



TWO-YEAR REVIEW FOR FEDERAL PROJECTS

Twelve federal agencies agreed to limit National Environmental Policy Act (NEPA) reviews to two years and assign a specific agency to lead the review. The move furthers part of the Trump administration's infrastructure proposal to streamline permits.

The Environmental Protection Agency (EPA), Army Corps of Engineers and the Departments of the Interior and Transportation signed a memorandum of understanding (MOU) on April 9, 2018, along with eight other agencies. In the MOU, they agreed to concurrent review for NEPA permits that require input from several agencies. According to the EPA, agencies use the NEPA process to evaluate environmental, social and economic effects of proposed federal actions. Agencies have their own NEPA processes which can cause confusion and delays for permit approval.

The Press Release lists the Bonner Bridge as an example of the permitting process taking too long. The plans to replace the 55-year-old Bonner Bridge began nearly 30 years ago and went through multiple studies. A 2010 environmental impact statement was more than 3,000 pages long and was evaluated by 18 federal agencies, 11 state agencies, and 14 local governments or agencies, according to court records. Construction began in 2016 on the 2.8-mile-long bridge costing \$246 million with completion expected later this year.

Source NSSGA & The Virginian-Pilot

Below is the MOU Press Release.

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
April 9, 2018

PRESIDENT DONALD J. TRUMP'S ADMINISTRATION IS IMPROVING INEFFICIENT PERMITTING REVIEWS

"No longer will we allow the infrastructure of our magnificent country to crumble and decay. While protecting the environment, we will build gleaming new roads, bridges, railways, waterways, tunnels, and highways."

– President Donald J. Trump

IMPROVING ENVIRONMENTAL REVIEWS: President Trump's Administration is working together to improve and streamline environmental reviews for major infrastructure projects.

- Federal agencies are signing the One Federal Decision Memorandum of Understanding (MOU), establishing a coordinated and timely process for environmental reviews of major infrastructure projects.
- The signatories of the MOU have agreed to an unprecedented level of collaboration in the environmental review process and include the:
 - Departments of the Interior, Agriculture, Commerce, Housing and Urban Development, Transportation, Energy, and Homeland Security
 - Environmental Protection Agency
 - U.S. Army Corps of Engineers
 - Federal Energy Regulatory Commission
 - Advisory Council on Historic Preservation
 - Federal Permitting Improvement Steering Council
- One lead Federal agency will be responsible for navigating each major infrastructure project through the entire Federal environmental review and permitting process.
 - Until now, project sponsors have had to navigate decision-making processes across multiple Federal agencies. Federal agencies will work with the lead agency for a project to develop a single Environmental Impact Statement and sign a single Record of Decision.
 - The lead agency will seek written concurrence from other agencies at important points in the process.
- Federal agencies will follow permitting timetables established by the lead Federal agency, with a goal of completing the process within two years.
 - In the past, Federal agencies were generally not required to follow a comprehensive permitting timetable.
 - Under the MOU, Federal agencies will conduct their review processes at the same time, rather than sequentially, which has led to unnecessary delays.
- The MOU will ensure interagency issues and disputes are elevated and resolved in a timely manner.
 - Previously, interagency disputes could remain unresolved for years.

DELIVERING STREAMLINED DECISION-MAKING: The One Federal Decision MOU follows through on the President's policy of streamlining inefficient and lengthy environmental reviews.

- The MOU will deliver on the President's policy of One Federal Decision for major infrastructure projects.
- President Trump's Executive Order 13807 established a One Federal Decision policy for major infrastructure projects.
 - The Executive Order directed the Office of Management and Budget and the Council on Environmental Quality to develop a framework for implementing One Federal Decision.

CUTTING COSTLY DELAYS: Inefficient environmental review processes have led to unnecessary delays, depriving our communities of needed infrastructure projects.

- The MOU improves Federal agency cooperation and ensures Federal agencies establish coordinated permitting timetables for major infrastructure projects, cutting down on needless delays.
- Too many important infrastructure projects have been held up for years by the environmental review process.
- The median environmental review completion time for a complex highway project is more than seven years, according to a 2014 Government Accountability Office report.
- The environmental review and permitting process for the Herbert C. Bonner Bridge Replacement Project in North Carolina took more than 20 years.
 - The environmental review process involved numerous studies and interagency disputes and was subject to extensive delays.
 - The original bridge was well past its design life and is now being replaced with a design that can better withstand the harsh coastal environment.
 - The One Federal Decision framework would have allowed for a much more timely environmental review process.
- Loop 202, a critical freeway project which will provide an alternative route of travel around Phoenix, took well over a decade to complete the environmental review process.
 - Loop 202's environmental review faced numerous setbacks and dragged on for years due to poor communication, no agreed upon timetable, and other issues.
 - The project, which is the largest in Arizona's history, is finally in the final stages of development.
 - Had One Federal Decision been in place, agencies could have identified and resolved conflicts throughout project development and reduced their impact on project schedules.

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