The purpose of this message is to respond to questions that several Division Administrators have posed relevant to planning requirements and NEPA approvals. The information contained with the attached questions and answers is a reiteration of existing FHWA policy based on current statutes and regulation. The information clarifies when a final NEPA approval (CE, ROD or FONSI) can be made in relation to specific transportation planning and air quality conformity regulations, with a particular emphasis on fiscal constraint.

However, meeting these requirements should not be the only consideration when deciding when and if to approve NEPA decisions. When granting NEPA approvals, FHWA should consider the broader context of fiscal stewardship. Fiscal stewardship is a critical role and responsibility for FHWA and is engrained throughout the transportation decision making process: from fiscal constraint requirements in the transportation planning process, to reasonable cost estimates of alternatives in project development and the NEPA process, to financial plans and major project requirements during design and construction.

FHWA must actively encourage transparency, consistency, and reasonableness with regard to planned expenditures of public resources, and attempt to ensure that consistent messages are being provided throughout the planning, project development, NEPA, design, and construction processes.

For additional information, or if you have questions or comments, please contact Harlan Miller in the Office of Planning at (202) 366-0847, or Michael Culp in the Office of Project Development and Environmental Review at 202-366-9229.