

ODOT NEPA Assignment Performance Measures

Prepared by Ohio Department of Transportation, Office of Environmental Services

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Overview:

Upon execution of the Memorandum of Understanding (MOU) between the Ohio Department of Transportation (ODOT) and the Federal Highway Administration (FHWA), FHWA assigned responsibilities for the National Environmental Policy Act of 1969 (NEPA) and environmental review, consultation, and other related activities with respect to transportation projects to ODOT. FHWA is required to perform audits to ensure ODOT's compliance with the requirements of the MOU. These audits will be conducted on an annual basis during the MOU period.

Additionally, ODOT is required to perform Self-Assessments to identify and address areas of concern prior to each FHWA audit. Self-Assessment results must be submitted to FHWA 30 days prior to an audit. ODOT-OES staff will perform the Self-Assessments focusing on District and Office of Environmental Services (OES) compliance with the overall NEPA process and the stipulations of the MOU. The Self Assessments will involve projects that were approved following the execution of the MOU. The information assembled from these self-assessments will assist ODOT in identifying areas that need improvement. ODOT staff will use the Self-Assessments to:

- Ensure ODOT is in compliance with the MOU requirements
- Ensure ODOT's programs/procedures are being followed
- Identify areas of concern
- Identify best practices that may be useful to others
- Develop and implement methods to address any deficiencies

OES Staff will review the results and create a report of the findings to send to FHWA. A corrective action plan commensurate with the type and severity of any non-compliance items will be developed for areas that do not receive a "satisfactory" rating. Best practices and the overall results of the Self-Assessment will be disseminated to environmental staff throughout the state. Exit interviews will be conducted following the Self-Assessment.

Performance Measures

ODOT will monitor a variety of performance measures as part of its self-assessment program to evaluate performance in assuming NEPA Assignment Program responsibilities. These measures include the following:

Compliance with NEPA, FHWA NEPA regulations, and other federal environmental statutes and regulations:

- Maintain documented compliance with requirements of all applicable Federal statutes and regulations for which responsibility is assumed.

Quality Control and Assurance for NEPA decisions:

- Maintain internal quality control and assurance measures and processes, including a record of:
 - Completion of legal sufficiency reviews by the ODOT-OES attorney or by ODOT's outside environmental counsel; and
 - Compliance with ODOT's environmental document content standards and procedures, including those related to QA/QC.

Monitor relationships with agencies and the general public:

- Assess change in communication among ODOT, federal and state resource agencies, and the public resulting from assumption of responsibilities under this MOU.
- Maintain effective responsiveness to substantive comments received from the public, agencies and interest groups on NEPA documents.

Increased efficiency in completion of the NEPA process:

- Track completion time of environmental document approvals and compare to national averages.

Baseline data will be compared to data produced by the EnviroNet System. OES has identified typical project impact levels for the various levels of impacts to projects in the following areas:

- Endangered Species Act Coordination – Section 7
- Section 106 Adverse Effects
- Section 106 MOA Coordination
- Environmental Justice Reports
- All forms of Section 4(f)
- All levels of CEs, EA and EIS Documents, Feasibility Studies and Alternative Evaluation Reports

OES will measure the average time spent on these activities as well as ODOT's relationship with its partner agencies (metrics to include monthly/quarterly/annual meetings and interviews) and with the public (metrics to include survey, public comment website, number of inquiries, follow up after Section 106 process asking how we did).

Performance Goals

See attached.