

March 10, 2020

Council on Environmental Quality  
730 Jackson Place NW  
Washington, DC 20503  
Attn: Docket No. CEQ-2019-0003

To the Administrators of the Council on Environmental Quality (CEQ):

The Independent Petroleum Association of New Mexico (IPANM) expresses its appreciation and strongest support for the CEQ proposed [Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act](#) as published in the Federal Register, Vol. 85, No. 7 on Friday, January 10, 2020 under Proposed Rules.

While IPANM believes the National Environmental Policy Act (NEPA) serves an important purpose, the process to apply and reach approval on applications has morphed into a cumbersome, inefficient and outdated bureaucratic process which has paralyzed vital development of natural resources in New Mexico and across the United States. The CEQ proposed updates represent pragmatic proposals to ensure thorough, efficient reviews to further open responsible energy development while applying necessary safeguards that protect human health, public safety and the environment.

IPANM would like to highlight specific provisions of the CEQ proposed updates that would further achieve regulatory certainty and efficiency while providing important public input throughout the process. Proposals published in Docket No. CEQ-2019-0003 will succeed in:

- (1.) Simplifying and Accelerating the NEPA Process by establishing critical time limits of two years for completion of environmental impact statements (EISs) and one year for completion of environmental assessments (EAs). For the members of IPANM and the citizens of New Mexico, this is the most critical provision of the proposed rule changes. It provides certainty for producers to plan exploration and development of energy resources critical to the economic well-being of a state dependent upon oil and gas extraction.
- (2.) Specifying application page limits and coordination of schedules that will lead to a single EIS and record of decision (ROD). For the members of IPANM and the citizens of New Mexico, this represents refreshing clarity for tracking and coordinating both public outreach to affected members of the public and planning future projects that can and should begin upon immediate NEPA approval.
- (3.) Enhancing overall coordination between the various government agencies (internal) and state, municipal, and/or tribal entities (external) affected by a NEPA approval. For the members of IPANM and the citizens of New Mexico, this is especially important when considering the checkerboard land allocation that exists between bordering plots of surface and mineral rights. IPANM especially appreciates the proposed rules that would clarify which federal agency would become the de facto lead in coordination and resolution circumstances.
- (4.) Accommodating for efficient reviews of categorical exclusions (CEs) in a manner that encourages multi-agency cooperation vs. the current procedures that cause agonizing delays

on the part of all parties awaiting the outcome of NEPA approvals. Too often do our members have to take on the outside role of a government liaison to coordinate internal government facilitation through multiple agencies. This speaks to inefficiency of the current implementation process, and a failure of simple internal coordination on the part of government reviewers.

- (5.) Offering much-needed clarification of the scope of a NEPA review. IPANM finds the benefits for all parties involved in the process where by the proposed rules would provide direction on thresholds, require early input from the public on particular actions (with specific deadlines for comments to keep an application on its critical timeline for approval), define environmental effects in an efficient manner that summarizes all technical analysis and comments (as well as explain alternatives), and confirm that all alternatives have demonstrated technical and economic attributes to facilitate approval.

Finally, IPANM wishes to comment on the greater impact on application of the new, proposed updates to NEPA. New Mexico is blessed with abundant natural resources but cursed with stagnant socio-economic realities. However, through the ability of the proposed NEPA rules to unlock future development in our largest industry (energy), there exists the potential to greatly improve the human condition of New Mexicans. Since New Mexico has one of the largest percentages of federal land ownership in the United States, the current NEPA process has choked the flow of private investment into federal lands and mineral rights available for development in New Mexico. The disparity is especially apparent when compared to the millions of dollars being poured into the mostly private land and mineral rights offered for development by our neighboring state of Texas. Not only would the proposed NEPA updates encourage investment into our state's energy infrastructure, but also into agriculture, forestry, manufacturing, transportation, and commercial development projects. Thus, the proposed updates to NEPA will succeed in growing our economy while enhancing quality of life and improving public safety.

On behalf of the 350 members of IPANM, I ask that you move forward with your plans to update NEPA so we can keep New Mexico and America moving forward. Thank you.

Respectfully submitted on this date of March 9, 2020.

INDEPENDENT PETROLEUM ASSOCIATION OF NEW MEXICO



Jim Winchester  
Executive Director  
Independent Petroleum Association of New Mexico