300.01 Introduction and Overview

This chapter covers the Project Scoping and Programming phase of the Washington State Department of Transportation (WSDOT) Transportation Decision-Making Process as shown in Figure 300-1.

During this phase, WSDOT develops a plan to address transportation facility deficiencies and creates a preliminary budget for consideration by the legislature. The process is required by state law (RCW 47.05.010) and is limited to solving safety, operational, and environmental deficiencies identified in WSDOT’s modal plans.

Project scoping defines time and cost of work estimated for each proposed project. It is important that the permitting estimates be as realistic as possible and includes environmental documentation, permitting and compliance monitoring, as well as engineering work.

Programming refines and prioritizes the list of proposed projects. The process is based on the costs and schedule developed during Project Scoping. Through this process:

- WSDOT creates a financially constrained list of projects for consideration by the legislature. The list is based on realistic schedules and cost estimates that include all phases of the work. Projects that solve multiple deficiencies receive a higher priority for funding.
• The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) approve the Statewide Transportation Improvement Program (STIP). A project must be included in the STIP to be eligible for federal funding (Title 23 USC and the Federal Transit Act). For details on this process, see WSDOT’s Local Programs website.

• The legislature considers and approves WSDOT’s six- to ten-year Capital Improvement and Preservation Program (CIPP) and two-year budget. The approved plan and budget typically includes legislative modifications.

Figure 300-2 illustrates this process. For details, see Transportation Planning Study Guidelines and Criteria M 3033.

300.02 Project Scoping

During project scoping, all major costs of the project are used to prepare a realistic schedule and cost estimate. This task is accomplished by completion of the Project Summary Form.

The Project Summary identifies the transportation needs that have generated the project, the purpose or goal of the work, and the recommended solution. It is prepared by WSDOT region staff using the WSDOT Project Summary Database (see Design Manual M 22-01 Chapter 300). The database consists of three forms completed by region staff:

- **Project Definition** – Identifies the project purpose and need, proposed solution, estimated cost, and a benefit/cost ratio. The cost includes the estimated cost for environmental review, permitting, and mitigation.

- **Design Decisions** – Documents the project content and design decisions made to prepare project scopes, estimates, and schedules.

- **Environmental Review Summary (ERS)** – Describes the potential environmental impacts, mitigation options, and necessary permits for the project. It establishes the initial environmental classification and documents the known baseline of environmental conditions and concerns at the very start of the project. It also identifies the key environmental elements that will be addressed through the NEPA/SEPA documentation and permitting process. This information is used to establish the schedule and budget for the project.

The completed Project Summary form is used to establish the project Classification (see Section 300.03) and level of environmental documentation (see Chapter 400) for the project. The Region Environmental Manager approves the ERS which enables completion of the Project Summary package and indicates concurrence with the project NEPA and/or SEPA Classification.

For many projects, the WSDOT Geographic Information system (GIS) Workbench coupled with a site visit provides sufficient information to fill out the ERS. The ERS database includes fully integrated help screens that provide detailed guidance. Contact your Regional Environmental Office or Program Management Office to get set up to work in the database. For CE/DCE/PCE level projects, the information in the ERS is exported to the ECS/SEPA Checklist database and become the basis for environmental documentation. See Section 300.04 Class II projects and Section 400.09 for CE documentation.
Chapter 300 Project Scoping and Programming

Figure 300-2: Project Scoping and Programming

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- **Figure 300-2**: Project Scoping and Programming

  - **(Local projects and programs that do not use federal funds or otherwise require FHWA or FTA approval)**
    - Highway System Plan
    - Washington State Ferries Plan
    - Aviation Plan
    - Freight Rail Plan
    - Passenger Rail Plan
    - Public Transportation Plan
    - Non-Motorized Bicycle and Pedestrian Walkway Plan
    - Marine Ports and Navigation Scheme of Development

  - **(Approved every two years by the legislature)**
    - Local Agency 6-year Transportation Improvement Programs (TIPs)

  - **(Projects and programs sponsored, or sponsored in part, by WSDOT)**
    - WSDOT 6-10 year CIPP and 2-year Budget Proposal

  - **(Non-local and non-WSDOT projects and programs seeking state funding)**
    - MPOs
    - RTPOs
    - 3-year MTIPs
    - 6-year RTIPs

  - **(WSDOT projects and programs that do not use federal funds or otherwise require FHWA or FTA approval)**
    - 3-year Statewide Transportation Improvement Program (STIP)

  - **(Compiled annually by the WSDOT Highways and Local Programs Office for approval by the Transportation Commission, Governor, and FHWA/FTA)**
      - Local Agency Budgets
      - WSDOT 6-10 year CIPP and 2-year Budget

  - **(Non-local and non-WSDOT projects and programs that do not use federal funds or otherwise require FHWA or FTA approval)**
      - Other Non-Local and Non-WSDOT 6-Year TIPs

  - **(WSDOT projects in MPO areas)**
    - Other Non-Local and Non-WSDOT Budgets

  - **(Local projects and programs seeking state funding)**
    - Marine Ports and Navigation Scheme of Development

Note: **(WSDOT projects in MPO areas)**

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- **Project Scoping and Programming**

- **Figure 300-2**
300.03 Project Classification

The project classification determines the level of environmental documentation required for a WSDOT project. It is based on the information contained in the Environmental Review Summary. State projects with a federal nexus are subject to NEPA and SEPA. Projects that have only state funding and no federal nexus follow SEPA guidelines. If future funding is undetermined, NEPA guidelines are usually followed so the project can qualify for federal funding in the future.

300.04 NEPA Classifications

Projects subject to NEPA fall into one of the three classifications described below.

1. NEPA Class I Projects – Actions that are likely to have significant impact on the environment because of their effects on land use, planned growth, development patterns, traffic volumes, travel patterns, transportation services, or natural resources. They require preparation of an Environmental Impact Statement (EIS) (see Chapter 400) because the action is likely to have significant adverse environmental impacts. Projects that usually require an EIS, as defined in 23 CFR 771.115, are:
   - New controlled-access freeway.
   - Highway project of four or more lanes in a new location.
   - New construction or extension of fixed rail transit facilities (e.g., rapid rail, light rail, commuter rail, automated guideway transit).
   - New construction or extension of a separate roadway for buses or high occupancy vehicles not located within an existing highway facility.

   Although examples are given, it is important to remember that the size and significance of the potential impacts determine the need for an EIS, not the size of the project.

2. NEPA Class II Projects – are Categorical Exclusions (CE), or Documented Categorical Exclusions (DCE). These actions are not likely to cause significant adverse environmental impacts, meet the definitions contained in 40 CFR 1508.4, and are excluded from completing an Environmental Assessment or Environmental Impact Statement. The Environmental Classification Summary (ECS) serves as the environmental documentation for these types of projects (see Chapter 400).

   Each federal agency has their own list of actions that qualify as CE/DCEs, although all USDOT agencies agree that Class II projects typically:
   - Do not induce significant impacts to planned growth or land use.
   - Do not require the relocation of significant numbers of people.
   - Do not have a significant impact on any natural, cultural, recreational, historic, or other resource.
   - Do not involve significant air, noise, or water quality impacts.
   - Do not have significant impacts on travel patterns.
   - Do not otherwise, either individually or cumulatively, have any significant environmental impacts.

   FHWA divides Class II projects into three subcategories: Categorical Exclusions (CE), Documented Categorical Exclusions (DCE), and Programmatic Categorical Exclusions (PCE). The subcategory determines the documentation and approval requirements.
Chapter 300 Project Scoping and Programming

a. **FHWA Categorical Exclusions (CE)** – Class II Projects that do not require documentation for FHWA concurrence. Described in 23 CFR 771.117(c), and therefore known as ‘c’ list, projects, these actions are generally minor actions that have little or no physical impacts. These actions normally do not require further approval or documentation by FHWA. Environmental documentation for CE projects is accomplished by completion of the Environmental Classification Summary (ECS), which are approved by the Regional Environmental Manager. (See Chapter 400.)

b. **FHWA Documented Categorical Exclusions (DCE)** – Class II Projects requiring additional environmental documentation. Described in 23 CFR 771.117(d), therefore known as the ‘d’ list projects, have the potential for environmental impacts and require FHWA approval before the design file and environmental documentation can be completed.

   Preliminary environmental studies and/or detailed analysis may be required for DCE projects to determine the exact nature of environmental and social impacts. If the study findings are consistent with the DCE classification, environmental documentation is accomplished by completion of the Environmental Classification Summary (ECS). The ECS is signed by the WSDOT Regional Environmental Manager and sent with the federal permits and/or documentation to FHWA for approval. (See Chapter 400.)

c. **FHWA Programmatic Categorical Exclusions (PCE)** – FHWA and WSDOT signed Statewide Categorical Exclusion Programmatic Agreement on March 7, 2013. The agreement provides a list of conditions under which WSDOT can certify to FHWA that a project is categorically excluded from NEPA. (See Chapter 400.)

FTA divides Class II projects into two subcategories: Categorical Exclusions (CE) and Documented Categorical Exclusions (DCE). CEs listed in 23 CFR 771.118(c) describes minor actions that have little or no physical impacts and have been designated as CEs by FTA. These actions do not require further approval or documentation by FTA. FTA has its own process and worksheets for documenting CEs.

Class II Projects requiring additional environmental documentation by FTA (DCEs) are described in 23 CFR 771.118(d). FTA approval must be obtained before the environmental documentation can be approved for these projects.

FRA recognizes only one category of CE projects. They are described in the Federal Register (78 FR 2713 (January 14, 2013). The list of project types can be found in Section III on page 2718. FRA has their own process and worksheets for documenting CEs. Contact the Rail Division Environmental Compliance Manager for assistance.

3. **NEPA Class III Projects** – When the potential environmental impacts of a proposed project is not clearly understood an environmental assessment (EA) is prepared. The EA determines the extent and level of environmental impact.

   An EA may satisfy the requirements for a SEPA DNS, but it does not include sufficient detail to satisfy the requirements of a SEPA EIS.

   The content and complexity of an EA will vary depending on the project. See the WSDOT Environmental Assessment Process web page for details on EA documentation and procedure.
300.05 **SEPA Classifications**

While all agency actions technically require a SEPA determination, many of the operational and administrative tasks we undertake are exempt from the SEPA process. If an action is not exempt, it is either found to have non-significant or significant impacts.

WSDOT serves as the SEPA lead agency actions undertaken by our agency. As such, we are required to determine the level of environmental review and documentation required for an action. The SEPA determinations fall into one of three broad categories: Determination of Significance (DS), Determination of Non Significance (DNS) and Categorically Exempt (CE).

- **Determination of Significance (DS)** – Issued for actions that are likely to result in a significant adverse environmental impact. An Environmental Impact Statement (EIS) will be completed for these projects.

- **Determination of Non-Significance (DNS)** – Issued for actions that are not likely to have a significant adverse environmental impact. A SEPA checklist is required for these projects.

- **Categorically Exempt (CE)** – Determination is issued for actions that are unlikely to cause significant adverse environmental impacts. The types of projects that qualify as categorically exempt can be found in:
  - WAC 197-11-800 – Categorical exemptions listed in state SEPA rules.
  - WAC 197-11-860 – Nine categorical exemptions specific to WSDOT.
  - WAC 468-12-800 – DOT’s SEPA procedures including how WSDOT has interpreted the categorical exclusions listed in state SEPA rules.

NEPA CE (Class II) projects are not always categorically exempt under SEPA. If the project is not exempt under SEPA, WSDOT must consider environmental information for the project and prepare a threshold determination (DS, DNS, or mitigated DNS).

The NEPA EA may be adopted by WSDOT to satisfy the SEPA checklist requirement (WAC 197-11-610). An addendum may be required to assure all elements of the environment, as required by SEPA, are described. In this case, WSDOT is still required to issue the DNS for the project.

300.06 **Revision of Project Scope and Classification**

See Section 400.06 for details on project re-evaluation and preparation of supplementary environmental documentation.

1. **NEPA Reclassification**

FHWA must concur with the NEPA classification. A revised ECS must be processed for any major change in a project classification if the project involves federal funds. Minor changes may be handled informally, if FHWA concurs.

2. **SEPA Reclassification**

A significant change in the scope of a state funded project usually requires revision of the ERS. This may include reassessment of the environmental classification. The Regional Environmental Office, in coordination with the Regional Program Management Office, determines if the ERS needs to be revised and the environmental classification changed. Any changes in classification are documented by a note to the file or a follow-up memo.
300.07 Highways Over National Forest Lands

WSDOT and the United States Forest Service (USFS) established procedures for coordination of transportation activities on national Forest lands in 1991 (updated in June 2013). The agreement covers coordination, project programming and planning, pre-construction, rights of way, construction/reconstruction, maintenance, signs, access control, and third party occupancy. The agreement does not apply to local agency projects. Elements that pertain to environmental analysis and documentation include the stipulation that:

• WSDOT and will coordinate with USFS, at project inception, for projects using or affecting National Forest Service lands or interests.
• WSDOT and USFS will agree on needed environmental documents and lead agency responsibilities. WSDOT will have the primary responsibility for highway related projects.
• WSDOT and USFS will cooperate in development of a single set of environmental documents for each project and jointly seek public involvement when necessary.
• Draft and final environmental documents will be circulated to each agency for review before distribution for public comment.

300.08 Environmental Database Resources

(1) WSDOT’s GIS Workbench

WSDOT’s GIS Workbench is an internal data system available for use by WSDOT staff in preparing the “Environmental Considerations” portion of the ERS. The Workbench is a user friendly interface covering a wide range of environmental resources gathered from a variety of public agency and WSDOT sources.

The database has over 500 layers of environmental and natural resource management data, in the following major data categories:

• General Reference – Transportation routes, political and administrative boundaries, major public lands, geographic reference.
• Environmental Data – Air quality, fish and wildlife, priority species and habitats, geology and soils, groundwater and wells, hazardous materials, hydrography, plants, and water quality.

WSDOT users can access these data sets through the WSDOT GIS Workbench web page. The data provided to WSDOT staff through the GIS Workbench are sufficient for Project Summary’s ERS form purposes, for most disciplines. However, wetland data available from the GIS Workbench are not reliable, and may show wetlands as absent when they are present or may show wetlands as present when they are not. Field work by a qualified wetland biologist is necessary to determine the presence or absence of wetlands. Consult Ecology’s Facility/Site database to identify potentially contaminated sites Hazardous Materials and Problem Waste sites (i.e. Federal Superfuhnd/NPL sites, SHWS/CSCS, LUST and USTs). (See Chapter 447 for additional guidance.)
(2) **Expansion of GIS Workbench**

GIS resources for environmental data are expanding rapidly. WSDOT staff works with federal, state, and local agencies to maintain a collection of the best available data for statewide environmental analysis. New data resources are being incorporated into the WSDOT GIS Workbench. To facilitate getting the best data into the system, please contact the ESO Environmental Information Program with information about newly identified data resources.

(3) **Citing a GIS Database**

The GIS Workbench itself should not be cited as a data source, or reference on paper or digitally. Data source or reference citation should be specific to the exact dataset viewed using the GIS Workbench. Proper form for citations referring to a digital database is evolving, but typically includes the name of the data system, the name of the agency that maintains/updates the database, and date of the data retrieval. If the data comes from an Internet website, the title of the site should be included with the full Uniform Resource Locator (URL). The citation information can be found in the Metadata (Item Description) for each Workbench dataset.

### 300.09 Applicable Statutes and Regulations

(1) **National Environmental Policy Act (NEPA)**

President Nixon signed the National Environmental Policy Act (NEPA) in January 1970 as the “national charter for protection of the environment” (PL 91 190, as amended). The intent of NEPA (40 CFR 1500 – 1508) is to help public officials make decisions that are based on an understanding of environmental consequences, and take actions that protect, restore, and enhance the environment.

NEPA implementing regulations applicable to all federally aided projects were developed by the Council on Environmental Quality (CEQ) and are codified as 40 CFR 1500 – 1508. FHWA regulations applicable to federally aided highway projects are codified as 23 CFR 771.

(2) **State Environmental Policy Act (SEPA)**

Washington’s State Environmental Policy Act (SEPA) (RCW 43.21C), adopted in 1971, directs state and local decision makers to consider the environmental consequences of their actions. State SEPA Rules are maintained by the Washington State Department of Ecology (Ecology). The SEPA Rules (WAC 197-11), and Ecology’s guidance, the SEPA Handbook, are posted on the Ecology SEPA web page.

WSDOT’s Agency SEPA procedures (WAC 468-12, as amended) are located at the Office of the Code Reviser website.
### 300.10 Abbreviations and Acronyms

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<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>CE</td>
<td>Categorical Exclusion (NEPA) or Categorical Exemption (SEPA)</td>
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<tr>
<td>CFR</td>
<td>Code of Federal Regulations</td>
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<tr>
<td>CIPP</td>
<td>Capital Improvement and Preservation Program</td>
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<tr>
<td>DCE</td>
<td>Documented Categorical Exclusion (NEPA)</td>
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<tr>
<td>DNS</td>
<td>Determination of Nonsignificance</td>
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<tr>
<td>DS</td>
<td>Determination of Significance</td>
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<td>EA</td>
<td>Environmental Assessment</td>
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<td>ECS</td>
<td>Environmental Classification Summary</td>
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<td>EIS</td>
<td>Environmental Impact Statement</td>
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<td>ERS</td>
<td>Environmental Review Summary</td>
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<td>ESO</td>
<td>Environmental Services Office</td>
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<td>FHWA</td>
<td>Federal Highway Administration</td>
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<td>FTA</td>
<td>Federal Transit Administration</td>
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<tr>
<td>GIS</td>
<td>Geographic Information System</td>
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<tr>
<td>MAP-21</td>
<td>Moving Ahead for Progress in the 21st Century</td>
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<td>MPO</td>
<td>Metropolitan Planning Organization</td>
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<tr>
<td>NEPA</td>
<td>National Environmental Policy Act</td>
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<tr>
<td>PCE</td>
<td>Programmatic Categorical Exclusion</td>
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<tr>
<td>PS&amp;E</td>
<td>Plans, Specifications, and Estimates</td>
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<tr>
<td>RTPO</td>
<td>Regional Transportation Planning Organization</td>
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<tr>
<td>SEPA</td>
<td>State Environmental Policy Act</td>
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<tr>
<td>STIP</td>
<td>Statewide Transportation Improvement Program</td>
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<td>TIP</td>
<td>Transportation Improvement Program</td>
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</table>
300.11 Glossary

**Categorical Exclusion** – A NEPA action that does not individually or cumulatively have a significant environmental effect. (See Section 300.04(a).)

**Categorical Exemption** – A SEPA action that does not individually or cumulatively have a significant environmental effect. (See Section 300.05.)

**Documented Categorical Exclusion** – A NEPA action that requires additional environmental documentation to qualify as categorically excluded. (See Section 300.04(b).)

**Federal Nexus** – A project has a federal nexus, and therefore environmental impacts must be evaluated under the NEPA, when there is a connection with the federal government. Federal connections include:
- Federal land within the project area.
- Federal money is used on the project.
- Federal permits or approvals are required.


**Project Scoping** – A phase of the WSDOT Transportation Decision Making Process designed to ensure region staff incorporates all major costs of the project in funding estimates. Engineering and environmental factors must be included to generate a realistic schedule and cost estimate for the legislature’s consideration. This work is accomplished in the Project Summary and identifies the key environmental elements that will be addressed through NEPA/SEPA and permitting.

**Programmatic Categorical Exemption** – A project that qualifies as categorically exempt for NEPA under the FHWA 2013 CE Programmatic Agreement. (See Chapter 400.)