



Memorandum

TO: Environment Committee
Lands Committee
Coal Policy Task Force
Minerals Policy Task Force

FROM: Dominique Christianson, Associate General Counsel

DATE: August 5, 2025

SUBJECT: NMA Supports NEPA Reforms Promulgated by DOI, USDA,
and the Army Corps

Yesterday, the NMA filed comments with the [Department of Interior \(DOI\)](#), the [U.S. Department of Agriculture \(USDA\)](#), and the [U.S. Army Corps of Engineers' \(Corps\)](#), regarding the Interim Final Rules (IFR) published by those agencies. As we previously informed you, as part of a larger effort to improve environmental permitting, several agencies published IFRs to update their National Environmental Policy Act (NEPA) regulations. See NMA memorandums on [DOI](#), [USDA](#), and [Corps](#), for more information and background.

In all three comment documents, the NMA lauded government efforts to implement the elements of the Fiscal Responsibility Act (FRA) within agency procedures, with USDA and the Corps codifying the FRA within their regulations and urged DOI to do the same, rather than just include in a handbook. Incorporating the FRA provisions will add durability and certainty for project proponents. Additionally, the NMA encouraged USDA to amend Forest Service regulations at 36 CFR 218 to remove a direct conflict with the IFR provisions that will prevent mining projects under the purview of the Forest Service from fully benefiting from the new NEPA provisions.

The NMA also raised comments regarding the use of applicant prepared materials. Both DOI and USDA did not fully incorporate the FRA language that allows the use of applicant prepared materials. NMA encouraged both DOI and USDA to amend their regulations to remove discretionary language from regulation as the FRA specifically permits the use of project sponsored environmental assessments (EAs) and environmental impact statements (EISs). Additionally, the NMA recommended that DOI, USDA, and the Corps all include the NEPA fee provisions that were created by the One Big Beautiful Bill Act that allow project sponsors to pay an optional fee to expedite completion of an EA or EIS.

Finally, the NMA supported a coalition letter led by the U.S. Chamber of Commerce that was filed in multiple dockets, an example of which is available [here](#). The comments highlight that predictability, efficiency, and transparency are the key principles when implementing NEPA updates.

The NMA will continue to monitor developments on NEPA implementation regulations and relay information as it is available. If you have any questions or wish to discuss this further, please contact me at dchristianson@nma.org.

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