



U.S. Department of Transportation Federal Transit Administration

Planning for a Transit Facility in Small Urbanized and Rural Areas

*State Programs Team Meeting
Atlanta, GA
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Overview

- Requirements for Transit Facilities
- Enhancing/Developing a specific role for State DOT's
- Selecting Accurate NEPA services
- Real Estate Requirements
- Peer Exchange/Best Practices





Transit Facility Types

- **Transit Operations Support Facilities**
 - Administrative Office Buildings
 - Maintenance Buildings, Garages, Storage Facilities
- **Passenger Amenities Extending Transit into Community, Environment**
 - Intermodal Centers/Multimodal Centers
 - Bus/Rail Transit Stations and Terminals
 - Bus Shelters
 - Park-and-Ride Lots





Planning for a Transit Facility

- MTP/TIP/STIP
- Preliminary Evaluation
- Environmental Documentation
 - Procurement of Services
- Real Estate
 - Uniform Relocation Act
 - Appraisal and Review Appraisal
- Joint Development





Planning for a Transit Facility

- Is the proposed transit facility in a current MTP/TIP/STIP?
- If using FTA funds for *Preliminary Engineering, ROW or construction* include **phase of work** & funding amount (approx) in the TIP/STIP for **correct FY**
- Preliminary Engineering can include NEPA and Design (NOTE: FTA will not award CN of facility unless NEPA is complete)





Planning for a Transit Facility

- Procurement: If you procure consultant services make sure you:
 - advertise & take competitive proposals
 - fair & open procurement
 - document the “how/why” of selection
 - If you procure NEPA services, can the consultant:
 - Document number & types of NEPA projects completed
 - Persons who worked on NEPA projects, &
 - Satisfactory award & Records of Decision (ROD) from FTA
 - Third Party Procurement Circular:
 - http://www.fta.dot.gov/laws/circulars/leg_reg_8641.html





Planning for Transit Operations Support Facilities

- Evaluation of existing facilities:
 - Adequate condition?
 - Suitable for anticipated administrative, maintenance functions?
 - Accommodate future needs?
- Develop criteria for identifying alternative sites
- Identify alternative sites in area based on criteria and availability
- Environmental Site Assessment (Phase I and II) – Hazardous Site Assessment
- Project Staging & Financing Plan





Planning for a Transit Facility

The NEPA Process

- Who determines the class of action?

- Three (3) Main classes of Action
 - Categorical Exclusion or documented Categorical Exclusion
 - Environmental Assessment (EA)
 - Environmental Impact Statement (EIS)

- NEPA documentation/actions must be APPROVED by FTA prior to grant award/construction

- How the State DOT's can assist





Planning for a Transit Facility

Categorical Exclusion (CE)

- CE's are granted for actions that **do not** individually or cumulatively involve significant social, econ. or environ. Impacts
 - 23 C.F.R. 771.117 provides a list of types of projects which are categorically excluded
 - new bus storage & maintenance facilities,
 - Rehab/reconstruction of bus storage & maint. facilities,
 - bus transfer facilities & rail storage facilities &
 - “Hardship” (to the seller) land acquisition, among others
- NOTE: Transit terminal are not automatic CE's
- FTA may require a **documented** CE; ask for checklist from FTA Region IV
 - CE's can result in a higher class of action





Planning for a Transit Facility

- **Environmental Assessment (EA)**
 - FTA may require an EA when the *significance of the environmental impact is not clearly established*
 - (23 C.F.R. 771.119)
 - An open, well documented, public involvement process is essential
- EA can result in either a:
 - *Finding of No Significant Impact (FONSI)* requiring no further environmental evaluation, or
 - identification of potentially significant impacts requiring applicant to conduct Environmental Impact Statement (EIS)
 - *Once FONSI is issued applicant may proceed with project app.*





Planning for a Transit Facility

- **Environmental Impact Statement (EIS)**
- FTA may require an EIS based on the outcome of an EA, special studies or scoping of the project
 - when adverse impacts are or could be significant
 - Special impacts like 4 (f), endangered species, parkland or historic resources/district impacts
- EIS process requires
 - substantial technical analysis
 - public review
 - evaluation of project alternatives
 - ID of potential social, economic & environmental impacts &
 - ways to avoid/mitigate impacts
- Successful completion of EIS results in FTA signing a Record of Decision (ROD)
 - Once FTA has signed a ROD, the applicant can proceed with project





Planning for a Transit Facility

NEPA Resources

http://www.fta.dot.gov/planning/planning_environment_5222.html

CEQ web site & possible NEPA changes:

<http://ceq.eh.doe.gov/ntf/>





REAL ESTATE REQUIREMENTS



Planning for a Transit Facility

- Real Estate (FTA C 5010.D)
- Real property must be acquired, managed, and used in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
 - <http://www.fta.dot.gov/documents/49cfr24fr.pdf>
- FTA Real Estate Resource Website
 - http://www.fta.dot.gov/planning/planning_environment_5937.html





Planning for a Transit Facility

- Real Estate Appraisals
 - Independent appraisal by a certified appraiser
 - Review appraisal of the initial appraisal
- FTA must review and concur in appraisals and review appraisals for acquisitions over \$500,000 or in-kind contributions of any value before Federal funds are expended, or the value is used as local match.





Planning for a Transit Facility

- Real Estate & Earmark Funds
 - Purchase of property with earmark funds by a grantee that has ***not completed*** numerous Federal actions is **not allowed**.
 - Grantees can't purchase property with earmarks ***without*** completing NEPA, appraisal & Uniform Act requirements
 - Grantees may be risking a lapsing earmark or the possible future use of Federal funds!





Planning for a Transit Facility

- **Joint Development**

- It involves the common use of property for transit and non-transit purposes.
- It is often project specific, taking place on, above, or adjacent to transit agency property.
- The most common joint development arrangements are ground leases and operation-cost sharing

http://www.fta.dot.gov/laws/circulars/leg_reg_8640.html





Planning for a Transit Facility

- The FTA approval process for joint developments ensures that a proposed project meets the definition of a capital project, is the highest and best transit use, and provides a fair share of revenue for public transit.
- Joint Development Approval Process:
 1. Grantee submits proposal to FTA Region with Joint Development checklist
 2. Region staff reviews
 3. If the proposal is a straightforward, Region approves
 4. If there are difficult or first impression issues, Region consults with Headquarters Joint Development resource staff
 5. HQ and Region agree on issue resolution
 6. Regional Administrator signs off on project





Planning for a Transit Facility

- Transit Facility Examples
 - Purchase Real Estate and Construct Facility with 5309 funds (Phasing)
 - Construct Facility with 5309 funds with property as local match
 - Reimbursement for facility already constructed
- What are the steps?





Open Dialogue

- Has there been a significant increase in the number of federal environmental actions at the state level?
- What resources can FTA provide in helping you establish/develop a standardized process to address your rural and small urbanized NEPA issues?
- Do you have any best practices?
- Future needs/concerns?





QUESTIONS?