STRATEGIES AND APPROACHES FOR EFFECTIVELY MOVING COMPLEX ENVIRONMENTAL DOCUMENTS THROUGH THE EIS PROCESS

A PEER EXCHANGE REPORT

JANUARY 2009

Prepared for:
Office of Project Development and Environmental Review
Federal Highway Administration
U.S. Department of Transportation

Prepared by:
John A. Volpe National Transportation Systems Center
Research and Innovative Technology Administration
U.S. Department of Transportation

Table of Contents

Peer Exchange Details i
Abbreviations…. ii

Background…… 1

Recommendations for Successful Tools & Techniques 2

Communication 2
Collaboration 4
Commitment 6

EIS Experiences and Best Practices from Peer Exchange Participants9

Maryland -- Intercounty Connector 9
Missouri -- Paseo Bridge 10
Montana -- I-15 Corridor and US 2 11
Utah -- Mountain View Corridor 13

Florida and the Environmental Review Process – Project Examples .15

Efficient Transportation Decision Making (ETDM) Process 15
District 1: State Route (SR) 29 15
District 2: Bridge of Lions 16
District 3: Gulf Coast Parkway 16
District 4: SR 7 Extension 17
District 5: SR 40 17
District 6: I-395 18

Appendix A: Peer Exchange Attendees 19
Appendix B: Peer Exchange Agenda 21

Peer Exchange Details

Location:	Orlando, Florida
Date:	September 15 – 16, 2008
Exchange Host Agency:	Federal Highway Administration Florida Division
Exchange Participants:	Florida Department of Transportation FHWA DelMar Division FHWA Missouri Division FHWA Montana Division Maryland State Highway Administration Missouri Department of Transportation Montana Department of Transportation Utah Department of Transportation

Abbreviations

CEMO	Central Environmental Management Office
DelMar	Delaware/Maryland
EA	Environmental Assessment
EIS	Environmental Impact Statement
ETDM	Efficient Transportation Decision Making
FDOT	Florida Department of Transportation
FHWA	Federal Highway Administration
GIS	Geographic Information System
ICC	Intercounty Connector
IAWG	Interagency Working Group
LSM	Land Suitability Mapping
SHA	Maryland State Highway Administration
MDT	Montana Department of Transportation
MoDOT	Missouri Department of Transportation
NEPA	National Environmental Policy Act
NOI	Notice of Intent
P+1	Principals plus 1
PD&E	Project Development and Environment
ROD	Record of Decision
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SDOT	State Department of Transportation
STIP	State Transportation Improvement Program
UDOT	Utah Department of Transportation
USCG	United States Coast Guard
USFS	United States Forest Service

Background

The Florida Department of Transportation (FDOT) shares a common concern with many State Departments of Transportation (SDOTs) regarding the length of time it takes to complete the environmental documentation process, particularly for complex transportation projects. In the State of Florida, the average length of time required to complete the Environmental Impact Statement (EIS) process now stands at 60 months. This amount currently falls short of the Federal Highway Administration's (FHWA) target of 36 months for the completion of an EIS. To compound the issue, FDOT presently faces the prospect of having to initiate and complete more EISs in the coming years than at any other time in their history.

To bring these issues to light within FDOT's various districts, and to afford their field practitioners the opportunity to share with each other about similar experiences and situations, FDOT and the FHWA Florida Division Office organized a Peer Exchange to identify successful strategies and approaches for effectively moving complex environmental documents through the National Environmental Policy Act (NEPA) process in a timely manner. FDOT and the FHWA Florida Division Office invited representatives from several SDOTs and the respective FHWA Division Offices in those states to discuss specific project experiences with counterparts from the FDOT. State DOTs and FHWA Division offices participating in the Peer Exchange included Maryland, Missouri, Montana, Utah, and Florida (including FDOT Central Environmental Management Office (CEMO), District offices and Florida's Turnpike Enterprise). The out-of-state attendees described details of their EIS projects; they conveyed the challenges and controversies faced, as well as lessons learned from their experiences. The representatives from various FDOT Districts also illustrated instances where they had employed unique approaches in order to move their projects along the environmental review process; they presented best practices and discussed some remaining challenges that required resolution.

Karen Brunelle of the FHWA Florida Division and Larry Barfield of FDOT CEMO hosted and organized the Peer Exchange, in collaboration with Louise Fragala of Powell, Fragala & Associates, Inc. who facilitated the discussions.

This report provides a summary of the presentations and discussions that took place during the Peer Exchange. The report begins with recommendations of successful tools and techniques to navigate the environmental review process quickly and effectively, followed by highlights of projects presented during the peer exchange.

Recommendations for Successful Tools & Techniques

During the Peer Exchange, participants described one or two transportation projects in their states or districts that had gone through the environmental review process relatively quickly. They highlighted the challenges encountered, methods used to successfully and efficiently navigate the EIS process, and lessons learned from their experience. The practices described by the SDOTs represent a fundamental paradigm shift in the way agencies have conducted the business of environmental review over the last 10-15 years. SDOTs have embraced innovative and creative solutions to balance transportation and infrastructure needs with environmental protection and community concerns. The environmental review processes for the successful projects highlighted during the Peer Exchange were conducted in a collaborative and transparent manner, whereby SDOTs sought to include stakeholders early and often throughout development of the EIS. Such methods not only lead to a faster completion of the environmental review process, but perhaps more importantly, they result in the delivery of better quality projects, ones that fulfill the transportation needs of communities while maintaining protection of environmental resources at the same time.

While each project had a unique set of circumstances, there were a number of tools and techniques utilized to streamline the EIS process that were common to several of the projects. As the discussion evolved, participants noted that the tools and techniques could be grouped into three main elements for navigating the environmental review process efficiently and effectively: *communication, collaboration,* and *commitment.*

Communication

Effective public involvement can help to generate support for a transportation project, or address public concerns and minimize opposition to a controversial project. Effective public involvement means that an agency listens and responds to all individuals and groups with issues and concerns about the project.

The following tools and techniques for effectively involving the public were recommended by the Peer Exchange participants:

- **Create a website dedicated to the project.** Many of the expedited projects discussed during the peer exchange, including FDOT District 2's Bridge of Lions project, had a dedicated project website. Such websites can serve as a central clearing house of information and can be a one-stop-shop for the public to find the most up-to-date project information.
- **Utilize a public involvement coordinator and/or community liaison for projects that have particular community concerns**. For a particularly contentious project in Southern Florida, FDOT's District 6 opened a public outreach office in the

community and staffed it with a Community Liaison. The liaison played an integral role in improving FDOT's relationship with the local community, which had been strained by previous transportation projects' negative impacts to the economic and social structure of the community. The community liaison worked closely with local residents to keep them informed of all transportation projects in the area, and to ensure that their concerns were addressed.

- **Interact with the public.** Standard public meetings or hearings often do not draw large crowds. To ensure that you are reaching a broad cross-section of the community, bring the project information to the people in their neighborhoods. One example is the Utah DOT's (UDOT) use of a "Talk Truck" -- a billboard truck that went to various parking lots throughout the area during the day to provide the public with information on the project. Through use of the Talk Truck UDOT raised awareness of its Mountain View Corridor project and reached a far broader segment of the public than typical.

- **At public meetings, use question cards.** For the Mountain View Corridor project, UDOT offered the audience question cards to encourage the public to write their questions and then they would be answered by the staff at the public meeting. DOT staff noted that the use of the question cards was a successful technique since it ensured that all meeting participants had an equal opportunity to ask questions while minimizing the chance of a small group dominating the meeting.

- **Use simple, straightforward language and avoid technical terms.** The vocabulary used by engineers and transportation professionals is not always familiar to the general public. Be sure to use plain language and put the information in terms that the public will understand.

- **Conduct outreach to the press for projects.** Often the opposition is the only one reaching out to the press. It is important to insure that the positive aspects of the project are presented to the media as well. For example, the Maryland State Highway Administration's (SHA) public information officer worked with the press to ensure that a positive message regarding the Intercounty Connector Project (ICC) was presented.

- **Provide opportunities to educate stakeholders on the transportation planning and project development processes.** As part of the environmental review process for the US 2 project, the Montana Department of Transportation (MDT) developed three training modules -- Transportation Planning 101, NEPA 101, and Funding 101 -- to educate the public on the relevant issues. MDT presented these trainings at various public meetings and forums to provide the public with a common understanding on the transportation planning and development processes, creating an environment where all stakeholders could speak the same language. Educating stakeholders on the DOT's requirements will enable stakeholders to provide more informed feedback.

Collaboration

Working cooperatively with project stakeholders creates an atmosphere of partnership that may prove valuable in advancing the environmental review process. Including agencies early and often throughout the process enables issues to be identified and addressed early, thereby minimizing project delays. Communicating with agencies throughout the process reduces the likelihood that reviewing agencies will be surprised by any information or details in the actual environmental document, leading to a more efficient review.

The following tools and techniques for effectively collaborating with stakeholders are recommended:

- **Hold face-to-face meetings.** Direct contact with agency staff provides an opportunity to build better relationships. As part of the Mountain View Corridor project, UDOT spent a great deal of time meeting with resource agencies, including holding monthly coordination meetings. UDOT noted that it was important for such meetings to be well planned to ensure that agencies felt it was in their interest to participate. While email communication serves a purpose, it should not be used as a substitute for speaking and meeting directly with agency staff.

- **At the beginning of the process, work with partner agencies to develop and agree upon a project schedule**. In its ICC project, the Maryland SHA and FHWA worked with partner agencies from the very beginning to secure buy-in on the accelerated project schedule. When asking agencies to respond to an expedited schedule, it is important that they be involved with developing the schedule.

- **Establish regularly scheduled meetings with agencies to prepare for key decision points.** As part of the ICC project, SHA established two special interagency coordination groups to facilitate problem-solving -- the Interagency Working Group (IAWG) and Principals Plus (P+1).
    - Interagency Working Group (IAWG) - Participants included environmental managers and staff-level experts from the 21 Federal, state, and local resource and transportation agencies with jurisdiction over some aspect of the project. The group met 37 times to provide input and technical expertise and to guide the drafting of environmental documents and permit applications.
    - Principals plus 1 (P+1) - consisted of one executive-level official from each agency represented in the IAWG plus one staff assistant. The group met 11 times throughout the process to build consensus and resolve broad policy issues related to key project milestones and EIS document components.

  Involving agency decision makers in the meetings helps to ensure that decisions agreed upon by the group will be implemented.

- **Use a neutral third party/facilitator during interagency meetings in order to reach workable solutions when faced with conflicting ideas.** SHA hired a professional mediator selected through the U.S. Institute for Environmental Conflict

Resolution to facilitate all IAWG and P+1 coordination meetings. The mediator served as the project neutral and played an integral role in encouraging agencies to work through complex issues. The professional mediator ensured that all agencies clearly defined their concerns and worked with stakeholders to develop innovative solutions. Utilizing a mediator can help opposing interests move past a roadblock to reach a mutually agreeable solution.

- **Respect the fact that each agency has its own mission to achieve.** Understanding the resource agencies' missions, and in turn ensuring that they understand the SDOT's mission, helps the various parties understand where the other is coming from.

- **Develop Community Advisory Groups or Task Forces.** Both the Missouri DOT (MoDOT) and MDT established Community Advisory Groups as part of the project development and environmental review process. In Missouri, the public was concerned with specific details on what the constructed Paseo Bridge would look like. In order to address their concerns, MoDOT created an advisory group, which consisted of business, community, and neighborhood leaders. The advisory group played an integral role in the selection of the design-build contractor for the Paseo Bridge - the group rated the aesthetics of the proposed designs and controlled 20 aesthetics-related points of the total 100 points used to rank the proposals. Creating opportunities for the public to be more intimately involved in the project development process provides the public with a feeling of ownership over the project, and empowers them to help develop solutions.

A collaborative working relationship between transportation and resource agencies requires mutual trust. How a SDOT works with other agencies on a day-to-day basis lays the foundation for developing this trust. Implementing the techniques highlighted above will help a DOT gain the trust of a resource agency staff, which in turn will make it easier to work with those agencies when major projects arise.

Establishing a collaborative internal working environment is another essential element in streamlining the environmental documentation process. Tools and techniques to effectively collaborate with internal DOT staff include:

- **Establish regular status meetings with project team to share information.** As part of Utah's Mountain View Corridor project, the team maintained a "punch list" of items that need to be addressed. The project team held weekly status meetings, where items on the punch list were reviewed. Holding these regular meetings allows the project manager to identify areas that are in danger of falling behind schedule while at the same time providing motivation for staff to adhere to the project schedule.

- **Involve legal counsel early in the process to ensure that the project is moving forward on the right track.** The MDT legal staff is involved throughout complex projects. Having legal staff involved in key decision points is beneficial to expediting subsequent legal sufficiency review.

- **Review the environmental document concurrently.** Throughout the development of the Paseo Bridge project MoDOT and FHWA were in constant communication. MoDOT did not wait until the document was put together before it was shown to FHWA; instead it utilized a concurrent review process.

- **Conduct internal review of the environmental document in a collaborative process.** For its Mountain View Corridor project UDOT streamlined the internal review process by having all reviewers sitting down together to review and discuss the document. All reviewers were asked to come to the review meeting with prepared comments, and during the meetings staff identified the major topics to address in each chapter, shared and discussed their comments, identified a solution, and subsequently made the changes to the EIS document. While the review meetings were lengthy, the face-to-face process meant that each issue was only discussed once instead of the typical back and forth of emails that result when reviews are done individually.

Commitment

Demonstrated agency commitment to priority projects and project schedules provides the impetus for moving projects forward in a timely manner. Establishing consistency in how the environmental review process is managed and in the quality of information provided helps to build trust and bolster a SDOT's credibility with agencies and the public.

Tools and techniques to demonstrate commitment to the environmental review process include:

- **Secure executive support for a project to help identify the project as a priority**. Many of the projects that experienced a streamlined environmental review process, including Maryland's ICC, Missouri's Paseo Bridge, and Montana's US-2 project, were identified by agency and government leadership as priority projects. This commitment from leadership can serve as a motivation for all stakeholders to participate in the process and agree to work together. In addition, prioritizing projects leads to a better utilization of staff time, both within the SDOT and in the resource agencies. When resource agencies understand that a particular project is a priority, they can plan their work load accordingly.

- **For high priority projects, assign the project as the project manager's sole responsibility.** For both the Paseo Bridge and the ICC projects, the project was the project manager's sole responsibility. This allowed the project manager to dedicate 100 percent of his efforts to keeping the project on schedule.

- **Establish a schedule and commit to following it.** The MDT coordinated with Federal and State agencies in developing the project schedule and agreed to provide the agencies with a "heads up" on when they would be sending a document over for review and comment. In order to ensure adherence to the schedule, SHA built a dispute resolution process into the schedule to allow the project to stay on track even if issues were to arise.

- **Conduct a gap analysis for projects where studies were conducted prior to the current environmental review process.** In the ICC project, studies and information collected during a previous environmental review process were analyzed to determine which data was still valid. Outdated information was updated and new studies were initiated to fill in any remaining gaps. The gap analysis eliminates redundancy of work while ensuring that the best data is being used.

- **Create and maintain a solid Administrative Record.** The SDOT should develop a plan on how to organize both electronic and paper files from the very beginning of the environmental review process. This is critical to overcoming any legal challenges that may arise against the validity of the environmental document. For example, SHA anticipated legal action as part of its ICC project, and as a result they involved the Attorney General's Office early to help with the preparation of a strong administrative record right from the beginning. When the agency did get sued as anticipated, the U.S. District Court ruled that because of the thoroughness and transparency of the process, as documented in the Administrative Record, there was no legal or equitable basis to prevent the ICC from being built.

- **Utilize consultants to develop expert project teams**. For complex projects choose the best qualified team available from the SDOT's available consultant pool. In the ICC project, SHA utilized an open-ended contracting approach to secure a high-quality project team. From the consultants with whom SHA has an open contract with, the best consultants were chosen to work on specific elements of the project including environmental, engineering and revenue studies. Similarly, the MDT hired experienced NEPA preparers, who were critical in helping to keep the project on track. The consultants knew the right questions that needed to be addressed in the study, and they played a critical role in pushing both internal and external stakeholders to provide input and address issues in a timely manner.

- **Be responsive to public and agency comments**. In order to build trust with the public and agencies it is important to not only listen to their comments but to also respond tor their comments as much as possible. A response of "comment noted" is not a sufficient answer. In the Mountain View project, UDOT reviewed each comment, identified a solution, and then shared the response with the resource agencies prior to releasing the draft environmental document.

- **Track environmental commitments and follow through to implementation.** In the case of the ICC, innovative approaches to minimization, mitigation and stewardship played a major role in the project. In order to ensure that the environmental commitments were met, multiple project-team members including the engineering contractor, the design-build contractor, and SHA were required to establish an environmental coordinator position. The environmental management team worked with the design-builder's environmental manager to confirm that plans and construction methods were in compliance with stated commitments. In addition, an independent environmental monitor held environmental oversight responsibility. This effort demonstrated, to the public and resource agencies, the commitment of the SHA to the stewardship of the resources affected by the project. By establishing

credibility on tracking and fulfilling environmental commitments, a transportation agency can establish its reputation as a trustworthy partner.

EIS Experiences and Best Practices from Peer Exchange Participants

Representatives from SDOTs and FHWA Division Offices in Maryland, Missouri, Montana, and Utah gave presentations on particular projects in their respective states that had moved through the environmental review process quickly.

Maryland -- Intercounty Connector

The Intercounty Connector (ICC) is an east-west, 18 mile multi-modal highway connecting I-270/I-370 and the I-95/US-1 corridors. The concept of the ICC has been included in local master plans since the early 1950s. SHA had acquired land in preparation for the future corridor; however, over the subsequent 50 years, development occurred adjacent to the reserved right of way.

Two previous NEPA studies, one conducted in 1983 and another initiated in 1997, were abandoned after the Draft EIS was released, due to reviewing agencies' concerns over potential environmental impacts, as well as considerable mistrust between local government planners and Federal resource agencies. In contrast, the third and final NEPA study, which began in 2003, was completed and the Record of Decision (ROD) was signed by FHWA in less than 3 years.

Wesley Mitchell of SHA and Dan Johnson of the FHWA DelMar Division identified several key principles that led to the successful completion of the ICC's third environmental review process. As highlighted in the recommendations section of this report, the keys to the ICC's project's success included:

- Being named the Governor's top state transportation priority and being designated a high-priority Federal transportation infrastructure project under Executive Order 13274, *Environmental Stewardship and Transportation Infrastructure Project Reviews*. The commitment from both the State and Federal leadership encouraged all stakeholders to participate in the process and agree to work together.

- Ongoing coordination and cooperation with partner agencies. This collaboration was managed through the two interagency working groups, the Interagency Working Group (IAWG) and the Principals plus 1 (P+1).

- Utilizing a professional mediator to facilitate all IAWG and P+1 coordination meetings. The mediator served as the project neutral and played an integral role in encouraging agencies to work through complex issues.

- Utilizing an open-ended contracting approach to securing a high-quality project team.

- Conducting gap analysis on the studies and information collected during the 1997 NEPA process to determine which data was still valid. Outdated information was updated and new studies were initiated to fill in any remaining gaps.

- Implementing innovative approaches to minimization, mitigation and stewardship – The ICC explicitly included environmental stewardship as part of the project's stated purpose and need. In order to fulfill the ICC's stated purpose, context-sensitive design approaches were used to minimize or altogether avoid adverse impacts to critical environmental resources in the development of project alternatives. In addition, the ICC including stewardship elements to respond to existing environmental resource needs, that went above what is required for as mitigation.

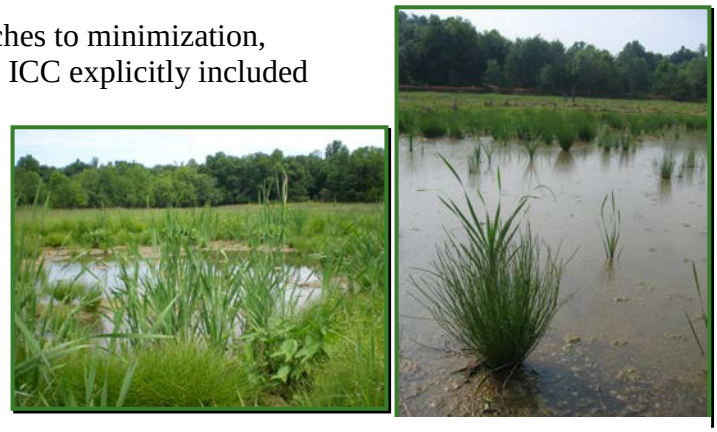

Figure 1: This 4.5 acre wetlands creation project at a former soccer field is one example of how environmental features were incorporated into the ICC.

Missouri -- Paseo Bridge

The Paseo Bridge is an innovative Design-Build project that is part of a corridor improvement project along I-29/35 in Kansas City, Missouri. It was designed to address capacity issues and to enhance deteriorating infrastructure. Two primary challenges existed. The first was that the project was one of three Design-Build pilot projects in the state. The Design-Build was a new approach for MoDOT, and it presented unique challenges during the EIS process. For example, the level of specific details typically provided to the public during the environmental review process are not provided for a Design-Build project because the specific details of the project design are not known until a contractor has been selected, which follows the approval of the EIS. The second challenge was that the MoDOT adopted a practical design approach for the project, whereby MoDOT was careful not to promise more than it was financially capable of delivering. This approach was new for MoDOT and the community; MoDOT had historically promised big projects with complex financial implications. Minimizing the scope of the project was something MoDOT had to communicate to the stakeholders.

Even though the project involved the new approaches of using Design-Build and a practical design approach, the Paseo Bridge project completed the EIS process in 2 years and 9 months, compared to the average timeline for the NEPA process in Missouri of 5 years.

Lee Ann Kell of MoDOT and Ed Cordero of the FHWA Missouri Division attributed the streamlining of the environmental review process to the following factors:

- Identification of the Paseo Bridge as a priority project by both MoDOT and the FHWA Division Office. Identifying the project as a top priority enabled stakeholders to work together and keep the project moving forward.

- Ongoing coordination and communication between MoDOT and FWHA.

Figure 2: The Community Advisory Group played a lead role in rating the aesthetics of the proposed bridge designs.

- Addressing the public's concern regarding what the constructed bridge would look like by creating a Community Advisory Group, and including them in the selection of the Design-Build contractor. .The Advisory Group controlled 20 aesthetics-related points of the total 100 points used to rank the proposals.

- Include legal staff early in the process to explain the risks. Once identified, mitigate risks through community coordination.

Montana -- I-15 Corridor and US 2

The Interstate 15 Corridor project is a traffic improvement project in the Helena Valley. The first EIS for this project was developed in the early 1990s, and construction began in 1999. A subsequent legal challenge to the validity of the environmental document resulted in the project's termination. When the project was reinitiated in early 2000, a new corridor-wide EIS was employed. The new EIS process carried several challenges. As a result of the project's previously failed attempt, the community harbored some mistrust of MDT and the new project carried its own set of public controversies. In addition, the MDT Director wanted the EIS for the project to be completed in two years, which put significant pressure on the project team to adhere to the schedule.

While the average for EIS completion in Montana is 5.21 years, the I-15 EIS, from the Notice of Intent (NOI) to the ROD, was completed in 2.48 years.

According to Tom Martin of MDT, the streamlined EIS process for the I-15 project resulted from the following:

- Endeavoring to rebuild the public's trust by initiating public involvement early in the process. MDT established a Citizens' Advisory Committee, created a local project hotline for opinions and questions, distributed quarterly newsletters, and held public workshops every 4-5 months during the data collection period. The prompt and extensive public involvement helped MDT to regain the public's trust.

- Developing consensus on the project's purpose and need, the project alternatives, and the evaluation and screening of alternatives with the Citizens' Advisory Committee and agencies before making any final decisions. Working with stakeholders together as team helped to reduce friction.

- Utilizing an experienced NEPA consultant. The consultants knew the right questions that needed to be addressed in the study, and they played a critical role in pushing both internal and external stakeholders to provide input and address issues in a timely manner.

- Working closely with the consultants during the entire process. They established monthly project status meeting, which was not something they did in the past. The monthly status meetings were such a success that they are now used for every EA and EIS project in MDT.

- Creating an issues tracking and response tool to ensure all concerns were addressed.

Craig Genzlinger of the FHWA Montana Division spoke about another streamlined EIS project, the US-2 from Havre to Fort Belknap, which was completed in 2.31 years. The purpose of the US-2 project was to replace aging infrastructure and improve mobility for the purpose of promoting economic vitality. The public strongly supported expanding US-2 into a 4-lane highway. The state legislature passed a bill to build a 4-lane highway on US 2; however, the project was not in the State Transportation Improvement Program (STIP). The lack of understanding regarding the transportation funding process and NEPA created a challenge in the EIS process.

Genzlinger identified the following as critical factors to streamline the EIS process:

- MDT leadership identified the US-2 project as a priority.

- Coordination with Federal and State agencies in developing the project schedule and providing the agencies with a "heads up" on when they would be sending a document over for review and comment. In addition, MDT and FHWA met frequently and worked closely throughout the process.

- Public education on the transportation process through three training modules -- Transportation Planning 101, NEPA 101, and Funding 101. The trainings created an environment where all stakeholders could speak the same language, and understand the processes involved.

- MDT and FHWA completed concurrent reviews of the consultants' work in order to streamline the process.

Utah -- Mountain View Corridor

In 1995, Utah's Governor envisioned a legacy parkway. Planning for the parkway quickly became controversial; one alternative had wetland impacts, while the other alternative would impact housing. As a result, public opinion regarding the project turned into a debate that seemingly pitted human concerns against environmental concerns. In 2001, construction on the parkway stopped due to the ongoing controversy. The Mountain View Corridor, which is under the umbrella of the larger legacy parkway project, encompasses a 35-mile area across more than 13 jurisdictions. The proposed corridor was designed to address population growth and travel demand within the project area for the year 2030. Similar to previous projects, the Mountain View Corridor project was controversial and met with much public opposition.

Despite the numerous challenges facing the Mountain View Corridor, the project was able to move through the environmental review process in a streamlined fashion due to the following actions taken by UDOT:

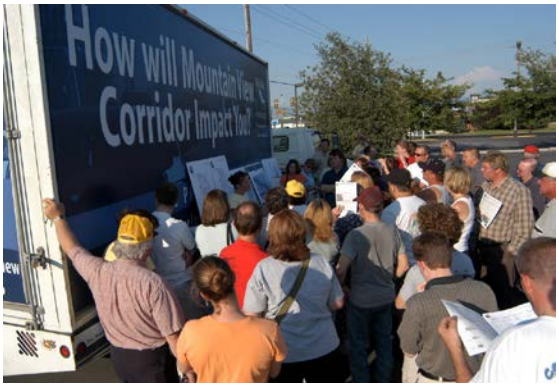

Figure 3: The public gathers around one of UDOT's "Talk Trucks" to learn about the Mountain View Corridor project.

- Utilization of innovative methods such as a "Talk Truck" -- a billboard truck that went to various parking lots throughout the area during the day to provide the public with information on the project -- as well as other public involvement efforts such as purposeful outreach to interest groups.

- Having the public write down their questions during public meetings, instead of using an open format question-and-answer segment. This technique ensured that all meeting participants had an equal opportunity to ask questions, and reduced the likelihood that any one individual would dominate the discussion.

- Providing a forum for opposing stakeholders to share their interests with each other. This technique helped to generate understanding, if not agreement, between the opposing sides.

- Creating a "punch list" of items that needed to be accomplished in order to get to the next phase. The team held weekly status meetings, and a team member was assigned the task of keeping everyone on schedule. Providing for a method of accountability helped to motivate staff to stay on schedule.

- Instead of creating an EIS in the standard format, UDOT created separate chapters for each environmental resource. The chapters were then organized into six separate groupings, and UDOT released each of the six sections separately. This

format allowed resource agencies to only review the chapters that pertained to their area of interest.

- Conducting internal reviews via face-to-face meetings. Prior to the meetings, all reviewers were asked to come to the review with prepared comments. During the meetings, staff identified the major topics to address in each chapter, shared and discussed their comments, identified solutions to problems, and subsequently made the changes to the EIS document. While the review meetings were lengthy, the face-to-face process meant that each issue was only discussed once instead of the typical back and forth of emails that result when reviews are done individually.

Florida and the Environmental Review Process – Project Examples

The following section presents highlights of current projects from several FDOT District offices – these include a history of each project, as well as key successes, challenges, or lessons learned. The projects are in various stages of completion, and while some have moved through the environmental review process relatively quickly, others have faced unique challenges.

Efficient Transportation Decision Making (ETDM) Process

Florida's Efficient Transportation Decision Making (ETDM) process, developed in 2000, is an integrated approach to accomplishing transportation planning and project development for major capacity improvement projects in Florida. One of the benefits of the ETDM process is that it provides a forum for resource agencies to raise issues early in the process, allowing for a dispute resolution process to resolve them before the project moves forward. The ETDM process enables agencies and the public to provide early input to the FDOT and MPOs about the potential effects of proposed transportation projects.

ETDM has two main components: the technology and the interagency agreements. The agreements define how the ETDM process will be implemented, how each agency's requirements will be satisfied through ETDM and identifies the resource needs of each agency to implement ETDM. Additional information on the ETDM process is available at http://etdmpub.fla-etat.org/est/.

District 1: State Route (SR) 29

SR 29 in Immokalee, Florida, also known as Panther Road, has two active projects, one an Environmental Assessment (EA) and the other an EIS. Immokalee is a small, rural, and highly agricultural region with a wide range of socio-economic groups. FDOT's District 1 had to balance the needs and desires of the local residents with those of the area's landowners who have differing views for how to develop the region. An additional challenge was that through FDOT's ETDM process, both projects were flagged by resource agencies due to potential impacts on conservation land and panther species. As a result of being "red flagged" in ETDM, a dispute resolution process was initiated for both projects.

The District utilized the Land Suitability Mapping (LSM) process, based on techniques and concepts developed by Ian McHarg in the 1970s in his book "Design with Nature." LSM is a process of layering Geographic Information Systems (GIS) datasets together to comprehensively assess the potential effects and benefits of a project. Using social, cultural, natural environment, and physical environment data layers and datasets, FDOT

identified features that should be avoided if possible, which allowed them to eliminate some corridors while highlighting potential areas for corridor development. Analyzing available data enabled FDOT to address the resource agencies' concerns.

District 1 also underlined the importance of listening to the public, including both the residents and landowners. FDOT joined in Immokalee's visioning process, meeting with the mayor and city and county officials. By talking with a broad group of stakeholders in order to figure out what each were looking for, the District generated positive goodwill and developed significant relationships.

District 2: Bridge of Lions

The Bridge of Lions, designated as a National Historic Landmark, is located in the historic district of St. Augustine, Florida. Built in 1927, the bridge was in need of upgrades. A debate ensued on whether to rehabilitate the existing bridge or replace it. Additionally, there was strong public and national interest in the project -- various stakeholders formed blocs of advocacy groups, formal public hearings were very well attended (in excess of 600 people for the last meeting), and more than 8,000 letters were received from the public. Other key stakeholders such as the National Trust for Historic Preservation and the U.S. Coast Guard (USCG) had competing priorities which FDOT had to balance as well.

To address stakeholders' competing desires and concerns, FDOT implemented some unique activities as part of the EIS process. FDOT developed a dedicated project website, one of the first projects to do so in the state. This helped FDOT answer the public's questions and provide them with information throughout the process. Another unique aspect was that FDOT and the USCG held a joint public hearing (the USCG was the only permitting agency involved in the project). An important lesson learned was the need to create and preserve a good administrative record, which prevented unnecessary lawsuits from stakeholders.

District 3: Gulf Coast Parkway

FDOT's District 3 serves a predominantly rural region, and the Gulf Coast Parkway (GCP) project presented the first opportunity for District 3 to do an EIS. Funded by the Transportation Outreach Program (intended for economically disadvantaged counties), the GCP started a feasibility study in 2001. The Purpose and Need of the GCP took into account several factors, including the need to reduce travel time; provide a more direct route between US 98 and freight transfer facilities on US 231 within Bay County; improve access to Gulf and Bay counties; and improve security for the Tyndall Air Force Base Reservation by providing an alternative route to US 98 through Tyndall. The project had originally been managed by a public-private, nonprofit agency -- Opportunity Florida. However, the project was put on hold in 2001 until July, 2008, when FDOT was able to issue a notice to proceed with the consultant. In the meantime, the project completed the ETDM process in April, 2007, and in August, 2007 the corridor report was revised and resubmitted.

The GCP was set into motion because of a $25 million earmark in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). One challenge was that FDOT had to go back and revisit the alternatives because the original ones had been developed during a separate, non-Federal process.

District 4: SR 7 Extension

District 4 has substantial experience with conducting EISs, and is currently processing 24 Project Development & Environment (PD&E) studies. The SR 7 Extension project, a proposed 4-6 lane corridor, is a controversial project located in Palm Beach County. From September, 2005, to August, 2007, FDOT conducted a Corridor Study to determine the best path for extending SR 7. Four corridors were considered in addition to the No-Build option. One of the options – Corridor 4 – would bisect the Pond Cypress Natural Area, the Grassy Waters preserve (a catchment area for the city of West Palm Beach), and a mitigation area for Acreage Reliever Road. While the public had an expressed preference for the Corridor 4 option, the permitting agencies identified critical issues with this same corridor and preferred the other options. As a result, FDOT initiated an informal dispute resolution process to address the conflicting views.

Although one outcome of the dispute resolution process was that the number of agencies disputing the project increased from 1 to a total of 6 agencies, FDOT made a policy decision to eliminate the Corridor 4 alternative and was able to achieve consensus on moving forward with one recommended corridor -- Corridor 3 -- with the support of the resource agencies. Using ETDM demonstrated several benefits, including early agency involvement and a high level of participation, the elimination of infeasible corridors, and time and money savings.

District 5: SR 40

SR 40 crosses the Ocala National Forest and other protected lands. Beginning in 1988, District 5 initiated several PD&E studies to explore improvements to SR 40. Each of those studies was eventually stopped due to concerns regarding potential environmental impacts. The District lost the trust of the U.S. Forest Service (USFS) and various public and environmental groups. When the project was revisited in the early 2000s, District 5 decided to take a proactive approach to address project issues. FDOT initiated a collaborative feasibility study, whereby it made joint recommendations with stakeholders regarding the feasibility of project alternatives. Participating stakeholders included Federal and State resource agencies.

To handle the public involvement process, FDOT utilized a team of consultants as neutral facilitators. The facilitators struck a delicate balance between incorporating the views of numerous agencies' wildlife biologists and environmental groups such as the Sierra Club and the Audubon Society, without allowing any one group to dominate the meeting. Through multiple public meetings, FDOT slowly built back its credibility with the USFS. FDOT learned that having a good public involvement plan goes a long way -- by the time they had a public meeting, a lot of issues had already been addressed.

District 6: I-395

Overtown was once a thriving community known as the Harlem of the South. In 1957, the Overtown community was almost decimated by the development of the I-95 and I-395 freeways. The constructed roadway had a disastrous impact on the economic and social structure of the community. The community continues to shoulder the lingering effects of those negative impacts, and as a result there is also persistent anger towards and distrust of FDOT.

The I-395 project, which proposes safety upgrades and a new access point to the Port of Miami tunnel, has been met with much public opposition. As part of the I-395 study, District 6 is working hard to rebuild trust in the community. FDOT opened a public outreach office in the Overtown community, which is staffed with a Community Liaison who works closely with the local residents to keep them informed of all transportation projects in the area. In addition, FDOT conducts extensive public outreach efforts including conducting community visioning workshops, organizing Project Advisory Groups, and holding numerous, one-on-one meetings with various community stakeholders. FDOT recognizes the importance of making a genuine effort to built trust with the community, and has learned to not assume that they know what is best for the community. As a result, while the alternatives analysis process has taken time and effort, the results will better address the community's concerns.

Appendix A: Peer Exchange Attendees

Daniel Johnson	FHWA – DelMar Division
Linda Anderson	FHWA – Florida Division
Karen Brunelle, PE	FHWA – Florida Division
George Hadley	FHWA – Florida Division
Cathy Kendall, AICP	FHWA – Florida Division
Ed Cordero	FHWA – Missouri Division
Craig Genzlinger	FHWA – Montana Division
David Carlson	FHWA – Office of Project Development and Environmental Review
Ruth Rentch	FHWA – Office of Project Development and Environmental Review
Marlon Bizerra	Florida DOT - District 1
Gwen Pipkin	Florida DOT - District 1
Mark Schulz	Florida DOT - District 1
Bill Henderson	Florida DOT - District 2
Pete Southall	Florida DOT - District 2
Brandon Bruner	Florida DOT - District 3
Ray La Fontaine	Florida DOT - District 3
Blair Martin	Florida DOT - District 3
Alan Vann	Florida DOT - District 3
Ann Broadwell	Florida DOT - District 4
Beatriz Caicedo-Maddison, PE	Florida DOT - District 4
Paul Lampley, PE	Florida DOT - District 4
Bob Gleason	Florida DOT - District 5
Amy Sirmans	Florida DOT - District 5
Brian Stanger	Florida DOT - District 5
Steve Tonjes	Florida DOT - District 5
Bill Walsh	Florida DOT - District 5
Aileen Boucle, AICP	Florida DOT - District 6
Adebayo Coker	Florida DOT - District 6
Cathy Owen	Florida DOT - District 6
Kirk Bogen	Florida DOT - District 7
Roberto Gonzalez, REM	Florida DOT - District 7
Larry Barfield	Florida DOT - Central Environmental Management Office
Buddy Cunill	Florida DOT - Central Environmental Management Office
Imran Ghani	Florida DOT – Florida's Turnpike Enterprise
Tom Percival	Florida DOT – Florida's Turnpike Enterprise
Debbie Hunt	Florida DOT – Intermodal Systems Development
Rick Adair	HDR Engineering
Wesley Mitchell	Maryland State Highway Administration
Lee Ann Kell	Missouri DOT

Gayle Unruh	Missouri DOT
Tom Martin	Montana DOT
Mike Palozzi	PBS&J
Louise Fragala	Powell, Fragala & Associates, Inc.
Sharon Chan Edmiston	U.S. DOT Volpe Center
Gina Filosa	U.S. DOT Volpe Center
Ruth Roaza	URS Corporation
Teri Anne Newell	Utah DOT
Reed Soper	Utah DOT

Appendix B: Peer Exchange Agenda

Monday, September 15

100 – 130pm	Welcome (FL Div/FDOT CEMO/Facilitator) and Introductions
130 – 230pm	Maryland Presentation: ICC
230 – 245pm	Break
245 – 345pm	Missouri Presentation: Paseo Bridge
345 - 445pm	FDOT District 2: Bridge of Lions FDOT District 3: Gulf Coast Parkway
445 – 530pm	Tools and Techniques: A Collaborative Compilation

Tuesday, September 16

800 – 815am	Welcome and Recap
815 – 845am	FDOT CEMO: ETDM Evaluation
845 – 945am	FDOT District 1: SR 29 FDOT District 4: SR 7 Extension
945 – 1045am	Montana Presentation: I-15 & US 2
1045 – 1100am	Break
1100 – 1145am	Tools and Techniques: A Collaborative Compilation
1145 – 100pm	Lunch
100 – 200pm	Utah Presentation: Mountain View
200 – 215pm	Break
215 – 315pm	FDOT District 5: SR 40 FDOT District 6: 1-395
315 – 345pm	Tools and Techniques: A Collaborative Compilation
345 – 430pm	On the Horizon: New Tools/Strategies Under Development
430pm	Adjourn