

Countersigned Categorical Exclusions		Effective Date N/A
Responsible Section NEPA	Manual No 14M200	Revision Date N/A
		Approval Team Lead

Purpose

Documentation to satisfy NEPA requirements for Iowa DOT transportation projects that are classified as countersigned Categorical Exclusions (CE).

Background

A countersigned CE is an action that meets the criteria for a CE in the regulations *40 CFR 1508.4* and *23 CFR 771.115(b)*, and requires FHWA approval. Projects that could qualify as countersigned CEs are defined in *23 CFR 771.117(a)* and include projects listed in *23 CFR 771.117(c)* or (d); if those projects involve unusual circumstances as defined in section 117(b). Examples of unusual circumstances include potential impacts to Section 4(f) resources or protected species, acquisition of more than a minor amount of right of way, or impacts to more than a minimal amount of wetlands.

Procedures

The NEPA Section will review the final project concept statement and compare the project’s potential impacts to the criteria in *23 CFR 771.117(c)* or (d) and the Programmatic Categorical Exclusion (PCE) Agreement with FHWA to determine if the project fits the countersigned CE category, see **Manual No. 14M100**. If the project does not fit the criteria of the PCE Agreement, a classification memo is sent to FHWA for their review and concurrence on the countersigned CE.

Environmental Review:

1. The LEB Project Advisory Team (PAT) is formed.
2. The NEPA manager, Location Design Technician, the Pre-Design Section and a District representative will create a preliminary desktop study area.
3. A PAT meeting is held to discuss the preliminary desktop study area.
4. Based on PAT team discussion, create the final desktop study area.
5. Each resource section will complete their review and create the resource shape file(s) in GIS (store in projectdirectory_n).
6. A microstation file is created of the completed desktop study area.
7. PAT members will complete their field review and provide resource summaries and clearances to NEPA
8. NEPA will complete the countersigned CE based on final resource reviews and clearances and forward to FHWA for their concurrence.

9. Provide Microstation file to Design.

Documentation:

The countersigned CE is documented through a memorandum to FHWA that demonstrates the proposed action meets the criteria for a CE and that significant environmental effects will not result (see page 4).

The level of consideration, analysis, and documentation should correspond with the action’s potential for significant impacts, controversy, or consistency with other agencies’ environmental requirements. While agency coordination and public involvement are not required as part of countersigned CE projects, it would not be unusual to engage in both activities.

Following the resolution of all outstanding resource issues, review, and approval of the countersigned CE memo by LEB Office Director and FHWA; the environmental review process concludes with an Environmental Clearance notice sent by the NEPA Section and the MicroStation file is sent to Design.

The NEPA clearance is sent to the Project Delivery Bureau and the following personnel are copied:
Office of Contracts
Office of ROW
Office of Design
Office of Bridges and Structures
Office of Construction & Materials
LEB Supervisors
LEB Scheduler
LEB Public Involvement
NEPA Team Leader
District Engineer
District Assistant Engineer
The NEPA clearance for LPA Projects are sent to the LPA and following are copied:
Consultant
Office of Contracts
Office of ROW
LEB Supervisors
District Local Systems Engineer (or Office of Systems Planning)
NEPA Team Leader

Project information is stored in ProjectWise® directory. Project files are stored as searchable PDF and named in accordance with **Manual No. 13M101**. Once the clearance is complete, the NEPAdbase and PSS are updated with clearances and the signed Countersigned CE is added to ERMS.

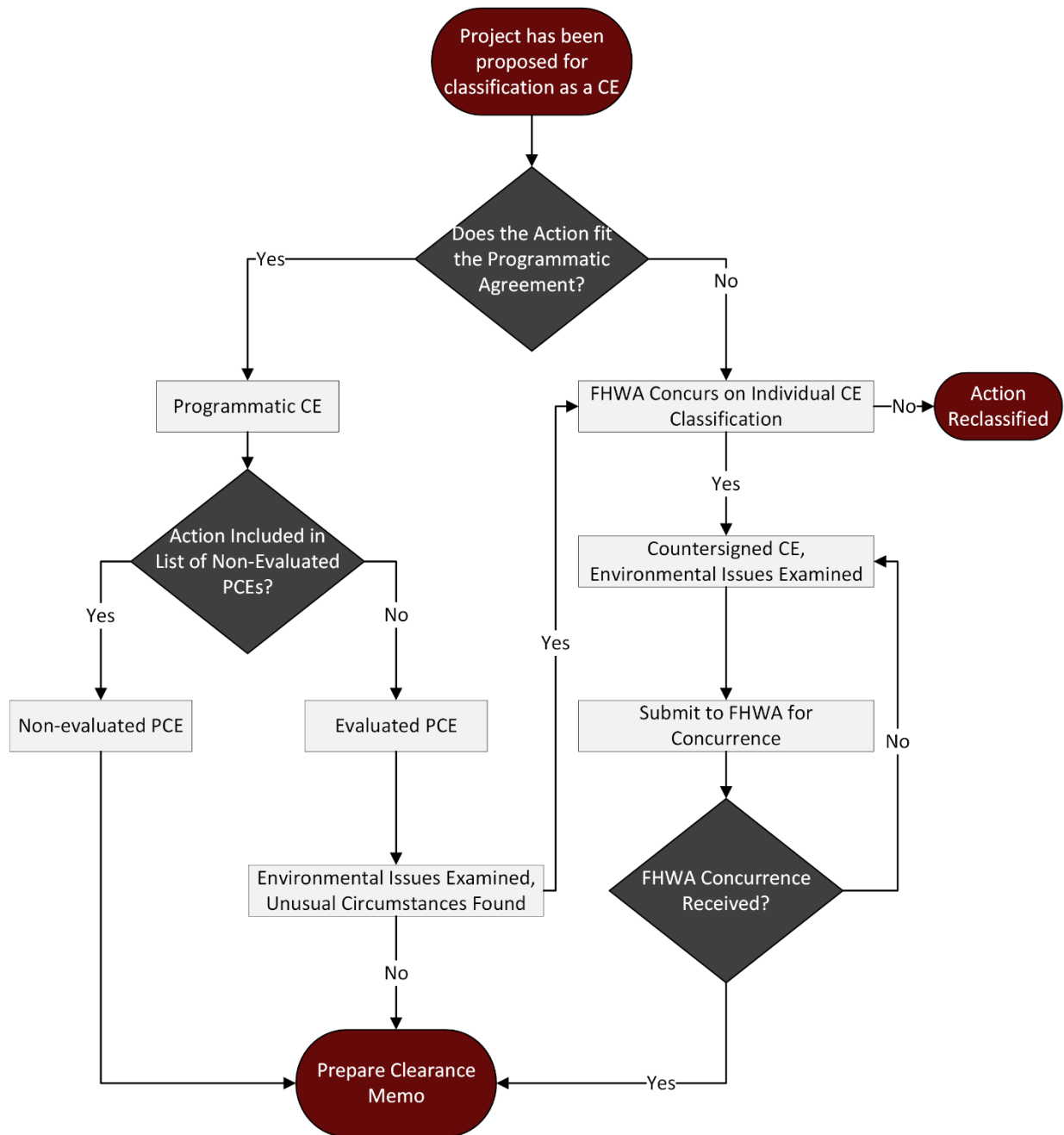
NEPA clearances can be found in ERMS as follows:

Area: Highway
 Cabinet: Environmental
 Search Group: NEPA

Drawer: PCE

NEPA ID#:

Categorical Exclusion Process



GUIDANCE FOR PREPARING CATEGORICAL EXCLUSIONS

Categorical Exclusions (CEs) 23 CFR 771.117 are documented using a memo format. Once completed, the memo is signed by the Iowa DOT and Federal Highway Administration (FHWA). Below is a CE memo with guidance on how to complete each section. Refer to your most recent concept statement for information to complete the CE document. Each response should not be more than 1-2 paragraphs. Guidance information is italicized.

IOWA DEPARTMENT OF TRANSPORTATION

To Office	Federal Highway Administration	Date	[Insert Date]
Attention	FHWA Division Administrator	NEPA ID:	[Insert NEPA ID]
From	LEB Office Director	County:	[Insert County]
Office	Location and Environment		
Subject	NEPA Clearance - Categorical Exclusion - [Insert Project Name]		

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

A. Type of Project:

Categorical exclusion (CE), as described in 23 CFR 771.117, Section a, b, or d.

Update the Section reference by including the actual citation by which this project qualifies for a CE.

B. Public Involvement:

Public involvement is not required for a project classified as a CE. Therefore, public meetings are generally not held for CE projects. In these instances, use the following text:

Public involvement is not required for a project classified as a CE.

However, if a public meeting is held, note it here, giving the time, date and location of the meeting. Include a short summary of the comments received in this section and the general public opinion.

C. Noise

If a noise analysis was required for one of the following types of projects:

- *Construction of a highway on new location,*
- *Physical alteration of an existing highway which significantly changes either the horizontal or vertical alignment,*
- *Increases the number of through-traffic lanes. (Note: A project that adds an auxiliary lane will also need a noise analysis, if the auxiliary lane is long enough to function as a through-traffic lane and/or increase capacity.*

Then summarize your findings and attach the supporting documents.

- *Describe the number of sites evaluated for each land-use type in the project area,*
- *Describe the current and projected noise levels,*
- *Describe any locations that will approach or exceed noise abatement criteria,*
- *Describe any location where the projected noise levels will increase by 10 dBA or more,*
- *If necessary, describe possible noise abatement options.*

If a noise analysis was not required, use the following text:

Significant noise impacts are not expected during construction of the project, or after the project is completed.

D. Air Quality

Use the text below.

The proposed 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 of 1990. Short-term air quality impacts associated with dust and equipment emissions during construction are controlled by standard contract and equipment specifications.

E. Mobile Source Air Toxics (MSATs)

For all projects, use the following text:

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. As such, 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.

Moreover, 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 both reduce the background level of MSAT as well as the possibility of even minor MSAT emissions from this project.

F. Right-of-Way and Displacement Impacts

If no additional ROW is needed, simply state this in the space provided. If ROW is needed, describe if there are any displacements and include the information listed below.

- 1. If available, provide a map that identifies which residences/businesses will be displaced.*
- 2. Summarize the number of business and residential displacements and include the total number of acres affected.*

An example is provided below.

There are [Insert number of displacements] residential or [Insert number of displacements] business displacements. The ROW needed for this project is approximately [Insert number of acres] acre of permanent easement. See Attachment X.

G. Cultural Resources

On the DOT website at www.iowadot.gov/local_systems, under publications, Instructional Memorandums To Local Public Agencies, see Chapter 3.112, Attachment D, flowchart of the Section 106 Process for Impacts to Historic Properties or Cultural Features, and Chapter 3.114, Cultural Resource Regulations. If an Archaeology Survey or a Historical Survey was conducted, describe the results of the surveys and attach the State Historical Preservation Office (SHPO) concurrence letters. Identify all sites that are adversely affected by the project and efforts to avoid or minimize the impacts. If there is a potential for an adverse effect, contact Iowa DOT NEPA Section prior to completing this CE.

H. Threatened and Endangered Species

If there is an indication of the 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 (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. Summarize the results here.

After the summary, enter a statement that describes the likely effects the project may have on the listed species. The likely effects should be described by using one of the following terms 5 terms: 1) no effect, 2) no effect by following recommendations 3) not likely to adversely affect, 4) likely to adversely affect, or 5) needs further study. If evaluation of the data sources indicates that the project either will have no effect, or is not likely to adversely affect threatened and endangered species or their critical habitat, use the following text:

Based on a review of data sources from both the United States Fish and Wildlife Service (USFWS) and the Iowa Department of Natural Resources (IADNR,) the [Insert name of project

[sponsor] has determined the proposed project [will have no effect] [is not likely to adversely affect] federally listed species or result in the destruction or adverse modification of federally designated critical habitat.

If evaluation of the data sources indicates that the project will have any other effect (i.e. no effect by following recommendations; likely to adversely affect; or needs further study), contact Iowa DOT NEPA Section prior to completing this CE.

I. Wetlands

Review the National Wetland Inventory (NWI) list, the National Resources 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.” Use the following text:

The National Wetland Inventory (NWI) list, the National Resources Conservation Service (NRCS) County Soil Surveys, and the County Hydric Soil Lists were reviewed for potential wetlands within the project area. A site visit was conducted on [Insert date of site visit] and it confirmed that there are no NWI wetlands in the project area. In addition, the Soil Survey maps did not indicate the presence of hydric soils. It has been determined that the project will have no wetland impacts.

If there were wetlands involved and there is a potential for an adverse effect, identify the wetlands in acres and any actions to mitigate those impacts.

J. Woodlands

The Iowa DOT is required by state code to replace or preserve woodland removed for a highway purpose. This does not include woodlands required as mitigation for the Endangered Species Act (ESA). LEB 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.

K. Parkland Impacts

If the proposed project will temporarily or permanently incorporate parkland 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 (LWCF) 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.

If any parkland will be impacted by the project, describe, list or attach:

- *A map that clearly identifies the park and ROW impacts*
- *Describe who owns the park*
- *List designated users for the park*
- *Describe if or how LWCF funds have been used*
- *List the number of acres of land in the park and the number of acres of land impacted by the project*
- *Describe how impacts will affect the park, its use and users*

If there are no parks or recreational lands in the project area, use the following text:

Park or recreational lands are not present in the project area.

L. Water Quality

Use the following text:

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.

M. Floodplains

Address the length of the crossing, as well as impacts to the flood plain that occur as a result of the proposed project in as much detail as possible.

Indicate that during final design, an Iowa DNR Flood Plain Construction Permit, and potentially a Section 404 Permit, will be required.

N. Farmland Protection

Fill out form AD-1006 (Farmland Conversion Impact Rating) if farmland is impacted. You can find a form AD-1006 online through the United States Department of Agriculture's website. If there is no impact to farmland or if the project will impact 5 acres or less of farmland per mile or per site, use the text below:

[The project study area does not include farmland] [The project will impact 5 acres or less of farmland per mile or per site], therefore, completing the form AD-1006 is not necessary.

O. Regulated Material Sites

Summarize the results of the Phase I study or if a Phase I was not required summarize your regulated material review as done in the following:

A regulated material review was completed on [Insert date of review] for this project. No known regulated material sites were found within a two mile radius of the project site. Therefore, this project does not involve any known regulated material sites or land with previous uses that would result in regulated waste.

P. Construction/Detour Impacts

Note any permanent/temporary easements or impacts during the construction phase(s) as shown in the example below.

Traffic flow on [Insert name of road] will be restricted throughout the construction period in order to accommodate a phased construction method. The use of a phased construction method eliminates the need for any road closures during construction.

Q. Cumulative Impacts

Use the following text:

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.

R. Consistency

Use the following text:

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

Confirm with the Office of Program Planning that the project is in the LRTP prior to sending to FHWA for signature.

LEB Office Director

Office of Location and Environment

Concur: _____
For the Federal Highway Administration

Date: _____

From: Newell, Deeann [DOT]

Sent: Wednesday, March 11, 2015 11:58 AM

To: Swenson, Mark A [DOT]

Cc: Sankey, Martin [DOT]; Kennerly, Michael [DOT]; Anderson, Stuart [DOT]; McDonald, Norman [DOT]; Hofer, Brad [DOT]; Rost, James [DOT]; Ranney, Ejon [DOT]; Rostad, Krista [DOT]; Little, David [DOT]; Brewer, Valerie [DOT]

Subject: Staff Notification of NEPA Process - (NE11) NHSX-218-8(124)--3H-09

IOWA DEPARTMENT OF TRANSPORTATION

TO: Project Delivery Bureau **EFFECTIVE DATE:** March 11, 2015

ATTN: Mark Swenson **REF:** Bremer County

FROM: DeeAnn Newell **NEPA ID:** 5807

OFFICE: Location and Environment

SUBJECT: Staff Notification of NEPA Process Completion - (P03) NHSX-218-8(124)--3H-09

The environmental review process has been completed for [Enter Project Description and Location] and the project has been [Insert Applicable Language, i.e.: categorically excluded (CE) from the need for an individual environmental action by the FHWA]. FHWA concurred with the [Insert NEPA Document Type] determination for the project effective on [Insert Clearance Date]. The review was based on the information provided in the attached [Insert NEPA Document Type], the project concept statement, and subsequent plans. Project development may continue toward letting.

Changes to the project, as approved, could nullify the concurrence. Please contact the Office of Location and Environment if there are changes.

The wetland/floodplain permitting process is separate from the NEPA review process and any applicable permits will need to be obtained prior to construction.

The NEPA Clearance document(s) can be found in ERMS as follows:

Area: Highway

Cabinet: Environmental

Search Group: NEPA

Drawer: NEPA Document

NEPA ID: