

## ETDM Performance Measures Annual Report: State Historic Preservation Office (SHPO)

### Before ETDM Implementation

Prior to MOU and agreements, describe in detail how your agency conducted daily business on FDOT projects.

- 1) Describe how your agency was organized in Florida?

*All Compliance Review positions for the SHPO are located in the Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation on the 4<sup>th</sup> Floor of the R.A. Gray Building, 500 S. Bronough St., Tallahassee. The previous staff organization included a Historic Preservationist Supervisor (SES), an Architectural Historian (CS), and an Archaeologist for State Land reviews only (CS). In addition, several OPS reviewers (up to four) are on staff as well as one full-time and one part-time OPS Program Assistants.*

- 2) How did project information enter your organization?

*Project information typically entered our organization via standard USPS mail or by express courier. Projects received for Compliance Review were opened by a Program Assistant, time-stamped on the day of arrival, and placed onto a designated bookshelf and organized by submitting agency. When necessary, high profile or time-sensitive projects would be delivered to our office by agency representatives, or during a consultation meeting scheduled to formally present and discuss these projects.*

*Project types received for SHPO review are identified as follows:*

- a) *Cultural Resources Assessment Surveys (CRAS- these could be as required for compliance with PD&E, NEPA, Section 106 of NHPA, Chapter 267, Florida Statutes, or other regulations).*
- b) *Advance Notifications through the State Clearinghouse.*
- c) *NEPA documents including EA, EIS, etc.*
- d) *Permit reviews where FDOT was the applicant including: WMD, DEP, CORPS, etc.*
- e) *Consultation meetings*

- 3) How many staff were involved and how were they allocated?

*Typical staff involvement was varied and on an ad-hoc basis. No dedicated personnel was assigned to review FDOT projects. Instead, often one reviewer would review all CRAS received by the SHPO, another may review all ERP applications regardless of the applicant or project type. Staff review time was allocated by permit type and not by agency or applicant. In addition to Compliance Review Staff, personnel from our Architectural Services and our*

*Survey and Registration Sections were involved with FDOT transportation projects, as necessary.*

- 4) How were projects assigned?

*Projects were assigned by project type and on a time-priority basis. Dependant on staffing levels at any given time, projects were assigned to staff for review by permit type. The more staff members (which often fluctuates), the more specified the reviewers' range of permits/ projects to review.*

- 5) How frequently did staff consult or coordinate with FDOT on projects?

*Staff would consult or coordinate on FDOT projects either when A) a project/ permit was submitted to our agency for review and questions became evident, or B) when FDOT staff (either from the CEMO, District offices, or their consultants) requested a consultation meeting. These meetings were often for purposes of early SHPO consultation for a large project (establishing the Area of Potential Effect, reviewing proposed research methodology, etc.), to discuss effects on identified historic properties, or to develop appropriate mitigation measures for projects with adverse effects to significant resources. Overall frequency of these meetings was irregular, perhaps several per month. These meetings were typically held in Tallahassee at the R.A. Gray Building as travel for on-site consultation and coordination meetings was strictly limited.*

- 6) How many FDOT projects were reviewed and coordinated with FDOT each year?

*In July 2003, a survey of calendar year 2002 indicated that Division staff reviewed 371 FHWA and FDOT project.*

- 7) Describe your typical involvement with FDOT projects and at what phase that involvement usually occurred: planning, PD&E, permitting, etc...

*Involvement with FDOT projects previously occurred during all phases. Large scale or complex projects would often trigger an early consultation meeting with the Supervisor of the Compliance Review Section or other staff members. The PD&E process often required review of technical studies in the form of Cultural Resources Assessment Survey. Permitting of FDOT projects (especially that of Environmental Resources Permit, or ERPs) were a significant portion of FDOT reviews.*

- 8) How many staff hours per month were typically devoted to working on FDOT projects? Planning Phase? PD&E phase? Permitting?

*Review of permits received the least amount of time, planning and project coordination and consultation was varied depending on the scale of the project, but often required several hours per project when requested. Review of CRAS reports required the most significant portion of time for reviewing FDOT projects with an estimated 80 to 100 hours per month of staff time.*

- 9) What were the major barriers to coordination and involvement with FDOT projects: Budget? Staff? Other Resources? Time? Communication? Meetings? Field Reviews?

*Typically budget and staff availability were in most limited supply, whereas field reviews only occurred during rare instances. Staff expertise to deal with transportation projects was often limited to one of two or three staff members.*

10) Describe your involvement with the MPO's planning process?

*No involvement with the MPO planning processes.*

11) When did your agency typically become of aware and receive comment on a transportation project?

12) How often have you published joint notices with FDOT?

*To our knowledge, we have never published a joint notice with FDOT.*

## **After ETDM Implementation**

After MOU and agreements, describe in detail how your agency conducts daily business on FDOT projects.

1) Describe how your agency is organized in Florida?

*All Compliance Review positions for the SHPO are still located in the Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation on the 4<sup>th</sup> Floor of the R.A. Gray Building, 500 S. Bronough St., Tallahassee. However, two dedicated compliance review positions for transportation projects are now housed in the new Transportation Compliance Review Program in the Bureau of Historic Preservation Office of the Bureau Chief. These positions were only made possible as a direct result of the Funding Agreement executed between our office, the FDOT, FHWA, and the ACHP.*

*Organizationally, this program sits parallel to the Compliance Review Section. Its two staff members are: Brian Yates, a Register of Professional Archaeologists (RPA) accredited Archaeologist with a Master's degree in Anthropology; and Sherry Anderson, a Compliance Review Architectural Historian with a Master's degree in Historic Preservation. Both Positions are supervised by the Bureau Chief of the Bureau of Historic Preservation and have direct access to the State Historic Preservation Officer, the Director of the Division of Historical Resources, and the Deputy Secretary of State.*

*Furthermore, both positions have full access to Division employees with a wide array of expertise in the event that in-house consultation is necessary or prudent.*

*The previous staff organization included a Historic Preservation Supervisor (SES), an Architectural Historian (CS), a Historian (CS), and an Archaeologist for State Land reviews only (CS). In addition, several OPS reviewers (up to four)*

*are on staff as well as one full-time and one part-time OPS Administrative Assistant.*

2) How does project information enter your organization?

*Hardcopy project information continues to enter our organization via standard USPS mail or by express courier. Projects received for the Transportation Compliance Review Program is opened by an Administrative Assistant, time-stamped on the day of arrival, and placed into the program's "In Box" located in the Compliance Review Section, Room 423 of the R.A. Gray Building. This box is checked daily by the Transportation Compliance Review Program staff to retrieve new project arrivals, copies of mailed letters and subsequent projects that need to be logged out of the project database and appropriately marked for filing within the agency.*

*Project types still received for review by the Transportation Compliance Review Program staff include:*

- a) Cultural Resources Assessment Surveys (CRAS- these could be as required for compliance with PD&E, NEPA, Section 106 of NHPA, Chapter 267, Florida Statutes, or other regulations).*
- b) Advance Notification*
- c) NEPA documents including EA, EIS, etc.*
- d) Permit reviews where FDOT was the applicant including: WMD, DEP, CORPS, FCC, etc.*
- e) Consultation meetings*

3) How many staff are involved and how are they allocated?

*Currently, two full-time OPS staff members comprise the Transportation Compliance Review Program. Current responsibilities are allocated as follows:*

*Brian Yates: ETDM Administration, including agreement and budget development, production of quarterly and annual reports, and participation on FDOT task groups and work groups upon request ; EST project reviews; conducting hardcopy reviews; meeting coordination and consultation; provides technical assistance to agencies, consultants, and public; and participation in developing agency priorities.*

*Sherry Anderson: Coordinates and conducts hardcopy reviews; meeting coordination and consultation; provides technical assistance to agencies and public, participates in developing agency priorities.*

*Other Division personnel provide support to the Transportation Compliance Review Program staff. They include:*

*Division Director/ State Historic Preservation Officer: approves staff comments on projects involving significant historic properties, those involving the Advisory Council on Historic Preservation, or those requiring consultation with tribes; determines pay scale and budget for SHPO participation in the ETDM Process;*

*provides administrative and budget support to the Transportation Compliance Review Program.*

*Bureau Chief of the Bureau of Historic Preservation: directly supervises the Transportation Compliance Review Program staff; approves timesheets, leave requests, and travel authorizations; provides consultation on ongoing projects where agency involvement predates participation in the ETDM Process; provides consultation on National Register of Historic Places eligible or listed properties.*

*Survey and Registration staff: provide consultation on National Register of Historic Places eligible or listed properties.*

*GIS Foreman/ Database Administrator: facilitates quarterly updates of Florida Master Site File GIS data to the University of Florida GeoPlan Center.*

*Florida Master Site File staff: provide technical support to Transportation Compliance Review Program staff.*

4) Describe how Section 1309 funds have been used to streamline process?

*Funds received from FDOT have been utilized to streamline SHPO review of transportation projects in several ways:*

- A) Salary Related Costs & Benefits: funding for salaries for the two designated SHPO ETAT representatives is \$130,582.40, or \$65,291.20 for 2080 hours annually. These funds provide for two full-time positions for dedicated and enhanced transportation project review, without which the SHPO's level of commitment to participation in the ETDM Process could not be possible.*
- B) Direct Expenses – Travel: a travel allowance of \$16,117.60, or \$8,058.80 per position, is provided to fund travel for statewide meetings, district meetings, task group and work group meetings, on-site project consultation and coordination, project corridor visits, community and Cultural Resources Committee (CRC) meetings, and other “on-site” meetings when deemed necessary or beneficial for project planning.*
- C) Direct Expenses – Training: to assure optimum service to the Florida Department of Transportation, the Federal Highway Administration, and the ETDM Process, it was determined that SHPO ETAT representatives should have access to regular professional training. This should include new training for key subject areas, as-well-as refresher training on primary historic preservation legislation as this legislation is amended and changed.*
- D) Direct Expenses – Computer: \$6,000.00 was provided to the SHPO for the purchase of two new desktop computers to meet the technology requirements for ETAT Representatives to review and comment on projects loaded into the EST.*

***\*It must be stated that all of the above funds comprehensively subsidize the current level of participation in the ETDM Process by the SHPO. Without these funds, this level of commitment to the program could never have been provided due to the limits of Department of State funding and concurrent reduction in staffing. Increased participation and service provided by the SHPO to FDOT and FHWA marshals an increased understanding of project requirements and realistic potential impacts to significant historic properties. This allows our staff, in cooperation with FDOT and FHWA, to determine the scope of the project and to focus only those portions of a project where realistic threats to significant resources exist.***

5) How are projects assigned?

*Primary responsibility for projects is assigned by project type:*

- A) *Hardcopy reviews: All hardcopy projects received by the Transportation Compliance Review Program are assigned to Sherry Anderson (Architectural Historian) for initial review. Projects and project components that relate to historic structures and historic architecture are reviewed by her. Projects or project components that are archaeological in nature are given to Brian Yates (Archaeologist) for review. Comments are then coordinated and a letter generated by one of the ETAT representatives for signature by the State Historic Preservation Officer or one of the Deputy State Historic Preservation Officers.*
- B) *EST reviews: all projects loaded in the EST for review are reviewed by Brian Yates. When necessary, Sherry Anderson is consulted regarding historic structures or potential historic districts, and comments are then coordinated, drafted, and entered into the 'Purpose and Need' report statement and the 'Project Effects' report.*
- C) *Consultation and Coordination meetings: both Sherry Anderson and Brian Yates are involved daily with consultation and coordination with FDOT CEMO staff, FDOT District personnel, Cultural Resources Management consultants, permitting agencies, and occasionally the public. Team members consult with one another daily during project reviews.*

6) How frequently does staff consult or coordinate with FDOT on projects?

*Consultation occurs with the above-mentioned agencies on a daily basis.*

7) How many FDOT projects have been reviewed or coordinated with FDOT over the past year? How does this differ from prior business practice?

*During the first year of the Agreement (12/3/03 through 12/31/04), 531 projects were reviewed. This includes 415 hardcopy reviews, 116 EST projects (92 Planning Screen, 24 Programming Screen). Additionally, approximately 60 project consultations and coordination meetings took place.*

*This differs from previous business practices of the SHPO in several ways. First, previous staffing levels for the Compliance Review Section regularly fluctuated between one and one-half (1.5) and six (6) people. This drastic flux of review personnel heavily influenced review periods for reviews of permit applications, Cultural Resources Assessment Surveys (CRAS), and NEPA documents. Often, these review periods could extend well beyond a standard 30-day review period. During some periods, permit reviews were not even attempted for some permit types. Now, with dedicated reviewers for transportation projects, nearly all permitting projects are provided an initial review within 30 days, and other, more substantial documents such as CRAS and NEPA documents are completed within a 30-day period. Furthermore, all 116 projects loaded into the EST for review during this review period were reviewed and commented on without a single extension requested by our office.*

*Second, travel authorization and associated appropriated funding was severely curtailed beginning in 2000. It was difficult for Compliance Review staff to participate in out-of-town or on-site meetings. Only in urgent cases was this type of travel authorized. Now, with a dedicated travel budget provided to the Transportation Compliance Review Program, SHPO staff can participate in meetings and on-site coordination and consultation when necessary.*

- 8) Describe your typical involvement with FDOT projects and at what phase that involvement occurs: Planning, PD&E, Permitting, etc...

*With the EST, our office reviews and comments early on all of the projects loaded into the system for review. Both at the Planning and Programming Screens we are able to provide at the least a comment that our office has no direct knowledge of historic properties in the project area and that a Cultural Resources Assessment Survey should be conducted for the project corridor. In a best case scenario, either a CRAS was conducted for the project area, or based on available data, it is determined that significant historic properties are unlikely to occur and that a CRAS is not warranted.*

*Our office still reviews all CRAS reports on transportation projects submitted to our office for review. We review these reports within 30 days, or request additional information as soon as possible.*

*We review a substantial quantity of permit application from the permitting agencies permitting transportation projects. These primarily include four of the five Water Management Districts (excluding NFWMD), the Department of Environmental Protection, the Army Corps of Engineers, and all SAI projects submitted to the Florida State Clearinghouse. The permits are forwarded to our office throughout the permitting process, but typically occur late in project development.*

- 9) How many staff hours per month are typically devoted working on FDOT projects? Planning Phase? PD&E phase? Permitting?

*Two full-time employees devote 100% of their work time to reviewing FDOT projects and providing consultation to agency and consultant personnel, as well*

*as participating in project coordination meetings. This equates between 320 to 400 staff hours per month depending upon the number of paid working days in any given month. These work hours are further detailed below and illustrate a “typical” month whereas priorities shift dependent upon FDOT work schedules.*

<b>Planning and Programming Phase:</b> (including EST reviews and consultation)	25%
<b>PD&amp;E Phase:</b> (including technical report and NEPA document reviews)	40%
<b>Permitting:</b> (including agency permit reviews)	15%
<b>Report Generation:</b> (including quarterly and annual reports)	10%
<b>Consultation &amp; Coordination:</b> (including conference calls and meetings)	10%

10) Describe your involvement with MPO’s planning process?

*The only involvement our agency has with the MPO planning process is review of projects proposed in the EST.*

11) Describe instances of where early collaborative decision-making with FDOT has occurred to eliminate duplication or resolve issues?

*Several projects reviewed with the EST, and on-site consultation and coordination, provide testament to the effectiveness of early involvement and collaborative decision-making with FDOT in the elimination of duplication of efforts or the resolution of issues.*

*Of primary note are approximately 15 projects where, as a result of reviewing the project in the EST, evaluation of available environmental data led to our agency’s conclusion that a systematic Cultural Resources Assessment Survey was either not warranted, or was previously conducted and no further review was necessary, or additional evaluation of historic properties should be focused on specific resources previously identified as listed, or potentially eligible for listing, in the National Register of Historic Places. These projects include: 4571, \*4671, 2805, 2807, \*3119, \*3391, 3104, 3231, 3364, \*3055, and 3365. Projects with asterisks (\*) are particularly useful in illustrating these duplication elimination or issue resolution efforts.*

*In addition to projects reviewed in the EST, several project consultation meetings occurred between SHPO Transportation Compliance Review staff, FDOT, FHWA, and consultants for the purposes of resolving late discovery issues or determining necessary scope for technical studies and expeditiously reviewing said studies upon receipt in our office in order to facilitate maintaining FDOT work schedules. These projects include the SR 200 widening (Nassau County) and effects to the Florida Railroad (8NA991), the West Columbus Drive and*



*Platt Street Bridge PD&E Study (Hillsborough County, FPID 415387-1), and SR 20 from 400 feet west of CR 315 to STA 669+00 (Putnam County, FPID 209969-1).*

*With each of these projects, immediate availability of the Transportation Compliance Review staff allowed FDOT personnel to resolved issues early and focused resources on those aspects of the projects that required further attention with addressing significant historic properties.*

- 12) When did your agency become aware of and receive public input on a transportation project? Planning? Programming? Project development?

*Since initiating SHPO participation in the ETDM Process, public input has been minimal. For the few projects where the public has contacted our office, it seems that the public input was received because of local newspaper coverage of the project; therefore, it is assumed that this is classified as the Project Development phase. Examples of our agency receiving public input on transportation projects include possible noise effects to a potential historic district in Plantation, Florida as a result of widening of the Florida, Turnpike at Griffin Road; and possible damage to an archaeological site(8BR578) along US1 in southern Brevard County previously determined likely eligible for listing in the National Register of Historic Places.*

- 13) How often have you published joint notices with FDOT?

*To my knowledge, our agency has never published a joint notice with FDOT.*

- 14) What are the major barriers to coordination and involvement with FDOT projects: Issues to consider Budget? Staff? Other Resources? Time? Communication? Meetings? Field Reviews? Environmental Screening Tool?

*Because of our work during the past year with FDOT to implement SHPO participation in the ETDM process, the barriers that have developed are primarily those of staffing and funding-related issues.*

*Staffing: Currently, the SHPO Transportation Compliance Review staff is comprised of one Archaeologist and one Architectural Historian. Until recently, the workload has been manageable. However, this burden is steadily increasing. After a meeting with FDOT CEMO staff in November 2004, it was determined that we anticipate a continued steady increase of project reviews, especially from the permitting agencies.*

*With this current and continual project review increase, and with the burden of maintaining administrative functions (e.g., preparation of quarterly reports, preparation of annual reports, agreement review and amendments, preparation of presentations, participation in program meetings, etc.) and the increased demand for staff to participate in on-site meetings, it was determined that additional staffing will be required to maintain the current level of service to FDOT and FHWA. In addition, the SHPO Transportation Compliance Review staff continues to strive to*

*improve service to the transportation agencies so that maximum benefit is achieved because of SHPO participation in the ETDM Process.*

*To overcome this barrier, our office requests to amend the Funding Agreement to provide permanent supplemental funding for an additional Transportation Compliance Review Archaeologist. The responsibilities of this position will be to conduct project reviews for compliance with applicable historic preservation legislation and to participate in consultation with FDOT, FHWA, and their consultants on transportation projects.*

*With this additional staff member, the current Transportation Compliance Review Archaeologist will be promoted to the position of Working Supervisor of the SHPO Transportation Compliance Review Program where duties will still include conducting project reviews, but more time may be dedicated to providing increased levels of service to FDOT and FHWA via more involved consultation and coordination, as well as the furthering of necessary initiatives for better stewardship of historic transportation resources throughout the State of Florida.*

*Funding-related Issues: although funding levels are adequate for current staffing levels, increased staff levels will require additional funds. However, of primary concern is the current reporting procedures for quarterly activity and requisite documentation for advance pay requests for SHPO participation in the ETDM Process.*

*The problem has three identified components:*

*A) Lack of Line-Item Authority: Upon development and approval of the agreements by our Department of State, specific line-item authority was not sought for expenditure of the funds received from FDOT as part of the Funding Agreement. As a result, authority for expenditures begins to run out towards the end of the State Fiscal Year.*

*The proposed solution for this issue is to request that our Department of State Budget Director request Line-Item Authority for expenditure of funds provided by FDOT to SHPO as per the Funding Agreement.*

*B) Unsynchronized Agreement Period with State Fiscal Year: The agreement period runs from 12/3/03 through 12/31/05 and the State Fiscal Year runs from 7/1 through 6/30 every year. As such, it is necessary to “certify forward” one-half of our annual funds from FDOT. This need is further complicated by Issue A above. The result is unnecessary effort required to request these funds to be certified forward with no guarantee that it will be approved.*

*If the agreement period (providing that the agreement will be renewed in the upcoming year) were shifted to correspond to the State's Fiscal Year, it would alleviate this issue.*

*C) After-the-fact reporting of Advance Payment funds: currently, the Advance Payment Invoice Requests for Agency Services form and the Project Report for Positions Funded by FDOT form (requiring both Previous Accomplishments and Anticipated Accomplishments) are submitted as part of the quarterly reporting package. However, since final budget numbers and complete accomplishments for the previous quarter cannot be completed until several days after the quarter ends, the current process prohibits advance payment ever being received "in advance."*

*The proposed solution for this is to separate the Advanced Payment portion of the quarterly reporting package from the rest of the package so that this information can indeed be submitted for advance payment prior to the beginning of the quarter being paid. However, if the proposed solutions for Issues A and B are implemented, Advance Payment should no longer be necessary and this issue will be rectified.*

- 15) What are some of the findings or results you have discovered related to your agencies operations, FDOT operations or the environmental process in general since participation in the MOU and agreements?

*In general, earlier involvement by our agency in the Planning, Programming, Technical Studies, and Permitting stages allows for more thorough understanding of the project needs, alternative selection, technical study requirements, and the best course of action to avoid, minimize, and mitigate adverse effects to significant historic resources when a project threatens such resources.*

- 16) What recommendations would you make to improve the environmental streamlining of the process?

*To date, reflections on the new ETDM Process lead to the following recommendations:*

- A) For early involvement, the EST has proven to be a most useful method for providing high-level comments on possible impacts to significant or potentially significant historic properties. We appreciate the opportunity to become involved with project planning at this early stage. Although the EST was designed for major capacity improvement projects, we would like to see additional project types entered into the EST for agency review and comment. The Environmental Screening Tool provides quality data to environmental reviewers and facilitates 'smart reviews' by agency staff. The methodology to submit comments is efficient and effective when it comes to meeting our statutory requirements.*

- B) *Permitting issues are coming to light. We are increasingly receiving permits for projects that may have been determined to be a Type 1 C.E., were not reviewed for possible effects to historic properties, or significant changes to project scope. From our perspective, some of these projects seem to exceed the Type 1 C.E. threshold, or still need to comply with Section 106 even though they qualify for NEPA C.E. status.*
- C) *Regular (perhaps twice annually) District-wide ETAT meetings. This will be an opportunity for Districts to introduce upcoming projects in their District for review in the EST. It is anticipated that this will assist our office with project planning and time and resource allocation.*

## Agency Specific Performance Measures (PM) Questions

- 1) If your agency has established Performance Measures, describe how participation in ETDM process and streamlining has contributed to meeting these measures?

*Our agency collects performance measures on Compliance Review activities as part of the National Park Service Historic Preservation Fund and the annual report we submit to them, as well as two additional measures for Florida's Performance Based Budgeting.*

- 2) Describe your agency Performance Measures.

*The following measures are submitted and included in the ETDM Performance Measures spreadsheet:*

- 4(a) Total number of other findings of "effect" on which opinions are provided;*
- 4(b) Total number of MOAs signed;*
- 4(c) Total amount spent on Mitigation;*

*in addition, the following:*

- (d) Total number of properties for which an opinion of eligibility was rendered;*
- (e) Total number of other findings of 'No Properties' and/ or 'No effect' on which opinions are provided;*
- (f) Total number of PAs signed;*

*moreover, the following for Florida's Performance Based Budgeting:*

- (g) Total projects reviewed (letter signed and returned to the reviewer);*
- (h) Number of sites, which, after Compliance and Review activities, remain preserved or were the subject of mitigation activities*

## Post-Meeting Addendum to Annual Review

Several questions arose during the annual review meeting. The narrative provided below addresses these questions.

### 1) Funding Agreement Changes and Single Audit Language

It was discussed that the Division of Historical Resources' fiscal and budget staff requested amendments to the Funding Agreement between FDOT and SHPO. Please provide description of the requested changes and discuss the need to add Single Audit Language to the Funding Agreement renewal.

Discussion with our fiscal and budget staff generated several requests regarding the Funding Agreement between FHWA, FDOT, and SHPO. First, it was requested that the funding cycle for the first two-year Funding Agreement from October 2003 through October 2005. As a result, Advance Pay-basis money will have to be "certified forward" into the following year of any agreement year to assure that SHPO has sufficient funds to cover program expenses. The budget staff has requested that the Funding Agreement be shifted to coincide with State's Fiscal Year from July 1<sup>st</sup> through June 30<sup>th</sup>. Additionally, SHPO currently reports to FDOT for quarterly disbursements. At the end of each funding cycle, the SHPO may be liable for expenses certified forward from the previous year funding. AS such , staff requested that we move to monthly invoicing to reduce the Department of State's liability to only one-month's expenses.

During discussion between FDOT and SHPO staff, it was determined that we could move to a reimbursement basis. As the Department of State is the only participating state agency on an advance payment basis, and in consideration that advance pay would require projection of expenses up front and subsequently actual expenses calculated later for auditing purposes, it was determined that moving to a reimbursement method of payment would be the most effective change to make to the Funding Agreement. Although moving from quarterly reporting to monthly reporting (as per the request of DHR fiscal and budget office) does appear to generate additional reporting responsibilities, this was agreed to for the Funding Agreement renewal to be executed upon expiration of the first Funding Agreement from October 2003 through October 2005.

Upon renewal of the Funding Agreement, it was determined by FDOT that there exists the need to incorporate Single Audit Language in accordance with OMB Circular A-133 and Section 215.97, *Florida Statutes*. This requirement states that recipients of federal funds are to have audits completed annually in the event that the recipient expends \$500,000.00 or more in Federal awards within its fiscal year. Furthermore, the recipient must have a single or program-specific audit conducted in accordance with the provisions contained in OMB Circular A-133, as revised.

As it stands, the DHR already exceeds this amount in annual Federal fund expenditure and is familiar with is process. The language was provided to the SHPO office in a letter dated July 6, 2005 from Buddy Cunill and has been incorporated into the Funding Agreement renewal.

## 2) **Increased Funding**

As the ETDM Process grows, it is anticipated that there will be an increased demand on the Florida State Historic Preservation Office for expedited and enhanced participation in the process. To meet this demand, the Florida State Historic Preservation Office proposes amendments to the Funding Agreement to accommodate increased personnel resources, a reduction in necessary traveling expenses, and a funding supplement to cover adequately overhead expenses related to the administration of these positions by the Florida Department of State. Detailed justifications for these requests are provided below.

### **Annual Costs**

#### **Salary and Benefits**

Currently, the Florida State Historic Preservation Officer maintains two full-time ETAT representatives, and Archaeologist and an Architectural Historian. In order to meet the anticipated need for additional staffing, our office proposes the addition of a professional staff archaeologist. The duties and responsibilities of this position will be to conduct primary project reviews both through the Environmental Screening Tool and for permitting via hard-copy project submissions. With this new position, the current staff Archaeologist will shift to a working-Supervisor. Team Leader position. Responsibilities for the working-Supervisor will remain the same. However, primary responsibility for project reviews will fall to the new staff Archaeologist and the working-Supervisor will train, monitor, and review their work, as well as allocate more time to completing administrative duties (e.g., completing required reports, conducting project consultation, develop requested training in coordination with FDOT CEMO staff, developing program initiatives in cooperation with FDOT CEMO staff, etc.) and developing and implementing program enhancements. The effect this will have will provide further enhanced value-added service to FHWA, FDOT, and their consultants as part of the ETDM Process.

Request for funding a new professional staff Archaeologist is for \$31.39/ hour (or \$65,291.20 at 2080 hours). It was previously determined that a reasonable compensation for beginning positions to be \$48,008.24 annually plus benefits. However, due to the necessity of the Department of State to fill these positions as OPS, lack of benefits were acknowledged and a standard Department of State equitability of benefits was calculated at 36% salary value, or determined to be about \$17,282.96. As such, we are requesting funding for an additional position at a rate of \$65,291.20 per annum. This rate will assure interagency parity with equivocal ETAT functions.

The incumbent in this position should meet or exceed the Secretary of the U.S. Department of Interior's Professional Qualifications Standards as stipulated in 36 CFR Part 61 ("Procedures for Approved State and Local Government Historic Preservation Programs") in archaeology and possess an understanding of Florida's historic preservation programs and processes. This position will be filled as Other Personnel Services (OPS). As such, no direct benefits will be provided by the Department of State.

#### ***Requested Pay Increase for Existing Positions***

Our office is requesting a 3.6% pay increase for the two existing ETAT representatives. This is in keeping with the annual salary increase approved by the Florida Legislature for current State of Florida employees. Due to the nature of this Funding Agreement, it is understood that this is a one-time pay rate increase and will not reoccur with subsequent future raises for permanent state employees. This will be a permanent, one-time pay rate increase.

Furthermore, our office is requesting a 10% pay increase for the proposed working-Supervisor, Team Leader position. This request reflects a reasonable and standard pay increase for promotions of qualified staff into supervisory positions.

#### *Other Benefits*

In addition to the additional requested position, our office is requesting compensation to cover a Medicare/ Employer Federal Hospital Insurance cost of 7.65% of earned wages. Reimbursement for this overhead expense was not requested in the original Funding Agreement. This request is made to cover all funded positions authorized and reimbursed by FDOT and the FHWA.

#### **Equipment and Supplies**

With the exception of a new desktop computer and necessary software for the new staff Archaeologist position, all office space, equipment, and supplies will be furnished by the Department of State.

#### **Travel**

Previously determined travel allowances are determined in excess of what was originally anticipated for the new ETAT representative positions. AS such, our office recommends a reduction in our approved travel budget per position from \$8,030.00 per annum to \$4,500.00. This amount is estimated to be sufficient to cover travel costs in upcoming years.

#### **Office Space (telephone, fax, copier, etc.)**

All office space, telephone, fax, copier, etc. will be provided by the Department of State.

#### **Training**

Incumbents for the two current ETAT representative positions and the requested new staff position are expected to have necessary professional skills prior to filling the positions. In order to maintain the highest quality in professional reviews, the incumbents will obtain additional training through the National Preservation Institute or other qualified organizations. The previously approved training allowance per position was \$1,650.00 annually. Based on reevaluation of the use of these funds, we recommend reducing this amount to \$1,500.00 annually per position.

#### **Startup Costs**

##### **Computer Hardware/ Software**

In order to fulfill review obligations for the FDOT ETDM Process under Section 106 of the National Historic Preservation Act, the newly requested Archaeologist position will need a new personal computer that meets the recommended hardware requirements for ETAT representative's personal computing system as per FDOT recommendations. A \$3,000.00 one-time allowance is requested.

The selected vendor providing the new personal computer hardware systems will supply as standard installations all necessary computer software required for ETAT representatives to conduct project reviews.

Time allocation and time management on increasing demands within the ETDM Process continues to be a growing issue. Moreover, as SHPO participation in the process grows, the complexity of time-to-project time allocation continues to increase. This includes both calculated increases over time as well as an unforeseen evolution in the roles that our staff fulfills in the continuing development of the ETDM Process. In the effort to provide appropriate levels of staff attention to the prioritized needs of the Florida Department of Transportation District Offices and the Central Environmental Management Office, it has become evident that increased staffing in the SHPO office is necessary to continue to provide increased level of service and expedited review of transportation projects.

As such, our office is requesting additional funding in the forthcoming Funding Agreement renewal to provide for an additional team member to assist with the increasing workload and time demand experienced by our office in the ETDM Process. This position will provide valuable assistance by assisting with the current workload of the Transportation Compliance Review Program, allow for the continued expansion of consultation services provide by our office to FDOT and its consultants throughout the state, and allow our staff to continue to develop project initiatives in cooperation with FDOT.

### **3) Late Submittal for Quarterly Reports**

During the first year of implementation of the ETDM Process, questions have arisen regarding agency participation in the process and use of funded positions to fulfill requirements set forth in the Agency Operating Agreements. The FDOT developed the FDOT ETDM Funded Positions Reference Manual to assist in the standardization of basic functions, roles, and processes of ETDM-funded agency staff. The SHPO appreciates this initiative and has already begun to use the manual in meeting our obligations under the Agency Operating Agreement.

Several quarterly Reports from SHPO to FDOT were submitted late this year. Beginning with Report #3 (10/1/04 through 12/31/04), circumstances for the submittal of this report begin with the access to previous quarter's expenditure information. To begin with, payment was originally setup as an "Advance Pay" disbursement, beginning with Report #1, the SHPO office has submitted reports after-the-fact. Since SAMAS reports that detail expenditures is not available until several days after the completion of a pay month, reporting of actual expenditures could not be achieved until after the completion of the third month in every quarter. This situation was not explained to Brian Yates of the Transportation Compliance Review Program by our fiscal and budget staff until after the initiation of the Funding Agreement of program. This was a miscommunication within the SHPO office.

The primary circumstance for the late completion of the Report #3 was that by requesting and receiving four quarters (one year) of advance payment (totaling \$156,000.00), actual expenditures only totaled \$112,475.11. This left an unspent balance of \$43,524.89. Facing the necessity to certify forward this amount into FY 2005/2006, our fiscal and budget staff requested a "no pay" option for Quarter 4 (10/1/04 through 12/31/04). It was determined that our agency may not possess sufficient expenditure authority for the projected FDOT funding for the upcoming year (FY 2005/ 2006) in addition to the \$43,524.89 to be certified forward. The exploration and plausibility of this no pay option required several weeks of discussion within the Department of



State. After the decision was made to request the no pay option, the request was then presented to FDOT staff. This further discussion with FDOT and the yet to be determined no pay option added additional time before the report could be finalized for submittal to FDOT.

In this process, and during the SHPO Annual Review Meeting, it was agreed between FHWA, FDOT, and SHPO that SHPO would move to a reimbursement payment basis. This was determined the most efficient and effective payment basis due to the incapability of the SHPO to submit payment requirements prior to a given quarter when using the Advance Payment format. This agreement is subsequently reflected in the Funding Agreement renewal for SHPO from 2005 through 2008.

In April, Report #3 was completed and submitted for review and approval. A few cycles of reviews, comment, and revisions were made in April and May. Finally, after it had been arranged with FDOT, our fiscal and budget staff determined under the advisement of the Department of State's Budget Director that, provided program costs did not exceed the third-year budgeted costs of \$243,950.00 plus the \$43,524.89 (totaling \$287,474.89), our agency maintained sufficient authority for this amount. Thus, the no-pay option was no longer necessary and the request could be withdrawn. The decision not to pursue a no-pay option was made by the Department of State in May. After final corrections were made, the report was approved and finalized for submittal to FDOT for payment on July 5, 2005.

Compiling Report #4 began in September. In early October, due to the SHPO reports not anticipated being completed prior to the October 20, 2005 Funding Agreement renewal date, FDOT provided a 30-day extension to the Funding Agreement. Within this time, SHPO worked to complete SHPO Report #s 4 through 7 prior to the expiration of the 30-day extension on November 21, 2005.

#### **4) Initiatives**

Project initiatives are a class of needs identified both by our office, as well as by FDOT CEMO staff and personnel in the District offices. These are jointly classified as products that, when completed, will enhance the ETDM Process for all participants in the review of transportation projects and their potential to adversely effect significant historic properties. Some of the currently identified initiatives include:

- The development of historic contexts for Florida's historic trails, byways, roads and other linear transportation corridors.
- The development of training and public workshops to proactively educate the constituents were work with including FHWA and FDOT staff, professional consultants, and other stakeholders in the ETDM Process.
- Increased travel for on-site project meetings to assist Districts in establishing appropriate scope for identification and evaluation efforts for historic resources.
- Developing Intra agency training on duties and responsibilities of the Transportation Compliance Review Program.
- Further training initiative developed in conjunction with FDOT CEMO staff.

## 5) Permitting

Permitting for FDOT projects by other various environmental reviewing agencies remains a challenge for our staff. As different permitting agencies fulfill various roles in the review process, and as processes from FDOT District to District can vary in how these requirements are satisfied, our office receives a varied array of permit review requests and at varying times within the process. Any recommendation for addressing historic resources at the permitting stage can cause delays in the letting and construction process. As such, our office would like to improve the communication with the Districts regarding this process. We realize that ETDM was not designed specifically to address the permitting process, but from our experience of reviewing these projects, there continues to be many projects that are fast-tracked when it comes to the permitting stage and requests for additional information or survey recommendations can cause timely delays in the project development. Discussion with ETAT representatives from other agencies has yielded similar concerns. We look forward to addressing these challenges with FDOT in the future.

## 6) Project Number Projections

Work on a proposal for SHPO participation in the ETDM process with funded positions was begun in January 2003. As part of the development process, it was necessary to project the workload to was first developed, part of the proposal included an estimated range of number of projects reviewed per year by our agency that were transportation related, thus would become part of the work responsibilities of FHWA/ FDOT funded positions within the SHPO office.

To generate an estimate of projects that would be reviewed by two dedicated and full-time review positions, the SHPO CRATLOG database was queried for the year prior (2002) to determine the number of projects reviewed annually by the SHPO Compliance Review Section that were transportation in nature. An early estimate indicated that between 1200 and 1600 projects per annum may meet this basic criterion (this is referenced earlier in this report, Before ETDM Implementation, Question 6). However, not all of these projects received state or federal funding, a requirement for review by funded positions under the terms of participation in the ETDM Process. This was an early estimate provided by SHPO.

At the annual meeting review it was discussed that, after completion of the first year of SHPO participation in the ETDM Process, 117 projects in the EST were reviewed and another 415 “hard copy” reviews (e.g., permitting, Cultural Resources Assessment Survey reviews, Advance Notifications, etc.) were conducted in the same time period. This totals 532 projects reviewed by SHPO during the first year of ETDM participation.

Later in the proposal development process, a more specific inquiry was made for a more accurate projection of projects to be reviewed by SHPO in the new program. In July 2003, a survey of calendar year 2002 indicated that Division staff reviewed 371 FHWA and FDOT projects. Of these, 26.4% (n=98) were archaeological and/or historical structure survey reviews. Time estimates for review surveys range from 30 minutes to three hours, with some complex projects requiring 16 to 24 hours or more of review and

consultation time. These projects include major transportation corridor construction or expansion such as the Interstate-4 expansion project across central Florida or the Interstate-275 expansion in the Tampa area. Projected per annum review time for FHWA and FDOT survey reviews alone is between 49 and 294 estimated review hours. Review time for the remaining 73.6% (n=273) of FHWA and FDOT projects may take between 10 minutes and 2 hours review time (between 45 and 546 review hours) depending on the nature of the projects. Further, staff consultation time with FHWA or FDOT is estimated between 20 and 60 hours annually.

The number of projects reviewed in 2002 totaled 371 whereas projects reviewed in 2004 total 532. This represents an INCREASE of project frequency of approximately 43%! These figures more accurately represent the number of projects reviewed than the earlier rough estimate of 1200 to 1600 projects per year. Furthermore, coordination levels were dramatically increased as was level of service provided for these reviews and subsequent coordination efforts when necessary.