



The last update to the CDOT NEPA Manual was completed in 2020. Since then, many regulatory and process changes have occurred. This update reflects the most current policies, regulations, and processes available as of June 2023. Future updates will be made, as necessary. The following table summarizes some of the more considerable changes made to the Manual during this revision. Since the Manual is accessible through CDOT’s website, this updated version also includes changes to colors and adds text to the graphics to meet Section 508 compliance, per Colorado House Bill 21-1110.

Chapter	Description of Updates
Chapter 1 - Introduction	Minor updates.
Chapter 2 - National Environmental Policy Act and Implementing Regulations	<ul style="list-style-type: none"> ▶ In Section 2.8, Executive Order 13807 Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure, added time frames for EA and EIS documents. ▶ In Section 2.12, Colorado Senate Bill 21-260, included new Environmental Justice Executive Order 13990.
Chapter 3 - CDOT’s NEPA-Specific Planning and Project Development Elements	<ul style="list-style-type: none"> ▶ Added Section 3.1.1, CDOT 10-Year Vision Plan, to briefly describe CDOT’s plan to provide a statewide list of priority transportation projects. ▶ In Section 3.4, CDOT and the 1601 Process: <ul style="list-style-type: none"> • Included Transportation Demand Management requirement. • Included a system level study scope to show the build and no-build conditions of the highway network. ▶ Updated Figure 3-2 to reflect the current process. ▶ Removed a Memorandum of Understanding (MOU) that is no longer linked to CDOT’s website. ▶ In Section 3.8.2, CDOT Policy Directive 1905.0, included a link to the Risk and Resilience (R&R) tool on the CDOT website.
Chapter 4 - Environmental Impact Statement (Class I)	<ul style="list-style-type: none"> ▶ In Section 4.1, EIS Initiation, included that CDOT has developed a class of action determination process. ▶ In Section 4.3, Agency Coordination in an EIS, included the timely decision-making process that agencies complete for EISs. ▶ In Section 4.6.1, Standardization of EIS Sections, added a reference to EIS page limit.
Chapter 5 - Categorical Exclusion (Class II)	<ul style="list-style-type: none"> ▶ In Section 5.1, Introduction, provided a link to the most recent Programmatic Agreement for CatExs with FHWA (2022). ▶ In Section 5.2, CatExs and Recent Guidance: <ul style="list-style-type: none"> • Removed the One Federal Decision (OFD) discussion. • Included Executive Order 13807 and the Infrastructure Investment and Jobs Act (IIJA). • Added a subsection on recent guidance for IIJA and Fixing American’s Surface Transportation Act. ▶ Updated Table 5-1 to include the most recent version of the Criteria Checklist. ▶ Updated Figure 5-1 to reflect the most recent version of CDOT’s Form 128 and Instructions.



Chapter	Description of Updates
Chapter 6 - Environmental Assessment (Class III)	<ul style="list-style-type: none"> ▶ In Section 6.1, EA Initiation: <ul style="list-style-type: none"> • Discussed the process that CDOT uses to determine NEPA class of action. • Identified the official start of an EA (the date of FHWA’s response acts as the beginning of the 12-month period for completing an EA). ▶ Updated Section 6.2.1. Standard EA Sections, to reflect EA page limit of 75 pages, not including appendices, unless senior agency official approves new page limit.
Chapter 7 - Stakeholder Involvement Guidance and Public Involvement Plan	<ul style="list-style-type: none"> ▶ Updated Section 7.1, Public Involvement Overview, to include 23 USC 139. ▶ Added Section 7.2.2, Elements of the Public Involvement Plan, to indicate how the public involvement plan can be incorporated into coordination plans.
Chapter 8 - Document Review Procedures	Minor updates.
Chapter 9 - Resource Considerations	
Section 9.0 - Introduction	Minor updates.
Section 9.1 - Geospatial Data	<ul style="list-style-type: none"> ▶ Inserted information on how GIS is used in the NEPA process. ▶ Revised the introduction about basic uses of GIS and links to GIS resources.
Section 9.2 - Air Quality	<ul style="list-style-type: none"> ▶ Updated to reflect new guidance on air quality. ▶ Updated to include the most recent AQ-PLAG guidelines, 2019 version. ▶ Updated to include Colorado Revised Statute (CRS) § 43-1-128 on mitigating environmental impacts of transportation products. ▶ Updated Table 9-1 to reflect new PLAG guidance based on 2019 version. ▶ Updated Figure 9-1 to include ozone non-attainment areas in expanded area of Weld County.
Section 9.3 - Greenhouse Gases	<ul style="list-style-type: none"> ▶ Added as a new section. As a result, section numbering has changed from the previous version of this Manual. ▶ Provided information on Greenhouse Gas analysis. ▶ Described the GHG analysis process for CDOT and CDOT-administered projects.
Section 9.4 - Geologic Resources, Soils, and Geohazards Evaluation Process	Minor updates.



Chapter	Description of Updates
Section 9.5 - Water Quality	<ul style="list-style-type: none"> ▶ Updated to include Permanent Water Quality (PWQ) Program guidance. ▶ In 9.5.1, Water Quality Evaluation Process: <ul style="list-style-type: none"> • Included Regulation 93: Colorado’s Section 303(d) List of Impaired Waters and Monitoring and Evaluation List. • Included long-term remediation permits and who maintains those. • Included all permits needed by CDOT and contractors for dewatering permits. • Included Colorado Discharge Permit System (CDPS) Regulation 61. • Explained seven programs under the MS4 Permit. • Included CDPS-SCP. • Focused on NEPA document for PWQ mitigation measures. • Added language for considering long-term costs and maintenance implications. • Included Clean Water Act requirements of states and the role of the state. • Indicated that CDOT is the MS4 permittee on projects, not contractors. • Included right-of-way constraints and potential right-of-way acquisition regarding PWQ. ▶ Updated Figure 9-2 to show CDOT’s PWQ Program and decision-making process. ▶ In 9.5.2, NEPA Document Sections: <ul style="list-style-type: none"> • Added language to include basin specific studies and master plans. • Included what should be added to NEPA documents for PWQ mitigation measures. • Added language to include when a SWMP is required for MS4 Construction program.
Section 9.6 - Floodplains	<ul style="list-style-type: none"> ▶ Updated to reflect new Executive Order 13690. ▶ Updated 9.6.1, Floodplain Evaluation Process, to most recent Project Development Manual floodplain section.
Section 9.7 - Wetlands	<ul style="list-style-type: none"> ▶ Updated 9.7.1, Wetland Evaluation Process, based on Colorado Senate Bill 40 guidance version from 2022. ▶ Updated 9.7.2, NEPA Document Sections, to include a link to the most recent wetlands mitigation procedure guidance.
Section 9.8 - Vegetation and Noxious Weeds	<ul style="list-style-type: none"> ▶ In 9.8.2, NEPA Document Sections, updated the process with CDOT personnel and the Integrated Noxious Weed Management Program for early involvement to ensure noxious weed management and mitigation before and after the project.



Chapter	Description of Updates
Section 9.9 - Fish and Wildlife	<ul style="list-style-type: none"> ▶ In 9.9.1, Fish and Wildlife Evaluation Process: <ul style="list-style-type: none"> • Added Executive Order D 2019 011 instructing the state to conserve Colorado’s Big Game Winter Range and Migration Corridors. • Added Department of Interior SO 3362: Improving Habitat Quality in Western Big Game Winter Range and Migration Corridors.
Section 9.10 - Threatened/Endangered (T&E) Species	<ul style="list-style-type: none"> ▶ In 9.10.1, T&E Species Evaluation Process, included new timeline. The BA should be submitted to USFWS 180 days after receipt of a species list from USFWS. USFWS has 90 days to consult with the applicant once the BA has been submitted. Lastly, USFWS has 45 days to issue BO.
Section 9.11 - Historic Properties	Updated to include NHRP Eligibility Criteria.
Section 9.12 - Paleontological Resources	Minor updates.
Section 9.13 - Land Use	Minor updates.
Section 9.14 - Social Resources	Added a subsection to include impacts and mitigation.
Section 9.15 - Economic Resources	Minor updates.
Section 9.16 - Environmental Justice and Equity	<ul style="list-style-type: none"> ▶ Required major revisions. ▶ Revised SB21-260 - Identifying DI Communities and Existing Mapping Resources. ▶ Added Executive Order 14096: Revitalizing Our Nation’s Commitment to Environmental Justice for All.
Section 9.17 - Transportation Resources	<ul style="list-style-type: none"> ▶ In 9.17.2, NEPA Document Sections: <ul style="list-style-type: none"> • Included the most recent language and process of PD 605.1 for ADA accessibility compliance. • Indicated where to find pedestrian/bicyclist facilities count data. • Included provisions for ITS for mountain pass safety in regard to semi-trucks. ▶ Added exception to PD 1602 when accommodating pedestrians and bicyclists.



Chapter	Description of Updates
Section 9.18 - Residential/Business/Right-of-Way Relocation	<ul style="list-style-type: none"> ▶ In 9.18.1, Relocation and Acquisition Evaluation Process, included that NEPA study boundaries are much larger than actual project boundaries. ▶ Clarified the distinction between displaced persons and property owners regarding right-of-way plan boundaries. ▶ Added that voluntary data collected from displacees and property owners for demographic purposes may not necessarily be representative of a project's overall demographic makeup. ▶ Clarified the role of a Region ROW Relocation Specialist.
Section 9.19 - Utilities and Railroad Facilities	<ul style="list-style-type: none"> ▶ In 9.19.1, Utilities and Railroads Evaluation Process, clarified the role of the Regional Utility Engineer Program in the NEPA process.
Section 9.20 - Section 4(f) Evaluation	<ul style="list-style-type: none"> ▶ In 9.20.2, Section 4(f) Evaluation Process: <ul style="list-style-type: none"> • Clarified discussion on funding, specifically that there must be USDOT funding or other USDOT nexus for CDOT to conduct 4(f) evaluation. • Described exceptions to Section 4(f). • Clarified the type of evaluation needed to complete Section 4(f).
Section 9.21 - Section 6(f) Evaluation	<ul style="list-style-type: none"> ▶ Updated to direct where to find 6(f) properties using CDOT's OTIS. ▶ Clarified the differences in the process for temporary easements and permanent easements or acquisitions. ▶ In 9.21.1, Section 6(f) Evaluation Process: <ul style="list-style-type: none"> • Included the difference between small and large conversions, the triggers/requirements for each, and all the necessary documents needed for the state's formal conversion proposal. • Clarified that National Park Service will provide a conditional approval for Section 6(f) land to be converted as long as the land is disclosed and there is a commitment to process the conversion.
Section 9.22 - Farmlands	Minor updates.
Section 9.23 - Noise	<ul style="list-style-type: none"> ▶ Updated to most recent NAAG guidelines. ▶ Updated 9.23.1, Noise Evaluation Process, to correct buffer zone size. ▶ In 9.23.2, NEPA Document Sections: <ul style="list-style-type: none"> • Added noise abatement construction timing and requirement. • Updated to reflect that noise abatement is not dependent on the NEPA public involvement process.
Section 9.24 - Visual Aesthetics	Minor updates.
Section 9.25 - Energy	Minor updates.



Chapter	Description of Updates
Section 9.26 - Hazardous Materials	<ul style="list-style-type: none"> ▶ In 9.26.1, Hazardous Material Evaluation Process: <ul style="list-style-type: none"> • Updated to emphasize that CDOT Property Management should be engaged early in the project regarding any structure and property acquisitions and/or impacts. • Updated to include Form 881.
Section 9.27 - Cumulative Impacts	Minor updates.
Section 9.28 - References	<ul style="list-style-type: none"> ▶ Cross-checked references throughout Chapter 9 and updated reference links.
Chapter 10 - NEPA Processes and Compliance for Other Federal Agencies	<ul style="list-style-type: none"> ▶ In Section 10.2, FTA NEPA Compliance: <ul style="list-style-type: none"> • Included Equity Analysis requirements under Title VI. • Added FRA adopting FTA and FHWA regulations and references to how the FRA process may differ. ▶ In Section 10.2.2, Class II- Categorical Exclusion (CatEx): <ul style="list-style-type: none"> • Clarified FTA review of CatEx worksheet. • Updated to reflect current FTA review process.
Appendices	<ul style="list-style-type: none"> ▶ In Appendix A, removed unused acronyms and added new acronyms. ▶ In Appendix B, updated and added definitions. ▶ Updated Appendix C to include 2020 CEQ guidelines. ▶ Minor updates to Appendix D. ▶ Minor updates to Appendix E.