

OVERVIEW OF ENVIRONMENTAL REVIEW PROCESS FOR EA

*Note: This chart is organized to best meet the OFD timeframe from EA start / NOI to FONSI, and applicable timeframes for authorization. The timing of the concurrence points within the NEPA process are suggested to help best meet the timeframe and prevent delays to the project schedule by ensuring agencies address key concerns early in the environmental review process.*

Agency (Action)	Citations	Commitments / Responsibilities	PEL <sup>1</sup> / Early Coordination / Scoping (23 CFR 771.119(b))	Non-Major Project EA 1 Year <sup>2</sup> (EA Start to EA Publication or made available) <sup>3</sup>					Permit and Authorization Decisions					
				EA Start / NOI (optional)	15 days recommended	Maximum 10 months	Maximum 30 days (23 U.S.C. 139(g)(2)(B))	EA Process Concluded						
FHWA / FTA / FRA (NEPA Lead Federal Agency for Project) in coordination with project sponsor	NEPA (as modified by the Fiscal Responsibility Act) (42 U.S.C. 4321 – 4336e)  CEQ's NEPA regulations (40 CFR 1500 – 1508)  Joint NEPA regulations (23 CFR 771)  23 U.S.C. 139 <sup>4</sup>     FHWA efficient environmental reviews for project decision-making (23 U.S.C. 139(f)(4)(E)(ii))	<ul style="list-style-type: none"> <li>Ensure the project sponsor develops a clear statement of project purpose and need and reasonable range of alternatives.</li> <li>Engage Cooperating / Participating Agencies, where appropriate or required, and the public in the development of coordination / involvement plans, schedule / permitting timetable, analysis methodologies, range of alternatives, and mitigation measures.</li> <li>Respond to comments, make decisions in accordance with timeframes established in law, regulations, and the agreed upon project schedule, concurrent reviews, and concurrence.</li> <li>Ensure there is a consolidated project file that documents agencies' determinations.</li> <li>Determine whether Single environmental document will be prepared (to the maximum extent practicable).</li> <li>Report permitting timetable to the Dashboard.</li> <li>Coordinate with cooperating / participating agencies, where appropriate or required, for updates / management of milestones on the Dashboard.</li> </ul>	<p>NEPA Lead Federal Agency may:</p> <ul style="list-style-type: none"> <li>Identify potential joint lead, Cooperating, and Participating Agencies for the project.</li> <li>Develop a draft Purpose and Need, including coordination with cooperating agencies.</li> <li>Develop a draft Coordination Plan that includes a permitting timetable, in coordination with cooperating agencies.</li> <li>Identify community and stakeholders affected and develop a Public Involvement Plan.</li> <li>Identify draft Range of Alternatives.</li> <li>Determine the extent of analysis needed for each resource.</li> <li>Initiate applicable resource surveys/studies.</li> <li>Identify potentially significant environmental issues.</li> <li>Identify potential mitigation strategies.</li> <li>Send invitation letters to potential Cooperating / Participating Agencies.</li> <li>Coordinates with cooperating / participating agencies, and project sponsor or applicant on draft Permitting Timetable and draft NEPA Purpose &amp; Need and draft range of alternatives.</li> </ul>	<p>NEPA Lead Federal Agency determines to prepare an EA, or issues an NOI for preparation of EA (optional).</p> <ul style="list-style-type: none"> <li>Provides coordination plan with schedule / permitting timetable to cooperating/participating agencies, project sponsor, and make available to the public. (23 U.S.C. 139(g)(1)(F))</li> <li>Seeks concurrence on schedule / permitting timetable from joint lead, cooperating and participating agencies. (40 CFR 1501.10(a); 23 U.S.C. 139(g)(1)(B)(i))</li> </ul> <p>NEPA Lead Federal Agency determines whether to use a single environmental document (to the maximum extent practicable) in coordination with Cooperating Agencies.</p>	Scoping period (optional public comment period)	Develop Environmental Assessment.	NEPA Lead Federal Agency: - Circulate the EA for comment. - Must make the document available for public inspection. (if a public hearing is held, must be available for at least 15 days in advance of public hearing).	NEPA Lead Federal Agency determines whether: - To issue a FONSI. - To begin preparation of an EIS.  If a FONSI will be issued, the NEPA Lead Federal Agency: - Determines whether a Single FONSI will be issued. - Provides public notice by posting EA / FONSI on an agency website.  Applicant sends a notice of availability of the FONSI to affected units of Federal, State and local government.	No timeline specified in statute or regulation unless EA follows Sec. 139 process.  Sec. 139 EAs: All required permit approvals received 180 days after FONSI, or 180 days after the date the application was submitted. (23 U.S.C. 139(h)(7)(B)(ii))					
				<b>Major Project EA following 23 U.S.C. 139 2 Years<sup>5</sup> (EA Start to FONSI or decision to prepare an EIS)<sup>6</sup></b>					EA Start / NOI (optional)	30 days recommended	Maximum 22 months	Maximum 30 days (23 U.S.C. 139(g)(2)(B))	EA Process Concluded	All required permit approvals received within 90 days.  Lead NEPA Federal Agency may extend the deadline. (23 U.S.C. 139(d)(10))
				NEPA Lead Federal Agency determines to prepare an EA or issues an NOI for preparation of EA.	Scoping period (optional public comment period).	Develop Environmental Assessment.	NEPA Lead Federal Agency: - Circulate the EA for comment. - Must make the document available for public inspection (if a public hearing is held, must be available for at least 15 days in advance of public hearing).	NEPA Lead Federal Agency determines whether: - To issue a FONSI. - To begin preparation of an EIS.  If a FONSI will be issued, the NEPA Lead Federal Agency: - determines whether a Single FONSI will be issued.  Applicant sends a notice of availability of the FONSI to affected units of Federal, State and local government.						
				<b>Complete within 30 days of EA Start / NOI</b>										
<b>Complete within 45 days of EA Start / NOI</b> Resolve identification of participating agencies (23 U.S.C. 139(d)(2))														
<b>Complete within 90 days of EA Start / NOI</b> Resolve draft Coordination Plan Publish permitting timetable to the Dashboard (23 U.S.C. 139(g)(1)(A))														

<sup>1</sup> PEL is an optional approach to integrate planning and environmental review processes. It may be implemented using the statutory and/or regulatory PEL authorities.

<sup>2</sup> The NEPA Lead Federal Agency may extend the timeframe for a non-Major Project EA in consultation with the project sponsor. (42 U.S.C. 4336(a)(g)(1))

<sup>3</sup> The EA process concludes with a FONSI, or a determination to prepare an EIS. Issuing an NOI for an EA is optional. If the agency issues a notice of intent (NOI) to prepare an EA, the 1-year timeframe is measured from NOI to the date when the agency publishes an environmental assessment. [NEPA Sec. 107(g)(1)(B) and 40 CFR 1501.10(b)(4)(i)]

<sup>4</sup> The Sec. 139 environmental review process may be applied to any project that requires the preparation of an environmental document if requested by a project sponsor, and if the Secretary determines it to be appropriate (23 U.S.C. 139(b)(1)).

<sup>5</sup> The schedule for the major project should be consistent with an agency average of not more than 2 years. For major projects, the lead agency may lengthen a schedule for a cooperating Federal agency by not more than one year after the latest deadline established for the major project by the lead agency.

<sup>6</sup> If the agency issues a notice of intent (NOI) to prepare an EA for a major project, (optional), the agency average of not more than 2-years timeframe is measured from NOI to FONSI.

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OVERVIEW OF ENVIRONMENTAL REVIEW PROCESS FOR EA

Agency (Action)	Citations	Commitments / Responsibilities	Early Coordination / Scoping (23 CFR 771.119(b))	EA Start / NOI (optional)	30 days	EA Development	EA Publicly Available	EA Process Concluded	Permit and Authorization Decisions
FWS / NMFS (ESA)	Endangered Species Act (16 U.S.C. 1531-1544)	<ul style="list-style-type: none"> <li>-Engage in early project coordination, including comments on purpose and need, screening of preliminary alternatives, permitting timetable development, and other relevant issues as applicable.</li> <li>-Provide comments / decisions in accordance with timeframes established by statute, regulations and / or the agreed upon project schedule.</li> <li>-Specify any information needed for authorizations / decision-making early in the process, to the maximum extent practicable.</li> <li>-Ensure there is a consolidated project file that documents agencies' determinations.</li> <li>-Determine whether Single environmental document will be prepared (to the maximum extent practicable).</li> </ul>	<p>NEPA Lead Federal Agency seeks technical assistance with FWS / NMFS, as appropriate, on natural resource concerns under FWS / NMFS jurisdiction (e.g., T&amp;E species, wetlands, streams, migratory birds, bald and golden eagles, etc.); Applicant obtains an official species list for species under FWS / NMFS jurisdiction; NEPA Lead Federal Agency conducts any species surveys / habitat assessments. (Some surveys may need to be conducted at specific times of year); Synchronize Federal permit with NEPA processes for Single environmental document or cooperating / participating agency role.</p>	<p>NEPA Lead Federal Agency develops Biological Assessment (BA) in coordination with USFWS / NMFS and submits this to USFWS / NMRS (use relevant ESA webtools and Natural Heritage data where possible).<sup>7</sup></p> <p style="text-align: center;"><b>Request for ESA Consultation Received</b></p>		<p>USFWS / NMFS coordination with NEPA Lead Federal Agency on any additional information needed for BA, if necessary;</p> <p><b>Consultation Package deemed complete.</b></p>	<p>FWS / NMFS Prepares Biological Opinion (135 days maximum from receiving complete BA, unless agreed upon extension (50 CFR 402.14(3)) or Letter of Concurrence.</p> <p><b>Conclusion of ESA Consultation</b> with issuance of Biological Opinion or Letter of Concurrence.</p>	<p>All required permit approvals received within 90 days.</p> <p>Lead NEPA Federal Agency may extend the deadline. (23 U.S.C. 139(d)(10))</p>	
NMFS (MSA / EFH)	Magnuson Steven Act (16 U.S.C. 1801 <i>et seq</i> )	<ul style="list-style-type: none"> <li>-Specify any information needed for authorizations / decision-making early in the process, to the maximum extent practicable.</li> <li>-Ensure there is a consolidated project file that documents agencies' determinations.</li> <li>-Determine whether Single environmental document will be prepared (to the maximum extent practicable).</li> </ul>	<p>NEPA Lead Federal Agency seeks technical assistance with NMFS on essential fish habitat, as appropriate. If the lead action agency determines EFH will be adversely affected, the lead action agency provides notification to NMFS and will submit an EFH Assessment; Synchronize Federal permit with NEPA processes for Single environmental document or cooperating / participating agency role.</p>	<p>NEPA Lead Agency develops Essential Fish Habitat (EFH) Assessment and submits to NMFS (use relevant EFH webtools and resources where possible).</p> <p style="text-align: center;"><b>Request for EFH Consultation Received</b></p>		<p>NMFS coordination with NEPA Lead Federal Agency on any additional information necessary for EFH Assessment;</p> <p><b>Consultation Package deemed complete.</b></p>	<p>NMFS responds with issuance of any conservation recommendations (if necessary) 30-60 days after Consultation Package deemed complete;</p> <p>NEPA Lead Federal Agency responds within 30 days of receipt of conservation recommendations (if any), and no more than 10 days before the final action, with information on how it will proceed with the action; the Federal agency must explain its reasons for not following the recommendations, including the scientific justification for any disagreements with NMFS over the anticipated effects of the action and the measures needed to avoid, minimize, mitigate, or offset such effects.</p>		
FWS/NMFS (MMPA)	Marine Mammal Protection Act (16 U.S.C. 1361-1423)		<p>The applicant coordinates with NMFS on MMPA on the appropriate type of authorization for marine mammal species under NMFS jurisdiction: a) Incidental Harassment Authorization (IHA); or b) Letter of Authorization (LOA). The applicant coordinates with FWS on appropriate MMPA authorization for manatees, sea otters, Pacific walruses, and polar bears: a) Incidental Harassment Authorization (IHA); or b) Incidental Take Regulations (ITR) with associated letters of authorization (LOAs); Synchronize Federal Permit with NEPA</p>	<p><b>IHAs:</b> The Applicant continues pre-application coordination with NMFS and continues pre-request coordination with FWS (for requests for IHA). Applications for IHAs should be submitted at least 5 - 8 months prior to the requested ITA issuance date.</p>	<p><b>Complete application submitted / received</b> when Preferred Alternative identified (Once application is determined "adequate and complete," by NMFS / FWS the agencies work to process the IHA).</p>	<p>For IHAs, once a complete application is received (deemed complete), a proposed IHA is prepared and will be published in the FR for a 30-day review (can be extended to 45 days-NMFS only) and internal NMFS / FWS ESA consultations (if needed) is initiated and internal NEPA process is initiated, if not doing a joint NEPA document. After completion of review and addressing all public comments received and final determinations are made the final IHA is either issued or denied.</p>			

<sup>7</sup> Biological assessments are prepared for major construction activities and are described at 50 CFR 402.12. That said, including the items described at 50 CFR 402.14(c) (for formal consultations) in the biological assessment will help ensure consultation is completed expeditiously. Except for the statutes and regulations cited, the contents of this chart do not have the force and effect of law and are not meant to bind the States or the public in any way. The chart is intended only to provide clarity regarding existing requirements under the law or agency policies. It is not legally binding in its own right and will not be relied upon by the Department as a separate basis for affirmative enforcement action or other administrative penalty.

OVERVIEW OF ENVIRONMENTAL REVIEW PROCESS FOR EA

Agency (Action)	Citations	Commitments / Responsibilities	Early Coordination / Scoping (23 CFR 771.119(b))	EA Start / NOI (optional)	30 days	EA Development				EA Publicly Available	EA Process Concluded	Permit and Authorization Decisions
			processes for Single environmental document or cooperating / participating agency role.	<p><b>LOAs:</b> Application for ITR and associated LOA should be submitted to NMFS at least 9 months, preferably 15 months in advance of requested issuance date. LOAs requested and applicable under existing ITRs for FWS should be submitted at least 90 days prior to the requested ITA issuance date</p>		<p><b>Complete Application Received;</b> NMFS reviews application for completeness; FWS reviews request for completeness NMFS / FWS requests additional information as necessary.</p>	<p><b>Publish Notice of Receipt in the FR;</b> 30-day public review / comment period (NMFS only).</p>	<p><b>Publish Proposed ITR in the FRA (and initiation of any needed internal ESA consultation ;</b> 30-45-day public review comment period</p>	<p>NMFS or FWS publishes final rule (and concludes any needed internal ESA consultation )</p>	<p>30-day cooling off period; <b>Incidental Take Authorization Decision Rendered.</b> FWS or NMFS processes LOAs as outlined in ITRs</p>		
<b>FWS (MBTA / BGEPA permits or Right-Of-Way Authorization)</b>	MBTA 16 U.S.C. 703-712 BGEPA 16 U.S.C. 668-668d	<p>- Engage in early project coordination, including comments on purpose and need, screening of preliminary alternatives, permitting timetable development, and other relevant issues as applicable.</p> <p>- Provide comments / decisions in accordance with timeframes established by statute, regulations and / or the agreed upon project schedule.</p> <p>- Specify any information needed for authorizations / decision-making early in the process, to the maximum extent practicable.</p> <p>- Ensure there is a consolidated project file that documents agencies' determinations.</p> <p>- Determine whether Single environmental document will be prepared (to the maximum extent practicable).</p>	NEPA Lead Federal Agency coordinates with FWS for all applicable determinations. Exchange of preliminary information including the identification of any relevant migratory bird or bald and golden eagle permits and needed surveys. Synchronize Federal permit with NEPA processes for Single environmental document or cooperating / participating agency role.	NEPA Lead Federal Agency develops assessment of resources for all applicable determinations AND develops preliminary mitigation in coordination with resource agencies. <b>Initial application received</b>		FWS makes a determination and, if applicable, NEPA Lead Federal Agency issues a written response ( <b>Issuance of decision for permit/approval</b> )						
<b>FWS/NMFS (FWCA)</b>	Fish and Wildlife Coordination Act 16 U.S.C. 661-666e		NEPA Lead Federal Agency submits pre-application and coordinates with resource / permitting agencies for all applicable determinations. Exchange of preliminary information. FWS / NMFS provides early input regarding resource concerns and opportunities, highlights significant resource issues, planning objectives for fish and wildlife resources, and conservations measures as appropriate. <b>Action Agency requests consultation regarding conservation of fish and wildlife resources.</b> Synchronize Federal Permit with NEPA processes for Single environmental document or cooperating / participating agency role.	NEPA Lead Federal Agency develops assessment of resources for all applicable determination. Develops preliminary mitigation in coordination with resource agencies.	NEPA Lead Federal Agency addresses public comments from Scoping. Resource agencies prepare additional comments on outstanding resource information needs, effects, etc. Mitigation commitments are incorporated into the project	FWS / NMFS finalized any additional input or response to information from the public comment period. <b>Fish and Wildlife Coordination Act review concluded.</b> FWS / NMFS either issues recommendation to conserve, mitigate, or enhance fish and wildlife resources, or the review concludes with no recommendation.						
<b>SHPO / THPO / ACHP (NHPA)</b>	Section 106 of the National Historic Preservation Act of 1966 (NHPA) (54 U.S.C. 306108) Implementing regulations (36 CFR 800)		NEPA Lead Federal Agency identifies potential Section 106 consulting parties; Collects data on existing Historic Properties in project area; Early engagement with stakeholders.	<b>Consultation initiation with SHPO / THPO;</b> NEPA Lead Federal Agency invites consulting parties.	NEPA Lead Federal Agency - defines Area of Potential Effect - assesses adverse effects - identifies historic properties - conducts archaeological surveys (Fieldwork may be seasonal)	Consultation to resolve adverse effects (if needed)				<b>Section 106 process concluded;</b> no historic properties affected; Finding of no adverse effect; memorandum of agreement or programmatic agreement; or other conclusion to resolve adverse effects reached	All required permit approvals received within 90 days  Lead NEPA Federal Agency may extend the deadline (23 U.S.C. 139(d)(10))	
<b>USACE (CWA Section 404 / RHA Section 10 Permit)</b>	Clean Water Act (33 U.S.C. 1251 et seq.) Section 404 (33 U.S.C. 1344)  Rivers and Harbors Act of 1899 (33 U.S.C. 401 et seq.) Section 10 (33 U.S.C. 403)	Pre-application: Applicant determines project impact areas. Applicant conducts wetland delineations (fieldwork is seasonal); coordination with USACE on impact areas, wetland delineation, alternatives analysis, avoidance and minimization of impacts, and potential compensatory mitigation options. USACE makes preliminary determination on permit vehicle likely required (GP vs. LOP vs. SP IP); Synchronize Corps permit decision-making with NEPA processes for Single environmental document or other cooperating / participating agency role.	Pre-application activities continue per previous cell. USACE provides input on schedule and Permitting Timetable (including NEPA & USACE milestones), draft NEPA purpose & need, and draft range of alternatives.	USACE provides concurrence decision on draft Purpose & Need to NEPA Lead Federal Agency.	Continue pre-application / early coordination activities from pre-NOI stage as necessary; USACE provides concurrence decision or modified milestone(s) for Permitting Timetable and concurrence decision on use of Single EA. USACE provides concurrence decision on NEPA Alternatives Carried Forward.	USACE reviews applicant's preferred alternative for consistency w/ prelim. LEDPA, makes concurrence decision.	<b>Pre-construction Notification (PCN) / Form ENG 4345 Joint Application Form Received.</b>	DOT submits complete application appx. 30 - 45 days before EA release (Complete PCN / Application Received).	USACE issues public notice (PN) - for Standard Permits.	~30-day PN comment period (typical); concurrent public hearing with DOT as needed; distribute comments from PN.	USACE and applicant address public comments; USACE works with applicant as needed on finalization of the applicant's compensatory mitigation plan.	USACE prepares draft FONSI adopts lead agency EA, when applicable. Signs joint cooperating agency FONSI or issues separate FONSI; <b>Permit Decision Rendered</b> in accordance with the project schedule / permitting timetable.

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OVERVIEW OF ENVIRONMENTAL REVIEW PROCESS FOR EA

Agency (Action)	Citations	Commitments / Responsibilities	Early Coordination / Scoping (23 CFR 771.119(b))	EA Start / NOI (optional)	30 days	EA Development	EA Publicly Available	EA Process Concluded	Permit and Authorization Decisions
<b>USACE (RHA Section 408 Permission)</b>	Rivers and Harbors Act of 1899 Section 14 (33 U.S.C. 408)	<ul style="list-style-type: none"> <li>- Engage in early project coordination, including comments on purpose and need, screening of preliminary alternatives, permitting timetable development, and other relevant issues as applicable.</li> <li>- Provide comments / decisions in accordance with timeframes established by statute, regulations and / or the agreed upon project schedule.</li> </ul>	<p>Pre-request: Applicant submits preliminary documents showing proposed work on the USACE Civil Works Project. Applicant may ask for a pre-request meeting to discuss process, timelines, and expectations. Applicant should reference the Section 408 guides at <a href="https://www.usace.army.mil/Missions/Civil-Works/Section408/">https://www.usace.army.mil/Missions/Civil-Works/Section408/</a> which were designed with them in mind to successfully navigate the USACE Section 408 process.</p> <p>If applicable, coordinate with USCG and DOT on USCG's draft preliminary navigation clearance determination which is based on the applicant's Navigation Impact Report (NIR). Will provide input to Navigation Impact Report if requested by applicant.</p>	Share with the Applicant USACE guidance webpages that may be needed for design and construction purposes.  Coordinate with USCG or other agencies as needed.	Continue pre-request / early coordination activities from pre-NOI stage as necessary; USACE provides concurrence decision on NEPA Alternatives Carried Forward and use of single environmental document, when requested.	<p>USACE reviews applicant's preferred alternative for consistency w/ prelim. LEDPA, makes concurrence decision.</p> <p>Applicant submits Section 408 request package to USACE for a Section 408 completeness review. Within 30 days of submittal, USACE will make a <b>Completeness Determination</b> if the submittal package is complete. If the submittal package is incomplete, USACE will provide feedback on the missing information that is needed in order for the technical review to begin.</p> <p>Revisions to the Section 408 submittal may be necessary.</p>	<p>~30-45 day PN comment period (typical);</p> <p>Incorporate comments into Section 408 submittal package.</p> <p>Once the Requester provides a complete Section 408 submittal package, USACE will issue a <b>Completeness Determination</b>.</p>	<p>USACE prepares draft FONSI adopts lead agency EA, when applicable.</p> <p>Technical Review is completed within 90 days and <b>Section 408 Decision is rendered.</b></p>	
<b>USCG (RHA Bridge Permit)</b>	Section 9, Rivers and Harbors Appropriations Act of 1899, as amended (33 U.S.C. 401); General Bridge Act of 1906, as amended (33 U.S.C. 491-498; General Bridge Act of 1946, as amended (33 U.S.C. 525, 530, 533); and International Bridge Act of 1972, as amended (33 U.S.C. 535-535i).	<ul style="list-style-type: none"> <li>- Specify any information needed for authorizations / decision-making early in the process, to the maximum extent practicable.</li> <li>- Ensure there is a consolidated project file that documents agencies' determinations.</li> <li>- Determine whether Single environmental document will be prepared (to the maximum extent practicable).</li> </ul>	<b>Navigation Data Received.</b> Applicant Submits Navigation Impact Report & Project Initiation Letter to USCG. USCG provides Bridge Permit Application Guide requirements	USCG issues Preliminary Navigation Clearance Determination (minimum navigational clearances used by applicant to inform NEPA alternatives).	Awaiting Preferred Alternative and Plan Sheets Receives application materials from the lead agency / applicant as they are completed.	<p><b>Publish public Notice on Navigation</b> with 30-day comment period. Plan sheets developed in accordance with the Bridge Permit Application Guide must be received prior to issuance of the PN. The DEA with preferred alternative will be linked to provide public with the ability to comment on impacts to the human environment</p>	USCG adjudicates Navigation Comments. – Any comments related to environmental matters forwarded to the NEPA Lead Federal Agency for adjudication. DOT Begins submitting application materials as soon as possible. <b>USCG continues to receive application materials</b> IAW Bridge Permit Application Guide.	<b>Application deemed complete by USCG</b> (application not complete until FONSI is completed, and all application materials have been submitted, including a CZM, Section 404 permit (Section 408 as necessary), and WQC).	<b>Application Deemed Complete by USCG</b> (Applications not considered complete until FEA / FONSI have been issued and all application materials have been received, including CZMA concurrence, Section 404 and Section 408 permits, and Water Quality Certification). USCG will provide the lead agency / applicant with an application complete letter. A permit decision will be rendered within 90 days of the letter.

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EPA (CWA Section 404)	Clean Water Act Section 404; 40 CFR 122.21 Application for permit (40 CFR 123.25)	<ul style="list-style-type: none"> <li>-Engage in early project coordination, including comments on purpose and need, screening of preliminary alternatives, permitting timetable development, and other relevant issues as applicable.</li> <li>-Provide comments / decisions in accordance with timeframes established by statute, regulations and / or the agreed upon project schedule.</li> <li>-Specify any information needed for authorizations / decision-making early in the process, to the maximum extent practicable.</li> <li>-Ensure there is a consolidated project file that documents agencies' determinations.</li> <li>-Determine whether Single environmental document will be prepared (to the maximum extent practicable).</li> </ul>	EPA actively engages in pre-application / early coordination meetings to ensure early identification of issues and resolutions comply with Section 404(b)(1) Guidelines. EPA reviews and comments on the draft purpose and need to ensure compliance with Section 404(b)(1) Guidelines.  Synchronize Federal permit with NEPA processes for Single environmental document or cooperating / participating agency role.	Continue pre-application / early coordination activities from pre-EA Start / pre-NOI stage as necessary; EPA reviews and comments on the draft NEPA Alternatives Carried Forward and draft Preferred Alternative to ensure compliance with Section 404(b)(1) Guidelines.		EPA reviews and comments on the PN and EA to ensure compliance with Section 404(b)(1) Guidelines	No further action required		
EPA / State / Tribe (CWA Section 401 Water Quality Certification)	Water Quality Certification (Section 401) Under Section 401(a)(1) of the Clean Water Act (33 U.S.C. 1341)		Synchronize State certification processes with Federal permit and NEPA processes. Initiates 401 WQC activities as soon as possible; some Federal permits (e.g., Section 404 permit) may not be issued prior to Section 401 water quality certification from a State, an authorized tribe, or EPA, or certification is waived.	NEPA Lead Federal Agency coordinates State certification processes with Federal permit and NEPA processes. Initiates 401 WQC activities as soon as possible; some Federal permits may not be issued prior to a State certification or waiver and the completion of the 401(a)(2) process. Applicant coordinates with certifying authority in 30 days pre-filing meeting process (40 CFR 121.4) to agree on "reasonable period of time" for certification process ( <b>Initial application received</b> ).	Resource / permitting agency makes a determination and, if applicable, issues a written response ( <b>Issuance of decision for approval</b> ).			All required permit approvals received within 90 days for Major Project EA.	
State Permits	Various		Synchronize State permit processes with Federal permit and NEPA processes. Initiate permitting activities as soon as possible; some Federal permits may not be issued prior to a State permit determination.	Coordinate State permit processes with Federal permit and NEPA processes. Initiate permitting activities as soon as possible; some Federal permits may not be issued prior to a State permit determination (e.g. USCG Bridge Permit cannot be issued before WQC and CZM).	Resource / permitting agency makes a determination and, if applicable, issues a written response ( <b>Issuance of decision for approval</b> ).			All required permit approvals received within 90 days.	
Other Determinations <sup>8</sup>	Additional citations see: <a href="#">The Federal Environmental Review and Authorization Inventory</a>		NEPA Lead Federal Agency submits pre-application and coordinates with Federal resource / permitting agencies for all applicable determinations. Exchange of preliminary information.	NEPA Lead Federal Agency develops assessment of resources for all applicable determinations. Develop Preliminary Mitigation.	NEPA Lead Federal Agency submits consultation / permit application, if applicable, or includes information within the NEPA document for public review.	NEPA Lead Federal Agency addresses public comments. Resource / permitting agency prepares consultation document / permit for applicable determination Mitigation commitments are incorporated into the project	Resource / permitting agency makes a determination and, if applicable, issues a written response.	Lead NEPA Federal Agency may extend the deadline (23 U.S.C. 139(d)(10)).	

<sup>8</sup> Other determinations may include, but are not limited to: USACE Sec. 408, Coastal Zone Management, Project-level Conformity, etc. Except for the statutes and regulations cited, the contents of this chart do not have the force and effect of law and are not meant to bind the States or the public in any way. The chart is intended only to provide clarity regarding existing requirements under the law or agency policies. It is not legally binding in its own right and will not be relied upon by the Department as a separate basis for affirmative enforcement action or other administrative penalty.

## Abbreviations

ACHP	Advisory Council on Historic Preservation
BA	Biological assessment
BGEPA	Bald and Golden Eagle Protection Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
CZM	Coast zone management
CZMA	Coastal Zone Management Act
Dashboard	Federal Infrastructure Permitting Dashboard
DEA	Draft environmental assessment
DOT	Department of Transportation
EA	Environmental assessment
EFH	Essential fish habitat
EIS	Environmental impact statement
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEA	Final EA
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
FR	Federal Register
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FWCA	Fish and Wildlife Coordination Act
FWS	United States Fish and Wildlife Service
IHA	Incidental harassment authorization
ITA	Incidental take regulations
LEDPA	Least environmentally damaging preferred alternative
LOA	Letter of Authorization
MBTA	Migratory Bird Treaty Act
MMPA	Marine Mammal Protection Act
MSA	Magnuson-Stevens Act
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NOI	Notice of Intent
PCN	Pre-construction notification
PEL	Planning and Environment Linkages
PN	Public notice
RHA	Rivers and Harbors Act
ROD	Record of decision
SHPO	State Historic Preservation Office
T&E	Threatened and endangered
THPO	Tribal Historic Preservation Office
U.S.C.	United States Code
USACE	United States Army Corps of Engineers
USCG	United States Coast Guard
WQC	Water quality certification

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