



April 10, 2023

Ms. Brenda Mallory  
Chair, Council on Environmental Quality  
730 Jackson Place N.W.  
Washington, D.C. 20503

Re: National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change, Council on Environmental Quality, CEQ-2022-0005

Dear Chair Mallory:

The Natural Gas Council, on behalf of the people and companies who produce, transport, and deliver U.S. natural gas across this country and around the world, urges you to withdraw the National Environmental Policy Act (“NEPA”) Guidance on Consideration of Greenhouse Gas Emissions and Climate Change, 88 Fed. Reg. 1,196 (Jan. 9, 2023) (“Guidance”).

The Guidance inappropriately transforms NEPA into a tool that promotes use of certain types of energy and obstructs use of other types. The Guidance establishes a “two track” approach to NEPA review that (1) deters development of natural gas production and infrastructure by adding unduly burdensome requirements to the NEPA review of natural gas projects and (2) expedites review of wind and solar projects by exempting those projects from the requirements imposed on natural gas production and infrastructure. This disparate treatment is not grounded in law or fact, but instead appears to reflect a mistaken belief that natural gas inexorably impedes efforts to address climate change and that the federal government must discourage natural gas production and infrastructure development to successfully address climate change.

Natural gas is not an obstacle to the clean energy transition; it is an essential component of that transition. Since 2005, carbon dioxide emissions in the electric power sector have declined by about 35 percent, with a switch from coal to natural gas accounting for about two-thirds of the decline.<sup>1</sup> Moving forward, natural gas will enable the United States to maintain electric reliability while expanding its fleet of renewable energy resources. The North American Electric Reliability Council concludes that “[n]atural gas is the reliability fuel that keeps the lights on, and natural gas policy must reflect this reality.”<sup>2</sup> The nation’s largest electric grid operators “are seeing a substantial increase in new renewable generation” and likewise conclude that “the continued availability of natural gas and associated infrastructure is a key component in ensuring long-term resource adequacy, and by extension, in meeting . . . significant reliability responsibilities.”<sup>3</sup> As one operator explained, “when reliability suffers, the clean energy transition suffers.”<sup>4</sup>

CEQ cannot use NEPA to pick winners and losers from the United States’ energy industry. Nor should it. For the United States to navigate the clean energy transition effectively and reliably, it needs to expand *both* its renewable energy and natural gas infrastructure. CEQ should withdraw the Guidance and instead focus

on creating an efficient, predictable, and reasonable framework that allows federal agencies to complete NEPA reviews for *all* critical infrastructure in a timely manner.

Sincerely,



Amy Andryszak  
President & CEO  
Interstate Natural Gas Association of America



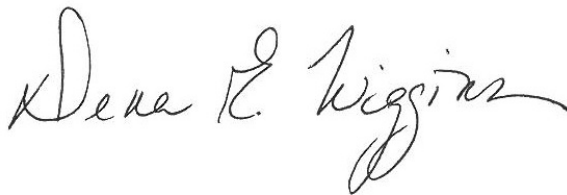
Karen Harbert  
President & CEO  
American Gas Association



Jeff Eshelman  
President & CEO  
Independent Petroleum Association of America



Frank Macchiarola  
Senior Vice President  
American Petroleum Institute



Dena Wiggins  
President & CEO  
Natural Gas Supply Association

## Description of Natural Gas Council Member Organizations

The American Gas Association, founded in 1918, represents more than 200 local energy companies that deliver clean natural gas throughout the United States. There are more than 77 million residential, commercial and industrial natural gas customers in the U.S., of which 96 percent — more than 74 million customers — receive their gas from AGA members. Today, natural gas meets nearly one-third of the United States' energy needs.

API represents all segments of America's natural gas and oil industry, which supports more than 11 million U.S. jobs and is backed by a growing grassroots movement of millions of Americans. Our approximately 600 members produce, process and distribute the majority of the nation's energy, and participate in API Energy Excellence®, which is accelerating environmental and safety progress by fostering new technologies and transparent reporting.

INGAA represents the U.S. natural gas pipeline industry. INGAA's members deliver clean, abundant, affordable natural gas throughout North America and operate approximately 200,000 miles of pipelines that serve as an indispensable link between natural gas producers and consumers.

The Independent Petroleum Association of America (IPAA) is a national upstream trade association representing thousands of independent oil and natural gas producers and service companies across the United States. Independent producers develop 91 percent of the nation's oil and natural gas wells. These companies account for 83 percent of America's oil production, 90 percent of its natural gas and natural gas liquids (NGL) production, and support over 4.5 million American jobs.

The Natural Gas Supply Association (NGSA) represents integrated and independent companies that supply natural gas. Founded in 1965, NGSA is the only national trade association that solely focuses on producer-marketer issues related to the downstream natural gas industry. NGSA advocates for well-functioning markets that foster a growing, competitive market for natural gas. NGSA is dedicated to achieving a cleaner future through strong partnerships with renewables and supporting innovative technologies and market solutions that reduce emissions.

---

<sup>1</sup> Congressional Budget Office, *Emissions of Carbon Dioxide in the Electric Power Sector* (Dec. 2022), <https://tinyurl.com/6pptpedr>.

<sup>2</sup> NERC, Long Term Reliability Assessment at 5 (Dec. 2021), <https://tinyurl.com/csu6zwsb>.

<sup>3</sup> Limited Reply Comments of PJM Interconnection, LLC and the Midcontinent Independent System Operator, Inc. at 2, FERC Docket No. PL18-1 (May 25, 2022); *see also id.* (“[T]he natural gas generation fleet remain[s] an essential reliability tool to the transition to a low or carbon-free electricity future”; “a robust gas pipeline infrastructure will be critical to helping support that industry transition in an efficient and reliable manner.”).

<sup>4</sup> ISO New England, Inc., *Draft ISO/EDC/LDC Problem Statement and Call to Action on LNG and Energy Adequacy* at 1 (Sept. 8, 2022), <https://tinyurl.com/2p9642h9>; *see also id.* (“[F]or the clean energy transition to be successful, the region must continue to have reliable supplies of gas for home heating and electricity.”).