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Services

COLORADO
HOUSE OF REPRESENTATIVES
State Capitol
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Re: Docket ID No. **EPA-HQ-OAR-2020-00044**

To Whom It May Concern:

Our nation's web of regulations intended to enforce are laws particularly in the environmental sphere are more often than not – a mystery to Americans. In fact they are so opaque that most lawyers find them indecipherable, But since regulations are essentially the muscle behind America's laws, they are central to supporting and protecting our economy, environment, and overall welfare as a country.

That's why in light of the horrifying global pandemic that has ravaged America's people and spirit, it is more important than ever that we take time now to advance and support steps to improve the federal regulatory system for the better. To be respected laws must be understood, I support the steps taken by Administrator Wheeler and his effort to provide real cost –benefit analysis to EPA Rule Making. As Administrator Wheeler so succinctly put it we must: "ensure that its regulatory decisions are rooted in sound, transparent and consistent approaches to evaluating benefits and costs." Known as a "cost benefit analysis," this process allows an agency– in this case the EPA – to evaluate positive and negative impacts of a regulation on the public.

Currently the "how" the agency implements a cost-benefit analysis is inconsistent and can largely depend on the policy position of the current administration. As a result, what is supposed to be a straightforward, objective analysis, has become akin to a political tool.

While my district in Western Colorado has a vibrant tourism sector, natural resource industry, and small business community, the region also has a considerable portion of federally-owned land. Therefore, virtually all development projects – whether they are for energy procurement, community expansion, agricultural development, or forestry management – are subject to a review and subsequent analysis by an EPA office.

However, when the assessment of the regulations that govern these projects are not consistent, clear or understandable; investment, economic growth and regional competitiveness is put in jeopardy. For example, the economy of the Western Slope depends on Interstate 70. But needed expansion of parts of the I-70 corridor have been delayed and rendered more costly by

regulations that were not subject to a systematic review. As a result, traffic backlogs drive up the costs of goods as transportation costs inch higher.

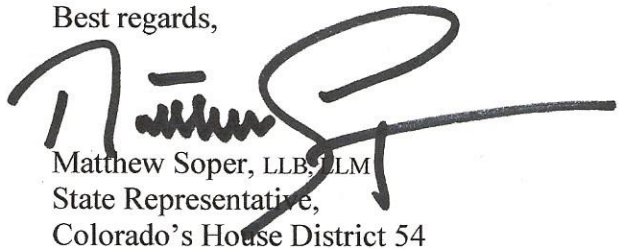
That is why this comment in support of Administrator Wheeler's proposal which will help serve the public by adding transparency and ensure the EPA isn't imposing greatly inflated costs in exchange for negligible environmental benefits. Right now there are no rules that ensure that the public is provided an analysis of the benefits and costs in a consistent manner across offices. Through a systematic and consistent approach to how the EPA estimates benefits or costs, economic and environmental considerations could progress in tandem under a set process everyone can understand.

Notably, it's the type of progress that has already been adopted in other countries. In the UK, government entities follow the economic and finance ministry's "Green Book", *See*: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/685903/The_Green_Book.pdf that outlines specific guidance for assessments that look at whether the benefits of a project are expected to exceed the costs.

Additionally, the UK has tactics that help streamline the approach to cost benefit analysis by developing "sharable values" *See*: <https://www.cambridge.org/core/journals/journal-of-benefit-cost-analysis/article/environmental-valuation-and-benefit-cost-analysis-in-uk-policy/B25C9002583146A294D9B1C1443B5E58/core-reader> which can be used across agencies in any project analysis.

Overall, when it comes to EPA regulations, many automatically see this as the environment vs. the economy. But this is not a zero-sum game. Improving the regulatory process is in everyone's long term best interest. Regardless of one's political affiliation or ideology, the public should give Administrator Wheeler's proposal a fair consideration and support in the name of accountability and good governance as I am now doing by this letter.

Best regards,



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Colorado's House District 54