

ETDM PROCESS IN FLORIDA
2004 Annual Report
Participating Agency: U.S. Fish and Wildlife Service
December 2004

This report provides a discussion of the U.S. Fish and Wildlife Service's (Service) review of transportation projects prior to and following the initiation of the Florida Department of Transportation's (FDOT) Efficient Transportation Decision Making (ETDM) process. The ETDM process was implemented in early 2004.

SERVICE REVIEW OF TRANSPORTATION PROJECTS PRIOR TO ETDM IMPLEMENTATION

The Service has three Ecological Services field offices in Florida. These offices are located in Vero Beach, Jacksonville, and Panama City. The Vero Beach Field office's area of responsibility includes south Florida (Indian River, Osceola, Polk, Sarasota, Hardee, Highlands, Okeechobee, DeSoto, St. Lucie, Martin, Glades, Charlotte, Lee, Hendry, Palm Beach, Broward, Collier, Broward, Miami-Dade, and Monroe Counties). The Jacksonville Field Office's area of responsibility includes north peninsular Florida (Madison, Hamilton, Columbia, Taylor, Lafayette, Suwannee, Gilchrist, Dixie, Baker, Union, Bradford, Alachua, Nassau, Duval, Clay, St. Johns, Flagler, Volusia, Putnam, Levy, Marion, Citrus, Sumter, Lake, Orange, Seminole, Brevard, Hernando, Pasco, Pinellas, Hillsborough, and Manatee Counties). The Panama City Field Office covers the panhandle of Florida (Jefferson, Leon, Wakulla, Franklin, Liberty, Gadsden, Jackson, Calhoun, Gulf, Bay, Washington, Holmes, Walton, Okaloosa, Santa Rosa, and Escambia Counties).

Prior to the implementation of the ETDM process, the Service received information on transportation projects from documents provided by the FDOT and their consultants (advance notifications, requests for informal and formal Section 7 consultations under the Endangered Species Act *etc.*). The Service was also informed of FDOT projects through the notices and letters provided by the U.S. Coast Guard, the U.S. Army Corps of Engineers, and Federal Highways Administration.

Historically, transportation projects have been reviewed by Service biologists responsible for assessing the impacts of development activities on fish and wildlife resources. The number of biologists reviewing these projects at any one time has varied among the field offices from two to eight biologists per office, and none of the Service's biologists worked exclusively on the review of transportation projects. Staff biologists were assigned transportation projects to review in addition to a variety of other types of projects that could potentially affect fish and wildlife. These assignments were based on several factors including the listed species potentially impacted by the project, the location of project, and whether wetlands would be impacted by the project.

Unfortunately, the Service's review of Transportation Projects has been affected by workload and staffing shortages. Population growth in Florida, along with a concomitant increase in development, have significantly affected fish and wildlife habitat in Florida, and have produced a

large increase in workloads for Service biologists statewide. Moreover, funding has not been available to the Service to hire additional biologists to keep up with the workload. This has limited the ability of the Service to respond to past FDOT's requests for comments or information on proposed transportation projects. For example, FDOT's Advance Notifications used to receive only cursory review and standardized replies, and in some cases, the Service was not able to furnish responses. Workload and staffing shortages also limited the amount of time Service biologists could conduct field inspections of project sites and discuss these projects with FDOT staff. Moreover, the Service's review of transportation projects in Florida did not occur until late in the project development process. Projects would typically remain in FDOT's work program for five or more years before any substantial environmental analyses were conducted. In many cases significant time and money were already spent on project development prior to review by the Service. Because of the advanced stage of the project design, the Service's recommendations to avoid or minimize impacts to fish and wildlife resources often could not be incorporated by the FDOT.

Transportation projects originate and are proposed to the FDOT by local Metropolitan Planning Organizations (MPO). Unfortunately, the Service has had virtually no involvement in the planning process of MPOs. As indicated above, the Service was normally not made aware of newly proposed transportation projects until notified by the FDOT.

The publication of joint notices with the FDOT is not a responsibility of the Service. The Service is responsible for reviewing projects proposed by the FDOT, assessing potential impacts of these projects to fish and wildlife, and providing recommendations to avoid and minimize these impacts.

SERVICE REVIEW OF TRANSPORTATION PROJECTS AFTER ETDM IMPLEMENTATION

The Service began full participation in FDOT's ETDM process in early 2004. The general organization of the Service's field offices in Florida has not been changed. However, each field office (Vero Beach, Jacksonville, and Panama City) has now hired a full-time biologist that is dedicated exclusively to the review of FDOT transportation projects in their area of responsibility. Section 1309 funds provided by the FDOT have been used to fund the three transportation biologist positions. All FDOT transportation projects that are received by the Service are now assigned to the appropriate transportation biologist for review. The creation of these positions now allows the Service to provide comments on all transportation projects submitted by the FDOT. Moreover, the Service is able to provide comments on transportation projects during the early stages of project development, and throughout development of the project. Providing comments and concerns early in the project development process can assist the FDOT by giving early notice of potential impacts to fish and wildlife resources, allowing planners to factor these concerns into the project budget and design, and minimizing the overall time required for permit review and issuance.

Information on proposed FDOT transportation projects is now made available through electronic mail notification by the FDOT ETDM District Coordinator. Based on these notifications, the

Service can consult the FDOT ETDM website to find a complete description of newly proposed transportation project and a wealth of associated GIS information. The ETDM website also allows the Service to list detailed comments and recommendations for the proposed project. The Service still receives information regarding FDOT transportation projects proposed prior to the initiation of the ETDM process through Advance Notifications and formal correspondence, although this will become less common as the FDOT fully adopts the ETDM process.

The Service coordinates with the FDOT as needed during our review of a transportation project. The amount of coordination needed will depend on the complexity of the project and the potential impacts of the project to fish and wildlife. For example, a project that is located in a highly urbanized area and has little impact on fish and wildlife may only require a short comment letter or concurrence letter. Whereas, a project with significant effects to listed species or fish and wildlife resources may require several phone calls, site visits, meetings, and letters.

In general, the Service's involvement in the review of transportation projects now begins at the start of the project development phase and can continue throughout permitting of the project. As indicated above, we are usually informed of newly proposed projects through emails from FDOT's District Coordinators and are directed to the ETDM website. We are also becoming more proactive in our review of transportation projects and in some cases will discuss issues with FDOT on potential projects before they enter the ETDM process (*e.g.*, St. Joe realignment of US 98; Gulf Coast Parkway; widening SR 292).

As in the past, we continue to have minimal input into MPO project development process. We are rarely asked to provide advisory comments to MPOs on potential impacts to fish and wildlife resources associated with proposed projects. Usually we are not aware of projects until they are posted on the ETDM website. We believe that greater involvement in the MPO planning process would result in projects more beneficial to fish and wildlife, and encourage the ETDM process to address this issue in the future.

During the year 2004, the Service reviewed a total of 230 transportation projects (Vero Beach Field Office = 116, Panama City Field Office = 67, and Jacksonville Field Office = 47) during 2,129 hours (see attached quarterly report spreadsheets for 2004). The Service did not have data on the number of transportation projects reviewed prior to the implementation of the ETDM process. However, we believe that we have significantly increased the number of transportation projects reviewed and well as the amount of time we spend on the review of each project. We note that the Service now provided responses for each transportation project submitted to the Service by the FDOT, including Advance Notifications. Anecdotal information provided by the Panama City Field Office also supports this assertion. For example, the Panama City Field Office transportation biologist estimates that she spent roughly 15 hours reviewing each transportation project during 2004, compared to the 2 to 3 hours of review per project spent in past years by staff. Service transportation biologists are now spending 100 percent of their time on the review of transportation projects.

The following narratives provide examples of projects where early coordination by the Service has helped to resolve fish and wildlife issues:

US 331 Freeport Bypass, Walton County, Florida - Early discussions identified the need for bridges over several pristine blackwater tributaries to Lafayette Creek and concerns for secondary growth in this previously undeveloped natural area proximate to Eglin Air Force Base. The Corps anticipates issuing a dredge-and-fill permit for the work later this month. Work includes 3 bridges over tributaries. Mitigation for wetland impacts is strategically located one mile from the project site along the headwaters of Lafayette Creek. This 490-acre parcel will offset the project's 8.63 acres of wetland impacts, and form the nucleus of 3,160 acres now targeted for acquisition by the Northwest Florida Water Management District (NFWFMD). The parcel will also be part of the Northwest Florida Greenway, an initiative to protect military airspace and provide habitat linkage between the Apalachicola National Forest and Eglin Air Force Base. Early coordination on this project allowed the Service a greater opportunity to address regional watershed planning concerns.

U.S. Highway 41, widening existing 2-lane roadway to 4 lanes from State Road 951 to County Road 92, Collier County, Florida - The original design for the project extended into conservation lands within Collier-Seminole State Park. The Service noted, through the ETDM dispute-resolution process, that the purpose of the roadway widening was to serve proposed development located west of the state park, and traffic from this development was largely expected to travel west to the City of Naples. The Service met with the FDOT to discuss the project, and the FDOT agreed that extending the project eastward into Collier-Seminole State Park was not needed to meet the goals of the project. The FDOT agreed to redesign the project to avoid impacts to Collier-Seminole State Park.

U. S. Highway 98 widening from U.S. Highway 27 to east of Airport Road, Highlands County, Florida. - The Service submitted comments through the ETDM Environmental Screening Tool noting that the project as proposed could result in impacts to the Service's Lake Wales Ridge National Wildlife Refuge immediately north of the project corridor. The Service recommended that the FDOT redesign the proposed roadway widening to avoid impacts to refuge lands and minimize impacts to fish and wildlife habitat in the project corridor to the greatest extent practicable. We believe that are comments and recommendations will help minimize the impacts of the project to fish and wildlife in the project area.

State Road 80 Widening, Hendry County and Glades County, Florida - The Service is working with the FDOT to determine the number and location of underpasses needed for the endangered Florida panther (*Puma concolor coryi*). State Road 80 provides a potential barrier to panther dispersal north of the Caloosahatchee River. The project is still in the early stages of project planning. The consideration of this issue early in the planning process will allow the FDOT to obtain funding for the crossings that might not otherwise be available later in the planning process.

Improvements to U.S. Highway 1 from Florida City to Key Largo, Miami Dade County and Monroe County, Florida -The Service has worked with the FDOT to reduce impacts to freshwater and saltwater wetlands, and federally listed species associated with the project. Impacts to these resources were minimized by the FDOT adopting the use of a concrete center-median and widening existing lanes rather than the construction of new lanes. The Service also worked with the FDOT to site locations for underpasses for the endangered American crocodile (*Crocodylus acutus*), and other fish and wildlife in the project area. The Service has also worked with the FDOT to protect the endangered West Indian manatee (*Trichechus manatus*) during removal and replacement of the bridge over Jewfish Creek, and the removal of the Lake Surprise Causeway and the construction of a new bridge over Lake Surprise.

New Traffic Signal in Sugarloaf Key, Monroe County, Florida - The Service worked with the FDOT to redesign the location of a proposed traffic signal to avoid impacts to habitat of the endangered silver rice rat (*Oryzomys palustris natator*). The new signal will now be installed within the existing U.S. Highway 1 right-of-way.

State Road 40 Widening, Marion County, Lake County and Volusia County, Florida - Early coordination has allowed a greater opportunity to address state and federally listed species concerns with the widening, as well as giving stakeholders opportunity to be an active partner in roadway design (human safety, wildlife crossings, scenic roadway designations, and habitat management).

Suncoast Parkway II , Citrus County, Florida – Early coordination is allowing the Service to provide comments and recommendations on threatened and endangered species, wildlife crossings, roadway alternative alignments, and habitat management issues.

Overall, the Service's coordination, review, and streamlining of FDOT transportation projects through the ETDM process are going well. We have not encountered any significant problems, although, some minor problems have occurred. In a few isolated cases lack of adequate communication between the Service, the FDOT, FDOT consultants, and other agencies has led to some temporary misunderstandings regarding proposed projects. In addition, the Service has not been able to fully fund the salary and benefits of our transportation biologists based on our current funding agreement with the FDOT. Nonetheless, the Service is currently working with the FDOT to amend the funding agreement to resolve this problem

Because the ETDM process has only recently been implemented, it is too early to evaluate its effectiveness in addressing fish and wildlife concerns. However, the Service continues to have concerns about the ability of the ETDM process to address indirect effects (e.g, induced development) and cumulative effects from major roadway widenings and expansions, and new roadway alignments. We recommend that the FDOT fund modeling efforts to forecast potential growth effects from roadways.

The Service has established performance measures to track our workload in the review and consultation of projects that could potentially affect fish and wildlife resources. The performance measures include a tally of the total number of technical assistance requests received, the total number of technical assistance requests completed, and the acreage of habitat protected or restored in the past fiscal year based on the following categories:

Energy, Transportation, Water Supply and Delivery, Restoration, Non-Energy Minerals, Communication Towers, Dredging/Navigation/Dock and Harbor Construction, Shoreline Stabilization, Coastal Barriers/Flood Control Protection, Agriculture/Aquaculture/Forestry, Grazing/Land/Watershed Plans, Landfills and Wastewater Treatment Facilities, Resident/Commercial/Government Facility Construction, and Military.

The term “Technical Assistance Requests Received” includes any written communication, including email notices, asking the Service to attend meetings, visit sites, comment on documents, conduct studies, or complete some other significant task. The term “Technical Assistance Requests Completed” includes any written communication to an agency or applicant; meetings attended; field trips taken; studies conducted; or other significant task completed.

As indicated above, our during 2004, transportation biologists at the three Service field offices received information and provided response for a total of 230 transportation projects (Vero Beach Field Office = 116, Panama City Field Office = 67, and Jacksonville Field Office = 47) (see attached 2004 quarterly report spreadsheets for details). Unfortunately due to workload constraints and difficulties with record keeping, we are not able to provide an accurate estimate of the total acreage of fish and wildlife habitat protected or restored in association with transportation projects.

For the upcoming year, the Service anticipates that we will continue to be actively involved in the ETDM Process, and work with the FDOT to resolve fish and wildlife resource issues associated with transportation projects. To fully fund our work in the ETDM process during 2005, the Service has already prepared a draft amendment to our funding agreement with the FDOT that addresses the shortfall in salaries and benefits, and the use of expense monies related to the current funding agreement. We anticipate that the amendment will be finalized and signed sometime in early 2005. The Service is also currently completing our Advance Invoice Request to obtain funding from the FDOT for the first quarter of 2005.