

CE Reevaluation
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NEPA Document Re-evaluations

» Smartform Implementation

Why Re-evaluate?

- To establish that the NEPA document, determination, or final project decision remains valid
- To determine if a new CE, EA, or supplemental EIS is necessary
- Required by 23 CFR 771.129



When to Re-Evaluate:

- Project is progressing to the next major federal approval
- Project changes
- Aging document



When to Re-Evaluate:

- Project is progressing to the next major federal approval
 - ROW acquisition
 - Final design
 - Project letting for construction



▶ 23 CFR 771.129(c)

When to Re-Evaluate:

➤ Project changes

- Project Design
- Environmental setting
- Laws/regulations
- Nature or severity of impacts
- Environmental commitments



When to Re-Evaluate:

▶ When to re-evaluate

◦ Aging Document

- Former Programmatic Agreement = 3 years
 - Continue to follow if project was approved under former PA
- New PA
 - 3 years for EIS only



▶ 23 CFR 771.129(a)

NEPA Document Re-Evaluations

- ▶ What does a re-evaluation look like?
 - Purpose of re-evaluation
 - Description of changes
 - Changes in impacts
 - Is the NEPA document/decision still valid?



NEPA Document Re-Evaluations

- ▶ What does a re-evaluation look like?
 - Memorandum (e-mail)
 - Specific re-evaluation form
 - Smartform



Who Approves Re-Evaluations?

- FHWA if,
 - Non-programmatic under old PA
 - If a project change results in exceeding threshold
 - Level 3 CEs under current PA
 - EA/EIS
- NDOR if,
 - Level 1 or 2 CE under current PA

