

March 27, 2025

Ms. Katherine Scarlett, Acting Chair  
Council on Environmental Quality  
730 Jackson Place NW  
Washington, DC 20503

RE: Removal of National Environmental Policy Act Implementing Regulations, Interim Final Rule,  
90 Fed. Reg. 10,610 (Feb. 25, 2025); RIN 0331-AA10

Dear Acting Chair Scarlett:

As organizations accountable to frontline, environmental justice, and Tribal communities across the country and allies, we write to vehemently oppose the White House Council on Environmental Quality's (CEQ) Interim Final Rule (IFR) repealing all versions of CEQ's National Environmental Policy Act (NEPA) implementing regulations. This reckless and unjust action threatens to strip environmental justice (EJ) communities of critical protections, silence our voices in decision-making, and dismantle long-standing principles of public participation, transparency, and equity that have been at the heart of NEPA since its enactment in 1970. This action is a clear attack on environmental justice communities and blatant violation of NEPA's core purpose. By undermining these foundational safeguards, CEQ's decision would exacerbate environmental injustices, further entrench systemic inequities, and expose frontline communities to even greater harm through more unchecked pollution, more fossil fuel projects in EJ communities, and more corporate influence over public lands and resources. We call for the immediate reversal of this dangerous rollback to uphold the rights and well-being of those most impacted by environmental degradation.

Our organizations remain committed to upholding the core values outlined in the 17 Principles of Environmental Justice (1991)<sup>1</sup> and the Jemez Principles for Democratic Organizing (1996)<sup>2</sup>. Equitable agency actions that truly support all communities require these principles to be both centered and actively integrated into any framework affecting communities. Those directly impacted must have a meaningful role in shaping projects that will determine their futures. Since its establishment over 50 years ago, NEPA has been our country's bedrock environmental review law for any major federal projects. NEPA is often referred to as "the voice of the people." This law particularly is critical for environmental justice communities on the frontlines of outsized impacts from pollution from industrial projects.

Environmental justice communities have long shouldered the devastating impacts of climate and environmental injustice, both historically and today. Permitting and siting decisions have systematically silenced frontline and fenceline communities, turning their neighborhoods into

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<sup>1</sup> *The Principles of Environmental Justice*, <https://www.ejnet.org/ej/principles.pdf>.

<sup>2</sup> *The Jemez Principles of Democratic Organizing*, <https://www.ejnet.org/ej/jemez.pdf>

sacrifice zones while denying them access to environmental benefits and protections. Discriminatory policies—including segregation, redlining, and inequitable industrial zoning—have deliberately concentrated polluting industries in Black, Brown, Indigenous, and low-income communities, exposing them to disproportionate environmental and health hazards.<sup>3</sup> The cumulative exposure from the air pollutants, water pollutants, and soil pollutants from projects substantially puts our communities at higher risk for cardiovascular diseases, respiratory illnesses, and even premature death. A strong NEPA process empowers our communities to speak out in opposition to harmful projects and break industry’s cycle of using our backyards as dumping grounds.

Black and Hispanic communities face 56% and 63% greater air pollution exposure, with Black seniors experiencing PM2.5-related deaths at three times the rate of other racial groups.<sup>4</sup> Over one million Black Americans face a cancer risk exceeding the EPA’s concern threshold, while 13.4% of Black children have asthma—nearly double the rate of white children. Latine children are twice as likely to die from an asthma attack.<sup>5</sup> Black Americans are also 75% more likely to live in fenceline communities, enduring toxic emissions, traffic, noise, and odors.<sup>6</sup> These disparities stem from systemic racism, economic inequality, and environmental injustice—harms that persist today.

The scientific record and lived experience demonstrate that a strong NEPA process makes projects more resilient, less likely to face litigation, and ultimately allows them to move faster all while safeguarding affected communities.<sup>7</sup> Although NEPA’s original statute does not explicitly use the term “environmental justice” as it was passed before the term “environmental justice” became a mainstream concept, NEPA’s principles are inherently aligned with EJ. NEPA’s directive to consider the environmental, health, and related social and economic consequences of federal actions ensures that historically overburdened communities have a voice in decision-making that affect their health, safety, and livelihoods. Many of the undersigned groups in this letter supported the inclusion of environmental justice analysis in the 2023 updated NEPA Phase II regulations, emphasizing the critical need to maintain environmental justice analysis in NEPA.<sup>8</sup> Removing this requirement runs contrary to the law’s original purpose and further silences communities that are already fighting for a voice in decisions that directly impact their lives. The IFR’s elimination of both the consideration of environmental justice in NEPA analyses and the wholesale striking of CEQs long-standing regulations disregards legal precedent and undoubtedly excludes the communities that NEPA seeks to protect.

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<sup>3</sup> Equitable & Just National Climate Platform, *Approaches to Defining Environmental Justice Community for Mandatory Emissions Reduction Policy* (September 2021) at 4.

<sup>4</sup> Christopher W. Tessum et al., *Inequity in consumption of goods and services adds to racial-ethnic disparities in air pollution exposure* (Mar. 11, 2019), <https://www.pnas.org/doi/10.1073/pnas.1818859116>.

<sup>5</sup> GreenLatinos, *LCJF*, [lcjf.greenlatinos.org](https://www.greenlatinos.org) (October 2024)

<sup>6</sup> Princeton University, *Racial Disparities and Climate Change*, <https://psci.princeton.edu/tips/2020/8/15/racial-disparities-and-climate-change#:~:text=In%20total%2C%20African%20Americans%20are,health%20problems%20such%20as%20asthma>. (August 15, 2020).

<sup>7</sup> Roosevelt Institute, *Climate and Community Project: A Progressive Take on Permitting Reform*, [https://rooseveltinstitute.org/wp-content/uploads/2023/08/RI\\_Progressive\\_Permitting\\_Report\\_202308.pdf](https://rooseveltinstitute.org/wp-content/uploads/2023/08/RI_Progressive_Permitting_Report_202308.pdf) (2023).

<sup>8</sup> WE ACT for Environmental Justice and GreenLatinos Comment letter on the proposed Phase 2 regulations implementing the National Environmental Policy Act (September 2023), <https://www.weact.org/wp-content/uploads/2023/11/NEPA-Comment-Letter.pdf>

Additionally, the elimination of cumulative impact assessments removes critical safeguards against the compounded harms experienced in marginalized communities, allowing industries to continue placing disproportionate burdens on these communities without accountability. Eliminating the requirement to analyze cumulative effects guts NEPA's core protections and poses grave risks to communities and ecosystems. This analysis is critical for understanding how major projects—such as highways, pipelines, and industrial facilities—compound pollution, accelerate climate change, and intensify environmental injustices. Ignoring cumulative effects allows agencies to make uninformed, short-sighted decisions that deepen harm, particularly for frontline communities already overburdened by pollution and climate threats. These conditions perpetuate inequities in public health, economic opportunity, and climate resilience.

By directing federal agencies to develop their own individual NEPA procedures, the IFR introduces inconsistency in decision-making across different agencies and projects.<sup>9</sup> Without a central standard, agencies may interpret and apply permitting and EJ considerations in ways that are fragmented, incomplete, or altogether absent.<sup>10</sup> This lack of coherence weakens the effectiveness of environmental protections, increases the likelihood of litigation and project delays and creates uncertainty for communities seeking accountability in federal decision-making. The IFR also opens the door for private developers to have a greater role in shaping environmental review processes. Under a decentralized system, project sponsors, including corporate entities with vested interests, will have even greater influence on how environmental reviews are conducted. This poses a clear conflict of interest, weakens oversight, and diminishes community protections, particularly in frontline communities.

Since NEPA remains the primary federal mechanism ensuring that impacted communities have a voice in significant infrastructure projects, the IFR's revocation of clear guidelines on public engagement, make it more difficult for EJ communities to be informed and participate in decision-making. Many communities, especially those with language barriers and limited resources, face challenges in navigating complex environmental review processes. Without strong NEPA regulations, governmental agencies will lack clear obligations to ensure that marginalized communities are meaningfully included in decision-making.

CEQ has a duty to uphold equity, transparency, and accountability in federal decision-making—not to erode it at the expense of Black, Brown, Indigenous, and low-income communities. The IFR is an unconscionable rollback that will cause irreparable harm. We demand the full and immediate restoration of NEPA's environmental justice protections, a commitment to strengthening—not weakening—public participation, and an end to the blatant prioritization of industry interests over human lives.

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<sup>9</sup> The National Law Review, *The CEQ has No Clothes: The End of CEQ's NEPA Regulations and the Future of NEPA Practice*, <https://natlawreview.com/article/ceq-has-no-clothes-end-ceqs-nepa-regulations-and-future-nepa-practice> (February 2025).

<sup>10</sup> *NEPA: New Executive Order and Court Rulings Create Major Uncertainties for Compliance and Litigation*, <https://www.carltonfields.com/insights/publications/2025/nepa-new-executive-order-and-court-rulings-create-major-uncertainties-for-compliance-and-litigation> (February 2025).

We stand ready to hold CEQ accountable and will pursue every avenue available to challenge this unjust rule.

Sincerely,

**Environmental Justice and Tribal Organizations**

GreenLatinos

Climate Justice Alliance

WE ACT for Environmental Justice

350 New Hampshire

350 Wisconsin

350 Bay Area Action

350.org

350Hawaii

Alaska Community Action on Toxics (ACAT)

Alternatives for Community & Environment (ACE)

Amigos De Los Rios

A Wisdom Keepers Delegation

Azul

Build A Better Planet

Center for Coalfield Justice

Center for Community Action and Environmental Justice (CCA EJ)

Cherokee Concerned Citizens

Citizen Action of New York

Climate Reality NEPA

Deep South Center for Environmental Justice

Duwamish River Community Coalition

Earth Ethics, Inc.

Fenceline Watch

Flint Rising

Friends of the Earth

Grassroots Global Justice Alliance

GreenFaith

Healthy Ocean Coalition

Honor the Earth

Hip Hop Caucus

Just Transition Northwest Indiana

Kinetic Communities Consulting

Long Beach Alliance for Clean Energy

McKean County Green Party

Nature for All

NC Climate Justice Collective

NEPA Green Coalition

New Mexico & El Paso Interfaith Power and Light

New Mexico Environmental Law Center  
Next 100 Coalition  
North Braddock Residents For Our Future  
North Carolina Environmental Justice Network  
Our Climate Education Fund  
Our Zero Waste Future  
Outdoor Promise  
Pennsylvania Action on Climate  
Peoples Collective for Environmental Justice  
Poder Latinx  
Protect Our Water, Heritage, Rights  
Puente Latino Association  
RiSE for Environmental Justice  
Rogue Climate  
Servant  
Society of Native Nations  
South Bronx Unite  
Southwest Native Cultures  
The Healthy Environment Alliance of Utah  
The National Black Environmental Justice Network  
Vessel Project of Louisiana  
WESPAC Foundation, Inc.  
West End Revitalization Association  
Wisconsin Green Muslims  
Womxn From The Mountain  
Young, Gifted & Green  
Youth United for Climate Crisis Action

**Allied Organizations**

198 methods  
Accelerate Neighborhood Climate Action  
Advocates for Snake Preservation  
Alaska Wilderness League  
Allegheny County Clean Air Now (ACCAN)  
Animals Are Sentient Beings, Inc.  
Better Path Coalition  
Between the Waters  
Beyond Extreme Energy  
Businesses for a Livable Climate  
Center for Biological Diversity  
Chesapeake Climate Action Network  
Clean Water Action  
Climate Equity Policy Center  
Coalition on the Environment and Jewish Life

Concerned Health Professionals of Pennsylvania  
Conservation Colorado  
Conservation Voters New Mexico  
Creation Justice Ministries  
Dayenu: A Jewish Call to Climate Action  
Defend Our Health  
Don't Waste Arizona  
EARTHDAY.ORG  
Earthworks  
Earthjustice  
Endangered Species Coalition  
Environmental Defense Fund  
Environmental Justice Collaborative  
Environmental Protection Network  
Evergreen Action  
Food & Water Watch  
Fox Valley Citizens for Peace & Justice (Illinois)  
FracTracker Alliance  
Friends of the Inyo  
Gen-Z for Change  
Greater New Orleans Housing Alliance  
Green America  
Green House Connection Center  
Green New Deal Network  
Greenfirecoalition Writers' Forum  
Hartland Community 4 Youth and Families  
Illinois Environmental Council  
Indivisible Ambassadors  
Inland Ocean Coalition  
Institute for Policy Studies Climate Policy Program  
International Marine Mammal Project of Earth Island Institute  
Interstate 70 Citizens Advisory Group  
Intertwined faith community  
Kahtoola, Inc.  
Kentuckians for singlepayer healthcare  
Kentucky Conservation Committee  
Kids for Saving Earth  
Labor Network for Sustainability  
Larimer Alliance for Health, Safety, & Environment  
Latino Outdoors  
League of Conservation Voters  
Littleton Business Alliance  
Long Island Progressive Coalition  
Mayfair Park Neighborhood Association

Memphis APRI  
Mennonite Central Committee U.S.  
Mental Health & Inclusion Ministries  
Mid-Ohio Valley Climate Action  
Milwaukee Riverkeeper  
Mind's Eye Productions  
Montbello Neighborhood Improvement Association  
Mountain Lion Foundation  
Move Past Plastic (MPP)  
MoveOn.org HobokenRESIST!  
National Wildlife Federation  
NC League of Conservation Voters  
North American Climate, Conservation and Environment(NACCE)  
North Range Concerned Citizens  
Nuclear Energy Information Service (NEIS)  
Occupy Bergen County (New Jersey)  
Ocean Defense Initiative  
Oil and Gas Action Network  
Oil Change International  
Oregon Just Transition Alliance  
Oregon Wild  
Our Revolution  
Our Sacred Earth  
Oxfam America  
People Over Petro Coalition  
Physicians for Social Responsibility  
Plastic Pollution Coalition  
Presente.org  
Progress Texas  
Progressive Democrats of America - Central New Mexico  
Progressives for Climate  
Putnam Progressives  
RapidShift Network  
Respiratory Health Association  
Responsible Alpha  
Rio Grande International Study Center  
Rise Up WV  
Save the Environmental Protection Agency  
Seven Circles Foundation  
Small Business Alliance  
Southern Utah Wilderness Alliance  
Southwest Organization for Sustainability  
Spirit of the Sun  
Sunflower Alliance

System Change Not Climate Change  
Texas Campaign for the Environment  
The Enviro Show  
The Wei LLC  
The Climate Reality Project  
TIAA-Divest!  
Turtle Island Restoration Network  
Union of Concerned Scientists  
Unitarian Universalist Service Committee  
Unitarian Universalists for a Just Economic Community  
Unite North Metro Denver  
Uranium Watch  
Wall of Women  
Washington Conservation Action  
Waterkeeper Alliance  
West Virginia Citizen Action Group  
Western Slope Businesses for a Livable Climate  
Western Watersheds Project  
Wildearth Guardians  
Wildlife for All  
Working for Racial Equity