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PUBLIC
TRANSPORTATION
ASSOCIATION**

August 20, 2018

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Paul P. Skoutelas

Mr. Edward A. Boling
Associate Director
National Environmental Policy Act
Council on Environmental Quality
730 Jackson Place NW,
Washington, DC 20503

RE: CEQ-2018-0001

Dear Mr. Boling:

On behalf of the American Public Transportation Association (APTA), I write to provide comments on the Council on Environmental Quality (CEQ) ANPRM Update to the Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, published on June 20, 2018 at 83 FR 28591.

About APTA

APTA is a non-profit international trade association of nearly 1,500 public and private member organizations, which covers over ninety percent of public transit riders and includes millions of public transportation professionals, including public transit systems; high-speed intercity passenger rail agencies; rolling stock and equipment manufacturers; planning, design, construction and finance firms; product and service providers; academic institutions; metropolitan planning organizations (MPO's); and state associations and departments of transportation.

General Comments

APTA generally supports the direction that CEQ is taking to revise the National Environmental Policy Act (NEPA) regulations with a goal of expediting the environmental review process. APTA encourages CEQ to model any new implementing regulations off the Federal Transit Administration (FTA)/Federal Highway Administration (FHWA) process for compliance with NEPA, which has served as a model for successful environmental reviews. We suggest updating the definition of "major federal action" to reduce unnecessary NEPA burdens on projects, especially projects without substantial federal involvement. In addition, APTA recommends the CEQ provide control and clarification regarding the intent of NEPA, particularly when and how it

should be applied. The CEQ should consider the impact of new technologies in public participation methods as well.

APTA supports the goal of Executive Order (E.O.) 13807 to achieve greater regulatory efficiency to develop transportation infrastructure projects. However, since the E.O. was only published approximately one year ago, we request that the CEQ not codify E.O. 13807 into its regulation. We have concerns about applying it broadly without knowing the consequences yet. We also caution CEQ to consider the complexity of applying revisions to its NEPA regulation in coordination with the requirements in the FTA/FHWA NEPA regulation at 23 CFR 771 and the detailed requirements applicable to those two agencies and the Federal Railroad Administration in statute at 23 USC 139.

We appreciate the opportunity to assist the CEQ in this important endeavor. For additional information, please contact Linda Ford, APTA's General Counsel, at (202) 496-4808 or lford@apta.com.

Sincerely,

A handwritten signature in cursive script that reads "Paul P. Skoutelas".

Paul P. Skoutelas
President and CEO