

2014 FRA

Rail Program Delivery



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NEPA and the Planning Process

Environmental Reviews

- Are triggered by a Federal Action
- Interact with the planning process
- Can help with good decision-making
- Required by National Environmental Policy Act (NEPA)

NEPA: More than just NEPA

- **The NEPA Process or “Umbrella” covers a dozen or so additional Statutes and requirements**
 - Clean Air Act
 - Historic Preservation (Section 106)
 - Environmental Justice
 - Noise and Vibration
 - Section 4(f)

Types of Environmental Reviews

- **EIS / ROD: Environmental Impact Statement**
- **EA / FONSI: Environmental Assessment**
- **CE: Categorical Exclusion**
- **Tiered Environmental Documents**

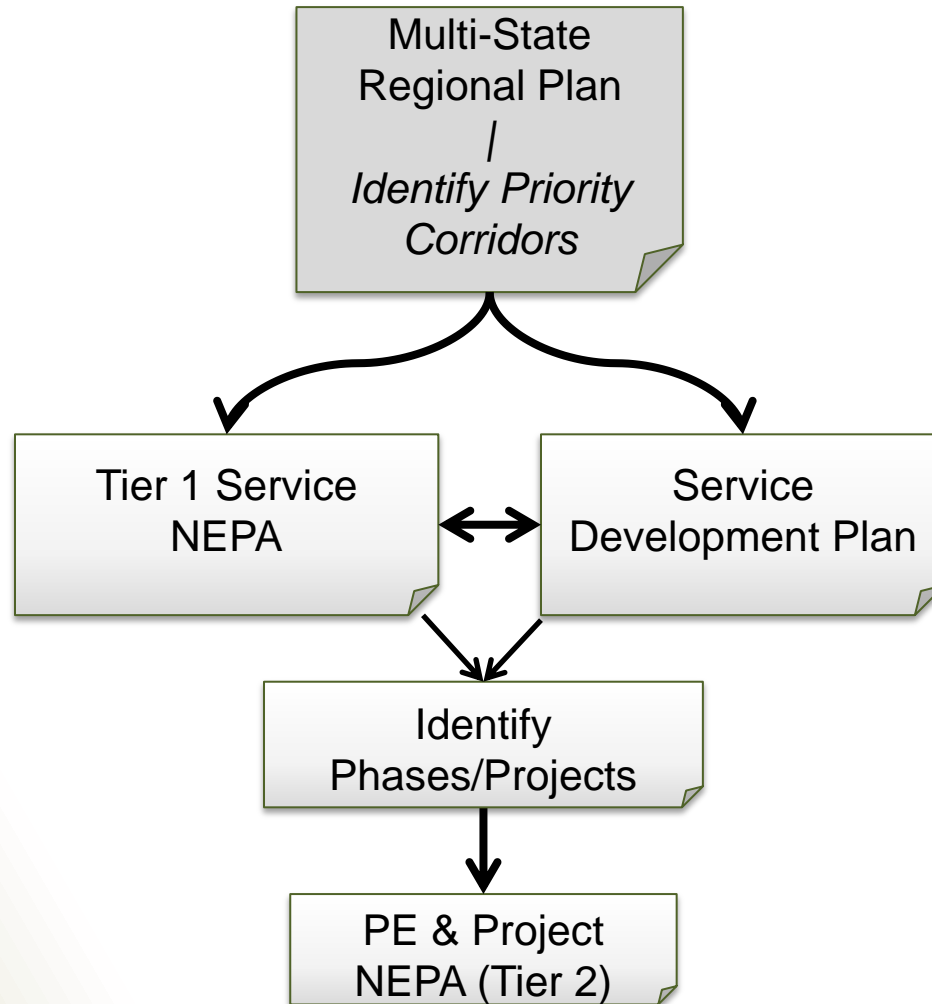
Tiered Environmental Documents

- **Allows for flexibility and coordination with planning**
- **Initial corridor-level document (Tier 1) is broad while subsequent project-area (Tier 2) documents are more specific**

Tier 1 vs. Tier 2

- **Tier 1:**
 - Affected areas at high level
 - No specific alignment or impacts
 - General corridor planning
- **Tier 2:**
 - Specific alignment impacts analyzed
 - Includes impacts for actual footprint and mitigation measures

NEPA & Planning



NEPA Planning Benefits

- **Identifies potential challenges prior to selection of actual routes or station locations**
- **Input from Tier 1 document can simplify Tier 2 planning**
- **Involvement of cooperating agencies increases coordination for multimodal projects**

Accurate NEPA = Success

- **Must follow requirements of FRA, DOT, CEQ requirements**
- **Properly done NEPA reduces or eliminates mitigation risk**
- **Process is dynamic and may not always be the same**
 - Different situations
 - New and evolving requirements

NEPA Ends, Project Starts

- Starting a project's construction prior to the ROD, FONSI or CE can be a pre-decisional legal issue
- NEPA process is flexible – changes can be made during construction by revisiting NEPA
- Changes done through re-examination, additional CE, etc.