Federal Permitting Improvement Steering Council
Office of the Executive Director

PERMITTING COUNCIL
Transparency • Efficiency • Accountability

Annual Report to Congress

FISCAL YEAR 2020

TITLE 41, FIXING AMERICA'S
SURFACE TRANSPORTATION ACT (FAST-41)

Acknowledgements

The Office of the Executive Director, Federal Permitting Improvement Steering Council prepared this report as required by Section 41008(a) of the Fixing America's Surface Transportation Act (FAST Act), Pub. L. No. 114-94 (Dec. 4, 2015), with review by the Permitting Council member agencies.

The Permitting Council comprises the Executive Director, serving as Chair, and the following executive offices, departments, and agencies:

Department of Agriculture

Department of the Army

Department of Commerce

Department of Energy

Department of Transportation

Department of Defense

Federal Energy Regulatory Commission

Department of Homeland Security

Nuclear Regulatory Commission

Department of Housing and Urban Development

Advisory Council on Historic Preservation

Office of Management and Budget

Council on Environmental Quality

Environmental Protection Agency

Department of the Interior

Report Summary

Title 41 of the Fixing America's Surface Transportation Act (FAST-41) requires the Federal Permitting Improvement Steering Council (FPISC or the Permitting Council) Executive Director to submit an annual report to Congress detailing the progress accomplished by the Permitting Council during the previous Fiscal Year (FY).[1] Specifically, the report assesses the performance of each participating agency and lead agency based on the best practices described in 42 U.S.C. § 4370m-1(c)(2)(B), including agency progress in making improvements consistent with the best practices and agency compliance with the performance schedules established under 42 U.S.C. § 4370m-1(c)(1)(C).[2] The FY 2020 Annual Report to Congress meets these statutory requirements through four accomplishment-focused and data-driven chapters.

Chapter 1. Permitting Council FY 2020 Accomplishments provides a high-level summary of the accomplishments of Permitting Council member agencies and the Office of the Executive Director (OED). The accomplishments and data referenced in Chapter 1 are expanded upon and explained in greater detail in the later chapters and in Appendix B. Chapter 2. Permitting Council Results for Permitting Timeframes under FAST-41 includes three sections. Part 1 – Project Highlights highlights the four voluntary FAST-41 projects that were completed in FY 2020, including project details, economic impacts, and time savings. Part 2 – OED Assessment of Project Portfolio and Permitting Timeframes for FAST-41 Covered Projects analyzes Permitting Dashboard data to provide OED's assessment of the FAST-41 project portfolio and permitting timeframes for covered projects in FY 2020. Part 3 – OED Observations and Recommendations for Continued Improvements to Review Timelines, Predictability, and Transparency of the Permitting Process provides OED's observations and recommendations for continued improvements based on the findings presented in Part 2. Chapter 3, Part 1 – OED Assessment of Permitting Council Improvements to the Permitting Process assesses Permitting Council agencies' progress in making improvements consistent with the best practices, and Part 2 – Agency Best Practice Implementation Highlights highlights examples of exemplary agency progress in each best practice category. Chapter 3, Part 3 – OED Recommendations for Continued BP Implementation to Deliver Permitting Improvements provides OED's observations and recommendations for continued best practice implementation. Finally, Chapter 4. FY 2020 OED Accomplishments of the report highlights notable OED accomplishments in FY 2020.

Appendix A of the report includes all Permitting Council member agencies' self-assessments for FY 2020. Appendix B provides a detailed breakdown of the methodology used to analyze and assess Permitting Dashboard data, and provides the framework used to assess agency progress in implementing the best practices. Underlying data and calculations for metrics referenced in the report are found in Appendix B.

[1] 42 U.S.C. § 4370m-7(1)
[2] 42 U.S.C. § 4370m-7(2)

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Acronyms and Abbreviations

ACHP	Advisory Council on Historic Preservation
ANR	Advance Nuclear Reactor
ARC	Annual Report to Congress
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
BOEM	Bureau of Ocean Energy Management
BOR	Bureau of Reclamation
BP	Best Practice
CERPO	Chief Environmental Review and Permitting Officer
CEQ	Council on Environmental Quality
CISF	Consolidated Interim Storage Facility
CPP	Coordinated Project Plan
CWA	Clean Water Act
DEIS	Draft Environmental Impact Statement
DHS	Department of Homeland Security
DOC	Department of Commerce
DOD	Department of Defense
DOE	Department of Energy
DOI	Department of the Interior
DOT	Department of Transportation
EFH	Essential Fish Habitat
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
EPHP DSS	Environmental Planning and Historic Preservation Decision Support System
ESA	Endangered Species Act
FAA	Federal Aviation Administration
FAST-41	Title 41 of the Fixing America's Surface Transportation Act
FCC	Federal Communications Commission
FERC	Federal Energy Regulatory Commission
FHWA	Federal Highway Administration
FIN	FAST-41 Initiation Notice
FPISC (Permitting Council)	Federal Permitting Improvement Steering Council
FY	Fiscal Year
GEIS	Generic Environmental Impact Statement
GIS	Geographic Information Systems
HUD	Department of Housing and Urban Development
HQ	Headquarters

IHA	Incidental Harassment Authorizations
INL	Idaho National Laboratory
IT	Information Technology
LNG	Liquefied Natural Gas
MIP	Major Infrastructure Projects
MMPA	Marine Mammal Protection Act
MOU	Memorandum of Understanding
NOAA	National Oceanic and Atmospheric Administration
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NPA	Nationwide Programmatic Agreement
NPS	National Park Service
NOI	Notice of Intent
NRC	Nuclear Regulatory Commission
OED	Office of the Executive Director
OI	Office Instruction
OFD	One Federal Decision
OMB	Office of Management and Budget
OSMRE	Office of Surface Mining Reclamation and Enforcement
PA	Programmatic Agreement
ROD	Record of Decision
RPS	Recommended Performance Schedule
SHPO	State Historic Preservation Officer or State Historic Preservation Office
TDAT	Tribal Directory Assessment Tool
THPO	Tribal Historic Preservation Officer
UIC	Underground Injection Control
USACE	U.S. Army Corps of Engineers
U.S.C.	United States Code
USCG	U.S. Coast Guard
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
WestFAST	Western States Federal Agency Support Team

A Note from the Executive Director

The Permitting Council was established by FAST-41, which was signed into law on December 4, 2015. **In less than five years, the Permitting Council has achieved remarkable improvements to the timeliness, predictability, and transparency of the permitting process for large infrastructure projects critical to the economic health of the nation.** I am excited to share the Permitting Council member agencies' and OED's efforts in FY 2020, including the first look at results for projects voluntarily covered under FAST-41 that have completed the permitting process.

The portfolio of FAST-41 covered projects on the Permitting Dashboard includes **52 projects** across a range of critical infrastructure sectors **representing $209 billion in economic investment and 136,000 permanent and temporary jobs.** Continued demand for Permitting Council services and FAST-41 benefits resulted in a 33 percent increase in active covered projects in FY 2020 and a 60 percent increase in covered projects since the initial 2016 project inventory.

In FY 2020, four voluntary, large-scale infrastructure projects completed the permitting process:

- ***Gemini Solar**, a $1 billion, 690 megawatt solar project in Nevada that will be the largest solar photovoltaic and battery storage facility on U.S. Federal lands and one of the largest renewable energy projects of its kind in the world.*
- ***Borderlands Wind**, a $200 million, 100 megawatt wind project that will deliver renewable energy to the Four Corners region, and was approved in less than two years under the FAST-41 process.*
- ***Alaska LNG**, a $38 billion project consisting of an 807-mile natural gas pipeline, a gas treatment plant, a gas transmission line, and a liquefaction facility, one of the largest and most complex infrastructure projects in modern U.S. history.*
- ***Cardinal-Hickory Creek 345 kV Transmission Line**, a $500 million, 102-mile transmission line project that will connect facilities in Iowa and Wisconsin, increasing the capacity and reliability of the regional transmission system and expanding access to lower-cost electricity and renewable energy generation.*

These four projects represent more than $45 billion in economic investment and approximately 20,000 permanent and temporary jobs. As a result of Permitting Council efforts, the permitting process for these projects was completed within weeks of initial FAST-41 permitting schedules, together representing a total of **more than ten years in time savings compared to non-FAST-41 projects.**

This year's report shows the benefits that FAST-41 coverage provides to projects and to the agencies that work to shepherd them through the environmental review and authorization process. FAST-41 ensures an enhanced level of transparency compared to the status quo which has previously been an unpredictable and confusing decision-making process, and has led to an unprecedented transition from old ways to the new ways of standardized, uniform access to easy to understand information on all of a project's Federal environmental review and authorization processes available to all interested stakeholders. I look forward to seeing the Permitting Council continue to build on these successes and execute reforms that help all eligible projects

complete the permitting process efficiently, provide increased transparency to the public, and facilitate effective coordination among Permitting Council member agencies.

Sincerely,

Alexander Herrgott
Executive Director
Federal Permitting Improvement Steering Council

Chapter 1. Permitting Council FY 2020 Accomplishments

The 2020 Annual Report to Congress (ARC) assesses Federal Permitting Improvement Steering Council (FPISC or the Permitting Council) member agency progress in implementing statutorily required best practices[3] during Fiscal Year (FY) 2020, assesses challenges to implementation of FAST-41, and provides recommendations to improve transparency, efficiency, and predictability in the permitting process. The ARC is developed by the Permitting Council's Office of the Executive Director (OED) in consultation with the Permitting Council member agencies,[4] each of which was given the opportunity to share information with OED regarding the performance of their agency.

Title 41 of the Fixing America's Surface Transportation Act (FAST-41) created a Federal system of oversight for large-scale, complex infrastructure projects to increase communication and cooperation, enhance transparency, and encourage efficient processing of environmental reviews and authorizations. The Permitting Council, established by FAST-41, coordinates environmental review and authorization decisions across all Federal agencies with permitting responsibilities. The Permitting Council identifies and institutionalizes best practices that improve the efficiency and quality of the environmental review and authorization process.

PERMITTING COUNCIL MEMBER AGENCIES INCLUDE:

Advisory Council on Historic Preservation (ACHP)
Army Corps of Engineers (USACE)
Council on Environmental Quality (CEQ)
Department of Agriculture (USDA)
Department of Commerce (DOC)
Department of Defense (DOD)
Department of Energy (DOE)
Department of Homeland Security (DHS)
Department of the Interior (DOI)
Department of Transportation (DOT)
Environmental Protection Agency (EPA)
Federal Energy Regulatory Commission (FERC)
Department of Housing and Urban Development (HUD)
Nuclear Regulatory Commission (NRC)
Office of Management and Budget (OMB)

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[3] 42 U.S.C. § 4370m-1(c)(2)(B)
[4] While DOT is a member of the Permitting Council, DOT is not subject to FAST-41 requirements, including applicable best practices and the ARC. See Pub. L. No. 114-94, § 11503(b) (Dec. 4, 2015). Nonetheless, DOT actively participates and provides input on best practices and the ARC to comply with reporting requirements pursuant to Executive Order (EO) 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects, 82 FR 40463 (Aug.15, 2017).

Permitting Council Accomplishments

The FAST-41 project portfolio consists of 52 covered projects across a range of critical infrastructure sectors, 60 percent of which have completed the permitting process. The FAST-41 project portfolio represents:[5]

$209 billion in economic investment [6]

136,000 permanent and temporary construction jobs

Four projects that voluntarily applied for FAST-41 coverage completed the Federal permitting process in FY 2020, the first year in which the Permitting Council is reporting on results for projects voluntarily covered under FAST-41.[7] These four projects represent:

more than $45 billion in economic investment

20,000 permanent and temporary construction jobs

more than 10 years in time savings

Chapter 2 details these time savings and provides narratives from the project sponsors on their FAST-41 experiences.

The documented cost of the Gemini Solar Environmental Impact Statement (EIS) alone, $6.2 million, translates to an estimated potential cost savings of up to

$12.6 million

as a result of these time savings.[8]

The FAST-41 active covered project portfolio increased by **33%** in FY 2020 and **60%** since the initial inventory.[9]

These voluntary requests for FAST-41 coverage by project sponsors illustrates the continued demand for OED services and FAST-41 benefits.

Additional process improvements by Permitting Council member agencies are identified in Chapter 3 - Best Practice Implementation.

> Without their dedication and use of the FAST-41 process, it would undoubtedly have taken months, if not years, longer and significant additional cost for approval of this project."
>
> - Frank Richards, President, Alaska Gas Development Corporation President

[5] The full project portfolio includes projects in "planned," "paused," "in progress," "cancelled," and "complete" status, and both inventory and voluntary FAST-41 projects. Four projects in the portfolio have been cancelled, and are therefore not included in calculations for economic investment and job creation. These numbers represent the portfolio as it stood at the end of FY 2020; the Battle Born Solar Project, which represents $1 billion in economic investment, was added to the portfolio shortly after the close of FY 2020 and is therefore not included in the calculations.

[6] Economic investment and job creation data throughout this report has been sourced from FAST-41 Initiation Notices (FINs) provided by project sponsors, and from public project websites.

[7] The four projects include Alaska LNG, Borderlands Wind, Cardinal-Hickory Creek, and Gemini Solar. Detailed information on the full permitting timetables for these projects can be found on the Permitting Dashboard at https://www.permits.performance.gov/projects/fast-41-covered. Additionally, Figure 8 includes a breakdown, by project, of original permitting timetable schedules versus current schedules.

[8] Please see Appendix B: Assessment Methodology for details on this calculation.

[9] 42 U.S.C. § 4370m-1(c)(1)(A)

OED Accomplishments

During FY 2020, OED and the Permitting Council agencies continued to increase coordination, efficiency, transparency, and predictability throughout the environmental review and permitting process.

COORDINATION

- **Increasing on-the-ground engagement:** In FY 2020, the Executive Director and OED staff participated in 23 outreach events, traveled to 27 cities and 15 states, and visited 31 project sites.

- **Enhancing coordination and consultation with Tribes:** OED took steps to develop tribal initiatives designed to facilitate early outreach and ongoing communication with Tribes, which will further inform Federal agencies' decision-making processes and, in turn, reduce infrastructure permitting delays.

- **Facilitating a shift to proactive project planning and management:** OED hosted and co-hosted FAST-41 virtual implementation trainings focused on sharing its best practices, tools, and resources that can move agencies and project sponsors away from reactive problem-solving and toward successful project management. Nearly 300 participants and more than 20 Federal agencies were represented at OED trainings in FY 2020.

EFFICIENCY

- **Encouraging alignment and harmonization:** OED created a Milestone Planning Tool designed to help agencies and project sponsors develop an accurate and realistic permitting timetable in the Coordinated Project Plan (CPP), track upcoming deadlines, and easily adjust dates as needed.

- **Utilizing GIS in environmental decision making:** OED worked with the OMB, CEQ, and DOT to review how the standardization or enhancement of geographic information systems (GIS) and geospatial data in environmental decision making can offer efficiencies to agencies and project applicants. Through investment in GIS tools and resources, OED and its partners hold the potential to make a meaningful impact on the transparency and quality of the environmental review and permitting process.

TRANSPARENCY & PREDICTABILITY

- **Improving transparency in the permitting process:** OED updated its Data Management Guide and worked with DOT to implement a number of enhancements to the public Permitting Dashboard, resulting in improved data quality and a more transparent and predictable permitting process for all stakeholders.

Chapter 2. Permitting Council Results for Permitting Timeframes under FAST-41

Part 1 – Project Highlights

FY 2020 is the first year in which the Permitting Council is reporting on results for projects voluntarily covered under FAST-41. The permitting process for these four voluntary, large-scale FAST-41 infrastructure projects was completed within weeks of the original schedule in FY 2020 and achieved **10 years in time savings.**[10] The following voluntarily covered projects received the benefits of a fully implemented FAST-41 program and are therefore the focus of this section of the report: Gemini Solar, Borderlands Wind, Alaska LNG, and Cardinal-Hickory Creek 345 kV Transmission Line. The agencies and project sponsors responsible for moving these projects through the permitting process coordinated effectively with each other and with OED to utilize the resources and benefits FAST-41 has to offer (see Chapter 4. FY 2020 OED Accomplishments). This coordination resulted in time and money savings without sacrificing environmental and community outcomes. These projects and their accomplishments are detailed below.

Part 2 – OED Assessment of Project Portfolio and Permitting Timeframes for FAST-41 Covered Projects - depicts permitting timeframes for all FAST-41 covered projects that were under Federal review during FY 2020, including those added as initial inventory or "legacy" projects versus projects that voluntarily applied for FAST-41 coverage.

"Through [OED's] administration of the FAST-41 process, [OED] helped get Gemini to the NEPA finish line; an effort which took only 22 months from NOI to ROD. **It was very clear to us early on that if it wasn't for Gemini Solar's covered status as a FAST-41 project that we would not have had the level of schedule transparency, accountability, and coordination among the multiple Federal and state agencies involved in the process. Participation in FAST-41 brought these agencies to the table with one organized voice and one schedule (posted online!) which was key to efficiently and effectively navigating the NEPA and various permitting processes.** Schedule certainty is universally sought by the private investment in association with large infrastructure projects like Gemini. Investment in renewable energy projects on Federal land is vital to achieving the nation's objective of a clean energy future, and programs like FAST-41 will be a major catalyst for making that a reality."
- Ricardo Graf, Managing Partner, CDO, Arevia Power

[10] This figure was calculated from the sum of time savings for each individual project. More detail about how the time savings is calculated is included in subsequent footnotes. The reference frame to calculate time savings (i.e., CEQ average, average Recommended Performance Schedule (RPS), maximum RPS) was determined based on the specific permitting actions involved in the project and the variable size, scale, and complexity of each project.

Gemini Solar Project

The Gemini Solar Project, the largest solar photovoltaic and battery storage facility on U.S. Federal lands and one of the largest renewable energy projects of its kind in the world[11] was approved in less than two years under the FAST-41 process.[12] This $1 billion, 690-megawatt solar photovoltaic electrical generation facility, located 25 miles northeast of Las Vegas, Nevada, became a FAST-41 project in July 2018 and completed the National Environmental Policy Act (NEPA) process in FY 2020. The Right-of-Way Grant was completed within three months of the original date set in the FAST-41 permitting timetable. The Gemini Solar Project will help meet Nevada's state requirement for 50 percent renewables by 2030 and 100 percent clean energy by 2050.

> "The project schedule kept slipping weeks here and there and over time, it added up to months behind schedule, we felt the project timeline was moving out of control to the point of nearly killing the project. That's when we decided to file for the FAST-41 status. After we gained approval to enter the program, the project timeline was stabilized. I was able to track approvals throughout the process from the online dashboard and report progress to our executives. It gave us certainty and transparency into the process, which we didn't have prior to FAST-41. **We are breaking ground next week (October 19, 2020) and that would not have been possible without the help of the FAST-41 team keeping the project on schedule**."
> - Gabe Henehan, P.E., Project Director, NextEra Energy Resources LLC

As the lead agency, BLM engaged Permitting Council and OED resources and worked with its cooperating agencies (USACE and U.S. Fish and Wildlife Service (USFWS)) to successfully develop a CPP and permitting timetable within 60 days of the project being covered under FAST-41. BLM ensured that senior Permitting Council agency officials were updated on the status of the project throughout the permitting process, and led efforts to coordinate timely completion of the National Historic Preservation Act (NHPA) Section 106 process in concert with OED, the ACHP, and the State Historic Preservation Officer (SHPO). Those efforts led to a shared understanding and timely completion of the required analyses and of the Section 106 process.

Compared to the longest duration for the NEPA process (from Notice of Intent (NOI) to Record of Decision (ROD)) documented in the Recommended Performance Schedules (RPS) for 2020 for renewable energy projects, an appropriate comparison given the size, scale, and complexity of this project, **3.7 years were saved under the FAST-41 process**.[13] The documented cost of the Gemini Solar Environmental Impact Statement (EIS), $6.2 million, translates to an estimated potential **cost savings of up to $12.6 million**[14] as a result of these time savings.

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[11] The Gemini Solar project is the largest solar project in U.S. history and is projected as the 8th largest solar project in the world, per the DOI. *See* https://www.doi.gov/pressreleases/interior-approves-plan-largest-solar-project-us-history.

[12] Gemini Solar Project, NS Energy, https://www.nsenergybusiness.com/projects/gemini-solar-project/#:~:text=Gemini%20solar%20project%20is%20a,projects%20of%20its%20kind%20globally. Gemini will be the largest facility in the country by generation capacity and acreage.

[13] The maximum duration from NOI to ROD for the renewable energy production sector is 5.58 years (66.96 months). For Gemini Solar, the duration between NOI and ROD was 22 months. This equals 44.96 months, or 3.74 years, saved. *See* Table 4 in the RPS for 2020.

[14] *See* Appendix B – Assessment Methodology for details on this calculation.

Borderlands Wind Project

The Borderlands Wind project, a 100-megawatt wind project located on 17,000 acres of mixed-use land, was approved in less than two years under the FAST-41 process. This $200 million project in western Catron County, New Mexico will deliver renewable energy to the Four Corners region (Arizona, New Mexico, Colorado, and Utah) and help Tucson Electric Power meet the Arizona Corporation Commission rules dictating that 15 percent of regulated Arizona utilities' energy be from renewable resources by 2025, while also meeting current market demands generated by the retirement of coal facilities.

Within 60 days of becoming a FAST-41 covered project, the lead agency, BLM, worked with OED to deliver a CPP and a publicly posted permitting timetable, concurred upon by all Federal agencies with permitting responsibilities for the project. Borderlands Wind required authorizations from 13 Federal, state, and local offices with permitting authorities or pertinent interests. BLM collaborated with OED to ensure all involved agencies' roles and responsibilities were identified and incorporated in the timetable on the Permitting Dashboard.

BLM engaged OED and the Permitting Council to identify appropriate Federal resources and coordination opportunities to support BLM's efforts to successfully complete the NHPA Section 106 process in a way that accommodated requested project modifications and the effects of the pandemic on review times by Tribes, while limiting the impact of those requests on the overall project timetable. As a result of these efforts, the Section 106 process was only extended by five months and the impact to the overall project schedule was less than two weeks. The Borderlands Wind project Right-of-Way Grant was completed in 26 months, within two weeks of the original target completion date. The Permitting Council's efforts resulted in **a time savings of at least five months**[15] (24 percent of the actual permitting duration) and **reduced the duration of the Right-of-Way Grant process by 11.32** months[16] from the average duration for similar projects prior to FAST-41 implementation.

"FAST-41 was initiated for the Alaska LNG Project in 2017, and within three years the project approval and permitting process was completed. As a comparison, a similar pipeline project in the state, that was less complex and smaller, took almost two years longer to get to a similar point in the approval process. **OED's capability to coordinate requirements across agencies was a critical component in successful completion of the permitting/approval effort.** When there were challenges and obstacles during the permitting process, OED coordinated with all parties to develop a workable strategy to keep the process moving forward and allow on-time delivery of permits. OED subject matter experts were assets to the process and worked tirelessly across multiple time zones to deliver a successful FAST-41 project." - Lisa Haas, Environment and Regulatory Manager, Alaska Gasline Development Corporation

[15] This project had a five-month Section 106 extension. Permitting Council efforts ensured that this five-month delay did not affect the Right-of Way grant action. This resulted in a five month time savings.
[16] The average time it takes to obtain BLM Right-of-Way for the renewable energy production sector is 3.11 years (37.32 months). The BLM issued a Right-of-Way for the Borderlands Wind project in 26 months. This equals 11.32 months saved. *See* Table 4 in the RPS for 2020.

Alaska LNG Project

The Alaska LNG project, one of the largest liquefied natural gas (LNG) projects in the country,[17] was approved in record time[18] under the FAST-41 process. This $38 billion project consists of an 807-mile natural gas pipeline, a gas treatment plant, a gas transmission line, and a liquefaction facility (including an LNG plant and a marine terminal), and required 70 Federal, state, and local authorizations from over 19 Federal and state agencies. Within 60 days of becoming a FAST-41 project, FERC, as lead agency, delivered a CPP, in coordination with its cooperating agencies (DOC-National Oceanic and Atmospheric Administration (NOAA), DOE, U.S. Coast Guard (USCG), USACE, BLM, USFWS, and National Park Service (NPS)) and OED, and a publicly posted permitting timetable, concurred upon by all Federal agencies with permitting responsibilities for this project. Alaska LNG is one of the largest and most complex infrastructure projects in modern U.S. history.

> "The FAST-41 process was absolutely critical for the Alaska LNG Project to obtain timely permits and stay on schedule. The $38 billion project is unique, complex, and needed input from a wide array of Federal agencies for approval of the integrated Gas Treatment Plant, 807-mile pipeline, Liquefaction Facility and marine terminal. We appreciate the diligence and effort of the Permitting Council staff. **Without their dedication and use of the FAST-41 process, it would undoubtedly have taken months, if not years, longer and significant additional cost for approval of this project**."
> - Frank Richards, President, Alaska Gas Development Corporation President

This project will convert natural gas to LNG for export and to provide gas for users in Alaska. **Construction is expected to create up to 18,000 temporary and 1,000 permanent jobs**.

FERC and its cooperating agencies coordinated with OED to use the FAST-41 process to identify and resolve issues quickly. The agencies were successful in achieving consensus on methodologies used to inform analyses; developing a comprehensive approach to processing various water crossings associated with the 807 miles of pipeline; responding swiftly to an extension on a permitting action, on which several other permitting actions relied, to minimize overall impacts to the timetable; and communicating regularly with all parties with permitting and authorization responsibilities to ensure decision makers had all necessary information to make timely and informed decisions.

> "[The release of the final EIS] is a key step forward for Alaska LNG and a significant milestone for the project. This final EIS is the culmination of years of research, analysis, and public process. I thank all of the staff at FERC who worked diligently to complete this extensive review on schedule. It is one of the most comprehensive federal environmental reviews ever completed." - Senator Lisa Murkowski

FERC and its cooperating agencies successfully worked with OED to expedite the identification of issues, quickly raising them to the attention of Permitting Council members for action. This led to the permitting process for the project being completed three weeks early according to the operating schedule, and within

[17] *See* https://dailyenergyinsider.com/news/26833-alaska-lawmakers-applaud-doe-authorization-of-alaska-lng-project/?amp

[18] *See* https://www.alaskajournal.com/2020-05-21/alaska-lng-project-gets-major-federal-approval, quotes from project sponsors on page 6-7 of this report, and https://www.permits.performance.gov/about/announcements/trump-administration-authorizes-massive-lng-project-record-time

three months of the original target completion date, set three years earlier. Compared to the maximum duration for the NEPA process documented in the RPS for pipeline projects, an appropriate comparison given the size, scale, and complexity of this project, **4.8 years were saved under the FAST-41 process.**[19]

Cardinal-Hickory Creek 345 kV Transmission Line Project

The Cardinal-Hickory Creek 345 kV Transmission Line Project was approved within two months of the target completion date. This 102-mile transmission line, proposed by project partners American Transmission Company, ITC Midwest, and Dairyland Power Cooperative, will connect facilities in northwest Iowa and south-central Wisconsin, increasing the capacity and reliability of the regional transmission system and expanding access to lower-cost electricity and renewable energy generation.

"**FPISC OED worked closely with Council member agencies to complete a well-coordinated and robust Federal review** for the Cardinal-Hickory Creek 345 kV Transmission Line Project in September 2020, which was within 2 months of the target completion date set in mid-2017, when the project became a FAST-41 project. FPISC-OED used the FAST-41 process to ensure FAST-41 points of contact were identified across all involved Federal agencies, who were responsible for the development and oversight of a realistic and timely permitting schedule, and enhanced coordination among senior and field level agency officials when warranted. Fifty percent of the Federal reviews and authorizations were completed ahead of schedule." - Amy Lee, Environmental Project Manager-Consultant, American Transmission Company

As lead agency, USDA coordinated with OED and its cooperating agencies (USACE and USFWS) to take advantage of the FAST-41 process to ensure points of contact were identified for each involved Federal agency, including clear identification of individuals who were responsible for the development and oversight of a realistic and timely permitting schedule for this project. USDA worked with OED to elevate coordination among senior- and field-level agency officials, as well as with the project sponsors, when warranted. Fifty percent of the Federal reviews and authorizations were completed ahead of schedule and the **NEPA process was completed in 3.3 years, or 27 percent faster than the CEQ average timeline for projects as stated in the CEQ's "Environmental Impact Statement Timelines" (2010-2018)**.[20] This represents an overall **time savings of 1.2 years.**[21] The permitting process was completed in less than time than the average time taken for similar projects in the electricity transmission sector according to the RPS.

[19] The maximum duration from NOI to ROD for the pipelines sector is 7.83 years. Per the Permitting Dashboard, the For the Alaska LNG project, the duration between NOI and ROD was 3 years. This equals 4.8 years saved. *See* Table 3 in the RPS for 2020.
[20] CEQ, "Environmental Impact Statement Timelines (2010-2018)," June 12, 2020, https://www.whitehouse.gov/wp-content/uploads/2020/01/20200612CEQ_EIS_Timelines_Report_Update.pdf.
[21] The average time to complete an EIS is 4.5 years. Cardinal-Hickory Creek completed its EIS in 3.3 years, for a time savings of 1.2 years.

Part 2 – OED Assessment of Project Portfolio and Permitting Timeframes for FAST-41 Covered Projects

The Permitting Council strives to reduce unnecessary costs and delays for FAST-41 covered projects while maintaining the integrity of the environmental review and permitting process. FAST-41 provides an interagency mechanism to coordinate the implementation of multiple permitting statutes by, among other methods, providing for a single unified schedule posted publicly on the Permitting Dashboard. This section outlines the scope of the FAST-41 covered project portfolio and the benefits of project coverage in terms of time savings and economic investment. It also provides OED's assessment of permitting timeframes for FAST-41 covered projects, including comparisons to FY 2019 to demonstrate overall progress toward key FAST-41 goals.

Expanded Scope of FAST-41 Project Portfolio

FAST-41 is a voluntary program for qualifying voluntary, large-scale infrastructure projects. The program provides oversight, strengthens cooperation and communication among regulatory agencies, enhances transparency, and emphasizes efficient processing of environmental reviews and authorizations. FAST-41 does not modify any underlying Federal statute, regulations, or mandatory environmental reviews.

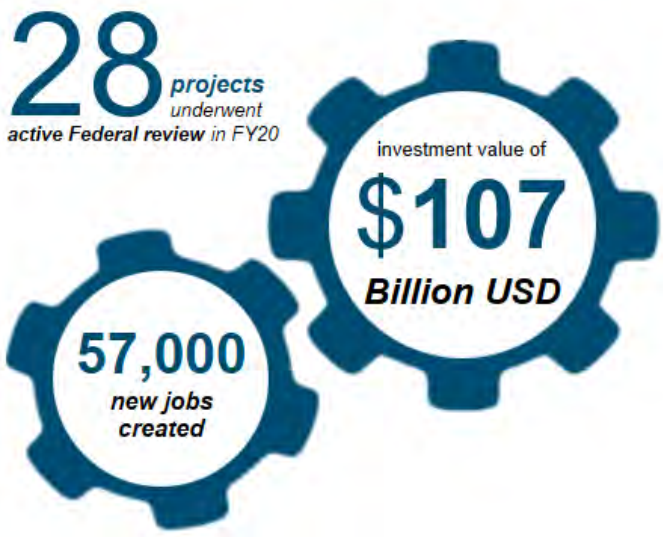


Figure 1. Illustration. Number of active projects in FY 2020 with associated economic investment and jobs created.

As of the end of FY 2020, the FAST-41 covered project portfolio consists of 52 projects (including completed projects) across a range of critical infrastructure sectors representing a total economic investment value of over $209 billion, with an average project investment value of $4.4 billion, over 134,000 temporary jobs, and more than 2,000 permanent jobs.

During FY 2020, 28 of these 52 projects were active,[22] meaning in some stage of active Federal review, representing a total investment value of $107 billion, with an average project investment value of $3.7 billion, and 57,000 jobs.

Figure 2 shows the number of FAST-41 covered projects (active and inactive) per sector as of October 1, 2020 (the end of FY 2020).

[22] For this analysis, projects are considered "active" if, at the start of FY 2020, these projects were neither cancelled nor already completed; projects that became covered projects in FY 2020 are also considered active.

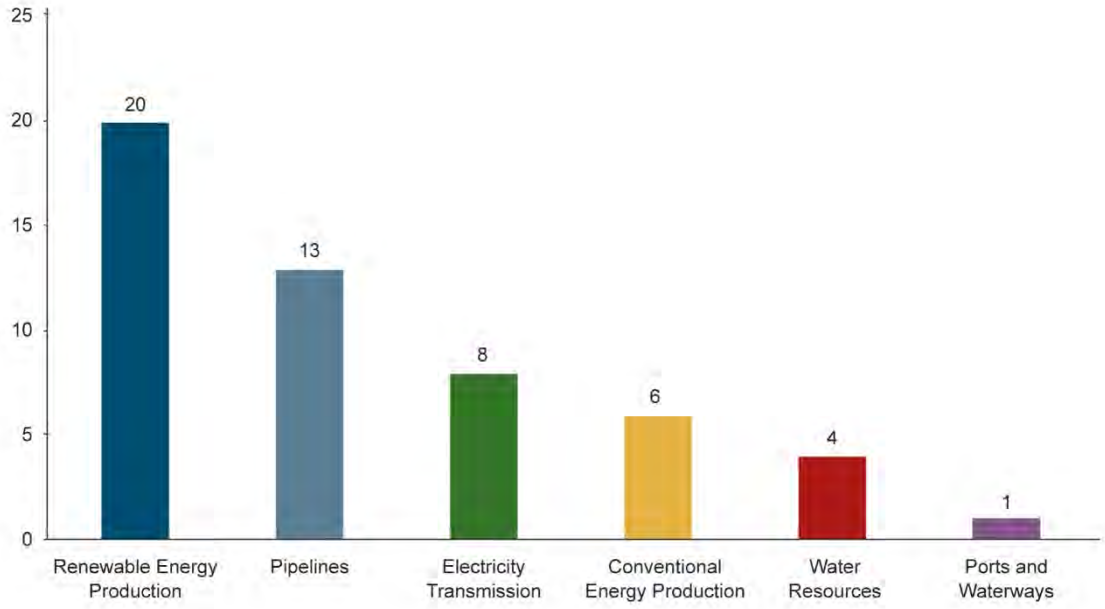


Figure 2. Chart. Number of FAST-41 covered projects by sector. Data as of Oct. 1, 2020.

Figure 3 documents the status of all 52 FAST-41 covered projects as of the end of FY 2020. At the start of FY 2020, 21 FAST-41 covered projects had completed environmental permitting; by the end of FY 2020, 30 FAST-41 covered projects had completed environmental permitting.

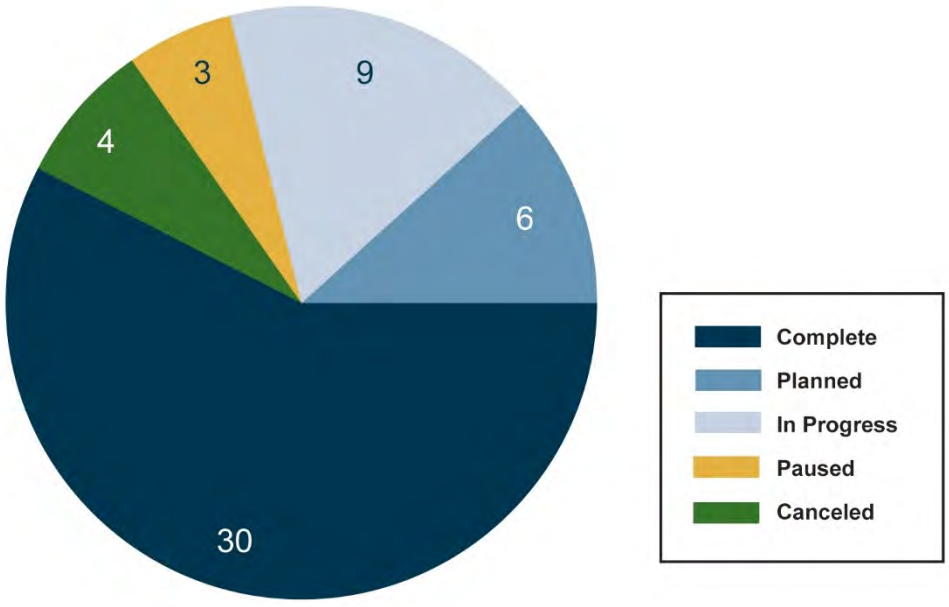


Figure 3. Chart. All FAST-41 covered projects by status. Data as of Oct. 1, 2020.

Continued Demand for FAST-41 Coverage and Permitting Council Services and Benefits

Upon FAST-41's enactment into law, an initial inventory of 33 projects were added to the Permitting Dashboard and were covered by FAST-41.[23] These "legacy" projects were at various stages of their permitting processes and were the first to be implemented under FAST-41 while OED was still being established and staffed. The FAST-41 project portfolio has since increased by nearly 60 percent through voluntary project sponsor submissions of FAST-41 Initiation Notices (FINs).[24] In FY 2020, the first four of these voluntary, large-scale infrastructure projects were completed within weeks of their original schedules and received the benefits of a fully implemented FAST-41 program. The increased voluntary application for FAST-41 coverage and OED services coupled with the coordination, oversight, and guidance of the Permitting Council throughout all stages of the permitting process demonstrates success of the FAST-41 program. Comparison of voluntary and inventory projects presents a unique opportunity to explore the utility of a fully implemented FAST-41 program.

Figure 4. Illustration. Growth in FAST-41 project portfolio since the initial inventory was established, expressed in projects added, new investment value generated, and new jobs added.

Demand for OED services and the FAST-41 process is evidenced by a **33 percent expansion** in the FAST-41 active covered project portfolio in FY 2020, and by nearly a 60 percent expansion of covered projects since the establishment of the initial project inventory. Newly added projects in FY 2020 represent 25 percent of the total active covered project portfolio.[25] **In FY 2020, FAST-41 coverage has provided a coordinated permitting process**

[23] 42 U.S.C. § 4370m-1(c)(1)(A)

[24] To be eligible for FAST-41, projects must either: 1) Be subject to NEPA, likely require a total investment of more than $200 million, and not qualify for abbreviated authorization or environmental review processes under any applicable law; or, 2) Be subject to NEPA and the size and complexity of which, in the opinion of the Council, make the project likely to benefit from enhanced oversight and coordination, including a project likely to require authorization from or environmental review involving more than two federal agencies; or the preparation of an EIS. Projects that are subject to the Department of Transportation's procedures for Efficient Environmental Reviews for Project Decision making pursuant to 23 U.S.C. §139, and projects subject to the Department of the Army's Project Acceleration Procedures pursuant to 33 U.S.C. § 2348, cannot become FAST-41 covered projects. 42 U.S.C. 4370m(6)(B). (42 U.S.C. § 4370m(6)(A)).

[25] *See* Appendix B – Continued Demand for FAST-41 Coverage and Permitting Council Services and Benefits for detailed information on these calculations.

for these projects, representing $15.1 billion in potential economic investment and 9,800 jobs created. These numbers are reflected in Figure 4 and Figure 5.

Figure 5. Illustration. Growth in FAST-41 project portfolio in FY 2020, expressed in projects added, new investment value generated, and new jobs.

FAST-41 Delivers Time Savings and Efficiencies throughout the Permitting Process

The Federal infrastructure permitting process can be complex, siloed, and unpredictable. Many Federal statutes, executed by multiple Federal agencies, govern infrastructure permitting. The permitting process can include compliance with not only numerous Federal statutes, but also state and local laws and ordinances, and may vary significantly depending on the unique nature of the infrastructure project being proposed, its location, and its potential impacts.[26] There can be significant overlap in statutory requirements and inconsistency in application of those requirements in the permitting process.

In recognition of these complex permitting challenges, FAST-41 established the Permitting Council to provide a central resource within the Federal government for coordination across Federal agencies and, for the first time, to coordinate a single, unique, and concurred-upon schedule across permitting agencies for each covered project.

FY 2020 provides the **first set of completed projects that applied voluntarily for FAST-41 coverage** and benefitted from the fully implemented program. A total of five projects completed the NEPA process in FY 2020, and four of those projects completed the entire permitting process. Two of these projects—Alaska LNG and Gemini Solar—are some of the **largest of their kind in the country** in terms of the infrastructure's physical size and scale. Tracking these projects on the Permitting Dashboard shows the time savings realized during the NEPA process for FAST-41 projects compared to all projects completing the NEPA process.

As shown in Figure 6, the average time for all projects to complete an EIS pursuant to NEPA was 4.5 years across agencies for the period from 2010 to 2018.[27] At an average of 2.5 years to complete the EIS process, **FAST-41 delivered 45 percent time savings in comparison to the baseline average duration to**

[26] The Permitting Dashboard tracks up to 60 environmental reviews and authorizations. Environmental reviews and authorizations are included in the Federal Environmental Review and Authorization Inventory, available at https://cms7.permits.performance.gov/tools/federal-environmental-review-and-authorization-inventory.
[27] CEQ, "Environmental Impact Statement Timelines (2010-2018)," (Jun. 12, 2020), https://www.whitehouse.gov/wp-content/uploads/2020/01/20200612CEQ_EIS_Timelines_Report_Update.pdf

complete an EIS. This represents a 33 percent increase in time savings since 2019, which rose from 1.5 years in FY 2019 to 2 years in FY 2020.

Figure 6. Chart. Comparison of baseline CEQ EIS average NEPA duration to average NEPA duration for FAST-41 covered projects that completed the NEPA process in FY 2020.[28]

In FY 2020, FAST-41 delivered time savings beyond the NEPA process, extending benefits to other permits and authorizations. On average, the Federal permitting process for voluntary FAST-41 projects was completed during FY 2020 **within a month of the original schedule developed under the FAST-41 process.** This represents a substantial improvement from inventory projects, which did not have the advantage of the full range of tools and resources of FAST-41 and OED for much of their Federal permitting processes.

Increased Transparency and Predictability throughout the Permitting Process via the Permitting Dashboard

During FY 2020, OED, in coordination with Permitting Council member agencies, instituted a number of Permitting Dashboard enhancements, provided project data reports for Permitting Council member agency review, and held monthly discussions; these efforts helped to identify both upcoming deadlines and missed deadlines, implementation of applicable best practices (BPs), and training and operationalization strategies for FAST-41 requirements and objectives. OED expects the results of such efforts will reduce the need for otherwise avoidable permitting schedule modifications. The following observations are preliminary and the full effect of the Permitting Council's continued implementation of FAST-41 will be updated with future data as the program continues to mature.

[28] This graphic represents the five voluntary FAST-41 projects that completed their respective NEPA processes in FY 2020: Alaska LNG, Borderlands Wind, Cardinal-Hickory Creek, Gemini Solar, and Jordan Cove. Jordan Cove has not yet completed its full environmental review and authorization process. The CEQ reported average time reflects 1,276 projects.

The Permitting Council member agencies utilize the transparency of interim and final milestones being tracked in a central location on the Permitting Dashboard to proactively identify issues and potential delays. Under the FAST-41 process, a "missed date" on the Permitting Dashboard results in additional visibility and discussion among senior-level officials of the Permitting Council member agencies, allowing them to work together to identify the issues, address them in a coordinated way, and implement an appropriate path to resolution to meet the needs of all agencies involved. This process ensures that interim milestones that are missed or delayed are addressed immediately to minimize adverse impacts to the overall permitting schedule. In FY 2020, project schedules were only impacted by an average of one month due to missed dates.

On-Time Milestone Completion

Timeliness of meeting permitting milestones is an important indicator of overall project timeliness. While projects still may be able to meet their overall permitting schedule if milestones are missed, missed milestones increase risk to the overall project schedule, especially when there are dependencies between different permitting actions. Across all projects in the FAST-41 portfolio, 60 percent of all tracked permitting milestones (interim and final) were completed on time.

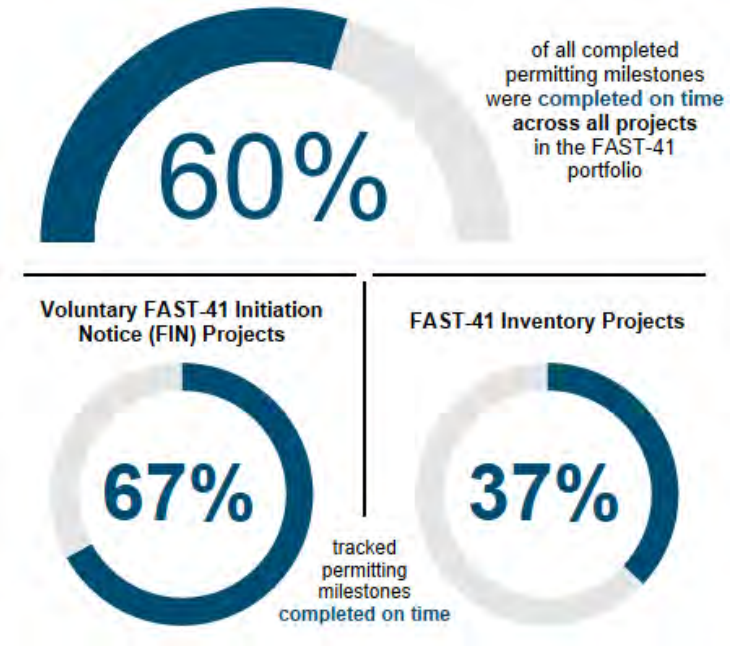


Figure 7. Illustration. Percentage of all tracked milestones completed on time, compared to FAST-41 FIN and inventory projects (demonstrating improvements between FAST-41 inventory projects, and voluntary projects that benefited from a fully implemented FAST-41 program).

For the voluntary FAST-41 projects, 67 percent of all permitting milestones (interim and final) were completed on time.[29] Inventory projects, which did not have the opportunity to benefit from a fully implemented FAST-41 program, only completed 37 percent of all tracked permitting milestones (interim and final) on time. This represents a substantial improvement in successful completion of all permitting milestones from a partially implemented to a fully implemented FAST-41 program. This progress is reflected in Figure 7.

Reasons for Schedule Changes

When any agency does not conduct or complete on time a scheduled activity or milestone tracked on the Permitting Dashboard, the responsible agency must provide an updated schedule to the project sponsor and the other governmental entities with environmental review and authorization responsibilities for the

[29] In this case, milestones completed "on time" include both milestones completed early and milestones completed on time (on the day of the scheduled milestone completion date). *See* Figure 10 in Appendix B for more details.

project. Changes to the schedule may also be required throughout the process to ensure all agencies' informational needs to complete authorizations are met. The Permitting Council structure and the FAST-41 process support agencies' efforts to align their permitting processes to develop a prudent, timely, and realistic schedule at the beginning of the FAST-41 process. Moreover, the same structure and process supports updates to that schedule when needed. While a change to a milestone date may not impact the overall timeframe for a project as a whole, changes to interim milestones can still have an effect on other interdependent milestones and actions.

Agencies must report the reason for missed milestones when they occur. The Permitting Council tracks the reasons for changes to the schedule to identify recurring risks in the permitting process. This helps Permitting Council member agencies anticipate and proactively address those risks in future FAST-41 projects. This information can also support agencies' efforts under FAST-41 to identify ways to "standardize, simplify, and improve the efficiency of the processes, policies, and authorities."[30]

Agencies created more accurate schedules in FY 2020, demonstrated by a reduction in the number of schedule modifications. In FY 2020, there was an average of 6.8 schedule modifications per project (117 modifications for 17 projects), compared to an average of 7.6 schedule modifications per project in FY 2019 (168 modifications for 22 projects).[31]

In FY 2020, the frequency of reasons for milestone modifications reflect the positive impacts of the FAST-41 program and OED resources. Specifically, they demonstrate that early planning and coordination, direct engagement with project sponsors, and frequent communication across Federal agencies result in fidelity to original schedules and reduced permitting delays. For example:

- **Milestones modified because they were ahead of schedule represent the most common reason for schedule change**, and increased by 3 percent from the previous fiscal year.
- Project sponsor factors as a reason for milestone extensions decreased by 8 percent from the previous fiscal year.
- Interagency reasons for milestone extensions decreased by 6 percent from the previous fiscal year.

In FY 2020, OED observed a **reduction in requests from agencies to extend target completion dates** for permitting-action milestones, resulting in fewer impacts to project permitting schedules.

- In FY 2020, OED received 55 requests to extend target completion dates for permitting-action milestones. These requests affected 16 environmental actions across 11 different projects. Approximately 55 percent of those requests would be classified as missed dates.
- In FY 2019, OED received 81 requests to extend target completion dates, affecting 20 environmental actions across 19 different projects. Of those 70 requests, approximately 42 percent of requests would be classified as missed dates.

[30] 4370m-1(c)(3)(C)

[31] Figure 10Figure 11 in Appendix B contains a more detailed breakdown of reasons for schedule changes in FY 2020. Table 4 in Appendix B includes a detailed explanation for reasons for date change. Data used to calculate these figures include ongoing and completed projects during FY 2019 and FY 2020, respectively, and exclude projects that were canceled in or before FY 2019 and FY 2020, respectively.

OED is dedicated to increasing the predictability of permitting timetables and reducing the likelihood of permitting delays, both within and beyond government control. To reduce these delays, OED coordinates with Federal agencies, project sponsors, and other entities with permitting and authorization responsibilities to inform initial project schedules and mitigate the impacts of schedule modifications. While agencies cannot necessarily control the actions of project sponsors and other entities involved in the project, OED aims to support agencies with the tools they need to take proactive measures to prevent, avoid, or minimize delays. Such measures include ensuring prudent timeframes in permitting schedules, providing proactive mechanisms to flag potential delays, and implementing OED-recommended BPs.

Impacts of Schedule Changes

In FY 2020, 78 percent of projects completed the permitting and environmental review process within five months of their original permitting schedule, compared to 70 percent in FY 2019. This shows agencies are making strides in meeting their original project schedules. Figure 8 compares the original length of project permitting schedules, as established in the permitting timetables, to the actual current length of the project permitting schedules, as of the end of FY 2020.[32] The length illustrated by the bars in Figure 8 represents the time needed to complete all Federal agency environmental review and authorization decisions within a project's permitting timetable on the Permitting Dashboard.

Figure 8 includes projects in all FAST-41 sectors. Lengths are calculated as the months between the furthest target dates and the earliest NOI target date. Completed projects' permitting schedule lengths are final; however, schedules for projects in planned and paused status are likely to change once the permitting process resumes.[33]

Actual project lengths were equivalent to or less than the original project lengths for 41 percent of the projects (9 of 22 projects) in FY 2020. Another 36 percent of projects (8) have been completed or were expected to be completed within 5 months of the original schedule, as of the end of FY 2020.

[32] Figure 8 excludes actions canceled in or before FY 2020, projects canceled in or before FY 2020, and projects completed before FY 2020. The length is calculated as the months between the furthest target date or baseline date and the NOI target or baseline date. Milestones added after the initial permitting timetable was established are included.

[33] Planned action dates were not counted towards the "Original Length" of timetables shown in Figure 8. This methodology was established following extensive discussions with agencies on how to portray overall permitting durations where permitting actions have not yet been initiated and are outside of agency control. However, waiting for all permitting actions to be initiated to show the "Current Length" as identified on the public dashboard poses its own challenges. Therefore, these planned (not yet in progress) actions are included in the "Current Length" of timetables shown in Figure 8. This affected the comparison of "Original Length" to "Current Length" in Figure 8 for one project, the Lake Elsinore Advanced Pumped Storage Project. In this instance, the actual difference between "Original Length" and "Current Length" is zero months. OED will examine possible future updates to the methodology to address this particular issue.

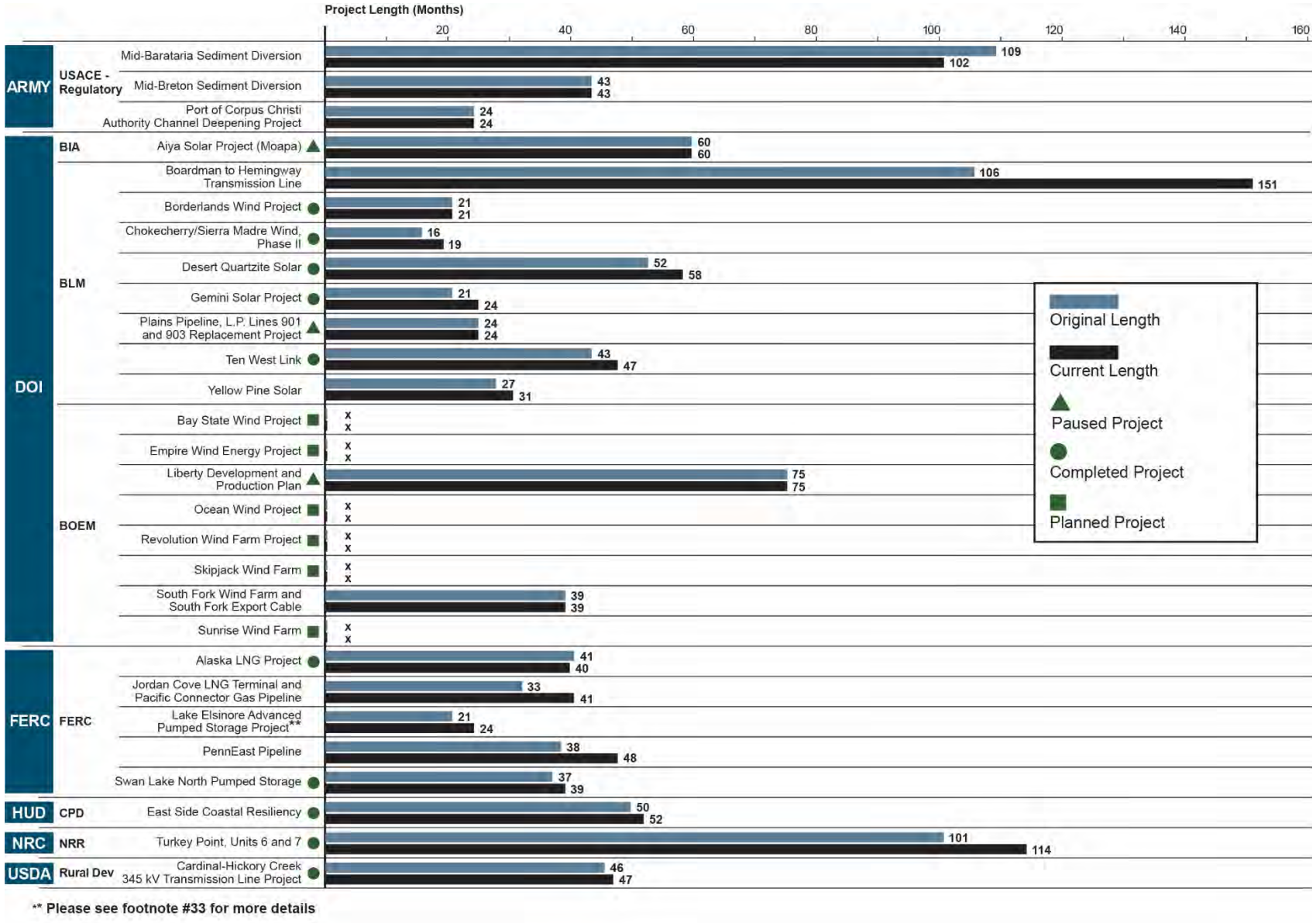


Figure 8. Chart. Original and current lengths of FAST-41 covered project permitting timetables in FY 2020.

FY 2020 Completed Project Performance Relative to Recommended Performance Schedules

In April 2020, OED released its Recommended Performance Schedules for Environmental Reviews and Authorizations (RPS). This report fulfills the FAST-41 requirement for the Executive Director to consult with members of the Permitting Council to develop RPS for environmental reviews and authorizations commonly required for each category of covered projects.[34] To the extent possible, OED intends for these performance schedules to represent an accurate and reliable baseline for FAST-41 streamlining efforts implemented since 2018.[35] OED has developed RPS for the renewable energy production, electricity transmission, and pipeline sectors.[36] The following figure displays the length of the EIS action for projects completed in FY 2020 in each of the three sectors.[37] For each figure, the blue bar represents the current length of the EIS and the black bar indicates the minimum and maximum duration for the EIS. The dotted line represents the average length of an EIS, as indicated in the RPS.

Figure 9 shows that the EIS process for the Cardinal-Hickory Creek Transmission Line Project was completed in less time than the RPS, at 3.25 years. The RPS for an EIS in the electricity transmission sector is 3.31 years.

The EISs for the Gemini Solar Project and the Borderlands Wind Project were completed in less time than the RPS for renewable energy production projects, at 1.82 and 1.72 years, respectively. The RPS for EISs for renewable energy production is 2.3 years; the EIS process for the Gemini Solar Project was 21 percent faster than the average, and the EIS process for the Borderlands Wind Project was 25 percent faster than the average for renewable energy projects.

The EIS for Alaska LNG, which took 3.05 years to complete, exceeded the RPS length of 2.42 years. However, Alaska LNG is one of the largest and most complex infrastructure projects in history. The EIS process for the Alaska LNG project took only 7.5 months more than the average for typical pipeline projects, and took 4.78 years less than the maximum length for EISs in any sector. Given the size and scale of Alaska LNG, its EIS was completed with remarkable efficiency.

[34] 42 U.S.C. § 4370m-1(c)(1)(C)(i)
[35] Although the completed voluntary projects were initiated without the benefit of RPS, the RPS still provide a useful baseline against which to compare the voluntary projects.
[36] OED is collecting data to develop RPS for other sectors and reviews and updates the RPS every two years.
[37] Table 6 in Appendix B shows how projects met the RPS for each environmental review and authorization action.

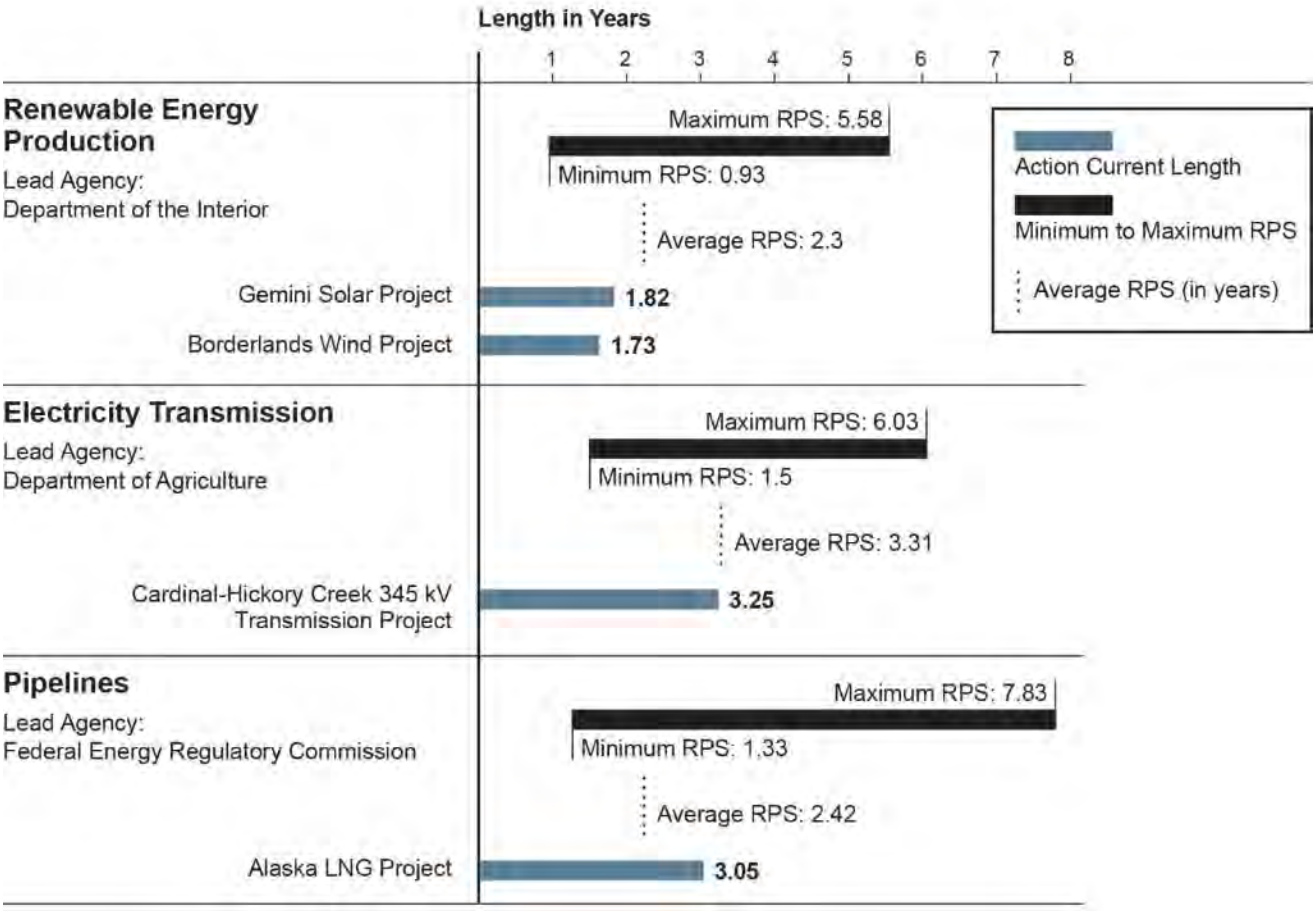


Figure 9. Illustration. EIS lengths for renewable energy, electricity transmission, and pipeline projects compared to the RPS.[38]

[38] This figure includes only those projects completed in FY 2020. Data current as of Oct. 22, 2020.

Part 3 – OED Observations and Recommendations for Continued Improvements to Review Timelines, Predictability, and Transparency of the Permitting Process

Permitting Council member agencies continue to make progress in developing and adhering to more accurate timelines with the assistance of OED. The reliability and accuracy of the dates published on the Permitting Dashboard are primary considerations of OED to ensure FAST-41 continues to serve the public as an unprecedented performance and accountability tool, implemented as Congress intended. This section provides select OED observations and recommendations for improving timeliness, predictability, and transparency of the permitting process based on data gathered in Part 2 – OED Assessment of Project Portfolio and Permitting Timeframes for FAST-41 Covered Projects.

Sustaining improved permitting timeliness

Finding: FY 2020 provided the first set of projects completed under full implementation of FAST-41, which reflect an average time savings of two years in the NEPA process, or 45 percent, compared to the CEQ-reported average EIS duration (2010-2018). These projects received the full benefits of FAST-41, including enhanced interagency cooperation, OED engagement, and transparent project timetables for all required reviews and authorizations available on a single project webpage. As FAST-41 becomes further institutionalized, OED anticipates continued success in achieving timely completion of the permitting process for complex infrastructure projects.

Recommendation: Agencies should continue implementation of FAST-41 policies and procedures, and support training efforts for staff and third-party contractors working on FAST-41 covered projects.

OED Support: OED will work with agencies to provide training on FAST-41 policies and procedures, and can also provide support to agencies interested in co-designing and implementing trainings tailored to their needs, including promoting and delivering training for third party contractors. OED will also work with agencies to identify additional eligible projects for FAST-41 coverage.

Improving transparency and predictability

Finding: Displaying project information and timetables on the Permitting Dashboard provides enhanced transparency for project sponsors, stakeholders, and the public, and is a key benefit of FAST-41. Across all projects in the FAST-41 portfolio, 48 percent of tracked permitting milestones (interim and final) were updated on the public Permitting Dashboard according to FAST-41 requirements. For voluntary FAST-41 projects, 52 percent of tracked permitting milestones (interim and final) were updated on time.[39] Additionally, in FY 2020, OED updated the Data Management Guide to improve the consistency,

[39] *See* Appendix B, Table 5. A late update to a milestone on the Permitting Dashboard does not necessarily mean that the milestone will not be completed on time.

accuracy, and timeliness of updates to the Permitting Dashboard. The Data Management Guide sets forth general operating procedures and processes for the management of the Permitting Dashboard.

Recommendation: Agency Chief Environmental Review and Permitting Officers (CERPOs) should ensure, to the extent possible, that Permitting Dashboard administrators, project managers, and other staff working on FAST-41 projects are familiar with the updated operating procedures and processes for the Permitting Dashboard documented in the Data Management Guide.

OED Support: FAST-41 requires the lead agency to establish a compliant CPP, including a comprehensive project permitting timetable, within 60 days of the day on which OED creates an entry for a project on the Permitting Dashboard.[40] OED strives to provide support and resources to lead agencies to successfully meet this requirement. Additionally, OED is available to provide targeted support to agencies to resolve questions related to inputting data into the Permitting Dashboard and to provide any clarification needed related to requirements in the Data Management Guide.

Predictable permitting timetables

Finding: Developing accurate and predictable permitting timetables provides benefits to project sponsors and agencies, allowing them to better plan workflows and resource allocations. Across all covered projects in the FAST-41 portfolio, 60 percent of tracked permitting milestones (interim and final) were completed on time. This indicates a more fully implemented FAST-41 program and shows that deployment of tools and resources from OED during the early stages of FAST-41 projects supported an increase in successfully completed permitting milestones for Permitting Council member agencies, delivering the transparency and predictability envisioned by FAST-41. In FY 2020, internal agency factors, interagency factors, and project sponsor delays were the most common causes of changes to project schedules, demonstrating areas for continued improvements for Permitting Council member agencies and OED.

Recommendation: To continue to improve the predictability of schedules, OED recommends that agencies develop enhanced internal controls to improve internal agency coordination and further reduce delays attributed to internal agency factors. Agencies should also consider ways to coordinate regularly with the project sponsor and other agencies involved in the environmental review and authorization process outside of quarterly CPP meetings to ensure increased communication and to identify issues that might cause interagency delays. To address project sponsor-related delays, agencies should work with project sponsors to create a mutually agreeable schedule to provide information in a timely manner.

OED Support: OED will provide opportunities for Permitting Council member agencies to share lessons learned on creating predictable permitting timetables and improving communication at OED-hosted meetings during FY 2021. OED will continue to be involved in coordinating with sponsors and informally resolving disputes, as requested.

OED will further leverage the data from the Permitting Dashboard to identify trends in the reasons for project delay. This data analysis will strengthen OED's capabilities in risk evaluation, allowing OED to work better with specific agencies to identify potential schedule risks ahead of time and adopt appropriate

[40] 42 U.S.C. §§ 4370m-2(c)(1)(A); 4370m-2(c)(1)(B)(ii); 4370m-2(c)(2)(A).

safeguards. To date, the reasons for schedule delay that have affected the largest number of permitting milestones include interagency factors, internal agency factors, and project sponsor factors. Preliminary analysis further indicates that the following permitting actions, across multiple projects, are particularly susceptible to schedule modifications: Endangered Species Act (ESA) consultation, EIS completion, Right-of-Way authorization, Rivers and Harbors Act Section 10 compliance, and Section 404 Clean Water Act (CWA) compliance. Often, multiple agencies and/or project sponsors are responsible for providing information to ensure actions progress according to the schedule. Moving forward, OED will work closely with the lead agencies responsible for those actions, as well as project sponsors, to better inform permitting schedules and reduce the prevalence of schedule delays.

Chapter 3. Permitting Council Permitting Process Improvements – Best Practice Implementation

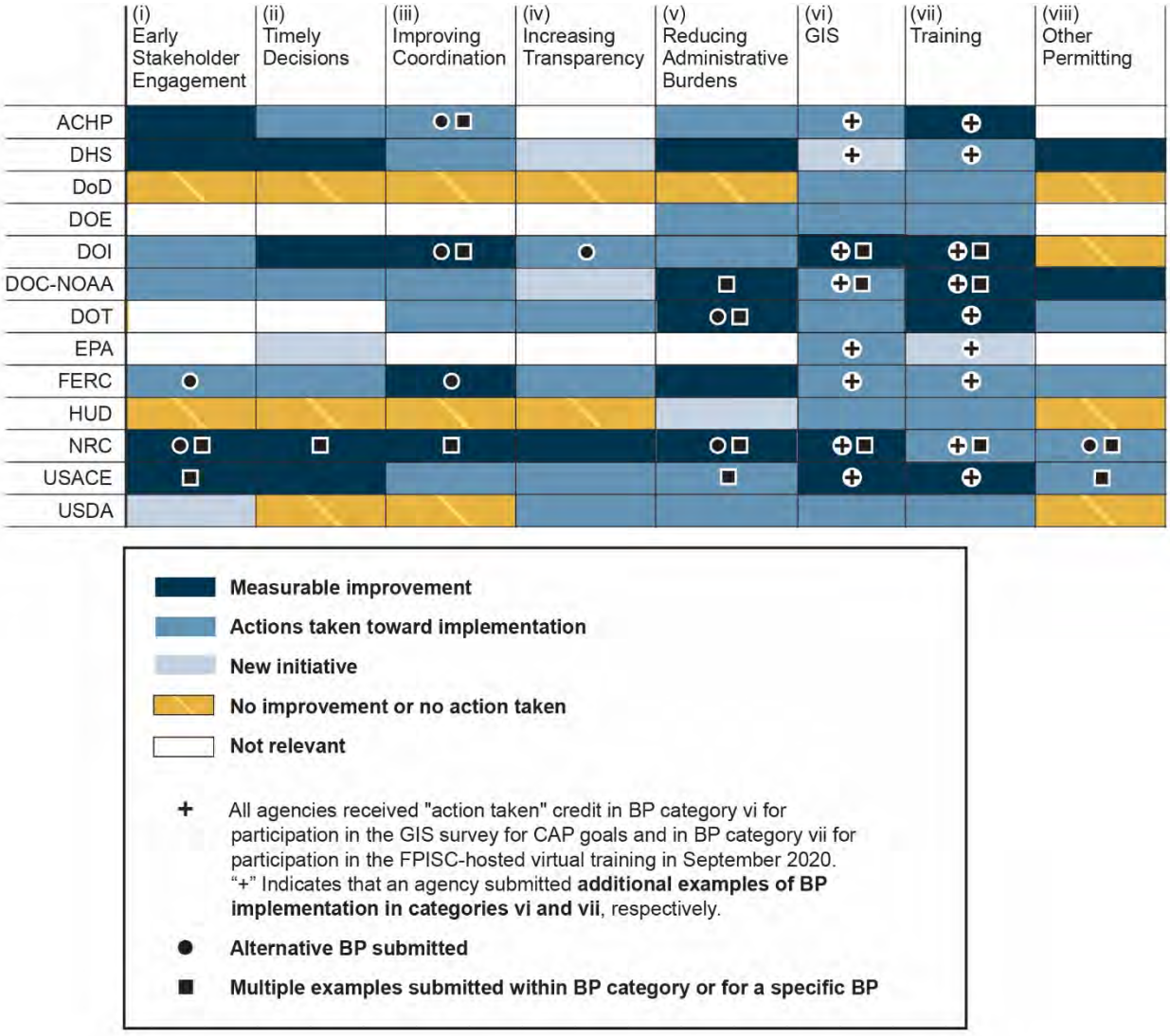
FAST-41 requires the Permitting Council to issue BPs corresponding to eight statutory categories for environmental reviews and authorizations common to FAST-41 covered projects. FAST-41 also requires the Executive Director to assess agency progress in making improvements consistent with these BPs.
This chapter provides OED's assessment of Permitting Council member agency progress in implementing the BPs described in FAST-41, the FY 2020 Best Practices Report, and alternative BPs as identified by Permitting Council member agencies in consultation with OED.

This report covers reported activities during FY 2020 (October 1, 2019 to September 30, 2020). OED developed this report in consultation with the Permitting Council agencies. Each Permitting Council member was given the opportunity to provide an Agency Self-Assessment illustrating BP implementation to ensure a comprehensive overview of agency activities. Agencies also reported on FAST-41 project-specific accomplishments and general permitting process improvements. All Agency Self-Assessments provided to OED are included in Appendix A: Permitting Council Self-Assessments.

Part 1 – OED Assessment of Permitting Council Improvements to the Permitting Process

Table 1 illustrates OED's assessment of agency progress in implementing the BP categories in FY 2020. OED scaled its evaluation of agency submissions rather than using the pass/not applicable evaluation approach used in previous years. This scaled approach allows OED to more precisely evaluate and give credit to agency efforts based on maturity of BP implementation. Additionally, OED evaluated agency progress toward meeting the BP category, rather than specific BPs, to allow agencies more flexibility to highlight the strides they are taking towards meeting the statutory requirement. For more information about OED's assessment methodology, please see Appendix B - Assessment Methodology.

Table 1. OED assessment of agency progress in implementing BP categories.[41] [42]



[41] Agencies that did not report an example in a BP category and did not submit justification as to why the category is not relevant to the agency received "no action taken" for that category.

[42] While DOT is a member of the Permitting Council, DOT is not subject to FAST-41 requirements, including applicable best practices and the ARC. *See* Pub. L. No. 114-94, § 11503(b) (Dec. 4, 2015). Nonetheless, DOT actively participates and provides input on the Best Practices Report and the ARC to comply with reporting requirements pursuant to EO 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects, 82 FR 40463 (Aug. 15, 2017).

Part 2 – Agency Best Practice Implementation Highlights

In this section, OED showcases a subset of agency submissions that best highlight efforts to implement BPs. The narratives provide examples of the relationships between BP implementation and improved agency efficiencies, effectiveness in meeting their responsibilities, and accomplishing their mission to provide timely decisions to the public.

Table 2 identifies each of the BPs and corresponding agency examples. Click on each agency to be taken to the corresponding section of the chapter. See Appendix A - Permitting Council Self-Assessments for complete agency submissions.

Table 2. BPs and highlighted FY 2020 agency ARC submissions.

BP	BP Description	Agencies Highlighted
Category i: Enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project.		
i.1	The agency should establish and implement or utilize one or more approaches for proactively engaging stakeholders, before required by statute or regulation, to initiate dialogue on early identification of potential issues. The agency may, but is not required to, use past experience to develop an initial list of stakeholder contacts. Lead agencies should solicit involvement of cooperating and participating agencies in the early stakeholder engagement as appropriate and allowed by applicable laws and regulation.	USACE
i.2	The lead agency should utilize or establish pre-application/pre-official review processes to allow project sponsors/applicants the opportunity to provide/communicate project-specific information to the lead agency and relevant other Federal agencies, Tribes, State agencies, and local government entities prior to initiation of official review processes (e.g., submission of application or other initiation of the environmental reviews and authorizations).	ACHP NRC
Category ii: Ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics.		
ii.1	Develop and/or use environmental review and authorization process templates, application forms, flow charts, and/or checklists to assist the project sponsor/applicant with providing the required information in a timely manner.	EPA DHS

Category iii: Improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies.		
iii.1	Develop or utilize mutually acceptable standards and protocols with Federally Recognized Indian Tribes for the identification and treatment of resources that might be affected by infrastructure projects.	NRC DOI
Category iv: Increasing transparency.		
iv.1	Provide the project sponsor/applicant and all cooperating and participating agencies of a FAST-41 covered project information about the environmental review and authorization processes, including all steps, by the time the initial coordinated project plan (CPP) or project management plan is completed. Provide updated schedule to the project sponsor and the other governmental entities with environmental review and authorization processes when substantive changes occur. Substantive change is when any agency or the project sponsor does not conduct or complete on time a scheduled activity or milestone upon which another entity is dependent.	USDA FERC
Category v: Reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties.		
v.1	For covered projects, institute a process to address environmental review and authorization staff changes to update the other involved entities on agency personnel changes and ensure continuity of project-specific knowledge such that a staff change does not result in a substantive schedule change. Substantive change is when any agency or the project sponsor does not conduct or complete on time a scheduled activity or milestone upon which another entity is dependent.	DOE USACE
v.2	Develop, enhance, and/or use joint processes or programmatic approaches among Federal agencies, and with State, local, and tribal governments with similar authorities. Joint processes could reduce duplicative actions (e.g., related to data collection and analysis). Joint processes could include joint environmental research and studies. Per 40 C.F.R. §1506.2(b), agencies should cooperate with State and local agencies to the "fullest extent possible to reduce duplication between NEPA and State and local requirements, unless the agencies are specifically barred from doing so by some other law."	HUD ACHP USACE/DOT/ ACHP
Category vi: Developing and making available to applicants appropriate geographic information systems and other tools.		
vi.1	Make resources available to project sponsors/applicants and stakeholders (e.g., in the form of a resource library) to facilitate knowledge sharing about the agency's environmental review and authorization processes.	DHS DOC-NOAA

Category vii: Creating and distributing training materials useful to Federal, State, tribal, and local permitting Officials.		
vii.1	Make training materials (e.g., print, video and/or presentation materials) about FAST-41 implementation available online or provided in person each year and available to Federal, State, and tribal governments and local permitting officials. The training materials should be related to implementation of FAST-41 or one or more of the Permitting Council's BPs (e.g., early stakeholder involvement, maintenance and communication of a project-specific environmental review and authorization review schedule, establishment of common data sets, or pre-application processes).	FERC USACE
Category viii: Addressing other aspects of infrastructure permitting, as determined by the Council.		
viii.1	Identify measures planned or taken by the agency in the outreach section of the CPP to increase the probability of reaching the stakeholders for stakeholder engagement (such as, but not limited to: virtual stakeholder meetings, notification tactics, web-based comment submission, and multi-agency utilization of web-based information sources developed for the project).	DOC-NOAA DOT
viii.2	Identify and share information on past and planned efforts to improve the environmental review and authorization processes and performance metrics by agencies sharing lessons learned during Interagency Working Group meetings and success stories during Permitting Council meetings.	NRC

Category i.

Enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project.

BP i.1 Agency Spotlight: USACE

The USACE Regulatory Program performance metrics (known as Mission Success Criteria), which are tracked on an internal agency database, include public outreach. Public outreach increases understanding of the Regulatory Environmental Review and Authorization process, improves the quality of information received from applicants, increases public engagement, and enhances communication and coordination with Federal, state, and local agencies and Tribes. Qualifying outreach events include: 1) webinars provided by a district to external participants; 2) district presentations made to external participants; 3) serving as a presenter or panel member at events hosted by others; 4) qualifying updates to district public webpages; 5) public affairs-approved social media posts; and 6) mass e-mail distributions to interested parties/stakeholders/consultants providing important Regulatory Program updates and/or information separate from webpage and social media updates.

In FY 2020 (as of September 3), USACE conducted 595 outreach events, which included 259 in-person presentations. These events continue to facilitate improvement in stakeholder engagement in the USACE permitting process.

BP i.2 Agency Spotlight: ACHP

While the ACHP does not act on applications, it advises and assists Federal agencies in engaging stakeholders as part of their responsibilities under Section 106 of the NHPA. In FY 2020, the ACHP released *Early Coordination with Indian Tribes in Pre-Application Processes: A Handbook* to offer guidance on how Federal agencies, industry, and Indian Tribes can work collaboratively and effectively before submission of applications that will need to go through the Section 106 process. The Handbook responds to comments from Indian Tribes during preparation of the 2017 report on *Improving Tribal Consultation and Tribal Coordination in Federal Infrastructure Decisions* noting Federal agencies should start the Section 106 process earlier for infrastructure projects, before specific siting decisions are made and historic properties, including those of religious and cultural significance to Tribes, are identified. Pre-application coordination can benefit the protection of properties significant to Tribes as well as review efficiency. The Handbook offers early coordination recommendations and examples of best practices from an Indian tribe, an energy company, and a state transportation agency.

BP i.2 Agency Spotlight: NRC

During FY2020, the NRC staff developed guidance (NRR-LIC-116, "Pre-application Readiness Assessment") on readiness assessments via an Office Instruction (OI). The OI provides guidance to NRC staff for conducting readiness assessments, which gives potential applicants the opportunity for staff to review a draft

of their application and address any deficiencies or information gaps prior to its submission. This process allows the NRC staff to become familiar with the content of the application, particularly in areas where applicants plan to propose new concepts or novel design features, and to identify areas where further dialog with the applicant would reduce resource effort and benefit the scheduling timeline. This facilitates project planning and provides for more efficient NRC staff reviews. LIC-116 emphasizes the importance of considering other environmental permits, authorizations and consultations required for the project/action, and alerts applicants to the available NRC-endorsed industry guidance on this issue, "Nuclear Energy Institute 10-07, "Industry Guideline for Effective Pre-Application Interactions with Agencies Other Than NRC During the Early Site Permit Process," issued in January 2013.

Category ii.

Ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics.

BP ii.1 Agency Spotlight: EPA

In FY 2020 EPA developed and implemented an electronic permit application (eApp) pilot project for Underground Injection Control (UIC) permits that has demonstrably eased burdens, reduced application cycle time by over 50 percent, and eliminated the pre-process iterative "completeness review" that can often take 60 or more days. Prior to the eApp pilot, paper applications were in use and EPA estimated over 80 percent of UIC permits submitted were incomplete and required additional information or resubmission by the applicant. If successful, the eApp will be implemented nationally for all UIC Well Classes, except Class VI, and possibly expanded to other EPA permit programs.

BP ii.1 Agency Spotlight: DHS

In FY20, the USCG developed a detailed Draft Environmental Impact Statement (DEIS) timeline (for use when the USCG is the lead agency) to ensure all aspects of FAST-41 and major infrastructure projects (MIPs) are completed in concert with the posted Permitting Dashboard and internal agency-specific milestones. The USCG shares this timeline with project sponsors/applicants. In FY 2020, the USCG began developing one-page briefing sheets for all Permitting Dashboard projects, and all potentially high-level, non-Dashboard projects. The one-pagers are used to outline major issues to better align Headquarters (HQ) with District Bridge Offices, USCG HQ with DHS, and USCG with project sponsors/applicants. The USCG is the lead Federal agency for one MIP, the BNSF Railway Project in Bismarck, North Dakota. The USCG, in consultation with the ACHP, has decided to use a programmatic agreement (PA) to meet its Section 106 requirements because the project is currently evaluating an alternative that is not fully developed. This allows the USCG to proceed with the NEPA and Section 106 processes while waiting on full development of this theoretical alternative. This method could easily be adapted for FAST-41 projects.

Category iii.

Improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies.

BP iii.1 Agency Spotlight: NRC

During FY 2020, NRC staff revised the NRC's internal tribal leader and Tribal Historic Preservation Officer (THPO) database using information obtained from the Bureau of Indian Affairs (BIA) tribal leader directory, the National Park Service THPO list, HUD grantee lists and tribal areas of interest identified in HUD's online Tribal Directory Assessment Tool (TDAT), individual tribal webpages and telephone calls to individual tribal offices. The NRC staff uses the database to distribute letters electronically to tribal leaders and THPOs, thus significantly reducing agency resources needed to distribute hard copy letters. As part of NRC's interagency collaboration, NRC met with HUD staff to share the NRC's updated tribal leader data to support their efforts to improve the publicly available TDAT database. The NRC has also offered to demonstrate the GIS mapping application used in NRC's tribal activities to HUD staff. Additionally, during FY2020 environmental review of a Consolidated Interim Storage Facility (CISF), NRC staff-initiated consultations with federally recognized Indian Tribes located in southeast New Mexico that may possess cultural ties to the proposed CISF project area. Eleven Tribes were contacted in total and four agreed to continue consultation activities. The resulting EIS includes an appendix that describes correspondence related to NRC's outreach with Indian Tribes. Under the NRC's NHPA review, NRC is preparing a PA for the project's potential effects to historic properties at the Church Rock site. Signatories to the PA include NRC, the EPA, Navajo Nation, New Mexico State Historic Preservation Office, and United Nuclear Corporation.

BP iii.1 Agency Spotlight: DOI

The Bureau of Reclamation (BOR) undertook a full review and update of the agency's protocol guidelines for tribal consultation. The document includes recommendations for tribal outreach, consultation process, and guidance on developing consultation protocol agreements. The guidelines incorporate best practices, including guidance on post-consultation follow-up with Tribes and providing written notification of agency decisions and how the consultation informed the agency's decision. The Bureau of Reclamation Working With Indian Tribal Governments – Consultation, Cultural Awareness, and Protocol Guidelines can be found here: https://www.usbr.gov/native/policy/policy_protocol.html.

Category iv.

Increasing transparency.

BP iv.1 Agency Spotlight: USDA

USDA coordinates analysis with FERC where agencies have common requirements of effects disclosures to reduce analysis redundancy in NEPA documents and leads to opportunities for inconsistent analysis or conclusions. This allows cooperating agencies to focus additional resources/analysis on their respective narrower legal and regulatory requirements, which goes beyond general effects disclosures. For example, on the Pacific Connector Project, hydrology reports that contain general watershed analysis were synced, then where the Forest Service had more restrictive thresholds due to land use plan sustainability requirements, the Forest Service provided particular impacts effects analysis to the narrower question, tiering off the general effects discussion. In this instance, there was no additional need to provide a no-net watershed degradation standard versus CWA requirements or state requirements that were more generalized.

BP iv.1 Agency Spotlight: FERC

In FY 2020, the Lake Elsinore Advanced Pumped Storage Project was proposed to become a FAST-41 covered project. Prior to a FAST-41 Initiation Notice being submitted, FERC staff coordinated extensively with the project sponsor and cooperating agencies regarding the relevant review processes. This included coordination under the One Federal Decision (OFD) Memorandum of Understanding (MOU) to clarify the cooperating agencies' outstanding information requirements to develop a single EIS. FERC staff also worked with the USDA-Forest Service to incorporate information regarding its authority and review processes into FERC's NOI to Prepare an EIS issued in June 2020.

As part of the development of the initial CPP, FERC staff implemented a coordination process to ensure that the cooperating agencies and the project sponsor were aware of all steps in the review process. Specifically, FERC staff requested all correspondence with CPP and permitting timetable input, including required permits/reviews, milestones, permitting dashboard dependencies, and CPP interdependencies include every cooperating agency for transparency. Additionally, FERC staff incorporated all input into a draft CPP and permitting timetable for review by the cooperating agencies and project sponsor prior to posting in August 2020.

In FY 2020, FERC staff also implemented a process for updating CPPs and permitting timetables that other agencies recognized as a best practice in FAST-41 and OFD working group meetings. On a quarterly basis, FERC staff emailed the cooperating/participating agencies and project sponsors with detailed instructions for providing updates to CPPs and permitting timetables. The instructions included provisions to increase transparency and ensure that cooperating/participating agencies and project sponsors were aware of any substantive schedule changes or other updated information.

Category v.

Reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties.

BP v.1 Agency Spotlight: DOE

Instituted in FY 2019, DOE continued enhancing its process for smooth environmental review and authorization 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; and,
- Re-integration (assure no duplication of efforts, communicate often).

In FY 2020, a staff member who had transitioned back to the Office's environmental review and authorization work continued to share duties with the replacement staff member, with all appropriate notifications and communications, ensuring no delays in NEPA reviews.

BP v.1 Agency Spotlight: USACE

On August 16, 2019, USACE formalized its process for addressing environmental review and authorization staff changes and provided training to the field at that time. This process was shared with the field again on August 27, 2020 and additional training was provided on September 10, 2020, during the USACE FAST-41/OFD Quarterly call. During FY 2020, USACE HQ also solicited feedback from the field regarding any improvements that should be made. To date, no improvements have been identified and USACE has not received any reports that issues have arisen if project manager reassignment has been needed. USACE will continue to evaluate implementation annually and revise, as warranted.

BP v.2 Agency Spotlight: HUD

HUD developed the Tribal Directory Assessment Tool (TDAT) as an online database of tribal contact information and counties of current and ancestral tribal interest. Users are able to identify which Tribes should be consulted for a HUD-assisted project and how to contact the tribal leader and THPO for Section 106 reviews. In the FY 2018 Best Practices Report, the Permitting Council recommended a central Federal information system of tribal areas of interest and points of contact for timely government-to-government coordination and consultation. Since that time HUD and ACHP, facilitated by OED, have worked with Permitting Council members to determine how TDAT could serve as that system. As a result of this collaboration, HUD identified enhancements that could be made to TDAT features to ensure regular database updates and GIS functionality to allow for map-based queries. In FY 2020, HUD continued this effort, working with ACHP and OED to develop an implementation plan that, if funded and moved forward, would enhance TDAT and help the Permitting Council ensure better and early engagement by tribal governments for FAST-41 projects.

BP v.2 Agency Spotlight: ACHP

The ACHP has continued developing new programmatic approaches for infrastructure sectors to help Federal agencies conduct Section 106 reviews efficiently and refine existing approaches to reduce duplicative reviews further in FY 2020. An existing Program Comment for broadband was amended to allow an additional agency, the Office of Surface Mining Reclamation and Enforcement (OSMRE), to use its terms so that OSMRE's broadband projects that are subject to review by the Federal Communications Commission (FCC) make use of the FCC's Section 106 review conclusions under a nationwide programmatic agreement (NPA). The ACHP also amended a 2001 FCC NPA to eliminate an unintentional inconsistency between two FCC agreements that had the potential to discourage collocations in favor of new tower construction. The revision should reduce the review volume for tower collocations with minimal to no potential to affect historic properties.

BP v.2 Agency Spotlight: USACE/DOT/ACHP

In December 2019, USACE Savannah District, the Federal Highway Administration (FHWA), Georgia Department of Transportation, the Georgia SHPO, ACHP, and several federally-recognized Tribes executed a unique Section 106 Programmatic Agreement that covers all types of transportation improvement projects in Georgia and includes streamlining provisions for when either FHWA or USACE is lead. It also outlines how the agencies conduct tribal consultation, project review, post review discoveries, and identification and treatment of human remains in practical application. It consolidated existing agreements between FHWA, the Georgia Department of Transportation, and the Georgia SHPO into a comprehensive programmatic approach.

Category vi.

Developing and making available to applicants appropriate geographic information systems and other tools.

BP vi.1 Agency Spotlight: DHS

DHS currently operates an environmental planning and historic preservation decision support system (EPHP DSS), which is mandated by policy for internal use by Components. The EPHP DSS is a web-based system designed to standardize and improve the efficiency and effectiveness of reviews of proposed actions for compliance with NEPA requirements. The EPHP DSS also enables knowledge sharing across DHS regarding environmental planning activities and requirements, stores DHS NEPA documents, and is used to gather information necessary for meeting internal and external reporting requirements. DHS is currently modifying the EPHP DSS to include preliminary tracking data on FAST-41 and MIPs.

Additionally, USCG is developing a separate information technology (IT) capability to track all bridge permitting, regulation, and construction projects, including FAST-41 and MIPs, and provides real-time status for bridges across navigable waterways nationwide, but has encountered challenges associated with integration with USCG enterprise architecture and budget constraints. An adequate capability may also be able to link to

other agency's existing GIS platforms. The Bridge Program intends to update its performance metrics once it has an updated capability to track bridge data.

BP vi.1 Agency Spotlight: DOC-NOAA

Over the past several years, the National Marine Fisheries Service (NMFS) has developed a robust suite of resources available to project sponsors, applicants, and stakeholders regarding the agency's review processes, including detailed websites and training materials. In FY 2020, NMFS developed updated data layers for the publicly available Essential Fish Habitat (EFH) Mapper, which assist action agencies and project sponsors in knowing when they are proposing activities in EFH, and increases voluntary compliance with consultation obligations. NMFS is also in the process of updating regional nearshore and inshore data for that tool where possible, and expect that to be completed in FY 2021. To assist project sponsors and others in better understanding NMFS' Marine Mammal Protection Act (MMPA) activities, NMFS recently released a GIS-based interactive mapping tool identifying general point locations of current, in process, and expired incidental take authorizations and applications for incidental take under the MMPA. Providing this information can help stakeholders better understand other actions that may be impacting marine mammals in the geographic area of their proposed action, which will be relevant to the analysis of impacts to those resources. NMFS plans to solicit feedback from project sponsors, action agencies, and others as to how NMFS' existing tools could be further refined or if any additional resources should be developed over the course of the next fiscal year.

Category vii.

Creating and distributing training materials useful to Federal, State, tribal, and local permitting officials.

BP vii.1 Agency Spotlight: FERC

FERC's public website includes a webpage dedicated to FAST-41. This webpage includes information on how to become a covered project, links to the permitting dashboard and relevant guidance, and contact information for additional questions.

In FY 2020, implementation of FAST-41 and the Permitting Council's BPs were extensively discussed at Commission staff's interagency natural gas meeting. At this June 2020 virtual meeting, we included agenda items to prompt interagency discussion related to BPs i.1, i.2, ii.1, iv.1, v.2, and vii.2. Among other things, the agencies discussed the effect of COVID-19 on environmental scoping and corresponding lessons learned, opportunities for additional interagency training on FAST-41 and OFD, and updates to adequacy checklists (or information/filing requirements) for Federal agencies' reviews that could be provided to project sponsors. Finally, the agencies also discussed the development of the forthcoming interagency Report to Congress regarding implementation of the May 2002 Interagency Agreement on Early Coordination of Required Environmental and Historic Preservation Reviews relating to interstate natural gas pipeline permitting activities.

FERC staff also conducted various outreach activities and training events to discuss the implementation of FAST-41 and OFD, as listed below.

- December 2019 - Environmental Review and Compliance for Natural Gas Facilities Seminar (Seattle, WA);
- December 2019 - FERC 101 Workshop for Federal and state employees (Sedro-Woolley, WA);
- February 2020 - Training workshop for the USFWS, NMFS, and Georgia and South Carolina Departments of Natural Resources (Atlanta, GA);
- June 2020 - Annual interagency natural gas meeting (virtual);
- July 2020 - NMFS training workshop (virtual).

BP vii.1 Agency Spotlight: USACE

On October 19 2019, USACE held a comprehensive two-hour training for Regulatory district and division FAST-41/OFD points of contacts (~90 individuals) and Regulatory District Chiefs (38) outlining Permitting Dashboard requirements and responsibilities. USACE developed templates for various Permitting Dashboard requirements when USACE is a lead or cooperating agency, and whether FAST-41 and/or OFD apply. Training materials were then posted to the dedicated FAST-41/OFD SharePoint site so they were available to the districts as a reference or for training of new practitioners.

Category viii.

Addressing other aspects of infrastructure permitting, as determined by the Council.

BP viii.1 Agency Spotlight: DOC-NOAA

NMFS' EFH and ESA consultations do not have a specific stakeholder engagement requirement. Under the MMPA, NMFS provides an opportunity for public comment on Incidental Take Authorizations. Letters of Authorization have two public comment periods at the notice of receipt and proposed rule stage, and Incidental Harassment Authorizations (IHA) have one public comment period at the proposed IHA stage. If NMFS is adopting the lead agency's EIS for purposes of the MMPA, NMFS may also participate in the scoping. In FY 2020, NMFS engaged in considerable stakeholder engagement related to offshore wind projects in support of the Bureau of Ocean Energy Management (BOEM) by participating in public meetings organized by BOEM, facilitating engagement with the fishing community through implementation of a MOU with BOEM and the Responsible Offshore Development Alliance, giving presentations at regional Fishery Management Council meetings, and coordinating a Marine Fisheries Advisory Committee working group focused on offshore wind. This engagement helped ensure that the fishing community was aware of potential impacts posed by offshore wind projects and understood the overall permitting process and their opportunities to provide comments. NMFS plans to continue supporting stakeholder engagement and the sharing of relevant information in the future.

BP viii.1 Agency Spotlight: DOT

The Federal Aviation Administration (FAA) utilized virtual meeting tools to facilitate public outreach for two high-profile projects in 2020, preserving outreach opportunities and allowing schedules to stay on track despite restrictions on gatherings due to the public health emergency. The FAA held 12 virtual workshops in June 2020 for the South-Central Florida Metroplex project and two virtual public workshops and three hearings in September 2020 for the LaGuardia Airport (LGA) Access Improvement Project. Both projects developed information stations, which included recorded presentations as well as visual materials, where the public could find out more information about the project, alternatives, and environmental documents. Zoom was then used to facilitate the live workshops, which were also available for live stream via the FAA's social media sites. Participants were provided with multiple avenues to submit questions and comments, including through Zoom and social media channels. A call-in number was provided for participants without resources to accommodate Zoom and a text number provided for attendees on the live stream to ask questions during the workshops. In addition to the workshops, the FAA held virtual hearings for the LGA project, in which participants could provide oral comments that were transcribed and made part of the record for the project.

BP viii.2 Agency Spotlight: NRC

To coordinate and assist DOE's Idaho National Laboratory (INL) with a potential upcoming application to construct an advanced reactor at the INL facility, NRC worked closely with DOE INL in FY2020 to share information on NRC's development of an Advanced Nuclear Reactor (ANR) Generic Environmental Impact Statement (GEIS). Because the DOE would perform its own NEPA review, the NRC also shared an internal summary of lessons learned gathered from previous reviews and provided corresponding processes for NRC and applicants that could improve and streamline NEPA reviews. Among the processes identified for improved efficiency were early and frequent pre-application interactions among the applicant's and NRC's project managers and technical staff to clarify understandings of technical issues prior to the application submittal. Additionally, the focus of NRC's project managers and staff on clear and concise communications with an applicant regarding information requirements linked to the resolution of regulatory requirements for the reviews was found to be helpful to applicants and NRC staff.

Part 3 – OED Recommendations for Continued BP Implementation to Deliver Permitting Improvements

Over the past year, Permitting Council member agencies made strong progress in implementing the BPs. OED's scaled assessment methodology, new for FY 2020, allows Congress and members of the public to see where agencies are undertaking new initiatives and actively implementing BPs.

In this section, OED provides an analysis of agency progress toward implementing the BPs, identifies common themes in the Permitting Council agency submissions, and presents recommendations for continued improvements. These recommendations may be reflected in future Permitting Council-issued recommended BPs. The findings and recommendations presented in this section represent OED-selected highlights and are not exhaustive.

Synchronizing environmental review and authorization milestones in the CPP improves predictability

Finding: Synchronizing the requirements of the environmental review and authorization process helps project sponsors meet major milestones and complete projects on schedule. Every environmental review and authorization has both a series of mandates and numerous inter- and intra-dependent agency decisions, as well as standard practices. Agencies may have statutory timelines with which they are required to comply, and FAST-41 permitting timetables are required to be consistent with any other applicable time period established by Federal law.[43] While it is the responsibility of the lead agency to develop a CPP that establishes timeframes, OED has observed that projects that involve the cooperating and participating agencies in the development of the CPP begin the permitting process faster, have less delays due to missing information, and have fewer missed milestones when all the agencies involved in the permitting process work collaboratively before a CPP is posted on the Permitting Dashboard.

Recommendation for agencies: OED encourages pre-application coordination and recommends that agencies work together on the development of a CPP to ensure that input is received from all agencies with permitting responsibilities, as well as the project sponsor, where applicable. This will help establish accurate timeframes to reduce the risk of changes to project milestones. Less experienced project sponsors may not understand how to work within specified timelines and dependencies, and may experience significant duplication, document production costs, confusion, and avoidable delays. However, collaboration among all agencies involved in the permitting process can streamline the CPP development process and reduce the risk of avoidable delays. This collaboration should support the development and maintenance of accurate timetables.

OED support: OED can assist project sponsors and lead agencies in pre-application coordination to clarify responsibilities, identify issues early on, and share OED tools and resources to ensure the most accurate timetables. More information about OED's resources can be found in Chapter 4. FY 2020 OED Accomplishments.

[43] 42 U.S.C. § 4370m-2(c)(2)(E)

Enhancing interagency coordination

Finding: The lead agency is primarily responsible for early interagency coordination, but there is an opportunity for lead, cooperating, and participating agencies to improve efforts through cooperation and collaboration.

Recommendation for agencies: OED encourages agencies to make regular interagency coordination, beyond quarterly meetings, part of standard FAST-41 procedures. Enhanced interagency coordination ensures that agency staff understands the greater picture of the dependencies involved in the environmental review and authorization process for a specific project. Regular interagency coordination facilitated not just by the lead agency, but also by participating agencies, can improve relationships. Clear communication procedures should aid in the efficient movement of proposed projects through the review process, facilitate elevation of issues appropriately, and enhance the communication of issues across agencies as they arise.

OED support: OED will continue to leverage its strong relationship with Permitting Council agencies to facilitate early and thorough coordination among project sponsors and agencies with environmental review and authorization responsibilities. OED plays a unique role as an internal coordinator and convening entity, as well as a technical resource on cross-agency permitting processes to agencies, project sponsors, and stakeholders.

Encouraging innovative stakeholder engagement

Finding: During FY 2020, agencies were required to alter stakeholder engagement plans due to the COVID-19 public health emergency, which caused fewer or no opportunities for in-person engagement. In their self-assessments, several agencies noted using virtual public engagement strategies to supplement in-person stakeholder engagement as a best practice. Permitting Council member agencies collaborated with each other on IT solutions to ensure stakeholders could be reached with few delays to established timeframes.

Recommendation: OED commends agencies for adapting their processes to factors outside of agency control. OED encourages agencies to continue enhancing public engagement using virtual strategies, while not replacing traditional methods of public involvement. OED also encourages agencies to continue to collaborate on public engagement and to ensure stakeholders are met in the appropriate venues throughout the environmental review and authorization process. OED encourages agencies to continue to report on the breadth and depth of public engagement efforts.

OED support: While each Permitting Council agency, and other agencies involved in the environmental review and authorization process, have various stakeholder engagement requirements, OED can provide examples of successful stakeholder engagement examples and lessons learned from FAST-41 covered projects.

Continuing to streamline the environmental review and authorizations through joint processes

Finding: Joint processes, such as programmatic approaches and MOUs, continue to be valuable tools for creating efficiencies and reducing duplicative actions in the permitting process. In FY 2020, agencies

instituted or updated programmatic agreements and MOUs, resulting in significant time savings for both FAST-41 covered projects and those not covered under FAST-41.

Recommendation: OED encourages agencies to keep PAs and MOUs up to date, and consider implementing innovative arrangements to reduce duplicative processes that involve multiple Federal agencies and/or state agencies, where possible. OED also encourages agencies to report on time and costs savings achieved from joint processes, if available.

OED support: OED can help facilitate interagency relationships that are necessary to develop joint processes, given the work it already does to assist Permitting Council member agencies in delivering large and complex infrastructure projects. OED is strongly supportive of joint processes to accelerate FAST-41 projects.

Facilitating best practice implementation through training

Finding: Many agencies participated in OED-led training or collaborated with OED to deliver tailored training to key stakeholders on FAST-41. Agencies that participated in a training reported that their staff had a clearer understanding of the benefits and requirements under FAST-41.

Recommendation: OED recognizes agencies for their extensive training efforts on their permitting processes geared toward agency staff and other Federal, state, tribal, and local permitting officials. OED also encourages agencies to continue to work with OED on delivering FAST-41-specific training.

OED support: OED will continue to offer training to Permitting Council member agencies and project sponsors, and to collaborate on agency-specific trainings. OED continues to develop and share technical resources for agencies to use in the FAST-41 process (see Chapter 4. FY 2020 OED Accomplishments of this report). OED considers attending trainings and taking advantage of OED resources to be a best practice, and may consider updating BP iii.1 to reflect this.

Broadening and strengthening the best practices

Finding: During the FY 2020 agency self-assessment process, OED received feedback that the BPs were mainly applicable to lead agencies and less so to cooperating and participating agencies. While OED has provided a flexible framework for agencies to submit highlights that meet the intent of each BP, OED plans to work with Permitting Council member agencies to broaden the BPs to be more applicable to all Permitting Council member agencies, where appropriate.

Recommendation: CERPOs and other agency staff should continue to consider ways in which the BPs can be modified to most effectively capture agency priorities.

OED support: OED will continue to coordinate with CERPOs and other staff in each Permitting Council agency to implement and document the effectiveness of new and existing best practices. OED will also continue to host monthly CERPO meetings to ensure senior leadership within the Permitting Council member agencies responsible for implementation of FAST-41 have the opportunity to support interagency coordination, elevate issues as needed, and discuss efforts underway to facilitate implementation of FAST-41 objectives. OED will continue to be available to the Permitting Council as a resource to facilitate the full implementation of those best practices, consistent with EO 13807.

Chapter 4. FY 2020 OED Accomplishments

In conjunction with the individual accomplishments of the Permitting Council member agencies, OED has furthered the Council's mission to improve the timeliness, predictability, and transparency of the Federal environmental review and authorization process for covered infrastructure projects during FY 2020. OED has focused its efforts on coordination with project sponsors and member agencies on specific projects, as well as on programmatic work such as the development and revision of policy and technical documents; the provision of tools, resources, and trainings; outreach to Federal, state, local, and tribal governments; and enhancements to the Permitting Dashboard. Examples of these successes are highlighted below.

Support of Project Delivery

In FY 2020, Permitting Council member agencies continued to make noteworthy strides in making the environmental review and permitting process more efficient, transparent, and timely. Four projects that voluntarily applied for FAST-41 coverage and benefitted from a fully implemented FAST-41 program – Alaska LNG, Borderlands Wind, Cardinal-Hickory Creek Transmission Line, and the Gemini Solar Project – completed their permitting processes in FY 2020. As noted in Chapter 1, a **combined total of more than 10 years was saved by these projects**,[44] showing the measurable benefits FAST-41 can provide to project sponsors.

While Federal agencies are ultimately responsible for moving projects through the permitting process, OED plays a key role in providing the technical assistance, resources, and facilitation necessary to advance covered projects efficiently and effectively through the environmental review and authorization process. Specifically, OED coordinates with agencies on the development of CPPs with accurate and realistic timetables; helps identify and resolve issues quickly, and elevates issues to senior leadership as appropriate; identifies and clarifies responsibilities and key points of contact; and ensures that decision makers have the necessary information to make timely, informed decisions throughout the permitting process. Together, OED and Permitting Council member agencies demonstrate the unique benefits of FAST-41 project coverage in improving the environmental review and permitting process.

Outreach and Engagement

In FY 2020 alone, the **Executive Director and OED staff participated in 23 outreach events, traveled to 27 cities and 15 states, and visited 31 project sites**.[45] OED pursued this ambitious travel and event schedule because it acknowledges the great value held in on-the-ground engagement with Tribes, state and local governments, and other stakeholder groups across the country. Outreach efforts provide a unique opportunity for OED to increase awareness of and provide information about the Permitting Council and the benefits of coverage under FAST-41, emphasizing how OED can be engaged to provide technical assistance

[44] This figure was calculated from the sum of time savings for each individual project. More detail about how the time savings is calculated is included in footnotes on the individual projects in Chapter 2 Part 1. The reference frame to calculate time savings (i.e., CEQ average, average RPS, maximum RPS) was determined based on the specific permitting actions involved in the project and the variable size, scale, and complexity of each project.
[45] The Executive Director and OED staff carefully followed COVID-19 safety protocols during travel and site visits. A number of outreach events were conducted virtually.

and key resources to improve the permitting process. Project site visits allow the Executive Director and OED staff to identify and address high-level project issues, emphasize the resources and technical assistance that OED can provide, and gain a physical understanding of a project and its unique challenges. Meeting with stakeholders and agency officials at the Federal, state, and local levels provides clarity and increases communication throughout the permitting process, thereby improving efficiency and transparency. Highlights from outreach and engagement efforts in FY 2020 include:

- In January 2020, the Executive Director testified in support of Arizona Senate Bill 1663, which represents an effort to reform the infrastructure permitting process at the state level. Similarly, the Executive Director participated in a roundtable discussion at the National Governors Association Infrastructure Stakeholder Summit in San Francisco in January 2020, where he presented a new model for streamlining infrastructure project reviews across Federal and state governments. State permitting councils can assist in expanding and improving infrastructure, invigorating the economy, and aligning Federal and state project authorization decisions across all infrastructure sectors while protecting the public and the environment.
- In March 2020, the Executive Director presented at the National Association of Counties Legislative Conference, where he provided information on how counties can navigate the Federal permitting process. The Executive Director also presented information via webinar on the FAST-41 process for covered projects to Western States Federal Agency Support Team (WestFAST), a collaboration between 12 Federal agencies with water management responsibilities in the west. WestFAST was established to support the Western States Water Council and the Western Governors Association in coordinating Federal efforts regarding water resources.

Tribal Engagement

In FY 2020, OED developed plans for initiatives that, when funded, will improve coordination between the Federal government and Tribes on FAST-41 and major infrastructure projects. These efforts include working with HUD and ACHP to finalize an implementation plan to expand the Tribal Directory Assessment Tool (TDAT), a public database that provides up-to-date contact information for Tribes that can be used to identify and notify Tribes on matters related to infrastructure projects covered under FAST-41. Enhancements include features to ensure regular database updates and a GIS functionality to allow for map-based queries. TDAT, and its planned expansion, enhances early coordination with Tribes, potentially improving working relationships and increasing the overall efficiency of the Federal permitting process.

OED also developed an agreement with the Udall Foundation's John S. McCain III National Center for Environmental Conflict Resolution during FY 2020. This agreement will support improvements in the government-to-government consultation process in partnership with the Federal agencies responsible for consulting with Tribes on FAST-41 projects.

These initiatives will provide agencies with the tools and resources needed to enhance coordination and consultation with Tribes, facilitate early outreach, and further inform Federal agencies' decision-making processes, which will in turn reduce infrastructure permitting delays. OED plans to explore a tribal liaison position to provide a tribal perspective on how to increase the effectiveness of measures pursued under these initiatives.

Collaboration with Permitting Council Member Agencies

As part of its efforts to improve the environmental review and permitting process for covered projects under FAST-41, OED utilized its resources and leveraged its expertise to host or co-host trainings focused on FAST-41 requirements, best practices, tools, and resources to aid in the environmental review and permitting process. These trainings were intended to increase knowledge sharing and coordination between agencies, and to encourage agencies to use OED as a tool in navigating the permitting process. Results from surveys administered before and after both trainings highlighted below indicate that participants' familiarity with key FAST-41 topics increased after attending the trainings, demonstrating the continued importance of these trainings.

- OED hosted a FAST-41 virtual training for **23 Federal agencies and 275 total participants** on September 22 and 23, 2020. The goal of this training was to brief participants on the foundational concepts of FAST-41, including explaining the differences between FAST-41 and EO 13807, introducing participants to several FAST-41 covered projects across the country, and highlighting key steps in the FAST-41 process by walking through the Milestone Planning Tool, the Quick Guide for Practitioners, a sample CPP, and a sample Permitting Flowchart. The second day of the training built on these concepts with a diverse group of agency representatives – including CERPOs from FERC, USACE, USDA, DHS, and USCG – discussing FAST-41 best practices, challenges, and lessons learned.

- On August 11, 2020, OED and BOEM jointly hosted a workshop for third-party contractors with a focus on how contractors can support lead Federal agencies as they work through the FAST-41 process. The goal of this workshop, which was tailored to BOEM's specific projects, was to shift the burden from the agency to OED to train contractors on the requirements of FAST-41 as soon as they come on board.

- OED and DOI jointly hosted a FAST-41 training webinar on April 14 and 15, 2020. This training was designed with a strong focus on the role of practitioners in the FAST-41 process and was developed in close partnership with DOI staff, demonstrating interagency coordination and an effort to streamline knowledge and practices under FAST-41. The training covered fundamental FAST-41 topics, such as the similarities and differences between FAST-41 and EO 13807, FIN and CPP development, and a Permitting Dashboard overview, in addition to a briefing on DOI's FAST-41 covered projects.

Improving Use of GIS in Environmental Decision Making

In early 2020, OED convened a small project team that included OMB, CEQ, and DOT to review how the standardization or enhancement of GIS and geospatial data in environmental decision making can offer efficiencies to agencies and project applicants. Through an online survey and focus groups with Permitting Council member agencies, the team uncovered the following findings:

- Agencies do not have easy or equal access to a comprehensive list of GIS data, resources, and websites that relate closely to the environmental review and permitting process.

- Data are not always maintained and updated frequently enough to be useful in environmental review and permitting decisions.
- Agency staff responsible for environmental review and permitting, as well as infrastructure development activities, have uneven experience and capabilities using GIS data and applications.

From this effort, the project team identified three activities that could be implemented individually or together to address the findings:

- Create a curated suite or directory of GIS data, tools, and applications that can be used to inform the Federal environmental review and permitting process.
- Develop or customize an existing GIS web-mapping solution to meet the needs of the Permitting Council member agencies.
- Evaluate the GIS knowledge of existing Federal staff with environmental review and permitting duties and then offer targeted GIS training and learning opportunities.

Through investment in GIS tools and resources, OED and its partners hold the potential to make a meaningful impact in improving the transparency and quality of the environmental review and permitting process. By creating opportunities to leverage geospatial information in screening and decision making, OED will assist the nation in delivering better infrastructure projects and improving the efficiency of Federal processes.

Permitting Dashboard Improvements and Guidance

The Permitting Dashboard is an online tool for Federal agencies, state and local governments, project sponsors, and the public to track the environmental permitting and review process for large and complex Federal infrastructure projects. The Dashboard serves to increase transparency and predictability, creating efficient review timelines while improving environmental and community outcomes. The Permitting Dashboard also provides an opportunity for agencies to showcase the value of their infrastructure projects. OED's efforts to improve the Permitting Dashboard in FY 2020 are summarized below.

Updated Data Management Guide

OED updated the Data Management Guide, which sets forth general operating procedures and processes for the management of the Permitting Dashboard. The update to the Data Management Guide reflects new enhancements to the Permitting Dashboard to improve project data; clarifies the policies and relationship between FAST-41 and One Federal Decision (EO 13807) frameworks, processes, and projects; and addresses agency frequently asked questions. The update to the guide will improve the quality and relevance of the data included on the Permitting Dashboard, creating a more predictable and transparent permitting process for Federal agencies and external stakeholders.

Dashboard Administrator Meetings

OED, DOT, and OMB worked together to make new enhancements to the Permitting Dashboard throughout FY 2020. OED began hosting monthly Dashboard Administrator meetings in FY 2020 to inform

each Permitting Council member agency's Dashboard Administrator of the new enhancements and to solicit input on future enhancements to ensure that Permitting Dashboard enhancements are tailored to the needs of member agencies. Agency involvement and understanding of new enhancements and policies facilitates complete and accurate data on the Permitting Dashboard, which can be used to keep public and private stakeholders informed and engaged regarding actual permitting timeframes. Permitting Dashboard enhancements in FY 2020 included:

- Refinement to the Gantt chart on the project details page to provide an at-a-glance overview of a project's permitting timetable.
- Updates to actions, milestones, and action outcomes that populate the Permitting Dashboard to better reflect the steps for each agency permit or authorization shown on the Permitting Dashboard.
- Deployment of functionality for missed date monthly reporting that, when published on the Permitting Dashboard, increases agency accountability to meet the dates set in the permitting timetable.
- Deployment of enhanced functionality that provides agency leadership the opportunity to review schedule change requests (including new dates and text explanations) prior to submission to OED, which enhances intra-agency coordination and senior-level awareness.
- Deployment of business rules to ensure data quality and integrity.

Permitting Dashboard Training

OED has continued to encourage adoption of the Permitting Dashboard at both the agency headquarters- and field-level through its annual Permitting Dashboard training series. In FY 2020, OED hosted new user trainings, targeted at educating new hires at agency headquarters and field staff at regional offices on best practices and the basic functionality of the Dashboard. OED also hosted a series of more advanced trainings to showcase new enhancements to and existing features of the Dashboard. Together, these trainings improve clarity and ease of data entry, thereby increasing the quality of the data posted to the Dashboard.

Permitting Dashboard Action, Milestones, and Action Outcomes Updates

During FY 2020, OED, in coordination with DOT, OMB, CEQ, and Permitting Council agencies, updated the list of "Appendix B" actions, milestones, and action outcomes that populate the Permitting Dashboard.[46] This update to the previous list of milestones better reflects the steps for each agency permit or authorization shown on the Permitting Dashboard, which increases the transparency of the permitting process to the public.

Missed Date Monthly Reporting

With the support of OED, a new workflow functionality to submit monthly agency progress reports been implemented. After a milestone target date is missed, agencies are required by statute to submit monthly progress reports to the Executive Director on their efforts to complete relevant actions. These reports will be

[46] Appendix B refers to Appendix B of OMB-M-17-14, *Guidance to Federal Agencies Regarding the Environmental Review and Authorization Process for Infrastructure Projects* (Jan. 13, 2017).

published on the Permitting Dashboard, increasing agency accountability to meet the dates set in the permitting timetable.

Report Appendices

Appendix A, which includes Permitting Council agencies' self-assessments for the FY 2020 ARC, and Appendix B, which explains OED's assessment methodology for data and figures throughout the report, can be found in a separate PDF document on the Permitting Council website, here: https://www.permits.performance.gov/documentation/fast-41-fy-2020-annual-report-congress-appendices.