

# Countersigned Categorical Exclusion Guidance Material

*This document is guidance on how to complete the Categorical Exclusion form. Text in blue indicates information the Iowa DOT will provide. Text in red indicates information the Project Sponsor/LPA will need to provide.*

County: *County*  
 Phase Number: *Phase Number*  
 Project Name: *Document Title*  
 Project Location: *Location*  
 NEPA ID: *NEPA ID*

## PROJECT DESCRIPTION:

*Enter a short project description that includes the road(s) route number or street name(s), the county(s) included, the project termini and a short description of the planned improvements. Attach a map that clearly illustrates street names or route numbers, project termini and areas affected by increased right of way (ROW) (Attachment #).*

## TYPE OF PROJECT:

Categorical Exclusion (CE), as described in 23 CFR 771 Part 117 *CFR Citation NEPA Project Type*

Federal Highway Administration (FHWA) concurred that this project meets the criteria of a Categorical Exclusion (CE); and that this project may not be processed under the FHWA and Iowa DOT Programmatic Agreement regarding the processing of certain categorical exclusion actions due to not meeting one or more of the constraints described in 23 CFR 771 Part 117 (e).

## PUBLIC INVOLVEMENT:

Projects meeting the CE classification do not have a public involvement requirement. Early coordination with the public aids in determining the type of environmental review documents an action requires, the scope of the document, the level of analysis, and related environmental requirements. The table will list the public involvement opportunities provided for this project.

Date	Location	Invited	Attended
<i>Month, day, year and time held</i>	<i>Location address</i>	<i>Number or description of people invited</i>	<i>Number or description of attendees</i>

**Comment:**

*Public involvement is not required for a project classified as a CE. Therefore, public meetings are generally not held for CE projects. If there was no PI, the table will be deleted and add a comment that no meetings were held. If public involvement meetings were held, include information for all past and future meetings in the table and include a short summary of the comments received and general public opinion.*

**RIGHT-OF-WAY (ROW) AND DISPLACEMENT:**

A review was completed to determine if acquisitions and relocations of real property would be required. If it is determined that acquisitions and relocations are required, they will be conducted in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S. Code (USC) 4601 et seq.).

Estimated Temporary Easement: *Enter temporary easement* acre(s)

Estimated Permanent Easement/Fee Title: *Enter permanent easement* acre(s)

**Comment:**

*Provide additional ROW information.*

Number of homes displaced: *Enter number of homes displaced*

Is there replacement housing for the displacements? *Yes/No*

Number of businesses displaced: *Enter number of businesses*

Is there replacement property for the displaced businesses? *Yes/No*

**Comment:**

*If ROW is needed, indicate if there are any displacements and include the information listed below.*

- 1. If available, provide a map that identifies which residents/businesses will be displaced (Attachment #).*
- 2. Summarize the number of business and residential displacements and include the total number of acres affected. If there are more than 3 potential displacements, this may elevate this project to an environmental assessment (EA). Discuss this with the NEPA Manager.*
- 3. Discuss adequate replacement housing. If there isn't adequate replacement housing, this may require an EA. Discuss this with the NEPA Manager.*

**CULTURAL RESOURCES:**

A review was completed in accordance with the current Programmatic Agreement among the Federal Highway Administration, the Iowa Department of Transportation, the Iowa State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Implementation of Federal-Aid Transportation Projects in the State of Iowa. This agreement complies with the National Historic Preservation Act as amended, and as codified in 36 CFR Part 800.

Cultural Determination: *Cultural Determination*

Cultural Conditions: *Conditional Clearance Type*

Dated: *Cultural Clearance Date*

**Comment:**

*If an Archaeology Survey or a Historical Survey was conducted, enter the results of the surveys, and attach the State Historical Preservation Office (SHPO) concurrence letters (Attachment #). Identify all sites that are adversely affected by the project and efforts to avoid or minimize the impacts.*

*Consultation with tribal nations (Attachment #) will be conducted by the Iowa DOT if necessary. If consultation with tribal nations was conducted, DOT will describe the results of the coordination.*

The following historic sites were considered for Section 4(f) use in accordance with FHWA's Section 4(f) regulations as codified in 23 CFR Part 774 and the Section 4(f) Decision Process as outlined in the Iowa Division Office Procedures for Review and Approval.

Historic Site	Section 4(f) Determination
<i>Historic Site Name, Historic Site ID</i>	<i>Historic Transportation Facilities, Archaeology Site, de minimis, etc. (No Attachment)</i>
	<i>Programmatic 4(f) (Attachment #)</i>

**PARKS, RECREATION, WILDLIFE MANAGEMENT AREA (WMA) AND REFUGE AREAS:**

A review was completed to determine if park, recreational, WMA/WPA, or Refuge lands are present in the project area. The following properties were considered for Section 4(f) use in accordance with FHWA's Section 4(f) regulations as codified in 23 CFR Part 774.

Phase Number: «Phase Number»

NEPA ID: «NEPA ID»

Property Name	Type	Determination	FHWA Concurrence	Note
<i>Name of Facility</i>	<i>Public/Private</i>	<i>No Use, Temporary Use, de minimis, etc.</i>	<i>Date FHWA concurrence is received</i>	<i>Description of impact</i>

**Comment for Park:**

*If the proposed project will temporarily or permanently incorporate parkland (or other recreational or refuge facilities) for ROW, contact the Iowa DOT NEPA Section prior to completing this CE to determine what 4(f) documentation may be necessary.*

*If there are Land and Water Conservation fund (LWCF) or other similar recreational sport funds used in the park, contact the Iowa DOT NEPA Section prior to completing the CE to determine what 6(f) review and documentation is necessary.*

*Attachments are needed for paddling route plans, de minimis, and temporary use OWJ coordination.*

*Enter additional information regarding park, trail, etc.*

**Comment for Refuge:**

*Enter additional information regarding refuge.*

*Attachments are needed for de minimis and temporary use OWJ coordination.*

**THREATENED AND ENDANGERED SPECIES:**

A review was completed in accordance with Section 7 of the Endangered Species Act (ESA). This review is to ensure the action taken will not jeopardize the continued existence of a listed species or result in the destruction or adverse modification of critical habitat.

Potentially Impacted Species	State Listing	Federal Listing
<i>Potentially Impacted Species</i>	<i>Threatened or Endangered</i>	<i>Threatened or Endangered</i>

Determination of Effect: *Determination of Effect (DOE)*

USFWS Concurrence Date: *USFWS Concurrence Date, if applicable*

Iowa DNR Concurrence Date: *Iowa DNR Concurrence Date, if applicable*

Mitigation Type: *Mitigation Type, if applicable*

Comment:

*Use form 760005 (Determination of Effect for Threatened & Endangered Species for Local Public Agencies) to determine if there is a presence of a listed species within the same county as the project, the United States Fish and Wildlife Service (USFWS) and the Iowa Department of Natural Resources (Iowa DNR) data sources should be reviewed to determine: 1) if any species are likely to occur at the project site, 2) if the project will affect critical habitat for the listed species, and 3) to determine efforts to avoid or minimize impacts. Provide DOE with USFWS and/or Iowa DNR consultation. (Attachment #)*

#### **WOODLANDS:**

A review was completed to determine if woodlands meeting the criteria of Iowa Code 314.23 were present in the project area. Woodland removed shall be replaced by plantings as close as possible to the initial site, or by acquisition of an equal amount of woodland in the general vicinity for public ownership and preservation, or by other mitigation deemed to be comparable to the woodland removed, including, but not limited to, the improvement, development, or preservation of woodland under public ownership.

*Iowa State Code 314.23 requires the replacement or preservation of woodland impacted for a highway purpose. This does not include woodlands required as mitigation for the Endangered Species Act (ESA). Iowa DOT considers woodland impacts to occur under the following circumstances:*

*The area to be impacted consists of 2 acres or greater of forested land having at least 200 trees (3" diameter at breast height (dbh) or greater) per acre.*

*LEB does not consider woodland impacts to occur if the area of impact is less than 2 acres.*

Woodland meeting criteria: *Enter woodland acres* acre(s)

Is mitigation required? *Yes/No*

Comment:

*If there will be an impact to woodlands, describe the extent of the impact and any mitigation that will be required.*

#### **WATER RESOURCES:**

A review was completed to determine if potential wetlands and streams are within the project area. Waters of the U.S., including wetlands, waterways, lakes, natural ponds, and impoundments, are regulated by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act, which requires a permit to authorize the discharge of dredged or fill material into waters of the U.S. (33 USC 1251 et seq.). Executive Order 11990, Protection of Wetlands, requires Federal agencies (including FHWA) to implement "no net loss" measures for wetlands (42 Federal Register (FR) 26951).

Phase Number: «Phase Number»

NEPA ID: «NEPA ID»

Is a 404 Permit Required? *Yes/No*  
Anticipated Permit: *Enter type of permit*  
Dated: *Enter date determined or obtained*

Comment:

*Review the National Wetland Inventory (NWI) list, the National Resource Conservation Service (NRCS) County Soil Surveys, and the County Hydric Soil List; if there are no NWI wetlands listed in the project area, the Soil Survey maps show no hydric soils, then the determination is that the project will likely have "no wetland impacts." Provide the results of the review. If the permit has been obtained include it as an attachment.*

#### **WATER QUALITY:**

A review was completed and determined that no significant water quality impacts or issues are expected to result from the action discussed in this document. Standard construction specifications provide for erosion control to limit sedimentation of drainage ways and water courses and no mitigation or remedial efforts are planned.

Comment:

*Provide information to support the above statement. Indicate any permits that may be obtained.*

#### **FLOODPLAINS:**

A review was completed to determine if a floodway/floodplain is present in the project area and would require a permit in accordance with 567 Iowa Code Chapter 71.

Floodway or Floodplain present: *Yes/No*

Amount of Acres Present: *Enter amount of acres present*

Is a LOMR/CLOMR Required? *Yes/No*

Comment:

*Address the length of the crossing, as well as impacts to the floodplain that occur as a result of the proposed project in as much detail as possible. Indicate that during final design an Iowa DNR Floodplain Construction Permit, and potentially a Sovereign Lands Permit, may be required.*

#### **FARMLAND PROTECTION:**

A review was completed to determine if farmland is present in the study area and if it is subject to the Farmland Protection Policy Act requiring the Farmland Conversion Impact Rating form NRCS-CPA-106.

Farmland impacts: *Enter farmland impact in acres* acre(s)

Is it in an urban area? *Yes/No*

Is it a designated water storage? *Yes/No*

Mitigation: *If the project received a score of greater than 160, mitigation may be required.*

**Comment:**

*If the project requires five acres or less of new right-of-way per mile or per site, the project does not present a significant impact to farmland and submittal of NRCS Form is not required.*

*If the project requires more than five acres of new right of way per mile or per site, NRCS-CPA-106 (Corridor Farmland Conversion Impact Rating) or AD-1006 (Site Farmland Conversion Impact Rating) must be completed. These forms can be found online through the United States Department of Agriculture's website. (Attachment #)*

*Land that is already in or committed to urban development or water storage does not qualify as farmland and is therefore not subject to the FPPA. As per 7 CFR 658.2(a), land that meets any one the following criteria is considered already committed to urban development or water storage:*

- 1. Land with a density of 30 structures or more per 40-acre area.*
- 2. Land identified as an "urbanized area" (UA) on the Census Bureau Map.*
- 3. Land mapped as an urban area using the tint-overprint on the USGS topographic maps.*
- 4. Land shown as "urban-built-up" on the USDA Important Farmland Maps.*
- 5. Land that receives a combined score of 160 points or less for the Land Evaluation (Part V) and Site Assessment (Part VI) criteria on the Farmland Conversion Impact Rating form.*

*If it is determined that all or a portion of the land is committed to urban development, indicate how many acres of farmland will be impacted by the project.*

**REGULATED MATERIAL SITES:**

A review was completed to determine known and potentially contaminated properties in the project study area. Properties in the study area where hazardous materials have been generated or stored may present a future risk if accidental or intentional releases have occurred. Contaminated or potentially contaminated properties are of concern for transportation projects because of the associated liability of acquiring the property through ROW purchase, the potential cleanup costs, and safety concerns related to exposure to contaminated soil, surface water, or groundwater.

The results of the review are in the following table:

<b>Name and Address of Site</b>	<b>Description of potential impact</b>
<i>Enter name, address, and REC # of site</i>	<i>Describe potential impacts</i>

Potential REC: *Enter potential Recognized Environmental Condition (REC)*

Known REC: *Enter known REC*

Mitigation: *Enter mitigation, if applicable*

Comment:

*Summarize the results of the Phase I study or regulated material review. More information on contaminated sites can be found here: <https://programs.iowadnr.gov/contaminatedsites/>*

#### **NOISE:**

A review was completed to determine if the project will need to be considered for noise analysis and abatement in accordance with 23 CFR Part 772 and Iowa DOT noise policy PPM 500.07.

23 CFR 772 Noise Type: *Enter noise type I or III*

Noise abatement recommended: *Yes/No*

Type of abatement: *Enter type of abatement, if applicable*

Comment:

*The following project types are considered Type I projects and **require a noise analysis:***

- 1. New construction*
- 2. Major reconstruction defined as substantial horizontal or vertical alteration*
- 3. Addition of auxiliary lanes*
- 4. Addition of lanes to complete an existing partial interchange*
- 5. Restriping to add traffic lanes*
- 6. Addition of weigh stations/rest stops/ride-shares/toll plazas*

*If the project is not a Type I, it is a Type III project and does not require a noise analysis.*

#### **AIR QUALITY:**

A review was completed and determined the project complies with both Iowa's current State Implementation Plan for attaining the national ambient air quality standards (which contains no transportation control measures), and with the conformity requirements for the Clean Air Act Amendments (CAAA) of 1990. Short-term air quality impacts associated with dust and equipment emissions during construction are controlled by standard contract and equipment specifications.

#### **MOBILE SOURCE AIR TOXICS (MSATS):**

This project will not result in changes in traffic volumes, vehicle mix, basic project location, or any other factor that would cause an increase in MSAT impacts of the project from that



of the no-build alternative. As such, this project has been determined to generate minimal air quality impacts for CAAA criteria pollutants and has not been linked with any special MSAT concerns.

The Environmental Protection Agency (EPA) regulations for vehicle engines and fuels will cause overall MSAT emissions to decline significantly over the next several decades. Based on regulations now in effect, an analysis of national trends with EPA's MOBILE6.2 model forecasts a combined reduction of 72 percent in the total annual emission rate for the priority MSAT from 1999 to 2050 while vehicle-miles of travel are projected to increase by 145 percent. This will likely reduce the background level of MSATs and likely reduce the contribution of MSAT emissions from this project.

**CONSTRUCTION/DETOUR IMPACTS:**

*Provide construction staging and/or detour description.*

**CUMULATIVE IMPACTS:**

The overall cumulative impact of the proposed action and the consequences of subsequent related actions have been evaluated and are not considered to be collectively significant.

**CONSISTENCY:**

The proposed project will be consistent with federal, state, or local law or administrative determination relating to the environment and with community plans.

Phase Number: «Phase Number»  
NEPA ID: «NEPA ID»

**Attachments:**

Attachment	Name	Included
1	Location Map	
2	SHPO Coordination	
3	USFWS Coordination	
4	Farmland Coordination	
5	Section 4(f) Document	

Signature:	
Angela L. Poole, Director Location and Environment Bureau	
Signature:	
Federal Highway Administration	Concur Date