

Federal Permitting Improvement Steering Council

Resolution No. R2017-0001

Subject: Resolution reaffirming Councilmembers' intent to ensure effective agency implementation of Title 41 of the Fixing America's Surface Transportation Act and Executive Order 13807, "Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects" throughout each agency's headquarters and field offices.

WHEREAS, Councilmembers want to ensure that the Federal environmental review and authorization process for infrastructure projects is coordinated, predictable, and transparent.

WHEREAS, Title 41 of the Fixing America's Surface Transportation Act (FAST-41) establishes new procedures that standardize interagency consultation and coordination practices while protecting public health, safety and the environment. FAST-41 also establishes a Council that issues annual Recommended Best Practices for infrastructure permitting to generate efficiencies in the process. As required by 42 U.S.C. § 4370m-1(b)(2)(A)(iii)(I), the head of each agency has designated a Chief Environmental Review and Permitting Officer (CERPO) to assist in best practices implementation and improve the timeliness of the Federal environmental review and authorization decision-making process for infrastructure projects. FAST-41 covered projects will use the Permitting Dashboard, a public-facing website, to track milestones and associated deadlines to enhance accountability in the permitting process.

WHEREAS, Executive Order (EO) 13807 "Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects" was signed on August 15, 2017 with the intention of streamlining Federal environmental review and authorization procedures that can delay infrastructure projects. EO 13807 implements a One Federal Decision policy, under which the lead Federal agency works with cooperating and participating Federal agencies to coordinate the environmental reviews and permitting decisions needed for major infrastructure projects. The EO establishes a two-year goal for agencies to process environmental documents for major infrastructure projects. The EO also requires new government-wide accountability measures.

NOW, THEREFORE, BE IT RESOLVED BY THE FEDERAL PERMITTING IMPROVEMENT STEERING COUNCIL:

Section 1. That the Federal Permitting Improvement Steering Council (FPISC) hereby commits to work together in support of the goals of FAST-41 and EO 13807 to improve the timeliness, predictability, and transparency of the Federal environmental review and authorization process for covered infrastructure projects.

Section 2. That each Councilmember will ensure that their agency's designated CERPO has the authority and resources to carry out their responsibilities. Each Councilmember will ensure that their agency's designated CERPO is a Senior Executive or equivalent, capable of acting on behalf of their agency and of taking steps within their agency to resolve issues, allocate resources and intervene if and when required. The majority of the Council's project specific activities will be conducted with and through their agency's designated CERPO. As described in 42 U.S.C. § 4370m-1(c)(3), each Councilmember will

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direct their agency's designated CERPO to provide technical support, when requested, to facilitate efficient and timely processes for environmental reviews and authorizations for covered projects under the jurisdictional responsibility of that agency. The CERPO will work with relevant Headquarters and field office personnel to make recommendations to their Councilmember to standardize, simplify, and improve the efficiencies of the environmental review and authorization processes, policies and authorities of the respective agency and ensuring agency staff are provided adequate training.

Section 3. That each Councilmember will direct relevant agency personnel in its Headquarters and field offices to implement the requirements of FAST-41, EO 13807, and related guidance, by cooperating with the Office of the Executive Director of the Federal Permitting Improvement Steering Council (FPISC OED), notifying sponsors of potential covered projects about the benefits of FAST-41 and the process on how to refer potential covered projects to FPISC OED.

Section 4. That each Councilmember will incorporate the objectives of FAST-41 and E.O. 13807 into their agency's directives, manuals, policies and plans, as applicable and to the extent practicable.

On a motion by David Barnhardt, Department of Interior, seconded by Earl Comstock, Department of Commerce, the foregoing Resolution was duly adopted on September 13, 2017.

Yeas: John Fowler, Advisory Council on Historic Preservation; Robyn Colosimo, U.S. Department of the Army; Matt Fountain, U.S. Department of Agriculture; Mary Neumayr, Council on Environmental Quality; Earl Comstock, U.S. Department of Commerce; Maureen Sullivan, U.S. Department of Defense; Brian McCormack, U.S. Department of Energy; Teresa Pohlman, U.S. Department of Homeland Security; David Barnhardt, U.S. Department of the Interior; Grover Burthey, U.S. Department of Transportation; Michael R. Johnson, U.S. Nuclear Regulatory Commission; Dustin Brown, Office of Management and Budget.

Nays: None

Abstain: Allison Brigati, General Services Administration and Terry Turpin, Federal Energy Regulatory Commission

This is a correct copy of Council action.

Acting Executive Director
Federal Permitting Improvement Steering Council