

Council on Environmental Quality to Take Action to Enhance Environmental Review and Permitting Process for Infrastructure Projects

Actions called for by Executive Order 13807 will guide Federal agency efforts to expedite Federal reviews while maintaining existing environmental protections.

On September 14, 2017, the Council on Environmental Quality published a notice in the *Federal Register* announcing an initial list of actions it will take to enhance and modernize the Federal environmental review and authorization process for infrastructure projects. This list was developed by CEQ pursuant to Executive Order 13807, "Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects," signed by President Trump on August 15, 2017.

The current environmental review and permitting process in the United States is fragmented, inefficient and unpredictable. Projects often involve numerous federal agencies, overlapping statutory requirements, and duplicative or redundant processes. The median time frame for environmental impact statements issued during 2016 was over 4 years, and the time for many infrastructure projects can take a decade or more.

Executive Order 13807 directs federal agencies to seek to complete environmental reviews within 2 years, to jointly issue a single Record of Decision which covers all individual agency decisions related to a particular infrastructure project, and to issue all necessary permits or authorizations within 90 days. In its notice, CEQ announced that it will:

- Develop, with the Office of Management and Budget, and in consultation with the Federal Permitting Improvement Steering Council (Permitting Council), a framework for implementing "One Federal Decision";
- Coordinate with the Permitting Council, Department of Transportation, and the Army Corps of Engineers, with regard to projects that may qualify as high-priority infrastructure projects pursuant to Executive Order 13766 of January 24, 2017;
- Review existing CEQ regulations implementing the procedural provisions of the National Environmental Policy Act (NEPA) to identify changes needed to update and clarify those regulations;
- Issue additional guidance as may be necessary, including through a NEPA practitioners' handbook, to simplify and accelerate the NEPA process; and
- Form and lead an interagency working group to review agency regulations and policies to identify impediments to the efficient and effective processing of environmental reviews and permitting decisions.