



**RICHARD ELÍAS**  
CHAIRMAN OF THE BOARD  
COUNTY SUPERVISOR - DISTRICT 5

## PIMA COUNTY BOARD OF SUPERVISORS

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# MEMORANDUM

**DATE:** February 25, 2020

**TO:** Julie Castañeda, Clerk of the Board

**FROM:** Richard Elías, Chairman and District Five Supervisor  
Sharon Bronson, District Three Supervisor

**REGARDING:** Item for the March 3, 2020 agenda addendum

*Richard Elías for*

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Please add the following to the March 3, 2020 agenda addendum:

### Resolution

A resolution of the Pima County Board of Supervisors for Pima County to comment on the proposed change to the National Environmental Policy Act (NEPA) and to urge the Council on Environmental Quality to maintain current NEPA regulations.

Thank you

PPR 26-20M1 PG4 FC CI KCF PD

**RESOLUTION NO. 2020-\_\_\_\_\_**

**RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS FOR PIMA COUNTY  
TO COMMENT ON PROPOSED CHANGES TO THE NATIONAL ENVIRONMENTAL  
POLICY ACT (NEPA) AND TO URGE THE COUNCIL ON ENVIRONMENTAL QUALITY  
TO MAINTAIN CURRENT NEPA REGULATIONS**

The Pima County Board of Supervisors finds:

1. NEPA was signed into law in 1970 to establish national policy for the environment that would “use all practicable means and measures ... to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic and other requirements of present and future generations of Americans.”
2. NEPA does not mandate any particular outcome, but it does require federal agencies to identify and publicly disclose the significant environmental, social, economic, or public health impacts a federal action may have; to consider alternatives that may result in fewer impacts and save taxpayer money, and to give local governments and affected communities a voice in federal decision-making;
3. The NEPA process provides a forum for identifying and addressing conflicts over the use of public resources that arise not only between communities and federal decision-makers, but also among federal agencies with different mandates;
4. For instance, Pima County used the NEPA process to identify and address conflicts arising from the federal listing of the cactus ferruginous pygmy-owl under the Endangered Species Act and ultimately develop the Multi-species Conservation Plan;
5. The NEPA process has provided a forum for identifying and addressing conflicts over controversial projects within Pima County such as the Rosemont mine, the SunZia transmission line, Interstate Highway 11, and the Sierrita natural gas pipeline;
6. Pima County and its residents rely on the NEPA process to know about proposed federal actions that may affect them and their communities and to provide them with a voice in federal decision-making;
7. On August 15, 2017, President Donald Trump directed federal agencies, including the Council on Environmental Quality (CEQ), to address inefficiencies in environmental reviews and permit decisions;
8. On June 20, 2018, the CEQ published an Advanced Notice of Proposed Rulemaking, indicating its intention to revise implementing regulations for the National Environmental Policy Act (NEPA); Pima County submitted comments on this Notice on August 15, 2018;
9. On January 10, 2020, the CEQ proposed to revise the NEPA implementing regulations for the stated purpose of facilitating more efficient, effective and timely environmental review of federal actions;
10. The proposed revisions allow federal agencies to avoid NEPA compliance for many projects and proceed without identifying or publicly disclosing potential impacts, undermining the

ability of local governments and affected communities to hold federal agencies accountable for their actions;

11. The proposed revisions allow federal agencies to ignore the indirect effects a project may have on nearby communities, those effects that may occur over time, and the cumulative effects a project may have on communities already impacted by pollution and ongoing environmental degradation;
12. The proposed revisions allow the federal government to ignore the impacts of climate change, putting infrastructure as well as the health and safety of communities at risk;
13. The proposed revisions substantially narrow the requirement to consider reasonable alternatives, undermining NEPA's primary goal of facilitating informed decision-making;
14. The proposed revisions allow private corporations to prepare their own environmental reviews, eliminating objective analysis and eroding public confidence in the results; and
15. The proposed revisions allow federal agencies to proceed with potentially destructive activities prior to fully complying with NEPA and publicly disclosing potential impacts, and may also greatly limit the ability of local governments and affected communities to hold federal agencies accountable for their actions.

NOW, THEREFORE BE IT RESOLVED the Pima County Board of Supervisors directs the County Administrator and staff to develop and submit timely comments on the proposed revisions to the implementing regulations of the National Environmental Policy Act, and

IT IS FURTHER RESOLVED that Pima County, in its comments on the proposed revisions, will urge the Council on Environmental Quality to maintain the existing procedures, ensuring that federal agencies make informed decisions based on the best available information and give local governments and citizens a voice in federal decisions that affect their communities.

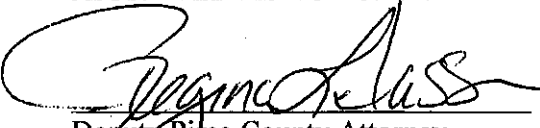
**PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona, this**  
\_\_\_\_\_ **day of March, 2020.**

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Chair, Pima County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy Pima County Attorney

**REGINA NASSEN**