

July 27, 2026

On behalf of the undersigned organizations, we appreciate the opportunity to provide comments on the U.S. Environmental Protection Agency's ("EPA") proposed rule, "Update of Procedures for Implementing the National Environmental Policy Act and Assessing the Environmental Effects Abroad of EPA Actions."¹ We represent a diverse group of industries, including agriculture, energy, construction, manufacturing, mining, and more, all of which rely on an efficient federal permitting system to meet critical needs.

Summary of Comments

The coalition supports EPA's proposed updates to its National Environmental Policy Act ("NEPA") implementing procedures and specifically:

- Supports EPA's implementation of the Fiscal Responsibility Act ("FRA") of 2023's² NEPA reforms, including statutory deadlines, page limits, lead agency coordination, programmatic reviews, and expanded use of categorical exclusions.
- Supports EPA's implementation of the One Big Beautiful Bill Act of 2025 ("OBBBA")³ project sponsor opt-in fee provisions to help accelerate environmental reviews.
- Supports EPA's incorporation of the Supreme Court's *Seven County Infrastructure Coalition v. Eagle County* ("Seven County")⁴ decision and clarification that NEPA reviews should focus on the reasonably foreseeable effects of the federal action under review.
- Encourages EPA and other federal agencies to continue improving permitting efficiency through predictability, transparency, and effective interagency coordination.
- Recommends that federal agencies explore the use of artificial intelligence and other advanced digital tools to improve permitting efficiency, consistency, and review timelines.
- Encourages continued efforts to pursue durable permitting reforms in partnership with Congress.

EPA's Proposed Reforms Represent Important Progress

We support the administration's comprehensive effort to modernize the permitting process. The proposed updates of EPA's existing NEPA procedures along

¹ 91 Fed. Reg. 38359 (June 25, 2026).

² Fiscal Responsibility Act, Public Law 118-5 (June 3, 2023).

³ One Big Beautiful Bill Act of 2025, Public Law 119-21 (July 4, 2025).

⁴ *Seven County Infrastructure Coalition v. Eagle County, Colorado*, 605 U.S. ___, 145 S. Ct. 1497 (2025).

with other administration actions represent important steps forward in addressing long-standing challenges that have hindered infrastructure development and responsible use of natural resources, delivering tangible benefits to communities and local economies.

Modernizing outdated agency NEPA procedures while maintaining environmental protections of underlying action statutes and implementing reforms will reduce delays and uncertainties. With this action, the administration is paving the way for timely agency project approvals that support local job creation, economic revitalization, and community growth.

These reforms will do more than improve the nation's ability to build critical projects, they will help strengthen economic growth, enhance energy affordability and reliability, and support continued innovation across key sectors such as manufacturing and agriculture. By reducing unnecessary delays and increasing regulatory certainty, the administration is creating conditions that encourage investment, accelerate infrastructure development, and improve U.S. competitiveness in the technologies and industries that will shape the future economy.

This commitment to permitting modernization will help unlock the full potential of both public and private investment, strengthening energy and national security while supporting environmental progress. Collectively, these reforms will foster innovation, expand economic opportunity, and help ensure that America's communities thrive in an increasingly competitive global marketplace.

Principles for Effective NEPA Implementation

We support NEPA's goals to better inform federal decision-making and the public's understanding of significant environmental impacts. However, the current NEPA process has become overly complex, slow, burdensome, and subject to lengthy and contested litigation, often delaying critical projects without yielding corresponding benefits. The FRA and OBBBA amendments to NEPA represent the first steps toward developing a coherent and concise environmental review process, and we urge federal agencies to build on this progress by focusing on several key principles when implementing NEPA updates: predictability, efficiency, and transparency.

Predictability is essential for project developers and financiers who need consistent analysis and certainty regarding the scope and timeline of project reviews. Agency NEPA procedures should align with the statute's text and avoid imposing unnecessary substantive requirements.

Efficiency can be improved through better interagency coordination and designation of a lead federal agency, adequate staffing, and the use of templates for NEPA procedures. Agencies should also expand the use of categorical exclusions, programmatic reviews, and tiering to reduce unnecessary red tape and streamline the review process.

Transparency is critical for both private sector development and public participation. The agency should use dashboards or other digital tools to provide visibility into the status and timelines of NEPA reviews.

Support for EPA's Implementation of Recent NEPA Reforms

EPA's proposed rule appropriately advances these objectives by implementing recent statutory reforms and judicial guidance designed to improve the efficiency and predictability of environmental reviews. We support EPA's efforts to incorporate the NEPA amendments enacted through the FRA and the OBBBA, as well as the Supreme Court's guidance in the *Seven County* decision. These changes will help streamline environmental reviews, improve regulatory certainty, and reduce unnecessary delays.

Regarding the FRA updates, EPA's proposed revisions appropriately implement Congress's direction to improve the efficiency and predictability of environmental reviews through measures such as statutory deadlines and page limits, enhanced coordination among lead and cooperating agencies, expanded use of programmatic reviews, and procedures for adopting categorical exclusions. These updates represent meaningful steps toward a more streamlined and effective permitting process.

For the OBBBA permitting reforms, EPA's incorporation of the project sponsor opt-in fee provisions will help provide applicants with a mechanism to obtain accelerated environmental reviews while preserving EPA's oversight responsibilities. These changes can help reduce unnecessary delays and provide greater certainty for projects that are important to economic growth, infrastructure development, and energy reliability. As EPA implements the consultation process for project sponsors seeking expedited review, we encourage EPA to ensure that the process is practical and accessible for businesses of all sizes, including small and mid-sized entities.

The updates consistent with the *Seven County* decision appropriately focus environmental reviews on the reasonably foreseeable effects of the federal action under consideration and provide greater clarity regarding the proper scope of NEPA analysis. By incorporating the Supreme Court's guidance, EPA will help ensure that reviews remain focused, efficient, and consistent with NEPA's role as a procedural statute while reducing the uncertainty and litigation risks that have contributed to project delays.

Additional Recommendations for Agency Implementation

In implementing NEPA, agencies should adopt “purpose and need” statements that appropriately reflect project sponsors' objectives and the agency's statutory authority. Doing so will help ensure that alternatives analyses remain practical, relevant, and focused on reasonable options.

EPA should also seek to maintain consistency across its ongoing permitting modernization efforts, including updates to the definition of “waters of the United States” and the Section 401 water quality certification regulations. Across these initiatives, EPA has emphasized regulatory certainty, clear scopes of review, and efficient decision-making. Applying these common principles in the implementation of EPA's NEPA procedures will help provide a more predictable and transparent permitting process for project applicants, states, Tribes, and the public.

Federal agencies should also explore the use of artificial intelligence and other advanced digital tools to support environmental reviews and permitting activities. When coupled with appropriate agency oversight, these technologies can assist with data collection and analysis, document drafting and review, interagency coordination, and project tracking. Such tools have the potential to improve consistency across reviews, reduce administrative burdens, increase transparency, and help agencies meet the permitting timelines established by Congress while maintaining environmental protections and supporting informed decision-making.

Further recommendations from the coalition can be found in our comments on the Council on Environmental Quality's March 2025 interim final rule, “Removal of National Environmental Policy Act Implementing Regulations.”⁵ Additionally, while we support these regulatory updates, statutory permitting reform is also necessary. We encourage federal agencies to collaborate with Congress to make permitting reforms more durable, ensuring greater certainty for infrastructure and other types of investments.

Conclusion

We appreciate the opportunity to provide public comments on EPA's efforts to modernize the NEPA permitting process. We stand ready to help achieve a more efficient, predictable, and transparent permitting system. Please do not hesitate to reach out to Chad Whiteman, cwhiteman@uschamber.com, if you have any questions or would like additional information.

⁵ Chamber Coalition Welcomes Efforts to Streamlining Permitting Process, March 2025, <https://www.uschamber.com/energy/chamber-coalition-comments-to-ceq-on-removal-of-nepa>.

Sincerely,

U.S. Chamber of Commerce
Agricultural Retailers Association
American Cement Association
American Chemistry Council
American Coke and Coal Chemicals Institute
American Council for Capital Formation
American Farm Bureau Federation
American Pipeline Contractors Association
American Public Gas Association
American Road & Transportation Builders Association
American Short Line and Regional Railroad Association
American Society of Civil Engineers
American Trucking Associations
Associated Builders and Contractors
Associated General Contractors of America
Council of Industrial Boiler Owners
Distribution Contractors Association
Essential Minerals Association
GPA Midstream Association
The Hardwood Federation
Independent Electrical Contractors
Independent Petroleum Association of America
International Liquid Terminals Association
Interstate Natural Gas Association of America
Liquid Energy Pipeline Association
LNG Allies
National Association of Home Builders
National Association of Manufacturers
National Electrical Manufacturers Association
National Mining Association
National Ready Mixed Concrete Association
National Stone, Sand & Gravel Association
National Utility Contractors Association
Plastics Pipe Institute
Power and Communication Contractors Association
Steel Manufacturers Association
TechNet
Vinyl Institute
Western Energy Alliance