

ETDM PERFORMANCE MEASURES
Annual Report
(July 2004 - July 2005)
Participating Agency: U.S. EPA Region 4

Overview:

The U.S. Environmental Protection Agency (EPA) Region 4 was an active participant in the interagency effort leading to the development of Florida's Efficient Transportation Decision Making (ETDM) Process. Representatives from EPA's National Environmental Policy Act (NEPA) Program Office, Wetlands Regulatory Section, and Air Planning Branch provided input over several years of interagency coordination. In 2003, EPA was pleased to be named as a formal Environmental Technical Assistance Team (ETAT) review agency for all seven Florida Department of Transportation (FDOT) Districts. Ted Bisterfeld served as the ETAT representative for all seven District offices until the consummation of the funding agreement and the hiring of two full-time staff positions in July 2004. This annual review is for the time period July 2004 through July 2005.

EPA Review of Transportation Projects Prior to ETDM Implementation:

The U.S. EPA consists of a national headquarters office located in Washington, D.C., and ten regional offices located throughout the United States. EPA Region 4 is located in Atlanta, Georgia, and regulates the eight southeastern states - Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. EPA Region 4 is structured into five divisions/offices - Air Division, Waste Management Division, Water Division, Office of Environmental Accountability, and Office of Policy and Management. The NEPA program was previously located in the Office of Environmental Accountability, but became a program office within the Office of Policy and Management (OPM) in 2004. The NEPA Program Office has the responsibility for reviewing FDOT projects for consistency with a variety of environmental laws, regulations, and policies.

Throughout the years leading up to ETDM, the NEPA Program Office fielded all requests for early Project Development and Evaluation (PD&E) coordination requested by FDOT. These requests typically entered the NEPA Program Office by copy of Advance Notifications (ANs) sent by the project sponsor to the Florida State Clearinghouse. Types of notifications received were PD&E public workshop announcements, public hearing announcements, and public informational meeting announcements.

One NEPA staff member was assigned to work part-time on FDOT projects. This staff member was also responsible for other NEPA-related projects in Region 4 states. EPA would identify roadway improvement projects in which to become involved based upon the context of the project and a determination of whether potentially significant environmental impacts might occur. This involvement varied greatly by FDOT District. All environmental impact statements (EISs) were

assigned to the Florida staff member and were reviewed as prescribed by EPA's NEPA environmental review regulations. EPA would not typically coordinate directly with FDOT, but would provide formal comment letters directly to the coordinating or lead federal agency.

As projects proceeded to Section 404 permit review, EPA would sometimes participate in pre-public notice meetings, if convened, then would review the Section 404 public notice. EPA would also participate, as time permitted, in reviews of wetlands mitigation banking activities. In FDOT Districts 2, 4, 5, and 6, EPA would coordinate with FDOT on projects located in areas designated as Sole Source Aquifers in accordance with the Safe Drinking Water Act.

Until 2003, EPA operated in this manner, conducting routine project-specific PD&E work. In late 2003, EPA was named as an ETAT review agency for all FDOT Districts. Ted Bisterfeld served as the ETAT representative for all seven District offices. Approximately 40 of the first projects entered into Planning and Programming Screens were reviewed from the inception of the Environmental Screening Tool (EST) until the consummation of the funding agreement and hiring of two full-time position in July 2004. Overall, the Region allocated approximately 30 percent of Mr. Bisterfeld's time to the FDOT statewide workload. However, most of his time was spent on projects already in the PD&E phase, including review of all EIS documents.

Prior to ETDM, EPA had very little interaction with local governments or Metropolitan Planning Organization (MPO) representatives. Some of the FDOT projects where such interaction occurred were Sanibel Island Causeway, CR 951 in Collier/Lee Counties, and the Suncoast Parkway 2.

The major barriers to fully effective involvement prior to ETDM were both staff and travel resources. EPA does not have responsibility for any environmental permit preparation so there have been no joint notices issued with FDOT.

EPA Review of Transportation Projects After ETDM Implementation:

The structure of EPA Region 4, in general, has not been affected by implementation of the ETDM process in Florida. The Region became a fully participating ETAT review agency in July 2004 with the hiring of two full-time staff positions. These positions are funded using Section 1309 funds provided by the FDOT. With the hiring of two additional NEPA Program Office staff members, review of transportation projects in Florida was divided by FDOT District office. Maher Budeir is assigned to Districts 1, 4, and 6; Madolyn Dominy is assigned to Districts 2, 5, and 7; and Ted Bisterfeld is assigned to District 3 and the Turnpike Authority. Although Mr. Bisterfeld continues to work on FDOT projects, his position is not funded by Section 1309 funds. His position is fully funded by EPA Region 4, and he is also responsible for other NEPA-related projects in Region 4 states. During this past year, he has served as a mentor to Mr. Budeir and Ms. Dominy with regard to the ETDM process and general NEPA issues. Mr. Budeir and Ms. Dominy work exclusively on FDOT projects and provide expedited project review and coordination, technical assistance, and NEPA document review. The hiring of two additional

staff positions has allowed EPA to provide comments on the majority of transportation projects submitted by the FDOT. EPA is now able to provide comments on projects in the planning, programming, and PD&E phases. Early involvement provides FDOT and other planning organizations with valuable information concerning potential environmental impacts of proposed roadway projects.

Notification of most proposed FDOT transportation projects is done through e-mail notices from the District ETDM Coordinator. The ETDM Coordinator issues an e-mail notice that a project has been loaded into the EST and that the 45-day review period has begun. Projects loaded into the EST are either in the planning or programming screen review phase. The EPA ETAT member logs onto the EST for complete project information and the associated maps and GIS analysis information needed for project review. Additional information needed for review may be found utilizing data from other sources such as EPA and other resource agency records, technical guidance documents and manuals, maps, and websites. During review of planning and programming screen projects, review comments, recommendations, and an assigned degree of effect is input directly into the EST. Throughout the review of projects in the EST, draft comments are available for review by other ETAT review agencies and FDOT. Final comments and summary reports are made available to the public on the EST in a read-only format.

Throughout this past year, notification of projects already in the PD&E phase continued to be by copy of ANs sent to the Florida State Clearinghouse. EPA Region 4 reviewed PD&E projects on an ad hoc basis only. In the future, it is expected that all projects will be loaded into the EST and will be made available for review and comment from planning phase through completion of PD&E and permitting.

With full implementation of the ETDM process, EPA's involvement in the review of transportation projects will begin at the planning phase and will continue through permitting of the project. Overall, EPA has become much more proactive in its review of transportation projects in Florida since ETDM implementation and the hiring of staff solely dedicated to FDOT project reviews. EPA's coordination with the FDOT and other resource agencies has become more frequent and effective. EPA coordinates with FDOT and other ETAT members on an as needed basis. Coordination and communication varies depending upon the complexity of the project and the issue at hand. In general, most coordination has been with District ETDM Coordinators, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, and the Florida Department of State (State Historic Preservation Office).

During this year, EPA has reviewed a total of fifty-two projects utilizing the EST. The attached spreadsheets (Attachment 1) lists the number of projects reviewed in each District, by calendar quarter. As illustrated in the table below, thirty-two planning screen reviews and twenty programming screen reviews were conducted by EPA from July 2004 to July 2005.

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FDOT District	Planning Screen	Programming Screen
1	1	8
2	6	6
3	0	1
4	6	3
5	5	1
6	1	0
7	13	1
Total	32	20

Accurate accounting of project reviews prior to ETDM was not kept. However, since ETDM implementation, EPA has significantly increased the number of transportation projects reviewed and has increased the time and effort spent on review of projects. The EST is a valuable tool and has provided an efficient and effective way of evaluating potential environmental issues and concerns as they relate to proposed transportation projects.

It is estimated that EPA collectively spends approximately 340 hours per month on FDOT projects. The amount of time spent on planning and programming phase projects cannot be estimated per month because this is dependent upon which type of projects are programmed into the EST. For example, in December 2004, EPA reviewed nine planning screen projects and only one programming screen project. Overall, this past year, approximately 60% of total staff hours was spent on EST reviews and 10% of staff hours was spent on traditional PD&E reviews (ANs and EISs). The remaining 30% of time was spent on FDOT ETDM training, EST training, PD&E training, NEPA training, attendance at District ETAT meetings, and project field reviews.

EPA's direct involvement with MPOs has not changed significantly since ETDM implementation. EPA does not provide comments directly to MPOs concerning potential environmental impacts of planned projects. However, with the ETDM process, EPA indirectly coordinates with MPOs in our review of planning screen projects. The MPOs utilize ETAT comments provided during the planning screen phase to "weed out" projects which may have significant environmental issues and potential permit denials or delays. Also, MPO representatives have been present at various District ETAT meetings and have participated in round table discussions with EPA and other ETAT review agencies during these meetings. Some MPOs have given formal presentations at these meetings, which have provided a greater understanding of the purpose and need of individual transportation projects as they relate to overall transportation needs within a metropolitan area.

One instance where early collaborative decision-making with FDOT has occurred to eliminate duplication or resolve issues is the SR 23 Extension (Brannan Field - Chaffee Road) from SR 134 (103rd St.) to SR 8 (I-10) & SR 10 (US 90) project. EPA Region 4 reviewed and issued comments on the Final Supplemental Environmental Impact Statement (FSEIS) in early 2005. EPA's comment letter was issued to the FDOT in March 2005. The comment letter addressed issues that were not addressed in the revision of the draft SEIS. Most of the remaining issues of concern were related to wetlands avoidance, minimization, and compensation. The FDOT contacted EPA to discuss comments outlined in our letter. EPA has communicated with the FDOT, the St. Johns Water Management District, and the U.S. Army Corps of Engineers Jacksonville office in attempt to reach an agreement on wetlands issues. EPA is awaiting a copy of the draft Record of Decision language.

EPA has provided the FDOT with quarterly status reports and advance payment reports, as required by the funding agreement. There was some reiteration and adjustments of report formats, but this was not a major issue. Status and payment reports and accompanying documentation are prepared by the EPA Region 4 Interagency Agreement (IAG) Project Officer who submits the information to FDOT staff for informal review. Following FDOT review, the IAG Project Officer sends a hard copy to EPA's Cincinnati Finance Center fiscal office, who prepares and attaches the invoice and status, payment, and documentation reports. Accompanying each invoice is: a) Advance Pay Tracking Report; b) Advance Pay Request for Agency Services; c) Project Report for Positions Funded by FDOT; and d) EST Form 006 (a Spreadsheet Status Matrix). The Cincinnati Finance Center forwards a hard copy of the invoice and documentation reports to FDOT's Disbursement Operations. EPA considers this system to be satisfactory because comprehensive documentation and accounting of funds for time and resources accompany each invoice.

EPA's communication and coordination with Districts 2, 5, and 7, the Central Environmental Management Office (CEMO), and the GeoPlan Center have been excellent. Notification of EST project reviews and reminders from the District ETDM Coordinators have been timely. Telephone communication has been timely, beneficial, and cooperative. Early in the year, EPA staff met with Districts 2 and 5 to introduce Ms. Dominy to FDOT staff and to generically discuss the ETDM process, the EST, and District-wide project status. During both trips, FDOT staff and consultants also accompanied EPA on site visits to various projects. District ETAT meetings were also held in Districts 2 and 7, and several state and federal ETAT members were present at these meetings. These types of meetings provided an open forum for discussions and a mechanism for meeting and communicating with other ETAT members.

EPA's coordination with Districts 1, 4, and 6 has also been good. Initial meetings at the beginning of the year were delayed due to hurricane cleanup efforts in Florida, however, once the initial meetings with District staff took place, coordination went very well. In addition to coordination meetings, site reviews were conducted for several of the projects reviewed in the Districts. Overall communication with the District staff has provided an effective means of

communication. District ETAT coordination meetings in Districts 1, 4, and 6 were held during the year. These District ETAT coordination meetings brought ETAT members from the resource agencies together, which helped to develop a common understanding and consistency with using the ETDM process.

EPA's communication and coordination with District 3 has been limited. There has been inconsistency with how District 3 utilizes the EST. Several PD&E ANs for District 3 projects have been received. It is EPA's experience working to a limited extent with District 3 that after an AN is received, regardless of whether EPA provides scoping comments, there is little to no further communication from the District. It is unknown whether the District convenes subsequent meetings or site visits for the purpose of receiving input on alternatives or wetlands avoidance and minimization recommendations. During the past year, EPA conducted only one EST programming screen review for the I-10 Escambia Bay Bridge Replacement.

EPA is engaged in only one large project sponsored by the Florida Turnpike Authority (Suncoast Parkway 2). The project had been discontinued due to legal issues; however, PD&E work is now recommencing. Opportunity for EPA involvement on this project has been good, and the Turnpike Authority has been responsive to agency input.

EPA has not published joint notices with FDOT to date.

Some issues that have arisen throughout the year are as follow:

- Variability in utilization of the EST system by FDOT District offices
- Expectations of ETAT comments for planning vs. programming screen phases
- Notification and timeliness of final summary reports
- Field reviews - time and travel resources for EPA staff due to out-of-state travel
- Transition of PD&E process from traditional to ETDM
- Continual ETAT coordination through PD&E process, specifically for CEs and EAs
- Password access into EST for Turnpike Authority projects, currently assigned by District
- Water quality data in EST not always relevant or useful
- Assessment of secondary and cumulative effects for planning screen reviews
- Tracking of environmental results based on ETDM (wetlands acreage affected, etc.)
- Heavy EST screening review workload at specific times (March - June)
- Resource agency technical support staff (non-ETAT members) access to draft ETAT comments during project review
- No uniform tracking by District of projects in PD&E phase
- Lack of direct links in the EST to DRI projects and land use plans for adequate secondary and cumulative impacts review

EPA has developed performance measures at a national level under the federal Government Performance Review Act (GPRA). The NEPA performance measures under GPRA focus on review of environmental impact statements (EISs), specifically significant project impacts. EPA's performance is measured by how environmental impacts identified during scoping and

review of draft EIS documents are avoided and/or minimized and subsequently documented in the final EIS. EPA's participation in the ETDM process and streamlining efforts during this past year have not contributed to meeting our national performance measures; however, streamlining

processes such as ETDM should ultimately contribute to meeting or surpassing national performance goals through early involvement and collaborative efforts.

Conclusion:

Overall, EPA's involvement and participation in the ETDM process has been positive. EPA believes that several benefits have been derived from the funding of two full-time staff positions to serve as ETAT members. The following positive changes in the relationship between EPA, FDOT, and other ETAT resource agencies have been noted since implementation of the ETDM process:

- An increase in EPA staff (two full-time equivalents) involved in the review of FDOT transportation projects
- Full-time dedication of EPA staff members (Madolyn Dominy and Maher Budeir) to FDOT projects. Prior to ETDM, only part-time NEPA involvement existed.
- Notable improvements in interagency communication and coordination efforts. More centralized and enhanced communication and coordination between EPA, FDOT, other ETAT resource agencies, and local governments and private/public authorities
- ETDM has allowed for a maximum involvement team approach to reviewing and commenting on FDOT planning and programming projects
- EPA's level of comfort regarding NEPA review of transportation projects in Florida has significantly increased with ETDM
- EPA's level of trust between FDOT and other resource agencies has increased with ETDM. With ETDM, all resource agencies are using the same information at the same time. There is greater trust and improved interpersonal and interagency relationships due to less misunderstanding of issues.
- EPA has a good working relationship with FDOT
- EPA has been able to attend ETAT training and to participate in conferences and workshops relating to the ETDM process

EPA has a much better understanding of the ETDM process since becoming a fully participating resource agency and has significantly increased its level of involvement in planning and project development in the past year. EPA Region 4 has reviewed 98% of all projects loaded into the EST. The EST has proven to be a valuable tool and has given resource agencies an efficient and effective way of evaluating potential environmental issues and concerns as they relate to proposed transportation projects. It is anticipated that EPA's involvement in the ETDM process in the upcoming year will continue. EPA will strive to continue to be actively involved in the ETDM process by coordinating with FDOT and other ETAT resource agencies during review of EST projects, PD&E scoping projects, EISs, and other projects of interest.

