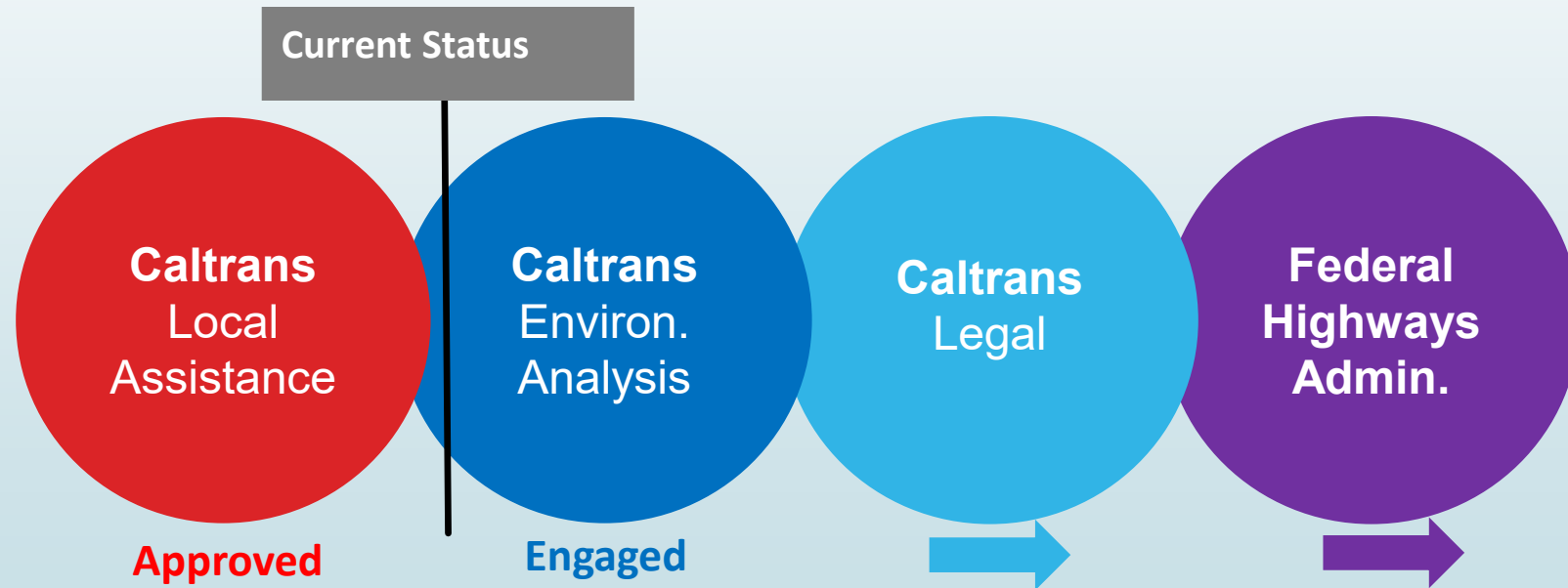


A Risk-Based Approach to Local Assistance Environmental Assessments

TCC Meeting, 1 November 2018

A New Potential Initiative for Local Assistance Environmental





NEPA Classes of Action

- **Class I - Environmental Impact Statements**

actions that significantly affect the environment

- **Class II – Categorical Exclusions**

actions excluded from the requirement to prepare an Environmental Impact Statement or an Environmental Assessment

- **Class III – Environmental Assessments**

actions for which the significance of environmental impacts is not clearly established



May 2018 Survey Results

[100% Response from Local Assistance Offices in all Districts]

- How many active Local Assistance Environmental Assessments (EAs) do you anticipate working on in the next 12 months?

30

- How many do you anticipate being joint CEQA/NEPA documents?

19

- Would your Local Assistance projects be helped by a streamlined EA template such as that presented to the Statewide workshop?

Yes = 10

Maybe = 2

No = 0



EA Regulatory Background

40 CFR 1508.9, 23 CFR 771.15

- Class III - in which the significance of the environmental impact is not clearly established
- A concise public document for which a Federal agency is responsible that serves to:
- Briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact.
- Shall include brief discussions of the need for the proposal, of alternatives as required by section 102(2)(E), of the environmental impacts of the proposed action and alternatives, and a listing of agencies and persons consulted.



What is a Risk-Based Approach?

- Caltrans decides on the NEPA Class of Action based on information provided at PES form stage.
- Consultation document length/detail led by Project Sponsor (Local Agency) with Caltrans offering principles of 'non-duplication', 'inclusion by reference' and clear differentiation between Local Agency and Caltrans led-text.
- If following consultation, it is concluded there are no significant effects then the FONSI & Final Environmental Assessment is signed. If not, move to an Environmental Impact Statement



Principles of a Local Assistance EA Outline

- Clarity on the relationship between the Local Agency and Caltrans
- Builds directly from PES form
- Leaves CEQA format/content to Local Agency
- Extremely concise, avoiding duplication, reliant on technical studies included by reference
- Consistent with NEPA Assignment
- Alignment with federal (NEPA) objectives
 - CEQ question 36, implementation of procedural provisions of NEPA
 - TA 6640.8A (FHWA), eNEPA (FHWA)



Potential Concerns?

- Less developed than existing annotated outlines
- Less standardization within EAs
- Different approaches between Capital and Local Assistance
- Resistance (leap into the unknown)



Next steps?

- DEA review
- Legal review?
- FHWA review?
- Local Assistance Procedures Manual Ch.6 update