

GAO Highlights

Highlights of [GAO-20-19](#), a report to congressional addressees.

Why GAO Did This Study

FAST-41 outlined specific procedures for improving the timeliness, predictability, and transparency of the environmental review and authorization process for certain infrastructure projects in 10 specific sectors, including pipelines, renewable energy projects, and electricity transmission.

Congress included provisions in statute for GAO to review the efforts of the Permitting Council to implement FAST-41. This report examines, among other objectives, the Permitting Council's process for developing and assessing implementation of best practices for environmental reviews, and the steps the Permitting Council has taken to develop performance schedules for the 10 infrastructure sectors. GAO reviewed the Permitting Council's documents and guidance; evaluated the council's process for developing performance schedules against selected GAO best practices related to the development of the schedules; and interviewed officials from federal agencies that are members of the Permitting Council, as well as selected project sponsors selected based on several factors, including projects' status and infrastructure sector.

What GAO Recommends

GAO recommends that the Executive Director of the Permitting Council incorporate selected best practices into its process for developing performance schedules for infrastructure projects covered under FAST-41. The Executive Director agreed with the recommendation and described current and planned actions to address it.

View [GAO-20-19](#). For more information, contact Susan Fleming at (202) 512-4431 or flemings@gao.gov.

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INFRASTRUCTURE PROJECTS

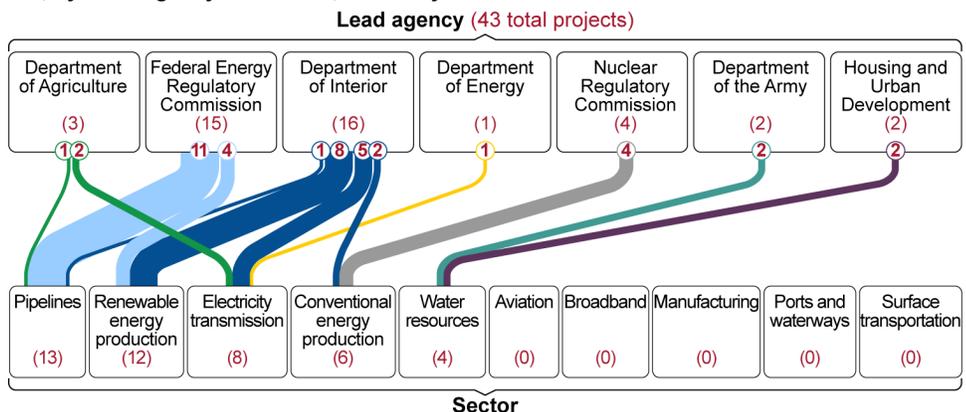
Actions Needed to Fully Develop Performance Schedules for Environmental Reviews

What GAO Found

GAO found that the Federal Permitting Improvement Steering Council's (Permitting Council) process for developing and assessing member agencies' implementation of best practices for environmental reviews and authorizations, as required by Title 41 of the Fixing America's Surface Transportation Act (FAST-41), was generally consistent with key features of effective interagency collaboration that GAO has previously identified, such as having shared goals and establishing mechanisms to measure performance. The Permitting Council, an interagency body established by FAST-41, oversees the implementation of FAST-41's provisions to streamline the federal permitting process.

As of July 2019, the Permitting Council has not issued performance schedules for ten infrastructure sectors, as mandated by FAST-41, due to a lack of sufficient project data and resource constraints. These schedules are to serve as baselines for environmental reviews and authorizations for projects covered under FAST-41. The Permitting Council has taken steps to develop performance schedules for the three infrastructure sectors—pipelines, renewable energy production, and electricity transmission—that account for 80 percent of the 43 FAST-41 projects (see figure). GAO found that the process the Permitting Council used to develop draft performance schedules for the three sectors did not fully implement two of three selected best practices for project schedules identified by GAO: (1) maintaining the baseline schedule and (2) conducting an analysis of potential risks. For example, the Permitting Council's process included identifying the relevant environmental review actions for infrastructure projects, but it did not take into account how potential risks, such as incomplete applications by project sponsors, could result in delays of the actions. Without incorporating these selected best practices, the Permitting Council will be constrained in developing defensible performance schedules against which to evaluate whether the FAST-41 process has improved the environmental review and authorization process.

Infrastructure Projects Covered under Title 41 of the Fixing America's Surface Transportation Act, by Lead Agency and Sector, as of July 2019



Source: GAO analysis of the Department of Transportation's permitting dashboard data on FAST-41 projects. | GAO-20-19