SENATOR MARKEY'S
PROGRESSIVE PRIORITIES
FOR CLEAN ENERGY DEPLOYMENT

☑ STEP 1: PASS HISTORIC LEVELS OF FUNDING FOR ENVIRONMENTAL JUSTICE AND NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) IMPLEMENTATION THROUGH THE INFLATION REDUCTION ACT

In August 2022, Congress took the important step of passing the Inflation Reduction Act, the largest investment in climate and clean energy in history. This legislation included $60 billion in critical funding for environmental justice, including designated funding to support National Environmental Policy Act (NEPA) implementation, which will allow for agencies to thoroughly and effectively review proposed infrastructure projects.

☐ STEP 2: SUPPORT TRANSPARENT AND EFFICIENT DEPLOYMENT OF CLEAN ENERGY BY BRINGING FRONTLINE ENVIRONMENTAL JUSTICE COMMUNITIES TO THE TABLE EARLIER IN THE PROCESS AND ESTABLISHING EQUITY AND JUSTICE REQUIREMENTS

The permitting process can and must prioritize both the swift deployment of clean energy and the engagement of frontline environmental justice communities. These efforts would allow for affected communities to be included in project planning, potentially facilitating project implementation by developing widespread community support that can minimize the likelihood of protracted litigation. These efforts should include:

- **Rapid distribution of funding from the Inflation Reduction Act for national NEPA implementation, as well as additional funding for state and Tribal permitting and historic preservation offices;**

- **Support for project pre-development programs, like the Local Infrastructure Funding and Technical Assistance (LIFT) Act—which would provide grants to communities to cover market assessments, community engagement, site acquisition, and permitting costs for projects ranging from rooftop solar to electrification;**

- **Legal frameworks and requirements around environmental justice and equity, like the Environmental Justice for All Act, which would establish environmental justice requirements, advisory bodies, and programs to address the disproportionate adverse health or environmental effects of federal laws or programs on communities of color, low-income communities, or tribal and indigenous communities. Congress can help communities break through the complicated bureaucratic process and enable transformative projects, without placing arbitrary limits on stakeholder involvement.**

- **An intervener funding program through the Federal Energy Regulatory Commission's (FERC) Office of Public Participation to help members of the public cover expenses incurred in relation to their engagement in Commission proceedings. This program could ensure underrepresented communities are empowered to full engage in FERC decisions.**

- **The development of tools to both speed project adoption while preventing communities from being cut out of the process, such as creating a centralized database to track project timelines and approval processes, prioritizing permitting of clean energy and transit projects that are supported by environmental justice communities and reduce energy burden, and supporting an analogue to the Federal Permitting Improvement Steering Committee (FPISC) that would focus on helping under-resourced communities shepherd projects through the permitting process.**

☐ STEP 3: FIX BROKEN PERMITTING, INTERCONNECTION, AND SITING PROCESSES FOR CLEAN ENERGY TRANSMISSION AND DISTRIBUTED ENERGY RESOURCE PROJECTS

Senator Markey's Connecting Hard-to-reach Areas with Renewably Generated Energy (CHARGE) Act would proactively plan and build a reliable and resilient energy grid across broad regions of the country, which would bridge the gap between the supply of renewable energy and the cities and towns that need access to clean megawatts. The legislation would also implement a series of reforms through FERC to accelerate a clean energy transition by requiring strong transmission planning reforms, establishing minimum levels of transfer capabilities between regions, supporting competition, and requiring effective oversight of transmission networks that can deliver clean electricity throughout the country.

FERC and the Department of Energy have recently enhanced existing authorities for transmission siting and permitting that could be effectively deployed, and FERC also has ongoing rulemakings that can address the interconnection backlog, cost allocation for transmission, and regional planning. FERC can continue to do more to support grid-enhancing technologies that improve transmission without requiring more infrastructure to be built.

Congress should amend the Federal Power Act Section 216 to designate FERC as the siting authority for transmission facilities with capacity ratings of 1,000 MW or greater, as called for in Senator Whitehouse's Streamlining Interstate Transmission of Electricity Act (SITE) Act, and direct FERC to allocate the costs of transmission projects.

Finally, addressing the inter-state and intra-state interconnection backlog will support new clean energy and distributed energy resources that are ready for deployment, but have been delayed by poor utility and wholesale market planning. At the end of 2021, more than 1,400,000 megawatts of total generation and storage capacity was in the queue for connection to the grid—more than 90 percent of which was zero-carbon resources like solar, wind, and battery storage. As of January 2023, Massachusetts had more than 19,000 megawatts of capacity—nearly all wind, battery storage, and solar projects—in the Independent System Operator-New England Interconnection Request Queue.

☐ STEP 4: PRIORITIZE ENVIRONMENTAL JUSTICE PROJECTS OF STRATEGIC NATIONAL IMPORTANCE

Additional legislative and executive action could support the swift adoption and completion of projects that are both of strategic national importance and also a priority for environmental justice communities. For instance, legislation could designate 25 zero-emission energy generation projects as projects of strategic national importance, of which at least 50 percent would be for clean energy projects that support environmental justice communities and do not include oil, gas, fossil hydrogen, and carbon capture and storage projects. Environmental justice liaisons in federal agencies, including FERC, and funding for interveners could also ensure that communities are brought in at the front of the process, avoiding disruption down the line.