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July 22, 2011

The Honorable Nancy H. Sutley
Chair
White House Council on Environmental Quality
736 Jackson Place NW
Washington, DC 20502

Dear Ms. Sutley:

On behalf of the 19,000 cities and towns represented by the National League of Cities (NLC), we appreciate the opportunity to provide comments on the Council on Environmental Quality (CEQ) Preliminary Plan for Retrospective Review of Existing Regulation (the Plan), which CEQ issued pursuant to Executive Order 13563, directing all federal agencies to develop plans for periodically reviewing existing regulations to determine whether any should be modified, streamlined, expanded, or repealed.

In general, NLC supports CEQ's efforts to modernize and reinvigorate the National Environmental Policy Act of 1969 (NEPA), which has encouraged the federal government to consider alternatives and mitigation options to proposed federal projects. Implementation of NEPA supports NLC's goals of environmental quality.

As you undertake and review a pilot program to conduct a retrospective review of the CEQ NEPA Regulations to increase the efficiency of the NEPA process, we would like to offer some specific items for consideration that can reduce unnecessary project delays.

Specifically, NLC urges the federal government, in cooperation with local elected officials, to

- Mandate concurrent reviews among all federal agencies involved in the NEPA process for a project;
- Develop clearly defined procedures for resolving disputes among those federal agencies;
- Eliminate duplicative reviews by substituting more stringent or equal state environmental reviews for the federal review process;
- Require all agencies to determine appropriate time frames to complete their reviews, and penalize agencies that do not meet the deadlines; and
- Ensure adequate opportunity for public involvement.

To encourage public participation, NLC also recommends that NEPA documents include glossaries, bylines and phone numbers of the federal officials responsible for each document.



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Thank you for the opportunity to comment and for considering the perspective of cities and towns as you undertake this effort to improve the regulatory process and program to become more effective and less burdensome in achieving regulatory objectives.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donald J. Borut".

Donald J. Borut
Executive Director