



Memorandum

Subject: Federal Permitting Dashboard Reporting Standard

December 28, 2018

From: Grover Burthey,
Deputy Assistant Secretary for Transportation Policy

To: Federal Aviation Administration
Federal Highway Administration
Federal Rail Administration
Federal Transit Administration
Alaska Department of Transportation
California Department of Transportation
Florida Department of Transportation
Ohio Department of Transportation
Texas Department of Transportation
Utah Department of Transportation

This memorandum supersedes guidance issued on August 11, 2016 and July 7, 2017. On those dates, the Office of the Assistant Secretary for Transportation Policy (OST) distributed a memorandum outlining reporting standards for the inputting of project data to the [Federal Permitting Dashboard](#) (Dashboard). Permitting Dashboard Administrators (PDA) for each U.S. Department of Transportation (DOT) Operating Administration (OA), and applicable State DOT, are required to follow this reporting standard. Recent enhancements to the Permitting Dashboard and new guidance from the Office of Management and Budget (OMB)¹ and the Federal Permitting Improvement Steering Council (FPISC) identified additional project data that should be uploaded to the Dashboard.

Section 139(o)(1)(A) of Title 23 United States Code (U.S.C.) requires DOT to use the Dashboard to “make publicly available the status and progress of projects requiring an environmental assessment or environmental impact statement,” as well as “to make publicly available the names of participating agencies not participating in the development of project purpose and need and range of alternatives.” Subsection (o)(2)(B) of this same section directs the Secretary to issue reporting standards to meet this requirement. This Memorandum is issued pursuant to such statutory requirement, and shall be implemented accordingly.

Section 139 also encourages State and local agencies participating in the environmental review permitting process to provide information to the Dashboard (§139(o)(2)(B) and requires States with delegated authority for responsibilities under the National Environmental Policy Act (NEPA) to supply status information for all applicable projects (§139(o)(3)). While reporting requirements for DOT projects under the FAST Act differ from those requirements for “covered”

¹ OMB Memorandum M-18-25. September 26, 2018. Modernize Infrastructure Permitting Cross-Agency Priority Goal Performance Accountability System.

projects under Title 41 of the FAST Act, this reporting standard is intended to align requirements to improve tracking of project data for infrastructure projects across the Federal Government and provide increased transparency and accountability.

In addition to requirements contained in 23 U.S.C. 139, Executive Order (E.O.) 13807, “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Project”, which was signed on August 17, 2017, created additional accountability requirements for major infrastructure projects (MIPs). E.O. 13807 requires agencies use One Federal Decision (OFD) process for MIPs. A MIP is defined as an infrastructure project for which multiple authorizations by Federal agencies will be required to proceed with construction, the lead Federal agency has determined that it will prepare an Environmental Impact Statement (EIS) under NEPA, and the project sponsor has identified the reasonable availability of funds sufficient to complete the project. (Section 3(e) of E.O. 13807). Consistent with EO 13807, OMB established a performance accountability system to track compliance with the OFD policy and related provisions for E.O. 13807, including the CAP Goal to Modernize Infrastructure Permitting.

Meeting the reporting requirements in 23 U.S.C. 139 and performance standards in E.O. 13807 is a priority for the Administration. The OAs and applicable State DOTs are required to input target and actual project data to the Dashboard and the Federal Agency Portal on a regular and recurring basis, in accordance with this reporting standard. The OAs and applicable State DOTs are also accountable for any and all actions necessary to meet or exceed such dates to improve the environmental review and permitting process for our transportation infrastructure projects.

Federal Permitting Dashboard Reporting Standard

The Secretary of Transportation has determined that the following agencies shall use the Dashboard to post project data:

DOT OAs:

- Federal Aviation Administration
- Federal Highway Administration
- Federal Railroad Administration
- Federal Transit Administration

The State DOTs that presently assume NEPA responsibilities under 23 U.S.C. 327, including:

- Alaska DOT
- California DOT
- Florida DOT
- Ohio DOT
- Texas DOT
- Utah DOT

The agencies shall use the Dashboard to post the following data for all projects requiring an environmental assessment or environmental impact statement:

Basic Project Information

Agencies shall report the following project data to the Dashboard within 90 calendar days of initiating a project:

- **Title:** Name of the project
- **Transportation Mode:** Operating Administration for the project
- **Description:** Brief description of the project
- **Location:** City, state, county, zip code; or latitude/ longitude
- **Project Sponsor/Applicant Contact Information:** Name, email, and phone number for point of contact at agency or entity sponsoring the project
- **Participating Agencies:** Any agencies the lead agency identifies and invites
- **Participating Agencies that Decline to Participate:** Invited agencies that decline to participate in writing because they have no jurisdiction, no expertise relevant to the project, or do not exercise authority related to development of a project purpose and need and range of alternatives (see 23 U.S.C. 139(o) for more information).
- **Cooperating Agencies:** Any agencies the lead agency identifies and invites
- **Cooperating Agencies that Decline to Participate:** Invited agencies that decline to participate in writing because they do not intend to exercise authority related to the proposed project or do not intend to submit comments.
- **Project Website:** URL for the project website, if one exists.
- **Cost:** Estimated total construction cost of the project
- **One Federal Decision** (for MIPs only): Indicate whether project is being processed in accordance with OFD framework, and if not, specify the reason the project should not be

processed using OFD. If appropriate, select the exception that applies to the project from the options available. For more information on each of the exceptions, please see the *Memorandum of Understanding Implementing One Federal Decision Under Executive Order 13807*².

- **Lead Agency Point of Contact:**
 - Name
 - Title
 - Email Address
 - Phone Number

Permitting Timetable

Agencies are required to identify **all** reviews and authorizations related to the project; additionally, Agencies are required to input target and actual dates for associated milestone events for **all** environmental reviews or authorizations applicable to the project. A milestone is a significant event that is tracked by date for a specific environmental review or authorization decision. See Appendix A for a complete list of the authorizations and associated milestones.

Target dates for milestones shall be based upon best available information. For those projects where the Section 139 environmental review process has been determined to apply, the project schedules included in the required coordination plan³ should be used as the target dates for the Dashboard. For those projects where the OFD process will apply, the target milestones shall be consistent with the schedule to complete the OFD process. Milestones not applicable to the project should be marked as “N/A” in the data entry interface.

For MIP projects, please note that target milestones (initial dates) must be entered on the Dashboard no later than 30 days after the publication of the NOI. For all other projects, target milestones must be entered no later than 90 days after the project has been posted to the Dashboard. For all projects, actual milestones must be reported within 10 calendar days of each milestone’s occurrence.

Milestone Dependencies

Dependencies play a role in identifying reasons for project delays. Agencies should set up project dependencies to represent relationships between Federal permitting milestones in the Dashboard. All dependencies must be created in consultation with the appropriate cooperating or participating agency.

² Office of Management and Budget & Council on Environmental Quality. One Federal Decision Framework for Environmental Review and Authorization Process for Major Infrastructure Projects under Executive Order 13807, (M-18-13). March 20, 2018.

³ 23 U.S.C. 139 requires the lead agency to establish a plan for coordinating with the public and each participating agency for EAs and EISs. The coordination plan is to be established not later than 90 calendar days after the date of publication of the initiation of an EA or not later than 90 calendar days after the NOI date for an EIS.

An example of a valid dependency is the conclusion of Section 106 coordination before a ROD for a Final EIS can be issued. Needing information from state/local/tribal governments before work on a Section 7 review can begin is not an example of a valid dependency⁴.

Action Status

An agency must enter an action status to designate the stage of the environmental review or authorization decision. The action status must be updated as progress occurs. An action can be marked as either “Cancelled,” “Completed,” “In Progress,” “Paused,” or “Planned” on the Permitting Dashboard.

Documenting Pauses

A project’s permitting timetable may be officially paused in the event of delays outside the control of Federal agencies where the new milestone dates cannot be determined. Prior to ‘pausing’ an action on the Dashboard, Agencies must contact Colleen Vaughn, Permitting Dashboard Manager, at (202) 366-7098 or colleen.vaughn@dot.gov to discuss the need for the pause.

The following information should be entered into the Dashboard to account for these “pauses”:

- Date of the pause
- Reason for the pause: Agencies will be prompted in the Federal Agency Portal to select from one of the following reasons for pausing an action: “Awaiting State Government Action,” “Awaiting Local Government Action,” “Awaiting Tribal Government Action,” “Natural Disaster,” or “Project Sponsor Factors” and provide a written summary of the rationale for pausing (see Table 2 in Appendix B for more details on applicable scenarios associated with each reason).
- Date of when the environmental review and/or authorization process was restarted
- Once the agency determines the new milestone date, the agency should change the status of the action back to “In Progress” and update the relevant milestone target date.

Documenting Projects Deemed Completed

For a project to be marked as “Complete,” all Federal actions on the permitting timetable must include all milestone completion dates and the status for all actions must be noted as complete.

Environmental and Community Outcomes

To capture improvements in the quality of and value added by environmental reviews, agencies should provide information on environmental and community outcomes. Environmental and community outcomes are the qualitative and quantitative descriptions of how a project’s projected effects change over time and community-based processes and mitigation measures developed to address those effects. Historically, many of these measures have not been tracked, as cost and time were generally prioritized. CEQ and OMB have identified the following nine “reporting categories” for environmental and community outcomes of a project:

- Air Quality;
- Climate Change;
- Historic and Cultural Resources;

⁴ See the Permitting Dashboard User Guide (Section 4.6.3) for technical instructions on establishing a dependency within the permitting timetable.

- Land;
- Procedural Enhancements;
- Social and Economic Impacts (e.g., environmental justice, displacements);
- Water Resources and Wetlands;
- Wildlife and Biological Resources; and
- Other (e.g., public health improvements).

For more guidance on information collection and reporting on environmental and community outcomes, please refer to section 7 of the [Guidance to Federal Agencies Regarding the Environmental Review and Authorization Process for Infrastructure Projects](#).

Complying with Section 1312 of the FAST Act

Section 1312(e)(2)(C) of the FAST Act requires DOT to “maintain and make publicly available, including on the Internet, a list of projects or programs for which review or permits have been carried out using funds authorized under Section 1312.” To fully meet this requirement, DOT or States shall enter the use of funds authorized under Section 1312 into the Dashboard.

Additional Reporting Requirements for MIPs

In addition to the reporting standards outlined above, MIPs are required to report additional information to the Dashboard to comply with the performance accountability system developed in accordance with EO 13807. The performance accountability system requires agencies to submit information for all MIPs to the Federal Agency Portal (“back-end) of the Permitting Dashboard. The vast majority of project information required to be entered to the Permitting Dashboard for MIPs is the same as that required under 23 U.S.C. 139; the only additional requirements are to:

- Identify the project as an MIP as part of the basic project information;
- Indicate whether the MIP is being processed using the OFD framework, and if not, specify the reason the project should not be processed using OFD; and
- Report the estimated cost to the Government for the environmental review and authorization process. When reporting on the estimated cost, agencies should include the cost of their Full-Time Equivalent (FTE) hours and contractor costs related to the project.

For MIPs, once the project is marked as “Complete,” the milestone dates as provided in the Dashboard will be used to calculate the “Time to Complete Environmental Review and Authorization Decisions” performance indicator. Appendix B of this document lists the “triggering milestones”, which are the specific milestones used to calculate the length of time it takes to complete the processing of environmental reviews and authorization decisions for each project.

See OMB’s *Major Infrastructure Projects Data Management Guide* provided in Appendix B of this document for more information on the general operating procedures and processes for the management of the Permitting Dashboard with respect to MIPs.

For more information

Please direct any questions to Gerry Solomon, Director of the Infrastructure Permitting Improvement Center, at (202) 366-1361 or gerald.solomon@dot.gov, or Colleen Vaughn, Permitting Dashboard Manager, at (202) 366-7098 or colleen.vaughn@dot.gov.

Appendix A: Environmental Review and Authorizations to Include in Permitting Timetables

Agencies shall report the applicable environmental review and/or authorization as well as the applicable milestone information:

Environmental Authorizations:

- Aeronautic Study Determination (FAA)
- Authorization to Incidentally Take Marine Mammals (NOAA)
- Bald and Golden Eagle Projection Permit (FWS)
- Bald and Golden Eagle Programmatic Take Permit (FWS)
- Certificate of Public Convenience and Necessity for Interstate Natural Gas Pipelines (FERC)
- Coastal Zone Management Act Federal Consistency Review (NOAA)
- Conditional Letter of Map Revision (DHS)
- Construction and Operations Plan (DOI)
- Consultation to Protect Essential Fish Habitat (NOAA)
- Consultation to Protect National Marine Sanctuaries (NOAA)
- Fish and Wildlife Coordination Act Review (FWS)
- Floodplain or Wetland Assessment (All Federal agencies)
- Loan Guarantee Program, Title XVII of EPAct 2005 (DOE)
- Migratory Bird Treaty Act Permits (FWS)
- Native American Graves Protection Act Compliance (All Federal agencies)
- Non-Impairment Determination (NPS)
- Notice of Proposed Construction – Form 7460 (FAA)
- National Park Service Permit (NPS)
- Ocean Dumping Permit – Dredged Material (USACE)
- Right-of-Way Authorization (FWS, USACE, BIA, BLM)
- Section 408 Evaluation and Determination (USACE)
- Section 4(f) Determination (DOT/DOI)
- Service Line Agreement (BIA)
- Special Use Permit (FS, NPS)
- USCG Letter of Recommendation for Marine Operations
- Use Authorization (BOR)
- Wild and Scenic Rivers Act Determination/Coordination (BLM, FWS, NPS, or USFS)

In addition to the list above, agencies shall report the following milestones for each of the applicable environmental authorizations listed below.

Environmental Assessments:

- EA Start Date: Date the lead agency documents its determination to prepare an EA
- Draft EA Date: Date of the notice of availability of the draft EA (where applicable).*
- Final EA Date and/or Draft Finding of No Significant Impact (FONSI) Date: Date that the notice of availability of the final EA or draft FONSI is published in the Federal Register (FR) for public review, if applicable, or date EA or draft FONSI is signed (where applicable).*
- Issuance of FONSI: Date signed
- Decision to prepare an EIS: Date the lead agency documents its decision to prepare an EIS, where applicable*
- Issuance of Supplemental EA: Date signed (where applicable)*
- Issuance of Supplemental (or Amended) FONSI: Date signed (where applicable)*

** Indicates the milestone may not always be needed and N/A should be entered if not applicable.*

Environmental Impacts Statements:

- Notice of Intent (NOI) Date: Date the NOI is published in the FR
- Scoping Meeting Date: Date scoping meeting is held.
- Draft EIS (DEIS) Date: Date that the notice of availability of the DEIS is published in the FR, beginning both the public comment period and concurrent Clean Air Act (CAA) Section 309 review
- Final EIS (FEIS) Date: Date that the notice of availability of the FEIS is published in the FR, beginning both the public review period and concurrent CAA Section 309 review
- Supplemental DEIS Date: Date that the notice of availability of the Supplemental DEIS is published in the FR, where applicable*
- Supplemental FEIS Date: Date that the notice of availability of the Supplemental FEIS is published in the FR, where applicable*
- Record of Decision (ROD) or combined FEIS/ROD Date: Date issued
- Issuance of an Amended ROD or combined Supplemental FEIS/Amended ROD: Date issued*

** Indicates the milestone may not always be needed and N/A should be entered if not applicable.*

Bridge Permit

United States Coast Guard

1. Application Received
2. Application Deemed Complete
3. Navigation Data Received
4. Navigation Determination Issued
5. Publication of Public Notice
6. Permit Decision Rendered

Clean Water Act Section 402, NPDES Discharge Permit

Environmental Protection Agency

1. Initial application received
2. Completed application received
3. EPA authorizes discharge under Individual permit

Endangered Species Act Consultation

Department of the Interior/Fish and Wildlife Service

Department of Commerce/NOAA/National Marine Fisheries Service

1. Complete request for Letter of Concurrence received (informal consultation)*
2. Complete Initiation Package received (Initiation of formal consultation)*
3. Conclusion of ESA consultation
 - a. Letter of Concurrence issued (informal consultation) or
 - b. Biological Opinion issued (formal consultation)

** Indicates the milestone may not always be needed and N/A should be entered if not applicable. Milestone number 1 is applicable to informal consultation only and milestone 2 is applicable to formal consultation only.*

DOD Mission Compatibility Evaluation Process, Part 211 of Title 32 CFR

Department of Defense

1. Submit request to the Department of Defense's Military Aviation and Installation Assurance Siting Clearinghouse for a mission compatibility review of proposed project.
2. Issuance of response letter with preliminary determination.

Lease of Power Privilege

Department of the Interior/Bureau of Reclamation

1. Completed application received
2. Issuance of Preliminary Lease
3. Issuance of the Lease of Power Privilege Contract
4. Notice to Construct
5. Action Terminated

Letter of Recommendation for Marine Operations

United States Coast Guard

1. Receipt of Letter of Intent/Preliminary Waterway Suitability Assessment
2. Receipt of Waterway Suitability Assessment
3. USCG Letter of Recommendation to FERC

Magnuson-Stevens Fishery Conservation and Management Act, Section 305 Essential Fish Habitat (EFH) Consultation

NOAA/National Marine Fisheries Service

1. NOAA Initially Contacted Regarding EFH Consultation
2. NOAA Receives the Complete EFH Assessment to Initiate EFH Consultation
3. NOAA Issues a Response to the EFH Consultation Request

Marine Mammal Protection Act (MMPA) Incidental Take Authorization

Department of the Interior/Fish and Wildlife Service

Department of Commerce/NOAA/National Marine Fisheries Service

1. Complete Application Received*
2. Publish Notice of Receipt in the Federal Register (FR)**
3. Publish Proposed Incidental Take Authorization in the FR
4. Publish Final Incidental Take Authorization in the FR**
5. Issue Letter of Authorization**

**Milestone is "dependent" on Action Agency (i.e., not the permitting authority)*

***Indicates the milestone may not always be needed and N/A should be entered if not applicable.*

National Marine Sanctuaries Act, Section 304(d) Consultation

NOAA

1. Initial sanctuary resource statement received¹
2. Office of National Marine Sanctuaries determines that a sanctuary resource statement is complete¹
3. Office of National Marine Sanctuaries makes injury determination* and provides recommended alternatives to Federal Action Agency, as appropriate²
4. Federal Action Agency notifies the Office of National Marine Sanctuaries of its decision in writing¹

¹Milestone "dependent" on Federal Action Agency

²Milestone "dependent" on ONMS

**If ONMS determines that there is no injury, the following milestone (milestone #4) should be entered as N/A*

Section 106 of the National Historic Preservation Act

Advisory Council on Historic Preservation

1. Consultation initiated with SHPO/THPO
2. Notification agency will use NEPA substitution approach [36 CFR 800.8(c)]*
3. Section 106 consultation concluded:
 - a. Finding of no historic properties affected
 - b. Finding of no adverse effect
 - c. Executed Memorandum of Agreement or Programmatic Agreement, or other conclusion to resolve adverse effects reached

** Where applicable*

USACE Regulatory Authorization (Section 10 of the Rivers and Harbors Act of 1899; Section 103 of the Marine Protection, Research, and Sanctuaries Act; and Section 404 of the Clean Water Act)

USACE

1. Pre-construction Notification (PCN)/Form ENG 4345/Joint Application Form Received
2. Complete Pre-Construction Notification (PCN)/Application Received
3. Publication of Public Notice***
4. Final Verification/Permit Decision Rendered.

****Where applicable as a separate step.*

Appendix B: Major Infrastructure Projects Data Management Guide

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Purpose

The Major Infrastructure Projects Data Management Guide sets forth general operating procedures and processes for the management of the Permitting Dashboard with respect to Major Infrastructure Projects (MIPs) as defined in Executive Order 13807⁵. This document is intended to provide guidelines for managing the entry, modification, and completion of permitting timetables for MIPs that are tracked on the Permitting Dashboard (www.permits.performance.gov) in order to meet the requirements of OMB Memorandum M-18-25, *Modernize Infrastructure Permitting Cross-Agency Priority Goal Performance Accountability System* (M-18-25, Accountability System Memorandum⁶) and is a supplement to the *Permitting Dashboard User Guide*⁷, which describes the technical aspects of the Permitting Dashboard.

Agencies must provide information on the six accountability assessment areas by entering it on the Federal Agency Portal of the Permitting Dashboard. Every MIP must be entered in the Federal Agency Portal. For every project, fields corresponding to each relevant environmental review and authorization decision are designed to capture the information necessary for OMB's quarterly Accountability Assessment. For more information on each of the six accountability assessment indicators and other aspects of the Accountability System refer to the Accountability System Memorandum.

The Permitting Dashboard is an online portal used by multiple agencies to track MIPs, FAST-41 covered projects, and DOT projects. The guidelines in this document are specific to MIPs only. For Permitting Dashboard information on FAST-41 covered projects, refer to the *FAST-41 Permitting Dashboard Data Management Guide*⁸. If you are having technical issues with the user interface, please email Carlos Arandia at carlos.arandia.ctr@dot.gov or Colleen Vaughn at colleen.vaughn@dot.gov. If you have any other questions or issues, please send an email to the Accountability System mailbox at PermittingAccountability@omb.eop.gov.

Google Chrome and Mozilla Firefox are the preferred browsers for the best performance when entering data in the Federal Agency Portal of the Permitting Dashboard; however, Internet Explorer can still be used. If you have technical issues, please use the contacts listed above.

⁵ Executive Order 13807. Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects. August 15, 2017.

⁶ Office of Management and Budget. Memorandum for Heads of Executive Departments and Agencies: Modernize Infrastructure Permitting Cross-Agency Priority Goal Performance Accountability System (M-18-25). September 26, 2018.

⁷ Department of Transportation. Permitting Dashboard User Guide. August 20, 2018.

⁸ Federal Permitting Improvement Steering Council. FAST-41 Permitting Dashboard Data Management Guide.

Definitions

Definitions included herein are to be interpreted consistently with Executive Order 13807 and OMB Memorandum M-18-25.

Action: An environmental review or authorization decision as defined in the FAST-41 Implementation Guidance⁹.

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

Anchor date: The first date in a dependency chain upon which other reviews or authorization decisions are reliant.

Dashboard Administrator (for MIPs): Agency representative(s) designated by the Chief Environmental Review and Permitting Officer (CERPO) (there may not be more than eight per agency) to serve as points of contact and assist staff responsible for data entry on technical issues in regards to the major infrastructure projects on the Permitting Dashboard. For more information, please refer to the Permitting Dashboard User Guide.

Appendix B Dependency: Appendix B milestones are found in the most current version of Appendix B of the FAST-41 Implementation Guidance. An Appendix B dependency describes a milestone date on the Permitting Dashboard that is contingent on the completion of another Appendix B milestone found in the permitting timetable and is linked to said action on the permitting timetable.

Milestone: A significant event that is tracked by date for a particular environmental review or authorization decision (see examples in Appendix B of the FAST-41 Implementation Guidance).

Optional Milestone: A field that allows the agency to track additional milestones that are not required by the most current version of Appendix B of the FAST-41 Implementation Guidance but are important to the environmental review and authorization decision process.

Project Status: The designation of the current stage of the project. A project can be marked as either “Cancelled,” “Complete,” “In Progress,” “Paused,” or “Planned” on the Permitting Dashboard.

Triggering Milestone: The milestone within an action, which once marked as “Complete,” indicates that the action is “In Progress.” A list of triggering milestones can be found in Appendix A of this document.

⁹ Office of Management and Budget & Council of Environmental Quality. Memorandum for Heads of Federal Departments and Agencies: Guidance to Federal Agencies Regarding the Environmental Review and Authorization Process for Infrastructure Projects (M-17-14). January 13, 2017.

MANAGEMENT RULES FOR THE PERMITTING DASHBOARD

This section provides guidelines for managing the data on the Permitting Dashboard through three major phases. Phase 1 is for the initial project creation on the Permitting Dashboard. Phase 2 is for the time during which the project is in the “Planned,” “In Progress,” or “Paused” status on the Permitting Dashboard, which includes both establishing (Phase 2A) and updating (Phase 2B) permitting timetables. Phase 3 includes the procedures for changing the project status to “Complete.”

Phase 1: Initial Entry on the Permitting Dashboard

Lead Agency Role

The lead agency is responsible for coordinating with DOT to gain access to the Federal Agency Portal of the Permitting Dashboard. The Dashboard Administrator from the lead agency should send a request to DOT with the names and user roles for each person that will access the Federal Agency Portal.

To initiate a MIP¹⁰, the lead agency is responsible for creating and publishing a project page and inputting a single permitting timetable to the Federal Agency Portal no later than 30 days after publication of the Notice of Intent (NOI)¹¹. Lead and cooperating agencies will work together to develop a single permitting timetable that includes the milestones as set forth in the most current version of Appendix B of the *Guidance to Federal Agencies Regarding the Environmental Review and Authorization Process for Infrastructure Projects* (M-17-14, FAST-41 Implementation Guidance¹²). Coordination with cooperating and participating agencies should be conducted before beginning to input permitting timetable dates as the Federal Agency Portal does not allow incomplete timetables with missing milestone dates to be saved or submitted.

Creating a Project Page

MIP project pages are created on the “Create Permitting Project” page of the Federal Agency Portal. Under the “Major Infrastructure Project” header, select the “Yes” radio button to indicate the project is a MIP. Select “Other Tracked Project” for the “Project Category” dropdown, unless the project is being processed through the FAST-41 framework, in which case select “FAST-41 Covered Project.” Please see the Permitting Dashboard User Guide for more information on establishing the project page¹³.

It is the responsibility of the Dashboard Administrators from the lead agency to publish the MIP project page. For more information on the workflows to publish project pages and permitting timetable actions, see the Permitting Dashboard User Guide¹⁴.

One Federal Decision

¹⁰ In cases where the major infrastructure project is being processed through the FAST-41 framework, the FPISC-OED processes for initiating FAST-41 projects will take precedent over the processes outlined below.

¹¹ Modernize Infrastructure Permitting Cross-Agency Priority Goal Performance Accountability System (M-18-25). Pg. 4

¹² Guidance to Federal Agencies Regarding the Environmental Review and Authorization Process for Infrastructure Projects (M-17-14). January 13, 2017.

¹³ Permitting Dashboard User Guide. August 20, 2018. Section 4.

¹⁴ Permitting Dashboard User Guide. August 20, 2018. Section 5.1.

Because the project is a MIP, the Dashboard Administrator from the lead agency will need to indicate if the project is being processed in accordance with the One Federal Decision framework. On the project's data entry form, ensure that the Major Infrastructure Project radio button is selected as "Yes." Once "Yes" is selected, the "One Federal Decision" tab will appear next to the "Outcomes" tab. Within the "One Federal Decision" tab, indicate if the One Federal Decision framework is being implemented by selecting "Yes," "No," or "No but granted an exception." If appropriate, select the exception that applies to the project. For more information on each of the exceptions, please see the *Memorandum of Understanding Implementing One Federal Decision Under Executive Order 13807*¹⁵.

Project Status

The project status drop-down menu allows the Dashboard Administrator from the lead agency to select from the following options: "Cancelled," "Complete," "In Progress," "Paused," or "Planned." "Planned" status is applicable to any project posted to the Dashboard before the NOI or Notice of Schedule is complete. Because the project page for MIPs is likely to be created after the publication of the NOI to prepare an Environmental Impact Statement (EIS), the project status should be marked as "In Progress." In rare cases, such as the project sponsor updating the scoping of the entire project and milestone dates cannot be determined, a project may be marked as "Paused." More information on circumstances where pausing a project is appropriate can be found in Phase 2B of this document. For the project to be considered "Complete," all action milestones must be completed. See Phase 3 of this document for more details on MIP close-out procedures.

Agency Points of Contact

When creating a MIP project page on the Federal Agency Portal of the Permitting Dashboard, include up-to-date and accurate points of contact for the lead agency and each cooperating or participating agency, or a point of contact for each action as appropriate. Contact information for the project sponsor and lead agency can be added to a project page under the "Organizations" tab within the "Edit Draft" view of the project page. When creating an action under the "Timeline" tab, there is a space to include the cooperating or participating agency's contact information that is responsible for the action. More information on adding agency contact information to the project page within the Federal Agency Portal of the Permitting Dashboard can be found in the Permitting Dashboard User Guide¹⁶.

Phase 2: Managing the Permitting Timetable

The permitting timetable should be developed by the lead agency with the consultation and concurrence of each cooperating and participating agency before a project page is created on the Permitting Dashboard. E.O. 13807 sets a goal for agencies of reducing the time for completing

¹⁵ Office of Management and Budget & Council on Environmental Quality. One Federal Decision Framework for Environmental Review and Authorization Process for Major Infrastructure Projects under Executive Order 13807, (M-18-13). March 20, 2018.

¹⁶ Permitting Dashboard User Guide. August 20, 2018. Section 4.4.

environmental reviews and authorization decisions to an average of not more than two years from publication of a NOI to prepare an EIS to the final Record of Decision (ROD)¹⁷.

Phase 2A: Entering Permitting Timetables

Once developed, the lead agency is responsible for managing and ensuring accuracy of the permitting timetable.

Agency Coordination

Lead agencies are expected to coordinate with cooperating and participating agencies to develop a singular permitting timetable for each MIP. Interagency coordination should occur early in the permitting timetable development process to establish estimated milestone deadlines, to determine potential milestone dependencies, and to identify project specific points of contact within each agency.

Entering Actions and Milestones

The Federal Environmental Review and Authorization Inventory¹⁸, posted on the Permitting Dashboard, lists the actions that are appropriate to include in permitting timetables for MIPs. The Permitting Dashboard uses this inventory to create the list of actions from which a selection can be made when entering a new action for a timetable.

Agencies also have the option of adding optional milestones. The choice to enter an Optional Milestone allows agencies to internally track Federal environmental reviews or authorization decisions that are not listed in the most current version of Appendix B of the FAST-41 Implementation Guidance.

Action Status

On the Federal Agency Portal of the Permitting Dashboard, lead agencies will be able to indicate in the permitting timetable if the status of an action is “Planned,” “In Progress,” “Paused,” “Cancelled,” or “Complete.” When first entering a project, actions should be listed as either “Planned” or “In Progress.” For more information on “Paused,” “Cancelled,” or “Complete” action status, please see Section 2B and Phase 3 of this document.

Planned Action Status

When it is uncertain if a specific environmental review or authorization decision will be required during the course of the project, the action can be included in the permitting timetable and should be marked as “Planned.” An action may also be marked as “Planned” when it is certain the environmental review or authorization decision will be required, but the triggering milestone has not been completed yet. Please see Appendix A for a list of triggering milestones.

Milestone dates will be required for all actions in “Planned” status for projects that are “In Progress.” Coordination between agencies and outside stakeholders should occur to determine

¹⁷ Executive Order 13807 Section 4(a)(i)(B)

¹⁸ <https://www.permits.performance.gov/tools/federal-environmental-review-and-authorization-inventory>

tentative milestone dates for the action. Agencies should estimate dates using their best judgment and best practices found in available guidance when determining dates that will require information provided by other sources.

Specific best practices include:

- For Endangered Species Act (ESA), Marine Mammals Protection Act (MMPA) and Essential Fish Habitat (EFH) permits, resource agencies should follow guidance from the U.S. Fish and Wildlife and National Marine Fisheries Services' Section 7 Consultation Handbook¹⁹.
- For consultation under Section 106 of the National Historic Preservation Act, all Federal agencies should follow guidance from the 2009 Section 106 Archaeology Guidance²⁰ published by the Advisory Council for Historic Preservation.

In Progress Action Status

When work has been initiated on an action milestone or the triggering milestone for the action has been met, the action should be marked as “In Progress.” See Appendix A of this document below for the list of triggering milestones. For the accountability system, OMB will only apply the “Meeting Milestones” performance indicators to milestones in which the action status is “In Progress.”

Appendix B Dependencies

Appendix B dependencies should be used to represent relationships between Federal permitting milestones from Appendix B of the FAST-41 Implementation Guidance entered in the Permitting Dashboard. Appendix B dependencies should not include optional milestones or factors that are not listed in the most current version of Appendix B of the FAST-41 Implementation Guidance. An example of a valid Appendix B dependency is the conclusion of Section 106 coordination before a ROD for a Final EIS can be issued. Needing information from state/local/tribal governments before work on a Section 7 review can begin is not an example of a valid dependency.

Please see the Permitting Dashboard User Guide²¹ for technical instructions on establishing the Appendix B dependency within the permitting timetable. All Appendix B dependencies must be created in consultation with the appropriate cooperating or participating agency. If there are multiple Appendix B dependencies that all stem from one anchor date, the system will allow a chain of dependent actions to be entered as long as dates are identified for all milestones.

Phase 2B: Updating Permitting Timetables

¹⁹ U.S. Fish and Wildlife Service and National Marine Fisheries Service. *Endangered Species Act Consultation Handbook*. 1998.

²⁰ Advisory Council for Historic Preservation. *Section 106 Archaeology Guidance*. 2009.

²¹ Permitting Dashboard User Guide. August 20, 2018. Section 4.6.3

At a minimum, the lead agency, in consultation with cooperating and participating agencies, must review and update the permitting timetables for MIPs at least quarterly²².

Changing Milestone Dates

Lead agencies, in consultation with cooperating and participating agencies, will be responsible for updating the status and milestone dates of major milestones for all applicable agency actions. Lead agencies may delegate the task of updating milestones for specific environmental reviews and authorization decisions to the cooperating or participating agencies but will be responsible for approving and publishing any changes to the permitting timetable.

When changing milestone dates for actions that are “Planned” or “In Progress,” agencies will be required to select from a dropdown list of reasons for the milestone date change and to provide a written summary of the rationale for the change and a short description of the steps taken to consult with cooperating and participating agencies and external stakeholders to determine the new milestone date.

The Federal Agency Portal of the Permitting Dashboard will prompt the agency to select one of the following reasons (Table 1) for changing the milestone target date: internal agency factors, interagency coordination factors, state government factors, local government factors, tribal government factors, natural disasters, project sponsor factors, dependency related factors, ahead of schedule, updating planned date, project pause, or data entry error. Table 1 includes potential scenarios of when to use each reason; however, the list is not exhaustive.

Table 1. Possible Scenarios for Acceptable Reasons for Date Change

Reason for Date Change	Possible Scenarios or Examples
Internal agency factors	<ul style="list-style-type: none"> • There are agency capacity or resource issues. • There is additional time required to comply with internal agency procedures or review processes. • There are changes in an agency’s policies, guidelines, or regulations. • There is a lapse of Federal funding.
Interagency coordination factors	<ul style="list-style-type: none"> • There are delays in interagency coordination. • There are interagency disputes. • There are interagency communication issues.

²² Executive Order 13807 Section 5(a)(ii)

Reason for Date Change	Possible Scenarios or Examples
State government factors	<ul style="list-style-type: none"> • There are unresolved state trust land rights-of-way impact issues. • There are unresolved issues between Federal and state agencies related to environmental impact assessment, endangered species, or air or water quality permitting. • There are unresolved state sovereignty issues for riparian and coastal lands, water, or fisheries.
Local government factors	<ul style="list-style-type: none"> • There are unresolved conflicts with local, county, or city zoning. • There are unresolved payment in lieu of tax issues. • There are unresolved impacts on recreational or protected areas.
Tribal government factors	<ul style="list-style-type: none"> • There are unresolved tribal government economic, environmental, or realty concerns about a project. • There are unresolved cultural resource or religious issues. • There are unresolved impacts on water, mineral, oil and gas rights, or aboriginal hunting or fishing rights. • There are unresolved Bureau of Indian Affairs concerns, or legal and policy issues involving project impacts on Native American or Alaska Native communities.
Project sponsor factors	<ul style="list-style-type: none"> • A project sponsor needs more time to submit required information to an agency. • There are financing issues identified by the project sponsor. • There are litigation issues identified by the project sponsor.
Dependency related factors	<ul style="list-style-type: none"> • A milestone is dependent upon another milestone as included in the most recent version of Appendix B in the FAST-41 Implementation Guidance that has been changed. (For example, a consultation period cannot begin until the application or request to initiate consultation is deemed “Complete.”)
Ahead of schedule	<ul style="list-style-type: none"> • A milestone was completed ahead of schedule and will be updated with an earlier completion date.
Data entry error	<ul style="list-style-type: none"> • A target milestone completion date was entered erroneously (e.g., wrong calendar year).
Natural disaster	<ul style="list-style-type: none"> • Necessary schedule changes directly resulting from an emergency situation created by a natural disaster.
Project pause	<ul style="list-style-type: none"> • This reason for date change is only available for 30 days after a project status moves from “Paused” to “In Progress.” Can be selected if the milestone date needs to be changed due to the length of time the project status was “Paused.”

Reason for Date Change	Possible Scenarios or Examples
Updating planned date	<ul style="list-style-type: none"> This reason for date change is only available if the action status is “Planned.”

After modification, an updated permitting timetable should be shared with each cooperating and participating agency point of contact and to the project sponsor²³.

Missed Milestone Dates

The Permitting Dashboard will send an email notification to the lead and cooperating and participating agency’s point of contact 15 days prior to the milestone deadline, informing the agency of the impending target date. Agencies will have up to five (5) business days to update a milestone target date that has passed (e.g., mark the milestone as complete, change the target completion date) before it is considered a missed milestone²⁴. Because users from cooperating agencies cannot publish actions, ample time should be left for the lead agency’s Dashboard Administrator to move a change from “Needs Review” to “Published to Federal Agency Portal.” Lead agencies should closely coordinate with cooperating agencies to ensure changes are made and published in a timely manner.

Elevation Procedures

For MIPs, agencies are required to establish and implement a process that elevates schedule delay issues to senior agency officials²⁵. The elevation procedure should be used when it is anticipated that one or more milestones will be missed or need to be extended, creating a delay of more than 30 days from the final target completion date of the relevant agency action²⁶. Agencies will not be required to use the elevation procedures if the missed milestone target date is associated with an action that is in “Paused” status. The elevation procedure is evaluated as one of the accountability system performance indicators and the degree to which an agency uses the elevation procedure as appropriate is evaluated as part of the agency’s quarterly Accountability Assessment. Missed milestone dates will be tracked on the Federal Agency Portal of the Permitting Dashboard. When a milestone is missed or is modified in a way that has the potential to trigger an elevation procedure, a task will be created under the user’s “Pending Tasks” tab within the Permitting Dashboard. The user will be prompted to select whether or not elevation procedures were used within the “Task Response” column.

²³ One Federal Decision Framework for Environmental Review and Authorization Process for Major Infrastructure Projects under Executive Order 13807 (M-18-13). March 20, 2018. Section VII.C.1

²⁴ Modernize Infrastructure Permitting Cross-Agency Priority Goal Performance Accountability System (M-18-25). Pg. 5

²⁵ Executive Order 13807 5(a)(iii)

²⁶ Elevation should be completed in accordance with the Elevation Procedures submitted by the agency to OMB.

Pausing Actions

Lead agencies are allowed to “Pause” actions on the Permitting Dashboard when issues beyond the jurisdiction of the Federal, state, local, or tribal governments cause unforeseen delays and new milestone dates are impossible to estimate. If an agency can still make progress on the environmental review process, they should not yet pause an action. Similarly, if an agency can, through outreach and coordination, estimate new dates, they should update the affected milestone target completion dates accordingly. Prior to changing an action to “Paused,” the lead agency should coordinate with cooperating and participating agencies and external stakeholder(s) to the maximum extent reasonable to determine a new milestone date.

For example, if an agency is waiting on the project sponsor to submit additional information in order to complete an authorization decision and the project sponsor cannot provide an estimated date for providing the information, the agency can mark the status of the action as “Paused” and list the reason for pause as “Project Sponsor Factors.” Once the agency receives the estimated date for receiving the required information from the project sponsor, the agency should change the status of the action back to “In Progress,” update the relevant milestone target dates, and list the reason for date change as “Project Sponsor Factors”²⁷.

Agencies will be prompted in the Federal Agency Portal to select from one of the following reasons (Table 2) for pausing an action: “Awaiting State Government Action,” “Awaiting Local Government Action,” “Awaiting Tribal Government Action,” “Natural Disaster,” or “Project Sponsor Factors” and provide a written summary of the rationale for pausing. The written summary should include descriptions of how the paused date impacts other aspects of the permitting timetable, any coordination with potentially affected agencies that occurred, and if the agency CERPO and/or lead agency CERPO has been made aware of the delay and the possible effect it may have on the project. While the action is in “Paused” status, the summary should be updated at least quarterly. Table 2 includes potential scenarios of when to use each reason for pause; however, the list is not exhaustive.

²⁷ Notification email is sent to lead and responsible agencies when a “Paused” project is updated to be “In Progress.” The notification email informs the agencies of the change and indicates they should update dates accordingly.

Table 2. Possible Scenarios for Acceptable Reasons for Pausing a Project or Action

Reason for Pause	Applicable Scenarios for When Milestone Date Cannot be Determined
Awaiting state government action	<ul style="list-style-type: none"> • There are unresolved state trust land rights-of-way impact issues. • There are unresolved issues between Federal and state agencies related to environmental impact assessment, endangered species, or air or water quality permitting. • There are unresolved state sovereignty issues for riparian and coastal lands, water, or fisheries.
Awaiting local government action	<ul style="list-style-type: none"> • There are unresolved conflicts with local, county, or city zoning. • There are unresolved payment in lieu of tax issues. • There are unresolved impacts on recreational or protected areas.
Awaiting tribal government action	<ul style="list-style-type: none"> • There are unresolved tribal government economic, environmental, or realty concerns about a project. • There are unresolved cultural resource or religious issues. • There are unresolved impacts on water, mineral, oil and gas rights, or aboriginal hunting or fishing rights. • There are unresolved Bureau of Indian Affairs concerns, or legal and policy issues involving project impacts on Native American or Alaska Native communities.
Project sponsor factors	<ul style="list-style-type: none"> • A project sponsor needs more time to submit required information to an agency. • There are financing issues identified by the project sponsor. • There are litigation issues identified by the project sponsor.
Natural disasters	<ul style="list-style-type: none"> • Necessary schedule changes directly resulting from an emergency situation created by a natural disaster.

Cancelled Action Status

If an action was entered when the permitting timetable was first created and work has been initiated, but the action was later deemed unnecessary, the user may change the status of the action to “Cancelled.” Any milestones that were completed prior to the action being deemed unnecessary should have accurate completion dates. For transparency, “Cancelled” actions will remain on the project’s permitting timetable and cannot be deleted.

Deleting Actions

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

System mailbox at PermittingAccountability@eop.omb.gov with the project name, action to be deleted, and a brief description of why the action is no longer necessary as part of the environmental review process.

Pausing Projects

In extreme cases, such as the project sponsor updating the scoping of the entire project, the pause may occur at the project level. Agencies will be prompted in the Federal Agency Portal to select from one of the following reasons for pausing a project (Table 2): “Awaiting State Government Action,” “Awaiting Local Government Action,” “Awaiting Tribal Government Action,” “Natural Disaster,” or “Project Sponsor Factors.” The written summary should include descriptions of how the paused project impacts other aspects of the permitting timetable, any coordination with potentially affected agencies that occurred, and if the agency CERPO and/or lead agency CERPO has been made aware of the delay and the possible effect it may have on the project. While the project is in “Paused” status, the summary should be updated at least quarterly

When a project status is changed from “Paused” back to “In Progress,” a notification is sent to the lead and cooperating and participating agencies to let them know they should update the permitting timetable accordingly.

Phase 3: Project Close-Out Procedures

Requirements for the Environmental Review and Authorization Decision of a Major Infrastructure Project to be Deemed Complete

The following steps are required to be taken by the lead agency for the environmental review and authorization decision process of a MIP to be marked as “Complete.” Coordination between lead and cooperating and participating agencies is required to ensure accuracy of information provided on the permitting timetable.

1. All Federal actions on the permitting timetable must include all milestone completion dates and the status for all actions must be noted as complete. If state/local/tribal governments have opted in, those actions must also be marked as “Complete.” The lead agency should coordinate with responsible agencies to ensure the accuracy of applicable action and milestone dates.
2. The project status should be changed to “Complete.” Once the project is marked as “Complete,” the milestone dates as provided will be used to calculate the “Time to Complete Environmental Review and Authorization Decisions” performance indicator and will be reported as part of OMB’s quarterly Accountability Assessment.

3. The lead agency, in consultation with cooperating and participating agencies, must report the estimated cost to the government for the environmental review and authorization decision process²⁸.

²⁸ Estimated costs to the government for the environmental review and authorization project should be calculated in accordance with the Cost Methodologies submitted by the agency to OMB. Additional guidelines will be provided by OMB. Functionality is not yet available on the Permitting Dashboard.

Appendix A. Triggering Milestones

Agency	Action	Triggering Milestone
Various	Environmental Impact Statement	Issuance of Notice of Intent to prepare an Environmental Impact Statement
	Environmental Assessment	Determination to prepare an Environmental Assessment
Advisory Council on Historic Preservation	Section 106 Review	Consultation initiated with SHPO/THPO
Department of Commerce	Marine Mammal Protection Act (MMPA) Incidental Take Authorization – DOC – NOAA/NMFS	Complete Application Received
	Magnuson-Stevens Fishery Conservation and Management Act, Section 305 Essential Fish Habitat (EFH) Consultation	NOAA Receives the Complete EFH Assessment to Initiate EFH Consultation
	National Marine Sanctuaries Act, Section 304(d) Consultation – NOAA	Office of National Marine Sanctuaries determines that a sanctuary resource statement is complete
	Endangered Species Act Consultation (NOAA-NMFS)	Consultation Package Deemed Complete – Formal
		<i>If above milestone is marked as NA, then: Request for ESA Consultation Received</i>
Department of Defense	DOD Mission Compatibility Evaluation Process, Part 211 of Title 32 CFR	Submit request to the Department of Defense’s Military Aviation and Installation Assurance Siting Clearinghouse for a mission compatibility review of proposed project
Department of Interior	Lease of Power Privilege (DOI-BOR)	Completed application received

Agency	Action	Triggering Milestone
	Marine Mammal Protection Act (MMPA) Incidental Take Authorization – DOI USFWS	Completed application received
	Endangered Species Act Consultation (DOI-FWS)	Consultation Package Deemed Complete – Formal
		<i>If above milestone is marked as NA, then: Request for ESA Consultation Received</i>
Environmental Protection Agency	Clean Water Act Section 402 NPDES Discharge Permit for EPA issued	Completed application received
US Army Corps of Engineers	Section 404 Clean Water Act	Complete Pre-Construction Notification (PCN)/Application Received
	Section 10 of the Rivers and Harbors Act of 1899	Complete Pre-Construction Notification (PCN)/Application Received
	Section 103 of the Marine Protection, Research, and Sanctuaries Act	Complete Pre-Construction Notification (PCN)/Application Received
	Section 10 Rivers and Harbors Act of 1899 and Section 404 Clean Water Act	Complete Pre-Construction Notification (PCN)/Application Received
	Section 10 Rivers and Harbors Act of 1899 and Section 103 Marine Protection, Research, and Sanctuaries Act	Complete Pre-Construction Notification (PCN)/Application Received
	Section 404 Clean Water Act and Section 103 Marine Protection, Research, and Sanctuaries Act	Complete Pre-Construction Notification (PCN)/Application Received
	Section 404 Clean Water Act, Section 10 Rivers and Harbors Act of 1899, and Section 103 Marine Protection, Research, and Sanctuaries Act	Complete Pre-Construction Notification (PCN)/Application Received

Agency	Action	Triggering Milestone
United States Coast Guard	USCG Bridge Permit	Application Deemed Complete
	USCG Letter of Recommendation for Marine Operations	Receipt of Letter of Intent/Preliminary Waterway Suitability Assessment