CHAPTER 4

PROGRAMMING SCREEN

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4.1 OVERVIEW

This chapter details the process for completing the Programming Screen of the Efficient Transportation Decision Making (ETDM) process. The Programming Screen aids the Florida Department of Transportation (FDOT) in the development of the FDOT Five Year Work Program by identifying environmental considerations. Required by **Chapters 338 and 339, Florida Statutes (F.S.)**, the Five Year Work Program lists the schedule of specific projects and services planned by FDOT. It includes projects from the State Transportation Improvement Program (STIP), Metropolitan Planning Organization (MPO)/Transportation Planning Organization (TPO) Transportation Improvement Programs (TIP), and Priority Lists of non-MPO/TPO areas.

As described in **Chapter 2, Section 2.3.1** of this **Manual**, a Programming Screen is required for all qualifying projects that will be included, or are already included in the Five Year Work Program but have not started the Project Development and Environment (PD&E) Study. This does not imply that the PD&E study can only be placed in the fifth year. It may be possible to complete relevant technical studies prior to initiating the PD&E Study to aid in addressing issues identified through the project screening events and to focus the PD&E Study scope of services. Refer to **FDOT Work Program Instructions, Part III, Chapter 23, Planning,** for details. The scope of a project and its priority ultimately dictates how and in what year the project is programmed.

Importantly, the Programming Screen supports the project development process by concurrently addressing the following requirements:

1. Providing for early involvement of federal, state, and local agencies, as well as federally recognized Native American Tribes and the public, under **23 United States Code (U.S.C.) 139, as amended by** the **Moving Ahead for Progress in the 21st Century Act (MAP-21).**

2. Initiating the Advance Notification (AN) process, which FDOT uses to inform stakeholders about a proposed transportation action and to provide opportunity for their input and involvement in the project. This fulfills the project initiation notification as required **by Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)**, the **President's Executive Order 12372 (Intergovernmental Review of Federal Programs)**, and the **Governor's Executive Order 95-359 (Florida State Clearinghouse)**. In addition, the AN may also provide notice of FDOT's intent to apply for Federal-aid on a project.

3. Initiating the Federal Consistency Review process as required by **15 Code of Federal Regulations (CFR) 930 (15 CFR 930).** Federal Consistency Review refers to the authority given to Florida under the **Coastal Zone Management Act** to review certain federal activities for consistency with the adopted Florida Coastal Management Program (FCMP). The FCMP addresses the requirements

of 24 Florida Statutes administered by nine state agencies and five water management districts.

4. Assisting with scope of services development for preparation of the PD&E phase environmental evaluation and documentation.

During the Programming Screen, interaction with MPOs/TPOs, federal and state agencies, and participating Native American tribes occurs through the Environmental Technical Advisory Teams (ETATs). ETAT members use the Environmental Screening Tool (EST) to review project information, identify potential project effects, and submit comments to FDOT during the transportation planning process. This web-based Geographic Information System (GIS) database and mapping tool provides access to project information and data about natural, physical, cultural, and community resources in the project area. The ETAT members provide input about potential project effects on the natural, physical, cultural, and community resources specific to their area of expertise. These project effects include potential direct and indirect effects. The ETAT members may also provide cumulative effect considerations during the screening.

Figure 4-1 provides an overview of the Programming Screen process. In many cases, projects entering the Programming Screen have been previously reviewed during the Planning Screen, as described in *Chapter 3* of this *Manual*. The *Planning Screen Summary Report* documents the results of the earlier review and is available through the EST.
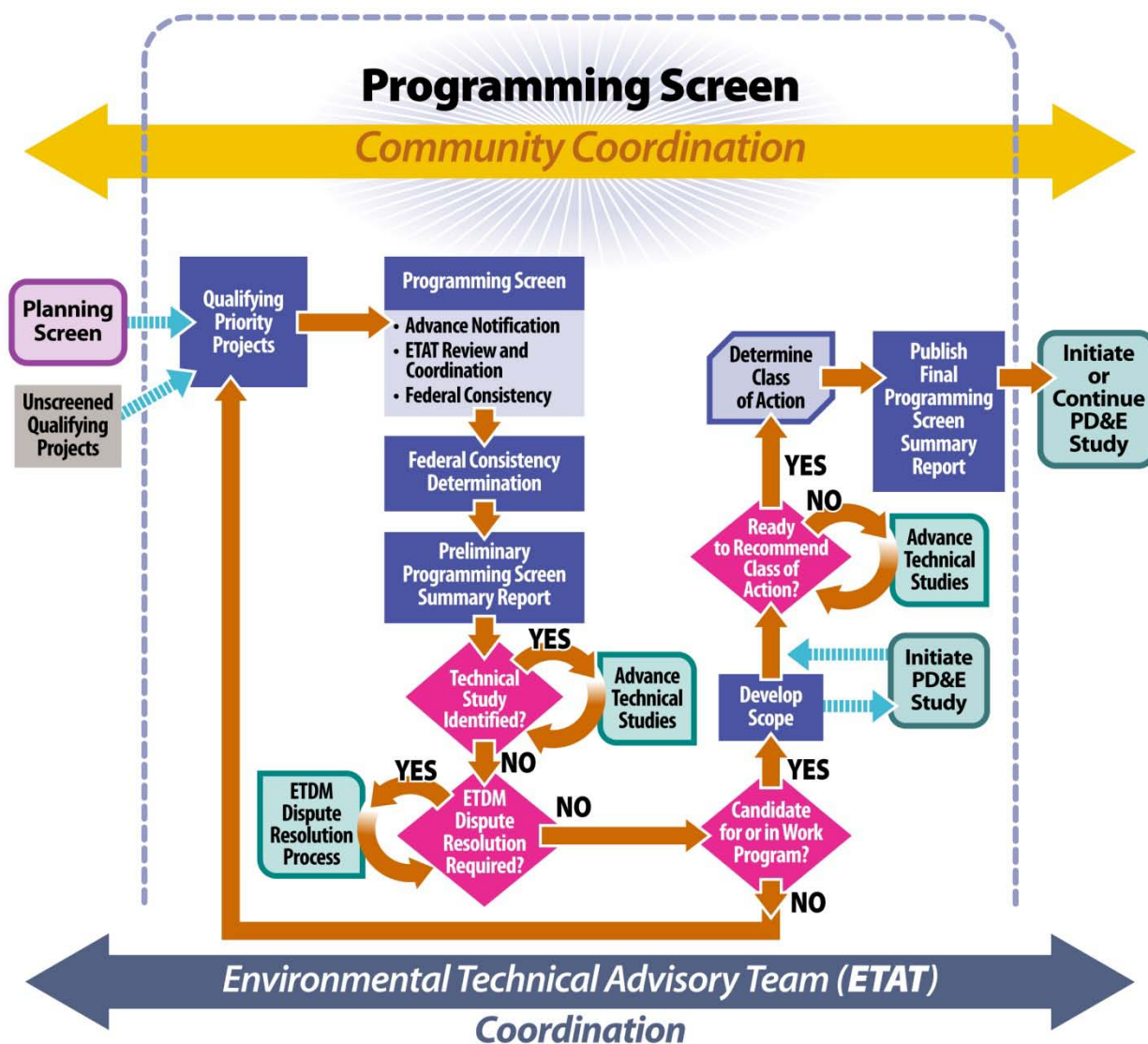
Figure 4-1: Programming Screen

At the beginning of the Programming Screen review, the respective FDOT District enters project information into the EST. Once ready, the FDOT ETDM Coordinator or PD&E Project Manager (if assigned) notifies ETAT members and stakeholders on the AN mailing list, described later in this chapter, about the project's availability for review. This notice also begins the Federal Consistency Review process, which includes a Local Government Comprehensive Plan (LGCP) consistency review finding by the Florida Department of Economic Opportunity (FDEO). Federal consistency reviewers assess project consistency based on the laws under their jurisdiction and issue their findings and recommendations to the Florida State Clearinghouse (SCH) managed by the Florida Department of Environmental Protection (FDEP), which issues the Federal Consistency Review determination on behalf of Florida.

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The ETDM Public Access website (*https://etdmpub.fla-etat.org/est/*) provides an opportunity for the public to view project information and maps. The public can submit project comments through the traditional public involvement activities coordinated by FDOT.

The **Preliminary Programming Screen Summary Report** documents the results of the review. For federal projects, FDOT, in conjunction with the Lead Federal Agency (see **Section 2.5.10** of this **Manual**), reviews Programming Screen and AN comments in order to:

- Refine project alternatives (where applicable),

- Develop the PD&E Study scope of services, and

- Determine a Class of Action (COA).

The COA determination establishes the level of environmental documentation [e.g., Type 2 Categorical Exclusion (Type 2), Environmental Assessment (EA), Environmental Impact Statement (EIS)] needed during the PD&E phase to satisfy the requirements of **National Environmental Policy Act (NEPA)** and all other applicable federal and state laws and regulations. For more information about COA determinations, see **PD&E Manual, Part 1, Chapter 2, Environmental Class of Action Determination**. Publication of a **Final Programming Screen Summary Report** follows, and documents Lead Federal Agency approval of the COA.

4.2   PROGRAMMING SCREEN PROCESS

During the Programming Screen, FDOT provides opportunities for ETAT members and the public to comment on qualifying priority projects being considered for inclusion in the Five Year Work Program, or prior to being advanced to the PD&E phase. ETAT member comments assist with project scoping; identify opportunities for avoidance, minimization, and mitigation; and highlight potential "fatal flaws." Ideally, before projects are selected for the Five Year Work Program, FDOT and the respective MPOs/TPOs should set sufficient time horizons into project schedules, because all qualifying projects must complete a Programming Screen.

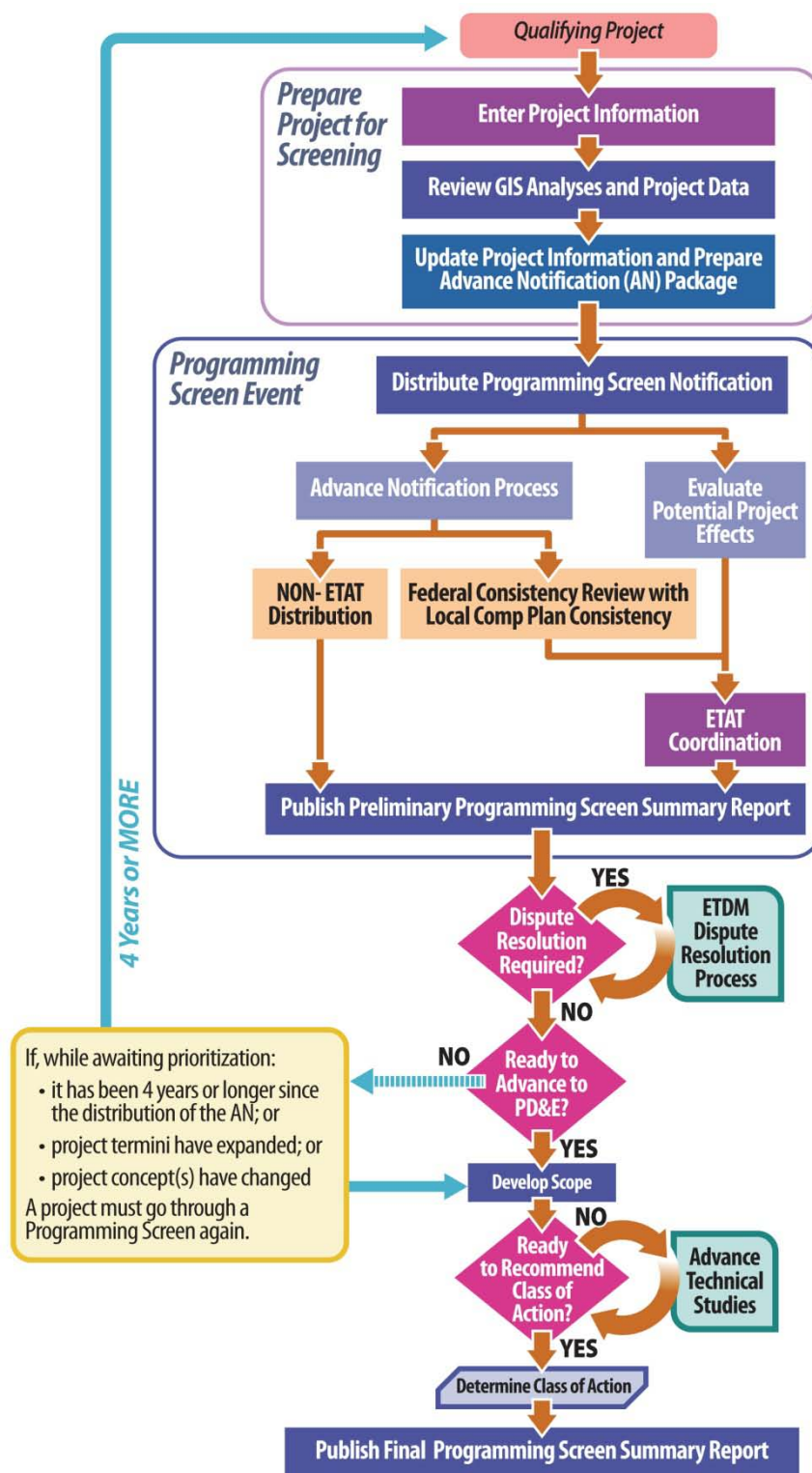The following sections detail the steps of the Programming Screen, as shown in **Figure 4-2**.

Figure 4-2: Programming Screen Process Flow

4.3　PROGRAMMING SCREEN PROJECTS

The Programming Screen is required for qualifying state and federal transportation projects that are candidates for the Five Year Work Program.

4.3.1 Identify Qualifying Projects

Qualifying projects come from a variety of plans, for example:

- FDOT STIP

- Strategic Intermodal System (SIS) Plan

- FDOT Statewide Deficient Bridge List

- MPO/TPO Long Range Transportation Plans (LRTPs)

- MPO/TPO TIPs and Project Priority Lists

- Rural County Project Priority Lists

Annually, MPOs/TPOs develop a list of priority projects (TIP Priority List) derived from their LRTPs and other sources for consideration of inclusion in the Five Year Work Program (refer to the FDOT Office of Policy Planning's *Metropolitan Planning Organization Program Management Handbook* for additional guidance on selecting MPO/TPO projects for inclusion in the Five Year Work Program). Concurrently, FDOT selects priority projects from other plans and programs, including the SIS Plan and Statewide Deficient Bridge List, and also works with local governments in non-MPO/TPO areas to identify priority projects for inclusion in the Work Program.

FDOT ETDM Coordinators work with planners, FDOT MPO/TPO and Rural County Liaisons, managers, and environmental staff to identify transportation projects based on criteria such as project type, transportation system location, potential funding source (federal, state, or local), and responsible agency. In this context, "transportation system location" refers to whether a proposed project is part of the SIS or State Highway System (SHS), also called on-system. "Responsible agency" refers to the agency required to meet federal, state, and other applicable requirements. See *Chapter 2, Section 2.3.1*, and *Table 2.2* of this *Manual* for specific examples of qualifying projects and guidance on how to apply the selection criteria.

Unlike a Planning Screen, a FDOT ETDM Coordinator (or Project Manager) initiates and manages all Programming Screen reviews in the EST regardless of the project's location and system; therefore, in some cases the planning organization designation transitions from the purview of an MPO/TPO to that of FDOT. Refer to the *Environmental Screening Tool Handbook* for instructions on screening projects in the EST.

4.3.2 Project Review Release Schedule

Based on the list of qualifying projects, FDOT ETDM Coordinators and PD&E Project Managers work with appropriate staff to develop/update a 12-month release schedule as described in **Chapter 2 Section 2.3.2** of this **Manual**. Programming Screens should ideally occur one fiscal year prior to a project moving into the Five Year Work Program. If a project is placed in the Five Year Work Program before it completes a Programming Screen review, the project is still required to undergo Programming Screen prior to the PD&E Study being initiated. The schedule should be made available to the ETAT on the EST ETDM Calendar and updated as needed. FDOT Districts are also encouraged to hold annual ETAT meetings (or webinars) to discuss projects included in their release schedule.

It is important to ensure that the ETAT have enough time to review and provide comments. Therefore, when scheduling a Programming Screen review, it is recommended that no more than two projects be released at a time, and that project releases be scheduled at least two weeks apart. In addition, four months should be allowed per project to provide time for reviews, public involvement activities, possible review extensions, and preparation of the **Programming Screen Summary Report**.

4.3.3 Non-Qualifying Projects

FDOT and MPOs/TPOs can also use the EST to assist in identifying issues and prioritizing non-qualifying transportation projects. These projects are not intended to be released to the ETAT for a formal review. Instead, they are entered into the EST with only enough information to generate the standardized EST GIS analyses (refer to the **Environmental Screening Tool Handbook** for details). Moreover, the EST may be used at the local option for any case highlighted in the ETDM Review Matrix shown in **Chapter 2**, **Table 2-2,** of this **Manual** where a formal screening is not applicable.

4.4   PREPARE PROJECT FOR SCREENING

In preparation for an ETAT review, FDOT enters transportation project information into the EST and runs the standardized GIS analyses while MPOs/TPOs and FDOT Community Liaison Coordinators (CLCs) gather and enter community data. For MPO/TPO projects, the FDOT project team works closely with the MPO/TPO to transition project sponsorship to FDOT. In addition, the ETAT representatives provide new and updated GIS data to the Florida Geographic Data Library (FGDL) for use within the EST, as available.

4.4.1 Enter or Update Project Information

FDOT ETDM Coordinators work with FDOT and MPO planners to enter or update project information in the EST and capture previous planning and community outreach activities as part of a general effort to link the Planning and PD&E phases. Information for projects not typically screened during the Planning Screen, such as bridge

replacement projects or projects that result from amendments to adopted transportation plans is also entered.

To prepare a project for a Programming Screen review:

- Develop or refine the purpose and need for each qualifying project to be screened in accordance with the ***PD&E Manual, Part 2, Chapter 4, Project Description and Purpose and Need.*** Transportation planning data developed for long range plans are the primary source of information used to assist in establishing the purpose and need. These data are drawn from corridor plans, subarea plans, analyses of travel conditions, public sentiment, and other sources that help identify corridors and facilities where transportation improvements are needed. This information may be available from the MPO/TPO LRTPs, the FDOT SIS Plan, MPO/TPO TIP, and the STIP. Staff preparing the purpose and need for the Planning Screen should coordinate with the MPO/TPO liaison or other appropriate planning staff to identify the proposed project purpose and need as they appear in the transportation plan. The initial purpose and need developed during the Planning phase may change as the project advances since new information or public input may be identified, supporting an updated purpose and need. Only describe the appropriate purpose and need categories that are applicable to the project.

- Develop a project description, which includes:

    o Project name;

    o Name of the city(ies) and county(ies) where the project is located;

    o Name of the planning organization responsible for the project;

    o Limits of the proposed project, such as its logical termini and length;

    o Description of the existing facility, as appropriate; and

    o Description of planned improvements. Provide as much information as available, such as the facility type, number of lanes, type of median, major structures, and potential right-of-way requirements (for example, a description of a road widening could indicate if the project intends to use existing right-of-way).

    Refer to ***PD&E Manual, Part 2, Chapter 4, Project Description and Purpose and Need*** and ***Chapter 3*** of this ***Manual*** for additional guidance on project descriptions. If this replaces, supersedes, or includes a portion of a previously screened project, provide the ETDM number of the previous project(s).

- Enter information showing the location of each project alternative using the EST Map Editor or by uploading a GIS file. For Alternative Corridor Evaluation (ACE) process projects, delineate or refine general corridor alternatives. Preliminary alternatives should offer potential solutions to the transportation problem identified in the purpose and need. The range of alternatives depends on the nature and scope of the project, as well as the context and intensity of potential impacts.

- Describe the project alternative(s). Refer to **PD&E Manual, Part 2, Chapter 6, Alternatives,** for further guidance. For each alternative, include information about the mode(s) served by the project, type of alternative (widening, new alignment, etc.), termini location, and length. Include the estimated cost of and the basis for the cost estimate, if available. When known, enter information about roadway functional classification, existing and predicted Annual Average Daily Traffic (AADT), and presence within an Urban Service Area or on a SIS facility. In addition, highlight information from the Preliminary Environmental Discussion (PED), such as the potential for **Section 4(f)** involvement (for federal projects), number of relocations, relationship to any special, unique or significant features, community needs that will be impacted, and right-of-way involvement.

- Provide project plan consistency status information known to date and the steps toward achieving consistency, as appropriate. Consistency with the approved LRTP should be identified for projects in MPO/TPO areas. Also identify whether the project is included in the STIP and MPO/TPO TIP. For projects in non-MPO areas, identify consistency with the STIP. The requested information reflects the **Planning Requirements for Environmental Document Approvals** form that must be submitted with federal draft and final environmental documents (refer to the form found in the **PD&E Manual, Part 1, Chapter 4, Project Development Process and Engineering Considerations**). Coordinate with FDOT District MPO/TPO or Rural County Liaisons and either MPO/TPO or local government planning staff to compile and complete consistency information.

- Indicate whether the project is being developed under the Local Agency Program (LAP) (requires federal funds already allocated in the adopted Five Year Work Program).

- Identify whether or not federal funds have been allocated for the project in the Five Year Work Program. Add Financial Project Identification number(s), if known.

- Indicate whether the project is being developed through the ACE process.

- For federal projects, identify the Lead Federal Agency and any Cooperating or Participating agencies (these later roles are reserved for EISs and EAs; see *Section 4.4.2* of this *Manual*).

- Designate exempted agencies (if applicable). Exempted agencies are notified about the Programming Screen review but not expected to submit comments or act on the purpose and need. When making the decision to exempt an agency, consider the nature of a project. For instance, a landlocked project may not require a review from the United States Coast Guard (USCG). Additionally, the Federal Transit Administration (FTA) has requested exemption from reviewing Planning Screen projects, unless there is a transit component. Other agencies that may be exempt from a review include United States Forest Service, National Park Service, Federal Railroad Administration (FRA), and Federal Highway Administration (FHWA).

- Contact the Work Program Office to establish an ETDM identifier if not previously done for a Planning Screen (refer to *Work Program Instructions Part III, Chapter 23*).

4.4.2 Designate Agency Roles

During the Programming Screen, agencies may request, or be invited, to serve as Participating or Cooperating Agency on a project. For federal projects, three important roles must be designated prior to the COA determination:

1. **Lead Agency** – The agency having primary responsibility for the environmental document, determining the preferred alternative in the PD&E phase, and inviting Cooperating and Participating Agencies. For most FDOT projects, the FHWA is the Lead Federal Agency. Per *Title 23, U.S.C.*, FDOT is the state lead agency.

2. **Cooperating Agency** – Federal, state, or local agencies (other than the Lead Federal Agency) that have jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative *(40 CFR 1508.5)*. When effects are on lands of tribal interest, a Native American Tribe may become a Cooperating Agency. Cooperating Agencies have a higher degree of authority, responsibility, and involvement in the environmental review process and participate in developing the environmental document. They may, upon request by the Lead Federal Agency, assume responsibility for developing information and preparing environmental analyses, including portions of the environmental document *(40 CFR 1501.6)*. They may also review pre-draft environmental documents. Note that the USCG should automatically be designated as a Cooperating Agency for all ETDM projects involving a bridge when the FHWA is designated as the Lead Federal Agency due to a programmatic approach agreed to by the FHWA and the USCG (Shapley, 2007).

3. **Participating Agency** – Other agencies with an interest in the project that are invited by the Lead Federal Agency (per **SAFETEA-LU** and **MAP-21** requirements) to respond to requests for technical assistance, attend scoping and coordination meetings, attend joint field reviews, provide substantive and early input on issues of concern, scope agreements for issues and required technical studies, review Lead Federal Agency-approved draft/final environmental documents. Designation as a Participating Agency does not indicate project support and does not provide an agency with increased oversight or approval authority above its statutory limits. It is not necessary to invite agencies as Participating Agencies that have only a tangential, speculative, or remote interest in the project.

Please note that while ETDM Master Agreements designate ETAT members as Participating Agencies, this is not analogous to the federal designation made by the Lead Federal Agency pursuant to **SAFETEA-LU** and **MAP-21** (refer to **PD&E Manual, Part 1, Chapter 3, Preliminary Environmental Discussion and Advance Notification** for additional guidance on Cooperating and Participating Agency roles and responsibilities).

Prior to the Programming Screen review, the FDOT ETDM Coordinator or PD&E Project Manager identifies a potential Lead Agency. Alternatively, a federal agency may also request the Lead Federal Agency designation. The selection should be made based upon project type and funding source and in coordination with the federal agency. FDOT must designate a potential Lead Agency prior to identifying potential Cooperating and Participating Agencies, as well as initiating an ACE process **Methodology Memorandum (MM)** review (when applicable). In cases where a project may fall under multiple agency jurisdictions (for example, a project has both transit and highway components), the FDOT ETDM Coordinator works with the applicable agencies to identify one as the Lead Federal Agency and one as a Cooperating Agency. The potential Lead Federal Agency becomes the official Lead Federal Agency once the COA determination is made.

FDOT can recommend Participating and Cooperating Agencies, and discuss such designations with the Lead Federal Agency prior to submitting a proposed COA determination. The recommendations include requests received by FDOT from ETAT members to serve in one of these capacities during the review period. As appropriate, the Lead Federal Agency accepts or declines the recommendations; the Lead Federal Agency may also invite other ETAT members or non-ETAT agencies to serve in these roles. The Lead Federal Agency has 30 days to accept or decline the recommendations and send official invitations using the Manage Participating/Cooperating Invitations page in the EST. ETAT members have 30 days to respond to an invitation from the Lead Federal Agency.

4.4.3 Review Standardized EST GIS Analyses and Project Data

Standardized EST GIS analyses identify and detect natural, physical, cultural, and community resources within a specified buffer distance of the proposed project alternatives to help identify potential project effects. These analyses are performed automatically in the EST prior to a project being released for review. The analyses provide counts or summaries of resources (for example, wetlands acreage and demographic statistics) found within proximity to a transportation project. The EST includes analyses that have been requested by the ETAT, FDOT, or MPO/TPO representatives to help in their review of potentially affected resources. The results of the buffer analyses are organized within the EST by resource issue (see *Section 2.6 of this Manual* for a description of each) and reported along with issue-specific maps displaying the project location and selected environmental resources.

Prior to initiating the Programming Screen review, the FDOT project team studies the results of the EST GIS analyses, along with site visits, local knowledge, and any other available information sources, to gain an understanding of the project area and to support the development of the PED component of the AN package (refer to *PD&E Manual, Part 1, Chapter 3, Preliminary Environmental Discussion and Advance Notification*, for more information about PED). For projects on the SIS, the SIS Coordinators from the Systems Planning Office review the project for consistency with the SIS Plan. Once all data preparation steps are complete, the project status is updated in the EST to indicate that the project information is ready for final quality review. The PD&E Project Manager (if assigned), environmental specialists, and ETDM Coordinator perform quality reviews to verify the accuracy and completeness of all project information.

The mapped features should be consistent with the location described in the EST Project *Description* report. Confirm, for example, that:

1. The logical termini of linear alternatives recorded in the EST *Project Description* report match the beginning and ending locations on the map.

2. Project features follow an existing facility, such as a highway or rail line, if intended.

3. The project linework is digitized accurately in relation to other mapped features (e.g., if you intend for the project to go around a resource, verify the digitized linework shows that).

Specific data quality review procedures depend on project context and scope; refer to *Section 6.4* of this *Manual* for further guidance.

4.4.4 Prepare Advance Notification Package

This section provides an overview of the AN process for Programming Screen projects, as shown in *Figure 4-3.* Refer to *Section 2.3.4* of this *Manual* and *PD&E Manual, Part*

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1, Chapter 3, Preliminary Environmental Discussion and Advance Notification, for more information about the AN process.

Prior to initiating the Programming Screen review, the FDOT ETDM Coordinator, Project Manager, or a member of the project team creates the AN package. The AN package consists of a cover letter, transmittal list, Application for Federal Assistance (if appropriate), location maps, and a Fact Sheet (refer to *PD&E Manual, Part 1, Chapter 3, Preliminary Environmental Discussion and Advance Notification* for additional guidance). The AN package can be created using the EST (with the exception of the cover letter), or it can be generated outside the EST (with the exception of the transmittal list) and uploaded to the EST. Any reports or other supporting materials used to develop the AN package should also be uploaded to the EST for reference.

The AN Fact Sheet includes the project description, purpose and need, and PED. FDOT uses the PED to inform the ETAT members and other agencies, as appropriate, of FDOT's initial assessment of a project's potential effects on the environment and how FDOT intends to address or evaluate these effects as the project advances. The PED provides reviewers with context to aid them in providing actionable comments. FDOT bases the PED on local knowledge, planning studies, previous screening information, and any other evaluations relevant to the project area. The PED may be provided at both the project and alternative level. If applicable, the FDOT District can view their Summary Degrees of Effect (SDOEs) from previous screens as a starting point when developing the PED.

When generated through the EST, language entered for the Fact Sheet that corresponds to other reports in the EST (e.g., project description) is reflected in those reports. If an FDOT District chooses to distribute an AN package that was created outside of the EST, the District must copy the information from the AN package verbatim into the appropriate sections of the EST. The EST must be used to generate the Transmittal List.

The Central Environmental Management Office (CEMO) maintains the contact information for state and federal agencies and federally-recognized Native American Tribes receiving AN packages. The responsibility for local or project-specific contacts falls to the FDOT project team. The AN package is available as a draft document for internal review. Once published as part of the Programming Screen, all users of the EST can view and download the AN package. The public may also view the AN package on the ETDM Public Access Site (*https://etdmpub.fla-etat.org/est/)*. This makes it possible to distribute it upon request to non-ETAT members. Whenever possible, the AN package should be sent electronically after coordinating with the recipient. All federally-recognized Native American Tribes affiliated with Florida should be sent a hardcopy of the AN package. Refer to *PD&E Manual, Part 1, Chapter 3 Preliminary Environmental Determination and Advance Notification* for guidance on distributing the AN package.
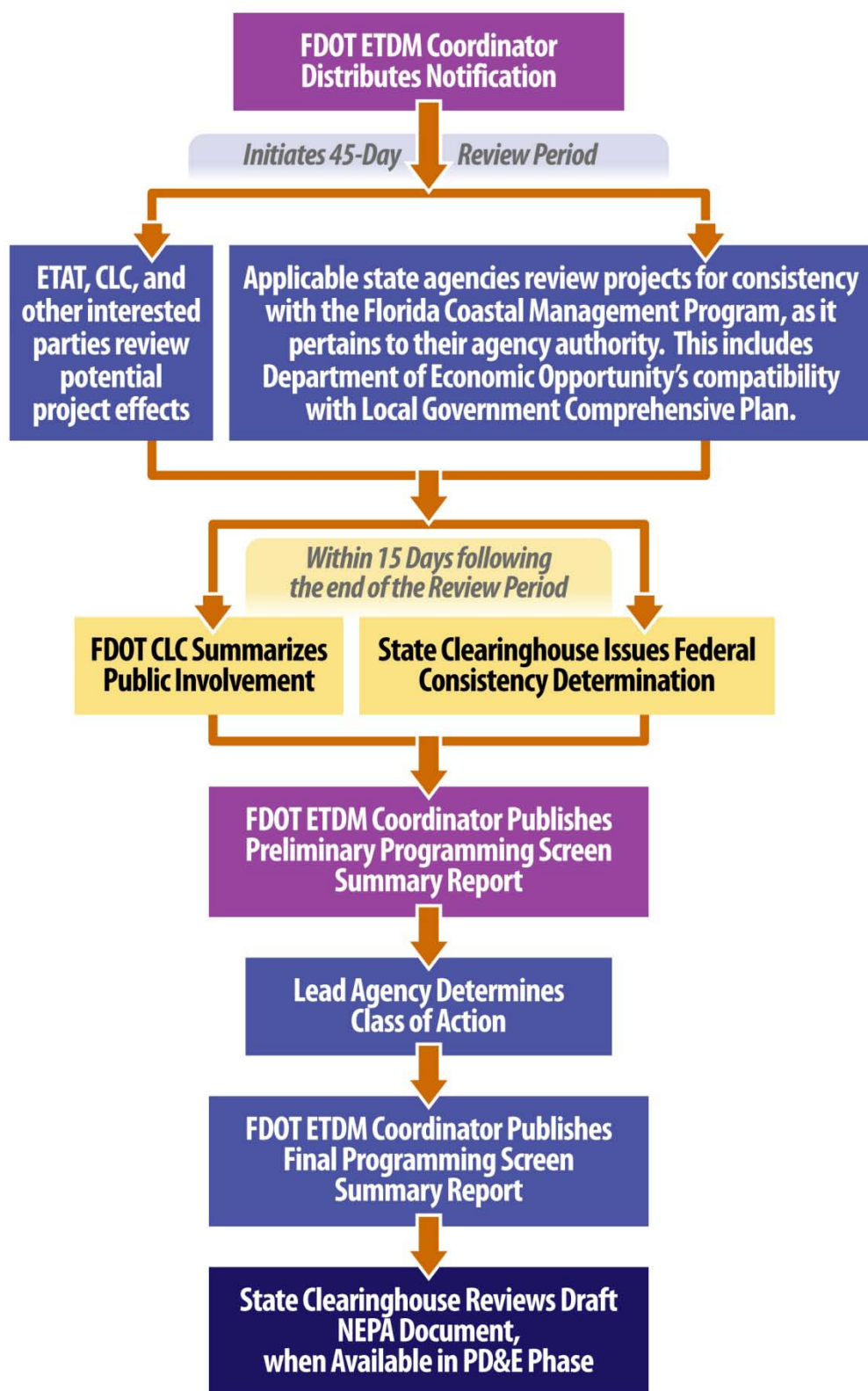
Figure 4-3: ETDM Advance Notification Process

4.4.4.1 Federal Consistency

All Programming Screens require an AN, but not all require a Federal Consistency Review determination. Only projects requiring federal funding or the desire to maintain federal funding eligibility[1], or involving a federal action need a Federal Consistency Review determination. A state-funded project involving a federal action, such as a connection to an Interstate, or a federal permit, also requires a Federal Consistency Review determination. When a federal permit is involved, consistency is verified and finalized during permitting.

The FCMP addresses the requirements of 24 Florida Statutes administered by nine state agencies and the five water management districts.

Upon the start of the Programming Screen review, the Consistency Reviewers as part of their standard 45-day ETAT review period indicate a project's consistency with jurisdictional statutes and requirements as outlined under the FCMP. Inconsistency findings must cite the relevant statute's section under the agency's authority with which the project is inconsistent, and must identify actions that can be taken to resolve the conflict. Prior to issuing an inconsistency finding, the reviewing agency should immediately notify the SCH of identified problems.

At the end of the 45-day comment period, the SCH has another 15 days to review the Consistency Reviewers' comments in the EST. The SCH then submits a Federal Consistency Review determination with the FCMP. The SCH also issues a notice of inconsistency (when applicable).

Additional information about the Federal Consistency Review process may be found in **PD&E Manual, Part 1, Chapter 3, Preliminary Environmental Discussion and Advance Notification** and **PD&E Manual, Part 2, Chapter 25, Coastal Zone Consistency**.

4.4.4.2 Local Government Comprehensive Plan Consistency

During the Federal Consistency Review process, FDEO reviews projects for consistency with applicable LGCP(s). FDEO submits alternative-specific consistency comments in the EST during the standard 45-day ETAT review period to highlight LGCP compatibility issues. FDEO provides these comments for all reviewed projects whether they require a Federal Consistency Review or not. This early consideration assists with their subsequent review of the STIP, LRTPs, and TIPs for consistency with LGCPs as required by **Chapter 163, F.S**.

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[1] The SF-424 form is only required in the AN package if there are federal funds or the desire to maintain federal funding eligibility.

4.4.4.3 Other Interested Parties

Local or project-specific recipients of the AN package have the same 45-day review period to comment on the AN package. They send their responses to the project contact indicated on the cover letter. The FDOT ETDM Coordinator and the PD&E Project Manager review all provided comments to determine if any unresolved or conflicting issues exist during development of the *Preliminary Programming Screen Summary Report*. ETAT members failing to respond by the end of the review period, but having jurisdiction by law or anticipated to have an interest in the proposed action may be contacted directly (verbal, electronic, or written form) for input.

4.5   PROGRAMMING SCREEN REVIEW

Before a Programming Screen review, the ETDM Coordinator should consider holding an online meeting or webinar to introduce the project before submitting it to the ETAT. The meeting allows the ETDM Coordinator or PD&E Project Manager to present project details, highlight issues, and communicate specific expectations to help the ETAT provide quality comments. For assistance with setting up these meetings, contact the ETDM Help Desk by emailing *help@fla-etat.org*.

During the Programming Screen review, the public, ETAT members, and Federal Consistency Reviewers have an opportunity to provide comments to FDOT about potential project effects, recommended technical studies and permits, and the need for further ETAT member involvement. The FDOT ETDM Coordinator also begins to work with FDOT CLC and, as appropriate, MPO/TPO ETDM Coordinators and CLCs to evaluate sociocultural effects.

4.5.1 Distribution of Programming Screen Notification

After preparing the AN package and performing a final quality review of project data, the FDOT ETDM Coordinator or PD&E Project Manager uses the EST to notify project stakeholders to proceed with their review. An email notification is automatically customized according to the type of review the recipient conducts and may be tailored further to include project-specific review instructions. The email includes a link to the AN package and is sent to the following recipients:

- ETAT members

- SCH

- Agencies on the SCH contact list when the Consistency Reviewer of the agency is not the same as the ETAT reviewer (if the project requires a Federal Consistency Review)

- FDOT CLC

- Other AN transmittal list recipients not included in the above, such as regional planning council and local government officials

- Interested parties who may set up notification preferences through the ETDM Public Access website

Certain agencies may be exempt from performing a project review based on the type of project being screened and their jurisdiction. For example, a completely landlocked project may not require a review from the USCG. In these instances, the agency will still receive the Programming Screen review start notification and AN package but will be designated as exempt in the Fact Sheet and ***Preliminary Programming Screen Summary Report.***

ETAT members and Consistency Reviewers submit comments through the secure EST site. All other recipients email or mail comments to the contact provided on the AN cover letter or listed on the ETDM Public Access Site (*https://etdmpub.fla-etat.org*).

4.5.2 Review Time Frame

As established in the ETDM Agency Operating Agreements (AOAs), reviews occur for 45 calendar days following the distribution of the email notification from the EST. If additional review time is required, an ETAT member may request a 15-day extension. When needed, the ETAT member must submit a written request to the ETDM Coordinator within the initial 45-day comment period. Should a shorter extension period be necessary, it may be negotiated with the ETAT members; contact CEMO for more information. An extension applies to all reviewers and is announced via email.

ETAT members may submit and edit comments at any time during the review period using the EST. After the review period ends, the ETAT can no longer submit comments on the EST or edit submitted comments. If an ETAT member needs to revise comments, the member should contact the ETDM Coordinator.

For projects involving a Federal Consistency Review determination, the SCH has 15 days following the end of the 45-day review period to complete their consistency review. An inconsistency finding by any review agency requires a discussion with the SCH and possibly initiation of the Dispute Resolution process.

4.5.3 Programming Screen Review

Upon receipt of the Programming Screen notice, ETAT members review the purpose and need and provide comments about potential project effects to the natural, physical, cultural, and community resources related to their regulatory authority. Project effects include direct, indirect, and (when appropriate) cumulative.

4.5.3.1 ETAT Review Tasks

ETAT members perform the following tasks when evaluating a project (refer to steps one through six in *Chapter 3, Figure 3-3* of this *Manual* for a summary flow chart):

1. **Understand Project Data –** Develop an understanding of the proposed transportation action by reviewing the project description, purpose and need, PED, EST GIS analyses and locational information, and public comments from previous activities.

2. **Assess Resource Data –** Verify the information available in the EST is the best available; refer to *Chapter 6, Section 6.4.5.2* of this *Manual*, for data review considerations. Identify information gaps or data needed to support further evaluation. ETAT members are expected to supplement the information in the EST with additional sources and personal knowledge, such as data gathered from site visits.

3. **Identify Appropriate Analysis Area –** Typically, the analysis area for a project is influenced by the nature of the ETAT member's resources of interest, the project's context, and the potential for resource effects. The buffers used in the EST, range from 100 feet to one mile (5,280 feet) in width. These areas represent typical distances used by the ETAT to evaluate a variety of resources in different contexts, although the size of any individual study area depends on the nature of the project.

4. **Perform Analysis –** Review projects for direct and indirect effects based on standards defined in the AOA. Assess the need for potential agency involvement in subsequent project phases. Each ETAT member performs analyses consistent with the criteria and methodologies established

> To help carry forward information produced during the Planning phase to the environmental documents prepared during the PD&E phase, the ETDM process uses definitions consistent with *NEPA* as stated in *40 CFR 1508.7 and 1508.8:*
>
> *Direct effects…* are caused by the action and occur at the same time and place as the action.
>
> *Indirect effects…* are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable.
>
> *Cumulative effect* is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.
>
> The terms "effects" and "impacts" are synonymous in CEQ regulations (*40 CFR §1508.8*) and are used interchangeably in this *Manual*.

by the member's organization for each specific resource. Optionally, the ETAT member may provide considerations related to cumulative effects if there is an issue.

5. **Indicate Understanding of Purpose and Need –** Review and indicate understanding of the project's purpose and need. If the purpose and need is not understood, suggest ways to improve the purpose and need. During the Programming Screen review, the Lead Federal Agency (if applicable) indicates acceptance of the purpose and need. In the event the Lead Federal Agency does not accept the purpose and need, the Lead Federal Agency provides guidance with the objective of leading to its acceptance. Before determining a COA, the Lead Federal Agency must accept the purpose and need. Federal Consistency Reviewers enter their Federal Consistency Review determinations, as well.

6. **Provide Comments about Potential Effects and Recommendations to Address Effects –** Comment on project concepts and alternatives based on analysis in Task 4. Be as specific as possible. Comments should not only list resources found within the standard EST buffer areas but reflect historical documentation, previous studies, site visits, and personal knowledge of the project area. For example:

   a) If potential direct and indirect effects could exist, comment on the type, quality, and sensitivity of the resources involved in relation to the resources' location to the proposed project and related activities. If the project does not impact resources of interest, indicate this as well.

   b) If there is a concern about potential cumulative effects, provide considerations to help the Lead Agency decide on the level of evaluation needed in the environmental document (see *Section 2.5* of this *Manual* for an explanation about the Lead Agency role). ETAT members are not expected to evaluate cumulative effects during the Planning and Programming Screen reviews nor assign Degrees of Effect (DOEs). Cumulative effects can be both positive and negative. See the *FDOT Cumulative Effects Evaluation Handbook* for more information.

   c) Provide information about agency plans, studies, or other data and regulatory information that may affect the project or are affected by the project. Fill in data gaps and validate data, as needed.

   d) Provide recommendations to address concerns, such as potential avoidance, minimization, or mitigation opportunities; be specific.

   e) Specifically identify differences and preferences among alternatives.

   f) Identify specific activities FDOT or other ETAT members can complete between the Programming Screen and the PD&E phase to address concerns or fill in data gaps (e.g., seasonal studies, preliminary site inspections, studies

to further define or justify the purpose and need). Identify required permits or studies along with sufficient detail to document any unique conditions.

g) Indicate a DOE for each alternative and issue being reviewed. A DOE reflects the magnitude of both potential direct and indirect effects caused by a particular alternative to a resource. *Table 4-1* provides guidance for assigning a DOE. Include the rationale for selecting a DOE, but more specific evaluation criteria should be used by each ETAT member for the resources under the member's jurisdiction.

h) Indicate the need for future involvement (e.g., permits and technical studies). Request Participating or Cooperating Agency status per the directives in *Section 4.4.2* of this *Manual* for consideration by the Lead Federal Agency.

4.5.3.2 ETDM Resource Issues

ETAT members comment on the potential project effects to one or more of the following ETDM issues as defined by their respective AOAs and/or in accordance with their regulatory authority:

Social and Economic

- Aesthetic Effects

- Economic

- Farmlands

- Land Use Changes

- Mobility

- Relocation Potential

- Social

Cultural

- Historic and Archaeological Sites

- Recreation Areas

- Section 4(f)Potential

Natural

- Coastal and Marine

- Floodplains

- Water Quality and Quantity

- Wetlands

- Wildlife and Habitat

Physical

- Air Quality

- Contamination

- Infrastructure

- Navigation

- Noise

Special Designations

Within the EST, ETAT members use the *Special Designations* issue to identify involvement with any of the following:

- Outstanding Florida Waters

- Aquatic Preserves

- Scenic Highways

- Wild and Scenic Rivers

Refer to **Chapter 2, Section 2.6**, of this **Manual** for additional explanation and guidance regarding each ETDM issue.

4.5.4 Assigning a Degree of Effect

ETAT representatives should use available information to evaluate and comment on the potential direct and indirect effects of a project. This includes using the data layers in the EST, historical documentation, previous studies, site visits, communication with agency experts and FDOT District staff, as well as personal knowledge of the project area. The potential effects inform the DOE selection, which reflects the potential magnitude of project effects on a resource, not the level of coordination involved in addressing the effect. The level of coordination with the ETAT during future project phases reflects the issues that need to be addressed, regardless of the DOE. The FDOT ETDM Coordinator, PD&E Project Manager, and Lead Agency use DOEs and

comments to help identify potentially critical issues and determine how to address them. The ETAT DOE selections and supporting comments help the FDOT ETDM Coordinator and PD&E Project Manager assign a SDOE and assist the Lead Federal Agency in determining an appropriate COA at the conclusion of the Programming Screen.

Table 4-1 provides guidance on assigning a DOE. ETAT members are encouraged to develop specific guidance describing their organizations' DOE selection criteria and coordinate it with FDOT for mutual understanding and partnering. This promotes consistency when ETAT members from the same organization assign a DOE.

Table 4-1: Potential Project Effects Degree of Effect Guidance – Programming Screen

Degree of Effect	Guidance	
	ETAT Resources	Sociocultural Resources
Not Applicable/ No Involvement	The issue/resource in question is not a part of, in any way involved with, or affected by the proposed alternative.	
Enhanced	The proposed alternative has a positive effect on the resource or can reverse a previous adverse effect leading to environmental improvement.	The proposed alternative has a positive effect. The affected public supports the proposed alternative.
None	Resources exist, but there is no potential impact by the proposed alternative.	The proposed alternative has been evaluated for sociocultural effects. Resources exist, but the proposed alternative has no potential for effects and there is no concern about the alternative.
Minimal	The proposed alternative has little potential for negative effects on the resources.	The proposed alternative has little potential for negative effects. Initial outreach reveals little or no concern about the alternative.
Moderate	Resources are potentially affected by the proposed alternative, but avoidance, minimization, or mitigation options are available and can be addressed during the PD&E phase.	Resources are potentially affected by the proposed alternative, but avoidance, minimization, or mitigation options are available.
Substantial	The proposed alternative potentially affects unique or sensitive resources. Avoidance, minimization, or mitigation options may be difficult to identify.	Potential effects on the resources are anticipated and/or are likely to be highly controversial.
Dispute Resolution	Potential effects are anticipated to the degree that the proposed alternative may need to be modified or eliminated. Dispute resolution is required before the project proceeds to final design.	

Note: The DOE reflects the potential magnitude of both direct and indirect project impacts.

The responsibility for performing Sociocultural Effects (SCE) evaluations and assigning a DOE to the six SCE issues (Social, Economic, Land Use Changes, Mobility, Aesthetic Effects, and Relocation Potential) rests with the MPOs/TPOs and FDOT. Community coordination activities assist in identifying concerns and desired project features. The

FDOT and MPO/TPO CLCs should take a collaborative team approach during these evaluations. Much of the data preparation and initial analysis involved with SCE evaluations can be conducted prior to a Programming Screen review and made available to the ETAT as part of the PED. **PD&E Manual, Part 2, Chapter 9, Sociocultural Effects Evaluation**, the **FDOT Public Involvement Handbook**, and the **FDOT Sociocultural Effects Evaluation Handbook** provide guidance on identifying SCE issues and techniques for gathering public input.

For further guidance on how to evaluate cultural and historical resources, refer to **PD&E Manual, Part 2, Chapter 12, Archaeological and Historical Resources** and the **FDOT Cultural Resources Management Handbook**. For guidance on potential **Section 4(f)** issues, refer to **PD&E Manual, Part 2, Chapter 13, Section 4(f) Evaluations**.

4.5.5 ETAT Coordination

During the Programming Screen review, the ETDM Coordinator should monitor preliminary ETAT responses and conduct personal communication to clarify issues or respond to questions. Specifically, they should review relevant ETAT commentary to identify actions necessary to advance the project. Actionable ETAT commentary should be transmitted to the appropriate staff as the project advances. Following the screening event, the FDOT ETDM Coordinator, CLC, and PD&E Project Manager assess ETAT commentary to assign a SDOE for each issue and prepare the **Preliminary Programming Screen Summary Report**. The FDOT ETDM Coordinator works with the ETAT to gain a better understanding of identified concerns, clarify any instances where DOEs for an issue differed between ETAT members, and address commentary that raised additional questions or need for additional information. When differences in DOE assignment occur between agencies for an issue, greater consideration should be given to the ETAT member with jurisdictional authority over the resource of concern.

Additionally, after the Programming Screen review, the ETAT member may be asked to:

1. Participate in identifying solutions to project concerns.

2. Provide technical assistance during the PD&E phase and subsequent project phases.

3. Serve as a Participating or Cooperating Agency.

4. Review and approve the COA determination (if Lead Agency).

5. Provide feedback to FDOT regarding the **Preliminary and Final Programming Screen Summary Reports**.

4.5.6 Publish Preliminary Programming Screen Summary Report

The **Preliminary Programming Screen Summary Report** documents key recommendations and results from the review, including the assigned SDOE for each issue, the Federal Consistency Review determination, and comments received about the AN package.

The FDOT ETDM Coordinator and PD&E Project Manager generate and publish the **Preliminary Programming Screen Summary Report** within 60 days from the end of the 45-day review period. The FDOT project team reviews comments, coordinates with the ETAT, and assigns a SDOE to all issues and alternatives based on project comments and ETAT DOE selections.

The SDOE represents the position of FDOT and is based on all known information about the project area, including ETAT member and public comments and other technical resources. There is no requirement to select the highest DOE assigned by an ETAT member. However, when assigning an SDOE lower than an ETAT member's assigned DOE the ETDM Coordinator or PD&E Project Manager should include a rationale for the decision. Coordination with an agency is expected when selecting a lower SDOE than an ETAT member's assigned DOE and should be documented in the EST during the development of the SDOE; email exchanges can be uploaded to the EST as a project attachment. The ETDM Coordinator or PD&E Project Manager should coordinate with the FDOT team to discuss the issue and reach consensus on the proposed SDOE before publishing the summary report.

If an ETAT member indicates a Dispute Resolution DOE, the FDOT ETDM Coordinator or PD&E Project Manager begins coordination with the ETAT member to seek a mutually agreeable avoidance and minimization option. If they cannot identify a mutually agreeable option, the ETDM Coordinator, in consultation with the Federal Lead Agency, assigns Dispute Resolution as the SDOE and initiates the Dispute Resolution process. See **Chapter 2, Section 2.7**, of this **Manual** for more information about the Dispute Resolution process.

In the event that no reviews are received on a specific ETDM issue assigned to an ETAT member through an executed AOA and there appears to be involvement with a resource under their jurisdiction, the FDOT ETDM Coordinator or PD&E Project Manager should contact the respective ETAT member(s) and ask for comments. If the member does not have comments or concerns regarding the issue, the member should indicate this in the EST. The outcome of those efforts and the FDOT's knowledge regarding the issue should be the basis for determining the SDOE. If coordination attempts fail, the FDOT ETDM Coordinator should seek assistance from FDOT staff (particularly the PD&E Project Manager) to help with issue assessment and to provide the basis for the SDOE determination; documentation of a non-responsive member should be provided in the EST to support the project record.

During the development of the *Preliminary Programming Screen Summary Report*, it may be determined, when multiple alternatives are screened, that a particular alternative should be eliminated from further consideration. For instance, an alternative that does not adequately meet the purpose and need of the project or is found to be unreasonable can be eliminated with justification, documentation, and concurrence by the Lead Agency.

When the FDOT ETDM Coordinator publishes a *Preliminary Programming Screen Summary Report*, ETAT members, Consistency Reviewers, relevant MPO/TPO and local government staff, and interested public (*https://etdmpub.fla-etat.org*) are notified that the report is available.

4.6   ALTERNATIVE CORRIDOR EVALUATION (ACE) PROCESS

FDOT uses the ACE process to provide a consistent, coordinated, and documented method for corridor identification and evaluation. Projects with the potential to require the preparation of an EIS generally need a corridor evaluation to identify reasonable alternatives for *NEPA* analysis from a possible range of alternatives. FDOT may perform ACE as part of the Planning Screen and/or the Programming Screen; and, in some cases, ACE may be part of the PD&E Study.

During the ACE process, the District develops a *MM* based on stakeholder comments and other information and then uses it to refine or eliminate alternative corridors in order to avoid potential environmental effects (*Section 4.6.4*). The Lead Federal Agency must approve the elimination of unreasonable alternatives (*FHWA Guidance on Using Corridor and Subarea Planning to Inform NEPA, April 5, 2011*, and *MAP-21, Section 1310*).

Different corridors are often considered when a new route is needed between two locations and may include multimodal options. Corridors can be identified that largely avoid sensitive environmental areas and still satisfy the identified transportation need. Projects that typically require the ACE process include the following:

1. New alignments – new roadways; new roadway connections or extensions; new transit and rail lines

2. Major realignments

3. Major bypasses – truck bypasses; city/town bypasses; rail lines

4. Other types of projects based on consultation with FHWA, FTA, or FRA

Many transportation projects may already have existing corridor options from completed action or master plans, for example, projects located on the existing SIS. These analyses should be evaluated and considered prior to advancing into the ACE process. Decisions made in these action or master plans should be included in the project documentation, and during the PD&E Phase, should become part of the *NEPA* project

record (e.g., project file, Environmental Document, etc.). All planning products incorporated into the **NEPA** process must follow the conditions of **Section 1310 of MAP-21** as discussed below.

The ACE process and ETDM screenings may produce the following planning products identified in **Federal Highway Administration Guidance on Using Corridor and Subarea Planning to Inform NEPA**:

1. Purpose and need or goals and objective statements;

2. General travel corridor and/or general mode(s) definition (e.g., highway, transit, or highway/transit combination);

3. Preliminary screening of alternatives and elimination of unreasonable alternatives;

4. Basic description of the environmental setting; and/or

5. Preliminary identification of environmental impacts and environmental mitigation.

Section 1310 of MAP-21 provides planning decisions that may be adopted for use in the **NEPA** process. The ACE process provides the framework for advancing planning products into the **NEPA**/PD&E process. The following is the list of planning products that may be advanced to **NEPA** pursuant to **MAP-21**:

1. Whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

2. A decision with respect to modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

3. A basic description of the environmental setting; and

4. A decision with respect to methodologies for analysis.

In accordance with **Section 1310 of MAP-21**, the following conditions must be met for adoption and use of these planning products:

1. The planning product was developed through a planning process conducted pursuant to applicable federal law.

2. The planning product was developed by engaging in active consultation with appropriate federal and state resource agencies and Indian tribes.

3. The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

4. During the planning process, notice was provided through publication or other means to federal, state, local, and tribal governments that might have an interest in the proposed project, and to members of the general public, of the planning products that the planning process might produce and that might be relied on during any subsequent environmental review process. These entities should have been provided an opportunity to participate in the planning process leading to the planning product.

5. After initiation of the environmental review process, but prior to determining whether to rely on and use the planning product, the Lead Federal Agency has made planning document/product available to federal, state, local, and tribal governments that may have an interest in the proposed action, and to members of the general public, and has considered any resulting comments.

6. There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

7. The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

8. The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

9. The planning product is appropriate for adoption and use in the environmental review process for the project.

10. The planning product was approved not later than five years prior to date on which the information is adopted pursuant to this section.

Figure 4-4 outlines the ACE process when conducted during the Programming Screen. *Sections 4.6.1* through *4.6.6* of this *Manual* further describe the ACE process when conducted during the Programming Screen. For details about ACE during the Planning Screen, see *Chapter 3* of this *Manual*. For information about the ACE process during the PD&E phase, refer to *PD&E Manual, Part 2, Chapter 6, Alternatives*.
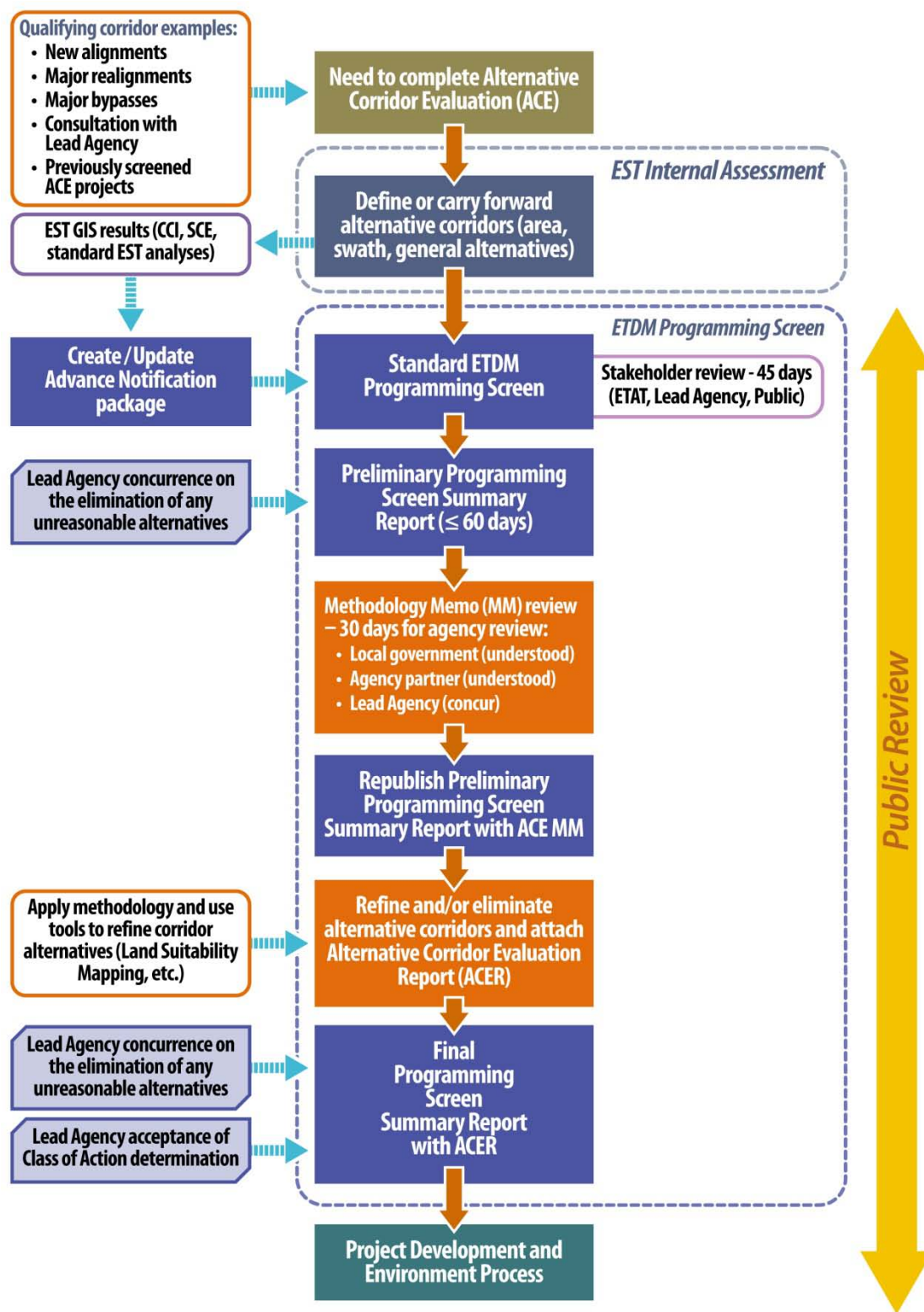
Figure 4-4: ACE Process During the Programming Screen

4.6.1 Identify the Need to Complete the ACE Process during Programming Screen

The ACE process may begin or continue during the Programming Screen. FDOT makes the determination of designating a project to go through the ACE process in coordination with the Lead Federal Agency. Projects with the potential to be EISs are typically recommended. The Districts can use ACE for non-federal projects at their discretion.

The District internally considers the involvement and potential impacts to environmental issues/resources and the presence of any fatal flaws to decide if the project should be advanced. Consideration should be given to GIS data, what is known of the area, early stakeholder involvement, etc. The District should ensure that the level of detail of the analysis is appropriate to the range of alternatives being considered. Once the decision has been made to advance the project, the goals of using the ACE process (e.g., performing an action plan level corridor analysis or determining reasonable alternatives for *NEPA* analysis) are defined.

4.6.2 Define Initial Corridor Alternatives

Regardless of when the District begins the ACE process, the next step is to define corridors. If a previous planning study identified corridors, these are used as a starting point for the ACE process. Others can be added by the District at their discretion. There is also the possibility that as stakeholders (such as the ETAT) become involved, additional corridors could be identified. The ability to meet the purpose and need must serve as a baseline to identify and delineate corridors. Depending on the phase of development of the project, the District identifies a study area, swaths, or narrower alignments as corridor(s). The ACE process varies depending on whether it is started in the Planning Screen, Programming Screen, or PD&E phase. It is important that the naming of each corridor or alternative remain consistent throughout ACE and be carried through the PD&E phase.

When continuing the ACE process from the Planning Screen, FDOT uploads the resulting corridor alternatives to the EST prior to the beginning of the Programming Screen. These reflect the changes presented in the *Alternative Corridor Evaluation Report (ACER)*, which can be found on the EST as an attachment to the *Project Description* report*.* If the project began as a study area analysis, by the time it reaches the Programming Screen, more refined corridor alternatives replace the study area.

When the ACE process begins in the Programming Screen, the project team defines corridor alternatives. While these corridor alternatives are still rather conceptual, they provide enough detail to allow analysis. Standard GIS analyses are run against this geometry (see *Section 4.4* of this *Manual, Prepare Project for Screening*, for more information) and the project team develops the AN package (see *Section 4.4.4, Prepare the Advance Notification Package* of this *Manual*).

4.6.3 Conduct Standard EST Programming Screen

Next, the Programming Screen review proceeds as described in *Section 4.5.* For ACE process reviews, the ETDM Coordinator assigns SDOEs following ETAT review and then publishes a *Preliminary Programming Screen Summary Report* (see *Section 4.5.5* of this *Manual*).

4.6.4 Methodology Memorandum (MM) Review

Using the Programming Screen results, the District develops or refines the *MM* detailing the goals of the evaluation, the alternatives analysis methodology, how coordination with stakeholders will occur, and the basis for decision-making. The *MM* integrates local land use plans, public involvement and ETAT member commentary, and Planning phase analyses, as well as highlights specific data, tools (e.g., Land Suitability Mapping and Corridor Analysis Tool), and timelines to govern corridor refinements. The *MM* includes:

1. Background;

2. Evaluation criteria;

3. Specific data tools [i.e., EST, Land Suitability Mapping (LSM), Quantum, etc.] and timelines that will be applied with the evaluation criteria; and

4. Approach to eliminating unreasonable alternatives.

In certain situations, the *MM* may need to be reviewed by project stakeholders more than once. This may take place when one or more of the following apply:

1. There is a change in project termini (expanded).

2. There is a change in purpose and need.

3. There is a change in project concept(s) (e.g., number of lanes, adding interchanges, etc.).

4. There is a change in supporting data that may affect the methodology and any resulting decisions made from it (e.g., population changes, economic changes, land use changes, etc.).

5. When stakeholder input results in significant revisions to the methodology.

When the ACE process is conducted as part of the Programming Screen, the District submits the *MM* to the ETAT for review through the EST. The ETAT members have 30 days to provide comments and indicate if the *MM* is understood. The District then revises the *MM*, as necessary, to address any comments received before sending the document for Lead Federal Agency review. Depending on the nature of the ETAT

comments, the Lead Federal Agency may recommend that the ETAT review the revised *MM*. Subsequently, the Lead Federal Agency is expected to provide acceptance (within 30 days), as appropriate. This review process is consistent with the requirements of *MAP-21, Section 1310*.

After the Lead Federal Agency accepts the *MM*, the FDOT ETDM Coordinator republishes the *Preliminary Programming Screen Summary Report* with the approved *MM* to document concurrence.

4.6.5 Refine or Eliminate Corridor Alternatives

The District applies the approved MM to refine the alternatives and documents these activities in the *ACER*. This report summarizes the refinements made in consideration of ETAT and/or stakeholder assessments, project purpose and need, public involvement commentary, analytical methodology, and evaluation criteria. It also identifies the alternatives that should move forward for *NEPA* analysis, and provides supporting justifications for eliminating alternatives. The Lead Federal Agency approves the eliminated alternatives and identifies the alternatives to be advanced for *NEPA* analysis. Documentation regarding the elimination of alternatives and the *ACER* becomes a part of the project's Administrative Record (refer to *PD&E Manual, Part 1 Chapter 6, Alternatives)*. When completed, the *ACER* is uploaded to the EST as a project attachment.

4.6.6 Publish Preliminary Programming Screen Summary Report

The Lead Federal Agency must concur with any eliminated corridor alternatives not advancing into the PD&E phase. For alternatives eliminated due to environmental impacts, the *ACER* must describe the nature of the impacts and show that they cannot be avoided. The ETDM Coordinator publishes a *Preliminary Programming Screen Summary Report* after uploading the *ACER* and receiving Lead Agency concurrence on any corridor alternatives recommended for elimination.

During the PD&E phase, the environmental document summarizes and references the *ACER* (see *PD&E Manual, Part 1 Chapter 6, Alternatives*).

4.7   ADVANCING THE PROJECT TO PD&E

Based on the results of the *Preliminary Programming Screen Summary Report* and any ACE process activities, the FDOT ETDM Coordinator and PD&E Project Manager work with FDOT management (and MPO/TPO management if the project is in an MPO/TPO area) to determine whether to advance the project to the PD&E phase. Should FDOT decide to delay moving the project forward, a COA determination and subsequent publishing of the *Final Programming Screen Summary Report* is not required until the project advances. Delays typically occur as a result of project reprioritization, funding availability, or when uncertainty exists regarding the appropriate COA.

When advancing a project to PD&E, it must come from a long range plan (e.g., LRTP in an MPO area) or priority list (if in a non-MPO area) and be in the TIP/STIP. The PD&E phase must be in the adopted Five Year Work Program in the year the PD&E Study is scheduled to begin. The project must use the ETDM identifier as described in the **Work Program Instructions Part III Chapter 23, Planning**. Additionally, prior to requesting **NEPA** approval, at a minimum, the next phase of the entire project must be fully funded; or if the project has multiple segments, at least one segment must be fully funded all the way through construction.

If a project does not move forward within four years of the AN, the Programming Screen must be re-initiated when the project is ready to advance. Similarly, an expansion in project termini or changes in project concept prior to COA determination necessitate a new review unless the PD&E phase has been initiated. A project may advance if less than four years have elapsed since the AN was distributed and no changes have occurred regarding the project's concept or termini. See **PD&E Manual, Chapter 3, Preliminary Environmental Discussion and Advance Notification** for information about reprocessing the AN.

4.8 BEGIN DEVELOPING PD&E SCOPE OF WORK

At the end of the Programming Screen, the FDOT project team begins to develop the scope of work for the PD&E phase. The scope of work reflects the activities necessary to complete the PD&E Study and focuses on addressing the issues raised and technical studies identified by the ETAT during the review. It is important when writing the scope of services for an EA not to assume that the decision will be a Finding of No Significant Impact (FONSI), but rather that the result could be either a FONSI or the need to prepare an EIS. The **Programming Screen Summary Report** lists project recommendations and anticipated permits and technical studies. **Chapter 5** of this **Manual** provides additional guidance for transitioning to the PD&E phase

4.9 DETERMINE CLASS OF ACTION

Transportation projects involving a federal action must comply with **NEPA** and require a COA determination. The process for identifying the appropriate COA generally occurs after the publication of the **Preliminary Programming Screen Summary Report**. There may be instances when it is prudent to delay the COA in order to perform additional studies or coordination prior to or during the PD&E Study to better inform the COA determination. The FDOT ETDM Coordinator and PD&E Project Manager consult with the Lead Federal Agency to determine the COA. The three COA determination categories as defined in **23 CFR 771** are Categorical Exclusions (CEs), EAs, and EISs. The environmental document for FDOT non-federal projects reviewed through the EST is a State Environmental Impact Report (SEIR). These four documents and procedures for determining the appropriate COA are described in detail in **PD&E Manual, Part 1, Chapter 2, Environmental Class of Action Determination**.

The FDOT ETDM Coordinator uses the COA determination form in the EST to propose a COA to the Lead Federal Agency for approval. Once the Lead Federal Agency approves the proposed COA, it becomes part of the project record and is published in the *Final Programming Screen Summary Report*.

The COA can be modified as needed. However, all modifications require concurrence from the Lead Federal Agency.

4.10　PUBLISH FINAL PROGRAMMING SCREEN SUMMARY REPORT

FDOT publishes the *Final Programming Screen Summary Report* following the COA determination by the Lead Federal Agency and the updating of the scope of work outline. For ACE process projects, the *Final Programming Screen Summary Report* is renamed to *Final Programming Screen Summary Report with Alternative Corridor Evaluation Report* and also contains Lead Federal Agency concurrence on the *MM* and agreed upon eliminated alternatives. The *Final Programming Screen Summary Report* contains any updates to information previously published in the *Preliminary Programming Screen Summary Report*.

Upon publication, an email to access the *Final Programming Screen Summary Report* is automatically submitted to original project notification email recipients. The email identifies changes made since the previous publication. The report is available for public review on the ETDM Public Access Site (*https://etdmpub.fla-etat.org/est/*).

4.11　DISPUTE RESOLUTION PROCESS

ETAT commentary regarding potential project effects during the Programming Screen offers an opportunity for early identification of project disputes. The ETDM Coordinator reviews the dispute commentary, coordinates with the ETAT member who provided the comments, and when applicable, assigns a Dispute Resolution SDOE to initiate the Dispute Resolution process in the Programming Screen. A strong commitment exists among the participants in the ETDM process to resolve disputes at the local level, prior to elevating them to a higher authority. In the Programming Screen, projects with an assigned Dispute Resolution SDOE following an ETAT review and publication of the *Preliminary Programming Screen Summary Report* require dispute resolution. The FDOT ETDM Coordinator first uses the Informal Dispute Resolution process. If a dispute remains unresolved after following this process, the FDOT ETDM Coordinator initiates the Formal Dispute Resolution process. Refer to *Chapter 2, Section 2.7,* of this *Manual* for dispute resolution procedures.

4.12　PROGRAMMING SCREEN ACTIVITIES

The ETDM process involves participants from a wide range of professions. As detailed throughout this chapter, ETDM process participants are engaged in a variety of activities to accomplish a Programming Screen. The list below provides a quick reference, summarizing the activities of these participants during a Programming

Screen. For details, refer to the preceding sections of this chapter, and *Chapter 2, Section 2.5, ETDM Coordination* of this *Manual*.

4.12.1 Programming Screen Preparation

ETDM Project Information (FDOT)

- Facilitate timely information flow between FDOT and MPOs/TPOs and local governments (as applicable).

- Identify priority projects for inclusion in the Five Year Work Program.

- Identify and develop review schedule of qualifying transportation projects.

- Develop or update project descriptions and purpose and need for candidate projects.

- Document planning consistency information in coordination with FDOT District MPO/TPO or Rural County Liaison.

- Map the location of each project.

- Identify previous studies and documents that can be included with project reviews.

- Prepare PEDs and ANs.

- Enter information into the EST or coordinate with the GeoPlan Center to upload batch files of project data.

- Perform quality assurance check of project data and mappings (including project geometry and termini).

- For SIS projects, work with the SIS Central Office to ensure candidate projects are consistent with Florida transportation goals and objectives.

ETAT Member Resource Data (ETAT members and GeoPlan Center)

- Identify new or updated environmental resource information and coordinate with the GeoPlan Center to upload or secure these GIS files.

- Perform quality assurance check of information provided to the GeoPlan Center after it has been made available through the EST.

Community Characteristics Information (FDOT or MPO/TPO)

- Identify activities to gather community information to support the SCE Evaluation.

- Gather or identify community characteristics data required for SCE Evaluation.

- Enter community characteristics data into the EST or coordinate with the GeoPlan Center to upload or secure GIS files.

- Perform quality assurance checks of community characteristics data and mappings (including project geometry and termini).

4.12.2 Programming Screen Reviews

ETAT members perform the following tasks for their resources; the FDOT CLC performs the tasks for the six SCE issues:

- Conduct project reviews of potential direct and indirect effects using the EST.

- Recommend cumulative effects considerations as appropriate.

- Conduct purpose and need reviews.

- Recommend potential avoidance, minimization, and mitigation opportunities.

- Identify required technical studies and permits.

- Electronically submit comments within the 45-day review period.

4.12.3 ETAT Coordination

The FDOT ETDM Coordinator, Project Manager, or designee performs the following tasks during the Programming Screen:

- Initiate Programming Screen and send AN packages.

- Promote awareness of the proposed project, including the purpose and need and the project description, and how the public can provide input.

- Coordinate with ETAT members to ensure timely reviews of direct and indirect effects.

- Monitor relevant ETAT commentary to identify actions necessary to advance the project

- Identify actionable commentary from the ETAT and transmit it to the appropriate staff as the project advances

- Communicate responses about transportation issues to the community during the Planning and Programming Screens.

- For ACE process projects, coordinate reviews and Lead Federal Agency concurrence for **MM**.

- Participate in discussions regarding potential project effects or clarification of comments, as needed.

- Conduct or participate in ETAT meetings and webinars.

- Participate in dispute resolution activities, if needed.

- Initiate technical studies to support consultation process, if needed.

- Convey to the ETAT members about how project plans or concepts have been adapted to address their concerns, or communicate to them the rationale for not incorporating their input.

4.12.4 Programming Screen Summary Report

The FDOT ETDM Coordinator, Project Manager, or designee, performs the following tasks related to developing and publishing the ***Programming Screen Summary Report***:

- Review and respond to commentary received during the Programming Screen review.

- Incorporate the SCH Federal Consistency Review determination.

- Assign an SDOE to each ETDM resource issue.

- Summarize public comments received during the review.

- Develop the Scope of Work for the PD&E phase.

- Publish the ***Preliminary Programming Screen Summary Report.***

- Determine the COA in conjunction with the Lead Federal Agency.

- Coordinate with appropriate FDOT District staff to identify potential candidate projects for the Five Year Work Program.

- Publish the ***Final Programming Screen Summary Report***.

- Provide results of the Programming Screen to the PD&E project team, MPO/TPO and local governments (as applicable), and with the interested public.

4.13 REFERENCES

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4.14 HISTORY

03/2006 – Original publication

07/2013 – Updated to reflect current practices