

# OUTDOOR ALLIANCE

September 13, 2022

The Honorable Chuck Schumer  
Majority Leader  
United States Senate  
322 Hart Senate Office Building  
Washington, DC 20510

The Honorable Nancy Pelosi  
Speaker of the House  
U.S. House of Representatives  
H-232, U.S. Capitol  
Washington, DC 20515

## **Re: Permitting reform legislation**

Dear Majority Leader Schumer and Speaker Pelosi,

On behalf of the human powered outdoor recreation community, thank you for your superlative efforts to pass the Inflation Reduction Act and, in particular, its potentially transformative investments in climate and public lands. We are truly grateful for this historic achievement and look forward to working with Congress and the Biden administration in support of its implementation. We write also to express our community's views on "permitting reform" legislation intended as a follow on to the IRA.

Outdoor Alliance is a coalition of ten 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 Alpine Club, the Mazamas, 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 ALLIANCE

In general, while we support the goal of finding efficiency in permitting processes, we ask that permitting reform not come at the expense of the National Environmental Policy Act's core values around informed, science-based decision making, transparency, and robust public input. These values are particularly important in the context of environmental justice and the absolute necessity of ensuring that all communities have the opportunity to be informed participants in decisions that potentially affect their environment and health.

Our community has extensive experience working in the NEPA process in the context of public lands management, from forest planning and BLM resource management plan development, to travel management, recreation management, and other natural resources decisions. We also at times work as proponents of recreation infrastructure projects—like trail networks—that require navigating the NEPA process, and we are familiar with the frustrations that can accompany NEPA from that perspective. We work at all levels of the NEPA process, from participating in collaborative groups, to submitting comments and meeting with agency decision makers, to participating on rare occasions as NEPA-related litigants. These experiences have provided us with an informed perspective on NEPA policies and practices.

In 2018, the Trump administration embarked on a process, led by the White House Council on Environmental Quality, that made significant and deeply damaging changes to the implementation of our country's landmark environmental law. Those changes cut to the core of NEPA, our national charter for environmental protection, and sought to turn it into little more than a paperwork process. The Trump administration attempted to gut NEPA by, among many actions, redefining the significance threshold and what constitutes a "major federal action"; prohibiting agencies from considering cumulative and indirect effects; vastly expanding the types of projects that could be categorically excluded from NEPA review; narrowing the range of alternatives an agency must (or could) consider; placing arbitrary time and page limits on NEPA review processes and documents; limiting the scope of public comments; and allowing industry to conduct NEPA reviews without federal oversight or consideration of conflict of interest. Through this process, the outdoor recreation community generated more than 20,000 messages to the administration and lawmakers in defense of NEPA and its core values.

# OUTDOOR ALLIANCE

The Biden administration appropriately halted implementation of these potentially disastrous changes and has embarked on a process to find more appropriate ways to improve NEPA implementation. We strongly support this process and ask that any permitting reform legislation allow it to proceed without undue interference. In our experience, the overwhelming obstacles to efficient NEPA implementation come from agency capacity constraints and issues of agency culture around NEPA implementation that are most appropriately addressed at the agency level and by providing staff and resources to management agencies. To that end, we commend the inclusion of resources for more efficient environmental reviews in the IRA, and we hope that Congress will give agencies the opportunity to put these resources to work before considering whether additional changes may be appropriate.

Additionally, while we strongly support the IRA, we are concerned that compromises in the legislation, particularly around fossil fuel development, will be felt most acutely by frontline communities. It is absolutely essential that these communities have a say in new project development, and that opportunity is most strongly ensured through the NEPA process. As Congress considers permitting reform, we believe it appropriate that the Environmental Justice for All Act (S. 872/H.R. 2021) be at the center of these negotiations.

Rather than speed a permitting reform bill through as part of any must-pass legislation, we ask that Congress take time to carefully consider how best to improve federal permitting processes and how any changes to the current process may affect stakeholders. To this end, we believe permitting reform should be publicly vetted by stakeholders, including communities affected by resource development projects, through hearings and the normal legislative process. Federal permitting reform has the potential to improve the deployment of clean energy infrastructure and improve the lives of Americans, but it is also important to move cautiously, and reform efforts must not be dictated by the desires of a single industry.

Thank you for considering our community's views.

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Best regards,



Louis Geltman  
Policy Director  
Outdoor Alliance

cc: Adam Cramer, Chief Executive Officer, Outdoor Alliance  
Chris Winter, Executive Director, Access Fund  
Beth Spilman, Executive Director, American Canoe Association  
Mark Singleton, Executive Director, American Whitewater  
Kent McNeill, CEO, International Mountain Bicycling Association  
Todd Walton, Executive Director, Winter Wildlands Alliance  
Tom Vogl, Chief Executive Officer, The Mountaineers  
Jamie Logan, Interim Director, American Alpine Club  
Kaleen Deatherage, Interim Executive Director, the Mazamas  
Keegan Young, Executive Director, Colorado Mountain Club  
Chad Nelsen, Chief Executive Officer, Surfrider Foundation

