

April 2011

FEDERAL ENVIRONMENTAL IMPACT STATEMENT (EIS) CHECKLISTS

The following environmental impact statement (EIS) checklists were developed as a tool to assist in following the EIS process and to ensure that all necessary topics are covered in the EIS as well as in the Record of Decision (ROD).

Three checklists are included:

1. EIS Process Checklist (includes SAFETEA-LU Section 6002 Requirements)
2. Checklist of Topics covered in an EIS
3. Checklist of Topics covered in a ROD and Submittal Process

Note: These checklists are not all-inclusive and should be modified as appropriate.

For each of the following steps and/or items, check the appropriate box in the columns on the right. Cross-referencing the document page numbers onto the checklist may facilitate the review process.

EIS Process Checklist (includes SAFETEA-LU Section 6002 Requirements)

Task	Yes	No	N/A
1. Project Initiation Letter			
Letter drafted and includes description or proposed type of work, termini, length, general location and anticipated Federal approvals (404, USCG navigability, etc.)?			
Sent to ENV for submittal to FHWA?			
Copy of Project Initiation Letter signed by ENV in project file?			
2. Notice of Intent (NOI) [May serve as Project Initiation Notice if it contains all the information required in Section 6002 of SAFETEA-LU.]			
NOI drafted and sent to ENV?			
ENV has reviewed and approved the NOI?			
FHWA has reviewed and approved the NOI?			
FHWA has published NOI in Federal Register?			
ENV has published NOI in Texas Register?			
NOI published in local newspapers?			
Copy of NOI in project file?			
If included in NOI, draft "Need and Purpose" including technical backup materials provided to ENV for FHWA review and approval?			
3. Invitation for Participating Agency Involvement			
Notification letters drafted and sent to participating and cooperating agencies by FHWA?			
Copies of participating and cooperating agency notification letters and response letters in project file?			
Deadline for participating agency responses set for after first scoping meeting?			

4. Initial agency briefing and kick-off meeting			
Draft Need and Purpose statement submitted to ENV (along with any technical backup materials) and provided to FHWA for review and approval prior to first scoping meeting? For SAFETEA-LU projects the need and purpose may be submitted as part of the Draft Coordination Plan			
Range of Potential Alternatives drafted and presented? For SAFETEA-LU projects, the range of potential alternatives may be submitted as part of the Draft Coordination Plan.			
Proposed Draft Coordination Plan drafted and presented?			
Input on additional participating and cooperating agencies solicited?			
Schedule for environmental review process developed through consultation with participating agencies and placed in project file? (May be prepared and submitted with Coordination Plan)			
Methodology and analytical level of detail required has been determined in collaboration with participating agencies and documented in project file? (May be prepared and submitted with Coordination Plan)			
5. First Public Scoping Meeting			
Invitations extended to public and participating agencies?			
Project information, Draft Need and Purpose statement including backup materials, and Draft Coordination Plan presented and comments solicited?			
Methods and level of detail in the analysis of each alternative solicited from participating agencies?			
Comments and meeting notes in file?			
6. Revision of Need and Purpose [This may be done as part of the Coordination Plan review and approval process.]			
Drafted and sent to ENV?			
FHWA approval of revised Need and Purpose received?			
7. Coordination Plan			
Drafted and sent to ENV for review and comment?			
Establishes schedule of completion for environmental process, considers the responsibilities and resources of the agencies, size and complexity of the project, schedule and cost of the project, and sensitivity of natural, cultural, and historic resources?			
ENV comments received and addressed?			
FHWA reviewed and approved Coordination Plan?			
Copy of Coordination Plan in project file?			
8. Second Public Scoping Meeting			
Public and Participating Agencies invited?			
Approved Coordination Plan presented?			
Input on range of alternatives solicited (based on approved Needs and Purpose)?			
Alternative analysis methods and level of detail solicited?			

Comments/meeting notes in file?			
9. Second resource agency/FHWA/sponsor meeting			
Anticipated range of alternatives submitted to ENV for FHWA review and approval?			
FHWA approval of range of alternatives received?			
Other obstacles and issues identified?			
Comments/meeting notes in file?			
Public Meeting held? [For large projects that may take a substantial length of time to develop following the scoping process, it may be necessary to hold a public meeting prior to beginning the DEIS to ensure the public is aware of the alternatives to be analyzed.]			
Public Meeting documentation in file?			
10. DEIS preparation			
DEIS submitted to ENV for review?			
Comments on DEIS received from ENV?			
Revisions completed and DEIS resubmitted to ENV?			
11. DEIS submitted to FHWA for preliminary review?			
Revisions completed and resubmitted?			
FHWA legal sufficiency review comments received?			
Revisions completed and resubmitted?			
DEIS approval received from FHWA?			
12. NOA of DEIS			
Submitted to ENV for publication in Federal Register and Texas Register?			
NOA published in Federal Register 45 days before public hearing?			
NOA published in Texas Register?			
NOA published in local newspapers (in English and other languages where needed) and they have provided an affidavit of publication?			
13. DEIS Circulation			
Circulated for comment to resource agencies by ENV (State) and FHWA (Federal)?			
Comments on DEIS received from resource agencies listed in the DEIS?			
14. Public Hearing Notice			
Sent to ENV for review?			
Public hearing notice published in local newspapers in English and other languages where needed? (If Section 4(f) evaluation is required must publish notice for 4 consecutive weeks as required by Chapter 26 of the Texas Parks and Wildlife Code)			
Public hearing held and transcribed?			
Public hearing documentation prepared?			
Public hearing documentation submitted to ENV and FHWA? [Public hearing documentation should be placed in the project file and summarized as part of the FEIS public involvement discussion.]			
15. SEIS (if required)			

A DEIS or FEIS may be supplemented at any time in consultation with FHWA for federally funded projects.			
16. FEIS			
Prepared submitted to ENV for review?			
Public comments and responses included, and public comments addressed in FEIS when necessary?			
All required resource agency coordination completed?			
ENV comments received, addressed, and revised FEIS sent to ENV?			
FEIS submitted to FHWA by ENV for review?			
FHWA comments received, revisions completed and FEIS resubmitted to ENV?			
FEIS (and Section 4(f), if necessary) sent to FHWA for legal sufficiency review?			
FEIS approved by FHWA?			
Mitigation measures presented as commitments in FEIS have been incorporated into the project (CFR 771.109(b)) with appropriate documentation in the Agency Coordination appendix?			
17. NOA of FEIS			
Drafted and sent to ENV?			
NOA published in Federal Register by FHWA?			
NOA published in Texas Register by ENV?			
NOA published in local newspapers?			
Comments received on NOA?			

Checklist of Topics Covered in an EIS

Task	Yes	No	N/A
1. Need and Purpose for Action			
Identifies and describes the proposed action and transportation problems or other needs which it is intended to address? (40 CFR 1502.13)			
Clearly demonstrates that “need” exists?			
Clearly defines the “need” in terms understandable to general public?			
Discussion clearly describes the problems which the proposed action is to correct?			
2. Alternatives			
Range of alternatives discussed, including all “reasonable alternatives” under consideration and “other alternatives” eliminated from detailed study, and basis for consideration or elimination identified? (23 CFR 771.123(c)). Needs to include avoidance alternatives if known Section 4(f) properties may be impacted.			
“No action”, TSM, Mass Transit, and Build alternatives included in discussion?			
Compares environmental impacts of alternatives?			
Sharply defined issues discussed?			

Clear basis for choice among alternatives?			
Rigorously explores and objectively evaluates all reasonable alternatives?			
Brief discussion of reasons for eliminating any preliminary alternatives from detailed study included?			
Substantial and equally detailed treatment given to each alternative considered for further evaluation, including proposed action?			
Reasonable alternatives not within jurisdiction of lead agency included?			
Preferred alternative identified (DEIS) and basis for its designation discussed (FEIS) (23 CFR 771.125(a)(1))?			
Discussion provides information and rationale identified in 23 CFR 771.127 (Record of Decision)?			
Appropriate mitigation measures not already included in proposed action or alternatives discussed?			
If preferred alternative modified after DEIS, does FEIS clearly identify the changes and discuss why any new impacts are not significant?			
3. Affected Environment			
Succinctly describes environment of area(s) to be affected by alternatives under consideration?			
Concentrates effort and attention on important issues, including the following?			
Floodplains (EO 11988; 10 CFR 1022)			
Wetlands (EO 11990; 10 CFR 1022) and waters of the US, including navigable waters and tidal waters.			
Threatened, endangered, or candidate species and/or their critical habitat, and other special status (State-listed and Species of Concern)			
Prime or Unique Farmland (7 USC 4201)			
State or national parks, forests, conservation areas, or other areas of recreational, ecological, scenic, or aesthetic importance? Local publicly owned recreational resources?			
Wild and scenic rivers (16 USC 1271)			
Natural resources (timber, range, soils, mineral, fish, migratory birds, wildlife, water bodies, aquifers)			
Coastal zone areas (16 USC 1451 et seq.)			
Property of historic, archeological, or architectural significance (including sites on or eligible for the National Register of Historic Places and the National Registry of Natural Landmarks) (EO 11593)			
Native Americans' concerns (EO 13007)			
Minority and low income populations (EO 12898)			
Migratory birds (EO 13186)			
4. Environmental Consequences (for each reasonable alternative are the following included?)			

Summary of studies undertaken, major assumptions made, and supporting information on validity of methodology?			
Sufficient supporting information or results of analyses to establish reasonableness of the conclusions on impacts?			
Discussion of mitigation measures for each reasonable alternative (DEIS)?			
Identification, description, and analysis of all proposed mitigation measures for preferred alternative; and description of mitigation measures that are to be incorporated as EPIC into the project (FEIS)?			
Description of any additional formal monitoring programs included in FEIS?			
Discussion, evaluation, and resolution of important issues on each alternative included?			
Identification of unresolved issues and efforts made to resolve them (FEIS)?			
Discussion of potentially significant impacts where a potential for impacts exists, including the following categories:			
Land Use			
Identifies the current development trends and the State and/or local government plans and policies on land use and growth in the area which will be impacted by the proposed project?			
Assesses the consistency of the alternatives with the comprehensive development plans adopted for the area and (if applicable) other plans used in the development of the transportation plan required by Section 134?			
Where possible, the distinction between planned and unplanned growth identified?			
Farmland			
Early consultation with SCS/NRCS summarized?			
Coordination with NRCS required?			
Form AD 1006 or CPA-106 (as appropriate) included?			
Alternatives to avoid impacts discussed?			
Social Environment			
Addresses changes in neighborhoods or community cohesion?			
Discusses changes in travel patterns and accessibility, direct and indirect impacts on public facilities?			
Addresses displacement of households and businesses?			
Discusses impacts on safety (highway, traffic, overall)?			
Social groups benefitted or harmed by proposed project (including EJ community and disproportionate impacts analysis)?			
Limited English Proficiency populations assessed, and results consistent with public involvement information regarding notifications?			
Community Impacts Analysis completed?			
Relocation			

Includes number and household characteristics of displaced households where applicable?			
Includes comparison of available housing in area (snapshot at the date of writing) with housing needs of displaced?			
Discusses affected entities (neighborhoods, public facilities, non-profit organizations, and families) with special relocation considerations?			
Discusses measures to be taken where replacement housing is insufficient?			
Includes number and characteristics of businesses and farms to be displaced?			
Includes contacts and coordination at the local level to determine the availability of replacement property, and likelihood that businesses will relocate in the area?			
Includes discussion of employment effects of displacement of businesses and farms?			
Includes statement that acquisition and relocation program will be conducted in accordance with the URARPAP Act of 1970, as amended, and non-discrimination in relocation resource availability?			
Discusses analysis of potentially disproportionate, adverse effects on low-income and/or minority communities (E.O. 12898)?			
Economy			
Impacts to regional/local economy, existing highway-related businesses, established business districts discussed?			
Joint Development			
Discusses measures which will preserve or enhance affected community's social, economic, environmental, and visual values discussed?			
Considerations Relating to Pedestrians and Bicyclists			
Discusses impacts on current and anticipated use, basis for providing new facilities, etc.? Includes discussion of consistency with local plans for bicycles and pedestrians?			
Air Quality			
Mesoscale and microscale concerns addressed?			
Conformity status addressed?			
Does project conform with SIP (project comes from TIP/STIP/RTP)?			
Documentation provided that project design concept and scope not significantly different from most recent TIP/STIP/RTP?			
Noise			
Noise analysis, noise sensitive areas, affected activities, extent of impacts, noise abatement measures considered?			
Discusses noise impacts for which no prudent solution is reasonable available and why?			
Water Quality			
Summaries of analyses and consultations with State and/or local water quality agencies included? (EPA, TCEQ, etc)			

Roadway runoff and nonpoint source pollution impacts and mitigation discussed?			
If preferred alternative impacts any State wellhead protection area, is there documentation demonstrating that it complies with the approved State wellhead protection plan?			
Coordination with State agency responsible for wellhead protection plan (TCEQ?) has occurred?			
If an area is designated as principle or sole-source aquifer under the Safe Drinking Water Act, and the preferred alternative affects the aquifer, has early coordination with the EPA occurred?			
Potential impacts to critical aquifer protection area (EARZ) identified?			
Does the FEIS document that the EPA's concerns on the preferred alternative have been resolved?			
Waterways and Hydrologic Systems			
If preferred alternative requires individual Section 404 or Section 10 permit, does the FEIS identify reasonable efforts to avoid jurisdictional waters, approximate quantities of dredge or fill material, general construction grades, and proposed mitigation measures for each permit activity?			
If preferred alternative requires Section 9 permit, does FEIS identify for each permit activity the proposed horizontal and vertical navigational clearances and include an exhibit showing these dimensions?			
Evidence included that every reasonable effort has been made to resolve issues raised by other agencies regarding permit activities?			
If important issues remain, does FEIS identify them, the positions of respective agencies, and consultations and other efforts made to resolve them? (23 CFR 771.125(a))			
Permits required?			
Section 401 water quality certification required?			
Section 402 (required for point source discharge 40 CFR 122)?			
Section 404 or Section 10 (USACE): coordination completed and documented (in accordance with USDOT/USACE MOU)? FEIS identifies approximate quantities of dredge or fill material, general construction grades, and proposed mitigation measures?			
Section 9 (USCG bridge) permit required? Coordination with USCG completed and documented (in accordance with FHWA/USCG MOU)?			
Evidence of efforts to resolve issues included? (FEIS identifies issues and describes agency perspectives and efforts at resolution in accordance with 23 CFR 771.125(a)?).			
Wetlands/Waters of the U.S.			
If an alternative will impact wetlands, does the DEIS (1) identify the type, quality, and function of wetlands involved, (2) describe the impacts to the wetlands, (3) evaluate alternatives which would avoid			

these wetlands, and (4) identify practicable measures to minimize harm to the wetlands?			
Are wetlands identified using the definition of 33 CFR 328.3(b) (issued November 13, 1986)?			
Are exhibits showing wetlands in the project impact area in relation to the alternatives provided?			
In evaluating the impact of the proposed project on wetlands are (1) the importance of the impacted wetland(s) and (2) the severity of this impact addressed?			
In evaluating the importance of the wetlands, does the analysis consider such factors as: (1) the primary functions of the wetlands (e.g., flood control, wildlife habitat, ground water recharge, etc.), (2) the relative importance of these functions to the total wetland resource of the area, and (3) other factors such as uniqueness that may contribute to the wetlands importance?			
In determining the wetland impact, does the analysis show the project's effects on the stability and quality of the wetland(s) and consider the short- and long-term effects on the wetlands and the importance of any loss such as: (1) flood control capacity, (2) shore line anchorage potential, (3) water pollution abatement capacity, and (4) fish and wildlife habitat value?			
Do mitigation measures considered include preservation and improvement of existing wetlands and creation of new wetlands (consistent with 23 CFR 777)?			
If all project alternative involvements with waters of the U.S. are nationwide 404 permit situations, is there written FWS preliminary agreement in the project mitigation plan as a result of consultation?			
If the preferred alternative is located in wetlands, does the FEIS contain a finding (required by E.O. 11990 and 23 CFR 771.125(a)(1)) that there are no practicable alternatives to construction in wetlands in a separate section entitled "Only Practicable Alternative Finding"?			
If any of the project involvements with waters of the U.S. require an individual 404 permit, is there a final 404 Alternatives Analysis identifying the NEPA preferred/404 least environmentally damaging practicable alternative in a separate section of the FEIS?			
Does the FEIS identify the section 404 "least environmentally damaging practicable alternative alignment" and reference the final 404 Alternatives Analysis?			
Does the FEIS include a summary of the pertinent factors from the final feasibility study of mitigation sites?			
Does the FEIS include text and exhibits that identify the mitigation site location(s)?			
Does the FEIS include a summary description of the conceptual mitigation plan, including habitat types and approximate hectares/acres of impact, plant communities and habitat to be replaced, functions and values to be enhanced or created by the			

mitigation, discussion of buffer areas and habitat linkages, general discussion of hydraulic design considerations, listing of plant species to be used, cost estimates, mitigation success criteria, and monitoring criteria for mitigation evaluation?			
Are the following included in the FEIS as preliminary agreement of section 404(b)(1) compliance?			
<ul style="list-style-type: none"> Written FWS preliminary agreement in the project mitigation plan as a result of FWCA consultation? 			
<ul style="list-style-type: none"> If current FWS/NMFS T & E species list identifies listed species potentially in project area, written FWS/NMFS documentation of one of the following: species not present, species not likely to be affected, or non-jeopardy biological opinion? 			
<ul style="list-style-type: none"> Section 401 certification or waiver from the TCEQ? 			
<ul style="list-style-type: none"> Written Corps and EPA preliminary agreement on the FEIS NEPA preferred/section 404 “least environmentally damaging practicable alternative”, that the project will not significantly degrade the aquatic environment, and that the mitigation plan and implementation schedule is adequate 			
“Only Practicable Alternative Finding” section includes:			
<ul style="list-style-type: none"> A reference to Executive Order 11990? 			
<ul style="list-style-type: none"> An explanation why there are no practicable alternatives to the proposed action? 			
<ul style="list-style-type: none"> An explanation why the proposed action includes all practicable measures to minimize harm to wetlands? 			
<ul style="list-style-type: none"> A concluding statement that: “Based on the above considerations, it is determined that there is no practicable alternative to the proposed construction in wetlands and that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use.” 			
Water Body Modification and Wildlife			
Location and extent of water body modifications, water body uses, impacts to fish and wildlife due to loss, modification, or degradation of aquatic or terrestrial habitat identified?			
Results of coordination documented? (coordination with FWS under Fish and Wildlife Coordination Act of 1958, TPWD, any other Federal, State, & local agencies)			
Floodplains			
Location hydraulic studies required by 23 CFR 650, Subpart A included (with discussion of flooding risks, impacts on natural and beneficial floodplain values, support of probable incompatible floodplain development, measures to minimize floodplain impacts, and measures to restore and preserve natural and beneficial floodplain values)?			
Results of location hydraulic studies briefly summarized, identifying			

number of encroachments and support of incompatible floodplain developments and their potential impacts?			
Exhibits displaying alternatives, base floodplains, and regulatory floodways (where applicable) included?			
If preferred alternative includes a floodplain encroachment having significant impacts, does FEIS include in a separate subsection entitled “Only Practicable Alternative Finding” (OPAF), a finding that it is the only practicable alternative, referring to E.O. 11988 and 23 CFR 650, Subpart A?			
OPAF includes the reasons why the proposed action must be located in a floodplain?			
OPAF describes alternatives considered and why they were not practicable?			
OPAF includes a statement indicating whether the action conforms to applicable State or local floodplain protection standards?			
If preferred alternative encroaches on a regulatory floodway, does DEIS provide a preliminary indication of whether revision to regulatory floodway is required?			
Coordination with FEMA and appropriate State and local government agencies undertaken and documented for each floodway encroachment?			
If preferred alternative encroaches on a regulatory floodway, does FEIS discuss the consistency of the action with the regulatory floodway?			
If a floodway revision is necessary, does EIS include evidence from FEMA and local or State agency indicating that such revision would be acceptable?			
Wild and Scenic Rivers			
Early coordination undertaken and documented with agency responsible for managing potentially affected river (NPS, FWS, BLM, FS)?			
Does the DEIS reflect consultation with the managing agency on avoiding or mitigating any adverse impacts from any of the alternatives under consideration (23 CFR 771.123(c))?			
Does the FEIS identify measures that will be included in the preferred alternative to avoid or mitigate any impacts?			
Coastal Barriers			
If impacts expected, does EIS include: maps showing relationship of each alternative to the unit(s), direct and indirect impacts identified and quantified, results of early coordination with FWS discussed, issues identified and addressed, any alternative identified which (if selected) would require an exception under the Act?			
Issues identified or exceptions required for preferred alternative resolved prior to its selection, and resolution documented in FEIS?			
Coastal Zones			

Includes the State Coastal Zone Management (CZM) agency's (Department of Commerce) determination that the preferred alternative is consistent with the State CZM Plan?			
If the preferred alternative is inconsistent with the State CZM Plan, does the FEIS include the finding made by the Secretary of Commerce that the proposed action is consistent with the purpose or objectives of the CZM Act or is necessary in the interest of national security?			
If the finding is denied, and the action is modified to remove the inconsistency finding, does the FEIS document these results?			
Threatened and Endangered Species			
DEIS			
Information obtained from USFWS, TPWD, and/or NMFS to determine presence/absence of listed and proposed threatened or endangered species and designated and proposed critical habitat in proposed project area (50 CFR 402.12(c)) included?			
Threatened and endangered species lists current?			
When <u>proposed</u> species or <u>proposed</u> critical habitat may be present, informal consultation with USFWS, TPWD, and/or NMFS undertaken and documented?			
Exhibits showing location of species or habitat included, evaluation and potential impacts summarized, proposed mitigation measures identified, evidence of coordination with USFWS and/or NMFS provided?			
If the project as a whole or the preferred alternative is likely to jeopardize the continued existence of a <u>proposed</u> species or result in the destruction or adverse modification of <u>proposed</u> critical habitat, has a conference with USFWS and/or NMFS been held to attempt to resolve potential conflicts in accordance with 50 CFR 402.10(a), and is evidence of this consultation is included in the EIS?			
When a <u>listed</u> species or a <u>designated</u> critical habitat may be present in the proposed project area, was a biological assessment prepared to identify any such species or habitat which are likely to be adversely affected by the proposed project (50 CFR 402.12)			
Informal consultation undertaken or a conference held with USFWS and/or NMFS during preparation of the biological assessment?			
Includes summary the following data from the biological assessment: species distribution, habitat needs, and other biological requirements, affected areas of the proposed project, possible impacts to the species, measures to avoid or minimize adverse impacts, and results of consultation with USFWS and/or NMFS?			
If formal Section 7 consultation is required, are evidence and results of consultation with USFWS and/or NMFS summarized and letters included in appendix?			
FEIS			

Summary of conceptual mitigation plan and USFWS and/or NMFS preliminary agreement on project mitigation plan included in FEIS?			
Any USFWS species letter close to or greater than two years old reverified by the Federal agency or its designated representative?			
If biological assessment indicates that no listed species or critical habitat are present that are likely to be adversely affected by the preferred alternative, does FEIS show evidence of concurrence by the USFWS and/or NMFS in such a determination and identify any proposed mitigation for the preferred alternative?			
If biological assessment or consultation with USFWS and/or NMFS show that the preferred alternative is likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat, does the FEIS contain the following:			
A summary of the biological assessment, including species distribution, habitat needs, and other biological requirements, affected areas of the proposed project, possible impacts to the species, measures to avoid or minimize adverse impacts, and results of consultation with FWS and/or NMFS?			
A summary of the steps taken, including alternatives or measures evaluated and conferences and consultations held, to resolve the project's conflicts with the listed species or critical habitat?			
A copy of the biological opinion?			
A request for an exemption from the Endangered Species Act?			
The results of the exemption request?			
If the exemption is denied, a statement that the action is not eligible for Federal funding?			
Historic Preservation			
DEIS			
Contains a discussion demonstrating that historic resources have been identified and evaluated in accordance with the requirements of 36 CFR 800.4 for each alternative under consideration?			
Briefly summarizes the methodologies used in identifying historic resources?			
Information for newly identified historic resources is sufficient to determine their significance and eligibility for the National Register of Historic Places (NRHP)?			
Describes the historic resources listed in or eligible for the NRHP?			
Summarizes the impacts of each alternative on and proposed mitigation measures for historic resources?			
Shows coordination with the SHPO on the significance of newly identified historic resources?			
Shows coordination with the SHPO on the eligibility of historic resources for the NRHP?			

Shows coordination with the SHPO on the effects of each alternative on both NRHP-listed and eligible historic resources?			
Shows evidence of coordination with the local historic representative and summarizes their concerns?			
If applicable, does the DEIS contain the necessary information required by 36 CFR 800.8 to afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment pursuant to Section 106 requirements?			
If applicable, does the DEIS transmittal letter to the ACHP specifically request its comments pursuant to 36 CFR 800.6?			
FEIS			
Demonstrates that all the requirements of 36 CFR 800 have been met?			
If the preferred alternative has no effect on historic resources on or eligible for the NRHP, does the FEIS indicate coordination with and agreement by the SHPO?			
If there is a proposed use of land from an historic resource on or eligible for the NRHP, was there an evaluation and approval under Section 4(f) of the DOT Act?			
Includes evidence of completed effects consultation with SHPO and, if conducted, with ACHP, with copies of letters included in an appendix?			
If the preferred alternative has an effect on a resource on or eligible for the NRHP, FEIS contains:			
Determination of no adverse effect concurred with by the ACHP?			
An executed MOA?			
If FHWA was unable to conclude the MOA, a copy of comments transmitted from the ACHP to the FHWA and the FHWA response to those comments?			
Includes summary of Section 106 mitigation?			
References the signed MOA if applicable, and copy of the executed MOU and coordination letters in an appendix?			
Evaluation and approval under Section 4(f) documented, if required?			
Archeological Preservation			
DEIS			
Contains a discussion demonstrating that archeological resources have been identified and evaluated in accordance with the requirements of 36 CFR 800.4 for each alternative under consideration?			
Briefly summarizes the methodologies used in identifying archeological resources?			
If applicable, identifies any archeological resources that warrant preservation in place? (As opposed to resources that are important chiefly because of what can be learned from them through data recovery and not preservation in place.)			

Shows coordination with the SHPO on the significance of newly identified archeological resources?			
Where the DEIS discusses eligibility of archeological resources for listing in the National Register, does coordination with the SHPO on eligibility and effect address both historic and archeological resources?			
Describes the coordination with Native American Indian Tribes and documents the results of their comments?			
FEIS			
Demonstrates that all the requirements of 36 CFR 800 have been met?			
If the preferred alternative has no effect on archeological resources on or eligible for the National Register, does the FEIS indicate coordination with and agreement by the SHPO?			
If the preferred alternative has an effect on a resource on or eligible for the National Register, FEIS contains:			
Determination of no adverse effect concurred with by the ACHP?			
An executed MOA?			
If FHWA was unable to conclude the MOA, a copy of comments transmitted from the ACHP to the FHWA and the FHWA response to those comments?			
If there is a proposed use of land from an archeological resource on or eligible for the National Register and which warrants preservation in place, was there an evaluation and approval under Section 4(f) of the DOT Act?			
Includes evidence of completed effects consultation with SHPO and, if conducted, with ACHP, with copies of letters included in an appendix?			
Hazardous Waste Sites			
If known or potential waste sites were identified through early coordination with the appropriate Regional Office of the EPA and the appropriate State agency (or otherwise, such as through an ASTM-E 1527-05 database search), were their locations clearly marked on a map showing their relationship to the alternatives under consideration?			
If a known or potential hazardous waste site is affected by an alternative, are information about the site, the potential involvement, impacts and public health concerns of the affected alternative(s), and the proposed mitigation measures to eliminate or minimize impacts or public health concerns discussed in the DEIS?			
If the preferred alternative impacts a known or potential hazardous waste site, does the FEIS address and resolve the issues raised by the public and government agencies?			
Visual Quality			
Does the DEIS state whether the project alternatives have a potential			

for visual quality impacts?			
When this potential exists, does the DEIS identify the impacts to the existing visual resource, the relationship of the impacts to potential viewers of and from the project, as well as measures to avoid, minimize, or reduce the adverse impacts?			
When there is potential for visual quality impacts, does the DEIS explain the consideration given to design quality, art, and architecture in the project planning?			
When a proposed project will include features associated with design quality, art or architecture, was the DEIS circulated to officially designated State and local arts councils and, as appropriate, other organizations with an interest in design, art, and architecture?			
Any proposed mitigation for the preferred alternative identified?			
Energy			
DEIS discusses in general terms the construction and operational energy requirements and conservation potential of various alternatives under consideration?			
For large-scale projects with potentially substantial energy impacts, does DEIS discuss the major direct and/or indirect energy impacts and conservation potential of each alternative? Is the alternative's relationship and consistency with a State and/or regional energy plan, if one exists, also indicated?			
Any energy conservation measures that will be implemented as a part of the preferred alternative identified?			
FAA/Airport			
Coordination with FAA undertaken if airport land to be used or affected?			
Are airports close by for which Airway/Highway clearance is needed?			
Section 4(f)			
Section 4(f) evaluation required?			
Are any of the uses of Section 4(f) property that would qualify as <i>de minimis</i> impacts been documented?			
Is the avoidance alternative prudent and feasible?			
Does the preferred alternative do the "least overall harm" to the Section 4(f) property?			
Have the project impacts and proposed mitigation been coordinated with the entity with jurisdiction over the Section 4(f) property and documented in writing?			
Section 4(f) / 6(f)			
Section 4(f) / 6(f) evaluation required?			
Are Section 4(f) properties present in the project area? (Presence of Section 4(f) properties will require alternatives that avoid Section 4(f) properties or cause the "least overall harm" to the property.)			
If Section 6(f) is involved, describe the specific resources paid for with Land and Water Conservation Fund dollars, document			

coordination with TPWD and local entity as appropriate.			
Has coordination with the TPWD taken place and is it documented?			
Has a replacement property been found that meets the requirements of Section 6(f)?			
Has the project impacts and proposed mitigation been coordinated with the entity with jurisdiction over the Section 4(f)/6(f) property and documented in writing?			
Section 408			
Section 408 coordination with USACE required?			
Does the project impact or require the project to take possession of, use of, or injury to harbor or river improvements constructed by the US Government that is protected under 33 CFR Section 408?			
Has the project received approval from the USACE and is this documented?			
Construction			
DEIS discusses the potential adverse impacts (particularly air, noise, water, traffic congestion, detours, safety, visual, etc.) associated with construction of each alternative and identify appropriate mitigation measures?			
Where the impacts of obtaining borrow or disposal of waste material are important issues, are they discussed in the DEIS along with any proposed measures to minimize these impacts?			
Relationship Between Local Short-term Uses of Man's Environment and the Maintenance and Enhancement of Long-term Productivity			
Does the EIS discuss in general terms the proposed action's relationship of local short-term impacts and use of resources, and the maintenance and enhancement of long-term productivity?			
Discussion (in general terms) of any irreversible and irretrievable commitments of resources which would be involved in the proposed action included?			
5. Mitigation			
Any proposed mitigation for the preferred alternative summarized?			
6. Indirect and Cumulative Impacts			
Indirect effects analysis included, consistent with most current <i>Revised Guidance on Preparing Indirect and Cumulative Impact Analyses</i> ??			
As applicable, has the Regional Toll Analysis been referenced and discussed?			
Is the Area of Influence (AOI) for indirect impacts clearly identified and is the rationale clearly explained and reasonable?			
Indirect social, economic, and environmental impacts of any substantial, foreseeable, induced development presented for each alternative, including adverse effects on existing communities?			
Are resource study areas identified for each resource included in the cumulative impacts analysis (substantially impacted, or impacted and in poor or declining health)?			

Is the current status/viability and historical context for each resources identified?			
Are direct and indirect impacts of the project identified that may contribute to the cumulative impacts of the project?			
Are reasonably foreseeable effects identified?			
Are cumulative impacts identified?			
Is the need for the mitigation assessed?			
7. Comments and Coordination			
DEIS			
All entities from which comments are being requested listed? (40 CFR 1502.10)			
Contains copies of correspondence with each cooperating agency, other agencies and the public?			
Discusses public hearing and summarizes comments received from public?			
FEIS			
All entities that submitted comments on the DEIS and those receiving a copy of the FEIS listed? (23 CFR 771.125(a) and (g))			
Includes and responds to all substantive comments received on the DEIS?			
Includes comments from the U.S. DOT Office of the Secretary (OST) in appendix?			
Documents compliance with requirements of all applicable environmental laws, Executive Orders, and other related requirements?			
Documents any interagency coordination to resolve issues?			
Identifies any remaining unresolved issues, the steps taken to resolve them, and the positions of the respective parties?			
Demonstrates resolution of issues/concerns where applicable?			
8. Final Section 4(f) Evaluation			
Includes a discussion that there are no feasible and prudent alternatives to avoid use of Section 4(f) resources, describing the impacts from the avoidance alternatives in sufficient detail to demonstrate that impacts from alternatives that avoid a 4(f) would reach extraordinary magnitudes (23 CFR 771.135(a)(2))?			
Includes a discussion that the project includes all possible planning to minimize harm to Section 4(f) resources, and that the preferred alternative is the alternative with the least harm to the 4(f) resources, after considering mitigation?			
“Coordination Section” summarizes the formal Section 4(f) coordination (DOI, HUD, USDA, NPS, etc.)?			

Checklist of Topics covered in a ROD and Submittal Process

Task	Yes	No	N/A
1. Record of Decision			
Decision: Selected alternative identified?			
Alternatives considered: each alternative briefly described and basis of decision discussed?			
Does discussion identify the environmentally preferred alternative(s) (i.e., the alternative(s) that causes the least damage to the biological and physical environment) (40 CFR 1505.2(b))?			
Where the selected alternative is other than the environmentally preferable one, ROD clearly states reasons for selection?			
Includes explanation of how Section 4(f) lands influenced the selection (if applicable)?			
Identification, balancing and prioritization of values (social, economic, environmental, cost-effectiveness, safety, traffic, service, community planning, etc.) included in the decision-making process?			
(If applicable) Section 4(f): basis for approval summarized, including any key information supporting approval (23 CFR 771.127(a))? (May reference paragraph above)			
Measures to minimize harm identified and described? (40 CFR 1505.2(c))			
Includes statement that all practicable measures to minimize environmental harm have been incorporated into the decision?			
If necessary, includes explanation of why all practicable measures to minimize environmental harm were not incorporated into the decision?			
Monitoring or enforcement program adopted for specific mitigation measures described?			
Comments on FEIS:			
All substantive comments received identified and given appropriate responses?			
Other comments summarized and responses provided where appropriate?			
Is the project consistent with the transportation plans in existence at the time the ROD will be issued?			
2. ROD submittal process			
All required resource agency coordination has been completed?			
All required permits/licenses have been obtained? If not, are all permits and licenses remaining to be obtained identified?			
ROD submitted to ENV for review and comment?			
Revisions completed and ROD resubmitted to ENV?			
ROD submitted by ENV to FHWA?			
ROD revised to address comments and resubmitted?			
ROD signed by FHWA?			

NOA of ROD submitted to ENV for review and publication in Texas Register?			
NOA of ROD published in local newspapers in English and other languages if necessary, and shown on affidavits of publication?			