

AGENDA
NCHRP 25-25 Task 99: Lessons Learned from State DOT NEPA Assumption
State DOTs/FHWA Peer Exchange

November 10, 2015

Location: National Cooperative Highway Research Program |Transportation Research Board|
500 5th Street NW | Washington, DC 20001

Invited Attendees: State DOTs: Alaska, California, Florida, Idaho, Minnesota, Ohio, Oregon, Texas, Utah
Other Invitees: NCHRP-TRB Program Officer, FHWA NEPA Assignment leads (Headquarters), NCHRP 25-25 Panel Members, AASHTO Liaison(s)

MEETING PURPOSE: Provide forum to share lessons learned from State DOTs who have applied or are in the process of applying for NEPA assumption with other states who are considering assumption

Agenda Topics

Time	Topic	Who
8:30-8:45	Welcome, Introduction, and Meeting Overview	Kelly Dunlap/Panel
8:45-9:05	Brief Presentation by FHWA Quick overview of NEPA assignment process and clarification regarding roles of FHWA HQ, Division, and Resource Center staff	Owen Lindauer
9:05-10:00	Information Gathering Concerns/Lessons at Key NEPA Assignment Milestones Using an interactive "post-it" note exercise, participants will share their questions, experiences, and lessons learned at NEPA assignment milestones. Milestones will be: 1) Pre-application, 2) Application/MOU, 3) Implementation/Renewal	All
10:00-10:20	BREAK	All
10:20–11:00	Pre-Application Discussion Building on information gathered during the "post-it" exercise, group will discuss the concerns/process of deciding to enter NEPA assignment and share pre-application experiences <ul style="list-style-type: none"> • <i>Why are states pursuing assignment?</i> • <i>What factors weighed in decision?</i> <ul style="list-style-type: none"> ○ <i>DOT Staffing (HQ and districts)</i> ○ <i>FHWA staffing</i> ○ <i>Nature of existing policies, procedures and guidance</i> • <i>Getting to the MOU</i> <ul style="list-style-type: none"> ○ <i>Sovereign immunity waiver- identify challenges and how overcame.</i> <ul style="list-style-type: none"> ▪ <i>Legal sufficiency review responsibility for state</i> ▪ <i>Consider state past experience with NEPA-based legal challenges</i> • <i>Potential advantages/disadvantages to taking on both 326 and 327?</i> 	All

11:00–12:00	<p>Application/MOU Discussion Part Building on information gathered during the “post-it” exercise, group will discuss their concerns and experience with the application and MOU processes.</p> <ul style="list-style-type: none"> • <i>MOU Process</i> <ul style="list-style-type: none"> • <i>What is the process? Who has sample schedules?</i> • <i>What was calendar time from initiating to approved MOU?</i> • <i>Who, how much effort?</i> <ul style="list-style-type: none"> • <i>Buy-in from others, internal and external?</i> • <i>Did states already have cost/time tracking system in place?</i> <ul style="list-style-type: none"> ○ <i>Does state include staffing, training, record-keeping?</i> • <i>Staffing</i> <ul style="list-style-type: none"> ○ <i>Staff capabilities prior to delegation?</i> ○ <i>How did state assess where you were and where needed to be prior to seeking assignment?</i> ○ <i>What procedures and training did state have in place before/during and after assignment?</i> • <i>Did FHWA require a certain benchmark before granting delegation?</i> • <i>Did states have to make office/organizational changes?</i> • <i>QA/QC</i> <ul style="list-style-type: none"> ○ <i>What QA/QC process did states have in place before assignment?</i> ○ <i>How substantial was the “lift” to meet FHWA requirements?</i> ○ <i>Was much of the new work contracted out or internal?</i> 	All
12:00–1:15	LUNCH	All
1:15–2:45	<p>Implementation/Renewal Discussion Building on information gathered during the “post-it” exercise, group will discuss their concerns and experience with implementing NEPA assignment. A particular focus of this discussion will be on audit preparation, sharing of audit experiences, and post-audit activities.</p> <ul style="list-style-type: none"> • <i>What is the required commitment to staffing levels and/or training?</i> • <i>How delivered?</i> • <i>States DOTs centralized or decentralized and how do both models work?</i> • <i>QA/QC</i> <ul style="list-style-type: none"> ○ <i>How are tools working so far?</i> ○ <i>What type of FHWA project assistance have states received post-MOU?</i> 	All
2:45-3:05	BREAK	All
3:05-4:30	<p>Additional Discussion This time will be used for participants to have further discussions regarding their concerns and questions regarding NEPA Assignment—time may be dedicated to identifying what gaps/questions remain unaddressed, what may need to be looked at further regarding differences between 23 USC 326 and 23 USC 327, what further information participants want/need regarding NEPA assignment</p> <ul style="list-style-type: none"> • <i>What have states learned, surprises?</i> • <i>Metro transit agency becoming interested in NEPA delegation – any states interested in assignment?</i> • <i>Highlight benefits/time/cost savings.</i> 	All
4:30-5:00	Wrap-Up/Adjourn	All