



## FY 2025 BUILD Notice of Funding Opportunity

### *Guidance for the Environmental Risk Assessment (Capital Projects)*

#### Overview

- This guidance is intended to aid preparation of the Environmental Risk portion of the Project Readiness file in the BUILD application package for capital projects, which will inform the Environmental Risk Assessment conducted by USDOT during the Tier 2 Project Readiness Review phase of application evaluation.
- This guidance reflects key information that USDOT reviewers will use to assign a rating for each capital application's environmental risk. Providing the information below in a clear, understandable manner will aid the USDOT reviewers in more accurately evaluating project risk. Omitting information or including unclear or inconsistent information may impact the risk rating. If desired, applicants may include readiness information beyond what is specified below.
- In addition to this guidance, applicants should ensure the Project Description file includes all information described in section D.3 of the Notice of Funding Opportunity to provide USDOT reviewers a complete understanding of the proposed action.

#### Application Formatting Requirements

- The Environmental Risk information should be included in the Project Readiness file submitted as part of the application package, and the Project Readiness file as a whole should not exceed 5 pages.
- The files should be in PDF format, single-spaced, with 12-point standard font (e.g., Times New Roman), and 1-inch margins.
- Supplemental Environmental Risk information may be included as hyperlinks, appendices, or additional attachments, and will not count against the page limit. Please note that USDOT reviewers may view this supplemental information if time allows during the evaluation, but they are only *required* to review documents submitted as part of the application package.

#### Recommended Outline

To assist the Department's Environmental Risk Assessment, the applicant should provide the information requested on project schedule, required approvals and permits, NEPA class of action and status, public involvement, right-of-way acquisition plans, risk assessment, and risk mitigation strategies.

The Environmental Risk details should include the sections outlined below; other sections may be added as desired by the applicant to provide a complete description of readiness, and supporting material that exceeds page limits may be provided as hyperlinks, attachments, or appendices.

A. Planning & Constructability

- STIP / TIP / TTIP / TAM Plan: Is the project already listed in the Statewide Transportation Improvement Program (STIP), Metropolitan or Tribal Transportation Improvement Program (TIP or TTIP), and/or the Transit Asset Management (TAM) Plan (as applicable)? If so, provide links or attachments that show the project listing in the applicable plans/programs. If the project is not yet listed, describe any coordination that has/will occur to facilitate listing in the applicable plans/programs and the anticipated date when listing will occur.
- Consistency with Other Plans: Is your proposal listed in and/or consistent with any other plans (e.g., the Long-Range Statewide Transportation Plan and/or Metropolitan Long-Range Plan)? If so, please summarize and provide a link to appropriate project listing.
- Freight Plans: To the extent possible, freight projects should be included in a State Freight Plan and supported by a State Freight Advisory Committee (49 U.S.C. 70201, 70202), if these exist. Applicants should provide links or other documentation supporting this consideration such as letters of support from the State DOT if the project is intended to be included in the State Freight Plan, or results from application of the [FHWA Freight Mobility Trends Tool](#).
- Property Acquisition / Right-of-Way (ROW): Who is the owner of the existing facility? Will any new ROW acquisition be required, and if so, from whom? If acquisition will be required, describe the status and anticipated schedule for the acquisition. Will any special ROW permits or approvals be needed? If so, please describe.
- Construction Techniques and Phasing: Will the proposed improvements require unique construction techniques, non-standard project delivery methods (e.g., approaches other than design-bid-build), and/or construction phasing? If so, please describe.

B. Proposed Schedule

- List the completed and/or anticipated dates (calendar month and year, not fiscal year or quarter) for the following key milestones (include additional milestones if desired). Dates provided should reflect a realistic amount of time to complete each milestone. Ensure that dates provided here are consistent with dates provided elsewhere in the application. A more detailed graphical schedule may be attached, but at a minimum, it should include the following milestones in month and year format. **Note: the obligation deadline for FY 2025 BUILD funds is September 30, 2029.**
  - Start and end of preliminary design
  - Start and end of the NEPA process
  - Start and end of obtaining permits/approvals (if required)
  - Project listed in STIP, TIP, TTIP, and/or TAM Plan (as applicable)
  - Start and end of final design
  - Start and end of ROW acquisition (if required)
  - Anticipated finalization of BUILD grant agreement (if awarded)
  - Anticipated obligation of grant funds (if awarded)
  - Start and end of construction

- Project Development Phases to be Funded with BUILD: Describe the project development phase(s) proposed to be funded with BUILD funds (if awarded), and whether BUILD funds are proposed to be used for phases other than ROW acquisition and construction (e.g., for design, NEPA, etc.). Note: typically, milestones for establishing the grant agreement and obligation of funds should be scheduled before any activities/phases that will use BUILD funds.

### C. NEPA & Permitting

- NEPA Class of Action: List the class of action/type of document that has already been or will be prepared to comply with the National Environmental Policy Act (NEPA) of 1969, as amended (e.g., a categorical exclusion, an environmental assessment, an environmental impact statement, or class of action not yet determined). If multiple NEPA documents are being prepared for this proposal, briefly explain why, and complete the prompts below for each document.
- NEPA Status and Milestones: Briefly describe the status of NEPA compliance (e.g., not started, underway, or complete), the anticipated project impacts, and proposed mitigation measures. If the NEPA process has been completed, provide the final approval date for the NEPA document. If the NEPA process has not yet been completed, list the key remaining milestones for the NEPA process, their status, and their anticipated completion dates. Identify any anticipated challenges to timely completing the NEPA process.
- Link to NEPA Documentation: If draft or final NEPA documentation is available, provide it as a hyperlink, attachment, or appendix.
- Reevaluation and Post-Approval Changes: Describe any planned and/or completed efforts to reevaluate the NEPA documentation between the final NEPA approval and beginning of construction. Reevaluation may be warranted based on the passage of time and/or changes in the project scope, setting, impacts, or applicable requirements since the final NEPA approval.
- Permits and Approvals: List any federal, state, or local permits and approvals anticipated to be needed for the project (e.g., Clean Water Act Section 404 permit, Endangered Species Act Section 7 consultation, etc.). Provide the status of each permit or approval and the date that the permit or approval was obtained or is anticipated to be obtained. Summarize and attach relevant correspondence or documentation of consultation with permitting agencies.
- Coordination with DOT: Identify the federal lead agency for the NEPA process and any joint-lead agencies. Describe any coordination that has occurred with a USDOT operating administration or other agency regarding the project proposal and/or NEPA analysis. Describe any coordination with state, county, or local transportation agencies regarding preliminary design and the NEPA process.

### CI. Project Support

- Public and Agency Involvement Process: Summarize the key events and techniques used to engage the public and other stakeholders during the NEPA process. Highlight efforts to engage communities likely to be affected by the project. These efforts may include public meetings, a public website, presentations to community groups, newsletters, online outreach, etc.

- Public and Agency Involvement Results: Summarize the support, opposition, and/or other notable feedback related to the project from the following groups and describe how stakeholder feedback has been integrated into project development and design:
  - The public, including members of communities affected by the proposal,
  - Elected officials and/or bodies (e.g., federal and state legislators, city and county councils and boards, etc.),
  - Other entities (e.g., members of business or industry, community organizations, advocacy groups, etc.), and
  - Federal, state, or local agencies (reference any relevant information provided in the Permits and Approvals section above).
- Attach and reference documentation of support as applicable (e.g., letters of support, letters of commitment, resolutions, summaries of public comments, etc.)

E. Risk & Mitigation

Project risks, such as procurement delays, environmental uncertainties, increases in real estate acquisition costs, uncommitted local match (non-federal funding), lack of support from stakeholders or impacted communities, or lack of legislative approval affect the likelihood of successful project start and completion. Project risks can also include the unavailability of vehicles that either comply with Federal Motor Vehicle Safety Standards or are exempt from Federal Motor Vehicle Safety Standards in a manner that allows for their legal acquisition and deployment, and unavailability of domestically manufactured equipment.

- The applicant should identify all material risks and harms to the project and the strategies that the lead applicant and any project partners have undertaken or will undertake to mitigate those risks, and describe the potential effects of each risk (if any) on meeting the key project delivery schedule milestones presented in the Proposed Schedule. The applicant should assess the greatest risks to the project and identify how the project parties will mitigate those risks.
- If an applicant anticipates pursuing a waiver for relevant domestic preference laws, the applicant should describe steps that have been or will be taken to maximize the use of domestic goods, products, and materials in constructing its project. To the extent the applicant is unfamiliar with the Federal program, the applicant should contact the appropriate DOT operating administration field or headquarters offices, as found in contact information on the [BUILD website](#), for information on the prerequisite steps to obligate Federal funds in order to ensure that their project schedule is reasonable and that there are no risks of delays in satisfying Federal requirements.

## Supporting Appendices / Attachments

Consider including the following kinds of documents as appendices to the Environmental Risk information, hyperlinks to an external site, or as separate files included with the application. This list is not exhaustive.

- Additional figures, maps, and/or plans showing the project area, existing conditions, and proposed improvements
- Planning studies or documentation that detail the existing needs, early scoping and screening activities and decisions, and preliminary coordination with the public and relevant agencies
- Pages from the TIP, STIP, TTIP, and/or TAM Plan demonstrating project listing in those documents (as applicable)
- Detailed/graphical project schedule (at a minimum, the schedule should include the milestones identified above)
- Draft or final NEPA documentation for the project (if available)
- Detailed project risk analysis
- Letters and other documentation of support from key stakeholders (e.g., resolutions, letters of financial commitment, letters demonstrating coordination with permitting agencies, etc.)
- Summaries of public feedback received in support of and/or in opposition to the proposal