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1. Introduction

The purpose of this guidance is to provide CDOT and its Regional Transportation planning partners with guidance on the integration of useful NEPA data and information into selected regional and statewide corridor visions. This document provides guidance and information on how data, analysis, and products from transportation planning can be incorporated into and relied upon during the project environmental review process under existing laws. This guidance is intended to reflect and meet the requirements of SAFETEA-LU, particularly the new environmental consultation and mitigation requirements for the transportation planning process. , By supporting Congressional intent that statewide, regional, and metropolitan transportation planning should be the foundation for highway and transit project decisions, this guidance is intended to recognize that transportation planning processes vary across the state can benefit from the inclusion of NEPA language and analysis within the long range transportation planning process .

This guidance does not extend the requirements of the National Environmental Policy Act (NEPA) to transportation plans and programs. It is intended solely to assist in developing information and documenting decision-making processes conducted during the transportation planning process in such a fashion as to assist project level environmental reviews.

Implementation of and of these recommendations is completely voluntary. The degree to which studies, analyses, or conclusions from the transportation planning process can be incorporated into the project level environmental review will depend upon how well they meet certain standards established by NEPA regulations and guidance. While much of the work conducted in the transportation planning process already meets these standards, others may require modification.

Transportation Plan Components and how they relate to NEPA:

<u>Planning</u>	<u>NEPA</u>
Goals and Objectives	Purpose and Need
Corridor Description	Affected Environment
Corridor Description/Strategies	Constraints
Strategies	Alternatives
Mitigation	Mitigation

Consultation and coordination with various resource and regulatory agencies is a key component to this guidance document. **Nothing in this guidance should be construed as limited or abridging the authorities or responsibilities of any agency.** Resource

DRAFT

and regulatory agencies may be able to assist transportation planners in identifying managed or regulated resources within transportation corridors, and may work with transportation planners to identify areas where mitigation may be possible, or what programs already exist for mitigation. Many of these agencies may also issue permits, or otherwise regulate impacts to certain resources, **it is not the intent of this guidance to require or otherwise affect permits or permitting requirements.** Permits and other regulatory requirements are more appropriately addressed during project level environmental review.

The Strategic Transportation Environmental and Planning Process for Urbanizing Places (STEP-UP) program is a partnership between the FHWA, FTA, CDOT, EPA and the North Front Range Metropolitan Planning Organization (NFR MPO). The STEP UP pilot project will help implement environmental streamlining, help NFR to develop a more comprehensive plan and integrated long-term and project planning that promote stewardship taking environmental issues into account up front early in the process. The project will develop a model for implementation on a statewide basis that could help to implement future statewide linking planning and NEPA reviews. This guidance is intended to be consistent with, and support this program. However, the full implementation of STEP-UP is not necessary in order to use this guidance.

2. Goals and Objectives

a. What is happening?

Establishing the Goals and Objectives within the Corridor Vision is used to define the criteria against which future projects within the corridor will be compared, including the project Purpose and Need.

b. What is required?

The Goals and Objectives should be as comprehensive and specific as possible. For example, rather than simply stating that additional capacity is needed between two points, information on the adequacy of current facilities to handle the present and projected traffic, (e.g., what capacity is needed and the level of service for the existing and proposed facilities) should be discussed. Other information on factors such as safety, system linkage, social demands, economic development, and modal interrelationships, etc., within the corridor should be described as fully as possible.

There are three key points to remember relative to the Goals and Objectives of a Corridor Vision. It should be:

1. A statement of the transportation problem (not a statement of a solution)
2. a justification of why the improvement must be implemented;
3. as comprehensive and specific as possible;

DRAFT

DRAFT

4. not so specific as to “reverse engineer” a specific strategy or solution; and,
5. reexamined and updated as appropriate throughout the transportation planning process.

c. What is the Benefit?

The Goals and Objectives define what can be considered reasonable, prudent, and practicable strategies. The project level environmental process and any other corridor studies should first consider those strategies which meet the Goals and Objectives for the corridor at an acceptable cost and level of environmental impact relative to the benefits which will be derived from the project.

Careful development of the Goals and Objectives will assist in pinpointing and refining strategies that should be analyzed. If the Goals and Objectives for a corridor are rigorously defined, the number of "solutions" which will satisfy the conditions can be more readily identified and narrowly limited.

For resource and regulatory agencies, early identification of the Goals and Objectives within a corridor provides an opportunity for early participation in identifying how these Goals and Objectives may affect their duties and responsibilities and provides them the opportunity to comment on the goals and objectives within the corridor outside of the limited time frame permitted during the environmental review process.

d. What are the Risks?

The Goals and Objectives section of the Corridor Vision may, and probably should, evolve as information is developed and more is learned about the corridor. For example, assume that the only known information with regard to Goals and Objectives is that additional capacity is needed between points x and y. At the outset, it may appear that commuter traffic to a downtown area is the problem and only this traffic needs to be served. A wide range of alternatives may meet this need. Through the development of additional information, it may be learned that a shopping center, university, major suburban employer, and other traffic generators contribute substantially to the problem and require transportation service. In this case, the Goals and Objectives should be further refined so that not only commuter trips but also student, shopping, and other trips will be accommodated.

These refinements would clearly reduce and limit the number of strategies that will satisfy the corridor Goals and Objectives, thereby

DRAFT

DRAFT

reducing the number and range of reasonable, prudent and practicable alternatives reviewed during the project environmental review.

e. Additional Information and Guidance

The following is a list of items which may assist in the explanation of the Goals and Objectives for a Corridor. It is by no means all-inclusive or applicable in every situation and is intended only as a guide.

1. Project Status - Briefly describe the corridor history including actions taken to date, other agencies and governmental units Involved, actions pending, schedules, etc.
2. System Linkage - Is the corridor a "connecting link?" How does it fit in the transportation system?
3. Capacity - Is the capacity of the present corridor inadequate for the present traffic? Projected traffic? What capacity is needed? What is the level(s) of service for existing and proposed facilities?
4. Transportation Demand - Including relationship to any statewide plan or adopted urban transportation plan together with an explanation of the corridor's traffic forecasts?
5. Legislation - Are there a Federal, State, or local governmental mandates which must be met within the corridor?
6. Social Demands or Economic Development - New employment, schools, land use plans, recreation, etc.,. What projected economic development/land use changes indicate the need to improve or add to the corridor?
7. Modal Interrelationships - How will the proposed corridor interface with and serve to complement highways, airports, rail and intermodal facilities, mass transit services, etc.?
8. Safety - What existing or potential safety hazards exist within the corridor? Is the existing accident rate excessively high? Why? What is the Corridor Vision for improving the situation?
9. Roadway Deficiencies – Are there existing corridor deficiencies (e.g., substandard geometrics, load limits on structures, inadequate cross-section, or high maintenance costs)? What is the Corridor Vision for improving the situation?

3. Corridor Description

DRAFT

DRAFT

a. What is happening?

Development of a Corridor Description is used to define baseline conditions within the corridor. These baseline conditions provide the context for evaluating environmental consequences. The Corridor Description will rely heavily on information already available from known, reliable sources including resource agencies and should include all potentially affected resources, ecosystems, and human communities where this information is available.

b. What is required?

The Corridor Description should contain to the extent that it is readily available:

- Information on the status of important natural, cultural, social, or economic resources and systems,
- Information that characterizes important environmental or social stress factors,
- A description of pertinent development plans and local regulations and local administrative standards
- Information on environmental and socioeconomic trends

c. What is the Benefit?

The Corridor Description will not only provide a baseline needed to evaluate the environmental consequences of strategies, but it will also help identify other actions affecting the transportation system within the corridor and how all of these actions are contributing to changes in the natural, cultural, social, and economic resources.

Comprehensive the Corridor Description and integral to making informed decisions about the potential impacts from strategies. The more robust the Corridor Description is, the more accurately impacts can be predicted. This encourages more accurate project budgeting and provides a better basis for determining the likelihood of significant environmental impacts and the length of time and necessary funding that will be required for the environmental review process

For Resource and Regulatory Agencies, providing an early Corridor description is important for identifying the potential permit requirements within the corridor, identifying potential resource impacts, and also for creating the baseline information for the development of cooperative mitigation and conservation programs.

DRAFT

DRAFT

d. What are the Risks?

Development of the Corridor Description can be costly and time consuming if taken to the extreme. It is recommended that during the transportation planning process, the Corridor Description rely on existing, readily available information in formulating the Corridor Description and leave any original research for other corridor studies or project level environmental reviews. While a more robust description may be more useful in the eventual environmental review and project budgeting, if there is a significant lapse in time between the development of the Corridor Description and any eventual projects, this information can become antiquated and provide inaccurate or potentially misleading information.

e. Additional Information and Guidance

The following list describes many issues that should be considered in developing the Corridor Description, but is by no means exhaustive

- Air
- Surface Waters
- Ground Water
- Lands and Soils
- Wetlands
- Ecological Systems
- Historic and Archaeological Resources
- Socio-Economics
- Human Community Structure

4. Corridor Constraints (funding limitations and other musts)

a. What is happening?

Development of those physical and non-physical constraints within the corridor that constrain the types of strategies that are possible. This can include physical constraints and non-physical constraints, like funding. Development of Corridor Constraints is important in determining whether a strategy prudent and feasible for a corridor.

b. What is required?

DRAFT

Understanding of Corridor constraints is vital to their further usefulness during project development and environmental review. Decisions regarding corridor constraints need to be well documented.

c. What is the Benefit?

Clearly defined and justified constraints are an important part of the development of corridor strategies. By clearly identifying fiscal, physical, and other known constraints within a corridor, the number of project alternatives that must be fully analyzed can be refined. It is also an important factor in determining how and where environmental mitigation opportunities may be present within the corridor.

Identifying Corridor Constraints is important information to provide to resource and regulatory agencies. This information provides a clearer picture to the resource and regulatory agencies of the limitations on what projects within the corridor will be able to accomplish. Resource and regulatory agencies also have the opportunity to identify other constraints that may exist within the corridor (environmental fatal flaws) that through early identification can be incorporated more systemically into the project environmental review process.

d. What are the Risks?

Constraints that are not adequately documented cannot be used in the project development and environmental review process. As circumstances within the corridor change, these constraints must be reevaluated to assure that they are still valid.

e. Additional Information and Guidance

Examples of some constraints are:

- i. Limitations on fiscal resources
- ii. Physical resources that must be preserved
- iii. Potential transit usage limitations
- iv. Laws or regulations

5. Strategies

a. What is happening?

As part of the Corridor Visioning process, TPR's and MPOs may wish to begin developing particular strategies that will meet the Goals and Objectives developed for the Corridor Vision. Analysis of various

DRAFT

strategies for meeting the Goals and objectives is intended to develop a clearer vision of what transportation improvements should be conducted within the corridor and may include analysis of transportation modes, and/or facility location and design. In many instances it is advisable that a separate analysis be conducted to refine strategies that can be carried forward into the project level environmental review process. However, there are some actions that can be taken to reach conclusions about strategies that can be taken forward into the project level environmental review. This includes elimination of strategies that are impractical or unfeasible from either a technical or economic standpoint.

To determine a specific transportation mode or alignment options, it is advisable that a more comprehensive corridor study be conducted. Examples of these activities are described later in this guidance.

b. What is required?

In order for the planning process to be relied upon during project level environmental review for the elimination of a particular strategy from further review the corridor strategy analysis should;

- describe the rationale for determining the impracticability or unfeasibility of the strategy or strategies;
- include an explanation of why an eliminated strategy would not meet the corridor Goals and Objectives or is otherwise unreasonable; and
- be made available for public review during the project level environmental review's scoping process and comment period

Additional public outreach and resource agency involvement is generally required for strategy analysis. CDOT environmental staff should be involved in the development and implementation of any strategy analysis process.

c. What is the Benefit?

Evaluation and elimination of strategies is the next step for defining the project alternatives within a corridor. Initial analysis of whether a strategy is reasonable, prudent, and feasible can reduce the time and money necessary during project level environmental review and can be used to better predict project budgets, timeframes, and design.

For resource agencies, early understanding and notification of corridor strategies can lead to better understanding of why particular strategies are not being considered within a corridor, and provides a clearer picture of the types of project impacts likely to occur within the corridor.

DRAFT

DRAFT

d. What are the Risks?

Development of preferred corridor strategies can create a false impression that these are the only strategies that can/will be evaluated during the environmental review process, leading to frustration during the environmental review process when additional strategies may need to be evaluated to assure compliance with applicable state and federal laws and regulations. Additionally, new information or changing circumstances that develop between the strategy analysis done during the transportation planning process and the project development process may necessitate the reevaluation of eliminated strategies. Furthermore, inadequate public involvement or resource agency involvement may also require that eliminated strategies be reevaluated during the environmental review process.

6. Public Involvement

a. What is happening?

Disclosing to the general public, as opposed to resource and regulatory agencies, what decisions are being made in the transportation planning process and the justification for the decisions being made

b. What is required?

Public involvement and participation is an important part of the environmental review process, but is also varied and customized to the communities. Public involvement on decisions reached in the transportation planning process that are to be carried forward into project level environmental reviews must be well documented.

c. What is the Benefit?

Public Participation on the decisions being made in the transportation planning process serves several important functions. Primarily it provides the transportation planners with an opportunity to make sure that any assumptions upon which they are making decisions are justified. It also provides the opportunity for the public to inform decision makers as to other goals and objectives, constraints, or strategies that may not have been identified before. The public involvement process is also an excellent opportunity to identify community groups and community leaders to help facilitate public involvement at the project stage.

d. What are the Risks?

Public involvement programs must be carefully developed. It is important to identify exactly what is trying to be accomplished, and how. This is important because while public involvement can be beneficial in gaining

DRAFT

DRAFT

public acceptance, it can also create unnecessary controversy and confusion.

If the public is unclear as to exactly what decisions are being made in the transportation planning process, how those decisions are going to be used, and how they are not going to be used, and the justification behind the decisions, it can create public frustration and lead to public participation burn out.

e. Additional Information and Guidance

In documenting public involvement programs the following information should be collected where applicable

- i. Number of meetings held
- ii. Locations and times of meetings
- iii. Who was at the meetings (sign in sheets)
- iv. What happened at the meetings (transcripts and meeting notes)
- v. What other Public involvement took place
- vi. How was information disseminated to the public?
 1. flyers
 2. newspaper articles
 3. radio/TV
 4. information booths
 5. community meetings
 6. others
- vii. Who was contacted?
- viii. How did people get involved? Were any community leaders identified?
- ix. What worked and what didn't?

7. Agency Coordination

- a. What is happening?

DRAFT

DRAFT

Coordination with Resource and Regulatory Agencies is necessary to assure that all applicable constraints have been identified, to identify potential mitigation needs and potential mitigation opportunities. This is not when permits will be acquired or final agency determinations will be made.

b. What is required?

Coordination requirements for Resource and Regulatory Agencies differ depending on the agencies involved and the decisions that are trying to be made. An intergovernmental agreement outlining minimum coordination requirements that must be met in coordinating with resource agencies

c. What is the Benefit?

Early involvement and coordination with Resource and Regulatory Agencies is the best, first chance to identify potential problems and begin development of potential solutions. All parties benefit through better understanding of the responsibilities, needs, and constraints placed on different government agencies.

Early coordination allows transportation agencies to better identify how resource and regulatory agency responsibilities may impact future projects, and provides an opportunity to address potential conflicts before they arise, and to develop coordinated programs and mitigation proposals that can provide better use of everyone's expertise and limited resources.

d. What are the Risks?

Early coordination does not absolutely guarantee that disagreements will not occur in the future.

8. Mitigation Identification

a. What is happening?

Identification of locations and/or programs where mitigation for impacts within the corridor is possible, and the development of cooperative mitigation programs.

b. What is required?

Mitigation identification requires an understanding of the resources present within the corridor, and at least some idea of the potential impacts on those resources.

Knowing both the resources present and the potential for impact provides an idea of the type and amount of mitigation that may be necessary within

DRAFT

the corridor. These potential mitigation needs must be compared against known programs to determine where mitigation may be possible or preferred within the corridor.

c. What is the Benefit?

Early development of mitigation programs is a proven method of reducing the time required during the environmental review process and a method of reducing the costs associated with project development. Early identification of potential mitigation needs provides the opportunity to dovetail mitigation with existing resource programs and policies, and to develop new environmental mitigation strategies in advance of project development.

d. What are the Risks?

Identification of mitigation programs is limited by both the data available on the resources that are potentially impacted, and the types and locations of resource programs that exist within the corridor. New information can change the type and amount of mitigation that may eventually be necessary within the corridor.

e. Additional Information and Guidance

Examples of potential mitigation programs that may be present within a corridor can include:

- i. Resource management plans and programs
- ii. Wetland mitigation banks
- iii. Habitat Conservation banks and programs
- iv. Resource restoration programs
- v. Cooperative resource preservation programs

9. Additional Corridor Studies

a. What is happening?

Additional corridor studies are conducted to development additional data and refine strategies outside of the standard transportation planning process. This may include studies like:

- i. Environmental Overview Studies
- ii. Scenario Planning

DRAFT

DRAFT

- iii. Tier 1 Environmental Impact Statements
- iv. Major Investment Studies
- v. Other Studies to develop corridor data or develop corridor strategies

b. What is required?

In order for any additional studies to be referenced and usable during project development and environmental review, the process and data must support the decisions being made. Additional public outreach and public involvement may also be necessary. Additional corridor studies should be coordinated with the Region Environmental Staff to assure that the decisions made can be carried forward.

c. What is the Benefit?

Additional corridor studies can significantly reduce the amount of time and money required for individual project clearances. They may also be useful as a land use planning and community planning and development tool. Additional corridor studies may also provide opportunities to develop coordinated environmental programs and mitigation.

d. What are the Risks?

Benefits from additional corridor studies are tied tightly to the decisions being made and the data developed. They can be very expensive and require significant lead time to implement.

10. Additional Resources

- a. Linking the Transportation Planning and National Environmental Policy Act (NEPA) Processes, FHWA/FTA, February 2005
- b. Integration of Planning and NEPA Processes, FHWA Memorandum, February 2005
- c. Forty Most Asked Questions Concerning CEQ's NEPA Regulations, November 1980 <http://tis.eh.doe.gov/nepa/tools/guidance/Guidance-PDFs/14637.pdf>
- d. STEP UP Environmental Streamlining Pilot Project Phase I Report. May 2005. <http://www.dot.state.co.us/publications/PDFFiles/stepup.pdf>

DRAFT