

ENV-8 - Approve Draft EIS with Conceptual Mitigation

Description

This is a formal approval point at which the Draft EIS, accompanied by conceptual mitigation, is approved and circulated for public review. At this key decision, land use partners indicate their support of any land use policy changes that would be required to implement the recommendations in the Draft EIS.

There is information developed in prior key decisions that informs this step.

Purpose

To endorse a draft EIS that is sufficient in content and that presents the trade offs in transportation, environment, and community interests. The Draft EIS is accompanied by conceptual mitigation strategies, incorporating an early mitigation strategy where one exists, and can be accompanied by a Section 404 permit application.

Outcome

An approved draft EIS and conceptual mitigation strategies that incorporate any early mitigation strategy.

Partner	Role Type	Description
MPO	Advisor	Provides information to support the release of the Draft EIS including important stakeholders and regional considerations.
FHWA/FTA	Decision Maker	Approves the release of the Draft EIS with conceptual mitigation for public comment.
State DOT	Decision Maker	Ensures the Draft EIS with conceptual mitigation meets federal requirements and is adequate for public review.
Resource Agency	Decision Maker	<p>USACE is a decision-maker - approving the DEIS and validating the sufficiency of any early mitigation strategy.</p> <p>In fulfilling their duties pursuant to Section 309 of the Clean Air Act, USEPA advises this key decision, reviewing and providing comments on the Draft EIS. Along with the comments, USEPA provides two ratings, one is given according to the level of environmental concern and the other relates to the adequacy of the Draft EIS.</p> <p>In general, resource agencies inform transportation partners about potential direct and cumulative effects by providing input around the approved evaluation measures. Resource agencies provide information about conservation/restoration priorities and mitigation needs and costs.</p>
Public Transportation Operator(s)	Advisor	Provides information as needed to support the release of the Draft EIS including important stakeholders and transit considerations.

Policy Questions

Questions are a way to elicit information and to validate that the information has been considered. The partners should discuss the listed questions to ensure a broad array of interests is considered at a key decision. Discussions arising from these questions support collaborative decision making.

Questions Partners Discuss

Questions about purpose and roles

- Have partners been fully involved in the process?

Questions about stakeholders, including modal and operational partners

- Have stakeholders been fully involved in the process?

Questions about the transportation process supporting the decision

- Does the Draft EIS address bicycle and pedestrian network connectivity, accessibility, equity, and safety?
- Does the Draft EIS address the accommodation of bicycles and pedestrians, including people with disabilities, in work zones?
- Does the Draft EIS explain how alternatives address system operations and performance?
- Does the Draft EIS fully and accurately describe the process?
- Have the legal requirements been met?
- How do the P3 Build Alternatives compare with each other and with the No-Build Alternative in terms of operational, financial, and revenue impacts?
- Is there a preferred alternative from a bicycle or pedestrian perspective?
- Is there a preferred P3 alternative from a financing or revenue generation perspective?
- What is the basis for the selection of the preferred alternative, if identified in the Draft EIS?
- What potential negative impacts might arise from P3 alternatives and what mitigation actions must be taken?

Questions about other phases

- No specific questions

Questions about non-transportation sectors/processes

- Based on comparing the economic development impacts, is there a preferred alternative?
- How do the Build Alternatives compare with each other and with the No-Build Alternative?
- If an advance mitigation strategy was in place, has a determination been made as to whether that strategy was sufficient, excessive or insufficient?
- Is there a preferred alternative from an ecological perspective?
- Is there a preferred alternative from the freight perspective?
- What are the anticipated mitigation needs for each alternative?
- What are the direct, indirect and cumulative ecological effects of each alternative?
- What are the direct, indirect, and cumulative impacts of each alternative? Do land use goals and smart growth principles (as applicable) support and/or mitigate these impacts?
- What are the economic development impacts of each alternative carried forward, considering all mitigation actions that will need to be taken for any adverse economic impacts?

Stakeholder Inputs

'Questions to Gather Stakeholder Interests' allow staff to determine which stakeholders have interests at a key decision and to collect those interests for partner consideration. 'Questions to Incorporate Stakeholder Interests' ensure the interests of stakeholders are included in the decision. For more help with stakeholder collaboration visit the Stakeholder Portal

Questions to Gather Stakeholder Interests

- Are there any potential problems or issues that you see?
- Are there opportunities that you see to alleviate the problem or issue?
- What do you think of the alternatives? Is there anything missing? What would you add?

Questions to Incorporate Stakeholder Interests

- How has stakeholder input been incorporated?
- What input did the stakeholder provide on these alternatives?

Data

The following is a list of data needed to support the key decision. Practitioners collect this information for decision makers to consider.

Supporting Data for the Key Decision		
From other phases of transportation decision making	Long Range Planning	No Specific Data.
	Programming	No Specific Data.
	Corridor Planning	No Specific Data.
	Environmental Review	No Specific Data.
From other sectors and processes	Land Use	No Specific Data.
	Transportation Conformity	No Specific Data.
	Natural Environment and Implementing Eco-Logical	Ecological crediting strategy
		Preferences regarding avoidance, minimization, and potential conservation and restoration investments
		Preferred alternative from an ecological perspective
	Capital Improvement	No Specific Data.
	Safety and Security	No Specific Data.
	Human Environment	No Specific Data.
	Economic Development	Data needed to support evaluation of economic development impact
	Greenhouse Gas Emissions	Not applicable.
Freight	Roadway information, such as right-of-way issues, encroachments, or other freight-related constraints	
From the transportation technical process supporting this key decision	Analysis of the operational, financial, and revenue impact of alternatives developed through P3 (estimated between ENV-7 and ENV-8).	
	Ecological impacts for the alternatives carried forward to the DEIS	
	Mitigation needs and quantities for alternatives	
	Public involvement plan requirements for issue of the Draft EIS	
	Regulatory requirements.	
	System operations and performance impacts of alternatives in the DEIS	
	Perspective of bicycle and pedestrian partners and stakeholders	
From stakeholder collaboration	Perspective of partners and stakeholders.	
From public private partnership	No Specific Data.	

Links to Decisions

This table identifies how a key decision is connected to other key decisions. The linkages are a two-way transfer of information. Understanding and applying these linkages means that partners will recognize how a decision will impact other specific key decisions. Recognizing that the transportation processes are linked will: (1) encourage practitioners to produce information that can be used later and (2) remind them to look at information from previous key decisions.

linkages to other phases of transportation decision making

Key Decision	What is Linked?	Purpose of Linkage
From Long Range Transportation Planning		
LRP-10 - Adopt LRTP by MPO	Advance mitigation strategy and agreements from the adopted LRTP	To inform conceptual mitigation incorporated in the Draft EIS
From Programming		
PRO-9 - Approve STIP with respect to Fiscal Constraint	Funding for mitigation programmed in the STIP.	To inform partners of the sufficiency of funds for avoidance, minimization and mitigation programmed in the STIP.
From Corridor Planning		
COR-9 - Adopt Priorities for Implementation	Advance mitigation strategy and agreements from the Corridor Plan	To inform conceptual mitigation incorporated in the Draft EIS

Examples

In-depth case studies of successful practices in collaborative decision making were used to develop the Decision Guide. Links in this table point to a specific paragraph or section of a case study that supports a key decision. It is not necessary to read through an entire case study to find the example; however, full versions are available in the Library.

PlanWorks Case Study Examples

- None

Other Examples

- None

Integrated Planning

Integrated Planning looks at the interaction between the transportation decision making process and other processes. Considering these inputs will ensure that important values and goals outside the transportation process are recognized and considered. For a full understanding of a specific process and how it influences transportation decisions, visit Applications.

Process	Integration Type	Integration Description
Land Use	Decision	Endorse range of land use policy changes in support of Draft EIS alternatives, as required. <ul style="list-style-type: none"> Purpose: Determine the willingness to change land use policy as it relates to Draft EIS alternatives. Outcome: Commitment to implement changes to land use plans.
Transportation Conformity	None.	None.
Natural Environment and Implementing Eco-Logical	Data Between IEF Step 4 - Assess Effects on Conservation Objectives and ENV-5	Ecological impacts for the alternatives carried forward to the DEIS. Mitigation needs and quantities for alternatives
	Analysis Between IEF Step 4 - Assess Effects on Conservation Objectives and ENV-8	Develop cumulative effects scenarios.
	Decision From IEF Step 4 - Assess Effects on Conservation Objectives	Identified preferences regarding avoidance, minimization, and potential conservation and restoration investments. Identification and quantification of mitigation needs. Preferred alternative(s) from an ecological perspective.
	Analysis Between IEF Step 6 - Develop Crediting Strategy and ENV-8	The crediting strategy developed in IEF Step 6 can be used to measure ecological impacts and to identify the potential cost of anticipated mitigation needs.
	Decision Between IEF Step 8 - Implement Agreements, Adaptive Management & Deliver Projects and ENV-8	If a programmatic agreement, MOU or other strategy around advance mitigation had been reached/implemented through the integration of the IEF with long range planning or corridor planning, a decision is made, using the detailed information in the Draft EIS about impacts of alternatives and conceptual mitigation, as to whether any advance mitigation implemented per earlier agreements is sufficient, excessive or insufficient. This decision is made now in order to inform the selection of a preferred alternative.
Capital Improvement	Decision	Endorse range of capital improvement changes in support of Draft EIS alternatives, as required.
Safety and Security	None.	None.
Human Environment	None.	None.
Economic Development	Data	Data needed to support evaluation of economic development impact
	Analysis	Comparison of economic development related impact of alternatives carried forward to determine an approved draft EIS and conceptual mitigation strategy
Greenhouse Gas Emissions	Not applicable.	Not applicable.
Freight	Data	Information on potential freight-related constrains associated with the individual alternatives and freight stakeholder preferences
Bicycles and Pedestrians	Data	Information on potential bicycle and pedestrian benefits and impacts associated with the individual alternatives and stakeholder preferences.

Special Topics

This table provides an overview of the relationship between a key decision and individual special topics. A special topic may be an external process, a new regulation, or any emerging issue requiring collaboration. For a full understanding of a specific topic and how it influences transportation decisions, visit Applications.

Key Decision Relationship to Other Topics

Topic	Description
Public-Private Partnerships	<p>Provide Input to the Draft EIS - Support the potential P3 project with data and analysis to inform the public and decision makers of the potential benefits and risks.</p> <p>Data Transfer - Data concerning traffic and other operational impacts, finances and revenues, environmental justice impacts, and overall public opinion.</p> <p>Analysis Transfer - Strategies to mitigate negative impacts of alternatives, as applicable.</p>
Planning and Environment Linkages	<p>Provide Input to the Draft EIS - Provide information that identifies how individual alternatives contribute to or impact system operations and performance.</p> <p>Data Transfer - Data related to traffic flow, reliability and other operational impacts anticipated with individual alternatives. Identification of the alternative that best supports the ongoing operation and management of the system.</p>
Streamlining a Congestion Bottleneck Project	<p>Approve Draft EIS - Release of the Draft for public comment prior to the selection of a preferred alternative</p> <p>Data Transfer - From PRO-6 identifying available funding for implementation</p>