



December 17, 2025

Representative Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
Washington, D.C. 20515

Representative Hakeem Jeffries  
Minority Leader  
U.S. House of Representatives  
Washington, D.C. 20515

**Re: Standardizing Permitting and Expediting Economic Development (SPEED) Act (H.R. 4776)**

Speaker Johnson, Minority Leader Jeffries, and Representatives:

On behalf of the human-powered outdoor recreation community, we write to provide our perspectives on the Standardizing Permitting and Expediting Economic Development (SPEED) Act (H.R. 4776), which was recently marked up in the House Natural Resources Committee. Our community recognizes the need to modernize America's permitting laws to make federal actions more efficient and responsive to the needs of our time, particularly around renewable energy development and public land management, and to this end, we commend the bill sponsors for their bipartisan work on the SPEED Act. Unfortunately, as written, the bill would unacceptably weaken core protections in the National Environmental Policy Act (NEPA) that are necessary for ensuring that federal actions protect outdoor recreation and the \$1.2 trillion outdoor recreation economy. This letter outlines our concerns with the bill, with an emphasis on sections that have particular relevance to outdoor recreation on federal public lands and waters. We recommend that the House not pass the SPEED Act until these issues are addressed.

Outdoor Alliance is a coalition of nine member-based organizations representing the human powered outdoor recreation community. The coalition includes Access Fund, American Canoe Association, American Whitewater, International Mountain Bicycling Association, Winter Wildlands Alliance, The Mountaineers, the American



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Alpine Club, Colorado Mountain Club, and Surfrider Foundation and represents the interests of the millions of Americans who climb, paddle, mountain bike, backcountry ski and snowshoe, and enjoy coastal recreation on our nation's public lands, waters, and snowscapes.

Outdoor recreationists are deeply familiar with the environmental review process facilitated by NEPA. The NEPA process is both an important avenue by which we come to understand projects and proposals affecting federal public lands and waters, and a critical opportunity for members of our community to share input—including technical data—with federal agencies to ensure that federal decisions adequately take outdoor recreation access and conservation values into account. In general, the outdoor recreation community appreciates NEPA's core values of informed, science-based decision making, transparency, and robust public input, and considers maintaining these values in federal decisionmaking to be an important priority.

Despite our support for NEPA, we are open to targeted reforms to make the NEPA process more efficient and to provide certainty to project proponents, stakeholders, and Tribes that publicly-supported, well-planned projects can move forward in a timely manner. Our support for NEPA reform stems in part from two distinct policy goals: First, outdoor recreationists often work directly with federal agencies as proponents of recreation infrastructure projects, such as trail systems, that are important for enhancing access to federal public lands and helping local communities pursue economic development through outdoor recreation. Second, the climate crisis is an existential threat to outdoor recreation and the outdoor economy in the U.S., and more efficient permitting is necessary to accelerate the build out of renewable energy across the U.S. in order to achieve emissions-reductions targets to mitigate the effects of climate change.

In both of the instances noted above, it is imperative that NEPA reforms remain unbiased, ensure that decisions follow the best available science, and provide stakeholders with some legitimate legal recourse and protection from misguided federal decisions. Unfortunately, the SPEED Act would undercut the NEPA process in all three of these regards, forcing federal decisions to move forward without community buy-in. This approach to permitting reform is likely to increase controversy around federal projects, leading to new uncertainty and delays as



agencies pursue projects that lack public support. Specifically, we are concerned by provisions in the SPEED Act that would:

- Undermine judicial review of NEPA decisions;
- Reduce the quality and scope of NEPA analyses;
- Bias NEPA analyses towards project sponsors; and
- Allow agencies to disregard current science.

We have summarized these high-level concerns with specific aspects of the SPEED Act below, and in certain cases offered suggestions for improvement. Despite our concerns, we support the bill's intent to improve and speed up federal permitting decisions. We offer our collaboration in improving the bill to address outdoor recreation on public lands and waters.

### **Undermining Judicial Review**

The ability to seek judicial relief for violations of NEPA is a core and necessary public protection afforded by the statute. Section 3 of the SPEED Act would severely limit stakeholders', including outdoor recreationists', ability to challenge an agency decision based on a faulty NEPA analysis, and would limit a court's ability to meaningfully stop or pause a project even if the analysis supporting the project is inadequate. Specifically, the bill adds a new Section 110B to NEPA that would require courts to give "substantial deference" to agencies when reviewing claims, and would prevent courts from vacating projects or issuing injunctions based on NEPA analysis. Instead, the bill limits courts to a single remedy—remanding the matter to the agency with instructions to correct any errors in the analysis within 180 days—during which time a project is allowed to proceed.

Section 110B would also limit stakeholders' ability to bring claims in the first place by requiring that claims be filed within 150 days of a final agency decision (down from six years under current law), by requiring that a party bringing a claim must have filed a "substantive and unique" comment, and by requiring that the party show that they have or will suffer direct harm from the project. Together, these changes will likely prevent outdoor recreationists from challenging projects that would unacceptably harm outdoor recreation resources on public lands. In particular, we are concerned that Section 110B(c)(1)(B)(i)'s requirement that valid



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comments must be “substantive and unique” might preclude claims where multiple stakeholders raise the same issue during public comment—something that commonly occurs when multiple stakeholders share an interest in a particular landscape or resource. We recommend that the words “and unique” be deleted from this section in order to eliminate confusion in the likely scenario that multiple commenters raise the same issue. Additionally, with regards to the statute of limitations for NEPA claims, we recommend significantly extending the deadline to at least two years after a final agency action is made public.

## Reducing the Quality of NEPA Analysis

The SPEED Act would narrow the scope of NEPA, limit the information that agencies have to consider, and in some cases allow agencies to avoid NEPA analysis altogether. Most concerning, Sections 2(b) (establishing the scope of review under NEPA) and 2(f) (defining “reasonably foreseeable”) would prohibit agencies from considering environmental impacts that are separate in time or place from the proposed action. These sections go further than the recent *Seven Counties* Supreme Court decision, which held that agencies are not *required* to consider this information.<sup>1</sup> Rather than reiterating that this analysis isn’t required, the SPEED Act effectively forces agencies to ignore major environmental impacts that stem from their decisions, such as a project’s indirect contribution to climate change.

The SPEED Act would also narrow when new NEPA analyses are required. Section 2(b)(2) would exempt agencies from undergoing NEPA review if they determine that compliance with another statute satisfies NEPA’s requirements, or if a project or action has already been reviewed “pursuant to a State environmental review statute or a Tribal environmental review statute, ordinance, resolution, regulation, or formally adopted policy.” Further, Section 2(d) would allow agencies to rely on previously completed environmental reviews for federal actions—or environmental impacts—that are “substantially the same.” Together, these changes open up a wide range of scenarios where NEPA analysis likely isn’t required at all for projects with significant environmental impacts. In our experience, projects affecting federal public lands each have unique characteristics and environmental impacts that merit independent consideration through NEPA. We are concerned that these new

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<sup>1</sup> *Seven County Infrastructure Coalition v. Eagle County*, No. 23-975, 605 U.S. \_\_\_ (May 29, 2025).



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exemptions will allow agencies to avoid analyzing significant place-based impacts on outdoor recreation resources that would otherwise be considered through project-level NEPA review.

## Bias Towards Project Sponsors

Several sections of the SPEED Act would inappropriately require agencies to favor the interests of project sponsors. Specifically, Section 2(c)(3) requires that the statement of purpose and need for an agency action “shall meet the goals of the applicant.” Similarly, with regards to deadlines for final agency actions requiring authorizations, Section 2(c)(4) requires that an applicant approve an extension of the deadline. These provisions run counter to NEPA’s core goal that agencies make impartial, reasoned decisions that are in the public interest. We recommend that these sections be removed from the bill.

## Limiting Public Input and Sound Science

Multiple sections of the SPEED Act would allow agencies to ignore scientific or technical information while preparing NEPA documents. We are concerned that agencies will be pressured to move forward with decisions before they have considered relevant information. For example, Section 2(b)(3) of the bill specifies that in preparing a NEPA document, agencies are not required to “undertake new scientific or technical research” after the receipt of application for a proposed action. This language is reinforced in Section 2(c)(2), which relieves agencies of having to consider new scientific or technical research that becomes available after the date of receipt for an application, or the date of the publication for a Notice of Intent to prepare an environmental impact statement (whichever is earlier).

We are concerned that the cutoffs for new science and technical information proposed in the SPEED Act are set too early in the NEPA process to allow for reasoned decision making. The notice of intent is often the point at which the public becomes aware of a proposed project and is able to consider whether new technical information might be necessary for informing an agency’s analysis. Additionally, agencies often need to compile their own scientific and technical information in order to properly understand how a project will affect outdoor recreation and other public lands values. Almost all of this analysis and public

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dialogue occurs after an application is submitted and after a notice of intent is published. To remedy these concerns, we suggest setting a significantly later cutoff for new scientific and technical research at the publication of a Final EIS. These changes will help to deter NEPA delays due to late-breaking science after the majority of NEPA analysis has occurred, while still requiring agencies to consider relevant technical information during the core of the NEPA process.

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Thank you for considering the outdoor community's input. We offer our collaboration and support in modernizing America's permitting laws to support outdoor recreation access, vibrant local economies, and a liveable climate.

Best regards,



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cc: Adam Cramer, Chief Executive Officer, Outdoor Alliance  
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