

6 ONE FEDERAL DECISION

On January 20, 2021, *Executive Order 13807: Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects*, was revoked in the *Executive Order 13990: Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>).

In the 2018 *Memorandum of Understanding Implementing One Federal Decision Under Executive Order 13807*¹ issued by the Office of Management and Budget (OMB) and the Council on Environmental Quality (CEQ), the three concurrence points in the environmental review process where the lead Federal agency must request the concurrence of Cooperating Agencies with authorization decision responsibilities were:

- Purpose and Need (generally prior to the issuance of the notice of intent for an infrastructure project);
- Alternatives to be carried forward for evaluation (prior to detailed analysis in the Draft EIS); and
- Identified preferred alternative (prior to identification in the Draft EIS or the Final EIS).

Written concurrence was received² on the Purpose and Need on May 16, 2018, on the ARDS on June 5, 2019, and on the Revised ARDS on October 16, 2019, and Recommended Preferred Alternative on June 29, 2021. Refer to **SDEIS, Chapter 7** for a summary of the agency coordination that has occurred since the publication of the DEIS in July 2020. Agency coordination will continue through the completion of NEPA. The final list of necessary permits, approvals and authorizations will be included in the Final Environmental Impact Statement and Record of Decision.

¹ Memorandum of Understanding Implementing One Federal Decision Under Executive Order 13807, <https://www.whitehouse.gov/wp-content/uploads/2018/04/MOU-One-Federal-Decision-m-18-13-Part-2-1.pdf>

² NCPC concurred on the Purpose and Need only; M-NCPPC did not concur on Purpose and Need or ARDS, including revised ARDS