



**PERMITTING COUNCIL**

Transparency • Efficiency • Accountability

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

# **ANNUAL REPORT TO CONGRESS FOR FISCAL YEAR 2018**

Federal Permitting Improvement Steering Council—Office of the Executive Director

**General Services Administration Headquarters**

1800 F Street NW • Washington, DC 20405



## Acknowledgements

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

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





# Contents

---

List of Tables.....	iii
List of Figures.....	iii
List of Acronyms and Abbreviations.....	iv
	<b>Page</b>
<b>Executive Summary.....</b>	<b>1</b>
Background.....	1
About this Report .....	2
Accomplishments .....	3
Summary.....	4
FAST-41 Covered Projects for FY 2018 .....	4
<b>Chapter 2 Best Practices Assessment .....</b>	<b>7</b>
Best Practices Implementation Assessment Results.....	7
Best Practices Metrics and Results.....	10
<b>Chapter 3 Agency Compliance with Performance Schedules .....</b>	<b>21</b>
Performance Schedule Requirements.....	21
Dashboard Permitting Timetables.....	22
<b>Chapter 4 Permitting Council Member Comments.....</b>	<b>23</b>
<b>Appendix A: Lead Agency Performance Scorecards for FY 2018 .....</b>	<b>26</b>
<b>Appendix B: Fiscal Year 2018 Best Practices Assessment Tool.....</b>	<b>34</b>
<b>Appendix C: Online Training Resources Available from Agencies .....</b>	<b>54</b>



## Tables

---

	Page
Table 1: Agency-Level Best Practices Performance Scorecard for FY 2018.....	9

## Figures

---

	Page
Figure 1: FAST-41 Projects by Lead Agency for FY 2018 .....	5
Figure 2: FAST-41 Projects by Type for FY 2018.....	6
Figure 3: Milestone Entries in Conformance with FAST-41 Guidance.....	14
Figure 4: RAPID Toolkit Screenshot.....	19
Figure 5: Sample Regulatory and Permitting Database Flowchart.....	20



## Acronyms and Abbreviations

---

FY 2018 Best Practice Report	<i>Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects for Fiscal Year 2018</i>
ACHP	Advisory Council on Historic Preservation
Army	Department of the Army
BP	Best Practice
BPAT	Best Practices Assessment Tool
CEQ	Council on Environmental Quality
CERPO	Chief Environmental Review and Permitting Officer
CPP	Coordinated Project Plan
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
EO	Executive Order
EPA	Environmental Protection Agency
FAST-41	Title 41 of the Fixing America's Surface Transportation Act
FERC	Federal Energy Regulatory Commission
FPISC-OED	Federal Permitting Improvement Steering Council-Office of the Executive Director
FY	Fiscal Year
GIS	geographic information system
GSA	General Services Administration
HUD	Housing and Urban Development
LP	little progress implementing best practice
N/A	Not Applicable
N/O	No Opportunity
NEPA	National Environmental Policy Act
NOAA	National Oceanic and Atmospheric Administration
NRC	Nuclear Regulatory Commission
OMB	Office of Management and Budget
Permitting Council	Federal Permitting Improvement Steering Council
RAPID	Regulatory and Permitting Information Desktop
SC	success implementing best practice
SP	some progress implementing best practice
TDAT	Tribal Directory Assistance Tool
U.S.C.	United States Code
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture



## Executive Summary

---

### Background

Title 41 of the Fixing America's Surface Transportation Act (FAST-41) (42 United States Code [U.S.C.] § 4370m et seq.) was enacted by Congress in 2015 to establish an oversight framework for guiding the improvement of environmental review and authorization actions for a diverse portfolio of proposed large-scale, complex infrastructure projects across the nation. FAST-41 established a new independent entity, the Federal Permitting Improvement Steering Council (Permitting Council or FPISC) through the Executive Director, oversees the agencies' implementation of FAST-41, facilitates the coordination for environmental review and authorization decisions for covered projects,<sup>1</sup> and helps Federal agencies institutionalize best practices to improve how environmental reviews and authorizations are done. The Executive Director executes his duties through the Office of the Executive Director (OED).

FAST-41 focuses on reducing and eliminating unnecessary and costly delays that have characterized environmental reviews and authorizations in the past. In some cases, applicants have waited for years before getting a Federal decision due to protracted environmental review and authorization processes. The FAST-41 program's goal is to ensure greater transparency, accountability, and efficiency across the Federal government by implementing a major transformation in the way environmental reviews and authorizations are conducted by all Permitting Council agencies. The FPISC-OED has been overseeing FAST-41 implementation since the first full-time staff joined FPISC-OED in January 2017, which coincides with the issuance of the FAST-41 Implementation Guidance.<sup>2</sup> FPISC-OED is pleased to report member agencies are engaged in improving their Federal environmental review and authorization processes for the 40 covered projects that are subject to the requirements and benefits of the FAST-41 program. Fiscal Year (FY) 2018 best practices were designed to build the foundation for a strong and effective FAST-41 program, and each Agency's scores reflect its progress in implementing these foundational best practices. With the foundation in place, the FY 2019 best practices will evolve from these quantitative foundational best practices to qualitative continuous improvement best practices to enhance the efficiency and effectiveness of the Federal environmental review and authorization processes for large and complex infrastructure projects.

---

<sup>1</sup> FAST-41 covered projects are large-scale, complex infrastructure projects. For the definition of covered projects, see 42 U.S.C. §4370m(6).

<sup>2</sup> *Guidance to Federal Agencies Regarding the Environmental Review and Authorization Process for Infrastructure Projects*, available at

<https://www.permits.performance.gov/sites/permits.performance.gov/files/docs/Official%20Signed%20FAST-41%20Guidance%20M-17-14%202017-01-13.pdf>.



## About this Report

This report responds to 42 U.S.C. § 4370m-7(a) and assesses the performance of each Permitting Council agency<sup>3</sup> based on the best practices described in 42 U.S.C. § 4370m-1(c)(2)(B), including: (1) agency progress in making improvements consistent with those best practices, which can be found in *Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects for Fiscal Year 2018* (FY 2018 Best Practices Report)<sup>4</sup>; and (2) agency compliance with the performance schedules established under 42 U.S.C. § 4370m-1(c)(1)(C). Each Permitting Council member was given the opportunity to include comments concerning the performance of their agency (see Chapter 4 of this report). Pursuant to 42 U.S.C. § 4370m-7(a), this Annual Report to Congress FY 2018 covers reported activities during the period from October 1, 2017 to September 30, 2018.

Adherence to FAST-41 FY 2018 best practices is fundamental to the successful implementation of the FAST-41 statute. The recommended best practices evolved from extensive coordination with agencies to capture their lessons learned and are updated and strengthened annually to reflect the core principles established in the FAST-41 Act for ensuring efficient management of environmental reviews and authorizations. FPISC-OED identifies the following key themes for improving Federal environmental review and authorization processes:

- Improved coordination among government entities and project sponsors;
- Improved transparency for all stakeholders through public posting of accurate project schedules;
- Clarification of roles and responsibilities for various milestones related to environmental reviews and authorizations;
- Responsibility and accountability for managing project schedules and delivering timely decisions on covered projects; and
- Improved planning among agencies to align various environmental reviews and authorization actions to maximize work that can be done concurrently rather than sequentially.

These themes work together to act as the solid foundation upon which the Permitting Council acts to deliver coordinated and informed environmental review and authorization decisions to project sponsors; develop and maintain optimized project schedules; and reduce and eliminate unnecessary delays.

---

<sup>3</sup> The assessment does not include the Council on Environmental Quality (CEQ), General Services Administration (GSA), or Office of Management and Budget (OMB) because these agencies do not have any relevant authority for environmental reviews or authorizations for FAST-41 covered projects.

<sup>4</sup> *Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects for Fiscal Year 2018*, available at: <https://www.permits.performance.gov/sites/permits.performance.gov/files/docs/documentation/40856/fast-41fy-2018best-practices-report.pdf>.



## Accomplishments

Each FAST-41 covered project is unique in its geographic location, design, purpose, and potential impact on the environment and the national, State, and local economy, and potential impacts on Tribal interests. The range of proposed project activities includes renewable and conventional energy production, electricity transmission, pipelines, and the other infrastructure sectors outlined in FAST-41. Each lead Federal agency has its own unique approach to environmental review and authorization activities that is designed to conform to its statutory requirements. The timeframes for the environmental review and authorization processes applicable to FAST-41 covered projects are now being more consistently and, to the extent practicable, efficiently managed through the leadership of the Permitting Council and the proactive provisions of FAST-41. FAST-41 places significant emphasis on the development and adoption of best practices to enhance agency coordination, efficiency, transparency, and accountability and reduce unnecessary burdens and delays in the planning and execution of environmental reviews and authorizations (42 U.S.C. § 4370m-1(c)(2)(B)).

At the end of FY 2018, the FAST-41 portfolio contained a total of 42 covered projects that were in various stages of the environmental review and authorization process. Of these covered projects, two were canceled before the environmental review and authorization process was complete and prior to being able to benefit from the FAST-41 program. Out of the remaining 40 covered projects, 16 covered projects (or 40%) are “completed,” meaning that all of their Federal environmental review and authorization processes have been completed. Four of these projects were completed during FY 2018, and project information for these projects is available on the Permitting Dashboard.<sup>5</sup> Several additional projects are approaching completion within FY 2019. Five new projects became covered projects during FY 2018.

Early in FY 2018, FPISC-OED put in place several initiatives designed to prompt more accurate reporting of deadlines on the Permitting Dashboard and to encourage utilization of the Coordinated Project Plans (CPPs) to enhance coordination and identify potential major challenges for early resolution, including:

- Conducted project-specific meetings with all Federal agency representatives on active FAST-41 covered projects to review major processing issues that were delaying project timelines and to enhance interagency coordination.
- Heightened awareness of agency dependencies (when one agency’s action is dependent on another agency’s action happening first) to refine projects’ critical paths and facilitate more efficient decision-making.
- Coordinated with the U.S. Department of Transportation (DOT) to enhance the Permitting Dashboard to provide greater usability, transparency, and accountability in the environmental review and authorization process. Progress in FY 2018 included substantially modifying the project schedule framework on the Permitting Dashboard to better display the various steps required in agency environmental review and authorization processes. The updated schedule framework will result in more transparent agency roles and responsibilities, and a better understanding of the dependencies that exist between various agency reviews and authorizations and how they relate to the overall project timeline.

---

<sup>5</sup> Available at: <https://www.permits.performance.gov/projects>.





- Initiated CPP workshops for newly covered FAST-41 projects to emphasize the importance of clearly defined roles and responsibilities; early Permitting Council agency coordination and planning; and conducting environmental reviews and authorization actions concurrently.
- Initiated meetings with project sponsors to obtain their input and perspective and to review their roles and responsibilities in helping to streamline decision-making by providing required reports and information to Permitting Council agencies in a timely fashion.
- Maintained proactive communications with FAST-41 project sponsors, and, when necessary, reached out to Permitting Council agency personnel for clarification and to encourage improved communications. Facilitated communication among project sponsors and Federal agencies to clarify data needs including resolution of conflicting information received from involved Federal agencies. Coordinated with project sponsors and Federal agencies regarding unexpected schedule extensions or schedule delays.

## Summary

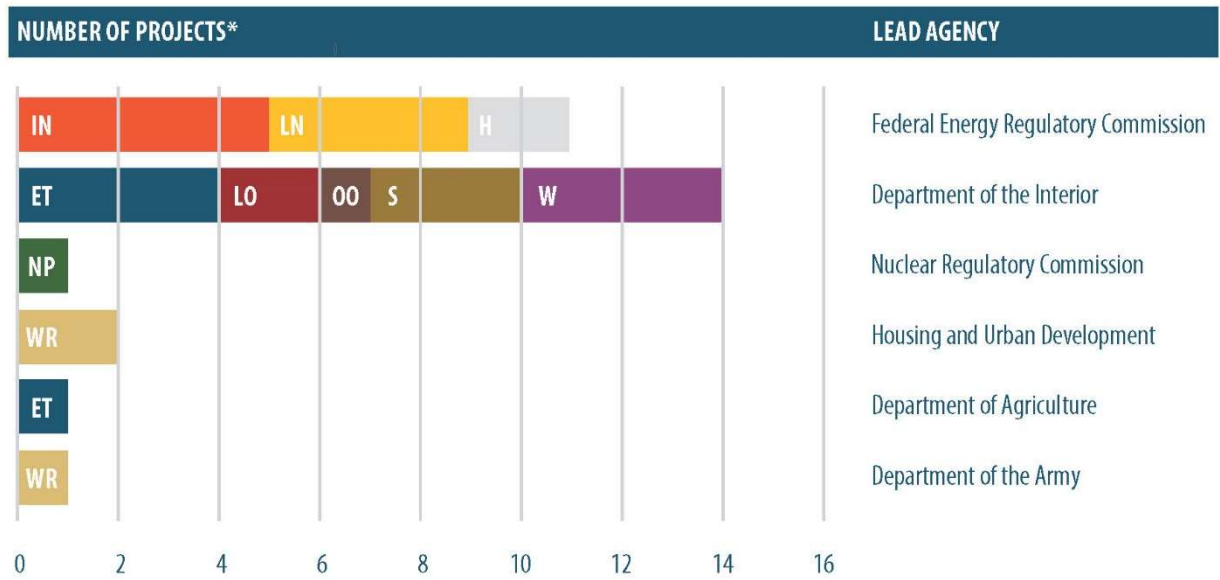
The FPISC-OED has advocated and championed the application of efficient process management principles to foster a higher bar for Federal performance in the conduct of environmental reviews and authorizations while adhering to various statutory requirements for ensuring appropriate environmental and resource protections. Adherence to schedules and closer coordination and planning between Federal agencies; project sponsors; and State, Tribal, and local governmental entities are becoming the new standard for covered projects through the enhanced coordination measures and best practices established by FAST-41 and the Permitting Council. For newly covered projects, FPISC-OED has worked in close partnership with Permitting Council agencies to build a solid foundation upon which a timely and efficient permitting schedule can be developed and followed. For example, one of the most recent projects to become covered under FAST-41 has already benefited from the services provided by FAST-41 and the best practices identified and implemented by the Permitting Council. Permitting Council agency project managers immediately coordinated with other Federal and State cooperating and participating agencies, identified roles and responsibilities, and developed a streamlined, yet realistic, project schedule and a coordinated project plan to manage that schedule in coordination with their fellow agencies. This reflects a successful implementation of FAST-41 best practices in project planning and efficient environmental review and authorization processes. All newly covered FAST-41 projects are expected to meet this new, higher standard for a clear, coordinated project schedule that accounts for each project's unique environmental review and authorization requirements. The Permitting Council and its focus on FAST-41 implementation—in conjunction with other Administration initiatives—have provided critical leadership in institutionalizing improved efficiency of environmental reviews and authorizations.

## FAST-41 Covered Projects for FY 2018

The figures below provide information on the number of FAST-41 covered projects for FY 2018 by lead agency and project type. **Figure 1** shows that the Federal Energy Regulatory Commission (FERC) and Department of the Interior (DOI) had the most projects covered under FAST-41 in FY 2018. Electricity transmission and interstate natural gas pipelines were the most common project types under FAST-41 in FY 2018, as shown on **Figure 2**.



**Figure 1: FAST-41 Projects by Lead Agency for FY 2018**

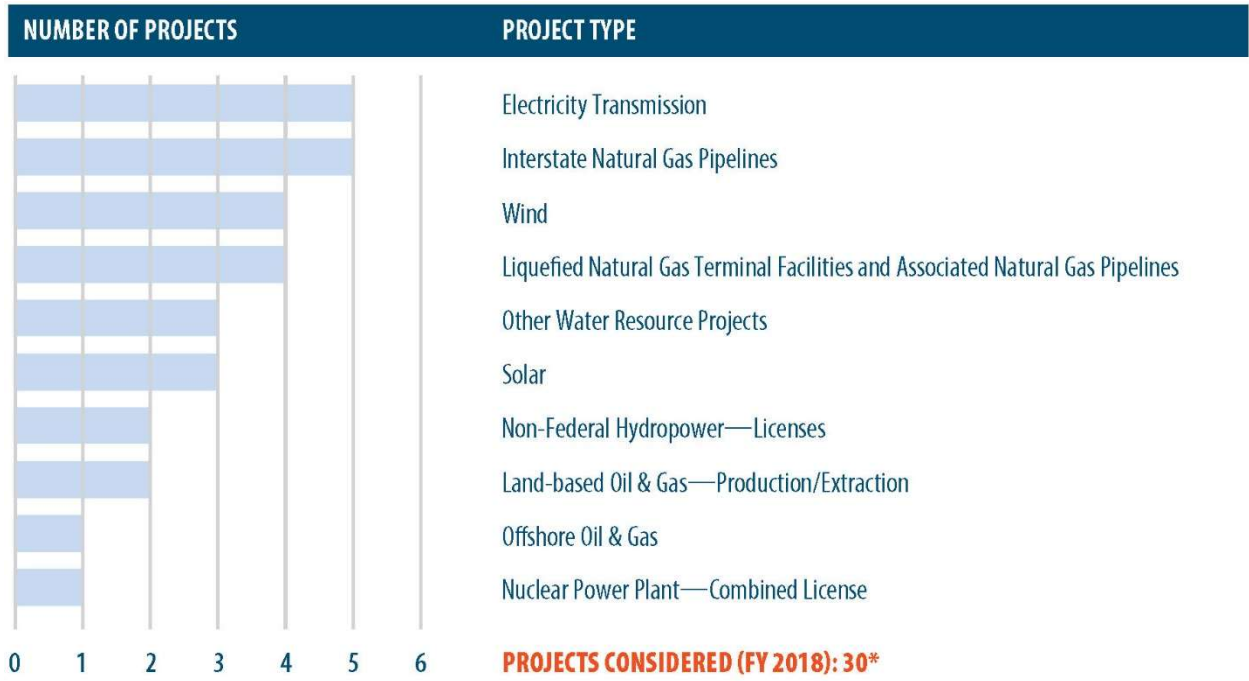


\* 12 additional projects included on the Permitting Dashboard were excluded from analysis.

PROJECT TYPE KEY		
<b>ET</b> Electricity Transmission	<b>IN</b> Interstate Natural Gas Pipelines	<b>H</b> Non-Federal Hydropower—Licenses
<b>NP</b> Nuclear Power Plant—Combined License	<b>LO</b> Land-based Oil & Gas—Production/Extraction	<b>WR</b> Other Water Resource Projects
<b>W</b> Wind	<b>OO</b> Offshore Oil & Gas	
<b>S</b> Solar	<b>LN</b> Liquefied Natural Gas Terminal Facilities and Associated Natural Gas Pipelines	



**Figure 2: FAST-41 Projects by Type for FY 2018**



\* 12 additional projects included on the Permitting Dashboard were excluded from analysis.



## Chapter 2 Best Practices Assessment

---

FAST-41 requires the Permitting Council to issue best practices corresponding to the eight categories outlined in 42 U.S.C. § 4370m-1(c)(2)(B) for environmental reviews and authorizations common to covered projects. FAST-41 also requires the Executive Director to assess agency progress in making improvements consistent with these best practices (see 42 U.S.C. §§ 4370m-1(c)(2)(B) and 4370m-7(a)(2)(A)). This Annual Report to Congress for FY 2018 evaluates the progress Permitting Council agencies have made in implementing best practices outlined in the FY 2018 Best Practices Report, which was developed by FPISC-OED in consultation with the Permitting Council agencies. The assessment methodology and metrics for the Annual Report to Congress for FY 2018 were discussed with agencies prior to agencies receiving a final assessment tool. These metrics are discussed in Appendix B for each best practice. The agency assessment included below displays an overall agency scorecard followed by a detailed assessment for each of the eight Best Practices Categories as well as some highlights of agencies' efforts in implementing the best practices.

### Best Practices Implementation Assessment Results

The Best Practices Implementation Assessment was completed by reviewing information in the CPPs, on the Permitting Dashboard, and provided by the agencies in a data call response that sometimes included links to public websites. The responsibilities of a FAST-41/National Environmental Policy Act (NEPA) lead agency are greater and different than that for FAST-41/NEPA cooperating and participating agencies. Therefore, some best practices are assessed only at the lead agency level. The agency level (all agencies; lead agencies; or lead, cooperating, and participating agencies<sup>6</sup>) assessed for each best practice is listed in Appendix B. When an agency is not included in the best practice narrative, that agency was not assessed for that specific best practice based on its FAST-41 role in FY 2018 because the specific best practice is not applicable to that agency.

The implementation assessment results for 15 of the 19 FY 2018 best practices are presented in **Table 1**.<sup>7</sup> Four of the best practices assessed—Best Practices (BPs) ii-2, vi-2, vi-3, and vii-2—are not included in **Table 1** or in the Lead Agency Performance Scorecards for FY 2018 for several reasons. During the development of the assessment methodology for BP ii-2, it was determined that developing performance metrics for FAST-41 under BP ii-2 would be duplicative of efforts that agencies are currently undertaking in accordance with Executive Order (EO) 13807, so this best practice was removed from the assessment. In addition, because providing surveys to external parties would place undue burden on agencies, FPISC-OED and the Permitting Council decided to change the assessment of BPs vi-2 and vii-2 to a narrative of information that agencies could provide without triggering the long approval processes applicable to government surveys, such as the Paperwork Reduction Act. BP vi-3 is a Permitting Council initiative to have a central Tribal contact

---

<sup>6</sup> The definitions for FAST-41 lead, cooperating, and participating agencies are found at 42 U.S.C. § 4370m.

<sup>7</sup> Table 1 depicts each agency's progress in implementing BPs i-1a, i-1b, i-2, i-3, ii-1, iii-1, iii-2, iii-3, iv-1, iv-2, v-1, v-2, vi-1, vii-1, and viii-1 when applicable based on the agency's current FAST-41 role.



database, and agencies cannot be assessed on this best practice until the database is established or an existing one is adopted by the Permitting Council. Subsequently, the narrative below for BP vi-3 discusses the Permitting Council's progress in evaluating and establishing the central Tribal contact database.

Of the FAST-41 covered projects on the Permitting Dashboard at the end of FY 2018 (42 projects), two projects had their project status<sup>8</sup> listed as "Canceled" prior to FY 2018 and are not evaluated in this report. Of the remaining 40 projects, 16 were listed as "Complete," 18 were listed as "In Progress," three were "Paused," and three were in "Planned" project status. Within the subset of 34 "Complete" or "In Progress" projects, one project had recently started and was not yet required to have a permitting timetable posted to the Permitting Dashboard by the end of FY 2018.

This Annual Report to Congress assesses agencies' progress in implementing the FAST-41 FY 2018 best practices for FAST-41 projects or FAST-41 initiatives to improve the Federal environmental review and authorization process for large, complex infrastructure projects. Agencies may be implementing the FY 2018 best practices on non-FAST-41 projects or implementing other initiatives that improve the Federal environmental review and authorization process for large, complex infrastructure projects that are not represented in this report. The best practices focus on different stages of the environmental review and authorization process. Consequently, some best practices will only apply to some projects and not others. For example, an agency would not be able to apply a best practice about early engagement to a project that in FY 2018 had already almost completed its Federal environmental reviews and authorizations. In addition, some best practices are program-specific initiatives rather than project specific, such as BP vii-1, which focuses on training. For these best practices, FPISC-OED does not include a score by project, only a score by agency. Details on the project-level analyses supporting **Table 1** for the relevant best practices are presented in Appendix A, Lead Agency Performance Scorecards for FY 2018. Further details about the assessment are in Appendix B, FY 2018 Best Practices Assessment Tool (BPAT). Depending on the complexity of the best practice, some best practices were assessed using a progressive scale of success implementing best practice (SC), some progress in implementing best practice (SP), and little progress implementing best practice (LP), where others that were more simple were assessed on a "pass/fail" basis. As depicted in **Table 1**, a green cell signifies either a pass or a successful rating on the progressive scale. Appendix A has more information about the two scales. A No Opportunity (N/O) assessment result represents the situation where a best practice was applicable to an agency based on the agency's FAST-41 role in FY 2018, but the agency was not able to make progress because of the phase their projects were in during the applicable assessment period or the project sponsor did not choose to participate in a voluntary process, such as a pre-application meeting. A Not Applicable (N/A) assessment result indicates the best practice did not apply to the agency due to its FAST-41 role in FY 2018.

---

<sup>8</sup> The status of different projects is defined in the Permitting Dashboard Glossary of Terms, available at: <https://www.permits.performance.gov/sites/permits.performance.gov/files/docs/Permitting%20Dashboard%20Glossary.pdf>.

**Table 1: Agency-Level Best Practices Performance Scorecard for FY 2018**

BEST PRACTICES															
	i-1a	i-1b	i-2 <sup>1</sup>	i-3	ii-1 <sup>1</sup>	iii-1	iii-2	iii-3	iv-1	iv-2	v-1	v-2	vi-1	vii-1	viii-1
	Information on Agency Websites	Non-Traditional Outreach Methods	Coordinated Project Plan	Utilize Pre-Application Processes	Concurrent Reviews	Joint Application Processes or Programmatic Approaches	Establish Liaisons or Points of Contact	Regular Coordination	Provide Early Permitting Information	Use Permitting Dashboard	Develop or Use Process Templates	Process for Transitioning Covered Projects	Provide GIS Information	Tutorial Posted Online	Evaluate Procedures and Share Findings
BP Applicability to Agencies	Lead, Cooperating, and Participating	Lead	Lead	Lead	Lead	Lead, Cooperating, and Participating	Lead	Lead	Lead, Cooperating, and Participating	Lead, Cooperating, and Participating	Lead, Cooperating, and Participating	Lead, Cooperating, and Participating	Lead, Cooperating, and Participating	All	All
ACHP	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	P	★
Army/USACE	P	★	P	P	SC	SC	SC	SC	SC	SC	P	P	SC	P	★
DHS	N/O <sup>2</sup>	N/A	N/A	N/A	N/A	SC	N/A	N/A	N/O <sup>3</sup>	SC	P	P	N/O <sup>4</sup>	P	SC
DOC	P	N/A	N/A	N/A	N/A	SC	N/A	N/A	SC	SC	P	P	SC	P	★
DOD	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	P	SC
DOE	P	N/A	N/A	N/A	N/A	SC	N/A	N/A	N/O <sup>3</sup>	SC	P	P	SC	P	★
DOI	P	SC	P	P	SC	SC	SC	SC	SC	SC	P	P	SC	P	★
DOT	P <sup>5</sup>	SC <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	SC <sup>5</sup>	SC <sup>5</sup>	SC <sup>5</sup>	SC <sup>5</sup>	SC <sup>5</sup>	SC <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	SC <sup>5</sup>	P	SC
EPA	P	N/A	N/A	N/A	N/A	SC	N/A	N/A	SC	SC	P	P	SC	P	★
FERC	P	★	P	N/O <sup>6</sup>	SC	SC	SC	SC	N/O <sup>3</sup>	SC	P	P	N/O <sup>4</sup>	P	★
HUD	P	N/O <sup>7</sup>	P	N/O <sup>8</sup>	SC	SC	SC	N/O <sup>9</sup>	N/O <sup>3</sup>	SC	P	P	SC	P	SC
NRC	P	N/O <sup>3</sup>	P	N/O <sup>8</sup>	N/O <sup>10</sup>	SC	SC	N/O <sup>9</sup>	N/O <sup>3</sup>	SC	P	P	N/O <sup>4</sup>	P	★
USDA	P	SC	P	P	SC	SC	SC	SC	SC	SP	P	P	SC	P	★

LEGEND			
★	Exceeding the Best Practices Requirements	P	Pass
SC	Success Implementing Best Practices	F	Fail
SP	Some Progress Implementing Best Practices	N/A	Not Applicable
LP	Little Progress Implementing Best Practices	N/O	No Opportunity

NOTES	
1	BP i-2 and BP ii-1 are statutory requirements, so OED assessed all projects for which activities were conducted in FY 2018.
2	Agency certifies that it has only one ERA process for which all departments, programs, etc. implement the process in exactly the same way (including using the same forms).
3	Agency certifies that none of its projects required this type of engagement in FY 2018.
4	Agency certifies that it does not have any publicly available GIS tools to initially assess the potential for environmental resources in a project area.
5	Because of \$4370m Savings Clause's statutory exclusions, DOT certifies that it has implemented the BP for non-FAST-41 projects.
6	Lead agency certifies that none of its projects were in this stage of the ERA process during FY 2018.
7	HUD delegates its NEPA authority including public outreach. Thus, HUD had no opportunity to utilize non-traditional outreach methods.
8	Lead agency certifies that for its "In Progress" projects in FY 2018, the projects were not in an application stage during the assessment period.
9	Lead agency certifies that none of its projects needed a meeting in FY 2018.
10	Lead agency had no opportunity to make ERAs concurrent because the timing of the review process is a decision of the project sponsor and not within the agency's control.



## Best Practices Metrics and Results

Below is the narrative assessment of agencies' progress in implementing the Permitting Council's best practices, which is summarized in **Table 1**. Details on the lead agency project-level analyses supporting **Table 1** for the relevant best practices are presented in Appendix A (Lead Agency Performance Scorecards for FY 2018). The details regarding the assessment methodology for each best practice are described in Appendix B (FY 2018 BPAT). Agencies earning a "green" score have met the FY 2018 goal for implementing that best practice. The score of "gold star" is for agencies that exceeded the FY 2018 goal in implementing that best practice. FPISC-OED highlights below the instances where agencies earned a "gold star" rating or made substantive progress in implementing a best practice. The eight Best Practice Categories are outlined in the FAST-41 statute, as explained above (42 U.S.C. § 4370m-1(c)(2)(B)), and the best practices (in quotes) are outlined in the FY 2018 BPAT (provided in Appendix B).

***Best Practice Category i: "Enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project" (42 U.S.C. § 4370m-1(c)(2)(B)(i))***

In FY 2018, Best Practice Category i had three best practices. FPISC-OED separated the assessment of BP i-1 into two assessments, BP i-1a and BP i-1b.

**BP i-1a: "Consolidate and organize information on permitting requirements and processes on existing departmental or Agency websites."**

Applicability: lead, cooperating, and participating agencies

Access to consolidated environmental review and authorization information on agencies' websites allows for stakeholders to become involved earlier in the environmental review and authorization process. Nine out of the ten agencies that had a FAST-41 lead, cooperating, and/or participating role in at least one FAST-41 project in FY 2018 (Department of the Army [Army]/U.S. Army Corps of Engineers [USACE], Department of Commerce [DOC], Department of Energy [DOE], DOI, Environmental Protection Agency [EPA], FERC, Housing and Urban Development [HUD], Nuclear Regulatory Commission [NRC], and U.S. Department of Agriculture [USDA]) provided a website that consolidated environmental review and authorization information, earning a "Pass" score. The remaining agency (Department of Homeland Security [DHS]) had only one FAST-41 relevant environmental review or authorization, so it received an N/O score for this best practice, as there was no opportunity for the agency to conduct consolidation in FY 2018.

**BP i-1b: "Where appropriate, use social media platforms and other technologies to share information and to identify and engage interested stakeholders."**

Applicability: lead agency

Using social media platforms and other technologies can increase the range of stakeholders engaged in the environmental review and authorization process. It is important to note that for some stakeholder groups, such as those with limited access to technology, traditional engagement methods can be effective. For FY 2018, the Permitting Council focused on the use of non-traditional platforms (those other than radio advertisement, newspaper, etc.) to engage stakeholders.



Army/USACE and FERC earned a “gold star” score by using both Facebook and Twitter to engage stakeholders in each applicable project. DOI implemented non-traditional stakeholder engagement in some but not all of its projects, earning a “green” score. USDA also earned a “green” score for using one non-traditional stakeholder engagement method by accepting public comments through the project website. HUD has an N/O score because HUD delegates its NEPA authority, including public involvement. NRC received an N/O score because it certified its covered project did not qualify for this type of engagement in FY 2018.

**BP i-2: “Implement the Coordinated Project Plan provisions in the FAST Act (42 U.S.C. § 4370m-2(c)(1)).”**

Applicability: lead agency

This is a FAST-41 statutory requirement, and lead agencies are responsible for updating the CPPs in coordination with any FAST-41 cooperating and participating agencies. All lead agencies assessed for this FY 2018 best practice (Army/USACE, DOI, FERC, HUD, NRC, and USDA) filled out the final CPPs with the required information. Based on conversations with agencies and other stakeholders, FPISC-OED, with assistance from the Permitting Council, revised the CPP template to increase the effectiveness of the CPPs as a planning tool. The purpose of the revisions included avoiding issues through early coordination and determining the interdependencies of the environmental reviews and authorizations of multiple Federal agencies. FPISC-OED delivered this new CPP template in FY 2019.

**BP i-3: “Utilize pre-application processes (i.e., informal or formal coordination prior to application submittal) with project sponsors of FAST-41 covered projects.”**

Applicability: lead agency

Clarifying necessary information for an environmental review or authorization during a meeting prior to application submittal can reduce the need or extent of resubmissions of applications. This best practice was assessed at the lead agency level, as the majority of applications are for the lead agency’s environmental reviews and authorizations. The three lead agencies with projects in this stage of the environmental review and authorization process during FY 2018 (Army/USACE, DOI, and USDA) received “Pass” scores. Three lead agencies had no opportunity to implement this best practice for FAST-41 projects in FY 2018 (FERC, HUD, and NRC) because no project was in this stage of the ERA process during FY 2018, and these agencies therefore received an N/O rating for this best practice.

***Best Practice Category ii: “Ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics” (42 U.S.C. § 4370m-1(c)(2)(B)(ii))***

In FY 2018 Best Practice Category ii had two best practices.

**BP ii-1: “Align environmental review and authorization processes across Agencies at the outset of planning for FAST-41 covered projects to allow concurrent reviews where possible and to accurately reflect the sequence of the permitting process based on actual requirements.”**

Applicability: lead agency





Synchronization of environmental reviews and authorizations can promote interagency coordination and reduce the time required to complete the environmental review and authorization process. This best practice measures how many of each lead agency's projects have concurrent reviews, and when concurrent reviews are not possible, a reasonable explanation for the lack of concurrency. All five lead agencies assessed for this best practice (Army/USACE, DOI, FERC, HUD, and USDA) earned a "green" score, with 100% of their projects demonstrating concurrent reviews/authorizations or explanations for the exceptions. NRC received an N/O score because it certified that the remaining environmental reviews and authorizations timing was the project sponsor's decision and not within the agency's control. A situation that would preclude concurrent reviews is the lack of required information for a particular environmental review or authorization process to begin, which might be due to a variety of reasons, e.g., a project sponsor not yet having the necessary survey access.

**BP ii-2: "Develop and/or utilize intra-agency performance metrics (e.g., durations for applicable authorizations, meeting target completion dates, other measures of timeliness and efficient use of resources) in accordance with the Agency's mission, and share across Agencies when developed."**

Applicability: lead, cooperating, and participating agencies

As mentioned in the Chapter 1 introduction, this best practice was not assessed for FY 2018, as it was determined during BPAT development that creating performance metrics for FAST-41 would be duplicative of efforts that agencies are currently investing in developing performance metrics under EO 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects.<sup>9</sup>

***Best Practice Category iii: "Improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies" (42 U.S.C. § 4370m-1(c)(2)(B)(iii))***

In FY 2018 Best Practice Category iii had three best practices.

**BP iii-1: "Encourage development and/or utilization of joint application processes or programmatic approaches among Federal, State, local, and tribal governments with similar authorities to reduce duplicative actions."**

Applicability: lead, cooperating, and participating agencies

The use of joint documents and processes can facilitate concurrent reviews and reduce administrative burden and duplicative processes. This best practice assesses agencies' existing joint applications and programmatic agreements or their internal assessment of such approaches for that agency. All 10 agencies (Army/USACE, DHS, DOC, DOE, DOI, EPA, FERC, HUD, NRC, and USDA) that were assessed for this best practice earned a "green" score by having implemented joint applications and programmatic agreements or by having conducted an internal assessment and engaging with other governments or authorities.

**BP iii-2: "Establish interagency liaison position (i.e., through Memorandums of Understanding or Memorandums of Agreement) or points of contact to improve**

<sup>9</sup> Available at: <https://www.federalregister.gov/d/2017-18134>.



**communication and coordination with other Federal, State, local, and tribal governments, increase expertise; and facilitate permitting processes.”**

Applicability: lead agency

Appointing a dedicated point of contact for infrastructure projects can develop relationships and improve communication by creating a predictable and streamlined environmental consultation and review process. A designated liaison can initiate coordination early on and consult with experts to help avoid or reduce environmental impacts and delays late in the review process. All six agencies (Army/USACE, DOI, FERC, HUD, NRC, and USDA) that were assessed for this best practice received a “green” score by having a designated liaison on all of their FAST-41 covered projects.

**BP iii-3: “Use regularly scheduled in-person and/or virtual meetings to ensure coordination among Federal, State, local, and tribal governments to facilitate cooperation and accountability among parties involved in general permitting processes and in environmental reviews and authorizations for covered projects.”**

Applicability: lead agency

Holding regular meetings allows for agencies to share information (such as recent updates, next steps, and action items) internally, across agencies, and with stakeholders and prepare for any implications of any changes. FAST-41 requires agencies to meet at least once per year with States, Tribes, and local governments involved in the infrastructure process (42 U.S.C. § 4370m-1(c)(2)(C)). Four of the six agencies (Army/USACE, DOI, FERC, and USDA) that were assessed for this best practice conducted meetings at least quarterly, where deemed necessary, to earn a “green” score. The remaining two agencies (HUD and NRC) deemed that none of their projects needed meetings in FY 2018, and therefore these agencies received an N/O rating for this best practice.

***Best Practice Category iv: “Increasing transparency” (42 U.S.C. § 4370m-1(c)(2)(B)(iv))***

In FY 2018, Best Practice Category iv had two best practices.

**BP iv-1: “Provide the project sponsor/applicant of a FAST-41 covered project information about the Agency’s permitting review process, including all steps, either in early coordination (e.g., through the pre-application process) or once the Agency receives an application or other initiation of the applicable environmental review or authorization.”**

Applicability: lead, cooperating, and participating agencies

This communication promotes transparency and coordination between agencies and the project sponsor/applicant. This best practice applies to lead, cooperating, and participating agencies, and measured the percentage of projects for which the agency responsible provided the project sponsors or lead agencies the required information. Five of the ten agencies that were assessed for this best practice (Army/USACE, DOC, DOI, EPA, and USDA) earned “green” scores, for appropriate communication in 100% of the projects with which they were involved. The remaining five agencies (DHS, DOE, FERC, HUD, and NRC) assessed for this best practice did not have an opportunity to implement or did not qualify for this early coordination best practice, which could apply to new projects or those that had not yet published their Draft Environmental Assessment, Environmental Assessment, or Draft Environmental Impact Statement by October 1, 2017. Therefore, these agencies received an N/O rating for this best practice.

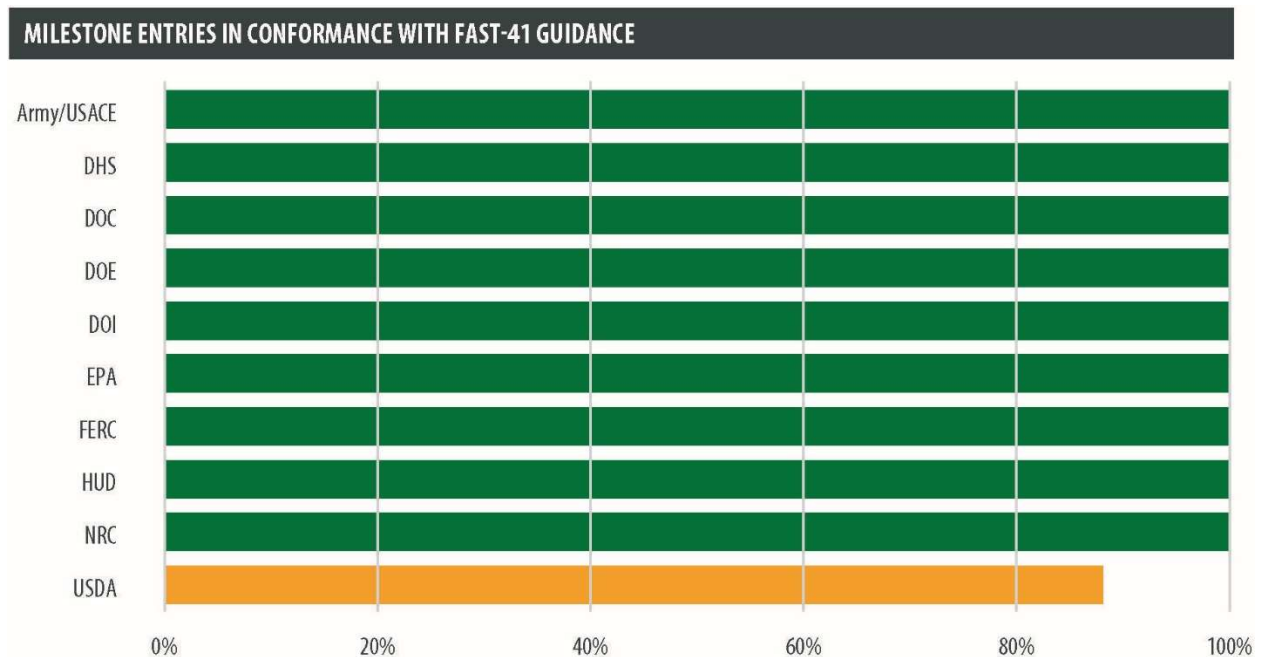


**BP iv-2: “Use the Permitting Dashboard to track environmental reviews and authorizations across the Federal Government for projects subject to FAST-41 (42 U.S.C. § 4370m-2(b)), providing dates to the extent allowed by applicable laws, and using dependencies only when determining dates is not feasible.”**

Applicability: lead, cooperating, and participating agencies

The statutory requirement to maintain accurate records of project dates to the best of an agency’s ability and to post these for public viewing on the Permitting Dashboard increases transparency in the environmental review and authorization process. This best practice applies to lead, cooperating, and participating agencies, and measured the percentage of milestones in each agency’s environmental reviews and authorizations on the Permitting Dashboard in FY 2018 that conformed to the FAST-41 Implementation Guidance<sup>10</sup> by having all dates and applicable information entered (see Figure 3). Nine of the ten agencies (Army/USACE, DHS, DOC, DOE, DOI, EPA, FERC, HUD, and NRC) that were assessed for this best practice received “green” scores for this metric, with 100% conformance for all milestones in the environmental reviews and authorizations for which they were responsible. The remaining agency (USDA) that was assessed for this best practice received a “yellow” score, with milestone conformance between 80 and 89%.

**Figure 3: Milestone Entries in Conformance with FAST-41 Guidance**



<sup>10</sup> *Guidance to Federal Agencies Regarding the Environmental Review and Authorization Process for Infrastructure Projects*, available at <https://www.permits.performance.gov/sites/permits.performance.gov/files/docs/Official%20Signed%20FAST-41%20Guidance%20M-17-14%202017-01-13.pdf>.



***Best Practice Category v: “Reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties” (42 U.S.C. § 4370m-1(c)(2)(B)(v))***

In FY 2018 Best Practice Category v had two best practices.

**BP v-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.”**

Applicability: lead, cooperating, and participating agencies

The use of templates can save time for the project sponsor/applicant as well as for the reviewer and increases the likelihood that all necessary information will be submitted. All of the 10 agencies (Army/USACE, DHS, DOC, DOE, DOI, EPA, FERC, HUD, NRC, and USDA) that were assessed for this best practice received a “Pass” score for the providing evidence of such tools.

**BP v-2: “Institute a process for transitioning FAST-41 covered project information to new environmental review staff, if needed, to ensure continuity of project-specific knowledge.”**

Applicability: lead, cooperating, and participating agencies

Institutional knowledge should be captured, tracked, maintained, and shared within agencies in a way that is easy to retrieve and understand, especially when transferring across departments, offices, or agencies. All 10 agencies (Army/USACE, DHS, DOC, DOE, DOI, EPA, FERC, HUD, NRC, and USDA) that were assessed for this best practice received a “Pass” score for having processes both for ensuring internal transfer of knowledge as well as informing project sponsors and other FAST-41 participants of staff changes.

***Best Practice Category vi: “Developing and making available to applicants appropriate geographic information systems and other tools” (42 U.S.C. § 4370m-1(c)(2)(B)(vi))***

In FY 2018 Best Practice Category vi had three best practices.

**BP vi-1: “Provide stakeholders with a list of GIS information sources that are publicly available and used by Federal agencies to initially assess the potential for environmental resources in a project area.”**

Applicability: lead, cooperating, and participating agencies

The purpose of this best practice is to increase stakeholders’ awareness of available geographic information system (GIS) resources, as well as establish consistent data standards and sharing across agencies. Seven of the ten agencies (Army/USACE, DOC, DOE, DOI, EPA, HUD, and USDA) that were assessed for this best practice earned a “green” score by describing the promotion of their public GIS tools. Notably, DOE and EPA additionally actively advertised their tools via emails and newsletters to stakeholders and performing public outreach. Three agencies (DHS, FERC, and NRC) that were assessed for this best practice certified that during FY 2018 they did not have any publicly available GIS tools to initially assess the potential for environmental resources in a project area, and therefore did not have an opportunity to implement this best practice; these agencies received an N/O rating for this best practice. FERC does maintain publicly available GIS tools to assist project sponsors during project planning.



**BP vi-2: “Survey government and/or nongovernment users of current tools to identify potential improvements and, where feasible, improve usability and data availability for existing tools and intra-agency, interagency, and public applications.”**

Applicability: lead, cooperating, and participating agencies

The Permitting Council recommended that agencies work with stakeholders to ensure consistent data standards and formats in order to facilitate data exchange and integration and request feedback on datasets and systems. The Permitting Council changed this best practice to a narrative of information that agencies could provide without triggering the long approval processes applicable to government surveys. Therefore, there is no score calculated for this best practice, and this best practice is not included in Table 1. Eight of twelve agencies (Advisory Council on Historic Preservation [ACHP], Army/USACE, DOC, DOE, DOI, EPA, FERC, and USDA) to which this best practice applied solicited feedback on their GIS tools from stakeholders and other agencies, and made appropriate modifications. Methods for collecting feedback included data sharing initiatives, workshops, trainings, and meetings.

An example of a tool revised in FY 2018 based on feedback was the Essential Fish Habitat Data Inventory. The Essential Fish Habitat Data Inventory allows for “quick access to geospatial habitat information of [1000 federal managed] species currently mapped in the Essential Fish Habitat Mapper.”<sup>11</sup> Having geographic information on essential fish habitat empowers project sponsors to either modify the project design to avoid impacts to these resources or alert them to consult with DOC’s National Oceanic and Atmospheric Administration (NOAA). Early coordination on potential resource impacts can save project sponsors time and money. The stakeholder feedback led NOAA to revamp of the Essential Fish Habitat Data Inventory by creating a more user-friendly interface that allows users to make more informed, data-driven decisions.

HUD described a proposal for sharing its Tribal Directory Assistance Tool (TDAT) with other FAST-41/Infrastructure Working Group agencies (see BP vi-3 below), but did not comment on how it solicits feedback from current users of its tools. NRC stated that it uses a publicly available GIS tool and is not a developer. DHS and DOT did not provide a response to this voluntary data call for this best practice.

**BP vi-3: “Establish, utilize, and support the maintenance (updating) of one central Federal database of tribal areas of interest with tribal points of contact to facilitate timely government-to-government coordination and consultation.”**

Applicability: all agencies

Agencies have requested that a single Tribal directory is developed to facilitate efficient Tribal consultations, and Tribes have indicated that a mapping tool that identifies geographical areas of Tribal interest will improve early outreach and consultation. The purpose of this best practice is to track the progress of establishing such a database, including agencies’ participation in discussions. Discussions in FY 2018 involved the possibility of using HUD’s TDAT to meet the need for a Permitting Council-wide system to identify Tribal points of contact and geographic areas of consultation interest. HUD gave a presentation of TDAT to the agencies in FY 2018, at which Working Group members for all agencies except for EPA were in attendance. There is no score

---

<sup>11</sup> Available at: <https://www.habitat.noaa.gov/protection/efh/newInv/>.



calculated for this best practice, and this best practice is not included in **Table 1**. The Permitting Council has plans to collaborate with relevant agencies to make a decision on assessing whether or not TDAT could fulfill the needs of the requested Tribal directory, with HUD serving in a management role.

***Best Practice Category vii: “Creating and distributing training materials useful to Federal, State, Tribal, and local permitting officials” (42 U.S.C. § 4370m-1(c)(2)(B)(vii))***

In FY 2018 Best Practice Category vii had two best practices.

**BP vii-1: “Ensure that at least one tutorial (e.g., print, video, and/or presentation materials) about the Agency’s environmental review and authorization process(es) is posted online and available to Federal, State, and tribal governments and local permitting officials.”**

Applicability: all agencies

Trainings will result in a better understanding of environmental review and authorization procedures and will facilitate a more efficient environmental review and authorization process, saving agencies and project sponsor/applicant time and money. All 13 agencies that were assessed for this best practice earned a passing score for providing verification for at least one online training that was created, improved, or drafted in FY 2018.

**BP vii-2: “Survey Federal, State, and tribal governments and local permitting officials to identify currently available trainings to determine information gaps and potential improvements, and where feasible, create or improve existing resources.”**

Applicability: lead, cooperating, and participating agencies

This best practice provided agencies an opportunity to describe training efforts; the Permitting Council changed this best practice to a narrative of information that agencies could provide without triggering the long approval processes applicable to government surveys. Therefore, no score is calculated for this best practice, and this best practice is not included in Table 1. Nine of the thirteen agencies (ACHP, Army/USACE, DOC, DOE, DOI, EPA, FERC, NRC, and USDA) solicited agency feedback on trainings that could benefit FAST-41 covered projects, assessed the feasibility of suggested improvements, and incorporated the applicable feedback into trainings. DHS solicited feedback on new trainings but did not comment on feasibility or implementation. Department of Defense (DOD) solicited feedback in FY 2018 but nothing it received pertained to trainings. HUD solicited State agency feedback, but none was applicable to FAST-41 covered projects. DOT did not provide a response to the voluntary data request for this best practice.

***Best Practice Category viii: “Addressing other aspects of infrastructure permitting, as determined by the Council” (42 U.S.C. § 4370m-1(c)(2)(B)(viii))***

In FY 2018 Best Practice Category viii had one best practice.

**BP viii-1: “Evaluate policies and procedures related to environmental reviews and authorizations, and identify and share information on past and planned efforts to improve the permitting process, associated assessments, and performance metrics.”**

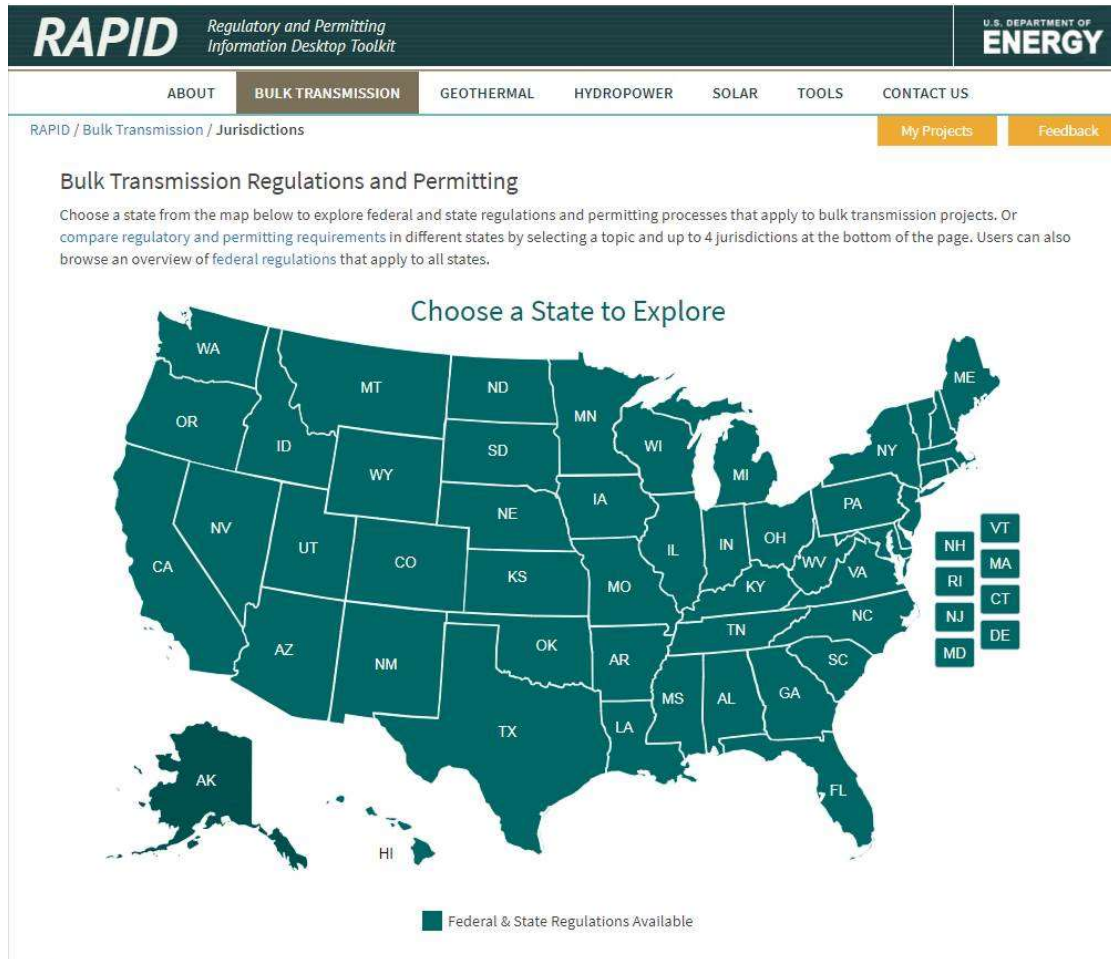
Applicability: all agencies



One of the statutory Chief Environmental Review and Permitting Officer (CERPO) responsibilities is to “analyze agency environmental review and authorization processes, policies, and authorities and make recommendations to the respective agency councilmember for ways to standardize, simplify, and improve the efficiency of the processes, policies, and authorities” (42 U.S.C. § 4370m-1(c)(3)(C)). Nine of the thirteen agencies (ACHP, Army/USACE, DOC, DOE, DOI, EPA, FERC, NRC, and USDA) that were assessed for this best practice earned a “gold star” score for reviewing and implementing changes to the environmental review process and sharing these with the Working Group. Three of the agencies assessed for this best practice (DHS, DOD, and DOT) earned a “green” score for conducting an internal assessment of their review process and identifying that during FY 2018 there were no further improvements to communicate to the Working Groups. The remaining agency (HUD) earned a “green” score because it reviewed and initiated plans to improve the environmental review process and it shared a past lesson learned during a Working Group meeting in FY 2018.

DOE presented information about the Bulk Transmission Regulatory and Permitting Information Desktop (RAPID) Toolkit, an online portal that provides permitting guidance, regulations, and other important information in a fast, easy-to-use format. In addition to the Bulk Transmission RAPID Toolkit funded by DOE’s Office of Electricity, several other versions of the RAPID Toolkit were developed for geothermal, hydropower, and solar projects funded by DOE’s Office of Energy Efficiency & Renewable Energy. In FY 2018, the RAPID Toolkit received close to 25,000 users viewing approximately 58,000 pages of content.

Figure 4: RAPID Toolkit Screenshot



The Regulatory and Permitting Database includes a set of flowcharts and supporting narratives providing detailed information outlining the requirements for developing energy projects, including topics such as preliminary site considerations, land access, facility construction and operation, grid interconnection, water resource acquisition, and relevant environmental considerations. **Figure 5** is a sample of one such flowchart.

Currently, the toolkit is being expanded to include Federal and provincial requirements in Canada for transmission projects crossing the U.S.-Canada border, while a similar effort will also be conducted for Federal requirements in Mexico. These efforts are expected to be complete by the third quarter of 2019.

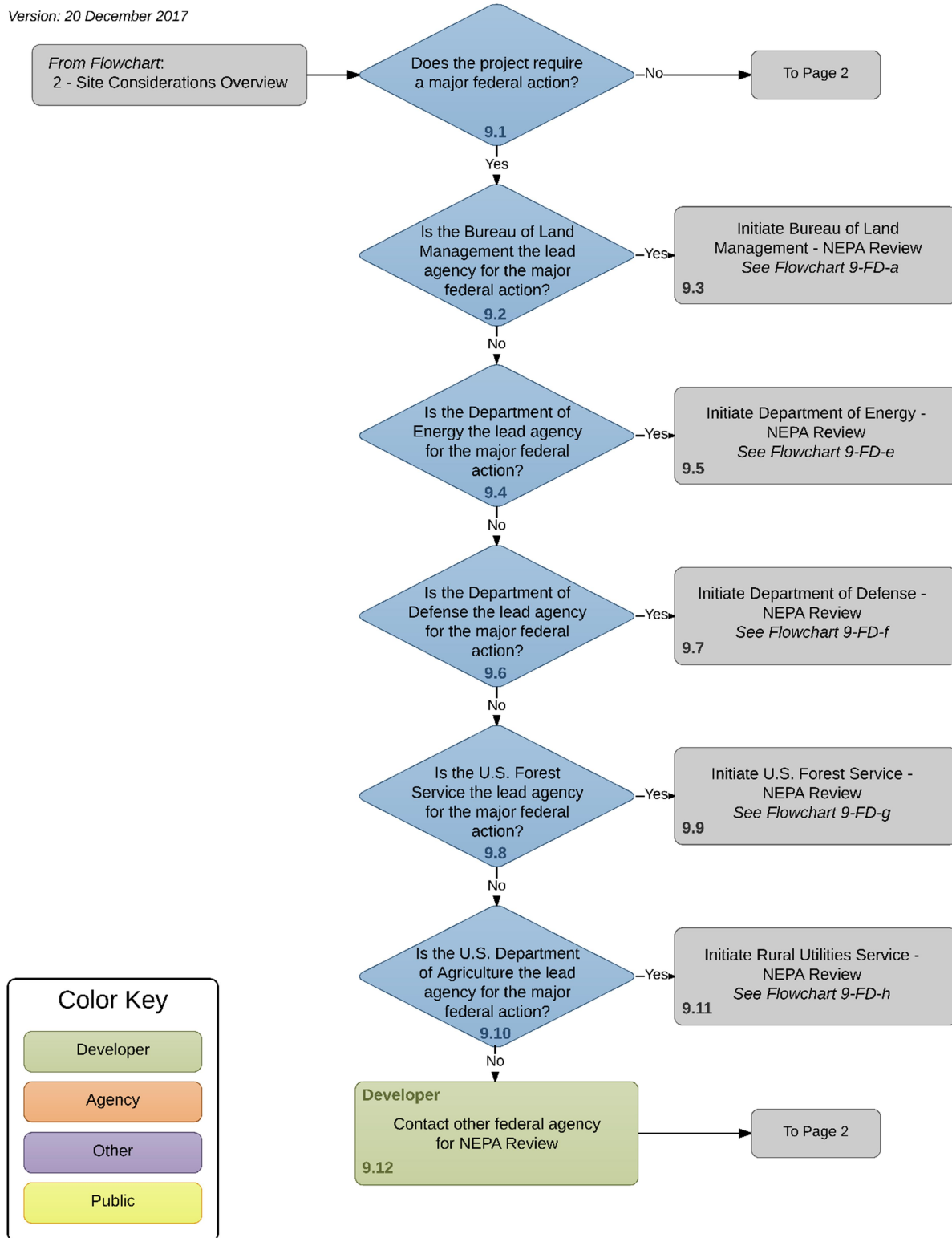




**Figure 5: Sample Regulatory and Permitting Database Flowchart**

**Flowchart 9:**  
**Environmental Review Overview**

Version: 20 December 2017



**Color Key**

- Developer
- Agency
- Other
- Public

Developed by the National Renewable Energy Laboratory for the DOE



## Chapter 3

# Agency Compliance with Performance Schedules

---

FAST-41 requires the development of recommended performance schedules, which propose final completion dates for environmental reviews and authorizations for covered infrastructure projects that shall not exceed the average time to complete an environmental review or authorization for a project within that category (42 U.S.C. § 4370m-1(c)(1)(C)(ii)).

A generic model permitting timetable exists in the previously published *Recommended Performance Schedules for Environmental Reviews and Authorizations for FAST-41 Covered Infrastructure Projects*.<sup>12</sup> This document lays the groundwork for future development of performance schedules so that agency compliance with these schedules can be assessed in future years. FPISC-OED continues to engage relevant agencies and the Permitting Dashboard team to gather the required data to draft recommended performance schedules. FPISC-OED, in consultation with CEQ and OMB, are developing the first recommended performance schedules using data from recent and existing projects that are of similar scope and complexity to the FAST-41 projects. This approach will provide a reasonable sample size for a relevant universe of the infrastructure sectors.

## Performance Schedule Requirements

The requirements for the recommended performance schedules are set out in 42 U.S.C. § 4370m-1(c)(1)(C)(ii):

(ii) Requirements.

- (I) In general. The performance schedules shall reflect employment of the use of the most efficient applicable processes, including the alignment of Federal reviews of projects and reduction of permitting and project delivery time.
- (II) Limit. (aa) In general. The final completion dates in any performance schedule for the completion of an environmental review or authorization under clause (i) shall not exceed the average time to complete an environmental review or authorization for a project within that category. (bb) Calculation of average time. The average time referred to in item (aa) shall be calculated on the basis of data from the preceding 2 calendar years and shall run from the period beginning on the date on which the Executive Director must make a specific entry for the project on the Dashboard under section 41003(b)(2) [42 U.S.C. § 4370m2(b)(2)] (except that, for projects initiated before that duty takes effect, the period beginning on the date of filing of a completed application), and ending on the date of the issuance of a record of decision or other final agency action on the review or authorization. (cc) Completion date. Each performance schedule shall specify that any decision by an agency on an environmental review or authorization must be issued not later than 180 days after the date on which all information needed to complete the review or authorization (including any hearing that an agency holds on the matter) is in the possession of the agency.

---

<sup>12</sup> *Recommended Performance Schedules for Environmental Reviews and Authorizations for FAST-41 Covered Infrastructure Projects*, available at: <https://www.permits.performance.gov/sites/permits.performance.gov/files/docs/FPISC%20Performance%20Schedules-%20FINAL-%20001182017-final.pdf>.



## Dashboard Permitting Timetables

The Permitting Dashboard is the foundation for calculating recommended performance schedules for environmental reviews and authorizations most commonly required for each category of covered projects as required by FAST-41. Additionally, a complete set of data for each project on the Permitting Dashboard is key to transparency and accountability in the permitting process. Progress was made during FY 2018 by agencies in providing complete and accurate data on the Permitting Dashboard.

Beginning in FY 2017, FPISC-OED has worked with the lead, cooperating, and participating agencies to improve the completeness of permitting timetable data on the Permitting Dashboard. In FY 2018, FPISC-OED assessed the conformance of permitting timetable milestone information on the Permitting Dashboard compared to the FAST-41 Implementation Guidance requirements. This milestone conformance with FAST-41 Implementation Guidance analysis was the first step in creating a transparent and accountable system for the permitting timetables on the Permitting Dashboard. In FY 2018 Quarter 4, the average agency milestone conformance with the FAST-41 Implementation Guidance was 99%, with 10 of 11 agencies having 100% conformance. This demonstrates a slight increase compared to FY 2017 Quarter 4, where the average agency milestone conformance was 92%. For the purposes of FY 2018, an agency having a milestone conformance of 90% merited the highest possible score (“green”). This continuing progress above the 90% threshold shows that agencies are continuing to improve the transparency of their permitting timetables by maintaining dates and providing full details regarding the environmental reviews and authorizations. FY 2018 showed marked progress from FY 2016, when only 55% of milestones conformed with the FAST-41 Implementation Guidance and only 75% of projects had permitting timetables. The milestone conformance with FAST-41 Implementation Guidance informed BP iv-2.

FY 2018 best practices were to build the foundations for implementing the requirements of the FAST-41 statute. Each Agency’s scores reflect the progress made in establishing a strong foundation to accelerate the institutionalization of best practices within the Federal government.



## Chapter 4 Permitting Council Member Comments

---

Per 42 U.S.C. § 4370m-7(a)(3), each Permitting Council Member, with input from the respective agency CERPO, was given the opportunity to include comments concerning the performance of each agency in this Annual Report to Congress for FY 2018.

The Permitting Council agency comments for the Annual Report to Congress for FY 2018 are included in the following list.

Agency	Comments
Advisory Council on Historic Preservation	Received on March 14, 2019
United States Nuclear Regulatory Commission	Received on March 14, 2019



Advisory Council on Historic Preservation comment letter received on March 14, 2019.



Preserving America's Heritage

Milford Wayne Donaldson, FAIA  
Chairman

Leonard A. Forsman  
Vice Chairman

John M. Fowler  
Executive Director

March 14, 2019

Mr. Alex Herrgott  
Executive Director  
Federal Permitting Improvement Steering Council  
1800 F St., NW  
Washington, DC 20405

Dear Mr. Herrgott:

Thank you for the opportunity to review the Federal Permitting Improvement Steering Council's (Permitting Council's) *Annual Report to Congress for Fiscal Year 2018* on FAST-41 implementation. While the reflection of the ACHP's work in these categories is accurate for FAST-41 covered projects, we have been engaged in activities that support and expand the goals of the permitting best practices for a wider range of infrastructure projects during the last fiscal year.

The ACHP approaches its responsibilities as a member of the Permitting Council from a role focused on review process oversight and technical assistance. Though this involvement ranges beyond the metrics of this report, recent programmatic approaches developed with ACHP involvement have generated efficiencies for the review of infrastructure projects under Section 106 of the National Historic Preservation Act (NHPA) supporting the goals of FY18 best practice iii-1. In 2018, the ACHP issued new nationwide program alternatives to establish specific review efficiencies within rail and transit rights-of-way and for a wide range of grant and loan programs that fund infrastructure improvements in rural communities. These two nationwide program alternatives join other project-specific, statewide, and regional Section 106 programmatic agreements for which the ACHP has facilitated federal agency collaboration with non-federal government entities, including State and Tribal Historic Preservation Officers, Indian tribes, and local governments, to achieve efficiencies in historic preservation reviews required by the NHPA for infrastructure projects of many scales.

We look forward to working with you during the current fiscal year to build on these accomplishments and integrate permitting best practices into our work with federal agency and external partners.

Sincerely,

John M. Fowler  
Executive Director

ADVISORY COUNCIL ON HISTORIC PRESERVATION  
401 F Street NW, Suite 308 • Washington, DC 20001-2637  
Phone: 202-517-0200 • Fax: 202-517-6381 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)




United States Nuclear Regulatory Commission comment letter received on March 14, 2019.



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

March 14, 2019

**MEMORANDUM TO:** Alexander H. Herrgott, Executive Director  
Federal Permitting Improvements Steering Council  
Office of the Executive Director

**FROM:** Daniel H. Dorman   
Deputy Executive Director for Reactors  
and Preparedness Programs  
Office of the Executive Director for Operations

**SUBJECT:** NRC COMMENTS ON FIXING AMERICA'S SURFACE  
TRANSPORTATION ACT REVISED DRAFT FISCAL YEAR 2018  
ANNUAL REPORT TO CONGRESS

The U.S. Nuclear Regulatory Commission (NRC) thanks you for the opportunity to review the revised Draft Fiscal Year 2018 Annual Report to Congress (ARC). We appreciate your coordination in developing the report. We have reviewed the ARC, and have no comments.

We look forward to working with you for another year in increasing transparency and accountability in accordance with the Fixing America's Surface Transportation Act (FAST-41). For any information or inquiries please contact the NRC Chief Environmental Review and Permitting Officer, Robert M. Taylor at the number below.

**CONTACT:** Robert M. Taylor, NRO/DLSE  
301-415-1634



## Appendix A: Lead Agency Performance Scorecards for FY 2018

---

The six Lead Agency Performance Scorecards are on the following pages to indicate each lead agency's progress in implementing a best practice on each project. For best practices that were to be applied on a programmatic basis (i.e., not to specific projects), there is no project-by-project evaluation, so these best practices are not included in the Lead Agency Performance Scorecards. If an agency had no FAST-41 lead agency role on any FAST-41 project in FY 2018, then the agency had no opportunity to implement these lead agency project-specific best practices on FAST-41 covered projects. For best practices iv-1 and iv-2, the details on lead, cooperating, and participating agencies' progress are in Chapter 1 instead of on the Lead Agency Performance Scorecards. However, FY 2018 FAST-41 cooperating and participating agencies did facilitate the implementation of best practices with lead agencies, such as best practice ii-1. The agencies with no Lead Agency Performance Scorecard for lead agency project-specific best practices in FY 2018 are the following because each agency was not a FAST-41 lead agency in FY 2018:

- ACHP
- DOC
- DOE
- DHS
- DOD
- DOT
- EPA

The assessment does not include CEQ, GSA, and OMB because these agencies do not have authority for environmental reviews or authorizations for FAST-41 covered projects.

As mentioned in the *Best Practices Implementation Assessment Results* section prior to Table 1, OED used two scales to assess agencies' progress in implementing best practices. For simpler best practices, OED evaluated agencies' progress in implementing those best practices using a pass/fail system. Other best practices did not lend themselves to a simple evaluation of the presence or absence of an activity. For these best practices, OED evaluated agencies' progress in implementing best practices using a three tier scale of success implementing best practice (SC), some progress in implementing best practice (SP), and little progress implementing best practice (LP). Some best practices have a fourth option of "gold star" for agencies that performed above and beyond the SC definition in Appendix B. Some best practices do not have a gold star level because there was no logical "above and beyond" for that best practice or the best practice was based on a statutory requirement. The definitions for each score in both scales are found in Appendix B. Appendix B also has the definitions of an N/O score for the applicable best practices. In general, an N/O assessment result represents the situation where a best practice was applicable to an agency based on the agency's FAST-41 role in FY 2018, but the agency was not able to make progress because of the phase their projects were in during the applicable assessment period or the project sponsor did not choose to participate in a voluntary process, such as a pre-application meeting. An N/A assessment result indicates the best practice did not apply to the agency due to its FAST-41 role in FY 2018.



For the project-specific best practices, OED evaluated using the pass/fail scale for each project. OED calculated the percentage of passes for each relevant agency to determine the gold star (when applicable), SC, SP, or LP score for the best practice. An agency received an N/O score for a project when there was no opportunity to apply the best practice to that project because of the project's status.





**Department of the Army (Army/USACE)**

*Performance Scorecard for FY 2018*

OVERALL SCORE—ALL BEST PRACTICES														
i-1a	i-1b	i-2	i-3	ii-1	iii-1	iii-2	iii-3	iv-1	iv-2	v-1	v-2	vi-1	vii-1	viii-1
Information on Agency Websites	Non-Traditional Outreach Methods	Coordinated Project Plan	Utilize Pre-Application Processes	Concurrent Reviews	Joint Application Processes or Programmatic Approaches	Establish Liaisons or Points of Contact	Regular Coordination	Provide Early Permitting Information <sup>1</sup>	Use Permitting Dashboard <sup>2</sup>	Develop or Use Process Templates	Process for Transitioning Covered Projects	Provide GIS Information	Tutorial Posted Online	Evaluate Procedures and Share Findings
P	★	P	P	SC	SC	SC	SC	SC	SC	P	P	SC	P	★

PROJECT SCORES—SELECTED BEST PRACTICES					
Project Title	i-1b	i-2	ii-1	iii-2	iii-3
	Non-Traditional Outreach Methods	Coordinated Project Plan	Concurrent Reviews	Establish Liaisons or Points of Contact	Regular Coordination
Mid-Barataria Sediment Diversion	P	P	P	P	P

**LEGEND**

★	Exceeding the Best Practices Requirements	P	Pass
SC	Success Implementing Best Practices	F	Fail
SP	Some Progress Implementing Best Practices	N/A	Not Applicable
LP	Little Progress Implementing Best Practices	N/O	No Opportunity

**NOTES**

- <sup>1</sup> See Chapter 1, *Best Practices Assessment*, for detail on how agencies were scored for BP iv-1.
- <sup>2</sup> See Chapter 1, *Best Practices Assessment*, for detail on how agencies were scored for BP iv-2.



**Department of the Interior (DOI)**

*Performance Scorecard for FY 2018*

OVERALL SCORE—ALL BEST PRACTICES														
i-1a	i-1b	i-2	i-3	ii-1	iii-1	iii-2	iii-3	iv-1	iv-2	v-1	v-2	vi-1	vii-1	viii-1
Information on Agency Websites	Non-Traditional Outreach Methods	Coordinated Project Plan	Utilize Pre-Application Processes	Concurrent Reviews	Joint Application Processes or Programmatic Approaches	Establish Liaisons or Points of Contact	Regular Coordination	Provide Early Permitting Information <sup>1</sup>	Use Permitting Dashboard <sup>2</sup>	Develop or Use Process Templates	Process for Transitioning Covered Projects	Provide GIS Information	Tutorial Posted Online	Evaluate Procedures and Share Findings
P	SC	P	P	SC	SC	SC	SC	SC	SC	P	P	SC	P	★

PROJECT SCORES—SELECTED BEST PRACTICES					
Project Title	i-1b	i-2	ii-1	iii-2	iii-3
	Non-Traditional Outreach Methods	Coordinated Project Plan	Concurrent Reviews	Establish Liaisons or Points of Contact	Regular Coordination
Aliya Solar Project	N/O <sup>3</sup>	P	N/O <sup>4</sup>	P	N/O <sup>3</sup>
Bay State Wind	N/O	P	P	P	P
Boardman to Hemingway	N/O	P	N/O <sup>4</sup>	P	N/O
Chokecherry-Sierra Madre Wind Energy (Phase 1)	N/O	P	N/O <sup>4</sup>	N/O <sup>5</sup>	N/O <sup>5</sup>
Chokecherry-Sierra Madre Wind Energy (Phase 2)	N/O	P	P	P	P
Denbury Riley Ridge to Natrona Project CO2	P	P	P	P	P
Desert Quartzite Solar	P	P	P	P	P
Gateway West Segments 8 & 9	N/O <sup>5</sup>	P	N/O <sup>4</sup>	N/O <sup>5</sup>	N/O <sup>5</sup>
Gemini Solar Project	P	P	P	P	P
Liberty Development and Production Plan	P	P	P	P	P
Ten West Link	P	P	P	P	P
Transwest Express	N/O <sup>5</sup>	P	N/O <sup>4</sup>	N/O <sup>5</sup>	N/O <sup>5</sup>

LEGEND	
★	Exceeding the Best Practices Requirements
SC	Success Implementing Best Practices
SP	Some Progress Implementing Best Practices
LP	Little Progress Implementing Best Practices
P	Pass
F	Fail
N/A	Not Applicable
N/O	No Opportunity

NOTES
All N/Os without a footnote met the N/O definition in the FY 2018 BPAT (see Appendix B).
<sup>1</sup> See Chapter 1, <i>Best Practices Assessment</i> , for detail on how agencies were scored for BP iv-1.
<sup>2</sup> See Chapter 1, <i>Best Practices Assessment</i> , for detail on how agencies were scored for BP iv-2.
<sup>3</sup> Project has been paused since FY 2017; Agency had no opportunity to apply the best practice.
<sup>4</sup> The project became a FAST-41 covered project after the Draft EA, EA, or Draft EIS was published, limiting the opportunity to make the ERAs concurrent.
<sup>5</sup> Project was completed during FY 2018.



**Federal Energy Regulatory Commission (FERC)**

*Performance Scorecard for FY 2018*

OVERALL SCORE—ALL BEST PRACTICES														
i-1a	i-1b	i-2	i-3	ii-1	iii-1	iii-2	iii-3	iv-1	iv-2	v-1	v-2	vi-1	vii-1	viii-1
Information on Agency Websites	Non-Traditional Outreach Methods	Coordinated Project Plan	Utilize Pre-Application Processes	Concurrent Reviews	Joint Application Processes or Programmatic Approaches	Establish Liaisons or Points of Contact	Regular Coordination	Provide Early Permitting Information <sup>1</sup>	Use Permitting Dashboard <sup>2</sup>	Develop or Use Process Templates	Process for Transitioning Covered Projects	Provide GIS Information	Tutorial Posted Online	Evaluate Procedures and Share Findings
P	★	P	N/O <sup>3</sup>	SC	SC	SC	SC	N/O <sup>4</sup>	SC	P	P	N/O <sup>5</sup>	P	★

PROJECT SCORES—SELECTED BEST PRACTICES					
Project Title	i-1b	i-2	ii-1	iii-2	iii-3
	Non-Traditional Outreach Methods	Coordinated Project Plan	Concurrent Reviews	Establish Liaisons or Points of Contact	Regular Coordination
Alaska LNG Project	P	P	P	P	P
Atlantic Coast Pipeline, ACP Amendment, Supply Header and ACP-Piedmont Lease	N/O <sup>6</sup>	P	P	N/O <sup>6</sup>	N/O <sup>6</sup>
Gulf LNG Liquefaction	P	P	P	P	P
Jordan Cove LNG Terminal and Pacific Connector Gas Pipeline	P	P	P	P	P
Mountain Valley and Equitrans Expansion Project	N/O <sup>6</sup>	P	P	N/O <sup>6</sup>	N/O <sup>6</sup>
PennEast Pipeline	N/O	P	N/O	P	P
R.C. Byrd	N/O	P	N/O	P	P
Swan Lake North Pumped Storage	P	P	P	P	P
Tennessee Gas Abandonment and Capacity Restoration	N/O	P	P	P	P
Venture Global Calcasieu Pass Terminal and TransCameron Pipeline Project	P	P	P	P	P
WB Xpress	N/O <sup>6</sup>	P	P	N/O <sup>6</sup>	N/O <sup>6</sup>

LEGEND			
★	Exceeding the Best Practices Requirements	P	Pass
SC	Success Implementing Best Practices	F	Fail
SP	Some Progress Implementing Best Practices	N/A	Not Applicable
LP	Little Progress Implementing Best Practices	N/O	No Opportunity

NOTES
All N/Os without a footnote met the N/O definition in the FY 2018 BPAT (see Appendix B).
<sup>1</sup> See Chapter 1, <i>Best Practices Assessment</i> , for detail on how agencies were scored for BP iv-1.
<sup>2</sup> See Chapter 1, <i>Best Practices Assessment</i> , for detail on how agencies were scored for BP iv-2.
<sup>3</sup> Lead agency certifies that none of its projects were in this stage of the ERA process during FY 2018.
<sup>4</sup> Agency certifies that none of its projects required this type of engagement in FY 2018.
<sup>5</sup> Agency certifies that it does not have any publicly available GIS tools to initially assess the potential for environmental resources in a project area.
<sup>6</sup> Project was completed during FY 2018.



**Department of Housing and Urban Development (HUD)**

*Performance Scorecard for FY 2018*

OVERALL SCORE—ALL BEST PRACTICES														
i-1a	i-1b	i-2	i-3	ii-1	iii-1	iii-2	iii-3	iv-1	iv-2	v-1	v-2	vi-1	vii-1	viii-1
Information on Agency Websites	Non-Traditional Outreach Methods	Coordinated Project Plan	Utilize Pre-Application Processes	Concurrent Reviews	Joint Application Processes or Programmatic Approaches	Establish Liaisons or Points of Contact	Regular Coordination	Provide Early Permitting Information <sup>1</sup>	Use Permitting Dashboard <sup>1</sup>	Develop or Use Process Templates	Process for Transitioning Covered Projects	Provide GIS Information	Tutorial Posted Online	Evaluate Procedures and Share Findings
P	N/O <sup>3</sup>	P	N/O <sup>4</sup>	SC	SC	SC	N/O <sup>5</sup>	N/O <sup>6</sup>	SC	P	P	SC	P	SC

PROJECT SCORES—SELECTED BEST PRACTICES					
Project Title	i-1b	i-2	ii-1	iii-2	iii-3
	Non-Traditional Outreach Methods	Coordinated Project Plan	Concurrent Reviews	Establish Liaisons or Points of Contact	Regular Coordination
East Side Coastal Resiliency	N/O <sup>3</sup>	P	P	P	N/O
Hudson River Rebuild by Design Project: Resist, Delay, Store, Discharge	N/O <sup>3</sup>	P	P	P	N/O

LEGEND			
	Exceeding the Best Practices Requirements		Pass
	Success Implementing Best Practices		Fail
	Some Progress Implementing Best Practices		Not Applicable
	Little Progress Implementing Best Practices		No Opportunity

**NOTES**

All N/Os without a footnote met the N/O definition in the FY 2018 BPAT (see Appendix B).

<sup>1</sup> See Chapter 1, *Best Practices Assessment*, for detail on how agencies were scored for BP iv-1.

<sup>2</sup> See Chapter 1, *Best Practices Assessment*, for detail on how agencies were scored for BP iv-2.

<sup>3</sup> HUD delegates its NEPA authority including public outreach. Thus, HUD had no opportunity to utilize non-traditional outreach methods.

<sup>4</sup> Lead agency certifies that for its "In Progress" projects in FY 2018, the projects were not in an application stage during the assessment period.

<sup>5</sup> Lead agency certifies that none of its projects needed a meeting in FY 2018.

<sup>6</sup> Agency certifies that none of its projects required this type of engagement in FY 2018.



**Nuclear Regulatory Commission (NRC)**

*Performance Scorecard for FY 2018*

OVERALL SCORE—ALL BEST PRACTICES														
i-1a	i-1b	i-2	i-3	ii-1	iii-1	iii-2	iii-3	iv-1	iv-2	v-1	v-2	vi-1	vii-1	viii-1
Information on Agency Websites	Non-Traditional Outreach Methods	Coordinated Project Plan	Utilize Pre-Application Processes	Concurrent Reviews	Joint Application Processes or Programmatic Approaches	Establish Liaisons or Points of Contact	Regular Coordination	Provide Early Permitting Information <sup>1</sup>	Use Permitting Dashboard <sup>1</sup>	Develop or Use Process Templates	Process for Transitioning Covered Projects	Provide GIS Information	Tutorial Posted Online	Evaluate Procedures and Share Findings
P	N/O <sup>3</sup>	P	N/O <sup>4</sup>	N/O <sup>5</sup>	SC	SC	N/O <sup>6</sup>	N/O <sup>3</sup>	SC	P	P	N/O <sup>7</sup>	P	★

PROJECT SCORES—SELECTED BEST PRACTICES					
Project Title	i-1b	i-2	ii-1	iii-2	iii-3
	Non-Traditional Outreach Methods	Coordinated Project Plan	Concurrent Reviews	Establish Liaisons or Points of Contact	Regular Coordination
Turkey Point, Units 6 and 7	N/O	P	N/O <sup>6</sup>	P	N/O

LEGEND			
★	Exceeding the Best Practices Requirements	P	Pass
SC	Success Implementing Best Practices	F	Fail
SP	Some Progress Implementing Best Practices	N/A	Not Applicable
LP	Little Progress Implementing Best Practices	N/O	No Opportunity

**NOTES**

All N/Os without a footnote met the N/O definition in the FY 2018 BPAT (see Appendix B).

<sup>1</sup> See Chapter 1, *Best Practices Assessment*, for detail on how agencies were scored for BP iv-1.

<sup>2</sup> See Chapter 1, *Best Practices Assessment*, for detail on how agencies were scored for BP iv-2.

<sup>3</sup> Agency certifies that none of its projects required this type of engagement in FY 2018.

<sup>4</sup> Lead agency certifies that for its “In Progress” projects in FY 2018, the projects were not in an application stage during the assessment period.

<sup>5</sup> Lead agency had no opportunity to make ERAs concurrent because the timing of the review process is a decision of the project sponsor and not within the agency’s control.

<sup>6</sup> Lead agency certifies that none of its projects needed a meeting in FY 2018.

<sup>7</sup> Agency certifies that it does not have any publicly available GIS tools to initially assess the potential for environmental resources in a project area.

<sup>8</sup> The project became a FAST-41 covered project after the Draft EA, EA, or Draft EIS was published, limiting the opportunity to make the ERAs concurrent.



**Department of Agriculture (USDA)**

*Performance Scorecard for FY 2018*

OVERALL SCORE—ALL BEST PRACTICES														
i-1a	i-1b	i-2	i-3	ii-1	iii-1	iii-2	iii-3	iv-1	iv-2	v-1	v-2	vi-1	vii-1	viii-1
Information on Agency Websites	Non-Traditional Outreach Methods	Coordinated Project Plan	Utilize Pre-Application Processes	Concurrent Reviews	Joint Application Processes or Programmatic Approaches	Establish Liaisons or Points of Contact	Regular Coordination	Provide Early Permitting Information <sup>1</sup>	Use Permitting Dashboard <sup>2</sup>	Develop or Use Process Templates	Process for Transitioning Covered Projects	Provide GIS Information	Tutorial Posted Online	Evaluate Procedures and Share Findings
P	SC	P	P	SC	SC	SC	SC	SC	SP	P	P	SC	P	★

PROJECT SCORES—SELECTED BEST PRACTICES					
Project Title	i-1b	i-2	ii-1	iii-2	iii-3
	Non-Traditional Outreach Methods	Coordinated Project Plan	Concurrent Reviews	Establish Liaisons or Points of Contact	Regular Coordination
Cardinal-Hickory Creek 345 kV Transmission Line Project	SC	P	P	P	P

LEGEND			
★	Exceeding the Best Practices Requirements	P	Pass
SC	Success Implementing Best Practices	F	Fail
SP	Some Progress Implementing Best Practices	N/A	Not Applicable
LP	Little Progress Implementing Best Practices	N/O	No Opportunity

NOTES
<sup>1</sup> See Chapter 1, <i>Best Practices Assessment</i> , for detail on how agencies were scored for BP iv-1.
<sup>2</sup> See Chapter 1, <i>Best Practices Assessment</i> , for detail on how agencies were scored for BP iv-2.



## **Appendix B: Fiscal Year 2018 Best Practices Assessment Tool**

---

The BPAT is the document by which FPISC-OED develops the assessment of agencies' progress in implementing the Permitting Council's best practices. The table below outlines the assessment process FPISC-OED used to evaluate the information provided by Agencies (data call), permitting timetable information on the Permitting Dashboard, and project information in the CPPs.

Title 41 of the Fixing America’s Surface Transportation Act (FAST-41) directs the Federal Permitting Improvement Steering Council’s (FPISC) Executive Director to submit a report to Congress in April of each year detailing the progress accomplished by agencies during the prior fiscal year (FY) in making improvements consistent with FPISC’s Recommended Best Practices (42 U.S.C. § 4370m-7(a)). The following table outlines the methodology the FPISC Executive Director will use for the Annual Report to Congress for FY 2018 to assess agencies’ progress in making improvements consistent with the *Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects for Fiscal Year 2018* released in December 2017. This assessment does not apply to OMB and CEQ, both of which have oversight responsibilities pursuant to FAST-41, nor to GSA as the administrative support councilmember agency.

Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
(i) Enhancing early stakeholder engagement	1a. Consolidate and organize information on permitting requirements and processes on existing departmental or Agency websites	Agency level (lead, cooperating, and participating agencies)	<p>Intent: Stakeholders should have access to a consolidated starting point for information on an agency’s environmental review and/or authorization (ERA) processes for infrastructure projects that allows for early and enhanced stakeholder engagement.</p> <p>Measure: Provide FPISC-Office of the Executive Director (OED) the link to one webpage that has two or more of the agency’s ERA processes that would apply to FAST-41 projects. The webpage should have either content on that page or have working links directly to the content for each ERA process.</p> <p>Assessment: Pass / Fail / N/O</p> <p>To pass, the agency will need to provide a specific link that lands on a webpage that has a description of two or more ERA processes would apply to FAST-41 projects or have working links directly to the content for each ERA process. Agencies can refer to the Federal Environmental Review and Authorization Inventory found at <a href="https://www.permits.performance.gov/tools/federal-environmental-review-and-authorization-inventory">https://www.permits.performance.gov/tools/federal-environmental-review-and-authorization-inventory</a> for relevant ERAs. For an agency with only 1 ERA process that is implemented differently across the agency, then the agency should consolidate at least two or more of such</p>	Data call





Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
			<p>implementations.            N/O: An agency certifies that it has only one ERA process for which all departments, programs, etc. within the agency implement the process in exactly the same (including using the same forms) way.</p>	
	<p>1b. Where appropriate, use social media platforms and other technologies to share information and to identify and engage interested stakeholders.</p>	<p>Agency level (lead agency)</p>	<p>Intent: Reaching a broad range of stakeholders by using diverse outreach methods beyond traditional media (newspaper, posters, radio announcement, and mailing lists) for FAST-41 covered projects.</p> <p>Measure: Provide information (link, screenshot, etc.) to show that the agency used at least one non-traditional outreach method (i.e., social media or other technologies, which includes agency websites that have stakeholder engagement capability, Skype, Twitter, Instagram, webinar, or other application) whenever the agency was required (e.g., non-abbreviated review) to engage with stakeholders. This can include informing public about upcoming meetings, alerting stakeholders about an opportunity to comment, allowing alternate methods for receiving public comments, and/or interactive maps) for FAST-41 covered projects. This non-traditional method has to be explicitly referred to by description or screenshot, the link provided, or page number of a publicly available document referenced in the outreach section in the most recent version of the CPP that is submitted for that FAST-41 covered project in FY 2018.</p> <p>Assessment: Red / Yellow / Green / Gold Star / N/O</p> <p>Red: Less than 50% of the FAST-41 covered projects that require public outreach used at least one non-traditional outreach method.            Yellow: 50-79% of the FAST-41 covered projects that require public outreach for an agency used at least one non-traditional outreach method.            Green: 80-100% of the FAST-41 covered projects that require public</p>	<p>Coordinated Project Plan (CPP) (public involvement section)</p>



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
			<p>outreach for an agency used at least one non-traditional outreach method.</p> <p>Gold Star: 100% of the FAST-41 covered projects for an agency used at least two non-traditional outreach methods.</p> <p>N/O: Agency certifies that for their ERAs no public outreach was legally required in FY 2018</p> <p>Note: Projects should begin stakeholder outreach as early as possible. However, in the rare instance where a project status is too early to begin implementation of the public outreach plan and is noted as such in the project's CPP, the project will not be counted in the above assessment.</p>	
	<p>2. Implement the Coordinated Project Plan provisions in the FAST Act (42 U.S.C. § 4370m-2(c)(1)).</p>	<p>Agency level (lead agency)</p>	<p>Intent: Agencies are to utilize the CPP as a concise planning document for FAST-41 covered projects, as outlined in the CPP template and instructions, to ensure FAST-41 covered projects progress through a timely, efficient, and predictable decision-making process.</p> <p>Measure: All of the portions of the CPP that are applicable to the review of a given project are complete (i.e., completely filled out with information described in CPP template) by Quarter 4 of FY 2018 with detailed specified information about project planning. For example, who, what, how, and when, as appropriate, for each CPP section.</p> <p>Note: If the project is finished before Quarter 4 of FY 2018, then FPISC-OED will assess the CPP for the quarter when the project finished. New projects have 60 days after the project page is posted on the Permitting Dashboard for the facilitating or lead agency, as applicable, in consultation with each coordinating or participating agency, to establish a CPP. Projects that are not yet required to have a CPP will not be assessed.</p>	<p>CPP</p>



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
			<p>Assessment: Pass / Fail</p> <p>Fail: 0-99% of the projects had complete CPPs compliant with applicable templates by final quarter of FY 2018.</p> <p>Pass: All projects had complete CPPs compliant with applicable templates by final quarter of FY 2018.</p>	
	<p>3. Utilize pre-application processes (i.e., informal or formal coordination prior to application submittal) with project sponsors of FAST-41 covered projects.</p>	<p>Agency level (lead agency)</p>	<p>Intent: To have early conversations with project sponsor (prior to submittal of application and/or any requests to begin an ERA process) to improve communication, better set agency expectations with project sponsors, clearly define how project sponsors will meet agency guidance, enhance efficiency and effectiveness of the agency’s review, and identify and address potentially time-consuming barriers and issues, if applicable.</p> <p>Measure: At the request of the project sponsor, the lead agency had pre-application communication with the project sponsor and identified, to the extent possible, potentially time-consuming barriers and issues that were then addressed in the application/request upon submittal to the lead agency.</p> <p>Note: FPISC-OED recognizes that there will be limited projects (if any) to which this best practice (BP) is applicable. Therefore, FPISC-OED encourages agencies to provide information on any projects that were active in FY 2018 and have had pre-application consultations with project sponsors so that FPISC-OED can include it as a narrative.</p> <p>Agencies must first identify whether projects in pre-application stage in FY 2018 had requests for formal or informal pre-application consultation. If so, agencies must indicate the date when pre-application consultation was initiated.</p> <p>Assessment: Pass / Fail / N/O</p>	<p>Data call</p>



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
			<p>To pass</p> <ul style="list-style-type: none"> <li>- Where the project sponsor requested a pre-application meeting, the agency must show pre-application communication with the project sponsor and identified potentially time-consuming barriers and issues to the extent possible in FY 2018. This applies only if the lead agency had an ERA associated with the covered project.</li> <li>- N/O: The lead agency certifies that for all of its “In Progress” projects in FY 2018 the project sponsor did not request a pre-application meeting, or the projects were not at an application stage since October 1, 2017.</li> </ul>	
(ii) Ensuring timely decisions	<p>1. Align environmental review and authorization processes across Agencies at the outset of planning for FAST-41 covered projects to allow concurrent reviews where possible and to accurately reflect the sequence of the permitting process based on actual requirements.</p>	<p>Agency level (lead agency)</p>	<p>Intent: Accurate, and where possible, concurrent reviews identified in the CPP, on the permitting timetables</p> <p>Measure: Project timelines should be concurrent where possible. To the extent consistent with applicable law, agencies will carry out their obligations with respect to the ERA decisions concurrently, and in conjunction with the review performed by the lead agency under NEPA. Such concurrency includes the alignment of ERA schedules.</p> <p>If concurrent reviews are not possible, the data call response includes discussion for reasons why the concurrent review is not possible. If ERAs cannot be concurrent due to actual requirements of information needing to be developed or provided, agencies should document such reasons on the Permitting Dashboard (currently described as dependencies) or data call response. These instances will be considered as an accurate depiction of the ERA process and thus in compliance with this BP. Also, if the project became a FAST-41 covered project after the Draft Environmental Impact Statement (EIS), Environmental Assessment (EA), or Draft EA was distributed, OED will not assess the project for this BP.</p>	<p>Data call or Permitting Dashboard</p>



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
			<p>For the data call, the agency should explain each ERA that is not concurrent for each project. If the same reason exists for multiple projects, agencies can combine responses as long as each project is listed.</p> <p>Data Call Questions:</p> <ul style="list-style-type: none"> <li>- Are any of your ERAs not concurrent with the NEPA and other relevant permitting processes?</li> <li>- What are the reason(s) any of your ERA(s) are not concurrent for any FAST-41 project?</li> </ul> <p>Assessments: Red / Yellow / Green</p> <p>Red: None of the data calls or Permitting Dashboard descriptions for an agency’s covered projects incorporate concurrent reviews or discuss why not possible.</p> <p>Yellow: 1-90% of the data calls or Permitting Dashboard descriptions for an agency’s covered projects incorporate concurrent reviews or discuss why not possible.</p> <p>Green: 91-100% of the data calls or Permitting Dashboard descriptions for an agency’s covered projects incorporate concurrent reviews or discuss why not possible.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>- If a project is “far along in the process” based on page 55 of FAST-41 Implementation Guidance,<sup>13</sup> then the project will not be evaluated for this metric.</li> </ul>	

<sup>13</sup> OMB and CEQ “Guidance to Federal Agencies Regarding the Environmental Review and Authorization Process for Infrastructure Projects” (FAST-41 Implementation Guidance), 13 January 2017, at: <https://www.permits.performance.gov/sites/permits.performance.gov/files/docs/Official%20Signed%20FAST-41%20Guidance%20M-17-14%202017-01-13.pdf>.



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
			<ul style="list-style-type: none"> <li>- OED will consider legal opinions of agencies' counsel in defining the extent to which concurrency is possible.</li> <li>- For each project, the agency can receive credit by showing concurrency or by documenting the factors that prohibit them from achieving concurrency in the data call responses or on the Permitting Dashboard.</li> </ul>	
	2. Develop and/or utilize intra-agency performance metrics (e.g., durations for applicable authorizations, meeting target completion dates, other measures of timeliness and efficient use of resources) in accordance with the Agency's mission, and share across Agencies when developed.	Agency level (lead, cooperating, and participating agencies)	<p>Intent: Establish and initiate performance metrics that increase the timeliness of project's ERA processes.</p> <p>OED will assess agencies once the EO Accountability System is fully in place.</p>	N/A
(iii) Improving coordination between Federal and non-Federal governmental entities	1. Encourage development and/or utilization of joint application processes or programmatic	Agency level (lead, cooperating, and participating agencies)	Intent: Reducing administrative burden and duplicative actions through coordination on government processes, including programmatic approaches and joint applications, outside the review of specific applications (i.e., improvements to an overall process as opposed to coordination on a specific application).	Data call



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
	<p>approaches among Federal, State, local, and tribal governments with similar authorities to reduce duplicative actions.</p>		<p>Measure: Agency provides the number and details of joint application(s) or programmatic approach(es) used or developed that involved at least one non-Federal governmental entity. The details should include the project, the non-Federal governmental entity or entities, and briefly the joint application or programmatic approach.</p> <p>If an agency has not used or developed a joint application or programmatic approach that involved at least one non-Federal governmental entity in FY 2018, the agency shall conduct an internal assessment that considers and provides responses to the following questions:</p> <ul style="list-style-type: none"> <li>- What progress did your agency make to increase programmatic approaches to ERAs for infrastructure projects?</li> <li>- What progress have you made in utilizing joint application processes?</li> <li>- What steps, processes, or conditions does your agency employ to encourage or increase adopting or combining documentation associated with other agencies' ERAs for infrastructure projects?</li> <li>- In addition to adopting or combining documentation associated with State and Federal ERAs, has your agency evaluated ways to reduce duplicative efforts related to development or use of supporting documentation and processes, such as field studies?</li> <li>- How did you engage with other Federal, State, local, and tribal governments with similar authorities to reduce duplicative actions through development or utilization of joint application processes or programmatic approaches? Engagement could include meetings, conference, or participation in a working group about joint applications or programmatic approaches.</li> </ul>	



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
			<p>Assessment: Red / Yellow / Green / Gold Star</p> <p>Red: No programmatic approach or joint application involving at least one non-Federal governmental entity in FY 2018 and no internal assessment done.</p> <p>Yellow: Internal assessment done without engaging other Federal entities or State, local, or tribal governments or joint application or programmatic approach with only Federal governmental entities.</p> <p>Green: Both internal assessment done and engagement occurred. Alternatively, the agency provides response to the data call regarding their programmatic approach and joint application with at least one non-Federal governmental entity in FY 2018 with the requested details.</p> <p>Gold Star: Internal assessment done, engagement performed, and the agency initiated implementation of changes to agency policy and/or process. Agencies can certify that no opportunities for changes were identified in the internal assessment.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• Next year OED expects to begin assessing the actual use of programmatic approaches and/or joint application processes.</li> <li>• To the extent applicable, Agencies may point to compliance with the One Federal Decision Memorandum of Understanding for compliance with this BP.</li> </ul>	
	<p>2. Establish interagency liaison positions (i.e., through Memorandums of Understanding or Memorandums of Agreement) or</p>	<p>Agency level (lead agency)</p>	<p>Intent: Having an established point of contact for communication with non-Federal government entities (State, local, and tribal) for each covered project.</p> <p>Measure: Does the agency have a liaison position or specific point of contact (POC) to facilitate communication with and responses to questions from other governmental entities (State, local, and tribal) regarding each FAST-41 covered project? Agencies need to provide the</p>	<p>Data call</p>





Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
	<p>points of contact to improve communication and coordination with other Federal, State, local, and tribal governments; increase expertise; and facilitate permitting processes.</p>		<p>POC for each project, and a person may be responsible for more than one question.</p> <p>Assessment: Red / Yellow / Green            Red: 0-49% of the projects have agency liaison or POC established.            Yellow: 50-79% of the projects have agency liaison or POC established.            Green: 80-100% of the projects have agency liaison or POC established.</p> <p>Note: Agencies may comply with this BP by having either one liaison or POC for all project questions, or separate liaisons and POCs assigned to each project. Points of contact within the Federal agencies are listed in roles and responsibilities section of the CPP.</p>	
	<p>3. Use regularly scheduled in-person and/or virtual meetings to ensure coordination among Federal, State, local, and tribal governments to facilitate cooperation and accountability among parties involved in general permitting processes and in environmental reviews and authorizations for covered projects.</p>	<p>Agency level (lead agency)</p>	<p>Intent: Increase communication between government entities to facilitate cooperation, coordination, and shared understanding among the parties involved in ERAs.</p> <p>Measure: For every FAST-41 covered project, the lead agency holds a regularly scheduled inter-agency meeting, which takes place at least once per quarter, to include invitations to the following groups: any cooperating and participating agencies as well as relevant Federal, State, local, and tribal government entities.</p> <p>Data Call:</p> <ul style="list-style-type: none"> <li>- For each quarter that a project was “In Progress” in FY 2018, provide either the meeting date(s) with attendees or reason the meeting was not necessary.</li> </ul> <p>Notes: Above and beyond the once a quarter minimum, the lead agency will determine the appropriate frequency, interval, duration, location, format, and invitees of meetings in consideration of cooperating and participating agencies, tribes, Federal, State, and local governments.</p>	<p>Data call</p>



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
			<p>OED interpretation of “relevant” is the Federal, State, local, and tribal government entities that are involved in the project. When geography or resources do not make in-person meetings possible, agencies may comply with this BP through use of virtual and/or teleconferences. Agencies can explain that meetings were not necessary for a given project.</p> <p>Assessment: Red / Yellow / Green / N/O            Red: 0-49% of the projects held regularly scheduled meetings (as defined in the measure).            Yellow: 50-79% of the projects held regularly scheduled meetings (as defined in the measure).            Green: 80-100% of the projects held regularly scheduled meetings (as defined in the measure).            N/O: Lead agency certifies that none of its projects needed a meeting in FY 2018.</p>	
(iv) Increased transparency	<p>1. Provide the project sponsor/applicant of a FAST-41 covered project information about the Agency’s permitting review process, including all steps, either in early coordination (e.g., through the pre-application process) or once the Agency receives an</p>	<p>Agency level (lead, cooperating, and participating agencies)</p>	<p>Intent: Provide project sponsors/applicants with information about Agency’s permitting review early in the Federal ERA process (during early coordination or once received an application or other initiation of the applicable ERA) about all the steps in the agency’s ERA process and the project sponsor’s responsibilities within that process. For some ERAs the information may go through the lead agency.</p> <p>Measure: For each FAST-41 covered project, an agency with an ERA should provide the project sponsor information on the agency’s permitting review process, including all steps in the ERA processes for that project and the project sponsor’s responsibilities in the development of the project timetable, and, as appropriate, technical studies, modeling efforts, etc. early in the Federal ERA process.</p> <p>For the data call, provide to FPISC-OED the name of the FAST-41</p>	<p>Data call</p>



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
	<p>application or other initiation of the applicable environmental review or authorization.</p>		<p>projects and information related to those projects that the agency provided to project sponsors for coordination that occurred in FY 2018. Agencies can provide this information to the project sponsors via a letter, email, or other similar forms of communication. The letter should contain a good faith effort at listing all steps that the project sponsor needs to complete for that project.</p> <p>In the instances where the lead agency is responsible for the initiation and coordination of the ERA with the cooperating or participating agency, the responsible agency can provide the information provided to the lead agency. Further, efforts conducted for BP i-3 can satisfy this BP requirement if the data call information under this BP is provided.</p> <p>Note: To assist agencies with their data call, projects that could qualify for early coordination for this BP would include (a) new projects and (b) projects that had not had their Draft EA, EA, and Draft EIS published as of October 1, 2017.</p> <p>Assessment: Red / Yellow / Green / N/O            Red: 0 to 49% of the projects for which the agency responsible for the ERA provides the project sponsors or lead agencies information outlining all steps in their review early in the ERA process.            Yellow: 50-79% of the projects for which the agency responsible for the ERA provides the project sponsors or lead agencies information outlining all steps in their review early in the ERA process.            Green: 80-100% of the projects for which the agency responsible for the ERA provides the project sponsors or lead agencies information outlining all steps in their review early in the ERA process.            N/O: Agency certifies that none of its projects qualified for this type of engagement in FY 2018.</p>	
	2. Use the	Agency level	Intent: Increase transparency by providing dates, including updates, on	Permitting



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
	<p>Permitting Dashboard to track environmental reviews and authorizations across the Federal Government for projects subject to FAST-41 (42 U.S.C. § 4370m-2(b)), providing dates to the extent allowed by applicable laws, and using dependencies only when determining dates is not feasible.</p>	<p>(lead, cooperating, and participating agencies)</p>	<p>the Permitting Dashboard available for public view, to the extent allowed by applicable laws, and consistent with the FAST-41 Implementation Guidance, such as using dependencies only when determining dates is not feasible.</p> <p>Measure: Percent of milestones that conform to the FAST-41 Implementation Guidance. Agencies will be assessed only for Quarter 4 FY 2018. The data for other quarters will be used in a narrative discussion to show the progress the agencies made over the year.</p> <p>Assessment: Red / Yellow / Green            Red: 0-80% of milestones conform to the FAST-41 Implementation Guidance during FY 2018.            Yellow: 80-89% of milestones conform to the FAST-41 Implementation Guidance during FY 2018.            Green: 90%-100% of milestones conform to the FAST-41 Implementation Guidance during FY 2018.</p>	<p>Dashboard</p>
<p>(v) Reducing administrative burdens</p>	<p>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.</p>	<p>Agency level (lead, cooperating, and participating agencies)</p>	<p>Intent: Help project sponsors/applicants to know the required information so that they can provide all needed information in a timely manner. This reduces the administrative burden by minimizing follow-up with the project sponsor/applicant for additional information.</p> <p>Measure: Does the agency have and use templates, forms, flow charts, etc. to assist the project sponsors/applicants in providing all needed information in a timely manner related to ERA processes?</p> <p>Assessment: Pass / Fail            To pass, the agency must provide at least 1 example of forms, templates, flow charts, and/or checklists that is used for ERA processes.</p>	<p>Data call</p>



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
	2. Institute a process for transitioning FAST-41 covered project information to new environmental review staff, if needed, to ensure continuity of project-specific knowledge.	Agency level (lead, cooperating, and participating agencies)	<p>Intent: To assure project-specific knowledge is transferred in a manner that ensures continued progress of ERA processes when personnel changes occur within an agency for a FAST-41 project.</p> <p>Measure: Does the agency have a process or programmatic approach that it uses to ensure continuity of project-specific knowledge when staff changes occur or the project changes departments? Does the agency have a process to inform project sponsors and other FAST-41 participants on the staff changes in a timely manner? Please describe both processes or provide documentation.</p> <p>Note: Staff changes that must be communicated to project sponsors and cooperating/participating agencies are only changes to the staff that are listed as contacts in Section 3 of the CPP.</p> <p>Assessment: Pass / Fail</p> <p>To pass, the agency must confirm both processes are in place for all projects applicable under this BP to ensure the continuity of project-specific knowledge in the event of changes in staff involved in the project review process.</p>	Data call
(vi) Use of Geographic Information Systems (GIS) and other tools	1. Provide stakeholders with a list of GIS information sources that are publicly available and used by Federal agencies to initially assess the	Agency level (lead, participating, and cooperating agencies)	<p>Intent: Increase awareness of stakeholders about available GIS resources for evaluating environmental resources in a project area.</p> <p>Measure: How is the agency making GIS tools available to stakeholders? Do you have any updates to the FY 2017 GIS list? See FY 2017 Annual Report to Congress (ARC)<sup>14</sup> for the FY 2017 GIS list. Agencies can provide project sponsors and/or applicants a list of available resources or as part of agency's consolidated information</p>	Data call

<sup>14</sup> Available at: <https://www.permits.performance.gov/sites/permits.performance.gov/files/docs/documentation/42296/fast-41-annual-report-congress-fy-2017.pdf>



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
	potential for environmental resources in a project area.		<p>under BP i-1a as well as presentations at public conferences/forums or performed outreach (letters, emails, websites, social media, etc.).</p> <p>Assessment: Red / Yellow / Green / N/O</p> <p>Red: Agency did not make publicly available their GIS tools with stakeholders or provide a response to the GIS update data call.</p> <p>Yellow: Either agency made available their publicly available GIS tools with stakeholders or agency provided a response to the GIS update data call.</p> <p>Green: Agency promoted their publicly available GIS tools with stakeholders and provided a response to the GIS update data call.</p> <p>N/O: Agency certifies that it does not have any publicly available GIS tools to initially assess the potential for environmental resources in a project area.</p>	
	2. Survey government and/or non-government users of current tools to identify potential improvements and, where feasible, improve usability and data availability for existing tools and intra-agency, interagency, and public applications.	Agency level (lead, cooperating, and participating agencies)	<p>Intent: Collect feedback from users of current tools to identify improvements and where feasible, demonstrate efforts to improve usability and/or data availability.</p> <p>Measure: In FY 2018 how did the agency solicit feedback from users of current tools for the purpose of improving your agency’s tools to benefit FAST-41 covered projects? For feasible improvements, how did the agency then incorporate the feedback into your tools? Note that as this is a self-reporting measurement, agencies decide the feasibility of improvements.</p> <p>Assessment: Instead of an agency-level score, OED will provide a narrative description of the agencies’ responses to the data call.</p>	Data call
	3. Establish, utilize, and support the	Agency level (all agencies)	Intent: For the Permitting Council agencies to vote on one Federal Tribal Contact Database.	Council meeting



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
	<p>maintenance (updating) of one central Federal database of tribal areas of interest with tribal points of contact to facilitate timely government-to-government coordination and consultation.</p>		<p>Measure: Did your Permitting Council representative participate in any discussions and vote, if applicable, on one Federal Tribal Contact Database?</p> <p>Assessment: The ARC will contain a narrative discussion on the status of the establishment of one Federal Tribal Contact Database including agencies' participation in discussions.</p>	minutes
(vii) Training	<p>1. Ensure that at least one tutorial (e.g., print, video, and/or presentation materials) about the Agency's environmental review and authorization process(es) is posted online and available to Federal, State, and tribal governments and local permitting officials.</p>	Agency level (all agencies)	<p>Intent: Ensure agencies are providing new or improved trainings about the agency's ERA process(es) for audiences external to its agency.</p> <p>Measure: The agency should provide a weblink (or other form of verification that an online training occurred) to at least one online training that the agency created or improved in FY 2018 that discusses ERAs that are applicable to FAST-41 covered projects. Identify the audience for the training (Federal agencies [including intra-agency]; general public; project sponsors; and States, tribal, and local governments). Online trainings could include presentation slides, training videos, training modules, or recorded training sessions. If no new trainings were needed and no updates to existing trainings were necessary, the agency must certify this.</p> <p>Assessment: Pass / Fail</p> <p>To pass, an agency must provide a working link or other verification that an online training occurred and describe the audience for at least one training that is new or improved in FY 2018, or the agency certified that no new trainings are needed and no updates to existing trainings are necessary. Alternatively, the agency may provide evidence</p>	Data call



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
			demonstrating ongoing investments in and management of updating existing trainings or providing new trainings even if such materials have not yet been finalized. For these in-development trainings, the agency must provide screen shots and/or description of the training as well as expected timeline to finish and intended audience.	
	2. Survey Federal, State, and tribal governments and local permitting officials to identify currently available trainings to determine information gaps and potential improvements, and where feasible, create or improve existing resources.	Agency level (lead, cooperating, and participating agencies)	<p>Intent: Collecting feedback to improve training (such as to decrease gaps in information regarding ERA processes that are applicable to FAST-41 covered projects) to create, improve, and provide existing training resources.</p> <p>Measure: In FY 2018 did the agency collect feedback from Federal, State, tribal, and local governments for the purpose of improving your agency’s training that could benefit FAST-41 covered projects’ ERA processes? Did the agency determine which feedback and improvements were feasible? For those determined feasible, did the agency incorporate feedback into your training that could benefit FAST-41 covered projects’ ERA processes?</p> <p>Assessment: Instead of an agency-level score, OED will provide a narrative description of the agencies’ responses to the data call.</p>	Data call
(viii) Other best practices	1. Evaluate policies and procedures related to environmental reviews and authorizations, and identify and share information on past and planned efforts to improve the	Agency level (all agencies)	<p>Intent: Encourage process improvement for policies and procedures (including but not limited to associated assessments and performance metrics) related to agency’s ERAs.</p> <p>Measure: In FY 2018 did you evaluate any of your ERA processes for infrastructure projects? Did you determine any necessary changes that would improve the efficiency of infrastructure project reviews? How is the agency going to share information (if appropriate) on past and planned efforts to improve the ERA processes for infrastructure projects?</p>	Data call





Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
	<p>permitting process, associated assessments, and performance metrics.</p>		<p>Note: Participating in the FAST-41/Infrastructure or EO 13807 Working Group calls/meetings may qualify as an ERA evaluation and sharing. In the data call response, agencies should state that they have regularly participated in the meetings, and, if applicable, what information they have shared.</p> <p>Assessment: Red / Yellow / Green / Gold Star / N/O            Red: Agency did not review any ERA policies or procedures and did not determine any necessary changes or communicate information in FY 2018.            Yellow: Agency initiated or conducted an ERA policy and/or procedure review in FY 2018 and has planned for or initiated necessary changes but has not shared any improvements to permitting processes, associated assessments, and performance metrics developed from prior ERA evaluations with the Permitting Council or FPISC-OED.            Green: Agency initiated or conducted an ERA policy and/or procedure review in FY 2018, has planned for necessary changes (if any were found to be needed), and initiated sharing (such as participating in the FAST-41/Infrastructure or EO 13807 Working Group calls/meetings) of plans for improvements to permitting processes, associated assessments, and performance metrics developed from prior ERA evaluations.            Gold Star: Agency conducted an ERA policy and/or procedure review in FY 2018 and has begun the process of implementing and/or implemented at least one change that constitutes process improvement to the ERA process. In addition, the agency must have shared (such as participating in the FAST-41/Infrastructure or EO 13807 Working Group calls/meetings) plans for improvements to permitting processes, associated assessments, and performance metrics developed from prior ERA evaluations.            N/O: Agency certifies that the agency does not have any ERAs for</p>	



Category	Recommended Best Practice	Assess at	Assessment Criteria	Data Source
			potentially qualifying FAST-41 projects.	



## Appendix C: Online Training Resources Available from Agencies

Agency	Training Title	New, Reviewed, or Improved	Intended Audience	Additional information/Link to Material (if Available)
ACHP	Planning for Successful Agreement Documents	New	Federal agencies; project sponsors; State, local, and Tribal governments; and consultants	Instructor-led webinar held on 5/24/18 and 5/29/18
DHS	FAST-41/Major Infrastructure Projects	New	All Coast Guard District Offices and to DHS and component agencies	
DOC	Overview of the Fishery Management Process	New	Federal, State, and local agency staff; project sponsors; fishing community; and other interested parties	<a href="https://www.fisheries.noaa.gov/national/laws-and-policies/2018-training-overview-fishery-management-process">https://www.fisheries.noaa.gov/national/laws-and-policies/2018-training-overview-fishery-management-process</a>
DOC	2017 Council Training	Improved	Newly appointed Fishery Management Council members (Federal, State, private sector)	<a href="https://www.fisheries.noaa.gov/event/2017-council-training">https://www.fisheries.noaa.gov/event/2017-council-training</a>
DOC	Instruction Manual for User Spreadsheet Tool associated with 2018 Marine Mammal Acoustic Technical Guidance	New	Other Federal agencies, project sponsors (e.g., Marine Mammal Protection Act authorization applicants), NOAA Fisheries staff conducting Endangered Species Act consultations and processing Marine Mammal Protection Act authorizations	<a href="https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-acoustic-technical-guidance">https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-acoustic-technical-guidance</a>
DoD	Awareness for FAST-41 Process	Reviewed	General public and interagency	<a href="https://www.denix.osd.mil/fpisc/home/fpisc-documents/improving-federal-permitting-approvals-processes-092517/">https://www.denix.osd.mil/fpisc/home/fpisc-documents/improving-federal-permitting-approvals-processes-092517/</a>
DOE	Infrastructure Permitting Reform Trainings	New	Internal to DOE	
DOE (not specific to FAST-41)	EZMT Webcast Demo	New	Intra-agency, general public, other agencies, project sponsors, and state, local, or Tribal governments	<a href="https://youtu.be/DctXbYs8jLc">https://youtu.be/DctXbYs8jLc</a>
DOE (not specific to FAST-41)	2017 Tribal Energy Webinar Series Techno-Economic Renewable Energy Potential on Tribal Lands and Tribal Energy Atlas	New	American Indian Tribal Governments	<a href="https://www.energy.gov/indianenergy/downloads/2017-expanding-tribal-energy-development-december-webinar-economic-market">https://www.energy.gov/indianenergy/downloads/2017-expanding-tribal-energy-development-december-webinar-economic-market</a> <a href="https://www.energy.gov/sites/prod/files/2017/12/f46/Tribal-TEA-Energy-Atlas.pdf">https://www.energy.gov/sites/prod/files/2017/12/f46/Tribal-TEA-Energy-Atlas.pdf</a>
DOI	Managing Utility Rights-of-Way for	Review	Intra-/interagency, public, practitioners	<a href="https://training.fws.gov/resources/">https://training.fws.gov/resources/</a>



Agency	Training Title	New, Reviewed, or Improved	Intended Audience	Additional information/Link to Material (if Available)
	Wildlife Habitat			<a href="https://www.fws.gov/knowledge-resources/video-gallery/utility-rights.html">knowledge-resources/video-gallery/utility-rights.html</a>
DOI	Wind Energy Training Broadcast Series	Review	Intra-agency, other agencies, project sponsors, and other stakeholders	<a href="https://www.fws.gov/training/resources/knowledge-resources/video-gallery/wind-energy.html">https://training.fws.gov/resources/knowledge-resources/video-gallery/wind-energy.html</a>
DOI	Federal Offshore O&G Leasing Course	New	Intra-agency, other agencies, project sponsors, public, and other stakeholders	<a href="https://www.boem.gov/Bonding-Financial-Assurance-Presentation-Mike-Celata/">https://www.boem.gov/Bonding-Financial-Assurance-Presentation-Mike-Celata/</a>
DOI	National OCS Oil and Gas Leasing Program	New	Intra-agency, other agencies, project sponsors, public, and other stakeholders	<a href="https://www.boem.gov/Renee-Orr-National-OCS-Program-ASBPA-2018/">https://www.boem.gov/Renee-Orr-National-OCS-Program-ASBPA-2018/</a>
DOT	Section 4(f) Tutorial	Not stated	Intra-agency, other agencies, project sponsors, public, and other stakeholders	<a href="https://www.environment.fhwa.dot.gov/env_topics/4f_tutorial/default.aspx">https://www.environment.fhwa.dot.gov/env_topics/4f_tutorial/default.aspx</a>
DOT	Environmental Assessment Video	Not stated	Intra-agency, other agencies, project sponsors, public, and other stakeholders	<a href="https://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?id=39">https://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?id=39</a>
EPA	NEPAssist	New	Federal, State, and local agencies	<a href="https://www.epa.gov/nepa/nepassist">https://www.epa.gov/nepa/nepassist</a>
EPA	Lean Management Deployment for EPS personnel	New	Internal	In-person Training
EPA	EJScreen	New	State and local governments and stakeholders, especially environmental justice communities	<a href="https://ejscreen.epa.gov/mapper/help/ejscreen_help.pdf">https://ejscreen.epa.gov/mapper/help/ejscreen_help.pdf</a>
FERC	E-Learning: FERC Environmental Review and Compliance for Natural Gas Facilities	New	All audiences	<a href="https://www.ferc.gov/industries/gas/e-learning.asp">https://www.ferc.gov/industries/gas/e-learning.asp</a>
FERC	Learn How to eFile, eComment, and eSubscription at the Federal Energy Regulatory Commission	New	All audiences	<a href="https://www.youtube.com/watch?v=jw-YIFk61Fo&amp;feature=youtu.be">https://www.youtube.com/watch?v=jw-YIFk61Fo&amp;feature=youtu.be</a>
HUD	WISER	Improved	HUD employees, grantees, field personnel and constituency	<a href="https://www.hudexchange.info/trainings/wiser/">https://www.hudexchange.info/trainings/wiser/</a>
HUD	Related Laws and Authorities	Improved	HUD employees, grantees, field personnel and constituency	<a href="https://www.hudexchange.info/programs/environmental-review/environmental-review-training/#related-laws-and-authorities">https://www.hudexchange.info/programs/environmental-review/environmental-review-training/#related-laws-and-authorities</a>
NRC	Draft RG 4.2 Preparation of Environmental Reports for Nuclear	Reviewed and Improved	Project sponsors	



Agency	Training Title	New, Reviewed, or Improved	Intended Audience	Additional information/Link to Material (if Available)
	Power Stations			
NRC	Office of New Reactors, Division of Site Safety, Licensing and Environmental Analysis Knowledge Management Series	New and Improved	NRC and other Federal audiences	Training sessions are generally conducted in person and via webinar.
NRC	NRC Professional Development Center (PDC): NEPA for the Uninitiated	Reviewed and Improved	NRC and other Federal audiences	Training sessions are generally conducted in person and via webinar.
NRC	NRC PDC: Environmental Review Overview for Materials Licensing Actions	Review	NRC and other Federal audiences	Training sessions are generally conducted in person and via webinar.
NRC	NRC Facilitator Training	Reviewed and Improved	NRC and other Federal audiences	Training sessions are generally conducted in person and via webinar.
NRC	NRC PDC: Cultural Sensitivity Training: Engaging Native Americans in the NRC's Mission	Reviewed and Improved	NRC and other Federal audiences	Training sessions are generally conducted in person and via webinar.
NRC	Regulatory Information Conference	Reviewed and Improved	Intra-agency; general public; other agencies; projects sponsors; State, local, or Tribal governments	<a href="https://www.nrc.gov/public-involve/conference-symposia/ric/">https://www.nrc.gov/public-involve/conference-symposia/ric/</a>
Army/USACE	FAST-41 Best Practice Report Overview	New	Intra-agency; USACE FAST-41 Points of Contact	Provided via webinar, PowerPoint available upon request
Army/USACE	FAST-41 Lessons Learned	New	Other Federal Agencies	Teleconference
Army/USACE	Regulatory Interactive Application Form Training Module	Improved	General Public	<a href="http://w3.saj.usace.army.mil/permits/RDAvatarPRV201203/index.html">http://w3.saj.usace.army.mil/permits/RDAvatarPRV201203/index.html</a>
Army/USACE	2015 Clean Water Rule	Improved	Inter-agency	Provided via webinar, PowerPoint available upon request
Army/USACE	Regulatory Development Program	Improved	Intra-agency and interested stakeholders	Blackboard web-based, virtual learning system
USDA	Introduction to Special Uses	Improved	Intra-agency	<a href="https://aglearn.usda.gov/course/view.php?id=38116#section-0">https://aglearn.usda.gov/course/view.php?id=38116#section-0</a>
USDA	Special Uses Job Corps	New	Intra-agency	<a href="https://usfs.box.com/s/kh2k61y3xzvdhhljllmv43daj0u4nnie">https://usfs.box.com/s/kh2k61y3xzvdhhljllmv43daj0u4nnie</a>
USDA	USDA Rural Development Section 106	New	Intra-agency	<a href="https://www.rd.usda.gov/publications/environmental-studies/environmental-guidance">https://www.rd.usda.gov/publications/environmental-studies/environmental-guidance</a>



Agency	Training Title	New, Reviewed, or Improved	Intended Audience	Additional information/Link to Material (if Available)
USDA	Special Uses Core Competency	New	Intra-agency	<a href="https://usfs.box.com/s/n1hbdd3qf049018wyvdpm4xr9fm6n6o2">https://usfs.box.com/s/n1hbdd3qf049018wyvdpm4xr9fm6n6o2</a>