




U.S. Department
of Transportation
**Federal Highway
Administration**


Office of the Administrator

1200 New Jersey Ave., SE
Washington, D.C. 20590

March 4, 2013

ACTION MEMORANDUM TO THE SECRETARY

From: Victor M. Mendez, Administrator 
X60650

Through: Polly Trottenberg, Under Secretary for Policy 
X64540

Prepared by: Gloria M. Shepherd
Associate Administrator for Planning, Environment, and Realty
X60116

Subject: Report to Congress on the Status and Progress of Certain Environmental Impact
Statements (EIS) and Environmental Assessments (EA) in each State

ACTION REQUIRED

I have attached for your signature letters to the Committee on Environment and Public Works of the Senate and to the Committee on Transportation and Infrastructure of the House of Representatives, transmitting the report required by Section 1306, Accelerated Decisionmaking, of the Moving Ahead for Progress in the 21st Century Act (MAP-21).

SUMMARY

The MAP-21 Section 1306, Accelerated Decisionmaking, codified as 23 U.S.C. 139(h)(7)(B), establishes a reporting program for the President to report every 120 days on the status and progress of a sample of not less than 5 percent of EISs or EAs in each State, as well as all projects estimated to cost between \$100 million and \$500 million.

The effective date of MAP-21 is October 1, 2012. Since that date, seven EISs or EAs have been initiated that meet the reporting requirements found in 23 U.S.C. 139(h)(7)(B).

BACKGROUND

Section 1306 of MAP-21, Expedient Decisions and Reviews, requires the President to Report to Congress every 120 days on the status and progress of a sample of not less than 5 percent of EISs or EAs in each State, as well as all projects estimated to cost between \$100 million and \$500 million. The President has delegated the responsibility to prepare the report to the Secretary of Transportation.

The Report to Congress was prepared for the Secretary by the Federal Highway Administration, Office of Project Development and Environmental Review with input from the Office of Chief Counsel.

RECOMMENDATION

I recommend that you sign the attached letters transmitting the Report to Congress.

Attachments

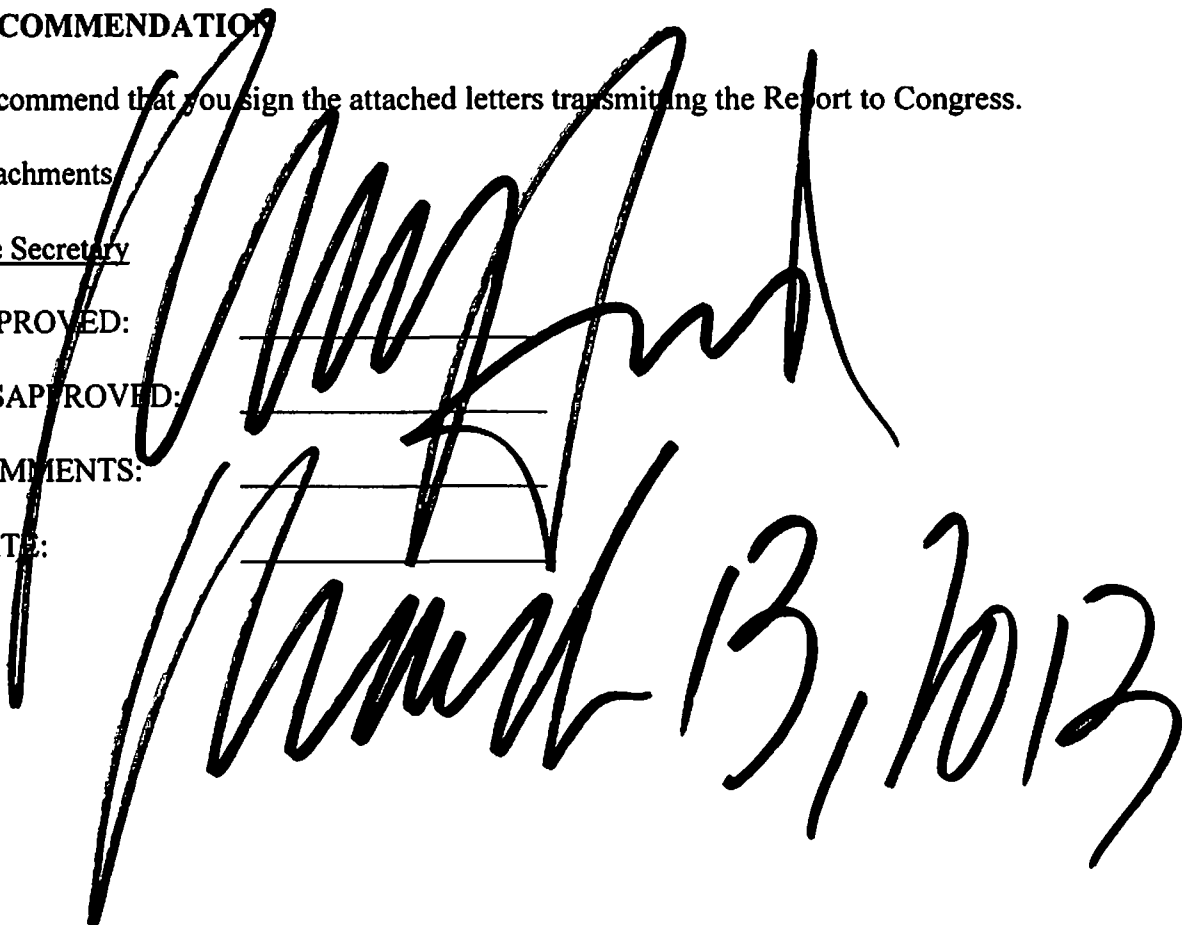
The Secretary

APPROVED: _____

DISAPPROVED: _____

COMMENTS: _____

DATE: _____

A large, bold, handwritten signature in black ink is written over the signature line. Below the signature, the date "March 13, 2013" is written in the same ink. The signature is highly stylized and difficult to read as a name.



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

March 14, 2013

The Honorable Barbara Boxer
Chairman
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Madam Chairman:

The enclosed Report to Congress on the status of certain environmental studies is submitted in accordance with requirements of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Section 1306, Accelerated Decisionmaking. These requirements have been codified at 23 U.S.C. 139(h)(7)(B).

Section 1306, establishes a reporting program for the President to report every 120 days on the status and progress of a sample of not less than 5 percent of Environment Impact Statements (EIS) or Environmental Assessments (EA) in each State, as well as all projects estimated to cost between \$100 million and \$500 million.

The effective date of MAP-21 is October 1, 2012. Since that date, seven EISs or EAs have been initiated that meet the reporting requirements found in 23 U.S.C. 139(h)(7)(B).

Similar letters have been sent to the Ranking Member of the Senate Committee on Environment and Public Works and the Chairman and Ranking Member of the House Committee on Transportation and Infrastructure.

Sincerely yours,

Ray LaHood

Enclosure

A large, stylized handwritten signature in black ink, which appears to be 'Ray LaHood', is written over the typed name and extends across the lower right portion of the page.



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

March 14, 2013

The Honorable David Vitter
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Senator Vitter:

The enclosed Report to Congress on the status of certain environmental studies is submitted in accordance with requirements of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Section 1306, Accelerated Decisionmaking. These requirements have been codified at 23 U.S.C. 139(h)(7)(B).

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The effective date of MAP-21 is October 1, 2012. Since that date, seven EISs or EAs have been initiated that meet the reporting requirements found in 23 U.S.C. 139(h)(7)(B).

Similar letters have been sent to the Chairman of the Senate Committee on Environment and Public Works and the Chairman and Ranking Member of the House Committee on Transportation and Infrastructure.

Sincerely yours,

Ray LaHood

Enclosure



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

March 14, 2013

The Honorable Bill Shuster
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The enclosed Report to Congress on the status of certain environmental studies is submitted in accordance with requirements of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Section 1306, Accelerated Decisionmaking. These requirements have been codified at 23 U.S.C. 139(h)(7)(B).

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Sincerely yours,

Ray LaHood

Enclosure



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

March 14, 2013

The Honorable Nick J. Rahall, II
Ranking Member
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Rahall:

The enclosed Report to Congress on the status of certain environmental studies is submitted in accordance with requirements of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Section 1306, Accelerated Decisionmaking. These requirements have been codified at 23 U.S.C. 139(h)(7)(B).

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Similar letters have been sent to the Chairman of the House Committee on Transportation and Infrastructure and the Chairman and Ranking Member of the Senate Committee on Environment and Public Works.

Sincerely yours,

Ray LaHood

Enclosure

REPORT TO CONGRESS
MAP-21 ACCELERATED DECISIONMAKING
EXPEDIENT DECISIONS AND REVIEWS

Federal Highway Administration

October 1 – December 14, 2012

The Moving Ahead for Progress in the 21st Century Act (MAP-21), Section 1306 “Accelerated Decisionmaking,” amends 23 U.S.C. 139(h) in several parts. 23 U.S.C. 139(h)(7)(B) states that:

“(B) the President shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, not less frequently than once every 120 days after the date of enactment of the MAP-21, a report on the status and progress of the following projects and activities funded under this title with respect to compliance with applicable requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.):

“(i) Projects and activities required to prepare an annual financial plan under section 106(i).
“(ii) A sample of not less than 5 percent of the projects requiring preparation of an environmental impact statement or environmental assessment in each State.”

Introduction

The U.S. Department of Transportation (DOT) Federal Highway Administration (FHWA) has been charged with developing these Reports to Congress. To be consistent with other reporting requirements, the 120 day requirement for the report has been interpreted to mean three times per fiscal year--February 1, June 1, and October 1.

The FHWA has created a database of highway projects for these reports that will include Environmental Impact Statements (EIS) and Environmental Assessments (EA) that have been initiated on or after the effective date of MAP-21, October 1, 2012. The FHWA Headquarters is working with each of the FHWA Division Offices to assure accuracy of reporting.

There are two types of highway project data required to be included in these reports:

1. The status and progress information on projects whose costs will be between \$100 and \$500 million, and require an annual financial plan under 23 U.S.C. 106(i). These financial plans are usually not developed until after the environmental review process has been completed. For the purposes of these reports, FHWA will report on projects that meet the above requirements based on a cost estimate published in a Metropolitan Long Range Plan, a Draft EIS, or an EA.

2. A 5 percent sample from each State of the total number of EISs or EAs initiated on or after October 1, 2012, the effective date of the MAP-21 legislation.

For any State, the requirement is to report “not less than 5 percent” of these projects. Therefore, until a State has initiated at least 20 EAs or EISs after October 1, 2012, the State will be responsible for reporting on one project, when applicable.

The number of EIS and EA projects in this report is limited due to the short reporting period. The number of projects reported should increase with each report.

Status and Progress of Projects

Since October 1, 2012, two EISs have been initiated: the I-10 Corridor Widening project in California and the US 290 project in Texas. For the same time period, five EA projects have been initiated: the US 60/Grand Ave. and Bell Road project in Arizona; the Belle Chase Bridge and Tunnel project in Louisiana; the Killdeer Bypass project in North Dakota; the US 69 bridges project in Missouri; and the Hitchcock Parkway project in South Carolina.

At this time, no project cost estimates have been published for reporting on those projects. Table 1, on the following page, contains the information on these projects.

Table 1: 23 U.S.C. 139(h)(7)(B) EIS or EA Status and Progress

State or Territory	Abbreviation	Type	Name	Start Date*	Status	Progress
Arizona	AZ	EA	US60 / Grand Ave & Bell Road	10/8/2012	Initiated	
California	CA	EIS	I-10 Corridor Widening	10/9/2012	Initiated	
Louisiana	LA	EA	Belle Chase Bridge & Tunnel	10/16/2012	Initiated	
Missouri	MO	EA	US 69 Bridges	10/13/2012	Initiated	
North Dakota	ND	EA	Killdeer Bypass	10/18/2012	Initiated	
South Carolina	SC	EA	Hitchcock Parkway	12/12/2012	Initiated	
Texas	TX	EIS	US 290	10/9/2012	Initiated	

*The EIS initiation date is the day the notice of intent to conduct an EIS is published in the Federal Register. The EA initiation date is the day the FHWA makes a class of action determination on the project.