



Public-Private Partnerships and the National Environmental Policy Act

Best practices for environmental permits and reviews

Public-private partnership (P3) projects often lead to special challenges during the National Environmental Policy Act (NEPA) environmental review process. Challenges arise when the NEPA process results in the selection of an alternative that meets environmental requirements but is infeasible as a P3 project. The use of design-build contracts and private financing in P3 projects can raise issues associated with the scope of the project as defined in NEPA, the consideration of alternatives not conducive to P3s, the level of involvement of private partners in the environmental review process, and the timing of reviews and approvals. P3 transportation projects frequently raise issues related to tolling in the determination of project purpose and need, the assessment of environmental impacts of changed traffic patterns, and the effects on low income and minority populations.

Trusted advisors

WSP USA partners with federal, state and local leaders to successfully accelerate the environmental review and permitting process. Our team of multidisciplinary experts - which includes former senior federal officials - provides critical strategic advice to clients to best position their projects for on-time and on-budget delivery. We are nationally recognized experts on environmental reviews and have decades of direct experience in establishing and implementing environmental, energy and natural resources policy, including several executive orders and presidential memoranda. Our unparalleled ability to navigate government processes and our superior skills for leading change and building consensus have led to the successful development and implementation of innovative and effective partnerships to create smart strategies for making communities better places to live, work and play.



Understanding NEPA

- NEPA establishes the basic framework to ensure that environmental factors are weighted equally when compared to other factors in the decision-making process undertaken by federal agencies.
- NEPA applies to federal actions (including permitting, siting, construction) that might affect the environment/biosphere, but require consideration of social and economic impacts as well.
- The NEPA process helps to define a project's basic features – its purpose, location and conceptual design, as well as any required mitigation measures.
- In practice, P3 procurement can happen before, during and after the NEPA process. Considering environmental review processes and permitting requirements early in the development of a P3 project can avoid cost and delay.
- Best practices include front-loading data gathering and needs assessment, striking the right balance for the level of design, and appropriately defining study areas to include expanded envelopes (e.g., using watershed/landscape scale approaches).

About WSP USA

WSP USA is the U.S. operating company of WSP, one of the world's leading engineering and professional services firms. Dedicated to serving local communities, we are engineers, planners, technical experts, strategic advisors and construction management professionals. WSP USA designs lasting solutions in the buildings, transportation, energy, water and environment markets. With more than 7,000 people in 100 offices across the U.S., we partner with our clients to help communities prosper.



CONTACT US

MANISHA D. PATEL
ASSOCIATE DIRECTOR, ENVIRONMENTAL POLICY PRACTICE
WSP USA
211 NORTH BROADWAY
SUITE 2800
ST. LOUIS, MO 63102
+1-314-206-4221
MANISHA.PATEL@WSP.COM
WSP.COM