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## Department of Energy Agency Plan for Implementing Executive Order 13604 on Improving Performance of Federal Permitting and Review of Infrastructure Projects

1. **Overview of Executive Order 13604**

On March 22, 2012, the President issued Executive Order 13604 (EO), which is intended to improve the performance of Federal agencies in the permitting and review of infrastructure projects. Among its many objectives, the EO describes the President’s government-wide initiative to modernize Federal permitting and review processes to achieve better projects, improve environmental and community outcomes, and shorten decision-making and review timelines for infrastructure projects.

The EO broadly defines “infrastructure” to include projects “in sectors including surface transportation, aviation, ports and waterways, water resource projects, renewable energy generation, electricity transmission, broadband, pipelines, and other such sectors as determined by the Steering Committee.”

The EO creates an interagency Steering Committee, consisting of Deputy Secretaries, or equivalent officers, from each member agency. The Steering Committee is tasked with implementing the main deliverables of the EO:

Dashboard: The EO directs Federal Agencies to institutionalize use of a Federal Dashboard (Dashboard), available at <http://permits.performance.gov/>, and utilize other cost-effective technology to share information with the public, project sponsors, and other agencies. To this end, the Steering Committee has selected a List of Projects of National or Regional Significance that will serve as the first batch of projects to be tracked on the Dashboard, utilizing the best practices and strategies identified in the Federal and Agency Plans.

Federal Plan: The EO also requires the agencies to develop a Federal Plan to institutionalize best practices for 1) enhancing Federal, State, local, and tribal government coordination on permitting and review processes; 2) avoiding duplicative reviews (internally and among agencies); and 3) engaging with stakeholders early in the permitting process. The Federal Plan is available on the [Dashboard](http://permits.performance.gov/sites/default/files/Federal_Infrastructure_Plan.pdf).

Agency Plans: The EO requires each Agency to publish, by July 31, 2012, an Agency Plan that describes how it will implement each mandate in the Federal Plan.

1. **Department of Energy Mission and Overview of Authorities**
2. **Goals and Objectives**

This Department of Energy (DOE) Agency Plan describes DOE’s efforts to implement the Federal Plan, including DOE-specific strategies and actions to improve performance, reduce the time required for permitting and review decisions, and improve community and environmental outcomes for proposed infrastructure projects.

Over the years, DOE has engaged in and continues to engage in numerous efforts aimed at improving its review processes. For example, DOE is currently a leading member of the Rapid Response Team for Transmission (RRTT), a multi-agency effort to identify challenges facing electric transmission permitting, and potential solutions for overcoming these challenges. In connection with the RRTT, DOE developed the eTrans Federal Permitting Tracking System, which provides a one-stop-shop for transmission project-specific schedules and information. DOE also co-leads the Rapid Response Team for Renewable Energy, a multi-agency effort to facilitate Federal agency coordination and timely review of proposed renewable energy and facilities that require collaboration among multiple agencies.

This DOE Agency Plan builds on DOE’s leadership in these areas by describing its best practices and by identifying actions DOE will take to make improvements in its permitting and review of infrastructure projects, in the near term, as well as systemic changes DOE can implement in the long term.

In order to fully support this important endeavor, which is consistent with DOE’s mission (described below), and also in support of our national energy policy, implementation of the EO was spearheaded by the Secretary’s Office. DOE designated a Core Advisor from each DOE component, such as an office or power marketing administration, that engages in activities relevant to the EO. Each Core Advisor serves as the main point of contact to the Office of the Secretary and facilitates a working group of permitting and review experts within each component.

Because of the scope of the EO, the DOE Agency Plan covers a wide variety of DOE projects and responsibilities, including, but not limited to, decisions related to renewable energy generation projects and transmission lines, as well as environmental reviews conducted pursuant to the National Environmental Policy Act (NEPA). This DOE Agency Plan does not apply to DOE funding or financing decisions (including project selection and financial evaluation) or to activities conducted under Title XVII of the Energy Policy Act of 2005, 42 U.S.C. 16511-16.

In order to accelerate the deployment of innovative and advanced clean energy technologies at a scale sufficient to contribute meaningfully to the achievement of our national clean energy objectives, DOE also offers loan guarantees and grants to eligible clean energy projects, including many infrastructure projects. While outside the scope of EO 13604, DOE is conducting a separate review to improve the approval processes associated with DOE financing.

1. **DOE Organizational Structure and Decision-Making Responsibilities**

The EO states, “[t]o maintain our Nation’s competitive edge and ensure an economy built to last, the United States must have fast, reliable, resilient, and environmentally sound means of moving people, goods, energy, and information. …Investing in the Nation’s infrastructure provides immediate and long-term economic benefits for local communities and the Nation as a whole.” Similarly, the [mission](http://energy.gov/mission) of DOE is “to ensure America’s security and prosperity by addressing its energy, environmental and nuclear challenges through transformative science and technology solutions.”

Appendix C shows a chart depicting the DOE organizational structure. The following is a brief description of the DOE offices that have a significant role in the review, approval, permitting, or construction of infrastructure projects.

* **Office of the General Counsel:** The General Counsel is delegated the authority to determine DOE’s authoritative position on any question of law. The Office of the General Counsel provides legal advice, counsel, and support to the Secretary, the Deputy Secretary, and program offices throughout DOE. The General Counsel is responsible for overall review of DOE NEPA Compliance under 10 C.F.R. § 1021.105. The Office of the General Counsel's responsibilities related to DOE’s implementation of NEPA are described in DOE Order 451.1B, NEPA Compliance Program. Housed within the Office of the General Counsel, the Office of NEPA Policy and Compliance is comprised of NEPA policy and technical experts, and its role is to assure that DOE’s proposed actions comply with requirements of NEPA and related environmental, natural resource, and cultural resource review statutes and regulations.
* **Office of Electricity Delivery and Energy Reliability (OE):** OE’s mission is to lead national efforts to modernize the electric grid; enhance security and reliability of the infrastructure; and facilitate recovery from disruptions to energy supply. OE’s Permitting, Siting, and Analysis Division (PSA) provides electricity policy analysis support to Federal officials on a fast turnaround basis. In addition, PSA provides objective technical assistance to states and regions that wish to change their policies, laws, regulations, and market mechanisms on any electricity-related topic. OE also has separate divisions focused on research and development, as well as infrastructure security and energy restoration.
* **The Office of Energy Efficiency and Renewable Energy (EERE):**  EERE invests in clean energy technologies that strengthen the economy, reduce dependence on oil, and protect the environment. EERE sponsors various initiatives to build awareness about energy efficiency and renewable energy topics and to coordinate efforts toward specific goals. EERE conducts activities in partnership with other components of the federal government, state and local governments, the private sector, DOE national laboratories, and universities. EERE provides technical assistance to permitting agencies and conducts NEPA reviews for projects in which it invests.
* **Office of Fossil Energy (FE):** FE plays a key role in helping America meet its continually growing need for secure, affordable and environmentally sound fossil energy supplies. Put simply, FE’s primary mission is to ensure the nation can continue to rely on traditional resources for clean, affordable energy while enhancing environmental protection.
* **Office of Nuclear Energy (NE):** NE’s primary mission is to advance nuclear power as a resource capable of making major contributions in meeting our Nation’s energy supply, environmental, and energy security needs. NE seeks to resolve technical, cost, safety, security and regulatory issues through research, development and demonstration. By focusing on the development of advanced nuclear technologies, NE supports the Administration’s goals of providing domestic sources of secure energy, reducing greenhouse gases, and enhancing national security. NE is the steward for the Idaho National Laboratory (INL) and as such, in conjunction with the Bureau of Land Management, is responsible for all permitting decisions at INL.
* **Office of Economic Impact and Diversity (ED):** ED’s mission is to advise DOE on the effect of energy policies, regulations, and other activities of the Department and its components on underrepresented communities and small business and to ensure that all communities are afforded an opportunity to participate fully in the programs of the Department. ED fulfills this mission by serving as a consultant to other DOE components and project teams to better engage with diverse stakeholders, including tribal communities.
* **Bonneville Power Administration (BPA)**: BPA's mission as a public service organization is to create and deliver the best value for its customers and constituents as BPA acts in concert with others to ensure the Pacific Northwest has: 1) an adequate, efficient, economical and reliable power supply; 2) a transmission system that is adequate to the task of integrating and transmitting power from federal and non-federal generating units, providing service to BPA's customers, providing interregional interconnections, and maintaining electrical reliability and stability; and 3) mitigation of the Federal Columbia River Power System's impacts on fish and wildlife. BPA’s primary role in infrastructure review, approval and permitting is as a project proponent itself in that BPA proposes, reviews, and constructs additions to the federal transmission system that BPA operates and maintains.
* **Southeastern Power Administration (Southeastern):** Southeastern’s mission is to market and deliver Federal hydroelectric power at the lowest possible cost to public bodies and cooperatives in the southeastern United States in a professional, innovative, customer-oriented manner, while continuing to meet the challenges of an ever-changing electric utility environment through continuous improvements. Southeastern is responsible for marketing electric power and energy generated at reservoirs operated by the United States Army Corps of Engineers in the southeastern United States. Southeastern does not own transmission facilities and must contract with other utilities to provide transmission, or “wheeling” services, for the Federal power.
* **Southwestern Power Administration (Southwestern):** Southwestern’s mission is to market and reliably deliver Federal hydroelectric power, at the lowest possible cost, with preference to public bodies and cooperatives. This is accomplished by maximizing the use of Federal assets to repay the Federal investment and participating with other water resource users in an effort to balance diverse interests with power needs within broad parameters set by the United States Army Corps of Engineers. Southwestern markets hydroelectric power in six southwestern states from twenty-four United States Army Corps of Engineers multipurpose dams. Southwestern operates and maintains 1,380 miles of high-voltage transmission lines, substations, and a communications system that includes microwave, VHF radio, and state-of-the-art fiber optics.
* **Western Area Power Administration (Western):** Western markets and delivers reliable, cost-based hydroelectric power and related services within a 15-state region of the central and western United States. As with the other three DOE power marketing administrations Western’s role is to market and transmit electricity from multi-use water projects. Its transmission system carries electricity from fifty-six power plants operated by the Bureau of Reclamation, U.S. Army Corps of Engineers and the International Boundary and Water Commission, and one coal-fired plant.

1. **DOE IMPLEMENTATION OF FEDERAL ACTION PLAN**

The following summarizes actions mandated by the Federal Plan, and describes the specific measures DOE will take to implement each action.

1. **Reviews, Permitting and Decision-making**
2. ***Major permit decision-making and review responsibilities related to infrastructure projects.***

***DOE Implementation:*** DOE worked with other Executive agencies to publish a user-friendly library of each agency’s major permitting and review responsibilities related to infrastructure projects on the Dashboard. DOE has estimated the following baseline timelines for each of the following major infrastructure permitting and reviews for which DOE is responsible:

* Presidential Permit for international electric transmission lines: generally 18-36 months based on current processing time. Presidential Permits are addressed under a separate EO, and are outside the scope of EO 13604. For these types of permits, the clock starts once DOE publishes a notice in the Federal Register, acknowledging that the application has been accepted. This estimated timeline includes NEPA review of the application.
* Export Authorizations for Electricity (under Section 202(e) of the Federal Power Act): 2-3 months based on current processing time. The clock starts once DOE publishes a notice in the Federal Register acknowledging that the application has been accepted. DOE must provide at least 30 days for public comment on applications. This estimated timeline includes NEPA review of the application (normally a categorical exclusion (CX) determination).
* Reviews under NEPA: NEPA requires Federal agencies to consider the potential environmental consequences of their proposed actions, and any reasonable alternatives, before deciding whether and in what form to take an action. There are three levels of environmental review under NEPA: a CX, an environmental assessment (EA), or an environmental impact statement (EIS). (NEPA time frames are based on data collected between 2001 and 2010 for all DOE EAs and EISs):
* The estimated average time for a CX determination is one month. This time is not formally tracked throughout DOE.
* DOE’s average preparation time for an EA is 13 months (median is 9 months). The clock starts when DOE makes a determination to prepare an EA and ends upon issuance of the Finding of No Significant Impact.
* DOE’s average preparation time for an EIS is 30 months (median is 28 months). The clock starts when DOE publishes the Notice of Intent in the *Federal Register* and ends upon publication by the U.S. Environmental Protection Agency (EPA) of the Notice of Availability for the Final EIS. DOE may issue a Record of Decision no sooner than 30 days after EPA’s Notice of Availability.

DOE will use these time frames as a baseline for completing the above major permitting and reviews and expects to set target timelines by December 31, 2012, and annually thereafter to reflect continued improvement in the time to complete permitting and reviews, but not at the expense of quality and public involvement.

1. ***Opportunities to create or update best practices, processes, policy documents, regulations, or guidance to better facilitate the goals of the Federal Plan.***

The following implementation items include opportunities to 1) improve coordination internally as well as between other Federal agencies, and Tribal, State, and local governments, 2) reduce duplication and eliminate unnecessary sequencing of reviews within the agency as well as with other Federal agency processes, and 3) improve community and environmental outcomes.

1. **Identification and Expansion of Best Practices** 
   1. ***DOE Implementation:*** DOE has identified numerous best practices that highlight the actions DOE is already taking to improve various approval processes throughout the Agency. Appendix A of this DOE Agency Plan includes a representative list of DOE best management practices, interagency agreements, programmatic agreements, and MOUs (“Best Practices”) and provides specific examples where practices reduced processing times, improved interagency communications, increased process transparency, reduced the processing time for permitting and review decisions, enhanced efforts for protecting the environment, or lead to better outcomes for communities.
   2. ***DOE Implementation:*** In order to expand the use of Best Practices, by December 31, 2012, each DOE office with responsibility for the permitting or review of infrastructure projects expects to review the list of DOE Best Practices in Appendix A, as well as the list of Best Practices published with the Federal Plan, and determine which Best Practices, if any, would result in improved permitting and review processes, if adopted by that office. By January 31, 2013, each office expects to have an implementation plan in place to facilitate the adoption of such identified Best Practices. Once adopted, the Best Practices will be posted on the individual Office website, or appropriate federal website, including a description of how the effort is expected to improve the permit and review process, either within DOE or in its interactions with other agencies, governments or stakeholders.
2. **Opportunities to Improve Internal DOE Coordination and Processes**
3. ***DOE Implementation:*** Improvements to the Section 216(h) Process are critical to significantly reducing the process timeline for transmission projects. Section 1221(a) of the Energy Policy Act of 2005, which added Section 216(h) to the Federal Power Act, stated that DOE is to coordinate all Federal authorizations and related environmental reviews, including NEPA reviews, needed for siting interstate electric transmission projects. The purpose of this coordination is to streamline agencies' review processes and avoid duplication among Federal agencies. Section 216(h) authorizes DOE to coordinate Federal transmission facilities siting determinations for entities seeking permits, special use authorizations, certifications, opinions, or other approvals required under Federal law. Section 216(h) also establishes deadlines for the completion of such permit decisions and environmental reviews.

In December 2011, DOE issued a [proposed rule](http://energy.gov/oe/downloads/notice-proposed-rulemaking-federal-register-notice-volume-76-no-239-dec-13-2011) to amend its Section 216(h) regulations that would implement the deadlines specified in the statute, as agreed to through a 2009 Memorandum of Understanding signed by nine agencies with permitting authority. DOE is currently reviewing the comments received on the proposal to determine next steps. DOE also plans to identify additional improvements, and will do so mindful of comments made regarding the start of the one-year deadline for the completion of all permit decisions and related environmental reviews set forth in section 216(h). DOE intends to move as expeditiously as possible to seek public comment on and adopt, as appropriate, the identified improvements.

1. ***DOE Implementation:*** The presidential permit process and export authorizations for electricity are critical for international transmission projects. DOE is responsible for issuing the presidential permits for construction, operation, maintenance and interconnection of transmission lines crossing the U.S. border. Export authorizations are needed when an entity wishes to transmit electricity over the U.S. border. While outside the scope of EO 13604, OE is currently revising the regulations for issuing Presidential permits and export authorizations to provide a more efficient and standardized protocol for reviewing projects. DOE is considering updated regulations and will work towards publication of a proposed rule in the Federal register in Fiscal Year 2013.
2. ***DOE Implementation:*** The DOE NEPA review process is a critical component of DOE’s decision-making process for proposed infrastructure projects. DOE recently completed an internal review of its NEPA processes, resulting in a memorandum from Secretary Chu, dated June 12, 2012, which emphasized the importance of integrating NEPA compliance and project management. The Secretarial memorandum highlighted best practices and principles for preparing efficient and timely NEPA reviews. In addition, DOE intends to establish a working group to conduct an in-depth, comprehensive review of its internal NEPA review processes agency-wide, focused on process improvements and management, which DOE expects to be completed by January 2013. DOE will assess the feasibility of recommendations from the working group and expects to prepare an implementation plan by March 2013.
3. ***DOE Implementation:*** By March 2013, each DOE office with authority for reviewing, approving, or permitting infrastructure projects expects to complete a review of its Mission Statement, Core Value Statement, or equivalent, to assess whether the Statement should be revised to incorporate the goals of the EO.
4. ***DOE Implementation:*** By June 2013, each DOE office with authority for reviewing, approving, or permitting infrastructure projects expects to complete an assessment of whether the Position Descriptions and/or Performance Plans for employees involved in the permitting or review of infrastructure projects should be revised to incorporate the goals of the EO, subject to DOE’s labor union bargaining obligations.
5. ***DOE Implementation:*** The ability to efficiently process applications from project sponsors is a critical process in the review and approval of infrastructure projects. By March, 2013, DOE expects to review each covered application process associated with infrastructure projects and determine the feasibility and desirability of imposing a review deadline for each step in the process that involves a DOE review responsibility. Such review deadlines could be established via amendments to existing rules or DOE Orders, as appropriate.
6. ***DOE Implementation:*** In order to reduce duplicative reviews during the permitting or approval process, it is important to clearly define the roles and responsibilities of each DOE office. By June, 2013, DOE expects to review each of its major permitting and review processes for infrastructure projects that are included in the interagency library (see Action 1 of this section, above) and will update procedures, as needed, to clearly define office roles and responsibilities for infrastructure project permit or approval.
7. **Opportunities to Improve Federal Interagency Coordination and Processes**
8. ***DOE Implementation:*** The Steering Committee has developed an Integrated Project Plan (IPP) template to be issued as guidance by the Office of Management and Budget (OMB). This IPP guidance will provide a framework for the early coordination and collaboration necessary to successfully develop and deliver reviews and approvals for Nationally or Regionally Significant projects. *Where DOE is the Coordinating Agency, or the agency with primary responsibility for the review of a project, DOE will encourage its offices to use an IPP for all DOE infrastructure projects*.

Use of an IPP is consistent with existing requirements and best practices regarding NEPA review. As one example, DOE Order 451.1B, regarding DOE’s NEPA Compliance Program, states “[t]he goal of establishing the requirements and responsibilities presented here is to ensure efficient and effective implementation of DOE's NEPA responsibilities through teamwork.”

Direction from the Secretary is also contained in the recent Secretarial Memorandum entitled, “Improved Decision Making through the Integration of Program and Project Management with National Environmental Policy Act Compliance” (June 12, 2012). This memorandum and the DOE order above are described in more detail in Appendix A.

1. ***DOE Implementation:*** DOE will encourage project managers to collaborate with all federal, state, local, and tribal agencies and governments involved in the review and permitting of infrastructure projects and agree on a schedule for the project as early as possible. In order to ensure adherence to schedules, DOE will develop sample MOUs, Agreements, and/or Guiding Principles, as appropriate, that will describe an escalation process in the event that a permitting/approving party misses an agreed-upon milestone. DOE project managers will encourage and invite all permitting/approving parties to agree to such escalation process at the time the schedule is finalized.
2. ***DOE Implementation:*** CEQ’s NEPA regulations require Agencies to integrate the NEPA process with other planning at the earliest possible time. To that end, DOE will continue to offer technical expertise to Federal permitting agencies during the planning process. By November 2012, EERE expects to evaluate the feasibility of offering additional technical expertise, e.g. by making available personnel at National laboratories to Federal permitting agencies during application review processes. By the same date, the Office of Indian Energy Policy and Programs will work to evaluate the feasibility of offering expertise to permitting agencies for tribal projects. Providing subject matter expertise may alleviate bottlenecks in reviewing documents, as well as provide alternative perspectives.
3. ***DOE Implementation***: By November 2012, both EERE and the Office of Indian Energy Policy and Programs will work to evaluate the feasibility of offering training on relevant technology to federal, state and local agencies and Tribes who are responsible for permitting and review of relevant projects.
4. ***DOE Implementation***: Working through the RRTT, DOE is developing a training program for other agencies that will focus on the processes and issues associated with the siting of transmission lines.
5. **Opportunities to Improve Coordination with Other Government Agencies**

***DOE Implementation:*** The Federal Plan requires agencies to convene regional interagency Rapid Response Teams (RRTs) to facilitate regional coordination. The member agencies of the Steering Committee expect to recommend a regional RRT structure and implementation plan to the OMB by August 31, 2012. DOE will participate as appropriate, based on the August 31, 2012 recommendations of the Steering Committee.

1. **DOE Delegation of Authority**

The authority to delegate, to an official within DOE, is provided to the Secretary by statute (including section 642 of the Department of Energy Organization Act and 5 U.S.C. § 301). Current delegations are posted on the DOE website at: https://www.directives.doe.gov/sdoa.

Delegations of authority related to the NEPA review process, generally, are outlined in DOE Order 451.1B, which establishes internal DOE requirements and responsibilities for implementing NEPA. The Order provides for a Secretarial Officer or Head of Field Organization to request from the General Counsel “delegation of approval or adoption authority for a specific environmental impact statement [EIS] when appropriate to expedite the review and approval process.” The General Counsel has granted such requests in the past after considering factors such as the EIS experience of the program office, the quality of submitted materials, the complexity and sensitivity of the project, and the potential national impact of the EIS review.

Furthermore, each office has specific standards and processes for delegating authority related to environmental compliance. See, for example, the [Office of Science Management System](http://scms.sc.doe.gov/OrbitSearch/SubjArea/NEPA/NEPA_Exh10.cfm?MySubjAreaID=198&MyExhibitID=594) (SCMS).

1. ***Strategies for identifying and addressing issues and conflicts that may arise with stakeholders and affected public interests during the permitting process.***

***DOE Implementation:*** DOE will implement this action as part of the interagency planning process for infrastructure projects, with a focus on Nationally and Regionally Significant Projects, in order to demonstrate results. Furthermore, for the application processes described above in Section III.A, Action 1, DOE will include a strategy for identifying issues (within federal agencies, tribal, state and local governments, and affected stakeholder groups) upfront and early in the process and a DOE Plan for working through those issues with affected entities. The strategy could include guidance and tools for applicants to identify these issues as the applicants are refining their proposals; and a requirement that NEPA or environmental staff provide analysis as part of the initial eligibility review processes, so that DOE can identify issues and conflicts before the applicants are determined to be eligible or otherwise invited to continue the application process.

1. ***“Share in cost,” or similar programs, that enable DOE to recover permit evaluation and review costs.***

***DOE Implementation:*** DOE has inventoried its existing “share in cost” authorities and has made this list available to DOE offices. A summary of the existing share in cost authorities and programs is included as Appendix B to this DOE Agency Plan.

By January 2013, DOE will inventory the permitting and review activities for which DOE currently uses its share in cost authorities and will identify additional activities that provide a direct service to applicants, on a reimbursable basis, under existing authority. DOE will coordinate with other agencies to determine how existing “share in cost” programs can be best leveraged to improve performance through sector-specific rapid response teams, and report on specific implementation to OMB as part of their annual reporting requirement.

1. ***Opportunities to integrate intra-and inter-agency mitigation processes to expedite project reviews and encourage large-scale – watershed, regional or landscape-level – mitigation planning.***
2. ***DOE Implementation:*** The mitigation processes subject to this action item will typically be under the purview of the Department of the Interior and Department of Agriculture and other agencies responsible for managing large areas of land. DOE has few, if any, rules, policies or practices relating to mitigation of land management activities. Nonetheless, by January 2013, DOE expects to aggregate examples of mitigation rules, policies or practices related to infrastructure projects, including those at a watershed, regional, or landscape level. As part of this initiative, DOE will identify Best Practices and opportunities to improve intra- and inter-agency coordination in identifying and implementing mitigation actions. Specifically, DOE will identify any mitigation regulations, policy or guidance documents that hinder inter-agency collaboration on mitigation and allow, or limit, large-scale mitigation opportunities. It will also identify opportunities to update, or create new, regulations, policy or guidance documents to (1) unify intra-agency mitigation processes and requirements across regions and offices; and (2) reinforce the mitigation hierarchy for infrastructure projects, (3) encourage regional or larger-scale mitigation planning, and (4) consider use of more efficient deployment of mitigation practices (e.g., mitigation banking) where appropriate.
3. ***DOE Implementation:*** By January 2013, EERE expects to evaluate the feasibility of helping develop or facilitating the development of standardized environmental criteria or monitoring protocols to reduce operational and permitting uncertainty.
4. ***DOE Implementation:*** DOE will also participate in rapid response teams which will identify opportunities for inter-agency collaboration on mitigation in the early processes of major infrastructure projects and ensure development and implementation of regional mitigation frameworks.
5. **INFORMATION TECHNOLOGY**
6. ***Information Technology collaboration systems or tools currently used to track and/or facilitate permitting and/or review processes.***
7. ***DOE Implementation:*** DOE projects designated as Nationally or Regionally Significant under the EO will be publicly tracked on the Dashboard, and will use the current non-public collaborative environment (MAX) associated with the Dashboard. DOE will also encourage the use of the MAX collaborative workspace for all DOE infrastructure projects, where appropriate.
8. ***DOE Implementation:*** As part of the interagency collaboration related to implementation of section 216(h) of the FPA and subsequently the RRTT, DOE created an online dashboard to track the permitting status of transmission line projects. This dashboard, known as eTrans, serves as the online database containing pertinent project information about each project including, but not limited to, the physical aspects of the line, agency contact information, project schedules and required permits. Before the creation of the Dashboard, this system was used by every affected agency to make transparent each project schedule that qualified for treatment under section 216(h) or as an RRTT pilot project. With the creation of the Dashboard, eTrans will still act as a clearinghouse of all information related to transmission projects, but will take schedule information inputted on the Dashboard and automatically populate it on eTrans. DOE has requested that all participating agencies utilize the Dashboard for interagency coordination to develop and display project schedules, regardless of whether the project is nationally or regionally significant.
9. ***DOE Implementation:*** The DOE Office of NEPA Policy and Compliance has been tracking the schedule and cost of DOE EISs and EAs since 1994. DOE updates the status and schedule of its EISs and EAs monthly on the DOE NEPA Website (energy.gov/nepa), where it also posts completed categorical exclusion determinations. The Website also provides access to most of the Department’s NEPA documents.
10. ***DOE Implementation:*** DOE’s Office of Science currently uses an electronic system for tracking NEPA compliance activities. BPA currently uses an electronic system for tracking all BPA-sponsored transmission projects, including NEPA compliance activities. DOE will consider using these electronic systems, and systems used by other DOE offices, as a template for other tracking efforts.
11. ***Uniform, electronic applications that are consistent across all regions.***

***DOE Implementation:*** DOE has conducted an inventory of permit applications but has not identified any applications that cannot be submitted in electronic form or are not uniform across all regions.

1. ***DOE initiatives to increase the use of Information Technology as it relates to process management or transparency.***
2. ***DOE Implementation:*** DOE is designing an internal electronic system that will track DOE performance in implementing the EO and each item in the DOE Agency Plan. The tracking system will be used to compile compliance reports that are required by the Federal Plan. Current platforms under consideration include, but are not limited to, max.gov, iManage, and an internal system currently used by the Office of Human Capital.
3. ***DOE Implementation:*** DOE expects to propose a rule that will include increased use of information technology for communications among team members evaluating transmission applications.
4. ***DOE Implementation:*** An enhanced version of the Dashboard has been released. DOE will publicly track Nationally and Regionally Significant Projects on the Dashboard and will use the current non-public collaborative MAX environment associated with the Dashboard. DOE will also encourage the use of the MAX collaborative workspace for all DOE infrastructure projects, where appropriate.
5. ***Efforts to identify and publish aggregate data that will inform and facilitate project sponsor decisions such as project siting.***
6. ***DOE Implementation:*** The Federal Geographic Data Committee and OpenGov Working Group will continue ongoing efforts to identify and publish such data. DOE will continue to inventory existing data sets and will submit information to the appropriate interagency work group.
7. ***DOE Implementation:*** By January 2013, EERE expects to evaluate the feasibility of developing a collaborative system and database for capturing and utilizing existing environmental data to inform future siting and regulations. Such evaluation will include a review of existing systems in the federal government that would meet this need.
8. ***DOE Implementation:*** NE, in conjunction with INL, is developing a public version of its GIS based iMAP application (see Appendix A for description of iMAP), tentatively scheduled for release in FY 2013. This version of iMAP will provide the public with data and tools for identifying current and future federal government mission land-use needs, restricted and potential constraint areas, and existing rights of way and grazing allotments on the INL site. The application will also provide other contextual information such as roads, boundaries, facilities/buildings, and wells, etc.
9. **APPLICANT AND STAKEHOLDER OUTREACH**
10. ***Availability of clear descriptions of the application processes for major infrastructure permitting and review processes.***
11. ***DOE Implementation:*** Descriptions of many DOE application processes are already available on the DOE website, under the appropriate office page. However, in order to implement the goals and directives of the EO, DOE expects to update or post new descriptions of its infrastructure-related review and approval processes by December 2012. The process descriptions will include, at the very least:
    * + a step by step description of the entire process from first contact to final approval;
      + a list of all information needed for an application to be deemed complete;
      + a clear description of when the permitting and review process begins;
      + opportunities for early consultation with applicants/other agencies;
      + strategies or procedures for identifying and addressing issues and conflicts that may arise with agencies, governments, stakeholders and affected public interests, early in the process;
      + clearly stated disqualifying criteria, where appropriate; and
      + examples of model applications and forms.

The application processes to be initially updated include:

* + - Presidential Permits;
    - Export Authorizations (for electricity); and
    - Coordinated permitting of electric transmission lines under Federal Power Act Section 216(h).

Other application processes may be updated in the future. Furthermore, as action items in the DOE Agency Plan and Federal Plan are implemented, DOE will regularly review the application processes to ensure that 1) the processes reflect the most up-to-date best practices, policies, and regulations and 2) DOE’s process descriptions incorporate the known requirements of other agencies, resulting in a more efficient overall process that is consistent with practices from other agencies.

1. ***DOE Implementation:*** For transmission and renewable energy projects, DOE will coordinate with the transmission and renewable energy rapid response teams, respectively, so that the application information discussed above can be easily included in the application tool kits for transmission and renewable energy projects described below in the Federal Plan.
2. ***Encouraging early consultation with project sponsors.***
3. ***DOE Implementation:*** DOE will make project sponsors aware of opportunities for early coordination to help inform the project sponsor’s planning process. The specific process by which the agency engages the project sponsor is dependent on the type of project involved and has been described in the relevant application process descriptions above. Early consultation opportunities may include but are not limited to: 1) webinars, 2) detailed FAQs on an easily accessible website, 3) widely publicized open meetings for program explanation and Qs & As, and 4) a designated Point of Contact to field generic calls from potential applicants. To the extent known, DOE will also engage with other relevant agencies in early consultations or direct project sponsors to contact them.
4. ***DOE Implementation:*** DOE plans to identify additional improvements to the transmission siting process under section 216(h) of the Federal Power Act, and will do so mindful of comments made regarding applicant input into the process.  DOE intends to move as expeditiously as possible to seek public comment on and adopt the identified improvements.
5. ***Expansion of educational outreach for applicants.***
6. ***DOE Implementation:*** By January, 2013, each DOE office with authority over the permitting or review of an infrastructure project expects to post on its website an example(s) of and suggestions for developing strong applications.
7. ***DOE Implementation:*** OE engages with potential applicants on an as requested basis. Guidance is available on the OE [website](http://energy.gov/oe/services/electricity-policy-coordination-and-implementation/international-electricity-regulatio-6). OE will review existing guidance to determine methods to expand outreach.
8. ***DOE Implementation:*** In order to expand the information available to potential project sponsors, EERE developed a regulatory and permitting handbook for developers of Marine Hydrokinetic projects. EERE will share this handbook with the RRT for Renewable Energy for inclusion in the application toolkit for renewable energy projects.
9. ***DOE Implementation:***  EERE has developed a developers’ checklist that provides information on permitting requirements for the development of a geothermal resource.  All steps in the permitting process are covered, from drilling exploratory wells to developing a utility-grade geothermal power plant.  Also on the checklist, users can find additional information for developing geothermal projects on federal or state lands, obtain agency contact information, and find links to key policies and additional resources for project development in eight western states, which are those states with the highest currently installed geothermal capacity.  EERE will share this checklist with the RRT for Renewable Energy for inclusion in the application toolkit for renewable energy projects.
10. ***Expansion of educational outreach for stakeholders***
11. ***DOE Implementation:*** DOE will inventory past and future webinar offerings and publish a list of relevant webinars (including links to webinar information, where available) on its website. The list will be updated on a regular basis as more webinar opportunities are made available.
12. ***DOE Implementation:*** DOE will inventory current trainings available to stakeholders, project sponsors, or other agencies, and will publish a list of relevant trainings on its website. Any materials available from past, relevant trainings will also be made available on the website. The list will be updated on a regular basis as more training opportunities are made available.
13. ***DOE Implementation:*** By January 2013, DOE expects to assess the feasibility of using the platform available through the existing National Training and Education Resource (provide link) to expand the use of webinars and trainings to stakeholders and applicants.
14. ***DOE Implementation:*** OE will track new presidential permit projects through the Federal Dashboard, where appropriate. Information for both new and existing presidential permit projects will also be available on eTrans. OE will also continue to post all docket files related to the processing of the presidential permit (non-NEPA) on OE's international electricity regulatory program website. Furthermore, each presidential permit project will continue to have a dedicated public comment website, which will also be accessible through the Dashboard, and will contain NEPA information as well as a portal to submit comments.