PROJECT TIMELINE DEVELOPMENT

PERMITTING TIMETABLES AND MILESTONES

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Good morning!

I will be discussing project timeline development, including permitting timetables and bridge permit milestones. These are tools and tactics we use to ensure a proposed project is processed as efficiently as possible.

OBJECTIVES:

- DEFINE "PERMITTING TIMETABLE."
- DESCRIBE THE BENEFITS OF USING PERMITTING TIMETABLES.
- DETERMINE WHEN THE USCG USES A PERMITTING TIMETABLE.
- DESCRIBE THE MILESTONES FOR USCG BRIDGE PERMITS.
- EXPLAIN THE FEDERAL PERMITTING DASHBOARD
- DEFINE "DEPENDENCIES" IN THE PERMITTING PROCESS.
- UNDERSTAND THE DEPENDENCIES FOR EACH MILESTONE.
- DISCUSS THE "ONCOMING TIDAL WAVE" OF INFRASTRUCTURE PROJECTS

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During this discussion, we will:

WHAT IS A PERMITTING TIMETABLE?

- REQUIRED FOR ALL PROJECTS ON THE FEDERAL PERMITTING DASHBOARD AND USED BY USCG FOR BRIDGE PROJECTS
- INCLUDES LEAD AND COOPERATING AGENCIES' KEY MILESTONES
- PROVIDES A COORDINATED TIMELINE FOR PROJECTS
- PROVIDES A COMPLETE PICTURE OF THE PROJECT REQUIREMENTS
- REQUIRES EARLY AND FREQUENT COORDINATION
- ENSURES ALL STAKEHOLDERS ARE ON THE SAME PAGE

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The tool we use the most for developing a project timeline is the permitting timetable.

The lead, cooperating, and participating agencies work together to develop the timetable based on the milestones for their particular actions. Our federal action is the bridge permit.

Permitting timetables are required to be used on all projects on the Federal Permitting Dashboard. I'll review the Dashboard shortly. We also develop permitting timetables for our other bridge projects not on the Dashboard.

Permitting timetables:

Include Lead and cooperating agencies' key milestones

Provide a coordinated timeline for projects

Provide a complete picture of the project requirements

Require early and frequent coordination

Ensure all stakeholders are on the same page

THE BENEFITS:

- ENSURES EARLY AND FREQUENT COORDINATION BETWEEN THE LEAD FEDERAL AGENCY AND ALL COOPERATING/PARTICIPATING AGENCIES.

- RESOLVES ISSUES/CONFLICTS EARLY IN THE PROCESS.

- SETS NAVIGATIONAL CLEARANCE EXPECTATIONS EARLY ON TO INFORM PROJECT ALTERNATIVES DURING NEPA.

- MITIGATES "DEPENDENCIES"

- LESSENS UNWANTED SURPRISES AT THE PERMIT DECISION PHASE.

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Here are the benefits of using permitting timetables.

PERMIT/AUTHORIZATION MILESTONES

Each federal action, that is, each federal permit or authorization for a project, has designated milestones, which are included on the permitting timetable. Our federal action is the CG Bridge Permit.

USCG BRIDGE PERMIT MILESTONES

- NAVIGATION DATA SUBMITTED

- ISSUED PRELIMINARY NAVIGATION CLEARANCE DETERMINATION

- INITIAL APPLICATION SUBMITTED

- PUBLICATION OF PUBLIC NOTICE

- APPLICATION DEEMED COMPLETE

- PERMIT DECISION RENDERED

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These are the milestones for bridge permits.

Navigation Data Submitted: Information (such as a Navigation Impact Report) is submitted by the applicant or proponent to the USCG. This should occur early in the scoping process.

Issued Navigation Determination: This preliminary determination provides the minimum navigational clearances acceptable for all proposed permanent and temporary bridges. The clearances are used by the applicant/lead federal agency to inform and develop alternatives for the project. This should also occur in the scoping process.

To provide some background, the Coast Guard used to wait to receive a completed application prior to beginning our review, including for navigational clearances. That meant that the preferred alternative had been chosen and the final design for the project was complete. Occasionally we would determine that the clearances were not adequate to meet the needs of navigation. As you could imagine, agencies were not happy to spend the time and money to go back to the drawing board. Now we work with the applicant and lead agency very early in the process to determine the

minimum clearances that would meet the reasonable needs of navigation. That way the alternatives can be developed knowing that the clearances will be adequate.

Initial Application(s) Received: This is not the completed, final application. This is when the applicant provides us with their initial project information, begins to complete the application template and provides other application materials, such as plan sheets. This may be submitted before or while the draft environmental document and alternatives are developed.

Publication of Public Notice: We typically issue public notices after the draft environmental document (DEA/DEIS) has been issued with a preferred alternative chosen. We cannot publish a public notice without plan sheets that are in accordance with the Bridge Permit Application Guide; however, the design does not need to be final for our public notice, such as with design-build projects. The Coast Guard's public notice, when another agency (like FHWA) is lead, serves to alert the public and other stakeholders that we have received and application and are seeking comments related to potential impacts to navigation. We reference the lead agency's environmental document and direct environmental comments to them. Since navigational clearances are examined early in the process, we rarely receive comments.

Application(s) Deemed Complete: An application(s) is deemed complete once all application materials have been received. This includes everything listed in the Coast Guard Bridge Permit Application Guide, including the final NEPA documentation (such as the FONSI or ROD), WQC, CZM, and other applicable requirements.

Permit Decision Rendered: The Coast Guard bridge permit decision is made after receiving a completed application. Our goal is to make the permit decision within 90 days after the FONSI/ROD provided all other agency permits/requirements have been met.   Please note that projects covered under FAST-41 and One Federal Decision require all permits/authorizations within 90 days after the lead agency ROD has been issued.
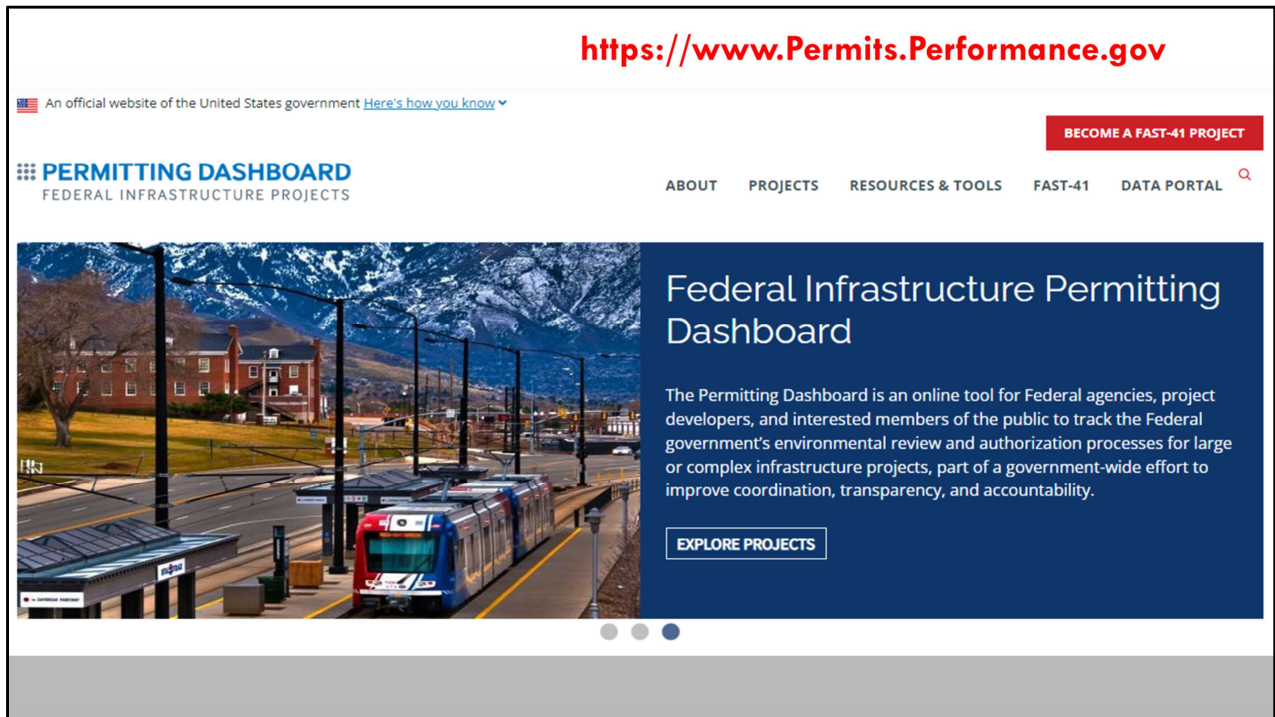
I mentioned the Federal Permitting Dashboard earlier. In the event you aren't familiar with it, the Federal Permitting Dashboard is…

There are hundreds of infrastructure projects currently on the Dashboard. Permitting timetables are required for each project on the Dashboard.

PROJECTS CURRENTLY ON THE DASHBOARD

- TITLE 41 OF THE FAST ACT (FAST-41)

- ONE FEDERAL DECISION

- USDOT (FHWA, FTA, FRA, STB) FUNDED PROJECTS

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The Dashboard is solely for infrastructure projects subject to Federal approval. They include surface transportation projects, such as highways, railroads, and of course, bridges, but also projects such as: wind and solar projects, including offshore wind, aviation, broadband, electricity transmission, manufacturing, mining, pipelines, waterways, and a few others.

Projects covered under FAST-41 are included on the Dashboard; however, USDOT-funded projects are excluded from being covered under FAST-41.

Original Executive Order 13807 was enacted under the Trump Administration. It was rescinded under the Biden Administration only to be resurrected and codified in the 2021 "Infrastructure Investment and Jobs Act." Guidance on the new One Federal Decision is forthcoming. It will likely require that all infrastructure projects with an Environmental Impact Statement be included on the Dashboard. Permitting timetables with milestones will be required for each.

Until more guidance is provided for One Federal Decision, this last one is the most relevant for state dot's. All USDOT agency-funded projects with EA or EIS are now being included on the Dashboard and include a permitting timetable with agency-specific milestones. The Federal Highway Administration (FHWA) is the lead federal agency for the majority of bridge projects that require Coast Guard Bridge Permits. However, it is important to remember that the Coast Guard permits for bridges for all modes of transportation, including highway, railroad, pipeline, pedestrian, and conveyor; and we've even permitted a couple zip-lines that crossed waterways.

Past/Current Dashboard Projects in New Hampshire

Title	Agency	Sector	Status	Category
Derry, Londonderry, Exit 4A, I-93 (State Number 13065)	Department of Transportation, Federal Highway Administration	Surface Transportation, Highways	Complete	DOT Projects
Hampton Harbor Bridge Poject	Department of Transportation, Federal Highway Administration	Surface Transportation, Highways	Complete	DOT Projects
Nashua-Manchester Commuter Rail (Capitol Corridor) Project EA	Department of Transportation, Federal Transit Administration	Surface Transportation	In Progress	DOT Projects

As an example, these are the bridge projects in New Hampshire currently on the Dashboard. It is the lead federal agency's responsibility to publish projects on the Dashboard. In the example on the slide, the Federal Highway Administration is lead for two projects and Federal Transit Administration is lead for the third.

USDOT agencies (FHWA, FTA, etc.) only recently began including other agencies' milestones on their projects.
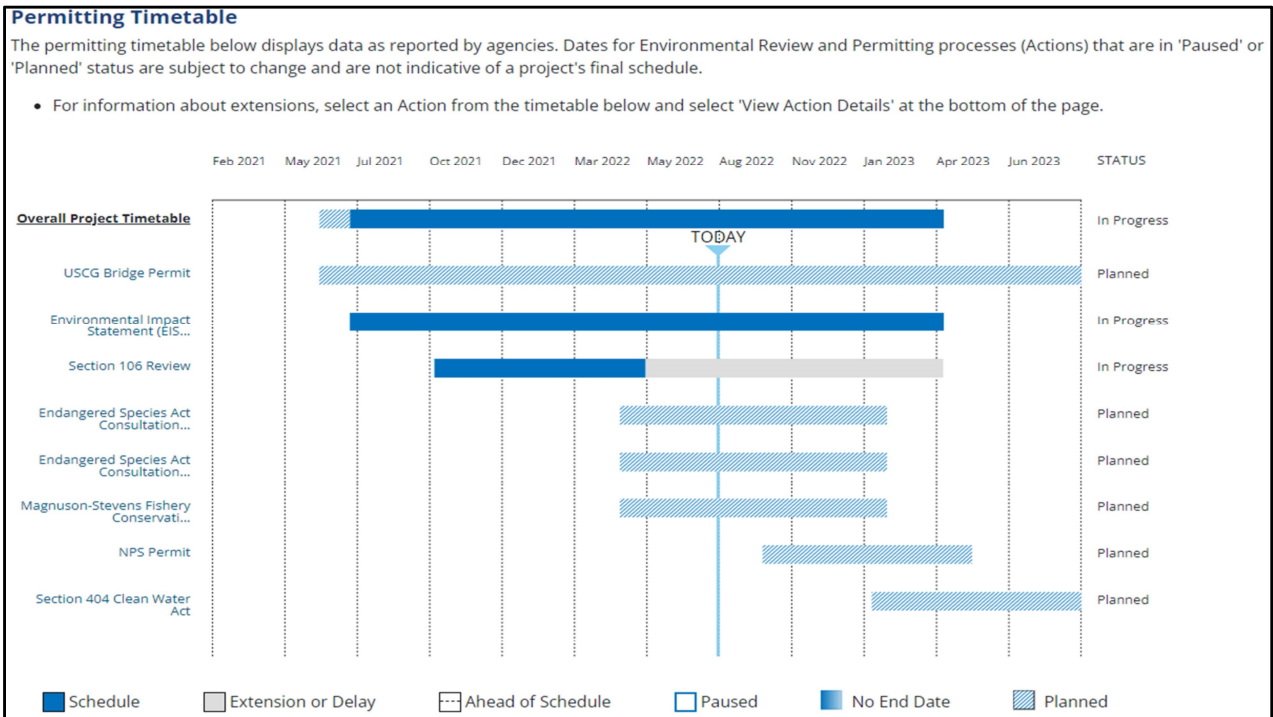
Here is an example of a FHWA-lead project on the Federal Permitting Dashboard. This is the for Shore Road project in New York City. You can see the different federal actions on the left, including the USCG Bridge Permit. Selecting the federal action allows you to view the individual milestones and target completion dates.

When you select USCG Bridge Permit, you can see our milestones.

DEPENDENCIES:

Working through these dashboard projects, we discovered several previously unrealized dependencies.

This is when the timing of our milestones is directly dependent on the timing of milestones/actions of other agencies (or other entities) involved in the project.

In other words, we cannot complete our milestones on schedule without other entities completing theirs.

Understanding dependencies is vital when developing permitting timetables and milestone target dates.

I'll now go through our bridge permitting milestones and provide examples of dependencies for each.

DEPENDENCIES:

"NAVIGATION DATA SUBMITTED" AND "ISSUE PRELIMINARY NAVIGATION CLEARANCE DETERMINATION"

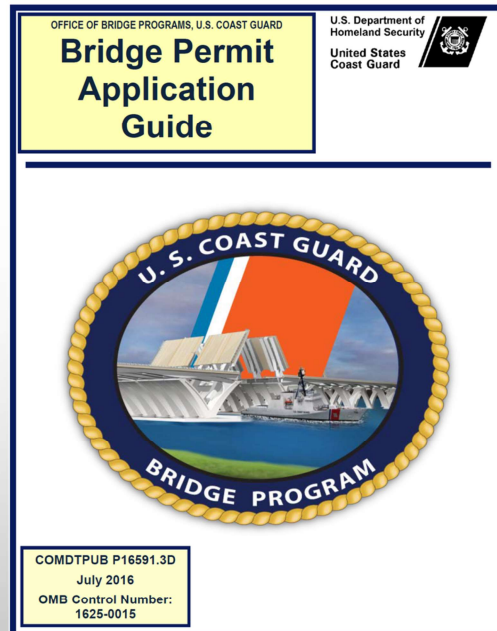➤ DEPENDENT ON APPLICANT OR LEAD AGENCY TO PROVIDE DATA OR THE NAVIGATION IMPACT REPORT.

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Our first two milestones, Navigation Data Submitted and Issue PNCD rely on the applicant or lead agency to provide us navigation data or the NIR.
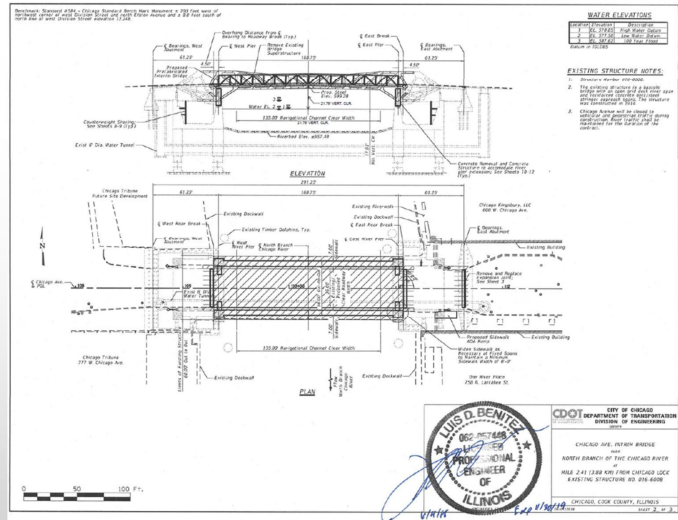
DEPENDENCIES:

"INITIAL APPLICATION SUBMITTED":

➢ DEPENDENT ON APPLICANT TO PROVIDE INFORMATION REQUIRED IN BRIDGE PERMIT APPLICATION GUIDE.

➢ APPLICANT DEPENDENT ON OTHERS TO PROVIDE THEM INFORMATION NEEDED FOR APPLICATION.

OFFICE OF BRIDGE PROGRAMS, U.S. COAST GUARD

Bridge Permit Application Guide

U.S. Department of Homeland Security

United States Coast Guard

U. S. COAST GUARD

BRIDGE PROGRAM

COMDTPUB P16591.3D
July 2016
OMB Control Number:
1625-0015

DEPENDENCIES:

"PUBLICATION OF PUBLIC NOTICE":

➤ DEPENDENT ON APPLICANT TO
PROVIDE PLAN SHEETS IN
ACCORDANCE WITH
REQUIREMENTS IN BRIDGE PERMIT
APPLICATION GUIDE.

DEPENDENCIES:

"APPLICATION DEEMED COMPLETE":

➢ DEPENDENT ON APPLICANT TO PROVIDE ALL REMAINING INFORMATION REQUIRED IN BRIDGE PERMIT APPLICATION GUIDE.

➢ FINAL NEPA DOCUMENT (ROD OR FONSI)

➢ CORPS 404 PERMIT

➢ WATER QUALITY CERTIFICATE

➢ COASTAL ZONE MANAGEMENT

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For an application to be considered complete, we'll need the final NEPA document and all other requirements outlined in the BPAG.

Examples include:

404, WQC, and CZM

DEPENDENCIES:

"PERMIT DECISION RENDERED":

➢ DEPENDENT ON RECEIVING A COMPLETE APPLICATION.

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WHY IS ALL OF THIS
<u>SO</u> IMPORTANT?

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Federal permitting and resource agencies are preparing for an oncoming tidal wave of infrastructure projects.
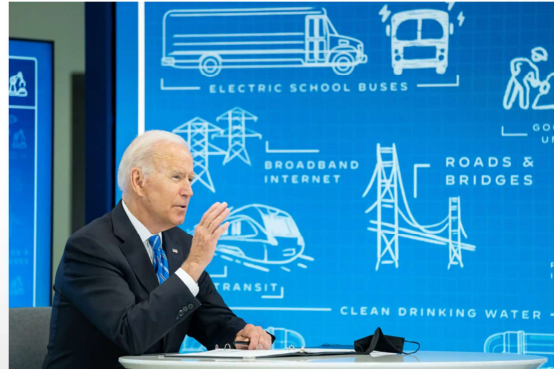
You may have heard of the Infrastructure, Investment, and Jobs Act. It was signed into law in November 2021. So, what does this mean for you?

INFRASTRUCTURE, INVESTMENT, & JOBS ACT

- TOTAL COST: APPROXIMATELY $1.2 TRILLION
- REAUTHORIZES EXISTING SURFACE TRANSPORTATION PROGRAMS FOR FIVE YEARS
- INVESTS $110 BILLION FOR ROADS AND BRIDGES
- OF THAT, $26.5 BILLION TO USDOT FOR 15,000 BRIDGES
- INVESTS $89.9 BILLION FOR PUBLIC TRANSIT, INCLUDING RAIL
- INVESTS $17 BILLION FOR PORT INFRASTRUCTURE/WATERWAYS

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These are some of the items in the Jobs Act that may impact your work in your state, and each could involve projects that require bridge permits from the Coast Guard.

ALSO CONSIDER:

NEPA NOW REQUIRES (40 CFR 1506.10):

- TWO YEARS BETWEEN THE NOI AND ROD FOR ALL EIS PROJECTS; AND

- ONE YEAR FROM AGENCY DECISION TO PREPARE AN EA TO PUBLICATION OF
  THE FONSI FOR EA PROJECTS

THESE TIGHT TIMEFRAMES REQUIRE EARLY AND FREQUENT COORDINATION
WITH THE APPLICANT, LEAD FEDERAL AGENCY, AND COOPERATING AGENCIES.

PERMITTING TIMETABLES ARE USED TO ENSURE PROJECTS STAY ON SCHEDULE

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National Environmental Policy Act (NEPA) now requires specific timeframes for Environmental Impact Statements (EIS) and Environmental Assessments (EA).

NOI: Notice of Intent to prepare an EIS.

ROD: Record of Decision for an EIS.

FONSI: Finding of No Significant Impact for an EA.

Here's the bottom line.

Funding for infrastructure projects, including bridges, is increasing.

There will likely be many more bridge projects funded in each state across the country

USDOT publishes all EIS/EA projects on the federal permitting dashboard

All projects on the Dashboard require permitting timetables

Permitting timetables are important tools to ensure the project timeline is on schedule

Early/frequent Coordination is key to manage dependencies and meet project schedules.

QUESTIONS?