
Conclusion

The recommendations were crafted by individual task force teams and adopted by the entire task force. The recommendations are presented in the various chapters. The text of this report fully describes the recommendations, providing both context and additional task force insight on their implementation.

Three General Recommendations

The task force concluded that there are three general crosscutting recommendations for CEQ action that will facilitate efforts to make the NEPA process more effective and efficient. We believe that implementation of these general recommendations would also enhance action on specific task force recommendations, and therefore, they should be implemented as soon as possible.

The task force recommends that CEQ:

1. Establish an additional professional position, or positions, to provide technical NEPA process consultation and better coordinate advice and guidance to agencies about improving NEPA implementation and environmental analysis.
2. Conduct annual NEPA Legal Forums to discuss important NEPA legal developments; recommend and discuss any CEQ guidance that might need to be clarified as a result of this case law; discuss NEPA issues of high interest to the NEPA community; and facilitate consensus on addressing legal issues whenever possible.
3. Develop a CEQ handbook that provides existing guidance identified by topic areas and is supplemented as new guidance is issued. The guidebook should be published on the Web, with updates published periodically in hardcopy.

Priority Recommendations

Recognizing that priorities must be set and understanding that action on the remaining recommendations should also be taken, the task force recommends that CEQ initially focus on the following five recommendations regarding categorical exclusions, environmental assessments, federal and interagency collaboration, programmatic analyses and tiering, and adaptive management and monitoring.

1. Categorical Exclusions

The task force recommends that CEQ issue guidance to clarify and promote consistent practices for the development, documentation, public review, approval, and use of categorical exclusions by Federal agencies.

2. Environmental Assessments

The task force recommends that CEQ issue guidance to:

- ❖ Recognize the broad range in size of EAs;
- ❖ Clarify that the size of environmental assessments should be commensurate with the magnitude and complexity of environmental issues, public concerns, and project scope;
- ❖ Describe the minimum requirements for short environmental assessments; and
- ❖ Clarify the requirements for public involvement, alternatives, and mitigation for actions that warrant longer environmental assessments including those with mitigated findings of no significant impact.

In the near term, CEQ should issue a clarifying memo reiterating the minimum statutory and regulatory requirements for EAs when a short EA is warranted.

3. Federal and Interagency Collaboration

The task force recommends that CEQ form a Federal Advisory Committee to provide advice to CEQ on:

- ❖ Identifying, developing, and sharing methods of engaging Federal, State, local, and tribal partners in training designed to educate them about the principles of NEPA, agencies' missions, and collaboration skills.

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- ❖ Developing guidance addressing the components of successful collaborative agreements and providing templates applicable to various situations and stages of the NEPA process.
 - ❖ Developing training for the public on NEPA requirements and effective public involvement.
 - ❖ Developing a “Citizen’s Guide to NEPA.”

4. Programmatic Analyses and Tiering

The task force recommends that CEQ convene a Federal Advisory Committee to provide advice to CEQ on the different uses of programmatic analyses, tiering, and associated documentation; and, where necessary, provide advice on guidance or regulatory change to clearly define the uses and appropriate scope, range of issues, depth of analyses, and the level of description required in NEPA documentation.

5. Adaptive Management and Monitoring

The task force recommends that CEQ convene an adaptive management work group to assess the applicability of NEPA guidance and regulations related to adaptive management and to consider integrating the NEPA process with environmental management systems. The proposed work group should prepare the appropriate adaptive management guidance or regulatory changes. Further, we recommend that the work group initiate a pilot study to identify, implement, and document representative actions using an adaptive management approach during the NEPA process and work collaboratively with CEQ to identify aspects of the analyses and documentation requiring CEQ guidance or regulatory action.

The Role of Technology

CEQ can also facilitate and enhance NEPA improvement by acting on the recommendations in the Technology and Information Management and Security chapter. Agencies will continue, with or without CEQ, to develop information technologies and systems and improve information management to improve their NEPA processes. The task force believes that CEQ leadership, especially in a coordinating role, to encourage and facilitate the exchange of information among agencies and between the NEPA and information technology /information management communities has the potential to greatly enhance that progress.

Future Steps

The task force identified as priority recommendations those whose implementation we felt would best help NEPA practitioners improve the efficiency and effectiveness of the NEPA process. The recommendations presented in the Conclusion merit immediate attention and the remaining recommendations presented in the body of this report should be implemented in the future.

The task force included the mechanism for implementing the recommendations (e.g., FACA committee, working group) and we recognize that in some cases a different mechanism may ultimately be used. Making progress on implementing the recommendations to improve and modernize the NEPA process is what matters most.

This task force report will be published in hardcopy and electronic form. The report will be distributed using established distribution lists as well as by posting on the task force web page. After publishing and considering the report, CEQ will then inform the public and other agencies how it will address these recommendations.

We hope that our efforts provide the groundwork for a renewed and dynamic process to improve and modernize NEPA implementation.