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Federal Permits, **Local Partnerships**

Counties and the Federal Permitting Landscape

Federal Permitting Delays Cost Counties – and Taxpayers – Billions

Why permitting reform must include counties as cooperating agencies

Counties build and maintain nearly half of America’s public roads and bridges – and navigate federal permitting at every step. Yet counties are routinely excluded from formal roles in federal environmental reviews, leaving local knowledge on the sideline and adding years to project timelines. Federal permitting reform is an opportunity to streamline infrastructure delivery and cut costs – but only if counties have a seat at the table.

By the Numbers

4–5 YEARS

Typical federal permitting timeline for large infrastructure projects¹

OVER \$1.1 TRILLION

Infrastructure investment tied up in permitting at any given time¹

AROUND 30%

Construction cost increase over delayed project timelines²

\$22 BILLION

In additional returns unlocked by cutting timelines by just one year¹

NACo’s Asks



Recognize counties as cooperating agencies in all federal environmental reviews under NEPA – formally and consistently, not case by case



Ensure permitting reform does not preempt local land use authority – streamlining federal processes and respecting local zoning are not mutually exclusive



Pass permitting legislation in the Senate that recognizes counties as cooperating agencies



Provide counties with resources and technical assistance to fulfill their role in federal reviews, particularly rural counties with limited staff capacity

The Cost of Delay

Delays Drive Up Costs

- Construction costs rise 24–30 percent over delayed timelines due to material and labor inflation²
- Transportation project delays cost \$96,000–\$447,000 per month depending on project size – one \$49.6 million project saw costs rise 29 percent due to delay alone³
- Permitting delays generate \$100–\$140 billion annually in unrealized economic returns¹
- Energy projects face an average 2.5-year delay and 17 percent cost overruns²

Delays Have Real Consequences

- 650+ infrastructure projects currently await federal approval nationwide¹
- A D.C.-area sewer repair project proposed in 2018 was still under environmental review when the pipe failed – releasing wastewater equivalent to 364 Olympic swimming pools⁴
- 50 percent of broadband permitting applications on federal lands exceeded the statutory 270-day deadline⁵
- Some clean energy projects take 7 to 16 years from initiation to operation⁶

Counties Must Be Part of the Solution

Why Counties Belong at the Table

- Counties own and maintain 45 percent of public road miles and 38 percent of public bridges – they are the primary implementers of infrastructure projects
- Counties provide land use plans, local data and infrastructure expertise that federal agencies cannot replicate
- Under NEPA, “cooperating agency” status gives counties a formal role in environmental reviews – enabling faster, better-informed decisions

What Cooperating Agency Status Means

- Counties contribute local expertise early in the review process – reducing costly late-stage surprises
- Formal participation reduces duplicative local and federal reviews
- Counties can help align federal timelines with local project delivery schedules
- NACo successfully secured language in the SPEED Act and the CERTAIN Act explicitly recognizing counties as cooperating agencies - the Senate must act now

Under NEPA, “cooperating agency” status gives counties a formal role in environmental reviews – enabling faster, better-informed decisions



What Congress has already done: Fiscal Responsibility Act of 2023

The Fiscal Responsibility Act (P.L. 118-5) enacted the most significant NEPA reforms in over four decades – and counties supported them. Key provisions include:

- Scope of review: Limits NEPA reviews to only “reasonably foreseeable” impacts, reducing the broad cumulative impact analysis that had slowed project delivery
- Timelines: Establishes a two-year deadline for Environmental Impact Statement (EIS) reviews, with a court petition pathway if deadlines are missed
- Page limits: Caps EIS documents at 300 pages and Environmental Assessments at 75 pages – down from an average exceeding 600 pages
- Cooperating agencies: Empowers lead agencies to designate state, tribal and local agencies – including counties – as cooperating agencies or joint lead agencies
- Categorical exclusions: Allows agencies to adopt exclusions from other agencies, reducing duplicative reviews for routine projects

Why it matters for counties: From 2000 to 2020, counties’ infrastructure purchasing power was cut in half due largely to permitting delays. The FRA is a meaningful step forward – but counties must be formal partners in implementation.

¹ McKinsey & Company, Unlocking US Federal Permitting: A Sustainable Growth Imperative (2025)

² U.S. Department of Energy / National Petroleum Council, Permitting Report (2025)

³ Texas Transportation Institute, Assessing the Costs Attributed to Project Delays

⁴ The Washington Post, Plan to reinforce sewer pipe was delayed for years before Potomac disaster

⁵ U.S. Government Accountability Office, GAO-24-106157: Broadband Deployment and Permitting Timelines

⁶ Resources for the Future, How Long Does It Take? NEPA Timelines and Outcomes for Clean Energy Projects (2025)