

Bring the benefits of the FAST-41 permitting assistance program to your state to ensure your project(s) sees progress through required reviews and authorizations.

# Permitting Council's FAST-41 Assistance for States

## Who Is the Permitting Council?

The Federal Permitting Improvement Steering Council (Permitting Council) is an independent federal agency dedicated to making the federal environmental review and authorization process transparent, predictable, and accountable for FAST-41 covered infrastructure projects. We also work closely with government agencies and stakeholders across industry to share best practices for identifying and resolving the permitting roadblocks that can slow down the buildout of FAST-41 covered infrastructure.

## What Is FAST-41?

Congress created the Permitting Council in 2015 through Title 41 of the Fixing America's Surface Transportation Act (FAST-41). The Permitting Council provides targeted permitting assistance to projects that seek coverage under the FAST-41 program, promoting transparency, predictability and accountability. The law requires agencies to coordinate in the development and management of permitting timetables for environmental reviews and authorizations of FAST-41 covered projects and post those timetables on the Federal Permitting Dashboard.

FAST-41 also created the Permitting Council to help agencies fulfill their FAST-41 project management responsibilities and to create best practices to incrementally improve the permitting process for FAST-41 covered projects. Through FAST-41, the Permitting Council ensures a transparent process that enhances predictability and efficiency of federal environmental review and authorizations for projects that seek and obtain FAST-41 coverage. The end result is a coordinated federal review process that exemplifies collaboration, transparency and accountability.

## How FAST-41 Coverage Can Benefit Your State:

- ▶ State governments can elect to "opt-in" to the FAST-41 process and make their state agencies subject to the dashboarding and project management requirements and benefits of FAST-41 as though they were federal agencies. "Opting in" expands the dashboard to include state permits along with the federal permits for a covered project, offering a more holistic view of the environmental review process.
- ▶ FAST-41 covered projects receive a comprehensive project plan that includes permitting timetables and transparent, collaborative management of those timetables on the Federal Permitting Dashboard.
- ▶ Opting in to the FAST-41 process can help ensure that environmental review(s) and authorization(s) of a covered project in your state receives the accountability needed to bring next generation infrastructure to life.
- ▶ Through FAST-41 permitting assistance a state can help improve the coordination of federal and state permitting efforts for a FAST-41 covered project, while also receiving assistance facilitating predictable and timely state authorizations for the covered project.
- ▶ By opting in, state and local governments will be eligible to receive funding, as available, to facilitate timely and efficient environmental reviews and authorizations for the FAST-41 covered project at issue.



### Agencies Represented on the Permitting Council:



Advisory Council on Historic Preservation



Council on Environmental Quality



Environmental Protection Agency



Federal Energy Regulatory Commission



Nuclear Regulatory Commission



Office of Management and Budget



U.S. Department of Agriculture



U.S. Department of Commerce



U.S. Department of Transportation



U.S. Department of Defense



U.S. Department of Energy



U.S. Department of Homeland Security



U.S. Department of Housing and Urban Development



U.S. Department of the Interior



U.S. Army Corps of Engineers

# What Permitting Assistance Is Offered to States?

There are two options for states receiving permitting assistance from the Permitting Council:

- 1. State Opt-In Provision:** States with FAST-41 covered projects within their borders are eligible to participate in the FAST-41 process for a covered project. When a state opts-in on a FAST-41 covered project, it can subject state agencies that are responsible for environmental reviews and authorizations to the statutory requirements of FAST-41, as though the state agencies were federal agencies. Requirements include:
  - a. Developing and posting a permitting timetable.
  - b. Compliance with FAST-41 permitting timetable modification and reporting requirements.

Through these requirements states and project developers are armed with the tools they need to ensure a transparent, predictable and accountable environmental review and authorization process.

- 2. Partnership:** States may also choose to work more broadly with the Permitting Council to promote collaboration and efficiency in the state and federal environmental permitting process. Through such a partnership the Permitting Council can assist in various ways, including:
  - a. Helping states determine the FAST-41 eligibility of projects within their borders;
  - b. Coordinating with states to develop templates and tools to support efficient federal permitting processes for project developers of covered projects; and
  - c. Providing Permitting Council staff contacts for FAST-41 covered projects in a state and supporting regular coordination calls with the project sponsor and the participating agencies for the project.

## Collaboration Highlight

The Permitting Council recently entered into an exciting new Memorandum of Understanding (MOU) with the New Mexico Renewable Energy Transmission Authority (RETA). The MOU establishes a working relationship between the Permitting Council and RETA in order to provide federal permitting support to RETA-supported projects that also qualify for coverage under the Permitting Council's FAST-41 program. This new, collaborative state-federal partnership will help bring the benefits of federal permitting assistance to New Mexico to bring consequential infrastructure projects to life.

## How to Get Started

At the Permitting Council we're working to improve the environmental review and authorization process. We want to connect with you to discuss how our unique offerings can benefit FAST-41 covered projects in your state. Request a meeting at [FAST.FortyOne@Permitting.Gov](mailto:FAST.FortyOne@Permitting.Gov).

## Eligible Project Sectors

Projects in the following sectors are eligible to receive permitting assistance through the Permitting Council:

- Renewable Energy Production
- Conventional Energy Production
- Electricity Transmission
- Surface Transportation
- Aviation
- Ports & Waterways
- Water Resource Projects
- Broadband
- Pipelines
- Manufacturing
- Mining
- Carbon Capture
- Semiconductors
- Artificial Intelligence & Machine Learning
- High-Performance Computing & Advanced Computer Hardware & Software
- Quantum Information Science & Technology
- Data Storage & Data Management
- Cybersecurity
- Energy Storage



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