

# Workshop on Managing the NEPA Process for Complex Projects

*January 22, 2006*

*TRB Annual Meeting*

# Welcome

- Role of the AASHTO Center
- Purpose of this Workshop
- Session Format
- Introductions
- Agenda

# Agenda

- Welcome
- Overview Presentation
- Roundtable Discussions
  - # 1 Preparing for NEPA
  - # 2 Section 6002 Process
  - LUNCH --
  - # 3 NEPA Document Quality Task Force
  - # 4 Tools for Practitioners

*Managing the NEPA Process for Complex Projects*

# Overview Presentation

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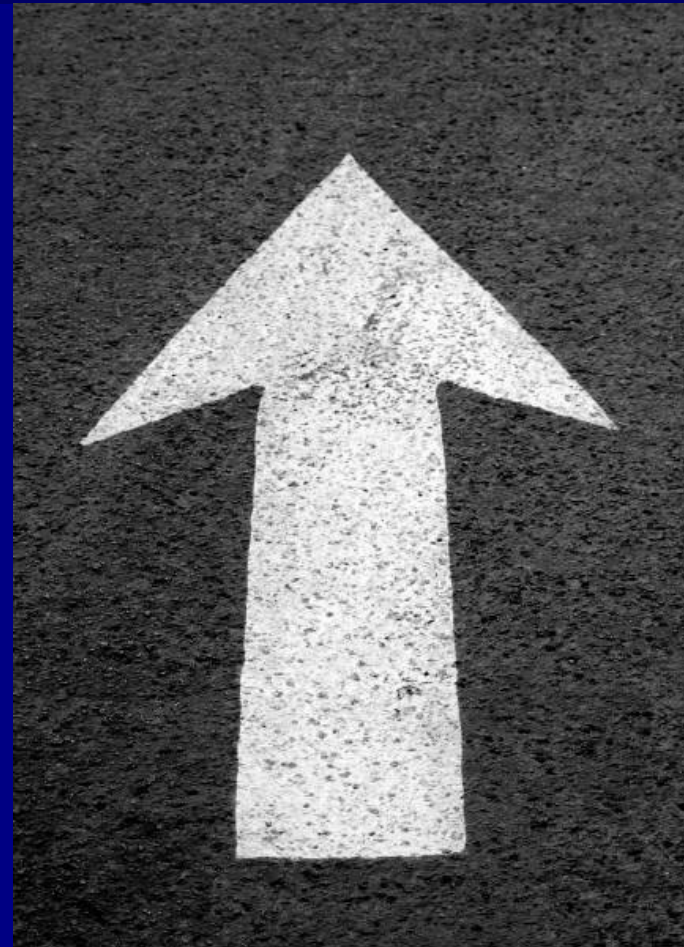
# Topics

- NEPA Trends
- Recent & Upcoming Developments
- Intro to Discussion Sessions

# NEPA Trends

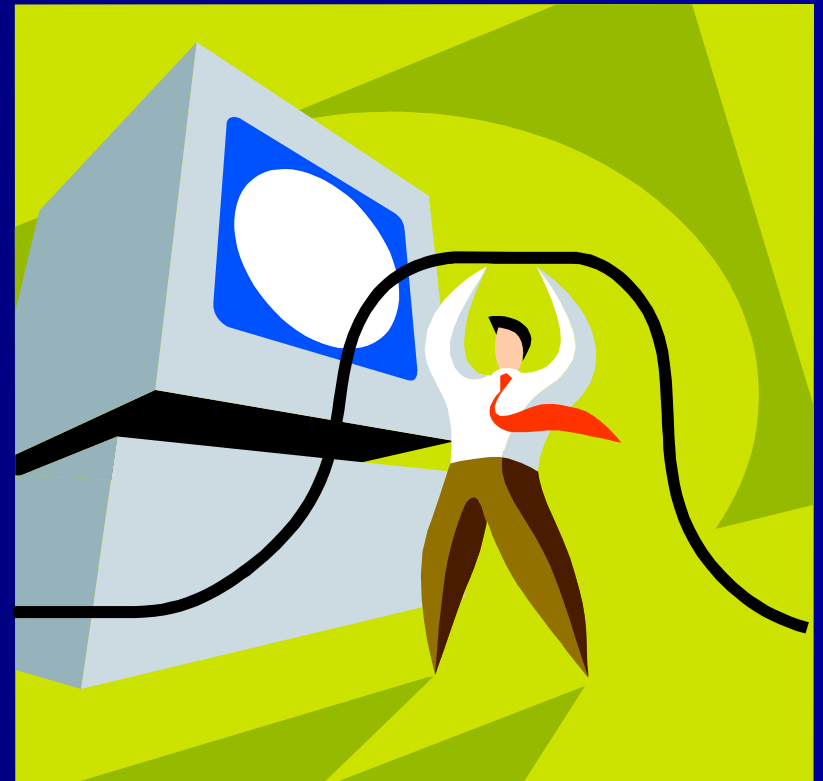
# NEPA Trends

- *Rising Expectations*
  - More is expected on every front
  - More public involvement
  - More agency coordination
  - More detail



# NEPA Trends

- *Greater Reliance on Technical Tools*
  - Computer models to predict traffic, air quality, land use, economic impacts
  - GIS mapping to assess environmental impacts





# NEPA Trends

- *Increased Agency Coordination and Public Involvement*
  - Continuous, active
  - Multiple forums
  - Tailored, targeted
  - Formalized – e.g., agency partnering agreements



# NEPA Trends

- *Agenda-Driven Stakeholders*
  - Well-organized
  - Well-funded
  - Knowledgeable
  - Focused on broader policy goals – e.g., fighting sprawl
  - Skilled at blending legal, political strategies



# NEPA Trends

- *Bigger Teams, More Specialization*
  - Project manager as “general contractor”
  - Multiple specialists
  - Huge coordination challenges



# NEPA Trends

- *More Detail, Bigger Documents*
  - EISs routinely over 1000 pages
  - Technical reports many more
  - Documents still faulted for “not enough” detail



# NEPA Trends

- *Innovative Formats*
  - Graphics
  - Page layout
  - Q&As
  - Condensed FEIS
  - Technical info on CDs
  - Web-based publication



# NEPA Trends

- *Agency-Specific Streamlining Laws*
  - Forests
  - Airports
  - Energy projects
  - Military facilities
  - Highways/transit
- Overlaid on NEPA, CEQ regulations



# Recent and Upcoming Developments

# Planning Process

## 2005

- FHWA-FTA guidance on planning-NEPA linkage
- FHWA-FTA guidance on fiscal constraint
- SAFETEA-LU § 6001

## Expected in 2006

- Statewide/metro planning rulemaking begins



# NEPA Process

## 2003-2004

- CEQ/DOT guidance on P&N
- FHWA guidance on NEPA for toll roads

## 2005

- SAFETEA-LU § 6002
- SAFETEA-LU § 6004-05
- FHWA guidance on statute of limitations

## Expected 2006

- Comprehensive guidance on Section 6002 of SAFETEA-LU
- Additional guidance on statute of limitations
- Guidance/rules on delegation

# Section 4(f)/Section 106

## 2005

- New Section 4(f) Policy Paper
- Section 106 Exemption for Interstate System
- "Net Benefit" 4(f) Programmatic
- Section 4(f) De Minimis Guidance

## Expected in 2006

- Rulemaking on Section 4(f)
  - De Minimis
  - Prudence
  - Least-harm analysis

# Air Quality

## 2005

- Nonattainment areas designated for PM2.5
- Settlement in US-95 air toxics case
- SAFETEA-LU changes to conformity requirements

## Expected in 2006

- FHWA guidance on air toxics analysis
- EPA final rule on PM2.5 hotspots (prior to 4/5/06)
- Conformity rulemaking begins

# Intro to Discussion Sessions

## Session # 1

# Preparing for NEPA

- *What steps should be taken before the NEPA process even begins?*
  - Legislative/policy support
  - Planning studies
  - Agreements on process and methodology
  - Data gathering
  - Model development

Session # 2

# Section 6002 Process

- *How will the Section 6002 process in SAFETEA-LU affect your project?*
  - New procedures
  - New terminology
  - New challenges and opportunities

Session # 3

# NEPA Document Quality

- *Reports by FHWA/AASHTO/ACEC Task Force on NEPA Document Quality*
  - #1 – Quality and Readability
  - #2 – Legal Sufficiency
  - #3 – Education and Training

## Session # 4

# Tools for Practitioners

- *What tools are available to help practitioners stay ahead of the curve?*
  - AASHTO Center for Environmental Excellence
    - Workshops
    - Practitioner's Guides (new)
    - Other Resources
  - TRB 25-25 Research
  - FHWA Initiatives