

White House issues plans for prompt National Environmental Policy Act reviews

September 14, 2017

On September 14, the Council on Environmental Quality (CEQ) published a list of actions that it will take to revise the federal environmental review and authorization processes for infrastructure projects. The proposed actions primarily address the National Environmental Policy Act (NEPA), which requires federal agencies to assess environmental effects of proposed actions prior to making decisions. Of note, NEPA is responsible for decision making on permit applications, adopting federal land management actions, and constructing highways and other publicly owned facilities.

President Donald Trump has declared U.S. infrastructure, as well as environmental reviews and permitting processes, a top priority for his administration. The swift action by the CEQ is in response to Executive Order 13807, “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects” signed by President Trump on August 15, 2017. The executive order directs federal agencies to follow transparent and coordinated processes for conducting environmental reviews, reduce the timeline of reviews and authorization decisions for new major infrastructure projects to an average of 2 years, and implement “One Federal Decision” requiring a lead federal agency for each infrastructure project to coordinate a single Record of Decision that combines any individual agency decisions related to the project. In the September 14 Federal Register notice, the CEQ announced its plans to comply with requirements of the executive order, and intends to develop a framework for implementing “One Federal Decision” with the Office of Management and Budget (OMB).

The ultimate goal of NEPA is to foster action that protects, restores, and enhances our environment. Following its enactment in 1970, Congress developed a procedure referred to as the environmental impact assessment process to implement NEPA’s policies. According to the Department of Energy (DOE), NEPA has been effective in providing public officials with the information they need to make better decisions and it has since been replicated throughout the world.

Sources: Council on Environmental Quality, Department of Energy, Environmental Protection Agency, Office of the Federal Register
