

The first Georgia Partnership for Quality Transportation (GPTQ) National Environmental Policy Act (NEPA) Subcommittee meeting was held on November 29, 2010, at the Georgia Department of Transportation (Department), Room 401.

The meeting began with Introductions of the subcommittee co-chairs and members (see attached sign-in for those present).

Introductions were followed by opening remarks from Glenn Bowman, Linda Edwards and Scott Gero. Glenn Bowman introduced a new acronym to the group – QDOT or Quality Documents On Time, and discussed how this group would be essential in this practice. He also noted that the creation of the various subcommittees would help to build a true ‘team’ relationship between the Department and consultants and to eliminate any ‘us/them’ mentality that may exist.

Scott Gero noted that this group would help both Department staff and consultants to understand the issues each may be experiencing and the process that each follows in different situations. By sharing and passing this information along, there will be a better understanding across the team and not just within environmental.

Following the opening remarks, ground rules for the NEPA subcommittee were discussed by Wendy Dyson.

- One active member per prequalified firm. It was noted that members were allowed to rotate on and off as necessary.
- Any SME may attend the meetings even if not officially a member of the subcommittee.
- Questions from the floor will be taken at the end of each meeting.
- Agenda topics will be requested at least one week prior to each scheduled meeting.
- Consultant co-chairs will serve a two year term.
- Project specific issues will be discussed/resolved at the project level.
- The focus of each meeting is on the agenda items; however, hot topic issues not on the agenda will be addressed at a later meeting (as warranted).
- Items identified that are outside the subcommittee area of focus (air/noise, ecology, design, etc.) will be elevated.

Jonathan Cox then discussed the goals of the NEPA subcommittee.

- Streamlining. Everything is schedule driven and NEPA can devastate a schedule. The process needs streamlining to help projects move to the next phase.
- High Quality Deliverables. OES is currently operating with a smaller staff than in previous years but the number of projects have not decreased. The current staff has no time to review

documents with careless mistakes. Submitted documents should be easy to read/review by the Department and the agencies. We all have the same goal of getting the project approved to move to the next phase.

- Innovative Ideas – If something works for you or you know of something other states are doing, please share it with the group. This group should focus on both issues and successes.
- Communication between Department and Consultant. The Department is always open to meeting on any project for any reason. Should FHWA involvement be needed, the Department meets with them the first Thursday of every month. Any requests to get on the agenda for the monthly meetings should be sent to Jonathan Cox no later than a week prior to the scheduled meeting.

The subcommittee co-chairs then called for questions/comments on the ground rules and goals. It asked if it would be prudent to involve the agencies in these meetings. Linda Edwards noted that this was a forum for open discussion between the Department and consultants (planners and engineers) but that agencies could be brought in as needed. Jonathan Cox also reminded the group of the FHWA monthly meetings. It was also noted that Glenn Bowman meets with Katy Allen (FHWA) and other on a quarterly basis to discuss bigger topics/issues (not just project level).

Georgia's participation in Everyday Counts was also questioned. Gail D'Avino noted that she and Glenn would be in attendance at the SE Summit.

The next topic discussed was meeting frequency. It was determined that the next meeting would be set in late January/early February and the frequency would be determined at that time. Please note that due to scheduling the next meeting will be held sometime in February. The date is under discussion.

Following the discussion on meeting frequency, the group began discussing each of the agenda topics.

a) Expansion of Programmatic CE and Interagency Agreements

The current PCE agreement was expanded from the previous agreement so that projects with minimum impacts could still fall under the PCE agreement (i.e. a project can require a NW permit and still fall under a PCE when under the previous agreement it could not). FHWA has recently completed an audit of the PCE agreement and had only a few concerns (one or two pieces of information were consistently missing from the file which is attributed to oversight or it not being needed). The Department is currently in the process of preparing a response to the audit. Beginning in 2011, the Department will begin the discussion with FHWA of expanding the PCE agreement again and hopes to include TE projects and Informal Section 7. Other Interagency Agreements would be handled by the respective subcommittees.

It was also noted that FHWA is not on board with undocumented CEs. Some projects like striping and sign replacement are given the flexibility of undocumented CEs but this is not seen at the consultant level. Subcommittee members noted that the level of detail for the special studies is the same for PCE as CE. It was noted that, internally, Department staff prepare

abbreviated reports for projects that qualify as PCE but that consultants have been told they must prepare full reports. It was suggested that members of the NEPA subcommittee work with members of the other subcommittees to determine what can be done to allow consultants to prepare the same level of documentation as internal staff.

ACTION ITEM: An internal committee will be created at the next meeting to begin working on this issue.

It was then asked how long it would take to obtain a new PCE agreement. The Department feels that once the conversation is initiated, it will only take a few months to come to an agreement.

b) Consultant Prequalification Issues

There is general concern regarding the number of classes (and associated cost) needed to remain prequalified that have not been offered, were offered but cancelled, or have not been offered in some time. It was noted that classes can be substituted. The agenda for the substituted class should be sent to Gail D'Avino for approval. It was also noted that the Department cannot provide all classes, especially if there is not enough participation to make it cost effective. It was suggested that consultants talk with each other to see what classes are needed and to determine if there would be enough participation to make a local class feasible.

ACTION ITEM: All meeting attendees should provide Wendy Dyson (wedyson@pbsj.com) with a list of classes needed to retain prequalification so that a master list can be created.

c) Early and Continued Coordination with the Department and FHWA

Due diligence is on the shoulders of the consultant. If you foresee any issues with a project, it should be brought up as early as possible. Current hot issues for EAs and more complex CEs include traffic not matching the STIP/TIP years and logical termini. Agencies that always need early involvement are NPS and USACE if you are on their property or affecting one of their resources. Any time you have an issues, be sure to pull in the project manager from the Office of Program Delivery so they know the schedule could be affected.

When coordination with an agency is needed, notify the Department prior to contacting the agency to avoid committing the Department to anything without their knowledge.

d) Six Month Active Life for NEPA Documents

The regulations say that a reevaluation must be prepared prior to ROW and LET. The six month agreement is when there has been no change. A document is no longer valid once a design change, regulatory change, or environmental effect change occurs. Current policy is that a no change reevaluation that is between 6 and 12 months from the date of the signed document is not forwarded to FHWA. Anything over 12 months must be forwarded to FHWA.

The Department recently requested to expand the six month agreement to 18 months and FHWA has responded with their thoughts. This effort is ongoing.

e) Consolidation of Reviews from Department and Staff

The current policy is as follows: the NEPA PM gives the document with his/her comments to their manager, the manager gives the document with his/her comments and NEPA PM comments to Jonathan Cox or Gail D'Avino and the comments of all three are returned to the consultant. Anytime comments have not been returned within 30 days, the consultant should check in on the status.

It was also noted that the Department has multiple avenues for document review, and that they do not wish to see multiple revisions. It is strongly encouraged that consultant submit disposition letters with resubmittals.

f) Reader Friendly Documents

a. Reduction in document size

Currently, the Department has an internal effort to prepare guidelines on how information should be presented to keep document size manageable. Laura Rish is spearheading this effort. Once complete, it will be vetted with a second group to determine what works and what does not. After the second group, the revised guidelines will be presented to the NEPA subcommittee for comment.

ACTION ITEM: If you have an idea of how to pare down information presented in NEPA documents, let Laura or Jonathan know.

b. Enhanced distribution of document templates

To date, there has not been a good way to ensure that all the information gets to all that need it. Consultants should check the announcements page for the online procedures manual for updates and should check the template library for updates and new documents.

g) Interim Review Process for DEAs

The Department is open to interim reviews when appropriate. However, this will always be determined by the project and the schedule of the reviewer. For complex projects, it would be prudent for the Department to review the need and purpose and alternatives sections while the remaining sections are being prepared. It was noted that early reviews by federal agencies would be determined on a project by project basis.

h) Logical Termini

The biggest area of concern relating to logical termini is for those projects with adjacent projects and independent utility. FHWA wants one EIS to avoid segmentation. Early communication is key for projects that could have logical termini issues.

The Department is conducting ongoing conversations with FHWA regarding logical termini and the use of the logical termini forms.

It was noted that logical termini should really be determined at the planning level. There are a few current projects where planning has been asked to provide justification for the stated termini. These conversations are also ongoing.

i) Integration of Concept Reports and NEPA Purpose and Need

Early approved concept reports can cause issues when it does not match your document.

Awareness is needed that sometimes a project cannot be delivered as stated due to environmental issues including need and purpose or logical termini. Currently, there is a push back on planning and this topic will be revisited at the next meeting.

Following the discussion of the agenda topics, Jonathan Cox and Wendy Dyson made a call for topics for the next meeting. No new topics were noted; however, it was requested that topics be emailed to Wendy Dyson and it was noted that a call for topics would be emailed out prior to the next meeting.