



**NOAA**  
**FISHERIES**

# National Environmental Policy Act Update

Council Coordination Committee

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# Background and Current Status

- MSA/NEPA History of Interactions
- CEQ NEPA Regulations
  - 1978
  - 2020
  - 2021 and beyond: IFR, Informal Guidance, Proposed Rule for Phase I revisions, Phase II anticipated

# Key Contents of Proposed Phase I Rule

- Purpose and Need: remove the requirement to base the purpose and need on the goals of applicants (40 CFR 1502.13 and 40 CFR 1508.1(z));
- Remove limitations on agency-specific NEPA procedures (40 CFR 1507.3); and
- Restore the definition of “effects,” including use of the terms “direct,” “indirect,” and “cumulative” and remove potential limitations on effects analysis (40 CFR 1508.1(g)).
- 45 day comment period; public meetings planned.

# Implications for Fisheries Management

- Interim Guidance Still Applicable
- Waivers: requesting extension
- Workshop: considering options

# Workshop Options

- Initiate Scoping
  - Caveat: could get delayed or halted pending CEQ Phase II rule
- Delay Pending finalization of CEQ's Phase II rule

# Questions/Comments?