

To: Council on Environmental Quality; Executive Office of the President

From: Woodwell Climate Research Center

Date: March 27, 2025

Re: Removal of National Environmental Policy Act Implementing Regulations
[CEQ-2025-0002-0001](#)

Thank you for this opportunity to comment on the proposed interim final rule regarding the removal of the White House Council on Environmental Quality (CEQ) National Environmental Policy Act (NEPA) implementing regulations.

Passed by an overwhelming bipartisan majority more than 55 years ago and signed into law by President Nixon, NEPA has empowered everyday citizens and provided critical environmental protections that have benefited generations of Americans. The streamlined review process established under NEPA has created consistency and clarity in environmental assessments across federal agencies. As explained below, the removal of this rule threatens to create inconsistencies in NEPA regulations amongst agencies, potentially leading to regulatory confusion, implementation challenges, and ultimately less effective environmental protection. Woodwell Climate Research Center (Woodwell) strongly opposes the interim final rule removing NEPA implementing regulations.

CEQ regulations are necessary to ensure consistent and coherent decisionmaking by agencies about major projects in uncertain landscapes.

NEPA reviews are not an impediment to “major federal actions” but provide an essential, science-based safeguard for ensuring that decisionmaking adequately balances a myriad of interests. This balance is especially critical in areas of the United States where increasingly frequent natural disturbances and extreme events threaten to derail the durability of a proposed federal action. Woodwell has observed this phenomenon in Alaska, where our scientists are researching the near- and long-term impacts of rising temperatures and other Arctic terrestrial changes. Several U.S. federal agencies have a mandate that extends to Arctic economic and national security; however, not all agencies consider the effects of flooding, erosion, permafrost thaw, and wildfires on proposed actions.

The NEPA environmental review process provides for this requisite consideration. Pursuant to NEPA, agencies are equipped to balance economic and national interests with environmental risk assessments informed by the best available science. In the past few years, this review process has proven critical for decisionmaking in Alaska, as agencies seeking to approve the construction of pipelines and authorize mining operations have also been guided to consider lesser known, but essential and serious trends—like permafrost thaw—as part of the hydrological and ground assessments. Permafrost thaw is expected to

impose more than \$5.5 billion in damage to runways, buildings, and public utilities by mid-century and is already impacting critical military infrastructure (including at the Northern Warfare Training Center at Fort Wainwright, Alaska) and sections of the Trans-Alaska Pipeline (TAP). The NEPA review process allows organizations like Woodwell to provide scientific data that enables agencies to make the most informed decisions possible.

NEPA and its Environmental Impact Statement process serve as mechanisms for ensuring that federal actions incorporate the best available science to protect ecological integrity in the continental United States as well. As highlighted in recent assessments, including Woodwell's evaluations of U.S. forest management plans,¹ reviews must account for the full scope of risks, including long-term consequences of deforestation and ecosystem degradation. The NEPA review process ensures that forest management strategies are scrutinized against empirical data, preventing the mischaracterizations or overuse of strategies like "active management" at the risk of forest health. While the stated goal of such management practices is often to enhance forest resilience, scientific evaluations demonstrate mature and old-growth forests already possess superior fire resistance and carbon sequestration capabilities compared to younger, managed forests.² Furthermore, research indicates that harvested wood products retain only a fraction of the carbon stored in living forests. Failure to rigorously assess these factors as a result of inconsistent review guidance could result in decisions that favor short-term economic gains over long-term environmental and community stability.

Without consistently including advanced and site-specific environmental processes like permafrost-thaw and forest management practices, environmental reviews could lead to unreliable or misleading findings. Yet not every agency can reasonably be expected to conduct such scientifically-comprehensive assessments. The need for supplemental environmental impact assessments from the Department of Energy for the Alaska Liquefied Natural Gas Project, the Bureau of Land Management for the Willow Master Development Plan Project, and the USDA Forest Service for the Northwest Forest Plan amendments are evidence of the variability and deficiencies of NEPA when agencies lack sufficient oversight. The efficacy of NEPA reviews therefore depends on unifying guidance from CEQ that ensures such NEPA analyses are appropriately drawn and recognize the complex interactions of critical environmental impacts. Consistent standards and scientific integrity in environmental assessment leads to better long-term outcomes for communities, ecosystems, public lands, and our nation's natural resources.

Public participation in science and access to information are critical pieces to ensuring a whole-of-society approach is adopted which benefits everyday Americans, government agencies, and project implementers. Informed public engagement often produces ideas, information, and even solutions that the government might otherwise overlook. Public involvement builds social license for projects, reducing delays from litigation and ensuring that projects move forward with community support. Providing access to information and transparency is a cornerstone of NEPA, requiring that the government disclose impacts of proposed projects, environmental and otherwise. Future risk analysis, in particular, helps communities be better prepared and resilient, saving lives and taxpayer investments in property and infrastructure.

¹ [Woodwell EIS Northwest Forest Plan Amendment Public Comment](#)

² [Woodwell DEIS Old-Growth Forest Conditions Public Comment](#)

As a result of this Administration's Executive Orders, environmental justice will no longer be a part of the Environmental Impact Statement considerations (Executive Order 14,173³ revoking Executive Order 12,898). As noted in a memo from CEQ to Heads of Federal Departments and Agencies on developing agency-specific NEPA implementation, "NEPA documents should not include an environmental justice analysis, to the extent that this approach is consistent with other applicable law."⁴ Environmental justice considerations are crucial for supporting traditionally underserved communities. NEPA's directive to review the environmental, health, and related social and economic consequences of federal actions ensures that historically overburdened communities have a voice in decision-making that affects their well-being, safety, and livelihoods. We strongly believe this should not change or be left up to inconsistent agency interpretations.

For decades NEPA has provided environmental protections that make proposed actions stronger and protect America. Woodwell believes that maintaining those protections is critically important, especially as climate change impacts become more pronounced and severe.

About Woodwell Climate Research Center

The Woodwell Climate Research Center (Woodwell) is a scientific research organization that works with a worldwide network of partners to understand and combat climate change. We bring together hands-on research experience and 40 years of policy impact to find societal-scale solutions that can be put into immediate action by policymakers and decision makers. Woodwell scientists work in more than 20 countries on six continents, collaborating with a wide range of partners, including national, subnational and local governments, nonprofit organizations, universities, and private sector companies in the investment, financial, banking, and agricultural sectors. Our staff have expertise in climate science and climate impacts, which aid in informing this public comment.

Thank you for your consideration of these comments. Please contact Laura Uttley, Director of Government Relations, at luttley@woodwellclimate.org, if Woodwell can provide additional information or resources.

³ [Federal Register - Executive Order 141273](#)

⁴ [CEQ Memorandum on Implementation of the National Environmental Policy Act](#)