

Addressing Consultation and Environmental Mitigation SAFETEA-LU Requirements in Plan & TIP Updates

Documentation addressing these new requirements can be in a separate chapter or an appendix. Whatever method is chosen, the documentation for each element (Consultation and Environmental Mitigation) must be in **one** place so that it is easy for FHWA and FTA to determine SAFETEA-LU compliance.

Consultation (Plan and TIP)

Goal: Eliminate or minimize conflicts with other agencies' plans that impact transportation.

Compile a list of contacts with State, local, and private agencies, and Indian Tribes responsible for:

- Economic growth and development
- Environmental protection
- Airport operations
- Freight movement
- Land use management
- Natural resources
- Conservation
- Historic preservation
- Human service transportation providers

The intent of the consultation requirement is to *exchange information* with these agencies, not just provide them a copy of the plan or TIP and ask for comments. The objective is to compare plans, maps and inventories developed by these agencies with the transportation plan and TIP to ensure compatibility.

Documentation should include:

- Who was contacted and how the contact was made
- Responses received
- Results of comparison of plans, programs
- How the information was used, how did it affect the Plan or TIP update

A factor to consider in maintaining a structure for the consultation process would be to have agreement (and documentation) of roles, responsibilities and key decision points.

Environmental Mitigation (Plan only)

Goal: Assure decision makers take into account potential environmental impacts when adopting the transportation plan or plan update and that consideration is given to how such impacts might be mitigated.

Review the types of improvements listed in the Plan for State, local road and transit projects:

- Are all of the projects resurfacing, safety, bus replacements, etc.?
- Will all of the improvements be within the existing ROW?
- No capacity projects?
- Project(s) will not alter traffic patterns?

If this is the case, then documentation should indicate that all proposed improvements are within the existing ROW and will not add capacity or alter traffic patterns, followed by a statement of no significant impacts.

If the plan includes improvements that alter traffic patterns or add capacity regardless of if it is within the existing ROW, then a discussion of potential environmental mitigation must be included in the **Plan**. The discussion must address **both the natural and human environment**. Efforts to meet the "Environmental Mitigation" requirements of SAFETEA-LU include the following:

1. Develop a list of resource agencies and contacts (Consultation).
2. Work with these agencies to identify and inventory environmentally sensitive areas, factors **may** include:
 - Land use (including farmland)
 - Water quality
 - Wetlands
 - Floodplains
 - Endangered species
 - Section 4(f)
 - Hazardous waste sites
 - Air quality
 - Noise
 - Historic and archeological sites
 - Secondary and cumulative impacts
 - Property acquisitions and displacements
 - Changes in accessibility (to jobs, recreation, health services, etc.)

3. Assess the impacts areawide of implementing the plan.
4. Work with resource agencies to define potential mitigation measures that may be needed (areawide, not project level).
5. Determine if the identified mitigation could be achieved.
6. Adjust transportation plan if necessary to minimize mitigation.

Documentation of this effort would include the location of capacity or regionally significant projects within the MAB, a description of the inventory, resource agencies that were contacted, assessment of any likely impacts resulting from proposed improvements and potential mitigation measures.