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ATTORNEY GENERAL RAOUL CONDEMNS UNLAWFUL PROPOSAL TO UNDERMINE THE NATIONAL ENVIRONMENTAL POLICY ACT

Chicago — Attorney General Kwame Raoul today joined a coalition of 20 attorneys general in filing a comment letter opposing the federal government’s proposed rule to undercut implementation of the National Environmental Policy Act (NEPA). The proposal by the Council on Environmental Quality (CEQ) would curtail NEPA’s requirement that federal agencies thoroughly assess and publicly disclose the impact of their actions on the environment.

Raoul and the coalition state that the proposal would weaken implementation of one of the nation’s preeminent tools for combatting environmental harms, safeguarding public health and protecting communities from pollution. In the comment letter, Raoul and the attorneys general argue that the proposed changes to NEPA’s implementing regulations are unlawful, unjustified and should be withdrawn.

“This misguided proposal fundamentally undermines one of our country’s bedrock environmental laws. Furthermore, it ignores the impact of unchecked climate change on the well-being of people in Illinois and across the country,” Raoul said. “I will continue to fight any attempt to undermine or weaken policies that help address the devastating effects of climate change.”

Enacted in 1969, NEPA is one of the nation’s foremost environmental statutes. NEPA requires that before any federal agency undertakes a “major federal action significantly affecting the quality of the human environment,” it must consider the environmental impacts of the proposed action, alternatives to the action, and any available mitigation measures. Numerous federal actions, from the approval of significant energy and infrastructure projects to key decisions concerning the management of federal public lands, require compliance with NEPA. The CEQ’s proposed rule would upend the statutory requirement that federal agencies comprehensively evaluate the impacts of their actions on the environment and public health.

In the comment letter, Raoul and the coalition assert that the proposed rule:

- Violates NEPA and the Administrative Procedure Act.
- Relies on a deficient rulemaking process that shuts out public participation by providing insufficient notice and limited opportunity for public comment.
- Limits the scope of impact considered in environmental reviews, including the impact of greenhouse gas emissions.

Joining Raoul in the comments are the attorneys general of California, Connecticut, Delaware, the District of Columbia, Guam, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington.