



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

BDE PROCEDURE MEMORANDUM

NUMBER: 16-01

SUBJECT: BDE Manual Revision – Categorical Exclusion (CE)
Agreement

DATE: February 5, 2016

Chapters 3, 12, 22, 23, 26, and Appendix A of the BDE Manual, as well as several BDE forms, have been revised to implement the revised IDOT/FHWA CE Agreement. Please see the BDE Manual and forms on-line to view the revisions.

Background

On October 14, 2015 the FHWA and IDOT entered into a new programmatic agreement regarding the processing of actions classified as Categorical Exclusions for Federal-aid highway projects. This new CE Agreement contains several significant changes as compared to the previous agreement:

Terminology: The new CE Agreement replaces the term CE I with State Approved CE and CE II with Federal Approved CE.

CE Classification: In the previous CE Agreement, actions discussed in 23 CFR 771.117(c) were considered CE I and actions discussed in 23 CFR 771.117(d) were considered CE II, along with a list of project types agreed to between the FHWA and IDOT. With the new CE Agreement, actions in 23 CFR 771.117(d) can also be classified as State Approved as long as no potential for unusual circumstances exist.

Unusual Circumstances: The list of potential for unusual circumstances for determining if a project should be classified as a Federal Approved CE has been modified.

Staff Qualifications: The new CE Agreement contains provisions intended to ensure IDOT maintains adequate staff capability and expertise to effectively carry out the provisions of the Agreement. Amongst other requirements, individuals who make CE approvals and determinations must complete the web based course FHWA-NHI-142052, "Introduction to NEPA and Transportation Decision Making".

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Quality Control/Quality Assurance, Monitoring and Performance: The new CE Agreement requires IDOT to: 1) carry out regular quality control and quality assurance activities; 2) cooperate with the FHWA in monitoring performance; and 3) annually submit a report to the FHWA summarizing its performance under this Agreement no later than February 28 of each calendar year.

The following BDE Manual Chapters have been revised:

- Chapter 3 has been revised to include new CE terminology.
- Chapter 12 has been revised to remove the Figure 12-3.F, "Checklist for Phase I Reports" which has been replaced by new form BDE 1210 (Phase I Checklist).
- Chapter 22 has been revised to include clarification to the coordination meeting process.
- Chapter 23 has been extensively revised. The revision includes updating the potential for unusual circumstances list per the new CE Agreement and clarification of the CE determination and approval process.
- Chapter 26 has been revised with the new CE terminology.
- Appendix A has been revised to include the new CE Agreement.

The following BDE forms have been created or revised:

- BDE 2601 (Phase I Report Approval) has been changed to BDE 1201 and the CE approval language and signature line have been removed.
- BDE 2564 (Pavement Preservation Project (3P)) has been changed to BDE 1202 and the CE approval language and signature line removed. Approval of 3P projects will now be documented using form BDE 1201.
- BDE 2565 (SMART Project Report) has been changed to BDE 1203 and the CE approval language and signature line removed. Approval of SMART projects will now be documented using form BDE 1201.
- BDE 2301 (Categorical Exclusion Determination and Approval) has been created to be sole form for CE approval language and signature and shall be included in the project report or project file.



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