



Quarterly Agency Performance Report

**Permitting Council—Executive Director
Fiscal Q1 2026 (October–December 2025)**

March 31, 2026

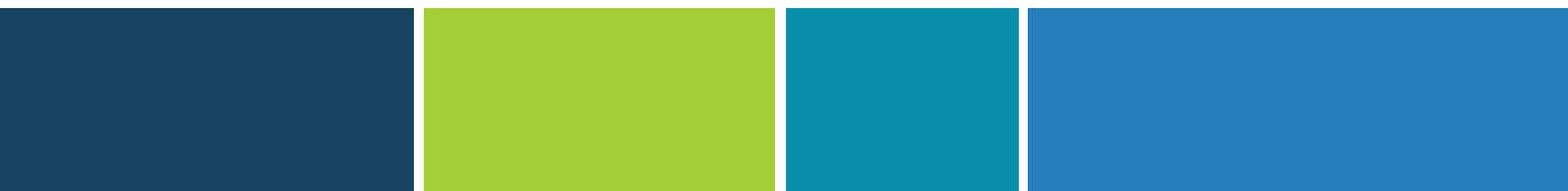




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Acknowledgments

Pursuant to 42 U.S.C. § 4370m-7(a)(2), the Executive Director of the Federal Permitting Improvement Steering Council (Permitting Council) submits to Congress this quarterly report evaluating agency compliance with the provisions of Title 41 of the Fixing America’s Surface Transportation Act (FAST-41). This report provides a description of the implementation and adherence of each agency to the coordinated project plan (CPP) and permitting timetable requirements under 42 U.S.C. § 4370m-2(c), requirements for agency postings of certain information under 42 U.S.C. § 4370m-2(b)(3) and transparency project provisions under 42 U.S.C. § 4370m-2(b)(2) during the first quarter of fiscal year 2026 (October–December 2025).

The Permitting Council is a federal agency charged with making the federal permitting process more efficient by improving the accountability, transparency and predictability of the federal environmental review and authorization process for certain critical infrastructure projects. The Permitting Council comprises the Executive Director, who serves as the Permitting Council Chair, and 15 additional members, including the Deputy Secretary (or equivalent) from 13 federal agencies, the Chairman of the Council on Environmental Quality and the Director of the Office of Management and Budget.



Federal Permitting Improvement Steering Council



Department of Agriculture



Department of the Army



Department of Commerce



Department of Energy



Department of Transportation



Department of War



Federal Energy Regulatory Commission



Department of Homeland Security



Nuclear Regulatory Commission



Department of Housing and Urban Development



Advisory Council on Historic Preservation



Office of Management and Budget



Council on Environmental Quality



Environmental Protection Agency



Department of the Interior



Quarterly Agency Performance Report

Fiscal Q1 October–December 2025

1. Summary of Federal Agency Performance

The following summarizes the FAST-41 covered and transparency project portfolio and federal agency performance and compliance with FAST-41 requirements for the first quarter of fiscal year 2026 (fiscal Q1 2026):

- During this period, there were **50 active covered projects** on the Federal Permitting Dashboard (Dashboard).¹ **Ten new projects** joined the covered project portfolio during fiscal Q1 2026, representing **11 percent growth** in the portfolio compared to the preceding quarter. **Two covered projects were completed** during the quarter.
- In this quarter, there were **32 transparency projects** on the Dashboard. **Two were completed** during the quarter.
- At the end of the reporting quarter, of the 43 active covered projects that had permitting timetables established,² 1 has had a reduction in overall permitting timetable, 22 have had no changes to overall anticipated project duration, 11 have had extensions of less than a year and 9 have had extensions of more than one year (see Figure 1).



¹ The Dashboard is currently hosted and maintained by the Department of Transportation (DOT) and is used as a transparency and compliance tool for many types of infrastructure projects in which the Federal government is involved. A fraction of the projects on the Dashboard are FAST-41 projects and can be found here: [FAST-41 Covered Projects](#) and [FAST-41 Transparency Projects](#).

² Bay State Wind Project, Bluepoint Wind 1, Contango Ore Johnson Tract Critical Metals Project, Kawich Solar Project, Larrea Solar Project, Mississippi Crossing Project, Pelican Carbon Sequestration Hub, Robert C. Byrd Hydroelectric Project, Santee Sioux Tribe Water Capacity and Infrastructure Improvements, Silver Rock Transmission Project, South Railroad Mine Project, and South System Expansion 4 did not have permitting timetables established during this reporting period.

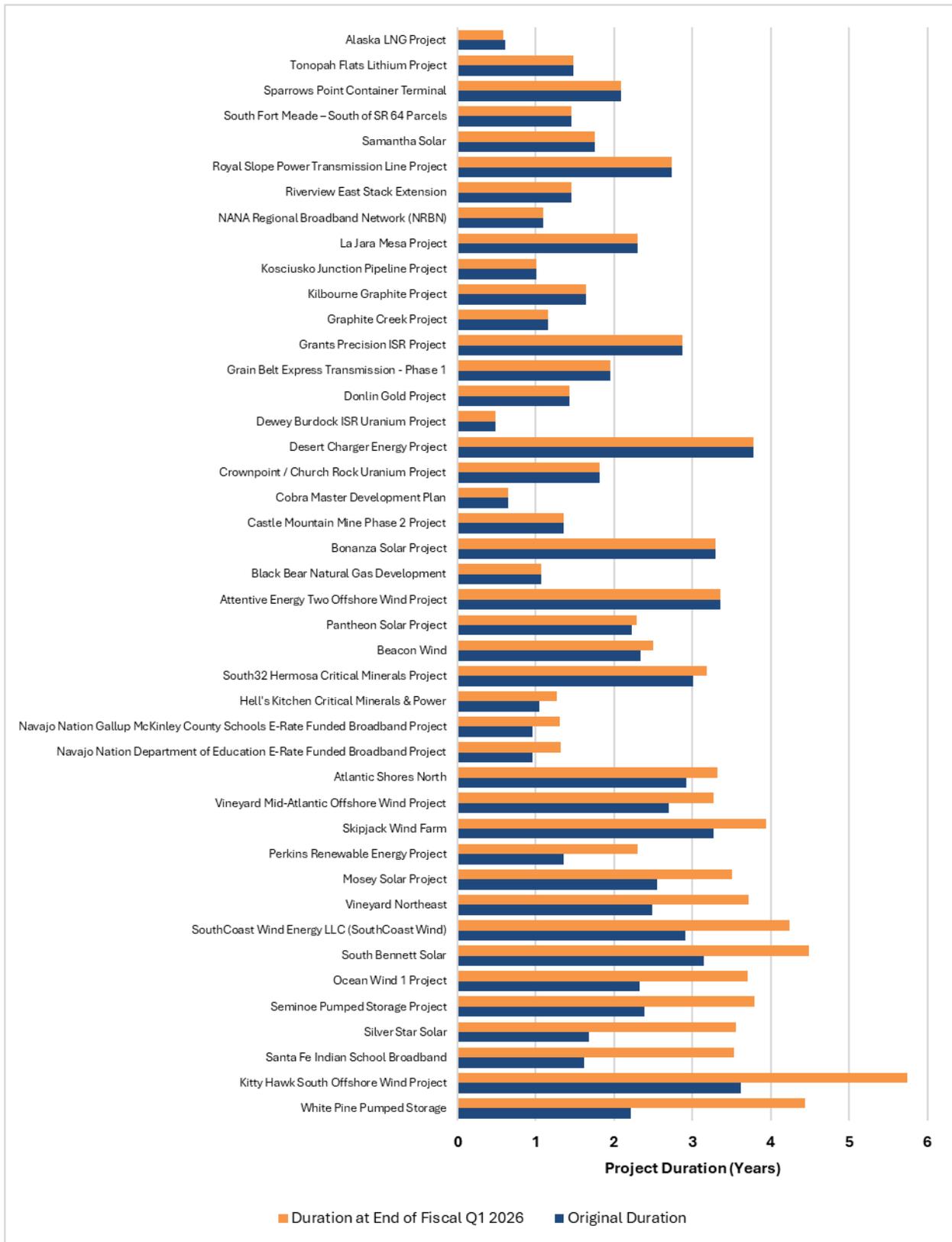


Figure 1: Comparison of covered project originally anticipated schedules to actual schedules at the end of fiscal Q1 2026.

- Agencies completed 27 environmental reviews and authorizations this quarter, including the following:
 - BIA’s National Historic Preservation Act (NHPA) Section 106 consultation for the Navajo Nation Department of Education E-Rate Funded Broadband Project and the Navajo Nation Gallup McKinley County Schools E-Rate Funded Broadband Project
 - BLM’s National Environmental Policy Act (NEPA) actions for the Caldwell Canyon Mine Project, the Lisbon Valley Copper Project, and the McDermitt Exploration Project; NHPA Section 106 consultation for the Lisbon Valley Copper Project; right-of-way (ROW) authorizations for the Lisbon Valley Copper Project and the Santa Fe Indian School Broadband project; and operations / surface use plans for the Caldwell Canyon Mine Project and the Lisbon Valley Copper Project
 - FWS’s Endangered Species Act (ESA) consultation for the McDermitt Exploration Project and the Maxville Expansion project
 - NOAA-NMFS’s Marine Mammal Protection Act (MMPA) incidental take authorization (ITA) for the Alaska Liquefied Natural Gas (LNG) Project and ESA consultation for the Alaska LNG Project and the NANA Regional Broadband Network (NRBN) project
 - NPS’s permit for the Santa Fe Indian School Broadband project
 - NTIA’s environmental assessment (EA) and NHPA Section 106 consultation for the NANA Regional Broadband Network (NRBN) project
 - USACE’s environmental impact statement (EIS) for the Sparrows Point Container Terminal project; NHPA Section 106 consultation for the Maxville Expansion project and the Trail Ridge South project; Section 10/404 permit for the NANA Regional Broadband Network (NRBN) and the Sparrows Point Container Terminal project; and Section 408 permit for the Sparrows Point Container Terminal project
 - USCG’s bridge permit for the Alaska LNG project
 - USFS’s EAs for the Libby Exploration Project and the Polaris Exploration Project

- There were 47 milestones³ scheduled to be completed across 19 covered projects during this quarter.⁴ The following provides a breakdown of these milestones:
 - Agencies completed 24 milestones.
 - Agencies extended 13 milestones beyond the end of the quarter.
 - Agencies missed six milestones.⁵

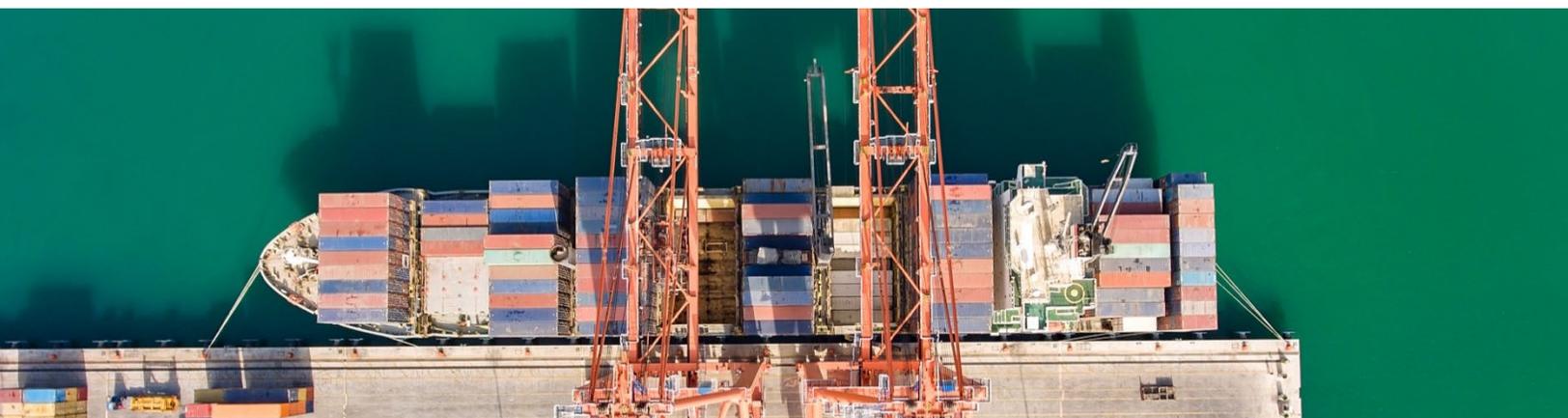
³ Each environmental review or authorization on the Dashboard consists of intermediate and final completion dates for Federal agency action referred to as “milestones.”

⁴ The 47 milestones include 42 completion dates and 5 alternative completion dates. The remaining covered projects did not have any milestones scheduled to occur during fiscal Q1 2026 because some of those projects did not have permitting timetables established at the beginning of the reporting period, and some of those milestones are anticipated to occur in the future, beyond the end of the reporting quarter.

⁵ See Section 4.1, 4.6, 4.8, and 4.11 of this report for details.

- Two milestones were determined to be inapplicable, one was associated with a project that was paused during the quarter, and one was associated with an action that was cancelled during the quarter.
- Agencies submitted four requests to the Executive Director to authorize date modifications that would necessitate extensions of final completion dates by more than 30 days after the originally established final completion date. After review of the circumstances, the Executive Director granted three requests that were received within the allotted time for modifications. The Executive Director granted, in part, and denied, in part, one request that included timely and not timely elements.⁶
- There were five instances in which completion dates were neither completed on time nor modified per the procedures set forth at 42 U.S.C. § 4370m-2(c)(2)(D), resulting in nonconformance. Agencies met requirements to provide explanations for missed completion dates and established alternative completion dates.⁷
- Agencies reviewed and satisfied the requirements for updating CPPs for applicable covered projects on the Dashboard in all cases but seven.⁸
- For covered projects, agencies satisfied the requirements to post certain project information⁹ to the Dashboard 96 percent of the time.
- Of the 30 transparency projects active at the end of the quarter, agencies had established comprehensive permitting timetables for 28 projects.

The statutory FAST-41 requirements are explained in detail in the Appendix of this report, and detailed information on agency compliance with these requirements is provided in *Section 4* of this report.



⁶ See *Section 4.11* of this report for details.

⁷ See *Section 4.6* of this report for details.

⁸ See *Sections 4.3, 4.7, and 4.14* of this report for details.

⁹ See part 5 of the *Appendix* for details on this statutory requirement.

2. Background

FAST-41 requires the Executive Director to submit a Quarterly Agency Performance Report to Congress, which:

evaluat[es] agency compliance with the provisions of [FAST-41], [and] which shall include a description of the implementation and adherence of each agency to the coordinated project plan and permitting timetable requirements under [42 U.S.C. § 4370m-2(c)].

Accordingly, this Quarterly Agency Performance Report, which covers fiscal Q1 2026, evaluates agency implementation of FAST-41 requirements.

To assess compliance for this report, the Permitting Council reviewed CPPs. Under FAST-41, lead agencies must complete a CPP within 60 days of adding a project to the Dashboard. Among other things, a CPP coordinates agency participation in, and completion of, the federal environmental reviews and authorizations required for a project. The project permitting timetable, which is posted and managed on the Dashboard, is a key component of a CPP and includes intermediate and final completion dates for agency actions on environmental reviews or authorizations that are required for the project. The requirements for a CPP and a permitting timetable are discussed in greater detail in the Appendix of this report.

This report provides an overview of:

- The project portfolio;
- Agency implementation of the FAST-41 initiation process, including the requirements for CPPs;
- Agency completion of required CPP quarterly updates;
- Significant permitting timetable changes;
- Agency conformance with permitting timetables;
- Agency postings of required information to the Dashboard; and
- Agency compliance with comprehensive permitting timetable requirements for transparency projects.

3. FAST-41 Project Portfolio

This section provides a description of both the covered and transparency project portfolio, including information on project lead agencies, infrastructure sectors, location and status. New, completed, cancelled and paused projects are also noted.

3.1. Covered Projects

In this quarter, the covered project portfolio contained 50 active projects and 5 projects for which all federal environmental reviews and authorizations were paused.¹⁰ Active covered projects are summarized by the lead or facilitating agency in Table 1 and organized by sector in Table 2.

Table 1: Summary by lead or facilitating agency of active covered projects in fiscal Q1 2026.

Lead or Facilitating Agency	Number of Projects
Department of Agriculture (USDA)	5
Department of Commerce (DOC) NTIA	2
Department of War (DOW) USACE	8
Department of Energy (DOE)	1
Department of the Interior (DOI)	24
Federal Energy Regulatory Commission (FERC)	7
Nuclear Regulatory Commission (NRC)	3
TOTAL	50

¹⁰ Active projects are those that had, at any time in fiscal Q1 2026, a status of “planned” or “in progress.” The Executive Director initially posts a FAST-41 covered project on the Dashboard in “planned” status. The project will remain in planned status until the Executive Director receives from the facilitating/lead agency a permitting timetable and posts the permitting timetable to the Dashboard, at which point the project’s status changes to “in progress.”

Active projects may also be characterized as projects for which, at any time in fiscal Q1 2026, federal environmental reviews and authorizations were not “paused,” “cancelled,” or “completed.” The Executive Director places a FAST-41 covered project in “paused” status if continued maintenance of all actions in the permitting timetable or continued federal action in the environmental review and authorization process for the covered project is impossible, and the project has not been either “cancelled” or “completed.” Atlantic Shores North, Beacon Wind Project, Grain Belt Express Transmission – Phase 1, Ocean Wind 1 Project, and Perkins Renewable Energy Project were paused for the entirety of the quarter.

Table 2: Active covered projects in fiscal Q1 2026.

Project	Lead or Facilitating Agency
Broadband (BRD)	
NANA Regional Broadband Network (NRBN) (BRD1)	NTIA
Navajo Nation Department of Education E-Rate Funded Broadband Project (BRD2)	BIA
Navajo Nation Gallup McKinley County Schools E-Rate Funded Broadband Project (BRD3)	BIA
Santa Fe Indian School Broadband (BRD4)	NTIA
Carbon Capture (CCS)	
Pelican Carbon Sequestration Hub (CCS1)	DOE
Electricity Transmission (ELT)	
Royal Slope Power Transmission Line Project (ELT1)	BOR
Silver Rock Transmission Project (ELT2)	BLM
Energy Storage (STO)	
Seminole Pumped Storage Project (STO1)	FERC
White Pine Pumped Storage (STO2)	FERC
Manufacturing (MFG)	
Riverview East Stack Extension (MFG1)	USACE
Mining (MNG)	
Castle Mountain Mine Phase 2 Project (MNG1)	BLM
Contango Ore Johnson Tract Critical Metals Project (MNG2)	USACE
Crownpoint / Church Rock Uranium Project (MNG3)	NRC
Dewey Burdock In-Situ Recovery (ISR) Uranium Project (MNG4)	NRC
Donlin Gold Project (MNG5)	USACE
Grants Precision ISR Project (MNG6)	NRC
Graphite Creek Project (MNG7)	USACE
Hell's Kitchen Critical Minerals & Power (MNG8)	USACE
Kilbourne Graphite Project (MNG9)	USACE
La Jara Mesa Project (MNG10)	USFS

Table 2: Active covered projects in fiscal Q1 2026, continued.

Project	Lead or Facilitating Agency
Mining (MNG), continued	
South Fort Meade – South of State Road 64 Parcels (MNG11)	USACE
South Railroad Mine Project (MNG12)	BLM
South32 Hermosa Critical Minerals Project (MNG13)	USFS
Tonopah Flats Lithium Project (MNG14)	BLM
Pipelines (PPL)	
Alaska LNG Project (PPL1)	FERC
Cobra Master Development Plan (PPL2)	USFS
Kosciusko Junction Pipeline Project (PPL3)	FERC
Mississippi Crossing Project (PPL4)	FERC
South System Expansion 4 (PPL5)	FERC
Ports and Waterways (PWW)	
Sparrows Point Container Terminal (PWW1)	USACE
Renewable or Conventional Energy Production (RCE)	
Attentive Energy Two Offshore Wind Project (RCE1)	BOEM
Bay State Wind Project (RCE2)	BOEM
Black Bear Natural Gas Development (RCE3)	USFS
Bluepoint Wind 1 (RCE4)	BOEM
Bonanza Solar Project (RCE5)	BLM
Desert Charger Energy Project (RCE6)	BLM
Kawich Solar (RCE7)	BLM
Kitty Hawk South Offshore Wind Project (RCE8)	BOEM
Larrea Solar Project (RCE9)	BLM
Mosey Solar Project (RCE10)	BLM
Pantheon Solar Project (RCE11)	BLM
Robert C. Byrd Hydroelectric Project (RCE12)	FERC
Samantha Solar (RCE13)	BLM

Table 2: Active covered projects in fiscal Q1 2026, continued.

Project	Lead or Facilitating Agency
Renewable or Conventional Energy Production (RCE), continued	
Silver Star Solar (RCE14)	BLM
Skipjack Wind Farm (RCE15)	BOEM
South Bennett Solar (RCE16)	BLM
SouthCoast Wind Energy LLC (SouthCoast Wind) (RCE17)	BOEM
Vineyard Mid-Atlantic Offshore Wind Project (RCE18)	BOEM
Vineyard Northeast (RCE19)	BOEM
Water Resources Projects (WTR)	
Santee Sioux Tribe Water Capacity and Infrastructure Improvements (WTR1)	USDA

Figure 2 shows the location of active covered projects in fiscal Q1 2026. The project labels correspond to those in Table 2.

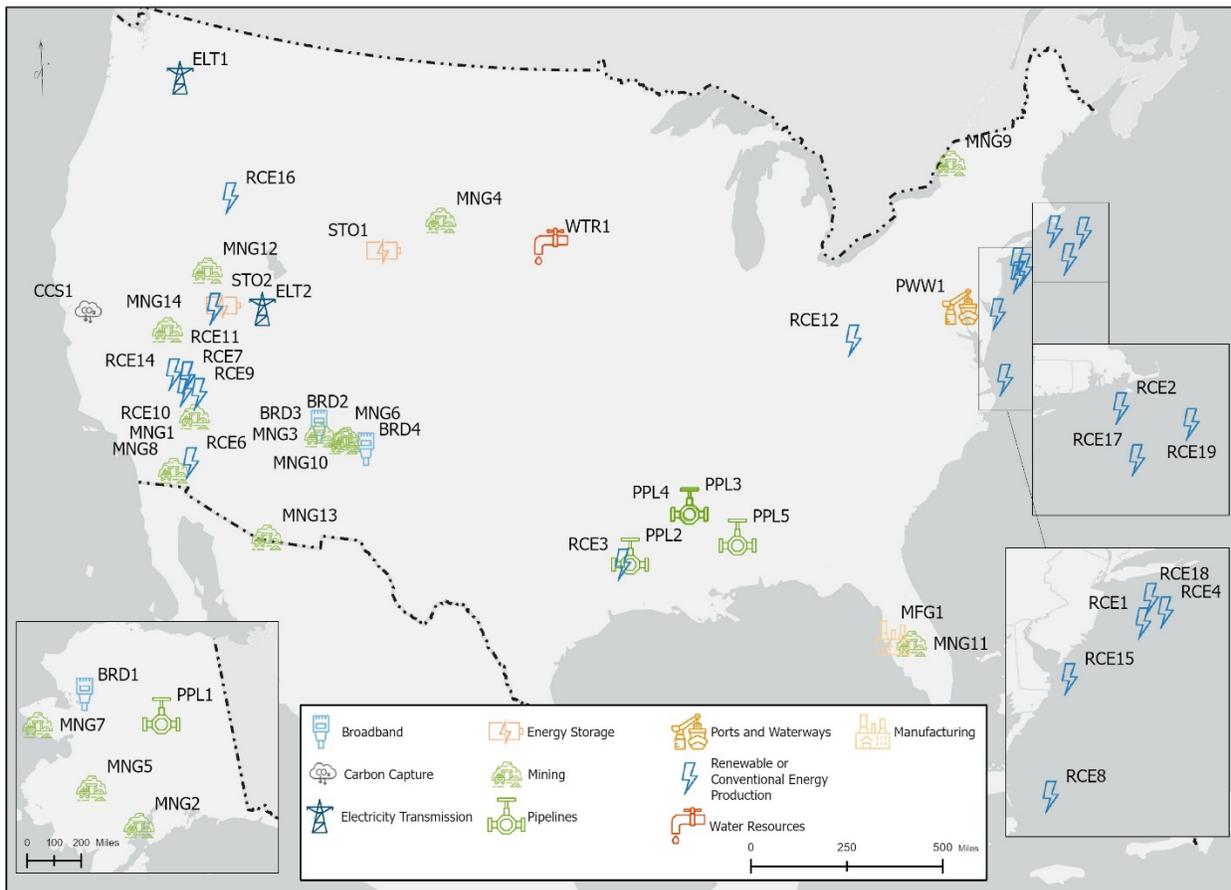


Figure 2: Active covered projects in fiscal Q1 2026.

During this quarter, the [Alaska LNG Project](#) and the [Sparrows Point Container Terminal](#) project completed all remaining federal environmental reviews and authorizations.

The Alaska LNG Project will comprise an 800-mile pipeline to transport an expected 3.5 billion cubic feet per day of natural gas from Alaska's North Slope to a liquefaction facility in South Central Alaska for export. The project successfully completed the federal permitting process nearly **two months earlier** than initially expected.

The Sparrows Point Container Terminal project is a proposed 330-acre redevelopment within Sparrows Point, Maryland, consisting of 168 acres for a new container terminal and intermodal yard. Once completed, this project will double the container capacity of the Port of Baltimore. This is the first FAST-41 covered project to finish all actions for all agencies early and the first to finish all NEPA milestones earlier than scheduled.

Ten new covered projects joined the portfolio during fiscal Q1 2026:

- [Black Bear Natural Gas Development](#)
- [Contango Ore Johnson Tract Critical Metals Project](#)
- [Donlin Gold Project](#)
- [Kilbourne Graphite Project](#)
- [Kosciusko Junction Pipeline Project](#)
- [Mississippi Crossing Project](#)
- [Robert C. Byrd Hydroelectric Project](#)
- [Silver Rock Transmission Project](#)
- [South Railroad Mine Project](#)
- [South System Expansion 4](#)

At the project sponsor's request, the Kitty Hawk South Offshore Wind Project was paused on the Dashboard and will remain so until the project sponsor reinitiates the FAST-41 process.

Figure 3 provides a snapshot of the status of covered projects as of December 31, 2025, that were active at any point in fiscal Q1 2026.¹¹

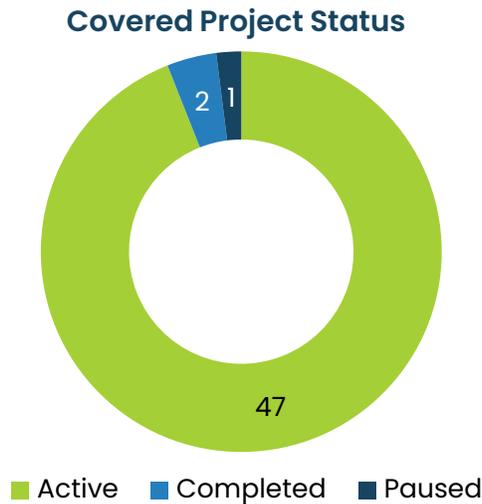


Figure 3: Snapshot of status, as of December 31, 2025, of each covered project that was active at any point in fiscal Q1 2026.

3.2. Transparency Projects

On March 20th, 2025, the President issued an Executive Order (EO) on "[Immediate Measures to Increase American Mineral Production](#)."¹² The EO directed that the Chair of the National Energy Dominance Council, in consultation with the heads of relevant agencies, submit to the Executive Director mineral production projects to be considered as transparency projects on the Dashboard.¹³

Transparency projects are distinct from covered projects and are posted in the interest of transparency.¹⁴ Being included on the Dashboard as a transparency project requires the development and publication of a project permitting timetable, leading to greater accountability and driving a more efficient process. The public nature of the Dashboard enables all stakeholders, from project sponsors and community members to federal agency leaders, to have an up-to-date accounting of where each project stands in the review process.

¹¹ The "Completed" category reflects only projects completed during the reporting quarter; projects completed before the reporting quarter are excluded. In addition, the five projects that were paused for the entire quarter are excluded from this figure.

¹² Exec. Order No. 14241, 90 Fed. Reg. 13673 (March 20, 2025).

¹³ *Id.* § 3(b).

¹⁴ 42 U.S.C. § 4370m-2(b)(2)(A)(iii)

In this quarter, the transparency project portfolio contained 32¹⁵ active mining projects, which are summarized by the lead agency in Table 3 and organized by sector in Table 4.

Table 3: Summary by lead agency of active transparency projects in fiscal Q1 2026.

Lead Agency	Number of Projects
Department of Agriculture (USDA)	12
Department of War (DOW) USACE	4
Department of Energy (DOE)	4
Department of the Interior (DOI)	12
TOTAL	32

Table 4: Active transparency projects in fiscal Q1 2026.

Project	Lead or Facilitating Agency
Angel Island (MNG1)	BLM
Antler Copper Project (MNG2)	BLM
Becky's Mine Modification (MNG3)	BLM
Blue Copper (MNG4)	USFS
Bronco Creek Exploration Project (MNG5)	USFS
Burnt Rock Exploration Project (MNG6)	USFS
Caldwell Canyon Mine Project (MNG7)	BLM
Copper Creek Exploration Project (MNG8)	BLM
Doe Run Project (MNG9)	USFS
Golden Mile Mine Project (MNG10)	BLM
Grassy Mountain Mine Project (MNG11)	BLM
Greens Creek Surface Exploration (MNG12)	USFS
Kings Mountain Lithium Material Processing Plant (MNG13)	DOE
Libby Exploration Project (MNG14)	USFS
Liberty Owl (MNG15)	DOE

¹⁵ The La Jara Mesa Project, the South Railroad Project, and the Tonopah Flats Lithium Project, were originally posted as transparency projects and later obtained FAST-41 coverage. These projects are included in Section 3.1 of this report.

Table 4: Active transparency projects in fiscal Q1 2026, continued.

Project	Lead or Facilitating Agency
Lisbon Valley Copper Project (MNG16)	BLM
Maxville Expansion (MNG17)	USACE
McDermitt Exploration Project (MNG18)	BLM
Michigan Potash (MNG19)	DOE
Muncy Creek Mineral Exploration Project* (MNG20)	USFS
Nikolai Nickel Project (MNG21)	USACE
NorthMet Project (MNG22)	USACE
Polaris Exploration Project (MNG23)	USFS
Resolution Copper Project (MNG24)	USFS
Roca Honda Project (MNG25)	USFS
Sheep Creek Project (MNG26)	USFS
Silver Peak Lithium Mine (MNG27)	BLM
South West Arkansas Project (MNG28)	DOE
Stillwater Mine (MNG29)	USFS
Sweetwater Project (MNG30)	BLM
Trail Ridge South (MNG31)	USACE
Warrior Met Coal Mines (MNG32)	BLM

* Muncy Creek Mineral Exploration Project was formerly known as Schell Creek.

Figure 4 shows the location of transparency projects in fiscal Q1 2026. The project labels correspond to those in Table 4.

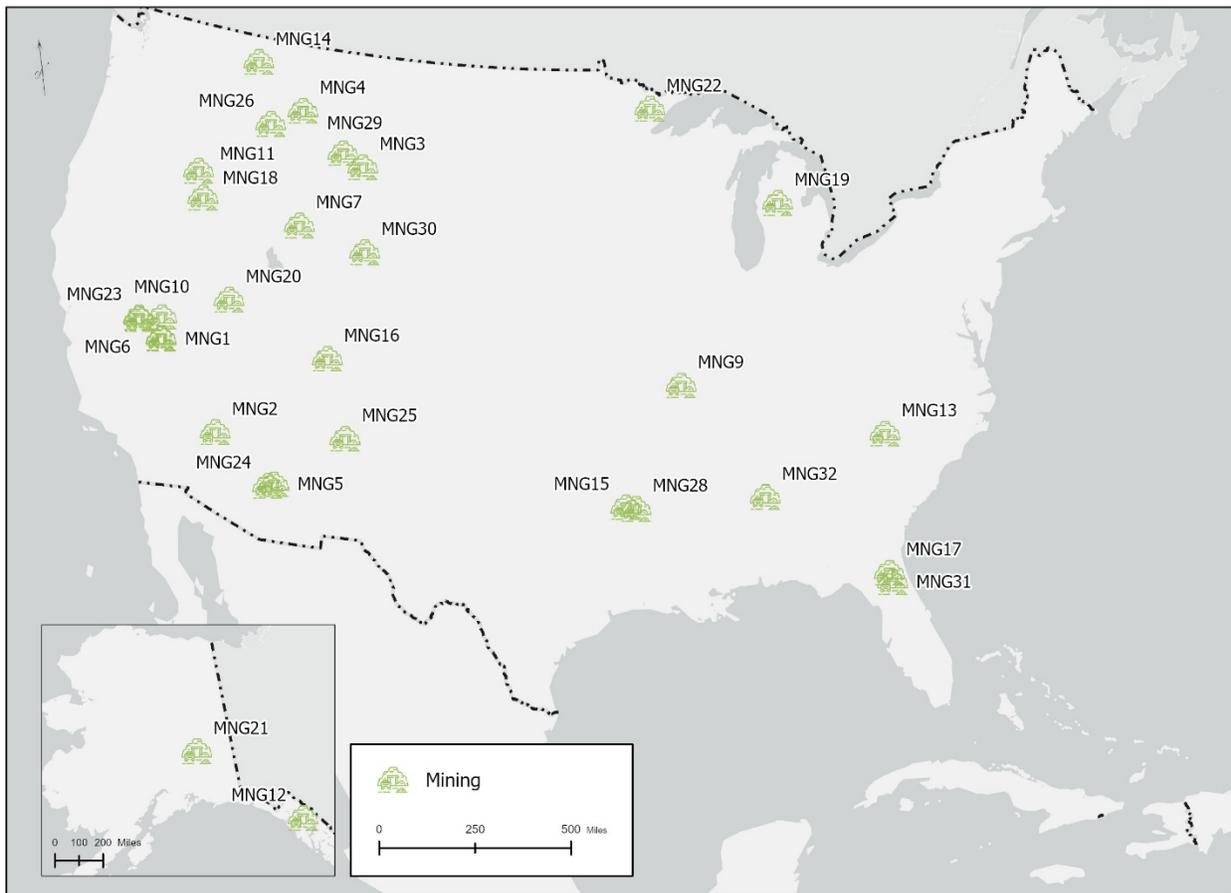


Figure 4: Transparency projects in fiscal Q1 2026.

During this quarter, two projects—the [Caldwell Canyon Mine Project](#) and the [Lisbon Valley Copper Project](#)—completed all remaining federal environmental reviews and authorizations.

The Caldwell Canyon Mine Project will extract phosphate ore in Caribou County, Idaho, from three existing federal phosphate leases and one state phosphate lease, by constructing two open pits, haul and access roads, utility lines, water management features, monitoring wells, and shop and office facilities.

The Lisbon Valley Copper Project is located in San Juan County, Utah and will expand open pit and beneficiation operations, and initiate the extraction of copper through a method of ISR. The project will include a new open pit, waste rock storage area, process ponds, and ISR wells.

Four new transparency projects joined the portfolio during fiscal Q1 2026:

- [Burnt Rock Exploration Project](#)
- [Copper Creek Exploration Project](#)
- [Nikolai Nickel Project](#)
- [Sheep Creek Project](#)

Figure 5 provides a snapshot of the status of transparency projects as of December 31, 2025, that were active at any point in fiscal Q1 2026.¹⁶

Transparency Project Status

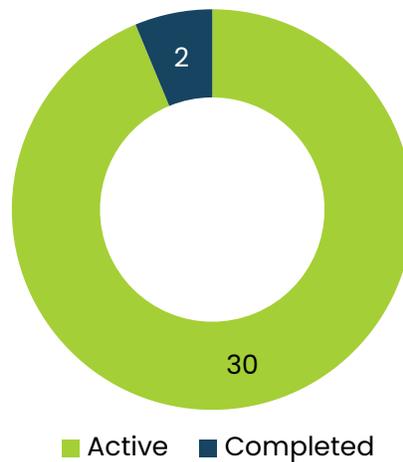


Figure 5: Snapshot of status, as of December 31, 2025, of each transparency project that was active at any point in fiscal Q1 2026.



¹⁶ The "Completed" category reflects only projects completed during the reporting quarter; projects completed before the reporting quarter are excluded.

4. Agency Compliance with the Provisions of FAST-41

This section provides an overview of the Executive Director’s evaluation of each agency’s performance with respect to FAST-41 covered and transparency project implementation. The Appendix includes a summary of the statutory requirements assessed throughout this report.

4.1. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA-NMFS)

NOAA-NMFS was responsible for environmental reviews or authorizations for 11 active covered projects during fiscal Q1 2026.¹⁷

NOAA-NMFS met the requirement to post certain project information 100 percent of the time.¹⁸

NOAA-NMFS had three actions—MMPA ITA for the Alaska LNG Project, ESA consultation for the Alaska LNG Project, and ESA consultation for the NANA Regional Broadband Network (NRBN) project—scheduled to complete during the quarter and completed the actions. NOAA-NMFS was responsible for two additional milestones scheduled to occur during the reporting period associated with two active covered projects.¹⁹ Of the two additional milestones, one was completed and one was extended beyond the end of the quarter, as summarized in Table 5. Two actions went into nonconformance during the quarter. The missed milestones and nonconformances, in the context of the relevant projects, are discussed in detail below.

Alaska LNG. NOAA-NMFS missed, and then completed late, the interim milestone “Publish Final ITA Regulations in Federal Register (Letter of Authorization [LOA] Only)” for the MMPA ITA action. In November 2025, the White House Office of Information and Regulatory Affairs (OIRA) determined that the final rule is “significant” (per EO 12866), which necessitated interagency review. Despite the nonconformance, the overall action was completed one week early with respect to the original schedule.²⁰

NANA Regional Broadband Network (NRBN). NOAA-NMFS missed the final milestone for the ESA consultation action. Due to the federal lapse in appropriations that resulted in a government shutdown, NOAA-NMFS staff supporting the ESA consultation were furloughed and unable to work on the project during the lapse. On November 6, 2025,

¹⁷ NOAA-NMFS was not the lead or facilitating agency for any projects during the quarter.

¹⁸ See part 5 of the *Appendix* for details on this statutory requirement.

¹⁹ The remaining projects for which NOAA-NMFS was responsible for environmental reviews or authorizations had no NOAA-NMFS milestones scheduled to occur during the quarter.

²⁰ As required by statute, explanation for the missed completion date and alternative completion dates are available on the [Dashboard](#).

NOAA received approval to resume consultation activities during the shutdown and completed the last steps of the consultation the same day.²¹

SouthCoast Wind Energy LLC (SouthCoast Wind). NOAA-NMFS extended an interim milestone for the MMPA ITA action to allow time for coordination on recent litigation results.

Table 5: NOAA-NMFS’s permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Alaska LNG Project		
ESA Consultation (NOAA-NMFS)	ESA Consultation Concludes	Action completed
MMPA ITA	Publish Final ITA Regulations in Federal Register (LOA Only)	Completed; triggered nonconformance
MMPA ITA	ITA decision rendered	Action completed
NANA Regional Broadband Network (NRBN)		
ESA Consultation (NOAA-NMFS)	ESA Consultation Concludes	Action completed; triggered nonconformance
SouthCoast Wind Energy LLC (SouthCoast Wind)		
MMPA ITA	Publish Final ITA Regulations in Federal Register (LOA Only)*	Extended beyond the end of the quarter

* Denotes an alternative completion date scheduled to occur during the quarter.

4.2. Department of Commerce, National Telecommunications and Information Administration (NTIA)

NTIA was the lead agency for two active covered projects during fiscal Q1 2026.

NTIA reviewed and met its FAST-41 obligation to update the CPPs in a timely manner for applicable projects.

NTIA met the requirement to post certain project information 100 percent of the time.²²

NTIA had two actions—the EA and NHPA Section 106 review for the NANA Regional Broadband Network (NRBN) project—scheduled to complete during the quarter and completed the actions as scheduled. NTIA had two additional completion dates scheduled to occur during the reporting period for the project that were also both completed, as summarized in Table 6.²³

²¹ As required by statute, explanation for the missed completion date and the alternative completion date are available on the [Dashboard](#).

²² See part 5 of the *Appendix* for details on this statutory requirement.

²³ The other project for which NTIA was the lead agency had no NTIA milestones scheduled to occur during the quarter.

Table 6: NTIA’s permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
NANA Regional Broadband Network (NRBN)		
EA	Issuance of a Draft EA / Release for Public Review	Completed
EA	Issuance of a Final EA	Completed
EA	EA Process Concluded	Action completed
NHPA Section 106 Review	Section 106 consultation concluded	Action completed

4.3. Department of Energy (DOE)

DOE was the lead or facilitating agency for one active covered project—the Pelican Carbon Sequestration Hub project—during fiscal Q1 2026.

DOE reviewed and met its FAST-41 obligation to update CPPs in a timely manner for one of two applicable projects.²⁴ For the Pelican Carbon Sequestration Hub project, the CPP and permitting timetable were due in fiscal Q2 2025. While DOE provided an initial CPP, it did not provide a comprehensive timetable within the statutory 60-day timeframe, nor did it review or update the CPP as required.

DOE did not meet the requirement to post certain project information for its one applicable project, the Pelican Carbon Sequestration Hub project.²⁵

DOE had no milestones scheduled to occur during the reporting period.

DOE has complied with the requirement to establish comprehensive permitting timetables for two of the four active transparency projects for which it is lead agency. For the Kings Mountain Lithium Material Processing Plant project and the Liberty Owl project, DOE has posted incomplete permitting timetables with only actions associated with the NEPA reviews.

DOE has complied with the requirement to post information about project-related public engagement for one of four active transparency projects for which it is lead agency. For the Kings Mountain Lithium Material Processing Plant project, the Liberty Owl project, and the South West Arkansas Project, DOE has not posted the required information.

²⁴ DOE reviewed and met its FAST-41 obligation to update the CPP the Grain Belt Express Transmission - Phase 1 project.

²⁵ See part 5 of the *Appendix* for details on this statutory requirement.

4.4. Department of Homeland Security, United States Coast Guard (USCG)

USCG was responsible for environmental reviews or authorizations for one active covered project during fiscal Q1 2026.²⁶

USCG met the requirement to post certain project information 100 percent of the time.²⁷

USCG had one action—the bridge permit for the Alaska LNG Project—scheduled to complete during the quarter and completed the action ahead of schedule, as summarized in Table 7.

Table 7: USCG's permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Alaska LNG		
USCG Bridge Permit	Permit Decision Rendered	Action completed

4.5. Department of the Interior, Bureau of Indian Affairs (BIA)

BIA was the lead agency for two active covered projects and was responsible for environmental reviews or authorizations for two additional active covered projects during fiscal Q1 2026.

BIA reviewed and met its FAST-41 obligation to update CPPs for both applicable projects.

BIA met the requirement to post certain project information 100 percent of the time.²⁸

BIA had two actions—the NHPA Section 106 reviews for both Navajo Nation broadband projects—scheduled to complete during the quarter and completed the actions on schedule. BIA had two additional completion dates scheduled to occur during the reporting period associated with the same two active projects.²⁹ These milestones were identified as inapplicable, as summarized in Table 8. Draft EAs are not required to be issued for public comment under NEPA, so to expedite the permitting process and be responsive to the project sponsor, BIA decided to not release the draft EAs for review.

²⁶ USCG was not the lead or facilitating agency for any projects during the quarter.

²⁷ See part 5 of the *Appendix* for details on this statutory requirement.

²⁸ See part 5 of the *Appendix* for details on this statutory requirement.

²⁹ The remaining projects for which BIA was responsible for environmental reviews or authorizations had no BIA milestones scheduled to occur during the quarter.

Table 8: BIA's permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Navajo Nation Department of Education E-Rate Funded Broadband Project		
EA	Issuance of a Draft EA / Release for Public Review	Milestone marked not applicable
NHPA Section 106 Review	Section 106 consultation concluded	Action completed
Navajo Nation Gallup McKinley County Schools E-Rate Funded Broadband Project		
Supplemental EA	Issuance of a Draft Supplemental EA	Milestone marked not applicable
NHPA Section 106 Review	Section 106 consultation concluded	Action completed

4.6. Department of the Interior, Bureau of Land Management (BLM)

BLM was the lead agency for 13 active covered projects and was responsible for environmental reviews or authorizations for 10 additional active covered projects during fiscal Q1 2026.

Two projects for which BLM was lead agency—the Larrea Solar Project and the Tonopah Flats Lithium Project—had deadlines in the reporting period for establishing a CPP, and BLM established the CPPs in a timely manner. BLM also reviewed and met its FAST-41 obligation to update CPPs in a timely manner for all applicable projects.

BLM met the requirement to post certain project information in all cases but two.³⁰ For the Donlin Gold Project and the Larrea Solar Project, BLM did not timely publish required information.

BLM had two actions for covered projects—the ROW authorization for the Santa Fe Indian School Broadband project and the EIS for the Bonanza Solar project—scheduled to complete during the quarter, and BLM completed the ROW authorization and missed the final milestone for the EIS. BLM had 14 additional milestones scheduled to occur during the reporting period. These milestones were associated with seven active covered projects.³¹ Of the 14 milestones, 3 were completed, 7 were extended beyond the end of the quarter, and 4 were missed, as summarized in Table 9. BLM did not conform with the permitting timetable for three actions during the quarter. The missed milestones, milestones extensions, and nonconformances, in the context of the relevant projects, are discussed in detail below.

Bonanza Solar. BLM missed the October 7, 2025 EIS Record of Decision (ROD) milestone and, at the end of the quarter, was working to submit revised alternative completion dates.

³⁰ See part 5 of the *Appendix* for details on this statutory requirement.

³¹ The remaining projects for which BLM was the lead or responsible for environmental reviews or authorizations had no BLM milestones scheduled to occur during the quarter.

Cobra Master Development Plan. An intermediate milestone for the operations plan / surface use plan was extended due to BLM identifying deficiencies with the project sponsor's initial application. This shift did not affect the final completion date for the operations plan / surface use plan action.

Mosey Solar. BLM submitted a request to the Executive Director to extend milestones for its entire permitting timetable for the same reasons related to the Bonanza Solar project's extension request. The Executive Director [granted, in part, and denied, in part](#), the request. The Executive Director did not approve the requested modification of BLM's ROW authorization because it was not timely submitted; therefore, BLM did not conform with the permitting timetable for the ROW authorization.³²

Pantheon Solar Project. BLM missed the EIS Notice of Intent (NOI) and Scoping milestones and, at the end of the quarter, was working to submit revised alternative completion dates.

Samantha Solar. BLM missed the EIS NOI milestone and, at the end of the quarter, was working to submit a revised alternative completion date.

Silver Star Solar. BLM submitted a request to the Executive Director to extend milestones for its entire permitting timetable. BLM's justification for this permitting timetable extension is based on BLM's effort to align with the Department of the Interior's July 15, 2025 memorandum,³³ which requires that all wind and solar energy project decisions, actions, consultations, and other undertakings be routed through the Office of the Secretary for final review prior to the agency taking action. The Executive Director [granted](#) the request.

South Bennett Solar. BLM missed the EIS NOI milestone and an interim milestone for the ROW Authorization due to a confluence of factors. First, the project sponsor directed BLM to cease all processing activities, while indicating that they did not wish to pause the FAST-41 process. In addition, the project's funding had lapsed due to the sponsor's lack of response to BLM's prior request for additional funds under the project's cost recovery agreement. Finally, the sponsor provided funds for BLM to reinitiate work in October 2025 when BLM was starting government shutdown protocols in advance of the lapse in appropriations. Because the project funds were depleted and no additional funding sources were available at the time, BLM could not continue the work necessary to meet

³² As required by statute, explanations for the missed completion dates, alternative completion dates and monthly status reports are available on the [Dashboard](#).

³³ Available at <https://www.doi.gov/media/document/departamental-review-procedures-decisions-actions-consultations-and-other>

milestones or submit timely requests to update the project schedule. Therefore, BLM did not conform with the permitting timetable for the ROW authorization and EIS.³⁴

Table 9: BLM's permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Bonanza Solar Project		
EIS	ROD	Target date missed
Castle Mountain Mine Phase 2 Project		
Operations Plan / Surface Use Plan	Application deemed complete	Completed
EIS	NOI	Completed
EIS	Scoping	Completed
Cobra Master Development Plan		
Operations Plan / Surface Use Plan	Application deemed complete	Extended beyond the end of the quarter
Mosey Solar Project		
ROW Authorization (BLM)	Completed application received	Completed; triggered nonconformance
EIS	NOI	Extended beyond the end of the quarter
EIS	Scoping	Extended beyond the end of the quarter
Pantheon Solar Project		
EIS	NOI*	Target date missed
EIS	Scoping*	Target date missed
Samantha Solar		
EIS	NOI*	Target date missed
Santa Fe Indian School Broadband		
ROW Authorization (BLM)	Final decision/agency action	Action completed
Silver Star Solar		
EA	Determination to prepare an EA	Extended beyond the end of the quarter
ROW Authorization (BLM)	Completed application received	Extended beyond the end of the quarter
South Bennett Solar		
EIS	NOI	Extended beyond the end of the quarter; triggered nonconformance
ROW Authorization (BLM)	Completed application received	Extended beyond the end of the quarter; triggered nonconformance

* Denotes an alternative completion date scheduled to occur during the quarter.

BLM complied with the requirement to establish comprehensive permitting timetables for all 12 of the active transparency projects for which it was the lead agency.

³⁴ As required by statute, explanations for the missed completion dates, alternative completion dates and monthly status reports are available on the [Dashboard](#).

BLM has not complied with the requirement to post information about project-related public engagement for the active transparency projects for which it is lead agency.

4.7. Department of the Interior, Bureau of Ocean Energy Management (BOEM)

BOEM was the lead agency for eight active covered projects during fiscal Q1 2026.

BOEM reviewed and met its FAST-41 obligation to update CPPs in a timely manner for 10 of 11 applicable projects. For the Bluepoint Wind 1 project, the initial CPP and permitting timetable were due in fiscal Q2 2025. BOEM has not submitted a CPP or comprehensive permitting timetable. The Executive Director will work with BOEM, when BOEM is ready, to attain compliance under FAST-41.

BOEM met the requirement to post certain project information 100 percent of the time.³⁵

BOEM had one completion date scheduled to occur during the reporting period associated with one active covered project which was paused on the Dashboard, as summarized in Table 10.³⁶

Table 10: BOEM's permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Kitty Hawk South Offshore Wind Project		
EIS	NOI	Project was paused on the Dashboard

Separate from the milestones scheduled to occur during the quarter, BOEM submitted a request to the Executive Director to extend all remaining completion dates on the **Vineyard Mid-Atlantic** project's permitting timetable. Regulatory changes, including new EOs and updated DOI policy requirements, have required extensive revisions of the EIS as well as additional review procedures. All other actions on the Project's permitting timetable are dependent on the timing of BOEM's NEPA action. The Executive Director [granted](#) the request.

³⁵ See part 5 of the *Appendix* for details on this statutory requirement.

³⁶ The remaining projects for which BOEM was the lead agency had no BOEM milestones scheduled to occur during the quarter.

4.8. Department of the Interior, Bureau of Reclamation (BOR)

BOR was the lead agency for one active covered project and was responsible for environmental reviews or authorizations for two additional active covered projects during fiscal Q1 2026.

BOR reviewed and met its FAST-41 obligation to update the CPP for one applicable project, the Royal Slope Power Transmission Line Project.

BOR met the requirement to post certain project information 100 percent of the time.³⁷

BOR had one completion date scheduled to occur during the reporting period associated with one active covered project. The milestone was missed, as summarized in Table 11.³⁸ BOR missed an interim milestone for the **Royal Slope Power Transmission Line Project** EA. Internal review processes within DOI are occurring with regard to this project which has required enhanced coordination and affected the timeline for the project. BOR has not yet established an alternative completion date for the milestone. The Permitting Council is working with BOR to ensure an alternative completion date is determined and represented on the permitting timetable as soon as possible.

Table 11: BOR's permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Royal Slope Power Transmission Line Project		
EA	Issuance of a Draft EA / Release for Public Review	Target date missed

4.9. Department of the Interior, Fish and Wildlife Service (FWS)

FWS was responsible for environmental reviews or authorizations for 25 active covered projects during fiscal Q1 2026.³⁹

FWS met the requirement to post certain project information 100 percent of the time.⁴⁰

FWS had one action—the NANA Regional Broadband Network (NRBN) project's ESA consultation (FWS)—scheduled to complete during the quarter and completed the action as scheduled.

³⁷ See part 5 of the *Appendix* for details on this statutory requirement.

³⁸ The remaining projects for which BOR had reviews or authorizations had no BOR milestones scheduled to occur during the quarter.

³⁹ FWS was not the lead or facilitating agency for any projects during the quarter.

⁴⁰ See part 5 of the *Appendix* for details on this statutory requirement.

FWS had three additional completion dates scheduled to occur during the reporting period associated with three other active projects.⁴¹ One milestone was completed, one was associated with an action that was cancelled and one was extended beyond the end of the quarter, as summarized in Table 12. The milestone extension for the *Hell's Kitchen Critical Minerals & Power* project is explained in Section 4.14 of this report.

Table 12: FWS's permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Navajo Nation Department of Education E-Rate Funded Broadband Project		
ESA Consultation (FWS)	FWS determines ESA Consultation Package is Complete – Formal	Completed
Navajo Nation Gallup McKinley County Schools E-Rate Funded Broadband Project		
ESA Consultation (FWS)	FWS determines ESA Consultation Package is Complete – Formal	Action was cancelled
NANA Regional Broadband Network (NRBN)		
ESA Consultation (FWS)	ESA Consultation Concludes	Action completed
Hell's Kitchen Critical Minerals & Power		
ESA Consultation (FWS)	FWS determines ESA Consultation Package is Complete – Informal	Extended beyond the end of the quarter

* The ESA Consultation (FWS) for Navajo Nation Gallup McKinley County Schools E-Rate Funded Broadband Project was cancelled because BIA made a determination of No Effect.

4.10. Department of the Interior, National Park Service (NPS)

NPS was responsible for environmental reviews or authorizations for one active covered project during fiscal Q1 2026.⁴²

NPS had one action—the NPS permit for the Santa Fe Indian School project—scheduled to complete during the quarter and completed the action as scheduled, as summarized in Table 13.

NPS met the requirement to post certain project information 100 percent of the time.⁴³

Table 13: NPS's permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Santa Fe Indian School Broadband		
NPS Permit	Final decision/agency action	Action completed

⁴¹ The remaining projects for which FWS was responsible for environmental reviews or authorizations had no FWS milestones scheduled to occur during the quarter.

⁴² NPS was not the lead or facilitating agency for any projects during the quarter.

⁴³ See part 5 of the *Appendix* for details on this statutory requirement.

4.11. Environmental Protection Agency (EPA)

EPA was responsible for environmental reviews or authorizations for five active covered projects during fiscal Q1 2026.⁴⁴

EPA met the requirement to post certain project information 100 percent of the time.⁴⁵

EPA had one action—the SouthCoast Wind Energy LLC (SouthCoast Wind) project’s Clean Water Act (CWA) Section 402 Permit, National Pollutant Discharge Elimination System (NPDES)—scheduled to complete during the quarter. EPA missed the final milestone and, at the end of the quarter, was working to submit a revised alternative completion date, as summarized in Table 14.⁴⁶

Table 14: EPA’s permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
SouthCoast Wind Energy LLC (SouthCoast Wind)		
CWA Section 402 Permit, NPDES	EPA authorizes discharge under Individual permit*	Target date missed

* Denotes an alternative completion date scheduled to occur during the quarter.

4.12. Federal Energy Regulatory Commission (FERC)

FERC was the facilitating agency for one and lead agency for six active covered projects during fiscal Q1 2026. One of those projects—the Kosciusko Junction Pipeline Project—had a deadline in the reporting period for establishing a CPP, and FERC established the CPP in a timely manner. FERC also reviewed and met its FAST-41 obligation to update the CPPs in a timely manner for all applicable projects.

FERC met the requirement to post certain project information 100 percent of the time.⁴⁷

FERC had no milestones scheduled to occur during the reporting period.

4.13. Nuclear Regulatory Commission (NRC)

NRC was the lead agency for three active covered projects during fiscal Q1 2026. One of those projects—the Dewey Burdock ISR Uranium Project—had a deadline in the reporting period for establishing a CPP, and NRC established the CPP. NRC also reviewed and met its FAST-41 obligation to update the CPPs in a timely manner for the other two applicable projects.

⁴⁴ EPA was not the lead or facilitating agency for any projects during the quarter.

⁴⁵ See part 5 of the *Appendix* for details on this statutory requirement.

⁴⁶ The remaining projects for which EPA was responsible for environmental reviews or authorizations had no EPA milestones scheduled to occur during the quarter.

⁴⁷ See part 5 of the *Appendix* for details on this statutory requirement.

NRC met the requirement to post certain project information 100 percent of the time.⁴⁸

NRC had no milestones scheduled to occur during the reporting period.

4.14. Army Corps of Engineers (USACE)

USACE was the lead agency for 8 active covered projects and was responsible for environmental reviews or authorizations for 15 additional active covered projects during fiscal Q1 2026.

Two projects for which USACE was the lead agency—the Donlin Gold Project and the Kilbourne Graphite Project Graphite Creek Project—had deadlines in the reporting period for establishing a CPP, and USACE established the CPPs in a timely manner. USACE reviewed and met its FAST-41 obligation to update the CPPs for two of seven applicable projects. For the Graphite Creek Project and Hell's Kitchen Critical Minerals & Power, USACE did not review and update CPPs. For the Riverview East Stack Extension project, the South Fort Meade – South of SR 64 Parcels project, and the Sparrows Point Container Terminal project, USACE did not complete timely review and update of CPPs.

USACE met the requirement to post certain project information in all cases but one.⁴⁹ For the Kosciusko Junction Pipeline Project, USACE did not timely publish required information.

USACE had four actions—the Sparrows Point Container Terminal project's EIS, Section 10/404/103 permit, and Section 408 permit, and the NANA Regional Broadband Network (NRBN) project's Section 10/404 permit—scheduled to complete during the quarter and USACE completed these actions as scheduled. USACE had two additional completion dates scheduled to occur during the reporting period associated with two other active covered projects.⁵⁰ One of the milestones was completed and one was extended beyond the end of the quarter, as summarized in Table 15. The milestone extension, in the context of the relevant project, is discussed in detail below.

Hell's Kitchen Critical Minerals and Power Project. On behalf of the project sponsor, USACE submitted a request to the Executive Director to extend milestones for the project's whole permitting timetable. The revised schedule was necessary to accommodate the applicant's submission of new information and a change in the project scope that increased the project footprint and increased proposed impacts to aquatic resources. The Executive Director **granted** the request.

⁴⁸ See part 5 of the *Appendix* for details on this statutory requirement.

⁴⁹ See part 5 of the *Appendix* for details on this statutory requirement.

⁵⁰ The remaining projects for which USACE was the lead agency or responsible for environmental reviews or authorizations had no USACE milestones scheduled to occur during the quarter.

Table 15: USACE’s permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Sparrows Point Container Terminal		
EIS	Issuance of Lead Agency ROD	Action completed
Section 404 CWA, Section 10 Rivers and Harbors Act (RHA) of 1899, and Section 103 of Marine Protection, Research, and Sanctuaries Act (MPRSA)	Final Verification/Permit Decision Rendered (Agency Action)	Action completed
Section 408 Permit	Issuance of Decision	Action completed
NANA Regional Broadband Network (NRBN)		
Section 10 RHA of 1899 and Section 404 CWA	Final Verification/Permit Decision Rendered (Agency Action)	Action completed
Graphite Creek Project		
NHPA Section 106 Review	Consultation initiated with SHPO/THPO	Completed
Hell’s Kitchen Critical Minerals & Power		
ESA Consultation (FWS)	ESA Consultation Request Package Submitted	Extended beyond the end of the quarter

USACE is compliant with the requirement to establish comprehensive permitting timetables for all the active transparency projects for which it is the lead agency.

USACE has not complied with the requirement to post information about project-related public engagement for the active transparency projects for which it is lead agency.

4.15. Department of Agriculture (USDA)

USDA was the facilitating agency for one active covered project—the Santee Sioux Tribe Water Capacity and Infrastructure Improvements project—during fiscal Q1 2026. USDA reviewed and met its FAST-41 obligation to update the CPP in a timely manner for the applicable project.

USDA met the requirement to post certain project information 100 percent of the time.⁵¹

USDA had no milestones scheduled to occur during the reporting period.

⁵¹ See part 5 of the *Appendix* for details on this statutory requirement.

4.16. Department of Agriculture, Forest Service (USFS)

USFS was the lead agency for four active covered projects during fiscal Q1 2026.

One of the projects for which USFS was the lead agency—the Black Bear Natural Gas Development project—had a deadline in the reporting period for establishing the CPP, and USFS established the CPP in a timely manner. USFS also reviewed and met its FAST-41 obligation to update the CPPs in a timely manner for the applicable projects.

USFS met the requirement to post certain project information 100 percent of the time.⁵²

USFS had three completion dates scheduled to occur during the reporting period associated with the Cobra Master Development Plan project.⁵³ One milestone was completed and two were extended beyond the end of the quarter, as summarized in Table 16. The milestone extensions, in the context of the relevant project, are discussed in detail below.

Cobra Master Development Plan. An intermediate milestone for the operations plan / surface use plan was extended due to USFS identifying deficiencies with the project sponsor’s initial application. This shift did not affect the final completion date for the operations plan / surface use plan action. The categorical exclusion milestone was extended because it is dependent on the operations plan / surface use plan milestone.

Table 16: USFS’s permitting timetable federal agency milestones scheduled to occur in fiscal Q1 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Cobra Master Development Plan		
Special Use Permit (FS)	Application deemed complete	Completed
Operations Plan / Surface Use Plan	Application deemed complete	Extended beyond the end of the quarter
Categorical Exclusion	Application deemed complete	Extended beyond the end of the quarter

USFS is compliant with the requirement to establish comprehensive permitting timetables for all the active transparency projects for which it is the lead agency.

USFS has not complied with the requirement to post information about project-related public engagement for the active transparency projects for which it is lead agency.

⁵² See part 5 of the *Appendix* for details on this statutory requirement.

⁵³ The remaining projects for which USFS was the lead agency had no USFS milestones scheduled to occur during the quarter.



Appendix: Statutory Requirements

1. Initiation and Establishment of a Coordinated Project Plan

FAST-41 Initiation Notice. The FAST-41 process begins when a project sponsor⁵⁴ submits a notice of the initiation of a FAST-41 covered project (a.k.a., FAST-41 Initiation Notice, or “FIN”) to the Executive Director and the appropriate facilitating or lead agency.⁵⁵ The Executive Director must make a project entry on the Dashboard within 14 days of receiving a FIN unless the facilitating or lead agency, or the Executive Director, determines that the project is not a covered project.⁵⁶

Agency Invitations. Within 21 days after the Executive Director makes a project entry on the Dashboard, the facilitating or lead agency must invite all federal agencies likely to have responsibilities with respect to the proposed project to become a participating or cooperating agency for purposes of FAST-41.⁵⁷

Coordinated Project Plan Establishment. The facilitating or lead agency must establish a CPP “not later than 60 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard.”⁵⁸ A CPP coordinates agency participation in, and completion of, the federal environmental reviews and authorizations required for a FAST-41 covered project.⁵⁹ To that end, the CPP must include a list of all entities with an environmental review or authorization responsibility for a project; their respective roles and responsibilities; a discussion of potential avoidance, minimization and mitigation strategies; plans and a schedule for public and Tribal outreach and coordination; and the project permitting timetable.⁶⁰

The CPP is central to the management of the environmental review and authorization process for a FAST-41 covered project. The permitting timetable, which is posted and managed publicly on the Dashboard according to the requirements of FAST-41, is a key component of the CPP and includes intermediate and final completion dates for all federal environmental reviews and authorizations required for the project.⁶¹

⁵⁴ Under FAST-41, a “project sponsor” means an entity, including any private, public, or public-private entity, seeking an authorization for a covered project. 42 U.S.C. § 4370m(18).

⁵⁵ *Id.* § 4370m-2(a)(1)(A).

⁵⁶ *Id.* § 4370m-2(b)(2)(A)(ii).

⁵⁷ *Id.* § 4370m-2(a)(2)(A).

⁵⁸ *Id.* § 4370m-2(c)(1)(A).

⁵⁹ *Id.* § 4370m-2(c)(1).

⁶⁰ *Id.* § 4370m-2(c)(1)(B).

⁶¹ *Id.* § 4370m-2(c)(2). An intermediate completion date is the date on which an agency completes a component part, or stage, of a particular environmental review or authorization required by statute (e.g., publication of a draft EIS under NEPA, or completion of a Biological Assessment under the ESA). A final completion date is the date on which an agency completes an overall environmental review or authorization required by statute (e.g., publication of a ROD for an EIS under NEPA, or issuance of a Biological Opinion under the ESA).

Thus, the permitting timetable provides transparency, predictability and a comprehensive view of all the steps that are necessary for completion of the federal environmental review and authorization process.

2. Coordinated Project Plan Quarterly Updates

FAST-41 requires the facilitating or lead agency to review and update the CPP at least once per quarter.⁶² While an agency's updates to the permitting timetable are integral to the process, the other statutorily required aspects of the CPP also need to be reviewed and, if necessary, updated. Agencies meet this statutory requirement by certifying, on the Dashboard, that they have reviewed and updated their CPPs timely.

The Permitting Council uses the certification of this FAST-41 requirement as a key indicator that agencies are actively managing their permitting timetables and updating project CPPs, as needed.

3. Agency Modification of Permitting Timetables

Once a permitting timetable has been established as part of the CPP for a project, FAST-41 allows the lead or facilitating agency to modify completion dates set forth in the permitting timetable if certain statutory prerequisites are met. Specifically, the facilitating or lead agency may modify federal agency completion dates only after:

- ▶ Consulting with the Executive Director, affected cooperating agencies, participating agencies and the project sponsor before making the modification;
- ▶ Providing a written, publicly posted justification for the modification;
- ▶ Obtaining Executive Director authorization for changes that would necessitate an extension of a final completion date by more than 30 days after the originally established final completion date.⁶³

Additionally, a completion date may not be modified within 30 days of that completion date, thus requiring agencies to modify completion dates at least 31 days in advance.⁶⁴

4. Agency Conformance with Permitting Timetables

Each federal agency is required to meet the intermediate and final completion dates in the permitting timetable posted on the Dashboard.⁶⁵ If an agency does not conform to the established timetable—that is, if an agency does not meet the completion dates set

⁶² *Id.* § 4370m-2(c)(1)(B).

⁶³ *Id.* § 4370m-2(c)(2)(D).

⁶⁴ *Id.* § 4370m-2(c)(2)(D)(ii).

⁶⁵ *Id.* § 4370m-2(c)(2)(F)(i).

forth in the permitting timetable—the statute requires that the agency responsible for the delayed action must:

- Provide, for posting on the Dashboard, an explanation of why the agency was unable to meet the completion date.
- Establish an alternative completion date in consultation with the facilitating or lead agency.
- Provide, for posting on the Dashboard, monthly reports describing all agency actions relating to the project until the agency has taken final action on the delayed authorization or review.⁶⁶

5. Agency Posting of Required Information

For each covered project added to the Dashboard, FAST-41 requires the facilitating or lead agency, and each cooperating and participating agency, to post to the Dashboard a hyperlink that directs the public to a website containing certain project information. Specifically, and to the extent consistent with applicable law, agencies must post:

- The project FIN;
- Either the application and supporting documents that have been submitted by a project sponsor for any required environmental review or authorization, or a notice explaining how the public may obtain access to such documents;
- A description of any federal agency action taken or decision made that materially affects the status of a covered project and any significant supporting documentation;
- Information on the status of mitigation measures that were agreed to as part of the environmental review and permitting process, including whether and when the mitigation measures have been fully implemented;
- A description of the status of any litigation to which the agency is a party that is directly related to the project, including, if practicable, any judicial document made available on an electronic docket maintained by a federal, state, or local court;
- Any document described above that is not available by hyperlink on another website.⁶⁷

⁶⁶ *Id.* § 4370m-2(c)(2)(F)(ii).

⁶⁷ *Id.* § 4370m-2(b)(3)(A)(i)-(ii).

Agencies additionally must post directly to the Dashboard information about project-related public meetings, public hearings and public comment periods, as that information becomes available.⁶⁸

Agencies must make the information described above available not later than five business days after the date on which the federal agency receives the information.⁶⁹

6. Transparency Provisions

The Executive Director may direct that a project be posted on the Dashboard if the Executive Director determines that a Dashboard entry for that project is in the interest of transparency.

Within 14 days of the Executive Director's decision to add the transparency project, the lead agency must create and maintain a Dashboard project page that contains:

- a comprehensive permitting timetable;
- the status of the compliance of each lead agency, cooperating agency and participating agency with the permitting timetable;
- any modifications of the permitting timetable required, including an explanation as to why the permitting timetable was modified; and
- information about project-related public meetings, public hearings, and public comment periods, as that information becomes available.



⁶⁸ *Id.* § 4370m-2(b)(3)(A)(iii).

⁶⁹ *Id.* § 4370m-2(b)(3)(B).