

August 9, 2004

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

Dear Sir or Madam:

As an environmental scientist with many years experience, I am writing to express my opposition to the Department of Homeland Security's current proposal [*Environmental Planning Program*, 69 FR 33043, June 14, 2004] for implementing the National Environmental Policy Act (NEPA). I believe the proposal would allow too many exclusions from NEPA and, consequently, would limit public review and comment on proposed federal actions affecting the environment.

As I understand it, the department's proposal would impede that purpose by utilizing a broad range 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, while 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 not be allowed because of the potential for contributing to environmental contamination and pollution now and in the future.

Also, although I 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 broad expansion of the current policy that allows only classified information to be withheld from NEPA documents, and 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. The proposal should be more specific so as to minimize withheld information and maximize transparency.

I believe the proposal goes well beyond what is necessary to protect national security. Therefore, I urge you to limit the use of categorical exclusions and the withholding of information as narrowly as possible.

Sincerely,


Jerry L. Coalgate