

11. Quality Assurance and Quality Control

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11.1. Introduction

DOT&PF integrates Quality Assurance (QA) and Quality Control (QC) considerations into its environmental documents and decisions in its compliance with applicable laws, regulations, and standards. DOT&PF ensures both QA and QC processes are built into the environmental analysis and approval process.

This QA/QC chapter is intended to provide guidance on the required incorporation of QA and QC throughout the environmental process. See the following sections for more information on QC reviews specific for each environmental document type: Chapter 3, Section 3.3.2, DOT&PF Review and Approval Process, for Categorical Exclusions; Chapter 4, Section 4.3, DOT&PF Review and Approval Process, for Environmental Assessments and Findings of No Significant Impacts; and Chapter 5, Section 5.4, DOT&PF Review and Approval Process, for Environmental Impact Statements and Records of Decision.

Quality assurance (QA) is a process that occurs during document development to:

- Implement procedures established in the EPM
- Prevent document errors and omissions
- Support the development of accurate NEPA documents and appropriate NEPA decisions

Quality control (QC) is a review process that occurs after the document is complete, and prior to document approval to:

- Ensure procedures were followed, including:
 - Complete environmental analysis
 - Project file documentation
- Identify and correct errors and omissions.

In general, QA occurs through collaborative development of the environmental document, and QC occurs through a series of review steps once the document is complete.

11.1.1. MOU Requirements

The DOT&PF Statewide Environmental Office (SEO) is responsible for the management, control, and oversight of the NEPA Assignment Program environmental review and approval process, including as specified in NEPA Assignment Program Memorandum of Understanding ([MOU](#)) (Part 8.2.4.) for QA and QC:

In carrying out the responsibilities assumed under this MOU, DOT&PF agrees to carry out regular quality control and quality assurance (QA/QC) reviews to ensure that the assumed responsibilities are being conducted in accordance with applicable law and this MOU. At a minimum, DOT&PF's QA/QC process will include the review and monitoring of its processes and performance relating to project decisions, completion of environmental analysis, project file documentation, checking for errors and omissions, and legal sufficiency reviews, and taking appropriate corrective action as needed.

11.2. Procedural Requirements

In addition to the QA/QC requirements delineated in the MOU and EPM, DOT&PF has procedural requirements for Project Management Plan (PMP) and Public Involvement Plan (PIP) development in its Highway Preconstruction Manual (HPCM) and Civil Rights Office requirements for public involvement processes. Note that when requirements from these DOT&PF resources overlap, the more extensive process will apply. Alaska Highway Preconstruction Manual ([HPCM](#))

DOT&PF's FHWA-approved PMP procedural requirements have been historically included in Chapter 4, Preliminary Engineering through Environmental Document Approval, and PIP and public involvement procedural requirements have historically been included in Chapter 5, Public Involvement and Agency Coordination, of the HPCM.

11.2.1. Civil Rights Office

DOT&PF's [Civil Rights Office](#) maintains a Title VI Program Plan and a Section 504/ADA Work Plan containing specific public involvement required

language and processes. These plans, and the requirements within, are periodically updated and the Civil Rights Office should be regularly consulted for compliance with the current program plans.

11.3. Early Project Development

11.3.1. Project Development Team

QA of an environmental document, specifically an Environmental Assessment (EA) or Environmental Impact Statement (EIS), begins with the project development team. The project development team is initially comprised of the following region staff: engineering manager, Environmental Impact Analyst, and Regional Environmental Manager (REM). Additional region staff are added to the team based on the needs of the project, and could include planners, engineers, subject matter experts, and consultants. A SEO staff member is assigned to the team when the Class of Action (COA) consultation process is initiated with SEO. The SEO staff member may be the Statewide Environmental Program Manager, or delegated to a NEPA Program Manager, for an EA, and will be the Statewide Environmental Program Manager for an EIS. The collaborative formation of the team for the development of an environmental document is a QA activity that can be documented in the region project file with emails, project meeting summaries, and other similar items demonstrating the coordination effort.

11.3.2. Project Management and Public Involvement Plans and Schedule

After the project development team is formed, the next step is PMP development, including development of the PIP, and project schedule. The project development team builds QA into the PMP, PIP, and schedule development process through collaboration with one another and consultation with support groups and subject matter experts, as appropriate, to identify environmental constraints early in the environmental process and to establish timelines, tasks and responsibilities. Documentation of the collaborative plan and schedule development (e.g., emails, meeting note/summaries, and phone logs) is included in the region project file.

11.3.3. Plan and Schedule Approvals and Class of Action Recommendation and Concurrence

The engineering manager and REM perform a QC review of the PMP, PIP, and schedule prior to approval, and the Class of Action (COA) Consultation

Form recommendation for their joint concurrence.

This QC review includes:

- Review of the project name, state and federal project numbers, and project description, including project limits, for accuracy and consistency
- Confirmation that the COA recommended is appropriate for the project description, any known environmental issues and probable environmental impacts
- Review the identification of appropriate technical reports, public involvement, agency coordination and permit approvals
- Review of the project schedule for consistency with the PMP and PIP

The PMP, PIP, schedule approval, and COA recommendation are placed in the region project file as evidence the QC review is completed.

The NEPA Program Manager performs a QC review of the COA Consultation Form and recommendation before concurrence. This QC review verifies the COA recommendation is appropriate for the project description, any known environmental issues, and probable environmental impacts. This review is evidenced by documented communication requesting additional information or clarification, and/or concurrence with the recommendation, and is included in the region project file.

11.3.4. Prior Concurrence of Certain Projects

For selected projects, “prior concurrence” pursuant to 23 CFR 771.125(c), will be obtained before proceeding with key approvals under NEPA. The prior concurrence decision will be made by the Chief Engineer, advised by LAW, and will ensure that the project and document in question are acceptable from a policy and program perspective. Prior concurrence may apply to DOT&PF approvals of Draft EISs and Final EISs; on rare occasions prior concurrence may apply to Draft EAs and Final EAs. Projects requiring prior concurrence will be identified on a case-by-case basis by the Statewide Environmental Program Manager, based on input and recommendations from the SEO NEPA Program Managers, Regional Environmental Managers, and LAW and may include projects meeting one or more of the following criteria:

- impacts of unusual magnitude

- high level of controversy
- major unresolved issues
- emerging or national policy issues
- issues for which a Region or SEO seek policy assistance

In completing the prior concurrence review, the Chief Engineer will personally examine the elements of the environmental document at issue and seek advice and input, as appropriate, from technical subject matter experts. The Chief Engineer will make the prior concurrence decision before the document is approved by the Statewide Environmental Program Manager.

11.4. Draft Document Development

11.4.1. Completion of Technical Reports

During early project development the project development team identifies the necessary technical studies to support development of the environment document. QA is incorporated into the development of the technical reports through coordination between the team, support groups, and subject matter experts, as appropriate, regarding methodologies and approaches for the technical studies.

11.4.2. Technical Report Review

Required technical reports undergo a technical report QC review, and can be conducted by:

- A member of the project development team who was not directly involved in the report preparation
- A peer reviewer
- Another subject matter expert, depending on the resource area

Technical report QC review should:

- Confirm adequacy and accuracy of the report
- Ensure appropriate coordination and regulatory requirements are met
- Ensure applicable regulatory requirements and DOT&PF standards are met
- Verify clarity, grammar, and internal consistency of the information
- Document review comments and responses and place in the project file as evidence of the review and to communicate any necessary report changes

11.4.3. Notice of Intent

A Notice of Intent (NOI) is the official notification that a federal agency is beginning the process to prepare an EIS. The initial project development team develops a NOI for publication in the *Federal Register* after it has consulted with any other project sponsor, initiated the 23 USC 139 environmental review process, and reached its decision to prepare an EIS ([23 CFR 771.123](#)).

The MOU at Part 10.2.1(B)(i)(a) requires that each NOI receive a legal sufficiency review and determination prior to publication. Following REM and SEO review, the SEO submits the draft NOI to LAW for a legal sufficiency review and determination. The LAW statement documenting completion of the legal sufficiency review and determination is included in the region project file for privileged communications.

Legal sufficiency communications are confidential and remain within DOT&PF, and are not available for public or agency distribution or review, and are maintained in a separate project file maintained for privileged communications.

11.4.4. Public and Agency Involvement and Involvement Summaries and Reports

Prior to public and agency involvement activities, QA review occurs through the collaborative development of public notices, scoping letters/emails, meeting presentation materials and handouts, and through the development of any responses to comments by the project development team. Following the public and agency involvement activity, including scoping efforts, meetings and public hearings, the Environmental Impact Analyst, consultant, or other team member completes a scoping, meeting or hearing summary/report. The team conducts the QC review of the summary/report to ensure the scoping activity, meeting or hearing is accurately recorded, and reviews participant comments and team responses for consistency and accuracy. The QC review also confirms the summary/report includes scoping letters/emails, and meeting or public hearing materials. Once the review is completed, the summary/report and any team comments are included in the region project file to document the QC review.

11.4.5. Preparation of the Draft Environmental Document

QA occurs through collaboration and project meetings during the preparation of the draft environmental

document. Evidence of QA includes emails, phone conversation notes, and meeting notes summarizing collaborative discussions involving project development team members about any aspect of the draft document development (i.e., alternatives, resource areas, methodologies). The Environmental Impact Analyst is responsible for ensuring that evidence of this QA process is included in the region project file, and that the draft environmental document is consistent with any technical reports prepared to support the environmental document.

QC occurs through a series of QC review steps that include region, SEO, and LAW review. The draft document is only made available for publication after QC is complete, the legal review is complete, and SEO receives the region preconstruction engineer recommendation for publication.

11.4.6. Draft Environmental Document Review

The draft environmental document review is a QC step performed by the project development team members to determine if the document is ready for legal review and public availability approval recommendation. The team members review the draft environmental document and will consider the following QC review elements:

- Accuracy
- Adequacy
- Completeness
- Compliance with CEQ and FHWA NEPA regulations ([40 CFR 1508](#) and [23 CFR 771](#)) and DOT&PF standards and procedures
- Conciseness
- Consistency within and between the environmental document, supporting appendices, and technical reports
- Conformance to all NEPA requirements and applicable guidance, policies, and procedures
- Errors and omissions
- Readability

Project development team member review comments and associated responses/resolutions are documented in writing and placed in the region project file to document the QC review.

11.4.7. QC Review Certification

The REM and SEO staff member perform separate QC reviews as described above in Section 11.4.6, Draft Environmental Document Review. To document the completed QC review of an environmental document, the REM and SEO staff reviewer each certify the QC review completion certification requirements below in separate emails for the region project file.

This certification email is provided by the REM to the SEO staff member, and then by the SEO staff member to the REM, as evidence that the region and SEO QC reviews of the environmental document are successfully completed and the document is ready for legal review.

QC review completion certification (email):

This project meets all of the following requirements:

- A. The document has been determined to be complete.
- B. The document meets FHWA NEPA requirements ([23 Code of Federal Regulations \[CFR\] 771](#)) and all other applicable federal and state environmental requirements.
- C. Any required public participation has been completed.
- D. All consultation and coordination required through this stage of project development have been completed and appropriately documented.

I verify that the DOT&PF QA/QC procedures have been followed, and all necessary QC documentation has been submitted.

The certification emails are placed in the region project file to document QC review completion prior to legal review. The email certifies that QC is complete, the document meets all applicable federal and state environmental requirements, public participation required through this stage is complete, and all required consultation and coordination is complete and appropriately documented.

11.4.8. Legal Review

SEO must request the Alaska Department of Law (LAW) conduct legal review of Draft EA or Draft EIS. The primary goal of legal review is to assess the document for compliance with legal requirements. The environmental document must undergo legal review prior to approval for public review. More than

one legal review may be requested including a review of the revised documents. For controversial or complex projects, LAW may require that all legal comments be appropriately addressed before concluding the legal review and issuing a memorandum of completion. Communications with LAW and legal advice are confidential and are maintained in a separate file for privileged communications, which is not available for consultant, public, or agency distribution or review. The LAW memorandum documenting completion of legal review is included in a non-confidential folder of the project file.

Draft EAs

The Draft EA must be provided to LAW for review and comment upon the completion of the REM and SEO staff member QC reviews. Following REM and SEO staff member QC review, the SEO staff member submits the Draft EA and associated documents to LAW for legal review.

Draft EIS

Following REM and Statewide Environmental Program Manager QC review, the Statewide Environmental Program Manager submits the Draft EIS and associated document to LAW for legal review.

11.4.9. Approval for Public Availability

Draft EA

In order for a Draft EA to be approved for public availability, REM, SEO, and LAW reviews must be complete and SEO must receive the region preconstruction engineer recommendation for public availability. The Statewide Environmental Program Manager is authorized to sign an approval for public availability of the Draft EA or delegate signature authority to the NEPA Program Manager.

Draft EIS

In order for a Draft EIS to be approved for public availability, REM, SEO, and LAW reviews must be complete and the SEO must receive the region preconstruction engineer recommendation for public availability. The Statewide Environmental Program Manager is authorized to sign an approval for public availability of the Draft EIS.

11.5. Final Environmental Document Preparation

QA occurs during preparation of the final environmental document, like preparation of the draft

environmental document. Evidence of QA includes emails, phone conversation notes, and meeting notes summarizing collaborative discussions involving project team members about any aspect of the final document. The Environmental Impact Analyst is responsible for ensuring evidence of this QA process is included in the project file, and that the final environmental document is consistent with any reports prepared to support the environmental document.

11.5.1. Final Environmental Document Review

The final environmental document review is a QC step performed by the project development team members to determine if the document is ready for approval recommendation. To confirm the document is ready for final approval the team reviews the document for the QC review elements listed above in Section 11.4.6., Draft Environmental Document Review, in addition to the final environmental document QC review elements listed in 11.5.2., QC Review Certification. Review comments, and associated responses and resolutions are documented in writing and placed in the region project file.

11.5.2. QC Review Certification

Final EA and FONSI

For an EA, if the environmental decision is likely to be a FONSI, the FONSI may be submitted to the SEO for review along with the Final EA and the region preconstruction engineer request for FONSI. The REM and SEO staff member each perform a QC review of the Final EA and/or FONSI to confirm that it meets NEPA requirements and DOT&PF standards, and is ready for legal review and SEO approval. In addition to the QC review elements identified above in Section 11.4.6., Draft Environmental Document Review, QC review of the Final EA and/or FONSI confirms that the document is ready for legal review and final SEO approval.

The REM and SEO staff member each review the Final EA to verify the following:

- All consultation and coordination requirements have been completed and documented
- All public and agency comments have been appropriately addressed
- The EA has been updated and modified as necessary
- Any updated information has been accurately incorporated into the Final EA

The REM and the SEO staff member will review the FONSI for the following environmental decision document QC review elements:

- Clarity in describing the decision
- Accuracy and consistency of project information
- Accuracy in description and documentation of final agreed-upon environmental commitments and mitigation requirements
- Final resolution of any public or agency comments
- Consistency between the Final EA and FONSI

Following QC review, the REM and SEO staff member each complete the certification process as outlined in Section 11.4.7., QC Review Certification, to document completed QC review of the Final EA and/or FONSI. This certification email is provided by the REM to the SEO staff member, and then by the SEO staff member to the REM, as evidence that region and SEO QC reviews of the Final EA and/or FONSI are successfully completed and the document is ready for legal review and final approval. The Statewide Environmental Program Manager is authorized to sign an approved Final EA and FONSI or delegates signature authority to the NEPA Program Manager.

Final EIS and ROD, or Combined Final EIS/ROD

While a Final EIS and ROD may be processed separately, it is recommended they are processed jointly as a combined Final EIS/ROD document. The same QC review requirements apply whether the documents are processed separately or jointly. For a Final EIS and/or ROD, the ROD is submitted to the Statewide Environmental Program Manager for review with the Final EIS and region preconstruction engineer request for approval and ROD. Similar to review at the Draft EIS stage, in order for the Final EIS and ROD to be approved, the REM and Statewide Environmental Program Manager each conduct a review of the Final EIS and ROD to confirm that the documents meet NEPA requirements and DOT&PF standards, and are ready for legal sufficiency review and final approval. In addition to the QC review elements identified above in Section 11.4.6., Draft Environmental Document Review, QC review of the combined Final EIS/ROD confirms that the document is ready for legal sufficiency review and final SEO approval.

The REM and Statewide Environmental Program Manager each review the Final EIS to verify the following:

- All required consultation and coordination have been completed and documented.
- All public and agency comments have been appropriately addressed.
- The Final EIS has been updated and modified as necessary.
- Any updated information has been accurately incorporated into the Final EIS.

The REM and the Statewide Environmental Program Manager review the ROD for the following:

- Clarity in describing the decision
- Accuracy and consistency of project information
- Accuracy in description and documentation of final agreed-upon environmental commitments and mitigation requirements
- Final resolution of any public or agency comments
- Consistency between the Final EIS and ROD

Following QC review, the REM and Statewide Environmental Program Manager each complete the certification process as outlined in Section 11.4.7., QC Review Certification, to document completed QC review of the Final EIS and/or ROD. This certification email is provided by the REM to the Statewide Environmental Program Manager, and then by the Statewide Environmental Program Manager to the REM, as evidence that region and SEO QC reviews of the Final EIS and/or ROD are successfully completed and the environmental document is ready for legal sufficiency review and final approval. The Statewide Environmental Program Manager is authorized to sign an approved Final EIS and/or ROD.

11.5.3. Legal Sufficiency Review

Legal sufficiency review is required for any Final EIS, ROD or combined Final EIS/ROD, and any Individual Section 4(f) evaluation. All Final EAs or FONSIs relying on a Statute of Limitations (SOL) Notice prepared per 23 U.S. Code (USC) 139(l) likewise are required to receive a legal sufficiency review and determination. Communications with LAW and legal advice are confidential and are maintained in a

separate file for privileged communications, which is not available for consultant, public, or agency distribution or review. When all legal comments have been appropriately addressed, LAW provides a memorandum documenting that the legal sufficiency review has been completed. The LAW memorandum documenting completion of the legal sufficiency review is included in a non-confidential folder of the project file. The Statewide Environmental Program Manager cannot approve a Final EIS, ROD, combined Final EIS/ROD, or SOL Notice for a Final EA and FONSI until it has been determined to be legally sufficient.

11.5.4. Final Environmental Document Approval

Final EA and FONSI

The FONSI may be submitted to the SEO for approval along with the Final EA. If the documents are submitted separately to the SEO, the preparer of the Final EA will prepare a FONSI for SEO review and approval after the SEO staff member determines that no significant impact will result from the proposed action. The REM and SEO staff member each perform a QC review of the Final EA and FONSI to confirm that it meets NEPA requirements and DOT&PF standards, and is ready for final approval. The Statewide Environmental Program Manager is authorized to sign an approved Final EA and FONSI or delegates signature authority to the NEPA Program Manager.

Final EIS and ROD

The Final EIS and ROD require legal sufficiency review (23 CFR 771.125(b)). The Final EIS cannot be approved until it has been determined to be legally sufficient. Following the legal sufficiency review (see Section 11.5.3, Legal Sufficiency Review), the REM and Statewide Environmental Program Manager each complete the QC review completion certification process as outlined in Section 11.5.2., QC Review Certification, to document that the Final EIS and ROD have completed QC review. The Statewide Environmental Program Manager is authorized to sign an approved Final EIS and ROD. This authority may not be delegated.

11.5.5. Environmental Decision Notice of Availability

After the FONSI or ROD is approved, or concurrent with the SEO review, the region will prepare a notice of availability of the decision document for SEO

approval. After SEO approval, the region will issue DOT&PF's notice of availability of the FONSI or ROD to the public and appropriate federal, state, and local agencies ([23 CFR 771.121\(b\)](#)) by the following methods as appropriate:

- In local newspapers, if any
- In the Alaska Online Public Notices
- By mail or email
- By other methods, as appropriate

The decision document will also be made available to the public as follows:

- By request
- Online
- At local libraries, if any
- At DOT&PF region and SEO offices
- At other locations, as appropriate

11.5.6. Publishing Federal Register Notices

Project environmental notices of intent, availability, and statute of limitations are published in the *Federal Register* through FHWA or EPA because only federal agencies may publish notices in the *Federal Register*. The draft notice will be prepared by the region project development team for REM review and transmittal to SEO. SEO will review the draft notice prior to requesting the required legal sufficiency review and determination from LAW. At the completion of the legal sufficiency review, LAW provides a written statement that the legal sufficiency review has been completed and all legal comments have been appropriately addressed. The LAW statement documenting completion of the legal sufficiency review and determination is included in the project file for privileged communications. After region, SEO and LAW reviews are complete, SEO forwards the draft notice to FHWA for publishing in the *Federal Register*.

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