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Comments on Proposed Revisions of Federal NEPA Law

H🌐ME appreciates the opportunity to review the draft report on proposed NEPA revisions, and thanks the task force for considering these comments. H🌐ME is a nonprofit organization whose goal is to facilitate living responsibly on the Earth, including both First Nations people and immigrant Americans, including both ancient wisdom and the latest technology. We believe we must consider the impacts of every action, not just far into the future, but upon every form of life, and to engage at all times in inclusive open democratic decision making. This is the only path to a sustainable peaceful and fulfilling life for all.

As such, H🌐ME is greatly appreciative of federal NEPA law, both in its protection of our shared 'home' and resources that will (or will not) outlast us all, and in its process and function of public education and participation through critical democratic decision making. NEPA provides a unique way for us, as impacted individuals and as a collection of representative federal, tribal, state and regional agencies, to examine in the context of both practical and ethical concerns, the long-term impacts of human actions on the biosphere that supports our existence, and on the other living beings who share it with us. As technology and energy demand increases exponentially each year, as do the waste byproducts thus created, so must our knowledge and vigilance about using our 'home' very wisely. We believe that any changes to this vital body of law should be approached extremely cautiously.

H🌐ME therefore supports any proposed revisions that will:

- Strengthen the explicit goals of NEPA, such as recommendations 1.4 and 5.3;
- Streamline the active participation of tribal state and local governments in NEPA decision making, such as recommendations 3.1 and 3.2;
- Inform and include the public about proposed activities that will impact shared environmental resources such as recommendations 6.1 and 6.2;
- Strengthen enforcement of NEPA law and compliance overall.

Local communities and governments, particularly tribal ones, are often best informed about the details of the environment and watersheds. The best way for the federal government to minimize NEPA-associated delays and even future litigation is to involve affected communities in the NEPA process as early and as effectively as possible, to address community concerns in a pro-active fashion, and to prepare a thorough impact

report that does not hide a project's environmental effects. Many NEPA delays result when federal agencies attempt to cut corners in their analysis, conceal project effects, or, as the task force noted, alienate local stakeholders by refusing to involve them in the process. We strongly believe that any efforts to 'save costs' by rushing or limiting the NEPA process have time and again been proven disastrous, both environmentally and economically, through mitigation and health problems in the long term.

HOME strongly agrees with the observation that NEPA's "foundational objectives, especially those found in section 101 are as relevant today as when Congress passed it." However, we disagree with any assessment that the federal government is now more informed or responsible than in the past. We believe that excess federal diligence under NEPA is unlikely, such as arbitrary and overreaching agency actions, and that, properly interpreted and enforced, NEPA actually serves as an indispensable check while also enhancing open debate and environmental responsibility. This federal government is overtly controlled by corporate interests, particularly in its energy and waste disposal policies, and specific branches are actively engaged in promoting environmental disasters from the north shore of Alaska to the bayous of Louisiana, from Savannah River in the east, to the nuclear laboratories and facilities across the west spewing deadly toxins across the land and waters. It is only through active and diligent application of NEPA law, and follow-up through litigation when necessary, that proponents are compelled to explain, examine and take responsibility for the consequences of proposed actions.

HOME therefore opposes any proposed revisions that would weaken NEPA by:

- Diluting requirements for EISs, as opposed to EAs;
- Diluting language which divert from the explicit 'environmental protection' purpose of NEPA, such as in recommendation 1.1 or 1.3 and 5.1;
- Making even more onerous or expensive the process of litigation when NEPA provisions are found to be circumvented, such as recommendation 4.1;
- Reversing the ongoing shift toward greater environmental awareness and accountability in the federal government, such as recommendation 2.2 and 7.2.

We thank you again for the opportunity to express ourselves on these vital concerns.

Sincerely,

A handwritten signature in black ink that reads "Jennifer O. Viereck". The signature is written in a cursive style with a long, sweeping underline.

Jennifer Olaranna Viereck
Executive Director