

**Nomination Received by Council on Environmental Quality, Executive Office of the President
For the CEQ NEPA Pilot Project Program**
<http://www.whitehouse.gov/administration/eop/ceq/initiatives/nepa/nepa-pilot-project-nominations>

PART I. NOMINATOR

First Name:	Ray
Last Name:	Kreig
Organization:	RA Kreig & Associates
Project Title:	[None submitted]
Submitted by:	Member of the Public
Date Received:	03/26/2011

PART II. SHORT ANSWERS

I. What Federal agency or agencies will be involved in this pilot project?

EPA, CEQ

II. What is the Federal action to which this NEPA pilot project applies?

Mining News: It's time we taught the CEQ to fish

The Council on Environmental Quality can make the world better and help our economy by requiring everyone to obey the same rules

J. P. Tangen

For Mining News

An ancient Chinese aphorism advises that if you give a man a fish he will eat for a day, and if you teach him how to fish, he will eat for a lifetime. I am going to go way out on a limb here and suggest that contrary to all known experience, government is not uneducable. Here's my simple point: The Council on Environmental Quality has spent the last 40 years screwing things up.

III. How will this pilot project reduce the costs and time needed to complete the NEPA process?

They have interpreted their mandate myopically; they have wasted literally forests of paper on incredibly worthless, unread studies; and worse yet, they have violated their mandate to "encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation...."

Instead of encouraging "harmony," CEQ has precipitated litigation and antagonism. Instead of stimulating "health and welfare of man," CEQ has engineered the out-migration of numerous industries and associated employment. In brief, although the United States arguably is a less-polluted place than it was in 1969 that may be in spite of the efforts of the CEQ, and not because of those efforts.

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What I mean is that the CEQ has exported our productivity instead of our standards. In looking over NEPA's charge, I find little that says they are to limit their focus to the "domestic" environment. On the contrary, it addresses the "human" environment; and the last I heard, "foreigners" (at least some of them) are "human," too. It certainly does not stimulate the quality of the human environment to have our domestic production, say of rare earth minerals, driven off shore to a place like the Chinese People's Republic where the environmental controls are wanting.

IV. How will this pilot project ensure rigorous environmental protection?

Throughout the American West, as well as here in Alaska, there is untold mineral wealth. Locatable minerals, hydrocarbons and even certain common variety minerals can be found in profusion here. Unfortunately, the CEQ process of environmental study after environmental study after environmental study, where no such requirement exists elsewhere in the world, has constipated resource development.

CEQ has now asked for comments on how to "improve" their procedures. They have called upon the public to nominate "projects that will increase the efficiency of environmental reviews conducted under the National Environmental Policy Act." The best nomination of all would be to scrap their existing thinking and start from scratch. For instance, over the past generation, the United States has unquestionably morphed from a producer nation to a consumer nation.

Productive capability has become established in places that do not cling to our environmental and natural resource standards. It is high time that CEQ put its foot down and insist that the source of all constituent parts of any import, including produce, be comprehensively disclosed at the point of entry into the United States. If it cannot be conclusively established that the proposed import was derived from sources that fully comply with domestic standards, that commodity must be refused entry into the country.

V. How will this pilot project improve the quality and transparency of agency decisionmaking?

It seems only a small stretch to envelop the Environmental Protection Agency into this project. EPA, after all, has the technical skill-set to determine whether a gold mine in Ghana is meeting the NPDES standards. That, of course, would facilitate the resolution of a long list of concomitant problems. First, it would give EPA something constructive to expend its inexhaustible budget on; next, it would get a whole lot of EPA people out of our hair – they could go bother the people of Ghana; and third, it would make the world a better place.

After all, environmental protection does not stop at the water's edge. If the Clean Water Act is deficient in authorizing such an extra-territorial exercise, perhaps a modest amendment to the definition of "navigable waters" could be embraced. Instead of defining navigable waters as "waters of the United States" perhaps they could be defined as "waters of the World."

It seems self-evident to me that no one wants to go back to a pre-1969 world where industrial

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rivers spontaneously catch fire and where lakes are so deprived of oxygen that the fish can't survive. Unhappily, that is where a whole lot of the world is today. Even as we speak, there are folks in remote locations scratching at the earth to mine the mineral commodities the American public demands for its modern life-style, with no consideration whatsoever for the suspended solids or parts per trillion of unpronounceable pollutants that are flowing downhill and into the nearest receiving water.

VI. Will this pilot project develop best practices that can be replicated by other agencies or applied to other Federal actions or programs? Please describe?

If the CEQ is truly out to make the world a better place, as I believe that statute clearly requires, it needs to get off its dead derrière and bring everyone up to at least where we are today. The path to doing so is at our ports. That fishing lesson could feed us all for a very long time.

PART III. PROJECT DESCRIPTION

(See attachment on following page.)

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