OVERVIEW OF ENVIRONMENTAL REVIEW PROCESS FOR MAJOR PROJECT EIS

		COMMITMENTS / RESPONSIBILITIES	PRE-NOI Activities			(Time from NOI to DEIS is approximately 14 months)			2 YEARS (NOI to ROD) (Time from DEIS to FEIS is approx. 8 months) (Time from FEIS to ROD is approx. 2 m				ROD is approx. 2 months	PERMIT and https://pubmic.com/permits/	
AGENCY (Action)	CITATIONS		PEL ¹ , Pre-NOI NEPA Scoping or			(Time from NOI to DEIS is approximately 14 months) Up to 3 months About one year		(Time from Dels to Fels is approx. 8 months) Minimum 45 days			(Time from FBS to ROD is approx. 2 months) 30 days		(90 days)		
(Action)		RESPONSIBILITIES	(n	PA Tier 1 suggested months/year (s))	1									aays	
FHWA / FTA / FRA (NEPA Lead Federal Agency for Major Project) in coordination with project sponsor	NEPA (as modified by the Fiscal Responsibility Act)(42 U.S.C. § 4321 - 4336e) CEQ's NEPA regulations (40CFF 1500 – 1508) NEPA regulations (23 CFR 771.101 – 771.139)	project purpose and need and reasonable range of alternatives. - Engage Cooperating / Participating Agencies and the public in the development of coordination / involvement plans, schedule / permitting timetable, analysis methodologies, range of alternatives and mitigation measures. - Respond to comments / make decisions in accordance with timeframes established in law, regulations and the agreed upon project schedule, concurrent reviews	f - Develop a draft Purpose and Need, including coordination with cooperating agencies. Develop a draft Coordination Plan that includes a permitting timetable, in coordination with cooperating agencies. Identify community and stakeholders affected and develop a Public Involvement Plan. Identify draft Range of Alternatives, including coordination with cooperating agencies. Determine the extent of analysis needed for each resource Initiate applicable resource surveys / studies. Identify potentially significant environmental issues.	R NEPA Lead Federal Agency determines project is a major project; Project sponsor submits PROJECT INITIATION PACKAGE.	NEPA Lead Federal Agency reviews package for completeness, and reviews project for readiness. 23 U.S.C. 139(e)(3) (No later than 45 days)	NEPA Lead Federal Agency must publish NOI Offer agency and public opportunity for input in: - Draft NEPA Purpose & Need - Draft NEPA Range of Alts - Draft Coordination Plan and PIP - Draft Schedule (Permitting Timetable) *Reference Pre-NOI activities (if applicable)	Scoping Period - 30-day comment period for NOI. Permitting Timetable on Dashboard (90 days from NOI). NEPA Lead Federal Agency determines whether to use a Single environmental document (to the maximum extent practicable) in coordination with Cooperating Agencies. Consider additional alternatives proposed during comment period.	NEPA Lead Federal Agency identifies NEPA Preferred Alternative. and requests concurrence from cooperating agencies on	NEPA Lead Federal Agency sends DEIS for cooperating agency review.	NOA of DEIS - NEPA Lead Federal Agency publishes DEIS w/ NEPA Preferred Alternative (NEPA Lead Federal Agency e- files DEIS with the EPA).	DEIS comment period 40 CFR 1506.11 (public hearings / meetings as needed).	NEPA Lead Federal Agency prepares FES (use errata sheets as appropriate) and sends FEIS / ROD for cooperating agency review.	NEPA Lead Federal Agency publishes FEIS / ROD (NEPA Lead Federal Agency e- files FEIS with the EPA) or Separate FEIS and ROD.	FEIS / ROD wait period 40 CFR 1506.11) – This 30-day wait period would not be required if all Federal Participating Agencies are able to issue a combined FEIS / ROD. The NEPA lead Federal agency may grant an exception to the single ROD requirement when	
	FHWA efficient enverviews for project decisionmaking (23 U.S.C. 139(e)(3))	- Ensure there is a consolidated project file that documents agencies' determinations Determine whether Single environmental document will be prepared (to the maximum extent practicable) Report permitting timetable to the Dashboard Coordinate with cooperating / participating	Pre-application meeting(s) held with regulatory resource / tribal agencies. FHWA initiates coordination on the use of PEL documents (Should reference in NOI if adopting or using PEL documents). (23 USC § 168; 23 USC 139(f)(4)(E)(ii)))	NEPA Lead Federal Agency: i. Sends invitation letters to potential Cooperating / Participating Agencies (Designates Cooperating agencies with regulatory authorization) and alerts agencies of major project determination. ii. Consults with cooperating / participating agencies on draft Permitting Timetable (including NEPA & individual agency milestones), draft NEPA Purpose & Need and draft range of alternatives.				Preferred Alternative.			comments as the Ensure there are measures consider	ses addressing DEIS hey are received. environmental mitigation red that support the eterminations.	n	cooperating agencies are not authorized to issue a combined FEIS / ROD. The agencies not authorized to issue a combined FEIS / ROD will issue a joint ROD or other appropriate decision document.	All required permit approvals received.
Recommended Best Practice		For FHWA, recommend using FHWA's INPCT collaboration tool		NEPA Lead Federal Agency coordinates with cooperating agencies with regulatory authority on 1) draft NEPA Purpose & Need, 2) Draft range of alternatives, and 3) draft permitting timetable. Can begin the scoping process as soon as the proposed action is developed sufficiently.	NEPA Lead Federal agency requests written concurrence on draft NEPA Purpose & Need, draft range of alternatives and permitting timetable from cooperating agencies with regulatory authority.	: :	If the NEPA Lead Agency changes the purpose and need, it requests written concurrence on final purpos and need. NEPA Lead Agency requests written concurrence on NEPA alternatives carried forward from cooperating agencies. NEPA Lead Federal Agency requests concurrence on use of a single environmental document from cooperating agencies.				the Corps or other ag	neetings or hearings wit ency with authorizatio or the other agency(ies	ct or o)		
FWS / NMFS (ESA)	Endangered Species Act (16 U.S.C. 1531 1544)		NEPA Lead Federal Agency seeks technical assistance with FWS/NMFS, as appropriate, on natural resource concerns under FWS/NMFS jurisdiction (e.g. T&E species, wetlands, streams, migratory birds, bald and golden eagles, etc.); The applicant obtains at 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. 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			NEPA Lead Federal Agency develops Biological Assessment (BA) incoordination with USFWS/NMFS and submits this to USFWS/NMFS (use relevant ESA webtools and Natural Heritage data where possible) ² ; Request for ESA Consultation Received.			USFWS/NMFS coordination with NEPA Lead Federal Agency on any additional information needed for the BA, if necessary ² ; Consultation Package deemed complete. FWS/NMFS Prepares Biological Opinion (135 days maximum from receiving complete BA, unless agreed upon extension (50 CFR § 402.14(e)) or Letter of Concurrence. Conclusion of ESA Consultation with issuance of Biological Opinion or Letter of Concurrence.						
NMFS (MSA / EFH)	Magnuson Steven Act (16 U.S.C. 1801 et seq)					webtools and resources where possible).			NMFS coordination with NEPA Lead Federal Agency on any additional information necessary for EFH Assessment Consultation Package deemed complete	tional after Consultation Package deemed complete.				H	
FWS / NMFS (MMPA)	Marine Mammal Protection Act (16 U.S.C. 1361-1423)	- Recommend using FHWA's INPCT collaboration tool Engage in early project coordination, including comments on purpose and need, screening of preliminary alternatives,	Authorization (IHA); or b) Incidental Take Regulations (ITR) with associated letters of authorization (LOAs); Synchronize Federal permit with NEPA processes for Single environmental document or cooperating/ participating agency role. NEPA Lead Federal Agency identifies potential Section 106 consulting parties; Collects data on existing Historic Properties in project area; Early engagement with stakeholders.			Application for ITR and associated LOA should be submitted at least 9 months, preferably 15 months in advance			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 Complete Application Received; NMFS reviews application for completeness; Publish Notice of Receipt in the RP: 30-						
SHPO / THPO / ACHP (NHPA)	Section 106 of the National Historic Preservation Act of 1966 (NHPA) 54 U.S.C. 306108 Implementing	permitting timetable development, and other relevant issues & applicable. - Provide comments / decisions in accordance with				Consultation initiated with SHPO / THPO; NEPA Lead Federal Agency invites consulting parties. NEPA Lead Federal Agency identifies historic properties / Conducts archaeological surveys (Fieldwork may be seasonal).			Consultation to resolve adverse effects (if needed).			properties affects effect; memorand programmatic ag	Section 106 process concluded: no historic properties affected; Finding of no adverse effect; memorandum of agreement or programmatic agreement (include in FES); or other conclusion to resolve adverse effects		

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

2 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.

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	regulations (36 CFF 800)	timeframes established by statute, regulations and / or the agreed upon project								reached.	All required permit approvals received.	
USACE (CWA Section 404 / RHA Section 10 Permit)	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) Clean Water Act Section 404; 40 CFR 122.21 Application for permit (40 CFR 123.25) Section 9, Rivers and Harbors Act of 1899, as amended (33 U.S.C. 304)	extent practicable Ensure there is a onsolidated project file that documents agencies' determinations Determine whether Single environmental document will be prepared (to the maximum extent practicable).	Pre-application: Applicant determines project impact areas. Applicant conducts wetland delineations (fieldwork is seasonal); coordination with USACE on impact areas, wetland delineation, alternatives aralysis, 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. EPA actively engages in pre-application / early coordination meetings to ensure early identification of issues and resolutions corm with Section 404(b)(1) Guidelines. Synchronize Federal permit with NEPA processes for Single environmental document cooperating / participating agency role USACE provides continue per previous cell. USACE provides input on schedule and Permitting Timetable (including NEPA & USACE milestones) and draft NEPA Purpose & Need, and draft range of alternatives. Timetable. USACE provides input on schedule and Permitting Timetable (including NEPA & USACE milestones) and draft NEPA Purpose & Need, and draft range of alternatives. Timetable. FEPA actively engages in pre-application / early coordination meetings to ensure early identification of issues and resolutions corm with Section 404(b)(1) Guidelines. Synchronize Federal permit with NEPA processes for Single environmental document cooperating / participating agency role USCG issues		sure compliance with mental document or	Continue pre-application / early coordination activities fror pre-NOI stage as necessary; USACE provides concurrence decision on NEPA Alternatives Carried Forward and use of sing environmental document, when requested. Continue pre-application / early coordination activitie comments on the draft NEPA Alternatives Carried Fo compliance with Section 404(b)(1) Guidelines.	applicant's preferred alternative for consistency w/ prelim. LEDPA, makes concurrence decision. Complete application (PCN) / Form ENG 4345 / Joint Application Form Received. Serom pre-NOI stage as necessary, EPA reviews and positive application appx. Solve application appx. 30 days befor DEIS release (Complete PCN / Application Received)	USACE issues public notice (PN) - for Standard Permits. P N A di	ypical); concurrent works with applicant ublic hearing with as needed on the NEPA Lead Federal Agency as needed; applicant's	USACE prepares draft ROD and adopts FEIS. USACE signs joint cooperating agency ROD or issues separate ROD following 30-day wait period for FEIS; Permit Decision Rendered when ROD is signed (NLT than 90 days after lead agency's ROD if signing separate RODs). No further action required		
,	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).		Navigation Data Received. The applicant submits Navigation Impact Report & Project Initiation Letter to (minimum navigational clearances used by applicant to inform NEPA alternatives).			Awaiting Preferred Alternative and Plan Sheets Federal Agency / applicant as they are comple		with 30-day comment period. Plan sheets in accordance with the Bridge Permit Application Guide, must be	complete until FEIS / R application materials have dijudication. USCG erials IAW de. an application complete let rendered within 90 days or	Application deemed complete by USCG (Application Not complete until FEIS / ROD is completed and all application materials have been submitted, including a CZM concurrence, Section 404 permit (Section 408 permission as necessary) and WQC). USCG will provide an application complete letter. A permit decision will be rendered within 90 days of the application complete date.		
USACE RHA Section 408 Permission)	Rivers and Harbors Act of 1899 Section 14 (33 U.S.C. 408)	g	Pre-request: Applicant submits preliminary documents s Project. Applicant may ask for a pre-request meeting to dis should reference the Section 408 guides at https://www.u which were designed with them in mind to successfi If applicable, coordinate with USCG and DOT on USCG's dra which is based on the applicant's Navigation Impact Rep Report if requested	cuss process, timelines, and expectations. Applicant usace.army.mil/Missions/Civil-Works/Section408, ully navigate the USACE Section 408 process. of preliminary navigation clearance determination ort (NIR). Will provide input to Navigation Impact		Continue pre-request / early coordination activities from pre-N stage as necessary; USACE provides concurrence decision or NEPA Alternatives Carried Forward and use of Single environmental document, when requested.		a To alterations not covered under a Categorical Permission. Compared to the property of the	"30-45 day PN comment period (typical); corporate comments into Section 408 submittal package will then undergo a Technical Review by various disciplines to ensure the proposed modification is not injurious to the public interest and does not impair the usefulness of the USACE Civil Works project. The Technical Review timeline is not to exceed 90 days.	USACE prepares draft ROD and adopts FEIS. USACE signs joint cooperating agency ROD or issues separate ROD following 30-day wait period for FEIS . Technical Review is completed within 90 days and Section 408 Decision is rendered.		
	Fish and Wildlife Coordination Act 16 U.S.C. 661-666e	6	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. Action Agency requests consultation regarding conservation of fish and wildlife resources. 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. 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	sues recommendation to conserve, mitigation,	ment period. Fish and Wildlife Coordination , or enhance fish and wildlife resources, or the	All required permit /	
FWS (MBTA / BGEPA permits and Right-Of-Way Authorization)	MBTA 16 U.S.C. 703-712 BGEPA 16 U.S.C. 668-668d		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. 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 a Section 401 water quality certification from a State, an authorized tribe, or EPA, or certification is waived.			NEPA Lead Federal Agency develops assessment of resources for Agency develops preliminary mitigation in coordi received.		ra FWS makes a determination and, if applicable, NEPA Lead Federal Agency issues a written response (Issuance of decision for permit /				
Water Quality	Water Quality Certification (Section 401) Under Section 401(a)(1) of the Clean Water Ad (33 U.S.C. § 1341)					NEPA Lead Federal Agency coordinates State certification pro prior to a State certification or waiver and the completion o "reasonable period of time" for certification process (Initi	Resource / permitting agency makes a determination and, if applicable, issues a written response (Issuance of decision for approval).	id, if applicable, issues a (Issuance of decision for oproval).				
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 an 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 (Issuance of decision for approval).		
Other Determinations	Additional citations see: The Federal Environmental Review and Authorization Inventory		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	n. consultation / permit application, if applicable or includes information within the NEPA document for public review.	NEPA Lead Federal Agency addresses public of prepares consultation document / permit for commitments are incorporate.	for applicable determination. Mitigation orated into the project.	Resource / permitting agency makes a determination and, if applicable, NEPA Lead Federal Agency issues a written response.		
	(Bald and Golden E er); requirement, a A); Incidental Take R Lion Offices); THPO reflect Concurrence		n Water, Act.; CZM/Coastal Zone Managementh, DEIS/Draft : Greenhouse Gas Emissons and Linimate Chanige, or the tabl py Bird Treaty Act); NMFS (National Marine Fisheries Service Offices); USACE (US Army Corps of Engineers); USCG (US C	Envisonmental Impact Statement): EPA (Envisonment e of Permit, Approvals, Consultations and Wher Redi); NPDES (National Pollutant Discharge Elimination S oast Guard); WQC (Water Quality Certification)	tal Protection Agency): uirements, into consid ystem); NOI (Notice of I	ESA (Emdangered Species Art). Filal Final Environmental Impact Service; Twental Impact Service; Twenta	talement) FHWA (Feetral Highway Administratio vilidire Codrination Act) Indidental Harassme Linkages); ROD (Record of Decision); SHPO (Sta	The U.S. Department of Transportation En to the 1: This copordination process should inc dashboard entries 'y updates.' Note 2: This chart assumes that the NEPA		here. inistrators and National Transportation Liaisc native identified through the other environm		

³ Other determinations may include, but are not limited to: USACE Sec. 408, Coastal Zone Management, Project-level Conformity, etc.

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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 Coat Guard
WQC	Water quality certification