

CHAPTER 30

POST-NEPA CONSIDERATIONS



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The overall National Environmental Policy Act of 1969 (NEPA) process really begins with the early stages of project planning and continues through construction and maintenance. For effective project development, environmental considerations must be given their due throughout all stages of project decision making. Because many people associate NEPA with the document itself, this chapter will focus on the considerations after approval of the final NEPA document, without regard to whether it is a Categorical Exclusion (CE), an Environmental Assessment (EA, followed by a Finding of No Significant Impact, or FONSI), or an Environmental Impact Statement (EIS, followed by a Record of Decision, or ROD).

During the preparation and ultimate approval of the NEPA document, the project manager must focus on identifying potential impacts, taking measures to avoid or minimize those impacts, and finally developing mitigation measures to offset any impacts that cannot be avoided or minimized. In addition, conditions necessary to fulfill all permit requirements will have been addressed. Extensive

coordination has been performed with the many agencies and the general public to arrive at these final measures. Besides the actual NEPA document, the recordation of the promises made to successfully get this far in the process may take other forms such as a memorandum of agreement concluding in Section 106. The project development stages that follow approval of the NEPA document, such as final design, right-of-way acquisition, and construction are required to fulfill the commitments that were made to allow the project to advance.

In an ideal world, there would be one project manager who would track the same project from inception through construction and maintenance. Because this may not always be feasible, there needs to be an effective tracking system that provides a method for ensuring that any and all commitments made during each of the project development phases are incorporated into the subsequent stages. For example, say that construction-related vibrations have been raised as a concern by a citizen commenting on a Draft EIS. One likely response might be to describe the estimated

vibrations based on the likely construction equipment to be used. However, because at this stage it is only a professional opinion as to the type of equipment that the contractor is likely to use, there may be a further commitment to field verify the actual vibrations at the time of construction. Or there may be an even further commitment to discontinue construction operations if the vibrations actually exceed a predetermined level.

Without a way to track these commitments through each project development stage, it is very easy to lose track of these items, particularly with the passage of time and with the inevitable changing of agency personnel. One thing not likely to change is the citizen who raised the concern from the beginning. It is easy to anticipate that the concerned citizen will be observing very closely to make sure that the vibration-related commitment will be satisfied. To maintain the integrity of the decision-making NEPA process and, more importantly, the trust and integrity of the District of Columbia Department of Transportation (DDOT) personnel, these promises must be tracked and kept.

Understanding permit requirements and associated mitigation measures and commitments is particularly important because agencies with permit authority can stop or delay the project from advancing. Project managers must track these items to ensure the schedule is maintained and permits will be able to be issued by the responsible agencies.

Many agencies and project managers have developed their own systems for tracking commitments through the successive stages of project development. These systems range from very simple manual methods to sophisticated automated methods. The manual methods usually involve some type of checklist that is filled out that details the commitments by resource area. This checklist can then be

passed along through the successive project development stages for incorporation into that stage.

During each stage, it is also important to monitor for changes to either the resources or the affected environment. These changes may have an impact on the ability to meet the commitments. Or because of changes, the commitments may need to be modified. It is important in these instances to follow up with both the public and the agencies that were consulted from the beginning.

Depending on the complexity of the project and the type and range of commitments made, it is also advisable to consider the incorporation of a position for an environmental monitor during construction, or at least during certain phases of construction. This individual has the responsibility to ensure that the contractor satisfies all permit and mitigation requirements that have been developed over the life of the project.

The DDOT Environmental Management System contains a series of checks and balances to ensure adherence to commitments and mitigation.

Construction: Work Zone Safety Audit Inspection

Work zone safety audit inspections may be required during construction activities. The following procedures should be followed for the inspections.

1. Attend Preconstruction meeting to collect all approved plans and data analysis projects from Teams with Notice To Proceed Dates
2. Pre Audit Meeting – Conduct meeting with Program Manager, Project Engineer, Inspector, or Traffic Safety Officer three weeks prior to work zone installation

- Review the General Project Information
- Review of Traffic Management Plan
- Review of Agency Policies, Processes and Procedures (Optional)

3. Audit Meeting

- Presentation by the Project Owner's Project Management Team
- Presentation by the Project Design Team
- Presentation by the Traffic Control Team

4. Audit Inspection – Conduct Work Zone Audit

Inspection and prepare Field Inspection Report. The Field Inspection Report will provide the following:

- Experiencing the Driving in the Work Zone and the Surrounding Area
 - Peak Hours – Off Peak Hours
 - Measure Que lengths
 - Delay Times
 - Actual Travel Speeds
- Inspection of Construction Activity Area
 - Worker's Safety Apparel
 - Temporary Traffic Barriers
 - Speed Reduction Signs

- Inspection of Temporary Traffic Control Devices
 - Signs
 - Marking
 - Signals
 - Lighting
 - Delineation

5. Audit Analysis

Provides audit team an opportunity to collect information and determine potential risk and what practical mitigation measures are needed. An audit analyses can cover the following areas:

- Overall Work Zone Management and coordination
- Transportation Operations Management Plans
- Public Information Plans
- Temporary Traffic Control Plans
- Construction Worker Safety
- Monitoring Work Zone Safety and Mobility Impacts during Construction

