AASHTO Webinar on

NCHRP 25-43:
Navigating Multi-Agency NEPA Processes to Advance Multimodal Transportation Projects

March 1, 2016
Today’s Speakers

- Donald J. Emerson, WSP | Parsons Brinckerhoff
  \textit{NCHRP 25-43 Objectives, Approach, and Findings}

- Heather Wills, Federal Highway Administration (formerly Oregon DOT)
  Columbia River Crossing

- David Bricker, California Department of Transportation
  \textit{XpressWest}
NCHRP 25-43 Objectives, Approach, and Findings
Research Objectives

1. Characterize the challenges inherent in satisfying the NEPA requirements of more than one U.S. DOT agency

2. Identify strategies and tactics used to overcome these challenges

3. Suggest new and innovative strategies
Research Approach

Task 0
Project Management

Phase 1
- Task 1: Conduct NEPA project scan and federal action review
- Task 2: Conduct focus group on NEPA experience
- Task 3: Develop case study methods & recommendation
- Task 4: Produce phase 1 report

Phase 2
- Task 5: Conduct case studies
- Task 6: Produce Interim Report
- Task 7: Synthesize case studies

Phase 3
- Task 8: Produce final report
- Task 9: Develop Presentation

NCHRP Panel Review and Input
Five Challenges of Multimodal NEPA

1. Unique agency-specific program requirements under “NEPA umbrella”
2. Differing agency interpretations of (or procedures for meeting) NEPA requirements
3. Anticipating which U.S DOT agencies will have a major federal action
4. Efficient coordination among agencies
5. Securing funds for multimodal NEPA studies
Case Study Selection Criteria

→ U.S. DOT agencies & modes involved
→ NEPA approach
→ NEPA class of action
→ Challenges faced
→ NEPA document within last 10 years
Twelve Case Studies

Seattle – I-90 East Link

OR, WA – I-5 Columbia River Crossing

CA, NV – Xpress West

Salt Lake – Mountain View

Denver – TREX and I-70 East

Miami – Port of Miami Tunnel

Dallas – DART to DFW Airport

Chicago – CREATE

Cincinnati – Eastern Corridor

OH, PA, MD, WV – National Gateway Clearance

Northern VA – Rail to Dulles Airport
## Case Study Diversity: U.S. DOT Agency Roles

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Case Study Findings

➔ First four challenges confirmed, strategies & lessons learned identified

➔ Fifth challenge not encountered

- Funds for multimodal NEPA tended to come from one mode
- Criteria used to select cases may have screened out projects that could not assemble multimodal funding
## Case Study Findings: Challenges Faced

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Case Study Findings: Strategies

→ No single best approach to overcoming challenges

→ Twenty-three strategies identified, many related to coordination

→ Strategies include:
  - Committees, task forces, working groups
  - Joint project offices
  - Memoranda of agreement
  - Frequent in-person meetings and conference calls
  - Technical documents to address issues & record solutions
Port of Miami Tunnel: New Highway Connection to Port

Strategies

- FHWA was willing to be lead federal agency before source of funding was finalized.
- FDOT’s Project Development & Environment (PD&E) process has same milestones as NEPA, facilitating transfer of environmental analyses should NEPA be triggered.
- MOU between FHWA and Coast Guard clarified roles and responsibilities.
National Gateway: Increasing Railroad Clearances in 4 States

Strategies

• FRA, FHWA and State DOTs had differing issues and procedures. FRA and FHWA agreed to apply most stringent procedures.
• High-level kick-off meeting in Washington highlighted timeline.
• Governors spoke regularly to resolve issues.
• Regular phone calls with all states.
• FHWA assigned NEPA expert to FRA.
Strategies

• FHWA and FTA entered into Interagency Agreement to outline agency requirements and reconcile differences.

• CDOT convened task forces for focused input on specific impacts.

• Technical memoranda prepared as a resource.
Dulles Corridor: Rail Extension to Airport

Strategies

• Established a joint project office, including staff familiar with FTA policies and procedures.

• MWAA was liaison with FAA on airport issues. FAA was engaged throughout, although its role was small in first phase.
Cross-Cutting Themes & Lessons Learned

- Maintain early & continuous coordination
- Make sure agencies have similar interest and commitment
- Become familiar with other agency’s processes, reconcile differences early
- Understand other agency’s constraints & expectations
- Budget adequate time & resources

Success depends on willingness and motivation of agencies to work together, find common ground, and work around and bridge procedural differences.
Self-Assessment Tool

→ Contains 36 statements with 6 choices:

→ By applying the tool, respondents (or team) become aware of issues they are likely to encounter

→ Tool steers respondent(s) to case studies with similar issues
Columbia River Crossing Project

Heather Wills (FHWA), Former CRC Environmental Manager
Columbia River Crossing
Project Sponsors

- Oregon Department of Transportation
- Washington State Department of Transportation
- U.S. Department of Transportation: Federal Highway Administration, Federal Transit Administration
- City of Vancouver
- City of Portland
- SW Washington Regional Transportation Council
- Metro
- C-TRAN
- TriMet

→ Project Leads
→ Federal Oversight
→ Local Sponsor Agencies
Columbia River Crossing
Multi-Modal Solution

➔ Replace I-5 bridge
➔ Improve highway interchanges
➔ Light rail extension to Vancouver
➔ Pedestrian and bicycle facility improvements
➔ Highway toll
Columbia River Crossing
Multi-Modal Solution

Challenges

• Unique requirements for FTA vs FHWA NEPA compliance due to New Starts fund process
• Relationship between FHWA & state DOT and FTA & grantee were different
  • Delegation of authority
  • Level of involvement in agency coordination
  • Level of involvement in tribal coordination
• Developing trust between the ten agencies took a lot of time
Columbia River Crossing
Multi-Modal Solution

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<td>• Determine what potential concerns might exist in establishing new relationships up front and develop mitigation strategies to address them</td>
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<td>• Leverage existing relationships between agencies</td>
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<td>• Identify differences in process early and clearly outline what process will be followed with the highest level agreement possible</td>
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<td>• Ensure there is enough time at the beginning of a project to clearly define roles and responsibilities</td>
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Columbia River Crossing
FTA New Starts process informing NEPA
XPressWest
Project Background

- Interstate, high-speed, private passenger rail project
- Alignment along 200-mile corridor of Interstate 15 between Victorville, CA and Las Vegas, NV
- Passenger station and maintenance/operation facility in each city
- Multiple federal, state, and local agencies involved
- Federal Railroad Administration – NEPA Lead agency
- 2006 – Notice of Intent
- 2011 – Received Record of Decision
## Challenges

- Unique agency-specific program requirements under the NEPA umbrella: safety concerns.
- Differing agency interpretations of NEPA process and requirements: design issues.

## Strategies

- Anticipating which agencies will have a major federal action: single NEPA document and multiple NEPA decisions.
- Efficient coordination among agencies: project development structure (executive group and working groups).
Lessons Learned

• Perform thorough scoping process to identify issues and potential conflicts: risks, assumptions, and constraints.

• Anticipate participating agencies may have differing expectations: project schedule.

• Schedule regular meetings and ensure all appropriate parties are involved: effective communication and partnering.

• Enlist a mediator to facilitate meetings and work through challenging issues: build consensus.
Question and Answers