



**Public Comment on the Council on Environmental Quality's (CEQ)
Proposal to Modernize the National Environmental Policy Act (NEPA)**

Anne Bradbury, CEO of the American Exploration and Production Council

**CEQ Public Hearing
Department of the Interior, Sidney Yates Auditorium, Washington, DC**

Tuesday, February 25, 2020

Chairwoman Neumayr and members of the panel, thank you for the opportunity to testify today about the importance of modernizing the National Environmental Policy Act – or NEPA.

Modernizing and clarifying NEPA will create a more efficient permitting process, increase consistency across federal agencies, and clarify longstanding regulations.

This is a pivotal moment in our country for American energy. American energy companies adhere to the most stringent regulations in the world, and often go above and beyond legal and regulatory requirements. The Administration's modernization of NEPA removes bureaucratic barriers to allow for continued energy production in a safe and environmentally protective way.

I am here today on behalf of AXPC, the national trade association representing 25 of America's largest independent oil and natural gas exploration and production companies.

The truth is that we are seeing positive environmental outcomes, while our economy grows. Technological advances from American innovators like us, combined with implementation of the Clean Air Act, the Clean Water Act and the Safe Drinking Water Act have improved the protection of our waters and dramatically improved air quality in the U.S.

In addition to complying with extensive federal, state, and local regulations, our members develop and implement industry standards, share best practices, and work with regulators to ensure their operations responsibility protect air and water resources.

CEQ last updated NEPA is 1978 – the same year that Annie Hall was the best picture. As of 1978, Mayor Pete wasn't born, Bloomberg hadn't been founded, Apple was only two years old, and the internet had not even been invented. Needless to say, a lot has changed since 1978.

AXPC members routinely engage in NEPA reviews as part of their business, and this extensive experience allows AXPC to provide a perspective that is particularly relevant to project level NEPA analyses for development projects that are vital to the economy and national security of the United States.

Defining the limits of NEPA analysis within the context of an agency's regulatory and jurisdictional authority will provide significant regulatory certainty for businesses, particularly for oil and gas development projects.

AXPC supports updating the regulations to codify long established legal precedent that NEPA is a procedural statute that does not mandate substantive environmental outcomes. NEPA regulations should codify legal precedent that instructs agencies to give greater weight to a private project's goals and NEPA should provide more clarity regarding the role and participation of the project proponent.

In our written comments, we will outline specifics around proposed revisions: to update the purpose, policy and mandate of NEPA; NEPA agency planning; Environmental Impact Statements; and, the definitions defined in the modernized proposal.

In conclusion, AXPC appreciates CEQ's consideration of these comments. Given our members' extensive experience in working through the NEPA process, particularly at the project level, we stand ready to serve as a resource for the agency, as CEQ works through revision of NEPA's implementing regulations.

Thank you.

###