NEPA 101

North Avenue Reconstruction Project

September 1, 2015
National Environmental Policy Act of 1969

- Congressional declaration of national environmental policy
- Directed federal agencies to establish procedures for
  - Documenting the purpose of the project; and the need for the project
  - Evaluating alternatives to address the purpose and need and the impacts of those alternatives
NEPA Pros and Cons

- NEPA emphasizes public engagement
- NEPA requires full disclosure of impacts
- NEPA adds time to projects
- NEPA documents tend to be long and difficult to read
NEPA Documents for Different Types of Projects

- Significant impact on the environment
  - Environmental Impact Statement (EIS)
- Possibly a significant impact
  - Environmental Assessment (EA)
- Not a significant impact
  - Categorical Exclusion
Key Parts of an EA: Purpose and Need

- **Purpose of, and Need for, the project**
- Most important section of the EA
- States why the project, which will cost money and incur impacts, is being pursued
- Sets the stage for developing alternatives
- Demonstrates problems that will arise if nothing is done
Key Parts of an EA:
Purpose and Need

- Need is based on a combination of factors, for example (may or may not apply to North Avenue):
  - Congestion
  - High number of crashes
  - Condition of the pavement
  - Unsafe/obsolete design
- Need isn’t always apparent today
- What is the design year?
Key Parts of An EA: Alternatives

- A range of alternatives must be looked at
- Only "reasonable" alternatives are evaluated in detail
- Reasonable = addresses purpose and need
- Document why alternatives are removed from consideration
Key Parts of An EA: Affected Environment

What’s out there?

- People
- Businesses, farms
- Neighborhoods
- Streams, wetland, woods
- Air, water
- Protected plant and animal species
- Potentially historic properties
Key Parts of An EA: Environmental Impacts

- Evaluate impacts of the proposed project on natural and human environment
- Use technical specialists where needed (wetlands, air quality)
- Clearly document all the impacts, good and bad
Environmental Justice

- Presidential Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low Income Populations, 1994
- Identify and address disproportionately high and adverse human health and environmental effects on minority and low income populations
- Emphasis on public involvement
Related Laws and Regulations

- Section 4(f) and 6(f) – protects parks from highway projects unless there are no “reasonable and feasible alternatives”
- Section 106 – protects historic and archaeological sites
- Section 404 – permit required from Corps of Engineers for fill placed in wetlands, streams
So We Wrote an EA...Now What?

- **EA** circulated to the public and other government agencies for comment
- Public hearing
- **Finding of No Significant Impact** summarizes the agency’s decision
- 18-month schedule anticipated for North Avenue
How Do Public Involvement and NEPA Fit Together?
Guiding Principles of Public Involvement

- Inclusiveness
- Respect for participants
- Quality information
- Accessibility
- Timeliness
- Integration with decision-making process
Environmental Communication

Public Relations
One-Way Communication

Public Involvement
Highly Interactive Communication
Why Do Public Involvement?
Public Involvement Benefits the Study

- Brings new information and expertise to the study team that will improve the EA and project design
- Improves public trust in the study process/study team and developing support for the study recommendations
- Increases the likelihood of implementing the right decision
- Educates citizens about the transportation development process
Public Involvement Is

- Reaching out to people
- Giving them needed information
- Hearing their views
- Incorporating their concerns into plans and decisions
- Responding to their comments
Purpose and Need

- What information did we collect from the public to strengthen the need statement? (high crash locations, emergency service problems, changing land use patterns)

- How did we convey the purpose and need information to the public to make sure we got it right? (PIMs, newsletters, website)
Alternatives

- What information did we collect from the public to develop and refine the project alternatives? (property lines, churches, “take me”, “miss me”)

- How did we share the preliminary and reasonable alternatives with the public? (PIMs, CSS workshops, individual meetings)
Affected Environment and Environmental Consequences

- What information did we collect from the public to help describe existing environmental and socio-economic features? (cemeteries to stream crossings to economics)

- How did we allow the public to confirm the data we gathered (constraints map, EA review)
Achieve a Quality Decision Process

- Integrate public involvement and transportation analysis throughout the decision process