

*Planning and Environment Linkages:
Overview and Implications of SAFETEA-LU
Environmental Provisions and Final
Regulations for Planning*

Linking Conservation and Transportation
Planning Workshop - NCTCOG

November 13 & 14, 2007

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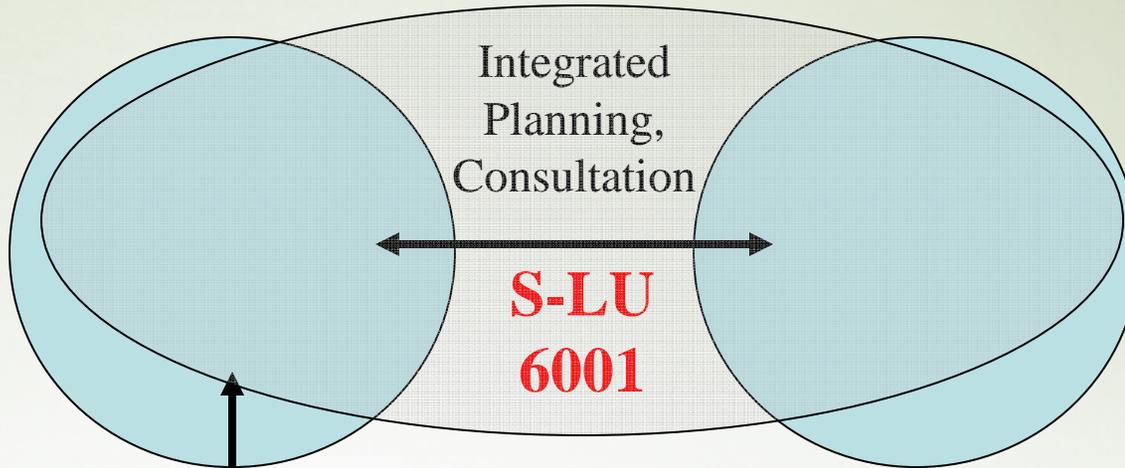
Washington, DC

System-level
Planning

Transportation

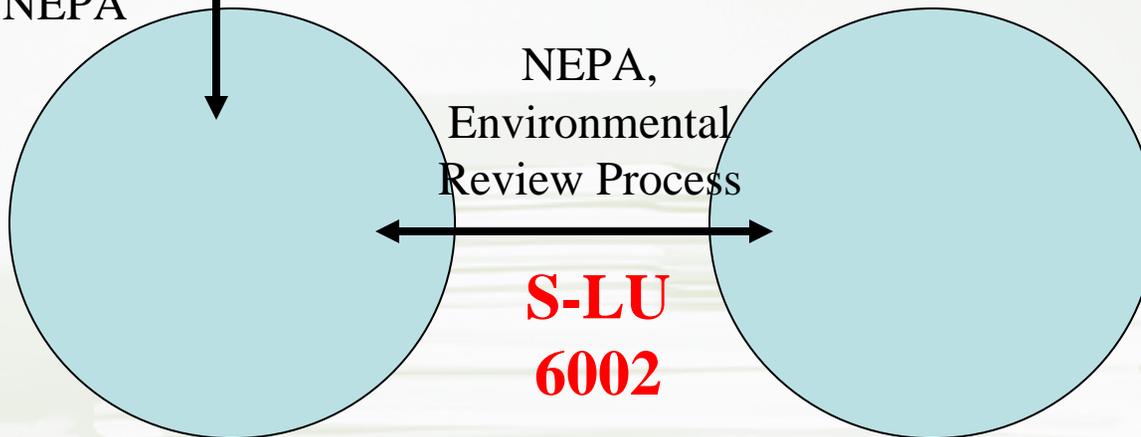
Resource Agency

System-level
Planning



Linking
Planning and
NEPA

**Guidance/
Appendix A**



Project-level
Decision

Project-level
Decision

Required in Long Range Plans

- Consultation “with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation”
- Requires consultations to compare transportation plans to (as appropriate):
 - Conservation plans or maps
 - Inventories of natural or historic resources

[see 23 CFR 450.214(i) and 450.322(g)]

Required in Long Range Plans

- Mitigation Discussion
 - Types of potential environmental mitigation activities and potential areas to carry out activities
 - "...including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan"
- To be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies
- Policy, plan and/or strategic-levels
- Allows States/MPOs to establish reasonable timeframes for performing consultation

[see 23 CFR 450.214(j) and 450.322(f)(7)]

Participation Plan - required

- MPO shall develop a participation plan in consultation with interested parties *[see 23 CFR 450.316(a)]*
- Minimum 45-day comment period
- Adequate, timely public notice and reasonable access
- Employ visualization techniques
- Information available in electronic formats
- Meetings at convenient and accessible
- State public involvement process similar *[see 23 CFR 450.210]*

System-level
Planning

Transportation

Resource Agency

System-level
Planning

Integrated
Planning,
Consultation

**S-LU
6001**

Linking
Planning and
NEPA

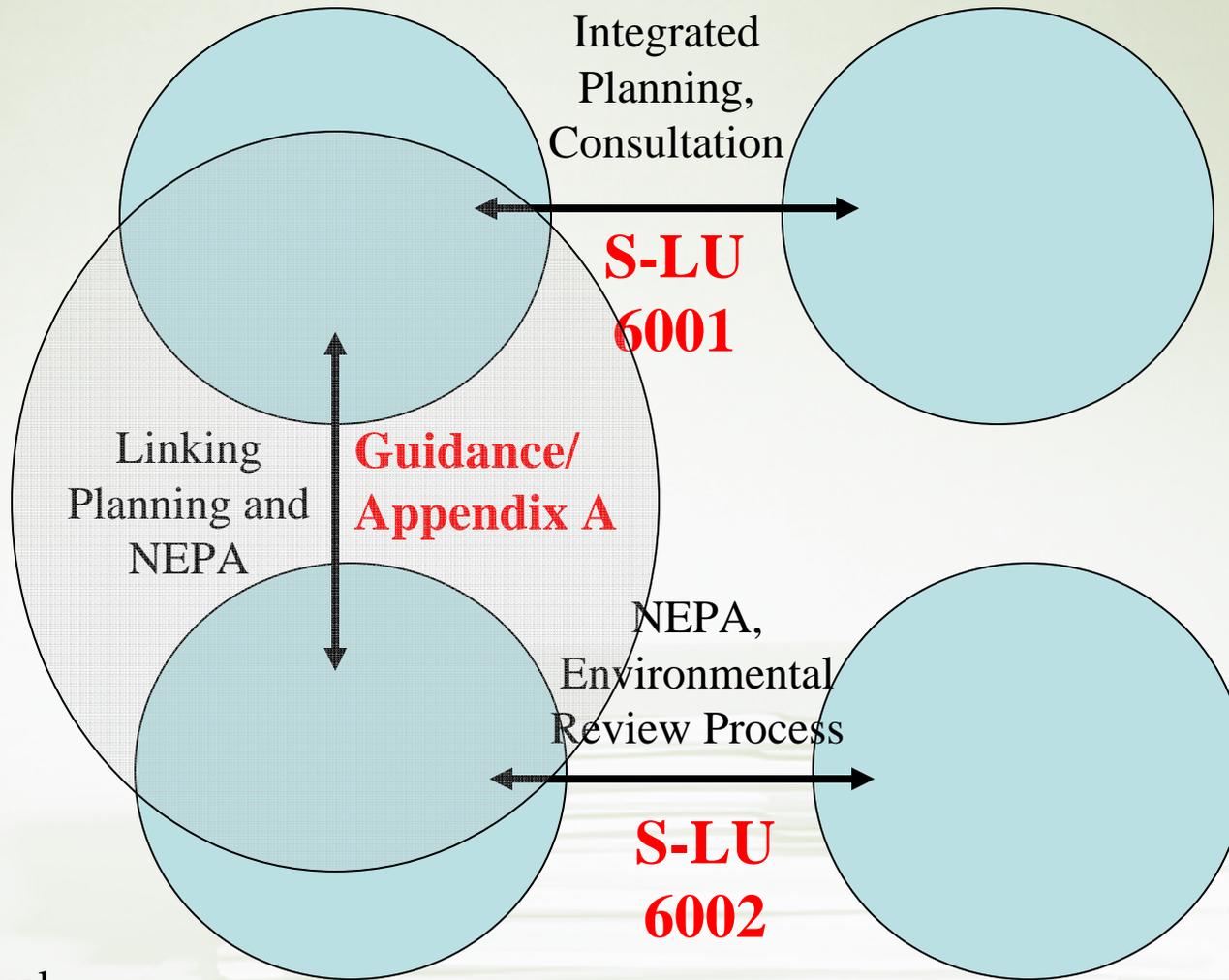
**Guidance/
Appendix A**

NEPA,
Environmental
Review Process

**S-LU
6002**

Project-level
Decision

Project-level
Decision



§ 450.212 & 318: Transportation planning studies and project development - **voluntary**

- Fulfills Congressional Requirement (§ 1308, TEA-21)
- Results or decisions in corridor or sub-area studies may be used in NEPA
 - Purpose and need or goals & objective statement(s)
 - General travel corridor, general mode, definition
 - Preliminary screening of alternatives and elimination of unreasonable alternatives
 - Basic description of the environmental setting
 - Preliminary identification of environmental impacts and environmental mitigation

§ 450.212 & 318: Transportation planning studies and project development (cont) - voluntary

- Studies may be incorporated directly or by reference, if:
 - NEPA lead agencies agree that it will help in evaluation and analysis in the NEPA
 - Systems-level, corridor, or sub-area planning studies are conducted with
 - Involvement of appropriate agencies
 - Public review
 - Reasonable opportunity to comment on planning process or studies
 - Documentation is identifiable and available for scoping process
 - Review of the FHWA and the FTA, as appropriate
 - Integration may be accomplished through tiering

Linking Planning and NEPA: Appendix A - voluntary

- Based on original guidance and legal opinion (Feb, 2005)
- Provides further clarification of 450.212 and 318
- Contains guidance on procedural, substantive, and administrative issues
- Voluntary
- Planning varies across the country
- Does not NEPA-ize Planning

Legal Guidance

- Environment and Planning Linkage Processes Legal Guidance
- Released February 22, 2005 (will still stand)
- Provides legal background for LP&N Guidance, now 23 CFR 450.212, 318 & Appendix A

<http://www.fhwa.dot.gov/hep/plannepalegal050222.htm>

Planning Rule Text:

<http://www.fhwa.dot.gov/planning/index.htm>



System-level
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Transportation

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**S-LU
6001**

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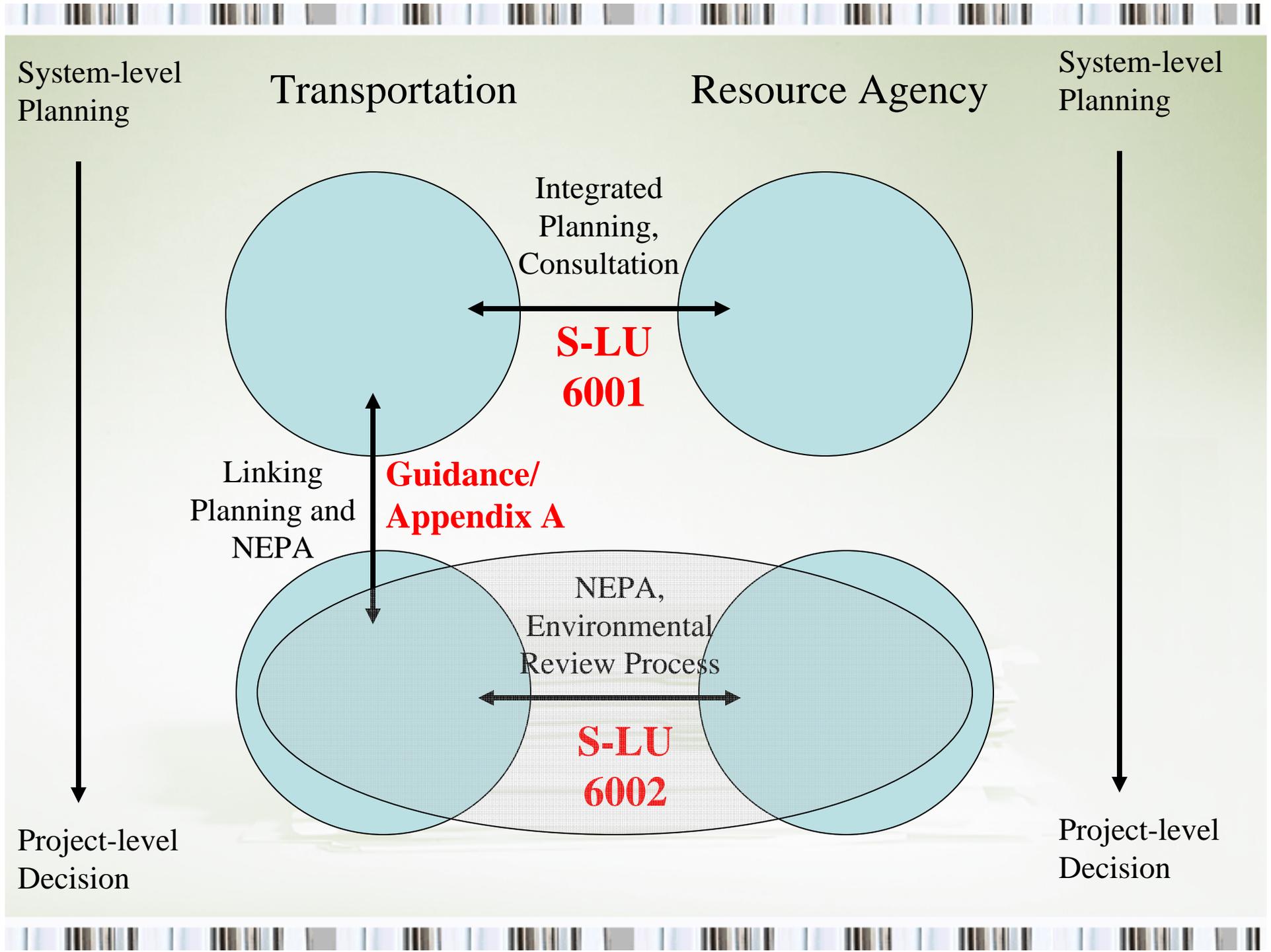
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Review Process

**S-LU
6002**

Project-level
Decision

Project-level
Decision



Relevant 6002/ERP/23 CFR 771 Provisions

- Opportunity for Involvement
 - Purpose and need
 - Range of alternatives
- Final 6002 Guidance specifically mentions “opportunities” may be given in the planning process - references LP&N guidance
- NPRM of 23 CFR 771.111 included a cross-reference to planning regulation re: linking planning and NEPA
- Funding assistance to affected State and Federal Agencies

How does 6001/Planning Reg./6002 work together?

- Planning as the basis for NEPA
- Better relationships, increased trust with resource agencies, throughout the decision-making process
- Early, informed decisions reduce project delivery delays within the ERP and minimize duplication of effort
- Agencies work collaboratively to ensure early consideration given to multiple goals
- Thoughtful and diligent management of the planning and NEPA processes can make a difference

System-level
Planning

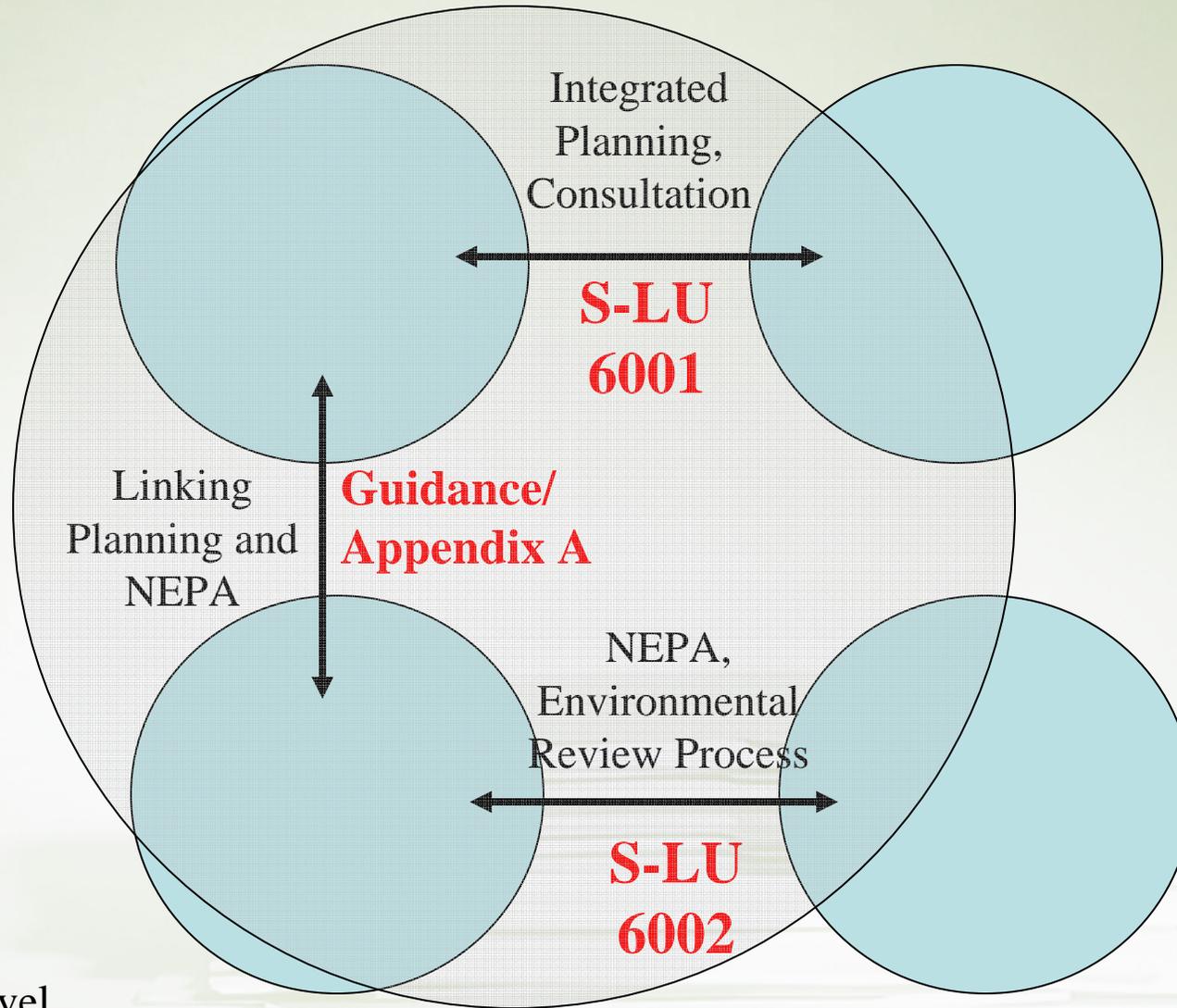
Transportation

Resource Agency

System-level
Planning

Project-level
Decision

Project-level
Decision



Related Efforts: Executive Order 13274

- Established Work Groups to focus on:
 - Purpose and Need
 - Indirect and Cumulative
 - Integrated Planning (IPWG)
- All baseline reports and findings reference planning level consideration/links as good/best practice
- IPWG will soon post case studies (including STEP-UP, Riverside)
- IPWG will soon conduct state of the practice and best practice review of Tiering, Corridor and Sub Area studies

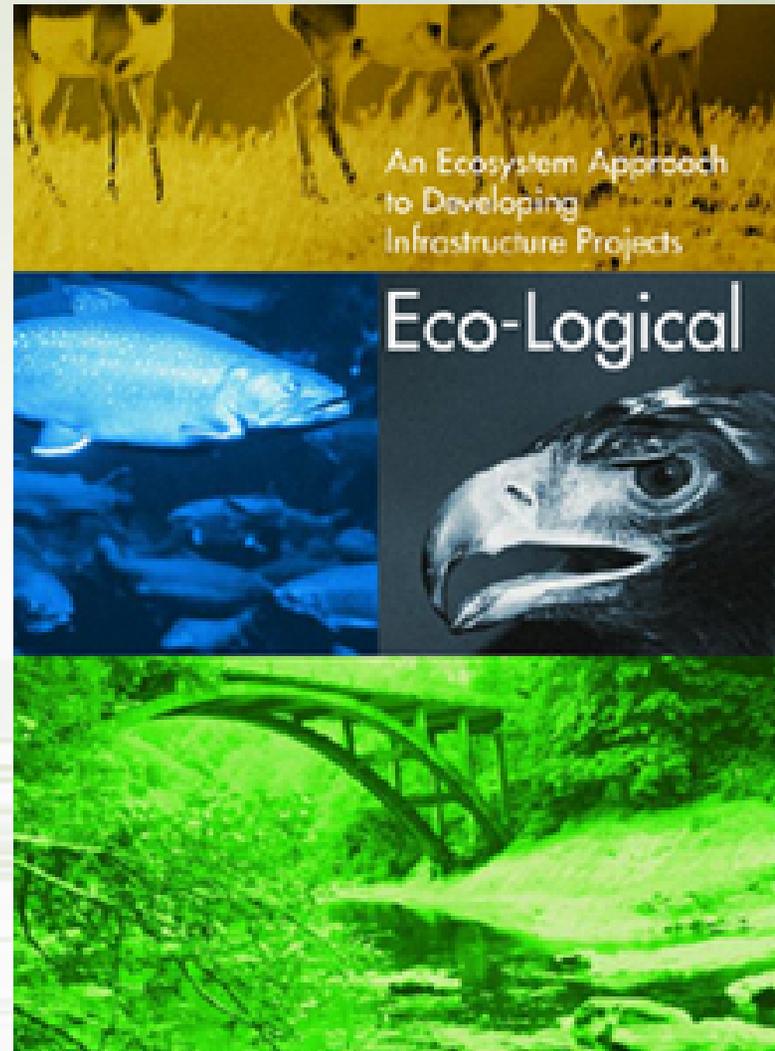
<http://www.fhwa.dot.gov/stewardshipeo/workgroups.htm>

Related Efforts: Eco-Logical

- Eco-Logical encourages flexibility in regulatory processes
- Lays conceptual groundwork for integrating plans across agency boundaries
- Endorses ecosystem-based planning and mitigation

Signatory Agencies:

- BLM, EPA, FHWA, NOAA Fisheries Service, NPS, USACE, USFS, USFWS



Other related efforts

- State Wildlife Action Plans
- Environmental GIS Work
- Green Infrastructure/Strategic Conservation Planning



Feedback so far

From Transport. Planners:

- Need more guidance
- Lack of examples
- Mitigation?
- Flexibility is good
- Not another planning requirement
- Need training

From Resource agencies:

- Great opportunity
- Don't have the resources
- Early input may effect ability to make decisions later
- Need training
- How to be useful, provide valuable input

Case Studies



Case Study - Consultation

Riverside County Integrated Project

- Integrated planning initiative
- Coordination among FHWA, USACE, USEPA, USFWS, USFS, Caltrans, CRA, Governor's Office of Planning, etc...
- Plans included:
 - County General Plan
 - Multiple Species Habitat Conservation Plan (MSHCP)
 - Community and Environmental Transportation Acceptability Process (CETAP)
- CETAP used RCIP effort to inform Tiered EIS process

http://environment.fhwa.dot.gov/integ/case_studies.asp

Case Study - Mitigation SEMCOG

- Potential impact analysis for sensitive resources considered for the RTP
- Area definition and resource mapping, data integration
- Created guidelines for mitigation
- Guidelines established for consideration of specific resources, in consultation with Fed & State agencies

http://environment.fhwa.dot.gov/integ/case_studies.asp

Potentially Impacted Woodlands



- Pavement project
- Potentially impacted woodlands
- 1/4 mile buffer (1320 feet)
- Woodlands

Source: SEMCOG.

Case Study - Linking Planning and NEPA STEP-UP

- Strategic Transportation, Environmental and Planning Process for Urban Places (STEP-UP)
- STEP-UP is a partnership among CDOT, FHWA, USEPA Region 8 and NFRMPO
- Includes several components:
 - Environmental database application
 - Regional consideration of resources
 - Corridor assessment
 - Pre-TIP environmental review and scoping
 - Use of planning level info and analysis in NEPA

<http://www.dot.state.co.us/Publications/PDFFiles/stepup.pdf>

Planning and Environment Linkages website

Planning and Environment Linkages

► **Overview**

Getting Started

Implementation

Effective Practices

Additional Resources

**Legislation, Regulations
and Guidance**

Contacts

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[More Information](#)

[Website Feedback](#)
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Overview

Welcome to the FHWA's website on Planning and Environment Linkages.

This website offers a wealth of information developed and compiled by the FHWA and its partners to assist in strengthening planning and environment linkages, including:

- The **benefits** of using a Planning and Environment Linkages approach.
- Some first steps for **getting started**, including a list of activities to help you begin.
- Indicators of successful Planning and Environment Linkages **implementation**.
- **Effective Practices** from states nationwide, including case studies and FHWA-sponsored Workshops.
- **Additional resources** that are related to planning and environment linkages.
- **Legislation, Regulations and Guidance**.
- **Contacts** to receive more information from FHWA.

Benefits of Planning and Environment Linkages

State and local agencies can achieve significant benefits by incorporating environmental and community values into transportation decisions early in planning and carrying these considerations through project development and delivery. Benefits include:

- *Relationship-building benefits:* By enhancing inter-agency participation and coordination efforts and procedures, transportation planning agencies can establish more positive working relationships with resource agencies and the public.
- *Process efficiency benefits:* Improvements to inter-agency relationships may help to resolve differences on key issues as transportation programs and projects move from planning to design and implementation. Conducting some analysis at the planning stage can reduce duplication of work, leading to reductions in costs and time requirements, thus moving through the project development process faster and with fewer issues.
- *On-the-ground outcome benefits:* When transportation agencies conduct planning activities equipped with information about resource considerations and in coordination with resource agencies and the public, they are better able to conceive transportation programs and projects that serve the community's transportation needs more effectively. This leads to smaller negative impacts, and incorporates more effective environmental stewardship.

What is a Planning and Environment Linkage?

Planning and Environment Linkages represent an approach to transportation decision-making that considers environmental, community, and economic goals early in the planning stage and carries them through project development, design, and construction. This can lead to a seamless decision-making process that minimizes duplication of effort, promotes environmental stewardship, and reduces delays in project implementation.

Who is Involved?

This approach encourages internal and external communication and coordination throughout the decision-making process — between transportation staff responsible for planning and project development, between transportation agencies and resource agencies, and between agencies and the public. It also enables agencies to take a broader, ecosystem-scale perspective instead of one that looks only at individual projects.

Planning and Environment Linkages website:

<http://environment.fhwa.dot.gov/integ/index.asp>

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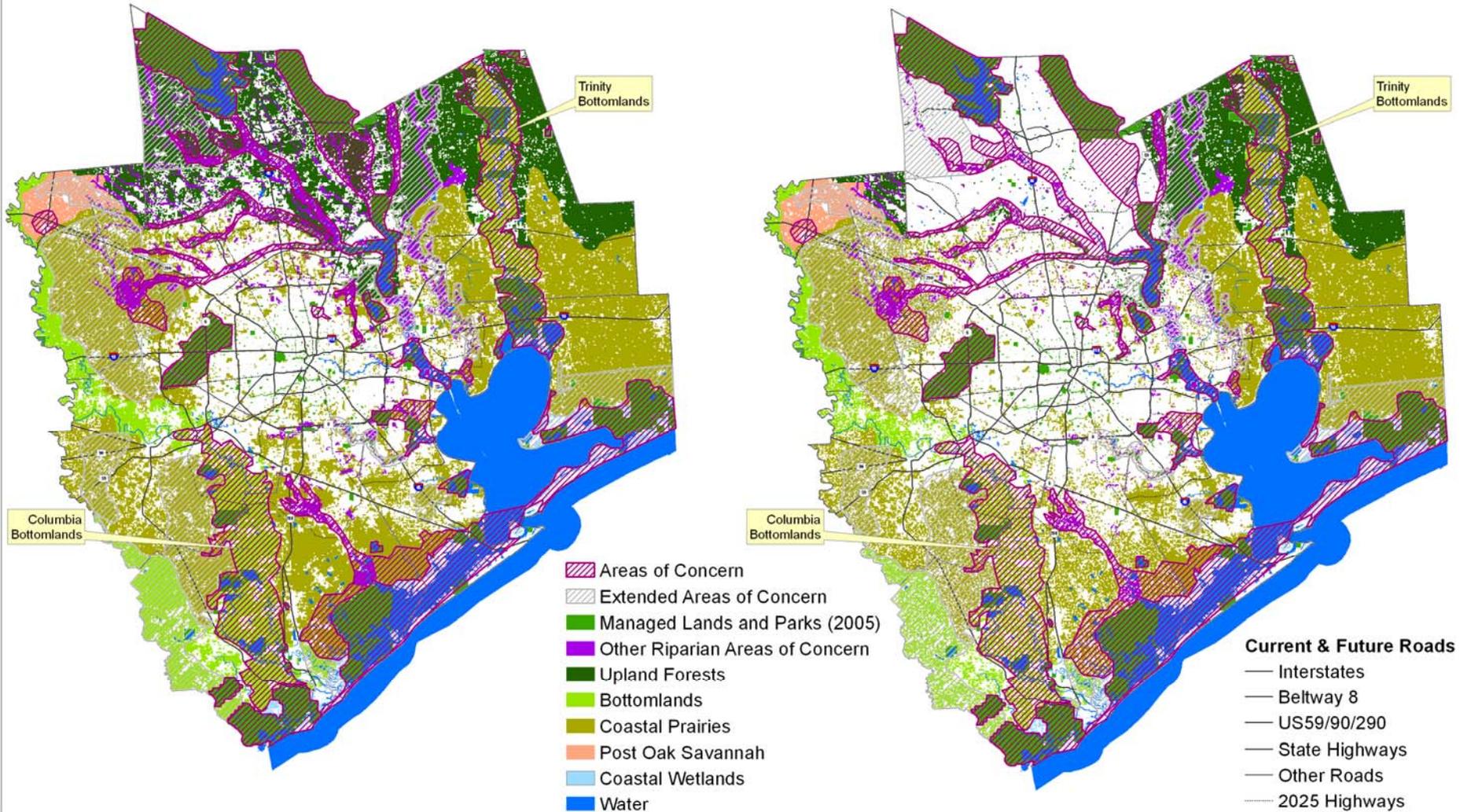


Undeveloped Environmental Resources

DRAFT

2005

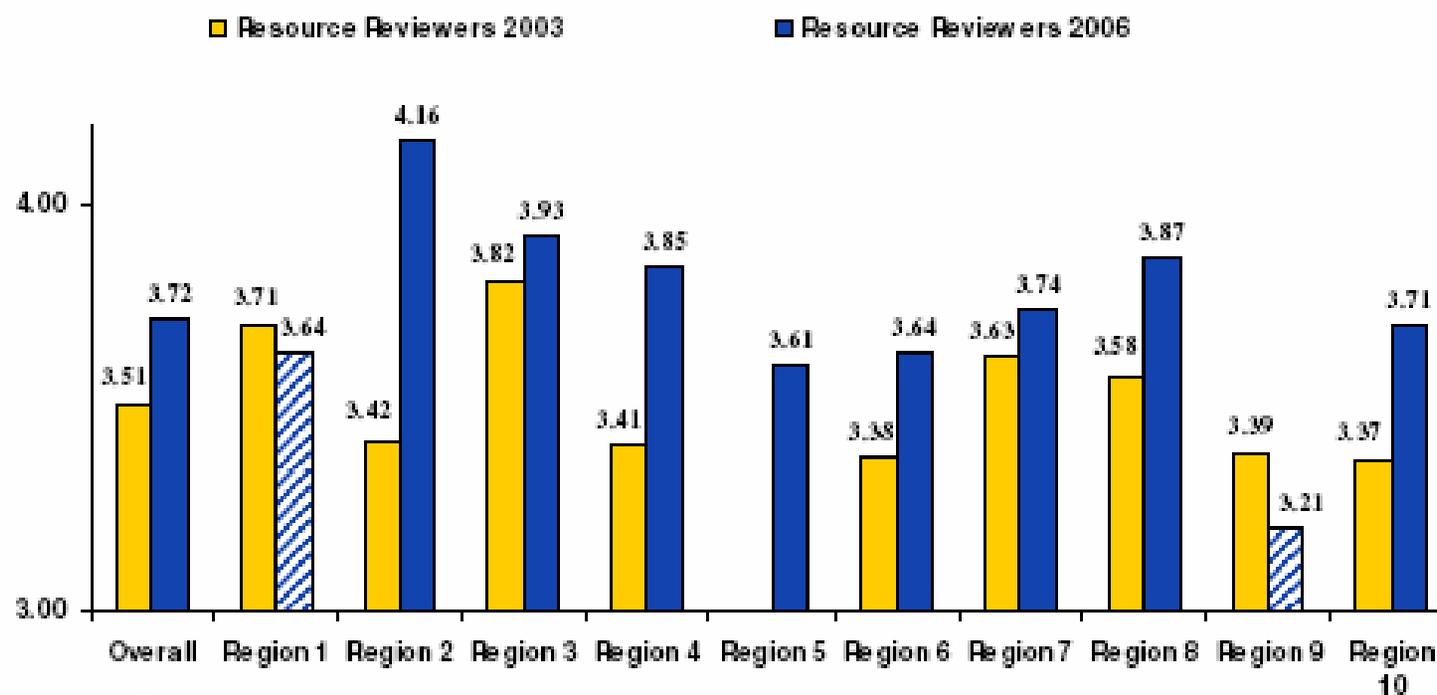
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Chart 1: Resource Reviewer Overall Mean Change in Streamlining From 2003 to 2006



The diagonally striped columns signify regions that decreased in overall mean streamlining from 2003 to 2006. (Note that Region 5 has no data from 2003 due to missing data.)

Chart 1a: Transportation Reviewer Overall Mean Change in Streamlining From 2003 to 2006

