

A Guide to Environmental Documents and the NEPA Process for the Iowa City Gateway

Federally-funded or permitted transportation projects must be conducted in accordance with National Environmental Policy Act of 1969 (NEPA). This requires that before design and construction, projects must be evaluated in terms of impacts to both the natural and man-made environment.

How is the environmental evaluation done?

NEPA outlines a process where possible impacts, including the impact of doing nothing (typically called a “No-Build”), are evaluated and then made public through the environmental document. That document is designed to help agencies, elected officials and the public make sound decisions about federally-funded or approved investments.

There are three general types of environmental documents:

- *Environmental Impact Statement (EIS)* – An EIS is produced for areas where improvements are likely to have a significant environmental impact, requiring in-depth analysis and efforts to avoid or minimize those impacts.
- *Environmental Assessment (EA)* – An EA is produced for areas where the degree of environmental impact caused by improvements is unknown and yet is not expected to be significant.
- *Categorical Exclusion (CE)* – A CE is produced for areas where no significant environmental impacts are expected.

For the Iowa City Gateway project, the Federal Highway Administration (FHWA) determined that an EA would be prepared. This decision was made primarily due to the project’s location in an already-developed and disturbed urban corridor where impacts to the natural and man-made environment are not expected to be significant.

Why are environmental documents produced for future transportation projects?

Environmental documents are required by the federal government for projects that will seek federal funds and/or federal permits. Beyond the legal requirements, environmental documents also help state and federal agencies and local communities make well-informed decisions about future projects. Additionally, environmental documents give the public access to the same information used by state transportation departments and the responsible Federal agency in selecting a preferred alternative for future projects. Each document answers the following basic questions:

- *What is the purpose and need for the improvement?* Why is the study being conducted? What is the problem that needs to be solved? A study's formal Purpose and Need serves as a guide throughout the evaluation process.
- *How might the improvement impact the natural environment?* For example, how does shifting Dubuque Street to the west impact wetlands or threatened and endangered species? Would the project impact air quality or the quality of rivers and streams?
- *How might the improvement project impact the cultural and social environments?* How does elevating the roadway or constructing a new Park Road Bridge impact historical or archaeological sites? Would it impact public recreation lands like City Park or Terrell Mill Park? Would it change how people get to their jobs, schools, shopping and other services? How would it impact the local economy? Would it change land uses? Would it change social relationships and interaction within a community? How would economically disadvantaged groups be affected?
- *How would the proposed improvement work?* Does it address the Purpose and Need? How much would it cost to construct and to maintain?

What is the overall process for EA development?

While each project has unique aspects, environmental documents work to adequately answer the questions outlined above. The process to develop those answers typically works as follows:

Develop a project Purpose and Need

The "Purpose and Need" guides the rest of the project by defining the problem to be solved and the standards that will be used to evaluate possible solutions. State and federal agencies provide feedback on the Purpose and Need to help ensure coordination with other projects in the area. The public is also invited to weigh in on the project Purpose and Need.

Develop Alternatives

The project team then develops a range of alternatives to solve the problem. Depending on the project, there may be a wide range of alternatives or only one or two. Each is looked at for feasibility and critical flaws. Alternatives are typically refined several times during the study process.

Public Involvement

NEPA calls for opportunities for public involvement during the evaluation process. That can be achieved through a variety of methods, including public meetings, advisory groups, newsletters, web sites, or presenting information at neighborhood and business meetings, etc.

NEPA also has specific requirements for public hearings and comment periods so that all interested parties can review the draft document and its recommendations prior to its review by the responsible federal agency.

For the Iowa City Gateway project, two public meetings, a drop-in center, and a combined drop-in center and formal Public Hearing were held. Our process provided opportunities for citizen input at each of these meetings, along with continuous and on-going opportunities to view project information and to provide comments by contacting staff directly or by making requests through the project website at www.iowacitygateway.org.

Impacts are Evaluated

The impacts of each alternative, including doing nothing, are evaluated. For the Iowa City Gateway EA process, the following factors were evaluated:

- Social and Economic Characteristics
 - Land Use
 - Demographics Social Characteristics
 - Economic Characteristics
- Natural Environment
 - Air Quality
 - Physical Setting
 - Water Resources
 - Water Quality
 - Biological Resources
 - Cultural Resources
 - Hazardous Waste Sites
 - Visual Quality
- Land Use Impacts
 - Impacts on Existing Land Use
 - Consistency with Comprehensive Development Plans
- Social Impacts
 - Neighborhood and Community Cohesion
 - Travel Patterns and Accessibility
 - Public Parks and Recreation Areas (Section 4(f) Process)
 - Other Public/Semi-Public Lands and Facilities
 - Safety Issues
 - Environmental Justice
- Right-of-Way Acquisition Impacts
 - Potential Residential Acquisition Impacts
 - Relocation Policies
- Economic Impacts
 - Short-Term and Long-Term Economic Impacts
- Noise Impacts
 - Noise Abatement Criteria
 - Traffic Noise Modeling
 - Abatement Measures
- Water Resources Impacts
 - Stream Impacts
 - Wetland Impacts
 - Compensatory Mitigation
- Water Quality Impacts
 - Surface Water Quality Impacts
- Floodplain Impacts
 - Floodplain Encroachment
 - Flooding Risks
- Permits
 - Regulatory Permits
 - Construction Permits
- Natural Terrestrial Communities
 - Natural Communities
 - Forest Communities
- Wildlife Impacts
 - General
 - Threatened and Endangered Species
- Historic and Archeological Preservation (Section 106 Evaluation Process)
 - Historical and Archeological Preservation
 - Mitigation Measures

- Hazardous Waste Sites
 - Hazardous Waste Site Impacts
 - Mitigation Measures
- Visual Impacts
 - Views Of and From the Road
 - Aesthetic Considerations / Visual Enhancements
- Construction Impacts
 - Water Quality
 - Air
 - Noise
 - Vibration
 - Traffic Impacts
- Secondary and Cumulative Impacts

Selection of Preferred Alternative

Based on the evaluation process and public input, a Preferred Alternative was identified as a preliminary recommendation for future improvements. The recommendation is only made final following the FHWA formal review process and City Council approval

The Environmental Document

While EA documents might be organized slightly differently from project to project, they all include the following basic information:

Purpose and Need - This chapter provides a brief history of the project, describes the specific study area, and identifies the transportation problems that would be addressed by proposed improvements.

Alternatives - This chapter describes in detail the benefits and consequences of the reasonable alternatives, or options, considered. It also explains how those alternatives were narrowed to the recommended preferred alternative.

Affected Environment - This describes the existing natural and man-made environments of the study area. The types of information presented include population statistics, demographics, information on the impacts to wetlands, lakes, rivers, parklands, as well as historical or culturally sensitive areas, and threatened and endangered species.

Environmental Consequences - This part of the document discusses both the potential negative and beneficial impacts to the environment. This allows the reader to compare the environmental and socio-economic impacts of the reasonable alternatives.

Comments and Coordination - This chapter summarizes the public involvement and agency coordination activities carried out over the course of the study. It also typically provides a summary of public input gathered through meetings and other events.

Section 4(f) - Some documents include a chapter titled "Section 4(f)." This name refers to a portion of federal law mandating that special efforts be made to preserve public parks and recreation lands, wildlife and waterfowl refuges, and significant historic sites. The Iowa City Gateway EA included a Section 4(f) Chapter that also documented the Historic and Archaeological Evaluation process (Section 106 process). If any of those assets are impacted by improvements, it must be shown that (1) there is no prudent and feasible alternative to avoid the site, and (2) details the efforts that will be made to minimize harm.

What is the typical formal process for EA review and approval?

Development of an EA calls for a thorough investigation of possible impacts, and can take anywhere from several months to several years to complete.

Once the EA document, which details the investigation and analysis, is complete and ready for the formal review process, Federal and state guidelines and policies direct the process for review and approval, which includes the following steps:

Document Distribution and Review (30 days)

The EA document is submitted to the following list of agencies for review and comments. Depending on the specifics of the project, additional agencies or organizations may also be included in the distribution:

Federal Agencies

- Federal Aviation Administration
- Federal Emergency Management Agency
- Federal Transit Administration
- Federal Highway Administration
- U.S. Coast Guard
- U.S. Department of Agriculture (NRCS)
- U.S. Department of Housing and Urban Development
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers

State of Iowa Agencies

- Department of Natural Resources
- State Historic Preservation Office
- State Emergency Management Agency

City and County Agencies

- City of Iowa City Departments
- MPO JC
- University of Iowa
- Johnson County

Citizens (via placement of the EA document at City Hall, downtown branch of the Public Library and online for downloading at www.iowacitygateway.org).

Comment Period (same 30 days)

Anyone can review the document and make comments. The formal review period for an EA is 30 days. Comments on the Iowa City Gateway EA were received by postal letter, email, and written comments made during the drop-in center and Public Hearing.

Public Hearing (same 30 days)

During the comment period, there is also a public hearing on the project where anyone can provide comments on the document, its findings and recommendations. The Public Hearing for this project was held on April 4th, 2013.

The final document is basically an update of the initially published EA. It includes substantive comments and responses, as well as the results of any additional evaluations or analyses performed in response to the comments submitted.

Document Approval

The FHWA (the responsible Federal agency) has responsibility for ultimately approving the EA for the Iowa City Gateway Project.

The FHWA considers substantive comments and responses to the EA, as well as the results of any additional evaluations or analyses performed in response to the comments submitted by the agencies and public during the public comment period. After the comments are incorporated and responded to, and the document approved, the FHWA publishes a *Finding of No Significant Impact* (FONSI) for Environmental Assessments.

The FONSI announces the selected alternative for improvements which then can proceed to the next phases of development – additional evaluations as needed, design, right of way acquisition and construction (all dependent on available funds).