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Press Release: CEQ Issues Final Rule to Modernize its NEPA Regulations

Final rule represents first comprehensive update to NEPA regulations in over 40 years

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Washington, D.C. – Today, the Council on Environmental Quality (CEQ) announced its final rule to comprehensively update and modernize its National Environmental Policy Act (NEPA) regulations for the first time in over 40 years. The announcement comes after a multi-year review of its NEPA regulations, and after receiving over 1.1 million public comments from a broad range of stakeholders on a variety of issues relating to the regulations, as well as hosting public hearings and conducting other public outreach.

For a Fact Sheet on the Final Rule, click [HERE](#).

For the text of the Final Rule, click [HERE](#).

For the Regulatory Impact Analysis, click [HERE](#).

For the Final Rule Response to Comments, click [HERE](#).

“Under President Trump’s leadership, we have taken bold action to modernize environmental reviews. Through the rulemaking process, we heard from a variety of individuals, organizations, and job creators that the more than 40-year old regulations were overly complex, led to unnecessary litigation, and delayed important infrastructure and other projects. The final rule will make the NEPA process more efficient and effective, ensure consideration of environmental impacts of major projects and activities, and result in more timely decisions that support the development of modern, resilient infrastructure,” **said CEQ Chairman Mary B. Neumayr**. “The modernized regulations will benefit the environment, economy, and every American.”

“Once again, President Trump is taking historic action to remove job-killing regulations and improve the lives of all Americans. This update to the NEPA regulations will get government bureaucracy out of the way of important state and local infrastructure projects, allowing for new roads and bridges to be built across the country,” **said Acting Office of Management and Budget Director Russ Vought**. “It took four years to build the Golden Gate Bridge, but with the abuse of NEPA, it has taken over 10 or 20 years in some cases to get permitting to build a much needed local road or bridge—that changes today. With this update, NEPA will move from a job killer, to a job creator. This is another promise kept by President Trump.”

“Today’s action would have never happened without President Trump’s bold leadership and vision. For far too long, critically important projects had been needlessly paralyzed by red tape. This common sense reform will dramatically improve the federal government’s decision-making

process, while also ensuring that the environmental consequences of proposed projects are thoughtfully analyzed,” **said Secretary of the Interior David L. Bernhardt.**

“These much needed common sense reforms will help cut red tape and speed up the delivery of infrastructure projects all across America,” **said U.S. Transportation Secretary Elaine L. Chao.**

“Thanks to President Trump, our outdated and cumbersome environmental regulations are modernized and better equipped to increase the prosperity of the American people,” **said Secretary of Agriculture Sonny Perdue.** “Throughout my travels across this country I have heard countless stories of beneficial and common-sense infrastructure and other projects stymied and delayed in litigation and countless reviews. I am grateful to see the final rule includes a NEPA exemption for minor federal actions such as our FSA loan guarantees. President Trump has rightly recognized that the law does not contemplate a time-consuming, bureaucratic review process merely because of minimal federal involvement. This NEPA reform will help unleash Americans from overly burdensome regulations as we recover and reopen from the Coronavirus.”

“NEPA reviews have become very costly and time-consuming, threatening the construction of important infrastructure projects and job creation across this country,” **said EPA Administrator Andrew Wheeler.** “There is a direct link between a wealthier economy and a cleaner environment. EPA is confident this regulation can help both the U.S. economy grow faster and safeguard its environment for future generations.”

“Now that the United States is the world’s largest producer of oil and natural gas, it is more important than ever that we responsibly develop the necessary infrastructure to get these abundant and affordable resources to market,” **said Secretary of Energy Dan Brouillette.** “By finally updating this 40-year-old NEPA rule, the Trump Administration is cutting down overly burdensome regulations plaguing the energy industry, and modernizing our regulatory environment to promote safety, environmental responsibility, national security, and economic growth in America.”

“Today’s action is a further testament to the Trump Administration’s commitment to eliminating unnecessary and costly regulations that restrict our Nation’s economic growth and prosperity,” **said U.S. Secretary of Commerce Wilbur Ross.** “The updated NEPA regulations continue to uphold environmental standards while streamlining the permitting process in order for timely decisions to be made on major projects affecting Americans’ everyday lives. I am grateful to President Trump and the Council on Environmental Quality for their leadership in bringing this modernized rule to fruition.”

“The U.S. Army Corps of Engineers Civil Works Program will benefit from streamlined and modernized NEPA regulations by simplifying the process of delivering efficient, effective, and timely infrastructure projects for flood control, navigation, and ecosystem restoration around the country,” **said R.D. James, Assistant Secretary of the Army for Civil Works.**

Further Background:

Signed into law in 1970, NEPA requires Federal agencies to assess the potential environmental impacts of proposed major Federal actions. The NEPA process can apply to a wide variety of projects and activities affecting Americans' everyday lives from the construction of roads, bridges, highways, public transit, and airports to water infrastructure, conventional and renewable energy projects, and land, forest, and fishery management activities. CEQ's NEPA regulations date back to 1978 and have never been comprehensively updated until now.

Since NEPA's enactment, implementation has become complex and time consuming for Federal agencies and Americans seeking permits or approvals from the Federal government. The complexity of the regulations has given rise to CEQ's issuance of more than 30 guidance documents to assist Federal agencies in understanding and complying with NEPA. Additionally, Presidents on a bipartisan basis have issued directives, and Congress has enacted legislation to reduce delays and expedite the implementation of NEPA and the CEQ regulations, including for transportation, water, and other types of infrastructure projects. Despite these efforts, the average length of an environmental impact statement is over 600 pages, and that the average time for Federal agencies to complete such NEPA reviews is four and a half years. CEQ has found that NEPA reviews for highway projects take more than seven years, and in some cases take a decade or more. NEPA is also the most litigated area of environmental law. Delays due to lengthy reviews and lawsuits increase costs for project applicants, States, Tribes, localities, and taxpayers.

CEQ's final rule will modernize the NEPA regulations to facilitate more efficient, effective, and timely environmental reviews by simplifying and clarifying regulatory requirements, incorporating key elements of President Trump's One Federal Decision policy, including a two-year goal for completing environmental reviews. The final rule codifies Supreme Court and other case law, updates the regulations to reflect current technologies and agency practices, eliminates obsolete provisions, and improves the format and readability of the regulations. The rule also exempts certain loan guarantee programs from the NEPA process, which will reduce unnecessary burdens on small businesses and family farms. Additionally, the rule will expand public participation and the involvement of Tribal governments in the NEPA process. The modernized NEPA regulations will accelerate the environmental review and permitting process for development of modern, resilient infrastructure, management of our Federal lands and waters, and restoration of our environment.

For further information on the final rule, including a timeline-related to the development of the final rule, visit CEQ's [NEPA Modernization](#) page.

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