



# The Western Coalition of Arid States

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August 20, 2018

Mr. Edward A. Boling  
Associate Director for the National Environmental Policy Act  
Council on Environmental Quality  
730 Jackson Place NW  
Washington, DC 20503  
Attn: Docket ID No. CEQ-2018-0001

### **Re: WESTCAS Comments on Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, Docket ID No. CEQ-2018-0001**

The following comments are submitted by WESTCAS, a coalition of nearly 100 water and wastewater districts, cities, towns, and professional organizations focused on water quality and water quantity issues in the States of Arizona, California, Colorado, Nevada, New Mexico, and Texas. Our mission is to work with Federal, State, and regional water quality and quantity agencies to promote scientifically-sound laws, regulations, appropriations and policies that protect public health and the environment while meeting water needs in the arid west.

All of our members are involved with the National Environmental Policy Act (NEPA) for projects involving water, wastewater, and stormwater management. We appreciate the opportunity to provide comments on proposed update to the regulations for implementing the procedural provisions of NEPA.

In the Federal Register notice (Vol. 83, No 119 / Wednesday, June 20, 2018), comments were requested on twenty questions. WESTCAS is limiting comments to Questions 1, 2, and 3 which address inefficiency in the NEPA process. WESTCAS members fully support NEPA as a decision making process that allows consideration of environmental and cultural issues along with public concerns. However, our collective experience is that the overall length of time the process takes is excessive. Some examples are:

***The Voice of Water Quality in the Arid West***

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- City of Santa Fe, New Mexico, Environmental Impact Statement for the Buckman Direct Diversion Project; a project to construct a diversion structure on the Rio Grande, pipelines, and a water treatment plant. **Six years** (2002 to 2008) from Notice of Intent to prepare an Environmental Impact Statement to Notice of Availability for the Record of Decision
- Northern Colorado Conservancy District, Colorado, Environmental Impact Statement - Northern Integrated Supply Project; the project would provide 40,000 acre-feet of new reliable water supply to meet a portion of the 15 participants future water supply needs by the construction of two new reservoirs. **Fourteen years** (2004 to 2018) from Notice of Intent to prepare an Environmental Impact Statement to request for comments on the Final EIS, and the process is not yet complete.
- Coachella Valley Water District, California; Whitewater River Basin Flood Control Project/Thousand Palms Flood Control District, the Project provides flood protection for developed and planned development areas while also supporting habitat improvements for the sensitive Coachella Valley fringe-toed lizard. **Eighteen years** (2000 2018) from publishing an EIR/EIS to scoping meeting in 2016. This project has had several starts and restarts due funding cuts because the NEPA document was not finalized. The NEPA process is not yet complete.

WESTCAS believes that the path to improving efficiency in the NEPA process requires coordinated reviews by Federal agencies and accepting existing reports and documents relevant to the project to minimize “re-work”. This NEPA improvement path has been described in two documents issued in 2018:

- Council on Environmental Quality’s *“Initial List of Actions To Enhance and Modernize the Federal Environmental Review and Authorization Process* (Federal Register, vol. 82, no. 177, page 43226)
- OMB/CEQ memo *“One Federal Decision Framework for the Environmental Review and Authorization Process for Major Infrastructure Projects under Executive Order 13807”* (March 20, 2018).

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**W E S T C A S**

WESTCAS endorses the changes to the NEPA process described in these documents. In particular, WESTCAS welcomes the concept of convening "one-stop" workgroups of Federal agencies to jointly review NEPA documents and make decisions within a 2-year time frame.

Having a definitive 2-year time frame for NEPA decisions will greatly simplify and add certainty to the planning, funding, construction, and operations of water-related infrastructure projects. Please implement Executive Order 13807 and the cited agency guidance to increase the efficiency of the NEPA process.

Sincerely,



Steve Bigley  
President

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**From:** [no-reply@regulations.gov](mailto:no-reply@regulations.gov)  
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**Agency:** Council on Environmental Quality (CEQ)

**Document Type:** Rulemaking

**Title:** Implementation of Procedural Provisions of National Environmental Policy Act

**Document ID:** CEQ-2018-0001-0001

**Comment:**

See attached file(s)

**Uploaded File(s):**

- WESTCAS NEPA comments.pdf

**This information will appear on Regulations.gov:**

First Name: Kelly

Last Name: Collins

Organization Name: WESTCAS

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Government Agency Type: Regional

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