



*Implementing Executive Order 13604 on  
Improving Performance of Federal Permitting  
and Review of Infrastructure Projects:*

**A Federal Plan for Modernizing the Federal  
Permitting and Review Process for Better  
Projects, Improved Environmental and  
Community Outcomes, and Quicker Decisions**

JUNE 2012







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President Obama has made building a 21<sup>st</sup> Century infrastructure a priority for his Administration. Rebuilding and modernizing America's infrastructure creates jobs and puts people back to work creating the safe, reliable, and resilient roads, bridges, railways, airports, ports and waterways, transit systems, broadband internet, and energy infrastructure that are imperative to maintaining our Nation's competitive edge in a global economy. Innovations such as the Department of Transportation's competitive TIGER grants funding the construction of road, rail, transit, and port projects around the country; the Department of the Interior's fast-track permitting of 30 new large-scale renewable energy installations on Federal lands; and the use of early coordination and innovative partnerships that could shave 2-3 years off the schedule to replace the Tappan Zee Bridge demonstrate how the Federal agencies have responded with pilot programs and sector-specific initiatives to accelerate infrastructure projects.

Fulfilling a commitment he made in his 2012 State of the Union Address, President Obama signed an Executive Order directing Federal agencies to scale up these efforts through a White House-led initiative spearheaded by the Office of Management and Budget. The mandate from the President is to institutionalize best practices, reduce the amount of time required to make permitting and review decisions, and improve environmental and community outcomes—implementing the recommendations of his Council on Jobs and Competitiveness to improve the performance of the Federal permit decision-making and review process.

Since that time, Federal agencies have engaged in an intensive interagency initiative to scale up and institutionalize their efforts to modernize and transform how the Federal government fulfills its responsibilities in order to improve the efficiency of the Federal permitting and review process. The results will improve timelines for permit decision-making and review and foster better outcomes for the environment and the affected communities that agencies are responsible for protecting. Furthermore, the initiative recognizes that Federal agencies share this responsibility with Tribal, State, and local governments, project sponsors, and other stakeholders with vital roles in permit decision-making and reviews of infrastructure projects. Implementation of the best practices and specific and measurable actions described in detail in the pages that follow will create a more transparent, more predictable, and better performing process that will maintain the confidence of stakeholders, improve engagement with project sponsors, and reduce timelines while protecting the public's health and safety, our security, and the environment.

# Executive Summary

This Federal Plan describes the Obama Administration's government-wide initiative to modernize the Federal permitting and review process to achieve better projects, improved environmental and community outcomes, and shorter decision-making and review timelines for infrastructure projects. It encompasses interagency process innovations essential to effective review of complex projects, improved coordination with other governmental jurisdictions and stakeholders that may have vital roles, and mechanisms to bring greater transparency and accountability to routine federal permitting decisions.

This Plan has two overarching goals:

***More efficient and effective review of proposed large-scale and complex infrastructure projects, resulting in better projects, improved outcomes for communities, and faster permit decision-making and review timelines, including:***

- By June 30, 2012, setting aggressive permit decision-making and review schedules for Nationally or Regionally Significant Projects that demonstrate how the best practices and innovative processes identified in this Plan can improve performance; and
- Assessing implementation of the Federal Plan annually, including the extent to which its implementation leads to more expeditious reviews, improved projects, and enhanced community and environmental outcomes.

***Transparency, predictability, accountability, and continuous improvement of routine infrastructure permitting and reviews, including:***

- Benchmarking, tracking, and reporting on consistency with published timelines for all major permitting and review processes related to infrastructure projects;
- Reviewing, updating, and improving timelines and processes annually to reflect continuous improvement; and
- Reporting annually on performance, including any causes for delay.

This initiative builds on a series of pilot projects and sector-specific efforts, as well as the implementation of President Obama's Memorandum of August 2011 that expedited the review of 14 high priority, job-creating infrastructure projects that are tracked on the Federal Infrastructure Permitting Dashboard (Dashboard). Best practices learned from these initiatives include engaging in early coordination across Federal agencies and with Tribal, State, and local governments and public stakeholders; conducting concurrent instead of sequential reviews; setting and maintaining schedules; leveraging technology; and implementing pre-application processes that increase the clarity and predictability of permitting and review requirements and timelines. Brief descriptions of and links to additional information about these best practices are included in Appendix A.

## List of Best Practices included in Appendix A

### Interagency Agreements and Coordination

- FHWA/USACE/EPA/USFWS NEPA/Section 404 Synchronization agreements
- Regional implementation of the Partnership for Sustainable Communities
- Eco-Logical
- FHWA's Everyday Counts Initiative
- DOI's Smart from the Start Program for Renewable Energy
- Compensatory Mitigation for Losses of Aquatic Resources Final Rule
- Department of Defense Siting Clearinghouse

### Cost Recovery Tools

- SAFETEA-LU 6002
- Forest Service Cost Recovery Agreement

### Use of Mapping Technology and Other Planning Tools

- Identification of Wind Energy Areas
- Multipurpose Marine Cadastre
- NEPAassist Tool
- USFWS IPaC Tool

### Pre-Application/Application Improvements

- DOI Implementation of uniform, online applications for oil and gas permits
- USDA/DOI/DOT Common Application form SF-299 for Transportation and Utility Systems and Facilities on Federal Lands
- FERC pre-application processes
- US Forest Service directives for wind projects
- Regional Mitigation Plans

### Outreach and Education

- DOE Request for Interest on development of transmission permitting process
- Transportation for Communities – Advancing Projects through Partnerships (TCAPP)
- Tribal Energy and Environmental Information Clearinghouse
- Best Practices for Stakeholder Engagement

Grounded in the requirements of Executive Order 13604, this effort has four major components:

- A *Federal Plan* and individual *Agency Plans* that commit to specific actions to improve the infrastructure permitting and review process with clear timelines for implementation;
- The selection of *Nationally or Regionally Significant Projects* to be posted on the Dashboard which will utilize the best practices and strategies identified in the Federal and Agency Plans;

- An expanded online *Dashboard* to support effective interagency and intergovernmental coordination and publicly and transparently display both general Federal permitting and review information and the specific schedules and statuses of Nationally or Regionally Significant Projects; and
- *Performance metrics and reporting* to assess progress, ensure accountability, and drive continuous improvement.

## Management Structure

The Federal Chief Performance Officer (CPO) at the Office of Management and Budget (OMB) oversees the implementation of Executive Order 13604 on Improving Performance of Federal Permitting and Review of Infrastructure Projects. The CPO also chairs the interagency Steering Committee on Federal Infrastructure Permitting and Review Process Improvement (Steering Committee) established under the Executive Order in consultation with the Chair of the Council on Environmental Quality. The Steering Committee has developed and agreed upon this Federal Plan. These efforts have been informed by existing, specific interagency efforts such as the sector-specific interagency rapid response teams that have been convened to coordinate reviews and program-level improvements for transmission, transportation, and renewable energy projects. These interagency groups will also be engaged in implementation of this Plan where their focus and expertise is aligned.

### Steering Committee Member Agencies

Chair, Federal Chief Performance Officer, Office of Management and Budget (OMB) in consultation with the White House Council on Environmental Quality (CEQ)

- Department of Defense (DOD)
- Department of the Interior (DOI)
- Department of Agriculture (USDA)
- Department of Commerce (DOC)
- Department of Transportation (DOT)
- Department of Energy (DOE)
- Department of Homeland Security (DHS)
- Environmental Protection Agency (EPA)
- Advisory Council on Historic Preservation (ACHP)
- Department of the Army
- The Udall Foundation

## Background

Federal agency permitting and review responsibilities seek to ensure that a project’s potential impacts on safety, security, and environmental and community resources such as air, water, land, and historical and cultural resources are considered and minimized, as required by law, throughout the planning process. They also seek to assure that low-income and minority communities do not bear a disproportionate share of these impacts. These permitting and review responsibilities have been authorized and assigned by Congress to multiple Federal agencies, and are aimed at ensuring that approved projects avoid, minimize, and then otherwise mitigate, as appropriate, any detrimental impacts so that completed projects deliver the best outcomes possible for the project applicant, impacted communities, and the environment. Particularly for large and complex infrastructure projects, the interplay among the diverse and often divergent sets of statutorily-defined agency permit and decision-making responsibilities can lead to friction. When identified early, potential conflicts can be addressed through effective interagency coordination.

Federal agencies are not the only governmental entities with permitting and review responsibilities for infrastructure projects. Multiple Tribal, State, and local governments may also have key decision-making responsibilities for a given infrastructure project—particularly for long, linear projects like roads, pipelines, and transmission lines. These Tribal, State, and local permitting and review processes can also create delays and impact Federal decision-making timelines. It is imperative that Federal agencies coordinate early and continuously with other governmental jurisdictions in order to work efficiently and minimize duplication and delays.

Affected residential communities, nonprofit advocates, and other stakeholders are also engaged in permitting and review decisions through statutory and regulatory requirements that provide stakeholders with specific opportunities to raise issues. A successful plan to create a more efficient permit decision making process with predictable timelines and to improve transparency and outcomes must therefore include early stakeholder engagement opportunities and issue resolution processes to inform the project and reduce litigation potential

Finally, project sponsors play a crucial role in reducing timelines and improving outcomes. In particular, early project sponsor work to properly site projects with lower impacts and culturally sensitive designs will result in fewer conflicts and delays in later stages of project development. In addition to their role in providing timely information such as engineering plans and environmental studies rooted in the best available science, sponsors are also responsible for providing reasonable assurance of the project’s financial viability.

## Major Plan Components

This effort includes four components for achieving smart, on-time, and more efficient permitting and review decisions with better outcomes for communities and the environment: (1) A Federal Plan with subsequent Agency Plans; (2) a set of Nationally or Regionally Significant Projects; (3) an enhanced Federal Infrastructure Permitting Dashboard; and (4) performance metrics and reporting to support accountability and continuous improvement.

These components integrate the following activities, which have been identified through ongoing pilot projects and sector-specific initiatives as successful best practices:

- Public timelines for all major Federal permitting and review processes related to infrastructure projects;
- Early collaboration among Federal agencies and with Tribal, State, and local governments;
- Early and regular communication with project sponsors and stakeholders;
- Concurrent, coordinated, and collaborative—rather than isolated and sequential—reviews across Federal agencies and with Tribal, State and local governments where feasible and appropriate;
- Integrated Project Plans for Nationally or Regionally Significant Projects outlining early agreements by Federal agencies and project sponsors on target timelines for required permits and approvals, including how the mitigation hierarchy and regional environmental objectives will be incorporated into project design, a dispute resolution process that is integrated into the project planning process, and a public outreach plan; and
- Public display of target schedules for Nationally or Regionally Significant Projects on the Dashboard, including key milestones agreed upon by all relevant governmental agencies.

## **Federal Plan and Agency Plans**

The Federal Plan describes government-wide actions that will be taken to improve Federal permit decision-making and review processes for infrastructure projects, including best practices to institutionalize across government. Individual Agency Plans, to be completed by July 31, 2012, and subsequently published on the Dashboard, will describe how each agency will implement these actions as appropriate to its individual responsibilities and include additional specific steps to improve the Agency's internal processes and metrics for tracking performance.

## **Nationally or Regionally Significant Projects**

The Member Agencies of the Steering Committee are responsible for collaboratively identifying and tracking on the Dashboard Nationally or Regionally Significant infrastructure projects through which to test and demonstrate innovations, improvements, and best practices. The initial list of these Nationally or Regionally Significant Projects will include regionally diverse projects ranging from aviation and surface transportation to ecosystem restoration projects that support the green infrastructure critical to regional economic vitality and resilience. This initial list is not intended to be exhaustive or static. Member Agencies will review the list not less than every six months, amending and adding to it as appropriate.

## **Federal Infrastructure Permitting Dashboard**

The enhanced Dashboard will be a tool for interagency collaboration as well as public transparency. It will facilitate the interagency coordination essential to efficient, environmentally-sound, and informed determinations on permits and reviews; the establishment and management of permit and review



schedules; and public display of schedules for Nationally or Regionally Significant Projects. The technology will create a shared business process and workspace among agencies and across jurisdictions, providing agencies an opportunity to coordinate across their diverse objectives and overlapping permit decision-making and review responsibilities to improve performance and reduce delays and duplication. Equally critical, providing comprehensive information to the public through the Dashboard early in the project development process will help to institutionalize early coordination, collaboration, and transparency as standard business practices.

## **Performance Measurement and Reporting**

The Federal CPO is responsible for setting metrics and reporting annually on agency progress towards meeting the goals set out in both the Federal Plan and the Agency Plans. The first such Report to the President is due on January 31, 2013, with annual reports thereafter. Agencies are responsible for providing data on their performance metrics every six months so that the Federal CPO can assess progress.

# FEDERAL ACTION PLAN

## Federal Plan Action Items

### Actions

#### Improve Coordination within and among Federal Agencies, and with Tribal, State, and local governments

Scan for opportunities to reduce duplication within the agency, with other Federal agencies, and with other governments

Identify best practices for interagency agreements

Assign a coordinating agency for each Nationally or Regionally Significant Project

Develop Integrated Project Plan guidance and develop Integrated Project Plans for Nationally or Regionally Significant Projects

Inventory and publish relevant authorities for "Share in Cost" programs

Establish regional rapid response teams

Identify opportunities to improve mitigation processes

#### Clarify and Refine the Application Process for Project Sponsors

Identify and report all major permitting and review responsibilities related to infrastructure projects along with estimated timelines

Improve transparency of the Federal infrastructure application process

Encourage early consultation with project sponsors

Inventory non-electronic permit applications

Provide recommendations for developing a one-stop-shop for online Federal infrastructure permit applications

Submit a plan and schedule for a transmission application tool-kit

Submit a plan and schedule for a renewable energy development application tool-kit

Complete an assessment of the benefits of additional sector specific application tool-kits

Identify and publish data such as geographic information that can inform better project siting and design decisions

#### Expand Stakeholder Engagement and Information Outreach

Develop strategies to identify issues early and proactively address conflicts

Develop and implement a stakeholder survey process

Expand educational outreach tools

Improve Transparency of Federal infrastructure permitting roles

#### Track and Report on Implementation and Performance

Report to CPO on milestone achievement and on-time completion of federal permitting and reviews for Nationally or Regionally Significant Projects

Conduct qualitative assessment of project outcomes of Nationally or Regionally Significant Projects

Report to CPO on on-time completion of items in each Agency Plan

Develop estimated timelines for major infrastructure permitting and review processes, and track and report on actual performance and causes for delay

Issue report summarizing results of stakeholder survey processes

## Improving Coordination within and among Federal agencies, and with Tribal, State, and local Governments

**Action:** Each Federal agency will complete an internal scan to identify opportunities within the agency's individual control to create or update processes, policy documents, regulations, or guidance to better facilitate the goals of this Plan, including opportunities to improve coordination internally as well as with other Federal agencies and with Tribal, State, and local governments. Agencies should include efforts to reduce duplication and eliminate unnecessary sequencing of reviews within the agency as well as with other Federal agency processes.

**Implemented by:** Federal agencies will identify opportunities in their individual Agency Plans and report on progress annually.

In many cases, one Federal Agency may have the responsibility for a permitting decision, but multiple Federal Agencies may be involved in the review process associated with a permit decision, or may have related permit decisions of their own. Coordination of the overall effort is essential for complex decisions to minimize potential delays.

Additional opportunities may also exist for better coordination and alignment with Tribal, State, or local government permit decision-making and review processes, although such opportunities will vary based on the laws of each jurisdiction. For example, the U.S. Army Corps of Engineers (Army Corps) coordinates applications for permits at the District level with State agencies so project applicants can submit a single set of information for both State and Federal permits. Moreover, several states have environmental impact assessment requirements that, although different from NEPA, may have aspects that can be aligned with Federal NEPA reviews. CEQ regulations state that Federal agencies "shall cooperate with State and local agencies to the fullest extent possible to reduce duplication between NEPA and State and local requirements," and this practice can be expanded to improve overall performance.

**Action:** Assess and align interagency agreements or other best practices that address program-level coordination between and among Federal agencies for permit decision-making and review processes in order to reduce duplication and improve community and environmental outcomes.

**Implemented by:** Agencies will include such best practices or plans to develop them in their individual Agency Plans and report on progress annually.

Interagency agreements and other best practices that merge different agency processes can be established to improve processes for handling routine requirements for commonly encountered project types. Agreements that merge certain aspects of permit evaluation and review processes can provide a level of process certainty to projects that would not otherwise exist. It is important to note, however, that overuse or poor structuring of these types of interagency agreements can slow down decisions by introducing an excessive number of points of concurrence required between two or more agencies. This can be avoided by using mergers judiciously for complex projects that would benefit from a formal agreement and by modeling new merger agreements on successful templates, with the goal of driving results rather than simply following a process. A leading example of an effective interagency agreement of this type is the 404/NEPA integration agreement between the Army Corps and the Department of

Transportation's Federal Highways for Department of Army permits (Sections 10 and 404), which has reduced permit evaluation and review timelines while improving environmental outcomes.

Additionally, interagency agreements that outline typical permit conditions for routine actions can create efficiencies in the permitting and review processes by providing parameters for program level approvals of proposed actions. These agreements can reduce the burden on resource agency staff of performing routine, low-complexity reviews, freeing staff time to work on more challenging, complex projects.

**Action:** Assign a Coordinating Agency for each Nationally or Regionally Significant project, affirmed by the Steering Committee.

**Implemented by:** All Nationally or Regionally Significant projects will have a Coordinating Agency assigned at the time they are publicly posted on the Dashboard.

Nationally or Regionally Significant infrastructure projects involve multiple Federal agencies and often cross multiple Tribal, State, and local jurisdictions. From a Federal agency perspective, it is critical to identify a single Coordinating Agency responsible for convening and managing the project team's overall permit evaluation and review schedule. The Member Agencies of the Steering Committee will affirm the Coordinating agency for each project, which may be the same as the project's NEPA "lead agency" or the sponsoring agency if it is a Federal project, or may be otherwise assigned as appropriate.

**Action:** Develop an Integrated Project Plan (IPP) template to be issued as guidance by OMB. This IPP guidance will provide a framework for the early coordination and collaboration necessary to successfully develop and deliver permitting and reviews for Nationally or Regionally Significant Projects, should be used to populate information onto the Dashboard, and serve as a foundation for management of future projects that require interagency coordination.

**Implemented by:** The Federal CPO will issue draft guidance on the IPP template by June 15, 2012.

Early, targeted, and collaborative efforts by agencies and project sponsors to develop IPPs are essential to developing a process that results in more efficient reviews with better environmental and community outcomes. IPPs will establish the roles and responsibilities of agencies involved in reviewing a particular project, and create a consensus project review schedule that can be posted on the Dashboard to provide transparency and accountability. Investing this time at the beginning of project planning facilitates more informed project development and design decisions, can help ensure more complete reviews and applications by the project sponsors/applicants, and will result in more efficient processes.

The IPP will serve as an early project roadmap to help guide project development and is intended to outline the requirements for all mandatory reviews and permit decisions, including public and stakeholder engagement. Information collaboratively developed and collected in the development of the IPP can result in a better project, including more comprehensive and holistic mitigation plans that support regional environmental objectives and planning. An IPP may inform siting decisions, influence the range of "reasonable alternatives" necessary for NEPA analysis, and identify resource or community concerns early in the process. As such, the IPP can provide opportunities for early concurrence on critical points during the review process and avoid conflicts that could cause delays if they arose later in the review process.

The Coordinating Agency will have the responsibility for taking the lead in developing the IPP for Nationally or Regionally Significant Projects, but any lead agency can develop an IPP for other infrastructure projects. The IPP is a collaborative effort, requiring full engagement by a project team with representatives from each of the Federal agencies involved in reviewing a project as well as the project sponsor and Tribal, State, and local government representatives when appropriate. The level of involvement of agency stakeholders in creating the IPP will depend in part on the project type, scope, scale, and stage of development.

**Action:** Utilize “share in cost” or similar programs, where available, that enable agencies to recover permit evaluation and review costs.

**Implemented by:** Agencies will inventory and report on relevant “share in cost” authorities in their Agency Plans. Agencies will coordinate to determine how existing “share in cost” or other funding programs can be best leveraged to improve performance through existing sector-specific rapid response teams, and report on specific implementation to the Federal CPO as part of each agency’s annual reporting requirement.

“Share in cost” programs that allow agencies to recover costs associated with permit evaluation and review responsibilities, build agency capacity through third-party support, or fund sector-specific liaisons through the support of other government agencies can enable agencies to implement process innovations that improve performance.

**Action:** Convene regional interagency Rapid Response Teams (RRTs) to facilitate regional coordination.

**Implemented by:** The member agencies of the Steering Committee will recommend an approach to convening regional RRTs, incorporating existing local and regional coordination efforts already in place, to the Federal CPO by August 31, 2012.

Creating regional RRTs, coordinated with headquarters components, will foster interagency collaboration, and promote early issue identification and resolution at a level where permitting decisions are often made.

**Action:** Identify opportunities to integrate intra- and inter-agency mitigation processes to expedite project reviews and encourage large-scale—watershed, regional or landscape-level—mitigation planning, where appropriate and feasible.

**Implemented by:** Agencies shall identify in their Agency Plans mitigation regulations, policy, or guidance documents that foster or hinder inter-agency collaboration on mitigation and allow, or limit, large-scale mitigation opportunities.

Because major infrastructure projects can have a significant footprint, the identification of appropriate environmental mitigation requirements can be an important element of a successful permitting strategy. Different statutory mandates and authorities for different agencies contribute to wide variation in agencies’ overall approaches to mitigation. Mitigation is often addressed at the end of project development, using a project-by-project, agency-by-agency approach that can lead to inefficiencies in the permitting and review processes and missed opportunities to identify unified, watershed- or ecosystem-level, and more ecologically-effective mitigation options. To address this inefficiency, Agency

Plans shall identify opportunities to update, or create policy or guidance documents to (1) reinforce the mitigation hierarchy for project development (avoid, minimize, rectify, reduce/repair over time, compensate); and (2) unify intra-agency mitigation processes and requirements across regions and offices and more efficiently and effectively deploy mitigation practices, such as mitigation banks. By using best practices such as the *principles* established in the Bureau of Land Management's work to designate Solar Energy Zones (see Appendix A) as a model agencies can work with stakeholders and the scientific community where appropriate, to identify larger-scale mitigation opportunities in major infrastructure projects and ensure the development and implementation of more meaningful mitigation planning on a regional, watershed, or landscape level.

## Improving Transparency and Predictability of the Application Process for Project Sponsors

**Action:** Each agency will identify and publish online its major permit decision-making and review responsibilities, with associated estimated timelines.

**Implemented by:** Estimated baseline processing timelines will be reported by July 31, 2012, along with required Agency Plans. The estimated timelines will be reviewed and revised, and agencies will set target timelines, by December 31, 2012, and annually thereafter to encourage continuous improvement. A user-friendly library of the major types of permitting and review responsibilities related to infrastructure projects will be published on the Dashboard.

Improving the transparency and predictability of timelines for project sponsors and other stakeholders requires established and publicly accessible timelines for Federal permitting and review responsibilities. Public timelines ensure accountability and serve as building blocks for the creation of additional tools to improve the permit decision-making and review processes.

**Action:** Assure that clear descriptions of the application processes for all major Federal permitting and review processes for infrastructure projects are publically available, including a list of all information needed for an application to be deemed complete and a clear description of when the permitting and review process begins.

**Implemented by:** Where this best practice is not already in place, agencies will identify opportunities to do so in their individual Agency Plans and report on progress annually. For transmission and renewable energy projects, agencies shall coordinate with the existing transmission and renewable rapid response teams so that this information can be easily included in the application tool kits described below.

Application processes set expectations and give project sponsors clarity and predictability about the information required for agencies to make permitting and review decisions and when the permitting and review timelines begin and end.

**Action:** Encourage the use of early consultation with project sponsors.

**Implemented by:** Agencies not already offering early consultation with project sponsors should implement this practice immediately.

As soon as an agency becomes aware of a proposed project, it should make project sponsors aware of opportunities for early coordination to help inform the planning process. Many agencies already have this practice in place, and have demonstrated its effectiveness. Agencies aware of which permits may be needed should also engage other relevant agencies in early consultations or direct project sponsors to contact them. Opportunities for early consultation should be included in the application process descriptions addressed above.

**Action:** For each type of permit that does not require alignment with different state requirements, inventory and implement uniform, electronic applications that are consistent across all regions within individual agencies.

**Implemented by:** Agencies shall include an inventory of permit applications that are not electronic in their initial Agency Plan, and include a plan for developing uniform, electronic application forms—including any necessary review processes under the Paperwork Reduction Act—to the Federal CPO in their annual progress report. Agencies are encouraged to work together, drawing from lessons learned and leveraging existing systems to the extent possible for optimal efficiency.

Some agencies still require paper applications for some permits, which inhibits the ability to implement electronic tracking systems that would increase clarity and transparency and improve collaboration with relevant agencies and project sponsors. Transforming paper-based application forms into uniform, electronic forms within individual agencies will improve transparency and is a necessary step towards tracking the timeliness of permitting decisions and reviews as well as developing more advanced permitting process management and collaboration tools.

**Action:** Assess the feasibility of developing a uniform online application and tracking system for all major Federal infrastructure permit applications, similar to Grants.gov.

**Implemented by:** The Federal Chief Information Officer (CIO) at OMB, in coordination with the Federal CPO, will make initial recommendations to the Steering Committee by December 31, 2012.

The recommendations will assess the feasibility of developing a one stop shop for online application and tracking for all major Federal infrastructure permits.

**Action:** Develop an application tool-kit for electricity transmission and renewable energy projects. Assess the potential benefits of application tool-kits for additional sectors of infrastructure projects, and make recommendations for implementation.

**Implemented by:** The co-chairs of the transmission RRT will deliver a plan and schedule for launching an application toolkit for transmission projects to the Federal CPO by November 30, 2012. The co-chairs of the Renewable Energy RRT will deliver a plan and schedule for launching an application toolkit for renewable energy projects by December 31, 2012. The Steering Committee will assess the potential benefits of additional sector-specific application tool-kits and provide recommendations to the Federal CPO by December 31, 2012.

Large projects such as electricity transmission lines and large-scale renewable energy projects can involve multiple Federal, Tribal, State, and local permit decisions and reviews that require complex coordination. As demonstrated by the Department of the Interior's leadership in developing renewable

energy on Federal lands, developing innovative approaches such as application toolkits will provide greater clarity and predictability to project sponsors and enable Federal agencies to begin permitting and review processes faster and with fewer delays.

Tool-kits might include:

- Examples and suggestions for developing strong applications;
- Tools for planning stakeholder outreach and engagement;
- Definitions of what is needed for an application to be “complete” for each agency required to make a permit/review decision;
- Identification of Tribal, State, and local governments roles;
- Estimated permit decision and review timelines;
- Applicant trainings, webinars, or meetings;
- Identification and initial assessment of the resource areas potentially impacted;
- Project-specific best management practices and upfront avoidance, minimization, and mitigation measures such as project siting information and guidance; and
- Description of application process, from first notice to final decision.

**Action:** Coordinate with existing interagency efforts to identify and publish aggregate data—such as layered data from geographic information systems (GIS) or data developed during previous regional NEPA or other reviews— that will inform and facilitate project sponsor decisions such as project siting.

**Implemented by:** The Federal Geographic Data Committee and OpenGov Working Group will continue ongoing efforts to identify and publish such data.

GIS and other Federal data sets identifying conflicting uses, location of sensitive areas from a resource and species perspective, and potential areas for mitigation could help project sponsors make more informed and strategic early design decisions about project siting—thereby avoiding potential resource issues that could delay or even stop project development. When possible, agencies should invest in developing user friendly, readily available, interagency decision-support tools for project sponsors to use during project planning. In this effort, appropriate consideration should be given prior to releasing data that may be sensitive or confidential.

## Expand Stakeholder Engagement and Informational Outreach

**Action:** Develop strategies for identifying and proactively addressing issues and conflicts that may arise with stakeholders and affected public interests during the permitting and review processes and proactively implement them.

**Implemented by:** Agencies shall implement this action as part of the interagency planning process for infrastructure projects, focusing initially on Nationally or Regionally Significant Projects in order to demonstrate results.



Project-specific issues and concerns that are not recognized and addressed early can cause significant delays in infrastructure permit decision making processes. These issues can arise within Federal agencies, Tribal, State, and local governments, and affected stakeholder groups. Upfront identification of these issues and the development of a plan for working through them with affected entities are essential to avoiding disagreements and delays that could be prevented with sufficient and timely attention.

**Action:** Implement a process for surveying project sponsors, stakeholders, and agency personnel to measure the effectiveness of integrated planning and early engagement practices for Nationally or Regionally Significant Projects, and to identify new opportunities for continuous improvement.

**Implemented by:** The Udall Foundation will develop and propose to the Steering Committee by December 31, 2012, a qualitative stakeholder survey process. Upon review and acceptance by the Steering Committee, the Udall Foundation shall implement the stakeholder survey process and report results to the Steering Committee by July 31, 2013, and annually thereafter.

Stakeholder survey processes can be a useful measure of the effectiveness of the actions described in this Plan to improve coordination and outcomes for project stakeholders. Survey processes may include listening sessions, surveys, or requests for information to inform continuous improvement. Suggestions for improving the permitting and review process may also be sought for each project at the early consultation meeting and through the development of a coordinated schedule.

**Action:** Expand educational outreach to potential project sponsors/applicants about how to provide complete permit and review applications, and how to design effective stakeholder outreach and engagement strategies as a part of that process.

**Implemented by:** Agencies shall identify specific opportunities to expand the use of webinars and other engagement tools in their Agency Plans.

Infrastructure permitting and review processes can be complex, involve multiple Federal agencies, and engage Tribal, State, and local governments. To inform potential project sponsors about the role and function of Federal permitting and review processes, agencies will expand the use of webinars and other educational tools. These tools can also be helpful in educating stakeholder groups about the public engagement opportunities that will be undertaken as part of the agency decision-making process.

**Action:** Improve transparency of Federal infrastructure permit decision-making and review roles through expanded use of the Dashboard.

**Implemented by:** An enhanced version of the Dashboard will be released by July 31, 2012, with continuous improvement thereafter.

As described more fully below, the expanded Dashboard will include links to the Federal and Agency Plans, a library of the major Federal permit decision making and review responsibilities, and schedules for Nationally or Regionally Significant Projects that include Tribal, State, and local roles as well as links to existing opportunities for public comment and stakeholder engagement.

## **NATIONALLY OR REGIONALLY SIGNIFICANT PROJECTS**

Pursuant to Executive Order 13604, Member Agencies selected, and submitted to the Federal CPO, a list of Nationally or Regionally Significant Projects to be tracked on the Dashboard. While these projects have been selected to test, evaluate, and demonstrate innovations and best practices, all Federal permit decision-making and review processes will benefit from the results.

Nationally or Regionally Significant Projects have been identified from the following sectors, per Executive Order 13604:

- Surface transportation
- Aviation
- Ports and waterways
- Water resource projects
- Renewable energy generation
- Electricity transmission
- Broadband
- Pipelines
- Other such sectors may be determined by the Steering Committee

In order to qualify as a Nationally or Regionally Significant Project, a project must:

- Have an interstate component, provide regional economic benefits, or be directly linked to other nationally or regionally significant projects (e.g., rail to port);
- Involve multiple Federal agencies and/or have multiple Tribal, State, or local government permit decision making or review actions associated with its development;
- Provide opportunities to demonstrate best practices and/or test new innovations for reducing the amount of time required to reach Federal permit or review decisions and for improving outcomes for local communities and the environment; and
- Be technically feasible and financially viable.

The initial list of Nationally or Regionally Significant Projects will be reviewed and updated by Member Agencies in coordination with each other at least every six months so that new projects can be added as appropriate, and so that projects that are complete or are no longer feasible, due to financial unviability or other reasons, can be archived.

## **ENHANCED FEDERAL INFRASTRUCTURE PERMITTING DASHBOARD**

The Federal Infrastructure Permitting Dashboard was first established pursuant to an August 2011 Presidential Memorandum. The Dashboard is being enhanced and expanded to serve as a Federal-wide tool to enable and support collaboration within and among the Federal agencies, as well as to provide

increased public transparency regarding the schedules and status of Nationally or Regionally Significant Projects, permitting timelines, and overall Federal infrastructure project permitting and review processes.

## **Project Schedule Development, Management, and Tracking**

All Nationally or Regionally Significant Projects identified by Member Agencies will be tracked on the Dashboard, although its use is not limited to these projects. As agencies build capacity and scale, the Dashboard will be expanded to support the institutionalization of early and effective collaboration and other best practices, and its use will be extended to include additional projects.

## **Institutionalizing Effective Collaboration**

Many infrastructure projects involve multiple Federal agencies, each of which has its own technology tools and systems. The Dashboard will provide an essential secure, internal platform for staff from different agencies to collaboratively manage project review schedules and share documents. The Dashboard will also allow representatives of relevant Tribal, State and local governments to engage in this secure, collaborative environment, giving them real-time access to the documents and information they may need.

## **Institutionalizing Public Transparency**

The Dashboard will enable agencies to dynamically publish final project schedules, updates, and relevant public documents. In addition to the permitting and review schedules for Nationally or Regionally Significant Projects, the Dashboard will give members of the public access to this Federal Plan, the Agency Plans, a list of the major Federal permits and reviews related to infrastructure projects together with target processing timelines for each, the annual Report to the President prepared by the Federal CPO, and links to existing opportunities for public comment and engagement associated with projects tracked on the Dashboard.

The Dashboard will be maintained, improved, and governed as a shared service by an interagency Executive Committee comprised of Member Agencies of the Steering Committee and the Federal CPO, in consultation with CEQ.

## **METRICS AND PERFORMANCE REPORTING**

You can't manage what you don't measure. It is therefore essential to have metrics for tracking agency performance, demonstrating agency successes, and pinpointing challenges in meeting the goals of this Plan.

The Federal CPO will therefore work with Member Agencies to develop metrics for tracking and assessing implementation of the Federal Plan and individual Agency Plans, including progress on the Nationally or Regionally Significant Projects. These metrics will be included in the individual Agency Plans. Agencies will in turn track their performance against these metrics and report regularly to the Federal CPO. Where automated permit decision-making and review tracking systems are not already in place, OMB will provide guidance to support agencies in prioritizing the efforts and investments that will be necessary to implement the requisite tracking systems, and promote the use of the information technology tools for interagency coordination.

Agencies are responsible for reporting performance and progress to the Federal CPO in June and December of each year. Based on this data, every January the Federal CPO will submit to the President an annual Report, including Agency scorecards, which will be made publicly available on the Dashboard.

All agencies will include the following measures that can be aggregated to demonstrate Federal government-wide performance, indicate trends, and pinpoint challenges.

- As a part of the ongoing use of the Dashboard to manage Nationally or Regionally Significant Projects, Coordinating Agencies will report on milestone achievement and on-time completion of Federal permitting and review responsibilities;
- Upon the completion of all Federal permit decision-making and reviews of a Nationally or Regionally Significant Project, the Coordinating Agency, in consultation with the other agencies involved in the project, will complete and publicly report a qualitative assessment of outcomes, briefly addressing how implementing the actions outlined in this Plan led to environmental and local community benefits;
- By July 31, 2012, each agency will establish and report estimated baseline timelines for each of its major permitting and review processes for infrastructure projects;
- By December 31, 2012, and annually thereafter, each agency will report on its completion of the actions contained in its Agency Plan, including reviewing and revising its baseline timelines and setting on-time performance targets;
- By December 31, 2013, and annually thereafter, each agency will measure and report on performance of on-time completion of major permitting and review decisions for infrastructure projects based on published target timelines, including the causes of any exceptions, and will issue updated target timelines for permitting and review decisions reflecting continuous improvement. Agencies may also adjust timelines biannually through their progress reports to the CPO to offer a more contemporary reflection of recent performance accomplishments or to incorporate better data based on information from newly implemented tracking efforts; and
- By December 31, 2012, and annually thereafter, the Udall Foundation will report on aggregate results of stakeholder survey processes, including trends, in order to assess the outcomes and the effectiveness of early engagement of and collaboration among Federal, Tribal, State, and local government entities, project sponsors, and stakeholders.

Where transparency and reporting on timelines will require agencies to implement new tracking systems, they should prioritize tracking permit decision-making and review actions.

## **THE ROAD AHEAD: CONTINUOUS IMPROVEMENT**

This Plan sets a course for redesigning Federal permit decision-making and review processes for infrastructure projects that will result in more expeditious permitting and review decisions, measurably better projects, better environmental outcomes, and quicker reviews. It describes a qualitative framework for

identifying Nationally or Regionally Significant Projects that will test and demonstrate best practices and innovations. It includes a Dashboard that will enable effective collaboration and improve transparency of timelines, schedules, and performance. And, finally, it includes metrics to track progress and inform continuous improvement.

As these efforts are implemented and institutionalized across the Federal government, opportunities for continuous improvement as well as needs for course correction should become apparent and visible through performance management and reporting. This Plan and its goals will accordingly be revisited, and amended as necessary, by the Steering Committee and Federal CPO in July of each year, following mid-year agency performance reports.

# FEDERAL PLAN

## APPENDIX A

### Executive Orders and Presidential Memoranda

The following Executive Order and Presidential Memoranda illustrate this Administration's commitment to improving the permitting and review processes for Federal infrastructure projects.

#### ***Presidential Memorandum Speeding Infrastructure Development through More Efficient and Effective Permitting and Environmental Review—8/31/11***

This [Presidential Memorandum](#) created the public Infrastructure Permitting Dashboard and laid much of the foundation for Executive Order 13604. The Memorandum directed the Secretaries of Transportation, Agriculture, Interior, Commerce, and Housing and Urban Development to identify high priority projects to expedite through the environmental review process. Fourteen projects were selected and tracked on the Dashboard providing valuable lessons learned in both transparency and accountability that informed the next generation of the Dashboard.

#### ***Executive Order 13580--Interagency Working Group on Coordination of Domestic Energy Development and Permitting in Alaska—7/12/11***

President Obama issued this [Executive Order](#) forming a new, high-level interagency working group to coordinate energy development and permitting in Alaska. The group is chaired by the Deputy Secretary of the Interior and includes senior officials from across the Federal government. This Working Group will coordinate decision-making; share information including timelines and milestones as well as cultural and environmental studies; address long term planning issues such as oil spill prevention, preparedness, and response; coordinate Federal engagement with State, Tribal and local governments; and collaborate on stakeholder outreach.

#### ***Executive Order 13571—Streamlining Service Delivery and Improving Customer Service—4/27/12***

The President issued this [Executive Order](#) directing agencies to develop plans to address how the agency will provide services in a manner that seeks to streamline service delivery and improve the experience of its customers through technology. This Order seeks to simplify the customer interaction, creating efficiencies that benefit both the agency and the public user.

### Best Practice Examples

Below are select examples of best practices to highlight the work already underway across Federal agencies. While these are organized under general headings, many address a range of challenges and deliver a variety of efficiencies and better outcomes.

## Interagency Agreements and Coordination

### FHWA/USACE/EPA/USFWS NEPA/Section 404 Synchronization agreements

NEPA/Section 404 synchronization agreements are one important method to improve coordination and facilitate early identification of issues, which can result in a smoother review process. NEPA/404 synchronization is designed to improve the efficiency of the Federal Highway Administration's (FHWA) NEPA process by using early and active interagency coordination to focus efforts on reaching an environmentally sound project. For projects involving fill in waters of the United States, the Army Corps is responsible for issuing permits and assessing whether the project is appropriate. In addition, the U.S. Fish and Wildlife Service (FWS), the National Marine Fishery Service (NMFS), and the U.S. Environmental Protection Agency (EPA) may also be involved in Section 404 permitting.

The NEPA/404 synchronization process was initiated to streamline project decision-making on Federal-aid highway projects. Synchronizing the FHWA NEPA and Section 404 permit processes expedites project decision-making and leads to one overall public interest decision, at one point in time, for a Federal-aid project. Both the NEPA and Section 404 processes involve the evaluation of alternatives, the assessment of impacts to resources, and the balancing of resource impacts and project need.

For more information, see the FHWA website on the [NEPA/Section 404 synchronization process](#).

### Regional implementation of the Partnership for Sustainable Communities

On June 16, 2009, the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Transportation (DOT), and the U.S. Environmental Protection Agency (EPA) joined together to help communities nationwide improve access to affordable housing, increase transportation options, and lower transportation costs while protecting the environment.

The PSC has headquarters leadership as well as regional teams who work to coordinate federal housing, transportation, water, and other infrastructure investments to make neighborhoods more prosperous, allow people to live closer to jobs, save households time and money, and reduce pollution. The partnership agencies incorporate six principles of livability into federal funding programs, policies, and future legislative proposals.

For more information: <http://www.sustainablecommunities.gov>

### Eco-Logical

In 2006, eight Federal agencies as well as several States collaborated to develop an unprecedented guide for making infrastructure development more sensitive to the environment. [Eco-Logical: An Ecosystem Approach to Developing Infrastructure Projects](#) presents a framework for integrating planning across agency boundaries and achieving cost-effective infrastructure development without compromising ecosystem vitality. *Eco-Logical* describes a common-sense strategy for developing a regional ecosystem framework that identifies ecologically significant areas, potentially impacted resources, areas to avoid, and mitigation opportunities in advance of infrastructure project initiation. Agencies and stakeholders can then work together to more accurately identify areas in greatest need of protection, better predict cumulative resource impacts, and streamline and accelerate infrastructure development through

increased predictability of environmental impacts. *Eco-Logical* encourages Federal, State, tribal and local partners involved in infrastructure planning, design, review, and construction to use flexibility in regulatory processes. Specifically, *Eco-Logical* puts forth the conceptual groundwork for integrating plans across agency boundaries, and endorses ecosystem-based mitigation - an innovative method of mitigating infrastructure impacts that cannot be avoided.

### **Everyday Counts Initiative**

The Everyday Counts Initiative (EDC) was implemented by FHWA in 2009 as a way to build upon Sections 6001 and 6002 of SAFETEA-LU and transform how FHWA does business—both internally and externally. EDC is designed to identify and deploy innovation aimed at shortening project delivery, enhancing the safety of our roadways, and protecting the environment. FHWA identified proven solutions and technologies that could be rapidly deployed and make a difference. FHWA highlighted six initiatives related to permitting and environmental reviews:

- Planning and environmental linkages
- Legal sufficiency enhancements
- Expanding use of programmatic agreements
- Use of in-lieu fee and mitigation banking
- Clarifying the scope of preliminary design
- Flexibilities in Right of Way
- Enhanced technical assistance on ongoing EISs

These tools and technologies were rolled out in Spring 2010, and ten regional summits were conducted. All DOTs have organized State Implementation Teams to deploy the innovations described above as well as to create their own specialized initiatives. More information on EDC can be found at <http://www.fhwa.dot.gov/everydaycounts/index.cfm>.

### **DOI's Smart from the Start Program for Renewable Energy**

As part of its [Smart from the Start](#) program, the Department of the Interior (DOI) has coordinated and collaborated at unprecedented levels, both within the Department and with external partners. The Secretary established a Departmental renewable energy task force to facilitate early coordination among the Department's bureaus. This high-level accountability ensures that common goals and priorities are achieved and issues identified and addressed in a timely way.

One example is Secretary Salazar's partnership established with California Governor Schwarzenegger, and continued by Governor Brown. This partnership was formed through a Memorandum of Understanding (MOU) that included meaningful deliverables, clear timelines, and joint work products. Under this partnership DOI and California agencies with the permitting authority for renewable energy projects meet, identify and troubleshoot issues, and work together—functioning almost as one agency—to simultaneously shepherd projects through the multiple permitting processes. By working together in



parallel, rather than sequentially, DOI and California were able to propel complex renewable energy projects through multiple agency processes, in some instances, as quickly as 12 months.

### **Compensatory Mitigation for Losses of Aquatic Resources Final Rule**

In 2008, the Army Corps and the Environmental Protection Agency (EPA) jointly issued the [Compensatory Mitigation Rule](#), which provides project proponents and Federal agencies clarity in how to mitigate for unavoidable impacts to US waters under the Clean Water Act (CWA). The Rule establishes a hierarchy for different compensatory mitigation options, identifying mitigation banks—a form of advance mitigation—as the most preferred option, followed by in-lieu fee programs and permittee-responsible mitigation. Like other efforts which tie mitigation to larger landscapes, the Rule encourages permittees to use a watershed perspective where possible to base the type and location of mitigation on analytically-based watershed assessments and watershed goals. To improve mitigation performance, the Rule requires permittees to develop mitigation plans, which include objectives, consistent and high ecological performance standards, monitoring requirements, and an adaptive management plan. These principles, as articulated in the rule, lead to a scientifically and performance driven approach to compensatory mitigation that should be used as a model for mitigation banks under other statutes and regulations.

### **Department of Defense Siting Clearinghouse**

Although most renewable energy projects are compatible with military mission, there are cases where military test, training or operational missions can be impacted. In the past year DoD developed an effective, consistent, transparent, and timely process for evaluating mission impacts of renewable energy projects that may impact military missions. In order to convey Clearinghouse external procedures, the Clearinghouse published an interim rule at Part 211 of title 32, on October 20, 2011. DoD is now amending and updating the rule based upon external comments and internal lessons learned.

The Clearinghouse review process applies to renewable energy projects filed with the Secretary of Transportation under Section 44718 of title 49, US Code, as well as other projects proposed for construction within military training routes or special use airspace. The Clearinghouse has cleared 96% of its backlogged projects for development. It is working with developers to clear new projects, mitigate impacts, or in rare instances to avoid “unacceptable risk to the national security of the United States,” recommend that FAA determine a project to be an aviation hazard. Any recommendation to the Department of Transportation to make a determination of hazard must be approved by the Deputy Secretary of Defense.

Where mitigation is necessary and possible, the Clearinghouse has authority to accept voluntary contributions from developers. The Clearinghouse recently completed its first agreement under this authority. The Clearinghouse is also engaged in an interagency field test program to develop near-term mitigation methods to protect surveillance and navigation radars from wind turbine electromagnetic interference.

## Cost Recovery Tools

### SAFETEA-LU 6002

The Safe, Accountable, Flexible, Efficient, Transportation Equity Act was the 2005 transportation authorization. The Act contained numerous provisions focusing on improving efficiency in the highway program and project delivery. One such provision, Section 6002 authorized the use of funds to pay for staffing positions at resource agencies who are dedicated to working State transportation projects. These funded positions help both resource agencies and project proponents by providing full-time staff to work on transportation projects. The Federal Highway FHWA completed a study in 2009 with an in-depth look at the early success of the program. That report can be found [here](#).

### Forest Service Cost Recovery Agreement

The Forest Service manages more than 72,000 permits, leases, and easements that authorize more than 180 types of special uses of National Forest System (NFS) lands. The Forest Service annually processes over 6,000 applications and issues authorizations for new or recurring special uses. Each application is subject to some environmental analysis—a costly, time-consuming process. In 1999, the agency received congressional to “develop and implement a pilot program for the purpose of enhancing Forest Service administration of rights-of-way and other land uses” with the expected outcome of more expeditious approval of special use authorizations. In response, the agency promulgated new Cost Recovery rules to improve customer service and create additional resources to fund a more skilled and efficient workforce to meet the needs and expectations of existing and future users. Taxpayers benefit in having at least some agency processing and monitoring costs, which benefit identifiable recipients and not the public at large, paid for by the recipients of those services rather than with appropriated funds.

The Forest Service’s cost recovery regulations are consistent with those of the Bureau of Land Management (BLM) for its right-of-way and special recreation permit programs. Under the regulations, The Forest Service and BLM use identical fee schedules and rates for processing and monitoring minor category cases, and apply the same principles in assessing, processing, and monitoring fees for major category cases. The regulations can be viewed [here](#). A sample cost recovery agreement for large projects is available [here](#).

## Use of Mapping Technology and Other Planning Tools

### Identification of Wind Energy Areas

At DOI, the Bureau of Ocean Energy Management (BOEM) has been actively engaged through inter-agency task forces to collect crucial baseline information about offshore areas that may be suitable for future wind projects. Task forces have been established in twelve states: Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, North Carolina, Rhode Island, Virginia, South Carolina, Hawaii and Oregon, and discussions are underway with additional states. Task force members represent a wide range of interests and include relevant federal and state agency representatives, and local and tribal government representatives. Task forces have proven to be effective in identifying and addressing potential conflicts early in project development.

Based on the information gathered through the task forces, DOI has identified a number of wind energy areas (WEAs) that have the least amount of user conflicts and are best suited for wind energy development. To date, WEAs have been identified offshore six states: Delaware, Maryland, New Jersey, Virginia, Rhode Island and Massachusetts.

### **Multipurpose Marine Cadastre**

A key component of BOEM's Smart from the Start program includes organizing, financing, and implementing the gathering of information about the environmental and geophysical attributes and other uses of the WEAs and assembling the information in a publicly available format that potential investors and applicants can access and agencies can use in evaluating lease sales in the WEAs. For this purpose, BOEM, in cooperation with NOAA, has created the Multipurpose Marine Cadastre, an integrated marine information system that provides authoritative and regularly updated ocean information, including information about offshore boundaries, infrastructure, human use, energy potential and other data sets. The MMC is especially useful to those looking to assess suitability for energy siting and furthers the National Ocean Council's coastal and marine spatial planning initiative.

### **NEPAssist Tool**

The Federal EPA developed this web-based mapping tool to facilitate efficient and effective environmental reviews and project planning. The tool is part of an initiative developed by CEQ to modernize and reinvigorate federal agency implementation of the National Environmental Policy Act (NEPA) through innovation, public participation and transparency. *NEPAssist* draws information from publicly available federal, state, and local datasets, allowing NEPA practitioners, stakeholders and the public to view information about environmental conditions within the area of a proposed project quickly and easily at early stages of project development. While this tool was developed with NEPA in mind, it can be used for multiple purposes to look at environmental impacts and information in relation to a geographic area, including sensitive resources, source locations, demographics, and other issues. *NEPAssist* is available to the public by accessing <http://www.epa.gov/compliance/nepa/nepassist-mapping.html>

### **USFWS IPaC Tool**

The Information, Planning and Conservation (IPaC) System is an interactive, web-based tool illustrating the natural resources for which the USFWS has trust or regulatory responsibility that is currently under development. IPaC will allow interested parties to access a public website to determine if there are any USFWS trust resources, including endangered and threatened species, in a potential project area before beginning the project design. In addition, project proponents can get information about a species and its needs, as well as measures they can take to help protect and conserve the species when designing and constructing their project. This up-front information reduces surprises and helps project proponents make better informed design decisions early, when there is more flexibility to make minor modification with minimum disruption of the project goals.

## Pre-Application/Application Improvements

### DOI Implementation of uniform, online applications for oil and gas permits

As part of the BLM's ongoing efforts to ensure efficient processing of oil and gas permit applications, the agency is implementing new automated tracking systems that could reduce the review period for drilling permits by two-thirds and expedite the sale and processing of federal oil and gas leases. The new system will track permit applications through the entire review process and quickly flag any missing or incomplete information—greatly reducing the back-and-forth between BLM and industry applicants currently needed to amend paper applications.

The new drilling permit system, which is expected to be fully online by May 2013, will automate the process that tracks APDs, providing greater online accessibility and transparency. It will improve communication between the BLM and industry, resulting in more consistent APD processing standards and timeframes and a significantly reduced review period.

Currently, on average, approximately two-thirds of the time it takes to process an APD is spent waiting for more information from the operator-applicant. The new system will allow the public and operators to view the BLM processing status of APDs, enabling operators to more promptly address deficiencies in their applications. BLM's Carlsbad Field Office is currently piloting a similar system, which has resulted in a nearly two-thirds reduction in processing time for that region.

BLM estimates that automating the APD workflow could reduce the average review time across BLM offices to as few as 60 days.

### USDA/DOI/DOT Common Application form SF-299 for Transportation and Utility Systems and Facilities on Federal Lands

The SF-299 is the common application form for transportation and utility systems and facilities crossing federal lands intended to reduce filing burdens on applicants and provide a consistent source of information for affected federal agencies. It provides much of the basis for obtaining information to determine if the applicant is qualified and the project is viable. Use of the SF-299 is intended to simplify information collection for both the applicant and the federal agencies.

The process of developing the SF-299 involved more than 20 Federal agencies and the general public. The current version, first issued in 1999, resulted from consultation among the

USFS, BLM, USFWS, NPS, DOI, USDA and DOT. Form SF-299 is available [here](#).

### FERC pre-application processes

The Federal Energy Regulatory Commission (Commission) is committed to the development of a strong natural gas infrastructure. To that end, the Commission designed its pre-filing process as a means to reduce the time it takes to develop the record on which the Commission makes its decision while ensuring the highest levels of environmental protection and public participation.

The pre-filing process encourages early involvement by the public and governmental agencies (at all levels) and promotes the wide-spread dissemination of information about proposed projects. This

involves FERC staff working with the company sponsors and all stakeholders to identify and resolve significant environmental and non-environmental issues prior to the filing of an application.

As the Commission staff begins its environmental review, they will contact federal and state agencies and other stakeholders through mailings and meetings to inform them of the process and to identify issues and concerns; to form the scope of the environmental review. Throughout the process, the Commission staff will meet with stakeholders, visit the project area, and confer with federal, state and local agencies.

This process enables the company sponsor to file a complete project application that reflects agency and public input, and incorporates all necessary mitigation. The Commission can then produce an environmental document that forms the basis for timely decisions by the Commission and all other relevant agencies. (More information, including regulations and FAQs, is available on the Commission's website [here](#). Also, a flow chart of the Commission's pre-filing review process is available [here](#)

### **US Forest Service directives for wind projects**

The emphasis on development of alternative energy sources in the Energy Policy Act of 2005 and increasing industry interest in development of wind energy facilities on NFS lands prompted the Forest Service to issue directives that address issues specifically associated with siting wind energy uses, processing wind energy proposals and applications, and issuing wind energy permits. The [final wind energy directives](#), released in August, 2011, provide a consistent framework and terminology for making decisions regarding proposals and applications for wind energy uses, and thus set clear expectations for project proponents. Specifically, the directives provide guidance on siting wind energy turbines, evaluating a variety of resource interests, and addressing issues specifically associated with wind energy in the special use permitting process. These issues include potential effects on scenery, national security, significant cultural resources, and wildlife, especially migratory birds and bats.

### **Regional Mitigation Plans**

The Bureau of Land Management (BLM) is developing [regional mitigation plans](#) to be incorporated in the designation of Solar Energy Zones in the desert Southwest. Regional mitigation plans incorporate regional objectives to direct and prioritize where and how mitigation investments will be made. Plans must include a baseline upon which unavoidable impacts are assessed, a methodology to assess and quantify those unavoidable impacts and a method to determine mitigation obligations or costs for individual projects.

Such upfront planning increases permit efficiencies and financial predictability for project proponents. Regional mitigation plans are also expected to enhance the ability of state and federal agencies to invest in larger-scale efforts in a more efficient and effective manner through shared resources.

### **Outreach and Education**

#### **DOE Request for Interest on development of transmission permitting process**

On February 27, 2012, the Department of Energy issued a [Request for Interest](#), which solicited public input on the challenges due to incongruent development times between remote generation and atten-

dant transmission and on potential efficiencies that might be achieved in order to make development times more commensurate. The comments on the RFI were received on March 28, 2012 and will be used, along with federal agencies' statutory and regulatory obligations, to inform a Presumed Evaluation Period for transmission projects.

### **Transportation for Communities—Advancing Projects through Partnerships (TCAPP)**

[TCAPP](#) is a web-based decision support tool that guides and encourages collaboration among transportation, environmental and community partners in creating transportation plans as well as selecting and planning transportation projects. It includes a range of functionality including a collaboration assessment tool, case studies and reference links, description of partner and stakeholder roles, and a systematic guide to making key decisions with detailed information about policy decisions and technical supporting information required. TCAPP includes information designed to support development of an Integrated Ecological Framework (IEF) which helps agencies identify conservation and restoration priorities at ecosystem scales. TCAPP functionality links the IEF to key decisions in transportation planning and project development in order to step up the level of collaboration to: (1) avoid impacts to priority conservation areas; (2) locate mitigation for the greatest benefit to multiple resources; and (3) better achieve the goals of resource protection laws.

### **Tribal Energy and Environmental Information Clearinghouse**

The DOI, Office of Indian Energy and Economic Development (IEED) is developing the Tribal Energy and Environmental Information Clearinghouse (TEEIC) with assistance from Argonne National Laboratory (Argonne). [TEEIC](#) is a Web-based clearinghouse of environmental information that aims to support American Indian and Alaska Native traditional and renewable energy resource development. TEEIC offers a knowledge base for tribes and tribal organizations that can assist them in developing environmental analysis and evaluation programs that further their energy and economic development goals. In addition to environmental best practices, methods for conducting environmental assessments to aid in decision making, and links to applicable federal and state laws related to energy development, the clearinghouse's database includes information on the various impacts of different types of traditional and renewable energy development and infrastructure projects. The database has been developed using existing information, which will be augmented over time with environmental impact assessments as they are completed.

### **Best Practices for Stakeholder Engagement**

The Udall Foundation's US Institute for Environmental Conflict Resolution has developed principles and best practices for effective stakeholder engagement for several national policy efforts. The principles draw on the [OMB-CEQ Memo on Environmental Collaboration and Conflict Resolution](#) and include the following:

1. Develop clear goals and avenues for stakeholder and public participation.
2. Stakeholder processes need to be inclusive, transparent, flexible, adaptive, and timely.

3. Information needs to be available to stakeholders and the public to foster meaningful participation.
4. The integrity of the stakeholder involvement will depend on the credibility established by the permitting agency and proponent through their openness and responses to the stakeholder input.
5. Neutral stakeholder involvement professionals can help create constructive and open conversations in what are often high conflict situations.

Additionally, you can find information on collaboration and NEPA prepared by CEQ and the Udall Foundation, [here](#).

