

## Climate Change and Clean Technology Blog

Highlighting Legal Issues Regarding Climate Change & Clean Technology

**SHEPPARD MULLIN**  
SHEPPARD MULLIN RICHTER & HAMPTON LLP  
ATTORNEYS AT LAW

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## **Council for Environmental Quality Issues Draft NEPA Guidance for Consideration of Climate Change Effects**

The Council of Environmental Quality issued draft guidance to federal agencies on how to analyze the environmental effects of greenhouse gases ("GHG") and climate change under the National Environmental Policy Act ("NEPA") on February 18, 2010. (Available [here](#).)

The White House issued this guidance along with three other memoranda intended to "modernize and reinvigorate" NEPA which is now in its 40<sup>th</sup> year. The guidance has two parts, the first of which focuses on the effects of an agency action on GHG emissions. It provides guidance on when and how to consider GHGs and what to analyze as part of the NEPA process. The second section encourages federal agencies to consider the effects of climate change on the proposed agency action. Comments regarding the draft guidance can be submitted at the Counsel's [website](#) within 90 days. Stay tuned to sheppardmullin.com for further analysis on this issue.