I have an article in this week’s issue of CSG’s The Current State wrapping up the various perspectives on the prospects for infrastructure investment in 2018 that were proffered during Infrastructure Week last month in Washington. But another topic that received some attention from various I-Week speakers and participants involved something else emphasized in President Trump’s infrastructure plan issued in February: streamlining the process by which infrastructure projects receive the go-ahead to move forward, which can often produce years-long project delays.

During the Infrastructure Week kickoff event May 14 at Union Station, U.S. Secretary of Transportation Elaine Chao pointed to Australia, which she said has “an affirmative process,” something she thinks the U.S. would be wise to try to emulate.

“Within two years, a project moves forward unless someone—a stakeholder, whoever—brings up an objection so it’s a ‘yes’ until there’s a ‘no’” she said. “We string out the permitting process. Every single intervention creates a delay and additional cost. It is not conducive to rebuilding and refurbishing our infrastructure.”

At the Coalition for America’s Gateways and Trade Corridors (CAGTC) annual meeting May 16 on Capitol Hill, California Republican Congressman Jeff Denham said what is needed is a streamlined, one-stop-shop process that requires just one decision from one federal agency.

A “one agency, one decision” environmental review structure is among the reforms sought by The White House. Among the others:

- A single environmental review document and single record of decision, coordinated by the lead agency.
- A firm 21-month deadline for lead agencies to complete environmental reviews and a three-month deadline from when the lead agency makes its record of decision for other federal agencies to make decisions with respect to necessary permits.
- Allowing states to assume Federal Highway Administration responsibility for right-of-way acquisition approvals.

But some on Capitol Hill are skeptical that significant new reforms are necessary after numerous bureaucracy-cutting initiatives in recent years.

“What I’ve said to the President and what I’ve said to Elaine Chao and others is Democrats are happy to consider further environmental streamlining and permitting reform but in (the last two surface transportation authorization bills, 2015’s FAST Act and its predecessor, 2012’s MAP-21) we’ve done a fair amount of that and we’ve not implemented a whole lot of that,” said Delaware Senator Tom Carper, ranking Democrat on the Senate Environment and Public Works Committee, at the CAGTC event. “In some cases, we found that what we did in the second leg actually kind of messes up what we were trying to do in the first leg. Let’s implement it.”
CAGTC, which counts state departments of transportation, a number of the nation’s port facilities and other freight interests among its membership, issued a report on permit reform at their annual meeting that expresses support for many of the administration’s streamlining proposals. The report includes a chart that lists reforms enacted under MAP-21, the FAST Act and the President’s August 2017 executive order and examines which reforms have been implemented.

Last year, the American Association of State Highway and Transportation Officials (AASHTO) also put together an “Inventory of Potential Administrative and Legislative Improvements for Surface Transportation Program Investment and Project Delivery” which provides an extensive list of opportunities to build upon the reforms enacted under MAP-21 and the FAST Act.

But for others in Washington, there is a concern that the pursuit of additional permitting reforms ultimately could be beside the point.

“We support efforts to streamline the permitting process and regulatory reviews,” said Terry O’Sullivan of the Laborers’ International Union of North America (LIUNA) at the May 14 Infrastructure Week kickoff event. “But those reforms will be meaningless if members of Congress in both parties can’t find the courage, the fortitude and the political will to level with the American people, get serious about infrastructure investment and make the tough choices they were sent here to make.”

DJ Gribbin Added to US P3 Infrastructure Forum

The Trump administration’s interest in streamlining environmental reviews and permitting processes is likely to be discussed next week when former Special Assistant to the President for Infrastructure Policy DJ Gribbin will deliver a keynote address at the US P3 Infrastructure Forum 2018 in New York City. In his first public speaking appearance since leaving The White House, Gribbin will discuss the President’s
infrastructure plan, its odds of passage and why cash-strapped governments could benefit from public-private partnerships. CSG is pleased to be a supporting organization and media partner this year on the forum, which takes place June 13-14 at The New York Hilton Midtown. The full agenda for the 14th annual event is now available and you can request your copy here [10]. The Infrastructure Forum brings together state and federal public officials and regional transportation authorities, along with infrastructure developers, investors and financiers to talk about what’s happening with public-private partnerships around the country and the issues that are shaping the industry’s future. You can find out more about how to register for the conference on the event website [9]. You can read bios of some of the great featured speakers here [11]. And for an idea of what to expect, you can read my coverage of the 2016 forum here [12].

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