

# Successes **in** Stewardship

<http://www.environment.fhwa.dot.gov/strmlng/es4newsltrs.asp>

December 2008

## Moving Environmental Documents through the EIS Process: Effective Strategies and Approaches

Under the National Environmental Policy Act (NEPA), an Environmental Impact Statement (EIS) is prepared to analyze any Federal actions that may have a significant effect on the environment. The EIS is a full-disclosure document that describes the range of reasonable alternatives considered, includes analysis of the potential impacts resulting from these alternatives, and demonstrates compliance with other applicable environmental laws and executive orders. Projects requiring an EIS are often complex and controversial, involving extensive data analysis and coordination with numerous stakeholders. Navigating the project-development and decision-making processes may be time-consuming; in 2007, the national average to complete and gain approval of an EIS was about seven years.

The time required to complete an EIS is a major concern for many stakeholders in the transportation community. The Florida Department of Transportation (FDOT), for example, is currently generating more EIS documents than at any other point in its history. At the same time, it is encountering more public and state scrutiny of the project-development timeline for completing these documents. To address this concern, in September 2008, the FHWA Florida Division Office (FHWA-FL) organized a peer exchange that focused on state strategies and approaches for effectively moving complex and/or controversial projects through the EIS process. The Departments of Transportation (DOTs) of four other states who had successfully completed EIS documents in less than 60 months (FDOT's average time to complete an EIS), and their FHWA counterparts, were invited to participate (see textbox below for a list of peer-exchange participants).



The FHWA Florida Division Office organized a peer exchange with four other states to share successful tools and techniques for streamlining the environmental review process.

### Peer Exchange on Streamlining the EIS Process

The Florida peer exchange had three primary goals:

- To identify successful tools and techniques that expedite delivery of complex environmental documents through the NEPA process.
- To document key themes and effective strategies for resolving issues related to these documents.
- To provide a forum for the exchange of innovative ideas that advance the EIS process.

Participants from each invited state gave presentations on one or two transportation projects that had gone through the environmental review process relatively quickly, highlighting challenges encountered, methods used to successfully and efficiently navigate the EIS process, and lessons learned from their experiences. While each project had its own unique set of circumstances, a number of common tools and techniques were identified that had been utilized to streamline the EIS process.

#### Peer-Exchange Participants

- Florida DOT
- FHWA Florida Division
- Maryland State Highway Administration
- FHWA DelMar Division
- Missouri DOT
- FHWA Missouri Division
- Montana DOT
- FHWA Montana Division
- Utah DOT
- FHWA Office of Project Development & Environmental Review

## Streamlining Tools and Techniques

As discussions in the workshop evolved, participants noted that a number of the tools and techniques for navigating the environmental review process efficiently and effectively could be grouped into three main elements: *Communication with the Public and Stakeholders*, *Collaboration with Partner Agencies*, and *Commitment*.

### **Communication with the Public and Stakeholders**

Public involvement can help to generate support or address concerns in order to minimize opposition. For public involvement to be effective, it is important that agencies listen and respond to all individuals and groups raising issues.

Tools and techniques for involving the public effectively include:

- Avoiding the use of jargon. The vocabulary used by engineers and transportation professionals is not always familiar to the general public. Be sure to use plain language and to put information in terms that the public will understand.
- Educating stakeholders on the transportation-planning and project-development processes. Tailor the training to the audience, which may include community members, elected officials, and public agency staff. Gaining knowledge of a state DOT's requirements will enable stakeholders to provide more informed feedback.
- Utilizing a public involvement coordinator and/or community liaison for projects that have been the focus of particular community concerns.

### **Collaboration with Partner Agencies**

Working cooperatively with project stakeholders creates an atmosphere of partnership when navigating the environmental review process. The inclusion of reviewing agencies early and often throughout the process enables issues to be identified and addressed, thereby minimizing project delays. Collaboration between these agencies also reduces the likelihood that reviewing agencies will be surprised by any information or details in the actual environmental document, leading to a more efficient review.

Tools and techniques for collaborating effectively with stakeholders include:

- Building mutual trust with partner agencies to facilitate a strong, collaborative working relationship. The foundation for developing this trust lies in the way that a state DOT works with resource-agency staff on a daily basis.
- Holding periodic face-to-face meetings. While e-mail serves a purpose, it should not be a substitute for speaking or meeting with people on a regular basis to clarify intent and concerns.
- Using a neutral third party or facilitator during interagency meetings to reach mutually agreeable solutions when faced with conflicting ideas.

### **Commitment**

Establishing consistency in how the environmental review process is managed and in the quality of information provided helps to build trust and to bolster a DOT's credibility with agencies and the public.

Tools and techniques for demonstrating commitment to the environmental review process include:

- Securing executive support. This helps to identify the project as a high priority, which leads to better utilization of staff time within both the DOT and the resource agencies, enabling them to plan their workloads accordingly.
- Establishing a realistic schedule, and committing to follow it.
- Assigning high-priority projects as a project manager's sole responsibility. This allows the project manager to dedicate his or her full attention to advancing the project on schedule.
- Building a dispute-resolution process into the schedule to allow the project to stay on track even when issues arise.

## Conclusion

Discovering methods to streamline the environmental review process is a goal shared by nearly all states. As Karen Brunelle, the peer-exchange organizer from the FHWA Florida Division Office, stated: "The swapping of ideas in a peer-exchange format gave us an opportunity to maximize everyone's time and resources while learning something new. This type of setting can really help us move our programs to a new level. It's good to know that others are successfully addressing similar situations and that we're not alone in our challenges."

While moving complex documents through the environmental review process is a challenge, state DOTs are employing innovative and creative solutions to streamline the effort. In doing so, they have learned that conducting an environmental review in a collaborative and transparent manner not only leads to faster completion of the process but, perhaps more

importantly, results in the delivery of better-quality projects—ones that fulfill communities' transportation needs while maintaining protection of environmental resources.

A full report detailing the presentations and outcomes of the peer exchange will be available later this month on [FHWA's Environmental Review Toolkit](#).

### Contact Information

**Karen Brunelle**

Director, Office of Planning and Environment  
FHWA Florida Division Office  
(850) 942-9650 x3021  
[Karen.Brunelle@fhwa.dot.gov](mailto:Karen.Brunelle@fhwa.dot.gov)

**David Carlson**

Environmental Protection Specialist, FHWA Office of Project Development and Environmental Review  
(202) 366-6263  
[David.Carlson@dot.gov](mailto:David.Carlson@dot.gov)

### Look What's New!

Congratulations to Lamar Smith on his selection as the Team Leader for the Environment Technical Service Team (TST) in the Resource Center. Lamar has spent the last 10 years in various positions with the Office of Planning, Environment and Realty (HEP), most recently as the Project Development Team Leader.

Lamar has been instrumental in the issuance of the FHWA/FTA Final Rule on Section 4(f) and the Design/Build Final Rule. He has also been recognized for his leadership in cutting edge issues among NEPA practitioners in the transportation sector and for the management of **Re:NEPA**.

In his new position, Lamar will provide leadership to the TST in helping to advance the Environment Discipline in FHWA, working closely with the Program Office and Division offices on this and many other important activities.

*Successes in Stewardship* is a Federal Highway Administration newsletter highlighting current environmental streamlining and stewardship practices from around the country. To subscribe, visit [http://environment.fhwa.dot.gov/sis\\_registration/Register.aspx](http://environment.fhwa.dot.gov/sis_registration/Register.aspx) or call 617-494-3137.