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January 27, 2020

Re: Request for 120-day Extension on Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) [Docket No. CEQ-2019-0003]

The 324 undersigned public interest organizations hereby request a 120-day extension of the public comment period for the recently published Notice of Proposed Rulemaking (NPRM) on the “Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.”

This NPRM proposes sweeping changes to the entire set of the National Environmental Policy Act’s (NEPA) implementing regulations, which are applicable to more than 50,000 federal actions each year ranging from energy development decisions on our public lands and water to and the construction of industrial facilities and major transportation infrastructure that release vast quantities of air and water pollution that will affect our planet’s future.

Given that this proposal could fundamentally change how every single agency in the federal government considers the health and environmental impacts of federal decisions, as well as public input under NEPA, we believe that a minimum of a 180-day comment period accompanied by additional public hearings held in each EPA region across the country are necessary to provide everyone, but especially the public, the time to properly understand and meaningfully respond to the major changes contemplated in the NPRM. As the White House Council on Environmental Quality (CEQ) itself has repeatedly stated, one of the primary goals NEPA is to encourage meaningful public input and involvement in federal decision-making.1

We note that the 47-page NPRM is extensive both in length as well as in the number of proposed changes to the regulations. A thorough analysis and response to the NPRM will also require understanding its relationship to decades of administrative and judicial interpretation. We also note that CEQ provided a 60-day comment period for a two-page Advanced Notice of Proposed Rulemaking (ANPRM) issued in June 2018. Consequently, the current comment period of 60 days is entirely inadequate and incommensurate with the scope of the NPRM – especially for the public

who rely on NEPA as the only way to weigh in on decisions impacting their communities and who must take time off work and away from their families to read the regulations and respond to this notice.

Like previous processes accompanying the promulgation of new regulations, we encourage CEQ to host additional public forums across the country to listen to people’s experiences and views regarding the NEPA process. CEQ has never before considered such sweeping changes to the regulations – only public outreach commensurate to that CEQ undertook when it drafted the original regulations between 1977 and 1979 will ensure broad stakeholder engagement and a complete understanding of how the draft regulations would impact communities, especially frontline communities, around the country. Indeed, it is no accident that the extensive outreach CEQ from 1977 to 1979 led to the unparalleled longevity of the current regulations.

The two proposed public hearings are severely inadequate, forcing both rural and urban stakeholders outside of Denver, Colorado and Washington, DC to expend considerable cost and take time off work to speak in person with the agency proposing these radical changes. Just last week, registration for CEQ’s public hearing in Denver sold out in a matter of minutes. For these reasons, it is difficult to interpret a 60-day comment period that includes only two public hearings as anything less than reflective of lack of sincere interest in engagement with the diverse constituencies affected by America’s environmental Magna Carta and an affront to the laudable values of public input and government transparency NEPA seeks to impart on the federal decision-making process.

Accordingly, we request the public comment period be extended to a minimum of 180 days and CEQ host additional public forums in urban and rural settings.

Respectfully submitted,

350 Bay Area
350 Colorado
350 Corvallis
350 Corvallis
350 Dallas
350 Eugene
350 New Orleans
350 Santa Cruz
350 South Bay Los Angeles
350 West Sound Climate Action
350 Yakima Climate Action
Alaska Wilderness League
Alaska's Big Village Network
Alberta Wilderness Association
Alliance for International Reforestation, Inc.
Alliance of Nurses for Healthy Environments
American Bird Conservancy
American Rivers
Amigos Bravos
Anacostia Riverkeeper
Animas Valley Institute
Arizona Mining Reform Coalition
Audubon Naturalist Society
Audubon Society of Omaha, Nebraska
Bahr Law Offices
Bark
Basin and Range Watch
Battle Creek Alliance & Defiance Canyon Raptor Rescue
Bayou City Waterkeeper
Berks Gas Truth
Better Path Coalition
Black Hills Clean Water Alliance
Black Warrior Riverkeeper
Bold Alliance
Boston College Law School Land & Environment Program
California Native Plant Society
California River Watch
California Sportfishing Protection Alliance
California Wilderness Coalition
Carrizo Comecrudo Tribe of Texas
Cascadia Wildlands
CAVU (Climate Advocates/ Voces Unidas)
Center for Biological Diversity
Center for Environmental Health
Center for Land, Environment, and Natural Resources, University of California, Irvine
Center for Transforming Communities
Central Colorado Wilderness Coalition
Citizens for a Healthy Community
Clean Energy Action
Clean Ocean Action
Clean Water Action
Climate Action Rhode Island
Coal River Mountain Watch
Coalition for American Heritage
Coalition to Protect America's National Parks, Inc.
Coast Action Group
Coast Range Association
Coastwalk/California Coastal Trail Association
Columbia Riverkeeper
Community Advocate
Conejos Clean Water
Conservancy of Southwest Florida
Conservation Law Foundation
Conservation Montgomery
Conservation Northwest
Conservation Northwest
Conservatives for Responsible Stewardship
Conserve Southwest Utah
Corvallis Friends Meeting
Corvallis Sustainability Coalition
Cottonwood Environmental Law Center
Cumberland-Harpeth Audubon Society
Dakota Resource Council
Defenders of Wildlife
Delaware Ecumenical Council on Children and Families
Delaware Riverkeeper
Delaware-Otsego Audubon Soc., Inc. (NY)
Devil's Spring Ranch
Dogwood Alliance
Dolores River Boating Advocates
Don't Waste Arizona
Duke University Environmental Law and Policy Clinic
Duquesne University School of Law
Earthjustice
Earthworks
Ecological Options Network
Emmett Environmental Law & Policy Clinic, Harvard Law School
Endangered Habitats League
Endangered Species Coalition
Environment America
Environmental Action Committee of West Marin
Environmental Advocacy Clinic, University at Buffalo School of Law
Environmental Defense Center
Environmental Defense Fund
Environmental Protection Information Center
Environmental Protection Network
Factory Farming Awareness Coalition
Fairmont Peace Group
Family Farm Defenders
Florida A & M Univ., College of Law
Food & Water Watch; Food & Water Action
For the Fishes
Forest Trust
Fox Valley Citizens for Peace & Justice
Freshinseasonfruit.com
Friends of Animals
Friends of Big Morongo Canyon Preserve
Friends of Dyke Marsh
Friends of Gualala River
Friends of Merrymeeting Bay
Friends of Nevada Wilderness
Friends of Penobscot Bay
Friends of Plumas Wilderness
Friends of Sligo Creek
Friends of the Clearwater
Friends of the Columbia Gorge
Friends of the Earth
Friends of the Inyo
Friends of the Kalmiopsis
Friends of the Mississippi River
Friends of the Sonoran Desert
Frosty Hollow Ecological Restoration
Ft. Berthold Protectors of Water and Earth Rights
Geos Institute
Gila Conservation Coalition
Gila Resources Information Project
Global Union Against Radiation Deployment from Space
Glynn Environmental Coalition
Golden West Women Flyfishers
Grand Canyon Trust
Great Egg Harbor Watershed Association
Great Old Broads for Wilderness
Great Rivers Environmental Law Center
Greater Hells Canyon Council
Green America
Green River Action Network
GreenLatinos
Greenpeace
Hands Across the Sand/Land
Harpeth Conservancy
Health Professionals for a Healthy Climate
Healthy Gulf
Hispanic Federation
Howling For Wolves
Humane Society Legislative Fund
Idaho Organization of Resource Councils
Indivisible South Bay LA
Information Network for Responsible Mining
Inland Ocean Coalition
Institute for Wildlife Protection
International Fund for Animal Welfare
International Marine Mammal Project of Earth Island Institute
Iowa Environmental Council
John Muir Project
Kentucky Waterways Alliance
Klamath Forest Alliance
Klamath-Siskiyou Wildlands Center
Labor Council for Latin American Advancement
Lapidess Foundation
Lassen Forest Preservation Group
Laukahi: Hawaii's Plant Conservation Network
League of Conservation Voters
Living Rivers & Colorado Riverkeeper
Long Beach Alliance for Clean Energy
Long Beach Gray Panthers
Los Padres ForestWatch
Louisiana Audubon Council
Lower Ohio River Waterkeeper
Lower Rio Grande Valley Sierra Club
Madrone Audubon Society, Sonoma County, CA
Maine Audubon
Maine Coalition to Stop Smart Meters
Malach Consulting
Minnesota Native Plant Society
Mississippi River Network
Missouri Coalition for the Environment
Mojave Desert Land Trust
Monmouth County Audubon Society
Montgomery County citizen
Muddy Branch Alliance
MZ Strategies, LLC
National Audubon Society
National Parks Conservation Association
National Trust for Historic Preservation
National Wildlife Federation
National Wolfwatcher Coalition
Native Plant Conservation Campaign
Natural Resources Council of Maine
Natural Resources Defense Council
Nature Coast Conservation, Inc.
Neighbors of the Northwest Branch
Nevada Nuclear Waste Task Force
New Energy Economy
New Jersey Conservation Foundation
New Mexico Environmental Law Center
New Mexico State Senator Elizabeth Stefanics
New Mexico Trout, a 501(c)(3) organization
New Mexico Wilderness Alliance
NM Interfaith Power and Light
Northcoast Environmental Center
Northeast Oregon Ecosystems
Northeastern Minnesotans for Wilderness
Northern Plains Resource Council
Northwest Center for Alternatives to Pesticides
Nova Southeastern University College of Law
NY4WHALES
NYC Audubon
O.W.L. Foundation
Ocean Conservancy
Ocean Conservation Research
Oceana
Oil Change International
Olympic Climate Action
Oregon Natural Desert Association
Oregon Physicians for Social Responsibility
Oregon Wild
OVEC-Ohio Valley Environmental Coalition
Pacific Coast Federation of Fishermen's Associations (PCFFA) and Institute for Fisheries Resources (IFR)
Partnership for Policy Integrity
Paula Lane Action Network, Sonoma County, CA
Pelican Media
PennFuture
People for Positive Action
Peoria Audubon Society
Physicians for Social Responsibility PA
Pilchuck Audubon Society
Powder River Basin Resource Council
Prairie Rivers Network
Predator Defense
Public Employees for Environmental Responsibility
Public Lands Project
Raptors Are The Solution
RE Sources for Sustainable Communities
Resource Renewal Institute
RESTORE: The North Woods
Rock Creek Alliance
Rock Creek Conservancy
Rocky Mountain Wild
Rogue Riverkeeper
Rural Alliance
Russian River Watershed Protection Committee
Russian Riverkeeper
Rutgers Law School
Safe Alternatives for our Forest Environment
Salem Audubon Society
San Juan Citizens Alliance
San Luis Valley Ecosystem Council
Santa Cruz Climate Action Network
Santa Fe Forest Coalition
Save Our Cabinets
Save Our Saluda
Save Our Shores
Save Our Sky Blue Waters
Save RGV
Save the Manatee Club
Save the Scenic Santa Ritas
ScientistsWarning.org
Scott Gollwitzer, Attorney-at-Law
Selkirk Conservation Alliance
Seven Circles Foundation
Sierra Club
Sierra Club Delta Chapter
Sierra Club Toiyabe Chapter
Sierra club, New Orleans Chapter
Sierra Forest Legacy
Skyline West Neighborhood Association
Soda Mountain Wilderness Council
Sonoma County Water Coalition
South Umpqua Rural Community Parterhship
Southern Environmental Law Center
Southern Maryland Audubon Society
Southern Utah Wilderness Alliance
Southface Energy Institute
Spottswoode Winery, Inc.
Strong Prosperous and Resilient Communities Challenge
Surfrider Foundation
Tennessee Clean Water Network
Texas River Revival
The Conservation Fund
The Cultural Landscape Foundation
The Humane Society of the United States
The Land Connection
The Lands Council
The Pew Charitable Trusts
The Wilderness Society
Thronton Creek Legal Defense Fund
Trustees for Alaska
Turquoise Trail Regional Alliance
Turtle Island Restoration Network
Umpqua Watersheds, Inc.
Unexpected Wildlife Refuge
Union of Concerned Scientists
University of New Mexico Graduate Resource Center
University of Pittsburgh School of Law Environmental Law Clinic
Upper Missouri Waterkeeper
Upper Peninsula Environmental Coalition
Urban Bird Foundation
Utah Native Plant Society
Wasatch Clean Air Coalition
Washington Environmental Council
Washington Wild
Watts Branch Watershed Alliance
WE ACT for Environmental Justice
West Montgomery County Citizens Association
Western Colorado Alliance
Western Environmental Law Center
Western Organization of Resource Councils
Western Values Project
Western Watersheds Project
Whidbey Environmental Action Network
Widener University Commonwealth Law School
Wild Connections
Wild Horse Education
Wild Watershed
Wild Zone Conservation League
WildEarth Guardians
Wilderness Workshop
WildWest Institute
Willamette Law Group
Willamette Riverkeeper
Windheim EMF Solutions
Winter Wildlands Alliance
World Wildlife Fund
Youth Climate Action Now Corvallis