

# **Environmental Policy for State Projects**      **UDOT 08A2-04**

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## **Purpose**

To establish a policy for the Utah Department of Transportation (Department) so that environmental issues are addressed in planning, designing, constructing, and maintaining the Department's state-funded transportation projects and to promote efforts to avoid or minimize harm to the environment.

## **Policy**

The Department recognizes the impacts of transportation systems on the environment. The Department also recognizes the importance of maintaining environmental quality for the citizens of Utah. The Department will use practical methods, technical expertise and financial resources to perform environmental reviews of state transportation projects. The Department will implement measures to minimize harm to the environment, to preserve important historic, cultural and natural resources for current and future generations. The environmental review process guaranties that proposed state-funded transportation projects and activities are developed in a manner that fosters the Department's environmental ethic throughout all regions and divisions.

## **Background**

The Department is charged with providing transportation systems that are safe, effective and facilitate the movement of people and goods, while protecting and preserving Utah's unique environment. The Department's goal is to provide sustainable transportation systems that will meet present and future mobility needs while minimizing adverse impacts to the natural and built environment. The intent of this policy is to guaranty that impacts from transportation projects are understood, disclosed, and where appropriate, avoided or mitigated.

The environmental review process for state projects provides decision-makers with the necessary information to make the best project decision while considering the anticipated benefits and impacts. The environmental review process allows decision-makers to balance the expected transportation benefits with likely impacts and planned mitigation measures.

Therefore, it is the policy and practice of the Department to:

1. Plan, design, construct, and maintain facilities that meet the transportation need, are an asset to the community, and are compatible with the natural and built environment.
2. Conduct public involvement activities as outlined in the Department's Public Involvement chapter of the Department Environmental Process Manual of Instruction.

3. Conduct appropriate studies and prepare impact analyses for proposed transportation projects and maintenance activities.
4. Establish reasonable mitigation measures to minimize adverse impacts.

## **Definitions**

### **Adverse Impact**

Occurs when a project or action harms an element of the natural or built environment. Typically result in negative effects or consequences.

### **Alternatives**

Potential project proposals or actions that are studied to determine if they can meet project needs and objectives. May include various build alternatives and for complex projects, the no-build alternative.

### **Beneficial Impact**

Occurs when the project components serve to improve existing conditions

### **Build Alternative**

The alternatives evaluated during the environmental review process that would lead to new construction if selected and approved.

### **Built Environment**

Refers to the manmade surroundings that provide the setting for human activity, such as cities, neighborhoods, parks, gathering places, social conditions, or community facilities.

### **Cultural Resources**

Those sites, districts, locations, buildings, or structures, including their settings that are important to the cultural, architectural, economic, social, political, or historic heritage of a community

### **Interdisciplinary Approach**

The act of bringing together many different academic disciplines, professions, and people with special expertise to study a proposed project or action.

### **Lead Agency**

A governmental organization with the principal responsibility for approving a proposed action or project. The Department is the lead agency and signs and approves the environmental study document for state projects.

### **Minimization**

The act of reducing the size, extent, or quantity of projected adverse impacts through design modifications or changes.

**Mitigation Measures**

Actions performed to help reduce or compensate for adverse impacts due to a proposed project or activity. These measures may also result in an overall net benefit to a resource.

**Natural Environment**

Includes all living and nonliving things that occur naturally on the earth along with their set of physical conditions and systems that affect and influence these resources.

**No-Build Alternative**

Alternative is one in which no new construction is proposed; only maintenance of existing features and systems is assumed. The no-build alternative is studied in order to establish a baseline for comparing alternatives. This alternative assumes that other projects listed on the Regional Transportation Plan are implemented.

**Regional Transportation Plan**

The plan outlines the region's long-term roadway and transit projects throughout an urbanized area. This plan is prepared by a Metropolitan Planning Organization.

**Social Environment**

The set of social and cultural conditions affecting the nature of an individual, neighborhood or community.

**Stakeholder**

Groups, organizations, agencies, or individuals that may have an interest or stake in a proposed project or action.

**STIP**

The Statewide Transportation Improvement Program (STIP) is developed by the Department and outlines a six-year program of highway and transit projects for the State of Utah.

**Type "A" Project**

A simple state transportation project that would not benefit from an analysis of alternatives.

**Type "B" Project**

A complex state transportation project that would benefit from evaluating multiple alternatives.

### **Environmental Studies**

Environmental studies are performed for all projects according to Department guidance documents and applicable state and federal laws. State projects are designated as “Type A” or “Type B” as described in this Policy. A state funded project may require the preparation of a National Environmental Policy Act (NEPA) document if a federal approval or other federal action is necessary in some cases.

### **NEPA Applicability**

NEPA applies to state funded transportation projects that require a federal approval or other federal action. The federal agency with jurisdiction would serve as the lead agency along with appropriate cooperating and participating agencies for this type of project. The NEPA document could be a Categorical Exclusion, Environmental Assessment or Environmental Impact Statement depending on project scope and anticipated impacts. Examples of state funded projects that would likely require the preparation of a NEPA document include:

- A new interchange on an interstate highway.
- A project requiring the use of federal lands.
- A project that would result in significant impacts to waters of the U.S, as determined by the U.S. Army Corps of Engineers. NEPA would apply only to the actions described in the 404 Permit, not the entire project.

### **Type A and B State Projects**

State projects are classified as either “Type A” or “Type B.” Project classification is based on the overall scope, Region input, and the results of preliminary environmental reviews. Project documentation supporting Type A and Type B classifications will be included in either the project file or in the Department’s Electronic Program Management (ePM) system. The Department Environmental Program Manager will make the final decision on the classification of state projects. Environmental review procedures for Type A and Type B projects are described below:

### **Type A Project Procedures**

The document preparer will perform appropriate environmental studies and document findings by completing the Environmental Study Form on the ePM system. The environmental study documents benefits, impacts, and applicable mitigation measures. Changes in project scope, new discoveries, or new information may require a project to change from Type A to Type B.

The document preparer will attach supporting documentation in PDF format such as maps, typical sections, drawings, agency correspondence, public involvement efforts, stakeholder comments, and Department responses to comments. The completed document will be stored electronically in PDF format. The preparer will submit the completed document to the Region Environmental Manager for review and approval.

The Department will use the Project Commitments database in ePM (Screen 775) to document environmental commitments on projects. The purpose of this database is to identify, communicate, implement, and verify environmental commitments from the environmental study process through construction, operation and maintenance.

### **Type B Project Procedures**

The environmental review process for Type B state projects provides decision-makers with the necessary information to make the best project decision while considering the anticipated benefits and impacts. This process allows decision-makers to balance the expected transportation benefits, impacts, and planned mitigation measures. Type B environmental studies for state projects include the following elements and characteristics:

**Interdisciplinary Approach** – Implement an interdisciplinary study approach early in the environmental study process. Involve project team members with special expertise in transportation design, natural resources, and social sciences to work collaboratively on proposed projects. Region Environmental will consult with Central Environmental to develop the scope of the Type B study.

**Scoping** - Provide opportunities early in the process for public and agency stakeholders to gain information about the proposed project and to submit comments. Invite the participation of the general public, Native American Tribes, state agencies, local communities, interested organizations, and federal agencies if applicable.

**Purpose, Need, and Goals** – Identify the purpose and need of the proposed project with stakeholder input. Describe current and future deficiencies and specific needs and goals the project is intended to address. Deficiencies may include issues related to demand, capacity, legislation, economic development, safety, pavement condition, roadway standards, or structural sufficiency. This information is used along with environmental resource data in developing alternatives to be studied in detail.

**Stakeholder Coordination and Public Involvement** – Conduct public involvement activities to identify, inform, and solicit feedback from stakeholders including agencies with jurisdiction about the project’s purpose and need, potential alternatives and impacts, mitigation options, and project schedule. Public involvement is vital to adequately determine if a proposed project will meet the intended need, be an asset to the community, and minimize environmental impacts.

**Affected Environment** – Describe the existing natural and human environment in the project study area.

**Impacts Analyses** – Appropriate studies will be performed in accordance with the Department Environmental Process Manual of Instruction to analyze and document such impacts if project alternatives have the potential to cause adverse impacts.

**Alternatives and Environmental Consequences** – Describe the alternatives studied and provide details on those that were studied but eliminated. Include an analysis of impacts, likely benefits, and proposed mitigation measures for each alternative studied in detail.

Describe each build alternative including the no-build alternative. Build alternatives studied in detail must satisfy the project needs, or they are not considered reasonable alternatives. The no-build alternative should also be studied in order to establish a baseline for comparing alternatives. Evaluate alternatives according to how well they meet the project purposes and needs, provide an asset to the community, and compatibility with the natural and built environment. Build alternatives not meeting the project purpose and need will be eliminated.

**Mitigation Measures** – Efforts will be made to avoid adverse impacts during the environmental study process. Investigate measures to minimize impacts and determine measures to mitigate adverse impacts with input from applicable agencies and stakeholders if impacts can’t be avoided.

The Department will use the Project Commitments database in ePM (Screen 775) to document environmental commitments on projects. The purpose of this database is to identify, communicate, implement, and verify environmental commitments from the environmental study process through construction, operation, and maintenance.

**Draft Environmental Study** – The completed Draft Environmental Study will be made available to the public and all stakeholders for review and comment in accordance with the Department’s public notification procedures and review time frames.

**Public Hearing** – A public hearing or opportunity for public hearing on the proposed project will be provided in accordance with the Department’s public involvement procedures following the publication of a Draft Environmental Study.

**Final Environmental Study** – The Final Environmental Study will include modifications where applicable and will list and respond to comments provided on the draft document. The project team will consider stakeholder comments, along with the outcome of the environmental study process. The project team will recommend the selected alternative for approval based on the information and findings contained in the Final Environmental Study.

**Decision Document** – A formal decision document will be prepared that describes the basis for the project decision which will include a description of the selected alternative, reasons for selection and mitigation measures to be included in the project.

**Approval** – The Region Environmental Manager and the Director of Environmental Services will submit the Final Environmental Study and decision document with a recommendation of approval to the Department Project Development Director. The Project Development Director will review the submittal package and, if concurs, will sign the decision document indicating approval.

**Timing of Activities** – The decision document must be approved prior to final design activities or property acquisition with the exception of hardship and protective buying.