

Enhancing Rail Project Planning Through Effective NEPA/NHPA Review

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Complying with the myriad of federal and state permitting and licensing regulations can be a daunting task, one that is often pushed aside to be dealt with later in the project planning/review process. However, this practice often causes costly delays during project implementation and execution. Assessing and addressing the need for permits and environmental/cultural resource law compliance early in the planning process minimizes cost and reduces or eliminates delays, while also improving public relations with state and federal agencies, Indian tribes, and other interested parties. Here we provide a brief overview of the tools for identifying when NEPA/NHPA compliance is required and for understanding what types of resources are most likely to be impacted by railroad projects at various scales. Understanding the approach of the lead federal agency, the laws particular to each state and municipality, and the culture and natural history of the region allows railroads and their consultants to navigate the regulatory process during the early stages of project planning. Drawing on many examples of past projects ranging from wireless communications facilities through sidings, track expansions, and bridge replacements, we outline a strategy for meeting regulatory obligations with minimal schedule and budget impacts.