



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

June 17, 2025

Kristin Sleeper
Deputy Under Secretary for Natural Resources and Environment
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, D.C. 20250

Dear Deputy Under Secretary Sleeper

This letter responds to your request that the Council on Environmental Quality (CEQ) consult on the U.S. Department of Agriculture's (USDA) proposed alternative arrangements for compliance with the National Environmental Policy Act (NEPA), so that USDA may respond to Executive Order 14156, *Declaring a National Energy Emergency*,¹ by facilitating prompt review of certain types of energy-related projects.

As USDA's request explains, the President has declared an energy emergency requiring urgent action to improve the reliability, diversity, and affordability of energy in the United States. Section 2 of Executive Order 14156 requires USDA "identify and exercise any lawful emergency authorities available to them, as well as all other lawful authorities they may possess, to facilitate the identification, leasing, siting, production, transportation, refining, and generation of domestic energy resources, including, but not limited to, on Federal lands." Consistent with the President's emergency declaration and related instructions to USDA, you have specifically proposed alternative arrangements for compliance with NEPA, under which the U.S. Forest Service and Rural Development would, with respect to certain energy-related projects, observe the following alternative arrangements for compliance with NEPA:

1. The notice of availability for a draft environmental impact statement will be subject to a 10-day public comment period; and
2. Notices of intent and availability of a draft environmental impact statement will be posted to a public-facing USDA website, rather than published in the Federal Register or in a legal notice in a newspaper of record.²

Furthermore, these alternative arrangements would apply to energy-related projects advancing the policies of Executive Orders 14154, *Unleashing American Energy*,³ 14156, 14241,

¹90 Fed. Reg. 8433 (Jan. 29, 2025).

² As USDA explains, the Forest Service will continue to comply with the separate processes for administrative review and publication set forth in 36 C.F.R. part 218.

³ 90 Fed. Reg. 8353 (Jan. 29, 2025).



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*Immediate Measures to Increase American Mineral Production,*⁴ and 14261, *Reinvigorating America's Beautiful Clean Coal Industry and Amending Executive Order 14241.*⁵

CEQ has reviewed USDA's proposed alternative arrangements and concurs with USDA that they are an appropriate means of complying with NEPA as a response to the emergency declared in Executive Order 14156. CEQ concurs with USDA's determination that the procedures it proposes to observe with respect to energy-related actions that it determines are necessary and appropriate responses to the declared energy emergency are an appropriate means of complying with NEPA's requirements. CEQ looks forward to continuing to consult with USDA as it applies these alternative arrangements to particular actions and projects. Specifically, CEQ appreciates that USDA will consult with CEQ when USDA determines that a particular energy-related project is a project subject to the criteria USDA has set forth as constituting grounds for application of USDA's proposed alternative arrangements. CEQ commits to working constructively and expeditiously with USDA in this regard.

Sincerely,

KATHERINE
SCARLETT

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Katherine R. Scarlett
Chief of Staff
Council on Environmental Quality

⁴ 90 Fed. Reg. 13673 (March 25, 2025).

⁵ 90 Fed. Reg. 15517 (April 14, 2025)