December 16, 2014

RAPID Toolkit

State Government Engagement with the Regulatory and Permitting Information Desktop Toolkit





Agenda



- Development background
- Scenarios / Demo
- Sharing RAPID
- Discussion

RAPID Background



- In 2011, the Western Governors' Association created the Transmission Siting Task Force to advance the following objectives:
 - Engage all levels of government to collaborate, cooperate
 - Work with federal land agencies to develop, institutionalize best practices
 - Build tools, develop best practices for siting transmission

RAPID Development Partners





Energy Efficiency & Renewable Energy











HERRICK SOLUTIONS

What is RAPID?



 Regulatory and Permitting Information Desktop (RAPID)

- Publicly available information about bulk transmission project development.
 - State and federal permits and regulations
 - Many other resources!





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Collaborating on Regulatory Processes for Renewable **Energy Projects**

The Regulatory and Permitting Information Desktop (RAPID) Toolkit offers one location for agencies, developers, and industry stakeholders to work together on renewable energy regulatory processes by using a wiki environment to collaborate on regulatory processes, permit guidance, regulations, contacts, and other relevant information.

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RESOURCES



Regulatory Flowchart Library



Reference Library



Best Practices



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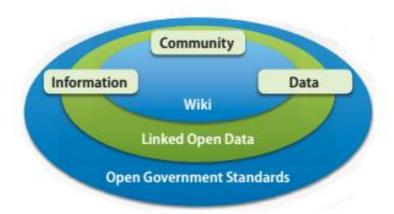
The RAPID Toolkit uses a wiki platform where users contribute to content and upload relevant documents. Contributions help facilitate communication between developers and agency personnel at all jurisdiction levels.

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How does RAPID Work?



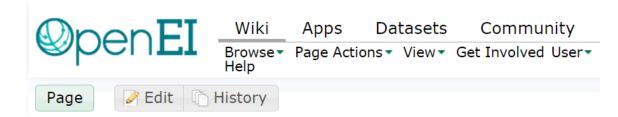
- RAPID is YOUR tool, you control it
 - View, edit, and add data
 - Download data for free
 - RAPID is built on OpenEI, and content is crowd-sourced.



Why Wiki?



- Wiki is Easy!
 - Accessible
 - Searchable
 - Collaborative
 - Recognizable



- Content can be updated
- Resources are consolidated

Using RAPID: Finding State Permitting Information



- As a new employee at a land management agency, you have limited experience working on a transmission project in this state, but there are several ongoing projects. You are not sure how state permitting works, and are looking to educate yourself so you can be an effective and informed participant in the siting process.
- Start at RAPID Homepage...



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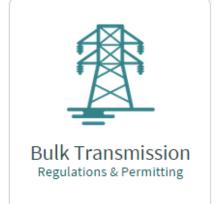
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Bulk Transmission Permitting and Regulations

Working on a bulk transmission project is a multiyear venture that requires following regulations and gathering permits during each phase of the project. Search below for information overviews on specific topics to discover some of the regulatory nuances for particular jurisdictions. To help navigate the regulatory process and point you toward specific actions and permits, review the detailed flowcharts provided in the flowchart library.

Regulatory Information Overviews

Read informative summaries about regulations and permitting in a particular jurisdiction.

New Mexico
Select a Jurisdiction
Federal

Alaska Arizona California

Siting

Colorado Hawaii

Idaho Montana

Nevada New Mexico

Oregon Texas Utah

Categories: Washington Wyoming

Regulatory Processes

View regulatory flowcharts for detailed information about federal and state requirements and permits. Federal flowcharts pertain to all states. State-specific flowcharts are available for Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, New Mexico, Nevada, Oregon, Texas, Utah, Washington, and Wyoming. Contact us about including flowcharts for your state.

Search Flowchart Library



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Bulk Transmission Siting in New Mexico

Bulk Transmission / Siting / New Mexico

Permitting at a Glance

State:	New Mexico	_
State Siting Act:	New Mexico Statutes (N.M.S.) 62-9-1, 62-9-3(B), and 62-9-3.2₺	_
State Preemptive Authority	No Location Permit may be approved by the New Mexico Public Regulations Commission (NMPRC) that violates an existing state, county, or municipal land use statutory or administrative regulation unless NMPRC finds that the regulation is "unreasonably restrictive and not in the interest of the public convenience and necessity.	[1
Siting/Permitting Entities:	NMPRC, local municipalities	-
Permit/Authorization Required:	on Certificate of Public Convenience and Necessity (CPCN) and Location Permit required through NMPRC. Local governments typically require planning and zoning variance and special use permits.	-
Triggers:	CPCN approval required for public utilities, Location Permit approval required for 230kV or greater, and Determination of Right-of-Way (ROW approval required for lines with a ROW greater than 100 feet with	
Application Requirements:	The application for a Location Permit includes any environment studies required by the National Environmental Protection Act (NEPA) or equivalent studies.	[2
Permit Processing	9 months (Location Permit); 6 months (ROW Determination) (t	-

Regulatory Information Overviews

Search for other summaries about Bulk Transmission regulations and permitting.

Siting

New Mexico

Search Overviews



State Siting Process

New Mexico has a state-administered siting act for high-voltage transmission bees. [4] The NMPRC is responsible for 1) issuing a Certificate of CPCN [5], and 2) approving the location of the proposed high-voltage transmission line by issuing a Location Permit. [1] These processes can occur concurrently. Furthermore, if a ROW width of more than 100 feet is required, the proponent must also seek a Determination of Right-of-Way Width from the NMPRC. [6]

Any public utility proposing to construct or operate a new transmission line must obtain a CPCN from the NMPRC. A public utility is defined as is any person or entity not engaged solely in interstate business that owns, operates or leases a facility furnishing electricity to the public.^[7] The public utility must prove that the proposed activity is in the public interest.^[8] Utilities may be required to notify other public utilities per Rule 440 of the Code of Rules and Regulations of the NMPRC. The CPCN permit application process does not require a public hearing be held, if no protest is filed. The NMPRC must issue their decision on the CPCN permit within 9 months and can extend the review for an additional 6 months for good cause.

A public utility or any other person must apply to the NMPRC for a Location Permit for a new transmission line of 230kV or more prior to construction that is associated with a power plant of 300 MW or more, irrespective of whether the transmission line originates or ends within New Mexico. [9] The NMPRC would consider the following environmental concerns in approving the location of the transmission line:

- Existing land use plans for other developments near the project area
- · Fish, wildlife and plant life
- Noise emissions level and communication facility interference
- Public recreation and safety
- · Scenic, religious, cultural and historic sites
- Additional factors that require consideration under applicable federal and state laws pertaining to the location [1]

Once the NMPRC receives the application, a public hearing is scheduled to meet the requirements of New Mexico Statutes 62-10-1 through 16 of which regulate public hearings. The NMPRC will provide the applicant with a 20 day notice of the date, time, and location of the hearing. The applicant must be in compliance with all applicable air and water quality pollution control standards and regulations. The NMPRC will issue its decision within 6 months of the application filing. The NMPRC may extend their decision by 10 months to determine if the location of the proposed transmission line will impair environmental values. [12]

No Location Permit may be approved by NMPRC that violates an existing state, county, or municipal land use statutory or administrative regulation unless NMPRC finds that the regulation is "unreasonably restrictive and not in the interest of the public convenience and necessity." [13]

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Local Siting Process

Land use permits are required for each local government associated with the ransmission lines, however, regulations vary. No Location Permit may be approved by NMPRC that violates an existing state, county, or municipal land use statutory or administrative regulation unless NMPRC finds that the regulation is "unreasonably restrictive and not in the interest of the public convenience and necessity. [13] Under state law, New Mexico counties and municipalities are given zoning authority to regulate and restrict the use of land within its jurisdiction lines. [16] State statutes give local governments (counties and municipalities) the authorization to adopt zoning ordinances. A county zoning authority may adopt a zoning ordinance applicable to all or any portion of the territory within the county that is not within the zoning jurisdiction of a municipality. [17] A municipal zoning authority may adopt a zoning ordinance applicable to the territory within the municipal boundaries. [17]

Policies & Regulations

- · 1 NMAC 2.2 Public Regulation Commission Rules of Procedure
- 17 NMAC 9.592 Location of Large Capacity Plants and Transmission Lines
- An Introduction to Electric Power Transmission
- Edison Electric Institute State Generation and Transmission Siting Directory
- N.M.S. 3-21-1
- N.M.S. 3-21-2
- N.M.S. 62-10-5
- N.M.S. 62-13-1
- N.M.S. 62-3
- N.M.S. 62-3-3
- N.M.S. 62-6-5
- N.M.S. 62-6-7
- N.M.S. 62-9-1
- N.M.S. 62-9-3
- N.M.S. 62-9-3.2
- . NM Stat. 62-10 Hearings Before the Commission

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- N.M.S. 62-3
- N.M.S. 62-3-3
- N.M.S. 62-6-5
- N.M.S. 62-6-7
 N.M.S. 62-9-1
- N.M.S. 62-9-3
- N.M.S. 62-9-3.2
- · NM Stat. 62-10 Hearings Before the Commission
- NM Stat. 62-11 Review of Commission Orders
- NM Stat. 62-9 The Utility Franchise
- · Transmission Siting in the Western United States

References

- 1. ↑ 1.0 1.1 1.2 1.3 N.M.S. 62-9-3 (2013).
- 2. ↑ NMS 62-3 New Mexico Public Utility Act (1985).
- 3. ↑ N.M.S. 62-9-1 (2013).
- 4. ↑ N.M.S. 62-13-1 (2013).
- 5. ↑ N.M.S. 62-9-1 (2013). A
- ↑ N.M.S. 62-9-3.2 (2013).
- 3.2 (2013).

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Policies & Regulations

1 NMAC 2.2 - Public Regulation Commission Rules of Procedure

17 NMAC 9.592 - Location of Large Capacity Plants and Transmission Lines

An Introduction to Electric Power Tran

Edison Electric Institute State Generat

N.M.S. 3-21-1

N.M.S. 3-21-2

N.M.S. 62-10-5

N.M.S. 62-13-1

N.M.S. 62-3

N.M.S. 62-3-3

N.M.S. 62-6-5

N.M.S. 62-6-7

N.M.S. 62-9-1

N.M.S. 62-9-3

N.M.S. 62-9-3.2

. NM Stat. 62-10 - Hearings Before the Co

NM S . 62-11 - Review of Commission

NM St. c. 62-9 - The Utility Franchise

Transmission Siting in the Western Uni



References

- 1. ↑ 1.0 1.1 1.2 1.3 N.M.S. 62-9-3 (2013).
- 2. ↑ NMS 62-3 New Mexico Public Utility Act (1985).
- 3. ↑ N.M.S. 62-9-1 (2013).
- 4. ↑ N.M.S. 62-13-1 (2013).
- N.M.S. 62-9-1 (2013). A
- 6. ↑ N.M.S. 62-9-3.2 (2013).

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Legal Document- Statute: N.M.S. 62-9-1

Published

N/A

Year Signed or Took Effect

2013

Legal Citation

N.M.S. 62-9-1

DOI

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Citation

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Regulatory Roadmap Sections

Geothermal Roadmap Content Overview 🕒

Solar Roadmap Content Overview 🔑

Transmission Roadmap Content Overview.

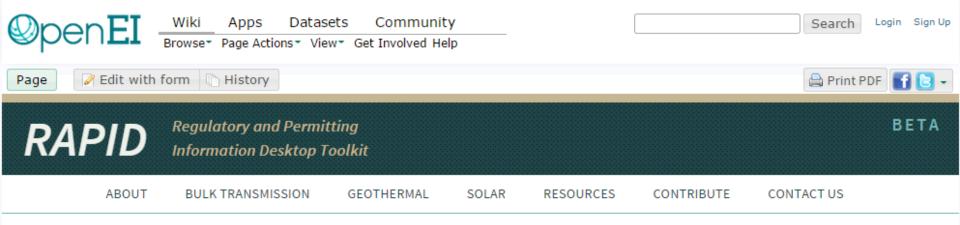
The flowcharts available in this tool cover the major requirements for developing energy projects, including, land access, siting, exploration and drilling, plant construction and operation, grid interconnection, water resource acquisition, and relevant environmental considerations. To use the flowcharts, start with the Overview Flowchart for Section 1, or jump to the Overview Flowchart for a section you are interested in. These Overview Flowcharts will lead you to the federal and state flowcharts you will need.

3 technologies selected	
Geothermal	
✓ Solar	
View by Topic	
20 topics selected	
20 topics selected Land Use Planning	
✓ Siting	

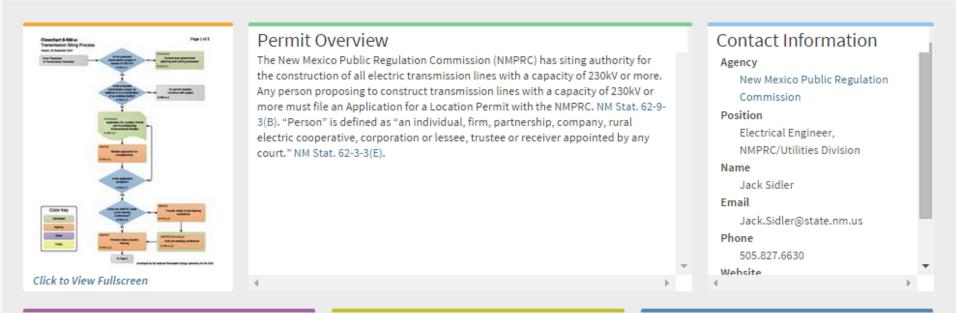
Flowchart #	Title	Applicable Technology	Lead Agency
1	Land Use Planning Overview	Geothermal	United States Department of Defense Bureau of Land
1	Land Use Planning Overview	Solar	BLM United States Forest Service
1	Land Use Planning Overview	Transmission	BLM United States Forest Service
1-AK-a	Land Use Planning	Geothermal	Alaska Department of Natural

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Geothermal Ro	 ✓ Geologic Resources ✓ Aesthetic Resource 							
Solar Roadmap			8	Grid Conr	nection Overvie	W	Geothermal Solar	
Transmission R	☑ Water Access & Water Rights							
The flowcharts construction ar	✓ Plant Decomissioni	ing	8	Bulk Tran	smission Overv	iew	Transmission	plant h the
Overview Flow	view by surisdiction	show all						deral
	☐ Federal ☐ Alaska ☐ Arizona	show div	8-NM-a	<u>Transmis</u>	sion Siting Proc	ess RAPID/Roadmap/8	Geothermal Transmission -NM-a	
Filter by To	Colorado		8-NM-b	Interconn 10MW	ection of Gener	rating Facilities over	r Geothermal	
	Montana		8-NM-c	Certificat	e of Public Conv	venience and Neces	sity Geothermal Transmission	
View by To								
✓ Land Us✓ Siting✓ Land Ac	Utah Washington		8-NM-d	State Det Process	ermination of R	ight of Way Width	Geothermal Transmission	
	1		8-NM-f	Interconn	ection up to an	d Including 10MW	Geothermal of Natu	nt



8-NM-a Transmission Siting Process



Do I Need This Permit?

If your project activity meets any of the sets of conditions below, you may need to complete this permit or process.

NM Stat. 62-3 - Public Utility Act

Regulations

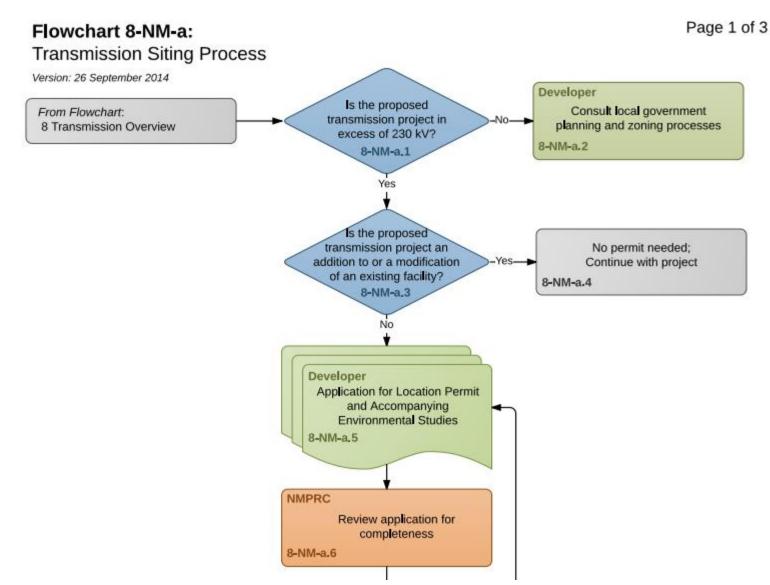
NM Stat. 62-9 - The Utility Franchise

NM Stat. 62-10 - Hearings Before the Commission

Resources

Finding State Permitting Information: Flowcharts





Finding State Permitting Information: Flowcharts



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Flowchart Narrative

8-NM-a.1 to 8-NM-a.4 – Is the Proposed Transmission Project in Excess of 230kV?

Developers seeking to construct transmission lines equal to, or in excess of, 230kV capacity must file an Application for Location Permit (Application) with the NMPRC. NM Stat. 62-9-3(B). Developers seeking to site transmission lines with a capacity of less than 230kV, while exempt from the Location Permit requirement, must still comply with local government planning and zoning regulations. In addition, the developer must also submit an Application for Determination of Right of Way Width to the NMPRC if the proposed transmission lines require a right of way width of greater than 100 feet. NM Stat. 62-9-3.2(A). For more information on the Determination of Right of Way Width requirement, see

8-NM-d: State Determination of Right of Way Width Process

The NMPRC does not require approval for projects that are an addition to or a modification of an existing transmission line. NM Stat. 69-9-3(D).

8-NM-a.5 – Application for Location Permit and Required Attachments

The developer will submit the application to the NMPRC. The application must contain:

- A description of the transmission line, including location, identification of ownership of the affected land, length of the transmission line, description of the interconnection facilities, a map of the transmission line and a schematic of the transmission line;
- Identification of all applicable land use statutes and administrative regulations and proof of compliance or statement of noncompliance with each;
- If required under NEPA, an environmental assessment (EA) prepared in connection with the transmission line;
- If required under NEPA, an environmental impact statement (EIS) and record of decision, or a finding of no significant impact (FONSI), prepared in connection
 with the transmission line;

Comparing State Permitting Processes



- You work for the New Mexico governor's office, and a new transmission line has been proposed that will go from Montana, to Wyoming, to Colorado, to New Mexico. You understand that a "best practice" in siting interstate transmission lines is to align state permitting processes. But you are not sure what the state permitting processes are for MT, WY, CO, and NM.
- You can use RAPID to get an overview of each state's permitting process, and compare between states.

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BulkTransmission Siting Comparison

The table below provides an overview and comparison for BulkTransmission Siting across various states. To learn more detailed information about Siting in a state, click on the appropriate link under Permitting Location.

Regulatory Information Overviews

Search for other summaries about Bulk Transmission regulations and permitting.

Siting	•	
Select a Jurisdiction	•	

Search Overviews

Permitting Location State Siting State Preemptive Authority Siting/Permitting Permit Processing Tin Act Entities
--

Bulk Transmission Siting in Alaska

Bulk Transmission Siting in Arizona

Arizona Revised Statute Title 40.

The Transmission Line Siting Committee (TLSC) may find Arizona Corporation that compliance with local ordinances, master plan or Chapter 2, Article regulation is unreasonably restrictive and compliance is the TLSC

Commission (ACC) and

In general, the TLSC has 180 days from the date the application is filed to either issue or deny a CEC application. Once the TLSC has made a decision, the



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Resources

The RAPID Toolkit provides the following resources to help agencies and developers permit renewable energy and bulk transmission projects.



Regulatory Flowchart Library

A collection of regulatory roadmaps that outline the major requirements for developing renewable energy and bulk transmission projects



Reference Library

A collection of links to regulatory and permitting documents, regulations, and tools available on other websites



Best Practices

A collection of best practices for efficiently permitting renewable energy and bulk transmission projects



A collection of document sets and details from past NEPA analyses

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Search the NEPA Database

The NEPA Database was developed on OpenEI as a way to assemble NEPA-related documents and meta-data in one location. There are over 175 document sets in the collection, including applications, reports, CX checklists, FONSIs and Decision Records. It was developed for the analysis of NEPA trends and timelines, and made available to the public for the use of agencies and industry in conducting future NEPA analyses. Learn more about the NEPA Database.

Have a NEPA Document Collection to add that doesn't yet exist in this collection?

- 1. Make sure it doesn't already exist: Please be sure to search this page by serial number and by document number
- 2. Add a new NEPA Document Collection

Filter by Technology 3 technologies selected Geothermal Solar Transmission View by Analysis Type 5 analysis types selected Casual Use Determination of NEPA Adequacy Categorical Exclusion Environmental Analysis Environmental Impact Statement

NEPA Database Overview

Analysis Type	Applicable Technology	Location	Lead Agency	
EA	Geothermal *	• Nevada 📥	• BLM	
EIS	Geothermal 🏝	• California 📥	• USFS *	
DNA	Geothermal 🇢	Nevada, Nevada	• BLM •	
	EA .	Type Technology Geothermal Geothermal Geothermal Geothermal	Type Technology • Geothermal • Nevada • • Geothermal • California • • Geothermal • Nevada, •	Type Technology • Geothermal • Nevada • BLM • Geothermal • California • USFS • Geothermal • Nevada, • BLM

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About Best Practices

Sea

The permitting process can be a sometimes confusing, time-consuming part of project development. This sections aims to help the user learn from other's efforts to make the process run more efficiently.

In the review of regulatory and permitting practices throughout the states, the RAPID team has identified several best practices that stakeholders find effective in efficiently permitting their projects. We have developed descriptions of these best practices, and provided case studies, templates and how-tos for incorporating these best practices into your development projects.

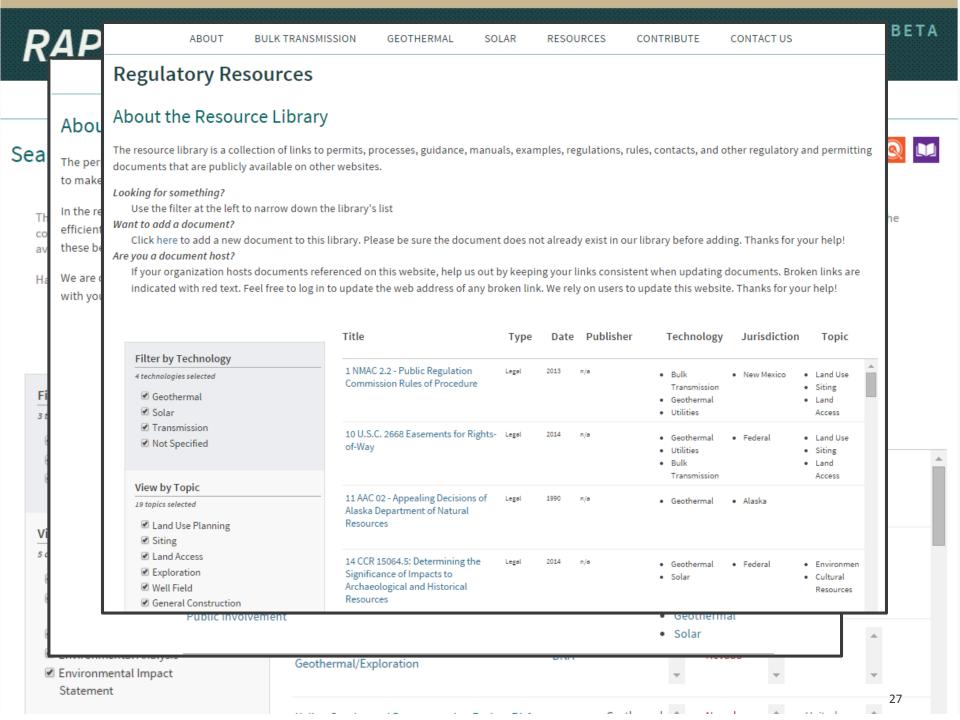
We are continuing to add new best practices to this section. If you have suggestions for best practices to be included, please feel free to add one, or contact us with your ideas.

Best Practices

TITLE	APPLICABLE PROJECT TYPE(S)
	Geothermal
Coordinating Permit Offices	• Solar
	Bulk Transmission
NEPA Timelines	Geothermal
Online Permitting Systems	Geothermal
	Bulk Transmission
Public Involvement	 Geothermal
	• Solar

 Environmental Impact Statement Geothermal/Exploration

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Finding Helpful Information





Your Gateway to the World's Energy Information and Data http://en.openei.org

Set Up an Account

Note that using Mozilla Firefox or Google Chrome browsers allows increased functionality for editing than Internet Explorer.

Point Your Browser to this web address:

http://en.openei.org/

- 2. Click on "Sign Up" in the upper right corner, and enter the required information to set up an account
- Start using OpenEl

Accessing the RAPID Toolkit

Note that because the RAPID Toolkit is in the development phase, the page has not been indexed. Therefore, it will not show up in any OpenEl, Google or other search. It can only be accessed by knowing and typing in the web address. Internal page links have been created for navigation.

RAPID Toolkit Homepage:

http://en.openei.org/wiki/RAPID





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A Database

Choose Your Project Type





Geothermal
Regulations & Permitting



LOGIN: Sign up and log in to contribute

information. A user page is created for

each user to input information about

themselves for the user community.

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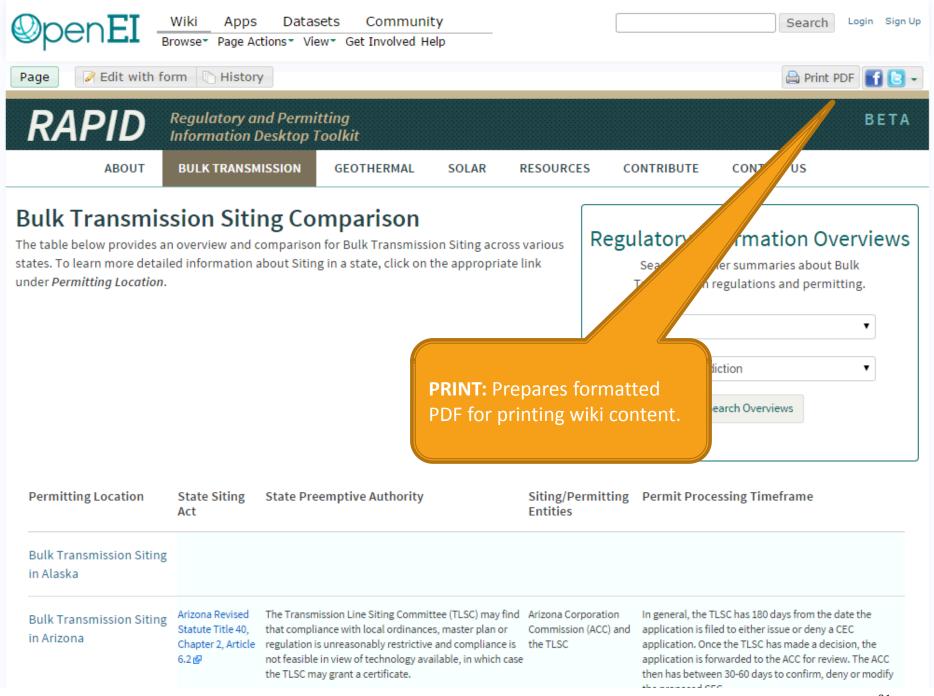


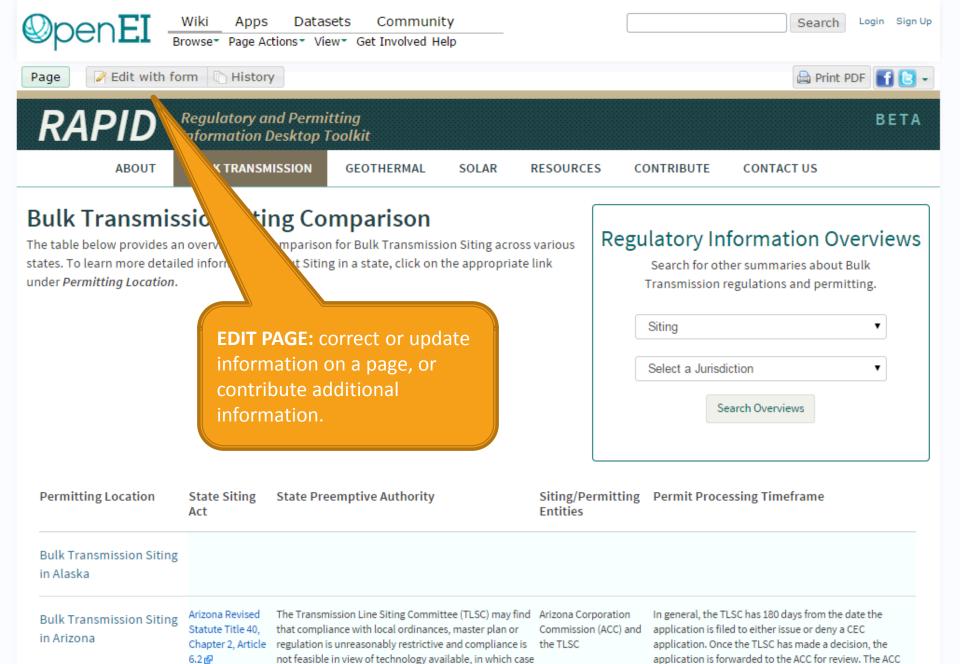
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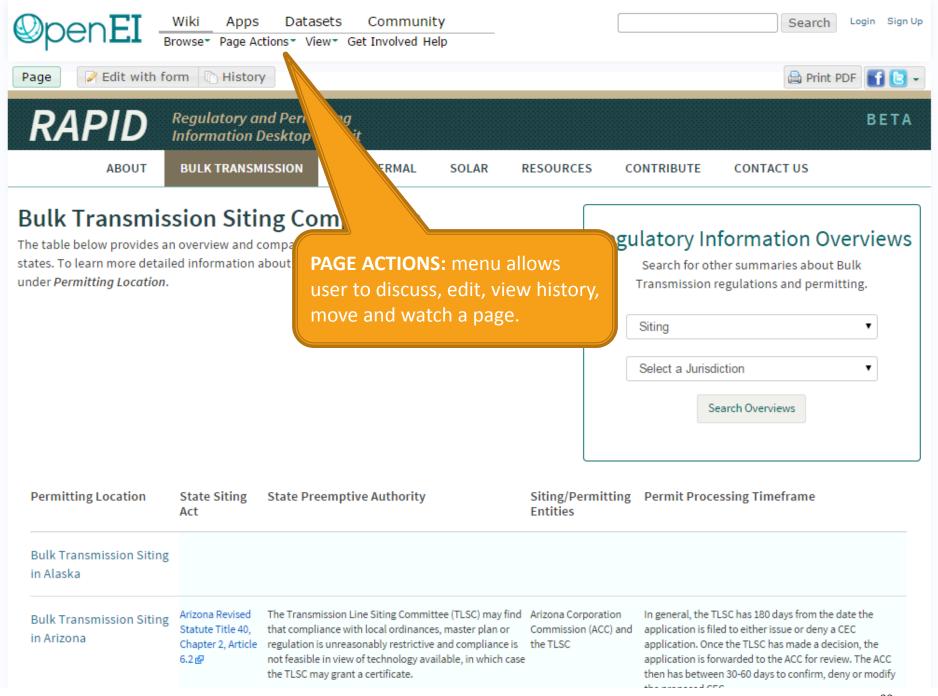


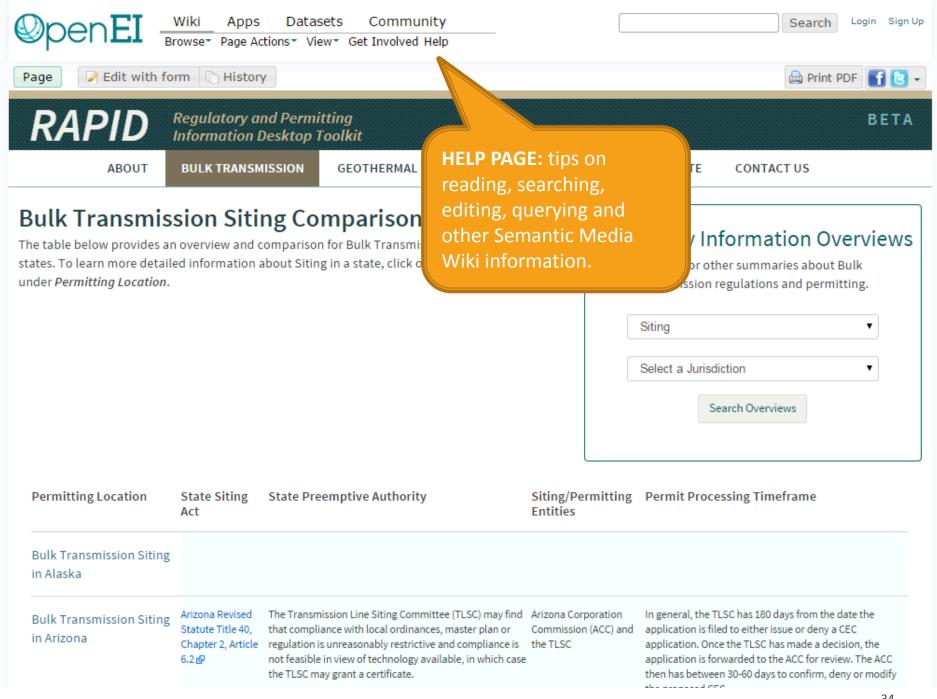


the TLSC may grant a certificate.

then has between 30-60 days to confirm, deny or modify

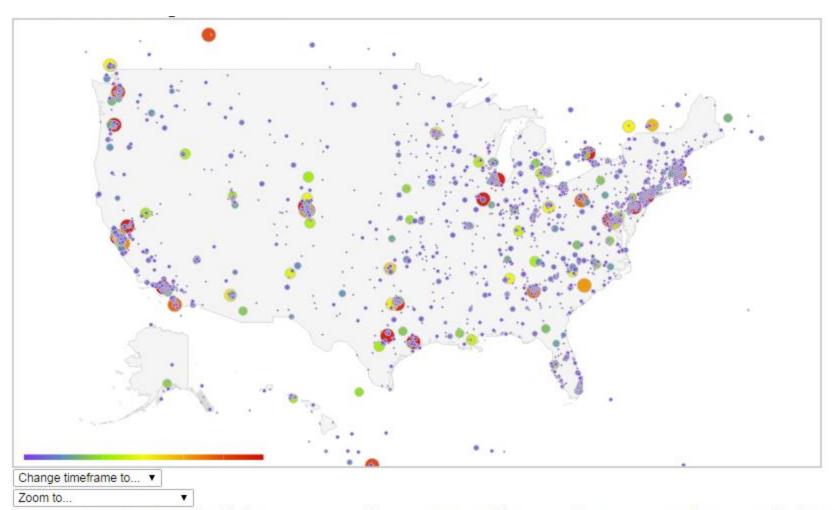
Alexandered CCC





Discussion





Map shows last 7 days of data by default. Hover over a city for more statistics. Click on a country to zoom in, or select a geographical region from the dropdown list.

Contact



Thanks, and please contact us with any other questions.

Chris Scolari

Policy Advisor, Western Governors' Association

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westgov.org

http://en.openei.org/wiki/RAPID

RAPID Toolkit

This project is being managed by the Western Governors' Association, in partnership with National Renewable Energy Laboratories, the Department of Energy, Tetra Tech, Inc., and Kearns & West, Inc.

