



efficiently addressing environmental concerns

THE FOLLOWING OUTLINE is intended to facilitate the discussion regarding alternative approaches for efficiently addressing environmental concerns in connection with the development and implementation of a strategy for providing increased freight movement through the extended Los Angeles Metropolitan Region.

The SCNFG Collaboration is based on the concepts and logic expressed in the National Environmental Policy Act of 1969 (NEPA). Section 101(a) of that Act:

- expressly raises concerns regarding the increasing breath and complexity of the environmental challenges facing the Nation;
- implicitly acknowledges the silo-like nature of our system of governance and its intransigence; and,
- calls for cooperation in bridging those silos, implicitly assuming that the complexity of these environmental concerns and the fragmentation of governance must be addressed through practices of cooperation and collaboration.

For discussion purposes, in thinking about approaches for addressing environmental concerns (including, e.g., our planning and regulatory processes), the following table outlines a broad menu of approaches, ranging from regional planning efforts to project-level management protocols. On the right, we suggest some beginning alternative thoughts as to how the Collaboration might proceed.

1. Focus on early large-scale collaboration and plans	
E.g.: RTP, RCIP, MSHCPs, Everglades/South Florida, Chesapeake Bay, Lake Tahoe, California coastal zone	This is the focus of the SCAG Comprehensive Regional Goods Movement Plan and Implementation Strategy approach: a strategy and plan, developed in consultation with (in some cases) cooperatively and collaboratively with various constituencies (including the SCNFG agencies). It focuses on a major element/infrastructure system within the region and will relate to other plans such as the CRP, RTP, RCIP, AQMP, SIP, etc.

2. Approaches for addressing specific system-wide concerns (e.g., air quality, congestion, wildlife)	
State/regional thresholds, plans, programs and regulations	<p>Need for early focus on development of clear “system-wide” thresholds and standards that can be relied upon (e.g., emissions budgets).</p> <p>Participation in HCPS, SAMPS and similar focused regional planning/permitting/regulatory approaches.</p>
Scoping processes ¹	Explore approaches for identifying and collaboratively scoping system-wide concerns with affected agencies and interests, with resulting scoping reports that can be utilized in Planning and Environment Review processes.
Designation of a S.C. National Freight Gateway Area	<p>Possible benefits include support of:</p> <ul style="list-style-type: none"> • Use of more focused scoping studies, reports and programs regarding systemic concerns; • Prioritization of and focus on projects and efforts; • Funding of agency staffs dedicated to “area” efforts and projects; • Tailored and collaborative funding arrangements; and, • Collaborative implementation arrangements; examples: Alameda Corridor Project; ACE; Metro-link; Santa Watershed Project Authority; tollways; Chino Basin.
3. Localized community concerns and impacts, examples:	
• Grade separations	Generally local, with some system-wide concerns.
• Historic preservation	E.g., as a model: Maloof relocation project, re the 210 Freeway Project, under the National Historic Preservation Act and National Transportation Act.
• Localized health and quality of life impacts	E.g., HRA for West San Bernardino Railyard
• Environmental Justice	
4. Advance Mitigation	Explore possible use of mitigation banks and in-lieu fee programs.

¹ “Scoping” is used in this outline in its generic sense, *not* in the limited manner used in Section 1501.7 of the CEQ NEPA regulations which call for an early process in connection with the preparation of an EIS to “determine the scope of issues to be addressed and for identify the significant issues related to a proposed action”.

<p>5. Managing the Process</p>	<p>Development of arrangements and protocols for managing planning, review and implementation of projects and system segments.</p> <p>E.g., include:</p> <ul style="list-style-type: none"> • Riverside County Integrated Plan (MSHCP) • Maloof Relocation Project (in connection with 210 freeway) • Current lower 710 Freeway project • S.F. Bay multi-agency permitting • HCPs generally • Others (develop list)
<p>Suggested list of possible next steps:</p> <ul style="list-style-type: none"> • At the next meeting of the Collaboration SCAG in consultation with the other signatories provide approaches regarding the following: • Improving the articulation, clarity and reliability of various system-wide State and federal policy and regulatory thresholds (e.g., levels of significance) and standards. • Scoping various aspects of the SCAG Comprehensive Regional Goods Movement Plan and Implementation Strategy with the affected agencies, public and private interests (e.g., utilization of “scoping reports”). • Further consideration of the establishment of a “Southern California National Freight Gateway Area”. • Identification of possible subjects for advance mitigation approaches (e.g., mitigation banks and in-lieu fees). • Multi-agency Management protocols for permitting and processes relating to projects/segments of the SCAG Comprehensive Regional Goods Movement Plan and Implementation Strategy effort. 	

WORKING SESSION FOCUSED ON DEVELOPMENT OF APPROACHES:

California State University San Bernardino and the University of California at Irvine (Metropolitan Futures Initiative), and co-sponsored by SCAG, are convening an invitational working session (which could be undertaken in concert with the Collaboration and others suggested by the Collaboration) to develop specific approaches on this topic at the Beckman Center, adjacent to U.C. Irvine on Thursday-Friday, February 25-26th. It has been suggested that the Southern California Freight Gateway be used as the exemplar.

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THE FOLLOWING is a list of tasks that was developed regarding best practices with regard to environmental review processes (under NEPA and CEQA) in conjunction with the First Meeting of the Collaboration on January 10-11, 2008. It will be considered in the development of “next steps” at the current meeting.

- Explore the use of focused *scoping reports* to study and report upon cumulative, systemic and indirect environmental and community effects;
- Explore the use of the Presidential Executive Order process for various project and/or for projects within the Gateway Area;
- Develop an inventory and schedule of anticipated NEPA/CEQA project reviews (possible grouping into near, mid and long-range projects);
- Develop a list of key staff contacts at each federal, state, and regional regulatory agency who will be active in identifying potentially affected resources and methods for avoidance and minimization of impacts, as well as mitigation for those impacts that cannot be avoided.
- Explore agency “expectations and needs” with respect to NEPA/CEQA project reviews;
- Explore the idea of organizing a meeting in the fall of all key staff identified above to discuss general mitigation methodologies and technologies and to develop approaches for mitigating environmental impacts. In preparation for this meeting, share relevant avoidance and mitigation strategies previously developed through prior collaborative analysis and study.
- Explore the development of approaches, including forums and processes, for better coordination and sharing of information among agencies and others regarding projects;
- Explore approaches and protocols from the RCTC environmental justice study, FHWA, IECR and other sources, for better and more effective early involvement of community and environmental stakeholders in the environmental review process;
- Explore with MTA and others the possibility of utilizing the SR 710 as a candidate pilot process one or more pilot environmental review processes to assist in the development and modeling of best practices;
- Coordinate with the Multi-County Phase II Study (Topic A);
- Consider the delegation of NEPA authority to Caltrans;
- Explore the Presidential Executive Order regarding expedited project consideration and processing;
- Coordinate with grade separation studies; and

- Work with USFWS, NMFS, ACOE, SCAG, CTCs, Caltrans and others to explore the development of mitigation and conservation banks or programs (in coordination with sub-regional multiple species MSHCPs and SAMPS) to make mitigation efforts with respect to wildlife, open space and wetlands more efficient and effective.