# PART 1, CHAPTER 14

# TRANSIT PROJECT DELIVERY

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# PART 1, CHAPTER 14

# TRANSIT PROJECT DELIVERY

## 14.1 OVERVIEW

This chapter outlines the environmental review process and project delivery requirements for transit projects, particularly those led by the Federal Transit Administration (FTA). All transit projects receiving federal funds or transit projects that involve major federal actions, such as new or extended transit systems, maintenance facilities, or multimodal centers, must comply with the ***National Environmental Policy Act (NEPA)***. Federal actions are described in ***Part 1, Chapter 2, Federal Highway Administration Class of Action Determination***, FTA is typically the Lead Federal Agency in the development of transit projects; however, the Federal Highway Administration (FHWA) and the Federal Railroad Administration (FRA) can be involved in the development of transit projects and may serve as the Lead Federal Agency. Each agency has its own set of procedures for ensuring ***NEPA*** compliance. The Project Development and Environment (PD&E) process is how the Florida Department of Transportation (FDOT) complies with ***NEPA*** and FTA's Project Development process for capital investments. Given the competitive grant based nature of FTA projects, there is a two-year timeframe to complete the Project Development study. This chapter focuses on the ***NEPA*** and project delivery requirements for a federally funded, FTA-led transit project. However, the differences between an FTA-led project and an FHWA-led project, as well the differences between a federally funded transit project and a transit project that does not have federal funds or a federal action, are also explained in this chapter.

### 14.1.1 Definitions

The terms used by various agencies may be similar but there are notable distinctions for certain key terms used by FDOT and FTA for transit planning purposes. The following definitions clarify key terms used in this chapter:

**Alignment** – Refers to the length, station locations, intermodal connections, degree of right of way (ROW) separation, horizontal use of ROW and vertical placement within a transportation facility. Horizontal alignment refers to the location within the transportation facility on existing tracks, new track alignment, exclusive lane, mixed traffic, or separate lane except at intersections. Vertical alignment refers to the orientation of the facility (i.e., below grade, at grade, or above grade).

**Alternative** – Refers to the Alignment (see above) as well as the transit technology, operating characteristics (local, express, non-stop, headways and operating standards, loading characteristics, fares, financial strategy, and start/end points). Also refers to a potential transportation improvement alternative under consideration that addresses the project's purpose and need.

**Capital Investment Grant (CIG) Program** – Refers to the discretionary funding program

authorized by ***49 U.S.C. § 5309***. There are three categories of eligible transit projects within the CIG Program; they include: New Starts, Core Capacity, and Small Starts projects.

**Class of Action (COA)** – [***23 Code of Federal Regulations (CFR) § 771.115***] refers to the level of documentation required to comply with the ***NEPA*** process for FTA-led or other federally funded projects. Environmental document types are Categorical Exclusion (CE), Environmental Assessment (EA) with Finding of No Significant Impact (FONSI), or Environmental Impact Statement (EIS)/Record of Decision (ROD).

**Locally Preferred Alternative (LPA)** – Refers to the alternative that emerges from the Project Development phase of the ***NEPA*** environmental review process and is documented in an Environmental Document. The project sponsor then recommends the LPA to the Metropolitan Planning Organization (MPO)/ Transportation Planning organization (TPO) and requests approval by the MPO/TPO Board for inclusion in the region's Long Range Transportation Plan (LRTP) Cost Feasible Plan.

**Project Development** – Project Development has two meanings, one within the context of FTA projects that are funded by the CIG Program and one within the context FDOT in completing PD&E. Under the FTA definition, Project Development is the phase where project sponsors work with FTA to develop and evaluate transit alternatives and complete the environmental review process. A formal Request to Enter Project Development is submitted to FTA and must be completed within two years for New Starts and Core Capacity projects. Under the FDOT definition, Project Development is the "PD" component of PD&E. PD&E is the project phase where project sponsors comply with FTA's Project Development process requirements. During PD&E, planning decisions for projects are further assessed, transportation alternatives are developed and evaluated in a ***NEPA*** study, and preliminary design activities for these alternatives are completed.

**Project Sponsor** – Refers to a transit agency, local government, and/or MPO/TPO that has proposed to support and advance a transit project or proposed action, including the development of a ***NEPA*** document, in coordination, consultation, and cooperation with a Lead Federal Agency. Multiple agencies may serve as the Project Sponsor. The project sponsor does not need to be the FTA grant applicant. The District Modal Development Office may also serve as a project sponsor but usually only serves as a stakeholder in the environmental review process. When seeking FTA CIG Program funds or other federal funds for a project, project sponsors will need to identify local project partners to support the project and be certain that federal funds are supplemented by state and local funds.

**Recommended Alternative** – Refers to an alternative developed during the Planning phase and determined by the community, stakeholders, project partners, and the project sponsor to meet the project's purpose and need while minimizing adverse impacts. The Recommended Alternative should be presented with supporting information and documentation for endorsement by the MPO/TPO (in an urban area) and/or affected local governments for further evaluation in a ***NEPA*** study.

**Transit Development Plan (TDP)** – Refers to an FDOT required, 10-year horizon plan intended to support the development of an effective multimodal transportation system by transit agencies. It is used to document anticipated projects and associated schedules and budgets for FDOT and consistency with local comprehensive plans and the LRTP. The TDP is updated annually, with major updates occurring every five (5) years. ***Sections 339.135 and Section 339.155, Florida Statutes (F.S.)***, govern the development of TDPs.

## 14.2 AGENCY ROLES IN THE ENVIRONMENTAL REVIEW PROCESS

FTA primarily serves as a grant-administering agency; managing grant programs to state Departments of Transportation (DOTs), transit agencies, MPOs/TPOs, Native American Tribes, local governments, and other public entities. FTA does not have an "in-house" ***NEPA*** process like FHWA when administering funding through state DOTs. FTA makes COA determinations and actively manages the environmental review process for all FTA-funded projects; FTA review and approval is required for all FTA ***NEPA*** documents. FTA expects to be involved at the beginning stages of the environmental review process before any extensive environmental work begins. It is good practice to request FTA's review and comments on the level of effort and methodology to conduct the assessment of each environmental impact area required for the ***NEPA*** study, particularly for those listed in ***Section 14.3.4***. FTA is available to serve as a technical resource to ensure successful and timely completion of the environmental review process. FTA should always facilitate consultation and discussions with other federal resource agencies and Native American Tribes.

### 14.2.1 Agency Roles and Responsibilities

Unlike highway projects, transit projects are typically advanced by an agency outside of FDOT. There are several key agencies with specific roles and responsibilities associated with the development of a transit project from concept to completion; these may include:

1. Lead Federal Agency;
2. Project sponsor/FTA grant applicant/FTA grantee;
3. FDOT (Public Transit Office, Environmental Management Office, and District staff);
4. MPOs/TPOs;
5. Transit agencies;
6. Local governments; and,
7. Cooperating, participating, and federal resource agencies.

Typically, the MPO/TPO or a local or regional transit agency identifies projects. Each of these entities may or may not serve as the project sponsor or FTA grant applicant/grantee. The project sponsor will be responsible for conducting the study,

coordinating with FDOT and partner agencies, and complying with the grant requirements. The transit agency will typically serve as the FTA grantee, but not always. In any case, the project sponsor is responsible for conducting studies in compliance with ***NEPA***.

Some of the more important activities for which the project sponsor/FTA grantee is involved include:

1. Developing a detailed scope of work/work plan identifying the tasks that will be performed, the sequence in which they will be completed, agency responsibilities for completing the work, project schedule, and the anticipated cost of the respective tasks. It is important to note that this activity usually takes more time with transit projects than with roadways projects. These items should be reviewed by the Lead Federal Agency.

2. Identifying stakeholder and agency responsibilities for completing assigned tasks and ensuring that the involved agencies are organized, staffed, and supported so that they may fulfill their roles in a timely manner.

3. Providing professional management and direction as the work progresses, ensuring that work is done in an efficient manner and that deliverables are obtained in a timely fashion.

4. Taking necessary steps, such as establishing a Technical Advisory Committee (TAC), to ensure the technical quality of the work.

5. Coordinating with local cooperating agencies and the FTA or other Lead Federal Agency by means of project steering committees, monthly/quarterly reports, transmission of key project documents for review, etc.

6. Keeping other interested agencies, private operators, and the public informed and seeking their input through established public involvement mechanisms.

7. Responding to information requests by local decision makers and FTA or other Lead Federal Agency during the course of the Project Development process.

For FTA-led projects that require an EIS, the roles and responsibilities and the organization and schedule for the coordination among these agencies and the public is discussed in the ***Coordination Plan*** (see ***Section 14.3.4.4.4***). The main goal of the ***Coordination Plan*** is to expedite and improve the environmental review process by clearly establishing agency roles, responsibilities, and expectations. A review of each of these roles and responsibilities is provided below.

### 14.2.1.1 Lead Federal Agencies

For transit projects, the Lead Federal Agency is typically FTA; however, as mentioned previously, FHWA, FRA, and other select federal agencies may serve in this role depending on the funding source or federal actions required for the project. In addition to

the Lead Federal Agency, several other agencies may be involved in different capacities such as Cooperating or Participating agencies. All ***NEPA*** documents require a Lead Federal Agency whose role is to ensure the document is prepared consistent with that agency's federal requirements. The lead agencies must also identify and involve participating agencies [***23 U.S.C. § 139(d)***]; develop ***Coordination Plans*** [***23 U.S.C. § 139(g)***]; provide opportunities for public and participating agency involvement in defining the purpose and need and determining the range of alternatives [***23 U.S.C. § 139(f)***]; and collaborate with participating agencies in determining methodologies and the level of detail for the analysis of alternatives [***23 U.S.C. § 139(f)(4)(C)-(D)***]. For projects where federal funding is not considered, a ***NEPA*** document may still be required depending on if a federal action is required. Certain environmental impacts trigger the need for ***NEPA*** evaluations with various federal resource agencies. For example, wetlands impacts may trigger a need for a ***NEPA*** document led by the U.S. Army Corps of Engineers (USACE), while new or modified bridges or interchanges on the interstate highway may trigger a need for a ***NEPA*** document led by FHWA, even though no federal funds are used for project implementation.

FTA divides its roles and responsibilities between staff at the Region IV office in Atlanta and the Headquarters office in Washington, D.C. Contacts from both offices may be assigned to work with the project sponsor/FTA grantee. These FTA contacts work with other appropriate FTA technical staff, project stakeholders, federal resource agencies, and consultant teams to offer specialized technical assistance on areas such as environmental technical analysis, transit service planning, travel demand forecasting, capital cost estimates, and financial planning. The project sponsor should be prepared to present all proposed technical analysis methods to FTA staff for comments and approval. FTA Region IV staff will provide assistance on programmatic procedures and requirements. FTA Headquarters staff may provide assistance and reviews to the FTA Region IV office during technical reviews. Although FTA's role is less formal before the Project Development phase, it is important to coordinate with FTA Region IV staff to ensure that the resulting planning analysis is consistent with FTA's accepted methods so that any planning documentation may securely link the planning and ***NEPA*** processes.

The FTA Region IV office serves as the lead point of contact for local agencies on the FTA programmatic matters. It handles grant-making activities, serves as the focal point for contacts and correspondence, represents FTA at meetings, monitors progress, processes the draft documents, and seeks assistance from the FTA Offices of Planning and Environment and Program Management on planning, technical, and programmatic issues. The roles of FTA's Region IV office in the Project Development phase are specifically summarized below:

1. Grant Making - Reviews grant applications, approves grants, and performs typical grant administration functions.

2. Program Guidance - Provides study sponsors with basic guidance on discretionary programs, including Project Development requirements, project evaluation procedures, and grants requirements.

3. Representation at Meetings - As necessary, and to the extent possible, Region IV office staff represents FTA at most technical and policy-level meetings that occur during Project Development. Their role is to explain overall FTA policies and procedures, FTA positions on specific issues related to Project Development, and the process for advancing major transit investments into subsequent phases, and to provide technical guidance.

4. Metropolitan and Systems Planning Issues - Provides guidance and direction on metropolitan planning requirements and issues which may impact the final Environmental Documents and subsequent project advancement, such as air quality conformity, financial constraint, and project programming.

5. Project Schedules - Reviews project schedules and provides guidance to the project sponsor.

All correspondence should be directed to the FTA Region IV Regional Administrator. The Regional Administrator may then delegate responsibility to other staff members to respond accordingly; therefore, it is very important to copy the director of the FTA Region IV Planning and Development Director as well as the environmental protection specialist and the community planner assigned to the project.

A primary difference between the FTA and FHWA processes is that most transit funding provided by FTA is through one of the grant programs described in ***Section 14.4***. Each of these programs has its own set of guidance. Additionally, FTA has considerably more involvement and decision-making in the conduct of the environmental review process during the PD&E phase continuing through to design and construction. As such, FTA policies and evaluation criteria should always be reviewed prior to initiating a project.

### 14.2.1.2 Joint Lead Agencies

For projects for which both FTA and another federal agency are required to take federal actions, both agencies may serve in a Joint Lead Federal Agency role together. Examples of FTA funded projects where FTA may joint lead with other federal agencies include:

1. FHWA and FTA on a transit project located on the National Highway System (NHS);

2. FHWA and FTA on a transit project that includes a new or modified bridge structure over an interstate corridor;

3. FHWA and FTA on a multimodal project that involves roadway widening and new transit-only lanes on the NHS;

4. FRA and FTA on a transit project located in a freight or intercity railroad corridor; and,

5. U.S. Coast Guard (USCG) and FTA on a transit project that includes a new bridge structure over a navigable river.

The Joint Lead Agencies have the primary responsibility for overseeing the environmental review process to ensure that all work is performed in a technically sound manner in accordance with each agency's own ***NEPA*** implementing regulations and requirements. While both agencies will make sure the environmental review process is successfully completed within a project schedule and budget that is acceptable to both agencies, FTA will take the lead role in making sure the project sponsor completes all requirements of the Project Development process for New Starts, Core Capacity, and Small Starts projects. FTA's decision on its role depends on the relative magnitude of the transit elements of a multimodal project and the timing of FTA funds for the project.

### 14.2.1.3 Participating Agencies

Participating agencies may include any federal, state, tribal, regional, and local government agencies that have an interest in the project. Participating agencies must identify any issues of concern, which could substantially delay the project. It is the responsibility of the Lead Federal Agency to identify and collectively invite potential participating agencies. Private and nongovernmental organizations are not eligible to serve as participating agencies. The fact that an agency accepts the designation of a participating agency does not imply support or provide them with increased oversight or authority of the project.

### 14.2.1.4 Cooperating Agencies

Cooperating agencies are any federal agency, other than the Lead Federal Agency, that has legal jurisdiction or special expertise as it applies to the environmental impact of a proposed project or project alternative. Cooperating agencies can also include, through agreement with the Lead Federal Agency, a state or local agency with similar qualifications as well as Native American Tribes with lands or cultural resource areas of interest that may be impacted by a proposed project. Cooperating agencies are, by definition, participating agencies, but not all participating agencies are cooperating agencies. The cooperating agencies have a greater role of involvement, responsibility, and authority in the environmental review process.

## 14.3 PROCEDURE

This section describes the procedure for advancing a proposed transit project from local transit systems planning to the FTA Project Development phase (***Figure 14-1***). These procedures are consistent with FDOT's planning process and FTA's discretionary CIG program requirements. For FTA New Starts and Core Capacity projects, it is a two-step process, Project Development and Engineering as shown in ***Figures 14-2*** and ***14-3***. For Small Starts projects it is a simplified process as shown in ***Figure 14-4***. The Project Development phase for CIG projects is when the ***NEPA*** document is completed and a formal designation of the LPA is achieved and the LPA is included in the MPO/TPO's LRTP Cost Feasible Plan. In addition to preparing the ***NEPA*** document, sufficient information must be gathered during this phase to develop the formal goals, objectives, and performance measures of the project. Information from planning activities can be used to support documentation submitted to FTA. The LPA is evaluated based on FTA's

ratings criteria. The CIG program is the most common funding source for major transit investment projects. The CIG program requires FTA approvals to begin the Project Development and the Engineering phases, which is within the context of the environmental review process. These approval points for the CIG program are a key difference between the FTA and FHWA process. Project sponsors who want to enter Project Development must submit a letter with specific information to FTA's Associate Administrator for the Office of Planning and Environment ***(Section 14.3.3.6)***. There are two sets of criteria considered by FTA in evaluating projects for its New Starts, Core Capacity, and Small Starts Programs: Project Justification and Local Financial Commitment. Each of these criteria has a set of measures that are used to calculate the composite score for each criterion. ***Figure 14-5*** shows these criteria, their associated measures, and weighting applied to each. Projects must receive at least a Medium rating to move into the Engineering phase. The CIG program requirements are periodically updated and FTA's guidelines should be reviewed early in the planning phase to take full advantage of the opportunity to link work completed in the planning phase with the work to be completed during the environmental review process.

Florida has a prescribed five-step process for moving projects from concept to construction. Early planning and Project Development encompasses the first three steps: Planning and Community Support, Alternatives Screening, and PD&E. Public involvement is an important component of all five steps to include diverse viewpoints and values in the entire process.

- Step 1 (Planning and Community Support) includes systems planning, such as local or regional LRTPs, Transit Development Plans or other regional transportation plans. Projects are general, with little more information than potential corridor, termini, project type (e.g., premium transit), and the project's expected impact on mobility at the countywide or regional level. During this step, the Efficient Transportation Decision Making (ETDM) process is initiated to identify potential issues and resources of concern as well as potential avoidance and mitigation opportunities.

- Step 2 (Concept Development and Alternatives Screening) is the alternatives screening process and includes continued agency and public coordination and analysis of alternatives. This step typically involves refining the purpose and need of the project, defining the general travel corridor and preferred or recommended transit mode, evaluating corridor alternatives, and describing the environmental setting and any anticipated environmental impacts and recommended mitigation. Most importantly, when considering FTA funding, this Step identifies partner agency roles and responsibilities as well as general order of magnitude costs for construction, operations and maintenance. This step terminates with a ***NEPA*** COA Determination and if the project pursues a CIG, a Request to Enter Project Development to FTA.

- Step 3 (PD&E Study) combines project development and detailed environmental analysis to comply with state and federal environmental laws. During PD&E, FDOT performs preliminary engineering, conducts environmental analysis and continues

public involvement activities, as well as prepares necessary studies and reports consistent with either FTA or State Environmental Impact Report (SEIR) requirements to advance the project into design and construction. During PD&E, FDOT refines the alternatives identified in the Step 2; further defines potential impacts to natural, physical, cultural, and community resources; and documents compliance with state and federal environmental laws. ***Section 14.3.4*** details the procedures for completing a ***NEPA*** document. If the project pursues a CIG, this step terminates with a Request to Enter Engineering to FTA.

- Steps 4 and 5 (Design, Construction and Operations) take the preferred study alternative into design, construction, and operations.

Planning activities are accomplished in Steps 1 and 2, and are summarized in ***Sections 14.3.1*** and ***14.3.2*** below. This chapter focuses on Step 3, which is the completion of PD&E and how that process fulfills the FTA requirements for Project Development in the context of the CIG program. FTA projects receiving funding through other FTA formula grants and discretionary programs are subject to ***NEPA*** and the PD&E process with coordination with FTA as the Federal Lead Agency will satisfy ***NEPA*** requirements.

## 14.3.1 Planning and Community Support

Early planning activities are typically accomplished at the local level. Needs for transit investments are identified through long range planning practices and transit development plans. Through these early planning activities an understanding of public support is garnered through community outreach related to long range plans or studies conducted by MPOs/TPOs or transit providers. This section highlights activities that are considered early planning; transit systems planning, operational analyses and identification of potential funding.

### 14.3.1.1 Transit Systems Planning

Transit agencies most often conduct regional transportation planning studies or systems planning to identify broad transportation needs and deficiencies. The MPO/TPO and the District Office of Modal Development may choose to participate in these studies. An essential component of the systems planning analysis is to identify future travel demands and complete an analysis to identify demand and potential regional connections between modes and regional centers. The analysis typically results in identifying numerous corridors within the region where the transportation network is not currently meeting demand under existing conditions or will not meet future demand.

### 14.3.1.2 Operational Analyses

FDOT requires transit agencies to prepare a 10-year TDP, which is intended to support the development of an effective State multi-modal transportation system. One requirement of the TDP is for transit agencies to examine their transit operations at the systems planning level. Information in these documents can highlight service needs, unmet demand, needed operational adjustments, and quality of service considerations.

Together, the travel market analysis and the operational analysis can help to define the project study area, transit mode, and transit alignment alternatives for further analysis. Once transportation needs are identified through systems planning, it is recommended that a travel market analysis be completed for individual corridors to understand where people travel most frequently. The agency leading the travel market analysis should consult with the transit agency for information from the TDP and any operational analyses to help inform the travel market analysis. If the travel market analysis reveals that a major transit project is necessary to meet the forecast demand, then a decision should be made regarding the use of FTA funds or other federal funds for the project and if these funds are considered, who the primary grant applicant for the federal funding will be.

#### 14.3.1.3 Potential Funding Source Identification

The anticipated costs, availability of local funding, and state and federal funding sources should be identified during the planning and community support phase. The FDOT Work Program, State Transportation Improvement Program (STIP), and LRTP Cost Feasible Plan (CFP) should be updated to reflect anticipated costs and funding sources for the proposed action. Most federal funding sources do not fund 100 percent (100%) of the total construction costs for the project. Therefore, state and/or local funds are required not only to meet application requirements but to be competitive with other grant applicants from across the country.

FTA is typically the Lead Federal Agency in the development of transit projects. There are three categories of FTA funding programs: Formula, Discretionary, and CIG. Generally, funding from Formula programs is allocated to pay for transit operating and maintenance costs; therefore, these funds are rarely used for advancing construction for a new transit project. Funding from FTA's Discretionary programs is allocated through a competitive process with detailed evaluation criteria used for comparison purposes. The CIG program is comprised of discretionary grants (New Starts, Small Starts and Core Capacity),but are discussed separately in this chapter as they have distinctive requirements including legislatively directed multi-year, multi-step processes with FTA project evaluation and ratings required at specific points. This chapter focuses on the environmental review requirements of the Project Development phase. Additional guidance for the requirements for FTA's formula and discretionary grant programs should be obtained from the FTA Region IV office. A link for FTA Region IV's website is provided in the ***Section 14.5***.

Once a potential FTA funding source is identified, the grant applicant should contact FTA Region IV to review the program requirements and confirm that the project could potentially meet those requirements. Consideration for the operating and maintenance funds for the proposed project will need to be included in grant requests, and funding options for the operation of the proposed project should be discussed during the planning and community support phase.

### 14.3.2 Federal Action Determination

Federal actions are described in ***Part 1, Chapter 2, Federal Highway Administration***

***Class of Action Determination***. Even if federal funds are not being used, the project may still have a federal action requiring a ***NEPA*** document. A project is considered an FTA-led project only if FTA funds will be spent on construction or vehicle acquisition. Allocating FTA funds to Project Development or Design does not make the project an FTA-led project or an FTA-led federal action. Project sponsors should consult with FTA Region IV staff to determine the reasonableness of seeking FTA funding for construction or vehicle acquisition and coordinate on identifying the appropriate Lead Federal Agency.

## 14.3.3 Concept Development and Alternatives Screening

Once a need is identified and a potential project is identified in the early planning stages, the project is advanced to concept development and alternatives screening. This process begins to shape the details of a project to be carried forward to PD&E. The following sections describe concept development and alternatives screening.

### 14.3.3.1 Coordination with Partners and Lead Federal Agency

Early coordination with the public, agencies, partners, special interest groups, and elected officials is crucial to obtaining feedback and information to support local planning work. Public involvement activities during this stage should be well documented for inclusion in the ***NEPA*** document to capture local decision making in the overall process. Local study partners should discuss the transit study costs, planning requirements, capital costs, potential environmental impacts, Right of Way (ROW) needs, operating costs, potential funding sources, and agency responsibilities. This early planning work gives the Lead Federal Agency, FDOT, and other project partners an opportunity to understand regional needs and the project purpose prior to the Project Development process.

Establishment of the project's purpose and need, corresponding goals, objectives, and preliminary evaluation measures should be defined during planning and should be reviewed by local partners and the Lead Federal Agency. The roles and responsibilities of local partners should be established through a Memorandum of Understanding (MOU) or transit service agreements, as appropriate. Local partners may have access to considerable data and forecasting models that will be necessary to conduct certain steps..

There are several roles and responsibilities associated with the completion of the ***NEPA*** document. In the case of transit projects, the Lead Federal Agency is typically FTA; however, in certain circumstances, FHWA or FRA may serve in this role. The Lead Federal Agency is typically dependent on the funding source being sought for the project. The Lead Federal Agency works closely with the project sponsor (transit agency or MPO/TPO). The project sponsor is typically the grant recipient for the project while several other agencies may be involved in different capacities such as cooperating or participating agencies. A review of each of these roles and responsibilities is provided in ***Section 14.2.***

As soon as practical, the project sponsor should schedule meetings FDOT staff to discuss the appropriate environmental documentation requirements, Lead Federal Agency, and grant programs. Most federal funding programs only contribute a portion of construction

costs with the balance typically provided by state, local, and private funds. Operating and maintaining the system is typically a local responsibility. These funding decisions will impact the parameters of the proposed action as well as the planning and Project Development processes beginning in their earliest stages.

FTA encourages the use of early scoping in conjunction with early planning work as a way of securely linking the transportation planning and ***NEPA*** processes. Early scoping may be appropriate for planning when there are several transit mode and alignments under consideration. Project sponsors, who are considering early scoping during planning, should notify FTA Region IV staff and develop an early scoping notice for publication in the ***Federal Register (FR)*** as well as early scoping announcements locally in newspapers, project websites, and other media. Early scoping activities can include public meetings, newspaper advertisements, and meetings with interested federal, state, tribal, and local agencies. The initial ***Public Involvement Plan*** (***PIP***) can also be developed; however, it does not need to be as formal as the ***Coordination Plan*** (see ***Section 14.3.4.4.4***) developed during Project Development. Coordination with the MPO/TPO and transit providers is also important to incorporate available data, reflect existing conditions, understand existing and planned transit services, examine technical inputs, and generate support for the project.

### 14.3.3.2 Alternatives Screening

Alternatives screening performed during planning combines best transit corridor planning practices with the information needed to prepare the letter for FTA to consider advancing a project into Project Development. The purpose of the alternatives screening is to gather information and conduct early evaluations of transit alternatives, including transit modes and alignments to streamline the process so that project sponsors can complete the Project Development process within the two-year timeframe established by FTA for New Starts and Core Capacity projects. If the District Office of Modal Development leads the planning, then close coordination with the transit operator, MPO/TPO, and affected jurisdictions is required. In addition, the District Offices and other project sponsors should contact FDOT's Transit Office and FDOT's Environmental Office and discuss the study methods and assumptions throughout the process. FTA may also have tools or preferred methods for analyses to support the concept development and alternatives screening.

Transit projects that are advanced without the need for FTA or other federal funds for construction are not required to coordinate with FTA. However, project sponsors should continue to coordinate with FDOT because a SEIR or Project Environmental Impact Report (PEIR) may be required to fulfill environmental review requirements. For more information about state, local, or privately funded project delivery, see ***Part 1, Chapter 10, State, Local, or Privately Funded Project Delivery***. The number of alternatives to be evaluated in a SEIR is determined by FDOT and shall include a No-Build Alternative. However, if more than one alternative is evaluated in the SEIR, a study conducted during the planning must also follow the best corridor transit planning practices and FTA's environmental streamlining practices. This requirement is especially important for transit projects, since future legislation could introduce new grant programs or make changes to current grant programs that would make FTA funding or other federal funding more

attractive for the project.

The alternatives screening phase includes an assessment of a wide range of public transportation or multimodal alternatives to address transportation problems in a corridor or subarea. The alternatives screening phase produces a Recommended Alternative(s). The Recommended Alternative(s) is carried into Project Development and the environmental review process. The selection of the LPA is the result of the ***NEPA*** process and is recorded in the FTA-issued CE, EA with FONSI, or Final Environmental Impact Statement (FEIS)/ROD. The results of the alternatives screening link to the ***NEPA*** process to ensure the Project Development phase is completed within the required two-year timeframe. The Planning Screen should be conducted during the alternatives screening phase in accordance with the ***ETDM Manual, Topic No. 650-000-002*** to assess initial environmental impacts of the alternatives considered and document possible mitigation strategies. The Planning Screen should be conducted using the ETDM Environmental Screening Tool (EST) discussed in the next section. The project study area, conceptual alternatives, environmental issues to be addressed, and travel market analysis may be brought forward for use to document the alternatives screening and inform the ETDM Planning Screen.

Detailed information and agency comments gathered through the EST can be used to inform the FTA or other Lead Federal Agency about agency comments and concerns, anticipated impacts in support of the COA determination, and early scoping. FDOT's Work Program and production schedule should also incorporate the timeline for advancing the proposed action and any related planning or engineering activities. Continuous stakeholder engagement and input is needed throughout the alternatives screening phase to identify community preferences, goals, needs, and to generate support for the project.

The final step during the alternatives screening phase is selection of the Recommended Alternative. Although there are no requirements that the MPO/TPO (urbanized areas) adopt the Recommended Alternative, it is advised that at least a resolution of support be acquired from the MPO/TPO and affected local governments. For non-urbanized areas, a similar action by the regional planning council and affected local governments, or both for projects that cross multiple jurisdictions, is recommended. This documentation can be provided to FTA as part of the request to enter Project Development to demonstrate local support for the proposed action. The end result of the alternatives screening phase is to organize and provide sufficient information to prepare an application letter to FTA requesting entry into the Project Development phase. ***Section 14.3.3.6*** explains the process for requesting entry into Project Development.

### 14.3.3.3 Environmental Screening Tool

The EST is an internet-based interactive database and mapping application that integrates a geo-relational database of ETDM projects, Geographic Information System (GIS) data layers, automated and standardized GIS-based environmental screening analysis application, as well as numerous tools for data entry, review, and reporting. The EST brings together information about a project and provides analytical and visualization

tools that help synthesize and communicate project information. It provides a single point of reference where stakeholders have access to the same information at the same time for a common and comprehensive assessment of the project and any decisions, comments, and issues identified by participants.

The EST efficiently manages early interaction with agencies and affected communities through two ETDM screening events, which are completed and then incorporated into the transportation planning process: the Planning Screen and the Programming Screen. The Planning Screen occurs when considering projects for inclusion or prioritization within the LRTP. The Programming Screen supports development of FDOT's Work Program. The results of both screening events centers on a project review and include project preparation activities and follow-up tasks occurring before and after the review. Comments and recommendations from both screens are recorded in the EST and published in the ***Programming Screen Summary Report***. The ***Programming Screen Summary Report*** provides information to assist with the transition to the PD&E phase. FTA does not currently participate in the ETDM process. For FTA-led projects, direct consultation with FTA Region IV staff concerning the environmental review process is necessary in addition to completion of the EST. The ***Programming Screen Summary Report*** provides information to assist with FTA consultation and discussions concerning the environmental review process, including the preliminary purpose and need, environmental resource information to support FTA's COA determination, and identification of cooperating and participating agencies. While the ***Programming Screen Summary Report*** is not required by FTA, the information can be repackaged and submitted to FTA to meet the requirements for requesting entry into Project Development.

### 14.3.3.4 Determine NEPA Class of Action

As discussed in ***Part 1, Chapter 2, Federal Highway Administration Class of Action Determination***, the COA determination identifies the level of documentation required for a project. A COA determination is primarily driven by the nature of the federal action and the context where it occurs. The COA determination is made in consultation with the Lead Federal Agency for all projects with a federal action requirement. FTA is typically the Lead Federal Agency for federally funded transit projects and makes the COA decision. For most federal projects other than FTA-led projects, the COA determination is made during the ETDM process and documented in the ***Programming Screen Summary Report***. FTA, FHWA, FRA, Federal Aviation Administration (FAA), USCG, or the USACE may serve as the Lead Federal Agency for transit projects that received federal funding or that require an action from one of these agencies as a result of project implementation. When an FTA grant applicant identifies a project concept that is not listed as a CE under ***23 CFR § 771.118(c)***, the FTA grant applicant should notify FTA Region IV staff and provide the following information on the proposed project to apply for entry into Project Development:

1. Project description;

2. Summary of prior planning work;

3. The summary of the alternatives screening phase;

4. Final draft purpose and need or a statement of need;

5. A graphic showing the location of the project, project termini, proposed station locations and sizes, and proposed vehicle storage and maintenance facility location;

6. Information from the ***Programming Screen Summary Report*** concerning any known environmental issues and constraints, but not the entire report; and,

7. Information describing other known project features such as bridge structures.

FTA will make the COA determination for all FTA-led projects. Project sponsors should request written correspondence for all COA determinations from FTA. Any documentation related to determining the ***NEPA*** COA should be included in the environmental review files and may be uploaded to the EST.

## 14.3.3.5 Linking Prior Planning Work with NEPA

Per Federal Regulation ***23 CFR 450*** and ***23 U.S.C. 168***, linking the transportation planning and the ***NEPA*** process is encouraged. This is particularly important for requesting entry into the Project Development phase for New Starts, Core Capacity, or Small Starts projects. Prior to providing information sufficient for the Associate Administrator of FTA's Office of Planning and Environment to determine whether the project is ready to enter the Project Development phase, the project sponsor of a New Starts, Core Capacity, or Small Starts project should conduct local planning studies and/or feasibility studies. The project sponsor may initiate the environmental review process to gather the information required to request entry into Project Development. In Florida, project sponsors have two tools to ensure that all transportation planning work is securely linked to the environmental review process for the project: the alternatives screening phase and the ETDM process. The ETDM process connects the planning phase with the PD&E phase, which consists of the environmental review process and the Project Development phase for FTA New Starts, Core Capacity, and Small Starts projects. The ETDM process carries forward planning products, previous analyses, and decisions supporting transportation project implementation during subsequent project development phases and is fully consistent with the streamlining objectives prescribed in the current funding legislation.

## 14.3.3.6 Requesting Entry into Project Development

Project sponsors who want to enter the Project Development phase as a New Starts, Core Capacity, or Small Starts project should submit a letter to the Associate Administrator for FTA's Office of Planning and Environment. This can be submitted upon completion of the planning activities. Coordination with FTA Region IV staff is highly recommended prior to preparing this information to ensure the guidance has not changed. The letter should include the following information or attachments:

1. The name of the study sponsor, any partners involved in the study, and the roles and responsibilities of each;

2. Identification of a project manager and other key staff that will perform the Project Development work;

3. A brief description and clear map of the corridor being studied including its length and key activity centers;

4. The transportation problem in the corridor or a statement of purpose and need;

5. Identification of a proposed project if one is known and alternatives to that project if any are being considered;

6. Identification of a preliminary cost estimate for the project, if available;

7. Identification of whether the project will be a New Starts, Core Capacity, or Small Starts project;

8. A brief description of current levels of transit service in the corridor, including a listing of the existing transit routes in the corridor, their frequency, and existing ridership;

9. Copies of prior planning studies done in the corridor. Project sponsors should submit the summary of the planning process in addition to other studies to fulfill this requirement;

10. The anticipated cost of Project Development;

11. Identification of the funding available and committed to conduct the Project Development work;

12. Documentation demonstrating commitment of funds for the Project Development work (e.g. Board resolutions, adopted budgets, approved Capital Improvement Programs, approved Transportation Improvement Programs (TIP) or LRTP Cost Feasible Plans, and letters of commitment);

13. An anticipated timeline for completing the following activities (ensure the schedule demonstrates the ability to complete the Project Development work within two (2) years for New Starts and Core Capacity projects:

    a. Compliance with ***NEPA*** and related environmental laws;

    b. Selection of a LPA;

    c. Adoption of the LPA in the LRTP Cost Feasible Plan;

    d. Completion of the activities required to obtain a project rating under the

evaluation criteria outlined in the Law;

e. Completion of the readiness requirements for entry into Engineering (for New Starts and Core Capacity projects only);

f. Anticipated receipt of a construction grant agreement from FTA; and

g. Anticipated start of revenue service.

FTA has 45 days to respond in writing to the request. The response may indicate that the proposed project is accepted into Project Development or that additional information is required. The application letter should be succinct with only two (2) to five (5) pages to summarize the pertinent information developed during the feasibility or planning process. FTA requires that the Project Development process be completed within two (2) years from the time that FTA approves entry into the Project Development process (for New Starts and Core Capacity projects only). FDOT encourages Small Starts project sponsors to also complete their Project Development within two years. The more certainty that exists about a project, in terms of its potential impacts and benefits, community support, and implementation challenges, the more likely it is that the ***NEPA*** document and other Project Development activities can be completed within the two-year timeframe. Project sponsors should be aware that any activities undertaken prior to a project entering Project Development are not covered by automatic pre-award authority and will not be eligible for future reimbursement from the CIG program should a construction grant be awarded in the future. The following must be completed during the two-year timeframe:

1. Complete ***NEPA*** and obtain FTA approval of the ***NEPA*** document;

2. Identify the LPA in the final ***NEPA*** decision document (CE, FONSI, or ROD);

3. Adopt the LPA as part of the cost feasible component of the LRTP; and

4. Assemble information for FTA to evaluate and rate the project (Medium rating or better).

In addition, sufficient engineering and design work should be completed to prepare the construction, real estate, and operating cost estimates as well as a summary of the scope and risks associated with the project. Project sponsors should work closely with FTA Region IV staff when preparing this information.

## 14.3.4 FTA Project Development/NEPA

This section discusses the requirements of ***NEPA*** documents for transit projects with FTA as the Lead Federal Agency. Differences in the ***NEPA*** requirements of other federal agencies, particularly those of FHWA, are described below. The extent of environmental analysis and review will depend on the scope and complexity of the proposed project and the associated environmental impacts. FTA's environmental impact regulations, codified in ***23 CFR Part 771***, classifies the most common projects according to the different levels of environmental analysis required. ***NEPA*** process should not begin until the project

receives approval from FTA to enter Project Development to ensure environmental analysis is counted towards the local match for federal funds. Any environmental work conducted prior to approval from FTA should be at the level sufficient to present to FTA for determination of COA.

### 14.3.4.1 Evaluation of Environmental Impacts

It is important for ***NEPA*** practitioners to review this section before initiating any ***NEPA*** document, especially CEs. FTA's evaluation methods and criteria for most environmental impact areas are different from those of FHWA and other federal agencies. Project sponsors and ***NEPA*** practitioners should refer to the most recent FTA guidance, where applicable, to ensure that evaluation criteria meet FTA's expectations as well as ***Part 2, Chapters 7 through 30***. Furthermore, it is highly advisable that the project sponsor/FTA grantee discuss the scope and proposed methodology for all ***NEPA*** documents with the FTA Region IV office prior to conducting any environmental analysis. In most cases, information from the ***Programming Screen Summary Report*** can be used to support the evaluation of environmental impacts in the ***NEPA*** document, particularly CEs; however, the entire ***Programming Screen Summary Report*** should **not** be submitted with the ***NEPA*** document, since the presentation of some project information in the report may conflict with FTA's ***NEPA*** requirements.

There are notable differences between the environmental impact evaluation categories for the FHWA ***Type 2 Categorical Exclusion Determination Form, Form No. 650-050-11*** and the FTA ***Categorical Exclusion Checklist*** (***Figure 14-6***). For example, while both agencies are required to demonstrate compliance with the ***Endangered Species Act***, the ***Migratory Bird Treaty Act***, and the ***Bald and Golden Eagle Protection Act*** in all ***NEPA*** documents, the FHWA ***Type 2 Categorical Exclusion Determination Form, Form No. 650-050-11*** (***Part 1, Chapter 5, Type 2 Categorical Exclusion***) collectively defines this impact category as "Protected Species and Habitat," while the FTA ***Categorical Exclusion Checklist*** defines this impact category as "Impacts to Ecologically-Sensitive Areas and Endangered Species." Each FTA region has its own CE form, the project sponsor is responsible for making sure that the FTA Region IV CE form is used for the project (see ***Figure 14-6***).

The following sections highlight the environmental impact disciplines where FTA requires evaluation methodologies and techniques that are different from those of FHWA. For some of the issues, methodologies and techniques are similar to FHWA projects.

#### 14.3.4.1.1 Noise

FTA has noise evaluation requirements that are different from FHWA requirements. For FTA analysis, project sponsors should refer to the ***Transit Noise and Vibration Impact Assessment Handbook, FTA-VA-90-1003-06, May 2006***. There are three levels of noise analysis that may be employed, depending on the type and scale of the proposed transit project, the phase of project development, and the environmental setting and existing conditions. The technical content of each of the three levels is specified in the ***Transit Noise and Vibration Impact Assessment Handbook***, and include the following:

1. Screening Procedure – identifies noise-sensitive land uses in the vicinity of a proposed project and, if present, determines the study area for further analysis.

2. General Assessment – identifies and estimates the severity of noise and impacts identified in the Screening Procedure. Provides the appropriate level of detail needed to compare alternative modes and alignments.

3. Detailed Analysis – quantifies impacts through an in-depth analysis usually only performed for a single alternative and usually documented in the FEIS.

The FTA noise criterion is measured depending on the land use and categorized numerically (1-3). Category 1 land use is defined as "tracts of land where quiet is an essential element in their intended purpose such as outdoor amphitheaters, concert pavilions, and National Historic Landmarks with significant outdoor use." Category 2 land use is defined as "buildings and residences where people normally sleep including but not limited to homes, hospitals, and hotels where nighttime sensitivity to noise is of supreme importance." Category 3 is defined as "institutional land uses such as schools, libraries, theaters, and religious facilities which are primarily used during day and evening hours where it is important to avoid interference with activities that include speech, meditation, and concentration on reading materials." For further information on noise impact criteria see Chapter 3 of the ***FTA Transit Noise and Vibration Impact Assessment Handbook***.

### 14.3.4.1.2 Vibration and Ground Borne Noise

FTA requires that a vibration impact assessment be conducted for most transit rail projects, whereas FHWA has no requirements for vibration assessment. For FTA analysis, project sponsors should refer to the ***Transit Noise and Vibration Impact Assessment Handbook, FTA-VA-90-1003-06, May 2006***. Vibration is the motion of the ground transmitted into a building that can be described in terms of displacement velocity or acceleration. Ground-borne noise (GBN) is also assessed for transit rail and freight rail projects that are located in tunnels. GBN is a form of low-frequency noise that radiates from building walls and ceilings due to vibration caused by transit rail or freight rail operations. Because airborne noise typically masks GBN for above ground (at-grade or elevated) transit systems, GBN is only assessed for operations in a tunnel where airborne noise is not a factor or near noise-sensitive locations such as recording studios that are well insulated from airborne noise. Vibration and GBN are assessed by comparing the levels predicted to be generated by a project with the appropriate criteria.

Much like noise, the vibration and GBN criteria used by FTA take into consideration the sensitivity of the receiver by land use category. Category 1 is highly vibration sensitive, and includes buildings where vibration would interfere with operations within the building, including hospitals with advanced research technology and other research or manufacturing facilities. Category 2 includes all residential land uses and any buildings where people sleep, such as hotels and hospitals. Category 3 includes schools, churches, and other institutions where the environment is typically quiet.

There are three levels of vibration and GBN analysis which may be employed, depending on the type and scale of the proposed transit project, the phase of project development, and the environmental setting and existing conditions. The technical content of each of the three levels is specified in the ***Transit Noise and Impact Assessment Handbook***, and include the following:

1. Screening Procedure - identifies vibration and GBN-sensitive land uses in the vicinity of a proposed project and, if present, determines the study area for further analysis.

2. General Assessment - identifies and estimates the severity of vibration and GBN impacts identified in the Screening Procedure. Provides the appropriate level of detail needed to compare alternative modes and alignments.

3. Detailed Analysis - quantifies impacts through an in-depth analysis usually only performed for a single alternative and usually documented in the FEIS.

For further information on FTA's vibration and GBN impact criteria see Chapter 8 of the ***FTA Transit Noise and Vibration Impact Assessment Handbook***.

### 14.3.4.1.3 Air Quality

Transit projects funded by FTA or another Lead Federal Agency must meet the requirements of the ***Clean Air Act*** and the ***1990 Clean Air Act Amendments***. Project-level air quality analysis is performed as part of the ***NEPA*** process for the purpose of identifying and disclosing project-related impacts and to evaluate possible mitigation for these impacts. The FTA ***Categorical Exclusion Checklist*** does not include an air quality impact category for a comprehensive air quality impact discussion for the FTA-funded project. Rather, the checklist includes separate impact categories for carbon monoxide (CO) hot spots and particulate matter (PM) hot spots at levels of $PM_{2.5}$ and $PM_{10}$. However, where applicable, an air quality impact analysis for project-level impacts should be performed and documented in a technical memorandum or report, while summarizing the potential CO and $PM_{2.5}$ and $PM_{10}$ hot spots impacts in the CE document itself. Project sponsors should contact the FTA Region IV office to discuss the emissions modeling or "hot-spot" analysis requirements for the transit mode included in each project alternative.

### 14.3.4.1.4 Transportation Impacts

Transit projects are influenced by and influence the overall transportation network and as such, effects on traffic, parking and transit need to be considered at a minimum in an EA and an EIS. The level of analysis is dependent on the project type and the relationship to the transportation network. For example, in road running bus service may directly impact traffic flows, whereas fixed guideway systems may impact traffic near major transit stop locations. The methodology for assessing impacts will vary by project and should be coordinated with FDOT and FTA based on project type. Traffic analysis may include traffic modeling or simulation using industry accepted software.

A major element in understanding transportation impacts is determining ridership for the proposed transit project. The assumptions from the operations analysis are used to develop ridership forecast. Ridership data is needed in the documentation required for CIG program and can be estimated using FTA's Simplified Trips-on-Project Software (STOPS). Projects can be modeled as stand-alone projects or in relation to a larger system. For more information on assessing transportation impacts and accessing the STOPS model, visit FTA's website. Technical assistance on the STOPS model is available through FTA.

#### 14.3.4.1.5 Safety and Security

Safety and security are concerns with all transit projects and should be addressed in a the environmental document so that the public is aware that they have been considered in the development of a project. Specifically, projects should be evaluated to identify potential pedestrian and traffic hazards, as well as user and employee security issues. Particular focus should be on the transit stop locations and station areas. Where adverse impacts are identified, mitigation measures should be considered and discussed. Depending on the project size and type, particularly those with major transit stations, this section may require discussion of safety features within the stations.

#### 14.3.4.1.6 Historic Resources

FTA and FHWA use the same guidance for these resources. For further information, see ***Part 2, Chapter 12, Archeological and Historical Resources***.

#### 14.3.4.1.7 Archaeological Resources

FTA and FHWA use the same guidance for these resources. For further information, see ***Part 2, Chapter 12, Archeological and Historical Resources***.

#### 14.3.4.1.8 Wetlands

FTA and FHWA use the same guidance for these resources. For further information, see ***Part 2, Chapter 18, Wetlands and Other Surface Waters***.

#### 14.3.4.1.9 Ecologically Sensitive Areas and Endangered Species

As noted in ***Section 14.3.4.1***, despite different terminology for these impact categories, FTA and FHWA use the same guidance for the impact evaluations for these resources. For further information, see ***Part 2, Chapter 27, Protected Species and Habitat***. Because the FTA ***Categorical Exclusion Checklist*** does not include separate impact categories to evaluate potential impacts to essential fish habitat and coastal barrier resources, these resources may be simultaneously discussed under the "Ecologically-Sensitive Areas and Endangered Species" and the "Water Quality, Wild and Scenic Rivers, Navigable Waterways, and Coastal Zones" sections of the CE. For further information, see ***Part 2, Chapter 11, Essential Fish Habitat*** and ***Part 2, Chapter 26, Coastal Barrier Resources***.

## 14.3.4.1.10 Water Quality, Wild and Scenic Rivers, Navigable Waterways, and Coastal Zone Management

FTA and FHWA use the same guidance for these resources. For further information, see ***Part 2, Chapter 20, Water Quality Impact Evaluation***, ***Part 2, Chapter 23, Wild and Scenic Rivers***, and ***Part 2, Chapter 25, Coastal Zone Consistency***. Since the FTA ***Categorical Exclusion Checklist*** does not include separate impact categories to evaluate potential impacts to essential fish habitat and coastal barrier resources, these resources may be simultaneously discussed under the Ecologically-Sensitive Areas and Endangered Species and the Water Quality, Wild and Scenic Rivers, Navigable Waterways, and Coastal Zones sections of the CE. For further information, see ***Part 2, Chapter 11, Essential Fish Habitat*** and ***Part 2, Chapter 26, Coastal Barrier Resources***.

Consider any potential impacts to navigable waterways by providing the following information, which FTA will use to make its determination under ***23 CFR 650, Subpart H***. Pursuant to ***23 CFR 650, Subpart H***, FTA can determine that a project is exempt from a USCG permit whenever the proposed construction, reconstruction, rehabilitation, or replacement of the federally-aided or assisted project is over waters

1. Which are not used or are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce; and,

2. Which are not tidal; or,

3. If tidal, are used only by recreational boating, fishing, and other small vessels less than 21 feet in length.

In order for FTA or FHWA to determine that a project is exempt from a USCG navigational permit, the project sponsor must provide the following information on the determination form:

1. Three (3) photographs taken at the proposed bridge site: one looking upstream, one looking downstream, and one looking along the alignment centerline across the bridge site.

2. Provide name of waterway including: (1) mileage along waterway measured from mouth to confluence; or (2) tributary of (name of river) at mile ____.

3. Geographical location including: road number, city, county, and state.

4. Section, Township, and Range, if applicable.

5. Whether waters are tidally influenced at the proposed bridge site and the range of tide.

6. Whether the waters are used to transport interstate or foreign commerce and

also indicate:

a. If these waters are susceptible to use in their natural condition or by reasonable improvement as a means to support interstate or foreign commerce.

b. If there are any planned waterway improvements to permit larger vessels to navigate based on coordination with the USACE.

7. Whether there are any downstream or upstream natural or manmade obstructions, bridges, dams, weirs, etc.

   a. If obstruction exists, provide upstream/downstream location with relation to the proposed bridge.

   b. Provide a photograph of the bridge from the waterway showing channel spans.

8. Names and addresses/locations of marinas, marine repair facilities, public boat ramps, private piers/docks, along waterway within one half-mile of site.

9. Location map and plans (if available) for the proposed bridge, including intended or desired vertical clearances above mean high water and intended or desired mean low water and horizontal clearance normal to axis of waterway.

10. Description of the navigational clearances provided by the existing bridge(s).

11. Description of waterway characteristics at the bridge site(s), including width at mean high and mean low water, depth at mean high and mean low water, and currents.

12. Description of the type, size, and number of vessels using the waterway, and when applicable, the number of documented bridge openings required to serve waterborne traffic. This includes the vertical clearance requirement for the known tallest vessel using the waterway, a representative photograph of vessels using the waterway, and the length of the largest type vessel using the waterway. If the types or dimensions of vessels using the waterways are not known, coordinate with the USCG to determine if that agency has any of this information and document the results of the coordination efforts.

13. Description of any bridge-related boating accidents.

14. Description of the potential impacts of the project on navigation including effects during the construction period.

15. The need for navigational lighting or signals or special notices to mariners for the proposed bridge and its construction activity.

If FTA cannot determine that the project is exempt from a USCG permit, coordination with the USCG will be needed prior to approval of the ***NEPA*** document.

### 14.3.4.2 Categorical Exclusions

The definition of a CE is defined in ***40 CFR § 1508.4*** and ***23 CFR Part 771***. FDOT is not authorized to make CE determinations for FTA. For CEs, FTA Region IV will review and approve the CE checklist and associated documentation. FTA uses the Council on Environmental Quality Regulations (CEQ) term Class II: CEs for projects which, based upon past experience with similar actions, do not individually or cumulatively have a significant environmental effect, and are excluded from the requirement to prepare an EA or an EIS. The definition of CE in ***40 CFR 1508.4*** and ***23 CFR 771*** provide further guidance for FHWA and FTA projects. Per the guidance, FHWA and FTA regulations designate two general types of CEs; (1) those actions that only need a record in the project file that confirms the action fits the CE description and normally do not require additional approval by FHWA or FTA, and (2) those additional actions that require FHWA or FTA's approval, as applicable, after consideration of documentation demonstrating that CE criteria are satisfied and significant environmental effects will not result from the action. Generally, CEs are flexible documents that can vary based on the level of coordination and documentation needed to support the determination.

For a project to be classified as a CE, it must meet the definition for CEs contained in ***40 CFR § 1508.4*** and meet certain criteria contained in ***23 CFR § 771.118***. The criteria must be met and documented as appropriate before a CE determination can be made. It must be sufficiently evident that the proposed action will not involve significant environmental impacts such as:

1. Induce significant impacts to planned growth or land use for the area;
2. Require the relocation of significant numbers of people or businesses;
3. Have a significant impact on any natural, cultural, recreational, historic, or other resources;
4. Involve significant air, noise, or water quality impacts;
5. Have significant impacts on travel patterns; or
6. Have significant impacts either individually or cumulatively.

***Title 23 CFR § 771.118(b)*** provides that in unusual circumstances a project normally classified as a CE will require coordination with or a finding from FTA to determine if the CE classification is appropriate. These unusual circumstances may include:

1. Significant environmental impacts;
2. Substantial controversy on environmental grounds;

3. Significant impact on properties protected by ***Section 4(f)*** of ***USDOT Act*** or ***Section 106*** of the ***National Historic Preservation Act***; or

4. Inconsistency with any federal, state, or local law, requirement, or administrative determination relating to environmental aspects of the action.

The FTA Region IV ***Categorical Exclusion Checklist***, provided in ***Figure 14-6*** is used to determine if documentation for a proposed CE submittal is needed. It is advisable to check with the FTA Region IV office prior to using the checklist to ensure the most recent version is obtained. Documentation of the results of any analysis or coordination should be placed in the project files and may be submitted as an attachment with the CE checklist. This documentation may include any supporting documents and/or technical reports required to substantiate the findings discussed in the CE checklist. For CE projects, the level of detail required to support the determination depends upon the magnitude of environmental impacts and the particular circumstances. Since projects approved with CEs are generally minor in nature and have less than significant direct impacts, indirect, and cumulative impacts assessments will generally not be necessary. There may be exceptions, which can be evaluated on a case-by-case basis. The actions identified in ***23 CFR § 771.118(c)*** normally do not require any further ***NEPA*** approvals and are identified as CEs listed in FTA guidance. These actions include:

**Utility and Similar Appurtenance Actions**

1. Acquisition, installation, operation, evaluation, replacement, and improvement of discrete utilities and similar appurtenances (existing and new) within or adjacent to existing transportation ROW, such as: utility poles, underground wiring, cables, and information systems; and power substations and utility transfer stations.

**Pedestrian or Bicycle Action**

2. Acquisition, construction, maintenance, rehabilitation, and improvement or limited expansion of stand-alone recreation, pedestrian, or bicycle facilities, such as a multiuse pathway, lane, trail, or pedestrian bridge; and transit plaza amenities.

**Environmental Mitigation or Stewardship Activity**

3. Activities designed to mitigate environmental harm that cause no harm themselves or to maintain and enhance environmental quality and site aesthetics, and employ construction best management practices, such as: noise mitigation activities; rehabilitation of public transportation buildings, structures, or facilities; retrofitting for energy or other resource conservation; and landscaping or re-vegetation.

**Planning and Administration Activity**

4. Planning and administrative activities which do not involve or lead directly to construction, such as: training, technical assistance and research; promulgation of rules, regulations, directives, or program guidance; approval of project concepts; engineering; and operating assistance to transit authorities to continue existing

service or increase service to meet routine demand.

**Action Promoting Safety, Security, Accessibility**

5. Activities, including repairs, replacements, and rehabilitations, designed to promote transportation safety, security, accessibility, and effective communication within or adjacent to existing ROW, such as: the deployment of Intelligent Transportation System (ITS) and its components; installation and improvement of safety and communications equipment, including hazard elimination and mitigation; installation of passenger amenities and traffic signals; and retrofitting existing transportation vehicles, facilities or structures, or upgrading to current standards.

**Acquisition or Transfer of Real Property Interest**

6. Acquisition or transfer of an interest in real property that is not within or adjacent to recognized environmentally sensitive areas (e.g., wetlands, non-urban parks, wildlife management areas) and does not result in a substantial change in the functional use of the property or in substantial displacements, such as: acquisition for scenic easements or historic sites for the purpose of preserving the site. This CE extends only to acquisitions and transfers that will not limit the evaluation of alternatives for future FTA-assisted projects that make use of the acquired or transferred property.

**Acquisition or Maintenance of Vehicles/Equipment**

7. Acquisition, installation, rehabilitation, replacement, and maintenance of vehicles or equipment, within or accommodated by existing facilities, that do not result in a change in functional use of the facilities, such as: equipment to be located within existing facilities and with no substantial off-site impacts; and vehicles, including buses, rail cars, trolley cars, ferry boats and people movers that can be accommodated by existing facilities or by new facilities that qualify for a CE.

**Maintenance, Rehabilitation, or Reconstruction of Facilities**

8. Maintenance, rehabilitation, and reconstruction of facilities that occupy substantially the same geographic footprint and do not result in a change in functional use, such as: improvements to bridges, tunnels, storage yards, buildings, stations, and terminals; construction of platform extensions, passing track, and retaining walls; and improvements to tracks and railbeds.

**Assembly or Construction of Facilities**

9. Assembly or construction of facilities that are consistent with existing land use and zoning requirements (including floodplain regulations) and uses primarily land disturbed for transportation use, such as: buildings and associated structures; bus transfer stations or intermodal centers; busways and streetcar lines or other transit investments within areas of ROW occupied by the physical footprint of the existing

facility or otherwise maintained or used for transportation operations; and parking facilities.

**Joint Development of Facilities**

10. Development of facilities for transit and non-transit purposes, located on, above, or adjacent to existing transit facilities, that are not part of a larger transportation project and do not substantially enlarge such facilities, such as: police facilities, daycare facilities, public service facilities, amenities, and commercial, retail, and residential development.

**Emergency Response Actions**

11. The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President of the United States pursuant to the ***Robert T. Stafford Act (42 U.S.C. 5121)***:

    a. Emergency repairs under ***49 U.S.C. 5324***; and

    b. The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:

        i. Occurs within the existing ROW and in a manner that substantially conforms to the pre-existing design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and

        ii. Is commenced within a two-year period beginning on the date of the declaration.

**Action within Existing Operational ROW**

12. Projects, as defined in ***23 U.S.C. 101***, which would take place entirely within the existing operational ROW. Existing operational ROW refers to ROW that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of ROW that have

not been disturbed or that are not maintained for transportation purposes are not in the existing operational ROW.

**Action with Limited Federal Funding**

13. Federally-funded projects:

    a. That receive less than $5,000,000 of federal funds; or

    b. With a total estimated cost of not more than $30,000,000 and federal funds comprising less than 15 percent (15%) of the total estimated project cost.

**Bridge Removal and Related Activities**

14. Bridge removal and bridge removal related activities, such as in-channel work, disposal of materials and debris in accordance with applicable regulations, and transportation facility realignment.

**Preventative Maintenance of Culverts/Channels**

15. Preventative maintenance, including safety treatments, to culverts and channels within and adjacent to transportation ROW to prevent damage to the transportation facility and adjoining property, plus any necessary channel work, such as restoring, replacing, reconstructing, and rehabilitating culverts or drainage pipes; and expanding existing culverts and drainage pipes.

**Geotechnical and Other Similar Investigations**

16. Localized geotechnical and other investigations to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores for soil sampling; archaeological investigations for archaeology resources or similar survey; and wetland surveys.

Additional actions listed in ***23 CFR § 771.118(d)*** require the preparation of documentation to demonstrate the CE criteria are satisfied and significant environmental effects will not result. The Documented CE is determined to be sufficient in coordination with and when approved by FTA. Examples of such actions include but are not limited to:

**Highway Modernization**

17. Modernization of a highway by resurfacing, restoring, rehabilitating, or reconstructing shoulders or auxiliary lanes (e.g., lanes for parking, weaving, turning, climbing).

**Bridge Replacement or Rail Grade Separation**

18. Bridge replacement or the construction of grade separation to replace existing at-grade railroad crossings.

**Hardship or Protective Property Acquisition**

19. Acquisition of ROW for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the ***NEPA*** process. No Project Development on such land may proceed until the ***NEPA*** process has been completed.

    a. Hardship acquisition is early acquisition of property by the applicant at the property owner's request to alleviate particular hardship to the owner, in contrast to others, because of an inability to sell his property. This is justified when the property owner can document on the basis of health, safety, or financial reasons that remaining in the property poses an undue hardship compared to others.

    b. Protective acquisition is done to prevent imminent development of a parcel which may be needed for a proposed transportation corridor or site. Documentation must clearly demonstrate that development of the land would preclude future transportation use and that such development is imminent. Advance acquisition is not permitted for the sole purpose of reducing the cost of property for a proposed project.

**Acquisition of ROW**

20. Acquisition of ROW. No Project Development on the acquired ROW may proceed until the ***NEPA*** process for such Project Development, including the consideration of alternatives, has been completed.

**Reserved for Future Use**

21. This CE example is reserved for future use per FHWA and FTA join final rule published on January 13, 2014.

**Facility Modernization**

22. Facility modernization through construction or replacement of existing components.

**Modern Facility Realignment for Rail Safety Purposes**

23. Minor transportation facility realignment for rail safety reasons, such as improving vertical and horizontal alignment of railroad crossings, and improving sight distance at railroad crossings.

**Facility Modernization/Expansion Outside Existing ROW**

24. Modernization or minor expansions of transit structures and facilities outside of existing ROW, such as bridges, stations, or railyards.

Per ***23 CFR § 771.118(e)*** where a pattern emerges for granting CE status for a particular type of action, FTA will initiate rulemaking proposing to add this type of action to the appropriate list of CEs in ***23 CFR § 771.118***.

For CE projects, coordination with resource agencies may need to take place to verify the finding that there is no potential to significantly impact relevant environmental resources. A Preliminary Environmental Discussion (PED) can be used to provide the project information to the Environmental Technical Advisory Team (ETAT) (see ***Part 1, Chapter 3, Preliminary Environmental Discussion and Advance Notification***). Coordination and documentation is also important because it may affect environmental permitting (e.g., Water Management District permits). Coordination with FTA may also be required in order to make findings under concurrent laws (such as the ***Endangered Species Act***, ***Section 106 of the Historic Preservation Act*** and ***Section 4(f),*** prior to finalizing the COA determination (see ***Section 14.5***).

The environmental review /PD&E process is considered complete when FTA approves and issues a signed CE. The grant applicant should note approval of all CEs in FTA's Transit Award Management System (TrAMS). The signed CE reflects FTA's environmental decision and does not commit FTA to awarding a grant for a project. Prior to approving a CE, FTA Region IV staff will confirm the project is a candidate to receive FTA funding, could receive an award from one of FTA's programs, or is programmed for federal funding by the MPO/TPO in the LRTP CFP. The timeframe required for FTA to review and approve the CE will vary depending on the complexity of the project but generally, the project sponsor should expect the review to be less than that required for EAs and EISs.

For CEs, the project sponsor should prepare a ***PIP*** to outline the process for community input into the decision-making process but unlike FHWA, FTA does not require CE documentation to be made available for an advertised public and agency review period. However, project sponsors may choose to publish a notice in the local newspaper that FTA has approved a CE for a transit project. The advertisement also serves as a notice of opportunity for the public to request to hold a public hearing (see ***Part 1, Chapter 11, Public Involvement***).

### 14.3.4.3 Environmental Assessment

FTA requires an EA be prepared when the significance of environmental impacts associated with a project's activities is unknown or not clearly established. (***23 CFR § 771.119***) According to FTA guidance, the project sponsor should prepare an EA for any action that is not a CE but does not clearly require the preparation of an EIS. Based on the degree of environmental impacts as discussed in the EA, FTA may issue a FONSI. Alternatively, if a project's EA concludes that there is the potential for significant impacts

as a result of its implementation, FTA requires that the project sponsor then conduct an EIS.

An EA should be concise and include information on the purpose and need for the project, the alternatives considered, the environmental impacts, and the agency and public coordination that occurred. The format for an FTA-led EA is very similar to that provided in ***Part 1, Chapter 6, Environmental Assessment***. For FTA-led EAs, there are several additional environmental disciplines that should be addressed if relevant to the project, including Economic Development, Safety and Security, and Vibration and GBN. Resources for which the potential impact is insignificant should be mentioned briefly. These resources are typically summarized at the beginning of the document and in a section titled "Resources of No Concern." Technical reports or studies that support the findings included in the EA, but which are not significant should be incorporated by reference.

### 14.3.4.3.1 Public and Agency Review Requirements

FTA will review and approve the EA prior to releasing the EA and the supporting technical reports for public and agency review. FTA Region IV approval of the EA will be in the form of the Regional Administrator's signature on the document. Once approved the FTA Region IV staff will send an electronic copy of the EA to the project sponsor, this should then be attached to the document before the public and agency review period. The public and agency review period for an EA is typically 30 days but depending on the complexity of the project, the project sponsor and Lead Federal Agency may agree to a longer public and agency review period. During this time, a public hearing may be held. Per FTA requirements as outlined in ***23 CFR § 771.119(e)***, the public hearing will be held after a notice to the public and agencies of no less than 15 days and the document must be made available for public and agency review at least 21 days prior to a public hearing (see ***Part 1, Chapter 11, Public Involvement***). The public hearing is the official public forum through which the general public and elected officials express their concerns, opinions, comments, or support regarding the project and is required by ***Section 339.155, F.S***. The schedule and process for the public and agency review period and the public hearing for the EA should be outlined in the ***PIP***. Distribution of the approved EA is governed by ***23 CFR § 771.119(d)-(h)***. FTA's acceptable methods for providing public and agency access and review for the EA include:

1. Publication on the project website;

2. Electronic distribution on a Compact Disk (CD); and,

3. Hardcopy delivery to interested agencies and placement of hardcopies in public viewing places, such as the project sponsor's office, libraries, and other government buildings.

### 14.3.4.3.2 Finding of No Significant Impact

After the public hearing for the EA, FTA may determine that the proposed project will not

have significant environmental impacts and will not require the preparation of an EIS. A FONSI is a final decision document for an EA. The FONSI does not commit FTA to awarding a grant for a project. Prior to issuing a FONSI, FTA Region IV staff will confirm the project is a candidate to receive FTA funding, could receive an award from one of FTA's programs, or is programmed for federal funding by the MPO/TPO in their LRTP CFP.

The FONSI serves the following purposes:

1. Briefly describes the LPA;

2. Rationale used to select the LPA from the alternatives considered;

3. Summarizes all environmental impacts and findings associated with the LPA including a statement of findings on all relevant impact disciplines and environmental laws (e.g., ***Section 106***, ***Section 4(f)***, wetlands, floodplains, coastal zone consistency);

4. Summarizes specific mitigation measures that will be incorporated into the LPA to reduce environmental impacts to less than a significant magnitude; and,

5. Includes an attachment of the summary of comments received during the public and agency review period and public hearing for the EA.

Once completed, the FONSI is attached to the EA, which may be updated to respond to comments received during the public and agency review period, and along with the public hearing transcript and a cover letter, is submitted by the project sponsor to FTA for approval. FTA conducts a document review for compliance with its rules and regulations. Once the FONSI is approved, the FTA Region IV office will send an electronic copy of the FONSI to the project sponsor who should then announce locally that the environmental review process is complete for the project. This process is different from FHWA, who normally appends a cover letter to the FONSI stating that the location and design concept acceptance has been granted concurrently with approval of the FONSI.

### 14.3.4.4 Environmental Impact Statement

When a project's actions are likely to cause a significant environmental impact, FTA requires that the project sponsor complete the EIS process, which consists of a substantial technical evaluation and public comment. An EIS is conducted to evaluate the project's reasonable alternatives, specify the significant social, economic, and environmental impacts of the proposed action, and designate methods to avoid or mitigate theses impacts. For FHWA-led projects, refer to ***Part 1, Chapter 8, Draft Environmental Impact Statement*** and ***Part 1, Chapter 9, Final Environmental Impact Statement***.

The principal components of an EIS include the following (see ***Figure 14-7***):

1. Purpose of and need for the proposed action;

2. Alternatives considered, including the Build Alternatives and No-Build alternative for the proposed action;

3. Transportation Analysis;

4. Community and Social Analysis;

5. Physical and Environmental Analysis (the built and natural environments);

6. Indirect and Cumulative Impacts;

7. Environmental Justice;

8. ***Section 4(f)*** Analysis;

9. Consultation and Coordination;

10. Financial Considerations (particularly important for New Starts, Core Capacity, and Small Starts projects); and,

11. Evaluation of Alternatives.

An EIS must be signed by the FTA Regional Administrator and the authorized official of the local lead or cooperating transit agency. The approved EIS is then concurrently filed by FTA with the U.S. Environmental Protection Agency (EPA) and distributed to federal and state agencies for review.

The EIS is written for use by the public as well as professional staff and the information should be presented in a logical and reader-friendly format. It documents the study process and those issues that influenced decisions. It is commensurate with the complexity of the project but should be concise, where possible. Supporting technical reports or memoranda should be incorporated by reference. To improve the reader-friendly nature of the report, consider developing a document that has several volumes where the first volume contains a concise description of the required items listed above and more detailed information about specific resources or issues are provided in subsequent volumes.

### 14.3.4.4.1 Notice of Intent

The EIS process begins with the publication of a ***Notice of Intent (NOI)*** to prepare an EIS in the ***FR***. The project sponsor also announces the intent to prepare an EIS in local newspapers, project websites, and other media. The ***NOI*** presents the draft purpose and need, a tentative list of alternatives considered, potential environmental impacts, lists the dates and locations of scoping meetings, addresses where comments can be sent via mail or electronic format, and contact information for representatives at the project sponsor's and the Lead Federal Agency's offices. The ***NOI*** officially initiates the ***NEPA*** scoping period and is prepared by the project sponsor in accordance with procedures in ***Part 1, Chapter 8, Draft Environmental Impact Statement*** and ***Part 1, Chapter 11,***

***Public Involvement***. When completed, the ***NOI*** is forwarded to the FTA Region IV office for publication in the ***FR***. ***Part 1, Chapter 8, Draft Environmental Impact Statement*** provides a sample transmittal letter for an ***NOI***.

### 14.3.4.4.2 NEPA Scoping

***NEPA*** scoping or scoping (not to be confused with the early scoping process during the planning phase) is a formal process for projects requiring an EIS. Scoping is required and described in ***40 CFR § 1501.7 CEQ Regulations***, as well as detailed in ***Part 1, Chapter 8, Draft Environmental Impact Statement*** and ***Part 1, Chapter 11, Public Involvement***. According to ***23 CFR Part 771***, scoping should begin early in the Project Development process. It is in the ***NEPA*** scoping process that potentially significant environmental impacts and alternatives to avoid or minimize impacts should be identified for further evaluation in the ***NEPA*** document. Impacts that can be deemed inconsequential at this stage in the process should be identified as not needing further evaluation or only requiring limited evaluation (e.g. coastal zone management for inland area projects or prime farmland for project in a dense urban environment), thereby keeping the ***NEPA*** document focused on impacts of significance. ***NEPA*** scoping usually targets affected governmental agencies and public interest groups and organizations with specific knowledge about a project study area. Issues identified in the ETDM screening process should be used for ***NEPA*** scoping.

The objectives of scoping are to:

1. Determine the set of alternatives that will be examined in the Draft Environmental Impact Statement (DEIS);

2. Give interested agencies and the public an opportunity to comment on the scope of the analysis and raise issues that should be addressed in the DEIS;

3. Promote efficiency by assembling cooperating agencies, determining related environmental requirements, scheduling concurrent reviews, and setting milestones in the process; and

4. Reduce the overall processing time by ensuring that the DEIS adequately addresses all relevant issues and minimize the possibility that comments will raise new issues to be evaluated or require supplemental documents.

Scoping may include a formal scoping meeting held early in the PD&E process. To determine if a scoping meeting should be held, information from the ETDM screening comments as well as coordination with the Lead Federal Agency should be considered. Scoping meetings, like other public meetings, fall under ***Florida's Sunshine Law***. At a minimum, notification to the public must be provided in the ***Florida Administrative Register*** as well as the project sponsor agency's public website. Requirements for providing notice for scoping meetings can be found in ***Part 1, Chapter 11, Public Involvement***.

### 14.3.4.4.3 Annotated Outline

The Annotated Outline provides the directions to follow in the development of the ***NEPA*** document. Annotated Outlines are usually prepared for EISs after the close of the ***NEPA*** scoping period but may be prepared for EAs and CEs to focus the scope and context of these ***NEPA*** documents. Overall, the Annotated Outline identifies scoping issues from the public and agencies determined important for inclusion, prioritizes the impact areas for further consideration, and provides key information on Project Development activities, including fieldwork needs and conceptual design. The Annotated Outline also provides FTA staff, the project sponsor, and where applicable, members of the FTA New Starts, Core Capacity, and Small Starts team with an opportunity to establish the important environmental disciplines and topics and the estimated number of pages per chapter or section to be expected in the ***NEPA*** document.

### 14.3.4.4.4 Coordination Plan

A ***Coordination Plan*** provides the communication protocol and schedule for coordination among the Lead Federal Agency, the project sponsor, other federal resource agencies, participating and cooperating agencies, stakeholders, and the public during the process of preparing an EIS. The dates and locations for public hearings, as required by ***23 CFR § 771.123(h)*** and ***Section 339.155, F.S***, should also be included. The main goal of the ***Coordination Plan*** is to expedite and improve the environmental review process by clearly establishing agency roles, responsibilities, and expectations (see ***Section 14.2.1***, ***"***Agency Roles and Responsibilities"). The ***Coordination Plan*** satisfies the federal requirements of ***Section 6002 of SAFETEA-LU***, as amended and continued by ***Moving Ahead For Progress in the 21st Century Act (MAP-21)***.

The ***Coordination Plan*** differs from the ***PIP***, which identifies potentially affected people in a community and defines the outreach methods and schedules for seeking their input (see ***Part 1, Chapter 11, Public Involvement***). The ***PIP*** is developed for all transportation projects for which a Type 2 CE, EA, EIS, SEIR, or PEIR is prepared, whereas the ***Coordination Plan*** is developed for projects for which an EIS is prepared with FTA as the Lead Federal Agency. For these FTA-led projects, the ***PIP*** is a component of the ***Coordination Plan*** and may be incorporated by reference into the ***Coordination Plan***.

### 14.3.4.4.5 Draft Environmental Impact Statement

A DEIS is prepared to document the project's reasonable alternatives, discuss the significant social, economic, and environmental impacts of the proposed action, and designate methods to avoid or mitigate theses impacts. The outline of the FTA DEIS should closely follow the principal EIS components as presented in ***Section 14.3.4.4*** and in ***Figure 14-7***. Refer also to ***Part 1, Chapter 8, Draft Environmental Impact Statement*** for principal components for an FHWA DEIS.

A DEIS must be signed by the FTA Region IV Administrator and the authorized official of the project sponsor and/or cooperating transit agency. The approved DEIS is then

concurrently filed by FTA with U.S. EPA and distributed by the project sponsor to federal and state agencies for review. In addition, the project sponsor should place an advertisement in a local newspaper stating that a DEIS has been approved and where it is available for public review (see ***Part 1, Chapter 11, Public Involvement***). The same advertisement may include a notice of public hearing for the DEIS.

The DEIS is written for use by the public as well as professional staff at interested agencies; therefore, the information should be presented in a logical and reader-friendly format. It documents the study process and those issues that influenced decisions. It is commensurate with the complexity of the project but should be concise where possible. Supporting technical reports or memoranda should be incorporated by reference and included as a second volume appended to the main document. This may be accomplished by providing electronic CDs attached to the inside cover the DEIS document.

### 14.3.4.4.6 Public and Agency Review Requirements

Once a DEIS has been completed and signed by FTA Region IV Regional Administrator, a ***Notice of Availability (NOA)*** is published in the ***FR*** by FTA and advertised through local media by the project sponsor to solicit public and agency review of the DEIS. The DEIS is circulated to those agencies with jurisdiction by law, parties that have expressed an interest, either through the scoping process or in response to the ***NOA***, and other entities potentially affected by any of the alternatives. Per FTA requirements as outlined in ***23 CFR § 771.123 (h)*** and ***(i)***, the circulation period for the DEIS must be a minimum of 45 days and a public hearing must be held with at least 15 days prior notice (see ***Part 1, Chapter 11, Public Involvement***). The public hearing for the DEIS must also be conducted to comply with ***Section 339.155(5), F.S.***

### 14.3.4.4.7 Final Environmental Impact Statement

Following the public hearing for the DEIS, the project sponsor will prepare an FEIS. To the extent possible, the FEIS should document compliance with all applicable environmental laws and Executive Orders and will provide a response to all substantive comments received during the public and agency review period. The FEIS should clearly identify the preferred alternative, which includes the alignment, preferred locations of stations, maintenance facilities, and other associated structures. The FEIS will undergo a legal sufficiency review by FTA Region IV counsel prior to approval by the Regional Administrator. The project sponsor should make every reasonable effort to resolve interagency disagreements on actions before submitting the FEIS to FTA Region IV staff, as this can delay approval of the FEIS. If significant issues remain unresolved, the FEIS should identify those issues and the consultations and other efforts being made to resolve them (see ***Part 1, Chapter 9, Final Environmental Impact Statement***). Unlike FHWA, FTA typically does not advertise a public and agency review period for a FEIS. However, if the project sponsor prefers a review period, then the FTA or other Lead Federal Agency will upload a copy of the FEIS to U.S. EPA's "e-***NEPA***" website for publication in the ***FR*** for a 30-day comment period.

## 14.3.4.4.8 Record of Decision

Following completion of the FEIS, the FTA or other Lead Federal Agency may issue a ROD. ***Title 23 USC § 139*** directs the use of a combined FEIS and ROD (FEIS/ROD) as the final project decision to the maximum extent practicable. If a combined FEIS/ROD is not possible, the ROD will be issued after the review period on the FEIS. All substantive comments received during the 30-day wait period following completion of the FEIS should be addressed in the ROD. The ROD is a concise report that states FTA's determination that ***NEPA*** has been completed for the project. The ROD describes the FTA decision, identifies alternatives that were considered, identifies the LPA, the rationale for selecting the LPA from the alternatives considered, and summarizes specific mitigation measures that will be incorporated into the LPA. While an FTA-issued ROD and an FHWA-issued ROD contain essentially the same information, FTA has very specific language it prefers to use. The project sponsor should coordinate with FTA Region IV staff for confirmation of language that should be used in the ROD, including the ***Limitation on Claims*** notice language.

## 14.3.4.4.9 Accelerated Decision-Making for Environmental Impact Statements

***Title 40 CFR § 1503.4(c)*** and ***Title 23 USC § 139*** allow for the preparation of an FEIS by attaching errata sheets to the DEIS if certain conditions are met. To the maximum extent practicable, and unless certain conditions exist, FTA and FHWA should develop a single document that combines the FEIS and ROD.

### FEIS Errata Sheet

Under ***Title 23 USC § 139***, FHWA and FTA may direct project sponsors to use errata sheets attached to a DEIS in lieu of rewriting the entire DEIS document if:

1. Comments received on the DEIS are minor; and

2. FHWA's and FTA's responses to those comments are limited to factual corrections or explanations of why the comments do not warrant further response.

When applying this provision, FHWA and FTA must make both the errata sheets and the DEIS available for public and agency review to the same extent as a traditional FEIS. The errata sheets and the information required in an FEIS are attached to the DEIS for submittal to FHWA as the FEIS. This document will undergo legal sufficiency review required by ***23 CFR § 771.125***.

The errata sheets must include, at a minimum, the following information:

1. A list and explanation of:

    a. The factual corrections made to the DEIS with references to the relevant page numbers in the DEIS, citing the sources, authorities, or reasons that

support the position of the agency; and

b. The DEIS comments and the reasoning why the DEIS comments do not warrant additional response by the agency, citing the sources, authorities, or reasons that support the position of the Lead Federal Agency;

2. If appropriate, an indication of the specific circumstances that would trigger the agency's environmental reassessment or further response, particularly information that could lead to re-evaluation or a supplemental environmental impact statement; and

3. A web address or other indication of where a copy of the DEIS may be obtained.

***Combined FEIS and ROD Documents***

Traditionally, FEIS and ROD documents are issued as separate documents with a minimum 30-day period between the FEIS and ROD. ***Title 23 USC § 139*** directs FTA and FHWA, to the maximum extent practicable, to combine the FEIS and ROD unless:

1. The FEIS makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

2. There are significant new circumstances or information relevant to environmental concerns and that bear on the proposed action or the impacts of the proposed action.

**Application of Both FEIS Errata Sheet and Combined FEIS and ROD Documents**

FTA and FHWA may use the errata sheet and combined FEIS/ROD provisions together so long as the conditions of both ***Title 40 CFR § 1503.4(c)*** and ***Title 23 USC §139*** are met. When both provisions are used together, the ***NEPA*** document would consist of a DEIS, errata sheets, responses to DEIS comments, and the ROD.

## 14.3.4.5 Request Entry into Engineering

During Project Development, prior to the completion of the environmental review process, FTA will work with the project sponsor to assess the strengths and weaknesses of alternatives still under consideration and provide technical assistance on how to meet the requirements to enter the Engineering phase. Technical assistance may include workshops or other methods focused on the readiness requirements to enter the Engineering phase. Formal oversight will generally begin at the completion of ***NEPA*** and will be designed for each project sponsor based on how far the project has advanced in conceptual design work, the complexity of the project, and the project sponsor's capability to undertake engineering and construction.

Before entering the Engineering phase, a ***NEPA*** re-evaluation may be necessary if there have been changes to the project design or project boundaries, or changes to laws, regulations, or policies that may affect the environmental review process. Decisions about

whether a new or supplemental ***NEPA*** document is required should be made in consultation with the FTA Region IV office. An ***Environmental Re-Evaluation Consultation Checklist*** is provided in ***Figure 14-8***. Project sponsors should consult with FTA Region IV staff to verify that the latest version of the ***Environmental Re-Evaluation Consultation Checklist*** is used.

Project sponsors who want to enter the Engineering phase as a New Starts or Core Capacity project should submit a letter to the Associate Administrator for FTA's Office of Planning and Environment upon completion of the Project Development Phase. Coordination with FTA Region IV staff is highly recommended prior to preparing this information to ensure the guidance has not changed. This process serves as an application for funding.

## 14.4 FTA FUNDING PROGRAMS

The environmental review process is largely dictated by the funding source being used to develop transit projects. Therefore, understanding the funding programs provides guidance in delivering projects that are compliant with ***NEPA*** but also provide supportive information to submit grant applications to FTA. ***Fixing America's Surface Transportation Act***, or "***FAST Act***," was passed on December 4, 2015. The ***FAST Act*** provides a long term funding strategy for transportation improvements nationwide. This act clarifies, modifies and updates past transportation legislation including ***MAP-21***. Guidance on implementing changes as a result of ***FAST Act*** will be developed by transportation authorities under the U.S. DOT. As guidance becomes available, this chapter will be updated with references as applicable. The modifications to the grant programs in the ***FAST Act*** are reflected in this chapter.

FTA is typically the Lead Federal Agency in the development of transit projects. There are three categories of FTA funding programs: Formula, Discretionary, and CIG. Generally, funding from Formula programs is allocated to pay for transit operating and maintenance costs; therefore, these funds are rarely used for advancing construction for a new transit project. Funding from FTA's Discretionary programs is allocated through a competitive process with detailed evaluation criteria used for comparison purposes. The CIG program discretionary grants are discussed separately in this chapter as they have distinctive requirements including legislatively directed multi-year, multi-step processes with FTA project evaluation and ratings required at specific points. Additional guidance for the requirements for FTA's formula and discretionary grant programs should be obtained from the FTA Region IV office. A link for FTA Region IV's website is provided in the ***Section 14.5***.

The sections below discuss FTA's CIG program, Formula Programs, Discretionary Programs in more detail. If another federal funding source is being pursued, the appropriate program requirements should also be reviewed throughout the planning and PD&E processes.

## 14.4.1 Capital Investment Grant Programs

This section outlines the CIG program. Funding legislation outlines a detailed process that proposed transit construction projects must go through to be eligible for and receive discretionary CIG program funding from FTA. It establishes three categories of eligible projects under the CIG program, New Starts, Small Starts, and Core Capacity projects. Each type of project has a unique set of requirements although many similarities exist among them. Project sponsors interested in pursuing funding for an eligible project under the CIG program should contact FTA Region IV to obtain guidance for requirements beyond those specific to the environmental review process. The processes for both the New Starts and Core Capacity programs are similar. Each consists of a Project Development and an Engineering phase, and both require an initial and final FTA evaluation, rating, and approval. By law, a project must receive at least a Medium overall rating on the required evaluation criteria to be eligible for entry into the Engineering phase. The final FTA evaluation and rating may result in a Full Funding Grant Agreement (FFGA) so that the grant applicant may proceed with project construction (***Figures 14-2*** and ***14-3***). The process for the Small Starts program consists of a Project Development phase and requires only one FTA evaluation, medium overall rating, and approval that may result in an Expedited Grant Agreement (EGA), where the grant applicant may proceed with project construction (see ***Figure 14-4***).

### 14.4.1.1 New Starts

FTA's New Starts Program provides funding to support new locally planned and operated fixed guideway systems or extensions to existing fixed guideway systems. Eligible projects can include, but are not limited to, heavy rail transit (HRT), light rail transit (LRT), fixed guideway Bus Rapid Transit (BRT), commuter rail, aerial cable transit (ACT), passenger ferries, or the extension of any of these existing systems. Potential New Starts projects are evaluated and rated based on specific FTA criteria, which establish the justification for the project and determine the degree of local financial commitment (***Figure 14-5***). To be eligible for the New Starts Program, a project's total cost must be greater than or equal to $300 million and/or the amount of New Starts funding sought must be greater than $100 million. The maximum total federal share for New Starts projects is 60% from ***Section 5309*** funds with up to 80% federal share (with additional funds made up from other sources). The Project Development phase for New Starts projects includes completion of the environmental review process with FTA's approval of a CE, FONSI, or ROD as prepared by the project sponsor. The Project Development phase also includes the selection of a LPA for the project as documented in the final CE, FONSI, or ROD and the adoption of the LPA into the MPO/TPO's LRTP CFP. The Engineering phase includes completion of engineering and final design of the LPA. The final phase is the grant agreement phase where grant applicants may receive a FFGA.

### 14.4.1.2 Core Capacity

Core Capacity projects are also eligible for ***Section 5309*** funds. Core Capacity projects are substantial, corridor-based investments to existing fixed guideway systems that are

"at capacity" today or will be within the next five (5) years. An additional eligibility requirement is that the Core Capacity project must increase the overall capacity of the existing fixed guideway system by at least ten percent (10%). Examples of activities that could be considered include: the acquisition of real property or ROW, double tracking, signalization improvements, expanding system platforms, and the acquisition of rolling stock for added capacity. Funding may not be applied to project elements designed to maintain a State of Good Repair (SOGR) and may not be used to improve general station facilities, parking, or the acquisition of rolling stock alone. The process for Core Capacity improvement projects is similar to that of New Starts projects in that it consists of the Project Development and Engineering phases prior to receiving an FFGA (***Figures 14-2*** and ***14-3*****)**.

#### 14.4.1.3 Small Starts

In addition to the New Starts and Core Capacity Programs, FTA also administers a Small Starts Program. Small Starts projects are typically smaller in size and scope than New Starts and Core Capacity projects. As such, the Small Starts process contains only one legislatively directed FTA evaluation, rating, and approval (as shown in ***Figure 14-4***). It also consists of only one phase, Project Development, prior to being eligible to receive an EGA. To be eligible for the Small Starts Program, a project's total cost must be less than $300 million and the amount of Small Starts funding sought must be less than $100 million. Projects eligible for Small Starts funding include new fixed guideway systems and extensions that meet the funding eligibility requirements, including fixed guideway BRT. Also eligible are corridor-based BRT projects that represent a substantial investment in a defined corridor but do not fully operate within exclusive ROW or travel lanes, but do have other features including defined stations, transit signal priority (TSP), and short headway, bi-directional service for a substantial part of both weekdays and weekend days.

#### 14.4.1.4 Programs of Interrelated Projects

This is a funding combination of two or more projects receiving New Starts, Small Starts or Core Capacity funds that have logical connectivity. The maximum share of CIG funds is 80%, and total federal funds for the Program of Interrelated Projects as a whole may not exceed 80%. Non-federal funds committed to a project in the Program of Interrelated projects may be used as a match for any other project in the program as long as the federal share does not exceed 80%.

### 14.4.2 Formula Programs

Funding is available from FTA's Formula programs for a variety of activities that may require the preparation of a ***NEPA*** document. The formulas used to determine the funding available varies by program and specific requirements apply. A partial list of Formula program funds is provided below. Refer to FTA's website for additional program funding sources and grant requirements.

1. **Bus and Bus Facilities** (***Section 5339***) – for the purchase or rehabilitation of vehicles and related equipment and construction of bus-related facilities.

2. **State of Good Repair Grants** (**SOGR**) (***Section 5337***) – for the repair and upgrade of existing rail transit systems and high-intensity bus systems that utilize high occupancy vehicle lanes, including BRT.

3. **Urbanized Area Formula Grants** (***Section 5307***) – for areas with populations of 50,000 or greater, these funds allow for the implementation of capital projects, planning, Job Access and Reverse Commute (JARC) projects, and operating funds in certain circumstances.

4. **Formula Grants for Rural Areas** (***Section 5311***) – for the same activities covered by the Urbanized Area Formula Grants but for areas with populations less than 50,000.

5. **Enhanced Mobility of Seniors and Individuals with Disabilities** (***Section 5310***) – for capital projects and other activities that enhance the mobility of seniors and persons with disabilities.

### 14.4.3 Discretionary Programs

Funding is available from FTA's Discretionary programs for a variety of activities that may require the preparation of a ***NEPA*** document. The funding available varies by program and specific requirements apply and many of the current discretionary grants are for planning activities only and as such most may not be used for project construction, and therefore not require ***NEPA*** documentation. A partial list of Discretionary program funds is provided below. Refer to FTA's website for additional program funding sources and grant requirements.

1. **Mobility Services for All Americans (MSAA) Deployment Planning Projects** – funds for ITS to coordinate deployment of on-demand public transportation systems, such as paratransit for people with mobility issues.

2. **Innovative Safety, Resiliency, and All-Hazards Emergency Response and Recovery Demonstration** – funds innovative research and demonstration projects that develop and showcase promising technologies, methods, practices, and techniques that improve the operational safety, infrastructure resilience, and all-hazards emergency response and recovery capacities of transit agencies. All-hazards may include natural disasters, terrorist acts, hazardous materials releases, structural failures involving the transit system, and civil unrest.

3. **Low or No Emissions Vehicle Deployment Program** – funds capital acquisitions and leases of zero-emission and low-emission transit buses, including acquisition, construction, and leasing of required supporting facilities such as recharging, refueling, and maintenance facilities.

4. **Innovative Public Transportation Workforce Development Program** – funds innovative public transportation workforce development models and programs of regional and national significance, which invest in America's economic growth and

promote ladders of opportunity for all Americans.

5. **Prior Year *Section 5309* Bus and Bus Facilities Program (Ladders of Opportunity Initiative)** – funds may be used to purchase, replace, or rehabilitate transit buses and vans as well as to modernize or construct bus facilities (such as maintenance facilities and intermodal facilities) in urban, suburban, and rural communities.

6. ***Section 20005(b)* Pilot Program for Transit-Oriented Development Planning** – funds efforts to integrate land use and transportation planning with a transit capital investment that will seek funding through the FTA's CIG program.

7. **Passenger Ferry Grant Program** – funds public ferry systems in urbanized areas. Funds are awarded based on factors such as the age and condition of existing ferry boats, terminals and related infrastructure; benefits to riders, such as increased reliability; project readiness; and connectivity to other modes of transportation.

8. **Tribal Transit Program** – funds transit projects for federally recognized Indian Tribes or Alaska Native villages, groups, or communities as identified by the U.S. Department of Interior (DOI), Bureau of Indian Affairs (BIA).

## 14.5 REFERENCES

23 Code of Federal Regulations (CFR) § 771. Environmental Impact and Related Procedures. http://www.ecfr.gov

40 CFR §§ 1500-1508. Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act. http://www.gpo.gov/fdsys/granule/CFR-2011-title40-vol33/CFR-2011-title40-vol33-part-id1102/content-detail.html

23 CFR Part 650. Bridges, Structures, and Hydraulics. http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=23:1.0.1.7.28

American Association of State Highway and Transportation Officials (AASHTO)/ America Council of Engineering Companies (ACEC) and Florida Highway Administration (FHWA), Improving the Quality of Environmental Documents, May 2006. http://environment.transportation.org/pdf/nepa_process/QUALITY_NEPA_DOCS.pdf

AASHTO Center for Environmental Excellence, Preparing High-Quality NEPA Documents for Transportation Projects, July 2014. http://environment.transportation.org/pdf/programs/pg15-1.pdf

Clean Air Act, 1990 Amendments

Endangered Species Act (ESA) of 1973, as amended 1978, 1979 and 1982. http://www.fws.gov/endangered/esa-library/pdf/ESAall.pdf

Federal Transit Administration (FTA). 2006. Transit Noise and Vibration Impact Assessment. FTA-VA-90-1003-06. http://www.fta.dot.gov/documents/fta_noise-and_vibration_manual.pdf

FTA. 2011. FTA Project and Construction Management Guidelines http://www.fta.dot.gov/images/content_images/-fta_project_and_cm_guidelines_-_july_2011_update_12-01-26.pdf

FTA. 2012. Bus and Bus Facilities Fact Sheet. http://www.fta.dot.gov/documents/MAP-21_Fact_Sheet_-_Bus_and_Bus_Facilities.pdf

FTA. 2012. Construction Project Management Handbook. http://www.fta.dot.gov/documents/FTA-CONSTRUCTION-PRJT-MGMT-HDBK2009.pdf

FTA. 2012. Enhanced Mobility of Seniors and Individuals with Disabilities Fact Sheet. http://www.fta.dot.gov/map21/

FTA. 2012. Environmental Justice Policy Guidance for FTA Recipients. FTA Circular, FTA C 4703.1. https://www.fta.dot.gov/sites/fta.dot.gov/files/docs/FTA_EJ_Circular_7.14-12_FINAL.pdf

FTA. 2012. Formula Grants for Rural Areas Fact Sheet. http://www.fta.dot.gov/map21/

FTA. 2012. FTA Quality Management System Guidelines. http://www.fta.dot.gov/images/content_images/-final_fta_qms__guidelines_december_2012.pdf

FTA. 2012. State of Good Repair Fact Sheet. http://www.fta.dot.gov/map21/

FTA. 2012. Urbanized Area Formula Grants Fact Sheet. http://www.fta.dot.gov/map21/

FTA. 2013. Guidelines for Land Use and Economic Development Effects for New Starts and Small Starts Projects. http://www.fta.dot.gov/documents/land_use_and_econdev_guidelines_august_2013.pdf

FTA. 2013. New and Small Starts Evaluation and Rating Process, Final Policy Guidance. http://www.fta.dot.gov/documents/-ns-ss_final_policyguidance_august_2013.pdf

FTA. 2013. Section 5309 Capital Investment Grant Program: (New Starts, Small Starts, and Core Capacity Improvements). http://www.fta.dot.gov/12304.html

FTA. 2013. Small Starts Standard Cost Category Workbook. http://www.fta.dot.gov

FTA. 2013. Small Starts Templates, Parts 1 and 2. http://www.fta.dot.gov

FTA. 2014. Before and After Study Qs and As. http://www.fta.dot.gov/12304_2613.html

FTA. 2014. Capital Investment Program Frequently Asked Questions: What Should I Submit to FTA if I Wish to Apply for Entry into the Project Development Phase of the Capital Investment Grant Program? http://www.fta.dot.gov/12304_15522.html#what-should

FTA. 2014. Capital Investment Program Frequently Asked Questions: When May a Project Sponsor Seek Entry into New Starts or Core Capacity Engineering Phase? http://www.fta.dot.gov/12304-15522.html#when-may

FTA. 2014. Guidance for Implementation of FTA's CEs (23 CFR. §771.118). http://www.fta.dot.gov/documents/Section_118_Guidance-November_2014.pdf

FTA. 2015. Capital Investment Program: New Starts, Small Starts and Core Capacity Improvements. http://www.fta.dot.gov/12304.html

FTA. 2015. FTA Region IV Website. http://www.fta.dot.gov/about/region4.html

FTA. 2015. Grantee Resource Center, FTA, Region IV. http://www.fta.dot.gov/about/region4_261.html

FTA. August 2015. Reporting Instructions for the Section 5309 Core Capacity Criteria. http://www.fta.dot.gov/newstarts

FTA. MAP-21 Core Capacity Process. http://www.fta.dot.gov/12304.html

FTA. New Starts Project Development Process. http://www.fta.dot.gov/12304.html

FTA. Small Starts Project Development Process. http://www.fta.dot.gov/12304.html

Fixing America's Surface Transportation Act (FAST Act). FTA Overview. https://www.fta.dot.gov/funding/grants/fast-act

Florida Department of Transportation (FDOT). 2013. Accessing Transit: Design Handbook For Florida Bus Passenger Facilities, Version III. http://www.dot.state.fl.us/transit/pages/2013accessingtransitfinal.pdf

Florida Sunshine Law

Moving Ahead For Progress in the 21st Century Act (MAP-21).FTA MAP-21 Resource Center. Transforming the Way We Build, Manage, and Maintain our Nation's Transit Systems. http://www.fta.dot.gov/map21/

MAP-21. United States Code (USC) Chapter 53 of Title 49, as amended by MAP-21. Related MAP-21 provisions. 2012. https://www.transportation.gov/map21

National Transit Database (NTD) Glossary. http://www.ntdprogram.gov/ntdprogram/Glossary.htm

Safe, Accountable, Flexible, Efficient, Transportation Equity Act – A Legacy for Users (SAFETEA-LU). Section 6002

Section 339.155, Florida Statutes (F.S.)

Title 23 U.S.C § 101

Title 23 U.S.C. § 139. Section 20005(b). Pilot Program for Transit-Oriented Development Planning

Title 42 U.S.C § 5121

Title 49 U.S.C § 5324

## 14.6 HISTORY

7/10/2008

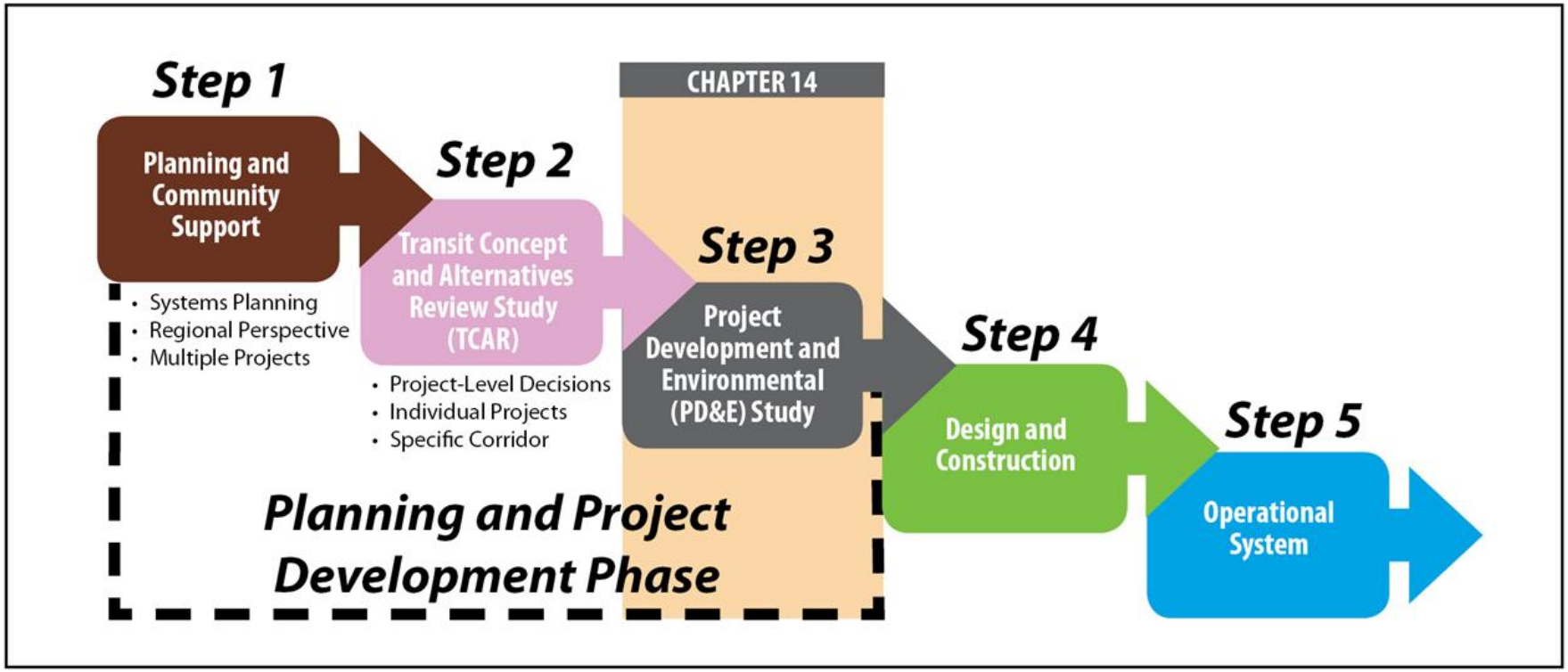


**Figure 14-1 Transit Planning and Development Phase**

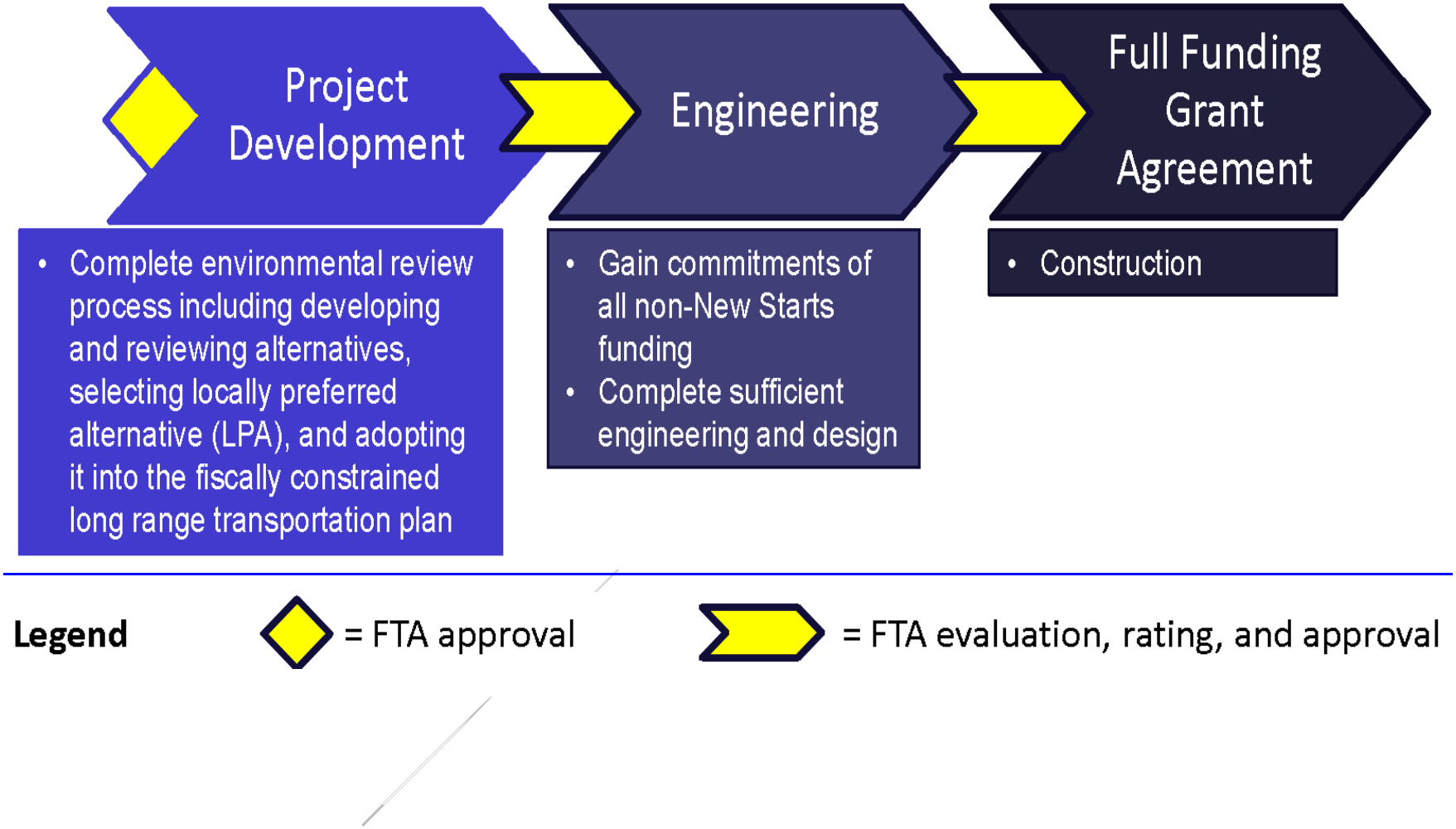


**Figure 14-2 New Starts Development Process**

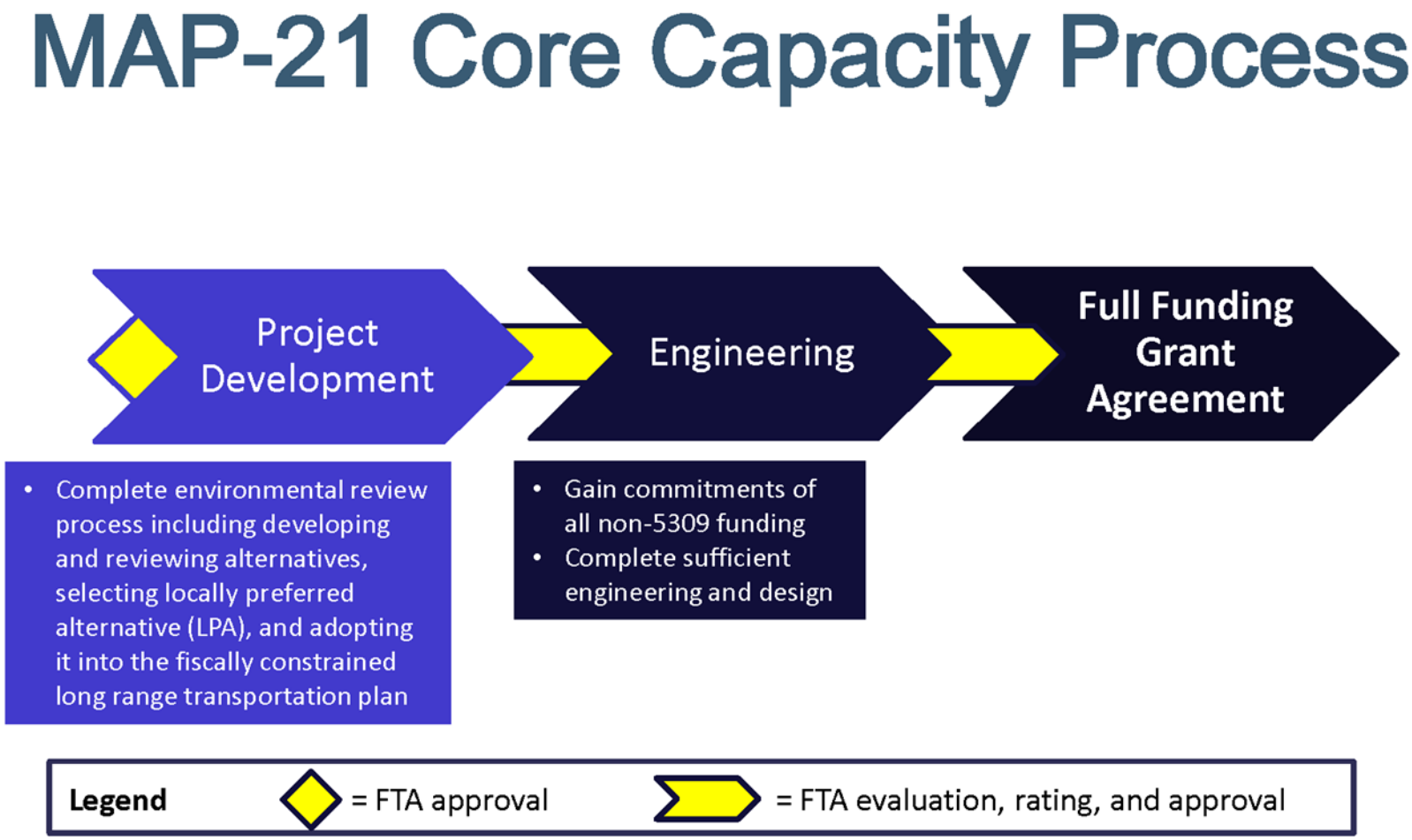


**Figure 14-3 Core Capacity Development Process**

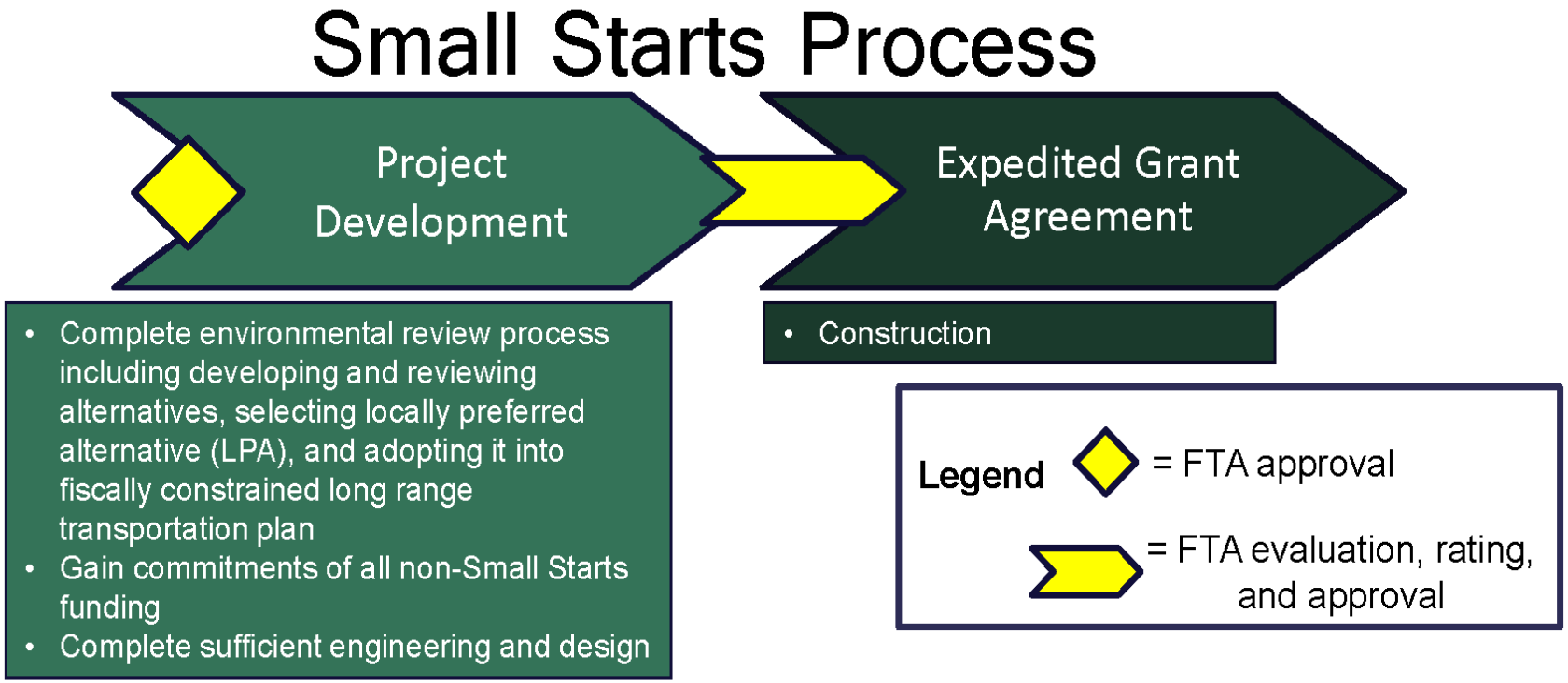


**Figure 14-4 Small Starts Development Process**

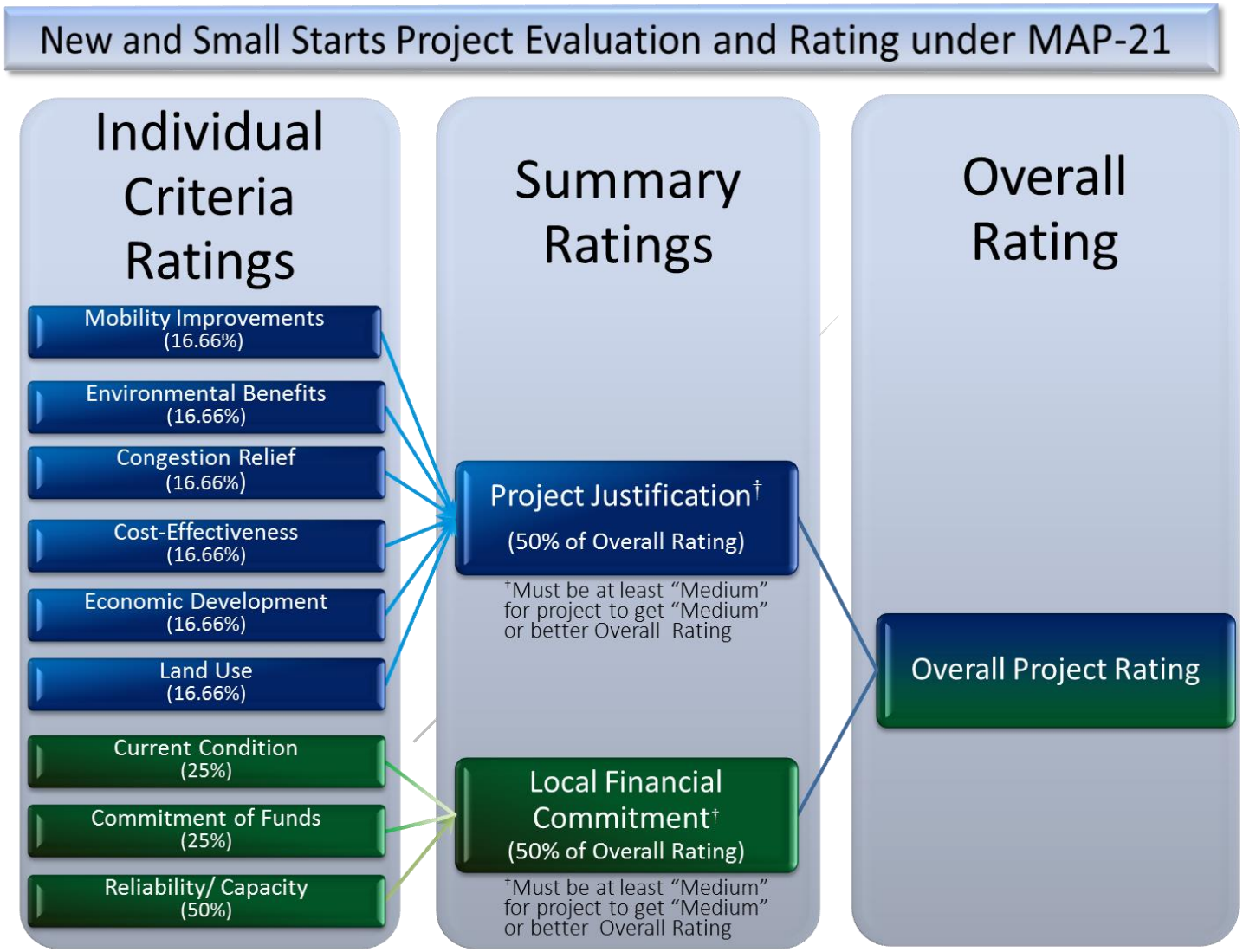


**Figure 14-5 New Starts, Core Capacity, and Small Starts Project Evaluation and Rating Under MAP-21**

**Date** _____

**Grant Applicant/Project Sponsor**_____

**Project Name** _____

**City, County, State** _____

*[NOTE: Pursuant to 40 C.F.R. § 1506.5, applicants or applicants' contractors may prepare NEPA documents for submittal to federal agencies. However, the applicant is responsible for submitting accurate and complete documentation to FTA. Please prepare a separate transmittal letter or statement to accompany the CE verifying that you have reviewed the information contained in the document when you transmit it to FTA. The transmittal should include the following statement:*
*"in submitting the _(project name)_ categorical exclusion (CE) to the FTA, the applicant _(insert name/agency info) affirms that it has reviewed and supports the information presented documenting the proposed action as meeting the criteria for a CE in accordance with 23 CFR Part 771.118 (d)(# - insert appropriate number here), or 23 CFR Part 771.117(d)(# - insert appropriate # here* ****NOTE: 771.117 CEs are only applicable to FTA/FHWA CEs.*** *FTA-only CEs are now included 771.118). Following independent review and verification by FTA, applicant _(insert DOT name/info)_ requests that it be notified of the acceptability of its submission".*
*PLEASE DELETE THE HIGHLIGHTED INFORMATION IN THIS NOTE AND ALL HIGHLIGHTED INFORMATION BELOW BEFORE SUBMITTAL TO FTA. THE HIGHLIGHTED INFORMATION BELOW IS ONLY MEANT TO ASSIST THE APPLICANT WITH INFORMATION TO INCLUDE AS PART OF THE DOCUMENTATION, NOT SERVE AS LANGUAGE TO BE USED.]*

**INFORMATION REQUIRED FOR PROBABLE CATEGORICAL EXCLUSION**
**(SECTION 771.118(d)(# - insert appropriate #. If a joint FTA/FHWA DCE, then include appropriate reference to 771.117(d)(#) instead of 771.118)**

____A. **DETAILED PROJECT DESCRIPTION AND PURPOSE AND NEED: Describe type of project and transit nexus (include applicable FTA Transit Programs supported by this project). This description should include the proposed use, property size, parcel history, ownership information, acreage, and previous and current planning studies and/or environmental evaluations.**

- Include a brief discussion summarizing the need and purpose for the project (e.g., congestion, state of good repair).
- Explain in common language how implementation of the project will address the project need, and its proposed use. Include a complete description of the project components such as length of the project in feet or miles, property size, history, ownership information (land management authority), acreage, and document previously conducted studies if applicable.
- Include as many specifics as possible such as number of buses, cars, employees using the facility.

_____B. **LOCATION (INCLUDING ADDRESS): Attach a project location map or site map, which identifies the land uses and resources on the site and the adjacent or nearby land uses and resources. This is used to determine the probability of impact on sensitive receptors (such as schools, hospitals, residences) and on protected resources (rivers, streams, wetlands, historic properties, parks and recreation areas). This must include adjacent parcels.**

**Figure 14-6 FTA Region IV Categorical Exclusion Checklist**

- The project limits must be clearly marked. Include all streets and features specifically called out in the "project description." If the project work occurs at more than one location, include those locations on the map, as well as on adjacent parcels.

- Land use plans, and zoning maps can be obtained from the tax assessor, city, county, or metropolitan planning organizations.

_____**C.** **<u>METROPOLITAN PLANNING AND AIR QUALITY CONFORMITY</u>: Is the proposed project in a nonattainment area or maintenance area for National Ambient Air Quality Standards (NAAQS)? Is the proposed project included in the currently conforming LRTP/TIP either explicitly or in a grouping of projects or activities? If the proposed project is in a nonattainment or maintenance area, then project-level conformity must be demonstrated by including specific reference to project in the currently conforming LRTP/TIP (40 CFR 93.115-117). In carbon monoxide (CO) and particulate matter (PM 2.5 and PM10) nonattainment and maintenance areas, additional analysis called "hot spot" analysis, may be required to determine if the project has localized air quality impacts (See Sections D and E below). If the project is not located within MPO boundaries, then indicate in narrative response.**

- Refer to the non-attainment/maintenance area maps at: http://epa.gov/airquality/greenbk/index.html to determine if the project is located in an area that meets all National Ambient Air Quality Standards.

_____**D.** **<u>CO HOT SPOTS</u>: If there are serious traffic impacts at any affected intersection, and if the area is a nonattainment or maintenance area for carbon monoxide (CO), then demonstrate that CO "hot spots" will not result from project implementation. In nonattainment areas, interagency concurrence (IAC) and documentation must be attached. If the proposed project is not in a nonattainment or maintenance area for CO, state in narrative response.**

- Refer to the non-attainment/maintenance area maps at: http://epa.gov/airquality/greenbk/index.html to determine if the project is located in an area that meets all National Ambient Air Quality Standards.

_____**E.** **<u>PM2.5 AND PM10 HOT SPOTS</u>: If there are serious traffic impacts at any affected intersection, and if the area is a nonattainment or maintenance area for any particulate matter (PM2.5 or PM10), then demonstrate that PM2.5 or PM10 "hot spots" will not result. In nonattainment areas, interagency concurrence (IAC) and documentation must be attached. If the proposed project is not in a nonattainment or maintenance area for PM2.5 and PM10, state in narrative response.**

- Refer to the non-attainment/maintenance area maps at: http://epa.gov/airquality/greenbk/index.html to determine if the project is located in an area that meets all National Ambient Air Quality Standards.

_____**F.** **<u>ZONING</u>: Description of zoning and land use and consistency with proposed project. Describe in narrative response why project is compatible with current land use and/or zoning. In cases where additional ordinances (such as overlay districts or design constraints) exist describe ordinance and explain project compatibility.**

- Land use plans, and zoning maps can be obtained from the tax assessor, city, county, or metropolitan planning organizations. May provide a letter from appropriate city/county/town official.

**Figure 14-6 FTA Region IV Categorical Exclusion Checklist (Page 2 of 9)**

_____G. **TRAFFIC IMPACTS: Describe potential traffic impacts, including whether the existing roadways have adequate capacity to handle increased bus and other vehicular traffic. Also include description of ingress, egress and safety.**

- Determine if the project will result in any construction-related impacts such as lane closures, detours, or dust abatement requirements. Briefly describe construction-related traffic impacts, and traffic control measures required to minimize impacts for construction. May provide a letter from the traffic engineer or other appropriate official verifying traffic impacts.

_____H. **CULTURAL RESOURCES: Show resources on a project location map. Describe any cultural, historic, or archaeological resource that is located in the immediate vicinity of the proposed project and the impact of the project on the resource. FTA initiates all consultation per Section 106 of the National Historic Preservation Act (NHPA), following the applicant's submittal of the Section 106 Worksheet to FTA. FTA then makes a "No Effect/No Historic Properties" or "No Historic Properties Affected" determination, if no historic resources or potential to affect resources exists. FTA then requests concurrence for this determination from the appropriate State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO). The FTA Section 106 Worksheet and SHPO/THPO concurrence must be included as an attachment before NEPA approval.**

**Note: If an "Adverse Effect" determination is made as a result of the proposed project, rather than a "No Effect/No Historic Properties" or "No Historic Properties Affected" determination, then FTA may request a higher NEPA class of action to evaluate alternatives or mitigation measures to deter these adverse effects.**

- For more about Section 106 consultations: http://www.achp.gov/106summary.html. If the project has potential effects to NRHP-eligible or listed projects, the Section 106 process must be followed: http://www.achp.gov/regsflow/html
- Refer to the Section 106 consultation letter(s) and identify site eligibility. List each site in narrative. Attach consultation letters to checklist. If NO resources are present within the project's area of potential effect (APE), attach the SHPO/THPO concurrence letter to checklist.
- Projects involving modifications to historic buildings or structures should comply with the *Secretary of the Interior Standards for the Rehabilitation of Historic Structures*, which is available from the SHPO/THPO and http://www.nps.gov/hps/TPS/tax/rhb/stand.htm .

_____I. **NOISE: Assess the noise impacts using the FTA Noise and Vibration Manual (http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf). The first level for noise assessment is "Screening." Identify areas of potential impact for noise source types in Table 4-1. Compare the distance between the center of the proposed project and the nearest noise receptor to the screening distance for the type of project per the manual. If it is determined that none of the land uses are within the distances noted in Table 4-1, then no further noise analysis is needed. If one or more of the noise-sensitive land uses are within the screening distances noted in Table 4-1, as adjusted, then the potential for impacts exists and further analysis is needed. Identify locations for second level, "General Assessment." Attach General Assessment with conclusions and any identified mitigation locations and summarize in the narrative response.**

_____J. **VIBRATION: Assess the vibration impacts using the FTA Noise and Vibration Manual**

**Figure 14-6 FTA Region IV Categorical Exclusion Checklist (Page 3 of 9)**

(http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf). The first level for vibration assessment is "Screening." Identify potential for vibration impact associated with project types in Table 9-1. If the proposed project involves new or relocated steel tracks, compare the distance between the center of the proposed project and the nearest vibration receptor to the screening distance for this type of project in FTA's guidelines. If potential impacts exist, Table 9-2 identified locations for second level, "General Assessment." Attach General Assessment with conclusions and any identified mitigation locations and summarize in the narrative response. Most projects that do not include steel-wheel trains do not cause significant vibration impacts. Any project that does not include some type of vehicle is not likely to cause vibration impacts. If the project does not involve rail transit or some type of vehicle, please state in narrative response.

_____K. ACQUISITIONS & RELOCATIONS REQUIRED: Describe land acquisitions and displacements of residences and businesses. Include current use, ownership information and date of property acquisition (if applicable). If a structure is located on the property include the date of construction for that structure.

Note: If FTA funds are used to acquire property or the property is used as local match, then the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (http://www.fhwa.dot.gov/realestate/ua/ualic.htm) must be followed and documented. No offers or appraisals may occur prior to FTA's approval of a NEPA evaluation.

_____L. HAZARDOUS MATERIALS: If real property is to be acquired, has a Phase I site assessment to investigate the potential for contaminated soils and groundwater been performed? If a Phase II site assessment is recommended, has it been performed? What steps will be taken to ensure that the community in which the project is located is protected from contamination during construction and operation of the project? State the results of consultation with the appropriate State agency regarding the proposed remediation?

Note: It may be necessary to demonstrate that real property previously acquired and currently owned by the applicant is not contaminated prior to construction and use of FTA funds at the site. Certain liability concerns and cleanup considerations that may not be eligible for FTA funds may result.

- If there are any known hazardous materials sites or previous land uses with a potential for hazardous materials remaining within the project area or right-of-way, including existing structures have been previously painted, or road striping removed (RCRA http://www.epa.gov/osw/inforesources/online/ ), a Phase I/Phase II hazardous materials study must be performed.
  Map: http://www.epa.gov/wastes/hazard/correctiveaction/eis/eimap.htm

- The hazardous materials documentation should be attached or provided in narrative, including concurrence with the local/state agency clean-up or mitigation plan.

_____M. COMMUNITY DISRUPTION AND ENVIRONMENTAL JUSTICE ANALYSIS: Provide a socioeconomic profile (and socioeconomic census map) of the affected community. Describe the impacts of the proposed project on the community. Identify any community resources that would be affected and the nature of the effect. Identify any minority and/or low income communities on a project location map. Describe any disproportionate and adverse effects to minority and/or low-

**Figure 14-6 FTA Region IV Categorical Exclusion Checklist (Page 4 of 9)**

**income communities as a result of the proposed project (Executive Order 12898). If minority and/or low income populations do not exist within the proposed project area, provide narrative and census map documentation (http://www.fhwa.dot.gov/environment/ej2.htm).**

**Note: Environmental Justice populations are minority and/or low income populations. Minority means a person who is Black, Hispanic, Asian American, American Indian, or Alaskan Native. Low-income means a person whose household income is at or below the Department of Health and Human Services poverty guidelines. Environmental Justice is not a measurable impact. Rather, Environmental Justice analysis focuses on the presence of Environmental Justice populations and evaluates disproportionately high and adverse impacts to these populations as compared to a reference population, considers alternatives, conducts public involvement, and develops mitigation efforts. A disproportionately high and adverse effect pertains to significant individual or cumulative effects. Common impacts to Environmental Justice populations include, but are not limited to, potential changes in ambient air quality and water quality, noise, vibration, and construction. These may occur during construction or during operation of the facility and may be temporary or permanent. When these impacts are disproportionate relative to the other populations within the proposed project area, then further evaluations and possible mitigation measures are necessary.**

- If this project will have NO effects to the community or its population, document in narrative.

- Determine if any temporary, adverse, or permanent effects on any businesses, residents, or landowners will occur as a result of this project. This could include effects to access, relocations, and neighborhood continuity. If effects will occur, determine if there are any protected populations. These populations include:

  - Minorities – refer to census tables for correct categories
  - Low-income –population whose median household income is at or below the US Department of Health and Human Services poverty guidelines
  - Age, gender, and disability

- To determine if any of the above populations are present in the project area, find the census tract and block groups for the project area, which can be found with the property address, on the US Census website:
  http://factfinder.census.gov/jsp/saff/SAFFInfo.jsp?_pageId=gn7_maps
  http://factfinder.census.gov/servlet/DatasetMainPageServlet?_program=DEC&_submenuId=datasets_0&_lang=en
  The EPA's EJ View tool is also useful for evaluating project sites for Environmental Justice:
  http://epamap14.epa.gov/ejmap/entry.html

_____N. **USE OF SECTION 4(F) RESOURCES: Show parks, recreational areas, and/or wildlife/waterfowl refuges on a project location map. If the activities and current and intended uses of these resources will be affected by the proposed project, state how and determine the amount of property to be used. If the proposed project is not located in or in the vicinity of these resources, then state in the narrative response.**

**Note: FTA will determine if the proposed project will result in direct, temporary, or constructive use of the resources. Section 4(f) impacts require further evaluations, including an alternatives analysis to measure adverse effects. FTA may request an Environmental Assessment (EA) as the appropriate NEPA class of action to**

**Figure 14-6 FTA Region IV Categorical Exclusion Checklist (Page 5 of 9)**

**evaluate alternatives and consider mitigation or avoidance measures to deter these adverse effects.**

- Based on the definitions of use outlined in 23 CFR § 774, determine if the project will result in an actual (direct), temporary, or constructive (proximity impacts) use of the Section 4(f) resource. Locate Section 4(f) properties on project vicinity map. http://www.section4f.com/home.htm

_____O. **IMPACTS ON WETLANDS: Show wetlands on a project location map. Describe the proposed project's impact to on-site and adjacent wetlands. If the project impacts wetlands, please provide documentation of coordination efforts/applications for permits from the appropriate U.S. Army Corps of Engineers (USACE) office, as well as, minimization and mitigation efforts. If no wetlands are present or if the proposed project will not impact any wetland areas, please state and provide documentation.**

- Determine if wetlands or other Jurisdictional Waters of the US are present in the project area: http://www.fhwa.dot.gov/hep/23cfr777.htm Locate wetlands, streams, and/or open waters on project vicinity map.

- If wetlands or other jurisdictional waters of the US are impacted, a Section 404 Permit may be required. http://www.epa.gov/wetlands/pdf/reg_authority_pr.pdf. If waters have been delineated (http://www.usace.army.mil/cecw/pages/reg_supp.aspx) and determined to be under the jurisdiction of the Army Corps of Engineers, include the Corps File Number (or attach Nationwide Permit (NWP)), or state in narrative if waters are NOT under Corps jurisdiction.

- Include any state requirements.

- Determine if the wetland(s) will be avoided by the project, if no mitigation is necessary for avoidance, explain how/why the area will be avoided (for example: at bottom of slope where no work will occur.) Include all applicable mitigation measures specific to the wetland (s) including mitigation necessary for avoidance,

_____P. **FLOODPLAIN IMPACTS: Show floodplain areas on a project location map. Is the proposed project located within the 100-year or 500-year floodplain? If so, address possible flooding of the proposed project site and flooding induced by proposed project due to fill and reduction of the floodplain capacity. In addition, please provide documentation on how project will be designed to restore floodplain capacity. If project is not located in the 100- year or 500-year floodplain, please state and provide documentation.**

- Determine if the project is within a 100-year floodplain. Review FEMA 100-year FIRMs on the FEMA website: http://msc.fema.gov/webapp/wcs/stores/servlet/info?storeId=10001&catalogId=10001&langId=-1&content=firmetteHelp_0&title=FIRMette%20Tutorial

- Include all floodplain FIRM numbers that occur in the project area and the effective or revision date for each FIRM. Include the FEMA FIRM numbers for the project area, even if the 100-year floodplain has not been delineated.

- If a determination cannot be made whether or not the project is within a 100-year floodplain, contact the county flood control district or the local floodplain manager for assistance.

- If the project is within a floodplain, determine if the floodplain will be impacted by the project. Impacts typically occur when topography within the floodplain is substantially modified either by

**Figure 14-6 FTA Region IV Categorical Exclusion Checklist (Page 6 of 9)**

placement or removal of materials within the floodplain. If the project will impact a 100-year floodplain, provide an explanation of project impacts in the narrative. Additionally, follow the requirements of 23 CFR Part 650(A).

_____Q. **IMPACTS ON LOCAL WATER QUALITY, WILD AND SCENIC RIVERS, NAVIGABLE WATERWAYS, AND COASTAL ZONES: If any of these are implicated, provide detailed analysis of potential impacts and provide documentation of coordination tasks with appropriate agencies.**

- Water Quality: Determine if project area is in a sole-source aquifer, if not document in narrative: http://cfpub.epa.gov/safewater/sourcewater/sourcewater.cfm?action=SSA. Refer to the current EPA/FHWA MOU regarding the Sole Source Aquifer review pursuant to Section 1424(e) of the Safe Drinking Water Act to determine if an EPA review is required: http://ceq.hss.doe.gov/nepa/regs/sdwa.html. FTA must notify the EPA of all projects located in a sole source aquifer that do not require a Safe Drinking Water Act Section 1424(e) review by the EPA. Include any mitigation measures required by the state or EPA.

- Water Quality: Determine if appropriate NPDES permits are applicable as a result of ground disturbance. How will stormwater be treated during and after construction? How will wastewater from bus washing facilities be treated?

- Wild and Scenic River: Determine if a recommendation for listing, or designated, Wild and or Scenic River is present in the vicinity: http://www.rivers.gov/wildriverslist.html. Note on CE if NO Rivers are present, and if project is located near a river and it will NOT be impacted.

- If a designated wild and scenic river, or a river recommended for listing, occurs within the project area, insert the name of the river. If the project will affect the river, determine if the project will have an adverse effect on the river as outlined in Guide for Identifying Potential Adverse Effects: http://environment.fhwa.dot.gov/guidebook/vol1/doc15c.pdf. Coordinate with the agency responsible for managing the river. After coordination is complete, describe the potential impacts to the river, explain why the effects are not adverse, and include information on the agency coordination/concurrence (for example: NPS) with the effect determination.

- Mitigation to minimize effects to rivers designated—or recommended for designation— to the Wild and Scenic River System must be developed in coordination with FTA and the agency responsible for managing the river prior to submittal of the environmental document.

- Navigable Water and Coastal Zones: State in narrative if Waters are present within the project area, but will not be impacted (for example, will be avoided by construction). If waters are impacted, indicate the location on a project map.

_____R. **IMPACTS ON ECOLOGICALLY-SENSITIVE AREAS AND ENDANGERED SPECIES: Describe any natural areas (large wooded/forested parcels, prairies, wetlands, rivers, lakes, streams, designated wildlife or waterfowl refuges, and geological formations) on or near the proposed project area. If present, state the results of consultation with the appropriate state-level department of natural resources and U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS) for the potential impacts to these natural areas and on any threatened and endangered plant, animal and invertebrate species that may be affected.**

**Note: FTA will initiate all Section 7 interagency consultation with USFWS and/or NMFS. The applicant must notify FTA immediately, if after state-level coordination, protected natural areas or species will experience potential adverse effects as a result of the proposed project.**

**Figure 14-6 FTA Region IV Categorical Exclusion Checklist (Page 7 of 9)**

- http://www.fws.gov/Endangered/

- http://www.fws.gov/ecos/ajax/tess_public/pub/stateOccurrence.jsp. States will have their own list of protected and endangered species. Document what species are listed in the project area, and attach FWS and state documentation, as well as any measures taken to protect sensitive biological resources. This includes discussion with the state addressing their concerns, and how mitigation measures were addressed (for example: nesting boxes for migratory bird species attached to bus barn.) Migratory Bird Treaty Act, http://www.fws.gov/pacific/migratorybirds/mbta.htm.

- If project vicinity is on tribal lands, the Tribal governments should be consulted for sensitive biological resources, and concurrence or directives should be included with CE documentation.

_____**S.** **IMPACTS ON SAFETY AND SECURITY: Describe the measures that would need to be taken to provide for the safe and secure operation of the project after its construction.**

_____**T.** **IMPACTS CAUSED BY CONSTRUCTION: Describe the construction plan and identify impacts due to construction noise, utility disruption, debris and soil disposal, invasive plant species, air and water quality, safety and security, and disruptions of traffic and access to property. If applicable, please include any National Pollutant Discharge Elimination System best practice measures (http://cfpub.epa.gov/NPDES/).**

_____**U.** **PERMITS/VARIANCES/COMMITMENTS REQUIRED: Please indicate and describe if any of the following will be required for project implementation: U.S. Coast Guard Permit; Forest Service/USACE Land; Clean Water Act Section 404 Permit; Tennessee Valley Authority Permit; Stream Buffer Variance; Coastal Zone Management Coordination; NPDES; Cemetery Permit; and other permits and commitments as required by local and/or state governments. If required, describe the appropriate stage (before, during or after construction).**

- NPDES Permit is required if project vicinity in a unique or impaired watershed. Include the name of the water and coordinate with EPA and relevant state agency to identify applicable best management practices, and add the mitigation to narrative, and concurrence if appropriate: http://iaspub.epa.gov/waters10/attains_nation_cy.control?p_report_type=T#imp_water_by_state.

**Figure 14-6 FTA Region IV Categorical Exclusion Checklist (Page 8 of 9)**

**The action described above meets the criteria for a NEPA categorical exclusion (CE) in accordance with 23 CFR Part 771.118(d) ( -insert # here, as appropriate- or include appropriate reference to 771.117(d)(#) for joint FTA/FHWA DCE).**

_____ _____
**Primary Applicant's Environmental Reviewer** **Date**

**Agency:**_____

_____ _____
**Secondary Applicant's Environmental Reviewer** **Date**

**Agency:**_____

_____ _____
**Federal Transit Administration** **Date**

**Figure 14-6 FTA Region IV Categorical Exclusion Checklist (Page 9 of 9)**

**Volume I: Environmental Impact Statement**

Cover Page
Signature Page
Abstract
Contact Information and Notice of Availability
Table of Contents
List of Tables
List of Figures
Glossary of Terms
Acronyms
Executive Summary

Chapter 1 - Purpose and Need

a) Project Study Area
b) Project Background
c) Project Purpose
d) Project Need
e) Need for Improvements
f) Goals and Objectives

Chapter 2 - Alternatives Considered

a) Alternatives Development Process
b) Draft EIS Scoping Process
c) Alternatives Not Recommended for Further Study
d) Alternatives Advanced for Further Study
e) Locally Preferred Alternative Selection Process
f) Description of Locally Preferred Alternative

Chapter 3 - Transportation Analysis

a) Transit Conditions
b) Freight Rail Conditions
c) Traffic Conditions
d) Pedestrians and Bicycles
e) Parking, Driveways, and Loading Zones
f) Aviation
g) Ports and Navigable Waterways

**Figure 14-7 Environmental Impact Statement Outline**

Chapter 4 - Community and Social Analysis

a) Land Use Plan Compatibility
b) Community Facilities/Community Character and Cohesion
c) Displacement of Residents and Businesses
d) Cultural Resources (Historic and Archaeological Resources)
e) Parks and Recreation Areas
f) Visual/Aesthetics
g) Economic Impacts
h) Safety and Security

Chapter 5 - Physical and Environmental Analysis

a) Utilities
b) Floodplains
c) Water Resources
d) Water Quality and Stormwater
e) Geology, Soils, and Topography
f) Hazardous Materials and Contamination
g) Noise
h) Vibration and Ground Borne Noise
i) Ecology (Habitat, Threatened and Endangered Species)
j) Air Quality
k) Energy

Chapter 6 - Indirect and Cumulative Impacts

a) Introduction
b) Methodology
c) Reasonably Foreseeable Future Actions
d) Potential Indirect Effects and Cumulative Impacts

Chapter 7 - Environmental Justice Analysis

a) Introduction and Regulatory Overview
b) Methodology
c) Environmental Justice Context of Project Study Area
d) Community Engagement
e) Environmental Justice Impacts
f) Environmental Justice Analysis Conclusions

**Figure 14-7 Environmental Impact Statement Outline (Page 2 of 3)**

Chapter 8 - Section 4(f) Evaluation

a) Introduction and Regulatory Overview
b) Alternatives Evaluation and Description of the Project
c) Identification of Properties Protected by Section 4(f)
d) Direct Use of Section 4(f) Properties
e) Temporary Occupancy of Section 4(f) Properties
f) Preliminary Determination of Section 4(f) Use

Chapter 9 - Consultation and Coordination

a) Community Engagement Approach
b) Summary of Community Engagement Activities
c) Agency Coordination
d) Section 106 Consultation
e) Other

Chapter 10 - Financial Considerations

a) Capital Cost Estimate
b) Operations and Maintenance Costs
c) Sources of Funding

Chapter 11 - Evaluation of Alternatives

a) Evaluation Framework and Methodology
b) Key Differentiators for Alternatives
c) Locally Preferred Alternative
d) Next Steps

Appendix A: List of Recipients
Appendix B: List of Preparers
Appendix C: Sources and References
Appendix D: Agency Correspondence
Appendix E: Conceptual Drawings

**Volume II: Supporting Technical Reports (list reports only and include copies on a CD attached to inside cover of EIS)**

**Figure 14-7 Environmental Impact Statement Outline (Page 3 of 3)**

# ENVIRONMENTAL RE-EVALUATION CONSULTATION

**Note: The purpose of this worksheet is to assist sponsoring agencies in gathering and organizing materials for re-evaluations required under the National Environmental Policy Act (NEPA). It is designed to provide FTA with information needed to do a re-evaluation. In lieu of the worksheet, the sponsoring agency may submit the same information in a different format. Submission of the worksheet by itself does not meet NEPA requirements. FTA must concur in writing with its determination and/or the sponsoring agency's NEPA recommendation. Contact the FTA Region 4 Planner if you have any questions regarding this worksheet. We strongly encourage you to contact us to discuss your project changes before you fill out this worksheet.**

| | |
|---|---|
| *For Agency Use*<br>*Date Received:* | |
| *Recommendation by Planner or Engineer:*<br>☐ *Accept* ☐ *Return for Revisions*<br>☐ *Not Eligible* | *Reviewed By:*<br>*Date:* |
| *Comments:* | |
| *Concurrence by Regional Counsel:*<br>☐ *Accept Recommendation* ☐ *Return with Comments* | *Reviewed By:*<br>*Date:* |
| *Comments:* | |
| *Concurrence by Approving Official:* | *Date:* |

Please answer the following questions, fill out the impact chart and attach project area and site maps. Using a site map from the previously approved NEPA document, show project changes using a different color. Include additional site maps to help reviewer understand project changes.

| **PROJECT TITLE** |
|---|
| |

| **LIST CURRENT, APPROVED ENVIRONMENTAL DOCUMENTS (e.g. EIS/ROD, EA/FONSI, BA, RE-EVALUATION, etc.) If Re-evaluation, briefly describe.** | | |
|---|---|---|
| **Title:** | **Date:** | **Type and Date of Last Federal Action** |
| **Title:** | **Date:** | **Type and Date of Last Federal Action** |
| **Title:** | **Date:** | **Type and Date of Last Federal Action** |

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**Figure 14-8 Environmental Re-Evaluation Consultation Worksheet**

**HAS THE MOST CURRENT AND OTHER PERTINENT APPROVED ENVIRONMENTAL DOCUMENTS BEEN *RE-READ* TO COMPARE PROPOSED PROJECT CHANGES?**

☐ **NO (STOP! The most current approved environmental document MUST be re-read prior to completing a re-evaluation.)**

☐ **YES NAME: DATE:**

**IS THE PROJECT CURRENTLY UNDER** ☐ **DESIGN OR** ☐ **CONSTRUCTION?**

**REASON FOR RE-EVALUATION**

**DESCRIPTION OF PROJECT CHANGES OR NEW INFORMATION**

**HAVE ANY NEW OR REVISED LAWS OR REGULATIONS BEEN ISSUED SINCE APPROVAL OF THE LAST ENVIRONMENTAL DOCUMENT THAT AFFECTS THIS PROJECT? If yes, please explain.**

☐ **NO**
☐ **YES**

**WILL THE NEW INFORMATION HAVE THE POTENTIAL TO CAUSE A CHANGE IN THE DETERMINATION OF IMPACTS FROM WHAT WAS DESCRIBED IN THE ORIGINAL ENVIRONMENTAL DOCUMENT FOR ANY OF THE AREAS LISTED BELOW?** For each impact category, please indicate whether there will be a change in impacts. For all categories with a change, continue to the table at the end of this worksheet and provide detailed descriptions of the impacts as initially disclosed, new impacts and a discussion of the changes. The change in impact may be beneficial or adverse.

| | | |
|---|---|---|
| **Transportation** | ☐ **Yes** | ☐ **No** |
| **Land Use and Economics** | ☐ **Yes** | ☐ **No** |
| **Acquisitions, Displacements, & Relocations** | ☐ **Yes** | ☐ **No** |
| **Neighborhoods & Populations (Social)** | ☐ **Yes** | ☐ **No** |
| **Visual Resources & Aesthetics** | ☐ **Yes** | ☐ **No** |
| **Air Quality** | ☐ **Yes** | ☐ **No** |
| **Noise & Vibration** | ☐ **Yes** | ☐ **No** |
| **Ecosystems (Vegetation & Wildlife)** | ☐ **Yes** | ☐ **No** |

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**Figure 14-8 Environmental Re-Evaluation Consultation Worksheet (Page 2 of 7)**

| | | |
|---|---|---|
| **Water Resources** | ☐ Yes | ☐ No |
| **Energy & Natural Resources** | ☐ Yes | ☐ No |
| **Geology & Soils** | ☐ Yes | ☐ No |
| **Hazardous Materials** | ☐ Yes | ☐ No |
| **Public Services** | ☐ Yes | ☐ No |
| **Utilities** | ☐ Yes | ☐ No |
| **Historic, Cultural & Archaeological Resources** | ☐ Yes | ☐ No |
| **Parklands & Recreation** | ☐ Yes | ☐ No |
| **Construction** | ☐ Yes | ☐ No |
| **Secondary and Cumulative** | ☐ Yes | ☐ No |

**Will the changed conditions or new information result in revised documentation or determination under the following federal regulations?**

| | | |
|---|---|---|
| **Endangered Species Act** | ☐ Yes | ☐ No |
| **Magnuson-Stevens Act** | ☐ Yes | ☐ No |
| **Farmland Preservation Act** | ☐ Yes | ☐ No |
| **Section 404-Clean Water Act** | ☐ Yes | ☐ No |
| **Floodplain Management Act** | ☐ Yes | ☐ No |
| **Hazardous Materials** | ☐ Yes | ☐ No |
| **Section 106 National Historic Preservation Act** | ☐ Yes | ☐ No |
| **Uniform Relocation Act** | ☐ Yes | ☐ No |
| **Section 4(f) Lands** | ☐ Yes | ☐ No |
| **Section 6(f) Lands** | ☐ Yes | ☐ No |
| **Wild & Scenic Rivers** | ☐ Yes | ☐ No |
| **Coastal Barriers** | ☐ Yes | ☐ No |
| **Coastal Zone** | ☐ Yes | ☐ No |
| **Sole Source Aquifer** | ☐ Yes | ☐ No |
| **National Scenic Byways** | ☐ Yes | ☐ No |
| **Other** | ☐ Yes | ☐ No |

**If you checked yes to any of these, describe how the changes impact compliance and any actions needed to ensure compliance of the new project:**

**Will these changes or new information likely result in substantial public controversy?**

☐ Yes ☐ No

**Comments:**

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**Figure 14-8 Environmental Re-Evaluation Consultation Worksheet (Page 3 of 7)**

**COMMENTS:**

**CONCLUSIONS AND RECOMMENDATIONS:**

**LIST OF ATTACHMENTS:**

**SUBMITTED BY:**
By signing this, I certify that to the best of my knowledge this document is complete and accurate.

| Name<br><br>Title | Date |
|---|---|

Submit two paper copies of this form, attachments, and a transmittal letter recommending a NEPA finding to the address below. Or you may submit one electronic version to the appropriate FTA Region 4 Planner. When the document is approved, FTA may request additional copies.

Federal Transit Administration, Region 4
230 Peachtree Street, Suite 800
Atlanta, GA 30303-1512

phone: (404) 865-5600
fax: (404) 865-5605



**Figure 14-8 Environmental Re-Evaluation Consultation Worksheet (Page 4 of 7)**

| Impact Category | Impacts as Initially Disclosed | New Impacts | Change in Impacts |
|---|---|---|---|
| **Sample—Water Resources/Impervious Surface/** | Initial design included 0.60 acres of new impervious surface for the parking lot. | Modified design changes the striping pattern and results in 0.75 acres of new impervious surface. | The new design results in 0.15 more impervious surface than initially planned. |
| | | | |
| **Transportation** | | | |
| | | | |
| **Land Use and Economics** | | | |
| | | | |
| **Acquisitions, Displacements, & Relocations** | | | |
| | | | |
| **Neighborhoods & Populations (Social)** | | | |
| | | | |
| **Visual Resources & Aesthetics** | | | |
| | | | |
| **Air Quality** | | | |

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| | | | |
|---|---|---|---|
| | | | |
| **Noise & Vibration** | | | |
| | | | |
| **Ecosystems (Vegetation & Wildlife)** | | | |
| | | | |
| **Water Resources** | | | |
| | | | |
| **Energy & Natural Resources** | | | |
| | | | |
| **Geology & Soils** | | | |
| | | | |
| **Hazardous Materials** | | | |
| | | | |

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| | | | |
|---|---|---|---|
| **Public Services** | | | |
| | | | |
| **Utilities** | | | |
| | | | |
| **Historic, Cultural & Archaeological Resources** | | | |
| | | | |
| **Parklands & Recreation** | | | |
| | | | |
| **Construction** | | | |
| | | | |
| **Secondary and Cumulative** | | | |
| Other | | | |
| | | | |
| | | | |

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**Figure 14-8 Environmental Re-Evaluation Consultation Worksheet (Page 7 of 7)**