

PART 1, CHAPTER 6

ENVIRONMENTAL ASSESSMENT

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PART 1, CHAPTER 6

ENVIRONMENTAL ASSESSMENT

6.1 OVERVIEW

An Environmental Assessment (EA) is prepared when the significance of the environmental impacts associated with a project are unknown. The preparation of an EA begins after Federal Highway Administration (FHWA) determines it is the appropriate Class of Action (COA). FHWA calculates the EA time frame from the moment the COA is approved through Location and Design Concept Acceptance (LDCA).

If at any point in the EA process, before LDCA, it is determined that the project will result in significant impacts, an Environmental Impact Statement (EIS) must be prepared. Significance is identified by the Florida Department of Transportation (FDOT) or FHWA, but the final determination is made by FHWA. If an EIS is needed, a Notice of Intent (NOI) must be completed. It is important when writing the scope of services for an EA not to assume that the decision will be a Finding of No Significant Impact (FONSI), but rather recognize the result could be either a FONSI or conversion to an EIS. If after completing the EA, it is determined there are no significant impacts resulting from the project, a FONSI is prepared. See [Part 1, Chapter 2, Federal Highway Administration Class of Action Determination](#) for guidance on significance.

An EA is prepared by following the procedures in this chapter. Concurrent with the preparation of an EA, a public involvement plan is developed and administered in accordance with procedures in [Part 1, Chapter 11, Public Involvement](#). For Local Agency Program (LAP) projects, FDOT provides oversight and is the liaison with FHWA. **Figure 6-1** shows the EA process.

The EA should be a concise document that:

1. Briefly provides sufficient evidence and analysis for determining whether to prepare a FONSI or an EIS
2. Aids in complying with the **National Environmental Policy Act (NEPA)** and other applicable federal environmental laws, regulations, and Executive Orders when an EIS is not necessary
3. Facilitates preparation of an EIS when one is necessary

A project file is to be maintained during the **NEPA** process to compile an Administrative Record of decisions made. The Districts should maintain accurate and up-to date project files throughout the project and include all decision-making materials.

For EAs, a public hearing is conducted to comply with **23 CFR 771.119** and **Section 339.155(5), Florida Statutes (F.S.)**. After the public hearing, if no significant impacts are associated with the project, a FONSI is prepared in accordance with [Part 1, Chapter 7, Finding of No Significant Impact](#). If significant impacts are determined as a result of the public hearing process, a Draft Environmental Impact Statement (DEIS) is prepared in accordance with [Part 1, Chapter 8, Draft Environmental Impact Statement](#).

6.2 PROCEDURE

6.2.1 Format and Sequence of Topics

Figure 6-3 lists topics for inclusion in the EA. These subcategories are based on federal laws, regulations, and Executive Orders. The topics that are required in the EA, include the Project Description and Purpose and Need, Alternatives Considered, Impacts, Comments and Coordination, and Commitments. The Commitments section should provide commitments made to date and be the same as those recorded on the [Project Commitment Record \(PCR\), Form No. 700-011-35](#) in accordance with [Procedure No. 700-011-035, FDOT Commitment Tracking](#). The “Impacts” topics are discussed in the EA, if applicable. They should identify project impacts and address comments provided by the Environmental Technical Advisory Team (ETAT) during EST screening. Preparation of the document entails following the procedures in each of the referenced chapters for all required topics and those topics deemed relevant to the project. Reference chapters in the [Project Development and Environment \(PD&E\) Manual](#) are identified in **Figure 6-3**.

Although the regulations do not set page limits, the Council on Environmental Quality (CEQ) recommends that the length of EAs usually be less than 15 pages (**40 Most Asked Questions Concerning CEQ’s NEPA Regulations**). This implies that the document should be to the point and focused on the relevant issues or resources where the significance of the impacts is in question. Comments submitted from the ETAT during EST screening should be used to focus the content of the EA. To be consistent with CEQ guidelines, the EA should use good quality maps and exhibits, incorporate by reference, and summarize background data and analysis.

The EA should demonstrate the project’s fulfillment of FHWA planning consistency requirements in the Project Description and Purpose and Need section of the EA and the **Planning Requirements for Environmental Document Approvals Form** ([Part 1, Chapter 4, Project Development Process](#)). Long Range Transportation Plan (LRTP), Transportation Improvement Plan (TIP), and current State Transportation Improvement Plan (STIP) pages should also be attached to the form and submitted to FHWA. If the project has been segmented for construction or if segmentation is known, it must be identified in the form and associated discussion. A map showing segmentation should

also be included with the form and described in the EA. All consistency requirements must be met prior to requesting LDCA.

6.2.2 Intradepartment and FHWA Review Process

After preparing the EA, the District conducts a quality control review and sends the EA, including any technical support documents to State Environmental Management Office (SEMO). Upon receipt, SEMO will coordinate its 30-day review schedule with the District. SEMO will provide a technical and procedural review of the documents and transmit its comments to the District. The Districts should allow sufficient time in their schedules to address SEMO comments and allow for additional review or coordination.

After SEMO has completed its review and comments have been addressed by the District, SEMO will email its approval to the District. The District then submits the EA to the FHWA for review and approval. The District must contact the FHWA to determine the number of copies needed. FDOT is responsible for submitting all materials to FHWA, such as the EA and all supporting documentation.

The District sends FHWA supporting technical reports that led to the decision and required coordination with another agency such as the ***Conceptual Stage Relocation Plan, Noise Study Report, Contamination Screening Evaluation Report, Preliminary Engineering Report, and Natural Resource Evaluation***. FHWA is also sent a completed ***Planning Requirements for Environmental Document Approvals Form***. For a complete list of technical documents and the planning requirements form, see [Part 1, Chapter 4, Project Development Process](#). A transmittal letter and related reports should accompany the EA. A sample transmittal letter is provided in **Figure 6-2**.

If there are cooperating agencies, the District submits two (2) copies of the EA to each agency for its review and comment. In addition, the cooperating agencies are sent technical documents that pertain to their jurisdiction.

Within thirty (30) days of receipt of the EA, FHWA and the cooperating agencies should review and provide comments to the District. Additional reviews may be required. The FHWA will either provide a statement that the document is not ready for review, or approve the EA for public availability. If FHWA or a cooperating agency submits comments, the District must address the comments and make any necessary revisions.

6.2.3 Actions Taken After FHWA Approval of the Environmental Assessment

One (1) copy of the approved EA and a transmittal letter are forwarded by FHWA to the District. The District makes copies of the EA for public availability and inspection. The District should then upload the approved EA to the EST. If uploaded, an electronic copy of the EA is sent to the Florida State Clearinghouse (SCH) and ETAT agencies. The District may also send the document to other interested state and federal agencies and other stakeholders. If applicable, copies must be sent to the cooperating agencies [e.g., U.S. Coast Guard (USCG), U.S. Army Corps of Engineers (USACE)].

The District places a notice in a local newspaper(s) that the approved document is available for public review, and provides a list of locations where it can be inspected by the public ([Part 1, Chapter 11, Public Involvement](#)). This notice is usually provided in the same advertisement for the public hearing. The public hearing is held a minimum of twenty-one (21) days after the notification of public availability is placed in the local newspaper(s).

Once the EA is approved, the notice of availability provides that all organizations, agencies, and the public have the opportunity to provide input during the 30-day comment period per **23 CFR § 771.119**.

After the public hearing has been held, the comment period has closed, and all issues have been addressed, the District attaches the public hearing transcript and responses to substantive comments to the EA, and prepares a FONSI according to procedures in [Part 1, Chapter 7, Finding of No Significant Impact](#). If significant impacts are determined, a DEIS is prepared in accordance with [Part 1, Chapter 8, Draft Environmental Impact Statement](#).

6.3 REFERENCES

23 CFR § 771.119, Environmental Assessments

Council on Environmental Quality, 40 Most Asked Questions Concerning CEQ's NEPA Regulations, March 16, 1981

Council of Environmental Quality, 1978. Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 43 FR 55978-56007 and 40 CFR Parts 1500-1508

Federal-Aid Policy Guide, 23 CFR 771, Sub chapter H - Right-of-Way and Environment, Part 771-Environmental Impact and Related Procedures, December 9, 1991, Transmittal 1

Federal Highway Administration (FHWA), Technical Advisory T6640.8A, Guidance for Preparing and Processing Environmental and Section 4(f) Documents. October 30, 1987

FHWA guidance on National Environmental Policy Act (NEPA) documentation.
<http://environment.fhwa.dot.gov/projdev/docuea.asp>

Federal Register, Vol. 52, No. 167, Environmental Impact and Related Procedures. August 28, 1987

Florida Department of Transportation (FDOT). 2006. [Efficient Transportation Decision Making \(ETDM\) Manual, Topic No. 650-000-002](#)

6.4 HISTORY

11/1/2002, 1/31/2007, 8/27/2012, 10/21/2013: Pen and Ink to Section 6-2.3,
05/30/2014: Mandatory inclusion of SEMO approval, 5/30/2014

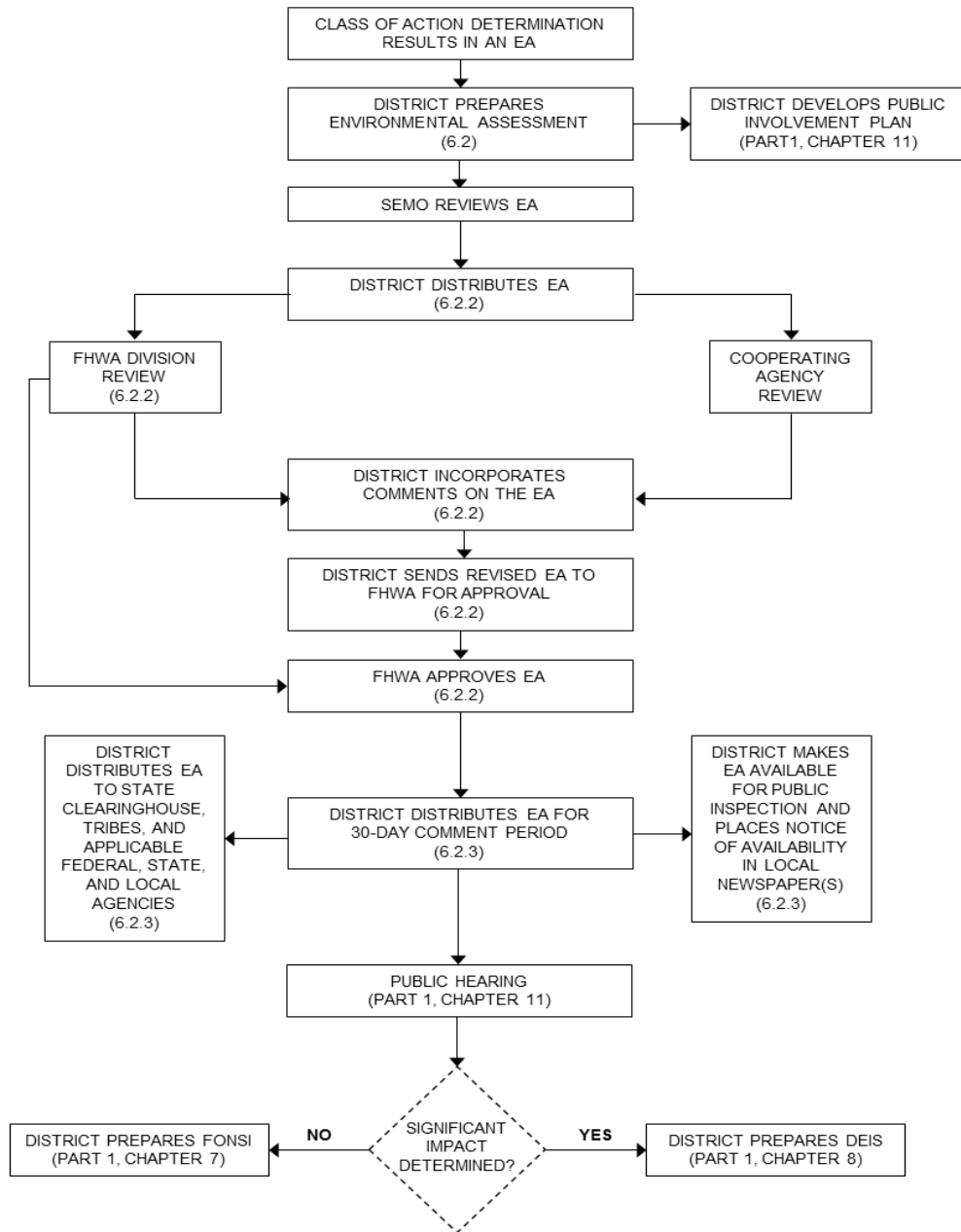


Figure 6-1 Environmental Assessment Process

(DATE)

Division Administrator
Federal Highway Administration
3500 Financial Plaza, Suite 400
Tallahassee, Florida 32312

Subject : Environmental Assessment
Financial Management Number XXXXX-XXXXXX
Federal-Aid Project No. X-XXX(X)-X
Any County, Florida

Dear Name:

Enclosed are _____ copies of an Environmental Assessment for the referenced project as required by the National Environmental Policy Act of 1969 and submitted in compliance with 23 CFR Part 771.

In addition, copies of the Preliminary Engineering Report, Conceptual Stage Relocation Plan, Contamination Screening Evaluation Report, Natural Resources Evaluation, and the Noise Study Report are enclosed as reference material. The Planning Requirements for Environmental Document Approvals Form is also enclosed.

Please advise us if the document is approved, or if there are comments that must be addressed.

Sincerely,

Manager of District office in charge of PD&E
studies as appropriate based on District
organizational structure

Enclosures

cc: Federal-Aid Programs Coordinator

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