

TRIBAL PESTICIDE PROGRAM COUNCIL

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Council on Environmental Quality
Attn: NEPA Implementing Regulations
722 Jackson Place, NW
Washington, DC 20503

RE: Removal of Council on Environmental Quality NEPA Implementing Regulations (CEQ-2025-0002)

Dear Council on Environmental Quality,

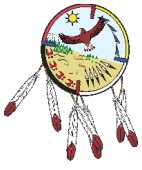
We appreciate the opportunity for the Tribal Pesticide Program Council (TPPC) to comment on the proposed removal of the Council on Environmental Quality's NEPA implementing regulations. The TPPC is a member-based organization with 95 members from 59 Tribes and tribal organizations, whose activities are funded by a cooperative agreement with the EPA. The Council serves as a tribal technical resource, and provides a forum for dialogue between Tribes and the EPA on program and policy development relating to pesticides issues and concerns. Assistance provided to Tribes includes support in building tribal pesticide programs and conducting pesticide education and training, and the preparation of resources for Tribes interested in specialized issues such as Integrated Pest Management and pollinators. Through its interaction with the EPA, the TPPC keeps Tribes informed of developments in the regulation of pesticides and pesticide use, and provides feedback to the EPA on such matters from a tribal perspective. Although the organization always seeks to represent consensus perspectives on any given issue, it is important to note that the views expressed by the TPPC may not be agreed upon by all Tribes. Further, it is important to understand interactions with the organization do not substitute for government-to-government consultation, which can only be achieved through direct communication between the federal government and Indian Tribes.

On behalf of the Tribal Pesticide Program Council (TPPC), I submit these comments to express the TPPC membership's strong opposition to the proposed removal of the Council on Environmental Quality's (CEQ) National Environmental Policy Act (NEPA) implementing regulations, codified at 40 CFR 1500-1508. This action represents a severe rollback of environmental protections and a direct threat to Tribal sovereignty, lands, natural resources, cultural heritage of Tribal nations, and government transparency.

NEPA is essential for environmental protection and tribal consultation. For over five decades NEPA has been a critical tool ensuring that federal agencies evaluate environmental, cultural, and socio-economic impacts before approving projects. The CEQ plays an essential role in overseeing this process, ensuring compliance with federal trust responsibilities, and fostering meaningful consultation with Tribes and affected communities.

The removal of CEQ's NEPA regulations would erode Tribal sovereignty and consultation rights. NEPA provides one of the few legal mechanisms requiring federal agencies to consult with Tribes on projects that affect their lands, waters, air, and cultural sites. Without CEQ oversight, Tribal voices will be further marginalized in federal decision-making, violating treaty rights and the federal government's trust obligations under Executive Order 13175.

The removal of CEQ's NEPA regulations would weaken environmental protections and public health safeguards. The removal of coordinated NEPA regulation will expedite approval of extractive and industrial projects without proper



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environmental scrutiny. It will increase pollution, habitat destruction, and water contamination, disproportionately affecting Indigenous communities and other vulnerable populations.

The removal of CEQ's NEPA regulations would violate federal trust responsibilities. The federal government has a legal and moral duty to protect Tribal lands, waters, and cultural heritage. By hindering Tribes' ability to challenge harmful federal actions, weakening NEPA contradicts decades of precedent affirming CEQ's authority and undermines these commitments. The lack of a robust environmental review process may lead to ill-informed decisions that could infringe upon Tribal rights and territorial integrity, resulting in long-lasting environmental and social harm for Tribal communities. Further, involving Tribes early in the NEPA process leads to more cooperative, informed, and respectful decision-making. When Tribal concerns are addressed early on, it reduces the potential for conflict and litigation.

NEPA is essential for coordinated environmental policy. The history of environmental protection in the U.S. demonstrates why NEPA is essential. Before NEPA's enactment, conflicting federal projects created significant environmental harm, such as in the Florida Everglades, where different agencies worked at cross-purposes on infrastructure projects that threatened the ecosystem. The US Forest Service and Department of Interior were working on conservation efforts while the Department of Transportation and Army Corp of Engineers were working on infrastructure that conflicted with the conservation efforts of the other agencies. NEPA was designed to prevent such conflicts by requiring agencies to consider environmental impacts and coordinate their efforts to minimize those impacts. Removing these regulations would return us to an era of fragmented and potentially reckless decision-making.

Furthermore, CEQ was established to unify environmental efforts across federal agencies that environmental policies remain consistent, science-based, and aligned with national priorities. Delegating these responsibilities to individual agencies will lead to inconsistent implementation, reduced enforcement, weakened environmental oversight, and reduced public participation in federal decision-making.

The Tribal Pesticide Program Council strongly opposes the removal of CEQ's NEPA implementing regulations. We urge the Council on Environmental Quality to abandon this ill-advised action and instead strengthen NEPA regulations to enhance environmental protections. The federal government must uphold its duty to safeguard public health, natural resources, and the rights of Indigenous and vulnerable communities. We call on federal agencies to uphold their trust responsibilities by ensuring environmental decisions are made with full transparency, Tribal consultation, and scientific integrity.

Once again the TPPC appreciates this opportunity to comment on the proposed removal of CEQ's NEPA implementing regulations. If you have any questions, please contact TPPC coordinator Mark Daniels at mark.daniels@nau.edu or 928-523-8897.

Sincerely,

Jasmine Courville
TPPC Chairperson