

August 4, 2025

Submitted via Regulations.gov: Docket COE-2025-0007 and Docket COE-2025-0006

The Honorable Adam Telle
Assistant Secretary of the Army (Civil Works)
108 Army Pentagon
Washington, DC 20310-0108

Re: Interim Final Rules, Army Corps of Engineers' NEPA Implementation
Docket Numbers COE-2025-0007 (civil works) and COE-2025-0006 (regulatory)

Dear Assistant Secretary Telle:

On behalf of our millions of members and supporters nationwide, the 135 undersigned organizations write in strong opposition to the Army Corps of Engineers' Interim Final Rules Implementing the National Environmental Policy Act for its civil works (COE-2025-007) and regulatory (COE-2025-006) programs. These rules will silence public input, erode public health and safety, and harm vital and cherished wildlife habitats across the country.

These Interim Final Rules bear no relation to improving efficiencies in project delivery. To the contrary, they will lead to inefficient, inconsistent, and inadequate NEPA reviews that will further undermine agency decision-making and the public's trust in project decisions. The Interim Final Rules functionally repeal essential NEPA protections, including eliminating the most basic safeguards for meaningful public input. They make a mockery of the Corps' stated purpose of aligning the NEPA regulations with current law.¹ And they fail to provide any guidance at all on multiple, critical NEPA requirements.

Civil Works Program Interim Final Rule (COE-2025-007)

The Civil Works Program Interim Final Rule eliminates the regulations that previously implemented NEPA reviews for civil works projects (e.g., flood control, navigation, and restoration).² Moving forward, the Corps' civil works NEPA reviews are to follow guidance issued by the Department of the Defense (DOD NEPA Guidance).³ This DOD NEPA Guidance abandons critical NEPA safeguards, misinterprets NEPA's legal requirements, and fails to provide critical substantive guidance. Those few procedural protections that are retained in

¹ The purpose of the Interim Final Rules is to "align with the changes Congress made to NEPA in the 2023 Fiscal Responsibility Act, and with the Supreme Court's recent decision in *Seven County Infrastructure Coalition v. Eagle County*." Office of the Assistant Secretary of the Army (Civil Works) Press Release, [Army and Corps of Engineers publish implementing procedures for the National Environmental Policy Act](#), July 1, 2025.

² The Civil Works Program Interim Final Rule retains the program's Categorical Exclusions as regulations.

³ [Department of Defense National Environmental Policy Act Implementing Procedures](#) (June 30, 2025). This guidance and additional information currently can be accessed at <https://www.denix.osd.mil/nepa/>.