

U.S. DEPARTMENT OF
ENERGY

Office of
Electricity Delivery
& Energy Reliability



Integrated Interagency Pre-Application (IIP) Process Notice of Proposed Rulemaking Public Workshop

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Agenda

- **Introduction**
- **Background of Integrated Interagency Pre-application (IIP) Process**
- **Description of Proposed Rule and IIP Process**
- **Next Steps**
- **Questions and Comments on Proposed Rule**

How to Participate

- **Chat Panel – Send a message to all panelists**
 - Include your full name and organization
- **Q&A Panel – Submit your question electronically**
 - Type name and organization first, then your question
- **Phone – Wait for all phone lines to be unmuted**
 - State name and organization before making comments
 - Please mute your phone when not speaking
 - Please do not put the webinar on hold

Introduction – What is the IIP?

- **The Integrated Interagency Pre-application (IIP) process provides a road map to encourage early coordination between project proponents and Federal permitting agencies on transmission projects**
- **The IIP process is designed to:**
 - Improve interagency and intergovernmental coordination
 - Encourage early engagement by project proponents with stakeholders
 - Help ensure project proponents develop and submit accurate and complete information early in the project planning process
- **The IIP process is voluntary for project proponents**

Introduction – Why is the IIP Important?

- **The IIP is part of an Administration priority to make transmission infrastructure permitting more efficient**
- **On June 7, 2013, a Presidential Memorandum (PM) titled “Transforming our Nation’s Electric Grid through Improved Siting, Permitting, and Review” was published to address several transmission permitting issues**
 - The 2013 PM directed Federal agencies to create an IIP across the Federal government to help identify and address issues before formal permit applications processes begin, and to streamline the coordination of permitting across Federal, state, and tribal governments
- **The IIP was written as a finding in the Quadrennial Energy Review (Chapter IX)**

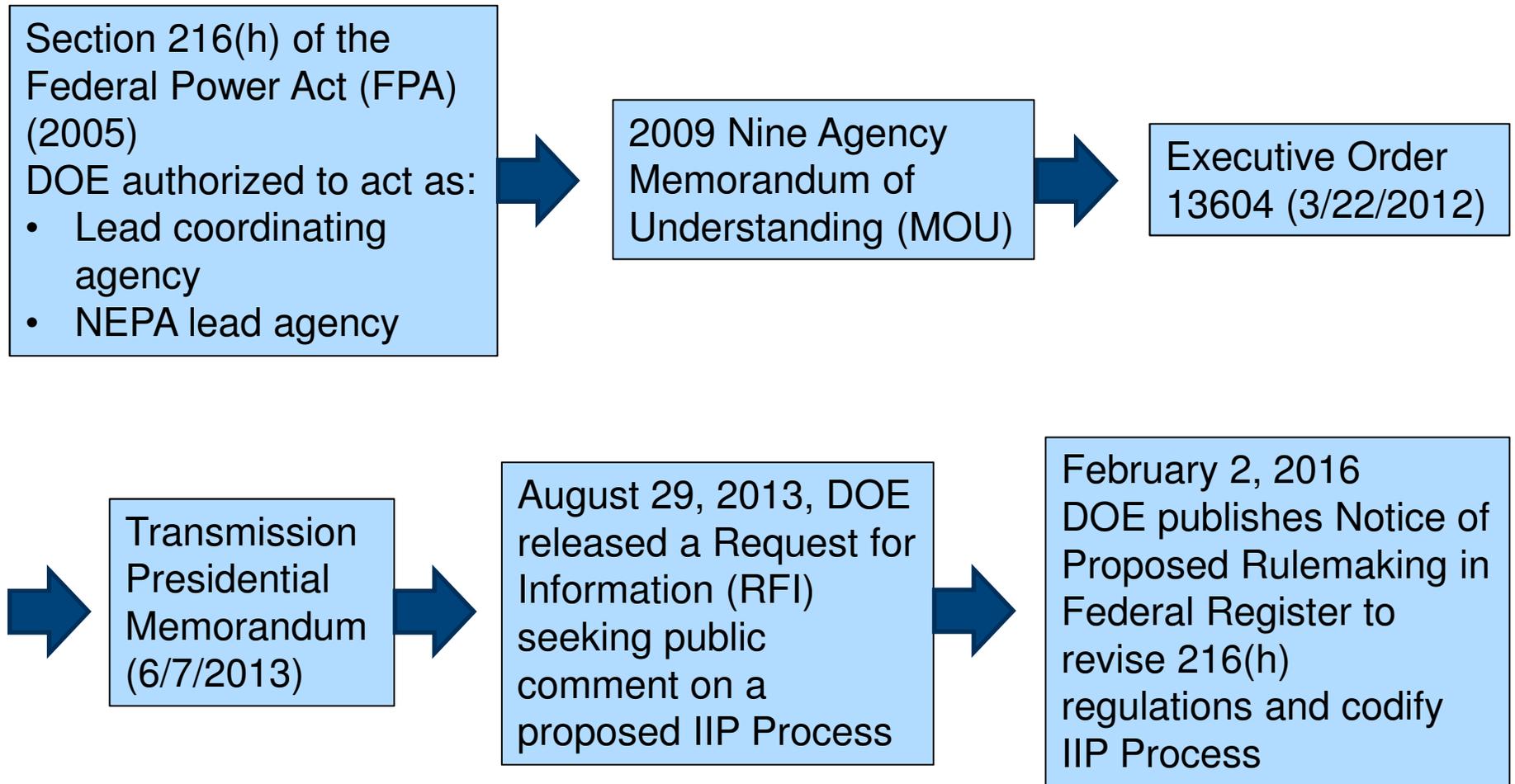
Background – IIP Authority

Section 1221 of the Energy Policy Act of 2005, which created Section 216(h) of the Federal Power Act (FPA), requires DOE to act as lead Federal agency for the purposes of coordinating all applicable Federal authorizations and related environmental reviews of electric transmission projects requiring multiple Federal authorizations

Background – IIP Authority

- **Section 216(h) of FPA provides for the coordination of Federal transmission siting determinations for project proponents seeking:**
 - Permits ; Special Use Authorizations ; Certifications ; Opinions ; or Other approvals required under Federal law to site an electric transmission facility
- **216(h)(3) requires DOE to coordinate Federal authorization and review processes to the extent practicable with any tribes, multi-state entities, and state agencies that have their own separate permitting and environmental reviews**
- **216(h)(4)(C) further requires DOE to establish an expeditious pre-application mechanism**

Background – IIP Development



Description of Proposed Rule and IIP Process

– Overall Intent of IIP

Early coordination →

Early information sharing →

Better planning →

More robust permit applications →

Efficiencies in NEPA reviews >>>

Improvements in permitting times

Description of Proposed Rule and IIP Process

– Key Steps

- 1. Project Proponent submits Initiation Request to DOE**
 - *Includes:* Summary of Qualifying Project; Affected Environmental Resources and Impacts Summary; Maps ; Geospatial Information; Data; and Summary of Early Identification of Project Issues
- 2. DOE evaluates Initiation Request, informs all potentially affected agencies, provides all submitted information to both Federal and non-Federal entities**
- 3. DOE coordinates IIP Initial Meeting**
 - *At the Meeting:* Agencies provide feedback to Project Proponent on environmental concerns, project issues, data gaps and/or missing information, etc.
- 4. DOE records key issues, information gaps, and data needs identified by Federal and non-Federal entities in an IIP Initial Meeting Summary that is provided to Project Proponent**

Description of Proposed Rule and IIP Process – Key Steps

5. Project Proponent sends IIP Process Close-Out Meeting request to DOE

Includes: Updates to any summary information supplied as part of Initiation Request, and an indication of changes made to project due to feedback received during IIP initial meeting

At the Meeting: Agencies review updated summaries and provide any additional feedback to Project Proponent on environmental concerns, project issues, data gaps and/or missing information that would be expected before an application for Federal authorization is submitted to a Federal entity

6. DOE records discussions of key project issues, information gaps, and data needs identified by Federal and non-Federal entities and prepares a Final IIP Resources Report

Includes: Summary of project information, summary of environmental resources and potential impacts, summary of project and stakeholder outreach, a table showing changes in the proposed project as a result of the IIP Process, as well as an indication of outstanding information or issues

7. Incorporated into IIP Process Administrative File, given to potential NEPA Lead Agency

Description of Proposed Rule and IIP Process

– Section by Section

Section 900.1 – Purpose

Section 900.2 – Applicability

- Regulations apply to Qualifying Projects, and to other projects at the discretion of DOE's Office of Electricity Delivery and Energy Reliability (OE-1)
- Does not apply to Federal authorizations for electric transmission facilities wholly located within the Electric Reliability Council of Texas interconnection
- Does not apply to electric transmission facilities in a DOE-designated National Interest Electric Transmission Corridor where Project Proponent is seeking construction or modification permits from FERC
- Does not affect any requirements of Federal law
- Part does not supplant but rather complements Federal entities' pre-application procedures for a Federal authorization
- Participation does not guarantee issuance of any required Federal authorization

Description of Proposed Rule and IIP Process – Section by Section

Section 900.3 – Definitions

Qualifying Project means

- (1) A non-marine high voltage electric transmission line (230 kV or above) and its attendant facilities or other regionally or nationally significant non-marine electric transmission line and its attendant facilities, in which: (i) All or part of the proposed electric transmission line is used for the transmission of electric energy in interstate commerce for sale at wholesale, and (ii) All or part of the proposed electric transmission line crosses jurisdictions administered by more than one Federal entity or crosses jurisdictions administered by a Federal entity and is considered for Federal financial assistance from a Federal entity
- (2) Qualifying Projects do not include those for which a Project Proponent seeks a construction or modification permit from the FERC for electric transmission facilities in a DOE-designated National Interest Electric Transmission Corridor under section 216(b) of the FPA (16 U.S.C.824p(b))

Description of Proposed Rule and IIP Process

– Section by Section

Section 900.3 – Definitions, Continued

Project Proponent means a person or entity who initiates the IIP Process in anticipation of seeking Federal authorizations for a Qualifying Project or other project

Section 900.4 – IIP Process

- (a) Intended for Project Proponent who has already identified study corridors and/or potential routes within a project area and the proposed locations of any intermediate substations for a Qualifying Project
 - IIP Process is optional
- (b) Project Proponent electing to utilize the IIP Process must submit an Initiation Request to DOE to start IIP Process
- (c), (d), (e), and (f) describe how to complete portions of the Initiation Request
- (g) Within fifteen (15) calendar days of receiving the Initiation Request, DOE shall notify by email all Federal entities and non-Federal entities with an authorization potentially necessary to site the Qualifying Project

Description of Proposed Rule and IIP Process

– Section by Section

Section 900.4 – IIP Process, continued

- (h) Within 30 calendar days of receiving the Initiation Request, DOE shall notify the Project Proponent that either: 1) the Initiation Request meets the requirements of paragraphs (c) through (f); or 2) the Initiation Request does not meet the requirements and how the Project Proponent may address any deficiencies
- (i) DOE shall provide Federal and non-Federal entities with access to an electronic copy of the Initiation Request and associated maps, geospatial data, and studies
- (j) DOE shall convene the IIP initial meeting with the Project Proponent and all Federal entities and non-Federal entities notified by DOE as having an authorization or consultation related to the Qualifying Project no later than 45 calendar days after notifying all parties that the Initiation Request meets requirements
- (k) A Project Proponent electing to utilize the IIP Process must submit a close-out meeting request to DOE to complete the IIP Process no less than 45 calendar days following the initial meeting
- (l) DOE will hold a close-out meeting within 90 days of receiving such a request from the project proponent if the request meets regulatory requirements

Description of Proposed Rule and IIP Process – Section by Section

Section 900.5 – Selection of NEPA lead agency

DOE, in consultation with the Federal entities, shall coordinate the selection of a potential NEPA Lead Agency responsible for preparing an environmental review document under NEPA for proposed Qualifying Projects

Section 900.6 – IIP Process Administrative File

- (b) DOE shall maintain all information, including documents and communications, it disseminates or receives from the Project Proponent, Federal entities, and non-Federal entities during the IIP Process for future use in reviewing any applications for required Federal authorizations for the proposed Qualifying Project
- (c) DOE shall document the list of issues identified during the IIP Process for a proposed Qualifying Project and updates to information provided as part of the close-out meeting discussion in a final IIP Resources Report for the IIP Process Administrative File

Next Steps for the IIP Process Proposed Rule

- **IIP Proposed Rule is available for public comment through April 4, 2016**
- **After the public comment period, DOE will consider comments and develop a final rule**
- **Once the IIP Process rule has been finalized, DOE will coordinate development of implementation tools or materials with affected Federal entities (e.g., Rapid Response Team for Transmission (RRTT) agencies)**
- **DOE plans to develop IIP Process implementation tools, such as:**
 - IIP Process Checklist to assist Project Proponents to assemble their Initiation Request package and other required portions of the IIP Process
 - Guidance to assist all parties in understanding the IIP Process

Questions and Comments

Questions on the presentation?

Comments on the Proposed Rule?

For More Information

Please visit DOE's IIP Process Notice of Proposed Rulemaking webpage at:

<http://www.energy.gov/oe/downloads/notice-proposed-rulemaking-integrated-interagency-pre-application-process-iip-electric>

- Instructions on how to submit written comments on the Proposed Rule are included in the Federal Register Notice of Proposed Rulemaking that is available on the above page

If you have further questions, and/or would like updates on the IIP Process rule, please send your email address and contact information to:

OERegs@hq.doe.gov

Thank you