

TRB ANNUAL MEETING – JANUARY 22, 2006

WORKSHOP: “MANAGING THE NEPA PROCESS FOR COMPLEX PROJECTS”

Sponsored by TRB Committee ADC10 – Environmental Analysis in Transportation  
and the AASHTO Center for Environmental Excellence

---

AGENDA

**8:30 to 8:45 WELCOME AND INTRODUCTIONS**

Carlos Braceras (Utah DOT), Advisory Board Chair, AASHTO Center for Environmental Excellence

**8:45 to 9:15 OVERVIEW PRESENTATION**

Bill Malley (Akin Gump/AASHTO)

**9:15 to 10:45 SESSION # 1**

**“Getting Started – Laying the Foundation for a Successful NEPA Study”**

Panelists: Carol Adkins (FHWA); Craig Casper (Pikes Peak Area Council of Governments); Greg Thorpe (North Carolina DOT).

Background: Decisions made before the NEPA process even begins can greatly affect both the time needed to complete the NEPA process as well as the ultimate success of the project. For example, pre-NEPA planning studies can be used to establish the “starting point” for purpose and need and the range of alternatives. The pre-NEPA phase also can be used to develop agreements with agencies regarding study procedures and methodologies; to gather baseline environmental data; to develop and refine traffic and air quality models; to resolve fundamental policy issues, such as the role for private investment and tolling; to determine the type of NEPA document needed (e.g., whether to prepare a tiered or traditional EIS); and to retain a consultant team for preparation of the NEPA study. This session will focus on identifying the key elements that must be in place *before* the NEPA process begins, in order to ensure that the NEPA process can be completed efficiently and expeditiously.

**10:45 to 11:00 BREAK**

**11:00 to 12:30 SESSION # 2**

**“Section 6002 of SAFETEA-LU – Using the New Streamlined Process for EIS Projects to Support Efficient and Effective Decision Making”**

Panelists: Pamela Stephenson (FHWA); Tim Hill (Ohio DOT); Jennifer Moyer (USACE); Robert Hargrove (USEPA).

Background: Section 6002 of SAFETEA-LU established an environmental review process that must be followed for all highway and transit projects that require USDOT approval and involve preparation of an EIS. This new process is similar in many ways to existing procedures, but involves some new requirements, new terminology, and new opportunities. For some States, the changes needed to comply with Section 6002 may be minor; for others, they may be more extensive. To assist States in complying with this new law, FHWA will be issuing guidance regarding NEPA compliance for EIS projects. In addition, individual States will be evaluating

their existing procedures, manuals, and agreements with other agencies to determine whether changes are needed to achieve compliance with Section 6002. This session will involve an interactive discussion of the issues, challenges, and opportunities presented by Section 6002.

**12:30 to 1:30 LUNCH**

**1:30 to 3:00 SESSION # 3**

**“Innovative Approaches to Improving NEPA Document Quality and Strengthening Legal Sufficiency – A Dialogue Among Practitioners”**

Panelists: Carol Lee Roalkvam (Washington State DOT); Hal Kassoff (PB/ACEC); Tim Hill (Ohio DOT); Bill Malley (Akin Gump/AASHTO).

Background: In 2004, a joint task force was established by FHWA, AASHTO, and ACEC to evaluate ways to improve the quality and readability of NEPA documents. This task force included three work teams, which focused on (1) improving document quality and readability, (2) clarifying the process and standards for legal sufficiency reviews; and (3) improving education and training in NEPA document preparation. Each task force will be preparing a draft report of its findings. The draft reports will be circulated in advance of this workshop. The panelists will begin this session with a summary of the task force findings, and then open up the meeting for comments and discussion. Members of the FHWA/AASHTO/ACEC task force are particularly encouraged to attend this session, but all participants in the workshop are encouraged to participate and provide input on the draft task force reports.

**3:00 to 3:15 BREAK**

**3:15 to 4:30 SESSION # 4**

**“Staying Ahead of the Curve – Effective Tools to Support NEPA Practitioners”**

Panelists: Harold Peaks (FHWA); Shannon Eggleston (AASHTO); Bill Malley (Akin Gump/AASHTO); Mark Kross (Missouri DOT/TRB ADC10).

Background: While the basic principles of NEPA have remained relatively unchanged over time, the actual work performed in NEPA studies is constantly evolving. New laws and regulations, new technical tools, new court decisions, changing public policies, and changing public expectations all “raise the bar” in terms of the level of effort needed to complete a NEPA study. Keeping up to date with all of these developments is a constant challenge for practitioners. This session will focus on new tools that can help project managers and other practitioners stay ahead of the curve. Topics will include: (1) the newly developed AASHTO Practitioners’ Guides, which provide succinct summaries and practical advice on topics such as responding to comments on an EIS, preparing an administrative record, and developing NEPA studies for toll road projects; (2) recent and upcoming FHWA guidance on the environmental review process, (3) upcoming education and training opportunities; and (4) upcoming research projects to support the environmental review process.

**4:30 to 5:00 WRAP-UP AND NEXT STEPS**