

PART 1, CHAPTER 8

DRAFT ENVIRONMENTAL IMPACT STATEMENT

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PART 1, CHAPTER 8

DRAFT ENVIRONMENTAL IMPACT STATEMENT

8.1 OVERVIEW

Environmental Impact Statements (EISs) should provide full and fair discussion of significant environmental impacts and inform decision makers and the public of reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. This chapter provides guidance for the development of a Draft Environmental Impact Statement (DEIS). See [Part 1, Chapter 2, Class of Action Determination for Federal Projects](#) for guidance on determining if a project requires the preparation of an EIS.

All projects subject to **23 United States Code (U.S.C.) § 139** are required to be tracked on the Permitting Dashboard established under **42 U.S.C. § 4370m-2(b)**. Under **National Environmental Policy Act (NEPA)** Assignment, the Office of Environmental Management (OEM) enters project schedules for EISs into the Permitting Dashboard. The District is responsible for providing specific project schedule information to OEM as requested. The Permitting Dashboard is updated in accordance with the U.S. Department of Transportation (USDOT) tracking requirements.

8.2 PROCEDURE

The results of the environmental and engineering analyses are used to prepare the EIS. The level of analysis for topics/resources should be sufficient to adequately identify the impacts and address comments provided by the Environmental Technical Advisory Team (ETAT), other agencies, interested parties, or the public during the Programming Screen and/or Advance Notification (AN) process. The analysis should also fulfill the resource agency consultation process, address opportunities and/or approaches to mitigation when needed, and aid in coordination with the public or other interested stakeholders.

At the beginning of the Project Development and Environment (PD&E) phase a **Public Involvement Plan (PIP)** is developed and administered in accordance with procedures in [Part 1, Chapter 11, Public Involvement](#). Public involvement activities take place throughout the PD&E phase and are documented in a **Summary of Public Involvement (SPI)**. See [Part 1, Chapter 11, Public Involvement](#) for more information on public involvement during the PD&E phase.

According to **23 Code of Federal Regulations (CFR) § 771.138(a)**, EISs are required to be completed no later than two years from publication of the **Notice of Intent (NOI)** to the signature date of the Final Environmental Impact Statement (FEIS)/Record of Decision (ROD) or separate ROD. The District must coordinate with OEM if a longer time limit is necessary.

The District coordinates with OEM to determine the timing of the **NOI**. OEM then coordinates with the Federal Highway Administration (FHWA) Division Office for publication of the **NOI** in the **Federal Register (FR)** (see [Section 8.2.2](#)).

A DEIS is prepared by the District in consultation with OEM and includes the results of the environmental and engineering analysis, agency coordination, and public involvement. [Figure 8-1](#) shows the DEIS process.

The following activities are required for EISs, and are conducted by the District in consultation with the Cooperating and Participating agencies before the **NOI** is issued.

1. During project screening through the Efficient Transportation Decision Making (ETDM) Environmental Screening Tool (EST).
 - a. Identify Participating and Cooperating agencies ([Part 1, Chapter 3, Preliminary Environmental Discussion and Advance Notification](#)).
 - b. Identify purpose and need ([Part 2, Chapter 1, Project Description, Purpose and Need, and Planning Consistency](#)).
 - c. Identify potential alternatives ([Part 2, Chapter 3, Engineering Analysis](#) and [Part 2, Chapter 3A, Alternatives Analysis](#)).
 - d. Conduct the Programming Screen and/or prepare the AN ([ETDM Manual, Topic No. 650-000-002](#)).
 1. Begins the coordination process and provides notification to agencies that the project is beginning.
 2. Provides a status of the project as it relates to inclusion in the Cost Feasible Plan of the Long Range Transportation Plan (CFP LRTP), Transportation Improvement Program (TIP), and Current State Transportation Improvement Program (STIP).
 - e. Provide opportunity for public and agency input ([Part 1, Chapter 11, Public Involvement](#)).
 - f. Identify potentially significant environmental issues.
 - g. Identify potential mitigation strategies [Preliminary Environmental Discussions (PEDs) and Agency Comments].
 - h. Develop Coordination Plan.
 1. Fulfilled through agency agreements, project screening, preparation of preliminary project schedule, and permitting timetable.

- i. Develop Project Schedule.
 1. Developed in consultation with OEM, Cooperating, and Participating agencies.
 2. Cooperating and Participating agencies concurrence should be no later than 90 days after publication of the **NOI**.
2. After EST screening and to support the PD&E phase.
 - a. Develop the PD&E Scope of Services based on early internal coordination, ETAT commentary and Environmental Scoping ([Section 8.2.1](#)). This determines the extent of analysis needed for each resource.
 - b. If a formal scoping meeting is held, it must be announced in the **NOI** ([Section 8.2.1](#)).
 - c. Prepare the **PIP** consistent with [Part 1, Chapter 11, Public Involvement](#).
 - d. Initiate applicable resource surveys/studies ([Section 8.2.4](#)).
 - e. Initiate permit activities as soon as possible, such as pre-application processes ([Part 1, Chapter 12, Environmental Permits](#)).

8.2.1 Environmental Scoping Process

The Environmental Scoping Process is a formal process that is required for an EIS, per **23 CFR § 771.123(b)(1)**, and is used to identify the purpose and need, the range of alternatives, reasonably foreseeable impacts, and the significant issues to be addressed in the DEIS. The Environmental Scoping Process begins with ETAT reviews during the ETDM screening events ([ETDM Manual, Topic No. 650-000-002](#)). Pursuant to **49 U.S.C. § 310**, concurrence, or issue resolution (between the Lead Agency and Cooperating Agencies) on the purpose and need statement must be achieved during the Environmental Scoping Process of an EIS, and during development of the EIS on the range of alternatives for analysis. For Florida Department of Transportation (FDOT) projects this occurs during the ETDM screening.

The District may hold a formal scoping meeting(s), publish scoping information, or use other means to communicate with those persons or agencies who may be interested or affected. To determine whether a formal scoping meeting should be held, the District should consider information from the ETDM screening process and input from the agencies, as well as coordinate with OEM. Details on how to conduct a scoping meeting are included in [Part 1, Chapter 11, Public Involvement](#). According to **23 CFR § 771.123(b)(1)**, if a scoping meeting is to be held, it should be announced in the **NOI** and by appropriate means at the state or local level (see [Section 8.2.2](#)).

The results of the ETDM Programming Screen and Environmental Scoping Process are used to identify the affected environment and to focus the environmental analysis in the EIS on the relevant issues. The information gathered is used to develop the Scope of Services for the PD&E phase. The Scope of Services is not the same as the Environmental Scoping Process. See [Part 1, Chapter 4, Project Development Process](#) for guidance on developing a project's Scope of Services.

The EIS must discuss the Environmental Scoping Process, including all meetings held, coordination with participating and cooperating agencies, issues raised, and the District's response and, as appropriate, any commitments. The Environmental Scoping Process is summarized in the Comments and Coordination Appendix ([Section 8.2.4.8.1](#)).

8.2.1.1 Prior Concurrence

For selected projects, "prior concurrence" pursuant to **23 CFR § 771.125(c)** is necessary before proceeding with key approvals under **NEPA**. This process is initiated when either a District or OEM identifies a particular project as being appropriate for prior concurrence to ensure that the project and Environmental Document in question are acceptable from a policy and program perspective. Prior concurrence may apply to the FDOT approvals of a DEIS, FEIS, or a FEIS/ROD. Projects that require prior concurrence will be decided on a case-by-case basis with the prior concurrence determination being made by the Chief Operations Officer, Assistant Secretary for Engineering and Operations or designee, after consulting with the Office of General Counsel (OGC), OEM and the District. Projects appropriate for prior concurrence consideration must meet one or more of the following criteria:

- Impacts of unusual magnitude
- High levels of controversy
- Emerging or national policy issues under development
- Issues for which the District seeks assistance

This identification should occur at the earliest possible time in the project development process, but always before OEM makes its final **NEPA** decision. When the need for prior concurrence is determined, it will be documented through an e-mail initiated by either the District or OEM. The e-mail should identify:

1. The key issues that are involved in the project
2. Any project-specific coordination needs that are to be addressed
3. OEM's role in the pending **NEPA**/project development approvals

4. General time frames for communications between and needed actions by the District and OEM

8.2.2 Preparation of the Notice of Intent

The **NOI** informs stakeholders that an EIS is being prepared for the proposed project and is issued once OEM determines the project proposal is sufficiently developed to allow for meaningful public comment. The District coordinates with OEM on the format and content of the **NOI**. A sample **NOI** is shown in [Guidance for Part 1, Chapter 8](#).

After the District drafts the **NOI**, OEM coordinates with the FHWA Division Office on publication in the **FR**. The **NOI** will not be published in the **FR** until the project schedule has been approved by OEM.

OEM transmits a draft cover letter (see [Guidance for Part 1, Chapter 8](#)) and the **NOI** to FHWA for signature. After obtaining FHWA signatures, FHWA submits to the **FR**. Documents submitted to the **FR** must follow guidance from the Office of the Federal Register's **Document Drafting Handbook**. Publication of the **NOI** begins the **NEPA** process for an EIS. Proof of publication or an **Affidavit of Publication** of the **NOI** must be included in the project file and in the Appendix of the DEIS.

8.2.3 Project Status Fact Sheet

Once the **NOI** is published (EIS start), the project **is not** required to go back through the Programming Screen. Instead, the District will prepare a project status fact sheet, if any of the following events have occurred:

1. The project termini have changed (expanded); or
2. The project concepts have changed resulting in a change in anticipated impact(s).

The project status fact sheet is sent to the same recipients as the Programming Screen Notification and/or AN (whichever is most recent) and includes:

1. Details about the project (project title, ETDM number, Financial Management Number, DEIS number if available)
2. Brief project description including the Class of Action (COA)
3. Brief statement regarding current status of the project, including any changes which have occurred since the original submittal
4. Current project schedule
5. Contact Information

8.2.4 Draft Environmental Impact Statement Preparation

The DEIS should meet legal sufficiency, as well as be analytic, concise, and no longer than necessary to comply with *NEPA*.

The DEIS should include only enough data and technical detail necessary to allow for a reasoned decision to be made, while referencing supplemental materials or placing other technical information in the appendices or project file. Technical reports should be briefly described in the DEIS and included as standalone documents that are incorporated by reference (see [Section 8.2.4.9](#)).

According to *USDOT Order 5610.1D, 13.h* the text of an EIS will not exceed 150 pages, not including citations or appendices. Before the page limit is exceeded, the District must coordinate with OEM.

USDOT Order 5610.1D, 13.h.(4) provides that an EIS must be prepared using an 8.5"x11" format with one-inch margins using a word processor with 12-point proportionally spaced font, single spaced. Footnotes may be in 10-point font. These size restrictions do not apply to explanatory maps, diagrams, graphs, tables, and other means of graphically displaying quantitative or geospatial information. When an item of graphical material is larger than 8.5"x11", each such item counts as one page.

8.2.4.1 Cover Page and Table of Contents

DEIS cover pages are only prepared as electronic forms in the StateWide Environmental Project Tracker (SWEPT). Sample cover pages for DEISs, both with and without a Draft *Section 4(f)* Evaluation, and a sample cover page for a Supplemental DEIS is provided in [Guidance for Part 1, Chapter 8](#).

An EIS number is assigned to the proposed project and included on the DEIS cover page. It is simply a combination of Agency-State-EIS-Year-Document Number-D (for Draft) for example: FHWA-FLA-EIS-17-01-D would be the first DEIS in Florida for the calendar year 2017. The District should contact OEM for assistance when assigning the document number.

The layout of a sample Table of Contents is provided in [Figure 8-2](#).

8.2.4.2 Executive Summary

The Executive Summary describes the proposed action and the conclusions of topic/resource analysis for a project and identifies avoidance, minimization, and/or mitigation measures. The Executive Summary normally will not exceed 15 pages, adequately and accurately summarize the DEIS, and highlight the major conclusions, areas of disputed issues raised by agencies and the public, and the issues to be resolved. Charts, tables, and graphics are an effective and efficient way to summarize alternatives, impacts, and explain mitigation measures. The information in the summary needs to be

verifiable and should not present conclusions, ideas, or information that are not included in the full DEIS. The sections of an Executive Summary for a DEIS include:

Proposed Action: This section describes the proposed project and includes, at a minimum, the ETDM number, Financial Management number, name of the roadway, the project length and termini, a brief description of the existing facility, the type of proposed project including the number of lanes, any special features, and the name of the city, county, and state in which the project is located.

Other Major Government Actions: This section addresses any major local, state, or federal actions proposed by other government entities in the same geographical area as the project. If such actions exist then the authorizing agency is identified, the project described, and the potential for coordination or conflict discussed. Any related correspondence or documentation is referenced.

Alternatives Considered: This section contains a brief discussion of the reasonable alternatives considered, including the No-Build alternative. Each alternative is discussed, including the number of lanes, project limits, and any special features.

Preferred Alternative: This section contains a brief discussion of the preferred alternative.

Major Environmental Impacts: This section provides a brief overview of the major environmental issues addressed in the DEIS. This includes beneficial as well as adverse impacts. Appropriate sections of the DEIS are referenced where additional information is provided.

Areas of Controversy: This section is included when agencies and/or the public raise issues that are considered controversial. Describe and disclose areas of controversy and the steps taken to resolve them to date. Major unresolved issues should also be discussed.

List of Other Government Actions Required: This section describes a list of Federal Actions required for the proposed project. This may include federal permits, land transfers, and **Section 106** agreements.

Irretrievable and Irreversible Commitment of Resources: This section briefly discusses the proposed action's irretrievable and irreversible commitment of resources. This general discussion should broadly describe that the build alternatives would require a similar commitment of natural, physical, human, and fiscal resources.

Measures to Avoid or Minimize Potential Adverse Impact: This section briefly discusses those measures taken to minimize or avoid adverse impacts to the environment. Appropriate sections of the DEIS are referenced and any mitigation measures proposed for the project are briefly outlined.

Short-Term Impacts Versus Long-Term Benefits: This section addresses the short-term effects of the project on the human environment as weighed against the overall long-term benefits of the project. Appropriate sections of the DEIS are referenced.

8.2.4.3 Project Information

The Project Information section of a DEIS should be developed in accordance with [Part 2, Chapter 1, Project Description, Purpose and Need, and Planning Consistency](#).

In the Planning Consistency subsection, information is needed to verify that a project meets the planning requirements in **23 CFR § 450**. The intent is to advance projects derived from transportation plans and clearly describe the steps toward implementation as described in those plans. The DEIS must include information reflecting the status of planning consistency (CFP LRTP, TIP, and Current STIP) and include documentation of planning consistency pages. Documentation of snapshots of the Work Program is not adequate documentation to demonstrate planning consistency. See [FDOT/FHWA Consistency Guidance](#) and [Planning Consistency for NEPA Practitioners](#) for additional planning consistency guidance. Planning consistency should be met prior to Location and Design Concept Acceptance (LDCA).

8.2.4.4 Alternatives

For a DEIS, a reasonable range of alternatives, including the preferred alternative and the No-Build alternative are evaluated according to **USDOT Order 5610.1D, 13.e**. This range includes a Transportation Systems Management and Operations (TSM&O) alternative, and when consistent with the purpose and need, a multi-modal alternative(s).

The Alternatives section of the DEIS includes impacts on the environment from the preferred alternative and other alternatives in a comparative form based on the information and analysis presented in the Environmental Analysis section. The DEIS should identify the preferred alternative to the extent practicable. [Part 2, Chapter 3A, Alternatives Analysis](#) provides guidance on preparing this section of the DEIS using the following subsections, as applicable:

1. Alternatives Development;
2. Alternatives Considered but Eliminated;
3. Alternatives Considered for Additional Study;
4. Comparative Alternatives Evaluation; and
5. Preferred Alternative.

The preferred alternative (or portion thereof) for a project, after being identified, may be developed to a higher level of detail than other alternatives in order to facilitate the

development of mitigation measures or compliance with requirements for permitting. The development of such higher level of detail must not prevent FDOT from making an impartial decision as to whether to accept another alternative that is being considered in the environmental review process. Coordination with the State Environmental Development Engineer is needed prior to developing a preferred alternative to a higher level of detail than other alternatives.

A preferred alternative is typically 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. For these situations, additional public involvement after the hearing could be necessary and could range from another public hearing to a meeting, or a flyer/mailer. See [Part 1, Chapter 11, Public Involvement](#) for details on public involvement activities.

8.2.4.5 Environmental Analysis

The Environmental Analysis section includes discussion of existing conditions of the project area and potential impacts and/or enhancements the project may have on applicable topics/resources. The Table of Contents in [Figure 8-2](#) provides a layout of subsections that should be included in the Environmental Analysis section. [Table 8-1](#) provides references to chapters in [Part 2 of this Manual](#) which provide guidance on addressing each topic/resource. If there are potential impacts, each subsection should include 1) a discussion on the affected environment ([Section 8.2.4.5.1](#)) and 2) a discussion on the environmental consequences for the topic/resource ([Section 8.2.4.5.2](#)). If there is no involvement with, or impact to the topic/resource, some of the chapters listed in [Table 8-1](#) provide standard statements to include in these subsections.

8.2.4.5.1 Affected Environment

Each topic/resource subsection should provide a concise description of the existing social, economic, and environmental setting for the area(s) to be affected or created by the alternatives under consideration, including the reasonably foreseeable environmental trends and planned actions in the area(s). It should contain a general description for the entire project area rather than a separate description for each proposed alternative. Discussion should be in proportion to the significance of the impacts and no longer than is necessary to understand the effects of the alternatives.

Socially, economically, and environmentally sensitive locations or features in the proposed project impact area (e.g., neighborhoods, parks, hazardous material sites, historic resources, wetlands) should be identified on exhibits and briefly described in the text. Certain sensitive resource locations should be protected from being specifically identified (e.g., archeological sites, threatened or endangered species locations).

The discussion should be focused on issues, data, and values which will have a bearing on possible impacts, mitigation measures, and on the selection of an alternative.

Photographs, illustrations, and other graphics should be used with text to provide a clear understanding of the area and the important issues. Information can come from various sources including but not limited to previous studies (planning, feasibility, or corridor studies), ETDM Programming Screen, AN, local knowledge, the Environmental Scoping Process, field reviews, technical documents, and public involvement. This information is typically collected and drafted before the PD&E Study begins.

8.2.4.5.2 Environmental Consequences

The Environmental Analysis section should include a discussion of potential impacts and benefits to topics/resources for each reasonable alternative and describe measures proposed to mitigate adverse impacts. Consistent with FHWA's policy as set forth in **23 CFR § 771.105(c)**, the evaluation of alternatives should include consideration "the reasonably foreseeable social, economic, and environmental impacts of the proposed transportation improvement."

The Environmental Analysis section should provide sufficient detail to support the conclusions and provide the scientific and analytic basis for the comparison of project alternatives. Each topic/resource subheading should describe the potential impacts of the proposed project and the alternatives evaluated. It should also include discussion of enhancements and identify any benefits to the topic/resource. The document should make full use of charts, tables, maps, and other graphics illustrating comparisons between the alternatives and their respective impacts (i.e., costs, residential displacements, noise impacts). Impacts that can be mitigated should be discussed. This section should not duplicate discussions in the Alternatives section.

This section includes:

- The reasonably foreseeable environmental impacts of the proposed action
- Any reasonably foreseeable adverse environmental impacts that cannot be avoided should the proposal be implemented
- The relationship between local short-term uses of the human environment and the maintenance and enhancement of long-term productivity
- Any irreversible or irretrievable commitments of federal resources which would be involved in the proposal should it be implemented
- Any means identified to mitigate adverse environmental impacts of the proposed action

It is recommended in **FHWA Technical Advisory T6640.8A** that the following are included for each reasonable alternative:

1. Sufficient information on the environmental studies and technical reports, major assumptions made, and supporting information on the validity of the methodology;
2. Sufficient information (results of analysis) to establish the reasonableness of the conclusions on project impacts;
3. A description of mitigation measures, where applicable. Associated commitments may be needed to address mitigation.

Once the analysis is completed, a determination of significance is made for relevant topic/resources in coordination with OEM.

8.2.4.5.3 Anticipated Permits

The Environmental Analysis section should include a subsection on anticipated permits that lists permits identified during the PD&E Study. This list includes the name of the permit, the name of the permitting agency, and the permit status. Documentation of regulatory agency coordination should be added to the project file and included in the Appendix. Coordination with the District Environmental Permits Coordinator should occur during the preparation of this section of the document. See [Part 1, Chapter 12, Environmental Permits](#) for more information on documenting permits in the DEIS.

8.2.4.5.4 Cumulative Impacts

Because actions requiring a DEIS will have significant environmental impacts, a Cumulative Effects Evaluation (CEE) may be required for resources determined to be of concern based on coordination and context. This is determined in coordination with OEM. If applicable, this subsection should include a summary of the results of the CEE.

8.2.4.6 Commitments

This section should contain all commitments made during the PD&E process, including those identified in associated technical reports ([Part 2, Chapter 22, Commitments](#)). All commitments should be transmitted to the next phase of project development in accordance with [Procedure No. 650-000-003, Project Commitment Tracking](#).

8.2.4.7 Concluding Statement

Since the DEIS may be modified after the public hearing, the following statement is included as the concluding statement.

FDOT will not make a final decision on the proposed action or any alternative until a public hearing has been held on this project and comments received have been taken into consideration.

8.2.4.8 Appendix

USDOT Order 5610.1D, 13.h.(3) provides that appendices are to be used for voluminous materials, such as scientific tables, collections of data, statistical calculations, and the like, which substantiate the analysis provided in the DEIS. Appendices are not to be used to provide additional substantive analysis.

The Appendix of a DEIS consists of the following, as appropriate:

- Material prepared in connection with the DEIS, that is not incorporated by reference (not contained under separate cover)
- Material substantiating any analysis fundamental to the DEIS
- Material relevant to the decision to be made that supports the significance findings. This may include concurrence letters, determinations of effect, Memorandums of Understanding (MOUs), and Referendums.
- Comments (or summaries in which the response is exceptionally voluminous) received during the scoping process (See [Section 8.2.1](#))
- Correspondence with agencies, officials, cooperating agencies, and citizens or private interest groups throughout the PD&E Study. Appendix should be limited to materials necessary to support FDOT's analysis and decision-making.
- Lists (e.g., meetings), resolutions, Letters of Agreement, Memoranda of Agreement (e.g., **Section 106 - Historic Preservation Act**),
- Material which, due to its nature, should be circulated with the DEIS

The Appendices should **not** contain materials that do not support the significance finding such as internal FDOT memos, correspondence between FDOT and its consultant, comments on draft documents, or ETDM Planning or Programming Screen Summary Reports.

The Appendix contains a series of appendices, including the Comments and Coordination Appendix (see [Section 8.2.4.8.1](#)), the List of Preparers Appendix (see [Section 8.2.4.8.2](#)), and other appendices divided up by topic/resource (e.g., Community Effects, Cultural Resources, Natural Resources, Physical Resources). See [Figure 8-2](#) for the layout of the Appendix in the Table of Contents.

Each Appendix should include a divider page that lists the documents provided in that Appendix. For example, the divider page of the Natural Resources Appendix would list items such as the USFWS Species Concurrence Letter. A sample of a divider page is provided in [Guidance for Part 1, Chapter 8](#).

8.2.4.8.1 Comments and Coordination Appendix

The Comments and Coordination Appendix includes a summary of the public, stakeholder, and agency comments and coordination involved in developing the DEIS. This includes documentation of early coordination and comments received during the AN, or if combined, the ETDM Programming Screen, as well as documentation of meetings and coordination with government officials, government agencies, community groups, and individual citizens during the Environmental Scoping Process and PD&E phase.

This Appendix is divided up into subsections:

1. Summary of the Environmental Scoping Process
2. Agency Coordination and Consultation
3. Public Meeting/Workshop(s)
4. Other Coordination (included only when needed)

Summary of the Environmental Scoping Process

This subsection describes the Environmental Scoping Process (including ETDM and AN processes) for the DEIS and includes the following information:

1. Dates and locations of DEIS scoping meeting(s) (if held);
2. Agencies participating in the Environmental Scoping Process;
 - a. Including federal, state, local agencies and other interested parties that provided comments in the EST or AN;
3. A summary of meetings, discussions, and correspondence pertinent to the Environmental Scoping Process.

The comments received by the District during the AN, or if combined, the ETDM Programming Screen must be referenced, and include the following information:

1. The date of the AN distribution, or if combined with the ETDM Programming Screen, the screening date;
2. A reference to relevant comments on the project and District responses. Reference the appropriate section where comments/District responses can be located.

Agency Coordination and Consultation

This subsection summarizes the coordination and consultation which occurred with agencies during preparation of the DEIS. This should include a chronology of meetings,

events, attendees, comments received, and District responses. This information may be exhibited as a table. This summary is in addition to discussion of consultation in other sections of the DEIS. The results of the coordination is discussed in the applicable topic/resource section and the actual coordination documents (e.g., emails, letters, meeting notes) are added to the applicable topic/resource Appendix.

Public Meetings/Workshops

A summary of the information provided in the **SPI** for the public kick-off meeting, any public meeting or workshops, or public involvement activities held before the public hearing may be included here, or this section may reference the **SPI**. Coordination documents (e.g., agenda, meeting notes) are included in the Appendix.

The final statement should be that a public hearing will be taking place, including the date and location if known.

Other Coordination

If other coordination has occurred, it is summarized in this subsection with the actual coordination documents (e.g., correspondence) included in the Appendix. If there is no other coordination, then this subsection is not to be included in the DEIS.

8.2.4.8.2 List of Preparers Appendix

The Appendix includes a list of preparers. The list includes federal, state, or local agency personnel, including consultants, who were primarily responsible for preparing the EIS or associated technical studies. To make it easy to locate a specific individual, the list should be organized in order of federal, state, consultant, or other participants and describe the educational and professional experience of each preparer. It is also suggested that individuals listed for each organization be listed in alphabetical order.

In preparing the list of preparers each person should be contacted to verify educational and professional experience and the number of years employed in their field. An example of the List of Preparers Appendix is shown in [Guidance for Part 1, Chapter 8](#).

8.2.4.9 Material Incorporated by Reference

Material incorporated by reference (contained under separate cover) should be cited in the DEIS and included in the project file in SWEPT. See the **SWEPT Project File Organization Guide** on FDOT's [PD&E Manual Website](#) for information on organizing the project file. Districts should maintain the project file according to [Part 1, Chapter 15, Project File and Records Management](#).

These materials include technical reports (e.g., **Project Traffic Report Analysis**, **Conceptual Stage Relocation Plan**, **Natural Resource Evaluation**), technical

memorandums, and studies. For a list of potential technical documents see [Part 1, Chapter 4, Project Development Process](#).

8.2.5 FDOT Document Review Process

A diagram of the FDOT Document Review Process is available on the [OEM Website](#). The timeframes identified in this process are calendar days. DEISs are required to go through a Quality Assurance (QA)/Quality Control (QC) check at the District level before submittal for OEM Initial review (see OEM's [Documents and Resources Webpage](#)).

The District uses the SWEPT application to complete the **Environmental Document Submittal Form** for Initial OEM and OGC review. The District uploads the DEIS into FDOT's Electronic Review and Comment (ERC) application.

The Project Delivery Coordinator (PDC) receives email notification and acknowledges the document is complete and ready for review by confirming the **Environmental Document Submittal Form** in SWEPT. If necessary, the District schedules a project briefing for OEM and OGC reviewers. The OEM and OGC review team have 30 days to review the draft documents. OEM provides comments in the ERC.

The District addresses OEM comments and provides responses in the ERC. The OEM project review team has a 15-day period to confirm that comments have been addressed. If the comments have not been addressed, additional comment resolution time may be needed. If necessary, the District schedules a meeting with the project review team to discuss comments.

If there are Cooperating Agencies, the District uploads the DEIS to the EST and initiates the Cooperating Agency review. This review may be concurrent with OEM review. The District may address Cooperating Agency comments in the EST.

Once comments have been addressed, the District submits the revised DEIS along with the **Environmental Document Submittal Form** for Final review and approval in SWEPT. The PDC receives email notification and has 14 days to confirm that the submittal is complete. Following confirmation from the PDC the document can advance to OEM Environmental Administrators review.

The OEM Environmental Administrators have 25 days to recommend the DEIS for approval. The Director of OEM, or designee, then has five days to approve the DEIS in SWEPT.

When the DEIS is approved by OEM for circulation, OEM enters the deadline for formal comment submittal on the cover page established by calculating 45 calendar days after posting on the Environmental Protection Agency (EPA's) e-NEPA website indicating publication of the **Notice of Availability** in the **FR**. See [Section 8.2.6](#) for information on the **Notice of Availability**.

8.2.6 Actions After Approval

The DEIS is distributed and made available **before** the e-NEPA request for publication of the **Notice of Availability** in the **FR** is sent to EPA. This is to ensure FDOT meets the distribution requirements in **23 CFR § 771.123(i)** to make the DEIS available to the public and transmitted to agencies for comment no later than the time the document is filed with EPA.

Distribution to Agencies and Stakeholders

The approved DEIS is sent electronically to the State Clearinghouse (SCH) and the ETAT agencies, which includes Cooperating Agencies and Participating Agencies, through the EST. The District should also send the document to other interested state and federal agencies and other stakeholders listed in [Part 1, Chapter 3, Preliminary Environmental Discussion and Advance Notification](#), including contacts to which the AN was originally sent. The document should be sent to Tribes according to their requested method of communication as established on FDOT's [Native American Tribal Consultation Website](#). Others should be sent an electronic link to the document, unless a paper copy is requested. See [Guidance for Part 1, Chapter 8](#) for a sample transmittal letter.

Making the DEIS Available for Public Inspection

The DEIS is made available:

- For a minimum of 15 days in advance of the public hearing
- For a 45-day comment period after publication of the NOA in the FR
- At the public hearing
- In other formats when reasonably necessary and hard copies on request
- On project websites or using other publicly accessible electronic means

Materials incorporated by reference may also be made available on the project website.

Public Notice of Availability and Public Hearing

The District places a notice in the local newspaper(s) which:

- Advertises the public hearing
- Mentions the availability of the DEIS
- Provides the locations where the DEIS can be obtained and reviewed by the public

- Requests comments submitted on the DEIS during the 45-day comment period (45 days from **NOA** publication)

See [Part 1, Chapter 11, Public Involvement](#) for details on the public hearing and notification requirements for public hearings. Proof of publication or an **Affidavit of Publication** is included in the **SPI** for these notices.

After the public hearing, the **Public Hearing Transcript** must be certified by the Project Manager using a **Public Hearing Certification Form**. This form may be completed in SWEPT or by using the **Public Hearing Certification, Form No. 650-050-56**. If completed in SWEPT, the **Public Hearing Transcript** is uploaded to SWEPT and a link to it is provided in the certification form. If completed outside of SWEPT, the certification form and the **Public Hearing Transcript** are uploaded to SWEPT for the project file.

Written statements from the public, both submitted at the public hearing or during the public hearing comment period, are added to the **SPI** (see [Part 1, Chapter 11, Public Involvement](#)).

Notice of Availability in the FR

The **Notice of Availability** is initiated when the DEIS is filed with EPA. DEISs must be electronically submitted to EPA as PDF Documents using its e-NEPA online tool. Only the Environmental Document is submitted, as technical reports are included only by reference. The District should coordinate with OEM on the content of the **Notice of Availability**.

The PDF documents must meet specific requirements for submittal to EPA. These are available on EPA's **Environmental Impact Statement Filing Guidance Website**. After the District formats the document for e-NEPA, the District sends it to OEM. The District also provides a link to the project website where readers can find the DEIS. OEM then coordinates with FHWA on publication.

EPA publishes the **Notice of Availability** of the DEIS in the **FR** for a 45-day comment period (**23 CFR § 771.123**). The District must monitor the **FR** for publication and proof of publication or an **Affidavit of Publication** is uploaded to the project file.

After the circulation of the DEIS, the public hearing, and consideration of comments received, the District prepares a FEIS/ROD or FEIS and separate ROD according to procedures in [Part 1, Chapter 9, Final Environmental Impact Statement](#).

Future Project Phases

Pursuant to **23 CFR § 771.123(c)**, the range of alternatives considered for further study must be used for all federal environmental reviews and permit processes, to the maximum extent practicable and consistent with federal law, unless the lead and participating agencies agree to modify the alternatives in order to address significant new information

and circumstances or to fulfil **NEPA** responsibilities in a timely manner. If the range of alternatives is modified after the DEIS is advanced, coordination with cooperating and participating agencies is required.

8.3 REFERENCES

American Association of State Highway and Transportation Officials (AASHTO), May 2006, Improving the Quality of Environmental Documents: A Report of the Joint AASHTO/ACEC Committee in Cooperation with the Federal Highway Administration

EPA, Environmental Impact Statement Filing Guidance Website.

<https://www.epa.gov/nepa/environmental-impact-statement-filing-guidance>

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

https://www.environment.fhwa.dot.gov/legislation/nepa/guidance_preparing_env_documents.aspx

Federal Permitting Dashboard, <https://www.permits.performance.gov/>

FDOT, 2003, Federal Highway Administration and Federal Transit Administration Agency Operating Agreement Florida Department of Transportation

FDOT, Efficient Transportation Decision Making (ETDM) Manual, Topic No. 650-000-002. <https://www.fdot.gov/environment/oem-divisions/qa-qc/etdm-manual>

FDOT, Planning Consistency for NEPA Practitioners.

https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/environment/pubs/pdeman/planning-consistency-for-nepa-practitioners.pdf?sfvrsn=895090ea_1

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

FDOT, SWEPT Project File Organization Guide.

https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/environment/pubs/swept-file-quick-guidance.xlsx?sfvrsn=39a0be74_6

Office of the Federal Register, National Archives and Records Administration, 2018, Document Drafting Handbook, Revision 2.1, dated October 2023.

<https://www.archives.gov/files/federal-register/write/handbook/ddh.pdf>

Title 23 CFR Part 771, Environmental Impact and Related Procedures.

<http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=3f0e8ae65ee76fc13c0bc7a240e9fc59&mc=true&r=PART&n=pt23.1.771>

Title 23 U.S.C. § 139, Efficient Environmental Reviews for Project Decision Making.
<http://uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title23-section139&num=0&saved=%7CKHRpdGxIOjIzIHNIY3Rpb246MTM3IGVkaXRpb246cHJlbGltKQ%3D%3D%7C%7C%7C0%7Cfalse%7Cprelim>

Title 23 U.S.C. § 327, Surface Transportation Project Delivery Program.
[http://uscode.house.gov/view.xhtml?req=\(title:23%20section:327%20edition:prelim\)%20OR%20\(granuleid:USC-prelim-title23-section327\)&f=treesort&edition=prelim&num=0&jumpTo=true](http://uscode.house.gov/view.xhtml?req=(title:23%20section:327%20edition:prelim)%20OR%20(granuleid:USC-prelim-title23-section327)&f=treesort&edition=prelim&num=0&jumpTo=true)

Title 49 U.S.C. § 310, Aligning Federal Environmental Reviews.
<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title49-section310&num=0&edition=prelim>

USDOT, Order 5610.1D, Procedures for Considering Environmental Impacts.
<https://www.transportation.gov/mission/dots-procedures-considering-environmental-impacts>

8.4 FORMS

[Public Hearing Certification, Form No. 650-050-56](#)

Table 8-1 Chapter References for Topics/Resources

Topic/Resource	Part	Chapter
Community Effects		
Social	2	4
Economic	2	4
Land Use Changes	2	4
Mobility	2	4
Aesthetic Effects	2	5
Relocation Potential	2	4
Farmland	2	6
Cultural		
Historic Sites/Districts	2	8
Archaeological Sites	2	8
Section 4(f) of the USDOT Act of 1966, as amended	2	7
Section 6(f) of the Land and Water Conservation Fund Act of 1965	2	7
Recreational Areas and Protected Lands	2	7 and 23
Natural		
Protected Species and Habitat	2	16
Wetlands and Other Surface Waters	2	9
Essential Fish Habitat	2	17
Floodplains	2	13
Sole Source Aquifer	2	11

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Water Resources	2	11
Aquatic Preserves	2	11
Outstanding Florida Waters	2	11
Wild and Scenic Rivers	2	12
Coastal Zone Consistency	2	14
Coastal Barrier Resources	2	15
Physical		
Highway Traffic Noise	2	18
Air Quality	2	19
Contamination	2	20
Utilities and Railroads	2	21
Bicycles and Pedestrians	2	3
Navigation	1	16
Construction	2	3
Anticipated Permits	1	12

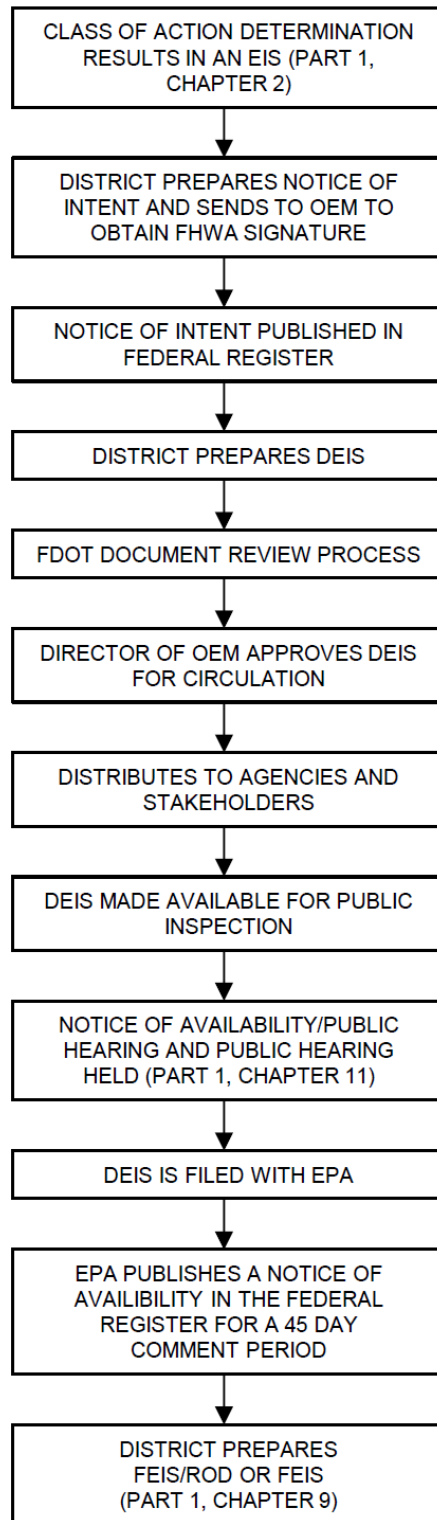


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