Introduction

- When is your project covered by NEPA?
- Levels of documentation under NEPA
- Categorical Exclusion Crash Course
- Commitments Tracking
- Project Reassessments
- Q & A

What Triggers NEPA?

- Federal Dollars
  - NEPA only applies to projects that use Federal money
  - There is a separate process for projects with only State/local money
  - Other regulations/laws still apply to non-Federal projects
Three Types of NEPA Documents

♦ Class I, Environmental Impact Statements (EIS)
♦ Class II, Categorical Exclusions (CE)
♦ Class III, Environmental Assessments (EA)/Findings of No Significant Impact (FONSI)

Categorical Exclusions

♦ Meet the definition in the Council on Environmental Quality regulations in 40 CFR 1508.4
♦ Based on past experience with similar actions, they are known to not involve significant environmental impacts

Step 1: Purpose & Need

♦ State why the project is necessary
  - Congestion
  - Accidents
  - Deteriorated facilities
♦ Needs should be documented
  - Traffic counts
  - Crash histories
  - Inspection reports
Purpose & Need (cont.)

- "Need" statements cannot bias the choice of solution
  - Wrong: The bridge over Treehugger Creek needs to be replaced.
  - Right: The bridge over Treehugger Creek does not meet HS-20 loading requirements.

Examine the Project Area

- Does anything in the project area raise a Red Flag?
  - Historic Properties or Structures?
  - Public Recreational Areas?
  - Important Ecological Sites?
  - Hazardous Materials Sites?
- Identify potential fatal flaws early in project development to avoid wasted time, effort and money

Step 2: Scope, Schedule, Budget

- Identify Alternatives
  - Simple projects → simple alternatives (pave or don’t pave)
  - Some impacts require a much greater effort to develop avoidance alternatives
    - Public recreational areas
    - Historically significant properties/structures
- The "No-Build" option must be carried through as an alternative, for comparison
Step 3: Environmental Analysis & Preliminary Engineering

- Develop preliminary design/scope
  - Thing big! Start with the scenario that has the largest potential footprint. You can always shrink it later.
- Begin coordination with resource agencies, stakeholders and the public

Environmental Analysis & Preliminary Engineering (cont.)

- Conduct field assessments
  - Archaeological
  - Historical
  - Ecological
  - Hazardous Materials
- Select a preferred alternative based on input/data collected to date

Step 4: Prepare Categorical Exclusion and Develop Design

- Conduct further field studies on the preferred alternative
  - Archaeological excavations
  - Subsurface hazardous materials investigations
  - Air and noise studies
  - Endangered species studies
  - Wetland delineation
  - Permit determination
  - Engineering data
Commitment Tracking

- Commitments made during the NEPA process must specifically be tracked
  - Permit conditions
  - Mitigation
  - Avoidance of sensitive areas
  - Commitments to do further work/studies later
  - Public involvement

Commitment Tracking (cont.)

- INDOT recommends incorporating commitments from all phases of project development, not just environmental
  - Planning
  - Design
  - Utilities
  - Real Estate

Finishing it Up: Approvals

- The Past:
  - Review by INDOT Local Service Center
- The Present:
  - Review by INDOT Office of Environmental Services
- The Future:
  - Review by INDOT Districts
    - Large/complex projects will still be reviewed by INDOT Central Office and/or Federal Highway
Reassess at each Approval Step

- At every point of Federal Approval, make sure that the study is still valid
  - Did we add Right of Way?
  - Have the laws changed (or is there new guidance)?
- If significant changes have been made, Additional Information (AI) documentation may be required
- This can be time-consuming! Avoid waiting until the last minute

Summary

- There are three classes of NEPA Documentation. The most common are Categorical Exclusions (CEs)
- Four Steps
  - Identify the problem
  - Propose solutions
  - Reduce solutions to a preferred alternative
  - Identify impacts of the preferred alternative

Summary (cont.)

- Track commitments that are made and verify that they are met
- Recheck to ensure the documentation stays current
Further Resources

- Federal Highway Administration, Indiana Division policies and procedures: [http://www.fhwa.dot.gov/indiv/procedur.htm](http://www.fhwa.dot.gov/indiv/procedur.htm)

INDOT and FHWA also conduct classes and workshops throughout the year.

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