

# Data Management Guide for FAST-41 and Major Infrastructure Projects on the Permitting Dashboard



**PERMITTING COUNCIL**

Transparency • Efficiency • Accountability

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## Purpose

The Data Management Guide for [Title 41 of the Fixing America’s Surface Transportation Act](#) (FAST-41) covered projects and One Federal Decision (OFD) Major Infrastructure Projects (MIPs) on the Permitting Dashboard sets forth general operating procedures and processes for the management of the Permitting Dashboard. The [Permitting Dashboard](#) is a key online tool used by multiple agencies to track FAST-41 covered projects as defined in Title 41 of the FAST Act and OFD MIPs as defined in [Executive Order \(E.O.\) 13807](#),<sup>1</sup> in addition to certain projects reviewed and approved by the U.S. Department of Transportation (DOT). This document provides guidelines for managing the entry, modification, and completion of permitting timetables for FAST-41 projects and OFD MIPs that are tracked on the Permitting Dashboard; it does not address Permitting Dashboard information management for DOT projects covered by the E.O. 13807 framework. This guide also supplements the [Permitting Dashboard Technical User Guide](#),<sup>2</sup> which describes the technical aspects of the Permitting Dashboard.

This guide has been developed by the Office of Management and Budget (OMB) and the Federal Permitting Improvement Steering Council (FPISC) in consultation with Council of Environmental Quality (CEQ) and incorporates feedback from other federal partner agencies using the Permitting Dashboard. It explains where requirements for processing projects under FAST-41 and OFD differ and are aligned, and how to manage projects under each system. Table 1 provides a summary of requirements for FAST-41 and OFD. The Policy Summary Guide found in Appendix B provides a summary of how to manage projects under each framework.

**Table 1. Comparison of FAST-41 and OFD**

	FAST-41	OFD
<b>Governing Document</b>	FAST-41, 42 U.S.C. §§ 4370m <i>et seq.</i>	E.O. 13807
<b>Purpose</b>	Enhanced support and coordination services to project sponsors and Federal agencies to ensure transparency and improve the timeliness, predictability, and transparency of the Federal environmental review and authorization process for “covered” infrastructure projects.	To conduct environmental reviews and authorization processes in a coordinated, consistent, predictable, and timely manner.

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<sup>1</sup> Executive Order 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects, 82 Fed. Reg. 40463 (Aug. 15, 2017).

<sup>2</sup> Department of Transportation. *Permitting Dashboard Technical User Guide*. February 9, 2020.

	FAST-41	OFD
<b>Qualifying Projects</b>	<p>Infrastructure projects in certain sectors that are:<sup>3</sup></p> <ol style="list-style-type: none"> <li>1. Estimated to cost more than \$200 million; subject to the National Environmental Policy Act (NEPA); and do not qualify for abbreviated reviews or authorizations under any applicable law, or</li> <li>2. Subject to NEPA and the size and complexity of which, in the opinion of the Permitting Council, makes the project likely to benefit from enhanced oversight and coordination, including projects likely to require— <ul style="list-style-type: none"> <li>• authorization from or environmental review involving more than two Federal agencies; or</li> <li>• the preparation of an environmental impact statement (EIS) under NEPA</li> </ul> </li> </ol> <p>Projects subject to the DOT’s expedited environmental review procedures in 23 U.S.C. § 139, and the U.S. Army Corps of Engineers’ (USACE) project acceleration program pursuant to 33 U.S.C. § 2348, are exempt from FAST-41 coverage.<sup>4</sup></p>	<p>Infrastructure projects that:</p> <ul style="list-style-type: none"> <li>• Require multiple Federal agency authorizations;</li> <li>• Require an EIS; and</li> <li>• The project sponsor has identified a reasonable availability of funding.</li> </ul>
<b>Trigger</b>	<p><b>Within 14 days after receiving a project sponsor’s FAST-41 Initiation Notice (FIN)</b>, the facilitating or lead agency or the FPISC Executive Director determines whether the project is a FAST-41 covered</p>	<p>The lead agency will add projects that meet the MIP criteria to the Permitting Dashboard no later than 30 days after the agency issues</p>

<sup>3</sup> The “covered” sectors include the “construction of infrastructure for renewable or conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, or any other sector as determined by a majority vote of the Council.” 42 U.S.C. § 4370m(6)(A).

<sup>4</sup> 42 U.S.C. § 4370m(6)(A)(1)(III) & 4370m(6)(B).

	FAST-41	OFD
	project.	the Notice of Intent (NOI) to prepare an EIS. <sup>5</sup>
<b>NEPA Threshold</b>	Projects potentially eligible under the first, so-called, “objective” standard need only be “subject to NEPA.” <sup>6</sup> The second, so-called “discretionary” standard applies only to projects subject to an EIS. <sup>7</sup>	Only applies to projects subject to an EIS.
<b>Agency Coordination</b>	Coordinated Project Plan (CPP), including permitting timetables.	Concurrence points, permitting timetables, and appropriate elevation procedures.
<b>Timetable length</b>	Accurate and predictable schedules determined through development of the CPP.	Government-wide goal to complete environmental reviews (measured from NOI to Record of Decision (ROD)) in an average of two years, and issue all necessary authorization decisions <b>within 90 days of the ROD.</b>
<b>Timetable Date Changes</b>	FPISC Executive Director approval needed for all changes that extend the final completion date for an In Progress action by <b>more than 30 days.</b>	Agencies should use internal agency elevation procedures to notify agency leadership of changes that extend final completion date of an action <b>by more than 30 days.</b>
<b>NEPA Record of Decision</b>	Standard ROD process, although interagency coordination is encouraged.	Joint RODs are required under E.O. 13807; however, a lead agency may grant an exception in certain cases. <sup>8</sup>
<b>Issue Resolution</b>	FPISC Executive Director will mediate any dispute regarding a permitting table. <b>If unresolved in 30 days,</b> the Director of OMB, in consultation with Chairman of	For issues that cannot be resolved at an interagency level, and after interagency elevation procedures are

<sup>5</sup> The Federal Energy Regulatory Commission (FERC) will add natural gas pipeline and liquefied natural gas (LNG) facility MIPs that have NOIs issued during its pre-filing process to the Permitting Dashboard no later than 30 days after the project sponsor files an application.

<sup>6</sup> 42 U.S.C. § 4370m(6)(A) (i).

<sup>7</sup> 42 U.S.C. § 4370m(6)(A) (ii).

<sup>8</sup> [Memorandum of Understanding Implementing One Federal Decision Under Executive Order 13807](#) (OFD MOU) (April 9, 2018) § XIII.

	FAST-41	OFD
	CEQ, will facilitate dispute resolution.	used, agencies should follow the dispute resolution process provided by law for the environmental review and authorization processes, if any, or any agency-specific OFD dispute resolution procedures. CEQ will mediate disputes unless another dispute resolution process is otherwise provided for by law.
<b>Compliance</b>	Annual Report to Congress assesses Permitting Council agencies' progress in implementing the Best Practices and reports on agencies' ability to adhere to project timelines, including the timely update of milestones and instances of missed milestones. Timelines extended beyond 150% of the original timeline are separately reported to Congress.	Accountability Scorecard evaluates agency performance and overall progress in processing environmental reviews and authorization decisions for MIPs and achieving the objectives of the Modernize Infrastructure Permitting Cross-Agency Priority Goal.

While Internet Explorer may still be used to enter data into the Permitting Dashboard, we recommend the use of Google Chrome and Mozilla Firefox as they offer the best performance. If you have technical issues, please contact DOT ([carlos.arandia.ctr@dot.gov](mailto:carlos.arandia.ctr@dot.gov)), OMB ([PermittingAccountability@omb.eop.gov](mailto:PermittingAccountability@omb.eop.gov)), or the Federal Permitting Improvement Steering Council – Office of the Executive Director (FPISC-OED) ([FASTFortyOne.Operations@fpisc.gov](mailto:FASTFortyOne.Operations@fpisc.gov)).

## Definitions

Definitions included herein are to be interpreted consistently with 42 U.S.C. § 4370m, the [FAST-41 Implementation Guidance](#), [E.O. 13807](#), and [OMB Memorandum M-18-25](#).

**Action:** An environmental review or authorization decision associated with a project. Actions are made up of multiple milestones. For a complete list of actions, please see the [Federal Environmental Review and Authorization Inventory](#).

**Action Outcomes:** Action outcomes identify the result of the permitting decision and are selected after the action has been marked as “Complete.”

**Action Status:** A designation of the stage of an action. An action can be marked as either “Planned,” “In Progress,” “Paused,” “Complete,” “Cancelled,” or “Class of Action Changed” on the Permitting Dashboard.

**Coordinated Project Plan (CPP):** A tailored roadmap through the permitting process for a FAST-41 covered project that serves as the foundation for interagency coordination. Developed by Federal agencies in partnership with the project sponsor.<sup>9</sup>

**Dashboard Administrator:** An agency representative (for FAST-41, no more than eight per agency<sup>10</sup> designated by the agency’s Chief Environmental Review and Permitting Officer (CERPO)) who serves as a point of contact and assists staff responsible for data entry with technical issues in regard to the Permitting Dashboard.

**Environmental Review and Authorization Milestone Dependency:** Describes a milestone date on the Permitting Dashboard that is contingent on the completion of another environmental review and authorization milestone within a different Federal action found in the permitting timetable and is linked to that milestone on the Permitting Dashboard. The complete list of environmental review and authorization milestones are found in the [Federal Environmental Review and Authorization Inventory](#).

**FAST-41 Covered Project:** A project subject to the requirements of FAST-41 pursuant to 43 U.S.C. § 4370m(6).

**Federal Agency Portal:** The Federal-facing side of the Permitting Dashboard where project information is entered. The Federal Agency Portal is not accessible to the general public.

**Major Infrastructure Project (MIP):** “An infrastructure project for which multiple authorizations by Federal agencies will be required to proceed with construction, the lead Federal agency has determined that it will prepare an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA), and the project sponsor has identified the reasonable availability of funds sufficient to complete the project.”<sup>11</sup>

**Milestone:** Significant events that are tracked by date for an action. Actions will always contain multiple underlying milestones. For example, the first milestone within the “Environmental Impact Statement (EIS)” action is “Issuance of Notice of Intent to prepare an EIS” (see the [Federal Environmental Review and Authorization Inventory](#) for a complete list of milestones).

**Optional Milestone:** A field that allows an agency to track additional milestones that are not required by the current version of the [Federal Environmental Review and Authorization Inventory](#), but are considered by an agency to be important to the environmental review and authorization decision process. An agency may add these milestones to the Permitting Dashboard and choose whether or not to display them publicly.

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<sup>9</sup> See 42 U.S.C. § 4370m-2(c)(1)(A) & (B) (identifying required CPP contents)

<sup>10</sup> FAST-41 Implementation Guidance, Section 2.6, p. 14.

<sup>11</sup> Sec. 3(e) of E.O. 13807, 82 Fed. Reg. at 40464.

**Original (Baseline) Milestone Target Completion Date:** The original (or baseline) milestone target completion date is the initial estimated completion date for a milestone. It is established when the project's permitting timetable is initially entered into the Permitting Dashboard or, for FAST-41 covered projects, when the project's CPP is completed.

**Permitting Timetable:** A schedule of the actions and milestones needed to complete the environmental review and authorization decision process for a project. The permitting timetable is prepared by the lead agency in consultation with all cooperating and participating agencies. The lead agency will also coordinate with the project sponsor and the state in which the project is located, as appropriate.

**Project Details Page:** Each project has a unique project details page on the Permitting Dashboard that includes a description of the project, details on the project's sector and lead agency, and a Gantt chart visualization of the project's permitting timetable.

**Project Status:** The current status of progress concerning a project's environmental reviews and authorization decisions. A project can be marked as either "Planned," "In Progress," "Paused," "Complete," "Cancelled," or "Class of Action Changed" on the Permitting Dashboard.

**Target Completion Date:** The anticipated completion date for each milestone. The target completion date for a milestone is identified through the coordination process for that milestone. Target completion dates are established by consultation between lead, cooperating, and participating agencies. The lead agency will also coordinate with the project sponsor, and the state in which the project is located, as appropriate.

**Triggering Milestone:** A milestone within an action that, when marked as "Complete," indicates that the action is "In Progress." A list of triggering milestones can be found in [Appendix A](#) of this document.



## Introduction

This document provides guidelines for managing the data on the Permitting Dashboard through the three major phases of a FAST-41 covered project or MIP. Phase 1 describes the initial project page creation on the Permitting Dashboard, including the entry of project details into a new project page, and how to enter actions and milestones onto the permitting timetable. Phase 2 covers how the project is updated on the Permitting Dashboard, which includes changing milestone target completion dates, changing action and project statuses, and selecting an action outcome upon completion of an action. Phase 3 includes the procedures for closing out FAST-41 covered projects and MIPs on the Permitting Dashboard.

The process, timeline, and party responsible for completing each phase will vary depending on whether the project is a FAST-41 covered project, an MIP, or both. Blue FAST-41 and MIP call-out boxes are used throughout this document to highlight differences in process and requirements for the two types of projects.

## Phase 1: Initial Entry on the Permitting Dashboard

### Phase 1A: Creating the Project Page

There are certain differences between FAST-41 covered projects and MIPs with regard to the length of time a lead agency is given to upload the complete permitting timetable to the Permitting Dashboard and which party bears responsibility for the initial creation of a project page. These variations depend on when a project is designated as a FAST-41 covered project and/or an MIP.

## FAST-41:

If a project is a FAST-41 covered project, or if it is designated as a FAST-41 covered project concurrently or before it is an MIP, FPISC-OED will create a project page on the Permitting Dashboard when a project is determined to be covered.<sup>12</sup> The initial entry for the project page created by FPISC-OED will not have all of the fields filled in. The FIN submitted by the project sponsor is used to populate the minimum amount of information needed to publicly display the project page, including the project title, project location, and lead agency, though more information may be included based on information provided in the FIN.

FPISC's Executive Director is responsible for publishing permitting timetables, tracking and modifying permitting timetable data, and posting memoranda of understanding to the Permitting Dashboard.<sup>13</sup> The Executive Director delegates the authority for these actions to the agencies responsible for the project's environmental review and authorization decision process. FPISC-OED will notify the facilitating or lead agency, after the initial project page is added to the Permitting Dashboard, to transfer authority for maintaining the project page to the facilitating or lead agency. The facilitating or lead agency is responsible for all subsequent changes made to the project page on the Permitting Dashboard.

## Major Infrastructure Projects:

If a project is an MIP-only project, or if it is designated an MIP before it becomes a FAST-41 covered project, the lead agency is responsible for creating the project page on the Permitting Dashboard. The project page with a permitting timetable must be published **no later than 30 days after publication of the NOI to prepare an EIS.**

For FERC-led natural gas pipeline and LNG facility MIPs where the NOI is issued in pre-filing, a project page must be posted to the Permitting Dashboard **within 30 days of the project sponsor filing a FERC application.** In the event that an NOI is issued after an application is filed, FERC staff will follow the **30 day timeline** described in the previous paragraph.

**Creating the Project Page:** Please see the [Permitting Dashboard Technical User Guide](#) for more information on establishing the project page. Select "MIP Only" for the "Project Category" dropdown, unless the project is a project subject to DOT review and authorization, in which case select "DOT Projects." If the project is later added as a FAST-41 covered project, the lead agency will need to change the "Project Category" to "FAST-41 Covered Projects."

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<sup>12</sup> 42 U.S.C. § 4370m-2(b)(2)(A)(ii)

<sup>13</sup> 42 U.S.C. § 4370m-2(b)(4)

## Project Status

When establishing an initial project page, the lead agency must designate the appropriate project status. Project status refers to the overall status of the environmental review and authorization decision process. More information on the circumstances in which specific types of statuses are appropriate can be found in [Phase 2: Updating the Permitting Timetable](#) and [Phase 3: Project Close-Out Procedures](#) of this document. The project status drop-down menu allows the lead agency user(s) to select from the following options:

- **Planned:** Applicable to any project posted to the Permitting Dashboard before the NOI or Notice of Schedule (for some FERC projects) is complete. Note that some actions in the permitting timetable may go to “In Progress” status before the NOI is published and therefore before the project itself is “In Progress.” See [Phase 1B: Populating the Permitting Timetable](#) for more information on moving actions to “In Progress” status. Because MIP-only projects are added to the Permitting Dashboard after the NOI is published, they will not appear in “Planned” status. When FPISC-OED creates the project page, it sets the project status to “Planned” by default. The lead or facilitating agency should update the status as appropriate. Please see section [Phase 1B: Populating the Permitting Timetable](#) of this document.
- **In Progress:** Applicable to any project where the NOI or Notice of Schedule (for some FERC projects only) has been released. For MIPs, all actions must have target completion dates entered, including actions in “Planned” status, when the project is placed in “In Progress” status. For FAST-41 projects, all actions must have target completion dates entered **within 60 days** of adding the project to the Permitting Dashboard regardless of project status.<sup>14</sup>

### Major Infrastructure Projects:

When a project page is created, the lead agency must indicate the project status. Because the project page for MIP-only projects is created after the publication of the NOI, the project status should be marked as “In Progress.”

- **Paused:** Projects may only be placed into “Paused” status when issues beyond the Federal government’s control: (i) prevent any work from occurring and new milestone target completion dates cannot be identified across all actions; or (ii) significantly alter the scope of the project. Before placing a project into “Paused” status, all actions should be marked as “Paused” or “Planned.” See [Phase 2B: Changing Action and Project Statuses](#) for more information.
- **Complete:** Applicable to any project where all environmental reviews and authorization decisions in a project’s permitting timetable are complete. Before placing a project into

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<sup>14</sup> 42 U.S.C. §§ 4370m-2 (c)(1)(A)&(B), 4370m-2(c)(2)(A)

“Complete” status, the lead agency must mark all actions and milestones on the Permitting Dashboard as “Complete.”

- **Cancelled:** A project may be cancelled for a variety of reasons, including when it is determined that the environmental review process is no longer necessary, inability to secure funding, or if it is no longer feasible. Please see [Phase 2B: Changing Action and Project Statuses](#) for more information on how to cancel a project on the Permitting Dashboard.
- **Class of Action Changed:** Applicable to DOT covered projects where the NEPA action has been down-scoped to a Categorical Exclusion, or for MIP-only projects where the EIS has been down-scoped to an Environmental Assessment (EA) or Categorical Exclusion. Projects with a Categorical Exclusion will remain on the Permitting Dashboard but will no longer be updated or tracked; projects requiring an EA will still be updated and tracked. Please see section [Phase 2: Updating the Permitting Timetable](#) for more information.

Action statuses for each action within a project are detailed in the “Action Status” section of this document, beginning on page 17.

## Agency Points of Contact

After the lead agency finishes populating the project page, it must then provide up-to-date and accurate points of contact for the lead agency and each cooperating or participating agency, and/or a point of contact for each action, as appropriate. This should be added in the following manner:

1. Contact information for the project sponsor and lead agency should be added to a project page under the “Organizations” tab when editing the project page.
2. When creating an action under the “Timeline” tab, there is a field to enter the contact information for the agency staff member(s) responsible for an action.

More information on adding agency contact information to the Permitting Dashboard project page can be found in Section 4 of the [Permitting Dashboard Technical User Guide](#).

## One Federal Decision Tab

This tab is only applicable to MIPs. On the “Create Project” page, accessible by selecting “Edit” from the project details page, the “One Federal Decision” tab is used to indicate if the project is being processed in accordance with the OFD framework. E.O.13807 requires all Federal agencies to process environmental reviews and authorization decisions for MIPs as OFD.

The Dashboard Administrator from the lead agency will need to indicate if the project is being processed in accordance with the OFD framework. On the project’s data entry form, ensure that the MIP radio button is set to “Yes.” Once “Yes” is selected, the “One Federal Decision” tab will appear next to the “Outcomes” tab. Only a user from the lead agency with the Dashboard Administrator role will be able to indicate the OFD status and see the “One Federal Decision” tab for a project. Within the “One Federal Decision” tab, indicate if the OFD framework is being implemented by selecting “Yes,” “No,” or “Yes, Granted Exception (Partial Implementation).” If appropriate, select all

exceptions that apply to the project. For more information on each of the exceptions, please see Section XIII of the [Memorandum of Understanding Implementing One Federal Decision under Executive Order 13807](#).

The lead agency should review and update this tab **at least quarterly** to ensure the information is up to date and accurate.

## Phase 1B: Populating the Permitting Timetable

Following the creation of the project on the Permitting Dashboard, the next step is to populate the permitting timetable. The elements described in this section will assist users in tracking the progress and delays associated with completing each project.

### Lead/Facilitating Agency Role

For both MIPs and FAST-41 covered projects, the lead agency is responsible for developing and maintaining an up-to-date permitting timetable on the Permitting Dashboard through coordination with cooperating and participating agencies, as well as when appropriate with project sponsors and the state in which the project is located.<sup>15</sup> Note that if a project is both MIP and FAST-41, there is still only one project page and timetable to maintain. The information will display under both the FAST-41 and MIP tabs on the Permitting Dashboard.

The lead agency is responsible for coordinating with DOT to gain access to the Federal Agency Portal of the Permitting Dashboard. Agencies should follow their internal procedures for requesting Permitting Dashboard access and permissions for additional agency staff. The designated agency official who grants approval for staff to access and/or modify the Permitting Dashboard or their designee should first instruct the user to set up an account on MAX.gov, then the designated agency official or their designee should send a request to DOT ([carlos.arandia.ctr@dot.gov](mailto:carlos.arandia.ctr@dot.gov)), OMB ([PermittingAccountability@omb.eop.gov](mailto:PermittingAccountability@omb.eop.gov)), and/or FPISC-OED ([FASTFortyOne.Operations@fpisc.gov](mailto:FASTFortyOne.Operations@fpisc.gov)), providing the names and user roles for all individuals intending to access the Federal Agency Portal.

In a future iteration, the Permitting Dashboard Federal Agency Portal will require permissions to be set up at the project level. This includes setting up users by specific projects. Once a project is created, the lead agency must contact DOT ([carlos.arandia.ctr@dot.gov](mailto:carlos.arandia.ctr@dot.gov)) to identify the users within the lead agency that will manage all authors and approvers for the specific project. A general rule to follow when setting up authors and approvers for a project are:

- Authors: Ability to create and edit project data to submit for review.

- Approvers: Ability to create, edit, review, and publish project data submitted by users assigned the “Author” role. Approvers can also edit and publish their own actions within a project.
- Read-Only Role: Ability to view all projects on the Federal Agency Portal. This role will not have the ability to create, edit, or publish project data.
- The Dashboard Administrator role will stay the same.

Once implemented, please refer to the [Permitting Dashboard Technical User Guide for more information on how to set up project level permissions](#). Until project level permissions are implemented, users requiring any type of access to the Federal Agency Portal must send a request to ([carlos.arandia.ctr@dot.gov](mailto:carlos.arandia.ctr@dot.gov)), OMB ([PermittingAccountability@omb.eop.gov](mailto:PermittingAccountability@omb.eop.gov)), and/or FPISC-OED ([FASTFortyOne.Operations@fpisc.gov](mailto:FASTFortyOne.Operations@fpisc.gov)), providing their required level of access (author or approver) for the Federal Agency Portal.

***Lead agencies are ultimately responsible for updating and maintaining the permitting timetable for all actions and milestones related to projects under their purview, including those actions and milestones that are conducted by cooperating or participating agencies. It is the lead agency's responsibility to consult with any other agencies involved in the project to vet any change to the permitting timetable, ensuring that efficiencies and potential risks to the schedule are identified and can be addressed as early as possible. To manage a permitting timetable, the lead agency must carry out the required collaboration and receive the required concurrences from cooperating and participating agencies prior to selecting a date for the relevant milestones. When making date changes, the responsible agency is required to consult and coordinate with the lead agency. The “coordination” required by the responsible agency includes notifying the lead agency of the date change and working collaboratively to incorporate feedback on dates from the lead agency, if provided. While it is the lead agency's responsibility to consult with any other agencies involved in the project to vet any change, cooperating agencies are also required to alert all agencies involved in a project to any changes at the same time, ensuring that efficiencies and potential risks to the overall schedule are raised and can be addressed as early as possible. Please refer to the FAST-41 Implementation Guidance and the April 2018 interagency OFD MOU for more information about lead agency roles and responsibilities related to permitting timetable development and updates.***

## Deadline to Post Timetable to the Permitting Dashboard

Lead agencies for both FAST-41 covered projects and MIPs are required to publish permitting timetables to the Permitting Dashboard. The process and deadlines for publishing the permitting timetable differ for the two types of projects.

### FAST-41:

The CPP is a tailored roadmap to the permitting process, developed by Federal agencies in partnership with the project sponsor, that serves as the foundation for interagency coordination and early identification of anticipated issues that could delay completion of the permitting process. It encompasses the information included in the permitting timetable, which is entered on the Permitting Dashboard in conjunction with posting of the required CPP. The permitting timetable is required to be published on the Permitting Dashboard **within 60 days of the creation of the project page by the Executive Director**.<sup>16</sup> For projects in “Planned” status, lead agencies must post to the Permitting Dashboard a list of all known permits and estimated milestone target completion dates at the time the first CPP is uploaded to the CPP MAX.gov folder (i.e., within 60 days after the project page is created by the Executive Director).<sup>17</sup>

### Major Infrastructure Projects:

The lead agency is responsible for creating and publishing a permitting timetable to the Permitting Dashboard **no later than 30 days after it publishes the NOI to prepare an EIS**, with concurrence from cooperating and participating agencies and the project sponsor. For FERC-led natural gas pipeline and LNG facility MIPs that have NOIs issued during the pre-filing process, the complete permitting timetable must be posted to the Permitting Dashboard **no later than 60 days from the project sponsor filing an application**.

### ***Table 2. Guidelines for Publishing Timetables for Projects Designated Both MIP and FAST-41 Covered Projects***

There are three separate sets of guidelines for a project that is both a FAST-41 covered project and an MIP. The guidelines that should be used depend on the order in which a project becomes a FAST-41 covered project and an MIP. See Table 2 below for more details.

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<sup>16</sup> 42 U.S.C. § 4370m-2(c)(1)(A)

<sup>17</sup> 42 U.S.C. §§ 4370m-2 (c)(1)(A)&(B), 4370m-2(c)(2)(A), and 4370m-2(c)(2)(D)(iii).

Project Designated as:	Guidance:
FAST-41 covered project either concurrently or before it is determined to be an MIP.	<ul style="list-style-type: none"> <li>The lead agency should comply with the FAST-41 guidelines on publishing the permitting timetable to the Permitting Dashboard.</li> </ul>
MIP and the permitting timetable was published before the project is determined covered under FAST-41.	<ul style="list-style-type: none"> <li>The timetable should be developed in accordance with the process outlined in the April 2018 OFD Memorandum of Understanding (MOU)<sup>18</sup> and the requirements in the OMB OFD Performance Accountability System.</li> <li>The published timetable will serve as the timetable for FAST-41.</li> <li>All provisions of FAST-41 apply from the day the project is designated “covered.” <b>Agencies will have 60 days to complete the CPP</b> starting from the day of designation as covered.</li> </ul>
MIP but the permitting timetable has not yet been published at the time the project becomes listed under FAST-41.	<ul style="list-style-type: none"> <li>The lead agency should comply with the FAST-41 requirements once the project is “covered”, and comply with the permitting timetable development requirements in the April 2018 OFD MOU.</li> <li>The permitting timetable, consistent with the CPP, must be published on the project page <b>within 60 days of the project page creation on the Permitting Dashboard pursuant to FAST-41.</b></li> </ul>

## Project Timeline

For MIPs, E.O. 13807 sets a goal for each agency (agency average) to complete environmental reviews and authorization decisions – measured from the publication of an NOI to prepare an EIS to the issuance of the ROD – in an average of 2 years, and to issue all necessary authorization decisions **within 90 days of the ROD**. The 2-year average applies to MIPs also covered under FAST-41. While FAST-41 does not have a similar 2-year goal, lead agencies should refer to the Recommended Performance Schedules for guidance on baseline schedules. The FPISC Executive Director will ensure that the approved timetable will reflect an achievable and efficient environmental review and authorization decision process.

<sup>18</sup> OFD MOU, Section VII.



***OMB will include all MIPs in the Accountability Scorecard, recognizing that for FAST-41/MIPs, individual project permitting timetables that are greater than 2 years may be approved by the Executive Director to ensure achievable and realistic project specific permitting timetables.***

## FAST-41:

Lead agencies should refer to the [Recommended Performance Schedules](#), located on the Permitting Dashboard, to develop achievable and realistic project specific permitting timetables. The following factors are to be considered when utilizing the Recommended Performance Schedules to develop project-specific permitting timetables (42 U.S.C. § 4370m-2(c)(2)(B)):

- i. the size and complexity of the covered project;
- ii. the resources available to each participating agency;
- iii. the regional or national economic significance of the project;
- iv. the sensitivity of the natural or historic resources that may be affected by the project;
- v. the financing plan for the project; and
- vi. the extent to which similar projects in geographic proximity to the project were recently subject to environmental review or similar procedures under State law.

Baseline schedules, once developed, will be compared to the Recommended Performance Schedules to identify efficiencies and potential risks to the schedule early on in the permitting process.

Permitting schedules for ongoing projects will be compared to applicable Recommended Performance Schedules in the Annual Report to Congress to identify reasons for extension of timeframes beyond those identified in the Recommended Performance Schedules, so that FPISC can identify risks and develop best practices to avoid or minimize those risks for delays (42 U.S.C. § 4370m-7(a)(2)).

## Agency Coordination

Lead agencies must coordinate with cooperating and participating agencies, and, when appropriate, the project sponsor and state where the project is located, to develop a permitting timetable for each project. Interagency coordination should occur early in the permitting timetable development process to establish estimated milestone and project permitting completion dates, determine potential milestone dependencies, and identify project-specific points of contact within each agency. Interagency coordination should occur before the lead agency begins populating the permitting timetable because the Permitting Dashboard does not allow incomplete timetables with missing milestone dates to be saved or published. Lead agencies should not publish the first permitting

timetable for projects under their purview if they have not collaborated or consulted with relevant agencies. Once the project is marked as “In Progress” on the Permitting Dashboard, a complete permitting timetable must be entered (e.g., one with all milestone target completion dates).

## FAST-41:

A permitting timetable must be developed, finalized, and maintained in consultation with each FAST-41 cooperating and participating agency, the project sponsor, and, where the state has opted-in, any state in which the project is located. The concurrence of each FAST-41 cooperating agency is also required.<sup>19</sup> Before users are able to publish updates to a FAST-41 covered project permitting timetable, a notification will require the user to check a box to confirm that they received concurrence from, or received no objection from, the cooperating agencies.

## Major Infrastructure Projects:

The lead agency must consult with the project sponsor, cooperating agencies, and participating agencies to develop a permitting timetable that identifies the actions and associated milestones for applicable environmental reviews and authorizations. After consultation, the lead agency must send the proposed permitting timetable to each cooperating agency for comment. Agency CERPOs and project points of contact have **10 business days to provide a written objection** to the lead agency. If no objections are received, the proposal will become the permitting timetable for the project.<sup>20</sup>

## Entering Actions and Milestones

The [Federal Environmental Review and Authorization Inventory](#), posted on the Permitting Dashboard, contains a list of the actions (Federal licenses, permits, approvals, findings, determinations, or other administrative decisions issued by a Federal agency) that should be considered for inclusion in the permitting timetables for FAST-41 covered projects and MIPs. The Permitting Dashboard includes a list of the actions from this Inventory that can be selected when creating a permitting timetable.

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<sup>19</sup> 42 U.S.C. § 4370m-2(c)(2)(A)

<sup>20</sup> OFD MOU, Section VII.

## FAST-41:

Actions that are not part of the Inventory nevertheless should be added to Section 4.C (Coordination of Required Reviews and Decisions) of the CPP. For added transparency, agencies have the option of adding to the Permitting Dashboard a table within the project description of the Project Details page to list any additional actions.

Each action may have multiple underlying milestones. After the user selects a particular action, the data entry interface is pre-populated with the associated milestones from the [Federal Environmental Review and Authorization Inventory](#). Certain milestones are not applicable to all projects and therefore may be marked as “N/A.” Milestones marked as “N/A” do not require dates and will not appear on the public-facing side of the Permitting Dashboard.

There may be situations in which additional milestones beyond those included in the Permitting Dashboard can provide clarity in the environmental review and authorization decision process for a specific action. In these circumstances, the lead or responsible participating agency may choose to add optional milestone(s) to an existing action, in concurrence with relevant agencies. If the agency selects the option to display the optional milestone publicly, the optional milestones will appear on the public-facing Action Details page of the Permitting Dashboard. The choice to enter an optional milestone allows agencies to track the Federal environmental reviews or authorization decisions that are not listed in the [Federal Environmental Review and Authorization Inventory](#).

## Action Status

An action status must be entered for all actions on the Permitting Dashboard and updated as any changes to the environmental review and authorization decision process occur. More information on action statuses and when they may apply can be found in the [Phase 2: Updating the Permitting Timetable](#) section of this document.

### ***“Planned” Action Status***

An action may be marked as “Planned” when there is certainty that an environmental review or authorization will be required but the triggering milestone has not yet been completed. For more information, please see [Appendix A. Triggering Milestones](#) of this document.

When it is unclear whether a specific environmental review or authorization will be required during the course of the project, the action may be included in the initial permitting timetable and marked as “Planned.” If the action is no longer required, it may be cancelled or deleted (please see [Canceling Actions or Projects](#) and [Removing Actions](#) under section [Phase 2: Updating the Permitting Timetable](#) of this document).

### *“In Progress” Action Status*

When the triggering milestone (see [Appendix A. Triggering Milestones](#) of this document) for an action has been marked as “Complete,” the action should be marked as “In Progress.”

When an action moves to “In Progress” status, all of its milestone target completion dates will automatically be populated with the milestone target completion dates that were originally entered for that action. Agencies should ensure that all dates are accurate before moving an action into “In Progress” status.

### **FAST-41:**

After an action moves to “In Progress” status from “Planned Status,” the original target completion dates cannot be changed and are used to determine which types of future date changes require FPISC Executive Director review (see [Date Changes that Extend the Current Target Completion Date by More than 30 Days](#) under in [Phase 2: Updating the Permitting Timetable](#) of this document). Baseline schedules, once developed, will be compared to the Recommended Performance Schedules to identify efficiencies and potential risks to the schedule early on in the permitting process.

### **Major Infrastructure Projects:**

After an action moves to “In Progress” status, the original target completion dates cannot be changed and are used to evaluate the “Time to Complete Environmental Reviews and Authorization Decisions” and “Meeting Milestones” performance indicators for the Accountability System.

### *“Paused” Action Status*

Actions may only be placed into “Paused” status on the Permitting Dashboard when issues beyond the Federal government’s control cause delays and prevent any agency work on the action and the estimation of new milestone dates. If an agency is still able to make progress on the environmental review and authorization decision process or can estimate a new milestone target date, it should not pause an action. Prior to changing an action to “Paused” status, the lead agency must coordinate with cooperating agencies, and should coordinate with participating agencies and project sponsors, to discuss the source of the delay, potential resolutions, and, to the maximum extent practicable, to attempt to determine a new milestone date. See section [Phase 2B: Changing Action and Project Statuses](#) of this document.

### ***“Complete” Action Status***

When all work on an action is finished, an action should be marked as “Complete.” Prior to changing the action status, all milestones must to be marked as “Complete” or “N/A,” as applicable. More information on marking a project as “Complete” can be found in the [Phase 3: Project Close-Out Procedures](#) section of this document.

### ***“Cancelled” Action Status***

If an action was entered on the permitting timetable and work begun, but that action was later deemed unnecessary, then the action status may be changed to “Cancelled.” Any milestone that was completed prior to the action being cancelled should have accurate completion dates entered. For the sake of transparency, “Cancelled” actions will remain on the project’s permitting timetable and may not be deleted.

Situations may occur in which an action may require updates, such as when a project sponsor revises its permit application in such a way that milestones already marked as “Complete” will need to be completed again. In such a case, the action should be marked as “Cancelled” and a new action should be created. If an entire action has already been completed, that action status would not change to “Cancelled” and instead must remain as “Complete” on the Permitting Dashboard. A new action must be created.

Actions that were anticipated as necessary earlier in the project planning process but were later deemed unnecessary before any work had been completed may potentially be removed from the Permitting Dashboard. For FAST-41-covered projects, FPISC-OED approval is required. For MIP-only projects, agencies may remove such actions only after coordinating with OMB. For U.S. DOT projects that are also MIPs, agencies may remove such actions only after coordinating with U.S. DOT.

### ***“Class of Action Changed” Action Status***

In circumstances where the agency determines that an EIS or EA is no longer the appropriate level of environmental review for a project, the status of the EIS or EA action should be modified to “Class of Action Changed.”

## **Entering Milestone Dates**

### ***Milestone Dates for Projects in “Planned” Status***

For projects in “Planned” status, a lead agency must publish estimated milestone target completion dates for all actions as soon as it has enough information to do so. Cooperating agencies are required to coordinate with the lead agency before providing them with milestone dates for specific actions. When providing milestone target completion dates, an agency may also add a disclaimer to the action description that explains that the initial permitting timetable reflects the agency’s best timeline estimates, but that actual times may vary depending on factors such as the length of time it

takes for an agency to receive a complete application. Similarly, the lead agency can publish on the project page a disclaimer that explains that the overall planning timetable reflects the agencies' best timeline estimates. For projects requiring an EIS, the disclaimer should also state that the project timetable will be updated with more accurate dates after an NOI is published. Only FAST-41 covered projects can be in "Planned" status.

## FAST-41:

Regardless of project status, the lead agency must publish estimated milestone target completion dates and estimated project completion dates **within 60 days** of the project's posting on the Dashboard as a FAST-41 covered project.<sup>21</sup> Updating milestone dates to reflect the agency's current best estimates for an action in "Planned" status will not trigger an Executive Director review for FAST-41 covered projects.<sup>22</sup> While Executive Director review is not required to change milestone dates for actions in "Planned" status, agencies must notify agency partners on the project prior to changing a milestone date to discuss how any given change will impact other dependent milestones. FAST-41 requires that milestone target completion dates be updated **at least 30 days prior** to the scheduled completion date.

## Major Infrastructure Projects:

Updating milestone dates to reflect the agency's current best estimates for an action in "Planned" status will not trigger the elevation procedures for MIPs.

### *Milestone Dates for Projects in "In Progress" Status*

For projects in "In Progress" status, milestone target completion dates are required for all "Planned" or "In Progress" actions. A lead agency should determine the milestone dates with concurrence from the responsible agency and in consultation with the appropriate cooperating and participating agencies, as well as from the project sponsor. When determining the dates that will require information provided by other sources, agencies should make their estimates using their best judgment and best practices found in available guidance.

Below are some resources and recommendations for estimating dates:

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<sup>21</sup> 42 U.S.C. § 4370m-2(c)(1)(A)&(B).

<sup>22</sup> 42 U.S.C. § 4370m-2(c)(2)(D)(i)(III).

- For Endangered Species Act (ESA) consultations, resource agencies should follow guidance from the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service's (NMFS) presented in the 2019 revised FWS/NMFS regulations.<sup>23</sup>
- For consultation under Section 106 of the National Historic Preservation Act (NHPA), all Federal agencies should meet the intent of the 2009 Section 106 Archaeology Guidance<sup>24</sup> published by the Advisory Council on Historic Preservation (ACHP).

## Milestone Dates for Environmental Impact Statement (EIS) Actions

The EIS action contains the flexibility to capture multiple RODs and their signatory agencies.

### *Capturing Multiple RODs*

Under certain circumstances, a lead or cooperating agency may prepare a ROD independently from the other responsible agencies.<sup>25</sup> In these situations, the lead agency must indicate within the EIS action on the Permitting Dashboard that multiple RODs are being prepared.

Please see the [Permitting Dashboard Technical User Guide](#) for more information on how to add multiple RODs to the permitting timetable. The agency that is preparing the additional ROD should be identified using "Lead Signatory" and "Other Signatories" fields, as appropriate. The lead agency is responsible for adding additional RODs to the Permitting Dashboard, as well as for providing oversight and ensuring accurate dates.

## Environmental Review and Authorization Milestone Dependencies

The [Federal Environmental Review and Authorization Inventory](#) outlines all of the available actions on the Permitting Dashboard and the milestones within those actions. The environmental review and authorization milestone dependencies are used to represent the relationships between milestones entered on the Permitting Dashboard and show when one milestone date is contingent on the completion of another milestone. For example, a valid environmental review and authorization milestone dependency is the issuance of the ROD milestone date being contingent on the conclusion of NHPA section 106 Review.

To add a permitting timetable dependency to the internal side of the Permitting Dashboard, both milestones involved in the dependency must be included in the current version of the [Federal Environmental Review and Authorization Inventory](#). An environmental review and authorization milestone dependency cannot include milestones that are not listed in the current version of the [Federal Environmental Review and Authorization Inventory](#), such as optional milestones or

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<sup>23</sup> U.S. Fish and Wildlife Service and National Marine Fisheries Service. [Revisions to Regulations to Implement Portions of the Endangered Species Act](#). 2019, U.S. Fish and Wildlife Service and National Marine Fisheries Service. *Endangered Species Act Consultation Handbook*. 1998.

<sup>24</sup> Advisory Council on Historic Preservation. *Section 106 Archaeology Guidance*. 2009.

<sup>25</sup> Please see OFD MOU, Section XIII for a list of exceptions for preparing RODs.

information needs from project sponsors or other non-Federal governmental entities. If a milestone is dependent on something other than another milestone from a different action in the permitting timetable, then this type of dependency can be described in the “Milestone Details” text box and in the “Reason for Date Change” text box if there is a delay (for more information, see [Reasons for Date Change](#) under section [Phase 2: Updating the Permitting Timetable](#) of this document). For example, if a target milestone for a complete application is dependent on information from the project sponsor, this can be described in the Milestone Details text box. All environmental review and authorization inventory dependencies must be determined with concurrence from the appropriate agencies.

Multiple environmental review and authorization milestone dependencies may be linked to a single milestone, creating a dependency chain. The first milestone in the dependency chain (upon which other reviews or authorizations are reliant) can be referred to as an anchor date. Please see the [Permitting Dashboard Technical User Guide](#) for technical instructions on establishing an environmental review and authorization milestone dependency in the Permitting Dashboard.

### FAST-41:

For FAST-41 covered projects, environmental review and authorization milestone dependencies should also be included in the project’s CPP in addition to the Permitting Dashboard. In the CPP, the lead agency can also include any other information on which those milestones are dependent, such as information requests from the project sponsor or other governmental entities and approvals or studies not found in Appendix B of the FAST-41 Implementation Guidance.

## Phase 2: Updating the Permitting Timetable

The lead agency, in consultation with cooperating and participating agencies, and, when appropriate, with the project sponsor, must review and update the CPP and its permitting timetable for all projects **not less than once every fiscal quarter**.<sup>26,27</sup> Additionally, milestones for “In Progress” actions must be updated **within 5 business days of a target date passing, unless it conflicts with FAST-41 requirements for timely updates**. For all projects, updates should be made **within 5 business days of receipt of the information** about material changes that affect the status of a project and related documents.<sup>28</sup>

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<sup>26</sup> For FAST-41 projects, see 42 U.S.C. § 4370m-2(c)(1)(B). For OFD, OFD MOU, Section VII.C.

<sup>27</sup> For modification of FAST-41 permitting timetables after approval, see 42 U.S.C. § 4370m-2(c)(2)(D).

<sup>28</sup> For FAST-41 projects, see 42 U.S.C. § 4370m-2(b)(3)(B). For OFD, see [OMB Memorandum M-18-25, “Modernize Infrastructure Permitting Cross-Agency Priority Goal Performance Accountability System”](#) (September 26, 2018), p. 5.



For all projects, required updates include changing the status of actions and modifying milestone dates to reflect progress on the environmental review and authorization decision process.

A lead agency may delegate the task of updating milestones on the Permitting Dashboard for specific environmental reviews and authorization decisions to the cooperating or participating agencies. Lead agencies may delegate to cooperating and participating agencies the ability to publish such changes to their respective actions after notifying all agencies the milestone or action is complete. However, the lead agency remains responsible for approving and publishing any changes and ensuring the accuracy of the permitting timetable.

## Phase 2A: Changing Milestone Dates

Changing one milestone date will likely result in the need to update other sections of the permitting timetable. A lead agency should review all dependent actions to ensure that no additional dates need to be updated due to the change. Dates that are being moved earlier may be updated at any time before they have passed. The consultation process described below for FAST-41 covered projects and MIPs is required for all date changes, regardless of the action's status, and does not eliminate the need for agencies to coordinate as part of their normal duties.

### FAST-41:

When dates are being extended, FAST-41 requires that interim and final milestone target completion dates be updated **at least 30 days prior to the scheduled completion date**.<sup>29,30</sup> Permitting timetable updates that are not in compliance with FAST-41 will be considered to have missed milestones (see [Missed Milestones](#) under section [Phase 2: Updating the Permitting Timetable](#) of this document). Agencies should commence coordination of any milestone extension **at least 45-60 days in advance but request(s) must be submitted 45 days before the target completion date of the milestone**, because the lead agency must receive concurrence from each FAST-41 cooperating agency for those portions of the timetable and must publish the change prior to the 30-day period, and, in certain circumstances, OED approval is required prior to publication.

### Major Infrastructure Projects:

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<sup>29</sup> 42 U.S.C. § 4370m-2(c)(2)(D)(ii)

<sup>30</sup> This 30-day period does not apply to MIP-only projects. Milestone target completion dates for MIP-only projects can be updated at any time.

For major infrastructure projects, the lead agency is required to notify other agencies about milestone date changes. After consultation, the lead agency may publish the date changes on the Permitting Dashboard unless it receives a formal written objection from a cooperating agency.<sup>31</sup>

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## Reasons for Date Change

Modifying an milestone target completion date for “Planned” and “In Progress” actions by any amount will require the selection of a “Reason for Date Change” from the drop-down list in the milestone table. The reason for date change selected will not be displayed publicly on the Permitting Dashboard but will be visible to agencies on the Federal Agency Portal. See Table 3 below for a non-exhaustive list of scenarios that are relevant to acceptable reasons for date changes.

Please see [Date Changes for FAST-41 Covered Projects](#) for the specific information that is requested for FAST-41 covered projects when modifying milestone target completion dates. When entering this information, the user should be aware that there is an option for the “Milestone Details” box to appear publicly (or not) by checking or unchecking the “Display Milestone Details to Public” box on the Permitting Dashboard.

***For improved transparency, the following information should be added to the “Milestone Details” box:***

- ***A written summary of the rationale with the issues related to the date change;***
- ***Confirmation that affected agencies and the project sponsor have been consulted, and that cooperating agencies concur; and,***
- ***If applicable, potential efficiencies to mitigate impacts to the overall project schedule.***

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<sup>31</sup> OFD MOU, Sections VII.A and VII.C.

**Table 3. Examples of Scenarios for Acceptable Reasons for Date Change**

Reasons for Date Change	Possible Scenarios or Examples
<i>Internal agency factors</i>	<ul style="list-style-type: none"> <li>• There are agency capacity or resource issues.</li> <li>• Additional time is required to comply with internal agency procedures or review processes.</li> <li>• There are changes to an agency’s policies, guidelines, or regulations.</li> <li>• There is a lapse of Federal funding.</li> </ul>
<i>Interagency factors</i>	<ul style="list-style-type: none"> <li>• There are delays in interagency coordination (this reason for date change should not be selected when the reason for delay is due to an environmental review and authorization milestone dependency (see below)).</li> <li>• There are interagency disputes.</li> <li>• There are interagency communication issues.</li> </ul>
<i>State government factors</i>	<ul style="list-style-type: none"> <li>• There are unresolved state trust land rights-of-way impact issues.</li> <li>• There is a delay in a state environmental decision that is necessary for the Federal decision to proceed.</li> <li>• There are unresolved state sovereignty issues for riparian and coastal lands, water, or fisheries.</li> </ul>
<i>Local government factors</i>	<ul style="list-style-type: none"> <li>• There are unresolved conflicts with local, county, or city zoning.</li> <li>• There are unresolved payment-in-lieu-of-tax issues.</li> <li>• There are unresolved impacts on recreational or protected areas.</li> </ul>
<i>Tribal government factors</i>	<ul style="list-style-type: none"> <li>• There are unresolved Tribal government economic, environmental, or realty concerns about a project.</li> <li>• There are unresolved cultural resources or religious issues.</li> <li>• There are unresolved impacts on water, mineral, oil and gas rights, or aboriginal hunting or fishing rights.</li> <li>• There are unresolved Bureau of Indian Affairs concerns, or legal and policy issues involving project impacts on Native American or Alaska Native communities.</li> </ul>
<i>Project sponsor factors</i>	<ul style="list-style-type: none"> <li>• A project sponsor needs more time to submit required information to an agency.</li> <li>• There are financing issues identified by the project sponsor.</li> </ul>
<i>Pending legal action</i>	<ul style="list-style-type: none"> <li>• The project sponsor is facing litigation issues.</li> <li>• The lead Federal agency is facing litigation issues.</li> <li>• A cooperating agency responsible for an action on the Permitting Dashboard is facing litigation issues.</li> </ul>
<i>Environmental review and authorization milestone dependency-related factors</i>	<ul style="list-style-type: none"> <li>• A milestone in one action is dependent upon another milestone date in another Federal action in the timetable that has been changed. (For example, a consultation period cannot begin until the application or request to initiate consultation is deemed “complete.”)</li> </ul>

Reasons for Date Change	Possible Scenarios or Examples
<i>Ahead of schedule</i>	<ul style="list-style-type: none"> <li>A milestone was completed ahead of schedule and will be updated with an earlier completion date.</li> </ul>
<i>Data entry error</i>	<ul style="list-style-type: none"> <li>A milestone target completion date was entered erroneously (e.g., wrong calendar year).</li> </ul>
<i>Natural disasters</i>	<ul style="list-style-type: none"> <li>There have been necessary schedule changes directly resulting from an emergency situation created by a natural disaster.</li> </ul>
<i>Project pause</i>	<ul style="list-style-type: none"> <li>The milestone date needs to be changed due to a project being in “Paused” status, when project enters paused status.</li> </ul>
<i>Updating planned date</i>	<ul style="list-style-type: none"> <li>The milestone date needs to be changed due to an updated estimated start date. (This reason for date change is only available if the action status is “Planned.”)</li> </ul>
<i>National emergency</i>	<ul style="list-style-type: none"> <li>There have been necessary schedule changes directly resulting from a national emergency situation, such as a public health emergency created by a pandemic or military action.</li> </ul>

### *Date Changes for FAST-41 Covered Projects Only*

Executive Director approval is required for all milestone extensions that are expected to extend the final original milestone target completion date (the date in place when the action status is “In Progress”) within an action by more than 30 days.<sup>32</sup> FPISC-OED, in consultation with appropriate agency CERPOs and the project sponsor, will mediate any disputes related to the permitting timetable.<sup>33</sup> In addition, the FPISC Executive Director may become involved with schedule or process concerns that do not require formal Executive Director approval on a case-by-case basis, where the Executive Director will consult with agencies as appropriate. This involvement is in addition to FPISC-OED’s support of the development of the CPP and overview of the original timetable, which allows the Executive Director to facilitate the Permitting Council’s statutory role of ensuring accountability and predictability within the environmental review and authorization decision process.

FPISC-OED’s approval of an individual milestone target completion date extension does not automatically authorize a lead agency to move the target dates of other milestones and actions that are dependent upon other approved dates. If the lead and cooperating agencies believe that other milestone timelines will need to be extended, they should submit all milestone extension requests simultaneously. FPISC-OED will comprehensively review all related extension requests.

When modifying a milestone target completion date, the Permitting Dashboard will prompt the agency to enter the following information:

1. Is the project sponsor impacted by the date change? If so, has the project sponsor expressed concerns with the date change?

<sup>32</sup> 42 U.S.C. §4370m-2(c)(2)(D)

<sup>33</sup> 42 U.S.C. § 4370m-2(b)(1)(A); 42 U.S.C. § 4370m-2(c)(2)(C)(i)

2. Does the date change affect any other aspects of the permitting timetable? If so, did you coordinate with the affected agencies?
3. Have any issues related to this date change been documented in the project's CPP or been discussed at the project-specific CERPO meeting?
4. Is there an opportunity for the permitting timetable to be adjusted to make up for the time lost as a result of this delay?
5. Has your agency CERPO and/or the lead agency CERPO for the project been made aware of the delay and the possible effect it may have on the project?

### ***Date Changes that Extend the Current Target Completion Date by More than 30 Days***

When individual milestone target completion dates in an action are extended by more than 30 days past the final original milestone target completion date, a FAST-41 Milestone Extension Request will be triggered. To use the FAST-41 milestone extension process, request(s) must be submitted **45 days before the target completion date of the milestone**. For MIPs, agencies will be required to use their elevation procedures to notify senior agency officials of the extension of more than 30 days. For FAST-41 covered projects that are also MIPs, agencies will be deemed to have met the elevation procedures requirement if they use the FAST-41 milestone extension process appropriately. The lead agency should indicate on the Permitting Dashboard that elevation procedure requirements were fulfilled using the FAST-41 milestone extension process so that it is recorded in the data for the accountability system.

If a milestone extension request includes milestone dates that were changed **within 30 days of the target completion date**, those dates are considered to be missed milestones (see [Missed Milestones](#) under section [Phase 2: Updating the Permitting Timetable](#) of this document).

If the new milestone target date would cause the project timetable to increase by more than half of its original length, please refer to the section [Date Changes that Result in the Project Being Extended to 150% of the Original Project Length](#).

## FAST-41:

FPISC-OED in most circumstances will process a milestone extension request (including required consultations with the project sponsor) within 2 weeks, provided that the agency submits its milestone extension request at least **45 days prior to the milestone target completion date in question.**

The milestone extension request must contain an explanation of the reason for delay, a list of the agencies and organizations with which the decision was coordinated, and confirmation that the project sponsor was consulted on the decision to request an extension. The Executive Director will deny any extension request that lacks such information. After reviewing all of the information provided, the Executive Director may request additional information from the agency to aid in the review. An agency will have **5 business days to respond to FPISC-OED's request.** Milestone extension request information will not be displayed on the public-facing Dashboard.

During the Executive Director's review, FPISC-OED will also confirm that the project sponsor was consulted on the schedule change. FPISC-OED will allow project sponsors up to **5 business days to respond to any FPISC-OED inquiry for additional information or input.**

## Major Infrastructure Projects:

Federal agencies have established procedures, approved by OMB, to elevate schedule delay issues to senior agency officials. These procedures should be implemented whenever milestones are missed or anticipated delays are expected that would cause the final milestone target completion date for an action to be extended by more than 30 days. Agencies will not be required to use the elevation procedures if the missed milestone target date is associated with an action that is in "Paused" or "Planned" status. The elevation procedure is evaluated as one of the accountability system performance indicators on the agency's quarterly Accountability Scorecard. Missed milestone dates will be tracked on the Federal Agency Portal of the Permitting Dashboard. When a milestone is missed or modified in such a way that it has the potential to trigger an elevation procedure, a task will be created under the responsible agency's Dashboard Administrator "Pending Tasks" tab within the Permitting Dashboard. The user will be prompted to select whether elevation procedures were used within the "Task Response" column.

## *Date Changes that Result in the Project Being Significantly Delayed*

Projects that fall under both MIP and FAST-41 will be subject to both MIP and FAST-41 reporting requirements for significant delays, described below. Significant delays are defined as delays expected to extend a project to more than 150% of the original project length. However, since the calculations are slightly different for both metrics, the triggers for reporting are not the same.

### **FAST-41:**

**Triggering a Significant Delay:** For FAST-41, congressional reporting requirements and OMB involvement are triggered when there is a delay caused by Federal, state, local, and tribal factors that is expected to extend a project for a period of time that is greater than half of the amount of time from the establishment of the permitting timetable to the last final completion date originally established.<sup>34</sup>

**Significant Delay Reporting Requirements:** For milestone date changes that extend the action timetable by more than half of its original length, FPISC-OED shall consult with OMB and potentially request that the permitting timetable be extended to accommodate the delay. If OMB determines that the project timetable should be extended to accommodate the delay, the Director of OMB will, **within 5 days**, provide a report to Congress explaining why the modification is required, and why the original permitting timetable and the subsequent modifications authorized by FPISC-OED were not adequate.<sup>35</sup>

FPISC-OED will report on project timelines internally and may potentially include such reports in its Annual Report to Congress.

### **Major Infrastructure Projects:**

**Triggering a Significant Delay:** For MIPs, a "significant delay" occurs when the total length of delay is or is expected to be more than 50% of the overall length of the original timetable for an "In Progress" project due to factors within the Federal government's control. This is measured from the first milestone date of the first action to the final milestone date of the final action listed in the permitting timetable.

**Significant Delay Reporting Requirements:** In instances where the project is "significantly delayed," the lead agency is required to report the estimated cost of delays to OMB.<sup>36</sup>

<sup>34</sup> 42 U.S.C. § 4370m-2(c)(2)(D)(iii).

<sup>35</sup> 42 U.S.C. § 4370m-2(c)(2)(D)(iii)(II)

<sup>36</sup> See Sec. 4(b)(ii)(C) of E.O. 13807, 82 Fed. Reg. at 40464 and [OMB Memorandum M-18-25](#), p. 6.

## Missed Milestones

Missed milestones must be updated to establish a complete picture of a project's process and challenges. Lead agencies should coordinate closely with cooperating agencies to ensure that changes are made and published in a timely manner.

### FAST-41:

If milestone dates are extended by any length of time, FAST-41 requires that the milestone target completion dates be updated **at least 30 days prior to the current target completion date**.<sup>37</sup> Permitting timetable updates that are not in compliance with FAST-41 will be considered to have missed milestones. Milestones marked as "Complete" **more than 5 business days after the current target completion date** are also considered to be missed milestones. FPISC-OED will document all interim and final missed milestones internally.

Responsible agencies are required to submit monthly progress reports on the final missed milestone in an action until the action is completed.<sup>38</sup> The FAST-41 missed date monthly reporting process for an action will be triggered when the final milestone date for an action is missed. The responsible agency will receive a notification from the Permitting Dashboard **at least 7 days in advance of when it is required to submit a missed date monthly report**. Once the process is initiated, the action's responsible agency will be required to submit a monthly action status report through the Federal agency portal of the Permitting Dashboard every month until the action is no longer ongoing (Complete or Cancelled). The responsible agency should submit the monthly action plan **within 5 days of notification**. Note that this requirement does not apply to milestones that are in "Paused" status.

OED will approve the monthly action status report before it is posted to the Permitting Dashboard. The responsible agency will not be required to publish the monthly action status report once OED approval is received. When approved, the action status report is automatically posted as an additional section on the action's details page above the Milestone Details. If rejected by OED, OED will work with the responsible agency to ensure the monthly action status report includes all relevant information, after which the responsible agency is required to resubmit the justification for OED approval. Please see the [Permitting Dashboard Technical User Guide](#) for more information on how to submit justifications. A quarterly report showing the timelines to update all interim and final milestones in actions will also be posted on the Permitting Dashboard.<sup>39</sup>

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<sup>37</sup> 42 U.S.C. § 4370m-2(c)(2)(D)(ii).

<sup>38</sup> 42 U.S.C. § 4370m-2(c)(2)(F)(ii)

<sup>39</sup> This report will be the same format as discussed in Figure 4 of the Annual Report to Congress. Agencies will have opportunity to review before posted.



## Major Infrastructure Projects:

Agencies will have up to **5 business days** to update a milestone target date that has passed (e.g., mark the milestone as complete, change the target completion date) before it is considered a missed milestone.<sup>40</sup>

## Phase 2B: Changing Action and Project Statuses

Timetables on the Permitting Dashboard can be edited to reflect status changes (i.e., “Planned,” “In Progress,” “Paused,” or “Cancelled”), or changes in target completion dates.

### Pausing Actions and Projects

The “Paused” status may only be used for a project or an action when all three of the following criteria are met:

For a Project to Pause

1. Circumstances outside of Federal government control have caused a delay,
2. There is no other agency work possible on any of the actions, and
3. The lead agency, in consultation with all cooperating and participating agencies, has determined that it is impossible to estimate a new milestone date(s) after coordination with the project sponsor.

For an Action to Pause

1. Circumstances outside of Federal government control have caused a delay,
2. There is no other agency work possible on the specific action, and
3. The responsible agency determined that it is not possible to estimate new milestone date(s) following consultation with lead, cooperating and participating agencies, as well as the project sponsor.

Prior to changing an action or project to “Paused” status, the lead agency should coordinate with cooperating and participating agencies, and the project sponsor, to determine a new milestone date(s). “Paused” status is appropriate only where new dates cannot be established. If the new

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<sup>40</sup>[OMB Memorandum M-18-25](#), p. 5.

date(s) cannot be determined, the project sponsor and government entities should be notified before an action or project goes into pause status. To mark a project as “Paused,” all “In Progress” actions must first be put into “Paused” status.

To accurately capture the duration of pauses, date fields are made available when setting a status to “Paused” in which the effective pause start and end dates must be entered. The dates entered in the pause date fields are also used to illustrate the duration of the pauses on the project page’s Gantt chart.

Additional information entered on the Permitting Dashboard includes the pause start date and “Justification(s) for Pause” box that describes the following:

1. The reason for the pause and how it prevents work on the project or action from proceeding,
2. How the paused date impacts other actions and the overall permitting timetable,
3. Any coordination activities that took place with the project sponsor and relevant agencies to try to determine a new milestone date(s), and
4. Whether the responsible agency CERPO(s) and/or lead agency CERPO has been made aware of the delay and the possible effect it may have on the project.

The information requested in this section is not visible to the public. For the sake of transparency, however, agencies should provide ample details in the public-facing “Milestone Details” box.

***Maintaining Accurate Project and Action Statuses: In instances where “Paused” status is utilized, the written summary on the Permitting Dashboard supporting the status should be verified at least quarterly to ensure the narrative as written is still accurate and updated as appropriate.***

## FAST-41:

If the lead agency is unable to identify a new milestone date(s) after coordination with cooperating and participating agencies and the project sponsor, then the lead agency is expected to identify and explain to the FPISC-OED project-specific challenges that necessitated the pause, and request FPISC-OED assistance in determining the best solutions to the identified problems.

The FPISC Executive Director will review any changes to project status after they are published. The FPISC-OED will reach out to the responsible agency's CERPO with any questions about the implementation of the pause policy outlined above. In instances where FPISC-OED deems that the pause is justified, it will work with the lead agency to identify project-specific challenges and solutions. In instances in which FPISC-OED determines a milestone extension process is the most appropriate course of action in lieu of "Paused" status (according to the criteria identified above), the FPISC-OED will work with the responsible agencies on a milestone extension submittal and corresponding change in status. The milestone extension request will account for the required changes to the permitting timetable and the appropriate justifications for those changes (e.g., external factors).

**Table 4. Examples of Scenarios that would Necessitate Action or Project Pause**

Reason for Pause	Possible Scenarios for When Milestone Dates Cannot Be Estimated
<i>State government factors</i>	<ul style="list-style-type: none"> <li>• A necessary state authorization has been denied or delayed.</li> </ul>
<i>Local government factors</i>	<ul style="list-style-type: none"> <li>• There are unresolved issues between Federal and local governments related to environmental impacts, endangered species, air or water quality permitting, or historic or cultural resources.</li> <li>• There are unresolved conflicts with local, county, or city zoning.</li> <li>• There are unresolved impacts on recreational or protected areas.</li> </ul>
<i>Tribal government factors</i>	<ul style="list-style-type: none"> <li>• There are unresolved tribal government, economic, environmental, or realty concerns about a project.</li> <li>• There are unresolved issues associated with treaty rights such as impacts to water, mineral, oil and gas rights, or aboriginal hunting or fishing rights.</li> <li>• There are unresolved issues between Federal and tribal governments related to environmental impacts, endangered species, air or water quality permitting, or historic or cultural resources.</li> </ul>
<i>Project sponsor factors</i>	<ul style="list-style-type: none"> <li>• A project sponsor needs more time to submit required information to an agency and cannot estimate a time for submission.</li> <li>• A project sponsor's application has been formally withdrawn through administrative action</li> <li>• There are financing issues identified by the project sponsor.</li> <li>• The project scope has significantly changed.</li> </ul>
<i>Pending legal action</i>	<ul style="list-style-type: none"> <li>• The project sponsor or a Federal agency is facing litigation issues related to the project, preventing further activity until resolved.</li> </ul>
<i>Natural disasters</i>	<ul style="list-style-type: none"> <li>• There have been necessary schedule changes directly resulting from an emergency situation created by a natural disaster.</li> </ul>
<i>National emergency</i>	<ul style="list-style-type: none"> <li>• There have been necessary schedule changes directly resulting from a national emergency situation, such as a public health emergency created by a pandemic or military action.</li> </ul>

## Completing Actions and Milestones

When all milestones within an action have been marked “Complete,” the action should be marked as “Complete.”

Agencies have **up to 5 business days** after a milestone’s target completion date to mark the milestone as “Complete.” If the milestone was completed ahead of schedule, the agency may modify the target completion date accordingly, while marking the milestone as “Complete.” For instances where the milestone was not completed by its target date and will need to be extended, please see [Missed Milestones](#) under section [Phase 2A: Changing Milestone Dates](#) of this document.

The target completion date at the time a milestone is marked as “Complete” will be that milestone’s actual target completion date on the Permitting Dashboard. Agencies can publish their action’s

complete milestone(s) after notification to the lead, cooperating, and participating agencies and project sponsor.

### Action Outcomes

Some actions on the Permitting Dashboard have associated action outcomes that ask the user to identify the result of the permitting decision. Once the final milestone in the action is marked as “Complete,” the user will be prompted to select an outcome from the “Action Outcome” dropdown list located above the table with milestones.

Not all actions include action outcomes. Table 5.5 describes all actions for which the user must select action outcomes

**Table 5. Action Outcomes by Relevant Permitting Dashboard Action**

Action	Action Outcomes
<i>Endangered Species Act (ESA) Consultation</i>	<ul style="list-style-type: none"> <li>• Biological Opinion issued</li> <li>• Letter of concurrence issued</li> </ul>
<i>Environmental Assessment (EA)</i>	<ul style="list-style-type: none"> <li>• Issuance of a Finding of No Significant Impact (FONSI)</li> <li>• Issuance of a Supplemental FONSI</li> <li>• Decision to prepare an Environmental Impact Statement</li> <li>• Categorical Exclusion</li> </ul>
<i>Environmental Impact Statement (EIS)</i>	<ul style="list-style-type: none"> <li>• Issuance of an individual agency ROD</li> <li>• Issuance of a joint ROD</li> <li>• Issuance of multiple RODs and combined FEIS-ROD</li> <li>• Issuance of multiple RODs</li> <li>• Issuance of a single combined FEIS-ROD</li> <li>• Re-classified to an Environmental Assessment</li> <li>• Categorical Exclusion</li> </ul>
<i>Fish and Wildlife Coordination Act Review</i>	<ul style="list-style-type: none"> <li>• FWCA recommendations to conserve, mitigate, or enhance fish and wildlife resources issued</li> <li>• Review concluded with no recommendations</li> </ul>
<i>Magnuson-Stevens Fishery Conservation and Management Act, Section 305 Essential Fish Habitat (EFH) Consultation</i>	<ul style="list-style-type: none"> <li>• One or more EFH conservation recommendations are issued</li> <li>• NOAA determines that no conservation recommendations are necessary</li> </ul>
<i>Marine Mammal Protection Act (MMPA) Incidental Take Authorization</i>	<ul style="list-style-type: none"> <li>• Issuance of Incidental Harassment Authorization</li> <li>• Issuance of Letter of Authorization</li> <li>• Authorization Denied</li> </ul>

Action	Action Outcomes
<i>National Marine Sanctuaries Act Special Use Permit, as defined in Section 310</i>	<ul style="list-style-type: none"> <li>• Special Use Permit issued</li> <li>• Special Use Permit application denied</li> </ul>
<i>National Marine Sanctuaries Act, Issuance of a General Permit of Authorization of a Permitted Activity</i>	<ul style="list-style-type: none"> <li>• General permit or authorization issued</li> <li>• Permit application denied</li> </ul>
<i>National Marine Sanctuaries Act, Section 304(d) Consultation</i>	<ul style="list-style-type: none"> <li>• The Office of National Marine Sanctuaries determines no injury to sanctuary resources</li> <li>• Office of National Marine Sanctuaries makes an injury determination and provides recommended alternatives by letter to Federal Action Agency, as appropriate</li> </ul>
<p><i>Section 10 of the Rivers and Harbors Act of 1899,</i> <i>Section 404 of the Clean Water Act, and/or</i> <i>Section 103 of the Marine Protection, Research, and Sanctuaries Act</i></p>	<ul style="list-style-type: none"> <li>• General Permit Verified With Special Conditions</li> <li>• General Permit Verified Without Special Conditions</li> <li>• Provisional General Permit Verification</li> <li>• Discretionary Authority to Require an Individual Permit</li> <li>• General Permit Verification Denied Without Prejudice</li> <li>• General Permit Pre-Construction Notification Withdrawn</li> <li>• Individual Permit Issued With Special Conditions</li> <li>• Individual Permit Issued Without Special Conditions</li> <li>• Provisional Individual Permit Issued</li> <li>• Individual Permit Denied With Prejudice</li> <li>• Individual Permit Denied Without Prejudice</li> <li>• Individual Permit Application Withdrawn</li> </ul>
<i>Section 106 Review</i>	<ul style="list-style-type: none"> <li>• Finding of no historic properties affected</li> <li>• Finding of no adverse effect</li> <li>• Executed memorandum of agreement or programmatic agreement or other conclusion to resolve adverse effects reached</li> <li>• State programmatic agreement utilized</li> </ul>
<i>Supplemental Environmental Impact Statement (EIS)</i>	<ul style="list-style-type: none"> <li>• Issuance of Amended ROD</li> <li>• Issuance of Amended Combined ROD / Final EIS</li> </ul>

## Changing Class of NEPA Document

If the responsible agency determines that an EIS or EA is no longer the appropriate level of NEPA review for a project, the status for the EIS or EA action should be indicated as “Class of Action

Changed.” The Action Outcome for the EIS or EA action should reflect the new class of NEPA document (i.e., EIS, EA, or Categorical Exclusion) and the user should add the appropriate new action to the permitting timetable.

If an MIP-only project or FAST-41 project covered pursuant to 42 U.S.C. § 4370m(6)(A)(ii) is downgraded from an EIS, it no longer will be tracked on the Permitting Dashboard.

## FAST-41:

Projects covered pursuant to 42 U.S.C. § 4370m(6)(A)(i) will continue to be tracked on the Permitting Dashboard if the EIS or EA has been down-scoped to a Categorical Exclusion . In this case, the new action would be added to the Permitting Dashboard at the appropriate time, and all other relevant actions should be updated or added. Completed actions should not be revised; instead, a new action should be created. The project status should not be updated to “Class of Action Changed.”

If a FAST-41 project covered pursuant to 42 U.S.C. § 4370m(6)(A)(ii) is downgraded from an EIS, it will be no longer be tracked on the Permitting Dashboard.

## Major Infrastructure Projects:

If the project is MIP-only and no longer requires an EIS, the project will no longer be tracked on the Permitting Dashboard.<sup>41</sup> The project status should be changed to “Class of Action Changed.” MIPs that are no longer preparing an EIS will not be included in future Accountability Scorecards.

## Canceling Actions or Projects

If an action was anticipated when the permitting timetable was first created but was later deemed unnecessary, the user may change the status of the action to “Cancelled.” Any milestones that were completed prior to the action being deemed unnecessary should have accurate completion dates. A project may be cancelled for a variety of reasons, including when it is determined that the environmental review process is no longer necessary, inability to secure funding, or if it is no longer feasible. For the sake of transparency, “Cancelled” actions or projects will remain on the project’s permitting timetable and cannot be deleted.

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<sup>41</sup> If a U.S. DOT MIP is downgraded to an EA, it must remain on the Permitting Dashboard.

## FAST-41:

To cancel a FAST-41 project on the Permitting Dashboard, a lead or facilitating agency must send a request to FPISC-OED ([FASTFortyOne.Operations@fpisc.gov](mailto:FASTFortyOne.Operations@fpisc.gov)) seeking cancellation. FPISC-OED may respond with follow-up questions to determine and record the circumstances surrounding the cancellation.

## Major Infrastructure Projects:

To change the status of a major infrastructure project to “Cancelled” on the Permitting Dashboard, a lead agency must send an email to the Accountability System mailbox at [PermittingAccountability@eop.omb.gov](mailto:PermittingAccountability@eop.omb.gov) to provide an explanation of the status change. Cancelled projects will no longer be assessed in future Accountability Scorecards.

## Removing Actions

Actions with completed milestones cannot be deleted. If an action was anticipated when the permitting timetable was first created but was later deemed unnecessary, and no work has been completed on the action, a user may have the Dashboard Administrator request that the action be deleted from the project’s permitting timetable.

## FAST-41:

For FAST-41 covered projects, the agency’s Dashboard Administrator or other appropriate official should send an email to [FASTFortyOne.Operations@fpisc.gov](mailto:FASTFortyOne.Operations@fpisc.gov) with the project name, the action to be deleted, and a brief description of why the action is no longer necessary as part of the environmental review process.

## Major Infrastructure Projects:

For MIPs, the agency’s Dashboard Administrator or other appropriate official should send an email to the Accountability System mailbox at [PermittingAccountability@eop.omb.gov](mailto:PermittingAccountability@eop.omb.gov) with the project name, the action to be deleted, and a brief description of why the action is no longer a necessary part of the environmental review process.



## Phase 3: Project Close-Out Procedures

### Requirements for the Environmental Review and Authorization Decision Process to be Deemed Complete

For a project to be deemed complete, all Federal actions on the permitting timetable must include all milestone completion dates, and the status for each action must be noted as “Complete.” If state, local, or tribal governments have opted in, those actions must also be marked as “Complete.” The lead agency should coordinate with responsible agencies to ensure the accuracy of action and milestone dates. If a project is both a FAST-41 covered project and an MIP, close-out procedures for both types of projects apply. After meeting program-specific requirements for project close-out, agencies are encouraged to fill out the Outcomes tab to provide qualitative and quantitative descriptions of the effects of a project or action on the ecological, aesthetic, and cultural resources or public health, and any mitigation measures developed to address those effects.<sup>42</sup>

#### FAST-41:

To close out a FAST-41 project, prior to marking a project complete, on-line functionality will be developed to allow agencies to certify that it has completed all the appropriate environmental reviews and authorizations and, if needed, a final CPP will be submitted within 60 days of the back-end certification. Prior to deployment of this functionality, please reach out to FPISC-OED (FASTFortyOne.Operations@fpisc.gov) before marking a project complete. Agencies will then need to submit a final CPP within 60 days of the back end certification if the last submitted CPP did not include final updates. The CPP will need to show final updates (including a final permitting timetable) to the project information. In particular, Section 3 (“Avoidance, Mitigation, and Minimization”) and Section 4 (“Tribal/Public Outreach”) of the CPP should be updated. All applicable environmental and community outcomes identified throughout the course of the project should be included in the “Outcomes” tab and updated as necessary.

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<sup>42</sup> FAST-41 Implementation Guidance, Section 7, p. 59.

## Major Infrastructure Projects:

The following steps are required to be taken by the lead agency for the environmental review and authorization decision process of an MIP to be marked as “Complete”:

1. The project status should be changed to “Complete.” Once the project is marked as “Complete,” the milestone dates as provided will be used to calculate the “Time to Complete Environmental Review and Authorization Decisions” performance indicator and will be reported as part of OMB’s quarterly Accountability Scorecard.
2. The lead agency, in consultation with cooperating and participating agencies, must report the estimated cost to the government for the environmental review and authorization decision process in the Federal Agency Portal.
3. All applicable environmental and community outcomes identified throughout the course of the project should be included in the “Outcomes” tab. All applicable outcomes that may have changed as a result of the completion of the environmental review and authorization decision process should be updated.

### Outcomes Tab

On the “Edit Permitting Project” page, accessible by selecting “Edit” from the project details page, the “Outcomes” tab is intended to capture the environmental and community outcomes of a project. Environmental and community outcomes are the qualitative and quantitative descriptions of the anticipated effects from a project and how they change over time, as well as the community-based processes and mitigation measures that are developed to address those effects.<sup>43</sup> Environmental outcomes of a project refer to the resulting effects of a project or an action on ecological (including natural resources), aesthetic, and cultural resources, and on public health. Community outcomes of a project are the resulting effects of a project on community indicators such as employment, public safety, community cohesion, business displacement, community facility displacements, and residential displacement. Outcomes may be positive, negative, or neutral, or any combination thereof. Outcomes may be comprised of observed trends in environmental impacts (including trade-offs between impacts) or a public process change. Some examples of indicators that can be discussed in the outcomes summary(s) include:<sup>44</sup>

- the number of acres of wetlands avoided,
- the types of air quality improvements,
- the effects on endangered and threatened species,
- the development of inter-agency cooperation agreements,

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<sup>43</sup> See FAST-41 Implementation Guidance, Section 7.1, p. 59.

<sup>44</sup> FAST-41 Implementation Guidance, Section 7.6, p. 61.

- the identification of reasonable alternatives that were not previously considered, and
- the enhancement of public engagement and involvement practices.

Agencies have discretion in determining the best method for entering the information and can share this responsibility with other agencies (e.g., cooperating or participating agencies) as appropriate.<sup>45</sup>

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<sup>45</sup> FAST-41 Implementation Guidance, Sections 7.5 & 7.9, p. 61-62.

## Appendix A. Environmental Review and Authorization Inventory

Action	Action's Milestones (*Can be indicated as N/A † Triggering milestone)	Action Outcomes (*Only available for actions with the status of "Class of Action Changed")
Clean Water Act Section 402 Permit, National Pollutant Discharge Elimination System (EPA)	Initial application received	
	Completed application received †	
	EPA authorizes discharge under Individual permit	
DOD Mission Compatibility Evaluation Process, Part 211 of Title 32 CFR	Submit request to the Department of Defense's Military Aviation and Installation Assurance Siting Clearinghouse for a mission compatibility review of proposed project †	
	Issuance of response letter with preliminary determination	
Easement Administrative Action (USDA – NRCS)	Receipt of Easement Administrative Action application †	
	Determination of complete application for Easement Administrative Action	
	Final determination on Easement Administrative Action	
Endangered Species Act Consultation (DOI-FWS)	Request for ESA Consultation Received	Biological Opinion issued
	Consultation Package Deemed Complete – Formal* †	Letter of Concurrence issued
	Consultation Package Deemed Complete – Informal* †	
	Conclusion of ESA Consultation	
Endangered Species Act Consultation (NOAA-NMFS)	Request for ESA Consultation Received	Biological Opinion issued
	Consultation Package Deemed Complete – Formal* †	Letter of Concurrence issued
	Consultation Package Deemed Complete – Informal* †	
	Conclusion of ESA Consultation	
Environmental Assessment (EA)	Determination to prepare an Environmental Assessment (EA) †	Issuance of a Finding of No Significant Impact (FONSI)

	Issuance of a Draft EA / Release for Public Review*	Issuance of a Supplemental FONSI
	Issuance of a Final EA	Decision to prepare an Environmental Impact Statement**
	Issuance of a Supplemental EA*	Categorical Exclusion**
	EA Process Concluded	
Environmental Impact Statement	Issuance of Notice of Intent to prepare an Environmental Impact Statement (EIS) †	Issuance of an individual agency ROD
	Scoping	Issuance of a joint ROD
	Official Notice of Availability of a Draft EIS published in the Federal Register (FR) beginning both the public comment period and concurrent CAA Section 309 Review	Issuance of multiple RODs
	Official Notice of Availability of a Final EIS published in the FR beginning both the public review period and concurrent CAA Section 309 Review	Issuance of multiple RODs and combined FEIS-ROD
	Official Notice of Availability of a Supplemental Draft EIS published in the FR*	Issuance of a single combined FEIS-ROD
	Official Notice of Availability of a Supplemental Final EIS published in the FR*	Re-classified to an Environmental Assessment**
	Issuance of Lead Agency Record of Decision	Categorical Exclusion**
	Issuance of Additional Record of Decision*	
	Issuance of an Amended Record of Decision*	
	Fish and Wildlife Coordination Act Review (DOI – FWS)	Action Agency requests consultation regarding conservation of fish and wildlife resources †
Fish and Wildlife Coordination Act review concluded		Review concluded with no recommendations
Fish and Wildlife Coordination Act Review (NOAA)	Action Agency requests consultation regarding conservation of fish and wildlife resources †	FWCA recommendations to conserve, mitigate, or enhance fish and wildlife resources issued

	Fish and Wildlife Coordination Act review concluded	Review concluded with no recommendations
Lease of Power Privilege (DOI-BOR)	Completed application received †	
	Issuance of Preliminary Lease	
	Issuance of the Lease of Power Privilege Contract	
	Notice to Construct	
	Action Terminated	
Magnuson-Stevens Fishery Conservation and Management Act, Section 305 Essential Fish Habitat (EFH) Consultation	Lead Agency Requests EFH Consultation by submitting an EFH Assessment	One or more EFH conservation recommendations are issued
	NOAA Determines the EFH Assessment is complete and Initiates consultation †	NOAA determines that no conservation recommendations are necessary
	NOAA Issues any EFH conservation recommendations	
Marine Mammal Protection Act (MMPA) Incidental Take Authorization (DOC – NOAA/NMFS)	Complete Application Received †	Issuance of Incidental Harassment Authorization
	Publish Notice of Receipt in the Federal Register (FR)*	Issuance of Letter of Authorization
	Publish Proposed Incidental Take Authorization in the FR	Authorization Denied
	Publish Final Incidental Take Regulations in the FR*	
	Incidental Take Authorization Decision Rendered	
Marine Mammal Protection Act (MMPA) Incidental Take Authorization (DOI - FWS)	Complete Application Received †	
	Publish Notice of Receipt in the Federal Register (FR)*	
	Publish Proposed Incidental Take Authorization in the FR	
	Publish Final Incidental Take Authorization in the FR*	
	Issue Letter of Authorization*	
National Marine Sanctuaries Act, Issuance of a General Permit of Authorization of a Permitted Activity	Initial application received †	General permit or authorization issued
	Completed application received* †	Permit application denied
	Issuance of decision for permit/approval	
National Marine Sanctuaries	Initial sanctuary resource statement received	ONMS determines no injury to sanctuary

Act, Section 304(d) Consultation		resources
	Office of National Marine Sanctuaries determines that a sanctuary resource statement is complete †	ONMS makes an injury determination and provides recommended alternatives by letter to Federal Action Agency, as appropriate
	Office of National Marine Sanctuaries makes injury determination and provides recommended alternatives to Federal Action Agency, as appropriate	
National Marine Sanctuaries Act Special Use Permit, as defined in Section 310	Initial application received †	Special Use Permit issued
	Completed application received* †	Special Use Permit application denied
	Issuance of decision for permit/approval	
Notice of Proposed Construction - Form 7460	Application submitted †	
	Disposition complete	
Section 10 of the Rivers and Harbors Act of 1899	Pre-construction Notification (PCN)/Form ENG 4345/Joint Application Form Received	General Permit Verified With Special Conditions
	Complete Pre-Construction Notification (PCN)/Application Received †	General Permit Verified Without Special Conditions
	Publication of Public Notice*	Provisional General Permit Verification
	Final Verification/Permit Decision Rendered	Discretionary Authority to Require an Individual Permit
		General Permit Verification Denied Without Prejudice
		General Permit Pre-Construction Notification Withdrawn
		Individual Permit Issued With Special Conditions
		Individual Permit Issued Without Special Conditions
		Provisional Individual Permit Issued
	Individual Permit Denied With Prejudice	

		Individual Permit Denied Without Prejudice
		Individual Permit Application Withdrawn
Section 10 Rivers and Harbors Act of 1899 and Section 404 Clean Water Act	Pre-construction Notification (PCN)/Form ENG 4345/Joint Application Form Received	General Permit Verified With Special Conditions
	Complete Pre-Construction Notification (PCN)/Application Received †	General Permit Verified Without Special Conditions
	Publication of Public Notice*	Provisional General Permit Verification
	Final Verification/Permit Decision Rendered	Discretionary Authority to Require an Individual Permit
		General Permit Verification Denied Without Prejudice
		General Permit Pre-Construction Notification Withdrawn
		Individual Permit Issued With Special Conditions
		Individual Permit Issued Without Special Conditions
		Provisional Individual Permit Issued
		Individual Permit Denied With Prejudice
		Individual Permit Denied Without Prejudice
		Individual Permit Application Withdrawn
Section 10 Rivers and Harbors Act of 1899 and Section 103 Marine Protection, Research, and Sanctuaries Act	Pre-construction Notification (PCN)/Form ENG 4345/Joint Application Form Received	General Permit Verified With Special Conditions
	Complete Pre-Construction Notification (PCN)/Application Received †	General Permit Verified Without Special Conditions
	Publication of Public Notice*	Provisional General Permit Verification
	Final Verification/Permit Decision Rendered	Discretionary Authority to Require an Individual Permit



		General Permit Verification Denied Without Prejudice
		General Permit Pre-Construction Notification Withdrawn
		Individual Permit Issued With Special Conditions
		Individual Permit Issued Without Special Conditions
		Provisional Individual Permit Issued
		Individual Permit Denied With Prejudice
		Individual Permit Denied Without Prejudice
		Individual Permit Application Withdrawn
Section 103 of the Marine Protection, Research, and Sanctuaries Act	Pre-construction Notification (PCN)/Form ENG 4345/Joint Application Form Received	General Permit Verified With Special Conditions
	Complete Pre-Construction Notification (PCN)/Application Received †	General Permit Verified Without Special Conditions
	Publication of Public Notice*	Provisional General Permit Verification
	Final Verification/Permit Decision Rendered	Discretionary Authority to Require an Individual Permit
		General Permit Verification Denied Without Prejudice
		General Permit Pre-Construction Notification Withdrawn
		Individual Permit Issued With Special Conditions
		Individual Permit Issued Without Special Conditions
		Provisional Individual Permit Issued
		Individual Permit Denied With Prejudice
	Individual Permit Denied Without	

		Prejudice
		Individual Permit Application Withdrawn
Section 106 Review	Consultation initiated with SHPO/THPO †	Finding of no adverse effect
	Notification agency will use NEPA substitution approach [36 CFR 800.8(c)]*	Finding of no historic properties affected
	Section 106 consultation concluded	Executed memorandum of agreement or programmatic agreement or other conclusion to resolve adverse effects reached
		Existing program alternative utilized
Section 404 Clean Water Act	Pre-construction Notification (PCN)/Form ENG 4345/Joint Application Form Received	General Permit Verified With Special Conditions
	Complete Pre-Construction Notification (PCN)/Application Received †	General Permit Verified Without Special Conditions
	Publication of Public Notice*	Provisional General Permit Verification
	Final Verification/Permit Decision Rendered	Discretionary Authority to Require an Individual Permit
		General Permit Verification Denied Without Prejudice
		General Permit Pre-Construction Notification Withdrawn
		Individual Permit Issued With Special Conditions
		Individual Permit Issued Without Special Conditions
		Provisional Individual Permit Issued
		Individual Permit Denied With Prejudice
		Individual Permit Denied Without Prejudice
		Individual Permit Application Withdrawn

Section 404 Clean Water Act, Section 10 Rivers and Harbors Act of 1899, and Section 103 Marine Protection, Research, and Sanctuaries Act	Pre-construction Notification (PCN)/Form ENG 4345/Joint Application Form Received	General Permit Verified With Special Conditions
	Complete Pre-Construction Notification (PCN)/Application Received †	General Permit Verified Without Special Conditions
	Publication of Public Notice*	Provisional General Permit Verification
	Final Verification/Permit Decision Rendered	Discretionary Authority to Require an Individual Permit
		General Permit Verification Denied Without Prejudice
		General Permit Pre-Construction Notification Withdrawn
		Individual Permit Issued With Special Conditions
		Individual Permit Issued Without Special Conditions
		Provisional Individual Permit Issued
		Individual Permit Denied With Prejudice
Section 404 Clean Water Act and Section 103 Marine Protection, Research, and Sanctuaries Act		Individual Permit Denied Without Prejudice
		Individual Permit Application Withdrawn
	Pre-construction Notification (PCN)/Form ENG 4345/Joint Application Form Received	General Permit Verified With Special Conditions
	Complete Pre-Construction Notification (PCN)/Application Received †	General Permit Verified Without Special Conditions
	Publication of Public Notice*	Provisional General Permit Verification
	Final Verification/Permit Decision Rendered	Discretionary Authority to Require an Individual Permit
	General Permit Verification Denied Without Prejudice	
	General Permit Pre-Construction Notification Withdrawn	

		Individual Permit Issued With Special Conditions
		Individual Permit Issued Without Special Conditions
		Provisional Individual Permit Issued
		Individual Permit Denied With Prejudice
		Individual Permit Denied Without Prejudice
		Individual Permit Application Withdrawn
Supplemental Environmental Impact Statement (EIS)	Issuance of Notice of Intent (NOI) to prepare a Supplemental EIS †	Issuance of Amended ROD
	Official Notice of Availability of a Supplemental Draft EIS published in the FR	Issuance of Amended Combined ROD / Final EIS
	Official Notice of Availability of a Supplemental Final EIS published in the FR	
	Supplemental EIS process concluded	
USCG Bridge Permit	Navigation data received	
	Issued Preliminary Navigation Clearance Determination	
	Application Received	
	Publication of Public Notice	
	Application Deemed Complete †	
	Permit Decision Rendered	
USCG Letter of Recommendation for Marine Operations	Receipt of Letter of Intent/Preliminary Waterway Suitability Assessment †	
	Receipt of Waterway Suitability Assessment	
	USCG Letter of Recommendation to FERC	
Authorization for Liquefied Natural Gas Terminal Facilities, Onshore or in State Waters	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	

Bald and Golden Eagle Protection Permit	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Business Resource Lease	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Certificate of Public Convenience and Necessity for Interstate Natural Gas Pipelines	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Commercial Use Permit	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Conditional Letter of Map Revision	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Construction and Operations Plan	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Development and Production	Initial application received †	

Plan	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
DOD Military Mission Impact Process	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
Floodplain Assessment	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
Form 3200-9, Notice of Intent to Conduct Geothermal Resource Exploration Operations	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
Geothermal Drilling Permit (GDP)	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
Geothermal Exploration Bond	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
Geothermal Lease	Initial application received †	
	Completed application received* †	

	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Geothermal Project Utilization Plan, Facility Construction Permit, and Site License	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Geothermal Sundry Notice	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Loan Guarantee Program, Title XVII of EP Act 2005	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Loan Program, Advanced Technology Vehicle Manufacturing	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Migratory Bird Treaty Act permits	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Native American Graves Protection Act Compliance	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	

	Notice to proceed*	
	Review Terminated with no decision*	
Natural Gas Export Authorization	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Non-Federal Hydropower Licenses	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Non-Impairment Determination (separate from NPS permit)	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
NPS Permit	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Nuclear Power Plant – Combined (construction and operating) License	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Nuclear Power Plant – Construction Permit	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	



	Review Terminated with no decision*	
Oil and Gas Sundry Notice for Surface Disturbing Activity	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Oil Spill Response Plan (DOI - BSEE)	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Operations Plan / Surface Use Plan	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Right-of-Way Authorization (DOI-BIA)	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Right-of-Way Authorization (DOI-BLM)	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Right-of-Way Authorization (DOI-FWS)	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	

Section 1222 Project	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Section 408 Permit	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Service Line Agreement	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Site License (DOI-BLM)	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Special Use Permit (BLM)	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Special Use Permit (FS)	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
State, Local, Tribal, or Other	Initial application received †	

Non-Federal Action	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Use Authorization (DOI-BOR)	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Wild Scenic Rivers Act Determination/Coordination	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	
Wind Energy Evaluation Lease --Indian Lands	Initial application received †	
	Completed application received* †	
	Issuance of decision for permit/approval	
	Notice to proceed*	
	Review Terminated with no decision*	

## Appendix B. Policy Guide Summary

Requirement	One Federal Decision (OFD) Major Infrastructure Project (MIP) ONLY	Title 41 of the Fixing America's Surface Transportation Act (FAST-41) ONLY	When a Project is Both FAST-41 and MIP	In Data Management Guide
<b>Joint Record of Decision (ROD)</b>	Joint RODs are required; however, the lead agency may grant an exemption under various circumstances as listed in the Section XIII of OFD MOU.	Joint RODs are not required	Agencies must follow the requirements for OFD regarding single environmental impact statements (EISs) and Joint RODs. The Federal Permitting Improvement Steering Council (FPISC) Executive Director may become involved in schedule or process concerns.	Phase 1B
<b>Initiation of OFD or FAST-41</b>	A project that meets the definition of a major infrastructure project is officially designated by the lead agency as an MIP on the Permitting Dashboard after the Notice of Intent (NOI) to prepare an EIS has been issued.	<p>The FAST-41 process is triggered when a project sponsor submits the FAST-41 initiation notice of a proposed covered project to the FPISC-ED and the facilitating or lead agency.</p> <p>The FPISC-ED will post the project to the dashboard <b>within 14 days</b> of receipt unless the FPISC Executive Director or the facilitating/lead agency determines that the project is not a FAST-41 covered project.</p>	A project may be covered under both FAST-41 and OFD, and may become covered by each program in any order.	N/A
<b>Creating Project Page on the Permitting Dashboard</b>	The lead agency creates an individual project page for MIPs.	FPISC-OED will create a project page on the Permitting Dashboard <b>within 14 days</b> of receipt unless the FPISC Executive Director or the facilitating/lead agency determines that the project is not a FAST-41 covered project.	If the project is designated as an MIP first, then the lead agency will create the project page. If it is designated as a FAST-41 covered project first, then the FPISC Executive Director will create the project page. If a project is determined to be an MIP and FAST-41 at the same time, the FPISC Executive Director will create the project page.	Phase 1A

Requirement	One Federal Decision (OFD) Major Infrastructure Project (MIP) ONLY	Title 41 of the Fixing America’s Surface Transportation Act (FAST-41) ONLY	When a Project is Both FAST-41 and MIP	In Data Management Guide
<p><b>Permitting timetables:</b> <i>Deadline to post timetable to the Permitting Dashboard</i></p>	<p>Permitting timetable must be posted to the Permitting Dashboard <b>no later than 30 days after the publication of the NOI.</b></p> <p>For FERC-led natural gas pipeline and LNG facility MIPs that have NOIs issued during the pre-filing process, a project page must be created on the Permitting Dashboard <b>no later than 30 days from the project sponsor filing an application.</b> A complete permitting timetable must be posted to the Permitting Dashboard <b>no later than 60 days from the project sponsor filing an application.</b></p>	<p>Permitting timetable and Coordinated Project Plan (CPP) must be submitted <b>within 60 days after the project page is created.</b></p>	<p>If the project is determined to be a:</p> <p>a) FAST-41 covered project either concurrently or before it is determined to be an MIP.</p> <ul style="list-style-type: none"> <li>Permitting timetable and CPP must be submitted <b>within 60 days after the project is determined to be a FAST-41 covered project.</b></li> </ul> <p>b) MIP and the permitting timetable has already been published before it is determined to be covered under FAST-41.</p> <ul style="list-style-type: none"> <li>The published timetable will serve as the timetable for FAST-41, provided the timetable is compliant with the permitting timetable requirements of FAST-41, 42 U.S.C. § 4370m-2(c)(2).</li> <li>All provisions of FAST-41 apply starting from the day of designation as covered, and agencies have <b>60 days to complete the CPP.</b></li> </ul> <p>c) MIP before it is determined to be covered under FAST-41, but the permitting timetable has not yet been published.</p> <ul style="list-style-type: none"> <li>Permitting timetable and CPP must be submitted <b>within 60</b></li> </ul>	<p>Phase 1B</p>

Requirement	One Federal Decision (OFD) Major Infrastructure Project (MIP) ONLY	Title 41 of the Fixing America’s Surface Transportation Act (FAST-41) ONLY	When a Project is Both FAST-41 and MIP	In Data Management Guide
			<p><b>days after the project is determined to be a FAST-41 covered project.</b> All provisions of FAST-41 apply starting from the day of designation as covered.</p>	
<p><b>Permitting timetables:</b> <i>When to update</i></p>	<p><b>Minimum of updated quarterly.</b> However, agencies have <b>up to 5 business days after a milestone’s current target completion date</b> to mark and publish the milestone as “Complete.”</p>		Phase 2	
	<p>Agencies will have up to <b>5 business days</b> to update a milestone target date that has passed (e.g., mark the milestone as complete, change the target completion date) before it is considered a missed milestone.</p>	<p>FAST-41 requires that milestone target completion dates be updated <b>at least 30 days prior to the scheduled completion date.</b></p>		
<p><b>Permitting timetables:</b> <i>Two year timeframe</i></p>	<p>Executive Order (E.O.) 13807 sets a goal for an agency-wide average of approximately 2 years to process environmental reviews and authorization decisions, measured from the publication of an NOI to prepare an EIS to the ROD. All other permits associated with the environmental review and authorization process must then be completed <b>within 90 days.</b></p>	<p>The 2-year goal does not apply to FAST-41 only projects. Lead agencies must use the <a href="#">Recommended Performance Schedules</a> for guidance on baseline schedules when developing the permitting timetable for projects in specific sectors.</p>	<p>The 2-year agency average will apply to MIPs also covered under FAST-41. The Office of Management and Budget (OMB) will include all MIPs in the Accountability Scorecard, recognizing that for FAST-41/MIPs, individual project permitting timetables that are greater than 2 years may be approved by the Executive Director to ensure achievable and realistic project specific permitting timetables.</p>	Phase 1B

Requirement	One Federal Decision (OFD) Major Infrastructure Project (MIP) ONLY	Title 41 of the Fixing America’s Surface Transportation Act (FAST-41) ONLY	When a Project is Both FAST-41 and MIP	In Data Management Guide
<p><b>Permitting timetables:</b> <i>Concurrence points</i></p>	<p>OFD MOU identifies three concurrence points:            1. Purpose and Need (prior to the issuance of the NOI),            2. Alternatives to be Carried Forward for Evaluation (prior to detailed analysis in the draft EIS), and            3. Identified Preferred Alternative (prior to the final EIS).</p>	<p>The concurrence of each cooperating agency is required in establishing the permitting timetable. 42 U.S.C. § 4370m-2(c)(2)(A).</p>	<p>Concurrence points are required when the project is both an MIP and FAST-41. If the project was first designated under FAST-41 and later became an MIP, the CPP should be revised to include MIP concurrence points. The FPISC Executive Director may become involved in resolving timetable-related disputes.</p>	<p>N/A</p>
<p><b>Meeting Milestones/Missed Dates</b></p>	<p>The “Meeting Milestones” indicator measures whether major infrastructure projects and actions were completed on schedule by comparing the original target completion date of the final milestone of a project or action to the actual completion date.</p>	<p>Missed only when the final date in an action is not met OR for any milestone for which a date is changed <b>within the 30 days before final completion date.</b></p>	<p>Meeting Milestone and Missed Dates are two distinct metrics that are measured differently. Both policies apply to projects that are both MIP/FAST-41 covered projects.</p>	<p>Phase 2A</p>
<p><b>Elevation Procedures/Milestone Extensions</b></p>	<p>Federal agencies have established procedures, which have been approved by OMB, to elevate schedule delay issues for MIPs to senior agency officials. These procedures should be implemented whenever milestones are missed or an anticipated delay is expected to cause the final milestone target completion date in an action to be extended more than 30 days.</p>	<p>FPISC Executive Director approval is needed for all milestone extensions that are expected to extend the final original milestone target completion date for a permitting action by more than 30 days.             If milestone date changes extend the permitting timetable by more than half of its original length when the reason is within the control of Federal, state, local, or tribal governments, the FPISC-</p>	<p>Responsible agencies will be determined to have met the elevation procedures requirement in OFD if they use the FAST-41 milestone extension process appropriately. The lead agency should indicate on the Permitting Dashboard that elevation procedure requirements were fulfilled using the FAST-41 milestone extension process so that it is recorded in the data for the accountability system.</p>	<p>Phase 2A</p>

Requirement	One Federal Decision (OFD) Major Infrastructure Project (MIP) ONLY	Title 41 of the Fixing America's Surface Transportation Act (FAST-41) ONLY	When a Project is Both FAST-41 and MIP	In Data Management Guide
	<p>No formal process is required for date changes that do not cause the final milestone target completion date of an "In Progress" action to be extended more than 30 days.</p>	<p>OED may request that the OMB Director authorize the FPISC-OED to authorize additional extensions. <b>Within 5 days of making a determination of whether to allow the extension</b>, the Director of OMB must send to Congress an explanation of why the modification is required and why the original permitting timetable and the modifications authorized by FPISC-OED were not adequate.</p>		
<p><b>Formal Dispute Resolution</b></p>	<p>Except where dispute resolution processes are otherwise provided for in law or in agency's OFD elevation procedures, upon request of a lead Federal agency, cooperating agency, or participating agency, the Council on Environmental Quality (CEQ) may mediate interagency disputes arising between Federal agencies concerning Federal environmental review or authorization decisions for any infrastructure project pertaining to any environmental law, regulation, order or policy, and shall</p>	<p>The Executive Director, in consultation with appropriate agency Chief Environmental Review and Permitting Officers (CERPOs) and the project sponsor, will mediate any disputes regarding the permitting timetable.</p> <p>If a dispute remains unresolved <b>30 days after the date it was submitted to the Executive Director</b>, the Director of OMB, in consultation with the Chairman of CEQ, will facilitate a resolution of the dispute.</p> <p>The FPISC Executive Director may also informally resolve</p>	<p>Projects that are both MIP/FAST-41 covered projects can be subject to any of the dispute resolution procedures available under either program.</p>	<p>N/A</p>



Requirement	One Federal Decision (OFD) Major Infrastructure Project (MIP) ONLY	Title 41 of the Fixing America's Surface Transportation Act (FAST-41) ONLY	When a Project is Both FAST-41 and MIP	In Data Management Guide
	<p>facilitate resolution of any conflicting positions of the relevant agencies.</p> <p>Additionally, the FPISC Executive Director may, upon request of a FPISC member agency or a project sponsor, work with the lead agency or any cooperating and participating agencies to facilitate the environmental review and authorization process for MIPs and FAST-41 covered projects. <i>See Section 5(f)(ii) of E.O. 13807.</i></p>	<p>disputes or, upon request of a FPISC member agency or a project sponsor, work with the lead agency or any cooperating and participating agencies to facilitate the environmental review and authorization process for MIPs and FAST-41 covered projects. <i>See Section 5(f)(ii) of E.O. 13807.</i></p>		
<p><b>Significant Delay (150% Calculation)</b> <i>Definition/reporting requirements</i></p>	<p>For MIPs, a "significant delay" occurs when the total length of delay is or is expected to be more than 50% of the overall length of the original timetable, as measured from the first milestone date of the first action to the final milestone date of the final action listed in the permitting timetable, due to factors within the Federal government's control.</p> <p>In these instances, the lead agency is required to report the estimated cost of delays to OMB.</p>	<p>For FAST-41, OMB authorization and Congressional reporting requirements are triggered when there is a delay that is expected to extend an overall project timetable for the period of time greater than half of the amount of time from the establishment of the permitting timetable to the last final completion date originally established.</p>	<p>Projects that are MIP and FAST-41 covered projects are subject to both requirements. However, because significant delays are calculated slightly differently (see columns to the left), the trigger for reporting may not be the same.</p>	<p>Phase 2A</p>

Requirement	One Federal Decision (OFD) Major Infrastructure Project (MIP) ONLY	Title 41 of the Fixing America’s Surface Transportation Act (FAST-41) ONLY	When a Project is Both FAST-41 and MIP	In Data Management Guide
<b>Closeout Procedures</b>	<p>The lead agency is responsible for indicating the environmental review and authorization decision process of an MIP has been completed on the Permitting Dashboard. When a project has been marked as “Complete,” the lead agency in consultation with cooperating and participating agencies, must report to OMB the estimated cost to the Federal government for the environmental review and authorization decision process. Estimated costs should be calculated in accordance with the cost methodology submitted by the agency to OMB.</p>	<p>The lead agency submits a close-out memo to FPISC-OED <b>within 60 days of the final environmental review or authorization being marked as “Complete”</b> on the Permitting Dashboard. From date of final action, agencies have <b>5 days to mark all actions and project complete.</b></p>	<p>Projects that are MIP and FAST-41 covered projects are subject to both close-out procedures.</p>	<p>Phase 3</p>

