

## **CHAPTER 11 - ENVIRONMENTAL DOCUMENTATION**

### **11.1 GENERAL**

This chapter provides guidance to Local Agencies, and other applicants on the preparation, and processing of Federal environmental documents eligible for Federal funding.

### **11.2 APPLICABILITY**

All Federally funded projects must comply with the National Environmental Policy Act (NEPA). The documentation for this will vary from a one-or two-page document for some Categorical Exclusions to a very extensive Environmental Impact Statement. The Local Agency should be familiar with Departments Project Development and Environment Manual (Manual No. 650-000-001) and the "Class of Action Determination Process" in *Part 1, Chapter 2 of the manual*. If the Local Agency plans to undertake projects that are programmatic or Type I Categorical Exclusions, it should be capable of performing the environmental review and documentation for the project. At least one Local Agency representative should have special training from the Department. This training is available to Local Agencies on a space-available basis. Local Agencies can contact the District LAP Administrator to arrange for this training.

### **11.3 PROCEDURE**

11.3.1 All applicants for Federal funding must document the impacts of a proposed action through one of three classes of environmental documentation: Categorical Exclusion (CE), Environmental Assessment (EA), or Environmental Impact Statement (EIS). Applicants may document Categorical Exclusion (CE) projects in one of three forms: Type 1, Programmatic, or Type 2. Type 1 and Programmatic Categorical Exclusions require the least amount of documentation. Type 2 CE requires more evaluation and documentation to show that the expected impacts of a proposed improvement on the environment are not significant.

11.3.2 As part of the planning and programming of federal-aid projects, major transportation undergoes an interagency review as part of the Department's Efficient Transportation Decision Making (ETDM) Process. This process uses a multidisciplinary review of transportation projects at key points in the Planning and Programming Phases to identify and avoid or lessen undesirable effects. These reviews, or screenings, are applied to major transportation improvement projects, which may include: roadway widening, new roadways, rail transit systems, and bridge replacement projects that do not qualify as

programmatic categorical exclusions. Public involvement and analysis of sociocultural effects identify potential effects on communities and the general public.

11.3.3 The ETDM Process results in FDOT and the lead federal agency agreeing on a Class of Action Determination for any project entering the Departments 5-year Work Program. The ETDM Process also creates a summary of agency comments and concerns along with community input, preliminary project concepts, reasonable project alternatives, and project scoping recommendations. The ETDM Manual fully describes the ETDM Process and the link to the Project Development and Environmental phase (Topic No. 650-000-002).

11.3.4 An Environmental Assessment (EA) is required anytime the impacts of a proposed action are not clearly understood and the significance of the impact of the action on the environment needs to be clarified. Once the EA is completed, a decision on whether or not an EIS is required can be made. An EIS is required anytime the proposed project action is expected to make a significant impact.

11.3.5 The Department in consultation with FHWA is responsible to determine the Class of Action. The Local Agency Program Agreement will define the Local Agency's responsibilities for preparing the environmental document.

11.3.6 The Department is responsible for review, quality assurance, and the administrative processing of all environmental documents. The administrative process may require the FHWA to review and approve documents, including reevaluations. This review depends on the Class of Action according to Parts 1 and 2 of the Department's Project Development and Environment Manual. The Department may assign the Local Agency the responsibility of completing all or portions of the environmental assessments and documentation.

## **11.4 LOCAL AGENCY RESPONSIBILITY**

The Local Agency is responsible for reviewing the proposed work activity for which Federal funds will be used against the criteria. It must also review activities described in the Project Development, and Environment Manual, Part 1, Chapter 2. The Local Agency should prepare a recommendation for the type of environmental documentation needed. It should then submit the recommendation to the District LAP Administrator for approval. If the Department, in consultation with FHWA, determines that the project is any form of Categorical Exclusion, the Local Agency may provide the appropriate supporting documentation. The District LAP Administrator will coordinate the process and obtain any needed approvals from FHWA.

## **11.5 OTHER AGREEMENTS, PERMITS, AND INTERAGENCY COORDINATION**

11.5.1 In many projects, the developing agency must negotiate agreements, obtain permits, and otherwise coordinate with other agencies. Coordination among agencies is usually necessary when a project is located on land administered by another agency or when it might have social or environmental impacts controlled by another agency. Coordination is also necessary with Water Management Districts and municipalities when dealing with permits for stormwater treatment and discharge parameters (as well as many other issues from driveway permits to sewer and water connections).

11.5.2 The Project Development and Environment Manual (Topic No. 650-000-001) provides a detailed discussion of the steps involved to prepare any necessary environmental documents. This includes identifying potential agencies involved in coordination and providing permits. The “Environmental Permits” Chapter 1 Part 10 provides a full discussion of activities that are regulated by numerous Federal, State and local environmental regulations and the related process for obtaining necessary permits for construction activities.

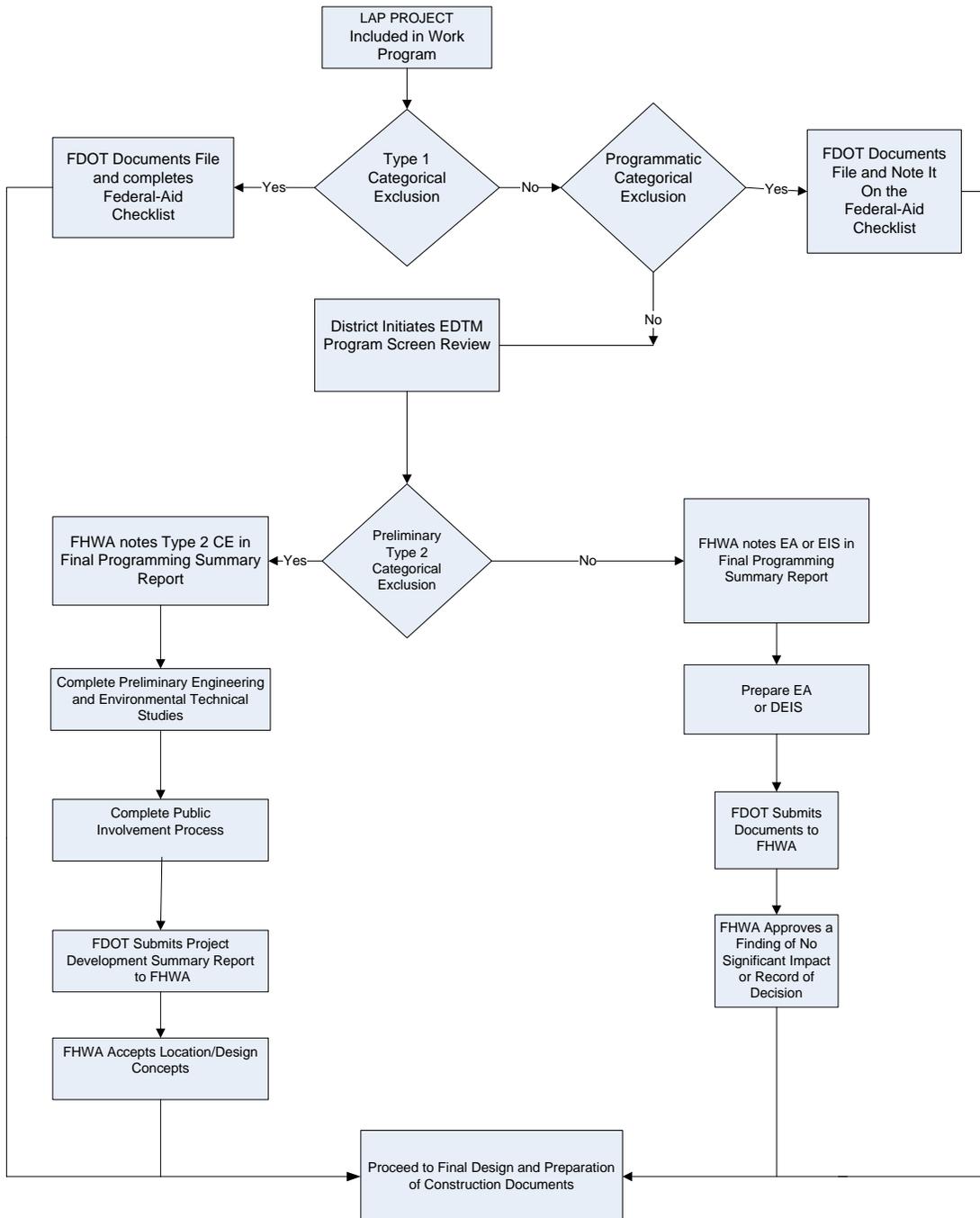
11.5.3 Appendix 16.6.2 provides a list of agencies that may need to provide permits before construction projects can begin.

## **11.6 APPENDICES**

11.6.1 Environmental Documentation Process

11.6.2 Topics for Interagency Coordination and Possible Permitting

## ENVIRONMENTAL DOCUMENTATION PROCESS



**TOPICS FOR INTERAGENCY COORDINATION AND POSSIBLE PERMITTING**

<u>Topic</u>	<u>Agency</u>	<u>Conditions</u>	<u>References</u>
Coastal Zone Management	DEP	Permit required to certify that activity will comply with Coastal Zone Management Program	CZMA Sec. 307, 16 USC 145
Stormwater discharge	EPA, DEP/WMD	Discharge of stormwater to waters of the State/Us	FWPCA 1972, Sec. 402
Drainage (MSSW)	WMD	Management of surface water	Ch. 373, F.S.; Ch. 40, FAC
Waters/ Wetlands	USCOE, DEP/ WMD	Discharging, dredging or placing fill within waters of the US or adjacent wetlands	FWPCA 1972, Sec. 404
Waterways (Sec. 10)	USCOE	Obstruction or improvement of navigable waters of the US	Rivers and Harbors Act., 1899; 33 USC, Sec. 10
Waterways (Sec. 9)	US Coast Guard	Bridges & causeways in navigable waters of the US	Rivers and Harbors Act, 1899; 33 USC, Sec. 9

**LEGEND:**

CZMA - Coastal Zone Management Act  
 DEP - Florida Department of Environmental Protection  
 EPA - US Environmental Protection Agency  
 FAC - Florida Administrative Code  
 FWPCA - Federal Water Pollution Control Act of 1972  
 MSSW - Management and Storage of Surface Waters  
 USCOE - US Army Corps of Engineers  
 WMD - Florida Water Management District (various)