

Trigger 1: Project is Proceeding to Next Major Federal Approval (Applies to all NEPA Documentation)

As specified in 23 CFR 771.129(c), consultation regarding the validity of the approved environmental document or CE designation must occur prior to requesting any major federal approvals (final design, right of way acquisition, or approving PS&E) from FHWA.

Evaluation of the Document to Determine Validity

In order to determine the validity of the document, evaluation by qualified environmental planners and technical specialists is needed. Site visits may be needed depending on the circumstances and available information. Additional coordination with resource/regulatory agencies may also be necessary.

Possible Outcome

The documentation or CE designation remains valid

Possible Outcome

The document or CE designation needs updating or is longer valid

Document is Valid

If the determination is made that the document is still valid, that decision is documented by marking the appropriate line on page 1 of the NEPA/CEQA Re-validation Form and the form is signed, completing the process. No further documentation is necessary.

Document is Need of Updating or is No Longer Valid (Option 1)

If the original document or CE can be made valid with further analysis and documentation, check the second box under "NEPA Conclusion" on the NEPA/CEQA Re-validation form, fill out the continuation sheet(s) as needed, and then obtain approval signatures. If the determination is made that a supplemental environmental document or new CE is needed, check the third box under "NEPA Conclusion" on the NEPA/CEQA Re-Validation form, obtain approval signatures on the Re-Validation form and then proceed with the supplemental or new environmental document.

Document is in Need of Updating (Option 2)

On projects where there is a substantial amount of change to the project design or circumstances, yet no new document is required. A stand-alone document that states and supports the conclusion regarding whether the document remains valid or not may be prepared. In that case, check box two under "NEPA Conclusion" on the NEPA/CEQA Re-validation Form prepare the stand-alone document, and obtain signatures on the Re-validation form. The stand-alone document would use the same headings as those found on page 2 of the NEPA/CEQA Re-validation Form and again the focus would be on any changed to the project, its setting, or new issues that have arisen since the circulation of the document.

Trigger 2: Project Changed (Applies to all NEPA Documentation)

This circumstance involves consultation. Examples of project changes include: changes in project engineering/ design; changes to the environmental setting/ circumstances, including changes in laws and regulations; changes in nature and severity of environmental impacts; changes to environmental commitments--avoidance, minimization, and/or mitigation.

Evaluation of the Document to Determine Validity

Evaluation and documentation by qualified staff is needed. Site visits may be needed depending on the circumstances and available information. Additional coordination with resource/regulatory agencies may also be necessary.

Possible Outcomes

The documentation or CE designation remains valid

Possible Outcomes

The documentation or CE designation is in need of updating or is no longer valid.

Document is Valid

If the determination is made that the document is still valid, that decision is documented by marking the appropriate line on page 1 of the NEPA/CEQA Re-validation Form and the form is signed, completing the process. No further documentation is necessary.

Document is Need of Updating or is No Longer Valid (Option 1)

If the original document or CE can be made valid through further analysis and documentation, check the second box under "NEPA Conclusion" on the NEPA/CEQA Re-validation form, fill out the continuation sheet(s) as needed, and then obtain approval signatures. If the determination is made that a supplemental environmental document or new CE is needed, check the third box under "NEPA Conclusion" on the NEPA/CEQA Re-Validation form, obtain approval signatures on the Re-Validation form and then proceed with the supplemental or new environmental document.

Document is in Need of Updating (Option 2)

On projects where there is a substantial amount of change to the project design or circumstances, yet no new document is required. A stand-alone document that states and supports the conclusion regarding whether the document remains valid or not may be prepared. In that case, check box two under "NEPA Conclusion" on the NEPA/CEQA Re-validation Form prepare the stand-alone document, and obtain signatures on the Re-validation form. The stand-alone document would use the same headings as those found on page 2 of the NEPA/CEQA Re-validation Form and again the focus would be on any changes to the project, its setting, or new issues that have arisen since the circulation of the document.

**Trigger 3: Three-Year
Timeline (Applies to
EISs Only)**

DEIS

In accordance with 23 CFR 771.129(a) and (b) and Technical Advisory T6640.8A, a written evaluation of a draft EIS is required if the final EIS has not been submitted within three years of the circulation of the draft EIS. In this circumstance, the DEIS is subject to a written evaluation of its validity. While the entire project must be re-examined for changes, an evaluation of a DEIS should focus on any changes to the project, its setting, impacts, or new issues that have arisen since the circulation of the document. Based on the written evaluation, a decision is made whether to document that the existing DEIS remains valid, to supplement the existing DEIS, or prepare a new DEIS.

FEIS

The regulations and Technical Advisory require a written evaluation of a final EIS if major steps to advance the project have not occurred within three years of the approval of the final EIS, final EIS supplement, or the last major FHWA approval. The purpose of the written evaluation is to determine whether the EIS remains valid or whether a new or supplemental EIS is required. While the entire project must be re-examined for changes, an evaluation of a FEIS should focus on any changes to the project, its setting, impacts, or new issues that have arisen since the circulation of the document.

The NEPA/CEQA Re-validation Form can be sufficient to comprise the written reevaluation.

Document is Valid

If the determination is made that the document is still valid, that decision is documented by marking the appropriate line on page 1 of the NEPA/CEQA Re-validation Form and the form is signed, completing the process. No further documentation is necessary.

Prepare Supplemental EIS

Document Not Valid

Are there change to the proposed action or new information or circumstances that would result in significant environmental impacts not evaluated in the EIS?

Yes

No

**Document is Need of Updating or is No Longer Valid
(Option 1)**

If the EIS is in need of updating, check box number two under the "NEPA Conclusion" on the NEPA/CEQA Re-validation form, fill out page 2 of the NEPA/CEQA Re-validation Form, and continuation sheets as needed and obtain approval signatures on the Re-validation form. Note: That is the document is a DEIS, then text changes to the FEIS must be made as well to include the updated information. If the determination is made that a supplemental environmental document or new CE is needed, check the third box under "NEPA Conclusion" on the NEPA/CEQA Re-Validation form, obtain approval signatures on the Re-Validation form and then proceed with the supplemental or new environmental document.

Document is in Need of Updating (Option 2)

On projects where there is a substantial amount of change to the project design or circumstances, yet no new document is required. A stand-alone document that states and supports the conclusion regarding whether the document remains valid or not may be prepared. In that case, check box two under "NEPA Conclusion" on the NEPA/CEQA Re-validation Form prepare the stand-alone document, and obtain signatures on the Re-validation form. The stand-alone document would use the same headings as those found on page 2 of the NEPA/CEQA Re-validation Form and again the focus would be on any changed to the project, its setting, or new issues that have arisen since the circulation of the document.