

January 8, 2014

Step
7
of the IEF

How can programmatic agreements related to Federal environmental laws help enhance ecological benefits and streamline compliance in transportation project development?

Who are the key partners in integrating programmatic agreements into an Eco-Logical project development process?



Above photo courtesy of NMFS.
Background photo by [Matt Peoples](#).

Speakers

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Recording

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Slides

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Key Themes

Highlighted Resources

Overview

- » FHWA, *Shortening Project Delivery Toolkit*, “[Expanding Use of Programmatic Agreements](#)”

Programmatic Documents

- » [NMFS/FHWA Programmatic Biological Opinion](#)
- » [Army Corps/Kentucky Letter of Permission for Transportation Projects](#)

More Examples

- » FHWA, Oregon NMFS ESA Consultation Case Study (forthcoming)
- » [FHWA State Streamlining Practices Database](#)

Programmatic consultations and agreements can achieve substantial cost savings. As demonstrated in this webinar and a forthcoming FHWA case study on the Oregon Federal-Aid Highway Program Programmatic ESA Consultation with National Marine Fisheries Service (NMFS), programmatic consultations and agreements can attain significant cost savings. This programmatic has been in use for approximately one year and has processed or is processing 58 projects. The programmatic has covered approximately 95% of FHWA-funded projects, providing an estimated cost savings of approximately \$800,000. Sources of these savings include the reduction of NMFS liaison staffing, a 50 percent reduction in the average Biological Assessments preparation costs of \$20,000 per project, and reduced project delays. The programmatic has decreased review time from an average of 200 days to 38 days. There may be additional cost savings from reduced construction delays, but these are more difficult to quantify.

Letters of Permission (LOPs) offer flexibility while reducing administrative procedures and expediting permitting decisions. Like programmatic consultations, LOP programmatic agreements allow for time savings through reduced administrative procedures and acceleration of permitting decisions. An LOP may also offer greater flexibility than a regional general permit (RGP) as an LOP has no set expiration date. In Kentucky, the LOP allowed for considerable reduction of project processing: from 3-5 years before the LOP to 4-9 months after the LOP (120 days from submission).