ETDM Annual Report

U.S. Army Corps of Engineers, Jacksonville District

July 2006

Introduction

The U.S. Army Corps of Engineers, Jacksonville District (USACE) has been a proponent of the Efficient Transportation Decision-Making (ETDM) process since its inception and fully supports its streamlining efforts. The Corps became an official member of the ETDM process by singing the Agency Operating Agreement on November 4, 2004. Participation in the ETDM process has improved coordination between the Florida Department of Transportation (FDOT) and the USACE. The ETDM process has allowed the USACE the opportunity to provide early and beneficial feedback to the FDOT. This annual review is for the time period May 2005 to June 2006.

Section I – Before ETDM Implementation

1.1 Describe how the agency is organized in Florida.

The Jacksonville District provides multiple civil works services. The District maintains an extremely complex system of flood control works, often designed for multi-purpose uses, such as storage of water for municipal and industrial use, navigation, irrigation, development of hydroelectric power, conservation of fish and wildlife, and recreation. The District operates and maintains approximately 60 different navigation projects, including 16 deepwater ports, 6 navigation locks and over 2,100 miles of inland waterways. Navigability of waterways is also maintained through the District's aquatic plant program where biologists and technicians use innovative and safe methods to control the spread of invasive vegetation. The District also exercises regulatory authority, primarily in the area of dredge and fill activities in waters of the United States. The Corps has been involved in regulating activities by others in navigable waterways through the granting of permits since passage of the Rivers & Harbors Act of 1899. Passage of the Clean Water Act in 1972 gave the Corps authority over dredging and filling in the "waters of the United States," including many wetlands. Permits are required for a broad range of activities, including dock construction, residential fills, sanitary landfills in wetlands and major port expansion.

The Jacksonville Regulatory Division has 12 offices located throughout the state and Puerto Rico with over 100 staff members.

Prior to ETDM there was no specific organizational structure to address FDOT permit application. Applications were assigned to regulatory project managers and asked to review and coordinate the application.

1.2 Describe how project information enters the organization.

Information concerning proposed and planned FDOT transportation projects was provided to the USACE most frequently through five means:

A) Receipt of a Department of the Army (DA) application from the FDOT.
B) Receipt of a Joint Environmental Resource Permit application from a Water Management District of Florida Department of Environmental Protection.
C) Circulation through the Florida State Clearinghouse process.
D) Review of a local government proposed comprehensive plan amendment, development of regional impact (DRI), or other local government documentation.
E) Receipt of an Advance Notification directly from FDOT

1. 3 How many staff were involved and how were they allocated?

Prior to the establishment of the ETDM process, applications were reviewed on an "as needed" basis and assigned to various regulatory project managers. No individual project manager was assigned to the review FDOT applications.

1.4 How were projects assigned?

Review and comments were assigned to Regulatory Division staff on the basis of staff availability and workload.

1.5 How frequently did staff consult or coordinate with FDOT on projects?

Coordination was completed on an as needed basis. USACE staff contacted FDOT or their consultants to request additional information needed to completed the application, gather information necessary to consult with other federal resource agencies, and ultimately sign a completed DA permit. For Clearinghouse and other review activities, USACE staff generally did not consult directly with FDOT staff due to workload related issues.

1.6 How many FDOT projects were reviewed and coordinated with FDOT each year?

In the ten year period ending 2003, we averaged approximately 150 FDOT permit applications per year.

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

USACE involvement generally occurs after the planning phase. Due to workload issues the USACE has not traditionally be able to provide comments during the PD&E phase of a project. A majority of USACE involvement occurs upon the receipt of a DA application. Additional staff time is spent during the evaluation of the FDOT Senate Bill mitigation program.

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

Due to workload priorities, we only participated in the Permitting phase, upon receipt of applications. We do not track the staff hours for each application. In 2003 we prepared an estimate based on the average of 150 permits per year (based on 10 years). We noted 16% were Standard Permits (the rest were verifications under Nationwide or Regional General Permits). We applied a Division-wide average of staff hours per permit type (this is not DOT-permit-specific average) and arrived at 3,100 hours.

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

The major barrier to coordination and involvement with FDOT included staff, workload, and budget. USACE staff has had to prioritize workload based on complexity and receipt date. There was no mechanism or budge in place to designate specific staff to review FDOT DA applications.

1.10 Describe your involvement with the MPO's planning process.

USACE staff did not have the time to participate in the MPO planning process.

1.11 When did your agency typically provide review on DOT transportation projects?

Review typically begins with the receipt of a DA application. The USACE has had limited coordination outside of the application review process.

1.12 How often have you published joint notices with FDOT?

The USACE has not published joint notices with the FDOT.

Section II – After ETDM Implementation

2.1 Describe how your agency is organized in Florida?

Overall basic agency organization has not been affected by the ETDM process. However, with the introduction of the ETDM process the USACE has designated specific project managers on a part-time basis (along with their other work) to review and provide comments using the Environmental Screening Tool (EST) and permit applications.

2.2 How does project information enter your organization?

In addition to the ways listed in the response to question 1.2, project information is now provided to the District in a systematic manner through the planning and programming screens through the ETDM EST.

2.3 How many staff are involved and how are they allocated?

Since the initiation of the ETDM process, the involvement of District staff in the review and coordination of transportation projects has expanded significantly. A breakdown of staff involvement is as follows:

- Total staff involved – 8
- Program Coordinator – 1; ETAT, review and administrative oversight of program.
- Project Managers – 7; involved in wetland mitigation and evaluation of pre-existing conditions; involved in review of EST projects, preparing response to requests received through the EST, planning future mitigation needs and strategies, field review, participation in meetings, and coordination with FDOT.

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

Funding provided for environmental streamlining through the ETDM process has been used through participation in the streamlined process primarily through the review of projects uploaded into the EST. In addition to EST work, USACE has utilized 7 project managers to expedite the review of FDOT DA applications, conduct field investigations, participate in the FDOT planning process, and work with the Water Management Districts to evaluate impacts on a watershed basis to meet federal permitting requirements in a more effective and timely manner.

2.5 How are projects assigned?

Projects are assigned to the ETAT project managers, each is assigned a FDOT District.

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

Varies widely depending on the quantity of the EST reviews and occasional interagency meetings on specific project proposals.

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

For the permitting phase, 161 permit applications have been reviewed/coordinated under the agreement from May 2005 to June 2006 inclusive. For the planning and programming phases, we performed 104 reviews. Previously, the USACE was unable to participate in the planning process due to number of staff, workload , and budget. With the introduction of the ETDM projects and the funds associated with it the USACE has been able to dedicated seven project managers to the evaluation of the EST as well as FDOT DA applications which has greatly improved communication and productivity.

2.8 Describe your typical involvement with FDOT projects and at what phase that involvement occurs: Planning, PD&E, Permitting, etc…

Typical involvement includes many elements. First, the USACE participates in the streamlined ETDM process as an ETAT member and through the EST. Beyond the EST process, USACE staff reviews FDOT DA applications in the permitting phase. This review includes a jurisdictional determination; evaluation of impacts to federally listed species; size, quantity and quality of wetlands proposed for impact; and the of a compensatory mitigation proposal.

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

An average of 99 hours per month, based on total hours of 1096 from May 2005 to June 2006.

2.10 Describe your involvement with MPO's planning process?

District involvement with MPOs has not changed since implementation of ETDM, other than indirectly through the EST.

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

One example occurs on every project that is reviewed in the Planning and Programming phase: the Corps focuses on our core issues (wetlands and navigation) and does not waste time trying to duplicate entries on other issues (e.g., those by the U.S. Fish and Wildlife Service for listed species.) We don't have specific examples where comments sent in the Planning and Programming phases have resulted in a resolved issue when the application was submitted, the primary reason for the lack of examples is because such projects are in the pipeline and have not reached the application. One improvement to the process we will be implementing in the next year is to have our ETDM staff follow-up the significant commetns with FDOT to assist in resolving issues.

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

Public input generally occurs upon the circulation of a USACE public notice during the permitting phase. No public comments have been received outside of this phase.

2.13 How often have you published joint notices with FDOT?

This has not occurred to date.

2.14 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?

No noticeable barriers have occur since the utilization of the ETDM process and the dedication of USACE staff to review FDOT projects both in the ETDM process and DA applications.

2.15 What are some of the finding 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?

Participation in the process has improved the Corps' staff knowledge of all the various pieces of the transportation planning and construction process, thereby removing one of the communication barriers between the staffs of the two agencies. Our staff now also have a greater appreciation of the the relationships between all the proposed transportation elements in their geographic area, therefore there are fewer instances where applications for small projects are delayed by the Corps asking and the FDOT responding why the review of that project should or should not be combined with other projects.

2.16 What recommendations would you make to improve the environmental streamlining of the process?

Schedule our project managers' time on a salary then a per-task basis. Currently, they receive some task (e.g., a EST review, a permit application, etc.) and they work on that task, enter it into the log and their timesheet, then move on to other work, some of which is not FDOT. An internal review recommends that they work full-time on FDOT work. As a result, the project manager will be less likely to be distracted away from a FDOT task while working some issue with another project. Another benefit is the project manager will do more coordination and follow-up with the DOT and other federal agency counterparts to

ensure that problems identified in the planning phase get actively worked prior to the submission of the permit application.

Section III – Agency Specific Performance Measures (PM) Questions

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

For the entire national program, we have 8 performance measures. Two relate to the percent of total permit decisions made within a set number of days. The projects currently undergoing the planning and programming comments we expect, if the comments are incorporated into the project, that this will lead to reduction in the number of days that the subsequent permit applications would have taken.

3.2 Describe your agency Performance Measures

Performance Measure #7. "General Permit Decisions. The Corps shall reach permit decisions on 85% of all General permit applications within 60 days. Do not include Standard permits and LOP's in this measure."

Performance Measure #8. "Individual Permits. The Corps shall reach permit decisions on 60% of all Standard permits and Letter of Permission (LOPs) within 120 days. This standard shall not include Permits (SPs or LOPs) with Formal Endangered Species Act (ESA) Consultations."

Conclusion

The FDOT funding is needed for two major reasons. First, it enables the Corps to spend additional time now on the Planning and Programming phases even though the time-savings will not occur until future years. The Corps normally has to limit the time it spends on such pre-application reviews to devote time to review of pending applications. Second, it enables the Corps to spend the extra hours on the meetings and other communication rather then using generic formal letters but as a result should save FDOT calendar days of application review time. The USACE continues to support the utilization of the ETDM process and is working to improve coordination and review of FDOT related projects within the Jacksonville District. The USACE is going to move from part-time to full time project managers to provide better communication and comprehensive environmental review.