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Docket Number – CEQ 2021-0002

**Administrative Practice and Procedures, Environmental Impact Statements,
Environmental Protection, Natural Resources**

AGENCY: Council on Environmental Quality.

ACTION: Notice of proposed rulemaking

**Comments Submitted by the National Association of Forest Service Retirees (NAFSR) and
the Public Lands Foundation (PLF)**

The National Association of Forest Service Retirees (NAFSR) and Public Lands Foundation (PLF) are non-profit organization(s) of natural resource professionals dedicated to sustaining healthy National Forests and Grasslands and public lands managed by the Bureau of Land Management (BLM). Our memberships represent a full spectrum of resource specialists, line management, biologists and scientists with centuries of combined experience in managing America's public lands, including implementing the National Environmental Policy Act (NEPA). Our members have worked extensively together with both State and local cooperating agencies, partners and public stakeholders to meet the requirements and the intent of NEPA.

CEQ is undertaking the first phase of a two-phased revision of its 2020 NEPA Rule. Phase one proposes a relatively narrow set of revisions to reinstate the prior regulations. CEQ's rule-making focuses on: restoring the regulator provisions addressing purpose and need; the definitions of effects (direct, indirect & cumulative); and, agency NEPA procedures for implementing CEQ's regulations.

Our organization(s) support the restoration of these provisions under the 2020 NEPA Rule. However, our organization (s) are concerned that CEQ's preamble language could be interpreted as an intent to include purpose and need in the analysis of the effects thus undermining CEQ's intent for brevity in defining a purpose and need and unnecessarily adding to the length of environmental documents. We would suggest this language in the preamble be changed.

CEQ's effort to revisit the 2020 NEPA Implementing Regulations as a phase one and phase two process is appropriate. While NEPA's primary purpose of "informed decision making" remains its core principle, NEPA procedural requirements have not kept pace with the need to direct limited national resources in a timely and efficient manner. Under phase two, we recommend the early engagement of federal agencies and experienced NEPA practitioners to discuss and identify consequences associated with proposed changes to the NEPA implementing regulations.

Under phase two, our organization(s) strongly encourage CEQ to streamline the NEPA Implementing Regulations. Federal agencies need the ability to respond quickly if we are to address the greatest natural resource challenge of our time, warming climate and the associated wildland fire crisis.

As of September 2, 2020, California wildland fires had generated more than 91 million metric tons of carbon dioxide, roughly 25% more than the state's annual emissions from fossil fuels. Last year was an historically destructive wildfire season.

The 2021 wildfire season is on track to be even more damaging, setting new records for every impact tracking metric. Warming climates coupled with out of balance landscapes and large-scale fire events are impacting our western forests, watersheds and rangelands, communities, and people's lives. This is a complex problem that calls for a paradigm shift and multi-pronged strategies and fixes.

Oregon's Governor Brown recently gave approval for spending \$220 million to address the increased risks associated with warming climates and growing wildland fire events. The governor has specifically directed monies toward helping vulnerable communities become more fire-adaptive by investing in prescriptive burning and thinning, work Governor Brown called incredibly important. Fifty-three percent of the lands in Oregon are federally managed. Governor Brown, communities and adjacent private landowners are looking to their federal partners to match the pace and scale of the State's on the ground actions.

Recently the State of California, which has 46% of its lands in federal ownership, announced it would be spending \$2 billion to prevent wildfires and address droughts. Again, they are looking to their federal partner to match the pace and scale of their actions.

Oregon's U.S. Senator Merkley has said the Senate is ready to support substantial budgetary increases to address the wildland fire issues across all landscapes and ownership boundaries. The U.S. Senate has secured an additional \$230 million under the continuing resolution package, added \$2.4 billion in the infrastructure package, and included \$650 million to \$700 million in the 2022 appropriation package.

However, it is also recognized that money alone will not be enough. The complexity of this growing crisis requires new legislation, policies and procedures. For Federal agencies, if they are to be responsible neighbors, this means they will need to move expeditiously in the decision-making process to effectively get work done on the ground.

President Biden has proposed an infrastructure plan that has recognized the need to address this growing environmental crisis under its green infrastructure and renewable energy priorities. The President is moving quickly in support of these goals in maintaining our forests as carbon sinks, creating green jobs nationwide, and decreasing fire risk to communities. If federal agencies are to meet the goals and priorities of the President and deliver on the promises made by Congress, the federal agencies need a streamlined NEPA decision process. Our States, Tribes and communities are looking to the federal partnerships for results.

In summary, the federal agencies' NEPA decision-making process needs to be designed to move quickly to produce tangible on-the-ground results, to address a warming climate, and help vulnerable communities become more fire-adaptive. Streamlining of the NEPA implementing regulations is key if we are to address this crisis in concert with States, Tribes and communities at risk. If, however, under phase two, CEQ's changes result in additional burdensome

requirements for federal decision making, the result will likely be more damaged forests and communities, frustrated state, local and Tribal partners, and critical on-the-ground project work being forgone.

Thank you for the opportunity to comment. Our organizations remain available to assist CEQ as you move forward with further reconsideration of current regulations.