



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Sam Graves
Chair

Rick Larsen
Ranking Member

Jack Ruddy, Staff Director

Atherine W. Dedrick, Democratic Staff Director

February 24, 2025

Robyn Colosimo, P.E.
Senior Official Performing the Duties of the
Assistant Secretary of the Army for Civil Works
Department of the Army
108 Army Pentagon
Washington, DC 20310-0108

Lieutenant General William H. Graham Jr.
Chief of Engineers and Commanding
General
U.S. Army Corps of Engineers
441 G Street NW, Attn: CECS-C
Washington, DC 20314

Dear Ms. Colosimo and Lieutenant General Graham:

We write to express grave concerns about the Trump Administration's actions to undercut the Clean Water Act and remove public scrutiny over the issuance of federal permits designed to protect clean water. Specifically, we oppose efforts to fast-track a wide range of federal permits allegedly related to the national energy emergency that President Trump declared in Executive Order 14156 ("Emergency Declaration").

First, we reject the premise that there is an energy emergency. According to the U.S. Energy Information Administration, the United States is producing record quantities of crude oil and natural gas to a level where the United States is currently the world's largest exporter of liquefied natural gas, exports millions of barrels a day of crude oil, and has been a net energy exporter since 2019.¹ Gas prices have now fallen for three consecutive years, and the only signal of potential increases in the price of gas—ranging from 30 to 70 cents per gallon—come from the President's threatened use of tariffs for energy imports.² In addition, according to the *Wall Street Journal*, oil and natural gas companies say they will not increase output in response to the President Trump's Emergency Declaration because it is not economical to do so.³

Second, in the event of a true emergency, existing U.S. Army Corps of Engineers ("Corps") regulations allow for special processing procedures in a situation which "would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures."⁴ These authorities are utilized by the

¹ <https://www.eia.gov/outlooks/steo/data/browser/>

² <https://www.nationalreview.com/2025/02/trumps-tariffs-would-prime-prices-at-the-gas-pump/>

³ <https://www.wsj.com/business/energy-oil/trump-oil-drilling-saudi-arabia-71c095ff>.

⁴ See. 33 CFR 325.2(e)(4).

Corps in response to natural disasters, such as coastal and inland flooding events, where immediate actions are required to protect human life or prevent significant property damage.

The Emergency Declaration issued by this Administration instead broadly directs the Corps to “identify planned or potential actions to facilitate the Nation’s energy supply that may be subject to emergency treatment,” including existing federal Clean Water Act permit applications.

The Corps has taken this broad directive to provide fast track authority to projects that do not appear to address energy supply at all.⁵ Based on internal review of information briefly posted on the Corps’ website, the list of impacted projects includes:

- A permit related to the Rock and Roll Hall of Fame in Cleveland, Ohio (LRB-2023-01000).
- A permit related to the construction of a gated community (Windson North Village) in Vero Beach, Florida (SAJ-2024-02385).
- A permit related to housing construction (West Coyote Hills Project) in Fullerton, California, on land owned by a subsidiary of Chevron (SPL-2019-00531).
- A permit related to the construction of a controversial artificial intelligence center in Genessee County, New York (LRB-2021-01569).
- A permit related to a housing development (Longview at Radisson) in Radisson, New York (LRB-2011-01347).
- Two permits related to the expansion of local construction businesses in North Carolina (SAW-2024-01100; SAW-2024-01907), and
- Several permits related to road construction, drinking or wastewater distribution, and streambank stabilization projects with no apparent energy nexus.

Further, most projects listed seem to be pursuing their permit request under an existing Clean Water Act nationwide permit. Nationwide permits are for projects “that have only minimal individual and cumulative adverse environmental effects” and already possess established expedited review and approval processes.⁶ Further “expediting” of such projects points to an intent to explicitly skirt other federal laws and requirements.

Equally concerning is the desire demonstrated by this Administration to sow chaos and carry out its actions in the dark. In this instance, the list of projects initially identified by the Corps as being eligible for the Emergency Declaration procedures was removed from the Corps’ website as soon as media coverage questioned the rationale for numerous permit designations.⁷

It is unlawful for the administration to execute any law in any manner that is inconsistent with the terms of the statute, including implementation of the law based on the President’s own political philosophies or to unlawfully reward special interests aligned with the President. We will not stand by and surrender

⁵ See e.g., <https://www.nytimes.com/2025/02/19/climate/army-corps-engineers-fossil-fuel-permits.html>

⁶ <https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll7/id/19764>

⁷ <https://permits.ops.usace.army.mil/orm-public#>; See e.g.,

<https://subscriber.politicopro.com/article/eenews/2025/02/19/army-corps-picks-energy-projects-for-quick-permits-00204966>;
see also <https://www.reuters.com/world/us/us-army-corps-revising-list-energy-emergency-projects-fast-track-2025-02-20/>

the health of our nation's waters to this Administration's whims and wild misgivings about what is and is not permitted without Congressional support.

In light of these concerns, and in furtherance of our Congressional oversight of Clean Water Act programs, we ask that you respond immediately to the following requests for information:

- Please provide copies of any technical documents, guidance documents, written instructions, talking points, memoranda of understanding, or memoranda of agreement developed by or shared with the Corps of Engineers or the Office of the Assistant Secretary of the Army (Civil Works) referring to or relating to the implementation of Executive Order 14156, including the "emergency Army Corps permitting provisions" referenced in the Executive Order.
- Please provide copies of any emergency procedures established by the Office of the Assistant Secretary of the Army (Civil Works), Corps Headquarters, or any Corps Division or District referring to or related to the Executive Order.
- Please provide a list of any Clean Water Act permit applications identified as related to or potentially covered by the Executive Order, including the date the permit application was received, and the rationale for how the project is related to or potentially covered by the Executive Order.
- Please provide specific details on how implementation of the Executive Order will affect the permit review process for each of the projects referenced above.
- Please identify the legally required public notice for each permit reviewed under the Clean Water Act and this Executive Order, including specific details related to the permit application, the public comments received on the permit, the resolution of the permit application, and the timelines related to permit processing.

We request written responses to this letter as soon as possible, but no later than March 7, 2025.

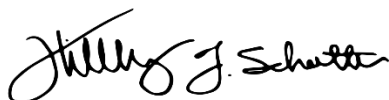
Sincerely,



Rick Larsen
Ranking Member
Committee on Transportation
and Infrastructure



Frederica S. Wilson
Ranking Member
Subcommittee on Water Resources
and Environment



Hillary Scholten
Vice Ranking Member
Subcommittee on Water Resources
and Environment