# PROJECT DEVELOPMENT & DELIVERY

- Project Development & Selection
- Public Involvement
- Environmental Review

Texas Department of Transportation

2019-2020 EDUCATIONAL SERIES

# PROJECT DEVELOPMENT & SELECTION

## OVERVIEW

Planning and preparing for the future makes good business sense. Transportation projects can take many years to plan, design and construct. How the Texas Department of Transportation (TxDOT) invests resources today will impact the system of tomorrow, so TxDOT must anticipate the future needs of the system and invest resources wisely. Through TxDOT's planning activities, we can engage our partners and the public to deliver a system that serves all of Texas. The three planning activities discussed in this document are project selection, public involvement and environmental review. It is important to understand that the three activities overlap throughout the planning process.

## THE PROCESS

Understanding how the state's roads, bridges and other transportation infrastructure are selected for funding helps citizens actively participate in the process, make suggestions and propose projects that address their transportation needs.

### Identifying a Need

Every project starts with a need. The impetus for a project can come from any number of sources at the local, state or federal level. Once a need has been identified, project supporters usually approach the TxDOT local district office, their local Metropolitan Planning Organization (or "MPO") or their Regional Mobility Authority (or "RMA"). Local authorities are especially familiar with the unique transportation needs of their area. TxDOT assists in developing feasibility studies and initial project concepts when involved in project development partnerships. For large-scale, complex and new-location projects, advanced planning studies are performed to assess need and known constraints and to explore various potential project approaches. Other types of projects, including safety and bridge and pavement maintenance, have specific analysis requirements. The general TxDOT project development process from need identification to construction is depicted in the chart on below *(see TxDOT Project Development Process below).*

### Project Development Process

## Building a Funding Strategy for the Project

After the development of the initial project concept, the entity or entities developing the project, the local planning organization, mobility authority or TxDOT, work with local project sponsors to devise a preliminary funding strategy for the proposed project. The strategy is dependent on project type, current estimated project cost, implementation schedule and potential funding sources available to deliver the project. Once an initial project concept has been defined, funding must be identified to move the project forward. Since project funding is typically comprised of a combination of federal, state and local sources, this a complex task. The funding strategy is also revised as the project is refined.

TxDOT organizes its funding sources into 12 categories, each associated with specific types of projects or ranges of eligible activities. The tables on pages 7-8 summarize the purpose of the 12 funding categories and the entities responsible for selecting projects in each category (*see Overview of Project Selection by Categories on pages 7-8*).

Long-term projects in urban areas are typically identified by local Metropolitan Planning Organizations in a Metropolitan Transportation Plan. Once a project is identified in a plan, funding availability is a major factor in determining whether a project is authorized for further development. Projects with identified funding may be listed in the 10-year Unified Transportation Program (or "UTP") and the four-year Statewide Transportation Improvement Program (or "STIP").

Inclusion in these plans indicates authority from TxDOT and local transportation partners to continue the planning and development of a project. All of these planning documents, outlined in the graphic below, are developed with input from the public and local stakeholders and are integrally related to each other, with shorter term documents being "nested" within longer term documents (*see Planning Documents from Long-Trem to Short-Term below).*

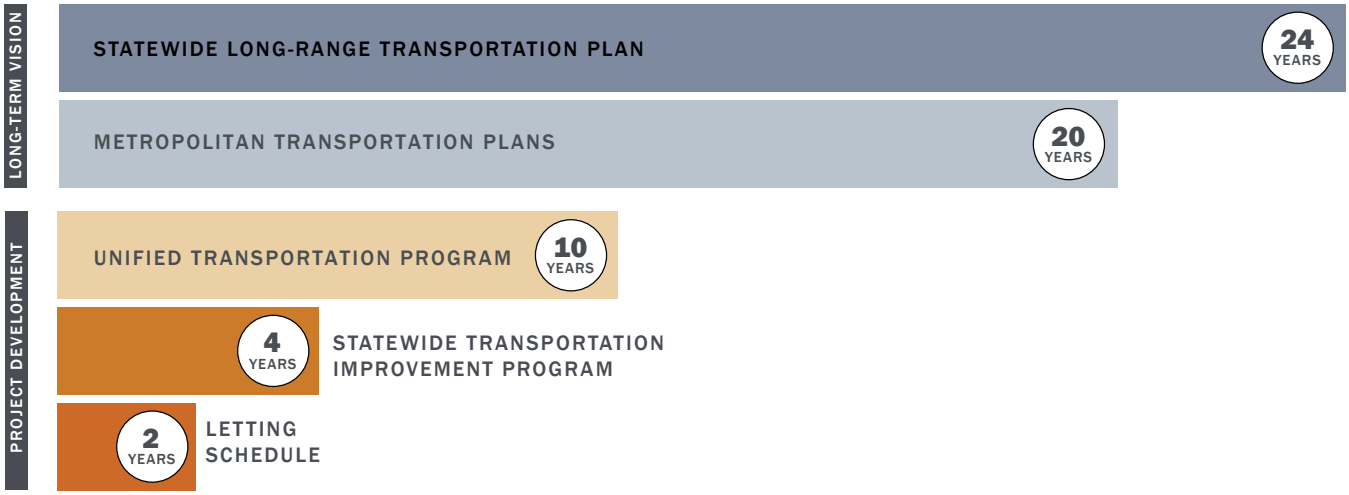
## Additional Planning and Project Development Activities

Project development tasks, including advanced planning, environmental studies, design and right-of-way acquisition are primarily accomplished at the local level working with city and county officials. Depending on a project's size and scope, project development can last from a few months for simple projects to several years for more complex projects. For large-scale, complex and new-location projects, advanced planning studies may continue for a period of years to support project refinement. During the advanced planning period, a project concept may change considerably as additional information is gathered concerning project needs, project constraints, environmental impacts and public and stakeholder input. TxDOT also explores alternative approaches, including their environmental impacts and estimated costs. The initial funding strategy may also need to be reassessed as the project is developed and refined.

Many activities, such as public involvement and stakeholder engagement efforts, continue throughout the project development process. Project information is disseminated through traditional and social media, websites and public meetings and hearings to provide the public an opportunity to be involved in the decision-making process.

When a project's development is complete and the final funding strategy has been authorized in the 10-year Unified Transportation Program and in the four-year Statewide Transportation Improvement Program, the project is ready to be scheduled for construction.

## Planning Documents from Long-Term to Short-Term



# CONSTRUCTION

After a project has been fully developed and has secured funding, the project may be placed on TxDOT's 24-month letting schedule. TxDOT typically awards construction contracts through a competitive bidding process and submits the lowest qualified bid to the Texas Transportation Commission for approval.

After the Texas Transportation Commission has approved and awarded a contract, construction may begin on a project. Once a project is underway, construction oversight and management are generally accomplished at the local level by TxDOT district staff and other transportation entities. Public information activities continue as appropriate.

## Alternative Project Delivery Methods

In addition to the traditional project development approach described above, TxDOT has used public - private partnerships, including Design-Build contracts and Comprehensive Development Agreements to expedite the design and construction of large-scale transportation projects. A Design-Build contract permits the use of a public-private partnership for design and construction services. A Comprehensive Development Agreements permits the use of a public-private partnership for designing, constructing and sometimes financing and maintaining transportation projects. State law authorizes these delivery methods and outlines the competitive bidding process through which TxDOT selects best-value contractors .

Due to recent legislative actions, TxDOT does not currently have authority to initiate new Comprehensive Development Agreements projects. However, TxDOT may enter into three Design-Build contracts per year with a minimum value of $150 million per contract.

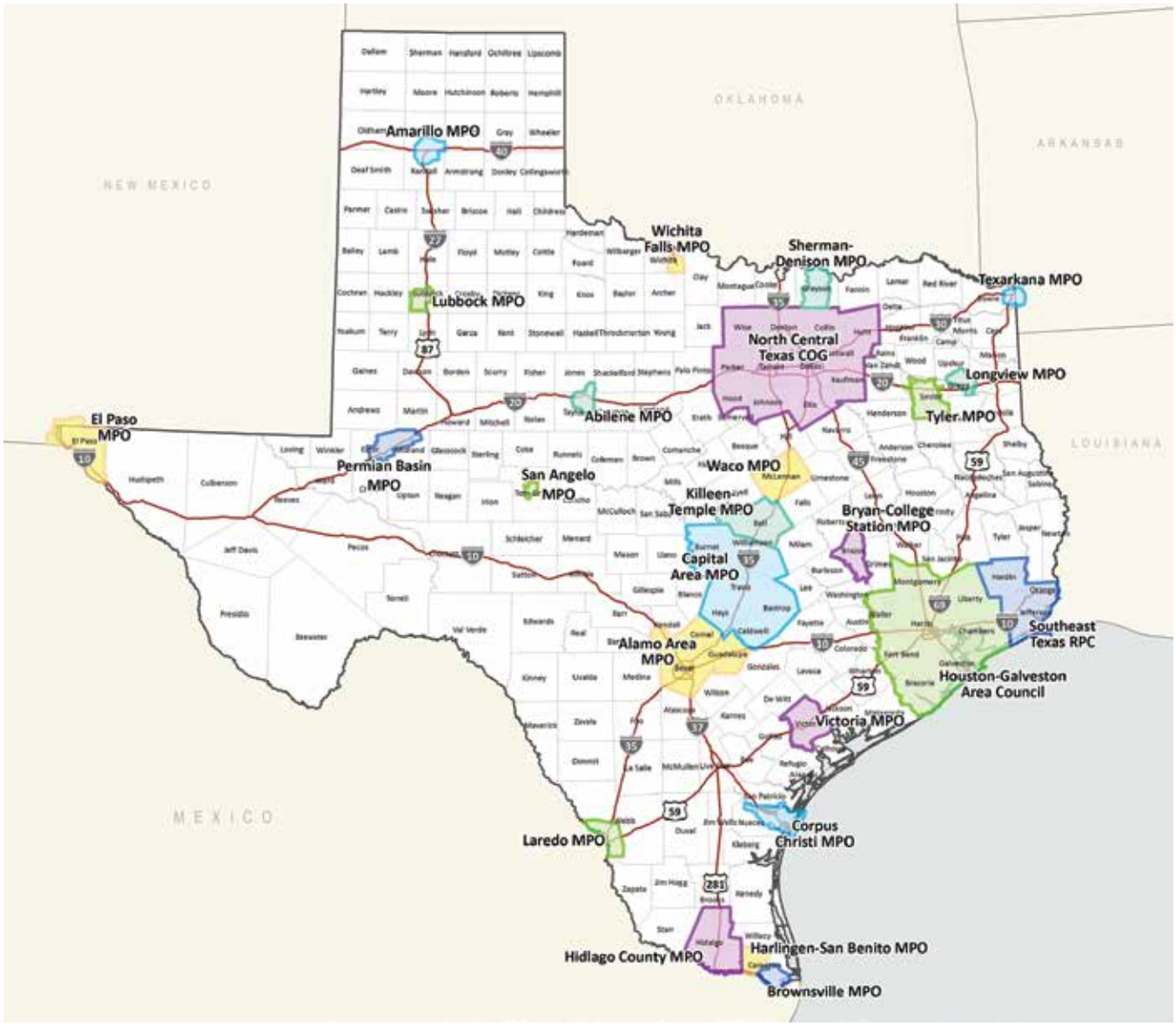
# PROJECT DEVELOPMENT SEQUENCE AND PROGRAMMING

For TxDOT's project development process to be efficient, projects must be identified years in advance of their actual funding and construction. As described, a project must pass through many development steps including identifying a need, exploring alternatives, studying impacts and cost, gathering local stakeholder and public input, acquiring right of way, producing construction plans and awarding construction contracts. At any point along this path, a decision may be made not to implement the project or the project definition may change to better meet the identified needs and balance community, environmental and cost considerations. The actions listed above must occur in sequence to bring a traditionally developed project from an idea to a reality.

Therefore, a project must be identified and developed years ahead of the actual construction to ensure that all project development steps are completed at the appropriate time.

In addition to the time required, there are many factors which may affect project funding or implementation, including the favorability of the project bidding environment, availability of federal and state revenue sources, and streamlined efficiencies. Other factors, such as unforeseen environmental findings or delays in project phase implementation, may result in a project being delayed or canceled. As a result, TxDOT must be prepared with contingency projects.

## Texas Metropolitan Planning Organizations Map




## Texas Metropolitan Planning Organizations

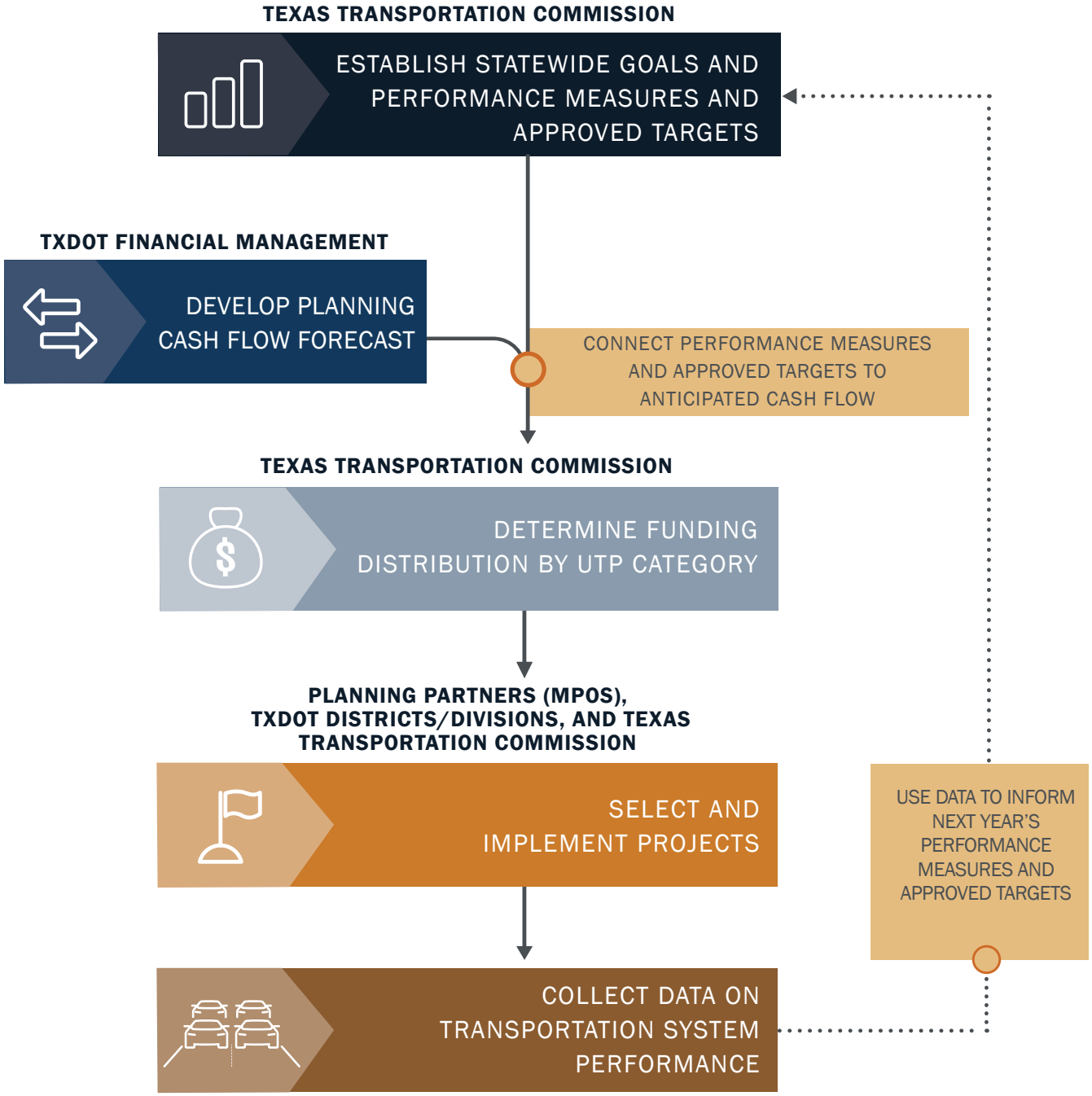
In response to the need for flexibility, TxDOT develops planning targets based on an anticipated 10-year planning scenario funding forecast. TxDOT works with Metropolitan Planning Organizations and Regional Mobility Authorities to move authorized projects through the development process based on these planning targets. In Texas there are 25 Metropolitan Planning Organizations and nine Regional Mobility Authorities *(see Texas Metropolitan Planning Organizations map above).* Projects are identified and evaluated using criteria that address TxDOT's strategic goals, including safety, system preservation, congestion and connectivity. In response to the requirements of House Bill 20, passed by the Texas Legislature in 2015 and Senate Bill 312, TxDOT's Sunset Bill in 2017, TxDOT further integrated performance-based planning and programming processes into the development of the Unified Transportation Program. These actions include the Texas Transportation Commission's consideration of performance-based criteria when distributing funding among the Unified Transportation Program 12 categories.

The project evaluation process relies on technical information as well as direct input from local stakeholders and Metropolitan Planning Organizations. The Texas Transportation Commission uses the relative measures of the projects to inform project selection and funding. Funding availability (whether a project is fully or partly funded) and project readiness (how far along the project is in the development process) are important factors for optimizing TxDOT's project portfolio and ensuring that projects are prioritized efficiently. Identifying, evaluating and prioritizing projects allows TxDOT to respond to unforeseen delays in scheduling projects and to quickly respond to new funding opportunities.

## Managing Transportation System Performance

As TxDOT develops and enhances its project selection and prioritization process, TxDOT will continue to engage the public while pursuing innovative ways to maximize available funds and address the state's transportation needs. TxDOT will continue to deliver projects that optimize transportation system performance, preserve and maintain the existing system as well as promote safety. TxDOT will also continue to facilitate the development and exchange of comprehensive multimodal transportation funding strategies with transportation program and project partners (*see Managing Transportation System Performance Chart below).*

## Managing Transportation System Performance Chart



## Overview of Project Selection by Category

| Funding Category | Project Selection |
|---|---|
| **1. Preventive Maintenance and Rehabilitation** | Projects selected by districts. The Texas Transportation Commission allocates funds through a formula allocation program. |
| **2. Metropolitan and Urban Area Corridor Projects** | Projects selected by MPOs in consultation with TxDOT. The Texas Transportation Commission allocates funds through a formula allocation program. |
| **3. Non-Traditionally Funded Transportation Projects** | Projects determined by legislation, Texas Transportation Commission approved Minute Order, and local government commitments. |
| **4. Statewide Connectivity Corridor Projects** | Corridors are selected by the Commission based on engineering analyses of three corridor types; mobility, connectivity, and strategic. Funds are allocated by Commission to TxDOT districts. Districts select projects along approved corridors in consultation with MPO's, the Transportation Planning and Programming Division (TPP), and TxDOT Administration using a performance- based evaluation. |
| **5. Congestion Mitigation and Air Quality Improvement** | Projects selected by MPOs in consultation with TxDOT. The Texas Transportation Commission allocates funds distributed by population and weighted by air quality severity to non attainment areas. Non-attainment areas are designated by the U.S. Environmental Protection Agency (EPA). |
| **6. Structures Replacement and Rehabilitation** | Projects selected by the Bridge Division (BRG) based on a listing of eligible bridges prioritized first by deficiency categorization (structurally deficient followed by functionally obsolete) and then by sufficiency ratings. Railroad grade separation projects are selected based on a cost-benefit index rating. Projects in the BMIP are selected statewide based on identified bridge maintenance/improvement needs to aid in ensuring the management and safety of the state's bridge assets. The Texas Transportation Commission allocates funds through the Statewide Allocation Program. |
| **7. Metropolitan Mobility and Rehabilitation** | Projects selected by MPOs operating in transportation management areas, in consultation with TxDOT. The Texas Transportation Commission allocates funds through a federal program, distrib-uted to MPOs with an urbanized area population of 200,000 or greater (transportation manage-ment areas [TMAs]). |
| **8. Safety** | Projects selected statewide by federally mandated safety indices and prioritized listing. Projects selected in the Systemic Widening Program are evaluated by roadway safety features for pre-ventable severe crash types using total risk factor weights. The Texas Transportation Commis-sion allocates funds through the Statewide Allocation Program. |

## Overview of Project Selection by Category

| Funding Category | Project Selection |
|---|---|
| **9. Transportation Alternatives Program** | For urbanized areas with populations over 200,000, the MPO through a competitive process selects Transportation Alternatives Set-Aside Program (TA Set-Aside) projects in consultation with TxDOT. Funds allocated to small urban areas and non-urban areas (i.e., areas with popula-tions below 200,000) are administered by TxDOT through a competitive process to be managed by the Public Transportation Division (PTN). TAP project eligibility is determined by TxDOT and FHWA. TxDOT staff makes recommendations to the Texas Transportation Commission for TAP allocation to areas less than 200,000 population. The Texas Transportation Commission, by written order, selects projects for funding under a TxDOT-administered TAP call for projects. Statewide TAP Flex projects are selected by the Texas Transportation Commission. |
| **10. Coordinated Border Infrastructure Program (CBI), Congressional High Priority Projects, and Federal Lands Access Program (FLAP)** | CBI projects selected by districts with FHWA review and approval. Discretionary funds are con-gressionally designated. In FLAP, project applications are scored and ranked by the Program-ming Decision Committee (PDC). Members of the PDC include a representative from FHWA, a representative from TxDOT, and a member from a political subdivision of the state. Projects selected under FLAP are managed by TPP. |
| **10. Supplemental Transportation Projects: State Park Roads, Railroad Grade Crossing Replanking, Railroad Signal Maintenance, Landscape Incentive Awards, Green Ribbon Landscape Improvement, and Curb Ramp Program** | The Texas Parks and Wildlife Department (TPWD) selects State Park Roads projects in coor-dination with districts. The TxDOT Rail Division in coordination with districts selects Railroad Grade Crossing Replanking and Railroad Signal Maintenance projects. Landscape Incentive Awards are distributed to 10 locations based on the results of the Keep Texas Beautiful Awards Program and managed by the TxDOT Design Division. Green Ribbon allocations are based on one-half percent of the estimated letting capacity for the TxDOT districts that contain air quality non-attainment or near non-attainment counties and managed by the TxDOT Design Division. Curb Ramp Program projects are selected based on conditions of curb ramps or the location of intersections without ramps, and are managed by the Design Division. |
| **11. District Discretionary** | Projects selected by districts. The Texas Transportation Commission allocates funds through a formula allocation program. A minimum $2.5 million allocation goes to each district per legisla-tive mandate. The Commission may supplement the funds allocated to individual districts on a case-by-case basis to cover project cost overruns, as well energy sector initiatives. |
| **12. Strategic Priority** | The Texas Transportation Commission selects projects. |

# PUBLIC INVOLVEMENT

## OVERVIEW

Public participation and involvement is an integral part of today's transportation planning and project development process. Public involvement and public input are important parts of the Texas Department of Transportation's (TxDOT) mission: "Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods." The public expects TxDOT to do the right thing at the right time in the right way by including communities and their residents in all phases of our projects from transportation planning and project development through construction. Engaging the public is the essence of public service and the foundation of TxDOT's values of people, accountability, trust and honesty.

## TXDOT PUBLIC INVOLVEMENT POLICY

During the 82nd Regular Legislative Session, the Texas Legislature passed Senate Bill 1420, requiring TxDOT to develop and implement a policy that guides and encourages public involvement. Senate Bill 1420 also required the policy to include specific elements, such as using techniques that target different groups and individuals, making efforts to clearly tie public involvement to TxDOT decisions and encouraging continuous contact between TxDOT and its stakeholders throughout the decision-making process.

TxDOT's Public Involvement Policy includes eight key objectives to more effectively involve the public. These objectives include:

- Ensure continued adherence to all regulatory guidelines and policies in compliance with federal and state law and sound public involvement practice.
- Solicit and encourage proactive public involvement that can be fully integrated into the planning process and incorporated in the various planning activities.
- Provide opportunities for accurate and timely information on which Texas residents can rely.
- Establish and maintain TxDOT's reputation as a trusted source of information.
- Proactively seek early and continuing public input and involvement and be responsive to inquiries and suggestions.
- Listen to stakeholders when comments are provided and be responsive and accountable to all stakeholders.
- Energetically adhere to or exceed all applicable TxDOT, state and federal public participation requirements for planning and project implementation.
- Use multiple methods to explain TxDOT's processes, priorities and procedures so that the public will have a solid foundation on which to make requests, inquires and suggestions.

## Importance of Involving the Public

Though public involvement is not required in some steps of the transportation project development process, involving the public early and often is important in establishing open lines of communication-critical to building trust and credibility, between TxDOT and the public. Public input and comments are a valuable part of TxDOT's project development process because these comments lead to building better transportation projects for a community, improved project planning and development and a more transparent decision-making process. TxDOT reviews and considers all comments from the public in the decision making process and when feasible, uses the public's input in the final decisions. TxDOT also communicates to the public when and how decisions reflect public input.

## TxDOT Public Involvement Section

TxDOT created its Public Involvement Section to facilitate a more deliberate and meaningful public involvement process. This section operates under the Transportation Planning and Programming division that focuses on the project development process. Public involvement staff provides support to TxDOT districts in public involvement and community outreach planning and implementation. Each of TxDOT's 25 geographic districts has a public involvement liaison responsible for guiding districts in the development of public involvement plans and assisting with the related strategies and tactics that includes stakeholder assessments, issue identification and prioritization and planning for working group and public meetings and hearings.

In addition to public involvement planning and guidance, public involvement staff also develops material for outreach efforts. Because transportation project development can take decades, the process is flexible regarding when specific public outreach tools are used and meetings are held. Some of the most commonly used include public meetings and hearings as well as open house-style meetings. During the formal environmental study stage, public meetings and open houses are frequently used to gather public feedback and talk with the community about proposed project details. Public meetings feature a presentation and then time for one-on-one conversation between the public and TxDOT staff, while open houses feature a come-and-go format with TxDOT staff available at information stations to answer questions and share information about the project. Often the environmental study process concludes with a public hearing that includes a formal presentation.

Public hearings offer the public an opportunity to provide formal input on their preferred alternative at the end of the formal public involvement stage of the environmental process. TxDOT's hearing process notifies the public that TxDOT does not respond to questions and comments from the public at formal project hearings. Instead, TxDOT takes detailed notes of all input provided and then crafts responses that later become a part of the formal written record of the environmental study.

The various meeting types can be used early in the process to gather community input about their transportation needs and concerns. In many communities, one of the most effective approaches early in the process is through smaller, stakeholder working group meetings to identify and prioritize issues before vetting with the general public.

Public meetings and open houses are also used in the construction and maintenance stages to inform the public about project details, lane closures and traffic control plans. Because the project development process is flexible and each community has a unique set of needs, public involvement staff works with local TxDOT offices to decide on the most appropriate outreach tools and meeting types to best gather public feedback and provide convenient public participation opportunities.

## Public Involvement Challenges

Involving the community includes challenges for the public and TxDOT. For the public, personal involvement takes time and effort, and working within an unfamiliar process sometimes requires patience. Also, communicating issues and concerns within a technical, engineering-focused process can be confusing and frustrating. For TxDOT it can be challenging to communicate complex, technical transportation concepts and terms. Transportation planning and development is often a long-term endeavor, and the public is typically more inclined to participate in shorter-term, more immediate projects.

Public outreach efforts recognize the challenges of involving the public in the transportation planning process. TxDOT has made efforts to change its organizational approach to public involvement by opening lines of communication between the community and TxDOT and involving the community early and often in the transportation decision-making process.

TxDOT knows that the public expects TxDOT to continually update and modernize outreach efforts to both inform and involve the public. Online communications that encourage the public to sign up for project email updates and the use of quick response codes to scan for quick access to information from mobile devices is an effective tool as are project specific online engagement surveys, virtual public meetings and video presentations. TxDOT has sought to make public involvement more convenient by providing online open houses and posting meeting materials on TxDOT's website so the public can view project information and provide comments at their convenience. For some projects, online public participation and comments are greater than in-person meetings. Innovative, 3 dimensional (or "3D") visualization of proposed projects is another effective approach to addressing the challenge of communicating complex, technical transportation concepts.

TxDOT has researched and established best practices on the most effective methods to engage and involve the public. TxDOT has developed public involvement templates for informational materials so the public is receiving more consistent and thorough information. Additionally, TxDOT provides translation services such as translating public meeting and outreach materials when appropriate. To better meet the needs of diverse populations, TxDOT strives to continually adapt to the rapidly changing demographics of the state and anticipate what future generations will expect in terms of information and access to the decision-making process. TxDOT will also continue to develop statewide best practices in public involvement and use public input to improve transportation projects.

# ENVIRONMENTAL REVIEW

## OVERVIEW

One of the Texas Department of Transportation's (TxDOT) strategic goals is to foster stewardship by protecting the natural, human and cultural resources in Texas. TxDOT Environmental Affairs Division leads this effort for the agency. TxDOT's archeologists, biologists, historians and environmental scientists work together to ensure that each project considers the preservation of natural, human and cultural resources in Texas. TxDOT's work is guided by state and federal laws, like the National Environmental Policy Act of 1969 (or "NEPA"), the Clean Water Act and the National Historic Preservation Act.

## ENVIRONMENTAL REVIEWS FOR PROJECTS

TxDOT ensures a thorough review of a project's environmental impacts before clearing it for construction. TxDOT looks at multiple issues in a project's location:

- Historic places and structures.
- Ancient cultures and archeological sites.
- Native American sacred places and properties.
- Wildlife habitats and endangered species.
- Environmental Justice.
- Air quality.
- Water conservation and storm water quality.
- Pollution prevention and spill response.

These processes are designed for two major purposes:

1. To involve the public in projects that affect them.
2. To make informed decisions. TxDOT and others completing such processes prepare documentation to demonstrate compliance with those requirements. This provides the basis for a project's approval.

## UNIQUE FEDERAL RELATIONSHIP

Most state departments of transportation must also obtain clearance from the Federal Highway Administration on federally funded projects. TxDOT stands in for Federal Highway Administration on projects, thus not only reviews a project's environmental impacts but also approves the project for construction. In 2014, the Federal Highway Administration authorized TxDOT to act as its delegate in the environmental review projects. All federally funded projects require environmental review and approval under the National Environmental Policy Act.

If there is no federal funding or other federal standing with the project, the project is subject to the Section 201.604 (Environmental Review), Texas Transportation Code, and Chapter 2 (Environmental Review of Transportation Projects), Title 43, Texas Administrative Code, which requires a state mandated National Environmental Policy Act-like environmental review.

Each federal agency has its own National Environmental Policy Act-compliant rules and procedures. TxDOT primarily works under the rules and procedures of the Federal Highway Administration but also works with funds from other agencies, such as the Federal Aviation Administration and the Federal Transit Administration.

# THE NATIONAL ENVIRONMENTAL POLICY ACT PROCESS

The National Environmental Policy Act process typically begins when TxDOT selects a project to advance from an existing plan. Once the scope of the project is defined, TxDOT determines what type of environmental review to pursue, based on its potential environmental impact. TxDOT then implements and documents the environmental review, listed below. TxDOT solicits input from interested agencies and the public throughout the development of each documentation type.

## Review Documents

- Categorical Exclusions (or "CE") – minor projects such as bridge replacements. The document is a checklist.
- Environmental Assessments (or "EA") – projects that add lanes to existing roadways or that construct new roadways. The Environmental Assessment is a document that includes alternatives, resource evaluations and mitigation plans.
- Environmental Impact Statement (or "EIS") – major projects such as large roadways on new location. There are Draft and Final Environmental Impact Statements. The document includes substantial alternatives, resource evaluations and mitigation plans.

## Other Laws

In addition to the environmental analysis required by the National Environmental Policy Act, TxDOT projects are subject to more than 60 separate statutory and regulatory environmental requirements.

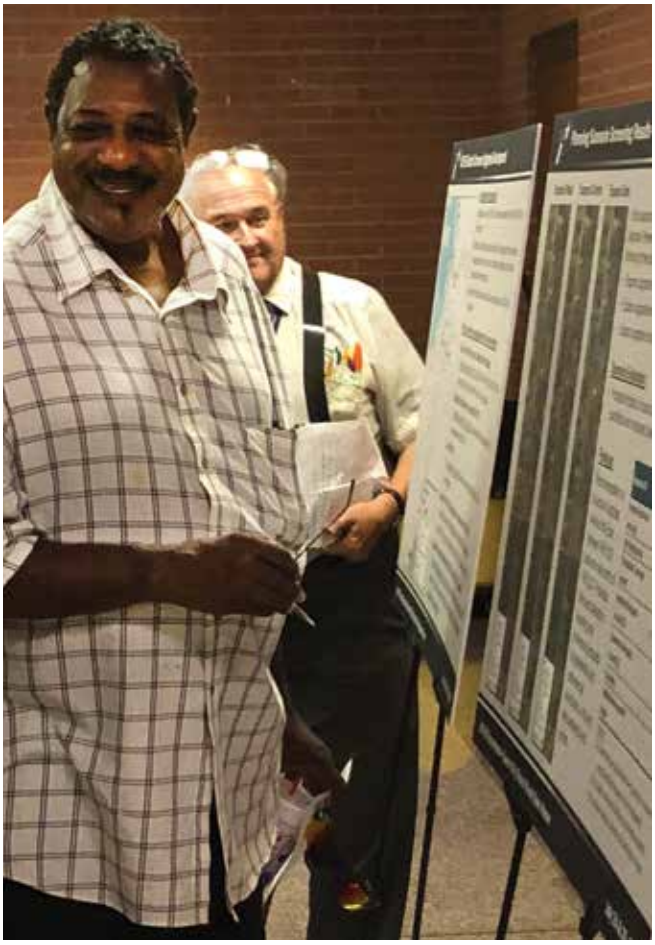
The environmental studies for a project normally include investigating impacts to wetlands, water quality, vegetation, threatened or endangered species, flood plains, air and water quality, farmlands, parks, cultural resources, communities (including environmental justice populations) and habitats. The presence of hazardous materials and the potential for increased traffic noise are also studied.

Environmental analyses may include a variety of tasks and are scoped to fit the potential effects of projects on the environment. The scoping process determines the type and level of intensity of the tasks to be included in the study. Environmental analysis tasks typically include coordination with other state or federal agencies, public involvement, production of technical reports and develop plans for mitigating environmental impacts. The scoping process also indicates the level of documentation that will be required to secure environmental clearance for a project.

## Permits & Coordination

TxDOT projects frequently require coordination with other agencies and additional permits due to federal requirements. Frequent types of coordination and permits include:

- Section 404, Clean Water Act of 1972 (amended), requires permits from the United States Army Corps of Engineers when a project includes activities that will affect waters of the United States, including wetlands.
- Section 106, National Historic Preservation Act of 1966, requires consultation with the State Historic Preservation Officer when a project might affect historic properties.
- The Endangered Species Act of 1973, requires consultation with the United States Fish and Wildlife Service when a project has potential to affect listed species or their habitats.
- Section 4(f), Federal Department of Transportation Act of 1966, prohibits the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges or public and private historical sites unless there is no feasible and prudent alternative to use of the land and the action includes all possible planning to minimize harm to the property. Consultation is required when a project has the potential to affect a resource protected by Section 4(f).



# ENVIRONMENTAL PROCESS IMPROVEMENTS & STREAMLINING

The time required to complete the environmental process has long been a concern at both the state and national levels. TxDOT focuses on implementing improvements that streamline the process.

## National Environmental Policy Act Assignment

The Surface Transportation Project Delivery Program provides an opportunity for states to be assigned Federal Highway Administration's responsibilities for making final decisions regarding The National Environmental Policy Act. In 2013, the Texas Legislature enacted Senate Bill 466 which granted TxDOT the necessary authority to pursue the National Environmental Policy Act assignment.

TxDOT approached National Environmental Policy Act Assignment in two phases, beginning with assignment of Federal Highway Administration decision-making responsibilities for Categorical Exclusions and later applying for assignment of all Federal Highway Administration National Environmental Policy Act responsibilities. This approach allowed TxDOT to be assigned the majority of projects quickly while working toward the more complex assignment.

After SB 466 took effect on June 14, 2013, TxDOT negotiated a memorandum of understanding with the Federal Highway Administration that addresses assignment for the most common type of transportation projects, those classified as Categorical Exclusions. The memorandum of understanding took effect on February 12, 2014.

TxDOT entered full National Environmental Policy Act Assignment with a second memorandum of understanding effective on December 16, 2014, and is now responsible for Federal Highway Administration's National Environmental Policy Act responsibilities for virtually all TxDOT projects. The adoption of the memorandum of understanding governing Categorical Exclusions, Environmental Assessments and Environmental Impact Statements will save funds for the state and its local transportation partners. TxDOT has seen a 30 percent reduction in environmental processing times for environmental assessments. Those savings will result from enabling TxDOT to develop certain large, complex projects more quickly, significantly reducing the cost of inflation associated with acquiring materials and right of way for affected projects.

The following process improvements have resulted from the National Environmental Policy Act:

- The approval of Categorical Exclusions shifted to TxDOT districts, thereby eliminating the previous practice of project handoffs.
- A simplified Categorical Exclusion process uses checklists instead of environmental documents as the basis for environmental approval.
- TxDOT emphasizes a collaborative approach to projects to identify technical errors early so they do not become sources of preventable delay during environmental document approval. This also reduces sequential tasks and associated handoffs.
- TxDOT is working towards improving procedures and guidance for environmental tasks to increase predictability in the process and reduce delays caused by uncertainty.

# PUBLIC INVOLVEMENT

During the environmental process, TxDOT may hold meetings with affected property owners when project impacts are minor and limited to no more than a few property owners. Public meetings may be held at any time to engage the public in project development, while public hearings are held for projects with substantial public interest or more intense impacts. TxDOT also engages the public and tribes through the Section 106, National Historic Preservation Act, Programmatic Agreement consultation process for input on what resources are important to tribal, state and local history.

# PROJECT COORDINATION

In the course of developing analyses and documents, TxDOT must work with and satisfy the requirements of numerous state and federal agencies, including the United States Army Corps of Engineers, United States, Fish and Wildlife Service, United States Coast Guard, United States Environmental Protection Agency, the National Marine Fisheries Service and Federal Highway Administration. State agencies include the Texas Commission on Environmental Quality, the Texas Parks and Wildlife Department, the Texas Historical Commission, the Texas General Land Office and the Coastal Coordination Council.

## Agency Agreements and Contracts

TxDOT substantially reduces the time spent coordinating with state and federal agencies, tribes and other parties by developing agreements with these entities. The following entities have entered into agreements involving TxDOT to improve the coordination process:

- Federal Highway Administration.
- Texas Parks and Wildlife Department.
- Texas Historical Commission.
- Texas Commission on Environmental Quality.
- United States Army Corps of Engineers.
- United States Fish and Wildlife Service.
- Advisory Council on Historic Preservation.
- 27 federally recognized Native American tribes.

TxDOT is working on a similar agreement with the United States Army Corps of Engineers and continues to coordinate with additional tribes to develop agreements.

TxDOT also develops contracts with agencies to provide funds in exchange for expedited review services. TxDOT currently has contracts with the following entities:

- United States Fish and Wildlife Service.
- Texas Historical Commission.
- Texas Parks and Wildlife Department.
- United States Army Corps of Engineers.

# TEXAS DEPARTMENT OF TRANSPORTATION

## VALUES:

### People
People are the Department's most important customer, asset, and resource. The well-being, safety, and quality of life for Texans and the traveling public are of the utmost concern to the Department. We focus on relationship building, customer service, and partnerships.

### Accountability
We accept responsibility for our actions and promote open communication and transparency at all times.

### Trust
We strive to earn and maintain confidence through reliable and ethical decision-making.

### Honesty
We conduct ourselves with the highest degree of integrity, respect, and truthfulness.

## VISION:

A forward-thinking leader delivering mobility, enabling economic opportunity, and enhancing quality of life for all Texans.

## MISSION:

Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

## GOALS AND OBJECTIVES:

- **Deliver the Right Projects –** Implement effective planning and forecasting processes that deliver the right projects on-time and on-budget.
- **Focus on the Customer –** People are at the center of everything we do.
- **Foster Stewardship –** Ensure efficient use of state resources.
- **Optimize System Performance –** Develop and operate an integrated transportation system that provides reliable and accessible mobility, and enables economic growth.
- **Preserve our Assets –** Deliver preventive maintenance for TxDOT's system and capital assets to protect our investments.
- **Promote Safety –** Champion a culture of safety.
- **Value our Employees –** Respect and care for the well -being and development of our employees.

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This document is part of an educational series on transportation issues produced by the Texas Department of Transportation. This document, the full Educational Series and other helpful resources can be found online at www.txdot.gov keyword search "State Legislative Affairs".