

Appendix B
Federal Highway Administration & Federal Transit Administration
Agency Operating Agreement
January 15, 2003

Thomas F. Barry, Jr., P.E. Secretary Florida Department of Transportation	Date	James E. St. John Florida Division Administrator Federal Highway Administration	Date	Jerry Franklin Regional Administrator Federal Transit Administration	Date
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Introduction

The ETDM process is designed to accomplish the streamlining objectives identified in Section 1309 of the Transportation Efficiency Act for the 21st Century. The ETDM Process creates linkages between land use, transportation, and environmental resource planning initiatives, through early, interactive agency involvement. In implementing the ETDM process, all ETAT agencies are responsible for reviewing and commenting on transportation improvements consistent with their respective agencies statutory and regulatory authority. Process objectives include effective/timely decision making without compromising environmental quality, full and early public and agency participation, integrating NEPA reviews with issuance of project permitting and implementing meaningful dispute resolution mechanisms. The results of the ETDM process include concurrent actions and approvals, interactive planning, efficiency gained from technology, and ultimately better transportation decisions. The tables below identify the information available from the project’s purpose and need, to technical reports and environmental documents. The tables also identify the agency’s review responsibilities from project planning through compliance with NEPA and permit approvals, to construction and maintenance. The tables have been divided into three basic phases of a transportation project: planning, programming, and project development. Program and project efficiency is gained by two environmental screening events that occur at the transportation planning and programming phases. The Planning and Programming Screens apply only to major capacity improvement projects, including roadway widenings, new roadways, new rail systems and all bridge projects.

The Federal Highway Administration will serve as lead federal agency for implementing the ETDM process and ensuring NEPA compliance.

Planning Screen

In Metropolitan Planning Organization (MPO) areas, the Planning Screen will occur on capacity improvements contained in the Long Range Transportation Needs Plan and prior to the development of the MPO Long Range Transportation Plan with the exception of the Florida Intrastate Highway System (FIHS) facilities. FIHS facilities will be screened during the development of the FIHS Cost Feasible Plan for both the MPO and non-MPO areas. FDOT staff are responsible for uploading the FIHS project information into the ETDM Database.

The table below identifies the information available to the FHWA and FTA during the Planning screen (via the ETDM database). The table also addresses FDOT and the FHWA and FTA review and coordination responsibilities. A discussion of the purpose and need statement and logical termini is provided after the table. The review will take place on the interactive ETDM Web site and all comments will be entered directly into the ETAT review database.

Appendix B
Federal Highway Administration & Federal Transit Administration
Agency Operating Agreement
January 15, 2003

ETDM Database (MPO, FDOT, FGDL)	FDOT Responsibilities	FHWA and FTA Responsibilities
<ul style="list-style-type: none"> <input type="checkbox"/> Purpose and Need Statement <input type="checkbox"/> Project limits and logical termini <input type="checkbox"/> Mobility Alternatives <input type="checkbox"/> Community Goals and Objectives <input type="checkbox"/> Demographics (Community Impact Assessment) <input type="checkbox"/> Example GIS Data Sets (For ETAT Review): <ul style="list-style-type: none"> – Agency Specific GIS Databases – National Wetlands Inventory – polygons – 100 Year Flood Plains – Historical Bridges – FDOT Bridges – FDOT Facility Crossings – Archaeological and Historical Sites – Outstanding Florida Waters – Specific Soils – SSURGO – Hydric soils classified by NCRS – Wetlands – Ecosystem Management Areas drainage Basins – Strategic Habitat Conservation – Habitat and Landcover – Biodiversity Hot Spots – Critical Wildlife Designations (FWC) – Priority Wetlands Habitat – EPA Water Quality Data – USGS 1:100,000 Hydrographic Features – Seagrass Beds Along Coastline features (polygon) – FDEP Watershed Planning & Coordination Water Quality Data – US Census Bureau, Census Block Groups, most current – Coastal Zone Construction Control Line (per FDEP) – Best available Aerial Photos or DOQQs 	<ul style="list-style-type: none"> <input type="checkbox"/> In MPO areas, assist in developing the Purpose and Need Statement and establishing logical termini. <input type="checkbox"/> In Non-MPO areas, FDOT, in consultation with FHWA and FTA establishes purpose and need statement, logical termini <input type="checkbox"/> In MPO and Non-MPO areas , FDOT establishes the Purpose and Need, logical termini for FIHS projects in consultation with MPO, and FHWA/FTA <input type="checkbox"/> Ensure project information is available for ETAT review <input type="checkbox"/> Coordinate project issues and concerns with agencies <input type="checkbox"/> Produce the Planning Summary Report which will comprise the following key components: <ul style="list-style-type: none"> – Project Description – Purpose and Need statement – Agency comments, issues and recommendations for potential direct impacts – System-wide GIS mapping depicting social, cultural, and natural resources – Potential secondary and cumulative impact issues and recommendations – Summary of public involvement comments – Summary of Recommendations 	<ul style="list-style-type: none"> <input type="checkbox"/> Consult and provide technical assistance on planning activities <input type="checkbox"/> Review, comment and accept Purpose and Need statement for project <input type="checkbox"/> Review, comment and accept logical termini <input type="checkbox"/> Review and comment on mode choice, mobility and technology alternatives (demand management, transit, highways) <input type="checkbox"/> Review and comment on secondary and cumulative impacts, as appropriate <input type="checkbox"/> Provide project recommendations <input type="checkbox"/> Review major transportation and environmental funding issues <input type="checkbox"/> Submit comments electronically within 45 calendar days of notification. <input type="checkbox"/> The Planning Summary Report will be made available to ETAT representatives through the ETDM website.

Appendix B
Federal Highway Administration & Federal Transit Administration
Agency Operating Agreement
January 15, 2003

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<ul style="list-style-type: none"> <input type="checkbox"/> Secondary and Cumulative Impact GIS Data Sets (For ETAT Review): <ul style="list-style-type: none"> – Existing Land Use Map – Future Land Use Map – Maps of approved population and employment projections by TAZ – Density and growth maps – Location and type of approved developments, including DRIs (Regional Planning Council or Local Governments) – Delineated urban service area boundaries (MPO or Local Planning Agency) – Existing and future roadway network, Needs Plan (MPO or FDOT) – Location of existing and proposed public lands and conservation easements (WMDs or RPC) – Existing and proposed Mitigation Areas (Resource Agencies) <input type="checkbox"/> Defined neighborhoods (MPO or Local Government) 		

Planning Screen Information

Purpose and Need and Logical Termini

The purpose and need for a proposed action is part of the project specific information uploaded by the MPO and FDOT as part of the Planning Screen database. The purpose and need statement will be coordinated with the ETDM Coordinator and the FHWA Division Office. The purpose and need will clearly establish the need for the proposed improvement and provide the rationale for how the project addresses transportation problems, issues, and concerns. The purpose and need serves as the foundation for the proposed project action and provides the principle information upon which the “Build” alternatives discussion in later Project Development phase is based. The purpose and need discussion will establish the rationale for pursuing the action, and the fact that the actions proposed are consistent with local transportation planning, local comprehensive planning, land use planning, and growth management efforts. The purpose and need statement may include traffic or ridership projections; agency-expressed needs such as freight mobility, safety or emergency evacuation; community expressed needs; and/or other reasons for implementing the proposed project.

Project logical termini will be established by the MPOs and FDOT, in consultation with FHWA, as part of the planning screen. Logical termini will be of sufficient length to address environmental matters on a broad scope, have independent utility, and not restrict consideration of alternative development for other reasonably foreseeable transportation needs.

Appendix B

Federal Highway Administration & Federal Transit Administration Agency Operating Agreement

January 15, 2003

Programming Screen

The Programming Screen will be performed annually on all bridge projects contained in the Annual Bridge Repair and Replacement Report and on major capacity improvement projects contained in the MPO's list of priority projects prior to inclusion into FDOT's Five-Year Work Program with the exception of the FIHS facilities. The FIHS facilities for MPO and non-MPO areas will be screened during FDOT's development of the FIHS Ten-Year Plan. FDOT staff will be responsible for uploading the FIHS project information into the ETDM database. Major capacity improvements and bridge projects located on the State Highway System in rural areas will also undergo review prior to inclusion into FDOT's Five-Year Work Program.

The Programming Screen table shown below identifies the information available to the FHWA and FTA during the Programming screen (via the ETDM database). The table addresses FDOT and FHWA and FTA review and coordination responsibilities. The review will once again take place on the interactive ETDM Web site and all comments will be entered directly into the ETAT review database.

The Programming Screen initiates the Intergovernmental Coordination and Review Process (ICAR), formerly the Advanced Notification (AN) process. The Programming screen will be used to assist in determining the type of environmental document or Class of Action. The three class of action categories are discussed after the table. The preliminary outline of the Project Development Scope is also a critical product of the Programming screen and will be contained in the Programming Summary Report. A discussion of the Outline for the Project Development Scope of Work is contained at the end of this section.

ETDM Database (MPO, FDOT,FGDL)	FDOT Responsibilities	FHWA and FTA Responsibilities
<ul style="list-style-type: none"> <input type="checkbox"/> Intergovernmental Coordination and Review Process <input type="checkbox"/> Coastal Zone Consistency Determination <input type="checkbox"/> LGCP Consistency <input type="checkbox"/> Goals of the State <input type="checkbox"/> Clean Air Act Conformity Designation) <input type="checkbox"/> Demographics (Community Impact Assessment) <input type="checkbox"/> Example GIS Data Sets: <ul style="list-style-type: none"> – Agency specific GIS Databases – National Wetlands Inventory - polygons – 100-Year Flood Plains – Historical Bridges – Archaeological and Historical Sites – Outstanding Florida Waters – Specific Soils – SSURGO – Hydric soils classified by NCRS – Ecosystem Management Areas drainage Basins – Streams with 303(d) impaired waters – Wetlands – Strategic Habitat Conservation – Habitat and Landcover – FFWCC Biodiversity Hot Spots 	<ul style="list-style-type: none"> <input type="checkbox"/> Distribute ICAR to agencies including all ETAT representatives <input type="checkbox"/> Determine Preliminary Class of Action Determination <input type="checkbox"/> Establish an interdisciplinary project team <input type="checkbox"/> Produce Programming Summary Report within 90 calendar days of completing the Programming Screen. The report will comprise the following key components: <ul style="list-style-type: none"> – Class of Action Determination – System-wide mapping depicting social, cultural, and natural resources – Agency comments, issues, and recommendations for potential direct impacts – Preliminary outline of the Project Development scope 	<ul style="list-style-type: none"> <input type="checkbox"/> Consult and provide technical assistance on planning activities, including alternatives analyses and scoping activities <input type="checkbox"/> Review and comment on ICAR <input type="checkbox"/> Coordinate with federal cooperating agencies as appropriate <input type="checkbox"/> Publish Notice of Intent for EIS <input type="checkbox"/> Review project consistency with Local Government Comprehensive Plans and Statewide goals and objectives <input type="checkbox"/> Participate in dispute resolution, if necessary, to assist the ETMD Coordinator in identifying solutions to project concerns. Participate in ETAT Review Committee, as needed, to review and resolve conflicts at an informal local level <input type="checkbox"/> Provide project recommendations <input type="checkbox"/> Submit comments electronically within 45 calendar days of notification <input type="checkbox"/> The Programming Summary Report will be made available to the ETAT representatives within 90 calendars days of completing the Programming Screen, through the ETDM Web site. <input type="checkbox"/> After Programming Screen is complete, review and approve Class of Action Determination

Appendix B
Federal Highway Administration & Federal Transit Administration
Agency Operating Agreement
January 15, 2003

ETDM Database (MPO, FDOT,FGDL)	FDOT Responsibilities	FHWA and FTA Responsibilities
<ul style="list-style-type: none"> - Critical Wildlife Designations (FWC) - FFWCC Priority Wetlands Habitat - EPA Water Quality Data - USGS 1:100,000 Hydrographic Features - Seagrass Beds Along Coastline features (polygon) - FDEP Watershed Planning & Coordination Water Quality Data - Best available Aerial Photos or DOQQs 	<ul style="list-style-type: none"> - Dispute resolution issues - Summary of public involvement comments 	<ul style="list-style-type: none"> <input type="checkbox"/> After Programming Screen is complete, review and accept outline of Project Development Scope

Programming Screen Information

Class of Action Determination

The process of determining the class of action begins when the ICAR (formerly AN) and Programming screen responses are received and comment period is completed. After evaluation and consultation with FHWA, a determination is reached as to which class of action category a project can be classified. The Class of Action determination is contained in the Programming Summary Report which summaries key components of the review. 23 Code of Federal Regulations (CFR) 771 defines three class of action categories.

1. Categorical Exclusions are prepared for actions, which do not individually or cumulatively have a significant environmental effect on the human environment. They are actions which do not induce significant impacts to planned growth or land use for an area; do not require the relocation of significant numbers of people; do not have a significant impact on any natural, cultural, recreational, historic, or other resources; do not involve significant air, noise, or water quality impacts; or do not have significant impacts on travel patterns. Project activities classified as a Categorical Exclusions will fall into the following three forms.
 - Type 1 Categorical Exclusions
 - Programmatic Categorical Exclusions
 - Categorical Exclusions that require public involvement, technical evaluations and/or studies

2. EA- is prepared for actions in which the significance of the environmental impact is not clearly established. The EA is normally focused on the major environmental issues. All actions that are not CE or EIS are EA.

3. EIS – is prepared for actions that significantly affect the human environment as defined by the Council of Environmental Quality (CEQ) regulations or involve substantial environmental controversy. The types of actions which normally require an EIS are:
 - A new controlled-access freeway
 - A highway project of four or more lanes on new location
 - New construction or extension of fixed rail transit facilities; and
 - New construction or extension of a separate roadway for buses or high occupancy vehicles not located within an existing highway facility.

Appendix B

Federal Highway Administration & Federal Transit Administration Agency Operating Agreement January 15, 2003

Type 1 and Programmatic Categorical Exclusions

In order for a project to be categorically excluded as a Type 1 or Programmatic Categorical Exclusions, it must be one of 20 activities determined by FHWA pursuant to 23 CFR 771.117 (c) (commonly referred to as Type I CE) or one of the 38 Programmatic Categorical Exclusions (PCEs) listed in this agreement. Programmatic CEs are actions or activities similar in scope to the Type I CEs identified in 23 CFR.117(c). The Programmatic CE is the result of an FHWA determination that PCE type actions and activities meet the definition of a categorical exclusion contained in 40 CFR 1508.4 and do not individually or cumulatively significantly effect the human environment. This determination is based on the past history and experience by FHWA and FDOT with PCE type projects and the fact that due to their nature and scope they do not have a significant environmental impact.

All project actions identified as Type 1 or PCEs will remain categorically excluded unless a subsequent reevaluation identifies a significant impact that would require the preparation of an EIS. Type 1 and PCE actions may have impacts to the natural, physical, social and cultural environment or resources, which are not significant and require satisfaction of other specific environmental laws and regulations. FDOT, in consultation with FHWA or FTA, will address any environmental issue arising, based on field reviews and consultation with appropriate ETAT representatives, on Type 1 and PCE projects to the extent required by law and regulation prior to and during the design phase. Documentation of compliance with applicable environmental laws will be provided during the design reevaluation phase with full compliance demonstrated at the construction advertisement reevaluation phase. This allows Type 1 and PCE type actions to proceed towards construction, while coordinating and addressing environmental laws and regulations. Concurrent with NEPA, all environmental permit requirements are met prior to project construction.

All projects which are determined to be Type I or Programmatic CEs normally do not require any further NEPA approvals by FHWA and therefore, by definition, have general project location and design concept acceptance as described in 23 CFR 771.113(b). The types of actions or activities that qualify for a Type 1 CE or Programmatic CE are identified below.

Type 1 CE

1. Activities which do not involve or lead directly to construction, such as planning and technical studies; grants for training and research programs; research activities, as defined in 23 USC 307; approval of a unified work program and any findings required in the planning process pursuant to 23 USC 134; approval of statewide programs under 23 CFR 630; approval of project concepts under 23 CFR, Part 476; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.
2. Approval of utility installations along or across a transportation facility.
3. Construction of bicycle and pedestrian lanes, paths, and facilities.
4. Activities included in the State's Highway Safety Plan under 23 USC 402.
5. Transfer of Federal lands pursuant to 23 USC 317 when subsequent action is not a FHWA action.
6. The installation of noise barriers, or alterations, to existing publicly-owned buildings to provide for noise reduction.
7. Landscaping
8. Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
9. Emergency repairs under 23 USC 125.
10. Acquisition of scenic easements.
11. Determination of payback under 23 CFR, Part 480 for property previously acquired with Federal-aid participation.
12. Improvements to existing rest areas and truck weigh stations.
13. Ridesharing activities.

Appendix B
Federal Highway Administration & Federal Transit Administration
Agency Operating Agreement
January 15, 2003

14. Bus and rail car rehabilitation.
15. Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
16. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.
17. The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.
18. Track and railbed maintenance and improvements when carried out within the existing right-of-way.
19. Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.
20. Promulgation of rules, regulations, and directives.

Programmatic CEs

1. Adding or lengthening turning lanes (including continuous turn lanes), intersection improvements, channelization of traffic, dualizing lanes at intersection and inter-changes, auxiliary lanes, and reversible lanes.
2. Flattening slopes; improving vertical and horizontal alignment.
3. Highway safety or traffic operations improvement projects including the installation of ramp metering control devices and lighting.
4. Restore, replace and rehabilitate culverts, inlets, drainage pipes, and systems including safety treatments.
5. Widening, adding roadway width and shoulders without adding through traffic lanes.
6. Roadway skid hazard treatment.
7. Upgrade, removal, or addition of guardrail.
8. Upgrade median barrier.
9. Install or replace impact attenuators.
10. Upgrade bridge end approaches/guardrail transition.
11. Upgrade railroad track circuitry.
12. Improve railroad-crossing surface.
13. Improve vertical and horizontal alignment of railroad crossing.
14. Improve sight distance at railroad crossing.
15. Railroad crossing elimination by closure, and railroad overpass removal within right-of-way.
16. Clear zone safety improvements, such as fixed object removal or relocation.
17. Screening unsightly areas.
18. Freeway traffic surveillance and control systems.
19. Motorist aid systems.
20. Highway information systems.
21. Preventative maintenance activities such as joint repair, pavement patching, shoulder repair and the removal and replacement of old pavement structure.
22. Restore, rehabilitate, and/or resurface existing pavement.

Appendix B
Federal Highway Administration & Federal Transit Administration
Agency Operating Agreement
January 15, 2003

23. Computerized traffic signalization systems.
24. Restoring and rehabilitating existing bridge (including painting, crack sealing, joint repair, scour repair, scour counter measures, fender repair, bridge rail or bearing pad replacement, seismic retrofit, etc.).
25. Widening of substandard bridge to provide safety shoulders without adding through lanes.
26. Replacement of existing bridge (in same location) by present criteria.
27. Transportation enhancement projects involving acquisition of historical sites and easements, or historical preservation.
28. Preservation of abandoned railway corridors, including the conversion and use of pedestrian, equestrian, or bicycle trails.
29. Rehabilitation and operation of historic transportation buildings, structures, or facilities, including railroad facilities and canals.
30. Mitigation of water pollution due to highway runoff.
31. Bridge removal.
32. Approvals for disposal of excess right-of-way or for joint or limited use of right-of-way, where the proposed use does not have significant adverse impacts.
33. Rehabilitation or reconstruction of existing rail and bus transit buildings and ancillary buildings where only minor amounts of additional land are required, and there is not a substantial increase in the number of users.
34. Construction of bus transfer facilities (an open area consisting of passenger shelters, boarding areas, kiosks, and related street improvements) when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic.
35. Acquisition of land for hardship or protective purposes for a particular parcel or a limited number of parcels; advance land acquisition loans under section 3(b) of the Urban Mass Transportation Act.
36. Mitigation Projects.
37. Animal crossings.
38. Intelligent Transportation Systems

Categorical Exclusions that require public involvement, technical evaluations and/or studies

The third form of Categorical Exclusions as described in 23 CFR 771.117 (d), is completed on project activities with no known significant impacts. Essentially, this means that the social, economic, and environmental effects of the proposed improvement are evaluated in consultation with ETAT and the results demonstrate there are no significant impacts likely to occur as a result of the proposed improvement. The Categorical Exclusion documents interagency coordination on respective issues and public involvement efforts, all of which adequately support, for FHWA or FTA approval, the conclusions reached in the Class of Action. Categorical Exclusions will only address those topical areas as identified in the scope of work contained in the Programming Summary Report. In addition, all commitments and recommendations made during project development must be summarized in the environmental document.

This form of Categorical Exclusion is prepared by FDOT or their designee before the project moves into year 1 of the FDOT Five-Year Work Program. This allows FDOT to program design in the 5th year of the FDOT Five-Year Work Program and expedite the production process.

Environmental Assessments

Projects that are classified as Environmental Assessments will also be prepared by FDOT or their designee before the project moves into year 1 of the Work Program. Again, this allows FDOT to program design in the 5th year of the FDOT Five-Year Work Program and expedite the production process. In addition, Environmental Assessments will only address those required topical areas identified in the scope of work contained in the Programming Summary Report.

Appendix B

Federal Highway Administration & Federal Transit Administration Agency Operating Agreement January 15, 2003

Environmental Impact Statements

All projects with significant impacts, either individually or cumulatively, will prepare an Environmental Impact Statement (EIS). A Project Development phase will be programmed in the 5th year of the FDOT Five-Year Work Program. The EIS will only address those topical areas identified in the scope of work contained in the Programming Summary Report. The processing, review, and approval of both the EA and EIS are identified in the following relevant sections.

Project Development Scope of Work

An outline of the scope of work for the Project Development study will be developed based on the results of the Programming Screen. The ETDM Coordinator, along with the project team, will be responsible for evaluating and summarizing the programming screen responses and developing an outline for the Project Development scope of work for inclusion into the Programming Summary Report. The following is a list of engineering and environmental technical reports that can be produced during the Project Development phase.

Engineering Items: (may not be all-inclusive)

- Corridor Report
- Design Traffic Technical Memorandum
- Final Preliminary Engineering Report (Signed and Sealed)
- Location Hydraulics Report
- Drainage/Pond Siting Report
- Conceptual Design Roadway Plan Set
- Right of Way Plans (each phase submittal)
- Geotechnical Report
- Typical Section Package
- Bridge Hydraulic Report
- Bridge Development Report
- Value Engineering Information Report
- Interchange Modification/Justification Report

Environmental Items: (may not be all-inclusive)

- Public Involvement Plan
- Pre-Draft Environmental Assessment
- Environmental Assessment
- Finding of No Significant Impact
- Pre-Draft Environmental Impact Statement
- Draft Environmental Impact Statement
- Final Environmental Impact Statement
- Section 4(f) Statement
- Noise Study Report
- Air Quality Report
- Contamination Screening Evaluation Report
- Conceptual Stage Relocation Plan
- Public Hearing Transcript
- Endangered Species Biological Assessment
- Wetlands Evaluation Report
- Cultural Resource Assessment

Appendix B

Federal Highway Administration & Federal Transit Administration Agency Operating Agreement January 15, 2003

Project Development Documentation

During Project Development, FHWA and FTA will work with FDOT to satisfy NEPA and environmental permit issues and concerns so that the resultant approvals are acceptable to all parties and received concurrently. The table below identifies the reports and coordination responsibilities for FDOT and FHWA and FTA. Project Development studies or environmental documents may require the development and maintenance of a project web site. The ETDM interactive database will have links to the Project Development web sites for agencies to continue their electronic reviews.

For federally funded major transportation capacity improvement projects, which do not individually or cumulatively have a significant environmental effect on the human and natural environment a Categorical Exclusion (CE) will be prepared. The CE level of conceptual engineering, environmental analysis and public involvement will be documented in technical support studies and be of sufficient detail to support the CE determination. For those major transportation capacity improvement projects that do not qualify for a Categorical Exclusion, an Environmental Assessment or Environmental Impact Statement will be completed, in compliance with the CEQ regulations implementing NEPA and 23 CFR 771. Non-federally funded major transportation capacity improvement projects requiring a State Environmental Impact Report (SEIR) will follow the same process used for federal documents.

FDOT	FHWA and FTA
Preliminary Alternatives Analyses	
<ul style="list-style-type: none"> <input type="checkbox"/> Develop and analyze alternatives <input type="checkbox"/> Assess major impacts of all alternatives <input type="checkbox"/> Consult with Agencies <input type="checkbox"/> Coordinate with Agencies on concurrent NEPA/Permit review process 	<ul style="list-style-type: none"> <input type="checkbox"/> Participate in development of alternatives
Technical Reports	
<ul style="list-style-type: none"> <input type="checkbox"/> Complete technical reports as identified in scope outlined from Programming screen such as: <ul style="list-style-type: none"> – Wetland Evaluation Report (WER) – Cultural Resource Assessment (CRA) – Endangered Species Biological Assessment (ESBA) <input type="checkbox"/> Consult and coordinate with agencies as needed, to address and resolve issues 	<ul style="list-style-type: none"> <input type="checkbox"/> Coordinate, review and comment on specific technical reports within 30 calendar days of receipt, as needed <input type="checkbox"/> For projects determined to be CEs, permits will be issued upon completion and acceptance of technical studies and issuance of Location and Design Concept Acceptance (LDCA)
EA/DEIS	
<ul style="list-style-type: none"> <input type="checkbox"/> Submit and consult with FHWA and FTA, cooperating agencies on EA/EIS <input type="checkbox"/> Submit all environmental permit applications to regulatory agencies 	<ul style="list-style-type: none"> <input type="checkbox"/> Review and approve EA/DEIS, with review comments incorporated, within 30 calendar days of receipt <input type="checkbox"/> Publish Notice of Availability of DEIS in Federal Register and begin 45 day comment period <input type="checkbox"/> Complete Legal Sufficiency Review of DEIS
Public Hearing	
<ul style="list-style-type: none"> <input type="checkbox"/> Determine feasibility of Joint Public Notice and Hearing, as appropriate <input type="checkbox"/> Hold Public Hearing <input type="checkbox"/> Prepare transcript and certification and submit to FHWA and FTA 	<ul style="list-style-type: none"> <input type="checkbox"/> Participate in public involvement process, as requested <input type="checkbox"/> Review Public Hearing transcript

Appendix B
Federal Highway Administration & Federal Transit Administration
Agency Operating Agreement
January 15, 2003

FDOT	FHWA and FTA
FONSI/FEIS	
<ul style="list-style-type: none"> <input type="checkbox"/> Submit and consult with FHWA and FTA, cooperating agencies on FONSI/FEIS <input type="checkbox"/> Document decisions in FONSI and FEIS and obtain permits concurrent with NEPA approval <input type="checkbox"/> Respond to comments and document commitment compliance <input type="checkbox"/> Obtain environmental permits concurrent with NEPA approval 	<ul style="list-style-type: none"> <input type="checkbox"/> Review and approve FONSI/FEIS, with review comments incorporated, within 30 calendar days of receipt <input type="checkbox"/> Complete Legal Sufficiency Review of FEIS <input type="checkbox"/> Publish Notice of Availability in Federal Register of FEIS and begin 30 day review period <input type="checkbox"/> Issue Record of Decision (ROD) and Location and Design Concept Acceptance (LDCA)
Final Design	
<ul style="list-style-type: none"> <input type="checkbox"/> Environmental reevaluation and consultation with FHWA and FTA and cooperating agencies on any major design modifications 	<ul style="list-style-type: none"> <input type="checkbox"/> Approve Environmental Reevaluation <input type="checkbox"/> Participate in reviews to monitor implementation of EA or EIS commitments <input type="checkbox"/> Review and comment on design modifications
Construction and Maintenance	
<p>For those projects not subject to 373.4137, F.S., the following applies:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Monitor implementation of mitigation measures <input type="checkbox"/> Correct deficiencies found as required by permit <input type="checkbox"/> Prepare periodic reports on mitigation activities and provide to resource agencies (when required) 	<ul style="list-style-type: none"> <input type="checkbox"/> Monitor implementation and status of mitigation sites <input type="checkbox"/> Review Periodic Reports, field review as necessary

Appendix B

Federal Highway Administration & Federal Transit Administration Agency Operating Agreement January 15, 2003

Engineering Information

The level of engineering detail required to obtain permits during the NEPA process is a critical element in the new ETDM Process. In the new ETDM process both NEPA documents and permit applications will be developed using conceptual engineering information supported by required technical studies. An important efficiency of the ETDM process is the development, through interagency coordination and consultation, of one set of engineering and environmental data to satisfy both the NEPA process and the Federal and State regulatory environmental permitting process, concurrently; thereby, eliminating duplication and delay and maintaining production schedules.

Utilizing one set of engineering and environmental data and concurrent processing, and with the specified information provided below, permits will be issued by the permitting agencies which provide special conditions outlining the estimated water quality, water quantity, and floodplain encroachment volumes required to meet agency technical review requirements.

Information Available during Project Development

Stormwater performance based calculations (i.e., existing/proposed land use, percent of impervious and pervious surface; water quality requirements; estimated pond volumes; water quantity discharge, drainage area and drainage maps; and estimated floodplain encroachment volume). Culvert analysis, may be required in those cases where FDOT proposes to extend a culvert, replace a bridge with a culvert, or replace a ditch with a culvert. Culverts will be designed with minimum headloss and flow capacity will be maintained. An option would be to include a condition in the permit that “the new structure will be designed to operate as well or better than the existing structure,” with regards to drainage.

- Preliminary Pond Siting Report
- Location Hydraulics Report
- Delineation of wetlands and other surface waters
- Threatened and Endangered Species Report
- Wetlands Evaluation Report (identifies impacts to wetlands and other surface waters and evaluates proposed mitigation)
- Geotechnical Report (Soil Types, Groundwater Conditions)
- Plan view of alternatives/alignments
- Typical sections
- Existing topography
- Avoidance and minimization
- Type of control structure
- Estimated Outfall locations
- Special basin requirements
- SHPO letter

Information Not Available during Project Development

- Complete set of construction plans
- Profile and grade
- Detailed cross sections
- Pipe size
- Final drainage details (control structure details)
- Final drainage calculations
- Maps, Plans, or details requiring design survey

Appendix B

Federal Highway Administration & Federal Transit Administration Agency Operating Agreement January 15, 2003

Benefits of Concurrent Process

Listed below are many benefits associated with obtaining construction permits at the end of the Project Development Phase:

- Acquisition of right-of-way can begin earlier and may relieve production constraints
- Third party challenges will be determined earlier and can be addressed more effectively and efficiently
- Agency comments can be addressed earlier, including more substantive comments related to project design issues.
- Eliminates time delays between NEPA approval and permitting issuance which will help production
- Allows FDOT to build a more reliable, efficient and cost feasible work program
- Builds trust between agencies
- Avoidance and minimization opportunities are maximized through early coordination

Permits Obtained during Project Development

The level of conceptual engineering and project information to be supplied during the Project Development phase is sufficient to meet the State Permit Agencies (WMD/FDEP) requirements for “reasonable assurance” that state water resources, and interest criteria are protected. This will be accomplished through early involvement and interagency coordination and consultation. By providing this information to the permit agencies earlier in the project development phase and applying for construction permits during the Project Development phase, FDOT will be able to request and receive the WRP or ERP contained in Chapter 373, Part IV, F.S., Sovereign Submerged Lands contained in Chapter 253, F.S., and Coastal Construction Control Line permits contained in Chapter 62B-33, F.A.C. The issuance of the Water Quality Certification will then allow the Federal permit agencies such as the Corps of Engineers and the U.S. Coast Guard to issue their respective permits concurrent with NEPA. The duration of each permit will be of sufficient length to allow the FDOT to complete the necessary project production phases and begin construction, (i.e. ten years or longer).

Environmental Reevaluation and Permits

Each project is reevaluated, in consultation with FHWA and FTA, by FDOT, prior to advancing to the next phase of project development. During the reevaluation phase consultation with permit and resource agencies will occur where major design changes effecting the permit have occurred, or where permits, whose effective date may expire prior to project construction have been identified and a time extension in permit duration is needed that will allow for construction to be completed, or where commitments are being implemented or require change.