

Principles, Requirements and Guidelines

Interagency Guidelines: Response to Public Comments and Questions

12/17/14

In March 2013, the Council on Environmental Quality (CEQ) published a Federal Register Notice requesting public comments on the Draft Interagency Guidelines for the updated 1983 Principles and Guidelines for Water and Land Related Resources Implementation Studies (Principles and Guidelines). The comment period lasted from March through May 2013. CEQ received over 25,000 comments. The following summarizes and responds to the substantive comments CEQ received:

1. Clarify terminology and threshold tables in the Interagency Guidelines.

Terms and phrases were defined within the Interagency Guidelines to ensure clarity and consistency with the Principles and Requirements. In response to public comments and interagency review, the Final Interagency Guidelines also clarified the applicability of and analysis called for under implementation of the Principle, Requirements, and Guidelines (PR&G).

2. Emphasize the importance of collaboration with state, local, business, and nonprofit partners in water resource projects.

Section 4 of the Interagency Guidelines, entitled "Collaboration," reiterates the Principles & Requirements, underscoring the need and importance of a broad range of stakeholder collaborative efforts: "Federal agencies should collaborate fully on water resources related activities with other affected Federal agencies and with Tribal, regional, state, local, and non-governmental entities, as well as community groups, academia, and private land owners (stakeholders) to realize more comprehensive problem resolution and better informed decision making."

3. Ensure there is not a bias for environmental projects over economic development projects and avoid requirements to prioritize any one type of project over another.

The PR&G process does not create a bias for any type of project over another, but instead ensures the full suite of variables are considered. Under the 1983 P&G, decision-making processes were narrowly biased towards those economic effects that are generally more easily quantified and monetized, and did not support potential long term economic benefits or community priorities. With the updated PR&G, projects will need to factor the full suite of variables and alternatives that lead to sustainable, resilient, and enduring investments. Agency are directed to consider not just economic factors, but social and environmental ones as well. Through a transparent process described in the Interagency Guidelines, agencies and the public will have a greater ability to understand the tradeoffs of investment alternatives and acknowledge and account for variables in the decision context that may not have been considered under the 1983 framework.

4. Ensure Interagency Guidelines do not result in delays and additional costs.

Updating policies and guidance to meet contemporary legal requirements and policy objectives is a routine part of each Agency's work and budget. Given that much of the information is already collected by the affected agencies and used already a part of each agency's decision-making processes in some way, implementation of the Interagency Guidelines should not require more time to collect new information. Agencies are expected to implement the PR&G with their existing resources. In fact, application of updated policies across the federal government is expected to promote more collaboration and smoother implementation of water resource projects, reducing costs. Further, the updated PR&G also emphasize early, front-end input from communities which has shown to be a driver in speeding up projects as conflicts are worked out early and last minute slowdowns are avoided.

5. Why is there mandatory language in a policy guidance document?

The PR&G is written to provide a clear statement of policy direction to the agencies. Additionally, because the Interagency Guidelines addresses matters of public property, loans, grants, benefits and contracts, use of mandatory language is consistent with agency practice and requirements of the Administrative Procedure Act.

6. How will PR&G apply consistently across federal agency projects, programs, and plans?

The PR&G were created to be applicable to and inclusive of a wide range of agencies with varying missions, while providing enough flexibility for each agency to tailor its Agency Specific Procedures to its unique missions and authorities. The 2013 Principles and Requirements provide foundational principles for consistency and the Interagency Guidelines issued today help explain how to apply those principles across all agencies.