A week ago, the Biden Administration proposed a new program called CITAP to accelerate permitting from transmission lines. If properly implemented, the program will do much more for permitting reform than the recent NEPA amendments in the debt ceiling law. The reason? CITAP implements a statute that is much more ambitious in its overhaul of permitting.

CITAP is short for the Coordinated Interagency Transmission Authorizations and Permits Program. CITAP is based on section 216(h) of the Environmental Policy Act (EPAct). Section 216 has been on the books since 2005 but has never been fully implemented. This provision is intended to ramp up the federal approval process for interstate transmission lines.

Here are some key features of the this provision:

- The Department of Energy is the lead agency for preparing the environmental impact statement and coordinating all federal authorizations.
- DOE must establish a binding timetable for all agencies to ensure that the authorization process is completed within a year.
- DOE's environmental impact statement serves as the basis for all decisions on the project.
- Except for transmission across protected federal lands like national parks, the transmission developer can appeal any adverse permitting decision to the President, who has 90 days to decide.

CITAP improves on previous efforts to implement this statute by ensuring that the permitting process is well underway even before there's been a formal application, under the Interagency Preapplication (IIP) Process. This includes information gathering by the project applicants and a public engagement plan. Experience has shown that early public engagement can eliminate problems later. In the meantime, DOE will work up the timeline for all agency reviews. Once the permit process is actually launched, everything should be in place for prompt decision making. DOE has established a "standard schedule" that can be adapted to the needs of particular projects.

CITAP should definitely help with the federal permitting involved in building a transmission line. What it can't do is deal with delays on the state side, which are often due to the need for states to authorize the use of eminent domain for a transmission project. The government has limited authority to bypass the states in what are called national interest corridors. That authority is helpful and should be

used to the utmost.

To streamline the process fully, we really need congressional action to put transmission lines on the same footing as gas pipelines, where FERC rather than the states is in the driver’s seat in siting. Republicans are squawking about states’ rights, but that never bothers them when the natural gas industry is involved.