

AASHTO Mini-Peer Exchange on *Navigating NEPA to Advance Multimodal Transportation Projects*

February 18, 2016



Center for
Environmental
Excellence

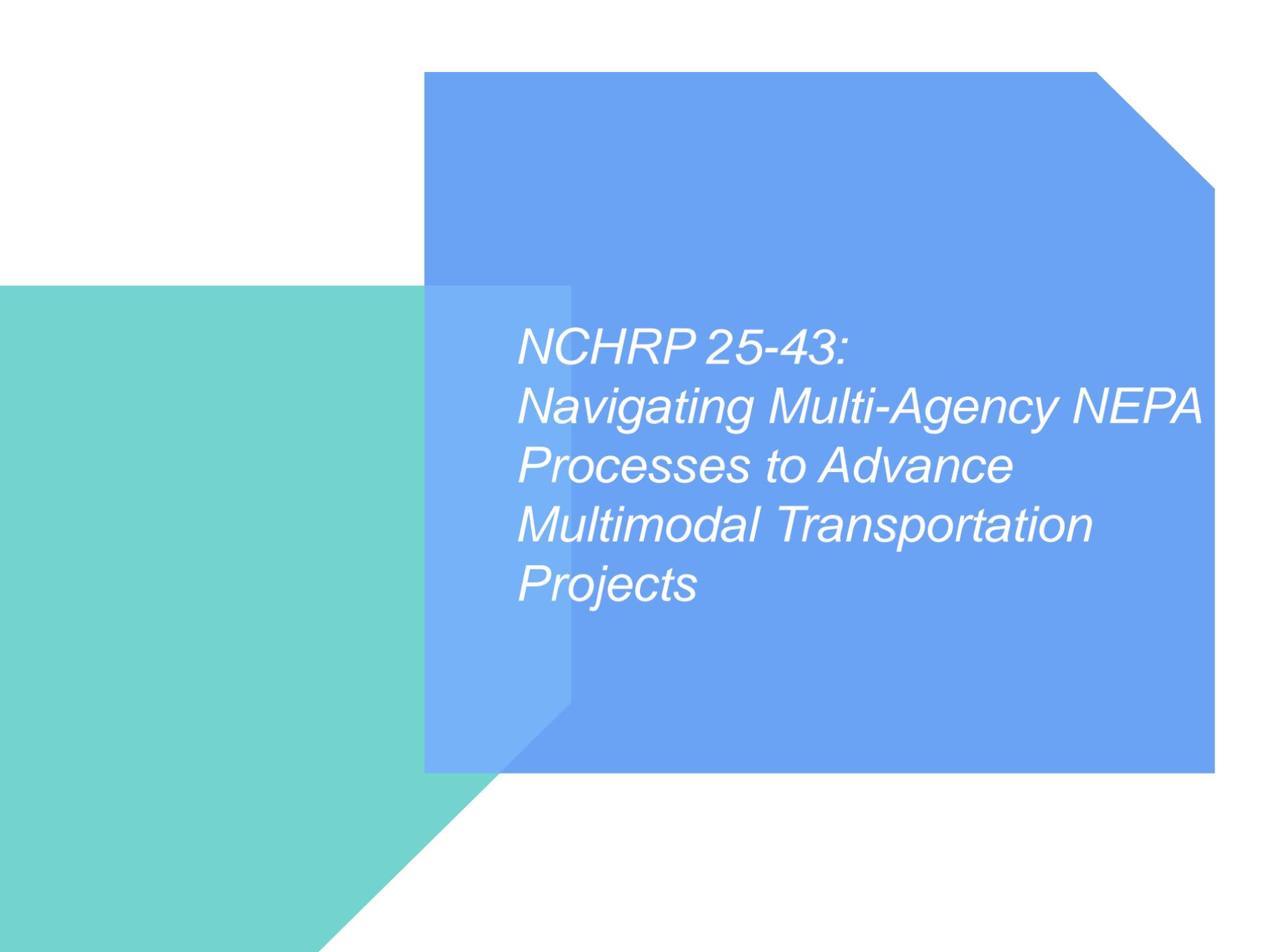


Federal Highway
Administration



WSP

**PARSONS
BRINCKERHOFF**

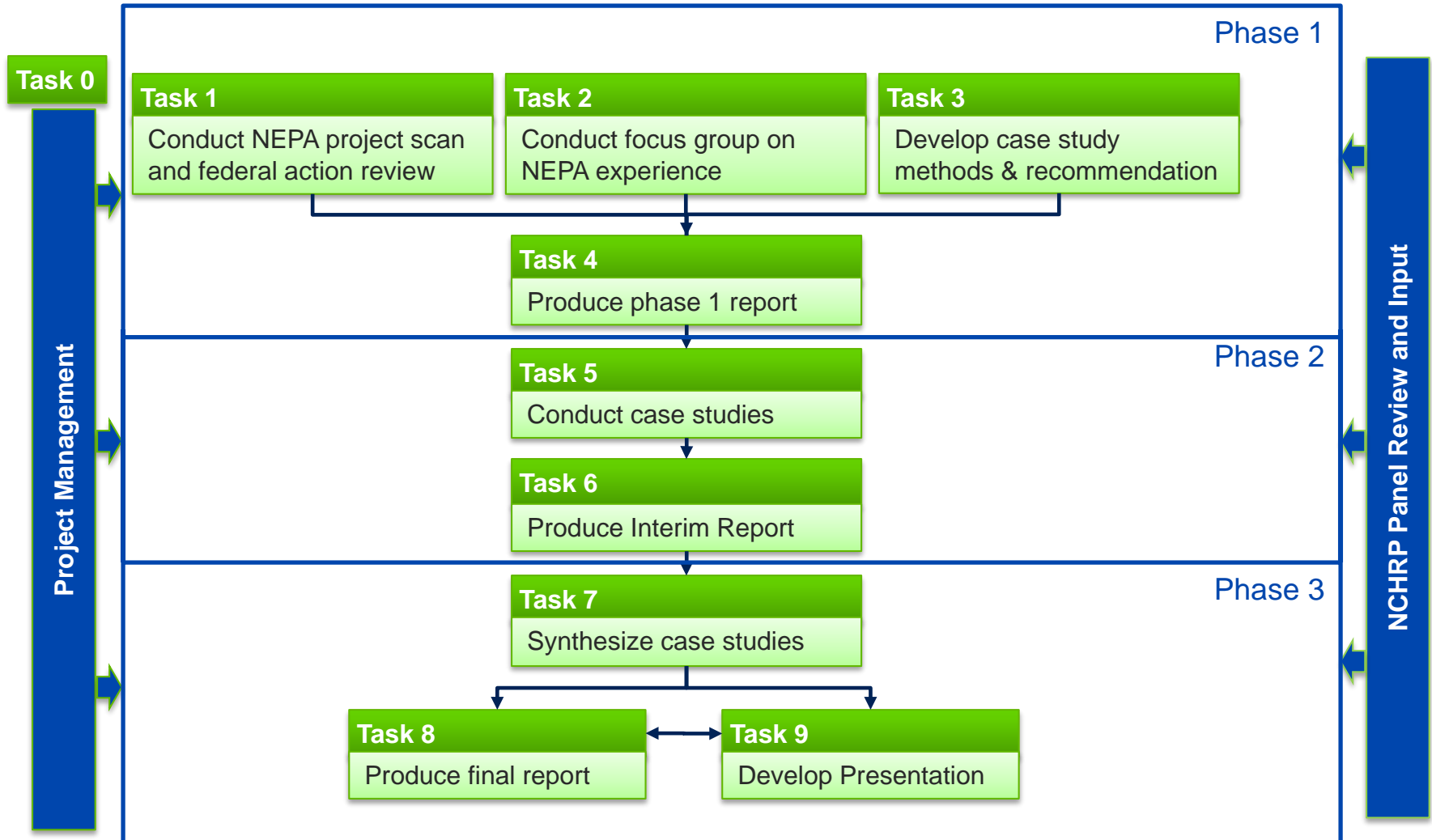


*NCHRP 25-43:
Navigating Multi-Agency NEPA
Processes to Advance
Multimodal Transportation
Projects*

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



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

Twelve Case Studies

Seattle – I-90
East Link

OR, WA – I-5
Columbia River
Crossing

CA, NV –
Xpress West

Salt Lake –
Mountain View

Denver – TREN
and I-70 East

Miami – Port of Miami
Tunnel

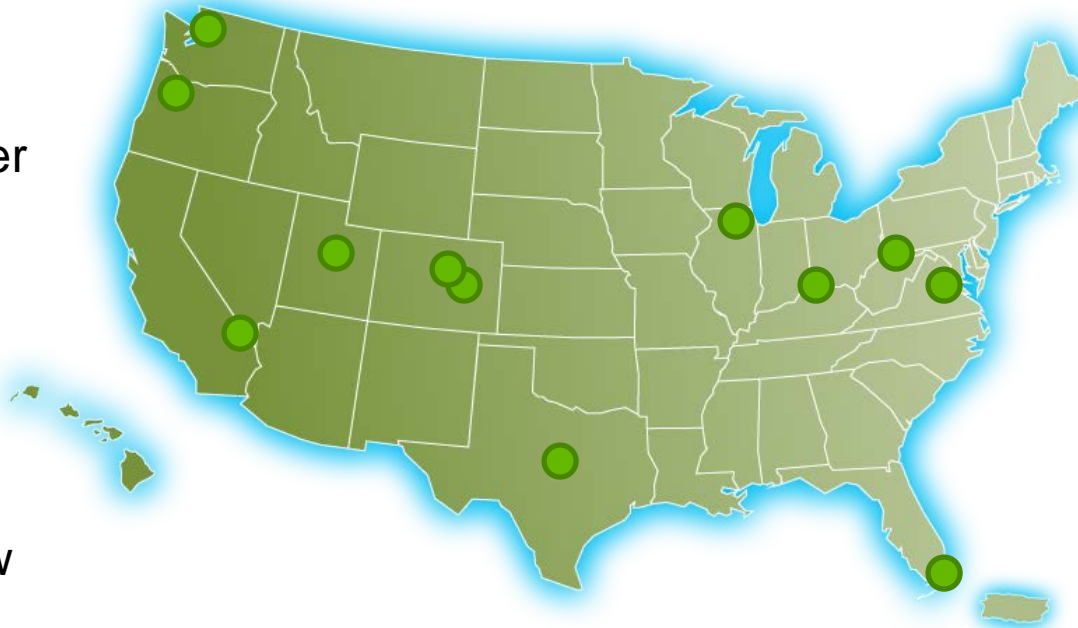
Dallas – DART to DFW
Airport

Chicago –
CREATE

Cincinnati –
Eastern
Corridor

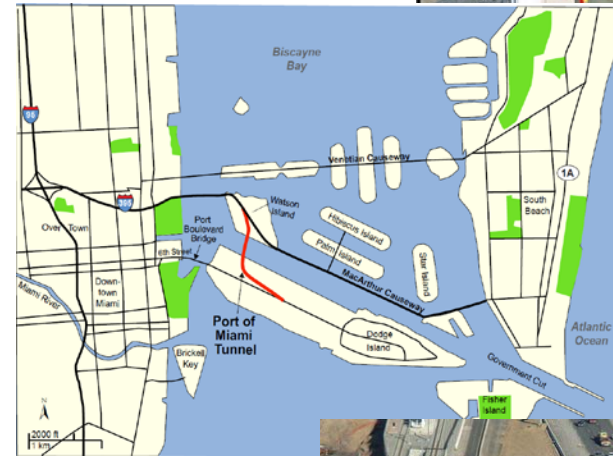
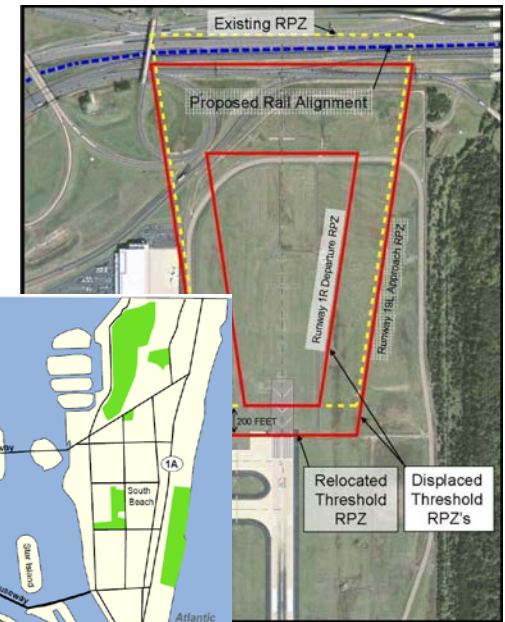
OH, PA, MD,
WV – National
Gateway
Clearance

Northern VA –
Rail to Dulles
Airport



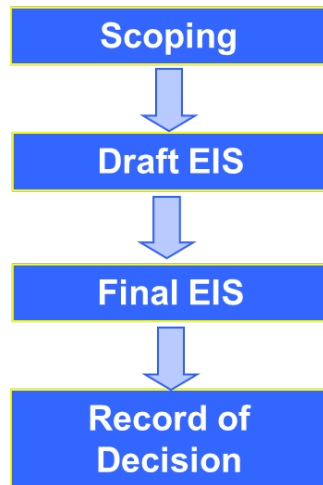
Case Study Diversity

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



Three Approaches to Multimodal NEPA

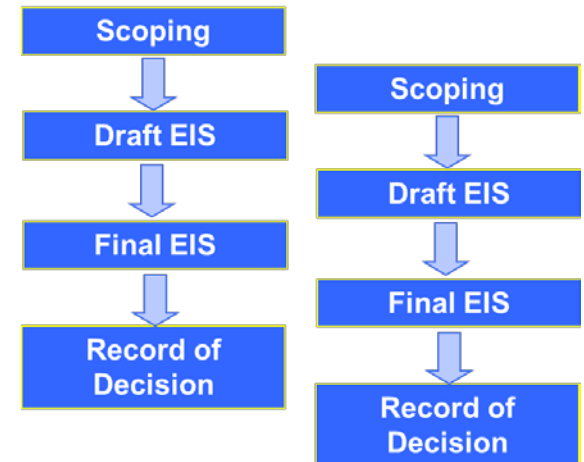
Merged Process



Merged initially, then Split



Separate but Coordinated



Case Study Diversity: NEPA Approaches

	Single NEPA Process	Merged then Split	Separate, Coordinated
Dulles	X		
Port of Miami	X		
Eastern Corridor		X (Tiered)	
National Gateway	X		
CREATE			X
T-REX	X		
I-70 East		X	
Mountain View		X	
XpressWest	X		
Columbia River Crossing	X		
East Link	X		
DFW Airport	X		

Case Study Diversity: U.S. DOT Agency Roles

	FAA	FHWA	FRA	FTA	STB	USCG
Dulles	Coop.			Lead		
Port of Miami		Lead				Coop.
Eastern Corridor		Lead		Coop.		
National Gateway		Jt. Lead	J. Lead			
CREATE (Chicago)		Lead	Coop.	Coop.		
T-REX (Denver)		Jt. Lead		Jt. Lead		
I-70 East	Coop.	Jt. Lead	Coop.	Jt. Lead		
Mountain View		Lead		Coop.		
XpressWest	Partic.	Coop.	Lead		Coop.	
Columbia River Crossing	Coop.	Jt. Lead		Jt. Lead		Coop.
East Link		Coop.		Lead		
DFW Airport	Coop.			Lead		

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

	1. Unique Requirements	2. Differing Interpretations	3. Identifying Agency with Action	4. Efficient Coordination
Dulles	X	X		X
Port of Miami			X	
Eastern Corridor			X	X
National Gateway	X	X	X	X
CREATE (Chicago)	X			X
T-REX (Denver)	X	X		X
I-70 East	X	X		X
Mountain View			X	X
XpressWest	X	X	X	X
Columbia River Crossing	X	X	X	X
East Link		X		X
DFW Airport	X	X		X

Case Study Findings: Strategies & Tactics

- No single best approach to overcoming the 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

Cross-Cutting Themes & Lessons Learned

- Maintain early & continuous coordination
- Leverage relationships & interests
- Engage necessary staff throughout process
- Make sure agencies have similar interest and commitment
- Budget adequate time & resources

Cross-Cutting Themes & Lessons Learned

- Become familiar with partner processes, reconcile differences early
- Understand agency constraints & expectations

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:

Completely Agree

Somewhat Agree

Somewhat Disagree

Completely Disagree

No Progress Made

Not Applicable

- 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

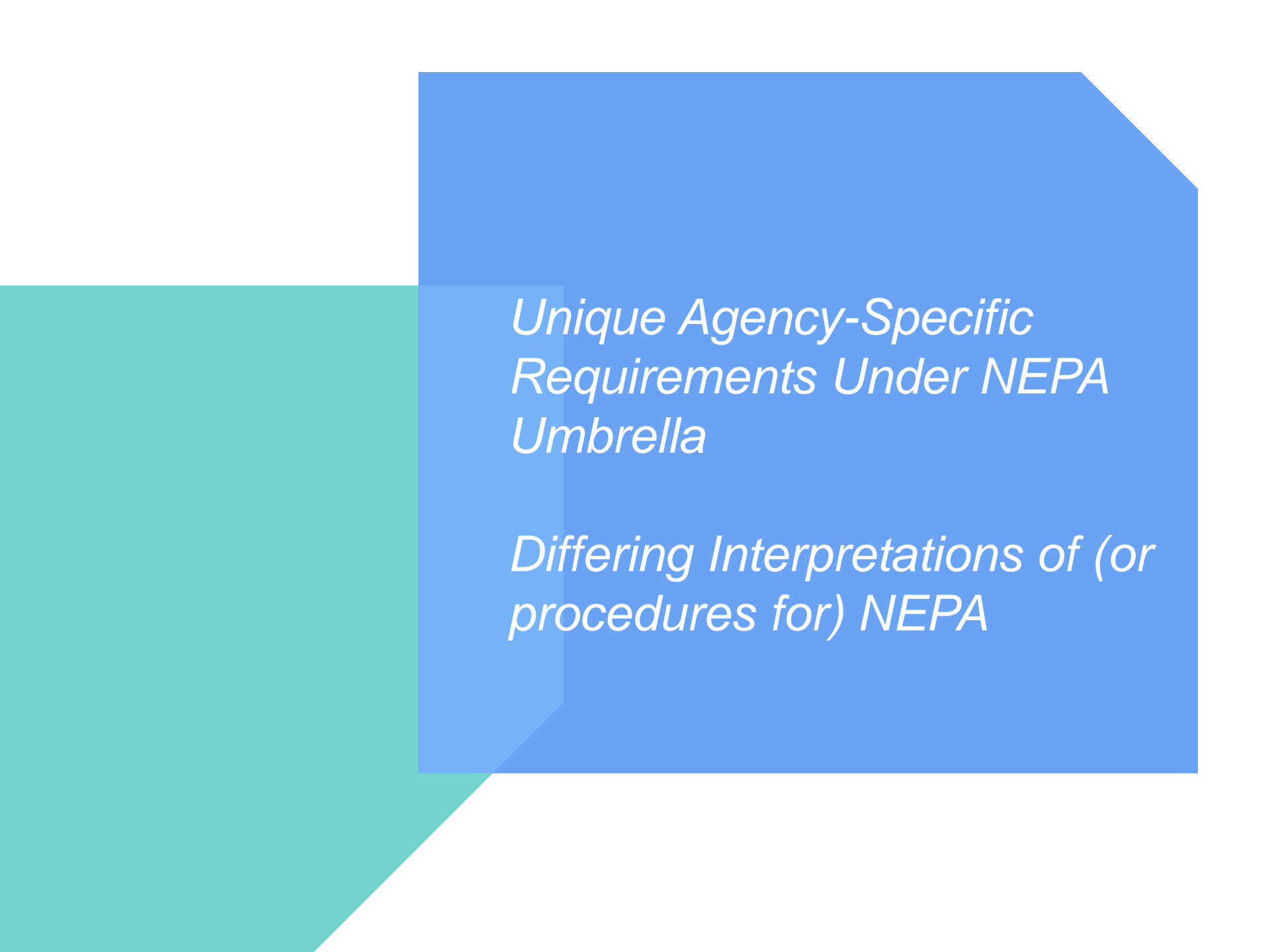
Contents of Final Report

1. Background
2. Challenges
3. Case Study Methods
4. Case Study Results
5. Synthesis
6. Implementation Plan

Appendices A thru L: Case study write-ups

Appendix M: U.S. DOT agency NEPA
requirements

Appendix O: Self-assessment tool

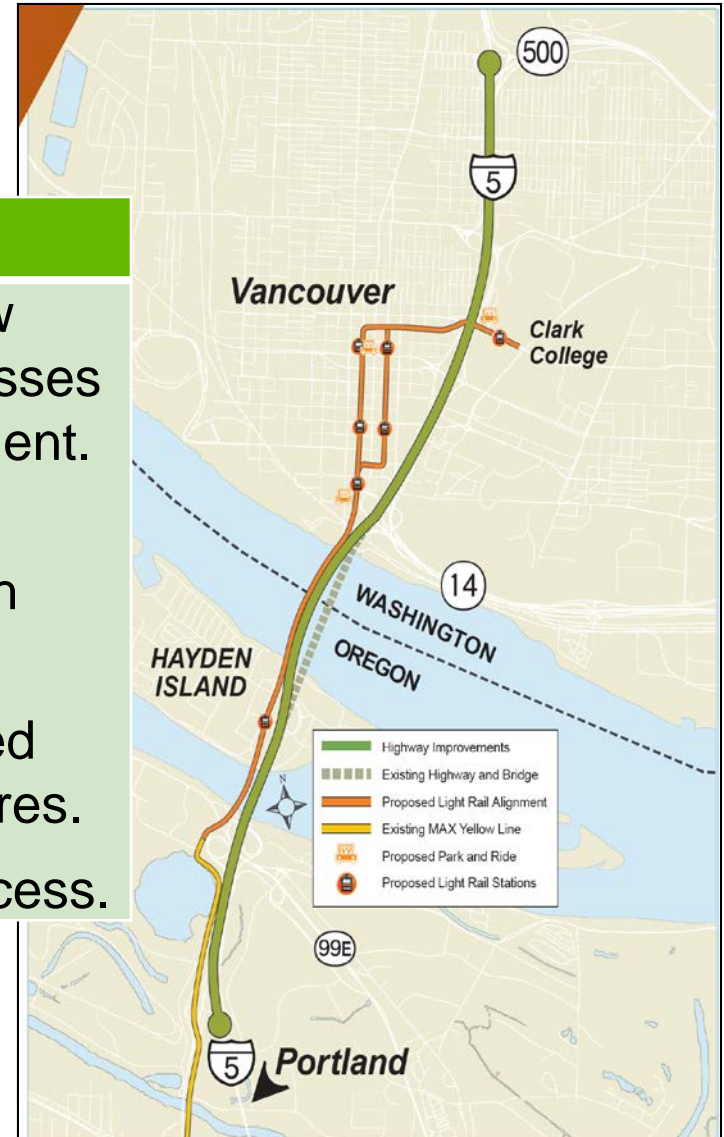
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*Unique Agency-Specific
Requirements Under NEPA
Umbrella*

*Differing Interpretations of (or
procedures for) NEPA*

Illustrative Example: Columbia River Crossing

Problems	Strategies
FTA New Starts requirements overlaid on NEPA process.	<ul style="list-style-type: none">• NEPA consultant knew FHWA and FTA processes and facilitated agreement.• Sponsor developed relationships with each federal agency.
State DOTs had different procedures (e.g., risk assessment).	<ul style="list-style-type: none">• State DOT staff learned other agency procedures.• Developed hybrid process.



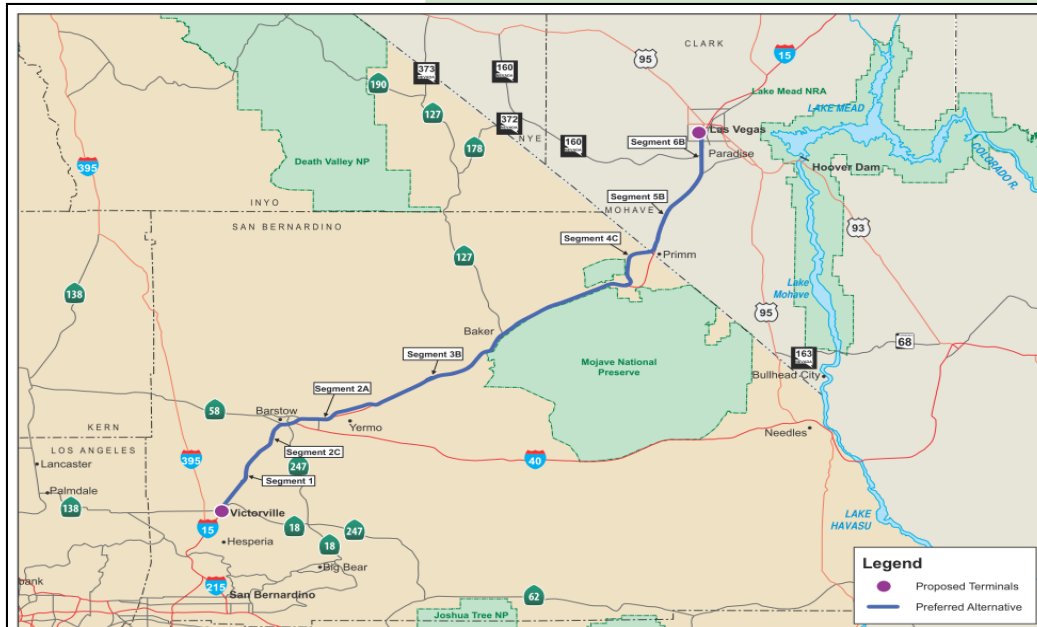
Illustrative Example: Xpress West

Problems

FHWA and FAA safety concerns affected project footprint and impacts.

Strategies

- Private sponsor developed Highway Interface Manual.
- Volpe Transportation Systems Center facilitated discussions on operational and safety issues.



Illustrative Example: National Gateway

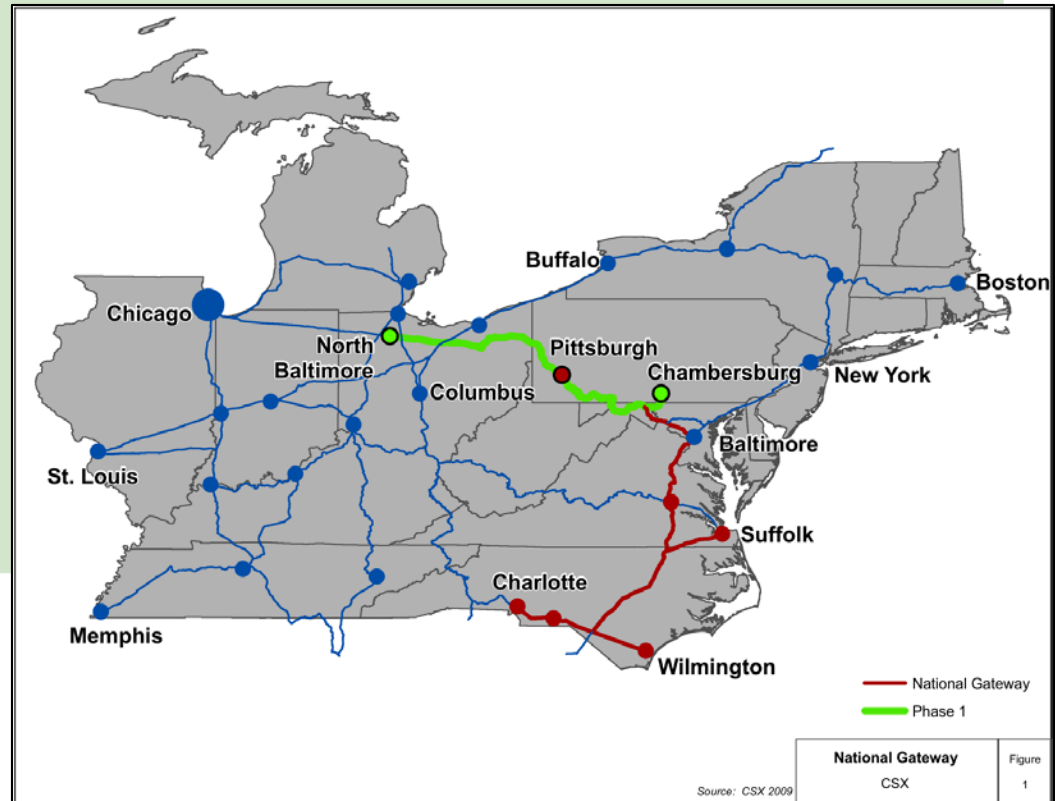
Problems

FRA and FHWA had different requirements for clean air conformity, public involvement, vetting of contractors and contractor disclosures.

State DOTs had differing issues and procedures.

Strategies

FRA and FHWA agreed to apply most stringent procedures.



Illustrative Example: T-REX

Problems

FHWA and FTA had different methodologies for measuring noise and vibration impacts.




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.
- Consultant prepared technical memoranda as a resource.



Federal Panel

- 1. What unique program requirements (project approval steps and/or criteria, policies, impact issues such as safety) does your agency have that are commonly addressed in conjunction with NEPA?**
- 2. Under what circumstances is your agency willing to undertake a multimodal NEPA process as a lead agency? Cooperating agency?**
- 3. What advice would you give to a project sponsor who is interested in undertaking a multimodal NEPA process involving more than one U.S. DOT agency?**

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*Anticipating Which Agencies
Will Have Major Federal Action*

Illustrative Example: Port of Miami Tunnel

Problems

Unclear which federal agency (if any) would have a major federal action due to lack of a funding strategy at outset of project.



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.

Illustrative Example: Mountain View

Problems	Strategies
UDOT and UTA sought to demonstrate commitment to a multimodal process and solution. FTA did not want role as co-lead agency because the transit component was not a UTA priority.	<ul style="list-style-type: none">• FTA was initially identified as co-lead agency, later changed to cooperating agency.• Delegation of stakeholders visited Region 8 office.



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Efficient Coordination

Illustrative Example: National Gateway

Problems	Strategies
Project received TIGER I grant with short, specific deadlines. Longest timeline controlled overall schedule.	<ul style="list-style-type: none">• High-level kick-off meeting in Washington highlighted timeline.• Governors spoke regularly to resolve issues.• Regular phone calls with all states.
CSX, a private partner, was unfamiliar with NEPA and was impatient with process. CSX or its contractor got ahead of process.	<ul style="list-style-type: none">• Clear communication between project manager and agencies.
CSX consultant hired to prepare NEPA documentation lacked local expertise & contacts.	<ul style="list-style-type: none">• FHWA assigned NEPA expert to FRA. This person had working relationships with several of the state DOTs.

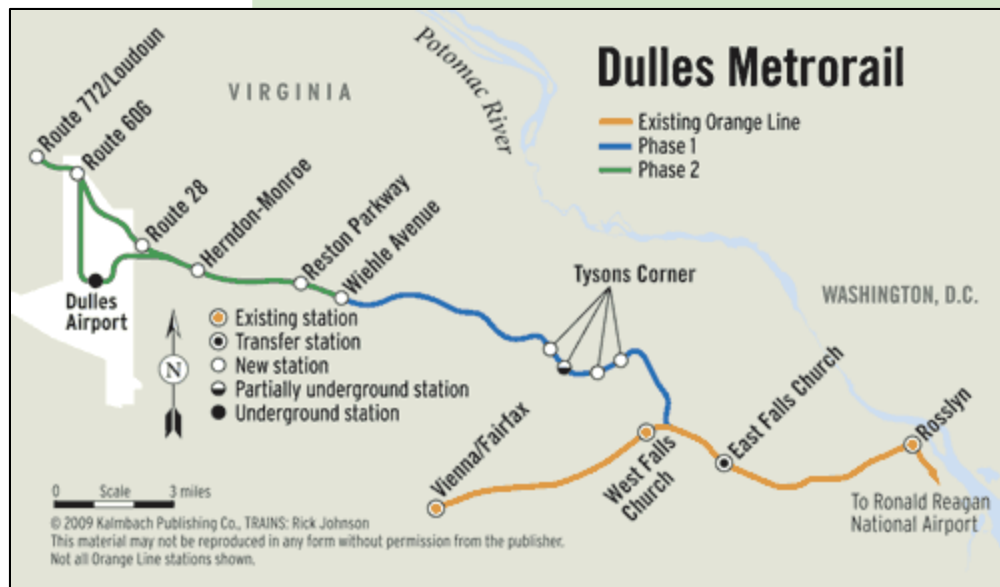
Illustrative Example: Dulles Corridor

Problems

Coordination among large group of stakeholders, including FTA and FAA.

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.



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Wrap-Up Discussion and Closing Remarks

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