

STREAMLINING THE ENVIRONMENTAL PROCESS

FEDERAL HIGHWAY ADMINISTRATION

Texas Division Office

Streamlining the Environmental Process

- Priority Congress SAFETEA-LU Section 6002
 - Efficient & Timely Process
 - Protect Environmental & Community Resources
 - Prescriptive, seeks early involvement & buy in
 - Coordination plans, participating agencies
 - Purpose and Need review, input and approval
 - Alternatives review and approval
 - Appropriate methodologies for evaluating alternatives
 - Approval by lead Federal agency

Streamlining the Environmental Process

- FHWA's EVERY DAY COUNTS
 - Identify/deploy innovations to
 - Shorten Project Delivery
 - Enhance Safety
 - Improve Environmental Sustainability
 - Input sought from AASHTO, AGC, ARTBA
 - Strategies Implemented; Milestones met
 - New Strategies deployed

Streamlining the Environmental Process

- Strategies include
 - Improving Planning & Environment Linkages
 - Environment/Community/Economic Goals early in planning
 - Carried into Envr, Project dev, design and Constr
 - Early consultation with FHWA counsel
 - Increased use ecological & wetland banking
 - WO technical assistance to ongoing EIS to resolve delays

Streamlining the Environmental Process

- Expand use Programmatic Agreements
 - Programmatic Agreement for Categorical Exclusions (PCE) FHWA and TxDOT - 2004
 - Programmatic Agreement for Biological Evaluation (PAFBE) USFWS, TxDOT and FHWA - 2005
 - Section 106 Agreement for Historical FHWA, TxDOT, SHPO, and ACHP – 2006
 - Possible PA Section 7/10 (HCP), revisions to PCE, ACE 404 in NEPA, ACE 408 review and funding

Streamlining the Environmental Process

•	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010*
PCE	554	656	590	480	220 REC/198 ENV	101 REC/38 ENV
Days	176	159	151	174	15 REC/233 ENV	15 REC/301 ENV
CE	58	78	63	55	57	26
Days	357	369	519	428	388	384
EA	53	44	40	38	29	11
Days	795	805	904	1057	967	1316
EIS	2	1	1	3	2	0
Days	1521	175	288	2824	1029	0
Total	667	779	694	576	506	176

Streamlining the Environmental Process

- Common Comments
 - Developed jointly by FHWA/ENV staff to address recurring comments
 - FHWA Goal approve document on first submittal
 - QA/QC document
 - Technically Complete
 - Follows FHWA Policy and Guidance
 - Requires no substantial revisions

Streamlining the Environmental Process

- Ensure that the document is readable by the public.
- Take a 'hard look' and show analyses
- Consistency with the MTP and the TIP/STIP
- The need and purpose should be clear, focused, well-supported, and easily understandable.
- Current data should be used to thoroughly justify the identified project needs

Streamlining the Environmental Process

- The alternatives analysis (screening and evaluation) process must be adequately explained, including justification for alternative dismissal.
- Environmental justice analysis must include an appropriate comparative discussion of the full range of potential impacts.
- Document should discuss provisions made to accommodate bicyclists and pedestrians.

Streamlining the Environmental Process

- Indirect and cumulative impacts analysis should clearly follow the TxDOT/FHWA Joint guidance from June 29, 2009.
- New location, added capacity, and change in access projects need to address the land use impacts from increased or altered accessibility to the area.

Streamlining the Environmental Process

- TxDOT Webinar on Common Comments
 - Wednesday Oct 20, 2010, 9:30 to 11:00
 - Open to consultants, local governments
 - District Office
 - Jenise Walton, Branch Manager, Human Environment
 - Jenise.Walton@txdot.gov
 - (512) 416-2763

Streamlining the Environmental Process

- Quality Assurance/ Quality Control
 - Quality must be built into the development of the environmental document.
 - Quality management plans should be part of environmental consultant contracts.
 - Evaluation of performance on previous consultant contracts should be part of selection process.

Streamlining the Environmental Process

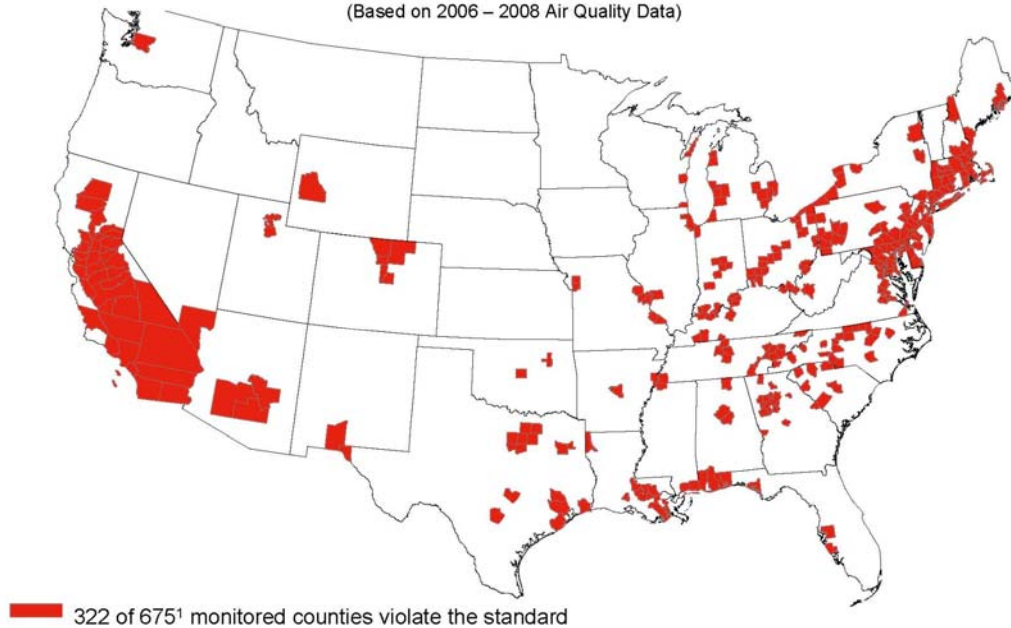
- Environmental process is a decision making process, NOT a decision justifying process.
 - Purpose & Need - based on documented needs (planning process, accident data, CMS, design, economic development)
 - All Reasonable Alternatives carried forward with equal level of detail
 - Cumulative and Indirect effects
 - Document and follow the Section 6002 process

Streamlining the Environmental Process

- Concentrate Federal funding
 - Federal Environmental process is time consuming, complicated, expensive
- Monitor environment and planning process
 - Metropolitan Transportation Plan and TIP
 - New Noise Regulations (July 2011)
 - Court Decisions
 - Other EA and EIS
 - Air Quality Conformity (new nonattainment areas)

Streamlining the Environmental Process

Counties With Monitors Violating the March 2008 Ground-Level Ozone Standards
0.075 parts per million
(Based on 2006 – 2008 Air Quality Data)



Notes:

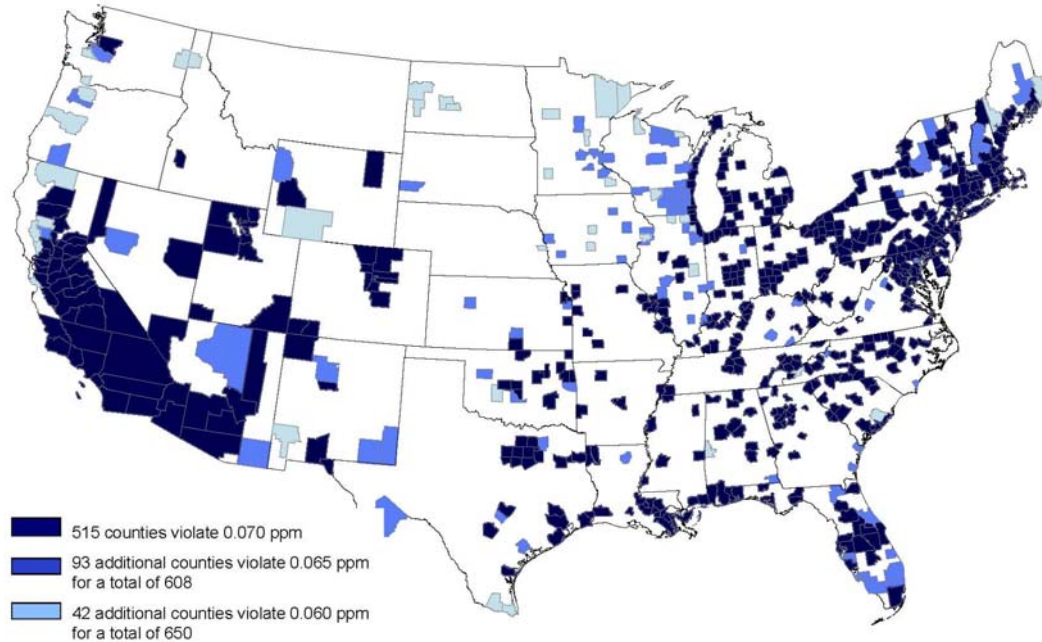
1. Counties with at least one monitor with complete data for 2006 – 2008
2. To determine compliance with the March 2008 ozone standards, the 3-year average is truncated to three decimal places.

Streamlining the Environmental Process

Counties With Monitors Violating Primary 8-hour Ground-level Ozone Standards 0.060 - 0.070 parts per million

(Based on 2006 – 2008 Air Quality Data)

EPA will not designate areas as nonattainment on these data, but likely on 2008 – 2010 data which are expected to show improved air quality.



Notes:

1. No monitored counties outside the continental U.S. violate.
2. EPA is proposing to determine compliance with a revised primary ozone standard by rounding the 3-year average to three decimal places.

Streamlining the Environmental Process

- Develop Realistic Schedule
 - Consider Env issues (ESA, 106, 404), complexity, controversy, resource agencies, public input in setting schedule (not based on desired letting)
 - Changes in alternatives or P&N, late discoveries mean project delay, change in schedule, additional data collection (BP, hurricanes, ARRA)
 - Keep public and elected officials involved and informed of issues and schedule changes

Streamlining the Environmental Process

- Early and continual communication between consultant, TxDOT, project sponsor, FHWA
- Consider joint EIS team, scheduled periodic briefings
- Documentation Always
 - Documentation Plan
 - Technical reports (document)
 - Document Decisions and Share
 - Administrative Record