

## FTA Region 8 Categorical Exclusion Worksheet Instructions and Environmental Resources Information

The purpose of the Categorical Exclusion (CE) Worksheet is to assist project sponsors (grantees) in providing sufficient documentation in compliance with FTA's regulations implementing the [National Environmental Policy Act of 1969 \(NEPA\)](#) and other environmental laws, regulations and executive orders, as applicable. The worksheet can be used in gathering and organizing materials for environmental analysis and in determining if the proposed action (project) qualifies as a CE as described in 23 CFR 771.118.

This worksheet should be used for category C (c-list) CE projects involving construction and for category D (d-list) CE projects. This includes construction of new facilities as well as projects involving rehabilitation, renovation, reconstruction, improvement, expansion, and modification of an existing facility (e.g., bus storage, maintenance facility, passenger shelters and amenities, transit center) or an existing transportation structure (e.g., bridges, tunnels, sidewalks, ADA ramps).

Submission of the worksheet does not constitute an environmental finding for your project. FTA must make the final determination whether a project meets the criteria for a CE. FTA will provide a CE determination approval letter for all c-list construction projects and all d-list projects that meet the requisite criteria. **Project activities, including property acquisition, demolition, site preparation, final design and construction, may not begin until the environmental process is complete.** There are some circumstances where prior property acquisition can occur, such as for corridor preservation. In addition, certain pre-award authority activities cannot be undertaken, prior to completion of NEPA. Contact the FTA Region 8 office (303.362.2400) if you have any questions or require assistance.

While all federally-funded actions require a determination under NEPA, you do not need to complete the CE Worksheet for non-construction projects that qualify as a c-list CE. This includes, but is not limited to, purchase, rehabilitation or replacement of vehicles or equipment; installation of new or replacement equipment within an existing facility; preventative maintenance of vehicles, equipment or facilities; repair, replacement or rehabilitation of transportation safety, security, accessibility and communication systems; and planning, administrative or operations activities. For these types of projects, the CE determination is made in TrAMS with FTA's concurrence; no letter will be provided for c-list non-construction projects. Contact the Region 8 office if you have questions on whether or not your project is considered a non-construction project.

Please discuss planned construction projects with your FTA grant development POC (Pre-Award Manager) early in the year so (s)he can coordinate with the Region 8 EPS. The completed CE Worksheet should then be submitted to Region 8 early enough to allow sufficient time for review, especially if other environmental laws or permits apply, prior to submitting a grant application. We expect the level of information to be consistent with the complexity of the project. Please do not include extraneous information. Once approved by FTA, the CE Worksheet should be attached to the grant application during its development in TrAMS to demonstrate completion of the NEPA process.

### **PART I: PROJECT INFORMATION**

Project Description: Provide a description of the proposed project with enough detail that describes what the project entails, why the project is needed, what the proposed use is, and what activities you are proposing to

pay for with FTA funds. The description should also include how the project meets the conditions listed in the particular CE being proposed (e.g., uses primarily land disturbed for a transportation use). The physical location (e.g., address or intersection) of the proposed project also should be provided and be consistent with what is provided in TrAMS. Other information to provide includes, but is not limited to:

- Description of the scope of work (e.g., remove and replace x, construct y, modify z, extent of excavation, etc.)
- Indication of whether it is a new facility, an expansion/extension of an existing facility, rehabilitation of an existing facility, etc.
- Details pertaining to depth of soil excavation and note any previous soil disturbance from prior construction or other activity
- Parcel ownership and size and if the project is within existing right-of-way or parcel boundaries
- Size/dimension (square feet or acres) of new facilities and facility expansions
- Description of all phases of the project, if applicable, regardless of federal funding
- Any previous consultations that might be relevant with other agencies or relevant correspondence
- A project vicinity map, a basic site plan showing access points and project boundaries, photographs, etc. This will provide information on adjacent protected and/or sensitive resources, such as schools, residences, parks and recreation areas, historic properties, wetlands, etc.

Indicate whether the proposed project is included in the current TIP and/or STIP, including page number, project identifier, or other reference. Note: The project must be programmed in the year in which FTA would award the grant.

Indicate if this is a re-evaluation of a previously approved and/or funded project. If YES, provide information on the previous project, changes in the project, and the grant number.

## **PART II: CATEGORICAL EXCLUSION DETERMINATION**

Typically, a CE is for an action that does not individually or cumulatively result in any significant environmental impacts and for which an Environmental Assessment (EA) or Environmental Impact Statement (EIS) is not required. It is NOT an exemption from NEPA or other applicable federal environmental laws, regulations, executive orders, and/or permits that also may apply to the project.

A project may not require the higher level of NEPA analysis associated with an EA or EIS and still require analysis under other environmental laws such as Section 106 of the National Historic Preservation Act, Section 404 of the Clean Water Act, Section 7 of the Endangered Species Act, or Section 4(f) of the DOT Act. If other environmental laws, regulations, executive orders, and/or permitting requirements are applicable, applicants need to apply for and obtain the necessary permits and approvals prior to an FTA determination, regardless of whether the project may qualify as a CE. Compliance with these requirements does not necessarily elevate the project to an EA or EIS.

If your project has significant environmental impacts or other unusual circumstances, or you are not sure, please contact the Region 8. If there is the potential for significant environmental impacts FTA may require the preparation of an EA or EIS even for project types normally approved with a CE.

## FTA CATEGORICAL EXCLUSIONS

FTA's CEs can be found in 23 CFR 771.118 and are described below. FTA's June 2016 ["Guidance for Implementation of FTA's Categorical Exclusions \(23 CFR 771.118\)"](#) provides more information on each of the CE activities. Please note that FHWA CEs (23 CFR 771.117) are no longer valid for FTA.

### 23 CFR 771.118

- (a) *Categorical exclusions (CEs) are actions which meet the definition contained in [40 CFR 1508.4](#), and, based on past experience with similar actions, do not involve significant environmental impacts. They are actions which: do not induce significant impacts to planned growth or land use for the area; do not require relocation of significant numbers of people; do not have a significant impact on any natural, cultural, recreational, historic or other resource; do not involve significant air, noise, or water quality impacts; do not have significant impacts on travel patterns; or do not otherwise, either individually or cumulatively, have any significant environmental impacts.*
- (b) *Any action which normally would be classified as a CE but could involve unusual circumstances will require FTA, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is proper. Such unusual circumstances include:*
  - (1) *Significant environmental impacts;*
  - (2) *Substantial controversy on environmental grounds;*
  - (3) *Significant impact on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act; or*
  - (4) *Inconsistencies with any federal, state, or local law, requirement or administrative determination relating to the environmental aspects of the action.*

**Please select, from the descriptions below, the category (only one) that most appropriately describes the activities you are planning to undertake with federal funds.**

**Category C Projects:** Projects listed in 23 CFR 771.118(c), known as c-list CEs, usually require minimal documentation in order to approve, unless certain unusual circumstances exist. Impacts, if any, should be minor in nature. Remember other environmental laws may apply. These CEs cover the following types of projects.

- (1) Acquisition, installation, operation, evaluation, replacement, and improvement of discrete utilities and similar appurtenances (existing and new) within or adjacent to existing transportation right-of-way, such as: utility poles, underground wiring, cables, and information systems; and power substations and utility transfer stations.
- (2) Acquisition, construction, maintenance, rehabilitation, and improvement or limited expansion of stand-alone recreation, pedestrian, or bicycle facilities, such as: a multiuse pathway, lane, trail, or pedestrian bridge; and transit plaza amenities.
- (3) Activities designed to mitigate environmental harm that cause no harm themselves or to maintain and enhance environmental quality and site aesthetics, and employ construction best management practices, such as: noise mitigation activities; rehabilitation of public transportation buildings, structures, or facilities; retrofitting for energy or other resource conservation; and landscaping or re-vegetation.
- (4) Planning and administrative activities which do not involve or lead directly to construction, such as: training, technical assistance and research; promulgation of rules, regulations, directives, or program guidance; approval of project concepts; engineering; and operating assistance to transit authorities to continue existing service or increase service to meet routine demand.

(5) Activities, including repairs, replacements, and rehabilitations, designed to promote transportation safety, security, accessibility and effective communication within or adjacent to existing right-of-way, such as: the deployment of Intelligent Transportation Systems and components; installation and improvement of safety and communications equipment, including hazard elimination and mitigation; installation of passenger amenities and traffic signals; and retrofitting existing transportation vehicles, facilities or structures, or upgrading to current standards.

(6) Acquisition or transfer of an interest in real property that is not within or adjacent to recognized environmentally sensitive areas (e.g., wetlands, non-urban parks, wildlife management areas) and does not result in a substantial change in the functional use of the property or in substantial displacements, such as: acquisition for scenic easements or historic sites for the purpose of preserving the site. This CE extends only to acquisitions and transfers that will not limit the evaluation of alternatives for future FTA-assisted projects that make use of the acquired or transferred property.

(7) Acquisition, installation, rehabilitation, replacement, and maintenance of vehicles or equipment, within or accommodated by existing facilities, that does not result in a change in functional use of the facilities, such as: equipment to be located within existing facilities and with no substantial off-site impacts; and vehicles, including buses, rail cars, trolley cars, ferry boats and people movers that can be accommodated by existing facilities or by new facilities that qualify for a categorical exclusion.

(8) Maintenance, rehabilitation, and reconstruction of facilities that occupy substantially the same geographic footprint and do not result in a change in functional use, such as: improvements to bridges, tunnels, storage yards, buildings, stations, and terminals; construction of platform extensions, passing track, and retaining walls; and improvements to tracks and railbeds.

(9) Assembly or construction of facilities that is consistent with existing land use and zoning requirements (including floodplain regulations) and uses primarily land disturbed for transportation use, such as: buildings and associated structures; bus transfer stations or intermodal centers; busways and streetcar lines or other transit investments within areas of the right-of-way occupied by the physical footprint of the existing facility or otherwise maintained or used for transportation operations; and parking facilities.

(10) Development of facilities for transit and non-transit purposes, located on, above, or adjacent to existing transit facilities, that are not part of a larger transportation project and do not substantially enlarge such facilities, such as: police facilities, daycare facilities, public service facilities, amenities, and commercial, retail, and residential development.

(11) The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):

(i) Emergency repairs under 49 U.S.C. 5324; and

(ii) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:

(A) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet

existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and

(B) Is commenced within a 2-year period beginning on the date of the declaration.

(12) Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way.

(13) Federally-funded projects:

(i) That receive less than \$5,000,000 (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor, see [www.fhwa.dot.gov](http://www.fhwa.dot.gov) or [www.fta.dot.gov](http://www.fta.dot.gov)) of Federal funds; or

(ii) With a total estimated cost of not more than \$30,000,000 (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor, see [www.fhwa.dot.gov](http://www.fhwa.dot.gov) or [www.fta.dot.gov](http://www.fta.dot.gov)) and Federal funds comprising less than 15 percent of the total estimated project cost.

(14) Bridge removal and bridge removal related activities, such as in channel work, disposal of materials and debris in accordance with applicable regulations, and transportation facility realignment.

(15) Preventative maintenance, including safety treatments, to culverts and channels within and adjacent to transportation right-of-way to prevent damage to the transportation facility and adjoining property, plus any necessary channel work, such as restoring, replacing, reconstructing, and rehabilitating culverts and drainage pipes; and, expanding existing culverts and drainage pipes.

(16) Localized geotechnical and other investigations to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores for soil sampling; archeological investigations for archeology resources assessment or similar survey; and wetland surveys.

**Category D Projects:** The projects listed below may be CEs under 23 CFR § 771.118(d), known as d-list CEs. D-list CEs require additional documentation demonstrating that a CE is an appropriate classification, that the specific conditions or criteria for the CE are satisfied, and that significant environmental impacts will not occur as a result of the project. This is not an exhaustive list of all actions that may qualify as a d-list CE. Contact the FTA Region 8 office if your project does not fit under any one of these categories.

(1) Modernization of a highway by resurfacing, restoring, rehabilitating, or reconstructing shoulders or auxiliary lanes (e.g., lanes for parking, weaving, turning, climbing).

(2) Bridge replacement or the construction of grade separation to replace existing at-grade railroad crossings.

(3) Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed.

(i) Hardship acquisition is early acquisition of property by the applicant at the property owner's request to alleviate particular hardship to the owner, in contrast to others, because of an inability to sell his property. This is justified when the property owner can document on the basis of health, safety or financial reasons that remaining in the property poses an undue hardship compared to others.

(ii) Protective acquisition is done to prevent imminent development of a parcel which may be needed for a proposed transportation corridor or site. Documentation must clearly demonstrate that development of the land would preclude future transportation use and that such development is imminent. Advance acquisition is not permitted for the sole purpose of reducing the cost of property for a proposed project.

(4) Acquisition of right-of-way. No project development on the acquired right-of-way may proceed until the NEPA process for such project development, including the consideration of alternatives, has been completed.

(5) [RESERVED]

(6) Facility modernization through construction or replacement of existing components.

(7) Minor transportation facility realignment for rail safety reasons, such as improving vertical and horizontal alignment of railroad crossings, and improving sight distance at railroad crossings.

(8) Modernization or minor expansions of transit structures and facilities outside existing right-of-way, such as bridges, stations, or rail yards.

### **PART III: ENVIRONMENTAL EVALUATION**

While the list of topics for consideration in the CE Worksheet is extensive, the impacts resulting from a project that qualifies for a CE should be minimal. Some projects may be the type for which permanent environmental impacts would not result due to the nature of the project. The intent of Part III is to make sure that potential impacts to all resources are considered, especially if other environmental requirements apply (e.g., Section 106 of the National Historic Preservation Act). As discussed above, compliance with these other environmental requirements must be completed before FTA will make a final determination and approval under NEPA.

To guide you in your environmental review and to assist FTA in determining if a CE is an appropriate class of action for your project or if any unusual circumstances or significant environmental impacts exist, provide a response for items A through X on the CE Worksheet.

For additional resource information, visit FTA's [Environmental Resource Information](#) webpage or FHWA's [Environmental Review Toolkit](#) webpage.

#### **A. LAND USE AND ZONING IMPACTS**

Determine whether or not the proposed project is consistent with surrounding land use and zoning. Information on land use and zoning in the project area can be found through local city and/or county planning departments or assessor's office. This information is used to determine the probability of impact on existing and future land uses and zoning, sensitive receptors (such as schools, hospitals, parks, and residences), and protected resources (parks, wetlands, historic properties, etc.). Transportation must be a compatible land use within the project area. If the proposed project is consistent with surrounding land use and zoning briefly state this and provide a site map identifying the proposed project's location with the surrounding land use and zoning.

If the proposed project is incompatible or inconsistent with existing or future land use and/or zoning in the project area, briefly describe the existing and future land uses and zoning within the area. Describe any steps to be taken to address this. Attach a site map identifying the proposed project's location with the surrounding land uses and zoning.

#### **B. TRAFFIC AND PARKING IMPACTS**

If applicable to the proposed project, assess and describe any potential permanent traffic/parking impacts. This includes, but is not limited to ingress and egress, whether the existing roadways have adequate capacity to handle increased bus and other vehicular traffic, and if there is a permanent loss of parking. Identify if travel patterns or access would be affected or changed, and if additional capacity and/or traffic signaling are required. Describe connectivity to other transportation facilities and modes (including bicycles and pedestrians), and coordination with relevant agencies. If the proposed project will modify an existing roadway configuration include a map/diagram. You may provide a letter from the traffic engineer or other appropriate official verifying the traffic impacts. If parking is being reduced or eliminated, determine the number of parking spaces that would be affected and whether replacement parking spaces would be constructed at an alternate location (onsite or offsite).

#### **C. VISUAL/AESTHETICS IMPACTS**

Assess whether the proposed project substantially degrades the existing visual/aesthetic character or quality of the site, its surroundings, and/or recognized view sheds. Visual resources can be natural features, vistas, view sheds, community features, such as skylines, settings, monuments, architecture, historic properties or other visual characteristics that create a sense of place of an area. Consider whether the project creates a new source of light or glare that may affect day or nighttime views in the area. Some communities may have design or aesthetic guidelines or objectives that must be followed when designing facilities.

#### **D. FARMLAND IMPACTS**

Prime farmland, unique farmland and land of local or statewide importance are protected under the [Farmland Protection Policy Act](#). If any portion of the proposed project occurs on farmland, consultation with the Natural Resources Conservation Service (NRCS) should be conducted to determine if it is prime or unique. If the project results in an impact to farmland, and can't be avoided, contact Region 8 for additional guidance on coordination with the NRCS.

#### **E. ENVIRONMENTAL JUSTICE (EJ) IMPACTS**

US Census Bureau data, in particular [American Community Survey data](#) can be used to determine the presence of minority and/or low-income populations (business owners, landowners, and residents) within the vicinity of the proposed project. If there are EJ populations present, discuss whether the proposed project will have disproportionately high and adverse impacts. Generally speaking a project which qualifies for CE is unlikely to

have disproportionate adverse effects, but be aware of the potential for cumulative effects of multiple projects in a single community and address as needed. Common impacts to EJ populations include, but are not limited to, property acquisition and relocation, potential changes in ambient air quality and water quality, noise, vibration and construction. For more information on Environmental Justice see [Executive Order 12898](#) and [FTA Circular C 4703.1, "Environmental Justice Policy Guidance for FTA Recipients"](#). The [EPA's EJScreen](#) is also a useful tool.

#### **F. FLOODPLAIN IMPACTS**

[Executive Order 11988-Floodplain Management](#) recognizes the importance of floodplains and directs federal agencies to avoid conducting, allowing or supporting actions on a floodplain/floodway. It must be determined whether the proposed project is located within a floodplain or floodway. If the proposed project is located within the 100-year floodplain, provide the appropriate Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) from [FEMA's Flood Map Service Center](#) with the project location identified to support the determination. If a FEMA FIRM is not available, contact the local flood control district or floodplain manager to determine if the project is located in a flood hazard area. Local jurisdictions may also have ordinances and regulations regarding construction within floodplains, in addition to federal and state laws and regulations. [US DOT Order 5650.2, Floodplain Management and Protection](#), provides information on how to conduct a detailed floodplain analysis. In addition to FEMA, the US Army Corps of Engineers (USACE) should be consulted on projects constructed within a floodplain.

#### **G. AIR QUALITY IMPACTS**

Proposed transit projects must meet the requirements of the Clean Air Act (42 USC 85). The Act addresses six criteria air pollutants established under the National Ambient Air Quality Standards (NAAQS). The Environmental Protection Agency (EPA) has the authority to designate nonattainment and maintenance areas where air pollution levels for criteria pollutants exceed or have exceeded in the past the NAAQS.

Project sponsors should indicate whether their proposed project is located in a nonattainment or maintenance area and for which criteria pollutant(s) (see [EPA Greenbook](#)). Nonattainment areas must adhere to emission control requirements identified in State Implementation Plans (SIPs) and are subject to the Transportation Conformity Rule ([40 CFR Part 93](#)). Typically, projects requiring analysis include those that are funded and/or approved by a federal agency, and are considered regionally significant by the state or metropolitan planning organization (MPO). Some types of projects are exempt from air quality conformity regardless of location ([40 CFR 93.126](#) and [93.127](#)). If a project is exempt from air quality conformity or outside of a nonattainment or maintenance area, air quality analysis is not required. Also, some types of projects are not considered a concern for air quality and do not require analysis even if located in a nonattainment or maintenance area. Project sponsors can contact their state DOT or MPO for information on air quality status and conformity analysis.

The primary transportation-related pollutants include carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>) and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). These pollutants may be an issue at both the regional and local levels, and may require hot spot (project specific location such as an intersection) analysis ([40 CFR 93.116](#)), except for ozone. Ozone is a regional concern and is not analyzed at the local level and, therefore, no hot spot analysis is required. To determine if a hot spot analysis for carbon monoxide is required, see [40 CFR 93.123\(a\)](#) or if a project may be of concern for particulate matter, see [40 CFR 93.123\(b\)](#). Describe any potential impacts to air quality as a result of the proposed project.

For information on greenhouse gas emissions see FTA's [Greenhouse Gas Emissions from Transit Projects: Programmatic Assessment](#).



## **H. HAZARDOUS MATERIALS IMPACTS**

Determine if there are hazardous materials in the project area by conducting a desktop survey, and/or reviewing public records and environmental databases. Hazardous materials may include lead/asbestos, above/underground storage tanks, or a history of industrial sites.

If no hazardous materials are present, briefly describe the analysis used to determine this. Was an Initial Site Assessment or Phase I Environmental Site Assessment (ESA) performed? If a Phase II ESA is recommended, was it performed? Valid ESAs are typically conducted by for-hire environmental contractors.

If hazardous materials are present, state how those materials will be treated and/or disposed. Discuss any mitigation and clean-up measures to be taken to remove hazardous materials. Identify what steps will be taken to ensure that the community in which the proposed project is located is protected from contamination during construction and operation of the proposed project. State the results of consultation with the appropriate state agency regarding the proposed remediation. Discuss process for unanticipated discoveries during construction.

If the project involves land acquisition, consult with Region 8 on conducting a Phase I ESA for the land to be acquired prior to completion of the CE, and following proper due diligence procedures. It may be necessary to demonstrate that real property previously acquired and currently owned by the project sponsor is not contaminated prior to construction and use of FTA funds at the site. Certain liability concerns and cleanup considerations may render a proposed project ineligible for FTA funds.

## **I. VIBRATION IMPACTS**

Depending on the proposed project site and the surrounding land use, a vibration assessment may be needed. Please refer to the FTA's [Transit Noise and Vibration Impact Assessment](#) guidance. Typically, a rubber tire project does not have vibration impacts. If the proposed project is a rubber tire project and/or there are no vibration-sensitive receptors within the screening distance as outlined in the FTA guidance, no assessment is required.

If a vibration assessment is needed, follow the FTA guidance and describe potential impacts and provide a map identifying vibration-sensitive receptors such as vibration-sensitive research and manufacturing, hospitals, universities, etc. Discuss any proposed mitigation measures.

## **J. NOISE IMPACTS**

If the proposed project is the type of project to cause noise impacts, identify any noise-sensitive receptors in the vicinity of the proposed project. If there are no noise-sensitive receptors within the applicable screening distance for the type of project, no assessment is required.

If there are noise-sensitive receptors within the screening distance, identify the noise-sensitive receptors such as schools, hospitals, parks, churches and residences. Conduct a general noise assessment following the procedures in FTA's [Transit Noise and Vibration Impact Assessment](#) guidance and attach. Describe any impacts, include a map of noise-sensitive receptors, discuss proposed mitigation measures, and any remaining impacts after mitigation.

## **K. WATER QUALITY IMPACTS**

Water resources and quality are protected under the Clean Water Act. Water resources to consider include surface water (including Waters of the US), groundwater and/or drinking water supply sources, such as [EPA-designated sole source aquifers \(SSA\)](#). Impacts can occur to water resources used for drinking, agriculture, recreation and wildlife habitat, and can occur during construction, operation and maintenance. Determine if

there are any water resources present in the surrounding area and if the proposed project has the potential to affect water quality, including during construction. Indicate if there would be an increase in impervious surface area and how much. Describe best management practices (BMPs) to be implemented, if needed. Other considerations include, but are not limited to, stream/river modification, stream/river crossings, presence of sensitive/protected water resources, such as Gold Metal Trout Streams, sole source aquifers, [wild and scenic rivers](#), and impaired water bodies.

If there is stormwater and/or sediment runoff, or an increase in impervious surface area associated with the proposed project, including runoff during construction, which would not be controlled through use of BMPs and involves more than one acre of ground disturbance, a stormwater permit may be needed. Please indicate if a permit is needed and that it will be acquired prior to construction.

#### **L. PROPERTY/LAND ACQUISITION, RELOCATION, LEASES AND EASEMENTS**

If property/land is to be acquired for the proposed project, indicate whether acquisition will result in relocation of businesses or individuals. Provide the amount of acquisition in terms of acreage or square footage. Provide information on any residential or business relocations and how many. Indicate full or partial acquisitions, easements or leases.

All property/land acquisition and/or relocation must comply with the [Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970](#), as amended (42 USC Chapter 61).

**Note:** For more information see [49 CFR Part 24](#). Chapter IV of [FTA Circular 5010.1D](#) provides guidance on FTA requirements for real property, including relocation and appraisal requirements under the Uniform Act. For acquisitions over \$500,000, FTA concurrence in the property's valuation is also required. FTA final [Guidance on Corridor Preservation](#) also provides information on acquisition of right-of-way for corridor preservation.

#### **M. WETLAND IMPACTS**

Determine if there are any wetlands on or adjacent to the proposed project site through review of the USFWS National Wetlands Inventory (NWI), NRCS soil map (for hydric soil), and/or by conducting a site visit. This may include Waters of the US.

Show potential wetlands on or adjacent to the proposed project area. Describe potential temporary and/or permanent impacts, including any discharge of dredged or fill material. Attach correspondence with the US Army Corps of Engineers (USACE) and/or any 404 permit requirements, as well as minimization and mitigation efforts. For assistance with which USACE District covers your project and any impacts, contact Region 8.

#### **N. NATURAL RESOURCE IMPACTS**

Identify if any natural areas (designated wildlife or waterfowl refuges, woodlands, prairies, and geological formations) are present on or near the proposed project area. Indicate whether the proposed project requires any mature tree removal. Tree removal and/or trimming may require consultation under the Migratory Bird Treaty Act (MBTA). If the proposed project has the potential to impact a publicly-owned wildlife or waterfowl refuge of national, state or local significance and open to the public, a Section 4(f) evaluation may be required. See [23 CFR Part 774](#) and the [FHWA Section 4\(f\) Policy Paper, July 2012](#).

#### **O. HISTORIC, CULTURAL AND ARCHAEOLOGICAL RESOURCE IMPACTS**

Conduct a database or archival search through your State Historic Preservation Office and/or local preservation office (local historical society) to determine the presence of any historic, cultural or archaeological resource(s), including any linear resources (e.g., canals, railroads, etc.) located on or in the immediate vicinity of the

proposed project. Describe any resources present and the potential for the proposed project to affect these resources. Determining the presence of these resources also may require coordination with the State Historic Preservation Officer, Tribes, and consulting parties. Discuss process for unanticipated discoveries during construction.

Contact Region 8 early in the project to determine the level of Section 106 review ([36 CFR Part 800](#)) required. If the proposed project has the potential to affect historic resources, the [Section 106](#) process must be followed. A Section 4(f) evaluation per joint FTA/FHWA regulations ([23 CFR Part 774](#)) also may be required. Please contact Region 8 for assistance. For additional information and guidance on the Section 4(f) requirements and process, see [FHWA's Section 4\(f\) Policy Paper, July 2012](#), which can also be used as a guide for FTA funded projects.

All relevant correspondence must be attached. All correspondence must come from FTA, though a draft should be prepared by the project sponsor for FTA review.

**P. BIOLOGICAL RESOURCE IMPACTS**

Identify any aquatic (fish) and/or terrestrial (wildlife) animal species of interest, biologically sensitive areas, designated critical habitat, wildlife corridors, essential fish habitat, or other sensitive habitat on or in the vicinity of the proposed project. Describe any impacts that would occur as a result of construction and implementation of the proposed project. Identify mitigation measures if applicable.

**Q. THREATENED AND/OR ENDANGERED SPECIES IMPACTS**

Identify any threatened and/or endangered species (plant or animal) and/or critical habitat present on or in the vicinity of the proposed project. A list of threatened and endangered species can be obtained from the US Fish and Wildlife Service ([USFWS](#)) and from a state department of natural resources for species within the state. Consult with federal and state agencies to identify any ecologically sensitive areas, federal and/or state listed species or their suitable habitat in the project area.

If there are any species or habitat present in the project area, determine if the proposed project would have an impact. State the results of consultation with the USFWS and state department of natural resources on the impacts to threatened and endangered fauna and flora or their habitat. Provide correspondence substantiating consultation and results. Identify mitigation measures if applicable. Contact Region 8 to initiate Section 7 interagency consultation with USFWS.

**R. RECREATION AND PARK RESOURCE IMPACTS**

Identify and describe any recreation areas and/or parks in the vicinity of the proposed project. This includes parks and recreation areas funded from the Land & Water Conservation Fund (LWCF) Act, as they are protected under Section 6(f), which prohibits the conversion of property acquired or developed with these grants to a non-recreational purpose without approval of the National Park Service. Publicly owned parks and recreation areas that are open to the general public, are protected under Section 4(f). If any are present in the proposed project area and/or the proposed project involves a potential "use" of the property, contact Region 8 for guidance.

**S. SAFETY AND SECURITY**

If required, describe all measures that would need to be taken to provide for the safe and secure operation of the proposed project after its construction (e.g., pedestrian safety, ADA facilities, lighting, signing, rail at-grade crossings, fencing, secured access, cameras, etc.).

**T. CONSTRUCTION IMPACTS**

Describe any impacts that would result during construction of the proposed project. This includes the construction plan and duration, impacts due to construction noise, utility disruption, debris dust, soil disposal, and staging areas. Address any air and water quality impacts, safety and security issues, disruptions to traffic (e.g., lane closures, detours) and access to property. Describe mitigation and BMPs to be followed. Describe any traffic management plans, if applicable.

#### **U. UTILITY IMPACTS**

Identify any existing and proposed utilities in the construction area for the proposed project. If utility impacts would occur (e.g., utility relocations, service disruption) due to the construction, describe the impacts and mitigation measures, as applicable.

#### **V. CUMULATIVE AND INDIRECT IMPACTS**

While very rare on a project that qualifies as a CE, there is the potential for cumulative and/or indirect impacts to environmental resources present in the vicinity of the project. The proposed project should be reviewed to determine whether the impacts resulting from its construction and operation would result in future impacts to a particular resource(s) or in conjunction with impacts from other activities, would result in the loss of a resource due to the additive effect of the impacts. Describe any potential for cumulative or indirect impacts as a result of the proposed project. Cumulative and indirect impacts are defined as follows:

- a) [Cumulative Impacts](#) result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.
- b) [Indirect impacts](#) are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect impacts may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air, water and other natural systems, including ecosystems.

#### **W. PUBLIC OUTREACH AND AGENCY COORDINATION**

Briefly describe public outreach efforts and/or federal/state/local agency coordination undertaken for the proposed project. Indicate opportunities for public meetings, hearings, (e.g., board meetings, open houses, special hearings) and summarize public comments received. Indicate any significant concerns expressed by the public or agencies regarding the proposed project. Describe any notifications made locally; including if information available on a website. Note: FTA does not have standards for public notification for CE projects. Typically a c-list CE does not require public outreach, unless there is strong public interest and/or its required under another environmental law (e.g., Section 106).

#### **X. STATE AND LOCAL PERMITS, POLICIES AND ORDINANCES**

Identify any state and/or local policies, ordinance, permits, etc. that must be followed or obtained prior to construction. Indicate the timeframe for compliance.