



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

September 18, 2017

The Honorable Gary Herbert
Office of the Governor
350 North State Street
Suite 250
P.O. Box 142220
Salt Lake City, Utah 84114

Dear Governor Herbert:

Thank you again for your February 22, 2017 letter requesting that the Lake Powell Pipeline project be identified as a high priority infrastructure project pursuant to Executive Order 13766. As we indicated in our earlier letter responding to your request, the Council on Environmental Quality (CEQ) has been working with other Federal agencies, including the Federal Permitting Improvement Steering Council (Permitting Council), to align various permitting improvement and infrastructure initiatives.

On August 15, 2017, the President signed Executive Order 13807 which directs Federal agencies to use existing coordination provisions to expedite the environmental review requirements for priority infrastructure projects. Under Executive Order 13807, projects which meet the criteria for, and are subject to, 23 U.S.C. 139 (Transportation Projects), 33 U.S.C. 2348 (Water Resource Development Projects), or 42 U.S.C. 4370m *et. seq.* (Covered Projects under Title 41 of the FAST Act) will qualify as high priority infrastructure projects. Additionally, the Executive Director of the Permitting Council may determine that other projects, subject to special environmental review and authorization streamlining processes, also qualify as high priority infrastructure projects.

CEQ has reviewed the Lake Powell Pipeline project which was the subject of your February 22 letter. Based on that review, CEQ has notified the Executive Director of the Permitting Council that the Lake Powell Pipeline project may qualify as a high priority infrastructure project.

A representative of the Permitting Council will be reaching out to your office with more information on your project's eligibility.

Sincerely,



Mary Neumayr
Chief of Staff

CC: Janet Pfleeger, Acting Executive Director of the Federal Permitting Improvement Steering Council
Douglas Hoelscher, Special Assistant to the President and Deputy Director of White House Intergovernmental Affairs