



**CERTIFICATION ACCEPTANCE AGENCY**  
**ENVIRONMENTAL CLEARANCE**

June 2026



# Environmental Clearance

- Environmental clearance means the project impacts have been reviewed under all applicable environmental requirements, and the project is cleared for construction
- Federal Environmental **Approval**
  - Required for Federal Highway Administration (FHWA) funding for Design, Right-of-Way and Construction
- ADOT Environmental **Clearance**
  - The project is ready to advertise for construction (Final Step)



## NEPA

- National Environmental Policy Act (NEPA)
  - Overarching Federal environmental law
- “NEPA Umbrella” includes all other applicable environmental laws
- The level of environmental review required depends on the scope of the project and the context (location/setting)
- The applicability of the “other” environmental requirements will drive the critical path of the environmental clearance schedule



# Types of NEPA Approval

- Class of Action
  - Environmental Impact Statement (EIS)
    - Impacts are significant (New Freeway)
  - Environmental Assessment (EA)
    - Significance of impacts not clearly known (Expansion projects)
  - Categorical Exclusion (CE) – CAA projects and the Focus of this training
    - Impacts not significant (majority of projects)
    - Match the project description to the description of the CE listed in the regulations
    - CEs exclude formal requirements of an EIS or an EA (“NEPA Process”)

## CE Projects

- Match the general project description to the to the type of project and descriptions listed in the regulations to determine the applicable CE

Pathways



Preservation



Bridges



Arterial  
Street  
Widening



Safety



# Assignment of FHWA Environmental Review Responsibility

- FHWA environmental review responsibilities have been assigned to ADOT by agreement
  - Legal responsibility
  - ADOT is “lead federal agency” and “decision-maker” in the federal environmental review process
  - ADOT cannot delegate any environmental responsibility (CAA)
- CE Assignment and NEPA Assignment
  - “CE Assignment” – 23 U.S.C. 326
  - “NEPA Assignment” – 23 U.S.C. 327

## Biological Requirements

- Endangered Species Act (ESA)
  - Biological Evaluation - Effects Determination
  - “May affect, not likely to adversely affect”-
    - USFWS has 60 days to review -  
“concurrence”
  - “May affect, likely to adversely affect” -
    - USFWS has 135 days - Biological Opinion
  - Migratory Bird Treaty Act
    - Seasonal tree cutting restriction



## Cultural Resources Requirements

- National Historic Preservation Act (NHPA) - Consider impacts to historic properties
  - May need to conduct ground surveys
  - Identify historic sites
  - Identify project impacts
  - Identify consultation parties
  - Agreement commitments
    - Flagging and Avoidance (common)
    - Data recovery (not common)
      - Fieldwork, post-fieldwork artifact processing and final report preparation



## Section 4(f) Requirements

- ❖ “Section 4(f)” is preservation law for the protection of parks, recreational areas, wildlife and waterfowl refuges and historic properties
  - ADOT must approve what is called a “use” of Section 4(f) property
    - Taking of protected land such as a park or historic property
    - An Official with Jurisdiction (OWJ) may need to agree to certain Section 4(f) approvals
      - The person who has responsibility over the facility/property [Parks] not just “the city”



## Air Quality Requirements

- ❖ The Clean Air Act and Conformity Determinations
  - Clean Air Act Transportation Conformity – All projects must ‘conform’ in nonattainment areas to the Standards of the Clean Air Act
  - Mainly affects capacity projects in the MAG region
    - Project must be in the Metropolitan Plan and TIP
  - Traffic study
  - Interagency consultation (FHWA, EPA, ADEQ, MPO)



## Noise Requirements

- ❖ The Clean Air Act and Conformity Determinations
  - Noise Abatement Requirements apply to capacity projects or substantially alter vertical or horizontal alignment would require:
    - Prepare a Traffic Study
    - Field investigations of noise sensitive areas (homes, parks, schools, other)
    - Determination of “impacts” and Noise report prepared
    - Mitigation (Walls/Noise Barriers) not common on CAA projects



## Hazardous Materials Requirements

- ❖ Property and Infrastructure Materials Reviews
  - Preliminary Site Assessment (PISA)
    - New right-of-way must be cleared
    - Higher level site assessments may be recommended
  - Asbestos
    - Load bearing structures
  - Lead-Based Paint
    - Bridges – May require containment/removal



## Clean Water Act

- ❖ The Clean Water Act – “404”
  - Regional General Permit 96 (RGP 96) and Nationwide Permits
    - Pre-Construction Notification (Documentation to the corps)
      - Up to 30 day wait time for the permit
  - Individual Section 404 Permit – More costly and time-consuming
    - 60% plans needed
    - Must demonstrate Least Environmentally Damaging Practicable Alternative (LEDPA)
    - Mitigation may be required by the corps depending on impacts

## Other Environmental Considerations

- Public Involvement
  - CAA leads effort for CAA LPA projects
  - Scaled to the scope and nature of the project
- Farmlands
  - Review farmlands (not zoned for urbanization)
- Section 6(f)
  - Land Water Conservation Fund (Parks)

## Environmental Clearance



- **Environmental Commitments**
  - Developed with the project
  - Avoid, minimize, compensate
- Part of the NEPA approval by incorporation
- Contractor commitments included in the contract
- The CAA is responsible for implementation and recording during construction
  - Each CAA has procedures in place for “who” and “how”

## Preparation of an Environmental Clearance

Period of Performance End Date Form



Project Cost Summary Template



Project Environmental Data Sheet (PEDS)



- [Project Environmental Data Sheet \(PEDS\) - Completed Sample Form](#)
- [Project Environmental Data Sheet \(PEDS\) - Blank Fillable Form](#)

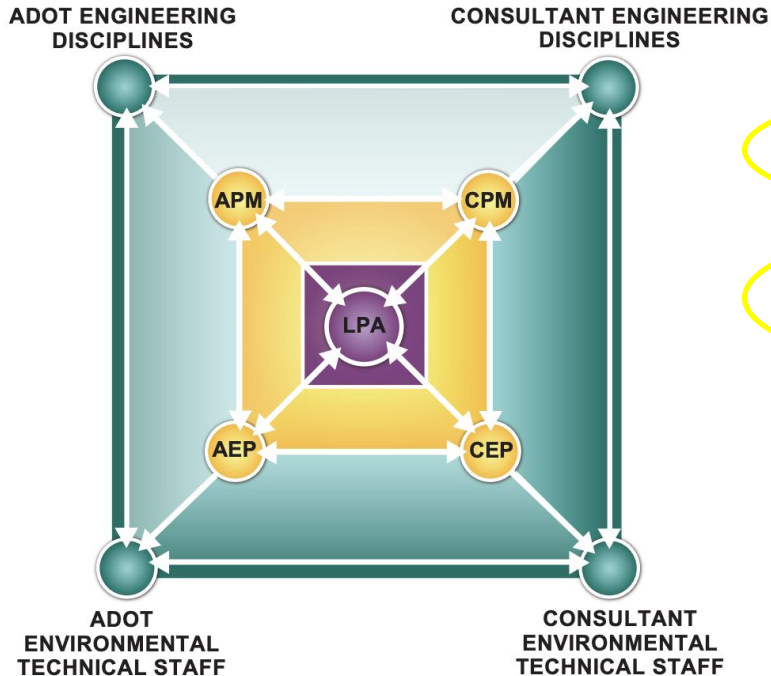
Record Drawing Guidance



Project Environmental Data Sheet  
(**PEDS**) on LPA CAA website

- ADOT Environmental Planning technical input on scope of consultant work
- “Just right” contract scope
- It is in the CAA’s best interest to have ADOT staff prepare a PEDS *before* contracting with a consultant

# COORDINATION AND COMMUNICATION:



**APM** - ADOT Project Manager  
**CEP** - Consultant Environmental Planner  
**AEP** - ADOT Environmental Planner  
**CPM** - Consultant Project Manager

There are many different stakeholders that make up the project team, and each play a key role throughout the LPA project development process. **Communication between all players is essential in order to stay on schedule and within budget.**

**Coordination and communication between all key players should be constant and ongoing throughout project development.**

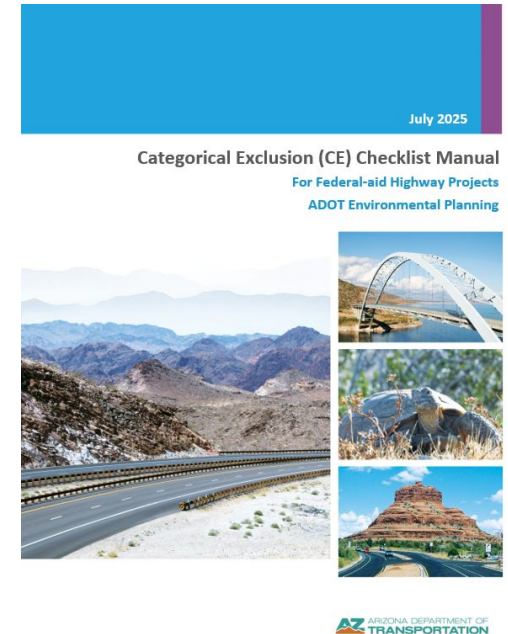
When a project requires a change of scope or an environmental issue arises, notify the design team. These issues may affect schedule, budget, and/or scope.

## ENGINEERING/TECHNICAL DISCIPLINES

A variety of engineering/technical disciplines are involved in LPA projects. These disciplines include specialized personnel with expertise in areas including but not limited to: roadway design, structures, drainage, geotech, utilities, cultural resources, biology, water resources, socioeconomic impacts, hazardous materials, etc.

## CE Checklist

- CE Checklist
  - The CE is a template format for documenting the federal environmental requirements
  - The “CE” approval is for NEPA but the “other” environmental requirements are acknowledged on the form
- ADOT CE Checklist Manual
  - Guides environmental planners/managers through the CE Checklist preparation step-by-step



## CE Checklist

- Basic project information, funding and timing
- CAA/PM provides the project location/limits and description/scope of work from TIP/engineering scoping phase
- CE type is selected from two drop-down menus (c and d list)
- ADOT Environmental Planner completes the CE Checklist based on all scope of work and technical reviews

Project Information:	
Project Name: <input type="text"/>	Construction Project Administration ADOT <input type="checkbox"/> CA Agency <input type="checkbox"/>
ADOT Project Number: <input type="text"/>	Categorical Exclusion Approval for FMIS
Federal-Aid Number: <input type="text"/>	2A - (c) Listed <input type="checkbox"/>
Estimated Project Construction Cost: <input type="text"/>	2B - (d) Listed <input type="checkbox"/>
Planning Requirements:	2C - (d) Unlisted <input type="checkbox"/>
<input type="checkbox"/> STIP/Line Item	
<input type="checkbox"/> ADOT Sub-program	
CE Start Date: <a href="#">Click here to enter a date.</a>	

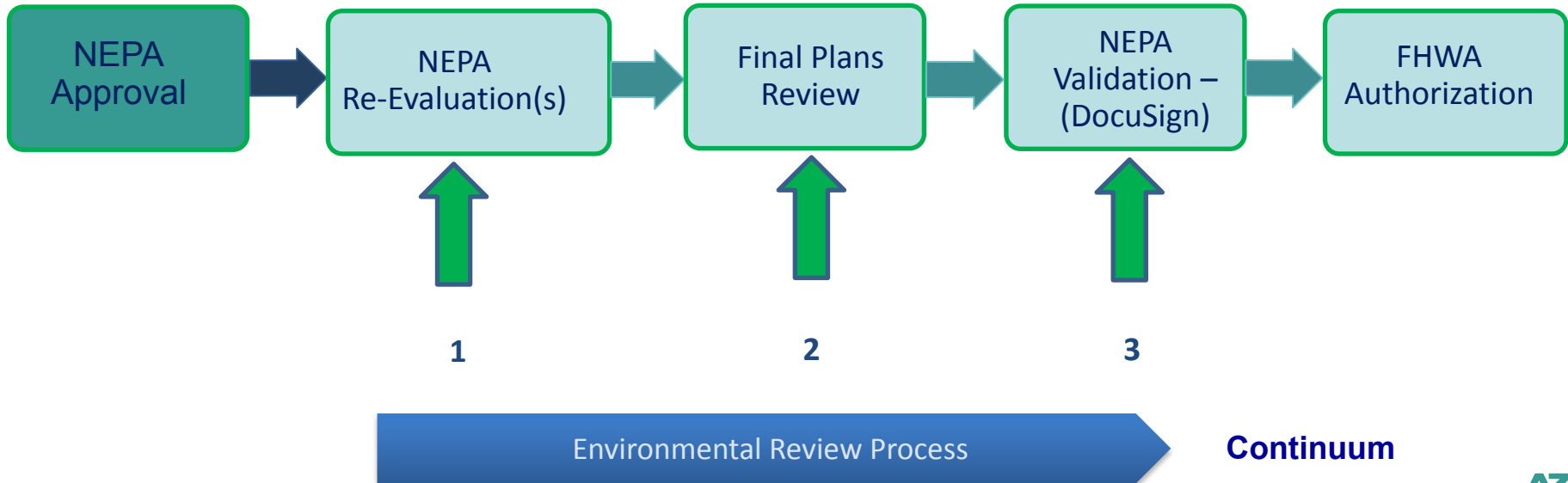
Re-evaluation:	
<input type="checkbox"/>	This project has been re-evaluated pursuant to 23 CFR 771.129 due to a change in the project scope, location, or termini or because of the need to evaluate new impacts not previously considered, or because significant time has passed since the date of the CE Approval. The information on this form reflects all updates to the project information.

Location and Limits:	
<input type="text"/>	CAA

Purpose and Description (scope of work):	
<input type="text"/>	CAA

Type of CE - Choose one from (c) or (d) or Appendix A drop-down lists:	
(c) - list:	(d) - list:
ADOT ENV Planning	↓
<small>Note: If the project qualifies for a (c)(1) or a (c)(9) immediate emergency repair CE then no technical review is required and the CE is complete. Proceed to NEPA Certification and Determination and Categorical Exclusion Approval.</small>	

## Final Steps



## Final Steps

NEPA  
Re-Evaluation(s)

1

- NEPA re-evaluation may come any time after NEPA Approval for a change in scope, ROW already cleared and/or project limits
  - CAA must notify ADOT Environmental Planner and PM of changes
  
- CE Re-Evaluation (update of CE Checklist as needed)



## Final Steps

NEPA  
Validation –  
(DocuSign)

3

- ADOT Project Manager submits funding authorization request to FHWA
  - Required for Design/ROW/Construction funding approval
  - ADOT has to sign that NEPA approval is up to date
    - **Confirmation Email** from CAA (final plans review)
    - Environmental commitments are included in the project

## Conclusion

- Environmental “footprint” cleared but also the scope of work as described; “paving” “bridge” “traffic signals” “lighting” etc.
- “Project footprint” is the impact areas including new right-of-way (permanent or temporary)
- The “clearance” covers the sum total of all work described above in compliance with each individual law/regulation as applicable
- Technical reviews drive the schedule - For example, if a capacity project requires a CAA conformity determination but the MPO “planning requirements” are not up to date the CE approval could be delayed for many months

## Tips

- Communicate changes - project team
- Goal - 100% footprint at 60% Design
- Identify ROW and TCEs early as possible
- Identify Geotech early and clear if needed (structures)
- Get funding in place ASAP for changes that affect contracts
- Some projects such as procurement or technical equipment can be cleared with a (c)(1) CE with limited technical review

## Conclusion

- “Individually documented and approved” CEs for projects such as adding a travel lane to a roadway can take 9 to 12 months
- For example, if a project requires a conformity determination but the “planning requirements” are not up to date the CE approval could be delayed for months
- ADOT maintains the “Project File” for NEPA.
  - CAA maintains documentation of environmental commitments implementation in construction

## Resources

- ADOT Certification Acceptance Manual
- “NEPA approval that has been validated prior to the PS&E submittal”
- “In accordance with 23 C.F.R. § 635.309(j), the CA Agency must incorporate the environmental commitments into the PS&E ....”
- “CA Agency must ensure that the environmental commitments assigned to the CA Agency and contractor are successfully implemented and documented in the project file.”
  - Each CAA has procedures in place for “who” and “how”



## Resources

- Additional “hands-on” technical information is located in the ADOT Local Public Agency Projects Manual
- Additional training for managers of the environmental clearance process
  - ADOT Environmental Planning website
  - Under the Training tab
    - “Introduction to Environmental Clearances”

**Arizona Department of Transportation  
Local Public Agency Projects Manual**

**Prepared for**  
Arizona Department of Transportation  
Intermodal Transportation Division  
Local Public Agency Section  
1615 West Jackson Street  
Phoenix, Arizona 85007  
and  
U.S. Department of Transportation  
Federal Highway Administration, Arizona Division  
4000 North Central Avenue, Suite 1500  
Phoenix, Arizona 85012  
(Approved January 11, 2013)

**Prepared by**  
Logan Simpson Design, Inc.  
51 West Third Street, Suite 450  
Tempe, Arizona 85281



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**Questions?**