



Infrastructure Permitting Reforms Needed for Economic Growth

Digital innovation and the resurgence of American manufacturing are powering economic growth — but both risk stalling without more cost-effective, reliable power. Outdated planning and permitting processes severely restrict new generation and storage capacity, leaving businesses exposed to rising electricity prices and slowing the nation's competitiveness.

Artificial intelligence, advanced robotics, and manufacturing all depend on reliable, affordable electricity. Rising energy costs ripple through supply chains, eroding the competitiveness of American products in global markets.

Moreover, delays in energy infrastructure deployment discourage private investment, as companies hesitate to commit capital to projects that may be stranded by regulatory uncertainty.

The stakes are enormous. Policymakers must act to reform the nation's permitting processes to spur the development of critical generation projects needed to support economic growth.

CEBA's top priority in a permitting agreement is certainty for projects as they enter the process and after permits are issued. Ending the politicization of permit consideration is vital to attracting capital in the U.S. and allowing companies to invest. However, this document focuses only on "traditional" permitting reform.

Modernize the National Environmental Policy Act

In its current application, the National Environmental Policy Act (NEPA) has become a significant obstacle to timely and cost-effective infrastructure development. While the law was originally intended to ensure informed decision-making and environmental protection, the current process is plagued by unpredictability, excessive documentation, and litigation-driven delays.

- **Unsustainable time frames:** Environmental Impact Statements often take four to seven years to complete, leaving developers unable to plan financing, labor, or supply chains with confidence.
- **Compounded economic consequences:** Each year of delay increases costs through inflation, higher interest rates, and lost opportunities, making large-scale projects increasingly difficult to deliver.
- **Strategic risk:** The U.S. risks falling behind global competitors that are streamlining permitting to accelerate clean energy and new transmission capacity to support commercial and industrial projects.

1) Establish Clear Milestones

- **Predictability for developers:** Clear milestones for permitting action within NEPA would provide the certainty developers need. Statutory deadlines, such as requiring

Environmental Assessments to be completed within 180 days and Environmental Impact Statements within one year, would create accountability across agencies and reduce bureaucratic drift.

- **Improved coordination:** Milestones would encourage better collaboration and expectations among federal, state, and local authorities, ensuring that reviews are efficient without sacrificing environmental safeguards.
- **Investor confidence:** Predictable timelines translate into greater certainty for investors, making them more willing to commit capital to projects that otherwise appear risky due to indefinite review periods.

2) Increase Public Transparency

- Agencies should be required to post all incoming permit applications on a dashboard and report their status regularly to Congress.
- Accountability will help better ensure permits are timely and equitably processed.

3) Reform Judicial Review of Permitting Decisions

- **Curbed abuse of litigation:** NEPA lawsuits are frequently used to obstruct projects for strategic or political reasons, rather than to protect the environment. Reforming who has standing to bring lawsuits would reduce burdens on the judicial system and result in fewer frivolous lawsuits.
- **Efficiency gains:** By narrowing the scope of litigation, developers would face fewer frivolous delays and could focus resources on genuine environmental mitigation.
- **Community trust:** Streamlined judicial reviews would still preserve avenues for meaningful public input, ensuring communities feel heard without enabling obstructionist tactics.

Why Permitting Reforms Matter

Ultimately, reforming NEPA to require processing timelines, greater public transparency, and increased scrutiny for judicial review would restore the law's original purpose: balanced, informed decision-making. Developers do not seek to weaken environmental protections; rather, they need a process that is workable, efficient, and predictable.

Economic growth: Without reform, current NEPA processes will continue to delay the scale of infrastructure and energy deployment the U.S. urgently requires.

Energy security: A modernized permitting process would accelerate grid expansion, ensuring reliable power during extreme weather and reducing dependence on volatile fossil fuel markets.

Job creation: Faster project delivery means more construction, manufacturing, and technology jobs, strengthening communities across the country.

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