



## Lubbock Metropolitan Planning Organization

Working Together



citi**bus**



**Transportation Policy Committee**  
**August 18, 2020 8:30 a.m.**  
**1314 Avenue K, City Council Chambers**  
**Lubbock Texas 79401**

**\*\*WORK SESSION MEETING\*\***  
**(NO ACTION WILL BE TAKEN)**

1. Call to Order of the Transportation Policy Committee.
2. Safety Procedures.
3. Public Comment Period/Acknowledgement of Guests of the Transportation Policy Committee.
4. Update on the Wolfforth Master Thoroughfare and Land Use Plan.
5. Update on the 2021 Unified Planning Work Program (UPWP).
6. Update on the 2020 Joint Federal Certification Review of the Lubbock Metropolitan Planning Organization (LMPO).
7. Update on the modifications made by the Policy Committee to the National Highway System.
8. Discuss the new rules issued by the Executive Office of the President through the Council on Environmental Quality concerning the National Environmental Policy Act (NEPA).
9. Monthly Financial Report

## **NOTICE TO BENEFICIARIES OF PROTECTION UNDER TITLE VI**

If you require language assistance with any part of this Transportation Policy Committee Meeting Agenda, please contact LEP Liaison:

H. David Jones  
Transportation Planning Director  
Lubbock Metropolitan Planning Organization  
916 Main Street, Suite 531  
Lubbock, Texas 79401  
(806) 775-1676 (1MPO)  
(806) 775-1675 (Fax)  
[djones@mylubbock.us](mailto:djones@mylubbock.us)

### **Title VI and Related Statutes Nondiscrimination Statement**

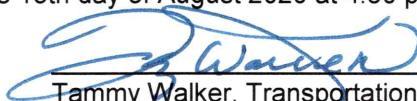
The Lubbock Metropolitan Planning Organization, as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.C. § 2000d-3), color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs or activities.

### **Titulo VI y Estatus Relacionados Declaración de No discriminación**

La Organización de Planificación Metropolitana Lubbock, como recipiente de Asistencia Financiera Federal y según el Acta de Derechos Civiles Título VI del 1964 y estatutos relacionados, asegura que ninguna persona sera excluida a causa de raza, religión (donde el objetivo principal es asistencia financiera para proveer empleo según 42 U.S.C. § 2000d-3), color, origen nacional, sexo, edad o incapacidad de participación en, o negados los beneficios de, o de otra manera sea sujeto a discriminación en cualquiera de los programas o actividades del Departamento.

Executive Session Disclosure Statement: The Lubbock Metropolitan Planning Organization Transportation Policy Committee reserves the right to adjourn into executive session at any time during the course of the meeting to discuss any item listed on this agenda as authorized by Chapter 551 of the Texas Government Code, including but not limited to §551.071 (Consultation with Attorney), §551.072 (Deliberations regarding Real Property), §551.074 (Personnel Matters), §551.076 (Deliberations regarding Security Devices)."

The above referenced NOTICE OF MEETING was posted on the bulletin board outside the South entrance of City Hall, 1314 Avenue K, Lubbock, Texas, on the 13th day of August 2020 at 4:30 p.m. by:



Tammy Walker, Transportation Planning Technician

**AGENDA ITEM 1**

**Call to Order of the Transportation Policy Committee**

**AGENDA ITEM 2**

**Safety Procedures**

**Safety Procedures**  
**1314 Avenue K, City Council Chambers**  
**Lubbock Texas 79401**

In the event of an emergency, serious illness or accident to an employee or visitor while in this meeting:

1. Call 911.
2. City safety protocol determines that the most senior city employee in attendance is in charge to control panic, meet emergency personnel and direct them to the site.
3. DO NOT MOVE the injured person unless they are in IMMEDIATE DANGER. Wait for emergency personnel.

**Tornado or Inclement Weather**

When a tornado warning has been issued by the National Weather Service, designated building contacts will notify the meeting to take cover. In addition, most cell phones are equipped with 911/Alert software that will alert you to take cover.

1. Do not leave the building and stay away from window and doors
2. Exit Council Chambers and use the stairwell by the elevators to go to the basement. Emergency personnel will direct you to areas of the basement, and sit/crouch down on floor and remain calm.
3. Remain there until the all clear signal has been given by emergency personnel.

**Fire**

If you hear the fire alarm: Evacuate immediately by exiting the Council Chambers, south facing doors, or the south facing door in the Council Conference room. Continue to the main Citizen Towers doors facing south or east and meet in the parking lots across the streets. The last person to exit the room should shut the door if there is no danger to that person.

If you discover the fire in the building try to isolate the fire by shutting the doors and pulling the fire alarm nearest you. Exit the building.

**Gas Leak, Odor, Toxic Fume**

Exit the building following the guidelines set for fire. DO NOT pull fire alarm or use your phone as it may trigger an explosion. Call 911 outside.

## **Workplace Violence, Terrorism Incident**

1. Remain calm, call 911.
2. The main doors of the Citizen Tower will lock. Lock all doors to the Council Chambers, if possible.
3. Those present will exit the room as instructed by the senior city employee and will be directed where to go for safety.
4. When emergency personnel arrive **DO EXACTLY AS THEY DIRECT YOU TO** in order to alleviate as much confusion as possible.

## **AGENDA ITEM 3**

**Public Comment Period/Acknowledgement of the Guests of the  
Transportation Policy Committee.**

## **AGENDA ITEM 4**

### **Update on the Wolfforth Master Thoroughfare and Land Use Plan.**

**DISCUSSION:** Kimley>Horn was authorized to begin work on the Wolfforth Thoroughfare and Land Use Plan update on February 27, 2020. The contract is for 12 months with a 3 month contingency if needed. Through June they reported that they had earned 41.3% of their money and used 33.3% of the allowed time.

The staff will give a short presentation on the status of the 6 tasks in the scope of services.



# **City of Wolfforth**

## Comprehensive Plan Draft Review

# Today's Meeting

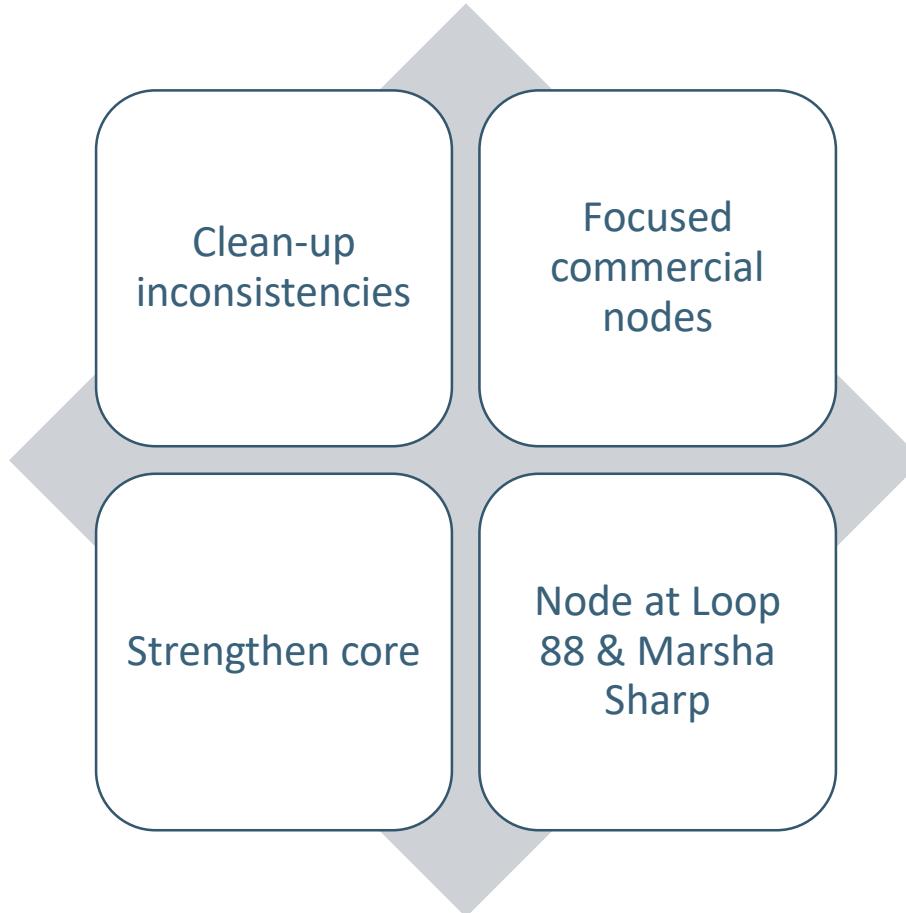
- Ice Breaker/Helpful Insight
- Future Land Use Plan
- Master Thoroughfare Plan
- Next Steps



# S.W.O.T. Analysis

- Strengths
- Weaknesses
- Opportunities
- Threats

# Future Land Use Plan



# Land Use Plan Options

- Option A
  - Clean-up inconsistencies, continue trend from 2009 and extend map
- Option B
  - Expand mixed-use center, reduce industrial, start to incorporate Loop 88
- Option C
  - Centralize commercial, expand housing variety

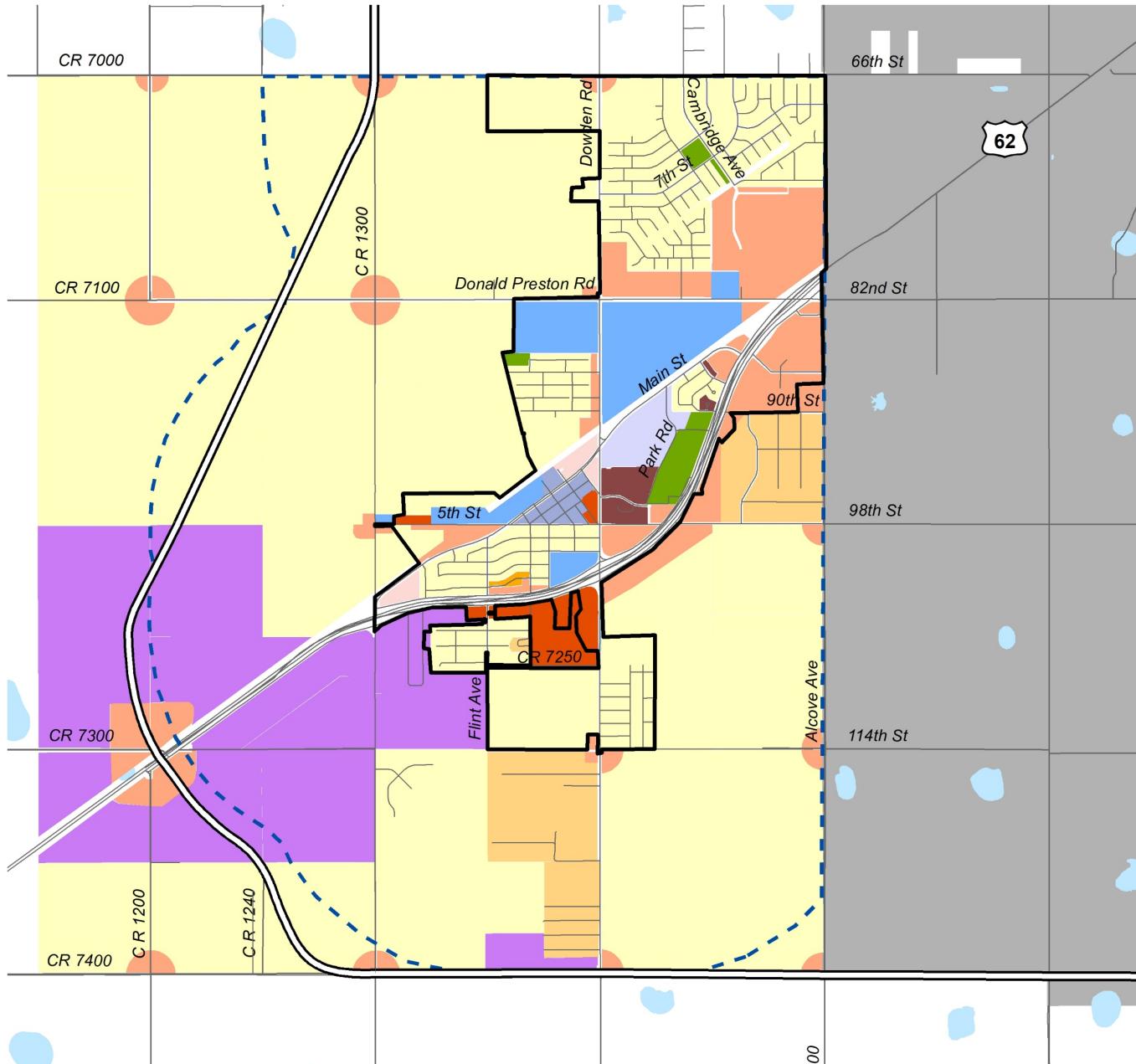
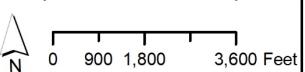


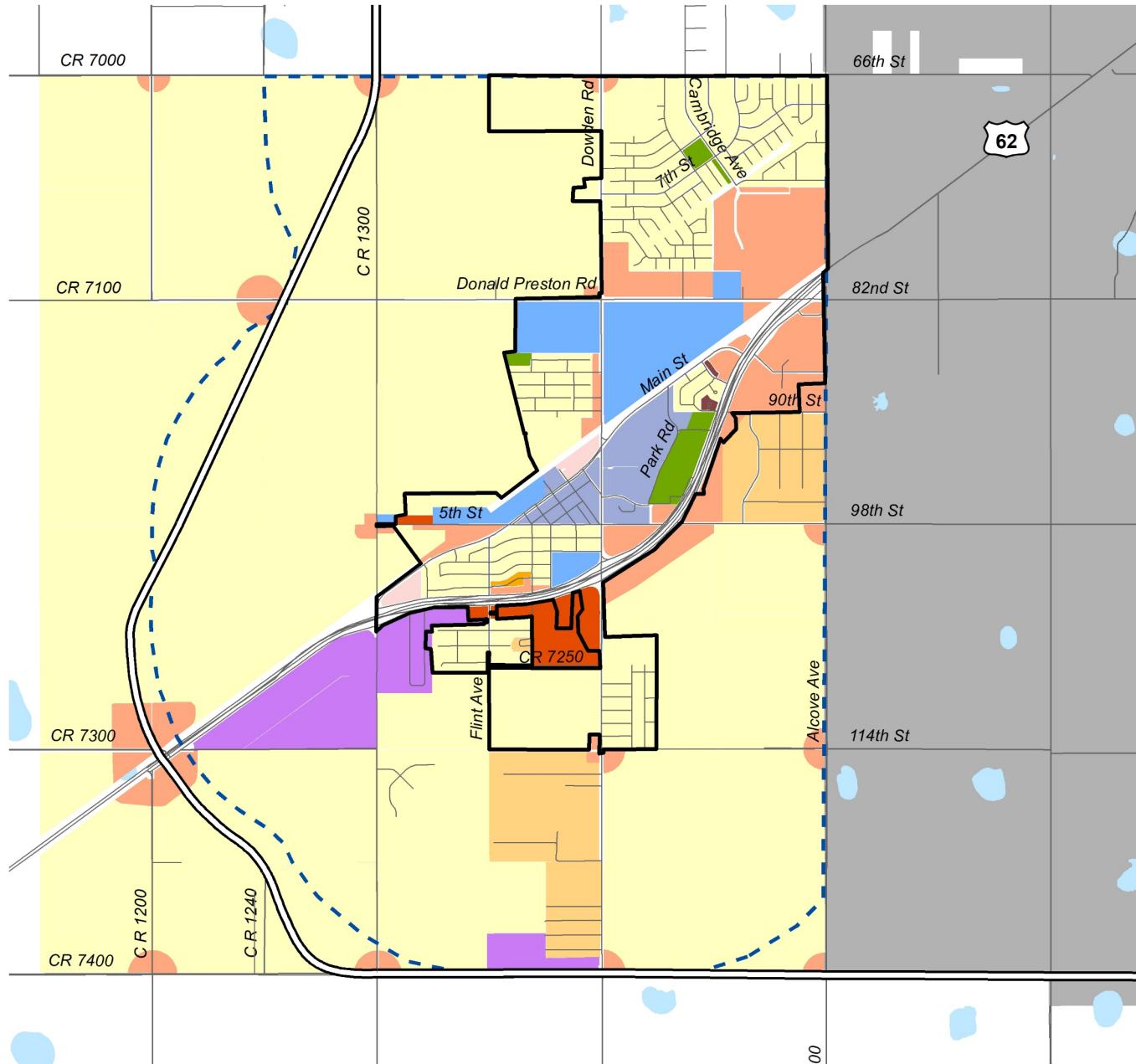
## Wolfforth Future Land Use Plan - Option A

### Legend

- Low Density Residential
- Manufactured Home
- Medium Density Residential
- High Density Residential
- Office
- Retail
- Commercial
- Old Town Mixed Use
- Special Study Area
- Park/Open Space
- Public/Semi-Public
- Industrial
- Loop 88 Alignment
- Roads
- Wolfforth City Limits
- Wolfforth ETJ
- Lubbock City Limits
- Lakes

2020 City of Wolfforth  
Comprehensive Plan Update



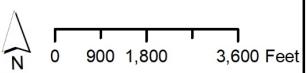


## Wolfforth Future Land Use Plan - Option B

## Legend

- Low Density Residential
- Manufactured Home
- Medium Density Residential
- High Density Residential
- Office
- Retail
- Commercial
- Old Town Mixed Use
- Special Study Area
- Park/Open Space
- Public/Semi-Public
- Industrial
- Loop 88 Alignment
- Roads
-  Wolfforth City Limits
-  Wolfforth ETJ
-  Lubbock City Limits
-  Lakes

## 2020 City of Wolfforth Comprehensive Plan Update





## Wolfforth Future Land Use Plan - Option C

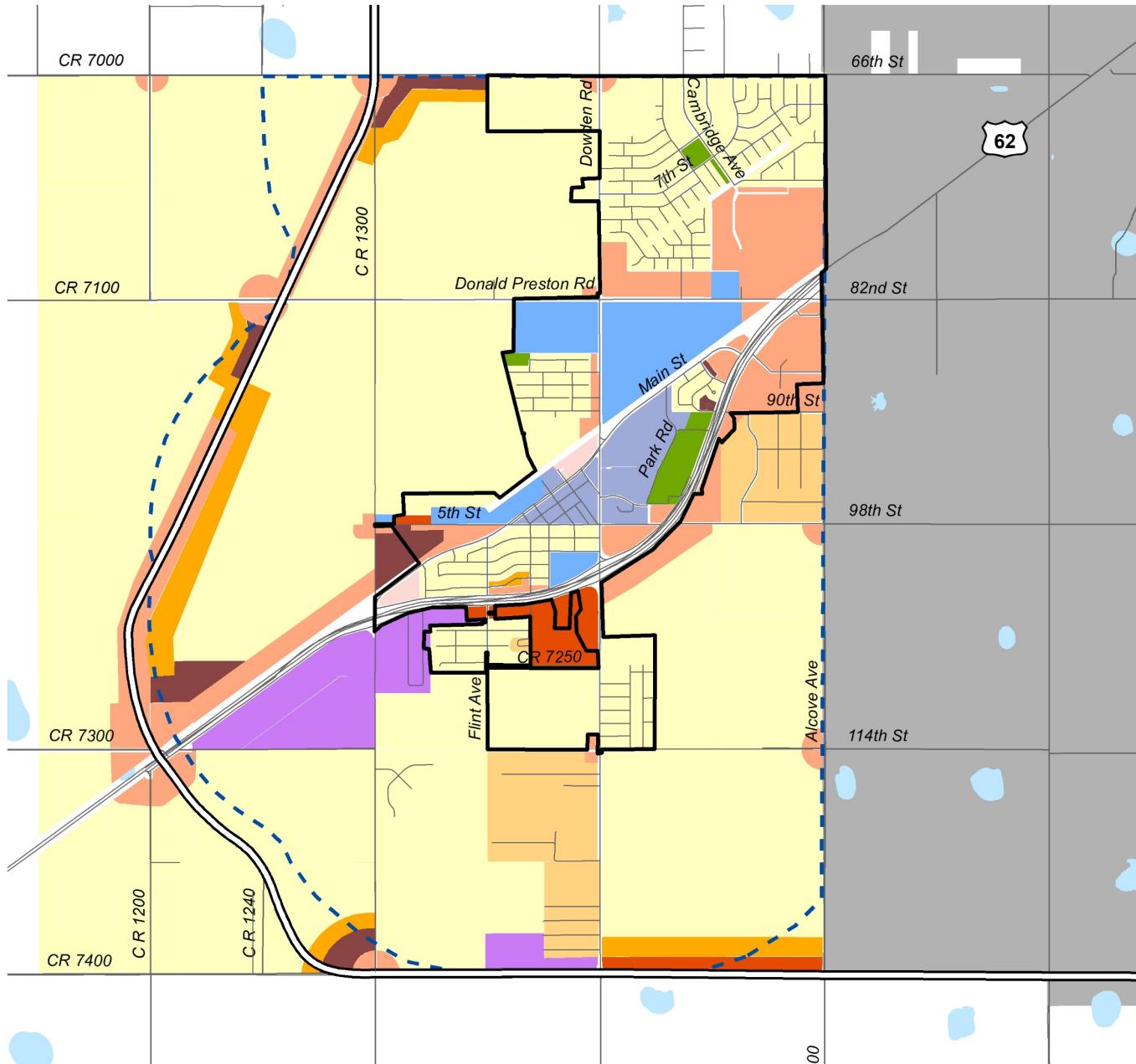
### Legend

- Low Density Residential
- Manufactured Home
- Medium Density Residential
- High Density Residential
- Office
- Retail
- Commercial
- Old Town Mixed Use
- Special Study Area
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2020 City of Wolfforth  
Comprehensive Plan Update



0 900 1,800 3,600 Feet



# Master Thoroughfare Plan

- Focus for next session
- Dictated by Land Use Plan
- Will follow most up to date TXDOT alignment



## Wolfforth Master Thoroughfare Plan

### Legend

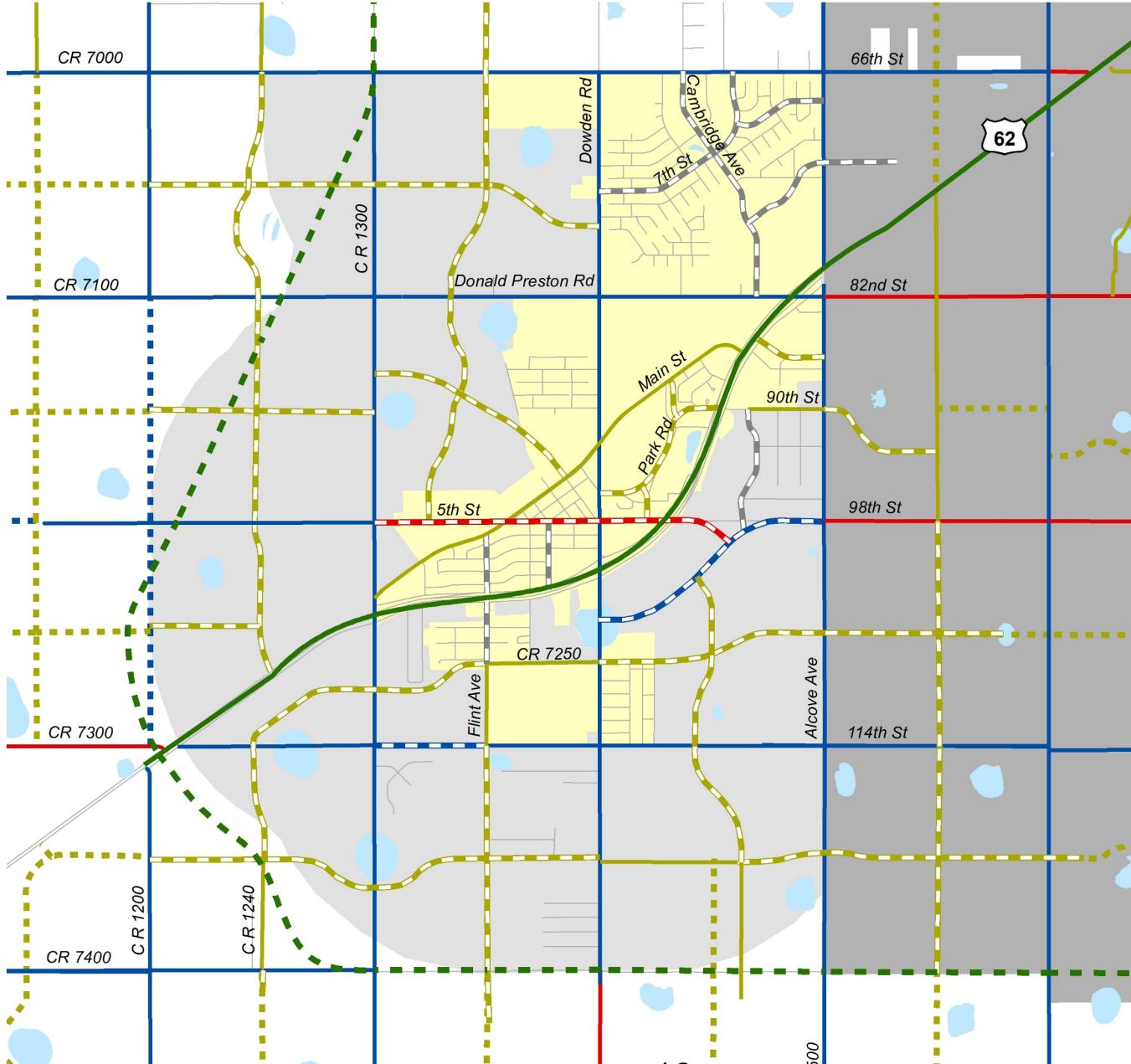
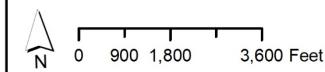
#### Wolfforth Roadclass

- Existing Arterial
- Existing Thoroughfare
- Existing Collector
- Proposed Thoroughfare
- Proposed Arterial
- Proposed Collector
- Proposed Residential Collector
- Freeway

#### Lubbock Roadclass

- Principal Arterial
- Minor Arterial
- Collector
- Freeway
- Local
- Proposed Outer Loop
- Proposed Principal Arterial
- Proposed Minor Arterial
- Proposed Collector

2020 City of Wolfforth Comprehensive Plan Update



# Next Steps

- Finalize Future Land Use Plan with the input from today
- Similar exercise for Master Thoroughfare Plan next session
- Final report and plans for October
- Public hearings in October/November

## **AGENDA ITEM 5**

### **Update on the 2021 Unified Planning Work Program (UPWP).**

**DISCUSSION:** I just wanted to keep you in the loop on our approval process anticipating the implementation of the hiring process for the new FTE. Be advised that we had word on Thursday of last week that TxDOT had approved our submission and has forwarded it to the FHWA, Texas Division for their review and approval. Actually, FHWA sends it to FTA first and then Federal Highways reviews it.

## AGENDA ITEM 6

### **Update on the 2020 Joint Federal Certification Review of the Lubbock Metropolitan Planning Organization (LMPO)**

**DISCUSSION:** The Joint Federal Certification review was conducted beginning July 21<sup>st</sup> thru 23<sup>rd</sup>. The elected officials interviews were conducted on the 21<sup>st</sup> and consisted of Chairman Griffith, Councilwoman Patterson-Harris, and County Judge Parrish. No other business was conducted that day. The operations interviews began at 9:00 on the 22<sup>nd</sup> and lasted through 4:00 that afternoon. All topics noted on the agenda, included in your backup, were discussed. Normally this part of the examination takes 2 1/2 full days but this event was conducted and completed in one day. Because the schedule was so compressed and virtual as well, it was difficult to adequately express what you wanted to say on each topic.

After the activities on the 22<sup>nd</sup>, the federal team assembled, again virtually, and discussed our performance and developed a preliminary set of responses/recommendations which we can address before the final recommendations are posted.

During their de-brief on the 23<sup>rd</sup>, they reported that overall everything looked good. They were very pleased with the desk audit and very complimentary of the elected officials and their interviews. They were also complimentary of our responses to the 2016 certification recommendations.

Specifically FTA couldn't say enough about the relationship between the MPO and Citibus and were really excited about the current consultant study looking at their fixed route and para-transit activities.

FTA also recommended a separate chapter in our MTP on Safety/Security. They noted it was not required by law but as a result of best practices, guidance has been issued on the topic. In that regard, they also wanted us to be sure and tie the results of the current transit consultant study into our MTP findings.

FTA also wanted to see a better interpretation of the Transit financial summary in the MTP.

The Civil Rights team member for FHWA asked us to send one of our current contracts so they could determine if we were compliant on Title VI and Environmental Justice requirements.

FHWA recommended that as we addressed the ITS/TDM/TSM discussion that we follow more closely with the architecture discussed in the DOT/FHWA guidance.

FHWA and FTA expressed considerable interest in our idea of using the QR Code application in our public involvement activities and challenged us to follow up. FHWA

also said they wanted to see more freight planning demonstrated in our MTP and that we need to attend more freight planning seminars.

FHWA seemed to be hung up on how we integrated our previous congestion management process into our project selection process.

The FHWA team leader told us he would try to get the first draft of these recommendations out by August 31<sup>st</sup> and try to have a final report to the Chair by September 28<sup>th</sup>.

Lastly, the mandated listening session was cancelled due to the prevailing circumstances and a public involvement period was authorized by FHWA to take its place. The public notice, included in your backup specifies the public participation opportunity to run from July 23<sup>rd</sup> to August 23<sup>rd</sup>. The federal modal sponsors are asking for comments regarding the MPO's ability to perform the federal planning process during that time period.

**LUBBOCK METROPOLITAN PLANNING ORGANIZATION**  
**FEDERAL CERTIFICATION REVIEW**  
**SCHEDULE OF EVENTS**

<b>June 15, 2020</b>	LMPO provided Desk Audit Material to FHWA/FTA <b>LMPO</b>
<b>July 13, 2020</b>	Desk audit completed by Federal review team
<b>Week of July 13, 2020</b>	Federal review team teleconference to discuss what essential topics will be covered in detail during the on-site review. <b>Federal Team</b>
<b>Week of July 20</b>	MPO staff arranges phone interviews for Federal Team with three elected officials. <b>LMPO/Federal Team</b>
<b>Wednesday July 22</b>  9:00 AM	<p>Begin Virtual Certification Meeting via MS TEAMS</p> <p>1) Brief introduction to MPO and update on any Organization Structure, Metropolitan Planning Area Boundaries, Agreements and Contracts <b>LMPO</b></p> <p>2) Previous Certification Review – Status of Recommendations from 2016 Certification Review Report: TDM/TSM, Performance Measures, Title VI and EJ, ITS, and Transit. <b>GREG</b></p> <p>3) 2021 UPWP <b>GREG</b></p> <p>4) MTP/Decision Lens implemented with an approved set of projects. <b>GREG</b></p> <p>5) 2021/2024 TIP Development/Project Selection Transportation Planning Process <b>GREG</b></p> <p>6) CMP and Travel Forecasting Methods Congestion Management Process approved by TAC and Policy Board. Use of Congestion Management Process Assessment Tool (COMPAT) and National Performance Management Research Data Set (NPMRDS). <b>JOSE</b></p> <p>-Break –</p>

	<p>7) Air Quality (Note: Lubbock is in Attainment, however, MPO would like to discuss if any future AQ recording mechanisms need to be implemented) <b>GREG</b></p> <p>8) Management and Operations/ITS, Safety, and Security, Bike/Ped <b>ED</b></p> <p>9) Freight <b>GEORGI</b></p> <p>10) Public Transit <b>FTA</b></p> <p>11) Title VI, EJ and ELP Public Outreach/Public Involvement <b>MEGAN</b></p>
<b>Thursday, July 23</b>  9:00 AM	<p>Resume certification review on-line by MS TEAMS (if needed)</p> <p>1) Extra time if needed for topics review</p> <p>2) FHWA/FTA team meeting to discuss preliminary recommendations</p> <p>-Break -</p> <p>3) Presentation of Initial Findings to the Lubbock MPO staff</p>
Public Listening Session	<p>Public Involvement for the Certification review will be by announcement and collection of comments from July 22 to August 22, 2020. No formal on-site meeting will occur.</p>

<b>August 31, 2020</b>	First draft report to Federal participants
<b>September 28, 2020</b>	FHWA/FTA incorporates comments as appropriate into final certification review report and provides copies of final report to MPO and TxDOT participants & stakeholders
<b>After September 28, 2020</b>	Presentation of certification review findings and recommendations to MPO Transportation Policy Committee upon request



## Lubbock Metropolitan Planning Organization

Working Together



916 Main Street, Suite 531 Lubbock, TX 79401 806.775.1676 (fax) 806.775.1675 [www.Lubbockmpo.org](http://www.Lubbockmpo.org)

## PUBLIC COMMENT PERIOD

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) invite you to share your thoughts about the regional transportation planning process conducted by the Lubbock Metropolitan Planning Organization (LMO). The public comment period is part of the FHWA and FTA's 2020 Federal Certification Review of the Lubbock MPO.

The public is invited to make comments to the federal review team. Comments may be submitted from July 23, 2020 until August 23, 2020 to H. David Jones at [djones@mylubbock.us](mailto:djones@mylubbock.us).

Public input will be used by the FHWA and FTA as part of their formal certification review of the transportation planning process in the Lubbock metropolitan planning area.

Please visit our website at [www.LubbockMPO.org](http://www.LubbockMPO.org) for additional information or call 806.775.1676.

The transportation planning process is conducted by the Lubbock MPO, the Texas Department of Transportation (TxDOT), the Federal Transit Administration (FTA) and the Federal Highways Administration (FHWA), as well as other planning partners within the region. The FHWA/FTA joint planning certification review is conducted every four years for large metropolitan areas under 23 CFR 450. On behalf of the US Department of Transportation, the FHWA/FTA partners we welcome your timely input and thank you in advance for your assistance in this effort.

"This public notice of "public involvement activities" and time established for public review and comment will satisfy the program-of-projects requirements of the Urbanized Area Formula Program (Section 5307) of the Federal Transit Administration".

## **AGENDA ITEM 7**

### **Update on the modifications made by the Policy Committee to the National Highway System.**

**Discussion:** The board will recall that back in May 2019, we had worked for a couple of months to prepare our response to USDOT and FHWA regarding a “clean up” of the National Highway System (NHS) within our metropolitan planning area.

You will recall the NHS is a network of strategic highways within the United States, including the nationwide Interstate Highway System and other roads serving major airports, seaports, rail ports and railway stations, truck terminals, pipeline terminals and other strategic transport facilities. Known to most as perhaps the most important mobility network in the United States, it is the longest highway system in the world and carries more people and goods than any other highway system.

Designated originally by President Bill Clinton, it actually began implementation with the landmark Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) with the existing interstate system being the first designated piece of the system.

Originally, Congress designated the system not to exceed 268,983 miles in length. Today we have 160,955 miles of NHS in service. The cleanup in 2019, initiated by USDOT, was the first time since its inception that the NHS had ever been reviewed by any agency. That review was sparked by MAP 21 which required USDOT to “rationalize the system across the nation and harmonize the Federal Functional Classification and NHS segment designations”. In other words, make sure the segments meet the federal guidance and applicable rules.

The kicker here, which is almost laughable, is that MAP 21 also contained triggers that assigned NHS status to all existing primary arterials in every city, USA. Hence the clean up!

As I mentioned, back in May 2019, the staff presented the board a recommendation after negotiating with FHWA and TxDOT to clean up our NHS system. Be advised we have word now that TxDOT and FHWA have accepted the board’s recommendation and now they want you to approve a resolution they have crafted affirming your actions. I have advised the TxDOT program manager that you have already taken that action as evidenced by your Resolution 2019-08 and we are waiting for word that your resolution is compatible with TxDOT’s submission template.

Both resolutions are in your back up as well as corresponding maps. The staff will make a short presentation and answer questions.

[Draft MPO Policy Committee resolution supporting modifications to the NHS. To be modified, placed in official MPO resolution template, and signed]

Whereas the National Highway System (NHS) is a network of major roadways critical to the regional, statewide, and national movement of people and goods designated by the Federal Highway Administration (FHWA) in coordination with local officials,

Whereas the Intermodal Connector system identifies the most direct access route between the NHS and major intermodal facilities, as defined by FHWA in Appendix D to Subpart A of 23 CFR 470, and the main NHS,

Whereas the Texas Department of Transportation's (TxDOT's) Transportation Planning and Programming Division (TxDOT-TPP), in coordination with the Federal Highway Administration - Texas Division (FHWA Texas) has completed a comprehensive review of the NHS in Texas, including the Intermodal Connectors and main NHS, to produce recommended modifications to the system,

Whereas TxDOT-TPP has developed these modifications in coordination with FHWA-Texas and the Lubbock Metropolitan Planning Organization (LMPO) staff,

Whereas the addition or removal of NHS designation from a roadway does not affect ownership or maintenance of the roadway,

Whereas downgrading the Federal Functional Classification of a roadway from Principal Arterial – Other to Minor Arterial or other functional classification automatically removes it from the NHS unless it provides access to a qualifying intermodal facility,

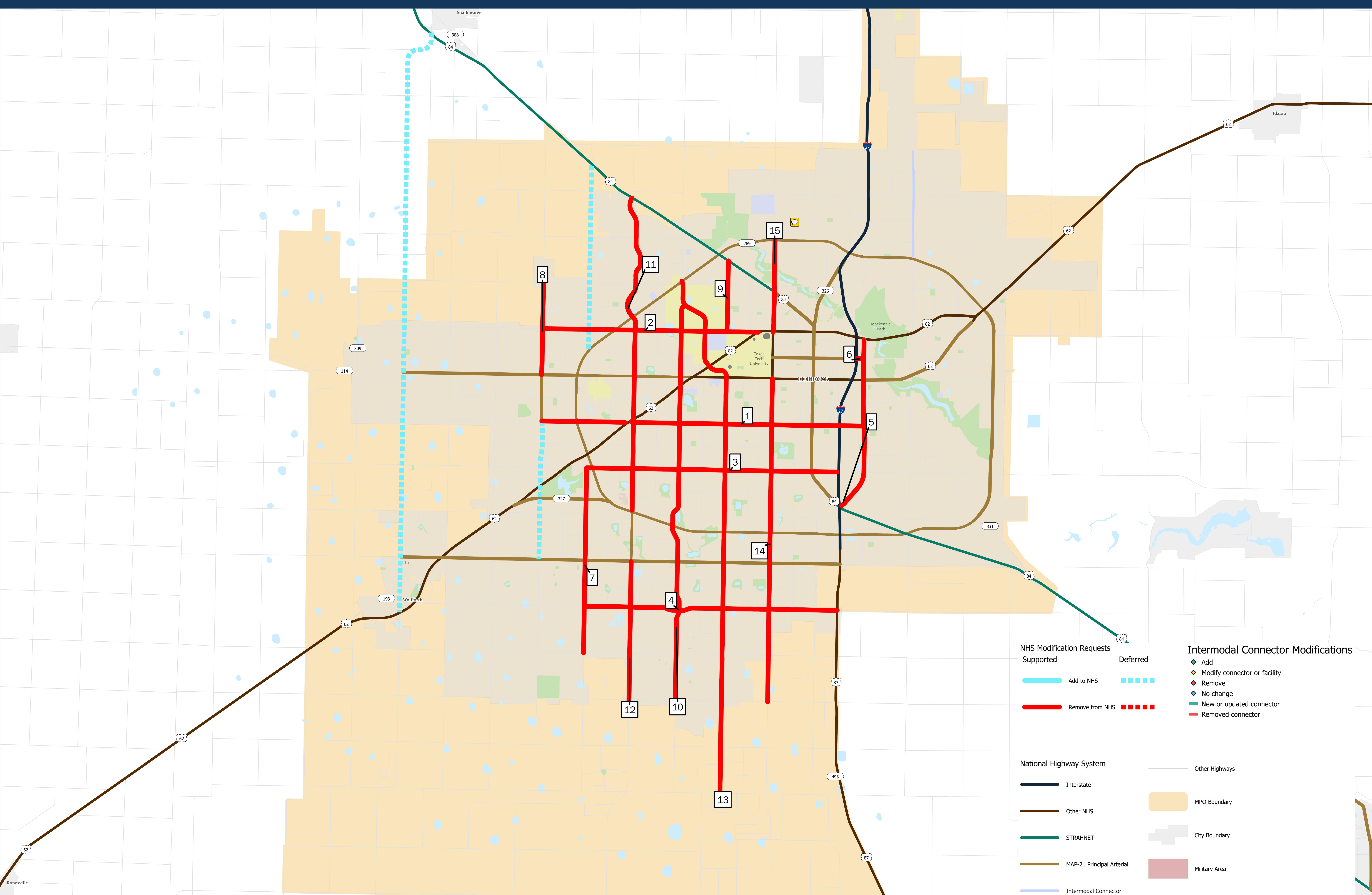
Now therefore be it resolved, that LMPO supports the following modifications to the Functional Classification System and NHS:

The functional classification downgrade from Principal Arterial – Other to Minor Arterial and removal from the NHS of the following corridors:

- 34th St from Milwaukee Ave to Avenue A
- 4th St from Milwaukee Ave to US 82
- 50th St from Frankford Ave to I-27
- 98th St from Frankford Ave to US 87
- Avenue A from I-27 to US 62
- Broadway from I-27 to Avenue A
- Frankford Ave from 114th St to 50th St
- Milwaukee Ave from SH 114 to Erskine St
- Indiana Ave from 4th St to US 84
- Quaker Ave from 130th St to Texas Tech Pkwy
- Slide Rd from FM 2255 to SL 289 South
- Slide Rd from 130th St to 82nd St
- Texas Tech Pkwy from County Road 7600 to Erskine St
- University Ave from 19th ST to FM 1585
- University Ave from US 82 to SL 289

We certify that the above resolution was adopted on **TBD, 2020**, at a public meeting of the Transportation Planning Policy Board of the LMPO.

# Texas NHS Study - Lubbock NHS Modification Requests





## Lubbock Metropolitan Planning Organization

Working Together



### Resolution 2019-08

**WHEREAS**, The National Highway System Designation Act of 1995 was passed by Congress and was signed into law on November 28, 1995 designating 286,983 miles of roads, including the Interstate Highway System, as the National Highway System (NHS); and

**WHEREAS**, The NHS moves the largest number of people and goods across the United States than any other highway network in the world; and

**WHEREAS**, The NHS is a network of interconnected urban and rural principal arterials and highways, including toll facilities, which serve major population centers, international border crossings, ports, airports, public transportation facilities, other intermodal transportation and other major travel destinations, meet national defense requirements, and serve interstate and interregional travel; and

**WHEREAS**, The NHS network is subject to all the National Performance Management measures and targets; and

**WHEREAS**, Congress now finds it necessary to harmonize the Federal Functional Classification with the NHS objectives and benefits that directly impact the NHS network.

### **NOW, THEREFORE, BE IT RESOLVED BY THE TRANSPORTATION POLICY COMMITTEE OF THE LUBBOCK METROPOLITAN PLANNING ORGANIZATION:**

**Section 1: That**, the Policy Committee of the Lubbock Metropolitan Planning Organization has reviewed the federal criteria and guidelines for the NHS.

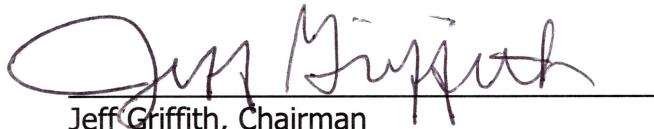
**Section 2: That**, the Policy Committee of the Lubbock Metropolitan Planning Organization agrees and adopts the Consultant's principal arterial findings with the MPO's recommended changes to clean up the NHS network as shown in Exhibit A within the Lubbock Metropolitan Planning Area Boundary (MPAB).

**Section 3: That**, the Policy Committee of the Lubbock Metropolitan Planning Organization agrees to forward Exhibit A as the Lubbock MPO's recommended changes to the NHS in the LMPO's MPAB for FHWA approval.

**Section 4: That,** the Policy Committee of the Lubbock Metropolitan Planning Organization, subject to approval of the FHWA, will plan and program projects that contribute to the accomplishments of the NHS management measures and targets.

**Section 5: That,** this Resolution shall be effective immediately upon adoption.

**Passed by the Transportation Policy Committee this 21<sup>st</sup> day of May, 2019.**



Jeff Griffith, Chairman  
LMPO Transportation Policy Committee

Attest:



Tammy Walker, MPO Secretary



H. David Jones  
Transportation Planning Director

Approved as to form:



Matt Wade  
Attorney for the MPO

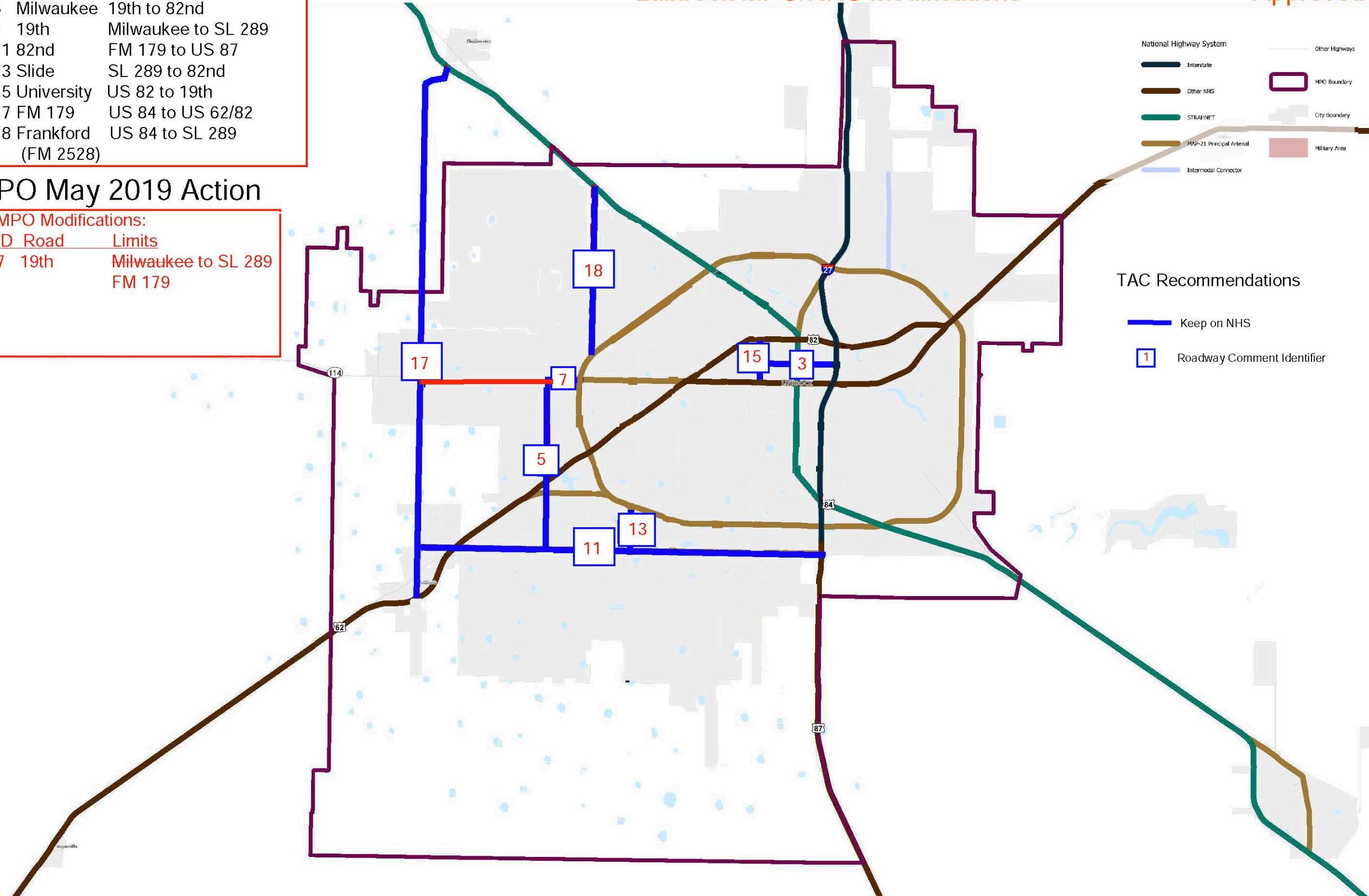
**EXHIBIT A:**  
Approved by Policy Committee  
May 21, 2019  
Resolution 2019-08

ID	Road	Limits
3	Broadway	University to I-27
5	Milwaukee	19th to 82nd
7	19th	Milwaukee to SL 289
11	82nd	FM 179 to US 87
13	Slide	SL 289 to 82nd
15	University	US 82 to 19th
17	FM 179	US 84 to US 62/82
18	Frankford	US 84 to SL 289 (FM 2528)

**MPO May 2019 Action**

MPO Modifications:		
ID	Road	Limits
7	19th	Milwaukee to SL 289 FM 179

**Lubbock MPO/NHS Modifications**



## **AGENDA ITEM 8**

### **Discuss the rules issued by the Executive Office of the President through the Council on Environmental Quality concerning the National Environmental Policy Act (NEPA).**

**Discussion:** On July 15, 2020, the Council on Environmental Quality (CEQ) announced its final rule regarding an update to the NEPA. This action marks the first time in 40 years that the NEPA regulations, particularly the federal review process, has been updated. The update is supposed to promote more efficient, effective and timely environmental review by all federal agencies. The update codifies Supreme Court case law, updates regulations to reflect current technologies and agency practices, eliminates obsolete provisions and improves the format and readability of the regulations. Most importantly, the update will accelerate the environmental review and permitting process.

While these new updates will not affect anything regarding the MPO it could certainly impact the District's process and the City of Lubbock as they from time to time prepare environmental impact statements for review and permitting on their own projects. Therefore, it would certainly be advisable for them to look into the update.



EXECUTIVE OFFICE OF THE PRESIDENT  
COUNCIL ON ENVIRONMENTAL QUALITY  
WASHINGTON, D.C. 20503

### Fact Sheet: Modernizing CEQ's NEPA Regulations

On July 15, 2020, the Council on Environmental Quality (CEQ) announced its final rule titled "[Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act.](#)"

For the first time in over 40 years, CEQ has comprehensively updated its National Environmental Policy Act (NEPA) regulations to modernize the Federal environmental review process, which will benefit the environment, economy, and every American. The regulations, which apply to all Federal agencies, have been complex and unnecessarily difficult to understand and navigate. The result has been excessive paperwork, litigation, and delays. Environmental impact statements (EISs) for Federal highway projects have averaged over seven years to complete and some reviews have taken a decade or more. The modernized regulations will promote more efficient, effective, and timely environmental reviews by all Federal agencies.

CEQ's final rule will modernize the NEPA regulations by simplifying and clarifying the requirements, and incorporating key elements of President Trump's One Federal Decision policy. The final rule codifies Supreme Court and other case law, updates the regulations to reflect current technologies and agency practices, eliminates obsolete provisions, and improves the format and readability of the regulations. The rule also exempts certain loan guarantee programs from the NEPA process, which will reduce unnecessary burdens on small businesses and family farms. Additionally, the rule will expand public participation and the involvement of Tribal governments in the NEPA process. The modernized NEPA regulations will accelerate the environmental review and permitting processes for development of modern, resilient infrastructure, management of our Federal lands and waters, and restoration of our environment.

#### **Background:**

NEPA, signed into law in 1970, is a procedural statute that requires Federal agencies to assess the potential environmental impacts of proposed major Federal actions. CEQ issued regulations for Federal agencies to implement NEPA in 1978. CEQ has not comprehensively updated these regulations in over 40 years, and has made only one limited substantive amendment in 1986.

Since NEPA's enactment, implementation has been complex and time consuming for Federal agencies and Americans seeking permits or approvals from the Federal government. The complexity of the regulations has given rise to CEQ's issuance of more than 30 guidance documents to assist Federal agencies in understanding and complying with NEPA. Additionally, Presidents on a bipartisan basis have issued directives, and Congress has enacted legislation to reduce delays and expedite the implementation of NEPA and the CEQ regulations, including for transportation, water, and other types of infrastructure projects.

CEQ has found that the average length of an EIS is over 600 pages, and that the average time for Federal agencies to conduct these NEPA reviews is four and a half years. However,

reviews for some projects have taken much longer. NEPA is the most litigated environmental law in the country. NEPA analyses are frequently challenged in the courts, and while Federal agencies ultimately prevail in many cases, litigation can unnecessarily delay and increase costs for important projects that benefit States, Tribes, and local communities. The increased costs and complexity of NEPA reviews and litigation make it very challenging for businesses and communities to plan, finance, and build projects in the United States.

In 2017, President Trump issued [Executive Order 13807](#) establishing a One Federal Decision policy, including a two-year goal for completing environmental reviews for major infrastructure projects, and directing CEQ to consider revisions to modernize its NEPA regulations. In 2018, CEQ issued an [Advance Notice of Proposed Rulemaking](#) (ANPRM) requesting comment on potential updates to its regulations. CEQ received over [12,500 comments](#). On January 10, 2020, CEQ issued a [Notice of Proposed Rulemaking](#) (NPRM) to modernize and clarify the NEPA regulations and provided for a 60 day public comment period. CEQ also held two public hearings and received over [1.1 million comments](#), which informed development of the final rule.

### **Overview of Key Elements of the Final Rule:**

- **Improves Management of the NEPA Process**
  - Establishes presumptive time limits of two years for the preparation of environmental impact statements (EISs) and one year for the preparation of environmental assessments (EAs)
  - Specifies presumptive page limits for EISs and EAs
  - Requires joint schedules, a single EIS, and a single record of decision (ROD), where appropriate, for EISs involving multiple Federal agencies
  - Strengthens the role of the lead agency and requires senior agency officials to oversee NEPA compliance, including timely resolution of disputes to avoid delays
  - Allows applicants/contractors to assume a greater role in preparing EISs with appropriate disclosure of financial or other interests and with supervision and independent evaluation by the agency
- **Codifies Relevant Case Law and Provides New Efficiencies**
  - Includes new provisions to assist Federal agencies in determining whether NEPA applies and the appropriate level of environmental review
  - Requires agencies to consider environmental effects that are reasonably foreseeable and have a reasonably close causal relationship to the proposed action
  - Clarifies the definition of major Federal action and excludes activities with minimal Federal funding or involvement such as small business and farm loan guarantees
  - Directs agencies to analyze a reasonable range and number of technically and economically feasible alternatives
  - Provides efficiencies to comply with NEPA where procedures and documents required under other statutes satisfy the requirements of the CEQ regulations
  - Allows agencies to establish procedures to use other agencies' categorical exclusions (CEs) and to adopt EAs and CE determinations, where appropriate

- **Expands Public Involvement and Improves Coordination with States, Tribes, and Localities**
  - Requires agencies to provide more information to and solicit input from the public earlier in the process to ensure and facilitate informed decision making by Federal agencies
  - Reduces duplication by facilitating use of documents prepared by State, Tribal, and local agencies to comply with NEPA
  - Enhances ability of Native Americans to participate in the NEPA process and ensures appropriate consultation with affected Tribal governments and agencies
  - Eliminates provisions in the prior regulations that limit Tribal interest to reservations
  - Promotes use of modern technologies for information sharing and public outreach
- **Ensures Meaningful and Effective Environmental Reviews**
  - Requires agencies to consider the affected environment, including reasonably foreseeable environmental trends and planned actions
  - Requires agencies to certify consideration of alternatives, information, and analyses submitted by State, Tribal, and local governments and public commenters
  - Clarifies that mitigation must have a nexus to effects of the proposed action or alternatives
  - Does not alter any substantive environmental laws or regulations

**Additional Information:**

- NEPA applies to a broad range of Federal agency actions, including Federally-funded construction projects, plans to manage and develop Federal lands, and Federal authorizations of non-Federal activities such as licenses and permits. NEPA encompasses a variety of projects and activities, including construction of roads, bridges, highways, public transit, and airports, conventional and renewable energy production and distribution, electricity transmission, water infrastructure, and broadband deployment, as well as management of public lands, forests, and waters. Such management activities include leases and authorizations for energy production, mining, grazing, and other activities; management of national parks, forests, and fisheries; and environmental restoration projects.
- Under the CEQ regulations, there are three levels of environmental review: EISs, EAs, and CEs. Annually agencies issue approximately 170 final EISs and 10,000 EAs, and apply categorical exclusions to approximately 100,000 actions.

*For the Final Rule, click [HERE](#).*

*For the Regulatory Impact Analysis, click [HERE](#).*

*For the Final Rule Response to Comments, click [HERE](#).*

**AGENDA ITEM 9**

**Monthly Financial Report**

Lubbock  
 Metropolitan Planning Organization  
 Statement of Revenues and Expenditures  
 FY 2019-2020  
 Budget

ACCOUNT	DESCRIPTION	ACTUAL FY 2019-2020 Jun-20	APPROVED BUDGET FY 2019-2020	% BUDGET REALIZED
<b>SOURCES</b>				
TXDOT PL 112 ALLOCATION (Combined)		1,085,187	<b>479,860</b>	226.15
<b>EXPENDITURES</b>				
PAYROLL/BENEFITS				
8002 PAYROLL - FULL TIME	72,230	<b>99,826</b>	72.36	
8003 PAYROLL - PART TIME	-	-	0.00	
8005 PAYROLL - STABILITY PAY	1,000	<b>1,000</b>	1.00	
8006 PAYROLL - TERMINAL PAY	-	-	0.00	
8009 PAYROLL - EDUCATION INCENTIVE	-	-	0.00	
8031 BENEFITS - RETIREMENT TMRS	12,897	<b>19,780</b>	65.20	
8033 BENEFITS - SOCIAL SECURITY	5,087	<b>7,637</b>	66.62	
8034 BENEFITS - GROUP INSURANCE	13,976	<b>21,964</b>	63.63	
8035 BENEFITS - WORKERS COMPENSATION	332	<b>1,426</b>	23.28	
8037 BENEFITS - BASIC LIFE INS	8	<b>14</b>	60.29	
8038 BENEFITS - GROUP DENTAL	582	<b>1,100</b>	52.87	
8042 BENEFITS - CITY PAID LTD	-	-	0.00	
PAYROLL/BENEFITS SUBTOTAL	106,112	<b>152,747</b>	69.47	
SUPPLIES				
8107 SUPPLIES - OFFICE SUPPLIES	3,019	<b>6,000</b>	50.31	
8110 SUPPLIES - OTHER OFFICE SUPPLIES	-	-	0.00	
SUPPLIES SUBTOTAL	3,019	<b>6,000</b>	50.31	
OTHER CHARGES				
8302 PROFESSIONAL SERVICE	95,560	<b>141,510</b>	67.53	
8303 BOARDS AND COMMISSIONS	180	<b>430</b>	41.74	
8304 ADVERTISING AND PROMOTIONS	1,195	<b>5,000</b>	23.89	
8309 DATA PROCESSING	9,310	<b>11,623</b>	80.10	
8406 CONTRIBUTIONS-OTHER	41,854	<b>114,400</b>	36.59	
8503 BENEFITS-LIABILITY INSURANCE	4,869	<b>6,150</b>	79.17	
8701 RENTAL LEASES	13,758	<b>18,350</b>	74.98	
9101 TELEPHONE	1,056	<b>1,100</b>	96.00	
9103 POSTAGE	-	<b>250</b>	0.00	
9106 CAR ALLOWANCE	300	<b>400</b>	75.00	
9110 PROFESSIONAL DUES	359	<b>400</b>	89.75	
9111 TRAINING AND TRAVEL	1,522	<b>20,000</b>	7.61	
9146 COMPUTER EQUIPMENT	-	<b>1,500</b>	0.00	
Reserve	-	-	0.00	
9154 OFFICE FURNITURE	-	-	0.00	
OTHER CHARGES SUBTOTAL	169,962	<b>321,113</b>	52.93	
CAPITAL OUTLAY				
9225 EQ CAP OUT-COMPUTER	-	-	0.00	
CAPITAL OUTLAY SUBTOTAL	-	-	0.00	
<b>TOTAL EXPENDITURES</b>		<b>\$ 279,092</b>	<b>479,860</b>	58.16
<b>TOTAL REVENUE</b>		<b>\$ 1,085,187</b>		
<b>REVENUE OVER EXPENDITURES</b>		<b>\$ 806,095</b>		
<b>Estimated carryover</b>				