

# **PART 1, CHAPTER 10**

## **STATE, LOCAL, OR PRIVATELY FUNDED PROJECT DELIVERY**

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## PART 1 CHAPTER 10

# STATE, LOCAL, OR PRIVATELY FUNDED PROJECT DELIVERY

### 10.1 OVERVIEW

Pursuant to **23 United States Code (U.S.C.) § 327** and the implementing Memorandum of Understanding (MOU) executed on May 26, 2022, the Florida Department of Transportation (FDOT) has assumed and Federal Highway Administration (FHWA) has assigned its responsibilities under the **National Environmental Policy Act (NEPA)** for highway projects on the State Highway System (SHS) and Local Agency Program (LAP) projects off the SHS (**NEPA** Assignment). In general, FDOT's assumption includes all highway projects in Florida which source of federal funding comes from FHWA or which constitute a federal action through FHWA. **NEPA** Assignment includes responsibility for environmental review, interagency consultation and other activities pertaining to the review or approval of **NEPA** actions. Consistent with law and the MOU, FDOT will be the Lead Federal Agency for highway projects with approval authority resting in the Office of Environmental Management (OEM).

This chapter describes the environmental evaluation process for the development of state, local, or privately funded projects. State funded projects are those advanced through the FDOT Work Program using only state transportation allocations, and for purposes of this chapter, do not require FHWA funding or OEM action pursuant to **23 U.S.C. § 327** described above. Proposed projects on the interstate, using interstate right of way (ROW) or using FHWA funds, as well as LAP projects, require preparation of a federal **NEPA** document as described in [Part 1, Chapter 4, Project Development Process](#) and other related chapters of this *Manual*. See [Part III - Chapter 24, Work Program Instructions](#), for additional information.

This chapter focuses on FDOT projects; however, projects on state facilities may also be conducted by a local agency (e.g., county, city), Expressway Authority, or private entity (e.g., developer). The term "lead agency" is used throughout this chapter to mean the agency that is responsible for the project and thus has signature authority on the Environmental Document. The lead agency is not necessarily the funding agency. When a local agency or private entity is the lead agency, FDOT involvement may be required under certain conditions (see [Section 10.2.2](#)).

Environmental evaluations are required for all state funded projects to comply with state and federal laws and FDOT policy. The level of assessment and documentation depends on the nature of the project, the potential for impacts, and the level of FDOT involvement. The type of environmental documentation for state funded projects depends upon the lead agency and the actions being taken.

The State Environmental Impact Report (SEIR) and the **Non-Major State Action Checklist** [for Non-Major State Actions (NMSAs)] serve as documentation for projects when FDOT is the lead agency for these types of projects. For other entities, the

preparation of a Project Environmental Impact Report (PEIR) may serve as the environmental documentation as described in [Section 10.2.2](#).

## 10.2 PROCEDURE

### 10.2.1 Florida Department of Transportation Projects

When FDOT is the lead agency on a project, the District has responsibility for the preparation, review, and approval of the Environmental Document. See [Figure 10-1](#) for a flowchart of the FDOT State, Local, or Privately Funded Project Delivery Process discussed throughout this chapter.

State funded Project Development and Environment (PD&E) studies (as defined in [Section 10.1](#)) for highway projects are documented in the form of a SEIR rather than a federal *NEPA* document. Identification of projects to advance as a SEIR rather than a *NEPA* document may be an outcome of the Statewide Acceleration Transformation (SWAT) process ([Section 10.2.1.2](#)). State funding should be used on projects whenever appropriate ([Part III- Chapter 24, Work Program Instructions](#)). If it is determined that the project will be state funded only, it is assigned a work program identifier of “State Funds Only (SFO)”. The SWAT approach to project delivery is provided in [Part 1, Chapter 4, Project Development Process](#).

#### 10.2.1.1 Efficient Transportation Decision Making Screenings

The Efficient Transportation Decision Making (ETDM) Coordinator is provided a list of projects which should complete an ETDM Screening, generally as a result of the SWAT Planning meeting conducted during the annual five-year Work Program development cycle. The District decides whether to initiate an ETDM Planning Screen or Programming Screen event, based on project complexity, intended outcome of the event, as well as funding considerations and project implementation schedule. ETDM Planning Screen events may have been previously completed when considering projects during Long Range Transportation Plan updates. It is recommended that the ETDM Programming Screen be completed one year before the year in which PD&E phase funds are programmed. When entering information into the Environmental Screening Tool (EST), there is an option to select state or federal funding, see [Part III - Chapter 24, Work Program Instructions](#) and [Part 1, Chapter 4, Project Development Process](#).

The analysis and documentation completed for a state funded PD&E project is typically a SEIR. Information available from the ETDM Planning Screen may facilitate SWAT Planning Meetings during development of the Tentative Work Program. Information available from the ETDM Programming Screen may facilitate SWAT Kick-Off Meetings prior to the PD&E Study scope of services development. In this way, the ETDM Screening event results may be used to inform further project planning, project scoping and other SWAT activities prior to initiation of PD&E.

An Advance Notification (AN) is circulated for qualifying state funded projects ([Chapter 2, ETDM Manual, Topic No. 650-000-002](#)) prior to PD&E Study initiation either with or

subsequent to the ETDM Programming Screen event. The project does not require a Federal Consistency Review with the State Clearinghouse as part of the AN ([Part 2, Chapter 14, Coastal Zone Consistency](#)). If a federal permit is needed for the project, Coastal Zone Consistency is typically provided as part of the Environmental Resource Permitting process.

### 10.2.1.2 Statewide Acceleration Transformation Team and State Funded Projects

The SWAT process is a project management approach that streamlines FDOT's project delivery process through early coordination and communication among the different functional disciplines within the District when identifying projects for funding and scoping in the planning process. All state and federally funded projects should be evaluated through the SWAT process to determine project parameters for funding, scope of work, programming, and scheduling. The SWAT process promotes and enhances communication and collaboration within District offices when projects are evaluated for inclusion in the Tentative Work Program. The Districts can adapt the SWAT process to their planning, programming and project scoping processes. See the [FDOT SWAT Training Workbook](#) and other SWAT materials on [OEM's website](#), as well as [Part 1, Chapter 4, Project Development Process](#) for more guidance.

### 10.2.1.3 Documentation of Non-Major State Actions

NMSAs are only required when FDOT is the lead agency, and the project does not require a PD&E Study. Projects that are to proceed as NMSA's are typically identified during the SWAT Planning meeting. NMSAs require an environmental evaluation and completion of the **Non-Major State Action Checklist** through the StateWide Environmental Project Tracker (SWEPT). A sample checklist is provided as a visual in [Figure 10-2](#). See [Section 10.2.1.3.1](#) for instructions on preparing the **Non-Major State Action Checklist**. This checklist documents analysis of environmental impacts in the NMSA and the environmental evaluation is generally done concurrent with the Design phase.

Environmental evaluations are required for state funded projects to comply with state and federal laws and FDOT procedure. Supporting documents or technical reports may need to be prepared for some issues. Coordination with agencies may be needed as well to ensure there are no substantial impacts to environmental resources. If the NMSA project needs a federal permit/action from an agency such as the U.S. Army Corps of Engineers (USACE), U.S. Coast Guard (USCG), U.S. Fish and Wildlife Service (USFWS), or National Marine Fisheries Service (NMFS), follow the federal provisions ([Section 10.2.1.6](#)). In these cases, if the project affects any historic or archaeological resources, then the project has to comply with **Section 106** of the **National Historic Preservation Act (NHPA)**. However, if no federal permit/action is required, consultation with the Florida Division of Historical Resources (FDHR) is required per **Chapter 267, Florida Statutes (F.S.)** (see [Part 2, Chapter 8, Archaeological and Historical Resources](#)).

A NMSA does not require a public hearing but may necessitate public involvement activities in accordance with [Part 1, Chapter 11, Public Involvement](#).

The District Environmental Manager or designee creates, reviews, and approves the **Non-Major State Action Checklist** within SWEPT. The approved **Non-Major State Action Checklist**, as well as the associated analysis and supporting documentation are accessible in the SWEPT project file. When an NMSA is completed before the conclusion of the Design phase, the District should confirm whether a Re-evaluation of the NMSA is necessary before completing the **Environmental Certification for State Funded Project** form in SWEPT. The District Environmental Manager or designee will then complete and approve the **Environmental Certification for State Funded Project** form in SWEPT. A sample form is provided as a visual in [Figure 10-3](#).

### 10.2.1.3.1 Completing the Non-Major State Action Checklist

The **Non-Major State Action Checklist** ([Figure 10-2](#)) should contain the following information:

1. GENERAL INFORMATION: identifies the name of the project, its limits, county, and Financial Management (FM) number(s).
2. PROJECT DESCRIPTION: includes a brief description of the existing conditions, purpose and need if known, and the proposed improvements (i.e., number of lanes, structure, median, and ROW).
3. EVALUATION: provides a list of questions used to document the potential impacts of the project. If any item is marked “Yes”, then it is discussed and determined by the District whether additional evaluation or a SEIR will be necessary. Consideration should be given to potential permitting requirements and needs. If all answers are “No” and the project type is not defined in **Section 339.155(5)(b), F.S.**, as a major transportation improvement, the project is a NMSA. In cases where the District determines that a project with any “Yes” responses will proceed as a NMSA, the rationale is provided in the checklist. Guidance on determining impacts and responding to the questions is provided in the different topic chapters in [Part 2 of the PD&E Manual](#). Generally, these chapters along with the Area of Interest (AOI) Tool in the EST and the preparer’s familiarity with the project area are used to complete this section. A brief summary of the evaluation may be included.

The District Environmental Manager or designee electronically signs the checklist. A list of attachments is included at the end of the checklist with links to the supplemental information such as figures, graphs, and summaries of the evaluation. The District Environmental Manager’s signature on this checklist certifies that environmental analysis has been completed and provides environmental clearance to continue through the project delivery process.

### 10.2.1.4 Documentation of a State Environmental Impact Report

The SEIR should be a concise, focused document based on the results of engineering and environmental analysis and coordination. The level of detail needed can vary and

depends on project specific circumstances. The level of analysis should be sufficient to adequately identify the impacts. The SEIR should address comments provided by the Environmental Technical Advisory Team (ETAT), other agencies, parties, or the public during the ETDM screening and the AN.

The analysis should facilitate coordination with agencies and stakeholders, include opportunities and approaches to mitigation when needed and provide sufficient detail to support the conclusions and scientific and analytical basis for the comparison of alternatives, if applicable. Chapters in [Part 2 of the PD&E Manual](#) detail how to conduct the engineering and environmental analysis, provide guidance on coordination with agencies and stakeholders, and provide specifics on what should be included in the SEIR depending on the level of impact.

The SEIR documents the social and economic, cultural, natural, and physical issues/resources evaluated as part of the project. Additional information for each category is added as attachments or uploaded as Technical Materials. Technical Materials are documents contained under separate cover that are incorporated by reference. They should be referenced in the SEIR and are uploaded to the project file in SWEPT. This includes technical reports [e.g., **Project Traffic Analysis Report (PTAR)**, **Conceptual Stage Relocation Plan (CSR)**, **Natural Resource Evaluation (NRE)**, **Preliminary Engineering Report (PER)**], technical memorandums, and studies.

Documents added as attachments are included in the Appendix and are considered to be a part of the SEIR document. The Appendix contains documents which support the findings of the document. This may include concurrence letters, determinations of effect, and MOUs. Items that are to be included as attachments are specifically identified below. If not specifically identified as an attachment the document should be a Technical Material.

Other considerations for completing a SEIR are as follows:

1. **Historic Resources:** If no federal permit/action is required, consultation with the FDHR is required per **Chapter 267, F.S.**, to address historic or archaeological resources. However, if a federal permit will be required then the project must comply with **Section 106** of the **NHPA**. See [Part 2, Chapter 8, Historic and Archeological Resources](#) and [Section 10.2.1.6](#) for additional guidance.
2. **Protected Species and Habitat:** If no federal permit/action is required, any required consultation with USFWS or NMFS regarding federally listed species occurs under **Section 10** of the **Endangered Species Act (ESA)**. However, if a federal permit will be required, then technical assistance from the USFWS or NMFS should occur and be documented in the SEIR. See [Part 2, Chapter 16, Protected Species and Habitat](#) and [Section 10.2.1.6](#) for additional guidance.
3. **Section 4(f):** Under the state funded project delivery process, **Section 4(f)** does not apply since there is no United States Department of Transportation (USDOT) action; however, coordination with the public entity of jurisdiction of the public recreation area should still occur ([Part 2, Chapter 7, Section 4\(f\) Resources](#)).



For example, coordination with the Florida Department of Environmental Protection (FDEP) is necessary on projects affecting state owned parks or other program areas such as the Florida Forever land acquisition program ([Part 2, Chapter 23, State-owned Upland Conservation Land Coordination](#)).

4. **Water Resources:** SEIRs are not subject to Environmental Protection Agency (EPA) review for sole source aquifers since they do not receive federal financial assistance ([Part 2, Chapter 11, Water Resources](#)).
5. **Farmlands and Coastal Barrier Resources:** Unique and Prime Farmland and Coastal Barrier Resources are not analyzed for SEIR projects since analysis of these resources is only required for federal projects. Agricultural lands that are not subject to the **Farmland Protection Policy Act (FPPA)** are considered in the Land Use Changes subsection.
6. **Planning Consistency:** Planning consistency information is not required for the approval of the SEIR; however, to the extent planning consistency information is available it should be provided as it serves to inform stakeholders and assists in the timely advancement of project funds for the next phase. If planning consistency information is not available, a description of actions required for obtaining planning consistency may be provided.
7. **Alternatives Analysis:** There is no requirement for the analysis of multiple build alternatives, although there may be multiple alternatives if warranted by specific project considerations. There can be just one build alternative in addition to the no-action alternative, if determined appropriate.

The public hearing process outlined in [Part 1, Chapter 11, Public Involvement](#) is followed when preparing a SEIR. Regardless of whether a project is state or federally funded, state law (**Section 339.155, F.S.**) requires a public hearing for the following types of projects: 1) increasing capacity through the addition of new lanes; 2) providing new access to a limited or controlled access facility (new interchanges); and 3) construction of a facility in a new location. It is FDOT's policy to promote public involvement opportunities and information exchange activities in all functional areas using various techniques adapted to local area condition and project requirements ([Public Involvement, Policy No. 000-525-050](#)). For a project which does not require a public hearing, an opportunity for a public hearing may still be provided. It is normally expected that a preferred alternative is chosen prior to the public hearing. If in unusual circumstances a preferred alternative cannot be selected before the public hearing the District should coordinate with OEM. FDOT should provide agencies and the public with an opportunity after approval of the SEIR to review the impacts. For these situations, additional public involvement after the hearing would be expected and could range from another public hearing to a meeting, or a flyer/mailer.

If a public hearing is required, the SEIR should be made available to the public a minimum of 21 days prior to the public hearing. Before the public hearing, the SEIR must be approved for public availability by the District. Notice of the public hearing will be



published in the local newspaper of general circulation and posted on the agency's website and the ***Florida Administrative Register***.

OEM may review the SEIR at the District's request. The District Secretary or designee signs and approves the SEIR within SWEPT and the District circulates it to relevant resource agencies and to offices responsible for the next phase of the project.

The District Environmental Office will also complete and provide the date of the approval on the ***Environmental Certification for State Funded Project*** form. A sample form is provided as a visual in [Figure 10-3](#).

Project commitment coordination is accomplished for state funded projects prior to and during the PD&E phase consistent with [Part 2, Chapter 22, Commitments](#) and [Procedure No. 650-000-003, Project Commitment Tracking](#). Commitments are coordinated and agreed upon by appropriate FDOT functional area representatives.

Project files will be maintained within FDOT's SWEPT application.

#### **10.2.1.4.1 Completing the State Environmental Impact Report Form**

A SEIR form is completed in SWEPT to prepare the SEIR document, which is generated as a PDF after completion of the form. The SEIR documents and concisely summarizes anticipated environmental impacts, coordination and consultation with resource agencies, public involvement, engineering analysis, permit status, commitments and resulting decisions. Commitments are documented for each issue/resource individually or collectively in the Commitments Section of the SEIR. SEIR public availability and public hearing requirements are to be followed as described in [Section 10.2.1.4](#).

**Cover Page:** The Cover Page is only displayed on the SEIR document, not in SWEPT during form preparation. On the Project Information page in SWEPT, information such as the project name or title [including bridge number(s), if appropriate]; project limits; county(ies) involved; project numbers [ETDM Number (if applicable) and FM Number] are automatically populated in the form. There is also a place to identify the Project Manager and Cooperating Agencies. This information is displayed on the Cover Page of the SEIR document along with the nondiscrimination standard statement and the following statement:

*The SEIR reflects consideration of the PD&E Study and the public hearing. (The information on the public hearing is only included if applicable).*

Once the form is completed in SWEPT and approved, the Cover Page will display the signature of the District Secretary or designee. This is an electronic signature that is added during the approval of the form in SWEPT.

When preparing the form, under District Contact Information, add the name, title, address, phone, and email address of the District Contact. This is typically the Project Manager but may be a different District staff person. Also include any consulting firm information, if

applicable. This information is displayed on the second Cover Page of the SEIR document.

**Table of Contents:** A Table of Contents is generated by SWEPT and only visible in the SEIR document.

**Location Map:** In the SEIR form add a project location map which is displayed after the Table of Contents.

## Section 1: Project Information

**1.1 Project Description:** In the Project Description box in the form, briefly describe the proposed action in terms of location, length, and termini of the project and typical section(s). Use appropriate engineering detail to show the number of lanes and their width, major structures, proposed capacity and safety improvements, estimated ROW to be acquired, and construction year (if available). This description should also include existing conditions of the transportation facility, accommodations for pedestrians, bicyclists, and navigational needs as applicable. See [Part 2, Chapter 1, Project Description and Purpose and Need](#) for detailed guidance.

**1.2 Purpose and Need:** Add the purpose and need in the Purpose and Need box in the form. Identify and describe the transportation need(s) and the purpose the project is intended to satisfy (e.g., provide system continuity, alleviate traffic congestion, and/or correct safety or roadway deficiencies). If the project was screened through the EST, update the purpose and need, as appropriate to reflect current project conditions. See [Part 2, Chapter 1, Project Description and Purpose and Need](#) for detailed guidance on preparing the purpose and need.

The form then provides a button to upload documents that will be listed as Technical Materials. There is also a separate button to add attachments to be included in the Appendix.

**1.3 Planning Consistency:** Follow the instructions in the form to prepare the planning consistency table. This information is included to reflect that a project is appropriately described and cost estimates in state and local plans are consistent. It is intended to assist in the timely advancement of project funds and future phases of the project. The status of funding for future phases of the project may be identified in the table. If planning consistency information is not available, a description of actions required for obtaining planning consistency may be provided.

If applicable, add supporting documentation for project planning consistency as an attachment, such as the appropriate Long Range Transportation Plan (LRTP), Cost Feasible Plan (CFP) LRTP, Transportation Improvement Program (TIP), and current State Transportation Improvement Program (STIP) pages.

For future phases (e.g., ROW or Design, and Construction) not currently shown on the referenced plans and programs, this section of the form documents planned steps

towards implementation, including the anticipated fiscal years. This should be coordinated with District Planning staff and may need to be documented in the appropriate plans and programs as well.

Reporting should be the same for projects with segmented implementation, with each segment added to the table. It is important to note that when the project is going to be divided into segments, these segments should be described in the table. For example, if the project is 15 miles long and the first segment is 5 miles, then the table should clearly describe the other segments. It is not sufficient to simply state that the remaining 10 miles may be segmented at some point in the future. For additional clarity, a map showing project segments may also be included with the form. Additional information may also be added in the comment boxes.

More information is available on planning consistency in [Part 1, Chapter 4, Project Development](#) and [Part 2, Chapter 1, Project Description and Purpose and Need](#) as well as the [Guidance for Meeting Planning Requirements for NEPA Approval](#).

The form provides a button to upload documents that will be listed as Technical Materials. There is also a separate button to add attachments to be included in the Appendix.

## Section 2: Environmental Analysis Summary

A summary is automatically generated in the SEIR document based on the responses to the questions when completing the form in SWEPT and reflects if impacts are Substantial, Enhanced, or if there is No Involvement for each issue/resource. This is not shown when completing the form in SWEPT but is displayed when the SEIR document PDF is created.

## Section 3: Social and Economic

When preparing this section, consider social and economic effects in accordance with procedures in [Part 2, Chapter 4, Sociocultural Effects Evaluation](#). Summarize the evaluation completed for the following resources or issues, including minimization and anticipated enhancements:

**3.1 Social:** Summarize the potential for the project to affect community groups, neighborhoods, and variables of local community concern. Consider and describe the likelihood of disproportionate impacts and discuss whether there are any areas of controversy resulting directly or indirectly from the project. Reference results of public hearings or any other public involvement. If applicable, include a summary of information from the **Sociocultural Data Report (SDR)**, and include the report in the project file as Technical Material.

**3.2 Economic:** Summarize the project's potential effect on economic activity in the study area, local area, and region.

**3.3 Land Use Changes:** Summarize the potential for the project to induce secondary

development or change existing land use patterns and discuss the use of agricultural lands that are not subject to the **FPPA**. Add a land use map as an attachment, if applicable.

**3.4 Mobility:** Summarize the project’s potential effect on mobility and accessibility in the study area with emphasis on non-driving population groups (i.e., elderly, young, disabled, and low-income individuals).

**3.5 Aesthetic Effects:** Summarize the project’s aesthetic effects evaluation in accordance with [Part 2, Chapter 5, Aesthetic Effects](#).

**3.6 Relocation Potential:** Identify if relocation potential is present or not present and add the **CSRP** as Technical Material, if applicable. If relocations are anticipated, indicate the number and type of relocatees (residents, tenants, businesses, institutions or community facilities), and discuss the relocation impact to groups protected by nondiscrimination laws. If there is relocation potential, indicate whether comparable replacement housing is available.

The form then provides a comment box to add project commitments applicable to the topics in Section 3. The form provides a button to upload documents that will be listed as Technical Materials. There is a separate button to add attachments to be included in the Appendix.

## Section 4: Cultural Resources

Summarize the evaluation completed for the following issues or resources, including minimization and anticipated enhancements:

**4.1 Florida Historical Resources Act (FHRA), Chapter 267, Florida Statutes (F.S.):** When completing this section of the form, consider potential involvement with properties listed in or eligible for listing in the National Register of Historic Places (NRHP), and if present, indicate whether the resources were found to meet the eligibility criteria for inclusion in the NRHP. If eligible, identify if there is an adverse effect to any of these resources. If there is at least one adverse effect on an eligible resource, select “Adverse Effect” and describe all the resources in the summary box.

Include FDOT’s determination of effects to historic resources and FDHR’s opinion as to this determination. The correspondence providing FDOT’s finding on effects to historic properties; FDHR/State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Office (THPO) opinion on this finding; and any correspondence related to the avoidance, minimization, or mitigation of effects to historic properties, as well as the opinions of the other consulting parties, should be included in the Appendix. Add FDHR/SHPO concurrence letters as attachments along with a resource map as necessary.

**4.2 Section 6(f) of the Land and Water Conservation Fund Act of 1965:** If present, identify, by formal name, all park and recreational properties funded wholly or in part under **Section 6(f)** of the **Land and Water Conservation Fund Act (LWCF)** within

the project study area in the summary. Discuss any project-related impacts to these properties and specifically identify any ROW or other acquisition from these resources which may be required to complete the project. Include **Section 6(f)** supporting documentation. For guidance see [Part 2, Chapter 7, Section 4\(f\) Resources](#).

**4.3 Recreational Areas and Protected Lands:** Identify if there are state-owned conservation lands in the project area subject to review and approval by the Acquisition and Restoration Council (ARC). For guidance see [Part 2, Chapter 23, State-owned Upland Conservation Land Coordination](#). If there are, then describe the resources and how the project may impact them in the summary box. This section also documents involvement with recreational or public lands. Include a summary of impacts and coordination with the Official with Jurisdiction (OWJ) and/or appropriate federal or state land managing agencies [e.g., National Park Service (NPS), FDEP]. Correspondence during this process should be included in the project file.

The form then provides a comment box to add project commitments applicable to the topics in Section 4. There is also a button to upload documents that will be listed as Technical Materials, and a separate button to add attachments to be included in the Appendix.

## Section 5: Natural Resources

Add the **NRE** as a Technical Material if applicable. Summarize the evaluation completed for the following resources, including minimization and anticipated enhancements:

**5.1 Wetlands and Other Surface Waters:** Summarize involvement with wetlands or other surface waters. If present, identify the type of wetlands and other surface waters involved, their approximate acreage, and their overall functional value based on the Uniform Mitigation Assessment Methodology (UMAM), as appropriate in the summary. Add a map of the wetlands and surface waters identifying the location as they relate to the project as an attachment, if applicable. The level of detail of the summary should be sufficient to clearly define wetland involvement, describe interagency coordination, and finalize the findings. See [Part 2, Chapter 9, Wetlands and Other Surface Waters](#) for further guidance. If wetland impacts are anticipated, include a brief discussion of potential mitigation options.

**5.2 Aquatic Preserves and Outstanding FL Waters:** Identify if there are any Aquatic Preserves or Outstanding Florida Waters in the project area and if they will be impacted. Provide the name and potential involvement (i.e., water quality impacts, in water work, ROW needs) in the summary. For guidance see [Part 2, Chapter 11, Water Resources](#). Add any FDEP Aquatic Preserves coordination letters as attachments, if applicable, and any other supporting documentation as Technical Materials.

**5.3 Water Resources:** Summarize water resource involvement or impacts as evaluated and documented in the **Water Quality Impact Evaluation Checklist**,

**Form No. 650-050-37, Pond Siting Report (PSR), or Conceptual Drainage Design Report** in accordance with [Part 2, Chapter 11, Water Resources](#). Summarize best management practices (BMPs) which will be implemented to address potential water quality and stormwater impacts during construction. Add the **PSR** and **Water Quality Impact Evaluation Checklist, Form No. 650-050-37** as Technical Materials.

**5.4 Wild and Scenic Rivers:** If present, identify if the river is impacted or not impacted. If not impacted, identify if the river is a Federally Designated Wild and Scenic River, Study River, river on the Nationwide Rivers Inventory, or Florida Wild and Scenic River and identify the name of the river. In the comment box include details to support this determination and identify if there are any other protected rivers present in the project limits. If they are impacted, identify any Federally Designated Wild and Scenic Rivers, Study Rivers, rivers on the Nationwide Rivers Inventory, or Florida Wild and Scenic Rivers by name, and provide detail in the summary comment box. See [Part 2, Chapter 12, Wild and Scenic Rivers](#) for further guidance. Add any National Parks Service letters or other coordination as Technical Materials, if applicable.

**5.5 Floodplains:** Determine if the 100-year floodplain is present within the project and summarize the project involvement with the floodplain based on the results of the floodplain analysis in accordance with [Part 2, Chapter 13, Floodplains](#). [Part 2, Chapter 13, Floodplains](#) provides a list of summary statements that are appropriate for different scenarios. Provide a summary of the **Location Hydraulics Report (LHR)** and/or **Bridge Hydraulic Report (BHR)**, as applicable. Add the **LHR** and/or **BHR** as Technical Material and add a floodplains map as an attachment as necessary. If the project involves a regulatory floodway, summarize the project's consistency with the floodway and coordination with Federal Emergency Management Agency (FEMA) and local floodway management agencies in accordance with [Part 2, Chapter 13, Floodplains](#).

**5.6 Protected Species and Habitat:** Summarize involvement with protected species and habitat including a brief description of the analysis, mitigation and results of agency coordination or consultation if applicable. For guidance see [Part 2, Chapter 16, Protected Species and Habitat](#). Add the technical assistance letters and concurrence letters from resource agencies as attachments (if required) along with a species and habitat map as necessary.

**5.7 Essential Fish Habitat:** Summarize the potential impacts to Essential Fish Habitat (EFH). If present, identify if there is involvement or if there are adverse effects, provide a summary of the evaluation and technical assistance with NMFS for impacts as appropriate per [Part 2, Chapter 17, Essential Fish Habitat](#). Add EFH correspondence with NMFS as an attachment, if applicable. Since EFH consultation cannot be completed for a state-funded project during the PD&E Phase, select "Consultation in Progress", insert the types of EFH and Habitat Areas of Particular Concern (HAPCs) or reference a table of EFH and HAPC types within the project area, and state that consultation will be completed by the lead agency during the permitting phase.



The form then provides a comment box to add project commitments applicable to the topics in Section 5. There is also a button to upload documents that will be listed as Technical Materials, and a separate button to add attachments to be included in the Appendix.

## Section 6: Physical Resources

Identify if there were any substantial impacts to physical resources or issues and summarize the evaluation completed for the following resources or issues:

**6.1 Highway Traffic Noise:** Identify if it is a Type I or Type III project pursuant to **23 CFR Part 772** and **Section 335.17, F.S.** Summarize the results of noise impacts documented in the **Noise Study Report (NSR)**. The summary should include locations with the predicted noise impacts that have feasible and reasonable abatement, and locations with impacts that have no feasible or reasonable noise abatement alternative per [Part 2, Chapter 18, Highway Traffic Noise](#). Include the **NSR** as Technical Material and add a noise contour map as an attachment, if applicable.

**6.2 Air Quality:** Summarize the potential project impact on air quality in accordance with [Part 2, Chapter 19, Air Quality](#). Add the **Air Quality Technical Memorandum** as Technical Material, if applicable.

**6.3 Contamination:** Summarize project involvement with contamination (based on Level I evaluation) in accordance with [Part 2, Chapter 20, Contamination](#). Include in the summary discussion of known or potentially contaminated sites within or near the project area, measures taken to avoid or minimize impact to contaminated sites and sites that will require additional investigation (Level II or Level III investigation). Include the **Contamination Screening Evaluation Report (CSER)** as Technical Material and add a potential contamination site map as an attachment, if needed.

**6.4 Utilities and Railroads:** Summarize the project's involvement with utilities and/or railroads in accordance with [Part 2, Chapter 21, Utilities and Railroads](#). Add any railroad coordination and/or **Utilities Assessment Package** as Technical Materials.

**6.5 Construction:** Summarize the measures that will be taken to minimize potential construction impacts in accordance with [Part 2, Chapter 3, Engineering Analysis](#).

**6.6 Bicycles and Pedestrians:** Where current pedestrian or bicycle facilities or future facilities are identified, discuss the current and anticipated use of the facilities, the potential impacts, and proposed measures, if any, to avoid or reduce adverse impacts to the facility and its users. Where new facilities are proposed as a part of the project, include sufficient information to explain the basis for providing the facilities (e.g., proposed bicycle facility, desired by the community, is a link in the local plan, or sidewalks will reduce project access impact to the community). Where the preferred alternative would sever an existing major route for non-motorized transportation traffic, provide a reasonable, alternative route or demonstrate that such a route exists in accordance with [Part 2, Chapter 3, Engineering Analysis](#).



**6.7 Navigation:** Identify if the project is within the USCG's jurisdiction in accordance with [Part 1, Chapter 16, United States Coast Guard Projects and Navigation](#). Analysis or coordination to determine USCG jurisdiction should be briefly summarized and include a reference to supporting information. The correspondence, letter for preliminary determination of navigational clearance (if applicable), and other applicable documents should be added as Technical Materials. Include items needed for permitting, if available, and include adequate information throughout the SEIR so that USCG can use it to prepare their own **NEPA** document.

The form then provides a comment box to add project commitments applicable to the topics in Section 6. A button is provided to upload documents that will be listed as Technical Materials, as well as a separate button to add attachments to be included in the Appendix.

## Section 7: Permits

Identify if there are environmental permits anticipated for the project. Select the appropriate permit types listed on the form and indicate status (e.g., to be acquired, application submitted, permit received). Local or other permit types may also be added if needed for the project. If there are no permits anticipated, indicate that on the form. For guidance on environmental permits see [Part 1, Chapter 12, Environmental Permits](#). This section is displayed in the SEIR document as a list of permits that are anticipated for the project.

## Section 8: Engineering Analysis Support

Add the title of the document that includes the engineering analysis to support the SEIR [e.g., **PER**, **PTAR**, **Bridge Development Report (BDR)**] and add that document as Technical Material. For guidance on preparing the Engineering Analysis see [Part 2, Chapter 3, Engineering Analysis](#).

The form then provides a button to upload documents to be listed as Technical Materials for Section 8.

## Section 9: Commitments Summary

In the Commitments Summary section of the form, add commitments not already included when preparing the previous sections of the form. Refer to [Part 2, Chapter 22, Commitments](#) for guidance on commitments. The SEIR document displays a list of commitments that were entered into the form in SWEPT. Commitments should be transmitted to the next phase of project development in accordance with [Procedure No. 650-000-003, Project Commitment Tracking](#).

## Section 10: Approved for Public Availability

This section of the SEIR includes the signature of the Environmental or Project Development Manager and the date signed. The signature confirms that the document has completed a quality assurance/quality control (QA/QC) review and is

approved for public availability. This signature is obtained electronically during preparation of the form in SWEPT.

## Section 11: Public Involvement

Add the **Public Involvement Plan (PIP)** as Technical Material. Or in cases where a **Community Awareness Plan (CAP)** was prepared, include a document explaining why a **CAP** was prepared instead of a **PIP**. These documents are finalized when the SEIR is approved. Summarize the public involvement activities, including those outside of the public hearing (e.g., kickoff meetings, public information meetings, newsletters, flyers, and small group meetings). Identify if the project meets the definition of major transportation improvement pursuant to **Section 339.155(5), F.S.**, and follow the form instructions to document the public hearing, or the process of providing opportunity for a public hearing. The **Public Hearing Transcript** and **Public Hearing Certification, Form 650-050-56** should be added as attachments, when applicable. The draft SEIR displayed for the public hearing should be saved in the project file in SWEPT. For more information on public involvement activities see [Part 1, Chapter 11, Public Involvement](#).

The form then provides a button to add documents that will be listed as Technical Materials. There is also a separate button to add attachments to be included in the Appendix.

## Section 12: Technical Materials:

This section contains a list of Technical Materials that have been prepared to support the SEIR. They were uploaded to the project file when preparing previous sections of the form. The project file should contain the analytical documentation to support the project decisions (Section 5.3). Technical Materials are not attached to the approved SEIR, instead they are referenced.

## Attachments:

This section contains a list of documents that are incorporated into the SEIR. They are included as attachments and are added when preparing each section of the form. These documents are included in the Appendix which is generated upon completion and opening of the SEIR document.

Once completed the form is approved and electronically signed by the District Secretary or designee. This signature appears on the Cover Page of the SEIR document.

### 10.2.1.5 Re-evaluation

A Re-evaluation is needed to document what changes, if any, have occurred in the project since approval. This might include changes in the design, project limits, or scope of a project. Rules or regulation may also have changed since the PD&E Study, circumstances in the project area may have changed or other new information affecting the project may be available. Re-evaluations also update the status of commitments,

coordination, permits, and other relevant information. Documenting these changes helps ensure compliance with applicable federal and state regulations.

Re-evaluations are conducted when:

1. There are major design changes
2. New or additional impacts
3. There are project changes due to changes in law, the passage of time or changes in resource or issue status
4. Advancing to ROW or Construction phase, if longer than one year since approval of the SEIR or last Re-evaluation. Often there may be an overlap of phases, such as right of way and design phases. In this case a re-evaluation could cover both.

A re-evaluation of a SEIR is prepared by using the **State Environmental Impact Report Re-evaluation Form** in SWEPT. Approval will be granted by the District approving authority or designee electronically.

The approved Re-evaluation is maintained in the project file and distributed to Design, ROW, and Construction Offices, or others as appropriate.

### 10.2.1.5.1 State Environmental Impact Report Re-evaluation Form

The **State Environmental Impact Report Re-evaluation Form** ([Figure 10-4](#)) is prepared in SWEPT and includes the following sections:

#### Section 1 – GENERAL PROJECT INFORMATION

This section contains information about the approved SEIR and the segment(s) being advanced. Information provided under this section includes:

- A. **Re-evaluation Type.** Select the appropriate type of Re-evaluation. The options include: ROW, Design Change, and Construction Advertisement. Note that multiple types can be selected.
- B. **Original approved Environmental Document.** Include the date of approval of the originally approved SEIR. The project numbers (e.g., FM and ETDM), project name, and project location will be automatically generated in the form.
- C. **Prior Re-evaluation(s).** Include information on all prior approved Re-evaluation(s) for all project segments including FM number, type of re-evaluation (e.g., ROW, Design Change, and Construction Advertisement), District approval date, and brief description of approval. If there was no previous Re-evaluation, make that selection on the form.
- D. **Project or project segment(s) being evaluated.** Include Project/Segment FM number(s), Project/Segment name, location, type of re-evaluation, identify

letting type (i.e., Design Bid Build or Design Build), and funding type. Some of this information is automatically filled in when the FM number is selected.

## **Section 2 – PROJECT DESCRIPTION**

This section includes a brief summary of the project description, the PD&E selected alternative and/or prior Re-evaluation(s). It describes the project segment(s) being evaluated and includes a brief status of other segments.

## **Section 3 – CHANGES IN APPLICABLE LAW OR REGULATION**

This section includes a summary of changes in federal or state laws, rules, regulations, or guidance that require consideration since the date of the original SEIR or most recent Re-evaluation. If no changes have occurred, select “NO”. If changes have occurred, select “YES”, provide a summary of the changes.

## **Section 4 – EVALUATION OF MAJOR DESIGN CHANGES AND REVISED DESIGN CRITERIA**

This section includes major design changes that have occurred since approval of the original SEIR or most recent Re-evaluation. The extent of the design change(s) and modification of impacts on the project area must be documented.

Examples of design changes include, but are not limited to:

1. Changes in typical section
2. Shifts in roadway alignment including temporary road or Temporary Traffic Control (TTC)
3. Changes in ROW needs (e.g., changes to mainline and/or off site ponds)
4. Changes due to revised design control or criteria
5. New Design Variations or Design Exceptions
6. Changes in drainage/stormwater requirements

If no major design changes have occurred, select “NO”. If changes have occurred, select “YES”, provide a summary of the changes, and as appropriate, upload supporting documentation.

## **Section 5 – PUBLIC INVOLVEMENT**

This section includes a summary of additional public involvement activities (meetings workshops, hearings) completed since the approval of SEIR or most recent Re-evaluation. If no additional public involvement activities have occurred, select “NO”. If public involvement activities have occurred, select “YES”, provide a summary of the activities, and as appropriate, upload supporting documentation.

## Section 6 – PROJECT or SEGMENT(S) PLANNING CONSISTENCY

This section includes updates to information regarding Planning Consistency with the TIP, STIP, and LRTP CFP. This information is intended to inform planning and programming activities in order to assist in the timely advancement of project funds and the next phase of the project.

When updating previous consistency information, both completed and pending planning and programming activities should be identified in the table provided and described in the text of the document. Actions to be taken to complete pending items should also be described in this section. For these types of Re-evaluations, complete the table and include appropriate pages from LRTP/CFP, TIP and STIP as supporting documentation. If more than one segment is being advanced for different phases, this distinction must be specified. This table does not need to include phases which have already occurred, unless funds are programmed in the current or future years. Guidance on how to complete this section is included in [Part 2, Chapter 1, Project Description and Purpose and Need](#).

Planning consistency information should be updated if previously provided. If project planning consistency is not required for the Re-evaluation, make that selection on the form. The **State Environmental Impact Report Re-evaluation Form** will include the following statement:

*Planning Consistency is not required for this Re-evaluation.*

## Section 7 – EVALUATION OF CHANGES IN IMPACTS

This section is used to document the evaluation of changes in impacts to affected issues/resources, as well as impacts to new issues/resources, which may have been identified. The section is divided into Social & Economic, Cultural, Natural, and Physical.

If the issue/resource is not present in the project area, the analyst selects “N/A” for not applicable. If no change to an issue/resource has occurred, the analyst selects “NO”. If a change has occurred for a given issue/resource, then the analyst selects “YES” and provides a summary of the change(s). If additional agency concurrence letters are obtained they are attached to the form. Other documentation depicting the proposed changes (e.g., maps, graphs, figures) may be attached to the form. Updated technical reports or survey reports should only be included in the project file and not attached to the SEIR.

For the following issues/resources updates are required as described in the form:

- Mitigation status – provide an update to mitigation status for protected species and wetland mitigation.
- Highway traffic noise – provide a status update for noise impacts.

- Contamination – provide an update on the status of contamination assessment for sites rated “high” or “medium”. Describe changes in involvement with potentially contaminated sites.

## **Section 8 - COMMITMENT STATUS**

This section provides an update on the status of commitments and any new environmental commitments since approval of the original SEIR or most recent Re-evaluation. If there are no existing or new environmental commitments for the project, the analyst selects “NO” in the corresponding boxes. If there are existing or new environmental commitments for the project, the analyst selects “YES” in the corresponding box(es). New environmental commitments added since the last approval should be listed and added to the **Project Commitment Record (PCR)**. The Districts must review, verify, and update the **PCR** and attach the updated **PCR** to the Re-evaluation. Commitments must be tracked throughout the project, and satisfied at the appropriate phase of the project per [Procedure No. 650-000-003, Project Commitment Tracking](#) and [Part 2, Chapter 22, Commitments](#). It is important that commitments made by FDOT are documented.

## **Section 9 - STATUS OF PERMITS**

This section identifies federal, state, local, or other permits [If delegated or not excluded by **Section 335.02(4), F.S.**] required for the project and provides permit status since approval of the SEIR or last Re-evaluation. The status of the permit(s) should be commensurate with the phase of the project and the type of Re-evaluation. The preparer of the Re-evaluation must coordinate with the District Permit Coordinator to obtain permit status. There is also a box to include a comment/explanation if a permit listed in the original SEIR is no longer required.

## **Section 10 - CONCLUSION**

This section contains a statement about the Re-evaluation of the project, confirms the validity of the findings in the SEIR, new findings (if necessary), and a recommendation for project advancement.

Check the box below:

- The above Environmental Document has been re-evaluated. It is recommended that the project identified herein be advanced to the next phase.

## **Section 11 – DISTRICT REVIEW AND APPROVAL**

The District approving authority or designee will sign the signature line and upload any consultation documentation.

## Section 12 - OEM APPROVAL

This section is not applicable because OEM does not sign SEIR Re-evaluations.

## Section 13 - Links to Supporting Documentation

Supporting information such as concurrence letters and documentation of stakeholder coordination should be listed and linked.

### 10.2.1.6 State Funded Projects with Federal Actions

Federal permits, such as those from USCG or USACE, may be required for state funded projects and may require a **NEPA** document be prepared for one of those federal permitting agencies. In such cases, consultation or technical assistance with the appropriate federal agency(ies) should be performed early. OEM should be contacted with any questions regarding federal coordination on state funded projects. The permitting agency may adopt or modify the FDOT Environmental Document to use as their **NEPA** document or may request that FDOT prepare the permitting agency's **NEPA** document, depending on the results of coordination.

If a federal permit/action is required, **Section 106** of the **NHPA** is followed to address historic or archaeological resources (see [Part 2, Chapter 8, Archaeological and Historical Resources](#)) and **Section 7** of the **ESA** is followed for federally listed species involvement (see [Part 2, Chapter 16, Protected Species and Habitat](#)).

### 10.2.2 Local or Privately Funded Projects

**Section 334.30(3), F.S.**, provides "Each private transportation facility constructed pursuant to this section shall comply with all requirements of federal, state, and local laws; state, regional and local comprehensive plans; department rules, policies, procedures and standards for transportation facilities; and any other conditions which the department determines to be in the public's best interest." Unsolicited public-private transportation projects must also comply with **Chapter 14-107, Florida Administrative Code (F.A.C.)**.

Construction of permanent features in FDOT ROW, performed and fully funded by others (with no FHWA funding or involvement), requires execution of an **FDOT Construction Agreement, Form No. 850-040-89**. The local or private entity must apply for a **FDOT Construction Agreement, Form No. 850-040-89** through FDOT's District Maintenance Office. The Construction Agreement application package should include evidence of acquisition of all applicable federal and state environmental permits. For local agency or private entity projects, the role of the District's Environmental Office is to provide support in an advisory capacity as necessary to assist in advancing the project. Completion of environmental analysis and documentation, by the applicant, prior to environmental permit application, may follow the same process and format as a NMSA or SEIR; however, the local agency or private entity should recognize that these document types are reserved for FDOT funded projects. Instead, the supporting environmental documentation for local and privately funded projects constructed on FDOT ROW, necessary to acquire environmental permits and subsequently an **FDOT Construction**



**Agreement, Form No. 850-040-89**, may be referred to as a PEIR. The PEIR project analysis includes, both environmental and engineering analyses as described the [PD&E Manual, Topic No. 650-000-001](#), as applicable. PEIRs are not prepared or approved by FDOT and therefore not prepared in SWEPT. Although the PEIR is not an FDOT document, it is prepared and approved by the local or private entity to document the same requirements as the SEIR ([Section 10.2.1.4.1](#)). [Figure 10-5](#) provides a PEIR outline.

In cases where a privately or locally funded project is developed under **Chapter 14-107, F.A.C.** and, where jurisdiction will be transferred to FDOT at any time during project development, the District should work with the local agency or private entity to determine whether a PEIR or SEIR is required. If the project is to be transferred to the FDOT, a SEIR is likely the appropriate document. In such cases, the FDOT may coordinate, review and approve a document prepared by a local or private entity as a SEIR within SWEPT. The District should coordinate with the local agency or private entity to determine the level of analysis to satisfy documentation requirements. Prior to commencement of the study, the project sponsor should consult with the District to consider the following:

1. How the PEIR (or SEIR) will be processed
2. How it will be coordinated with FDOT
3. Project schedule
4. How public involvement and public hearing activities will be conducted
5. How the project Re-evaluation will be coordinated with FDOT (see [Section 10.2.1.5](#))

These decisions should be documented in the project file.

A local agency may advance a project through any one of several state funding programs described in **Chapter 339, F.S.**, and FDOT's Work Program Instructions; examples include: County Incentive Grant Program (CIGP), Small County Outreach Program (SCOP), Transportation Regional Incentive Program (TRIP), and Small County Road Assistance Program (SCRAP). For these projects, if state funds only are being used, the local agency may prepare a PEIR to support its acquisition of appropriate environmental permits and satisfy other agreements with the FDOT. The local agency should follow the procedures outlined in this chapter and [Figure 10-5](#) to prepare a PEIR.

There may be instances when a local agency seeks to advance a project with FHWA funds in addition to state program funds and/or local funds. In such cases a federal Environmental Document would generally be prepared by the local agency with FDOT support as deemed appropriate through early project coordination (per [FDOT Local Agency Program Manual, Topic No. 525-010-300](#)).

A thorough understanding of funding sources, system designation, proposed work activity and existing or proposed agreements, such as a Joint Participation Agreement (JPA) or Memorandum of Agreement (MOA), assists in determining if the project should advance

as a PEIR, a SEIR or a federal Environmental Document. A private or local entity may not provide FDOT Environmental Certification to advance a project in the FDOT Work Program, and FDOT should not provide a certification to a private or local entity. At the option of the local agency or private entity, a PEIR project can be screened in the EST, if it satisfies a qualifying project type ([Part 1, Chapter 2, Class of Action Determination for Federal Projects](#)) and the conditions of the *ETDM Screening Matrix for Qualifying Projects* in **Chapter 2**, of the [ETDM Manual, Topic No. 650-000-002](#). The requesting entity should contact the District Environmental Office if they anticipate screening it in the EST.

## 10.3 REFERENCES

Chapter 267, Florida Statutes (F.S.), Historical Resources.

<http://www.leg.state.fl.us/Statutes/>

First Renewal of the Memorandum of Understanding Between FHWA and FDOT Concerning the State of Florida's Participation in the Surface Transportation Project Delivery Program Pursuant to 23 U.S.C. § 327, May 26, 2022.

[https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/environment/pubs/nepa\\_assign/fdot-327-first-renewal-mou-for-comment.pdf?sfvrsn=202c70b4\\_2](https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/environment/pubs/nepa_assign/fdot-327-first-renewal-mou-for-comment.pdf?sfvrsn=202c70b4_2)

FDOT. Efficient Transportation Decision Making (ETDM) Manual, Topic No. 650-000-002. <http://www.fdot.gov/environment/pubs/etdm/etdmmanual.shtm>

FDOT. Local Agency Program Manual, Topic No. 525-010-300

[http://www.fdot.gov/programmanagement/LAP/LAP\\_TOC.shtm](http://www.fdot.gov/programmanagement/LAP/LAP_TOC.shtm)

FDOT. Project Commitment Tracking, Procedure No. 650-000-003. <https://pdl.fdot.gov/>

FDOT. Tentative Work Program- Part III, Chapter 24, Work Program Instructions

Rule 14-107, F.A.C. Public-Private Transportation Facilities

Section 334.30, F.S., Public-private Transportation Facilities.

<http://www.leg.state.fl.us/Statutes/>

Section 338.223, F.S., Proposed Turnpike Projects. <http://www.leg.state.fl.us/Statutes/>

Section 339.125, F.S., Covenants to complete on revenue-producing projects.

<http://www.leg.state.fl.us/Statutes/>

Section 339.155(5), F.S., Procedures for Public Participation in Planning.

<http://www.leg.state.fl.us/Statutes/>

Section 339.61, F.S., Florida Strategic Intermodal System (SIS); legislative findings, declaration, and intent. <http://www.leg.state.fl.us/Statutes/>

## **10.4 FORMS**

FDOT Construction Agreement, Form No. 850-040-89

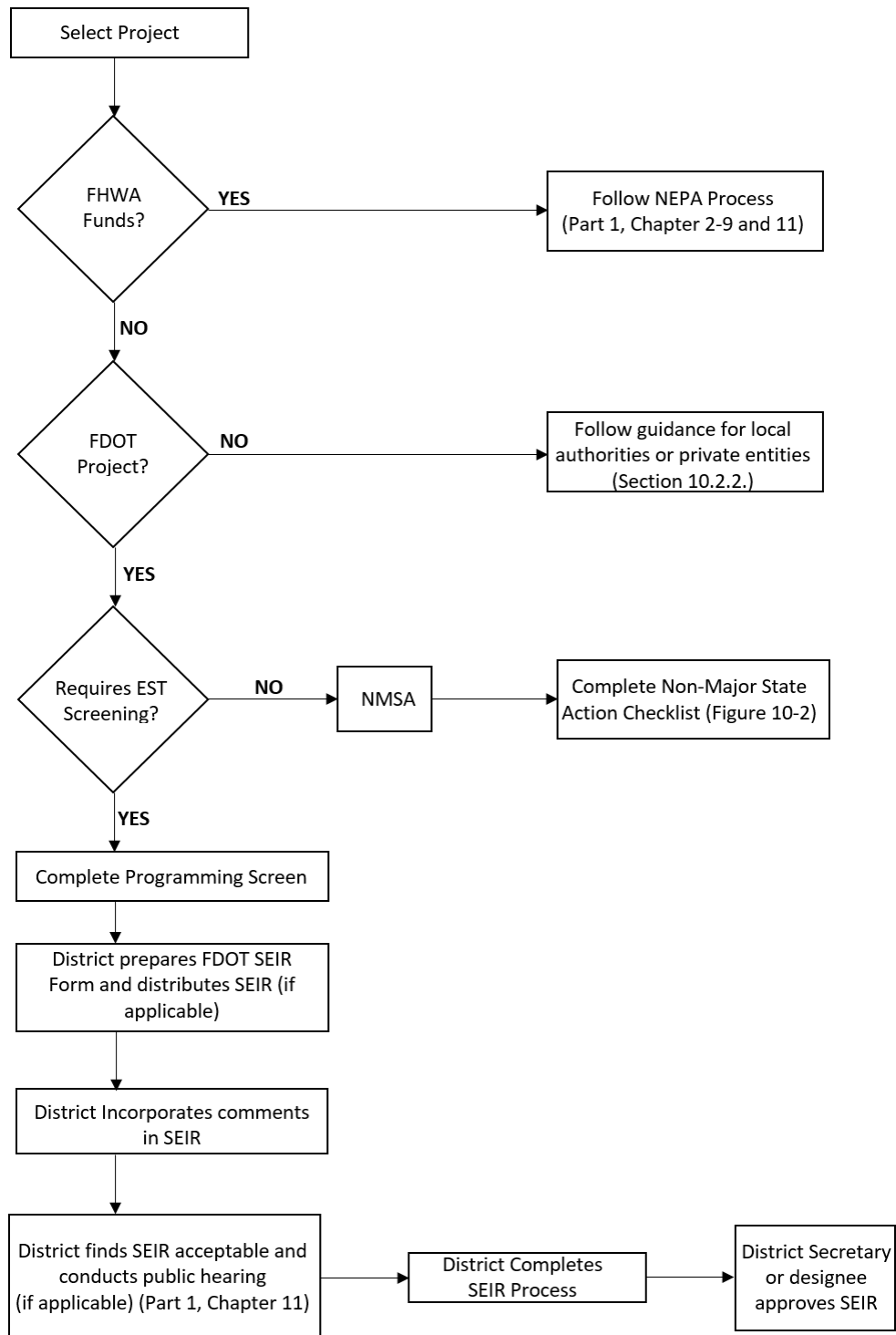
Public Hearing Transcript and Public Hearing Certification, Form 650-050-56

Water Quality Impact Evaluation Checklist, Form No. 650-050-37

FDOT Forms are found in the [Procedural Document Library](#)

## **10.5 HISTORY**

1/10/2001, 5/26/2011, 8/4/2016, 6/14/2017: NEPA Assignment, 1/14/2019, 7/1/2020



**Figure 10-1 FDOT State, Local, or Privately Funded Project Delivery Process**

## NON-MAJOR STATE ACTION CHECKLIST

### 1. GENERAL INFORMATION:

Project Name: \_\_\_\_\_

Project Limits: \_\_\_\_\_

County: \_\_\_\_\_

FM Number: \_\_\_\_\_

### 2. PROJECT DESCRIPTION:

### 3. EVALUATION:

YES NO

\_\_\_ \_\_\_ Is this a transportation project qualifying for ETDM EST screening? (See Part 1, Chapter 2, Class of Action Determination for Federal Projects)

\_\_\_ \_\_\_ Will the project cause adverse impacts to local traffic patterns, property access, community cohesiveness, or planned community growth or land use patterns?  
\_\_\_\_\_

\_\_\_ \_\_\_ Will the project cause adverse impacts to air, noise, or water?  
\_\_\_\_\_

\_\_\_ \_\_\_ Will the project cause impacts to wetlands requiring a federal permit?  
\_\_\_\_\_

\_\_\_ \_\_\_ Will the project cause adverse impacts to navigation requiring a federal permit?  
\_\_\_\_\_

\_\_\_ \_\_\_ Will the project cause impacts to floodplains in accordance with Part 2, Chapter 13: Floodplains of the PD&E Manual?  
\_\_\_\_\_

\_\_\_ \_\_\_ Will the project affect federally endangered or threatened species or their critical habitat?  
\_\_\_\_\_

\_\_\_ \_\_\_ Will the project require more than minor amounts of right of way and result in any residential or non-residential displacements?  
\_\_\_\_\_

**Figure 10-2 Non-Major State Action Checklist**

**YES NO**

\_\_\_ \_\_\_ Are there state-owned conservation lands being acquired in the project area subject to review and approval by the Acquisition and Restoration Council?  
\_\_\_\_\_

\_\_\_ \_\_\_ Are properties protected under Chapter 267, F.S., adversely affected as determined in consultation with the Florida Division of Historical Resources?  
\_\_\_\_\_

\_\_\_ \_\_\_ Does the action have known contamination sites which would have more than a minimal impact to design, right of way, or construction activities once assessed as described in Part 2, Chapter 20, Contamination of the PD&E Manual, and can't be avoided or remediated?  
\_\_\_\_\_

\_\_\_ \_\_\_ Will the project have substantial controversy on environmental grounds?  
\_\_\_\_\_

\_\_\_ \_\_\_ Is a public hearing needed in accordance with Part 1, Chapter 11: Public Involvement of the PD&E Manual and Section 339.155(5)(b), F.S.?  
\_\_\_\_\_

This Checklist is the Environmental Document for a Non-Major State Action. Supporting documents are included in the project file.

The project is not defined in Section 339.155(5)(b) of the Florida Statutes as a major transportation improvement (increasing the capacity of a facility through the addition of new lanes or providing new access to a limited or controlled access facility or construction of a facility in a new location) and based upon this project evaluation, it has been determined that the project is a Non-Major State Action.

District Environmental Manager or designee:

\_\_\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_

**Figure 10-2 Non-Major State Action Checklist (Page 2 of 2)**

## ENVIRONMENTAL CERTIFICATION FOR STATE FUNDED PROJECT

FINANCIAL MANAGEMENT NUMBER: \_\_\_\_\_

ETDM NUMBER (If applicable): \_\_\_\_\_

PROJECT DESCRIPTION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This project is a Non-Major State Action. It was verified on \_\_\_\_\_ and the action remains valid.

This project is a State Environmental Impact Report (SEIR). The SEIR was approved on \_\_\_\_\_.

A re-evaluation in accordance with the FDOT Project Development and Environment Manual Part 1, Chapter 10 was approved on \_\_\_\_\_.

SIGNATURE:

\_\_\_\_\_  
District Environmental Manager or designee

DATE: \_\_\_\_\_

**Figure 10-3 Environmental Certification for State Funded Project Form**



### State Environmental Impact Report Re-evaluation Form

#### 1. GENERAL PROJECT INFORMATION

A. Re-evaluation Type(s): \_\_\_\_\_

B. Original approved Environmental Document

**Document Type:** \_\_\_\_\_

**Date of Approval:** \_\_\_\_\_

**Project Numbers:** \_\_\_\_\_  
 ETDM (if applicable)      Financial Management      Federal-Aid

**Project Name:** \_\_\_\_\_

**Project Location:** \_\_\_\_\_

**Project Limits:** \_\_\_\_\_

C. Prior Re-evaluation(s):

Has this project been previously re-evaluated? Yes [ ] No [ ]

FM Number	Type				Date District Approved	Date Lead Agency Consultation	Date Lead Agency Approved (if applicable)
	PE	DC	ROW	CON			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<b>Description of Approval:</b> (provide a brief detail of re-evaluation changes)							

**Figure 10-4 State Environmental Impact Report Re-evaluation Form**

**D. Project or project segment(s) being evaluated**

FAP Number	FM Number	Project/Segment Name	Project/Segment Location	Type				Project/Segment Letting Type	Funding
				PE	DC	ROW	CON		
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**2. PROJECT DESCRIPTION**

Provide a brief summary of the project description, the PD&E selected alternative and/or prior Re-evaluation(s). Describe the project segment(s) being advanced, and include a brief status of other segments.

**3. CHANGES IN APPLICABLE LAW OR REGULATION**

**Are there changes in federal or state laws, rules, regulations, or guidance that require consideration since the date of the original Environmental Document or subsequent Re-evaluation(s)?** Yes [ ] No [ ]

Describe the changes and as appropriate, upload supporting documentation.

**4. EVALUATION OF MAJOR DESIGN CHANGES AND REVISED DESIGN CRITERIA**

**Are there major design changes, including but not limited to changes in the alignment(s), typical section(s), drainage/stormwater requirements, design control and criteria, or temporary road or bridge?** Yes [ ] No [ ]

Describe the changes and as appropriate, upload supporting documentation.

**5. PUBLIC INVOLVEMENT**

**Were there additional public involvement activities?** (Meetings, workshops, hearings)  
 Yes [ ] No [ ]

Describe public involvement activities and, as appropriate, upload supporting documentation.

**Figure 10-4 State Environmental Impact Report Re-evaluation Form (Page 2 of 8)**

### 6. PROJECT or SEGMENT(S) PLANNING CONSISTENCY

Would only be required when updating previous consistency information.

[ ] Planning Consistency is not required for this re-evaluation.

Is Planning Consistency required for this project segment? Yes [ ] No [ ]

Segment FM Number:

<b>Currently Adopted L RTP</b>	<b>CFP-</b>	<b>COMMENTS</b>			
<b>Y/N</b>	(If N, then provide detail on how implementation and fiscal constraint will be achieved)				
<b>Phase</b> Identify phase(s) being authorized (e.g., PE, ROW, and/or Construction)	<b>TIP/STIP</b>	<b>Currently Approved</b>	<b>\$</b>	<b>FY</b>	<b>Comments</b> (If phase completed, make note, otherwise provide comments describing status and activities needed to achieve consistency)
<b>PE (Final Design)</b>	TIP	Y/N	\$		
	STIP	Y/N	\$		

**Figure 10-4 State Environmental Impact Report Re-evaluation Form (Page 3 of 8)**

## 7. EVALUATION OF CHANGES IN IMPACTS

### a. SOCIAL & ECONOMIC

**Are there changes in impacts to the social, economic, land use, mobility, and/or aesthetic effects?** Yes  No  N/A

Describe the changes and, as appropriate, upload supporting documentation.

**Are there changes in right-of-way needs?** Yes  No  N/A

Provide additional details as appropriate.

**Is there a change in anticipated relocation(s)?** Yes  No

Describe the changes and, as appropriate, upload supporting documentation.

### b. CULTURAL

**Are there changes in impacts to cultural resources pursuant to Chapter 267, F.S. (historic sites/districts and archaeological sites)?**

Yes  No  N/A

Describe the changes and, as appropriate, upload supporting documentation.

**Are there changes in impacts to lands purchased under Section 6(f) of the Land and Water Conservation Fund Act?** Yes  No  N/A

Describe the changes and, as appropriate, upload supporting documentation.

**Are there changes in impacts to recreational areas or protected lands?**

Yes [ ] No [ ] N/A [ ]

Describe the changes and, as appropriate, upload supporting documentation.

**c. NATURAL**

**Are there changes in impacts to protected species and habitat, wetlands and other surface waters, and/or essential fish habitat? Yes [ ] No [ ] N/A [ ]**

Describe the changes, and as appropriate, provide update to mitigation status and upload supporting documentation.

**Are there changes in impacts to designated Aquatic Preserves, Coastal Barrier resources, Wild and Scenic Rivers, Nationwide Rivers Inventory Rivers, and/or Outstanding Florida Waters? Yes [ ] No [ ] N/A [ ]**

Describe the changes and, as appropriate, upload supporting documentation.

**Are there changes in impacts to Floodplains or Water Resources?**

Yes [ ] No [ ] N/A [ ]

Describe the changes and, as appropriate, upload supporting documentation.

**d. PHYSICAL**

**Are there changes in Air Quality? Yes [ ] No [ ] N/A [ ]**

Describe the changes and, as appropriate, upload supporting documentation.

**Figure 10-4 State Environmental Impact Report Re-evaluation Form (Page 5 of 8)**

### What is the status of Highway Traffic Noise?

Describe the changes and, as appropriate, upload supporting documentation.

### What is the status of Contamination?

Provide an update on the status of contamination assessment for sites rated “high” or “medium”. Describe the changes in involvement with potentially contaminated sites and as appropriate, upload supporting documentation.

**Are there changes in impacts to Utilities and Railroads?** Yes [ ] No [ ] N/A [ ]

Describe the changes and, as appropriate, upload supporting documentation.

**Are there changes in impacts to Navigation?** Yes [ ] No [ ] N/A [ ]

Describe the changes and, as appropriate, upload supporting documentation.

## 8. COMMITMENT STATUS

**Are there prior commitments from the Environmental Document or previously approved re-evaluation(s)?** Yes [ ] No [ ] If yes, attach PCR.

**Are there new environmental commitments?** Yes [ ] No [ ]

List new environmental commitments added since approval of the original Environmental Document or most recent Re-evaluation. (should be contained within the uploaded PCR)

## 9. STATUS OF PERMITS

**Federal Permit(s):**

**Segment/Descriptor/Status/Date:**

\_\_\_ USACE Section 10 or Section 404 Permit \_\_\_\_\_

\_\_\_ USACE Section 408 \_\_\_\_\_

\_\_\_ USCG Bridge Permit \_\_\_\_\_

**Figure 10-4 State Environmental Impact Report Re-evaluation Form (Page 6 of 8)**

**State Permit(s):**

- DEP or WMD Environmental Resource Permit (ERP) \_\_\_\_\_
- DEP Coastal Construction Control Line Permit \_\_\_\_\_
- DEP National Pollutant Discharge Elimination System Permit \_\_\_\_\_
- FWC Gopher Tortoise Relocation Permit \_\_\_\_\_
- WMD Right of Way Permits \_\_\_\_\_
- State 404 Permit \_\_\_\_\_

**Local Permit(s) (**

if delegated or not excluded by Section 335.02(4), F.S.:

\_\_\_\_\_

**Other Permit(s):**

\_\_\_\_\_

**Comment/explanation if permit listed in original Environmental Document is no longer required.**

Add comment/explanation if permit listed in original Environmental Document is no longer required.

**10. CONCLUSION**

Check the box below:

- The above Environmental Document has been re-evaluated. It is recommended that the project identified herein be advanced to the next phase.

**Figure 10-4 State Environmental Impact Report Re-evaluation Form (Page 7 of 8)**

## 11. DISTRICT REVIEW AND APPROVAL

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/ /

District approving authority or designee Date

## 12. OEM APPROVAL

Not Applicable

## 13. Links to Supporting Documentation

**Figure 10-4 State Environmental Impact Report Re-evaluation Form (Page 8 of 8)**



## PROJECT ENVIRONMENTAL IMPACT REPORT

### 1. PROJECT DESCRIPTION AND PURPOSE AND NEED:

a. Project Information:

Project Name: \_\_\_\_\_

Project Limits: \_\_\_\_\_

County: \_\_\_\_\_

ETDM Number (If applicable): \_\_\_\_\_

Financial Management Number: \_\_\_\_\_

Project Manager: \_\_\_\_\_

b. Proposed Improvements:

c. Purpose and Need:

### 2. ENVIRONMENTAL ANALYSIS

*Issues/Resources	*Substantial Impacts?				**Supporting Information
	Yes	No	Enhance	NoInv	
<b>A. SOCIAL and ECONOMIC</b>					
1. Social	[ ]	[ ]	[ ]	[ ]	_____
2. Economic	[ ]	[ ]	[ ]	[ ]	_____
3. Land Use Changes	[ ]	[ ]	[ ]	[ ]	_____
4. Mobility	[ ]	[ ]	[ ]	[ ]	_____
5. Aesthetic Effects	[ ]	[ ]	[ ]	[ ]	_____
6. Relocation Potential	[ ]	[ ]	[ ]	[ ]	_____
<b>B. CULTURAL</b>					
1. Historic Sites/Districts	[ ]	[ ]	[ ]	[ ]	_____
2. Archaeological Sites	[ ]	[ ]	[ ]	[ ]	_____
3. Recreational Areas and Protected Lands	[ ]	[ ]	[ ]	[ ]	_____
<b>C. NATURAL</b>					
1. Wetlands and Other Surface Waters	[ ]	[ ]	[ ]	[ ]	_____
2. Aquatic Preserves and Outstanding FL Waters	[ ]	[ ]	[ ]	[ ]	_____
3. Water Resources	[ ]	[ ]	[ ]	[ ]	_____
4. Wild and Scenic Rivers	[ ]	[ ]	[ ]	[ ]	_____
5. Floodplains	[ ]	[ ]	[ ]	[ ]	_____

**Figure 10-5 Project Environmental Impact Report**

	*Issues/Resources	Substantial Impacts?				**Supporting Information
		Yes	No	Enhance	NoInv	
6.	Protected Species and Habitat	[ ]	[ ]	[ ]	[ ]	_____
7.	Essential Fish Habitat	[ ]	[ ]	[ ]	[ ]	_____

**D. PHYSICAL**

1.	Highway Traffic Noise	[ ]	[ ]	[ ]	[ ]	_____
2.	Air Quality	[ ]	[ ]	[ ]	[ ]	_____
3.	Contamination	[ ]	[ ]	[ ]	[ ]	_____
4.	Utilities and Railroads	[ ]	[ ]	[ ]	[ ]	_____
5.	Construction	[ ]	[ ]	[ ]	[ ]	_____
6.	Bicycles and Pedestrians	[ ]	[ ]	[ ]	[ ]	_____
7.	Navigation	[ ]	[ ]	[ ]	[ ]	_____

\* Substantial Impacts?: Yes = Substantial Impact; No = No Substantial Impact- the issue/resource is present and considered as potentially involved with the project, but impacts are less than substantial.; Enhance = Enhancement- the project has enhancements or benefits to the issue/resource; NoInv = Issue absent, no involvement- the environmental issue/resource in question is not part of or in any way involved with the project. No supporting documentation is needed if this is selected.

\*\*Supporting information is referenced here and included as attachment(s). Attachments may include coordination letters, memos, maps and summaries of the environmental analysis. Environmental analysis material should be summarized and attached to the form in the order listed. Larger documents, such as technical reports, should be referenced rather than attached.

**3. ANTICIPATED PERMITS**

- Individual Dredge and Fill Permit- USACE or FDEP
- Nationwide Permit- USACE or FDEP
- Bridge Permit- USCG
- Environmental Resource Permit \_\_\_\_\_(FDEP or WMD)
- \_\_\_\_\_

**4. ENGINEERING ANALYSIS**

**5. COMMITMENTS**

**6. SELECTED ALTERNATIVE**

7.  **APPROVED FOR PUBLIC AVAILABILITY (Before public hearing when a public hearing is required)**

\_\_\_ / \_\_\_ / \_\_\_                      **Date**

**Figure 10-5 Project Environmental Impact Report (Page 2 of 3)**

## 8. PUBLIC INVOLVEMENT:

1.  A public hearing is not required.
2.  A public hearing will be held (insert date). This draft document is publicly available and comments can be submitted to (insert entity) until (insert date)

Contact Information:    Contact Name  
                                  Contact Title  
                                  Entity  
                                  Street Address  
                                  City, Florida, zip code  
                                  Phone: (xxx) xxx-xxxx  
                                  Email Address

3.  A public hearing was held on (insert date) and the transcript is available.
4.  An opportunity for a public hearing was afforded and was documented (insert date).

## 9. APPROVAL OF FINAL DOCUMENT

This project has been developed without regard to race, color, national origin, age, sex, religion, disability, or family status.

The final PEIR reflects consideration of the PD&E Study and the Public Hearing.

\_\_\_\_\_  
**Signing Authority**

— / / —  
**Date**