

# Alabama Planning Studies and other program changes

Alabama Transportation Planners Association  
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# Planning and Environmental Linkages

- a collaborative and integrated approach to transportation decision-making that consider benefits and impacts of proposed transportation system improvements to the environment, community, and economy during the transportation planning process.

# Recent History of PEL

- MAP-21 Congress refined and strengthened the transportation planning process as the foundation for project decisions, emphasizing public involvement, consideration of environmental and other factors.
- MAP-21 Federal role that oversees the transportation planning process but defers to State and local decision-making to the maximum extent possible consistent with applicable laws.
- FAST Act Congress has continued to refine this process clarifying the Federal role in overseeing the transportation planning process.

# PEL Timeline:

- |    |   |    |   |
|----|---|----|---|
| 1. | August 2005   | 1. | Congress (codified in 23 U.S.C. 134 and 135) required increased consideration of the environment in both statewide and metropolitan planning.   |
| –  | Safe, Accountable, Flexible, Efficient Transportation Efficiency Act: A Legacy for Users (SAFETEA-LU) | 2. | Implementing the changes in SAFETEA-LU that included new provisions (not required by SAFETEA-LU) that specifically addressed the integration of transportation planning and the NEPA processes. |
| 2. | February 2007   |    |   |
| –  | FHWA and FTA issued final transportation planning regulations   |    |   |
| 3. | 2011  | 3. | To aid agencies in incorporating PEL principles into their planning and environment review processes  |
| –  | FHWA introduced the PEL Questionnaire.  |    |   |
| 4. | July 2012   | 4. | The added a new authority for carrying out PEL in July 2012.  |
| –  | Moving Ahead for Progress in the 21st Century Act (MAP-21)  |    |   |
| 5. | December 2015   | 5. | Authority was amended in FAST   |
| –  | Fixing America's Surface Transportation Act (FAST Act)  | 6. | Amended provision was incorporated into the joint May 27, 2016.   |
| 6. | May 27, 2016  |    |   |
| –  | FHWA/FTA final planning regulations amended by reference  |    |   |

# Two Possibilities for PEL

## Informal Process

- Planning Products are incorporated into NEPA documents in parts and pieces.
- No formal announcement required.
- May reach some valid NEPA decisions
- No Guarantee Planning Decision can be used in NEPA

## Formal Section 168 Process

- Planning Products are incorporated into NEPA by reference
- Public Notice required stating the planning decisions may be adopted in subsequent environmental review process.
- No Guarantee but the FHWA and other agencies concur that conditions are met to incorporated findings.

# “Section 168” – Formal process

## 23 U.S.C. 168(a)(6)

- “The relevant agency is the lead agency with respect to an EIS, EA, CE or other document prepared under NEPA
- or, if applicable, the cooperating agency with responsibility under Federal law for completion of any environmental permit, approval, review, or study required for a project under and Federal law other than NEPA.
- The relevant agency shall provide notice of its intention to adopt or incorporate by reference the planning product, and shall consider any resulting comments.”

# Informal PEL process

- Informal Process should mimic the formal requirements. All planning documents should include some environmental considerations.
- Planners and Sponsors should understand NEPA process.
- Planning Studies should be coordinated with ALDOT Environmental Staff at Region and/or Central Office and subsequently FHWA.
- MPO Public Participation Plans may need to incorporate more public outreach to meet PEL.

## What types of planning products may be used in the environmental review process under Section 168

- The term “planning product” is defined in statute as a decision, analysis, study, or other documented information that is the result of an evaluation or decision-making process carried out by a metropolitan planning organization, State, or transit agency, as appropriate, during metropolitan or statewide transportation planning under sections 134 or 135, respectively.
- There are two types of planning products:
  - Planning decisions
  - Planning analyses

23 U.S.C. 168(a)(3)



# Examples of planning decisions

- Purpose and the need for the proposed action.
- Preliminary screening of alternatives and elimination of unreasonable alternatives.
- A basic description of the environmental setting.
- A decision with respect to methodologies for analysis.
- Information on whether tolling, private financial assistance, or other special financial measures are necessary to implement the project.
- A decision with respect to general travel corridor or modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility.

23 U.S.C. 168(c)(1)

# Other planning decisions (cont.)

- An identification of programmatic level mitigation for potential impacts of a project, including a programmatic mitigation plan developed in accordance with 23 U.S.C. 1698 that the relevant agency determines are most effectively addressed at a national or regional scale, including:
  - i) Measures to avoid, minimize, and mitigate impacts at a national or regional scale of proposed transportation investments on environmental resources, including regional ecosystem and water resources.
  - ii) Potential mitigation activities, locations, and investments.

23 U.S.C. 168(c)(1)

# Examples of planning analyses

- a) Travel demands.
- b) Regional development and growth.
- c) Local land use, growth management, and development.
- d) Population and employment.
- e) Natural and built environmental conditions.
- f) Environmental resources and environmentally sensitive areas.
- g) Potential environmental effects, including the identification of resources of concern and potential direct, indirect, and cumulative effects on those resources to both the natural and human environment.
- h) Mitigation needs for a proposed project, or for programmatic level mitigation, for potential effects that the lead agency determines are most effectively addressed at a regional or national program level.

23 U.S.C. 168(c)(2)

# What conditions must be met to use planning products in the environmental review process pursuant to Section 168?

## a) During the planning process:

- i) Developed through a planning process
- ii) developed in consultation with the appropriate Federal and State resource agencies and Indian tribes.
- iii) included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.
- iv) included public notice that the resulting planning products may be adopted during a subsequent environmental review process in accordance with Section 168

23 U.S.C. 168(d)

## What conditions must be met to use planning products in the environmental review process pursuant to Section 168?

b) During the environmental review process: under the Section 168 PEL authority, during the environmental review process, the relevant agency (either the lead agency or cooperating agency) must:

- i) Make the planning documents available for public review and comment by members of the general public and Federal, State, local, and tribal governments that may have an interest in the proposed project.
- ii) Provide notice of the intention of the relevant agency to adopt or incorporate by reference the planning product.
- iii) Consider any resulting comments.

23 U.S.C. 168(d)

## Section 168, several other conditions must also be met:

- a) **no significant new information** or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.
- b) has a rational basis and is based on reliable and **reasonably current data** and reasonable and scientifically acceptable methodologies.
- c) **documented in sufficient detail to support the decision** or the results of the analysis and to meet requirements for use of the information in the environmental review process.
- d) **appropriate for adoption or incorporation by reference** and use in the environmental review process for the project and is incorporated in accordance with, and is **sufficient to meet the requirements of NEPA** and 40 CFR 1502.21 (as in effect on December 1, 2015).
- e) approved **within the 5 year period ending on the date on which the information is adopted or incorporated by reference.**

23 U.S.C. 168(d)

## FHWA and others Must:

- In order to proceed under PEL authority, the relevant agency, the lead agency, and any cooperating agency (if that cooperating agency must issue a permit for or approve of the project based upon the Section 168 planning product) must concur that all conditions are met.

23 U.S.C. 168(d)

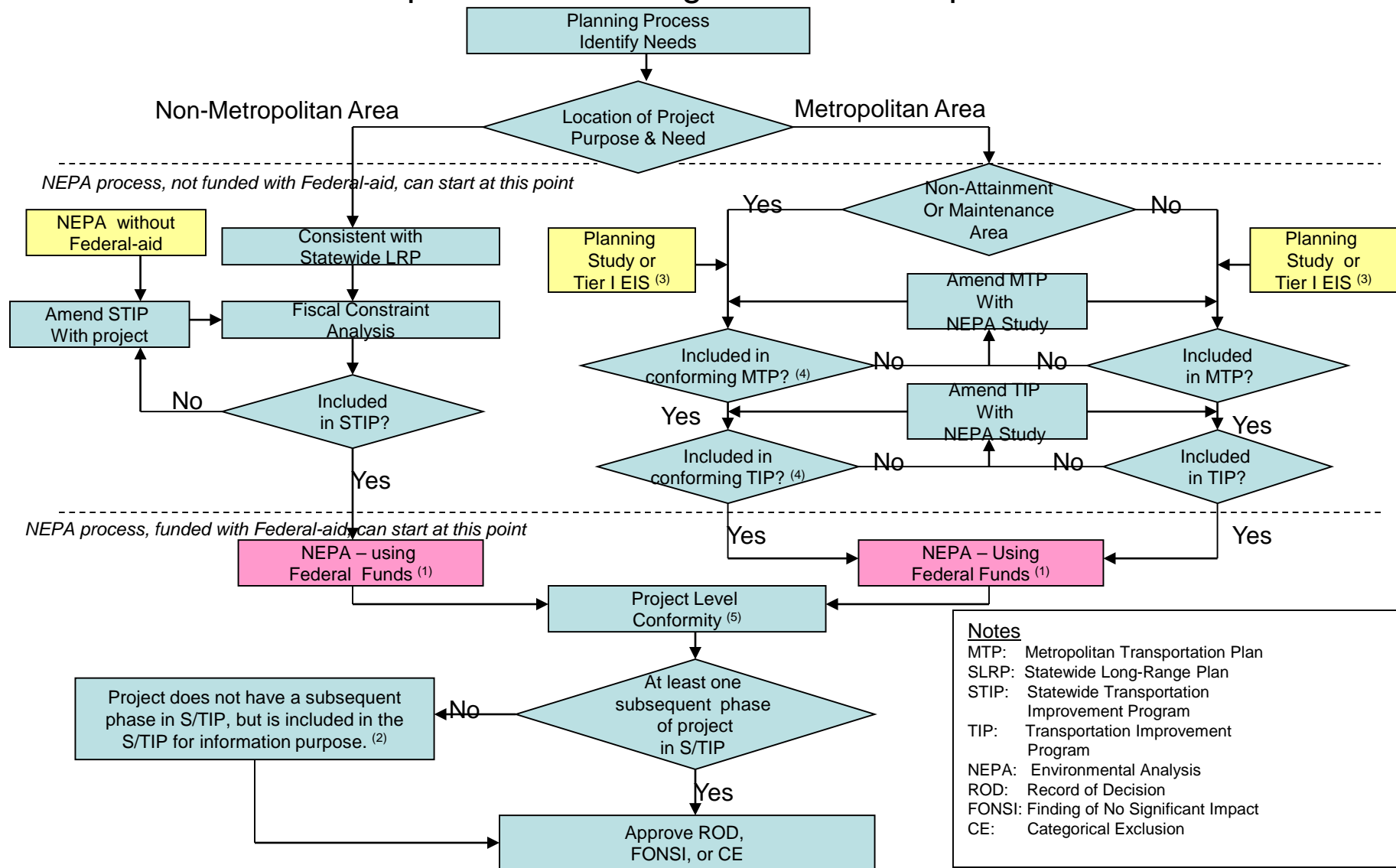
## Public Involvement Requirements:

- Section 168 has specific public involvement requirements relating to availability of documents and opportunities for notice and comment
- For all Public Involvement questions see FHWA **Planning and Environmental Linkages – Questions and Answers , November 2, 2016**

23 U.S.C. 168(d)(4 and 5)



# Transportation Planning and NEPA Requirements



(1) For projects proposing to use Federal-aid in the NEPA process, all elements prior to "Included in STIP", "Included in conforming TIP" or "Included in TIP" must be completed before NEPA authorization.

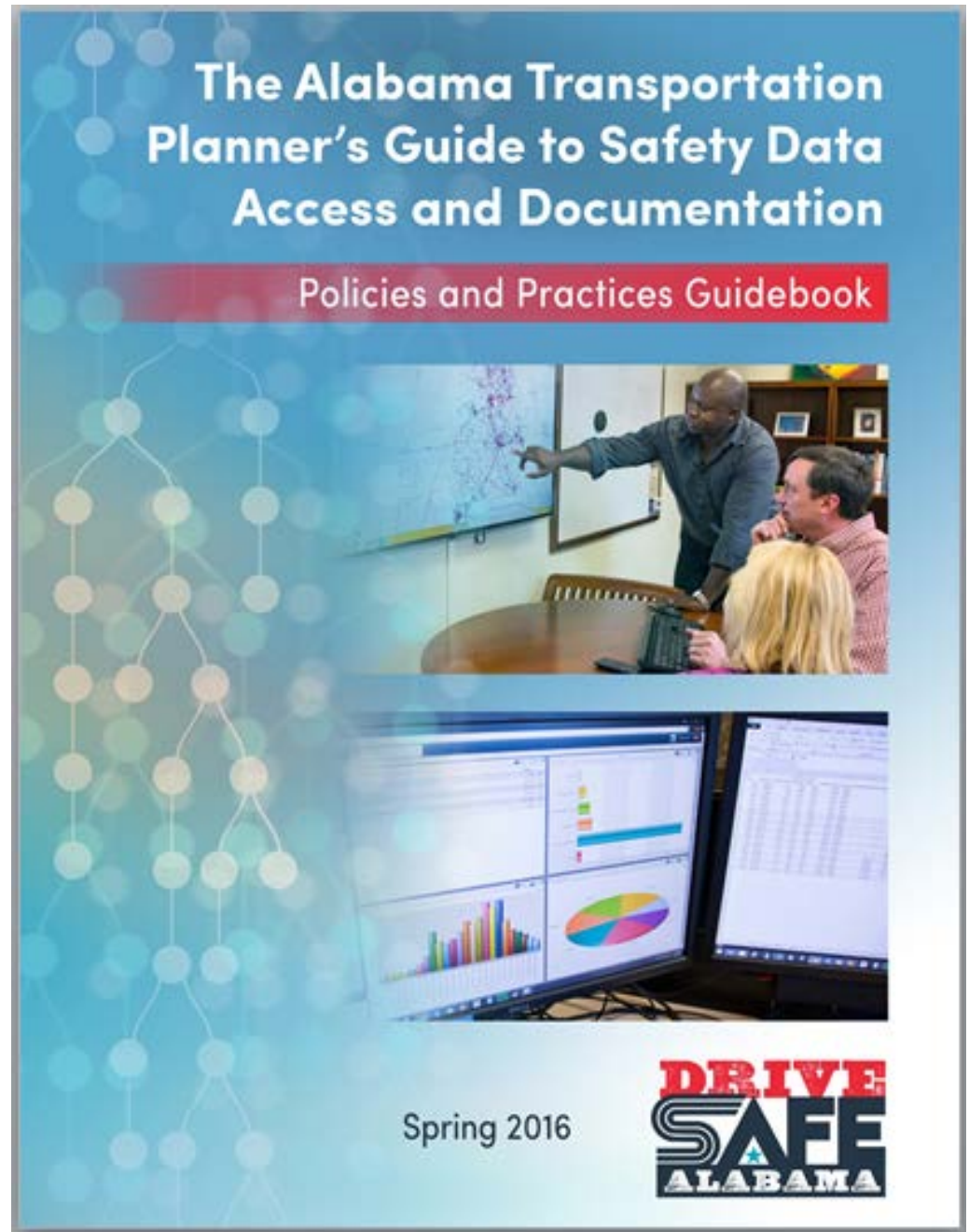
(2) The subsequent phase of the project is beyond the S/TIP time frame.

(3) Tier I EIS can be initiated with Federal-aid prior to being in the fiscally constrained MTP.

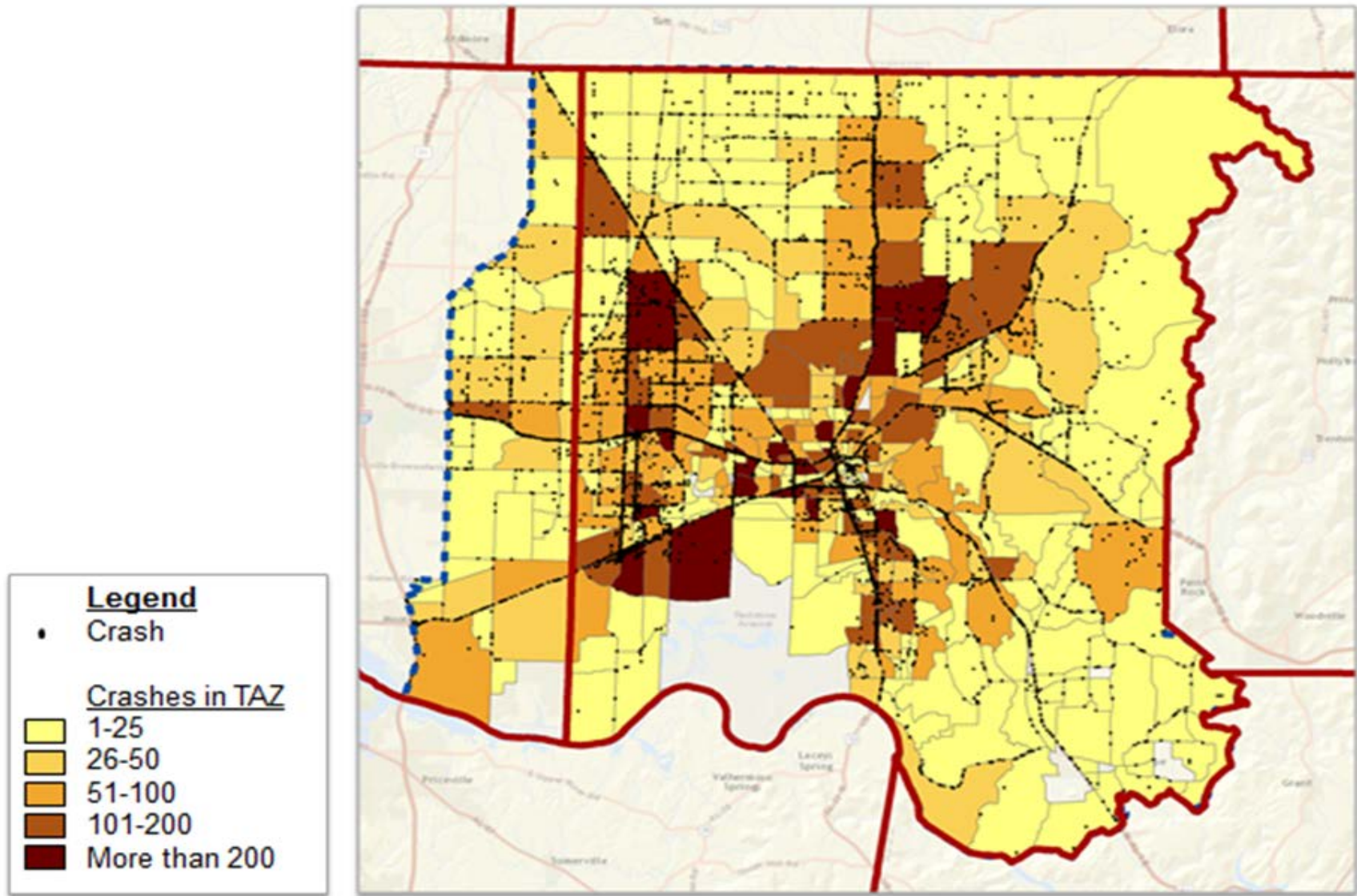
(4) Projects in a donut area must be part of the regional emissions analysis that supports the conforming plan and TIP.

(5) Project level conformity applies only to projects within a non-attainment or maintenance area.

# Alabama Transportation Planner's Guide to Safety Data Access and Documentation

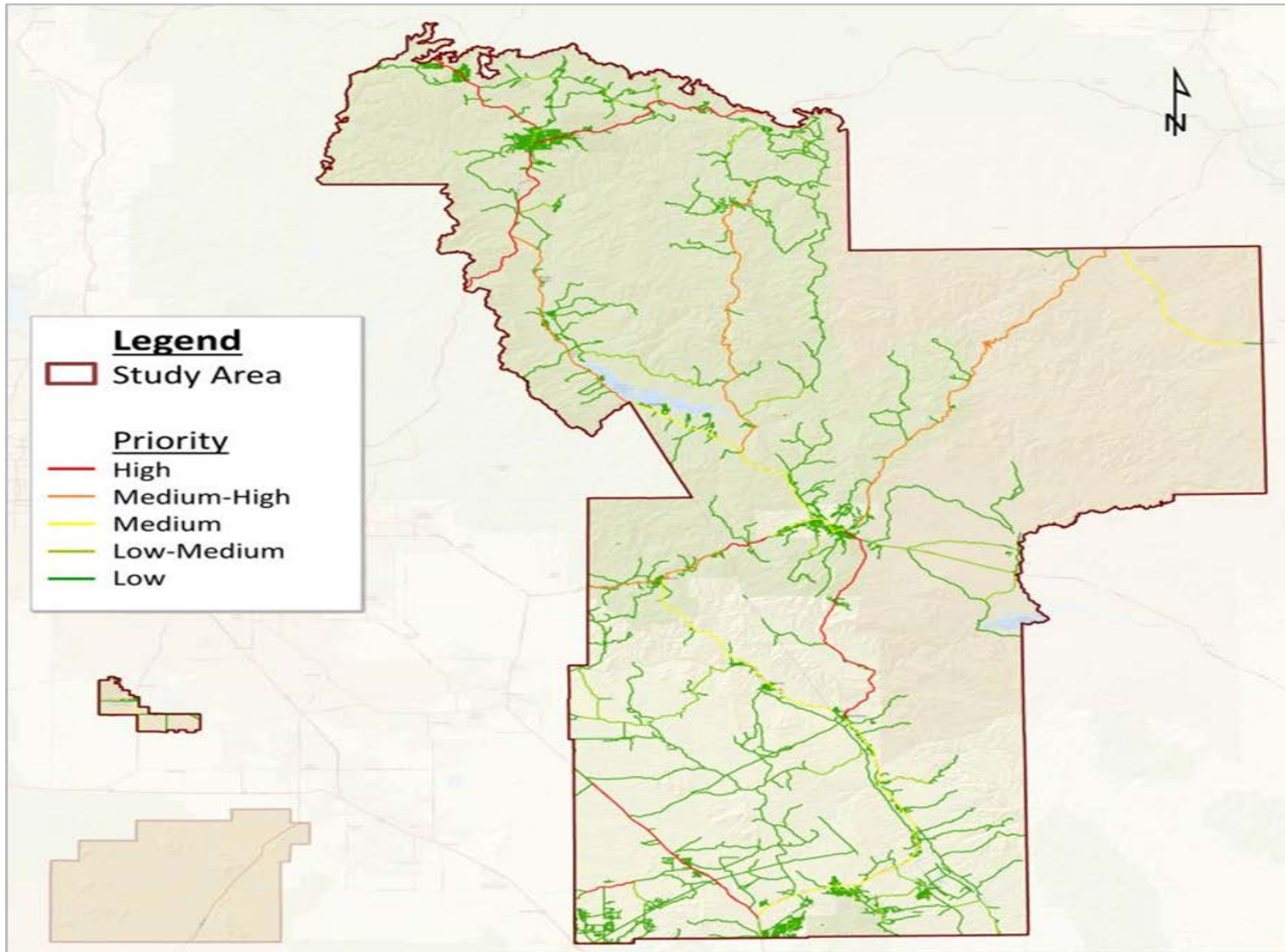


# FIGURE 5: CRASH FREQUENCY BY TRANSPORTATION ANALYSIS ZONE





# FIGURE 6: RECOMMENDED SEGMENTS FOR POTENTIAL SAFETY IMPROVEMENTS



# TSM&O - Transportation System Maintenance and Operations



|           |                |
|-----------|----------------|
| WCR       | 100%           |
| NR        | 95%            |
| ECR       | 85%            |
| SWR       | Initiating CPO |
| SER       | Developing     |
| SOW & Fee |                |

# TSM&O –Analysis – AADT, Crashes

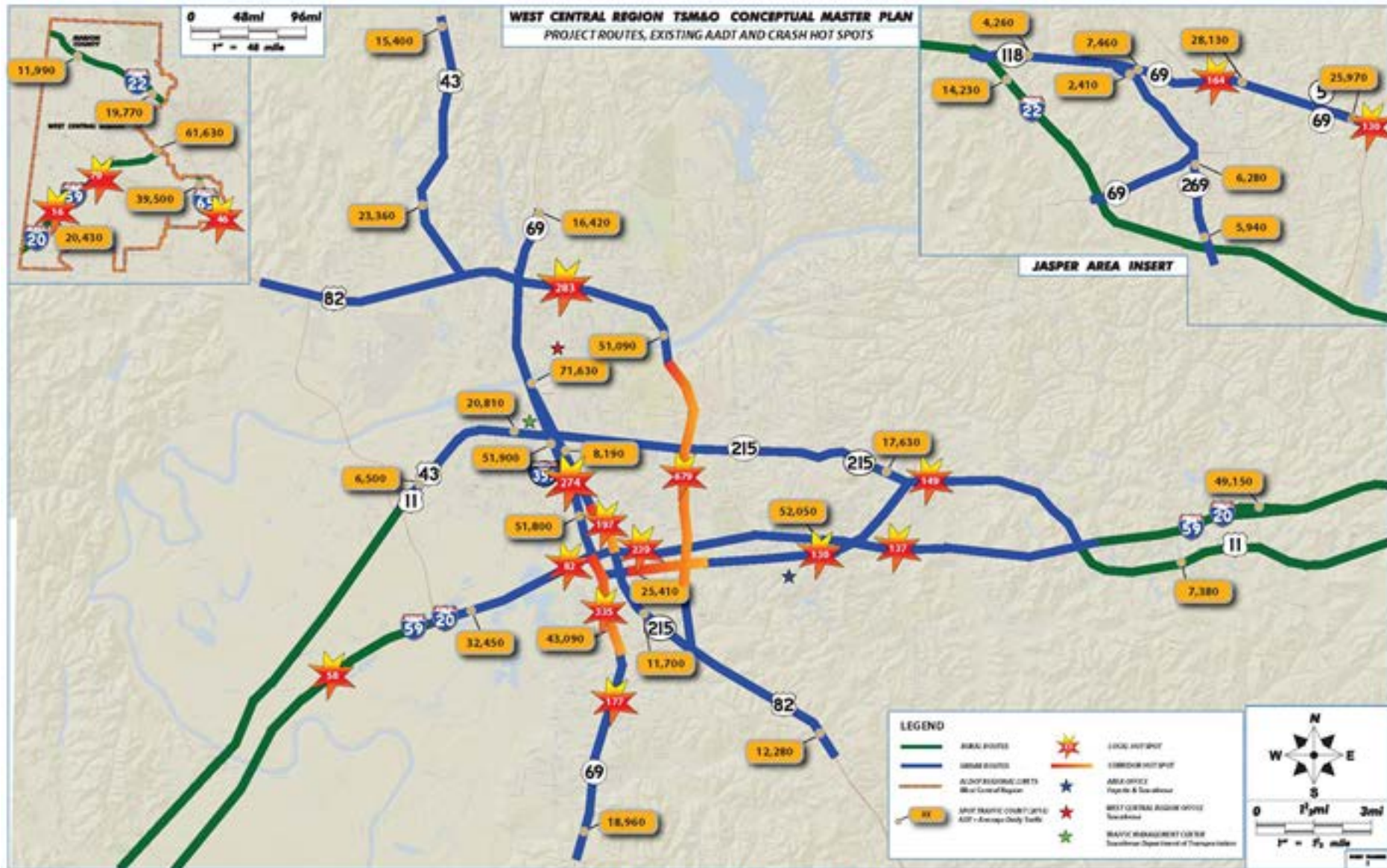


Figure 1: Project Routes, Existing AADT and Crash Hot Spots

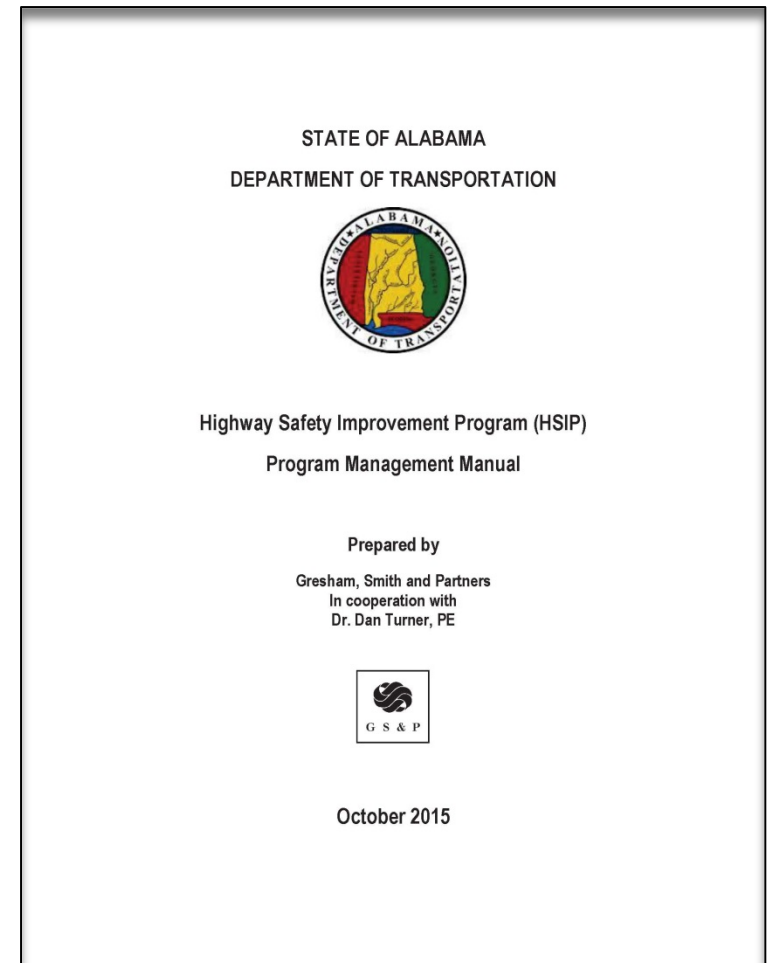


# STEP- Safe Transportation for Every Pedestrian



# HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) FUNDING GRANT

- NOT A NEW PROGRAM
- ALDOT HAS DEVELOPED A GUIDELINE TO APPLY FOR GRANTS
- Project Sponsors include ALDOT headquarters or regional offices, other state agencies, counties, and municipalities.





# ROUNDBABOUTS ON HIGH SPEED ROADS ARE COMING TO ALABAMA

**HSIP  
FUNDED**



**Project HSIPF-0079(513)**  
**Roundabout Construction at**  
**SR-79 & SR-160 Intersection**  
**In Town of Cleveland,**  
**BLOUNT COUNTY**

33° 98' 86.97  
-86° 57' 11.32  
Range 1 East  
Township 12 South





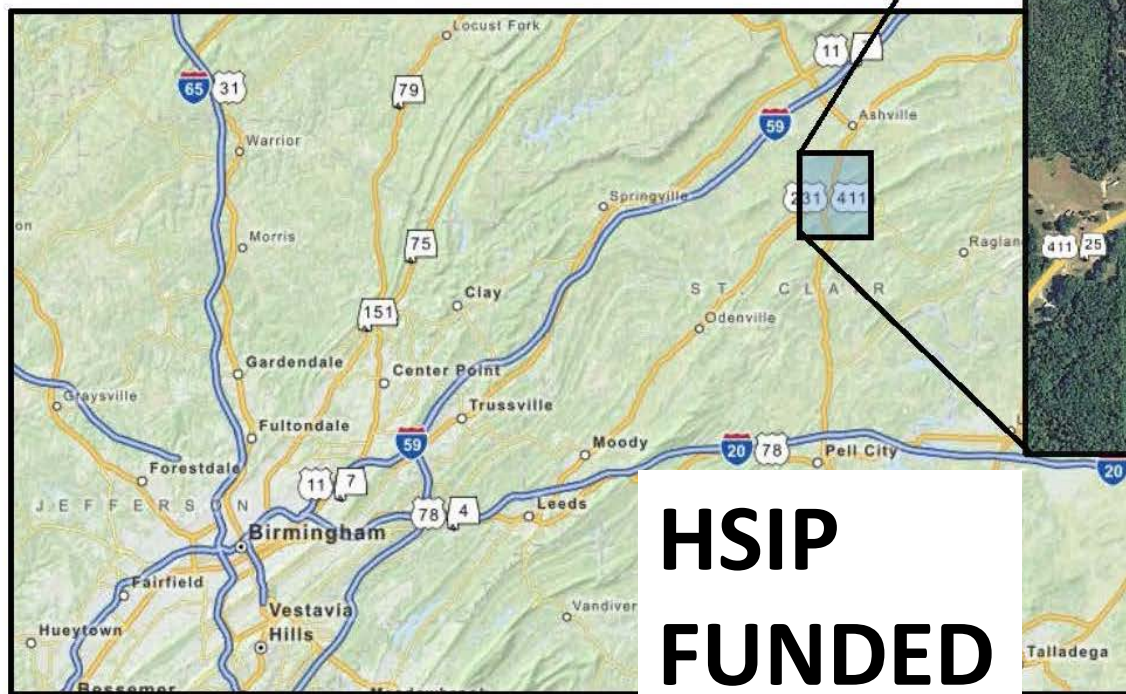
**ROUNDBABOUTS** REDUCE crashes where people are seriously hurt or killed by 78-82% when compared to conventional stop-controlled and signalized intersections, per the AASHTO Highway Safety Manual.

**HSIP-0053 (572)**

**Roundabout construction at SR-53(US-231) & SR-25**

**(US-411)/CR-33 Intersection**

**ST. Clair County**



**HSIP  
FUNDED**



Township 14 South  
Range 4 East  
**Not to Scale**

# HSIP Eligibility

- Project must address a Strategic Highway Safety Plan (SHSP) goal
  - Reduction of fatal/serious/PDO injury crashes
  - Infrastructure improvements
- Responsible Project Sponsor
- 10 percent match typically required



# Typical Project Types

- Systemic safety application examples
  - Shoulder widening, median barrier, edge line & center line rumble strips, horizontal curve re-signing, back plates w/ reflective strips
  - Benefit cost analysis not generally required for ALDOT projects
- Site specific safety project examples
  - Fixed object removal, flattening of slopes, elimination of vertical headwalls/exposed pipe ends, High Friction Surface Treatments, correcting intersection angle skew, providing offset turn lanes, modified intersection channelization, illumination, larger signage, bike & pedestrian features
  - Benefit cost analysis required



# Ineligible Activities

- Maintenance activities such as pavement preservation and traffic control device replacement
- **Major** improvements including grade separation, realignments, drainage, utility relocations
- Outreach activities



# ADA and STEP



# State Planning Finding

## FINDINGS:

- 1) Use of Level of Effort (LOE) in STIP and MPO TIPs, programming of projects.
- 2) State and MPO Self-certification- ADA Compliance**
- 3) Annual STIP/TIP Rebalancing Process and Transit Programming
- 4) 10-Year PE & 20-Year ROW Reimbursement**

# Questions?

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