

## **CHAPTER 5**

### **ADVANCING TO PROJECT DEVELOPMENT AND ENVIRONMENT (PD&E)**

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## 5.1 OVERVIEW

During the Project Development and Environment (PD&E) phase, the Florida Department of Transportation (FDOT) performs preliminary engineering, conducts environmental reviews and public involvement activities, and prepares necessary studies and reports. During this phase, FDOT develops alternatives; evaluates potential impacts to natural, physical, cultural, and community resources; and documents compliance with federal and state environmental laws.

**Title 23 United States Code (U.S.C.)** provides authority for, and encourages the integration of planning information and products into the **National Environmental Policy Act (NEPA)** process. Therefore, the results of the Efficient Transportation Decision Making (ETDM) Programming Screen can be used to support the PD&E Study in the following ways:

- Provide the foundation for purpose and need
- Define the general travel corridor and/or general mode(s)
- Provide early input from stakeholders about project alternatives and, for Environmental Impact Statements (EISs), the elimination of unreasonable alternatives
- Provide planning-level consideration of potential direct, indirect, and cumulative effects
- Identify mitigation opportunities
- Define the affected environment (existing conditions)
- Identify anticipated permits and technical studies
- Advance technical studies, if appropriate
- Identify the anticipated environmental Class of Action (COA)
- Distribution of the Advance Notification (AN)

Recommendations made during the ETDM Planning and Programming Screens are recorded in the Environmental Screening Tool (EST), and published in the **Final Programming Screen Summary Report** for use in the PD&E phase. Generally, commitments are not made during the Planning phase. However, if a commitment is made, follow FDOT procedure **Project Commitment Tracking 700-011-035-a**. At the completion of the PD&E phase, the environmental document is prepared, providing the environmental and engineering recommendations to guide final design.

This chapter describes the transition from the ETDM Programming Screen to the PD&E phase (see **ETDM to PD&E Process Diagram** on next page). **Chapter 4** of this **Manual** describes procedures for the Programming Screen. FDOT's **PD&E Manual** details the process and technical requirements for compliance with federal and state laws during the PD&E phase.

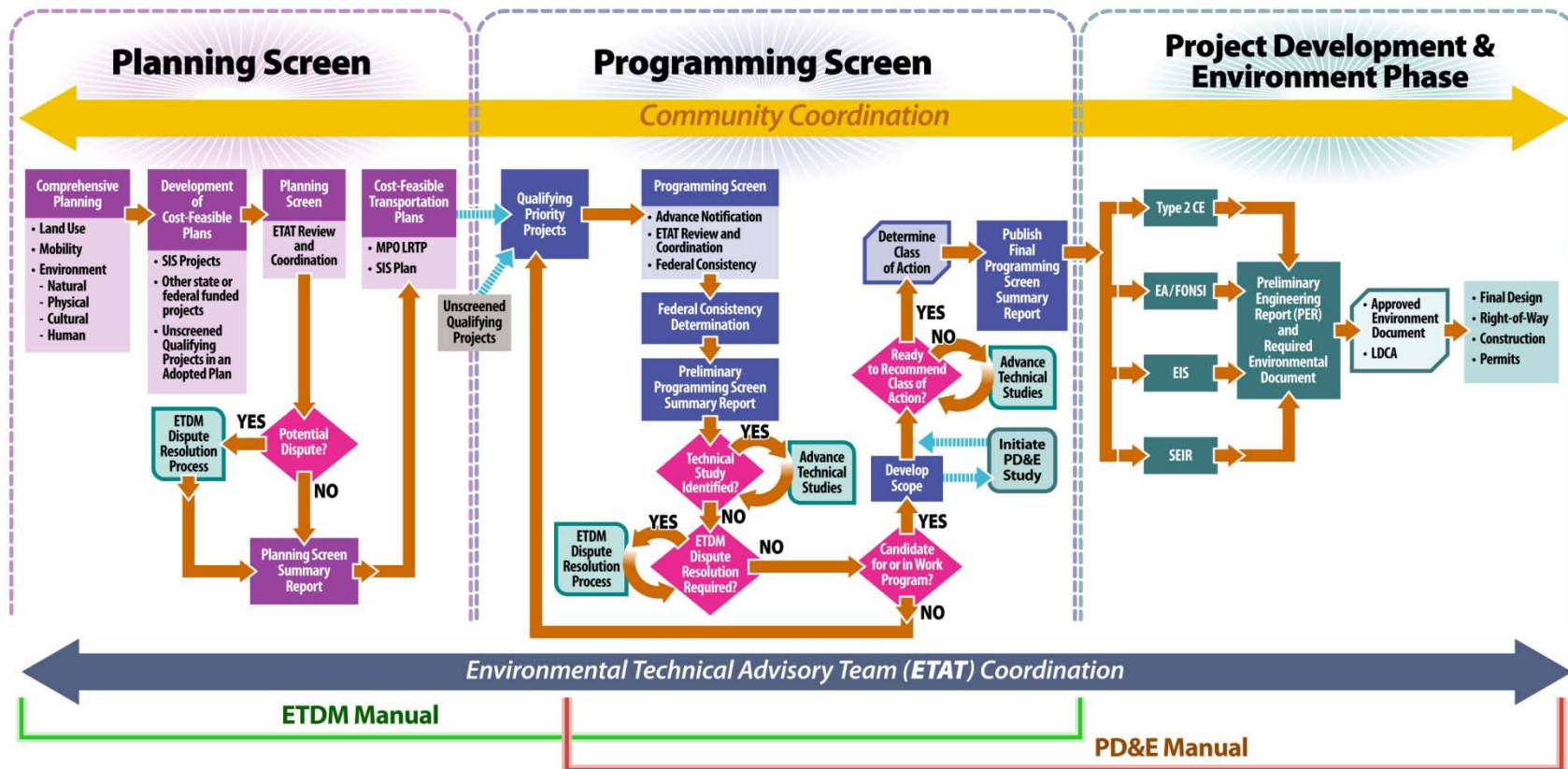


Figure 5-1: ETDM to PD&E Process Diagram

## 5.2 SCOPE OF WORK

The Programming Screen assists with identifying project issues and the actions needed during the PD&E phase to avoid, minimize, or mitigate potential project impacts and provide the foundation for the development of a project's scope of services. The results of the Programming Screen assist the PD&E Project Manager in developing a focused scope of services for the PD&E Study (consultant projects) or project work plan (in-house projects) including any technical studies required.

During the Programming Screen, the FDOT ETDM Coordinator, the PD&E Project Manager (if assigned), and other staff members review and respond to comments received. They communicate with the Environmental Technical Advisory Team (ETAT) members as needed for more information and clarification regarding comments received. The FDOT ETDM Coordinator or PD&E Project Manager assigns a Summary Degree of Effect (SDOE) to each ETDM issue based on the comments received and other available information. They also begin to identify, refine, or transmit the results of technical studies or other work activities to be completed or advanced to the PD&E Study. At the end of the Programming Screen, FDOT seeks environmental document COA acceptance from the Lead Federal Agency (see **Section 2.5.10** of this *Manual* for an explanation about a Lead Agency). There may also be cases where permitting activities may be advanced as part of the PD&E process.

There are three COAs defined in **40 Code of Federal Regulations (CFR)**, the regulation implementing **NEPA**. The Federal Highway Administration (FHWA) meets these requirements through **23 CFR 771.115**, which establishes the level of documentation required in the **NEPA** process for transportation projects with federal involvement: Categorical Exclusions (CEs), Environmental Assessments (EAs), and Environmental Impact Statements (EISs).<sup>1</sup> The Lead Federal Agency, the organization primarily responsible for preparing the environmental document and providing Location and Design Concept Acceptance (LDCA), determines the COA in consultation with the FDOT District. For more information about the environmental documents and procedures to establish a COA, see **PD&E Manual Part 1, Chapter 2, Environmental Class of Action Determination**.

The **Final Programming Screen Summary Report** documents the coordination and outcomes, and serves as a reference for PD&E Project Manager(s) as the project advances. The amount of time between the publication of the **Preliminary Programming Screen Summary Report** and the **Final Programming Screen Summary Report** can vary as the FDOT District works to identify the appropriate COA (such as conducting a seasonal study to measure wildlife crossings along a roadway).

The results of the Programming Screen assist the PD&E Project Manager in developing a focused scope of services for the PD&E Study (consultant projects) or project work plan (in-

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<sup>1</sup> Qualifying projects screened through the Environmental Screening Tool (EST) that will not use federal funds and do not require a federal action are processed as a State Environmental Impact Report (SEIR).

house projects). After reviewing the Degrees of Effect (DOEs), SDOEs, and issue comments, the PD&E Project Manager works with the FDOT ETDM Coordinator, the Environmental Administrator, Project Development Engineer, and other appropriate engineering and environmental staff to determine the technical studies needed during the PD&E phase and permitting activities that could be advanced during the PD&E phase. In addition to ETAT comments and FDOT responses, the ***Final Programming Screen Summary Report*** provides information to assist with the transition to the PD&E phase, including the following:

1. Purpose and Need acceptance by the Lead Agency
2. COA acceptance by the Lead Agency
3. Identification of cooperating [per ***40 CFR 1500-1508***] and Participating Agencies per ***Title 23 of the United States Code*** as amended by ***Moving Ahead for Progress in the 21st Century Act (MAP-21) 1315***
4. Identification, and perhaps refinement of, alternatives, if more than one exists
5. Development of a Preliminary Environmental Discussion (PED)
6. Lead Agency concurrence on unreasonable alternatives eliminated from the need for detailed ***NEPA*** analysis
7. Identification of anticipated technical studies, if applicable
8. Summary of public comments, development of sociocultural effects evaluation, and identification of community desired features
9. Identification of future coordination activities
10. Recommendations for subsequent project phases
11. Results of planning studies that may have useful information to support the PD&E Study

Project recommendations made in the Programming Screen advance to all future phases and are reviewed during each reevaluation (see ***PD&E Manual, Part 1, Chapter 13, Reevaluations***). Refer to ***Chapter 4*** of this ***Manual***.

### 5.3 ETAT COORDINATION DURING PD&E

Coordination between the PD&E Project Manager, environmental staff, and the ETAT members continues throughout the PD&E phase. As issues are encountered or technical studies are developed, the PD&E Project Manager and environmental staff coordinate with the ETAT members to resolve concerns, review products, identify mitigation opportunities or discuss the preliminary findings. This coordination keeps the ETAT members informed of a

project's progress and the consideration of their comments into the project's development. The PD&E Project Manager, in coordination with the FDOT ETDM Coordinator, may upload completed technical studies to the EST for a 30-day ETAT review and comment period; relevant ETAT members are notified by email of a document's availability.

While the ETAT members generally stay informed about projects through the above mechanisms, all ETAT organizations assign a specific individual to act as the liaison between FDOT and the respective organization on transportation projects, regardless of phase. The assigned ETAT member can be a resource for initiating contact and identifying methods to resolve project issues.

In instances where there are designated Cooperating and/or Participating Agencies, there are higher levels of responsibility and involvement in the environmental review process (refer to the ***PD&E Manual, Chapter 3, Preliminary Environmental Discussion and Advance Notification, Section 3-2.4.1 Agency Roles***).

Regardless of the role or designation, ETAT representatives coordinate with other staff and resources within their agency to review products and assist in resolving project issues.

## 5.4 PUBLIC INVOLVEMENT

The PD&E Project Manager is responsible for the development and implementation of a public involvement program to comply with federal and state law and FDOT procedure. Knowledge gained from evaluating sociocultural effects of project alternatives during the Planning and Programming Screens can be used to help develop the PD&E Public Involvement Program. For more information, refer to the ***PD&E Manual Part 1, Chapter 11, Public Involvement*** and ***Part 2, Chapter 9, Sociocultural Effects Evaluation*** and ***FDOT Public Involvement Handbook***.

## 5.5 HANDLING DISPUTES

Advancing and coordinating a recommended project technical study during or prior to the PD&E phase is one of the options to clarify and resolve a dispute in the ETDM Programming Screen Dispute Resolution process. When selected, the PD&E Project Manager and/or environmental staff, as appropriate, coordinate with the ETAT member that raised the potential dispute. The PD&E Project Manager ensures that the ETDM Coordinator and ETAT member remain involved throughout the development of the technical study. The PD&E Project Manager, FDOT Environmental Administrator, and other environmental staff work with the agency to develop the scope and methodology of the study, as well as gather input and receive technical assistance. Upon completion of the technical study, the ETAT member reviews and comments on the document, addressing recommended solutions to handle the dispute. If the dispute is not resolved, the PD&E Project Manager works with the FDOT ETDM Coordinator and other staff to continue pursuing a resolution through the ETDM Dispute Resolution process (refer to ***Chapter 2, Section 2.7*** of this ***Manual***). The outcomes of these activities should be recorded in the final PD&E document and communicated to the applicable ETAT member.

## 5.6 REFERENCES

Code of Federal Regulations (CFR), Title 23, Part 771.115 (23 CFR 771.115).  
Classes of Actions.

Code of Federal Regulations (CFR) Title 40, Parts 1500-1508 (40 CFR 1500-1508). Council  
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“Highways,” U.S. Code, Title 23, Section 135 (as amended).

Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21). 2012.

National Environmental Policy Act of 1969 (NEPA).

## 5.7 HISTORY

03/2006 – Original publication

07/2013 – Updated to reflect current practices