Maryland Action Plan

Highway Project Development

Maryland Department of Transportation
State Highway Administration
2011

U.S. Department of Transportation
Federal Highway Administration

DelMar Division

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August 25, 2011

In Reply Refer To:
HDA-MD

Mr. Darrell Mobley
Acting Administrator
Maryland State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

Dear Mr. Mobley:

One of the follow-ups from the Public Involvement Process Review was to update the Maryland Action Plan (MAP) in accordance with SAFETEA-LU. The MAP contains the public involvement procedures for your agency. Denise King from my staff led an Interdisciplinary review of the revised MAP and coordinated comments with your staff.

We are in receipt of the final 2011 MAP from your staff. In accordance with 23 CFR 771.111(h) this letter serves as FHWA's approval of the state to carry out the public involvement/public hearing program pursuant to 23 U.S.C. 128 and 139 and CEQ regulations.

Sincerely yours,

for Denise Jr. King

Gregory Murrill
Division Administrator

cc: Greg Slater, SHA
Bruce Grey, SHA
Donald Sparklin, SHA

MARYLAND ACTION PLAN

PUBLIC INVOLVEMENT, PUBLIC HEARING PROCEDURES AND HIGHWAY PROJECT DEVELOPMENT

Prepared by: Maryland Department of Transportation, State Highway Administration in cooperation with the US Department of Transportation, Federal Highway Administration in accordance with 23 CFR 771, 23 USC 128, 40 CFR Parts 1500-1508 and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (**SAFETEA-LU**).

Recommended by: Gregory I. Slater
Director, Office of Planning and
Preliminary Engineering
Maryland State Highway Administration

3/2/11
Date

Approved by: Neil J. Pedersen
Administrator
Maryland State Highway Administration

3/2/11
Date

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INTRODUCTION

This document updates the 1993 Maryland (MD) Action Plan (Plan) as recommended in the 2006 Federal Highway Administration (FHWA) Public Involvement Process Review and is consistent with the MD State Highway Administration's (SHA) and the 2007 FHWA-- Delmar Division's Stewardship and Oversight Agreement (Stewardship Agreement. The update has been done in accordance with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Ways to inform and involve the public and agencies early in the project- development process to influence project decisions have been revised, and an overview of the SHA's federal-aid highway project- development process phases has been included. Additionally, the procedures to be followed by local governments seeking to use federal-aid funds and the processes used for projects funded entirely with state funds have been summarized.

SHA's public involvement efforts incorporate Context Sensitive Solutions; Limited English Proficiency (LEP) regulations, procedures, and guidelines; Title VI law and regulations; Environmental Justice (EJ) guidelines; Community Effects Assessment guidelines; and changes brought about by SAFETEA-LU. Of particular note for major federal-aid projects for which an Environmental Impact Statement (EIS) is anticipated is the requirement for the opportunity for public involvement (see the definition in the Glossary) in the development of the Purpose and Need Statement, the identification of the range of alternatives, and the level of environmental analyses.

To ensure that adequate information is considered to address federal-aid project approval and permit requirements, the Plan cites (1) coordination and consultation with the FHWA and (2) continuing interaction with federal and state regulatory/review and local government agencies (e.g., US Army Corps of Engineers (Corps), Environmental Protection Agency (EPA), MD Historical Trust (MHT), MD Department of the Environment (MDE), and MD Department of Natural Resources (DNR)). Such coordination and continuing interaction result in safe, cost-effective projects that are sensitive to the human and natural environmental effects and that involve mitigation measures and stewardship opportunities, as appropriate.

Federal-aid projects are classified as major or minor. Major projects are typically those with several alternatives on new location or along an existing road that are greater than a mile in length and may include additional through- traffic capacity lanes, interchanges, transit, or high- occupancy- vehicle (HOV) options. Minor projects are usually less complex in scope and include system- preservation improvements such as resurfacing and rehabilitating existing roadways and associated structures, adding auxiliary lanes,

correcting substandard curves and intersections, adding or improving signing and/or lighting, and implementing streetscapes.

The SHA's public- involvement and highway project- development processes are consistent with the current federal highway authorization law (SAFETEA-LU); federal and state interagency agreements; and environmental laws, regulations, executive orders, and policies, including but not limited to the following:

- National Environmental Policy Act of 1969 (NEPA), as amended August 1973
- Maryland Environmental Policy Act (MEPA)
- Clean Air Act and amendments
- Section 404 of the Clean Water Act
- Title VI of the Civil Rights Act of 1964 (as amended)
- Executive Order 12898-Environmental Justice (EJ) and Executive Order 13166-Limited English Proficiency (LEP)
- Section 106 of the National Historic Preservation Act
- Fish and Wildlife Coordination Act
- Nontidal Wetlands Protection Act
- Chesapeake Bay Critical Area and Coastal Bays Protection Act

The preceding citations and others not specifically noted support an interdisciplinary approach to highway project development and decision making.

PUBLIC INVOLVEMENT

The SHA believes that early and continuous interaction with the public is important and requires that such interaction be included in all phases of the highway project-development process. Interested members of the public are provided with project information and opportunities to express their opinions, suggestions, and concerns (where applicable).

Project Identification

The identification of a project occurs at annual fall tour meetings (Tour). During the Tour, presentations and participatory discussions about project priorities take place between the Secretary of the Maryland Department of Transportation (MDOT), the SHA's Administrator and staff, and state and local officials. After the Tour, decisions are made regarding which projects will be included in the Consolidated Transportation Program (CTP), MDOT's capital programming document.

The CTP includes projects funded for the current fiscal year and for five fiscal years in the future. The classification of a MD highway helps determine which projects will be included in the CTP. Maryland has two broad road classifications of highway systems: primary and secondary. The primary system includes interstate highways and arterial routes that serve longer- distance statewide and regional transportation needs. The secondary system includes the majority of state routes and generally serves shorter-

distance and local transportation needs. Projects on the primary system may be advanced from a Statewide Long Range Plan (LRP) to the CTP based on their identification as priorities of state and local elected officials in each County, while projects on the secondary system are advanced to the CTP in consultation with local elected officials.

Public Outreach and Participation Methods

Early and continuous public notification and input contribute information about design options for the places and resources the public values. Depending on the type of project, its complexity, and its location, SHA's public outreach, involvement, and participation methods can be modified to ensure that appropriate techniques are used to inform members of the public and obtain their input. When a project has been included in the CTP, SHA may use any of the following public outreach and participation methods:

Mailing and/or Email Lists

For all major projects, and occasionally for minor projects, mailing and/or email lists will be established. Persons on the lists, including property owners and tenants directly affected by a project, receive notifications about project meetings and other project-related material (e.g., post cards, brochures, and newsletters). Advertisements/public notices are placed in local newspapers (including, as appropriate, newspapers for minority populations) and published in languages other than English (based on project-area census data, other secondary data, informative sources, etc.) to request that individuals submit their names for inclusion on project mailing (and sometimes email) lists. The advertisement/notice advises individuals that they may sign up for the mailing list on project- specific web sites that meet Americans with Disabilities Act (ADA) requirements, or by telephoning or emailing the Project Manager (PM). Mailing and/or email list solicitations are also requested at public meetings, workshops, and hearings, and sometimes via project newsletters. Persons requiring assistance may contact the PM via the Maryland Relay Service at 7-1-1.

These lists also include government agencies, elected officials, and known community organizations (identified by local planning agencies or individuals) and will be updated periodically as organizations and individuals request that their names be added. Project data may also be exchanged with the PM by email.

Brochures, Newsletters, Advertisements/Notices, Websites

Before conducting Alternatives Public Workshops, Informational Workshops (Workshops), and Location/Design Public Hearings (Public Hearings), SHA will prepare a brochure summarizing the Purpose and Need Statement and the alternatives developed to date and including the approximate costs and environmental impacts of the project. Individuals to contact for project information are noted, and a self-addressed postage-paid form is included for the submission of written comments. Brochures will also be developed in alternative formats or languages, where applicable. Availability of the brochure is advertised in the same media as the Workshops or Public Hearings. Persons on the mailing list will receive a brochure two to three weeks before the Workshop or Public Hearing is held. Brochures will also be placed in SHA District Offices and other

convenient project- area locations such as local libraries, government offices, and activity or community centers and will be posted on the project- specific page of the SHA website (go to www.roads.maryland.gov and click on Projects and Studies/Public Meetings or Projects and Studies/County).

The frequency with which newsletters are distributed to the mailing list depends upon the project scope, issues, and decisions (e.g., When an EIS is anticipated for a project or when an optional Informational Workshop is scheduled).

Display or legal advertisements/notices for Workshops and Public Hearings are published in newspapers with a general circulation in the project area including, as appropriate, those for minorities and persons with Limited- English Proficiency and may be announced via other media outlets (e.g., radio or television). They are also sent to persons on the mailing and/or email lists and included on SHA's website.

Websites will be used to communicate with the public. Project- specific websites will be updated with advertisements/notices, brochures, newsletters, and future project activities. The public may also visit the SHA website at www.roads.maryland.gov and click on Projects and Studies/County or Projects and Studies/Public Meetings.

Brochures, newsletters, advertisements/notices, websites, emails, and press notices will be translated into languages of identified LEP communities in the project area. SHA is also evaluating the use of social networking sites and other emerging technologies (e.g., business versions of Facebook or Twitter) to notify the public and receive or provide project information.

Environmental Documents and Technical Reports

Environmental documents summarize the engineering aspects and the environmental effects of proposed major projects. The documents are prepared in plain English at the high- school level and meet LEP and ADA requirements. Technical reports provide detailed project- related environmental and engineering data. The type of environmental document varies by project.

Copies of draft and final environmental documents will be available for review and copying at SHA Headquarters, District Offices, and other convenient locations during normal business hours, generally 8:00 am to 4:30 pm. In most instances, environmental documents and associated technical reports will be found on SHA's website by going to www.roads.maryland.gov and clicking on Projects and Studies/County.

Upon request to the PM and on a limited basis, electronic or hard copies of draft and final environmental documents (Draft and Final EIS, Environmental Assessments (EA), and Findings of No Significant Impact (FONSI)) will be provided to interested persons free of charge.

A limited number of draft environmental documents that may be taken home will be available at Public Hearings.

Public Workshops/ Hearings, Community Meetings, and Stakeholder Panels

Public Workshops, Public Hearings, and community meetings sponsored by SHA are the basic elements of an interactive communication process with the public. Procedures vary according to the type of meeting. All meeting locations will be accessible to persons with disabilities, and SHA will provide interpreters or translation services at meetings free of charge, through State of Maryland contractual firms or by identified SHA employees, as necessary.

A written record of public meetings must be developed. It will include the meeting date, location, and attendance sheets and will document public comments that are addressed by SHA. Relevant workshop or hearing information may be posted on project- specific websites or found by going to SHA's website, www.roads.maryland.gov and clicking on Projects and Studies/County.

Informational and Alternatives Public Workshops are informal meetings that are open to the general public and held to provide project information and receive public comments.

Formal Public Hearings are held to receive oral and written public comments for the project record before the SHA Administrator identifies a final alternative. The following section, Public Hearing Procedures, provides detailed information about Public Hearing processes.

Informal Community Meetings or meetings with individuals may be held at any time by arrangement with the PM or Project Engineer (PE) and may include targeted meetings, with local help to facilitate (e.g., attending local festivals such as those for Spanish-speaking populations).

Stakeholder panels on projects are optional. SHA will determine panel membership, which usually includes stakeholders nominated by elected officials or county agencies and others selected by SHA. A stakeholder panel is representative of the project area. SHA will ensure that the concerns of all citizens affected by the project, including low-income and minority populations and LEP communities, are addressed. Stakeholder panels, which meet periodically, allow SHA to explain the highway project-development process and provide a forum for more direct public input.

Public Hearing Procedures

Holding a Public Hearing

The SHA will decide whether to hold more than one Public Hearing based on the nature of the project, the jurisdiction in which the project is located, and the issues involved. The SHA will hold one or more Public Hearings for projects when:

- There are significant social, economic, natural environmental or other effects;
- Acquisition of a significant amount of right-of-way will be required;
- There is significant adverse impact on adjacent real property;

- There are substantial changes in layout or function of the facility being improved or to the connecting roadways;
- There is substantial controversy based on environmental grounds.

Additional Public Hearings will be held when there has been:

- Substantial change in a project, not discussed or proposed at a previous Hearing, that results in significant changes in the environmental impacts of the project;
- Substantial unanticipated development in the area affected by the proposal that may in turn affect the decisions reached as a result of an earlier Hearing;
- Identification of significant social, economic, or natural environmental effects not previously considered at an earlier Hearing.

Public Notification of a Public Hearing

Notification of a Public Hearing is published in a newspaper having general circulation in the project area and the surrounding vicinity, and in a newspaper having substantial circulation in the area, such as a local community newspaper. Newspapers that serve minority populations or LEP communities will be used, as appropriate.

An advertisement is published 30 days and again 15 days prior to the Public Hearing. Advertisements/notices are also placed on the SHA or project- specific websites and may be announced via other appropriate news media (e.g., radio or television) and will be sent to the project mailing list. The SHA website will also advertise the Public Hearing.

Content of Public Hearing Advertisement

Each Public Hearing advertisement/notice will specify the date, time, and location of the hearing and briefly describe the proposed alternatives. When appropriate, the advertisement/notice will indicate that significant historic properties located in the project area have been identified and invite public comment on the effects to historic properties, as well as the resolution of any adverse effects. It will note whether aquatic resources, including wetlands and Waters of the US, are affected. If the Public Hearing is held jointly with the Corps, information that meets the Corps' Hearing requirements, including contact information, will be provided.

To promote an understanding of a project, a draft environmental document containing relevant social, economic, cultural, and natural environmental information, engineering alternatives, and written views received as a result of the agency and public coordination process may be cited. Documents will be available for public inspection and copying prior to and after the Public Hearing, and available for viewing on the SHA website by going to www.roads.maryland.gov and clicking on Projects and Studies/County.

Tentative schedules for the Final Design Engineering, Right-of-Way Acquisition, and Construction phases, if they have been established, may also be noted. The Public Hearing advertisement/notice will state that right-of-way acquisition and the SHA's Relocation Assistance Program will be presented.

Provisions for the submission of written statements and other exhibits in place of, or in addition to, oral statements to be made at the Hearing will be noted. The final date for receipt of such statements or exhibits for inclusion in the transcript will be at least 30 days after the Public Hearing.

Conduct of Public Hearings

Public Hearings are usually held in the evening at a project-area public facility and at a time generally convenient for persons affected by the proposed project. Consistent with federal and state policies and procedures, the importance of holding the Public Hearing in a location convenient to minority and/or low-income populations is considered when location arrangements are made. Arrangements for persons with disabilities or Limited-English Proficiency will be made, as necessary. All meeting locations must be accessible to persons with disabilities, and SHA will provide free interpreter or translation services, as needed.

Questions will be addressed informally by SHA and local agency staff at displays (similar to a Workshop) generally one hour before the actual time of the hearing. The PM, in cooperation with the Public Involvement Section of the Environmental Planning Division (EPLD), will arrange for responsible SHA staff (i.e., engineers, environmental specialists, regional planners, real estate specialists, Title VI liaisons, and local planning staff) to be present at Public Hearings to explain the project and answer questions.

Oral presentations will be provided by the District Engineer or other designated Hearing Officer, the PM, the Environmental Manager (EM), the Title VI Officer, and the Real Estate Specialist. Provisions for the submission of written statements and other exhibits in place of, or in addition to, oral statements at the Public Hearing will be noted at the Public Hearing. The project's purpose and need and consistency with local planning goals and objectives will be discussed. Pertinent engineering alternatives will be described and shown on maps/plans. Environmental effects information for each alternative under consideration will be summarized. During the oral presentation, an explanation of the SHA's Relocation Assistance Program and the right-of-way-acquisition process will be provided, and the Title VI Officer will detail the process used to ensure that discrimination does not occur during any phase of the highway-development process. It will also be stated that, at any time after the Hearing and before the receipt of Location and Design approval, information developed in support of the proposed location and design will be available upon request for public inspection and copying.

The Public Hearing is generally not a forum for a question- and- answer session; rather, it provides an opportunity for the public to provide for the record comments about the proposed action before the Administrator chooses a final alternative. Staff will be available to address questions before the Hearing, as indicated above. If a formal response is desired, the public may submit written comments at or following the Public Hearing.

Transcripts

A verbatim written transcript of the oral proceedings at the Public Hearing will be made. A copy of the transcript will be submitted to the FHWA Division Administrator within eight weeks of the Public Hearing with:

- Copies of, or reference to, all information made available to the public before the Public Hearing;
- Copies of, or reference to, photographs of each statement or exhibit used or filed in connection with the Hearing.

Copies of the transcript will be available for public review or inspection and copying in the project area concurrent with the submission to the FHWA Division Administrator. A copy will be posted on the SHA or the project- specific website and, depending on the environmental effects, sent to the Corps.

Note: For major projects, responses to the statements made by persons at the Hearing will be included in the final environmental document as an appendix, and not in the transcript. For Categorical Exclusion (CE) projects, where an environmental document is not available for public inspection, responses to oral and written comments made at or received after a Public Hearing will be included as part of the transcript.

Opportunity for a Public Hearing

On extremely rare occasions, the SHA will provide interested persons an opportunity to request that a Public Hearing be held when:

- There is substantial controversy on environmental grounds;
- There is significant impact on properties protected by Section 4(f) of the US DOT Act, as amended, or Section 106 of the National Historic Preservation Act, as amended;
- There are inconsistencies with any federal, state, or local law requirement or administrative determination relating to the environmental aspects of the project.

Notification of the Opportunity for a Public Hearing

Two Notices of the Opportunity for a Public Hearing will be published in at least one newspaper having substantial circulation in the project area.

The procedure for requesting a Public Hearing will be explained in the notice. The deadline for submission of a request will not be less than 21 days after the date of publication of the first Notice of Opportunity, and not less than 14 days after the date of publication of the second Notice of Opportunity for a Public Hearing.

HIGHWAY PROJECT- DEVELOPMENT- PROCESS PHASES

Overview of the Highway Project -Development- Process Phases

The SHA's federal-aid highway development process consists of four phases:

- Planning that includes Administrative Preliminaries and Project Planning
- Final Design
- Right-of-Way Acquisition
- Construction

Activities that occur in each phase are summarized in the following sections:

Phase I – Planning

Phase I of the Highway Project- Development Process has two parts – Administrative Preliminaries and Project Planning.

Administrative Preliminaries

During Administrative Preliminaries, projects are identified for inclusion in the MDOT's annual CTP, a six-year projection of the MDOT work program. The SHA's Regional and Intermodal Planning Division (RIPD) helps prepare the SHA portion of the CTP through coordination and consultation with local jurisdictions. Administrative Preliminaries end once project priorities are determined and assigned to an Office or Division by the SHA Administrator. Administrative Preliminaries include the following tasks:

Early Planning

Feasibility Studies, Corridor Preservation, or other early planning methods may be undertaken before a project is included in SHA's portion of the CTP. Such methods can link local planning and NEPA (e.g., tiered environmental documents, with the caveat that more detailed NEPA studies and approvals are necessary).

Feasibility studies to identify transportation alignment locations, including consideration of the likelihood for social, economic, cultural, and natural environmental effects, are often completed in consultation with local governments. The results of Feasibility Studies may be incorporated into local master plans and regional planning efforts.

Corridor Preservation, a cooperative planning effort between state and local government agencies, allows for advance property acquisition and access management to protect planned transportation corridors from development. Protecting planned transportation corridors involves the preliminary evaluation and documentation of the possible environmental impacts and/or the potential for controversy. Documentation will note area development trends, traffic patterns, and the relationship of NEPA to access controls and set backs for development, so that right-of-way is available for future transportation purposes.

While important information may be identified during the preceding activities, the detailed NEPA process must still be completed before a specific location or design is approved.

Identification of Candidate Projects

To assist in the identification of candidate projects for inclusion in the CTP, RIPD staff review county local master plans and Metropolitan Planning Organizations' (MPO) long -range plans; use technical information such as travel data, crash statistics, and pavement-condition surveys; study bridge- inspection reports; and obtain input from local jurisdictions. Local and state officials work closely with RIPD to identify long- term transportation needs. Local officials identify local project priorities by submitting a written priority list to SHA and providing input at MDOT's annual fall tour. Due to their statewide function, projects on the primary system are established by SHA and reviewed by county elected officials. Projects on the secondary system are advanced from Long Range Plans to the CTP based on their identification as priorities by state and local elected officials in each county.

Bridge projects may be placed directly in the CTP when structural or safety considerations indicate the need for rehabilitation or replacement.

Project Funding

SHA's Program Development Division staff forecasts anticipated cash-flow needs for a six-year period for the SHA's portion of the CTP. The projected cash needs are used by MDOT to set SHA's six-year dollar allocation and to determine funding- level requests during the budget- submittal process when the budget is reviewed by the state legislature. Authorization and approval of federal and state funds are handled through SHA's Office of Finance. Following the identification of project needs and priorities and the approval of funding, projects are assigned by the SHA Administrator to an Office or Division.

Project Planning

Project Planning consists of Initial and Final Project Planning and is further divided into three stages. The Office of Planning and Preliminary Engineering's (OPPE) Project Management (PMD), Environmental Planning (EPLD), and Travel Forecasting and Analysis (TFAD) divisions are responsible for Project Planning. Preliminary engineering evaluations of alternatives including, as appropriate, multimodal options and the preparation of technical analyses and environmental documentation are undertaken. Project- related public outreach and involvement are initiated, and the project is introduced to federal and state agencies (that may concur at key milestones). Project Planning ends with Location and Design approvals, if a Build Alternative is selected. Activities in these three stages are consistent with SAFETEA-LU.

It is important to note that during Project Planning, preliminary acquisition activities including a title search and preliminary property- map preparation necessary for the

completion of the environmental process can be advanced prior to NEPA clearance for the overall project. Activities that occur during the three stages include the following:

Stage 1

Stage 1, or Initial Project Planning, begins under the leadership of a Project Manager (PM) by notifying the public of a proposed new project and informing relevant federal and state agencies. An initial range of alternatives is identified and environmental inventories are developed. Stage 1 concludes with the identification of the Alternatives Retained for Detailed Study (ARDS). Key activities that occur in this stage include:

Organize Project Teams
The PM leads the Project Planning process and contacts other SHA Offices and Divisions and local governments to identify team members for two related project teams that facilitate the development of an assigned project study. The Core Team conducts day-to-day project activities and has fewer members. The Interdisciplinary Team supports the Core Team and meets at designated major project milestones. When consultants are part of project teams, their roles will be clearly defined.

Public Notification of Project Initiation/ Mailing and Email Lists
The PM and the Environmental Manager (EM), along with the Public Involvement Section of the EPLD, prepare a Project Initiation advertisement/notice that is mailed to residents/property owners and agencies and published in local newspapers with a substantial project-area circulation. The advertisement/notice informs the public that a specific Project Planning study has been initiated and identifies activities that will occur and the contact information for appropriate team members. It includes a request that persons notify the PM so that project- specific mailing and/or email lists can be developed. These lists are then used (and periodically updated) throughout the study.

If an EIS is anticipated, an Initiation Newsletter containing information similar to that of the adverstisement/notice may be mailed. An optional Informational Workshop might also be held to explain the Project Planning process and provide members of the public the opportunity to inform SHA about traffic and safety concerns in the study area (information that could assist in the completion of the Purpose and Need Statement, as consistent with SAFETEA-LU). At this point, planning may begin for the formation of a project Stakeholder Panel. SHA will ensure that this group represents a cross-section of the project area, including EJ populations and LEP communities initially identified during the environmental inventory.

Preliminary Purpose and Need Development
With input from the SHA Interdisciplinary Team, the PM will complete a preliminary Purpose and Need Statement. Data such as existing and future traffic forecast volumes, crash statistics, and land use will be incorporated and any access concerns will be noted. Project needs such as geometric deficiencies, safety concerns, congestion problems, and support for economic development may also be cited.

Preliminary Public Involvement Plan/Coordination Plan Development
After project initiation, a Public Involvement Plan is developed by the Public Involvement Section of the EPLD, the PM, the EM, and the Community Effects Assessment resource person. The plan should take into account knowledge of the project- area issues, note various types of public participation (e.g., establishment of field offices, formal and informal meetings, public notices) and the frequency and objectives of each. Individuals and organizations interested in or affected by the project may be identified, including users of project- area resources; EJ populations; LEP communities; federal, state, and local agencies; and elected officials.

For projects for which an EIS is anticipated, as early as practicable after project initiation the same SHA staff noted above will develop a Coordination Plan that details how the project will be coordinated and acknowledges that development will be done in consultation with environmental/regulatory agencies and the public. The Coordination Plan will also include a schedule for the environmental review process with the agencies. The Public Involvement Plan is an element of the Coordination Plan and, in part, informs the Coordination Plan.

The Public Involvement Section will also work with the SHA Office of Communications for media outreach (e.g., television, radio), as appropriate.

Perform Preliminary Engineering Assessment
Known engineering data (including structures such as bridges) and existing right-of-way limits are confirmed, and existing development is shown on project-area mapping. Issues such as sight- distance, lack of shoulders, curb ramps for persons with disabilities, other ADA and pedestrian/bicyclist issues, and utility locations are investigated. In rural areas, wells and septic- system locations should be highlighted. Other types of engineering data include maintenance-of-traffic assessments, identification of sidewalk locations, driveway access, grades, and other transportation facilities.

Complete the Environmental Inventory
Concurrent with the development of the preliminary Purpose and Need Statement, the EM, working with the Public Involvement Section and the Community Effects Assessment resource person, will use literature searches (e.g., census data) and in-house resources to identify possible human (including EJ populations and LEP communities), natural, and cultural environmental resources as they relate to the potential engineering issues and/or solutions. Census data may be verified by conducting windshield field reviews and specifically coordinating with local agencies, area churches, and schools, consistent with the SHA's Community Effects Assessment Manual, to confirm the presence of EJ populations and LEP communities. This coordination ensures that all area communities receive the project notifications, are kept informed, and remain involved as the study progresses.

Before beginning the field reviews associated with the engineering and environmental inventories, property owners and tenants will be notified by letter, in accordance with the SHA's policy for Notification of Property Owners. These letters provide contact

information and alert the recipients that SHA may be performing field investigations and need to enter onto private property to gather project- related data. The SHA Property Notification System will be used to store information related to specific stipulations concerning entry, consent, or denial. As necessary, SHA will send project information in languages other than English.

When an initial range of preliminary alternatives has been developed, formal contacts with resource and review agencies will be completed by the EM. Social, economic, and land- use data; natural and cultural environmental features and concerns; and contacts with the agencies will be documented in an Environmental Assessment Form (EAF). Relevant data will be provided to the Project Engineer for inclusion on the project mapping.

If an EIS is anticipated, SHA sends FHWA—Delmar Division a project initiation letter informing them that SHA intends to prepare an EIS. Concurrently, the Director or Deputy Director of OPPE may request that the FHWA issue a Notice of Intent (NOI) prior to the Alternatives Public Workshop, announcing in the Federal Register SHA's intent to prepare an EIS for a project. Engineering and environmental inventory items are plotted by the PE on base mapping that will be used to develop the alternatives.

Schedule and Hold Initial Core Team Meeting
Led by the PM, the Core Team will meet to review the development of the preliminary Purpose and Need Statement and alternatives identified in early planning documents (e.g., feasibility studies). At this meeting, the PM and EM may discuss the draft Public Involvement/Coordination plans based on knowledge of the project area.

The project schedule may be revised based on input from the Core Team and presented at the Interdisciplinary Team/Scoping Meeting.

Interdisciplinary Team/Scoping Meeting
A Scoping Meeting with the Interdisciplinary Team, the Deputy Director, and the Directors of OPPE and Highway Design is held to review the project's preliminary Purpose and Need Statement, available traffic data, previous planning studies, roadway functional type, design speed, geometric issues such as access controls, and the reasonable range of preliminary alternatives. Local land-use plans, environmental features and constraints, public- involvement activities, and/or the Coordination Plan (if an EIS is anticipated) will be discussed. Local government input and political factors are also highlighted.

Finalize Purpose and Need Statement
The preliminary Purpose and Need Statement may be revised based on comments received at the Scoping Meeting and from the public (if an EIS is anticipated). The Purpose and Need Statement will be submitted to FHWA for review prior to the Interagency Meeting or field review with the agencies.

Interagency Meeting: Purpose and Need
To ensure early and continuous input, projects will be presented at Interagency Meetings (IM) and field- review meetings with state and federal resource and review agencies. SHA will seek written agency concurrence at various milestones by providing a two-page summary of a specific activity to the agencies at or 30 days before the meeting.

At the initial IM, which is held after the Scoping Meeting, the project's Purpose and Need Statement, the initial environmental features/concerns including Smart Growth, and the parameters for the indirect and cumulative effects (ICE) analysis are presented. Concurrence with the project Purpose and Need Statement may also be requested. If an EIS is anticipated, agency comments regarding the purpose and need and preliminary alternatives will be requested. FHWA/SHA will send letters identifying Participating/Cooperating Agencies to the environmental resource/regulatory agencies.

Note: An Interagency Field Review may be held prior to this first IM to discuss the project purpose and need, view environmental features, and identify concerns that cause the agencies to withhold concurrence.

Identify Initial Range of Preliminary Alternatives
The Core Team, working with relevant Interdisciplinary Team members and in consultation with local, state, and federal agencies, will propose, consider, and develop an initial range of preliminary alternatives and assess maintenance- of- traffic concerns. Reasons for not pursuing any of the suggested initial range of preliminary alternatives are documented. Reasonable alternatives, including the No-Build Alternative and Transportation System Management (TSM)/Transportation Demand Management (TDM) alternatives, will be investigated. For major projects for which an EIS is anticipated and consistent with SAFETEA-LU, opportunities for public and agency input regarding the initial range of alternatives will be provided through newsletters, website postings, and/or optional Informational Workshops and Interagency Meeting/Field Reviews.

Develop Preliminary Alternatives/ Environmental Impacts
Engineering features such as horizontal and vertical alignments, typical sections, and design speeds will be developed for the preliminary alternatives agreed upon at the Scoping Meeting and during discussions with the agencies. General right-of-way requirements will be based on selected key profiles and cross-sections, and footprints of park-and-ride lots or toll plazas will be determined. Engineering traffic and the initial right-of-way and relocation assistance costs will be requested after engineering for the preliminary alternatives has been completed.

The EM identifies the associated environmental effects and completes any required Smart Growth coordination. If necessary, an additional Interagency Meeting or Field Review may be held to describe the alternatives that will be taken to the Alternatives Public Workshop and obtain agency comments/concerns.

Interstate Access Point Approval
Projects involving proposed interstate highway connection(s) or modifications to an interstate require Interstate Access Point Approval (IAPA) from the FHWA, to ensure that the integrity and efficiency of the interstate system are maintained. The PMD will coordinate with FHWA on a project-by-project basis to determine the most appropriate time to request and initiate discussions for this approval.

Director's Review Meeting
This key Interdisciplinary Team meeting with the Director and Deputy Director of OPPE is held to review the preliminary alternatives developed before the Alternatives Public Workshop. At this meeting, the Director is advised about the concerns of the state and federal agencies. Preliminary alternatives, available cost data, and traffic and design issues are discussed, and environmental impacts and avoidance and minimization options are described.

Schedule, Prepare for, Advertise, and Hold Alternatives Public Workshop
A brochure that includes the meeting date and summarizes the project is circulated to the mailing list and placed on the SHA website prior to an Alternatives Public Workshop. As required, the brochure and meeting materials will be prepared in languages other than English, depending on the demographics of the study-area communities.

The Alternatives Public Workshop is held to inform the public about the preliminary alternatives and environmental analyses and to receive input and suggestions regarding additional alternatives to consider for detailed study, especially when an EIS is anticipated. The Alternatives Public Workshop is consistent with SAFETEA-LU, which requires that the public be given the opportunity to provide input on the range of alternatives for a project, the Coordination Plan, and the Schedule. Relevant information provided by the public at this Workshop will become part of the project record.

Select Alternatives for Detailed Study
After the Alternatives Public Workshop, the Interdisciplinary Team will recommend to the Director of OPPE and other senior managers the preliminary alternatives that should be studied in detail and provide a supporting rationale. Public and agency comments, environmental concerns, and engineering including modified or new alternatives will be noted. A concurrence memorandum to the Director of OPPE and either the Director of the Office of Highway Development or Structures will document the meeting discussions.

Stage 2

Stage 2 tasks include notification of elected officials that the project is being advanced to the Final Project Planning stage, consultation with the Director of OPPE, and agency concurrence on the Alternatives Retained for Detailed Study (ARDS). Detailed environmental analyses of the potential social, economic, cultural, and natural environmental impacts and, if necessary, a draft environmental document will be completed. Stage 2 ends when the Administrator identifies the SHA's Preferred Alternative and conceptual mitigation. (Conceptual mitigation is required only when a

project is funded or likely to be funded for design.) Stage 2 activities consist of the following:

Section 8-102 Compliance
To satisfy Section 8-102 of the 1985 Supplement to the Annotated Code of the Public General Laws of Maryland, a letter or memorandum to the Director of OPPE must state that the objectives could not satisfactorily or reasonably be met through:

- Improvements in highway maintenance and safety;
- Safety projects that modify existing highways but provide for minimal relocation or new highway construction;
- Improvements in or adoption of transit alternatives, including mass transit alternatives.

Note: If one of these options were feasible, it would be an alternative and thus would not be included in the letter. Instead, it would be part of the documentation for the project.

Elected Official Notification to Advance to Stage 2
Letter consultation (requirement of Article 8-612) will occur with local and state elected officials, advising them that Stage 1 or Initial Project Planning activities have been completed and Final Project Planning activities will begin.

Environmental Significance or Type of Environmental Documentation
In accordance with NEPA and related regulations, the EM will formally request FHWA concurrence on the classification or type of environmental documentation required at the same time he/she requests concurrence on the ARDS package. The classification or type of environmental documentation is based on how significantly the proposed project will impact the environment.

The environmental classification is not necessarily final and is subject to further consideration as the study progresses. The most significant impacts are documented in an EIS. The EM will send an environmental classification letter to FHWA outlining the level of environmental documentation to be prepared for a project and noting anticipated environmental effects and possible mitigation concepts. If the project warrants an EIS, in most cases the Notice of Intent (NOI) will already have been submitted to FHWA for publication in the Federal Register. An Environmental Assessment (EA) will be recommended to determine the significance of environmental impacts and the appropriate class of environmental documentation. A Categorical Exclusion (CE) will be requested for a project that is excluded from the requirement to prepare an EIS or EA and that does not individually result in a significant environmental impact. This request will indicate whether particular technical environmental analyses will be prepared.

Consistent with SAFETEA-LU, coordination with participating and cooperating agencies will have taken place through the Interagency Meeting process to determine the appropriate methodologies and level of detail required in the project analyses.

Agreement will be obtained from SHA management to determine whether an Opportunity for a Public Hearing notice will be published or whether a Public Hearing must be held. This determination will be included in the letter to FHWA.

Table 1 summarizes the minimum criteria to consider when making Public Hearing determinations.

TABLE 1 Public Hearing Criteria

Environmental Classification	**Meets 23 CFR 771.111**	**Public Hearing Required**
Environmental Impact Statement (EIS)	Yes*	Required
Environmental Assessment (EA)	Yes* No	Required Not Required
Categorical Exclusion (CE)	Yes No	Required** Not Required

* Project requires significant amounts of right-of-way; substantially changes the layout or function of connecting roadways or of the facility being improved; has a substantial adverse impact on abutting property; otherwise has a significant social, economic, environmental, or other effect; or for which FHWA determines that a Public Hearing is in the public interest.

** Project normally classified as CE but involves unusual circumstances such as significant environmental impact; substantial controversy on environmental grounds; significant impact on properties protected by Section 4(f) or Section 106; or inconsistencies with any federal, state, or local law, requirement, or administrative determination relating to the environmental aspects of the project.

Note: Informational or Alternatives Public Workshops are usually held prior to a Public Hearing.

Interagency Meeting: ARDS

At this Interagency Meeting, agency comments received by SHA on the draft ARDS package and a two-page concurrence summary are addressed. The rationale for eliminating preliminary alternatives will be presented. As necessary, the indirect and cumulative effects issues will be identified. A preferred SHA alternative may also be identified.

SHA will request agency concurrence with the ARDS, ask the agencies whether they have questions or comments about the ARDS, and request that they evaluate whether concurrence at future milestones is needed and advise SHA of their determination.

Develop Detailed Alternatives
The PM/PE will complete detailed engineering (expanding upon Stage 1 engineering information), written descriptions of alternatives, and the associated costs for each of the ARDS. Detailed right-of-way and relocation assistance estimates will be obtained. The location of existing and proposed right-of-way lines and the physical features of the facility (such as service roads and possible stormwater management sites) will be shown. Maintenance- of- traffic issues will be studied and options will be developed. If needed, lines of sight will be drawn for historic sites, and minimization options will be considered and developed in consultation with the EM to reduce unavoidable environmental impacts.

The appropriate design divisions will review and comment on the engineering studies.

Detailed Environmental Technical Studies and Report Preparation
Once the mapping is provided and the invasive property-owner contact letters have been mailed, the EM will identify the natural and human environmental impacts (including the indirect and cumulative effects) of the ARDS, including the No-Build Alternative. The EM will request traffic for air- quality and noise analyses and the results will be used by the air- quality and noise analysts.

Minimization options to reduce unavoidable impacts will be identified in consultation with the PM/PE, and mitigation solutions will be suggested and documented. Detailed technical environmental study reports will be completed two to three months before beginning the preparation of the preliminary draft environmental document. Technical environmental studies will be summarized in the draft environmental document, as necessary. The technical reports will be submitted to FHWA at least one month in advance of the draft environmental document. For CEs, selected environmental technical reports may be submitted to FHWA with the Location Approval request.

Begin Design Preliminaries
If SHA identifies a Preferred Alternative prior to and at the Public Hearing, a meeting with the SHA Highway Design Division will be held to discuss engineering and environmental issues, so that design activities can begin.

Prepare and Review Preliminary Draft Environmental Document
The EM will ensure that engineering descriptions for the ARDS, associated mapping, other graphics, and technical environmental report summaries are incorporated into a preliminary draft environmental document. The EM will circulate this document for review and comment by selected Core Team members, FHWA, and cooperating agencies. Participating and Cooperating agencies will also be offered the opportunity to review the preliminary document, especially when it is a Draft EIS.

Finalize and Circulate Draft Environmental Document
Upon receipt of comments regarding the preliminary draft environmental document, the EM, in concert with the PM, will complete all revisions. The EM will submit the revised draft environmental document to FHWA for approval. When signed by FHWA, an

appropriate number of draft documents will be printed and circulated for review and comment to the public and to federal, state, and local agencies. Draft EIS and EA documents will be circulated for 30 days before and 15 days after the Public Hearing. Draft EIS and EA documents will be available at public locations (libraries, community centers, government offices, etc.) in the project area for public review and comment for the time periods mentioned in the preceding sentence.

Note: An EIS must be transmitted to federal agencies no later than the time the document is filed with the EPA for publication of the Notice of Availability of the Draft EIS for review and comment.

Prepare for, Advertise, and Hold Location/Design Public Hearing
Concurrent with the finalization of the draft environmental document, the PM will lead the Core Team in the preparation and review of the Public Hearing materials. This task includes preparation and review of the script, brochure, slide presentation, and general renderings for public review. SHA has developed an internal review process to ensure quality control in the appearance of Public Hearing materials. Notification of Public Hearings will be advertised in newspapers and other media 30 days and again 15 days before the Public Hearing.

A formal Public Hearing (joint with the Corps and/or MDE, if appropriate) is held to summarize for the public the detailed engineering and technical environmental analyses and to receive oral comments. As previously stated, the hearing also provides the opportunity for individuals to have their written views concerning a proposed project placed in the public record. A SHA Preferred Alternative may be identified at the Public Hearing.

Prepare and Display Transcript
A transcript is prepared and submitted to FHWA within eight weeks of the Public Hearing and is displayed in the project area at the same locations as the environmental document. A copy may be sent to the Corps.

Team Recommendation Meetings
The Core Team will evaluate comments received at and after the Public Hearing and analyze and begin responding to comments on the draft environmental document. The Interdisciplinary Team will then meet to identify the recommended alternative. A memorandum summarizing this meeting will be prepared.

Interagency Meeting: SHA's Recommended Alternative
Before the SHA Administrator identifies SHA's Preferred Alternative, an Interagency Meeting will be held to present the Interdisciplinary Team's recommended alternative. (Conceptual mitigation measures will be presented when a project is funded or likely to be funded for design.) SHA's responses to public agency comments on the draft environmental document will be discussed, if appropriate. Agency concerns regarding SHA's recommended alternative will be noted at the Recommendation Meeting with the Administrator.

Recommendation/Concurrence Meeting with the SHA Administrator
A Recommendation Meeting is scheduled with the SHA Administrator and Interdisciplinary Team to discuss the team's recommended alternative for, and the status of, Interstate Access Point Approval, if appropriate. It is expected that the Administrator will concur with the team's recommendation and approve the SHA Preferred Alternative that will be advanced to the next phase. If the No-Build Alternative is approved, the study will end.

Stage 3

Stage 3 begins with agency concurrence on the SHA Preferred Alternative package. When appropriate, a final environmental document is prepared, approved by FHWA, and circulated for public review. Stage 3 ends with the advertisement of Location and Design approvals. Key activities in this stage include:

Interagency Meeting: SHA Preferred Alternative
At this meeting, SHA will inform the agencies of SHA's Preferred Alternative and the associated rationale and request agency concurrence. Concurrence with conceptual mitigation (e.g., for cultural resource effects, noise impacts, and wetlands and Waters of the US) is required only when a project is funded or likely to be funded for design. Concerns that would prevent the agencies from granting concurrence should be addressed.

Prepare and Review Preliminary Final Environmental Document
For major projects, when a build alternative is identified as SHA's Preferred Alternative, a preliminary final environmental document, either a Final EIS or a Finding of No Significant Impact (FONSI), will be prepared and circulated to Core Team members, FHWA, and cooperating agencies for review and comment. The preliminary Final EIS will also be circulated to Participating and Cooperating agencies for review and comment. Project costs, measures to avoid or minimize environmental impacts, and conceptual mitigation measures are discussed. Public Hearing comments are summarized and responses are incorporated into this document. The final document, a Final EIS or FONSI, will include the reasons for not choosing other ARDS in the draft document. A preliminary Record of Decision (ROD) will be transmitted to FHWA with the preliminary Final EIS for submission to the Federal Register.

Complete, Approve, and Circulate Final Environmental Document
When SHA revisions are completed to address FHWA and agency comments regarding the preliminary final document, the final environmental document will be submitted to FHWA. Acceptance of the final document and Location Approval may be requested.

After ensuring that comments on the preliminary final environmental document have been adequately addressed, FHWA will sign the FONSI or Final EIS. Once FHWA approval of the final environmental document is received, the document will be circulated by SHA to the agencies and to groups and individuals who commented on the

draft environmental document. The final environmental document will also be publicly displayed in the project area (in alternative formats or languages, as necessary).

When the effects of the SHA Preferred Alternative are determined not to be significant, FHWA will grant Location Approval by signing a FONSI. However, a FHWA-approved ROD is considered as Location Approval for a Final EIS. FHWA will complete and sign a ROD no sooner than 30 days after publication of the Availability of a Final EIS notice in the Federal Register and local newspapers. In the case of a project classified as a CE, FHWA will grant Location Approval once the Public Hearing transcript has been submitted and approved.

Prepare Design Approval Memorandum and References
The PM or PE will prepare and submit the Design Approval Memorandum and Design Approval References to the appropriate design division for approval at the same time the final environmental document is circulated. It is anticipated that Design Approval will be received in the same time frame as Location Approval.

Advertise Location/Design Approvals
The SHA Administrator grants Design Approval for all projects. The receipt of Location/Design approvals is advertised in the local media and will be sent to the mailing list, sometimes in the form of a newsletter or post card.

Environmental Compliance Checklist
Concurrent with the submission of the final environmental document to FHWA for approval, a preliminary Environmental Compliance Checklist (Checklist) will be completed by the EM in consultation with the PM. The Checklist documents commitments made during Project Planning and are a condition of Location Approval.

A final Checklist will be included in the Design Approval Package and forwarded to Core Team members, FHWA, and the Federal-Aid Programming Section once Location and Design approvals are received. The Checklist will remain with the project as it proceeds through the remaining highway- development- process phases.

Project Planning Close Out
After Location and Design approvals have been advertised, a meeting is held to transfer lead SHA responsibility for the project to the appropriate design division.

Re-evaluations
Environmental re-evaluations or re-evaluation consultations will be prepared consistent with 23 CFR 771.129 and any other agreed- upon FHWA and SHA procedures. All re-evaluations will document public involvement activities. The EPLD will process and distribute any required supplemental environmental document in the same manner as the original environmental document.

After approval of a ROD, FONSI, or CE, a re-evaluation or re-evaluation consultation may be completed at the Preliminary Investigation (PI) and Final Review stages of a

project for the majority of projects, when substantial modifications are made during the Final Design Engineering phase, or upon the completion of additional technical environmental studies. The re-evaluation or re-evaluation consultation establishes whether the approved document or CE remains valid or whether supplemental environmental documentation is needed.

A written re-evaluation of a Draft EIS will be prepared if an acceptable Final EIS is not submitted to FHWA within three years from the date of circulation of the Draft EIS. This re-evaluation will determine whether or not a supplement to the Draft EIS or a new Draft EIS is needed. A written re-evaluation of the Final EIS will be prepared if major steps to advance the project have not occurred within three years after approval of the Final EIS.

A re-evaluation will be prepared when there are substantial changes in environmental regulations or the surrounding environment which may affect the scope of impacts shown in the final environmental document and/or the documented project commitments. The extent of the changes may necessitate completion of technical environmental studies. When there is a substantial change in environmental impact or major changes in engineering design, coordination will be undertaken with FHWA to review the project design and the environmental concerns.

Project Management Plan Development
A Project Management Plan will be prepared before final design of a project to ensure delivery of a major project (a project with an estimated cost of $500 million or more, or as identified by USDOT due to some special interest, while addressing prior Phase I commitments. At a minimum, the Plan may be modified in consultation with FHWA before federal-aid funds for right-of-way acquisition and construction are authorized.

Phase II – Final Design

Highway Design
Projects that have received Location Approval

Final Design begins after receipt of Location/Design approvals, if funding is available, unless a Preferred Alternative was identified during Project Planning. Responsibility for Phase II activities lies with the Office of Highway Development-Highway Design Division, and/or the Office of Structures-Structures Engineering Division. Project Planning commitments and environmental mitigation are critical during this phase. Activities include surveys, permit applications, and preparation and approval of construction plans, specifications, and estimates.

Limited right-of-way acquisition to reduce an individual hardship or to prevent development may take place during Phase I or Phase II. Phase II ends with contract award(s). Key Final Design tasks include the following:

Early Review of Commitments, Issues, and Decisions
The Design PM will meet with the OPPE's PM and EM to review all decisions and engineering and environmental commitments, as it is important to identify and understand how controversial issues were resolved. This will assure that those project elements which the public and agencies believe are essential to the project design are incorporated. The need for design exceptions should be discussed.

Public Involvement
The public outreach will build on the public and agency involvement initiated during Project Planning. A public involvement strategy designed to inform and accommodate the project- area communities could include discussions about access points, landscaping, and traffic- signal locations and ensure that Context Sensitive Solutions are implemented. Periodic Informational Workshops may be held and the circulation of informational newsletters will be coordinated through the Public Involvement Section of the EPLD for scheduling and logistics. Results of ongoing discussions with the public and agencies will be documented in the re-evaluation.

Pre-Preliminary Field Investigation Activities
The project is prepared for the highway Preliminary Field Investigation (PI) and for bridge pre-Type, Size, and Location (TS&L) and other types of structures. Stormwater management sites are investigated. Semi-final hydraulics studies are developed for stream crossings and floodplain encroachments. Survey data and design traffic updates are requested, as well as preliminary soils and utility data. Interchange studies are refined and maps are prepared to obtain geometric approval of the concepts.

Interagency Meeting: Avoidance, Minimization, and Mitigation
The SHA Design PM, in coordination with the Office of Environmental Design-Environmental Programs Division, may schedule an IM to discuss additional wetland and Waters of the US avoidance and minimization efforts, if necessary. Mitigation approaches for wetlands and other environmental resources (e.g., publicly owned public parks and historic and archeological resources) will be noted.

Preliminary Field Investigation
An Interdisciplinary Field Meeting will be held to review the PI plans and make adjustments to the engineering plans, if required.

Permit Applications
The Highway Design Division or Structures Engineering Division, in consultation with the Environmental Programs Division, will prepare and submit permit applications (including, but not limited to, Section 404 for impacts to wetlands and Waters of the US, for waterway construction, stormwater management, or sediment and erosion control) to federal and state agencies for review and approval.

Interagency field reviews will be scheduled by the Environmental Programs Division, as appropriate. Additional avoidance and minimization options or mitigation measures will

be discussed with the relevant agencies, documented by the appropriate design division, and reflected in the re-evaluations.

Note: EJ populations or LEP community issues may also be of concern to the Corps or MDE, if wetlands or Waters of the US are impacted.

Final Review
Activities (geophysical surveys, foundation borings, pile driving tests, reports, etc.) to complete contract plans and prepare quantities, special provisions and cost estimates will be undertaken. All necessary agreements will be prepared. A Final Review Meeting will be held to ensure that key aspects of the project have been addressed. Re-evaluations will be completed, as necessary.

Plans, Specifications, and Estimates (PS&E) Submittal to FHWA
The PS&E submission to the FHWA will include engineering and environmental commitments shown in the environmental documentation, the clear right-of-way certificate, and any other information needed for approval prior to construction. A request for federal authorization for construction will also be submitted.

Advertisement/Award
After an advertisement date for bids is established, SHA, through the Office of the Secretary, will notify contractors that they may submit sealed proposals for the construction. This advertisement is published for at least two weeks in one or more newspapers in each county in which the project is located; for three consecutive issues and at least one daily newspaper published in Baltimore City; and, at a minimum, in one newspaper with a predominant minority circulation and possibly on the SHA website. Federal regulations require the advertisement of a project for a minimum of three weeks prior to bid opening. If the low responsible bid is acceptable, the project contract is awarded and notice to proceed is given once SHA has received FHWA concurrence.

Minor System Preservation Projects

For projects that have not been processed through Project Planning, the EM will complete environmental inventory, analysis, coordination, and documentation tasks for all state and/or federally funded projects.

MEPA or NEPA approval will be obtained at the conclusion of these tasks. Key activities include:

Project Development Necessary to Assess Environmental Effects
If necessary, alternatives may be developed concurrent with the completion of an environmental inventory within a defined study area, followed by needed analyses.

Public Involvement
Depending on the project type and scope, the Design PM will coordinate with the Public Involvement Section of the EPLD to develop a public involvement strategy that may

include mailings, newspaper advertisements/notices, meetings, etc. Efforts should be taken to ensure that all affected community members, including EJ populations and/or LEP communities, are aware of the project and any associated effects (e.g., access issues, detours).

Environmental Activities Including NEPA Approval
Appropriate NEPA clearance will be obtained from the FHWA or SHA. Environmental documentation will be prepared by the EPLD. Programmatic Categorical Exclusions (PCEs) or CEs will include results of appropriate public involvement and agency coordination. PCEs are approved by SHA (as delegated by FHWA) and CEs are approved by FHWA (after a 30- day review) and constitute Location Approval for the projects.

Structures Design Projects

- Structure improvements that are elements of highway projects which received Location Approval:

Structure improvements that are part of highway projects that received Phase I Location Approval follow the process summarized for Final Design projects on pages 21-23.

- Individual (stand- alone) structure projects:

When constructed, these projects do not need any other highway improvements to be able to function. They involve the following tasks:

Preliminary Engineering to Determine Environmental Impacts
Sufficient engineering, including avoidance or minimization options for Section 4(f) resources and permit needs, will be developed to identify reasonable and cost-effective alternatives and assess potential environmental impacts. Traffic data and crash statistics will be requested, as needed. If an historic bridge is involved, avoidance, minimization, and rehabilitation alternatives that maintain the historic integrity of the structure/bridge will be developed.

Environmental Studies
Mapping showing the proposed project alternatives and any options that were developed will be provided to the EM. The EM will complete the environmental inventories and analyses, including Section 4 (f) analyses, if required, by working with the Structures Engineering Division PM. Coordination with appropriate review and permit agencies will be undertaken. Appropriate NEPA clearance will be obtained by the EPLD prior to completion of the preceding efforts.

Public Involvement
Public involvement will be undertaken if there are proposed travel detours, reductions in traffic capacity, road closures, or any other public concerns. Public involvement could include public workshops, public notices, newspaper advertisements, mailings, and website postings during project development and prior to construction.

Preparation, Review, and Approval of NEPA Document
Before Final Design, Right-of-Way, or Construction proceeds, documentation will be prepared by the EPLD and reviewed and approved by FHWA (CE) or SHA (PCE). The environmental documentation will show evidence of consultation with resource and permit agencies (e.g., the Corps, MDE, and the Coast Guard) and the public regarding pertinent impacts, detours, or road closures.

Phase III – Right-of-Way

Right-of-Way and Relocation Assistance activities are the responsibility of the Office of Real Estate. During this phase, most of the required project right-of-way is obtained and relocation activities occur. Right-of-way estimates are finalized and relocation plans are developed. Property owners impacted by a project are advised of their rights, and mitigation sites for project impacts are acquired. This phase frequently overlaps with Phase II. Key tasks include:

Relocation Assistance Plan
Relocation Assistance Plans and right-of-way estimates prepared during Phase I for the SHA Preferred Alternative will be updated. If required, Housing of Last Resort needs will be identified. The Office of Real Estate will determine whether there are sufficient housing and business opportunities in the project area to relocate all residential and business displacements resulting from the construction of a project. Appraisals of required property, residential and commercial, will be completed.

Public Outreach
As soon as feasible, all residential and business owners affected or to be displaced will be notified and advised of their rights and entitlements. Commitments agreed upon in earlier project-development phases should inform the development and implementation of final relocation plans, so that meetings with property owners are not contentious. The Office of Equal Opportunity may assist in this effort when EJ populations and/or LEP communities are affected.

Federal agencies, such as the National Park Service, will be consulted when their property is needed for a transportation improvement. The SHA can/will file an application with FHWA or the federal agency that owns the land if the state has any interest in transferring lands or interests that are owned by the US government.

Appraisal and Acquisition of Property
The Office of Real Estate will handle the property appraisals in accordance with 49 CFR 24 (Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs) and the acquisition of property, such as replacement of parklands, wetland mitigation sites, and mitigation sites for impacts to historic and archeological resources.

Coordination with the EPLD's Cultural Resources Section will be undertaken to ensure that historic and/or archeological sites are not used for borrow sites or other types of mitigation during the Final Design Engineering or Construction phases.

Right-of -Way Acquisition/Clear Right-of-Way for Construction
Right-of-way acquisition is initiated shortly after PI during Final Design as design engineering information and right-of-way plats are developed. Hardship and protective acquisitions may be advanced during Phase I activities, subject to federal regulations [23 CFR 710, 501 and 503]. Right-of-way acquisition and relocation assistance will be accomplished prior to the Construction phase and a clear right-of-way certificate will be issued and provided to FHWA.

A request to use federal funds for right-of-way acquisition before NEPA clearance is authorized (i.e., Early Acquisition, Protective Buying, and Hardship Acquisition) requires prior FHWA approval. All other requests for federal funds for right-of-way acquisition must be done in accordance with the normal project- development process, which requires acquisition to occur after NEPA clearance has been given and will also require the SHA to obtain approval before commencing acquisition activities.

Additional information regarding the regulations governing real- estate activities can be obtained from the Office of Real Estate.

Phase IV – Construction

The appropriate SHA District Engineer and the Office of Construction are responsible for this phase. Construction tasks include the advertisement and award of a construction contract, maintenance of traffic, and public outreach. This phase ends with project acceptance. Key activities include:

Notice to Proceed
In addition to the award of the construction contract, the Office of Construction will issue a notice to proceed to the selected contractor, stipulating the date on or before which the contractor shall begin work.

Construction Management/Public Outreach
Effective construction management to ensure quality and uniform construction techniques, and maintenance of traffic are essential during the Construction phase. Keeping businesses and the public informed (through website updates, community or business association meetings, etc.) of current and future construction activities, such as work affecting parking and sidewalks, and planned traffic detours. It is important to minimize economic hardships to commercial areas and employment centers, and to allow the public to make informed decisions on their travel patterns and times. Special efforts (e.g., notices to minority media or in languages other than English) are used to inform EJ populations and LEP communities of construction activities.

Office of Construction Reviews
In addition to construction management, the Office of Construction handles contract processing, performs periodic inspection reviews of the construction process to determine compliance with the contract documents, and supports the District by assuring adherence to construction techniques (e.g., job- site safety) that meet federal and state standards.

Administration of Contracts
Administration and management of the construction contract are performed by the District Engineer (DE) and the Office of Construction's Regional Construction Engineers. This responsibility includes approving change orders and monitoring the contract for conformance to environmental commitments, permit requirements, construction specifications, state and federal safety requirements and laws; American Association of State Highway and Transportation Officials (AASHTO) safety standards; federal law; and federal-aid contract provisions. In cooperation with the Office of Equal Opportunity, the DE monitors the contractor's operations to ensure compliance with Equal Employment Opportunity, Disadvantaged Business Enterprise, and training requirements.

FHWA Monitoring Program
FHWA will evaluate the quality and progress of work, promote work- zone safety, and ensure project completion consistent with approved plans, specifications, changes, and the Stewardship Agreement.

Project Acceptance
Once construction is completed, SHA holds a final inspection and invites FHWA to attend on full-oversight projects prior to acceptance for maintenance. SHA and FHWA may jointly inspect the project.

The Appendix includes a chart highlighting agency and public- involvement activities in the highway project- development process.

FEDERAL-AID PROCEDURES FOR LOCAL GOVERNMENTS

All local governments desiring to use federal funds must comply with federal and state environmental regulations and procedures to satisfy NEPA and related environmental requirements. Local governments will follow SHA's written procedures which specify approvals, review and oversight practices and undertake the following key activities:

<u>Local Government Consultation with SHA</u>

Local government agencies must submit project information to SHA's Federal-Aid Programming Section (FAPS). Such information may include, but is not limited to, the Form 42/25C, project description, alternatives mapping, environmental effects, and evidence of agency and public coordination.

Emphasis is placed on the documentation of consultation with agencies, such as the Corps and DNR, and evidence of public outreach and input via meetings, newsletters,

public notices, etc. There should also be proof of coordination with emergency- services providers and school- bus officials, if there will be a detour associated with the project.

FAPS recently issued revised Local Government NEPA Guidance to assist local government agencies seeking to use federal funds for projects. FAPS will forward the local agency information to SHA's EPLD. The EM will review the information for accuracy and completeness prior to submission to FHWA for approval and ensure that NEPA requirements are adequately addressed.

SHA Contact with FHWA

It is a federal requirement that coordination between FHWA and the local government must be through the SHA. Therefore, the EM must be aware of local concerns and issues and constantly communicate with the local government representative. If necessary, FAPS may schedule a meeting with the local government staff and the EM.

The local agency will submit documentation showing engineering efforts, the evaluation of environmental impacts, and initial public notification and outreach efforts, such as meetings with elected officials, businesses, and the general public, including EJ populations and/or LEP communities. Any additional public outreach should also be noted, especially evidence (written documentation and sign-in sheets) of meetings with EJ populations and LEP communities. To assist the local agency, the SHA's EM may review and approve the local government's public- involvement concept. Copies of public- meeting minutes, fliers, and newspaper advertisements must be submitted to SHA to verify that the meetings were held.

SHA's EM will submit all materials, on behalf of the local agency, to obtain NEPA approval from FHWA so that engineering and environmental analyses can be conducted.

Federal Funds for Preliminary Engineering and Environmental Analyses

If federal funds are being requested for Preliminary Engineering, the EPLD will prepare a PCE on behalf of the local government and submit the PCE to FAPS. Final Design cannot be completed until the PCE is approved by SHA or, in some instances, until the Section 4(f) documentation and CE for Construction are approved by FHWA.

Federal Funds for Final Design Engineering, Right-of-Way, or Construction

In order to use federal funds for Final Design Engineering, Right-of-Way Acquisition, or Construction, the local agency must submit documentation to FAPS in the form of an approved PCE or CE (obtained via SHA's EPLD). This documentation must include evidence of coordination with agencies, such as the Corps and MDE, for wetland and Waters of the US impacts, or the MD Historical Trust regarding impacts to historic standing structures or archeological resources.

FAPS and the Office of Real Estate are responsible for monitoring the local agency's right-of-way activities and certifying compliance with FHWA requirements. Right-of-Way Acquisition with federal funds cannot occur until the PCE or CE has been approved.

For additional information on the environmental procedures and requirements, local government agencies should contact the EPLD.

PROCEDURES FOR STATE- FUNDED PROJECTS

Projects developed using only State funds will generally follow the same engineering and environmental processes used for federal-aid project development. However, the documentation types are different and must meet Maryland Environmental Policy Act (MEPA) requirements and be approved by SHA.

Types of MEPA Documentation

Projects, such as system preservation and other minor projects, as listed in the MEPA regulations, are generally exempt from the MEPA reporting requirements. However, an Environmental Assessment Form (EAF) will be completed for each project, including coordination with appropriate environmental agencies. Explanations will be provided for relevant items on the EAF.

An EAF Report will be prepared for proposed actions that do not clearly require the preparation of an Environmental Effects Report (EER).

For projects that may have more substantial environmental impacts, draft and final EERs will be prepared.

Public Involvement

Public involvement is the same as for the federal NEPA process (e.g., mailing list, newsletters, websites, public notices, Public Informational Workshops or Public Hearings). The type of public involvement will depend upon the severity of environmental impacts associated with the detailed alternatives and the input received from the resource and permit agencies. Projects that require the preparation of an EER are likely to warrant a Public Hearing or Informational Workshop.

GLOSSARY

Access Control – the restriction of entry and exit from a highway to designated points or sections.

Categorical Exclusion (CE) – a federally funded action or project that does not individually or cumulatively have a significant environmental impact and is excluded from the requirement to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS). Written documentation is provided to the FHWA in a letter to demonstrate that the project has no significant impacts. Certain types of CEs may be approved by SHA under delegated authority and are known as Programmatic CEs.

Community Effects Assessment (CEA) – a process to identify and document the concerns of and possible impacts on communities and neighborhoods, their facilities and services in the vicinity of a proposed project or alternatives. The report is similar to or part of the 'Socio-economic and Land Use' section of environmental documentation; aspects (e.g., Environmental Justice) are closely integrated with public- involvement efforts.

Consolidated Transportation Program (CTP) – the MD Department of Transportation's capital programming document that shows all transportation agencies' projects funded for the current fiscal year and for five fiscal years in the future.

Constrained Long Range Plan (CLRP) – a long- term, fiscally constrained transportation plan that incorporates all modal facilities in a metropolitan area. The transportation facilities included function as an integrated system and need improvement within at least a 20- year planning period. This CLRP is prepared by a Metropolitan Planning Organization and is required to be updated every three to five years.

Context Sensitive Solutions or Design – a process that encourages early, continuous, and meaningful public involvement in order to develop a transportation project that fits its physical setting while preserving, to the extent possible, scenic, aesthetic, historic and environmental resources, while also addressing the project Purpose and Need.

Coordination Plan – for projects for which an EIS is anticipated, a plan required to be developed early in the environmental review process for arranging public and agency participation in the environmental process.

Cooperating Agency – under the CEQ regulations, any federal agency other than a lead agency that has jurisdiction by law or special expertise with respect to an environmental impact for a proposed project. Such agencies participate in the NEPA process at the request of the lead federal agency and may be responsible for developing information or preparing environmental analyses. A Cooperating Agency may also adopt without re-circulating the EIS of a lead agency when, after independent review, it concludes that its comments and suggestions have been satisfied.

Core Team – normally consists of the Project Manager, Project Engineer, Environmental Manager, Travel Forecaster, a Public Involvement Section representative, and the Regional Planner from the Office of Planning and Preliminary Engineering. At the request of the Project Manager, this team meets more often than the full project Interdisciplinary Team to handle day-to-day project issues. When consultants are part of the Core Team, their roles will be clearly defined.

Corridor Preservation – a method used to protect the right-of-way for planned transportation facilities; it is generally a cooperative planning effort between state and local agencies. Methods such as advance property acquisition, fee-simple acquisition, and access management may be used to protect planned transportation corridors from development.

Council on Environmental Quality (CEQ) – part of the Executive Office of the President, ensures that federal agencies fulfill their duties under the National Environmental Policy Act (NEPA) primarily by issuing regulations that interpret the procedural requirements of NEPA; also coordinates environmental issues among federal agencies and helps resolve disputes between federal agencies and with the public and other governmental agencies.

Cumulative Effects – environmental effects which result from the incremental impact of a proposed alternative or action when added to other past, present, and reasonably foreseeable actions, regardless of which agency or person undertakes the action.

Design Approval Memorandum – defines the design features associated with a selected (SHA preferred) alternative and the elements that conform to state and federally recognized criteria, and identifies any design exceptions required. Approval of this memorandum by SHA management constitutes Design Approval and indicates acceptance of design features described for use in preparation of construction plans.

Design Study Report – a SHA report which includes the design elements of a project such as design standards, number of traffic lanes, any access control features, general horizontal and vertical roadway alignment or geometry, typical roadway cross-sections, right-of-way requirements, the locations of bridges, and any other structures and interchanges. Design drawings for which Design Approval is requested are part of this report.

Environmental Assessment (EA) – a federal NEPA document prepared for actions or proposed projects to determine the significance of the environmental impact and the appropriate class of environmental documentation required; that is, whether to prepare an EIS or FONSI. This document is made available to interested members of the public.

Environmental Assessment Form (EAF) – a checklist form of 47 questions covering a broad range of environmental concerns (natural and human), required consistent with MDOT regulations. The purpose of an EAF is to help the user identify the environmental

concerns associated with a proposal. It is prepared for all projects regardless of funding source, prior to the Scoping Meeting.

For all state-funded actions or projects, the EAF is the class of environmental documentation when the proposal's environmental effects do not require the preparation of an Environmental Effects Report.

Environmental Effects Report (EER) – a report prepared on state-funded projects which is equivalent to a federal EIS. An EER is prepared in draft and final editions when the results of the completed EAF indicate that analysis of significant human and natural environmental impacts is necessary.

Environmental Impact Statement (EIS) – a federal NEPA document prepared for actions or proposed projects that significantly affect the environment. It is made available to the public. Examples of actions that would normally require an EIS are a new controlled access freeway or a highway of four or more lanes on a new location.

Environmental Review Process – the process followed when preparing documentation consistent with federal NEPA regulations for a transportation project; also includes the process for compliance with and completion of any environmental permit, approval, review, or study required for the project under any federal law other than NEPA.

Express Toll Lane (ETL) – a lane or lanes designated for drivers paying a toll. ETLs give drivers the option to use separate, relatively free- flowing highway lanes. General-purpose and toll lanes can exist in the same corridor. Tolls are collected electronically without the need for toll booths and can vary between rush hours and non-rush hours, based on levels of congestion.

Federal Highway Administration (FHWA) – the federal agency which is part of the US Department of Transportation responsible for providing the federal highway program authorized by statue (Title 49 of US Code and Title 23).

Finding of No Significant Impact (FONSI) – a final environmental document prepared under NEPA for actions or projects that will not result in significant effects on the environment; usually follows the preparation of an EA. It includes a summary of the EA, discusses the selected (SHA Preferred) alternative and provides reasons that the conclusion has been reached that there are no anticipated significant environmental effects that will occur as the result of a proposed project. This document is made available to the public near the end of Project Planning.

High Occupancy Vehicle – commonly, a vehicle that carries more than one passenger.

High Occupancy Vehicle Lane –a lane usually reserved for vehicles with two or more passengers (sometimes hybrid vehicles). Such lanes should move more people per lane at higher speeds while moving fewer vehicles and reducing highway congestion. Single-

occupant vehicles and trucks are not permitted to use these lanes, which are also known as carpool lanes, commuter lanes, diamond lanes, and transit lanes.

Indirect Effect –an effect caused by a proposed alternative or action which occurs later in time or is father removed in distance, but is still reasonably foreseeable; sometimes called secondary effect.

Interagency Meeting (IM) – an SHA forum established to provide an opportunity for federal and state (and sometimes local) agencies to discuss and resolve project- related issues and/or to fulfill federal scoping requirements. These meetings facilitate cooperation in developing alternatives that minimize environmental impacts. In instances when impacts cannot be avoided, these meetings support the development of mitigation measures. Discussion issues are formally summarized to document agency input.

Interdisciplinary Team – consists of representatives from offices and divisions within SHA, FHWA, and, when necessary, the MD Transit and Federal Transit Administrations and the MD Transportation Authority. The team also includes staff members from local government planning and public works agencies. The Interdisciplinary Team supports the Core Team and meets at designated major project milestones.

Interstate Access Point Approval (IAPA) – the process and documentation required by FHWA when a state proposes to revise or change access along an interstate highway. The approval request must show that existing access can no longer adequately serve regional traffic and demonstrate that the access revisions will not adversely impact the integrity of traffic operations on the interstate system.

Location Approval – formal FHWA or delegated SHA acceptance of an alternative or alternatives, including permit actions, for construction within a defined geographic area.

Location/Design Public Hearing – sometimes called Public Hearing; it is a formal meeting that occurs after the completion and summarization of detailed engineering and environmental analyses in appropriate NEPA documentation. Usually a number of alternatives and associated environmental impacts are presented to the public before SHA commits to a preferred alternative. Relocation Assistance information is presented, as well as a discussion of non-discrimination. This meeting provides an opportunity for public input and for the public to obtain project information. It is documented with a transcript that is sent to FHWA.

Major Project – an action or project on new location for substantial distance that usually involves the study of several alternatives; may include interchanges, other access controls, and transit or high- occupancy- vehicle options.

Maryland Department of Transportation (MDOT) –the department established in the early 1970s to consolidate all state agencies related to transportation under one umbrella agency within the governor's cabinet.

Maryland Environmental Policy Act (MEPA) – a state law that requires state agencies to balance economic development and environmental quality by considering the effects of proposed actions or projects.

Metes and Bounds – the measurement (surveying) of property boundaries.

Metropolitan Planning Organization (MPO) – a group of local government representatives in urbanized areas with a population greater than 50,000 that is responsible for developing, in cooperation with the MDOT, a long- range transportation plan and a transportation- improvement program (TIP) for an area.

Minor Project – improvement to an existing facility; it may consist of, but is not limited to, adding auxiliary lanes, replacing existing structures, installing traffic control devices or streetscapes, or correcting substandard curves.

Multimodal – the combination of two or more types of transportation modes, e.g., highway and light rail.

National Environmental Policy Act – a 1970 federal law for protecting the environment. It requires that when federal agencies pursue projects, everything possible must be done to protect and enhance the human and natural environment. An environmental study must be performed and the information made available to public officials and citizens before a decision is made.

National Highway System (NHS) – the federally mandated system of highway routes that are of national or regional significance.

National Historic Preservation Act (NHPA) – a federal law that protects standing historic structures and archeological sites and requires the evaluation of impacts to the same for federal- government- funded construction projects; created the National Register of Historic Places, a list of National Historic Landmarks, and the position of State Historic Preservation Officer. All federal-aid projects must specifically comply with Section 106 of the NHPA.

Notice of Intent – part of the federal process for EISs, this notice is published in the Federal Register. It provides basic information about a proposed project, including possible alternatives and ways in which the public can be involved in the development of the project.

Office of Planning and Preliminary Engineering (OPPE) – the SHA office responsible for oversight of coordination with local government agencies, preliminary engineering activities, and obtaining federal and state environmental clearances for projects.

Oversight – responsibility of FHWA to ensure that the federal highway program is delivered consistent with applicable laws, regulations, and policies; includes verification activities such as process review, program evaluations, program management and project

involvement activities, technical assistance, technology deployment, performance measurement, and sharing of best practices.

Participating Agency – consistent with SAFETEA-LU, a federal, state, or local agency with an interest in a project; these agencies are invited to participate in the environmental review process including, but not limited to, Purpose and Need development and the identification of the range of alternatives, methodologies, and level of analysis detail for a federal-aid project; such an agency is responsible for identifying as early as practicable issues regarding a project's potential environmental impacts that could delay or prevent an agency from granting a permit or other approval needed for a project.

Preliminary Field Investigation (PI) – a SHA interdisciplinary field review meeting that occurs in the Design Engineering phase to review the proposed design features of a project. It occurs when Design Engineering is approximately 30-35% complete.

Programmatic Categorical Exclusion (PCE) – a type of CE which is approved by SHA under delegated authority from the FHWA.

Project Management Plan – a guide, mandated under SAFETEA-LU, which helps the delivery team for a major project (estimated total cost of $500 million or more or as defined by US DOT) maintain focus in delivering the project.

Public – consists of persons in the project area and those located adjacent to it who use project- area resources; community organizations; elected officials and federal, state, and local government agencies; persons or businesses directly or indirectly affected; and others interested in a proposed transportation improvement or project.

Public Hearing – see Location/Design Public Hearing.

Public Interest Area – consists of residents likely to be directly or indirectly impacted by a proposed project or likely to have a strong interest in it.

Public Involvement Plan – a document that discusses project- specific public outreach and involvement methods.

Purpose and Need – a statement of the reasons for a proposed project and the objectives it is intended to achieve; supported by current, accurate, and relevant data that facilitates an understanding of transportation conditions and may require concurrence or comments from federal and state agencies.

Record of Decision (ROD) – a formal federal document which publicly presents the rationale for a selected (SHA Preferred) alternative shown in a Final EIS. It describes the mitigation and discusses whether the project was developed consistent with NEPA requirements and is a means for obtaining Location Approval.

Re-evaluation –a formal written document or consultative NEPA process to assess whether supplemental or new environmental documentation is needed as the result of engineering modifications, new environmental impacts, or passage of time after initial project approvals are received.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) – a federal law approved in 2005 that allocated funding for highway and transit transportation projects and regions and created a new and improved environmental- review process. Funding was authorized through 2009and has been extended through supplemental authorizations.

Scoping – a NEPA process for identifying project-related issues that should be addressed, such as determining lead, cooperating, and participating agency contacts and responsibilities, and for making recommendations on environmental review and public-information needs.

Section 4(f) Resources – publicly owned public parkland, recreational area, or wildlife and waterfowl refuges of national, state, or local significance as determined by the official having jurisdiction; or any historic property listed on or eligible for the National Register of Historic Places.

Section 106 – a section of the National Historic Preservation Act of 1966 which requires federal agencies to identify and evaluate the impact of their action on historic properties eligible for or listed on the National Register of Historic Places.

Smart Growth – MD laws, Executive Orders, and initiatives (1992 Economic Growth, Resource Protection and Planning Act, 1997 Smart Growth and Neighborhood Conservation Initiative, 1998 Executive Order to establish Smart Growth Policy for state government agencies, 2003 Executive Order for the Priority Places Program, 2008 Smart Green and Growing Initiative) governing growth, the protection of rural areas by limiting sprawl development, the revitalization of older urban areas, and the preservation of the Chesapeake Bay.

State Highway Administration (SHA) – an agency within the MDOT that deals with highway- related improvements and highway safety issues.

Stewardship – FHWA's management of public funds as part of the agency's responsibility to develop and implement the federal highway program.

Stewardship and Oversight Agreement – a document developed between SHA and FHWA, DelMar Division; identifies approvals that are SHA's responsibility and FHWA's oversight responsibilities in the delivery of federal-aid projects and programs.

Study Area – within a general project boundary, it consists of citizens or residents adjacent or in close proximity to the alternatives being considered.

Tiering – consistent with NEPA and the CEQ regulations, refers to the discussion of general concerns in broader (first tier) EISs with subsequent more site- specific environmental documentation which references the general discussions included in the first tier.

Transportation Improvement Program (TIP) – a multi-year program of transportation improvements in an urbanized area which includes an annual element.

Transportation System Management (TSM) – an alternative that helps decrease traffic demand on a highway system (e.g., adding turning lanes, coordinating traffic signals).

23 CFR 771.111 – a US Department of Transportation regulation which defines requirements for public involvement and public hearings, including agency coordination, as part of project-development procedures.

Type, Size, and Location (TS&L) – occurs for SHA bridge projects when construction plans are approximately 30-35% complete.

APPENDIX- Public and Agency Involvement during Highway Project Development

Phase I	**Administrative Preliminaries**
	Early Planning: state and local agencies to protect transportation corridors
	Inclusion of candidate project in CTP
	CTP presentation to State Legislature
	Project Planning
	Stage 1 – Project initiation notice publication and mailing list; if
	EIS seek public input re: P & N, alternatives, etc.
	Optional: Planning for Stakeholder Panel, include EJ and LEP
	Initiate Property- Owner Contact Process
	Interagency Meeting: P&N
	Agency field review/meeting
	Mail brochure and/or newsletters for Alternatives Public Workshop
	Hold Informational Workshop/Alternatives Public Workshop
	Stage 2 – Elected Official Notification to Advance to Stage 2
	Interagency Meeting: ARDS
	Request FHWA concurrence re: project environmental classification
	Ensure publication of Notice of Intent if EIS
	Agency review of preliminary Draft Environmental Document
	FHWA approval of and SHA circulation of Draft Environmental Document
	Ensure preparation of Notice of Intent if EIS
	Mail brochure/newsletter for Public Hearing
	Advertise and hold Public Hearing
	Forward to FHWA and display Public Hearing transcript
	Interagency Meeting: Recommended Alternative
	Stage 3 – Interagency Meeting: SHA Preferred Alternative
	Preparation of and Agency Review of preliminary Final Environ. Doc.
	FHWA Approval of and circulation of Final Environmental Document
	Publish Notice of Availability and ROD if Final EIS
	Advertise Location/Design Approval
Phase II	**Final Design**
	Public involvement re: community impacts including EJ and LEP
	Interagency Meeting: Avoidance, Minimization , and Mitigation
	Permit Application/ Agency Field Reviews
	Advertise/Award Construction Contracts
Phase III	**Relocation and Right-of-Way**
	Public Outreach to notify public of rights and entitlements, with
	assistance of Office of Equal Opportunity if EJ and LEP affected
	Option: Hardship and Protective Acquisition can occur in
	Phases I & II
Phase IV	**Construction**
	Construction Management/Public Outreach re: effects on parking,
	sidewalks, detours, road closings, etc.
	District Office Administration of Contracts; focus on commitments
	in Environmental Document, permit requirements