

VIRGINIA DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL DIVISION

INSTRUCTIONAL AND INFORMATIONAL MEMORANDUM

DIRECTED TO: District Environmental Managers District Assistant Environmental Managers District Environmental Staff CO NEPA Staff CO Environmental Procedure Management Staff	AUTHORITY: Code of Virginia Section 10.1-1188B; November 2001 MOA for the Review of Highway Projects Undertaken by VDOT
GENERAL SUBJECT: State Environmental Review Process	NUMBER: IIM-ED-717.2
SPECIFIC SUBJECT: State Environmental Review Process Requirements	DATE: 09/21/2023
	SUPERSEDES: EM-NEPA-717.1
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Changes are shaded.

BACKGROUND

The State Environmental Review Process (SERP) is a process that applies to any state funded project \$500,000 or greater involving earth disturbance within the limits of disturbance (LOD). The process only applies to state funded construction projects, and it must be completed by District Environmental Staff. To fulfill the SERP, the Preliminary Environmental Inventory (PEI) form is used to compile comments and information received from agencies during SERP. When a project scope meets the criteria of one or more of the categories listed on the PEI Exemption List, the project is exempt from SERP. A state funded construction project that costs less than \$500,000, a project using federal funds, a project requiring a federal permit, or a maintenance project is defined as SERP Not-Required. These definitions provide data that is included in the annual SERP report, which is completed at the beginning of each calendar year to support requirements defined in the Code of Virginia Section [10.11188B](#) (Chapter 11.1, Article 2, Environmental Impact Reports of State Agencies), and the [Memorandum of](#)

[Agreement](#) (MOA) signed by the Secretary of Natural Resources and the Secretary of Transportation.

PURPOSE

This Instructional and Informational Memorandum (IIM) provides Environmental staff with direction on complying with the SERP. This IIM also provides direction on annual SERP reporting requirements.

SCOPE & APPLICABILITY

SERP requirements are usually carried out by District Environmental staff, in consultation and review by Central Office (CO) National Environmental Policy Act (NEPA) Programs or the NEPA Programs Working Group, when appropriate. CO Environmental Division staff complete annual reporting on SERP activities.

REQUIREMENTS

SERP begins when a new project is entered into the Comprehensive Environmental Data and Reporting (CEDAR) system. The Environmental staff assigned to complete the Project Definition form in CEDAR shall address all data fields on the "Add'l Info" tab. If the individual entering the information is unsure how to complete certain data fields or lacks the information to do so, these fields shall not be ignored. Staff shall seek assistance from others in the District or CO to populate these fields in a manner consistent with other projects.

By completing all data fields, Environmental staff are providing the necessary information to determine SERP applicability and ensure the Department can provide accurate reporting required under the MOA for the Review of Highway Projects Undertaken by the Virginia Department of Transportation (VDOT) (11/27/01).

In completing the CEDAR data entry, Environmental staff will consider the following:

- Is VDOT federalizing the project by completing a NEPA document?
- Will the project receive federal permits or approvals, including but not limited to a U.S. Army Corps of Engineers (USACE) permit?
- Is the project a maintenance project?
- Is the project estimated to cost less than \$500,000?

If the answer to any of these questions is "yes", SERP is not required and shall be documented as such in the Project Definition form and [EQ-103](#).

If the answer to these questions is "no", staff shall consult the PEI exemption list to determine whether the project is exempt from SERP. If a project is exempt, the exemption shall be noted in the Project Definition Form in CEDAR and the EQ-103.

If it is determined that SERP is required and the project is not exempt, that shall be documented accordingly in the Project Definition form and the EQ-103. If SERP is applicable, the Environmental staff assigned to the project shall complete the SERP process. This includes:

- 1) Review CEDAR and other available resources to inform the PEI to a defensible level but not to exceed what is prepared for a Programmatic Categorical Exclusion (PCE).
- 2) Email Interagency Environmental Coordination Committee (IECC) agencies to request review of and comment on the proposed project within their regulatory purview to inform the PEI. Agencies should be asked to complete their review within a minimum of 15 days and not to exceed 30 days.
- 3) Update and complete the PEI after the allotted agency review.
- 4) Obtain internal review of PEI.
- 5) Send out SERP closure to all appropriate parties
- 6) Upload forms and agency responses to CEDAR. Comments received after the allotted comment period should be considered and added to the CEDAR record.

These steps also apply to state-funded locally administered construction projects. For locally administered projects (LAP), however, VDOT staff responsibility is limited to the numbered steps above and the locality certifies the results. For these local projects, the results of the environmental review will also be shared with the District LAP Coordinator.

PROCEDURES/REPORTING

Reporting requirements for SERP are accomplished at the District/project level and the Central Office/program level. At the District/project level, reporting is accomplished by completing all data entry in the Project Definition form and uploading all forms and correspondence into CEDAR. By properly documenting the project in CEDAR, District staff are informing the CO program level reporting. Coordination shall begin as soon as a project is entered into CEDAR to ensure that the responsible staff has the necessary information to enter all required data fields in CEDAR, including decisions on SERP applicability. If necessary, District staff should consult with CO NEPA Programs or the NEPA Working Group on these decisions.

At the beginning of each calendar year, the NEPA Programs Program Manager will work with other CO staff to develop the Annual Program Evaluation and Report. The data used to inform the report shall be consistent with the previous year's report unless otherwise directed by the Environmental Division Director. Prior versions of the data collection are not acceptable. Once the report is drafted, it will be submitted to the Assistant Division Director for review and comment and then forwarded on to the Division Director. Once finalized, the VDOT Environmental Division Director will formally transmit the Annual Program Evaluation and Report to the Director of the Virginia Department of Environmental Quality (DEQ). This should be accomplished during the month of January each year.

OTHER INFORMATION (INTERNAL ONLY)

[PEI Exemption List](#)