



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2848

Introduced 2/16/2023, by Rep. Dave Severin

SYNOPSIS AS INTRODUCED:

20 ILCS 608/5
20 ILCS 608/7 new
20 ILCS 608/10
20 ILCS 608/15
20 ILCS 608/25 new
20 ILCS 608/30 new

Amends the Business Assistance and Regulatory Reform Act. Modifies requirements concerning the Office of Business Permits and Regulatory Assistance. Provides that the Office shall implement reforms to improve interagency coordination and encourage expeditious permit issuance. Provides that the Office shall use information technology tools to track project schedules and metrics in order to improve transparency and accountability of the permitting process, reduce uncertainty and delays, and reduce costs and risks to taxpayers. Modifies and adds requirements concerning the expediting of permit reviews. Provides for the creation of an Interagency Permitting Advisory Committee. Provides additional requirements to improve the coordination of permit reviews. Defines terms. Makes other changes.

LRB103 29587 DTM 55982 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Business Assistance and Regulatory Reform
5 Act is amended by changing Sections 5, 10, and 15 and by adding
6 Sections 7, 25, and 30 as follows:

7 (20 ILCS 608/5)

8 Sec. 5. Goal. The goal of this Act is to improve the
9 State's business climate by making it easier for ~~small and~~
10 ~~mid-size~~ businesses to deal with State requirements for doing
11 business. This goal will be achieved through providing quick,
12 accurate information on existing requirements, ~~and~~
13 unnecessary requirements, and expediting permit issuance.

14 (Source: P.A. 88-404.)

15 (20 ILCS 608/7 new)

16 Sec. 7. Definitions. As used in this Act:

17 "Authorization" means any license, permit, approval,
18 finding, determination, or other administrative decision that
19 is issued by a State agency and any interagency consultation
20 that is required or authorized under State law in order to
21 site, construct, reconstruct, or commence operations of a
22 covered project administered by a State agency or, in the case

1 of a unit of local government that chooses to participate in
2 the environmental review and authorization process in
3 accordance with subparagraph (A) of paragraph (3) of
4 subsection (c) of Section 30, a local permitting authority.

5 "Committee" means the Interagency Permitting Advisory
6 Committee established under Section 25.

7 "Covered project" means any activity in Illinois that
8 involves construction of infrastructure for renewable or
9 conventional energy production, electricity transmission,
10 surface transportation, aviation, ports and waterways, water
11 resource projects, broadband, pipelines, or manufacturing and
12 that requires authorization or environmental review by a State
13 agency, is subject to permitting requirements pursuant to the
14 Environmental Protection Act, and is likely to require a total
15 investment of more than \$20,000,000.

16 "Project sponsor" means an entity, including any private
17 entity, public entity, or public-private entity, seeking an
18 authorization for a covered project.

19 (20 ILCS 608/10)

20 Sec. 10. Executive Office. There is created an Office of
21 Business Permits and Regulatory Assistance (hereinafter
22 referred to as "office") within the Department of Commerce and
23 Community Affairs (now Department of Commerce and Economic
24 Opportunity) which shall (i) consolidate existing programs
25 throughout State government, provide assistance to businesses

1 ~~with fewer than 500 employees~~ in meeting State requirements
2 for doing business, (ii) consolidate existing programs
3 throughout State government, and (iii) perform other functions
4 specified in this Act. The office shall implement reforms to
5 improve interagency coordination that allow for expeditious
6 permitting issuance. The office shall use information
7 technology tools to track project schedules and metrics in
8 order to improve transparency and accountability in the
9 permitting process, reduce uncertainty and delays, and reduce
10 costs and risks to taxpayers. The ~~By March 1, 1994, the office~~
11 ~~shall complete and file with the Governor and the General~~
12 ~~Assembly a plan for the implementation of this Act.~~
13 ~~Thereafter,~~ the office shall carry out the provisions of this
14 Act, subject to funding through appropriation.

15 (Source: P.A. 98-463, eff. 8-16-13.)

16 (20 ILCS 608/15)

17 Sec. 15. Providing Information and Expediting Permit
18 Reviews.

19 (a) The office shall provide an online information system
20 using a website ~~toll-free business assistance number. The~~
21 ~~number shall be~~ advertised throughout the State. Interested
22 businesses shall ~~If requested, the caller will~~ be sent a basic
23 business kit, describing the basic requirements and procedures
24 for doing business in Illinois. ~~If requested, the caller shall~~
25 ~~be directed to one or more of the additional services provided~~

1 ~~by the office. All persons providing advice to callers on~~
2 ~~behalf of the office and all persons responsible for directly~~
3 ~~providing services to persons visiting the office or one of~~
4 ~~its branches shall be persons with small business experience~~
5 ~~in an administrative or managerial capacity.~~

6 (b) (Blank).

7 (c) Any applicant for permits required for a business
8 activity may confer with the office to obtain assistance in
9 the prompt and efficient processing and review of
10 applications. The office shall ~~may~~ designate an employee of
11 the office to act as a permit assistance manager to:

12 (1) facilitate contacts for the applicant with
13 responsible agencies;

14 (2) arrange conferences to clarify the requirements of
15 interested agencies;

16 (3) consider with State agencies the feasibility of
17 consolidating hearings and data required of the applicant;

18 (4) assist the applicant in resolution of outstanding
19 issues identified by State agencies; and

20 (5) coordinate federal, State and local regulatory
21 procedures and permit review actions to the extent
22 possible.

23 (d) The office shall publish an online ~~a~~ directory of
24 State business permits and State programs to assist ~~small~~
25 businesses.

26 (e) The office shall attempt to establish agreements with

1 local governments to allow the office to provide assistance to
2 applicants for permits required by these local governments.

3 (f) (Blank). ~~Interested State agencies shall, to the~~
4 ~~maximum extent feasible, establish procedures to expedite~~
5 ~~applications for infrastructure projects. Applications for~~
6 ~~permits for infrastructure projects shall be approved or~~
7 ~~disapproved within 45 days of submission, unless law or~~
8 ~~regulations specify a different period. If the interested~~
9 ~~agency is unable to act within that period, the agency shall~~
10 ~~provide a written notification to the office specifying~~
11 ~~reasons for its inability to act and the date by which approval~~
12 ~~or disapproval shall be determined. The office may require any~~
13 ~~interested State agency to designate an employee who will~~
14 ~~coordinate the handling of permits in that area.~~

15 (g) In addition to its responsibilities in connection with
16 permit assistance, the office shall provide general regulatory
17 information by directing businesses to appropriate officers in
18 State agencies to supply the information requested.

19 (h) The office shall help businesses to locate and apply
20 to training programs available to train current employees in
21 particular skills, techniques or areas of knowledge relevant
22 to the employees' present or anticipated job duties. In
23 pursuit of this objective, the office shall provide businesses
24 with pertinent information about training programs offered by
25 State agencies, units of local government, public universities
26 and colleges, community colleges, and school districts in

1 Illinois.

2 (i) The office shall help businesses to locate and apply
3 to State programs offering to businesses grants, loans, loan
4 or bond guarantees, investment partnerships, technology or
5 productivity consultation, or other forms of business
6 assistance.

7 (j) To the extent authorized by federal law, the office
8 shall assist businesses in ascertaining and complying with the
9 requirements of the federal Americans with Disabilities Act.

10 (k) The office shall provide confidential on-site
11 assistance in identifying problems and solutions in compliance
12 with requirements of State and federal environmental
13 regulations. The office shall work through and contract with
14 the Illinois Sustainable Technology Center to provide
15 confidential on-site consultation audits that (i) assist
16 regulatory compliance and (ii) identify pollution prevention
17 opportunities.

18 (k-5) Until July 1, 2012, the office shall provide
19 confidential on-site assistance, including, but not limited
20 to, consultation audits, to identify problems and solutions
21 regarding compliance with the requirements of the federal
22 Occupational Safety and Health Administration. On and after
23 July 1, 2012, the Department of Labor shall provide
24 confidential on-site assistance, including, but not limited
25 to, consultation audits, to identify problems and solutions
26 regarding compliance with the requirements of the federal

1 Occupational Safety and Health Administration.

2 (1) The office shall provide information on existing loan
3 and business assistance programs provided by the State.

4 (m) Each State agency having jurisdiction to approve or
5 deny a permit shall have the continuing power heretofore or
6 hereafter vested in it to make such determinations. The
7 provisions of this Act shall not lessen or reduce such powers
8 and shall modify the procedures followed in carrying out such
9 powers only to the extent provided in this Act.

10 (n) ~~(1)~~ Each State agency shall fully cooperate with the
11 office in providing information, documentation, personnel or
12 facilities requested by the office.

13 ~~(2) Each State agency having jurisdiction of any permit to~~
14 ~~which the master application procedure is applicable shall~~
15 ~~designate an employee to act as permit liaison office with the~~
16 ~~office in carrying out the provisions of this Act.~~

17 (o) (1) The office shall identify, develop, and track
18 metrics for timeliness of permit reviews, permit decisions,
19 and project outcomes ~~has authority, but is not required, to~~
20 ~~keep and analyze appropriate statistical data regarding the~~
21 ~~number of permits issued by State agencies, the amount of time~~
22 ~~necessary for the permits to be issued, the cost of obtaining~~
23 ~~such permits, the types of projects for which specific permits~~
24 ~~are issued, a geographic distribution of permits, and other~~
25 ~~pertinent data the office deems appropriate.~~

26 The office shall administer and expand the use of online

1 transparency tools providing:

2 (i) tracking and reporting metrics;

3 (ii) development and posting of schedules for permit
4 reviews and permit decisions;

5 (iii) the sharing of best practices relating to
6 efficient project permitting and reviews; and

7 (iv) the visual display of relevant geospatial data to
8 support the permitting process. ~~make such data and any~~
9 ~~analysis of the data available to the public.~~

10 (2) The office shall ~~has authority, but is not required,~~
11 ~~to~~ conduct or cause to be conducted a thorough review of any
12 agency's permit requirements and the need by the State to
13 require such permits. The office shall draw on the review, on
14 its direct experience, and on its statistical analyses to
15 prepare recommendations regarding how to:

16 (i) eliminate unnecessary or antiquated permit
17 requirements;

18 (ii) consolidate duplicative or overlapping permit
19 requirements;

20 (iii) simplify overly complex or lengthy application
21 procedures;

22 (iv) expedite time-consuming agency review and
23 approval procedures; or

24 (v) otherwise improve the permitting processes in the
25 State.

26 The office shall submit copies of all recommendations

1 within 5 days of issuance to the affected agency, the
2 Governor, the General Assembly, and the Joint Committee on
3 Administrative Rules.

4 (p) The office shall ~~has authority to~~ review State forms
5 ~~on its own initiative or upon the request of another State~~
6 ~~agency~~ to ascertain the burden, if any, of complying with
7 those forms. If the office determines that a form is unduly
8 burdensome to business, it may recommend to the agency issuing
9 the form either that the form be eliminated or that specific
10 changes be made in the form.

11 (q) Not later than March 1 of each year, beginning March 1,
12 1995, the office shall submit an annual report of its
13 activities during the preceding year to the Governor and
14 General Assembly. The report shall describe the activities of
15 the office during the preceding year and shall contain
16 statistical information on the permit assistance activities of
17 the office.

18 (Source: P.A. 97-787, eff. 7-13-12; 98-346, eff. 8-14-13.)

19 (20 ILCS 608/25 new)

20 Sec. 25. Interagency Permitting Advisory Committee.

21 (a) The Director of each permitting agency shall designate
22 a representative of the agency to serve on the committee and
23 represent the agency as the agency chief environmental review
24 and permitting officer as required by this Act.

25 (b) In addition, the following officials, or their

1 designees, shall serve as ex officio members of the committee:

2 (1) the head of the Office of Business Permits and
3 Regulatory Assistance;

4 (2) the Director of the Environmental Protection
5 Agency;

6 (3) the Secretary of Transportation;

7 (4) the Director of Natural Resources;

8 (5) the Chairman of the Illinois Commerce Commission;

9 (6) the State Fire Marshal; and

10 (7) the Director of Public Health.

11 (20 ILCS 608/30 new)

12 Sec. 30. Permitting process improvement.

13 (a) Project initiation and designation of participating
14 agencies.

15 (1) Notice.

16 (A) A project sponsor of a covered project shall
17 submit to the office notice of the initiation of a
18 proposed covered project.

19 (B) Each notice described in subparagraph (A)
20 shall include:

21 (i) a statement of the purposes and objectives
22 of the proposed project;

23 (ii) a concise description, including the
24 general location of the proposed project and a
25 summary of geospatial information, if available,

1 illustrating the project area and the locations,
2 if any, of environmental, cultural, and historic
3 resources;

4 (iii) a statement regarding the technical and
5 financial ability of the project sponsor to
6 construct the proposed project;

7 (iv) a statement of any financing and
8 authorizations anticipated to be required to
9 complete the proposed project; and

10 (v) an assessment that the proposed project
11 meets the definition of a covered project under
12 Section 7 and a statement of reasons supporting
13 the assessment.

14 (2) Invitation.

15 (A) Not later than 21 calendar days after the date
16 on which the office makes a specific entry for the
17 project on the Permitting Dashboard under paragraph
18 (1) of subsection (b), the office, with input from the
19 agency chief environmental review and permitting
20 officer, shall:

21 (i) identify agencies and governmental
22 entities likely to have financing, environmental
23 review, authorization, or other responsibilities
24 with respect to the proposed project; and

25 (ii) invite all agencies identified under
26 clause (i) to become a cooperating agency, in the

1 environmental review and authorization management
2 process described in this Section.

3 (B) Each invitation made under subparagraph (A)
4 shall include a 14-calendar-day deadline for a
5 response to be submitted to the office.

6 (3) Cooperating agencies.

7 (A) An agency invited under paragraph (2) shall be
8 designated as a cooperating agency for a covered
9 project, unless the agency informs the office in
10 writing before the deadline under subparagraph (B) of
11 paragraph (2) that the agency:

12 (i) has no jurisdiction or authority with
13 respect to the proposed project; or

14 (ii) does not intend to exercise authority
15 related to, or submit comments on, the proposed
16 project.

17 (B) On request and a showing of changed
18 circumstances, the office may designate an agency that
19 has opted out under subparagraph (A)(ii) of this
20 paragraph (3) of being a cooperating agency.

21 (4) The designation described in paragraph (3) shall
22 not:

23 (A) give the cooperating agency authority or
24 jurisdiction over the covered project; or

25 (B) expand any jurisdiction or authority a
26 cooperating agency may have over the proposed project.

1 (b) Permitting Dashboard.

2 (1) Requirement to maintain.

3 (A) The office, in coordination with the
4 Department of Innovation and Technology, shall
5 maintain an online database to be known as the
6 "Permitting Dashboard" to track the status of
7 environmental reviews and authorizations for any
8 covered project.

9 (B) If the office determines that the project is
10 not a covered project, the project sponsor may submit
11 a further explanation as to why the project is a
12 covered project not later than 14 days after the date
13 of being notified of the determination.

14 (C) Not later than 14 days after receiving an
15 explanation described in subparagraph (B), the office
16 shall:

17 (i) make a final and conclusive determination
18 as to whether the project is a covered project;
19 and

20 (ii) if the office determines that the project
21 is a covered project, create a specific entry on
22 the Permitting Dashboard for the covered project.

23 (2) Postings by agencies.

24 (A) For each covered project added to the
25 Permitting Dashboard under paragraph (1), the office
26 and each cooperating agency shall post to the

1 Permitting Dashboard:

2 (i) a hyperlink that directs to a website that
3 contains, to the extent consistent with applicable
4 law:

5 (I) the notification submitted under
6 paragraph (1) of subsection (a);

7 (II) where practicable, the applications
8 and supporting documents that have been
9 submitted by a project sponsor for any
10 required environmental review or authorization
11 or a notice explaining how the public may
12 obtain access to such documents;

13 (III) a description of any agency action
14 taken or decision made that materially affects
15 the status of a covered project;

16 (IV) any significant document that
17 supports the action or decision described in
18 subclause (III); and

19 (V) a description of the status of any
20 litigation to which the agency is a party that
21 is directly related to the project, including,
22 if practicable, any judicial document made
23 available on an electronic docket maintained
24 by a federal, State, or local court; and

25 (ii) any document described in clause (i) that
26 is not available by hyperlink on another website.

1 (B) The information described in subparagraph (A)
2 shall be posted to the website made available by
3 hyperlink on the Permitting Dashboard not later than 5
4 business days after the date on which the agency
5 receives the information.

6 (3) Postings by the office. The office shall publish
7 to the Permitting Dashboard:

8 (A) the permitting timetable established under
9 paragraph (2) of subsection (c);

10 (B) the status of the compliance of each agency
11 with the permitting timetable;

12 (C) any modifications of the permitting timetable;

13 (D) an explanation of each modification described
14 in subparagraph (C); and

15 (E) any memorandum of understanding established
16 under subparagraph (C) of paragraph (3) of subsection
17 (c).

18 (c) Coordination and timetables.

19 (1) Coordinated project plan.

20 (A) Not later than 60 days after the date on which
21 it makes a specific entry for the project on the
22 Permitting Dashboard, the office, in consultation with
23 each agency chief environmental review and permitting
24 officer, shall establish a concise plan for
25 coordinating public and agency participation in, and
26 completion of, any required environmental review and

1 authorization for the project.

2 (B) The coordinated project plan shall include the
3 following information and be updated by the office, as
4 applicable, at least once per quarter:

5 (i) A list of all entities with environmental
6 review or authorization responsibility for the
7 project and their roles and responsibilities.

8 (ii) A permitting timetable, as described in
9 paragraph (2), setting forth a comprehensive
10 schedule of dates by which all environmental
11 reviews and authorizations and, to the maximum
12 extent practicable, other jurisdictions' permits,
13 reviews, and approvals must be made.

14 (iii) A discussion of potential avoidance,
15 minimization, and mitigation strategies, if
16 required by applicable law and known.

17 (iv) Plans and a schedule for public outreach
18 and coordination, to the extent required by
19 applicable law.

20 (C) The coordinated project plan described in
21 subparagraph (A) may be incorporated into a memorandum
22 of understanding.

23 (2) Permitting timetable.

24 (A) As part of the coordination project plan under
25 paragraph (1), the office, in consultation with each
26 agency chief environmental review and permitting

1 officer, the project sponsor, and any unit of local
2 government in which the project is located, and,
3 subject to subparagraph (C), with the concurrence of
4 each cooperating agency, shall establish a permitting
5 timetable that includes intermediate and final
6 completion dates for action by each cooperating agency
7 on any environmental review or authorization required
8 for the project. The final completion dates shall be
9 based on relevant historical data but with the aim of
10 completing all required authorizations within 2 years.

11 (B) In establishing the permitting timetable under
12 subparagraph (A), the office may vary the timetable
13 based on relevant factors including:

14 (i) the size and complexity of the covered
15 project;

16 (ii) the resources available to each
17 participating agency;

18 (iii) the regional or national economic
19 significance of the project;

20 (iv) the sensitivity of the natural or
21 historic resources that may be affected by the
22 project;

23 (v) the financing plan for the project; and

24 (vi) the extent to which similar projects in
25 geographic proximity to the project were recently
26 subject to environmental review or similar

1 procedures under State law.

2 (C) Dispute resolution.

3 (i) The office, in consultation with
4 appropriate agency chief environmental review and
5 permitting officers and the project sponsor,
6 shall, as necessary, mediate any disputes
7 regarding the permitting timetable referred to
8 under subparagraph (A).

9 (ii) If a dispute remains unresolved 30 days
10 after the date on which the dispute was submitted
11 to the office, the Director of the Governor's
12 Office of Management and Budget shall facilitate a
13 resolution of the dispute and direct the agencies
14 that are parties to the dispute to resolve the
15 dispute by the end of the 60-day period beginning
16 on the date of submission of the dispute to the
17 office.

18 (iii) Any action taken by the Director of the
19 Governor's Office of Management and Budget in the
20 resolution of a dispute under clause (ii) shall:

21 (I) be final and conclusive; and

22 (II) not be subject to judicial review.

23 (D) Modification after approval.

24 (i) The office may modify a permitting
25 timetable established under subparagraph (A) only
26 if:

1 (I) the affected cooperating agencies,
2 after consultation with the project sponsor,
3 agree to a different completion date;

4 (II) the affected cooperating agency
5 provides a written justification for the
6 modification; and

7 (III) in the case of a modification that
8 would necessitate an extension of a final
9 completion date under a permitting timetable
10 established under subparagraph (A) to a date
11 more than 30 days after the final completion
12 date originally established under subparagraph
13 (A), the office shall consult with the project
14 sponsor and make a determination on the
15 record, based on consideration of the relevant
16 factors described under subparagraph (B),
17 whether to make such modification.

18 (ii) A completion date in the permitting
19 timetable may not be modified within 30 days after
20 the completion date.

21 (iii) Limitation on length of modifications.

22 (I) Except as provided in subclause (II),
23 the total length of all modifications to a
24 permitting timetable authorized or made under
25 this subparagraph (D), other than for reasons
26 outside the control of federal, State, local,

1 or tribal governments, may not extend the
2 permitting timetable for a period of time
3 greater than half of the amount of time from
4 the establishment of the permitting timetable
5 under subparagraph (A) to the last final
6 completion date originally established under
7 subparagraph (A).

8 (II) The Director of the Governor's Office
9 of Management and Budget, after consultation
10 with the project sponsor, may permit the
11 office to authorize additional extensions of a
12 permitting timetable beyond the limit
13 prescribed by subclause (I). In such a case,
14 the Director of the Governor's Office of
15 Management and Budget shall transmit, not
16 later than 5 days after making a determination
17 to permit an authorization of extension under
18 this subclause (II), a report to the General
19 Assembly explaining why such modification is
20 required. Such report shall explain to the
21 General Assembly with specificity why the
22 original permitting timetable and the
23 modifications authorized by the office failed
24 to be adequate. The office shall transmit to
25 the Director of the Governor's Office of
26 Management and Budget, a supplemental report

1 on progress toward the final completion date
2 each year thereafter, until the permit review
3 is completed or the project sponsor withdraws
4 its notice or application or other request to
5 which this Section applies.

6 (iv) The following shall not be subject to
7 judicial review:

8 (I) A determination by the office under
9 subclause (III) of clause (i).

10 (II) A determination under subclause (II)
11 of clause (iii) by the Director of the
12 Governor's Office of Management and Budget to
13 permit the office to authorize extensions of a
14 permitting timetable.

15 (E) A permitting timetable established under
16 subparagraph (A) shall be consistent with any other
17 relevant time period established under law and shall
18 not prevent any cooperating agency from discharging
19 any obligation under law in connection with the
20 project.

21 (F) Conforming to permitting timetables.

22 (i) Each agency shall conform to the
23 completion dates set forth in the permitting
24 timetable established under subparagraph (A), or
25 with any completion date modified under
26 subparagraph (D).

1 (ii) If an agency fails to conform with a
2 completion date for agency action on a covered
3 project or is at significant risk of failing to
4 conform with such a completion date, the agency
5 shall:

6 (I) promptly submit to the office for
7 publication on the Permitting Dashboard an
8 explanation of the specific reasons for
9 failing or significantly risking failing to
10 conform to the completion date and a proposal
11 for an alternative completion date;

12 (II) in consultation with the office
13 establish, an alternative completion date; and

14 (III) each month thereafter until the
15 agency has taken final action on the delayed
16 authorization or review, submit to the office
17 for posting on the Permitting Dashboard a
18 status report describing any agency activity
19 related to the project.

20 (G) Abandonment of covered project.

21 (i) If the office has a reasonable basis to
22 doubt the continuing technical or financial
23 ability of the project sponsor to construct the
24 covered project, the office may request the
25 project sponsor provide an updated statement
26 regarding the ability of the project sponsor to

1 complete the project.

2 (ii) If the project sponsor fails to respond
3 to a request described in clause (i) by the date
4 that is 30 days after receiving the request, the
5 office shall publish an appropriate notice on the
6 Permitting Dashboard.

7 (iii) On publication of a notice under clause
8 (ii), the completion dates in the permitting
9 timetable shall be tolled and agencies shall be
10 relieved of the obligation to comply with
11 subparagraph (F) until the project sponsor submits
12 to the office an updated statement regarding the
13 technical and financial ability of the project
14 sponsor to construct the project.

15 (3) Cooperating local governments.

16 (A) If the environmental review is being
17 implemented within the boundaries of a unit of local
18 government, it may choose to participate in the
19 environmental review and authorization process under
20 this subsection and to make subject to the process all
21 local authorities that:

22 (i) have jurisdiction over the covered
23 project;

24 (ii) are required to conduct or issue a
25 review, analysis, opinion, or statement for the
26 covered project; or

1 (iii) are required to make a determination on
2 issuing a permit, license, or other approval or
3 decision for the covered project.

4 (B) To the maximum extent practicable under
5 applicable law, the office shall coordinate the
6 environmental review and authorization processes under
7 this subsection (c) with any local authority
8 responsible for conducting any separate review or
9 authorization of the covered project to ensure timely
10 and efficient completion of environmental reviews and
11 authorizations.

12 (C) Any coordination plan between the office and
13 any local authority shall, to the maximum extent
14 practicable, be included in a memorandum of
15 understanding.

16 (d) Early consultation. The office shall provide an
17 expeditious process for project sponsors to confer with each
18 cooperating agency involved and, not later than 60 days after
19 the date on which the project sponsor submits a request under
20 this subsection, to have each such agency provide to the
21 project sponsor information concerning:

22 (1) the availability of information and tools,
23 including pre-application toolkits, to facilitate early
24 planning efforts;

25 (2) key issues of concern to each agency and to the
26 public; and

1 (3) issues that must be addressed before an
2 environmental review or authorization can be completed.