



CREATE Program Phase I Document Validity (“Shelf Life”) Considerations

Document/Analysis	Validity (“Shelf Life”)	Notes
Special Waste Studies		
Special Waste Assessment (SWA) Screening	➤ >6 months (from the date of the SWA Screening) requires a new SWA Screening	➤ Source: Chapter 27 of the IDOT BDE Manual ➤ Based on standards issued by American Society for Testing and Materials (ASTM) and All Appropriate Inquiries (AAI) Final Rule (40 CFR Part 312) issued by U.S. EPA
Preliminary Environmental Site Assessment (PESA)	➤ >6 months (from the date of the PESA report) requires validation through SWA Screening; if changes in land use or new releases are identified, then entire project should be reassessed as new PESA report ➤ >3 years (from the date of the PESA report) requires reassessment as a new project and, if necessary, a new PESA report	
Preliminary Site Investigation (PSI)	➤ >5 years (from the date of the PSI report) requires reassessment as a new project and, if necessary, new PESA and PSI reports	
Environmental Survey Requests (ESRs)		
Cultural Clearance	➤ No expiration; however, care must be taken to confirm that scope of work that was basis for clearance remains unchanged	➤ Source: Chapter 27 of the IDOT BDE Manual
Biological Clearance (including wetlands)	➤ Biological clearance is valid for 2 years unless: <ul style="list-style-type: none"> • new information becomes available that was not previously considered; • the proposed project is modified; or • additional species, essential habitat, Natural Areas, or wetlands are identified in the project vicinity 	
Wetlands		
Wetland Delineations	➤ Valid for 5 years from the date of confirmation	➤ Source: U.S. Army Corps of Engineers – Chicago District Regional Permit Program Frequently Asked Questions http://www.lrc.usace.army.mil/Missions/Regulatory/Illinois/RPPFAQs.aspx
Wetland Impact Determination	➤ Valid for a period of 3 years following the issuance of written notice to the agency or applicant submitting the request. Illinois DNR may grant extension upon demonstration by the agency or the applicant that the project is being pursued in good faith and that conditions of the site have remained substantially unchanged.	➤ Source: Illinois DNR Interagency Wetland Policy Act http://dnr.state.il.us/wetlands/ch6f.htm
Wetland Compensation Plan	➤ Illinois DNR approval valid for 3 years	➤ Source: Chapter 26 of the IDOT BDE Manual ➤ Source: Illinois DNR Interagency Wetland Policy Act http://dnr.state.il.us/wetlands/ch6f.htm
Threatened and Endangered Species* / Illinois Natural Areas *Includes both Section 7 of the Federal Endangered Species Protection Act of 1973 and Illinois Endangered Species Protection Act		



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<p>Biological Assessment / Biological Opinion</p>	<ul style="list-style-type: none"> ➤ No specific expiration; Should be reviewed regularly to confirm that ESA approval received through consultation is still valid for all listed species and designated critical habitats prior to and during construction ➤ Illinois DNR sign-off for threatened and endangered species/Natural Area requirements is valid for 3 years from the date of issuance 	<ul style="list-style-type: none"> ➤ Source: Chapter 26 of the IDOT BDE Manual
<p>National Environmental Policy Act (NEPA) Documents¹</p>		
<p>Categorical Exclusion (CE) Environmental Assessment (EA) Environmental Impact Statement (EIS)</p>	<ul style="list-style-type: none"> ➤ NEPA approvals are generally considered valid for a period of 3 years from the date of issuance by the FHWA, provided major steps to advance the action (e.g., authority to undertake final design; authority to acquire a portion of the right-of-way; or approval of plans, specifications and estimates) have occurred within this time ➤ Within this 3-year period, reevaluation of the NEPA document may be required due to changes in the scope or design of a project or if there is new information or circumstances relevant to environmental concerns (e.g., new or modified laws and regulations, new or modified policies, changes in train traffic, design standards, or general conditions in the study area) that could change the conclusions of the impact assessment and/or change the NEPA class of action. These items should be coordinated with FHWA to determine how to proceed, as well as format and specific content of a reevaluation. 	<ul style="list-style-type: none"> ➤ Source: Chapters 22 through 26 of the IDOT BDE Manual ➤ Source: 23 CFR 771.129 ➤ Source: FHWA Frequently Asked Questions about NEPA Revaluations (Two Part Series): https://www.fhwa.dot.gov/resourcecenter/teams/environment/vol5iss2.pdf https://www.fhwa.dot.gov/resourcecenter/teams/environment/vol5iss3.pdf

Notes: Does not include environmental permits (e.g., Section 404, Section 401, Section 10 ESA permits), which are typically obtained during Phase II design.

¹ Certain analyses contained within a NEPA document may require updates for various reasons. The need for these updates is not necessarily based on “shelf-life” considerations; therefore, the analyses are not listed in this table. Examples include, but may not be limited to, the following: noise and vibration (updates needed if changes made to CTCO train model) and air quality analysis (updates needed if changes made to the CTCO train model or if the anticipated year of greatest construction activity has passed or changes).