

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*.<sup>1</sup>

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 Register<sup>2</sup> 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 Register<sup>3</sup> 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.

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<sup>1</sup> 85 FR 1684 (January 10, 2020)

<sup>2</sup> 82 FR 43226 (September 14, 2017)

<sup>3</sup> 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.<sup>4</sup> 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,

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<sup>4</sup> Environmental Impact Statement Timelines (2010-2017), Council on Environmental Quality, December 14, 2008. <https://ceq.doe.gov/nepa-practice/eis-timelines.html>

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