



CQ657

September 23, 2002

Council on Environmental Quality  
NEPA Task Force  
P.O. Box 221150  
Salt Lake City, UT 84122

**Re: Federal Register Notice July 9, 2002 Volume 67, Number 131 Pages  
45510-45512**

Dear CEQ,

The Association of California Water Agencies (ACWA) is pleased to submit comments to the Council on Environmental Quality's National Environmental Policy Act Task Force. ACWA represents more than 440 public water agency members in California which are collectively responsible for more than 90 percent of the water delivered in the state for agricultural, residential and industrial use.

As you know, public water agencies must regularly conduct operations and undertake projects that trigger compliance requirements under NEPA, the Endangered Species Act and other environmental laws and regulations. NEPA has been in place for more than a generation, during which time the regulatory apparatus of this law has grown considerably. For this reason, the imperatives and flaws of this law have become a fact of everyday life for resource managers in California and across the nation.

While compliance with the Act has been built into everyday operations, there is room for improvement in its language and implementation. ACWA supports the Council's proactive effort to improve NEPA, primarily in three areas:

- Sound science: Wherever possible, federal agency NEPA actions which affect water deliveries should undergo peer-review in the science and data gathering process of any NEPA decisions
- Interagency collaboration: Encourage continued interagency collaboration and consider whether to introduce procedures to facilitate the collaborative role among affected agencies and stakeholders, rather than a 'top down' approach
- When NEPA actions have been agreed to by stakeholders and federal agencies, parties should discourage new or 'late-comer' mandates by federal agencies except in cases of new information on data flaws or risks to public health

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CQ657

ACWA looks forward to seeing the legislative or regulatory proposals from CEQ to improve the NEPA, and helping these efforts to bear fruit. Again, thank you for the opportunity to provide recommendations to reform the National Environmental Policy Act. We look forward to working with you in the furtherance of this important goal.

Sincerely,

A handwritten signature in black ink, appearing to read 'SKH', with a long horizontal line extending to the right.

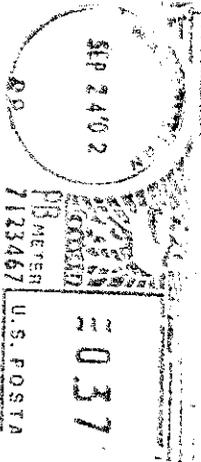
STEPHEN K. HALL  
Executive Director

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