



NEPA Assignment Program Quality Assurance/Quality Control Plan

December 22, 2016

(Revised February 21, 2019)

TABLE OF CONTENTS

| | | |
|----------|---|-----------|
| 1 | QUALITY ASSURANCE AND QUALITY CONTROL PROCESS..... | 1 |
| 1.1 | OVERVIEW | 1 |
| 1.2 | LINKING PLANNING AND NEPA..... | 3 |
| 1.3 | NEPA DOCUMENT COMPLIANCE REVIEW AND MONITORING | 4 |
| 1.3.1 | <i>District Quality Control for NEPA Documents</i> | <i>4</i> |
| 1.3.2 | <i>NEPA Document Review and Approval Process Overview</i> | <i>4</i> |
| 1.3.3 | <i>Review of Type 2 CE, EA, and EIS</i> | <i>5</i> |
| 1.3.4 | <i>Review of Type 1 Categorical Exclusions.....</i> | <i>8</i> |
| 1.3.5 | <i>Review of Re-evaluations.....</i> | <i>9</i> |
| 1.3.6 | <i>Legal Sufficiency Review Process</i> | <i>9</i> |
| 1.3.7 | <i>Prior Concurrence Review Process</i> | <i>10</i> |
| 1.3.8 | <i>Review of Local Agency Program Projects</i> | <i>11</i> |
| 1.3.9 | <i>SWEPT Internal Controls (Quality Assurance System Checks).....</i> | <i>11</i> |
| 1.4 | DATA MANAGEMENT AND RECORD RETENTION | 12 |
| 2 | SELF-ASSESSMENT PROCESS | 13 |
| 2.1 | SELF-ASSESSMENT OVERVIEW | 13 |
| 2.2 | MOU PERFORMANCE MEASURES | 13 |
| 2.2.1 | <i>Performance Monitoring</i> | <i>14</i> |
| 2.2.2 | <i>Performance Actions.....</i> | <i>15</i> |
| 2.3 | SELF-ASSESSMENT RELATIONSHIP TO THE FHWA AUDIT | 15 |
| 2.4 | SELF-ASSESSMENT SCOPE AND METHODOLOGY | 16 |
| 2.4.1 | <i>Self-Assessment Scope</i> | <i>16</i> |
| 2.4.2 | <i>Self-Assessment Methodology.....</i> | <i>16</i> |
| 2.4.3 | <i>Self-Assessment Schedule</i> | <i>16</i> |
| 2.4.4 | <i>Self-Assessment Team</i> | <i>16</i> |
| 2.4.5 | <i>Planning Phase.....</i> | <i>17</i> |
| 2.4.6 | <i>Target Topic and Criteria Development.....</i> | <i>18</i> |
| 2.4.7 | <i>Evaluation Phase.....</i> | <i>18</i> |
| 2.4.8 | <i>Director's Statement.....</i> | <i>19</i> |
| 2.4.9 | <i>Self-Assessment Report and Summary of the Report</i> | <i>19</i> |
| 2.4.10 | <i>Self-Assessment Actions Requiring Response.....</i> | <i>20</i> |
| 3 | FHWA AUDIT SUPPORT..... | 21 |
| 3.1 | FOCUS OF FHWA AUDIT | 21 |
| 3.2 | OTHER AGENCY PARTICIPATION IN THE AUDIT..... | 22 |
| 3.3 | GENERAL AUDIT COORDINATION AND SUPPORT | 22 |
| 3.3.1 | <i>Audit Coordinators:.....</i> | <i>22</i> |
| 3.3.2 | <i>OEM Coordination Responsibilities</i> | <i>23</i> |
| 3.3.3 | <i>District Support</i> | <i>24</i> |
| 3.4 | FHWA AUDIT REPORT | 25 |
| 3.4.1 | <i>Responding to FHWA Findings.....</i> | <i>25</i> |
| 3.4.2 | <i>Observations</i> | <i>25</i> |
| 3.4.3 | <i>Non-Compliance Observations.....</i> | <i>26</i> |
| 3.5 | FDOT TRACKING AND AUDIT FILE | 26 |
| 3.5.1 | <i>Audit Log:.....</i> | <i>26</i> |
| 3.5.2 | <i>Audit File:</i> | <i>28</i> |
| 3.5.3 | <i>Audit Records Retention and Disposal</i> | <i>28</i> |
| | REFERENCES..... | 28 |
| | HISTORY..... | 29 |

| | | |
|-------------------|--|-----------|
| APPENDIX A | NEPA ASSIGNMENT PERFORMANCE MEASURES MATRIX | 30 |
|-------------------|--|-----------|

1 QUALITY ASSURANCE AND QUALITY CONTROL PROCESS

1.1 OVERVIEW

FDOT uses Quality Assurance and Quality Control (QA/QC) activities to monitor work processes to comply with applicable laws, rules, policies, procedures, and standards as established in the [Quality Assurance and Quality Control Policy, Topic Number 001-260-001](#). FDOT environmental procedures are contained within the [Efficient Transportation Decision Making \(ETDM\) Manual](#) and [Project Development and Environment \(PD&E\) Manual](#). These manuals, combined with training and other guidance documents, form the foundation for QA/QC process for environmental reviews. These manuals describe FDOT processes for complying with Federal and state laws, rules and regulations.

Section 327 of Title 23 of the United States Code (U.S.C.) establishes the Surface

Transportation Project Delivery Program that allows the Secretary of the United States Department of Transportation to assign and states to assume the Secretary's responsibilities under the ***National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. §4321***, et seq. and responsibilities for environmental review, consultation, or other actions required by Federal environmental law with respect to highway, public transportation, railroad, and multimodal projects within the state.

FDOT has executed the Memorandum of Understanding (MOU) on December 14, 2016 with FHWA which approves FDOT's application to participate in the NEPA Assignment Program with respect to highway projects within the State of Florida. The FDOT Office of Environmental Management (OEM) is responsible for management and administration of environmental reviews and approval of documents under NEPA Assignment.

In carrying out the responsibilities assumed under the MOU, FDOT is required to carry out regular quality control and quality assurance (QA/QC) reviews to ensure that the assumed responsibilities are being conducted in accordance with applicable laws, regulation and the MOU. The FDOT's QA/QC process outlined in section 8.2.4 of the MOU include:

- The review and monitoring of its processes and performance relating to project decisions,
- Completion of environmental analysis,

Quality - conformance to valid customer requirements (including laws, rules, procedures, policies and standards).

Quality Assurance - the activity of providing fact-based evidence that quality products, services, and information are being delivered.

Quality Control - the activities of implementing, monitoring and continuously improving processes to ensure delivery of quality products, services, and information.

(Quality Assurance and Quality Control Policy Topic Number 001-260-001)

- Project file documentation,
- Checking for errors and omissions,
- legal sufficiency reviews, and
- Taking appropriate corrective action as needed.

OEM annually conducts self-assessments to determine if the FDOT is following its processes and procedures. In addition, FHWA will audit FDOT annually during the first four years of the NEPA Assignment Program to ensure that FDOT is meeting its obligations and attainment of the performance measures stated in the MOU.

This QA/QC Plan describes FDOT QA/QC processes for environmental review and explains how FDOT carries out the reviews to ensure the assumed responsibilities under the NEPA Assignment requirements are being conducted in accordance with applicable law and the MOU. The QA/QC Plan describes FDOT's process for complying with performance measures stated in the MOU (**Section 2.2**) and identifies activities to support quality assurance reviews, self-assessments, and the Federal Highway Administration (FHWA) audits. QA/QC occurs at both project level and program level.

To carry out responsibilities assumed under the NEPA Program, OEM staff reviews draft Environmental Document submissions for completeness of analysis, compliance with federal and state law, regulations and requirements, consistency with Department and federal standards, errors and omissions and verifies the project file accurately supports the document using the Department's Electronic Review Comment (ERC) system. ERC is an application used to track the entire draft review process (comments and responses) for document, technical studies, and supporting materials in an online interactive database. All Districts use the ERC system. OEM uses ERC to provide comments to the District on draft Environmental Documents and supporting technical studies. The District project team responds to comments, collaborating with OEM as needed to resolve any issues. Once draft documentation is complete, it is uploaded to the StateWide Environmental Project Tracker (SWEPT) for inclusion in the environmental project file and administrative record, as appropriate.

QA/QC activities are supported by SWEPT. This interactive web-based application provides tools to support OEM staff in performing its responsibilities during the environmental process:

- Project Input/Setup - Create project contract Scopes of Services
- Project Dashboards - Track project schedules
- Quality & Performance Management - Record and report QA/QC results
- Team Management - Assign and notify review teams
- Project Documents – Maintain and provide access to the environmental project file of record

1.2 LINKING PLANNING AND NEPA

ETDM is part of FDOT's approach for Planning and Environmental Linkages (PEL), used to incorporate environmental considerations into transportation planning to inform project delivery. MOU requirements relating to PEL are listed below (MOU, **Section 3.2.1**).

- Planning and Environmental Linkages, **23 U.S.C. §168**, with the exception of those FHWA responsibilities associated with **23 U.S.C. §§134 and 135**
- Efficient Project Reviews for Environmental Decision Making **23 U.S.C. §139**

ETDM provides tools creating linkages between land use, transportation, and environmental resource planning initiatives through early, interactive agency involvement. This is accomplished through an Environmental Technical Advisory Team (ETAT) assigned to the seven geographic FDOT Districts. Each ETAT includes representatives from the Metropolitan Planning Organizations/Transportation Planning Organizations (MPO/TPO), federal and state agencies and participating Native American tribes. ETAT members use the Environmental Screening Tool (EST) to review proposed projects (refer to the [ETDM Manual](#) for further explanation).

Under NEPA assignment, OEM assumes FHWA responsibilities in PEL typically through the ETDM process. The OEM staff performs quality reviews and formal approval and/or concurrence on the following specific milestones within the EST:

- Prescreening review
 - Purpose and Need
 - Project Descriptions
 - Preliminary Environmental Discussions (PEDs)
- During ETDM Screenings
 - Purpose and Need
 - Methodology Memorandums for the Alternative Corridor Evaluation process
 - Alternative Corridor Evaluation Reports
 - Elimination of unreasonable alternatives
 - Invitations for Participating and Cooperating agencies
 - Class of Action (COA) determinations
 - Adoption of planning products to be used during PD&E

By performing these actions, OEM is familiar with the project details, previous coordination and communication with stakeholders. The result is an understanding of the project context and issues identified during the screening events. The [ETDM Manual](#) details procedures and guidance for environmental screening conducted

through the ETDM process. FDOT NEPA Environmental Document review process which incorporates the ETDM process is illustrated in Figure 1.

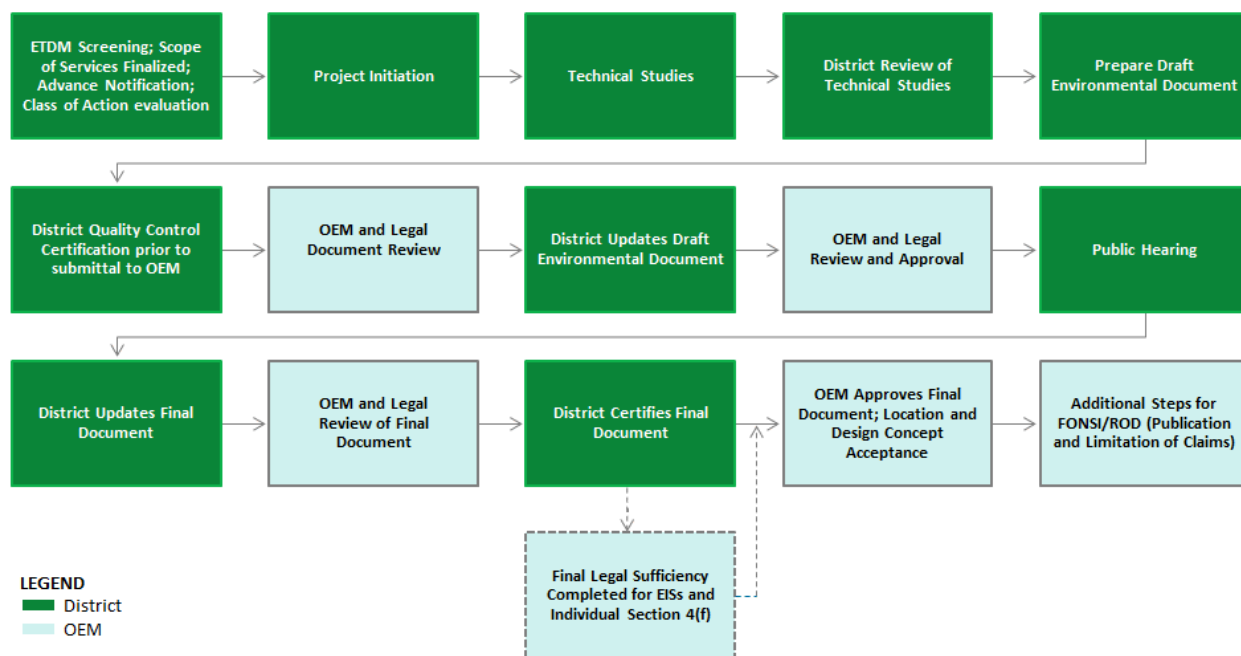


Figure 1 FDOT NEPA Environmental Document Review Process

1.3 NEPA DOCUMENT COMPLIANCE REVIEW AND MONITORING

This section addresses the MOU requirement for review and monitoring of FDOT processes and performance relating to project decisions (MOU, **Section 8.2.4**).

1.3.1 District Quality Control for NEPA Documents

Quality Control (QC) for PD&E projects begins when the consultant selection process is completed. The selected consultant is required, though executed contract, to prepare a District acceptable QC plan before the consultant begins to work on the project. The consultant QC Plan consists of QC methodology, submittal requirements and provisions for adherence to the Plan. The consultant staff working on the project are required to follow the QC Plan when developing, evaluating and submitting Environmental Documents and supporting technical studies. Districts ensure the consultant QC Plan is followed on submittals by reviewing submittals for accuracy, completeness, and meeting applicable laws, rules, regulations, and procedures.

1.3.2 NEPA Document Review and Approval Process Overview

Under the NEPA Assignment Program, OEM reviews and approves Environmental Assessments (EA), Environmental Impact Statements (EIS), Type 2 Categorical

Exclusions (CE), and Reevaluations. OEM review verifies the completion of environmental analysis based on the PD&E Manual. FDOT Districts complete and approve Type 1 CEs.

QC reviews occur at several steps during the development of Environmental Documents, as illustrated in **Figure 2** below. Districts complete QC review and submit the **Environmental Document Submittal Form** (# 650-050-15) verifying that QC was completed before submitting the document to OEM for review or approval. OEM and Office of General Counsel (OGC) staff perform technical and procedural reviews. OGC performs legal sufficiency reviews for Final Environmental Impact Statements (FEISs), Records of Decision (ROD), FEIS/RODs and Individual Section 4(f) evaluations before final document approval. The [PD&E Manual](#) details procedures for the Environmental Documents developed by FDOT.

1.3.3 Review of Type 2 CE, EA, and EIS

Quality assurance (QA) for Type 2 CEs, EAs, and EISs begins when the District and OEM Project Lead Review Team, consisting of Project Delivery Coordinators (PDCs) and Project Development engineers, collaborate to discuss the project. The Districts conduct regular project coordination meetings with OEM Project Lead Review Team to provide updates on projects as they progress and allow for process discussions. The procedures established in the [PD&E Manual](#) help to ensure NEPA analysis are conducted in accordance with applicable laws and regulations.

The District develops technical studies that analyze potential impacts of project alternatives according to the [PD&E Manual](#). The District Project Manager and District subject matter experts (SMEs) review technical studies as they are developed. The District project environmental staff leads development of the Environmental Document. When ready for OEM review, the District Project Manager uploads the draft documents into the ERC. Concurrently, the District Environmental Manager and Project Development Manager completes the **Environmental Document Submittal Form** within SWEPT.

OEM staff review documentation to check for completeness, errors and omissions, and review document compliance to applicable laws, regulations and policies in accordance with the PD&E Manual. When the Districts and OEM agree that the document is ready for approval, it is uploaded to SWEPT and processed for approval in accordance with the MOU.

This process is illustrated below in **Figure 2**.

NEPA Document Review Process Flowchart

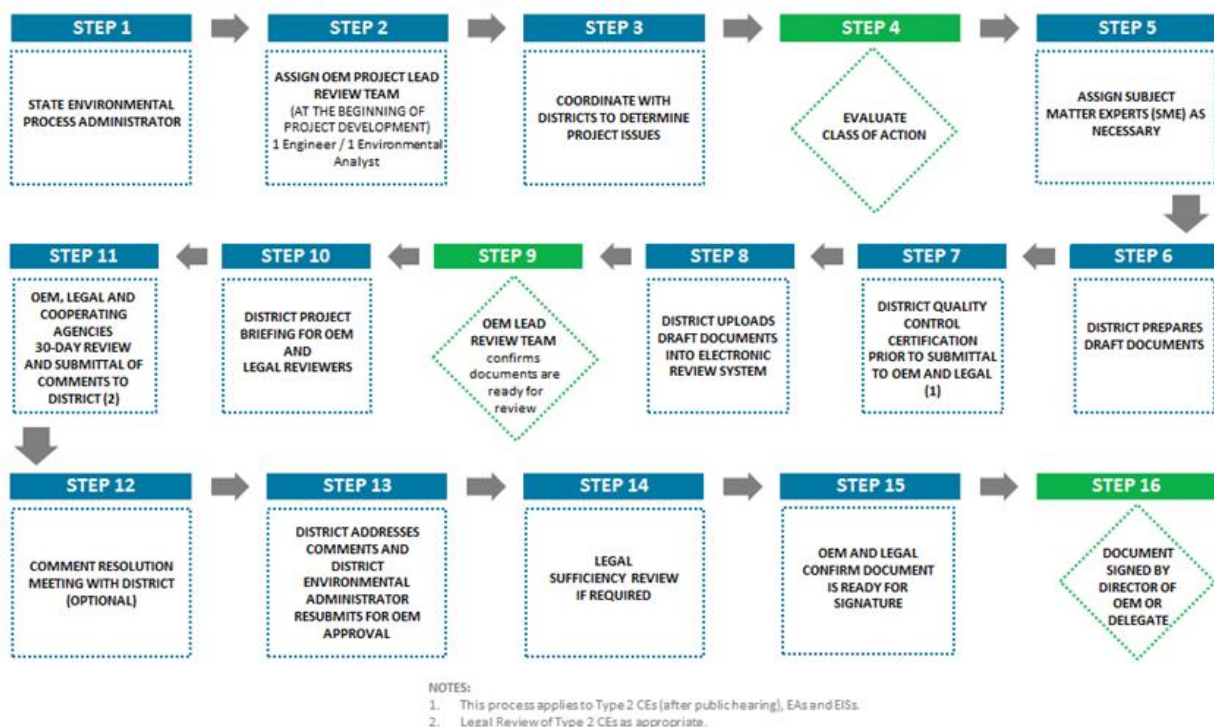


Figure 2 OEM NEPA Document Review Process

1. The OEM State Environmental Process Administrator receives notification that a project is beginning development of the Environmental Document (based on the Project Schedule and Management [PSM] start date for the COA).
2. The OEM State Environmental Process Administrator verifies the appropriate OEM lead project coordinator and OEM Engineering Administrator are assigned to the Project Lead Review Team. These contacts are assigned to specific Environmental Documents when the documents are routed through the NEPA Document Review Process.
3. The OEM Project Lead Review Team coordinates with the District project team to discuss project specifics and identify potential project issues.
4. The OEM Project Lead Review Team discusses the COA with the District project team. If the COA needs to be revised, the District uses the Environmental Screening Tool (EST) to re-process the COA for approval by OEM.
5. Based on the potential project issues, the Project Lead Review Team assigns subject matter experts (SME). If the project is an EIS or involves a Section

- 4(f) evaluation(s), a Legal Sufficiency Review will be required by OGC, and an OGC Attorney will be assigned to the Project Lead Review Team. Based on the unique project details, there may be other instances where a legal review is necessary. The Project Lead Review Team and the District will discuss the project with OEM management and OGC to make that determination. If legal review is necessary, the appropriate OGC attorney is assigned to the Project Lead Review Team.
6. The District project team prepares the draft document and supporting technical studies, completing documentation and environmental analysis according to procedures outlined in the PD&E Manual and as required in MOU **Section 8.2.4**. The District regularly meets with the OEM Project Lead Review Team to discuss project status.
 7. The District Environmental Manager and Project Development Manager conduct an initial quality control, checking for errors and omissions, verifying documentation is complete and consistent with the PD&E Manual. Upon completion of quality control review, the District Environmental Manager and Project Development Manager certify through a signed **Environmental Document Submittal Form** that the Environmental Document is ready for OEM and legal review.
 8. The District Project Manager submits the Environmental Document and supporting technical studies to OEM and OGC for review.
 9. The OEM Project Lead Review Team confirms that the document is ready for review.
 10. The District Project Manager organizes a project briefing for OEM and OGC reviewers.
 11. OEM and OGC have 30 calendar days to review and submit comments to the District. During the review period, OEM Project Lead Review Team coordinates with SME and legal staff. The Project Lead Review Team consolidates the comments and submits the combined comments to the District project team.
 12. The District reviews the comments and if needed, the District may schedule a meeting with OEM reviewers to discuss resolution.
 13. The District project team addresses the OEM review comments. The District Environmental Administrator resubmits the revised document to OEM for approval, with another Environmental Document Submittal form. The OEM Project Lead Review Team verifies that comments have been addressed.

14. The document is submitted to OGC for legal sufficiency review, if required. OGC, District Environmental Administrator, District Project Manager and OEM Project Review Team work together to address OGC comments
15. The OEM State Environmental Process Administrator, State Environmental Programs Administrator, and OGC verify that the Environmental Document is complete and ready for signature and in the case of draft EA and Draft EIS projects, have received a legal sufficiency review and are ready for public availability.
16. The Director of OEM or delegate signs the Environmental Document. The project may then continue to the Public Hearing, if applicable. For EAs and EISs, the District addresses comments received from the public and updates the document. The final document goes through the review process beginning with step 13 and ends with the Director's signature of the approved final Environmental Document including FONSI or ROD, if applicable.

1.3.4 Review of Type 1 Categorical Exclusions

Type 1 Categorical Exclusions (CE) are actions listed in **23 CFR § 771.117(c)** or identified in **23 CFR §771.117(d)** and satisfies the criteria for CEs in the Council on Environmental Quality (CEQ) regulations (**40 CFR § 1508.4**). These actions are prepared in the District and reviewed and approved by the District Environmental Manager. These actions would not qualify for an EST screening and would not be reviewed by OEM before District approval.

The District staff prepares and completes evaluation of Type 1 CE projects. The District Environmental Manager reviews and approves the Type 1 Check List after reviewing supporting documentation and checking for errors and omissions and completion of applicable environmental analysis. The approval of Type 1 CE projects is as follows:

- Prepares a **Type 1 Categorical Exclusion Checklist, Form No. 650-050-12** that the project meets the criteria for a CE according to Part 1, Chapter 2 of the [PD&E Manual](#).
- Documents the appropriate Type 1 CE action listed in **23 CFR 771.117(c)** or identified in **CFR 771.117(d)** and provides supporting analysis to complete the Type 1 CE checklist.
- Coordinates with appropriate resource agency personnel, if needed (such as coordination on historic resources, wetlands, listed species in order to verify the finding there is no potential to significantly impact certain environmental resources or because it may affect environmental permitting [[PD&E Manual](#), Part 2 Chapters]).
- Documents the results of any analysis and coordination and places in the project file. This documentation includes the results of desktop and/or field review, agency

consultation, and any supporting documents and/or technical reports required to substantiate the responses on the checklist.

- Completes the document and submits it for review and approval by the District Environmental Manager, or delegate.

1.3.5 Review of Re-evaluations

Re-evaluations are required by **23 C.F.R. §771.129** and are conducted to assess whether the approved Environmental Document remains valid. The District prepares the Re-evaluation document in accordance with the [PD&E Manual](#), Part I, Chapter 13. Depending on the outcome of that assessment, a Re-evaluation can be consultative for the project file or reviewed and approved by OEM.

Re-evaluations involve the following steps:

- Re-evaluations are initiated by the District through consultation with OEM and completion of a Re-evaluation Form.
- Consultation with OEM helps determine whether the Re-evaluation Form requires OEM's signature.
- If through consultation, the District may proceed with the project by documenting the results of the OEM consultation on the Re-evaluation Form, and placing it in the project file. An OEM signature on the form is not required. The District Environmental Manager or delegate reviews and approves the re-evaluation form after checking supporting documentation and completion of relevant environmental analysis.
- If OEM approval of the Re-evaluation is required, the District Environmental Manager or delegate reviews and approves the Re-evaluation form after checking supporting documentation and completion of relevant environmental analysis. Then, the District submits the completed Re-evaluation form and supporting documentation to OEM for review and approval through SWEPT. OEM approval is by the Director of OEM or delegate.

1.3.6 Legal Sufficiency Review Process

FDOT conducts legal sufficiency reviews (MOU **Section 8.2.4**) of draft FEISs, draft FEISs/RODs, and Individual Section 4(f) evaluations, as required under Federal regulation [see **23 C.F.R. §771.125(b)** and **23 C.F.R. §774.7(d)**]. These reviews are conducted by OGC or by contracted environmental counsel. These reviews assess the document to ensure compliance with legal standards, avoid litigation risk, and improve legal defensibility. Documents requiring a legal sufficiency review follow the document review process described in **Section 1.3.2** of this Plan. When legal sufficiency is required, FDOT intends to use the following process:

- OEM submits the applicable draft NEPA document or Section 4(f) evaluation to OGC.
- OGC assigns the document to an FDOT environmental attorney or contracted environmental counsel for review.
- The reviewing attorney prepares and submits to OEM written comments/suggestions to improve the document's legal defensibility (attorney comments may be protected as attorney work product and is not be shared outside of FDOT's document preparation team).
- The reviewing attorney is available to discuss with OEM and District staff the resolution of comments/suggestions.
- Once the reviewing attorney is satisfied that OEM and District staff have addressed his or her comments/suggestions to the maximum extent reasonably practicable, the reviewing attorney provides OEM with written documentation that the legal sufficiency review is complete.
- OEM does not finalize the draft NEPA document before receiving written documentation from OGC that the document is legally sufficient.

1.3.7 Prior Concurrence Review Process

Some EISs may have impacts of unusual magnitude, high levels of controversy, major unresolved issues, emerging or national policy issues or issues for which Districts seek policy assistance. EISs requiring a prior concurrence review follow the document review process described in **Section 1.3.2** of this Plan. For these types of projects, prior concurrence, pursuant to **23 C.F.R. §771.125(c)**, is obtained before proceeding with approvals under NEPA. Prior concurrence is a step in the project development process when OEM seeks a finding that the project and document in question are acceptable from a policy/program perspective. Prior concurrence may apply to FDOT approvals of Draft FEIS or FEIS.

The Districts and OEM collaborate to decide whether to seek prior concurrence on a case-by-case basis. To prepare for the prior concurrence review, the OEM managers (State Environmental Programs Administrator or the State Environmental Process Administrator or delegate) review the EIS seeking input from technical SMEs and OGC. Upon their recommendation, the Director of OEM transmits the request for prior concurrence to the Assistant Secretary of Engineering and Operations or delegate. The Assistant Secretary of Engineering and Operations or delegate, after consulting with OGC if desired, determines whether the project can proceed with the NEPA approvals. The outcome of Prior concurrence will be documented within SWEPT.

Constructive use under Section 4(f) always requires prior concurrence. For projects that are anticipated by FDOT to involve a constructive use, FDOT coordinates with FHWA

on the underlying policy issue before FHWA makes a final determination of a Section 4(f) constructive use.

1.3.8 Review of Local Agency Program Projects

LAP project Environmental Documents follow the document review process described in **Section 1.3.2** of this Plan for the applicable Environmental Document.

1.3.9 SWEPT Internal Controls (Quality Assurance System Checks)

The SWEPT System has been developed and enhanced to provide internal controls within the application requiring selections, documentation, analysis, explanation, or approvals required within the application before the NEPA document under development can move through the approval process. SWEPT has quality monitoring, checking and serves as a control tool to identify and capture potential errors and omissions through the use of various forms. The SWEPT system is actively maintained and updated routinely by the SWEPT Development Team. Recent examples of enhancements to SWEPT providing additional internal controls and monitoring capabilities within the system include:

- *The Type 1 Categorical Exclusion (CE) form is interactive and requires detailed explanation and/or documentation for required considerations before allowing user to proceed through the approval process and addition of planning consistency inclusion requirements.*
- *The Re-evaluation form enhanced to be more interactive and requires documentation and analysis support on required considerations before the user proceeds through the form. If documentation is not provided in SWEPT, user cannot complete review nor the approval process.*
- *Type 2 Categorical Exclusion has been transformed from a District specific customized implementation of a Type 2 document to a consistent standalone SWEPT generated Type 2 document. The new Type 2 Categorical Exclusion (CE) document is interactive and requires detailed explanation and/or documentation for questions before allowing user to proceed.*
- *The Environmental Document Submittal (EDS) Form, the SWEPT internal routing sheet verifying that everyone within the document development, review and approval process completes their action, and is documenting in the project approval history. In addition, the EDS Form also requires specific data be provided in support of a specific Class of Action, such as Public Involvement Plans (PIPs), which are required and must be uploaded into SWEPT project file before user can complete the Form and Certification of Project to OEM for approval.*

- *Based upon the Class of Action and/or type of document, SWEPT controls ensure Office of General Counsel reviews for legal sufficiency are completed and submitted before environmental document can be submitted for final approval.*
- *Project Delivery Coordinators (PDCs) are assigned to each District, monitoring the document as it moves through the process, providing review of the environmental documents and providing assurances to the Environmental Process Administrators (EPAs) that the document is ready to enter the approval process. PDCs provide technical support and guidance, coordinate minor edits as needed, and work with Districts prior to document Certification for OEM approval.*
- *Several performance monitoring reports have been enhanced to proactively identify potential issues allowing for additional coordination with the PDCs and Districts should a tracked activity be shifting to undesirable results.*
- *SWEPT enhanced to provide a detailed SWEPT history record in every project file that shows the review and approval steps at the District and Central Office levels taken to ensure document compliance. The project file attributes describing the documentation uploaded in the electronic file have been enhanced to add additional details about the file such as upload date and identifying whether the file is an attachment to or technical material supporting the approved document.*
- *The EPAs and PDCs have been added to the Minor Edit Process allowing them to use the SWEPT tool to return the environmental document to the District for minor edits without restarting the clock on the District review and approval process.*
- *SWEPT monitors and various prompts action to the participants working on the environmental document including delivery of reminder emails and an “in your face” alert system within SWEPT highlighting required actions.*

1.4 DATA MANAGEMENT AND RECORD RETENTION

FDOT maintains its project and administrative files pertaining to its NEPA Assignment Program responsibilities as required by law and FDOT's retention program per [PD&E Manual, Part 1, Chapter 15, Project File and Records Management](#). To support its recordkeeping and retention responsibilities, SWEPT is used in conjunction with the Electronic Document Management System (EDMS), as defined in FDOT's [Information Technology Resource User's Manual, Procedure, Topic Number 325-000-002](#)

(Chapters 12 and 13) as the environmental file system of record for NEPA Assignment Program projects.

FDOT has a [Records Management Procedure, Topic Number 050-020-025](#) established by FDOT's Office of Support Services. For documents pertaining to FDOT's discharge of responsibilities under the NEPA Assignment Program, FDOT complies with the requirements of FHWA Records Disposition Manual (Field Offices) Chapter 4 and **FHWA Order No. 1324.1B**, issued July 29, 2013.

2 SELF-ASSESSMENT PROCESS

Per **Section 8.2.5** of the MOU, FDOT shall perform annual self-assessments¹ of its QA/QC process and performance to determine if its process is working as intended. If any process areas are identified as successful practices or opportunities for improvement, FDOT will take appropriate and timely corrective actions to address such areas. FDOT annually conducts self-assessments to gauge the effectiveness of its environmental procedures under the NEPA Assignment program. In compliance with the MOU, FDOT has developed a self-assessment framework that outlines MOU requirements, the process for conducting self-assessments and resulting reports.

2.1 SELF-ASSESSMENT OVERVIEW

FDOT annually conducts self-assessments to determine the Department's compliance under the NEPA Assignment Program MOU. Self-assessments are quality assurance reviews and are conducted using a variety of methods, such as reviews of, Environmental Document project files and the supporting documentation; interviews of FDOT and resource agency staff; and administration of surveys

2.2 MOU PERFORMANCE MEASURES

The MOU requires that FDOT monitor the performance measures identified in **Section 10.2** of the MOU and listed below:

- A. Compliance with NEPA, FHWA NEPA regulations, and other Federal environmental statutes and regulations:
 - i. Maintain documentation regarding compliance with responsibilities assumed under this MOU.

¹ As appropriate, the resulting self-assessment report will include a separate section to evaluate the process and performance of non-NEPA environmental processes which will not be included in the self-assessment summary report provided to FHWA.

B. QA/QC for NEPA decisions:

- i. Maintain internal QA/QC measures and processes, including a record of:
 - a. Completion of legal sufficiency reviews by FDOT's Office of General Counsel (OGC)
 - b. Compliance with FDOT's Environmental Document content standards and procedures, including those related to QA/QC

C. Relationships with agencies and the general public:

- i. Maintain communication considering timeliness and responsiveness among FDOT, federal and state resource agencies, Indian Tribes, and the public.
- ii. Provide opportunities for public involvement and comment
- iii. Use NEPA issue resolution process, as appropriate.

D. Increased efficiency and timeliness in completion of the NEPA process:

- i. Compare time of completion of Environmental Document (e.g., NEPA documents and technical reports) approvals before and after assumption of responsibilities

FDOT developed several sub-measures linked to these performance measures where targets, responsible parties, relevant process, desired outcome with the checking tool/indicator identified. These performance measures and sub-measures are defined and described in **Appendix A** of this plan. These sub-measures are monitored in SWEPT and reported in self-assessments. Monitoring steps follow:

2.2.1 Performance Monitoring

OEM uses SWEPT to regularly monitor statewide performance.

- Performance measures are captured in real time as qualifying activities, described in **Appendix A**, are completed.
- Performance reports are continuously updated along with the performance measures and show results for the user defined reporting period.
- Performance reports can be created monthly, quarterly, annually, or on a customized duration, as established by the person generating the report.
- Management actively monitors and review performance reports identifying strengths and opportunities.

- Performance reports from SWEPT are provided to OEM management quarterly highlighting successful practices and opportunities for improvement.
- Rating scale for quality assessment is color-coded, where Green means at or above target, Yellow means up to 10% below target, and Red means more than 10% below target.

2.2.2 Performance Actions

OEM monitors the SWEPT performance results to identify successful practices and, where needed, to take corrective action to improve performance.

- Management uses the performance reports to identify opportunities to promote successful practices, as well as initiate conversations, proactively to work on less than optimal results, should any be identified.
- A Yellow will be monitored, but does not require action. A Red result will be flagged for management with some preliminary analysis. Management reviews and provides direction and possible action, as needed.
- Management determines what, if any, actions are needed to address performance results, depending on the unique circumstances.
- If performance actions are initiated, staff tracks and monitors the actions, reporting progress to management as a part of the regular quarterly performance reporting cycle.

2.3 SELF-ASSESSMENT RELATIONSHIP TO THE FHWA AUDIT

In addition to the performance measures per **Section 11.2.5** of the MOU, it is anticipated that FHWA audits will focus on the fulfillment of NEPA Assignment responsibilities in the following seven-core areas:

- Staffing
- Technical Competency and Organizational Capacity
- Adequacy of the financial resources committed by FDOT to administer the responsibilities assumed
- Quality Assurance and Quality Control Process
- Attainment of Performance Measures
- Compliance with MOU requirements
- Compliance with applicable Federal laws and policies in administering the responsibilities assumed

These seven-core areas are considered when selecting the annual self-assessment target issues as the focus of the evaluation. This process is described in **Section 2.4.5**. Additionally, at least 1 month prior to the date of a scheduled on-site FHWA audit, FDOT will transmit a summary of its self-assessment to the FHWA Florida Division Office (MOU **Section 8.2.5**).

2.4 SELF-ASSESSMENT SCOPE AND METHODOLOGY

2.4.1 Self-Assessment Scope

The scope of the self-assessment varies from year to year, but includes the required MOU elements identified in **Section 2.1** of this Plan, and issues identified from previous FHWA audits and FDOT self-assessments.

The first self-assessment after the MOU effective date will focus on responding to the pre-audit questions from FHWA, determining if FDOT processes and systems are in place to accomplish the requirements of the MOU, and reviewing a random sample of qualifying project actions completed during the reporting period.

2.4.2 Self-Assessment Methodology

The FDOT Self-Assessment methodology includes a planning phase and a program evaluation phase. During the planning phase, OEM opens a new self-assessment, and collects and analyzes data and other information (**Section 2.4.5**) for the self-assessment during evaluation phase.

During the evaluation phase OEM identifies random Environmental Documents to review for compliance with applicable laws, regulations, FDOT procedures and QA/QC process.

2.4.3 Self-Assessment Schedule

The self-assessment schedule is linked to the FHWA audit schedule. FDOT is required to submit the summary of the self-assessment report to FHWA at least 1 month prior to the beginning of the FHWA audit. This submission date drives the amount of time available throughout the planning, evaluation and approval process for the development of the self-assessment report and companion summary for FHWA.

The self-assessment timeframe includes at least 30 days for planning and 30 days for environmental program evaluation, not including at least 15-day period for drafting and distributing the report.

2.4.4 Self-Assessment Team

The Director of OEM or delegate appoints a self-assessment team at the beginning of each annual Self-Assessment review. The self-assessment team is comprised of the

QA/QC Coordinator and at least 4 additional team members. Team members are assigned from OEM staff or OEM general consultant support.

2.4.5 Planning Phase

The planning phase prepares the self-assessment team to conduct a focused evaluation of the FDOT NEPA Assignment Program. This phase includes tasks that involve OEM personnel and may involve District personnel, and a review of various documents and reports. This phase will may take up to 30 days or more to complete.

1. The QA/QC Coordinator is assigned the responsibility of planning and implementing the self-assessment process.
2. The QA/QC Coordinator creates and submits a self-assessment schedule and task list for approval. The schedule and task list shows steps from initiation through completion. For each step, the schedule and task list includes description, responsible self-assessment team member, due date, completion date, status of action and comments.
3. Self-assessment tracking is part of the FHWA Audit Tracking Spreadsheet stored within SWEPT (See **Section 3.6**).
4. An official Director Notification is sent to FDOT environmental offices statewide announcing the beginning of the self-assessment process. The notification contains:
 - a. Purpose and authority for self-assessments,
 - b. Names of the self-assessment team members,
 - c. Brief overview of self-assessment process, including planning and fieldwork provisions, if any expected,
 - d. Self-assessment schedule.
5. The QA/QC Coordinator compiles all information from the planning phase into a summary report and briefs the Director of OEM.
6. The Director of OEM reviews and approves the target issues (see details in **Section 2.4.6**) for the evaluation phase.

2.4.6 Target Topic and Criteria Development

Target topics change annually based upon current priorities and the status of findings from previous year Self-Assessments and FHWA Audits. NEPA Performance results are also considered in identifying target topics. The process to develop target topics includes:

1. Survey OEM staff, including Project Delivery Coordinators, Engineering Specialists and Subject Matter Experts,
2. Survey FDOT Legal Office,
3. Survey Statewide District Leadership, and
4. OEM Management review of data from all sources and approval of final focus topics

Criteria to evaluate each target topic is compiled from the PD&E Manual and/or the NEPA Assignment MOU. Criteria cover the required federal and state environmental provisions. The process to identify and compile criteria for each target topic involves:

1. OEM subject matter experts (SME) determine what PD&E Manual and/or MOU provisions may be used to evaluate given target topic,
2. OEM staff, including SMEs, meet to discuss and further develop criteria,
3. OEM management review, discuss and finalize criteria, and
4. OEM management meets with OEM Self-Assessment Review Team to explain how to apply criteria to projects reviewed for target topics; and to answer questions/provide guidance for desk review of projects.

2.4.7 Evaluation Phase

The evaluation phase of the self-assessment assesses the QA/QC process, project performance and to determine if FDOT is carrying out the assumed environmental review responsibilities in accordance with the MOU and applicable federal laws and policies. For project assessments, qualifying projects will be selected as described below. This phase may take up to 30 days or longer and includes the following:

1. A self-assessment evaluation phase schedule is developed by the QA/QC Coordinator for the self-assessment team that includes assignment description, due date, complete date, status, comment, and a place to add documentation.
2. QA/QC Coordinator pulls a SWEPT report of NEPA approvals and decisions within a given timeframe, depending on approved self-assessment target issues.

3. The QA/QC Coordinator uses a random sampler excel program to identify a random sample of qualifying approvals and decisions for detailed review during the evaluation.
4. The QA/QC Coordinator provides self-assessment team members their random sample of projects for review.
5. Team members review the files, document their evaluation findings, and provide recommendations to the QA/QC Coordinator, who is responsible for drafting the self-assessment report and the summary of the report.

2.4.8 Director's Statement

Section 8.2.5 of the MOU requires a statement from the Director of OEM concerning whether the processes are ensuring that the responsibilities FDOT has assumed under this MOU are being carried-out in accordance with this MOU and all applicable Federal laws and policies, and a summary of FDOT's progress toward attaining the performance measures listed in Part 10 of the MOU (MOU **Section 8.2.5**).

To meet this requirement the following example statement has been developed and will be included in the self-assessment summary reports provided to FHWA:

*"Based upon this [Insert Year] Self-Assessment Report, I find FDOT has carried out NEPA Assignment environmental responsibilities in accordance to **23 U.S.C. §327**, the Memorandum of Understanding dated December 14, 2016, and all applicable federal environmental laws and policies."*

2.4.9 Self-Assessment Report and Summary of the Report

The QA/QC Coordinator prepares a self-assessment report and a companion summary of the self-assessment report. Both reports are submitted to OEM management for review and approval along with the self-assessment report. The reports must be approved before the required summary of the report is transmitted to FHWA.

Per **Section 8.2.5** of the MOU, the summary is due to FHWA no later than 1 month prior to the date of the scheduled on-site portion of the FHWA audit and includes:

1. A description of the scope of the self-assessment conducted and the areas reviewed,
2. A description of the methodology followed in conducting the self-assessment,
3. A list of the areas identified as needing improvement,
4. Any corrective actions that have been or are being implemented,

5. A summary of FDOT's progress toward attaining the performance measures listed in Part 10 of the MOU, and
6. A statement from the Director of FDOT's Office of Environmental Management concerning whether the processes are ensuring that the responsibilities FDOT has assumed under the MOU are being carried-out in accordance with the MOU and all applicable Federal laws and requirements.

The self-assessment report includes the required elements from the summary and the supporting detailed evaluation. The drafting and approval process of the reports includes the following:

1. The QA/QC Coordinator drafts a report containing the elements described above. The detailed evaluation will be organized by District, target issues, projects or items reviewed, and results of the evaluation, including identification of successful practice, findings, recommendations and action items, as appropriate.
2. The draft self-assessment report is circulated among self-assessment team members for review and revisions for a 5-business day review period.
3. The draft self-assessment report is circulated to Districts involved in the self-assessment for a 5-business day review.
4. The revised draft self-assessment report and companion summary report are provided to OEM management for 5-business day final review before approval is requested by the Director of OEM.
5. The final report is distributed to FDOT executive leadership, Districts and others, as necessary.
6. At least 1 month prior to the date of a scheduled on-site FHWA audit, FDOT transmits the summary report of its self-assessment to the FHWA Florida Division Office.

2.4.10 Self-Assessment Actions Requiring Response

Section 8.2.4 of the MOU requires FDOT to take appropriate corrective actions, as needed. The following steps implement this MOU requirement.

1. The QA/QC Coordinator distributes corrective actions to the appropriate managers for review and action.
2. The District or OEM Manager receiving the request develops an action plan within 20 days from publication date of the final self-assessment report for approval by the OEM Director or delegate.

3. The action plan identifies the process changes identified to resolve the action, a proposed timeline for implementing the changes, and a feedback mechanism to monitor the effectiveness of the change(s).
4. The Director of OEM provides comments or approves within 10 days.
5. If the OEM Director or delegate determines that the action plan is not acceptable, the OEM Director, OEM Management, QA/QC Coordinator or self-assessment team coordinates with the District to draft an acceptable action plan.
6. The QA/QC Coordinator monitors the implementation of corrective actions until issues have been resolved and reports progress to OEM management and to FHWA as part of the annual FHWA audit.

3 FHWA AUDIT SUPPORT

FHWA is required to conduct four annual audits of FDOT by **23 U.S.C. §327(g)**. These audits will be FHWA's primary mechanism to oversee FDOT's compliance with this MOU, ensure compliance with applicable federal laws and policies, evaluate FDOT's progress toward achieving the performance measures, and collect information needed for the USDOT Secretary's annual report to Congress.

FDOT audit support will fulfill FDOT's MOU responsibilities to cooperate with FHWA in conducting audits, to provide access to all necessary information, to make all employees available to answer questions (including consultants hired for the purpose of carrying out the USDOT Secretary's responsibilities), and to provide all requested information to FHWA in a timely manner. (**MOU Section 11.1.3**).

3.1 FOCUS OF FHWA AUDIT

Per **Section 11.1.5** of the MOU, it is anticipated that FHWA audits will focus on the fulfillment of NEPA assignment responsibilities in seven core areas:

- Staffing
- Technical Competency and Organizational Capacity
- Adequacy of the financial resources committed by FDOT to administer the responsibilities assumed
- Quality Assurance and Quality Control Process
- Attainment of Performance Measures
- Compliance with MOU requirements

- Compliance with applicable Federal laws and policies in administering the responsibilities assumed

The team gathers information that serves as the basis for this audit from three primary sources:

1. FDOT's response to a pre-Audit information request,
2. a review of a random sample of project files with approval dates subsequent to the execution of the MOU, and
3. interviews with FDOT staff, consultants, and agency partners.

The FHWA team selects the projects to review from a random sample of NEPA approvals and decisions, including Type 1 CE, Type 2 CE, EA, FONSI, DEIS, FEIS/ROD, ROD) and Section 4(f) Determinations.

As part of the process, the audit team will provide Observations and Non-Compliance Observations on actions that may be needed following the release of the audit report. Non-Compliance Observations require corrective actions.

3.2 OTHER AGENCY PARTICIPATION IN THE AUDIT

FHWA may invite other federal or state agencies as deemed appropriate, including the State Historic Preservation Officer (SHPO), to assist FHWA's audit team in conducting an audit under this MOU. These agencies may sit in on interviews, review documents obtained by FHWA's audit team, and make recommendations to FHWA. FHWA's audit coordinator advises FDOT's audit coordinator of its intent to include other federal or state agencies and the proposed role of such agencies in the audit process. If FHWA invites another federal or state agency to participate in the audits, the provisions of **23 U.S.C. §327(g)(3)(B)** apply.

3.3 GENERAL AUDIT COORDINATION AND SUPPORT

3.3.1 Audit Coordinators:

The FDOT OEM audit coordinator works with the FHWA audit coordinator and is responsible for arranging access to necessary information and making employees available to answer questions. The audit coordinators have the following responsibilities:

- Establish a general audit schedule within 180 days of the Effective Date or anniversary date of the MOU.
- Facilitate communications with management
- Plan for the audit, including the pre-audit questions and remote electronic reviews

- Coordinate the audit visit
- Ensure the availability of files and personnel during the audit visit
- Facilitate the audit report through final posting on the Federal Register

3.3.2 OEM Coordination Responsibilities

OEM has primary responsibility for coordinating and supporting the FHWA audits, including:

- Ensure staff and consultants have a knowledge of the MOU
- Receive or acquire notification information concerning each audit that will be performed by FHWA;
- Determine the purpose and scope of each audit, including planned beginning and completion dates for each;
- Work with FHWA to determine local audit preparation requirements and communicate these requirements to Districts;
- Receive, coordinate, prepare, and respond to FHWA Pre-Audit information request.
- Coordinate and ensure fulfillment of audit preparation activities, including requesting, obtaining, assembling, organizing and preparing relevant information, documentation, policies, procedures and other material that has been requested by FHWA;
- Arrange logistical support as needed to include, but not be limited to, office space, telephones, building access, organizational charts, telephone directories and, as appropriate, system and data access;
- Facilitate audit team visits to Districts;
- Work with FHWA to schedule audit activities in general and specific audit schedules;
- Determine if face to face audit meetings with FHWA are needed and, if so, notify FHWA;
- Ensure good communications within OEM and throughout the state relating to each annual audit;
- Assist members of the FHWA audit team and staff in completing file reviews, document reviews and interviews, and in resolving any administrative or logistic problems encountered;
- Make project files and general administrative files relating to NEPA assignment reasonably available to FHWA upon reasonable notice, which is not less than 10 business days;

- Ensure FDOT's cooperation with and responsiveness to FHWA during and after the audit process;
- Review FHWA audit report drafts to identify and communicate any errors of fact or omissions of pertinent information that could change the finding or observation;
- Ensure that OEM's responses to audit observations and recommendations are consistent with FHWA findings, are constructive, and clearly indicate OEM's commitment to take any necessary corrective actions;
- Timely provide FHWA with any comments to the draft audit report within the 14-day period or 30-day extended period;
- Distribute final FHWA audit report to appropriate FDOT management and staff;
- Properly file and label draft and final audit reports;
- Document corrective actions that may be required as a result of FHWA audits; and
- Follow-up on each corrective action and report progress to OEM management until issues have been resolved.

3.3.3 District Support

Districts have fundamental roles in supporting the FHWA audit, including:

- Ensure staff and consultants have a knowledge of the MOU;
- Ensure staff and consultants have a basic understanding of what NEPA assignment means as relates to environmental decisions;
- Provide support as needed in responding to FHWA's pre-audit information request;
- Designate a logistics contact person to assist with on-site audit arrangements;
- Designate a management contact person for coordination with OEM and the audit team;
- Ensure District employees and consultants are available in-person or electronically during the audit visit;
- Review a copy of the FHWA Final Audit Report for findings and corrective actions, and timely prepare a written response to OEM;
- Work with OEM to ensure corrective actions are responsive to FHWA observations and recommendations;
- Refer FHWA to OEM for any requests regarding the FHWA program assessment review; and
- Ensure complete implementation of any corrective actions until resolution of issues identified in FHWA audit report.

3.4 FHWA AUDIT REPORT

As described in **Section 11.4** of the MOU and as required by **23 U.S.C. §327(g)(2)**, FHWA produces an audit report and provides opportunities for review and comment before the final report is published in the Federal Register. The following describe the process:

- FHWA will provide a draft audit report to the Director of OEM for a 14-calendar day review.
- The Director of OEM may request an extension of up to 30 calendar days.
- The FDOT audit coordinator will facilitate the Director's response as needed, including internal OEM management and staff review of and comment about the draft report.
- OEM and FHWA may meet to discuss the draft report and FDOT's comments. If FDOT anticipates such meeting will be beneficial, FDOT will notify the FHWA audit coordinator prior to providing written comments.
- FHWA's audit team reviews the FDOT comments and incorporates the comments into the draft audit report.
- FHWA publishes the draft audit report in the *Federal Register* for a period of 30 calendar days public comment period.
- FHWA addresses and responds to the public comments by incorporating the comments and its response into the final audit report.
- FHWA publishes the final audit report in the *Federal Register* no later than 60 calendar days after the public comment period closes.
- OEM distributes copies of the final report to FDOT and OEM management and OEM staff.

3.4.1 Responding to FHWA Findings

FHWA findings can include observations and non-compliance. Observations highlight successful practices or opportunities for improvement, but do not require an action. Non-compliance observations are findings that the state is out of compliance or deficient in the execution of its NEPA Assignment responsibilities and require corrective actions. FDOT response to each type of FHWA finding varies and is described in subsequent sections.

3.4.2 Observations

- OEM staff brief OEM and District Environmental Management Office Leadership, as appropriate on FHWA observations.

- OEM Management will determine what, if any, follow-up action is needed for observations.

3.4.3 Non-Compliance Observations

In the event FHWA provides non-compliance observations in the final audit report, the following process is used:

- OEM staff informs the Director of the OEM when written information is required concerning the status of corrective actions that are contemplated or have been taken in response to non-compliance observations in a FHWA audit report.
- Affected OEM Management and/or District Environmental Management will prepare written responses and forward them to the OEM within 15 calendar days following the date they are notified a written response is required.
- OEM prepares consolidated corrective action status reports for review and approval of the Director of the OEM.
- Corrective actions should be completed as soon after the date of an audit report as practical, depending on the specifics of the non-compliant observation and the implementation of the identified corrective actions. If corrective actions cannot be completed in the near term, an anticipated schedule is established.
- OEM will monitor corrective action implementations, reporting status to the Director of OEM quarterly until FHWA closes or FDOT resolves the non-compliance observation. Non-compliance observation status will be provided to FHWA in the self-assessment summary report, described in **Section 2.4.10**.
- OEM reviews corrective action status updates to determine if technical or policy support or management guidance is needed.
- OEM includes the status of any corrective actions in the annual self-assessment report and summary to FHWA.
- OEM uses the FHWA audit report non-compliance observations as a source to determine self-assessment/quality assurance review topics.

3.5 FDOT TRACKING AND AUDIT FILE

3.5.1 Audit Log:

To support FDOT in maintaining a complete file for the anticipated FHWA audits, a tracking spreadsheet within SWEPT is used. The log includes:

- **Year of Audit** – Year audit conducted.
- **Type of Assignment** – FHWA Annual Audit or Self-Assessment.

- **Assignment Identification Number** – Year followed by FHWA initials followed by FHWA unique audit number. Self-Assessment has year followed by “OEM_SA” initials.
- **Description of Assignment** – Performance measures, classes of action, locations, and project documents that are the focus of audit.
- **Pre-audit Survey Begin Date** – Date pre-audit questions received.
- **Pre-audit Survey End Date** – Date pre-audit questions due.
- **Planned Audit Begin Date** – Date audit tasks and activities begin (usually date audit team arrives.)
- **Actual Begin Date** – Actual date audit tasks and activities begin due to a delay or conflict with planned beginning date.
- **Planned Audit Completion Date** – Date audit tasks and activities end and an audit report is finalized and posted in the Federal Register.
- **Actual Audit Completion Date** – Actual date audit tasks and activities end due to a delay or conflict.
- **Responsible Individual** - Identification of individual(s) responsible for conducting audit (names of audit team members).
- **Finding Identification** – For each finding, field contains the finding identification within a draft or final audit report that has been prepared by FHWA. Normally these are numbered; however, regardless of what finding identification protocol FHWA uses, that protocol shall be recorded in this field.
- **Finding** – For each finding, this field contains a clear, concise description of the finding. Alternatively, the finding reported in the audit report may be repeated verbatim in its entirety in this area. The objective here is to ensure that each finding is clearly described.
- **Responsible Individual Name** – The name(s) of the individual(s) within OEM who is (are) responsible for effecting corrective action(s) in response to each finding.
- **Responsible Individual Phone Number** – The phone number(s) of the individual(s) who is (are) responsible for corrective action(s) in response to each finding.
- **Corrective Action** – Description of corrective action(s) that have been planned or have been completed. It should be noted that disagreement with findings reported in specific audit reports may occur from time to time. Should disagreements occur, then the reason(s) for such disagreement should not only appear in written responses to specific audit reports, but the reason(s) for such disagreement should be included in this field for each finding that is affected by a disagreement.
- **Target Completion Date** – The date that corrective action that is planned in response to each specific finding is expected to be completed.

- **Actual Completion Date** – The date(s) that planned corrective action(s) was (were) actually completed in response to each specific finding.
- **Comments and Clarifying Remarks** – Comments or remarks that assist others in interpreting entries within the report.

3.5.2 Audit File:

The audit file is an electronic folder within SWEPT with a file name that is the same as the audit name in the Audit Log. Relevant hard copy documents are scanned and inserted into the audit file. Documents related to the audit, include, but not limited to:

- OEM Audit Cover Sheet that includes audit name, list of audit team members, beginning date, ending data, and summary description.
- FHWA Notification of Annual Audit
- Pre-Audit Request Letter and Survey Questions
- Pre-Audit Response Matrix
- Pre-Audit responses by audit category/topic, name of responding District or Central Office, name of responding official, and date of response
- General Audit Schedule
- Detailed Audit Schedule that includes all appointments and site visits
- Copy of all documents OEM provides in response to FHWA audit requests
- Copy of all data reports OEM provides in response to FHWA audit requests
- Copy of all draft FHWA audit reports
- Copy of all OEM responses to draft audit reports
- Copy of final FHWA audit report as published in the Federal Register
- Copy of all corrective actions, if applicable
- Copy of all follow-up activities relating to corrective actions

3.5.3 Audit Records Retention and Disposal

Audit records created and retained by the OEM are placed in the official audit file in SWEPT, to be managed, retained, and disposed of as dictated by the Records Retention Schedule in the MOU and detailed in [PD&E Manual Part 1, Chapter 15](#).

REFERENCES

[Quality Assurance and Quality Control Policy, Topic Number 001-260-001](#).

[Efficient Transportation Decision Making \(ETDM\) Manual](#)

[Project Development and Environment \(PD&E\) Manual.](#)

[Information Technology Resource User's Manual, Procedure, Topic Number 325-000-002](#)

[Records Management Procedure, Topic Number 050-020-025](#)

HISTORY

- Original plan – Dec 2016 (revised July 12, 2017)
- Revised February 21, 2019

APPENDIX A NEPA Assignment Performance Measures Matrix

The following table presents the NEPA Assignment performance measures, sub-measures, performance targets, responsible parties, critical processes, desired outcomes, and tools and indicators.

| MOU Performance Measure | OEM Sub-Measure | Target | Responsible Party | Critical Process | Desired Outcome | Tool/Indicator |
|--|---|--------|---|--|--|---|
| A. Compliance with NEPA, FHWA NEPA regulations, and other federal environmental statutes and regulations: i. Maintain documentation regarding compliance with responsibilities assumed under this MOU). | A.i.1. Percent of final Environmental Documents that have supporting documentation in the project file supporting analysis and decisions for NEPA. | 95% | District Environmental Administrator, Planning and Environment Manager, Environmental Manager, Project Development Manager, Project Manager | Conduct an analyses of physical impacts (e.g., noise, air quality, water quality, and contamination) | <ul style="list-style-type: none">Conduct assessments for noise, air quality, water quality and contamination in accordance with the PD&E ManualDocument analysis of physical impactsDocument agency coordination as appropriate | Checking Method: Relevant project documents accessible in SWEPT, as required per project specifics and the PD&E Manual. Formula: Total of final documents with supporting documentation (EIS, EA, Type 1 CE, Type 2 CE) / Total of final documents (EIS, EA, Type 1 CE, Type 2 CE) |
| | | | | Conduct an analysis of the social impacts | <ul style="list-style-type: none">Conduct SCE evaluation in accordance with the PD&E ManualDocument analysis and results of SCE evaluation | |
| | | | | Conduct an analysis of the natural impacts | <ul style="list-style-type: none">Conduct assessments for wetlands, coastal barrier resources, Outstanding Florida Waters (OFW), Wild and Scenic rivers, wildlife and habitat, and aquatic preserves in accordance with the PD&E ManualDocument analysis of natural impactsDocument agency coordination as appropriate | |
| | | | | Conduct an analysis of impacts to historic and archaeological resources | <ul style="list-style-type: none">Document historical and archaeological properties and related impacts in the Environmental DocumentDocument coordination with appropriate agencies and entities | |
| | | | | Conduct Section 4(f) analysis | <ul style="list-style-type: none">Document Section 4(f) evaluationDocument coordination with relevant agencies and entities | |
| | | | | Document and Track Commitments | <ul style="list-style-type: none">Document all commitments in the Environmental DocumentTransfer all commitments to future project phasesUpdate commitments at each reevaluation phase | |

| MOU Performance Measure | OEM Sub-Measure | Target | Responsible Party | Critical Process | Desired Outcome | Tool/Indicator |
|---|--|--------|--|---|--|---|
| B. QA/QC for NEPA decisions: <i>i. Maintain internal QA/QC measures and processes, including a record of:</i> a. Completion of legal sufficiency reviews by FDOT's Office of General Counsel | B.i.a.1. Percent of FEISs, FEIS/RODs, and individual section 4(f) determinations reviewed for legal sufficiency prior to Environmental Document approval. | 100% | Office of General Counsel | Final legal sufficiency review completed | Legal sufficiency reviews performed by FDOT Office of General Counsel for final EISs and Individual Section 4(f) evaluations before final document approval | Checking Method = In SWEPT, the date of legal sufficiency determination occurs before Environmental Document approval date. Formula: Total of FEIS, FEIS/ROD, and Individual 4(f) Determinations reviewed prior to approval / Total of FEIS, FEIS/ROD, and Individual 4(f) Determinations reviewed overall |
| B. QA/QC for NEPA decisions: <i>i. Maintain internal QA/QC measures and processes, including a record of:</i> b. Compliance with FDOT's Environmental Document content standards and procedures, including those related to QA/QC | B.i.b.1. Percent of draft Environmental Documents submitted with the District environmental document submittal form | 95% | District Environmental Manager and Project Development Manager | NEPA decisions made in accordance with PD&E Manual | <ul style="list-style-type: none">Environmental documents sufficiently complete to begin formal reviewDocument District completion of Quality Control activities on Environmental Documents | Checking method: Environmental document submittal forms recorded in SWEPT Formula: Total Number of draft documents submitted with form / Total Number of draft documents submitted overall |
| | B.i.b.2. Percent of draft Environmental Documents certified by the District and accepted for document review by OEM at first submittal. | 80% | District Environmental Manager and Project Development Manager | NEPA decisions made in accordance with PD&E Manual | <ul style="list-style-type: none">Environmental documents sufficiently complete to begin formal reviewVerification by OEM of District Quality Control activities on Environmental Documents | Checking Method: SWEPT reports number of times document submittal form provided before OEM confirms document is ready to begin review Formula: Total Number of draft documents certified and accepted at first submittal / Total Number of draft documents certified and accepted overall |
| | B.i.b.3. Percent of Environmental Documents approved by OEM on first submission of final Environmental Document | 85% | OEM Management Team | NEPA decisions made in accordance with PD&E Manual | Obtain approval of NEPA document | Checking Method: SWEPT reports number of times submitted before approval Formula: Total Number of final documents approved on first submittal for OEM approval / Total Number of final documents submitted for approval |
| C. Relationships with agencies and the general public: i. Maintain communication considering timeliness and responsiveness among | C.i.1. Percent of Advance Notifications are transmitted to mandatory recipients pursuant to Part 1, Chapter 3 of the PD&E Manual | 100% | District Environmental Project Manager | AN package is transmitted mandatory recipients per PD&E Manual Part 1 Chapter 3 | Provide opportunity for input to Native American Tribes and all parties who receive AN transmittals. | Checking Method: AN Transmittals distributed through the EST Formula: Total Number of ANs transmitted to mandatory recipients / Total Number of ANs transmitted overall |

| MOU Performance Measure | OEM Sub-Measure | Target | Responsible Party | Critical Process | Desired Outcome | Tool/Indicator |
|--|--|--------|---|---|---|--|
| FDOT, federal and state resource agencies, Indian Tribes, and the public. | C.i.2. Average agency rating of 4 or higher on a 5 point scale for quality of communications with FDOT. | 4 | District Environmental Project Manager | Federal and state resource agency coordination accomplished through Environmental Technical Advisory Teams (ETATs). | FDOT responsiveness to agency comments remains consistent or improves | Checking Method: ETDM Agency Survey Results Formula: Calculate average agency ratings of Question 3 (Actual Survey Text: Please rate the quality of the District's communication with your agency. This relates to responsiveness, availability, and free exchange of information. It applies to formal or informal communication.) |
| | C.i.3. Average agency rating of 4 or higher on a 5 point scale for how well FDOT works with the agency. | 4 | District Environmental Project Manager | Federal and state resource agency coordination accomplished through Environmental Technical Advisory Teams (ETATs). | FDOT responsiveness to agency comments remains consistent or improves | Checking Method: ETDM Agency Survey Results Formula: Calculate average agency ratings of Question 4 (Actual Survey Text: Please rate how well the District works with your agency. This relates to the level of respect, trust, and support between your agency and FDOT.) |
| C. Relationships with agencies and the general public: ii. Provide opportunities for public involvement and comment | C.ii.1. Percent of projects that include a Public Involvement Plan, as required. | 100% | District Environmental Project Manager | Public Involvement activities conducted in compliance with the PD&E Manual | <ul style="list-style-type: none"> Consider population characteristics and potential public involvement approaches All projects where required have a Public Hearing All projects requiring Public Hearings have met Public Hearing notification requirements Develop a Public Involvement Plan | Checking Method = Relevant project document(s) accessible in SWEPT include PIP, as required per project specifics and the PD&E Manual. Formula: Total Number of project files with a PIP / Total Number of project files requiring a PIP overall (approved Type 2 CE, EA, EIS) |
| | C.ii.2. Percent of those projects, which required a Public Involvement Plan that have documented compliance with the plan. | 100% | District Environmental Project Manager, | Public Involvement activities conducted in compliance with the PD&E Manual | <ul style="list-style-type: none"> Summarize public involvement activities within the environmental document Consider population characteristics and potential public involvement approaches Develop a Public Involvement Plan and hold meeting | Checking Method = Relevant project document(s) accessible in SWEPT including evidence of meeting, as required per project specifics and the PD&E Manual. Formula: Total Number of projects certified in compliance / Total Number of projects requiring public involvement (approved Type 2, EA, and EISs) |
| C. Relationships with agencies and the general public: iii. Use NEPA issue resolution process, as appropriate. | C.iii.1. Percent of formal issue resolutions that are initiated according to the time lines established in 23 U.S.C. § 139 . | 100% | Director of OEM | Lead agency initiation of meeting not later than 21 days after the date of receipt of the request for the meeting, unless the lead agency | <ul style="list-style-type: none"> Timely initiation of formal issue resolution process Resolution of issue. Prevent elevation of issue. | Checking Method: Compare date of requested meeting with meeting date. Formula: Total Number of formal issue resolutions that satisfy specified |

| MOU Performance Measure | OEM Sub-Measure | Target | Responsible Party | Critical Process | Desired Outcome | Tool/Indicator |
|---|---|--------|-------------------|---|--|--|
| | | | | determines that there is good cause to extend the time for the meeting. | | timelines / Total Number of formal issue resolutions overall |
| <i>D. Increased efficiency and timeliness in completion of the NEPA process:</i> <i>i. Compare time of completion of environmental document (e.g., NEPA documents and technical reports) approvals before and after assumption of responsibilities</i> | <i>D.i.1.</i> Percent of time savings in months for completion of NEPA approvals (Type 2 CE, EA, FONSI, DEIS, FEIS, FEIS/ROD, ROD) and Section 4(f) Determinations before and after assumption of responsibilities under the MOU. | 25% | OEM | Completion and approval of NEPA documents | Timely environmental document approvals. | Calculation Method: Compare actual project schedule milestones reported in SWEPT to baseline data provided by FHWA. Formula: Total Number of Months to complete NEPA approvals after NEPA Assignment / Total Number of Months to complete NEPA approvals before NEPA Assignment |