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Transportation Makes America Work
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November 2, 2026

VIA ELECTRONIC SUBMISSION

Ms. Sabrina David
Division Administrator, Georgia Division
U.S. Federal Highway Administration
75 Ted Turner Drive
Suite 1000
Atlanta, GA 30303

RE: Proposed Memorandum of Understanding Assigning Federal Environmental Review Responsibilities to the Georgia Department of Transportation Under 23 U.S.C. § 327, Docket No. FHWA-2026-0958

Dear Ms. David:

The American Road & Transportation Builders Association (ARTBA) respectfully offers the following letter **strongly supporting** the Georgia Department of Transportation's (GDOT) application for National Environmental Policy Act (NEPA) assignment authority. ARTBA urges the Federal Highway Administration (FHWA) to advance the application expeditiously.

Background

ARTBA represents over 8,000 members across all sectors and sizes of the transportation construction industry, including contractors, planning and design firms, state and local transportation agencies, materials suppliers, and safety and equipment manufacturers. Our members plan, design, build, and maintain the nation's highways, bridges, rail systems, airports, and other critical transportation infrastructure.

Today, ARTBA writes specifically to address this proposal's prospective benefits to our Georgia-based member firms and agencies.[1] These entities are responsible for delivering and maintaining the infrastructure that supports the daily movement of goods and people throughout the state. Many of these projects undergo reviews at every stage of the NEPA process. While thorough environmental reviews are essential, unnecessarily duplicative procedures can create uncertainty and delay the delivery of needed transportation improvements.

[1] Besides individual companies based or operating in Georgia, ARTBA's unique membership structure includes an 89-year affiliation with the Georgia Highway Contractors Association (GHCA), the state's leading organization for construction contractors and related industry interests, as well as GDOT.

Given this experience, ARTBA has long supported the assignment of federal environmental review responsibilities to states—a concept introduced through a five-state pilot in the "Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users" (SAFETEA-LU)[2] and expanded nationwide in "Moving Ahead for Progress in the 21st Century" (MAP-21).[3] More recently, the Infrastructure Investment and Jobs Act (IIJA)[4] established a goal of completing environmental reviews for major projects within two years. Continued implementation and expansion of NEPA assignment authority is critical to achieving this objective. Currently, nine states are carrying out delegated NEPA responsibilities, with more indicating their intent to apply, including Georgia. In that spirit, ARTBA offers the following comments on GDOT's application.

ARTBA's Comments on the Application

I. NEPA assignment expedites review timelines and reduces costs.

ARTBA has repeatedly highlighted examples where state assumption of NEPA responsibilities has led to measurable improvements in review timelines.[5] According to a recent Texas Department of Transportation self-assessment, the median time to complete an environmental review was nearly 18 percent longer prior to the state's NEPA assignment.[6] California and Ohio have similarly reported significant reductions in environmental review timelines.[7] Beyond shorter review timelines, participating states have also reported reduced costs as a benefit of participation.[8] These results demonstrate the practical benefits of placing federal environmental review responsibilities with qualified state transportation agencies.

FHWA itself has also recognized that states participating in the program have improved their environmental review processes through more effective and efficient decision-making. Since early 2025, the agency has undertaken a series of executive actions encouraging additional states to

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[2] Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), Pub. L. No. 109–59, 119 Stat. 1144 (2005).
[3] Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. No. 112–141, 126 Stat. 405 (2012).
[4] Infrastructure Investment and Jobs Act, Pub. L. No. 117–58, 135 Stat. 429 (2021).
[5] Tex. Dep't of Transp., *NEPA Assignment Program Self-Assessment Report: January 1, 2023 – December 31, 2023* (Jan. 31, 2025).
[6] *Id.*
[7] *See e.g.,* Cal. Dep't of Transp., *NEPA Assignment Fact Sheet: Approvals and Time Savings* (Apr. 2026) (reporting median time savings under NEPA assignment of 14.4 months for final Environmental Assessments/Findings of No Significant Impact and 124 months for final Environmental Impact Statements), https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/nepa-factsheet-a11y.pdf ; Ohio Department of Transportation, *ODOT/FHWA NEPA Assignment 2025 Self-Assessment Report* (Nov. 18, 2025), https://dam.assets.ohio.gov/image/upload/transportation.ohio.gov/environmental-services/nepa/2025FHWANEPAAssignmentSelfAssessment.pdf.
[8] *See, e.g.*, Alaska Dep't of Transp. & Pub. Facilities, *Alaska Welcomes U.S. Transportation Secretary Sean Duffy: Visit Highlights Shared Priorities in Safety, Project Delivery, and Infrastructure Investment* (2025) (noting that NEPA assignment has allowed the state to streamline reviews, shorten project timelines, and reduce costs), https://dot.alaska.gov/comm/pressbox/arch2025/PR25-0030.shtml, Ohio Dep't of Transp., *ODOT/FHWA NEPA Assignment 2025 Self-Assessment Report* (Nov. 18, 2025), https://dam.assets.ohio.gov/image/upload/transportation.ohio.gov/environmental-services/nepa/2025FHWANEPAAssignmentSelfAssessment.pdf.

apply.[9] The experience of participating states demonstrates the potential benefits of NEPA assignment for transportation project delivery. GDOT's application and proposed MOU provide an opportunity to extend these benefits to eligible highway projects in Georgia through an established framework for state-level environmental decision-making.

II. GDOT's proposed assignment framework provides efficient environmental decision-making and continued accountability.

GDOT's application and proposed Memorandum of Understanding demonstrate a comprehensive approach to assuming federal environmental review responsibilities. The proposed assignment encompasses eligible highway projects requiring environmental impact statements, environmental assessments, and categorical exclusions, as well as FHWA's assignable responsibilities under related federal environmental laws.

This scope is particularly important for transportation construction project delivery. By placing responsibility for assigned environmental reviews and decisions within GDOT, the program can improve coordination, reduce duplicative agency review, and provide greater predictability. These benefits would extend to eligible local government highway projects as well as projects on Georgia's state highway system.[10]

The proposed MOU also establishes meaningful accountability measures.[11] GDOT would remain subject to the same federal procedural and substantive requirements applicable to FHWA, ensuring that no environmental protections are compromised. Furthermore, FHWA would retain monitoring and oversight authority, including annual audits during the first four years of the agreement. GDOT would also conduct annual self-assessments and maintain quality assurance and quality control procedures. Together, these provisions establish a framework for improving environmental review efficiency without reducing applicable environmental protections or eliminating federal oversight.

III. States have the expertise and experience to make informed decisions.

Of the nine states with NEPA assignment authority, seven have operated under the program for approximately seven to nineteen years. NEPA assignment is therefore no longer an experimental initiative. Rather, the experience of longtime participating states demonstrates measurable project-delivery benefits and the improved ability of state transportation agencies to make timely, informed environmental decisions.

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[9] *See e.g.,* Letter from Sean P. Duffy, Sec'y, U.S. Dep't of Transp., to State Governors (July 17, 2025), https://www.environment.fhwa.dot.gov/nepa/documents/HEP-250612-001_Signed_Letter.pdf

[10] *See* Georgia Department of Transportation, *Application for Assumption of Federal Highway Administration Responsibilities Pursuant to the Surface Transportation Project Delivery Program*, § 773.109(a)(1)–(2); Federal Highway Administration and Georgia Department of Transportation, *Proposed Memorandum of Understanding Concerning Participation in the Surface Transportation Project Delivery Program*, §§ 2.1–2.3., available at https://www.dot.ga.gov/InvestSmart/Environment/Documents/NEPAAssignment/327_MOU.pdf

[11] *Ga. Dep't of Transp., Draft Application for Assumption of Federal Highway Administration Responsibilities Pursuant to the Surface Transportation Project Delivery Program, 23 U.S.C. § 327 (*Aug. 24, 2026), https://www.dot.ga.gov/InvestSmart/Environment/Documents/NEPAAssignment/ProgramAssignmentApplication.pdf

Conclusion

ARTBA strongly supports the Georgia Department of Transportation's application to assume federal environmental review responsibilities and appreciates the opportunity to provide comments on the proposed assignment. The experience of states already participating in the program demonstrates that NEPA assignment can improve environmental review timelines, reduce costs, and enhance project delivery. GDOT's application and proposed Memorandum of Understanding establish a framework for achieving these benefits while preserving meaningful environmental stewardship through requirements and oversight specified in federal law. ARTBA encourages FHWA to approve GDOT's application and take the necessary steps to finalize the assignment agreement expeditiously.

ARTBA remains available to engage further on this or other matters affecting transportation project delivery. For additional information, please contact Prianka Sharma at psharma@artba.org.

Sincerely,

Prianka Sharma

Prianka P. Sharma
Deputy General Counsel and Vice President for Regulatory Affairs