



# Transportation Planning and Environmental Review: Federal Guidance Provides for Linking

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*Robert Downie*

As has been well documented in *Florida Transportation Monthly* and on Florida Department of Transportation (FDOT) website "Florida's Future Corridors"<sup>[1]</sup>, Florida is currently looking at new strategic transportation corridors to take the State into the next fifty years. These corridors will be multi-modal and interregional, crossing multiple local government jurisdictions. Projects of this size and scope must be thoughtfully planned, and will be greatly studied and scrutinized for impacts on the human and natural environments.

Not only do these corridors represent a strong commitment to address Florida's future transportation needs now, but also these projects present a great opportunity for taking stewardship and efficiency in transportation planning and subsequent environmental reviews to "the next level." For large scale new corridors, meshing long term local and regional growth management strategies and environmental protection measures with transportation project implementation will be crucial. Although it is too early to tell whether and to what extent these projects will involve federal agency review, if federal agencies are involved there is potential for inefficiency in decision-making at the state and federal levels.

In February 2005, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) issued guidance addressing the significance of data gathering, analysis, and decisions which occur during state and local transportation and growth management planning processes. The guidance provided information for how to focus environmental reviews for transportation projects by incorporating and preserving the results of planning processes, rather than duplicating or undermining those efforts. The guidance has now been made part of proposed joint FHWA and FTA regulations.<sup>[2]</sup>

Common sense would appear to dictate that when data, analysis, and government decisions are matters of record, it would be counterintuitive not to rely on that record. However, one of the more puzzling aspects of the development of transportation projects has been the relationship between transportation/land use planning processes and environmental review requirements. What happens is that data, analysis, and decisions from planning processes are revisited or even ignored during environmental review processes. This occurs not out of ignorance or malice, but because of the way the statutes and regulations have been interpreted to govern these processes. For example, if for financial reasons a modal decision is made during planning, NEPA reviews might still require a different mode to be studied. Of course, the larger and more complex the transportation project the more the potential negative effects of this conflict can be magnified, resulting in longer delivery time and higher costs.

In an effort to reduce these impacts, the FHWA and FTA developed guidance for relying upon planning level information, analysis, and decisions during environmental reviews. The guidance is posted on the FHWA website, and is entitled “Linking the Transportation Planning Process and National Environmental Policy Act” requires a “hard look” at actions involving federal funding or federal approval of actions with potentially significant environmental impacts. Historically, federal agencies have interpreted NEPA as requiring a “new hard look” at such actions, regardless of earlier planning-level “hard looks” that may have been performed by local, state, and even federal agencies, and which may have included large environmental components. In contrast, the guidance promotes the concept of linking planning and NEPA by building the NEPA analysis upon the foundation of data, analysis, and decisions generated during planning processes.

The guidance is divided into three main sections: Procedural, Substantive, and Administrative. The information is presented in a Q & A format. When reviewing this or any other FHWA guidance, it is important to remember that all fifty states are affected by it, and truly one size does not fit all.

One example of linking information from planning to the NEPA process the guidance addresses is in the consideration and elimination of “alternatives.” NEPA requires that for each action with potentially significant environmental impacts, several alternatives be developed and studied, including a “no-build” alternative. These alternatives should relate to the purpose and need for the project.

Often, it is the location of a route which is at the heart of the alternative analysis. For example, if a road is proposed to be built from point A to point B, there may be six potential routes. However, during the planning processes related to that road project, several routes may have been studied and rejected for various reasons. Local governments may have gone as far as to enact comprehensive plan amendments and/or land development regulations to promote a specific location for the road. Land development patterns may have begun to emerge based upon these decisions. In the past, despite very sound reasons for these decisions, during the NEPA review a federal

agency may have requested that the rejected routes be reexamined, ostensibly so they could be rejected all over again. This type of request wastes resources and potentially undermines the local growth and transportation planning processes and decisions by requiring the transportation agency to “replow” the same ground.

The guidance addresses the issue of elimination of alternatives and other questions regarding reliance on planning data, analysis, and decisions during the NEPA process. In particular, with respect to local growth management decisions, the NEPA review should pay deference:

The following planning products are valuable inputs to the discussion of the affected environment and environmental consequences . . . in the project-level NEPA analysis and document: regional development and growth analyses; local land use, growth management, or development plans; and population and employment projections.

To the extent these planning efforts involve GIS-based data and “ground-truthed” environmental analysis, all the better. In this way, the guidance rewards and encourages sound planning.

It is important to note that NEPA level of detail is not required during planning. What is required are open processes (stakeholder involvement), accurate and current information, documentation of analysis and a rational basis for decisions. This is not to say that NEPA will not require further development of information, but rather than starting from scratch, the NEPA process and other environmental reviews can now build on what was done before.

This FHWA and FTA guidance is part of an ongoing effort to promote more efficient environmental reviews, especially for the larger and more complex transportation projects. The Florida Department of Transportation has been a recognized leader in environmental stewardship and streamlining, and has been at the forefront of this initiative. It only takes a passing familiarity with Florida’s growth management and transportation planning processes to realize that the link between planning and environmental review was recognized long ago in this state, and the guidance will help facilitate Florida’s transportation future.

*Robert C. Downie, II, is a shareholder with*

*Carlton Fields, P.A. of Tallahassee.*