Welcome to the Environmental Services Section Design 101 Day

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The National Environmental Policy Act or NEPA

May 1, 2019

Presented by Ann Lawrie
What is NEPA?

- National Environmental Policy Act of 1969
- All projects receiving federal dollars or federal approval must be reviewed for environmental impacts
  - Social
  - Environmental
  - Economic

Origin of NEPA

- Interstate highway system
- Environmental degradation
- Quality of life degradation
- Health impacts
- Urban sprawl
The NEPA Umbrella

- Public Involvement
- Wetland and Floodplain Permits
- Farmland Protection
- Water Quality Protection
- Threatened and Endangered Species
- Coastal Zone Consistency
- Air Quality Conformity
- Historic Preservation
- Title VI and Environmental Justice
- Recreation Area Protection
- Noise Abatement
- Sustainable Development
- Community Impact Assessment

It’s the Law....

- 36 Federal laws
- 5 Presidential Executive Orders
- State laws mirror federal
Classes of Action

- Class I – Environmental Impact Statement (EIS)
  - Known significant environmental impacts

- Class II – Categorical Exclusion (CE)
  - No significant environmental impacts

- Class III – Environmental Assessment (EA)
  - Significant environmental impacts unclear

NEPA Regulations

- Housed in the Federal Register

- Categorical Exclusions (CE’s) are actions based on past experience with similar actions and do not involve significant environmental impacts

- List of actions that meet the criteria for CE’s listed in the Federal Register
NEPA Classification

Significant Impact?

No

?  YES

Categorical Exclusion (CE)

Environmental Assessment (EA)

Environmental Impact Statement

Finding of No Significant Impact (FONSI)

Record of Decision (ROD)

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National Environmental Policy Act

NEPA decision making PROCESS

SOCIAL IMPACTS

TRIBAL CONSULTATION

PUBLIC INPUT

ECONOMIC IMPACTS

ENVIRONMENTAL IMPACTS
Understanding Environmental Issues

What Is An Impact?
Any change in existing conditions
- Adverse or beneficial changes
- Major or minor changes
- Widespread or localized changes
- Long-term or short-term changes
- Significant change?

Context and intensity

Avoid, Minimize, Mitigate

- Creative problem solving between the PM/ESS/Resource Agency to avoid impacts and/or minimize impacts will help to keep your project a Categorical Exclusion

- Mitigation can be as small as planting a tree, to relocating plants, to constructing a new wetland mitigation site
Tools and Resources

- Specialty maps
- Field reviews
- Project manager’s information
- Surveys
- Photos
- Internet
- GIS

Regulatory Agency Coordination

Your Project

DEQ
US Army Corps of Engineers
DNR
LOCAL GOVERNMENT
MSHDA
COUNCIL OF MICHIGAN, INC.
INTER-TRIBAL COUNCIL OF MICHIGAN, INC.
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
Commitments

- Use of federal funds requires compliance with NEPA and state/federal permit requirements
- FHWA requires we document how we avoided, minimized, or mitigated for impacts.
- For Categorical Exclusions, mitigation follow-up assures the project will have “no significant impacts”

Who are we at MDOT?

**Project Coordination Unit**
- NEPA classification of projects
  - Environmental Coordinators
- Environmental Impact Review
  - Archaeology
  - Historic Preservation
  - Environmental Contamination
  - Recreation Impacts

**Environmental Analysis Unit**
- Preparation of Major Action NEPA documents
- Noise Analysis & Air Quality analysis (project level)
- Social/Community Impact/Environmental Justice
- Land Use/Indirect and Cumulative
- Public Involvement/Public Hearing

**Compliance and Mitigation Unit**
- Threatened and Endangered Species
- Agriculture
- Wetlands/Inland Lakes and Streams/Floodplains
- Water Quality
- Coastal Resources
- Migratory Birds

Provide for:
- All department wetland mitigation needs
- Follow-up of mitigation commitments from major action NEPA documents
• We are here to help you navigate the NEPA process

• Ask Questions Today

• Meet our Staff