



Executive Director Determination on Request to Extend FAST-41 Final Completion Date by More Than 30 Days

July 15, 2026

Grain Belt Express Transmission - Phase 1

I. Summary

The Grain Belt Express Transmission - Phase 1 project (Project), sponsored by Invenergy Transmission, LLC (Project Sponsor), is a covered project under Title 41 of the Fixing America's Surface Transportation Act (FAST-41), 42 U.S.C. § 4370m *et seq.* The U.S. Army Corps of Engineers (USACE), has principal responsibility for the required environmental reviews, which makes USACE the lead agency for FAST-41. The United States Fish and Wildlife Service (USFWS) is a cooperating agency.

USACE submitted a request to the Executive Director of the Federal Permitting Improvement Steering Council (the 'Permitting Council') to extend the completion date for Section 106 of the National Historic Preservation Act (Section 106) action on the Project's permitting timetable.

For the following reasons, USACE's extension request is **GRANTED**, and the Project's permitting timetable will be revised accordingly.

II. Legal Standard

Pursuant to 42 U.S.C. §§ 4370m-2(c)(2)(D)(i)(II) and (IV), a lead agency may extend a final completion date by more than 30 days beyond the original final completion date only after consulting with the project sponsor and obtaining Executive Director approval. After receiving an extension request, the Executive Director must consult with the project sponsor and make a determination on the record whether to grant the requested date change. The Executive Director's determination is based on consideration of "relevant factors," including, but not limited to:

- (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.

42 U.S.C. §§ 4370m-2(c)(2)(B), (c)(2)(D)(i)(IV). Executive Director determinations made pursuant to 42 U.S.C. § 4370m-2(c)(2)(D)(i)(IV) are not subject to judicial review. 42 U.S.C. § 4370m-2(c)(2)(D)(iv)(I).

III. Background

USACE seeks authorization to modify the completion date shown in the table below:

Action Agency	Action	Milestone	Original Date	Current Date	Requested Date
USACE	Section 106	Final verification / permit decision	11/3/2025	8/17/2026	10/1/2026

USACE has not received all the required archeological and historic resources reports from the Project Sponsor in the states of Kansas and Missouri. These reports are required for USACE to make a determination on cultural and historic resources in the permit areas and coordinate the findings and determination with State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPOs). The Project Sponsor has encountered numerous unanticipated site access impediments, which have resulted in delays in the development and submission of reports. This additional time will allow the project sponsor to complete the reports, submit them to USACE for review, and allow the agencies the necessary time to review and provide comments.

Consultation with Project Sponsor on Permitting Timetable Modifications

USACE appropriately consulted with the Project Sponsor pursuant to 42 U.S.C. § 4370m-2(c)(2)(D)(i)(I) prior to submitting its extension request to the Executive Director and the Project Sponsor does not object to the proposed milestone extension.

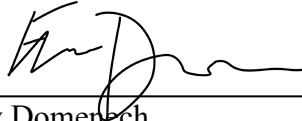
The Executive Director also consulted with the Project Sponsor, as required by 42 U.S.C. § 4370m-2(c)(2)(D)(i)(IV), and the Executive Director has confirmed that the Project Sponsor does not object to this permitting timetable modification.

IV. Discussion

The circumstances surrounding this project justify USACE's requested timetable modification, and the request will be granted. Pursuant to 42 U.S.C. § 4370m-2(c)(2)(B)(i) & (iv), two of the relevant factors to consider for modifications under the FAST Act are the size and complexity of the project and the sensitivity of the natural or historic resources that may be affected by the project. This is a very large transmission line project in two states with many survey areas within USACE jurisdiction. As such, it is critical that the project sponsor have sufficient time to develop the necessary reports and equally as important for USACE to conduct the appropriate consultation with SHPOs and THPOs to evaluate impacts to cultural and historic resources. Given these circumstances, the requested modification of the completion date is warranted.

V. Determination

USACE's extension request is **GRANTED**, and the permitting timetable shall be revised as requested.

A handwritten signature in black ink, appearing to read 'Emily Domenech', is positioned above a horizontal line.

Emily Domenech
Executive Director
Permitting Council