

ODOT NEPA Manual

424 Categorical Exclusions (CEs)

Projects that are not specifically listed in 23 CFR 771.117 (c) or (d) and/or CE actions that exceed the 2015 PCE Agreement impact thresholds must be individually reviewed and approved by FHWA. CEs are documented with the *CE Closeout Document* and any required/supporting attachments, including the *Environmental Prospectus (EP)* and a *Standard ODOT Project Vicinity Map*. This section includes detailed procedures and requirements for processing and completing CE documentation.

The CE process and documentation discussed in this section apply only to projects that do not meet PCE criteria. FHWA CEs that are specifically listed in [23 CFR 771.117 \(c\) or \(d\)](#) and do not exceed the PCE Agreement impact thresholds should follow the CE process and documentation requirements in [Section 423, Programmatic Categorical Exclusions](#).

Processing CEs

Environmental scoping is essential and properly informs CE documentation. Environmental scoping must be conducted for all projects and is documented on the *EP*. Scoping is discussed in [Section 411, Scoping](#).

The overall CE process is shown in **Figure 424-1**. Step-by-step instructions are listed in **Table 424-1**. For a detailed process map illustrating the PCE process in the context of the ODOT project delivery process, see **Appendix 420-A**. After scoping, and for the purposes of tracking duration, the Project Kickoff is considered to be the start of the CE process. Project Kickoff is a fairly standard statewide ODOT project milestone marking the start of project design phase and establishment of a project charging account. For the those projects that do not have a formal Project Kickoff meeting or do not fit the typical ODOT project schedule template, the date of Notice to Proceed, or another suitable date, is used as the start date on CE documentation. The CE process ends, and FHWA authorization for ROW and construction can be requested, when FHWA approves the CE.

Figure: CE Process

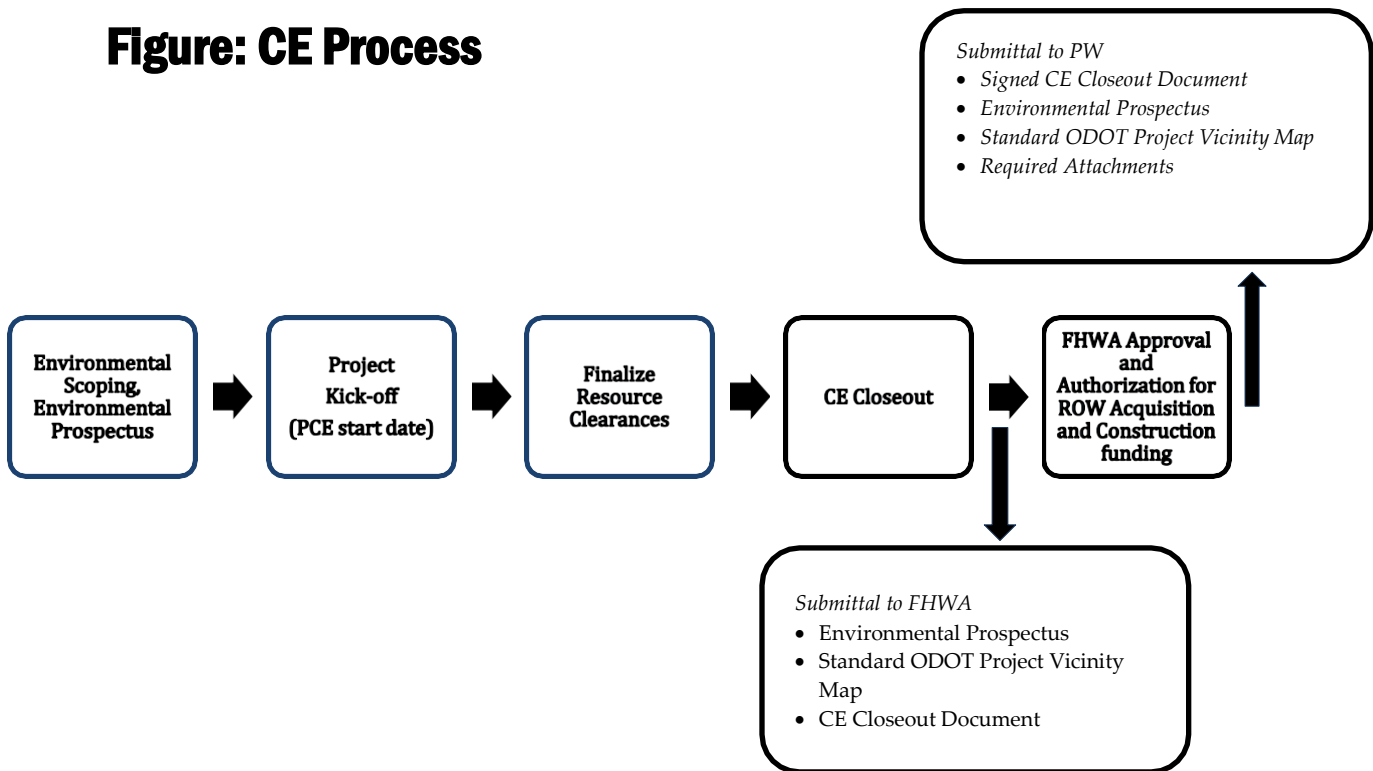


Table: CE Process and Timing

| Who Completes the Step? | Steps in the Process | How to Complete the Step |
|--|--|---|
| REC/Qualified ODOT Preparer | (1) <i>Environmental Prospectus</i> - Complete environmental scoping documentation. | Section 411 - Scoping |
| REC/Qualified ODOT Preparer | (2) <i>Project Vicinity Map</i> - Create a Standard ODOT Project Vicinity Map using the Project Vicinity Mapping Application or Microstation/ArcGIS conforming to Section 416 Mapping standards. | Section 416 - Mapping |
| REC/Qualified ODOT Preparer and Resource Specialists | (3) <i>Coordinate with Resource Specialists</i> - Coordinate with resource specialists the completion of all applicable CE supporting and required documentation along with all relevant discipline deliverable quality control documentation. REC ensures all required clearances and associated quality control documentation is in the correct ProjectWise project file location. | Section 426 – PCE/CE Discipline/Resource Compliance |
| REC/Qualified Peer ODOT Reviewer | (4) <i>Quality Control/Peer Review</i> – Perform a Quality Control/Peer Review of the draft CE Closeout Document and final/signed attachments. Document the Peer Review with the <i>Statewide CE Closeout Quality Control Peer Review Checklist & Log</i> . REC will also prepare the Environmental Statement of Technical Review (E-STR) that tracks quality control performed on discipline deliverables as appropriate. | Section 453.1 – PCE/CE Peer Review |

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| REC/Qualified ODOT Preparer | (5) CE Closeout - After receiving final supporting documentation, prepare a <i>CE Closeout Document</i> . Alternately, the CE Closeout Document can be completed incrementally as supporting documentation/information becomes available and finalized when all supporting documentation is complete. This typically occurs after advance plans have been produced but prior to final design. <i>If the project will require ROW the CE Closeout needs to be completed shortly after DAP or an alternative means of ROW acquisition should be considered.</i> | Section 424.2 – Completing CE Documents (CE Closeout Document) |
|----------------------------------|--|--|
| Who Completes the Step? | Steps in the Process | How to Complete the Step |
| REC/Qualified ODOT Preparer | (6) Preparer Signature - Electronically sign/date the <i>CE Closeout Document</i> using Adobe signature. | Section 424.2 – Completing CE Documents (CE Closeout Document) |
| REM/Qualified ODOT Approver | (7) Quality Control/Management Review – the REM or qualified designee confirms that an adequate and appropriate Quality Control review of the <i>CE Closeout Document</i> and attachments has been done, as evidenced by the REC-signed E-STR and associated discipline deliverable quality control documents, prior to the REM approving the PCE. When the <i>CE Closeout Document</i> and attachments are complete and accurate, electronically sign the <i>CE Closeout Document</i> using Adobe signature. | Section 453.2 CE/PCE Management Review |
| REC/Qualified ODOT Preparer | (8) Submittal to FHWA - Submit the <i>CE Closeout Document</i> and required attachments to FHWA by emailing the completed packet (if it is below the file size threshold) to the FHWA Environmental Specialist* or posting the materials on an accessible portion of the ODOT FTP site and e-mailing the link to the FHWA, Oregon Division Environmental Specialist*. | |
| FHWA Oregon Division Official | (9) FHWA Review - Upon receipt of an electronically submitted <i>CE Closeout Document</i> and required attachments, FHWA will strive to complete their review (for completeness and accuracy) within ten working days. Insufficient or incomplete documents will be returned for revision or additional information. | |
| FHWA Oregon Division Official | (10) FHWA Approval - If FHWA determines that the submittal is complete and accurate, the Environmental Specialist will provide their signature attesting that FHWA has approved the <i>CE Closeout Document</i> and NEPA is complete. The Environmental Specialist will email the approved <i>CE Closeout Document</i> to the ODOT email address(es) provided in the “Return Signed Form and attachments to” text field below the signature line on the <i>CE Closeout Document</i> . | Section 424.2 – Completing CE Documents (CE Closeout Document) |
| REC/Qualified ODOT Preparer | (11) ROW and Construction Authorization - Email the Project Leader/Local Agency Liaison, R/W Agent, and Region STIP Coordinator that the NEPA <i>CE Closeout Document</i> has been approved. Attach E-STR to the email. | |
| | Note: R/W acquisition with state funds can proceed prior to FHWA approval of the <i>CE Closeout Document</i> per MAP-21 and in accordance with ODOT ROW Bulletin 09-04(B). | |

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|--------------------------------|--|--|
| REC/Qualified ODOT Preparer | (12) <i>Submittal to ProjectWise</i> - Submit the <i>CE Closeout Document</i> and required attachments to PW by creating a “set” in the CE PCE NGD Projects folder within ProjectWise shortly after the REM signature. | Section 427 – Managing Categorical Exclusion (CE), Programmatic Categorical Exclusion (PCE), and No Ground Disturbance (NGD), Documentation in ProjectWise |
| REC/Qualified ODOT Preparer | (13) <i>PS&E Package</i> – Provide the ODOT TPM/RE-CP or Region Specifications Writer an electronic (PDF) copy of the signed <i>CE Closeout Document</i> from FHWA and the REC-signed E-STR, without attachments. This copy is for the PS&E package Project Control Office (PCO) for all projects with a FHWA nexus. | |
| REC/Qualified ODOT Preparer | (14) <i>Recordkeeping</i> – A copy of all records that document decision-making and supporting environmental clearances should be filed in the official, permanent NEPA Project Record retained in the Region. | Section 460 - Recordkeeping |

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Completing CE Documents

The CE Closeout Document verifies that the project qualifies for a CE under 23 CFR 771.117, summarizes how environmental concerns identified during scoping were evaluated, avoided, or resolved, and confirms that neither significant environmental effects nor unusual circumstances will result.

The following explains how to fill out each of the fields on the CE Closeout Document:

PCE Agreement Thresholds - At the top of the *CE Closeout Document* are three dropdown menus listing the PCE Agreement threshold criteria which, if met or exceeded, preclude ODOT from approving a project as a PCE. From the first dropdown menu, select the PCE criterion that precludes the project from being approved as a PCE. If the project exceeds more than one PCE criterion, select the additional criteria in the remaining two dropdown menus. More information for considering the PCE Agreement threshold criteria is included in [Section 423.2, Completing PCE Documents \(PCE Determination Form\)](#).

Project Name – Enter the ODOT project name.

Region – Select the appropriate ODOT Region number from the drop-down list.

Project Sponsor – Enter the project sponsor, which will either be ODOT or a local agency. If the project sponsor is a local agency, enter the name of the local agency.

Federal-Aid Number – Enter the FHWA Federal-Aid number. The Federal-Aid number is assigned by the ODOT Program and Funding Services (PFS) Office during the Preliminary Engineering (PE) phase and includes the suffix –PE; however, the number could also be assigned

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for right-of-way (ROW) or construction phases and thus include the –RW or –CON suffix, respectively. The Project Leader, or the Region's Federal-Aid Programmer, from PFS, can provide the Federal-Aid number.

ODOT Key Number – Enter the current ODOT Key Number. Make note of any previously assigned Key Numbers in the Project Description field.

City/County – Enter the city and county where the project is located or nearest.

FHWA Nexus - Select the appropriate FHWA nexus from the drop-down list or enter the FHWA nexus. When the FHWA nexus is funding, select the project phases being funded (i.e. PE, R/W, and/or Construction).

Purpose and Need - For CEs, the Purpose and Need can be a brief statement of the problem(s) that the proposed project is intended to address (need) and a brief explanation of the primary reason for why the project is being proposed (purpose). For questions and/or assistance regarding the Purpose and Need statement, please contact ODOT NEPA Program staff and/or FHWA Oregon Division.

Project Description – See [Section 415, Project Description](#). The Project Description must fully describe all components of the proposed project, with the project location and termini clearly defined. The Project Description should be written so that a person with no prior knowledge of the project could understand what is being proposed.

Required Attachments –

- └ **Environmental Prospectus** - See [Section 411, Scoping](#). The *Environmental Prospectus* is a required attachment to the *CE Closeout Document*. The *Environmental Prospectus* should be signed by a REC/Qualified Preparer and dated prior to the CE Closeout Document.
- └ **Project Vicinity Map** - See [Section 416, Mapping](#). A *Standard ODOT Project Vicinity Map* is a required attachment to the *CE Closeout Document*.

ODOT Preparer Signature – The *CE Closeout Document* must be signed electronically (Adobe signature) by REC/Qualified Preparer. The date and time stamp must be visible on the electronic and printed copies of the *CE Closeout Document*. For any *CE Closeout Document* not prepared by an ODOT REC, an ODOT REC must perform a Quality Control review, make or direct revisions to be made as appropriate, and electronically sign *as the ODOT Preparer* once it is deemed to be accurate and complete.

ODOT Approver Signature - The *CE Closeout Document* must be signed electronically (Adobe signature) by an ODOT REM or their designated staff such as the Environmental Lead, or other Qualified Preparer. The date and time stamp must be visible on the electronic and printed copies of the *CE Closeout Document*. The ODOT Approver electronic signature confirms that the

Qualified Preparer has performed a Quality Control/Management Review (see [Section 453.2 CE/PCE Management Review](#)).

FHWA Official Signature - Upon approval of an electronically submitted copy of a *CE Closeout Document*, a FHWA Oregon Division Official will provide a signature attesting that FHWA has approved the *CE Closeout Document* and NEPA is complete.

“Return Signed Form and attachments to” field - By default, the ODOT NEPA PROGRAM e-mail address is listed in the “Return Signed Form and attachments to” text field; add the applicable REC and/or other email address to the box when completing the *CE Closeout Document*. FHWA Oregon Division will email the approved CE Closeout Document to the ODOT email address(es) provided in the text field.