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Federal Update

THE CHANGING LANDSCAPE OF FEDERAL ENVIRONMENTAL REVIEW UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT

The National Environmental Policy Act (NEPA) stands as one of the most significant pieces of federal environmental legislation in the nation's history, establishing both the framework for federal environmental decision-making and an institutional oversight structure. Nevertheless, the statute itself lacks detailed requirements, leaving considerable room for policy interpretation that has been subject to change from one administration to the next.

NEPA's reach in California is narrower than might first appear, as it applies only to actions requiring approval, a permit, or funding from a federal agency. In contrast, the California Environmental Quality Act (CEQA) is broader and more stringent, covering discretionary state and local approvals regardless of federal involvement. Many California projects, from local housing developments to state highway projects, trigger either CEQA or NEPA review, or both, and understanding how state and federal environmental reviews differ remains essential for state policymakers, particularly since federal NEPA policy itself is currently in flux.

Recent court decisions have determined that the Council on Environmental Quality (CEQ) never had legitimate regulatory authority to implement NEPA. As a result, the regulatory framework for NEPA's implementation was illegitimate and, moving forward, implementation must be done at the agency level. This report begins with an overview of NEPA's structure and CEQ's previous role in its implementation, traces NEPA's evolution across administrations, and examines the recent court decisions that have reshaped agencies' authority and obligations under the statute. It then turns to the second Trump administration's overhaul of NEPA implementation, covering both the rescission of the regulatory framework invalidated by the courts and the new framework being established in its place.

STRUCTURE AND PURPOSE OF NEPA

Congress passed NEPA in 1969, and President Nixon signed it into law on January 1, 1970. NEPA was the first major environmental legislation in the United States, and its framework rests on two pillars: a substantive policy declaration and a set of procedural requirements for federal decision-making.

The substantive policy declaration in Section 101 establishes a national environmental policy requiring the federal government to “use all practicable means . . . to create and maintain conditions under which humans and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.”¹ This includes reducing environmental damage, balancing environmental protection and economic prosperity, and attempting to provide safe and healthful surroundings for all Americans.² NEPA does not directly address climate change as we understand it today.

Procedurally, NEPA requires that federal agencies assess the environmental effects of proposed major federal actions before making decisions. These procedural requirements reflected the broader government reform movement of the era, embodying a belief that better information would lead to better decisions.

CREATION AND ROLE OF THE COUNCIL ON ENVIRONMENTAL QUALITY

Congress created CEQ in Title II of NEPA as an advisory body within the Executive Office of the President, consisting of three members appointed by the president and confirmed by the Senate, with one member designated as chair.³ From the outset, Congress conceived of CEQ’s role as an adviser and coordinator, not a regulator: Nowhere does NEPA grant CEQ explicit rulemaking authority. From 1970–77, CEQ operated within that limited conception, issuing nonbinding guidelines to assist agencies in implementing NEPA rather than binding rules.

That changed in May 1977, when CEQ’s nonbinding guidance first gave way to binding regulatory authority: President Carter directed CEQ to issue binding regulations implementing NEPA’s procedural provisions.⁴ The order marked a turning point in NEPA’s history, transforming the coordinative body Congress had created into a rulemaking one. Acting on that authority, CEQ issued regulations in 1978 detailing NEPA’s procedural requirements for preparing environmental impact statements (EISs) and environmental assessments (EAs) and introduced the concept of categorical exclusions, creating a standardized approach to environmental review across the federal government that would remain largely intact for the next four decades.⁵ Notably, NEPA did not grant explicit rulemaking authority to CEQ; its authority to

issue regulations was derived entirely from President Carter’s executive order—a foundation whose durability the courts would later test, as discussed below.

NEPA’S EVOLUTION: 1990S–2020S

The 1978 regulations remained largely untouched through the Reagan and George H.W. Bush administrations; neither made significant changes to CEQ’s regulatory framework, and NEPA implementation continued largely as established a decade earlier.

Clinton Administration: President Clinton expanded NEPA’s scope to include environmental justice considerations, requiring federal agencies to examine how proposed actions might disproportionately affect minority and low-income communities.⁶ Agencies conducting NEPA reviews now had to consider not just general environmental impacts but also the distributional effects of those impacts across different populations.

George W. Bush Administration: President Bush left CEQ’s regulatory framework largely in place, without major changes.

Obama Administration: The Obama administration modernized NEPA implementation by streamlining reviews and integrating climate considerations through a series of directives and guidance documents. Agencies were directed to expedite permitting for high-priority infrastructure projects with job creation potential, emphasizing the use of modern information technology for accountability, transparency, and efficiency.⁷ Agencies also were encouraged to use programmatic environmental assessments or impact statements within tiered processes to expedite decisions.⁸ Agencies also were directed to consider greenhouse gas (GHG) emissions and climate change impacts in NEPA analyses—including climate-resilient alternatives and direct, indirect, and cumulative GHG impacts across all project phases and elements over their expected lifespan.⁹

Trump Administration: The first Trump administration emphasized efficiency in NEPA implementation through executive actions and regulatory updates. CEQ was directed to update NEPA regulations, with ambitious goals for completing EISs within two years.¹⁰ That same year, CEQ withdrew the Obama-era GHG guidance and in 2019, issued draft GHG emissions guidance stating that agencies do not need to expand the range of federal actions subject to NEPA or to develop NEPA procedures to evaluate GHG emissions.^{11,12}

In 2020, CEQ implemented its first comprehensive update to NEPA regulations since 1978. This final rule introduced significant changes aimed at reducing delays: It established presumptive time limits of two years for EISs and one year for environmental assessments, narrowed the definition of “major federal actions,” and limited alternatives analysis to focus on applicant goals, reducing consideration of infeasible options.¹³

Biden Administration: The Biden administration’s approach to NEPA was guided by a consistent aim: building a review process that was simultaneously more efficient, more predictable, and more environmentally responsible than the framework it inherited.

That effort began with a course correction. CEQ was directed to review the 2020 regulations for consistency with NEPA’s objectives and to initiate a phased revision process.¹⁴ The resulting Phase 1 final rule, issued in April 2022, restored key provisions of the 1978 framework: broader consideration of public interest in purpose and need statements, a restored definition of “effects” covering direct, indirect, and cumulative impacts, and greater agency flexibility in tailoring NEPA procedures under CEQ oversight.¹⁵

Congress then codified its own version of that balance, substantially amending NEPA through the Fiscal Responsibility Act of 2023 (Public Law No. 118–5), which also included broader federal spending and debt ceiling provisions.¹⁶ The amendments pursued efficiency and predictability directly. They clarified EIS requirements under Section 102 and created a three-tier review structure—categorical exclusions, EAs, and EISs—under Section 106. Section 107 set page limits and completion deadlines for EAs and EISs, enforceable by project sponsors. Section 108 allowed agencies to rely on programmatic environmental documents for extended periods, and Section 109 authorized agencies to adopt other agencies’ categorical exclusions.

CEQ’s Phase 2 final rule, effective July 1, 2024, rounded out the administration’s approach by strengthening the focus on environmental responsibility—reinforcing requirements for analyzing indirect and cumulative impacts, including climate change effects, and integrating environmental justice considerations into the regulations the Fiscal Responsibility Act had left in place.¹⁷

SEISMIC SHIFT: COURT REJECTS CEQ'S RULEMAKING AUTHORITY AND NARROWS NEPA'S SCOPE OF REVIEW

Recent court decisions have substantially narrowed the long-held understanding of CEQ's authority, thereby invalidating much of the regulatory framework that governed NEPA for nearly five decades, and have narrowed the scope of environmental effects agencies must analyze. Together, these rulings mark a significant departure from the regulatory framework that governed NEPA for the past half century, with lasting implications for how future administrations can implement the statute.

Marin Audubon Society v. Federal Aviation Administration, 121 F. 4th 902 (2024).

This decision found CEQ lacks the authority to issue binding NEPA regulations. The D.C. Circuit reached this finding on its own initiative, in a challenge to a Federal Aviation Administration/National Park Service air tour plan near San Francisco Bay, relying on the Supreme Court's June 2024 decision in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024), which had eliminated judicial deference to agencies' reasonable interpretations of ambiguous statutes. Applying that reasoning, the majority found CEQ's regulatory authority traced only to a 1977 executive order, which was insufficient to confer binding rulemaking power. A dissent warned the ruling would disrupt decades of established practice and create government-wide uncertainty.¹⁸

Iowa v. Council on Environmental Quality, 765 F. Supp. 3d 859 (D.N.D. 2025).

Building on *Marin Audubon*, this ruling struck down the Biden administration's 2024 Phase II rule and reinstated the first Trump administration's 2020 NEPA regulations, on the grounds that NEPA's plain text does not authorize CEQ to issue binding regulations at all. The court declined to extend that logic to the 2020 rule itself, noting the issue was not before it, leaving the validity of CEQ's regulations generally an open question.

Seven County Infrastructure Coalition v. Eagle County, 605 U.S. 168 (2025).

This decision narrowed the scope of environmental effects agencies must analyze under NEPA, holding that agencies need only consider effects that are reasonably foreseeable and have a reasonably close causal relationship to the proposed action. The court also underscored NEPA's purely procedural character and directed courts to afford greater deference to agencies on the scope and contents of EISs.¹⁹

NEPA IMPLEMENTATION UNDER THE SECOND TRUMP ADMINISTRATION

The three court rulings above cleared the legal path for the second Trump administration to rescind CEQ's now-invalid regulations and to reorient federal environmental review around a single organizing principle: prioritizing permitting

speed and certainty. That reorientation was set in motion through an executive order, issued on President Trump's first day back in office. Among other provisions, the order revoked the 1977 order that had purported to give CEQ binding rulemaking authority. Separately, it also rescinded a dozen Biden-era executive orders that had woven climate and environmental justice considerations into the NEPA process.²⁰ Together, these actions focused CEQ's coordinating role on permitting speed and aligned executive policy with the determination in *Marin Audubon* and *Iowa v. CEQ* that CEQ lacked authority to issue government-wide regulations.

CEQ formally rescinded its NEPA implementing regulations in 2026, citing *Marin Audubon* and *Iowa v. CEQ* as support for the conclusion that it lacks authority to regulate other agencies.²¹ CEQ paired that regulatory rescission with a broader withdrawal of long-standing guidance documents—including decades-old interpretive guidance on scoping, cumulative effects, environmental justice, and climate analysis—on the same rationale: that this guidance no longer reflected the current state of the law.²²

In place of a single binding rulebook, CEQ has directed agencies to develop their own NEPA implementation procedures, guided by a series of nonbinding CEQ memoranda issued since February 2025 and reinforced by the Supreme Court's *Seven County* decision, which agencies have interpreted to authorize a review limited to a project's direct effects and those within their own regulatory authority. Across these memoranda and the agency-specific procedures that have followed, several constraints recur:²³

- **Cumulative effects and environmental justice analysis** are no longer required categories of review.
- **Alternatives analysis** is narrowed to options that are technically and economically feasible, with no requirement to identify an "environmentally preferred alternative."
- **Public comment** beyond NEPA's statutory scoping requirement (Section 107(c)) is discretionary rather than mandatory at the draft- and final-EIS stages.
- **Categorical exclusions** can be adopted from other agencies and expanded without prior public comment.
- **Accelerated review for a fee:** project sponsors can pay 125 percent of anticipated EA or EIS preparation costs for accelerated timelines—180 days for EAs, one year for EISs—under new NEPA Section 112, added by the 2025 budget reconciliation law.

Illustrative examples of agency implementation. Three examples show how this framework plays out on the ground, and how it departs from prior practice:

- *Department of the Interior’s fossil fuel and critical mineral projects.* Grounded in the January 2025 national energy emergency declaration, the Department of the Interior (DOI) issued alternative arrangements compressing NEPA timelines for oil, gas, coal, uranium, and critical minerals projects on DOI-administered lands: 14 days for EAs and findings of no significant impact, with no public comment, and 28 days for EISs, with only a discretionary 10-day comment period—compared with the 45-day draft-EIS comment period CEQ’s now-rescinded regulations had required. The arrangements bypassed Administrative Procedure Act notice-and-comment rulemaking entirely and are now the subject of pending litigation (*State of Washington v. Trump*, W.D. Wash.).²⁴
- *Nuclear Regulatory Commission’s proposed overhaul of 10 CFR Part 51.* Issued July 7, 2026, the Nuclear Regulatory Commission (NRC) proposed rule redefines “effects” to cover only impacts within its licensing authority—chiefly radiological effects—meaning construction noise, dust, water quality, and ecological impacts fall outside NEPA review even where closely tied to a licensing decision. The rule also would extend categorical-exclusion treatment to license renewals, which current NRC regulations single out as one of the few actions requiring a full EIS—moving that category from the most exacting tier of review to none at all.²⁵
- *Coordinated multiagency rollout.* Between June and July 2025, the Army Corps of Engineers and the departments of Agriculture, Defense, Energy, Interior, Transportation, and Commerce released revised NEPA procedures reflecting the same pattern: narrower categories of reviewable effects, optional draft EISs, and expanded categorical exclusions—evidence these are not one-off agency choices but a general implementation pattern.²⁶

NARROWING WHICH PROJECTS TRIGGER NEPA REVIEW

The changes described above act directly on NEPA, narrowing what a required environmental review must contain. A separate and complementary trend is narrowing which projects require a federal environmental review in the first place. NEPA applies only to actions requiring federal approval, funding, or permitting; where that federal hook disappears, so does the NEPA obligation. Two areas illustrate this trend: a narrower definition of federally regulated wetlands and waterways under the Clean Water Act, and regulatory changes affecting Endangered Species Act (ESA) consultation requirements.

The clearest illustration of this involves the Clean Water Act. In *Sackett v. EPA* (2023), the Supreme Court narrowed the definition of “waters of the United States” (WOTUS), holding that only wetlands with a continuous surface connection to a relatively permanent water body fall within federal jurisdiction.²⁷ In November 2025, the U.S. Environmental Protection Agency and the Army Corps of Engineers proposed a rule implementing *Sackett* that would further narrow the WOTUS definition, removing many wetlands, ephemeral streams, and other waters from federal jurisdiction.²⁸ Because a Clean Water Act Section 404 dredge-and-fill permit often is the only federal touchpoint for projects such as housing developments, road construction, data center construction, and transmission lines, a narrower WOTUS definition means fewer such projects will need that permit, and without a federal permit to trigger review, no NEPA analysis is required at all. In California, however, a narrower federal WOTUS definition does not reduce state-level review. California’s own wetlands definition and CEQA apply independently of federal jurisdiction, so affected projects will generally still require CEQA review even where NEPA no longer applies.

A parallel trend is underway with the Endangered Species Act. Projects that may affect a listed species or its designated critical habitat typically require consultation with the U.S. Fish and Wildlife Service (FWS) or National Marine Fisheries Service under ESA Section 7, and that consultation is often incorporated into a project’s NEPA review. In July 2026, FWS finalized rules narrowing when areas qualify for critical habitat designation, allowing exclusions based on economic and national security impacts. The agency also eliminated the “blanket rule” option that had automatically extended protections to newly listed threatened species, requiring species-specific rules instead.²⁹ FWS also has accelerated delisting: as of June 2026, the agency had removed 40 species from the endangered and threatened lists due to recovery since 2017, and Interior Secretary Doug Burgum has framed delisting, rather than the addition of new species, as the agency’s primary measure of success.³⁰ Combined with narrower critical habitat designations, this trend could reduce both the number of projects requiring ESA consultation and, by extension, the number requiring NEPA review.

CONCLUSION

Recent court rulings and shifting presidential priorities have driven significant changes to NEPA implementation. Court decisions that invalidated CEQ’s regulatory authority and narrowed the scope of required environmental analysis set the stage for the second Trump administration’s deregulatory agenda, which prioritizes expedited permitting over comprehensive review. The extent to which NEPA’s procedural requirements should mandate comprehensive environmental analysis, including evaluating climate impacts and facilitating robust public participation, versus prioritizing permitting speed

and agency discretion is a question that courts and executive administrations have answered differently over time. Recent court actions underscore the need for clearer congressional direction on these contested issues. Absent congressional action to codify a uniform standard, NEPA implementation will continue to be shaped primarily by individual agencies rather than by government-wide CEQ regulations, leaving considerable room for future administrations to swing implementation toward greater or lesser stringency.

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END NOTES

- ¹ National Environment Policy Act, 42 USC 4331(a) (1970).
- ² National Environment Policy Act, 42 USC 4331(b) (1970).
- ³ National Environmental Policy Act, 42 U.S.C. § 4342.
- ⁴ President Jimmy Carter, “Relating to Protection and Enhancement of Environmental Quality,” Executive Order 11991, *Federal Register*, May 24, 1977, <https://www.federalregister.gov/executive-order/11991>.
- ⁵ Council on Environmental Quality, “Title 40—Protection of Environment, Chapter V—Council on Environmental Quality, National Environmental Policy Act—Regulations,” *Federal Register*, November 29, 1978, <https://ceq.doe.gov/docs/laws-regulations/FR-1978-11-29-43-FR-55978-CEQ-NEPA-Regulations-NOFR.pdf>.
- ⁶ President Bill Clinton, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” *Federal Register*, February 9, 1995, <https://www.federalregister.gov/documents/1995/02/09/95-3256/executive-order-eo-12898-federal-actions-to-address-environmental-justice-in-minority-populations>.
- ⁷ President Barack Obama, “Presidential Memorandum—Speeding Infrastructure Development through More Efficient and Effective Permitting and Environmental Review,” Office of the Press Secretary, White House, August 31, 2011, <https://obamawhitehouse.archives.gov/the-press-office/2011/08/31/presidential-memorandum-speeding-infrastructure-development-through-more>.
- ⁸ Council on Environmental Quality, “Final Guidance for Effective Use of Programmatic NEPA Reviews,” *Federal Register*, December 23, 2014, <https://www.federalregister.gov/documents/2014/12/23/2014-30034/final-guidance-for-effective-use-of-programmatic-nepa-reviews>.
- ⁹ Council on Environmental Quality, “Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Review,” *Federal Register*, August 5, 2016, <https://www.federalregister.gov/documents/2016/08/05/2016-18620/final-guidance-for-federal-departments-and-agencies-on-consideration-of-greenhouse-gas-emissions-and>.
- ¹⁰ President Donald Trump, “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects,” *Federal Register*, August 24, 2017, <https://www.federalregister.gov/documents/2017/08/24/2017-18134/establishing-discipline-and-accountability-in-the-environmental-review-and-permitting-process-for>.
- ¹¹ Council on Environmental Quality, “Withdrawal of Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews,” *Federal Register*, April 5, 2017, <https://www.federalregister.gov/documents/2017/04/05/2017-06770/withdrawal-of-final-guidance-for-federal-departments-and-agencies-on-consideration-of-greenhouse-gas>.
- ¹² Council on Environmental Quality, “Draft National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions,” *Federal Register*, June 26, 2019, <https://www.federalregister.gov/documents/2019/06/26/2019-13576/draft-national-environmental-policy-act-guidance-on-consideration-of-greenhouse-gas-emissions>.
- ¹³ Council on Environmental Quality, “Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act,” *Federal Register*, July 16, 2020, <https://www.federalregister.gov/documents/2020/07/16/2020-15179/update-to-the-regulations-implementing-the-procedural-provisions-of-the-national-environmental>.
- ¹⁴ President Joe Biden, “Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis,” *Federal Register*, January 25, 2021, <https://www.federalregister.gov/>

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- [documents/2021/01/25/2021-01765/protecting-public-health-and-the-environment-and-restoring-science-to-tackle-the-climate-crisis?aff_id=1314](#).
- ¹⁵ Council on Environmental Quality, “National Environmental Policy Act Implementing Regulations Revisions,” *Federal Register*, April, 20, 2022, <https://www.federalregister.gov/documents/2022/04/20/2022-08288/national-environmental-policy-act-implementing-regulations-revisions>.
- ¹⁶ Fiscal Responsibility Act of 2023, Public Law No. 118–5, 137 Stat. 10 (2023).
- ¹⁷ Council on Environmental Quality, “National Environmental Policy Act Implementing Regulations Revisions Phase 2,” *Federal Register*, May 1 2024, <https://www.federalregister.gov/documents/2024/05/01/2024-08792/national-environmental-policy-act-implementing-regulations-revisions-phase-2>.
- ¹⁸ U.S. Court of Appeals for the D.C. Circuit, *Marin Audubon Society v. Federal Aviation Administration*, Docket No. 23–1067, November 12, 2024, <https://media.cadc.uscourts.gov/opinions/docs/2024/11/23-1067-2084381.pdf>.
- ¹⁹ U.S. Supreme Court, *Seven County Infrastructure Coalition et al. v Eagle County, Colorado et al*, Docket No. 23–975, May 29, 2025, https://www.supremecourt.gov/opinions/24pdf/23-975_m648.pdf.
- ²⁰ President Donald Trump, “Unleashing American Energy,” *Federal Register*, January 29, 2025, <https://www.federalregister.gov/documents/2025/01/29/2025-01956/unleashing-american-energy>.
- ²¹ Council on Environmental Quality, “Removal of National Environmental Policy Act Implementing Regulations,” *Federal Register*, February 25, 2025 (interim final rule); Council on Environmental Quality, “Removal of National Environmental Policy Act Implementing Regulations,” *Federal Register*, January 8, 2026 (final rule), <https://www.federalregister.gov/documents/2026/01/08/2026-00178/removal-of-national-environmental-policy-act-implementing-regulations>.
- ²² Council on Environmental Quality, “Notification of Withdrawal of Guidance Documents,” *Federal Register*, June 29, 2026, <https://www.federalregister.gov/documents/2026/06/29/2026-13079/notification-of-withdrawal-of-guidance-documents>; Council on Environmental Quality, “Withdrawal of National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change,” *Federal Register*, May 28, 2025, <https://www.federalregister.gov/documents/2025/05/28/2025-09569/withdrawal-of-national-environmental-policy-act-guidance-on-consideration-of-greenhouse-gas>.
- ²³ Council on Environmental Quality, “Implementation of the National Environmental Policy Act,” memorandum, February 19, 2025; Council on Environmental Quality, “Implementation of the National Environmental Policy Act,” memorandum and agency procedures template, September 29, 2025, notice of availability published in the *Federal Register* on October 2, 2025.
- ²⁴ U.S. Department of the Interior, “Alternative Arrangements for NEPA Compliance Applicable to Fossil Fuel and Critical Mineral Projects,” 2025, issued pursuant to Executive Order No. 14156, “Declaring a National Energy Emergency,” *Federal Register*, January 20, 2025; *State of Washington v. Trump*, No. 2:25-cv-00869 (W.D. Wash., amended complaint filed in January 2026).
- ²⁵ “Implementation of the National Environmental Policy Act,” *Federal Register*, July 7, 2026 (Nuclear Regulatory Commission proposed rule), <https://www.federalregister.gov/documents/2026/07/07/2026-13687/implementation-of-the-national-environmental-policy-act>; Executive Order No. 14300, “Ordering the Reform of the Nuclear Regulatory Commission,” May 23, 2025.
- ²⁶ Environmental and Energy Law Program, Harvard Law School, “NEPA Environmental Review Requirements,” regulatory tracker, last updated on April 9, 2026, <https://eelp.law.harvard.edu/tracker/nepa-environmental-review-requirements/>.
- ²⁷ *Sackett v. Environmental Protection Agency*, 598 U.S. 651 (2023), https://www.supremecourt.gov/opinions/22pdf/21-454_4g15.pdf.

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- ²⁸ U.S. Environmental Protection Agency and U.S. Department of the Army, "Revised Definition of 'Waters of the United States,'" proposed rule, November 17, 2025, <https://www.epa.gov/wotus>.
- ²⁹ U.S. Fish and Wildlife Service, "Trump Administration Finalizes Endangered Species Act Regulation Reform," press release, July 17, 2026, <https://www.fws.gov/press-release/2026-07/trump-administration-finalizes-endangered-species-act-regulation-reform>.
- ³⁰ U.S. Fish and Wildlife Service, "U.S. Fish and Wildlife Service Removes Northeastern Bulrush From Endangered Species List Due to Recovery," press release, June 2026, <https://www.fws.gov/press-release/2026-06/us-fish-and-wildlife-service-removes-northeastern-bulrush-endangered-species>.