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ATTORNEY GENERAL RAOUL CALLS ON FEDERAL GOVERNMENT TO ENSURE MEANINGFUL ENVIRONMENTAL REVIEW OF FEDERAL PROJECTS

Chicago — Attorney General Kwame Raoul, as part of a multistate coalition, submitted comments in support of a federal government proposal to restore rules requiring meaningful environmental reviews of federal projects under the National Environmental Policy Act (NEPA).

The proposal is an important first step toward undoing a rule enacted in 2020 that upended requirements ensuring that federal agencies comprehensively evaluate the impacts of their actions on the environment and public health. However, according to Raoul and the coalition, the proposed changes are only a first step. In today's comments, Raoul and the coalition express support for the proposal, but urge the federal government to move swiftly to further revise or repeal the unlawful 2020 rule in its entirety.

"The unlawful rule enacted in 2020 undermined important regulations put in place to ensure that public safety and environmental impact are key considerations federal agencies must take into account before beginning a significant project," Raoul said. "I am urging the federal government to take action to repeal the 2020 rule, in large part because not requiring federal agencies to take into account the direct and indirect effects of a project harms low-income communities and communities of color."

Enacted in 1970, NEPA is one of the nation's foremost environmental statutes. Before any federal agency undertakes a major federal action that will significantly affect the quality of the environment, NEPA requires the agency to consider the environmental impacts of the proposed action, alternatives to the action, and any available measures to mitigate the action's impacts. A wide range of federal actions, including the approval of significant energy and infrastructure projects and key decisions concerning the management of federal public lands, require compliance with NEPA. Following the prior administration's previous efforts to undermine environmental review of federal projects, Raoul and a coalition of 20 states filed a lawsuit arguing that the 2020 rule violated NEPA and the Administrative Procedure Act.

[In today's comment letter](#), Raoul and the coalition express their support for efforts to ensure meaningful environmental review of federal projects under NEPA, but argue that the unlawful 2020 rule must be further revised or repealed in its entirety. Specifically, Raoul and the coalition urge the federal government to:

- Repeal each of the illegal provisions identified in the coalition's lawsuit.
- Take action to ensure robust and diverse participation in public hearings.
- Expressly require agencies to consider climate change and environmental justice in their NEPA analyses.
- Ensure that agencies consider whether proposed projects are consistent with state and tribal climate laws, plans and policies.

Joining Raoul in sending the comment letter are the attorneys general of California, Colorado, Delaware, the District of Columbia, Guam, Maine, Maryland, Massachusetts, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and Wisconsin; as well as Harris County, Texas; New York City; and the New York State Department of Environmental Conservation.

Today's letter is part of Attorney General Raoul's efforts to enhance the focus on environmental justice issues throughout Illinois. Recently, the Attorney General Raoul announced an initiative aimed at enhancing its focus on environmental justice issues statewide. To begin that work, Raoul's Environmental Enforcement

Division convened a virtual town hall discussion of environmental justice issues facing communities around the state, which featured presentations by the office's career attorneys, community organizers, advocates and faith leaders. Attorney General Raoul is encouraging Illinois residents to contact the Attorney General's office to highlight local environmental concerns by emailing EJ@lag.gov.