

**Center for Biological Diversity * Earthjustice
Epic – Environmental Information Protection Center * Defenders of Wildlife
Klamath Forest Alliance * The Lands Council * League of Conservation Voters
National Parks Conservation Association * Natural Resources Defense Council
San Juan Citizens Alliance * Sierra Club * Western Watersheds Project**

April 28, 2016

Dear Senator:

On behalf of our millions of members and supporters, the undersigned organizations write to express strong opposition to Section 6(c) of S. 2240, the “Federal Lands Invasive Species Control, Prevention, and Management Act,” which would seriously compromise public input and environmental review under the National Environmental Policy Act (NEPA).

Although we support the goal of controlling the impacts of invasive species on our public lands, we believe such actions should be subject to the sound analysis, public input, and reasoned decisionmaking guaranteed by NEPA. Section 6(c) of S. 2240 is a waiver of a Federal agency’s responsibility to prepare an environmental impact statement or environmental assessment, as required under NEPA, under the guise of a categorical exclusion. Categorical exclusions are typically reserved for classes of activities which, in the agency’s experience, “do not individually or cumulatively have a significant effect on the human environment.” However, Section 6(c) would allow an extremely broad class of activities, including application of pesticides and mechanical treatment of areas, within 1,000 feet of a water body or waterway, a water project, a utility or telephone infrastructure or right of way, a railroad line, an airport, a port of entry, campground, roadside or highway, heritage site, a national monument, a park, recreation site, school or other similar and valuable infrastructure.

There is no evidence that NEPA has delayed or prevented invasive species management or control projects. On the contrary, for over forty years NEPA has proven to be an invaluable tool in ensuring agencies know whether decisions will actually benefit or harm both the environment and the health of local communities. Without NEPA, the environmental impacts of decisions to treat areas will not be assessed or disclosed and the public will have no opportunity to provide input on the management of their lands.

For these reasons, we strongly urge the committee to strike Section 6(c) from S. 2240.

Sincerely,

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