

CHAPTER 12 – Project Approvals and Changes to Approved Projects

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CHAPTER 12 – Project Approvals and Changes to Approved Projects

SECTION 1 General

This chapter discusses the project development workflow tasks between Milestones 160 and 200. For details on these tasks, see the *Project Development Workflow Tasks Manual*.

Various Reports Can Approve a Project

The project report (PR) documents Caltrans' approval for most types of State highway projects. This includes new facilities, as well as improvements, modifications, or repairs to existing facilities — whether done by Caltrans or by others under an encroachment permit.

Some transportation projects use other reports for project approval. Some of these reports may serve a dual purpose as a project initiation document and a project approval document. These other project approval documents are described in Section 4.

Project Approval

Project approval means approval by Caltrans, and where required, approval by the Federal Highway Administration (FHWA) and the California Transportation Commission (CTC).

Approvals by Other Entities

Transportation projects often require other types of approvals from outside entities before they may proceed to design and construction. Other project-related approvals, agreements, and permits are discussed in [Chapter 13](#).

Changes to Approved Projects

A separate approval must be obtained when changes in project concept or scope are proposed after project approval. This may include the need to write a supplemental PR. See Section 6 of this chapter for details.

Preferred Alternative

All projects for which an environmental impact report/environmental impact statement (EIR/EIS) is prepared require the development and evaluation of project alternatives. Most projects for which a negative declaration (ND) is prepared also carry more than one alternative through the public hearing phase. Before such projects can be approved, a preferred alternative must be selected. This selection process is described in Section 2.

SECTION 2 Selecting a Preferred Alternative

Selection Timing

Selection of the preferred alternative occurs only after specific effects and reasonable mitigation measures have been identified for each project alternative. The selection is made after all comments are received from the circulation of the draft environmental document (DED) for public comment and from the public hearing process. These comments and the rationale for selecting the alternative are detailed in the final environmental document (FED) and summarized in the project report (PR).

Selection Decision & Approval

The preferred alternative, with discussion substantiating its selection, is presented in the FED. In cases where more than one alternative is equally suitable, the FED can be structured to present such options. The "plan-to-ground" strategy utilized during the formal study's evaluation of alternatives (see [Chapter 10](#)) permits the decision maker to select the alternative (which may or may not be the preferred alternative) that best meets the specific evaluation criteria associated with any particular project proposal.

Informed Decision

The environmental document (ED) should present sufficient information to enable a reasoned choice among the project alternatives. The issues should be sharply defined and provide a clear basis for selection. The selection must reflect the consideration of all significant, reasonably foreseeable, adverse impacts that remain after incorporation of all reasonable mitigation measures. The selection decision must be structured, analytical, and clearly address the specific evaluation criteria developed for the project. It must ensure that the selected project meets the need and purpose for the project.

Approval

The preferred alternative is approved with PR approval by the District Director (or designee) after selection by the project development team (PDT) and recommendation of the project manager. The preparer of the ED has no authority to make an approval decision.

Justified Unavoidable Impacts

An alternative that results in a significant, adverse environmental impact or the use of protected resources will only be approved when all of the following are demonstrated:

- There are no reasonable alternatives that will avoid such impacts or uses.
- There are no reasonable alternatives or mitigation measures that will substantially lessen such impacts or uses.
- There are specific conditions (economic, social, or other) that make other alternatives or mitigation measures unreasonable.

Reasonable Alternatives

Reasonable alternatives are those that have been found to be reasonable and acceptable to Caltrans and Federal Highway Administration (FHWA) in meeting the project's intended need and purpose.

Gain Consensus

The goal in defining reasonable alternatives for the preferred alternative selection is to gain a consensus of the community, the PDT, and the permitting agencies. The agreement of the permitting agencies must be formally documented.

Avoidance Alternative

If there is a reasonable alternative that avoids all significant impacts, uses of protected resources, and impacts on hazardous waste, then efforts should be directed to the selection of this alternative. If there are multiple alternatives that avoid all significant impacts, then efforts should be made to select the avoidance alternative that best fulfills the project's need and purpose.

Environmentally Preferred Alternative

If there is no such avoidance alternative, then efforts should be directed to selection of the reasonable alternative that causes the least harm, after mitigation, to protected resources and the environment. This is termed the "environmentally preferred alternative."

Overriding Considerations

When overriding considerations dictate the selection of a preferred alternative that is not an available avoidance alternative or the environmentally preferred alternative — the decision must be substantiated with a statement of overriding considerations. When overriding considerations are involved, the consensus reached with the involved resource and regulatory agencies should reflect any balancing of resource impacts.

Balancing Resource Impacts

At times it may be necessary to suggest the acceptance of impacts on one resource in order to avoid or minimize impacts on another resource. Efforts should be made to gain a consensus of the involved resource and regulatory agencies regarding identification of the environmentally preferred alternative.

CTC Involvement

When selection of the preferred alternative is highly controversial or if the proposed preferred alternative is significantly higher in overall cost as compared to other build alternatives, it may be appropriate to involve the California Transportation Commission (CTC) in the preferred alternative selection. In such an instance, a preferred alternative report should be submitted to the CTC as a monthly agenda item, with a request for their concurrence. If this is done, it should be done prior to PR approval. If the CTC becomes involved in selecting the preferred alternative, a CTC public hearing will probably be held before the selection.

SECTION 3 Project Report Approves Projects

ARTICLE 1 General

Purpose of the Project Report

The project report (PR) documents Caltrans' approval for most types of State highway projects. A project receives Caltrans' approval when the PR is approved by the District Director or a division chief who has been delegated that authority.

Draft Project Report

Projects with draft environmental documents (DED) require the preparation of a draft project report (DPR) prior to finalizing the PR. The DPR documents the need for the transportation project and summarizes the studies of the cost, scope, and overall impact of project alternatives, so that an informed decision can be made on whether or not to proceed to the public hearing phase of project development. After a public hearing and the selection of a preferred alternative, the DPR is updated to become the PR. Refer to [Chapter 10](#) of this manual for information on the DPR.

Environmental Document

When there is an environmental document (ED) for a project, it is a key project approval document. The ED is prepared to assure that the project complies with State and federal environmental laws. All project activities, such as the development of project alternatives, public input, and selection of the preferred alternative, are discussed in the final environmental document (FED). Selection of the preferred alternative is discussed in Section 2.

PR Content

If an FED or categorical exemption/exclusion (CE) is required for the project, it must be attached to the PR; otherwise a statement of compliance with environmental laws and regulations must be included in the body of the PR. Any PR discussion of items covered in the FED should be summary in nature, but should provide enough detail to allow district management to obtain a concise picture of the project without

researching the FED. The attached FED should be referenced for any detailed environmental information.

There may also be certain statutory requirements or report considerations that may not be appropriate for the FED. These items are incorporated into the PR.

Categorically Exempt/Excluded Projects

When a project is statutorily or categorically exempt/excluded, there is no ED, so all information must be provided in the PR. The executed CE is a required attachment unless the project does not require a CE form. (See Chapter 2 of the [Standard Environmental Reference.](#))

Format & Guidelines

An outline and detailed guidelines for PR preparation is provided in [Appendix K.](#)

Requests for Division of Design (DOD) Review

To obtain a preliminary review of the PR before it is submitted for approval, forward two copies to Division of Design, Attention: Office of Project Development Procedures, with a written request stating what is desired from the review. If a review by other Headquarters units is needed, it should be requested directly from those units.

PR Approval

See Article 3 of this section for a detailed description of the PR approval process.

Processing

Following approval, two copies of all PRs covered by these guidelines are sent to Division of Design, Attention: Office of Project Development Procedures. An additional five copies are sent to the Office of Program/Project Management & Support in the Division of Engineering Services (DES). Copies are not normally sent to other Headquarters units unless specifically requested. See Section 4 for other types of project approval documents that are sent to other Headquarters units instead of DOD.

ARTICLE 2 Documenting the Preferred Alternative

PR & FED Roles

The selection of the preferred alternative is documented in the PR (and also in the FED, when an FED is involved). The PR documents the detailed engineering reasons for selecting the preferred alternative. The FED documents the environmental reasons for selecting the preferred alternative.

PR Documentation

When there is a DPR, it is used as a starting point for creating the PR. The DPR answered these three basic questions:

- Why do it at all? (need for project).
- Why do it now? (cost effectiveness).
- Which ways are practical? (alternatives).

The PR should answer the final question:

- Which way provides the greatest public good with the least private harm? (preferred alternative)

The preferred alternative should be documented in accordance with the PR guidelines and outline provided in [Appendix K](#). The items in the following list should be covered:

- Summarize the FED discussion of the preferred alternative, as well as the rationale for its selection. The rationale is the essence of the preferred alternative section of the FED. It describes engineering, environmental, and system planning rationale and explains why each of the other alternatives were rejected.
- Discuss the current construction and right of way costs of the preferred alternative compared to the programming figures in the current State Transportation Improvement Plan (STIP). Recommendations for any STIP programming changes are made for cost amounts, fiscal year scheduling, or stage construction.

- Summarize the public hearing process results and evaluation, as appropriate. This includes local agency positions.
- Summarize the FED evaluation of major comments related to project alternatives that were received from circulation of the DED.

ARTICLE 3 Caltrans' Project Approval Process

Approvals by Other Entities

Project approval refers to approval by Caltrans, and where required, approval by the Federal Highway Administration (FHWA) and the California Transportation Commission (CTC). Transportation projects often require approvals from outside entities before they may proceed to design and construction. Other project-related approvals, agreements, and permits are discussed in [Chapter 13](#).

Preliminary Sign-Off

- To ensure that all right of way information contained in the PR and the right of way data sheet attached to it are complete, current, and accurate, the right of way branch chief signs the PR cover sheet.
- To ensure that all engineering and environmental studies have been included in the PR, the project manager signs the PR cover sheet, recommending approval.
- To ensure that all technical information has been prepared in accordance with State law, the registered civil engineer, usually the project engineer preparing such technical information, signs the appropriate sheet.
- When a final environmental impact report/final environmental impact statement (FEIR/FEIS) is completed, a two-part certification is prepared. To ensure that the California Environmental Quality Act (CEQA) laws have been satisfied, the environmental branch chief signs the first part of the certification sheet, attaching the completed findings and statement of overriding considerations.
- To certify that the information contained in an FEIR/FEIS has been reviewed and considered prior to approving the project, the authorized signer of the project report (District Director or designee) signs the second part of the certification sheet. The certification is attached to the front of the FED and is not included in the body of the PR.

- The District Director or a Deputy who has been delegated that authority approves the project by signing the PR cover sheet. The date of signing becomes the "official" project approval and environmental compliance date (Milestone 200).

Approval

FHWA Approval Process

When the FHWA is involved, it takes action to approve project design features before the project is approved by the District Director - except for route adoptions. Federal approval of general location and project design features for projects with a route adoption occurs after Caltrans' approval and CTC route adoption. FHWA approval is discussed in Section 5.

State Approval Process

State project approval is given by the District Director after the FED is approved by Caltrans and, if required, after FED and project design feature approval by the FHWA (except route adoptions). The CEQA environmental process is completed when Caltrans, as lead agency, approves a project and files a Notice of Determination (NOD) with the State Office of Planning and Research (OPR). Refer to the *Standard Environmental Reference* for further information. The process for projects that exclusively follow the State approval process differs from the federal approval process only to the extent that the various processing steps do not receive FHWA review or concurrence.

CTC Approval Process

The CTC takes project approval action, if involved, after the project has been approved by the District Director. This is discussed in Section 5.

SECTION 4 Other Caltrans Reports that Approve Projects

General

Refer to Figure 2 in [Chapter 8](#) for a summary of project approval document requirements by program.

PSSR for Rehabilitation Projects

The project scope summary report (PSSR) for a categorically exempt (CE) project serves as the project report (PR) for pavement rehabilitation (201.120), a structure rehabilitation project (201.110), or an urban freeway off-pavement access project (201.230). Occasionally a PSSR can also be processed with a negative declaration (ND). Development of such projects follows the PSSR process (also known as the task-force process) outlined in [Chapter 7](#), Articles 5, 8, and 11. For rehabilitation projects in the "Minor A" program, the PSSR process is optional, but encouraged; otherwise, the district processes a PR. The PSSR, which is the project initiation document, is also the project approval document once an approved CE or a ND is attached. Following approval, two copies of all PSSRs covered by these guidelines are sent to Division of Design, Attention: Office of Project Development Procedures. An additional five copies are sent to the Office of Program/Project Management & Support in the Division of Engineering Services. See Appendices [G](#), [P](#), [N](#), or [Q](#) for guidelines for the appropriate PSSR.

NBSSR for Noise Barrier Projects

The PR for a retrofit noise barrier project or a school noise project (201.270) that is categorically exempt is the noise barrier scope summary report (NBSSR). Occasionally, an NBSSR can be processed with an ND. The NBSSR, which is the project initiation document, is also the project approval document once an approved noise study report and a CE or ND is attached. Following approval, two copies of all NBSSRs covered by these guidelines are sent to the Office of Environmental Engineering in the Corporate Environmental Program. An additional five copies are sent to the Office of Program/Project Management & Support in the Division of Engineering Services. The process is described in [Chapter 9](#). [Chapter 30](#) contains

some other procedures related to noise barriers and [Appendix F](#) contains guidelines for an NBSSR.

PR-HP&R for Planting and Irrigation Projects

The PR for a new highway planting project or a rehabilitated planting and irrigation project is prepared and processed as outlined in [Chapter 29](#), Section 2, "Highway Planting," using a PR-highway planting and restoration (PR-HP&R) for project approval. See [Appendix D](#) for the PR-HP&R guidelines and outline.

PR-SRRA for Roadside Rests Projects

The PR for a new safety roadside rest area project (201.260) or a rehabilitated roadside rest area project (201.250) is prepared and processed as outlined in [Chapter 29](#), Section 3, "Safety Roadside Rest Areas," using a PR-safety roadside rest area (PR-SRRA) for project approval. See [Appendix M](#) for the PR-SRRA guidelines and outline.

Combined PSR/PR for Certain Special Funded Projects

Special funded projects are State highway improvements constructed by others under encroachment permit, with an estimated construction cost of more than \$1,000,000. Special funded projects are processed as State highway projects and require a PR. If the special funded project is non-complex, non-controversial, and meets the criteria outlined in [Chapter 9](#), it may qualify for preparation as a combined project study report/project report (PSR/PR) in accordance with the policies and procedures set forth in that section. The combined PSR/PR is the project approval document. Once approved, two copies of the combined PSR/PR are sent to Division of Design, Attention: Office of Project Development Procedures. An additional five copies are sent to the Office of Program/Project Management & Support in the Division of Engineering Services. The district may utilize this document for similar State-sponsored projects, if appropriate. See [Appendix A](#) for guidelines and an outline for the combined PSR/PR.

PEER for Encroachment Permit Projects

Encroachment permit projects are those State highway improvements constructed by others under encroachment permit, with an estimated construction cost of \$1,000,000 or less. Encroachment permit projects utilize the permit engineering evaluation report

(PEER) process in place of a PR for project approval to authorize issuance of an encroachment permit. (Districts may require a combined PSR/PR in some cases, provided the cost is over \$300,000.) Instructions covering the PEER process are included in [Chapter 9](#). See [Appendix I](#) for guidelines for preparing a PEER. The PEER process cannot be used for a project that requires an approval by the CTC, such as a new public road connection to a freeway or a controlled access highway; a PR would be required for such a situation.

Projects Sponsored by Others

Projects sponsored by other entities, such as rail transit projects, water projects, redevelopment projects, etc., often require relocation or modification of existing State highways. These are considered special-funded or encroachment permit projects as described above. All required State highway construction or reconstruction to accommodate a project sponsored by others must be covered by a PR, by a combined PSR/PR, or by a PEER, as appropriate. Coordination, review, and reimbursement provisions follow the general procedures found in the references cited in [Chapter 2](#), for locally funded State highway projects.

PR for "Minor A" Projects

The PR for a "Minor A" project (see [Chapter 4](#) for a definition) serves as both the project initiation document and the project approval document. When approving a PR for a "Minor A" project (except for an occasional "Minor A" project that gets listed in the State Transportation Improvement Plan [STIP]), the district follows program priorities established by the program advisor. The Headquarters program advisor should be consulted in cases where the appropriate program is in question. See [Appendix K](#) for guidelines and an outline for the PR. Refer to the *Traffic Manual*, Sections 1-05.3 and 9-02.2, for additional requirements for traffic signal project reports.

If a logical project exceeds the "Minor A" dollar limit for construction, a major project should be initiated. Separate "Minor A" projects for segments of an overall project should not be considered. "Minor A" funds should not be used to finance a series of small, related, and contiguous projects when a single contract is more appropriate. In those instances, to authorize the larger project, a project initiation document (PSR or equivalent) is prepared and the project is programmed in the appropriate programming document.

Environmental Assessment (EA) PR for "Minor B" Projects

Development of a "Minor B" project (see [Chapter 4](#) for a definition) follows the procedural instructions for preparing contracts for services contained in the *Service Contracts Manual*. The EA project report or the cover letter format project report described in [Chapter 9](#) serves as both the project initiation document and the project approval document. An example is provided in [Appendix B](#).

Director's Order for Urgent Projects

A Director's Order authorizes project work for emergencies that exceed established cost limits when done by informal bid procedures, force account procedures, equipment rental, or day labor. Refer to the *Major Damage Restoration Coordinator's Handbook*.

Projects Off the State Highway

Caltrans has occasionally been responsible for development of projects of others, such as State Parks roads, federal roads, rail transit, etc. The need, alternative solutions, costs, and reasons for selecting a specific design must be documented and reviewed. A PR is prepared and approved to accomplish this documentation. If State highways are involved, the PR documents decisions impacting the highway facility.

CAPM PR for Capital Preventive Maintenance Projects

All capital preventive maintenance (CAPM) projects (201.121) utilize a CAPM PR to define project scope, cost, and approve work. The completed CAPM PR serves as the project initiation document and the project approval document. Following approval, two copies of all CAPM PRs covered by these guidelines are sent to: Division of Design, Office of Project Development Procedures, Attention: Design Report Routing, Mail Station #28. An additional five copies are sent to the Office of Program/Project Management & Support in the Division of Engineering Services. See [Appendix H](#) for CAPM PR guidelines and outline.

EA PR for Maintenance Projects

All maintenance projects (20.80 Program) done by contract utilize an EA PR as both the project initiation document and the project approval document. An example is provided in [Appendix B](#).

SECTION 5 FHWA and CTC Approval of Projects

Federal Participation

Caltrans' policy requires pre-qualification of most projects for federal funding participation. Minimum dollar amounts for federal participation are established by the Division of Budgets for various program items. Current instructions from the Division of Budgets should be consulted, as the limits change according to financial conditions. Refer to Deputy Directive Number DD-11, "Federal Aid Project Funding."

When State-only funding is requested for a project, but State-only funding has not been identified in the programming document, specific approvals must be obtained from the Division of Programming. The project report (PR) proposing State-only funding should fully explain the efforts taken to qualify the project for federal participation and explain why federal funding could not be obtained.

If such a determination is made late in the process, approval from the Division of Budgets is required. State-only funding requests must be reviewed and approved by the design coordinator prior to submittal to the Division Chief of the Division of Programming or the Division Chief of the Division of Budgets. A copy of the approved PR should be attached to the request.

The amount of State-only funds may be limited. All approvals are based on availability of funds at the time of advertising.

FHWA Approvals

Certain projects require Federal Highway Administration (FHWA) review and/or concurrence, regardless of source of funding. (See [Chapter 2](#), "Federal Involvement.")

Any requests for FHWA approval or concurrence are submitted by the district to the FHWA. To insure FHWA approval, it is necessary to involve and inform them of project development from the beginning of studies through preparation of the plans, specifications, and estimates (PS&E). Whenever possible, the FHWA Liaison

Engineer should informally review requests for approvals prior to submittal of the formal request. This facilitates the processing of the formal request.

FHWA Location and Design Approval

For actions covered by an environmental impact statement (EIS) or finding of no significant impact (FONSI), FHWA signing of the final environmental impact statement (FEIS) Cover Sheet or execution of the FONSI constitutes FHWA acceptance of the general location and project design features unless delegated to Caltrans under stewardship. If environmental documents are tiered and separate location and design hearings are held, FHWA makes specific acceptance of the location or the design. FHWA signing of the FONSI or of the record of decision (ROD) for an FEIS, is required for FHWA approval to proceed with design or acquisition of right of way.

For other required FHWA approvals, by type of facility, refer to [Chapter 2](#), Section 7, of this manual. For details on preparation (including level of documentation) and approval of the FONSI and the ROD, refer to the *Standard Environmental Reference*.

CTC Approvals

When the California Transportation Commission (CTC) approves a route adoption or a new freeway connection, or when it is a responsible agency under California Environmental Quality Act (CEQA) because it will approve the allocation of funding, CTC approval of the project is needed.

Reports for Route Adoptions

The project report serves as an information source for processing route adoptions through the CTC. When the PR (with the mandatory attachment of the final environmental document [FED]) is transmitted to Division of Design, Attention: Office of Project Development Procedures, a reproducible and three prints of the route adoption map are submitted concurrently (not as attachments) to Division of Design, Attention: Office of Project Development Procedures. DOD prepares the Route Adoption Report for CTC action. See [Chapter 24](#) of this manual for route adoption procedures.

Reports for New Public Road Connections

Reports for CTC approval of new public road connections to freeways and controlled access highways are prepared by DOD. See [Chapter 13](#) and [Chapter 27](#) for new connection procedures.

Reports for Consideration of Future Funding

The Division of Environmental Analysis prepares reports for approval of a project for future consideration of funding by the CTC. Refer to the *Standard Environmental Reference* for details.

SECTION 6 Changes to Approved Projects

Major/Minor Change Determination

To guard against future litigation, care should be exercised in determining whether a project change is major or minor. A highly detailed, approved plan of development establishes an understanding of what is to take place. Generally speaking, the greater the detail shown on the exhibit maps in the environmental document (ED) or at the public hearing, the smaller the proposed change must be to qualify as a minor change.

Minor Changes

Minor changes are usually defined as small variations of design that do not significantly affect costs, adjacent properties, or environmental impacts. Minor changes to previously approved major design features normally do not require recycling of the environmental and public hearing processes, but do require concurrence from appropriate entities.

Approvals

Approval to proceed with a minor change to an approved project is given by the District Director, and when appropriate, by the Federal Highway Administration (FHWA). The approval request shall include an explanation of what prompted the change as well as a substantive justification for approving the change.

Major Changes

Major project changes include any change in project concept or a substantial change in project scope.

Reevaluate Concept

Because of the long lead time associated with major projects, changing land-use patterns, or loss of funding, there is often a need to reevaluate the concept and scale of previously approved projects. If a previously approved project or its ultimate scope has materially changed in concept, current detailed information should be evaluated before the extent of rescoping is decided. Proposed major deviations from approved concepts should be discussed with the design coordinator before undertaking full-scale environmental and design studies.

Required Reports

Any change in concept and substantial changes in scope should be discussed in a supplemental project report (PR). If the project development team determines that a new or supplemental draft environmental document (DED) is required, a supplemental draft project report (DPR) is prepared. In some cases, it may be appropriate to begin again with a new project study report (PSR). After approval, two copies of the final document should be forwarded to Division of Design, Attention: Office of Project Development Procedures, as appropriate.

Rescoping

Supplemental DPRs and supplemental PRs covering rescoping place particular emphasis on the following:

- The degree to which rescoping limits future expansion or flexibility.
- The impacts on adjacent, local street systems and the ability of local agencies to adjust their programs to match.
- Alternatives and their trade-offs in cost, traffic service, and economic, social, and environmental effects.
- Problems and costs resulting from right of way acquisition and contractual commitments previously made within these project limits.

If rescoping involves rescission of an adopted alignment and the disposal of acquired right of way, then the processes for modifying an adopted route designation and the process for recycling freeway route adoptions are involved. These are outlined in [Chapter 23](#).

The Office of Statewide Project Management and Control of the Division of Project Management should be advised of cost and schedule changes.

Staged Projects

A Supplemental PR is not required if a currently programmed project has been identified as a stage of a previously approved project and it is consistent with the ultimate concept of the original project.

Staging, as appropriate, should be discussed in a DPR and a DED, or in an environmental reevaluation, or in a supplemental DPR and DED, as appropriate. The final PR and final environmental document (FED) must address a fundable project.

Content of the Supplemental PR

All supplemental PRs require the same signatures as a PR and require the same statements covering environmental determination. The magnitude of project change determines the format and level of detail for the body of the report. Smaller project changes would require preparation of a memorandum that describes the changes to the original, approved project; changes of greater magnitude would require the preparation of a complete new report, following the PR outline provided in [Appendix K](#).