



Florida Department of  
**TRANSPORTATION**

**FDOT**  
**NEPA Assignment Program**  
**(for highways)**  
**and**  
**Statewide Acceleration and Transformation**  
**(SWAT)**

June 2016

# NEPA ASSIGNMENT PROGRAM

## Responsibilities Being Sought (23 USC 327)

- All responsibilities cited in 23 USC 327 for highway projects
- NEPA, all eligible Federal Environmental Laws and Executive Orders as provided in Appendix A to Part 773
- All classes of highway projects
  - Class I: Environmental Impact Statement (EIS) projects
  - Class II: Categorically Excluded (CE) projects
  - Class III: Environmental Assessment (EA) projects
  - Local Agency Program (LAP) projects
- Under this program, FDOT would be deemed to be FHWA on all projects for environmental matters

# HOW DOES THIS BENEFIT FLORIDA?

- Florida would have decision making authority assuming FHWA responsibilities and liabilities
- No reduction of environmental considerations
- Time and cost savings
- Eliminates one layer of governmental review
- Allows direct consultation between FDOT and federal regulatory agencies
- Consolidates all NEPA reviews under FDOT
- More efficient use of FDOT staff and consultant resources
- FHWA will conduct annual audits of FDOT NEPA program

# Florida Department of Transportation

## Role

- Program Management and Oversight
- Documentation and Records Management
- Quality Assurance / Quality Control
- Legal Sufficiency / Legal Reviews to be conducted by FDOT Office of General Counsel
- Support FHWA audits
- Training (includes manual updates)
- Agency and Stakeholder Coordination
- Communication with Districts on changes in laws or executive orders affecting the program

## Responsibilities

- Comply with NEPA and other Federal laws and regulations
- Report all NEPA Decisions to FHWA
- Review and Approval of all documented CEs (Type 2 in Florida), EAs and EISs (SHS and LAP projects). C and D listed CEs will be delegated to the Districts.
- Consent to and accept federal court jurisdiction (FDOT attorneys will defend actions and decisions in federal court)

# FDOT Readiness

- ✓ SEMO currently reviews and approves all EAs and EISs prior to submittal to FHWA since 2008 for EISs and 2012 for EAs
- ✓ C & D list Type 1 CEs and Programmatic CEs for over **20 years**
- ✓ Environmental and legal staff will be added in Central Office
- ✓ Team of Subject Matter Experts (SME) and Reviewers
- ✓ Consultant support contracts in place
- ✓ Established state procedures to meet local, state and federal requirements
- ✓ Established relationships with state and federal agencies
- ✓ Enhancing tools in place to support quality assurance, tracking, reporting and monitoring
- ✓ Established records retention program is being enhanced
- ✓ Existing District role to remain unchanged
- ✓ Districts have been briefed and will continue to be trained

# SCHEDULE

## Application

- Statement of Interest Completed
- NEPA Bi-weekly Team Meetings On-going
- Audit Training (by FHWA) Completed
- Legal Sufficiency (by FHWA) Completed
- NEPA Assignment Workshop Completed
- Coordination Webinar (Agencies and Tribes) Completed
- Complete Initial Draft Application Completed
- Florida Legislature Limited Waiver of Sovereign Immunity Completed
- AG Certifies Limited Waiver of Sovereign Immunity Completed
- AG Certifies Sunshine Law Comparable to FOIA Completed
- Public Notice of Application Completed
- Submit Final Application to FHWA Submitted 05/31/16

# SCHEDULE

## Memorandum of Understanding (MOU)

- Draft MOU to FHWA Submitted 05/31/16
- Negotiate MOU with FHWA 06/01/16 to 07/27/16
- Federal Public Notice and Comment Period 09/22/16 to 10/20/16
- Address Comments 10/20/16 to 11/18/16
- MOU Signed 12/01/16
- Effective Date 12/01/16
- Update Procedures ,Manuals etc. 5/31/16 to 06/01/17

## Statewide Acceleration and Transformation

*2014 – FDOT took close look at time and cost of pre-construction activities. Found that although PD&E phase is least costly, it absorbs greatest time.*

To address, FDOT:

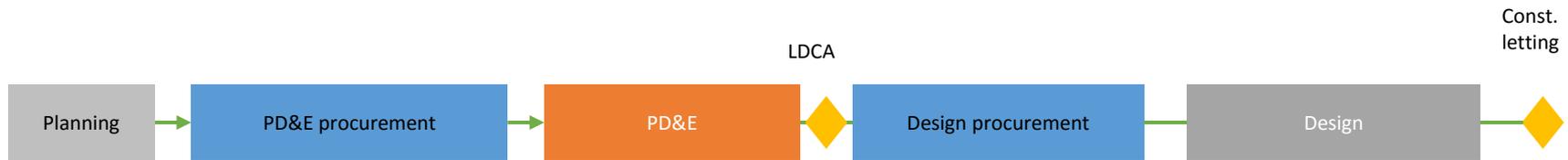
- Identified state only funded projects, faster project delivery process than federally funded highway projects
- Transformed existing state funded project delivery process to further increase efficiency and savings
- Developed the **Statewide Acceleration Transformation (SWAT)** Project management approach, benefits **ALL state funded and FHWA funded projects**
- Established District SWAT Teams, experienced and multidisciplinary
- Updating PD&E Manual (Part 1, Chapter 4 and Chapter 10)

# SWAT

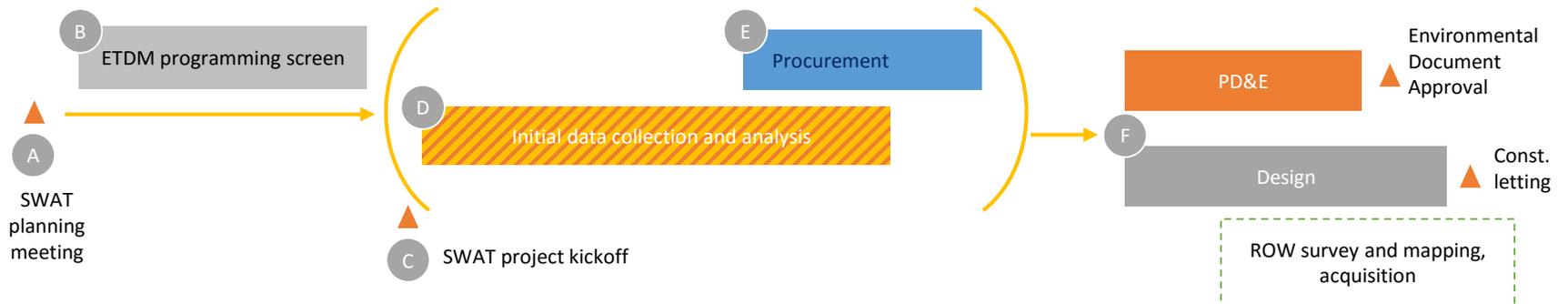
## SWAT Project Management Approach

■ Planning   ■ Procurement   ■ PD&E activity   ■ Design activity   ■ Both PD&E and Design

### Existing process



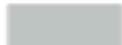
### New process



## PD&E / Design Dual Procurement Options

### Dual Procurement Options under SWAT Process:

① One contract for both PD&E and design, funded together

▪ One firm 

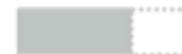
▪ Team of firms



▪ One firm with subcontractors



② One contract for PD&E with option for design



③ Two contracts for PD&E and design

▪ Let simultaneously (at once)



▪ Let separately but overlapping



## SWAT Team Activities

- SWAT Team considerations before Project Development and Environment PD&E( Study), minimally
  - SWAT Planning Meeting, early in Work Program Development cycle
  - SWAT Project Kick-off Meeting, prior to PD&E scope and advertisement
- SWAT and Project Manager coordination to develop informed, customized PD&E Project Delivery Scope

## SWAT Project Scoping Form

New SWAT Project Scoping Form has two sections:

- Environmental Evaluation (Section A)  
Completed during Planning Meeting
- Potential Project Impacts (Section B)  
Completed during Kick-off Meeting

## SWAT Scoping Form A – Planning Meeting

**FDOT SWAT SCOPING FORM**  
To be used for both Federal and State Funded Projects

**SECTION A**

**1. GENERAL INFORMATION**

Project Name: \_\_\_\_\_

Project Limits: \_\_\_\_\_

County: \_\_\_\_\_

ETDM Number (If applicable): \_\_\_\_\_

Financial Management Number: \_\_\_\_\_

Project: \_\_\_\_\_

Manager: \_\_\_\_\_

**2. PROJECT DESCRIPTION**

a. Background Information

b. Purpose and Need

c. Proposed Improvements

**3. FUNDING**

Funding type: \_\_\_\_\_

Figure 4–2 SWAT Scoping Form (Page 1 of 3)

**4. EVALUATION**

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Is this a transportation project qualifying for ETDM EST screening?
<input type="checkbox"/>	<input type="checkbox"/>	Will the project cause adverse impacts to local traffic/travel patterns, property access, community cohesiveness, or planned community growth or land use patterns?
<input type="checkbox"/>	<input type="checkbox"/>	Will the project cause adverse impacts to air, noise, or water?
<input type="checkbox"/>	<input type="checkbox"/>	Will the project cause adverse impacts to wetlands requiring a federal permit?
<input type="checkbox"/>	<input type="checkbox"/>	Will the project cause adverse impacts to navigation requiring a federal permit?
<input type="checkbox"/>	<input type="checkbox"/>	Will the project cause impacts to floodplains?
<input type="checkbox"/>	<input type="checkbox"/>	Will the project affect endangered or threatened species or their critical habitats requiring a federal finding?
<input type="checkbox"/>	<input type="checkbox"/>	Will the project require more than minor amounts of right of way and result in any residential or non-residential displacements?
<input type="checkbox"/>	<input type="checkbox"/>	Is there any potential involvement with properties protected under Section 4(f) requiring a finding from FHWA?
<input type="checkbox"/>	<input type="checkbox"/>	Will the project affect any properties protected under Chapter 267, Florida Statutes?
<input type="checkbox"/>	<input type="checkbox"/>	Does the action have known contamination sites which would have more than a minimal impact to design, right of way, or construction activities and can't be avoided or remediated?
<input type="checkbox"/>	<input type="checkbox"/>	Is a public hearing required in accordance with Part 1, Chapter 11 of the PD&E Manual and 339.155(5)(b), F.S.?
<input type="checkbox"/>	<input type="checkbox"/>	Will the project have substantial controversy on environmental grounds?

**5. ENVIRONMENT PERMITS**

Anticipated Permits: \_\_\_\_\_

**6. CLASS OF ACTION**

Anticipated COA: \_\_\_\_\_

Figure 4–2 SWAT Scoping Form (Page 2 of 3)

## SWAT Scoping Form B – SWAT Kick-off Meeting

### SECTION B

#### 1. POTENTIAL PROJECT IMPACTS TO ENVIRONMENTAL RESOURCES

Resource Categories	Substantial Impacts?				State Basis for Decision
	Yes	No	Enhance	Nolnv	
<b>A. SOCIAL and ECONOMIC</b>					
1. Social	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. Economic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. Land Use Changes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. Mobility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. Aesthetic Effects	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
6. Relocation Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<b>B. CULTURAL</b>					
1. Historic Sites/Districts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. Archaeological Sites	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. Recreation Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<b>C. NATURAL</b>					
1. Wetlands and Other Surface Waters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. Aquatic Preserves and Outstanding FL Waters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. Water Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. Wild and Scenic Rivers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. Drainage and Floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
6. Coastal Barrier Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
7. Protected Species and Habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
8. Essential Fish Habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<b>D. PHYSICAL</b>					
1. Highway Traffic Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. Contamination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. Utilities and Railroads	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. Construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
6. Bicycles and Pedestrians	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
7. Navigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

\* Nolnv = Issue absent, no involvement.

#### 2. ACTIVITIES TO BE ADVANCED PRIOR TO PD&E

List the data collection, technical reports, and survey that can be advanced ahead of PD&E start.

#### 3. LEVEL OF DESIGN EFFORTS

State whether design phase activities will be concurrent with PD&E. State level of design effort anticipated with PD&E.

#### 4. PROJECT DELIVERY METHOD

State the anticipated delivery method.

#### 5. SCHEDULE

List the project activities (their durations, milestones and constraints), deliverables, and estimated time they will be accomplished.

#### 6. RISK ASSUMPTIONS AND CONSTRAINTS

List current or potential risks, constraints, or assumptions that may affect the project and set any contingency.

Figure 4-2 SWAT Scoping Form (Page 3 of 3)

# SWAT and Scoping

## **New Standard Scope of Services (coming soon...)**

### Improved, Streamlined and Customizable

- Incorporate SWAT
- Level of design – overlap or concurrent design phase
- Specific needed deliverables, focused
- Communicates schedule expectations
- Will use a web-based tool

# New Standard Scope of Services

## **Current SoS**

0. Study Requirements
1. Public Involvement
2. Engineering Analysis
3. Environmental Analysis
4. Miscellaneous Services

## **Proposed SoS**

1. Purpose and Project Description
2. Project Requirements
3. Public Involvement
4. Engineering Analysis
5. Environmental Analysis
6. Env. Document
7. Meth. of Compensation
8. Design Services

# Standard Scope of Services

## Proposed Changes to Scope of Services

- Project Manager can customize scope based on:
  - Complexity of the project
  - Level of environmental controversy
  - Potential for significant impacts
  - Degree and quality of known information/data
  - Degree of overlap between Design and PD&E
- Project Manager will use SWAT Project Scoping Form (NEW)

Browser: https://dev-d.fla-etat.org/est/swept/ State Wide Environmental P... x

Home

# State Wide Environmental Project Tracker

Search




Office of Environmental Management  
StateWide Environmental Project Tracker



Project Dashboards



Project Input / Setup



Project Documents



Quality & Performance Management



Team Management

My Alerts

My Tasks

My Projects

Project Dashboards ▾

Project Input / Setup ▾

Project Documents ▾

Quality & Performance Management

Team Management ▾

Administration ▾

Reports ▾

Help

### Alerts

Curabitur nec leo dictum, mattis libero nec, fermentum nibh.

3 items need your attention.

Project	Status	Action Needed
# 101	On Time	Lorem ipsum dolor
# 305	On Time	Aenean venenatis nulla ante
# 217	Lagging	Suspendisse et elementum leo

### Project Schedule

80% 15% 5%

■ On Time / 
 ■ Slipping / 
 ■ Behind

# Standard Scope of Services

## Next Steps...

- Meet with FICE PD&E Subcommittee
  - Standard Language
  - Staff Hour Estimation Guidelines
  - Staff Hour Estimation Forms
- Training, Fall 2016-Spring 2017



# QUESTIONS