

PLANNING & ENVIRONMENT LINKAGES

Planning and Environment Linkages: An Overview

Marisel Lopez-Cruz

July 10, 2020

www.environment.fhwa.dot.gov



U.S. Department
of Transportation

Federal Highway
Administration

- **Disclaimer:** Except for the statutes and regulations cited, the contents of this document do not have the force and effect of law and are not meant to bind the public in any way. The document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. General considerations are not necessarily required by the statute or regulations; however, FHWA encourages these for all PEL approaches.

Add a footer

Agenda

PEL Overview

- PEL Considerations
- Planning Products
- PEL Best Practices
- One Federal Decision

What is PEL?

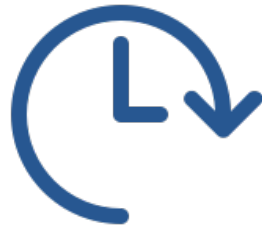
- PEL is a collaborative transportation decision-making approach
 - considers environmental, community, and economic goals early in the transportation planning process
 - uses the information, analysis, and products developed during planning to inform the environmental review process
- **Ultimately,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



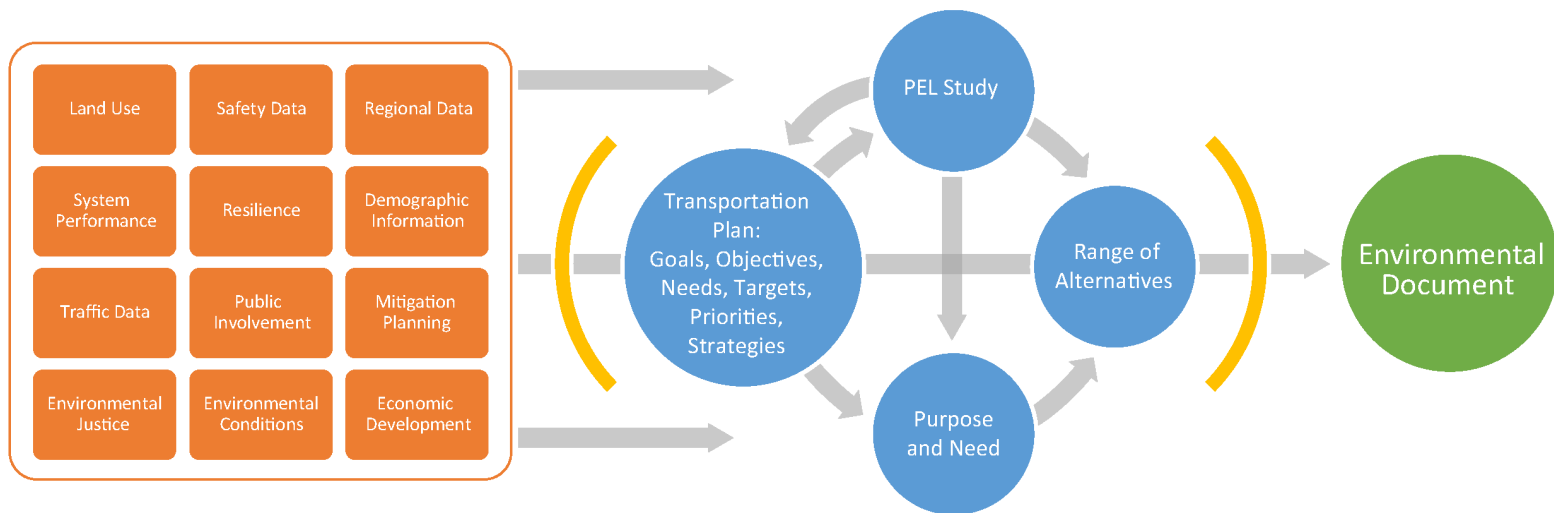
Creates better outcomes
for the community



Improves planning
products

PEL Today

PLANNING & ENVIRONMENT LINKAGES



Planning Analysis

Planning Decisions

Environmental Review

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	Desired Outcomes	Authorities
1. Follow the transportation planning process.	> Define Purpose and Need	
2. Participation by Federal and state resource agencies and Indian tribes.	> Preliminary Screening of Alternatives and Elimination of Unreasonable Alternatives	→ 23 U.S.C. 168
3. Opportunity for public review and comments.	> Other Planning Decisions and Analysis	
4. Use reliable and reasonably current data and reasonable scientifically acceptable methodologies.	> Adopt Planning Decisions under 168	
5. FHWA and FTA review as appropriate.	> Reduction of duplication by elimination of alternatives from detailed analysis.	→ 23 U.S.C. 139(f)(4)(E)(ii)
6. Documentation.	> Planning Studies	→ 23 CFR 450.212(a)-(c) & 450.318(a)-(d)
	> Planning Information and Analysis	→ 40 CFR 1500.4(j) & 1502.21
	> Programmatic Mitigation Plan	→ 23 U.S.C. 169 and 450.214 & 450.320

Add a footer

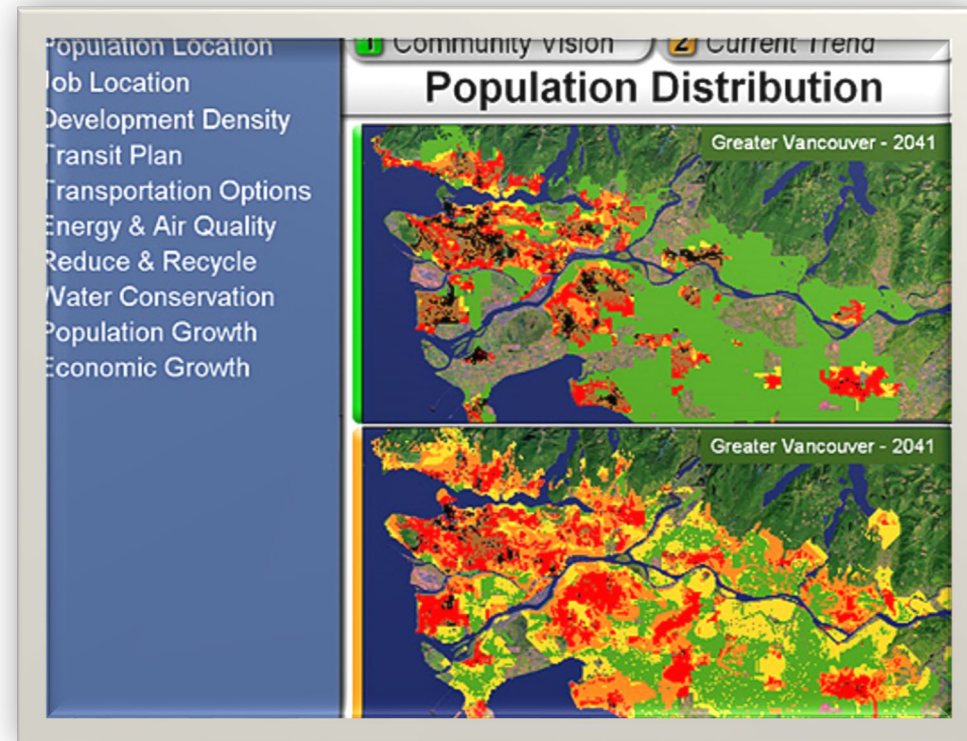
Planning Products: Analysis and Decision Tools

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 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



Credit: Getty Images

PEL Best Practices



Plan before initiating project



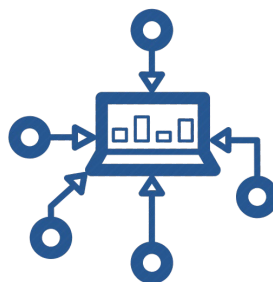
Plan schedule & budget



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
- NHI PEL Course (142078): <https://www.nhi.fhwa.dot.gov>



Credit: © WSP

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.

PLANNING & ENVIRONMENT LINKAGES

Larry Anderson

Larry.Anderson@dot.gov

Marisel Lopez-Cruz

Marisel.Lopez-Cruz@dot.gov



U.S. Department of Transportation
Federal Highway Administration