

CHAPTER 4 – PROJECT APPROVAL

4.1 - LOCATION AND DESIGN PUBLIC HEARING APPROVAL

For projects on which a hearing or hearings are held, the following procedure shall apply:

After study of the comments received from the public, environmental considerations, costs, design standards, and the evaluations of any studies completed as a result of the public involvement procedures, the transcript shall be compiled by the Project Manager. The citizen's comments shall be summarized by the Project Manager. This will allow the Project Manager to evaluate and develop responses to the issues expressed at the public hearing.

A district recommendation shall be developed and approved by the District Location and Design Engineer and the District Preliminary Engineering Engineer. The recommendation letter, public hearing transcript and public hearing plans shall be forwarded to the appropriate Assistant State Location and Design Engineer for distribution to the appropriate approving authority. All public hearing documents ~~will~~ shall be posted on iPM .

The appropriate Assistance State Location and Design Engineer shall distribute the transcript and recommendations to the appropriate reviewing authorities (i.e., Commonwealth Transportation Board, Federal Highway Administration, Local Assistance Division, Structures and Bridge Division, Transportation Planning Division, Traffic Engineering Division, and the Environmental Division). The Project Manager shall provide the recommendation documents for review by the Assistant State Location and Design Engineer.

Location Public Hearing Approval (Environmental Division)

For projects requiring location approval, the District recommendation, as developed by the Project Manager, approved by the District Location and Design Engineer and the District Preliminary Engineering Engineer, is forward to the Assistant State Location and Design Engineer. Who will review the public hearing transcript package and the roadway plans and make a alignment location recommendation to the State Location and Design Engineer. The State Location and Design Engineer will forward his recommendation to the Chief Engineer and, in turn, the Chief Engineer will forward his recommendation to the Commonwealth Transportation Board (CTB) for action.

Design Public Hearing Approval

For projects requiring design approval, the District recommendation, as developed by the Project Manager, approved by the District Location and Design Engineer and the District Preliminary Engineering Engineer, is forward to the Assistant State Location and Design Engineer. Whom will review the public hearing transcript package and the roadway plans and make a recommendation relevant to the major design features of the project, to the State Location and Design Engineer. For design approval the State Location and Design Engineer will forward his recommendation to the Chief Engineer for approval of the major design features.

If a recommendation is approved by the CTB/Chief Engineer, the Appropriate Assistant State Location and Design Engineer notifies the Project Manager. The Project Manager will then notify the appropriate county, city, or town in which the proposed action is to occur, that the project was approved on a specific date. The District Administrator advises those who spoke or corresponded with VDOT as part of the hearing record. This response notes any changes in the proposal as presented at the hearing stage and responds directly to the individual comments or questions.

Federal-aid projects:

- a) For Location and Design Hearings, FHWA approves the Draft Environmental Document, Categorical Exclusion or Programmatic Categorical Exclusion prior to the public hearing process, following the public hearing process when the FHWA Division Administrator has received and accepted the public hearing transcripts, reports, and certifications required by Federal Codes approval is complete.
- b) For Design Hearings on interstate projects, FHWA approves the major design features after receipt of the design study report, the public hearing transcript, and the formal request for approval (certification acceptance procedures are followed for non-interstate projects).
- c) Project plans may be signed for right of way and utilities 15 days after the record of decision (ROD) has been posted.

4.2 – LOCATION AND DESIGN APPROVAL FOR POSTING OF NOTICE OF WILLINGNESS TO HOLD A PUBLIC HEARING

For projects for which a posting of notice of willingness to hold hearing was posted and no request for a hearing were received:

Approval for projects on which Notice of Willingness procedures have been sufficient to satisfy the public involvement requirements, the following procedures will apply:

The Project Manager shall confirm no request for a hearing were received, then he/she shall develop a project summary and recommend to the District Location and Design Engineer that the project move forward for approval. The project is then reviewed and approved by the District Location and Design Engineer and the District Preliminary Engineering Engineer. The letter recommending approval of the public hearing process and major design features of the project is then forwarded to the appropriate Assistant State Location and Design Engineer for consideration. All public hearing documents will be posted on iPM. (Doesn't the Assist. State L&D Engineer approve the Willingness?)

For state funded projects, final approval is obtained when: the Chief Engineer signs the project title sheet for the project.

For federal-aid projects, final approval is obtained when:

- a) FHWA approves the final environmental document, Environmental Assessment-Finding of No Significant Impact, or in the case of a Categorical Exclusion, the FHWA Division Administrator has received and accepted the certifications required by Federal Codes.
- b) For interstate projects, FHWA approves the major design features after receipt of the design study report and the formal request for approval (certification acceptance procedures are followed for non-interstate projects).
- c) Project plans may be signed for Right of Way and Utilities 15 days after the record of decision has been posted.

Regulations and Code References:

- a) Approval Regulations: US 23 CFR 771.113; 23 CFR part 630, subpart A,
- b) Virginia Administrative Code 24 VAC 30-380-10; §33.1-70.2; 33.1-18

NEED TO INSET DESIGN APPROVAL PROCESS CHART