

We, the Environmental Commission of the City of Bloomington, Indiana, object to several provisions of docket number CEQ-2019-0003, which very much weaken the advantages of thorough Environmental Impact Statements (EISs). As background, we note that the EIS process has played a useful role in protecting our own county's environment, by helping in the cleanup of both a sewage treatment plant and several landfills that were contaminated with PCBs in the 1970s, and with choosing a good site for a replacement sewage treatment plant.

As further background, we note from 42 USC 4331 of the Federal Register this description of the National Environmental Policy Act that was passed with strong bipartisan support and President Nixon's signature fifty years ago:

§4331. Congressional declaration of national environmental policy

(a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, **to use all practicable means and measures** [emphasis added], including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this chapter, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may-

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

We believe the following proposed provisions, among others, very much weaken the potential for Environmental Impact Statements (EIS) to protect the environments of this and future generations. Please apply our comments not only to EISs, but also to Environmental Reviews and to Categorical Exclusions to the extent that our comments are relevant to those other types of documents.

1. If you ask any American whether weather and climate are important components of his or her environment, the answer would surely be “yes”. Indeed, global climate change caused by greenhouse gases (GHG) like carbon dioxide and methane is now known to be a major threat to human health for many generations to come. Yet a search of your 47-page document turns up a single reference to the word “climate” (p. 1710), and the reference there states that “CEQ does not consider it appropriate to address a single category of impacts in the regulations.” This seems intended to eliminate consideration of GHG from any EIS, and thus, to eliminate the major cause of climate change from consideration. Greenhouse gases and climate change MUST be included in any EIS where they might be factors, given the importance of climate to environment for many future generations, and for that matter, for every nation on our planet.

2. Your document proposes to eliminate scientific research from the preparation of any EIS (p. 1703). However, it is not hard to imagine situations where initial stages of producing an EIS might identify either beneficial or detrimental outcomes that hadn’t been thought of before. New scientific research could then be required to determine the extent of those newly identified outcomes. So please allow for new scientific research to be part of the EIS process, where appropriate.

3. Cumulative outcomes should not be eliminated from consideration as your document proposes to do on page 1708, page 1729, and several other pages. Yet both positive and negative outcomes can very easily be cumulative. As examples, planting one forest plot would lead to a small amount of carbon dioxide uptake, while plotting many such plots could lead to a more considerable amount of uptake. On the negative side, the methane and radon outputs from a single area of fracking sites might be nearly negligible, whereas the outputs from a larger project with many such sites might be far from negligible. So please ask for possible cumulative impacts to be identified in every EIS.

4. Parts of your document seem to reduce the importance of involving multiple governmental levels and multiple government agencies involved in production of an EIS, as was encouraged in the original NEPA as outlined above. People at different governmental levels (city, county, state, nation) often have different interests, and staff of different agencies usually have different expertise. So please emphasize the importance of involving all relevant levels and agencies in the process of environmental impact analysis. While this doubtless complicates the environmental analysis process, it is important because environmental issues usually have many dimensions.

In summary, we ask you to reconsider these problematic issues in your document, and change it to allow environmental impact statements to be fully comprehensive, and to protect the environments of all affected people, plants, and animals.