South Carolina
Department of Transportation

Justin P. Powell
Secretary of Transportation
803-737-0874 | 803-737-2038 Fax

November 10, 2026

Federal, State, and Tribal Partners

RE: SCDOT Seeking NEPA Program Assignment from FHWA

To Whom It May Concern:

On July 17, 2025, Secretary Sean P. Duffy of the United States Department of Transportation (USDOT) issued a letter to all governors encouraging National Environmental Policy Act (NEPA) Assignment. NEPA Assignment is a process State DOTs can choose to undertake whereby they assume Federal Highway Administration's (FHWA's) environmental review responsibilities for assigned transportation projects. FHWA NEPA Assignment is comprised of two types of assignment:

1. Categorical Exclusion (CE) Assignment (23 U.S.C. 326) and
2. Program Assignment (23 U.S.C. 327).

To date, SCDOT worked with legislators on the SCDOT Modernization Bill to set the stage for several initiatives to expedite project delivery across South Carolina. In May 2026, Governor Henry McMaster signed the SCDOT Modernization Act into law, which legislatively allowed SCDOT to pursue NEPA Assignment. On July 1, 2026, SCDOT provided FHWA its Letter of Interest to participate in Program Assignment. Since then, SCDOT has been working closely with FHWA through the Program Assignment pre-application process located at 23 CFR 773.107.

As part of the pre-application process, FHWA requires that SCDOT notify Federal, State and Tribal partners the agency is seeking Program Assignment (23 CFR 773.107(b)), which is the intent of this letter. Attached is a Program Assignment Frequently Asked Questions (FAQs) document, which provides additional information regarding Program Assignment.

Additionally, the SCDOT Modernization Act requires SCDOT prepare an Environmental Procedures Manual (EPM) for Program Assignment and publish the draft for a 30-day comment period before it is finalized. This letter serves as notification that the EPM will be posted for the 30-day comment period beginning November 16, 2026 and running through December 16, 2026. You may use the following link to access the EPM and provide comments:

https://projectportal.scdot.gov/program-assignment-website

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Should you have any questions regarding this correspondence, please contact the following individuals:

- Chad Long, Director of Environmental Services Office, longcc@scdot.gov or
- Anne Mathis, NEPA Assignment Manager, mathiska@scdot.gov.

Thank you in advance for your interest and engagement regarding the agency's pursuit of NEPA Assignment. We appreciate your ongoing collaboration and cooperation in making meaningful and significant improvements to the state's transportation network.

Sincerely,



Justin P. Powell
Secretary of Transportation

ec: SCDOT Chief of Staff

JPP:scj

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