February 7, 2020

Mary B. Neumayr  
Chair  
Council on Environmental Quality  
722 Jackson Place NW  
Washington, DC 20503

SUBJECT: Request to Maintain the 60-day Comment Period for the Council on Environmental Quality (CEQ) Update to NEPA Implementing Regulations, Docket No. CEQ-2019-0003

Dear Chair Neumayr:

We urge CEQ to maintain the current 60 day comment period for the proposed rule titled, Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act.1

Our organizations represent agriculture, energy, construction, forestry, manufacturing, transportation, and other sectors that form the backbone of America’s economy, and we fully support the fundamental goals of NEPA to appropriately consider the potential environmental impacts of certain federal actions. However, securing approval for projects and land management decisions has become hampered by unreasonable costs and long project delays. It is long past time to modernize NEPA processes.

Additional delays to these reforms and the associated comment period are not warranted. The groundwork leading up to this rulemaking was first initiated in September 2017, when CEQ published a notice in the Federal Register2 announcing an initial list of actions it would take to enhance and modernize the NEPA review process. Then, in June 2018, CEQ published an Advance Notice of Proposed Rulemaking (ANPR) in the Federal Register3 that received and considered over 12,000 public comments on a broad cross-section of issues associated with NEPA regulations. We commend CEQ for taking these important additional steps in the regulatory development process to ensure robust public comment and interaction on the issues that form the basis of the current proposal.

1 85 FR 1684 (January 10, 2020)  
2 82 FR 43226 (September 14, 2017)  
3 83 FR 28591 (June 20, 2018)
The average time it takes to complete NEPA environmental reviews has grown to 4.5 years, with many reviews for critical infrastructure projects taking decades.\(^4\) It can take longer to get government approvals under NEPA than it takes to construct a project. As an example, the NEPA review of the Basnight Bridge project in the Outer Banks of NC took 25 years to be approved while the bridge itself was built in three years.

America’s infrastructure and natural resources — from roads, bridges, airports, railways, airways and waterways to energy and industrial facilities, telecommunications networks, and other public assets — are vital to economic activity, investment, trade, and commerce both domestically and abroad. Extending the comment period, would further delay the associated economic, environmental and other benefits of these critical infrastructure projects.

President Obama recognized the need for reducing infrastructure permit delays citing in a 2012 infrastructure Executive Order the need “to maintain our Nation’s competitive edge and ensure an economy built to last…[as we] compete for the world’s investments based on the quality of our infrastructure.” Similarly, President George W. Bush issued an Executive Order in 2002 to promote environmental stewardship while expediting review due to the importance of infrastructure “to the well-being of the American people and a strong American economy."

The need for these reforms is clear and compelling, and further delaying these important NEPA updates will only serve to hurt economic growth and postpone their associated benefits. For these reasons, we respectfully request that CEQ maintain the current March 10, 2020 comment deadline.

Sincerely,

American Chemistry Council
American Coke and Coal Chemicals Institute
American Council for Capital Formation
American Fuel & Petrochemical Manufacturers
American Gas Association
American Highway Users Alliance
American Petroleum Institute
American Road & Transportation Builders Association
American Sheep Industry Association
Arroyo Seco Motorcycle Association
Associated Builders and Contractors
Associated General Contractors of America
Association of Energy Service Companies
Association of Equipment Manufacturers
Association of Oil Pipe Lines
California Wool Growers Association
Colorado Wool Growers Association
Consumer Energy Alliance
Energy Equipment & Infrastructure Alliance
Federal Forest Resource Coalition
Idaho Wool Growers Association
Independent Petroleum Association of America
International Association of Drilling Contractors
Laborers' International Union of North America
Montana Association of Oil, Gas, and Coal Counties
Montana Petroleum Association
Montana Wool Growers Association
National Cattlemen's Beef Association
National Ocean Industries Association
National Rural Electric Cooperative Association
National Stone, Sand & Gravel Association
New Mexico Oil and Gas Association
Petroleum Association of Wyoming
Portland Cement Association
Public Lands Council
Texas Independent Producers & Royalty Owners Association
Texas Sheep and Goat Raisers Association
The Fertilizer Institute
The Texas Alliance of Energy Producers
U.S. Chamber of Commerce
Utah Wool Growers Association
Wyoming Wool Growers Association