National Preservation Institute

NEPA, Section 106, and Section 4(f) Coordination for Transportation Projects

Seminar Overview

Coordinating reviews under two procedural laws—the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act—with a substantive law—Section 4(f) of the U.S. DOT Act—creates unique challenges and opportunities for delivering successful transportation projects. Review the basics under the regulations to better understand the requirements of each law. Discuss strategies for effective compliance and project management. Learn how a collaborative team approach benefits the regulatory, design, and delivery processes through case studies and group exercises.

Introductions
- Instructor and participants
- Overview, learning objectives, and ground rules

Regulatory Overview
- Identify the transportation agencies, delegated agents, consulting parties, and tribes, and their roles and responsibilities under each law
- Review the steps under each law and how they should be coordinated with the other laws
- The laws
  - National Environmental Policy Act (NEPA)—focus on cultural resources; shortened review timeframes
  - Section 106 of the National Historic Preservation Act—focus on historic properties
  - Section 4(f) of the U.S. DOT Act—focus on historic sites

The Collaborative Process
- Project success and streamlining through engineer, planner, and cultural resource management professional collaboration
- Understanding and respecting differences between the professions
- Standards and guidelines for the disciplines

Developing a Transportation Project
Using different case studies for each breakout group, explore development of a transportation project through exercises and report outs
- NEPA—developing purpose and need and analyzing alternatives
  - Exercise
- Section 106 Case Study—consultation, identification, and finding of effect
  - Exercise—making and defending a finding of effects; no adverse effect or adverse effect
- Section 4(f) Case Study—exemption, programmatic, net benefit, or individual evaluation
  - Exercise—determining use

Wrap Up
- Practical guidance and resources
- Final questions
- Evaluations