

Real Property

Early Acquisition overview

System Expansion Committee

8/10/23

Why we are here

- Overview of the early acquisition limitations
- Response to Board workplan and TAG recommendations
- Today we are here to provide information only

Early Property Acquisition

- Generally prohibited prior to completion of environmental review under State and National Environmental Policy Acts
- Distinct exceptions under FTA's NEPA rules

National Environmental Policy Act

- Applies when a project will use federal funding or has a federal approval/permit
- Requires that early acquisitions:
 - Will not limit the choice of alternatives for a project
 - Will not change the use of the property / project development will not occur prior to completion of NEPA
 - Will not cause significant environmental impacts

National Environmental Policy Act ***Early acquisition categories***

- Hardship Acquisition
- Protective Acquisition
- Early Acquisition or transfer of real property
- Acquisition of right of way for future transit use –
aka: Corridor Preservation

State Environmental Policy Act

- Applies to all ST capital projects
- Requires that early acquisition:
 - Will not limit the choice of alternatives for a project
 - Will not have adverse environmental impacts

Acquisition and Relocation Timing

- Every property comes to Board for authorization
- Early Acquisitions – subject to FTA concurrence
- Persons or businesses not displaced prior to Record of Decision and Project to be Built decision

Thank you.



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