

# PRO 400-b: Preparing an EIS

*For projects with FHWA or FTA as federal lead agencies. If FRA is your federal lead agency, the procedures will be different, talk to the Rail Office for guidance.*

See also: [EM](#) Chapters 400- 470

**Effective March 2013**

**Start procedure:** Transportation project identified as needing an EIS assigned to Region/Modal Project Lead.

**End procedure:** Issuance of combined FEIS and Record of Decision (ROD) per MAP-21 Section 1319, or ROD.

Actor	Action
Region/Modal Project Office or Region Environmental Coordinator	1. <b>Assigned</b> project and reviews ERS/ECS database, project description, limits, schedule, and budget.
Region/Modal Project Office or REC	2. <b>Contacts</b> HQ ESO NEPA Specialist about newly assigned project and schedules compliance strategy meeting. <ul style="list-style-type: none"> <li>• Sends memo notifying HQ ESO Director (with cc to HQ ESO NEPA Specialist) that the Region is beginning work on an EIS. Email is an acceptable method of notification.</li> </ul> <b>Major Decision:</b> Place a copy of the notice in the Project File. See <a href="#">TSK 400-ab7: Creating a Project file to Support the Administrative Record.</a>
HQ ESO NEPA Specialist	3. <b>Coordinates</b> on NEPA/SEPA compliance strategy for the project with the REC and Project Team <ul style="list-style-type: none"> <li>• Review <a href="#">NEPA/SEPA Strategy Checklist</a> with REC</li> <li>• Logs the project into the HQ ESO NEPA/SEPA database</li> <li>• Discuss project schedule and dates (i.e. AD, meetings, time lines, and due dates.)</li> <li>• Discuss NEPA/SEPA procedures</li> <li>• Discuss FAST Act NEPA Environmental Checklist</li> <li>• Discuss HQ ESO role and services during the NEPA process.</li> <li>• Assess potential for the project to meet MAP-21 Section 1319 requirements for combining FEIS and ROD. (See <a href="#">Combined FEIS-ROD guidance.</a>)</li> <li>• Produces a Compliance Strategy meeting summary.</li> </ul>

Actor	Action
<p>Region/Modal Project Office or REC</p>	<p>4. <b>Schedules and conducts</b> Project Initiation Meeting.</p> <ul style="list-style-type: none"> <li>• See <a href="#">TSK 400-ab1: Project Initiation Meeting</a>.</li> <li>• Determine Legislative intent, Federal Lead Agency (or Co-Lead), permits, Section 4(f) and 6(f) impacts, and potential Discipline Reports needed.</li> <li>• Review draft Coordination Plan.</li> <li>• Review draft Project Initiation letter</li> </ul>
<p>HQ ESO Director</p>	<p>5. <b>Sends</b> Project Initiation letter to Federal Lead Agency.</p> <ul style="list-style-type: none"> <li>• See example <a href="#">letter</a>.</li> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
<p>Region/Modal Project Office or REC</p>	<p>6. <b>Invites</b> Participating and Cooperating Agencies.</p> <ul style="list-style-type: none"> <li>• See <a href="#">PRO 400-b2: Requesting Agency Cooperation</a>.</li> <li>• REC may include EIS Coordination Plan in invite to participating and cooperating agencies, or share at Project Initiation Meeting</li> <li>• Invitation to participating agencies must be extended within 45 days of publishing the NOI</li> <li>• <b>Major Decision:</b> Document responses in Project File.</li> </ul>
<p>Region/Modal Project Office or REC</p>	<p>7. <b>Completes</b> project management documents see <a href="#">TSK 400-ab1: Project Initiation Meeting</a>.</p> <ul style="list-style-type: none"> <li>• <a href="#">EIS Coordination Plan</a> – <u>plan must be established no later than 90 days after publishing the NOI</u></li> <li>• <a href="#">Community Engagement Plan</a></li> <li>• Tribal Coordination Plan</li> </ul>
<p>Region/Modal Project Office or REC</p>	<p>8. <b>Prepares</b> Scoping information packet. The packet includes:</p> <ul style="list-style-type: none"> <li>• A brief explanation of what scoping is and how scoping will proceed.</li> <li>• A draft Purpose and Need statement.</li> <li>• A brief description and map(s) showing the project termini and all proposed alternatives.</li> <li>• A general description of the known environmental impacts and benefits of each alternative.</li> <li>• A list of specific issues on which comments are requested.</li> <li>• The materials should: encourage reviewers to recommend improvements to the proposed alternatives; disclose environmental and social issues of concern; and, emphasize that the preferred alternative has not been selected at this stage of the process.</li> </ul>

Actor	Action
	<ul style="list-style-type: none"> <li>• A schedule for completion of the environmental document.</li> <li>• An assessment of the potential for the project to meet MAP-21 Section 1319 requirements for combining the FEIS and ROD</li> </ul>
Region/Modal Project Office or REC	<p>9. <b>Prepares</b> draft Notice of Intent (NOI) and project scoping notice.</p> <ul style="list-style-type: none"> <li>• Sends it to Federal Lead Agency for comment. See <a href="#">FHWA T6640.8A</a> Appendix B for NOI content and guidelines.</li> <li>• Revises NOI as required.</li> <li>• Provides Federal Lead Agency final draft.</li> </ul>
Federal Lead Agency	<p>10. <b>Sends</b> NOI to USEPA for publication in Federal Register.</p>
Region/Modal Project Office or REC	<p>11. <b>Publishes</b> NOI in newspaper.</p> <ul style="list-style-type: none"> <li>• 30 day comment period for Purpose and Need and Range of Alternatives begins with publication.</li> <li>• The lead agency may decide to extend the comment period if warranted.</li> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>12. <b>Works</b> with Communications Office to plan scoping meetings.</p> <ul style="list-style-type: none"> <li>• Completes demographic analysis (<a href="#">TSK 458-b</a>) to determine if translation services are needed.</li> <li>• Develops presentation displays and handouts.</li> <li>• Contacts known local citizen groups and civic leaders to gauge public interest and level of controversy.</li> <li>• Consider the location and number of meetings needed to reach target audiences.</li> <li>• Completes checklist for public meeting.</li> <li>• Posts Public Involvement and Tribal Coordination Plan on web page before scoping meeting.</li> </ul>
Region/Modal Project Office or REC	<p>13. <b>Conducts</b> Agency and Tribal Scoping Meetings.</p> <ul style="list-style-type: none"> <li>• Day meeting with cooperating and participating agencies.</li> <li>• 30 day comment period for agencies is optional. All comments should be returned by the published public comment period date.</li> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>14. <b>Conducts</b> Public Scoping Meeting.</p> <ul style="list-style-type: none"> <li>• Recommend night meeting on same day as Agency and Tribal Scoping meetings.</li> <li>• Use same information, displays, and presentations developed for the Agency Scoping meeting.</li> </ul>

Actor	Action
	<ul style="list-style-type: none"> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>15. <b>Collaborates</b> with the Federal Lead Agency, Cooperating and Participating Agencies to define the impact assessment methodologies for the project.</p> <ul style="list-style-type: none"> <li>• Contact HQ ESO NEPA Specialist to coordinate and whenever non-standard methodologies (i.e., not listed in the EM) are used. (Consider using <a href="#">Scoping Comment Tool</a>).</li> <li>• Solicit cooperating and participating agency input about combining the FEIS and ROD per MAP-21 Section 1319.</li> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>16. <b>Collects</b> comments on draft Purpose and Need statement, range of alternatives, and EIS format.</p> <ul style="list-style-type: none"> <li>• Organizes comments received, answers questions and incorporates relevant considerations into project design. (Consider using Scoping Comment Tool).</li> <li>• Sends revised documents to Federal Lead Agency for concurrence.</li> <li>• Reviews comments and determines format for EIS per MAP-21 Section 1319.</li> </ul>
Federal Lead Agency	<p>17. <b>Reviews</b>, revises as needed, and when appropriate, concurs with Purpose and Need and proposed Range of Alternatives.</p> <ul style="list-style-type: none"> <li>• Returns comments to Region/Modal Project Office.</li> <li>• Confirms EIS format per MAP-21 Section 1319.</li> <li>• Federal Lead may determine that an EIS is not warranted. If so STOP here.</li> <li>• <b>Major Decision:</b> Document decisions in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>18. <b>Develops</b> screening criteria for project alternatives.</p> <ul style="list-style-type: none"> <li>• Ties criteria to project Purpose and Need. (Consider using Scoping Comment Tool).</li> <li>• Includes technical, economic, and environmental considerations when selecting screening criteria.</li> <li>• Always includes No Build as one of the alternatives.</li> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>19. <b>Identifies</b> range of alternatives to be studied in detail as a result of the screening process.</p> <ul style="list-style-type: none"> <li>• Include at least 2 alternatives and the No Build.</li> <li>• Include an explanation of the screening criteria in the document.</li> </ul>

Actor	Action
	<ul style="list-style-type: none"> <li>• Include discussion of any comments on the alternatives you received during scoping.</li> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>20. <b>Drafts</b> outline for the Preliminary DEIS (PDEIS) and Section 4(f) and 6(f) evaluation (if needed) and sends it to the HQ ESO NEPA Specialist for review.</p> <ul style="list-style-type: none"> <li>• If the project meets MAP-21 Section 1319 requirements for a combined FEIS/ROD, the DEIS must identify a preferred alternative and disclose the intent to combine the FEIS and ROD. (See <a href="#">FHWA interim guidance.</a>)</li> </ul>
HQ ESO NEPA Specialist	<p>21. <b>Reviews and comments</b> on draft outline.</p> <ul style="list-style-type: none"> <li>• The Project Office or REC addresses comments and revises outline as needed.</li> </ul>
Region/Modal Project Office or REC	<p>22. <b>Submits</b> revised Outline to the Federal Lead Agency for review and comment.</p> <ul style="list-style-type: none"> <li>• The Project Office or REC addresses comments and revises outline as needed.</li> <li>• Secures Federal Lead Agency approval of outline.</li> <li>• Provides a copy of the finalized outline to the HQ ESO NEPA Specialist.</li> </ul>
Region/Modal Project Office or REC	<p>23. <b>Conducts</b> analysis.</p> <ul style="list-style-type: none"> <li>• Write Discipline Reports if needed. See <a href="#">TSK 400-ab2: Determining What Discipline Reports are Needed</a> and <a href="#">PRO 400-ab3: Writing Discipline Reports.</a></li> <li>• Topics that are not complex, significant, and controversial are addressed in the environmental document and do not require completion of discipline reports. Supporting documentation may be included in the appendix of the environmental document.</li> </ul>
Region/Modal Project Office or REC	<p>24. <b>Creates</b> commitment file for the project.</p> <ul style="list-style-type: none"> <li>• Identifies various environmental commitments made at public meetings, in discipline reports, and the environmental document.</li> <li>• Describes methods to ensure commitments are actualized.</li> <li>• Includes these commitments in the file.</li> </ul>
Region/Modal Project Office or REC	<p>25. <b>Writes</b> the PDEIS and Section 4(f) and 6(f) evaluation (if applicable).</p>

Actor	Action
	<ul style="list-style-type: none"> <li>• Follow format guidance if it has been determined that the project qualifies for a combined FEIS/ROD per MAP-21 Section 1319.</li> <li>• Document basics include <a href="#">REF 400-ab3: Standard Publication Messages</a>, and <a href="#">Ensuring Document Quality</a>. The document is written, reviewed and approved in sections.</li> <li>• HQ ESO NEPA Specialist reviews and comments on each section of the working version of the PDEIS. The Project Office or REC addresses all comments, revises the section as needed, and reviews changes with HQ ESO NEPA Specialist before sending it to the Federal Lead Agency for review.</li> <li>• The sections of the working version of the PDEIS are written, reviewed and revised according to feedback from ESO, and then sent to the Federal Lead Agency for review and approval. The sections are reviewed sequentially in the following order: <ul style="list-style-type: none"> <li>○ Purpose and Need</li> <li>○ Proposed Alternatives</li> <li>○ Existing Conditions.</li> <li>○ Environmental Issues</li> <li>○ Mitigation</li> <li>○ Executive Summary</li> <li>○ ROD (if the project meets criteria per MAP-21 Section 1319).</li> </ul> </li> <li>• Reviewers should review the <a href="#">Comment Form Analysis Report</a> to assure that common document issues are addressed during writing. This can expedite document review</li> <li>• Use <a href="#">WSDOT Comment Form</a>.</li> <li>• Once all sections are completed, sends complete document to HQ ESO NEPA Specialist for a general review of the overall document.</li> </ul>
<b>Region/Modal Project Office or REC</b>	<p>26. <b>Makes</b> revisions to the PDEIS in response to the multiple review cycles required above.</p> <ul style="list-style-type: none"> <li>• Addresses all comments from both the HQ ESO NEPA Specialist and the Federal Lead Agency</li> </ul>
<b>Region/Modal Project Office or REC</b>	<p>27. <b>Requests</b> a Federal ID Number from HQ ESO NEPA Specialist</p>

Actor	Action
	<ul style="list-style-type: none"> <li>This step only applies if FHWA is the Federal Lead Agency, FTA does not use ID numbers on their environmental documents.</li> </ul>
<b>HQ ESO NEPA Specialist</b>	28. <b>Gets</b> Federal ID number for the PDEIS from FHWA. <ul style="list-style-type: none"> <li>Informs Region/Modal Project Office or REC of the ID number.</li> </ul>
<b>Region/Modal Project Office or REC</b>	29. <b>Sends</b> PDES and draft Section 4(f) and 6(f) evaluation as applicable to Federal Lead Agency for review. <ul style="list-style-type: none"> <li>If FHWA is Federal Lean, include ID number on the cover page.</li> </ul>
<b>Federal Lead Agency</b>	30. <b>Sends</b> PDEIS, including draft Section 4(f) and 6(f) evaluation as applicable, for legal review. <ul style="list-style-type: none"> <li>FHWA review requires 30 days.</li> <li>FHWA and FTA may conduct concurrent review of draft if warranted. Federal Lead Agency makes the determination.</li> <li>Sends comments back to Project Office or REC.</li> </ul>
<b>Region/Modal Project Office or REC</b>	31. <b>Makes</b> required revisions. <ul style="list-style-type: none"> <li>All comments are addressed to Federal Lead Agency’s legal staff’s satisfaction. This may require multiple review and revision cycles. The PDEIS becomes the DEIS when all comments have been address and revisions approved.</li> <li>Creates camera ready DEIS.</li> </ul>
<b>Region/Modal Project Office or REC</b>	32. <b>Requests</b> a Signature Briefing with the ESO Director be scheduled by the HQ ESO NEPA Specialist
<b>HQ ESO NEPA Specialist</b>	33. <b>Requests and holds</b> HQ ESO Director Briefing. See <a href="#">PRO 400-ab4: Conducting ESO Signature Briefing</a> . <ul style="list-style-type: none"> <li>HQ ESO Director signs the DEIS.</li> <li>The Federal Lead Agency may attend the ESO Director Briefing, or a separate briefing may be held to secure Federal Lead Agency’s signature with ESO Director’s consent.</li> <li>Returns copies to the Project Office or REC.</li> <li><b>Major Decision:</b> Include signed copy in the Project File.</li> </ul>
<b>Region/Modal Project Office or REC</b>	34. <b>Prints and distributes</b> the DEIS and draft Section 4(f) and 6(f) Evaluations as applicable. <ul style="list-style-type: none"> <li>See <a href="#">distribution list</a>.</li> </ul>

Actor	Action
Region/Modal Project Office or REC	<p>35. <b>Publishes</b> Notice of Availability and Environmental Hearing Notice. For the DEIS.</p> <ul style="list-style-type: none"> <li>• See <a href="#">REF 400-ab5: Notice of Availability</a>.</li> <li>• The document comment period is based on the publication date.</li> <li>• <b>Major Decision:</b> Include copy in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>36. <b>Holds</b> Environmental Hearing* on the DEIS</p> <ul style="list-style-type: none"> <li>• Schedule hearing 15 days after NOA.</li> <li>• Comment period is 45 days (60 days if an Individual Section 4(f) evaluation is included in the EIS.</li> <li>• See <a href="#">TSK 400-ab9: Environmental Hearing</a> and refer to WSDOT <a href="#">Design Manual Chapter 210</a> for hearing process.</li> <li>• Prepare a per-hearing packet and send it to the HQ Access and Hearings Section at least 45 days in advance of the environmental hearing.</li> <li>• Collect comments on the DEIS.</li> <li>• <b>Major Decision:</b> Include summary in Project File.</li> </ul>
Region/Modal Project Office or REC an	<p>37. <b>Considers and responds</b> to all substantive comments.</p> <ul style="list-style-type: none"> <li>• HQ ESO NEPA Specialist reviews comments and responses and determines if the project is likely to meet <a href="#">MAP-21 Section 1319</a> requirements for the Final EIS Errata Sheet Approach and/or combined FEIS and Record of Decision. If the project is likely to meet requirements, discusses options with Federal Lead Agency and secures concurrence. Informs Region/Modal Project Office or REC of determination.</li> <li>• FEIS must contain copies of the comments received on the DEIS, and responses to those comments. The MAP-21 format allows use of errata sheets if comments are minor, responses are limited to factual corrections, describe why additional response is not warranted. <a href="#">See interim guidance</a>.</li> <li>• If the EIS is amended in response to comments those changes should be referenced in the response. Voluminous comments may be summarized, or errata sheet, <ul style="list-style-type: none"> <li>• <b>Major Decision:</b> Include copy of comments and decision on environmental document format in Project File.</li> </ul> </li> </ul>
Federal Lead Agency	38. <b>Reviews and evaluates</b> comments.



Actor	Action
	<ul style="list-style-type: none"> <li>• Determines if significant changes to the project are required.</li> <li>• Determines if significant new information has been provided about the project’s impacts that have not been addressed. See <a href="#">REF 400-c1 Supplemental EIS Naming Conventions</a>.</li> <li>• If an alternative other than the Preferred Alternative is selected the selection must be justified in the environmental document.</li> <li>• Determines if additional study or Discipline Reports are needed. Provides specific guidance to Project Office or REC.</li> <li>• Determines if the impacts of the Preferred Alternative fall within the discussed impacts for alternatives described in the DEIS and the current analysis is sufficient to meet current standards.</li> <li>• Determines if the DEIS adequately identifies and quantifies the environmental impacts of all reasonable alternatives.</li> <li>• Confirms that comments are minor and the Final EIS Errata Sheet Approach and/or combined FEIS and Record of Decision format (per Section 1319 MAP-21), is still appropriate. If not Project Office or REC begins writing Preliminary FEIS.</li> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
<p><b>Region/Modal Project Office or REC</b></p>	<p>39. <b>Writes</b> Preliminary FEIS or Final EIS Errata Sheet and/or combined FEIS and Record of Decision, per Section 1319a MAP-21. Confirms FEIS format with Federal Lead Agency. FHWA <a href="#">T6640.8A</a> identifies 3 alternative formats for the FEIS.</p> <ul style="list-style-type: none"> <li>• Completes additional analysis, if any, required by Federal Lead Agency.</li> <li>• Drafts the ROD and/or combined FEIS and Record of Decision. For content see <a href="#">REF 400-b5: Typical Content of ROD</a> for guidance on content. (Skip this bullet if you are not writing a condensed environmental document.)</li> <li>• ESO NEPA Specialist provides/coordinates independent third party review with subject matter experts as needed, and provides comments on PFEIS. If you are writing a Final EIS Errata Sheet and/or combined FEIS and Record of Decision, the ESO NEPA Specialist reviews the entire</li> </ul>

Actor	Action
	<p>package (<a href="#">see interim guidance for content</a>) and provides comments.</p> <ul style="list-style-type: none"> <li>• Addresses comments.</li> <li>• Sends revised PFEIS to the Attorney General’s Office for legal sufficiency review.</li> </ul>
<b>Attorney General’s Office (AGO)</b>	<p>40. <b>Reviews and comments</b> on the PFEIS or Final EIS Errata Sheet and/or combined FEIS and Record of Decision (if appropriate).</p> <ul style="list-style-type: none"> <li>• Required for controversial projects. Optional for non-controversial projects. Consult with AGO if uncertain.</li> <li>• May be done concurrently with Federal Lead Agency review with their consent.</li> <li>• Returns comments to Project Office or REC.</li> </ul>
<b>Region/Modal Project Office or REC</b>	<p>41. <b>Incorporates</b> comments into the PFEIS, or Final EIS Errata Sheet and/or combined FEIS and Record of Decision, and sends document to the Federal Lead Agency for review and comment.</p>
<b>Federal Lead Agency</b>	<p>42. <b>Reviews and comments</b> on PFEIS or Final EIS Errata Sheet and/or combined FEIS and Record of Decision.</p> <ul style="list-style-type: none"> <li>• Sends comments to Project Office or REC.</li> <li>• Project Office or REC addresses all comments.</li> <li>• Federal Lead Agency concurs that comments have been adequately addressed.</li> </ul>
<b>Region/Modal Project Office or REC</b>	<p>43. <b>Addresses</b> all comments and returns revised PFEIS or Final EIS Errata Sheet and/or combined FEIS and Record of Decision to Federal Lead Agency.</p> <ul style="list-style-type: none"> <li>• Federal Lead Agency concurs that their comments have been adequately addressed.</li> </ul>
<b>Federal Lead Agency</b>	<p>44. <b>Sends</b> PFEIS and Final Section 4(f) Evaluation (if applicable) or Final EIS Errata Sheet and/or combined FEIS and Record of Decision for legal sufficiency review.</p> <ul style="list-style-type: none"> <li>• Takes up to 30 days for FHWA review. Time requirements will vary for other Federal Lead Agencies and will be determined on a case-by-case basis.</li> <li>• When Federal Lead Agency’s attorney determines the PFEIS or Final EIS Errata Sheet and/or combined FEIS and Record of Decision is legally sufficient, it sends written documentation to Federal Lead Agency Division Administrator (letter or email).</li> <li>• Federal Lead Agency Division Administrator notifies Project Office or REC that the document is legally sufficient.</li> </ul>

Actor	Action
	<ul style="list-style-type: none"> <li>Document becomes the FEIS.</li> </ul>
Region/Modal Project Office or REC	<p>45. <b>Prepares</b> camera ready FEIS, or Final EIS Errata Sheet and/or combined FEIS and Record of Decision and requests ESO Signature Briefing for signature.</p>
HQ ESO NEPA Specialist	<p>46. <b>Conducts</b> ESO Signature Briefing.</p> <ul style="list-style-type: none"> <li>See <a href="#">PRO 400-ab4: ESO Signature Briefing</a></li> <li>HQ ESO Director signs the FEIS.</li> <li>The Federal Lead Agency may attend the ESO Director Briefing with ESO Director’s consent. Otherwise a separate briefing must be held.</li> <li>Returns copies to the Project Office or REC.</li> <li><b>Major Decision:</b> Include signed copy in the Project File.</li> </ul>
Region/Modal Project Office or REC	<p>47. <b>Prepares</b> final edition for publication.</p>
Region/Modal Project Office or REC	<p>48. <b>Prints and distributes</b> FEIS or Final EIS Errata Sheet and/or combined FEIS and Record of Decision and Final Section 4(f) Evaluation (if applicable).</p> <ul style="list-style-type: none"> <li>Distribute in a manner similar to the DEIS.</li> <li>See <a href="#">distribution list</a>.</li> <li><b>Major Decision:</b> document in Project File.</li> </ul>
Federal Lead Agency	<p>49. <b>Posts</b> Notice of Availability (NOA) in Federal Register.</p> <ul style="list-style-type: none"> <li>See <a href="#">REF 400-ab5: Notice of Availability</a>. An environmental hearing is not required for the FEIS.</li> <li>Comments received within 30 days of the issuance of the FEIS will be noted and responded to in the Record of Decision (ROD).</li> <li>Post NOA in SEPA register and newspapers.</li> <li><b>Major Decision:</b> Document in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>50. <b>Drafts</b> ROD (Skip steps 47 through 49 if a Final EIS Errata Sheet and/or combined FEIS and ROD were prepared for this project per <a href="#">MAP-21 Section 1319</a>).</p> <ul style="list-style-type: none"> <li>See <a href="#">REF 400-b5: Typical Content of ROD</a> for guidance on content. Includes responses to comments on the FEIS if any were received.</li> <li>Federal Lead Agency reviews and comments on draft ROD or chooses to complete the ROD and provide WSDOT copy for review.</li> <li>Project Office or REC revises draft as needed and provides Federal Lead Agency with revised Draft ROD.</li> </ul>

Actor	Action
Federal Lead Agency	<p>51. <b>Sends</b> revised draft ROD for legal review (optional)</p> <ul style="list-style-type: none"> <li>• Legal review requires at least 30 days.</li> <li>• Collects comments and sends them to Project Office or REC.</li> <li>• Project Office or REC revises document until Federal Lead Agency legal staff agrees that all necessary revisions have been made, or the Federal Lead Agency revises the document and consults WSDOT concerning agreement on revisions prior to signature.</li> </ul>
Federal Lead Agency	<p>52. <b>Signs</b> ROD.</p> <ul style="list-style-type: none"> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>53. <b>Publishes</b> Notice of Availability (NOA).</p> <ul style="list-style-type: none"> <li>• Publishes notice in local newspapers. See <a href="#">REF 400-ab5: Notice of Availability</a>. An Environmental Hearing is not required after the ROD.</li> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>54. <b>Meets</b> with Federal Lead Agency to determine if a Statute of Limitations Notice should be published for the project.</p> <ul style="list-style-type: none"> <li>• See <a href="#">PRO 400-ab6: Legal Considerations</a>.</li> <li>• <b>Major Decision:</b> Document in Project File.</li> </ul>
Region/Modal Project Office or REC	<p>55. <b>Files</b> SEPA Notice of Action (NAT) after a major agency action is taken on the project.</p> <ul style="list-style-type: none"> <li>• See <a href="#">PRO 400-ab6: Legal Considerations</a>.</li> </ul>
Region/Modal Project Office or REC	<p>56. <b>Documents</b> the decision by including the ROD and the EIS, or the Final EIS Errata Sheet and/or combined FEIS and Record of Decision, and supporting documents in the project file and administrative record.</p> <ul style="list-style-type: none"> <li>• See <a href="#">TSK 400-ab-7: Creating a Project File to Support the Administrative Record</a>.</li> <li>• Sends a copy to HQ Access and Hearings Office if an IJR was conducted either prior to, or as part of the analysis.</li> </ul>

\* 23 CFR 771.119(e) describes this as a “public hearing”. The WSDOT Design Manual calls it an “Environmental Hearing” to differentiate the event from the many different types of public hearings conducted by our agency. The purpose, format, and goals of an Environmental Hearing complies with all of the requirements of 23 CFR 771.119(e).