

June 17, 2022

Dear Administrator Regan:

We, the undersigned organizations, urge the Environmental Protection Agency (EPA) to revive the use of its authority to refer environmentally destructive federal projects to the White House Council on Environmental Quality (CEQ), and specifically call on the EPA to refer recent decisions made by the Tennessee Valley Authority and the United States Postal Service.

Due to powers granted by the Clean Air Act (CAA), the EPA plays a vital role in government agencies' compliance with the National Environmental Protection Act (NEPA). The landmark NEPA legislation mandated in 1970 that all federal agencies consider the climate and environmental impact of their projects and policies. Agencies are required to write environmental impact statements outlining the environmental and climate ramifications of major federal projects.

If the EPA recognizes an agency's plans as negligent to the climate, it is within the Administrator's power to refer any environmentally unsound legislation, project, or plan to the Council on Environmental Quality (CEQ) for further arbitration. Indeed, this power has been used before to further consider environmentally destructive projects such as mining leases in Osceola National Forest, oil and gas leases in the Gulf of Alaska, and the construction of multiple highways through wetlands.

Revitalizing use of this procedure is especially important now, as the crisis of climate change barrels forward and executive branch leaders, many of whom were appointed by prior administrations, continue to pursue negligent and environmentally harmful policies. We urge you to take seriously the agency's power through NEPA procedures to promote environmentally sound decisions and oversee federal compliance with President Biden's climate goals across the whole government. We commend the EPA for its diligence in reviewing agencies' hundreds of environmental impact statements, but it is incumbent on the EPA to strictly enforce the federal government's compliance with environmental standards.

We have identified two instances in which the EPA's timely referral power could have significant environmental impact. The Tennessee Valley Authority has contradicted President Biden's stated goal of achieving a 100 percent renewable power grid by 2035 and the United States Postal Service is sabotaging the president's order to achieve a 100 percent electric federal vehicle fleet by 2035. In the case of the Tennessee Valley Authority, the utility's recent decision to replace two aging coal plants with fossil gas plants, before even completing an environmental review, is not in line with the president's agenda. Rather than pursuing a clean energy grid, the decision locks in planet-warming gas energy for the foreseeable future. As for the United States Postal Service, the agency is buying a new gas-guzzling fleet that is barely more fuel-efficient than its decades-old retiring trucks. Both of these decisions are not only environmentally disastrous, but costly and inefficient.

Referrals from EPA to the CEQ are an effective way to pressure government agencies to adopt policy in line with the White House's environmental goals, but this administration's EPA has neglected its responsibility to do everything in its power to positively influence federal climate policy at this crucial juncture, when the time to prevent a climate catastrophe is so perilously short. We commend the Interior Department for its last referral in 2016 of the Army Corps of Engineers' plan to construct a levee in Missouri, which would have obstructed the vital New Madrid Floodway. But since then, the EPA has missed many opportunities to use referral power for environmental good. Now, more than ever, the EPA must be a strong-willed advocate for President Biden's clean energy goals to mitigate climate change.

The EPA must rise to the occasion and spearhead more environmentally sustainable climate decisions across all of the federal government. The EPA is responsible for reviewing the environmental impact of decisions across the federal government, including Department of Interior coal mining permits and FERC interstate pipelines. It is well within the purview of the EPA to demand that all government agencies make more sustainable decisions through NEPA procedures. Through your review of environmental impact statements, the EPA can strictly call on agencies to comply with environmental standards. The climate and ecological crisis we face today requires a powerful EPA leading the charge to meet our national

climate goals. We strongly urge the EPA to use its existing authority to pressure government agencies to move towards greener decisions that will secure our climate's future.

Sincerely,

AFGE Local 704
Animals Are Sentient Beings Inc
Between the Waters
Boston Catholic Climate Movement
Businesses for a Livable Climate
Call to Action Colorado
CatholicNetwork US
CDP - Energy and Environmental Initiative
Center for Biological Diversity
Chapel Hill Organization for Clean Energy
Chapman Forest Foundation
Citizens Alliance for a Sustainable Englewood
Clean Energy Action
Climate Crisis Policy
CO Businesses for a Livable Climate
Coalition for Human Needs
CODEPINK San Francisco Bay Area
Communities and Postal Workers United
Community for Sustainable Energy
Concerned Health Professionals of Pennsylvania
Earth Action, Inc
Earth Ethics, Inc.
Eco-Logic of WBAI-FM, NYC
Elders Climate Action
Empower Our Future
Environmental Justice Ministry Cedar Lane Unitarian Universalist Church
Extinction Rebellion San Francisco Bay Area
Feminists in Action Los Angeles
Fox Valley Citizens for Peace & Justice
FracTracker Alliance
Friends of the Earth
Greater New Orleans Housing Alliance
GreenLatinos
Hands Across the Sand / Land
Honor the Earth
Humboldt Unitarian Universalist Fellowship's Climate Action Campaign
I-70 Citizens Advisory Group
Indivisible Ambassadors
International Marine Mammal Project of Earth Island Institute
Kickapoo Peace Circle
Larimer Alliance for Health, Safety and Environment
Long Beach Alliance for Clean Energy
Mayfair Park Neighborhood Association Board
Mental Health & Inclusion Ministries
Milwaukee Riverkeeper
Montbello Neighborhood Improvement Association
Natural Capitalism Solutions
New Mexico Climate Justice
Nicaragua Center for COMMUNITY ACTION
North American Climate, Conservation and Environment(NACCE)
North Country Earth Action

North Range Concerned Citizens
Occupy Bergen County (New Jersey)
Oceanic Preservation Society
Physicians for Social Responsibility Pennsylvania
Protect All Children's Environment
Putnam Progressives
RapidShift Network
Resource Renewal Institute
Revolving Door Project
Santa Barbara Standing Rock Coalition
Save EPA
Save the Berkeley Post Office
Save the Pine Bush
Sisters of St. Dominic of Blaauvelt, New York
Small Business Alliance
Southwest Organization for Sustainability
Sovereign Inupiat For A Living Arctic
Sowing Justice
Spirit of the Sun, Inc.
Stand.earth
Sunflower Alliance
Sunrise Movement
System Change Not Climate Change
Terra Advocati
Texas Environmental Justice Advocacy Services
The Earth Bill Network
The Green House Connection Center
The People's Justice Council
Thrive at Life: Working Solutions
True North Research
Turtle Island Restoration Network
Unite North Metro Denver
Venice Resistance
Vote Climate
Wall of Women
Waterway Advocates
Western Slope Businesses for a Livable Climate
Wilwerding Consulting
Womxn from the Mountain
Working for Racial Equity
1000 Grandmothers for Future Generations
350 Bay Area Action
350 Conejo / San Fernando Valley
350 Hawaii
350 Merced
350 Seattle
350.org

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