

August 04, 2004

Department of Homeland Security
Environmental Planning, Office of Safety and Environment
Washington, D.C. 20528

Dear Secretary Ridge and Homeland Security staff,

Our family opposes the Department of Homeland Security's current proposal for implementing the National Environmental Policy Act (NEPA).

Your proposal would allow too many exclusions from NEPA and could close off government activities that have previously operated in the public eye.

One of NEPA's critical purposes is to allow public review of agency actions that may adversely affect the environment.

Your department's proposal would impede that purpose with its overly broad use of categorical exclusions.

While categorical exclusions are useful for exempting routine activities that pose no risk of environmental harm, some of the proposed exclusions involve types of activities that could cause significant harm.

For example:

- (* Construction of fences and barriers by the Border Patrol could impede wildlife migration and degrade wilderness values;
- (* Ground patrols in border areas could destroy or damage critical habitat for endangered species;
- (* Some proposed categorical exclusions, such as logging and disposal of waste and hazardous material, should be completely abandoned, while many other items should be narrowed in scope.

Although we support the mission of the Department of Homeland Security, the breadth of the undefined categories of information that would be withheld from public view is a tremendous expansion of the current policy that allows only classified information to be withheld from NEPA documents.

We find this expansion of the current policy is unwarranted for protecting national security.

Information, such as analysis of a gas pipeline's potential for leaks and explosions, is critical to the public's ability to protect itself and should not be withheld!

Please make the proposal be more specific, so as to minimize withheld information, and to maximize transparency.

As the current proposal goes well beyond what is necessary to protect national security, it risks destroying the very democratic ideals that the Department of Homeland Security was created to protect.

In conclusion, our family urges you to limit the use of categorical exclusions and the withholding of information as narrowly as possible.

Sincerely,

Jim & Virginia Wagner
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