

July 29, 2021

FROM: Debbie Reed
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TO: Amy B. Coyle
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SUBJECT: Notice of Request for Public Comment on the Council on Environmental Quality's (CEQ) extension of the Deadline for Agencies to Propose Updates to National Environmental Policy Act Procedures (Docket No. CEQ-2021-0001)

Thank you for the opportunity to comment on the Council on Environmental Quality's (CEQ) request for input on extending the deadline for federal agencies to propose updates to National Environmental Policy Act procedures (Docket No. CEQ-2021-0001). The Ecosystem Services Market Consortium (ESMC) is a member-based, not-for-profit organization launching a national scale ecosystem services market for agriculture to recognize and reward farmers and ranchers for their environmental services to society. Members and stakeholders of ESMC's public-private partnership include a wide range of agricultural businesses, farmer-led associations, farmer check-offs, farmer cooperatives, conservation organizations, foundations, land-grant universities and research institutes, as well as the U.S. Department of Agriculture (USDA). ESMC's market program financially rewards farmers and ranchers who voluntarily adjust crop and livestock production systems in ways that increase soil carbon sequestration and retention, reduce GHG emissions, improve water quality, conserve water, and provide many additional ecosystem service outcomes, such as enhanced biodiversity and habitat conservation. Together with our more than 80 members and funders across the agricultural supply- and value-chain, we are pilot testing the entire program, investing in critical RDD&D to create a national scale ecosystem services market program and infrastructure for the agricultural sector, and refining the program prior to full national-scale market launch in 2022.

It should be noted that the following comments reflect the official thoughts and positions of ESMC only and do not represent the positions of ESMC's entire membership. Many of ESMC's member organizations plan to submit separate comments to the same solicitation which will reflect those

organizations' official statements to the CEQ's request for public comment on this interim final rule.

ESMC supports the CEQ's decision to extend the current deadline for agencies to propose updates to the National Environmental Policy Act (NEPA) procedures by an additional 24 months to allow the CEQ to review changes to the NEPA implementing guidelines made during the previous administration. Given the substantive changes made in the so-called '2020 Rule' and the CEQ's ongoing review, we believe it is critical that agency resources currently being used to implement NEPA procedures under the 2020 Rule be redirected towards accomplishing more pressing departmental and administration goals.

The USDA, Environmental Protection Agency (EPA), and the Department of the Interior (DOI) have not yet published proposed procedures in the Federal Register and all play vital roles in helping American farmers and ranchers adapt to a changing climate and adopt climate-smart practices that put the agriculture sector at the forefront of our national climate change mitigation strategy. The current deadline for federal agencies to develop or revise proposed procedures for implementing the procedural provisions under NEPA is impracticable and diverts important agency resources that could be used towards achieving the goals of reducing overall GHG emissions by 50-52% of 2005 levels by 2030 in accordance with the recently announced Nationally Determined Contribution (NDC). Furthermore, ESMC respects the right of the president to ensure agency actions align with the policy of the United States, in this case with respect to President Biden's executive orders on *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis* (E.O. 13990) and *Tackling the Climate Crisis at Home and Abroad* (E.O. 14008). As a non-profit whose mission is to scale beneficial environmental outcomes from American agriculture, ESMC supports the aims of these executive orders and any actions that help the United States meet its obligations under the Paris Agreement in ways that benefit the agricultural sector and increase the sector's resilience to climate change impacts, while reducing those overall impacts as much as possible.

ESMC is encouraged to know that CEQ is reviewing the '2020 Rule' to determine whether it will require further changes that ensure NEPA continues to be implemented in the spirit of over forty years of agency practice and caselaw. We recognize CEQ is not obligated to request public comment for this deadline change under the Administrative Procedures Act's (APA) notice and comment rulemaking procedures, but we appreciate the administration's commitment to transparency and accountability nonetheless. Thank you again for the opportunity to provide input as CEQ continues its review of this important regulation and we look forward to responding to potential future requests for comment that may result from this review.

Sincerely,

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