(2) Effect of inclusion on Dashboard

Inclusion on the Dashboard of information regarding projects subject to section 139 of title 23 or section 2348 of title 33 shall not subject those projects to any requirements of this subchapter.

(Pub. L. 114–94, div. D, title XLI, § 41003, Dec. 4, 2015, 129 Stat. 1747; Pub. L. 117–58, div. G, title VIII, § 70801(c), Nov. 15, 2021, 135 Stat. 1289.)

Editorial Notes

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (a)(1)(D)(ii), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, which was set out in the Appendix to Title 5, Government Organization and Employees, and was substantially repealed and restated in chapter 10 (§ 1001 et seq.) of Title 5 by Pub. L. 117–286, §§ 3(a), 7, Dec. 27, 2022, 136 Stat. 4197, 4361. For disposition of sections of the Act into chapter 10 of Title 5, see Disposition Table preceding section 101 of Title 5.

NEPA, referred to in subsec. (f)(1)(B), means the National Environmental Policy Act of 1969, Pub. L. 91–190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to this chapter. See section 4370m(16) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of this title and Tables.

CODIFICATION

Section was enacted as part of the Fixing America's Surface Transportation Act, also known as the FAST Act, and not as part of the National Environmental Policy Act of 1969 which comprises this chapter.

AMENDMENTS

2021—Subsec. (a)(1)(D). Pub. L. 117–58, § 70801(c)(1)(A), added subpar. (D).

Subsec. (a)(2)(A). Pub. L. 117–58, § 70801(c)(1)(B)(i), substituted ''21 calendar days'' for ''45 days'' in introductory provisions.

Subsec. (a)(2)(B). Pub. L. 117–58, § 70801(c)(1)(B)(ii), inserted ''14 calendar day'' before ''deadline''.

Subsec. (a)(3)(A). Pub. L. 117–58, § 70801(c)(1)(C), inserted ''and the Executive Director'' after ''as applicable,'' in introductory provisions.

Subsec. (b)(2)(A)(iii). Pub. L. 117–58, § 70801(c)(2)(A), added cl. (iii).

Subsec. (b)(3)(A)(i)(V), (VI). Pub. L. 117–58, § 70801(c)(2)(B)(i), added subcl. (V), redesignated former subcl. (V) as (VI), and struck out ''and'' at end of subcl. (VI).

Subsec. (b)(3)(A)(iii). Pub. L. 117–58, § 70801(c)(2)(B)(ii), (iii), added cl. (iii).

Subsec. (c)(2)(A). Pub. L. 117–58, § 70801(c)(3)(A), substituted ''coordinated'' for ''coordination''.

Subsec. (c)(2)(D)(i). Pub. L. 117–58, § 70801(c)(3)(B)(i), (ii), added subcl. (I) and redesignated former subcls. (I) to (III) as (II) to (IV), respectively.

Subsec. (c)(2)(D)(i)(II). Pub. L. 117–58, § 70801(c)(3)(B)(iii), inserted '', the Executive Director,'' after ''participating agencies''.

Subsec. (c)(2)(F)(i). Pub. L. 117–58, § 70801(c)(3)(C)(i), inserted ''intermediate and final'' before ''completion dates'' and ''intermediate or final'' before ''completion date''.

Subsec. (c)(2)(F)(ii). Pub. L. 117–58, § 70801(c)(3)(C)(ii)(I), substituted ''an intermediate or final completion date for agency action on a covered project or reasonably believes the agency will fail to conform with a completion date 30 days before'' for ''a completion date for agency action on a covered project or is at significant risk of failing to conform with'' in introductory provisions.

Subsec. (c)(2)(F)(ii)(I). Pub. L. 117–58, § 70801(c)(3)(C)(ii)(II), substituted ''reasonably believing the agency will fail to conform'' for ''significantly risking failing to conform''.

§ 4370m–3. Interstate compacts

(a) In general

The consent of Congress is given for 3 or more contiguous States to enter into an interstate compact establishing regional infrastructure development agencies to facilitate authorization and review of covered projects, under State law or in the exercise of delegated permitting authority described under section 4370m–5 of this title, that will advance infrastructure development, production, and generation within the States that are parties to the compact.

(b) Regional infrastructure

For the purpose of this subchapter, a regional infrastructure development agency referred to in subsection (a) shall have the same authorities and responsibilities of a State agency.

(Pub. L. 114–94, div. D, title XLI, § 41004, Dec. 4, 2015, 129 Stat. 1755.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Fixing America's Surface Transportation Act, also known as the FAST Act, and not as part of the National Environmental Policy Act of 1969 which comprises this chapter.

§ 4370m–4. Coordination of required reviews

(a) Concurrent reviews

To integrate environmental reviews and authorizations, each agency shall, to the maximum extent practicable—

(1) carry out the obligations of the agency with respect to a covered project under any other applicable law concurrently, and in conjunction with, other environmental reviews and authorizations being conducted by other cooperating or participating agencies, including environmental reviews and authorizations required under NEPA, unless the agency determines that doing so would impair the ability of the agency to carry out the statutory obligations of the agency;

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner; and

(3) where an environmental impact statement is required for a project, prepare a single, joint interagency environmental impact statement for the project unless the lead agency provides justification in the coordinated project plan that multiple environmental documents are more efficient for project review and authorization.

(b) Adoption, incorporation by reference, and use of documents

(1) Use of existing documents

(A) In general

On the request of a project sponsor, a lead agency shall consider and, as appropriate, adopt or incorporate by reference, the anal-