

618 McLaws Street
Savannah, GA 31405
August 9, 2004

Environmental Planning Division
Office of Safety and Environment
U.S. Department of Homeland Security
Washington, DC 20528

Re: Comments on Implementation of National Environmental Policy Act

Ladies and Gentlemen:

Please accept the following as comments on the Department's current proposal to implement the National Environmental Policy Act (NEPA). Thank you.

I oppose the Department's current proposal for implementing the National Environmental Policy Act (NEPA). The proposal would allow too much exclusion from NEPA and could close off government activities that have previously operated in the public eye.

One of NEPA's purposes is to allow public review of agency actions that may adversely affect the environment. The 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, while ground patrols in border areas could damage or destroy 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 others should be narrowed in scope.

I, like all Americans, support the Department's mission to protect our country from terrorists. However, 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. It is also 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.

The proposal goes well beyond what is necessary to protect national security and risks destroying the very democratic ideals that the Department was created to protect. In doing that, you are giving the terrorists a victory. I therefore urge you to limit the use of categorical exclusions and the withholding of information as narrowly as possible.

Sincerely yours,
Jody Lanier