

# THE PD&E PROCESS & MANUAL

Module 1

Part 1, Chapter 1

# Acronyms

- PD&E – Project Development & Environment
- NEPA – National Environmental Policy Act
- CEQ – Council on Environmental Quality
- CEMO – Central Environmental Management Office
- USC – United States Code
- CFR – Code of Federal Regulation
- MAP-21 – Moving Ahead for Progress in the 21<sup>st</sup> Century

# National Environmental Policy Act 1969 (as amended)

- National Environmental Policy Act -1969
  - ▣ Requires consideration of environmental effects and reasonable alternatives
  - ▣ Environmental - natural, human, physical
  - ▣ Title 2 – Created CEQ
  - ▣ 42 USC, Title 42, Chapter 55, Section 4321

# Compliance with NEPA is Mandatory When ...

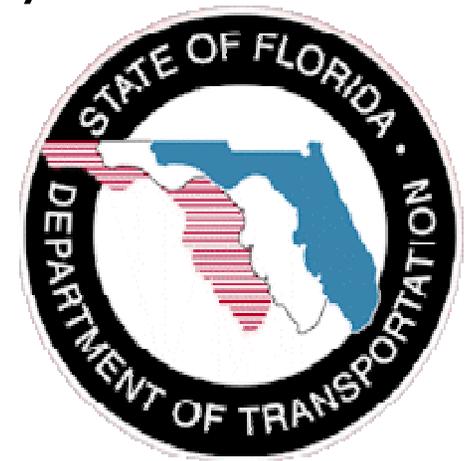
- Transportation improvements are being planned
  - ▣ Developed to ensure consideration of environmental impacts and potential mitigation
- NEPA applies to improvement projects when:
  - ▣ Federal funds or assistance is expected to be used during any phase of project development or implementation
  - ▣ Federal funding or assistance eligibility is being maintained for subsequent phases
  - ▣ Federal permit(s) is (are) required when based on consultation the federal permitting agency has determined that a DOT NEPA document is required to support the permit (e.g. U.S. Coast Guard Bridge permit, USACE Section 404 permit)
  - ▣ Federal approval of an action is required (e.g. change in Interstate access control, use of Interstate right-of-way)
- NEPA can apply to local government projects
  - ▣ Through FHWA, Local Agency Program (LAP) or FTA Grants

# Federal Laws

42 USC, Title 42, Chapter 55, Section 4321	National Environmental Policy Act of 1969 (NEPA)
MAP-21	Moving Ahead for Progress in the 21 <sup>st</sup> Century (MAP-21) – July 6, 2012
23 USC, Section 109(h)	Highways - Economic, Social, and Environmental Effects
23 USC, Section 128	Public Hearings
42 USC, Chapter 126, Section 12101	Americans with Disabilities Act of 1990, Titles I and V
42 USC, Subchapter V, Sections 2000d-2000d-7	Public Health and Welfare - Title VI of the 1964 Civil Rights Act and Related Statutes
23 CFR, Part 771, Section 771.111	Environmental Impact and Related Procedures - Early Coordination, Public Involvement, and Project Development
40 CFR, Chapter I, Part 93.105	Environmental Protection Agency, Transportation Conformity Rule Amendment - Consultation
40 CFR, Volume 31, Chapter V, Parts 1500-1508	Council on Environmental Quality Regulations (NEPA Requirements)
49 CFR, Subtitle A, Part 24	Uniform Relocation Assistance and Real Property Acquisition Policies Act
Executive Order 12898	Environmental Justice - Avoidance of actions that can cause disproportionately high impacts on minority and low income populations
Executive Order 13166	Improving access to services for persons with limited English proficiency
Technical Advisory 6640.8A	Guidance for preparing and processing Environmental and Section 4(f) documents - October 30, 1987

# FDOT Policies and Guidance

- FDOT Policies
  - ▣ Environmental Policy
  - ▣ Public Involvement Opportunities Policy
  - ▣ Noise Policy
- Guidance Documents
  - ▣ PD&E Manual
  - ▣ ETDM Manual
  - ▣ Public Involvement Handbook
  - ▣ Sociocultural Effects Handbook
  - ▣ Plans Preparation Manual (Transportation Design for Livable Communities)
  - ▣ Cultural Resource Management Handbook





One  
Environmental  
Process  
Regardless of  
Funding  
Source

# NEPA vs. PD&E

- FDOT's PD&E Process is state procedure for complying with environmental regulations
- In Florida, PD&E is how NEPA is addressed
- PD&E Manual
  - ▣ Defines the process to ensure compliance with NEPA

# History of PD&E Manual

- First published as guidelines in 1988
- Defines the process for engineering and environmental analysis to ensure compliance with Federal and State regulations
- PD&E Manual on the EMO Website
  - ▣ [www.dot.state.fl.us/emo/](http://www.dot.state.fl.us/emo/)

# PD&E Manual Background

- Based on Federal regulations and laws, State laws, FHWA Division policy, FDOT policy, FDOT practices over time
- Also includes approved FDOT procedures and standards, intergovernmental agreements, interagency letters of agreements and executive orders
- End of each Chapter has a reference section of regulations, laws, etc. used in developing Chapters

# Use of PD&E Manual

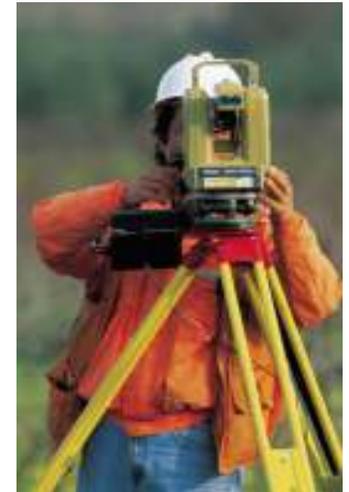
- FDOT, FHWA and consultants use this manual to prepare and review all Environmental Documents
- Based on Procedure #650-000-001
- Manual updates or additions are reviewed by EMO Committee
- Chapter revision process
  - ▣ Yearly review of chapter status

# PD&E Chapter Revisions

- Part 1
  - Ch. 2- Environmental Class of Action Determination
  - Ch. 10- Non-Federal Projects
  - Ch. 13- Reevaluations
  - Ch. 14- Federal Transit Administration Environmental Process
  - New Ch. 15- Federal Railroad Administration Environmental Process
- Part 2
  - Ch. 4- Project Description and Purpose and Need
  - Ch. 6- Alternatives
  - Ch. 12- Archaeological and Historical Resources
  - Ch. 18- Wetlands
  - Ch. 27- Wildlife and Habitat

# PD&E Scope of Services

- Public Involvement
- Engineering
- Environment
- Miscellaneous Services



# PD&E Documents

- Federal documents (CE, EA with FONSI, DEIS/FEIS)
- Documents all federal actions
  - ▣ Includes environmental impacts of the proposed action
- Also documents commitments, mitigation, public involvement, intergovernmental coordination and social, economic, and environmental impact evaluations
- Should be written for the public to understand
- Same applies to SEIRs
- Administrative Record

# Standard Statement in *Italics*

- Because of legal requirements, the manual contains numerous standard statements shown in italics
- Based on agreements developed for legal sufficiency purposes
- These conclusions have a legal finding attached to them and should be used at all times
- These need to be included in your document (technical and final Environmental Documents)

# The ETDM Process

- What leads up to PD&E??
  - ▣ The ETDM Process
    - Planning Screen
    - Programming Screen

# PD&E Process

- ▣ Engineering Analysis
- ▣ Environmental Analysis
- ▣ Public and Community Involvement
- ▣ Permit and Commitment Compliance

# Project Implementation Steps

