



This document contains data extracted from the EPA "Sole Source Aquifer Memorandum of Understanding Between EPA Region 4, the Federal Highway Administration's Florida Division (FHWA), and the Florida Department of Transportation (FDOT)," published in January 1999. You can find the entire document at

<http://www.epa.gov/safewater/sourcewater.cfm?action=Publications>.

Sole Source Aquifer Memorandum of Understanding EPA Region 4, the Federal Highway Administration's Florida Division (FHWA), and the Florida Department of Transportation (FDOT)

Sole Source Aquifer Memorandum of Understanding: Attachments

January 1999

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The United States Environmental Protection Agency, Region 4 The Federal Highway Administration, Florida Division, and The State of Florida, Department of Transportation

ATTACHMENTS

(Attachments A and B not available. Contact [Region 4 Office](#))

Attachment C

PROJECTS WHICH WILL BE REFERRED TO EPA

The EPA, FHWA, and the FDOT mutually agree the following types of Federal-aid highway activities proposed to occur in designated SSA areas will be referred to EPA for review and comment prior to funding.

1. All projects for which an EIS or EA/FONSI will be prepared.
2. Projects which have the potential to contaminate the aquifer, such as a new or stage construction involving extensive grading, widening or addition of lanes to an existing highway, replacement or rehabilitation/reconstruction of bridges over the Volusia-Floridan or Biscayne Aquifers or their designated recharge zones, and public rest areas which include domestic wastewater facilities which do not discharge to a central wastewater collection system.
3. All other projects which FHWA determines may be reasonably expected to contaminate the designated SSAs.

Attachment D

PROJECTS WHICH WILL NOT BE REFERRED TO EPA

The EPA, FHWA, and the FDOT mutually agree the following types of Federal-aid highway projects are assumed not to generally adversely affect water quality, and will not normally be referred to the EPA Ground Water/Drinking Water Branch for SSA review and comment.

1. Activities which do not involve or lead directly to construction, such as planning and technical studies; grants for training and research programs; research activities, as defined in 23 USC 307; approval of a unified work programs and any findings required in the planning process pursuant to 23 USC 134; approval of statewide programs under 23 CFR 630; approval of project concepts under 23 CFR, Part 476; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.
2. Approval of utility installations along or across a transportation facility.
3. Construction of bicycle and pedestrian lanes, paths, and facilities.

4. Activities included in the State's highway safety plan under 23 USC 402.
5. Transfer of Federal lands pursuant to 23 USC 317 when subsequent action is not a FHWA action.
6. The installation of noise barriers, or alterations, to existing publicly-owned buildings to provide for noise reduction.
7. Landscaping.
8. Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
9. Emergency repairs under 23 USC 125.
10. Acquisition of scenic easements.
11. Determination of payback under 23 CFR, Part 480 for property previously acquired with Federal-aid participation.
12. Improvements to existing rest areas and truck weigh stations, when the facility is not otherwise covered by item 2, attachment "C".
13. Ride-sharing activities.
14. Bus and rail car rehabilitation.
15. Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
16. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routing changes in demand.
17. The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves have been categorically excluded.
18. Track and rail-bed maintenance and improvements when carried out within the existing right-of-way.
19. Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.

Attachment E

**PROJECTS WHICH WILL NOT BE REFERRED TO EPA
SUBJECT TO CONDITIONS LISTED IN ATTACHMENT F**

The following types of projects also will not be referred to EPA, however, these projects must not only meet the criteria described in 23 CFR 771.117(a) and (b), but also must satisfy the conditions listed in Attachment F:

1. Adding or lengthening turning lanes (including continuous turn lanes), intersection improvements, channelization or traffic, dualizing lanes at intersection and interchanges, auxiliary lanes, and reversible lanes.
2. Flattening slopes; improving vertical and horizontal alignments.
3. Highway safety or traffic operations improvement projects including the installation of ramp metering control devices and lighting.
4. Restore, replace and rehabilitate culverts, inlets, drainage pipes, and systems including safety treatments.
5. Widening, adding roadway width and shoulders without adding through traffic lanes.
6. Roadway skid hazard treatment.
7. Upgrade, removal, or addition of guardrail.
8. Upgrade median barrier.
9. Install or replace impact attenuators.
10. Upgrade bridge end approaches/guardrail transition.
11. Upgrade railroad track circuitry.
12. Improve railroad crossing surface.
13. Improve vertical and horizontal alignment of railroad crossing.
14. Improve sight distance at railroad crossing.
15. Railroad crossing elimination by closure, and railroad overpass removal within right-of-way.
16. Clear zone safety improvements, such as fixed object removal or relocation.
17. Screening unsightly areas.
18. Freeway traffic surveillance and control systems.
19. Motorist aid systems.
20. Highway information systems.
21. Preventive maintenance activities such as joint repair, pavement patching, shoulder repair and the removal and replacement of old pavement structure.
22. Restore, rehabilitate, and/or resurface existing pavement.

23. Computerized traffic signalization systems.
24. Restoring and rehabilitating existing bridge (including painting, crack sealing, joint repair, scour repair, scour counter measures, fender repair, bridge rail or bearing pad replacement, seismic retrofit, etc.).
25. Widening of substandard bridge to provide safety shoulders without adding through lanes.
26. Replacement of existing bridge (in same location) by present criteria.
27. Transportation enhancement projects involving acquisition of historical sites and easements, or historical preservation.
28. Preservation of abandoned railway corridors, including the conversion and use for pedestrian, equestrian, or bicycle trails.
29. Rehabilitation and operation of historic transportation buildings, structures, or facilities, including railroad facilities and canals.
30. Mitigation of water pollution due to highway runoff.
31. Bridge removal.
32. Approvals for disposal of excess right-of-way or for point or limited use of right-of-way, where the proposed use does not have significant adverse impacts.
33. Rehabilitation or reconstruction of existing rail and bus transit buildings and ancillary buildings where only minor amounts of additional land are required, and there is not a substantial increase in the number of users.
34. Construction of bus transfer facilities (an open area consisting of passenger shelters, boarding areas, kiosks, and related street improvements) when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic.
35. Acquisition of land for hardship or protective purposes for a particular parcel or a limited number of parcels; advance land acquisition loans under section 3(b) of the Urban Mass transportation Act.
36. Mitigation projects.
37. Animal crossings.
38. Projects which do not have the potential to contaminate the Volusia-Floridan or Biscayne Aquifers or their designated recharge areas.

Attachment F
Review Conditions for the Exempted Activities

Projects 1 - 38, listed in Attachment E, will not be referred to EPA provided these projects satisfy the criteria described in 23 CFR 771.117(a) and (b), and the following criteria:

1. Water quality impacts are negligible or nonexistent.
2. Wetland areas are not taken, or if wetlands are involved, they would qualify for a Nationwide or General Permit issued by the COE. For Nationwide Permit 23 the COE recognizes only those project activities listed in 23 CFR 771.117 as categorical exclusions.
3. Flood plain encroachments are not significant.
4. No significant amounts of right-of-way may be acquired and no significant amount of relocations are involved.
5. No known potentially significant contamination.

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