

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

ANNUAL REPORT TO CONGRESS FOR FISCAL YEAR 2017

Federal Permitting Improvement Steering Council—Office of the Executive Director



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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:



Department of Agriculture



Department of the Army



Department of Commerce



Department of the Interior



Department of Energy



Department of Transportation



Department of Defense



Environmental Protection Agency



Federal Energy Regulatory Commission



General Services Administration



Nuclear Regulatory Commission



Department of Homeland Security



Department of Housing and Urban Development



Advisory Council on Historic Preservation



Office of Management and Budget



Council on Environmental Quality



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Acronyms and Abbreviations

ACHP	Advisory Council on Historic Preservation
C.F.R.	Code of Federal Regulations
CEQ	Council on Environmental Quality
CERPO	Chief Environmental Review and Permitting Officer
CPP	Coordinated Project Plan
Commerce	Department of Commerce
DHS	Department of Homeland Security
DOA	Department of the Army
DOD	Department of Defense
DOE	Department of Energy
DOI	Department of the Interior
DOT	Department of Transportation
EIS	environmental impact statement
EO	Executive Order
FAA	Federal Aviation Administration
FAST-41	Title 41 of the Fixing America's Surface Transportation Act
FERC	Federal Energy Regulatory Commission
FHWA	Federal Highway Administration
FPISC-OED	Federal Permitting Improvement Steering Council—Office of the Executive Director
FRA	Federal Railroad Administration
FY	fiscal year
GIS	geographic information system
HUD	Housing and Urban Development
NC SHPO	National Conference of State Historic Preservation Officers
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NRC	Nuclear Regulatory Commission
OMB	Office of Management and Budget
Permitting Council	Federal Permitting Improvement Steering Council
SHPO	State Historic Preservation Officer
U.S.C.	United States Code
USACE	U.S. Army Corps of Engineers
USCG	U.S. Coast Guard
USDA	U.S. Department of Agriculture

Executive Summary

Background

Title 41 of the FAST Act (42 U.S.C. § 4370m *et seq.*; FAST-41) created a new governance structure, procedures, and funding authorities to improve the timeliness, predictability, and transparency of the Federal environmental review and authorization process for covered infrastructure projects. FAST-41, a voluntary program in which project sponsors apply to become covered projects, upholds the U.S. Government's responsibility to protect public health, welfare, safety, and the environment. Additionally, FAST-41 established the Federal Permitting Improvement Steering Council (Permitting Council) as an inter-agency council to oversee implementation of FAST-41.

About This Report

This report responds to 42 U.S.C. § 4370m-7(a) and assesses the performance of each participating agency and lead agency based on the best practices described in 42 U.S.C. § 4370m-1(c)(2)(B), including—(1) agency progress in making improvements consistent with those best practices; 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 3 of this report). Pursuant to 42 U.S.C. § 4370m-7(a), this Annual Report to Congress for Fiscal Year (FY) 2017 covers activities during the period from October 1, 2016 to September 30, 2017. This report evaluates the progress Permitting Council agencies¹ have made in implementing best practices consistent with *Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects* released in January 2017 (January 2017 Best Practices Report).²

Summary

Agencies showed important progress implementing the recommended best practices in FY 2017. The average agency milestone conformance with the FAST-41 Implementation Guidance³ went from 55% in Quarter 2 to 92% in Quarter 4. The Federal Permitting Improvement Steering Council – Office of the Executive Director (FPISC-OED) quarterly assessments and meetings with agencies also led to agencies adding permitting timetables for seven projects to the Permitting Dashboard. This was a 22% increase in projects with permitting timetables since FY 2016 and represents successful agency efforts to increase transparency on the Permitting Dashboard. As of the end of the FY 2017, 97% of projects had permitting timetables.

¹ The assessment does not include the Council on Environmental Quality (CEQ), General Services Administration (GSA), or Office of Management and Budget (OMB) because they do not have any authority for environmental reviews or authorizations for FAST-41 covered projects.

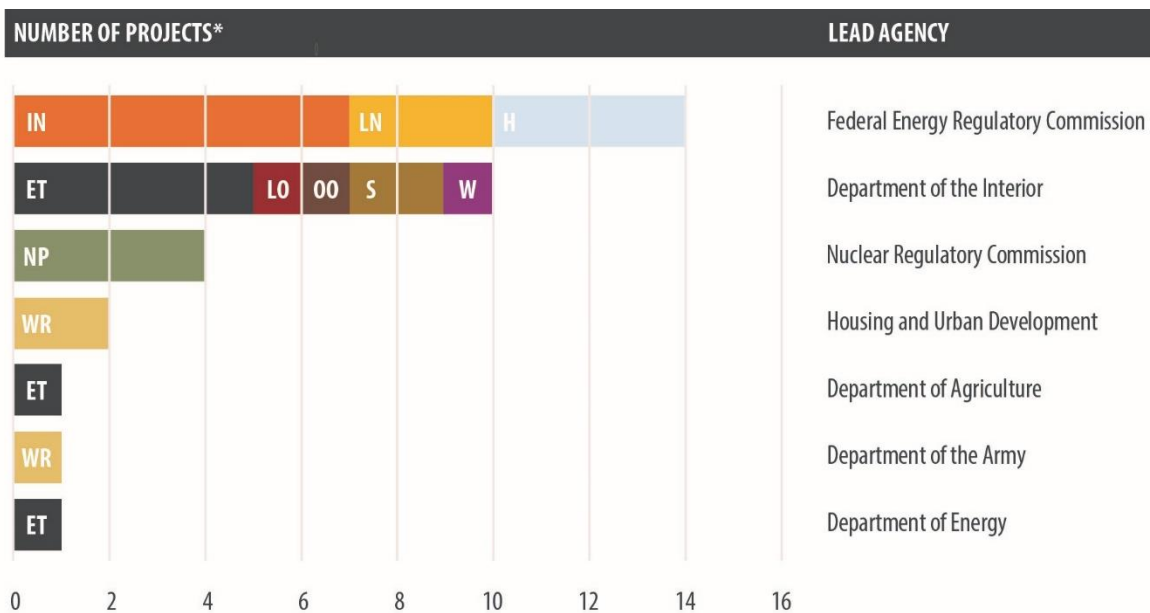
² *Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects*, available at: <https://www.permits.performance.gov/sites/permits.performance.gov/files/docs/FPISC%20Best%20Practices-%20FINAL%2001182017%283%29.pdf>.

³ "Guidance to Federal Agencies Regarding the Environmental Review and Authorization Process for Infrastructure Projects," January 13, 2017, 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>.

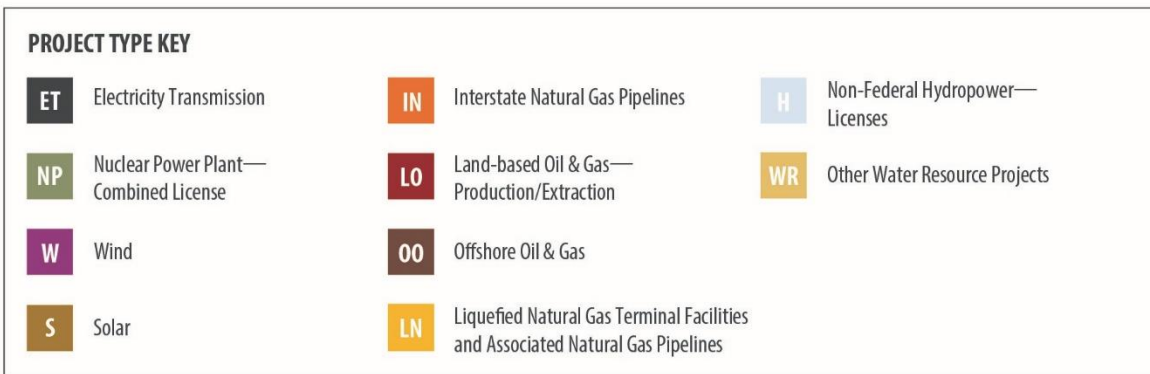
FAST-41 Covered Projects for FY 2017

The figures below provide information on the number of FAST-41 covered projects for FY 2017 by lead agency and project type. **Figure 1** shows that the Federal Energy Regulatory Commission (FERC) and Department of the Interior (DOI) had the highest number of projects covered under FAST-41 in FY 2017. Electricity Transmission and Interstate Natural Gas Pipelines were the most common project types under FAST-41 in FY 2017, as shown in **Figure 2**.

Figure 1: FAST-41 Projects by Lead Agency for FY 2017



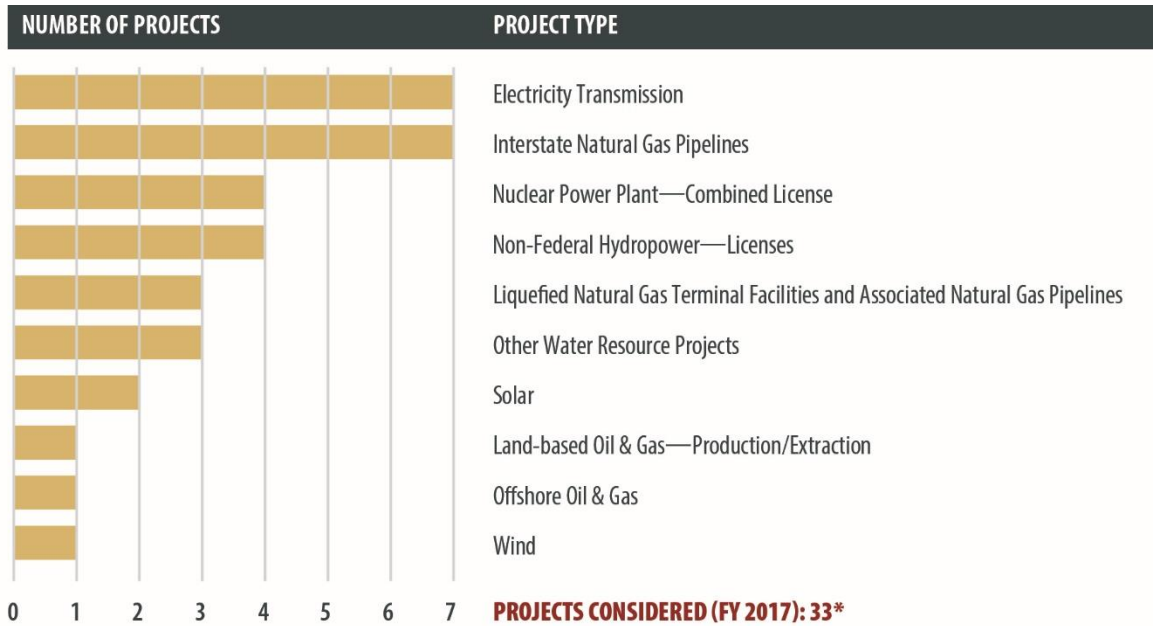
* Two additional projects, included on the Permitting Dashboard, were canceled and excluded from the analysis.



FY 2017

FAST-41 PROJECTS BY LEAD AGENCY

Figure 2: FAST-41 Projects by Type for FY 2017



* Two additional projects, included on the Permitting Dashboard, were canceled and excluded from the analysis.

FY 2017

FAST-41 PROJECTS BY TYPE

Chapter 1

Best Practices Assessment

FAST-41 requires the Permitting Council to issue recommendations on eight best practices categories outlined in 42 U.S.C. § 4370m-1(c)(2)(B) for environmental reviews and authorizations common to covered projects, and for 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).

Specifically, this Annual Report to Congress for FY 2017 evaluates the progress Permitting Council agencies⁴ have made in implementing best practices consistent with *Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects* released in January 2017 (January 2017 Best Practices Report). The January 2017 Best Practices Report was a compendium of 42 best practices focused on addressing the issues and concerns commonly voiced by stakeholders about the permitting process. Many of the best practices described in this report were already used by Federal agencies, and in some instances they are required by law.

The assessment methodology and metrics for the Annual Report to Congress for FY 2017 were discussed with agencies prior to agencies receiving a final assessment tool. These metrics are discussed later in this chapter for each best practice. The assessment below shows an overall agency scorecard followed by a detailed assessment for each of the eight best practices categories.

Best Practices Implementation Assessment Results

The best practices implementation assessment results for Best Practices 1-5 are presented in **Table 1: Agency-Level Best Practices Performance Scorecard for FY 2017**.⁵ The assessment for Best Practices 1-5 was done by reviewing information in the Coordinated Project Plans (CPPs), on the Permitting Dashboard, and on public project websites when linked on the Permitting Dashboard and/or in the CPP. Best Practices 1, 3, 4, and 5 were evaluated at the lead agency level.⁶ Details on the agency project-level analyses supporting Table 1 are presented in Appendix A, *Agency Performance Scorecards for FY 2017*. The assessment for Best Practice 2 was done at the level of the agency responsible for an environmental review or authorization, which includes lead agencies as well as

⁴ The assessment does not include CEQ, GSA, and OMB because they do not have any authority for environmental reviews or authorizations for FAST-41 covered projects.

⁵ Advisory Council on Historic Preservation (ACHP) is not assessed for Best Practices 1-5 for FY 2017 as it was not a lead agency or an agency responsible for an environmental review or authorization for any of the FAST-41 covered projects in FY 2017.

⁶ FAST-41 defines *lead agency* as the agency with principal responsibility for an environmental review of a covered project under 40 C.F.R. Parts 1500 through 1508 (or successor regulations). See 42 U.S.C. § 4370m

cooperating and participating agencies⁷. Results for Best Practices 6-8 were based on a data call to agencies and are discussed later in this chapter.

Of the FAST-41 covered projects on the Permitting Dashboard at the end of FY 2017 (35 projects), two projects had their status listed as “Cancelled”, 12 were listed as “Complete”, and 21 were listed as “In Progress”. Within the subset of 33 “Complete” or “In Progress” projects, one project⁸ had recently started and was not yet required⁹ to have a permitting timetable posted to the Permitting Dashboard by the end of FY 2017. Therefore, this assessment focuses on the remaining 32 projects listed as either “Complete” or “In Progress” at the end of FY 2017.

⁷ FAST-41 defines *cooperating agency* as any agency with jurisdiction under Federal law; or special expertise as described in 40 C.F.R. § 1501.6 (as in effect on December 4, 2015). FAST-41 defines *participating agency* as an agency participating in the environmental review or authorization for a covered project in accordance with 42 U.S.C. § 4370m-2.

⁸ This project is Alaska LNG Project (project published on the Permitting Dashboard on 08/22/2017).

⁹ 42 U.S.C. § 4370m-2(c)(1)(A)





Table 1: Agency-Level Best Practices Performance Scorecard for FY 2017

FY 2017

AGENCY-LEVEL BEST PRACTICES PERFORMANCE SCORECARD

Agency	Total Projects	Projects Considered	BP1 Permitting Timetables	BP1 Public Outreach	BP2 Milestone Entries Conforming	BP3 Tribal Consultation	BP4 Q3 & Q4 Updates	BP5 Online Publication
FERC	14 ^a	13	100	100	96	100	100	100
DOI	11 ^c	10	100	90 ⁱ	84	90 ^g	90 ^f	80 ^k
NRC	4	4	100	0 ^h	100	0 ^b	100	100
HUD	2	2	100	100	80	50 ^b	100 ^j	50 ^e
USDA	2 ^d	1	0 ^l	100	75	100	100	100
DOA	1	1	100	100	100	100	100	100
DOE	1	1	100	100	100	100	100	100
Commerce ^m	—	—	N/A	N/A	100	N/A	N/A	N/A
DOT ^m	—	—	N/A	N/A	100	N/A	N/A	N/A
EPA ^m	—	—	N/A	N/A	100	N/A	N/A	N/A
DHS ^m	—	—	N/A	N/A	100	N/A	N/A	N/A

SCORING KEY

	≥90%
	50–89%
	≤49%
	N/A

BEST PRACTICES

- BP1, Permitting Timetables**—Timetables listed on the Permitting Dashboard (% of projects)
- BP1, Public Outreach**—Public outreach details located in the CPP (% of projects)
- BP2, Milestone Entries Conforming**—Milestone entries in conformance with FAST-41 guidance (% of milestone entries)
- BP3, Tribal Consultation**—Tribal involvement details located in the CPP (% of projects)
- BP4, Q3 & Q4 Updates**—Q3 & Q4 updates to the project webpages (% of projects)
- BP5, Online Updates**—Substantial documents posted to project pages (% of projects)

NOTES

- ^a The Alaska LNG Project was published on the Permitting Dashboard on 8/22/2017. FERC had 60 days to provide the information which was beyond the FY 2017 assessment period.
- ^b While this score indicates incomplete information in the CPP, this score does not indicate whether Tribal consultations were completed for this project, as required by Federal law.
- ^c The Fort Mojave Solar Project was canceled and thus not considered in the analysis.
- ^d The North–South Project was canceled and thus not considered in the analysis.
- ^e No substantial document was published for the East Side Coastal Resiliency Project. Substantial documents are defined by FPISC-OED as those permitting-related documents that could materially affect the project (for example, the Project Application, the Notice of Intent, the Notice of Availability of the NEPA documents, the Draft and Final EIS, etc.).
- ^f The Aiya Solar Project did not have an update to the Permitting Dashboard in Q3–FY 2017.
- ^g Details or links to a section/page number in a document with details of Tribal involvement were not included in the CPP for the Desert Quartzite Solar Project. While this score indicates incomplete information in the CPP, this score does not indicate whether Tribal consultations were completed for this project, as required by Federal Law.
- ^h Details or links to a section/page number in a document with details of public outreach were not included in the CPPs for the NRC projects. While this score indicates incomplete information in the CPP, per the instructions in the assessment methodology, this score does not indicate whether outreach was completed for this project.
- ⁱ Details or links to a section/page number in a document with details of public outreach were not included in the CPP for the Desert Quartzite Solar Project. While this score indicates incomplete information in the CPP, per the instructions in the assessment methodology, this score does not indicate whether outreach was completed for this project.
- ^j An adjusted metric is used for HUD for BP4. HUD was not informed of the need to provide a quarterly update until late in Q3–FY 2017. Therefore, HUD is being evaluated only for Q4–FY 2017.
- ^k The Desert Quartzite Solar Project and Ten West Link Project do not have substantial documents (see note E) published at the end of Q4–FY 2017. Note that the Ten West Link Project has links to online documents at the time of drafting of this report (12/2017).
- ^l The Kake to Petersburg Transmission Project lacks a Permitting Timetable.
- ^m While Commerce, DOT, DHS, and EPA did not serve as lead agency for any FAST-41 projects in FY 2017, these four agencies did have environmental reviews or authorizations for FAST-41 projects in which other agencies served as lead. Consequently, Commerce, DOT, DHS, and EPA are assessed on BP2 Milestone Entries Conforming with FAST-41 Guidance.

Best Practices Metrics and Results

This section discusses the metrics used to evaluate each best practice category and the results of that analysis.

Best Practice Category 1: Enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project.

To evaluate Best Practice Category 1, FPISC-OED assessed agency progress in making improvements consistent with the following best practice: “Provide early and continuous information on the project, the process and timetable for decision making, and available avenues for stakeholder engagement.” Towards this end, FPISC-OED evaluated the agencies on two metrics that include the total number of projects for each lead/facilitating agency:

- The percentage of projects by the lead/facilitating agency that had a timetable on the Permitting Dashboard.
- The percentage of projects by the lead/facilitating agency that included in its CPP or on the Permitting Dashboard¹⁰ avenues for or evidence of stakeholder engagement.¹¹

The results of the evaluation show:

- The percentage of projects by the lead/facilitating agency that had a timetable on the Permitting Dashboard -
 - As described in Table 1 above, FERC, DOI, Nuclear Regulatory Commission (NRC), Housing and Urban Development (HUD), Department of the Army (DOA)/U.S. Army Corps of Engineers (USACE), and Department of Energy (DOE) met the requirement for all of their projects and received a score of 100%.
 - U.S. Department of Agriculture (USDA) did not meet the requirements for their one project (Kake to Petersburg Transmission Project) and thus received a score of 0%.
- The percentage of projects by the lead/facilitating agency that had public outreach sections in their CPPs or on the Permitting Dashboard that included some level of detail of public involvement -
 - As described in Table 1 above, FERC, HUD, DOA, DOE and USDA met the requirement for all of their projects and received a score of 100%.
 - DOI did not meet the requirements for one (Desert Quartzite Solar Project) of their 10 projects and received a score of 90%. While this score indicates incomplete information in the CPP, per the instructions in the assessment methodology, this score does not indicate whether outreach was completed for this project.

¹⁰ <https://www.permits.performance.gov/projects>

¹¹ The evidence for stakeholder engagement could be links to specific material or page numbers directing the user to specific material referenced in the CPP per page 55 of the FAST-41 Implementation Guidance. The links could be to the scoping report, Notice of Intent, Notices of Availability of NEPA documents, public meeting notices or materials, public involvement sections of NEPA documents, public involvement reports, descriptions of public outreach in CPPs, or commitment to do public outreach early in the project’s timeline.

- NRC did not meet the requirements for any of their four projects and received a score of 0%. While this score indicates incomplete information in the CPP, per the instructions in the assessment methodology, this score does not indicate whether outreach was completed for this project.

Best Practice Category 2: Ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics.

To evaluate Best Practice Category 2, FPISC-OED assessed agency progress in making improvements consistent with the following best practice: “Develop and track agency performance metrics on the time required to reach intermediate and final milestones in permitting processes, if they are not already being tracked.” FAST-41 requires a covered project’s permitting timetable to include “all environmental reviews and authorizations”.¹² For Best Practice 2, FPISC-OED assessed whether, by September 30, 2017, there was a timetable on the Permitting Dashboard with the required milestones per Appendix B of the FAST-41 Implementation Guidance by the agency responsible for that environmental review or authorization.¹³

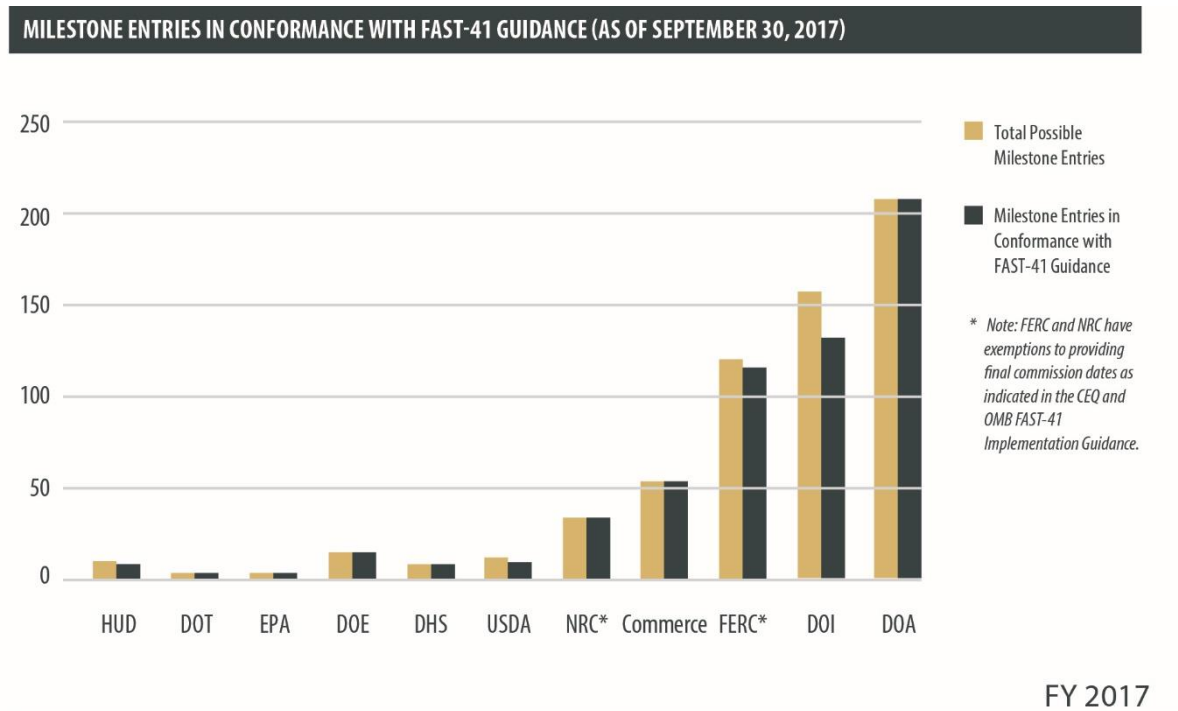
The results for this metric are shown in Table 1 and Figure 3 below for each agency. The Best Practice 2 column in Table 1 shows the *percentage* of milestone entries that conform to the FAST-41 Implementation Guidance and Figure 3 shows the *total number* of milestone entries by each agency and the *number* of entries that conform to the FAST-41 Implementation Guidance. Conforming with the FAST-41 Implementation Guidance is defined as a milestone meeting one of three conditions: having a target completion date, paused with proper justification, or listed as a dependency.

- As described in Table 1 above, Department of Commerce (Commerce), NRC, DOE, DOA, Department of Homeland Security (DHS), Environmental Protection Agency (EPA), and Department of Transportation (DOT) received a score of 100%.
- The following agencies received a score of less than 100%:
 - FERC received 96% (115 of 120 milestone entries in conformance with the FAST-41 Implementation Guidance).
 - DOI received 84% (132 of 157 milestone entries in conformance with the FAST-41 Implementation Guidance).
 - HUD received 80% (8 of 10 milestone entries in conformance with the FAST-41 Implementation Guidance).
 - USDA received 75% (9 of 12 milestone entries in conformance with the FAST-41 Implementation Guidance).

¹² 42 U.S.C. § 4370m-2(c)(2)(A).

¹³ Available at <https://www.permits.performance.gov/tools/federal-environmental-review-and-authorization-inventory>

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



MILESTONE ENTRIES IN CONFORMANCE

Best Practice Category 3: Improving coordination between Federal and non-Federal entities, including through the development of common data standards and terminology across agencies

To evaluate Best Practice Category 3, FPISC-OED assessed agency progress in making improvements consistent with the following best practice: “Ensure that Tribal consultations are conducted in a way that fully respects the government-to-government relationship.” The metric used for assessment is the percentage of projects by lead/facilitating agency for which the CPP meets at least one of the requirements:

- Specifies consultation opportunities or other planned outreach to Indian tribes;
- References implementing *Improving Tribal Consultation and Tribal Involvement in Federal Infrastructure Decisions*¹⁴ or *Improving Tribal Consultation in Infrastructure Projects*;¹⁵
- Links to a specific National Environmental Policy Act (NEPA) section or provides page numbers to a publicly available document if they have Tribal consultation information; or
- Commits to following an agency’s Tribal consultation policies.

¹⁴ “Improving Tribal Consultation and Tribal Involvement in Federal Infrastructure Decisions.” January 2017. U.S. Department of the Interior, U.S. Department of the Army, U.S. Department of Justice, <https://www.bia.gov/sites/bia.gov/files/assets/as-ia/pdf/idc2-060030.pdf>

¹⁵ “Improving Tribal Consultation in Infrastructure Projects.” Advisory Council on Historic Preservation. May 24, 2017. <http://www.achp.gov/docs/achp-infrastructure-report.pdf>

Per FAST-41, CPPs should include Tribal consultation information (42 U.S.C. § 4370m-2(c)(1)(B)). This assessment is establishing a baseline of CPPs beginning to incorporate Tribal consultations and does not evaluate whether the Tribal consultation conforms to applicable laws.

The results of the evaluation show FERC, USDA, DOA, and DOE met the requirement for all of their projects and received a score of 100%.

- DOI met the requirement for 9 of 10 projects and received a score of 90%. DOI did not meet the requirement for this Best Practice for the Desert Quartzite Solar Project.
- HUD met the requirement for 1 of 2 projects and received a score of 50%. HUD did not meet the requirement for the Hudson River Rebuild Project. While this score indicates incomplete information in the CPP, this score does not indicate whether Tribal consultations were completed for this project, as required by Federal law.
- NRC did not meet the requirements for any of their four projects and received a score of 0%. While this score indicates incomplete information in the CPP, this score does not indicate whether Tribal consultations were completed for this project, as required by Federal law.

Best Practice Category 4: Increasing transparency

To evaluate Best Practice Category 4, FPISC-OED assessed agency progress in making improvements consistent with the following best practice: “Continue to develop and expand tools that provide transparency on federal permitting and review processes.” FPISC-OED assessed whether the lead/facilitating agency had provided updates on the Permitting Dashboard for the projects under their purview for each of the last two quarters of FY 2017.

The results¹⁶ of this evaluation show:

- FERC, NRC, HUD, USDA, DOA, and DOE received a score of 100%.
- DOI received a score of 90% as it had one project¹⁷ (of 10 evaluated) that did not have an update in Q3 FY 2017.

Best Practice Category 5: Reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties

To evaluate Best Practice Category 5, FPISC-OED assessed agency progress in making improvements consistent with the following best practice: “Develop online or electronic tools... [for] the online publication of agency authorizations, environmental reviews, and notifications.” FPISC-OED assessed whether lead agencies have links on the Permitting Dashboard to at least one document, which may be either a document provided by the project sponsor or an environmental review and authorization that materially affects the project, as of September 30, 2017. FPISC-OED defines “materially affects” as anything affecting the project moving through the process as planned in the timetable and that is sharable as allowed by law. Examples of such documents include the Project Application, the Notice of Intent, the Notice of Application, the Draft Environmental Impact Statement, or the Final Environmental Impact Statement.

¹⁶ Details at a project level are provided in Appendix A.

¹⁷ The Aiya Solar Project.

The results of this evaluation show:

- FERC, NRC, USDA, DOA, and DOE had links to project related documents for all of their projects as of September 30, 2017, and received a score of 100%.
- DOI met the requirement for 8 of 10 projects and received a score of 80%. The two projects that did not meet the requirements are the Desert Quartzite Solar Project and the Ten West Link Project.
- HUD met the requirement for 1 of 2 projects and received a score of 50%. The one project that did not meet the requirement was the East Side Resiliency Project.

Best Practice Category 6: Developing and making available to applicants appropriate geographic information systems and other tools

To evaluate Best Practice Category 6, FPISC-OED assessed agency progress in making improvements consistent with the following best practice: “Support development and integration of geographic information system (GIS) tools and data sets that simplify and expedite permitting and project planning efforts.” As noted in the introductory section on Best Practices Implementation Results, results for Best Practice 6 are based on a data call and are assessed across agencies rather than by individual agency. FPISC-OED asked agencies to provide information on the GIS tools they are developing and integrating, when (i.e., what stage of the project) are they using these tools, and any unmet needs in this area.

Information provided by the agencies indicates that most agencies are using GIS tools to assist them in their environmental reviews and authorizations for FAST-41 covered projects. Most of these use the ArcGIS software platform¹⁸ and some of these are stand-alone tools developed by the agencies. An illustrative, non-exhaustive, list of such tools is provided in Appendix B, *GIS Tools Developed by Agencies*. In addition to the tools listed in Appendix B, agencies also use standard GIS software and publicly or commercially available libraries and datasets to produce maps and to undertake their analyses.

There are a few unmet needs by agencies for this Best Practice including:

- Refinement of existing spatial data.
- Development of a system that allows multiple agency experts to access data simultaneously.
- Increasing the staff proficiency in GIS tools.
- Better public-facing interface.
- Variable levels of publicly available data at a state and local level.

Best Practice Category 7: Creating and distributing training materials useful to Federal, State, Tribal, and local permitting officials

To evaluate Best Practice Category 7, FPISC-OED assessed agency progress in making improvements consistent with the following best practice: “Continue to create, refine, consolidate, and publicize online training resources on agency permitting processes.” FPISC-OED requested that the Agencies

¹⁸ <https://www.arcgis.com>

provide the total number of online training resources the agency created, improved, or publicized in FY 2017 on agency permitting processes, such as NEPA, including training resources both within their own agency and external to the agency (i.e., other Federal agencies; general public; project sponsors; and States, tribes, and local governments). Online training resources could include presentation slides, training videos, training modules, step-by-step processes, flowcharts, checklists, or recorded training sessions. As noted in the introductory section on Best Practices Implementation Results, results for Best Practice 7 are based on a data call and are assessed across agencies rather than by individual agency.

All agencies showed at least one new, renewed, or improved online training resource that was publicized, either internally or externally, to assist people in understanding what information is available and where that information is located. The list of the training resources by agency is provided in Appendix C, *Training Resources Available from Agencies*. The table also provides links (where possible) to the training materials. The agencies reported that they were publicizing the training materials via their websites, email and letters to staff, presentation materials, and webinars.

Best Practice Category 8: Addressing other aspects of infrastructure permitting, as determined by the Council

To evaluate Best Practice Category 8, FPISC-OED assessed agency progress in making improvements consistent with the following best practice: “Periodically assess and incorporate feedback from Federal, state, Tribal, and local governments, and stakeholders, as appropriate.” As noted in the introductory section on Best Practices Implementation Results, results for Best Practice 8 are based on a data call and are assessed across agencies rather than by individual agency.

FPISC-OED asked agencies how they periodically assess feedback from Federal, state, Tribal and local governments and stakeholders for the purpose of improving agency environmental review and authorization procedures to provide timely and efficient processes for large, complex infrastructure projects, especially FAST-41 covered projects. FPISC-OED also asked how agencies incorporate that feedback into environmental review and authorization processes and procedures to benefit FAST-41 covered projects or other large, complex infrastructure projects.

The key ideas from the agency responses can be summarized as:

- Some agencies are incorporating the comments received in consultation sessions with Tribal stakeholders into their procedures and practices. For example, ACHP is recirculating relevant ACHP Tribal consultation guidance and developing training webinars for Tribal consultation processes as a result of their report, *Improving Tribal Consultation in Infrastructure Projects*.¹⁹ DOE staff obtained feedback from stakeholders by attending multiple sessions at conferences focusing on Tribal issues; these are being incorporated to improve the environmental review and authorization process by clarifying requirements to expedite the NEPA process.
- Several agencies are using web-based tools to solicit information from stakeholders. For example, DOI/U.S. Fish and Wildlife Service received feedback from stakeholders of their web-based Information for Planning and Consultation (IPaC) tool to improve their processes on issues like types of projects to be developed using Endangered Species Act Section 7

¹⁹ <http://www.achp.gov/docs/achp-infrastructure-report.pdf>

programmatic consultations, improving the functionality in the production of Endangered Species Act species lists.

- Agencies also receive feedback on their processes and procedures during regularly scheduled workshops, conferences, and industry meetings. For example, DOT/Federal Railroad Administration (FRA) used its Annual Rail Program Delivery Meeting to solicit stakeholder feedback; FERC held a public workshop with representatives of the industry, Federal and state resource agencies, and non-governmental organizations and received feedback on improving review procedures; FERC staff members attend multiple industry workshops and conferences to provide updates and receive feedback.
- Agencies use the comments received from stakeholders during the normal course of their review process and interactions to get inputs, suggestions, and ideas for improving environmental review and authorization processes.

Chapter 2

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 based on 2 years of data.

“Recommended Performance Schedules for Environmental Reviews and Authorizations for FAST-41 Covered Infrastructure Projects,” published in January 2017,²⁰ established a generic model permitting timetable and laid the groundwork for future development of performance schedules so agency compliance with these schedules can be assessed. FPISC-OED continues to engage relevant agencies and the Permitting Dashboard team to gather the required 2 years of project-specific data to draft recommended performance schedules. The “Federal Environmental Review & Authorization Inventory” provides a list of commonly required reviews and authorizations for which FPISC-OED will develop a recommended performance schedule.²¹

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.”

²⁰Recommended Performance Schedules for Environmental Reviews and Authorizations for FAST-41 Covered Infrastructure Projects Report from January 2017, available at: <https://www.permits.performance.gov/sites/permits.performance.gov/files/docs/FPISC%20Performance%20Schedules-%20FINAL-%2001182017-final.pdf>

²¹ Federal Environmental Reviews and Authorizations Inventory (October 1, 2016) available at: <https://www.permits.performance.gov/tools/federal-environmental-review-and-authorization-inventory-excel>

The Executive Director, in consultation with the Permitting Council, must review and revise the recommended performance schedules “[n]ot later than 2 years after the date on which the performance schedules are established” and “not less frequently than once every 2 years thereafter...” 42 U.S.C. § 4370m-1(c)(1)(C)(iii).

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. Significant progress was made during FY 2017 by agencies in providing complete data on the Permitting Dashboard.

Since the beginning of FY 2017, FPISC-OED has worked with the lead and cooperating agencies to improve the data accuracy and completeness of permitting timetables on the Permitting Dashboard in the following ways:

1. FPISC-OED provided quarterly assessments throughout this calendar year (2017) to all agencies to help them address identified data gaps as compared to the FAST-41 Implementation Guidance. In addition, FPISC-OED met with lead and cooperating agencies to review the Permitting Dashboard information and answer questions.
2. FPISC-OED continues to improve the Permitting Dashboard, with technical support from DOT, through enhancements such as automated notifications to agencies when target completion dates are approaching.

In FY 2017, the average agency milestone conformance with the FAST-41 Implementation Guidance went from 55% in Quarter 2 to 92% in Quarter 4. FPISC-OED’s quarterly assessments and meetings with agencies also led to agencies adding permitting timetables for seven projects to the Permitting Dashboard. This was a 22% increase in projects with permitting timetables since FY 2016 and represents successful agency efforts to increase transparency on the Permitting Dashboard. As of the end of the FY 2017, 97% of FAST-41 projects have permitting timetables. Timetable data completeness and accuracy is critical to gathering the required 2 years of project-specific data in order to draft recommended performance schedules as required by FAST-41.



Chapter 3 Permitting Council Member Comments

Per 42 U.S.C. § 4370m-7(a)(3), each Permitting Council Member, with input from the respective agency Chief Environmental Review and Permitting Officer (CERPO), was given the opportunity to include comments concerning the performance of the agency in this Annual Report to Congress for FY 2017.

The Permitting Council agency comments for the Annual Report to Congress for FY 2017 are included in the following list. Permitting Council Members were not required to submit comment letters. The comment letters submitted to FPISC-OED are included on the following pages.

Agency	Date
United States Nuclear Regulatory Commission	Received on March 22, 2018
Federal Energy Regulatory Commission	Received on March 23, 2018
United States Department of Agriculture – United States Forest Service	Received on March 27, 2018


United States Nuclear Regulatory Commission comment letter received on March 22, 2018.



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

March 22, 2018

MEMORANDUM TO: Janet Pflieger, Acting Executive Director
Federal Permitting Improvements Steering Council
Office of the Executive Director

FROM: Michael R. Johnson /RA/ 
Deputy Executive Director for Reactors
and Preparedness Programs
U.S. Nuclear Regulatory Commission

SUBJECT: NRC COMMENTS ON FIXING AMERICA'S SURFACE
TRANSPORTATION ACT DRAFT FISCAL YEAR 2017 ANNUAL
REPORT TO CONGRESS

This memo provides the Nuclear Regulatory Commission's (NRC's) response to the Federal Permitting Improvements Steering Committee, Office of the Executive Director (FPISC-OED) draft Fiscal Year (FY) 2017 Annual Report to Congress (referred to as the *Annual Report*). The Annual Report is intended to assess agencies' progress in making improvements consistent with the *January 2017 Best Practices Report for FAST41* (referred to as the *BP Report*), in accordance with the Fixing America's Surface Transportation Act (FAST-41). The BP Report recommends a methodology to reduce the time it takes for Federal permitting decisions, and to improve environmental and community outcomes.

In the draft Annual Report, FPISC-OED assesses agencies' progress based on information from the Permitting Dashboard, Coordinated Project Plans (CPPs), and from data calls to agencies. The Annual Report also discusses best practices used by agencies to make improvements consistent with BP indices listed in FAST-41 and the BP Report. The Annual Report serves the purpose of increasing transparency and accountability by assessing each agency's progress in implementing these best practices and assessing compliance with performance schedules.

The NRC received scores of 0 percent for BP1 Public Outreach and BP3 Tribal Consultation. BP1 Public Outreach is defined in the Annual Report as the percentage of projects by the lead agency that had timetables listed on the Permitting Dashboards. BP3 Tribal Consultation is defined as the percentage of projects by the lead agency for which the CPP meets one of four requirements. NRC's scores on BP1 and BP3 were based on FPISC-OED's assessment of NRC's input to details on the non-public Comprehensive Project Plans. The NRC would like to provide context for these ratings and to note that, because NRC projects were essentially completed at the time of establishment of the original covered project inventory, the assessment does not reflect activities that already had been completed and documented in the publicly

CONTACT: Lawrence Burkhart, OEDO/AO
301-287-3775

United States Nuclear Regulatory Commission comment letter page two.

J. Pfleeger

2

available environmental impacts statements. As a result, I would like to provide the following for inclusion as the NRC Permitting Council member comments in the Annual Report:

The NRC was the lead agency for four covered projects for FAST-41 in Fiscal Year 2017 (FY17): the combined license application reviews for Levy Nuclear Plant Units 1 and 2 (referred to as Levy), North Anna Nuclear Power Station Unit 3 (referred to as North Anna), William States Lee III Units 1 and 2 (referred to as Lee), and Turkey Point Nuclear Station Units 6 and 7 (referred to as Turkey Point). The final environmental impact statements for Levy, North Anna, and Lee were completed prior to FY17 and prior to becoming covered under FAST-41. During FY17, the NRC staff completed reviews and issued licenses for the Levy, North Anna, and Lee projects, and made significant progress on the review of the Turkey Point project, including issuing the final EIS. While not explicitly captured in the Comprehensive Project Plans, for each of these projects the NRC conducted interactions with stakeholders, including the public and tribal organizations. The NRC documented these interactions in publicly available EISs in accordance with the NRC's established NEPA implementing procedures. As such, the NRC met all applicable requirements of the FAST-41 law, NEPA, and the Atomic Energy Act, as amended.

Thank you for the opportunity to comment on the Annual Report and to provide additional clarification on the status of NRC-led projects.

For more information or any inquiries please contact the NRC Chief Environmental Review and Permitting Officer, Robert M. Taylor at 301-415-1634 or Robert.Taylor@nrc.gov.

United States Federal Energy Regulatory Commission comment letter received on March 23, 2018.

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF THE CHAIRMAN

Janet Pfleeger
Acting Executive Director
Federal Permitting Improvement Steering Council
Office of the Executive Director
1800 F St, NW, Suite 3017
Washington, DC 20405

RE: Comments on Annual Report to Congress for FY2017

Dear Ms. Pfleeger:

This letter is in response to your request for comments on the Annual Report to Congress for FY 2017 for Title 41 Fixing America's Surface Transportation Act (FAST-41). These comments are being provided to the Federal Permitting Improvement Steering Council- Office of the Executive Director (FPISC-OED).

As indicated in the FY2017 Annual Report, the Federal Energy Regulatory Commission has maintained a high quality of data management on the Permitting Dashboard and effectively implemented the best practices. After receiving the draft report, Commission staff worked with your office to clarify and resolve any discrepancies pursuant to the FAST-41 Implementation Guidance in a timely manner. As of March 22, 2018, all deficiencies identified by FPISC-OED have been corrected.

Thank you for the opportunity to comment on the FAST-41 FY 2017 Annual Report to Congress. If I can be of further assistance to you on this or any other Commission matter, please let me know.

Sincerely,



Anthony J. Pugliese
Chief of Staff

United States Department of Agriculture – United States Forest Service comment letter received on March 27, 2018.



Forest
Service

Washington
Office

1400 Independence Avenue, SW
Washington, DC 20250

File Code: 2720
Route To:

Date: March 26, 2018

Subject: Response to FAST-41 Annual Report to Congress

To: Janet Pfleeger
Acting Executive Director
Federal Permitting Improvement Steering Council
Office of the Executive Director (OED)
1800 F St, NW, Suite 3017
Washington, DC 20405

Dear Director Pfleeger

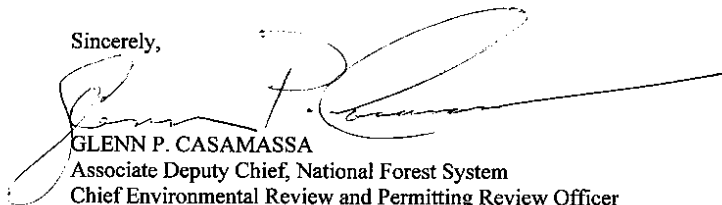
The USDA Forest Service currently cooperates on five, FAST-41 major infrastructure projects that are tracked on the Federal Permitting Dashboard and serves as lead agency on one project, Kake to Petersburg Transmission Line. Kake to Petersburg was closed in late 2016 after the agency rendered a decision to approve the project, and then the project sponsor decided not to proceed due to funding issues. The agency has made environmental or permitting decisions on three of the five cooperating projects.

The 2017 FAST-41 Annual Report to Congress identifies two areas where the Forest Service achieved less than 100 percent in meeting dashboard reporting requirements, in accordance with Federal Permitting Improvement Steering Council Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects, which became effective in 2017.

The report states that the agency did not have a completed permitting table for Kake to Petersburg in accordance with Best Practice Category 1 and did not timely update all milestones related to cooperating projects in accordance with Best Practice Category 2. Since those deficiencies were identified, the Forest Service dashboard administrator has updated both the permitting timetable and project milestone entries. The agency will continue to work with FPISC, other agencies, project sponsors and Forest Service field units to expedite permitting and provide transparency on current and future dashboard projects.

If you have questions regarding this letter, please contact Greg Smith at 202-205-1769/
gsmith08@fs.fed.us or Reggie Woodruff at 202-205-1196/ rwoodruff@fs.fed.us.

Sincerely,



GLENN P. CASAMASSA
Associate Deputy Chief, National Forest System
Chief Environmental Review and Permitting Review Officer

Cc: Dan Jiron, Angela Coleman, Leslie Weldon, Greg Smith, and Miriam Mazel



America's Working Forests – Caring Every Day in Every Way



Appendix A: Agency Performance Scorecards for FY 2017

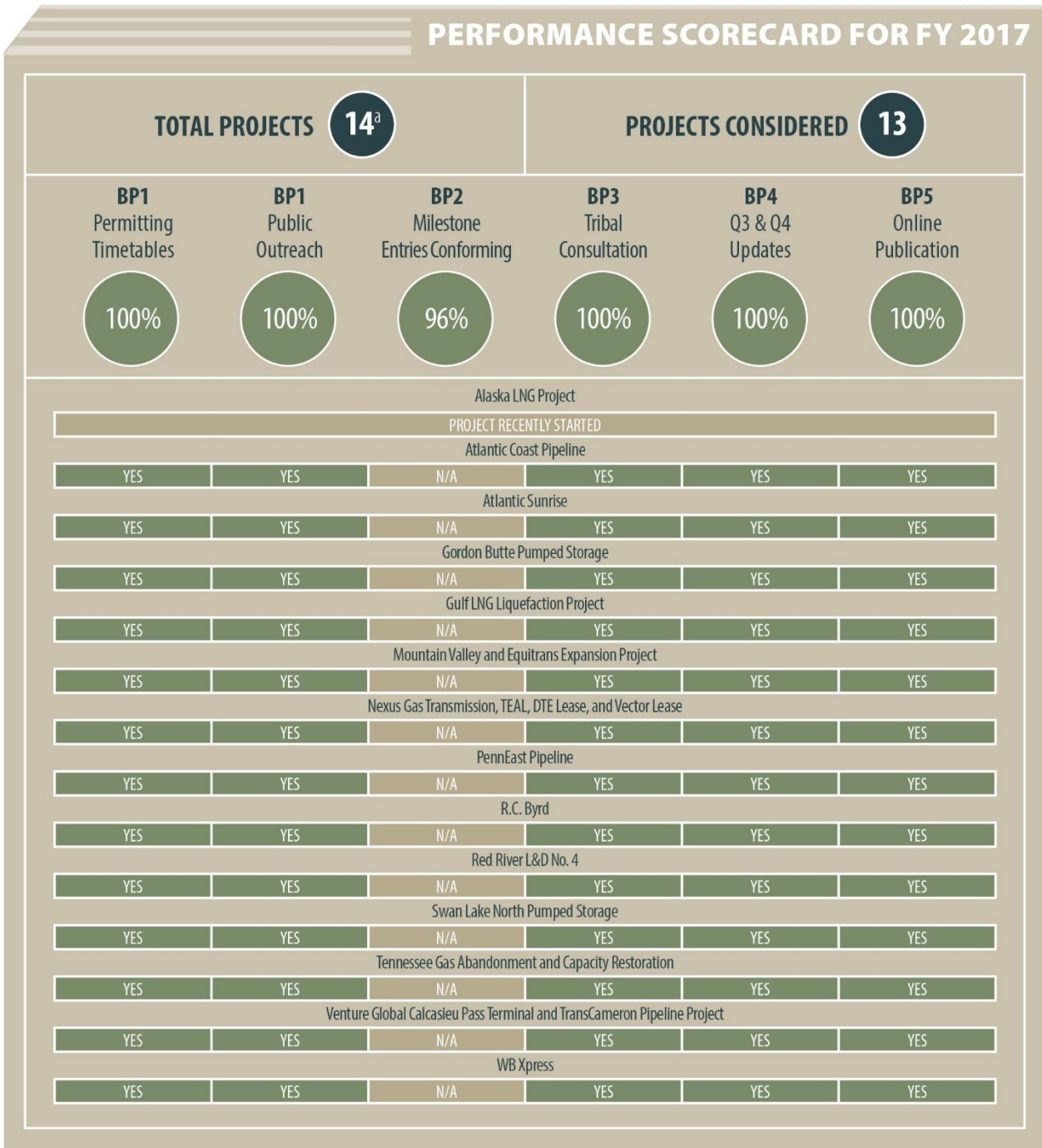
The 11 agency Performance Scorecards²² are on the following pages. Each agency is represented in the order they are listed in the overall Performance Scorecard in Table 1.

Each of the projects in the agency scorecards shows Not Applicable “N/A” for Best Practice 2. Best Practice 2 was assessed at the level of the agency responsible for the environmental review or authorization and the agency score is based on all the projects in which they are responsible for reviewing/approving specific milestones. The projects that the agency is responsible for may or may not be listed on the project set shown for the agency. Likewise, each of the projects listed on an agency Scorecard may have multiple agencies that are responsible for specific milestones.

²² The assessment does not include CEQ, GSA, and OMB because they do not have any authority for environmental reviews or authorizations for FAST-41 covered projects.

FEDERAL ENERGY REGULATORY COMMISSION

PERFORMANCE SCORECARD FOR FY 2017



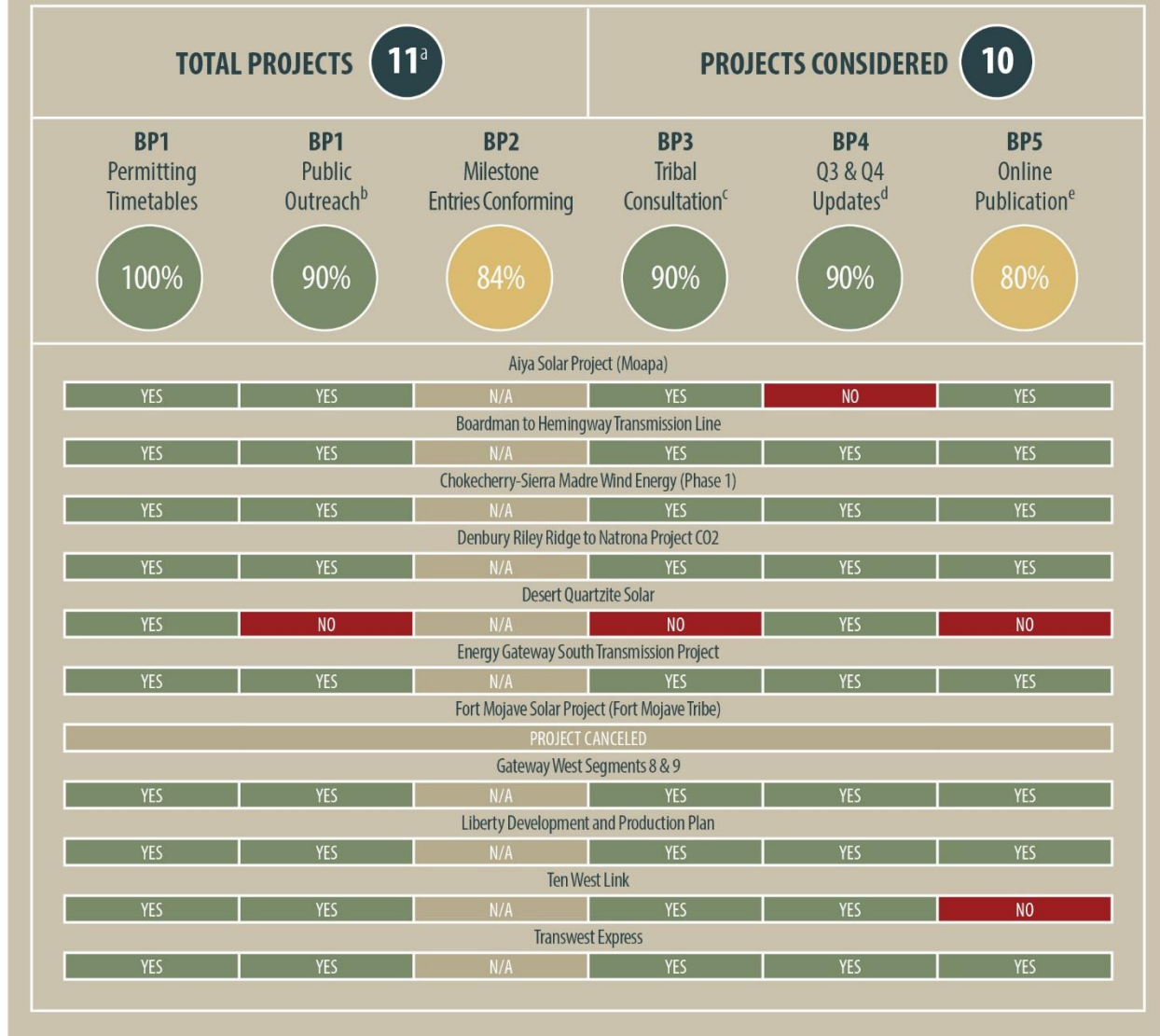
NOTES

^a The Alaska LNG Project was published on the Permitting Dashboard on 8/22/2017. FERC had 60 days to provide the information which was beyond the FY 2017 assessment period.

≥90%
 50–89%
 ≤49%
 N/A

DEPARTMENT OF THE INTERIOR

PERFORMANCE SCORECARD FOR FY 2017



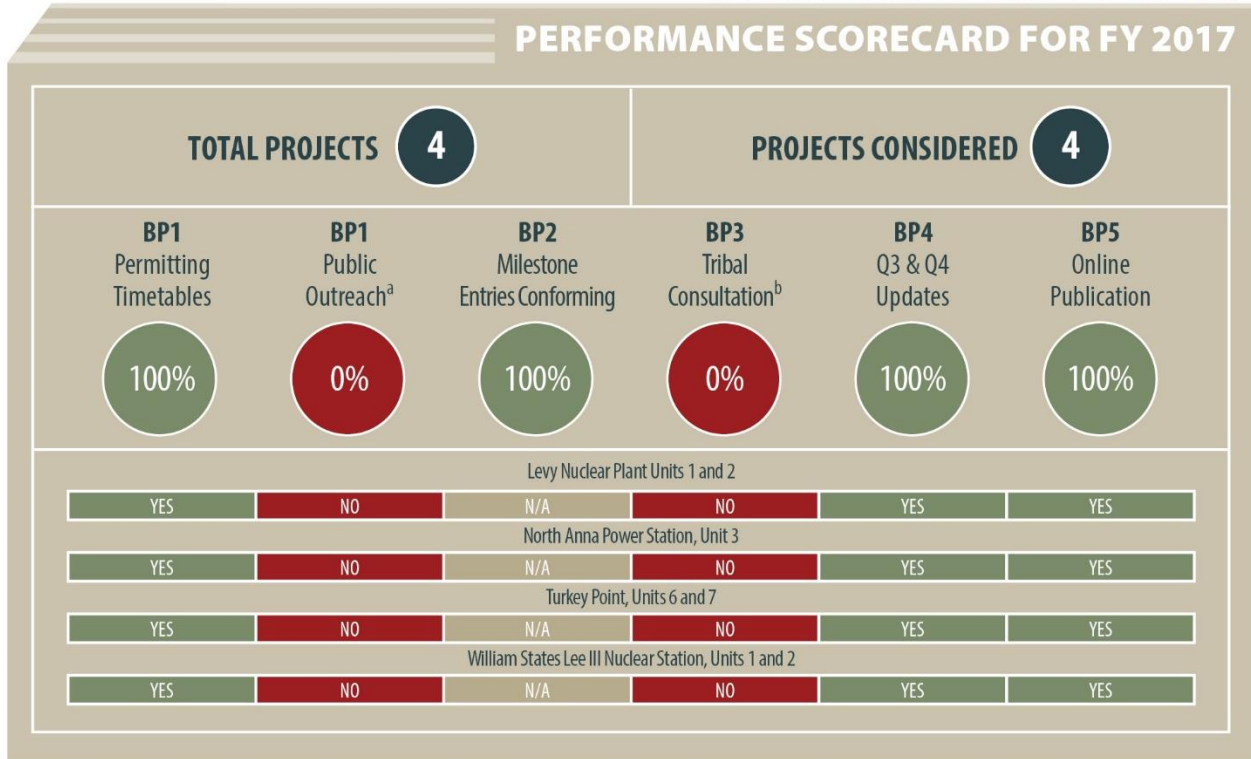
NOTES

- ^a The Fort Mojave Solar Project was canceled and thus not considered in the analysis.
- ^b Details or links to a section/page number in a document with details of public outreach were not included in the CPP for the Desert Quartzite Solar Project. While this score indicates incomplete information in the CPP, per the instructions in the assessment methodology, this score does not indicate whether outreach was completed for this project.
- ^c Details or links to a section/page number in a document with details of Tribal involvement were not included in the CPP for the Desert Quartzite Solar Project. While this score indicates incomplete information in the CPP, this score does not indicate whether Tribal consultations were completed for this project, as required by Federal Law.
- ^d The Aiya Solar Project did not have an update to the Permitting Dashboard in Q3–FY 2017.
- ^e The Desert Quartzite Solar Project and Ten West Link Project do not have substantial documents published at the end of Q4–FY 2017. Substantial documents are defined by OED as those permitting-related documents that could materially affect the project (for example, the Project Application, the Notice of Intent, the Notice of Availability of the NEPA documents, the Draft and Final EIS, etc.). Note that the Ten West Link Project has links to online documents at the time of drafting of this report (12/2017).

≥90%
 50–89%
 ≤49%
 N/A

NUCLEAR REGULATORY COMMISSION

PERFORMANCE SCORECARD FOR FY 2017



NOTES

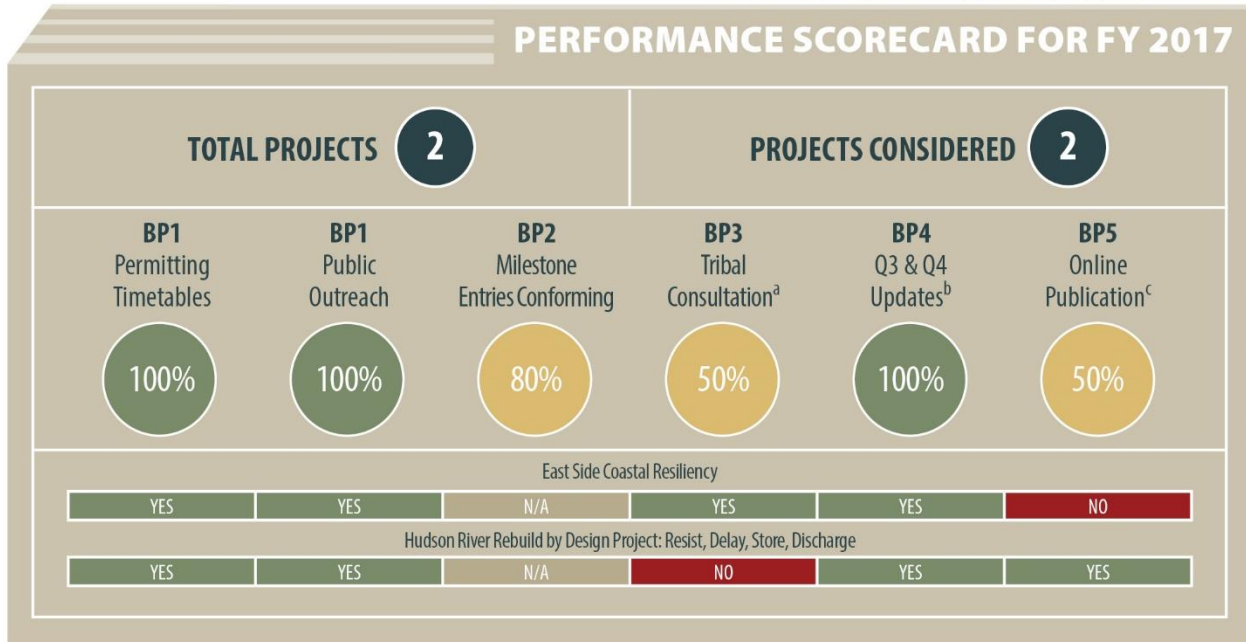
^a Details or links to a section/page number in a document with details of public outreach were not included in the CPPs for the NRC projects. While this score indicates incomplete information in the CPP, per the instructions in the assessment methodology, this score does not indicate whether outreach was completed for this project.

^b While this score indicates incomplete information in the CPP, this score does not indicate whether Tribal consultations were completed for this project, as required by Federal law.

≥90%
 50–89%
 ≤49%
 N/A

HOUSING AND URBAN DEVELOPMENT

PERFORMANCE SCORECARD FOR FY 2017



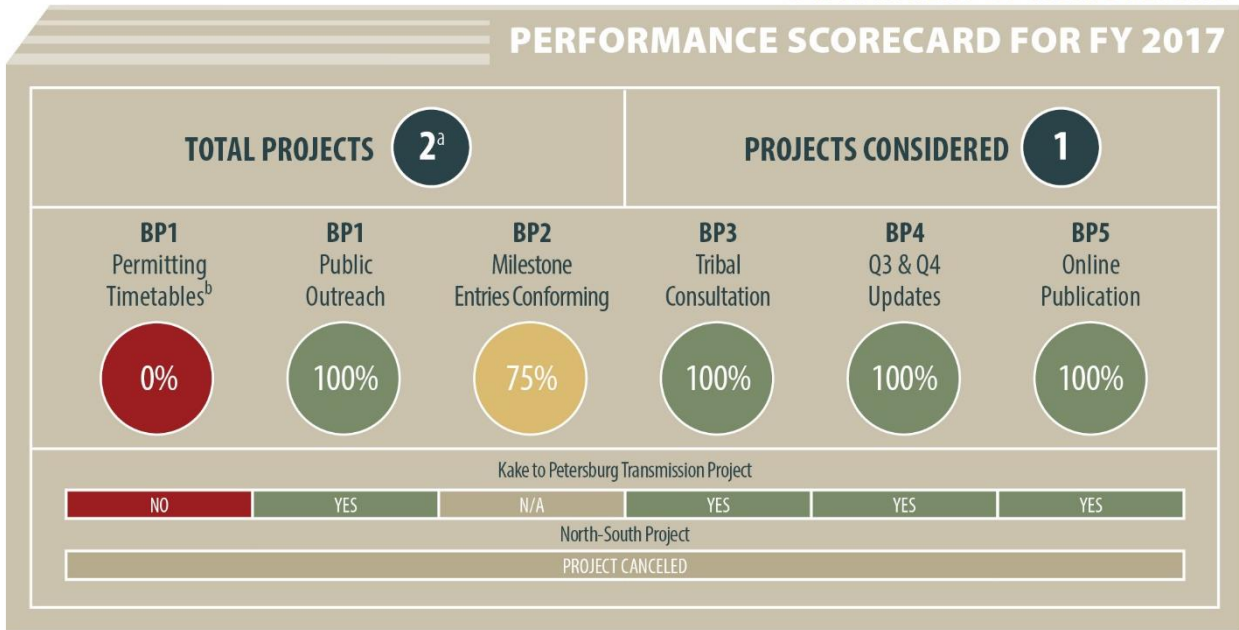
NOTES

- ^a While this score indicates incomplete information in the CPP, this score does not indicate whether Tribal consultations were completed for this project, as required by Federal law.
- ^b An adjusted metric is used for HUD for BP4. HUD was not informed of the need to provide a quarterly update until late in Q3–FY 2017. Therefore, HUD is being evaluated only for Q4–FY 2017.
- ^c No substantial document was published for the East Side Coastal Resiliency Project. Substantial documents are defined by FPISC-OED as those permitting-related documents that could materially affect the project (for example, the Project Application, the Notice of Intent, the Notice of Availability of the NEPA documents, the Draft and Final EIS, etc.).

≥90%
 50–89%
 ≤49%
 N/A

DEPARTMENT OF AGRICULTURE

PERFORMANCE SCORECARD FOR FY 2017



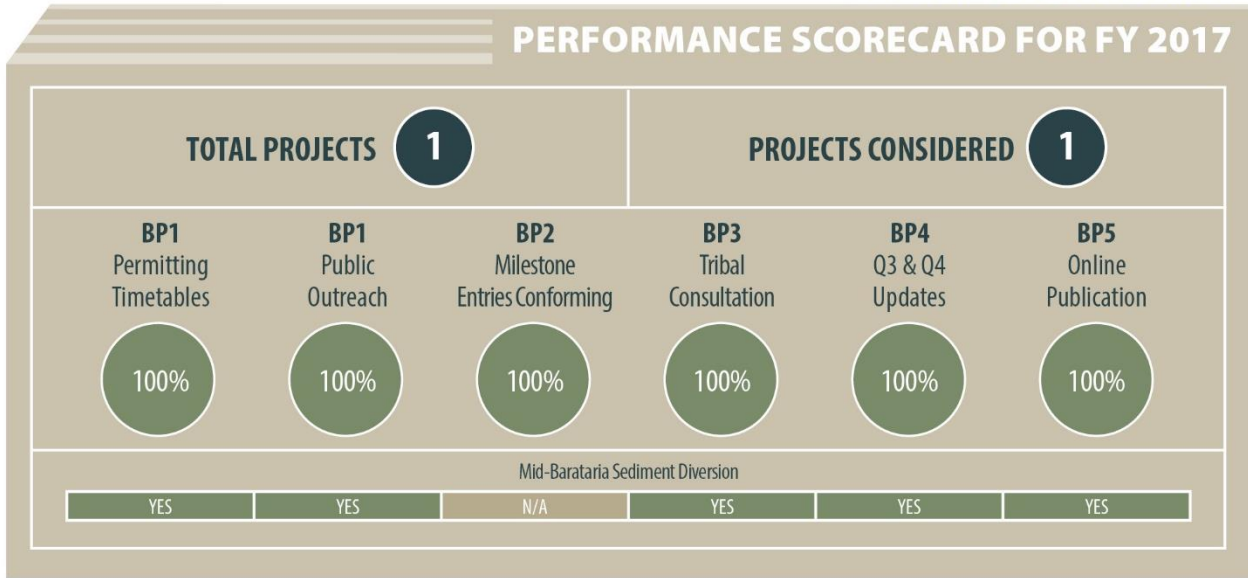
NOTES

- ^a The North–South Project was canceled and thus not considered in the analysis.
- ^b The Kake to Petersburg Transmission Project lacks a Permitting Timetable.

≥90%
 50–89%
 ≤49%
 N/A

DEPARTMENT OF THE ARMY

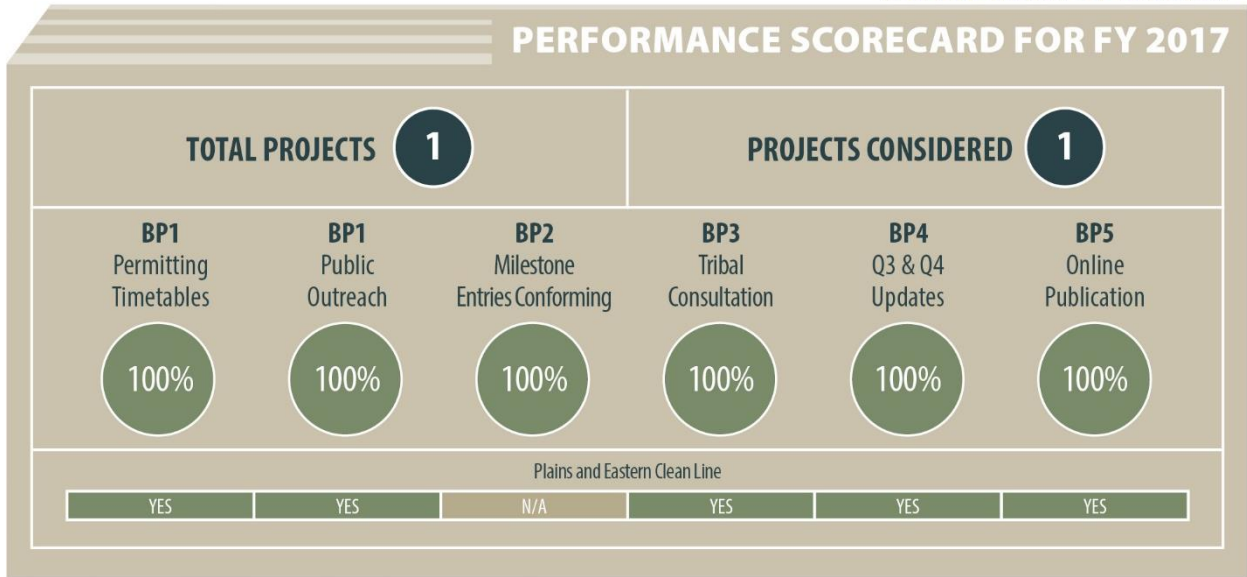
PERFORMANCE SCORECARD FOR FY 2017



≥90%
 50–89%
 ≤49%
 N/A

DEPARTMENT OF ENERGY

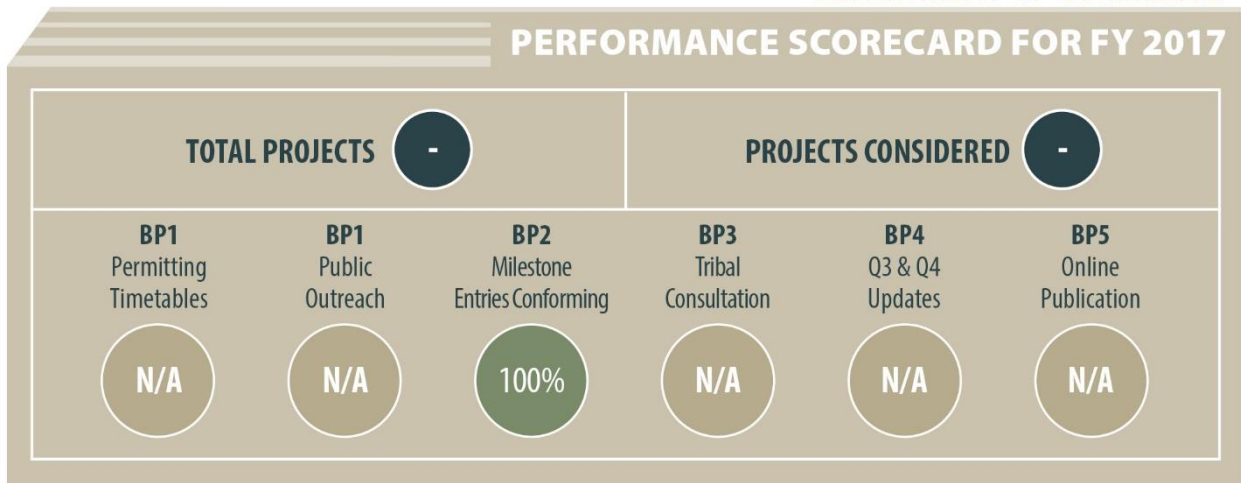
PERFORMANCE SCORECARD FOR FY 2017



≥90%
 50–89%
 ≤49%
 N/A

DEPARTMENT OF COMMERCE^a

PERFORMANCE SCORECARD FOR FY 2017



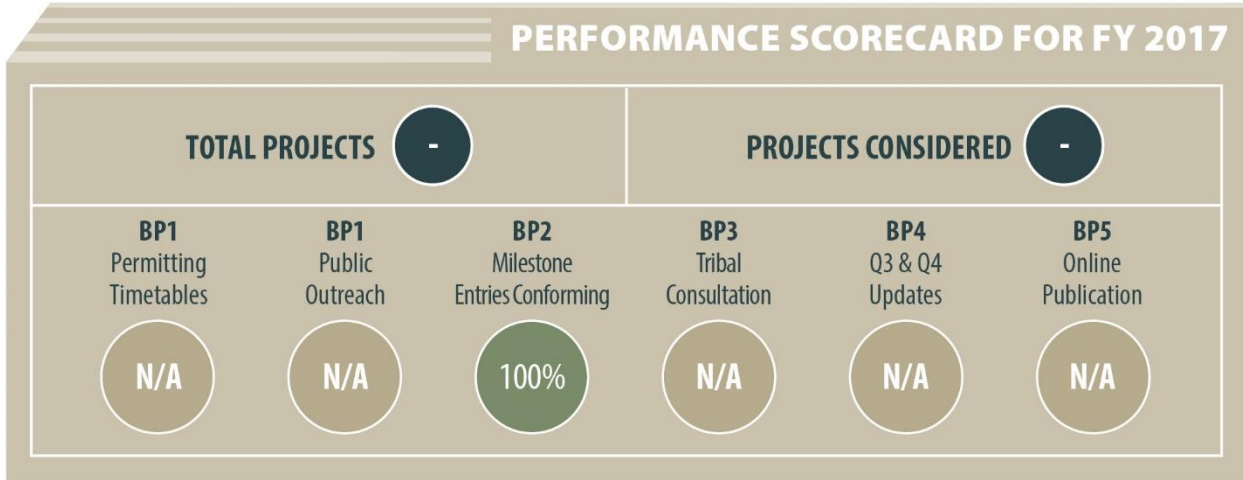
NOTES

^a While Commerce did not serve as lead agency for any FAST-41 projects in FY 2017, they did have environmental reviews or authorizations for FAST-41 projects in which other agencies served as lead. Consequently, Commerce is assessed on BP2 Milestone Entries Conforming with FAST-41 Guidance.



DEPARTMENT OF TRANSPORTATION^a

PERFORMANCE SCORECARD FOR FY 2017



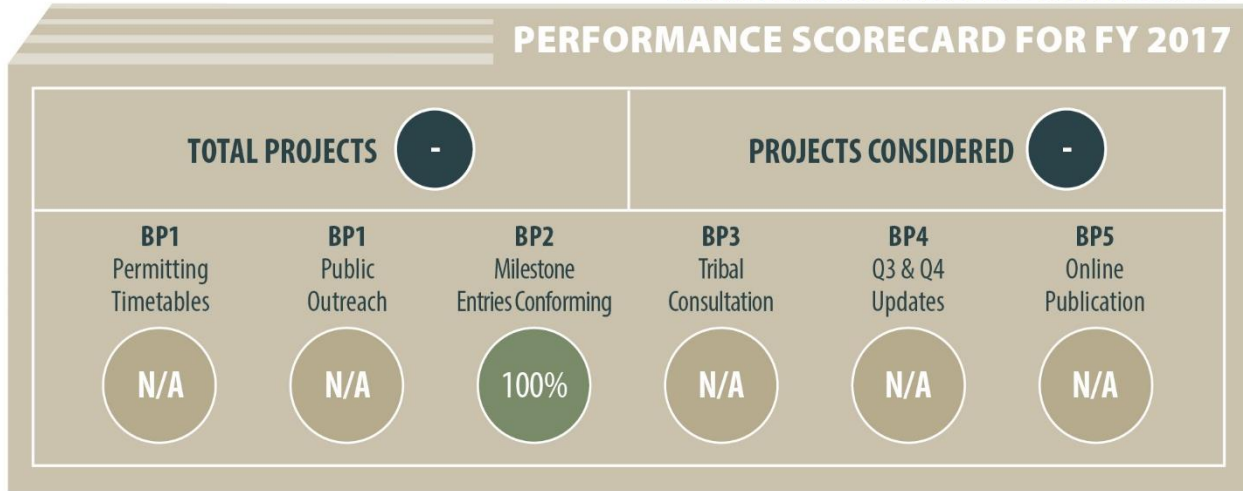
NOTES

^a While DOT did not serve as lead agency for any FAST-41 projects in FY 2017, they did have environmental reviews or authorizations for FAST-41 projects in which other agencies served as lead. Consequently, DOT is assessed on BP2 Milestone Entries Conforming with FAST-41 Guidance.

 ≥90%  50–89%  ≤49%  N/A

ENVIRONMENTAL PROTECTION AGENCY^a

PERFORMANCE SCORECARD FOR FY 2017



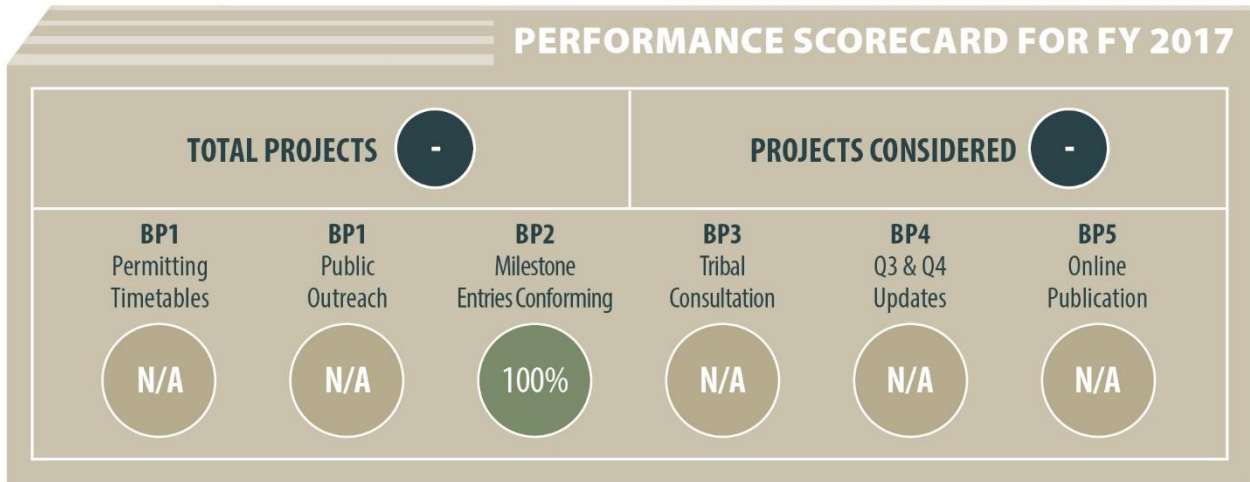
NOTES

^a While EPA did not serve as lead agency for any FAST-41 projects in FY 2017, they did have environmental reviews or authorizations for FAST-41 projects in which other agencies served as lead. Consequently, EPA is assessed on BP2 Milestone Entries Conforming with FAST-41 Guidance.

 ≥90%  50–89%  ≤49%  N/A

DEPARTMENT OF HOMELAND SECURITY^a

PERFORMANCE SCORECARD FOR FY 2017



NOTES

^a While DHS did not serve as lead agency for any FAST-41 projects in FY 2017, they did have environmental reviews or authorizations for FAST-41 projects in which other agencies served as lead. Consequently, DHS is assessed on BP2 Milestone Entries Conforming with FAST-41 Guidance.

 ≥90%  50–89%  ≤49%  N/A

Appendix B: GIS Tools Developed by Agencies

The following table provides an overview of the GIS tools developed by agencies to aid in the environmental reviews and authorizations of projects covered under FAST-41. The data presented in the table is a summarized and condensed version of the information provided by the agencies as response to the data call to the agencies.

Agency	Tools and Datasets Relevant to Environmental Permitting
ACHP	The ACHP has pursued the development and enhancement of technological tools as a partner with State Historic Preservation Officers (SHPOs) and their national organization, the National Conference of State Historic Preservation Officers (NCSHPO) and the National Park Service (NPS), which supports SHPOs' work in carrying out their National Historic Preservation Act responsibilities, including the maintenance of survey information about historic properties in their states.
Commerce / NOAA	EFH Mapper provides the public and other resource managers an interactive platform for viewing a spatial representation of Essential Fish Habitat and habitat areas of particular concern.
DOA / USACE	Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS) which provides information on the availability of mitigation banks and ILF Programs for applicants whose projects require compensatory mitigation.
DOD	The DoD Siting Clearinghouse has several maps and various GIS layers that are made available to energy developers for project planning.
DOE	<ul style="list-style-type: none"> • Energy Zones Mapping Tool (EZMT): The EZMT was developed to assist with energy resource and transmission corridor planning. It is the first and only public geospatial tool providing robust tools for suitability mapping of energy generation technologies and energy corridor analysis and route modeling. • RAPID - Regulatory and Permitting Information Desktop Toolkit. The RAPID Toolkit provides one publicly available location for agencies, developers, and industry stakeholders to work together on federal and state energy and bulk transmission regulatory processes by using a wiki environment to share permitting guidance, regulations, contacts, and other relevant information. • U.S. Energy Mapping System: U.S. Energy Information Administration (EIA)'s energy mapping system is a data-intensive visual reference tool that includes several map layers defining energy infrastructure components across the United States.
DOI	IPaC, Marinecadastre, Tessel and BLM Navigator tools were designed to be comprehensive and assist with all aspects of the review and permitting processes. MarineCadastre.gov products were designed for use by Federal regulatory agencies, but are also useful to those looking to assess suitability for ocean uses, such as energy siting.
DOT	Federal Aviation Administration (FAA): <ul style="list-style-type: none"> • Aviation Environmental Design Tool (AEDT), the required tool for analyzing impacts from aviation noise and emissions sources. The publicly-available model now includes a methodology that leverages census data published by the American Community Survey

Agency	Tools and Datasets Relevant to Environmental Permitting
	<p>to assist in the identification of demographic areas of interest.</p> <ul style="list-style-type: none"> • The Geospatial Evaluation Tool with Integrated Technology (GETIT) is a geospatial screening tool that provides the proximity of federally available resources around Environmental Cleanup Program sites within specific areas of concern. • The Environmental Visualization Tool (EVT) will integrate a similar database of federally available resources to support early identification of potential environmental concerns for airport development projects and flight procedure implementation. <p>Federal Highway Administration (FHWA):</p> <ul style="list-style-type: none"> • Eco-Logical: FHWA encourages the use of the Eco-Logical Approach. It utilizes GIS as a basis for characterizing resource status, creating a regional ecosystem framework and assess effects on conservation objectives. The Eco-Logical approach organizes current methods for natural resource identification, avoidance, minimization, and mitigation into a 9-step systematic process. More than 35 transportation agencies are using the approach to guide transportation planning and project development. • The Federal Lands Highway (FLH) Road Inventory Program and Bridge Inventory Program collect and manage geospatially located data pertaining to road and bridge facilities located on Federal Land Management Agency partner lands. These data are used to support programming, scoping and design of infrastructure projects on federally-owned lands. In addition, contract deliverables from wetland delineations, species and habitat surveys, and cultural resource surveys include GIS data that are used in NEPA analysis and permitting.
EPA	<ul style="list-style-type: none"> • Clean Water Act (CWA) Water Quality Assessment and TMDL Tracking (ATTAINS) is a GIS tool with point and click maps that provide information about conditions in surface waters across the country, based on data reported to EPA. • NEPAassist, a GIS mapping tool developed by EPA, is designed to help promote collaboration and early involvement in the NEPA process by highlighting important environmental issues at the earliest stages of project development. • Environmental Justice Mapping and Screen Tool (EJ Screen). EPA uses a web-based tool, EJSCREEN, to screen geographic locations for potential impacts that may be faced by environmental justice communities due to existing or proposed facilities or pollution sources.
FERC	<ul style="list-style-type: none"> • FERC provides maps of pending and issued preliminary permits and pending licenses for pumped storage projects, which can be used by project developers when considering project locations • FERC provides lists of all pending and issued preliminary permits and pending licenses for hydropower projects, which can be used by project developers when considering project locations • FERC provides a state-specific, online consultation tool for hydropower projects that assists applicants with early consultation efforts with federal, state, and interstate resource agencies; Indian tribes; and non-government agencies. • FERC provides maps of existing, approved, and proposed import and export LNG Terminals in North America, which can be used by project developers when considering project locations.
HUD	<p>Tribal Directory Assessment Tool (TDAT) is an on-line tool to quickly provide information needed to comply with the National Historic Preservation Act (NHPA) which requires federal agencies to review their projects for impacts to historic and archeological resources.</p>
NRC	<p>The NRC technical staff utilizes publicly available GIS tools via the internet developed by</p>



Agency	Tools and Datasets Relevant to Environmental Permitting
	other Federal and state agencies such as EPA's NEPAassist and Environmental Justice Screening and Mapping Tool – EJSCREEN (formerly EJView), the US Census Bureau's American FactFinder, the Missouri Census Data Center's Circular Area Profiles (CAPS), USDA's Census of Agriculture, and others. NRC also uses the EARRTH SharePoint site's public comment response database tool.
USDA	Land Status and Encumbrance map service viewer uses geospatial tools and available geospatial data sets for management and depiction of National Forest System land.

Appendix C: Online Training Resources Available from Agencies

Agency	Training Title	New, Reviewed, or Improved	Intended Audience	Link to material (if available)	Method of Publicizing the Training Material
ACHP	Basics of NEPA and Section 106 Integration (online, on-demand)	New	General public, other agencies, project sponsors, state, local, and Tribal governments, consultants, preservation stakeholders	Available free on https://achp.golearnportal.org	Website, email blast, e-newsletter, direct contact to industry/trade associations
ACHP	Coordinating NEPA and Section 106 (online, on-demand)	New	Other agencies, project sponsors, state, local, or Tribal governments, consultants, preservation stakeholders	Available for a fee on https://achp.golearnportal.org	Website, email blast, e-newsletter, direct contact to industry/trade associations
ACHP	Successfully Navigating Section 106 Review: An Orientation for Applicants (online, on-demand)	Reviewed/publicized	Project sponsors are primary audience. Also useful to other agencies, state, local, and Tribal governments and consultants.	Available for a fee on https://achp.golearnportal.org	Website, email blast, e-newsletter, direct contact to industry/trade associations
ACHP	Innovative Approaches to Section 106 Mitigation (webinar)	Reviewed/publicized	Other agencies, project sponsors, state, local, and Tribal governments, consultants, preservation stakeholders		Website, email blast
ACHP	Understanding 800.12: Disaster Response and Emergencies (webinar)	Reviewed/publicized	Other agencies, project sponsors, state, local, and Tribal governments, consultants, preservation stakeholders		Website, email blast
ACHP	Managing Confidential Information and Section 304 (webinar)	Reviewed/publicized	Other agencies, project sponsors, state, local, and Tribal governments, consultants, preservation stakeholders		Website, email blast
Commerce / NOAA	FAST-41 Briefing	New	Intra-agency. Developed to ensure basic understanding of the FAST-41 process and requirements across NOAA	N/A. On the agency internal Google Drive and accessible by all agency staff.	Presentations given to headquarters and regional agency leadership; emailed to staff involved in FAST-41 projects. Living document updated periodically.
Commerce / NOAA	FAST-41 NOAA Fisheries internal guidance	New	Intra-agency. Developed to endure a consistent internal process for timeline and CPP development (with leadership	N/A. On the agency internal Google Drive and accessible by all agency staff.	Presentations given to headquarters and regional agency leadership; emailed to

Agency	Training Title	New, Reviewed, or Improved	Intended Audience	Link to material (if available)	Method of Publicizing the Training Material
			clearance procedures) for NOAA Fisheries.		staff involved in FAST-41 projects. Living document updated periodically.
Commerce / NOAA	ESA and MSA (Essential Fish Habitat) Training at Nuclear Regulatory Commission	New	Inter-agency and public stakeholders. Developed to ensure understanding of the ESA and MSA (EFH) consultation process involved with subsequent license renewal.	https://www.nrc.gov/pmns/mtg?do=details&Code=20170685	Meeting notice and materials posted on public website.
Commerce / NOAA	Marine Mammal Protection Act (MMPA) Incidental Take Authorization (ITA) Process	Improved	Inter-agency and state governments. This training has been provided to State DOTs, and is updated and provided on an ongoing basis to ensure a basic understanding of the Incidental Take Authorization process under the MMPA. It was also provided to BOEM this year during a workshop on offshore wind development.	N/A	Training availability was shared with state DOTs and BOEM.
Commerce / NOAA	NOAA Fisheries Office of Protected Resources Website	Improved (new content added under Recent News and Hot Topics throughout FY17)	General public, other agencies, project sponsors, and state, local, or Tribal governments. A suite of online resources that provide project applicants and/or Federal agencies with the information necessary to understand the ESA and MMPA laws and processes, and enable them to effectively and efficiently engage with NOAA Fisheries. The website's main page also provides current news and a list of opportunities to comment on NOAA Fisheries' actions.	http://www.nmfs.noaa.gov/pr/index.htm	Online; public website.
Commerce / NOAA	NOAA Fisheries Regions; ESA Section 7 Guidance Online	Improved	General public, other agencies, project sponsors, and state, local, or Tribal governments. A suite of online resources that provide project applicants and/or Federal agencies with the information necessary to understand the ESA section 7 process and enable them to effectively and efficiently engage with NOAA Fisheries during consultation.	Southeast Regional Office: http://sero.nmfs.noaa.gov/protected_resources/section_7/consultation_submittal/index.html Greater Atlantic Regional Fisheries Office: https://www.greateratlantic.fisheries.noaa.gov/protected/section7/guidance/consultation/	Online; public website.

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				Alaska Regional Office: https://alaskafisheries.noaa.gov/pr/esa-section-7-technical-guidance West Coast Regional Office: http://www.westcoast.fisheries.noaa.gov/habitat/complying_with_the_esa.html Pacific Islands Regional Office: http://www.fpir.noaa.gov/PRD/prd_esa.html	
DHS	Plan Sheet Checklist	New	Internal job aides	Internal Link	Online Portal
DHS	Public Notice Checklist	New	Internal job aides	Internal Link	Online Portal
DHS	FHWA and U.S. Coast Guard (USCG) Coordination: FHWA/USCG MOA & FHWA/FTA/FRA/USCG/MOU	New	FHWA, USCG, state DOTs	Internal Link	Online Portal
DOA/USACE	FAST-41 Training	New and improved	Internal	N/A (internal only)	Use of email and regularly scheduled calls and webinars for throughout HQ, MSCs and district offices to inform and raise awareness of FAST 41 and related requirements and dashboard projects.
DOA/USACE	RGL 16-01: Jurisdictional Determinations	New	Internal and External	Recorded webinars internal only RGL at: http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl_16-01_app12.pdf?ver=2016-11-01-091706-840	Latest news on External Website: http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/ Internal Only: E-mail to "reg-all". Recorded webinars posted on the Regulatory Information

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					Exchange SharePoint Site
DOD	Streamlining Federal Permitting and Approvals for Infrastructure Projects	New	Intra-agency and general public	http://www.denix.osd.mil/fpisc/home/	Intra agency briefings and email
DOE	RAPID Toolkit – Midwest Governor’s Association Grid Modernization: Understanding Technology Advancements October 5-6, 2016	New	State and local governments	RAPID Toolkit: Midwestern Unveiling http://www.midwesterngovernors.org/Transmission.htm	The MGA shares training opportunities with its broad membership. Information is also published online.
DOE	Environmental Justice and NEPA Training: Making Connections November 1, 2016	New	Federal intra-agency	Provided in-person and also via webinar.	Internal email notifications. Shared with all DOE NEPA Compliance Officers and published intra-agency
DOE	National Association of Regulatory Commissioners – National Council on Electricity Policy (NCEP) Energy Zones Mapping Tool (EZMT) – Status and State Use Siting Panel May 12, 2017	New	State agencies, energy offices, and public utility commissions	Provided in-person and also via webinar. https://attendee.gotowebinar.com/register/808014984557581827	NCEP shares training opportunities with its broad membership. Information is also publicized online at http://electricitypolicy.org Also, publicized through various email lists. For example, DOE - OE/TPTA shared with its technical assistance
DOE	DOE Pilot Environmental Justice & NEPA Training and Workshop: A Focus on the Promising Practices for Environmental Justice	New	Intra-agency on NEPA max.gov intranet, other agencies, contractors	Only available intra-agency, or by request	Intra-agency published

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	Methodologies in NEPA Reviews. Western Area Power Administration/ Desert Southwest Region January 10, 2017				
DOE	EZMT – Advanced Research Projects Agency-Energy (ARPA-E) Energy Innovation Summit February 27-March 1 2017	New	Audiences include all of the above	Available on the EZMT website at https://ezmt.anl.gov/ and on our YouTube channel at https://www.YouTube.com/watch?v=9ACz4ZVDVg0 .	Video and fact sheet made available to attendees of the conference. Also, posted to the EZMT website and our EZMT YouTube channel.
DOE	Energy Zones Mapping Tool (EZMT) Webinars and Demonstrations	Improved	A variety of user groups, including Federal, local, and state government; private companies; public service commissions; planning organizations; Regional Transmission Organizations; public power; education; national laboratories; utilities; non-governmental organizations; trade organizations; and consultants	<ul style="list-style-type: none"> • EZMT: Status Update and Discussion of Potential Next Steps, for the Western Electricity Coordinating Council, Environmental Data Working Group (January 6, 2017) • EZMT – Overview and Recent Activities, for the Edison Electric Institute, February 6, 2017 • EZMT: Status and State Use, for the National Council on Electricity Policy Annual Meeting (May 12, 2017) • Using the EZMT to Analyze Energy Development Siting Factors, for the Electric Power Research Institute (July 11, 2017) • One-on- one trainings/meetings with the NPS, BLM, USACE, DOD, Donaana County, Arizona, and California Energy Commission <p>There are help resources on the EZMT homepage at http://ezmt.anl.gov, and the EZMT YouTube Channel has training videos and recorded webinars at https://www.YouTube.com/chan</p>	Email notifications are provided to all registered users of the tool, as well as promoted on the website and through newsletters. User groups share with their membership. User groups contact DOE to request training.

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				nel/UC02v8LK0W_oaU3Vnoi9ExjQ	
DOI	Developing a Biological Assessment	Reviewed	Other agencies, project sponsors, state, local, or Tribal governments	https://nctc.fws.gov/courses/csp/csp3153/resources/index.html	In Person and via other training products
DOI	Information for Planning and Consultation (IPaC)	Improved	Intra-agency, general public, other agencies, project sponsors, state, local, or Tribal governments	https://ecos.fws.gov/ipac/	In person, online, handouts and via other training products
DOI	Streamlining Infrastructure Permitting (Webinar)	New	Intra-agency	N/A	Email, newsletter, flyers
DOI	Integrating NEPA in Fish and Wildlife Activities On-line class	Improved	Intra-agency, BLM, NPS	https://training.fws.gov/NCTCWeb/catalog/CourseDetail.aspx?CourseCodeLong=FWS-CSP3124	Online, National Conservation Training Center
DOI	Migratory Bird Conservation for Federal Partners	Improved	Intra-agency, other agencies	https://training.fws.gov/nctcweb/catalog/CourseDetail.aspx?CourseCodeLong=FWS-CSP2108	Online, National Conservation Training Center
DOI	Management of Oil and Gas Activities On National Wildlife Refuge System Lands	Improved	Intra-agency, other agencies	https://training.fws.gov/nctcweb/catalog/CourseDetail.aspx?CourseCodeLong=FWS-CLM7196	Online, National Conservation Training Center
DOI	Interagency consultation for Endangered Species	Reviewed	Intra-agency, other agencies, general public	https://training.fws.gov/nctcweb/catalog/CourseDetail.aspx?CourseCodeLong=FWS-CSP3116	Online, National Conservation Training Center
DOT/ FAA	NEPA training course for EPSs that support aviation infrastructure development projects	Improved	FAA environmental staff	N/A	N/A
DOT/ FHWA	NEPA Assignment	New	Program & Project Delivery Discipline (internal FHWA)	N/A	Email and SharePoint
DOT/ FHWA	Section 4(f)	New	Program & Project Delivery Discipline (internal FHWA)	N/A	Email and SharePoint
DOT/ FHWA	Tribal Consultation Best Practices	New	FHWA Idaho Division and Idaho Transportation Department	N/A	Email
DOT/ FHWA	Environmental Justice	New	FHWA Kansas Division, Kansas DOT, Minnesota DOT, and MPOs for Omaha, Wichita, and Kansas City	N/A	Email
DOT/	Environment	Improved	FHWA Environmental Protection	N/A	Email and SharePoint

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FHWA	Discipline Boot Camp Recorded Webinar Series		Specialists (internal FHWA)		
DOT/ FHWA	Electronic Section 106 Documentation Submittal System (e106)	New	Jointly with the ACHP for FHWA Divisions in the South Region	N/A	Email
DOT/ FHWA	Section 106 Defining the Area of Potential Effect	New	FHWA Hawaii Division, State DOT	N/A	Email
DOT/ FHWA	Stochastic Empirical Loading and Dilution Model (SELDM) training	Improved	NVDOT, Caltrans, USGS (NC and OR), NCDOT, Oregon DOT, WERF hosted one open to practitioners in general	N/A	Email and newsletter
DOT/ FRA	Environmental Review (NEPA 101)	Improved	Project sponsors	https://www.fra.dot.gov/Page/PO951	N/A
DOT/ FRA	Update on FRA's NEPA Procedures	New	Grantees, railroad representatives, Federal oversight contractors, and FRA staff	https://www.fra.dot.gov/eLib/details/L18565	N/A
DOT/ FTA	Environmental and Sustainability Management Systems Training and Technical Assistance Program	Improved	All transit agencies	https://www.transit.dot.gov/regulations-and-guidance/environmental-programs/environmental-management-systems-training-and-assistance	<ul style="list-style-type: none"> • FTA website • GovDelivery • Direct email • APTA conferences • APTA networks
DOT/ FTA	Introduction to Environmental Justice (NTI)	Improved	Regional/Metropolitan Planning Organizations, State DOTs, and transit agencies	http://www.ntionline.com/environmental-justice/	<ul style="list-style-type: none"> • NTI website • GovDelivery • Direct email from HQ and Regional staff to project sponsors
DOT/ FTA	Advanced-Level Environmental Justice Workshop (NTI)	New	Staff from MPOs, State DOTs, and transit agencies responsible for implementing EJ principles in transportation planning and project delivery with a minimum of 5 years of experience in planning and have worked on NEPA documents	http://www.ntionline.com/advanced-level-environmental-justice-workshop/	<ul style="list-style-type: none"> • NTI website • GovDelivery • Direct email from HQ and Regional staff to project sponsors
DOT/ FTA	Managing the Environmental Review Process Seminar, including	Improved	Transportation professionals from transit agencies and MPOs with a minimum of two-year's experience in the environmental process relative to	http://www.ntionline.com/managing-the-environmental-review-process-seminar/	<ul style="list-style-type: none"> • NTI website • GovDelivery • Direct email from HQ and from Regional staff to project

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	pre-delivery webinars to address basic environmental review process topics (NTI)		project development		sponsors
DOT/ FTA	Transit Noise and Vibration Impact Assessment (NTI)	Improved	Practitioners who conduct noise and vibration analyses, as well as those who prepare and review environmental documents for transit projects	http://www.ntionline.com/transit-noise-and-vibration-impact-assessment/	<ul style="list-style-type: none"> • NTI website • GovDelivery • Direct email from HQ and from Regional staff to project sponsors
DOT/ FTA	FTA Region 1 NEPA, Section 106 of the NHPA, and Section 4(f) Requirements training	New	FTA Region 1 staff (Internal to FTA)	N/A	<ul style="list-style-type: none"> • Email
DOT/ FTA	FTA Region 6 training: Section 106 of the NHPA, Section 4(f) Requirements training, and traffic impact assessments	New	FTA Region 6 staff (Internal to FTA)	N/A	<ul style="list-style-type: none"> • Email
EPA	CWA NPDES Training	EPA routinely provides and updates its NPDES training program to address long-standing and evolving issues concerning process and technical content. The Agency recently offered a one-week, in-person training in Arlington, VA for state and EPA permit	The Agency works to ensure that the training content addresses the needs of all audiences (including federal and state permit writers) through multiple live and recorded formats.	https://www.epa.gov/npdes/npdes-training	EPA has publicized this training by notifying state associations and trade associations, by posting to EPA's website, and by sending out mass mailer emails to distribution lists. Although the NPDES training was developed prior to FAST-41, it is consistent with FPISC best practices that promote improving Agency efficiency and transparency.

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		writers			
FERC	FAST-41 Webpage	New September 2017	Project sponsors, government agencies, and the general public	https://www.ferc.gov/legal/fed-sta/fast-41.asp	Posted on FERC.gov
FERC	Hydropower Primer	New April 2017	Project sponsors, government agencies	https://www.ferc.gov/legal/staff-reports/2017/hydropower-primer.pdf	Posted on ferc.gov and taken to conferences such as the National Hydropower Association (April) and HydroVision (June) conferences
FERC	Matrix Comparing Three Licensing Processes	Revised May 2017	Project sponsors, government agencies	https://www.ferc.gov/industries/hydropower/gen-info/licensing/matrix.asp	Published on FERC.gov
FERC	Guidance Manual for Environmental Report Preparation	Revised/Improved February 2017	Project sponsors	https://www.ferc.gov/industries/gas/enviro/guidelines.asp	Published on ferc.gov, announced at training seminars, conferences, and industry workshops
FERC	Guidelines for Reporting on Cultural Resources Investigations for Natural Gas Projects	Revises/Improved July 2017	Project sponsors	https://www.ferc.gov/industries/gas/enviro/guidelines.asp	Published on ferc.gov, announced at training seminars, conferences, and industry workshops
FERC	FERC Environmental Review and Compliance for Natural Gas Facilities	Ongoing, each seminar includes updates on what's new at FERC. The Seminars is San Antonio, TX in March 2017, and Denver, CO in August 2017 included presentations on FAST-41.	Project sponsors, consulting firms and agencies	FERC staff offers a free comprehensive training seminar 3-4 times a year at different locations throughout the country covering the Commission's NEPA review process, resource report preparation for applications, and construction compliance. These seminars are published at https://www.ferc.gov/industries/gas/enviro/seminars.asp including online registration.	Published on ferc.gov, announced at training seminars, conferences, and industry workshops
HUD	HUD reports that it does online environmental trainings that are available at the HUD Exchange: https://www.hudexchange.info/programs/environmental-review/ . However, HUD did not meet the data call submission requirements for this Best Practice.				
NRC	Nuclear Power Plant Licensing Process	Reviewed	All stakeholders with a focus on the public	https://www.nrc.gov/reading-rm/doc-collections/nuregs/brochures/br	NRC website

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				0298/br0298r2.pdf	
NRC	Regulatory Guide (RG) 1.206, "Combined License Applications for Nuclear Power Plants (LWR Edition("	Reviewed	Project Sponsors (available to the public)	https://www.nrc.gov/reading-rm/doc-collections/reg-guides/power-reactors/rg/division-1/division-1-201.html	NRC website
NRC	RG 4.2, "Preparation of Environmental Reports for Nuclear Power Stations"	Reviewed	Project Sponsors (available to the public)	https://www.nrc.gov/docs/ML1427/ML14272A239.html	NRC website
USDA/ USFS	Land Status Record System Editor	Improved	Agency Staff	Intranet (internal website)	Letter/email to field staffs
USDA/ USFS	Land Status and Encumbrance Map Service Viewer	New	Agency staff/ other government agencies/public	http://apps.fs.fed.us/webapps/ALP%20Land%20Status%20and%20Encumbrance/	Letter/email to field staffs
USDA/ USFS	Legislative Map Tool	Improved	Agency staff	Intranet (internal website)	Letter/email to field staffs
USDA/ USFS	Title Claims and Encroachment Management System	Improved	Agency staff	Intranet (internal website)	Letter/email to field staffs
USDA/ USFS	FS 2700 National Introduction to Special Uses (FS-National-2700-204)	New	Forest Service Permit Administrators (responsible permitting of infrastructure projects and other land uses)	This course is housed in USDA's "AgLearn" Training Database	Letter/email to field staffs
USDA/ USFS	FS 2700 National Basic Understanding of Special Use Management (FS-National-2700-205)\	New	Forest Service Permit Administrators (responsible permitting of infrastructure projects and other land uses)	This course is housed in USDA's "AgLearn" Training Database	Letter/email to field staffs
USDA/ USFS	FS 2700 National Permit Administrator Professional Competencies (FS-National-2700-206)	New	Forest Service Permit Administrators (responsible permitting of infrastructure projects and other land uses)	This course is housed in USDA's "AgLearn" Training Database	Letter and email
USDA/ USFS	FS 2700 National Authorities that Govern Special Use Authorizations	New	Forest Service Permit Administrators (responsible permitting of infrastructure projects and other land uses)	This course is housed in USDA's "AgLearn" Training Database This course is housed in USDA's "AgLearn" Training Database	Letter and email

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	(FS-National-2700-207)				
USDA	Implementation of 7 CFR 1970 for Electric Program (6 sessions/locations)	New	Internal staff, project sponsors, consultants		E-mail notification, provision to trainees
USDA/ USFS	1970 Subpart H and Section 106/Common Problems for the Electric Program (Webinar)	New	Internal staff	This course is housed on USDA's internal SharePoint site.	E-mail notification
USDA/ USFS	1970 and the Telecom Applicant (Webinar)	New	Project sponsor		E-mail notification, provision to trainees
USDA/ USFS	Environmental requirements For Community Connect Grants (Webinar)	Reviewed	Project sponsor		E-mail notification
USDA/ USFS	EO 11988 (In-person Training)	New	Internal staff		E-mail notification, provision to trainees
USDA/ USFS	Environmental Topics (In-person Training)	Improved	Project sponsor, consultants		E-mail notification, provision to trainees
USDA/ USFS	1970 Regulation and RUS Environmental Review (In-person Training)	Improved	Project sponsor, consultants		E-mail notification