

# **STAKEHOLDER WORKSHOP ON TRANSMISSION PERMITTING AND REVIEW**

*APRIL 16, 2013*

## **MECHANISMS TO ENHANCE COORDINATION AND COLLABORATION ACROSS TRIBAL, STATE, AND LOCAL GOVERNMENTS AND WITH THE FEDERAL GOVERNMENT**

### **DISCUSSION TOPICS**

1. How can the Federal Government work more closely with state, local, and tribal governments in developing proposed transmission projects? Where have state, local and Tribal governments been engaged early in the development of proposed transmission projects, and what were the key factors that facilitated the engagement? Would it be useful to work to institutionalize these factors and processes?
2. What do ongoing or recent permitting processes suggest are the challenges in securing timely state, local, and tribal decision-making on proposed transmission project permits? What would be the best way for the state, local, and tribal governments to become engaged in solving those challenges to help make decisions more efficient and timely?
3. How do we ensure that sub-regional and interconnection-wide transmission planning generates information useful in siting and the subsequent reviews and permitting processes?
4. Are there other regional or cross-state opportunities to work together to coordinate the planning and siting of transmission?
5. In the past, the Federal Government has entered into agreements with States regarding coordinating of permitting of energy facilities? Which aspects of these agreements do you think are most useful in ensuring timely and efficient processes and should be replicated?
6. In the past, Federal and state agencies also have signed Memoranda of Understanding (MOUs) or Memoranda of Agreement (MOAs) to identify their respective roles and responsibilities in evaluating transmission project(s). Are there particular provisions or formats that you found most helpful in facilitating reviews and permitting decisions? If so, would it be helpful to develop (1) standard MOU/MOA provisions for specific types of proposed projects; or (2) a programmatic MOU/MOA that would apply to all similar proposed projects within a specific state or region? Would a similar effort be useful to focus on specific issues (e.g., ESA Section 7 or NHPA Section 106)?
7. Some states have developed interstate or regional approaches for cooperating on management and mitigation of impacts on threatened, endangered, or candidate species. Other states and regional groups have developed decision support tools that could inform project planning and siting. Do you see an opportunity for broader cooperation on these types of efforts across the states and with the Federal Government?

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8. Federal agency staff are familiar with and used to working with SHPOs under the National Historic Preservation Act. Are there differences Federal agency staff should be aware of when working with THPOs? If so, what are the differences and how might they affect infrastructure/energy projects, permitting, and environmental reviews?
9. What advice would you give Federal agency staff for working with elected government officials versus elders or traditional leaders?
10. When proposed projects have the potential to affect traditional cultural properties and sacred locations/resources, how might Federal agency staff best consult with tribes and understand tribal perspectives regarding "significance" from a tribal perspective? How might agencies address confidentiality issues, and the need to protect locational information, yet glean enough information to make sound decisions on alternatives and to understand potential impacts?
11. Would there be any value in establishing a tribal advisory group, or perhaps using an existing group or forum to obtain information, perspectives, and to provide suggestions?
12. Is there an opportunity to take a regional approach to identifying significant cultural resources and tribal trust assets proactively? In other words, is there any value in making a greater effort either by Federal, state, and local agencies and potential proponents to gain a regional understanding of where significant resources are (generally) as a means of proactively identifying areas where any impacts could significantly affect tribal resources?