Clean Energy

U.S. Permitting Delays Hold Back Economy, Cost Jobs

Pass bipartisan permitting reform to unleash American energy

Key Takeaways

1. **Permitting takes far too long.**
2. **Permitting delays obstruct clean energy development.**
3. **Commonsense reform to permitting will unlock clean energy's benefits without jeopardizing our bedrock environmental laws.**

What's At Stake?

Permitting Delays Obstruct Domestic Clean Energy Deployment

In 2023, the clean energy industry added 33,800 MW of clean energy to the grid. Clean power accounted for most of the total new U.S. power capacity installed.

However, the industry was held back due to various challenges, including permitting issues. In 2023, more than **60,000 MW of capacity experienced delays**.

Commonsense Permitting Reform Will Unlock Clean Energy, American Investment, and Jobs—without Jeopardizing Bedrock Environmental Laws

Successful deployment of wind, solar, storage, hydrogen, and transmission projects require a predictable, timely, and cost-effective permitting framework.

- **For an energy project**, the average review timeline today is **4.5 years**.
- **For transmission projects**, the average is **6.5 years**—and often can take over 10 years.

Reforming Permitting for Transmission is Vital for Grid Resiliency and Grid Reliability

Our electric grid is outdated and inefficient, leaving our grid vulnerable to blackouts during extreme weather events. Much of the U.S. electric grid was built in the 1960s and 1970s. These lines are approaching the end of their typical 50–80-year lifecycle—and today, it often takes 10 years or more to build new lines.

DOE estimates we need to expand our transmission system 60% by 2030, make significant process improvements, and increase private sector investment to meet growing clean energy demands.

- According to ACP's 2023 Market Report, only 255 miles of transmission were delivered in 2023.
- To put that in context, developers are pursuing 10,000 miles through 2030.

Streamlining permitting will help build modern, high-impact transmission lines that can carry large amounts of energy from one region to another. Increased access to power generation helps keep the grid reliable, reduce congestion, balance the grid—particularly during times of high demand—and provide redundancy during extreme weather events. Ultimately, streamlining permitting will **deliver affordable, reliable power to more American families across the country**.

ACP Permitting Reform Recommendations

Expedite Permitting for High-Impact Transmission Lines to Connect to the Grid

Improve the federal permitting process for high-impact interstate transmission lines by **reducing the amount of time it takes to acquire a permit and ensuring the process is predictable and efficient** for developers. By streamlining the permitting process for interregional transmission lines that are deemed in the national interest and reducing duplicative environmental reviews, we can cut **5+ years from the existing siting and permitting process**.

Establish Permitting Timelines Across Federal Agencies

While the Fiscal Responsibility Act addressed permitting timelines under the National Environmental Policy Act (NEPA), that is only one piece of the full permitting process.

Direct the Council of Environmental Quality (CEQ) to impose a timeline between when an agency receives an application and when the issuance of a Cost Recovery Agreement and Notice of Intent are required, and to complete outstanding authorizations after the publication of the record of decision. Congress should also require CEQ to provide guidance on when and how agencies can use such reviews.

Maximize Use of Programmatic NEPA Reviews

Direct agencies to maximize the use of programmatic approaches to permitting and environmental reviews for onshore clean energy infrastructure projects to incentivize project development in non-sensitive areas.

Congress should also require CEQ to **provide guidance on when and how agencies can use such reviews**. This will help agencies know when or how to optimally use programmatic Environmental Impact Statements and efficiently allow projects to tier to them in future projects.

Expedite Judicial Review

Reduce the statute of limitations to two years for legal objections, providing uniformity with transportation projects and Fast-41. Currently, lawsuits can be filed **up to six years** after the final permitting decision.

Improve Permitting on Public Lands

Expedite the permitting process for clean energy development on public lands and establish a revenue sharing mechanism that would ensure fair return for states, counties, conservation groups, and taxpayers.

Congress should also revise the Bureau of Land Management's (BLM) competitive leasing rule by removing unnecessary fees, recycling fees into processing permits, and ensuring adequate lands are open for development.

Provide Parity for Offshore Wind Leasing and Permitting

Legislation is necessary to level the playing field for developing offshore energy. The Outer Continental Shelf Lands Act (OCSLA) provides authority to permit both offshore wind energy and offshore oil and gas—but both industries are not treated equally. OCSLA was enacted in 1953 for offshore oil, gas, and other minerals, and plainly lacks language specific to offshore wind energy.

Congress should modernize OSCLA to ensure permitting and leasing decisions fairly consider the unique aspects of offshore wind and grant the industry equal access to the same judicial review process as their oil and gas counterparts.

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