

CHAPTER VII - ENVIRONMENTAL REEVALUATIONS

1.0 Overview

An environmental reevaluation determines whether or not the approved National Environmental Policy Act (NEPA) document matches the current project plans. An environmental approval is valid for six months or until the project design changes. This includes not only alignment changes but all footprint or right-of-way (ROW) and easement changes as well as design changes that alter the analysis presented in the approved NEPA document.

A few examples of frequent project changes are: alignment extensions, additional easements for sediment basins and driveways, slope changes, and structure changes (e.g., a previously proposed bridge changing to a culvert).

The environmental approval also may be invalidated due to changes in the affected environment or environmental regulations or requirements. Therefore, the reevaluation will address not only project design features, but also the affected environment (e.g., are there new residences or churches, new development, both commercial and residential), anticipated impacts of the project, and proposed mitigation. In addition, it must take into account any changes in environmental regulations and requirements.

As part of this process, all studies required at the time the reevaluation is being completed must be approved prior to the reevaluation being submitted to the Federal Highway Administration (FHWA), even if these studies were not required at the time of the previous approval. Such studies will be conducted in accordance with Chapter V.

Public Involvement needs also must be reconsidered during the reevaluation phase if substantial time has lapsed since the last outreach effort or if project changes warrant additional outreach.

Studies also must be current (see [Section 4.0](#) for additional detail). Two common areas that require particular attention include changes in historic property designations and protected species listings.

If any of the aforementioned issues require opening or reopening agency consultation, the reevaluation cannot be approved prior to the receipt of agency concurrences.

During a reevaluation, commitments shown on a previously approved green sheet will be carried forward verbatim. If the commitment has changed or is no longer relevant, an explanation will be provided.

2.0 Major authorizations

A current environmental approval is required before major authorizations can be granted. Also refer to [Chapter X](#), 2.0.

2.1. Right-of-way authorization

Several activities must occur between the NEPA approval and ROW authorization. Thus the project team must strive to obtain NEPA approval seven months prior to the scheduled ROW date. Environmental activities leading up to ROW authorization include:

- Project Manager (PM) requests Preliminary Field Plan Review (PFPR).
 - The NEPA analyst receives the plans, provides them to specialists, as needed, for review, and completes the environmental checklist for PFPR.
 - If the plans differ from what is covered in the NEPA document or most recent reevaluation, a reevaluation must be completed, as outlined in [Section 4.0](#).
 - The reevaluation for project changes will be completed after the PFPR is held, and within six months of ROW authorization.
- If no changes have occurred to the project design, affected environment, or environmental regulations, the NEPA analyst must check the date of the most recent environmental approval.
 - If the most recent environmental approval occurred within six months, a reevaluation is not required.
 - If the most recent environmental approval occurred 6 to 12 months prior, the NEPA analyst must complete a “no change” reevaluation. The reevaluation will be approved by the Office of Environmental Services.
 - If the most recent environmental approval occurred more than 12 months prior, the NEPA analyst must complete a “no change” reevaluation and submit it to FHWA for approval.
- The reevaluation will include an updated [environmental commitment \(green\) sheet](#). Mitigation that must be completed prior to ROW authorization includes:
 - Photo recordation of historic properties;
 - Landscape plans; and
 - Obtainment of cemetery permits.

2.2 Construction authorization

Several environmental activities occur between ROW authorization and construction authorization. These include:

- The Final Field Plan Review (FFPR) is held.
 - The NEPA analyst receives final plans, provides them to specialists, as needed, for review, and completes the environmental checklist for FFPR.
 - If the plans differ from what is covered in the most recently approved NEPA document, a reevaluation must be completed as outlined in [Section 4.0](#).
 - The reevaluation for project changes will be completed after the FFPR is held. Approval must be obtained at least 11 weeks prior to the scheduled let.
- If no changes have occurred to the project design, affected environment, or environmental regulations, the NEPA analyst must check the date of the most recent environmental approval.
 - If the most recent environmental approval occurred more than 12 months prior, a “no change” reevaluation must be completed and submitted to FHWA for

approval. All preconstruction commitments don't need to be completed before the reevaluation can be sent to FHWA; however, they must be completed prior to environmental certification for let.

- Once FHWA signs the “no change” reevaluation and all preconstruction commitments have been met (including the obtainment of all permits, which could include, but is not limited to, Section 404 permits and Buffer Variances), the NEPA analyst will certify the project for let. This certification must be completed 11 weeks prior to the let date and will include an updated environmental commitment (green) sheet. (See also [Chapter X](#), 2.0.)
- If the most recent environmental approval occurred less than 12 months prior and all preconstruction commitments have been met (including the obtainment of all permits, which could include, but is not limited to, Section 404 permits and Buffer Variances), the NEPA analyst will certify the project for let. An updated environmental commitment (green) sheet will be included. This certification can also serve as a “no-change” reevaluation if the most recently approved NEPA document was signed 6 to 12 months prior. (See also [Chapter X](#), 2.0.)

3.0 Completing an environmental reevaluation

Every Reevaluation should answer the following questions:

- Have the conditions of the project changed?
- Has the setting changed?
- Has the information presented changed (e.g., age of the studies; changes in the regulations; changes in survey methodology; new listing of a species)?
- Is the document still valid?
- If the information has changed, is agency coordination appropriate?

The [reevaluation template](#) will be the guide to completing the reevaluation procedure. The general procedure that needs to be followed is described below:

- Check the description of the most recently approved document. This will be the project description as stated in the approved Categorical Exclusion (CE), Environmental Assessment (EA)/Finding of No Significant Impact (FONSI), Record of Decision (ROD) or most recent reevaluation.
- Coordinate with the PM to obtain the most up-to-date project plans. Project design can change due to comments made at the PFPR or FFPR. If this is the case, the NEPA analyst needs to insure that the project description and plans they receive from the PM are furnished after the revisions suggested at the PFPR and FFPR have been made.
- Compare the project description from the most recently approved NEPA document with the latest set of plans.
- Update archaeology, history, ecology (including any 404 permit changes), noise and air studies as discussed in [Section 4.0](#).
- The reevaluation form will be completed by either the NEPA analyst or an environmental consultant.

- Update other studies, as needed. Reference and include all revised special studies /memos/concurrence letters in the reevaluation attachment. Revised reports are transmitted to the appropriate agencies; therefore, they do not need to be attached to the NEPA document.
- Discuss any and all changes to effects in a reevaluation attachment.
- Include updated graphics, especially if the project limits have changed.
- Update the [environmental commitment \(green\) sheet](#).
- Sign and date the form.
- Route to the NEPA analyst for initial review.
- Route to the NEPA supervisor/manager for review and approval.
- Submit to FHWA for approval, if necessary.

3.1 Consultant deliverables

The consultant shall provide one copy of the environmental reevaluation to the NEPA analyst for review. Once the document has been approved, the consultant may need to provide additional copies of the approved document, depending on the size of the document, and also an electronic version to the NEPA analyst.

After receiving comments from GDOT, FHWA on any document, a disposition letter (including the comment and how it was responded to) should be attached to the hard copy of the submittal and emailed to the GDOT reviewer for their use in facilitating the review of the document.

For any approved document, consultants will provide a CD (with the requested hard copies of the document) that includes a pdf (or series of pdfs) and a Word copy of the complete approved document.

4.0 Updating environmental studies

Procedures for each of the special studies can be found in [Chapter V](#) of the manual. All pertinent templates are within subject folders in the [document library](#).

4.1 History

If there are NO CHANGES to the effects of the project and if there are NO CHANGES in the resource identification:

- A new survey will not be required.
- The historian will prepare a memo to file noting that the design has changed from XXX to XXX, no change in effect will result from this change, and no further documentation/coordination/concurrence is necessary.
- The NEPA analyst will include this memo in the Correspondence section of the reevaluation.
- The NEPA analyst will check NO on the environmental reevaluation form.

If there is a CHANGE to the effects of the project or if there are CHANGES in the resource identification:

- The historian will conduct new surveys, as needed.
- The historian will prepare addendums to the survey report, Assessment of Effects (AOE) and/or the No Historic Properties Affected (NHPA) document, as required; consultants should coordinate this effort with the GDOT historian.
- The historian will route the revised documentation for review and approval.
- The GDOT historian will send the revised documentation to State Historic Preservation Officer (SHPO) and FHWA for approval.
- If there are changes to impacts, the NEPA analyst will check YES on the reevaluation form and discuss in the effects evaluation.
- If there are no changes to impacts, the NEPA analyst will check NO on the reevaluation form.
- The NEPA analyst will reference and include all revised special studies /memos/concurrence letters in the reevaluation attachment. Revised reports are transmitted to the appropriate agencies; therefore, they do not need to be attached to the NEPA document.
- The date of the most recent history survey of the entire corridor also will be checked. If this survey is over five years old and ROW has not been authorized, the historian will consult with the GDOT History Team Leader.

4.1.1 Consultant deliverables

Once the GDOT historian has approved the work product, the consultant will provide two copies of the approved deliverable.

If there are NO CHANGES to the effects of the project and if there are NO CHANGES in the resource identification, the consultant will deliver the following:

- A memo to file explaining the change in design and how it does not change the original effects finding.

If there is a CHANGE to the effects of the project or if there are CHANGES in the resource identification, the consultant will deliver the following:

- A Survey Report Addendum (for the newly identified resource[s] located within the expanded Area of Potential Effect (APE) or perhaps the loss of a resource).
- A Memo to File, if the newly identified historic resources are determined ineligible with SHPO concurrence. The memo will document the changes to the project, the reason for additional survey, and the results, i.e., that the original effects finding has not changed.
- An AOE Addendum and Memorandum of Agreement (MOA), if necessary (if there is a newly identified National Register (NR) eligible resource[s]).
- An AOE Addendum and MOA, if necessary (for the resource[s] where the effects have changed as a result of the design revision).
- If the most recent history survey of the entire corridor is over five years old and a new survey is conducted, the consultant will deliver the following:
 - A memo to file, if no additional historic resources are identified within the project corridor.

- A Survey Report Addendum, if additional historic resources are identified within the project corridor.
- An AOE Addendum or NHPA and Memorandum of Agreement, if necessary, if additional historic resources are identified within the project corridor.

After receiving comments from GDOT, FHWA or the SHPO on any document, a disposition letter (including the comment and how it was responded to) should be attached to the hard copy of the submittal and emailed to the GDOT reviewer for their use in facilitating the review of the document.

For any approved document, consultants will provide a CD (with the requested hard copies of the document) that includes a pdf (or series of pdfs) and a Word copy of the complete approved document.

4.2 Archaeology

Consultants should contact the GDOT Archaeology Unit Manager prior to updating archaeological special studies to ensure that the correct documentation is being prepared commensurate to new design changes.

If the new design changes fall within the original special study APE (as noted in the applicable archaeological report) and these new design changes will not affect previously recorded archaeological sites determined to be eligible or unknown for the NR (e.g., avoidance of an eligible NR archaeological site in the original special study APE is maintained with new design changes):

- A new survey will not be required.
- The archaeologist will prepare a memo to files noting that the design has changed from XXX to XXX, no change in effect will result from this change, and no further documentation/coordination/concurrence is necessary. The memo will be forwarded to the GDOT NEPA analyst and archaeologist.
- The NEPA analyst will include this memo in the correspondence section of the reevaluation.
- The NEPA analyst will check NO on the environmental reevaluation form.

If the original special study does NOT cover the APE for the new design changes (e.g., easements and/or required right-of-way have been added to the project or the project has been lengthened beyond the original special study APE) and/or new design changes within the original special study APE will affect previously recorded archaeological sites determined to be eligible or unknown for the NR:

- The archaeologist will conduct field surveys, as needed.
- The archaeologist will update the archaeology report and AOE (if NR eligible historic properties are restricted to archaeological resources), as required, to cover the new APE. This update can take the form of a report addendum or AOE addendum, if necessary. Consultants should coordinate this effort with the GDOT archaeologist.
- The archaeologist will route the revised report for review and approval.

- The GDOT archaeologist will send the revised report to SHPO and FHWA for approval.
- If there are changes to impacts, the NEPA analyst will check YES on the reevaluation form and discuss the changes in the effects evaluation.
- If there are no changes to impacts, the NEPA analyst will check NO on the reevaluation form.
- The NEPA analyst will include the updated special study as a separate attachment to the reevaluation.

4.2.1 Consultant deliverables

Once the GDOT archaeologist has approved the work product, the consultant will provide two copies of the approved deliverable (GDOT NEPA analyst and archaeologist).

If the new design changes fall within the original special study APE (as noted in the applicable archaeological report) and these new design changes will not affect previously recorded archaeological sites determined to be eligible or unknown for the NR (e.g., avoidance of an eligible NR archaeological site in the original special study APE is maintained with new design changes), the consultant will deliver:

- An Archaeology memo demonstrating no change in effect due to design changes.

If the original special study does NOT cover the APE for the new design (e.g., easements and/or required right-of-way have been added to the project or the project has been lengthened beyond the original special study APE) and/or new design changes within the original special study APE will affect previously recorded archaeological sites determined to be eligible or unknown for the NR, the consultant will deliver:

- An Addendum to the Archaeological Survey Report for newly identified archaeological sites located in the APE resulting from the design change.
- An Addendum Archaeological Short Form for Negative Findings if the survey produces negative results in the APE due to design changes.
- An AOE Addendum, as required, due to design changes.

After receiving comments from GDOT, FHWA or the SHPO on any document, a disposition letter (including the comment and how it was responded to) should be attached to the hard copy of the submittal and emailed to the GDOT reviewer for their use in facilitating the review of the document.

For any approved document, consultants will provide a CD (with the requested hard copies of the document) that includes a pdf (or series of pdfs) and a Word copy of the complete approved document.

4.3 Ecology

If the original special study covers the APE for the new design and NO CHANGES to the impacts will result from the design changes:

- A new survey will not be required.

- The ecologist will prepare an addendum to the most recent ecology report noting that the design has changed from XXX to XXX, no change in effect will result from this change, and no further documentation/coordination/concurrence is necessary.
 - The memo will contain updated mitigation information, if necessary.
- The NEPA analyst will include this memo along with any concurrence from FHWA or USFWS in the correspondence section of the reevaluation.
- The NEPA analyst will check NO on the environmental reevaluation form.

If there are CHANGES to the project impacts:

- The ecologist will conduct field surveys (including aquatics), as needed.
- The ecologist will prepare an ecology addendum to reflect the updated project description and the corresponding impacts (include updated mitigation information, if necessary).
- If the impacts will result in elevating the type of permit required, a team meeting will be held to discuss further avoidance and minimization measures.
- The ecologist will route the revised report for review and approval.
- The ecologist will write or modify any special provisions needed to protect ecological resources.
- The GDOT ecologist will send the revised report to FHWA and United States Fish and Wildlife Service (USFWS), if there are changes involving Section 7 or Fish and Wildlife Coordination Act (FWCA) consultation for review and approval.
- The NEPA analyst will check YES on the environmental reevaluation form and discuss in the attachment.
- The NEPA analyst will include any concurrence in the correspondence section of the reevaluation.

4.3.1 Consultant deliverables

Once the GDOT ecologist has approved the work product, the consultant will provide the requested quantity of hard and electronic copies of the approved deliverable.

If the original special study covers revised project limits and NO CHANGES to the impacts will result from the design changes, the consultant will deliver:

- An ecology memo demonstrating no change in effect due to design changes. This memo would follow the format of the Ecology Assessment of Effects.

If there is a CHANGE to the effects of the project, the consultant will deliver the following:

- Addendum to the ecology report.
- Field notes, if applicable.
- Additional stream, wetland, open water or protected species habitat data points, if applicable.
- Additional stream, wetland, open water, and protected species habitat delineations, as applicable.
- Additional buffer delineations, if applicable.

- Revised Standard Operating Procedure (SOP) calculations, if applicable.
- Transmittal letter to initiate report coordination, Section 7 consultation and/or FWCA coordination, as needed.

After receiving comments from GDOT, FHWA or any other agency on any document, a disposition letter (including the comment and how it was responded to) should be attached to the hard copy of the submittal and emailed to the GDOT reviewer for their use in facilitating the review of the document.

For any approved document, consultants will provide a CD (with the requested hard copies of the document) that includes a pdf (or series of pdfs) and a Word copy of the complete approved document.

4.4 Noise

The noise study must be reconsidered if

- Alignment change[s] introduces receptors previously not considered for abatement; or
- The projected traffic increases by 33 percent or greater over the traffic considered in the original study. A traffic increase of 33 percent or greater has the potential to increase projected noise levels by at least one decibel. Updated traffic will be requested if five years or more have lapsed since the original noise study.

In accordance with Policies and Procedures [4415-11](#), “A Working Guideline for Highway Noise Barrier Construction,” “[i]n order for a residential area to be considered for noise barriers, it must be ‘planned, designed, and programmed’ before the date of ‘public knowledge’ of the highway project. In determining the time relationship between residential development and public knowledge, the state a residential area is ‘planned, designed, and programmed’ means the date foundation construction begins and the date of ‘public knowledge’ of the highway project means the date of approval of the CE, FONSI or ROD document.”

Therefore, if the NEPA document has been approved, an updated noise study will be conducted only for alignment changes or traffic increases. Studies updated for traffic increases only will consider those residential areas “planned, designed, and programmed” before the date of “public knowledge” of the highway project.

4.5 Air Quality

If the project is in a non-attainment or maintenance area for ozone or Particulate Matter (PM) 2.5, the air specialist must compare the facility as designed to the conforming long-range plan and Transportation Improvement Program (TIP) to make sure the project concept, as designed matches the concept that has been modeled.

For projects in non-attainment areas for PM 2.5, the NEPA analyst also must confirm that the project description in the reevaluation matches the project description presented to the Interagency group for their concurrence with the determination that the project is either “exempt” or “not of air quality concern.”

If minor changes have been made, the NEPA analyst must provide the Interagency group with a revised write-up that includes the revised project description and the conclusion that the changes have been reevaluated and the determination that the project is either “exempt” or “not of air quality concern” remains valid. This documentation will be included in the reevaluation.

If major changes have occurred (e.g., additional lanes), a revised determination must be submitted to the Interagency group for their concurrence. This determination letter will be included in the reevaluation.

5.0 Consultant Deliverables

After receiving comments from GDOT, FHWA or any other agency on any document, a disposition letter (including the comment and how it was responded to) should be attached to the hard copy of the submittal and emailed to the GDOT reviewer for their use in facilitating the review of the document.

For any approved document, consultants will provide a CD (with the requested hard copies of the document) that includes a pdf (or series of pdfs) and a Word copy of the complete approved document.

The consultant will submit one copy of the reevaluation for review and approval. Three copies of the updated air and noise reports will be submitted for review and approval.

The reevaluation should not be submitted in three-ring binders.

Other updated studies will be submitted as noted previously (history, [Section 4.1.1](#), archaeology, [Section 4.2.1](#), and ecology, [Section 4.3.1](#)).

6.0 Reference

Re-evaluation - 23 CFR 771.129