



July 16, 2025

House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Dear Chairman Westerman and Members of the House Committee on Natural Resources, Center of the American Experiment is writing to support comprehensive reforms that Congress can enact to restore common sense to the National Environmental Policy Act (NEPA). American Experiment is a nonprofit civic and education public policy organization based in Minnesota.

NEPA delays have stymied important mining projects in Minnesota and natural resource development across the nation. The permitting morass has exacerbated U.S. reliance on foreign countries for the minerals the U.S. needs for leadership in artificial intelligence, national security, and the economy.

Minnesota has abundant mineral resources, including one of the world's largest undeveloped copper-nickel-cobalt deposits in the Duluth complex. Minnesota is already the fourth-largest mineral-producing state in the U.S., with \$6.82 billion in mineral production in 2023. Mining in Minnesota is safe and environmentally responsible in part because of the state's comprehensive environmental protection programs.

Unfortunately, several promising proposed mines in Minnesota have faced years of NEPA delays and uncertainty at the federal level. For example, permitting for the NorthMet project began two decades ago, in 2004, with initial projections that construction could begin in 2015. Yet in June 2023, the U.S. Army Corps of Engineers reconsidered and revoked the necessary Clean Water Act Sec. 404 permit—which it had previously approved. Twin Metals experienced a similar setback in January 2022, when the Biden administration cancelled two federal mineral leases and subsequently imposed a 20-year moratorium on 225,000 acres in the Rainy River watershed in the Superior National Forest.

The permitting whiplash between administrations for proposed mining projects creates serious problems for the communities waiting for high-paying mining jobs. NewRange

Copper-Nickel [estimates](#) that NorthMet would directly create 360 full-time jobs and 700 more during construction, and the mine would pay \$30 million in state and local taxes.

American Experiment's [October 2024 report](#) describes how NEPA was unlawfully transformed from a *procedural* act into a *protection* act by the Biden administration's Council on Environmental Quality regulations. Until recently, NEPA mandated agencies to undertake exhaustive analysis to identify and select alternatives that achieve an environmentally preferable outcome —sometimes in direct conflict with the agency's purpose and its statutory obligations to issue permits authorizing certain levels of environmental impacts.

Developers of mines, oil and gas projects, and more all need certainty to invest in the U.S.—and stabilizing the NEPA permitting process is crucial in doing so.

The Trump administration has already issued Executive Order 14154 to direct the CEQ to rescind its NEPA regulations and return decision making to individual agencies. The Supreme Court's recent decision in [Seven County Infrastructure Coalition v. Eagle County, Colorado](#) also clarifies that agencies need not study environmental impacts beyond the project's immediate effects under the agency's regulatory authority. Congress also passed the One Big Beautiful Bill Act, which allows project developers to pay a fee to accelerate environmental review timelines to 180 days for an environmental assessment or one year for an environmental impact statement.

Congress should consider codifying these recent administrative changes and judicial interpretations:

1. Clarify that the requirement to evaluate reasonably foreseeable environmental effects applies only to the project area for the proposed action;
2. Clarify that federal agencies' NEPA obligations are restricted to each agency's regulatory authority and expertise;
3. Establish a separate statute of limitations for NEPA-based legal challenges, preferably 150 days or fewer, from the date of the final agency action on a project;
4. Require courts to expedite review of legal challenges and set time limits on injunctions;
5. Set a deadline, preferably 180 days or fewer, for federal agencies to act on remanded authorizations;
6. Set page limits on the length of final Environmental Assessments and Environmental Impact Statements.

These reforms will streamline the permitting process for every federal action that may have an environmental impact — including mines, wind and solar projects, oil and gas,

geothermal, roads, pipelines, transmission lines, and even conservation and wildfire mitigation efforts like prescribed burns and mechanical thinning.

Congress has a historic opportunity to quell the regulatory whipsaw that discourages investment in domestic mineral exploration and development. Center of the American Experiment applauds the efforts of the members of the House Natural Resources committee to make the NEPA process work better for all Americans and bring prosperity to Minnesota.

Sincerely,

A handwritten signature in cursive script, reading "Sarah Montalbano".

Sarah Montalbano

Energy and Environmental Policy Fellow

Center of the American Experiment

