NEPA Does Not Delay

Deregulation is Not the Solution for Clean Energy

WE ACT for Environmental Justice and Sowing Justice

Introduction

Accelerating the buildout of clean energy infrastructure is a critical policy priority for our country, and especially environmental justice communities who often face the brunt of negative environmental and health impacts from every stage of the fossil fuel lifecycle. Renewable energy projects are necessary to improve the lives and health outcomes of overburdened communities. However, the benefits of clean energy for the United States cannot come at the expense of the public health and safety of environmental justice communities. As the United States transitions to a clean energy system, we cannot perpetuate the sacrifice zones created by fossil fuel use. We must develop just policies that protect every community's ability to participate in decision making, robustly analyze the impacts of proposed projects, and discourage further use of fossil fuels.

Prior to the 119th Congress, a number of "permitting reform" efforts have been introduced in both the House of Representatives and Senate. The central premise of these deregulation efforts is the same. Proponents of permitting reform blame environmental regulations, primarily the National Environmental Policy Act (NEPA), for delays in the build out of energy projects, from clean energy and traditional fossil fuel sources, to the transmission lines that connect these disparate energy sources to the electric grid. Proponents claim that loosening the requirements for NEPA reviews would accelerate and streamline the buildout of every kind of energy project.

Permitting reform deregulation proponents ignore that NEPA was designed to safeguard the health and wellbeing of communities in which these projects are sited.

NEPA is a popular bedrock environmental law that allows federal agencies to understand and analyze the full range of potential impacts of major actions and projects. NEPA is essential to ensure that communities have a say in the projects that impact their environments and public health. The right to public participation is particularly critical for environmental justice communities of color and low-income whose residents are often already overburdened by pollution and are at risk of suffering the cumulative impacts of accumulated exposure to pollutants, toxics, and hazardous waste. Since the start of the Trump-Vance Administration in 2025, we have already seen how this hostility to NEPA has led to significant regulatory and judicial challenges against the statute, and by extension, the underlying protections the law guarantees.

In this StoryMap, WE ACT For Environmental Justice addresses the underlying claims of permitting reform proponents. Through analyzing peer reviewed studies and sharing stories from impacted communities, **it is clear that academic research and real experiences agree that NEPA does not delay projects, and deregulation is not the answer.** Neither is litigation

a major reason for delay, as some claim. Rather, our review suggests that failure to conduct early and meaningful community engagement, a lack of funding and staffing within agencies responsible for NEPA implementation, and lack of interagency coordination are the primary causes of project delays. Further, when communities are treated as equal partners, as the success stories featured in this StoryMap illustrate, projects can move forward while adequately addressing communities' concerns.

Literature Review Findings

We reviewed six contemporary studies across academic, nonprofit, and governmental sources that investigated the root causes of delays in issuing permits for energy projects (see Table 1). Many of the studies focused on clean energy project timelines in particular. We identified the following common causes behind delays in receiving NEPA permits:

1. Failure of developers and reviewing agencies to **meaningfully and fully incorporate community perspectives and opposition** at the start of projects and throughout the project development process.
2. Failure of federal agencies involved in the implementation of NEPA **to coordinate, a lack of coordination between different levels of government,** and a lack of coordination between these governments and Tribal nations.
3. Failure of federal agencies to **allocate sufficient funding, staffing, and capacity,** particularly in terms of specialized staff to appropriately implement NEPA.

Addressing these core issues can speed up project timelines. During the Biden-Harris Administration, $1 billion was invested through the Inflation Reduction Act to increase staffing, the Council on Environmental Quality (CEQ) issued new rulemakings promoting early public engagement, and steps were taken to coordinate states, Tribes, and local governments meaningfully and early on in the NEPA process. As a result, NEPA timelines measurably improved.

In January 2025, a CEQ report showed that the median time to complete an EIS - the most rigorous form of NEPA environmental review - had decreased from 3.2 years between 2010 to 2018 to 2.8 years between 2019 and 2024. Similarly, the percentage of final EISs issued within 2 years increased from only 24 percent in 2019 to 41 percent in 2024.

Our literature review also found that litigation, as permitting reform proponents claim, is not a major barrier to approving clean energy projects. In Permitting Reform's False Choice, David Adelman, Professor of Law at the University of Texas School of Law, found that **only 5 percent of wind and solar projects between 2020 and 2021 required an Environmental Impact Statement (EIS), and only 29 projects were challenged through litigation - a rate of only 1.5 percent.**

This research shows that the core arguments targeting NEPA as the main source of project delays are fundamentally flawed and not based on the available evidence.

Therefore, policies that aim to undermine the process of environmental reviews would simply remove protections for communities already overwhelmed by fossil fuel pollution while failing to address delays because they ignore the underlying causes. Real progress can be made when agencies are funded, well coordinated, and, most critically, public engagement is prioritized. Securing a just transition through a clean energy buildout is vital, but attempting a transition at the expense of environmental justice communities will be neither just nor effective.

Success Stories

NEPA empowers communities by giving them a voice in decisions that will directly affect their health, neighborhoods, and environments. Too often, already burdened communities are threatened by projects that add to their pollution burden, worsening public health and increasing safety risks that residents face. The public input process mandated by NEPA allows community voices to be heard, protects the environment, and requires developers to consider the best possible alternatives to minimize the adverse impacts of their projects.

Here we present three stories of how federal agencies can coordinate with state and local governments and engage with impacted communities to conduct a NEPA permitting process at a proper pace by addressing adverse potential impacts completely and fully considered before harmful projects break ground and bring a much needed action to fruition to fully serve communities.

These stories demonstrate that at the bare minimum, existing protections under NEPA cannot be weakened and must be defended from rollbacks.

Ten West Link Transmission

Ten West is a 125-mile transmission project running across Arizona and California, expanding renewable energy capacity and storage by delivering 3,000 megawatts of electricity and increased renewable capacity to the region.

Transmission lines are crucial to the clean energy transition by transporting power from renewable sources, like wind and solar projects, to the cities and towns that need energy. Building more transmission lines improves the reliability and capacity of the energy grid, reduces power outages, provides clean energy to more consumers, and lowers energy costs. Increasing the number of transmission lines also decreases the cost of renewable energy, furthering the just transition by increasing access to affordable clean energy produced free of greenhouse gas emissions.

Ten West represents a step forward in the renewable energy transition, as it spans a region with some of the highest potential for utility-scale solar energy development in the nation. However, the success of the project depended on the strong workshop and comment period that allowed community members and stakeholders to express concerns about the project's initial proposal.

The original plan for the line would have gone through traditional land for Indigenous tribes in the region, and required construction through the Kofa National Wildlife Refuge, a crucial habitat for many endangered species. Community members also expressed concerns that the route would have negatively impacted the scenic quality and recreational trails of the region, threatening tourism, a crucial industry for local residents.

Through the NEPA process, community members were able to voice their concerns, contribute to evaluations, and work with developers, elected officials, and Tribal historic preservation officers, ensuring they were included in decision making. The EIS prepared for the project under NEPA analyzed several alternatives and ultimately led to the selection of a route located mostly within existing utility corridors or parallel to existing infrastructure near Tonopah, Arizona, and Blythe, California. This minimized the time to complete new construction products, costs, and environmental impacts. The revised proposal for the project also included a robust agreement aimed at protecting the sacred lands of Indigenous tribes in the region, wildlife habitats, and recreational tourism sites. National environmental groups and their local staff that originally opposed the project, such as the Natural Resources Defense Council and National Audubon Society, later provided letters of support due to the minimized ecological and economic impacts of the new proposal.

"[The new route] fulfills its primary purpose of taking non-carbon-emitting energy to market, and it does it in the least environmentally damaging way possible,"
Mike Quigley, Arizona state director of the Wilderness Society

Quigley and Justin Meuse, the Wilderness Society's director of government relations for climate and energy, worked with local communities throughout the public comment period process. Longer response times are "worth it in the long run," Meuse said in an article with Grist. "You see a lot of the discourse about community opposition to wind and solar site location that could be addressed with more time to comment—and early and effective outreach—rather than just jamming the project through."

With the project now operational, the transmission line has created an estimated 800 to 1,000 union construction jobs and transmits enough power for 300,000 homes. Ten West Link illustrates adherence to basic environmental laws and the safeguards they provide allowed developers to build out renewable energy infrastructure faster. In fact, this project shows that maintaining public input and meaningfully incorporating the feedback of communities is crucial to the process. It demonstrates how energy projects can be carried out in a just and equitable manner. By working with local communities and regulators to identify potential problems and resolving conflicts early on, clean energy buildout can arrive quickly.

"The Ten West Link in Arizona demonstrates a very important point: when we invest in climate, we invest in families, in communities, in opportunity and prosperity for all people," said then-Vice President Kamala Harris. "When we invest in climate, we build a safer, cleaner, healthier, more just, and more prosperous country. When we invest in climate, we invest in America."

LACMTA Transit Corridor

The Los Angeles County Metropolitan Transportation Authority's (LACMTA) Crenshaw/Los Angeles International Airport (LAX) Transit Corridor project is an 8.5-mile light-rail metro extension that will offer an alternative transportation option to congested roadways, connecting the C and E metro lines to countywide bus networks and LAX. The project is expected to serve 32,400 daily riders by 2035, resulting in economic development and job creation, as well as environmental impacts such as improved air quality, reduced traffic congestion, and reduced fuel consumption.

The project was designed to address historical inequities in transportation access for residents of South Los Angeles. Particularly, the greater Crenshaw area is home to many predominantly Black neighborhoods that have historically been transit deserts – areas lacking transit connection to other parts of the city.

Community organizers and politicians in the Crenshaw District were initially concerned that the line could bisect neighborhoods, disrupt local businesses, and create challenges to pedestrian safety. Through the NEPA process, the LACMTA determined that a five-mile stretch of the project could utilize a rarely-used existing freight rail line corridor, instead of building new tracks in that section. The railroad agreed to allow LACMTA to use the existing line, which decreased project costs and time, and reduced disturbances for the nearby community.

Part of the success of this project is due to public input from the Crenshaw/LAX Transit Corridor Community Leadership Council (CLC), a diverse group of community stakeholders including business, civic, faith, and corporate and public safety officials located in geographic-based constituencies along the project. The CLC organized and publicized more than 60 meetings and project-oriented discussions to hear community concerns and achieve broad community consensus on the project's design, construction, and safe operation. Furthermore, the process ensured that the economic investments of the project will directly benefit the local communities where the Crenshaw/LAX Transit Project is to be constructed and operated.

"Being a member of the CLC has given me insight on how Metro functions and it has given me an opportunity to represent my community," said Linda Ricks of the Hyde Park & Miriam-Matthews Library. "It also has given me a chance to involve people in my community and to let them know that their voices count."

The CLC also gave recommendations for the above ground portion of the transit line at street level, creating Destination Crenshaw, an open-air museum and series of small, connected parks designed specifically to celebrate the Black culture of Los Angeles. Community members hope it will be an opportunity to promote the local economic development, art, and culture. Here again, the success of the project relied on the feedback of community members at every stage of the design and development process to ensure the best possible outcome. The LAX Crenshaw Transit Corridor project shows how NEPA can identify the best infrastructure alternatives and allow frontline communities a meaningful voice in the decision-making process.

Nellis Solar Power Plant

The Nellis Solar Plant is a 15-megawatt solar plant at Nellis Air Force Base in North Las Vegas, Nevada, meeting 30 percent of the Base's energy needs. At the time of its construction, it was the second largest solar plant in North America.

Nearly a quarter of the 140-acre solar facility site was previously home to weapons testing and landfills, resulting in water and soil contaminants. Throughout the environmental assessment stage of the NEPA process, the United States Environmental Protection Agency (EPA) prescribed measures to clean up polychlorethene (PVC) and trichlorethene (methyl chloroform) contaminants. Without the NEPA process identifying the site's potential, the land would have otherwise remained vacant and toxic.

The proposed construction was projected to hire 1,500 local employees and is generating 8 percent more power than anticipated, enough energy to power 2,350 homes. This output has already saved the Air Force $1.2 million in energy costs.

At a site visit in 2009, President Barack Obama noted the plant reduces harmful carbon pollution by 24,000 tons a year, the equivalent of removing 4,000 cars from the roads. "Most importantly, this base serves as a shining example of what's possible when we harness the power of clean, renewable energy to build a new, firmer foundation for economic growth," he said.

The EA process of NEPA was used to identify brownfield sites to clean up, which opened up the possibility for new sites of clean energy development.

Consequences Without NEPA

xAI Data Center

Using NEPA to involve community voices and develop strong, equitable clean energy projects, is a crucial step in our clean energy future. Bypassing required permitting to accelerate projects can have detrimental consequences, including increased pollution and public health impacts. NEPA's public participation process is crucial for providing environmental decision making because it provides a mechanism and a forum for sharing information and for laying out the full scope of the impacts resulting from a government action. xAI is a great example of the negative consequences of not conducting a public participation process.

A major example at present is the emergence of artificial intelligence (AI) data centers across the country. Last year, xAI, the artificial intelligence company founded by Elon Musk, built a massive data center in South Memphis. Since then, the facility has spewed toxic smog-forming pollution into a region already burdened by pollution and unsafe air quality. Boxtown, a neighborhood where 90 percent of residents are Black, is already home to more than 17

industrial polluting facilities and is ranked second in the nation for asthma-related emergency room visits - yet in under just a year, xAI has become one of the county's largest emitters.

"xAI is a problem, but it's a 200-year problem of industrialization," Marquita Bradshaw, executive director of the Memphis environmental justice nonprofit Sowing Justice, said in an interview with WE ACT. "Focusing on xAI is a disservice to the historical pollution that has been going on in this heavily polluted area for hundreds of years."

Due to the intentional sidestepping of environmental regulations around AI, before August 2025, xAI had no Clean Air Act permits and none of the 35 methane gas turbines that helped power xAI's massive supercomputer were equipped with pollution controls typically required by federal rules. xAI's environmental consultant claimed that the turbines are only temporary and don't require federal permits for their emissions of NOx and other hazardous air pollutants. To purposely bypass these permits, these turbines were built on wheels to qualify as a 'temporary' source. According to Politico, this argument relies on a loophole in federal regulations that environmental groups and former EPA officials say shouldn't apply to the situation.

The Southern Environmental Law Center (SELC) brought an appeal against the Shelby County Health Department on behalf of the NAACP's Memphis chapter and Young, Gifted & Green. "Data centers are a highly competitive space, and other companies are watching what xAI does," said Amanda Garcia, senior attorney for the SELC. "Right now, what xAI is doing is essentially running a power plant without a permit, and it has a real risk of harming people's health."

At public hearings regarding xAI, South Memphis residents consistently describe cases of asthma and cancer in their families that they attribute to air pollution. They have urged the Shelby County Department of Health to deny xAI's permit and shut down all the turbines, because NOx emissions are proven to worsen lung conditions. Shelby County has the highest rate of asthma in the state, and the xAI data center is already emitting NOx at rates far higher than the gas-fired power plants and oil refineries in the area, which will further increase health problems.

"We should not be violating clean air standards, because it is threatening people's lives. Everyone is walking around with respiratory issues, headaches, asthma, or gastrointestinal problems. We need to be able to put standards in place because there is going to be a worldwide phenomenon of data centers popping up everywhere - people don't really realize how much they're using AI anymore."
Marquita Bradsaw, Sowing Justice

Since August, the number of gas turbines at the xAI site has only grown - shockingly, this information only came to light only after community pushback. Due to xAI deliberately bypassing permitting requirements, Memphis communities did not know what was coming into their area until it appeared. Memphis Light, Gas and Water and chamber officials initially said the project contained 18 turbines of varying sizes. Subsequently, when xAI filed a permit application in

January 2025, the facility listed only 15 turbines. At the end of March, environmental groups flew over the facility capturing aerial photos showing 35 turbines onsite. Because there is no permitting, residents have no idea just how much pollution is being pumped in their own neighborhoods.

Researchers at the University of Tennessee, Knoxville, as reported in TIME magazine, ran an analysis on the air quality in South Memphis based on public satellite data from NASA. They found that average concentrations of nitrogen dioxide have increased by 3 percent when comparing the periods before June 2024 and afterward. Peak nitrogen dioxide concentration levels increased by 79 percent from pre-xAI levels in areas immediately surrounding the data center, and by 9 percent in nearby Boxtown. Austin Dalgo, an academic primary care physician in South Memphis, calls the jump in peak nitrogen dioxide concentration levels “alarming,” and believes that they “significantly increase the risk to residents’ health.”

This is not exclusive to Memphis, across the country, AI data centers are polluting communities without listening to their input. There are currently 3,905 data centers across all 50 states with locations publicly available, and nearly 5,000 additional centers are currently being built.

Recent data centers identified by FracTracker Alliance

For future projects, Bradshaw advocates for an actual, more thorough permitting and outreach process that protects community members. “The moment that a company is considering being part of a community, there needs to be notices that actually go out to more than 50 people,” Bradshaw said. “It needs to go to small businesses and different types of non-profits to announce that the company is coming, so people can actually have a more meaningful involvement on what type of jobs, what type of economic impact it's going to have, what kind of environmental impact it's going to have. Because xAI was done without an economic impact statement or environmental impact statement.”

Had a proper NEPA process been in place, community members would not have to suffer additional air and water pollution, displacement, and severe health issues.

“It's not on any books for the county or the city. They lied about having the right to pollute.”

We Went to the Town Elon Musk Is Poisoning

Clean Energy Under Threat

It is important to note the context under which any potential permitting reform legislation proposed within the next several years will occur. Climate change is an existential threat that threatens the United States and the all people across the globe, but disproportionately impacts environmental justice communities. A transition to a clean energy economy is a necessary step to address the dangers it poses, and the real-time impacts already devastating communities. Therefore, it is understandable that there exists substantial motivation to accelerate the build out

of renewable energy and decrease our national dependence on fossil fuels. Renewables have made huge strides in the past decade and now comprise one fifth of the U. S. electricity generation. However, it is clear that the current administration has been openly hostile to renewable energy projects.

Attacks on Clean Energy

Because many of the Inflation Reduction Act's clean energy programs benefitted Congressional districts currently represented by Republican Members of Congress, proponents of the Inflation Reduction Act (IRA) had reason to believe these programs would be protected from rollbacks. Unfortunately, early on in the 119th Congress, the vast majority of Congressional Republicans voted to pass the One Big Beautiful Bill Act, a reconciliation bill which accelerated the phaseout of the IRA's clean energy tax credits. Congress voted for this bill despite the fact that these rollbacks were wildly unpopular with voters and estimates that the bill provisions would increase household energy costs by hundreds of dollars yearly. Analysis from the Rhodium Group found that the ending of the tax credit would threaten $522 billion of clean energy investments.

Alongside these moves in Congress, the Trump administration has also undertaken many executive actions aimed at curtailing wind and solar energy, such as freezing permitting for wind energy projects, preventing solar and wind projects on federal lands, and canceling projects like the Grain Belt Express, a 800-mile transmission project which received a nearly $5 billion loan guarantee. Simultaneously, the administration has also led a large-scale rollback of fossil fuel environmental regulations, provided dirty fossil fuel facilities with regulatory exemptions, and even prevented utilities from retiring coal power plants. The administration has also moved to cancel $7 billion in Solar for All grants, a program designed to deliver solar energy projects to residential homes and communities of low- to moderate-income families.

Taken together, we are currently facing a full-scale assault on clean energy buildout. Analysis from E2 found that $22 billion of clean energy investments were cancelled in the first half of 2025 alone, representing 16,500 jobs. During his 2024 campaign, candidate Trump solicited $1 billion in donations from oil executives during an event at his Mar-a-Lago resort. In 2025, it has become increasingly clear that President Trump intends to pay back these donations by making sure fossil fuels do not lose out to renewables.

Bold Action is Needed to Defend Clean Energy

Passing permitting reform legislation in the 119th Congress would require a bipartisan effort, and would need to contain negotiated policy wins which would be amenable to members of Congress in both parties. It is difficult to envision a scenario where the same Republicans who voted to gut clean energy earlier this year would be now willing to pass a law intending to do the opposite. If Republicans were interested in an all-of-the-above energy strategy, they simply could have left IRA tax credits in place. Any piece of permitting reform legislation that Republicans would willing let come forward in this Congress would almost certainly provide outsized benefits to fossil fuels.

“When someone shows you who they are, believe them the first time.”
Maya Angelou

Furthermore, permitting reform legislation will not occur in a vacuum. Any law passed would need to be implemented by the current administration. Given their track record at the start of the second Trump term, it is difficult, if not impossible, to believe that this administration would act in good faith and support the buildout of clean energy. Evidence indicates this administration is more likely to continue supporting the fossil fuel industry at the expense of renewables. Regardless of how popular, needed, efficient, and cheap clean energy sources are, it is abundantly clear that the Trump administration will continue to attack solar and wind through any method available. Even if Congress passes bipartisan permitting reform legislation, the current administration's priorities do not guarantee that transmission and clean energy projects will even receive federal permits. Now, more than ever, bold Congressional action is needed to defend clean energy investments and jobs from attacks.

Recommendations

For true acceleration of the buildout of transmission and fair, clean, renewable energy, NEPA needs to be strengthened, not weakened. Further erosion of the statute, as proposed by some in Congress, will only lead to more community opposition and project delays. Adhering to the principle of “First, Early, and Ongoing” engagement ensures that communities are meaningfully involved in project development, which in turn supports timely and well-informed permitting decisions. Furthermore, legislative proposals and policies must be based on evidence, and not rely on common misconceptions of the NEPA process. The strategies below align with this principle, and should be the evidence-based policies that are employed to prevent project delays and bring clean energy to the grid and communities.

These recommendations are effective as a united approach, not as individual trade-offs. By holistically including communities as well as ensuring the necessary funding, staffing, and policy roadmaps are provided, we can equitably build out clean energy at the speed that meets the moment, and one that represents the integrity and longevity we need for the future we deserve.

1. Incorporate Communities at Every Stage of the Process

Both our literature review and our case studies illustrate that meaningful, equitable, and open community engagement leads to successful project outcomes. Communities know their neighborhoods and their environment best. By soliciting comprehensive and regular feedback, developers and stakeholders can together identify project alternatives which protect the environment, public health, and cultural resources while also maximizing cost-effectiveness and efficiency. Furthermore, community engagement creates opportunities to halt cycles of environmental racism, and ensure environmental, economic, and public health benefits are equitably distributed. The A. Donald McEachin Environmental Justice for All Act includes

legislative language that would strengthen community engagement requirements for development projects.

2. Increased Staffing, Capacity, and Funding to Better Coordinate Developers, Communities, and Agencies

Our review of academic research reveals a consistent recommendation: reducing permitting timelines requires increased funding, staffing, capacity, and specialized staff for the agencies and programs responsible for implementing NEPA. Environmental justice advocates celebrated the $1 billion for NEPA implementation which was included in the IRA, and research from the Biden-Harris administration showed that this investment directly led to the decrease of permitting timelines by 6 months. The Biden-Harris administration successfully utilized these funds to improve interagency coordination, develop digital and online tools to better communicate with developers and stakeholders, and increase transparency and accessibility of project requirements overall. While permitting reform proposals are untested and unproven, progress over the Biden-Harris administration is concrete evidence of how agencies can successfully utilize increased funding to hire staff, create spaces for interagency coordination, and improve public participation.

3. Address Transmission Acceleration Directly

Proponents of permitting reform often ignore that their legislative proposals would also streamline the permitting process for fossil fuels, directly undermining the climate progress that clean energy deployment aims to advance. Furthermore, fossil fuel infrastructure already overburdens communities of color and of low-income who experience the worst impacts of the climate crisis, first and worst. To genuinely and meaningfully bring us closer to a just transition to clean energy, policy proposals should address transmission buildout directly. In 2022, groups including WE ACT for Environmental Justice drafted the Transmission Principles, as well as a corresponding white paper, outlining solutions that would address the backlog of clean energy generators waiting to be connected to the grid. Recommendations include:

- Requiring transmission planning and interconnection rules;
- Establishing environmental justice liaisons between developers and affected communities;
- Utilizing existing Federal Energy Regulatory Commission (FERC) siting authority for National Interest Electric Transmission Corridors;
- Develop new FERC siting authority for high voltage interstate projects, and;
- Expanding the definition of a transmission project's benefits and standardizing cost allocation requirements.

4. Strengthen NEPA by Passing the Environmental Justice for All Act

The A. Donald McEachin Environmental Justice for All Act (EJ4ALL) continues to be many environmental justice groups' north star when it comes to strengthening NEPA. This bill is

championed by communities not just because of its provisions, but because the late representatives A. Donald McEachin and Raul M. Grijalva took the bill across the country to ensure it was written by communities, for communities. EJ4ALL would strengthen NEPA by requiring project developers to consider the cumulative impacts of their proposed projects when seeking permits under the Clean Air Act, Clean Water Act, and NEPA. This would ensure developers properly investigate the additional environmental and health impacts their projects could add to communities already living with accumulated pollution. Furthermore, the bill requires early and meaningful community engagement opportunities as well as robust Tribal consultation throughout the NEPA process. These changes to NEPA, unlike permitting reform efforts, are solid, proven, and help protect human health and the environment, rather than harm them - especially for environmental justice communities.

Literature Review Table

Date Published	Name of Article	Author, Organization	Cause of Delays	Recommendations
9/06/2018	Energy Infrastructure Permitting: Factors Affecting Timeliness and Efficiency	Christine Kehr, Dave Messman, Patrick Bernard, Marissa Dondoe, Quindi Franco, William Gerard, Rich Johnson, Gwen Kirby, Rebecca Makar, Tahra Nichols, Holly Sasso, and Kiki Theodoropoulos, Government Accountability Office	Coordination and communication between agencies and applicants Human capital, in terms of quantity and skillset of staff Collecting and analyzing accurate milestone information Incomplete and inconsistent applications from project developers due to personnel turnover Significant policy changes	Designate a lead coordinating agency, to coordinate efforts of federal, state, and local stakeholders Establish a coordinating agreement among agencies Incorporate effective workplace planning standards by assessing critical skills and competencies needed Track when permitting milestones are achieved, for example, when project applications are submitted or receive agency approval
4/11/2022	Evidence-Based Recommendations for Improving National Environmental Policy Act Implementation	John Ruple, University of Utah, S.J. Quinney College of Law Jamie Pleune, University of Utah, S.J. Quinney College of Law Erik Heiny, Utah Valley University	United States Forest Service: • Lack of qualified staff specialized in specific aspects of NEPA review • Lack of funding and budgetary uncertainty • Lower prioritization of NEPA in favor of fire-related agency functions • Staff aversion to issuing controversial decisions Oil project reviews: • Slow processing of categorical exclusions that involved an application for a permit to drill • Waiting on information from operators, market dynamics, and market priorities Forest plan reviews: • Additional reviews required under other permitting laws • Large number of public comments generated • Lack of funding, staff, staff specialization, and lower priority	Gather and analyze data on NEPA delays Increase and stabilize agency capacity Foster agency cultures that incentivize action and public engagement Instead of downscaling analysis, use strategically-sized analysis: • Programmatic NEPA documents • Implement monitoring to better estimate project impacts • Use NEPA for structured interagency collaboration • Use NEPA to develop consensus Policies NOT to implement: • Impose page limits, aggressive deadlines, and lowering quality of environmental review. Doing so treats the problem, not the cause. • Create separate review processes for different types of projects and agencies, which can add to complexity of compliance • Aggressively use categorical

			within agency • Changing environmental and social factors	exclusions that overlook environmental impacts
4/12/2022	Sources of opposition to renewable energy projects in the United States	Lawrence Susskind, Jungwoo Chun, Alexander Gant, Chelsea Hodgkins, Jessica Cohen, Sarah Lohmar, Massachusetts Institute of Technology	Opposition to renewable projects does not originate from just a single source. Sources include: • Environmental impacts of projects • Developers abandoning projects when state regulatory requirements undercut return on investment • Developers not adequately involving or addressing concerns of local residents and environmental justice advocates • Neglecting Tribal rights and sovereignty • Public health and safety risks are not taken seriously • Lack of coordination between levels of government • Project diminishes value of land • Difficulty of project developers to comply with differing state and federal laws	Incorporate all affected stakeholder perspectives early on in project development Seriously consider local residents and advocates' concerns Consider the cultural and financial value of land where renewable projects are to be sited Create coordination and engagement processes between differing agencies, as well as between Tribal governments and the United States government, that are separate from public participation requirements
10/05/2023	Environmental impact assessments not the main barrier to timely forest management in the United States	Cory L. Struthers, University of Georgia Kathryn J. Murenbeeld, Boise State University Matthew A. Williamson, Boise State University	Projects that require environmental impact statements (EIS) are often large in size, take longer time, and involve more activities Other causes include: • Agency vacancies • Poor data management • Poor staff management • Changes in Congressional budgeting • Evolving needs of cooperating agencies and stakeholders	Invest in agencies' technical and personnel resources Ensure any changes to the permitting process does not overlook environmental impacts, historically disenfranchised perspectives, or erode public trust
8/01/2025	Beyond NEPA: Understanding the complexities of slow infrastructure buildout	Nicole Pavia, Clean Air Task Force Johan Cavert, the Niskanen Center Federico Holm, Center for Progressive Reform	Lack of funding for agency activities Delayed or insufficient communication, inadequate coordination between federal agencies and other levels of government	Develop programs that coordinate environmental reviews without sacrificing quality of reviews, like Department of Energy's Coordinated Interagency Transmission Authorizations and Permits Program Coordinate state processes with neighboring states and federal government Implement community benefits agreements and processes for meaningful community input in decision making Research NEPA's impact on clean energy technologies Increase agency capacity
3/27/2025	Evidence-Based Recommendations For Overcoming Barriers To Federal Transmission Permitting	Ted Boling, Kerensa Gimre, Perkins Coie LLP	Chronic public and private under-investment in the transmission industry Striking down of the Federal Energy Commission (FERC)'s backstop authority, which allowed FERC to permit transmission projects when states had delayed Vacating of FERC's initial designation of	Improve federal agency coordination, cooperation, capacity, and transparency Streamline interactions between states and Tribes: • Enhance state and Tribal capacity • Consolidate permitting authority for projects in the national interest • Harmonize permitting processes

			national interest corridors Disjointed and overlapped siting authorities	between states Improve the environmental review and permitting process: ● Early, sustained, and meaningful stakeholder outreach ● Robust pre-filing processes ● Early and collaborative identification of alternatives to be analyzed in an EIS ● Careful expansion of categorical exclusions ● Expand the use of programmatic EIS ● Minimize environmental review redundancy for National Interest Electricity Transmission Corridor (NIETC)

About This Project

This project was produced by WE ACT for Environmental Justice - 2025, with support from Sowing Justice.

To get connected with experts and learn more, email **ashley.sullivan@weact.org.**

Writing, Design
Tali Natter, Federal Research Coordinator, WE ACT for Environmental Justice

Writing, Analysis
Albert "AJ" Yuan, Legislative Coordinator, WE ACT for Environmental Justice

Writing, Research, Analysis
Jordyn Afful, Government Affairs Intern, WE ACT for Environmental Justice

Writing, Editorial Support
Manuel Salgado, Federal Research Manager, WE ACT for Environmental Justice

Story & Quotes
Marquita Bradshaw, Executive Director, Sowing Justice

Editorial Support
Yosef Robele, Policy Manager, WE ACT for Environmental Justice

Editorial Support
Anastasia Gordon, Federal Policy Director, WE ACT for Environmental Justice

Editorial Support
Ashley Sullivan, Senior Communications Manager, WE ACT for Environmental Justice