

# Reevaluating Federal Environmental Documents

Project Development and  
Environmental Analysis Branch



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## **Purpose**

The purpose of this procedure is to provide a consistent methodology within NCDOT for reevaluating federal environmental documents.

## **Responsibility**

The Project Planning Engineer (PPE) is responsible for assessing whether any factors, such as changes or any new requirements in a project, affect the accuracy of the existing environmental documentation and for completing a written reevaluation when necessary. During the reevaluation process, the PPE may include a project site visit and evaluation.

## **Scheduling and Time Constraints**

Depending upon the design and complexity of the project, it may take up to 12 months to gather the necessary data, coordinate with the resource agencies/interested parties, and complete the reevaluation documentation.

## **Procedures**

A reevaluation considers the following:

- Changes in the project or its surroundings and impacts
- New issues that have been identified
- New circumstances
- New information that was not considered in the original document
- Changes in laws or regulations that apply to the project

The PPE must coordinate and verify information in the reevaluation with FHWA. FHWA assures that the environmental documentation is still valid, prior to proceeding with major project approvals or authorizations. (Refer to [National Environmental Policy Act](#) (NEPA) of 1969.) The

PPE responsible for writing a reevaluation may coordinate with various other NCDOT units while assessing the factors that affect the accuracy of existing environmental documentation:

- Natural Environment Unit (NEU)
- Human Environment Unit (HEU)
- Roadway Design
- Congestion Management
- Structures
- Hydraulics
- Transportation Planning Branch (TPB)
- Right of Way
- Division Engineer

In addition, coordination with local government (city and/or county) officials may be necessary to obtain further information on changes or situations that affect the project area. The project-planning engineer must coordinate and verify information in the reevaluation with FHWA. FHWA assures that the environmental documentation is still valid, prior to proceeding. Typical documents under review in this procedure are the DEIS, FEIS, and project files, which include project plans, drawings, etc.

**Step 1.** Is the last published document a DEIS? If yes, proceed to Step 2. If no, proceed to Step 13.

**Step 2.** Is the DEIS three or more years old? If yes, a reevaluation is required. Proceed to Step 3. If no, then no action is required.

**Step 3.** Project Planning Engineer will coordinate with FHWA to verify reevaluation needed and will determine required format for the written document.

**Step 4.** Review existing environmental documentation (e.g., DEIS, FEIS, project files) and evaluate applicable changes. (The factors that should be considered are: changes in the project or its surroundings and impacts, any new issues, new circumstances, new information that was not considered in the original document, and/or changes in laws or regulations that apply to the project.)

**Step 5.** Coordinate with the applicable NCDOT units for available information on situations that affect the project area and the validity of existing environmental documentation. For example:

- Coordinate with Natural Environment Unit (NEU) if endangered species have been identified in the project area.
- Coordinate with Human Environment Unit (HEU) if historic properties are involved.
- Coordinate with Roadway Design if the project design has changed since the approval of the federal environmental document. It may be necessary to coordinate with designated officials/representatives in the city and/or county in which the project is located to clarify local government environmental concerns. A site visit to the project may be necessary to observe and verify the factor(s) that affect the project. (For example, this may include looking at historic properties in the project area; or area where endangered species have been identified.)

**Step 6.** Coordinate with the applicable state and/or federal agency for verification of project information, as needed (i.e., Corps of Engineers, Fish and Wildlife, DWQ). A site

visit to the project may be necessary to observe and verify the factor(s) that affect the project. For example, this may include looking condition of wetlands in the project area, or location of buffer zones.

- Step 7.** Evaluate all the information on the factors (or changes) pertaining to the project and that affect the accuracy of the existing environmental documentation regarding that project. (Refer to the “[Develop DEIS/FEIS Format Outline](#)” procedure)
- Step 8.** Assemble all pertinent information and begin writing the required reevaluation. Include factors such as changes in the project; new issues or new circumstances; new information not previously considered; and/or changes in laws or regulations that apply to the project.
- Step 9.** Send the reevaluation document to appropriate NCDOT unit(s) for internal review and coordination. For example:
  - NEU (regarding buffer zones for streams; endangered species) • HEU (regarding historic properties in project area)
  - Roadway Design (for changes in project design)
  - Congestion Management (for changes in traffic flow in project area)
- Step 10.** Complete the reevaluation document after internal NCDOT review and coordination. The completed document should include all information that has been checked and verified by the appropriate NCDOT units involved in the internal coordination process.
- Step 11.** Submit the completed reevaluation document to FHWA for review and approval.
- Step 12.** When the reevaluation is approved, check with FHWA to determine if the document should be distributed.
- Step 13.** Is the last published document a FEIS? If yes, proceed to Step 14. If no, proceed to Step 16.
- Step 14.** Has it been three years or more since the last major step to advance the project occurred (i.e., FHWA authorization to begin final design, etc.)? If yes, then a reevaluation is required. Go to Step 3. If no, proceed to Step 15
- Step 15.** Is the FEIS more than a year old? If yes and a major project approval is due within 68 months, then a Consultation is required. Refer to the “[Consultation Procedure](#)” (future link). If no, then no action is required.
- Step 16.** Is the last published document an EA/FONSI or CE and have changes in the project occurred or new information come to light that was not discussed in the original document? If yes, consult with FHWA on whether a consultation is sufficient or if a reevaluation is required. If no, then no action is required.

## ***Background***

A reevaluation is a review of the adequacy of the Draft Environmental Impact Statement (DEIS) or Final Environmental Impact Statement (FEIS). The purpose is to assess whether a supplemental DEIS or FEIS is required.

A reevaluation is required in the following situations:

- A DEIS is 3 years old or more and an acceptable FEIS has not been received by FHWA.
- The FEIS is 3 years old or more and NCDOT has not taken additional major steps to advance the project such as obtain FHWA authority to begin final design or to acquire a

significant portion of the required right of way.

A reevaluation may be required of any environmental document where the project has been on hold and changes within the project study area or new information affects the adequacy of the original document findings.

Another form of reevaluation is a consultation. Consultations are performed before proceeding with a major project approval such as right of way acquisition, final design, and construction let. For more information on Consultations, please refer to the “Consultation Procedure” (future link).

## ***Policy, Regulatory, and Legal Requirements***

[Federal Regulations - 23 CFR 771.129 – Reevaluations](#) states: “A written evaluation of the FEIS will be required before further approvals may be granted if major steps to advance the action (e.g., authority to undertake final design, authority to acquire a significant portion of the right-of-way, or approval of the plans, specifications and estimates) have not occurred within three years after the approval of the FEIS, FEIS supplement, or the last major approval or grant.”

## ***Warnings and Precautions***

FHWA will determine whether the original documentation it is still valid, or if supplemental documentation is necessary.

## ***Resources and Tools***

- [FHWA Technical Advisory T6640.8a, Section XI](#)
- [National Environmental Policy Act](#)

## ***Contacts***

- For suggestions to change this procedure contact: Karen Capps (919) 715-7299
- For questions about performing this procedure contact:  
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## ***User Access***

Select appropriate User Access:

- Restricted NCDOT, FHWA, MPO, RPO, Consultants, etc.

## ***Flowchart***

- None