget | Executive Office of the President

(b) (6)  
[Redacted]

-----Original Message-----

**From:** Dorjets, Vlad EOP/OMB  
**Sent:** Monday, August 6, 2018 10:13 AM  
**To:** (b) (6) E CIV (US) <(b) (6)>@usace.army.mil>  
**Cc:** Whiteman, Chad S. EOP/OMB <(b) (6)>  
**Subject:** RE: CEQ NEPA Regulation - USACE Review (UNCLASSIFIED)

Chad Whiteman is leading. I've copied him.

-----Original Message-----

**From:** (b) (6) E CIV (US) <(b) (6)>@usace.army.mil>

Sent: Monday, August 6, 2018 8:11 AM

To: Dorjets, Vlad EOP/OMB <(b) (6)>

Subject: FW: CEQ NEPA Regulation - USACE Review (UNCLASSIFIED)

Hi Vlad do you know who at OMB is leading the NEPA comments? Is it Matt?

(b) (5)

Thanks,

(b)

## CEQ NEPA ANPRM - Update to the Regulations and for Implementing the Procedural Provisions of NEPA

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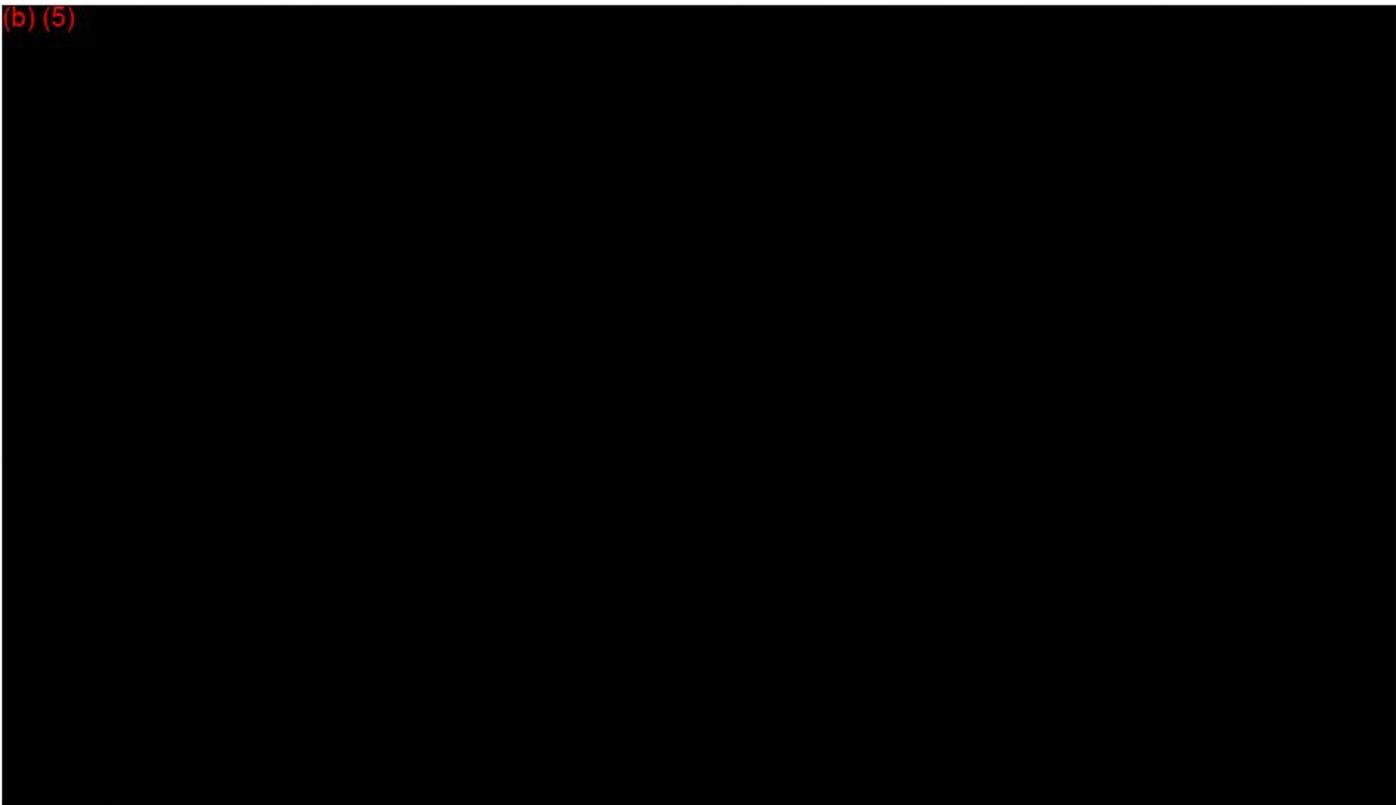
**From:** "(b) (6)" CIV USARMY HQDA ASA CW (US) <(b) (6)@mail.mil>  
**To:** "Drummond, Michael R. EOP/CEQ" (b) (6)  
**Cc:** "Boling, Ted A. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 09 Aug 2018 15:49:26 -0400  
**Attachments:** smime.p7m (10.5 kB)

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Mike

Before Army Corps submits comments to CEQ related to the update of the regulations I wanted to run a couple of things by you all.

(b) (5)



(b)

(b) (6)

Water Resources Policy & Legislation  
Office of the Assistant Secretary of the Army for Civil Works Pentagon  
Washington DC

(b) (6) @mail.mil

(b) (6) - Office

(b) (6) - Cell

><(((^>'. . . . ^ . . . . ><(((^>'. . . . ^ . . . . ><(((^>

## RE: CEQ NEPA ANPRM - Update to the Regulations and for Implementing the Procedural Provisions of NEPA

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**From:** "Drummond, Michael R. EOP/CEQ" (b) (6)  
**To:** "(b) (6) CIV USARMY HQDA ASA CW (US)" (b) (6) @mail.mil>  
**Cc:** "Boling, Ted A. EOP/CEQ" (b) (6)  
**Date:** Mon, 13 Aug 2018 16:20:52 -0400

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(b) (6)

(b) (5)

Thanks,

Michael

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

-----Original Message-----

**From:** (b) (6) CIV USARMY HQDA ASA CW (US) (b) (6) @mail.mil>  
**Sent:** Thursday, August 9, 2018 3:49 PM  
**To:** Drummond, Michael R. EOP/CEQ (b) (6)  
**Cc:** Boling, Ted A. EOP/CEQ (b) (6)  
**Subject:** CEQ NEPA ANPRM - Update to the Regulations and for Implementing the Procedural Provisions of NEPA

Mike

Before Army Corps submits comments to CEQ related to the update of the regulations I wanted to run a couple of things by you all.

(b) (5)

(b) (5)



(b)

(b) (6)

Water Resources Policy & Legislation  
Office of the Assistant Secretary of the Army for Civil Works Pentagon  
Washington DC

(b) (6) @mail.mil

(b) (6) - Office

(b) (6) - Cell

><(((0>`...><(((0>`...><(((0>`...><(((0>

[No Subject]

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**From:** (b) (6) Sara Upchurch  
**To:** sara.upchurch@fema.dhs.gov  
**Date:** Tue, 22 May 2018 13:49:36 -0400

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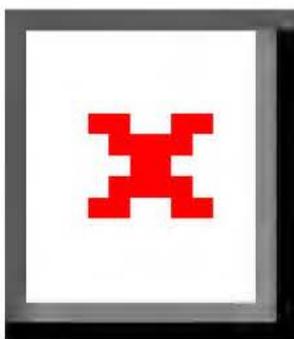
**WHITE HOUSE**

**Industry wants 'more oomph' in planned NEPA overhaul**

**Nick Sobczyk, E&E News reporter**

*Published: Monday, May 21, 2018*

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Heavy equipment operators clearing land at the start of a construction project. MemoryCatcher/Pixabay

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The Trump administration has sought a slate of quick regulatory reforms over the past year, tweaking environmental permitting requirements everywhere from EPA to the Federal Communications Commission.

But potentially the most consequential change will be a slower burn. The White House Council on Environmental Quality is seeking to update its National Environmental Policy Act regulations, a process experts expect could take over a year.

The CEQ standards serve as the framework for NEPA permitting across the federal government. They got a minor amendment in 1986 under President Reagan, but otherwise, they've been untouched since they were first finalized in 1978.

"Anytime regulations are changed for the first time in more than 40 years — significantly changed — it's a big deal," said Fred Wagner, a partner with Venable LLP's Environmental Group who served as chief counsel for the Federal Highway Administration in the Obama administration.

"The regulations have served the community pretty well for a long time," he said, "but I think there's a general sense that updating them in light of recent statutory changes, in light of recent administrative initiatives, makes sense."

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*Advertisement*

CEQ declined to comment for this story. But Ted Boling, associate director for NEPA at CEQ, said at a conference this month that changes to the regulations are just one in a range of tools CEQ is looking at to clean up what the Trump administration sees as inefficiencies in the NEPA process.

For an infrastructure project, the average time between the beginning of scoping and producing a draft environmental impact statement is two years and 10 months, Boling said at the conference, sponsored by the Environmental Law Institute.

"So what you're saying as part of the scoping process is, 'Thank you for your input on this project. We'll get back to you in maybe 2 ½ years with a draft environmental impact statement,'" Boling said. "We can do better than that."

Most projects don't require an environmental impact statement. And some of those inefficiencies come as the result of individual agency policy or staffing, rather than CEQ's regulations.

Still, delays on major projects that do require an EIS cost money year after year, Wagner said. And the two most recent major transportation bills — the Moving Ahead for Progress in the 21st Century Act (MAP-21) and the Fixing America's Surface Transportation (FAST) Act in 2015 — provide models of what CEQ might seek to change.

CEQ might require, for example, that agencies combine the final EIS and record of decision (ROD) into a single document, a change that is already in place for certain transportation projects under MAP-21.

Currently, the law requires a 30-day cooling-off period between the two documents, but it sometimes gets extended as agencies deal with more public comments on the final EIS, Wagner said.

Another possibility would be to have one ROD document for the whole federal government, rather than one for each agency. That's a tweak President Trump has already floated with his Aug. 15, 2017, executive order and a subsequent interagency agreement signed last month ([Greenwire](#), April 9).

Other changes based on the FAST Act and MAP-21 might be in order, but generally speaking, the regulations are sound, said Larry Lieberman, a senior adviser with Washington water resources firm Dawson & Associates who worked on the 1978 standards during his time at the Justice Department.

"I think a lot of the real objections can be addressed through fine-tuning of the existing regs," he said. "Don't throw the baby out with the bathwater, so to speak."

### **'A little bit more oomph'**

Industry groups and environmentalists alike will get a chance to weigh in as public comments get underway in coming months, but the process will be complicated.

CEQ earlier this month submitted a draft advance notice of proposed rulemaking to the Office of Information and Regulatory Affairs ([E&E News PM](#), May 7). It was included in the spring Unified Agenda, though it hasn't yet been published in the *Federal Register* for comment.

But for those seeking to streamline the regulations, it may be difficult to find common ground with the environmental groups that will inevitably comment and possibly sue if there are any legal blips in the process.

They're looking to go in the opposite direction with reforms to CEQ's NEPA regulations, said Raul Garcia, legislative counsel with Earthjustice.

"There is very little in there, and I think there needs to be more, on how to engage communities on the ground," Garcia said.

---

Garcia and other environmentalists argue that it's a lack of staffing and funding — rather than statutes or regulations — that holds up the process.

"The problem is not NEPA; the problem is that you're not funding the agencies that carry out NEPA, CEQ being front and center on this," Garcia said.

Other observers point out that one of the biggest holdups in the NEPA process — litigation — would have to be addressed through statute, rather than regulations.

For CEQ, it may also be difficult to pinpoint how, exactly, it can change its regulations to fix what the administration sees as a laborious NEPA process.

The current regulations state that EIS documents "shall normally" be fewer than 150 pages, and fewer than 300 for unusually complex projects.

The wording of that *guidance* is nearly identical to a memo Interior Deputy Secretary David Bernhardt issued to his agency last year ([Greenwire](#), Sept. 6, 2017).

"It's already here, but it's just never really been enforced," Wagner said. "So the question becomes, why not? And if it's already in the regulations, what else do you have to say?"

CEQ also issued a [document](#) in 1981 titled "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations."

The memo advises that even large complex energy projects "would require only about 12 months for the completion of the entire EIS process."

Those are just two of many examples of where critics of NEPA — namely, the transportation and energy industries — might be able to work with agencies to cut down permitting time within existing regulatory frameworks, Wagner said.

"But I think what people want to see is a little bit more oomph, for lack of a better word, in the regulations," he said.

## **Road ahead**

Environmentalists fear that even apparently reasonable changes to the NEPA regulations could be co-opted by bad-faith political forces in the Trump administration.

But for now, CEQ is without appointed political leadership, since Kathleen Hartnett White withdrew her name from consideration as its chair when it became clear that her nomination would not pass the Senate.

"Without a leader there that understands the NEPA process, that's a problem," Liebesman said.

Boling, for his part, is a well-respected career official with more than a decade of experience working under Democratic and Republican presidents. He could help fend against those in the administration that see NEPA as an "albatross," Liebesman said.

Still, the agency may have time to get a leader confirmed before the process wraps up. Each step is likely to draw a wealth of public comments.

"I think it's going to be several years before you see any revised NEPA regulations," Liebesman said.

---

*Sara Upchurch*  
**Deputy Associate Director for NEPA**  
**Executive Office of the President**  
**Council on Environmental Quality**

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Sent from my iPhone

## Re: FW: Edits to proposed rule on NEPA review

---

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

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

**Cc:** fedreg.legal@nara.gov

**Date:** Fri, 15 Jun 2018 14:42:07 -0400

Viktoria,

(b) (5)

. Just let us know what will work best for you.

Miriam

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

On Fri, Jun 15, 2018 at 2:38 PM, Seale, Viktoria Z. EOP/CEQ <(b) (6)> wrote:

Miriam,

(b) (5). Will that address your concerns?

Viktoria

**Viktoria Z. Seale**

**General Counsel**

**Executive Office of the President**

**Council on Environmental Quality**

(b) (6) (direct)

(b) (6) (cell)

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

Viktoria,

(b) (5)

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

(b) (5)

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

Miriam

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

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

Dear Sir or Madam,

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

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

Sincerely,

Viktoria

**Viktoria Z. Seale**

**General Counsel**

**Executive Office of the President**

**Council on Environmental Quality**

(b) (6) (direct)

(b) (6) (cell)

**From:** Sun, Howard C. EOP/CEQ

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

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

**Subject:** FW: Edits to proposed rule on NEPA review

---

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

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

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

(b) (5)

Please let me know if you have any questions.

Chipp Reid

Writer/Editor

Office of the Federal Register

[creid@gpo.gov](mailto:creid@gpo.gov)

[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)

202-741-6007

--

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

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

## FR 2018-13246\_1644312 redline edit

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

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

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

**Date:** Fri, 15 Jun 2018 13:33:57 -0400

**Attachments**  
: FR 2018-13246\_1644312 redline edit.docx (47.66 kB)

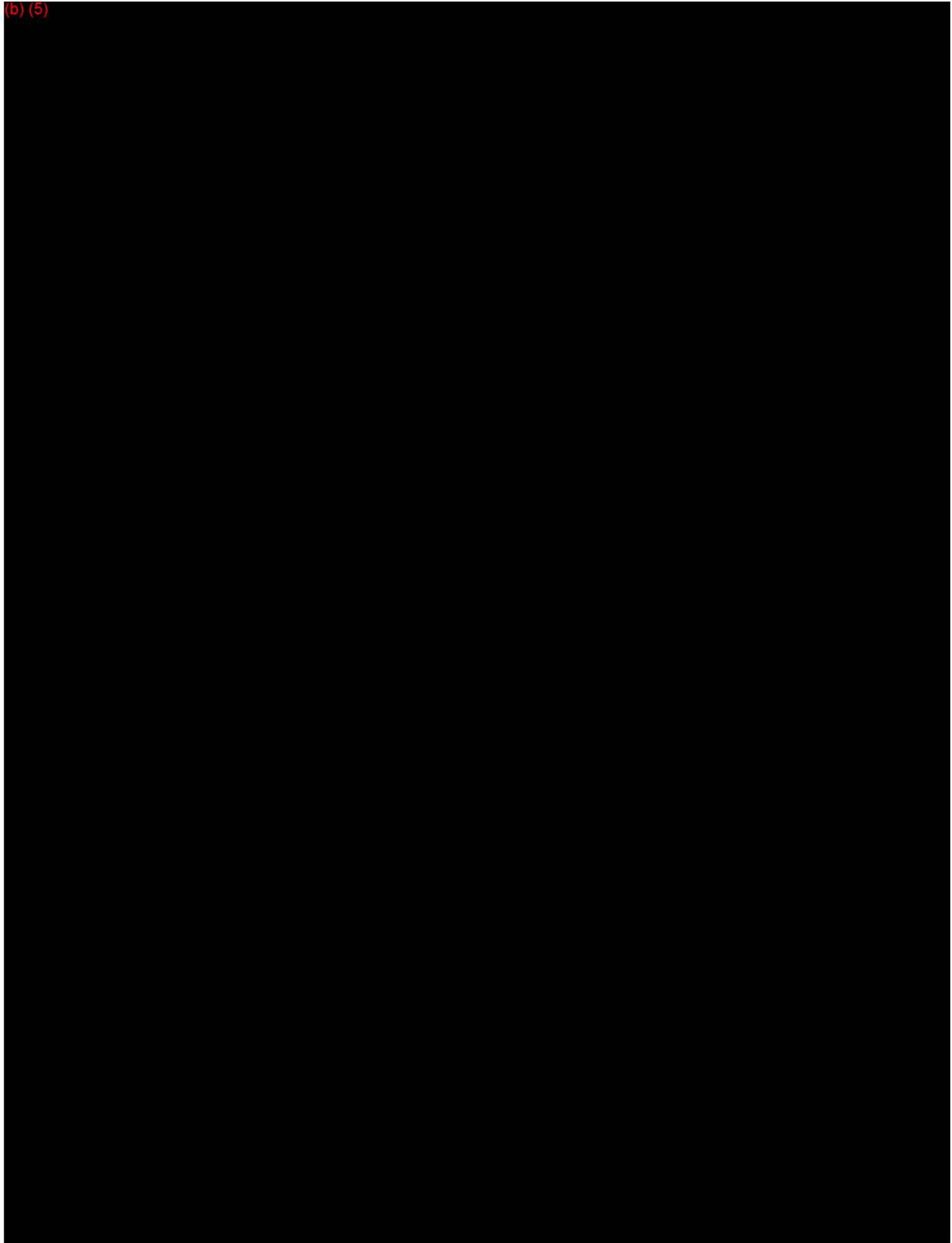
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Mary and Aaron,

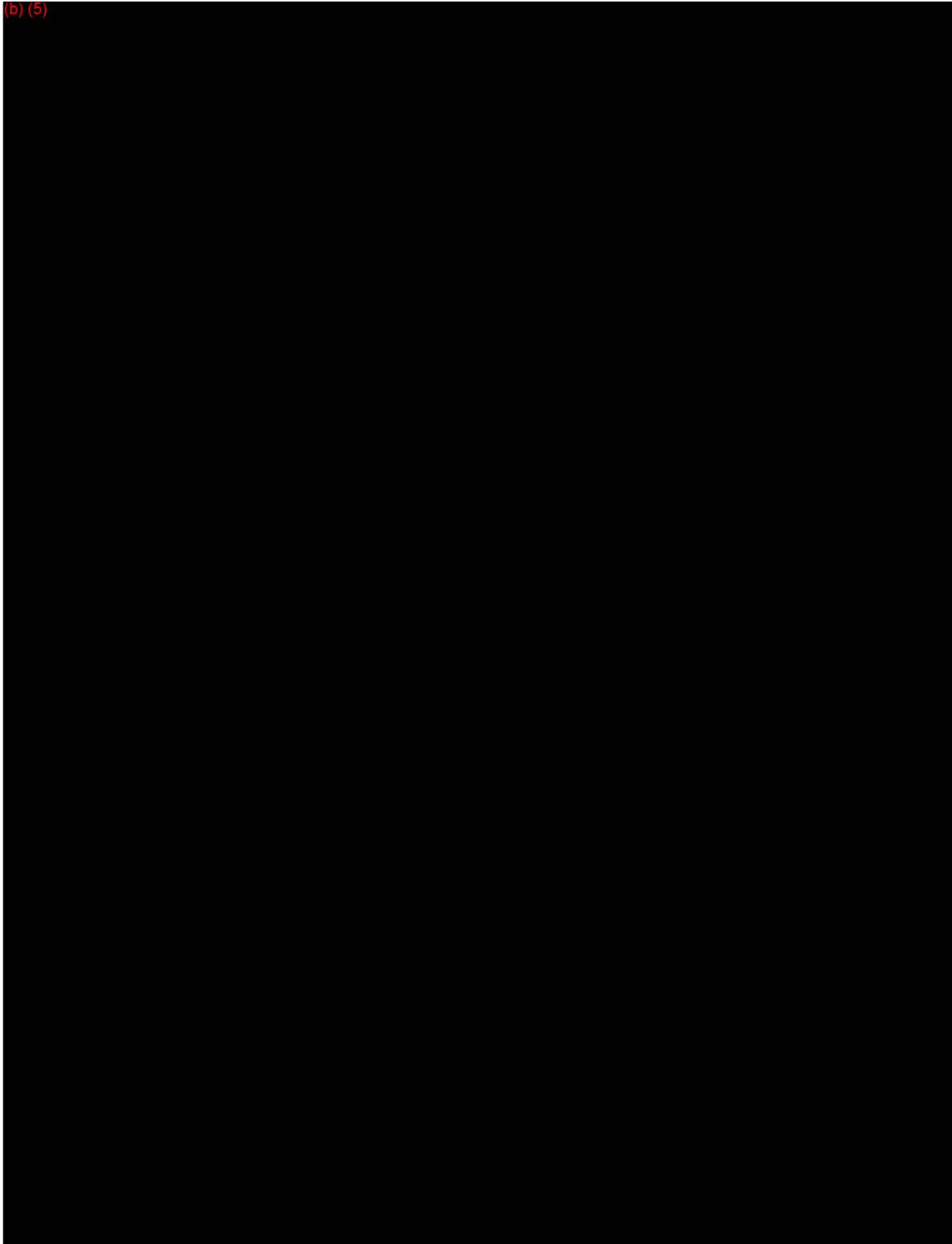
I have emailed the OFR's Legal Affairs and Policy Division to ask that we be permitted to use the quoted text from the E.O.'s. In the meantime, Ted reviewed and made some further edits to the potential revisions that we made to paraphrase the quotes so that we can be ready to go if need be. I've attached the redline edit for your review.

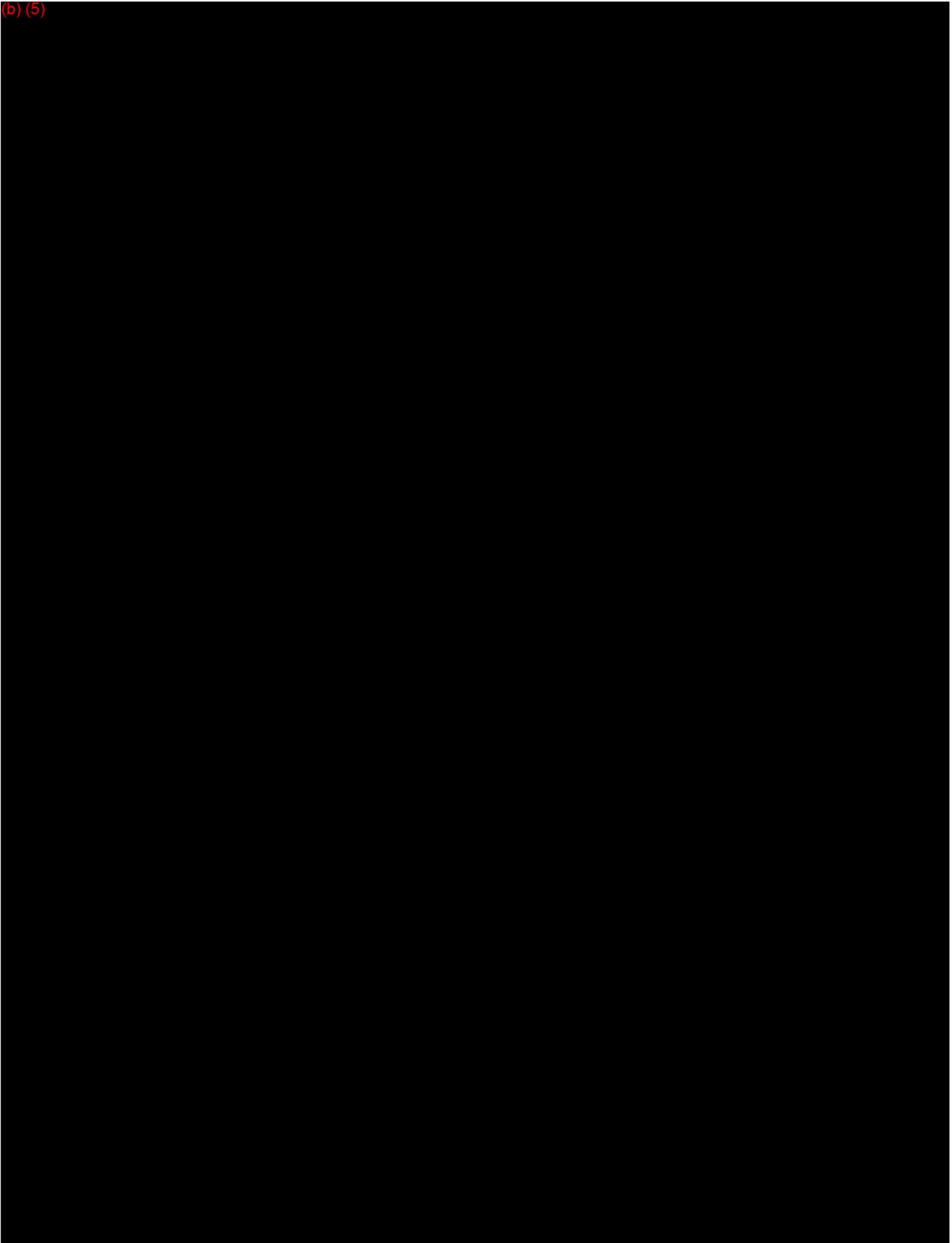
Thank you,

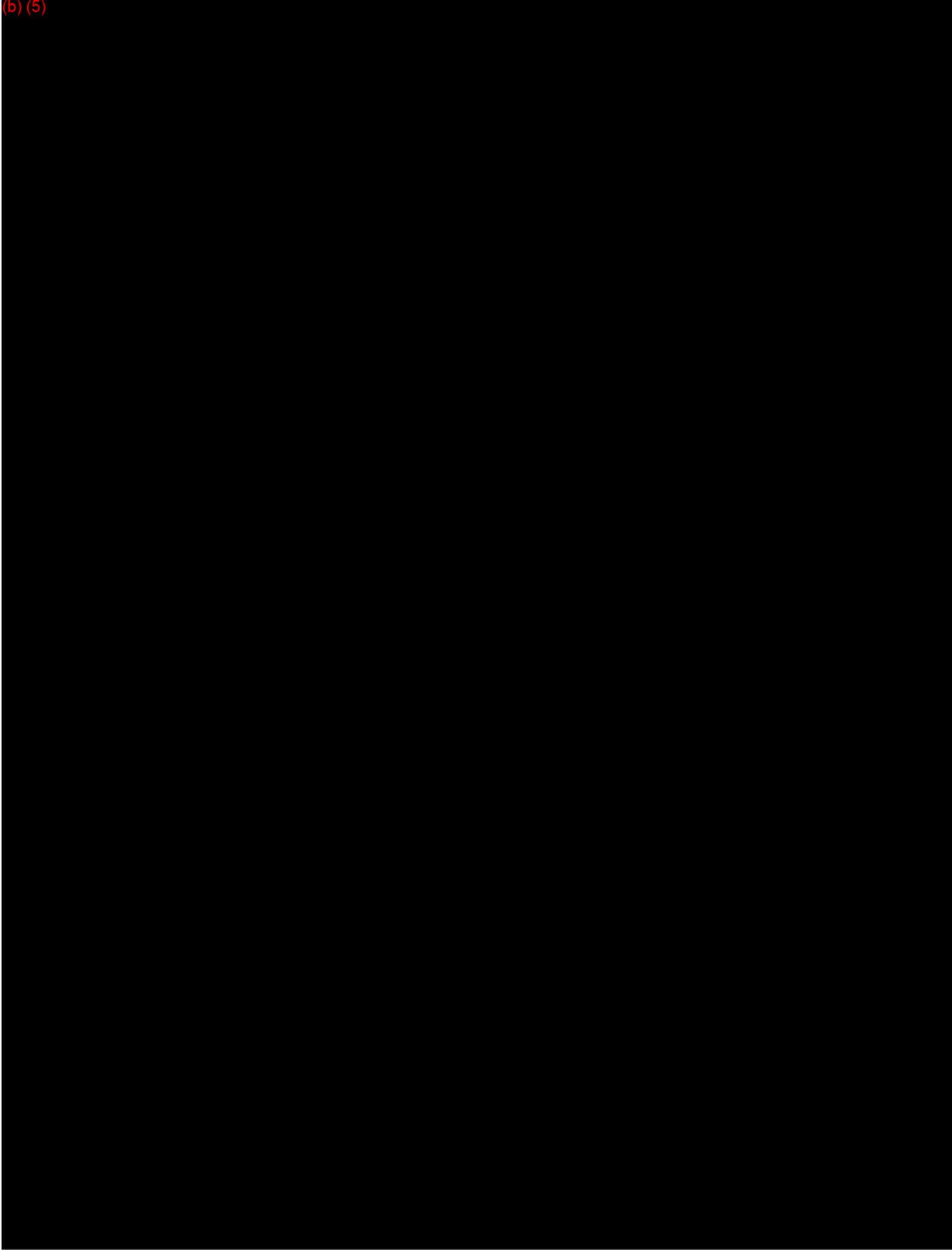
Viktoria

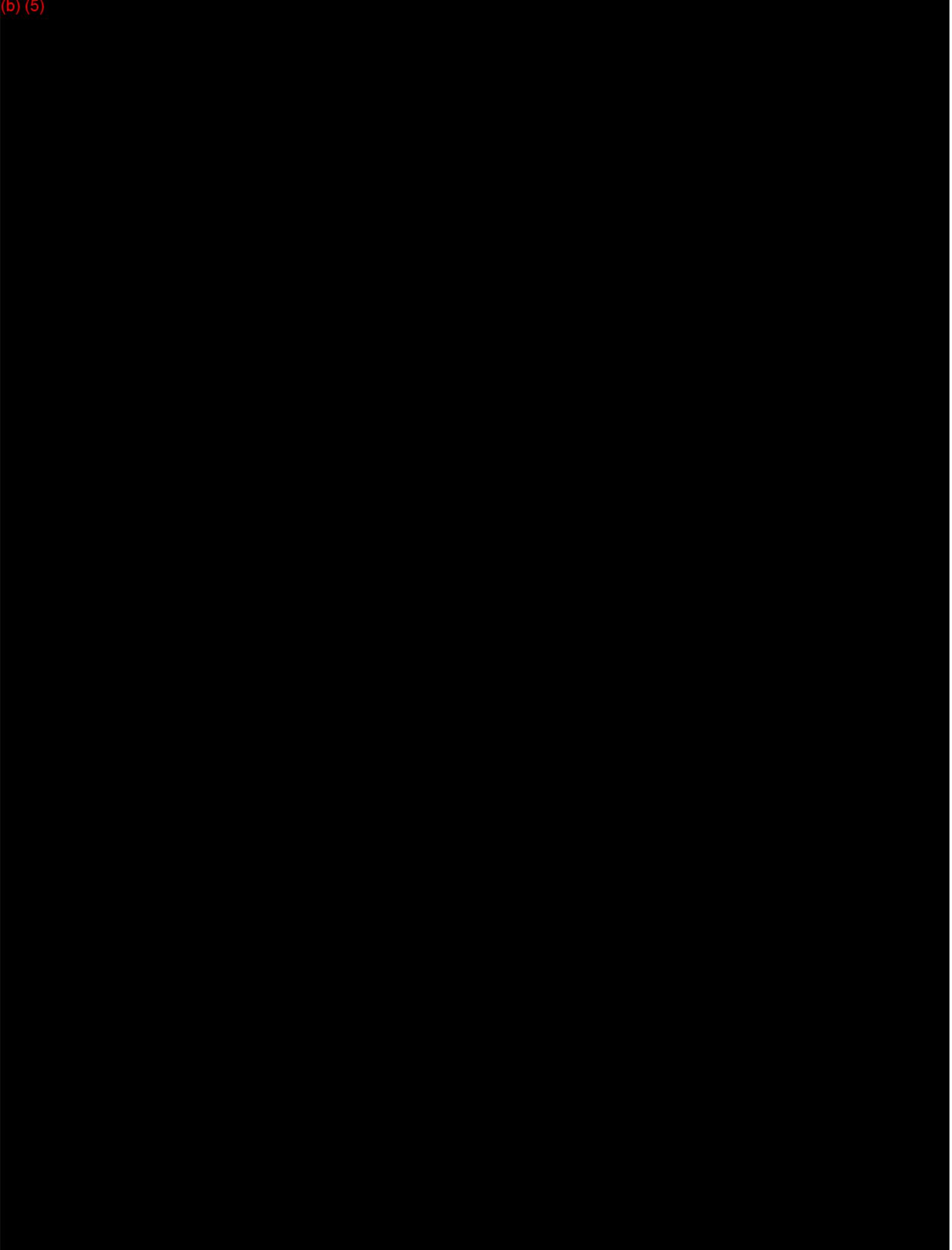


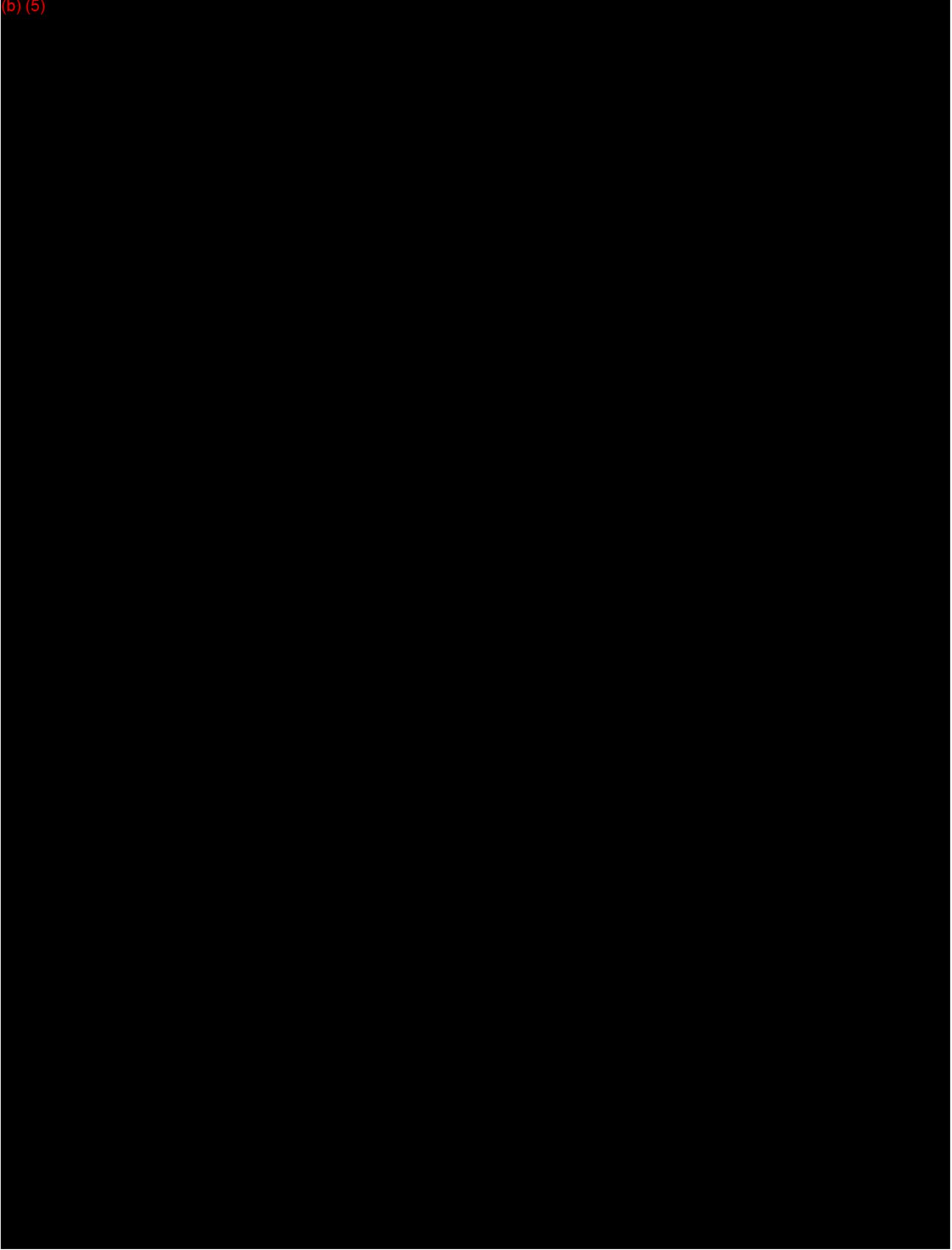


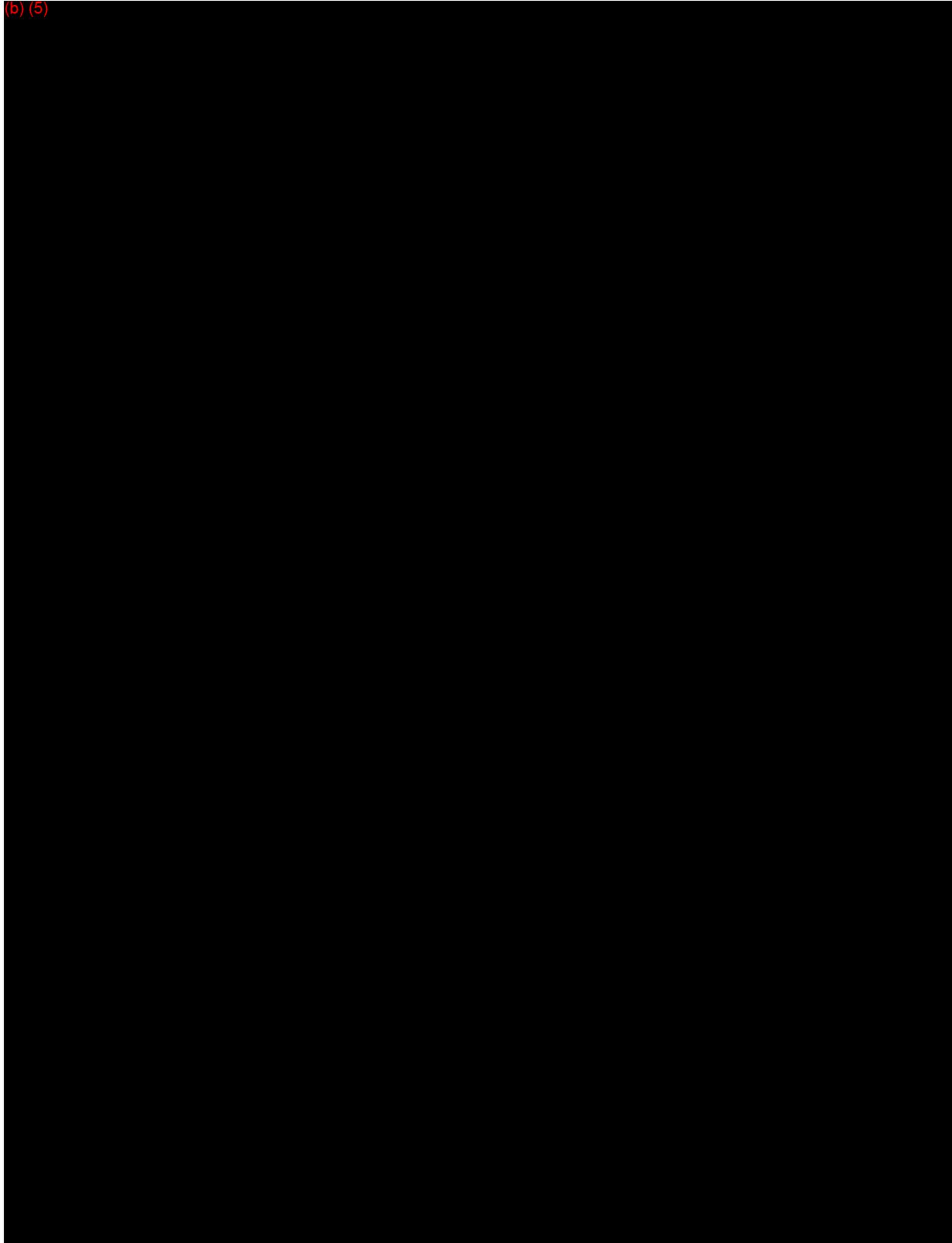












## FW: Edits to proposed rule on NEPA review

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**From:** "Seale, Viktoria Z. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=af5f6888d706481b94d18088a30821c9-se">  
**To:** fedreg.legal@nara.gov, ofr-legal@gpo.gov  
**Date:** Fri, 15 Jun 2018 13:16:50 -0400  
**Attachments**  
: FR 2018-13246\_1644312.docx (49.86 kB)

Dear Sir or Madam,

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

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

Sincerely,

Viktoria

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

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

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

(b) (5)

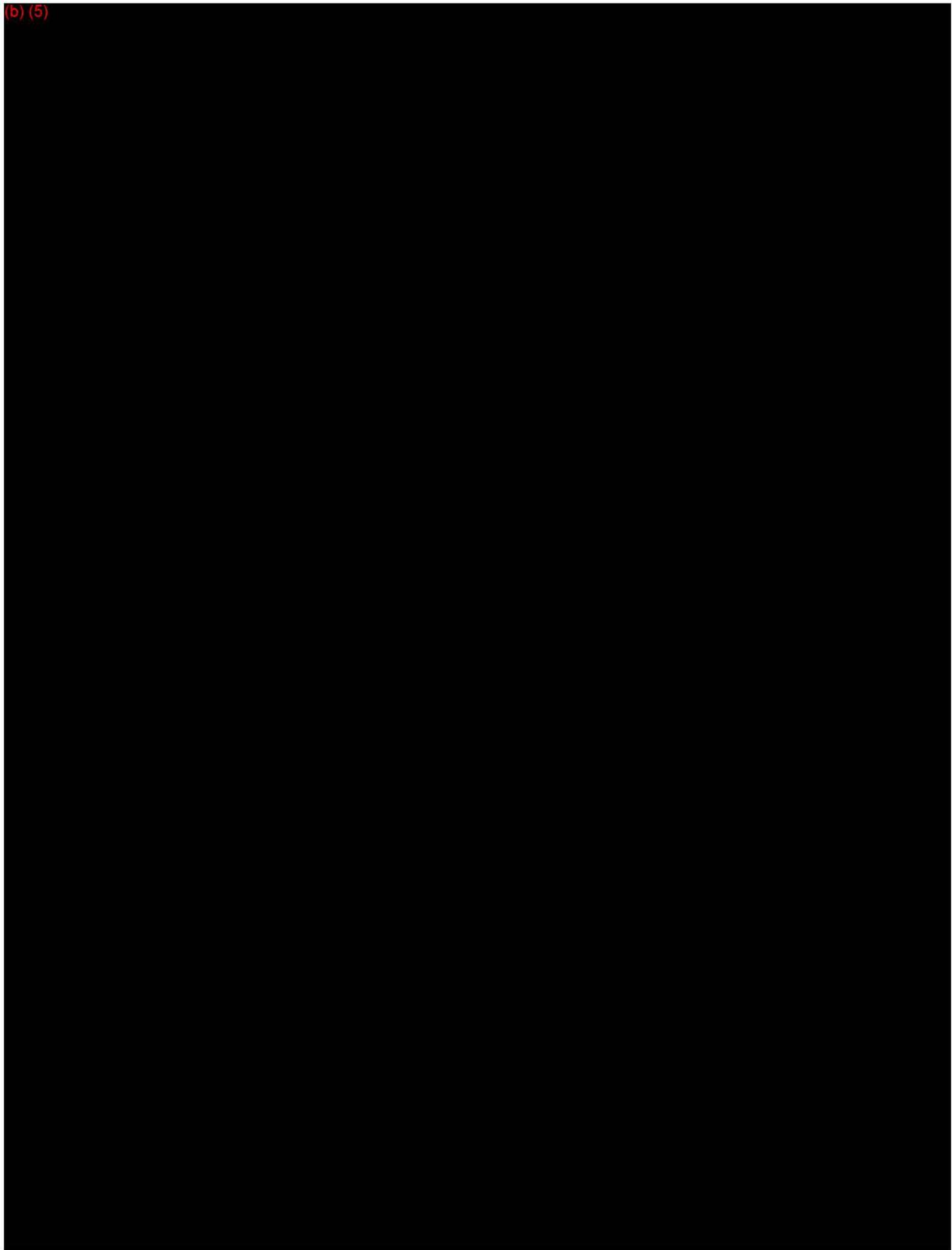
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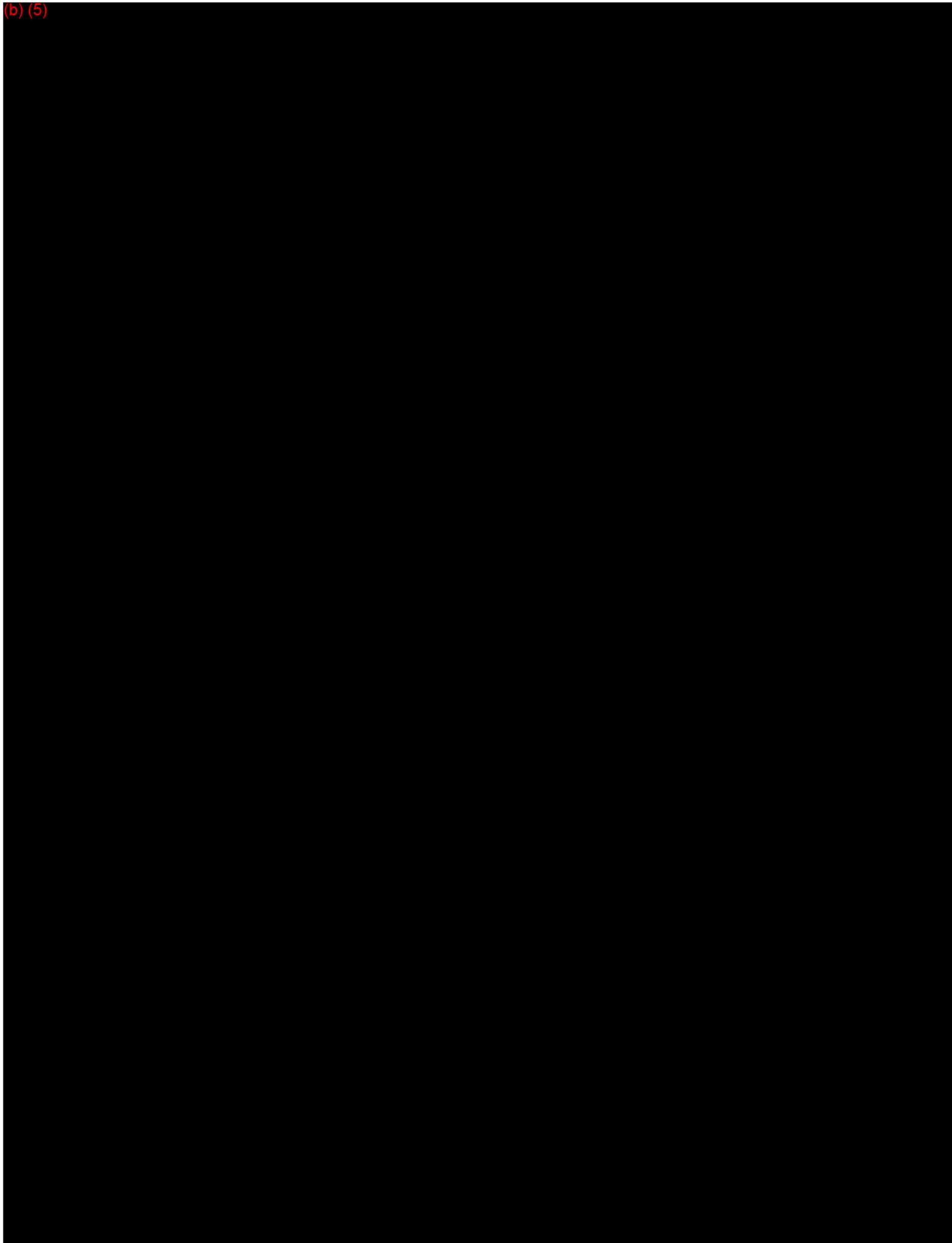
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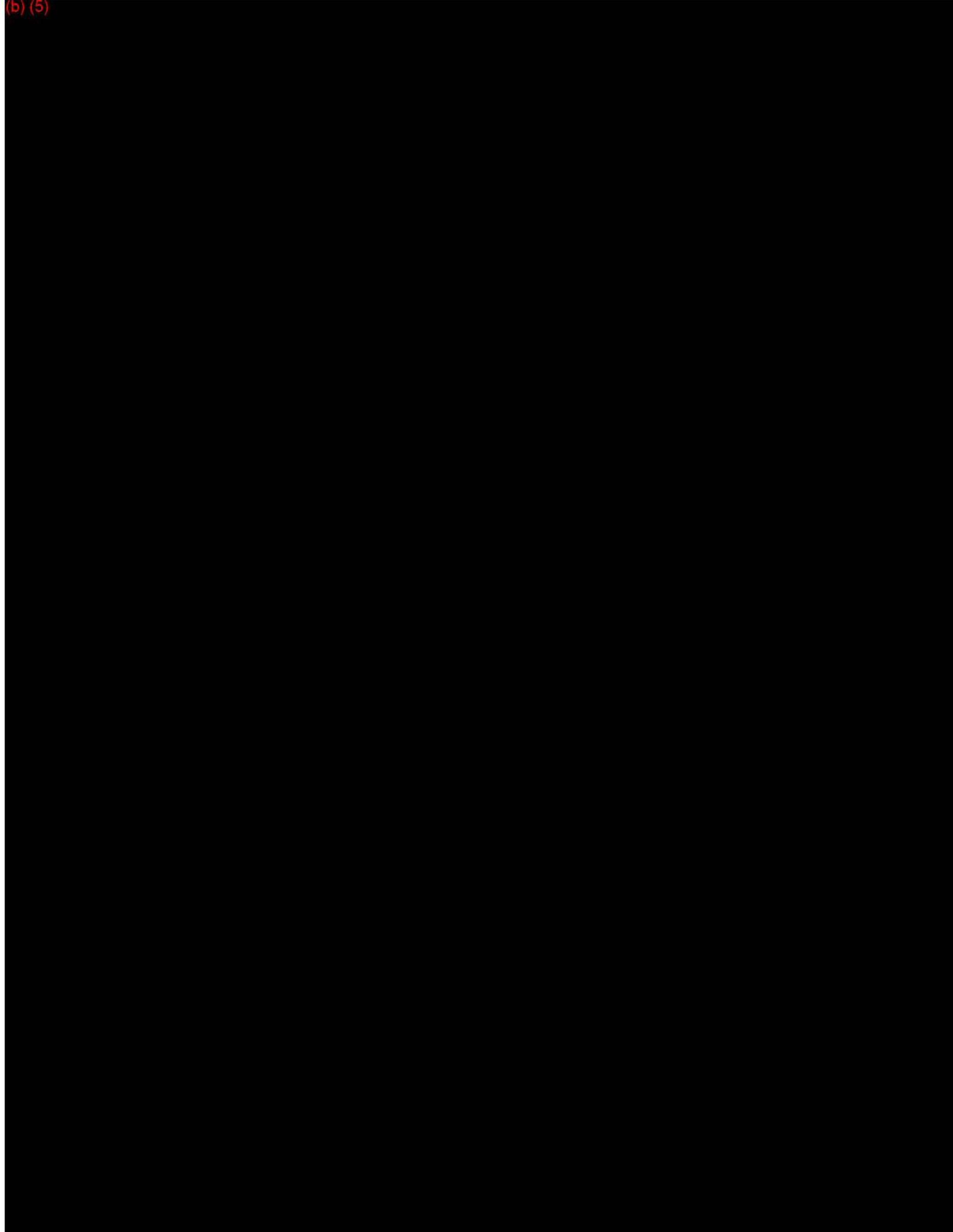
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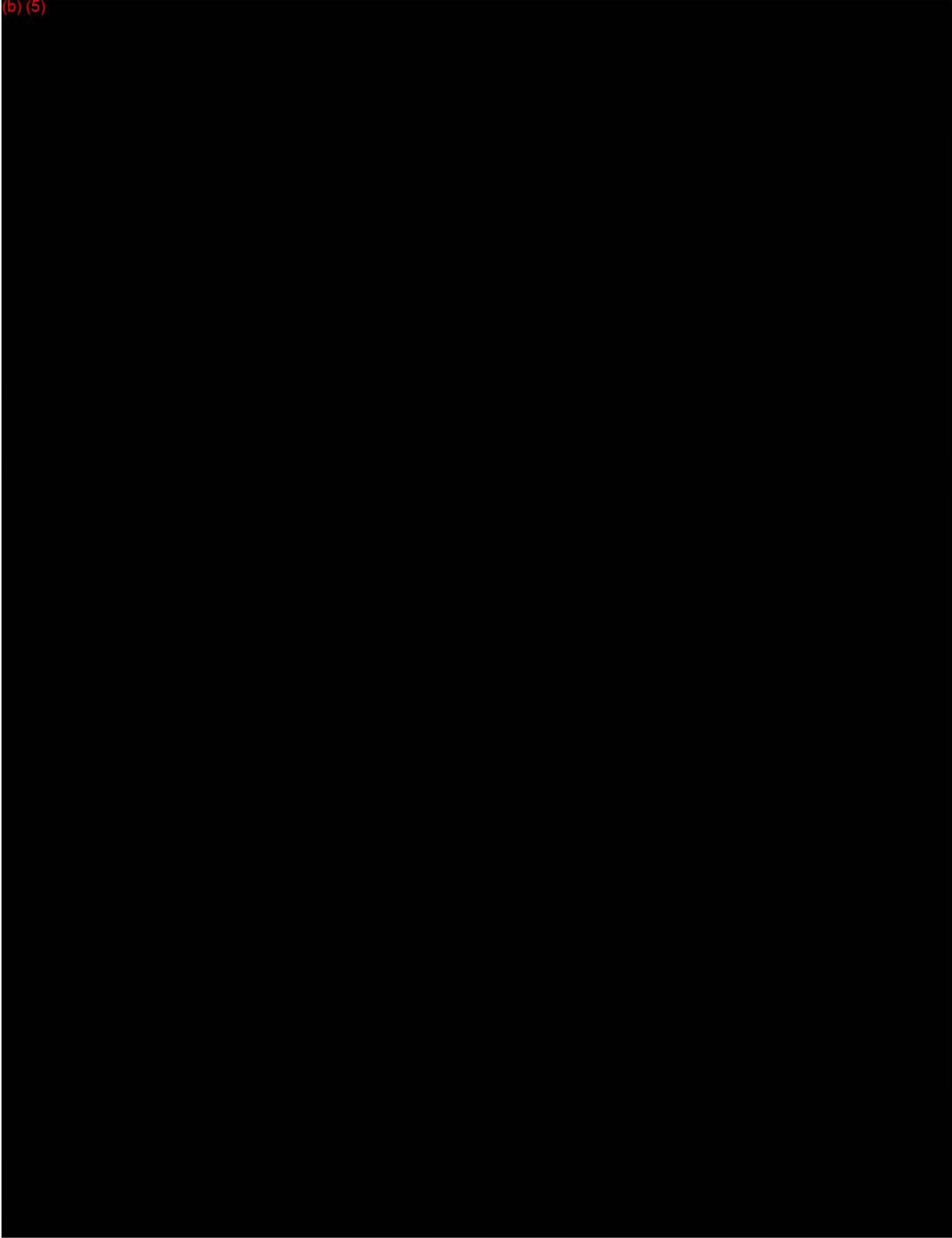
Please let me know if you have any questions.

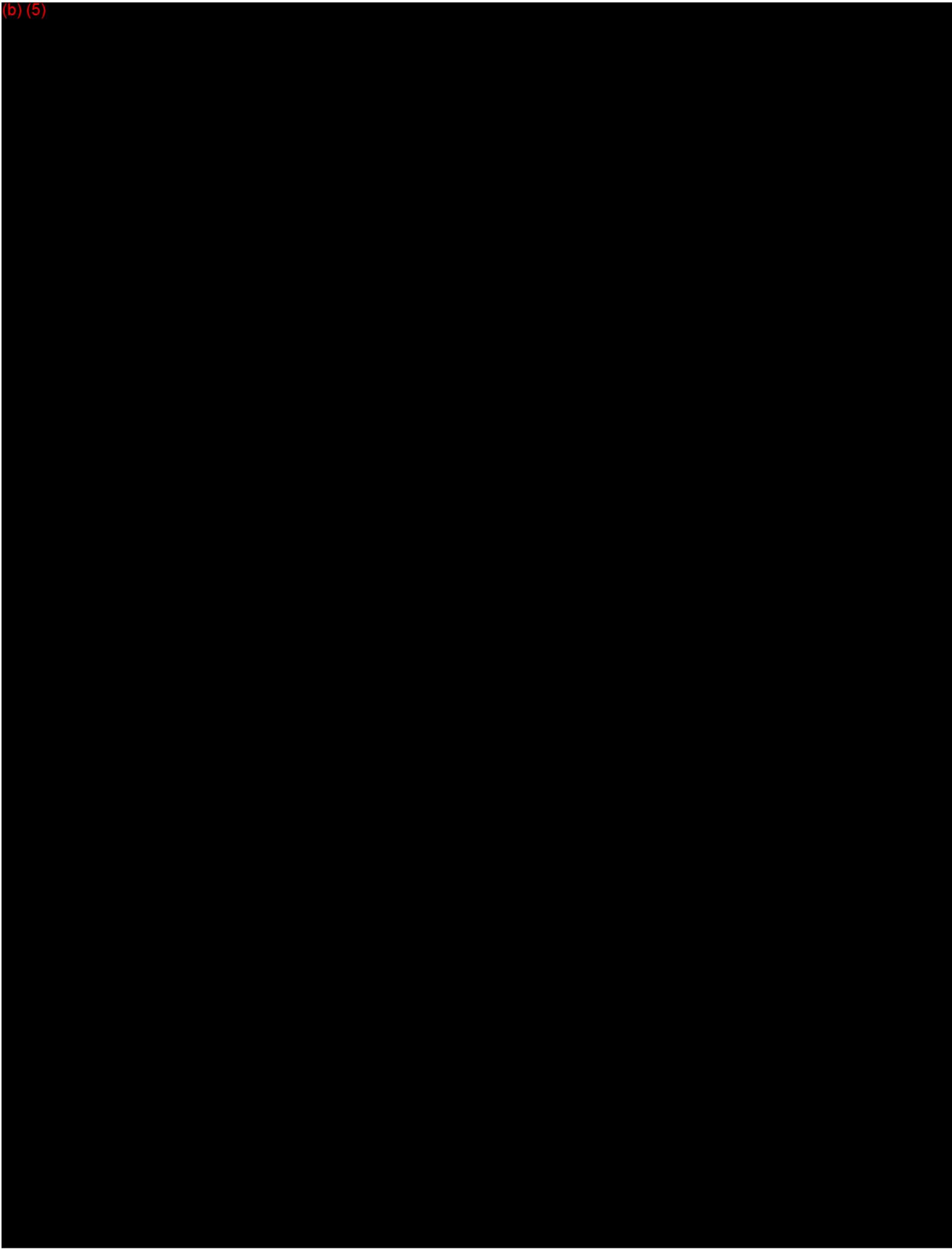
Chipp Reid  
Writer/Editor  
Office of the Federal Register  
[creid@gpo.gov](mailto:creid@gpo.gov)  
[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
202-741-6007

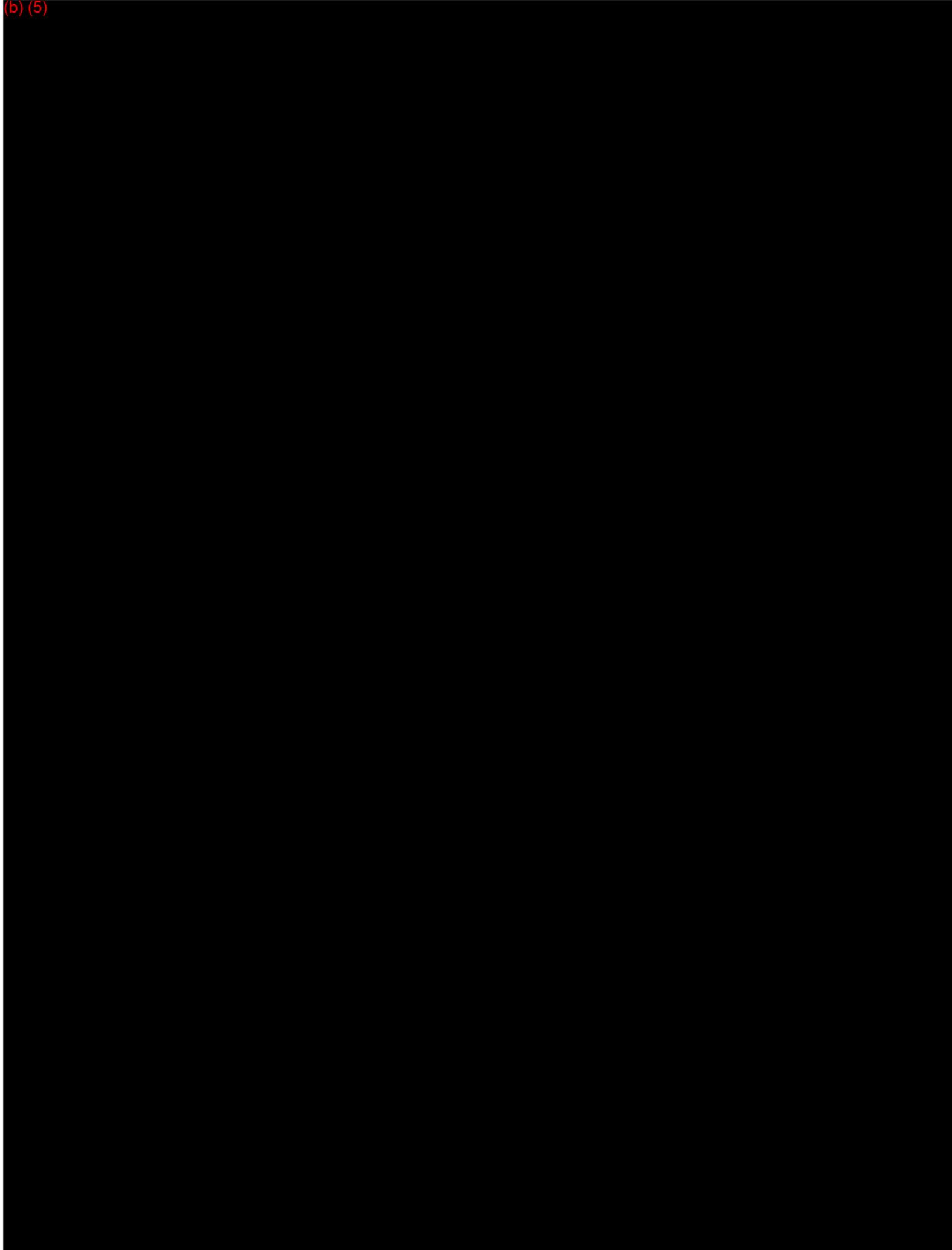


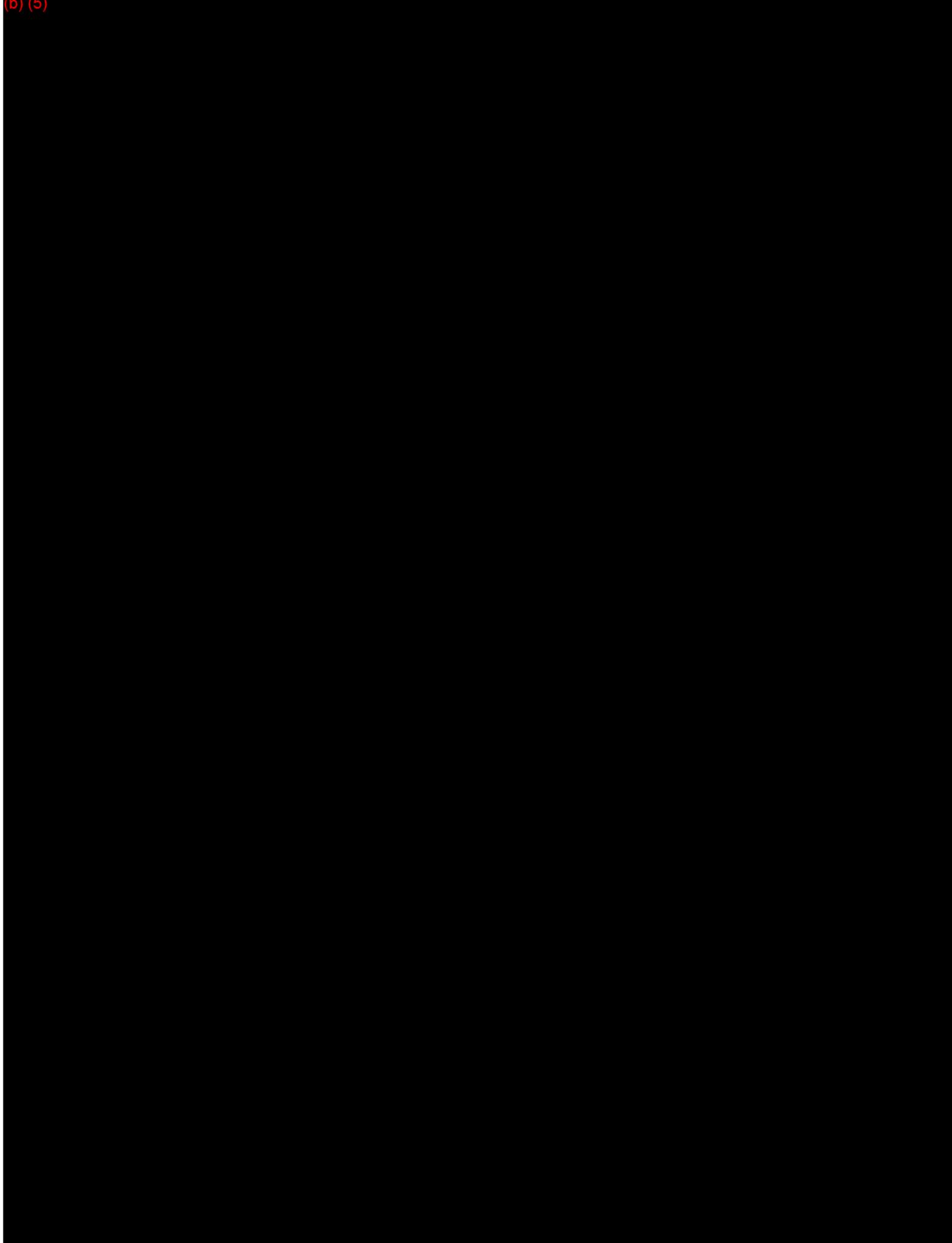


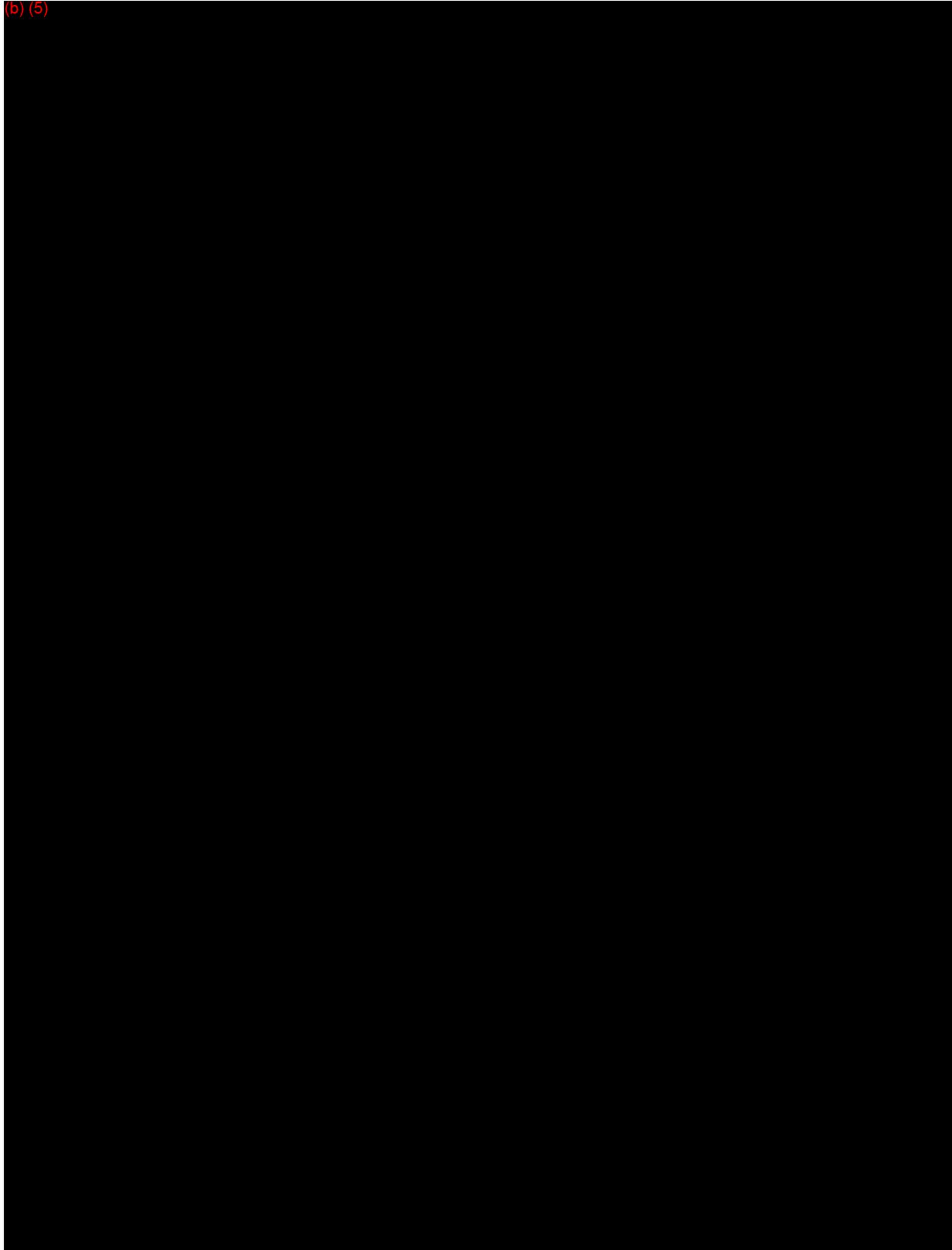












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**To:** "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>  
**Cc:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Date:** Fri, 15 Jun 2018 15:40:07 -0400  
**Attachments:** FR 2018-13246\_1644312 (2).docx (47.96 kB)

Viktoria,

Can you confirm?

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

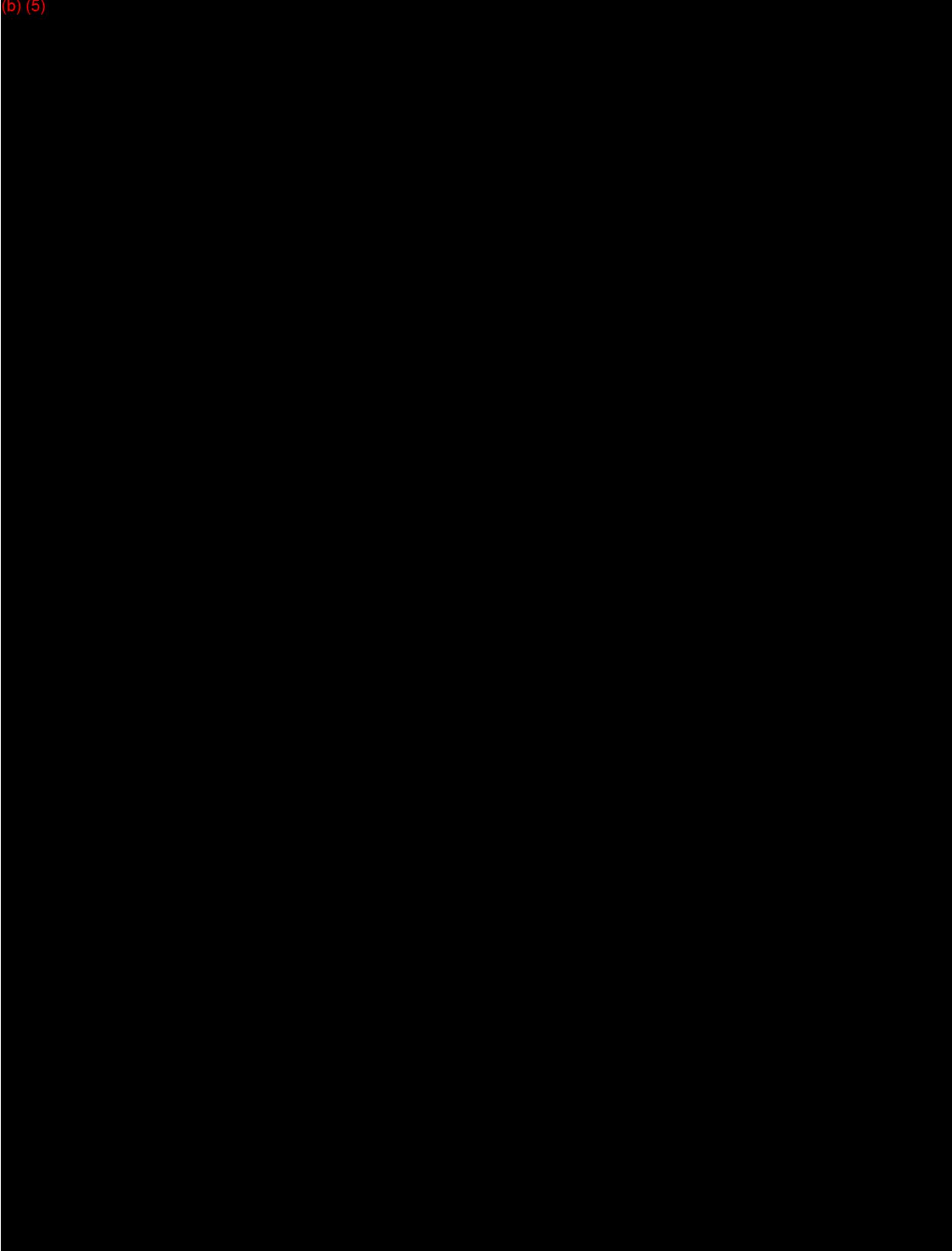
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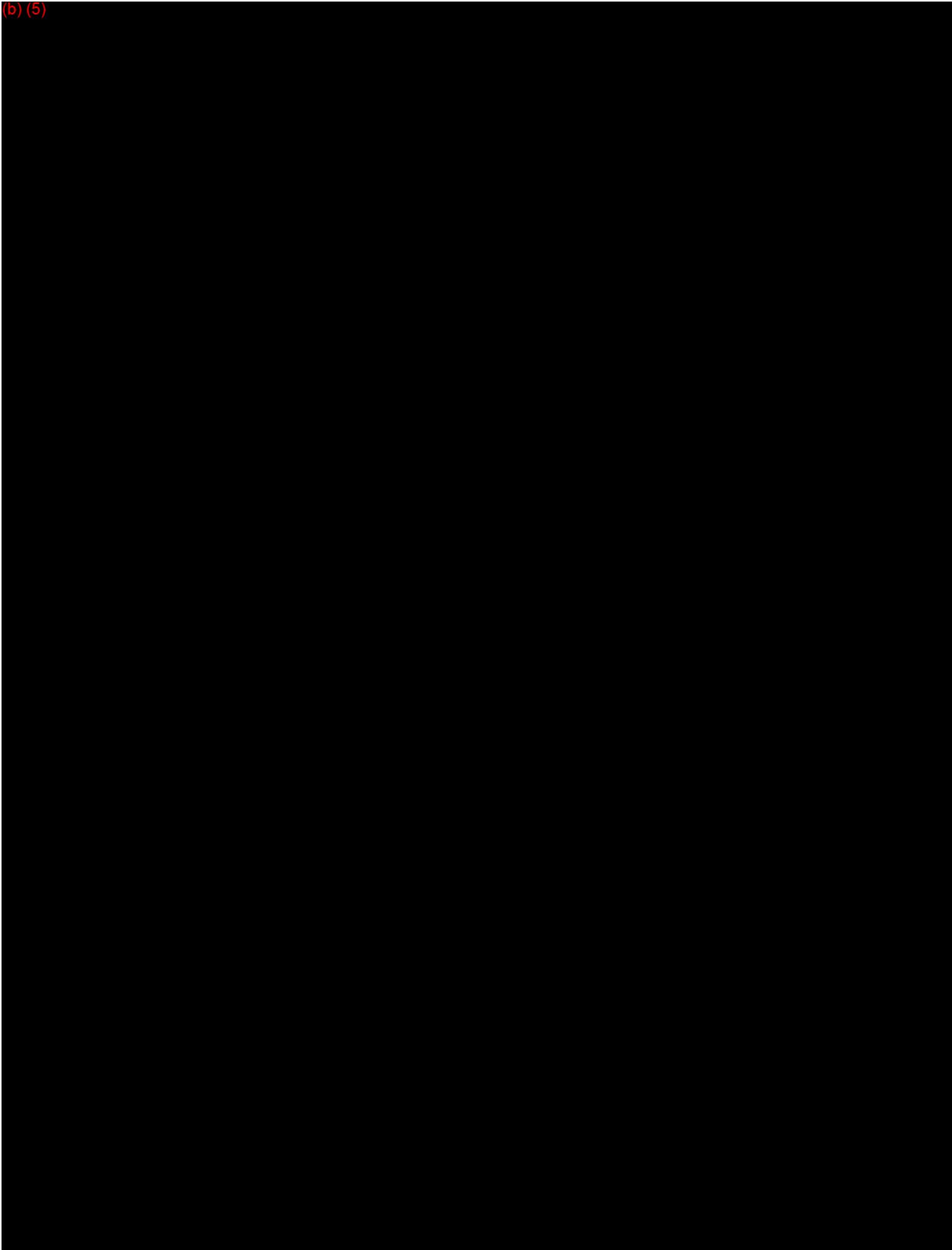
**From:** Reid, Chipp (OFR) <creid@gpo.gov>  
**Sent:** Friday, June 15, 2018 3:39 PM  
**To:** Sun, Howard C. EOP/CEQ <(b) (6)>  
**Subject:** FR 2018-13246\_1644312 (2).docx

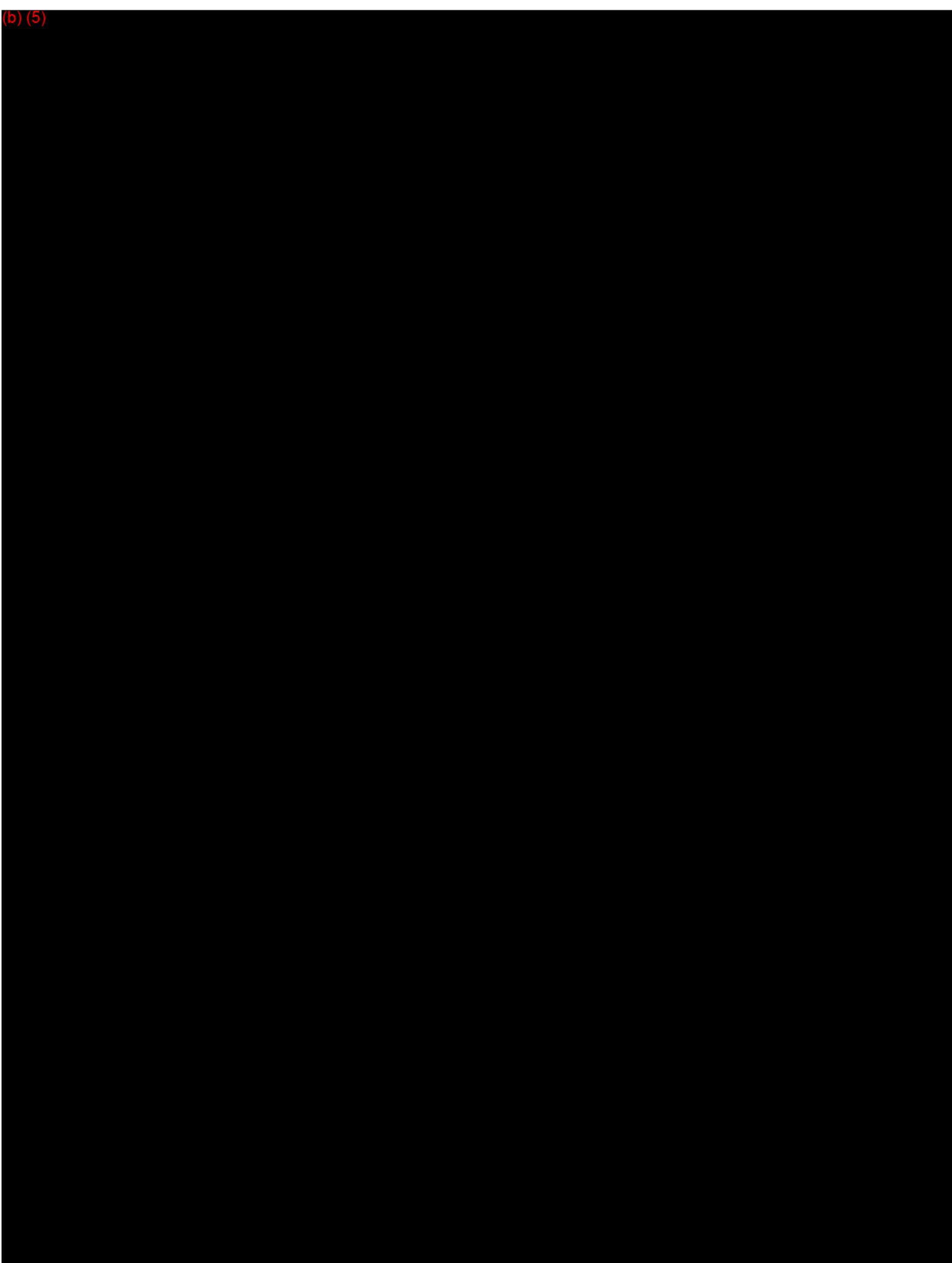
Howard

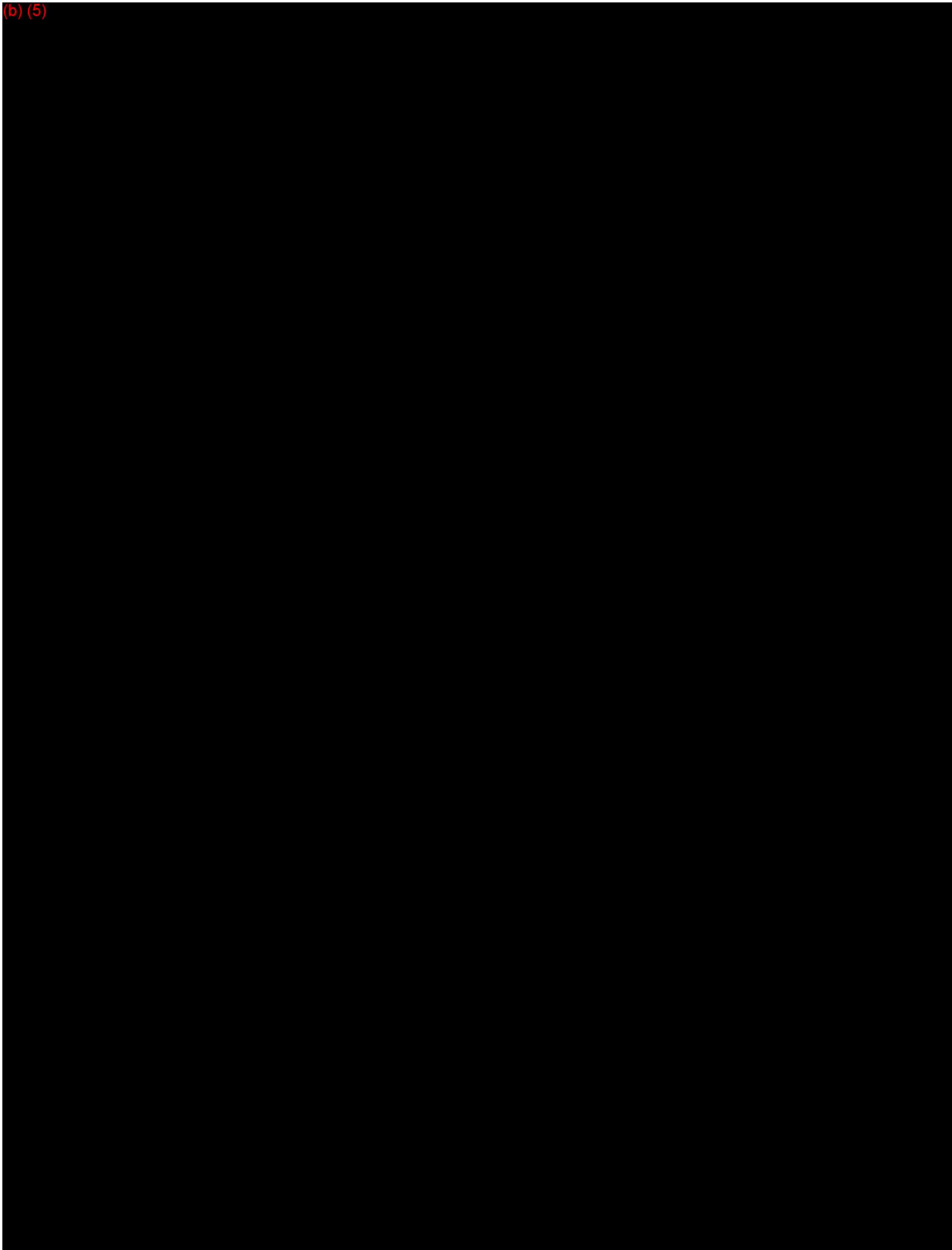
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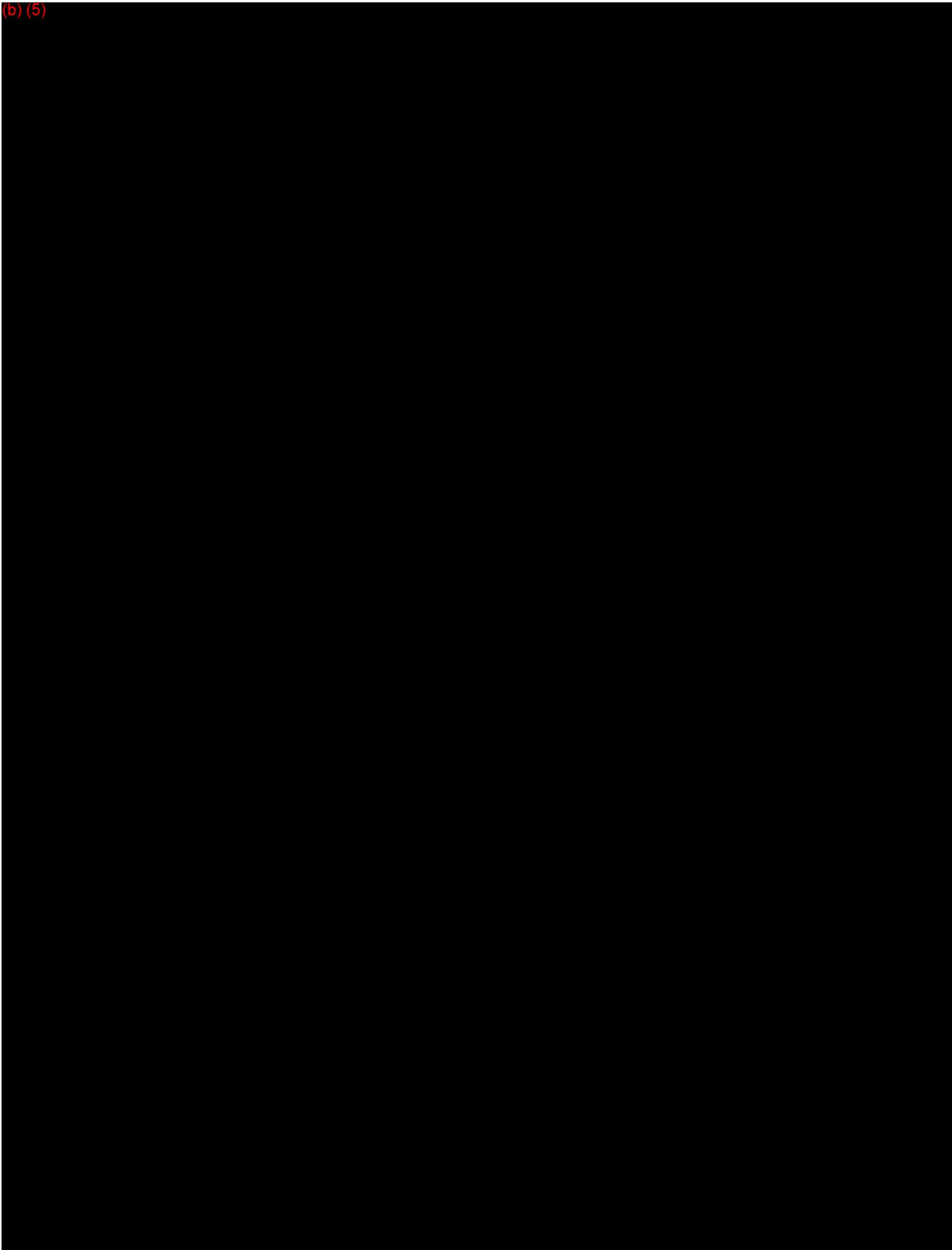
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[creid@gpo.gov](mailto:creid@gpo.gov)  
[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
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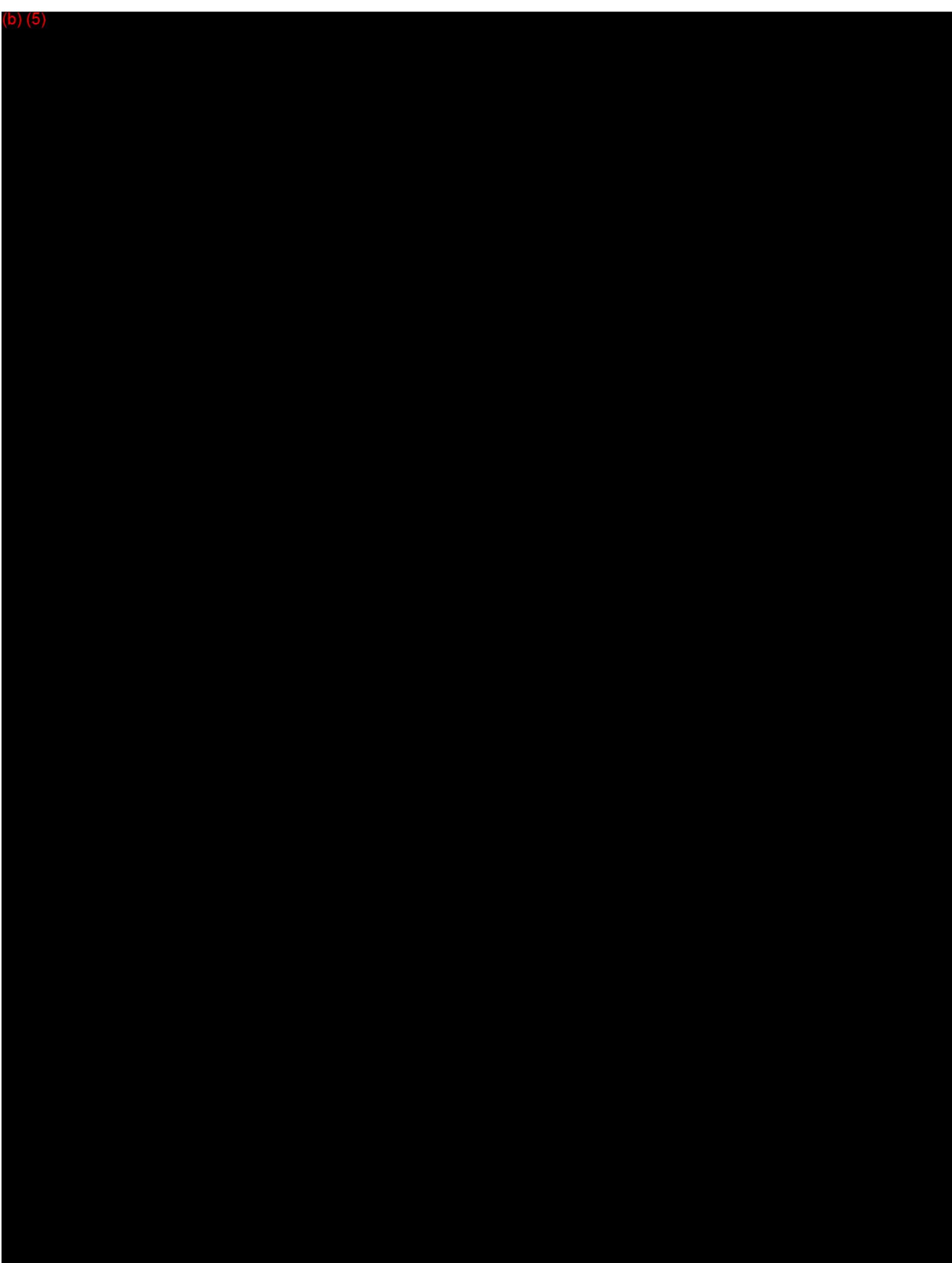


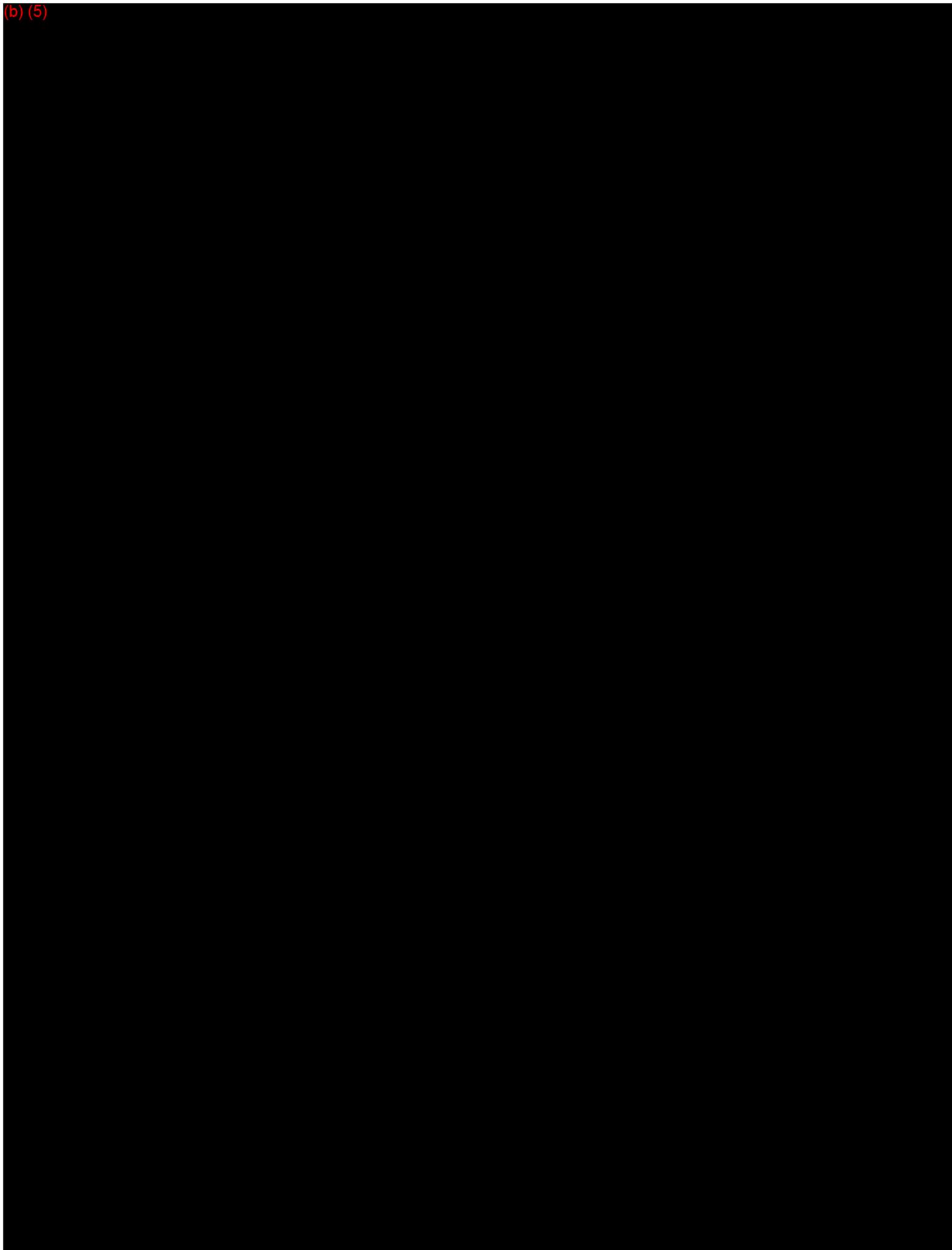












## FW: Edits to proposed rule on NEPA review

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**From:** "Sun, Howard C. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=d09f541a1ae44400bcf25f4ff89d91d7-su">  
**To:** "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>  
**Date:** Fri, 15 Jun 2018 12:23:34 -0400  
**Attachments:** FR 2018-13246\_1644312.docx (49.86 kB)

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

(b) (5)

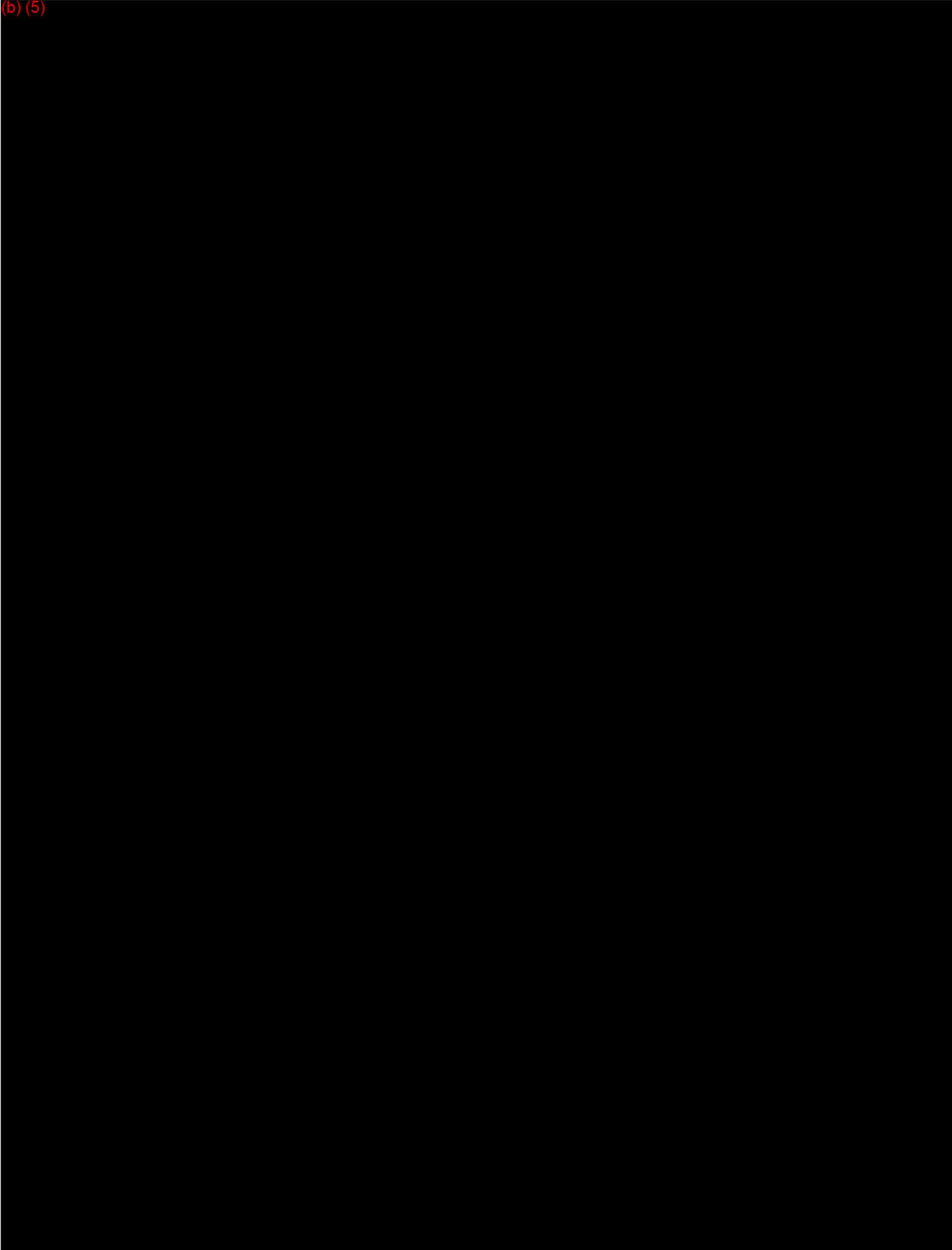
. Please see the Document Drafting Handbook, page 2-15, which states:

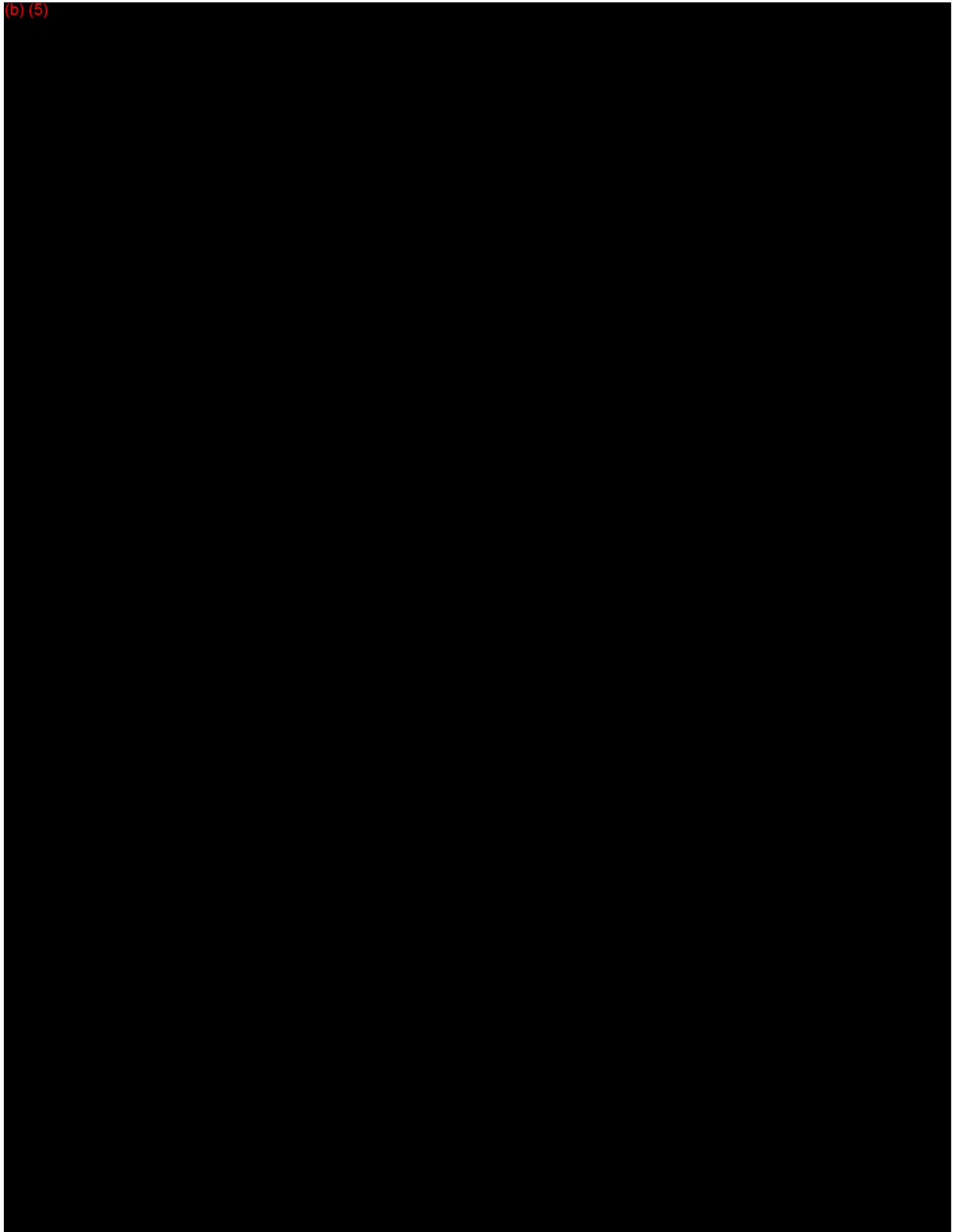
2.6 When can I use direct quotes? The OFR does not allow lengthy or excessive quotation from Federal regulations or Federal law. This includes text from regulatory documents published in the Federal Register. However, if your agency has a compelling legal reason to extensively quote this type of material,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

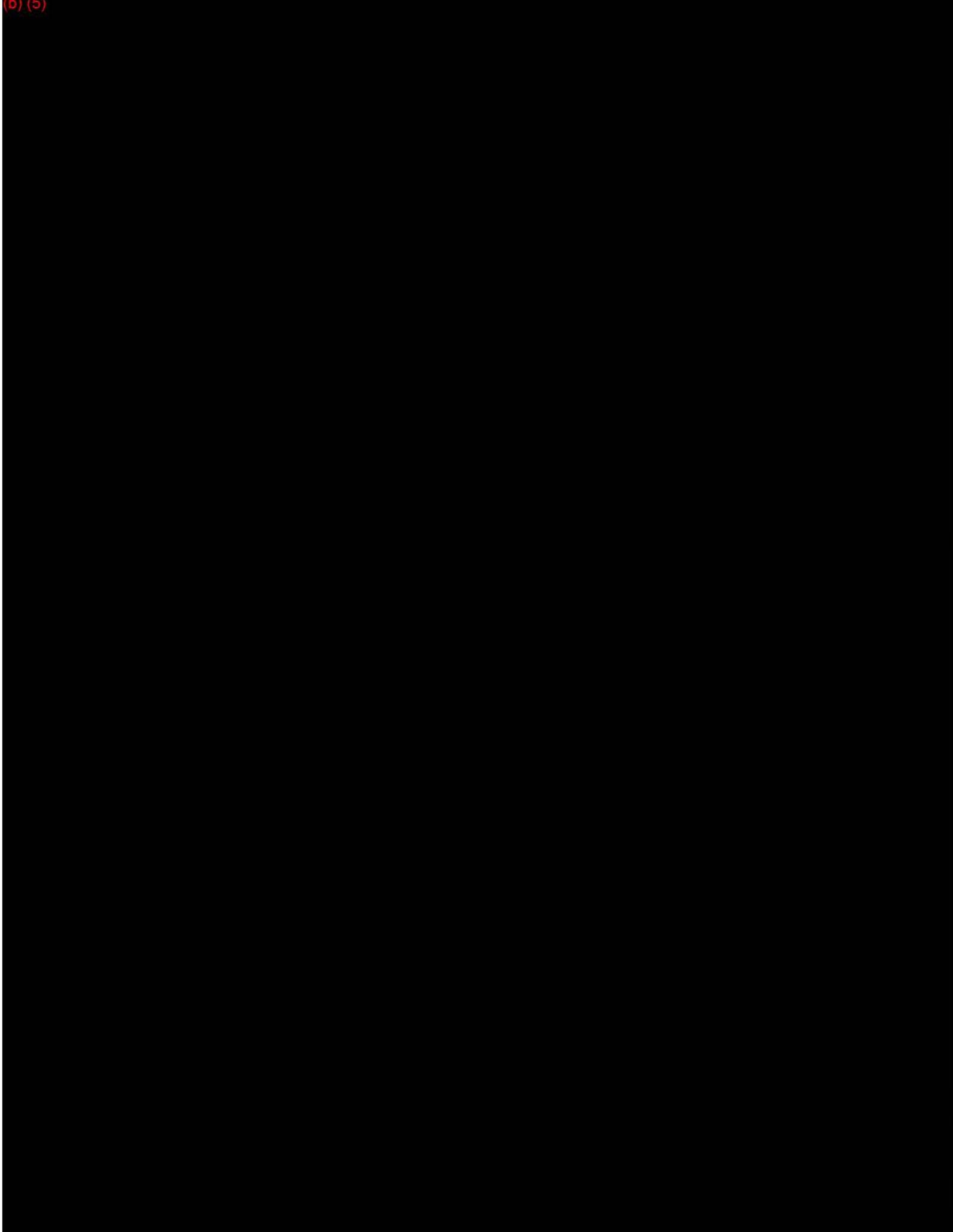
(b) (5)

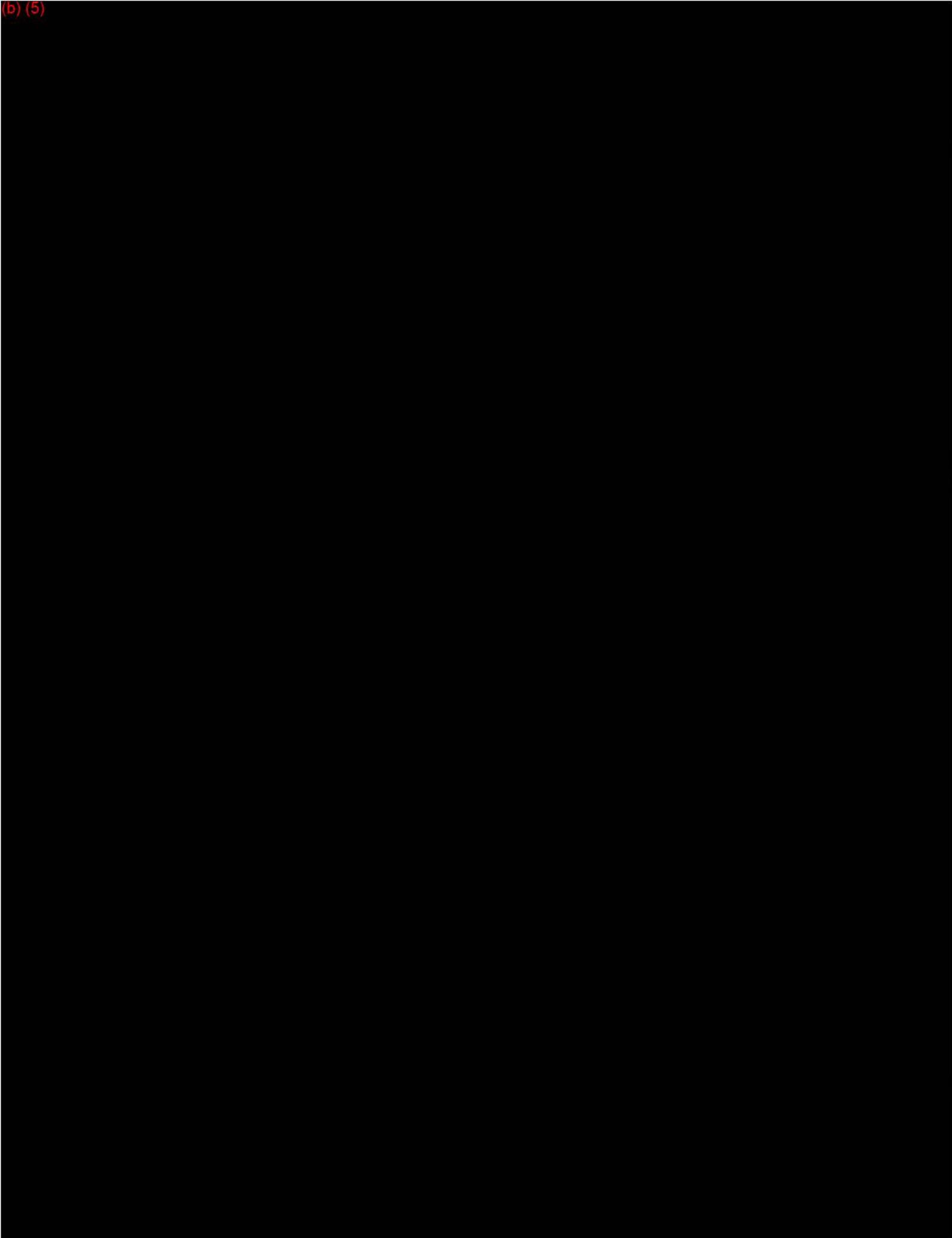
Please let me know if you have any questions.

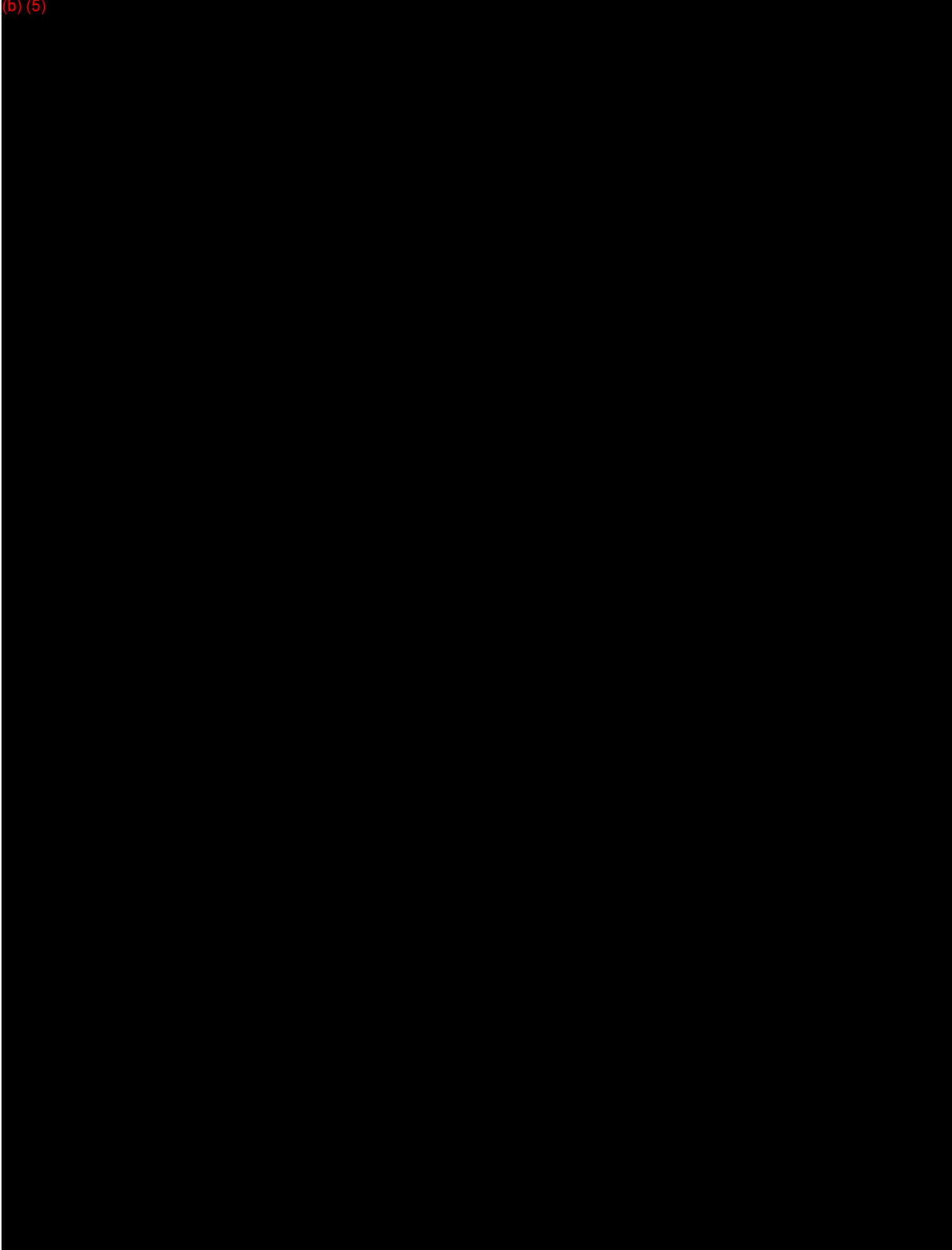
Chipp Reid  
Writer/Editor  
Office of the Federal Register  
[creid@gpo.gov](mailto:creid@gpo.gov)  
[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
202-741-6007

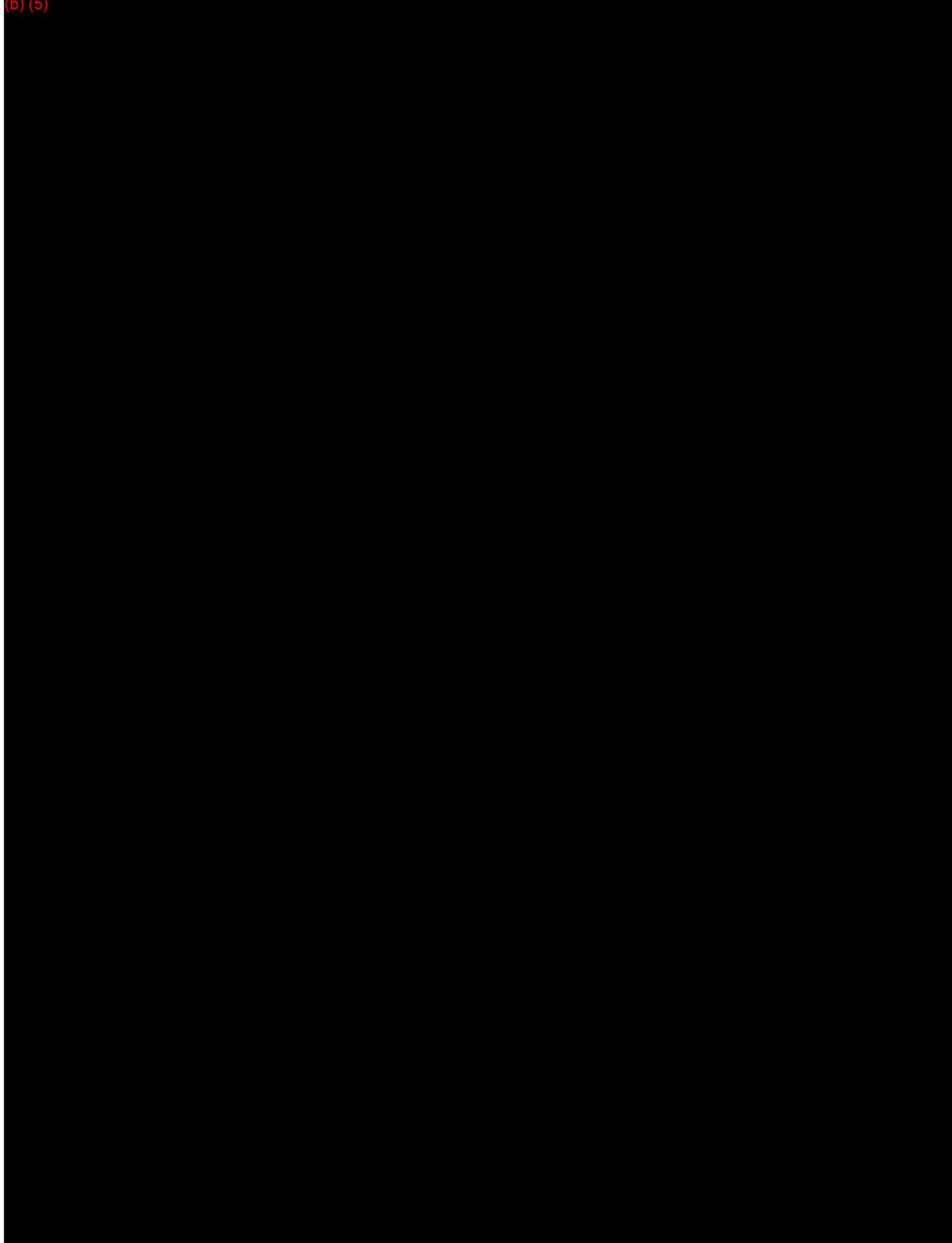


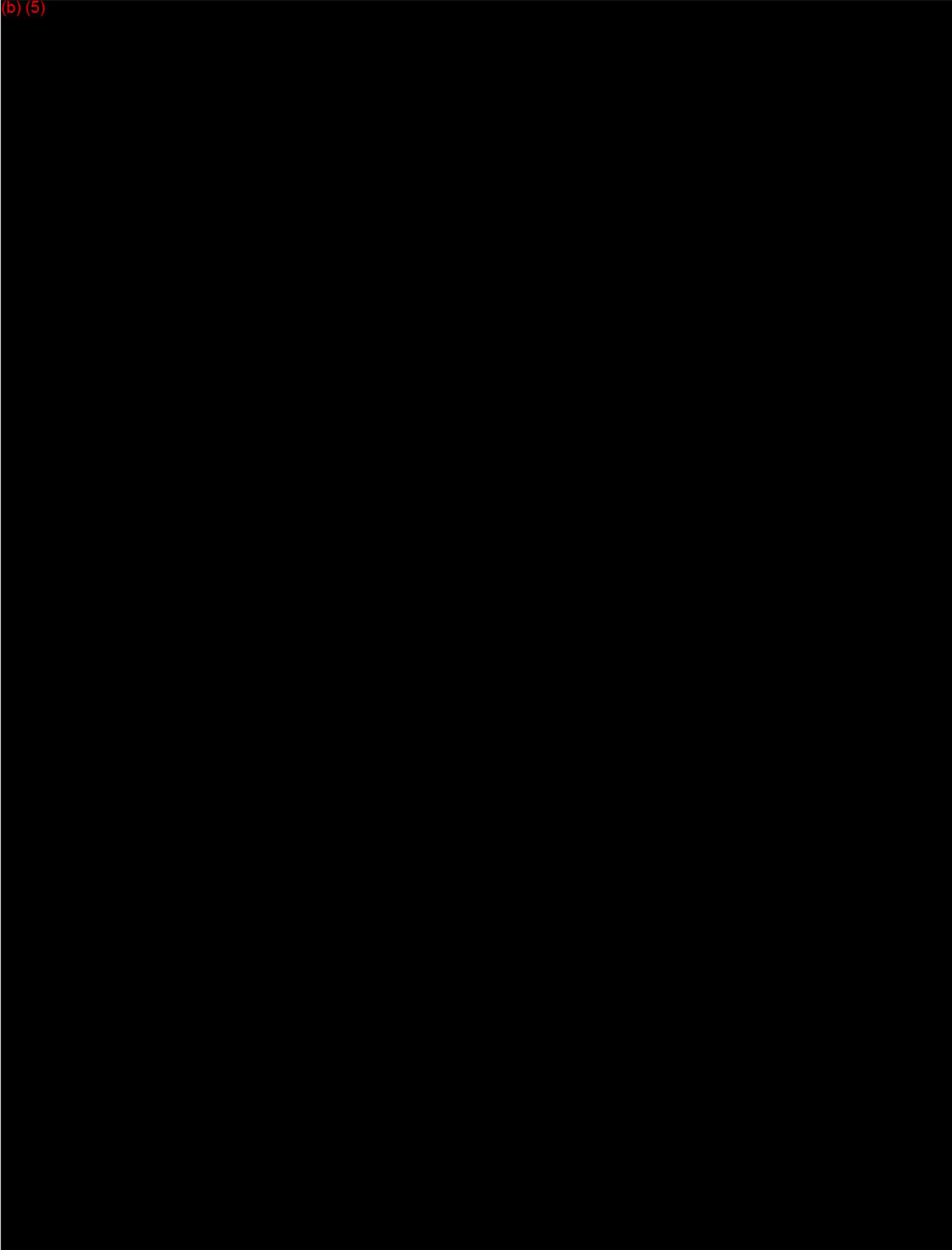


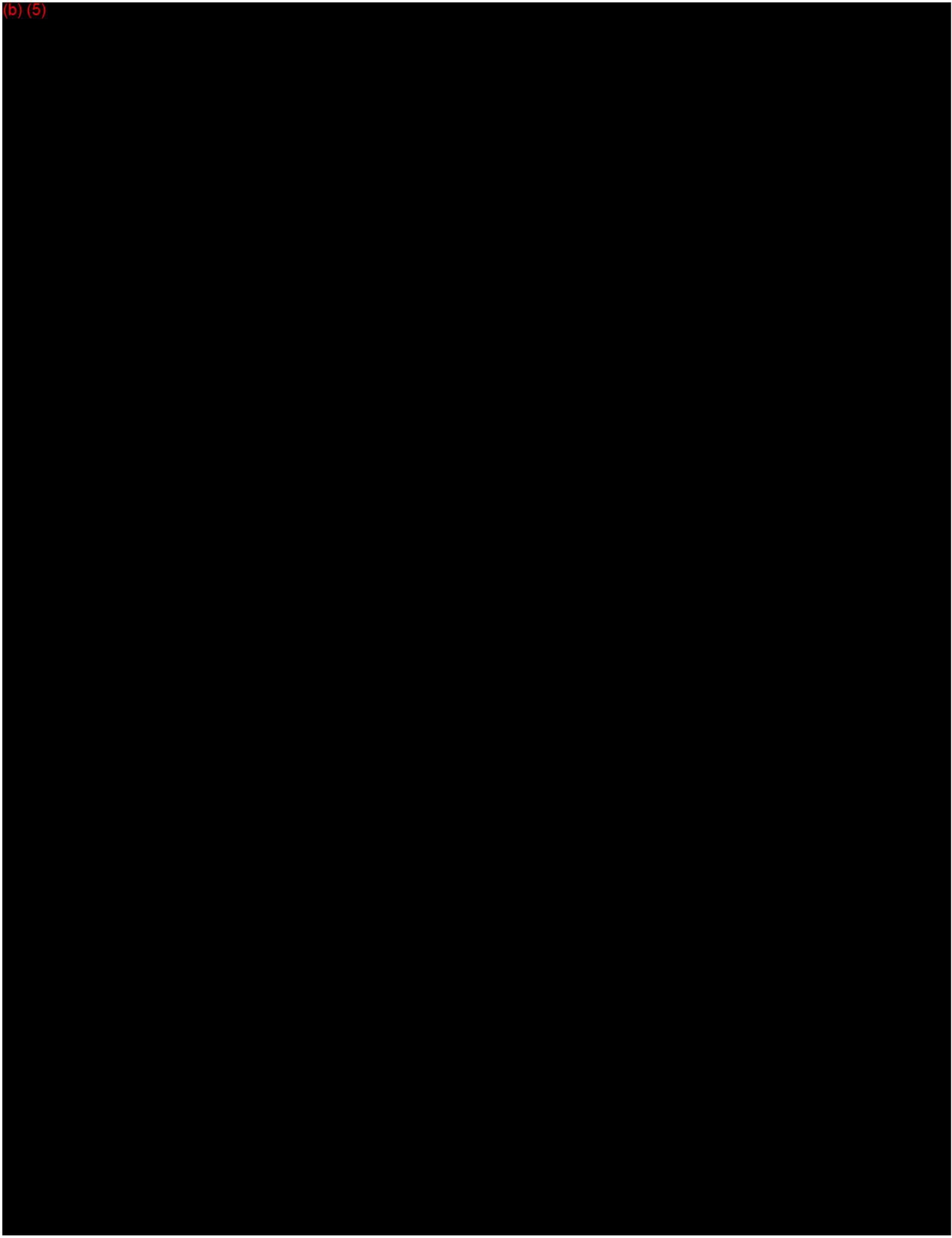












## FW: FR 2018-13246\_1644312 (2).docx

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**From:** "Sun, Howard C. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=d09f541a1ae44400bcf25f4ff89d91d7-su">  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Date:** Mon, 18 Jun 2018 09:53:29 -0400  
**Attachments:** FR 2018-13246\_1644312 (2).docx (47.96 kB)

Aaron,

This is the last version out there, sent from OFR to CEQ. I told Chipp that we confirm, and Chipp said thanks.

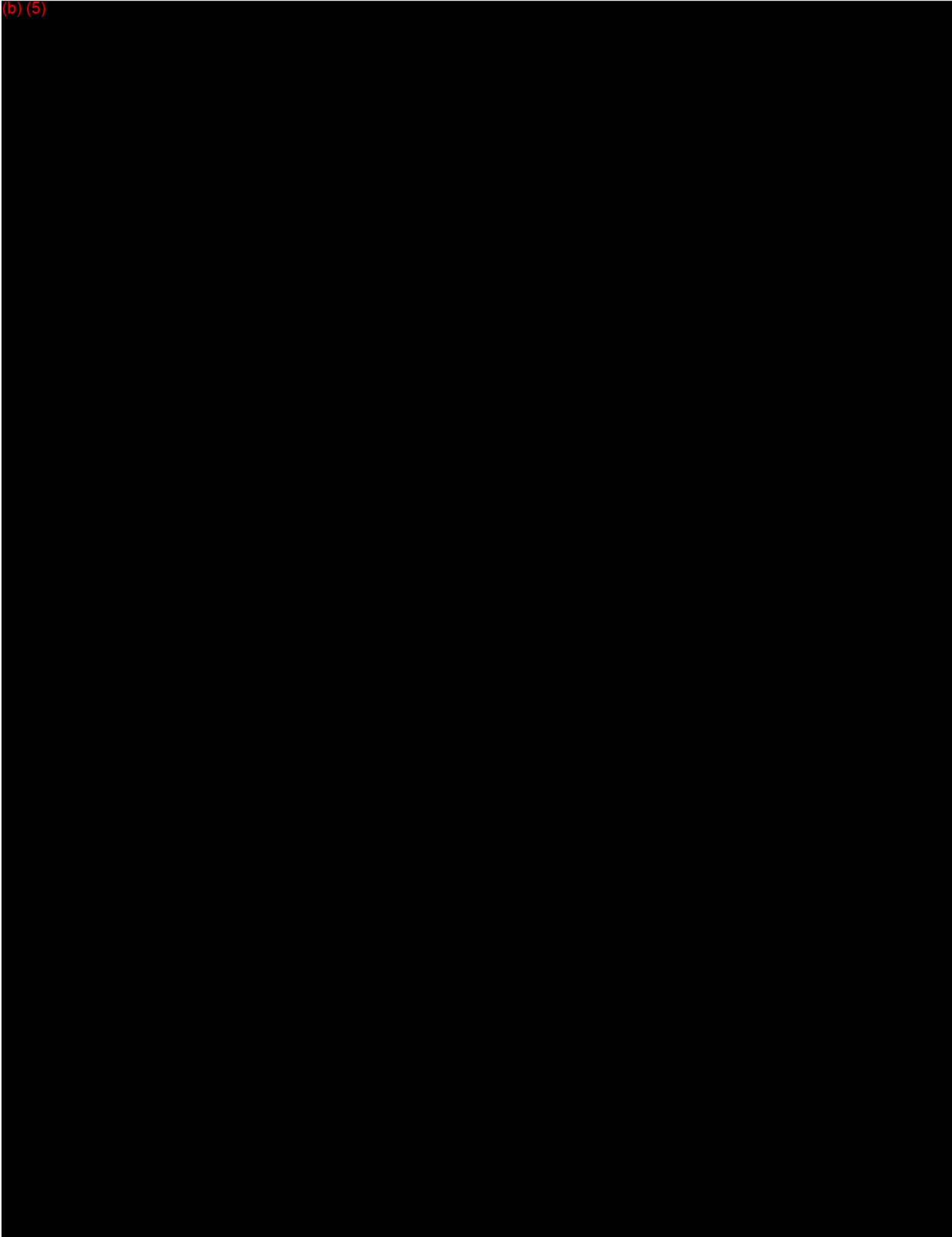
Very Respectfully,  
Howard Sun  
Attorney Advisor  
Council on Environmental Quality  
Executive Office of the President  
Office: (b) (6)

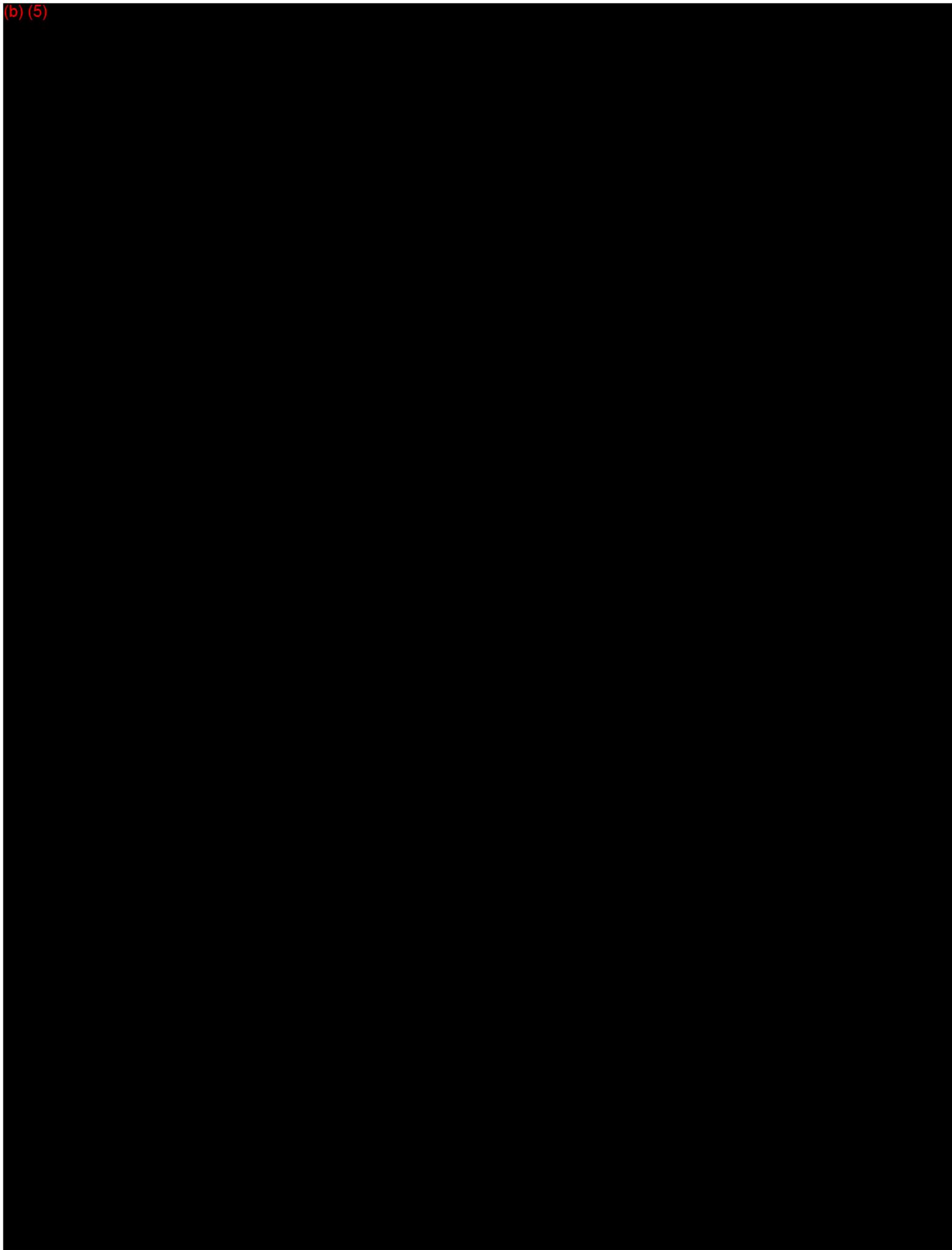
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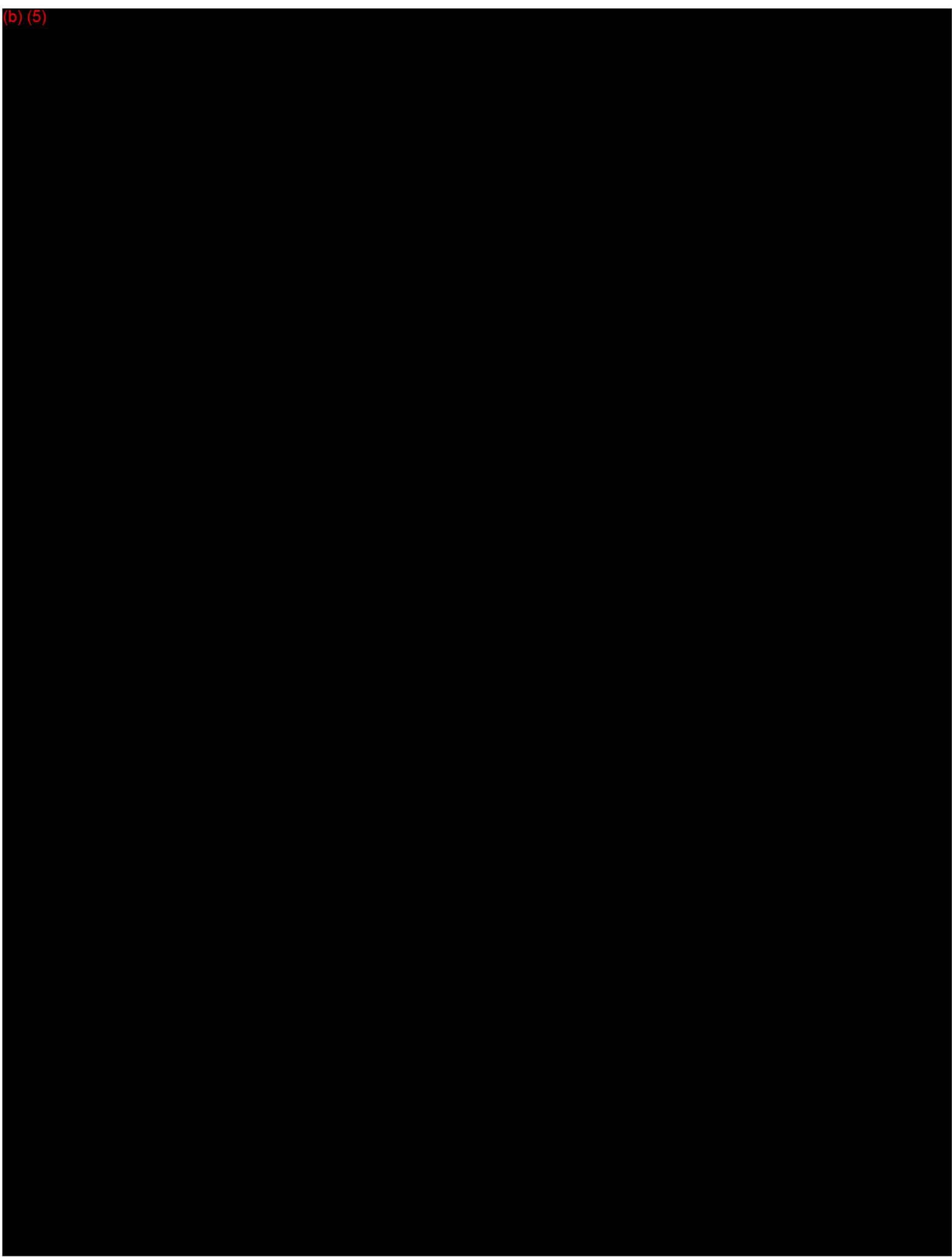
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**Sent:** Friday, June 15, 2018 3:39 PM  
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**Subject:** FR 2018-13246\_1644312 (2).docx

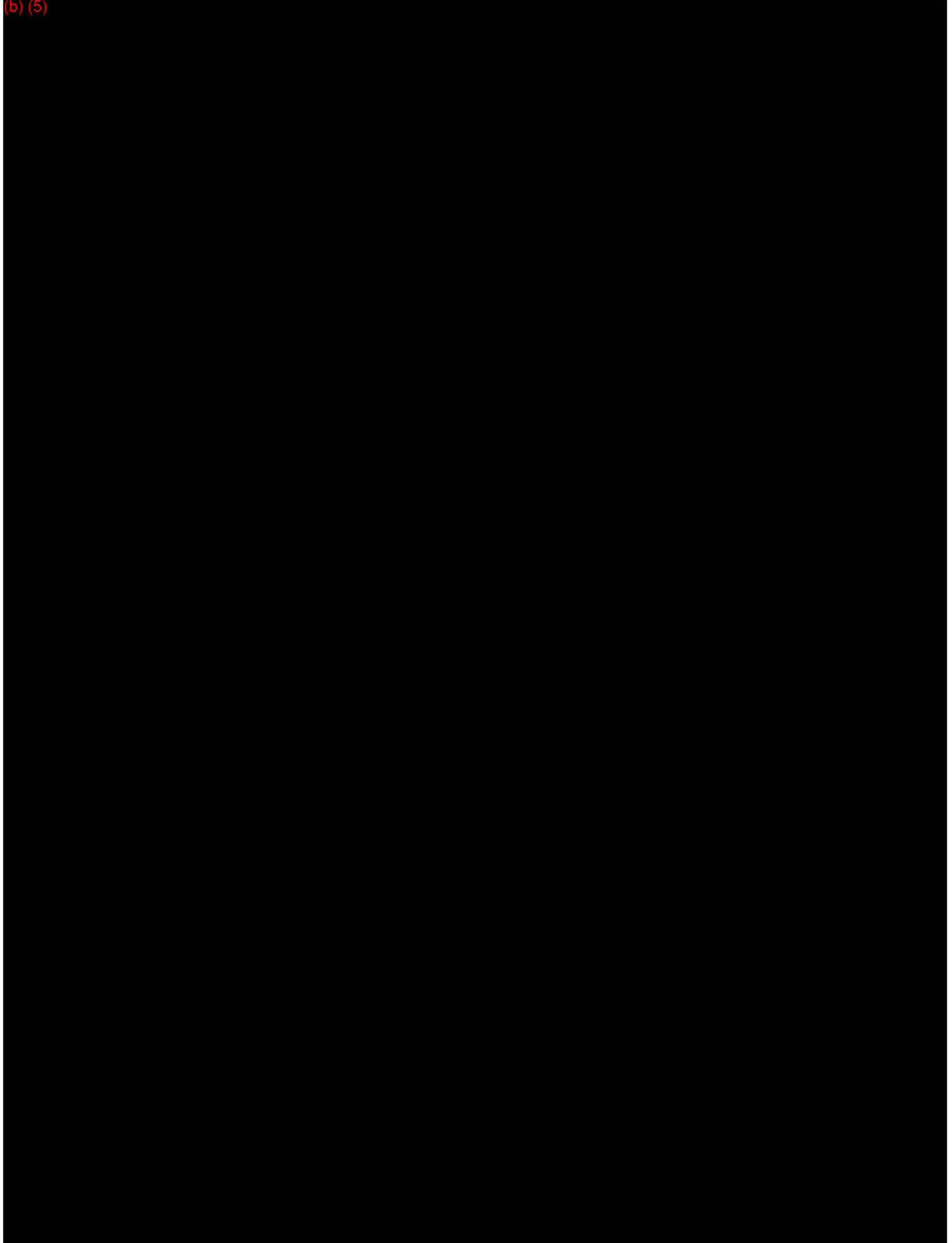
Howard  
Attached is the new markup. If all looks good, please shoot me an email to that effect and I will schedule.

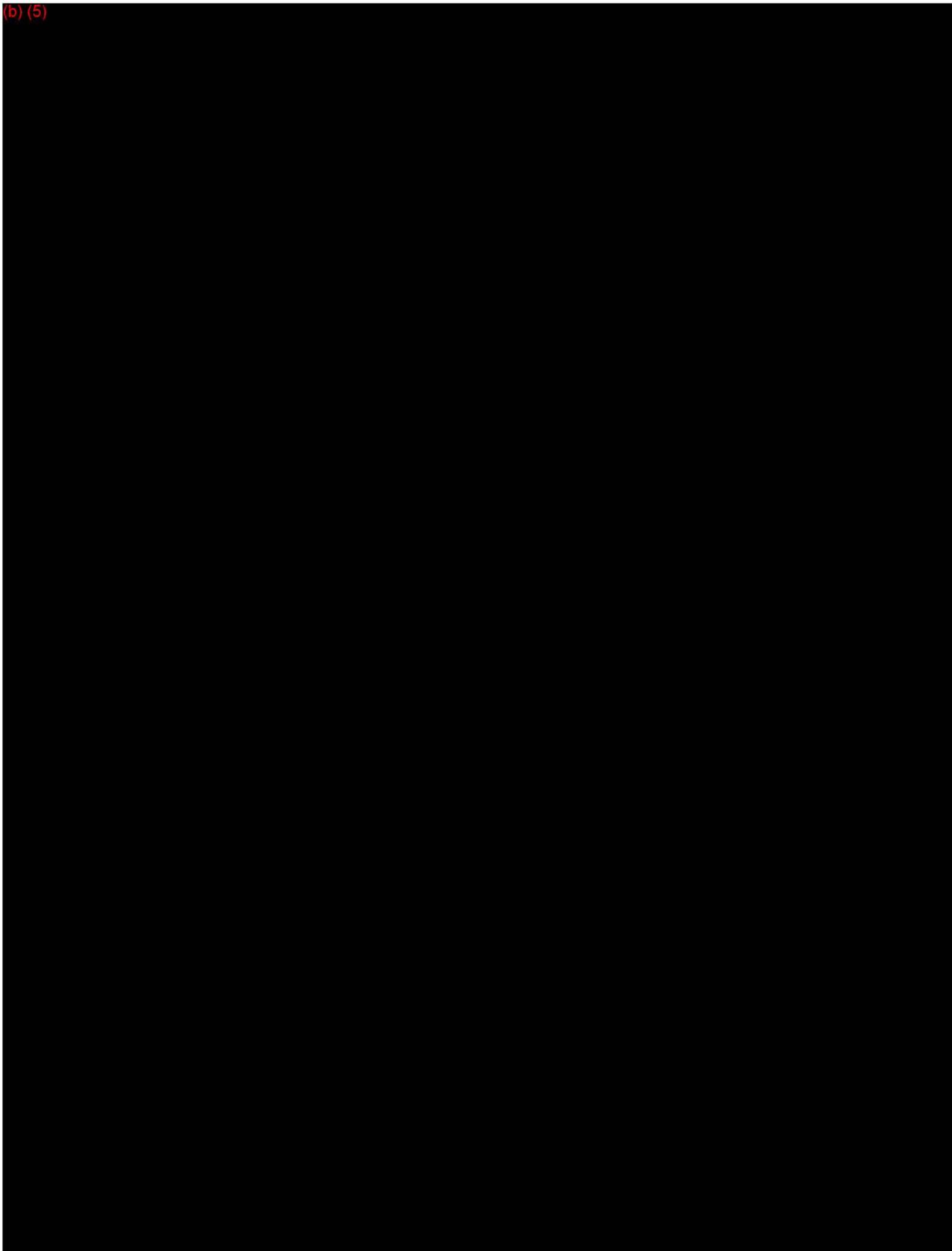
Chipp Reid  
Writer/Editor  
Office of the Federal Register  
[creid@gpo.gov](mailto:creid@gpo.gov)  
[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
202-741-6007

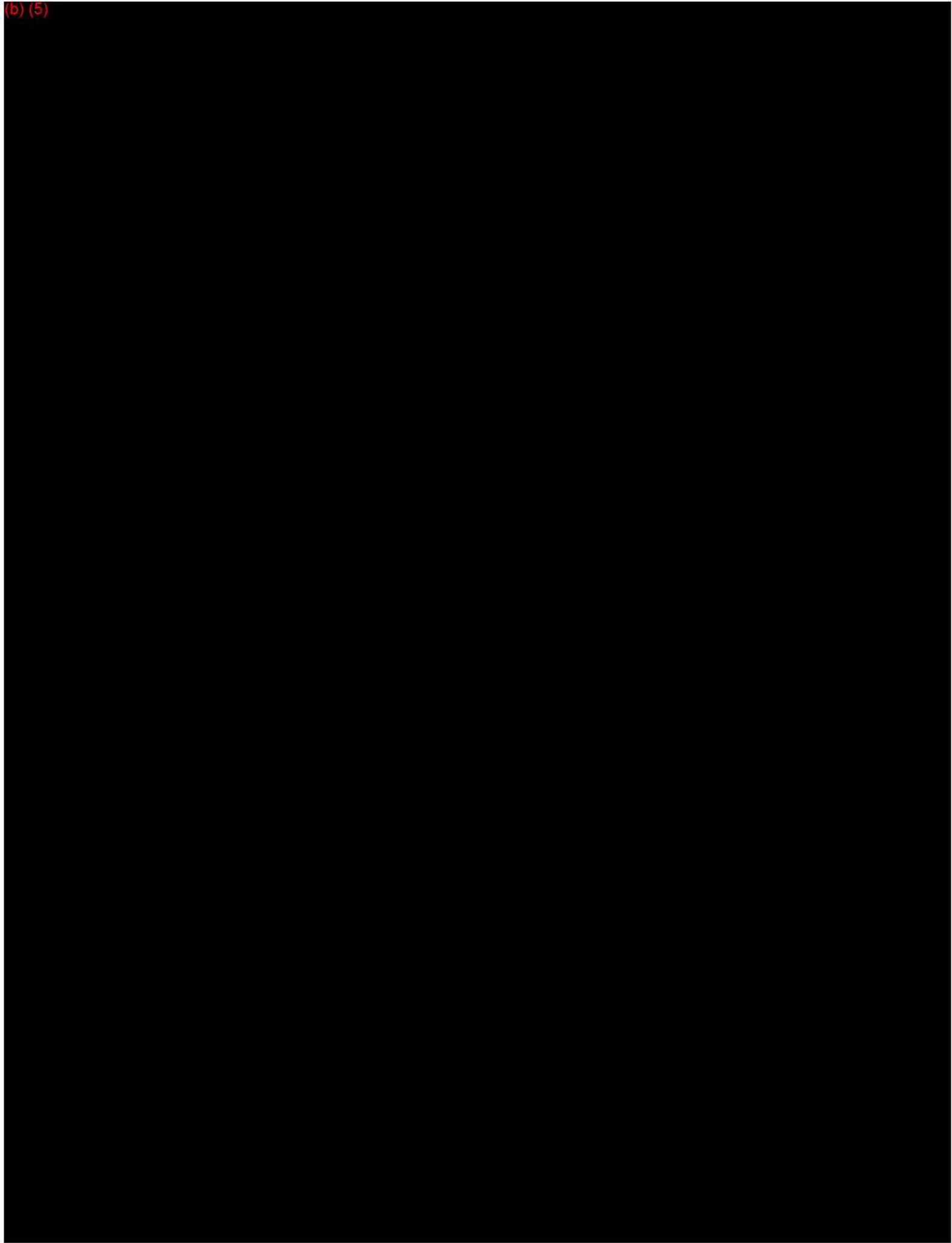


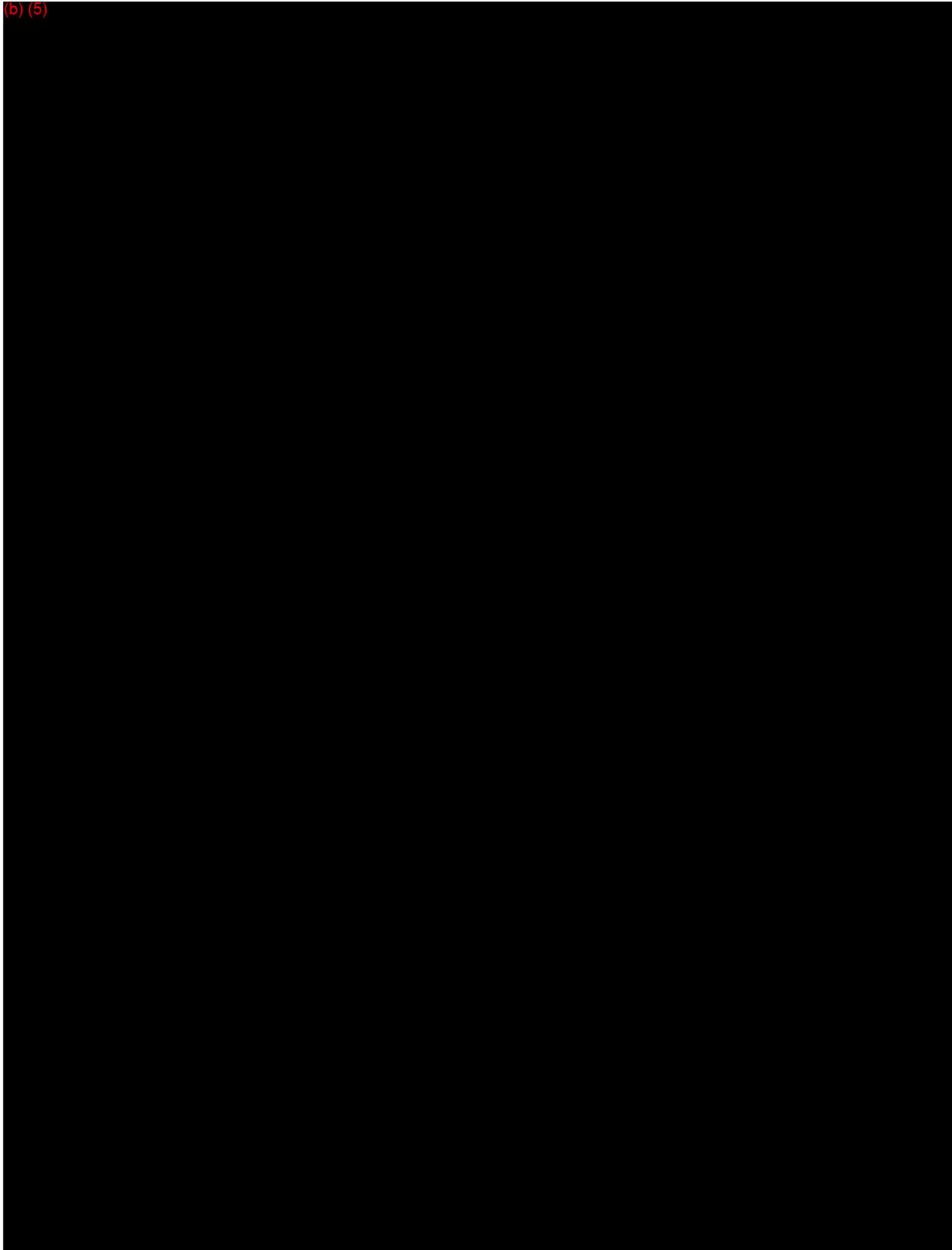












## Fwd: FR 2018-13246\_1644312 (2).docx

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**From:** "Szabo, Aaron L. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=f93a8d1dd2b4420ca81e53ff8199b780-sz">  
**To:** "Schneider, Daniel J. EOP/CEQ" <(b) (6)>  
**Date:** Mon, 18 Jun 2018 11:03:44 -0400  
**Attachments:** FR 2018-13246\_1644312 (2).docx (47.96 kB)

---

This should be the final one.

Sent from my iPhone

Begin forwarded message:

**From:** "Sun, Howard C. EOP/CEQ" <(b) (6)>  
**Date:** June 18, 2018 at 9:53:33 AM EDT  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Subject:** FW: FR 2018-13246\_1644312 (2).docx

Aaron,

This is the last version out there, sent from OFR to CEQ. I told Chipp that we confirm, and Chipp said thanks.

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

---

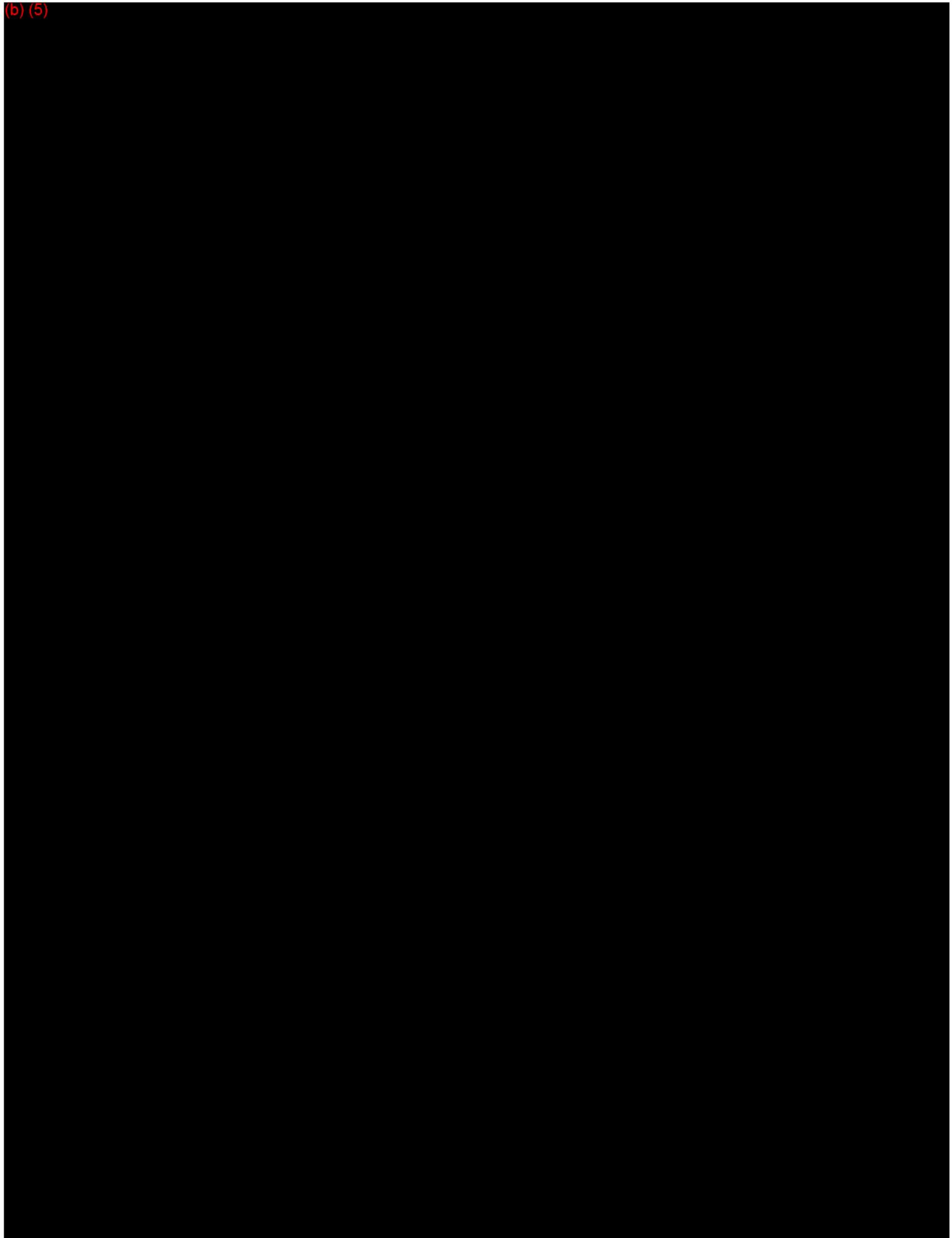
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**Sent:** Friday, June 15, 2018 3:39 PM  
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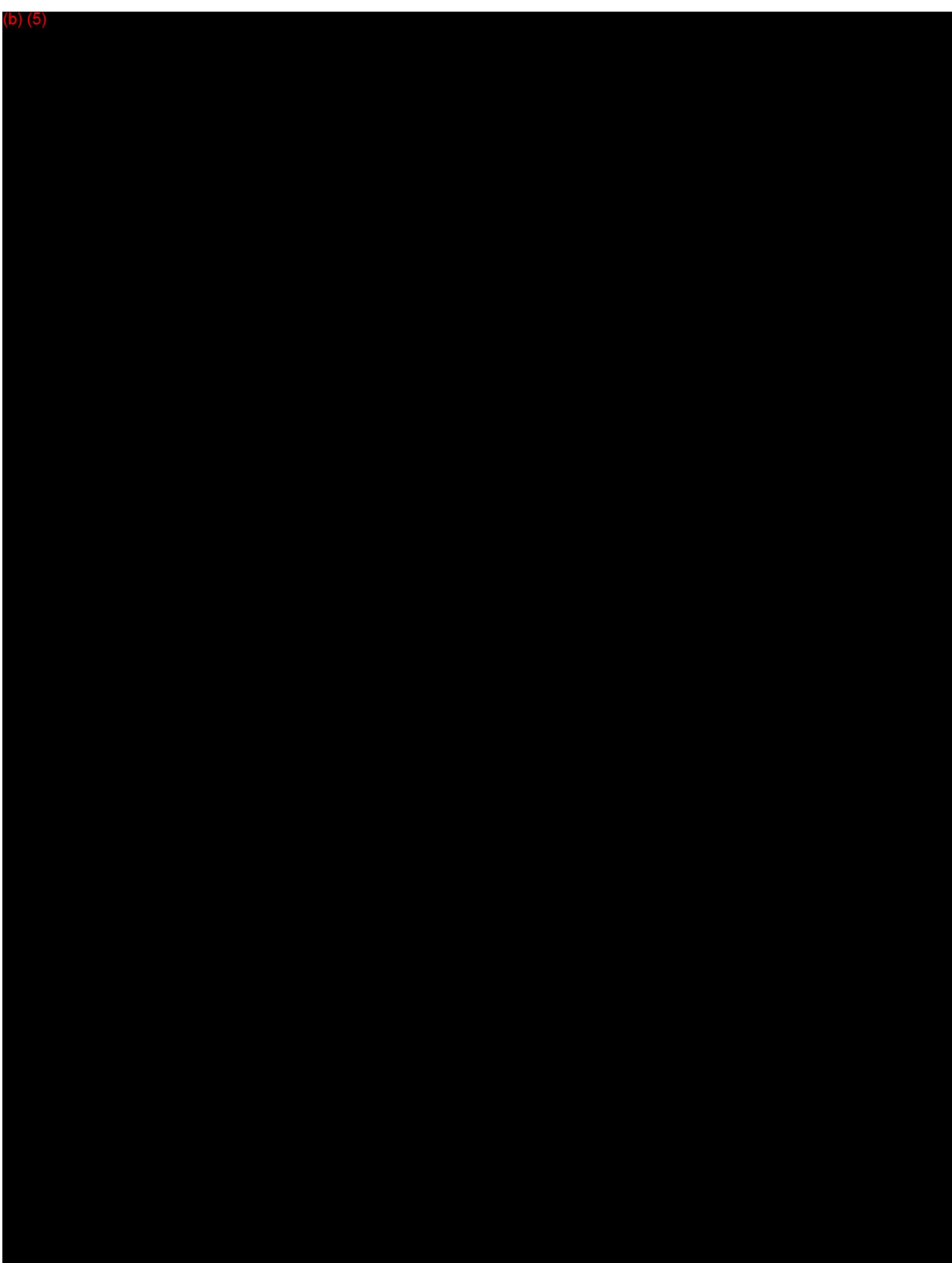
Howard

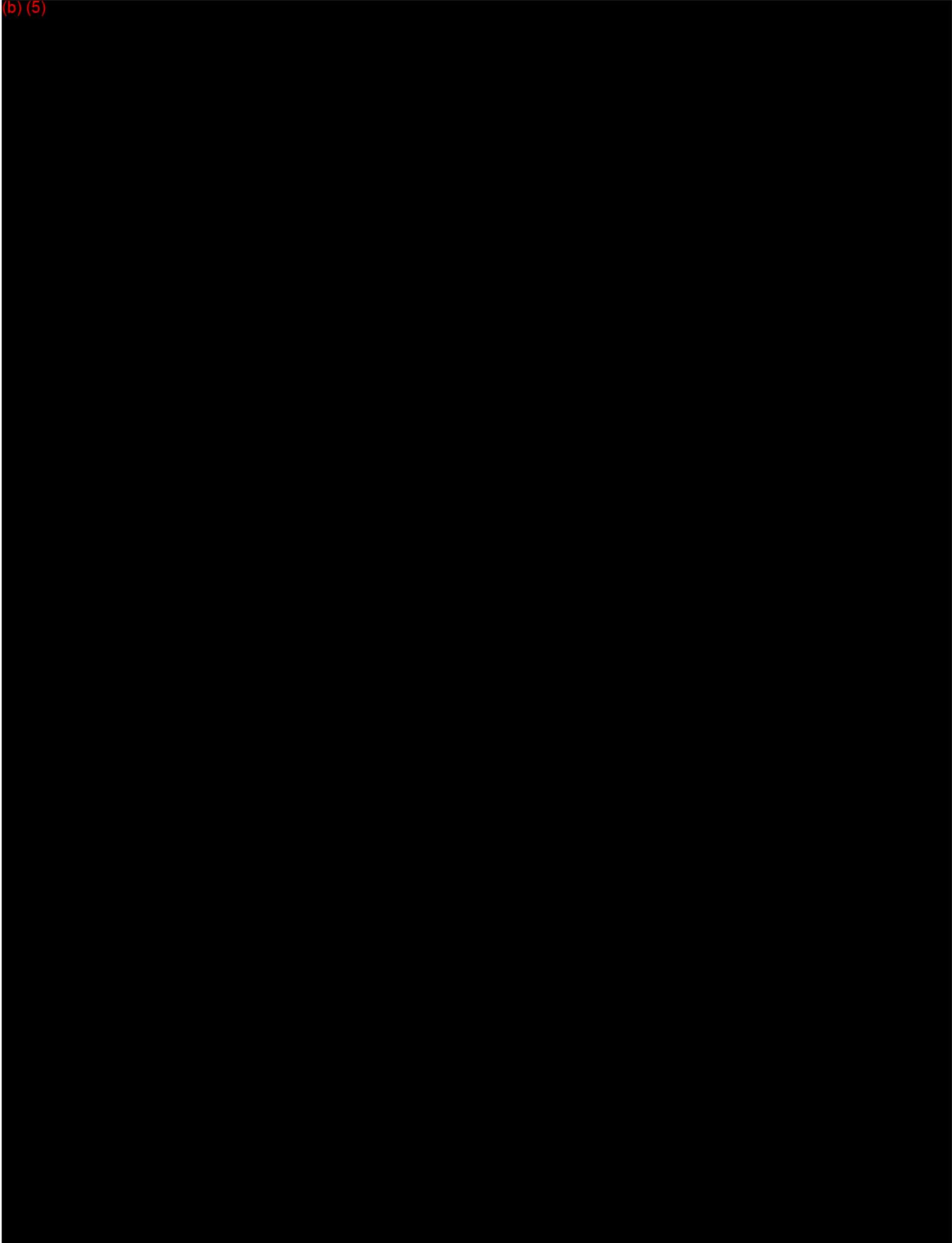
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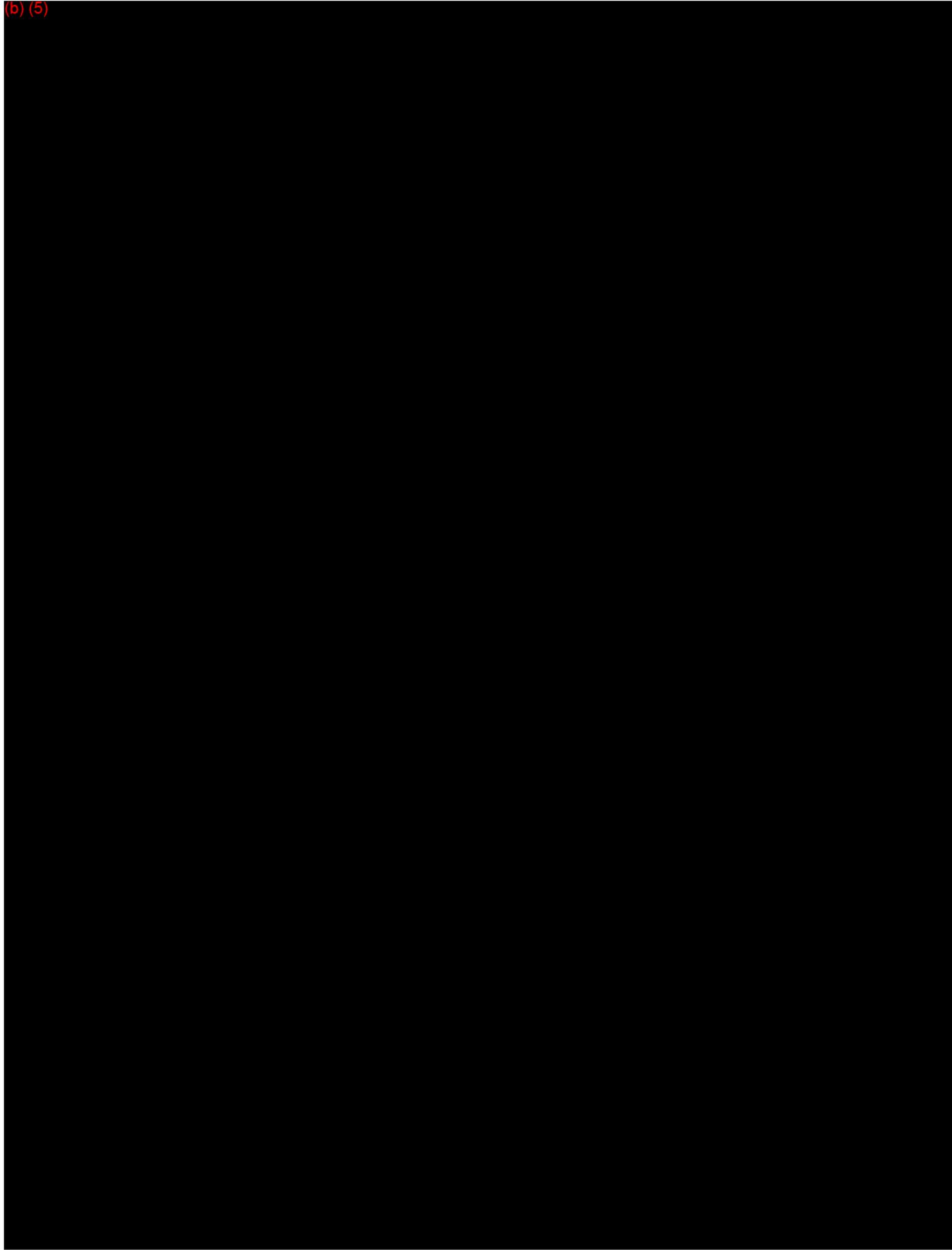
Chipp Reid  
Writer/Editor  
Office of the Federal Register

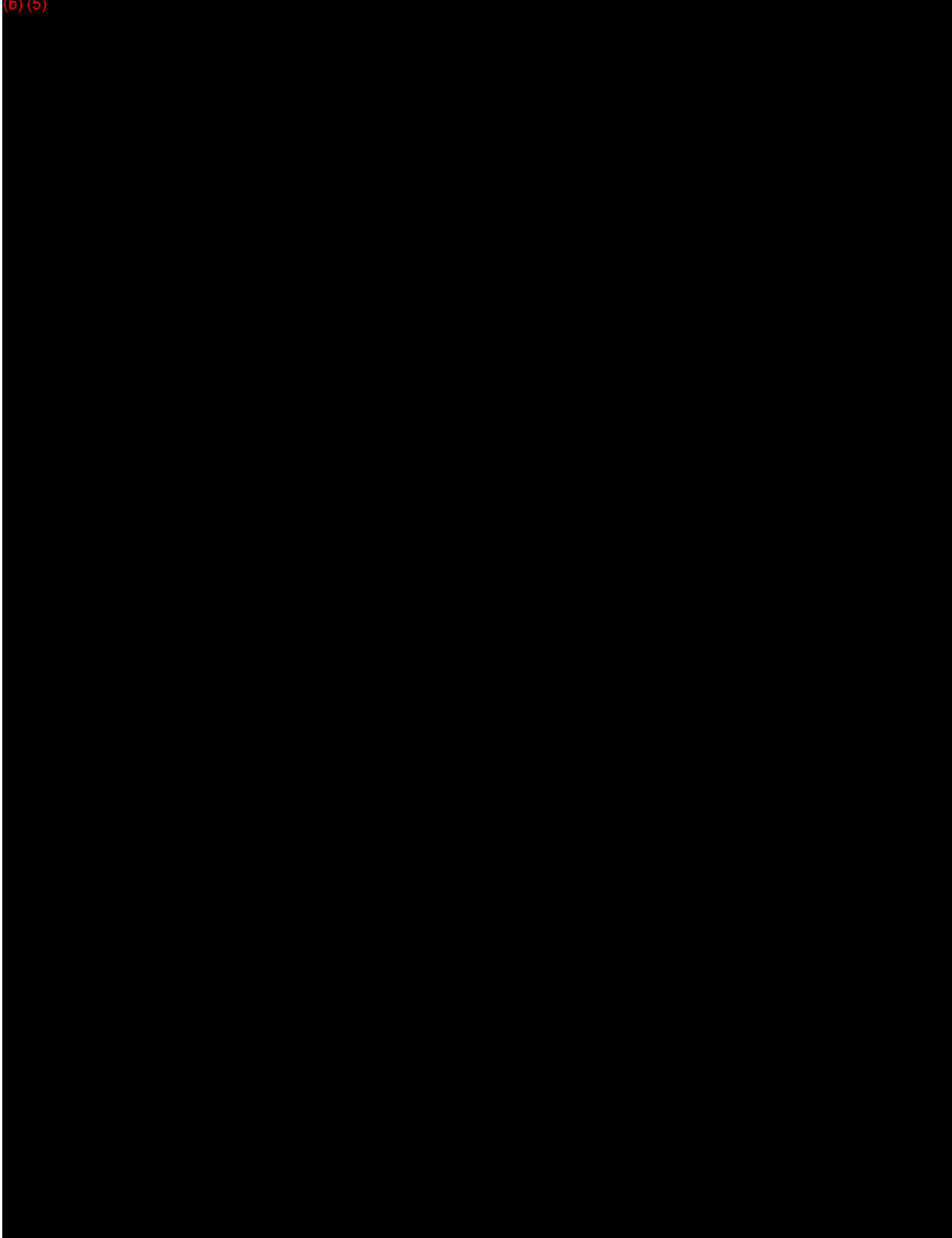
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[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
202-741-6007

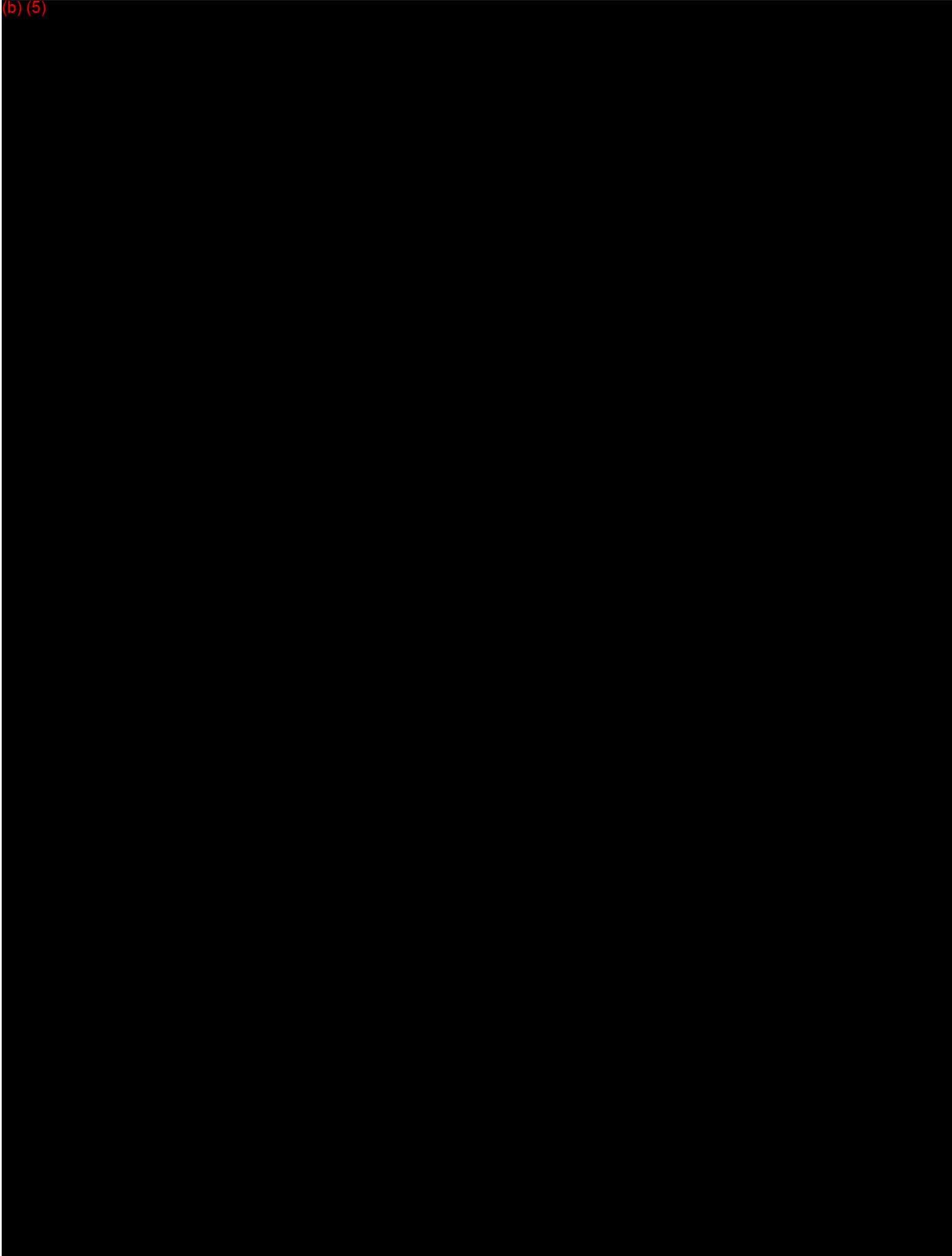


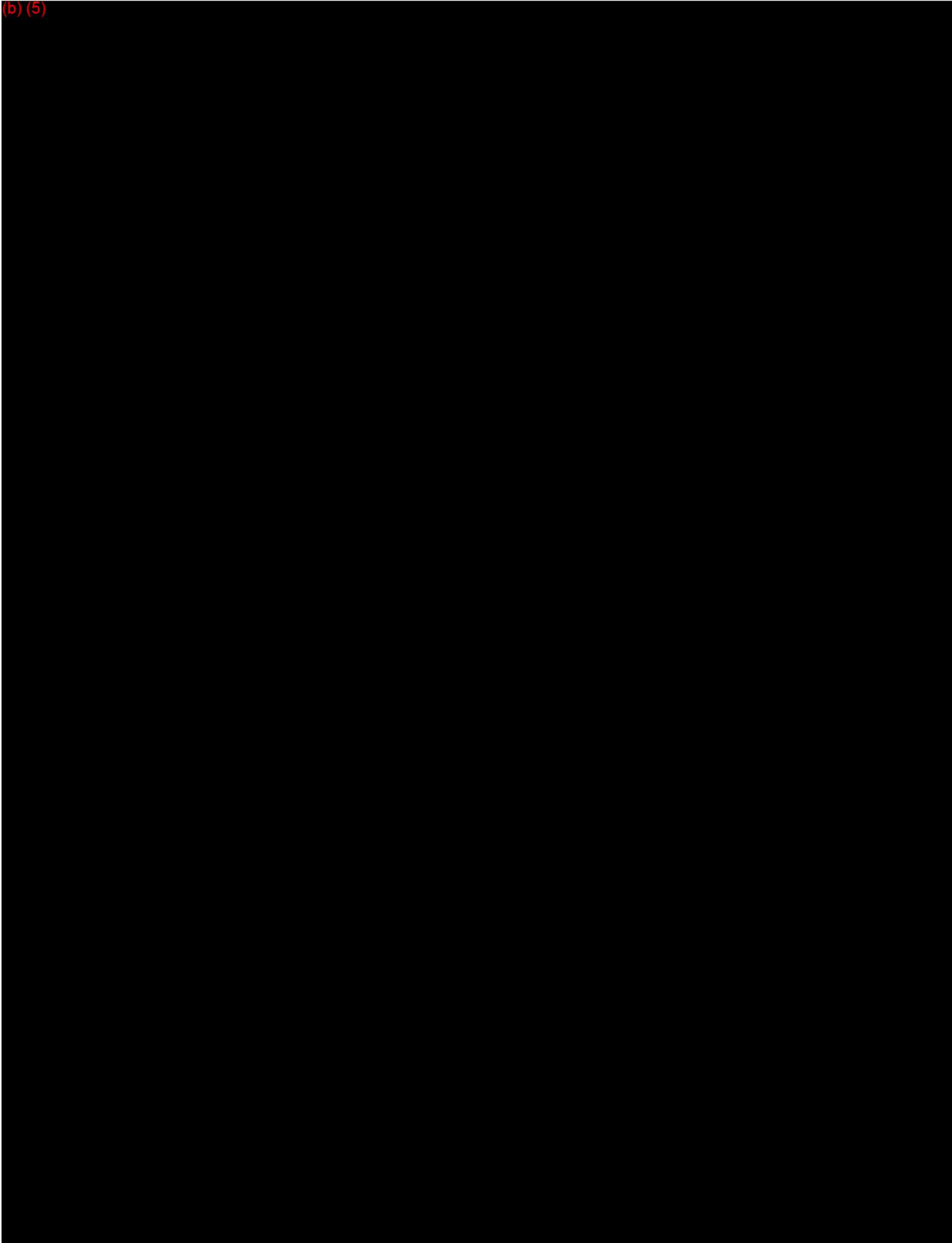












## FW: FR 2018-13246\_1644312 (2).docx

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**From:** "Sun, Howard C. EOP/CEQ" <(b) (6)>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Date:** Mon, 18 Jun 2018 09:53:33 -0400  
**Attachments:** FR 2018-13246\_1644312 (2).docx (47.96 kB)

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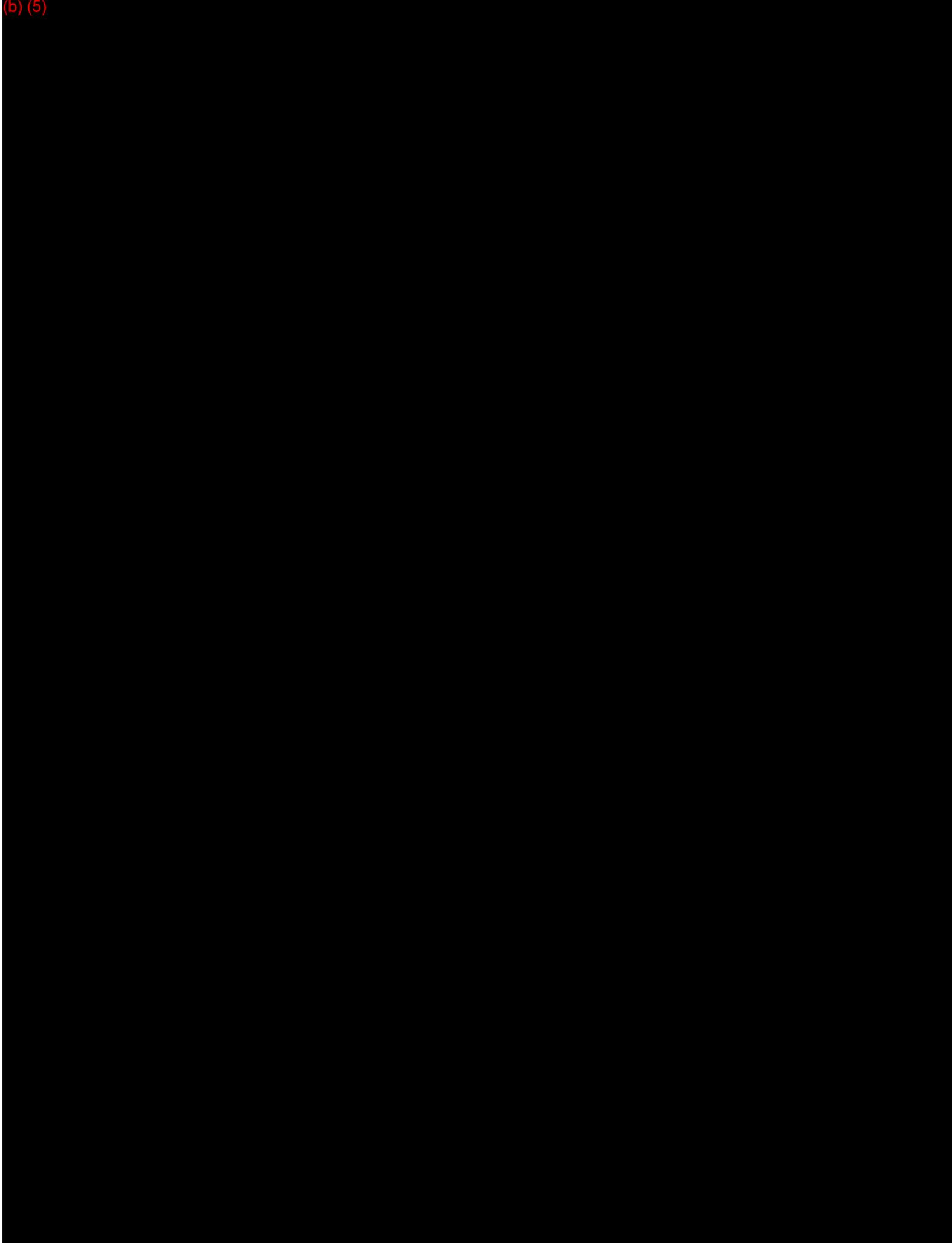
Very Respectfully,  
Howard Sun  
Attorney Advisor  
Council on Environmental Quality  
Executive Office of the President  
Office: (b) (6)

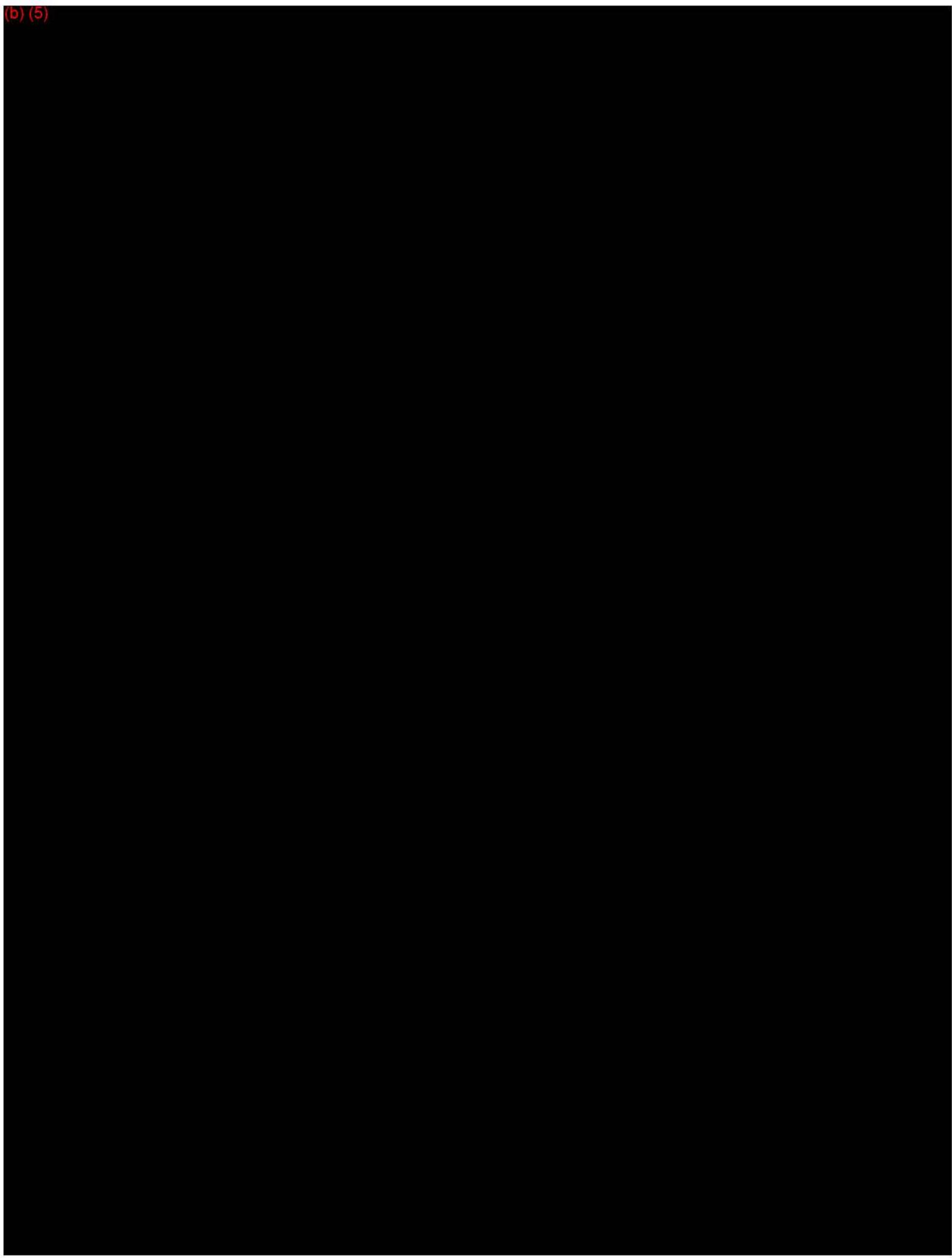
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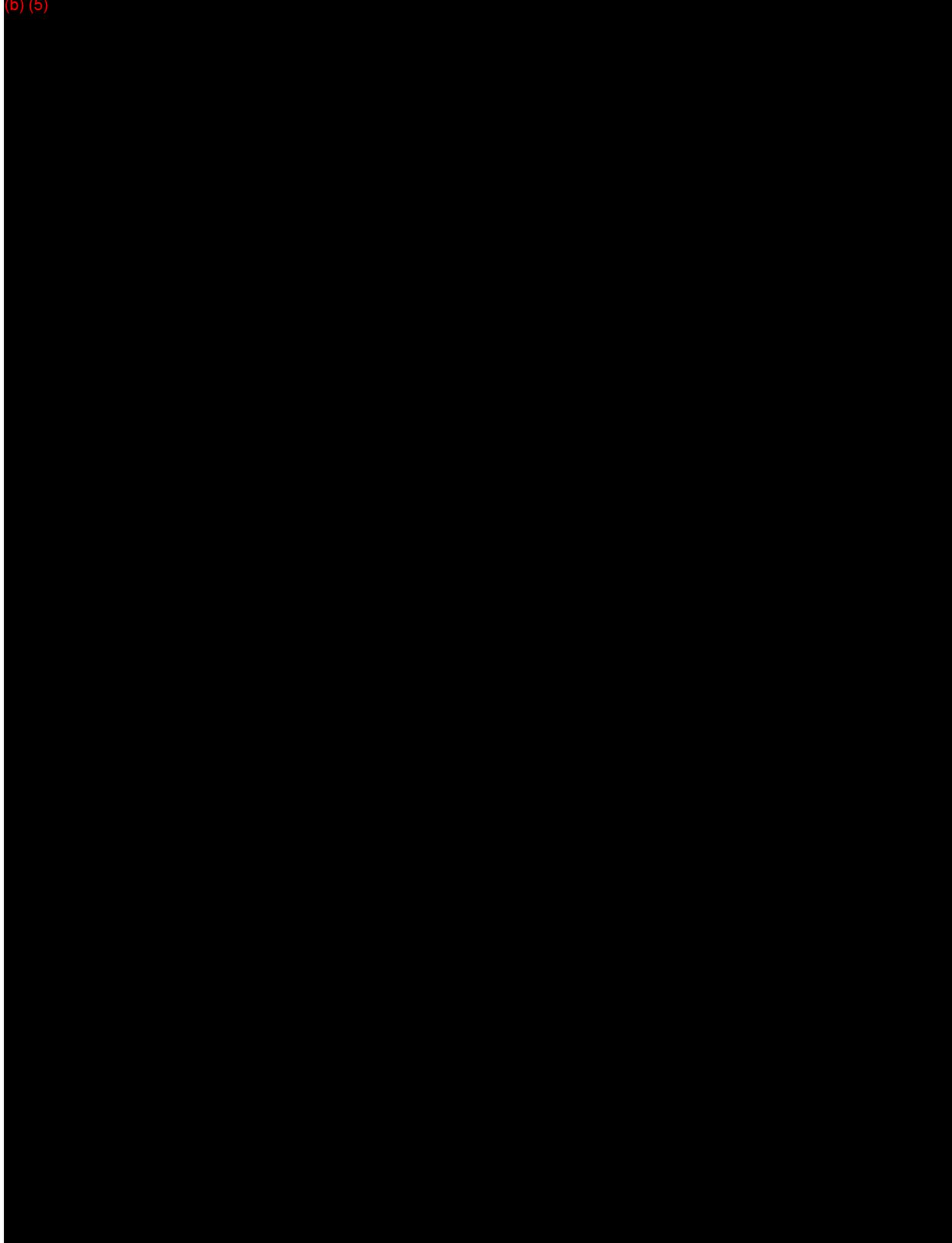
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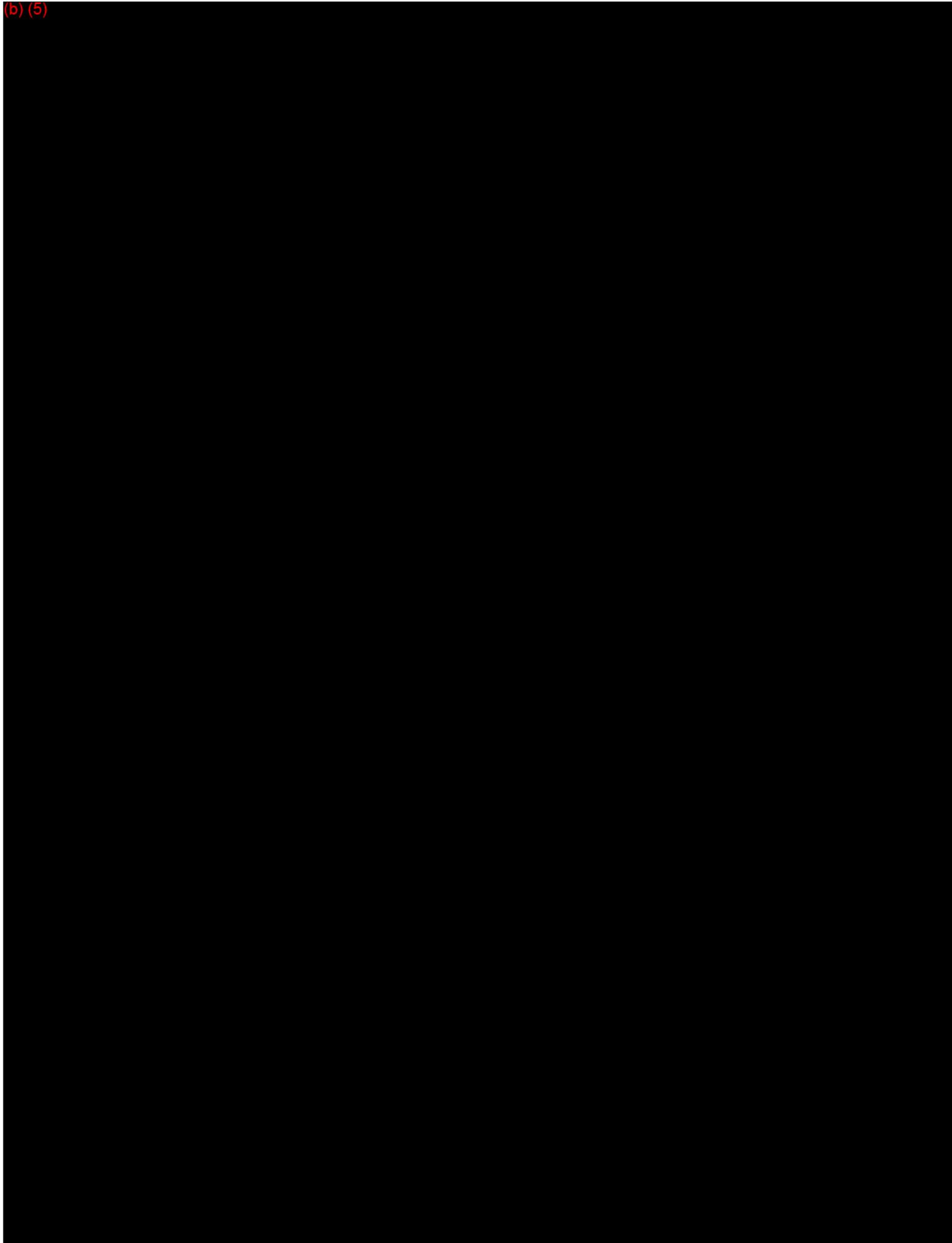
Howard  
Attached is the new markup. If all looks good, please shoot me an email to that effect and I will schedule.

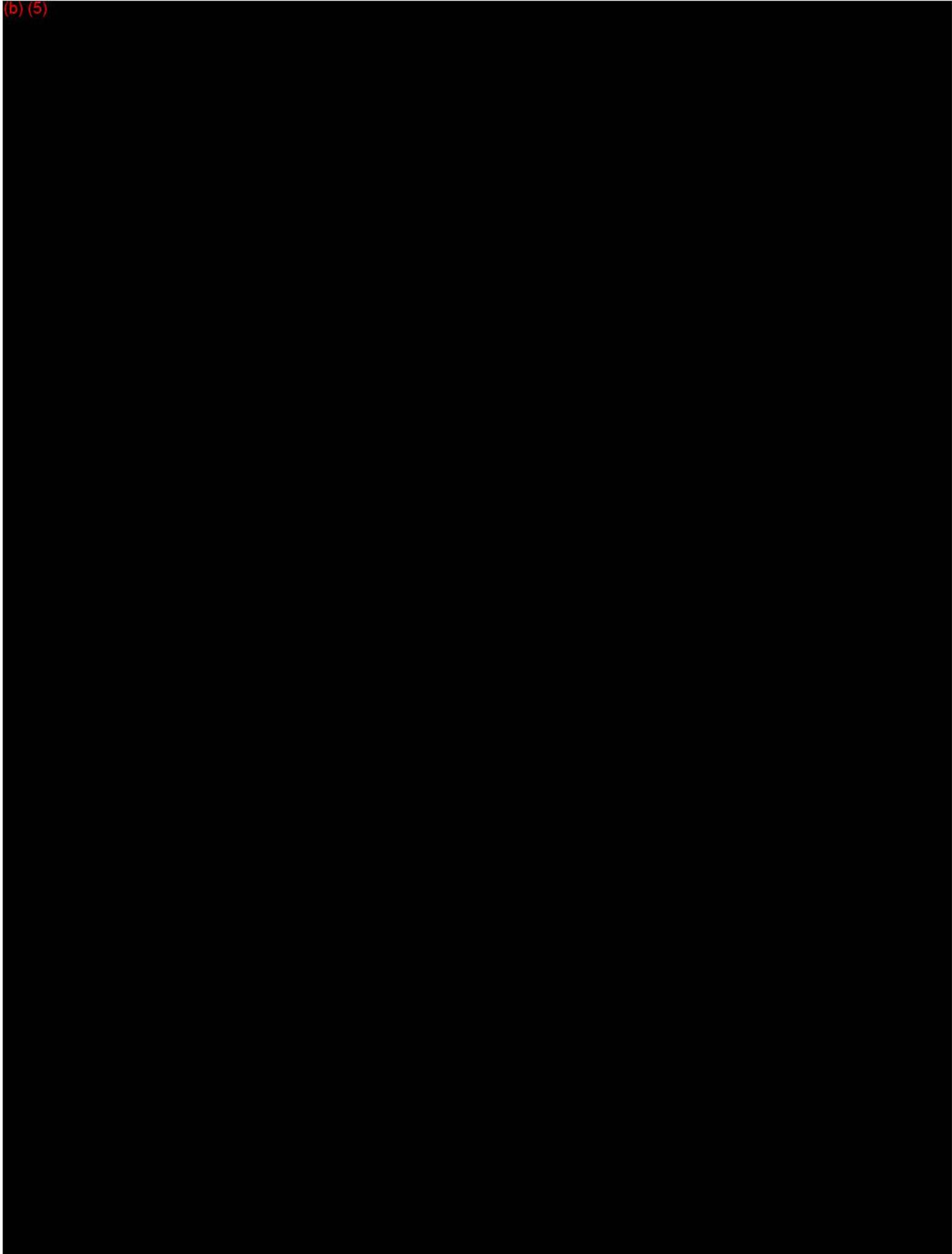
Chipp Reid  
Writer/Editor  
Office of the Federal Register  
[creid@gpo.gov](mailto:creid@gpo.gov)  
[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
202-741-6007

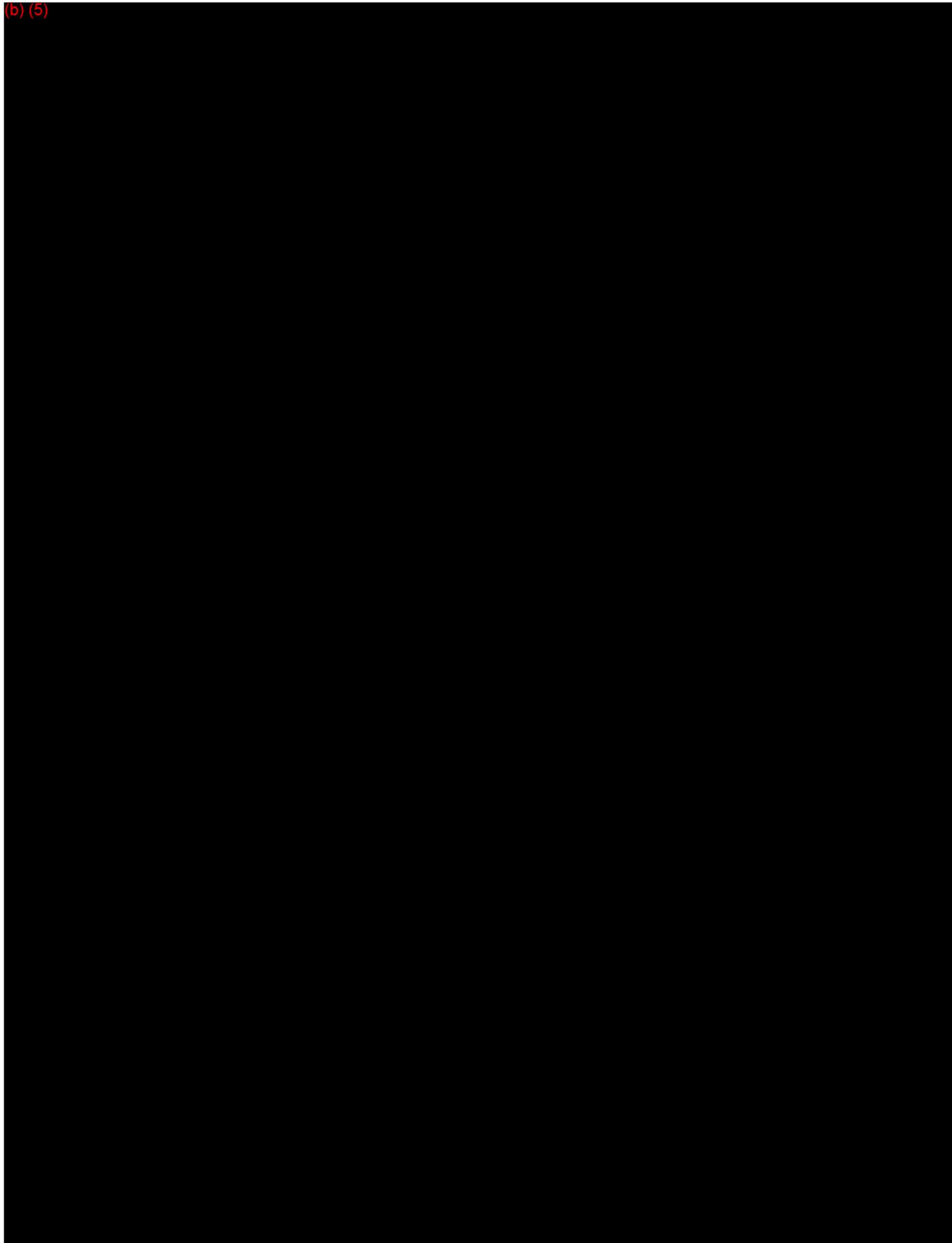


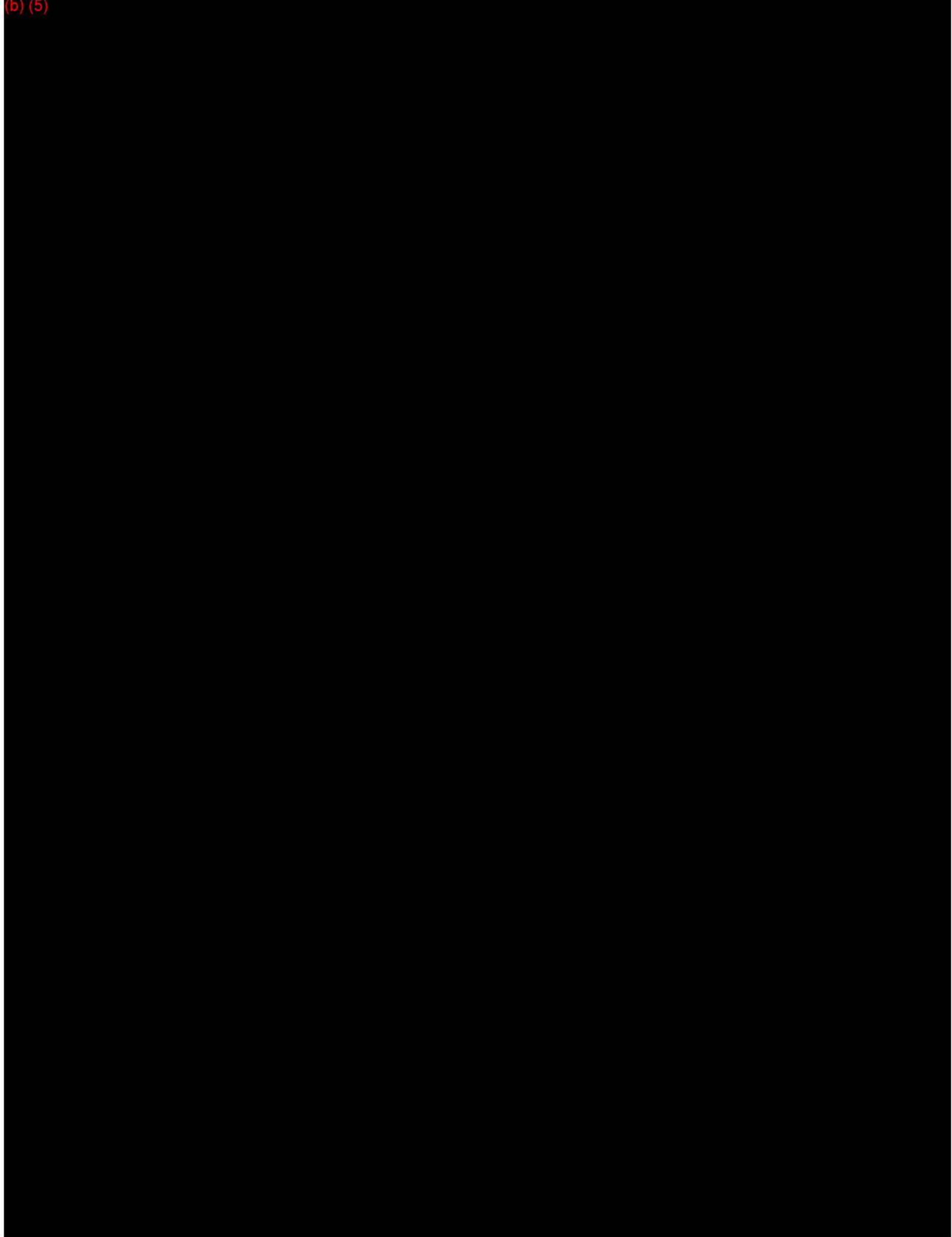












## Herrgott- 6/27 Roundtable

---

**From:** "Smith, Katherine R. EOP/CEQ" <(b) (6)>  
**To:** "Neumayr, Mary B. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 19 Jun 2018 12:10:01 -0400  
**Attachments:** Alexander Herrgott--Bio.docx (14.06 kB); Herrgott Testimony 6.27 Roundtable Senate FINAL.DOCX (28.67 kB)

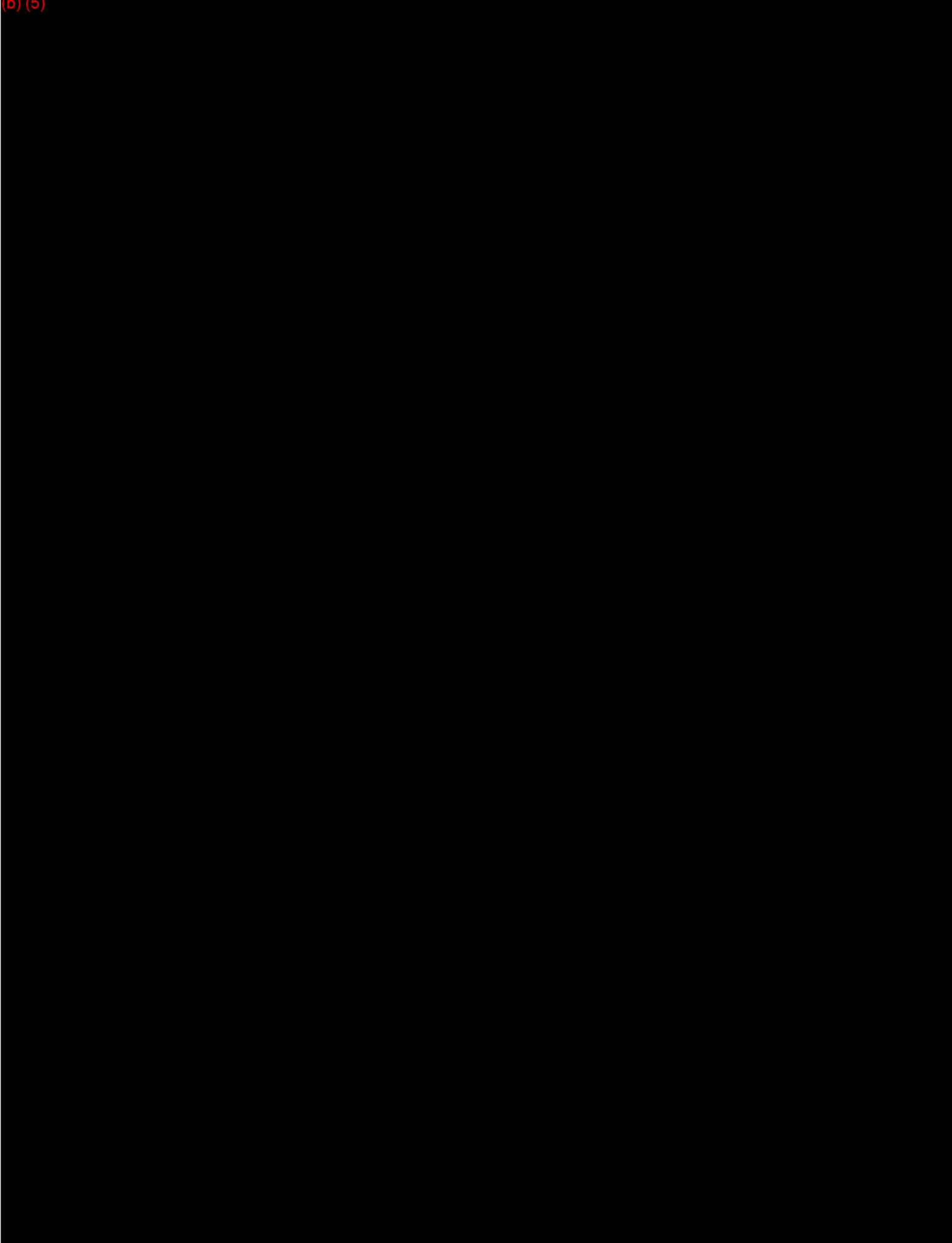
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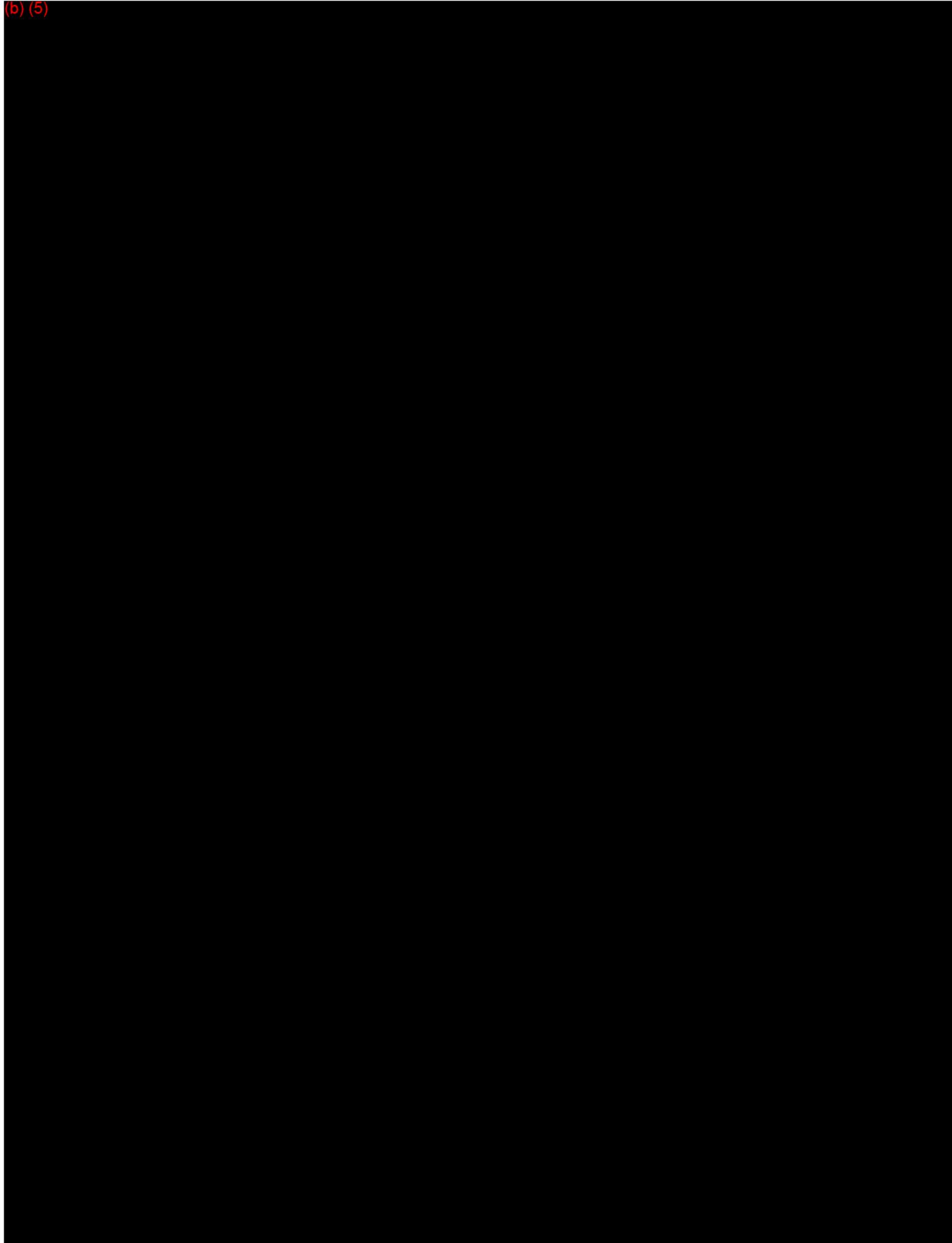
Mary,

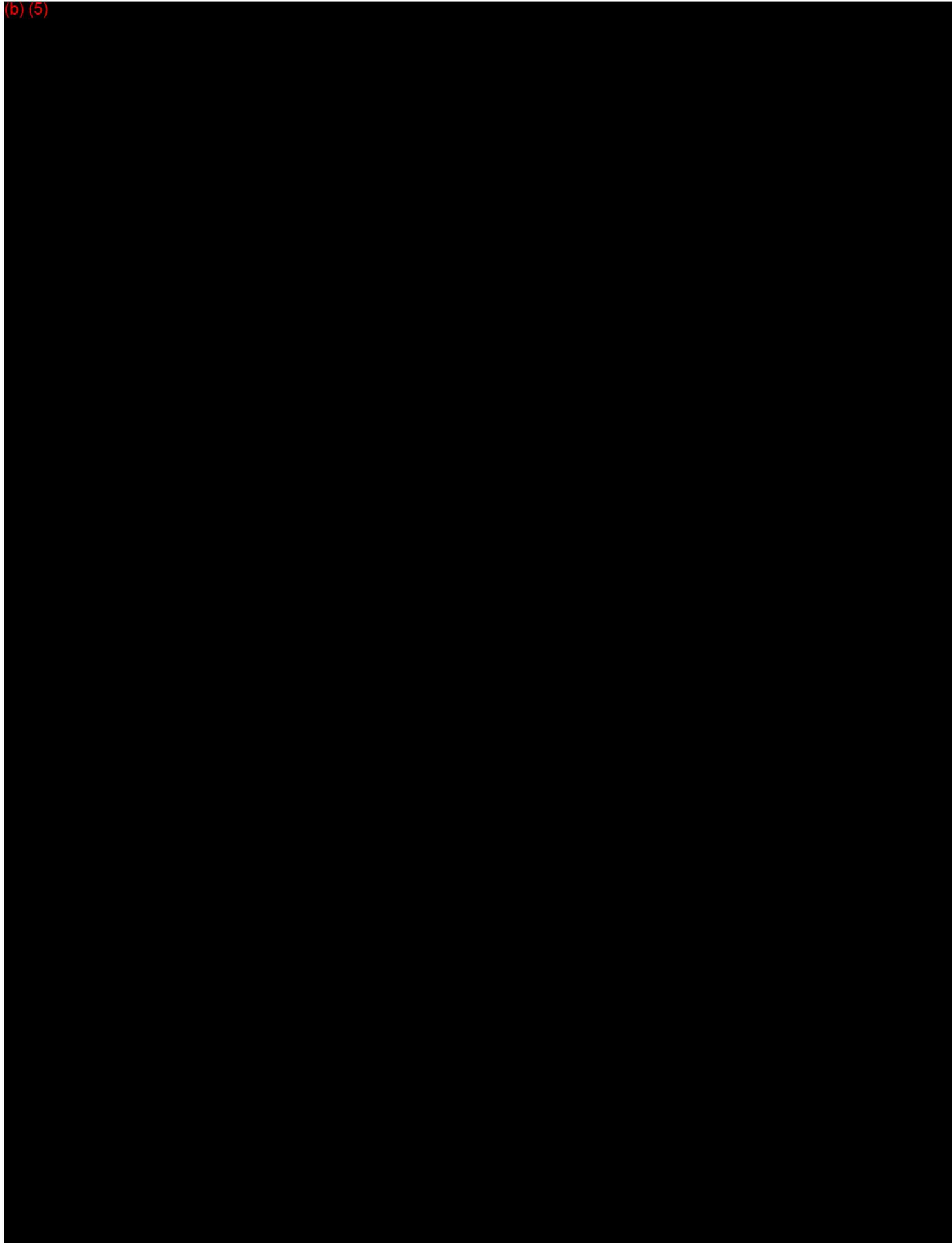
Drafts of Alex's bio and testimony for the June 27<sup>th</sup> Roundtable are attached for your review.

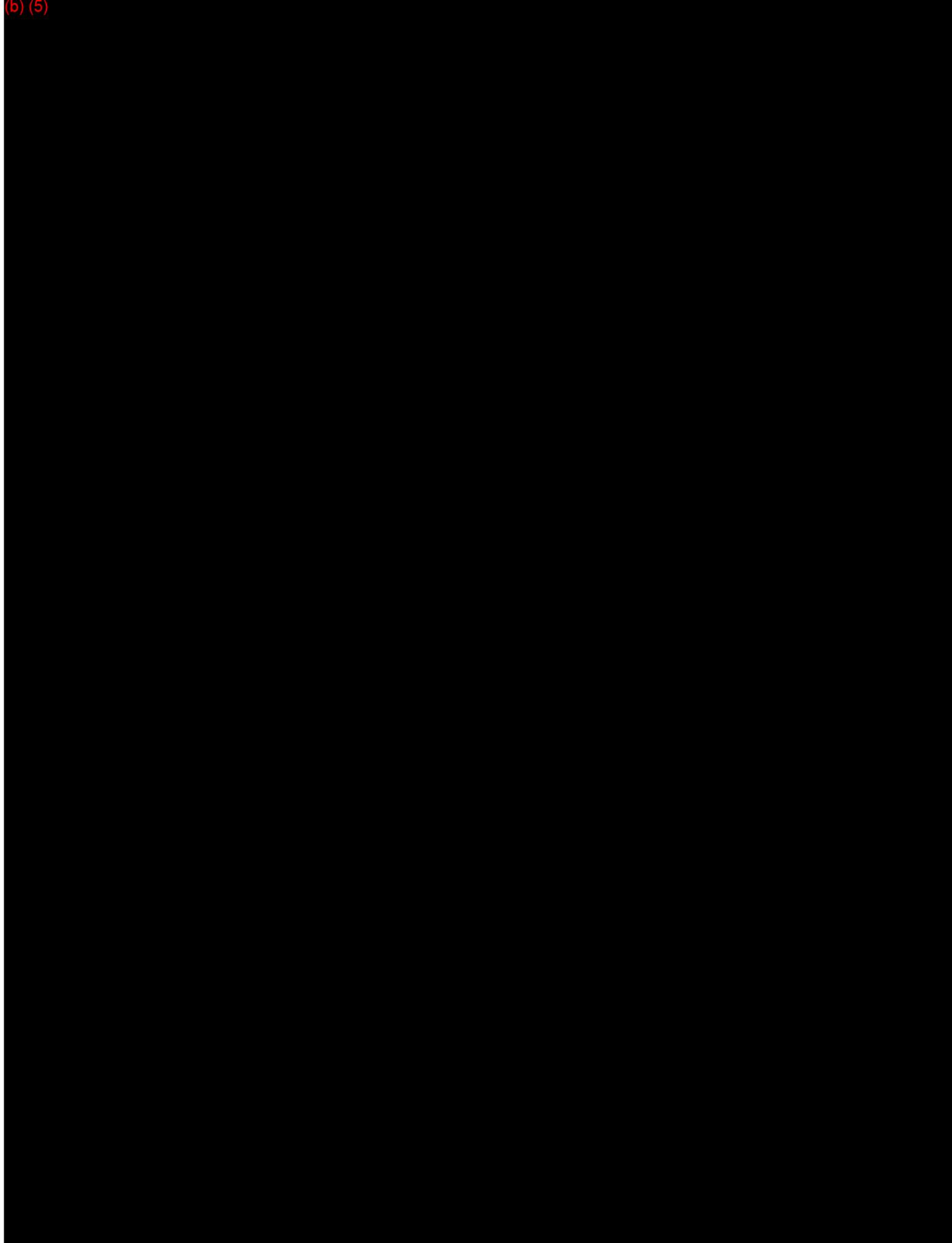
Thanks,  
Katherine

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









# LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on Infrastructure Permitting

---

**From:** "Bronack, Candice M. EOP/OMB" <(b) (6)>

AGRICULTURE <usdaleg@obpa.usda.gov>, DL-CEQ-LRM <(b) (6)>  
DEFENSE <(b) (6)>, ENERGY  
<energy.gc33@hq.doe.gov>, EPA <epalrm@epamail.epa.gov>, INTERIOR  
<ocl@ios.doi.gov>, JUSTICE <justice.lrm@usdoj.gov>, TRANSPORTATION  
**To:** <dot.legislation@dot.gov>, DHS <dhsogclegislation@hq.dhs.gov>, ARMY CORPS  
ENG <cecc-leg@hq02.usace.army.mil>, COMMERCE <clrm@doc.gov>, HUD  
<hudlrm@hud.gov>, LABOR <dol-sol-leg@dol.gov>, VA <ogcvalrm@va.gov>,  
llo@nrc.gov, GSA <ca.legislation@gsa.gov>

"Kraninger, Kathleen L. EOP/OMB" <(b) (6)> "Marten,  
Lexi N. EOP/OMB" <(b) (6)> "Abrams, Andrew D.  
EOP/OMB" <(b) (6)> "Connolly, David C. EOP/OMB"  
<(b) (6)> "Skidmore, Ben J. EOP/OMB"  
<(b) (6)> "Donatelli, Angela M. EOP/OMB"  
<(b) (6)> "Nelson, Kimberly P. EOP/OMB"  
<(b) (6)> "Korovesis, Andrea G. EOP/OMB"  
<(b) (6)> "Grossman, Andrea L. EOP/OMB"  
<(b) (6)> "Pasquantino, John C. EOP/OMB"  
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**Cc:** <(b) (6)> "Krauss, Lori A. EOP/OMB"  
<(b) (6)> "Dorjets, Vlad EOP/OMB"  
<(b) (6)> "Lucas, Adrienne E. EOP/OMB"  
<(b) (6)> "Stein, Nora H. EOP/OMB"  
<(b) (6)> "Hazelgren, Mark H. EOP/OMB"  
<(b) (6)> "Dankert, Charles M. EOP/OMB"  
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<(b) (6)> "Burnett, Ben D. EOP/OMB"  
<(b) (6)> "Roach, Emma K. EOP/OMB"  
<(b) (6)> "Hagan, Michael B. EOP/OMB"  
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<(b) (6)> "Krauss, Lori A. EOP/OMB"

<(b) (6)> "Buvenvenida, Pearl A. EOP/OMB"  
<(b) (6)> "Miller, Kimberly A. EOP/OMB"  
<(b) (6)> "Reed, Meagan E. EOP/OMB"  
<(b) (6)> "Hester, David G. EOP/OMB"  
<(b) (6)> "Crutchfield, Craig C. EOP/OMB"  
<(b) (6)> "Roach, Emma K. EOP/OMB"  
<(b) (6)> "Brown, Dustin S. EOP/OMB"  
<(b) (6)> "Yi, David Y. EOP/OMB"  
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<(b) (6)> "Falk Curtin, Edna T. EOP/OMB"  
<(b) (6)> "McDonald, Christine A. EOP/OMB"  
<(b) (6)> "Dick, John H. EOP/OMB"  
<(b) (6)> "Nafziger, Jephtha E. EOP/OMB"  
<(b) (6)> "Howe, Andrew P. EOP/OMB"  
<(b) (6)> "Gamache, Christopher D. EOP/OMB"  
<(b) (6)> "Fischietto, Mary S. EOP/OMB"  
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<(b) (6)> "Hathaway, Kyle W. EOP/OMB"  
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OSTP-LRM <(b) (6)> DL-CEA-LRM <(b) (6)>  
"Rusnak, Allison B. EOP/CEA" <(b) (6)> "Warren, Peter N.  
EOP/OMB" <(b) (6)> "Carr, Kerrie L. EOP/OMB"  
<(b) (6)> "Patel, Neal A. EOP/OMB"  
<(b) (6)> "Slemrod, Jonathan A. EOP/OMB"  
<(b) (6)> "Ventura, Alexandra EOP/OMB"

<(b) (6)> "Vaeth, Matt J. EOP/OMB"

<(b) (6)>

**Date:** Thu, 21 Jun 2018 13:51:16 -0400

**Attachments** Colamaria Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20.docx (31.47 kB);  
: Herrgott Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20.docx (33.25 kB)

---

**DEADLINE: 2:00 PM Friday, June 22, 2018**

**Attached are (2) statements of the Federal Permitting Improvement Steering Council (FPISC) and CEQ for a roundtable on infrastructure permitting on June 27 before the Senate Homeland Security and Government Affairs Committee. This is not a formal hearing, but it will be open to the press and written statements will be posted online. Please review these statements and send any comments by the deadline above. Thanks.**

-----  
LRM ID: CMB-115-184  
EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

LEGISLATIVE REFERRAL MEMORANDUM  
Thursday, June 21, 2018

TO: Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference  
SUBJECT: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Statements on Infrastructure Permitting

OMB CONTACT: **Candice Bronack**

E-Mail: (b) (6)

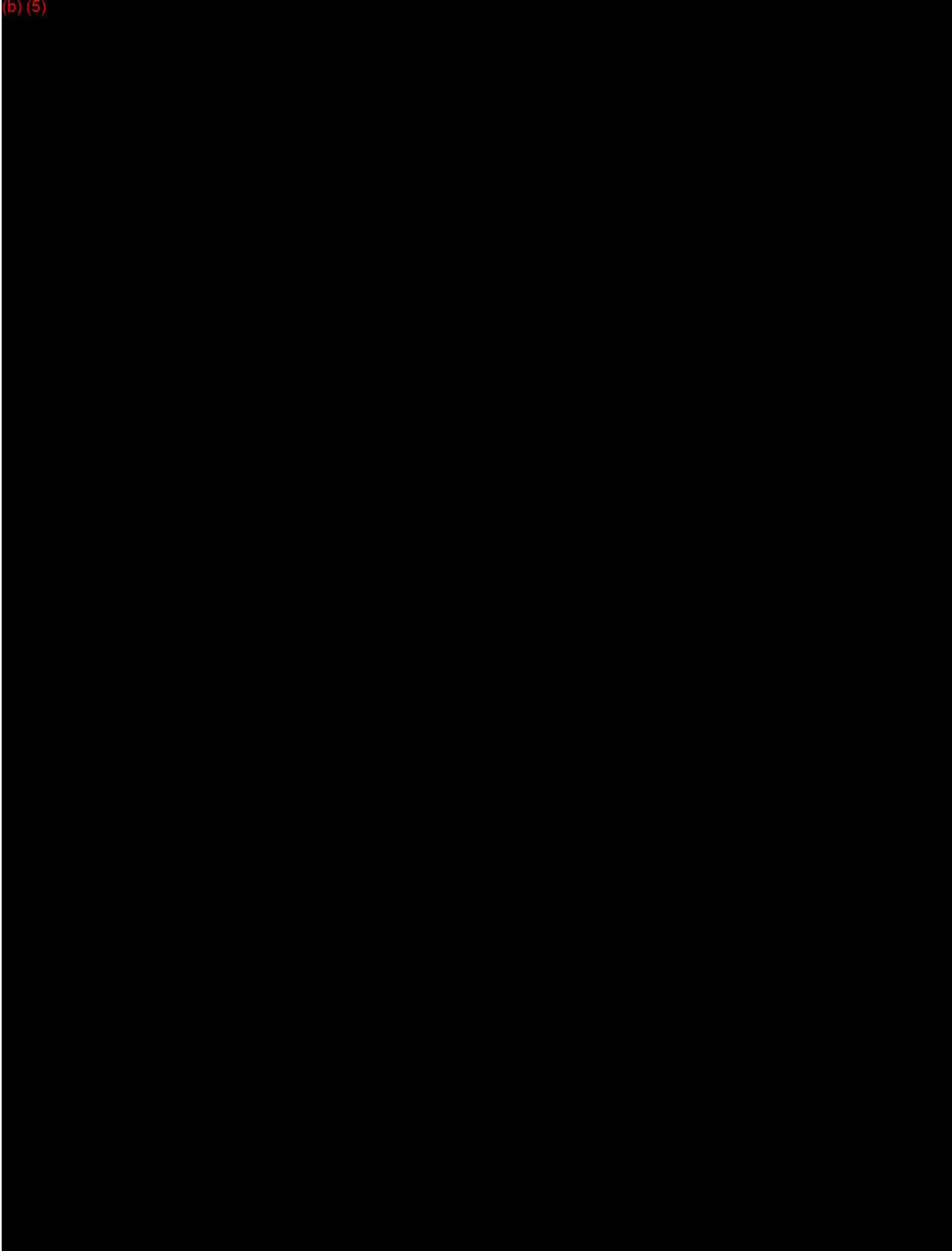
PHONE: (b) (6)

FAX: **(202) 395-3109**

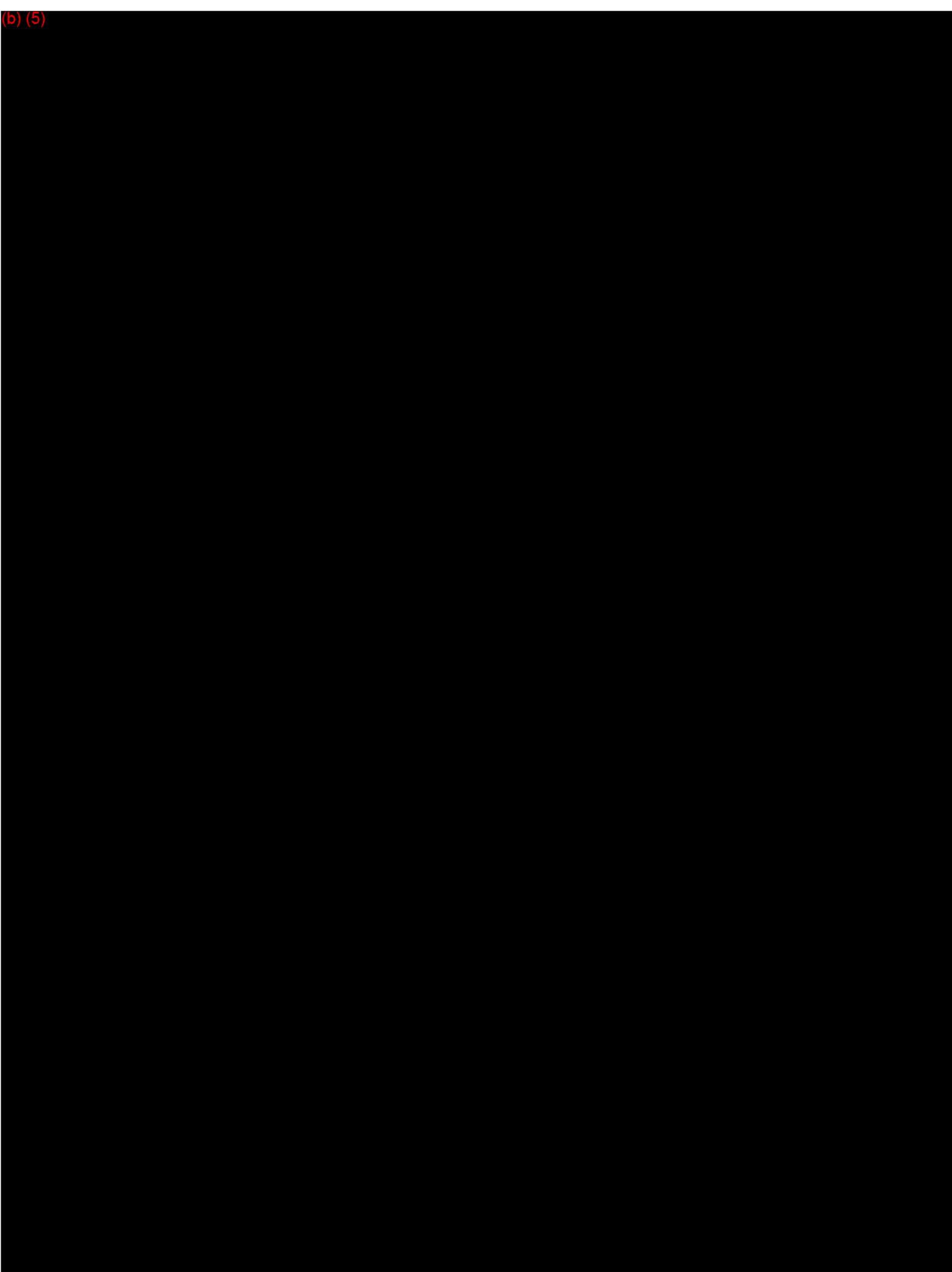
In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. By the deadline above, please reply by e-mail or telephone, using the OMB Contact information above.

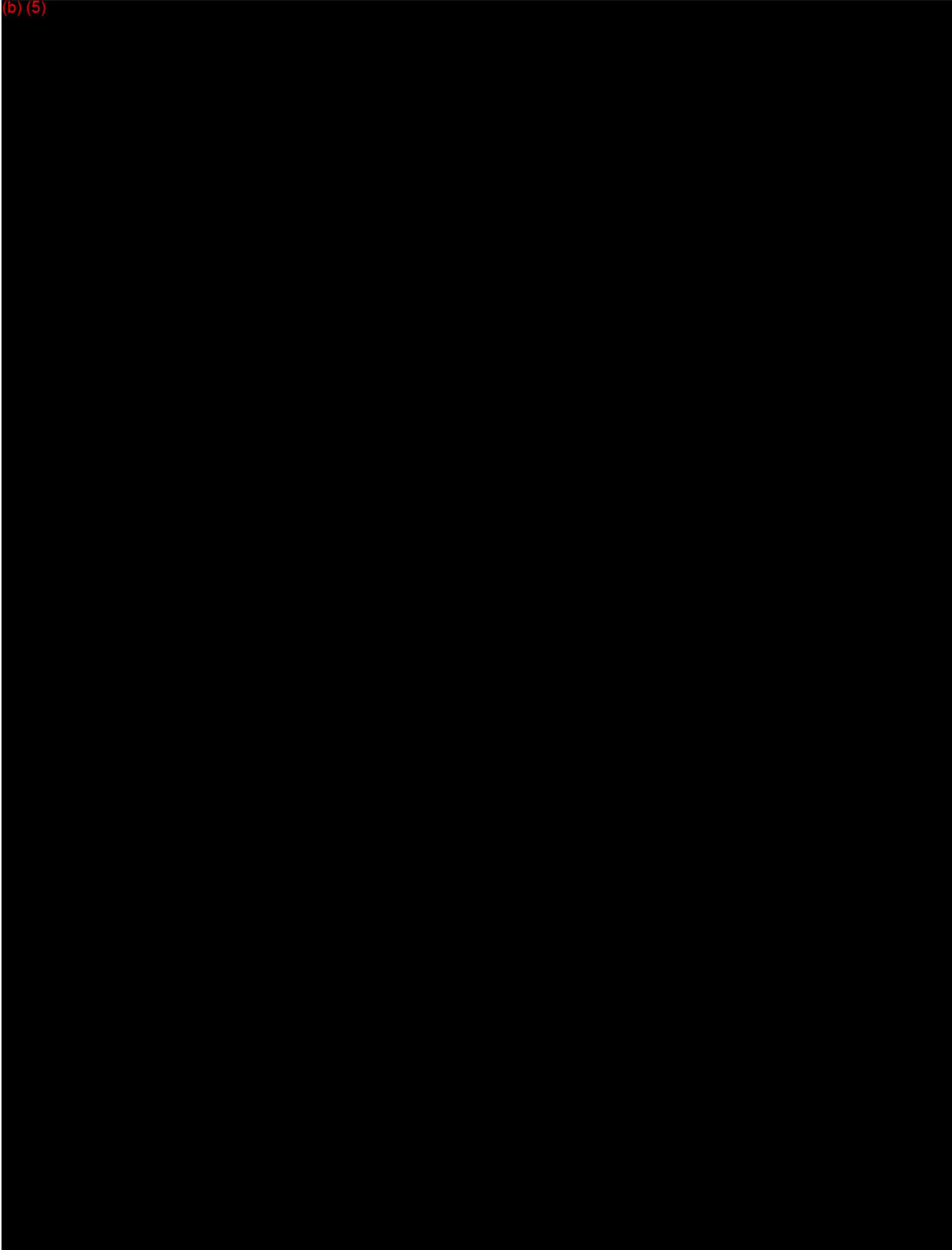
Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

Thank you.









## Re: Federal NEPA Contacts Webinar

---

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

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

**Date:** Thu, 21 Jun 2018 17:20:10 -0400

---

Hi - Did we get the EJ slide deck?

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

---

**From:** "FN-CEQ-NEPA" <(b) (6)>

**Date:** Wednesday, June 20, 2018 at 12:57:00 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)

-----  
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>

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

## [EXTERNAL] 6/27 meeting request - CEO of EDF Renewables

---

**From:** "Moeller, Elizabeth V." <elizabeth.moeller@pillsburylaw.com>  
**To:** "Green, Mary A. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 21 Jun 2018 16:32:37 -0400  
**Attachments**  
: Palen Profile 11-2017 v5.pdf (356.04 kB); 10102017\_Final Report.pdf (137.58 kB)

Dear Ms. Green,

Thank you for your time yesterday – just before we saw the release of the Advance Notice of Proposed Rulemaking on NEPA!

I am following up on behalf of EDF Renewables which is a market leading independent power producer and service provider in the U.S. with projects throughout the United States and headquarters in San Diego.

EDF Renewables' President and CEO, Tristan Grimbert, will be in DC on Wednesday, June 26<sup>th</sup> and is hoping that leaders at CEQ will have time for a short visit to discuss NEPA and national energy and environmental policy.

Would a short visit on Wednesday, June 27<sup>th</sup> at, perhaps at 11:30 be convenient for schedules?

EDF Renewables delivers grid-scale power: wind (onshore and offshore), solar photovoltaic, and storage projects; distributed solutions: solar, solar+storage, EV charging and energy management; and asset optimization: technical, operational, and commercial skills to maximize performance of generating projects. EDF Renewables' North American portfolio consists of 10 GW of developed projects and 10 GW under service contracts.

Please let me know if you need any additional information. Many thanks in advance.

Kind regards,  
Elizabeth

**Elizabeth Vella Moeller** | Partner | Public Policy Group Leader  
Pillsbury Winthrop Shaw Pittman LLP  
1200 Seventeenth Street NW | Washington, DC 20036-3006  
t 202.663.9159 | f 202.663.8007 | m (b) (6)  
elizabeth.moeller@pillsburylaw.com | website bio

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LOS ANGELES MIAMI NASHVILLE NEW YORK NORTHERN VIRGINIA  
PALM BEACH SACRAMENTO SAN DIEGO SAN DIEGO NORTH COUNTY  
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## RE: Draft Congressional Statements for Review by COB Thursday 6/21

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**From:** "Pauley, Melissa" <melissa.pauley@hq.doe.gov>  
**To:** Angela Colamaria - Y-D <angela.colamaria@fpisc.gov>  
**Cc:** Karen Hanley - Y <karen.hanley@fpisc.gov>, "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>, "Barnett, Steven W. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 21 Jun 2018 15:16:07 -0400  
**Attachments:** Herrgott Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20\_DOE comments\_6\_21\_18.docx (29.83 kB)

---

Thank you, Angie. I apologize, but I received some additional comments that I wasn't expecting. Please also see attached. I will not resubmit any of these comments!

Best,  
Melissa

**From:** Angela Colamaria - Y-D [mailto:angela.colamaria@fpisc.gov]  
**Sent:** Thursday, June 21, 2018 3:12 PM  
**To:** Pauley, Melissa <Melissa.Pauley@hq.doe.gov>  
**Cc:** Karen Hanley - Y <karen.hanley@fpisc.gov>; Marlys A. EOP/CEQ <(b) (6)>; Steven W. EOP/CEQ <(b) (6)>  
**Subject:** Fwd: Draft Congressional Statements for Review by COB Thursday 6/21

Thanks, Melissa. We will let you know if we have questions.

Also, FYI, this is also going through an LRM process to each agency's Leg Affairs office today. If by chance it comes back to you, you don't need to resubmit your comments through that process.

**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

----- Forwarded message -----

**From:** Pauley, Melissa <[Melissa.Pauley@hq.doe.gov](mailto:Melissa.Pauley@hq.doe.gov)>  
**Date:** Thu, Jun 21, 2018 at 1:37 PM  
**Subject:** RE: Draft Congressional Statements for Review by COB Thursday 6/21

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

Dear Angie,

Please find a couple of minor comments for your consideration. Thank you for the heads up on the roundtable and opportunity to provide input.

Best,  
Melissa

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

**Sent:** Wednesday, June 20, 2018 6:29 PM

**To:** Blythe Semmer <[bsemmer@achp.gov](mailto:bsemmer@achp.gov)>; [robyn.s.colosimo.civ@mail.mil](mailto:robyn.s.colosimo.civ@mail.mil);  
[Stacey.E.Brown@usace.army.mil](mailto:Stacey.E.Brown@usace.army.mil); [Lauren.B.Diaz@usace.army.mil](mailto:Lauren.B.Diaz@usace.army.mil); [Myrna.I.Lopez-Ortiz@usace.army.mil](mailto:Myrna.I.Lopez-Ortiz@usace.army.mil);  
[Jennifer.A.Moyer@usace.army.mil](mailto:Jennifer.A.Moyer@usace.army.mil); [Amy.S.Klein@usace.army.mil](mailto:Amy.S.Klein@usace.army.mil); [Tammy.Conforti@usace.army.mil](mailto:Tammy.Conforti@usace.army.mil);  
[robert.w.mcrae@usace.army.mil](mailto:robert.w.mcrae@usace.army.mil); [Richard.L.Darden@usace.army.mil](mailto:Richard.L.Darden@usace.army.mil); Gaffneysmith, Margaret E CIV (US) <[Meg.e.gaffney-smith@usace.army.mil](mailto:Meg.e.gaffney-smith@usace.army.mil)>; [Shelly.H.Sugarman@uscg.mil](mailto:Shelly.H.Sugarman@uscg.mil);  
[matthew.s.robertson2@uscg.mil](mailto:matthew.s.robertson2@uscg.mil); [brian.dunn@uscg.mil](mailto:brian.dunn@uscg.mil); [matthew.fountain@wdc.usda.gov](mailto:matthew.fountain@wdc.usda.gov);  
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[rwoodruff@fs.fed.us](mailto:rwoodruff@fs.fed.us); [gsmith08@fs.fed.us](mailto:gsmith08@fs.fed.us); [sarah.koeppel@hq.dhs.gov](mailto:sarah.koeppel@hq.dhs.gov); [jennifer.hass@hq.dhs.gov](mailto:jennifer.hass@hq.dhs.gov);  
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Thatcher, Ben <[ben\\_thatcher@fws.gov](mailto:ben_thatcher@fws.gov)>; [olivia\\_ferriter@ios.doi.gov](mailto:olivia_ferriter@ios.doi.gov); [Gerald.Solomon@dot.gov](mailto:Gerald.Solomon@dot.gov);  
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[heather.e.campbell@ferc.gov](mailto:heather.e.campbell@ferc.gov); [Brandon.Cherry@ferc.gov](mailto:Brandon.Cherry@ferc.gov); [Ryan.Hansen@ferc.gov](mailto:Ryan.Hansen@ferc.gov);  
[Rachel.McNamara@ferc.gov](mailto:Rachel.McNamara@ferc.gov); [Andrew.Bernick@ferc.gov](mailto:Andrew.Bernick@ferc.gov); [joanne.wachholder@ferc.gov](mailto:joanne.wachholder@ferc.gov);  
[nelson.a.rivera@hud.gov](mailto:nelson.a.rivera@hud.gov); [danielle.l.schopp@hud.gov](mailto:danielle.l.schopp@hud.gov); Burkhardt, Lawrence <[Lawrence.Burkhardt@nrc.gov](mailto:Lawrence.Burkhardt@nrc.gov)>; [Donna.Williams@nrc.gov](mailto:Donna.Williams@nrc.gov); Erwin, Kenneth <[Kenneth.Erwin@nrc.gov](mailto:Kenneth.Erwin@nrc.gov)>;  
Kugler, Andrew <[Andrew.Kugler@nrc.gov](mailto:Andrew.Kugler@nrc.gov)>; [Maureen.Wylie@nrc.gov](mailto:Maureen.Wylie@nrc.gov); [Ben.Ficks@nrc.gov](mailto:Ben.Ficks@nrc.gov);  
[russell.allwein@nrc.gov](mailto:russell.allwein@nrc.gov); Kratchman, Jessica <[Jessica.kratchman@nrc.gov](mailto:Jessica.kratchman@nrc.gov)>; Kim, Grace <[Grace.Kim@nrc.gov](mailto:Grace.Kim@nrc.gov)>; Eric MacMillan <[eric.macmillan@noaa.gov](mailto:eric.macmillan@noaa.gov)>; Michelle Lennox - NOAA Federal <[michelle.lennox@noaa.gov](mailto:michelle.lennox@noaa.gov)>; [katherine.renshaw@noaa.gov](mailto:katherine.renshaw@noaa.gov); Helen Chabot - NOAA Federal <[helen.chabot@noaa.gov](mailto:helen.chabot@noaa.gov)>; [Peter.McVeigh@usdoj.gov](mailto:Peter.McVeigh@usdoj.gov)

**Cc:** (b) (6) (b) (6) (b) (6)  
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(b) (6) Brown, Dustin S. EOP/OMB <(b) (6)>  
Bussow, Mark A. EOP/OMB <(b) (6)> Colamaria, Angela F. EOP/OMB

Mark Hazelgren  
Nora Stein  
Joseph Montoni  
Benjamin Burnett  
Emma Roach

Michael Hagan  
Katherine Whitman  
Lori Krauss  
Kimberly Nelson

Andrea Korovesis  
Andrea Grossman  
Kimberly Miller  
David Hester  
Meagan Reed

Craig Crutchfield

Kyle Hathway

<(b) (6)> <(b) (6)> Nusraty, Tim H. EOP/OMB  
<(b) (6)> Boling, Ted A. EOP/CEQ <(b) (6)>  
Drummond, Michael R. EOP/CEQ <(b) (6)> Herrgott, Alex H. EOP/CEQ  
<(b) (6)> <(b) (6)> Kelly Alexander - AY-Detailee  
<kelly.alexander@gsa.gov>; <(b) (6)> Dorjets, Vlad EOP/OMB  
<(b) (6)> Karen Hanley - Y <karen.hanley@gsa.gov>; Janet Pfleeger - Y  
<janet.pfleeger@gsa.gov>; Amber Levofsky - Y <amber.levofsky@gsa.gov>; David Yi  
<(b) (6)> Blake Fox - AY-C <blake.fox@gsa.gov>; Robert Noecker - AY-C  
<robert.noecker@gsa.gov>; Meghan Edwards - AY-C <meghan.edwards@gsa.gov>; Kendra Wilson - AY-C  
<kendra.wilson@gsa.gov>; <(b) (6)> <(b) (6)>  
<(b) (6)> <(b) (6)> <(b) (6)>  
Jerri Marr - AY-D <jerri.marr@gsa.gov>; Kavita Vaidyanathan - AY-DETAILEE  
<kavita.vaidyanathan@gsa.gov>; Ross Pilotte <ross.pilotte@gsa.gov>; Robert Lane - AY-C  
<robert.lane@gsa.gov>; Robert Hillkirk - AY-C <scott.hillkirk@gsa.gov>; Nikhil Bhandari - AY-C  
<nikhil.bhandari@gsa.gov>; Nusrat Khan - AY-C <emma.khan@gsa.gov>; Kelsey Owens - YD-D  
<kelsey.owens@gsa.gov>; <(b) (6)> <(b) (6)>;

David Connolly  
Christopher Gamache  
Mary Fischietto  
Joseph Berger  
Chad Lallemand

Edna Curtin  
Michael Harkins  
Christine McDonald  
Jeptha Nafziger

**Subject:** Draft Congressional Statements for Review by COB Thursday 6/21

Hi all,

FPISC and CEQ have been asked to participate in a Senate roundtable on infrastructure permitting on June 27 (invite from HSGAC Committee is attached). This is not a formal hearing, but it will be open to the press and written statements will be posted online.

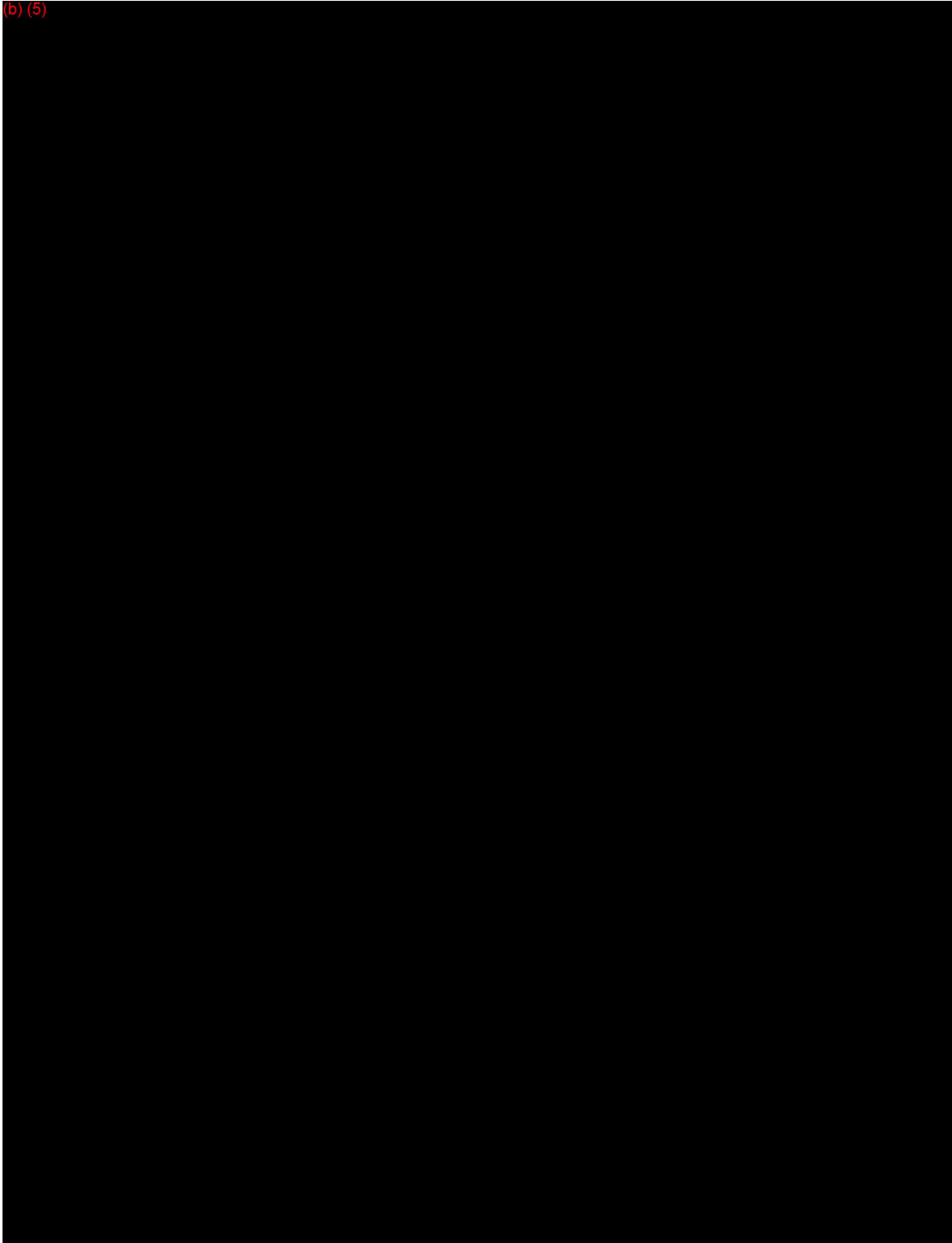
I've attached the draft written statements for FPISC and CEQ. We need to submit the written statements ahead of time so *please provide any edits to both documents by COB Thursday 6/21/18 (tomorrow)*.

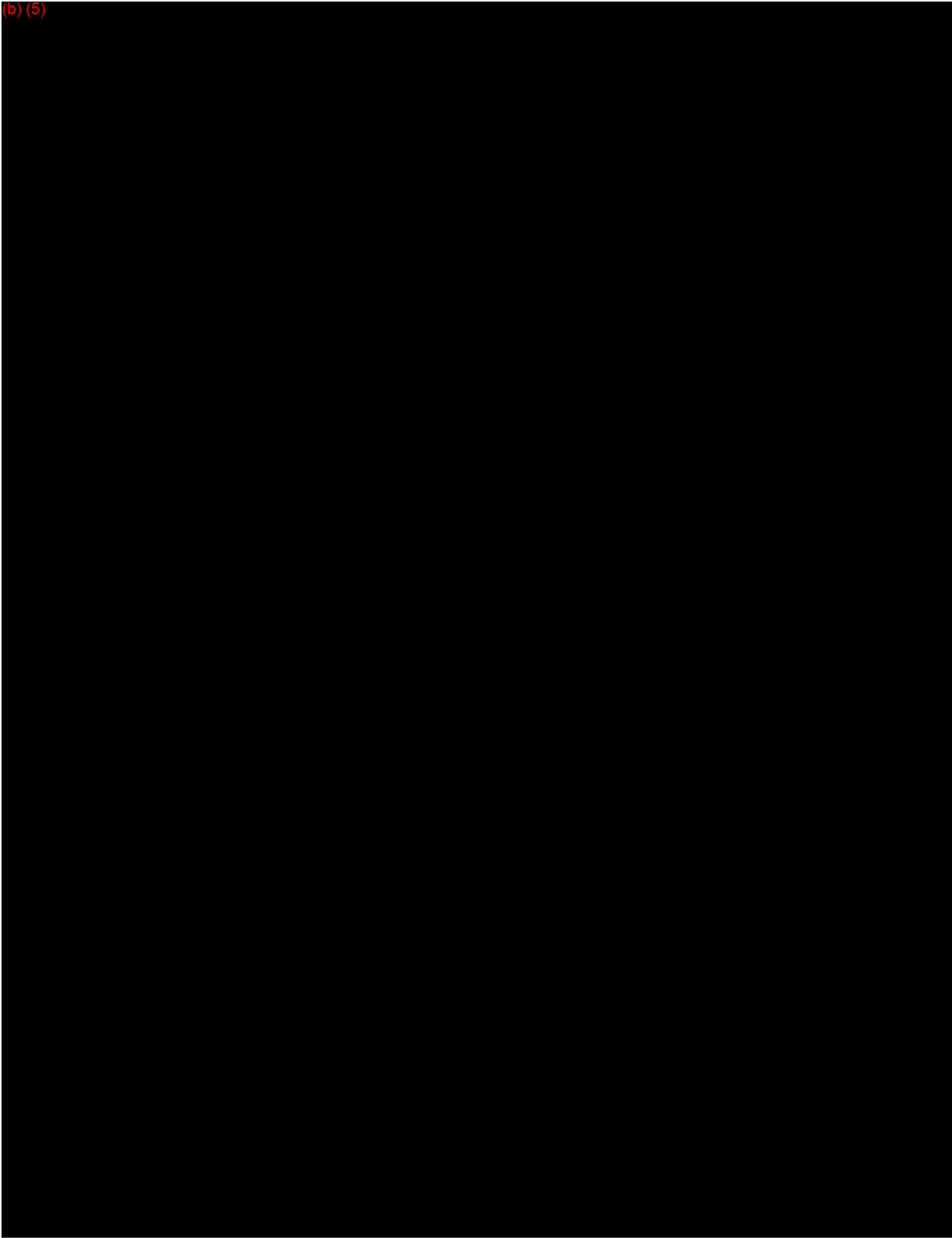
We don't have an official list of participants, but it is our understanding that HSGAC staff have also asked representatives from the RC Byrd and Mid-Barataria projects, the Chamber of Commerce, and Center for American Progress.

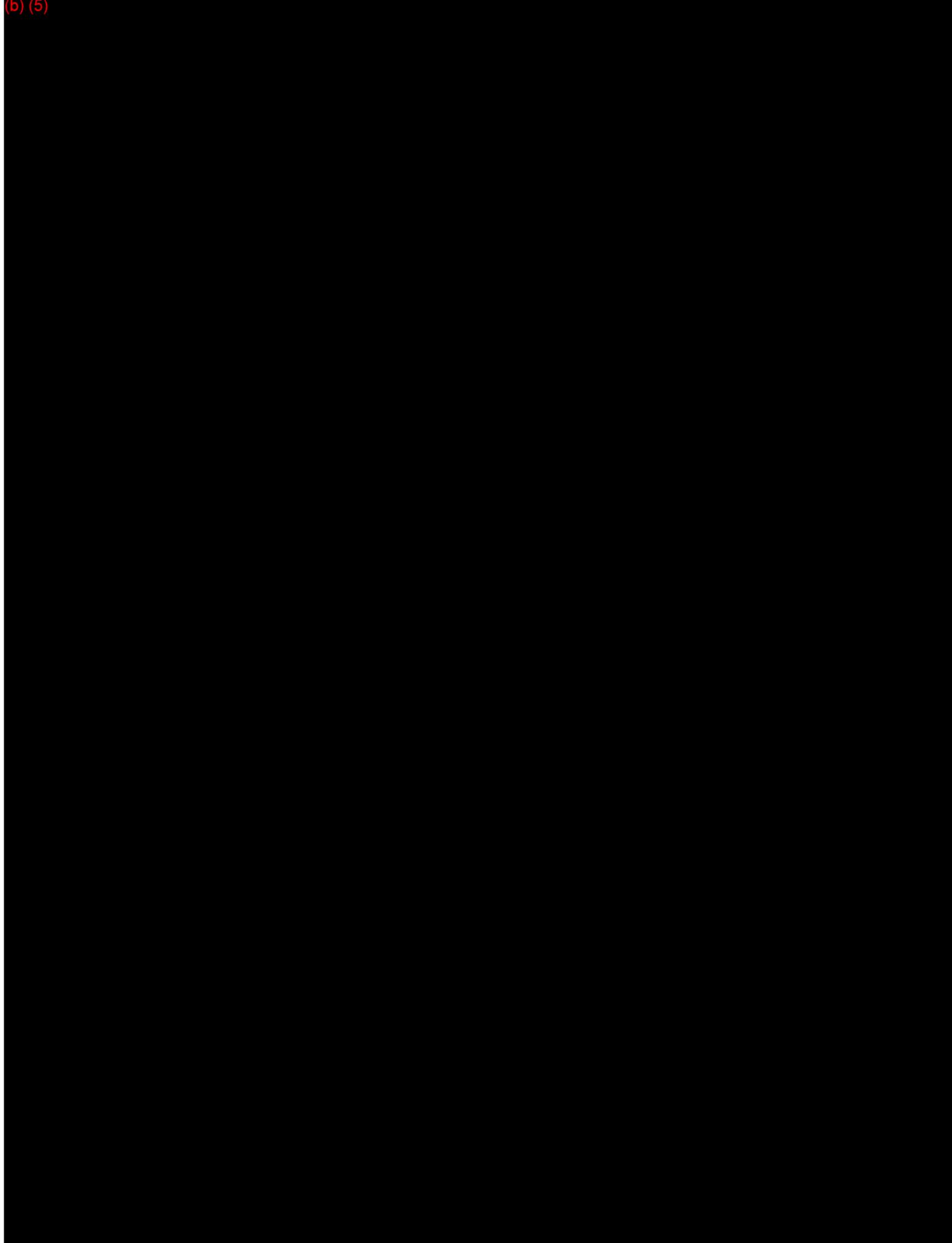
Angie

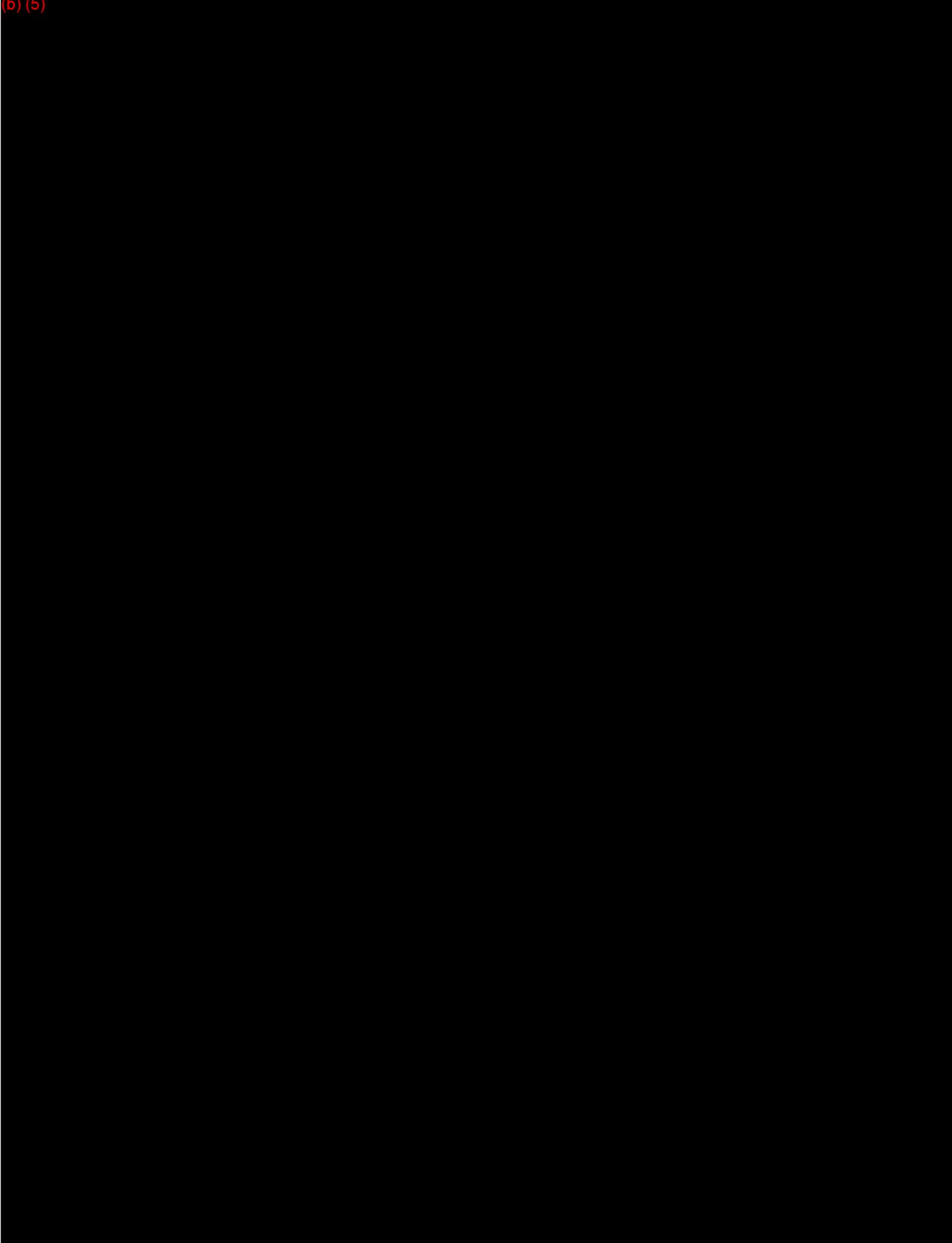
**Angela F. Colamaria**  
Acting Executive Director  
Office of the Executive Director (FPISC-OED)  
Federal Permitting Improvement Steering Council  
[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)  
202.705.1639  
1800 F St. NW  
Washington, DC 20405











## Fwd: Draft Congressional Statements for Review by COB Thursday 6/21

---

**From:** Angela Colamaria - Y-D <angela.colamaria@fpisc.gov>  
**To:** "Pauley, Melissa" <melissa.pauley@hq.doe.gov>  
**Cc:** Karen Hanley - Y <karen.hanley@fpisc.gov>, "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>, "Barnett, Steven W. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 21 Jun 2018 15:11:33 -0400  
**Attachments:** Colamaria Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20.rev.DOCX (28.6 kB); Herrgott Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20.rev.DOCX (30.12 kB)

---

Thanks, Melissa. We will let you know if we have questions.

Also, FYI, this is also going through an LRM process to each agency's Leg Affairs office today. If by chance it comes back to you, you don't need to resubmit your comments through that process.

### 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

----- Forwarded message -----

**From:** Pauley, Melissa <[Melissa.Pauley@hq.doe.gov](mailto:Melissa.Pauley@hq.doe.gov)>  
**Date:** Thu, Jun 21, 2018 at 1:37 PM  
**Subject:** RE: Draft Congressional Statements for Review by COB Thursday 6/21  
**To:** Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)>

Dear Angie,

Please find a couple of minor comments for your consideration. Thank you for the heads up on the roundtable and opportunity to provide input.

Best,

Melissa

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

**Sent:** Wednesday, June 20, 2018 6:29 PM

**To:** Blythe Semmer <[bsemmer@achp.gov](mailto:bsemmer@achp.gov)>; [robyn.s.colosimo.civ@mail.mil](mailto:robyn.s.colosimo.civ@mail.mil);  
[Stacey.E.Brown@usace.army.mil](mailto:Stacey.E.Brown@usace.army.mil); [Lauren.B.Diaz@usace.army.mil](mailto:Lauren.B.Diaz@usace.army.mil); [Myrna.I.Lopez-Ortiz@usace.army.mil](mailto:Myrna.I.Lopez-Ortiz@usace.army.mil);  
[Jennifer.A.Moyer@usace.army.mil](mailto:Jennifer.A.Moyer@usace.army.mil); [Amy.S.Klein@usace.army.mil](mailto:Amy.S.Klein@usace.army.mil); [Tammy.Conforti@usace.army.mil](mailto:Tammy.Conforti@usace.army.mil);  
[robert.w.mcrae@usace.army.mil](mailto:robert.w.mcrae@usace.army.mil); [Richard.L.Darden@usace.army.mil](mailto:Richard.L.Darden@usace.army.mil); Gaffneysmith, Margaret E CIV (US)  
<[Meg.e.gaffney-smith@usace.army.mil](mailto:Meg.e.gaffney-smith@usace.army.mil)>; [Shelly.H.Sugarman@uscg.mil](mailto:Shelly.H.Sugarman@uscg.mil);  
[matthew.s.robertson2@uscg.mil](mailto:matthew.s.robertson2@uscg.mil); [brian.dunn@uscg.mil](mailto:brian.dunn@uscg.mil); [matthew.fountain@wdc.usda.gov](mailto:matthew.fountain@wdc.usda.gov);  
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[rwoodruff@fs.fed.us](mailto:rwoodruff@fs.fed.us); [gsmith08@fs.fed.us](mailto:gsmith08@fs.fed.us); [sarah.koeppel@hq.dhs.gov](mailto:sarah.koeppel@hq.dhs.gov); [jennifer.hass@hq.dhs.gov](mailto:jennifer.hass@hq.dhs.gov);  
[ronald.e.tickle4.civ@mail.mil](mailto:ronald.e.tickle4.civ@mail.mil); [steven.j.sample4.civ@mail.mil](mailto:steven.j.sample4.civ@mail.mil); [terry.l.bowers14.civ@mail.mil](mailto:terry.l.bowers14.civ@mail.mil); Pauley,  
Melissa <[Melissa.Pauley@hq.doe.gov](mailto:Melissa.Pauley@hq.doe.gov)>; Erika Vaughan <[erika\\_vaughan@ios.doi.gov](mailto:erika_vaughan@ios.doi.gov)>;  
[joshua.kaplowitz@sol.doi.gov](mailto:joshua.kaplowitz@sol.doi.gov); [frankie\\_green@fws.gov](mailto:frankie_green@fws.gov); [craig\\_aubrey@fws.gov](mailto:craig_aubrey@fws.gov); [lvehmas@usbr.gov](mailto:lvehmas@usbr.gov);  
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<[michael\\_b\\_edwards@nps.gov](mailto:michael_b_edwards@nps.gov)>; [sfusilie@blm.gov](mailto:sfusilie@blm.gov); [charles.norfleet@boem.gov](mailto:charles.norfleet@boem.gov); [fmarcell@blm.gov](mailto:fmarcell@blm.gov);  
Thatcher, Ben <[ben\\_thatcher@fws.gov](mailto:ben_thatcher@fws.gov)>; [olivia\\_ferriter@ios.doi.gov](mailto:olivia_ferriter@ios.doi.gov); [Gerald.Solomon@dot.gov](mailto:Gerald.Solomon@dot.gov);  
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<[gentile.laura@epa.gov](mailto:gentile.laura@epa.gov)>; [Rose.Bob@epa.gov](mailto:Rose.Bob@epa.gov); [john.katz@ferc.gov](mailto:john.katz@ferc.gov); [magdalene.suter@ferc.gov](mailto:magdalene.suter@ferc.gov);  
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[Rachel.McNamara@ferc.gov](mailto:Rachel.McNamara@ferc.gov); [Andrew.Bernick@ferc.gov](mailto:Andrew.Bernick@ferc.gov); [joanne.wachholder@ferc.gov](mailto:joanne.wachholder@ferc.gov);  
[nelson.a.rivera@hud.gov](mailto:nelson.a.rivera@hud.gov); [danielle.l.schopp@hud.gov](mailto:danielle.l.schopp@hud.gov); Burkhardt, Lawrence  
<[Lawrence.Burkhardt@nrc.gov](mailto:Lawrence.Burkhardt@nrc.gov)>; [Donna.Williams@nrc.gov](mailto:Donna.Williams@nrc.gov); Erwin, Kenneth <[Kenneth.Erwin@nrc.gov](mailto:Kenneth.Erwin@nrc.gov)>;  
Kugler, Andrew <[Andrew.Kugler@nrc.gov](mailto:Andrew.Kugler@nrc.gov)>; [Maureen.Wylie@nrc.gov](mailto:Maureen.Wylie@nrc.gov); [Ben.Ficks@nrc.gov](mailto:Ben.Ficks@nrc.gov);  
[russell.allwein@nrc.gov](mailto:russell.allwein@nrc.gov); Kratchman, Jessica <[Jessica.kratchman@nrc.gov](mailto:Jessica.kratchman@nrc.gov)>; Kim, Grace  
<[Grace.Kim@nrc.gov](mailto:Grace.Kim@nrc.gov)>; Eric MacMillan <[eric.macmillan@noaa.gov](mailto:eric.macmillan@noaa.gov)>; Michelle Lennox - NOAA Federal  
<[michelle.lennox@noaa.gov](mailto:michelle.lennox@noaa.gov)>; [katherine.renshaw@noaa.gov](mailto:katherine.renshaw@noaa.gov); Helen Chabot - NOAA Federal  
<[helen.chabot@noaa.gov](mailto:helen.chabot@noaa.gov)>; [Peter.McVeigh@usdoj.gov](mailto:Peter.McVeigh@usdoj.gov)

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<(b) (6)> (b) (6) Kelly Alexander - AY-Detailee  
<[kelly.alexander@gsa.gov](mailto:kelly.alexander@gsa.gov)>; (b) (6) Dorjets, Vlad EOP/OMB  
<(b) (6)> Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)>; Janet Pfleeger - Y  
<[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)>; Amber Levofsky - Y <[amber.levofsky@gsa.gov](mailto:amber.levofsky@gsa.gov)>; David Yi  
<(b) (6)> Blake Fox - AY-C <[blake.fox@gsa.gov](mailto:blake.fox@gsa.gov)>; Robert Noecker - AY-C  
<[robert.noecker@gsa.gov](mailto:robert.noecker@gsa.gov)>; Meghan Edwards - AY-C <[meghan.edwards@gsa.gov](mailto:meghan.edwards@gsa.gov)>; Kendra Wilson - AY-C  
<[kendra.wilson@gsa.gov](mailto:kendra.wilson@gsa.gov)>; (b) (6) (b) (6)  
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Jerri Marr - AY-D <[jerri.marr@gsa.gov](mailto:jerri.marr@gsa.gov)>; Kavita Vaidyanathan - AY-DETAILEE

Mark Hazelgren  
Nora Stein  
Joseph Montoni  
Ben Burnett  
Emma Roach

Michael Hagan  
Katherine Whitman  
Lori Krauss  
Kimberly Nelson  
Andrea Korovesis

Andrea Grossman  
Kimberly Miller  
David Hester  
Meagan Reed  
Craig Crutchfield

Kyle Hathaway  
Kelly Colyar  
Vladik Dorjets  
David Connolly  
Christopher Gamache

Mary Fischietto  
Joseph Berger  
Chad Lallemand

<kavita.vaidyanathan@gsa.gov>; Ross Pilotte <ross.pilotte@gsa.gov>; Robert Lane - AY-C <robert.lane@gsa.gov>; Robert Hillkirk - AY-C <scott.hillkirk@gsa.gov>; Nikhil Bhandari - AY-C <nikhil.bhandari@gsa.gov>; Nusrat Khan - AY-C <emma.khan@gsa.gov>; Kelsey Owens - YD-D <kelsey.owens@gsa.gov>; (b) (6); (b) (6);

(b) (6) (b) (6)  
(b) (6)  
**Subject:** Draft Congressional Statements for Review by COB Thursday 6/21

Edna Curtin  
Michael Harkins  
Christine McDonald  
Jeptha Nafziger  
Andrew Howe

Hi all,

FPISC and CEQ have been asked to participate in a Senate roundtable on infrastructure permitting on June 27 (invite from HSGAC Committee is attached). This is not a formal hearing, but it will be open to the press and written statements will be posted online.

I've attached the draft written statements for FPISC and CEQ. We need to submit the written statements ahead of time so *please provide any edits to both documents by COB Thursday 6/21/18 (tomorrow)*.

We don't have an official list of participants, but it is our understanding that HSGAC staff have also asked representatives from the RC Byrd and Mid-Barataria projects, the Chamber of Commerce, and Center for American Progress.

Angie

**Angela F. Colamaria**

Acting Executive Director

Office of the Executive Director (FPISC-OED)

Federal Permitting Improvement Steering Council

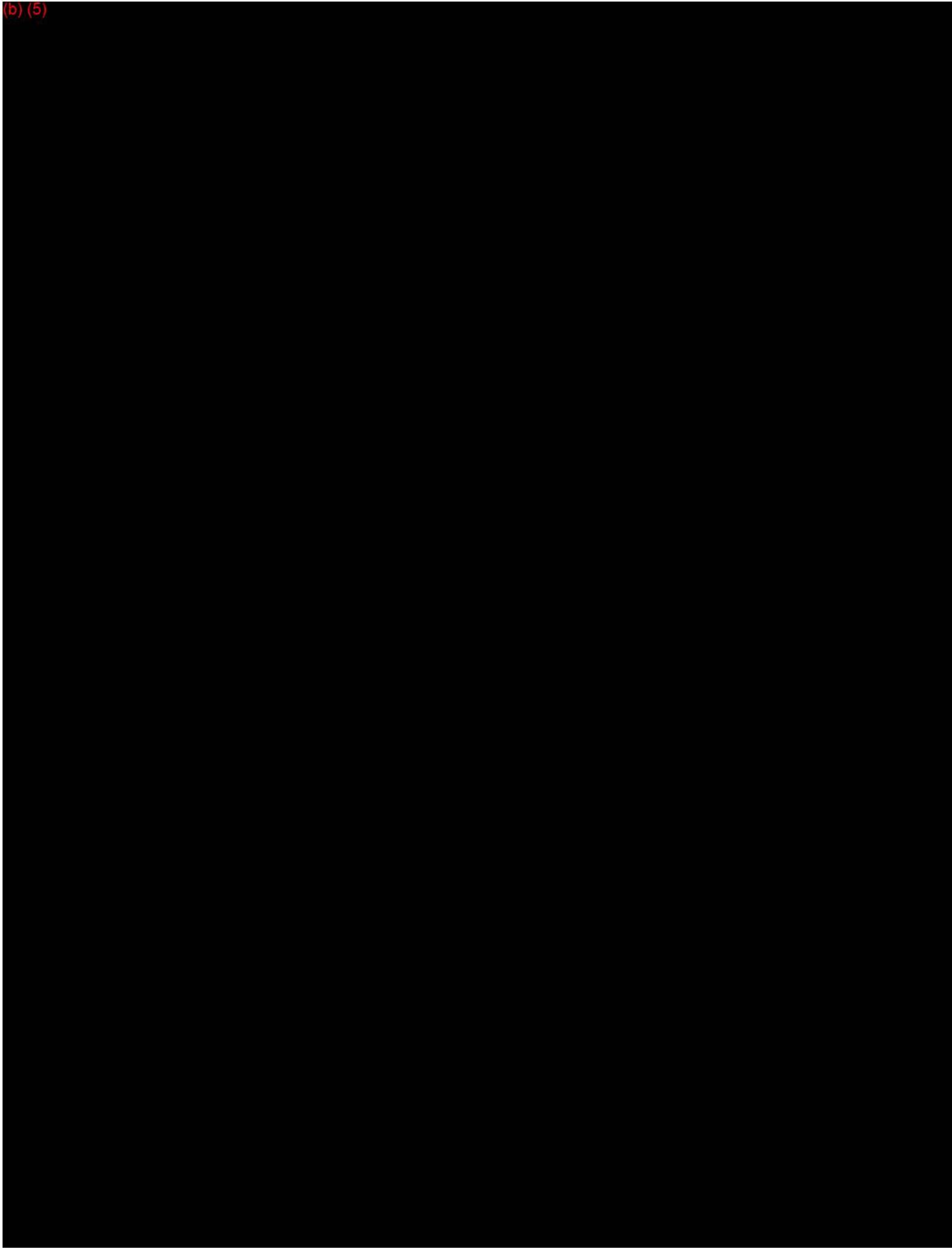
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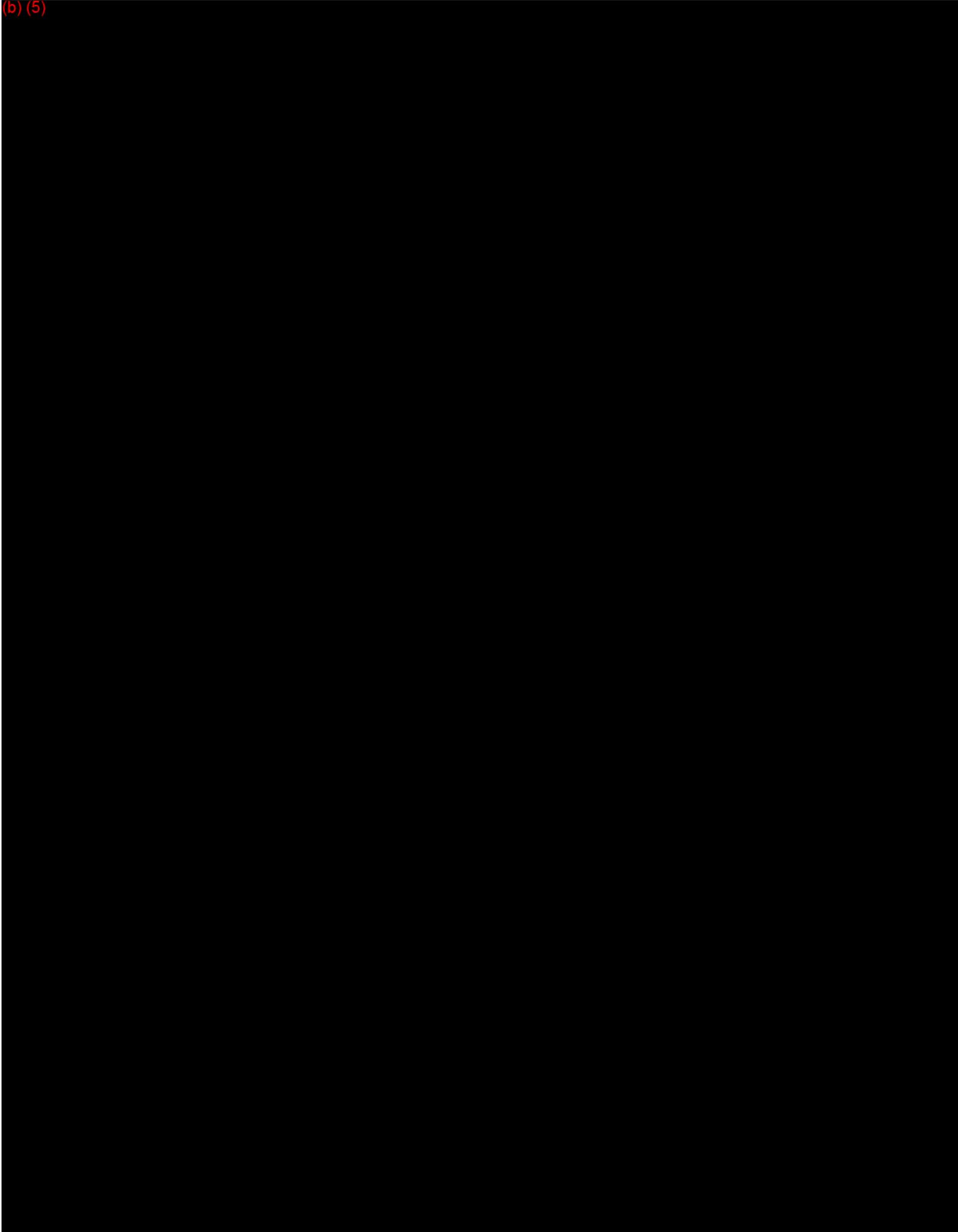
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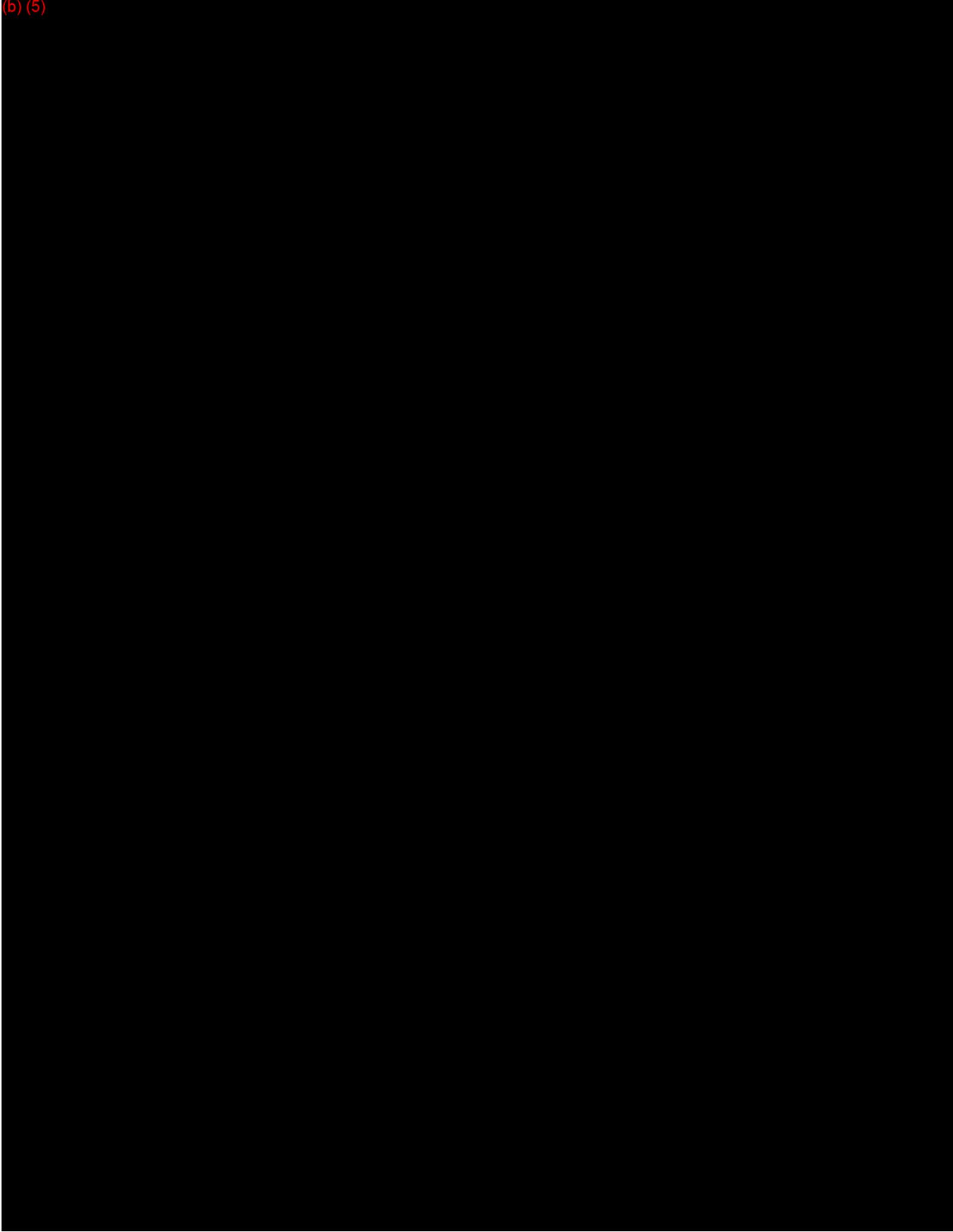
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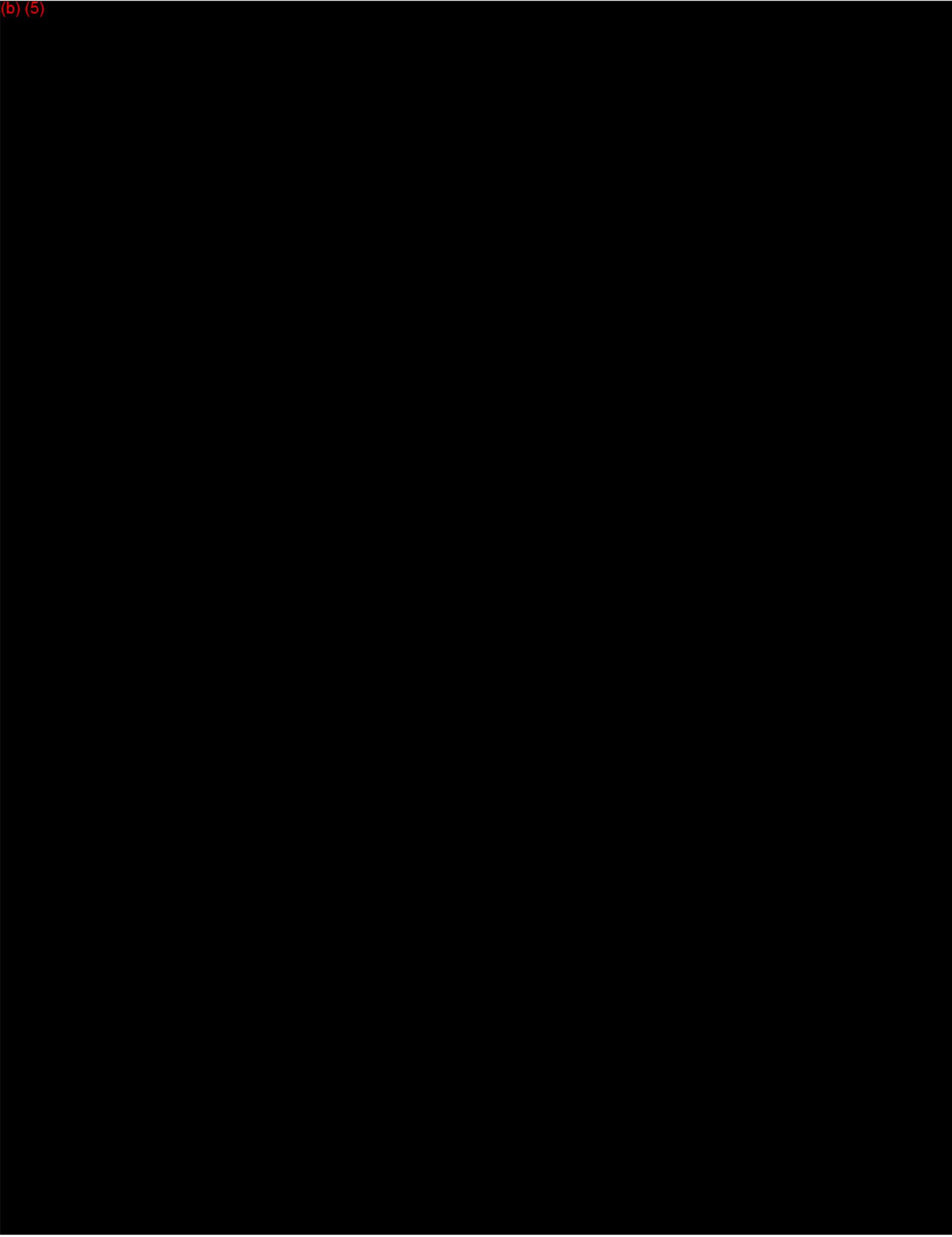
Washington, DC 20405

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## RE: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on Infrastructure Permitting

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**From:** "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>  
**To:** "Bronack, Candice M. EOP/OMB" <(b) (6)>  
"Pettigrew, Theresa L. EOP/CEQ" (b) (6) "Seale,  
Viktoria Z. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ"  
<(b) (6)> "Schneider, Daniel J. EOP/CEQ"  
**Cc:** <(b) (6)> "Herrgott, Alex H. EOP/CEQ"  
<(b) (6)> "Barnett, Steven W. EOP/CEQ"  
<(b) (6)> "Sharp, Thomas L. EOP/CEQ"  
<(b) (6)> "Vandegrift, Scott F. EOP/CEQ"  
<(b) (6)>  
**Date:** Fri, 22 Jun 2018 16:30:01 -0400  
**Attachments** Herrgott Statement 6.27 Roundtable Senate FINAL DRAFT\_LRM Comment  
: Responses.docx (30.62 kB)

Good afternoon Candice –

Please see the attached file for CEQ's response to the LRM comments and final text edits.

Thanks –

Marlys Osterhues, (b) (6)

---

**From:** Bronack, Candice M. EOP/OMB  
**Sent:** Friday, June 22, 2018 2:40 PM  
**To:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Cc:** DL-CEQ-LRM <(b) (6)>  
**Subject:** RE: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on Infrastructure Permitting

I also received these comments from DOT. Please let me know how CEQ responds.

---

**From:** Bronack, Candice M. EOP/OMB  
**Sent:** Friday, June 22, 2018 1:55 PM  
**To:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Cc:** DL-CEQ-LRM <(b) (6)>

**Subject:** FW: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on Infrastructure Permitting

Hi Marlys – I received your voicemail earlier today. So far, I have only received minor comments from Commerce (attached). I will continue to send you anything I get in response to my LRM. Please let me know if CEQ accepts these edits. Thanks.

**From:** Bronack, Candice M. EOP/OMB

**Sent:** Thursday, June 21, 2018 1:51 PM

**To:** 'AGRICULTURE' <usdaleg@obpa.usda.gov>; DL-CEQ-LRM <(b) (6)> 'DEFENSE' <(b) (6)>; 'ENERGY' <Energy.GC33@hq.doe.gov>; 'EPA' <epalrm@epamail.epa.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <justice.lrm@usdoj.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'DHS' <DHSOGCLegislation@HQ.DHS.GOV>; 'ARMY CORPS ENG' <cecc-leg@hq02.usace.army.mil>; 'COMMERCE' <clrm@doc.gov>; 'HUD' <HUDLRM@hud.gov>; 'LABOR' <dol-sol-leg@dol.gov>; 'VA' <ogcvalrm@va.gov>; 'llo@nrc.gov' <llo@nrc.gov>; 'GSA' <ca.legislation@gsa.gov>

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<(b) (6)> Ventura, Alexandra EOP/OMB  
<(b) (6)> Vaeth, Matt J. EOP/OMB <(b) (6)>  
**Subject:** LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on  
Infrastructure Permitting

**DEADLINE: 2:00 PM Friday, June 22, 2018**

**Attached are (2) statements of the Federal Permitting Improvement Steering Council (FPISC) and CEQ for a roundtable on infrastructure permitting on June 27 before the Senate Homeland Security and Government Affairs Committee. This is not a formal hearing, but it will be open to the press and written statements will be posted online. Please review these statements and send any comments by the deadline above. Thanks.**

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LRM ID: CMB-115-184  
EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

LEGISLATIVE REFERRAL MEMORANDUM  
Thursday, June 21, 2018

TO: Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference  
SUBJECT: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Statements on Infrastructure  
Permitting

OMB CONTACT: **Candice Bronack**

E-Mail: <(b) (6)>

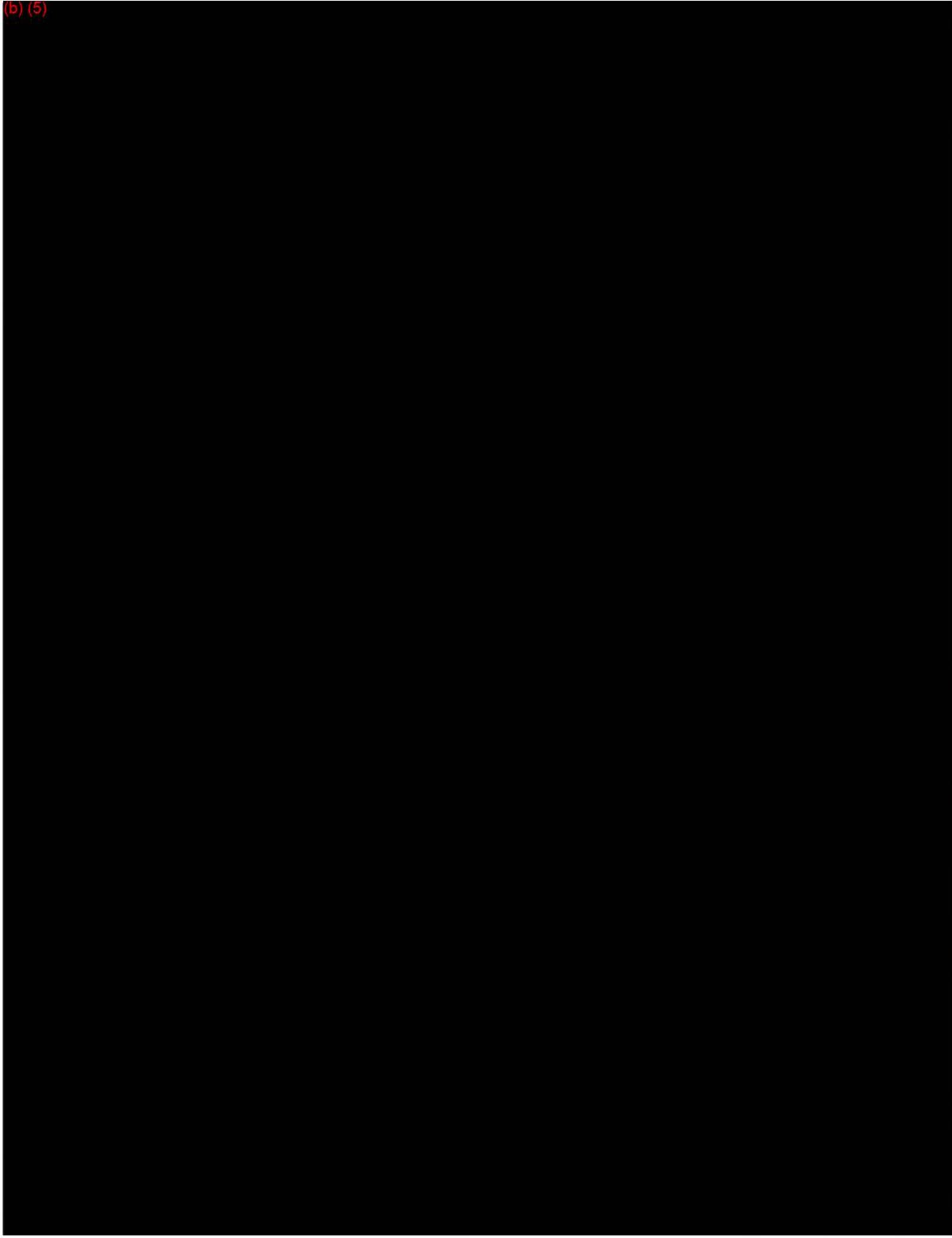
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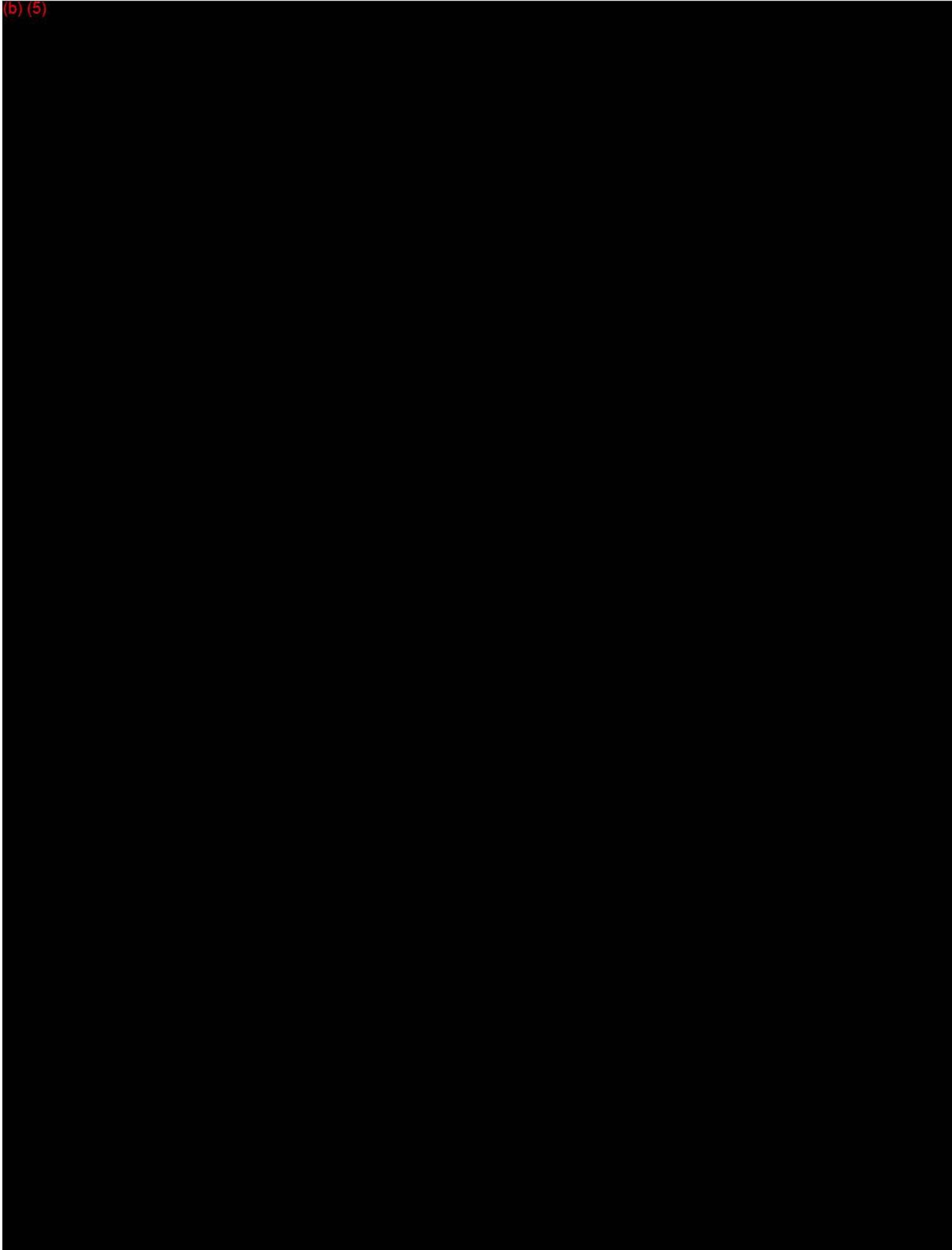
FAX: (202) 395-3109

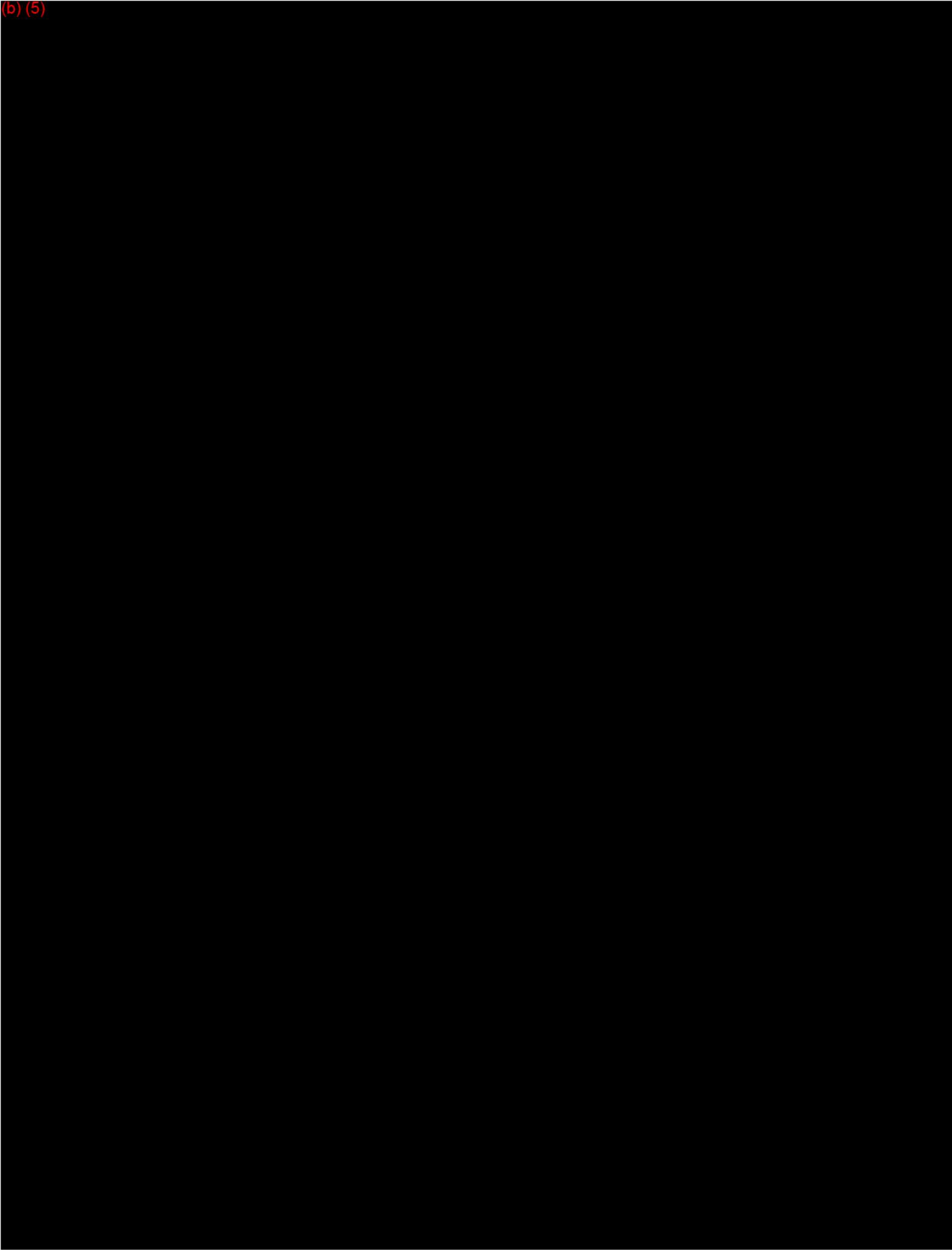
In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. By the deadline above, please reply by e-mail or telephone, using the OMB Contact information above.

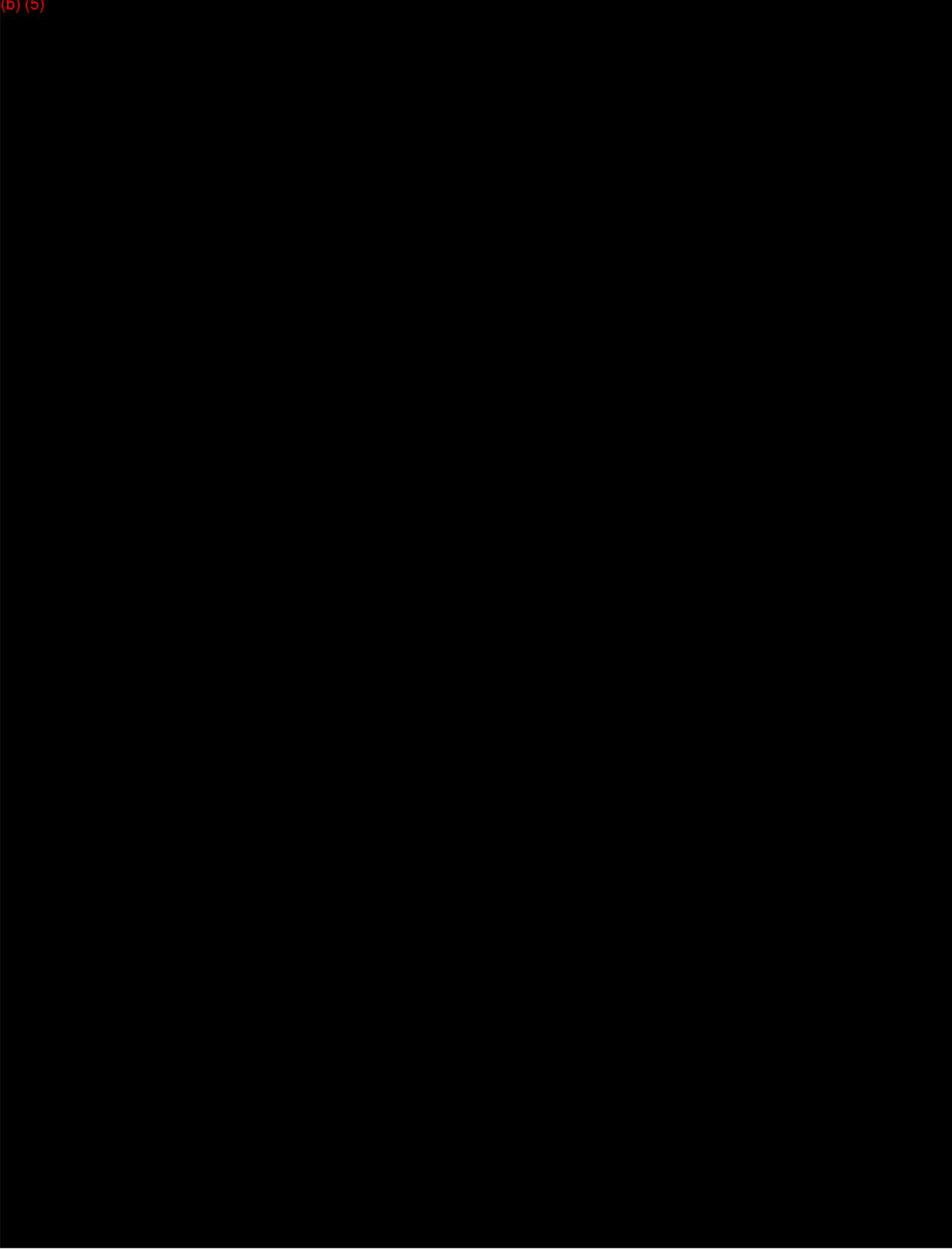
Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

Thank you.









# Reminder: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on Infrastructure Permitting

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**From:** "Bronack, Candice M. EOP/OMB" <(b) (6)>

AGRICULTURE <usdaleg@obpa.usda.gov>, DL-CEQ-LRM <(b) (6)>  
DEFENSE <(b) (6)>, ENERGY  
<energy.gc33@hq.doe.gov>, EPA <epalrm@epamail.epa.gov>, INTERIOR  
<ocl@ios.doi.gov>, JUSTICE <justice.lrm@usdoj.gov>, TRANSPORTATION  
**To:** <dot.legislation@dot.gov>, DHS <dhsogclegislation@hq.dhs.gov>, ARMY CORPS  
ENG <cecc-leg@hq02.usace.army.mil>, COMMERCE <clrm@doc.gov>, HUD  
<hudlrm@hud.gov>, LABOR <dol-sol-leg@dol.gov>, VA <ogcvalrm@va.gov>,  
llo@nrc.gov, GSA <ca.legislation@gsa.gov>

"Kraninger, Kathleen L. EOP/OMB" <(b) (6)> "Marten,  
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**Date:** Fri, 22 Jun 2018 12:37:07 -0400

**Attachments** Colamaria Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20.docx (31.47 kB);  
: Herrgott Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20.docx (33.25 kB)

This is a reminder that comments on these statements are due at 2 p.m. today. Please send your comments by that time. Thanks.

**From:** Bronack, Candice M. EOP/OMB

**Sent:** Thursday, June 21, 2018 1:51 PM

**To:** 'AGRICULTURE' <usdaleg@obpa.usda.gov>; DL-CEQ-LRM <(b) (6)> 'DEFENSE' <(b) (6)>; 'ENERGY' <Energy.GC33@hq.doe.gov>; 'EPA' <epalrm@epamail.epa.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <justice.lrm@usdoj.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'DHS' <DHSOGCLegislation@HQ.DHS.GOV>; 'ARMY CORPS ENG' <cecc-leg@hq02.usace.army.mil>; 'COMMERCE' <clrm@doc.gov>; 'HUD' <HUDLRM@hud.gov>; 'LABOR' <dol-sol-leg@dol.gov>; 'VA' <ogcvalrm@va.gov>; 'llo@nrc.gov' <llo@nrc.gov>; 'GSA' <ca.legislation@gsa.gov>

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Field, Lesley A. EOP/OMB <(b) (6)> Pica, Karen A. EOP/OMB  
<(b) (6)> DL-WHO-WHGC-LRM <(b) (6)> 'DL-OPD-NEC-  
LRM' <(b) (6)> 'DL-OSTP-LRM' <(b) (6)> DL-CEA-LRM <(b) (6)>  
<(b) (6)> Rusnak, Allison B. EOP/CEA <(b) (6)> Warren, Peter N.  
EOP/OMB <(b) (6)> Carr, Kerrie L. EOP/OMB <(b) (6)>  
Patel, Neal A. EOP/OMB <(b) (6)> Slemrod, Jonathan A. EOP/OMB  
<(b) (6)> Ventura, Alexandra EOP/OMB  
<(b) (6)> Vaeth, Matt J. EOP/OMB <(b) (6)>  
**Subject:** LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on  
Infrastructure Permitting

**DEADLINE: 2:00 PM Friday, June 22, 2018**

**Attached are (2) statements of the Federal Permitting Improvement Steering Council (FPISC) and CEQ for a roundtable on infrastructure permitting on June 27 before the Senate Homeland Security and Government Affairs Committee. This is not a formal hearing, but it will be open to the press and written statements will be posted online. Please review these statements and send any comments by the deadline above. Thanks.**

-----  
LRM ID: CMB-115-184  
EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

LEGISLATIVE REFERRAL MEMORANDUM  
Thursday, June 21, 2018

TO: Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference  
SUBJECT: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Statements on Infrastructure  
Permitting

OMB CONTACT: **Candice Bronack**

E-Mail: <(b) (6)>

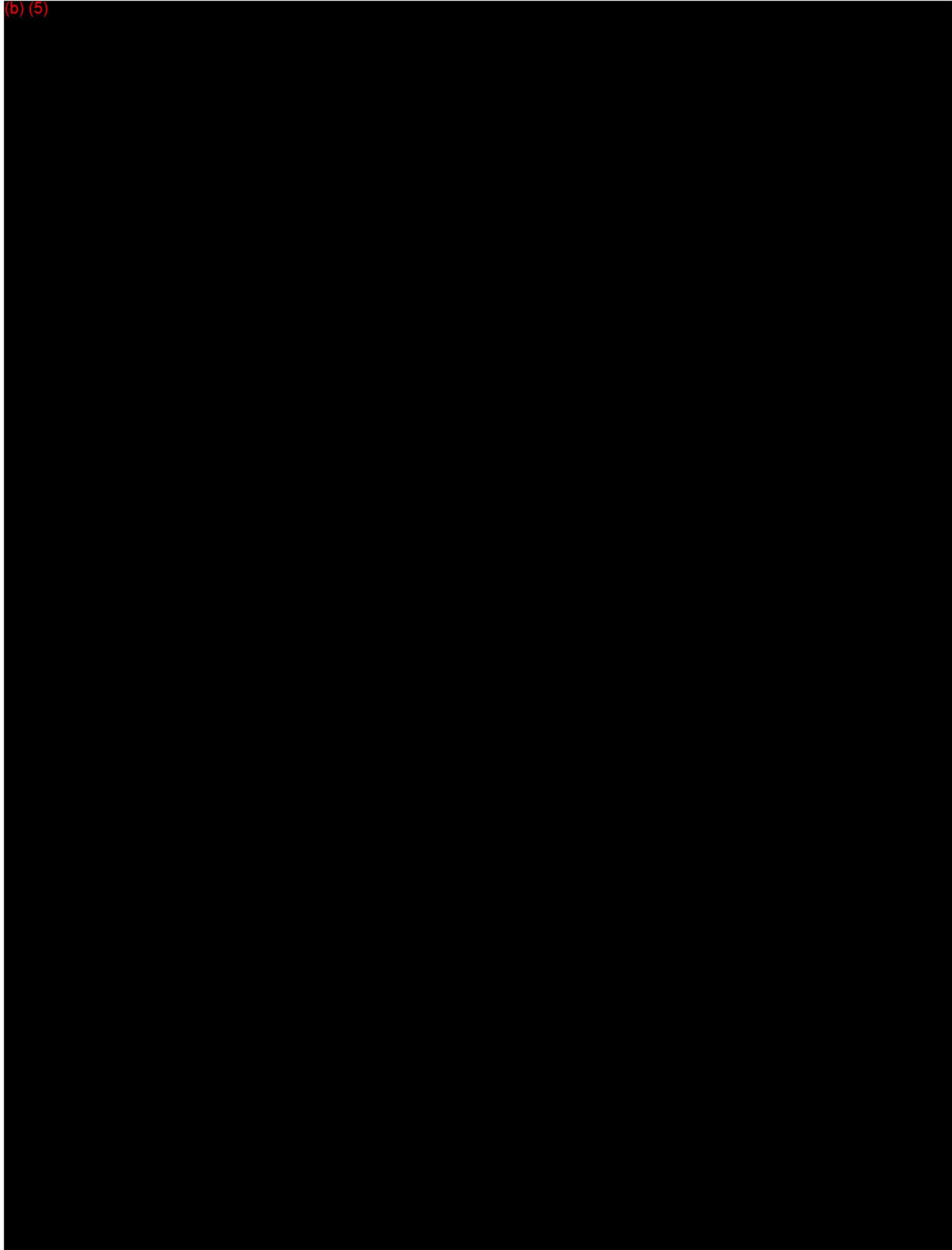
PHONE: <(b) (6)>

FAX: (202) 395-3109

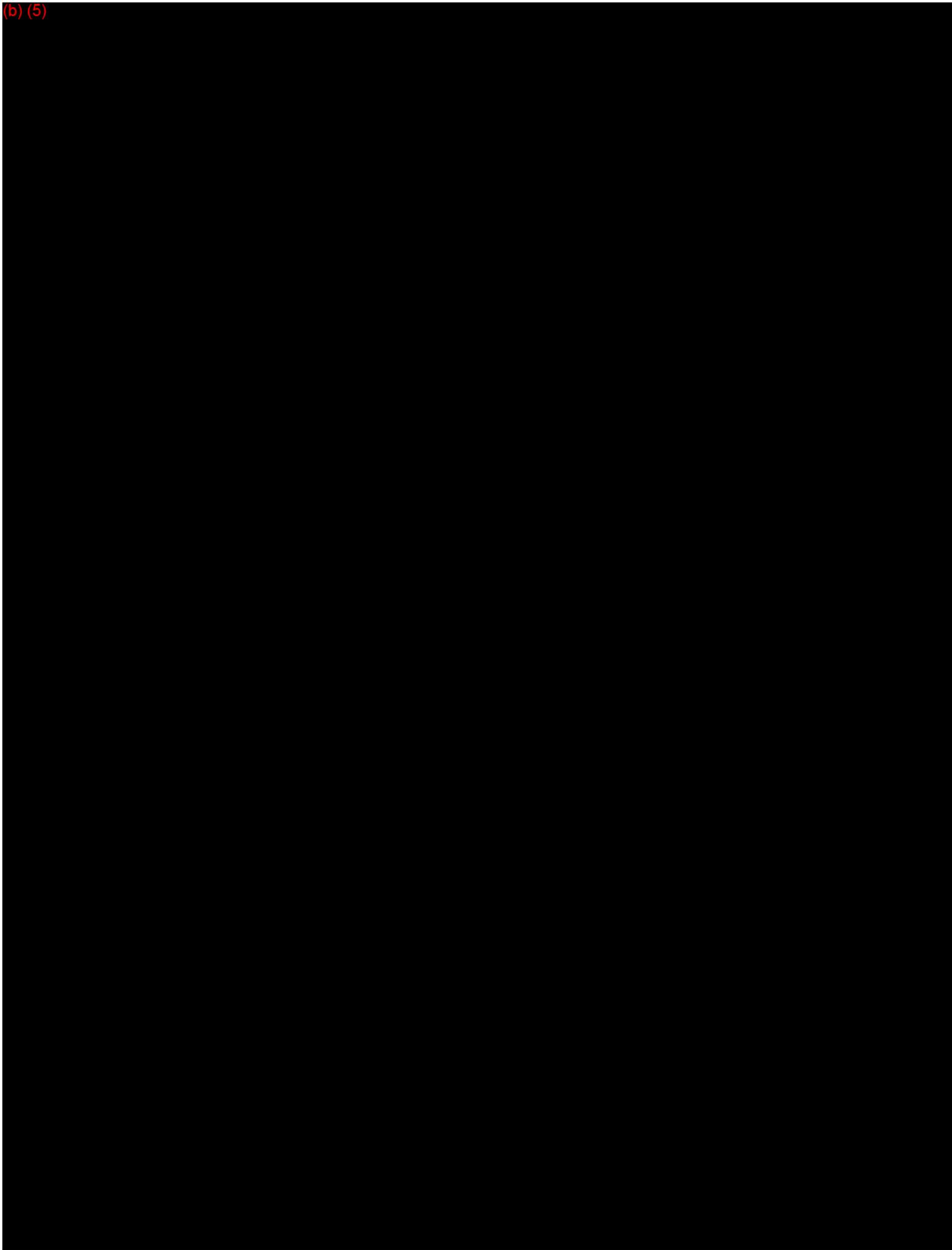
In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. By the deadline above, please reply by e-mail or telephone, using the OMB Contact information above.

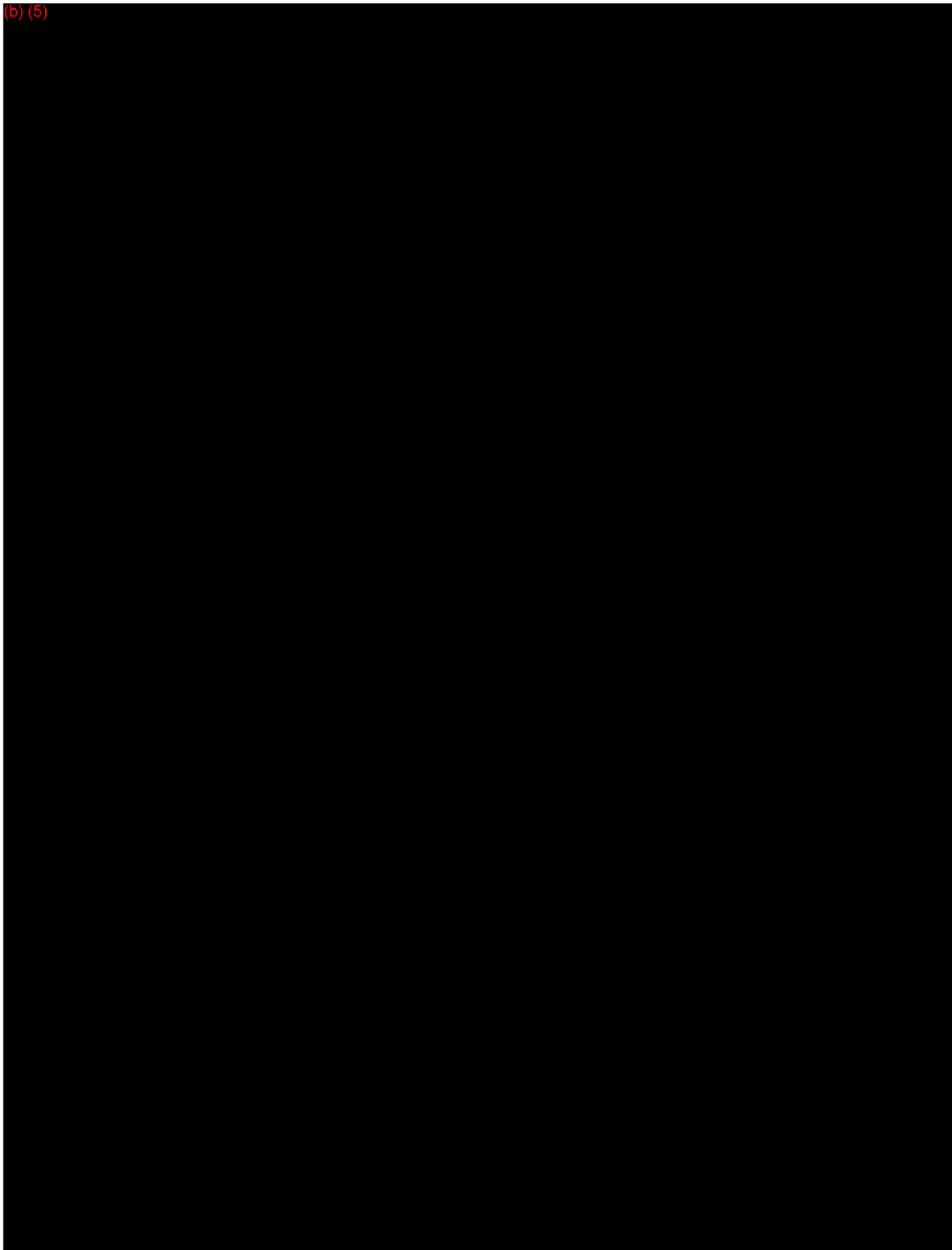
Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

Thank you.









## Final version of Alex's Roundtable Statement

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**From:** "Osterhues, Marlys A. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=b7e9898c6a8e463cb2a7da10b55ed6af-os">

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

**Cc:** "Herrgott, Alex H. EOP/CEQ" <(b) (6)> "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)> "Barnett, Steven W. EOP/CEQ" <(b) (6)> "Sharp, Thomas L. EOP/CEQ" <(b) (6)> "Smith, Katherine R. EOP/CEQ" <(b) (6)> "Vandegrift, Scott F. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>

**Date:** Fri, 22 Jun 2018 16:36:12 -0400

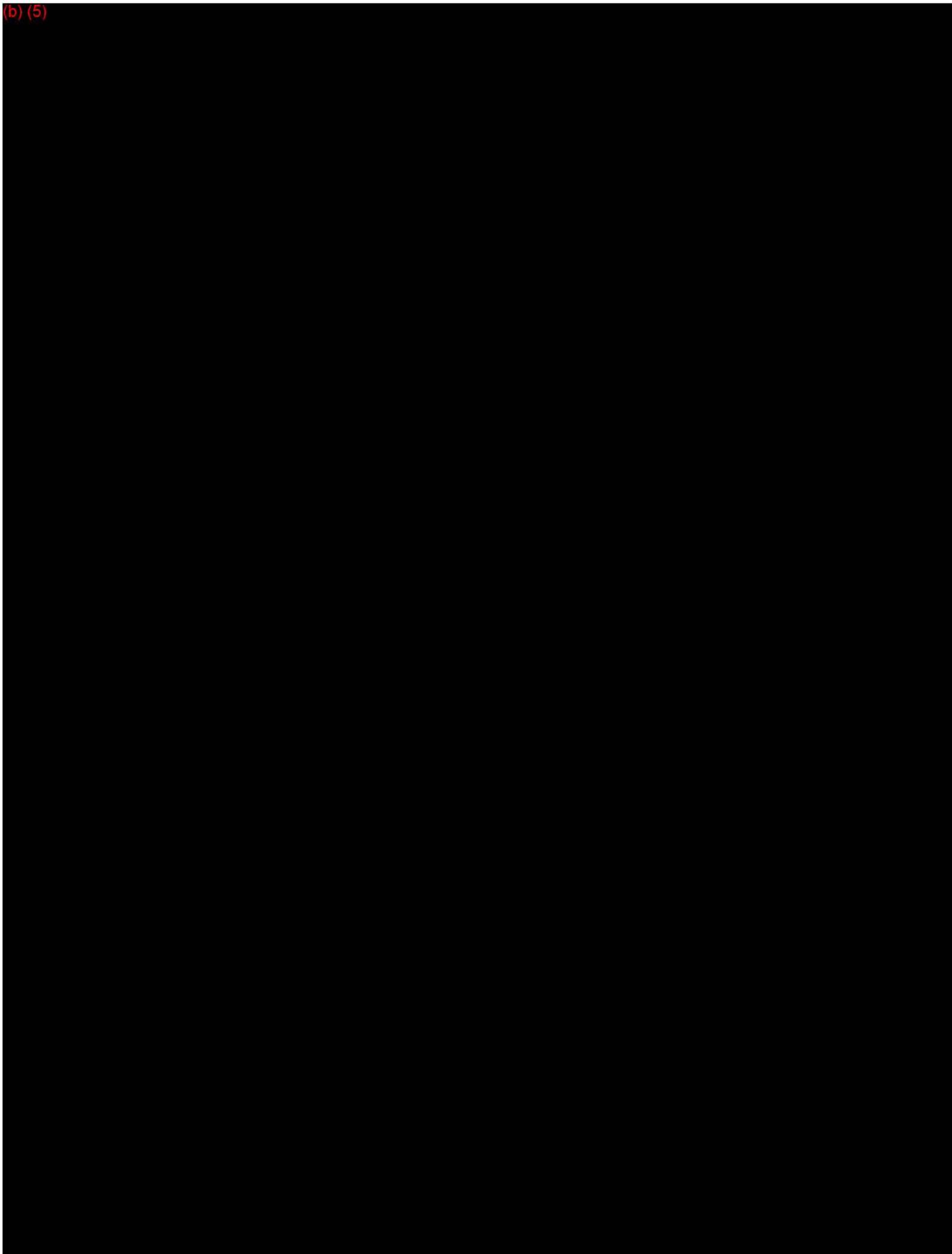
**Attachments:** Herrgott Statement 6.27 Roundtable Senate FINAL\_CLEAN.docx (27.19 kB)

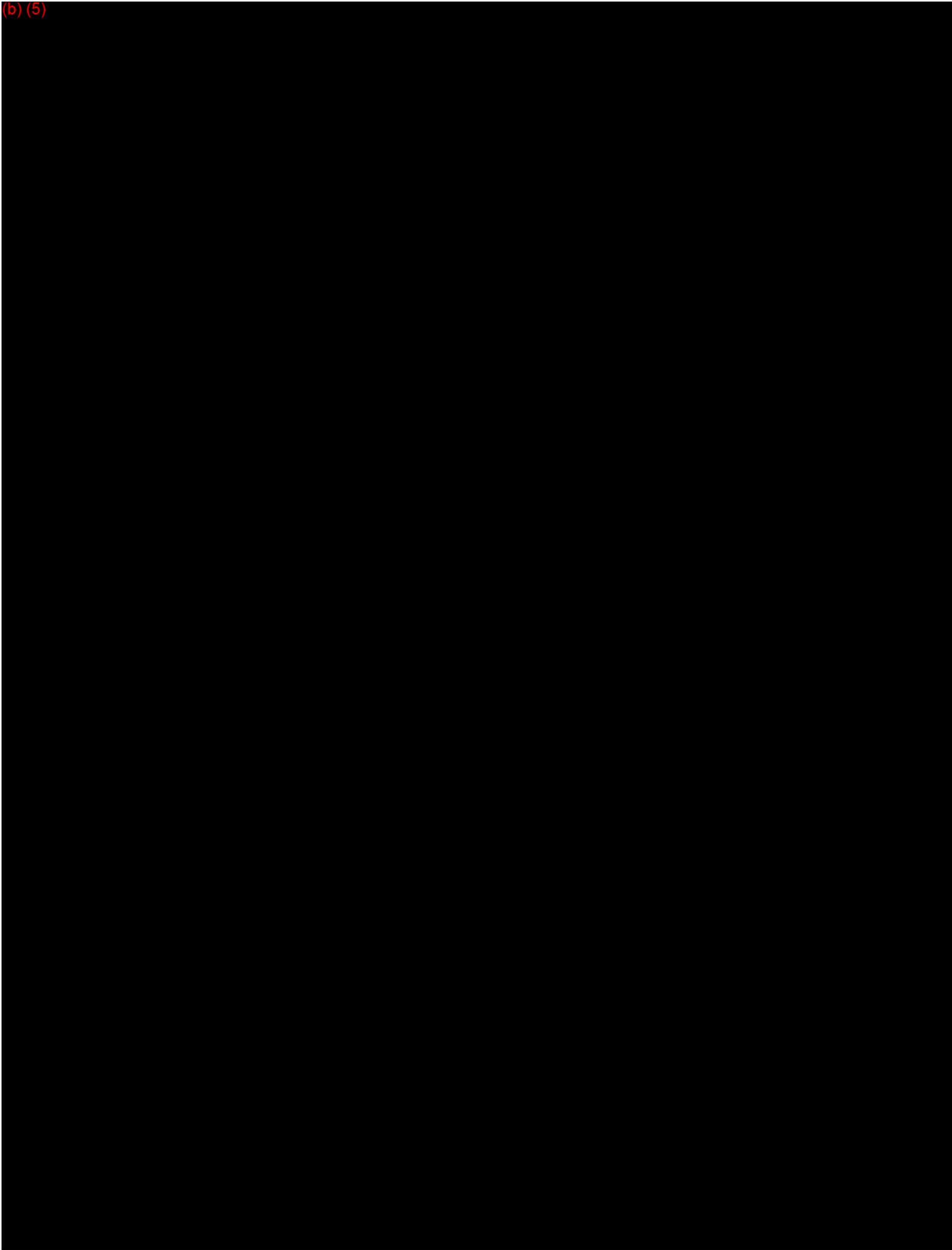
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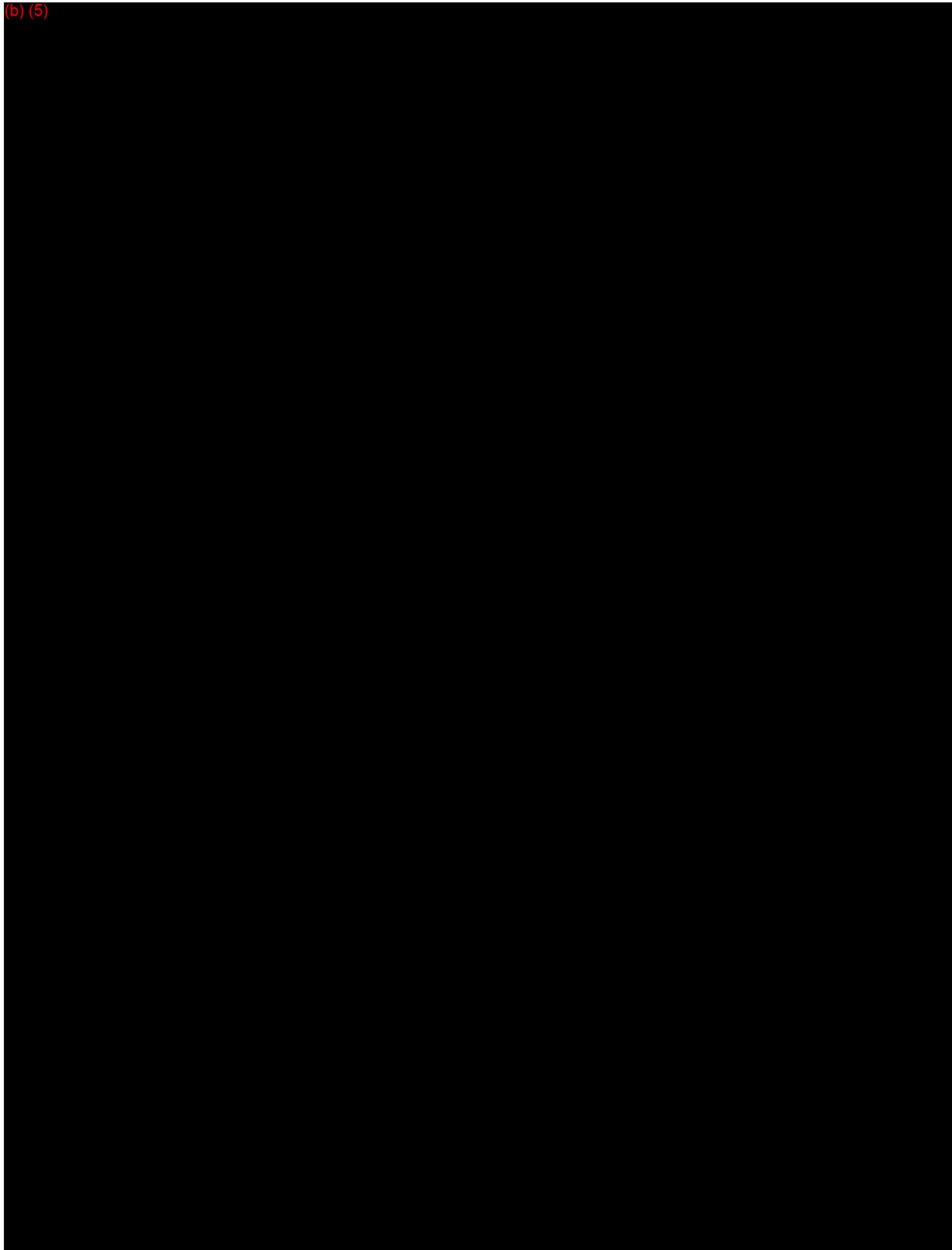
Good evening Mary –

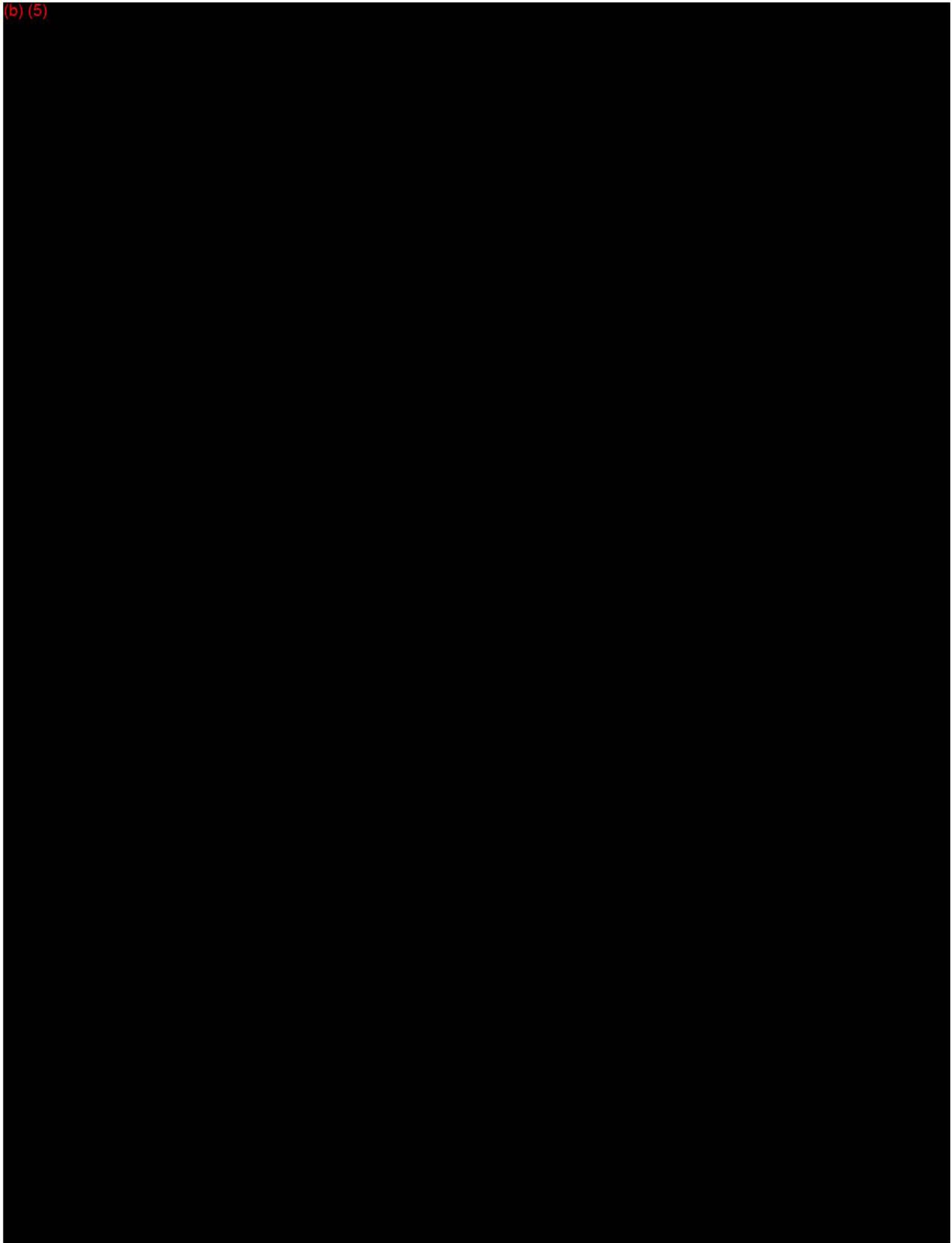
Attached is a clean version of Alex's statement for the Roundtable.

Thank you - Marlys









## FW: CEQ Remarks for Portman/McCaskill Roundtable on Federal Permitting Process for Major Infrastructure Projects (June 27, 2018)

---

**From:** "Neumayr, Mary B. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=4e618ec0a8d749c29c9f64889897f4bb-ne">  
**To:** "Moran, John S. EOP/WHO (b) (6)" <(b) (6)>  
**Date:** Mon, 25 Jun 2018 12:49:03 -0400  
**Attachments:** 2018-06-27 Portman and McCaskill Roundtable Invitation to Herrgott.pdf (1.75 MB); Herrgott Statement 6.27 Roundtable Senate FINAL\_CLEAN.DOCX (27.19 kB)

Fyi, attached are written remarks prepared for Alex Herrgott for a roundtable to be hosted by Senators Portman and McCaskill on Wednesday. (The invitation is also attached.) In addition to Alex, the Acting Executive Director of the Permitting Council will also be participating, and her remarks and Alex's remarks have been cleared through the LRM process.

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

---

**From:** Neumayr, Mary B. EOP/CEQ  
**Sent:** Friday, June 22, 2018 4:47 PM  
**To:** Staff Secretary <(b) (6)>  
**Cc:** Pettigrew, Theresa L. EOP/CEQ (b) (6)  
<(b) (6)>  
**Subject:** CEQ Remarks for Portman/McCaskill Roundtable on Federal Permitting Process for Major Infrastructure Projects (June 27, 2018)

Staff Sec:

Fyi, CEQ's Associate Director for Infrastructure, Alex Herrgott, has been invited to speak at an upcoming roundtable scheduled for **Wednesday, June 27 at 2:30 pm**. Written statements are requested by Monday, June 25 at 2:30 pm, and Alex's written statement, which has been reviewed and cleared through the LRM process, is attached. The invitation is also attached and details for the events are below:

Event: Roundtable with Members of the Senate Committee on Homeland Security and Governmental Affairs

Sponsors: Senators Portman and McCaskill

Topic: Federal Permitting Process for Major Infrastructure Projects

Date/Location: Wednesday, June 27, 2018; SD-106, Dirksen Senate Office Building, Washington DC

Press: Yes

I am copying CEQ's Associate Director for Legislative Affairs, Theresea Pettigrew, who has been in contact with OLA regarding this event. If any questions, please let us know. Thanks,

Mary

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

**STATEMENT OF**  
**ALEXANDER HERRGOTT**  
**ASSOCIATE DIRECTOR FOR INFRASTRUCTURE**  
**COUNCIL ON ENVIRONMENTAL QUALITY**  
**BEFORE THE**  
**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**  
**UNITED STATES SENATE**

**June 27, 2018**

Senator Portman, Ranking Member McCaskill, and Members of the Committee, thank you for the invitation to this roundtable discussion on the federal permitting process for major infrastructure projects. We appreciate this Committee's willingness to have a meaningful dialogue on this topic as we work toward a shared goal of reducing permitting delays and providing the American people the modernized infrastructure they undoubtedly need.

As many of you know, a major cause of delay has been too many decision makers without effective cross agency communication and coordination. Multiple federal agencies oversee potentially dozens of federal statutes that project sponsors must navigate before beginning construction on a major infrastructure project. Over time, this has created a redundant and often inconsistent federal permitting process. Too often, these processes do not share a single framework or time frame. For example, a highway project could have as many as 10 different federal agencies involved in 16 different permitting decisions, in addition to the state, local, and tribal agencies with separate permitting and approval processes.

The result is a federal permitting process that often takes too long, increases costs, and creates uncertainty. We are actively working to address these challenges while ensuring environmental protection. With process enhancements and a common-sense, harmonized approach among federal agencies, infrastructure projects will move through the environmental review permitting process more efficiently. Federal agency coordination is imperative to long-term process reforms throughout these agencies.

**Executive Order 13807**

On August 15, 2017, President Trump signed Executive Order 13807 implementing a policy of "One Federal Decision." Under One Federal Decision, federal agencies will administer the National Environmental Policy Act (NEPA) so that a single Environmental Impact Statement (EIS) and a single Record of Decision (ROD) are prepared for all reviewing agencies, and all applicable permitting decision processes will be conducted concurrently with the NEPA process to ensure that the necessary permitting decisions can be made within 90 days of the ROD. One Federal Decision also provides that federal agencies will seek to complete the environmental

[APG]

review process within an average of 2 years of the publication of a Notice of Intent to prepare an EIS. As a result of One Federal Decision, the federal environmental review and permitting process will be streamlined, more transparent, and predictable.

One Federal Decision builds on the statutory authorities provided in the Fixing America's Surface Transportation Act (FAST Act) to streamline permitting and provides a framework to further improve efficient coordination between federal agencies. The FAST-41 process, established in Title 41 of the FAST Act, provides a range of tools for large and complex infrastructure projects to navigate the federal environmental review and authorization process. In brief, FAST-41 established project-specific procedures that may be applicable or available to agencies and project sponsors in meeting permitting and review obligations. One Federal Decision broadly impacts how agencies conduct and coordinate environmental reviews while preserving each agency's statutory authority, independence, and ability to comply with NEPA and related statutes, like FAST-41.

### **Memorandum of Understanding**

On April 9, 2018, President Trump announced that the following 12 federal agencies signed a One Federal Decision Memorandum of Understanding (MOU): Department of the Interior (Interior), Department of Agriculture (USDA), Department of Housing and Urban Development, Department of Commerce, Department of Transportation, Department of Energy (DOE), United States Army Corps of Engineers, Department of Homeland Security, Environmental Protection Agency (EPA), Federal Energy Regulatory Commission (FERC), Advisory Council on Historic Preservation, and the Federal Permitting Improvement Steering Council (FPISC). Under the MOU, these agencies committed to following the President's One Federal Decision framework. In doing so, the agencies agreed to implement an unprecedented level of coordination and collaboration in conducting their environmental reviews of major infrastructure projects.

The Council on Environmental Quality (CEQ), in coordination with other components of the White House, has convened a federal interagency working group to develop the framework under which agencies will implement One Federal Decision. This framework establishes the standard operating procedures for how agencies process environmental reviews from beginning to end. The agencies will work together to identify the appropriate level of analysis needed to conduct the necessary environmental reviews, synchronize the public engagement, and complete other procedural steps to ensure that all necessary decisions can be made within the timelines established by Executive Order 13807.

### **Agency Action**

To date, agencies have been taking steps to advance One Federal Decision principles, starting first with normalizing regular interagency working group meetings and collaboration between agencies and CEQ to improve interagency coordination and the quality of environmental analysis. Since the agencies signed the MOU, CEQ and agency leadership have engaged in numerous meetings on agency streamlining efforts to identify and implement policy, process, and regulatory changes that include:

[APG]

- The Federal Highway Administration signed an agreement with the United States Fish and Wildlife Service, the Army Corps of Engineers, EPA, United States Coast Guard, and National Oceanic and Atmospheric Administration (NOAA), committing to working together to achieve the goals of Executive Order 13807. These agencies collaboratively developed a chart coordinating each agency's processes;
- Interior issued Secretarial Order 3355 and additional guidance that advance the department's NEPA-streamlining efforts within Executive Order 13807;
- The Army Corps of Engineers issued Section 408 policy changes adopting other agencies' NEPA documents and issued a policy memorandum operationalizing "risk-informed decision making" to improve coordination and risk management across disciplines;
- USDA, FERC, DOE, and EPA are improving internal clearance processes along with increasing agency capacity for projects with dedicated staff assignments;
- USDA, the Army Corps of Engineers, NOAA Fisheries and the United States Fish and Wildlife Service are expanding the use of time-saving programmatic consultation processes; and
- Agencies will be issuing directives and conducting training at all levels of their organizations, from headquarters to field offices, on timetables and plans to implement the One Federal Decision policy nationwide.

### **Agency Accountability**

The Office of Management and Budget is developing a performance accountability system and appropriate performance metrics to ensure that agencies are implementing One Federal Decision, including the adherence to lead federal agency permitting timetables. The Administration plans to consider agency performance during budget formulation, and agency delays from the permitting timetable may be quantified. Key agency personnel also will have accountability and performance criteria added to their performance plans to measure their effectiveness in processing project permits.

### **Regulatory Reforms**

Following the direction laid out in Executive Order 13807, CEQ published an initial list of actions in the *Federal Register* on September 14, 2017, outlining its plans to enhance and modernize the federal environmental review and authorization process. Last fall, CEQ announced its intent to review its 1978 regulations implementing the procedural requirements of NEPA to identify potential updates and clarifications to those regulations. Just last week, CEQ published in the *Federal Register* for public comment an Advance Notice of Proposed Rulemaking titled, "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act."

\*\*\*\*

Through improved agency coordination, increased transparency and accountability and timely decision making, we can improve our infrastructure permitting process and get projects completed and to the market faster for the benefit of the American people.

[APG]

While CEQ is focused on the development of a better process for all infrastructure project permitting, the Federal Permitting Improvement Steering Council is focused on overcoming obstacles on a project-by-project basis. My colleague, Angela Colamaria, the acting Executive Director of the Permitting Council, will expand further on the implementation of FAST-41 and FPISC's role in streamlining the federal permitting process.

Thank you again for the opportunity to participate in today's discussion.

[APG]

## RE: Draft Oral Testimony for Angie

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**From:** "Vandegrift, Scott F. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=fb70343d12224f4fb115dd54c90129ac-va">  
**To:** Karen Hanley - Y <karen.hanley@gsa.gov>  
**Date:** Mon, 25 Jun 2018 13:48:22 -0400  
**Attachments:** Herrgott Oral Statement 6.27 Roundtable Senate - CLEAN.docx (25.14 kB)

---

Still draft

**From:** Karen Hanley - Y <karen.hanley@gsa.gov>  
**Sent:** Monday, June 25, 2018 1:28 PM  
**To:** Vandegrift, Scott F. EOP/CEQ <(b) (6)>  
**Subject:** Fwd: Draft Oral Testimony for Angie

FYSA

----- Forwarded message -----

**From:** Sharp, Thomas L. EOP/CEQ <(b) (6)>  
**Date:** Mon, Jun 25, 2018 at 11:52 AM  
**Subject:** RE: Draft Oral Testimony for Angie  
**To:** Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)>, Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)>  
**Cc:** Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)>, "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>, Amber Levofsky - Y <[amber.levofsky@gsa.gov](mailto:amber.levofsky@gsa.gov)>, Robert Hillkirk - AY-C <[scott.hillkirk@gsa.gov](mailto:scott.hillkirk@gsa.gov)>, Robert Noecker <[robert.noecker@gsa.gov](mailto:robert.noecker@gsa.gov)>

A few suggestions on the background section, but generally looks great!

**From:** Angela Colamaria - Y-D <[angela.colamaria@fpisc.gov](mailto:angela.colamaria@fpisc.gov)>  
**Sent:** Sunday, June 24, 2018 7:34 PM  
**To:** Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)>  
**Cc:** Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)>; Sharp, Thomas L. EOP/CEQ <(b) (6)>, Osterhues, Marlys A. EOP/CEQ <(b) (6)>, Amber Levofsky - Y <[amber.levofsky@gsa.gov](mailto:amber.levofsky@gsa.gov)>; Robert Hillkirk - AY-C <[scott.hillkirk@gsa.gov](mailto:scott.hillkirk@gsa.gov)>; Robert Noecker <[robert.noecker@gsa.gov](mailto:robert.noecker@gsa.gov)>  
**Subject:** Re: Draft Oral Testimony for Angie

I added my edits/responses to Karen's document.

---

**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 Sun, Jun 24, 2018 at 1:41 PM, Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)> wrote:

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Good afternoon all,

Please find attached some suggested comments and edits.

Thanks!

Karen

On Fri, Jun 22, 2018 at 8:37 PM, Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)> wrote:

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All,

Attached is a first draft. A few points:

- 1) It is exactly five minutes at a clearly enunciated pace. that isn't rushed Any changes must either be to shorten it or if anything is added, something will have to be eliminated.
- 2) It is drafted in large font so Angie can easily read it. Certain words are in bold for Angie to emphasize
- 3) I'm not sure who else should be in the "to" line of this email, so please forward to those who should have received it.

Thanks,

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 Fri, Jun 22, 2018 at 5:08 PM, Sharp, Thomas L. EOP/CEQ

<(b) (6)> wrote:

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Got it

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On Jun 22, 2018, at 5:07 PM, Karen Hanley - Y <[karen.hanley@gsa.gov](mailto:karen.hanley@gsa.gov)> wrote:

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plus Tom.

On Fri, Jun 22, 2018 at 5:06 PM, Janet Pfleeger - Y <[janet.pfleeger@gsa.gov](mailto:janet.pfleeger@gsa.gov)> wrote:

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Marlys,  
Is I understand correctly, I'm sending this to you for incorporation into the Q&A doc. Pls let me know if you need anything else.

(b) (5)  
[Redacted]

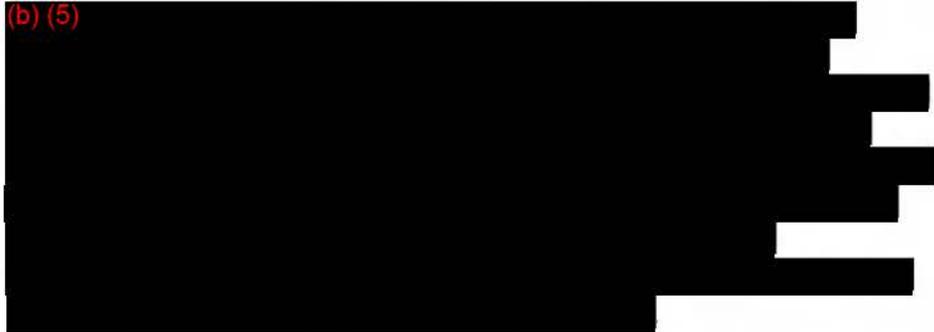
[Redacted]

[Redacted]

[Redacted]

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(b) (5)



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

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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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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)

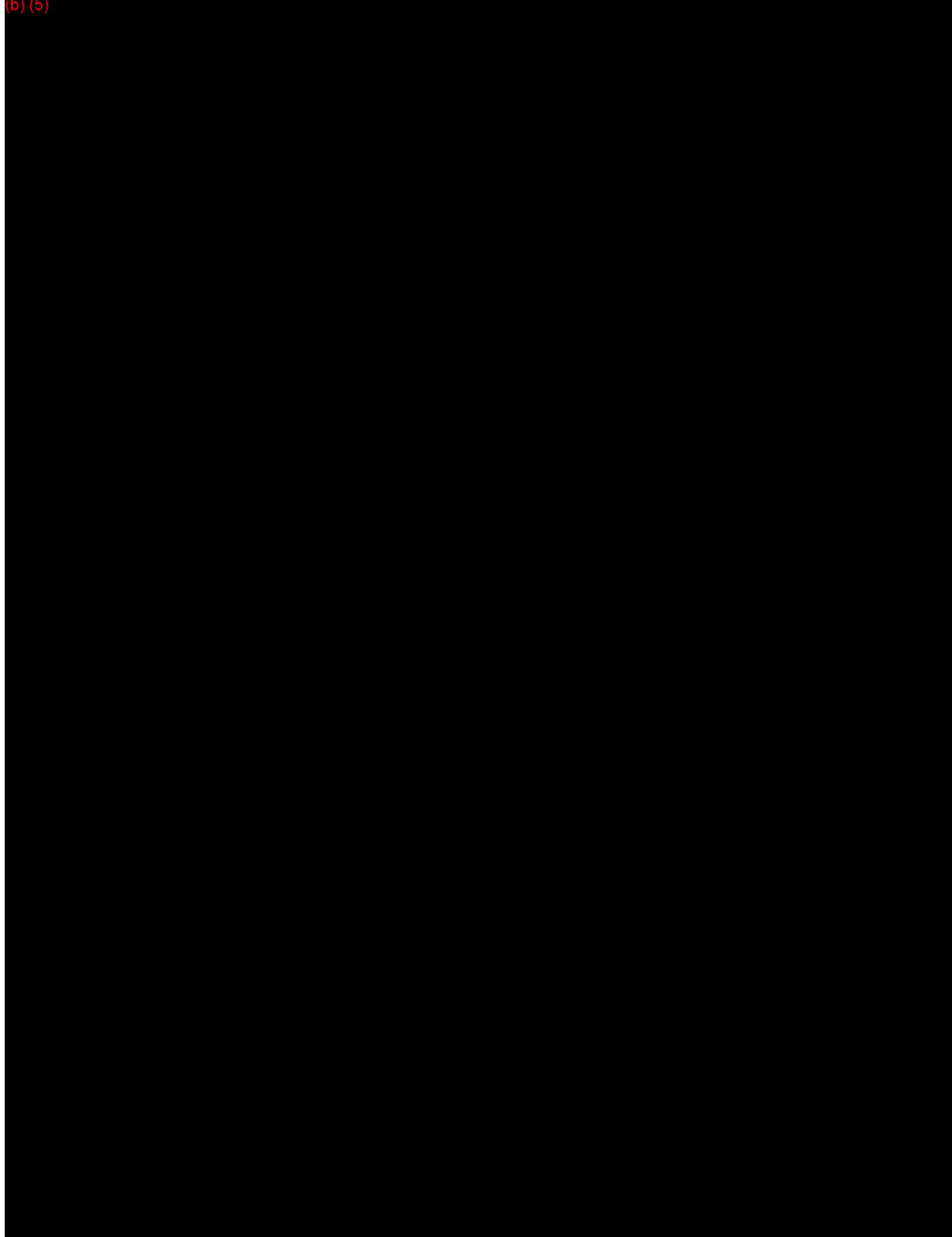
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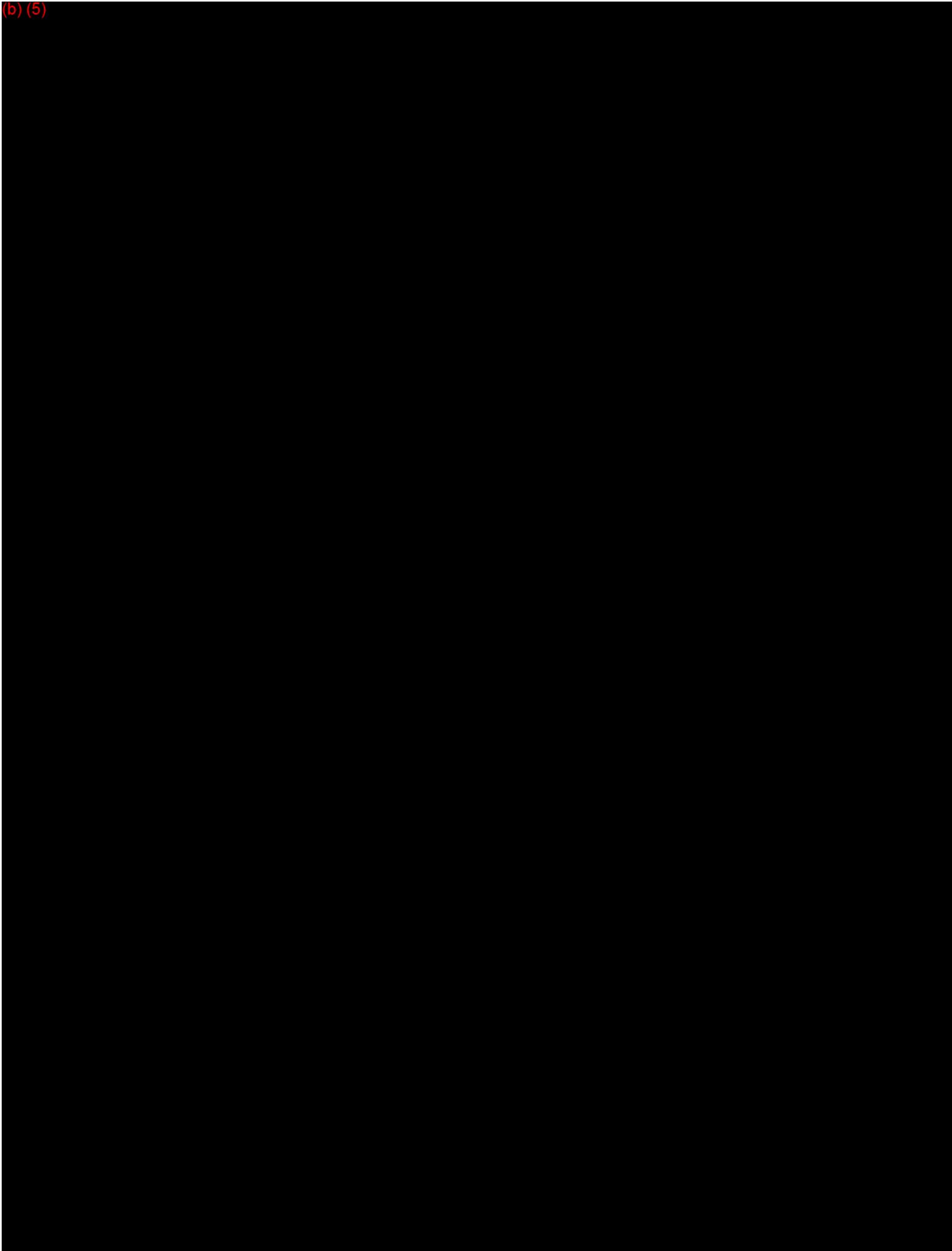
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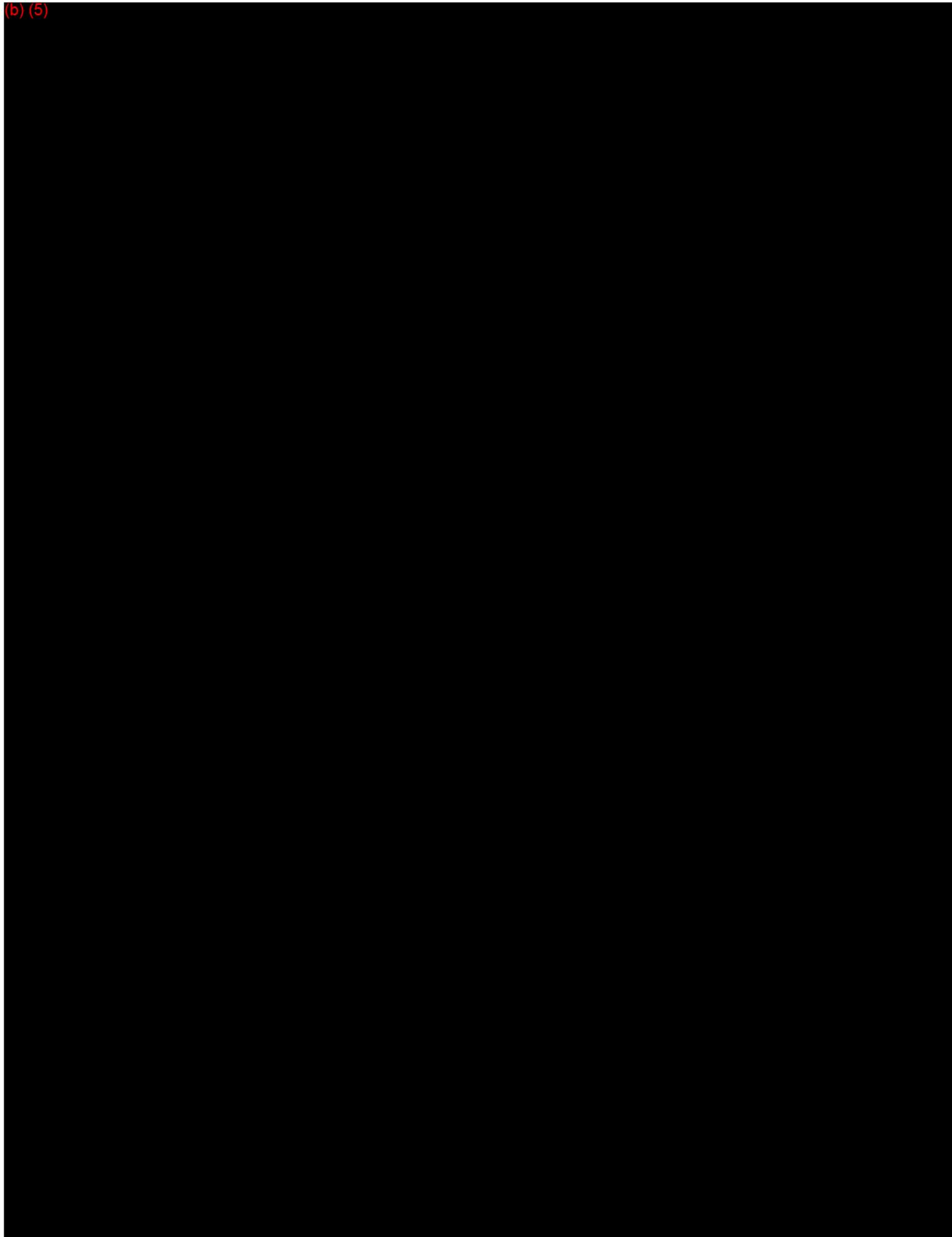
Karen A. Hanley

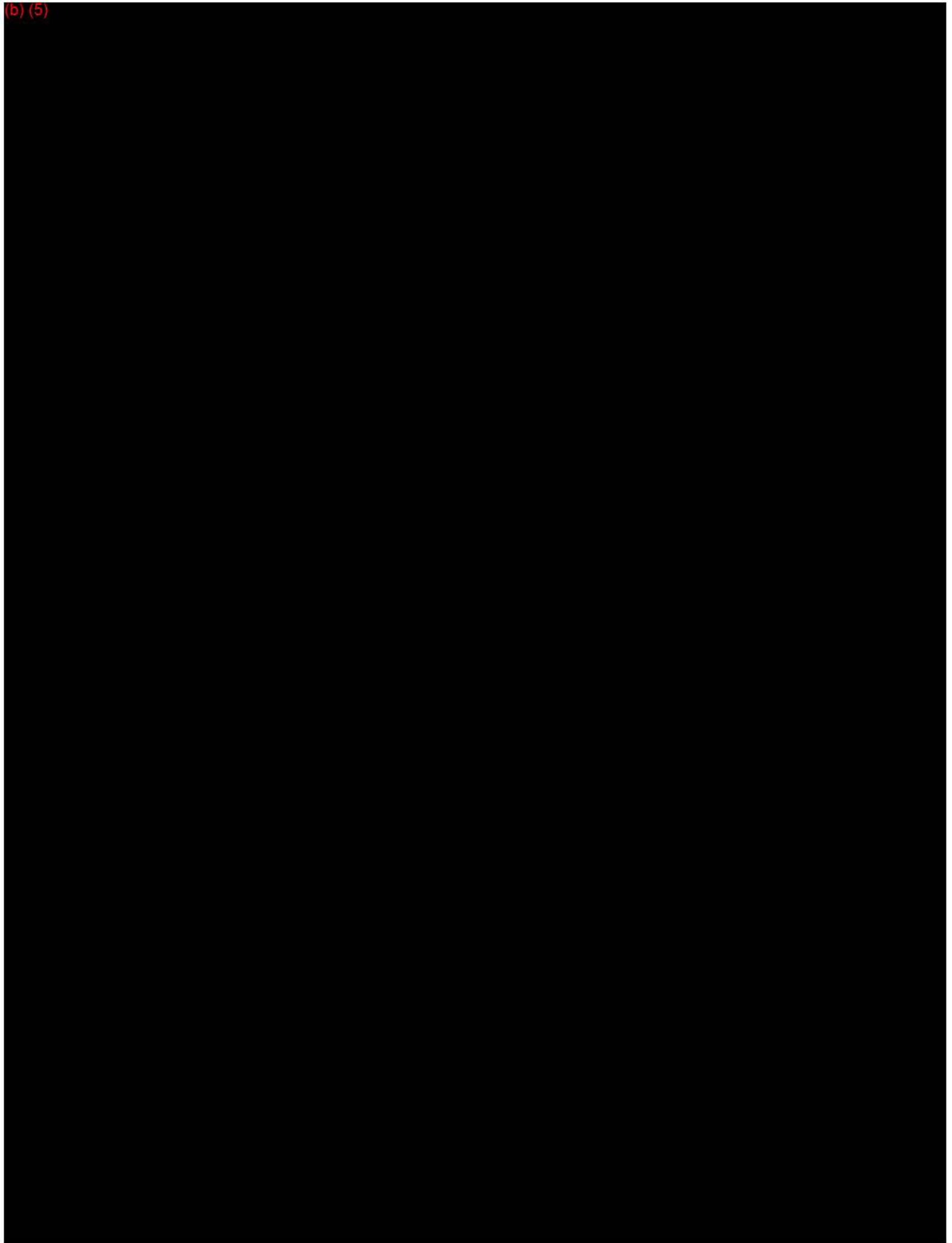
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Senior Environmental Policy Advisor, Federal Permitting Improvement Steering Council (FPISC), GSA  
Deputy Associate Director for NEPA, Council on Environmental Quality (CEQ)  
Phone: (b) (6)

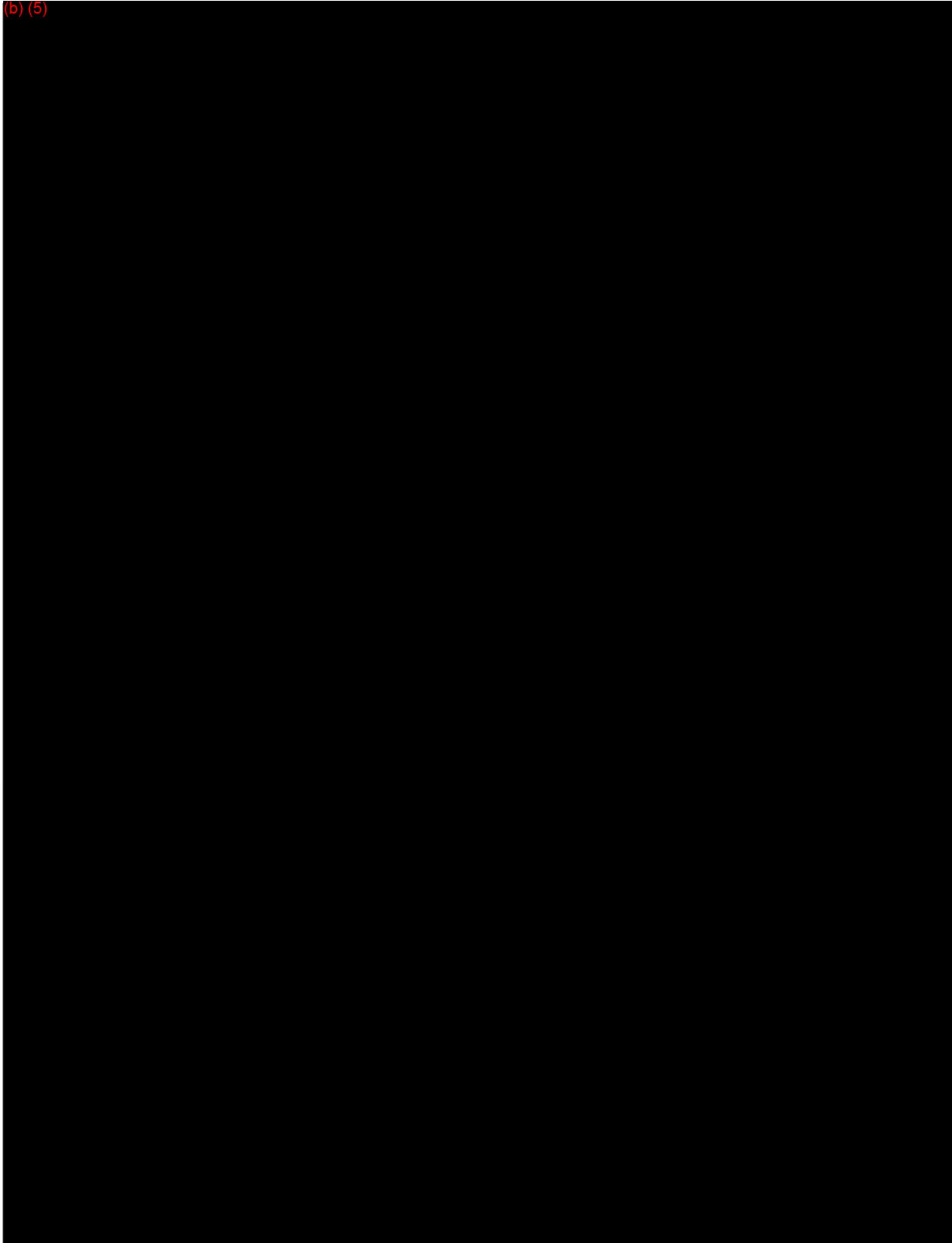












## FW: Final version of Alex's Roundtable Statement

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**From:** "Vandegrift, Scott F. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=fb70343d12224f4fb115dd54c90129ac-va">  
**To:** Karen Hanley - Y <karen.hanley@gsa.gov>  
**Date:** Mon, 25 Jun 2018 09:00:49 -0400  
**Attachments:** Herrgott Statement 6.27 Roundtable Senate FINAL\_CLEAN.docx (27.19 kB)

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**From:** Osterhues, Marlys A. EOP/CEQ  
**Sent:** Friday, June 22, 2018 4:36 PM  
**To:** Neumayr, Mary B. EOP/CEQ <(b) (6)>  
**Cc:** Herrgott, Alex H. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Barnett, Steven W. EOP/CEQ <(b) (6)> Sharp, Thomas L. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)> Vandegrift, Scott F. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)>  
**Subject:** Final version of Alex's Roundtable Statement

Good evening Mary –

Attached is a clean version of Alex's statement for the Roundtable.

Thank you - Marlys

**STATEMENT OF**  
**ALEXANDER HERRGOTT**  
**ASSOCIATE DIRECTOR FOR INFRASTRUCTURE**  
**COUNCIL ON ENVIRONMENTAL QUALITY**  
**BEFORE THE**  
**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**  
**UNITED STATES SENATE**

**June 27, 2018**

Senator Portman, Ranking Member McCaskill, and Members of the Committee, thank you for the invitation to this roundtable discussion on the federal permitting process for major infrastructure projects. We appreciate this Committee's willingness to have a meaningful dialogue on this topic as we work toward a shared goal of reducing permitting delays and providing the American people the modernized infrastructure they undoubtedly need.

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**Executive Order 13807**

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[APG]

review process within an average of 2 years of the publication of a Notice of Intent to prepare an EIS. As a result of One Federal Decision, the federal environmental review and permitting process will be streamlined, more transparent, and predictable.

One Federal Decision builds on the statutory authorities provided in the Fixing America's Surface Transportation Act (FAST Act) to streamline permitting and provides a framework to further improve efficient coordination between federal agencies. The FAST-41 process, established in Title 41 of the FAST Act, provides a range of tools for large and complex infrastructure projects to navigate the federal environmental review and authorization process. In brief, FAST-41 established project-specific procedures that may be applicable or available to agencies and project sponsors in meeting permitting and review obligations. One Federal Decision broadly impacts how agencies conduct and coordinate environmental reviews while preserving each agency's statutory authority, independence, and ability to comply with NEPA and related statutes, like FAST-41.

### **Memorandum of Understanding**

On April 9, 2018, President Trump announced that the following 12 federal agencies signed a One Federal Decision Memorandum of Understanding (MOU): Department of the Interior (Interior), Department of Agriculture (USDA), Department of Housing and Urban Development, Department of Commerce, Department of Transportation, Department of Energy (DOE), United States Army Corps of Engineers, Department of Homeland Security, Environmental Protection Agency (EPA), Federal Energy Regulatory Commission (FERC), Advisory Council on Historic Preservation, and the Federal Permitting Improvement Steering Council (FPISC). Under the MOU, these agencies committed to following the President's One Federal Decision framework. In doing so, the agencies agreed to implement an unprecedented level of coordination and collaboration in conducting their environmental reviews of major infrastructure projects.

The Council on Environmental Quality (CEQ), in coordination with other components of the White House, has convened a federal interagency working group to develop the framework under which agencies will implement One Federal Decision. This framework establishes the standard operating procedures for how agencies process environmental reviews from beginning to end. The agencies will work together to identify the appropriate level of analysis needed to conduct the necessary environmental reviews, synchronize the public engagement, and complete other procedural steps to ensure that all necessary decisions can be made within the timelines established by Executive Order 13807.

### **Agency Action**

To date, agencies have been taking steps to advance One Federal Decision principles, starting first with normalizing regular interagency working group meetings and collaboration between agencies and CEQ to improve interagency coordination and the quality of environmental analysis. Since the agencies signed the MOU, CEQ and agency leadership have engaged in numerous meetings on agency streamlining efforts to identify and implement policy, process, and regulatory changes that include:

[APG]

- The Federal Highway Administration signed an agreement with the United States Fish and Wildlife Service, the Army Corps of Engineers, EPA, United States Coast Guard, and National Oceanic and Atmospheric Administration (NOAA), committing to working together to achieve the goals of Executive Order 13807. These agencies collaboratively developed a chart coordinating each agency's processes;
- Interior issued Secretarial Order 3355 and additional guidance that advance the department's NEPA-streamlining efforts within Executive Order 13807;
- The Army Corps of Engineers issued Section 408 policy changes adopting other agencies' NEPA documents and issued a policy memorandum operationalizing "risk-informed decision making" to improve coordination and risk management across disciplines;
- USDA, FERC, DOE, and EPA are improving internal clearance processes along with increasing agency capacity for projects with dedicated staff assignments;
- USDA, the Army Corps of Engineers, NOAA Fisheries and the United States Fish and Wildlife Service are expanding the use of time-saving programmatic consultation processes; and
- Agencies will be issuing directives and conducting training at all levels of their organizations, from headquarters to field offices, on timetables and plans to implement the One Federal Decision policy nationwide.

### **Agency Accountability**

The Office of Management and Budget is developing a performance accountability system and appropriate performance metrics to ensure that agencies are implementing One Federal Decision, including the adherence to lead federal agency permitting timetables. The Administration plans to consider agency performance during budget formulation, and agency delays from the permitting timetable may be quantified. Key agency personnel also will have accountability and performance criteria added to their performance plans to measure their effectiveness in processing project permits.

### **Regulatory Reforms**

Following the direction laid out in Executive Order 13807, CEQ published an initial list of actions in the *Federal Register* on September 14, 2017, outlining its plans to enhance and modernize the federal environmental review and authorization process. Last fall, CEQ announced its intent to review its 1978 regulations implementing the procedural requirements of NEPA to identify potential updates and clarifications to those regulations. Just last week, CEQ published in the *Federal Register* for public comment an Advance Notice of Proposed Rulemaking titled, "Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act."

\*\*\*\*

Through improved agency coordination, increased transparency and accountability and timely decision making, we can improve our infrastructure permitting process and get projects completed and to the market faster for the benefit of the American people.

[APG]

While CEQ is focused on the development of a better process for all infrastructure project permitting, the Federal Permitting Improvement Steering Council is focused on overcoming obstacles on a project-by-project basis. My colleague, Angela Colamaria, the acting Executive Director of the Permitting Council, will expand further on the implementation of FAST-41 and FPISC's role in streamlining the federal permitting process.

Thank you again for the opportunity to participate in today's discussion.

[APG]

## [EXTERNAL] RE: 6/27 meeting request - CEO of EDF Renewables

---

**From:** "Moeller, Elizabeth V." <elizabeth.moeller@pillsburylaw.com>

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

**Date:** Tue, 26 Jun 2018 14:38:05 -0400

Hi Michael,  
Wonderful – many thanks!  
We look forward to seeing you tomorrow.  
Best,  
Elizabeth

---

**From:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Sent:** Tuesday, June 26, 2018 2:37 PM  
**To:** Moeller, Elizabeth V. <elizabeth.moeller@pillsburylaw.com>  
**Subject:** RE: 6/27 meeting request - CEO of EDF Renewables

Elizabeth,

We're looking forward to your visit as well. Please extend our invitation to Virinder as well.

See you tomorrow.  
Best,  
Michael

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**Sent:** Tuesday, June 26, 2018 11:20 AM  
**To:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** [EXTERNAL] RE: 6/27 meeting request - CEO of EDF Renewables

Dear Michael,  
Wonderful! We look forward to our visit with you and Aaron tomorrow at 11:30.  
If it works for your team, Tristan and I will be joined by Virinder Singh, EDF Renewables Director of Regulatory and Legislative Affairs who will be in DC from Portland.  
Many thanks. We look forward to our visit tomorrow!  
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**From:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Sent:** Monday, June 25, 2018 6:15 PM

**To:** Moeller, Elizabeth V. <[elizabeth.moeller@pillsburylaw.com](mailto:elizabeth.moeller@pillsburylaw.com)>

**Subject:** RE: 6/27 meeting request - CEO of EDF Renewables

Elizabeth,

Your meeting request was forwarded to me by Mary Green. I'd be happy to meet with you and Tristan on Wednesday at 11:30am. I'll be joined by my colleague Aaron Szabo, our Senior Counsel. Aaron and I are interested to hear EDF Renewables' experience with the NEPA process. I'll send a calendar invite momentarily.

I will put this meeting on our Chief of Staff Mary Neumayr's calendar as well, though she has a very busy day on Wednesday.

I look forward to meeting you in person on Wednesday.

Best,

Michael Drummond

Deputy Associate Director for NEPA

(b) (6)

**From:** Moeller, Elizabeth V. <[elizabeth.moeller@pillsburylaw.com](mailto:elizabeth.moeller@pillsburylaw.com)>

**Sent:** Thursday, June 21, 2018 4:33 PM

**To:** Green, Mary A. EOP/CEQ <(b) (6)>

**Subject:** [EXTERNAL] 6/27 meeting request - CEO of EDF Renewables

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Thank you for your time yesterday – just before we saw the release of the Advance Notice of Proposed Rulemaking on NEPA!

I am following up on behalf of EDF Renewables which is a market leading independent power producer and service provider in the U.S. with projects throughout the United States and headquarters in San Diego.

EDF Renewables' President and CEO, Tristan Grimbert, will be in DC on Wednesday, June 26<sup>th</sup> and is hoping that leaders at CEQ will have time for a short visit to discuss NEPA and national energy and environmental policy.

Would a short visit on Wednesday, June 27<sup>th</sup> at, perhaps at 11:30 be convenient for schedules?

EDF Renewables delivers grid-scale power: wind (onshore and offshore), solar photovoltaic, and storage projects; distributed solutions: solar, solar+storage, EV charging and energy management; and asset optimization: technical, operational, and commercial skills to maximize performance of generating projects. EDF Renewables' North American portfolio consists of 10 GW of developed projects and 10 GW under service contracts.

Please let me know if you need any additional information. Many thanks in advance.

Kind regards,  
Elizabeth

**Elizabeth Vella Moeller** | Partner | Public Policy Group Leader

Pillsbury Winthrop Shaw Pittman LLP

1200 Seventeenth Street NW | Washington, DC 20036-3006

t 202.663.9159 | f 202.663.8007 | m (b) (6)

[elizabeth.moeller@pillsburylaw.com](mailto:elizabeth.moeller@pillsburylaw.com) | [website bio](#)

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## Re: FW: Edits to proposed rule on NEPA review

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

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

**Date:** Fri, 29 Jun 2018 15:43:20 -0400

I should be around the week of July 23, so shoot me some options and I'm sure we can come up with a day/time.

And, please feel free to send a draft comment extension. You can email it to me or to [fedreg.liaison@nara.gov](mailto:fedreg.liaison@nara.gov).

Miriam

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

On Fri, Jun 29, 2018 at 2:27 PM, Seale, Viktoria Z. EOP/CEQ <(b) (6)> wrote:

Miriam,

My apologies for not following up on scheduling a time to meet. I am interested in scheduling a time to meet but my schedule has been hectic lately. Do you have any availability the week of July 23<sup>rd</sup>?

In the interim, CEQ is considering extending the comment period for the advance notice of proposed rulemaking. Would it be possible to send the draft extension notice to you or one of your colleagues in advance to ensure that it complies with FR requirements?

Thank you,

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**Viktoria Z. Seale**

**General Counsel**

Executive Office of the President

Council on Environmental Quality

(b) (6) (direct)

(b) (6) (cell)

**From:** Miriam Vincent <[miriam.vincent@nara.gov](mailto:miriam.vincent@nara.gov)>

**Sent:** Monday, June 18, 2018 7:51 AM

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

**Cc:** [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov)

**Subject:** Re: FW: Edits to proposed rule on NEPA review

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6/28 09:30-15:00

Let me know what works best for you.

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**Subject:** Re: FW: Edits to proposed rule on NEPA review

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

Sincerely,

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**General Counsel**

**Executive Office of the President**

**Council on Environmental Quality**

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**From:** Sun, Howard C. EOP/CEQ

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

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

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(b) (5)

Please let me know if you have any questions.

Chipp Reid

Writer/Editor

Office of the Federal Register

[creid@gpo.gov](mailto:creid@gpo.gov)

[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)

202-741-6007

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Office of the Federal Register  
National Archives and Records Administration

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## RE: FW: Edits to proposed rule on NEPA review

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

(b) (5)

Please let me know if you have any questions.

Chipp Reid  
Writer/Editor  
Office of the Federal Register  
[creid@gpo.gov](mailto:creid@gpo.gov)  
[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
202-741-6007

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

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--

Legal Affairs and Policy Staff  
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For more options, visit <https://groups.google.com/a/nara.gov/d/optout>.

## RE: Materials from Federal NEPA Contacts Webinar

---

**From:** "Martin, Andrea (FRA)" <andrea.martin@dot.gov>  
**To:** "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>  
**Cc:** "Osterhues, Marlys (FRA)" <marlys.osterhues@dot.gov>  
**Date:** Mon, 02 Jul 2018 06:51:41 -0400

Thank you so much. This is exactly what I needed.

Have a good day, Andrea

ANDRÉA E. MARTIN  
Senior Environmental Protection Specialist  
Federal Railroad Administration  
U.S. Department of Transportation

(d) 202.493.6201

---

**From:** Osterhues, Marlys A. EOP/CEQ [mailto:(b) (6)]  
**Sent:** Friday, June 29, 2018 12:49 PM  
**To:** Martin, Andrea (FRA) <andrea.martin@dot.gov>  
**Subject:** Materials from Federal NEPA Contacts Webinar

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)). 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)<

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## Re: Comment - CEQ-2018-001

---

**From:** "Schneider, Daniel J. EOP/CEQ" <(b) (6)>  
**To:** "Neumayr, Mary B. EOP/CEQ" <(b) (6)>  
**Cc:** "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 03 Jul 2018 18:32:10 -0400

---

Thanks for flagging!

Sent from my iPhone

On Jul 3, 2018, at 6:16 PM, Neumayr, Mary B. EOP/CEQ <(b) (6)> wrote:

Fyi

---

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Tuesday, July 3, 2018 3:11 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ  
<(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)>  
**Cc:** Mansoor, Yarden M. EOP/CEQ <(b) (6)> Smith, Katherine R.  
EOP/CEQ <(b) (6)>  
**Subject:** FW: Comment - CEQ-2018-001

FYI -- We received the attached this afternoon from the AGs offices of WA, MD, MA, NJ, NY, and OR requesting a 60-day extension of the comment period.

---

**From:** Kealy, Tricia (ATG) <[TriciaK@ATG.WA.GOV](mailto:TriciaK@ATG.WA.GOV)>  
**Sent:** Tuesday, July 3, 2018 2:44 PM  
**To:** FN-CEQ-NEPA <(b) (6)> [ksmith@ceq.eop.gov](mailto:ksmith@ceq.eop.gov)  
**Cc:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>  
**Subject:** Comment - CEQ-2018-001

Greetings,

Attached please find a letter Re: Advance Notice of Proposed Rulemaking – Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 83 Fed. Reg. 28591 (June 20, 2018) Docket ID No. CEQ-2018-001 from Attorneys General of Washington, Maryland, Massachusetts, New Jersey, New York, and Oregon. This was submitted today on [regulations.gov](http://regulations.gov).

Thank you,  
**Tricia Kealy**  
Legal Assistant 3/Lead  
Counsel for Environmental Protection

Office of the Attorney General  
800 5th Ave, Suite 2000  
Seattle, WA 98104  
Phone 206-326-5494  
[TriciaK@atg.wa.gov](mailto:TriciaK@atg.wa.gov)

<Final State AG Letter Requesting Extension of Time to Comment on Advance..\_.pdf>

## RE: Comment - CEQ-2018-001

---

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

**To:** "Janke, Aurora (ATG)" <auroraj@atg.wa.gov>

**Date:** Thu, 05 Jul 2018 12:05:01 -0400

Aurora,

Small world indeed! How about coffee around 10am on Friday the 20<sup>th</sup> somewhere near your office. Let me know if you have a favorite coffee shop in the area.

Looking forward to catching up.

Michael

---

**From:** Janke, Aurora (ATG) <AuroraJ@ATG.WA.GOV>

**Sent:** Thursday, July 5, 2018 11:39 AM

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

**Subject:** RE: Comment - CEQ-2018-001

Michael,

You are correct, and it's great to hear from you. I'd love to meet for coffee on Friday the 20<sup>th</sup>. My schedule is fairly flexible that day, so I could meet whenever works best for you.

It will be great to catch up. It really is a small world!

Best,

Aurora

---

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

**Sent:** Thursday, July 5, 2018 8:31 AM

**To:** Janke, Aurora (ATG) <AuroraJ@ATG.WA.GOV>

**Subject:** RE: Comment - CEQ-2018-001

Hey Aurora,

If I'm not mistaken, we were classmates at UW Law back in the day. I did a double take when I saw your name on the cc line of Tricia's email.

I hope you are doing well. I'll actually be out in Western Washington later this month. If you're free for coffee on Friday the 20<sup>th</sup>, I am mostly free that day and will be in Seattle.

Best,

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

---

**From:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>  
**Sent:** Thursday, July 5, 2018 11:16 AM  
**To:** Green, Mary A. EOP/CEQ <(b) (6)>  
**Cc:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RE: Comment - CEQ-2018-001

Thank you very much for your help.

Best regards,

Aurora Janke

---

**From:** Green, Mary A. EOP/CEQ <(b) (6)>  
**Sent:** Thursday, July 5, 2018 6:53 AM  
**To:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>  
**Cc:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RE: Comment - CEQ-2018-001

Got it! Will route it out to COS Neumayr and Associate Director, Ted Boling.  
Ms. Green

---

**From:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>  
**Sent:** Tuesday, July 3, 2018 3:38 PM  
**To:** Green, Mary A. EOP/CEQ <(b) (6)>  
**Subject:** FW: Comment - CEQ-2018-001

Ms. Green,

I just spoke with you on the phone concerning filing a request for an extension of time to comment on CEQ's Advance Notice of Proposed Rulemaking – Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.

We would like to ensure that Chief of Staff Neumayr receives the attached letter from several State Attorneys General requesting an extension of time to comment on the Advance Notice. However, the email to [ksmith@ceq.eop.gov](mailto:ksmith@ceq.eop.gov), whom I understand to be Chief of Staff Neumayr's

special assistant, bounced back. Could you please ensure that Chief of Staff Neumayr receives the attached letter?

Thank you for your assistance.

Best regards,

**Aurora R. Janke**

Special Assistant Attorney General  
Counsel for Environmental Protection  
Washington State Attorney General's Office  
800 5<sup>th</sup> Ave Suite 2000, TB-14  
Seattle, WA 98104-3188  
Office: (206) 233-3391  
Email: [auroraj@atg.wa.gov](mailto:auroraj@atg.wa.gov)

---

**From:** Kealy, Tricia (ATG)  
**Sent:** Tuesday, July 3, 2018 11:44 AM  
**To:** (b) (6) [ksmith@ceq.eop.gov](mailto:ksmith@ceq.eop.gov)  
**Cc:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>  
**Subject:** Comment - CEQ-2018-001

Greetings,

Attached please find a letter Re: Advance Notice of Proposed Rulemaking – Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 83 Fed. Reg. 28591 (June 20, 2018) Docket ID No. CEQ-2018-001 from Attorneys General of Washington, Maryland, Massachusetts, New Jersey, New York, and Oregon. This was submitted today on regulations.gov.

Thank you,

**Tricia Kealy**

Legal Assistant 3/Lead  
Counsel for Environmental Protection  
Office of the Attorney General  
800 5th Ave, Suite 2000  
Seattle, WA 98104  
Phone 206-326-5494  
[TriciaK@atg.wa.gov](mailto:TriciaK@atg.wa.gov)

## RESCHEDULED: Website update expected on Monday, July 9

---

**From** : "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**To**: "Adams, John (AU) (CONTR)" <john.adams@hq.doe.gov>, "Carter, Marian (CONTR)" <marian.carter@hq.doe.gov>, "Alexander, Lillian" <lillian.alexander@hq.doe.gov>  
**Cc**: "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**Date**: Mon, 09 Jul 2018 08:49:03 -0400

This will happen later in the week. Stay tuned for instructions from Michael Drummond or me.

---

**From:** Mansoor, Yardena M. EOP/CEQ  
**Sent:** Tuesday, July 3, 2018 12:20 PM  
**To:** 'Adams, John (AU) (CONTR)' <John.Adams@Hq.Doe.Gov>; 'Carter, Marian (CONTR)' <Marian.Carter@hq.doe.gov>; 'Alexander, Lillian' <Lillian.Alexander@hq.doe.gov>  
**Cc:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** Website update expected on Monday, July 9

On Monday morning, July 9, I'll confirm these instructions, provide the Federal Register file to post, and give the OK for the update go live. Michael Drummond or I will let you know if anything changes before then.

At <https://ceq.doe.gov/laws-regulations/regulations.html>:

(b) (5)



Thanks, as always, for your help.

Yardena Mansoor  
Deputy Associate Director for NEPA  
Council on Environmental Quality

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



## RESCHEDULED: Website update tomorrow

---

**From:** "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
**To:** "Adams, John (AU) (CONTR)" <john.adams@hq.doe.gov>, "Carter, Marian (CONTR)" <marian.carter@hq.doe.gov>, "Alexander, Lillian" <lillian.alexander@hq.doe.gov>  
**Cc:** "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 10 Jul 2018 10:34:18 -0400

Michael Drummond will send the update and file tomorrow, which I am out on leave.

---

**From:** Mansoor, Yardena M. EOP/CEQ  
**Sent:** Monday, July 9, 2018 8:49 AM  
**To:** 'Adams, John (AU) (CONTR)' <John.Adams@Hq.Doe.Gov>; 'Carter, Marian (CONTR)' <Marian.Carter@hq.doe.gov>; 'Alexander, Lillian' <Lillian.Alexander@hq.doe.gov>  
**Cc:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RESCHEDULED: Website update expected on Monday, July 9

This will happen later in the week. Stay tuned for instructions from Michael Drummond or me.

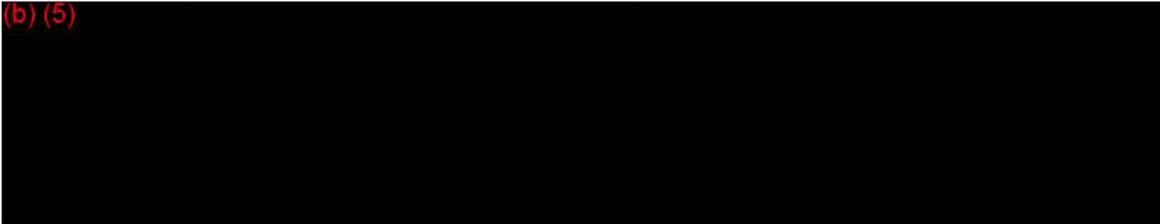
---

**From:** Mansoor, Yardena M. EOP/CEQ  
**Sent:** Tuesday, July 3, 2018 12:20 PM  
**To:** 'Adams, John (AU) (CONTR)' <John.Adams@Hq.Doe.Gov>; 'Carter, Marian (CONTR)' <Marian.Carter@hq.doe.gov>; 'Alexander, Lillian' <Lillian.Alexander@hq.doe.gov>  
**Cc:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** Website update expected on Monday, July 9

On Monday morning, July 9, I'll confirm these instructions, provide the Federal Register file to post, and give the OK for the update go live. Michael Drummond or I will let you know if anything changes before then.

At <https://ceq.doe.gov/laws-regulations/regulations.html>:

(b) (5)



(b) (5)



Thanks, as always, for your help.

Yardena Mansoor  
Deputy Associate Director for NEPA  
Council on Environmental Quality

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

## CEQ Website update request

---

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

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

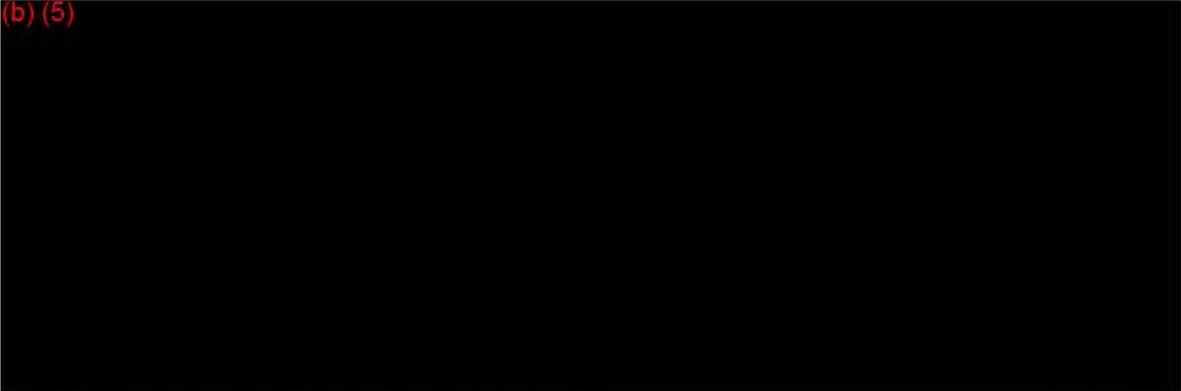
Date: Tue, 10 Jul 2018 10:32:53 -0400

---

Attach FR notice and send to [John.Adams@Hq.Doe.Gov](mailto:John.Adams@Hq.Doe.Gov); [Marian.Carter@hq.doe.gov](mailto:Marian.Carter@hq.doe.gov); [Lillian.Alexander@hq.doe.gov](mailto:Lillian.Alexander@hq.doe.gov) and cc me.

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

(b) (5)



---

Thanks, as always, for your help.

Yardena Mansoor  
Deputy Associate Director for NEPA  
Council on Environmental Quality

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

## For review

---

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

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

**Date:** Tue, 10 Jul 2018 09:49:21 -0400

---

Could you give a quick read before this is sent to 500 people?  
Thanks!

Dear Colleagues,

The Council on Environmental Quality (CEQ) is extending the comment period on the Advance Notice of Proposed Rulemaking, which was scheduled to close on July 20, 2018, for 31 days until August 20, 2018. CEQ is making this change in response to public requests for an extension of the comment period.

# RE: Milestones report -- agency review and input needed by July 13

---

**From:** "Seale, Viktoria Z. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=af5f6888d706481b94d18088a30821c9-se">  
**To:** "Drummond, Michael R. EOP/CEQ" (b) (6) "Schneider, Daniel J. EOP/CEQ" (b) (6) "Neumayr, Mary B. EOP/CEQ" (b) (6) "Herrgott, Alex H. EOP/CEQ" (b) (6)  
**Cc:** "Pettigrew, Theresa L. EOP/CEQ" (b) (6) "Boling, Ted A. EOP/CEQ" (b) (6)  
**Date:** Fri, 13 Jul 2018 16:35:31 -0400

Michael, quick question. Do we also need to make changes to the section on CEQ in Appendix C located on pg. 47?

---

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Friday, July 13, 2018 4:12 PM  
**To:** Schneider, Daniel J. EOP/CEQ (b) (6) Seale, Viktoria Z. EOP/CEQ (b) (6) Neumayr, Mary B. EOP/CEQ (b) (6) Herrgott, Alex H. EOP/CEQ (b) (6)  
**Cc:** Pettigrew, Theresa L. EOP/CEQ (b) (6) Boling, Ted A. EOP/CEQ (b) (6)  
**Subject:** RE: Milestones report -- agency review and input needed by July 13

Attached is the version I plan to submit to OSTP shortly incorporating Viktoria and Dan's edits.

---

**From:** Schneider, Daniel J. EOP/CEQ  
**Sent:** Thursday, July 12, 2018 10:38 AM  
**To:** Seale, Viktoria Z. EOP/CEQ (b) (6) Drummond, Michael R. EOP/CEQ (b) (6) Neumayr, Mary B. EOP/CEQ (b) (6) Herrgott, Alex H. EOP/CEQ (b) (6)  
**Cc:** Pettigrew, Theresa L. EOP/CEQ (b) (6) Boling, Ted A. EOP/CEQ (b) (6)  
**Subject:** RE: Milestones report -- agency review and input needed by July 13

Minor suggestions from me as well.

---

**From:** Seale, Viktoria Z. EOP/CEQ  
**Sent:** Thursday, July 12, 2018 10:33 AM

**To:** Drummond, Michael R. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Herrgott, Alex H. EOP/CEQ <(b) (6)>  
**Cc:** Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Boling, Ted A. EOP/CEQ <(b) (6)>  
**Subject:** RE: Milestones report -- agency review and input needed by July 13

Michael,

Below are a few minor suggested edits in red.

Thanks

Viktorija

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Thursday, July 12, 2018 9:58 AM  
**To:** Neumayr, Mary B. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)> Herrgott, Alex H. EOP/CEQ <(b) (6)>  
**Cc:** Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Boling, Ted A. EOP/CEQ <(b) (6)>  
**Subject:** FW: Milestones report -- agency review and input needed by July 13

Good morning,

The Broadband Interagency Working Group has circulated their draft report with a comments requested by COB Friday. CEQ's update is located on page 16 of the attached and pasted into this email below. Please let me know if you have any edits.

Best,

Michael

- Council on Environmental Quality (CEQ) In Progress

CEQ, working with the Office of Management and Budget (OMB), and in consultation with the Federal Permitting Improvement Steering Council (Permitting Council) and other Federal agencies, is implementing a One Federal Decision process to coordinate the environmental review of major infrastructure projects. CEQ's past and planned actions to improve the environmental review process include:

Completed (September 2017)	CEQ published a <a href="#">notice</a> in the Federal Register announcing an initial list of actions it will take to enhance and modernize the
----------------------------	--

	Federal environmental review and authorization process for infrastructure projects.
Completed (March 2018)	CEQ and <del>OMB the Office of Management and Budget</del> , in consultation with the <del>Federal Permitting Improvement Steering Council</del> , issued a <a href="#">One Federal Decision Framework document</a> to provide Federal agencies with guidance on implementing Executive Order (E.O.) 13807. Section 5 of E.O. 13807 directs all Federal agencies with environmental review, authorization, or consultation responsibilities for major infrastructure projects to develop a single Environmental Impact Statement (EIS) for such projects, sign a single Record of Decision (ROD) and issue all necessary authorizations within 90 days thereafter, subject to limited exceptions.
June – August 2018	CEQ published an Advance Notice of Proposed Rulemaking requesting comment on potential revisions to update and clarify CEQ's <del>National Environmental Policy Act</del> (NEPA) regulations. Through a series of 20 questions, CEQ requested comments on provisions of the regulations related to the NEPA process and the scope of NEPA review.
Ongoing	Work with Federal Agencies to review regulations and policies to identify impediments to the efficient and effective processing of environmental reviews and permitting decisions.

**From:** Guyselman, Kelsey J. EOP/OSTP

**Sent:** Monday, July 9, 2018 5:50 PM

**To:** rnelson@achp.gov; mdefalco@arc.gov; timthomas@arc.gov; Drummond, Michael R. EOP/CEQ <(b) (6)> bhenson@dra.gov; jperry@fs.fed.us; edenson@fs.fed.us; mmazel@fs.fed.us; chad.parker@wdc.usda.gov; Kubena, Kellie - RD, Washington, DC <Kellie.Kubena@wdc.usda.gov>; laurel.leverrier@wdc.usda.gov; Duane, Jennifer A. <JDuane@ntia.doc.gov>; Spurgeon, Andrew <ASpurgeon@ntia.doc.gov>; Moyer, Timothy <TMoyer@ntia.doc.gov>; brian.s.teeple2.civ@mail.mil; peter.j.potochney.civ@mail.mil; fredrick.d.moorefield.civ@mail.mil; james.p.campion2.civ@mail.mil; robert.a.coffman10.civ@mail.mil; Jason.Botel@ed.gov; Sara.Trettin@ed.gov; David.Cantrell@ed.gov; herbert.mcconnell@hq.doe.gov; pam.peckham@hq.doe.gov; max.everett@hq.doe.gov; Ronald.Hewitt@hq.dhs.gov; Darrell.Smith@hq.dhs.gov; Brandon.wales@hq.dhs.gov; Marcus.Ward@hq.dhs.gov; Sonja.Rodriguez@hq.dhs.gov; Melanie.Bakaysa@associates.hq.dhs.gov; Ralph.H.Gaines@hud.gov; John.Gibbs@hud.gov; Dina.Lehmann-Kim@hud.gov; Lisa.S.Abell@hud.gov; Stanley.Gimont@hud.gov; katharine\_macgregor@ios.doi.gov; sfusilie@blm.gov; k15montg@blm.gov; jjirby@usbr.gov; ralcorn@usbr.gov; lee\_dickinson@nps.gov; truda\_stella@nps.gov; ken\_fowler@fws.gov; noah\_matson@fws.gov; sharlene.roundface@bia.gov; beth.wenstrom@bia.gov; thompson.kevin@dol.gov; ahlstrand.amanda@dol.gov; Zelden.Mark.A@DOL.gov; julie.johnston@dot.gov; finch.fulton@dot.gov; kipp.kranbuhl@treasury.gov; adonovan@cdfi.treas.gov;

jodie.harris@treasury.gov; barry.wides@occ.treas.gov; karen.bellesi@occ.treas.gov;  
thomas.klobucar@va.gov; Deborah.Scher@va.gov; Blake-Coleman.Wendy@epa.gov;  
Mixon.edward@epa.gov; Erica.Rosenberg@fcc.gov; Kirk.burgee@fcc.gov; Michael.Janson@fcc.gov;  
Michele.Berlove@fcc.gov; Ryan.Palmer@fcc.gov; Deborah.Salons@fcc.gov;  
jessica.salmoiraghi@gsa.gov; aluanda.drain@gsa.gov; maryann.hillier@gsa.gov; wengland@hrsa.gov;  
nmanzanero@hrsa.gov; tmorris@hrsa.gov; MQuinn@hrsa.gov; GSigounas@hrsa.gov;  
hesseb@mail.nih.gov; jneal@imls.gov; nweiss@imls.gov; rdale@imls.gov; egiancha@nsf.gov;  
tnandago@nsf.gov; kcalvert@nsf.gov; mehought@nsf.gov

**Cc:** Redl, David <dredl@ntia.doc.gov>; Hanson, Karen <KHanson@ntia.doc.gov>; Kinkoph, Douglas  
<DKinkoph@ntia.doc.gov>; kenl.johnson@wdc.usda.gov; Jannine.Miller@wdc.usda.gov; Page, Ben J.  
EOP/OMB <(b) (6)> Premaza, Victoria S. EOP/OMB

<(b) (6)> Stein, Nora H. EOP/OMB <(b) (6)> Slater,  
Abigail A. EOP/WHO <(b) (6)> Lira, Mathew L. EOP/WHO

<(b) (6)>

**Subject:** Milestones report -- agency review and input needed by July 13

Dear Colleagues,

I have attached the current working draft of the Broadband Milestones report. Please review this document and send me your edits using track changes, copying Karen Hanson ([khanson@ntia.doc.gov](mailto:khanson@ntia.doc.gov)). **Please submit your edits by close of business this Friday (July 13).**

In particular, we are looking for the following information: 1) responses to White House / OMB questions noted in yellow highlight or red text; 2) Any corrections or clarifications to agency actions located in the body of the report and in Appendix C; 3) Suggestions for additional content, such as examples of impact or agency success stories.

We need clear, concrete deliverables that meaningfully improve broadband deployment by streamlining processes and fostering additional private sector investment.

We will host a call on **July 12 at 2:00pm** (b) (6) code (b) (6) to review the process, answer any questions you may have, and discuss top-line goals for agency deliverables.

Thank you for your continued hard work on this effort and we look forward to your feedback.

Sincerely,  
Kelsey

**Kelsey Guyselman**  
Executive Office of the President  
Office of Science and Technology Policy

(b) (6)

## [No Subject]

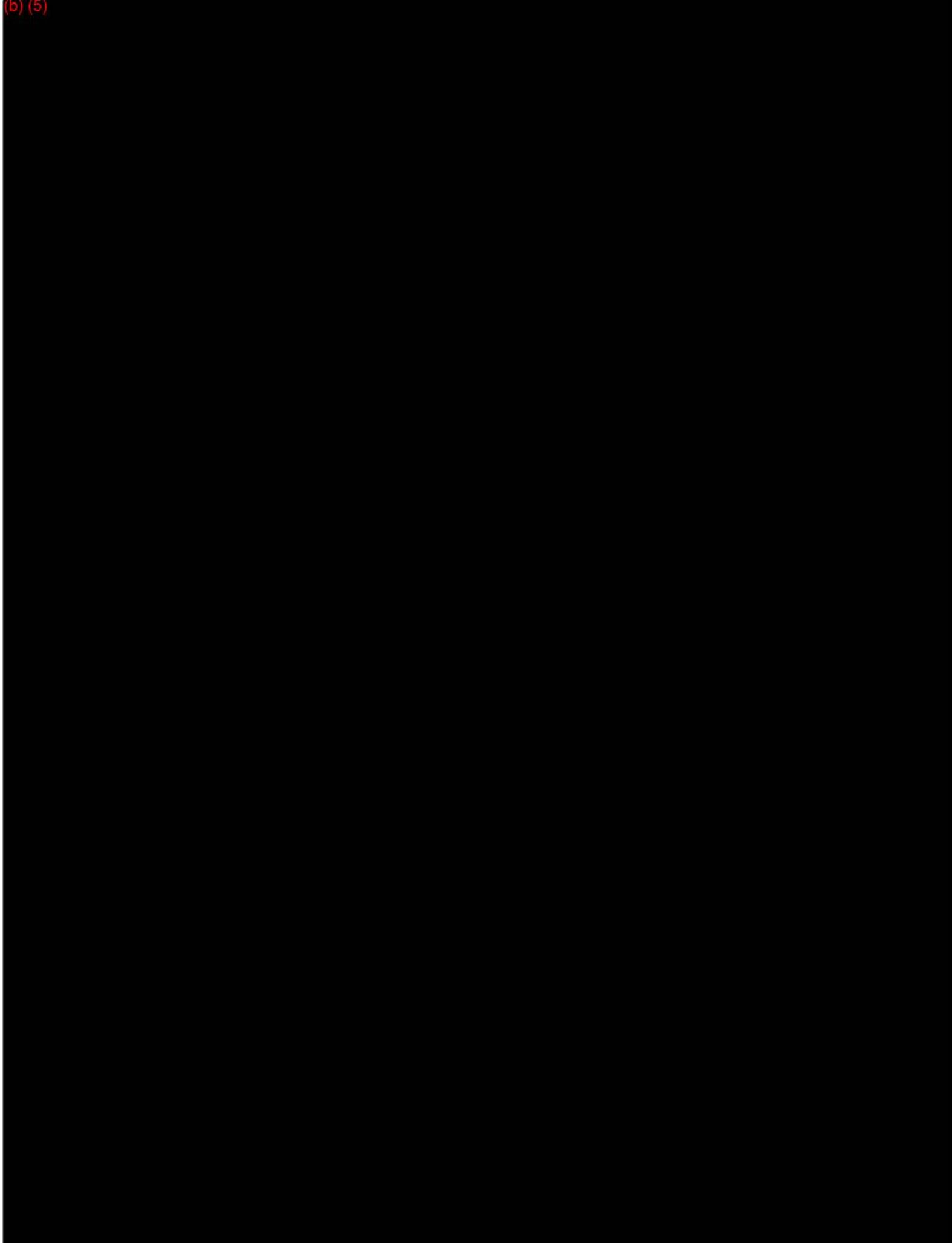
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**From:** "Schneider, Daniel J. EOP/CEQ" <(b) (6)>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 02 Aug 2018 14:22:57 -0400  
**Attachments:** 20180502 Talking Points for CEQ ANPRM For OMB EO 12866 Submittal.docx (27.08 kB)

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<https://www.whitehouse.gov/wp-content/uploads/2017/11/Final-ANPRM-Fact-Sheet-20180711-1.pdf>

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)



## FOR REVIEW: CEQ Regulatory Agenda

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**From:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**To:** "Neumayr, Mary B. EOP/CEQ" <(b) (6)>  
**Date:** Mon, 06 Aug 2018 17:50:52 -0400  
**Attachments** DRAFT - Council on Environmental Quality Agenda Entries\_Fall 2018.docx (21.37  
: kB)

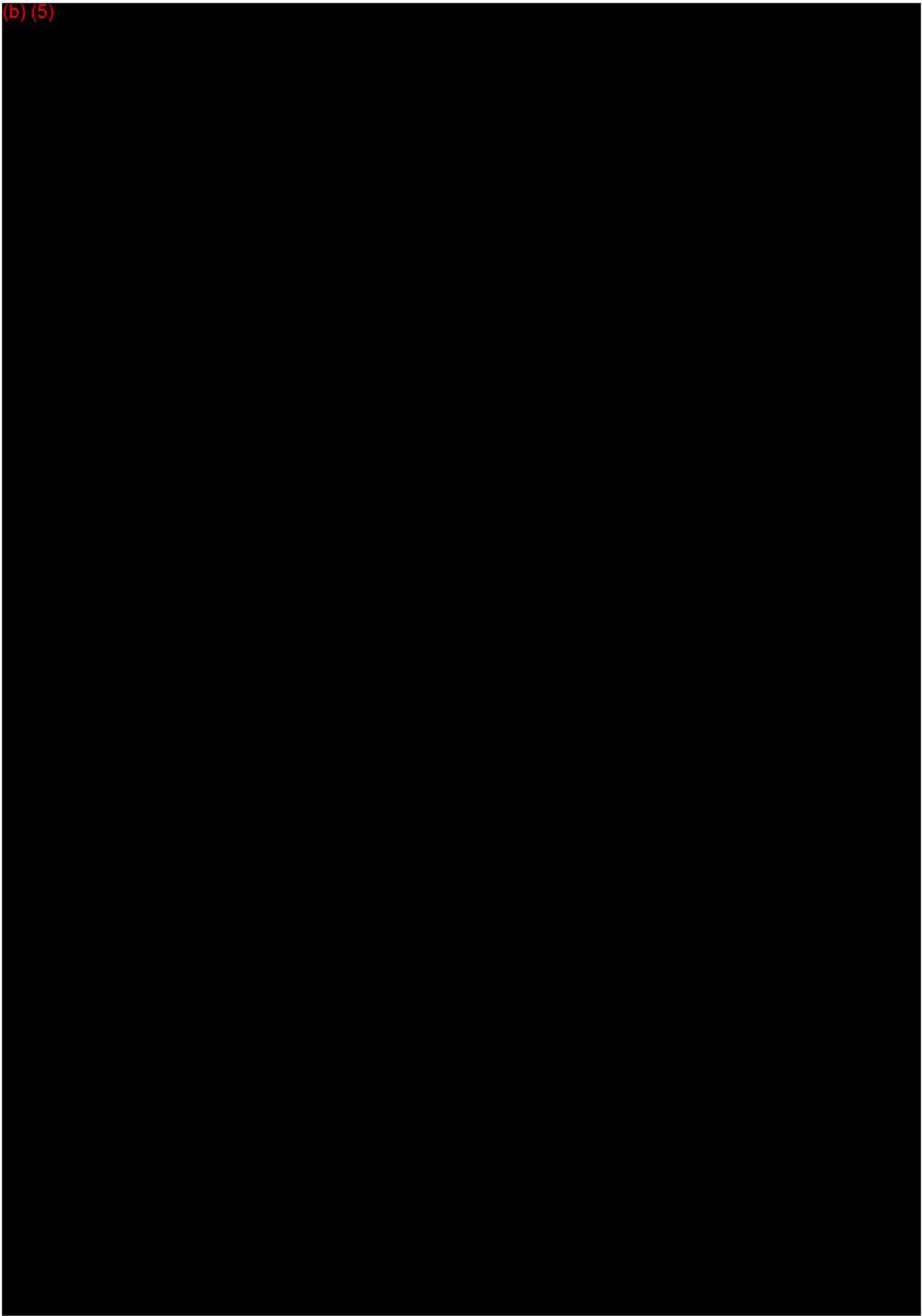
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**Aaron L. Szabo**  
Senior Counsel  
Council on Environmental Quality  
(b) (6) (Desk)  
(b) (6) (Cell)  
(b) (6)

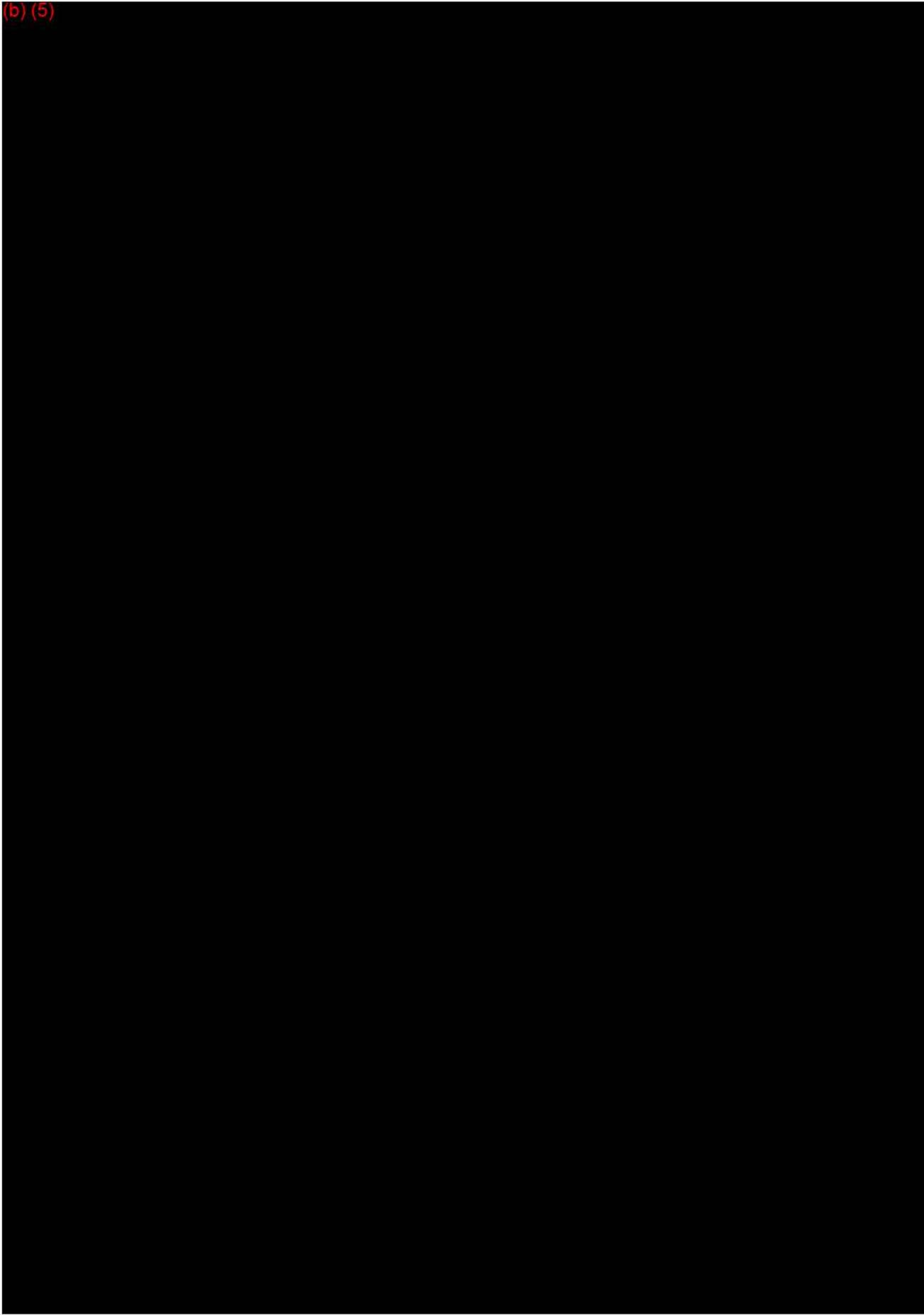
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[APG]

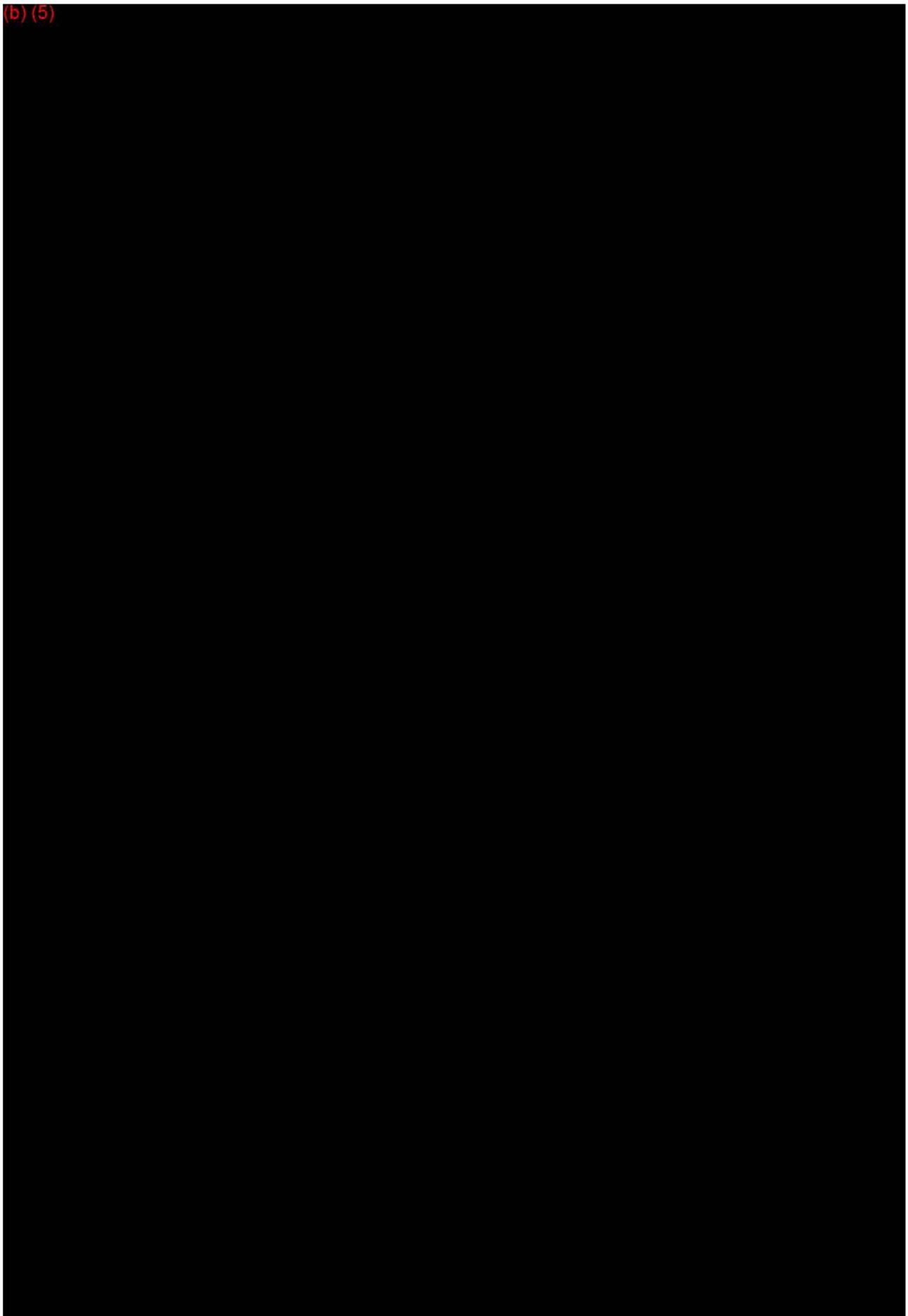
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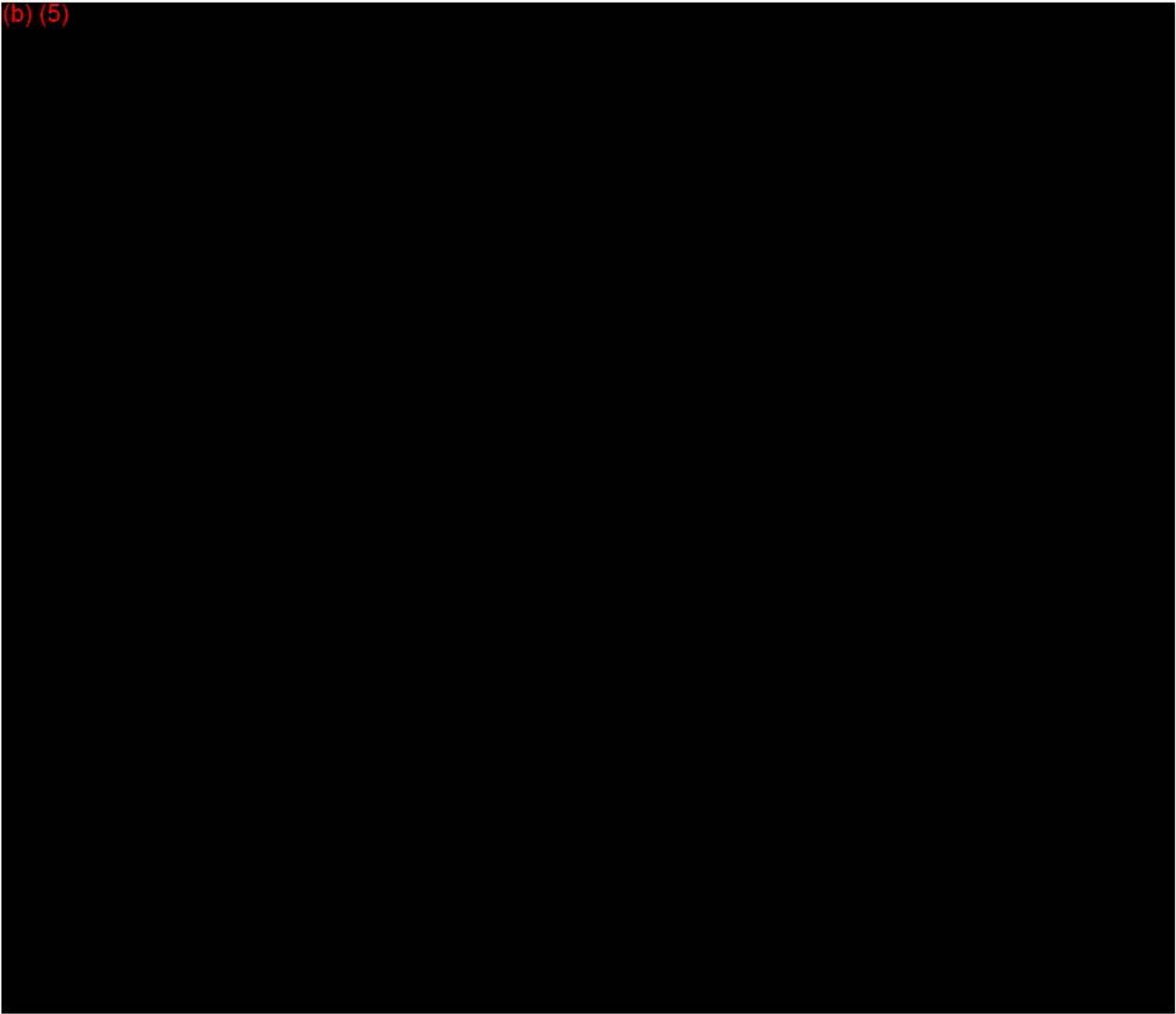
(b) (5)



(b) (5)



(b) (5)



[APG]

## Fwd: NEPA Task Force Summaries

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**From:** "Upchurch, Sara H. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=8a8e3ac0db1c421ab5590a18982eb737-up">  
**To:** sara.upchurch@fema.dhs.gov  
**Date:** Thu, 09 Aug 2018 12:52:01 -0400  
**Attachments:** Summary - NEPA Task Forces.docx (17.16 kB)

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**Sara Upchurch**  
Deputy Associate Director for NEPA  
Executive Office of the President  
Council on Environmental Quality

Sent from my iPhone

Begin forwarded message:

**From:** "Upchurch, Sara H. EOP/CEQ" <(b) (6)>  
**Date:** August 6, 2018 at 3:04:01 PM EDT  
**To:** "Boling, Ted A. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Mansoor, Yarden M. EOP/CEQ" <(b) (6)>  
**Subject:** NEPA Task Force Summaries

All – I took a little time to flesh out the summary Yarden produced of the CEQ NEPA Task Force recommendations, as well as to summarize the recommendations produced by the House Resources Committee a few years later (see attached). Thought this could serve as a quick reference on these two major NEPA review efforts from the not-so-distant past as the way-forward on ANPRM comments are discussed. (b) (5)

█ [REDACTED]  
█ [REDACTED]

[REDACTED]

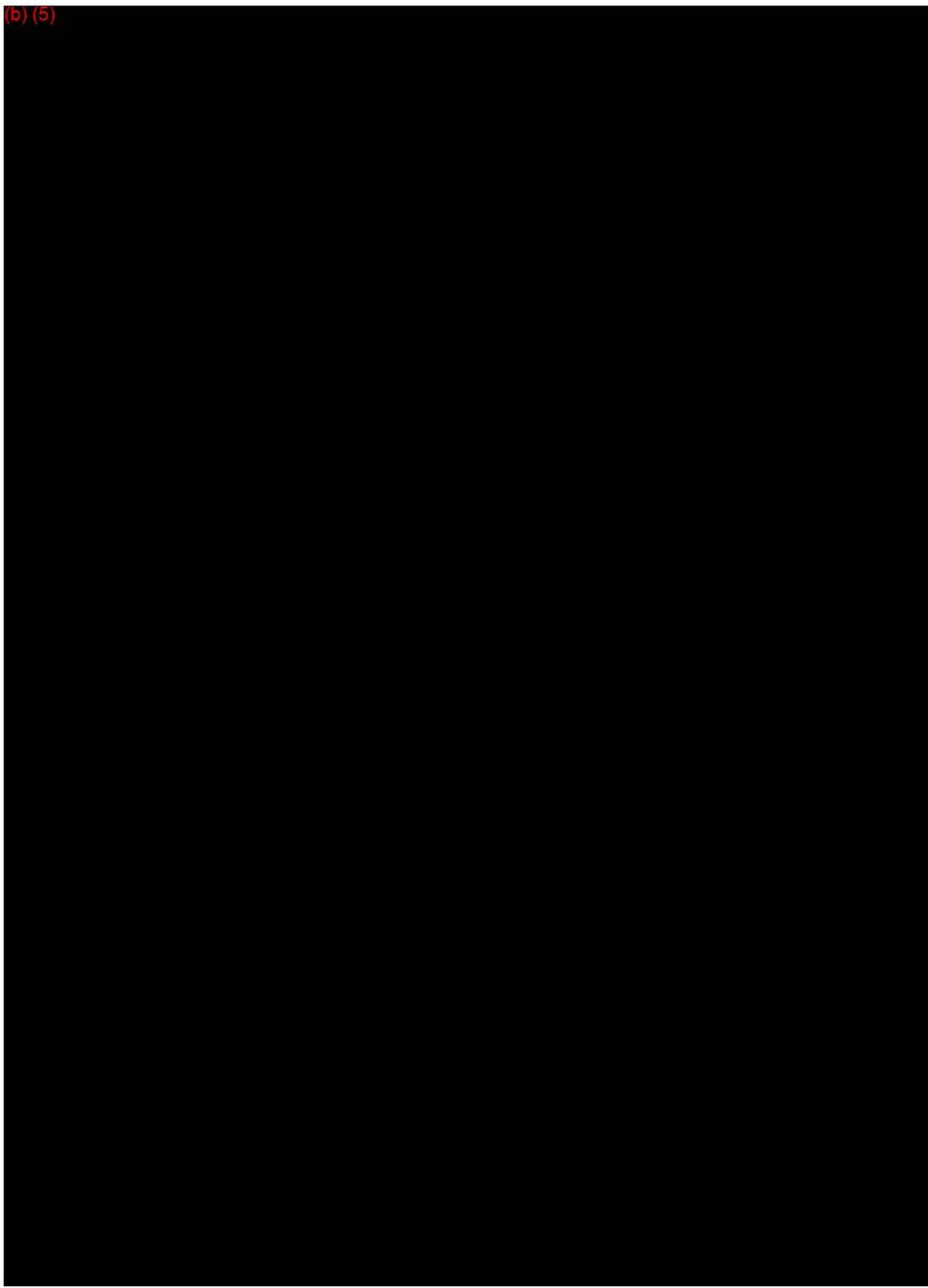
I didn't cross-reference these recommendations with the 20 questions in the ANPRM, but could dig into that if that would be helpful or do some additional historical research. Please let me know if there is another need I could address for this effort.

~ Sara

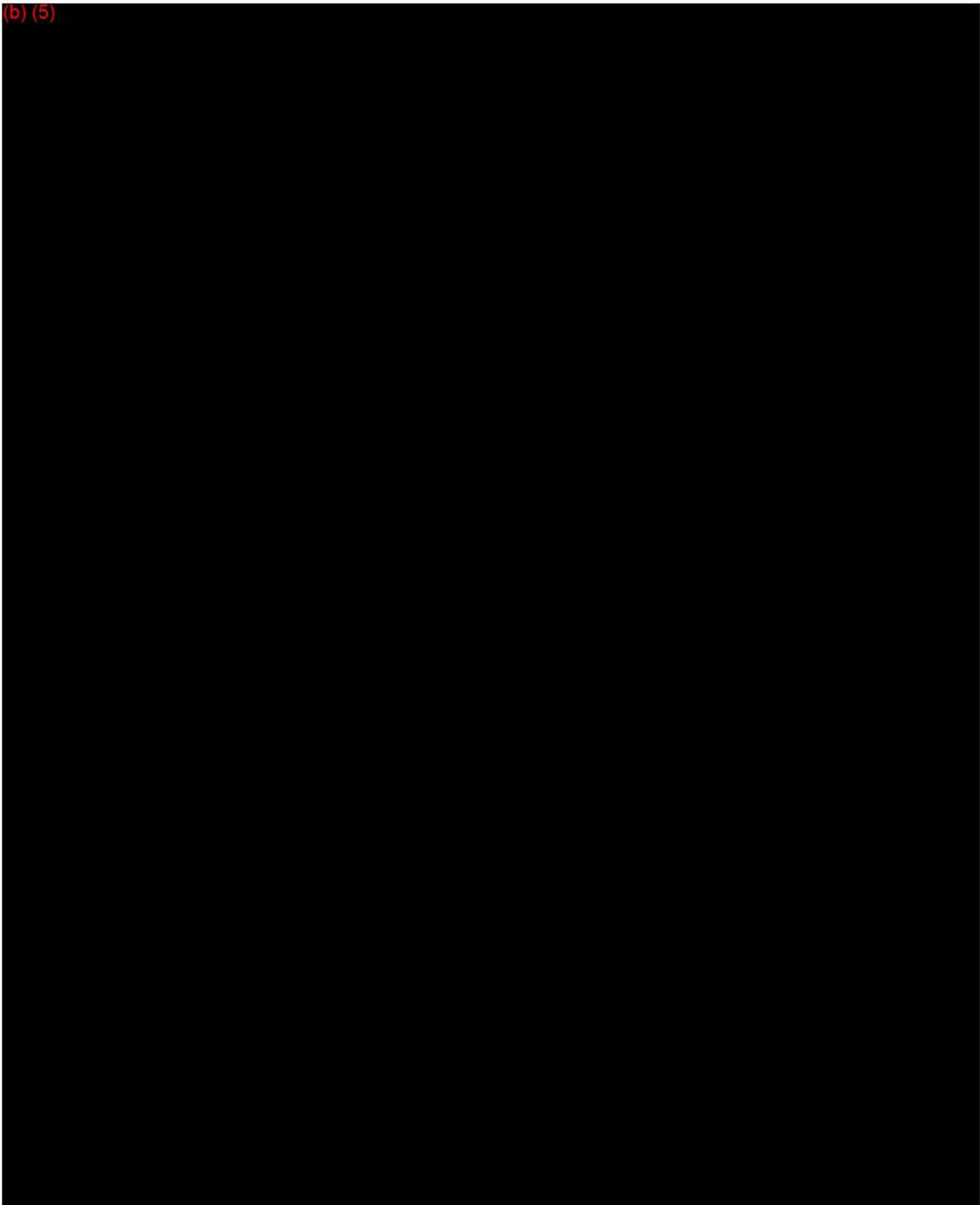
Sara Upchurch  
Deputy Associate Director for NEPA

Executive Office of the President  
Council on Environmental Quality  
(b) (6) [CEQ cell]

(b) (5)



(b) (5)



## [EXTERNAL] National Hydropower Association Comments on NEPA ANOPR

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**From:** "Sensiba, Charles R." <charles.sensiba@troutmansanders.com>  
**To:** "Herrgott, Alex H. EOP/CEQ" <(b) (6)>  
**Cc:** "Jeff Leahey (jeff@hydro.org)" <jeff@hydro.org>  
**Date:** Tue, 21 Aug 2018 23:32:42 -0400  
**Attachments:** NHA comments on 2018 CEQ ANOPR.PDF (265.17 kB)

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Alex,

Jeff Leahey asked that I forward you the attached comment letter, which the National Hydropower Association filed with CEQ yesterday in response to the NEPA Advance Notice of Proposed Rulemaking.

NHA appreciates the opportunity to comment on the ANOPR. Please let us know if you have any questions or wish to discuss.

Best regards,  
Chuck

### **Charles R. Sensiba**

Direct: 202.274.2850 | Mobile: (b) (6)  
charles.sensiba@troutman.com

### **troutman sanders**

401 9th Street, NW, Suite 1000  
Washington, DC 20004  
[troutman.com](http://troutman.com)

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August 20, 2018

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

**Re: Advanced Notice of Proposed Rulemaking: Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act; RIN: 0331-AA03; Docket No. CEQ-2018-0001**

Dear Mr. Boling:

The National Hydropower Association (NHA)<sup>1</sup> appreciates this opportunity to comment on the Council on Environmental Quality's (CEQ) Advanced Notice of Proposed Rulemaking (ANOPR) on updates to the implementing regulations of the National Environmental Policy Act (NEPA). NHA is fully supportive of a robust and comprehensive environmental review process. However, we believe that significant changes are needed to modernize CEQ's NEPA regulations in a manner that will inform "major Federal actions significantly affecting the quality of the human environment" through "a detailed statement" that evaluates environmental impacts, environmental effects, and alternatives,<sup>2</sup> but will do so in a manner that is more cost-effective, reduces redundancy, and is time-sensitive. NHA believes strongly that the requirement for agencies to "take a 'hard look' at environmental consequences"<sup>3</sup> can be maintained while reducing costs and time associated with their environmental reviews.

NHA offers the following perspective from the U.S. hydropower industry.

## Background

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<sup>1</sup> NHA is a non-profit national association dedicated to securing hydropower's place as a clean, renewable and reliable energy source that serves our Nation's environmental and energy policy objectives. Its membership consists of more than 240 organizations, including public and investor-owned utilities, independent power producers, equipment manufacturers, and professional organizations that provide legal, environmental and engineering services to the hydropower industry.

<sup>2</sup> 42 U.S.C. § 4332(C).

<sup>3</sup> *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 350 (1989) (quoting *Kleppe v. Sierra Club*, 427 U.S. 390, 410 n. 21 (1976); see also *Nat. Res. Defense Council v. Morton*, 458 F. 2d 827, 838 (D.C. Cir. 1972).

Hydropower is a clean, renewable, domestic source of electricity that provides flexibility and reliability to our grid system, has the potential to substantially expand the nation's renewable energy supply, and can provide all attributes necessary for a reliable and resilient grid. It provides baseload and peaking power, is one of the most flexible resources and provides a host of ancillary grid services, making it critical to our "all of the above" energy strategy. Although capital intensive to develop, hydropower projects have long, useful lives stretching decades and their fuel is renewable and free. As our nation's single largest source of renewable electricity, with over 100 GWs of capacity (including pumped storage), hydropower will play a critical role in providing grid stability and energy security as our electricity supply relies more and more on variable generation sources and we work toward a 21st Century grid system. Moreover, pumped storage is the premier utility-scale energy storage technology in use today, providing approximately 95 percent of all energy storage in the United States.

Despite all these critical attributes, preserving the existing hydropower system and promoting new projects has proven challenging over the last several decades due, in large part, to the complicated, fragmented, and lengthy federal regulatory processes that ultimately result in tremendous uncertainty for project proponents. This uncertainty makes it nearly impossible to obtain long-term, low-cost financing and negatively impacts reinvestment strategies.

As a full quarter our nation's existing non-federal hydropower fleet enters into relicensing, and with nearly 50 GWs of new hydropower potential on the line,<sup>4</sup> there has never been a more urgent time to address the challenges of outdated federal regulatory procedures that place hydropower at risk, create costly delays and postpone reinvestment in both the environment and our energy infrastructure.

Inaction may have negative consequences to our economy, climate, and environment. Our hydropower fleet faces tremendous economic challenges with market rules that undervalue hydropower's operational flexibility; renewable portfolio standards that fail to recognize much of our hydropower resources; and federal environmental and approval processes that cause delay, increase project costs, reduce renewable generation, and add tremendous uncertainty.<sup>5</sup> Although unheard of less than a decade ago, project owners today face a tough reality that an existing hydropower facility may be a stranded asset, and therefore may well elect to decommission these renewable resources rather than face a broken relicensing process that adds costs and uncertainty and reduces economic value.

And the potential for new development is stunted by the inability to attract investment. When a combined cycle gas project can be built in downtown Manhattan in less than one fourth the time and the cost it takes to relicense an existing hydropower plant in rural New York, the

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<sup>4</sup> See U.S. Department of Energy, *Hydropower Vision: A New Chapter for America's 1<sup>st</sup> Renewable Electricity Source (2016)*.

<sup>5</sup> See *Testimony of Steve Wright, General Manager, Chelan County Public Utility No. 1, on behalf of NHA, before the House Energy and Commerce Committee Subcommittee on Energy (2017)*.

challenges for hydropower become glaring.<sup>6</sup> When a developer must spend millions of dollars in process costs before even putting a shovel to the ground, we create a business environment where alternatives to hydropower are more favorable.<sup>7</sup> These conditions put our energy diversity at risk.

These licensing and regulatory challenges, including and especially those that stem from the implementation and coordination of NEPA review, must be addressed if we are to preserve and grow our hydropower fleet, reinvest in aging infrastructure, and create thousands of new, good-paying, hydropower sector jobs across America.

### **The Challenges with Hydropower Licensing**

Hydropower has the longest, most complex development timeline of any of the renewable energy technologies, with some projects taking **10 years or longer** from the start of the licensing process through construction to being placed-in-service.<sup>8</sup> This is true for both project relicensing and new project approvals, and it requires a considerable up-front financial commitment from the developer or asset owner to undertake the engineering and environmental studies and other process requirements needed for the various federal and state approvals associated with hydropower licensing.

Hydropower projects operate in accordance with a suite of energy and environmental laws and regulations, including the Federal Power Act (FPA), NEPA, the Endangered Species Act (ESA), the Rivers and Harbors Act of 1899 (RHA), and the Clean Water Act (CWA), among many others. Project owners and operators work closely with federal agencies in the licensing process to achieve final agreements and license terms and conditions that protect, mitigate and enhance the environmental resources potentially affected by hydropower operations. Federal agencies conduct NEPA analyses on many activities associated with hydropower projects as do many states that have adopted corollary state review processes.<sup>9</sup>

NEPA review is a central feature of the federal licensing process for hydropower projects. The Federal Energy Regulatory Commission (FERC) prepares a NEPA document when issuing original licenses for proposed new hydropower projects or new licenses when relicensing existing hydropower projects. Licenses issued by FERC contain, among other requirements, protection, mitigation, and enhancement measures, and FERC's NEPA document informs its decisions in establishing these measures.

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<sup>6</sup> See [Testimony of John Suloway on Behalf of NHA, before the House Energy and Commerce Committee Power and Energy Subcommittee \(2015\)](#).

<sup>7</sup> See [Testimony of Ramya Swaminathan, CEO, Rye Development, before the House Energy and Commerce Committee Subcommittee on Energy \(2017\)](#).

<sup>8</sup> See [https://www.hydro.org/wp-content/uploads/2018/08/15-0197\\_NHA\\_Infographic-3\\_PP06.pdf](https://www.hydro.org/wp-content/uploads/2018/08/15-0197_NHA_Infographic-3_PP06.pdf).

<sup>9</sup> In particular, state water quality certification processes under CWA Section 401 contribute to some of the longest delays in relicensing.

The relationships established among stakeholders—including project owners, federal and state agencies, non-governmental organizations, tribes, local citizens and governments—through the NEPA process often result in collaborative licensing agreements with meaningful environmental benefits, particularly in terms of habitat restoration, species protection, and land management activities. These efforts occur at the same time our members continue their long-standing commitment to generating clean, reliable, affordable hydropower.

However, as discussed above, getting to the final issuance of a FERC hydropower license is a complex and lengthy process, as the action triggers authorities held by other federal and state resource agencies.

These agencies' statutory responsibilities are important for the project review process and for resource protection. However, there is currently no mechanism to coordinate all agencies' programs to reduce duplication of effort, encourage concurrent review and collaboration, and ensure timely action—including the individual additional NEPA reviews under which they are conducted. Rather, each of these individual authorizations under federal law largely occurs in a disjointed, separate, and often sequential manner. The current regulatory landscape causes significant delays, increases costs, leads to inconsistent agency directives, and stifles new project development.

### **The Need for Concurrent Congressional Action on Hydropower Licensing Reform**

NHA applauds CEQ for embarking on this review of the NEPA process and its impacts on the permitting of needed infrastructure projects, including hydropower projects. NHA believes NEPA process improvements that increase timeliness, transparency, and accountability are possible, while also preserving the authorities and responsibilities of the agencies with a role in the hydropower licensing process.

NHA also notes, however, that while administrative improvements to the implementation of NEPA are important, and needed, the issues that create delays and add costs to the hydropower licensing process are broader than those addressed in this ANOPR. NHA believes action by Congress on statutory changes to the licensing process is critical to resolve the underlying issues. As such, NHA continues to support, and calls for the immediate passage, of comprehensive licensing reform as outlined in bipartisan bills in both the House of Representatives and the Senate—H.R. 3043 and S. 1460.

We look forward to working further with CEQ on this initiative and on the congressional legislative proposals. Below are NHA's responses to specific questions outlined in the ANOPR. Please feel free to contact NHA if there are additional questions.

#### ***NEPA Process***

***Question 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?***

Yes. Too often, the review and decision-making process associated with hydropower licensing is duplicative and poorly coordinated. There is a need for better coordination with and integration of NEPA, FPA Sections 4(e) and 18, CWA Section 401 certification, CWA Section 404, ESA Section 7 consultation, National Historic Preservation Act (NHPA) Section 106, the Coastal Zone Management Act (CZMA), RHA Section 408, and other requirements. NHA and others have noted that under current regulations the applicant is often left to address any process inefficiencies or resolve any federal/state coordination conflicts on its own.

An important step to rectify this would be to authorize a single lead agency (for example, FERC in the hydropower licensing context) for the purposes of coordinating a single NEPA review that satisfies NEPA requirements for all federal actions needed for a particular project. The lead agency also would establish a schedule for all federal authorizations, with enforceable deadlines. This would help eliminate inefficiencies, particularly on projects for which separate NEPA analyses performed by different agencies result in conflicting requirements.

Another critical measure to promote cooperation and synchronization among agencies would be to eliminate FERC's current prohibition on interventions by agencies that cooperate in the NEPA review. NHA recognizes that the integrity of the agency approval process must be preserved, but this can be accomplished easily—by requiring cooperating agencies to designate staff that cooperate in the NEPA process and are not involved in the agency's decisional process. With this elegant, simple modification, agencies can be required to cooperate through a single NEPA document while still allowing agencies to intervene in the FERC proceeding.

***Question 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?***

Yes. The cost of licensing hydropower projects is driven largely by regulations requiring the applicant to develop new, extensive information on the proposed project, the existing environment, and potential impacts. Protecting the environment and natural resources is important, and is a commitment the hydropower industry takes seriously, but the amount of information that agencies request during environmental scoping can be excessive and not directly related to the project or its potential impacts.

NHA members have reported that extensive information requests are sometimes used as a negotiating tactic, which can significantly increase costs and prolong negotiations. Particularly for proposed new development, where the license applicant does not have the benefit of the proposed project's income stream, study requests can be an effective means of increasing project costs to a point where the project is no longer cost-competitive.

NHA believes that NEPA requirements can be largely met through reliance on existing information, and strongly favors revised regulations that would require agencies to mandate new studies only if information gaps can be demonstrated, and only where the required new study is scoped in a cost-effective manner.

Moreover, agencies' study needs should be determined early in the process, with agencies and stakeholders involved from the outset. This early involvement, along with an effective dispute resolution process, will improve efficiency in determining the appropriate studies and study methodologies. Initial and continued engagement in the development of study needs and requests is critical and late-filed study requests should be discouraged and rejected.

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

Yes. In addition to the suggestions mentioned above in response to question 1, NHA notes that there are frequent redundancies when more than one agency is required to carry out a NEPA review for the same project. For example, the duplicative application of NEPA by FERC at the project licensing phase and the subsequent NEPA review by the U.S. Army Corps of Engineers under its authority to issue a Section 404 permit under the CWA leads to two environmental documents that are often substantially similar and require a significant amount of time and agency resources to prepare. As explained above, NHA supports the development of a single, coordinating agency for all NEPA requirements required for a particular project.

***Scope of NEPA Review***

***Question 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?***

Yes. Too often, NEPA documents are exceedingly lengthy—over 1000 pages in some cases—which makes them impenetrable for practical application and too specialized for subsequent application. While some types of projects may be highly complex, warranting a longer length and detailed analysis, too many times the NEPA document is repetitive and rote.

This is particularly true in hydropower relicensing. Even where the proposed action consists primarily of continuing the status quo, with little or no ground disturbance or new construction, NEPA documents can be hundreds of pages in length.

As a result, NHA advocates for a reevaluation of the required scope and contents of NEPA documents to reduce unnecessary complexities and eliminate redundancy.

***Question 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?***

Yes. Greater clarity is especially needed to ensure the proper scope of environmental review for existing infrastructure that requires reauthorization through federal action. In the hydropower context, relicensing stakeholders often struggle with delineating between effects that occurred decades ago when the project was originally constructed, and new effects associated with the proposed action of relicensing the facility. These can be complex issues, but NHA strongly endorses FERC's long-standing policy that establishes current environmental conditions as the proper environmental baseline for purposes of NEPA review. Under the policy enunciated in Order Nos. 513 and 513-A, the Commission does not require a project applicant "to collect information about, and study the condition of, resources as they existed in the project area prior to construction of the existing project."<sup>10</sup> As confirmed further in the Interagency Task Force (ITF) Report on "NEPA Procedures in FERC Hydroelectric Licensing" at p.4 (issued May 22, 2000),<sup>11</sup> the Commission does not require relicensing applicants to gather information or conduct studies regarding the condition of resources in the project area that existed prior to the initial licensing and construction of the project. The existing project and its current surroundings, consistent with longstanding Commission policy, must be the baseline for the process.

Reaffirming that current conditions should establish the proper environmental baseline for NEPA review is particularly critical in light of the D.C. Circuit Court of Appeals' July 2018 decision in *American Rivers v. FERC*, which concerns FERC's relicensing of an existing hydropower project in the Southeast.<sup>12</sup> In *American Rivers*, the court imposed an obligation for FERC's cumulative impacts review to include an assessment of past impacts—a conclusion that not only seems to have no probative value in assessing current effects, but also fails to account for long-standing precedent in both the 9th and D.C. Circuits sustaining FERC's conclusion that current conditions should constitute the proper environmental baseline.<sup>13</sup> To cure the confusion that has arisen since *American Rivers*, CEQ in its revised NEPA regulations should clarify that current conditions is the proper environmental baseline—and that an assessment of past effects, which can be highly subjective and unreliable, is not a required element of NEPA review.

***Question 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?***

Yes. NHA recognizes that public involvement is a critical aspect of the NEPA process. To that end, CEQ's regulations should encourage agencies to solicit and respond to public comments on proposed federal actions. One potential improvement to encourage public participation while simultaneously reducing delays would be to increase the degree to which studies used in preparation of the NEPA document are readily available on the relevant agency's website. This

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<sup>10</sup> *Hydroelectric Relicensing Regulations Under the Federal Power Act*, Order No. 513 (1989), 54 Fed. Reg. 23756 (June 2, 1989); *Order on Rehearing*, Order No. 513-A, 55 Fed. Reg. at 4 (Jan. 2, 1990).

<sup>11</sup> See [Interagency Task Force Report on NEPA Procedures in FERC Hydroelectric Licensing](#).

<sup>12</sup> *American Rivers v. FERC*, No. 16-1195 (D.C. Cir. July 6, 2018).

<sup>13</sup> See *American Rivers v. FERC*, 201 F.3d 1186, 1195-96 (9th Cir. 2000); *Conservation Law Foundation v. FERC*, 216 F.3d 41, 46-47 (D.C. Cir. 2000).

would assist members of the public in expeditiously reviewing environmental documents without spending unnecessary time searching for studies or documents relied on by the preparing agency.

Another improvement would be for CEQ to clarify which agencies should be invited (or, as NHA advocates, required) to cooperate with the lead action agency in developing the NEPA document. While all resource agencies, Indian tribes, and other stakeholders should be invited to participate in the NEPA process, only those agencies with a NEPA obligation (or state equivalent) should be a cooperating agency. Allowing other participants to be a cooperating agency would extend an unfair advantage to a party that has no corresponding NEPA obligation.

***Question 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***

Yes. Section 1508.18(a) should be modified to clarify that “continuing activities” are only “major federal actions” for purposes of NEPA when they involve significant changes to the current environment. This would allow existing infrastructure to be reauthorized in an efficient, cost-effective manner when the federal action involves no new ground-disturbing activities or changes to existing operations, and otherwise maintains the existing status quo.

***b. Effects***

Yes. As explained above, the definition of “effects” can be clarified to ensure that effects (both direct and indirect) occur only in relation to the current, existing environmental baseline.

***c. Cumulative Impact***

Yes. NHA fully supports cumulative impacts analyses under NEPA. However, as currently written, the definition of “cumulative impact” results in a broad mandate to engage in speculative assessment of past and future actions—regardless of the agency or individual responsible for that action. While NHA understands that a NEPA review should include a “high level” review of other activities, the current definition of “cumulative impact” imposes an unreasonable burden that yields little benefit in contextualizing the undertaking at hand.

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

***a. Alternatives***

Yes. NHA believes that the term “alternatives” should be defined to ensure that alternatives considered under NEPA are reasonable, and consistent with the purpose and needs of a proposed project. Frequently, in hydropower licensing, project opponents advance a range of ideas that are well beyond the scope of the proposed action and the supporting science—for example,

advocating for significant changes in operations that would economically ruin a project, or requesting recreational enhancements where there is no demonstrated need. Requiring agencies to comment on alternatives that are unreasonable is an unnecessarily wasteful commitment of time and resources that CEQ should endeavor to eliminate.

***c. Reasonably Foreseeable***

Yes. NHA encourages CEQ to define “reasonably foreseeable” in a more specific way that will avoid forcing federal agencies to speculate far into the future about hypothetical actions. One suggestion is to define it the way the D.C. Circuit has, which is “sufficiently likely to occur that a person of ordinary prudence would take it into account in reaching a decision.”<sup>14</sup> By more clearly defining “reasonably foreseeable,” CEQ should encourage those filing comments on proposed actions to keep the NEPA analysis more narrowly focused. As FERC has explained, NEPA “does not require a detailed analysis of the possibility that speculative, unknown and unplanned... operations might be needed to address a risk that is not significant.”<sup>15</sup>

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

NHA believes that revisions to the existing regulations addressing programmatic NEPA documents and tiering are not necessarily needed. Efforts should be aimed at encouraging agencies to take greater advantage of these opportunities under existing regulations and to increase use of these approaches to reduce the time and expense associated with subsequent environmental review requirements.

**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?**

Yes. The EA or EIS should be a cooperative document, to the extent possible, sponsored by all affected agencies, and produced by the lead agency (FERC, in the context of hydropower licensing). As described above, the goal should be to have one environmental document cover all related aspects of authorizations required under federal law for the project. Such efficiencies are also a benefit to the non-agency stakeholders because they could focus their time and attention on one environmental document, rather than multiple documents. To facilitate that process, the EA should be an analytical document—not a decisional document. To the extent that preferred alternatives are discussed in the EA, such discussions can be segregated from the environmental analysis so that other cooperating agencies can clearly identify the portions of the EA they adopt and can clearly provide their separate record of decision.

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<sup>14</sup> See, e.g., *EarthReports, Inc. v. FERC*, 828 F.3d 949, 955 (D.C. Cir. 2016).

<sup>15</sup> See, e.g., *Public Utility Dist. No. 1 of Snohomish Cty*, 149 FERC ¶61,206, at P 46 (2014).

As discussed above, NHA believes that alternatives considered under NEPA should be reasonable and consistent with the purpose and needs of a proposed project and that the project proponent's stated purpose and need should be used as the basis for evaluating alternatives. In addition, NHA encourages CEQ to provide guidance on when an agency is capable of "rejecting an alternative" as unreasonable.

### **General**

#### **Question 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?**

NHA suggests eliminating the requirement of section 1502.19 that an agency circulate the environmental document. Rather, CEQ should require agencies to post the environmental document to the agency's website—many agencies do this already—to cut down on paper, time, and staff resources.

Additionally, NHA would encourage CEQ to eliminate the "notice by mail" requirements of 1506.6(b)(1) and (2), and (b)(3)(viii) and make more efficient use of agency websites and online tools for providing notice to interested parties.

#### **Question 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?**

Yes. CEQ should clarify the role of cooperating agencies participating in development of the record before FERC and in issuing any jurisdictional permits. CEQ could facilitate coordinating agency action by encouraging agencies to engage in one record of review before FERC and by better defining the "independent review" that agencies must conduct in adopting a final NEPA document.<sup>16</sup>

Currently, the cooperating agency's role is to participate in the deliberative process and the agency "may adopt *without recirculating* the environmental impact statement of a lead agency when, after an independent review of the statement, the cooperating agency concludes that its comments and suggestions have been satisfied."<sup>17</sup> Agencies are also empowered to partially adopt a NEPA document and conduct its own environmental review of the impacts related to the agency's jurisdiction.<sup>18</sup>

The regulations are presently silent on how cooperating agencies conduct this "independent review" and lack guidance on the requisite level of involvement by an agency to establish that "comments and suggestions have been satisfied."

---

<sup>16</sup> 40 C.F.R. §§ 1501.5, 1506.3.

<sup>17</sup> 40 C.F.R. § 1506.3(c). *Sierra Club v. United States Dep't of Energy*, 867 F.3d 189, 193 (D.C. Cir. 2017) (citing *Sierra Club v. Fed. Energy Regulatory Comm'n*, 827 F.3d 36, 41–42 (D.C. Cir. 2016)).

<sup>18</sup> *Id.*

In the context of hydropower licensing, there are many potential cooperating agencies with jurisdictional authority to study aspects of the environmental impacts, and CEQ should encourage agencies to vigorously participate in developing one fulsome record with FERC to avoid multiple and often duplicative NEPA documents. To do so, agencies should file comments according to the set FERC timeline to establish their involvement and independent analysis of the issues within their jurisdiction. CEQ should also affirm that cooperating agencies may conduct their “independent review” during the FERC-led NEPA process through evidence in the record, and that study of discrete issues after-the-fact is not CEQ’s desired policy.

This coordinated effort would front-load requirements, mitigate delays at later points in the project, alleviate the timing uncertainties inherent with multiple reviews for applicants, and protect the cooperating agency’s NEPA analysis from the risks of an infirm record upon judicial review.

***Question 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?***

Yes. As discussed above in response to question 2, the FERC licensing process is currently a comprehensive, study-driven process that can lead to significant delays and costs. Although substantial existing information related to a project or watershed is often readily available, the FERC licensing process almost universally requires the preparation of new studies that duplicate existing information.

All of these factors make it exceedingly difficult for a single agency to effectively carry out environmental decision-making processes on its own. The efficiency of the NEPA process could be dramatically improved by requiring interagency collaboration that supports the exchange of information and studies. Establishing and maintaining good interagency relationships is critical to environmental decision-making efficiency.

Additionally, to reduce study and data needs, NEPA reviews should focus on resources or resource issues that have changed since the last NEPA review of the project.

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

The hydropower industry takes seriously its responsibility to be good stewards of the environment. Each year, we invest hundreds of millions of dollars in fish mitigation technologies and practices, as well as fish and wildlife protection and management measures, at projects across the U.S. Through these efforts, species are protected, populations are revived, and recreational opportunities are expanded.

Currently, section 1505.2 requires that EIS records of decision state “whether all practical means to avoid or minimize environmental harm from the alternative selected have been adopted, and if not, why they were not.” Additionally, agencies are required to “condition funding of actions on mitigation.”

NHA believes that CEQ should allow for flexibility in mitigation measures and establish criteria for cooperatively making decisions. The criteria should be designed to demonstrate the positive, rather than the negative, and should promote resolution and avoidance of disputes.

***Conclusion***

NHA once again commends CEQ for initiating this rulemaking proceeding on much-needed updates to the NEPA process and appreciates this opportunity to offer input. NHA firmly believes that these updates are critical to improving the timeliness, transparency, and efficiency of hydropower licensing and other infrastructure improvements, and that it is possible for agencies to “take a ‘hard look’” at a project’s environmental impacts in a timely and cost-efficient manner.

We look forward to working further with CEQ on this initiative. Please do not hesitate to contact us with comments or questions.

Sincerely,



Linda Church Ciocci  
Executive Director

## Re: Due Outs

---

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

**To:** "Barnett, Steven W. EOP/CEQ" <(b) (6)>

**Date:** Wed, 29 Aug 2018 14:33:56 -0400

---

Thanks. Do the Dew.

Sent from my iPhone

On Aug 29, 2018, at 2:32 PM, Barnett, Steven W. EOP/CEQ <(b) (6)> wrote:

---

This is what I remember—also is it “Do” or “Due”...? Never heard of it before and Google is predictably no help. Footnote: Tom really, really wants to know if we can spell it “Dew.”

**Summary of Do Outs:** (b) (5)

[Redacted content]

# Re: DO OUTS for August 28, 2018 NEPA Implementing Regulations Working Group Meeting

---

**From:** "Sharp, Thomas L. EOP/CEQ" <(b) (6)>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Cc:** "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**Date:** Thu, 30 Aug 2018 09:46:18 -0400

---

Baaahahaha, made that joke already

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)

On Aug 30, 2018, at 9:02 AM, Szabo, Aaron L. EOP/CEQ <(b) (6)> wrote:

Hahaha.

---

**From:** Drummond, Michael R. EOP/CEQ  
**Sent:** Thursday, August 30, 2018 8:58 AM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Cc:** Sharp, Thomas L. EOP/CEQ <(b) (6)>  
**Subject:** RE: DO OUTS for August 28, 2018 NEPA Implementing Regulations Working Group Meeting

Do Outs? Don't you mean Due Outs? Or Dew Outs (if copious amounts of Mountain Dew are required to accomplish said Dew Outs)?

---

**From:** Szabo, Aaron L. EOP/CEQ  
**Sent:** Wednesday, August 29, 2018 5:22 PM  
**To:** Barnett, Steven W. EOP/CEQ <(b) (6)> Boling, Ted A. EOP/CEQ  
<(b) (6)> Drummond, Michael R. EOP/CEQ  
<(b) (6)> Loyola, Mario A. EOP/CEQ <(b) (6)>  
Mansoor, Yardena M. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ  
<(b) (6)> Schneider, Daniel J. EOP/CEQ  
<(b) (6)> Seale, Viktoria Z. EOP/CEQ <(b) (6)>  
Sharp, Thomas L. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ  
<(b) (6)>

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

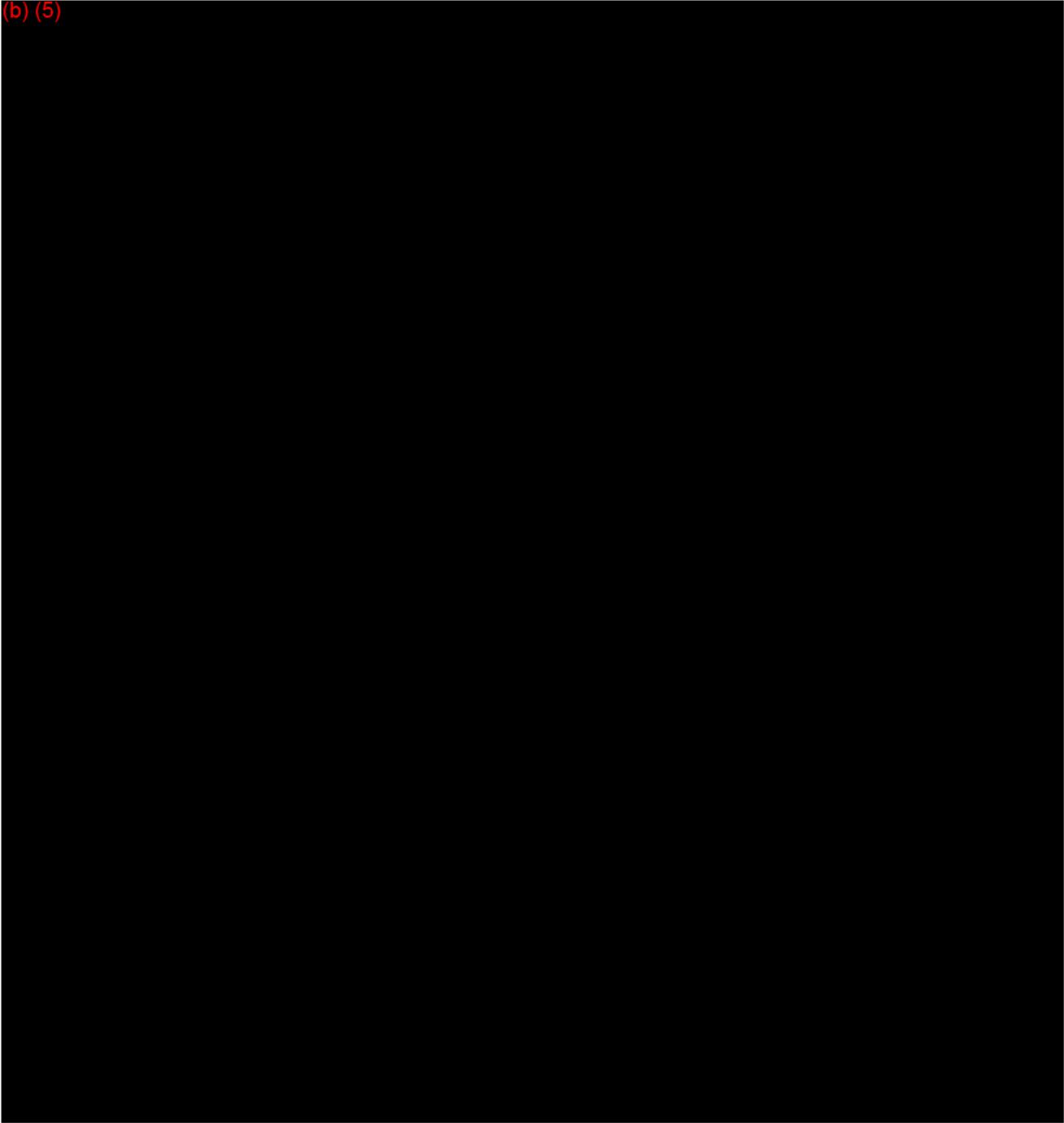
**Subject:** DO OUTS for August 28, 2018 NEPA Implementing Regulations Working Group Meeting

WG,

As discussed in the meeting today, I will try and provide "Do Outs" for everyone in writing by close of business of the day of our WG meeting.

For the meeting, I have the following Do Outs:

(b) (5)



Thank you very much. If you need additional time on your Do Outs, please let me know as soon as possible.

**Aaron L. Szabo**

Senior Counsel

Council on Environmental Quality

(b) (6) (Desk)

(b) (6) (Cell)

(b) (6)

## CEQ Agenda Comment

---

**From:** "Whiteman, Chad S. EOP/OMB" <(b) (6)>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Date:** Fri, 31 Aug 2018 12:45:31 -0400  
**Attachments:** CEQ Agenda Entries Fall 2018 - 8\_31\_2018 draft.docx (23.31 kB)

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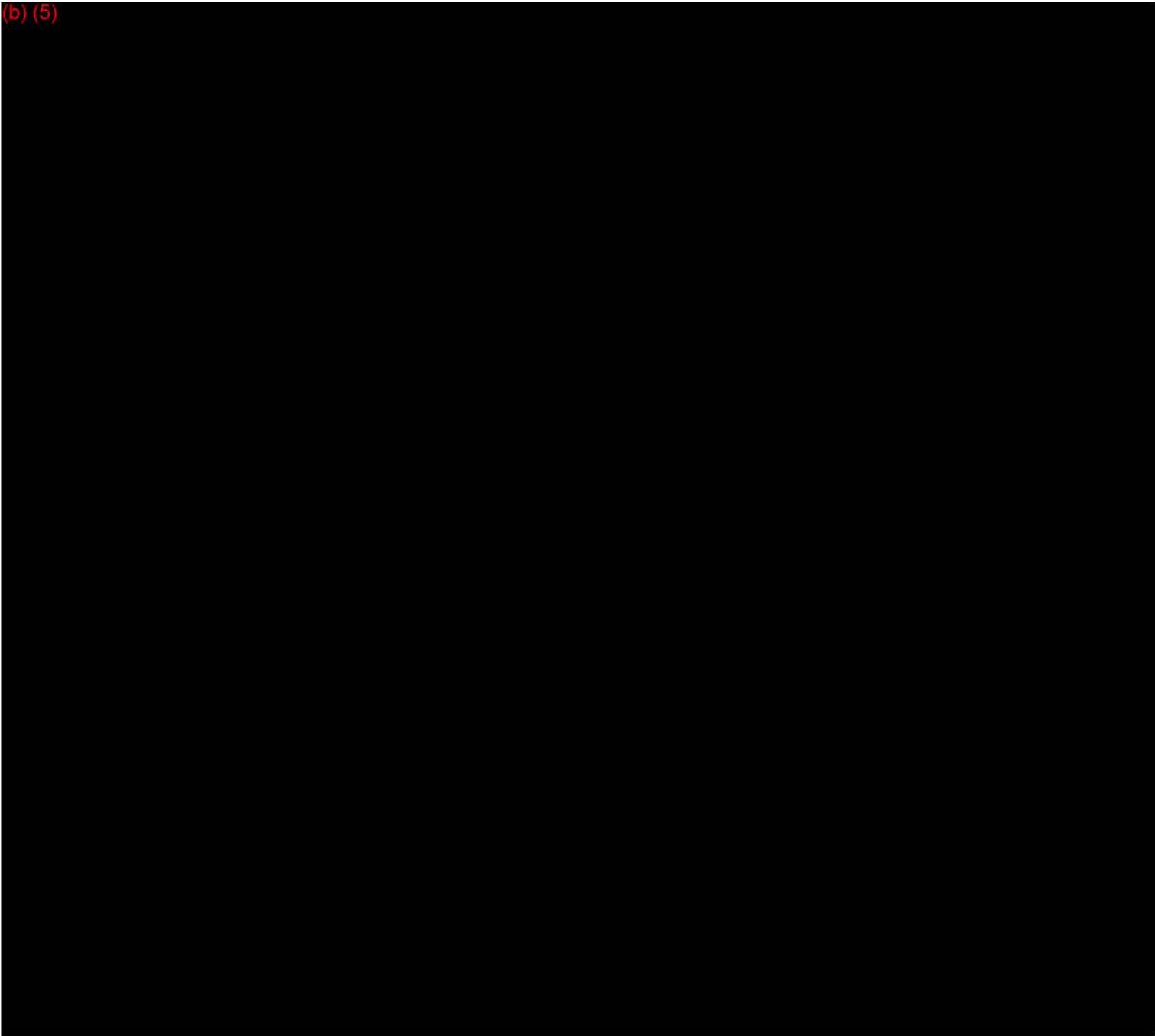
Aaron,  
I had one comment on the CEQ draft regulatory agenda. Let me know if you are okay with it.  
Chad

Chad Whiteman  
Deputy Chief, Natural Resources and Environment Branch  
Office of Information and Regulatory Affairs  
Office of Management and Budget | Executive Office of the President

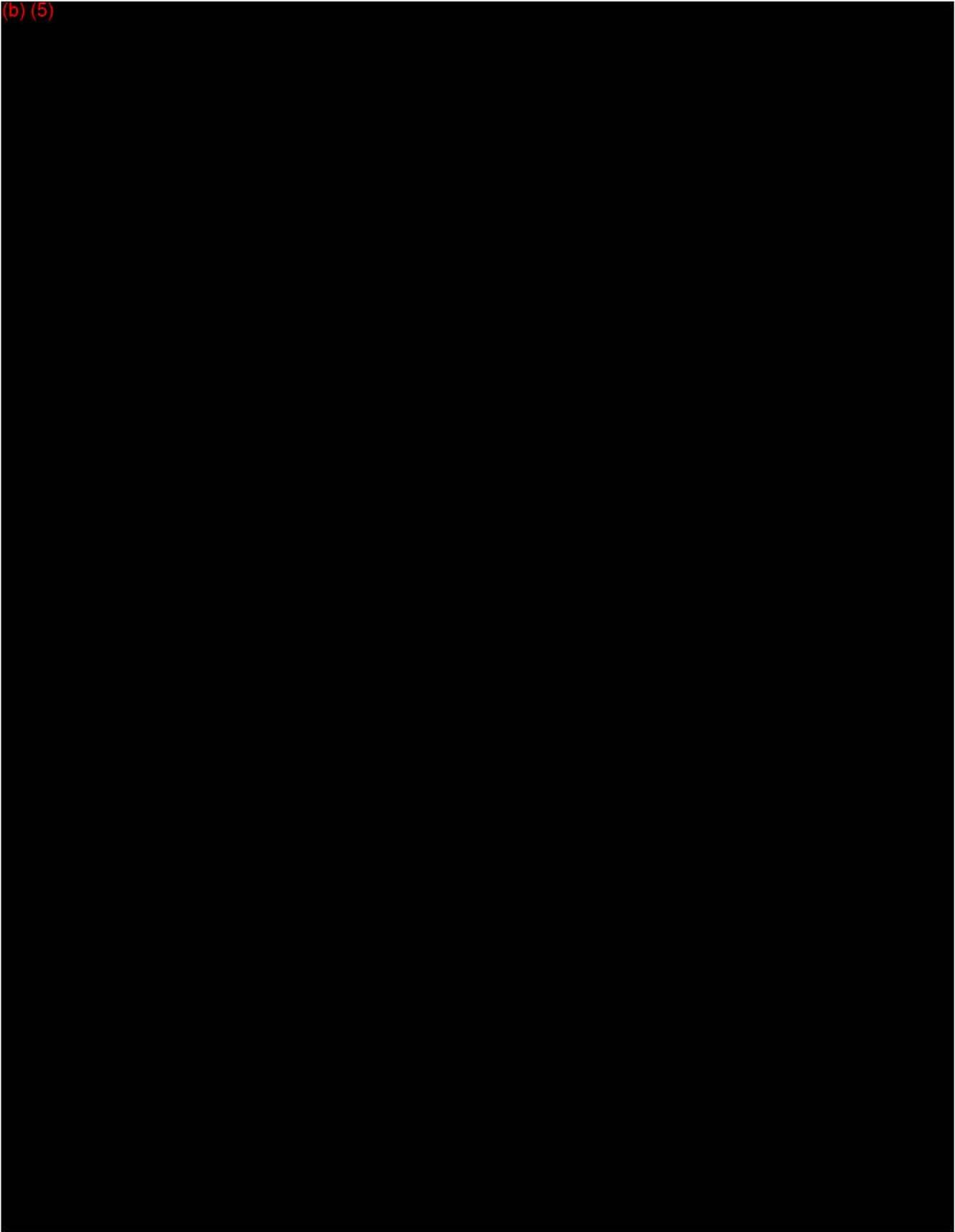
(b) (6)

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(b) (5)

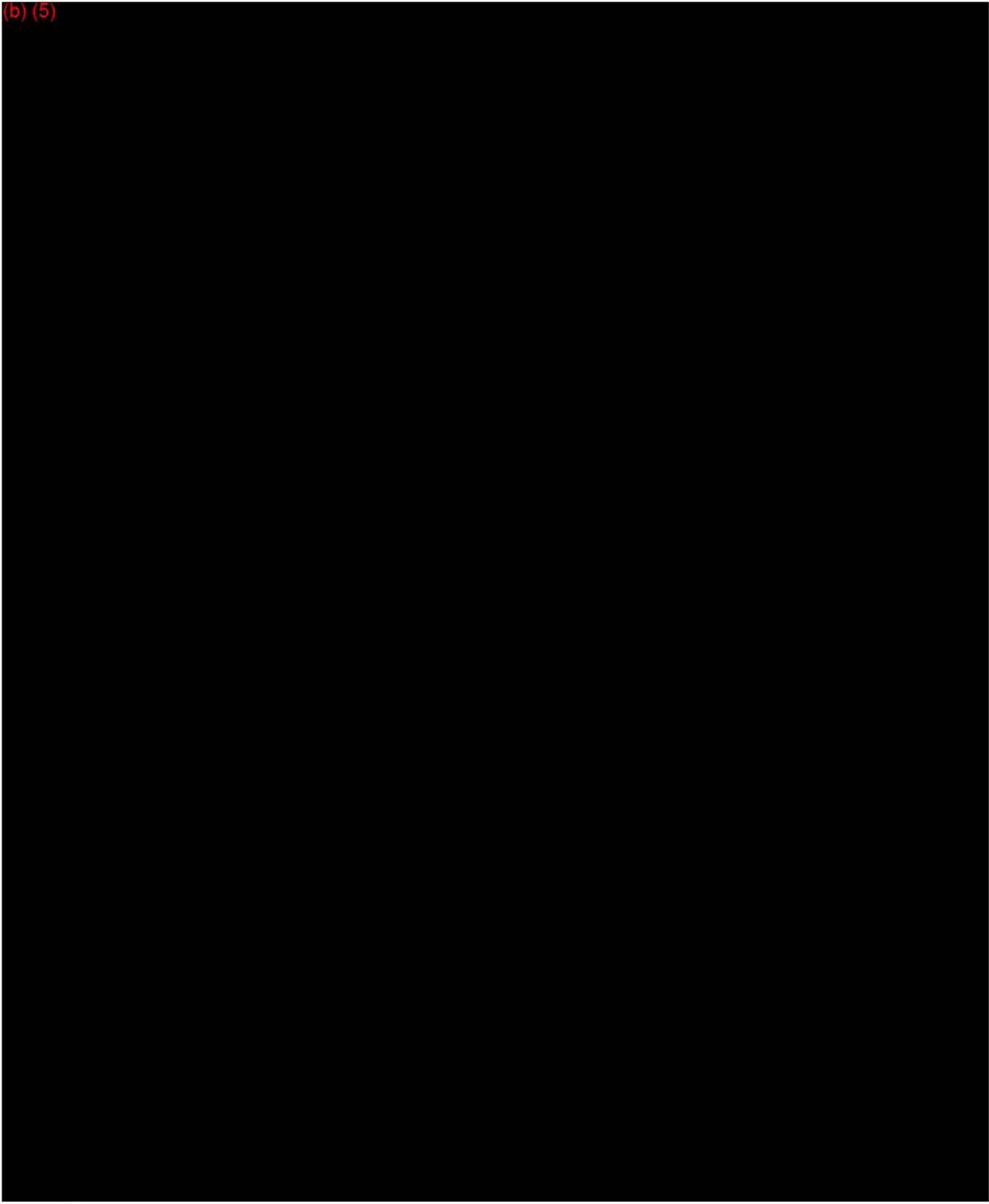


(b) (5)



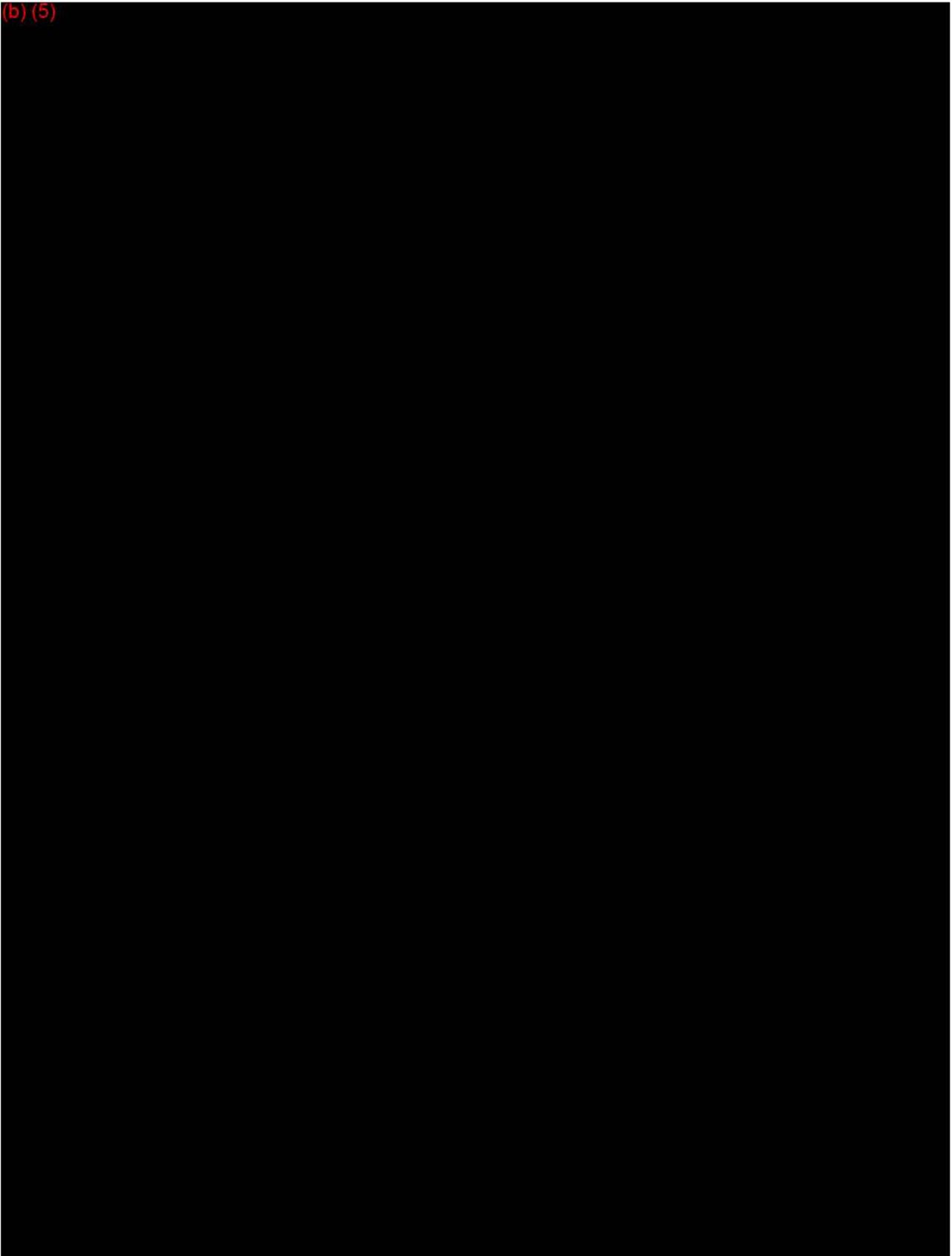
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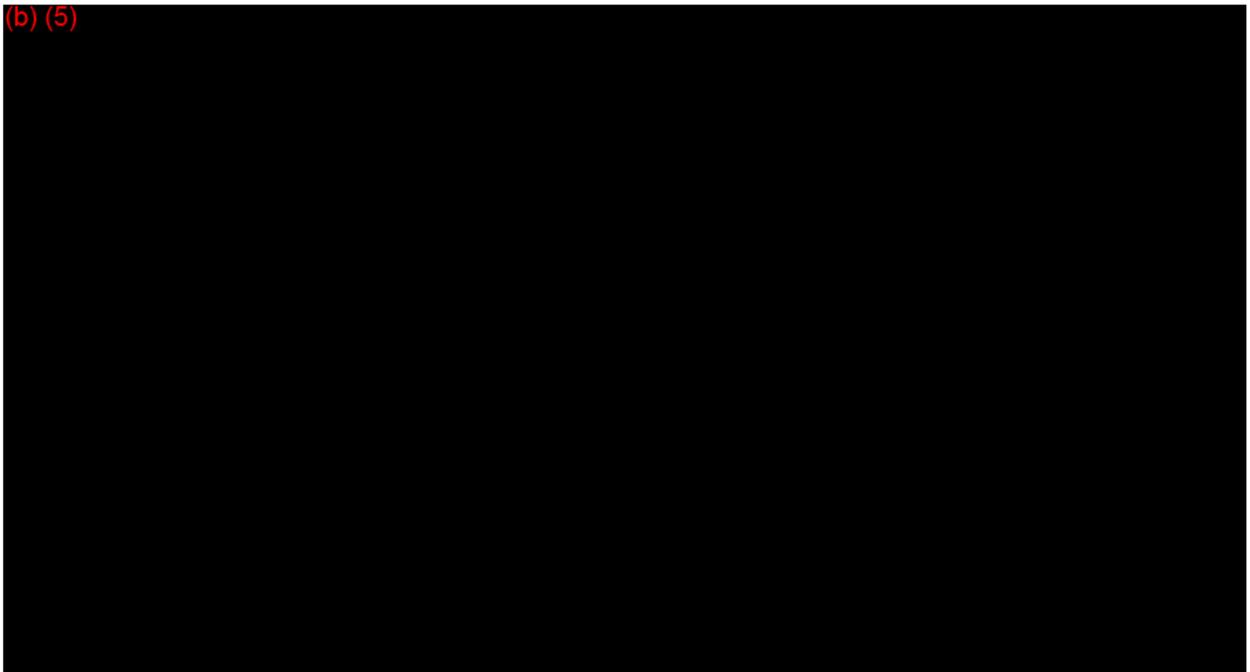
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(b) (5)



[APG]

(b) (5)



[APG]

## FW: CEQ Agenda Comment

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**From:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**To:** "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 04 Sep 2018 12:13:57 -0400  
**Attachments:** CEQ Agenda Entries Fall 2018 - 8\_31\_2018 draft.docx (23.31 kB)

I have no issue with this comment, but wanted to check with you first before I responded.

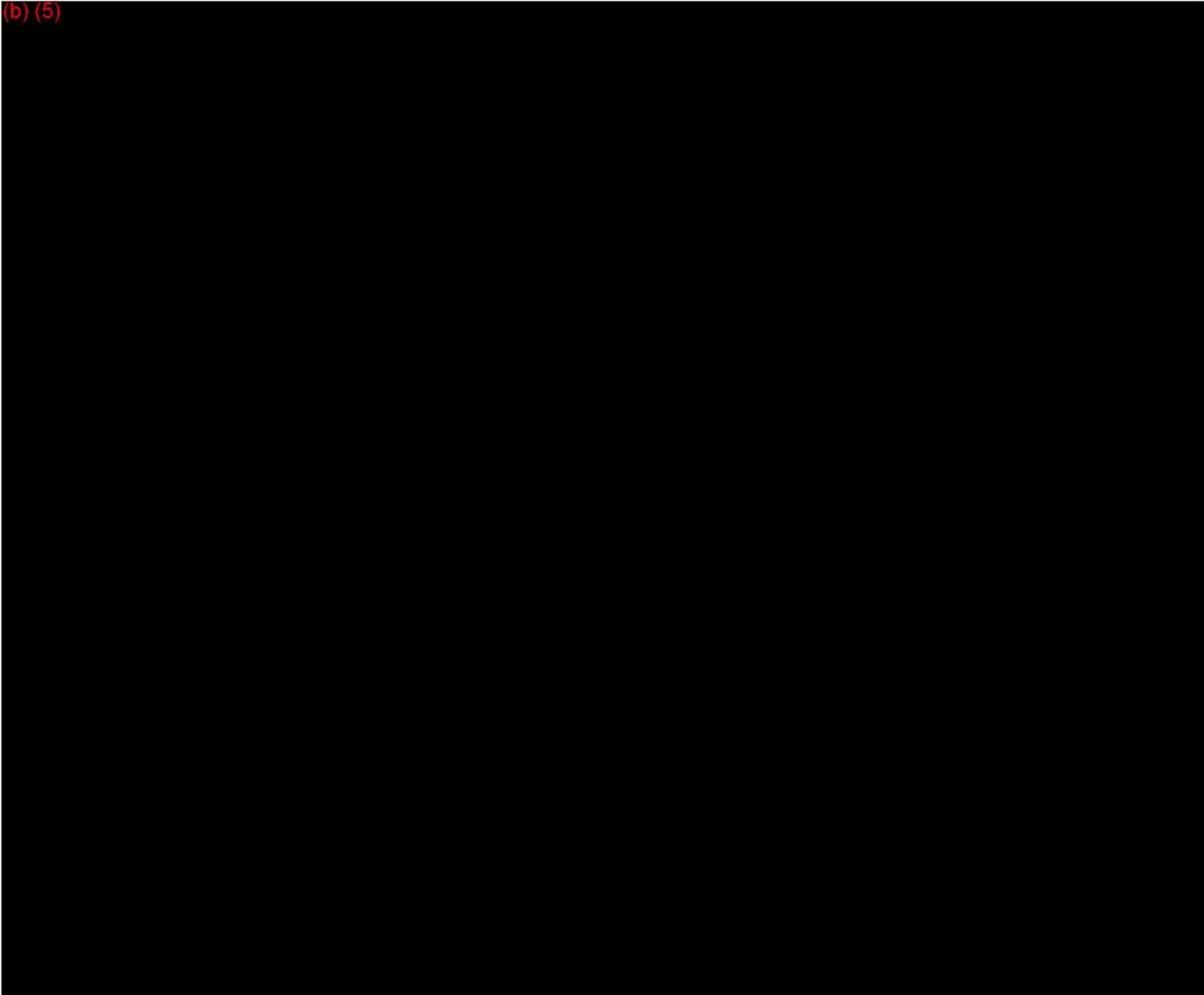
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**From:** Whiteman, Chad S. EOP/OMB  
**Sent:** Friday, August 31, 2018 12:46 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Subject:** CEQ Agenda Comment

Aaron,  
I had one comment on the CEQ draft regulatory agenda. Let me know if you are okay with it.  
Chad

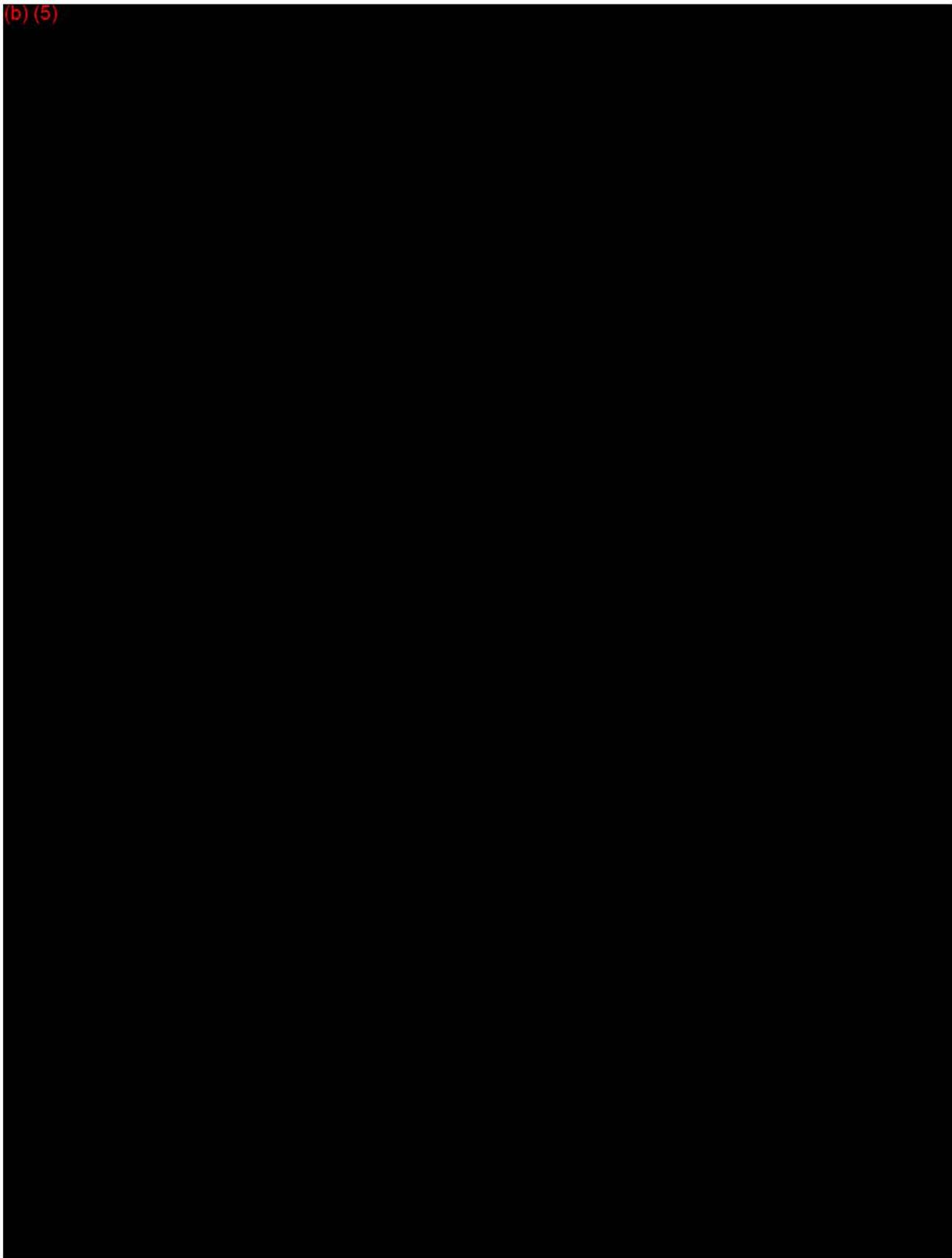
Chad Whiteman  
Deputy Chief, Natural Resources and Environment Branch  
Office of Information and Regulatory Affairs  
Office of Management and Budget | Executive Office of the President  
(b) (6)  
(b) (6)

(b) (5)



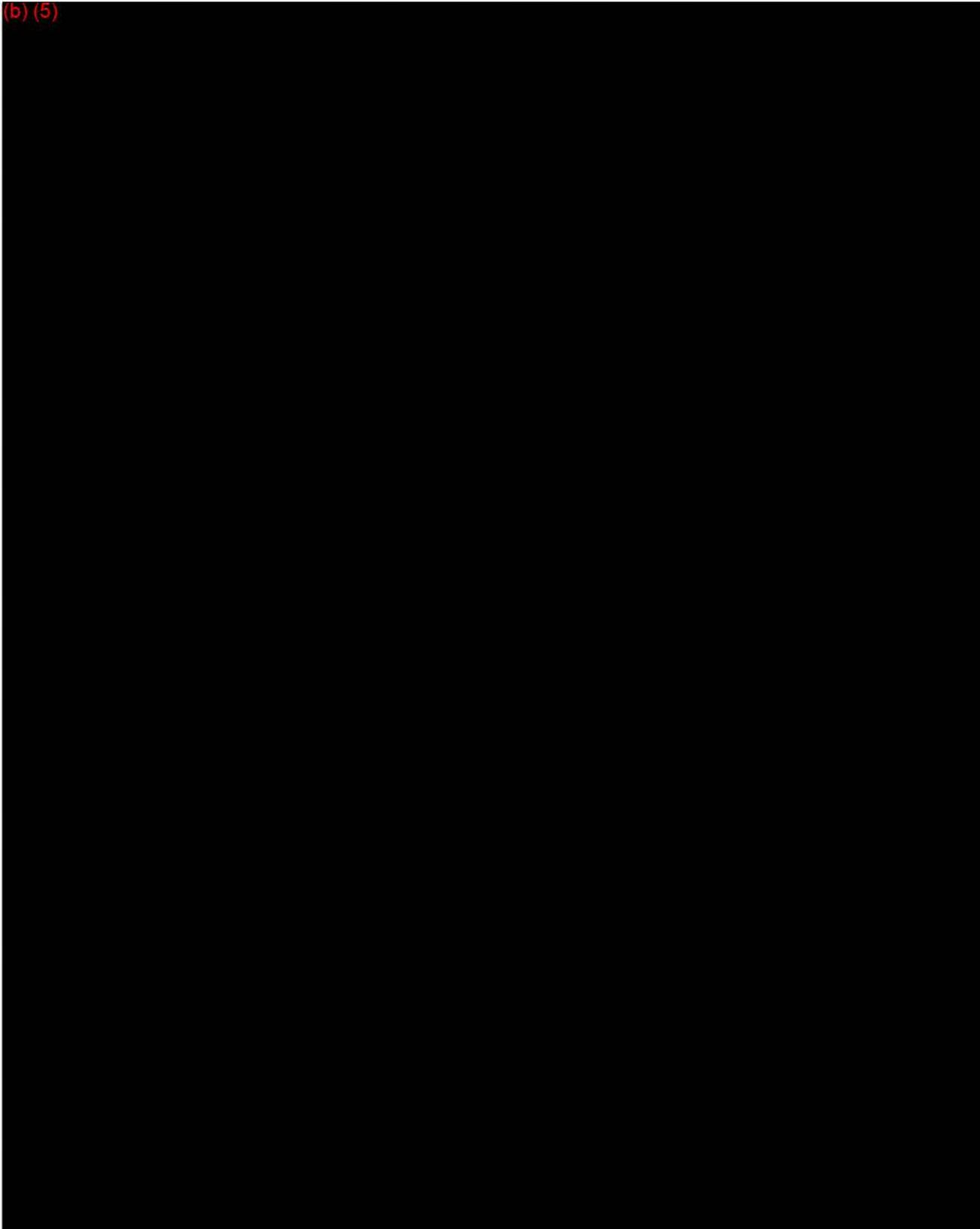
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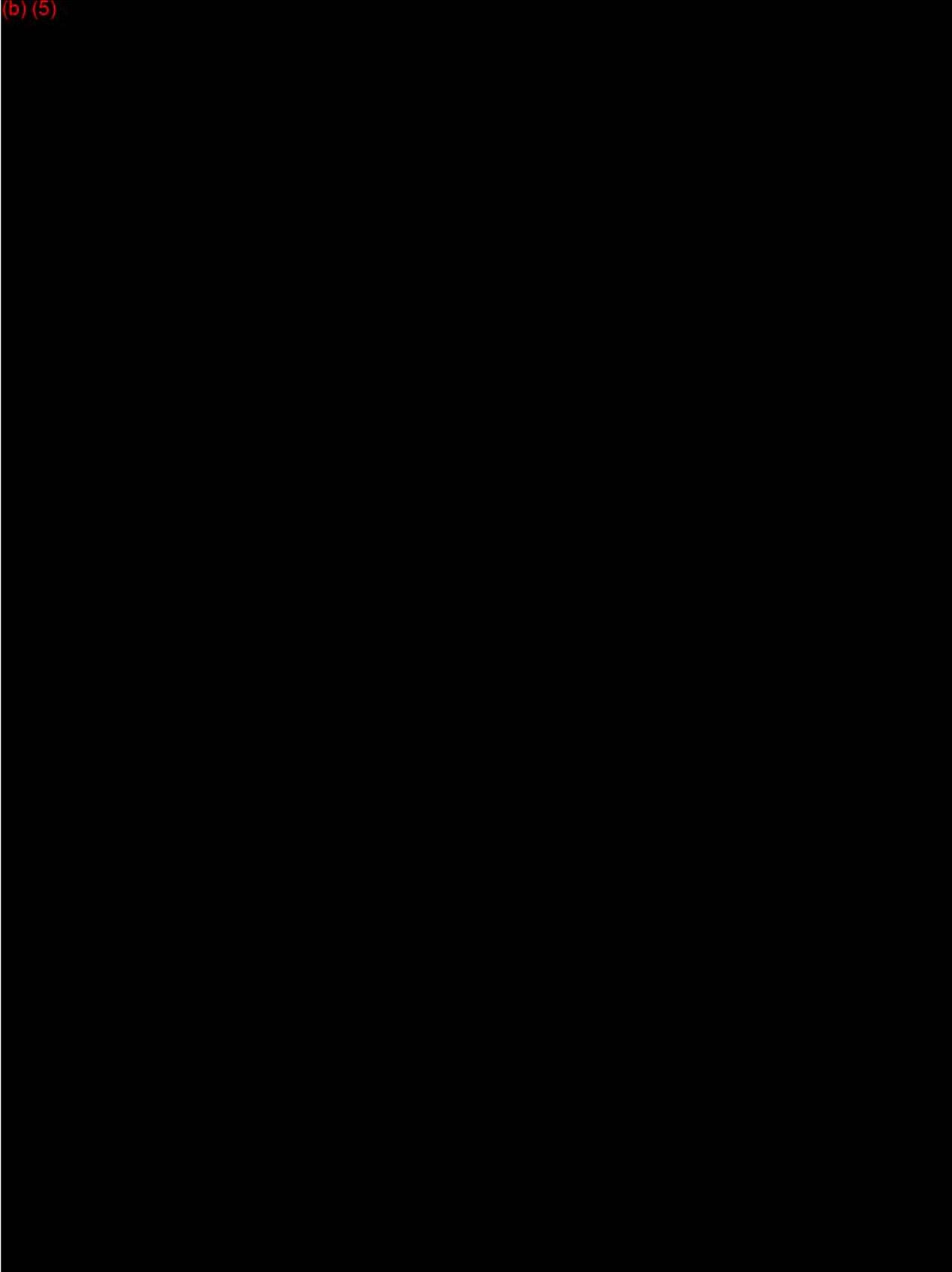
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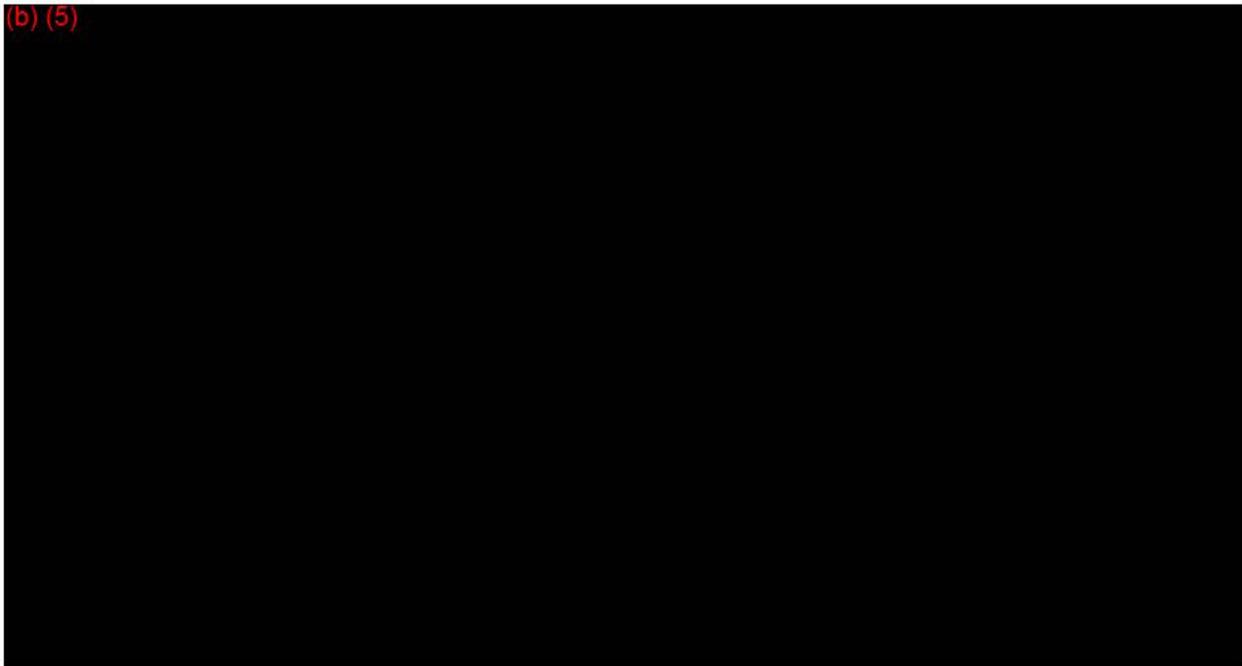
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(b) (5)



[APG]

(b) (5)



[APG]

## RE: CEQ Agenda Comment

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**From:** "Whiteman, Chad S. EOP/OMB" <(b) (6)>  
**To:** "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**Date:** Wed, 05 Sep 2018 14:47:13 -0400  
**Attachments:** CEQ Agenda Entries Fall 2018 - 8\_31\_2018 draft.docx (23.31 kB)

Aaron, Meant to ask you if you were okay with the suggested edit on the agenda? They want us to wrap-up review this week. I'm out Friday so want to get it done today or tomorrow. Thanks, Chad

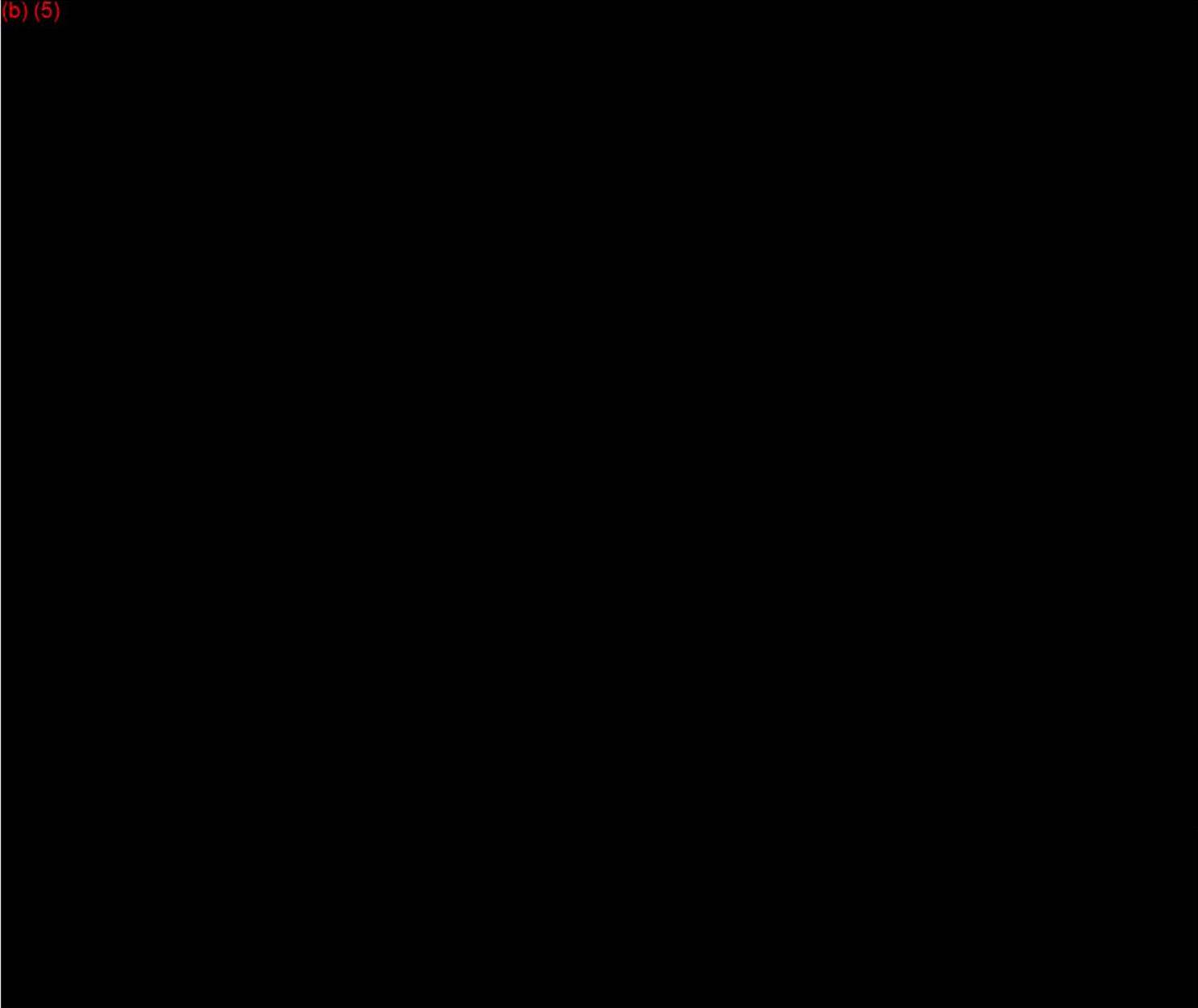
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**From:** Whiteman, Chad S. EOP/OMB  
**Sent:** Friday, August 31, 2018 12:45 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Subject:** CEQ Agenda Comment

Aaron,  
I had one comment on the CEQ draft regulatory agenda. Let me know if you are okay with it.  
Chad

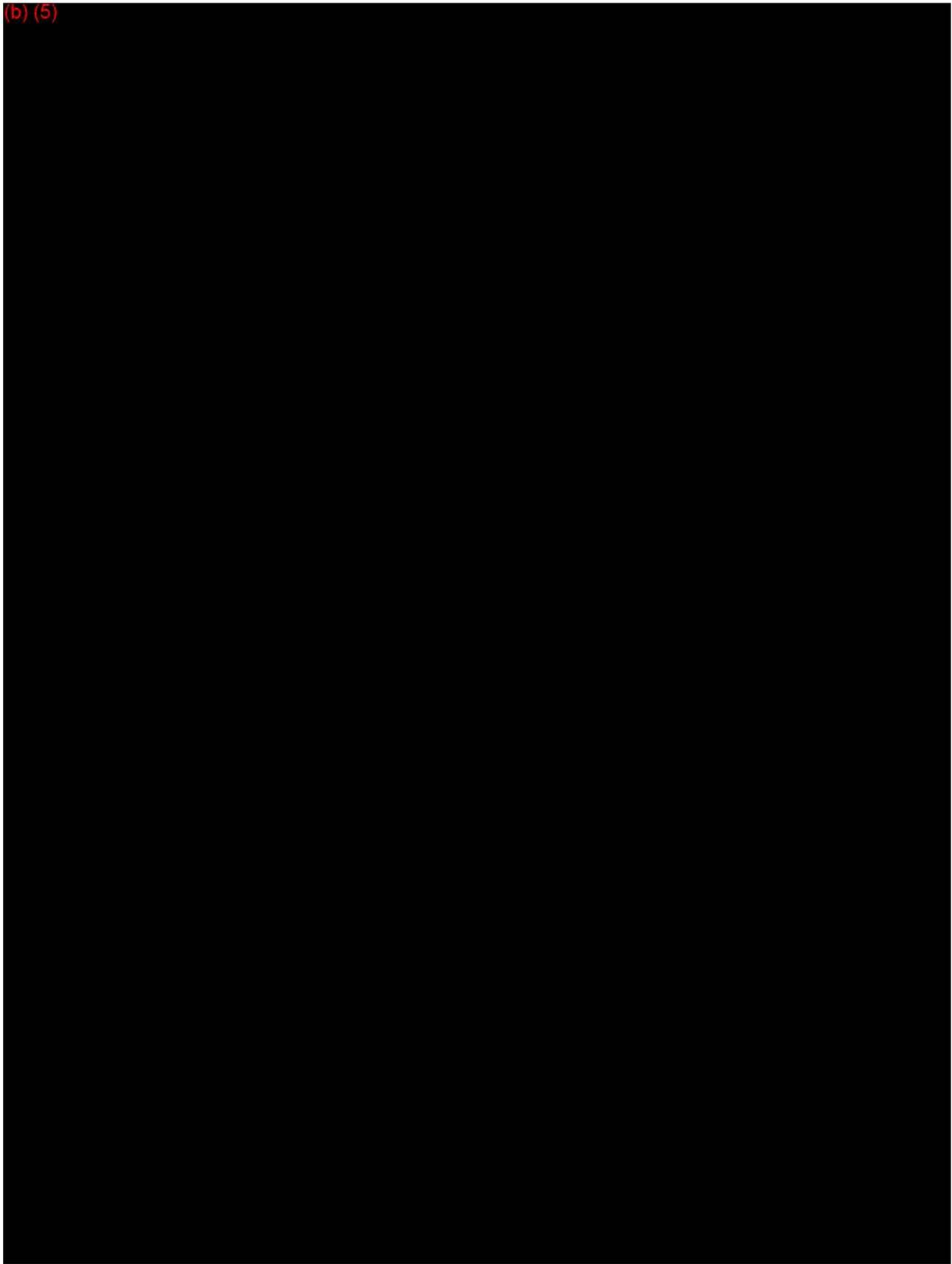
Chad Whiteman  
Deputy Chief, Natural Resources and Environment Branch  
Office of Information and Regulatory Affairs  
Office of Management and Budget | Executive Office of the President  
(b) (6)  
(b) (6)

(b) (5)



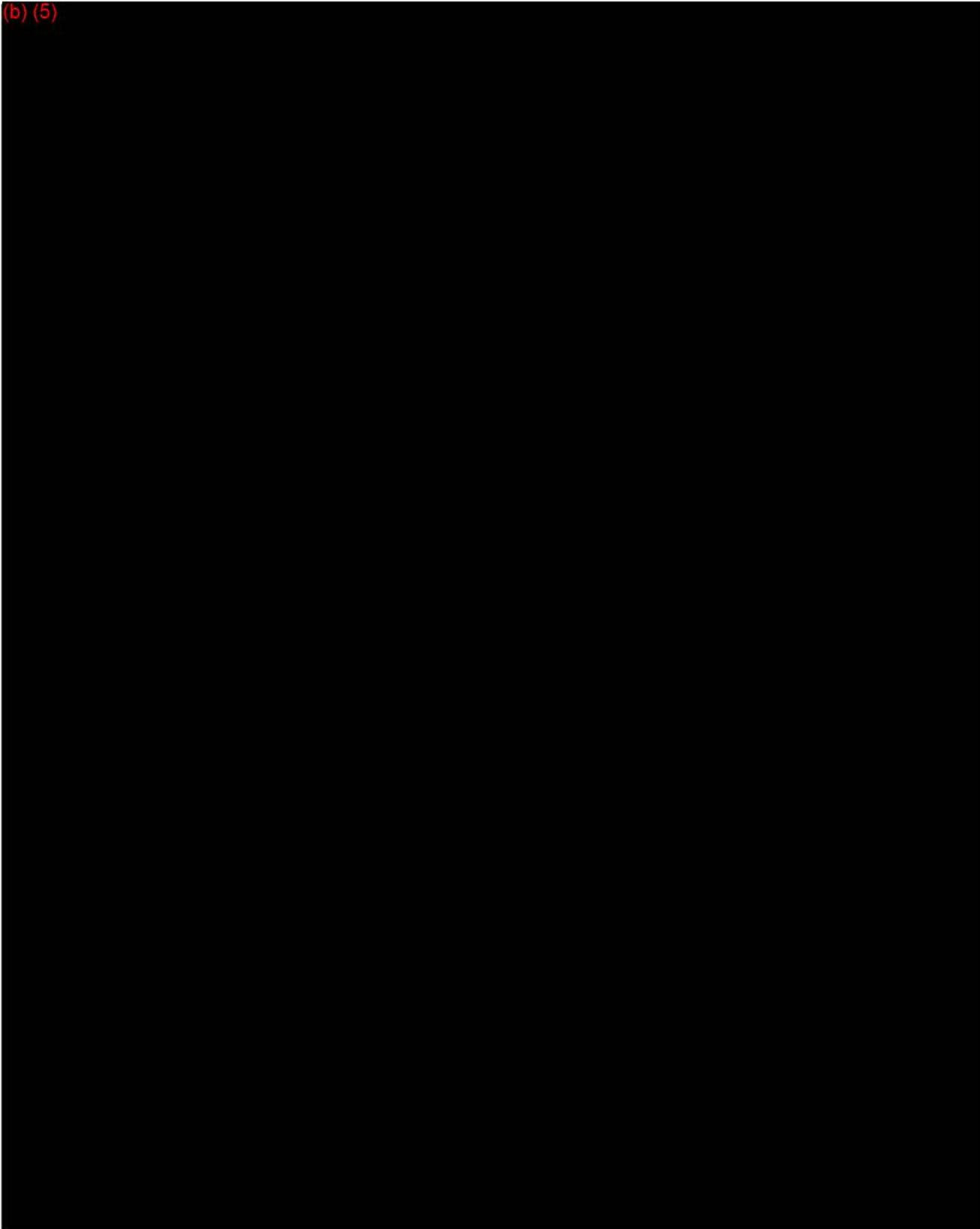
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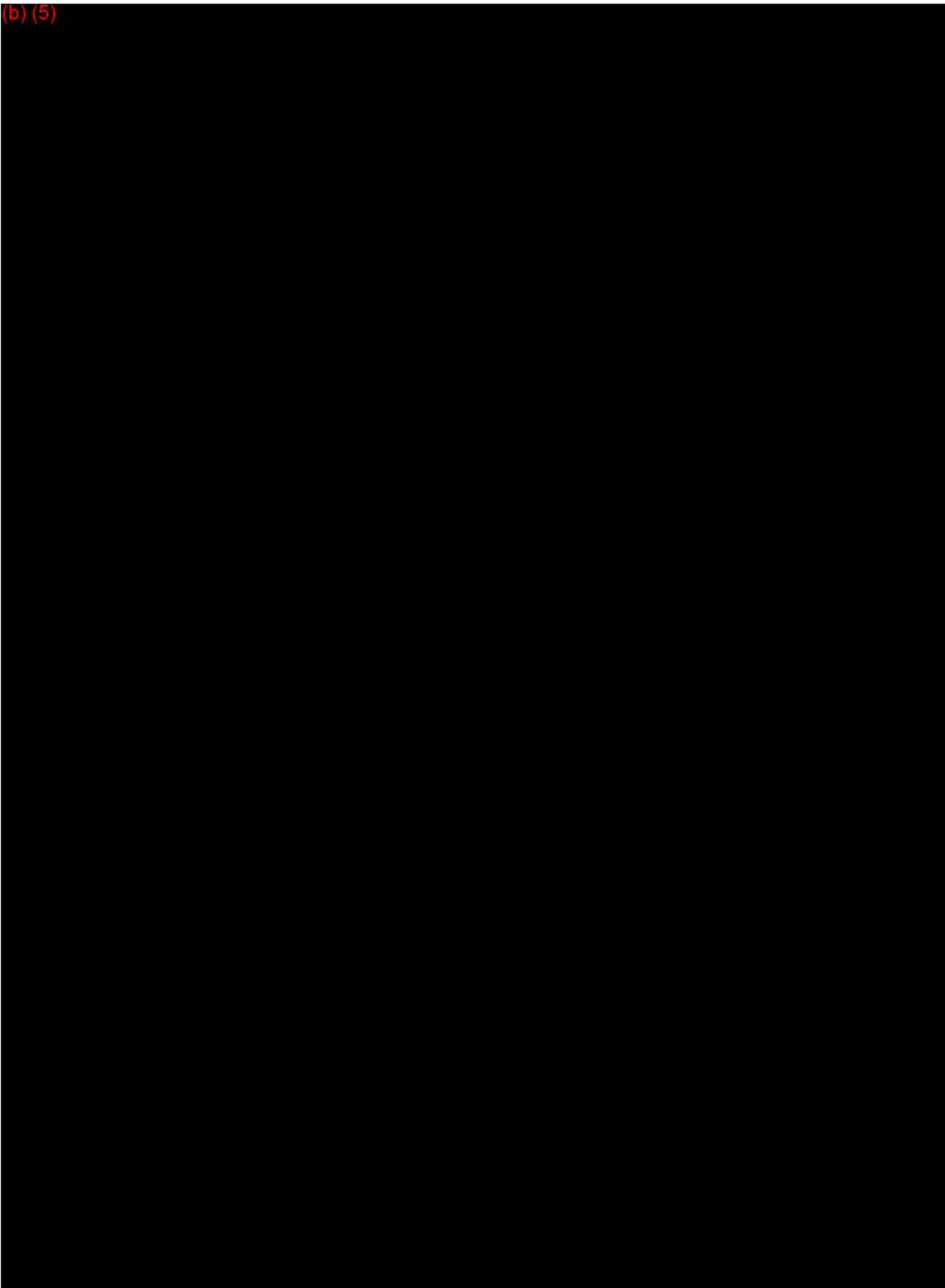
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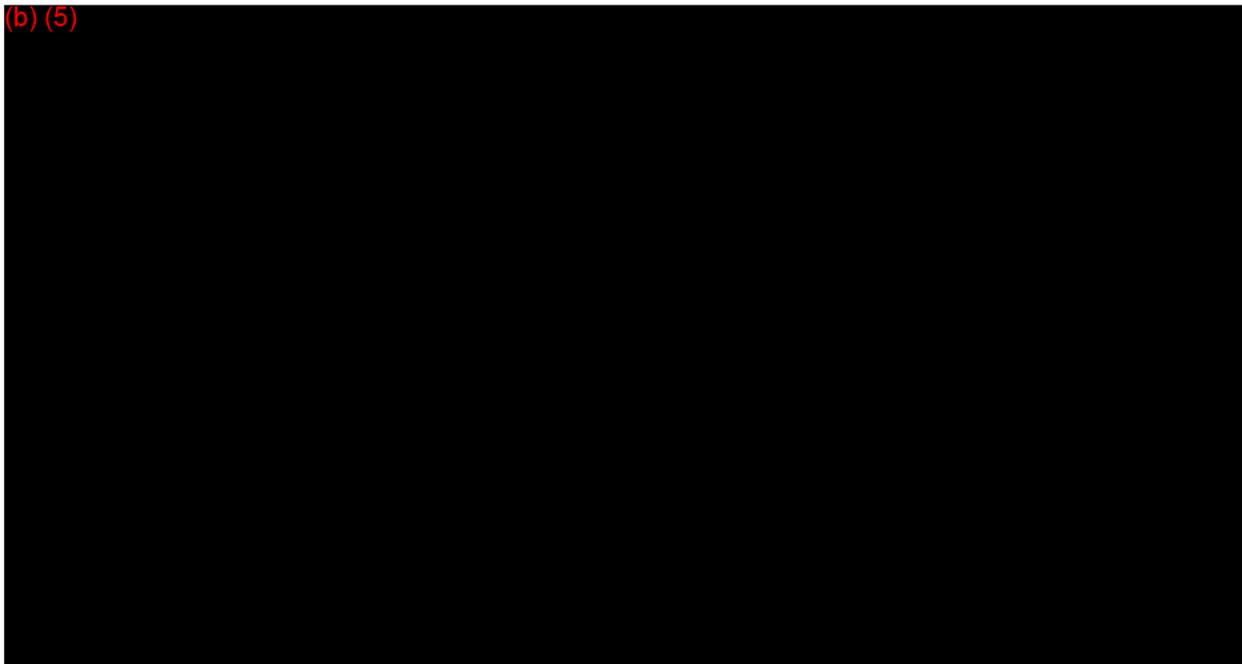
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(b) (5)



[APG]

## **Federal NEPA Contacts Meeting (1800 F St, GSA, Room 1147)**

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

When: Thu Sep 20 13:00:00 2018 (America/New\_York)

Until: Thu Sep 20 14:30:00 2018 (America/New\_York)

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

Required Attendees: "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
FN-CEQ-NEPA <(b) (6)>

Optional Attendees: "Boling, Ted A. EOP/CEQ" <(b) (6)>  
"Mansoor, Yardena M. EOP/CEQ" <(b) (6)>  
"Upchurch, Sara H. EOP/CEQ" <(b) (6)>

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Updated Agenda Attached

CEQ will host the Fall Meeting of the Federal NEPA Contacts via webinar on Thursday, September 20 from 1:00pm – 2:30pm 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)

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

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# Federal NEPA Contacts Webinar

Thursday, September 20, 2018

1:00 - 2:30 PM

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

## AGENDA

- 1:00**      **Welcome**
- 1:05**      **Update on CEQ NEPA Regulations Advance Notice of Proposed Rulemaking**
- Ted Boling, CEQ
- 1:20**      **Categorical Exclusions**
- Ron Lamb, USMC
- 1:30**      **NEPA Timelines and One Federal Decision**
- Michael Drummond, CEQ
- 1:45**      **EPA Update**
- Rob Tomiak or Kelly Knight, EPA
- 2:00**      **13807 Implementation Update**
- CEQ
- 2:10**      **Looking Ahead: NEPA 50<sup>th</sup> Anniversary**
- Ted Boling, CEQ
- 2:20**      **Questions / Discussion**

## RE: CEQ Agenda Comment

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**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:** Thu, 06 Sep 2018 12:10:34 -0400  
**Attachments:** CEQ Agenda Entries Fall 2018 - 8\_31\_2018 draft\_CEQ.docx (23.83 kB)

Chad,

We are okay with the edit, but had a couple of nits based on that change. Let me know if you are okay with it and if so, we are good as well.

---

**From:** Whiteman, Chad S. EOP/OMB  
**Sent:** Wednesday, September 5, 2018 2:47 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Subject:** RE: CEQ Agenda Comment

Aaron, Meant to ask you if you were okay with the suggested edit on the agenda? They want us to wrap-up review this week. I'm out Friday so want to get it done today or tomorrow. Thanks, Chad

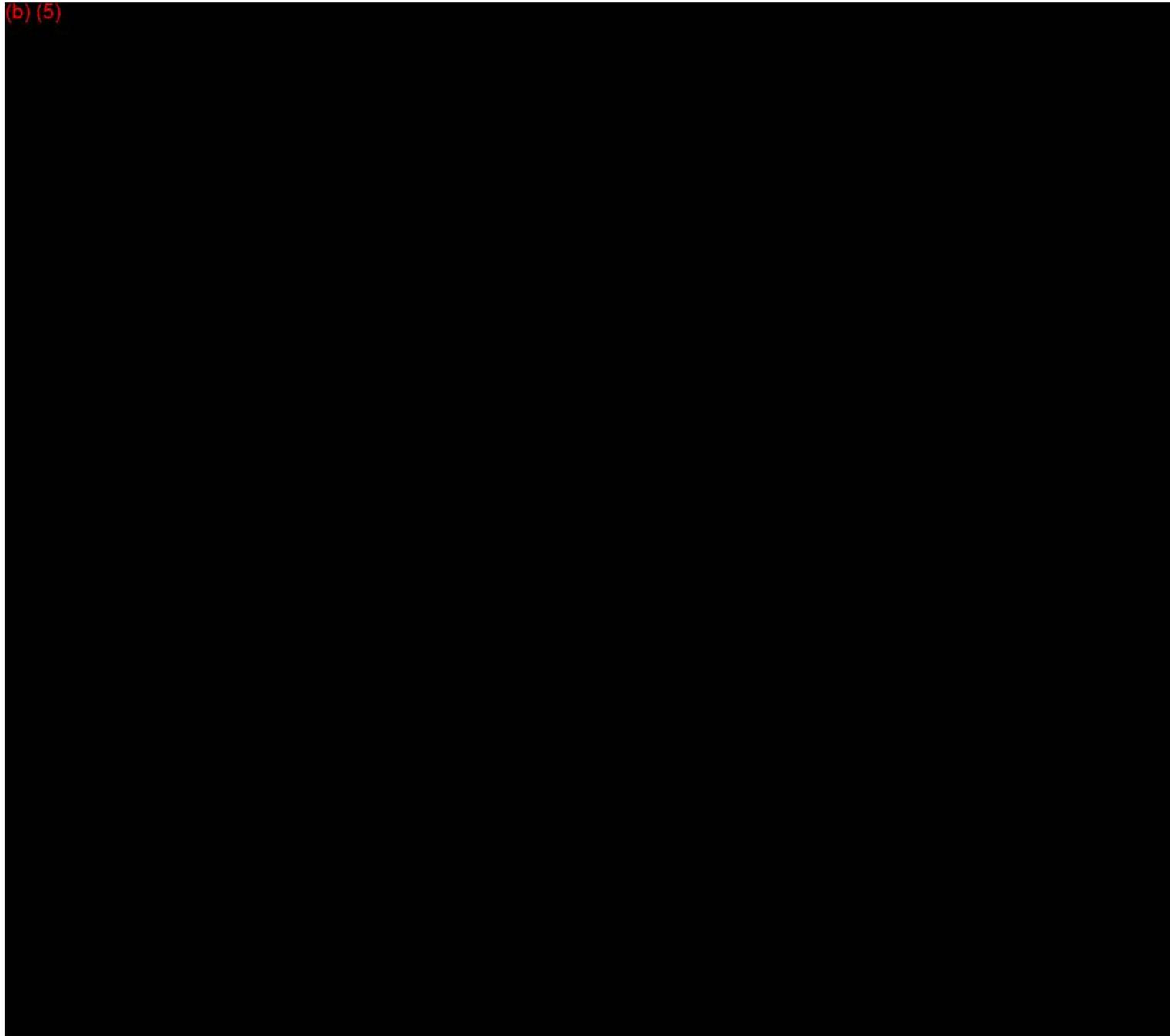
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**From:** Whiteman, Chad S. EOP/OMB  
**Sent:** Friday, August 31, 2018 12:45 PM  
**To:** Szabo, Aaron L. EOP/CEQ <(b) (6)>  
**Subject:** CEQ Agenda Comment

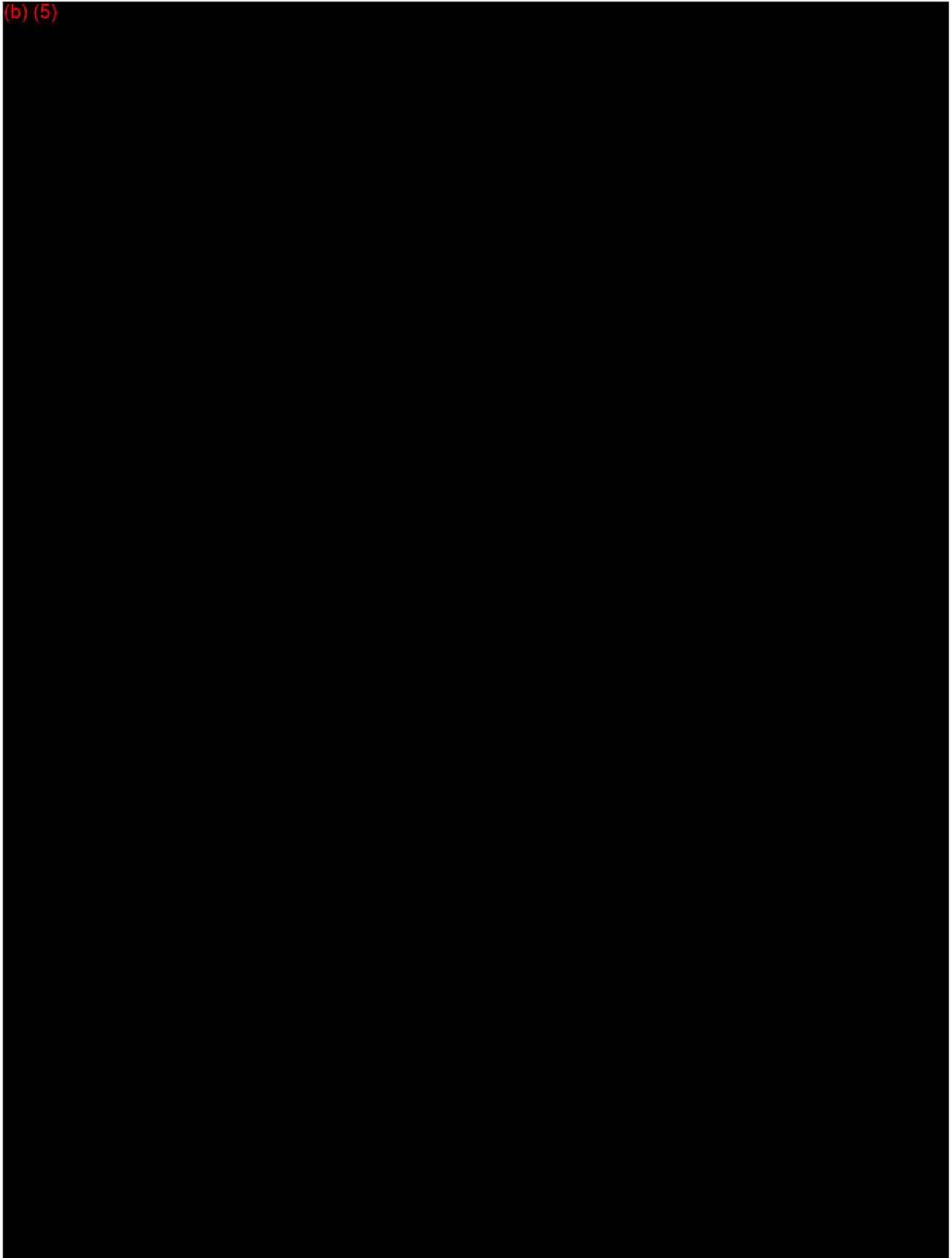
Aaron,  
I had one comment on the CEQ draft regulatory agenda. Let me know if you are okay with it.  
Chad

Chad Whiteman  
Deputy Chief, Natural Resources and Environment Branch  
Office of Information and Regulatory Affairs  
Office of Management and Budget | Executive Office of the President  
(b) (6)  
(b) (6)

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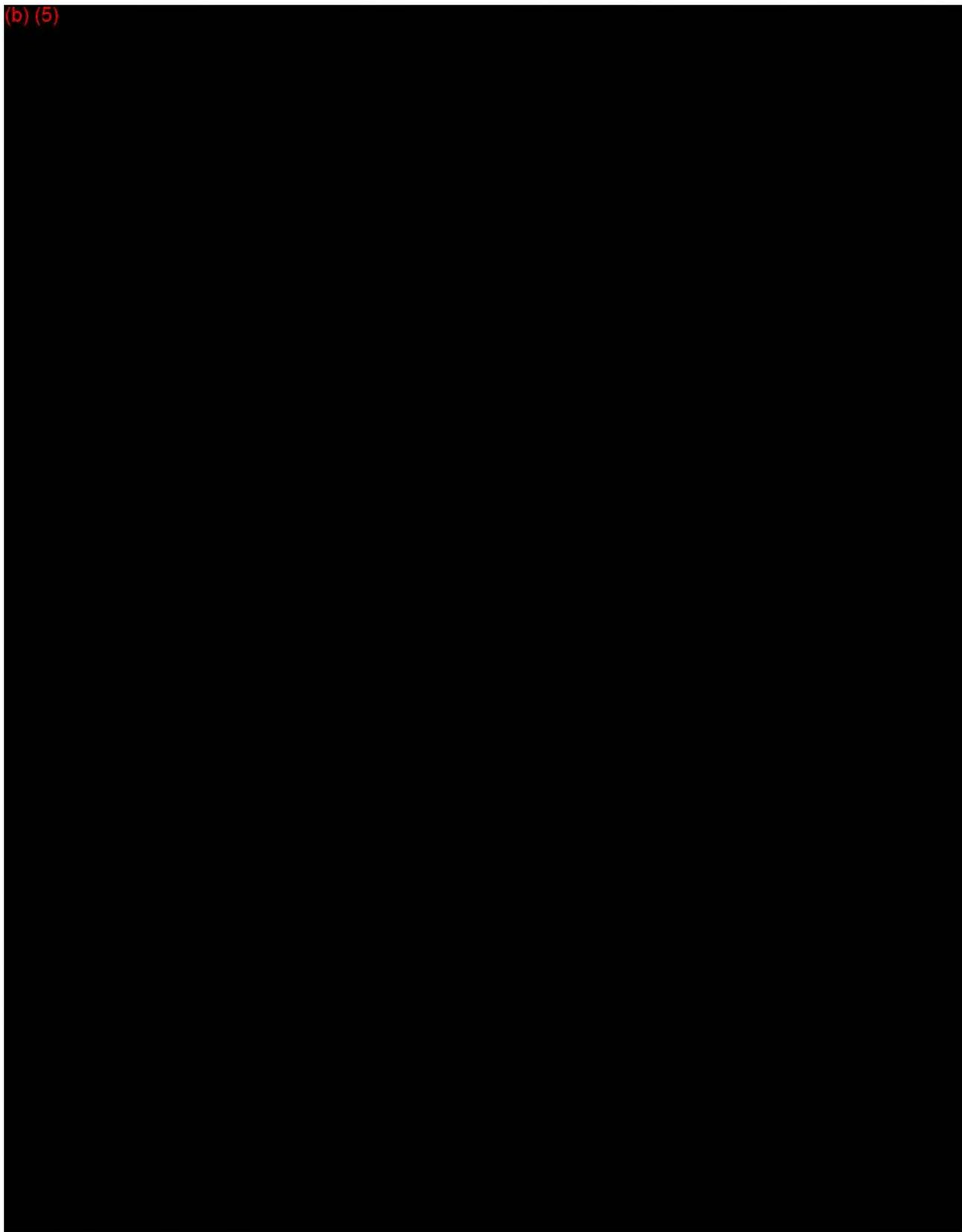


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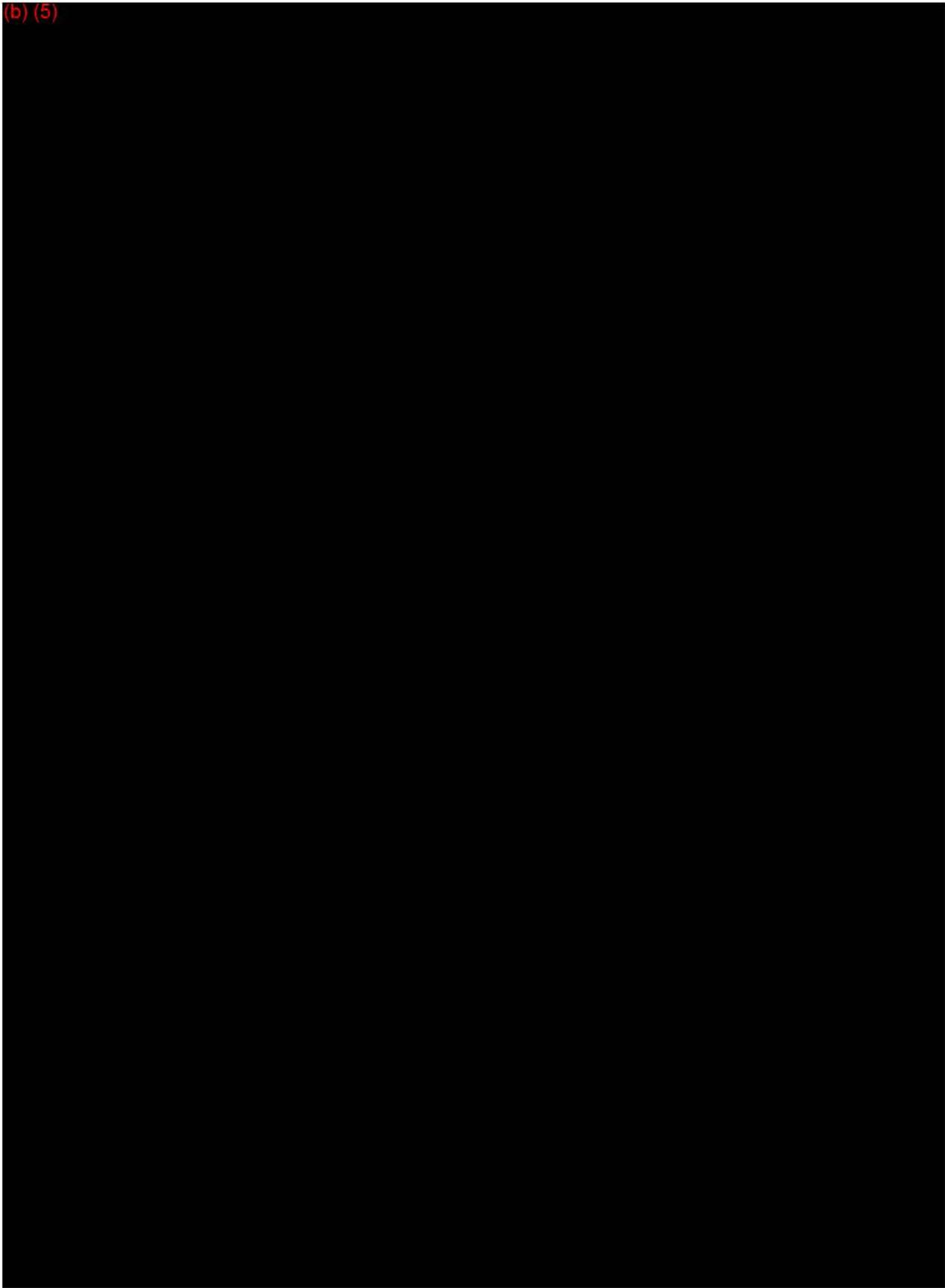
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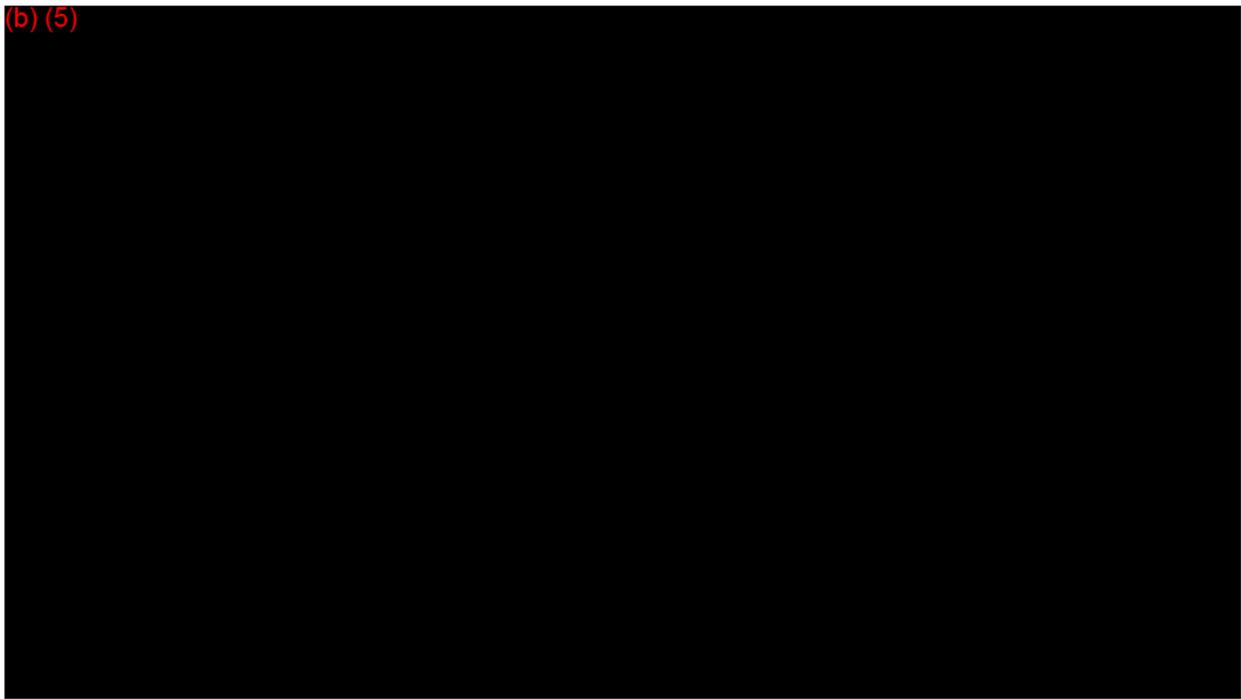
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(b) (5)



[APG]

(b) (5)



[APG]

## RE: CEQ ANPRM

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

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

**Date:** Thu, 14 Jun 2018 18:29:42 -0400

Thank you!

---

**From:** Schneider, Daniel J. EOP/CEQ

**Sent:** Thursday, June 14, 2018 5:25 PM

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

**Subject:** Fwd: CEQ ANPRM

Sent from my iPhone

Begin forwarded message:

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

**Date:** June 14, 2018 at 5:15:15 PM EDT

**To:** "Love, Kelly A. EOP/WHO" <(b) (6)>

**Cc:** "Ditto, Jessica E. EOP/WHO" <(b) (6)>

**Subject:** CEQ ANPRM

FYI - Tomorrow, we're planning on posting the attached fact sheet on our NEPA Advanced Notice of Proposed Rulemaking to the CEQ page of the website. In this ANPRM, we're proposing a series of 20 questions for public comment on the NEPA process and the scope of NEPA review in an effort to solicit feedback on any potential future revisions to NEPA. Over the last four decades, CEQ has issued numerous guidance documents but has only substantially amended its regulations once. This ANPRM is part of our list of actions under E.O. 13807 to modernize the federal environmental review and authorization process. I don't foresee this generating much attention in that it's just an ANPRM but we may hear from EE News or another publication who pays particular attention to issues like this.

Let me know if you have any questions.

Dan

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

(b) (6) (desk)

(b) (6)

[www.whitehouse.gov/ceq](http://www.whitehouse.gov/ceq)

## [EXTERNAL] SCHEDULED: Document Number - 2018-13246

**From:** noreply@fedreg.gov  
**To:** FN-Chair <(b) (6)>  
**Cc:** creid@gpo.gov  
**Date:** Fri, 15 Jun 2018 15:59:22 -0400

---

Please do not reply directly to this e-mail. If you have any questions or comments regarding this email, please contact [Chipp Reid](#).

Attention : Howard Sun, (CEQ) Council on Environmental Quality

Document 2018-13246, Category PROPOSED RULES has been scheduled to publish on 06-20-2018.  
This document will be placed on public inspection on 06-19-2018 08:45:00.

The subject of this document is Implementation of the Procedural Provisions of the National Environmental Policy Act.

The submitting Agency is (CEQ) Council on Environmental Quality.

The Docket Id is Docket No. CEQ-2018-0001.

The RIN is 0331-AA03.

This document has an effective date of NA.

The comments due date is 07-20-2018.

The separate part # for this document is NA.

Agency/CFR Title/CFR Part:

(CEQ) Council on Environmental Quality, CFR Title is 40, CFR Part is 1500,1501,1502,1503,1504,1505,1506,1507,1508

[3225-F8]

COUNCIL ON ENVIRONMENTAL QUALITY

40 CFR Parts 1500-1508

[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.

## FR 2018-13246\_1644312 (1).docx

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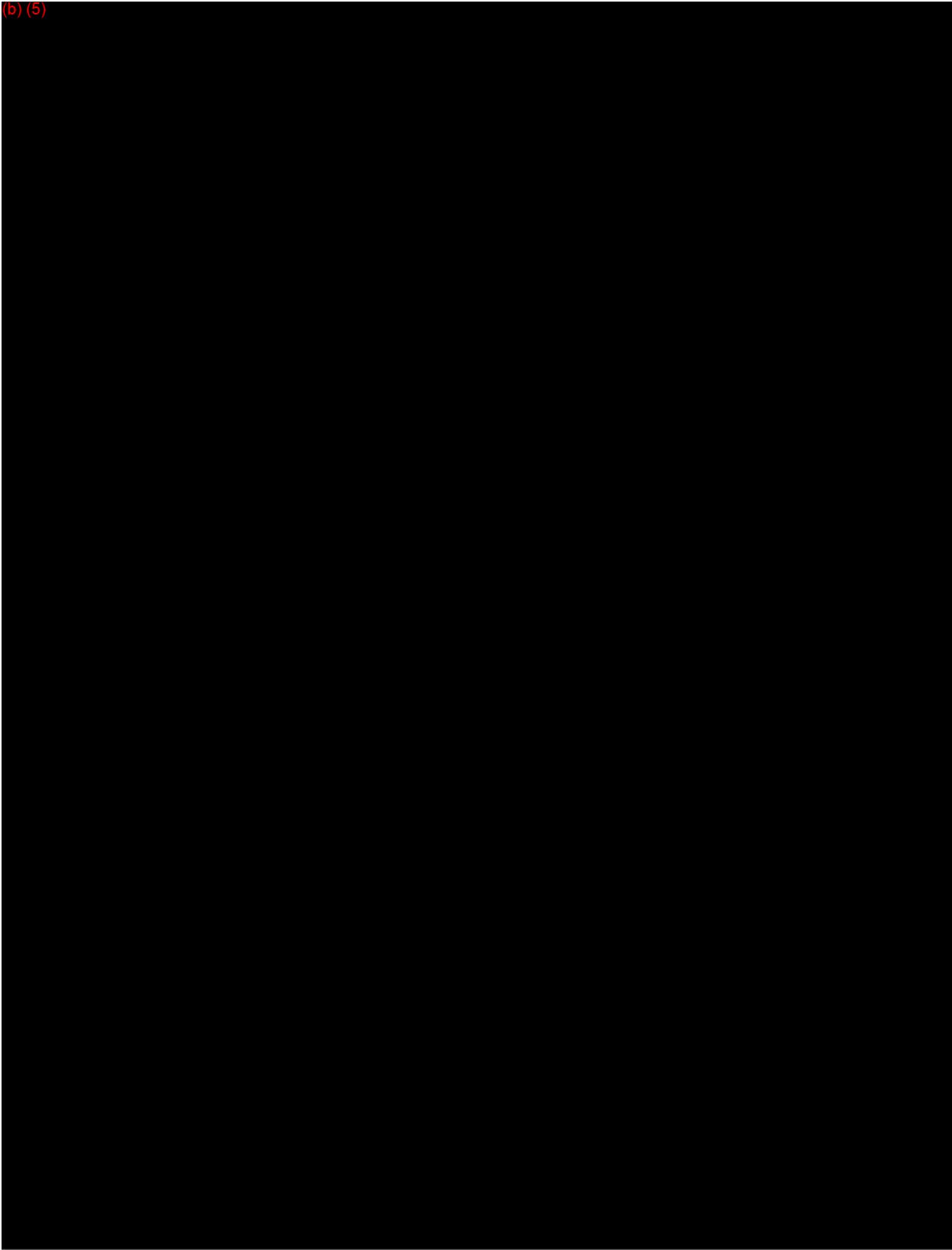
**From:** "Reid, Chipp (OFR)" <creid@gpo.gov>  
**To:** "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>  
**Cc:** "Vincent, Miriam (OFR)" <mvincent@gpo.gov>  
**Date:** Fri, 15 Jun 2018 14:56:55 -0400  
**Attachments:** FR 2018-13246\_1644312 (1).docx (47.17 kB)

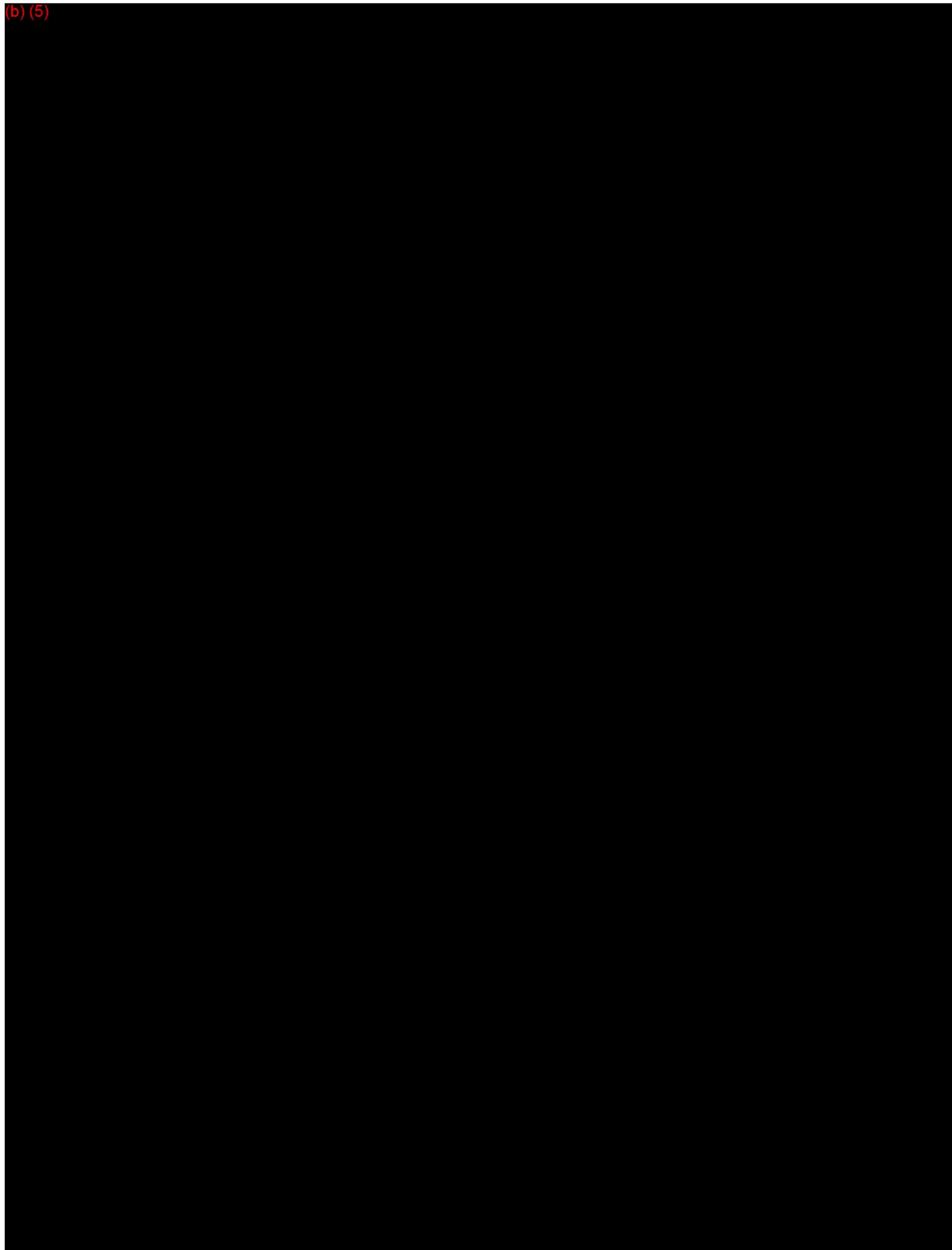
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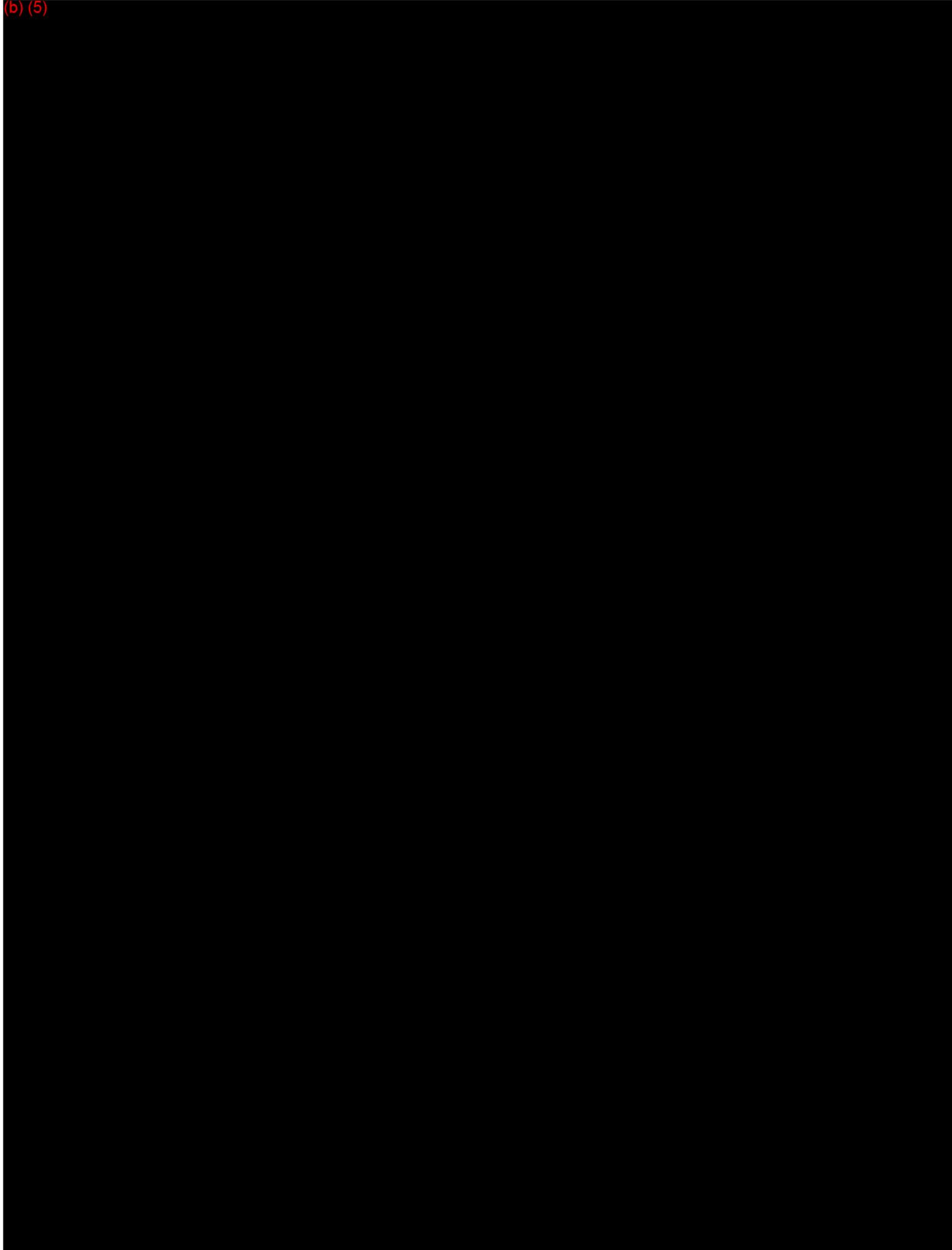
Viktoria

Please see the attached. I made some re-writes. It took me approximately five minutes to make these edits.

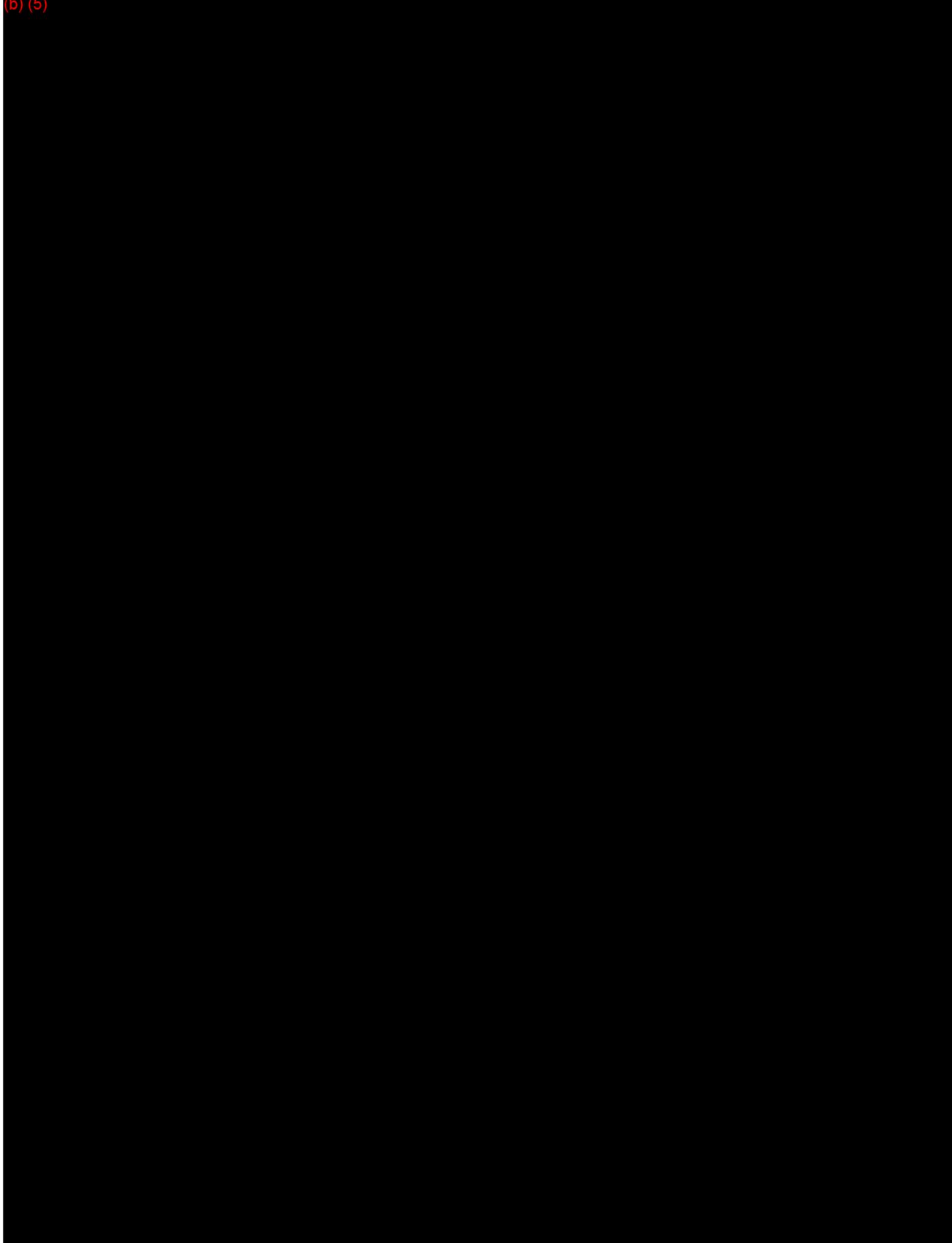
Chipp Reid  
Writer/Editor  
Office of the Federal Register  
[creid@gpo.gov](mailto:creid@gpo.gov)  
[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
202-741-6007



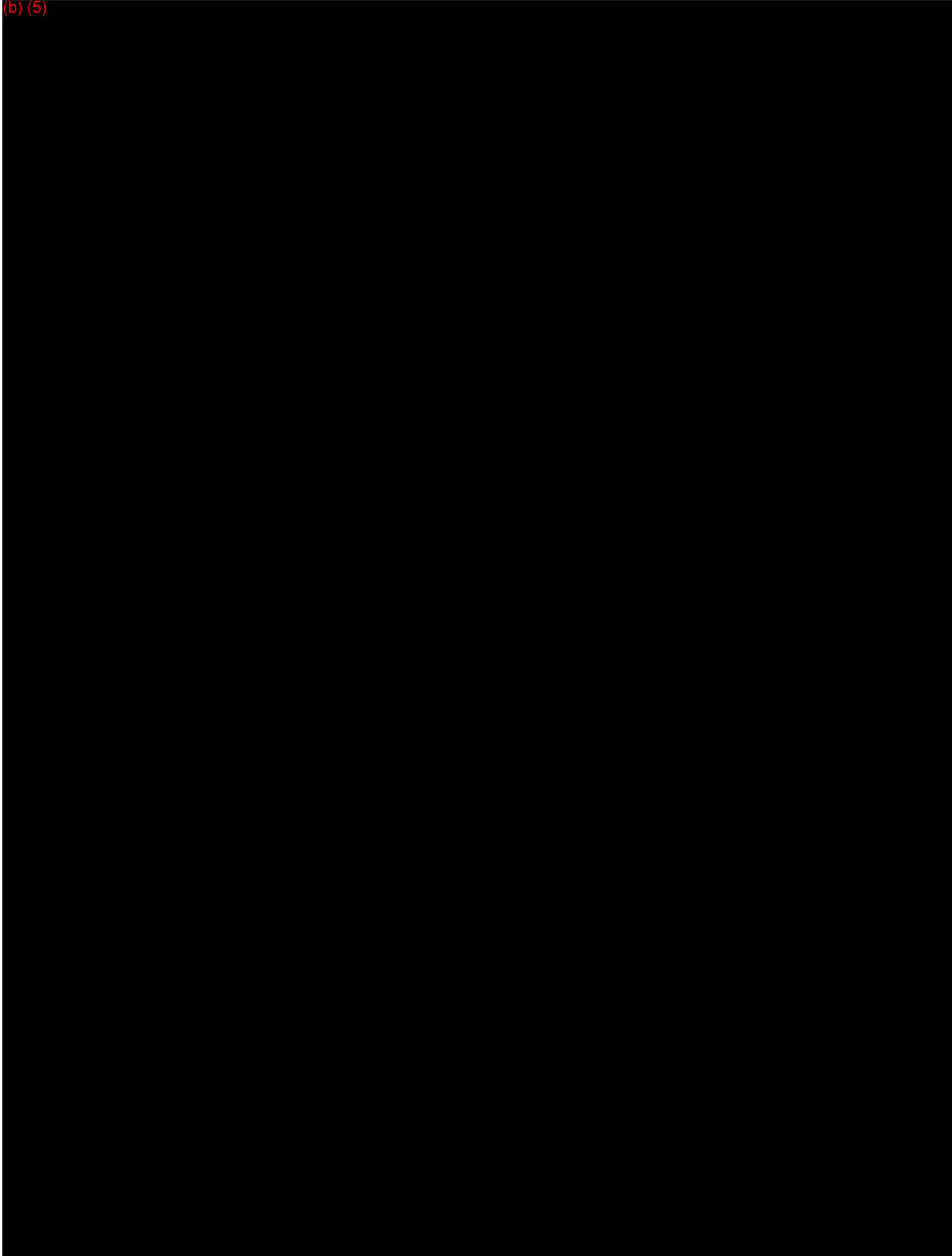


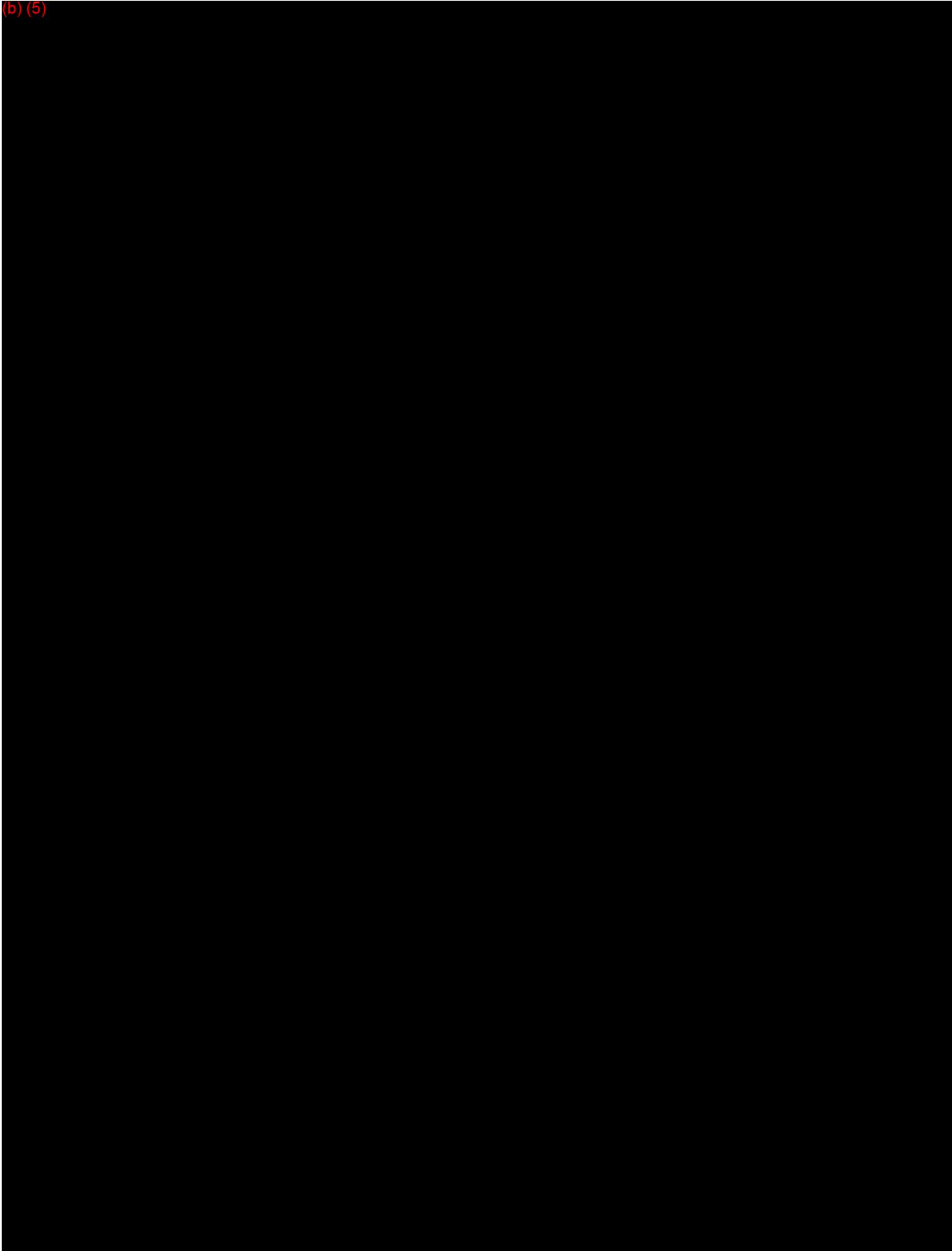












## RE: FW: Edits to proposed rule on NEPA review

---

**From** "Seale, Viktoria Z. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=af5f6888d706481b94d18088a30821c9-se">  
**To:** Miriam Vincent <miriam.vincent@nara.gov>  
**Cc:** fedreg.legal@nara.gov, ofr-legal@gpo.gov  
**Date:** Fri, 15 Jun 2018 14:38:08 -0400

Miriam,

(b) (5) . Will that address your concerns?

Viktoria

**Viktoria Z. Seale**  
**General Counsel**  
**Executive Office of the President**  
**Council on Environmental Quality**

(b) (6) (direct)  
(b) (6) (cell)

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

Viktoria,

(b) (5)

(b) (5)

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

(b) (5)

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

Miriam

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

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

Dear Sir or Madam,

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

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

Sincerely,

Viktoria

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

**From:** Sun, Howard C. EOP/CEQ  
**Sent:** Friday, June 15, 2018 12:24 PM  
**To:** Schneider, Daniel J. EOP/CEQ <(b) (6)> Neumayr, Mary B.  
EOP/CEQ <(b) (6)> Szabo, Aaron L. EOP/CEQ

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

<(b) (6)>

**Subject:** FW: Edits to proposed rule on NEPA review

---

**From:** Reid, Chipp (OFR) <[creid@gpo.gov](mailto:creid@gpo.gov)>

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

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

**Subject:** Edits to proposed rule on NEPA review

(b) (5)

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

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

(b) (5)

Please let me know if you have any questions.

Chipp Reid  
Writer/Editor  
Office of the Federal Register  
[creid@gpo.gov](mailto:creid@gpo.gov)  
[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
202-741-6007

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

You received this message because you are subscribed to the Google Groups "Federal Register Legal" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [fedreg.legal+unsubscribe@nara.gov](mailto:fedreg.legal+unsubscribe@nara.gov).

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

## FW: Edits to proposed rule on NEPA review

---

**From:** "Sun, Howard C. EOP/CEQ" <(b) (6)>  
**To:** "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)> "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>  
**Date:** Fri, 15 Jun 2018 12:23:36 -0400  
**Attachment s:** FR 2018-13246\_1644312.docx (49.86 kB)

---

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

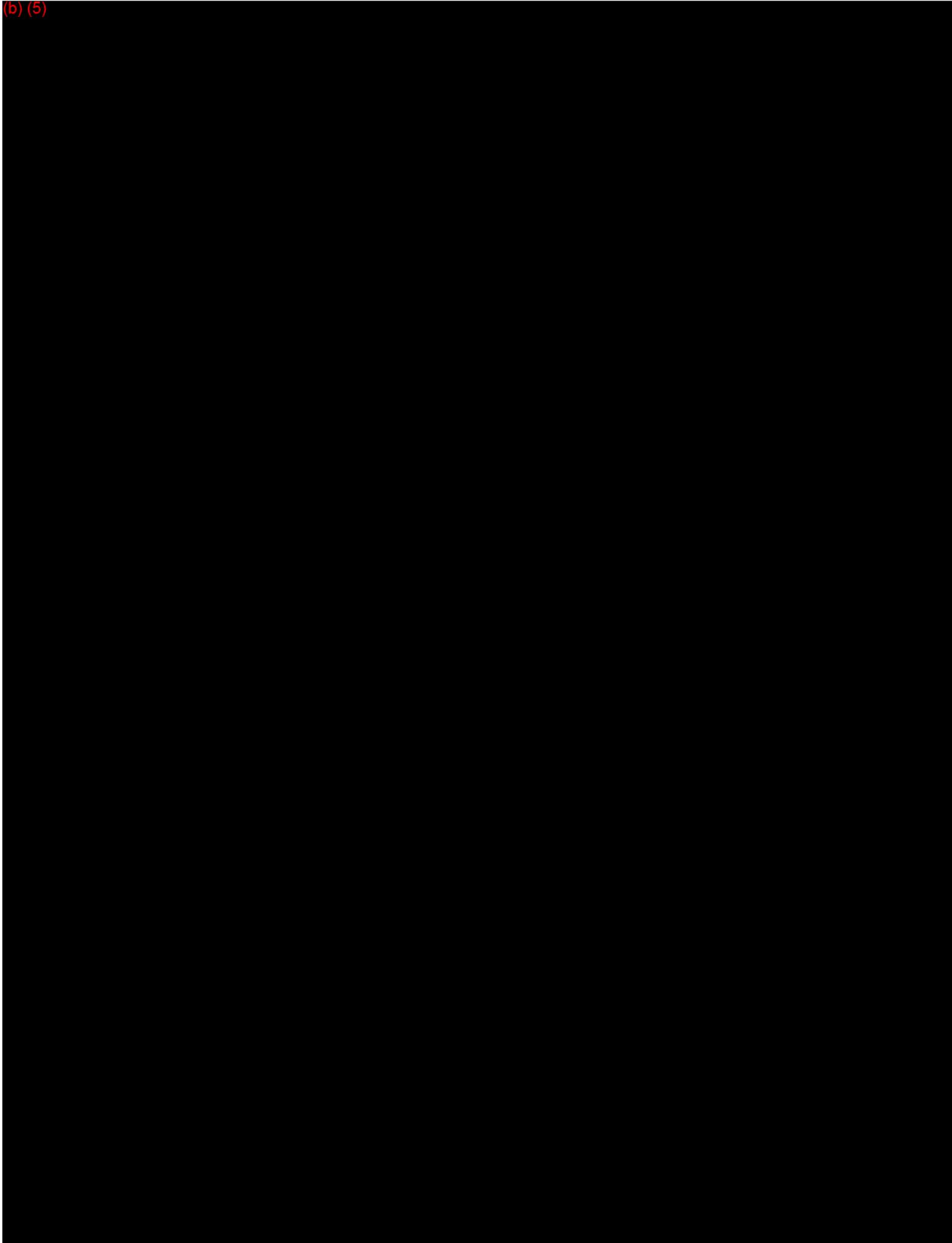
(b) (5)  
(b) (5). Please see the Document Drafting Handbook, page 2-15, which states:

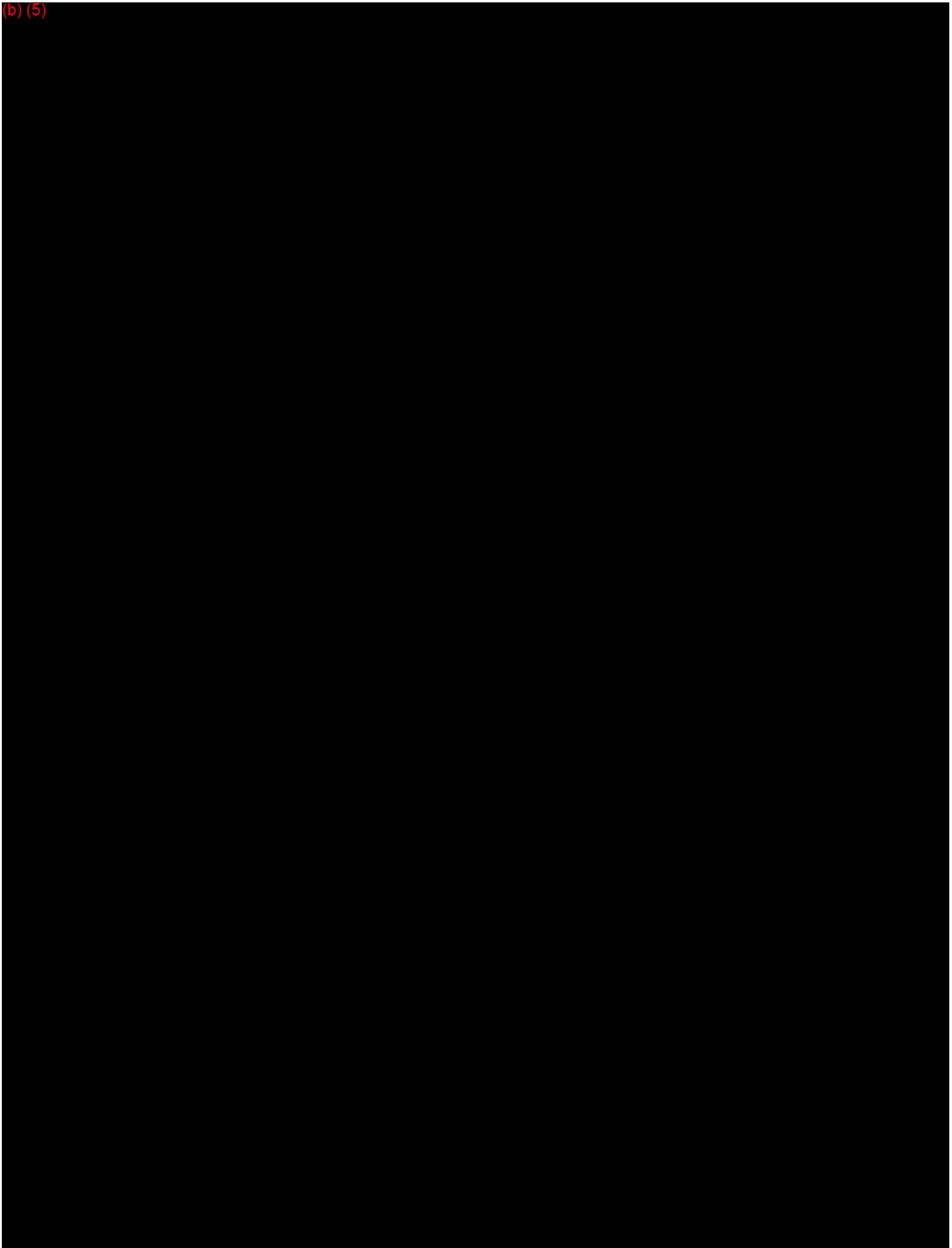
2.6 When can I use direct quotes? The OFR does not allow lengthy or excessive quotation from Federal regulations or Federal law. This includes text from regulatory documents published in the Federal Register. However, if your agency has a compelling legal reason to extensively quote this type of material,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

(b) (5)  
(b) (5).

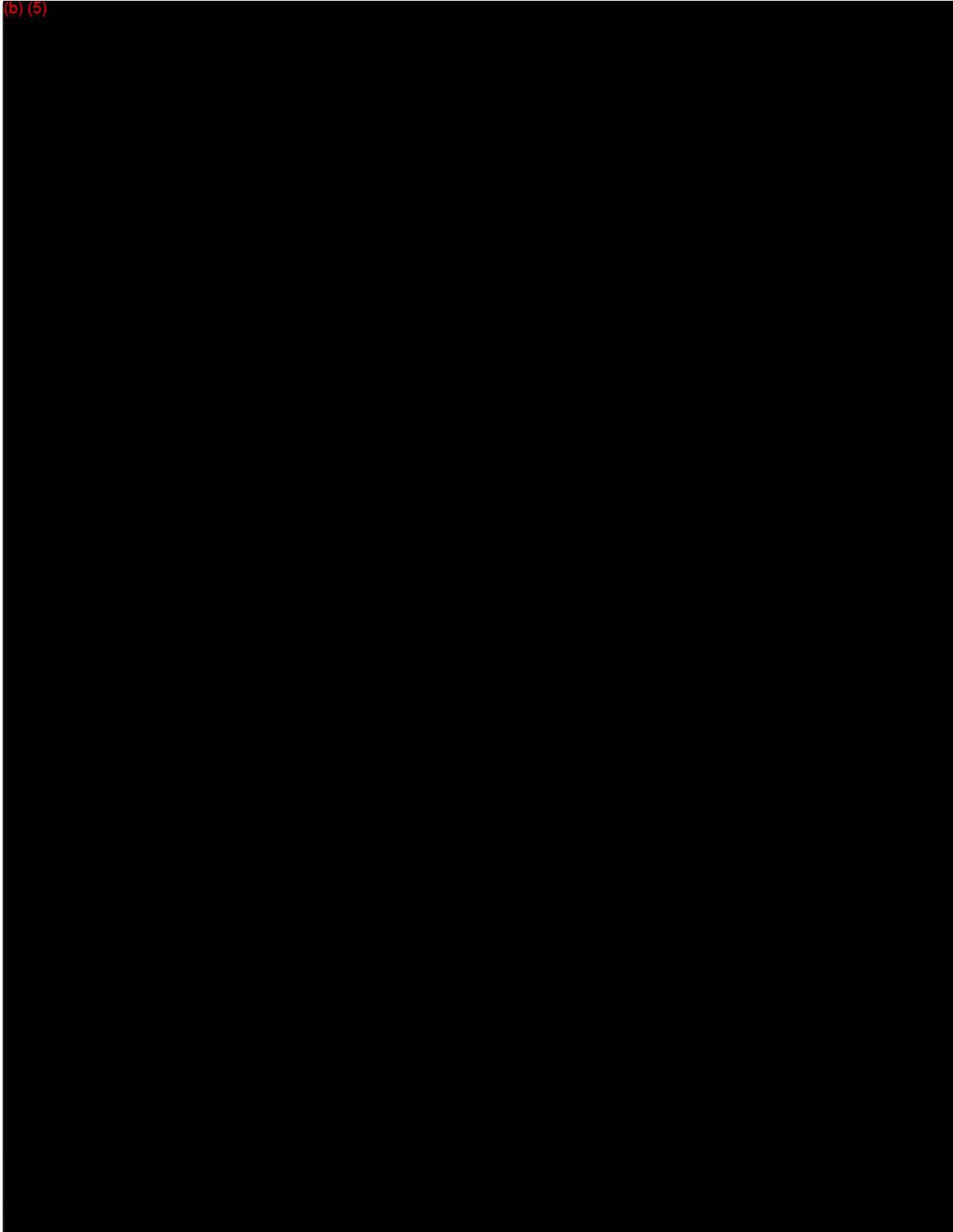
Please let me know if you have any questions.

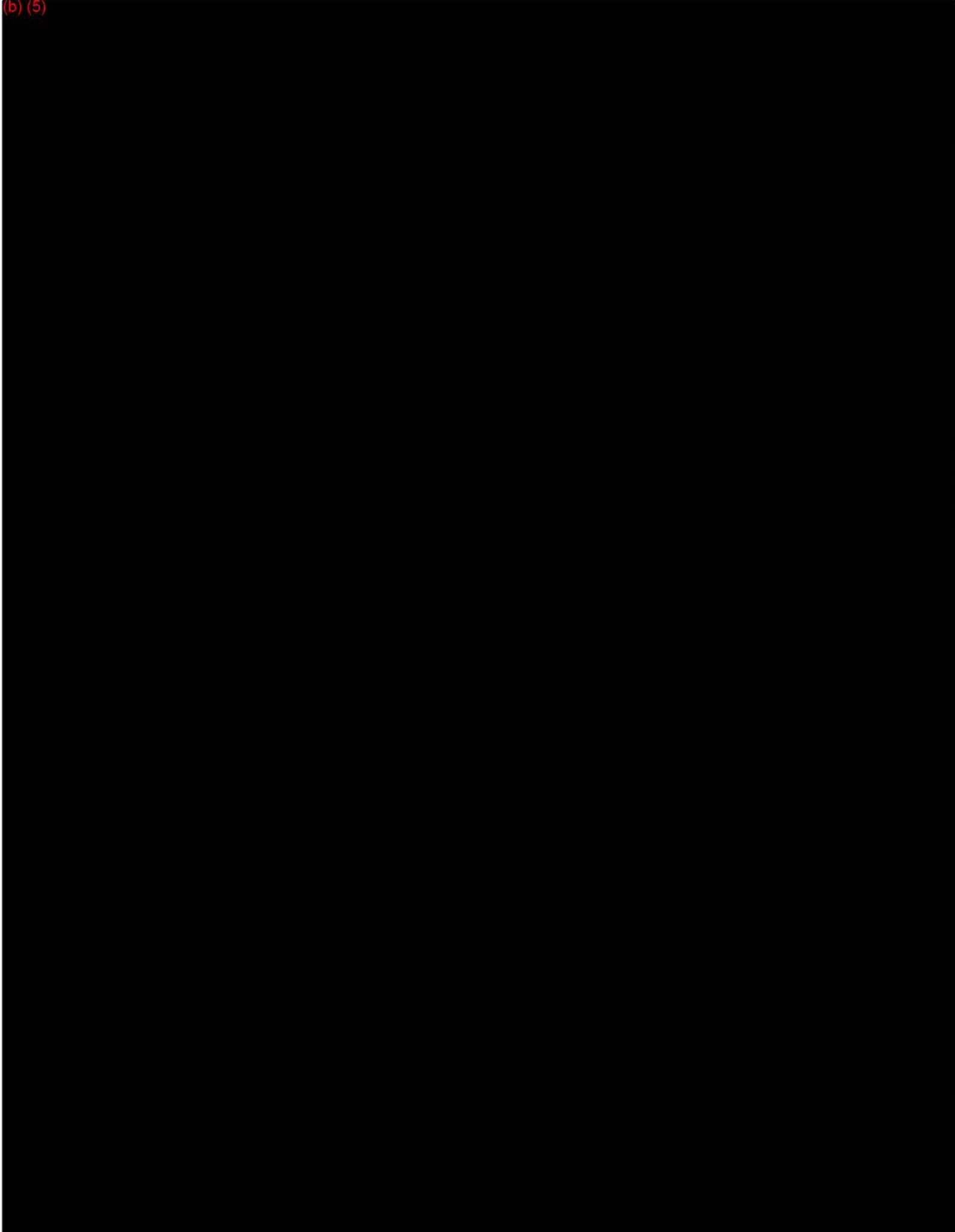
Chipp Reid  
Writer/Editor  
Office of the Federal Register  
[creid@gpo.gov](mailto:creid@gpo.gov)  
[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
202-741-6007

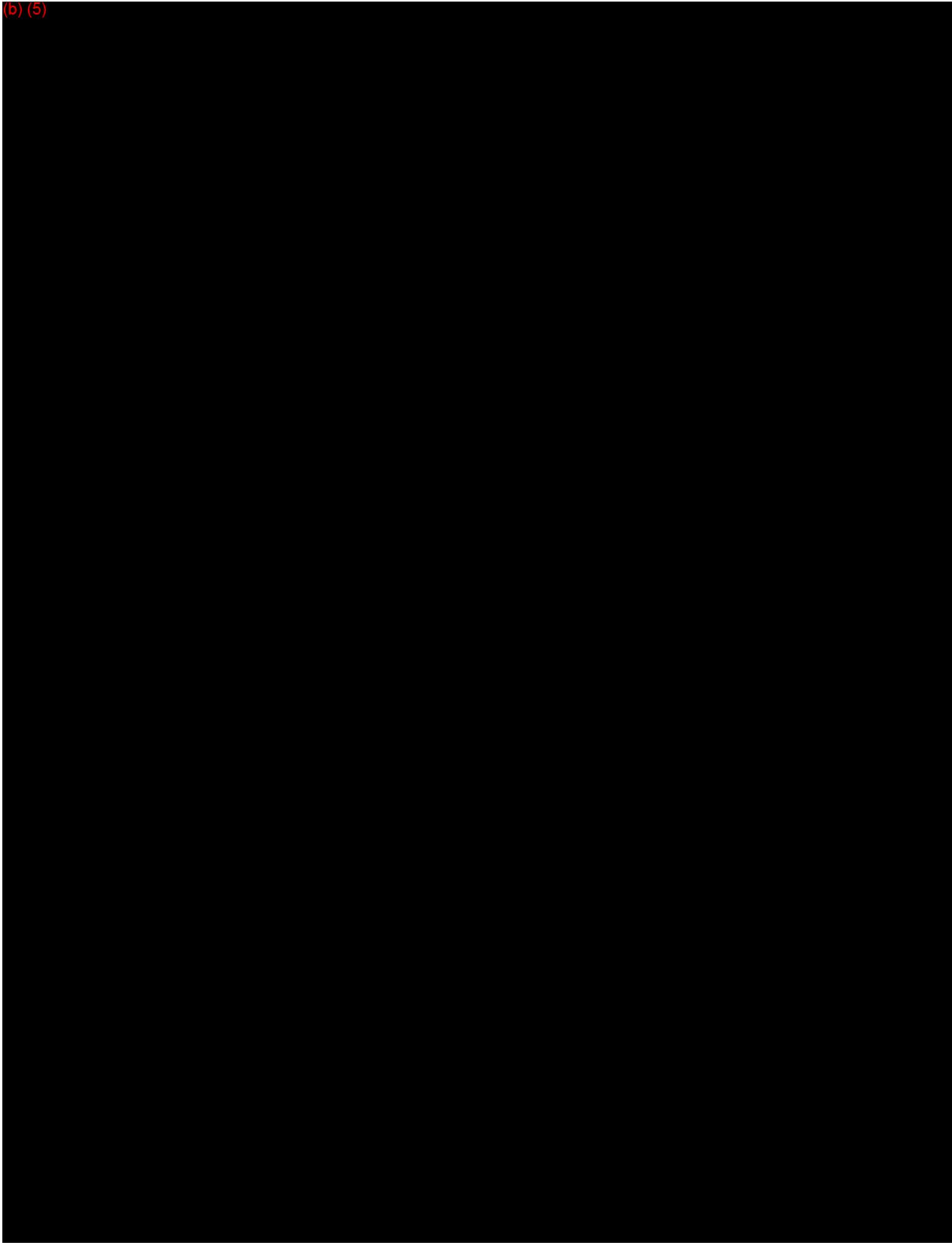


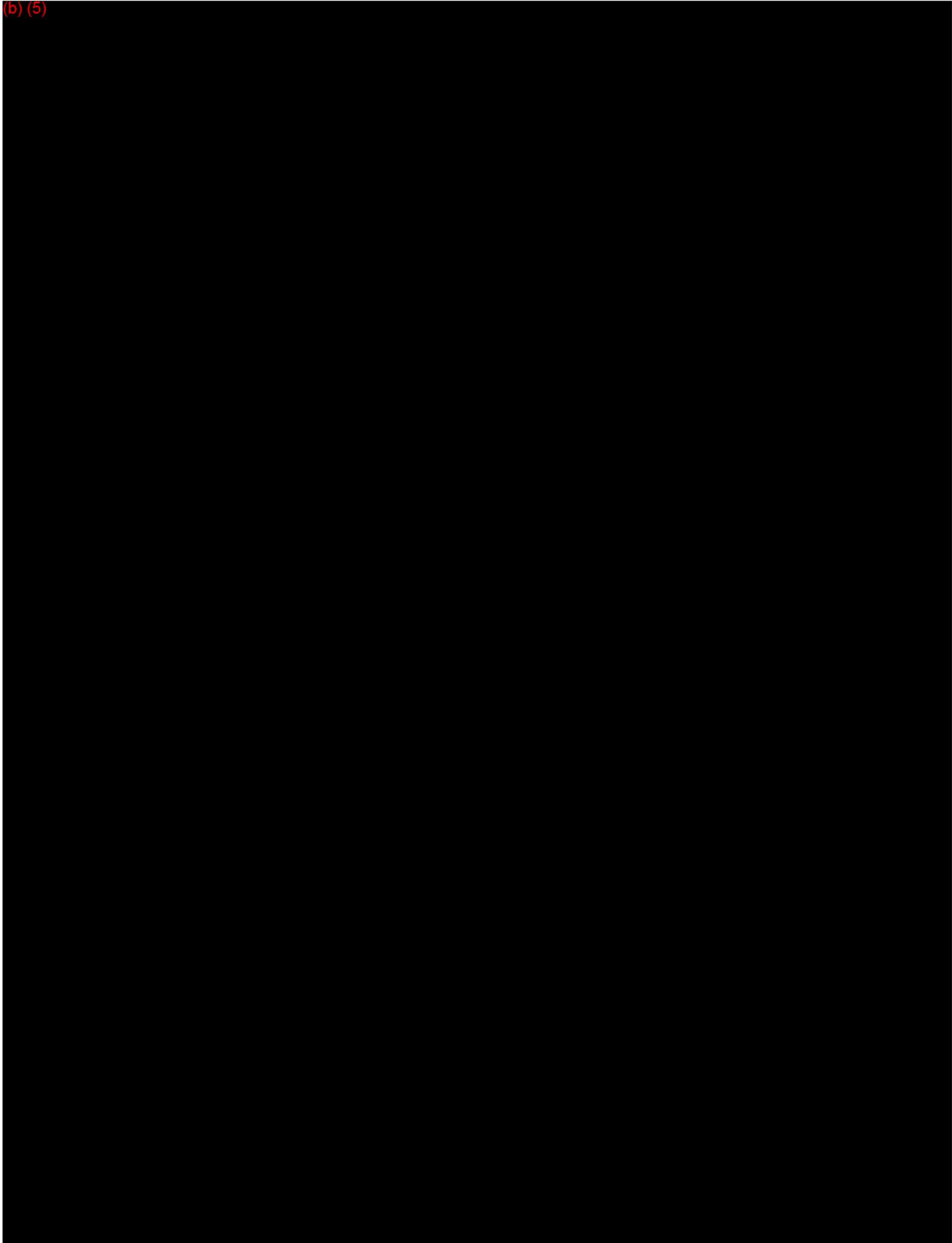


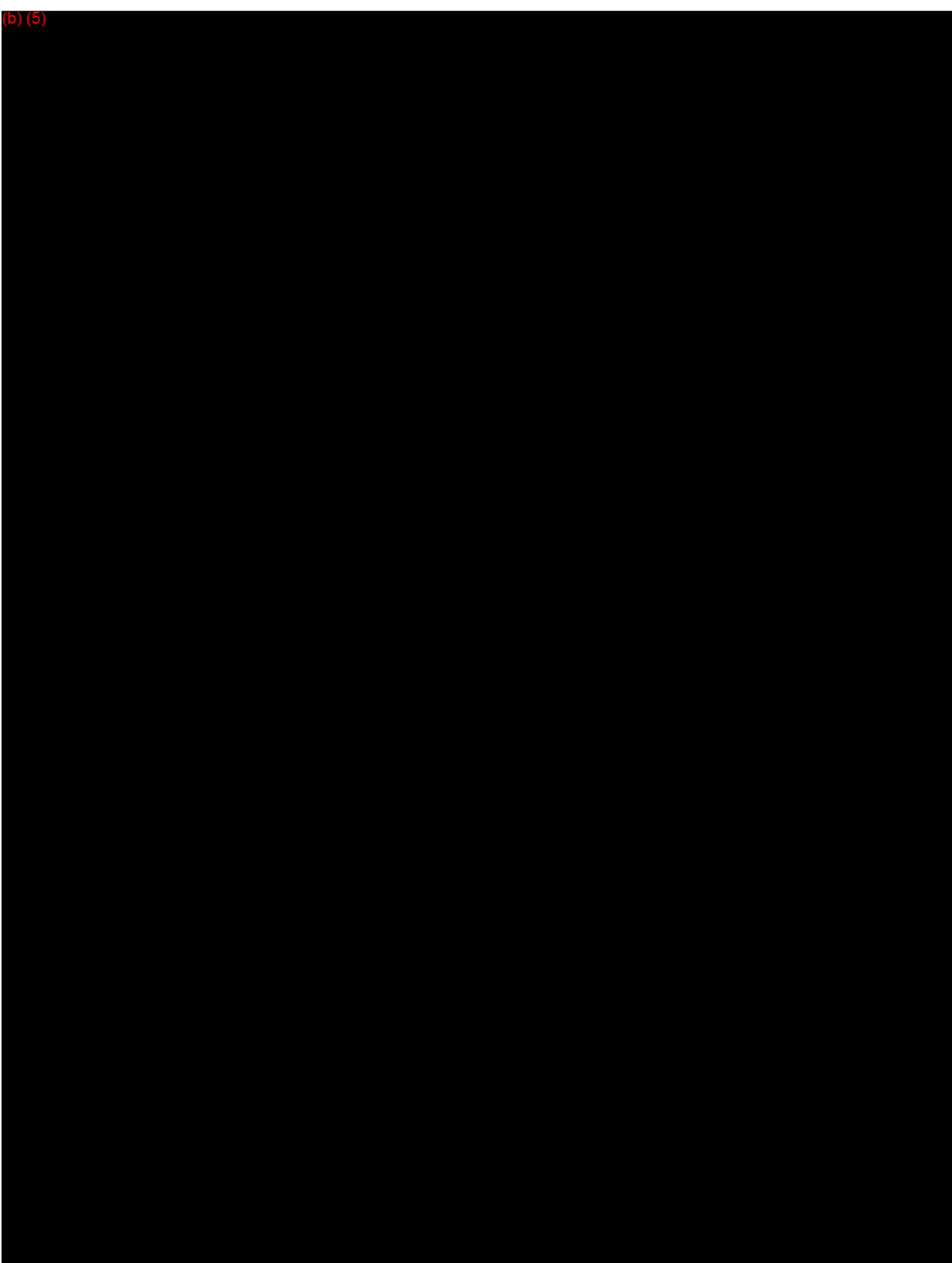
(b) (5)

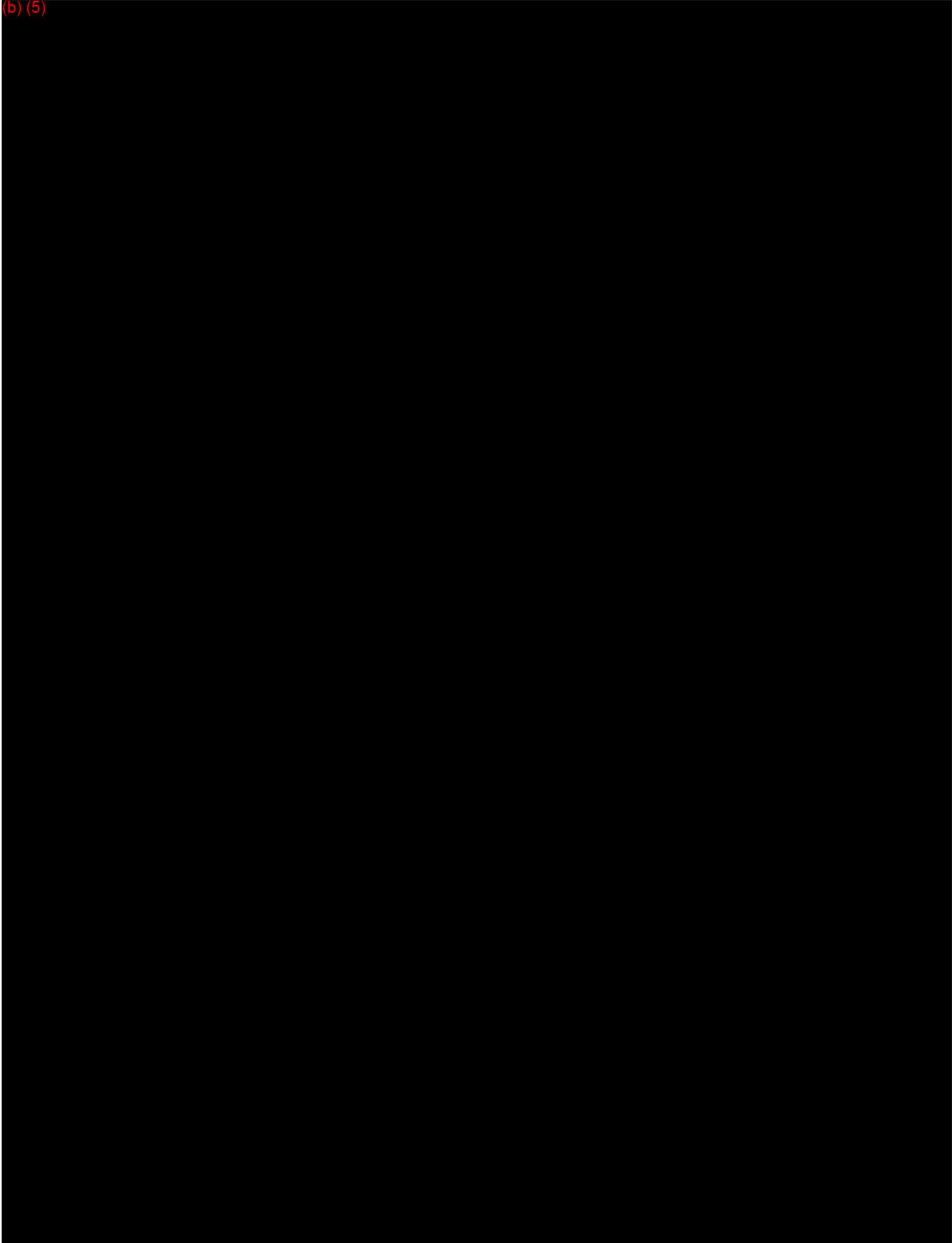












## FR 2018-13246\_1644312 (2).docx

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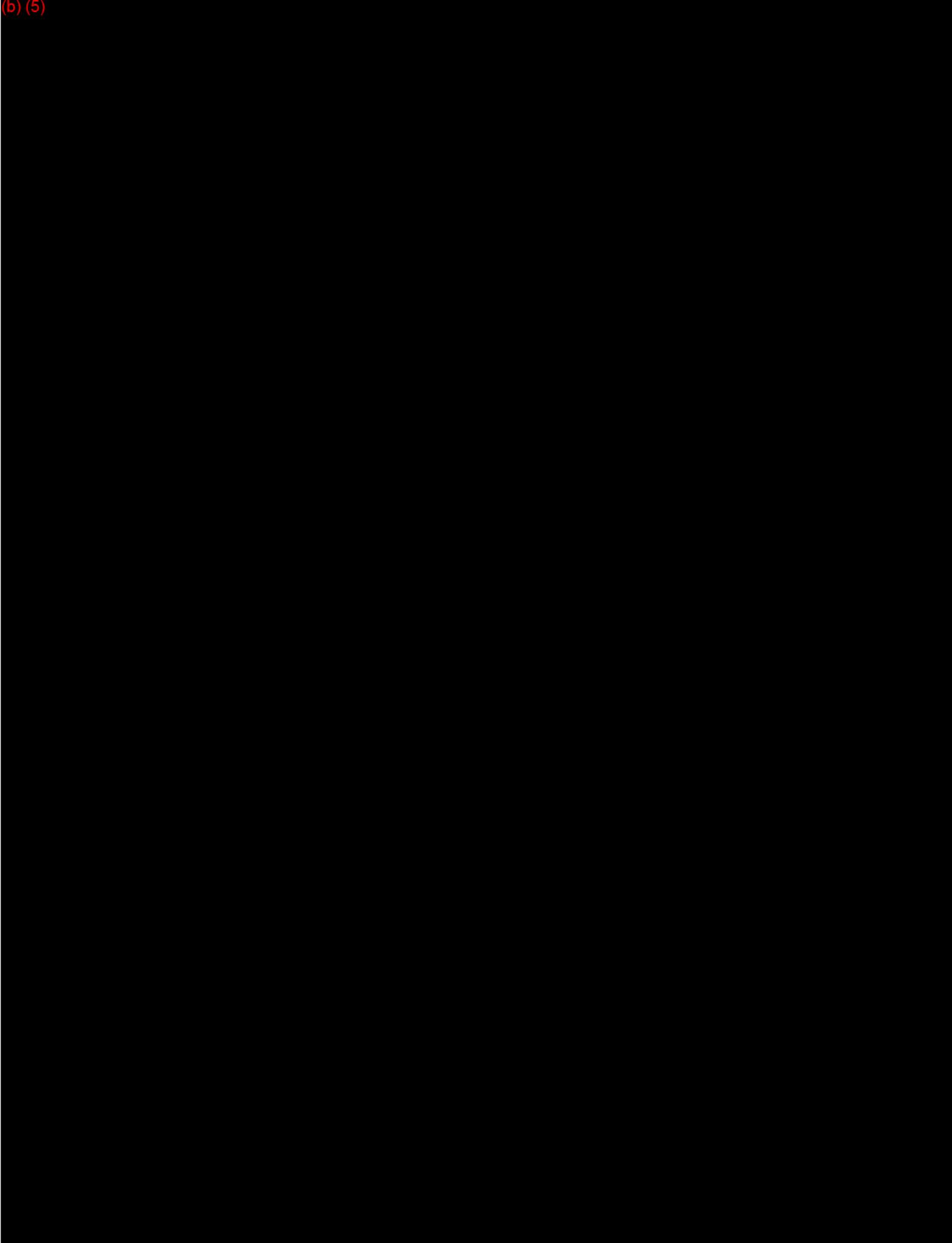
**From:** "Reid, Chipp (OFR)" <creid@gpo.gov>  
**To:** "Sun, Howard C. EOP/CEQ" <(b) (6)>  
**Date:** Fri, 15 Jun 2018 15:39:13 -0400  
**Attachments:** FR 2018-13246\_1644312 (2).docx (47.96 kB)

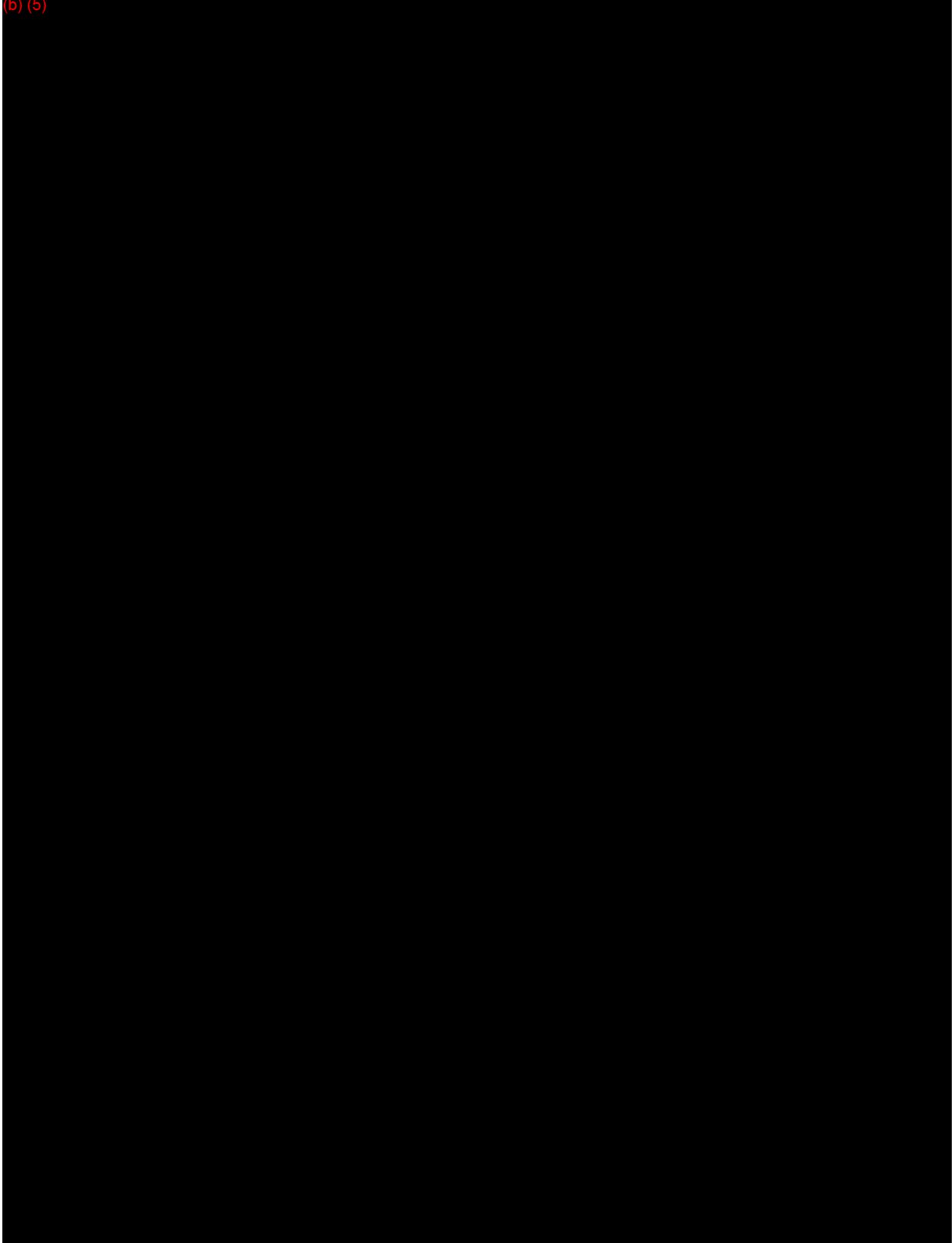
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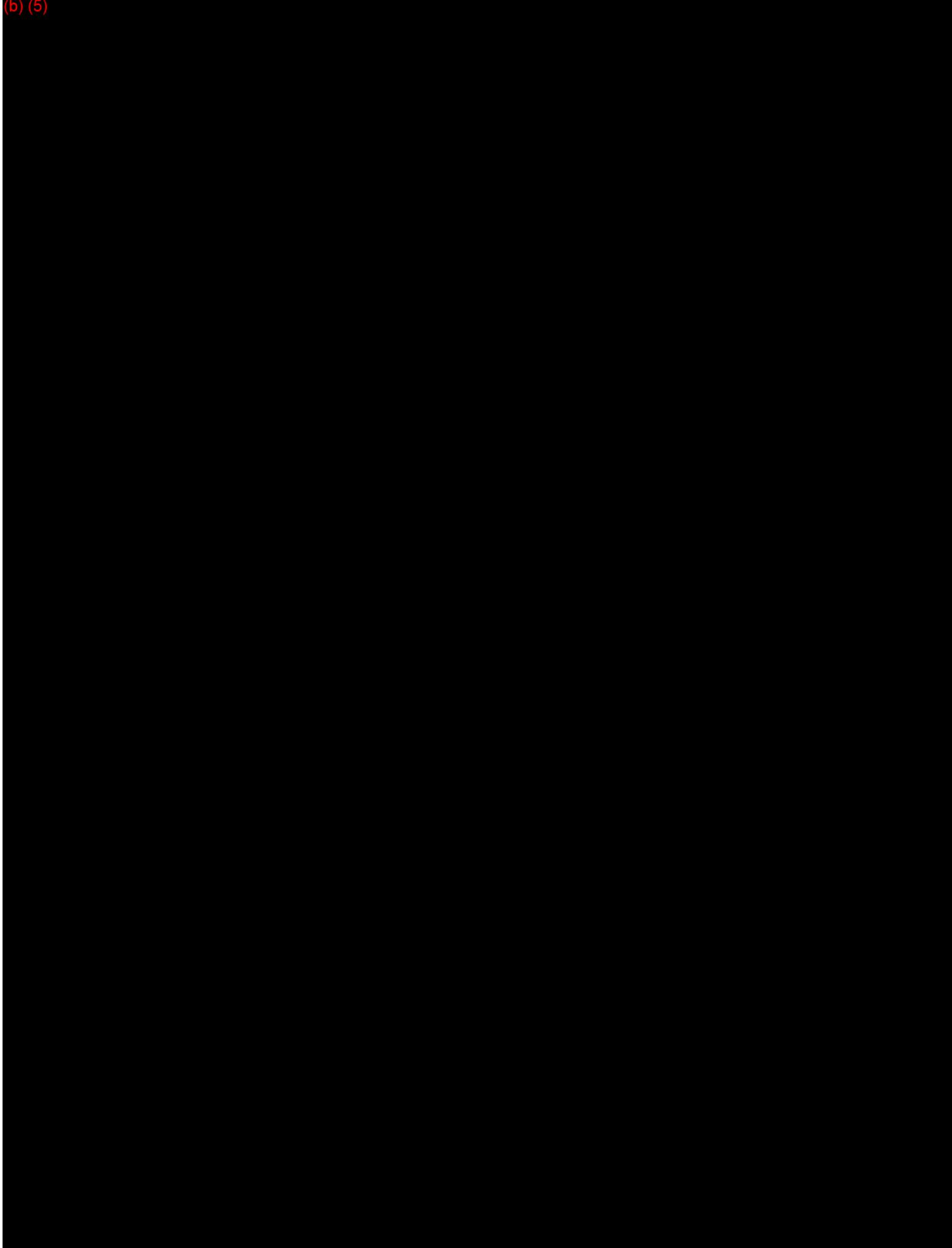
Howard

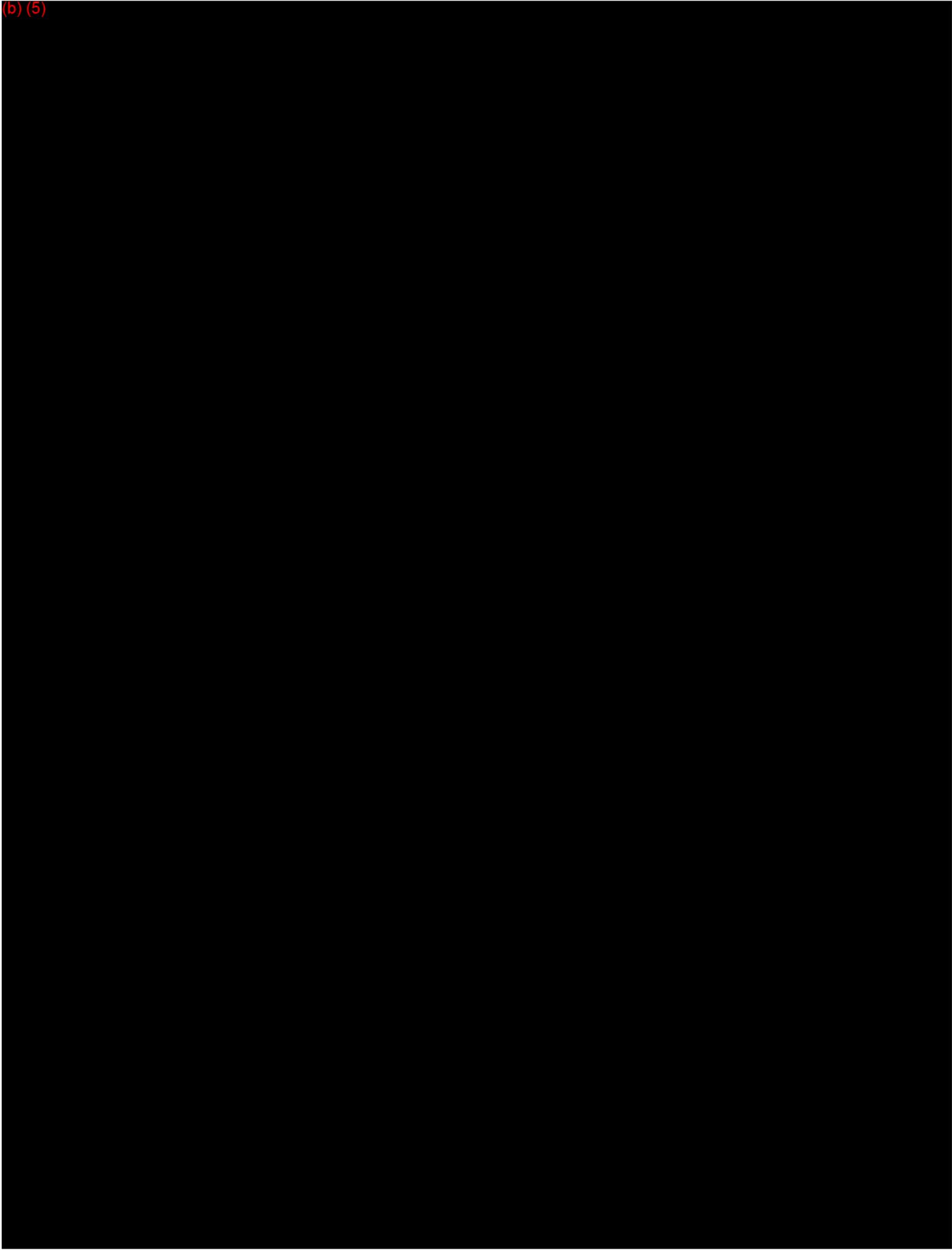
Attached is the new markup. If all looks good, please shoot me an email to that effect and I will schedule.

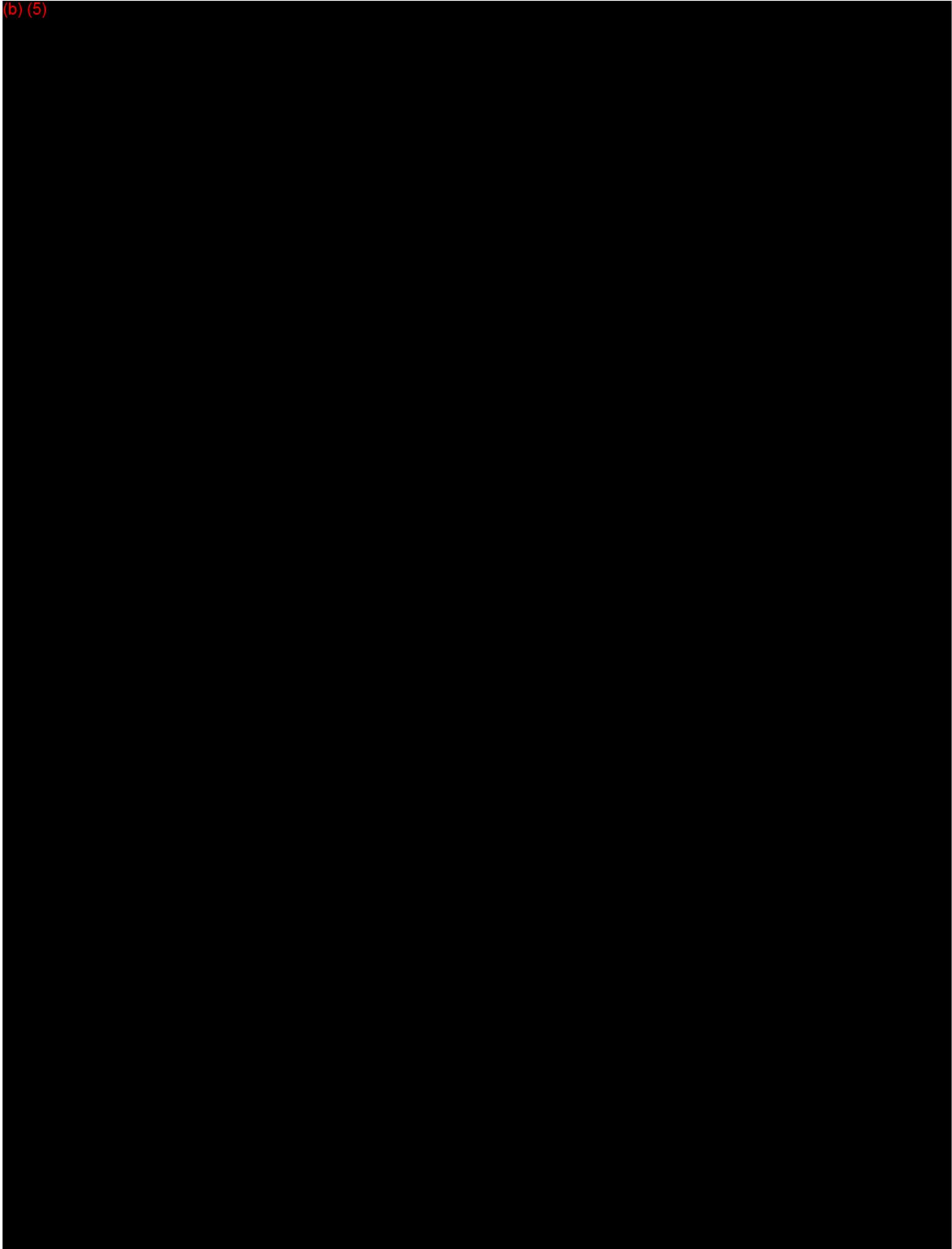
Chipp Reid  
Writer/Editor  
Office of the Federal Register  
[creid@gpo.gov](mailto:creid@gpo.gov)  
[chipp.reid@nara.gov](mailto:chipp.reid@nara.gov)  
202-741-6007

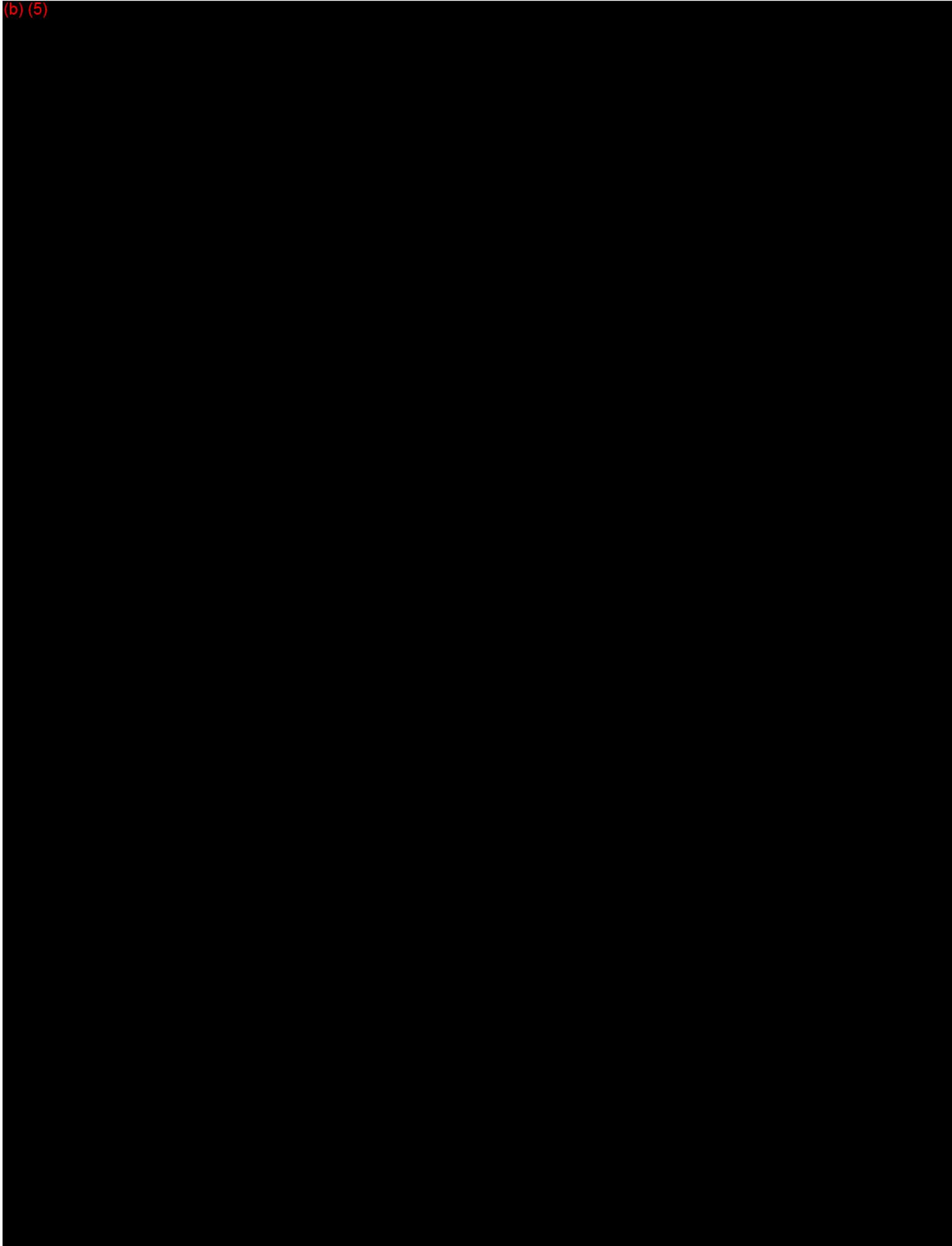














## FW: Draft Herrgott Testimony

---

**From:** "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>  
**To:** "Schneider, Daniel J. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 19 Jun 2018 09:43:37 -0400  
**Attachments:** Herrgott Testimony TLP edits.6.18.18.docx (35.56 kB)

Meant to add you!

---

**From:** Pettigrew, Theresa L. EOP/CEQ  
**Sent:** Tuesday, June 19, 2018 9:41 AM  
**To:** Herrgott, Alex H. EOP/CEQ <(b) (6)>  
**Cc:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Subject:** RE: Draft Herrgott Testimony

Here are some edits. Nothing too big. Thanks.

---

**From:** Herrgott, Alex H. EOP/CEQ  
**Sent:** Monday, June 18, 2018 8:38 PM  
**To:** Pettigrew, Theresa L. EOP/CEQ <(b) (6)>  
**Subject:** Fwd: Draft Herrgott Testimony

Take a look at this one

Sent from my iPhone

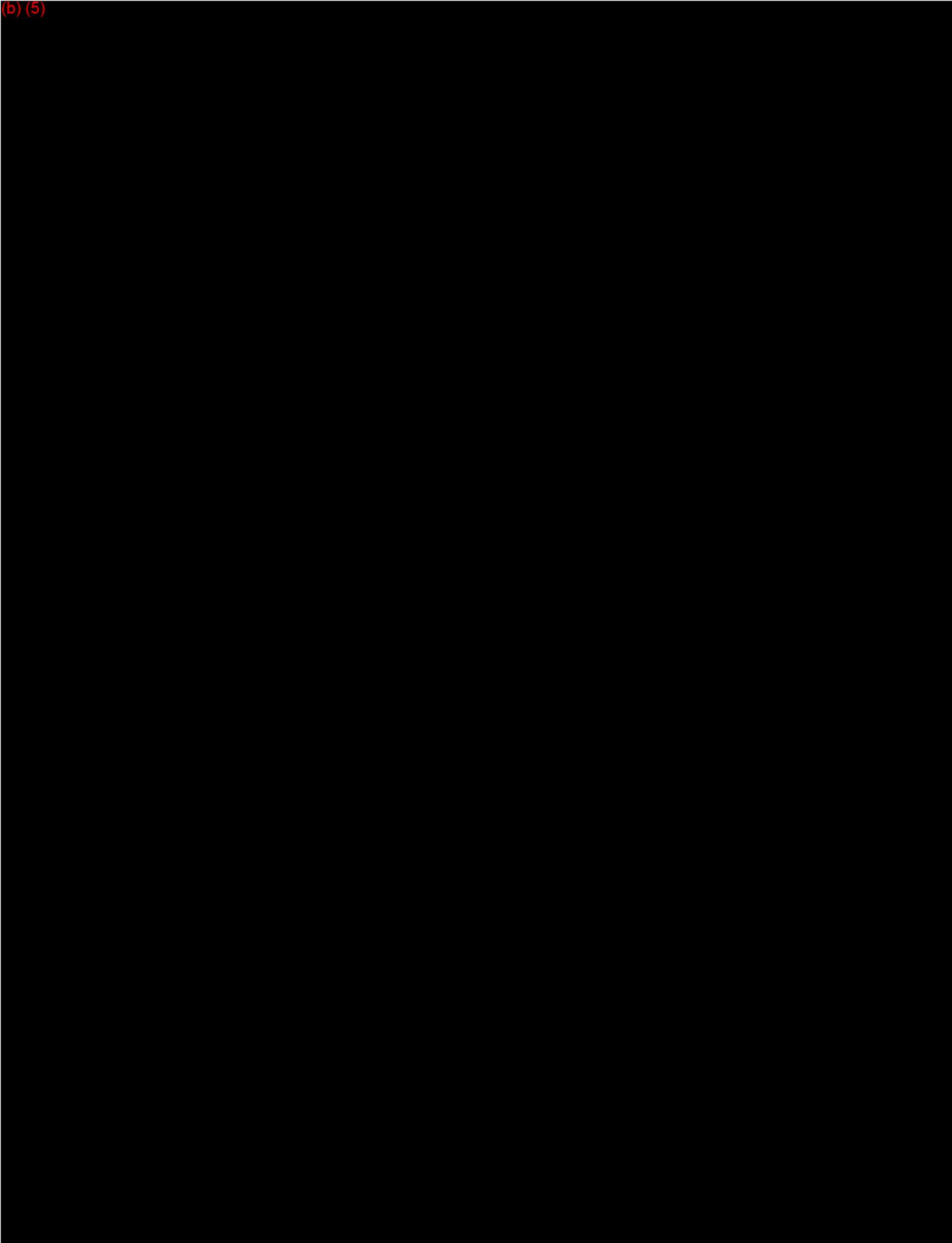
Begin forwarded message:

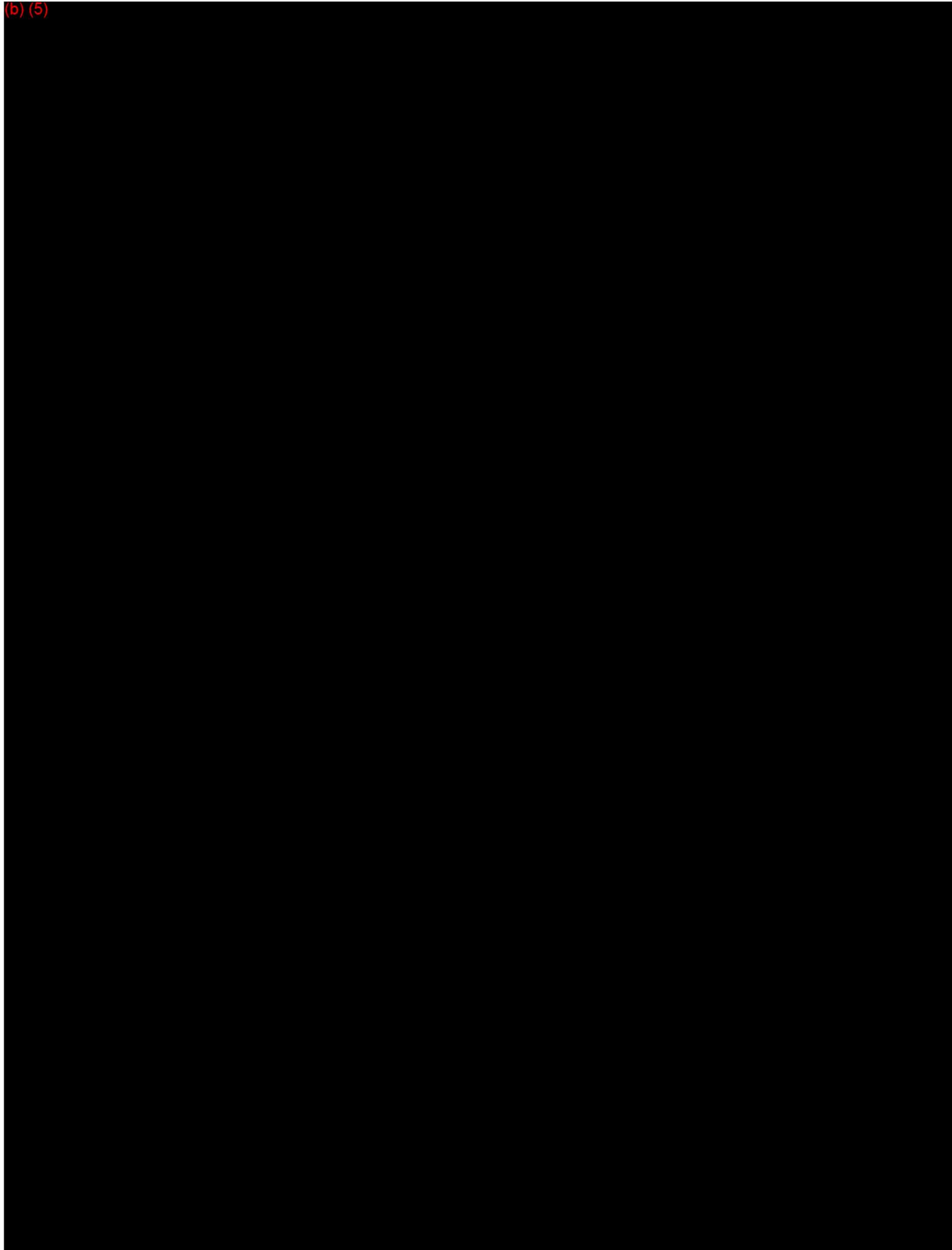
**From:** "Barnett, Steven W. EOP/CEQ" <(b) (6)>  
**Date:** June 18, 2018 at 5:44:49 PM EDT  
**To:** "Herrgott, Alex H. EOP/CEQ" <(b) (6)>  
**Cc:** "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Vandegrift, Scott F. EOP/CEQ" <(b) (6)> "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>  
**Subject:** Draft Herrgott Testimony

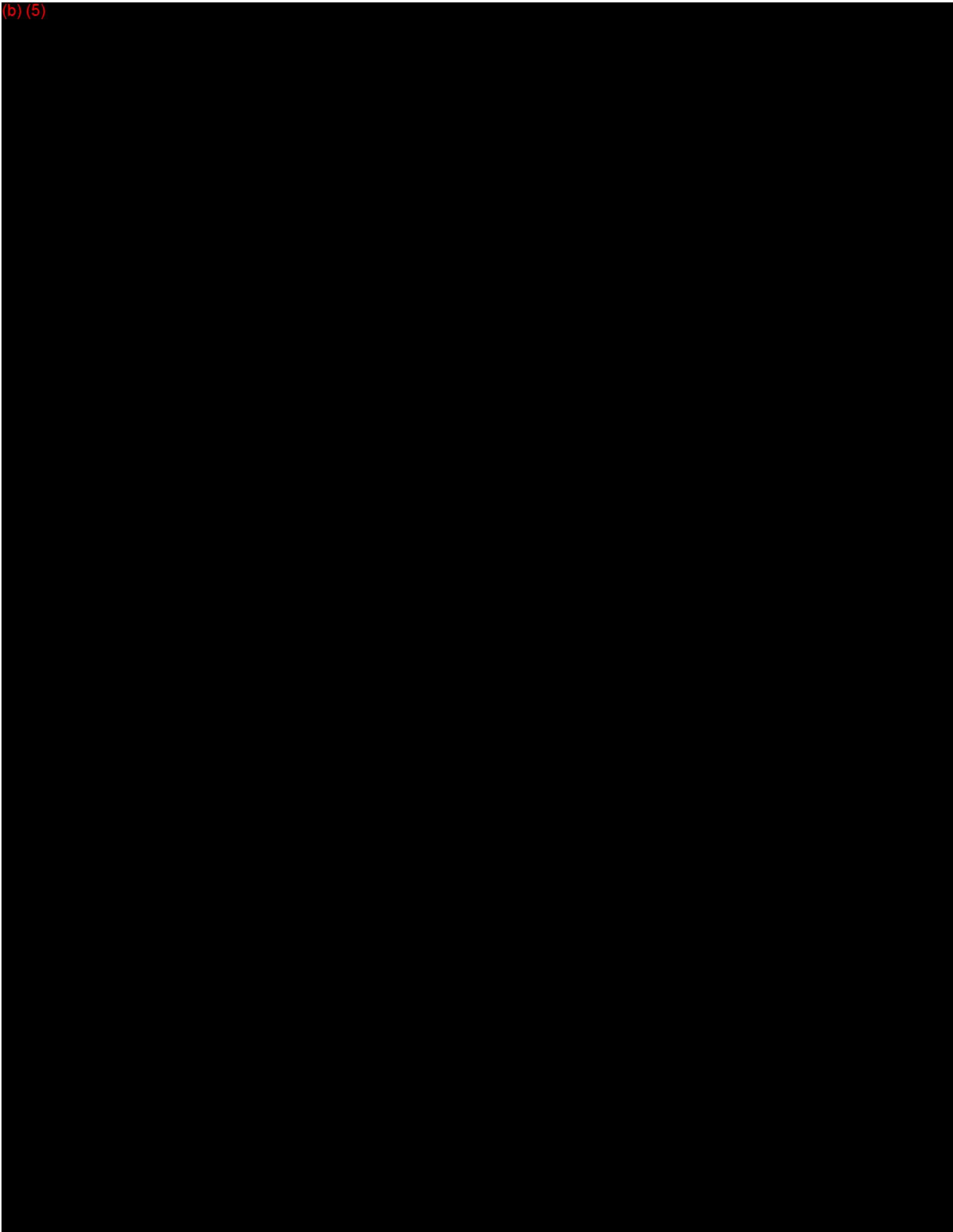
Alex,

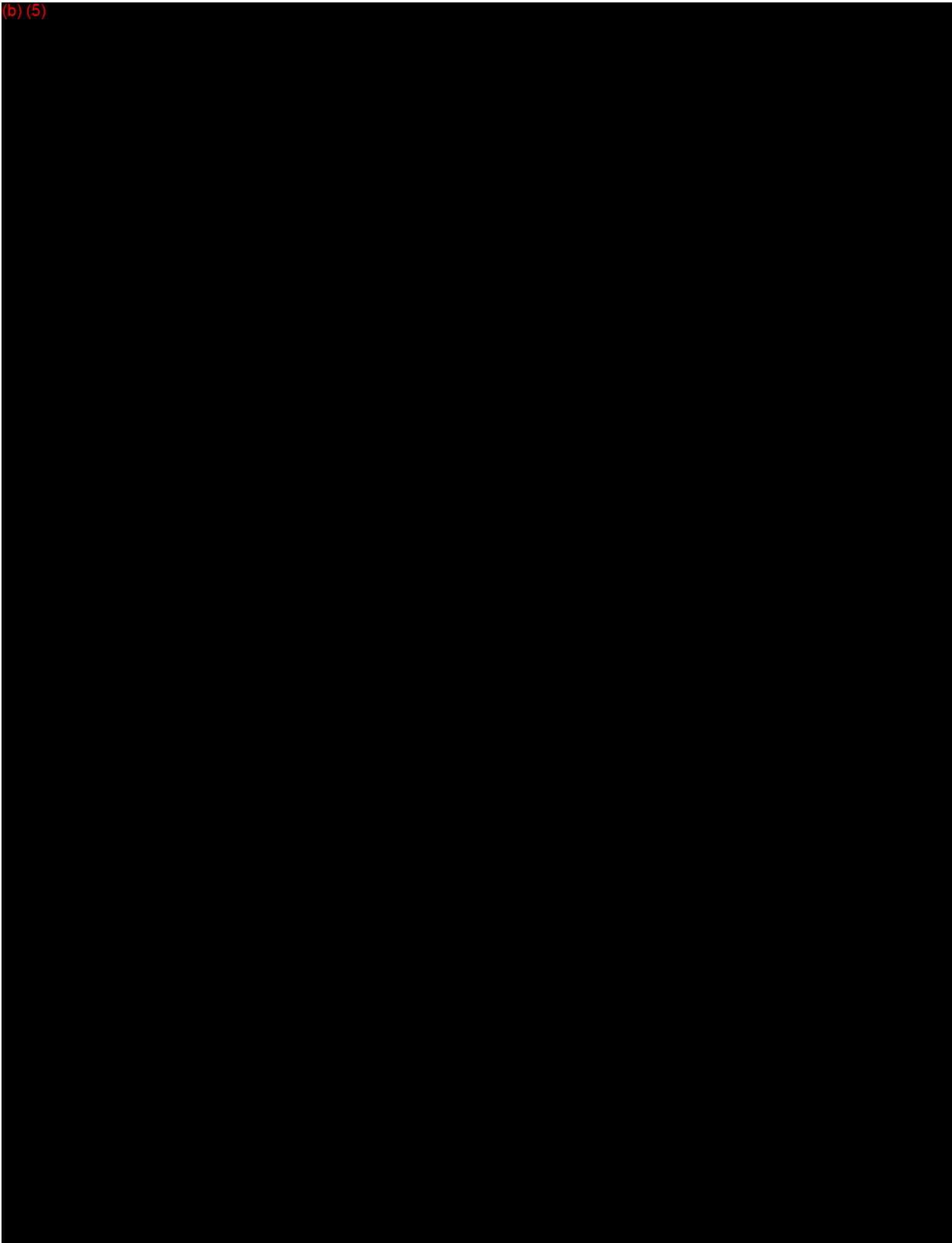
Please find attached a red line and clean copy of your draft testimony.

Steven









## Herrgott Testimony and Bio

---

**From:** "Barnett, Steven W. EOP/CEQ" <(b) (6)>

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

"Herrgott, Alex H. EOP/CEQ" <(b) (6)> "Drummond, Michael R. EOP/CEQ" <(b) (6)> "Boling, Ted A. EOP/CEQ" <(b) (6)> "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>

**Cc:** "Vandegrift, Scott F. EOP/CEQ" <(b) (6)> "Patella, Michael A. EOP/CEQ" <(b) (6)> "Sharp, Thomas L. EOP/CEQ" <(b) (6)> "Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>

**Date:** Tue, 19 Jun 2018 11:16:14 -0400

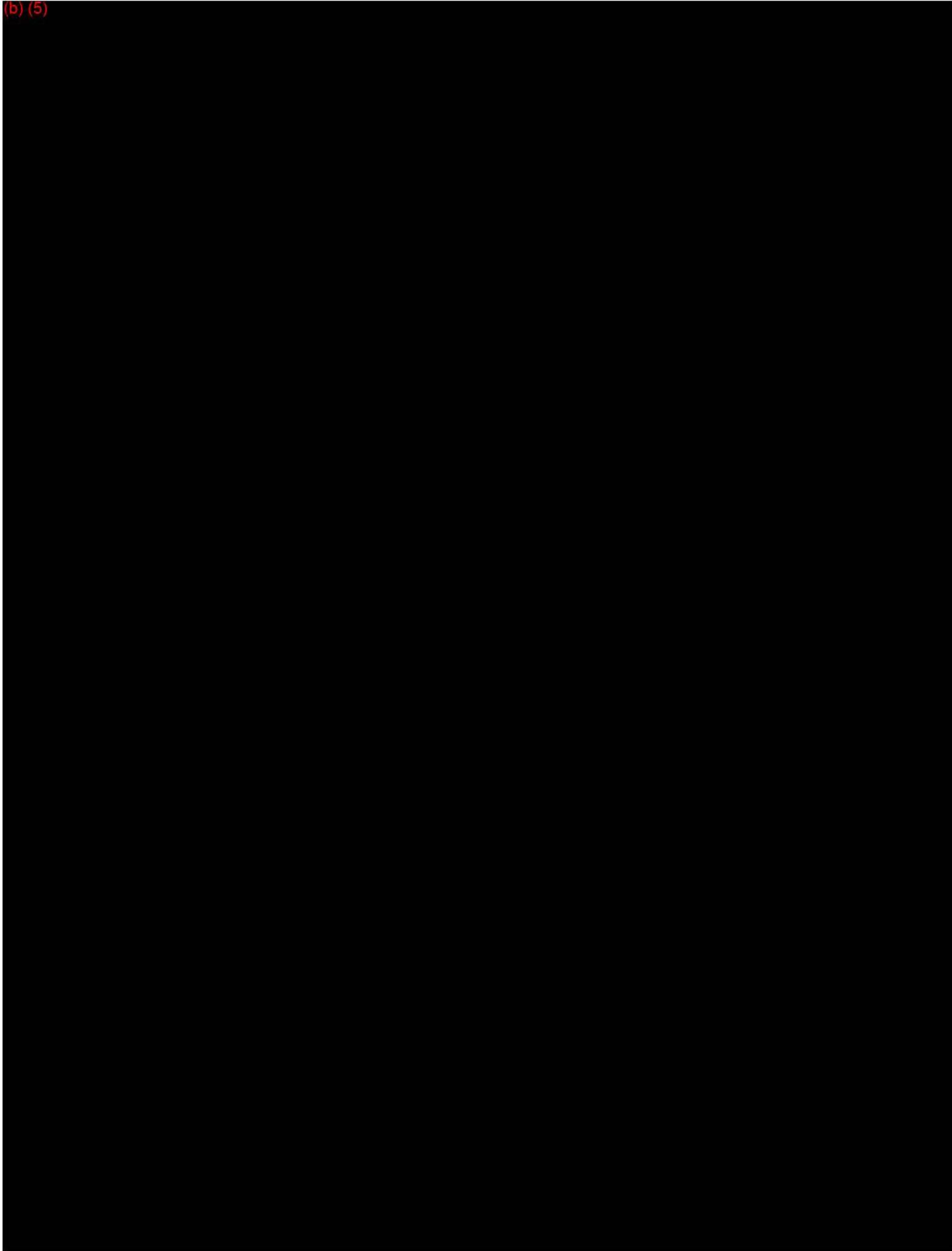
**Attachments:** Alexander Herrgott--Bio.docx (14.06 kB); Herrgott Testimony 6.27 Roundtable Senate FINAL.DOCX (28.67 kB)

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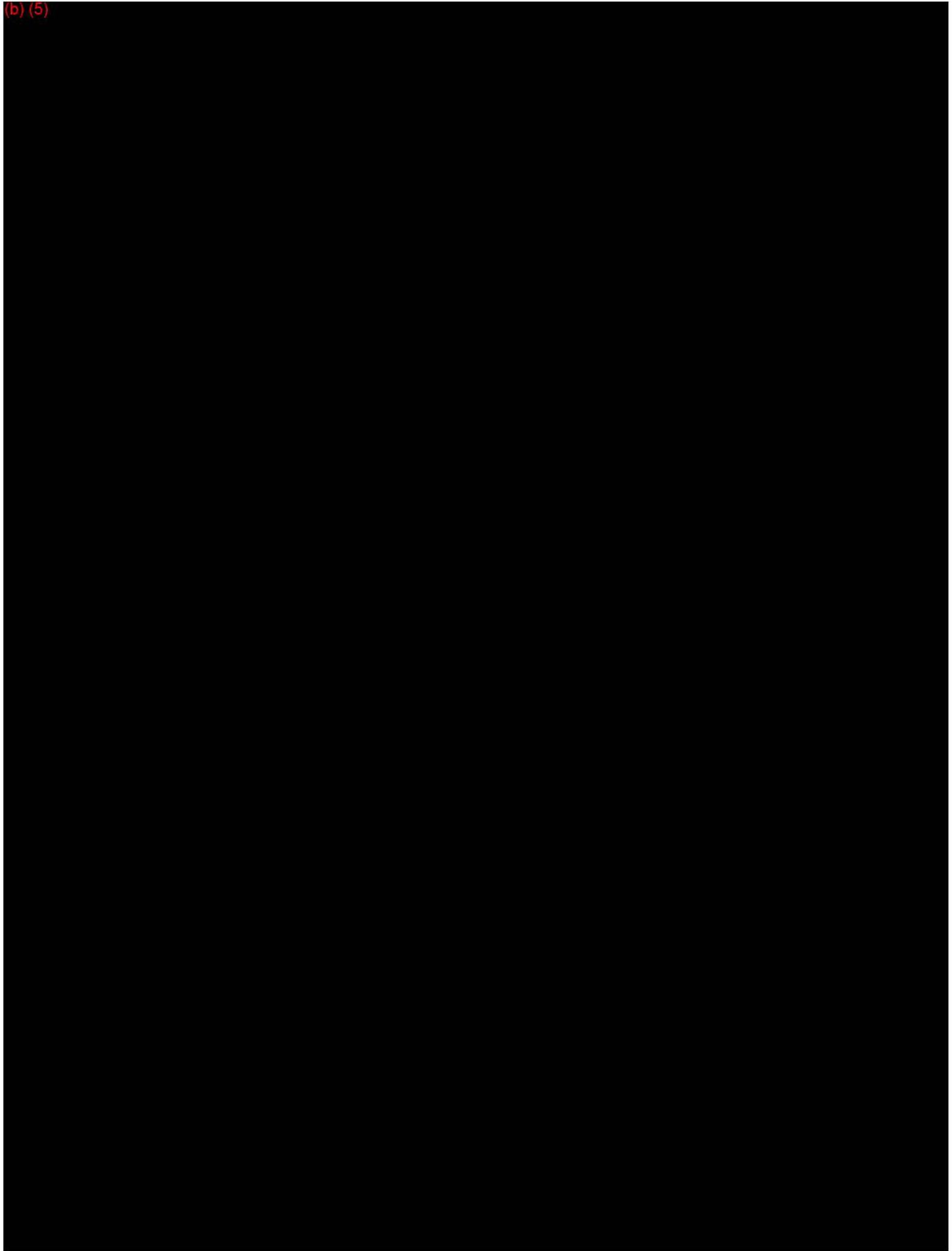
Here are the final versions of Alex's testimony and bio with the team's last round of edits.

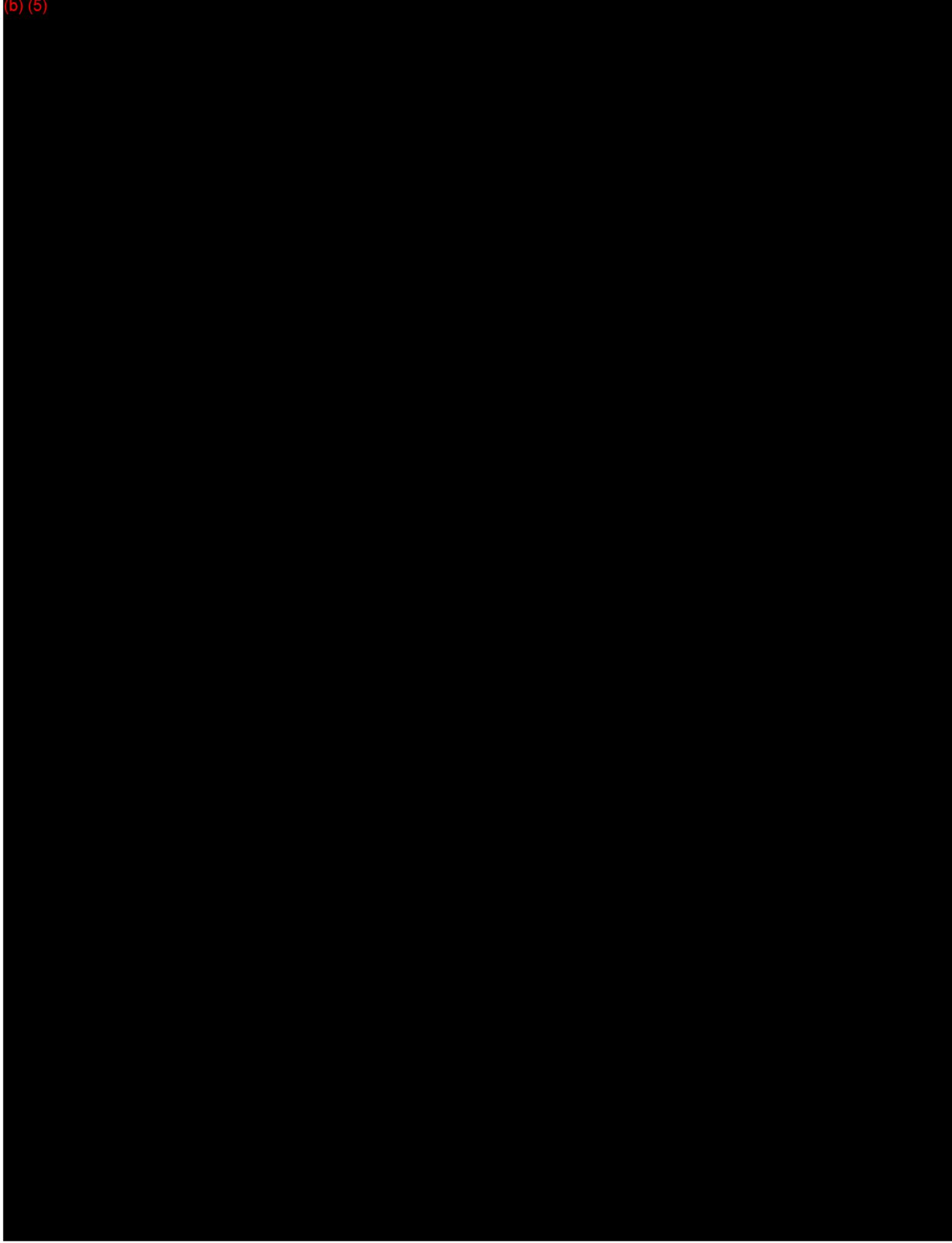
Katherine: assuming no objections—good to pass to Mary.

Best,  
Steven









## RE: Draft Herrgott Testimony re 6.27 Senate Roundtable

---

**From:** "Schneider, Daniel J. EOP/CEQ" <(b) (6)>  
**To:** "Barnett, Steven W. EOP/CEQ" <(b) (6)> "Smith, Katherine R. EOP/CEQ" <(b) (6)>  
**Cc:** "Drummond, Michael R. EOP/CEQ" (b) (6)  
"Pettigrew, Theresa L. EOP/CEQ" (b) (6) "Vandegrift, Scott F. EOP/CEQ" <(b) (6)> "Herrgott, Alex H. EOP/CEQ" <(b) (6)>  
"Osterhues, Marlys A. EOP/CEQ" <(b) (6)>  
"Boling, Ted A. EOP/CEQ" <(b) (6)>  
"Patella, Michael A. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 19 Jun 2018 10:45:40 -0400  
**Attachments:** Herrgott Testimony 6.27 Roundtable Senate FINAL DS.DOCX (28.7 kB)

Minor suggested edits attached. Thanks.

---

**From:** Barnett, Steven W. EOP/CEQ  
**Sent:** Tuesday, June 19, 2018 10:19 AM  
**To:** Smith, Katherine R. EOP/CEQ <(b) (6)>  
**Cc:** Drummond, Michael R. EOP/CEQ <(b) (6)> Schneider, Daniel J. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Vandegrift, Scott F. EOP/CEQ <(b) (6)> Herrgott, Alex H. EOP/CEQ <(b) (6)> Osterhues, Marlys A. EOP/CEQ <(b) (6)> Boling, Ted A. EOP/CEQ <(b) (6)> Patella, Michael A. EOP/CEQ <(b) (6)>  
**Subject:** Draft Herrgott Testimony re 6.27 Senate Roundtable

All:

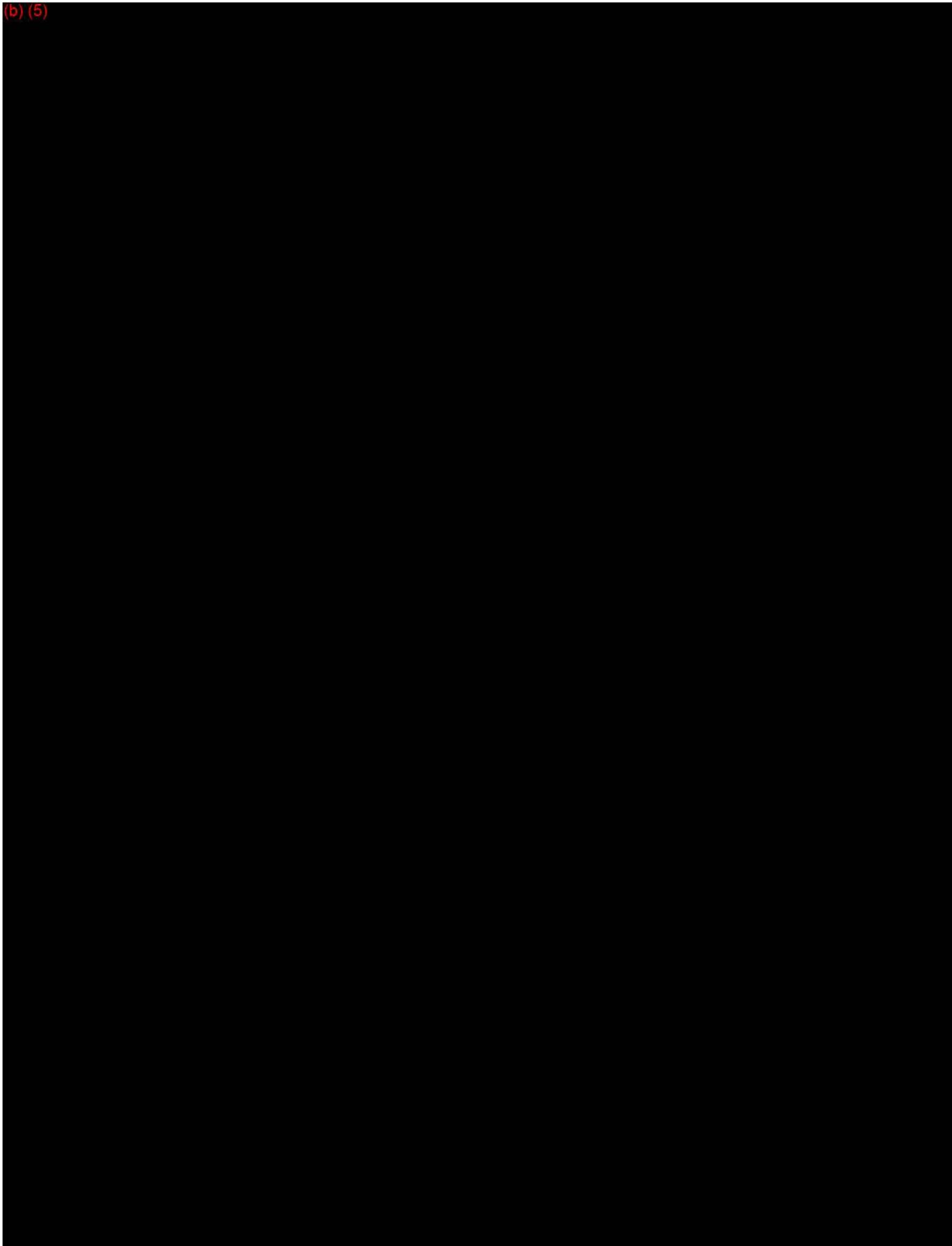
Please find attached a clean copy of Alex's draft testimony for the Senate roundtable.

Dan and Theresa: please take a quick look before we finalize this for Mary in the next 30 minutes or so (sorry!). Let me know if you have any other edits.

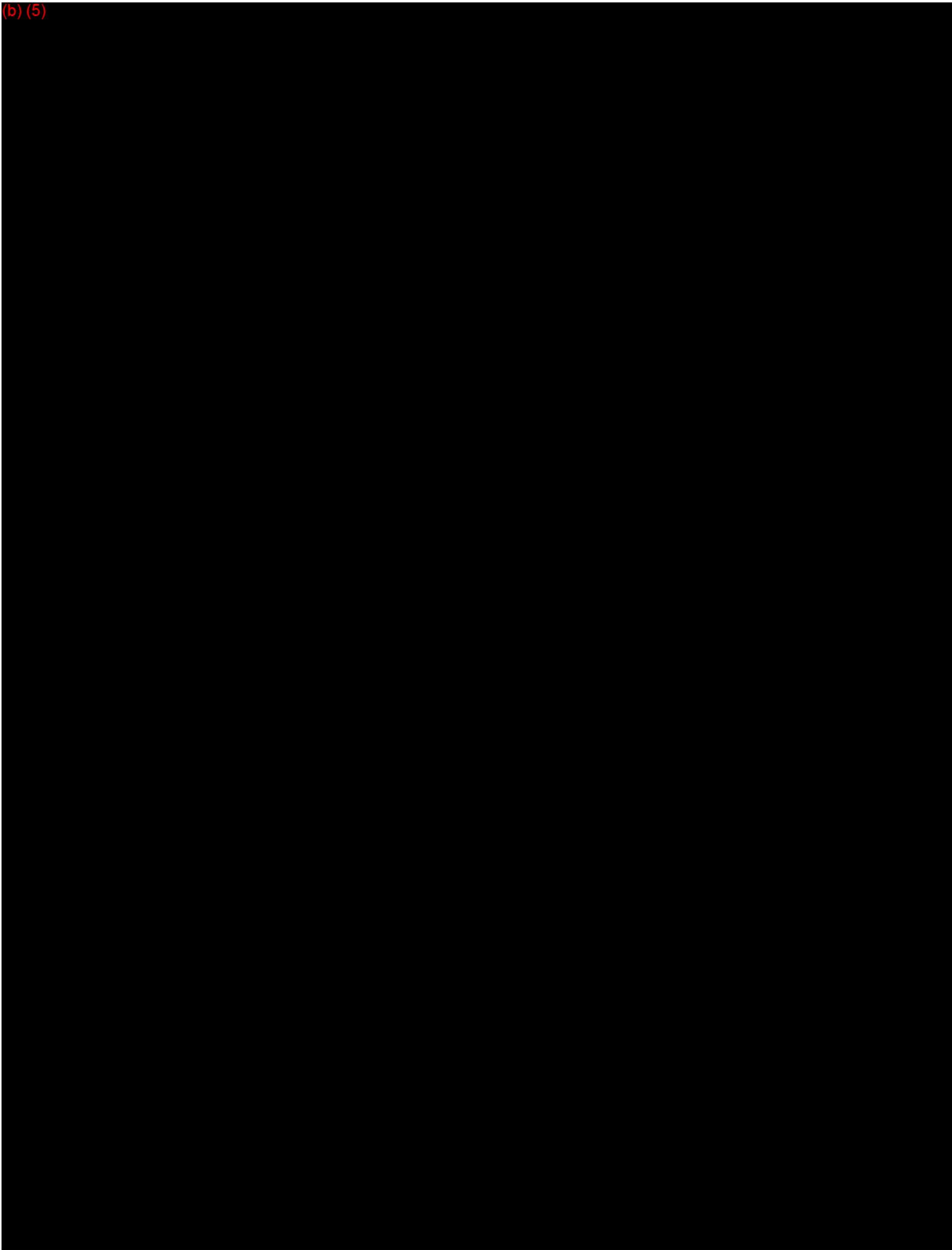
Best,

Steven









## Draft Herrgott Testimony re 6.27 Senate Roundtable

---

**From:** "Barnett, Steven W. EOP/CEQ" <(b) (6)>  
**To:** "Smith, Katherine R. EOP/CEQ" <(b) (6)>  
"Drummond, Michael R. EOP/CEQ" <(b) (6)>  
"Schneider, Daniel J. EOP/CEQ" <(b) (6)> "Pettigrew,  
Theresa L. EOP/CEQ" <(b) (6)> "Vandegrift, Scott F.  
**Cc:** EOP/CEQ" <(b) (6)> "Herrgott, Alex H. EOP/CEQ"  
<(b) (6)> "Osterhues, Marlys A. EOP/CEQ"  
<(b) (6)> "Boling, Ted A. EOP/CEQ"  
<(b) (6)> "Patella, Michael A. EOP/CEQ"  
<(b) (6)>  
**Date:** Tue, 19 Jun 2018 10:18:30 -0400  
**Attachments:** Herrgott Testimony 6.27 Roundtable Senate FINAL.DOCX (28.39 kB)

---

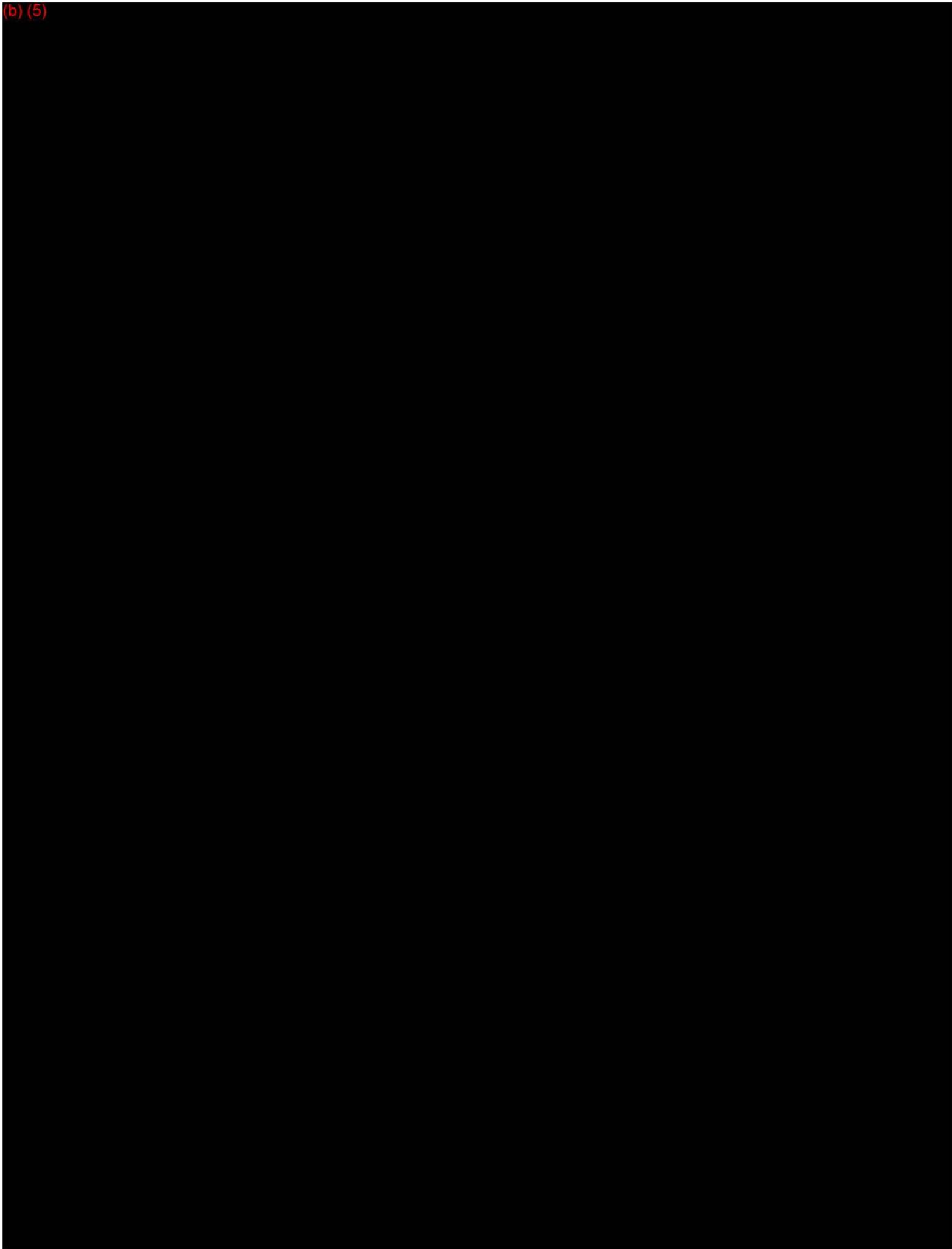
All:

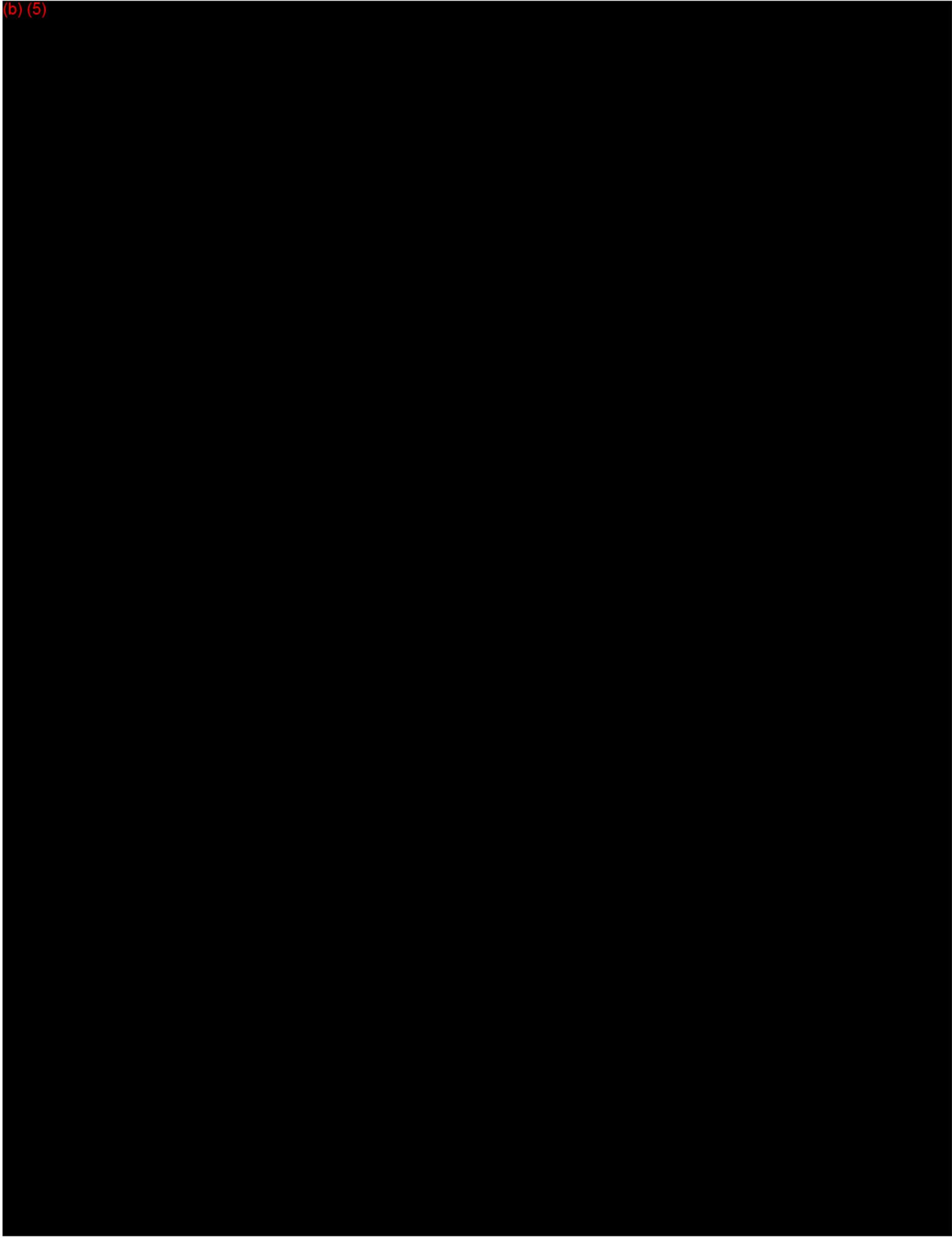
Please find attached a clean copy of Alex's draft testimony for the Senate roundtable.

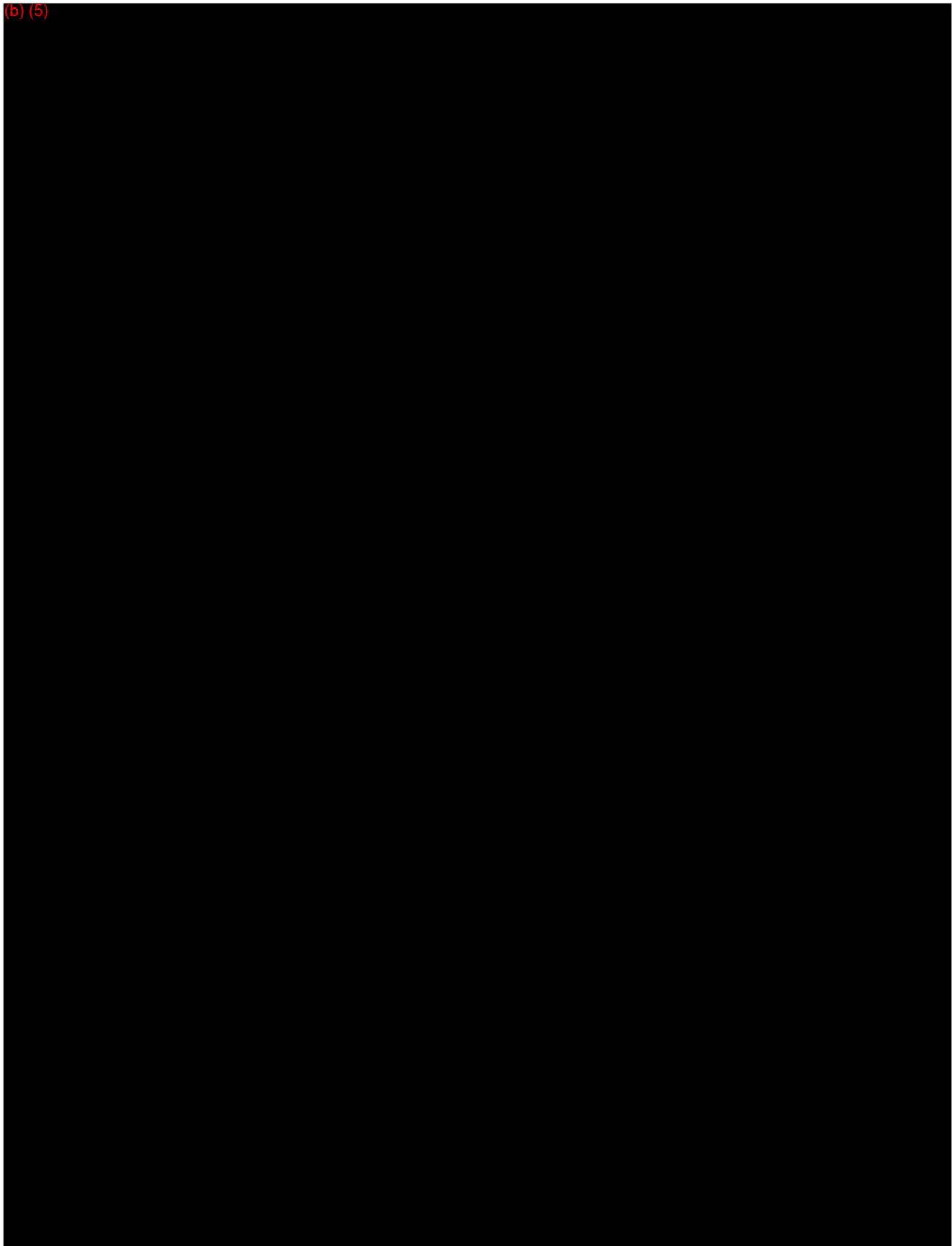
Dan and Theresa: please take a quick look before we finalize this for Mary in the next 30 minutes or so (sorry!). Let me know if you have any other edits.

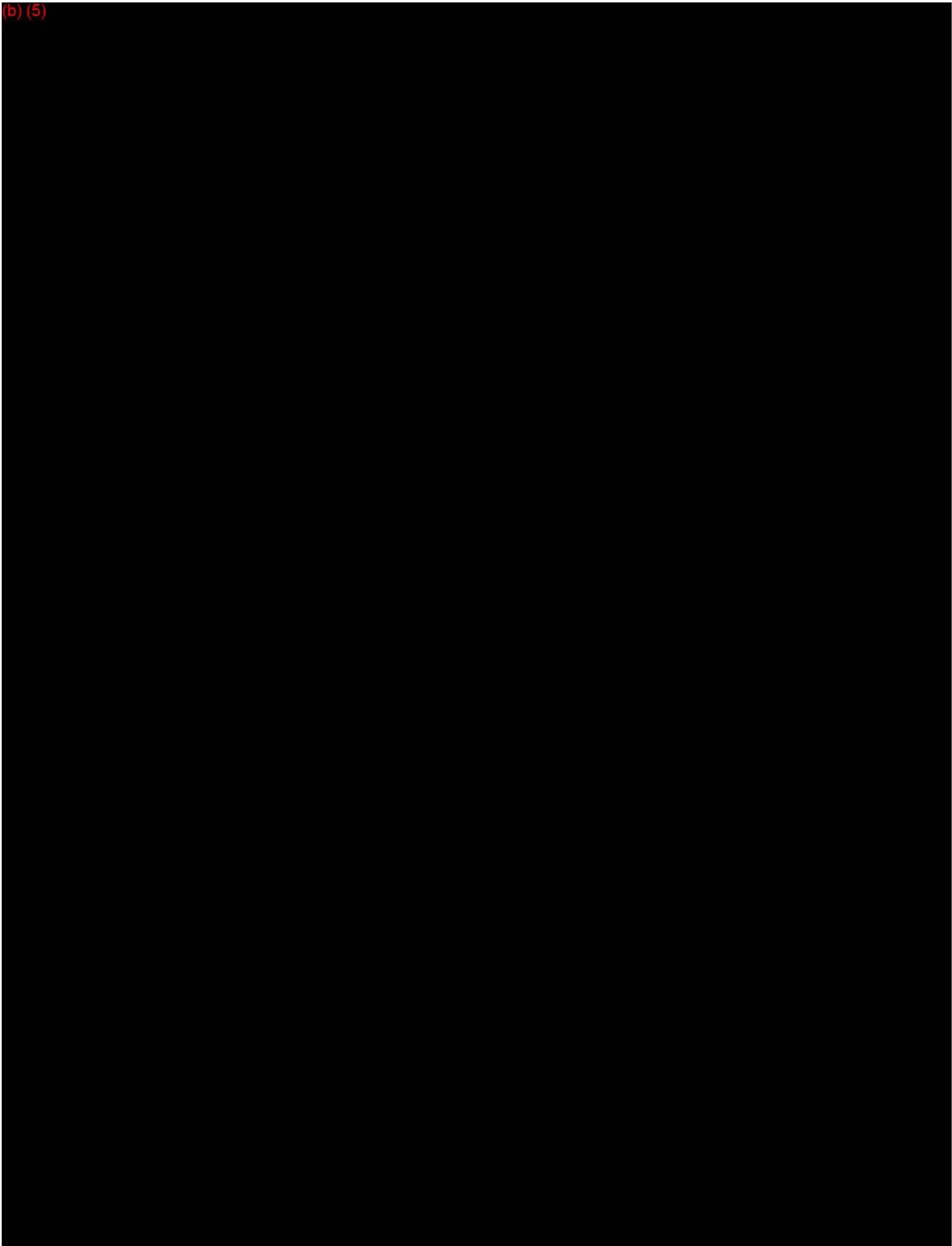
Best,

Steven









# Advance Notice of Proposed Rulemaking

---

**From :** "Seale, Viktoria Z. EOP/CEQ" <(b) (6)>  
"Neumayr, Mary B. EOP/CEQ" <(b) (6)> "Szabo, Aaron L. EOP/CEQ" <(b) (6)>  
**To:** <(b) (6)> "Boling, Ted A. EOP/CEQ"  
<(b) (6)> "Drummond, Michael R. EOP/CEQ"  
<(b) (6)> "Smith, Katherine R. EOP/CEQ"  
<(b) (6)> "Pettigrew, Theresa L. EOP/CEQ"  
<(b) (6)> "Schneider, Daniel J. EOP/CEQ"  
**Cc:** "Sun, Howard C. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 19 Jun 2018 09:10:32 -0400

---

The Advance Notice of Proposed Rulemaking is available on the public inspection desk at <https://www.federalregister.gov/documents/2018/06/20/2018-13246/implementation-of-the-procedural-provisions-of-the-national-environmental-policy-act>. It will be published in tomorrow's Federal Register, June 20.

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

## RE: Updates to NEPA.gov

---

**From :** "Adams, John (AU) (CONTR)" <john.adams@hq.doe.gov>  
**To:** "Mansoor, Yardena M. EOP/CEQ" <(b) (6)> "Carter, Marian (CONTR)" <marian.carter@hq.doe.gov>  
**Cc:** "Alexander, Lillian" <lillian.alexander@hq.doe.gov>, "Boling, Ted A. EOP/CEQ" <(b) (6)>, "Drummond, Michael R. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 19 Jun 2018 16:06:57 -0400

Good afternoon Yardena,

This request is ready to go once we receive the link for [Advance Notice of Proposed Rulemaking](#) (20 June 2018). Please note below the banner below. Due to banner size, below is the amount of text that could be fitted.



Regards,

John Adams  
AU Web Support Team  
Highland Technology Services, Inc. Contractor to the Office of Environment, Health, Safety and Security |  
Germantown Building  
1000 Independence Avenue, SW  
Washington, D.C. 20585-1290  
Phone: 301.903.8162 | Email: [john.adams@hq.doe.gov](mailto:john.adams@hq.doe.gov)

---

**From:** Mansoor, Yardena M. EOP/CEQ [mailto:(b) (6)]  
**Sent:** Monday, June 18, 2018 1:53 PM

**To:** Carter, Marian (CONTR) <Marian.Carter@hq.doe.gov>  
**Cc:** Alexander, Lillian <Lillian.Alexander@hq.doe.gov>; Boling, Ted A. EOP/CEQ  
<(b) (6)> Drummond, Michael R. EOP/CEQ  
<(b) (6)> Adams, John (AU) (CONTR) <John.Adams@Hq.Doe.Gov>  
**Subject:** RE: Updates to NEPA.gov

**This information is not for public release before Wednesday, until after I confirm the highlighted dates and that the notice is accessible in regulations.gov. Thanks!**

1. If the banner is to be an image, we need the image to enable us having time to manipulate it;  
Not an image.
2. If the banner is to link to content, we need the content or URL identified;  
See 4 below.
3. If the banner is not going to contain an image, it will be a simple blue background. Please confirm;  
Blue would be fine.
4. The content or 2 sentences to be used in the banner.  
CEQ is considering updating its NEPA implementing regulations and solicits public comment on potential revisions to update the regulations and ensure a more efficient, timely, and effective NEPA process. See the Advance Notice of Proposed Rulemaking and related materials [here](https://ceq.doe.gov/laws-regulations/regulations.html). [Link to ><https://ceq.doe.gov/laws-regulations/regulations.html><.]
5. For the Regulations web page, we need the Heading you want to use, the 3 sentences of text to be entered and the 2 hyperlinks referenced on the web page.  
On the CEQ NEPA Implementing Procedures page: ><https://ceq.doe.gov/laws-regulations/regulations.html><, after the **Current Regulations:** heading, create new heading "**Proposed Rulemaking:**" and insert:  
Advance Notice of Proposed Rulemaking (20 June 2018). CEQ is considering updating its NEPA implementing regulations and solicits public comment on potential revisions to update the regulations and ensure a more efficient, timely, and effective NEPA process. Submit comments, identified by docket ID number CEQ-2018-0001, through the Federal eRulemaking portal, ><https://www.regulations.gov><. Comments should be submitted on or before **July 20, 2018**.

---

**From:** Carter, Marian (CONTR) <Marian.Carter@hq.doe.gov>  
**Sent:** Monday, June 18, 2018 1:23 PM  
**To:** Mansoor, Yardena M. EOP/CEQ <(b) (6)>  
**Cc:** Alexander, Lillian <Lillian.Alexander@hq.doe.gov>; Boling, Ted A. EOP/CEQ  
<(b) (6)> Drummond, Michael R. EOP/CEQ  
<(b) (6)> Adams, John (AU) (CONTR) <[John.Adams@Hq.Doe.Gov](mailto:John.Adams@Hq.Doe.Gov)>  
**Subject:** RE: Updates to NEPA.gov

Good Afternoon, Yardena:

I checked with John, and if you provide us with the following by COB today, Tuesday, June 18th, he anticipates that he can have these changes completed by tomorrow, COB, Tuesday, June 19, 2018:

1. If the banner is to be an image, we need the image to enable us having time to manipulate it;
2. If the banner is to link to content, we need the content or URL identified;
3. If the banner is not going to contain an image, it will be a simple blue background. Please confirm;
4. The content or 2 sentences to be used in the banner.
5. For the Regulations web page, we need the Heading you want to use, the 3 sentences of text to be entered and the 2 hyperlinks referenced on the web page.

*Thank you,  
Marian*

*Marian A. Carter  
AU Web Support Team Manager  
Highland Technology Services, Inc., Contractor  
Office of Environment, Health, Safety and Security  
(301) 903-3494 - Office  
[marian.carter@hq.doe.gov](mailto:marian.carter@hq.doe.gov)*

*The business of life is the acquisition of memories...*

---

**From:** Mansoor, Yardena M. EOP/CEQ [mailto:(b) (6)]  
**Sent:** Monday, June 18, 2018 12:31 PM  
**To:** Adams, John (AU) (CONTR) <[John.Adams@Hq.Doe.Gov](mailto:John.Adams@Hq.Doe.Gov)>  
**Cc:** Carter, Marian (CONTR) <[Marian.Carter@hq.doe.gov](mailto:Marian.Carter@hq.doe.gov)>; Alexander, Lillian <[Lillian.Alexander@hq.doe.gov](mailto:Lillian.Alexander@hq.doe.gov)>; Boling, Ted A. EOP/CEQ <(b) (6)>  
Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** Updates to NEPA.gov

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- Adding a heading, three sentences of text, and two links on the **CEQ NEPA Implementing Procedures** page: >><https://ceq.doe.gov/laws-regulations/regulations.html><<.

**Follow-up:** Please let me know if you have any questions on the request I sent Friday at 1:37, on the NEPA Practice page (revising and alphabetizing the tab entries, new land page and file for “Agency Jurisdiction and Expertise.”

**New requests:**

At [https://ceq.doe.gov/laws-regulations/nepa\\_legislative\\_history.html](https://ceq.doe.gov/laws-regulations/nepa_legislative_history.html); please replace the following links with the corresponding attachments (filenames in parenthesis):

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Thanks, in advance, for your help.

Yardena Mansoor  
Deputy Associate Director for NEPA  
Council on Environmental Quality

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

## FW: Draft Herrgott Testimony

---

**From:** "Barnett, Steven W. EOP/CEQ" <(b) (6)>  
**To:** angela.colamaria@fpisc.gov  
**Cc:** "Osterhues, Marlys A. EOP/CEQ" <(b) (6)> "Herrgott, Alex H. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 19 Jun 2018 17:20:19 -0400  
**Attachments:** Herrgott Testimony 6.27 Roundtable Senate FINAL DS V2 CLEAN.DOCX (29.55 kB)

Hi Angie,

Please find attached Alex's statement for next week's Senate roundtable.

Best,  
Steven

---

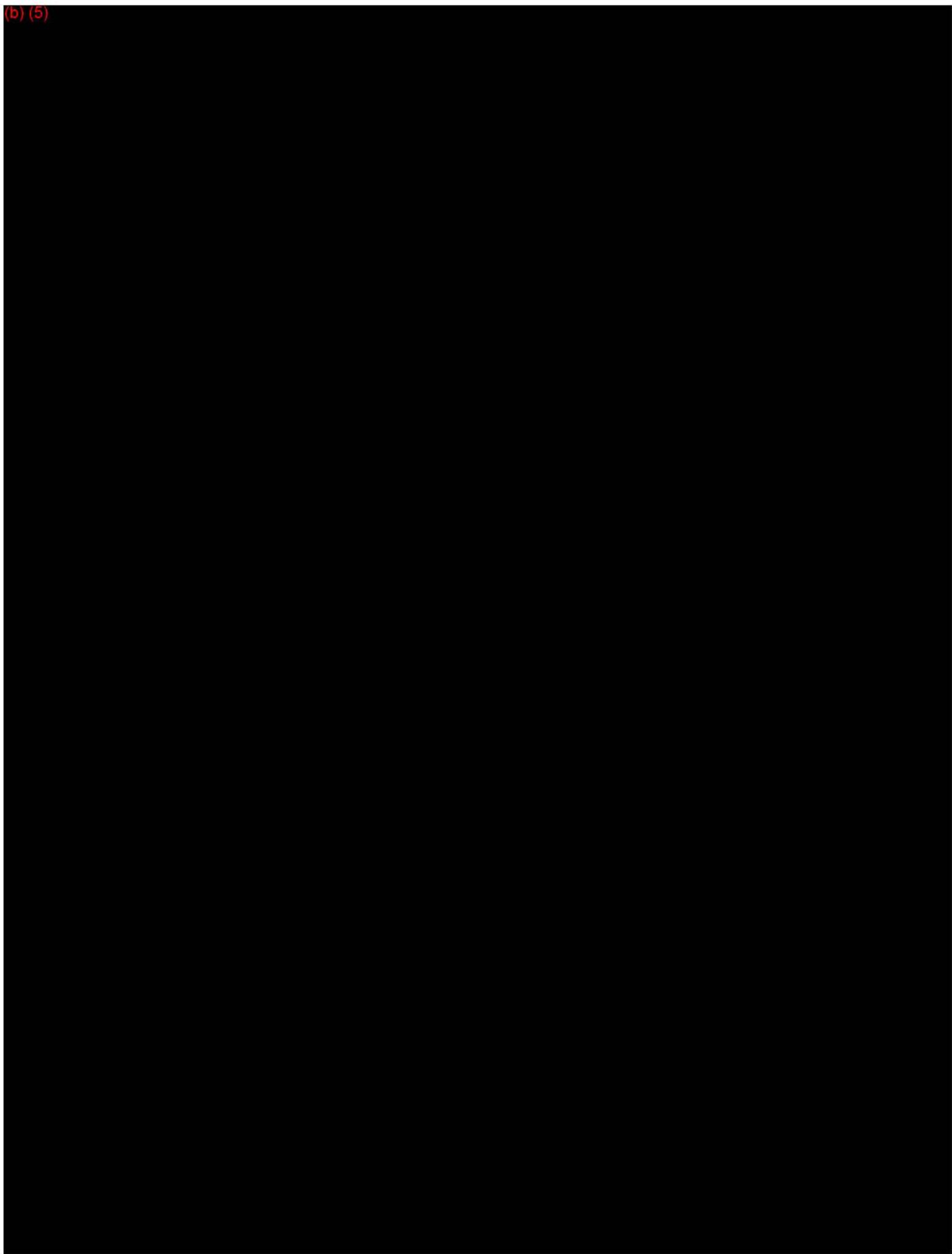
**From:** Schneider, Daniel J. EOP/CEQ  
**Sent:** Tuesday, June 19, 2018 5:10 PM  
**To:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Cc:** Barnett, Steven W. EOP/CEQ <(b) (6)> Neumayr, Mary B. EOP/CEQ <(b) (6)> Pettigrew, Theresa L. EOP/CEQ <(b) (6)> Herrgott, Alex H. EOP/CEQ <(b) (6)> Smith, Katherine R. EOP/CEQ <(b) (6)>  
**Subject:** Draft Herrgott Testimony

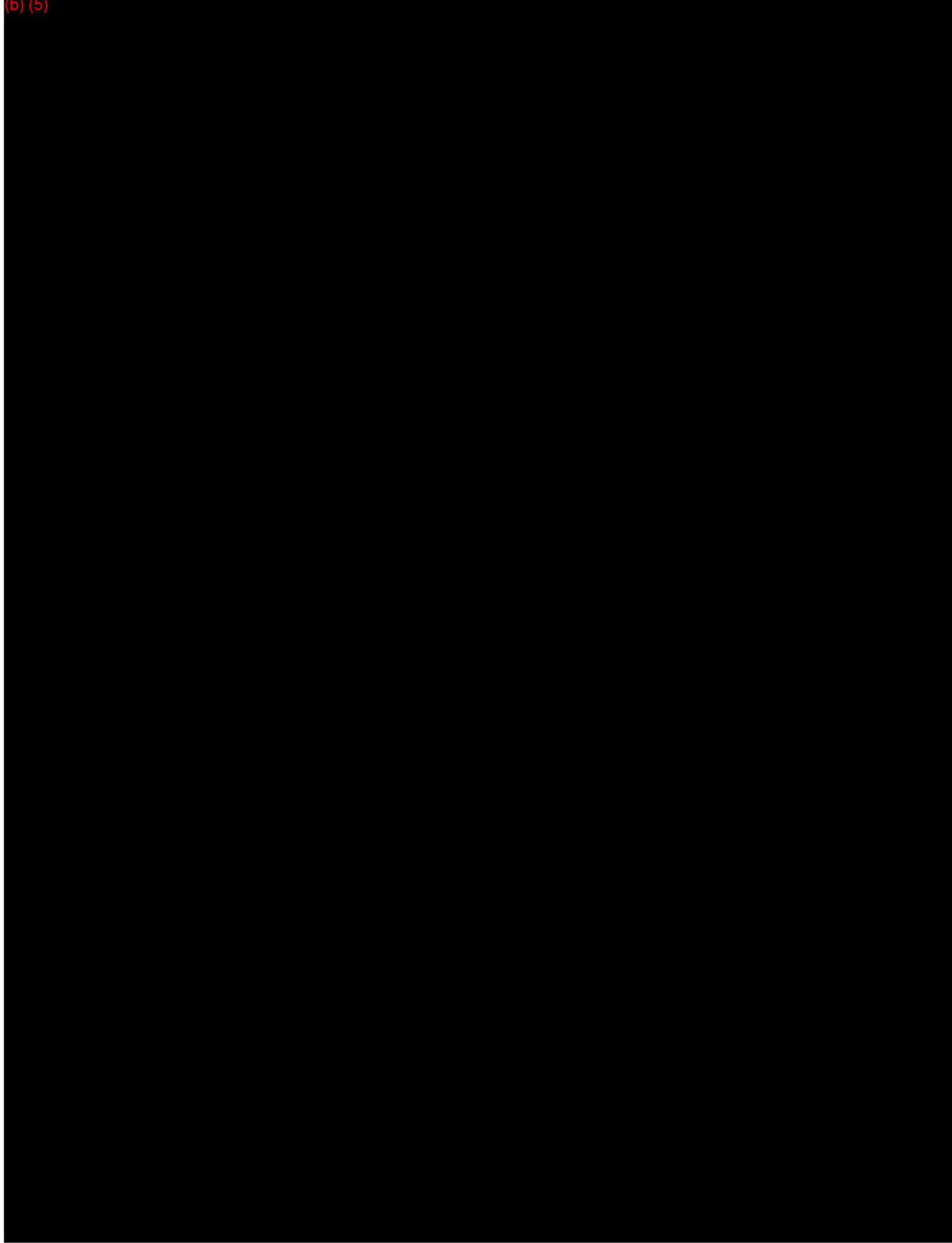
All – attached are both clean and marked up versions of Alex's statement that reflects Mary, Theresa, and I's edits. Please coordinate with FPISC in sending over the statements simultaneously.

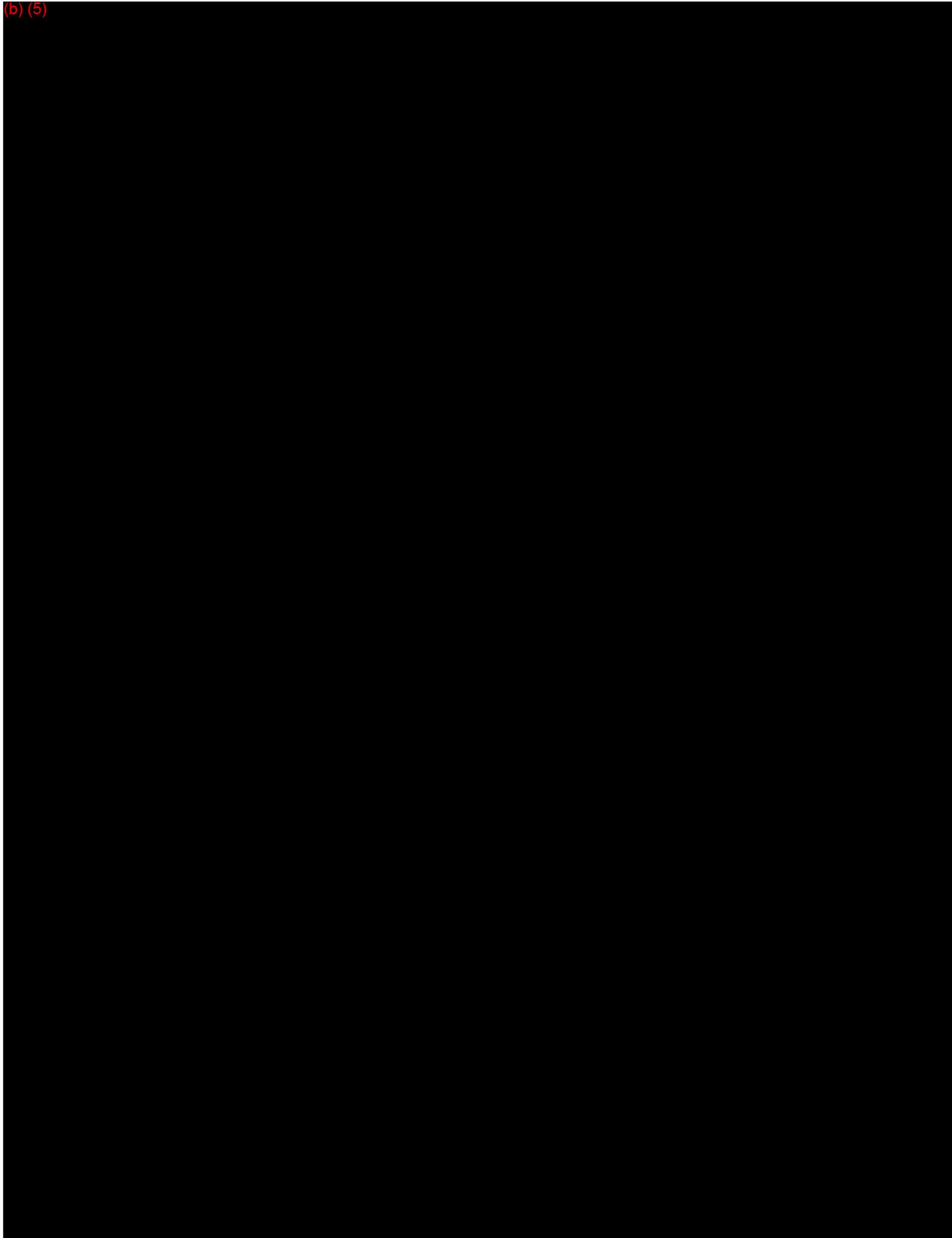
Let me know if you have any questions,

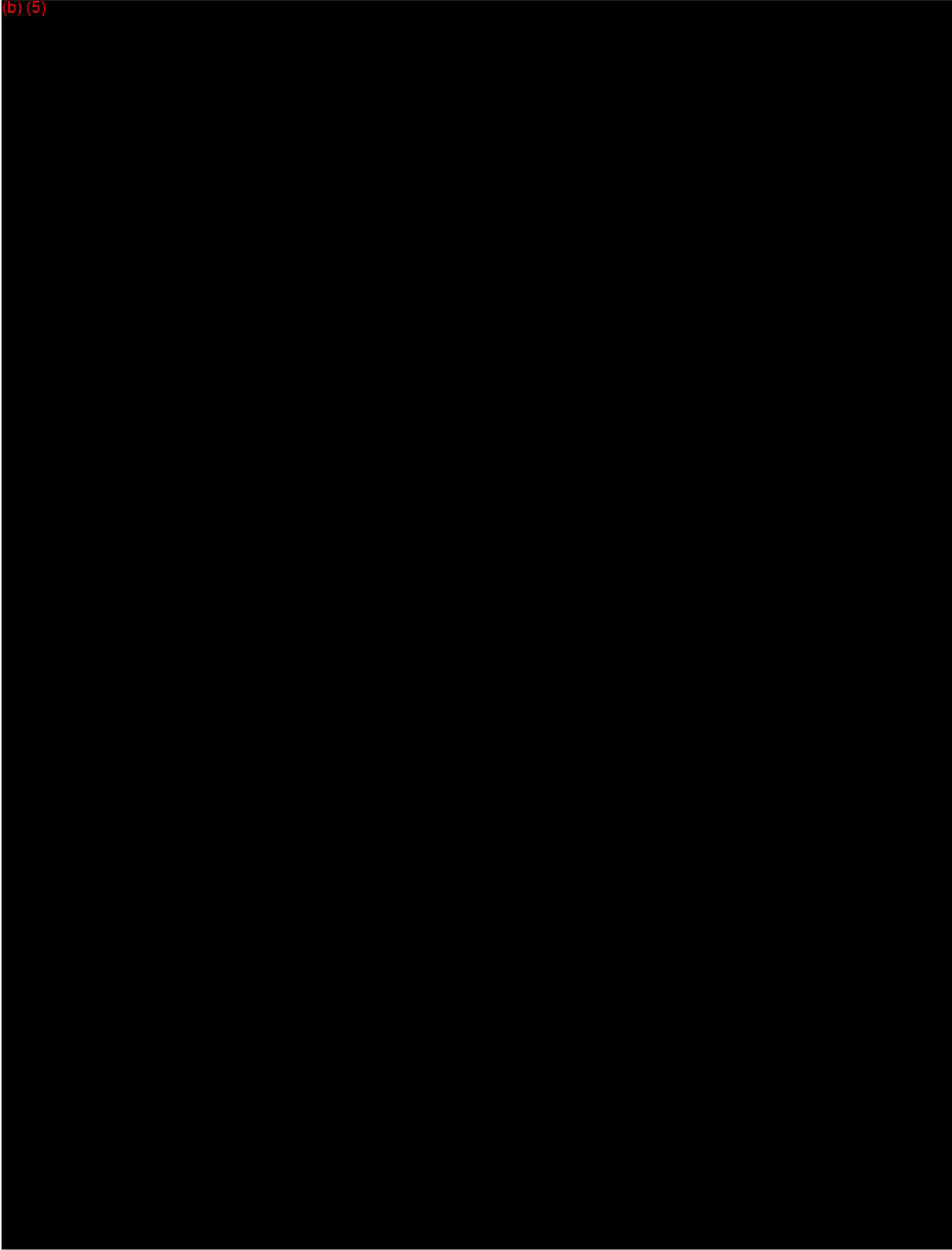
Dan

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









## RE: Updates to NEPA.gov

---

**From** "Mansoor, Yardena M. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=2712a19fd57447088e0b9da580c16e15-ma">  
**To:** "Adams, John (AU) (CONTR)" <john.adams@hq.doe.gov>  
**Date:** Wed, 20 Jun 2018 08:56:06 -0400

Please call me at (b) (6) Re: Is this a rotating banner? Do you want a photo to put behind it?

---

**From:** Adams, John (AU) (CONTR) <John.Adams@Hq.Doe.Gov>  
**Sent:** Wednesday, June 20, 2018 8:54 AM  
**To:** Mansoor, Yardena M. EOP/CEQ <(b) (6)>  
**Cc:** Carter, Marian (CONTR) <Marian.Carter@hq.doe.gov>; Alexander, Lillian <Lillian.Alexander@hq.doe.gov>; Boling, Ted A. EOP/CEQ <(b) (6)>  
Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RE: Updates to NEPA.gov

Good morning Yardena,

I just want to confirm we can go ahead and publish the update now correct?

---

**From:** Mansoor, Yardena M. EOP/CEQ [mailto:(b) (6)]  
**Sent:** Wednesday, June 20, 2018 8:48 AM  
**To:** Adams, John (AU) (CONTR) <John.Adams@Hq.Doe.Gov>  
**Cc:** Carter, Marian (CONTR) <Marian.Carter@hq.doe.gov>; Alexander, Lillian <Lillian.Alexander@hq.doe.gov>; Boling, Ted A. EOP/CEQ <(b) (6)>  
Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RE: Updates to NEPA.gov

On the CEQ NEPA Implementing Procedures page: <https://ceq.doe.gov/laws-regulations/regulations.html>, after the **Current Regulations:** heading, create new heading "**Proposed Rulemaking:**" and insert:

**Proposed Rulemaking:**

Advance Notice of Proposed Rulemaking [link to <https://www.gpo.gov/fdsys/pkg/FR-2018-06-20/pdf/2018-13246.pdf>] (20 June 2018). CEQ is considering updating its NEPA implementing regulations and solicits public comment on potential revisions to update the regulations and ensure a more efficient, timely, and effective NEPA process. Submit comments, identified by docket ID number CEQ-2018-0001, through the Federal eRulemaking portal, <https://www.regulations.gov>. Comments should be submitted on or before July 20, 2018.

---

**From:** Mansoor, Yardena M. EOP/CEQ  
**Sent:** Monday, June 18, 2018 1:53 PM

To: 'Carter, Marian (CONTR)' <[Marian.Carter@hq.doe.gov](mailto:Marian.Carter@hq.doe.gov)>  
Cc: Alexander, Lillian <[Lillian.Alexander@hq.doe.gov](mailto:Lillian.Alexander@hq.doe.gov)>; Boling, Ted A. EOP/CEQ  
<(b) (6)> Drummond, Michael R. EOP/CEQ  
<(b) (6)> Adams, John (AU) (CONTR) <[John.Adams@Hq.Doe.Gov](mailto:John.Adams@Hq.Doe.Gov)>  
Subject: RE: Updates to NEPA.gov

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**To:** Mansoor, Yarden M. EOP/CEQ <(b) (6)>  
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<(b) (6)> Drummond, Michael R. EOP/CEQ  
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**Subject:** RE: Updates to NEPA.gov

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*Thank you,  
Marian*

*Marian A. Carter  
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Highland Technology Services, Inc., Contractor  
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(301) 903-3494 - Office  
[marian.carter@hq.doe.gov](mailto:marian.carter@hq.doe.gov)*

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---

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**Sent:** Monday, June 18, 2018 12:31 PM  
**To:** Adams, John (AU) (CONTR) <[John.Adams@Hq.Doe.Gov](mailto:John.Adams@Hq.Doe.Gov)>  
**Cc:** Carter, Marian (CONTR) <[Marian.Carter@hq.doe.gov](mailto:Marian.Carter@hq.doe.gov)>; Alexander, Lillian <[Lillian.Alexander@hq.doe.gov](mailto:Lillian.Alexander@hq.doe.gov)>; Boling, Ted A. EOP/CEQ <(b) (6)>  
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**Follow-up:** Please let me know if you have any questions on the request I sent Friday at 1:37, on the NEPA Practice page (revising and alphabetizing the tab entries, new land page and file for “Agency Jurisdiction and Expertise.”

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Thanks, in advance, for your help.

Yardena Mansoor  
Deputy Associate Director for NEPA  
Council on Environmental Quality

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

## RE: Updates to NEPA.gov - APPROVAL NEEDED FOR BANNER

---

**From** : "Carter, Marian (CONTR)" <marian.carter@hq.doe.gov>  
**To** : "Boling, Ted A. EOP/CEQ" <(b) (6)>  
**Cc** : "Alexander, Lillian" <lillian.alexander@hq.doe.gov>, "Drummond, Michael R. EOP/CEQ" <(b) (6)>, "Mansoor, Yardena M. EOP/CEQ" <(b) (6)>, "Adams, John (AU) (CONTR)" <john.adams@hq.doe.gov>  
**Date** : Wed, 20 Jun 2018 11:03:02 -0400

Great. We will proceed ☺

---

**From**: Boling, Ted A. EOP/CEQ [mailto:(b) (6)]  
**Sent**: Wednesday, June 20, 2018 11:02 AM  
**To**: Carter, Marian (CONTR) <Marian.Carter@hq.doe.gov>  
**Cc**: Alexander, Lillian <Lillian.Alexander@hq.doe.gov>; Drummond, Michael R. EOP/CEQ <(b) (6)>; Mansoor, Yardena M. EOP/CEQ <(b) (6)>; Adams, John (AU) (CONTR) <John.Adams@Hq.Doe.Gov>  
**Subject**: RE: Updates to NEPA.gov - APPROVAL NEEDED FOR BANNER

That looks great!  
Thank you!

---

**From**: Carter, Marian (CONTR) <[Marian.Carter@hq.doe.gov](mailto:Marian.Carter@hq.doe.gov)>  
**Sent**: Wednesday, June 20, 2018 10:12 AM  
**To**: Boling, Ted A. EOP/CEQ <(b) (6)>  
**Cc**: Alexander, Lillian <[Lillian.Alexander@hq.doe.gov](mailto:Lillian.Alexander@hq.doe.gov)>; Drummond, Michael R. EOP/CEQ <(b) (6)>; Mansoor, Yardena M. EOP/CEQ <(b) (6)>; Adams, John (AU) (CONTR) <[John.Adams@Hq.Doe.Gov](mailto:John.Adams@Hq.Doe.Gov)>  
**Subject**: RE: Updates to NEPA.gov - APPROVAL NEEDED FOR BANNER

Good Morning, Ted:

John was able to manipulate the image to the following display. If you like it, he will proceed with including it in the web site update.



# CEQ IS CONSIDERING UPDATES IMPLEMENTING REGULATION AND SOLICITS PUBLIC COMMENT REVISIONS

READ MORE

---

**From:** Boling, Ted A. EOP/CEQ [mailto:(b) (6)]  
**Sent:** Wednesday, June 20, 2018 8:57 AM  
**To:** Mansoor, Yardena M. EOP/CEQ <(b) (6)> Adams, John (AU) (CONTR)  
<[John.Adams@Hq.Doe.Gov](mailto:John.Adams@Hq.Doe.Gov)>  
**Cc:** Carter, Marian (CONTR) <[Marian.Carter@hq.doe.gov](mailto:Marian.Carter@hq.doe.gov)>; Alexander, Lillian  
<[Lillian.Alexander@hq.doe.gov](mailto:Lillian.Alexander@hq.doe.gov)>; Drummond, Michael R. EOP/CEQ  
<(b) (6)>  
**Subject:** RE: Updates to NEPA.gov

If we can add a photo to the banner, here's one of Denali from NPS.gov

---

**From:** Mansoor, Yardena M. EOP/CEQ  
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**To:** Adams, John (AU) (CONTR) <[John.Adams@Hq.Doe.Gov](mailto:John.Adams@Hq.Doe.Gov)>  
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**Cc:** Alexander, Lillian <[Lillian.Alexander@hq.doe.gov](mailto:Lillian.Alexander@hq.doe.gov)>; Boling, Ted A. EOP/CEQ  
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*Thank you,  
Marian*

*Marian A. Carter  
AU Web Support Team Manager  
Highland Technology Services, Inc., Contractor  
Office of Environment, Health, Safety and Security  
(301) 903-3494 - Office  
[marian.carter@hq.doe.gov](mailto:marian.carter@hq.doe.gov)*

*The business of life is the acquisition of memories...*

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Thanks, in advance, for your help.

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

## Re: Draft Herrgott Testimony

---

**From:** Angela Colamaria - Y-D <angela.colamaria@fpisc.gov>  
**To:** "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>  
**Cc:** Karen Hanley - Y <karen.hanley@gsa.gov>, "Herrgott, Alex H. EOP/CEQ" <(b) (6)>, "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>, "Barnett, Steven W. EOP/CEQ" <(b) (6)>, "Drummond, Michael R. EOP/CEQ" <(b) (6)>, Amber Levofsky - Y <amber.levofsky@gsa.gov>, Janet Pfleeger - Y <janet.pfleeger@fpisc.gov>  
**Date:** Wed, 20 Jun 2018 16:32:59 -0400  
**Attachment s:** Herrgott Testimony 6.27 Roundtable Senate FINAL DS V2 CLEAN (3) AFC EDITS 6-20-18.DOCX (35.89 kB)

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All here are my quick comments on Alex's testimony. In the interest of time, I didn't review the "agency action" section.

I will be offline for the next hour or so, but can send out both written statements once we are ready.

**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 19, 2018 at 5:32 PM, Osterhues, Marlys A. EOP/CEQ <(b) (6)> wrote:

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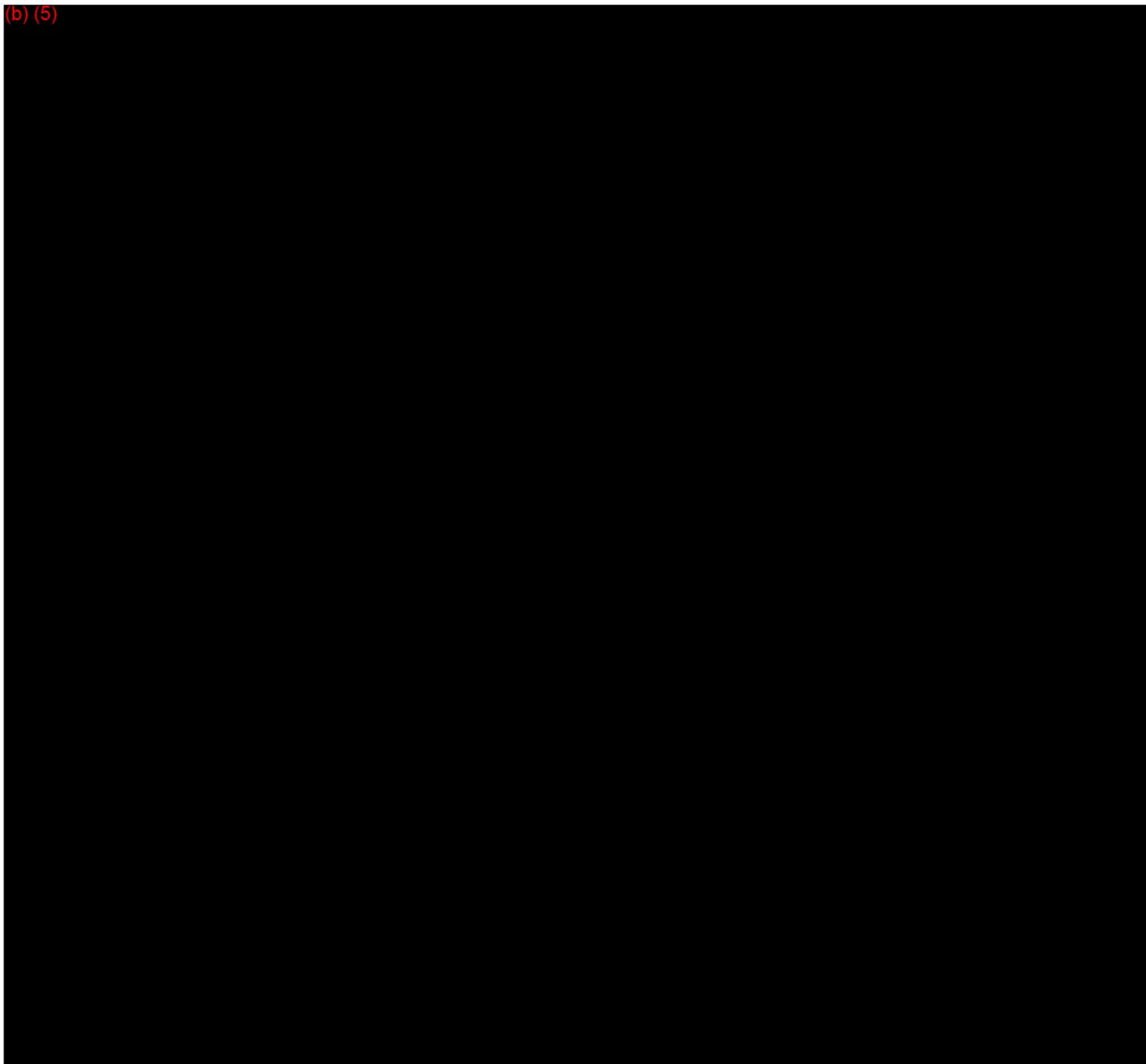
Angie and Karen –

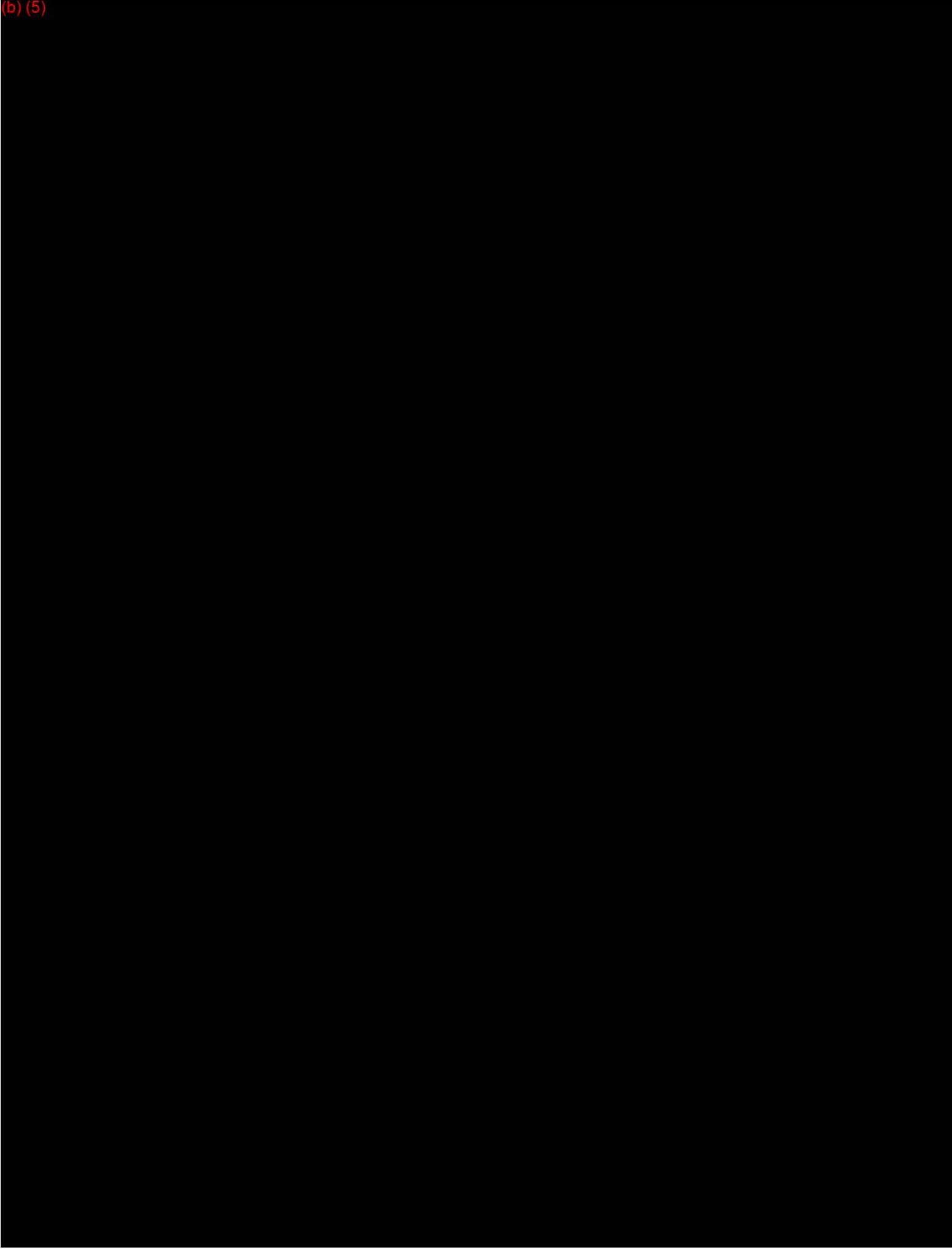
Attached is Alex's statement for next week's Roundtable. Please confirm that you will submit your and Alex's statements together for review/coordination with OMB. Let's touch base tomorrow morning.

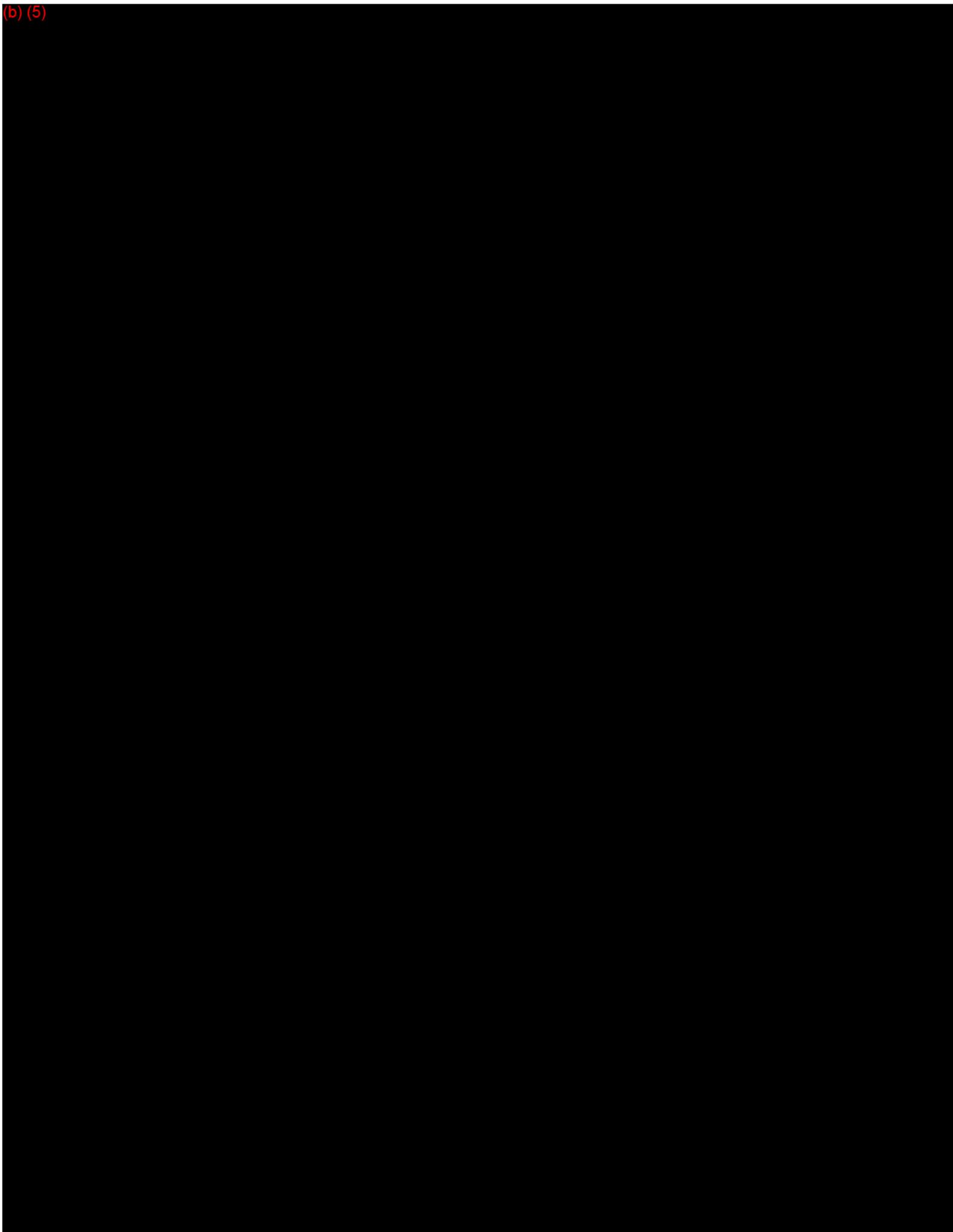
Thanks - Marlys

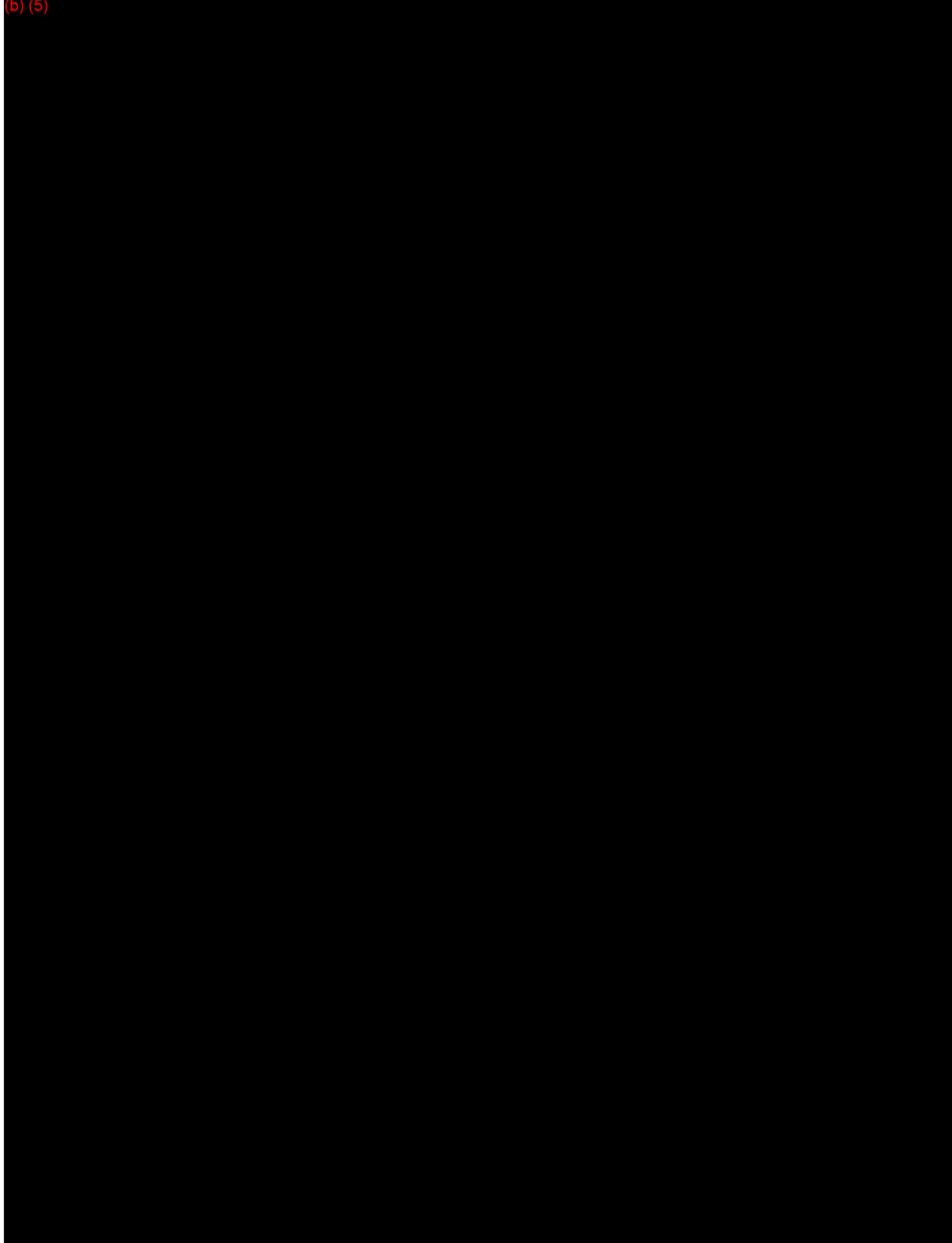
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(b) (5)









# Fwd: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on Infrastructure Permitting

**From:** Karen Hanley - Y <karen.hanley@gsa.gov>  
**To:** "Pettigrew, Theresa L. EOP/CEQ" (b) (6) "Smith, Katherine R. EOP/CEQ" (b) (6)  
**Date:** Thu, 21 Jun 2018 13:57:49 -0400  
**Attachment s:** Colamaria Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20.docx (31.47 kB); Herrgott Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20.docx (33.25 kB)

I don't know what is happening here but wanted to send this to you ASAP.

----- Forwarded message -----

**From:** LaVerne Jordan - S <laverne.jordan@gsa.gov>  
**Date:** Thu, Jun 21, 2018 at 1:55 PM  
**Subject:** Fwd: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on Infrastructure Permitting  
**To:** Karen Hanley - Y <karen.hanley@gsa.gov>, Janet Pfleeger - Y <janet.pfleeger@gsa.gov>  
**Cc:** Saul Japson - S <saul.japson@gsa.gov>, Jeff Post - A <jeffrey.post@gsa.gov>, Erin Mewhirter <erin.mewhirter@gsa.gov>

FYI - Please see below. If FPISC has any comments on this LRM, please send directly to the OMB contact

----- Forwarded message -----

**From:** Bronack, Candice M. EOP/OMB (b) (6)  
**Date:** Thu, Jun 21, 2018 at 1:51 PM  
**Subject:** LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on Infrastructure Permitting  
**To:** AGRICULTURE <usdaleg@obpa.usda.gov>, DL-CEQ-LRM (b) (6) DEFENSE (b) (6), ENERGY <Energy.GC33@hq.doe.gov>, EPA <epalrm@epamail.epa.gov>, INTERIOR <ocl@ios.doi.gov>, JUSTICE <justice.lrm@usdoj.gov>, TRANSPORTATION <dot.legislation@dot.gov>, DHS <DHSOGCLegislation@hq.dhs.gov>, ARMY CORPS ENG <cecc-leg@hq02.usace.army.mil>, COMMERCE <clrm@doc.gov>, HUD <HUDLRM@hud.gov>, LABOR <dol-sol-leg@dol.gov>, VA <ogcvalrm@va.gov>, "llo@nrc.gov" <llo@nrc.gov>, GSA <ca.legislation@gsa.gov>  
**Cc:** "Kraninger, Kathleen L. EOP/OMB" (b) (6) "Marten, Lexi N. EOP/OMB" (b) (6) "Abrams, Andrew D. EOP/OMB" (b) (6) "Connolly, David C. EOP/OMB" (b) (6) "Skidmore, Ben J. EOP/OMB" (b) (6) "Donatelli, Angela M. EOP/OMB" (b) (6) "Nelson, Kimberly P. EOP/OMB" (b) (6) "Koroveisis, Andrea G. EOP/OMB" (b) (6) "Grossman, Andrea L. EOP/OMB" (b) (6) "Pasquantino, John C. EOP/OMB" (b) (6) "Colyar, Kelly T. EOP/OMB" (b) (6) "Krauss, Lori A. EOP/OMB" (b) (6) "Dorjets, Vlad EOP/OMB" (b) (6) "Lucas, Adrienne E. EOP/OMB" (b) (6) "Stein, Nora H. EOP/OMB" (b) (6) "Hazelgren, Mark H. EOP/OMB" (b) (6) "Dankert, Charles M. EOP/OMB" (b) (6) "Montoni, Joe E. EOP/OMB" (b) (6) "Burnett, Ben D. EOP/OMB" (b) (6) "Roach, Emma K. EOP/OMB" (b) (6) "Hagan, Michael B. EOP/OMB" (b) (6) "Whitman, Katie B. EOP/OMB" (b) (6) "Buenvenida, Pearl A. EOP/OMB" (b) (6)

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"Slemrod, Jonathan A. EOP/OMB" <(b) (6)> "Ventura, Alexandra EOP/OMB"  
<(b) (6)>, "Vaeth, Matt J. EOP/OMB" <(b) (6)>

**DEADLINE: 2:00 PM Friday, June 22, 2018**

**Attached are (2) statements of the Federal Permitting Improvement Steering Council (FPISC) and CEQ for a roundtable on infrastructure permitting on June 27 before the Senate Homeland Security and Government Affairs Committee. This is not a formal hearing, but it will be open to the press and written statements will be posted online. Please review these statements and send any comments by the deadline above. Thanks.**

-----  
LRM ID: CMB-115-184  
EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

LEGISLATIVE REFERRAL MEMORANDUM  
Thursday, June 21, 2018

TO: Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference  
SUBJECT: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Statements on Infrastructure Permitting

OMB CONTACT: **Candice Bronack**

E-Mail: (b) (6)  
PHONE: (b) (6)  
FAX: (202) 395-3109

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. By the deadline above, please reply by e-mail or telephone, using the OMB Contact information above.

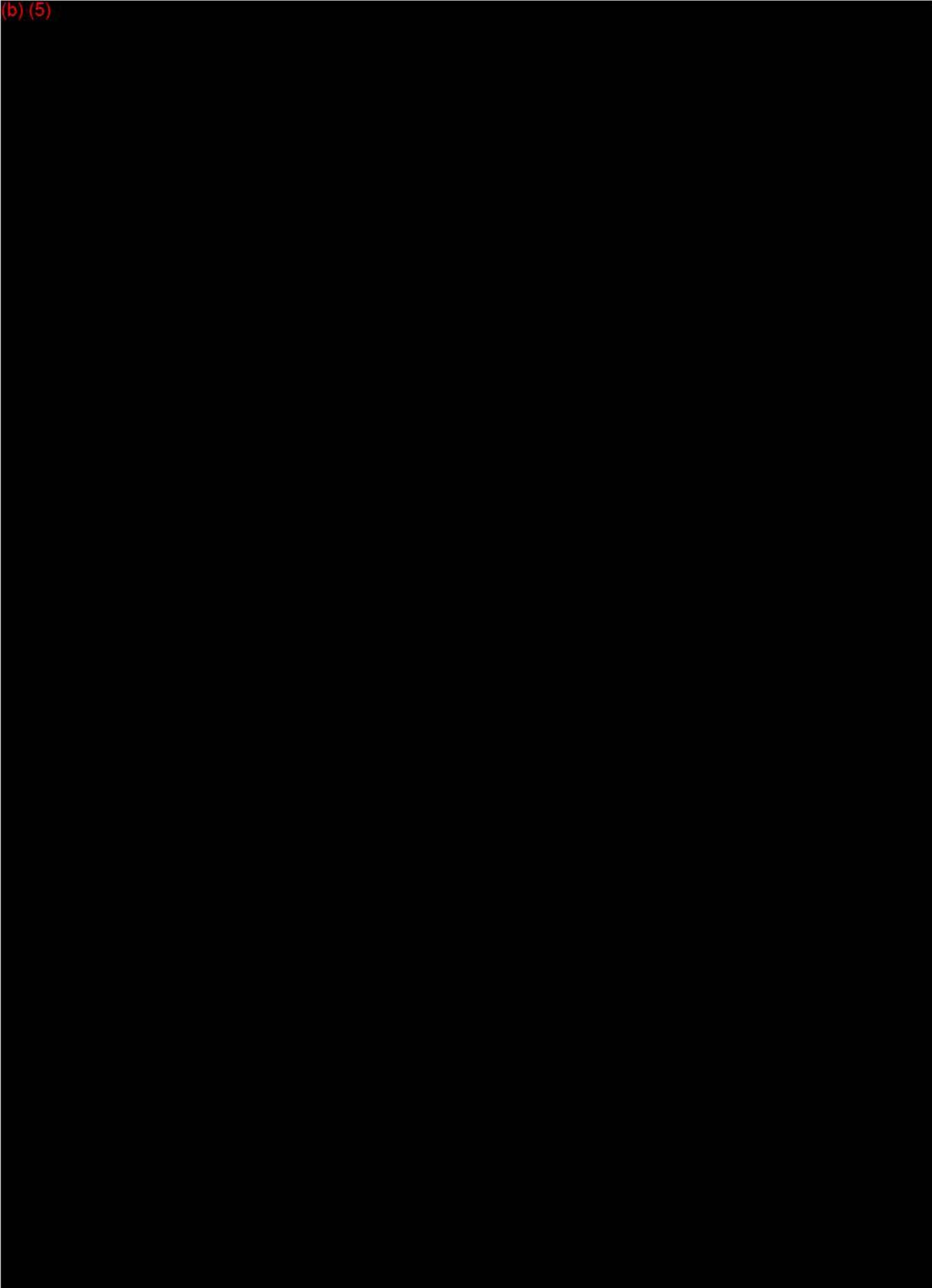
Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

Thank you.

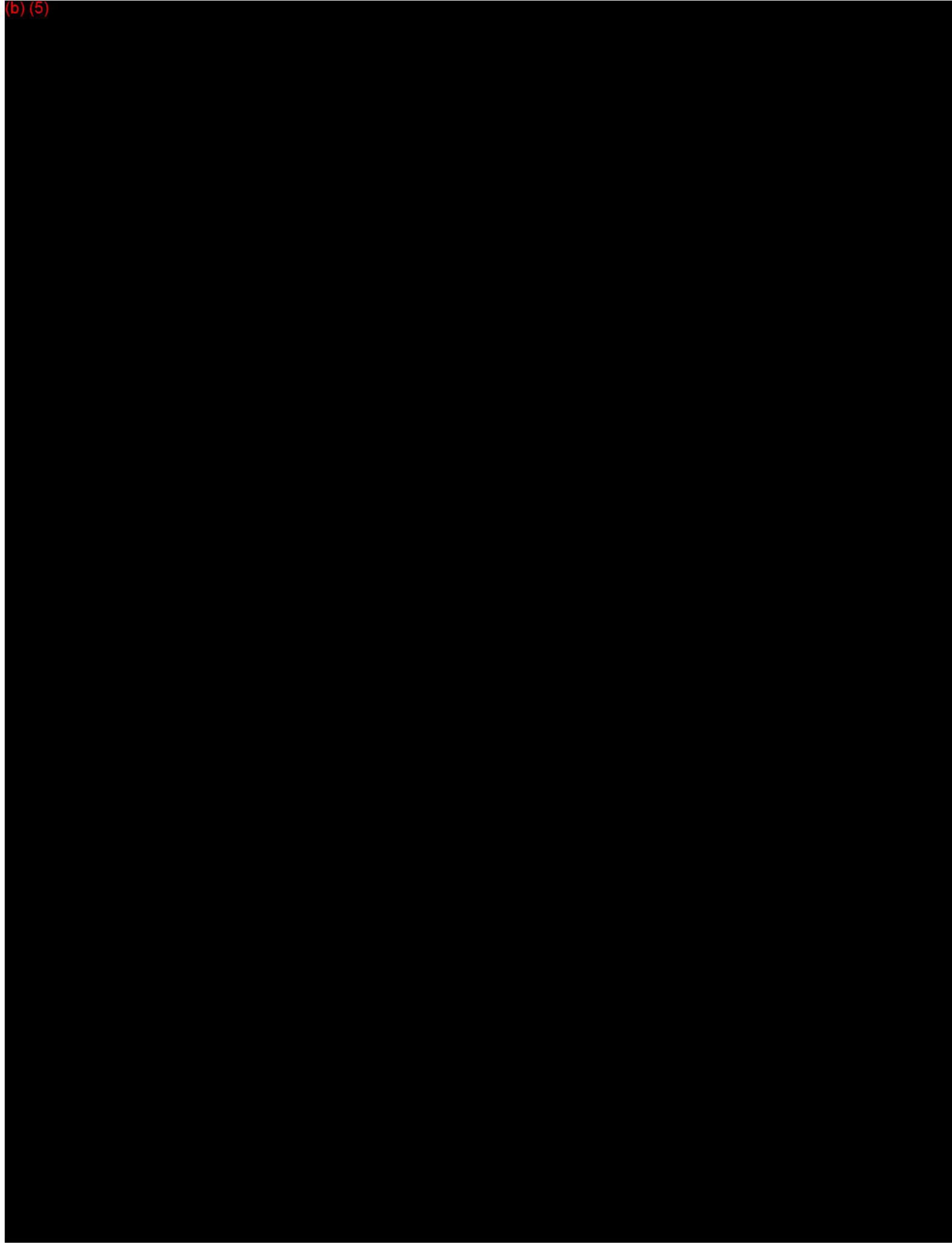
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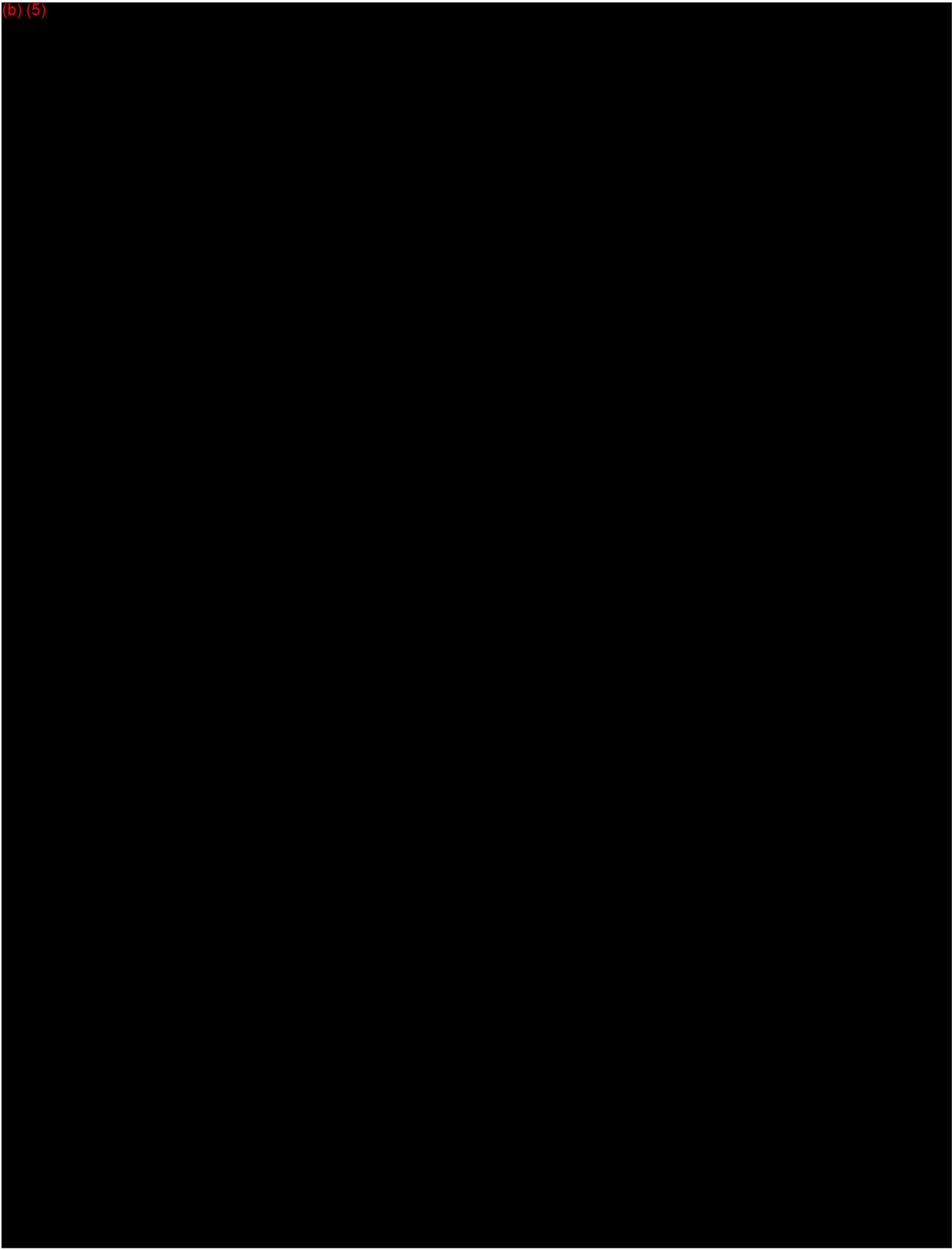
Karen A. Hanley  
Senior Environmental Policy Advisor, Federal Permitting Improvement Steering Council (FPISC), GSA  
Deputy Associate Director for NEPA, Council on Environmental Quality (CEQ)  
Phone: (b) (6)

(b) (5)









## RE: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on Infrastructure Permitting

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**From:** "Bronack, Candice M. EOP/OMB" <(b) (6)>  
**To:** "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>  
**Cc:** DL-CEQ-LRM <(b) (6)>  
**Date:** Fri, 22 Jun 2018 14:39:32 -0400  
**Attachment s:** Herrgott Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20 jmv.docx (30.32 kB)

I also received these comments from DOT. Please let me know how CEQ responds.

---

**From:** Bronack, Candice M. EOP/OMB  
**Sent:** Friday, June 22, 2018 1:55 PM  
**To:** Osterhues, Marlys A. EOP/CEQ <(b) (6)>  
**Cc:** DL-CEQ-LRM <(b) (6)>  
**Subject:** FW: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on Infrastructure Permitting

Hi Marlys – I received your voicemail earlier today. So far, I have only received minor comments from Commerce (attached). I will continue to send you anything I get in response to my LRM. Please let me know if CEQ accepts these edits. Thanks.

---

**From:** Bronack, Candice M. EOP/OMB  
**Sent:** Thursday, June 21, 2018 1:51 PM  
**To:** 'AGRICULTURE' <usdaleg@obpa.usda.gov>; DL-CEQ-LRM <(b) (6)> 'DEFENSE' <(b) (6)>; 'ENERGY' <Energy.GC33@hq.doe.gov>; 'EPA' <epalrm@epamail.epa.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <justice.lrm@usdoj.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'DHS' <DHSOGCLegislation@HQ.DHS.GOV>; 'ARMY CORPS ENG' <cecc-leg@hq02.usace.army.mil>; 'COMMERCE' <clrm@doc.gov>; 'HUD' <HUDLRM@hud.gov>; 'LABOR' <dol-sol-leg@dol.gov>; 'VA' <ogcvalrm@va.gov>; 'llo@nrc.gov' <llo@nrc.gov>; 'GSA' <ca.legislation@gsa.gov>  
**Cc:** Kraninger, Kathleen L. EOP/OMB <(b) (6)> Marten, Lexi N. EOP/OMB <(b) (6)> Abrams, Andrew D. EOP/OMB <(b) (6)> Connolly, David C. EOP/OMB <(b) (6)> Skidmore, Ben J. EOP/OMB <(b) (6)> Donatelli, Angela M. EOP/OMB <(b) (6)> Nelson, Kimberly P. EOP/OMB <(b) (6)> Korovesis, Andrea G. EOP/OMB <(b) (6)> Grossman, Andrea L. EOP/OMB <(b) (6)> Pasquantino, John C. EOP/OMB <(b) (6)> Colyar, Kelly T. EOP/OMB <(b) (6)> Krauss, Lori A. EOP/OMB <(b) (6)> Dorjets, Vlad EOP/OMB <(b) (6)> Lucas, Adrienne E. EOP/OMB <(b) (6)> Stein, Nora H. EOP/OMB <(b) (6)> Hazelgren, Mark H. EOP/OMB

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<(b) (6)> Ventura, Alexandra EOP/OMB  
<(b) (6)> Vaeth, Matt J. EOP/OMB <(b) (6)>  
**Subject:** LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Oversight Testimonies on  
Infrastructure Permitting

**DEADLINE: 2:00 PM Friday, June 22, 2018**

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EXECUTIVE OFFICE OF THE PRESIDENT  
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LEGISLATIVE REFERRAL MEMORANDUM

Thursday, June 21, 2018

TO: Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference

SUBJECT: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Statements on Infrastructure Permitting

OMB CONTACT: **Candice Bronack**

E-Mail: (b) (6)

PHONE: (b) (6)

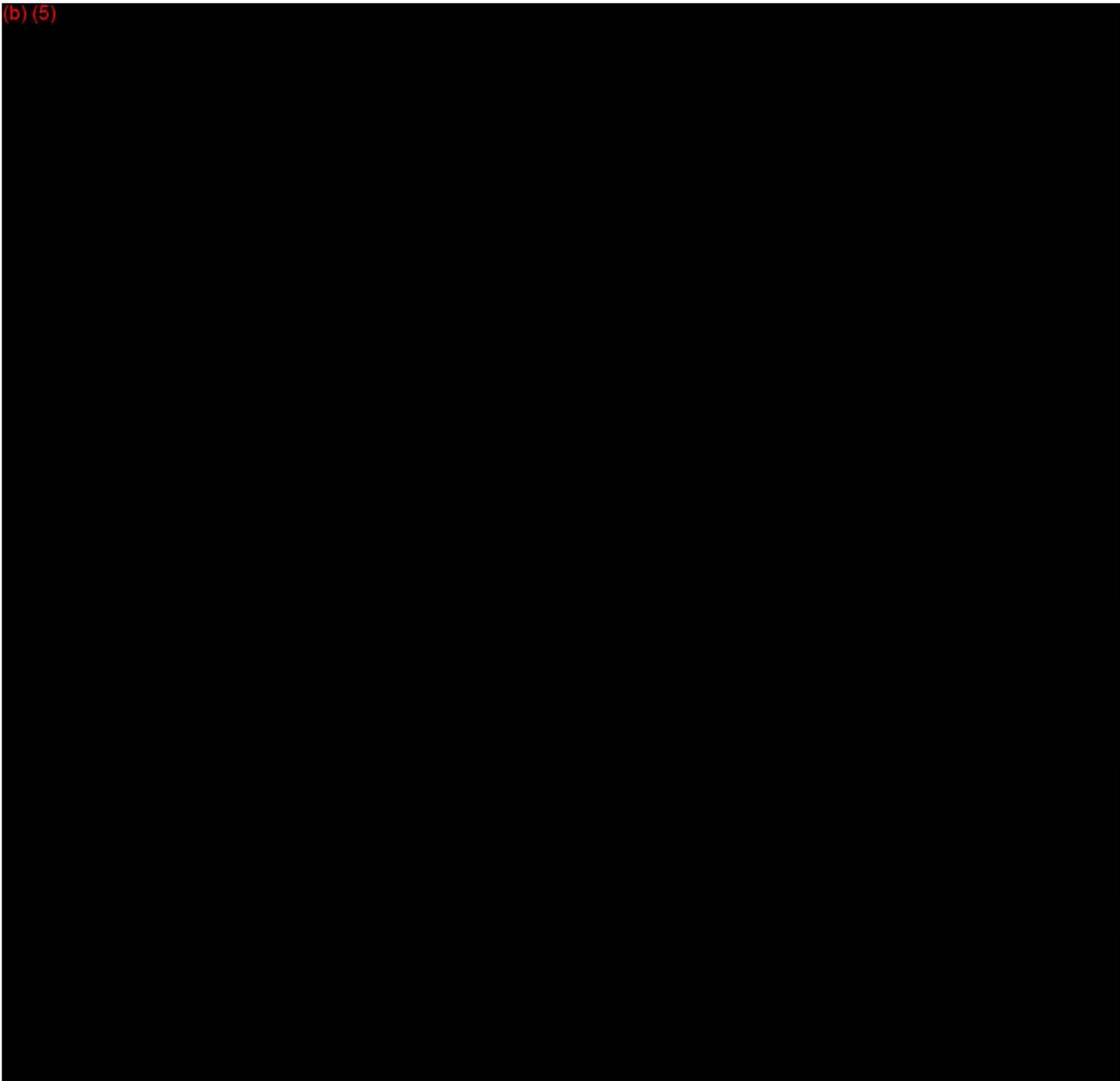
FAX: **(202) 395-3109**

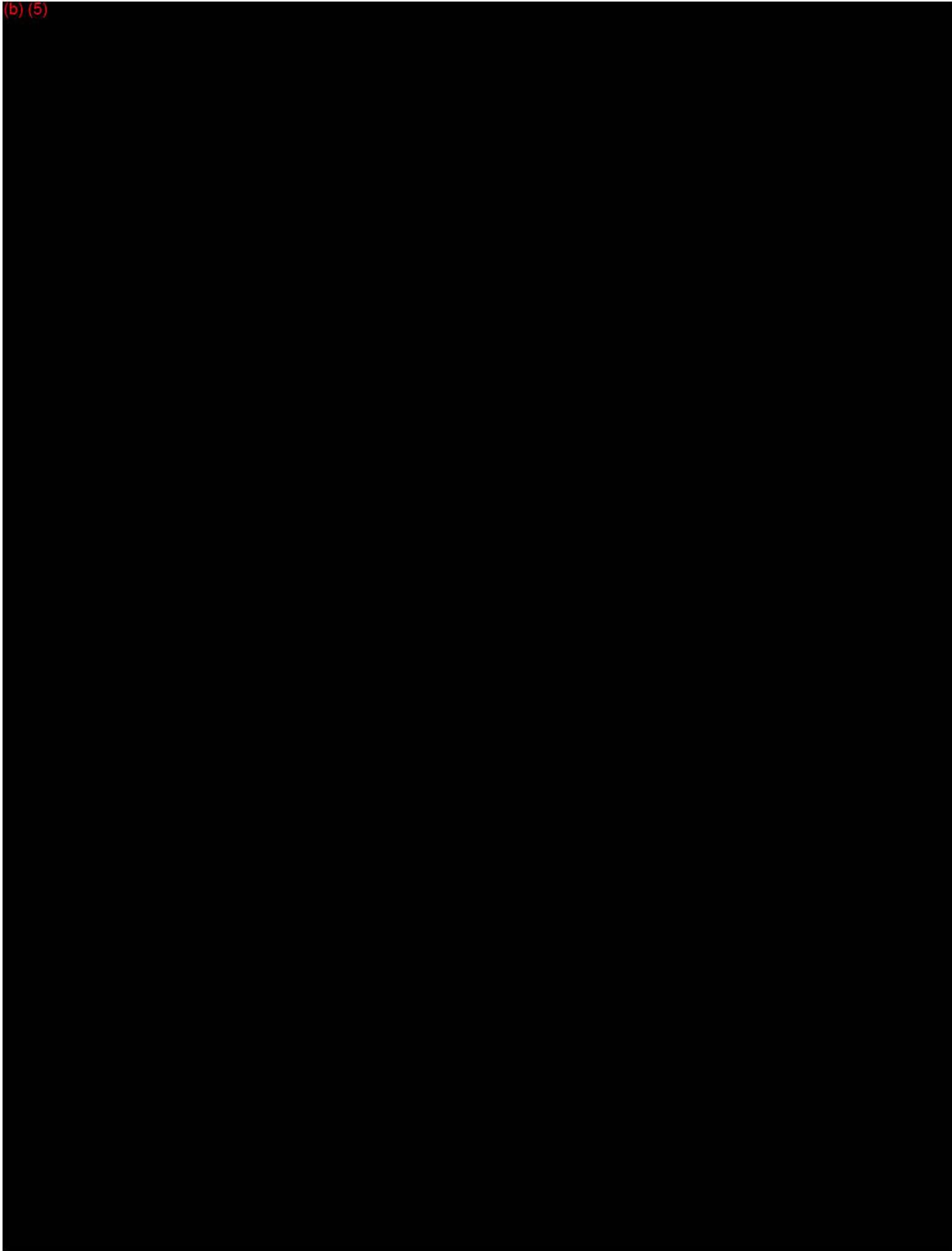
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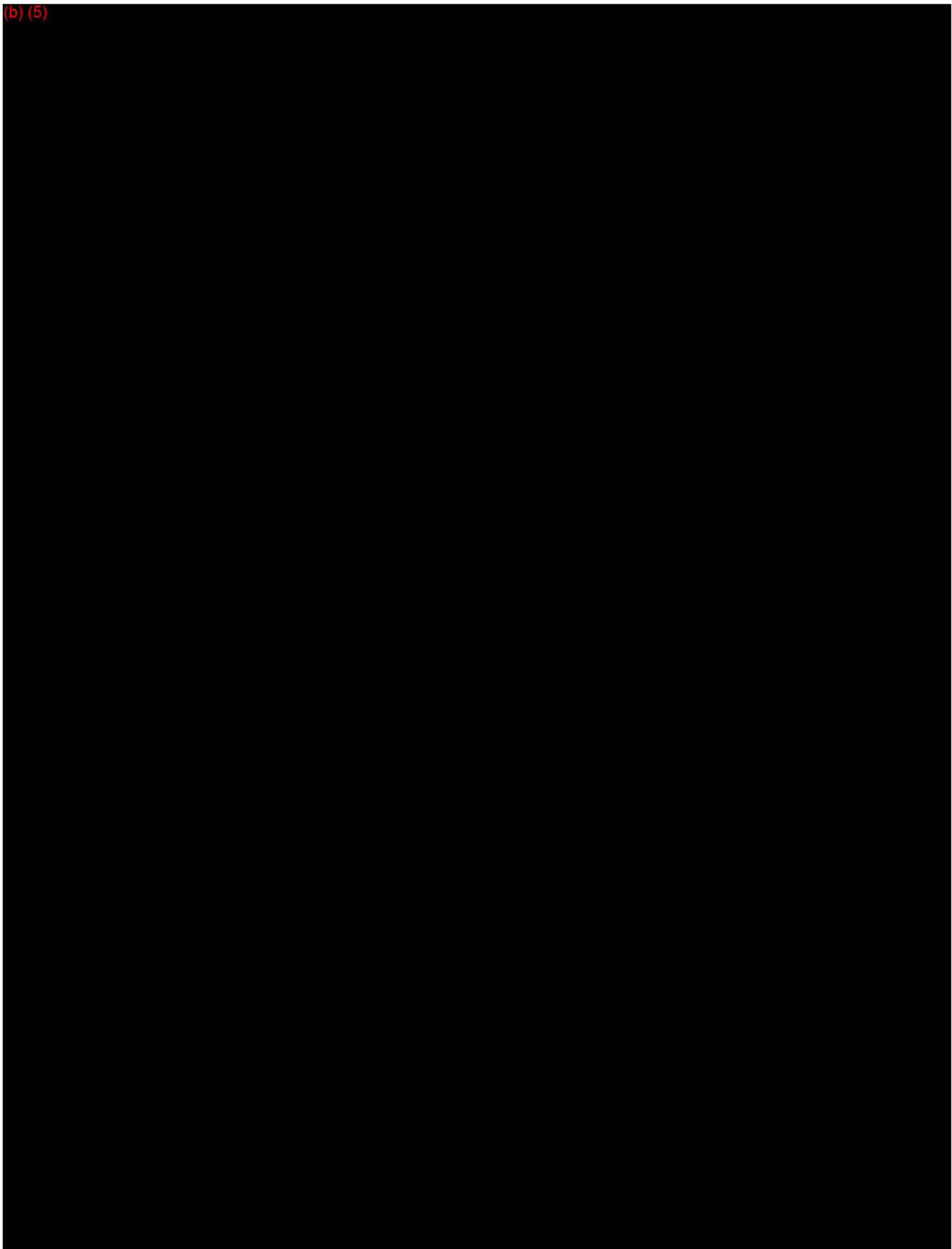
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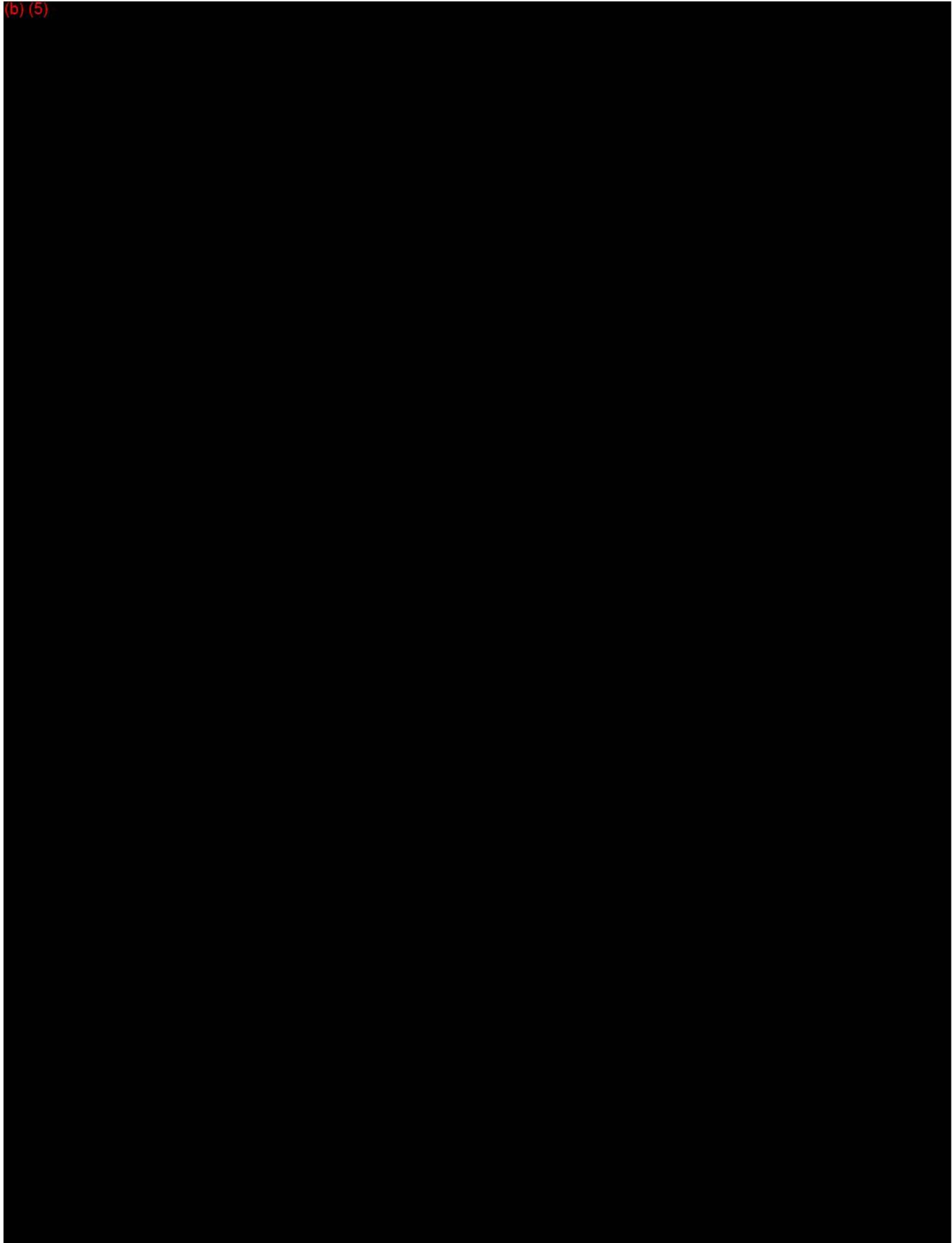
Thank you.

(b) (5)









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**From:** "Bronack, Candice M. EOP/OMB" <(b) (6)>  
**To:** "Osterhues, Marlys A. EOP/CEQ" <(b) (6)>  
**Cc:** DL-CEQ-LRM <(b) (6)>  
**Date:** Fri, 22 Jun 2018 13:55:15 -0400  
**Attachment s:** Herrgott Statement 6.27 Roundtable Senate FINAL DRAFT\_6.20\_NOAA Comments....docx (28.25 kB)

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**To:** 'AGRICULTURE' <usdaleg@obpa.usda.gov>; DL-CEQ-LRM <(b) (6)> 'DEFENSE' <(b) (6)>; 'ENERGY' <Energy.GC33@hq.doe.gov>; 'EPA' <epalrm@epamail.epa.gov>; 'INTERIOR' <ocl@ios.doi.gov>; 'JUSTICE' <justice.lrm@usdoj.gov>; 'TRANSPORTATION' <dot.legislation@dot.gov>; 'DHS' <DHSOGCLegislation@HQ.DHS.GOV>; 'ARMY CORPS ENG' <cecc-leg@hq02.usace.army.mil>; 'COMMERCE' <clrm@doc.gov>; 'HUD' <HUDLRM@hud.gov>; 'LABOR' <dol-sol-leg@dol.gov>; 'VA' <ogcvalrm@va.gov>; 'llo@nrc.gov' <llo@nrc.gov>; 'GSA' <ca.legislation@gsa.gov>  
**Cc:** Kraninger, Kathleen L. EOP/OMB <(b) (6)> Marten, Lexi N. EOP/OMB <(b) (6)> Abrams, Andrew D. EOP/OMB <(b) (6)> Connolly, David C. EOP/OMB <(b) (6)> Skidmore, Ben J. EOP/OMB <(b) (6)> Donatelli, Angela M. EOP/OMB <(b) (6)> Nelson, Kimberly P. EOP/OMB <(b) (6)> Korovesis, Andrea G. EOP/OMB <(b) (6)> Grossman, Andrea L. EOP/OMB <(b) (6)> Pasquantino, John C. EOP/OMB <(b) (6)> Colyar, Kelly T. EOP/OMB <(b) (6)> Krauss, Lori A. EOP/OMB <(b) (6)> Dorjets, Vlad EOP/OMB <(b) (6)> Lucas, Adrienne E. EOP/OMB <(b) (6)> Stein, Nora H. EOP/OMB <(b) (6)> Hazelgren, Mark H. EOP/OMB <(b) (6)> Dankert, Charles M. EOP/OMB <(b) (6)> Montoni, Joe E. EOP/OMB <(b) (6)> Burnett, Ben D. EOP/OMB <(b) (6)> Roach, Emma K. EOP/OMB <(b) (6)> Hagan, Michael B. EOP/OMB <(b) (6)> Whitman, Katie B. EOP/OMB <(b) (6)> Krauss, Lori A. EOP/OMB <(b) (6)> Buenvenida, Pearl A. EOP/OMB <(b) (6)> Miller, Kimberly A. EOP/OMB <(b) (6)> Reed, Meagan E. EOP/OMB <(b) (6)> Hester, David G. EOP/OMB <(b) (6)> Crutchfield, Craig C. EOP/OMB

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EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

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Thursday, June 21, 2018

TO: Legislative Liaison Officer - See Distribution

FROM: Ventura, Alexandra (for) Assistant Director for Legislative Reference  
SUBJECT: LRM [CMB-115-184] DUE 06/22 @ 2:00 PM GSA and CEQ Statements on Infrastructure  
Permitting

OMB CONTACT: **Candice Bronack**

E-Mail: (b) (6)

PHONE: (b) (6)

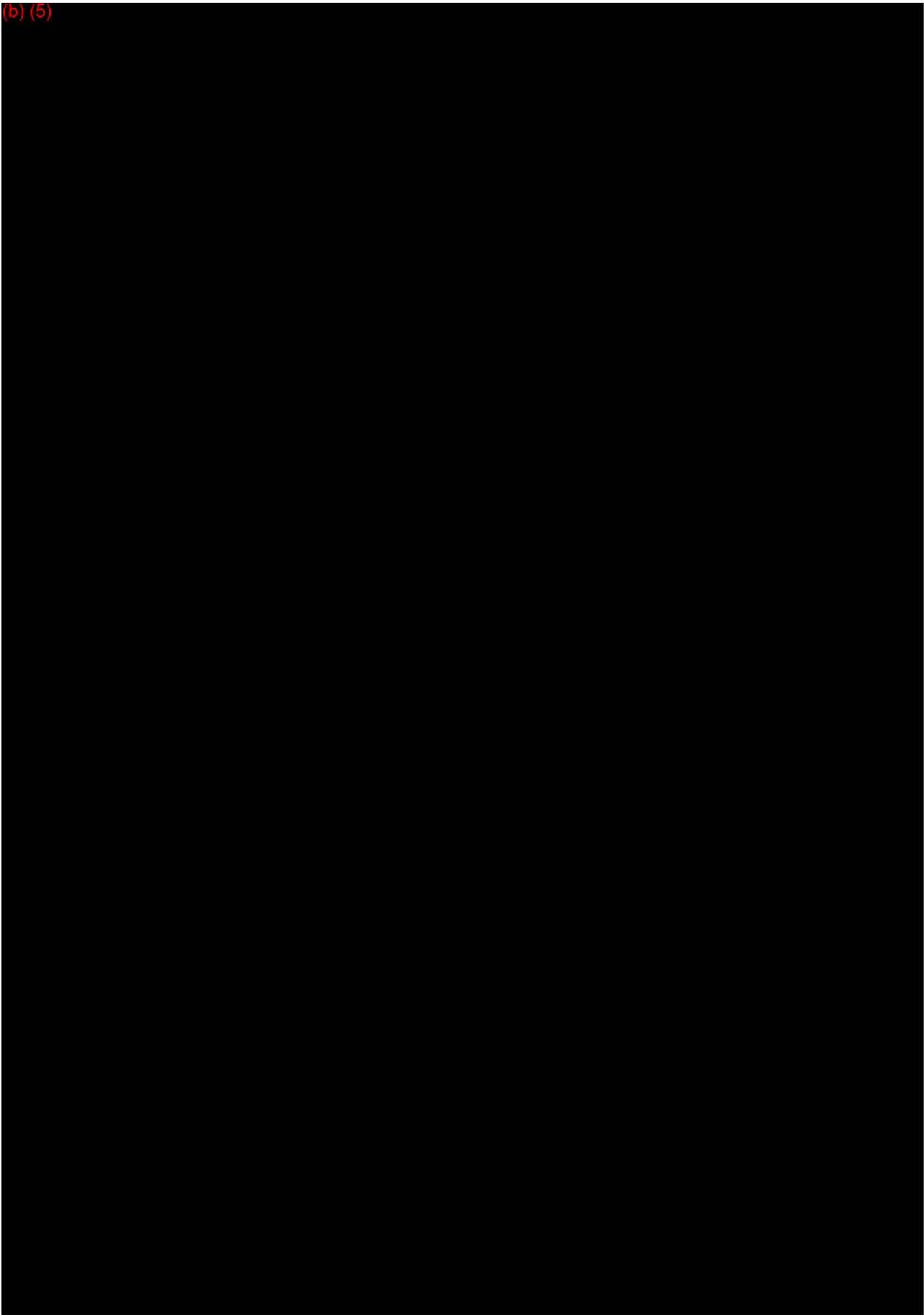
FAX: **(202) 395-3109**

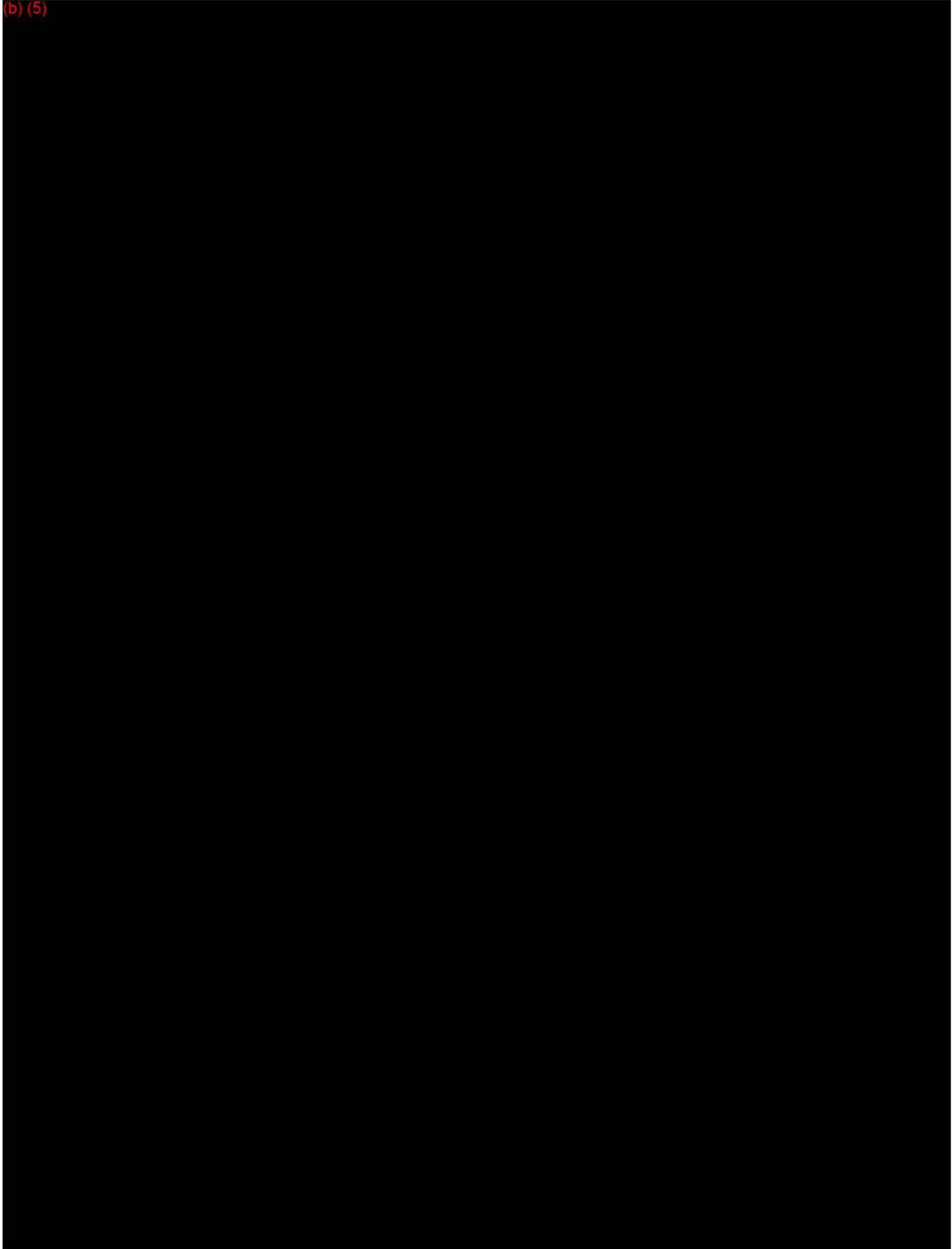
In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. By the deadline above, please reply by e-mail or telephone, using the OMB Contact information above.

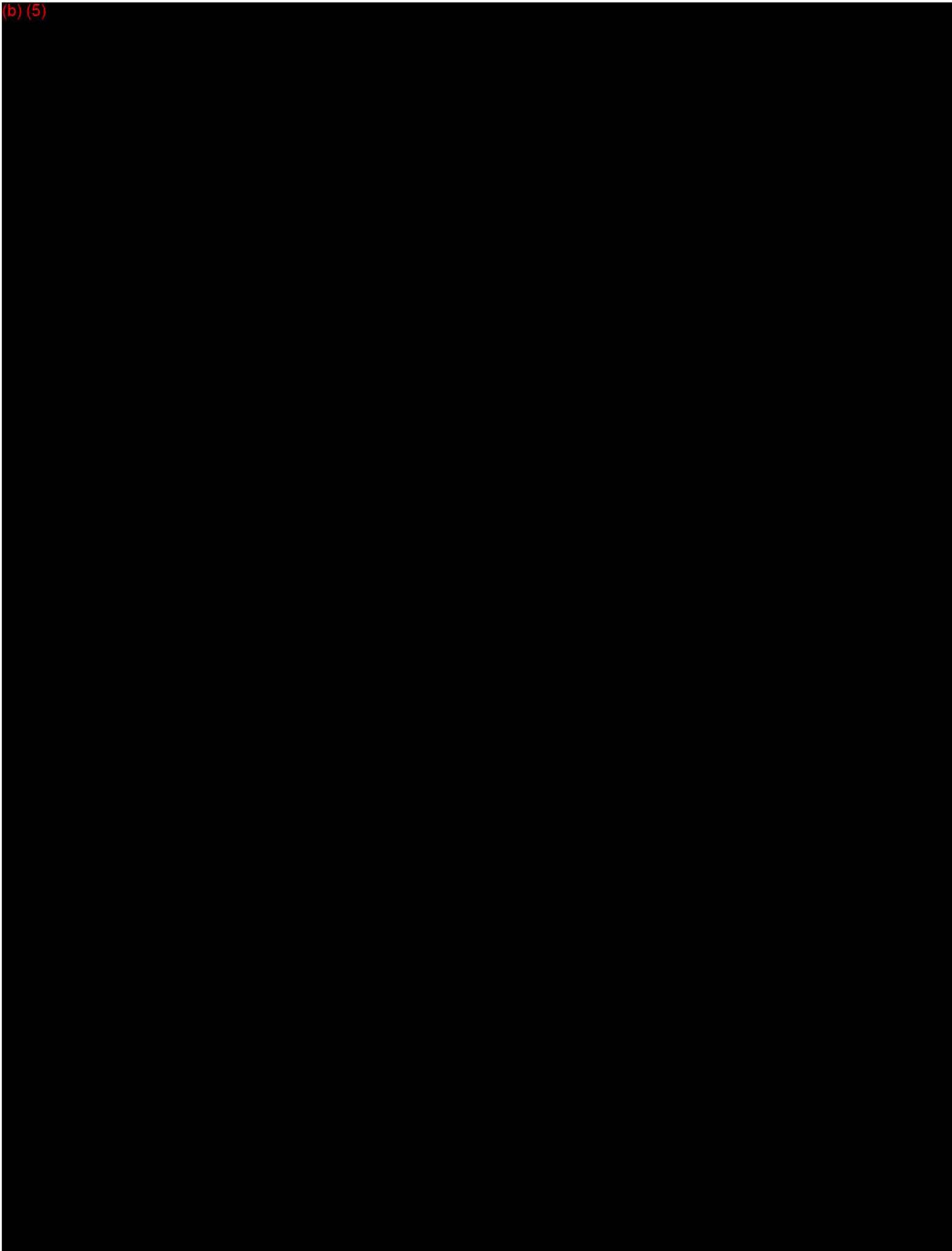
Please advise us if this item will affect direct spending or receipts for the purposes of the Statutory Pay-as-You-Go Act of 2010.

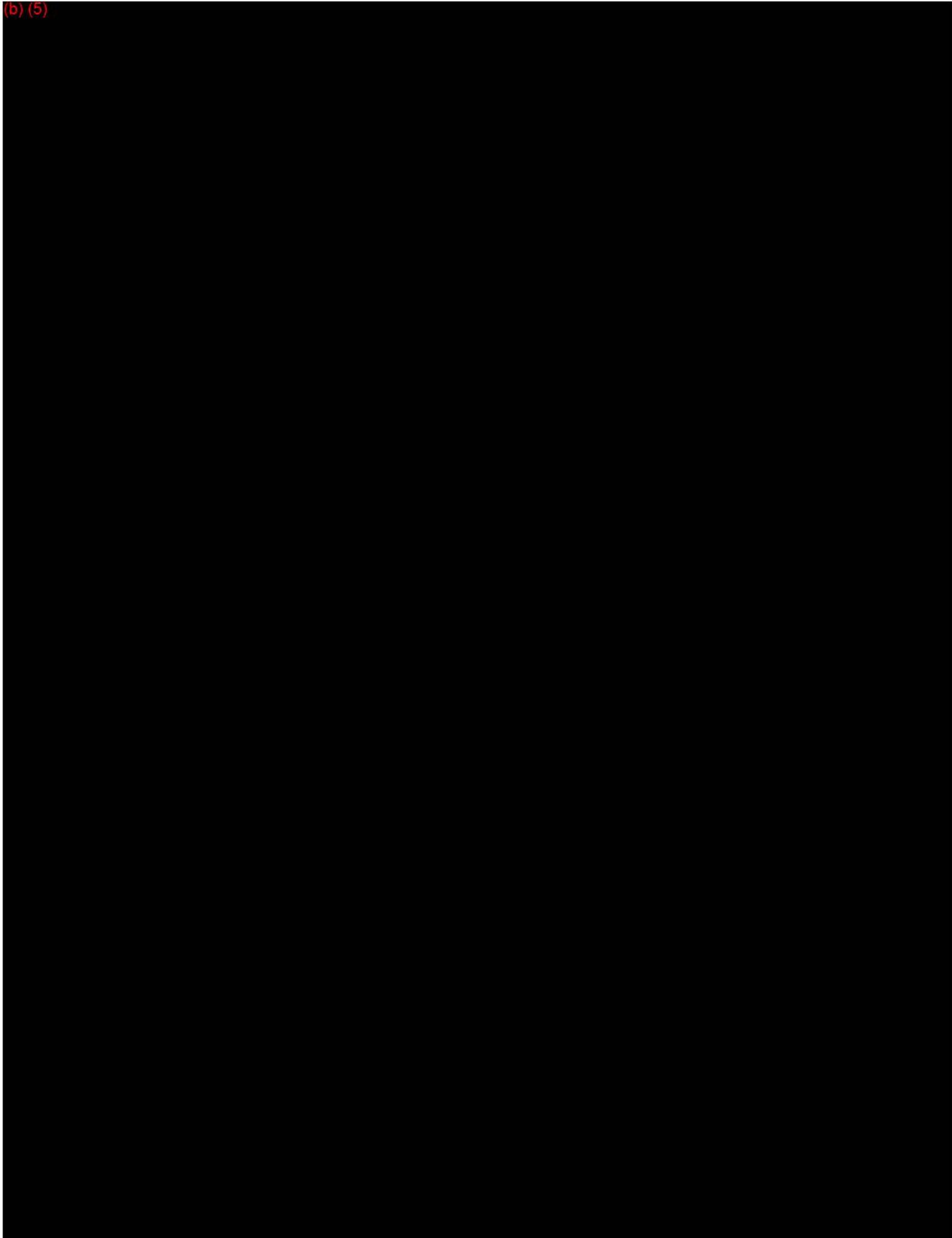
Thank you.

(b) (5)









## CEQ Remarks for Portman/McCaskill Roundtable on Federal Permitting Process for Major Infrastructure Projects (June 27, 2018)

---

**From:** "Neumayr, Mary B. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=4e618ec0a8d749c29c9f64889897f4bb-ne">  
**To:** Staff Secretary <(b) (6)>  
**Cc:** "Pettigrew, Theresa L. EOP/CEQ" <(b) (6)>  
**Date:** Fri, 22 Jun 2018 16:47:18 -0400  
**Attachments:** 2018-06-27 Portman and McCaskill Roundtable Invitation to Herrgott.pdf (1.75 MB); Herrgott Statement 6.27 Roundtable Senate FINAL\_CLEAN.DOCX (27.19 kB)

---

Staff Sec:

Fyi, CEQ's Associate Director for Infrastructure, Alex Herrgott, has been invited to speak at an upcoming roundtable scheduled for **Wednesday, June 27 at 2:30 pm**. Written statements are requested by Monday, June 25 at 2:30 pm, and Alex's written statement, which has been reviewed and cleared through the LRM process, is attached. The invitation is also attached and details for the events are below:

Event: Roundtable with Members of the Senate Committee on Homeland Security and Governmental Affairs

Sponsors: Senators Portman and McCaskill

Topic: Federal Permitting Process for Major Infrastructure Projects

Date/Location: Wednesday, June 27, 2018; SD-106, Dirksen Senate Office Building, Washington DC

Press: Yes

I am copying CEQ's Associate Director for Legislative Affairs, Theresea Pettigrew, who has been in contact with OLA regarding this event. If any questions, please let us know. Thanks,

Mary

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

**STATEMENT OF**  
**ALEXANDER HERRGOTT**  
**ASSOCIATE DIRECTOR FOR INFRASTRUCTURE**  
**COUNCIL ON ENVIRONMENTAL QUALITY**  
**BEFORE THE**  
**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**  
**UNITED STATES SENATE**

**June 27, 2018**

Senator Portman, Ranking Member McCaskill, and Members of the Committee, thank you for the invitation to this roundtable discussion on the federal permitting process for major infrastructure projects. We appreciate this Committee's willingness to have a meaningful dialogue on this topic as we work toward a shared goal of reducing permitting delays and providing the American people the modernized infrastructure they undoubtedly need.

As many of you know, a major cause of delay has been too many decision makers without effective cross agency communication and coordination. Multiple federal agencies oversee potentially dozens of federal statutes that project sponsors must navigate before beginning construction on a major infrastructure project. Over time, this has created a redundant and often inconsistent federal permitting process. Too often, these processes do not share a single framework or time frame. For example, a highway project could have as many as 10 different federal agencies involved in 16 different permitting decisions, in addition to the state, local, and tribal agencies with separate permitting and approval processes.

The result is a federal permitting process that often takes too long, increases costs, and creates uncertainty. We are actively working to address these challenges while ensuring environmental protection. With process enhancements and a common-sense, harmonized approach among federal agencies, infrastructure projects will move through the environmental review permitting process more efficiently. Federal agency coordination is imperative to long-term process reforms throughout these agencies.

**Executive Order 13807**

On August 15, 2017, President Trump signed Executive Order 13807 implementing a policy of "One Federal Decision." Under One Federal Decision, federal agencies will administer the National Environmental Policy Act (NEPA) so that a single Environmental Impact Statement (EIS) and a single Record of Decision (ROD) are prepared for all reviewing agencies, and all applicable permitting decision processes will be conducted concurrently with the NEPA process to ensure that the necessary permitting decisions can be made within 90 days of the ROD. One Federal Decision also provides that federal agencies will seek to complete the environmental

[APG]

review process within an average of 2 years of the publication of a Notice of Intent to prepare an EIS. As a result of One Federal Decision, the federal environmental review and permitting process will be streamlined, more transparent, and predictable.

One Federal Decision builds on the statutory authorities provided in the Fixing America's Surface Transportation Act (FAST Act) to streamline permitting and provides a framework to further improve efficient coordination between federal agencies. The FAST-41 process, established in Title 41 of the FAST Act, provides a range of tools for large and complex infrastructure projects to navigate the federal environmental review and authorization process. In brief, FAST-41 established project-specific procedures that may be applicable or available to agencies and project sponsors in meeting permitting and review obligations. One Federal Decision broadly impacts how agencies conduct and coordinate environmental reviews while preserving each agency's statutory authority, independence, and ability to comply with NEPA and related statutes, like FAST-41.

### **Memorandum of Understanding**

On April 9, 2018, President Trump announced that the following 12 federal agencies signed a One Federal Decision Memorandum of Understanding (MOU): Department of the Interior (Interior), Department of Agriculture (USDA), Department of Housing and Urban Development, Department of Commerce, Department of Transportation, Department of Energy (DOE), United States Army Corps of Engineers, Department of Homeland Security, Environmental Protection Agency (EPA), Federal Energy Regulatory Commission (FERC), Advisory Council on Historic Preservation, and the Federal Permitting Improvement Steering Council (FPISC). Under the MOU, these agencies committed to following the President's One Federal Decision framework. In doing so, the agencies agreed to implement an unprecedented level of coordination and collaboration in conducting their environmental reviews of major infrastructure projects.

The Council on Environmental Quality (CEQ), in coordination with other components of the White House, has convened a federal interagency working group to develop the framework under which agencies will implement One Federal Decision. This framework establishes the standard operating procedures for how agencies process environmental reviews from beginning to end. The agencies will work together to identify the appropriate level of analysis needed to conduct the necessary environmental reviews, synchronize the public engagement, and complete other procedural steps to ensure that all necessary decisions can be made within the timelines established by Executive Order 13807.

### **Agency Action**

To date, agencies have been taking steps to advance One Federal Decision principles, starting first with normalizing regular interagency working group meetings and collaboration between agencies and CEQ to improve interagency coordination and the quality of environmental analysis. Since the agencies signed the MOU, CEQ and agency leadership have engaged in numerous meetings on agency streamlining efforts to identify and implement policy, process, and regulatory changes that include:

[APG]

- The Federal Highway Administration signed an agreement with the United States Fish and Wildlife Service, the Army Corps of Engineers, EPA, United States Coast Guard, and National Oceanic and Atmospheric Administration (NOAA), committing to working together to achieve the goals of Executive Order 13807. These agencies collaboratively developed a chart coordinating each agency’s processes;
- Interior issued Secretarial Order 3355 and additional guidance that advance the department’s NEPA-streamlining efforts within Executive Order 13807;
- The Army Corps of Engineers issued Section 408 policy changes adopting other agencies’ NEPA documents and issued a policy memorandum operationalizing “risk-informed decision making” to improve coordination and risk management across disciplines;
- USDA, FERC, DOE, and EPA are improving internal clearance processes along with increasing agency capacity for projects with dedicated staff assignments;
- USDA, the Army Corps of Engineers, NOAA Fisheries and the United States Fish and Wildlife Service are expanding the use of time-saving programmatic consultation processes; and
- Agencies will be issuing directives and conducting training at all levels of their organizations, from headquarters to field offices, on timetables and plans to implement the One Federal Decision policy nationwide.

### **Agency Accountability**

The Office of Management and Budget is developing a performance accountability system and appropriate performance metrics to ensure that agencies are implementing One Federal Decision, including the adherence to lead federal agency permitting timetables. The Administration plans to consider agency performance during budget formulation, and agency delays from the permitting timetable may be quantified. Key agency personnel also will have accountability and performance criteria added to their performance plans to measure their effectiveness in processing project permits.

### **Regulatory Reforms**

Following the direction laid out in Executive Order 13807, CEQ published an initial list of actions in the *Federal Register* on September 14, 2017, outlining its plans to enhance and modernize the federal environmental review and authorization process. Last fall, CEQ announced its intent to review its 1978 regulations implementing the procedural requirements of NEPA to identify potential updates and clarifications to those regulations. Just last week, CEQ published in the *Federal Register* for public comment an Advance Notice of Proposed Rulemaking titled, “Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.”

\*\*\*\*

Through improved agency coordination, increased transparency and accountability and timely decision making, we can improve our infrastructure permitting process and get projects completed and to the market faster for the benefit of the American people.

[APG]

While CEQ is focused on the development of a better process for all infrastructure project permitting, the Federal Permitting Improvement Steering Council is focused on overcoming obstacles on a project-by-project basis. My colleague, Angela Colamaria, the acting Executive Director of the Permitting Council, will expand further on the implementation of FAST-41 and FPISC's role in streamlining the federal permitting process.

Thank you again for the opportunity to participate in today's discussion.

[APG]

## FW: Comment - CEQ-2018-001

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**From:** "Janke, Aurora (ATG)" <auroraj@atg.wa.gov>  
**To:** "Green, Mary A. EOP/CEQ" <(b) (6)>  
**Date:** Tue, 03 Jul 2018 15:37:56 -0400  
**Attachments:** Final State AG Letter Requesting Extension of Time to Comment on Advance...pdf (1.24 MB)

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Ms. Green,

I just spoke with you on the phone concerning filing a request for an extension of time to comment on CEQ's Advance Notice of Proposed Rulemaking – Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.

We would like to ensure that Chief of Staff Neumayr receives the attached letter from several State Attorneys General requesting an extension of time to comment on the Advance Notice. However, the email to [ksmith@ceq.eop.gov](mailto:ksmith@ceq.eop.gov), whom I understand to be Chief of Staff Neumayr's special assistant, bounced back. Could you please ensure that Chief of Staff Neumayr receives the attached letter?

Thank you for your assistance.

Best regards,

**Aurora R. Janke**  
Special Assistant Attorney General  
Counsel for Environmental Protection  
Washington State Attorney General's Office  
800 5<sup>th</sup> Ave Suite 2000, TB-14  
Seattle, WA 98104-3188  
Office: (206) 233-3391  
Email: [auroraj@atg.wa.gov](mailto:auroraj@atg.wa.gov)

---

**From:** Kealy, Tricia (ATG)  
**Sent:** Tuesday, July 3, 2018 11:44 AM  
**To:** (b) (6) <ksmith@ceq.eop.gov>  
**Cc:** Janke, Aurora (ATG) <AuroraJ@ATG.WA.GOV>  
**Subject:** Comment - CEQ-2018-001

Greetings,

Attached please find a letter Re: Advance Notice of Proposed Rulemaking – Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 83 Fed. Reg.

28591 (June 20, 2018) Docket ID No. CEQ-2018-001 from Attorneys General of Washington, Maryland, Massachusetts, New Jersey, New York, and Oregon. This was submitted today on regulations.gov.

Thank you,

**Tricia Kealy**

Legal Assistant 3/Lead

Counsel for Environmental Protection

Office of the Attorney General

800 5th Ave, Suite 2000

Seattle, WA 98104

Phone 206-326-5494

[TriciaK@atg.wa.gov](mailto:TriciaK@atg.wa.gov)

**ATTORNEYS GENERAL OF WASHINGTON, MARYLAND, MASSACHUSETTS,  
NEW JERSEY, NEW YORK, AND OREGON**

July 3, 2018

BY EMAIL AND REGULATIONS.GOV

Mary B. Neumayr, Chief of Staff  
Council on Environmental Quality  
730 Jackson Place NW  
Washington, DC 20503  
NEPA@ceq.eop.gov  
ksmith@ceq.eop.gov

Re: Advance Notice of Proposed Rulemaking – Update to the Regulations for  
Implementing the Procedural Provisions of the National Environmental Policy  
Act, 83 Fed. Reg. 28591 (June 20, 2018)  
Docket ID No. CEQ-2018-0001

Dear Chief of Staff Neumayr:

The undersigned State Attorneys General write to express our concern about the Council on Environmental Quality's (CEQ) advance notice of proposed rulemaking regarding updates to the regulations implementing the National Environmental Policy Act (NEPA). For the following reasons, we ask that you extend the public comment period from 30 days to 90 days to provide a sufficient opportunity for states, the public, and other stakeholders to comment on this significant proposal to revise regulations that have long served to protect the environment and public health.

NEPA is one of our nation's bedrock environmental laws. The CEQ's implementing regulations provide the guiding principles for administering NEPA across the entire federal government. Nearly every major federal action from the approval of significant energy and infrastructure projects to key decisions concerning the administration of federal public lands requires compliance with the NEPA process. We are concerned that amendments to CEQ's regulations may result in profound changes on the depth and quality of federal agencies' consideration of the environmental and public health impacts of major federal actions—many of which are of significant interest to our states' residents and have lasting impacts on our states' natural resources and economies. In addition, many states, including Maryland, Massachusetts, New York, and Washington, have adopted their own environmental review laws that often must be administered in conjunction with the NEPA process. Our states thus have a strong interest in ensuring that any revisions to CEQ's NEPA regulations continue to require, consistent with NEPA, that federal agencies always take a "hard look" at the environmental and public health consequences of major federal actions.

As stated in the advance notice, CEQ's NEPA regulations have been revised extremely infrequently, and therefore a compressed timeline for consideration of such revisions is unwarranted and unwise. CEQ's NEPA regulations are fundamental to the daily functioning of numerous agencies and any revisions to these regulations must be carefully and deliberately calibrated. A wealth of scholarship and practical experience can be brought to bear on the need for and prudence of any revisions, and we believe that only a truly deliberative and public process will produce revised regulations that are consistent with NEPA's structure and purpose.

Given the significant impacts that revisions to CEQ's NEPA regulations could have on states and the public, the broad scope of the advance notice, and the long history of the federal government's use of the regulations under review, we ask that you extend the comment period by 60 days to provide a meaningful amount of time for states, the public, and other stakeholders to adequately respond to the advance notice. The current 30-day comment period does not provide the affected public adequate opportunity to participate in the rulemaking and comment on the proposal as required by the Administrative Procedure Act, 5 U.S.C. § 553(c). Under section 2(b) of Executive Order 13,563, a standard comment period should be at least 60 days, but the significance of this proposal to change longstanding and far-reaching NEPA regulations demands additional time to ensure an opportunity for meaningful public involvement in the review process.

We therefore request that CEQ extend the comment period by 60 days, to September 18, 2018. We also request that CEQ hold several public hearings on the proposal in different regions of the country during the comment period.

We appreciate your consideration of this important matter.

Respectfully submitted,

FOR THE STATE OF WASHINGTON

ROBERT W. FERGUSON  
Attorney General

By:



WILLIAM R. SHERMAN  
Assistant Attorney General  
AURORA R. JANKE  
Special Assistant Attorney General  
Counsel for Environmental Protection  
800 5th Ave Suite 2000, TB-14  
Seattle, WA 98104-3188  
(206) 442-4485  
bill.sherman@atg.wa.gov  
auroraj@atg.wa.gov

FOR THE STATE OF MARYLAND

BRIAN E. FROSH  
Attorney General

By:



LEAH J. TULIN  
Assistant Attorney General  
200 Saint Paul Place  
Baltimore, MD 21202  
(410) 576-6962  
ltulin@oag.state.md.us

FOR THE COMMONWEALTH OF  
MASSACHUSETTS

MAURA HEALEY  
Attorney General of Massachusetts

By:

CHRISTOPHE COURCHESNE  
Assistant Attorney General and Chief  
Environmental Protection Division  
Office of the Attorney General  
One Ashburton Place, 18th Floor  
Boston, Massachusetts 02108  
(617) 727-2200  
christophe.courchesne@state.ma.us

FOR THE STATE OF NEW JERSEY

GURBIR S. GREWAL  
Attorney General

By:

DAVID C. APY  
Assistant Attorney General  
KRISTINA MILES  
Deputy Attorney General  
R.J. Hughes Justice Complex  
25 Market Street  
Trenton, NJ 08625-0093  
(609) 376-2804  
david.apy@law.njoag.gov  
kristina.miles@law.njoag.gov

FOR THE STATE OF NEW YORK

BARBARA D. UNDERWOOD  
Attorney General

By:

MICHAEL MYERS  
Senior Counsel  
CLAIBORNE E. WALTHALL  
Assistant Attorney General  
Environmental Protection Bureau  
New York State Attorney General  
The Capitol  
Albany, NY 12224  
(518) 776-2380  
Claiborne.Walthall@ag.ny.gov

FOR THE STATE OF MARYLAND

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\_\_\_\_\_  
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200 Saint Paul Place  
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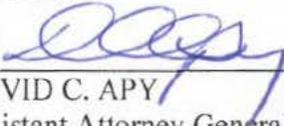
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Environmental Protection Bureau  
New York State Attorney General  
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Claiborne.Walthall@ag.ny.gov

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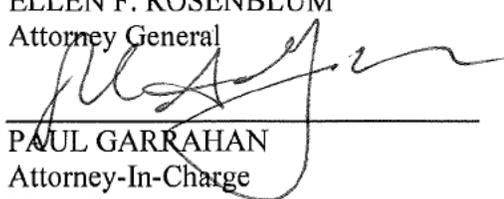
By:

  
\_\_\_\_\_  
MICHAEL MYERS  
Senior Counsel  
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Assistant Attorney General  
Environmental Protection Bureau  
New York State Attorney General  
The Capitol  
Albany, NY 12224  
(518) 776-2380  
Claiborne.Walthall@ag.ny.gov

FOR THE STATE OF OREGON

ELLEN F. ROSENBLUM  
Attorney General

By:



---

PAUL GARRAHAN  
Attorney-In-Charge  
Natural Resources Section  
STEVE NOVICK  
Special Assistant Attorney General  
1162 Court St. NE  
Salem, OR 97301-4096  
(503) 947-4520  
paul.garrahan@doj.state.or.us  
steve.novick@doj.state.or.us

## RE: Comment - CEQ-2018-001

---

**From:** "Janke, Aurora (ATG)" <auroraj@atg.wa.gov>

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

**Date:** Thu, 19 Jul 2018 13:44:56 -0400

Perfect. Thanks. See you at Pegasus.

---

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

**Sent:** Thursday, July 19, 2018 10:42 AM

**To:** Janke, Aurora (ATG) <AuroraJ@ATG.WA.GOV>

**Subject:** Re: Comment - CEQ-2018-001

I think we said Pegasus coffee, and ten still works for me. I'm looking forward to catching up.

Michael Drummond  
Deputy Associate Director for NEPA  
Council on Environmental Quality

(b) (6)

On Jul 19, 2018, at 10:03 AM, Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)> wrote:

Michael,

I can't recall, did we settle on a location for coffee tomorrow? I have it on my calendar for 10am, but don't have a location.

Looking forward to connecting.

---

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

**Sent:** Thursday, July 5, 2018 9:05 AM

**To:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>

**Subject:** RE: Comment - CEQ-2018-001

Aurora,

Small world indeed! How about coffee around 10am on Friday the 20<sup>th</sup> somewhere near your office. Let me know if you have a favorite coffee shop in the area.

Looking forward to catching up.

Michael

---

**From:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>

**Sent:** Thursday, July 5, 2018 11:39 AM

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

**Subject:** RE: Comment - CEQ-2018-001

Michael,

You are correct, and it's great to hear from you. I'd love to meet for coffee on Friday the 20<sup>th</sup>. My schedule is fairly flexible that day, so I could meet whenever works best for you.

It will be great to catch up. It really is a small world!

Best,

Aurora

---

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

**Sent:** Thursday, July 5, 2018 8:31 AM

**To:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>

**Subject:** RE: Comment - CEQ-2018-001

Hey Aurora,

If I'm not mistaken, we were classmates at UW Law back in the day. I did a double take when I saw your name on the cc line of Tricia's email.

I hope you are doing well. I'll actually be out in Western Washington later this month. If you're free for coffee on Friday the 20<sup>th</sup>, I am mostly free that day and will be in Seattle.

Best,

Michael Drummond  
Deputy Associate Director for NEPA  
Council on Environmental Quality

(b) (6)

---

**From:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>

**Sent:** Thursday, July 5, 2018 11:16 AM

**To:** Green, Mary A. EOP/CEQ <(b) (6)>

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

**Subject:** RE: Comment - CEQ-2018-001

Thank you very much for your help.

Best regards,

Aurora Janke

---

**From:** Green, Mary A. EOP/CEQ <(b) (6)>  
**Sent:** Thursday, July 5, 2018 6:53 AM  
**To:** Janke, Aurora (ATG) <[Auroraj@ATG.WA.GOV](mailto:Auroraj@ATG.WA.GOV)>  
**Cc:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RE: Comment - CEQ-2018-001

Got It! Will route it out to COS Neumayr and Associate Director, Ted Boling.  
Ms. Green

---

**From:** Janke, Aurora (ATG) <[Auroraj@ATG.WA.GOV](mailto:Auroraj@ATG.WA.GOV)>  
**Sent:** Tuesday, July 3, 2018 3:38 PM  
**To:** Green, Mary A. EOP/CEQ <(b) (6)>  
**Subject:** FW: Comment - CEQ-2018-001

Ms. Green,

I just spoke with you on the phone concerning filing a request for an extension of time to comment on CEQ's Advance Notice of Proposed Rulemaking – Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.

We would like to ensure that Chief of Staff Neumayr receives the attached letter from several State Attorneys General requesting an extension of time to comment on the Advance Notice. However, the email to [ksmith@ceq.eop.gov](mailto:ksmith@ceq.eop.gov), whom I understand to be Chief of Staff Neumayr's special assistant, bounced back. Could you please ensure that Chief of Staff Neumayr receives the attached letter?

Thank you for your assistance.

Best regards,

**Aurora R. Janke**  
Special Assistant Attorney General  
Counsel for Environmental Protection  
Washington State Attorney General's Office  
800 5<sup>th</sup> Ave Suite 2000, TB-14  
Seattle, WA 98104-3188  
Office: (206) 233-3391  
Email: [auroraj@atg.wa.gov](mailto:auroraj@atg.wa.gov)

---

**From:** Kealy, Tricia (ATG)  
**Sent:** Tuesday, July 3, 2018 11:44 AM  
**To:** (b) (6) (b) (6)  
**Cc:** Janke, Aurora (ATG) <[Auroraj@ATG.WA.GOV](mailto:Auroraj@ATG.WA.GOV)>  
**Subject:** Comment - CEQ-2018-001

Greetings,

Attached please find a letter Re: Advance Notice of Proposed Rulemaking – Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 83 Fed. Reg. 28591 (June 20, 2018) Docket ID No. CEQ-2018-001 from Attorneys General of Washington, Maryland, Massachusetts, New Jersey, New York, and Oregon. This was submitted today on [regulations.gov](https://www.regulations.gov).

Thank you,

**Tricia Kealy**

Legal Assistant 3/Lead

Counsel for Environmental Protection

Office of the Attorney General

800 5th Ave, Suite 2000

Seattle, WA 98104

Phone 206-326-5494

[TriciaK@atg.wa.gov](mailto:TriciaK@atg.wa.gov)

## Re: Comment - CEQ-2018-001

---

**From:** "Drummond, Michael R. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=a0bc62c0a5454e6fb7a1be504b7d284a-dr">  
**To:** "Janke, Aurora (ATG)" <auroraj@atg.wa.gov>  
**Date:** Thu, 19 Jul 2018 13:42:15 -0400

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Michael Drummond  
Deputy Associate Director for NEPA  
Council on Environmental Quality

(b) (6)

On Jul 19, 2018, at 10:03 AM, Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)> wrote:

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**Subject:** RE: Comment - CEQ-2018-001

Thank you very much for your help.

Best regards,

Aurora Janke

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**From:** Green, Mary A. EOP/CEQ <(b) (6)>  
**Sent:** Thursday, July 5, 2018 6:53 AM  
**To:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>  
**Cc:** Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Subject:** RE: Comment - CEQ-2018-001

Got It! Will route it out to COS Neumayr and Associate Director, Ted Boling.

Ms. Green

**From:** Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)>  
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## RE: Comment - CEQ-2018-001

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**From:** "Janke, Aurora (ATG)" <auroraj@atg.wa.gov>

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

**Date:** Thu, 19 Jul 2018 13:02:48 -0400

Michael,

I can't recall, did we settle on a location for coffee tomorrow? I have it on my calendar for 10am, but don't have a location.

Looking forward to connecting.

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**To**: "Janke, Aurora (ATG)" <auroraj@atg.wa.gov>  
**Date**: Fri, 20 Jul 2018 12:48:04 -0400

---

I got here a little early and grabbed the table upstairs by the window. No rush.

Michael Drummond  
Deputy Associate Director for NEPA  
Council on Environmental Quality

(b) (6)

On Jul 19, 2018, at 10:45 AM, Janke, Aurora (ATG) <[AuroraJ@ATG.WA.GOV](mailto:AuroraJ@ATG.WA.GOV)> wrote:

Perfect. Thanks. See you at Pegasus.

---

**From**: Drummond, Michael R. EOP/CEQ <(b) (6)>  
**Sent**: Thursday, July 19, 2018 10:42 AM  
**To**: Janke, Aurora (ATG) <[Auroraj@ATG.WA.GOV](mailto:Auroraj@ATG.WA.GOV)>  
**Subject**: Re: Comment - CEQ-2018-001

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## RE: Senate Committee on Environment & Public Works: Follow up Questions for Witness, Ms. Neumayr

---

**From:** "Pettigrew, Theresa L. EOP/CEQ" </o=exchange organization/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=579eb754b4c34f0e8e46d1fb4cd708d7-pe">  
**To:** "Trenti, Beth (EPW)" <beth\_trenti@epw.senate.gov>, qfr@epw.senate.gov  
**Date:** Fri, 27 Jul 2018 16:31:20 -0400  
**Attachments:** All Neumayr QFRs 07.19.2018 Final Responses.pdf (236.57 kB)

Here it is. Thank you!  
Theresa

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

---

**From:** Trenti, Beth (EPW) <Beth\_Trenti@epw.senate.gov>  
**Sent:** Friday, July 27, 2018 3:14 PM  
**To:** Pettigrew, Theresa L. EOP/CEQ <(b) (6)>  
**Subject:** RE: Senate Committee on Environment & Public Works: Follow up Questions for Witness, Ms. Neumayr  
**Importance:** High

Hi Theresa,

I wanted to send you a quick reminder that the Questions for the Record are **due by 5:00PM Today, July 27, 2018** from the Senate Committee on Environment and Public Works hearing entitled, "*Hearing on the Nominations of Mary Bridget Neumayr to be a Member of the Council on Environmental Quality and John C. Fleming to be Assistant Secretary of Commerce for Economic Development.*" Please let me know if you need anything.

-Beth

---

**From:** Pettigrew, Theresa L. EOP/CEQ <(b) (6)>  
**Sent:** Tuesday, July 24, 2018 8:40 AM  
**To:** Trenti, Beth (EPW) <Beth\_Trenti@epw.senate.gov>  
**Cc:** Olsen, Elizabeth (EPW) <Elizabeth\_Olsen@epw.senate.gov>; Russell, Richard (EPW) <Richard\_Russell@epw.senate.gov>; Leggett, Matt (EPW) <Matt\_Leggett@epw.senate.gov>; QFR@epw.senate.gov

**Subject:** RE: Senate Committee on Environment & Public Works: Follow up Questions for Witness, Ms. Neumayr

Thank you, Beth –

We started working on these late yesterday and will get them back to you by the deadline Friday.

Thank you all for your assistance.

Sincerely,

Theresa

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

**From:** Trenti, Beth (EPW) <[Beth\\_Trenti@epw.senate.gov](mailto:Beth_Trenti@epw.senate.gov)>

**Sent:** Monday, July 23, 2018 3:56 PM

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

**Cc:** Olsen, Elizabeth (EPW) <[Elizabeth\\_Olsen@epw.senate.gov](mailto:Elizabeth_Olsen@epw.senate.gov)>; Russell, Richard (EPW) <[Richard\\_Russell@epw.senate.gov](mailto:Richard_Russell@epw.senate.gov)>; Leggett, Matt (EPW) <[Matt\\_Leggett@epw.senate.gov](mailto:Matt_Leggett@epw.senate.gov)>; [QFR@epw.senate.gov](mailto:QFR@epw.senate.gov)

**Subject:** Senate Committee on Environment & Public Works: Follow up Questions for Witness, Ms. Neumayr

**Importance:** High

July 23, 2018

Mary Bridget Neumayr  
Council on Environmental Quality  
Executive Office of the President  
1650 Pennsylvania Avenue, NW  
Eisenhower Executive Office Building; Room 450  
Washington, D.C. 20504

Dear Ms. Neumayr:

On behalf of the Senate Committee on Environment and Public Works, we would like to thank you for testifying before the Committee on Thursday, July 19, 2018, at the hearing entitled, *"Hearing on the Nominations of Mary Bridget Neumayr to be a Member of the Council on Environmental Quality and John C. Fleming to be Assistant Secretary of Commerce for Economic Development."* The Committee greatly appreciates your attendance and participation in this hearing.

In order to maximize the opportunity for communication between you and the Committee, follow-up questions have been submitted by the members. To comply with Committee rules, please e-mail a copy of your responses to [QFR@epw.senate.gov](mailto:QFR@epw.senate.gov) or deliver one hard copy by 5:00PM on Friday, July 27, 2018. Responses should be delivered to the EPW Committee at 410 Dirksen Senate Office Building, Washington, DC 20510.

If you have any questions about the requests or the hearing, please feel free to contact Staff Director, Richard Russell in the Majority Office at (202) 224-6176 or Staff Director, Mary Frances Repko in the Minority Office at (202) 224-8832.

Sincerely,

John Barrasso, M.D.  
Chairman  
Member

Elizabeth Trenti | Deputy Director of Operations  
*Senate Committee on Environment & Public Works*  
*(o) 202 . 224 . 6176*  
[www.epw.senate.gov](http://www.epw.senate.gov) | [@senateepw](mailto:@senateepw)  
*Office Hours: 9 to 6 ET, Monday to Friday*

Thomas R. Carper  
Ranking