



ALASKA 6 February 2006

AMERICAN SAMOA The Honorable Cathy McMorris  
Chair

ARIZONA NEPA Task Force  
Committee on Resources

CALIFORNIA 1324 Longworth House Office Building  
Washington, D.C. 20515

COLORADO

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS The Honorable Tom Udall  
Ranking Member  
NEPA Task Force  
Committee on Resources

FEDERATED STATES OF MICRONESIA 1324 Longworth House Office Building  
Washington, DC 20515

GUAM Dear Madam Chairwoman McMorris and Mr. Udall:

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On December 21, 2005, the Task Force on Improving the National Environmental Policy Act and Task Force on Updating the National Environmental Policy Act released *Initial Findings and Draft Recommendations* to the Committee on Resources in the United States House of Representatives. The report presents draft findings and recommendations for improving and updating the National Environmental Policy Act (NEPA) and solicits public comments or additional recommendations. As the Council of Western State Foresters (CWSF), we support the perspective that NEPA is an important environmental law that could benefit from improvements that increase the efficiency of implementation of federal actions.

The CWSF is a unique association of state forestry agencies working to manage forest resources and improve management of private forest lands across the western U.S. and Pacific Islands. Our membership includes State Foresters in 17 western states and six Pacific Island territories.

Active forest management on federal and non-federal lands is critical for maintaining healthy and diverse forests, reducing potential for catastrophic fires in wildland-urban interface areas, supporting economies of rural western communities, and improving important wildlife habitat. Unfortunately, federal forest management activities in western states are often hindered by the long and expensive environmental analysis process, a protracted administrative appeals process, and litigation. For these reasons, our membership has a keen interest in the work of the NEPA Task Force.

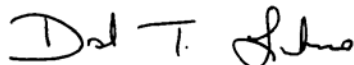
NEPA is an important tool for ensuring that environmental effects are adequately considered in federal forest management decisions and that the public has an opportunity to provide input into management actions on federal lands. Through the Task Force's efforts, we hope that improvements can be made to NEPA policy resulting in increased efficiency of forest management on federal lands. We do feel strongly that the best avenue for reform is not statutory; rather, CEQ should take the lead to improve regulation and implementation of the existing legislation.

The CWSF largely endorses the recommendations of the Task Force and specifically encourages changes to existing NEPA policy that:

- 1) Clarify the level of significance triggering environmental analyses. This notion is captured in the recommendation to amend NEPA to define “major federal action”.
- 2) Balance the level of environmental analysis with the magnitude of effect of the proposed action, including revising NEPA to better account for expenses and timelines associated with the development of alternatives.
- 3) Clarify and define who has legal standing for challenges to agency decisions.
- 4) Promote involvement of State and local governments in the NEPA process, including the establishment of “cooperating status” for tribal, state, and local stakeholders.
- 5) Facilitate the process of Environmental Analysis preparation by tiering individual projects to a programmatic document that includes a streamlined appeal process and standardized judicial review protocols.
- 6) Control NEPA-related costs by specifying page limits for EIS documents, standardizing public participation protocols, and authorizing CEQ to conduct a comprehensive analysis of NEPA-related costs for further consideration.
- 7) Minimize or eliminate the redundancy in environmental analysis between NEPA and other Federal environmental laws, such as the Endangered Species Act.

We appreciate the opportunity to provide these comments. The NEPA Task Force has offered very strong, specific, and potentially transformative recommendations to the 35-year old statute, and we support those efforts. Reforming NEPA is an important contribution to improved forest management, healthier ecosystems, more vibrant rural economies, and more resilient wildlife habitat. If you, the Task Force members, or their staffs have questions or seek additional comments, please feel free to contact us.

Sincerely,



David Limtiaco  
Chair  
Council of Western State Foresters