



Recommended Best Practices

Federal Permitting Improvement Steering Council
Fiscal 2027
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Contents

Contents	i
Acknowledgments	ii
Background	1
Methodology	2
FY 2027 Recommended Best Practices	3
1. Coordinate with state agencies	3
2. Leverage milestones completed early	4
3. Engage with the Advisory Council on Historic Preservation	4
4. Empower FAST-41 Coordinators to improve intra-agency communication	5
5. Frontload and improve timetable development	5
6. Complete missed milestones as soon as possible	6
7. Consult with project sponsors on timetable modifications	7
8. Promptly add new actions to timetables	7
9. Encourage the provision of complete and adequate information from project sponsors	7
10. Advance integration of permitting information technology	8
11. Advance key permitting performance indicators	8

Acknowledgments

The Federal Permitting Improvement Steering Council (Permitting Council) issues these recommended Best Practices pursuant to 42 U.S.C. § 4370m-1(c)(2)(B).

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



Background

The Permitting Council is required to issue annual recommendations on best practices for improving the federal permitting process for “covered projects” under Title 41 of the Fixing America’s Surface Transportation Act (FAST-41).¹ Each lead agency and participating agency for FAST-41 covered projects must submit to Congress, and the Director of the Office of Management and Budget (OMB), an annual report assessing agency performance in implementing these best practice recommendations.²

FAST-41 provides that the Permitting Council’s best practice recommendations may include the following categories:³

- i. enhancing early stakeholder engagement, including—
 - I. engaging with Native American stakeholders to ensure that project sponsors and agencies identify potential natural, archeological, and cultural resources and locations of historic and religious significance in the area of a covered project; and
 - II. fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project;
- ii. ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics;
- iii. improving coordination between federal and non-federal governmental entities, including through the development of common data standards and terminology across agencies;
- iv. increasing transparency;
- v. reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties;
- vi. developing and making available to applicants appropriate geographic information systems and other tools;
- vii. creating and distributing training materials useful to federal, state, Tribal, and local permitting officials;
- viii. in coordination with the Executive Director, improving preliminary engagement with project sponsors in developing coordinated project plans;
- ix. using programmatic assessments, templates, and other tools based on the best available science and data; and
- x. addressing other aspects of infrastructure permitting, as determined by the Council.

The Permitting Council has issued best practices annually since 2017. Past best practices for fiscal years (FY) 2017-2026 can be found [here](#).

¹ 42 U.S.C. § 4370m-1(c)(2)(B).

² 42 U.S.C. § 4370m-7(a)(3).

³ 42 U.S.C. § 4370m-1(c)(2)(B).



Methodology

For FY 2027, the Permitting Council is issuing best practices across nine of the statutory best practice categories. The best practices for FY 2027 are intended to be tangible, actionable, and measurable by each agency, which will assist the Permitting Council in assessing impacts of best practices across the federal agencies and will help guide a set of meaningful, transformative, and evidence-based best practices that can be adopted as standard practices to improve the efficiency and predictability of environmental reviews and authorizations. Permitting Council staff are available as a resource to agencies to provide assistance as agencies implement and track progress on best practices.

Agencies that are a lead, facilitating, cooperating, or participating agency for a FAST-41 covered project undergoing active review at any point in FY 2027⁴ must report in April 2028 on the best practices issued in this document, in accordance with reporting instructions that will be provided by the Office of Management and Budget. Such agencies may also report on other best practices self-identified as priorities, are encouraged to review previously issued best practices, and may continue implementing and reporting on best practices from prior years.

Agencies not subject to best practice implementation reporting requirements are nevertheless encouraged to review and implement, as appropriate, these and previously issued recommended best practices.

These recommended best practices are the product of a coordinated development effort across the Permitting Council agencies, reflecting review and feedback from agency Chief Environmental Review and Permitting Officers (CERPOs).

⁴ Regardless of whether the agency is represented by a Permitting Council Member.



FY 2027 Recommended Best Practices

The Permitting Council recommends 11 best practices for FY 2027. The following discussion describes these recommended best practices and their anticipated benefits to the federal permitting process for FAST-41 covered projects.

1. Coordinate with state agencies

Lead agencies should coordinate with state agencies to align timelines for state and federal reviews and authorizations, for instance by:

- Inviting appropriate state agencies to participate in FAST-41 interagency kickoff and recurring meetings;
- Ensuring that initial timetable development accommodates all state actions upon which federal actions depend;
- Understanding state reviews and authorizations that are required to start construction;
- Educating state agencies about the FAST-41 covered project;
- Proactively engaging with the Permitting Council and appropriate state agencies if there is potential for delay caused by a state review or authorization;
- For those state reviews or authorizations required to be published on the Permitting Dashboard (i.e., in instances where a state has chosen to “opt in” to the FAST-41 process for a project within its borders⁵), using the “responsible agency” and “action identifier” fields to identify the relevant state agencies and specific permits; and
- Identifying state agency points of contact for relevant state reviews and authorizations.

Implementation of this best practice can ensure that critical infrastructure projects avoid unnecessary roadblocks at the state level after the federal environmental review process is completed.

The Permitting Council will support lead agencies in implementing this best practice by facilitating lead agency engagements with states, educating state agencies about FAST-41, and working to establish memoranda of understanding with states to facilitate state cooperation through mutually beneficial relationships.

This recommendation implements the following statutory categories of best practices:

- iii. improving coordination between federal and non-federal governmental entities, including through the development of common data standards and terminology across agencies
- vii. creating and distributing training materials useful to federal, state, Tribal, and local permitting officials

⁵ 42 U.S.C. § 4370m-2(c)(3)(A)

2. Leverage milestones completed early

When an interim milestone is completed early, lead agencies should proactively manage subsequent milestones for the action(s) to move up the overall completion date(s), as appropriate. Agencies should consider the durations and dependencies established in the initial permitting timetable; relevant statutory/regulatory timeframes; and project critical path when determining whether and how to modify the timing of subsequent milestones. Generally, agencies should not use the time saved as additional cushion in the schedule for later actions. On the Permitting Dashboard, when marking a milestone complete early, lead agencies should simultaneously update the subsequent milestone dates, as appropriate.

Implementation of this best practice can help optimize project schedules by taking advantage of early completions, ensure agency compliance with statutory and regulatory timeframes; and guarantee that public-facing permitting timetables are consistently accurate.

This recommendation implements the following statutory categories of best practices:

- ii. ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics
- iii. improving coordination between federal and non-federal governmental entities, including through the development of common data standards and terminology across agencies
- iv. increasing transparency

3. Engage with the Advisory Council on Historic Preservation

Lead agencies should proactively engage with Advisory Council on Historic Preservation (ACHP) regarding National Historic Preservation Act (NHPA) Section 106 consultations, by:

- Ensuring the ACHP is invited to participate in new FAST-41 covered projects and at interagency kickoff and recurring meetings;
- Seeking and considering the ACHP's advice on the approach to meeting NHPA Section 106 requirements for FAST-41 projects when developing coordinated project plans and permitting timetables;
- Designating a single lead federal agency for Section 106 review to act on behalf of and collectively fulfill the Section 106 responsibilities of each cooperating agency associated with the covered project; and
- Ensuring appropriate project-level lead agency staff identify and coordinate with project-level ACHP staff.

Implementation of this best practice can help establish a shared understanding of the Section 106 compliance approach and contribute to the development of realistic permitting timetables from the start of the FAST-41 process. It can also minimize the risk of duplicative effort inherent when agencies conduct separate NHPA Section 106 reviews for the same project.

This recommendation implements the following statutory category of best practices:

- ii. ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics

4. Empower FAST-41 Coordinators to improve intra-agency communication

FAST-41 Coordinators provide guidance for FAST-41 program management at the agency or bureau level. They serve as the primary liaison for the agency with the CERPO and the Permitting Council and provide oversight for agency compliance with the statute in order to facilitate FAST-41 implementation and timely resolution of issues.

Permitting Council member agencies should establish and implement communication protocols that ensure FAST-41 Coordinators relay FAST-41 requirements and project-specific decisions and guidance from higher levels to appropriate project staff within all levels of the agency, including appropriate regional and field office staff.

To this end, CERPOs should empower FAST-41 Coordinators to:

- Provide agency project staff with guidance and training on FAST-41 compliance;
- Provide advance notice to the CERPO of project-level issues and risks, including concerns that may require Permitting Council engagement; and
- Inform the CERPO of recurring program challenges.

This recommendation implements the following statutory category of best practices:

- ii. ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics

5. Frontload and improve timetable development

Lead agencies should frontload and improve initial timetable development for FAST-41 covered projects by:

- Inviting other agencies to become participating or cooperating agencies sooner than the 21-day statutory requirement;⁶
- Holding FAST-41 interagency kickoff meeting as soon as practicable, using virtual/hybrid meeting formats, as necessary, to facilitate scheduling;
- Inviting relevant state agencies to FAST-41 interagency kickoff meetings, even if those agencies have not opted into FAST-41 and will not have a review or authorization identified on the Permitting Dashboard;
- Coordinating with the project sponsor and cooperating agencies in a timely manner to ensure effective consultation on the timetable development; and

⁶ 42 U.S.C. § 4370m-2(a)(2)(A).

- Use the “milestone description” and “action identifier” fields on the Permitting Dashboard to ensure a shared understanding across agencies and for the public of what the actions and milestones represent.

Implementation of this best practice benefits agencies and project sponsors:

- It helps lead agencies identify and mitigate schedule risks with cooperating and participating federal agencies and state, local, or Tribal governments.
- It ensures that agencies go beyond merely informing the project sponsor of the permitting timetable after decisions have been made. Meaningful consultation with project sponsors, per 42 U.S.C. §4370m-2(c)(2)(A), is a two-way process in which agencies approach project sponsors as partners, project sponsors can influence timetable development, and agencies and project sponsors can collaboratively identify schedule risks early.
- It can also establish increased clarity and shared expectations from the start of FAST-41 by clearly identifying what is required to complete each milestone comprising the permitting timetable.

This recommendation implements the following statutory categories of best practices:

- i. enhancing early stakeholder engagement
- iii. improving coordination between federal and non-federal governmental entities, including through the development of common data standards and terminology across agencies
- iv. increasing transparency
- viii. in coordination with the Executive Director, improving preliminary engagement with project sponsors in developing coordinated project plans

6. Complete missed milestones as soon as possible

Permitting Council member agencies should make every effort to complete missed milestones as soon as possible. Agencies responsible for nonconformance should update the Permitting Council of progress toward completion of missed milestones on a weekly basis and use the statutorily required monthly status reporting⁷ to demonstrate their efforts to accomplish the milestone expeditiously. For transparency projects, agencies must explain permitting timetable modifications as required by 42 U.S.C. § 4370m-2(b)(2)(A)(iii)(II)(cc).

Implementation of this best practice can help ensure that completion of nonconforming reviews and authorizations remains a priority and can help minimize the impacts of missed milestones to overall project schedules.

This recommendation implements the following statutory category of best practices:

- ii. ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics

⁷ 42 U.S.C. § 4370m-2(c)(2)(F)(ii)(III).

7. Consult with project sponsors on timetable modifications

Lead agencies should proactively engage and consult with project sponsors, per 42 U.S.C. §4370m-2(c)(2)(D)(i), regarding timetable modifications. For significant changes (i.e., those that extend the duration of reviews/authorizations or the project overall), the agency decision maker (i.e., the agency staff signing off on the permit) should coordinate with the project sponsor, as appropriate. Agencies should develop and use internal elevation procedures to ensure the appropriate level agency staff coordinates with the equivalent level project sponsor contact regarding schedule changes.

Implementation of this best practice can help ensure continued feasibility of the permitting timetable by obtaining project sponsor input on changes to the permitting strategy and incorporating the timing of project sponsor deliverables on which reviews and authorizations depend.

This recommendation implements the following statutory category of best practices:

- iii. improving coordination between federal and non-federal governmental entities, including through the development of common data standards and terminology across agencies

8. Promptly add new actions to timetables

When necessary, lead agencies should make updates to permitting timetables in a timely manner to reflect new reviews and authorizations that were not identified during the initial timetable development process. While FAST-41 requires the development of comprehensive permitting timetables when projects are initially posted to the Permitting Dashboard, it is possible a change in project scope or identification of previously unanticipated environmental impacts may necessitate the addition of one or more authorizations to the permitting timetable. New actions should be added as information becomes available and as agencies reach consensus on the applicability of a new action.

This recommendation implements the following statutory category of best practices:

- iv. increasing transparency

9. Encourage the provision of complete and adequate information from project sponsors

As practicable, Permitting Council member agencies should reduce the need for additional information requests of project sponsors by clearly articulating the requirements for complete applications to project sponsors and coordinating with project sponsors prior to application submittal to ensure project sponsors understand application completeness requirements. Agencies should establish and publish clear completeness checklists for relevant review or authorization applications. These checklists will serve as references for both project sponsors and agency officials reviewing applications. When making additional information requests of project sponsors, agencies should be comprehensive. Agencies should avoid “restarting the clock” on

their review timelines when making additional information requests. The intent of this best practice is to reduce the amount of agency time spent re-reviewing applications when project sponsors address incomplete initial applications. Implementation of this best practice can reduce unnecessary back-and-forth between agencies and project sponsors and associated delays.

This recommendation implements the following statutory categories of best practices:

- ii. ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics
- iii. improving coordination between federal and non-federal governmental entities, including through the development of common data standards and terminology across agencies
- v. reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties

10. Advance integration of permitting information technology

Permitting Council member agencies should advance the integration of permitting information technology (IT) systems across government, particularly the use of shared services and case management systems (e.g., for application submission and tracking, tools and templates for applicants, automated application and review, data exchange between agency systems, and acceleration of complex reviews). Case management systems should integrate completeness checklists described in recommended best practice #9 above and enable tracking of key performance indicators identified in recommended best practice #11 below.

Agencies should advance and build on progress made under the FY26 recommended best practice to develop or enhance innovative IT solutions to improve the efficiency and predictability of the environmental review and authorization process.

Agencies can satisfy implementation of this recommended best practice by continuing to implement the requirements of the Council on Environmental Quality (CEQ) [Permitting Technology Action Plan](#) and the Presidential Memorandum, [Updating Permitting Technology for the 21st Century](#).

This recommendation implements the following statutory categories of best practices:

- iii. improving coordination between federal and non-federal governmental entities, including through the development of common data standards and terminology across agencies
- v. reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties
- vi. developing and making available to applicants appropriate geographic information systems and other tools
- ix. using programmatic assessments, templates, and other tools based on the best available science and data

11. Advance key permitting performance indicators

Where applicable, Permitting Council member agencies should advance key performance indicators for tracking 1) timeliness and efficiency of the permitting process; and 2) IT or automated processes supporting environmental reviews and authorizations.

Some examples of these indicators could include:

- Tracking projects in defined project management categories (e.g., active, complete, paused);
- Tracking lead time for issuance of permits;
- Tracking the number of backlogged permits and measuring progress for backlog reductions;
- Using a Gantt chart to track and publish target vs. actual schedules for environmental reviews and authorizations, clearly delineating agency and project sponsor responsibilities across each phase of permitting processes;
- Analyzing and grading agency permitting performance based on differences between target and actual schedules across regions, offices, and staff;
- Identifying and automatically notifying agency and project sponsor contacts when milestones are missed and target and actual schedules diverge,
- Tracking the number and efficacy of capacity building trainings and tools;
- Tracking the number of additional information requests and re-reviews (and associated additional time) needed for permit applications;
- Tracking the number of permitting processes automated; and
- Tracking or soliciting applicants' costs (e.g., fees) incurred during permitting processes.

This recommendation implements the following statutory category of best practices:

- ii. ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics