



Environmental Provisions

Efficient Environmental Reviews for Project Decisionmaking

- **General** – Section 6002 creates a new section (23 USC 139) that describes an **alternative** environmental review process. Repeals section 1309 of TEA-21, Environmental Streamlining. Provides for the continuance of any state environmental review programs (such as ETDM) approved under section 1309.
- **Resource Agency Funding** – Allows funding of resource agencies participating in this process. Continues funding to resource agencies under existing approved state processes (ETDM).

State Assumption of Responsibilities for Certain Programs and Projects

- **General** – Section 6003 creates a new section (23 USC 325) that creates a pilot program to allow states to assume any portion of the responsibilities for the entire environmental review process. Up to five states, not yet identified, may participate during the first three years of the act.

State Assumption of Responsibilities for Categorical Exclusions

- **General** – Section 6004 creates a new section (23 USC 326) that provides the ability for any state to enter into a MOU to assume the responsibility for making categorical exclusion class of action determinations.

Surface Transportation Project Delivery Pilot Program

- **General** – Section 6005 creates a new section (23 USC 327) that creates a pilot program to allow five states (Alaska, California, Ohio, Oklahoma and Texas) to assume the responsibilities for the environmental review process on one or more projects.

Environmental Restoration and Pollution Abatement; Control of Noxious Weeds and Aquatic Noxious Weeds and Establishment of Native Species

- **General** – Section 6006 make these activities eligible projects on the NHS and within the STP. Also creates two new sections: Eligibility for Environmental Restoration and Pollution Abatement (23 USC 328) and Eligibility for Control of Noxious Weeds and Aquatic Noxious Weeds and Establishment of Native Species (23 USC 329).

- ***Eligibility for Environmental Restoration and Pollution Abatement*** – Provides a maximum expenditure of 20% of the total cost of the reconstruction, rehabilitation, resurfacing, or restoration of the facility when done in conjunction with that work. Does not appear to be a limit on projects where the transportation facility is not undergoing reconstruction.
- **Eligibility for Control of Noxious Weeds and Aquatic Noxious Weeds and Establishment of Native Species** – Allows funding for both establishment and management of these plantings.

Exemption of Interstate System

- ***General*** – Section 6007 exempts the Interstate System from section 4(f) reviews and National Historic Preservation Act reviews unless it is determined that individual segments or elements should receive protection.

Integration of Natural Resource Concerns into Transportation Project Planning

- ***General*** – Section 6008 expands the standards applied to federal-aid highways by making context sensitive design part of the criteria in developing those standards.

Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites

- ***General*** – Section 6009 amends 23 USC 138 (Preservation of Parklands) by allowing a determination that 4(f) requirements are met if a program or project will have a de minimis impact on the protected area.

Environmental Review of Activities that Support Deployment of ITS

- ***General*** – Section 6010 requires the Secretary, within one year, to initiate rulemaking to establish ITS activities as categorical exclusions to the extent practical and appropriate.