AGENCY INFORMATION

Agency: Department of Energy

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*If this form is submitted by a Permitting Council member's designee, please provide a delegation memo with the self-assessment submission.

SECTION 1. EXAMPLES OF BP IMPLEMENTATION

While FPISC OED does not require an implementation narrative for each BP category, it encourages each member agency to highlight its successes and challenges for each category. This can be in the form of identifying positive outcomes from implementation of a BP during FY 2020 or from identifying where a BP did not prevent the issue it was intended to prevent and how the agency or Permitting Council may want to consider addressing that. The specific BPs to be reported on are listed in Table 1 of the Fiscal Year 2020 Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects and in Appendix B. Please note, BP Categories and BPs have been shortened in the dropdowns for ease of use.

Agencies are also encouraged to identify and submit "alternative BPs" that reflect where the agencies have implemented process improvements that meet the statutory BP categories but not one of the specific BPs identified in the FY 2020 BP Report. Alternative BPs should be submitted to FPISC OED by August 28, 2020 for approval before submitting the BP through this form. If your alternative BP has been approved, please choose "Alternative BP" from the "Corresponding BP" drop-down menu below for the appropriate entry.

Please adhere to a word count limit of 200 words per BP example in this section (i.e., if you provide examples of implementation of four BPs, please use four template boxes below for a total word count of 800 words), while thoroughly reflecting your accomplishments and challenges. Provide links and/or citations as appropriate, and provide as many relevant examples as possible. If you would like to provide more than four examples of BP implementation, please contact FPISC OED for a supplemental form.

Best Practice Category: (i) Early stakeholder engagem	Corresponding BP: Unique to Agency
During the fiscal year, DOE's only covered projects were LNG export facilities, with DOE review led by its Office of Fossil Energy (FE). This year, DOE has only been a cooperating agency in NEPA reviews led by FERC, and provides no direct environmental expertise to these reviews. Therefore, few Best Practices are applicable for FY2020. BP category (i) concerns early stakeholder engagement in the environmental review process. This BP category is not applicable to DOE for FY2020. As a cooperating agency with no direct environmental	

Best Practice Category: (ii) Timely decisions for ERA (	Corresponding BP: Unique to Agency
BP category (ii) includes only one BP, which concerns instruments to support project sponsors / applicants in providing information required for timely environmental reviews. Again, as only a cooperating agency in FY2020, with no direct environmental review role, DOE has no environmental review processes that relate to this BP. In FY2020, this BP was not applicable to DOE. In a related activity, DOE strives to ensure that its decisions regarding import/export authorization applications are as timely as possible, consistent with rigorous review requirements under the Natural	

Best Practice Category: (iii) Improving coordination	Corresponding BP: Unique to Agency
BP category (iii) concerns coordination between Federal and non-Federal governmental entities, including common data standards and terminology. The only BP for this category concerns standards for communications with Indian Tribes. This BP category is not applicable to DOE for FY2020. As a cooperating agency with no direct environmental review responsibility in FY2020, DOE did not directly, independently engage with Indian Tribes or other non-Federal agencies during the environmental review process. DOE's only engagement was indirect, through coordination with the lead agency, FERC.	

Best Practice Category: (iv) Increasing transparency	Corresponding BP: i.1 Early stakeholder engagen
BP category (iv) concerns transparency, and includes only one BP, which relates to providing the sponsor / applicant and all related agencies with information about the ERA process. This BP category is not applicable to DOE for FY2020. As a cooperating agency with no direct environmental review responsibility in FY2020, DOE did not have a role that included managing the ERA process or communicating information about the process led by FERC. In FY2020, DOE participated in efforts coordinated by FERC.	

SECTION 2. FAST-41 PROJECT SPECIFIC PERMITTING IMPROVEMENTS/OUTCOMES

This section should highlight examples from specific projects. Please include agency innovations, initiatives, successes, and identification of and resolution to challenges. Agencies are encouraged to report on FPISC OED recommendations from the FY 2019 ARC (See OED Assessment, Part 2).

Please adhere to a total word count limit of 300 words for this section, while thoroughly reflecting your accomplishments and challenges. Provide links and/or citations as appropriate. Provide as many relevant examples as possible in the space provided below.

During FY 2020, DOE completed the permitting review for its remaining two FAST-41 projects, Alaska LNG and the Jordan Cove Energy Project. Both reviews resulted in approvals for LNG exports to non-Free Trade Agreement nations (the type of LNG export application that is subject to NEPA review at DOE), including Records of Decision (RODs). This completes DOE's review for all of its FAST-41 LNG export projects to date.

SECTION 3. PERMITTING PROCESS IMPROVEMENTS (GENERAL)

Please document activities undertaken by the agency in FY 2020 that may be outside the information captured in the two sections above. Examples include challenges addressed or looking to be addressed through actions like: new tracking systems, procedural changes, outreach efforts/information gathering, regulatory changes, and interagency discussions/working groups/agreements/collaboration through the Permitting Council and with other Permitting Council member agencies. This section provides a space to report any new and unexpected challenges with novel solutions developed by agencies. Addressing challenges that were anticipated, then addressed by existing or new BPs can be included in sections 1 and 2.

Please provide a narrative for each process improvement in a separate section below. Please adhere to a total word count limit of 300 words for this section, while thoroughly reflecting your accomplishments and challenges. Provide links and/or citations as appropriate. Provide as many relevant examples as possible in the space provided below.

(This process improvement relates to the regulatory process under One Federal Decision (OFD), which is closely connected to FAST-41.)

For Jordan Cove Energy Project's application to export LNG to non-Free Trade Agreement countries, DOE determined that its review would be most efficient if it executed its own, separate Record of Decision (ROD). Normally, a joint ROD is expected under OFD, for cooperating agencies. However, OFD procedures were intended to increase efficiency, and DOE found valuable flexibility in implementation in this case. Working closely with the Department of the Interior (the agency responsible for a joint ROD for cooperating agencies), DOE reached agreement on this approach, successfully adapting an OFD process to achieve the most efficient regulatory outcome. This pioneered an approach that may be valuable for other projects in the future.

This information has been reviewed by the Permitting Council Member and CERPO, and others as necessary (public affairs, legislative affairs, office of general counsel staff). I understand that this information will be used as submitted in the FPISC Annual Report to Congress and is testimony-ready for use by Administration officials. ☑

CERPO Name (or designee)	Signature

SUBMIT

Permitting Council Member Agency Self-Assessment

Agency Input to FPISC's FY 2020 Annual Report to Congress

Section 1 Supplement

Please use this section to supplement Section 1. Examples of BP Implementation. Please submit this document with your Agency Self-Assessment form to FPISC OED by October 14, 2020

Best Practice Category: (v) Reducing information coll	Corresponding BP: v.1 Address ERA staff change
Instituted in FY2019, DOE continued enhancing its process for smooth ERA staff changes. The key elements of the approach are: • Provide personnel for continuity aside from replacement personnel • Engage replacement personnel (and/or re-engage returning personnel) • Notifications of Change (CERPO staff and agency partners) • Network File / Document Location • Re-integration (assure no duplication of efforts, communicate often)	

Best Practice Category: (vi) GIS and other tools	Corresponding BP: Unique to Agency
BP category (vi) concerns making tools such as geographic information systems (GIS) available to applicants. This BP category is not applicable to DOE for FY2020. As a cooperating agency with no direct environmental review responsibility in FY2020, DOE did not have any role related to the provision of tools such as GIS systems to applicants for the purpose of environmental review, or for other purposes.	

Best Practice Category: (vii) Training materials	Corresponding BP: Unique to Agency
BP category (vii) concerns training materials for Federal, State, tribal, and local permitting officals. This BP category is not applicable to DOE for FY2020. As a cooperating agency with no direct environmental review responsibility in FY2020, DOE did not have any role relating to provision of FAST-41 or other environmental review process training.	

Best Practice Category: (viii) Other	Corresponding BP: Unique to Agency
BP category (viii) concerns other aspects of infrastructure permitting. The two BPs provided relate to outreach to stakeholders and information sharing regarding ERA process improvements. This BP category is not applicable to DOE for FY2020. As a cooperating agency with no direct environmental review responsibility in FY2020, DOE did not have any role relating to stakeholder outreach. And given the very limited nature of identified BP categories applicable to DOE, there was little in DOE's experience that would be likely to facilitate other agencies' ERA processes. In FY2019, DOE did share lessons learned in that earlier stage with the Interagency Working Group.	

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