

FEDERAL PERMITTING IMPROVEMENT STEERING COUNCIL

40 CFR Part 1900

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Federal Permitting Improvement Steering Council

ACTION: Semiannual regulatory agenda

SUMMARY: This agenda contains the proposed regulatory actions that the Federal Permitting Improvement Steering Council (Permitting Council or FPISC) plans to undertake in the 12 months following the Permitting Council's spring 2020 edition of its semiannual regulatory agenda, which included the Permitting Council's previous regulatory agenda. The Permitting Council developed this agenda consistent with Executive Order 12866 "Regulatory Planning and Review," Executive Order 13771 "Reducing Regulation and Controlling Regulatory Costs," and Executive Order 13563 "Improving Regulation and Regulatory Review."

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SUPPLEMENTARY INFORMATION: Title 41 of the Fixing America's Surface Transportation Act (FAST-41), 42 U.S.C. 4370m *et seq.*, created the Permitting Council, which is comprised of an Office of the Executive Director, 13 Federal Agency Council members, and additional Council members Council on Environmental Quality and Office of Management and Budget. 42 U.S.C. 4370m-1(a) & (b). The Permitting Council is charged with improving the timeliness, predictability, and transparency of the federal environmental review and authorization process for certain critical and high economic value infrastructure projects across a broad range of industry sectors, including renewable and conventional energy

production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, and manufacturing. Certain actions of the Permitting Council are rules of general applicability that affect the rights of the public and the regulated community and warrant informal rulemaking pursuant to the Administrative Procedure Act, 5 U.S.C. 553.

The Permitting Council's complete Unified Agenda will be available online at www.reginfo.gov and www.regulations.gov in a format that offers users an enhanced ability to obtain information from the Unified Agenda database. Publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (RFA), 5 U.S.C. 602. Accordingly, the Permitting Council's printed agenda entries will include only:

- (1) Rules that are included in the regulatory flexibility agenda pursuant to the RFA because they are likely to have a significant economic impact on a substantial number of small entities; and
- (2) Rules that have been identified for periodic review under the RFA, 5 U.S.C. 610.

Printing of the semiannual regulatory agenda entries is limited to fields that contain information required by the RFA's Unified Agenda requirements.

Dated: March 3, 2021.

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