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| COLORADO DEPARTMENT OF TRANSPORTATION  **REEVALUATION FORM** | Original NEPA Approval Date:  This is the date(s) the original NEPA decision document(s) was signed. | Reevaluation Date:  Date this Form 1399 was completed. | Project Code:  Should include all subaccount numbers and the federal project number. |
| Project Name and Location:   * This should be the name of this Reevaluation, not the original NEPA document. * Give a brief description of the project location. Make sure to include highway names, mileposts and local jurisdiction (city, county, town). * Include a map that shows project location and all roads and buildings that are discussed in the text. Include the original project, completed phases of the project, and what is being proposed today on the map. | | | |
| NEPA Document Title:   * Use the official name of the original EA/FEIS and NEPA decision document and date. * If possible, add link to where the document can be found on the web. | | | |
| Region/Program/Residency:  Identify the appropriate CDOT Region that the Reevaluation occurs in. | | | |
| Project Description:  Describe the whole project, not just the phase being reevaluated. If possible, this section should have an approximate length of 2 paragraphs or less. Please make sure that all things mentioned in this section are included on the map/figure(s). | | | |
| Project Phasing Plan and Portions Completed (if warranted):  Concisely describe all construction phases (past, present, and future) of the project. Also identify which phases have already been completed and the year completed. Suggest using a bulleted format to list all project phases and then just adding a sentence or two describing each phase. Please do not say, “see Chapter 1 of EIS”. | | | |
| Portion of Project Currently Being Advanced:  Only talk about the current phase that is being reevaluated. This is really important for mitigation purposes. Mitigation must be completed during the same project phase that the impacts occur. Talking about additional phases here makes mitigation tracking confusing. | | | |
| Date(s) of Prior Reevaluations: If appropriate, list all dates of prior Reevaluations. | | | |

1. **Document Type**

Identify the type of document that you are reevaluating. May have two boxes checked if it is an EA/FONSI or EIS/ROD combination. For EA’s check EA/FONSI, for EIS’s check FEIS/ROD.

Non-programmatic Categorical Exclusion (CE)

Environmental Assessment (EA)

Finding of No Significant Impacts (FONSI)

Draft Environmental Impact Statement (DEIS)

Final Environmental Impact Statement (FEIS)

Supplemental Environmental Impact Statement (SEIS)

Record of Decision (ROD)

Other (such as: local funding, etc.) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Reason for Reevaluation**

Project is proceeding to the next major approval or action [23 CFR 771.129(c)]

This box is almost always going to be checked because any project with a signed NEPA document needs to be reevaluated prior to requesting an action or approval from FHWA to advance the project to the next major approval or action (for example, final design, ROW acquisition, PS&E, next phase of construction).

Project changes such as laws, policies, guidelines; design; environmental setting, impacts, or mitigation

There are three types of changes that could have occurred since the original NEPA document approval that would result in the need for a Reevaluation:

* Design Alterations: Sometimes the design that was originally approved changes during final design and results in newly discovered or otherwise unaccounted for impacts outside the footprint or to resources not initially evaluated in the NEPA document. The design change could also result in fewer impacts to a resource, avoidance of a resource, and no (or less) mitigation required.
* Regulatory Changes: Changes in laws, regulations, or guidelines that have occurred since the NEPA document was originally approved that are relevant to the project. Examples of this include changes in the USFWS Threatened and Endangered species list, changes in Air or Water Quality limits, etc… A relevant regulatory change only requires a new analysis if determined during scoping.
* Environmental Setting and Impacts: Changes to the environmental setting that could result in changes to the project’s Purpose & Need, impacts or mitigation. For example, if there used to be a prairie dog town, it would result in a reduction of impacts from the project. Or if a project has been shelved for a while, more properties may have become greater than fifty years old.

Greater than three years have elapsed since FHWA’s approval of the DEIS [23 CFR 771.129(a)] or FHWA’s last major approval action for the FEIS [23 CFR 771.129(b)]

This box should only be checked if it is a DEIS or FEIS that is being reevaluated. According to FHWA regulations, the shelf life of a DEIS and a FEIS is 3 years. If you are reevaluating an EA you should not check this box.

Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The “Other” box should only be checked if the above reasons do not fit your project. Please use the area below to explain what the reason is for your Reevaluation. Feel free to add additional lines if needed.

1. **Evaluation**

All Reevaluations need scoping to determine what level of Reevaluation needs to be competed and what resources may be involved. This is typically done by the CDOT Region for Levels 1 and 2 and in coordination with FHWA and EPB for Level 3.

Level 1: Less than three years since last major step to advance the action ( e.g. approval of NEPA document, authority to undertake final design, authority to acquire significant portion of ROW, approval of PS&E) and there are no changes in project scope, environmental conditions, environmental impacts or regulations and guidelines. All decisions in the prior NEPA document remain valid. No FHWA concurrence is required. Note to file and to distribution below.

These Reevaluations are completed at the CDOT Region level. EPB review is not required, but is available upon request. FHWA concurrence is not required.

Level 2: There are only minor changes in the project scope and/or updates or explanation needed for one or more resource areas. FHWA concurrence is required.

These Reevaluations are completed at the CDOT Region level. EPB review is not required, but is available upon request. FHWA review and concurrence is required.

Level 3: Major changes in project scope or environmental commitments, or for EIS’s when greater than three years have elapsed since the last major project action. Updates or new studies maybe required.  A Level 4 Reevaluation may require a separate document. FHWA concurrence is required.

This level of Reevaluation typically includes project changes that were not evaluated in the original document. EPB will need to review. FHWA review and concurrence is required.

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| **ENVIRONMENTAL SETTINGAND ENVIRONMENTAL IMPACT ASSESSMENT:**  Document changes to human, socio economic, or natural environment for environmental setting or circumstances.  Document changes in impact status. Place check-mark or description where relevant. Use Scoping to determine which resource attachments are warranted (see **attachment 1**). **Note**: this list may be expanded or adjusted to match the headings in the original environmental document reviewed.   * Check “yes” in the “Change in Affected Environment or Setting” Column if there have been any regulatory or guideline changes relevant to this project or changes to the existing conditions. * Check “yes” in the “Change in Environmental Impact” column if changes have occurred. These changes could either increase or decrease impacts. * In the “Date Reviewed” column add the date that each resource was reviewed. Every line should have a date - even the resources that have not changed. By adding the date you are acknowledging that there are no changes to that resource. * When “no” is checked for both the “Change in Affected Environment or Setting” and the “Change in Environmental Impact”, then an attachment for the resource is not needed. For this situation brief documentation should be included in the project file. * When the “Change in Affected Environment or Setting” Column is checked “yes” but the “Change in Environmental Impact” column is checked “no”: This means the change in the affected environment did not lead to a change in environmental impacts. Example: If there is now a shopping center where there used to be a prairie dog town, the project would result in less impacts to the prairie dog town than previously evaluated. However, this can also be a brief memo (depending on the change). |
| |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | **Setting/Resource/Circumstance** | **Change in Affected Environment or Setting** | | **Change in Environmental Impact** | | **Date Reviewed** | **Highlight Additional Studies Required or Attachments** | | Yes | No | Yes | No | | Air Quality |  |  |  |  |  |  | | Geologic Resources and Soils |  |  |  |  |  |  | | Water Quality |  |  |  |  |  |  | | Floodplains |  |  |  |  |  |  | | Wetlands/Waters of U.S. |  |  |  |  |  |  | | Vegetation and Noxious Weeds |  |  |  |  |  |  | | Fish and Wildlife |  |  |  |  |  |  | | Threatened/Endangered Species |  |  |  |  |  |  | | Historic Resources |  |  |  |  |  |  | | Archaeological Resources |  |  |  |  |  |  | | Paleontological Resources |  |  |  |  |  |  | | Land Use |  |  |  |  |  |  | | Social Resources |  |  |  |  |  |  | | Economic Resources |  |  |  |  |  |  | | Environmental Justice |  |  |  |  |  |  | | Right-of-Way Impacts |  |  |  |  |  |  | | Transportation Resources (roadway, rail, bus, bike, pedestrian, etc.) |  |  |  |  |  |  | | Utilities and Railroads |  |  |  |  |  |  | | Section 4(f) |  |  |  |  |  |  | | Section 6(f) |  |  |  |  |  |  | | Farmlands |  |  |  |  |  |  | | Noise |  |  |  |  |  |  | | Visual Resources/Aesthetics |  |  |  |  |  |  | | Hazardous Materials |  |  |  |  |  |  | | Other(s) (I.e Parks & Recreation) |  |  |  |  |  |  | |
| **DESIGN ALTERATIONS:**  *Document changes to project scope and or design criteria:*  Focus on changes to footprint or changes that result in the potential for environmental impacts |
| **REGULATORY CHANGES:**  *Document changes to laws, regulations, and/or guidelines*: |
| **IMPACTS ASSESSMENT:**  *For items checked as changed above: assess the affected natural and socio-economic environment, impacts and new issues/concerns which may now exist*: |
| **MITIGATION:**  All mitigation commitment(s) from NEPA document remain the same (discuss status and compliance):  Mitigation commitment(s) have changed from NEPA document.  No matter which box is checked here, [the CDOT Mitigation Tracking Spreadsheet](https://www.codot.gov/programs/environmental/resources/forms/CDOT%20Mitigation%20Tracking%20Spreadsheet_June%202012.xlsx) from the most recent NEPA decision document must be attached to the back of this form. At a minimum, the first six columns of the table should always be included. If phases of the project have already been completed and mitigation has already occurred, the entire table may be included to show all mitigation information. |

1. **Public/Agency Involvement**

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| If there has been any public/agency involvement for this phase of the project, list and provide dates in this section. If there was no public/agency involvement necessary, write “N/A” or “None”. If one or more Native American Tribes indicated a desire to participate as consulting tribal nations under Section 106 of the National Historic Preservation Act during the initial NEPA documentation process, or if there are changes to historic or archaeological properties, it will be necessary to re-engage those tribes during the development of a reevaluation. Provide copies of all pertinent correspondence and/or action items resulting from that process. If there were no participating tribes for a project and therefore no formal consultations, document that fact by stating “No Consulting Native American Tribes.” |

1. **Additional Studies Required for Proposed Action**

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| If it was determined that additional studies were required for the Proposed Action, please list them here. If none were required, write “N/A” or “None”. |

1. **Additional Requirements for Proposed Action**

If it was determined in this form that the environmental document or Catex designation is no longer valid, then this section needs to indicate what the next level of appropriate analysis will be. If no additional requirements are needed, please check the “None” box at the bottom of the list.

An SEIS is required, because the changes to the proposed action will result in significant impacts not evaluated in the EIS.

An SEIS is required, because new information or circumstances will result in significant environmental impacts not evaluated in the EIS.

FEIS but was not identified as the preferred alternative.

Appropriate environmental study or an EA is required, because the significance of new impacts is uncertain.

A revised FONSI is required, because an alternative is recommended that was fully evaluated in an approved EA but was not identified as the preferred alternative.

Other\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

None

1. **Permits Updated**

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| *This section is only required when the next stage of a project is going to construction.*  *List permits*:  This section needs to be completed when the next stage of the project is going to construction. Most Reevaluations occur because the project is going into a construction phase. List the permits that have already been obtained or that need to be obtained in this section. This section is only optional for projects that are not going to construction. If appropriate, coordination letters with consulted agencies should also be included. |

1. **Attachments Listed**

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| *List permits, studies, background data, etc.*  Please do not include hard copies of technical reports when submitting Reevaluations. Submitting electronically is preferred.  Maps and the CDOT Mitigation Tracking Spreadsheet should be included within the report. |

1. **Conclusion and Recommendation**

The above environmental document has been reevaluated as required by 23 CFR 771.129 and it was determined that no substantial changes have occurred in the social, economic, or environmental impacts of the proposed action that would substantially impact the quality of the human, socio-economic, or natural environment. Therefore, the original environmental document or Catex designation remains valid for the proposed action. It is recommended that the identified project advance to the next phase of project development. .

The above environmental document has been reevaluated as required by 23 CFR 771.129 and it was determined that the environmental document or Catex designation is no longer valid or more information is required.

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Regional Planning Environmental Manager or Designee Date

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Federal Highway Administration Division Administrator or Designee Date

**Distribution:** Upon completion (signature) of the Reevaluation, the original form (and attachments) should be sent to the Region Planning and Environmental Manager (RPEM). Electronic copies should also be sent to the following (indicated in footer of form):

* CDOT Project Manager (save to project file)
* Region Right of Way (if ROW required)
* Environmental Programs Branch (to shared [Re-evaluation folde](https://drive.google.com/drive/folders/13OEIAUPSVQPDYanGpcGyvZlkFDE8YHUu)r)
* Federal Highway Administration

**Attachment 1: Scoping Tool: Resource Considerations**

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| Air Quality | Hotspot analysis - new traffic movements, new attainment area; |
| Geologic Resources and Soils | Unlikely |
| Water Quality | Changes in MS4 boundaries, pollutants of concern, permanent water quality |
| Floodplains | Change in FEMA floodplain map or work within the floodplain |
| Wetlands/Waters of U.S. | More than 5 years from wetland delineation; Changes in law or NWP |
| Vegetation and Noxious Weeds | Unlikely (major noxious weeds invasion, or major tree harvesting/die off) |
| Fish and Wildlife (MBTA) | Unlikely (major concern change in habitat, movement, population) |
| Threatened/Endangered Species (or special status species) | New listing, delisting, critical habitat, species movement |
| Historic Resource | New potentially age-based eligible properties |
| Archaeological Resources | Unlikely |
| Paleontological Resources | Unlikely |
| Land Use | Only include major changes, changes from original zoning, or changes which cause change to traffic patterns |
| Social Resources | Unlikely. Major background changes; i.e factory or mine closure; substiantial new land development/population |
| Economic Resources | Unlikely |
| Environmental Justice | New census (every 10 years); use the EPA screening tool |
| Right-of-Way Impacts | Change in acquisition. |
| Transportation Resources (roadway, rail, bus, bike, pedestrian, etc.) | New bus stop, park n ride; traffic model; mode |
| Utilities and Railroads | Unlikely (fiber optic line) |
| Parks, Recreation, Open Space | New resources |
| Section 4(f) | Check recreation and historic |
| Section 6(f) | New LWCF Funding (verify with OTIS mapping) |
| Farmlands | Unlikely |
| Noise | New guidance does not trigger noise analysis; New development does not trigger noise analysis; substantial design changes (increasing height 5ft, decreasing distance from noise receptor) does trigger noise analysis |
| Visual Resources/Aesthetics | New guidance does not trigger analysis, because it does not change background or impacts. |
| Energy | Unlikely |
| Hazardous Materials | New Form 881 if more than 180 days; new analysis required |
| Other(s) |  |