

COUNCIL ON ENVIRONMENTAL QUALITY PROPOSES CHANGES TO ITS REGULATIONS

By James Voyles * on 10/7/2021
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On October 7, 2021, the Council on Environmental Quality (CEQ) proposed certain changes to its regulations implementing the National Environmental Quality Act (NEPA). Originally promulgated in 1978, the NEPA regulations went largely unaltered until 2020 when CEQ made several revisions to the regulations. Based on Thursday's federal register notice, CEQ's proposed updates are considered "Phase 1" of a two-phased revision process intended to modify NEPA regulations sections that address the purpose and need of proposed actions, reintroduces the term "cumulative effect", and gives federal agencies the discretion to develop NEPA procedures beyond CEQ's regulatory requirements.

Comments on the proposed rule must be submitted by November 22, 2021 on Regulations.gov to Docket Number: CEQ-2021-0002.

CEQ will hold two virtual public meetings at the following dates and times:

- October 19, 2021, from 1:00-4:00 p.m. EDT
- October 21, 2021, from 5:00-8:00 p.m. EDT

You can register for the public meeting on CEQ's NEPA page.

The federal register notice for proposed action can be found here.

The full-text PDF of the rule can be found here.

Please feel free to reach out to James Voyles at jvoyles@lewisroca.com or at 602.239.7425 with questions.

Tags: Environmental and Natural Resources, Environmental Law