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Overview of select provisions from SAFETEA-LU

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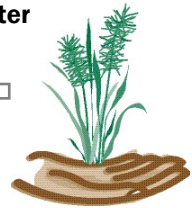
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Overview of Federal and International Activities

OVERVIEW OF SELECT PROVISIONS FROM SAFETEA-LU

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Abstract

The new transportation bill was passed in August 2005. It is a 5-year bill with new environmental provisions that are directly related to the areas of interest addressed at ICOET. Below are quick summaries of the key provisions. Some require regulations and guidance to be prepared by the Federal Highway Administration. Since the bill is still so new, work is still underway to get this guidance out.

Title 1 Subtitle A – Authorization of Programs

- Sec. 1113: Changes the State's Transportation Enhancement set aside to the greater of 10 percent of State STP apportionment or the amount set aside for FY2005. Transportation Enhancements projects which may include reduced vehicle-caused wildlife mortality while maintaining habitat connectivity.
- Sec. 1119:
 - Not to exceed \$ 10 million per fiscal year. Shall be used for the costs of facilitating the passage of aquatic species beneath roads in the National Forest System.
 - Wildlife Vehicle Collision Reduction Study

Title 1 Subtitle D – Highway Safety

- Sec. 1401: The addition or retrofitting of structures or other measures to eliminate or reduce accidents involving vehicles and wildlife (may use safety funds).

Title 1 Subtitle H – Environment

- Sec. 1805: Use of Debris from Demolished Bridges and Overpasses. May involve the beneficial use of debris to construct features such as artificial reefs and other marine habitat creation or ecological restoration work in general.

Title V Research

- Sec. 5201: Exploratory Advanced Research. \$14 million per year for 2005-2009 is authorized for an exploratory advanced research program to address longer-term, higher risk research, including environment.
- Sec. 5203: Technology Deployment. Innovative Pavement research and Deployment Program. One of the stated goals of this program is to, under subpart (H), develop designs and materials to reduce stormwater runoff.

Title VI – Transportation Planning and Project Development

- Sec. 6001: Transportation Planning.
 - Metropolitan Planning – Development of Long Range Statewide Plan must include “a discussion of potential environmental mitigation activities and potential areas to carry out these activities in consultation with Federal, State, and Tribal wildlife, land management, and regulatory agencies.
 - Statewide Planning – Development of Long Range Statewide Plan must include “a discussion of potential environmental mitigation activities and potential areas to carry out these activities and potential areas to carry out these
- Sec. 6002: Efficient Environmental Reviews for Project Decision Making.
 - Mandates a new environmental process for highway projects advanced with EISs.
 - Describes the USDOT's role as lead agency.
 - Creates a new category of “participating agencies.”
 - Bars filing claims for judicial review of a permit, license, or approval by a Federal agency unless it is filed within 180 days after publication of a notice in the Federal Register.
 - Authorizes States to assume the Secretary's authority for determining that projects are categorically excluded from requirements for EIS or EA.

- Allows State to assume other environmental review responsibilities of the Secretary on categorically excluded projects.
- Sec. 6006 – Environmental Restoration and Pollution Abatement: Control of Noxious Weeds and Aquatic Noxious Weeds and Establishment of Native Species.
 - The first portion (pollution abatement and restoration) extends the existing STP eligibility to the NHS.
 - The second portion is a new eligibility item that promotes the detection and eradication of noxious weeds and establishes a preference to the extent practicable for the planting of native plant species.

Biographical Sketch: Mary E. Gray has been with the Federal Highway Administration for 15 years. She currently works for the headquarters of the Office of Natural and Human Environment, specializing in the Endangered Species Act and wildlife crossings. She has also worked in California, Idaho, and Washington. Her responsibilities have included right-of-way, engineering, and the environment. Because of her responsibility as state environmental program manager, she has worked in almost every environmental area. Mary has degrees in environmental studies and geography from the University of California, as well as a master's degree in civil engineering from Stanford University.