

Return to Service

REVOLUTIONIZING NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE

Supporting our clients to implement programs/projects associated with a Safe Return to Operations and implementation of initiatives designed to support a phased Return to Service.

NEPA – A Brief History



1970



50 YEARS AGO. NEPA signed into law by President Nixon. At its core, NEPA requires that Federal agencies involve the public in their decision-making process, compile/share environmental data to inform public participation and Federal decision-making, and minimize environmental harm, while documenting the process.

1978



42 YEARS AGO. The President's Council on Environmental Quality's (CEQ) NEPA implementing regulations were codified in 1978, with no substantial modification since.

1978-2010



NEPA EVOLUTION? For a variety of reasons, NEPA documents became longer and more expensive, while preparation timelines increased. Strange and varied agency-specific NEPA practices evolved. We lost sight of the true spirit and intent of the regulation, and we did not take advantage of modern technologies.

2010-2020



NEPA STREAMLINING. Under both the Obama and Trump administrations, the government promulgated numerous laws, guidance, Executive Orders, and instructions to streamline the NEPA process, to varying degrees of success. Notable among these were EO 13807 and the FAST Act (i.e., FAST-41).

NEPA Today

On January 10, 2020, CEQ published in the *Federal Register* a draft, 18-page proposed NEPA implementing regulation revision, some 42 years in the making. A potential game-changer if finalized in its current form, the goal of the proposed revision is to streamline the process and get “back to the basics” of NEPA.



Key takeaways in the draft NEPA revision include that it:

Updates, reorganizes, consolidates, and **streamlines** the regulation

Reinforces agencies to **reduce paperwork and delay**

Encourages **integration of other regulations** into NEPA

Encourages NEPA documents to **focus on relevant, significant issues**

Asks agencies to ensure **sufficient NEPA staff** and resources

Reinforces NEPA documents be written **in plain language**

Places presumptive **limits on EISs** (2-year, 300 pp.) **and EAs** (1-year, 75 pp.)

Allows for **cost and technical criteria** to narrow alternatives

Can use **multiple Categorical Exclusions** for a non-segmented Proposed Action

Allows agencies **up to 1 year** to update their implementing regulations accordingly

Directs agencies to have a **website** to post NEPA-related data

Withdraws **all previous CEQ NEPA guidance** and will issue new guidance

Specifies that **no injunction is permitted** unless the Proposed Action would result in significant impacts/irreparable harm or NEPA process is violated

Requires the ability for **electronic public comments** that need to be **specific to significant impacts and alternatives**

Allows for **modern, innovative technologies** to replace hard copies and support public outreach

With the potential go-ahead to use digital tools to further streamline the NEPA process (40 CFR 1507.4), AECOM is pioneering the evolution of NEPA into the modern age, while returning to NEPA fundamentals.

AECOM's digital tools are proprietary, purpose-built, highly interactive, web-based, and elegant in their simplicity and utility. These tools reduce schedules and written pages, improve understanding, and foster better decision-making for improved environmental outcomes.

Anticipating the NEPA changes, AECOM published an article in the Society of American Military Engineers' The Military Engineer in January 2020, concurrent with CEQ's publication of the draft revisions. See: <https://sameneews.org/tme-january-february-2020/>.

These cutting-edge digital tools include AECOM's:

- Virtual Public Meeting Tool
- Digital NEPA Tool

In the face of unprecedented challenges, it is critical to create a seamless digital environment to visualize projects and their potential impacts, meet virtually, and bring stakeholders together in partnership with our clients around the world.

AECOM's Virtual Public Meeting Tool

This simple-to-use software allows our clients to engage and consult stakeholders from their computer, tablet, or mobile device – anything with internet connectivity. Anywhere.

The website virtual space can be tailored with unlimited functionality – virtual reality and sound demonstrations, videos, maps, plans, documents, and popup banners – almost anything you can imagine.

The tool provides multiple methods to interact with stakeholders and obtain, discuss, and record their comments and input. An embedded chat function allows experts to remotely answer questions as stakeholders examine materials, like an in-person event. A live meeting functionality is fully incorporated.

Using this web-based tool, our clients can engage with all stakeholders and solicit and obtain public input throughout the environmental impact analysis process – from scoping through the decision document. Clients can communicate with stakeholders without



anyone leaving their homes - providing a resilient and safe solution to any public involvement process.

A demonstration of the tool is available here: <https://consultation.ai/demo/>. AECOM is currently deploying this technology for our clients in the Federal and non-Federal sectors in the US and internationally.

AECOM's Digital NEPA Tool

Using proprietary software, AECOM is currently preparing the US's **first-ever Digital Environmental Impact Statement (EIS)** for a proposed major Federal action in the Washington DC metropolitan area.

This digital EIS tool provides an interactive, web-based, fully navigable experience for stakeholders and decision makers to visually understand the proposed action, alternatives, environmental baseline, region(s) of influence, potential environmental impacts, and proposed mitigation measures to minimize environmental harm.

Currently, an average EIS in the US includes 1,400 pages of text. The digital EIS platform's utility and functionality allow for the preparation of a concise "traditional" written companion document that meets the CEQ's proposed presumptive page limits while being legally sufficient and ADA Section 508 compliant. In our first application, the written EIS, cover-to-cover, is under 200 pages.

These modern technologies reduce internal NEPA review times, increase meaningful public involvement, improve agency decision making, and focus on improved environmental outcomes, while achieving the proposed action's purpose and need.

Imagine not having to read an enormous and intimidating document, and instead sit in the comfort of your home navigating a user-friendly website with conceptual proposed action images and video, drone-collected videos and photos of current conditions of critical resource areas, and video/still renderings of anticipated environmental changes under each considered alternative. Mitigation measures are shown in the same manner to evaluate both their potential effectiveness and realistic potential.

AECOM is launching our first Digital EIS, working closely with the USACE Baltimore District, and anticipates the Draft Digital EIS to be published in early 2021.

Experience

Please see the below links that provide demonstrations of these tools within the US:

- [USACE Baltimore District's digital EIS \(mp4\)](#)
- [Benning DEIS public meeting space \(mp4\)](#)



USACE Baltimore

PROPOSED CONSTRUCTION AND OPERATION OF A CURRENCY PRODUCTION FACILITY AT THE BELTSVILLE AGRICULTURAL RESEARCH CENTER

Proponent: US Department of Treasury, Bureau of Engraving and Printing

Contracting agency: US Army Corps of Engineers, Baltimore District

Pursuant to 40 Code of Federal Regulations (CFR) 1500.1(c), 40 CFR 1500.7(a)(3), Executive Orders (EO) 13766 and 13087, recent Council on Environmental Quality (CEQ) memoranda and guidance (e.g., March 6, 2012), and pending CEQ NEPA implementing revisions (January 10, 2020), Treasury has streamlined this Environmental Impact Statement (EIS) while satisfying current (and potential future) National Environmental Policy Act (NEPA) regulations.

To streamline this EIS, improve understanding, and expedite the NEPA process, this "Digital EIS," or digital display of relevant data, is accompanied by a traditional written EIS. This Digital EIS is referenced within the written EIS. Combined, these data presentations clearly convey relevant and required information to inform the public and Federal decision-makers.

Getting Around

- **Overview** – Provides a high-level review of the EIS.
- **Purpose & Need** – Describes the purpose of and need for the Proposed Action.
- **Proposed Actions & Alternatives** – Describes the Proposed Action and alternatives the Federal government considered.
- **Resource Analyses** – Examines the 13 technical resource areas potentially affected by the Proposed Action and describes potential effects of considered alternatives.
- **Multimedia** – Provides pictures, images, and graphics supporting the EIS' analysis.
- **Map Layers** – Includes topic maps and data layers associated with the EIS' analysis.

Should the reader not have internet access, please email BEP_EIS@usace.army.mil and accommodations will be made to provide you with hardcopies of relevant information requested.

Start →

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About AECOM

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See how we deliver what others can only imagine at aecom.com and [@AECOM](https://www.instagram.com/aecom).

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