

Reforming the Hue and Cry for Permitting Reform

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State of the Coast Conference
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What's the Problem?

Common complaints about federal permitting:

- The Federal permitting process is inefficient. There are so many layers and no natural coordination process for Federal agencies
- The Federal permitting process lacks predictability which can lead to additional costs and projects not getting done on time
- It is unclear which agencies are responsible for what components of the permitting process
- Projects get stuck in approval processes for unknown reasons and project sponsors have limited options to escalate issues to decision makers
- It is unclear who is the right point of contact at any given Federal agency



Origin of the Permitting Council

Congress passed the Fixing America's Surface Transportation Act

Set out to work towards collaboration, coordination, and transparency

2015

Today



Goal of efficiently and effectively advancing projects through the federal permitting review process

We Help Projects Make Progress

The Permitting Council is **directed by Congress** to:

- Create public timetables and structure for federal permitting review
- Convene agencies to spur collaboration and share best practices
- Coordinate processes with federal agencies to increase efficiencies
- Create predictability in the process to avoid delays and unexpected costs



The Permitting Council

Consists of 16 members from the federal agencies involved in reviewing and authorizing infrastructure projects.



Federal Permitting Improvement Steering Council



Advisory Council on Historic Preservation



Department of Agriculture



Department of the Army



Department of Commerce



Department of Defense



Department of Energy



Council on Environmental Quality



Department of Homeland Security



Department of Housing and Urban Development



Department of the Interior



Office of Management and Budget



Department of Transportation



Federal Energy Regulatory Commission



Nuclear Regulatory Commission



Environmental Protection Agency

FAST-41 Sectors

- Energy production
- Electricity transmission
- Surface transportation*
- Aviation*
- Ports and waterways*
- Water resource*
- Broadband
- Pipelines
- Manufacturing
- Mining
- Carbon capture
- Semiconductors
- Artificial intelligence and machine learning
- High-performance computing and advanced computer hardware and software
- Quantum information science and technology
- Data storage and data management
- Cybersecurity
- Energy Storage

**FAST-41 excludes U.S. Department of Transportation (USDOT) and Army Water Resources Development Act (WRDA) led projects*



FAST-41 Project Criteria Requirements

Objective	Tribal	Carbon Capture	Discretionary
<ul style="list-style-type: none">• Subject to NEPA• \$200M investment• Project not eligible for abbreviated environmental review or authorization• Examples: Interstate Electricity Transmission Lines, Ports and Waterways, Utility Scale Solar Fields	<ul style="list-style-type: none">• Subject to NEPA• Sponsored by Tribe & located at least partially on land within their jurisdiction• \$200M threshold does <u>not</u> apply• Examples: Tribal broadband, Tribal energy projects, Tribal water infrastructure	<ul style="list-style-type: none">• Infrastructure associated with carbon capture, utilization and storage	<ul style="list-style-type: none">• \$200M threshold does not apply• Council determines that project is of size and complexity that would benefit from coverage

Benefits of FAST-41 Coverage

Increased Predictability

Federal agencies must collaborate on creating and managing permitting timetables



Agency Leadership Attention

Drive issue resolution, direct resources, and maintain internal accountability



Enhanced Coordination

One-stop shop for project sponsors and federal agencies to coordinate progress and timeline extensions



Transparency & Accountability

Public access to permitting timetables and federal decisions alongside Permitting Council oversight



Resources

Funding transferable to federal, state, local, and Tribal governments to support environmental authorization



Dispute Resolution

Clearly defined escalation procedures for resolving permitting timetable roadblocks

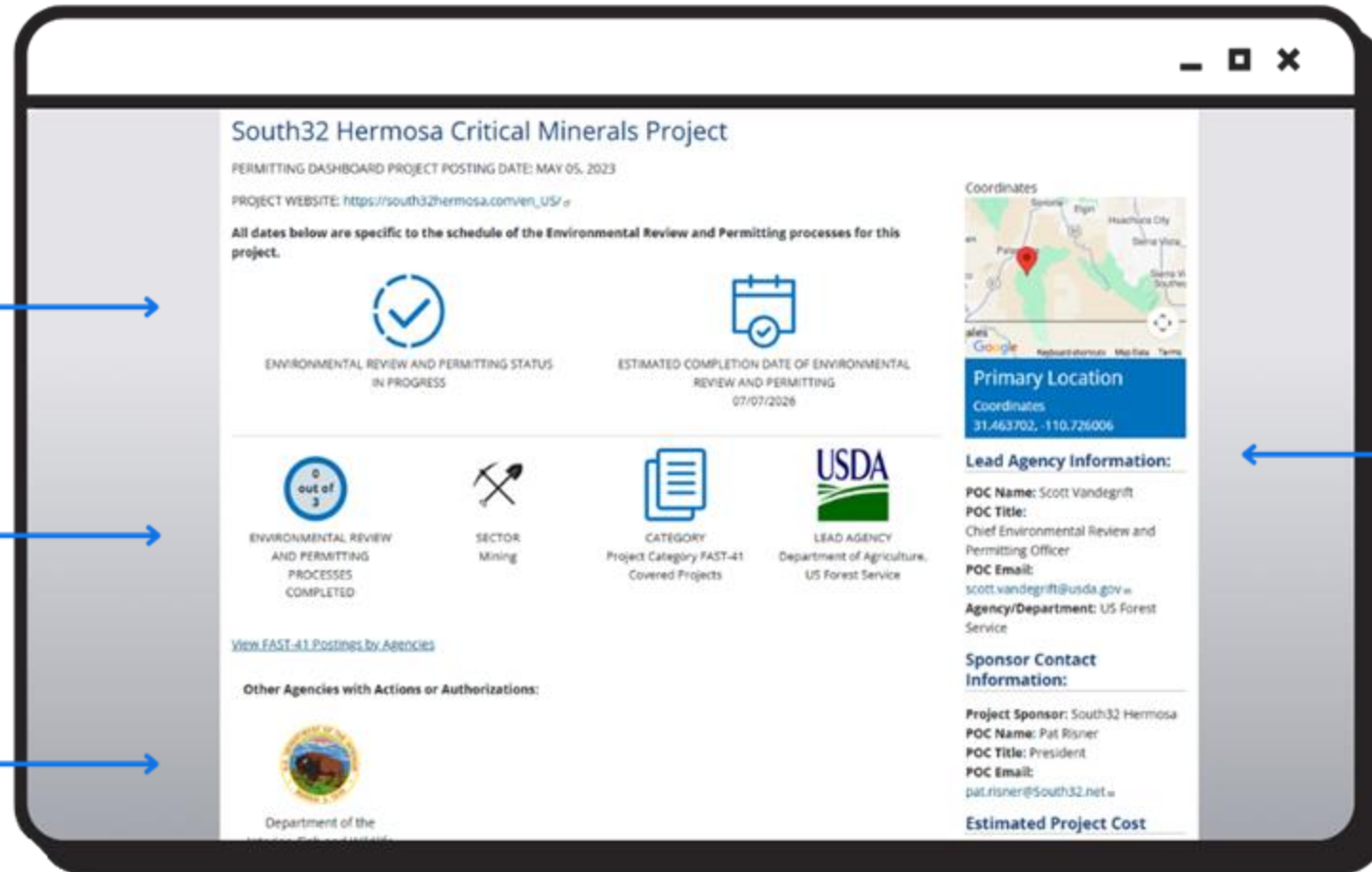


Permitting Dashboard

Current stage
of the project
and estimated
completion
date

Status of
environmental
review and
Federal
permits

All relevant
Federal
agencies
clearly
identified

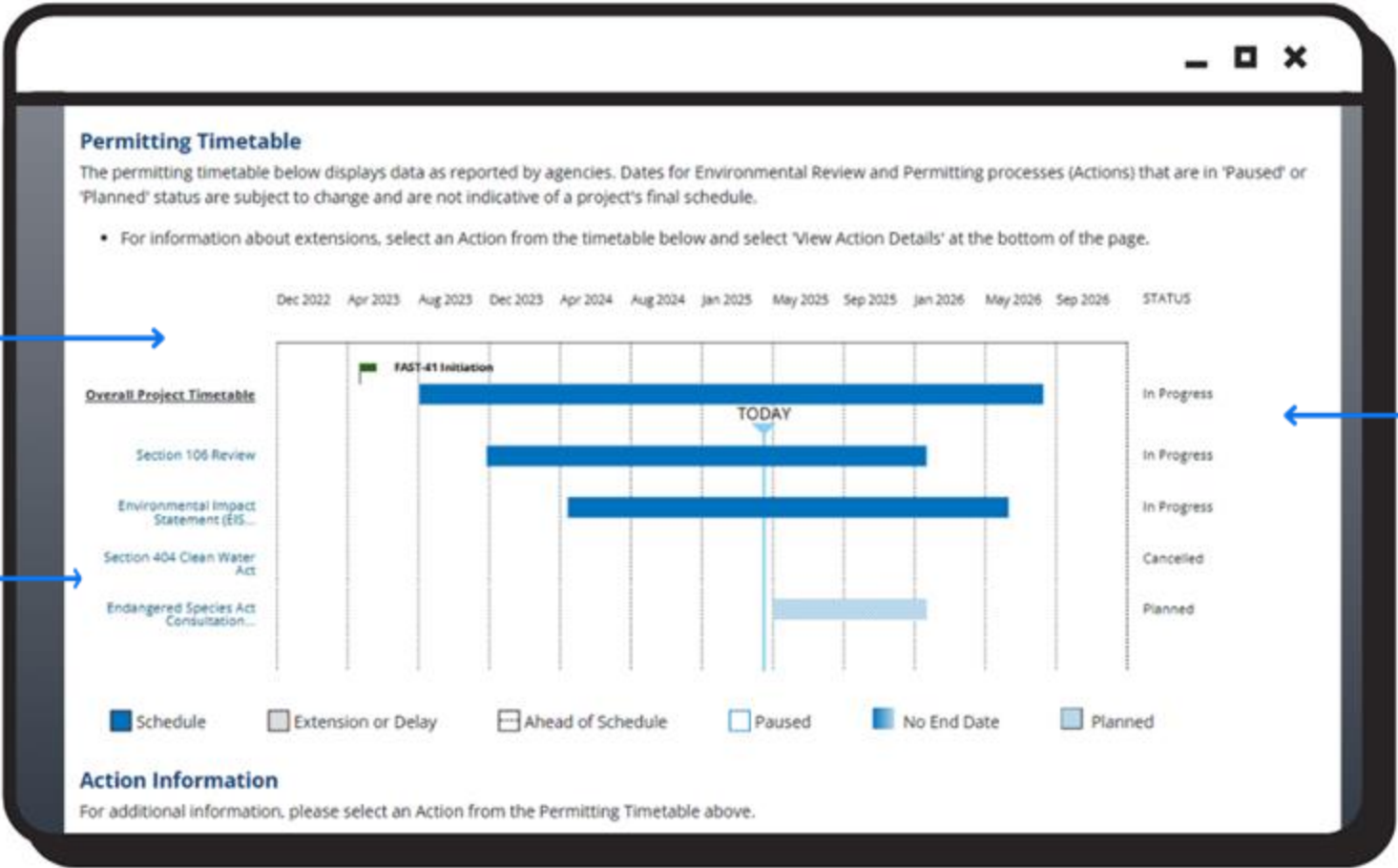


Easy to access
contact
information

Project Timetables

Federal reviews and authorizations clearly posted

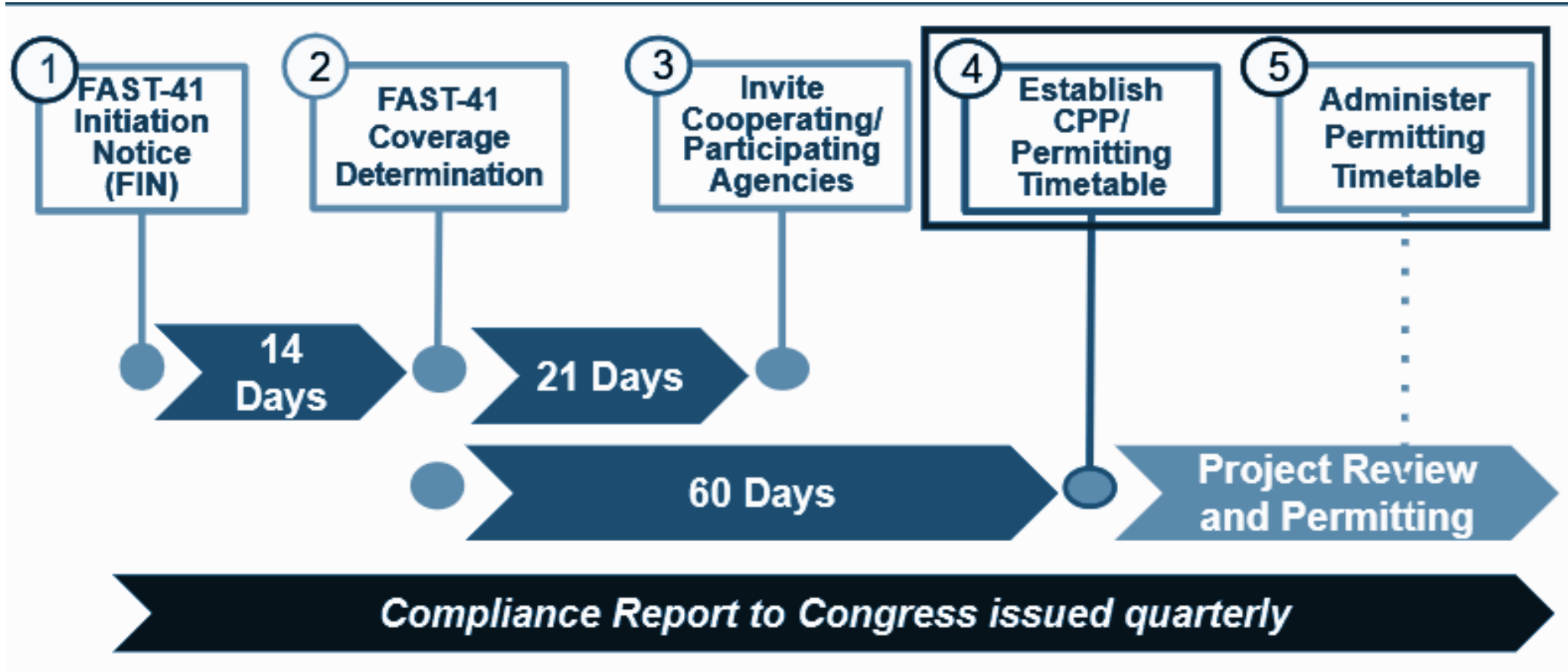
Each authorization or review hyperlinks to a list of actions needed to complete the overall authorization or review, and describes the progress of each action



Status updates provided in real time

Executive Director provides oversight and coordination through the administration of the permitting timetable

FAST-41 Process–Covered Project Stages



Permitting Council Best Practices

- Enhancing early stakeholder engagement
- Ensuring timely decisions regarding environmental reviews and authorizations
- Improving coordination between federal and non-federal entities
- Increasing transparency
- Reducing information collection requirements and other administrative burdens
- Developing geographic information systems and other tools
- Creating and distributing training materials
- Improving preliminary engagement with project sponsors in developing coordinated project plans
- Using programmatic assessments, templates and other tools based on the best available science and data
- Identifying and addressing improvements in the permitting process

We Are the Change You Want to See

- Create predictability in the process to avoid delays and unexpected costs
- \$114 Billion in Infrastructure project investment
 - Nearly \$5 Billion in electricity transmission
 - \$183+ Million in broadband buildout
 - 21,000+ Megawatts of potential energy Impact of new power generation (if permitted)
- 35 new FAST-41 infrastructure projects, a 40% increase in the number of projects in our FAST-41 portfolio
- 20 FAST-41 infrastructure projects completed federal permitting with Permitting Council management
- FAST-41 covered projects now completing federal permitting 25% quicker with Permitting Council management



State Partnership Opportunities

- FAST-41 State Opt-in
 - This provision allows state environmental reviews and authorizations to be included on the federal Permitting Dashboard and held to the same statutory requirements of FAST-41 as though the state agencies were federal agencies
- First of its kind MOU
 - Established partnership to promote FAST-41 support for projects through the New Mexico Renewable Transmission Authority



Executive Order on Critical Mineral Production



▮ PRESIDENTIAL ACTIONS

Immediate Measures to Increase American Mineral Production

Executive Orders

March 20, 2025

FAST-41 Covered and Transparency Mining Projects

South32 Hermosa Critical Minerals Project

- \$1.7 Billion zinc and manganese mining and processing operation
- First FAST-41 covered critical minerals mining project
- Located 55 miles south of Tucson, Arizona



Transparency Projects

- Resolution Copper Project
- Stibnite Gold Project
- Warrior Met Coal Mines
- McDermitt Exploration Project
- South West Arkansas Project
- Caldwell Canyon Mine Project
- Libby Exploration Project
- Lisbon Valley Copper Project
- Silver Peak Lithium Mine
- Michigan Potash

Presidential Memorandum on Modernizing Permitting IT



▮ PRESIDENTIAL ACTIONS

Updating Permitting Technology for the 21st Century

Presidential Memoranda | April 15, 2025

Advancing Permitting Efficiency with ERIF Investments



The Permitting Council has allocated \$43 million from the Environmental Review Improvement Fund (ERIF) to enhance IT solutions, improving permitting efficiency and supporting timely infrastructure reviews.

Key Benefits:

- **Automating Routine Actions** – Increases transparency and saves time. Example: USDA Rural Development's new portal will help early identification of categorical exclusions.
- **Managing Complex Reviews** – Improves data quality, coordination, and decision-making. Example: The USCG will develop a mathematical model to assess navigable water safety impacts.
- **Leveraging Technology for Better Outcomes** – Enhances environmental and community impact. Example: ACHP will create a centralized geolocation database for historic property preservation.

How to Become a FAST-41 Project

First Step

Request a pre-application meeting with Permitting Council staff to discuss your project and learn the full benefits of FAST-41 coverage: FAST-41@Permitting.Gov

View the Application:



FAST-41 Application Components

Submit via email or [online form](#):

- Project Information: Title, Sector, Type, Location
- Project Sponsor Name and Contact Information
- Statement of the purposes and objectives of the project
- Concise description including general location and/or a summary of geospatial information, if available, and the locations, if any, of environmental, cultural, and historic resources
- Statement regarding the technical and financial ability of the project sponsor to construct the proposed project
- Statement of any Federal Financing, environmental reviews, and authorizations anticipated to be required; and
- Assessment that the project meets the definition of a covered project as defined in 42 U.S.C. §4370m(6)(A) and a statement of reasons supporting the assessment



Thank you



Permitting.gov