



**EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503**

FOR IMMEDIATE RELEASE:
February 18, 2010

**Contact: Christine Glunz
(202) 456-3469**

White House Council on Environmental Quality Announces Steps to Modernize and Reinvalidate the National Environmental Policy Act

WASHINGTON – In conjunction with its 40th Anniversary, the White House Council on Environmental Quality (CEQ) today proposed four steps to modernize and reinvalidate the National Environmental Policy Act (NEPA). These measures will assist Federal agencies to meet the goals of NEPA, enhance the quality of public involvement in governmental decisions relating to the environment, increase transparency and ease implementation.

Enacted in 1970, NEPA is a cornerstone of our Nation’s efforts to protect the environment and a fundamental tool to harmonize our economic and environmental aspirations. It recognizes that many Federal activities affect the environment and mandates that Federal agencies consider the environmental impacts of their proposed actions before acting. NEPA emphasizes public involvement in government actions affecting the environment by requiring that the benefits and the risks associated with proposed actions be assessed and publicly disclosed.

“Our country has been strengthened by the open, accountable, informed and citizen-involved decision-making structure created by NEPA,” said Nancy Sutley, Chair of the White House Council on Environmental Quality. “We are committed to making NEPA workable and effective, and believe that these changes will contribute significantly to both goals.”

To modernize NEPA, CEQ is issuing draft guidance for public comment on: when and how Federal agencies must consider greenhouse gas emissions and climate change in their proposed actions; clarifying appropriateness of “Findings of No Significant Impact” and specifying when there is a need to monitor environmental mitigation commitments; clarifying use of categorical exclusions; and enhanced public tools for reporting on NEPA activities.

Draft Guidance on the Consideration of Greenhouse Gases

CEQ is releasing draft guidance for public comment on when and how Federal agencies must consider greenhouse gas emissions and climate change in their proposed actions. CEQ has been asked to provide guidance on this subject informally by Federal agencies and formally by a petition under the Administrative Procedure Act. The draft guidance explains how Federal agencies should analyze the environmental impacts of greenhouse gas emissions and climate change when they describe the environmental impacts of a proposed action under NEPA. It provides practical tools for

agency reporting, including a presumptive threshold of 25,000 metric tons of carbon dioxide equivalent emissions from the proposed action to trigger a quantitative analysis, and instructs agencies how to assess the effects of climate change on the proposed action and their design. The draft guidance does not apply to land and resource management actions and does not propose to regulate greenhouse gases. CEQ will receive public comment on this guidance for 90 days.

Draft Guidance Clarifying Appropriateness of “Findings of No Significant Impact” and Specifying When There is a Need to Monitor Environmental Mitigation Commitments

Many Federal actions receive an environmental review, known as an Environmental Assessment. In those instances, NEPA compliance is usually completed with a “Finding of No Significant Impact” (FONSI) on the environment, thus a more detailed Environmental Impact Statement is not required. The draft guidance clarifies that the environmental impacts of a proposed action may be mitigated to the point when the agency may make a FONSI determination. When the FONSI depends on successful mitigation, however, such mitigation requirements should be made public and be accompanied by monitoring and reporting. The draft guidance also applies to monitoring and reporting of mitigation commitments agencies make in an EIS and Record of Decision. CEQ has released this draft guidance for 90 days of public comment.

Revised Draft Guidance Clarifying Use of Categorical Exclusions

Many Federal actions do not have significant effects on the environment. When these actions fall into broad categories of activities, agencies may apply a “categorical exclusion” from further NEPA review. This draft guidance clarifies the rules for categorical exclusions and ensures that there is a concise public record when agencies apply them. While CEQ previously has sought public comments on this matter, this guidance provides additional clarifications, so it will seek additional public comment for 45 days.

Enhanced Public Tools for Reporting on NEPA Activities

Technology has greatly enhanced the government’s transparency and accountability and these tools have improved the quality of governmental decision-making, including decisions made following a NEPA analysis. CEQ has updated its NEPA webpage, www.nepa.gov, and is providing a wide range of information about NEPA through this portal. CEQ continues to upgrade this site to include the status of reviews of agency NEPA guidance, Recovery Act NEPA reporting, and real-time NEPA review status. These upgrades are designed to improve public participation and the quality of Federal agency administration of NEPA.

All public comments may be submitted to www.whitehouse.gov/ceq/initatives/nepa.

###