

A fresh look at environmental review considerations for rail project planning, siting, and design.

A practical understanding and proactive approach.

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Presentation Outline

**Expediting Environmental Reviews,
Authorizations, & Permits**

Updating the Manual for Railway Engineering

**A Fresh Look at Federal Environmental Review,
Authorization, & Permit Considerations**

**Practices to Integrate Environmental
Considerations into Design & Construction**



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Expediting Environmental Reviews, Authorizations, & Permits

- 20 years of attempts
- **Fixing America's Surface Transportation (FAST), Title 41**
 - Federal Permitting Improvement Steering Council (FPISC)
 - Permitting Dashboard for Federal Infrastructure Projects
 - Section 106 Streamlining for Rail
- **Executive Order 13807:** *Establishing Discipline & Accountability in the Environmental Review and Permitting Process for Infrastructure Projects*
- **DOI Secretarial Order No. 3355:** *Streamlining National Environmental Policy Act Reviews and Implementation of Executive Order 13807*
- **Additional pressure for agencies to streamline**



Updating the Manual for Railway Engineering



American Railway Engineering and Maintenance-of-Way Association

- MRE at a glance
- Chapter 13: Environmental
- Part 2: Environmental Review Considerations
 - Overview
 - Update process



Available on AREMA's online store at: <https://www.arema.org/catalog.aspx>



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Updating the Manual for Railway Engineering

GOALS FOR THE REVISIONS AND UPDATES

- Early application of pertinent aspects of environmental laws and regulation
- Integration into project planning and design
- Practical, proactive understanding of environmental review, authorizations, and permitting issues

STRUCTURE AND CONTENTS

- Overview of environmental federal laws & regulations
- Practical examples
 - Resources regulated
 - Implementing agencies
 - Railroad project triggers



Image: John Michael Yohn



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A Fresh Look at Federal Environmental Review, Authorization, & Permit Considerations

- **Permit or license from federal agency**
 - CWA 404 (USACE)
 - PTC license (FAA)
- **Federal authorization to construct, operate new rail**
 - STB
- **Federal funding for rail**
 - RRIF loan
 - Improvements for double-stack clearance



Example 1: New Rail Siding & the Clean Water Act

■ Project

- 2-mile siding track in WI
- Impact to 0.91 acre wetland
- 1 acre of land disturbance

■ Triggers

- Section 404
- Section 401
- Section 402

■ Practical Considerations

- Early consultation
- Purpose and Need
- Alternatives



Example 2: Signal Tower & Federal Communications Commission License

▪ Project

- Signal pole in Deschutes River valley
- To increase traffic on the line (and PTC radio integration)

▪ Triggers

- FCC license
- NHPA Section 106

▪ Practical Considerations

- Design to avoid effect



Practices to Integrate Environmental Considerations into Design & Construction

■ Challenges Identified

- Environmental processes occurred after project design
- Limited understanding of environmental regulation and permit considerations, “*world of mystery*”
- Limited coordination between engineering and environmental departments
- Avoidable permitting hurdles not considered during design



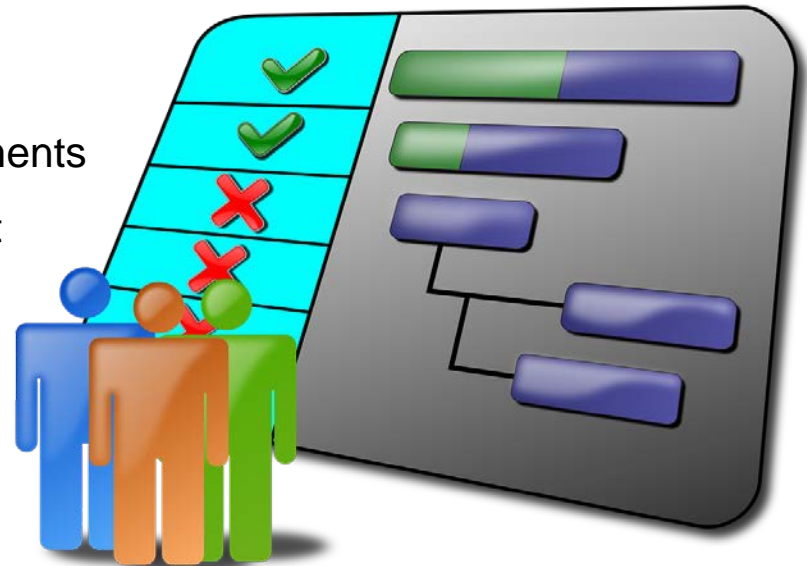
Practices to integrate Environmental Considerations into Design and Construction

■ Practices Implemented

- Environmental department joins engineers in project planning sessions
- Consider environmental issues at the onset
- Determine authorization and permit requirements
- Identify stakeholder and agency involvement

■ Tools Applied

- Schedule milestones in shared performance tracking program



Summary



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