

LOCAL GOVERNMENT NEWS

From the Local Government Projects Office



March 2015

Navigating the local government project process

Online toolkit to guide users through project development

Over the past year, TxDOT's Local Government Project Office has engaged more than 100 TxDOT, local government (LG), consultant and FHWA personnel in the development of a new user-friendly online toolkit for LG projects. The process started with creating a process diagram of all the essential steps in performing LG projects. This included swim lanes for LG activities, TxDOT activities and FHWA activities for all phases of project development for construction and non-construction projects.

All elements of the new online toolkit will be tied to the project development process. The heart of the toolkit will be a web portal to lead project personnel to a point in the development process where they are currently working. From there they will be able to link directly to a new LG Projects Policy Manual, a new LG Projects Management Guide and a new LG Projects Workbook. Each will serve a unique purpose.

- Policy Manual – Includes laws, regulations and policies that define why you must take a certain action.
- Projects Management Guide – Includes procedures explaining what action each agency must do.
- Projects Workbook – Includes checklists, forms and other tools providing best practices on how to successfully perform each action.

Each of these documents will have direct links to applicable federal/state laws and regulations, internal/external websites and online manuals, and internal/external forms and tools. Rather than needing to know where to find applicable sections of the U.S. Code, state law, FHWA regulations, TxDOT policy or other available tools and forms with this new online toolkit, those involved in the LG project delivery process will be able to directly navigate to everything they need to perform successfully.

Each of these tools is nearing completion. Look for the new web portal and the accompanying documents to be released in the next few months.

NEPA assignments

The state of Texas and the Federal Highway Administration (FHWA) in December executed a Memorandum of Understanding related to the assignment of National Environmental Policy Act (NEPA) responsibilities to TxDOT. This agreement includes the assignment of responsibilities to TxDOT for environmental assessments and environmental impact statements in addition to categorical exclusions, which were approved earlier in 2014. Detailed information on this MOU is available at <http://ftp.dot.state.tx.us/pub/txdot-info/env/txdot-fhwa-nepa-assignment-mou.pdf>. Implementation guidance is available at <http://www.txdot.gov/inside-txdot/division/environmental/compliance-toolkits.html> (under Environmental Toolkits).

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Based upon assignment of this responsibility to TxDOT, all local governments (LGs) preparing NEPA documents with FHWA funding must be informed of the following requirement (paragraph 3.2.5 of the MOU).

“On the cover page of each biological evaluation or assessment, historic properties or cultural resources report, section 4(f) evaluation, or other analyses prepared under the authority granted by this MOU, TxDOT shall insert the following language in a way that is conspicuous to the reader or include in a CE project record:

‘The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 17, 2015, and executed by FHWA and TxDOT.’ ”

Paragraph 3.2.6 of the MOU states: “TxDOT shall disclose to the public and agencies, as part of agency outreach and public involvement procedures, the disclosure in stipulation 3.2.5 above.” This requirement must also be passed on to LGs preparing NEPA documents with FHWA funding.

For additional information, please contact your TxDOT district environmental coordinator.
