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## Interior Department Issues NEPA Streamlining Directive

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Last week, the Deputy Secretary of Interior, David Bernhardt, issued a memo directing the Department's bureaus to streamline environmental impact statements (EISs) prepared pursuant to the National Environmental Policy Act (NEPA). Specifically, the memo directs that each EIS "shall not be more than 150 pages or 300 pages for unusually complex projects." The memo also sets a one-year target for the completion of an EIS. The memo cites a need to reduce paperwork as a driver behind the directives, and states that, going forward, each EIS "should focus on issues that truly matter."

Implementation of the memo will likely require additional guidance to field staff responsible for developing NEPA documents to ensure that the more streamlined EISs take the "hard look" at environmental consequences that courts have held to be required under NEPA. Field staff will have to balance conducting an environmental review that complies with NEPA and adhering to the limits prescribed in the Deputy Secretary's memo. In the near term, implementation of the memo could result in an uptick of NEPA-based challenges to final agency actions, and lead to additional case law defining the contours of environmental impact analyses.

The memo aligns with [the Administration's efforts to streamline federal review of major projects](#) and developments. Just last month, the President issued an [Executive Order](#) which set new goals for federal reviews of major infrastructure projects and created methods to hold agencies accountable for conducting efficient reviews. The Executive Order requires federal agencies to complete reviews under NEPA in a manner that "reduces unnecessary burdens and delays as much as possible."

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