



**Below is the [opening statement](#) of Chairman Shelley Moore Capito (R-W.Va.) as delivered.**

*“Good morning again, and thank you all for being here. It’s very nice for you to come on such a critical issue to our nation’s future – the need to modernize our federal environmental review and permitting processes – something we’ve talked about endlessly, both to grow our economy and also to improve our environmental stewardship. I’m really excited about this hearing.*

*“Our witnesses will share their valuable perspectives and set the stage for the EPW Committee’s work on this important topic. To ensure we take a holistic view of these issues, we will keep this morning’s hearing record open until March 21, to give all stakeholders the opportunity to share their experiences with the existing environmental review and permitting processes, identify challenges, and then, hopefully, to suggest potential solutions.*

*“For too long, critical projects such as energy and infrastructure projects, along with industrial projects as well, have been trapped in a cycle of redundant reviews, shifting goalposts, and regulatory uncertainty.*

*“In my home state of West Virginia, I’ve seen firsthand how these drive up costs, these delays, not just for the projects, but for the American families who are paying for more energy, housing, and food as a result.*

*“Meanwhile, businesses lack the certainty necessary to make long-term investments, which can mean lost jobs, missed economic opportunities for communities, scarcity, and higher prices across the nation.*

*“It can also mean that projects needed to deploy renewable energies, or to restore the environment, are also stifled.*

*“The framework for our environmental review and permitting processes is grounded in landmark laws under this Committee’s jurisdiction. NEPA requires federal agencies to consider environmental impacts on major federally funded projects or before implementing their project.*

*“Other environmental and resource laws like the Clean Water Act, the Clean Air Act, and the Endangered Species Act rely on permits and operational requirements to ensure that critical projects are able to come to fruition in environmentally responsible ways.*

*“However, years of changes in guidance and regulations from administration to administration and a complex web of judicial rulings have resulted in an ever-expanding hodge-podge of often duplicative and contradictory requirements.*

*“While this confusing and complex body of administrative and common law has grown over the past half century, Congress has not stepped in to provide the holistic clarifications or modernization.*

*“In the absence of congressional action, certain parties have found creative ways to use the judicial process to delay, remand, or strike down projects and raise costs to discourage project sponsors from moving forward.*

*“As a result, environmental review and permitting processes have increased costs and delayed or stopped projects, including projects that would help achieve the goals in our environmental laws.*

*“Last week, the House Transportation and Infrastructure Committee heard testimony from Nucor about how the need to obtain a Clean Water Act permit triggered significant delays based on required reviews under the Endangered Species Act and the National Historic Preservation Act.*

*“These permitting delays nearly thwarted what will be among the most environmentally friendly steel production facilities in the world, and that will employ over a thousand people in Mason County, West Virginia.*

*“It literally took an act of Congress to permit the Mountain Valley Pipeline to move clean natural gas from West Virginia to our southern neighbors...Corridor H and Coalfields Expressway, two top highway priorities for the state of West Virginia that would improve safety and mobility, have both encountered multiple permitting delays under various environmental statutes.*

*“West Virginia water line extensions, broadband projects, bridge replacements, have all faced federal permitting delays, and I’m sure my state is not unique. The problems we will explore today have been brewing for decades.*

*“However, this Congress, we have an opportunity, I think, to deliver meaningful, bipartisan legislation that addresses these problems.*

*“I am committed to working with Ranking Member Whitehouse, our colleagues on the Energy and Natural Resources Committee, and our House committee counterparts to produce a bill with meaningful reforms.*

*“Durable and implementable environmental review and permitting process reform must be bipartisan to be successful. My guiding principles for this effort are straightforward, the legislation that we develop must help all types of projects, not just politically favored projects or projects that will support the infrastructure needs of some Americans but not others. We must provide clarity and transparency in the processes.*

*“Finally, our legislation needs to look at every stage of these processes to find efficiencies while balancing public health, the environment, and the needs of our economy. Let me be clear, modernizing these processes does not mean cutting corners or weakening environmental and public health protections.*

*“It means making the processes more efficient, more predictable, and more transparent so that the processes are not stuck in bureaucratic purgatory or endless litigation.*

*“Hardworking Americans, small businesses, and entrepreneurs want a government that works for them, not one that keeps them waiting for the benefits*

*that many of these projects promise to bring in their communities and household budgets.*

*“So, I look forward to the discussion today, and learning about our witnesses’ experience. I am hopeful that we can hear some consensus on the issues that this committee must focus our attention, so we can develop our legislation.*

*“With that – I look forward to hearing from our witnesses today and beginning the effort together to deliver real solutions for the American people.”*

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