



# The NEPA Assignment Program:

*FL & AK Perspective on  
Benefits, Risks, and Future  
Directions for Transportation  
NEPA*

NAEP Conference | Anchorage, Alaska | 9 AM, May 14, 2026



# PRESENTERS

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## Agenda

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- Background and Legislative Framework
- Program growth benefits
- Florida Experience
- Alaska DOT&PF Implementation
- Successes and Lessons Learned

# NEPA Assignment

## Purpose & Legislative Evolution

### What is NEPA Assignment

- MOU authorizing state as lead federal agency, replacing FHWA (FTA,FRA)
- NEPA requirements stay the same
- Audits and reviews by FHWA

### SAFETEA-LU (2005) pilot program

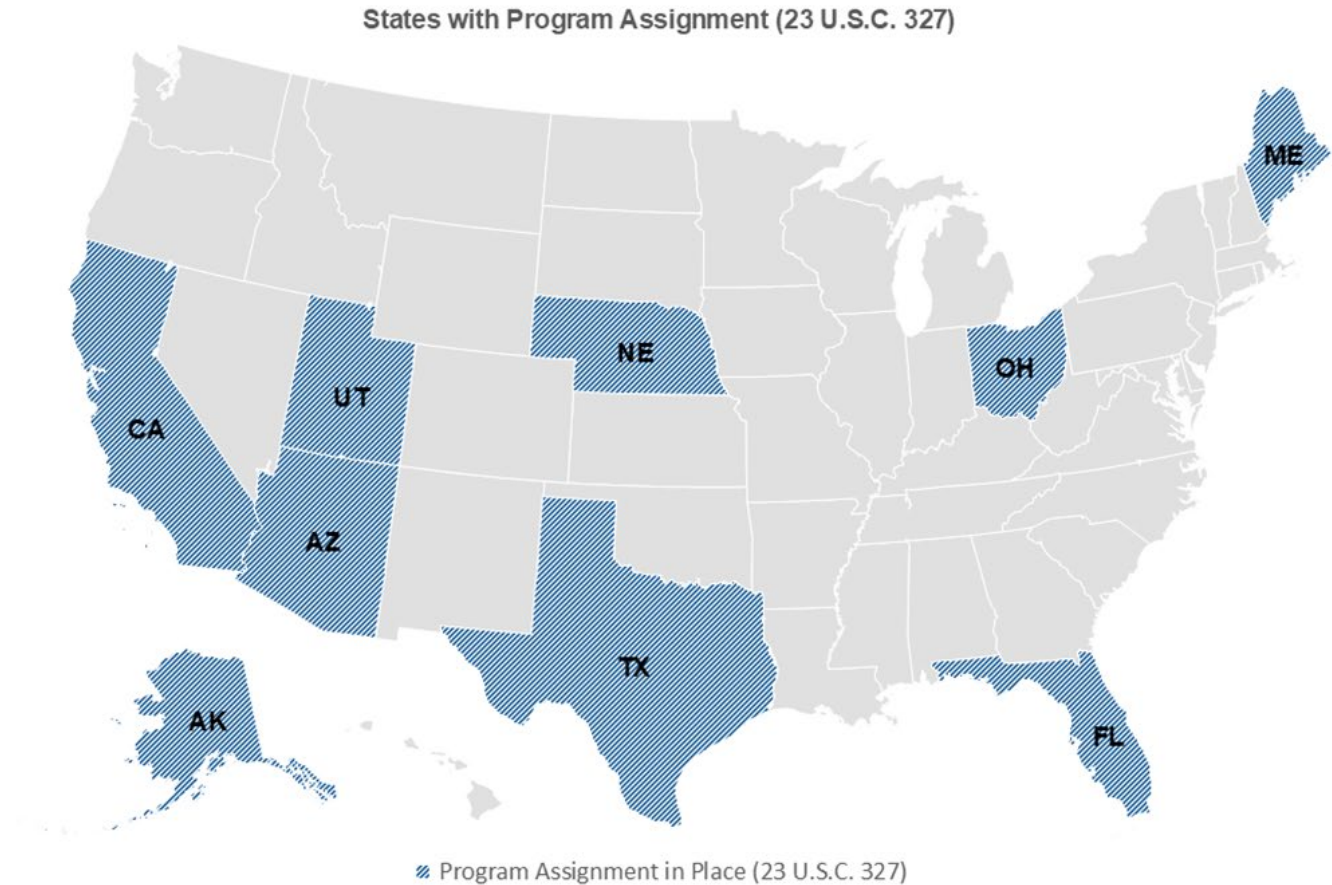
### MAP-21 (2012) permanency

**State needs:** Waiver of sovereign immunity and FOIA equivalent



# NEPA Assignment Program Growth

- 2007 California
- 2008 Utah (CE)
- 2009 Alaska (CE)
- 2014 Texas
- 2015 Ohio
- 2016 Florida
- 2017 Utah & Alaska
- 2018 Arizona & Nebraska (CE)
- 2019 Arizona
- 2024 Maine (CE) & Ohio (FRA)
- 2026 Nebraska & Maine



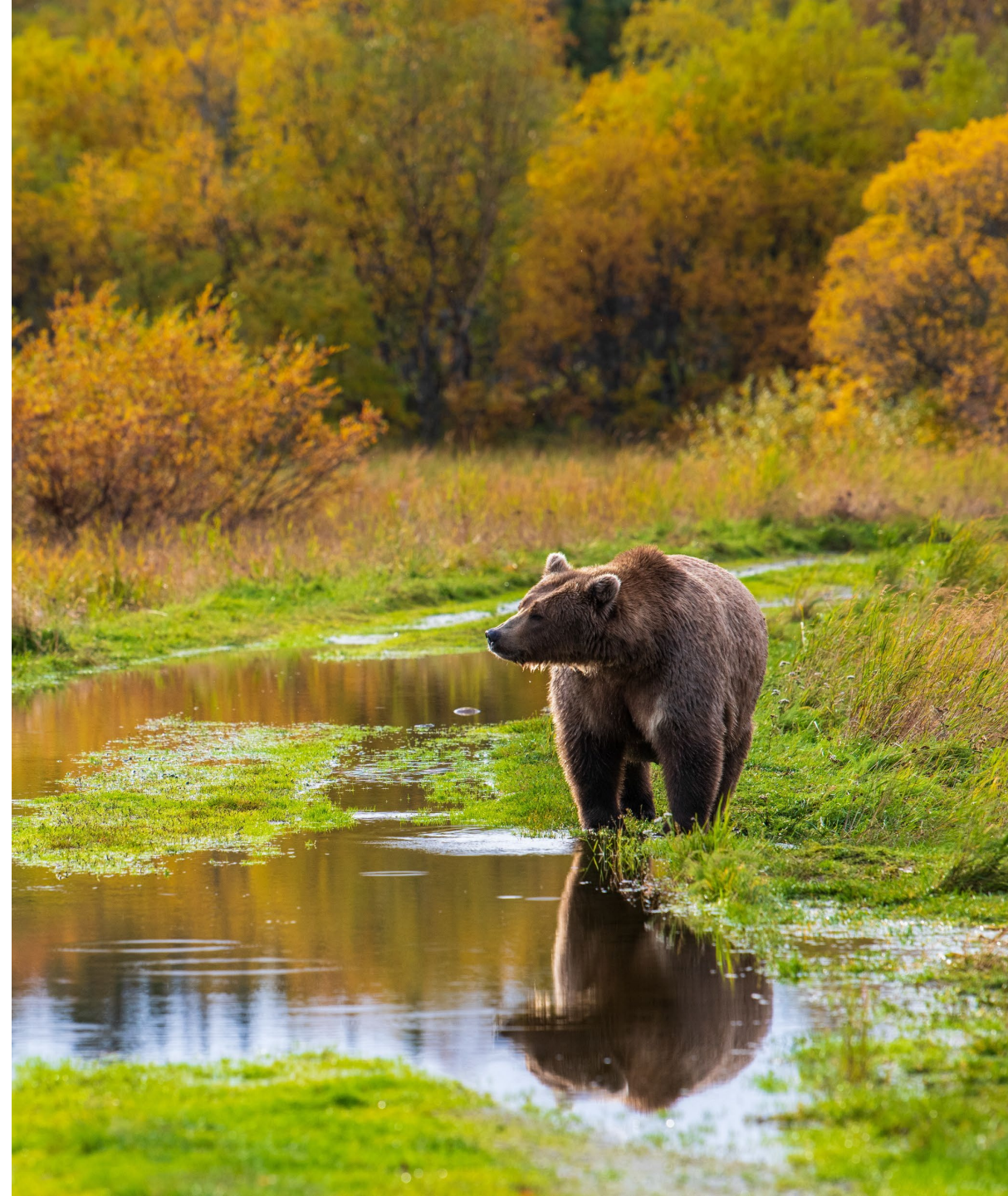
# National Benefits

## Time savings

- Utah: 25% reduction for EAs and EIS
- Texas: 33% reduction for EAs
- Ohio: 20% reduction for all projects
- California: 25% reduction for EAs and 68% for EIS
- Florida: 25% reduction for all projects

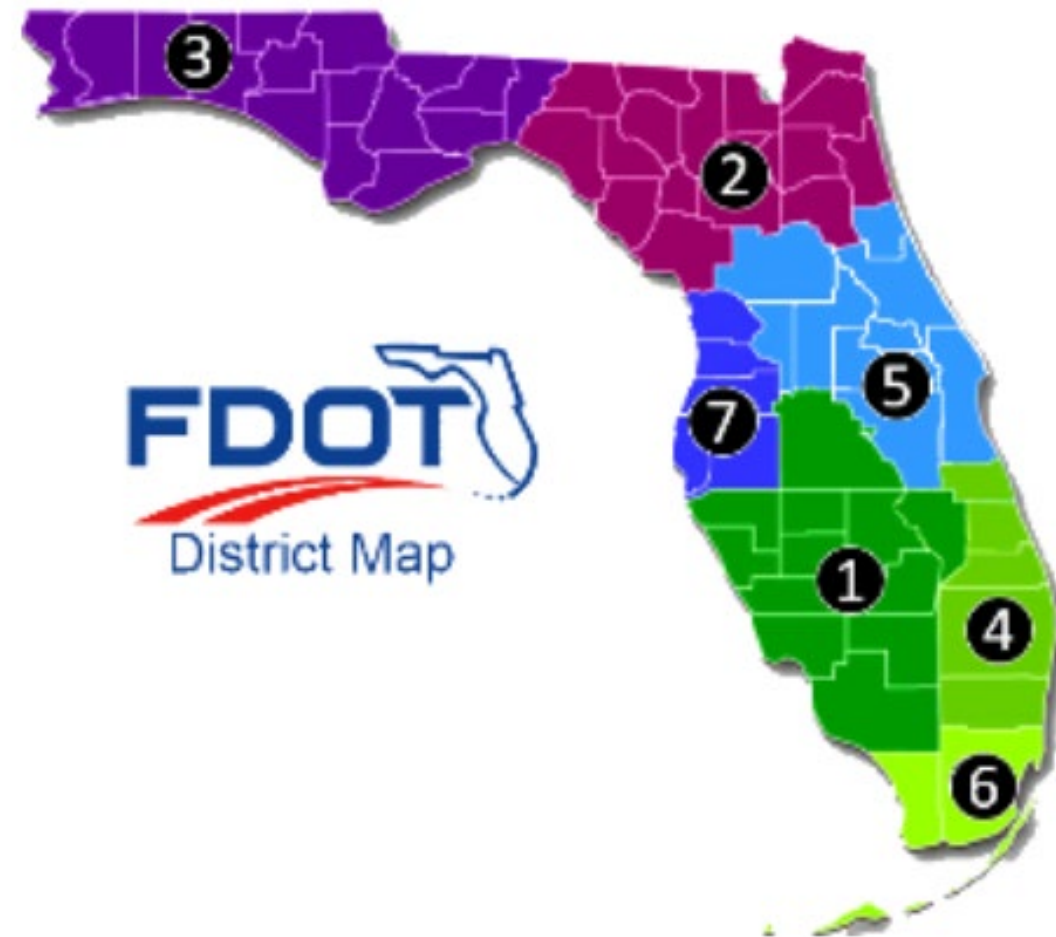
## Cost Savings: Time = \$

(6% NHCCI inflation rate x a one-year delay)  
X \$10M construction project  
= ~\$600,000 in material and labor cost increases.



# Florida's NEPA Assignment Program

- FDOT 2026 Budget – \$15 Billion
- FDOT has 7 local Districts + FL Turnpike + Central Office
- FDOT PD&E Process – Project Development & Environmental Studies
- Covers all NEPA Class of Action
  - Categorical Exclusion (CE) – Type 1 & 2
  - Environmental Assessment (EA)
  - Environmental Impact Statement (EIS)
- Improved project delivery efficiency, reduced duplication, and decision-making closer to local context.



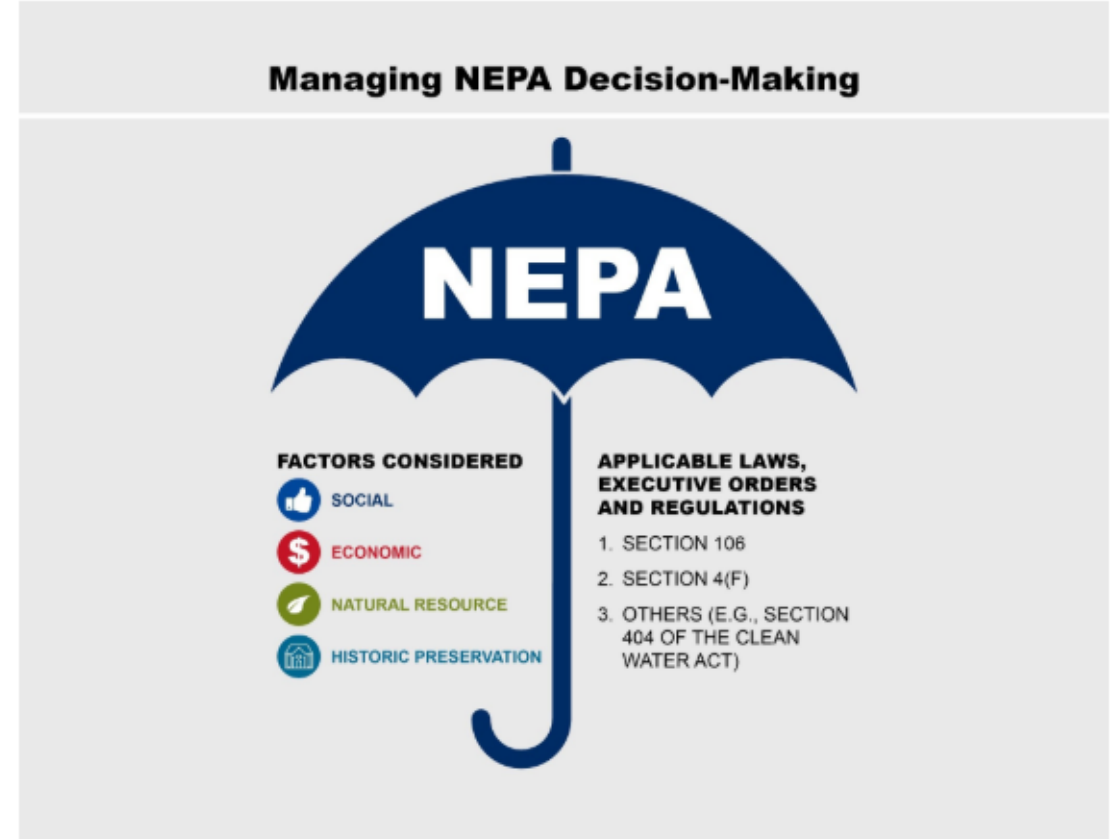
# Key Milestones & Implementation in Florida

- FDOT applied September 2015
- FDOT/FHWA MOU executed December 2016
- In May 2022, FDOT renewed the program after demonstrating compliance through audits and public transparency.
- Integrated by FDOT's Office of Environmental Management (OEM).
- Ongoing training and coordination to ensure federal environmental compliance requirements.



# Responsibilities and Actions Covered

- Applicable to FDOT's federally funded highway and roadway projects involved through FHWA.
- Extends beyond NEPA to include
  - Section 106 Historic Preservation
  - Section 4(f) Public Lands
  - Section 7 Endangered Species Act
  - Section 404 Clean Water Act
- FDOT manages the Public Involvement Process
- Signed off at the FDOT District level and certified by OEM



The NEPA “umbrella” showing factors considered and applicable laws, executive orders, and regulations in the NEPA process. Source: FHWA.

# Program Tools and Oversight

## SWEPT – Statewide Environmental Project Tracker

- FDOT database for electronic document submission, review and signature
- Tracking commitments through the project lifecycle – planning, design and permitting, construction

## Audits

- FHWA conducted four annual audits during the first four years

## Self Assessment

- FDOT annual self assessments to monitor performance measures and QA/QC and legal sufficiency
- Findings are publicly available enhancing transparency



# Major Benefits of Florida NEPA Assignment

## Accelerated Delivery

- Reduced project review and approval times
- Streamlined and consistent documentation

## Direct Control

- FDOT prioritization of project needs and more effective allocation of funding resources

## Improved Coordination

- Interagency coordination
- Facilitates direct engagement with federal, state and local agencies
- USFWS and FWC
- USACE and FDEP/WMDs
- Local Agency Consistency and Coordination with County's and Cities



# Alaska's Entry into NEPA Assignment

## CE Assignment in September 2009

- 95+% of program are Categorical Exclusions
- Increased staff competence
- Established Statewide Environmental Office

## NEPA Assignment in November 2017

- Natural progression from CE Assignment
- Increase SEO staff
- Implemented training and QA/QC programs
- Renewed MOU in 2022



# Success in Alaska



Control of decision making



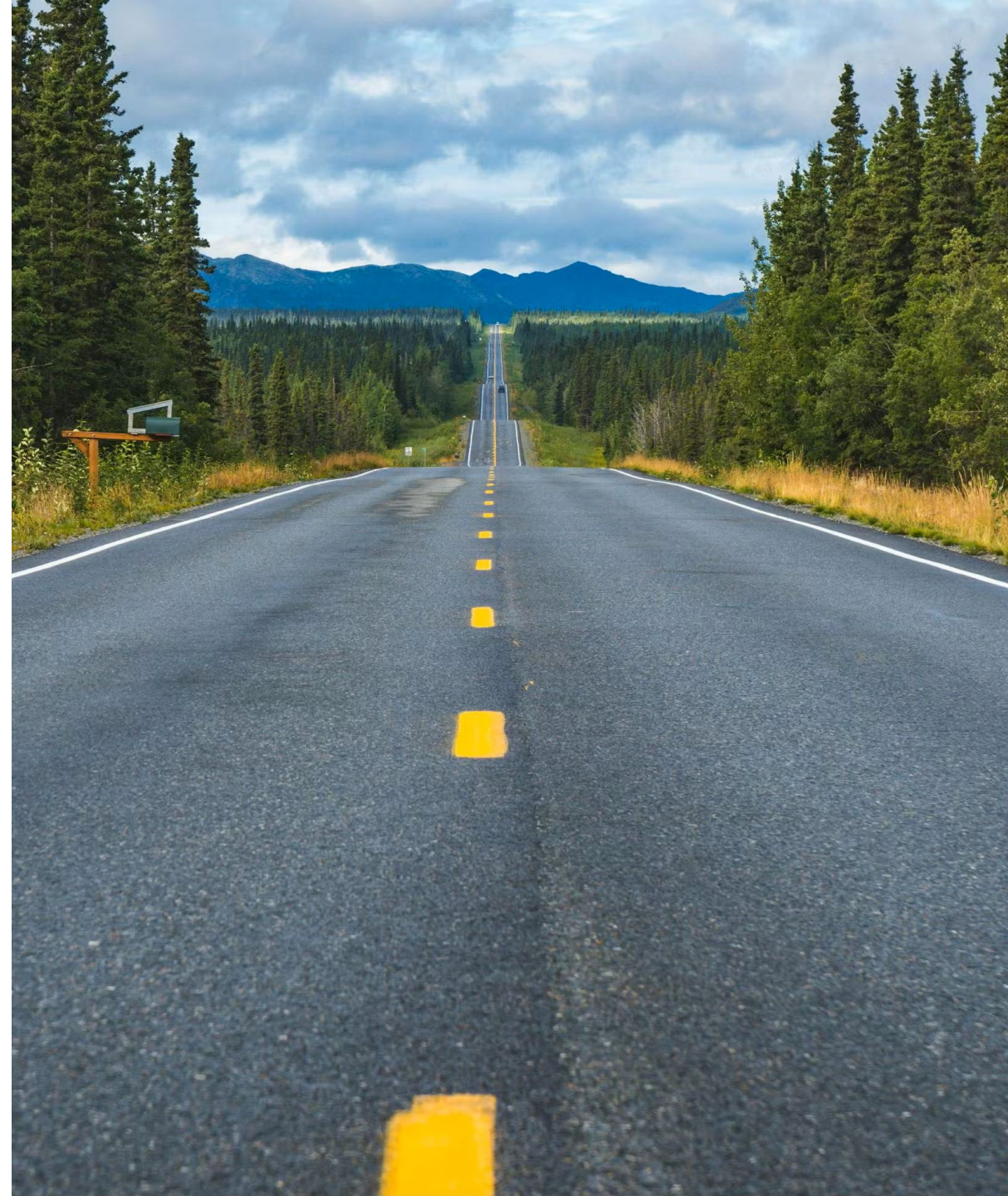
Access to decision makers



Agency relationship building



Innovative procedures





## Lessons Learned



NEPA isn't always the reason a project is delayed



Create baseline metrics if you want to measure benefits



Invest in your staff:  
training and career growth



States are knowledge centers as federal agencies change roles

# The Future of NEPA Assignment



2025 USDOT  
Secretary Duffy letter



AASHTO peer exchange  
in January



FRA Assignment in Utah



Other Agencies?





Questions?