

House NEPA Task Force Shutting Out Environmentalists

A House Task Force formed in April to gather citizen input for possible changes in the National Environmental Policy Act (NEPA)-- the cornerstone of America's environmental protection framework-- has been shutting out access for pro-environment witnesses.

Created by Rep. Richard Pombo (R-CA) a dedicated opponent of environmental regulations, the task force is chaired by Rep. Cathy McMorris (R-WA).

"We don't need to have 10 people say nothing needs to be improved," said McMorris, at a recent hearing in Rio Rancho, New Mexico. "We want to hear from the people who have problems with NEPA." [1]

At a hearing in Texas last month, seven of the nine invitees represented industry, and only two were environmentalists. [2]

One of the invited witnesses, Sandra Nichols, staff attorney for the environmental law firm, WildLaw, told BushGreenwatch, "The panel was clearly tipped in favor of industry, and I was disappointed that so few of them had a clear understanding of how the law works in the first place."

NEPA is designed to protect natural resources and support public participation in government. The law requires federal officials to make a careful assessment of potential environmental damage for a proposed project, and offer alternatives when necessary.

Frustrated that her group was denied the opportunity to discuss NEPA at the Texas hearing, Phyllis Dunham, of the Southern Plains Sierra Club, told BushGreenwatch, "We requested a chance to speak at the hearing, but they did not offer us an invitation."

Environmentalists charge that selective invitations aren't the only way the task force has prevented environmental interests from entering the review process, pointing out that inadequate notification of the hearings' times, locations, and invited witnesses have also filtered out environmental concerns.

The location of the June hearing, originally set to take place in Fresno, California, was changed three times before the task force decided to hold the meeting in Lakeside, Arizona. It was finally scheduled for June 18th - a day the community had long-planned a celebration to mark the decommissioning of the Fossil Creek Dam, a regional NEPA victory.

The Sierra Club and the Center for Biodiversity, the only two environmental groups invited to the hearing, were faxed invitations only days before it was to take place. The task force required the groups to identify a representative and submit their oral and written comments within 24 hours.

According to the Club's website, "Both organizations had to decline given the impossible 1-day deadline, and obligations to the pre-existing Fossil Creek community event." [3]

Not even Rep. Tom Udall (D-N.M.), the ranking democratic member of the task force could attend the Texas hearing, citing that he was only given two weeks notice. "The task force needs to be better at publicizing where they will be and including all the people who have a stake in this issue," says Udall. [4]

"These so-called public hearings are a well kept secret. They are announced at the last minute, witness panels are not revealed until a couple of days beforehand and are usually dominated by industry representatives, and there is no effort to reach out to the public to get them involved," said the Sierra Club's Dunham. [5]

She went on to point out that members of the public were allowed to attend the hearings, but could not ask questions. They were allowed to submit written comments, but there was no assurance that they would be included in the final record.

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SOURCES:

[1] "Hear Me Out: Task Force Takes Aim at NEPA, Freaks Out Environmentalists," Grist Magazine, Aug. 04, 2005.

[2] Task Force on Improving National Environmental Policy Act website.

[3] "Public NEPA Hearings Silence Citizens: Rep. Pombo's National Environmental Policy Act (NEPA) Task Force leaves the Public out of Government," Sierra Club, Jul. 22, 2005.

[4] "Hear Me Out," op. cit.

[5] "Public NEPA Hearings Silence Citizens," op. cit.