Planning and Environment Linkages: An Overview

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Agenda

PEL Overview

• PEL Considerations
• Planning Products
• PEL Best Practices
• One Federal Decision
What is PEL?

• PEL is a collaborative transportation decision-making approach
  o considers environmental, community, and economic goals early in the transportation planning process
  o uses the information, analysis, and products developed during planning to inform the environmental review process

• **Ultimately, the goal of PEL** is early collaboration to facilitate better planning to inform National Environmental Policy Act (NEPA) reviews to accelerate project delivery
PEL Benefits

- **Accelerate project delivery**
- **Align with future requirements**
- **Stimulates development of new tools**
- **Helps build relationships for agencies & the public**
- **Early engagement in decision-making**
- **Helps identify stakeholders early on**
- **Creates better outcomes for the community**
- **Improves planning products**
PEL versus NEPA

- PL and SPR funding
  - Transportation planning activities undertaken as part of planning process prior to the initiation of NEPA are eligible for PL and SPR funding.
  - Once the NEPA process has been initiated, activities undertaken for a project are not eligible for PL or SPR funds.
PEL General Considerations

- Follow the transportation planning process
- Solicit participation by Federal and State resource agencies and Indian tribes
- Provide an opportunity for public review and comments
- Use reliable and reasonably current data and reasonable, scientifically acceptable methodologies
- Involve the FHWA Division and FTA Regional Office, as appropriate
- Prepare appropriate documentation
# Flexibility in PEL Approaches

## General Considerations
1. Follow the transportation planning process.
2. Participation by Federal and state resource agencies and Indian tribes.
3. Opportunity for public review and comments.
4. Use reliable and reasonably current data and reasonable scientifically acceptable methodologies.
5. FHWA and FTA review as appropriate.
6. Documentation.

## Desired Outcomes
- Define Purpose and Need
- Preliminary Screening of Alternatives and Elimination of Unreasonable Alternatives
- Other Planning Decisions and Analysis
- Adopt Planning Decisions under 168
- Reduction of duplication by elimination of alternatives from detailed analysis.
- Planning Studies
- Planning Information and Analysis
- Programmatic Mitigation Plan

## Authorities
- 23 U.S.C. 168
- 23 CFR 450.212(a)-(c)& 450.318(a)-(d)
- 40 CFR 1500.4(j) & 1502.21
- 23 U.S.C. 169 and 450.214 & 450.320
Planning Products: Analysis and Decision Tools

Software or web-based systems designed to improve effectiveness of decision-making

Leverage existing software tools (e.g., GIS).

- NatureServe Vista
- USGS Water Data
- EPA’s Environmental Justice Screening and Mapping Tool

**NOTE:** FHWA does not specifically endorse any of these listed tools.
Planning Products: Purpose and Need

- Develop a statement of purpose and need for a future project during planning that can be used in the environmental review process.
- Consult with FHWA/FTA to ensure purpose & need can be used in subsequent environmental review processes.

Planning

NEPA
Planning Products: Preliminary Screening and Elimination of Alternatives

- **Best practices**
  - Be objective/fact based
  - Focus on corridor vision, fatal flaw analysis, mode selection
  - Reflects project purpose & need, community and public input, environmental impacts
  - May require several levels screening or analysis

The alternative to be eliminated from consideration is not necessary for compliance with the NEPA
PEL Best Practices

Plan before initiating project

Plan schedule & budget

Planning informs future environmental study.

Leverage tools such as GIS and other mapping tools to help inform planning.

Agencies sharing resources to provide data.

Comprehensive record of data, analysis and decision-making is important.
PEL & One Federal Decision

• Executive Order 13807
  “Establishing Discipline in Environmental Reviews and Permitting for Infrastructure Projects”
  • Two-year average timeline
  • Single NEPA document and single decision document

• Implementation MOU
  • Concurrence points
    • Purpose and Need
    • Range of Alternatives
    • Preferred Alternative

• Working Agreement & Process Charts

https://www.environment.fhwa.dot.gov/nepa/oneFederal_decision.aspx
PEL Resources

- PEL Website: [https://www.environment.fhwa.dot.gov/env_initiatives/PEL.aspx](https://www.environment.fhwa.dot.gov/env_initiatives/PEL.aspx)

- NHI PEL Course (142078): [https://www.nhi.fhwa.dot.gov](https://www.nhi.fhwa.dot.gov)
Conclusion

• PEL is flexible.
• Consider the future use of the planning analysis and planning products in the environmental review process.
• Consider environmental, social and economic early into the planning process to:
  • reduce duplication;
  • encourage relationship building and public engagement;
  • create better products, decisions, and outcomes; and
  • accelerate project delivery.