

Implementation of Planning-Environmental Linkages at INDOT

November 23, 2021

Planning-Environmental Linkages (PEL) is an approach to performing planning studies that allows decisions made in planning to be carried forward into the NEPA process. Without PEL, these decisions usually need to be revisited during NEPA in order to be valid. PEL requires that decisions made during planning receive public involvement and resource agency coordination in order to be brought into the environmental review process under the National Environmental Policy Act (NEPA). PEL can be used by any planning agency, including state departments of transportation, Metropolitan Planning Organizations (MPOs) and local project agencies (LPAs).

INDOT proposes to incorporate basic PEL elements into all INDOT planning studies and to incorporate more complex PEL elements into selected INDOT planning studies. Planning studies may be pursued with the intent of complying with the PEL requirements in either 23 USC 168 or 23 CFR 450.

MPOs and LPAs are encouraged to incorporate PEL elements in their planning studies. PEL may provide local transportation planners with analytical tools and funding options that are not otherwise available.

INDOT has created a PEL Committee to screen conceptual projects and proposed planning studies for appropriateness as PEL studies; it consists of one expert each from INDOT's divisions of Technical Planning and Programming, Environmental Services, and Traffic Engineering. The committee recommends to project management what decisions will be made during the PEL study (e.g. project need, project purpose, and/or alternatives identification and screening). Project management consults with this committee on contract language and scope and fee proposals for PEL studies.

Incorporation of PEL elements in all planning studies: All planning studies should include labeling and discussion of basic PEL elements and red flag investigations. Within all planning studies, the location description and deficiency analysis should identify the NEPA concepts of logical termini, independent utility, purpose and need, and an identified no build alternative. Red flag investigations should identify known features in the human and natural environment that may be impacted, and may also identify likely points of controversy or environmental obstacles. These elements provide the groundwork for NEPA documents for the proposed capital projects that result from the planning study. Incorporating the NEPA elements will mainly require statements in the text of the planning document, and the red flag investigation will use existing information and existing INDOT guidance.

These planning studies are not PEL studies and do not need PEL Committee review. FHWA will not certify these elements for inclusion in NEPA because they do not meet the requirements of 23 USC 168 or 23 CFR 450. The benefit of this approach is that these PEL elements are formulated and ready for further development in NEPA when a capital project is programmed.

The development of these elements will be added to the scope of work for consultant services contracts for planning studies. INDOT's Technical Planning and Programming Division and the Environmental Services Division, and Traffic Engineering Division will provide review and monitor deliverable quality.

PEL Studies: Some conceptual projects will benefit from a full PEL study prior to programming. INDOT PEL studies are managed by INDOT Capital Program Management; MPOs and LPAs may also initiate PEL

studies. The INDOT PEL Committee reviews proposals for PEL studies and recommends which PEL elements should be included in the study. For PEL studies led by MPOs and LPAs, INDOT serves in an advisory role.

Any of these factors indicate that PEL may be beneficial for developing a project concept into a project that is ready for programming and NEPA analysis.

1. Large geographic scale and/or regionally significant proposal could result in multiple programmable projects with independent utility and logical termini
2. Known or anticipated public controversy about scope, need, purpose, and/or potential alternatives
3. Complex community impacts or complex environmental constraints
4. Need and purpose is unclear, unstable, or requires additional definition
5. Too many possible alternatives for an efficient NEPA process
6. High cost and/or construction funding not programmed
7. Even with a lot of initial work, NEPA process will not meet EA (1 year) or EIS (2 year) time limits

Project concepts that have a clear and non-controversial scope, that can be processed as a CE, or as an EA or EIS within the time limits, and that have construction funds programmed should begin NEPA.

PEL Study Goals, Scope, and Outcomes: The PEL study manager defines goals for the PEL study. Study managers should refer to and follow FHWA's PEL guidance documents when setting project goals. Based on the goals, the scope of the PEL study may focus on planning issues (such as high growth areas requiring growth and demand management strategies, lack of system connectivity and accessibility across modes, improved mobility strategies to address congestion hotspots; or enhanced economic development needs to improve regional competitiveness), defining project need and purpose, identifying alternatives, or narrowing alternatives. The PEL study manager also identifies what decisions will be made during PEL and the public involvement and resource agency coordination that will be performed to support those decisions.

Initiating a PEL Study: At study initiation, the study sponsor will notify potential stakeholders about the study goals, whether the study will conform to 23 USC 168 or 23 CFR 450, and which PEL elements are anticipated to be brought into NEPA with FHWA certification.

Professional Services Contract Considerations: The scope of work for the PEL study consultant services contract should include the scope of the PEL study and identify the PEL elements that will be determined during the study. The scope of work should include sufficient public involvement and resource agency coordination to support decisionmaking and should include both creation of the PEL study report and completion of FHWA's PEL questionnaire as deliverables.

Additional information: General information about PEL is available at https://www.environment.fhwa.dot.gov/env_initiatives/PEL.aspx. The PEL questionnaire is available at https://www.environment.fhwa.dot.gov/env_initiatives/pel/pel_quest.aspx