

CHAPTER 14
FEDERAL TRANSIT ADMINISTRATION (FTA)
ENVIRONMENTAL PROCESS

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14. FTA ENVIRONMENTAL PROCESS

14-1 OVERVIEW

The environmental analysis and documentation for a transit project is similar in many ways to that of a highway project; however the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) differ in their processes and implementation of some federal laws and requirements. This chapter has been created to assist in the preparation and approval of environmental documents and preliminary engineering for transit projects. Please note that in Florida, the ***National Environmental Policy Act (NEPA)*** phase of project development is synonymous with the Project Development and Environment (PD&E) phase, and in this chapter will be referred to as PD&E. It should also be noted that FTA's policy and guidance for New Starts evaluation and environmental documentation are subject to frequent changes and updates. It is advisable to review FTA policies prior to initiating a project (See link to policies in ***References Section, 14-3***).

The FTA Environmental process begins earlier than the project development, design and technical analysis of a particular project. Metropolitan and statewide transportation planning entities identify transit needs and mobility problems and propose solutions that reflect consideration of broad socioeconomic and environmental factors (such as regional air quality). If State or local agencies seek FTA funding assistance for a project, then the FTA must determine the environmental class of action. Transportation actions involving new construction with off-site or long-term impacts usually merit a detailed review that is done with appropriate public involvement and documented in a formal Environmental Impact Statement (EIS).

Given the size and scope of most major New Start projects, a detailed PD&E review is necessary and alternative solutions are identified to address transportation needs. The FTA environmental process requires the transportation agency to develop and evaluate a range of reasonable alternatives, in addition to the proposed project, in order to determine the best option for addressing transportation problems, considering the community, and protecting the environment. When highway or multimodal solutions are viable options in addition to transit solutions, FTA and the transit agency cooperate with FHWA and the state DOT in conducting the PD&E review. If a transit is seeking FTA New Starts funding, (see ***Section 14-1.1***), the PD&E process can be coordinated and conduct simultaneously with the New Starts evaluation.

FTA and the ***Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)*** have placed more emphasis on linking the New Starts Funding Process into the PD&E process. ***Figure 14.1*** summarizes the interaction between some parts of this complex integrated process. The funding for New Starts projects is highly competitive. Unlike a roadway project where funding is often committed by project phases, project sponsors must demonstrate the financial capability to operate and maintain selected alternatives. Although the PD&E process

and applications for New Starts funding can be completed independently, integration of these processes provides benefits such as helping to manage a community's expectations with regards to the realities of funding and the potential scope of the project and providing the public information about how likely it is that the project will receive federal funding by disclosing the New Starts rating in the final environmental document.

The FTA Environmental process is shown in **Figure 14.1**.

14-1.1 New Starts

The Federal Transit Administration's New Starts Program provides funding to support new locally-planned and operated fixed guideway systems or extensions to existing fixed guideway systems. Eligible projects can include but are not limited to heavy rail, light rail, commuter rail, automated fixed guideway system (such as a people mover), bus rapid transit and other high occupancy vehicles, or the extension of these systems. **SAFETEA-LU** sets forth specific criteria for New Starts that the FTA uses to consider approval to advance transit fixed guideway projects through the project development process and enter into a long term financial commitment to implement the proposed investments. New Starts criteria are categorized into the following three areas: Alternatives Analysis and Preliminary Engineering, Project Justification, and Local Financial Commitment. Projects must achieve an acceptable New Starts Rating in order to be eligible for funding under the New Starts Program (**Figure 14.2**).

For New Starts projects going through PD&E, FTA serves as the lead agency most of the time since these projects require FTA approval, while the sponsoring local transit agency assumes a joint-lead role. Public bodies and agencies (transit authorities and other state and local public bodies and agencies thereof) may apply for New Starts Funding, including states, municipalities, other political subdivisions of states; public agencies and instrumentalities of one or more states; and certain public corporations, boards, and commissions established under state law. For more information on the New Starts Program, guidance is available on the FTA's website.

14-1.2 Small Starts

In addition to the New Starts Program, FTA administers a Small Starts Program. Small Starts differ from New Starts in the size and scope of the project and therefore are eligible for a simplified project evaluation and rating process. Specific criteria for a Small Starts project include fixed guideway for at least 50% of the project and/or that it is a corridor-based bus system with minimum required elements such as substantial transit stations, signal priority/pre-emption, low floors, special service branding, frequent service, and service offered for a minimum of 14 hours per day. For a project to be recommended for Small Starts funding it must have a total capital cost of less than \$250 million and a (**49 U.S.C. 5309**) Small Starts share of less than \$75 million, must be approved to enter into project development, must be ready to be implemented within the same fiscal year as the proposed funding is for, and must be rated at least "medium" for

cost effectiveness. The rating scale, established by **SAFETEA-LU**, is a five-tier rating scale of “High,” “Medium-High,” “Medium,” “Medium-Low,” and “Low.”

14-2 PROCEDURE

14-2.1 Categorical Exclusions

All FTA projects must follow the PD&E process – most will require either EA/FONSI or EIS/ROD. In some cases FTA will agree to process a Categorical Exclusion (CE) for projects with minor impacts. The project sponsor should coordinate with FTA to determine if portions of their project can be completed as a CE. Some transit agencies may complete their own minor projects (non-federally funded) by complying with local, state and federal permitting requirements. In those cases, the agency should refer directly to the requirements of the permitting agency for all necessary evaluation and documentation of compliance with local, state and federal laws.

14-2.2 Alternatives Analysis

The Alternative Analysis (AA) is conducted to identify potential alternative solutions to the corridor’s transportation problems. Information on the costs, benefits, and impacts of each alternative is developed to provide a sound technical basis for project decision-making. One significant difference in the FTA process versus the FHWA process is that FTA requires consideration of a Baseline Alternative, as well as a No Build Alternative. The Baseline Alternative includes transit improvements that are not a “major investment.” As its name implies the Baseline Alternative provides the basis for comparing the higher cost build alternatives to a lower cost option that may also satisfy Purpose and Need. The Baseline Alternative is often the same as the Transportation System Management (TSM) Alternative. The definition of the Baseline Alternative must be approved by the FTA. At the conclusion of the AA, local officials select a preferred mode and general alignment, adopt a plan for financing the project’s capital and operating costs, and request FTA’s approval to start PD&E evaluations and Preliminary Engineering (PE). The selected mode and identified corridor location is known as the Locally Preferred Alternative (LPA). The LPA must be adopted into the region’s long-range transportation plans to gain approval to enter PE.

The FTA environmental process and interpretation of some federal laws and requirements differ greatly from the environmental process adhered to by FHWA. Typically, the FTA process begins with the development of an **Alternatives Analysis (AA) Report** and selection of a locally preferred alternative. The LPA identified during the AA should not be confused with a preferred or recommended alternative at the completion of the PD&E process. The LPA establishes the preferred mode of transit (bus, light rail, bus-way, etc.) and the general alignment in a corridor(s). The PD&E documentation will still consider a range of alternatives and specific alignments within the corridor to implement the LPA.

The FTA Environmental process begins far earlier than the project development phase and permission from FTA is necessary to move from one phase to the next. Once an LPA is selected and PD&E scoping is completed, FTA may grant permission to begin the environmental document (CE, EA or EIS) and preliminary engineering. An AA can be performed in conjunction with the preparation of the DEIS or they can be performed before the DEIS is prepared. The decision is up to the local agency. This is largely a function of available funding for the study phases, local initiative or an established need for the project.

If the AA is initiated under PD&E, the state or local agency responsible for compliance with PD&E under the **Council on Environmental Quality Regulations (40 CFR 1501.5 and 40 CFR 1501.6)** will develop substantial portions of the environmental document and are expected to sign the document and share responsibility for its scope and content with FTA. At the beginning of the environmental process, FTA will discuss the scope and content of the appropriate environmental documentation with the lead agency before decisions are made on the scope and depth of analysis. The lead agency then carries out these decisions. Regardless of whether FDOT or local agency leads the PD&E process, the other agencies involved in the Alternatives Analysis can, and are encouraged to be, cooperating agencies.

Even if the AA is not initiated under an FTA funded or formal PD&E process, the effort performed will be used to support decisions made regarding the project and must be well documented because the AA will be the basis for any subsequent PD&E documentation and preliminary engineering advanced by FTA.

The importance of a rigorous and objective AA cannot be understated. The Alternatives Analysis is the earliest, yet arguably most critical, phase of project development. The AA provides the information needed by local decision makers to consider the costs and benefits of several proposed strategies in addressing corridor problems, so that they may select a single alternative to advance into implementation. Since an AA is the forum for understanding the trade-offs inherent in making such a selection, it must provide a sufficient level of technical analyses necessary to support an informed decision. The LPA – and all of its costs and benefits - which results from the AA is the project that local stakeholders are expecting to implement, and implicitly becomes the project that FTA may potentially fund. Therefore, the alternatives studied must be objectively-defined, and planning-level predictions of their impacts must be reasonably accurate.

The AA is divided into four major steps: study initiation, development and refinement of alternatives and technical methodologies, analysis and evaluation, and selection of the LPA. These steps follow one another in sequence, with the results of each phase serving as necessary inputs to the following phase.

14-2.2.1 Study Initiation

During the AA study initiation phase, the roles and responsibilities of participating agencies are established, issues to be addressed in the study are defined, and the availability of data and models for addressing these issues are determined. Also, the initial public involvement plan is formalized and the public involvement process is initiated. If the AA is undertaken concurrent with the PD&E, these activities are synonymous with scoping. The study initiation phase typically results in a detailed scope of work, or work plan, for the study; a problem statement and corresponding goals, objectives, and preliminary evaluation measures which guide the subsequent analysis; and a conceptual definition of alternatives to be included in the study. This information should be submitted to FTA for review.

A clear understanding of transportation problems in a corridor plays a critical role in the AA study. The Purpose and Need Statement created at the initiation of the PD&E process serves to articulate why an agency is proposing to spend potentially large amounts of taxpayer's money to study various alternatives and ultimately implement a project which may result in significant transportation, community, and environmental costs, benefits, and impacts. The Purpose and Need Statement is submitted to FTA for review and approval.

For studies performed outside of the PD&E process, the same type of information should be generated and will be used to establish the scope of the subsequent PD&E study. Like the Purpose and Need Statement, this information provides the context for performing the analysis and for identifying the measures against which alternatives strategies will be evaluated. It also serves as an introduction for decision makers and the public to the study area, its transportation needs, and the alternatives which are proposed to address those needs. For projects seeking New Starts funding, this can be done in the formulation of a ***"Making the Case" Paper***. The ***"Making the Case" Document*** is a 3-page narrative prepared by the sponsoring agency which serves the purpose of explaining the benefits of the proposed investment in comparison to baseline and other lower cost alternatives. The narrative is intended to "make the case" for the project and to answer fundamental questions such as: Who benefits from the project? How much? And why? For further guidance please refer to FTA guidance on the ***"Making the Case" Document*** at http://www.fta.dot.gov/planning/newstarts/planning_environment_233.html

The ***"Making the Case" Document*** and an initial ***"Purpose and Need" Statement*** establishes the problems which must be addressed in the analysis; serves as the basis for the development of project goals, objectives, and preliminary evaluation measures; and provides a framework for determining which alternatives should be considered as reasonable options in a given corridor.

The Study Initiation Phase also involves initial coordination with the potential project stakeholders and setting the course for the project (will the study be an AA or a combined AA/DEIS). This includes a determination of the Class of Action based on

initial FTA meetings and agreement on a general approach to the project. The Study Initiation Phase establishes the base line criteria and assumptions that the remainder of the study will be based upon and from which alternatives will be developed.

14-2.2.2 Development and Refinement of Alternatives

Once the study has been initiated (and if appropriate scoping is complete), the next step is to further refine the alternatives and the methods to be incorporated into the Alternative Analysis. This step is designed to ensure that all participants in the process are in general agreement with the alternatives and analytical methodologies before the technical analysis process is undertaken. This step often includes a preliminary analysis to screen out those alternatives that show the least amount of promise. The development of the various alternatives to be considered in the AA process follows closely after the explanation of the corridor problem. The definition of these alternatives is a very important part of the study process. Without a set of alternatives that meet the study's problem statement and goals for improvement to even the highest quality technical analysis cannot produce the full set of information needed by decision makers.

The AA examines a set of initial alternative concepts that have been shown to be promising solutions to the corridor's transportation problems. The range of alternatives includes a no-build (or Do-Nothing) alternative, one or more fixed guideway options, such as light rail, heavy rail, or busway (which may include provisions for use by carpools), and at least one non-guideway lower cost Transportation System Management (TSM), that represents the "best you can do without a guideway investment". For projects seeking New Starts funding, the TSM alternative will normally serve as the baseline alternative for evaluating the incremental costs and incremental benefits of a fixed guideway (New Start) facility. The Baseline/TSM alternative includes such low cost actions as traffic engineering, express or enhanced bus service and other transit operation changes, and modest capital improvements.

While the range of alternatives should include all reasonable and promising choices available to decision makers a large number of alternatives increase the complexity of the analysis process, adding to the time and cost of the study. A large number of alternatives also tends to create a final report which is too large and incomprehensible for the average reader. Where a large number of alternatives are proposed, FTA encourages local sponsoring agencies to perform a preliminary screening task early in the study to reduce the number of alternatives to a manageable few.

The development and definition of alternatives is typically an iterative process, and is documented accordingly. A tiering-style of analysis can be conducted to measure and refine alternatives, moving viable alternatives forward while documenting which others were disregarded for further analysis. This may include a preliminary screening of alternatives to determine those that are not feasible for apparent reasons; followed by a more qualitative screening and then a more quantitative screening. In cases when a

project may be controversial or politically charged, a tiered evaluation will help to provide an appropriate level of analysis and screening of alternatives.

First, a broad conceptual definition of alternatives may be developed as early as systems planning. This definition describes the physical and operating characteristics of a broadly identified range of alternatives in very conceptual terms. Initial activities of the corridor analysis are focused on narrowing this range to a more manageable number to carry forward in the study. This “screening” and further refining of alternatives typically results in a ***Detailed (or Draft) Definition of Alternatives Report*** which summarizes the detailed parameters of the alternatives to be carried into the heart of the analysis. Ultimately, these surviving detailed alternatives undergo additional refinements, including the equilibration operating plans; agreement on other operating policies; parking capacities and user costs; and other policy and design features (including the development of plan and profile drawings). The refined alternatives are documented in an update to the ***Definition of Alternatives Report*** typically titled the ***Final Definition of Alternatives Report***. **Figure 14.3** summarizes characteristics of the ***Conceptual, Draft and Final Definition of Alternatives Reports***. The results of the FDAR are incorporated into the AA.

14-2.2.3 Technical Methodologies

This step includes applying the methodologies developed for each of the study's technical functions to assess the transportation, environmental, and financial impacts of each alternative. Documentation and analysis of methodologies is critical to the New Starts process as project methodologies and rational will be reviewed by FTA. One example would be Bus Rapid Transit (Headways, Technology) versus Light Rail (Headways, Technology). The purpose of the methodology report(s) (or memoranda) is to 1) bring about agreement among the participating agencies with regard to the specific technical methods and assumptions to be used in the analysis, and 2) document these methods and assumptions for use by others in subsequent analysis. It must be emphasized that methodology reports are not to be viewed as academic treatises on the various technical analyses. Rather, they serve to document the initial technical work involving data collection, evaluation, and selection of methods and input assumptions, and plans for the application of these methods to the specific characteristics of the corridor and the alternatives. In most cases, these reports should emphasize this last consideration - how the analysis will be focused on the issues that will be important to the selection of a preferred alternative. Consequently, while work on the reports can commence early in the analysis, they are most useful when finalized after agreement is reached on the detailed definition of alternatives. Thus, the methodology reports are interim documents which define the technical work for the remainder of the analysis, including the refinement of alternatives. They are working documents designed to set forth guidelines for the remaining work, rather than unfocused, general discussions that contribute little to the conduct of the study.

Examples of specific methodology reports/memoranda include the following:

1. Travel Demand Forecasting
2. Traffic Impact Analysis
3. Noise and Vibration
4. Air Quality
5. Social and Economic Impact Assessment
6. Environmental and Natural Resource Impact Assessment
7. Land Use
8. Capital Costing
9. Operations and Maintenance Costing
10. Financial Analysis
11. Evaluation of Alternatives
12. Public Participation

If a particular community has issues or concerns in addition to the items listed above, an agency may choose to analyze and document additional methodologies in the ***Alternatives Analysis Report***. FTA will also expect clearance/acceptance of these methodologies from the other agencies involved in the projects, such as SHPO, FRA, or the USCOE.

Methodology documents may range in length from a few pages each to several hundred if combined into a single volume. Nothing dictates the length of any report or memoranda except the amount of information necessary to articulate the procedures, tools, and assumptions used to carry out the analysis. FTA notes that, at the discretion of the study sponsor, documentation of the technical methodologies used in the AA study which are submitted to FTA for review can be limited to a presentation of how the methodologies deviate from FTA guidance, and why. Local agencies have full discretion in how they organize the documentation of technical methodologies.

14-2.2.4 Analysis, Evaluation, and LPA Selection

This section of the AA builds upon the level of detail that was begun with the Alternatives Development and Refinement and analyzes, evaluates and recommends a Locally Preferred Alternative (LPA).

At this step, it is important to obtain full agency buy-in on the level of analysis that is expected for refining and selecting alternatives. This will depend on whether the AA-only or the AA/DEIS approach is followed, yet needs to be agreed to by FTA and the other agencies involved in the project. Some agencies may expect a full impact assessment and mitigation determination for every alternative if PD&E is entered into during AA. Therefore, full agency buy-in ensures that their level of expectation for analysis is in-line with the actual project.

In evaluating and choosing an LPA the FTA suggests using a small one or two-page table to identify and display the key measures on which each alternative will be evaluated. There are five classes of evaluation measures that are generally preferred in desirable project:

1. Effectiveness – the extent to which the project solves the stated transportation problems in the corridor;
2. Impacts – the extent to which the project supports economic development, environmental or local policy goals;
3. Cost-effectiveness (or cost-benefit analysis) – that the costs of the project, both capital and operating, be commensurate with its benefits;
4. Financial feasibility – that funds for the construction and operation of the alternative be readily available in the sense that they do not place undue burdens on the sources of those funds; and
5. Equity – that the costs and benefits are distributed fairly across different population groups.

Transportation problems identified during system planning guides the alternatives analysis and must be the focus of the evaluation of an LPA. The evaluation process should start with the statement of goals and objectives for transportation improvements or with an existing statement. The local transportation problems which the AA is designed to solve should serve as the guiding principles, as well as local conditions, in evaluating the merits of the LPA since they can focus on local concerns such as the environment congestion relief, capacity constraints, and land use impacts to name a few. For further guidance and more detail on the five measures please refer to FTA guidance on the Evaluation of Alternatives at http://www.fta.dot.gov/planning/newstarts/planning_environment_2576.html

It should be noted that the evaluation process is an ongoing and comprehensive process in which the technical work proceeds and is not restricted to the final phase of the analysis. Specific problems in the corridor should be used to guide the alternatives evaluation process.

Once the evaluation has proceeded through the five perspectives sequentially examining each alternative a Trade-Off Analysis is conducted. A Trade-Off Analysis is broad in nature and highlights the advantages and disadvantages and trade-offs of

costs and benefits that must be made in choosing a particular alternative for those making the decisions on the alternatives.

14-2.2.5 Final Results

The final step involves a) preparation of a final **Alternatives Analysis Report** (or the draft EA/EIS if the study is undertaken under PD&E) summarizing and interpreting the results of the study; and b) the selection of the LPA. The AA final report/draft EA/EIS will pull together in one place all of the technical information deemed relevant to the selection of the LPA; that is, it serves as a vehicle for decision making. This selection process typically includes circulation of a final study report (or draft EA/EIS), a public hearing, a local decision on the preferred alternative, and preliminary adoption of a financing plan for the preferred alternative's capital and operating costs.

The following is a suggested outline, based on FTA requirements, for the **Final AA Report**:

1. AA Report
 - a. AA Initiation Plan
 1. Problem Statement/Purpose and Need
 2. Conceptual Alternatives
 3. Evaluation Criteria
 - b. Technical Details
 1. Detailed Definition of Alternatives
 2. Baseline Alternatives
 3. Detailed Alternatives
 4. Technical Methodologies
 5. Capital Costs
 6. Operating and Maintenance Costs
 7. Travel Forecasting
 - c. Technical Results
 1. Final Alternatives (including New Starts baseline)
 2. Capital Cost Estimates
 3. Operating and Maintenance Cost Estimates
 4. Travel Forecasting Results and Interpretation
 5. Environmental Analysis (planning level)
 6. Evaluation of Alternatives
 - d. Final Alternatives Analysis Report
 1. Locally Preferred Alternative
 2. General Alignment and Technology
 3. Always keep "No-Build" and "Baseline TSM" Alternatives

4. Must be incorporated into the Metropolitan Planning Organization Long Range Transportation Plan

14-2.2.6 Documentation and FTA Review

Work is performed during each step in the Alternatives Analysis phase, as data is collected, methods are developed, analyses are performed and documented, and the results are presented for agency and public review, and taken into account in local decision making. A strong documentation effort of these activities provides the detail necessary to manage the study, support the analysis, and present its results.

FTA requests the opportunity to review and comment on project documentation as it is being developed. FTA notes that while the term “report” is applied in this chapter to each of the documents, there is no specific format for them; they may just as easily be titled Technical Memoranda. While participating local and state agencies are responsible for ensuring that the AA study is conducted in a technically sound manner, FTA, as a key funding partner and advocate for good planning practice, has a strong interest in ensuring the quality of the work. Moreover, Federal law requires that FTA approve project advancement into the preliminary engineering (PE) stage of development, signifying inclusion of a project in the New Starts “pipeline.” FTA bases its decision to advance a project into PE in large part on the information and data developed during AA. To ensure that this information satisfies its needs at the time of the PE request, FTA strongly recommends that study sponsors extend to FTA the opportunity to participate in the AA study. FTA believes that such early involvement will assist local agencies in addressing technical and procedural issues early in the study process, rather than at the end when it may be too late to solve them efficiently. Moreover, in order to avoid duplication of effort in subsequent project development activities, and to help ensure that the Alternatives Analysis process “counts” for the purposes of required PD&E documentation, study sponsors are advised to involve FTA in the AA study. To that end, FTA strongly encourages study sponsors to prepare and transmit for review a number of key study documents developed throughout the Alternatives Analysis. These specific documents, and where additional information on their development and content can be found in this guidance, are presented in **Figure 14.3**. As previously noted, documentation of the technical methodologies used in the AA study which are submitted to FTA for review may be limited to a presentation of how the methodologies deviate from FTA guidance, and why. It is FTA’s expectation that a close local-federal partnership will expedite the advancement of well-justified major capital transit investments throughout the project development process. These proposed projects will also better respond to local transportation problems within a fiscally constrained decision making environment as well as their justification will hold up better to the scrutiny placed upon them by local and federal decision makers.

During the course of alternative analysis, the preparation of a number of reports supporting the final **AA Report** is recommended. As described above, these include (but are not limited to) a report justifying the need for an improvement, such as a problem statement (or in the case of an AA being performed as part of PD&E, project

Purpose and Need); a series of reports describing the conceptual and refined definition of the alternatives under study; a report (or reports) describing the technical methodologies used in the AA; and a report (or reports), that summarize the results of the analysis. Moreover, the breadth of the study's technical analyses is best managed and presented when documented separately from the study itself. The final product of the AA is the ***Final Alternatives Analysis Report***. If undertaken under PD&E, this is typically the draft EIS; if not then it is a stand alone report that can be used to scope the subsequent PD&E process. Whether performed "inside" or "outside" of PD&E, FTA suggests that the AA document be as concise as possible, and written for a broad audience which includes both local decision makers and the general public. More detailed information and analysis can be covered in the series of technical reports subsequently made available for review by all interested parties.

14-2.2.7 Agency Roles and Responsibilities

The majority of the work required for the ***Alternatives Analysis Report*** is usually performed locally by the transit operator, metropolitan planning organization, or other municipal agencies. On occasion, FDOT may complete the Alternatives Analysis phase. The responsibility for conducting the study is often shared among several local agencies with one taking a lead role, often overseeing staff performing much of the technical work. On the occasion of a dispute ***SAFETEA-LU*** provides a formal process for resolving serious issues that may result in the delay of or denial of a required approval that is required for a project.

If the AA study is initiated under PD&E, the FDOT or local agency for compliance with PD&E under the ***Council on Environmental Quality Regulations (40 CFR 1501.5 and 40 CFR 1501.6)*** will develop substantive portions of the environmental document and are expected to sign the document and share responsibility for its scope and content with FTA. At the beginning of the environmental process, FTA will discuss the scope and content of the appropriate environmental documentation with the state or local agency before decisions are made on the scope and depth of analysis. The state or local agency then carries out these decisions. Regardless of which state or local agency leads the PD&E process, the other agencies involved in the Alternatives Analysis can, and are encouraged to be, cooperating agencies under PD&E.

14-2.2.8 The Local Lead Agency

The local lead agency has the primary responsibility for overseeing the Alternatives Analysis. It ensures that the work is performed in a technically sound manner, and is successfully completed in accordance with the project schedule and budget. The local lead agency may also perform all of the technical work, share responsibility for the work with other local agencies, or contract out all or part of the work to a consultant. Some of the more important activities involved in properly managing the study are:

1. Development of a detailed scope of work/work plan identifying the tasks that will be performed, the sequence in which they will be completed, agency responsibilities for completing the work, project schedule, and the anticipated cost of the respective study tasks.
2. Identifying agency responsibilities for completing assigned tasks, and ensuring that the involved agencies are organized, staffed and supported so as to be able to fulfill their roles in a timely manner. Attention should be paid to ensuring that the staff is technically competent for the assigned tasks, and that interdisciplinary skills are brought to bear where necessary.
3. Providing professional management and direction as the work progresses, ensuring that work is done in an efficient manner and that deliverables are obtained in a timely fashion.
4. Taking necessary steps, such as establishing a technical advisory committee, to ensure the technical quality of the work.
5. Coordinating with local cooperating agencies and FTA by means of study steering committees, monthly/quarterly reports, transmission of key study documents for review, etc.
6. Keeping other interested agencies, private operators, and the public informed and seeking their input through established public involvement mechanisms.
7. Responding to information requests by decision makers during the course of the study.

14-2.2.9 Participating Agencies

Participating agencies are any Federal, State, Tribal, regional, and local government agencies that have an interest in the project. Participating agencies must identify any issues of concern which may substantially delay approval or result in denial of permit. It is the responsibility of the lead agencies to identify and collectively invite potential participating agencies. Private and nongovernmental organizations are not eligible to serve as participating agencies. Those agencies that accept the designation of a participating agency does not imply support or provide them with increased oversight or authority of the project.

14-2.2.10 Cooperating Agencies

Cooperating agencies are any Federal agency, other than the lead agency, that has legal jurisdiction or special expertise as it applies to the environmental impact of a proposed project or project alternative. Cooperating agencies can also include, through agreement with the lead agency, a State or local agency with similar qualifications as well as Native American tribes when they have lands of interest that are affected.

Cooperating agencies are, by definition, Participating agencies, but not all Participating agencies are Cooperating agencies. The Cooperating agencies have a greater role of involvement, responsibility, and authority in the environmental review process.

14-2.2.11 FTA Involvement

FTA plays an important role in the *Alternatives Analysis Report* process. When performed under PD&E, FTA plays a formal oversight role in the draft EIS or EA. As lead (or joint lead) agency for the preparation of the environmental document, FTA is responsible for the scope, content and conclusions of the EIS or EA. FTA makes sure that the environmental document fulfills Federal requirements and presents a complete and objective basis for mode and alignment decisions.

FTA plays a less formal – though no less important - technical assistance role in “pre-PD&E” AA studies. FTA must base its approval on project entry into preliminary engineering in part on its finding on the acceptability of the Alternatives Analysis and the reliability of the information used to support a preferred alternative’s New Starts project justification criteria. FTA’s review of the key documents facilitates this finding.

AA study sponsors will generally be assigned an FTA contact from the appropriate Regional Office, who is teamed with a counterpart in the Office of Planning and Environment, located in FTA headquarters in Washington D.C. These contacts will in turn work with other appropriate FTA technical staff (and, where appropriate, FTA consultants) to provide assistance on specialized areas such as travel demand forecasting, transit service planning, capital costing, financial planning, etc. In general, the Regional Office contact will provide assistance on programmatic procedures and requirements, while the headquarters contact will provide assistance on, and reviews of, the technical activities which make up the study. It is important to keep appropriate FTA staff informed on the status and progress of the local studies, and to seek their assistance in addressing difficult technical and procedural issues. FTA, in turn, strives to provide study sponsors with assistance in a timely manner, and to keep them abreast of emerging agency policies regarding major investment planning and the New Starts program (if applicable).

14-2.2.12 Role of Regional Offices (TRO)

The FTA Regional Office (TRO) will be the lead point of contact for local agencies on FTA programmatic matters. It handles grant making activities, serves as the focal point for contacts and correspondence, represents FTA at meetings, monitors progress, processes the draft EIS, and seeks assistance from the FTA Offices of Planning and Environment (TPE) and Program Management on planning, technical, and programmatic issues. TRO roles in the AA study process are summarized more specifically below:

1. Grant making - TRO staff reviews grant applications, approves grants, and performs typical grant administration functions.

2. Provide Program Guidance - TRO staff provides study sponsors with basic guidance on the New Starts program, including project development requirements, project evaluation procedures, and grants requirements.
3. Focus of Contacts and Correspondence - Incoming correspondence should be directed to the Regional Administrator. Similarly, most outgoing correspondence will be signed at the Regional level. Regional staff will also normally handle informal requests for guidance and assistance.
4. Representation at Meetings - As necessary and to the extent possible, TRO staff will represent FTA staff at technical and policy level meetings that occur during the study. Their role will be to explain overall FTA policies and procedures, to explain FTA positions on specific issues related to the AA study and the process for advancing major transit investments into preliminary engineering, and to provide technical guidance.
5. Metropolitan and Systems Planning Issues - TRO staff will provide guidance and direction on metropolitan planning requirements and issues which may impact the Alternatives Analysis Report and subsequent project advancement, such as air quality conformity, fiscal constraint, and project programming.
6. Project Schedules - TRO staff will review project schedules and provide guidance to local project sponsors.

14-2.3 Notice of Intent (NOI)

The Environmental Impact Statement (EIS) process begins with the publication of a **Notice of Intent** to prepare an EIS in the **Federal Register**. This announcement is made along with similar publications in local newspapers and other media. At this time, based on the AA, a tentative list of alternatives and impacts is established and presented to the public and interested government agencies for comment. This notification is part of “scoping” – the formal, early opportunity for the public and agencies to identify potential issues to be addressed in the EIS. The process for preparing and submitting the **Notice of Intent** is the same for projects where FTA or FHWA are the Lead Agency.

A **Notice of Intent** is prepared by the Department in accordance with procedures in **Part 1, Chapter 11** of this **Manual**. When completed, the **Notice** is forwarded to the FTA Regional Office for publication in the **Federal Register**. **Figure 8.2 (Part 1, Chapter 8, DEIS)** is an example of a transmittal letter for a **Notice of Intent**.

14-2.4 Advance Notification (AN) Process

The Advance Notification (AN) process for FTA projects is the same as it is for FHWA, and is detailed in **Part 1, Chapter 3** of this **Manual**. In general, the AN process

is the means through which other Federal, State, and local agencies are informed of a proposed action by the U.S. Department of Transportation. In Florida, the AN process is initiated by the FDOT through the Environmental Screening Tool (EST) as part of the Efficient Transportation Decision Making (ETDM) process. All major transportation improvement projects (whether state or federally funded) should be conducted using the ETDM process. For these projects, the AN process is initiated electronically during the Programming phase using the EST.

14-2.5 PD&E Scoping

Scoping is a formal process for projects requiring an Environmental Impact Statement (EIS). Scoping is required by and described in **40 CFR Section 1501.7 (CEQ Regulations)** as well as detailed in this **Manual, Part 1, Chapter 11**. Under **23 CFR 771**, scoping begins early in the project development process. Scoping usually targets affected governmental agencies and public interest groups and organizations with specific knowledge about a project study area. Issues identified in the ETDM Planning and Programming Phases should be used for Scoping.

The objectives of scoping are to:

1. Determine the set of alternatives that will be examined in the EIS;
2. Give interested agencies and the public an early opportunity to comment on the scope of the analysis and raise issues that should be addressed in the EIS;
3. Promote efficiency by assembling cooperating agencies, determining related environmental requirements, scheduling concurrent reviews, and setting milestones in the process; and
4. Reduce the overall processing time by ensuring that the Draft EIS adequately addresses all relevant issues to minimize the possibility that comments will raise new issues to be evaluated or require supplemental documents.

Typically PD&E scoping occurs through a formal scoping meeting (optional) which may be held early in the development process, after the AN process is complete. To determine whether or not a scoping meeting should be held, information from the ETDM screening process and input/comments from the agencies, as well as coordination with the lead federal agency, should be considered. Scoping meetings, like other public meetings, fall under **Florida's Sunshine Law**. Notification to the public must be provided in some manner, and the public is permitted to attend and listen to the proceedings. For requirements for PD&E Scoping, refer to **Part 1, Chapter 11**.

14-2.6 Coordination Plan

Under the provisions of **SAFETEA-LU, Section 6002**, FTA requires that all projects include a **Coordination Plan** (with agencies). The law states that the Lead

Agency must establish a plan for coordinating public and agency participation in and comment on the environmental review process for a project or category of projects. In addition, the **Coordination Plan** should include a project schedule.

With the development of Florida's ETDM process, it has been determined by FTA and FDOT that the use of the Environmental Screening Tool (Planning and Programming Screens), which allow for early agency review and comment satisfies the requirements of an FTA **Coordination Plan**. In addition the Army Corps Of Engineers (ACOE), Environmental Protection Agency (EPA), State Historic Preservation Office (SHPO), United States Geological Survey (USGS), and if applicable the Federal Railroad Administration (FRA) should be included as agencies in the **Coordination Plan**.

14-2.7 FTA Approval to Start Preliminary Engineering

The Alternatives Analysis is considered complete when a Locally Preferred Alternative (LPA) is selected by local and regional decision makers and adopted by the Metropolitan Planning Organization (MPO) into a Cost-feasible Long Range Transportation Plan. At this point, the local project sponsor may submit to FTA the LPA's New Starts project justification and local financial commitment criteria and request FTA's approval to enter into the preliminary engineering phase of project development. Unlike FHWA, where projects move from one phase to the next through inclusion in the later years of the FDOT Work Program, FTA projects can only move forward pending authorization by FTA based on the project's financial and construction viability. Typically this request to start PE is submitted at the completion of the DEIS and prior to beginning the FEIS. PE and the FEIS would be conducted in parallel.

FTA desires to become involved in these local studies to assist agencies in addressing technical and procedural issues early in the study process rather than at the end when it may be too late to efficiently solve those issues. Other reasons for FTA's involvement are to gain sufficient understanding of the resulting project to support the decision to advance it into preliminary engineering and, later, final design. The Department requests FTA approval to advance the preferred alternative into preliminary engineering through a letter. The FTA TRO is responsible for determining if a project is "ready" to proceed into preliminary engineering – based on an evaluation of the project's New Starts criteria for project justification and local financial commitment.

14-2.8 Draft Environmental Impact Statement (DEIS)

The Draft and Final Environmental Impact Statement created during the PD&E phase for an FTA project provides the technological, environmental and financial analysis necessary to support decisions related to project alternatives. The DEIS provides an opportunity for government agencies and the public to review a proposed project and alternatives. The principal components of a DEIS include discussion of the following 1) the purpose of and need for action; 2) alternatives, including the proposed action; 3) the affected environment; and 4) environmental consequences. A DEIS must

be signed by the FTA Regional Administrator and the authorized official of the local lead or cooperating transit agency. The approved DEIS is then concurrently filed by FTA with the US Environmental Protection Agency (US EPA) and distributed by the lead agency.

The DEIS is written for use by the public as well as professional staff, and the information should be presented in a logical format. It documents the study process and those issues that influenced decisions. It is commensurate with the complexity of the project. The following format is a comprehensive outline recommended for use in the development of a DEIS or FEIS for FTA. Some of the items in this outline may vary or not be applicable, depending upon the project specific issues and objectives:

Cover

Front Pages

- Signatures
- Abstract
- Preface
- Table of Contents
- Abbreviations

Executive Summary

Purpose and Need for the Proposed Action

- Overview
- Proposed Action
- Planning Context
- Description of Region and Corridor
- Need for Improvements
- Purpose of Proposed Action
- Goals and Objectives

Alternatives Considered

- Alternatives Previously Considered
- Draft EIS Alternatives and Recommendations (for FEIS only)
- Supplemental Draft EIS Alternatives and Recommendations
- Final EIS Alternatives
 - No-Build Alternative
 - Locally Preferred Alternative
 - Comparative Evaluation of Alternatives

Social Effects

- Land Use and Socio-Economics
- Neighborhood, Community Services and Community Cohesion Impacts
- Property Acquisition and Displacement
- Visual and Aesthetic Conditions
- Cultural Resources
- Parklands and Recreation Areas
- Safety and Security
- Environmental Justice
- Utilities and Distribution Systems

Environmental Effects

- Geologic Resources
- Water Resources (Include considerations and subsections for floodplains, coastal zones, navigable waterways, wetlands, and water quality)
- Biota and Habitat
- Rare, Threatened, and Endangered Species
- Farmlands
- Air Quality
- Noise
- Vibration
- Hazardous and Contaminated Materials
- Energy

Economic Effects

- Economic Conditions
- Station Area Development
- Development Effects

Transportation Effects

- Transit Effects
- Effect on Roadways
- Effects on Other Transportation Facilities and Services

Section 4(f) and 6(f) Evaluation

- Legal and Regulatory Context
- Proposed Action
- Existing **Section 4(f)/6(f)** Resources
- Use of **Section 4(f)/6(f)** Resources
- Avoidance Alternatives
- Measures to Minimize Harm
- Agency Coordination
- Conclusion

Financial Analysis

- Capital Funding Strategy
- Operating Funding Strategy
- Risk and Uncertainties

Secondary and Cumulative Effects

- General Methodology
- Resource Identification
- Secondary Development Effects
- Cumulative Effects
- Mitigation

Evaluation of Alternatives carried forward

- Evaluation relative to project Goals and Objectives
- New Starts Criteria (if seeking)

Public Involvement

- Public Involvement
- Agency Coordination
- Comments and Responses

Appendices

- List of Preparers
- EIS Recipients
- Coordination Letters
- References
- Memorandum Of Agreement/Memorandum Of Understanding (If applicable)

Note that each resource section should include description and discussion of:

1. Legal and regulatory context
2. Methodology
3. Existing conditions
4. Long-term effects
5. Short-term construction effects
6. Mitigation

It should be noted that when completing a PD&E document, FTA may interpret evaluation methods and criteria differently than FHWA in regards to the areas discussed in this ***PD&E Manual, Part 2*** (e.g. noise). The practitioner should refer to most recent specific FTA guidance, where available, to ensure that evaluation criteria meet FTA expectations as well as the PD&E Manual, Part 2.

During the preliminary engineering phase of project development, local project sponsors refine the design of the proposal, taking into consideration all reasonable design alternatives. Preliminary engineering results in estimates of project costs, benefits, and impacts at a level of detail necessary to complete the PD&E process.

For projects seeking New Starts funding, the proposed project's New Starts criteria are similarly refined in the preliminary engineering phase of development, project management plans are updated, and local funding sources are committed to the project (if not previously committed). FTA typically assigns Project Management Oversight contractors to projects undergoing PE to ensure that the engineering effort progresses in accordance with FTA requirements, and that the project sponsor is adequately preparing for the final design stage of development. Projects which complete preliminary engineering and whose sponsors are determined by FTA to have the technical capability to advance further in the project development process must request FTA approval to enter final design and submit updated New Starts criteria for evaluation.

14-2.9 Evaluation of Environmental Impacts

The evaluation of impacts to certain environmental resources are measured differently for FTA projects than for FHWA projects; while other resources are evaluated exactly the same. Procedures for the evaluation of environmental impacts for FHWA projects are addressed in detail in **Part 2** of this **PD&E Manual**.

14-2.9.1 Noise

The FTA has different noise requirements from FHWA. The FTA noise criterion is measured depending on the land use and categorized numerically (1-3). Category 1 land use is defined as tracts of land where quiet is an essential element in their intended purpose such as outdoor amphitheaters, concert pavilions, and National Historic Landmarks with significant outdoor use. Category 2 land use is defined as buildings and residences where people normally sleep including but not limited to homes, hospitals, and hotels where nighttime sensitivity to noise is of supreme importance. Category 3 is defined as institutional land uses such as schools, libraries, theaters, and religious facilities which are primarily used during day and evening hours where it is important to avoid interference with activities that include speech, meditation, and concentration on reading materials. For further information on noise impact criteria see **Chapter 3** in the **FTA Transit Noise and Impact Assessment Handbook, FTA-VA-90-1003-06**.

14-2.9.2 Vibration

The FTA requires that vibration measurements be taken whereas the FHWA has no requirements for vibration abatement. The FTA requires that ground-borne vibration impact and ground-borne noise impact levels below a certain level depending on the land use and categorized 1-3. Category 1 land use is defined as buildings where low ambient vibration is essential for interior operations such as concert halls, hospitals, and research and manufacturing facilities that are vibration sensitive. Category 2 land use is defined as any residential land uses and where people sleep including hotels and hospitals. Category 3 land use is defined as institutional land uses during primarily daytime hours and includes schools, religious facilities and offices with non-vibration sensitive equipment but can have potential vibration induced activity interference. For further information on noise impact criteria see **Chapter 8** in the **FTA Transit Noise and Impact Assessment Handbook, FTA-VA-90-1003-06**.

14-2.9.3 Air Quality

The FTA uses the same **National Ambient Air Quality Standards (NAAQS)** impact criteria as the FHWA but use different air and air pollutant models. The FTA uses the PM₁₀ and PM_{2.5} Air Pollutant Model and the CAL3QHC and CAL3QHCR Air Models.

14-2.9.4 Cultural Resources

The FTA and FHWA use the same guidance for these resources. For further information see *PD&E Manual Part 2, Chapter 12* - Archeological & Historical Resources.

14-2.9.5 Historic Resources

The FTA and FHWA use the same guidance for these resources. For further information see *PD&E Manual Part 2, Chapter 12* - Archeological & Historical Resources.

14-2.9.6 Wetlands

The FTA and FHWA use the same guidance for these resources. For further information see *PD&E Manual Part 2, Chapter 18* - Wetlands.

14-2.9.7 Wildlife

The FTA and FHWA use the same guidance for these resources. For further information see *PD&E Manual Part 2, Chapter 27* – Wildlife & Habitat Impacts.

14-2.9.8 Water Quality

The FTA and FHWA use the same guidance for these resources. For further information see *PD&E Manual Part 2, Chapter 20* – Water Quality.

14-2.9.9 Essential Fish Habitat

The FTA and FHWA use the same guidance for these resources. For further information see *PD&E Manual Part 2, Chapter 11* – Essential Fish Habitat. This evaluation should be documented under the Environmental Effects section.

14-2.10 Agency/Public Review and Comment

Once the Draft Environmental Impact Statement (DEIS) has been completed and signed, a **Notification of Availability (NOA)** is published in the **Federal Register** by FTA and advertised through local media by the local lead agency to solicit public comment. The DEIS is circulated to those agencies with jurisdiction by law, parties that have expressed an interest, either through the scoping process or in response to the **NOA**, and other entities potentially affected by any of the alternatives. The circulation period must be a minimum of 45 days and a public hearing must be held with at least 15 days prior notice.

With certain exceptions, FTA attempts to adhere to a comment period for Environmental Impact Statements that does not exceed 60 days, and all other comment periods in the environmental process are limited to no more than 30 days (**SAFETEA-LU Section 6002**). In the event issues or comments can not be resolved, FTA has developed an issue identification and resolution process. This process may be invoked by FTA under certain conditions when issues could delay completion of the environmental process or result in denial of approvals for a project arising during the course of environmental review (**SAFETEA-LU Section 6002**).

14-2.11 Final Environmental Impact Statement (FEIS)

After completion of the circulation period, all substantive written comments and the public hearing testimony are addressed and the preparation of a Final Environmental Impact Statement (FEIS) begins. FTA requires the FEIS to present the New Starts evaluation as well as the PD&E evaluation.

The principle components of the FEIS include: 1) identification of a preferred alternative; 2) responses to comments made during the circulation period; 3) commitments to mitigate adverse impacts of the project; 4) evidence of compliance with related environmental statutes, Executive Orders and regulations; and 5) a description of changes that may have been made to the project since the DEIS was published. Once the appropriate FTA official has approved the FEIS, it is concurrently filed by FTA with the US Environmental Protection Agency (US EPA) for publication of a notification of availability for a 30-day circulation period in the **Federal Register** and it is distributed and advertised through local media by the local lead agency. In certain cases FTA Headquarters may still require prior concurrence of the FEIS (**771.125 (c)(3)**).

For New Starts projects, FTA evaluates against the full range of criteria for both project justification and local financial commitments. Small Starts are evaluated against a subset of these measures including cost effectiveness, land use, other factors (including economic development impacts), and local financial commitment. The New Starts Rating must be included in the **Record of Decision (ROD)** and a New Starts Rating of medium is required to enter Final Design and obtain a **Full Funding Grant Agreement** (see **Section 14-2.13**).

14-2.11.1 Federal Approval

The **NEPA** process for a New Starts project is considered complete when FTA has issued a **ROD** or Finding of No Significant Impact (FONSI), as required by PD&E.

14-2.11.1.1 Record of Decision

Following completion of the circulation period, FTA may issue a **ROD** —a concise report that states FTA's determination that PD&E on the proposed action, as described in the FEIS, has been completed for the project. The **ROD** describes the basis for FTA's decision, identifies alternatives that were considered, and summarizes

specific mitigation measures that will be incorporated into the project. While an FTA-issued **ROD** and an FHWA-issued **ROD** contain essentially the same information, FTA has very specific language it prefers to use, and it is always recommended that the local TRO be asked for an example of a recently signed **ROD** to use as a template.

14-2.11.1.2 Finding of No Significant Impact (FONSI)

The process for documenting a Finding of No Significant Impact (FONSI) is the same for FTA and FHWA. A FONSI is prepared which:

1. Recommends an alternative for construction.
2. Summarizes all environmental impacts associated with the project including a statement of findings on all relevant impact categories (i.e., wetland, floodplain, coastal zone consistency).
3. Summarizes mitigation of impacts.

Once completed, the FONSI is attached to the updated EA/DEIS, and along with the Public Hearing Transcript and a cover letter, is submitted by the FDOT to FTA for approval. FTA conducts a document review for compliance with its rules and regulations and issues one of three responses:

1. Review with comments.
2. A statement that the document is not ready for review.
3. Approval of the document.

Comments received by the District from FTA are evaluated and incorporated in the FONSI and/or update of the DEIS and resubmitted to FTA for approval. Once the FONSI is approved, FTA will append a cover letter to the FONSI stating that location and design concept acceptance has been granted concurrently with approval of the FONSI.

14-2.12 Final Design

Once all NEPA approvals are complete, final engineering design may proceed. Final design is the last phase of project development, and includes right-of-way acquisition, utility relocation, and the preparation of final construction plans (including construction management plans), detailed specifications, construction cost estimates, and bid documents.

For projects seeking New Starts funding, the project's financial plan should be finalized, and a plan for the collection and analysis of data needed to undertake a

“Before and After Study” – which is required of all projects seeking a **Full Funding Grant Agreement (FFGA)** – is developed.

The “Before” portion must be completed before final design is executed and an **FFGA** is obtained: the “After” portion is done after the project is in operation. This “Before and After Study” collects information on, and analyzes the predicted vs. actual results of, the following five project characteristics:

1. Project Scope – the physical components of the project, including environmental mitigation;
2. Service Levels – the operating characteristics of the guideway, feeder bus services, and other transit services in the corridor;
3. Capital Costs – total costs of construction, vehicles, engineering, management, testing, and other capital expenses;
4. Operation and Maintenance Costs – incremental operating/maintenance costs of the project and the transit system; and,
5. Ridership Patterns - origin/destination patterns of transit riders on the project and in the corridor, and farebox revenues for the transit system.

Although a formal plan for the Before and After Study is not required until final design (and only then for projects seeking an **FFGA**), candidate New Starts project sponsors must be aware that the element of the study relating to predicted project impacts requires that methodologies, assumptions, and resulting information for each of the five characteristics must be fully documented at the conclusion of the Alternatives Analysis (and later, at the conclusion of preliminary engineering) in order to perform an effective and meaningful study.

Proposed Implementation

- Project Scope
- Transit Service Levels
- Capital Costs
- Operating and Maintenance Costs
- Ridership Patterns and Revenues

Certification of Methods and Assumptions

Template 1 (This is a required FTA form, along with other forms, are required to request authorization to enter into Preliminary Engineering.)

Project Development Agreements

14-2.13 Full Funding Grant Agreement (FFGA)

The FTA **Full Funding Grant Agreement (FFGA)** is a special type of grant agreement FTA uses for making a major investment in a new fixed guideway system. In

exchange for FTA's commitment to provide a specific amount of **Federal 5309** funds under the New Starts Program, the grantee commits to complete its New Starts project on time, within budget, and in compliance with all applicable federal requirements, and to bear any cost increases that might occur subsequent to award and execution of an **FFGA**.

The **FFGA** has proven to be a useful tool for the FTA in managing the entire set of New Starts projects for which Federal financial assistance is sought. It enables the FTA to contractually commit the "full" amount of Federal assistance that will be available to any one project, in balance with the total amounts of Federal New Starts funding available at that time for all such large-scale projects across the United States, both during the current FTA authorization and beyond. Moreover, an **FFGA** benefits both parties to the agreement in that it defines the project scope, establishes a firm date for project completion, provides a mechanism for designating funds for future years, leads to the development of accurate cost estimates, and permits the use of state and local funding for early project activities without jeopardizing future Federal funding for those activities.

An **FFGA** is composed of both text and attachments. The text of an **FFGA** is a set of standardized contractual terms and conditions applicable to all New Starts projects, including definitions, obligations of completion and local share, cost eligibility, project management oversight, and labor protection. The attachments to an **FFGA** are tailored to each specific project. The attachments address the scope of work, project description, baseline cost estimate, baseline construction schedule, prior grants and related documents for the project, schedule of Federal funds, environmental mitigation, studies to measure the project's success after it has opened to revenue service, and any special conditions applicable to the project.

14-3 REFERENCES

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http://www.fta.dot.gov/planning/planning_environment_5222.html
2. New Starts Project Planning & Development:
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3. 49 USC 5309 – Transit Capital Investment Program provides funding for three activities: new and replacement buses and facilities, modernization of existing rail systems, and new fixed guideway systems (New Starts).
4. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Section 6002.
5. Federal Register. Environmental Impact and Related Procedures, FR Vol. 52, No. 167.

6. FY 2009 New Starts and Small Starts Evaluation and Rating Process, July 2007.
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http://www.fta.dot.gov/planning_environment_2599.html
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21. FTA - Advancing Major Transit Investments through Planning and Project Development - Part 3-Exempt Projects -
http://www.fta.dot.gov/planning_environment_2597.html
22. FTA - Advancing Major Transit Investments through Planning and Project Development - Appropriate appendices found on website.
23. FTA - "Updated Interim Guidance and Instructions - Small Starts Provision of the Section 5309 Capital Investment Grants Program."

FTA & FHWA Project Development Process Comparison

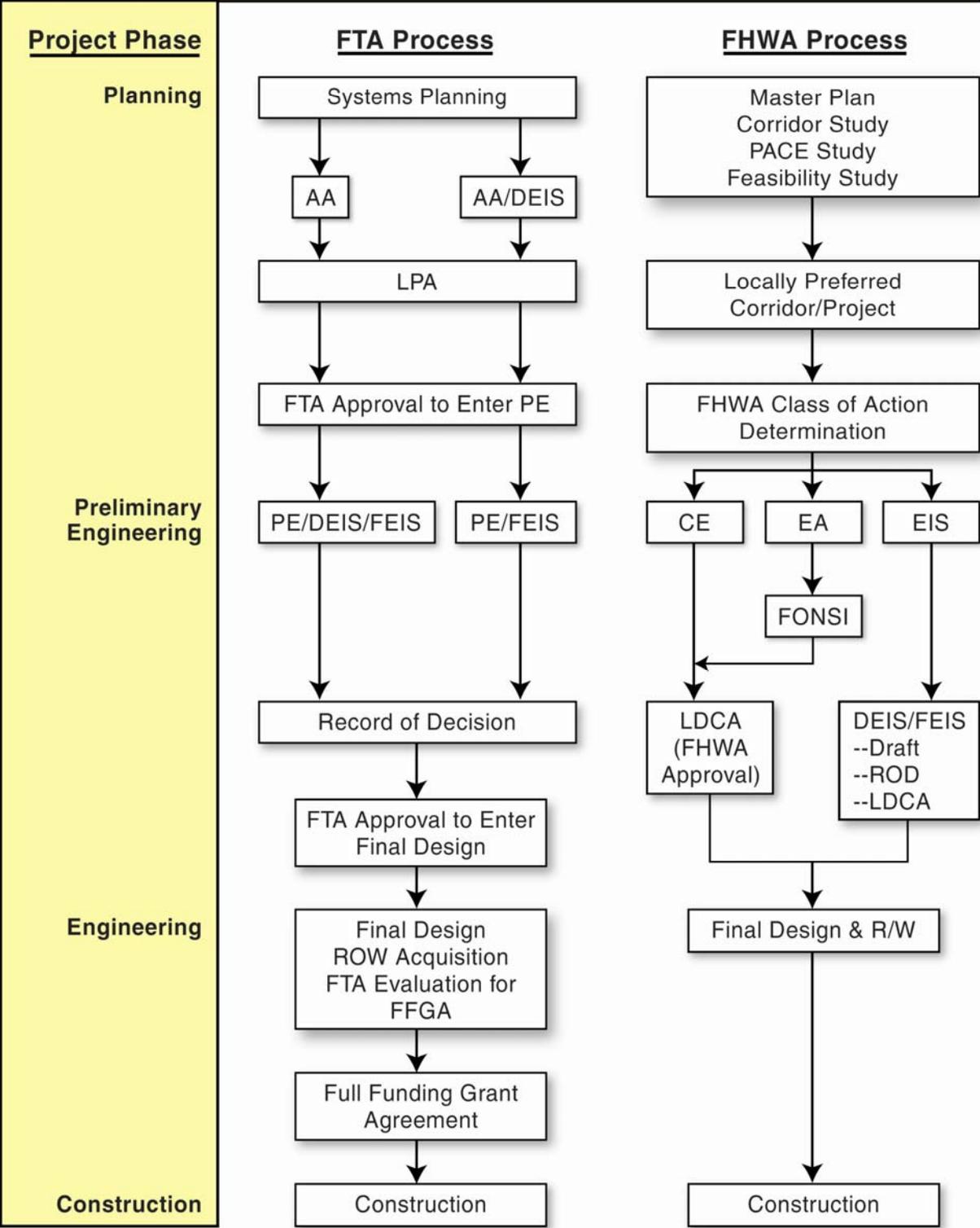


FIGURE 14.1 FTA Environmental Process

Conceptual Definition of Alternatives	Detailed (Draft) Definition of Alternatives Report	Final Definition of Alternatives Report
<ul style="list-style-type: none"> • Definition of corridor; • Identification of technology alternatives; • Preliminary identification of candidate alignments; • General operating strategies 	<ul style="list-style-type: none"> • Location and nature of improvements in the TSM alternative; • Section by section description of each guideway alternative; • Typical cross-sections of guideway facilities; • Preliminary drawings of stations types; • Initial specification of design standards; • Design and opening year operating plans including initial estimates of transit network assumptions (routes, link speeds, headways, fares, etc.) 	<ul style="list-style-type: none"> • Plan and Profile drawings for each guideway alternative; • Refined design of stations and guideway facility cross-sections; • Final operating plans based on travel demand forecasts including estimates of service requirements (transit vehicles, vehicle-miles, vehicle hours, etc.) for use in estimating capital and O/M costs.

FIGURE 14.3 Alternatives Reports