



March 31, 2022

VIA EMAIL

Re: Invitation to Permitting Council Consultations on Draft Recommended Best Practices on Enhancing Early Tribal Engagement

Dear Tribal Leader:

I am the Executive Director of the Federal Permitting Improvement Steering Council (Permitting Council). Established in December 2015 by Title 41 of the Fixing America's Surface Transportation Act (FAST-41) ([42 U.S.C. § 4370m et seq.](#)), the Permitting Council facilitates deliberate, coordinated, and transparent Federal environmental reviews and authorizations for FAST-41 "covered" infrastructure projects across the following industry sectors: renewable and conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, mining, and carbon capture.

The Permitting Council is comprised of 16 members, including the Executive Director (Permitting Council Chair), the Deputy Secretary (or equivalent) from [13 Federal agencies](#), the Chair of the Council on Environmental Quality, and the Director of the Office of Management and Budget. For additional background material on the Permitting Council, please refer to the [Permitting Dashboard](#) and the enclosed introductory presentation ("Introduction to FAST-41 and the Permitting Council").

The Permitting Council is required to issue annual recommendations on best practices for improving the Federal permitting process for FAST-41 covered projects pursuant to [42 U.S.C. § 4370m-1\(c\)\(2\)\(B\)](#). Each Permitting Council agency must submit to Congress and the Director of the Office of Management and Budget an annual report assessing the agency's performance in implementing the best practices pursuant to [42 U.S.C. § 4370m-7\(a\)\(3\)](#). The Bipartisan Infrastructure Law, enacted on November 15, 2021, modified FAST-41 and established a new best practice category on enhancing early engagement with Tribes. The Office of the Executive Director has drafted recommended best practices within this category in coordination with Permitting Council agencies, considering the input received from Tribes during September 2021 consultations. Please see "Draft Recommended Best Practices on Enhancing Early Tribal Engagement" for the draft recommended best practices and "Permitting Council 2021 Tribal Consultations Summary Report" for a summary of feedback received during the 2021 consultations, both enclosed.

On behalf of the Permitting Council, the Office of the Executive Director is holding three Government-to-Government Tribal consultation sessions on the Draft Recommended Best Practices on Enhancing Early Tribal Engagement on April 28, May 2, and May 5, 2022. I would like to invite you to attend one of three virtual Tribal consultation sessions to

provide your feedback on the Draft Recommended Best Practices for Enhancing Early Tribal Engagement.

The times, dates, and registration link for each of the three Tribal consultation sessions are provided below. Please indicate on the registration form if you would like to provide comments during the session and your name will be added to a speaker list. Attendees who do not indicate that they would like to speak during the session will be provided an opportunity to participate during the open dialogue period as time allows. If you cannot attend or participate in a session discussion, or prefer to provide written comments, please use this [comment form](#). Written comments will be accepted until 11:59 p.m. EDT on Friday, May 13, 2022.

Consultation sessions will be held via Zoom and will be capped at 100 attendees each. Registration is required. The deadline for registration is 11:59 p.m. EDT on Monday, April 25, 2022. Consultation sessions will not be recorded.

[Register here for any of the below consultation sessions.](#)

Session 1:

Thursday, April 28, 2022
10:00 a.m. - 11:30 a.m. EDT

Session 2:

Monday, May 2, 2022
3:00 p.m. - 4:30 p.m. EDT

Session 3:

Thursday, May 5, 2022
3:00 p.m. - 4:30 p.m. EDT

Please find enclosed the following additional materials:

- The **Draft** Recommended Best Practices on Enhancing Early Tribal Engagement
- Discussion questions for consideration
- The agenda for the consultation sessions
- An introductory presentation to the Permitting Council and FAST-41
- A summary report from the Office of the Executive Director's September 2021 Tribal consultations

We value your participation and hope that you will join us for this important discussion. We very much look forward to working with you as we develop best practices for improving the Federal permitting process. Should you have any questions or concerns, please don't hesitate to reach out to fast.fortyone@fpisc.gov.

Sincerely,

Christine Harada
Executive Director
Federal Permitting Improvement Steering Council