




Florida Department of Transportation

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To: Stan Cann, District One Secretary; Charles Baldwin, District Two Secretary; Edward Prescott, District Three Secretary; Jim Wolfe, District Four Secretary; George Gilhooley, District Five Secretary; John Martinez, District Six Secretary; Donald Skelton, District Seven Secretary; Jim Ely, Executive Director, Florida's Turnpike Enterprise

From: Ysela Llort, Assistant Secretary for Intermodal Systems Development 

cc: Kevin Thibault, Assistant Secretary for Engineering and Operations
Carolyn Hyland Ismart, Manager, Central Environmental Management Office
District Directors of Planning and Production
District ETDM Coordinators

Date: December 15, 2005

Subject: Grandfathered ETDM Process: Future Direction for Screening Major Capacity Projects

The recent reauthorization legislation, SAFETEA-LU, included a new process for conducting "Efficient Environmental Reviews for Project Decision Making" for highway projects. This process is included in Section 6002 of the new bill.

States are now required to follow the new process described in Section 6002 unless they have specifically requested to be allowed to follow an existing environmental review process previously approved by the USDOT Secretary of Transportation.

FDOT has recently officially requested approval from FHWA to "Grandfather" our Efficient Transportation Decision Making (ETDM) process, as allowed for in Section 6002. We expect to receive this approval shortly.

With receipt of this approval, it will be the full expectation of FHWA that FDOT will follow the ETDM process for all major highway capacity improvement projects in our Work Program unless a specific exception is mutually agreed to. "Major capacity projects" for highways as defined in the ETDM process and included in our agreements with the participating agencies include roadway projects:

- Where capacity is added to an existing road in the form of additional through lanes
- New Roadways
- New Interchanges, Major Interchange modifications
- New Bridges, Bridge replacements, Bridge Projects involving additional lanes

The ETDM process provides resource agencies and the public the opportunity to provide early input to FDOT and MPO Boards on a project's potential impacts to the natural and built environments, through a series of "screening" events. These screening events occur at the Long Range Plan Development stage and just prior to a project entering the FDOT Five Year Work Program.

It is important that we ensure consistency with the new Federal requirements; and that we honor the commitments and expectations of the FDOT's ETDM process as we have developed it over the last 5 years in conjunction with FHWA and our multiple Federal and State resource agency partners, MPOs and the public. To assist in this I am providing below guidelines regarding screening major capacity improvements. Effectively immediately, these guidelines must be followed unless an exception is mutually agreed to between the District Secretary and the Assistant Secretary for Intermodal Development.

Regarding Programming Screens, all major capacity highway projects in our current FDOT Adopted Work Program utilizing Federal funds must be run through an ETDM Programming Screen if this has not already been done, unless PD&E is already underway. PD&E is considered already underway if the Advance Notification has been issued. Regardless, any project requiring an EIS for which a Notice of Intent is or has been issued after August 11, 2005 must be run through an ETDM Programming Screen if this has not occurred already.

Any major capacity project being added to our FDOT Work Program during the current update or in future years that requires a Type2 CE, EA, or EIS must be screened through an ETDM Programming Screen if it meets any of the following criteria:

- It will be funded with Federal funds
- It is on the State Highway System (regardless of funding)
- It is a regionally significant project off the State Highway System, receiving State funds, and FDOT is expected to be the Lead Agency.
- It is a major public transportation capacity project (such as Intermodal Passenger Center, rail passenger service, transit center) where FDOT is expected to be the Lead Agency.

Regarding Planning Screens, all major capacity projects in the MPO Long Range Plans are expected to be screened. The results of this screening should be used to provide input to the MPO and FDOT on potential environmental and community effects, avoidance opportunities, mitigation requirements, and associated costs. This information can provide valuable guidance to the MPO Board and the FDOT in their decision-making processes as they update their Cost Feasible Long Range Plans.

The FDOT has worked extremely hard with FHWA and multiple resource agencies over the last five years to develop and implement an exemplary environmental review process. This process has been recognized nationally, and your cooperation in ensuring that we are fully implementing the ETDM process within our organization is both critically important and greatly appreciated.

That said, we are all aware that as we move forward with implementing the New Growth Management legislation, TRIP, New Starts, and the SIS that new circumstances will arise which will undoubtedly require us to re-think and further clarify this guidance. I urge you to work with me to continually revise and enhance our process as we move forward. In particular, we anticipate sitting down with the Federal Transit Administration in the next several months to discuss further

the role of ETDM screening as regards major Transit projects. If you have other major areas that you think we need to focus on, please do not hesitate to get back with me regarding them.

If you have any questions regarding this matter, please contact me at (850) 414-5236, or Carolyn Ismart at (850) 414-5209.