



Executive Director Determination on Request to Extend FAST-41 Final Completion Date by More Than 30 Days

November 13, 2025

Mosey Solar Project – Right-of-Way Authorization (BLM); NEPA (BLM); Section 106 (BLM); ESA (FWS)

I. Summary

The Mosey Solar Project (Project), sponsored by Renew Development HoldCo LLC (Project Sponsor), is a “covered project” under Title 41 of the Fixing America’s Surface Transportation Act (42 U.S.C. § 4370m *et seq.*). The Department of the Interior, Bureau of Land Management (BLM), has principal responsibility for environmental review for the Project under the National Environmental Policy Act (NEPA), 42 U.S.C. § 4321 *et seq.*, which makes BLM the lead agency for both NEPA and FAST-41.

BLM submitted a request to the Executive Director of the Federal Permitting Improvement Steering Council (Permitting Council) under 42 U.S.C. § 4370m-2(c)(2)(D)(i)(IV) to extend various completion dates on the project’s permitting timetable related to BLM’s Right-of-Way Authorization, NEPA action, consultation with the Nevada State Historic Preservation Office and Tribes under Section 106 of the National Historic Preservation Act (Section 106), 54 U.S.C. § 306108, and the consultation with the United States Department of the Interior, Fish and Wildlife Service (FWS) under the Endangered Species Act (ESA), 16 U.S.C. § 1531 *et seq.* This is BLM’s first request for modification of the Project’s permitting timetable.

For the following reasons, BLM’s extension request is **GRANTED**, in part, and **DENIED**, in part, and the Project permitting timetable will be revised accordingly.

II. Legal Standard

Pursuant to 42 U.S.C. §§ 4370m-2(c)(2)(D)(i)(II) and (IV), a lead agency may extend a final completion date by more than 30 days beyond the original final completion date only after consulting with the project sponsor and obtaining Executive Director approval. After receiving an extension request, the Executive Director must consult with the project sponsor and make a determination on the record whether to grant the requested date change. The Executive Director’s determination is based on consideration of “relevant factors,” including, but not limited to:

- (i) the size and complexity of the covered project;
- (ii) the resources available to each participating agency;

- (iii) the regional or national economic significance of the project;
- (iv) the sensitivity of the natural or historic resources that may be affected by the project;
- (v) the financing plan for the project; and
- (vi) the extent to which similar projects in geographic proximity to the project were recently subject to environmental review or similar procedures under State law.

42 U.S.C. §§ 4370m-2(c)(2)(B) and 4370m-2(c)(2)(D)(i)(IV). Executive Director determinations made pursuant to 42 U.S.C. § 4370m-2(c)(2)(D)(i)(IV) are not subject to judicial review.
42 U.S.C. § 4370m-2(c)(2)(D)(iv)(I).

III. Background

BLM submitted a request to change the completion dates shown in the table immediately below.

Action Agency	Action	Milestone	Current Date	Requested Date
BLM	Right-of-Way Authorization	Initial Application Received	12/21/2021	Complete
		Completed Application Received	11/21/2025	5/2/2026
		Final decision / agency action	7/28/2027	9/18/2028
BLM	106 Consultation with SHPO/ Tribes	Section 106 Consultation concluded	8/6/2027	6/19/2028
BLM	NEPA	Determination to prepare an Environmental Impact Statement (EIS)	12/19/2025	5/2/2026
		Scoping	1/19/2026	5/2/2026



		Issuance of a Draft EIS/ Release for Public Review	8/7/2026	1/15/2027
		Issuance of a Final EIS	05/07/2027	12/17/2027
		Issuance of Lead Agency ROD	8/6/2027	6/19/2028
FWS	ESA	ESA Consultation Request Package Submitted	8/7/2026	1/15/2027
		FWS determines ESA Consultation Package is Complete	12/21/2026	3/16/2027
		ESA Consultation Concludes	8/6/2027	12/17/2027

BLM's justification for this permitting timetable extension is based on BLM's effort to align with the Department of the Interior's July 15, 2025 memorandum,¹ which requires that all wind and solar energy project decisions, actions, consultations, and other undertakings be routed through the Office of the Secretary for final review prior to the agency taking action. These internal reviews will require additional time during several stages of the environmental review and right-of-way process, thus requiring updates to the Project schedule, including updating the milestone dates on the FAST-41 Dashboard.

BLM is, therefore, requesting an extension of approximately ten months for issuance of the final NEPA document as well as completion of the Section 106 consultation with the Nevada State Historic Preservation Office and Tribes, and an approximately 13-month extension for the right-of-way authorization. The intermediate and final completion dates for the ESA consultation are dependent on the NEPA action because information and analysis contained in the draft EIS is pertinent to development of the ESA consultation package. Accordingly, BLM requests an extension of approximately four and one half months for the ESA consultation completion dates.

Consultation with Project Sponsor on Extension Requests

Prior to submitting its extension request to the Executive Director, BLM consulted and coordinated with the Project Sponsor per 42 U.S.C. § 4370m-2(c)(2)(D)(i)(I) regarding the updated schedule. BLM has indicated that the Project Sponsor understands the need for the

¹ Available at:
<https://www.doi.gov/media/document/departamental-review-procedures-decisions-actions-consultations-and-other>.



requested completion date extension and does not object.

The BLM also provided the updated milestone schedule to participating agencies. The participating agencies had no concerns or issues with the proposed updated milestone schedule.

The Executive Director also has consulted with the Project Sponsor, as required by 42 U.S.C. § 4370m-2(c)(2)(D)(i)(IV), and the Executive Director has confirmed the Project Sponsor does not object to the requested permitting timetable modification.

IV. Discussion

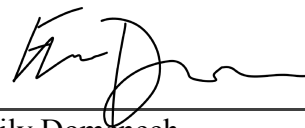
BLM, as part of its new review process for solar projects, requires additional time to complete the NEPA milestones and Section 106 consultation. Because the ESA consultation is dependent on information gathered during the NEPA process, those milestones also require an extension. The additional review time resulting from the DOI Secretarial memo justifies an extension to the affected milestones.

The Executive Director does not approve the requested modification of BLM's right-of-way authorization because it was not timely submitted. 42 U.S.C. § 4370m-2(c)(2)(D)(ii) prohibits modification of completion dates within 30 days of the completion date. The target date for the relative action was November 21, 2025, and the Executive Director did not receive BLM's request until October 31, 2025, less than 30 days from the target date. Thus, the Executive Director is unable to approve this modification request, and BLM will be establishing alternative completion dates and adhering to the statutory procedures required by 42 U.S.C. § 4370m-2(c)(2)(F) until the ROW action is complete.

This is BLM's first request to extend the permitting timetable. Given these circumstances, the Executive Director concludes that the requested extension is warranted, with the exception of the extension of the right-of-way authorization.

V. Determination

BLM's extension request is **GRANTED**, in part, and **DENIED**, in part, and the permitting timetable shall be revised accordingly.



Emily Domenech
Executive Director
Federal Permitting Improvement Steering Council

