

 Hollywood, FL

 June 13-14, 2024

2024 TRANSPORTATION SYMPOSIUM

PD&E - What's New / Hot Topics



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NEPA Assignment Highlights

- Renewal – May 26, 2022
- Annual reporting of **mitigation commitments**
- Ensure **meaningful public engagement**, including environmental justice communities
- FHWA may reassume a project in instances where FHWA receives a **Title VI complaint** and
 - Accepts the complaint for investigation or
 - Determines project may have significant community impacts
- NEPA documents for local agencies who receive **direct recipient grants** (with no LAP agreement) will be approved by FHWA
- **First monitoring event with FHWA ongoing**



Federal Updates

Date	Federal Update	Key Points
April 2023	Executive Order 14096	<ul style="list-style-type: none">• Expanded definition of environmental justice• Direct, indirect, cumulative effects analysis on EJ communities• Interim implementation guidance by October 2023 Final implementation guidance by October 2024
May 2023	Sackett vs. EPA	<ul style="list-style-type: none">• Modified the definition of Waters of the US
June 2023	Fiscal Responsibility Act of 2023	<ul style="list-style-type: none">• Class of action thresholds, timeframes, and page limits
July 2024	CEQ Phase II Rule	<ul style="list-style-type: none">• Changes to requirements for documentation in different class of actions• Enforceable mitigation, with monitoring and compliance plans• Enhanced climate and environmental justice analysis• Timeframes and page limits for class of actions (EA, EIS)

Highlight – Class of Action Determination Timing

- Process update in 2024 PD&E Manual update
 - COA determination to be submitted after “alternatives analysis complete”
 - COA determination should be approved prior to notice of the public hearing
- Expectation that justifications for COA will be based on technical analysis as well as input from ETAT
- Additional process considerations currently being discuss



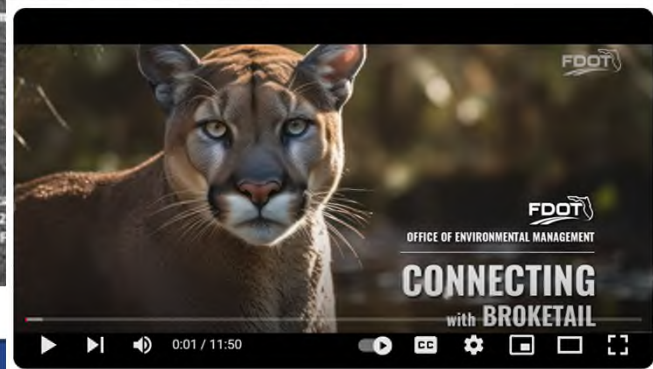
Photo Courtesy of <https://www.academicbriefing.com/leadership/change-for-the-sake-of-change/>

Federal Updates – Environmental Program Considerations

- **Strategic scheduling** discussions with district staff & project teams
- Adjusted documentation for **public engagement** activities
- Adjusted documentation for **sociocultural effects and analysis**
- Additional tracking and reporting for **mitigation and commitments**, as required
- Potential for additional coordination/oversight on **local PD&E studies** that will be approved through OEM
- Additional coordination with permitting agencies to **adopt NEPA documents**
- Additional coordination with permitting agencies for **mitigation requirements**



OEM Process Updates



- Panther Conservation Plan 2024
- Noise Wall Cost Updates - 2024
- EA Form Development for SWEPT
- Removal of SWAT Process from PD&E Manual
- Resilience Chapter for PD&E Manual (upcoming 2025)
- Updated OEM Public Website

Process Updates Highlight – Sunsetting ACE Process

- Reasons for Decision
 - Confusion with the ACE process and appropriate application
 - ACE studies tend to become a “second” PD&E study
- Transition Considerations
 - Tentative “sunsetting” in July 2025 with next PD&E Manual update
 - Working on replacement for ACE studies (i.e. PEL considerations, feasibility studies, etc) to be included with update



Photo Courtesy of www.beachhunter.net/sunsets.htm

Environmental Outreach 2024

March 2024
Panther Conservation Plan Celebration



April 2024
FAEP Conference



May 2024
Transport. Planning Exchange



March 2024
Archaeology Month Open House



April 2024

TRANSPORTATION
SYMPOSIUM



***PUT IT
DOWN***

***FOCUS ON
DRIVING***





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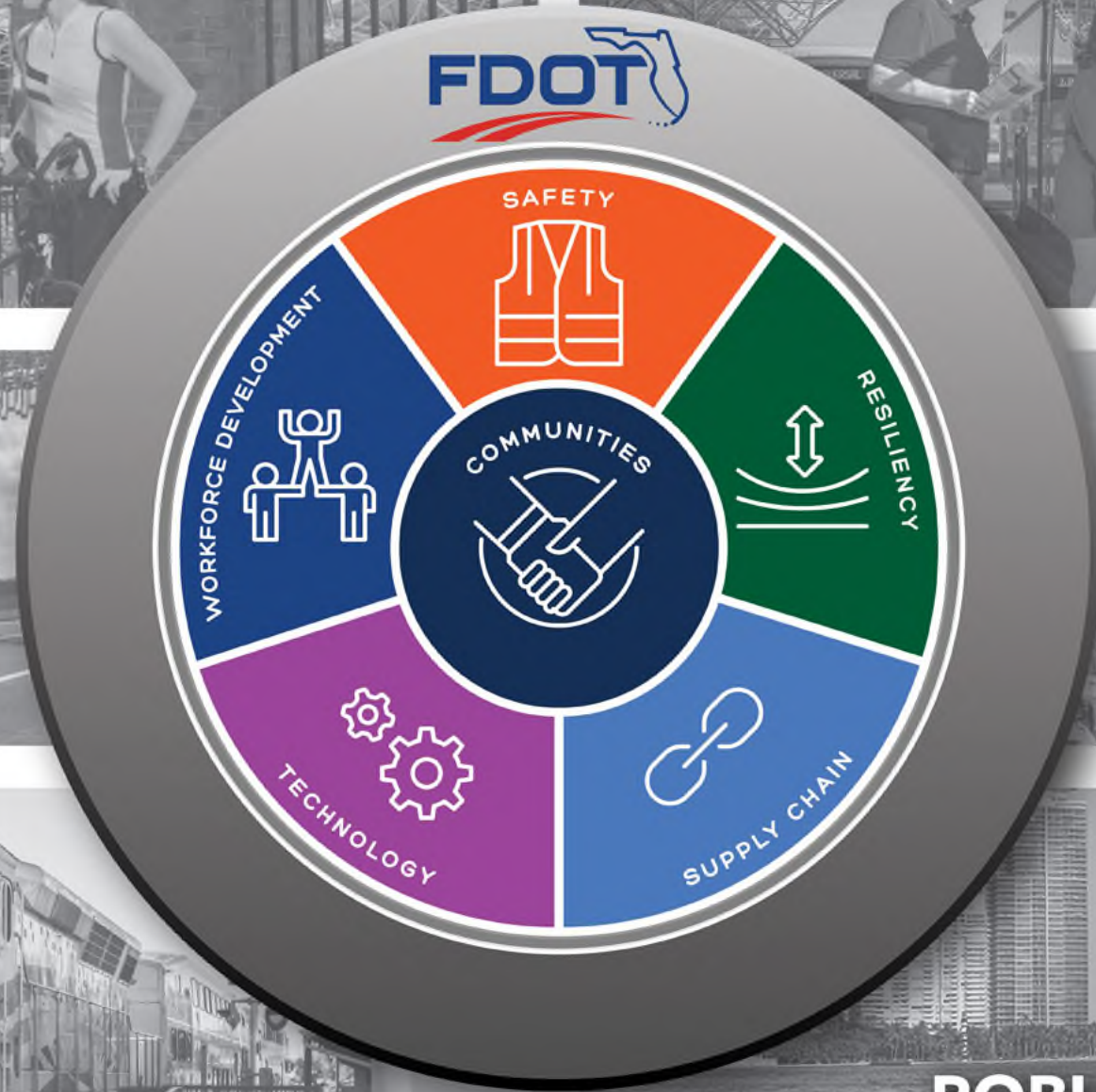
SAFETY



COMMUNITIES



WORKFORCE DEVELOPMENT



RESILIENCY



TECHNOLOGY



ROBUST SUPPLY CHAIN