

VIRGINIA DEPARTMENT OF TRANSPORTATION

ENVIRONMENTAL DIVISION

INSTRUCTIONAL AND INFORMATIONAL MEMORANDUM

<p>DIRECTED TO: CO Program Managers CO NEPA Programs Staff District Environmental Planners District Environmental Managers District Assistant Environmental Managers</p>	<p>AUTHORITY: March 2000 Categorical Exclusion Delegation Process; 2022 Programmatic Agreement Between the Federal Highway Administration, Virginia Division and VDOT Regarding the Processing of Actions Classified as Categorical Exclusions for Federal-Aid Highway Projects and; FHWA/VDOT Standardized Environmental Assessment (EA) Form</p>
<p>GENERAL SUBJECT: National Environmental Policy Act</p>	<p>NUMBER: IIM-ED-704.4</p>
<p>SPECIFIC SUBJECT: Procedures for Quality Assurance/Quality Control Reviews of National Environmental Policy Act Documents</p>	<p>DATE: 09/21/2023</p> <p>SUPERSEDES: EM-NEPA-704.3</p>
<p>APPROVED: <div style="text-align: center;"> Christopher J Swanson For Public Distribution 2023.09.21 16:04:20-04'00'</div> </p>	

Changes are shaded.

BACKGROUND

The Virginia Department of Transportation (VDOT) has been a party to two streamlining initiatives: the Federal Highway Administration (FHWA)/VDOT Standardized Environmental Assessment (EA) Form in 2010, and the Programmatic Agreement for Categorical Exclusions (CEs) in 2022. The requirements in this document are in the context of these initiatives.

PURPOSE

This governance document outlines the procedures for all National Environmental Policy Act (NEPA) document Quality Assurance (QA)/Quality Control (QC) reviews.

SCOPE & APPLICABILITY

All NEPA documents in which FHWA is the lead agency, including Locally Administered Project (LAP) NEPA documents, are subject to these requirements per 23 USC 139(c)(3). VDOT, as the recipient of federal funds, joins FHWA as co-lead agency for all NEPA documents.

REQUIREMENTS

The appropriate format shall be used for each NEPA document type (Programmatic Categorical Exclusion {PCE} form, CE form, and the EA outline and guidance referenced in the [Environmental Assessment Outline and Guidance VDOT Governance Document](#)).

The District Environmental Manager (or designee) shall review all PCEs, CEs, and EAs and determine if specific sections of the documents should be reviewed by District/Regional technical experts. The District Environmental Manager (or designee) shall verify that all comments are addressed by District Environmental staff. The District shall verify that documents to be submitted for review are consistent with the QA/QC Checklist, found on the [NEPA Programs SharePoint Online page](#).

After verification, District Environmental staff shall submit PDFs of the following documents as they are developed (including LAP developed documents) to the Central Office (CO) NEPA Programs Manager (or designee(s)) for review and comment:

- a. NEPA Documentation Concurrence forms,
- b. PCEs,
- c. CEs,
- d. Complete purpose and need chapters, alternatives chapters, consequences chapters,
- e. Chapters of EAs as they are developed (see other guidance on the order of developing/reviewing chapters of an EA)
- f. EAs for Public Availability,
- g. Request for Findings of No Significant Impact (FONSI)s,
- h. Section 4(f) Evaluations,
- i. Reevaluations,
- j. Agricultural/Forestal District reports,
- k. Section 6(f) reports,
- l. Right-of-Way (EQ-201) Reevaluations,

- m. Plans, Specifications and Estimates (PS&E) Reevaluations (EQ-200),
- n. Environmental Certifications (EQ-103), and
- o. Preliminary Environmental Inventories (PEI)

District Environmental Planners shall retain a copy of the Environmental Division comments in the Comprehensive Environmental Data and Reporting system (CEDAR) and shall address all Environmental Division comments prior to submitting the documents to FHWA for review and comment or approval (with the exception of PCEs, which are not submitted to FHWA).

The CO NEPA Program Manager or designee shall:

- Complete review/comment of all PCEs, CEs, NEPA Documentation Concurrence forms, Right-of-Way (EQ 201), and PS&E Reevaluations (EQ 200) forms (with the exception of Section 4(f) Evaluations, EA chapter reviews, or Section 6(f) reports), Agricultural/Forestral District reports and PEIs in no more than three business days.
- Complete review/comment of Section 4(f) Evaluations, EA chapter reviews, Requests for FONSI, or Section 6(f) reports in no more than five business days.
- Brief Environmental Division Director on EAs and Request for FONSI, when comments are adequately resolved. Those executives then sign the respective documents, and they are submitted to FHWA within five business days, provided that comments are adequately resolved.
- Invite FHWA to participate in the conduct of biannual quality assurance reviews of a random sampling of District and Locality NEPA document files (hard copy, PSTs, and CEDAR) to ensure legally sufficient products and make suggestions for improvement/training.
- Coordinate a multidisciplinary review of NEPA documents with the CO Air and Noise staff. Other CO Program Managers may be involved in situations where the project has unique situations that require their review.
- CO NEPA Programs is responsible for the development and delivery of all multi-alternative EAs and EISs for federally funded transportation projects in Virginia.
- Conduct semi-annual VDOT Environmental Planner meetings to provide a forum for the team to exchange information and training in NEPA and related topics.

FHWA Virginia Division generally completes reviews of documentation in the following timelines:

- Draft EIS: 28 calendar days
- Final EIS: 21 calendar days

- Environmental Assessment: 21 calendar days
- Request for FONSI: 14 calendar days
- Categorical Exclusion: 7 calendar days