Tools for Environmental Compliance

Speakers:

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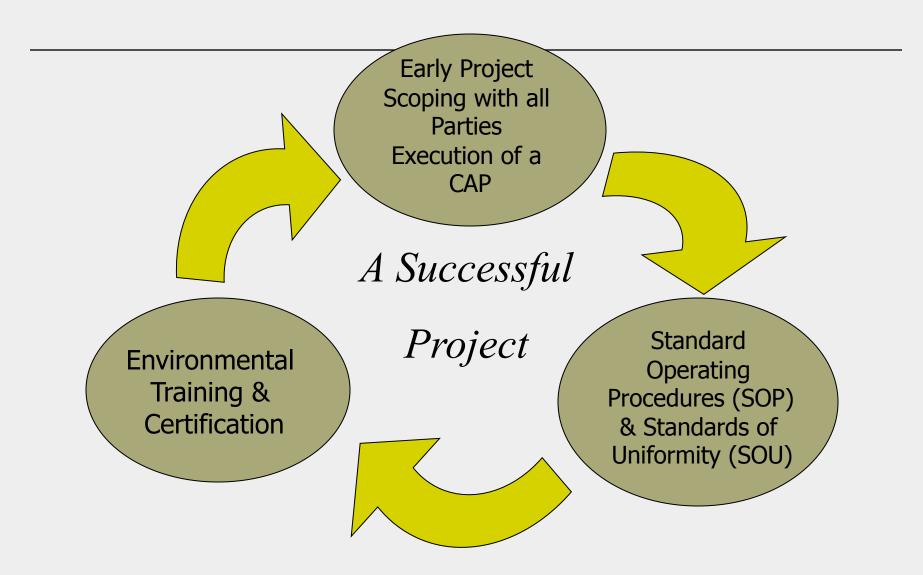
History

- Obtaining Locally Funded Project Environmental approvals
- Joint Task Force Formed August 26th
- Tasks Force Meeting September 10th
- TxDOT Executive Director letter to Judge Gattis September 28th

Task Force Recommendations

- Enhance Effectiveness of Early Project Scoping

- Develop Realistic Project Delivery Schedule

- Enhance Communication Protocols

- Enhance the Quality and Legal Sufficiency of Environmental Documents

- Provide Training and Certification Opportunities

Three Legged Stool Model

Early Project Scoping with all Parties Execution of a CAP

Standard Operating Procedures (SOP) & Standards of Uniformity (SOU)

Environmental Training & Certification

A Successful Project

Why It's Hard to Do

- Liable party often not performing party
- Liable party often not reviewing party
- Responsible party may not have authority
- Sometimes the regulatory guidance is vague
- People can differ in good faith
- Party responsible for meeting schedule may not be party responsible for ensuring legality

Early Project Scoping

- ☐ Collaborate with all Stakeholders
  - ■ Reduces risk
  - ■ Saves money and time

- ☐ Coordinate with TxDOT ENV
  - ■ It's the legal thing to do
  - ■ Establish Performing parties
  - ■ Identify Reviewing Parties

- ☐ Identify shared expectations
  - ■ Timelines
  - ■ Dealing with the unexpected

Early Project Scoping

Successful

Project
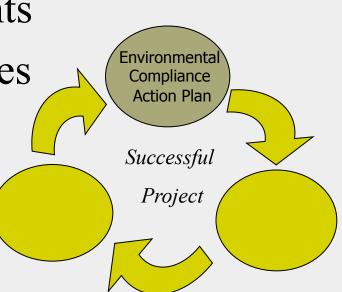
Environmental Risk Assessment

- Provides data to make informed decisions regarding
  - Likely Environmental Requirements
  - Likelihood for Unknown Environmental Issues
  - How Best to Manage Risk
  - Avoidance, Minimization and Mitigation Options
  - Appropriate Public Involvement Stategies

Compliance Action Plan (CAP)

- Mutually agreed upon expectations including
  - ☐ Compliance Requirements
  - ☐ Roles and Responsibilities
  - ☐ Resource Needs
  - ☐ Time Estimates
  - ☐ Schedule (P6)
  - ☐ Communication Protocol

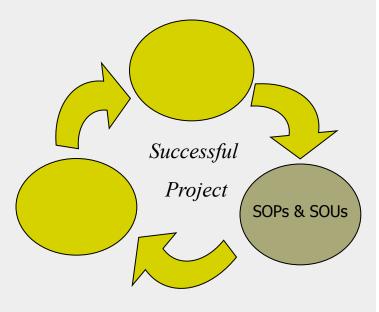Environmental Compliance Action Plan

Successful

Project

Primavera 6 (P6)

- Primavera 6 (P6) Project Management Tool
  - Went live the first week in January 2010
  - All existing and future projects will be scheduled
  - Resources for completing tasks will be identified and committed
  - Individual Project scheduling in P6 happens once an environmental risk assessment has been performed

Standard Operating Procedures Standards of Uniformity

- Mutually reinforcing tools
  - SOUs for making successful deliverables
  - SOPs for meeting expectations through defined roles responsibilities and processes
- SOPs and SOUs for Non-Federal Projects
  - State Categorical Exclusions (February 2010)
  - State Environmental Regulations (February 2010)

Successful

Project

SOPs & SOUs

Common Thread

- Mutually shared expectations'
- Increased standardization
- Increased predictability of outcome

Enhanced Quality and Legal Sufficiency

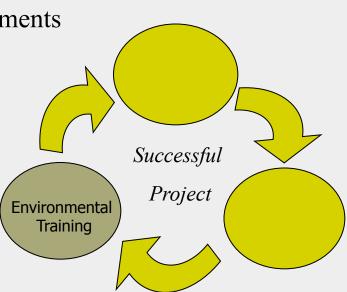The Role of Standards of Uniformity and Compliance

- Quality Assessment
- Quality Control
- Escalation Procedures

Environmental Document Standards of Uniformity

- Programmatic Categorical Exclusions
- Categorical Exclusions
- Environmental Assessments
- Environmental Impact Statements

Environmental Training

- Webinars
    - Navigating Environmental Compliance
    - How to use Environmental SOPs and SOUs
    - Access Management/Connection Requirements
- Computer based training (I-way)
- FY 2010
    - Noise
    - Building Roads the TxDOT Way
- FY 2011 and Beyond
    - Project Development Process
    - Environmental Document Production
    - Topics in Environmental Compliance
- Certification

Successful

Project

Environmental
Training

Environmental Training & Certification

- i-way and traditional classroom and field-based training will be offered with a testing component to certify a person in a particular discipline or topic.

- Certification should help streamline project development for TxDOT, FHWA and their partners

- Certification demonstrates a commitment to continuous improvement and is not a guarantee of acceptance of work

Related Initiatives

- Additional staffing at TxDOT's Environmental Affairs Division
  - Additional Staff approved
- Continue to investigate funding of position at U.S. Fish and Wildlife Department
- Requirements for Processing Non-Federal Actions
  - on- versus off-system projects
  - TxDOT versus non-TxDOT funding
  - FHWA vs other federal agency permits and approvals

Questions?