



Quarterly Agency Performance Report

Executive Director of the Permitting Council
Fiscal Q2 2026 (January-March 2026)
June 12, 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 second quarter of fiscal year 2026 (January-March 2026).

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 Q2 January-March 2026

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 second quarter of fiscal year 2026 (fiscal Q2 2026):

- ▶ During this period, there were 52 active covered projects on the Federal Permitting Dashboard (Dashboard).¹ Three new projects joined the covered project portfolio during fiscal Q2 2026.
- ▶ In this quarter, there were 31 transparency projects on the Dashboard. Seven were completed during the quarter.
- ▶ At the end of the reporting quarter, of the 46 active covered projects that had permitting timetables established,² 1 had a reduction in overall permitting timetable, 22 had no changes to overall anticipated project duration, 9 had extensions of less than a year and 14 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 The Bear Lodge Rare Earth Project, Bluepoint Wind 1 project, Coosa Graphite Deposit Project, Kawich Solar Project, Larrea Solar Project, Pelican Carbon Sequestration Hub, and Santee Sioux Tribe Water Capacity and Infrastructure Improvements project did not have permitting timetables established during this reporting period.

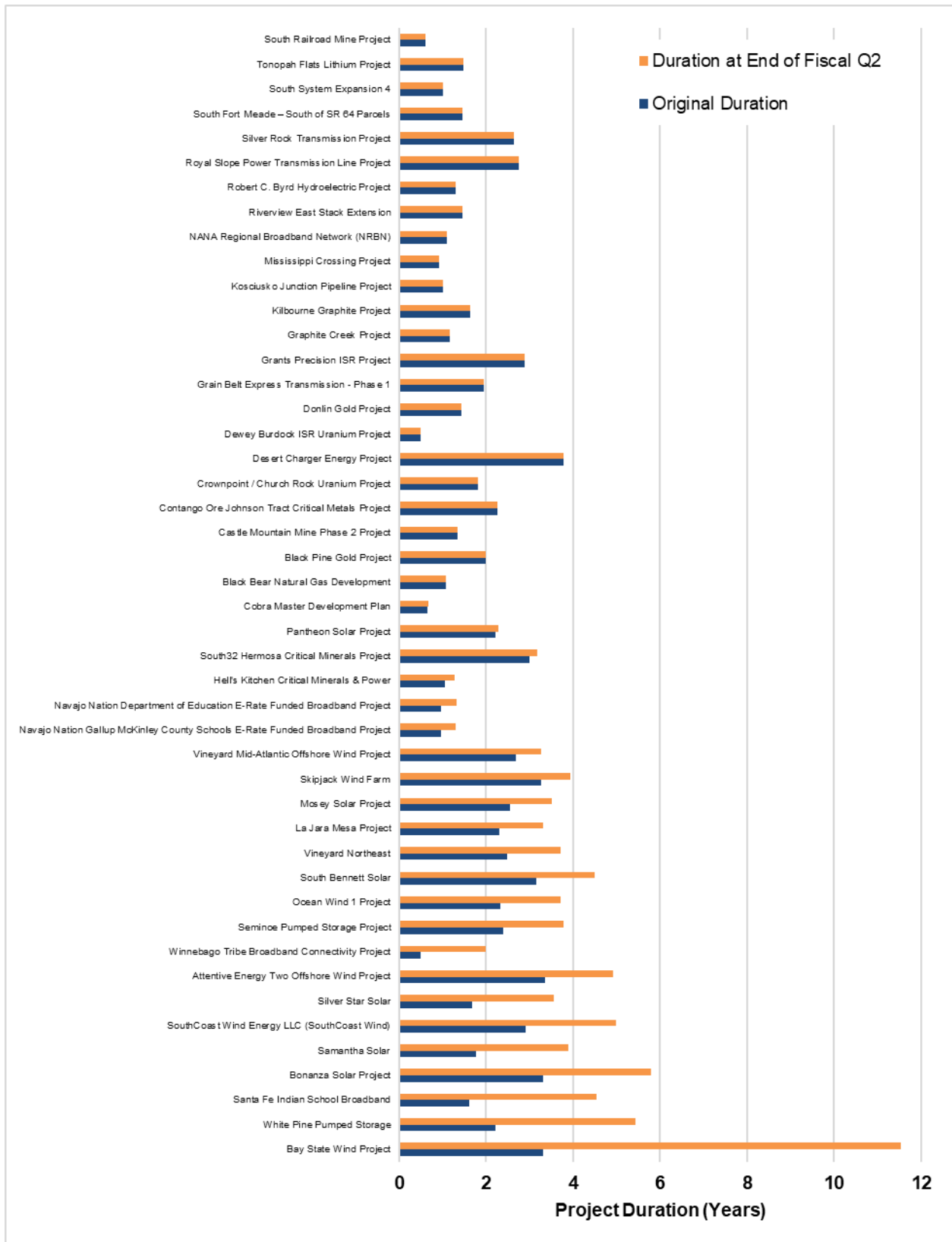


Figure 1: Comparison of covered project originally anticipated schedules to actual schedules at the end of fiscal Q2 2026.

- Agencies completed 27 environmental reviews and authorizations this quarter, including the following:
 - NTIA’s National Historic Preservation Act (NHPA) Section 106 review for the Winnebago Tribe Broadband Connectivity Project
 - DOE’s Environmental Assessment (EA) for the Kings Mountain Lithium Material Processing Plant project
 - BIA’s EA for the Navajo Nation Department of Education E-Rate Funded Broadband Project and Supplemental EA for the Navajo Nation Gallup McKinley County Schools E-Rate Funded Broadband Project
 - BLM’s Construction and Operations Plan and EA for the Becky’s Mine Modification project; Environmental Impact Statement (EIS) for the Grassy Mountain Mine Project; Right-of-Way (ROW) Authorization for the NANA Regional Broadband Network (NRBN) project; and the EIS, Operations Plan / Surface Use Plan, and NHPA Section 106 review for the Silver Peak Lithium Mine project
 - FWS’s Endangered Species Act (ESA) consultation for the Cobra Master Development Plan project, the Navajo Nation Department of Education E-Rate Funded Broadband Project, the Seminole Pumped Storage Project, the South West Arkansas Project, the South32 Hermosa Critical Minerals Project, and the Trail Ridge South project
 - NPS’s Wild and Scenic Rivers Act determination/coordination for the Mississippi Crossing Project and the South System Expansion 4 project
 - DOW’s Mission Compatibility Evaluation Process for the Silver Rock Transmission Project
 - USACE’s Section 408 Permit for the Santa Fe Indian School Broadband project
 - USFS’s NHPA Section 106 review for the Burnt Rock Exploration Project; EA for the Greens Creek Surface Exploration project; EA for the Muncy Creek Mineral Exploration Project; EIS and Special Use Permit for the Resolution Copper Project; and the NHPA Section 106 review for the South32 Hermosa Critical Minerals Project

- There were 41 milestones³ scheduled to be completed across 17 covered projects during this quarter.⁴ The following provides a breakdown of these milestones:
 - Agencies completed 31 milestones.
 - Agencies extended 10 milestones beyond the end of the quarter.

- Agencies submitted three requests to the Executive Director of the Permitting Council (Executive Director) to authorize date modifications that would necessitate extensions of final completion dates by more than 30 days after the originally established final

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 41 milestones include 38 completion dates and 3 alternative completion dates. The remaining covered projects did not have any milestones scheduled to occur during fiscal Q2 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.

completion date. After review of the circumstances, the Executive Director granted all three requests.⁵

- ▶ There were four 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 with the permitting timetables. While agencies met requirements to establish alternative completion dates in all cases, agencies only provided explanations for missed completion dates in one of four instances.⁶
- ▶ Agencies reviewed and satisfied the requirements for updating CPPs for applicable covered projects on the Dashboard in all cases but five.⁷
- ▶ For covered projects, agencies satisfied the requirements to post certain project information⁸ to the Dashboard 97 percent of the time.
- ▶ Of the 23 transparency projects active at the end of the quarter, agencies had established comprehensive permitting timetables for 22 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.



Brine pools for lithium carbonate mining in Silver Peak, Nevada.

⁵ See *Section 4.2, 4.6, and 4.15* of this report for details.

⁶ See *Section 4.5 and 4.6* of this report for details.

⁷ See *Sections 4.2, 4.3, 4.4, and 4.6* of this report for details.

⁸ 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], 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)].⁹

Accordingly, this Quarterly Agency Performance Report, which covers fiscal Q2 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 covered 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.

⁹ 42 U.S.C. § 4370m-7(a)(2).

3. FAST-41 Project Portfolio

The Permitting Council helps facilitate predictable, transparent and accountable federal environmental reviews and authorizations for infrastructure projects covered by FAST-41 (i.e., “covered projects”) and projects posted in the interest of transparency (i.e., “transparency projects”).

The covered project provisions of FAST-41 establish a voluntary program for qualifying infrastructure projects; project sponsors must apply for and obtain FAST-41 coverage for their projects. The full definition of “covered project,” which includes criteria that projects must meet to qualify for coverage under the FAST-41 program, is found in 42 U.S.C. § 4370m(6).

Transparency projects are distinct from covered projects and are posted in the interest of transparency.¹⁰ 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.

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.



The Trans-Alaska Pipeline System.

¹⁰ *Id.* § 4370m-2(b)(2)(A)(iii)

3.1. Covered Projects

In this quarter, the covered project portfolio contained 52 active projects and 5 projects for which all federal environmental reviews and authorizations were paused.¹¹ 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 Q2 2026.

Lead or Facilitating Agency	Number of Projects
Department of Agriculture (USDA)	6
Department of Commerce (DOC) NTIA	3
Department of War (DOW) USACE	10
Department of Energy (DOE)	1
Department of the Interior (DOI)	23
Federal Energy Regulatory Commission (FERC)	6
Nuclear Regulatory Commission (NRC)	3
TOTAL	52

Table 2: Active covered projects by sector in fiscal Q2 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
Winnebago Tribe Broadband Connectivity Project (BRD5)	NTIA

¹¹ Active projects are those that had, at any time in fiscal Q2 2026, a status of “planned” or “in progress.” The Executive Director initially posts a FAST-41 covered project on the Dashboard in a status of “planned.” The project will remain in a status of planned 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 Q2 2026, federal environmental reviews and authorizations were not “paused,” “cancelled,” or “completed.” The Executive Director places a FAST-41 covered project in a status of “paused” 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, Kitty Hawk South Offshore Wind Project, Ocean Wind 1 Project, and Perkins Renewable Energy Project were paused for the entirety of the quarter.

Table 2: Active covered projects by sector in fiscal Q2 2026, continued.

Project	Lead or Facilitating Agency
Carbon Capture (CCS)	
Pelican Carbon Sequestration Hub (CCS1)	DOE
Electricity Transmission (ELT)	
Grain Belt Express Transmission - Phase 1 (ELT1)	USACE
Royal Slope Power Transmission Line Project (ELT2)	BOR
Silver Rock Transmission Project (ELT3)	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)	
Bear Lodge Rare Earth Project (MNG1)	USFS
Black Pine Gold Project (MNG2)	USFS
Castle Mountain Mine Phase 2 Project (MNG3)	BLM
Contango Ore Johnson Tract Critical Metals Project (MNG4)	USACE
Coosa Graphite Deposit Project (MNG5)	USACE
Crownpoint / Church Rock Uranium Project (MNG6)	NRC
Dewey Burdock In-Situ Recovery (ISR) Uranium Project (MNG7)	NRC
Donlin Gold Project (MNG8)	USACE
Grants Precision ISR Project (MNG9)	NRC
Graphite Creek Project (MNG10)	USACE
Hell's Kitchen Critical Minerals & Power (MNG11)	USACE
Kilbourne Graphite Project (MNG12)	USACE
La Jara Mesa Project (MNG13)	USFS
South Fort Meade – South of State Road 64 Parcels (MNG14)	USACE
South Railroad Mine Project (MNG15)	BLM
South32 Hermosa Critical Minerals Project (MNG16)	USFS
Tonopah Flats Lithium Project (MNG17)	BLM

Table 2: Active covered projects by sector in fiscal Q2 2026, continued.

Project	Lead or Facilitating Agency
Pipelines (PPL)	
Cobra Master Development Plan (PPL1)	USFS
Kosciusko Junction Pipeline Project (PPL2)	FERC
Mississippi Crossing Project (PPL3)	FERC
South System Expansion 4 (PPL4)	FERC
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
Larrea Solar Project (RCE8)	BLM
Mosey Solar Project (RCE9)	BLM
Pantheon Solar Project (RCE10)	BLM
Robert C. Byrd Hydroelectric Project (RCE11)	FERC
Samantha Solar (RCE12)	BLM
Silver Star Solar (RCE13)	BLM
Skipjack Wind Farm (RCE14)	BOEM
South Bennett Solar (RCE15)	BLM
SouthCoast Wind Energy LLC (SouthCoast Wind) (RCE16)	BOEM
Vineyard Mid-Atlantic Offshore Wind Project (RCE17)	BOEM
Vineyard Northeast (RCE18)	BOEM
Water Resources Projects (WTR)	
Santee Sioux Tribe Water Capacity and Infrastructure Improvements (WTR1)	USACE*

* The Executive Director determined that the lead agency for the Santee Sioux Tribe Water Capacity and Infrastructure Improvements project should be USACE. Previously, the facilitating agency was USDA.

Figure 2 shows the location of active covered projects in fiscal Q2 2026. The project labels correspond to those in Table 2.

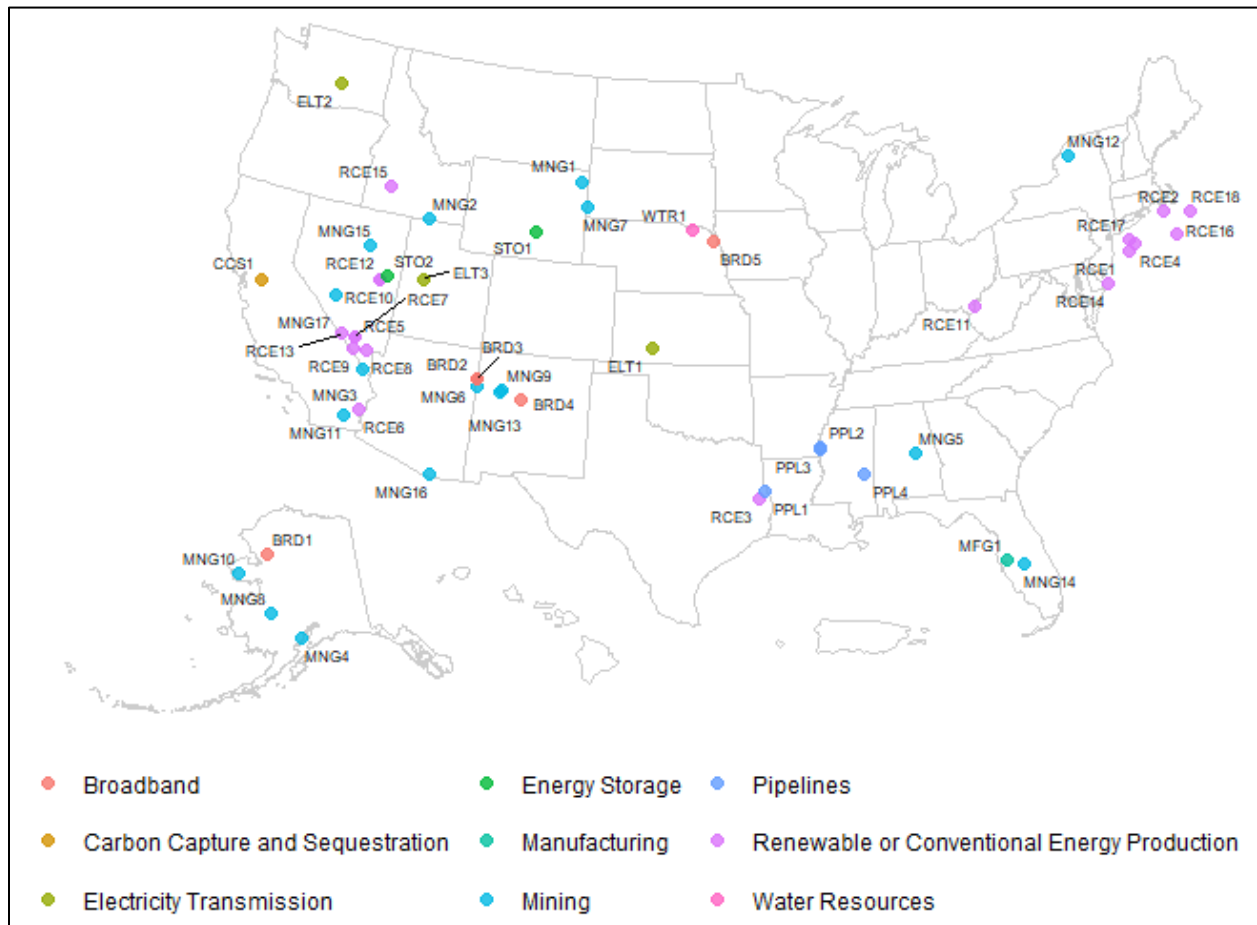


Figure 2: Active covered projects in fiscal Q2 2026.

Three new covered projects joined the portfolio during fiscal Q2 2026:

- [Bear Lodge Rare Earth Project](#)
- [Black Pine Gold Project](#)
- [Coosa Graphite Deposit Project](#)

The Winnebago Tribe Broadband Connectivity Project and Grain Belt Express Transmission - Phase 1 rejoined the portfolio of projects undergoing active federal review in fiscal Q2 2026.

The Grain Belt Express Transmission - Phase 1 project had been paused since August 2025 at the request of the project sponsor, following DOE termination of a conditional commitment for a loan guarantee for the project. The requested pause was also necessary to provide the project sponsor with the time needed to develop permitting strategies related to the further advancement of the project. USACE has since been designated as the lead agency for the project, and in

January 2026, the project sponsor requested the project move to a status of “in progress” on the Permitting Dashboard. The Winnebago Tribe Broadband Connectivity Project was completed on the Permitting Dashboard in July 2025, and in March 2026, the project was moved to a status of “in progress” because Sioux City, IA requested changes to the project’s design requiring supplemental NEPA and updates to USACE permits.

The Bay State Wind Project and Skipjack Wind Farm project have withdrawn from participation in the FAST-41 process and therefore have been cancelled on the Permitting Dashboard.

Figure 3 provides a snapshot of the status of covered projects as of March 31, 2026, that were active at any point in fiscal Q2 2026.¹²

Covered Project Status

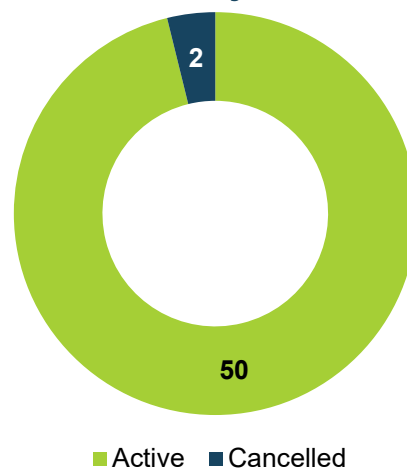


Figure 3: Snapshot of status, as of March 31, 2026, of each covered project that was active at any point in fiscal Q2 2026.

¹² 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.

3.2. Transparency Projects

On March 20th, 2025, the President issued an Executive Order (EO) on “[Immediate Measures to Increase American Mineral Production](#).”¹³ 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.¹⁴

In this quarter, the transparency project portfolio contained 31¹⁵ 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 Q2 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)	11
TOTAL	31

Table 4: Active transparency projects in fiscal Q2 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
Copper Creek Exploration Project (MNG7)	BLM
DeLamar 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

¹³ Exec. Order No. 14241, 90 Fed. Reg. 13673 (March 20, 2025).

¹⁴ *Id.* § 3(b).

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 Q2 2026, continued.

Project	Lead or Facilitating Agency
Kings Mountain Lithium Material Processing Plant (MNG13)	DOE
Libby Exploration Project (MNG14)	USFS
Liberty Owl (MNG15)	DOE
Maxville Expansion (MNG16)	USACE
McDermitt Exploration Project (MNG17)	BLM
Michigan Potash (MNG18)	DOE
Muncy Creek Mineral Exploration Project* (MNG19)	USFS
Nikolai Nickel Project (MNG20)	USACE
NorthMet Project (MNG21)	USACE
Polaris Exploration Project (MNG22)	USFS
Resolution Copper Project (MNG23)	USFS
Roca Honda Project (MNG24)	USFS
Sheep Creek Project (MNG25)	USFS
Silver Peak Lithium Mine (MNG26)	BLM
South West Arkansas Project (MNG27)	DOE
Stillwater Mine (MNG28)	USFS
Sweetwater Project (MNG29)	BLM
Trail Ridge South (MNG30)	USACE
Warrior Met Coal Mines (MNG31)	BLM

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

Figure 4 shows the location of transparency projects in fiscal Q2 2026. The project labels correspond to those in Table 4.

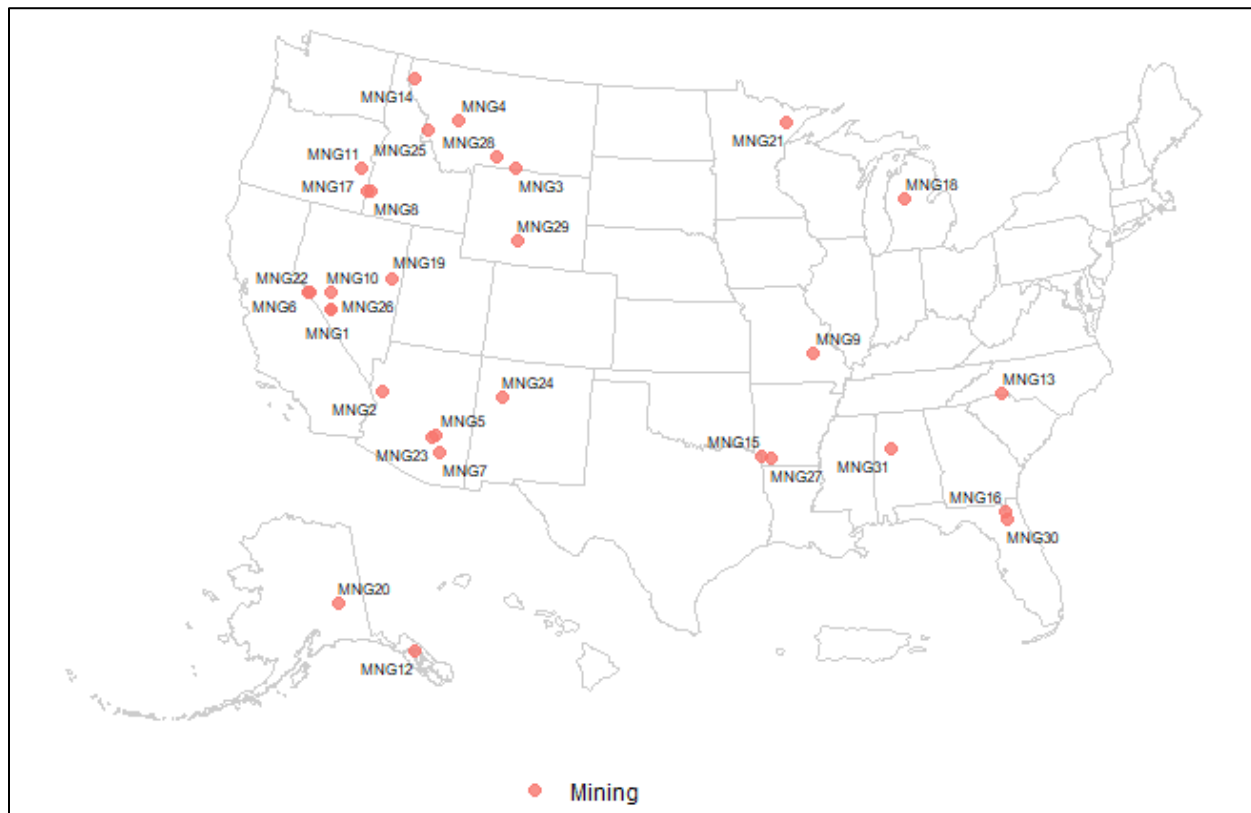


Figure 4: Transparency projects in fiscal Q2 2026.

One new transparency project—the DeLamar Project—joined the portfolio during fiscal Q2 2026.

During this quarter, seven transparency projects completed all remaining federal environmental reviews and authorizations:

- [Becky’s Mine Modification](#) will conduct surface mining of Bentonite in Montana.
- [Copper Creek Exploration Project](#) will include exploration drilling activities and access roads in Pinal County, Arizona.
- [Greens Creek Surface Exploration](#) will involve surface exploration for silver, gold, lead, and zinc in Admiralty Island, Alaska.
- [Kings Mountain Lithium Material Processing Plant](#) will develop a lithium materials processing and concentrator plant near Kings Mountain, North Carolina.

- [Polaris Exploration Project](#) will entail exploration drilling for gold and access roads in Nevada.
- [Silver Peak Lithium Mine](#) will expand operations of an active lithium mine in Nevada.
- [Warrior Met Coal Mine](#) employs underground mining to extract metallurgical coal in Tuscaloosa County, Alabama.

The Maxville Expansion project has been cancelled on the Permitting Dashboard at the project sponsor’s request. Further feasibility studies and analysis by the project sponsor identified diminished critical mineral yield resulting in the mine being temporarily idled.

Figure 5 provides a snapshot of the status of transparency projects as of March 31, 2026, that were active at any point in fiscal Q2 2026.¹⁶

Transparency Project Status

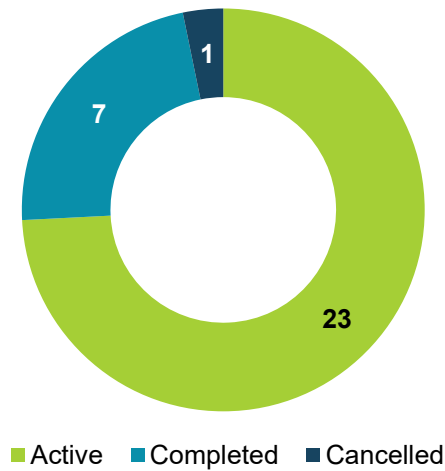


Figure 5: Snapshot of status, as of March 31, 2026, of each transparency project that was active at any point in fiscal Q2 2026.

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 Q2 2026.¹⁷

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

NOAA-NMFS had one action—the Marine Mammal Protection Act (MMPA) Incidental Take Authorization (ITA) for the SouthCoast Wind Energy LLC (SouthCoast Wind) project—scheduled to complete during the quarter and extended the action beyond the end of the quarter. NOAA-NMFS was responsible for one additional milestone scheduled to occur during the reporting period associated with the Graphite Creek Project and completed the milestone, as summarized in Table 5.¹⁹ The extended milestone, in the context of the relevant project, is discussed below.

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

Table 5: NOAA-NMFS’s permitting timetable federal agency milestones scheduled to occur in fiscal Q2 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Graphite Creek Project		
Magnuson-Stevens Fishery Conservation and Management Act, Section 305 Essential Fish Habitat (EFH) Consultation	EFH Consultation Request Submitted – EFH Assessment	Completed
SouthCoast Wind Energy LLC (SouthCoast Wind)		
MMPA ITA	ITA decision rendered*	Extended beyond the end of the quarter

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

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.

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

NTIA was the lead agency for three active covered projects during fiscal Q2 2026.

NTIA reviewed and met its FAST-41 obligation to update the CPPs in a timely manner for two of three applicable projects. For the NANA Regional Broadband Network (NRBN) project, NTIA did not update the CPP in a timely manner.

NTIA met the requirement to post certain project information 100 percent of the time.²⁰

NTIA completed the NHPA Section 106 review for the Winnebago Tribe Broadband Connectivity Project this quarter. NTIA had no milestones scheduled to occur during the reporting period.²¹

NTIA, at the request of the project sponsor, submitted a request to the Executive Director to extend completion dates for the BIA Ramah Agency, BIA Southern Pueblos Agency, and BIA Zuni Agency ROW authorizations for the *Santa Fe Indian School Broadband Project*. The primary driver of this timetable modification was to provide the project sponsor additional time to compile the necessary information for the BIA ROW applications. The Executive Director [granted](#) the request.

4.3. Department of Energy (DOE)

DOE was the facilitating agency for one active covered project—the Pelican Carbon Sequestration Hub project—during fiscal Q2 2026.

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

DOE met the requirement to post certain project information for one of two applicable projects, Grain Belt Express Transmission - Phase 1.²² For the Pelican Carbon Sequestration Hub project, DOE did not post required information.

DOE completed the EA for the Kings Mountain Lithium Material Processing Plant project this quarter. DOE had no milestones scheduled to occur during the reporting period.²³

²⁰ See part 5 of the *Appendix* for details on this statutory requirement.

²¹ The NHPA Section 106 review was added to the project's permitting timetable during the reporting quarter, thus was not scheduled to occur during the reporting quarter.

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

²³ The EA was anticipated to be completed during fiscal Q1 2026, thus was not scheduled to occur during the reporting period.

DOE has complied with the requirement to establish comprehensive permitting timetables for three of the four active transparency projects for which it is lead agency. For the Liberty Owl project, DOE has posted an incomplete permitting timetable with only the NEPA action.

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

4.4. 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 Q2 2026.

BIA did not review and meet its FAST-41 obligation to update CPPs for either applicable Navajo Nation broadband projects.

BIA met the requirement to post certain project information 100 percent of the time.²⁴

BIA had two actions—the EA for the Navajo Nation Department of Education E-Rate Funded Broadband Project and the Supplemental EA for the Navajo Nation Gallup McKinley County Schools E-Rate Funded Broadband Project—scheduled to complete during the quarter and completed the actions. BIA had two additional milestones scheduled to occur during the reporting period associated with the same two active projects that were completed as summarized in Table 6.²⁵

Table 6: BIA’s permitting timetable federal agency milestones scheduled to occur in fiscal Q2 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 Final EA	Action completed
ROW Authorization	Application deemed complete	Completed
Navajo Nation Gallup McKinley County Schools E-Rate Funded Broadband Project		
Supplemental EA	Issuance of a Final Supplemental EA	Action completed
ROW Authorization	Application deemed complete	Completed

4.5. 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 6 additional active covered projects during fiscal Q2 2026.

Two projects for which BLM was lead agency—the Silver Rock Transmission Project and South Railroad Mine Project—had deadlines in the reporting period for establishing a CPP, and BLM

²⁴ See part 5 of the *Appendix* for details on this statutory requirement.

²⁵ The remaining projects for which BIA was responsible for environmental reviews or authorizations had no BIA milestones scheduled to occur during the quarter.

established the CPPs in a timely manner. While BLM reviewed and met its FAST-41 obligation to update CPPs in a timely manner for all 14 applicable projects, a comprehensive timetable has not been established for the Kawich Solar Project or the Larrea Solar Project within the statutory 60-day timeframe.

BLM met the requirement to post certain project information 100 percent of the time.²⁶

BLM completed the ROW Authorization for the NANA Regional Broadband Network (NRBN) project this quarter. BLM had five milestones scheduled to occur during the reporting period associated with five active covered projects.²⁷ Of the five milestones, three were completed and two were extended beyond the end of the quarter, as summarized in Table 7. BLM did not conform with the permitting timetable for one action during the quarter. The milestone extensions and nonconformance, in the context of the relevant projects, are discussed in detail below.

Bonanza Solar. BLM missed the January 7, 2026 ROW Authorization final milestone. Completion of the ROW is dependent on the EIS Record of Decision. BLM established an alternative completion date for the ROW milestone to coincide with the changes made to the EIS.²⁸

Samantha Solar. BLM extended the NEPA schedule, including the EIS Scoping milestone, to provide the project sponsor with additional time to engage meaningfully with grazing permittees and address grazing impacts identified during the variance process.

Table 7: BLM’s permitting timetable federal agency milestones scheduled to occur in fiscal Q2 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Bonanza Solar Project		
ROW Authorization	Final decision/agency action	Extended beyond the end of the quarter; triggered nonconformance
Cobra Master Development Plan		
Operations Plan / Surface Use Plan	Application deemed complete	Completed
Navajo Nation Department of Education E-Rate Funded Broadband Project		
ROW Authorization	Completed application received	Completed
Navajo Nation Gallup McKinley County Schools E-Rate Funded Broadband Project		
ROW Authorization	Completed application received	Completed
Samantha Solar		
EIS	Scoping*	Extended beyond the end of the quarter

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

²⁶ See part 5 of the *Appendix* for details on this statutory requirement.

²⁷ The ROW Authorization for the NANA Regional Broadband Network (NRBN) project was anticipated to be completed during fiscal Q3 2026, thus was not scheduled to occur during the reporting period. 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.

²⁸ As required by statute, the explanation for the missed completion date and the alternative completion date are available on the [Dashboard](#).

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

BLM has complied with the requirement to post information about project-related public engagement for all but two of the active transparency projects for which it is the lead agency. For the Golden Mile Mine Project and McDermitt Exploration Project, BLM has not posted the required information.

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

BOEM was the lead agency for five active covered projects during fiscal Q2 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.²⁹

BOEM had three completion dates scheduled to occur during the reporting period associated with the Attentive Energy Two Offshore Wind Project that were extended beyond the end of the quarter and resulted in nonconformance with the permitting timetable, as summarized in Table 8.³⁰ The milestone extensions and instances of nonconformance, in the context of the relevant projects, are discussed in detail below.

Attentive Energy Two Offshore Wind Project. BOEM submitted a request to the Executive Director to extend completion dates across the project's permitting timetable because of the timing of the project sponsor's submissions of the revised Construction and Operations Plan containing information that BOEM requires prior to issuing an EIS NOI. The Executive Director [granted](#) the request. The timing of BOEM's request did not allow the required time for the Executive Director evaluation, so the date changes for the EIS and Section 106 milestones occurred after the scheduled milestone dates, resulting in nonconformance with the permitting timetable. While BOEM established alternative completion dates for both actions, BOEM did not provide explanations for the missed completion dates nor monthly status updates as required by FAST-41.

²⁹ See part 5 of the *Appendix* for details on this statutory requirement.

³⁰ The remaining projects for which BOEM was the lead agency had no BOEM milestones scheduled to occur during the quarter.

Table 8: BOEM's permitting timetable federal agency milestones scheduled to occur in fiscal Q2 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Attentive Energy Two Offshore Wind Project		
EIS	NOI	Extended beyond the end of the quarter; triggered nonconformance
EIS	Scoping	Extended beyond the end of the quarter; triggered nonconformance
NHPA Section 106 Review	Consultation initiated with SHPO/THPO	Extended beyond the end of the quarter; triggered nonconformance

4.7. 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 three additional active covered projects during fiscal Q2 2026.

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

BOR met the requirement to post certain project information 100 percent of the time.³¹

BOR had one completion date scheduled to occur during the reporting period associated with one active covered project. The milestone was completed, as summarized in Table 9.³²

Table 9: BOR's permitting timetable federal agency milestones scheduled to occur in fiscal Q2 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Navajo Nation Department of Education E-Rate Funded Broadband Project		
Use Authorization	Application deemed complete	Completed

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

FWS was responsible for environmental reviews or authorizations for 33 active covered projects during fiscal Q2 2026.³³

FWS met the requirement to post certain project information 100 percent of the time.³⁴

FWS completed ESA consultations for the Cobra Master Development Plan project, the Navajo Nation Department of Education E-Rate Funded Broadband Project, the Seminole Pumped Storage Project, and the South32 Hermosa Critical Minerals Project.

³¹ See part 5 of the *Appendix* for details on this statutory requirement.

³² The remaining projects for which BOR had reviews or authorizations had no BOR milestones scheduled to occur during the quarter.

³³ FWS was not the lead or facilitating agency for any projects during the quarter.

³⁴ See part 5 of the *Appendix* for details on this statutory requirement.

FWS had four additional completion dates scheduled to occur during the reporting period associated with three other active projects.³⁵ Three milestones were completed and one was extended beyond the end of the quarter, as summarized in Table 10. The milestone extension for the *Hell's Kitchen Critical Minerals & Power* project was due to USACE and FWS deeming the biological assessment submitted by the project sponsor to be incomplete because it lacked sufficient technical detail relative to the size and complexity of the project and the sensitivity of listed species in the project area.

Table 10: FWS's permitting timetable federal agency milestones scheduled to occur in fiscal Q2 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Graphite Creek Project		
ESA Consultation	ESA Consultation Request Package Submitted	Completed
Hell's Kitchen Critical Minerals & Power		
ESA Consultation	ESA Consultation Request Package Submitted	Completed
ESA Consultation	FWS determines ESA Consultation Package is Complete – Informal	Extended beyond the end of the quarter
Navajo Nation Department of Education E-Rate Funded Broadband Project		
ESA Consultation	ESA Consultation Concludes	Action completed
Seminole Pumped Storage Project		
ESA Consultation	FWS determines ESA Consultation Package is Complete – Formal	Completed
ESA Consultation	ESA Consultation Concludes	Action completed
South32 Hermosa Critical Minerals Project		
ESA Consultation	ESA Consultation Concludes	Action completed

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

NPS was responsible for environmental reviews or authorizations for five active covered projects during fiscal Q2 2026.³⁶

NPS completed the Wild and Scenic Rivers Act determination/coordination for the Mississippi Crossing Project and the South System Expansion 4 projects ahead of schedule. While these actions were originally scheduled for 145 days, NPS completed them in only 14 days. NPS had no milestones scheduled to occur during the reporting period.³⁷

NPS met the requirement to post certain project information 100 percent of the time.³⁸

³⁵ The remaining projects for which FWS was responsible for environmental reviews or authorizations had no FWS milestones scheduled to occur during the quarter. The ESA consultation for the Cobra Master Development Plan project was added to the project's permitting timetable during the reporting quarter, thus was not scheduled to occur during the reporting quarter.

³⁶ NPS was not the lead or facilitating agency for any projects during the quarter.

³⁷ The Wild and Scenic Rivers Act determination/coordination for the Mississippi Crossing Project and the South System Expansion 4 projects were anticipated to be completed during fiscal Q3 2026, thus were not scheduled to occur during the reporting period.

³⁸ See part 5 of the *Appendix* for details on this statutory requirement.

4.10 Department of War (DOW)

DOW was responsible for an authorization for one active covered project—Silver Rock Transmission Project—during fiscal Q2 2026.³⁹

DOW did not meet the requirement to post certain project information for the applicable project.⁴⁰

DOW completed the Mission Compatibility Evaluation Process for the Silver Rock Transmission Project ahead of schedule this quarter. DOW had no milestones scheduled to occur during the reporting period.⁴¹

4.11. Environmental Protection Agency (EPA)

EPA was responsible for environmental reviews or authorizations for five active covered projects during fiscal Q2 2026.⁴²

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

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

4.12. Federal Energy Regulatory Commission (FERC)

FERC was the lead agency for six active covered projects during fiscal Q2 2026. Three of those projects—the Mississippi Crossing Project, Robert C. Byrd Hydroelectric Project, and South System Expansion 4 project—had deadlines in the reporting period for establishing a CPP, and FERC established the CPPs in a timely manner. FERC also reviewed and met its FAST-41 obligation to update the CPPs in a timely manner for all six applicable projects.

FERC met the requirement to post certain project information 100 percent of the time.⁴⁴

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 Q2 2026. NRC reviewed and met its FAST-41 obligation to update the CPPs in a timely manner for the three applicable projects.

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

³⁹ DOW 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.

⁴¹ The Mission Compatibility Evaluation Process was added to the project's permitting timetable during the reporting quarter and was scheduled to be completed in fiscal Q1 2027, thus was not scheduled to occur during the reporting quarter.

⁴² EPA 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.

⁴⁴ See part 5 of the *Appendix* for details on this statutory requirement.

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

NRC had two completion dates scheduled to occur during the reporting period associated with one active covered project. Both milestones were completed, as summarized in Table 11.⁴⁶

Table 11: NRC’s permitting timetable federal agency milestones scheduled to occur in fiscal Q2 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Crownpoint / Church Rock Uranium Project		
Uranium Recovery License	Acceptance review complete	Completed
EA	Determination to prepare an EA	Completed

4.14. Army Corps of Engineers (USACE)

USACE was the lead agency for 10 active covered projects and was responsible for environmental reviews or authorizations for 13 additional active covered projects during fiscal Q2 2026.

One project for which USACE was the lead agency—the Contango Ore Johnson Tract Critical Metals Project—had a deadline in the reporting period for establishing a CPP, and USACE established the CPP in a timely manner. USACE reviewed and met its FAST-41 obligation to update the CPPs for all applicable projects.⁴⁷

USACE met the requirement to post certain project information in all cases but two.⁴⁸ For the Robert C. Byrd Hydroelectric Project and the South Railroad Mine Project, USACE did not publish required information in a timely manner.

USACE had one action—the Santa Fe Indian School Broadband project’s Section 408 permit—scheduled to complete during the quarter and USACE completed this action as scheduled. USACE had nine additional completion dates scheduled to occur during the reporting period associated with four other active covered projects.⁴⁹ Eight of the milestones were completed and one was extended beyond the end of the quarter, as summarized in Table 12. The milestone extension, in the context of the relevant project, is discussed in detail below.

SouthCoast Wind Energy LLC (SouthCoast Wind). Given that USACE had adopted the BOEM EIS to inform its decision making process and because the evaluation of environmental considerations may change because of BOEM’s review of the EIS, USACE cannot finalize the Section 10 Rivers and Harbors Act (RHA) of 1899 and Section 404 Clean Water Act (CWA) decision until BOEM’s reconsideration of the EIS is complete. USACE extended the milestone to accommodate the time necessary to coordinate with BOEM regarding BOEM’s review of the EIS.

⁴⁶ The remaining projects for which NRC was the lead agency had no NRC milestones scheduled to occur during the quarter.

⁴⁷ The Grain Belt Express Transmission - Phase 1 project returned to a status of “In Progress” on the Permitting Dashboard during the reporting quarter and changed lead agency from DOE to USACE, as DOE no longer has reviews or authorizations associated with the project. USACE is developing a new CPP with an establishment deadline in fiscal Q3 2026.

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

⁴⁹ 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 12: USACE’s permitting timetable federal agency milestones scheduled to occur in fiscal Q2 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Donlin Gold Project		
Supplemental EIS	Issuance of Notice of Intent (NOI) or Notice to prepare a Supplemental EIS	Completed
Section 10 RHA of 1899 and Section 404 CWA	Publication of Public Notice	Completed
Riverview East Stack Extension		
Section 404 CWA	Publication of Public Notice	Completed
EA	Determination to prepare an EA	Completed
NHPA Section 106 Review	Consultation initiated with SHPO/THPO	Completed
Santa Fe Indian School Broadband		
Section 408 Permit	Issuance of Decision	Action completed
South Fort Meade – South of SR 64 Parcels		
EA	Determination to prepare an EA	Completed
Section 404 CWA	Publication of Public Notice	Completed
NHPA Section 106 Review	Consultation initiated with SHPO/THPO	Completed
SouthCoast Wind Energy LLC (SouthCoast Wind)		
Section 10 RHA of 1899 and Section 404 CWA	Final Verification/ Permit Decision Rendered*	Extended beyond the end of the quarter

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

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

USACE has 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, Forest Service (USFS)

USFS was the lead agency for six active covered projects during fiscal Q2 2026.

One project for which USFS was the lead agency—the Black Pine Gold 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.⁵⁰

USFS had two actions scheduled to be completed during the reporting period: USFS completed the NHPA Section 106 review for the South32 Hermosa Critical Minerals Project and extended the NHPA Section 106 review for the Cobra Master Development Plan beyond the end of the quarter.

⁵⁰ See part 5 of the *Appendix* for details on this statutory requirement.

In addition, USFS had five other completion dates scheduled to occur during the reporting period associated with three projects.⁵¹ Four milestones were completed and one was extended beyond the end of the quarter, as summarized in Table 13. The milestone extensions, in the context of the relevant project, are discussed in detail below.

Cobra Master Development Plan. The Section 106 timeline was extended to accommodate the conclusion of a preliminary review period by Tribal Nations for the project’s cultural resource report.

La Jara Mesa Project. USFS, on behalf of the project sponsor, submitted a request to the Executive Director to extend completion dates for the plan of operations, NEPA, and NHPA Section 106 actions. The revised schedule was necessary to accommodate the project sponsor’s collection of baseline data and surveys for evaluation of cultural and tribal resources and to allow better alignment between the state and federal permitting processes. The Executive Director [granted](#) the request.

Table 13: USFS’s permitting timetable federal agency milestones scheduled to occur in fiscal Q2 2026.

Environmental Review or Authorization	Milestone	Milestone Status at End of Quarter
Cobra Master Development Plan		
NHPA Section 106 Review	Consultation initiated with SHPO/THPO	Completed
NHPA Section 106 Review	Section 106 consultation concluded	Extended beyond the end of the quarter
Operations Plan / Surface Use Plan	Application deemed complete	Completed
Categorical Exclusion	Application deemed complete	Completed
La Jara Mesa Project		
Plan of Operations	Acceptance of complete initial Plan of Operations	Extended beyond the end of the quarter
South32 Hermosa Critical Minerals Project		
EIS	Final EIS	Completed
NHPA Section 106 Review	Section 106 consultation concluded	Action completed

USFS complied 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.

⁵¹ 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 sponsor⁵² 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.⁵³ 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.⁵⁴

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-41.⁵⁵

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.”⁵⁶ A CPP coordinates agency participation in, and completion of, the federal environmental reviews and authorizations required for a FAST-41 covered project.⁵⁷ 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.⁵⁸

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.⁵⁹ 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.

⁵² 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).

⁵³ *Id.* § 4370m-2(a)(1)(A).

⁵⁴ *Id.* § 4370m-2(b)(2)(A)(ii).

⁵⁵ *Id.* § 4370m-2(a)(2)(A).

⁵⁶ *Id.* § 4370m-2(c)(1)(A).

⁵⁷ *Id.* § 4370m-2(c)(1).

⁵⁸ *Id.* § 4370m-2(c)(1)(B).

⁵⁹ *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).

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.⁶⁰ 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 in a timely manner.

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.⁶¹

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.⁶²

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.⁶³ If an agency does not conform to the established timetable—that is, if an agency does not meet the completion dates set 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.

⁶⁰ *Id.* § 4370m-2(c)(1)(B).

⁶¹ *Id.* § 4370m-2(c)(2)(D).

⁶² *Id.* § 4370m-2(c)(2)(D)(ii).

⁶³ *Id.* § 4370m-2(c)(2)(F)(i).

- 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.⁶⁴

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.⁶⁵

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.⁶⁶

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.⁶⁷

⁶⁴ *Id.* § 4370m-2(c)(2)(F)(ii).

⁶⁵ *Id.* § 4370m-2(b)(3)(A)(i)-(ii).

⁶⁶ *Id.* § 4370m-2(b)(3)(A)(iii).

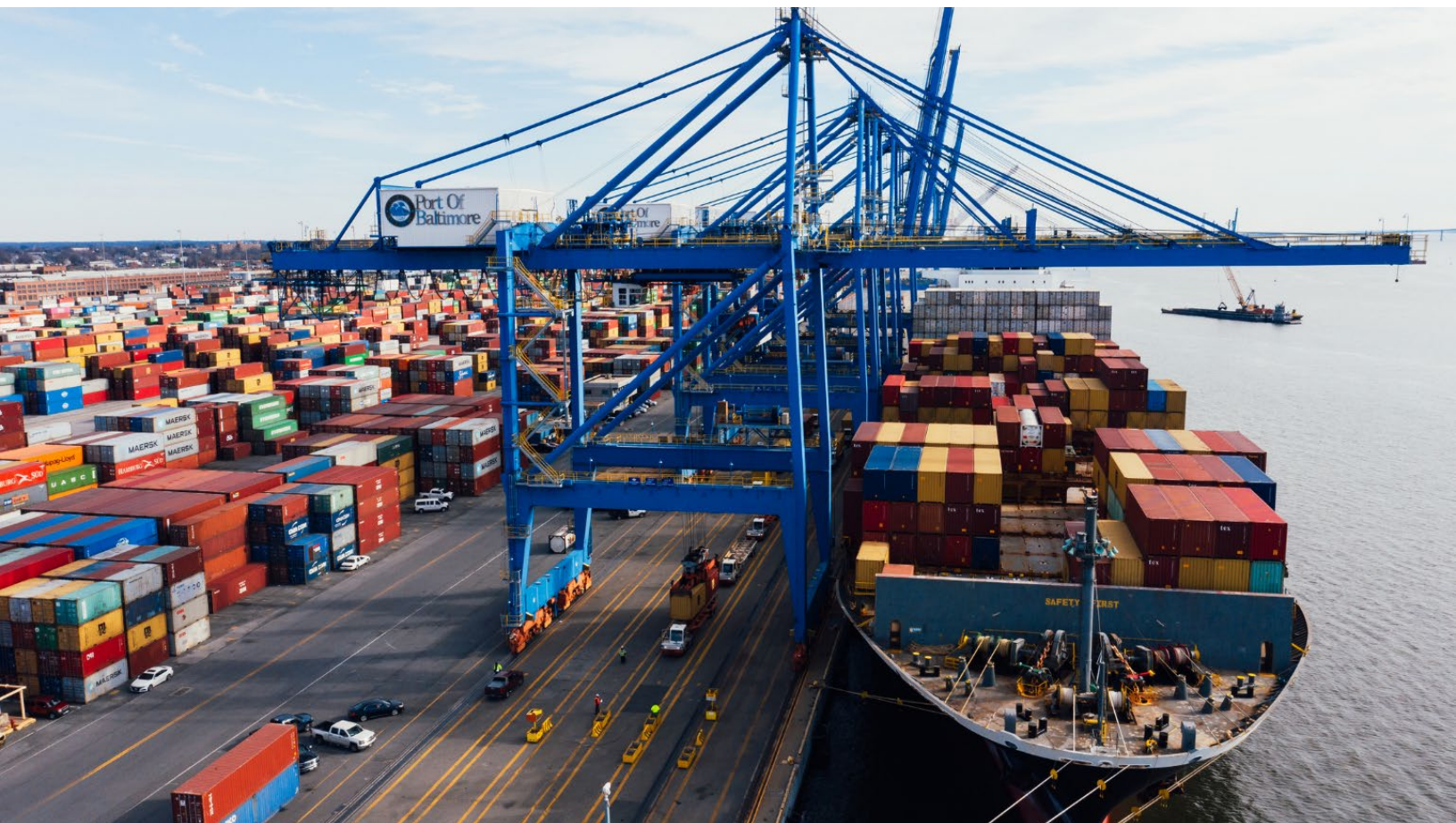
⁶⁷ *Id.* § 4370m-2(b)(3)(B).

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.⁶⁸

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.⁶⁹



The Port of Baltimore, Maryland.

⁶⁸ *Id.* § 4370m-2(b)(2)(A)(iii)(I).

⁶⁹ *Id.* § 4370m-2(b)(2)(A)(iii)(II).