Meet Your Regulators
Road School 2018
Introduction

Michelle Allen
Environmental Program Manager
FHWA Indiana Division
Legal Requirements for Transportation Projects

• National Environmental Policy Act (NEPA)
  • signed into law on January 1, 1970
  • requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions

• Laws and Regulations
  • The National Environmental Policy Act of 1969
  • CEQ Regulations for Implementation of the Procedural Provisions of NEPA 40 CFR 1500-1508
  • FHWA/FTA NEPA Regulations 23 CFR 771
Legal Requirements for Transportation Projects

- Rivers and Harbors Act - 1899
- Migratory Bird Treaty Act - 1918
- Fish and Wildlife Coordination Act - 1936
- National Historic Preservation Act - 1966
- National Environmental Policy Act - 1969
- Environmental Protection Agency - 1970
- Clean Water Act - 1972
- Endangered Species Act - 1973
- Clean Air Act of 1973 and CAA amendments - 1990
Deb Snyder
Project Manager
Louisville District
Indianapolis Regulatory Office

Deborah.D.Snyder@usace.army.mil
(317) 543-9424
USACE Jurisdiction

• Clean Water Act Section 404
  • Discharge of fill materials into Waters of the United States
  • Nationwide Permit
  • Regional General Permit
  • Individual Permit

• Rivers and Harbors Act Section 10

• What’s changed –
  • Approved JD’s
  • Mitigation

• Concerns
IDEM, Office of Water Quality
Wetlands and Storm Water Section

Jay Turner, Wetlands Project Manager
JTurner2@idem.IN.gov
(317)234-7054

Sara Lamkin, Storm Water Permit Coordinator
Slamkin@idem.IN.gov
317-233-1864
IDEM Jurisdiction

• Clean Water Act:
  • Section 401 Water Quality Certification
  • Isolated Wetlands (IC 13-18-22)
• Section 402 – NPDES:
  • Rule 5 – Construction Site Storm Water Run-off
  • Rule 13 – Municipal Separate Storm Sewers (MS4s)
• What’s changed
• Concerns
Robin McWilliams Munson
Fish & Wildlife Biologist, Transportation Liaison
Bloomington Field Office

Robin_McWilliams@fws.gov
(812) 334-4261 ext. 207
Field Transportation Liaison

Roles -
• Facilitate environmental and permit review process
• Provide technical assistance to State DOTs
• Assist in transportation planning by providing environmental expertise

Benefits -
• Develop streamlined process and expedite environmental reviews
• Provide input to avoid environmentally sensitive areas
• Predictable environmental reviews and consultations
• Improved communication and coordination between INDOT and agency
• Increased INDOT access to environmental and regulatory expertise
Matt Buffington
Environmental Supervisor
Division of Fish and Wildlife

MBuffington@idnr.IN.gov
(317) 233-4666

Submit all environmental reviews to:
environmentalreview@dnr.in.gov
CORRIDORS

Conservation on Rivers & Roadways Intended to Develop Opportunities for Resources & Species

• Grassland and Pollinator habitat establishment
• Improved habitat along roadways and waterways.
• Partners –

  • https://www.in.gov/dnr/fishwild/9405.htm
  • Erin Basiger, South Landscape Biologist, (765) 276-3047, ebasiger@dnr.IN.gov
John Carr
Team Leader for Historic Structures Review
Division of Historic Preservation and Archaeology

JCarr@dnr.IN.gov
(317) 233-1949
Director of DHPA is the deputy State Historic Preservation Officer (SHPO)

Sec 106 of the National Historic Preservation Act
- A process of comment and consultation, not permitting
- See INDOT’s Cultural Resources Manual for guidance  http://www.in.gov/indot/crm/

Section 4(f) of the US Department of Transportation Act
- The SHPO is the official with jurisdiction for National Register-eligible and National Register-listed historic properties

Certificate of Approval—Indiana state law IC 14-21-1-18
- A license issued by Indiana Historic Preservation Review Board--DNR-DHPA is their staff
- See DHPA’s website for guidance http://www.in.gov/dnr/historic/2829.htm; found under “Section 18” “certificate of approval”
Questions?