

PRO 400-c: Re-evaluating an EA/EIS

See also: [EM Chapter 400](#)

Effective June 2012

Start procedure: The Federal Lead Agency or the Region/Modal Project Office determines that a re-evaluation may be needed. See Chapter 400 for criteria.

End procedure: The Region/Modal Project Office includes a signed copy of the re-evaluation document in the project file.

Actor:	Action:
Region/Modal Project Office	1. Discusses the change of conditions with Federal Lead, subject matter experts, management and environmental staff as needed to estimate the potential extent and severity of the change in conditions. <ul style="list-style-type: none"> • See Section 400.06(1) for criteria.
Region/Modal Project Office	2. Describes the change of conditions that warrants the re-evaluation in the ERS/ECS database.
Region/Modal Project Office	3. Conducts analysis using current data. <ul style="list-style-type: none"> • Consult with Region Environmental Coordinator (REC), HQ NEPA/SEPA Compliance Program Contact, and subject matter expert to determine analysis methodology, appropriate level of detail, and best available data sources. • Consider the type and degree of public controversy, the possibility of litigation, the original and anticipated type and degree of project impacts. • The analysis should encompass the same project limits as the original document. • Focus on the validity of the document for the action being approved (current phase). • Re-evaluations resulting from a change in the project should focus on those changes.
Region/Modal Project Office	4. Reviews most current version of the environmental document to determine how much of the document remains valid. Consider: <ul style="list-style-type: none"> • Are the traffic predictions current? • If you update traffic, then you must also update the noise and air quality analysis. • ESA listings. • Changes in the project that could change the environmental impacts. • Consults with subject matter experts as needed.

Actor:	Action:
Region/Modal Project Office	5. Compares the results developed in Steps 3 and 4 to determine if the environmental document remains valid. <ul style="list-style-type: none"> • Consults with REC or subject matter experts as needed. • If the document is still valid proceed to Step 6. • If the document is not valid meet with Federal Lead Agency to determine the appropriate supplemental environmental document. Document the results of the analysis and the meeting in the project file. Stop here.
Region/Modal Project Office	6. Drafts documentation of the results of Step 5. <ol style="list-style-type: none"> a) You can use: <ul style="list-style-type: none"> • WSDOT ERS/ECS database. • FTA’s Re-evaluation form • Write a white paper to describe effects. b) If you use a white paper it should include: <ul style="list-style-type: none"> • Reason for the re-evaluation. • Summary of the analysis and a statement that the current environmental document remains valid. • A place for the Federal Lead Agency representative to sign indicating their concurrence.
Region/Modal Project Office	7. Sends draft documentation prepared in Step 6 to HQ NEPA/SEPA Compliance Program Contact, subject matter expert, and REC for review and comment.
HQ NEPA/SEPA Compliance Program Contact, Subject Matter Expert, or REC	8. Reviews documents prepared in Step 6 and sends comments to Region/Modal Project Office.
Region/Modal Project Office	9. Revises documents as needed to address comments and requests meeting with Region Environmental Manager (REM).
Region/Modal Project Office	10. Meets with REM, presents materials developed in Step 9 and discusses findings.
Region Environmental Manager	11. Determines effects. <ul style="list-style-type: none"> • If there are no new findings/determinations, Region Environmental Manager signs re-evaluation to document informal concurrence. Go to Step 13. • If there are new findings/determinations, the Federal Lead Agency must review and approve. Findings may conclude that a supplemental environmental document is required. Go to Step 12.
Region/Modal Project Office	12. Meets with Federal Lead Agency, presents materials developed in Step 10 and REM determination from Step 11. <ul style="list-style-type: none"> • Federal Lead Agency may request additional information or

Actor:	Action:
	<p>propose alternate approach, such as preparation of a supplemental environmental document. If so, document the results of the meeting in the project file. Stop here.</p> <ul style="list-style-type: none"> • Project Office develops additional information and alters re-evaluation documentation as required to secure concurrence. Go to Step 13.
Federal Lead Agency	13. Signs re-evaluation materials to document formal concurrence with findings.
Region/Modal Project Office	14. Consider publishing a Statute of Limitations (SOL) on the re-eval. See Pro 400-ab6: Legal Considerations
Region/Modal Project Office	15. Informs HQ NEPA/SEPA Compliance Program Contact of meeting results by email.
Region/Modal Project Office	16. Includes a copy of the signed re-evaluation document in the project file.