

SCOE/SCOD Joint Meeting: Discussion on Priority Issues Notes Sheet

Tuesday, July 18, 2017

Session 1 Discussions: 10:15 to 11 a.m. | Session 2 Discussions: 11 to 11:45 a.m.

Topic #4: Design and Environmental Streamlining

This topic involves addressing reform needs for the future and other streamlining ideas.

Please assign one or two members of your table to take general notes throughout the discussion, which could include the following items:

1. Main topics of conversation
2. Questions that emerged
3. Issues of concern, commendation, and mutual interest
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Old infrastructure and MS4 (stormwater) - locals have better maps, but state needs to know where all outfalls & finding testing requirements very difficult (Conn.)
Ohio also had to do full inventory
Increasing req. but lower resources - and SW is expensive.
Natural Resource agencies focused on other things (fisheries inventory, etc), not an engineering interface. Some success in banking for fisheries but not wetlands. So DOT has to do mapping for the nat. rscce agencies - and is staffing their ofcs. If ~~the~~ EPA is axed, what happens @ Federal level.
Ohio has used SPR funds to do work for resource agencies.
WV also - liaisons embedded w/ agencies (Corps, Fish/Wildlife Forestry)
MS - adds SHPO - CT as well. 'peace-makers' ~~not~~
not an MOU, they are actually paid by DOT.
Issues w/ funding people but not control their work.
Managing the funding positions - very different culture - no understanding project delivery → time & cost.
From consultant perspective obstacle is internal DOT staff ~~coordinating~~

than STPD. 'Advocate employees' - need to understand the facility need - ~~the~~ DOT is a multiple objective org, nat. resources is a single objectives.

Engineering is abt problem solving - ~~getting an issue placed in the overall project - do more to explain how engineers do evaluate resources.~~

Embedding engineers in environmental divisions.

Nat. Rsrces tend to have little process maps, deliverabl. Help structure your partners.

Identify when projects are similar - not starting from scratch.

Structure env. unit w/ engineering not planning. (ROW. has been similar - getting them to understand they were delivering a capital program)

Appeal to the scientists on your staff - they are also trained as "problem ~~solving~~ solvers"

The problem definition is often the problem - not just solutions. -

If training of resource staff is narrow, need to bring them to bigger picture.

Env. staff job is a facilitation job - working w/ engineering.

Constant morphing of job - know the concerns are soft skills - people afraid if eng. comes w/ a general solution when case is nuanced & complex.

Sometimes issues & confrontations come out of personality.

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*- w/ = with

I do not:

Address efforts to cultural resources... 5 mos - 1 year to work through... must do this before w/ the NEPA document

Q: Can we go forward w/ NEPA doc while waiting to finalize MOA, Discussion: maybe worth the risk on smaller CE's, but not on EIS or complex CE's

Iowa - proceeds w/ design process w/ internal checks... proceed "at risk" but do that often (just part of the process)

Row, Final Design → Obviously cannot complete Final Design, but maybe manage the risk with Row... start w/ state dollars

- NE - use state cash for flexibility for early phasing...

- what is the magical line where it's in "Final Design"... proceed at risk...

Q: How does ~~Nebr.~~ Nebr. do ESA w/ no federal dollars → Use a programmatic Agreement.

Q: NEPA/merge agreements: ID - not very effective.

mid-Atlantic Transp + the Envir. → COE, EPA, DOT use it in Pennsylvania.

NJ has a very informal agreement... consensus points at Airp. Need, etc ↓ + their COE has brought into it. Submit DEIS + conceptual 404.

NJ just used this process for tunnel project under the Hudson River. Q: Any success getting Agreement w/ the COE. MN, ID - Leason. AZ - Uason, SC - Uason. Streamlining process → SC successful in scaling back the applic. to critical info.

MN - also has a ONR reason; CoE reason is not very successful.

Q: Any states experiencing problems w/ 408. "No funding" to review 908 permits.

MD - having same problem

SC - sounds like someone from CoE is interacting w/ HDR there on 408.

Q: Wetlands mapping technology based tools for national streamlining (refer to SC presentation). Plan for banking.

SC does not have enough banks → created the tool to better predict credits that will be needed.

Q: Who has a good tool for monitoring banks, predicting credits, etc?

Advanced credits for banking. Topic all states are struggling with. TN - their bank was shut down by CoE now they are

stuck. ID - do we need to pay more? How can we streamline banking. NE - ~~was~~ close to an agreement, but per credit

price more than doubled due to the risk involved w/ the CoE. Trying to entice companies w/ design build component.

KS - South ~~Kansas~~ Lawrence Trafficway - KU - collaboration.

Is there any way we could get the CoE to better manage this process?

Q: w/in certain parameters, could we get to exemptions based on size of the project? like small ped ramps? use Programmatic Agreements?

MD - has an exemption process - phase ~~as~~ it (one way) - one project that needs 1 ped ramp, you commit to return to the ramp with

the larger project to come. Not sure of the process -- possibly PA?

ID has a PA, but if over 50 yrs old, have to go back through SHPO.

Q: Central Repository of Inventory → streamline Asset management. So people throughout proj life can get to the information.

MN - Asset Mgmt - signs, pavement, etc. Develop a group list for Louisiana - has a process.

Can we streamline to incorporate environmental resources.

ID - with Budget inventory, they now add Birds, Bats, Nests. Check boxes in the budget inventory. ... Maintenance guys also collect info on road kill

MN - maint. has developed a plan to overlay design plans over noxious weeds. CAD - turn on the layer.

KS - going through inventory & creating a process...

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Design

- nationwide COE permit 2-3 yrs (WV)
- COE lead for small bridge took 7 yrs.
- all states had 1-2 COE liaisons but not see great results
- GA working on 408 process; source of problem > 404
- NE looking/exploring options for delegation of 404 → suggestion for streamlining
- reform: eliminate inconsistency w/ application of NEPA law federal agencies to address issues related 408/404 vs RTHM
- * How to address different context in terms of waters; allow places like AZ to ~~handle~~ ^{diff}

Standards

- using lidar for scoping; including drones to get permanent condition
- Checklist for non-WHS projects
- escalation process to FHWA in DC when challenges w/ RTHM Division
- strong stewardship: Oversight Agreement
- NB, AZ, moving towards full assign, WV starting to consider
- NE tool for ESA "the matrix"; Programmatic; ~~the~~ great tool for streamlining agree w/ USFWS

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- Consolidate Public notice process
- Consolidate legal sufficiency and early risk identification
- Increased use of technology for wetland ~~delineation~~ delineation - use of predictive models
- Dealing with funding gaps and reevaluations
- Streamlining the state permitting process for Federal lands highway projects
- Marry all of the ^{environmental} document checklists among resource agencies
- Marry ~~the~~ VE and PBPD to the environmental process and ^{environmental} commitments
- Rescind NOI's on old projects → if no progress happens, pull the project
- Have a true One DOT at the Federal level → particularly FHWA & FTA →

- What happens if state laws are ~~not~~ not adequate substitutes for rescinded Federal laws (Ex. waters of the US)
 - what about ecoregional approaches by resource? Ex. Endangered species
- States need to streamline their own processes

• Increased use of technology for water quality
 • Increased use of technology for water quality
 • Increased use of technology for water quality

• Streamlining the permitting process
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• There is a lot of DOT at the Federal
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Step 1

Rework - better communication between environmental & design

Identify points during project delivery when env & design need to reach consensus

Definition of waters of US

Dealing w/ post WW2 & later housing stock

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TOPIC 2.

~~LARGE~~ RECONSTRUCTION PROJ. - HOW MUCH TO ASSESS? ENV'TAL FORTIFYING PRELIM. PRIOR TO ~~DESIGN~~ DESIGN
EG. CLEAR CORRIDOR TO SPEED THINGS UP, MAY BE MORE THAN NEEDED BUT COULD IT ADVANCE PROJ FASTER, SAVE TIME & MONEY?
BEFORE GET TO SAT 40% DESIGN AND THEN HAVE ENV'TAL CONCERNS.

SOLUTIONS - PER'S - SCOPING OR SCREENING FOR POT. RESOURCES, NOT FULL BLOWN STUDY; BEGINNING ENV'TAL MILESTONE TO KICK OFF STUDIES.
LARGE STUDIES CAN BE COST PROHIBITIVE.

GIS-DATA LAYERS TO HELP SCREEN BEFORE DOING STUDIES
↳ X PROBLEM W/ CULT. RES. DISCOVERIES DURING DESIGN
RECON CONTRACTS - POOL OF CONSULTANTS TO GATHER INFO.; VARIOUS RESOURCES
TAKE INFO TO SCOPING TO ~~DECIDE~~ DECIDE WHERE TO PUT ALIGNMENTS
BEFORE PROJ. GETS PUT IN STIP, DO W/ STATE FUNDS, LOOK @ CORRIDOR.
MAPPED IN LAYERS (GIS); NEGOTIATE BY LEVEL OF EFFECT.

T.2 FUNDING - STOP/STARTS DUE TO FUNDING

T.3 CHANGE IN STAFF @ FED / RESOURCE AGENCIES - HAS SETBACKS WHEN CHANGE OCCURS
SOLUT. → NEPA/404 JOINT PROCESS? SOME VALUE, SOME FELT NO VALUE. STILL POTENTIAL FOR
RECONSIDERATION; FELT LIKE MANY MORE STEPS & TIME.
LIAISON POSITIONS; PROGRAMMATICS
↳ REIMBURSABLE SERVICES AGREEMENT

T.4 MAINTAINING STAFF & MAINTAIN RELATIONSHIP W/ AGENCY STAFF

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IWA - Stormwater & EC Plans - later in project development - SWPPP
↳ Location of ~~Exposure~~ Sediment Control
↳ PS stamp for SWPPP??
↳ Where does storm water reside?

106 - Design changes - "wider net"

- Comparing NEPA footprint vs. Final Planset

- Nebraska env. cert. - Project Coordination meetings pre & post P/H

• Interpretation of ~~CoPS~~ → Answers on Alternative → Jurisdictional issue & Personality

- DOT & FHWA technical expertise - Early coordination - w/ liaison

• FWS - A lot of information on project & species

Design/Env.

• Scoping of Environmental - information & communication

• ~~Permit thresholds~~ & issues to avoid for designers

- Turn over

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Illinois - Permits - Army Corps (Chicago) - Different Reviewers have opinions

SHPO - Working on programmatic Agreement
- Section 106

- Monthly meetings - Review times
- NEPA/404 Merger - Adds time to process
- Issues around Alternatives
- Staff turn over

Constraining
permit
decisions
SHPO vs SHC

IOWA - Expand Programmatic - SHPO
- list of ~~other~~ exempt projects

- Resource Concerns
- Communication & Reports

Kentucky - Few EAs
- SHPO funded position | Permits - changing to 0

Project Descriptions

Project Description - Brief & ~~system~~ simple

- Reasons why impacts can't be avoided
- Same message as ~~detail~~ delivered to public
- Visualizations
- Understand their needs

