



The last update to the CDOT NEPA Manual was completed in August 2017. Since then, many regulatory and process changes have occurred. This update reflects the most current policies, regulations, and processes available as of March 2020. Future updates will be made as necessary. The following table summarizes some of the more considerable changes made to the Manual during this revision.

Chapter	Description of Updates
Chapter 1 - Introduction	Minor updates.
Chapter 2 - National Environmental Policy Act and Implementing Regulations	Chapter 2 updates include: <ul style="list-style-type: none"> ▶ Updated Table 2-1 NEPA Classes of Action with approvals based on Colorado’s Risk-Based Approach. ▶ Updated Section 2.6 Moving Ahead for Progress in the 21st Century Act with the most recent provisions. ▶ Updated Section 2.7, Fixing America’s Surface Transportation Act with the most recent provisions. ▶ Added Section 2.8 Executive Order 13807 Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure, which includes a description of the Executive Order requiring Federal agencies to process environmental reviews and the authorization of major infrastructure project as One Federal Decision.
Chapter 3 - CDOT’s NEPA-Specific Planning and Project Development Elements	Chapter 3 updates include: <ul style="list-style-type: none"> ▶ Updated Section 3.1.1 Developing the Project Team with CDOT project management guidance, the environmental scoping form, and an overview of Executive Order 13807. ▶ Updated Section 3.1.2 Agency Project Roles with Moving Ahead for Progress in the 21st Century Act provisions regarding the designation of a single Federal Lead Agency and programmatic approaches to conduct environmental reviews. ▶ Updated Section 3.1.2 Agency Project Roles with Fixing America’s Surface Transportation Act provisions regarding the acceleration of environmental review processes for surface transportation projects. ▶ Updated Section 3.2 Planning and Environmental Linkages with Figure 3-1 PEL Study Decision Tree, the purpose of a PEL study and the use of PEL study information in NEPA.
Chapter 4 - Environmental Impact Statement (Class I)	Chapter 4 updates include: <ul style="list-style-type: none"> ▶ Added Section 4.2 Activities Prior to Publication of a Notice of Intent (NOI) with Executive Order 13807 requirements that should be conducted prior to a NOI for a major infrastructure project. ▶ Updated Section 4.3 Agency Coordination in an EIS with Section 1305 of the Moving Ahead for Progress in the 21st Century Act, Section 1304 of the Fixing America’s Surface Transportation Act and the One Federal Decision Memorandum of Understanding for Major Infrastructure Projects.



Chapter	Description of Updates
	<ul style="list-style-type: none"> ▶ Revised Section 4.7 Purpose and Need for the Project to provide more information on FHWA guidance relative to the purpose and need statement. ▶ Updated Section 4.8.1 Developing Reasonable Alternatives to the Proposed Action with CDOT statewide guidelines for the evaluation of managed lanes. ▶ Updated Section 4.21.6 Documenting Reevaluations Using CDOT Form 1399 with the latest revisions and updates to CDOT Form 1399 and the guidance for conducting Reevaluations.
Chapter 5 - Categorical Exclusion (Class II)	No changes.
Chapter 6 - Environmental Assessment (Class III)	<p>Chapter 6 updates include:</p> <ul style="list-style-type: none"> ▶ Removed the reference to Chapter 4 for Section 6002 of SAFETEA-LU in Section 6.1. Added discussion about MAP-21 and the FAST Act as well as included the provisions that were added as part of the FAST Act in Section 6.1. ▶ Updated portions of the EA format. Changed the term “Preferred Alternative” to “Proposed Action” throughout the chapter. ▶ Added that CEQ regulations require an EA to include a purpose and need statement and removed the reference that Table 1 presents the purpose and need. Additionally, included FHWA guidance regarding the purpose and need statement in Section 6.3. ▶ Clarified in Section 6.3 that the purpose and need statement cannot predetermine a specific alternative. Also reiterated that the No Action alternative must be included in the EA evaluation. ▶ Added that the CDOT Environmental Stewardship Guide also includes the FHWA guidance and interpretive memoranda on how the purpose and need statement should be prepared. Also added the reference for AASHTO’s handbook on purpose and need and transportation alternatives in Section 6.3. ▶ Clarified that economic development and environmental protection should not be included in the purpose and need statement rather should be included in the evaluation criteria within the alternatives analysis.



Chapter	Description of Updates
Chapter 7 - Public Involvement Plan	<p>Chapter 7 updates include:</p> <ul style="list-style-type: none"> ▶ Removed the Public Involvement Technique/Examples attachment. ▶ Removed text stating that the chapter replaces the CDOT Procedures for Public Involvement and Participation in the Project Development and Environmental Analysis Process in Section 7. ▶ Included a specific reference to identify low-income and minority populations in Section 7.1.1. ▶ Included discussion regarding CDOT’s adoption of ADA principles in Section 7.2.4 as well as added a callout box with a link to Section 508 of the US Workforce Rehabilitation Action of 1973. ▶ Expanded Section 7.3.2 to include methods public notification methods, guidance for public hearings, specified the number of days that a document be available for review. ▶ Expanded a discussion regarding public hearings and public meetings and added a callout box regarding virtual public meetings in Section 7.4.2. ▶ Added guidance for the public meeting and the public hearing comment forms in Section 7.4.3. ▶ Updated attachments to the chapter.
Chapter 8 - Document Review Procedures	<p>Chapter 8 updates include:</p> <ul style="list-style-type: none"> ▶ Provided chapter references for documents. ▶ Expanded the review procedure for the Sequential, Concurrent, and Team Reviews in Sections 8.1.1, 8.1.2, and 8.1.3. ▶ Clarified the necessity of the certification letter and the method of distribution in Section 8.3 and the review period details in Section 8.4. ▶ Removed Table 8-1 (NEPA Document Distribution Requirements) from the chapter.
Chapter 9 - Resource Considerations	
Section 9.0 - Introduction	<p>Section 9.0 updates include:</p> <ul style="list-style-type: none"> ▶ Added guidance for Colorado’s SMART model criteria regarding mitigation commitments with a link to the CDOT Summary of Impacts and Mitigation table. ▶ Included reasons for evaluation under NEPA.
Section 9.1 - Geospatial Data	<p>Added contact information for NEPA practitioners to access and contribute internal content as well as a link to the GIS tools.</p>
Section 9.2 - Air Quality	<p>Section 9.2 updates include:</p> <ul style="list-style-type: none"> ▶ Reworked the introductory discussion to be more direct and concise. ▶ Added Figure 9-1 (Colorado NAAQS Nonattainment and Maintenance Areas).



Chapter	Description of Updates
	<ul style="list-style-type: none"> ▶ Added text that air quality evaluations must be completed by qualified practitioners. ▶ Expanded on Reasons for Evaluation of Air Quality under NEPA, Air Quality Analysis, the NEPA Documents Sections including the Affected Environment, Environmental Consequences, and Impacts and Mitigation. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.3 - Geologic Resources and Soil	<p>Section 9.3 updates include:</p> <ul style="list-style-type: none"> ▶ Expanded the discussion include geohazards and specific geohazard examples. ▶ Included discussion about the Foundation Investigation Report. ▶ Reiterated that CDOT's Geotechnical & Soils Program and Geohazards Program should be consulted during project scoping. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.4 - Water Quality	<p>Section 9.4 updates include:</p> <ul style="list-style-type: none"> ▶ Added guidance about water quality control measures in local MS4 areas. ▶ Removed Attachment A: Water Quality Model Program Decision Tree and inserted into the text as Figure 9-3. ▶ Expanded guidance for permanent water quality control measures. ▶ Added example language for mitigation commitments. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.5 - Floodplains	<p>Section 9.5 updates include:</p> <ul style="list-style-type: none"> ▶ Added a callout box to combine the water quality and floodplains technical reports into a single document. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.6 - Wetlands	<p>Section 9.6 updates include:</p> <ul style="list-style-type: none"> ▶ Added CDOT's OTIS program as a source of wetland information and mapping. ▶ Removed examples of wetland mitigation banks. ▶ Added a callout box with a link to the MOA between FHWA and CDOT. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.7 - Vegetation and Noxious Weeds	<p>Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.</p>
Section 9.8 - Fish and Wildlife	<p>Section 9.8 updates include:</p>



Chapter	Description of Updates
	<ul style="list-style-type: none"> ▶ Removed Waterfowl Depredations Prevention Act 1956 and Migratory Bird Hunting and Conservation Act 1934 ▶ Added discussion of the Migratory Bird Treaty Act 1918 and the Bald and Golden Eagle Protection Act (BGEPA) 1940 ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.9 - Threatened/Endangered (T&E) Species	Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.10 - Historic Properties	Section 9.10 updates include: <ul style="list-style-type: none"> ▶ Added a link to CDOT’s Section 106 process and a brief summary of each step was included. ▶ Expanded on the Use of NEPA for Section 106 Purposes. ▶ Removed Figure 9-3 (Section 106 / NEPA Substitution Process) ▶ Reworded text under Native American Consultation. ▶ Edited text under Consultation under the Colorado Register of Historic Places Act (CRS 24-80.1 and 8 CCR 1504-5) ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.11 - Paleontological Resources	Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.12 - Land Use	Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.13 - Social Resources	Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.14 - Economic Resources	Section 9.14 updates include: <ul style="list-style-type: none"> ▶ Added a callout box that stated land use, social resources, and economic resources can be combined into a single document. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.15 - Environmental Justice	Section 9.15 updates include: <ul style="list-style-type: none"> ▶ Removed reference to web user guide for collecting and evaluating baseline data. ▶ Removed Attachment B: Environmental Justice Census 2010 Directions. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.16 - Transportation Resources	Section 9.16 updates include: <ul style="list-style-type: none"> ▶ Added information about Transportation Demand Management, Transportation System Management, and transportation technology infrastructure with mitigation examples.



Chapter	Description of Updates
	<ul style="list-style-type: none"> ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.17 - Residential/Business/Right-of-Way Relocation	Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.18 - Utilities and Railroad Facilities	Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.19 - Section 4(f) Evaluation	Section 9.19 updates include: <ul style="list-style-type: none"> ▶ Updated weblinks within the chapter. ▶ Added a callout box for the Colorado Trail Explorer inventory and link. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.20 - Section 6(f) Evaluation	Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.21 - Farmlands	Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.22 - Noise	Section 9.22 updates include: <ul style="list-style-type: none"> ▶ Reworked the introductory discussion to be more direct and concise and suggested that the reader refers to the current CDOT Noise Analysis and Abatement Guidelines (NAAG) for guidance applicable to noise evaluations. ▶ Added text that noise evaluations must be completed by qualified practitioners and reworked the Noise Evaluation Process from Section 9.22.1. ▶ Added detail for Reasons for Evaluation of Noise under NEPA and suggested that the reader refers to the current CDOT NAAG for regulations and guidance applicable to noise. ▶ Summarized the process to determine if a proposed project will have noise impacts and if an impacted area will qualify for noise abatement. ▶ Rewrote the NEPA Documents Sections including the Affected Environment, Environmental Consequences, and Impacts and Mitigation. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.



Chapter	Description of Updates
Section 9.23 - Visual Aesthetics	<p>Section 9.23 updates include:</p> <ul style="list-style-type: none"> ▶ Reworked the introductory discussion to be more concise and suggested that the reader refers to the 2019 CDOT Visual Impact Assessment (VIA) Guidelines for guidance applicable to visual resources. ▶ Added text that visual resource evaluations must be completed by qualified practitioners and removed discussion from Section 9.23.1. ▶ Added detail for Reasons for Evaluation of Visual Resources under NEPA and suggested that the reader refers to the 2019 CDOT VIA for regulations and guidance applicable to visual resources. ▶ Summarized the VIA process phases. ▶ Rewrote the NEPA Documents Sections including the Affected Environment, Environmental Consequences, and Impacts and Mitigation. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.24 - Energy	<p>Section 9.24 updates include:</p> <ul style="list-style-type: none"> ▶ Added a callout box stating that energy should only be evaluated during an EIS. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.25 - Hazardous Materials	<p>Section 9.25 updates include:</p> <ul style="list-style-type: none"> ▶ Expanded the introductory discussion and introduced the CDOT Hazardous Materials Guidance Manual. ▶ Added text that hazardous materials assessments must be completed by qualified practitioners and removed discussion from Section 9.25.1. ▶ Added detail for Reasons for Evaluation of Hazardous Materials under NEPA and suggested that the reader refers to the CDOT Hazardous Materials Guidance Manual for regulations and guidance applicable to hazardous materials. ▶ Summarized the Hazardous Materials Assessment process. ▶ Added a callout box referencing the CDOT Hazardous Materials Guidance ▶ Removed Table 9-4 (CDOT Hazardous Material Document Guidance). ▶ Removed Other Issues to Consider ▶ Rewrote the NEPA Documents Sections including the Affected Environment, Environmental Consequences, and Impacts and Mitigation. ▶ Reiterated that the CDOT Summary of Impacts and Mitigation table should be completed.
Section 9.26 - Cumulative Impacts	Minor updates.



Chapter	Description of Updates
Section 9.27 - References	Cross checked references throughout the chapter and updated links.
Chapter 10 - Federal Transit Administration NEPA Processes and Compliance	Minor updates.
Appendices	Minor updates.