



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Washington, D.C. 20240

National Policy Memorandum

Office of Trust Services

Division of Environmental Services and Cultural Resources Management

Number: NPM-TRUS-51 A1

Effective: 10/13/2026

Expires: 10/13/2027

Title: Guidance on National Environmental Policy Act (NEPA) Actions Relating to Wind and Solar Projects – Amendment 1

1. Purpose

This memorandum establishes the Bureau of Indian Affairs' (BIA) policy framework based on the Department of Interior's (DOI's) regulations regarding NEPA actions related to wind and solar projects and related actions, which is consistent with applicable Executive Orders (EOs) and Secretary's Orders (SOs)¹, directing that all decisions, actions, consultations, and other undertakings related to wind and solar energy development, will undergo a review process. This memorandum amends and supersedes NPM-TRUS-51, "Guidance on NEPA Routing Framework Relating to Wind and Solar Projects," issued on July 29, 2026.

2. Scope

This policy applies to all BIA programs and employees involved in the NEPA analysis, process, and review for wind and solar energy development and any related actions. This policy may also apply to entities carrying out activities on behalf of BIA under contracts or other agreements if expressly agreed to in the contracts or agreements, or if the requirement to abide by such policy is otherwise required by law. These entities may include contractors or Tribes operating through contracts issued pursuant to Public Law (P.L.) 93-638 and P.L. 103-413.

3. Policy and Procedure

It is Indian Affairs' (IA) policy that any NEPA decisions, actions, consultations, and other undertakings related to wind and solar energy development will be reviewed, as required by the

¹ Executive Order 14156, entitled "[Declaring a National Energy Emergency](#);" Executive Order 14315, entitled "[Ending Market Distorting Subsidies for Unreliable, Foreign-Controlled Energy Sources](#);" and Secretarial Order 3437, entitled "[Ending Preferential Treatment for Unreliable, Foreign-Controlled Energy Sources in Department Decision Making](#)."

July 15, 2025 [memorandum](#), directing that all renewable energy projects will undergo an elevated review process by the DOI Office of the Deputy Secretary and for final review by the Office of the Secretary.

Effective immediately, regions must complete and submit a one-page briefing summarizing the review request (see required content below) to the IESC at: WindSolarReview@bia.gov.

The BIA Region's one-page briefing must include:

1. Project proponent;
2. Brief project description;
3. Summary of the federal actions being requested;
4. Request for Departmental Review Project timeline;
5. Project viability (if known);
6. NEPA documentation or actions taken to date;
7. Compliance with other Statutes such as NHPA (Section 106) and ESA (if available);
8. Any potential legal or financial risks or impacts; and
9. Any other pertinent information, such as, if the project is a covered project under Title 41 of the Fixing America's Surface Transportation Act (FAST-41), and any required concurrent reviews (*e.g.*, FAST-41 Initiation Notices which by statute require a 14-day response).

Once the one-page briefing is submitted to IESC, the appropriate Submitter (or NEPA Coordinator) must enter the proposed project details into NEPA Tracker within 30 days, as specified in the BIA memorandum, "[Mandatory Use of NEPA Tracker 2.0](#)," issued on July 22, 2025. Note that the "NEPA Complete" and "Level of NEPA Review" fields must be marked as "Pending" until IESC has reviewed and approved the request. The development of the one-page briefing will initiate the tracking of costs as specified in [SO 3449](#), "Reinstating and Updating Public Notice of the Costs Associated with Developing [DOI] Publications and Similar Documents."

For NEPA analyses that are at a decision point (as indicated below), before a decision is issued, the Regional Director (RD) will submit a recommendation to the DBIA, AS-IA, and SOL through the Data Tracking System (DTS). DTS submissions must follow the process outlined in the [memorandum](#) dated January 30, 2026, issued by the Director, Office of the Executive Secretariat and Regulatory Affairs.

Once the DBIA, AS-IA, and SOL surname the recommendation, the DTS package will be routed to the Office of the Secretary for review as described in the July 15, 2025, memorandum. A list of actions and undertakings can be found in the July 15, 2025, memorandum.

NEPA Decision points:

- Categorical Exclusion -- when it's ready for action by the Responsible Official.
- Environmental Assessment -- when the Finding of No Significant Impact is ready to be issued.
- Environmental Impact Statement -- prior to the Notice of Intent and submission to the Federal Register.

For Environmental Impact Statements that are already in process, extension requests must be submitted to the DBIA who will then coordinate with the AS-IA to determine whether to advance the deadline extension request to the DOI Office of Environmental Policy and Compliance (OEPC) for Departmental coordination. If the deadline extension request is approved to move forward, the DBIA will notify the region that they may submit the extension request to Central Office, Office of Trust Services, Branch of Environmental Services (BES). BES will then submit the extension request to OEPC for Departmental review and approval or denial. Deadline extension requests should incorporate the time needed to receive the approval from DBIA, AS-IA and the Department within the proposed deadline extension timeline.

4. Roles and Responsibilities

- A. **Secretary, Department of the Interior (DOI)** is responsible for the final review of any projects submitted through BIA; Pursuant to 209 DM 8, the Secretary may delegate the responsibility to the Assistant Secretary-Indian Affairs.
- B. **Office of the Deputy Secretary (DEPSEC)** is responsible for performing a review of all projects submitted for review.
- C. **Assistant Secretary - Indian Affairs (AS-IA)** is responsible for consulting with the Office of the Solicitor, as appropriate, and ensuring the Departments priorities and directives are implemented and executed. The AS-IA is authorized to exercise and/or delegate authorities specified within the Departmental Manual - Delegation of Authority for the Secretary of the Interior.
- D. **Director, Bureau of Indian Affairs (DBIA)** is responsible for ensuring that appropriate organizational arrangements, resources, and personnel are available to implement and maintain the BIA Office of Trust Services and Office of Field Operations.
- E. **Deputy Bureau Directors (DBD), Field Operations, BIA** is responsible for executive leadership, oversight, direction, and monitoring of the Regional Directors (RDs) and is responsible for disseminating policy directives and ensuring regional offices are held accountable for successful implementation, in alignment with the agency's trust responsibility.
- F. **Deputy Bureau Director (DBD), Office of Trust Services (OTS), BIA** is responsible for creating policy, ensuring that statutory and/or regulatory timetables for business, wind and solar, and that guidance and training is provided to regional and agency staff tasked with processing NEPA for wind and solar projects.

- G. Division Chief, DESC RM, OTS** is responsible for establishing BIA's NEPA policies, guidance, and standards for complying with statutory and regulatory requirements; providing environmental services, technical assistance, and training to BIA regions and agencies, as appropriate; and assisting in the development and dissemination of trust resource policy to the RDs.
- H. Indian Energy Service Center (IESC)** is responsible for receipt of all wind and solar lease requests for BIA, establishing policy and guidance development and ensuring compliance with all applicable Indian energy, minerals and energy regulations, requirements, and standards, and to promote sustainable practices to carry out the trust mission of Indian Affairs for Tribes, and trust beneficiaries and owners.
- I. Regional Directors, BIA** serve as the Senior Accountable Official for the realty, wind and solar leasing program in their respective regions and are responsible for approving or disapproving business lease applications and reviewing and deciding on any appeals for denials of business leases by Agency Superintendents. They are also responsible for approving or disapproving leases; interacting with federal and Tribal governments; ensuring their respective regions meets business lease document processing deadlines; requiring accountability from regional and agency managers in their respective regions.

5. Approval



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10/13/26

Bryan K. Mercier
Director, Bureau of Indian Affairs

Date