



# NORTH CAROLINA

Department of Transportation

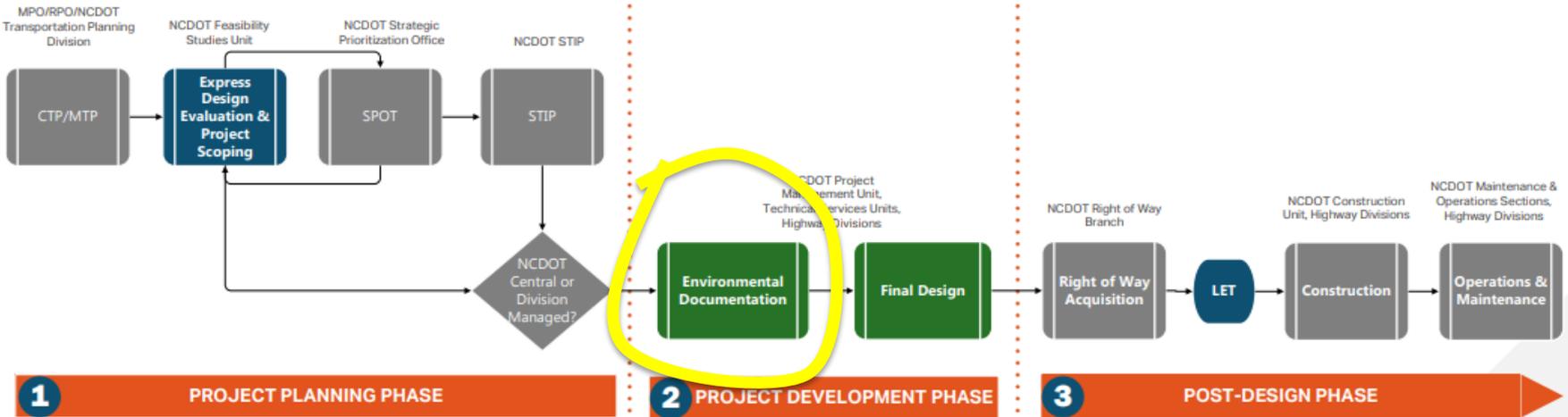


# Environmental Documentation

John Jamison – Environmental Policy Unit

Piedmont Triad Regional Council Lunch & Learn - May 16, 2019

# Project Development Overview



Where we fit in the overall process

[IPD Process Map](#)

What we  
are  
responsible  
for

Unit/Group/Team	Subject Matter	Contact Name	Position	E-mail	Phone
<b>Environmental Analysis Unit (EAU)</b>		<b>Phil Harris</b>	<b>Unit Head</b>	<a href="mailto:pharris@ncdot.gov">pharris@ncdot.gov</a>	<b>919-707-6123</b>
Public Involvement, Community Studies & Visualization (PICSviz) Group	Public Involvement	Jamille Robbins	Group Leader	<a href="mailto:jrobbins@ncdot.gov">jrobbins@ncdot.gov</a>	919-707-6085
PICSviz Group - Public Involvement	Stakeholder outreach including Limited English Proviency (LEP) populations and low income and minority communities (EJ), creating a Public Involvement website, sending out Landowner Notifications, Newsletters & Postcard templates & review, mailing lists	Diane Wilson	Senior PI Officer	<a href="mailto:pdwilson1@ncdot.gov">pdwilson1@ncdot.gov</a>	919-707-6073
PICSviz Group - Community Studies	Community Characteristics and Impacts, Indirect & Cumulative Impacts, Environmental Justice	Harrison Marshall	Team Leader	<a href="mailto:hmarshall@ncdot.gov">hmarshall@ncdot.gov</a>	919-707-6079
PICSviz Group - Visualization	Visualization - creating videos or renderings for public meetings	David Hinnant	Team Leader	<a href="mailto:dbhinnant@ncdot.gov">dbhinnant@ncdot.gov</a>	919-707-7050
Traffic Noise & Air Quality Group	Preliminary traffic noise modeling, analyses and Traffic Noist Reports (TNR), and project level air quality modeling, analyses and reports	Missy Pair	Group Leader	<a href="mailto:mpair@ncdot.gov">mpair@ncdot.gov</a>	919-707-6064
Cultural Resources	Historic Architecture & Archaeology	Jamie Lancaster	Group Leader	<a href="mailto:jlancaster@ncdot.gov">jlancaster@ncdot.gov</a>	919-707-6065
Cultural Resources Group - Historic Architecture	Section 106 Historic Architecture reviews and consultations	Mary Pope Furr	Team Lead	<a href="mailto:mfurr@ncdot.gov">mfurr@ncdot.gov</a>	919-707-6068
Cultural Resources Group - Archaeology	Section 106 Archaeological reviews and consultations, tribal coordination	Matt Wilkerson	Team Lead	<a href="mailto:mtwilkerson@ncdot.gov">mtwilkerson@ncdot.gov</a>	919-707-6089
Mitigation and Modeling	Wetland mitigation & mitigation policy issues	LeiLani Paugh	Group Leader	<a href="mailto:lpaugh@ncdot.gov">lpaugh@ncdot.gov</a>	919-707-6146
Biological Surveys	Protected species field surveys, Biological Assesments, Section 7 consultations	Marissa Cox	Group Leader	<a href="mailto:mrcox@ncdot.gov">mrcox@ncdot.gov</a>	919-707-6153
Environmental Coordination & Permitting (ECAP)	Natural Resource Technical Reports (NRTR), Wetland Delineations, 404 Permitting	Carla Dagnino	Group Leader	<a href="mailto:cdagnino@ncdot.gov">cdagnino@ncdot.gov</a>	919-707-6110
<b>Environmental Policy Unit (EPU)</b>		<b>Derrick Weaver</b>	<b>Unit Head</b>	<a href="mailto:dweaver@ncdot.gov">dweaver@ncdot.gov</a>	<b>919-707-6253</b>
Environmental Policy Unit (EPU) - Eastern	Environmental policy questions for Eastern Divisions 1-6 & 8, questions related to NEPA/SEPA, document review, merger information and meetings	Colin Mellor	Eastern Team Lead	<a href="mailto:cmellor@ncdot.gov">cmellor@ncdot.gov</a>	919-707-6139
Environmental Policy Unit (EPU) - Western	Environmental policy questions for Western Divisions 7 & 9-14, questions related to NEPA/SEPA, document review, merger information and meetings	John Jamison	Western Team Lead	<a href="mailto:johnjamison@ncdot.gov">johnjamison@ncdot.gov</a>	919-707-6140
<b>Hydraulics Unit</b>		<b>Stephen Morgan</b>	<b>State Hydraulics Engineer</b>	<a href="mailto:smorgan@ncdot.gov">smorgan@ncdot.gov</a>	<b>919-707-6739</b>
Highway Stormwater Program	NPDES stormwater permit compliance including Post-Construction Stormwater Program and BMP design	Andy McDaniel	Engineering Supervisor	<a href="mailto:ahmcdaniel@ncdot.gov">ahmcdaniel@ncdot.gov</a>	919-707-6737

# Website Resources

The screenshot shows a web browser window displaying the NCDOT website. The URL is <https://connect.ncdot.gov/resources/Environmental/Pages/default.aspx>. The page features a navigation menu with categories like 'Doing Business', 'Bidding & Letting', 'Projects', 'Resources', and 'Local Governments'. The 'Resources' category is selected, and the 'Environmental' sub-category is highlighted. The main content area is titled 'Environmental Compliance' and includes a brief description: 'NCDOT works diligently to ensure that all projects are conducted in compliance with the National Environmental Policy Act.' Below this, there are two main sections: 'Announcements/Updates' and 'Quick Links'. The 'Announcements/Updates' section contains a table of recent updates, and the 'Quick Links' section provides access to various agency information, calendars, and documents.

**Connect NCDOT**  
BUSINESS PARTNER RESOURCES

Home Help Team Sites Site Map

Doing Business Bidding & Letting Projects **Resources** Local Governments

Asset Management **Environmental** Geotechnical GIS Hydraulics Materials & Tests Photogrammetry Specifications Structures Traffic Safety

## Environmental Compliance

NCDOT works diligently to ensure that all projects are conducted in compliance with the National Environmental Policy Act.

Connect NCDOT > Resources > Environmental

### Announcements/Updates

Find an item

✓ Title	Modified
<a href="#">Cost Estimating of Public Involvement Activities</a>	... May 3
<a href="#">Project Shelving Guidance</a>	... April 22
<a href="#">New Agency Information Map</a>	... April 12
<a href="#">Integrated Project Delivery (IPD) Website</a>	... February 27
<a href="#">ETRACS for Environmental Policy reviews</a>	... February 8
<a href="#">Project Commitments (Green Sheets)</a>	... January 17
<a href="#">New Procedures - Document Distribution and Consultations</a>	... November 21, 2018
<a href="#">Sharepoint - Preconstruction Best Practices &amp; How to Set an Alert</a>	... November 5, 2018
<a href="#">NEPA and 4(f) Updates per MAP-21 and FAST Act - Final Rule published</a>	... October 30, 2018
<a href="#">NRTR Guidelines - revised website location</a>	... October 29, 2018
<a href="#">Proposed listing for Atlantic pigtoe</a>	... October 10, 2018
<a href="#">Avoidance and Minimization Guidelines</a>	... September 28, 2018
<a href="#">Welcome to the new and improved Environmental website</a>	... September 28, 2018

### Quick Links

AGENCY INFORMATION

- [Agency Contact Information Map](#)

CALENDAR

- [Environmental Policy Calendar](#)
- [2019 Interagency and Merger Meeting Calendar](#)

ENVIRONMENTAL DOCUMENTS

- [NEPA/SEPA Documents](#)
- [Consultations](#)

### Publications and Reference Documents

Find a file

- ✓ [Name](#)
- Category : External Newsletters (15)
- Category : NCDOT Newsletters (8)

## • What is NEPA?

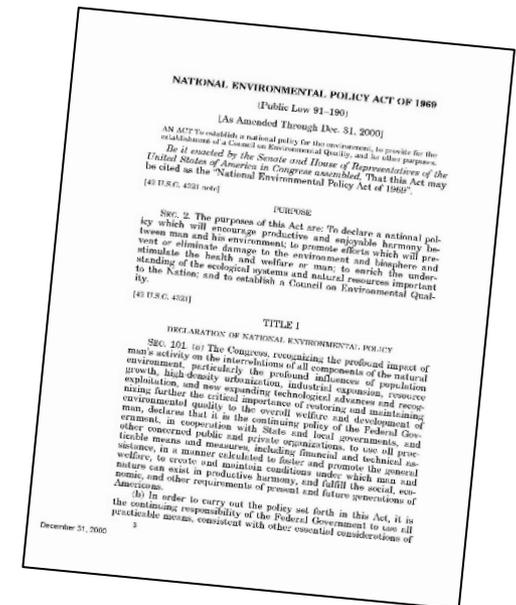
- National Environmental Policy Act (NEPA)
- It is a Process Law – it doesn't dictate an *outcome*, it dictates a *process*

## • What triggers NEPA?

- Any federal nexus (e.g. FHWA funds, federal permit, etc.) requires the implementation of the “NEPA Process”.
- For the purposes of NCDOT's CE Agreement we are dealing specifically with **FHWA funds** or an **Interchange Access Report** being our NEPA triggers

## • NEPA 101

- NCDOT is hosting a two-day training course that may eventually be made available to outside staff (*stay in touch!*)



# The NEPA Umbrella

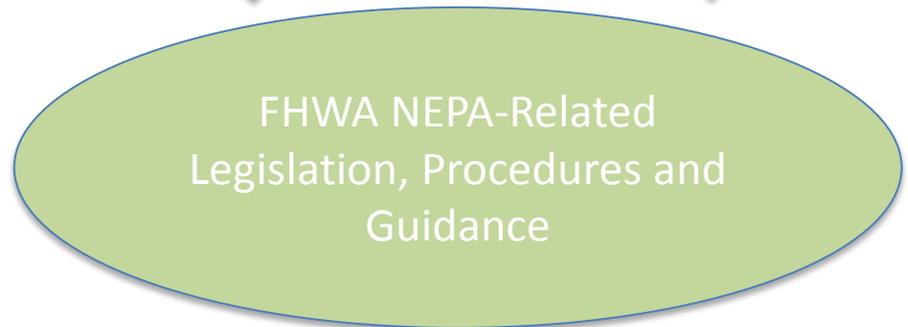
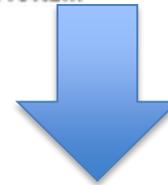
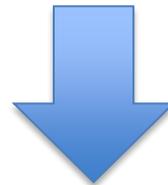
Environmental  
Documentation

## National Environmental Policy Act



- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
- Section 4(f) of USDOT Act (49 USC 303)
- Clean Air Act
- Safe Water Drinking Act
- Farmland Protection Policy Act
- Solid Waste Disposal Act
- Resource Conservation and Recovery Act of 1976 (RCRA)
- Title VI of Civil Rights Act of 1964
- Americans with Disabilities Act
- Executive Order 12898 (Environmental Justice)

- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)
- Emergency Planning and Community Right to Know Act of 1986
- National Historic Preservation Act
- Economic, Social and Environmental Effects of Highways and Transit
- Highway Noise Standards
- Public Hearing Requirements
- Archaeological and Historic Preservation Act
- Archaeological Resources Protection Act
- AND MORE...



# NEPA 101

Under NEPA, there are three classes of action:

- Environmental Impact Statement (EIS)
- Environmental Assessment (EA)
- Categorical Exclusion (CE)
  - There are three Types of CE's: I, II, and III where we'll spend most of our time today

# NEPA 101

Type I and II activities are defined in two lists drawn from 23 CFR 771.117(c), which FHWA defined as not involving significant impacts

## Appendix A: Type I(A) Actions classified as Categorical Exclusions in 23 CFR 771.117(c)

Actions determined by CEQ & FHWA to be classified as Categorical Exclusions:

### Type I Actions

These actions (23 CFR 771.117(c) and other similar actions) were pre-approved by the FHWA because they are minor and, based on past experience with similar actions, do not involve significant impacts. They normally do not require any further NEPA approval by the FHWA. No further NEPA documentation is required except for completion of the Categorical Exclusion Action Classification included in Appendix E.

1. Activities which do not involve or lead directly to construction (program activities), such as planning and research activities; grants for training, engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed, and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.
2. Approval of utility installations along or across a transportation facility.
3. Construction of bicycle and pedestrian lanes, paths, and facilities.
4. Activities included in the State's "highway safety plan" under 23 USC 402.
5. Transfer of Federal lands pursuant to 23 U.S.C. 107(d) and/or 23 U.S.C. 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.
6. The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.
7. Landscaping.
8. Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
9. 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):
  - a) Emergency repairs under 23 U.S.C. 125; and
  - b) 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:
    - i) 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
    - ii) Is commenced within a 2-year period beginning on the date of the declaration.
10. Acquisition of scenic easements.
11. Determination of payback under 23 CFR Part 480 for property previously acquired with Federal-aid participation.
12. Improvements to existing rest areas and truck weigh stations.
13. Ridesharing activities.
14. Bus and rail car rehabilitation.
15. Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
16. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

## Appendix B: Type II(A) Actions classified as Categorical Exclusions in 23 CFR 771.117(d)

Actions determined by CEQ & FHWA to be classified as Categorical Exclusions:

### Type II Actions

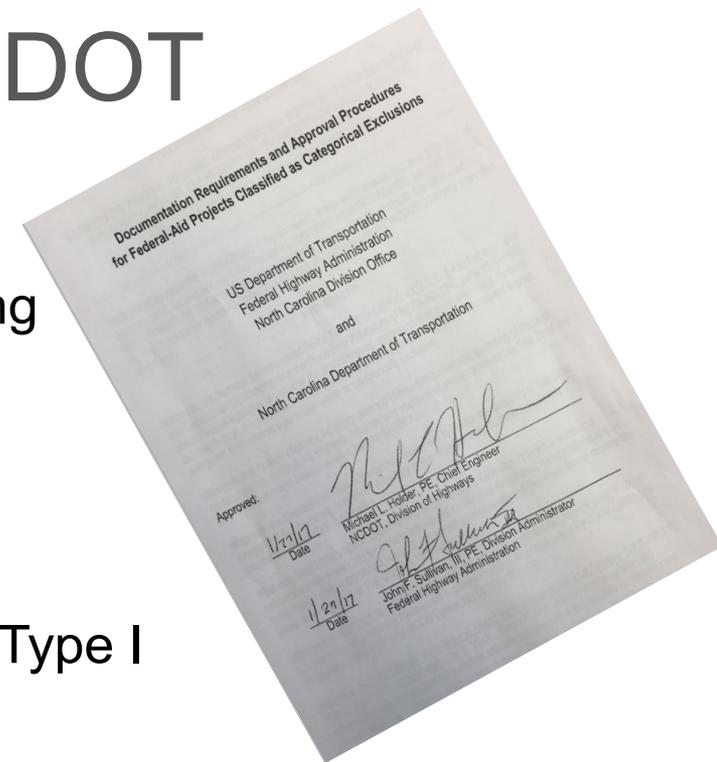
Type II actions (23 CFR 771.117(d) and other similar actions) may be designated as CEs and are approved by NCDOT. Documentation, which demonstrates that the specific conditions or criteria for these CEs are satisfied and that significant environmental effects will not result, is required (23 CFR 771.117 (a) and (b)). Type II actions include:

- 1-3. [Reserved]
4. Transportation corridor fringe parking facilities.
5. Construction of new truck weigh stations or rest areas.
6. Approvals for disposal of excess right-of-way or for joint or limited use of right-of-way, where the proposed use does not have significant adverse impacts.
7. Approvals for changes in access control.
8. Construction of new bus storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and located on or near a street with adequate capacity to handle anticipated bus and support vehicle traffic.
9. Rehabilitation or reconstruction of existing rail and bus buildings and ancillary facilities where only minor amounts of additional land are required and there is not a substantial increase in the number of users.
10. Construction of bus transfer facilities (an open area consisting of passenger shelters, boarding areas, kiosks and related street improvements) when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic.
11. Construction of rail storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and where there is no significant noise impact on the surrounding community.
12. 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.
  - a) 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.
  - b) Protective acquisition is done to prevent imminent development of a parcel which may 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.
13. Actions described in paragraphs 26, 27, and 28 of Appendix A that do not meet the constraints in 23 CFR 771.117(e)(1-6).

# Programmatic CE Agreement between FHWA and NCDOT

## The Agreement does the following:

- Continues NCDOT responsibility for verifying a project is a CE.
- Defines threshold criteria when FHWA signature is required.
- Previously, FHWA often signed CE's, Now, NCDOT will be signing most CE's for Type I and II projects.
- Updates Type III CE's to checklist, approval by FHWA is still required.
- Updates (expands) the list of approved Type I and Type II activities.
- Creates an annual NCDOT/FHWA compliance review (NOT an audit, but close!).



# Programmatic CE Agreement Effective Date

January 27, 2017 - Programmatic CE Agreement signed.

April 27, 2017 – Programmatic CE Effective date.



***A revised agreement is concluding and  
will be released shortly – no major  
changes expected***



# Type I – Non-Ground Disturbing

## Examples:

- Program activities, such as planning and research activities; grants for training
- Activities included in the State's "highway safety plan"
- Alterations to facilities or vehicles in order to make them accessible
- Transfer of Federal lands
- Acquisition of scenic easements
- Determination of payback
- Ridesharing activities
- Bus and rail car rehabilitation



# Type I and II – Ground Disturbing

## Examples:

- Construction of bicycle and pedestrian lanes, paths, and facilities
- Landscaping
- Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices
- Replacement of Guardrail



# Type I and II – Ground Disturbing

## More Examples:

- Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or auxiliary lanes
- Highway safety or traffic operations improvements
- Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace at-grade rail crossings



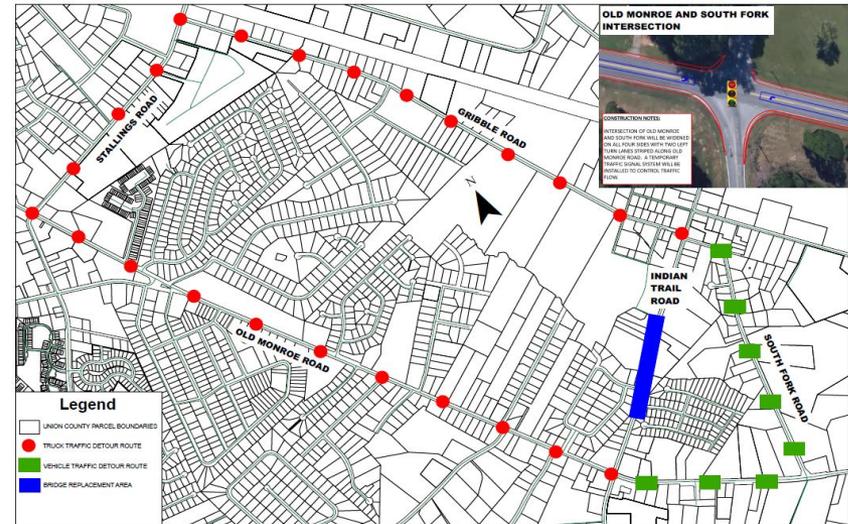
# CE Checklist Basics

## Section A: Project Description

STIP Project No. \_\_\_\_\_

WBS Element \_\_\_\_\_

Federal Project No. \_\_\_\_\_



A. Project Description: (Include project scope and location, including municipality and county. Refer to the attached project location map and photos.) Note: The project description should match the approved project description in the STIP.

# CE Checklist Basics

## Section B: Description of Need and Purpose

### B. Description of Need and Purpose

- For most Type I and Type II Projects, this can be a simple description (i.e., need to install guardrail for safety).

## Section C: Categorical Exclusion Action Classification

C. Categorical Exclusion Action Classification– Select if Type I, Type II, or Type III.

- TYPE I  
 TYPE II  
 TYPE III



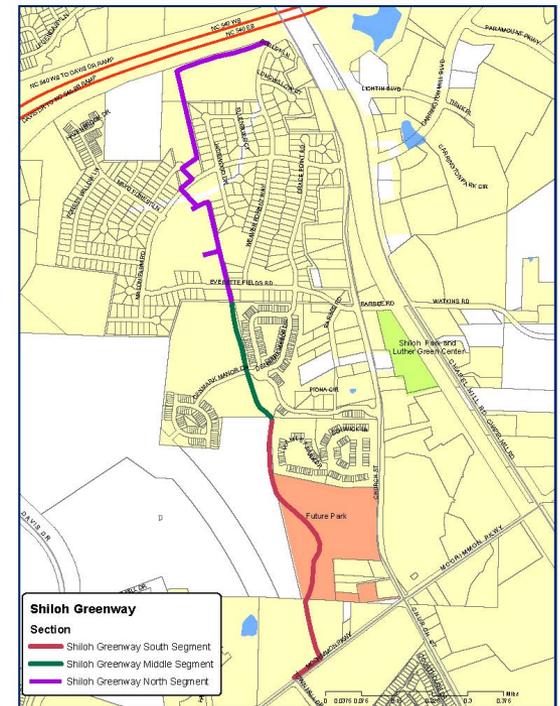
# CE Checklist Basics

## Section D: Proposed Improvements

B. Proposed Improvements – Select the Type I or Type II Activity that applies to the project.

Example: For a Greenway you may select:

3. Construction of bicycle and pedestrian lanes, paths, and facilities.



# CE Checklist Basics

## Section E: Special Project Information

### E. Special Project Information:

Anything that drove your project decision or drove a project commitment should be summarized here, for example:

- Costs
- Traffic
- Public Input
- Resource Agency Input
- Impact Summary
- Site conditions
- Etc.



# CE Checklist Basics

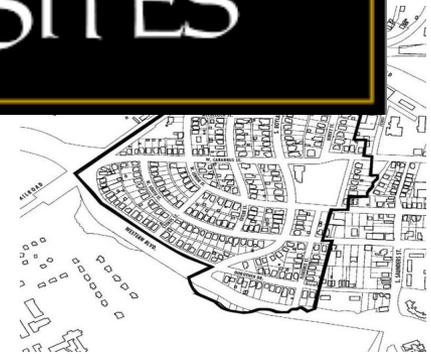
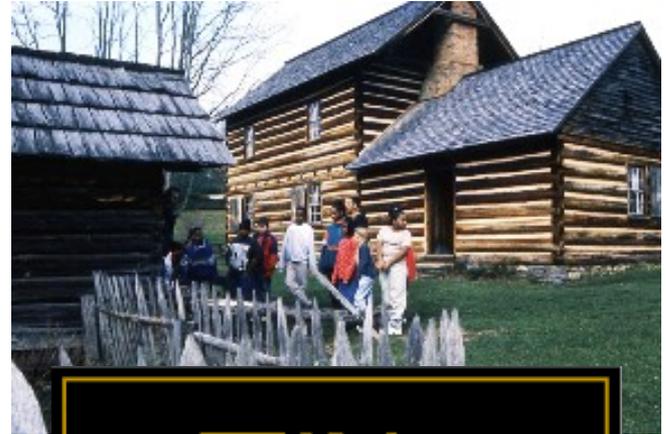
## Section F: Project Impact Criteria Checklists

- This section is the heart of the form and is here to verify that we've considered a number of federal laws and in particular to identify any issues which might require and FHWA approval.
- A “Yes” check mark will require discussion in Section G.



# Laws and Regulations

- Section 4(f) Transportation Act
  - Public Areas and Historic Resources
- Section 106 Historic Act
  - Historic Resources, SHPO Concurrence
- Section 7 Endangered Species Act
  - Federally Protected Species
- Section 404 Clean Water Act
  - Wetland/Stream Permitting



# CE Checklist Basics

## Section G: Additional Documentation

### G. Additional Documentation Required for Unfavorable (“Yes” box checked) Responses in Section G

Discussion regarding all unfavorable responses in Section F should be provided below. Additional supporting documentation may be attached, as described in the checklist slides. This includes a summary of coordination activities, as well as avoidance and minimization efforts.





# CE Checklist Basics

## What to add to a CE as an attachment

It is required to add the following to a CE:

- Vicinity map
- Any concurrence letters from resource agencies saying they agree with the project effects and may have associated commitments  
Section 106, Section 7, Merger agreements

At your discretion you might add Environmental Features Map showing a plan view of the design footprint and RW

**No More 90 -200 page long CE's!**



# Non-Ground Disturbing CE

Under the previous agreement, **Type I** project documentation ranged from:

nothing at all ->

memo in the file ->

8 page PCE

Using the new format and attachments: **4 pages**

**Type I Non-Ground Disturbing Categorical Exclusion Action Classification Form**

STP Project No. C-559  
 WBS Element 5066.3.1  
 Federal Project No. CMS-605(736)

**A. Project Description:**  
**Division C-559 – Transit Operations Support for Lexington Circular Route and Thesaville Lexington Connector Route.** Operational support for two buses. Bus number one runs along a 1.6 mile, 2.5 stop divided, fixed route in the city of Lexington. Bus number two runs along a .35 mile, 1.0 stop fixed connector route connecting Thesaville Medical Center and Lexington Medical Center, Division County Community College, Division County Health Department and both county government offices in Lexington and Thesaville.

**B. Description of Need and Purpose:**  
 To assist the community, Division operations on two bus routes which have become important issues for providing essential transportation to county residents for healthcare visits, education, employment and shopping.

**C. Categorical Exclusion Action Classification:** **Type IA (NCDOT Approval)**

**D. Proposed Improvements:**  
 18. Provide maintenance, technical assistance activities, and operating assistance to assist authorities to continue existing service or increase service to meet route changes in demand.

**E. Special Project Information:** N/A

**F. Project Impact Criteria Checklist:**

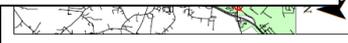
Type I - Non-Ground Disturbing Action	Yes	No
If the proposed improvement (described above in Sections C & D) is a Non-Ground Disturbing Type I Action for 4, 4.1, 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 4.1.7, 4.1.8, 4.1.9, 4.2, 4.3 or 4.4 then answer questions 1, 2, 3. If question 3 is marked "yes," FHVA approval is required.		
1. Is the project not consistent with the State Transportation Improvement Program?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Is the project located within a Historic District? If yes, FHVA consultation is required to determine the effects of the project on the district. FHVA signature (Section 4 of this Form) or the CE may not be required (see Question 3).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Does the project involve adverse effects that cannot be resolved with a Memorandum of Agreement under Section 106 of the National Historic Preservation Act or have an adverse effect on a National Historic Landmark?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**G. Additional Documentation as Required from Section F:**  
 NA

1

2

3



# Ground Disturbing CEs – Types I & II

Ground Disturbing Projects: FHWA Threshold Criteria Questions

If any of these particular questions are marked “Yes,” NCDOT will only Certify the document and FHWA must Approve it.

If any are  
marked  
“yes”,  
FHWA  
signature  
is  
required



FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA (FHWA Signature Required If “Yes” Selected)		Yes	No
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?	<input type="checkbox"/>	<input type="checkbox"/>
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGPA)?	<input type="checkbox"/>	<input type="checkbox"/>
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	<input type="checkbox"/>	<input type="checkbox"/>
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	<input type="checkbox"/>	<input type="checkbox"/>
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?	<input type="checkbox"/>	<input type="checkbox"/>
6	Does the project require an Individual Section 4(f) approval?	<input type="checkbox"/>	<input type="checkbox"/>
7	Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA) or have an adverse effect on a National Historic Landmark (NHL)?	<input type="checkbox"/>	<input type="checkbox"/>

# Ground Disturbing CE – Type III

Under the previous agreement, **Type I** project documentation ranged from:

nothing at all ->

memo in the file ->

8 page PCE

Using the new format and attachments: **4 pages**

Type I Non-Ground Disturbing Categorical Exclusion Action  
Classification Form

STP Project No. C-5559  
WBS Element 50663.1  
Federal Project No. CMS-605(726)

**A. Project Description:**  
**Devine Casey – Transit Operation Support for Lexington Circular Route and Thasaville Lexington Connector Route.** Operational support for two buses. Bus number one runs along a 1.6 mile, 22 stop devine Casey route in the city of Lexington. Bus number two runs along a 3.6 mile, 13 stop third connector route connecting Thasaville Medical Center and Lexington Medical Center. Devine Casey Connector College. Devine Casey Branch Department and both county government offices in Lexington and Thasaville.

**B. Description of Need and Purpose:**  
 To assist the community, Devine operates on two bus routes which have become important to the providing essential transportation to county residents for healthcare visits, education, employment and shopping.

**C. Categorical Exclusion Action Classification:** **Type IA (NCDOT Approval)**

**D. Proposed Improvements:**  
 If Project Administration, technical assistance activities, and operating assistance to assist authorities to continue existing service or increase service to meet route changes in detail.

**E. Special Project Information:** N/A

**F. Project Impact Criteria Checklist:**

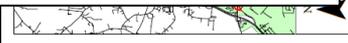
Type I - Non-Ground Disturbing Action	Yes	No
If the proposed improvement (described above in Sections C & D) is a Non-Ground Disturbing Type I Action for 4, 6, 10, 11, 13, 14, 15, 16, 17, 19, 20, &/or 26 then answer questions 1, 2, & 3. If question 3 is marked "yes," FHWA approval is required.		
1. Is the project not consistent with the State Transportation improvement program?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Is the project located within a Historic District? If yes, FHWA consultation is required to determine the effects of the project on the district. FHWA signature (Section 1 of this Form) or the CE may not be required (see Question 3).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement under Section 106 of the National Historic Preservation Act or have an adverse effect on a National Historic Landmark?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**G. Additional Documentation as Required from Section F:**  
 N/A

1

2

3



# DOT/FHWA Document Approval



Categorical Exclusion Action Classification:

TYPE II(A)  
 TYPE II(B)

Approved:

7/15/16  
Date

[Signature]  
Project Engineer  
Project Development & Environmental Analysis Unit

7-15-16  
Date

[Signature]  
Project Planning Engineer  
Project Development & Environmental Analysis Unit

For Type II(B) projects only:

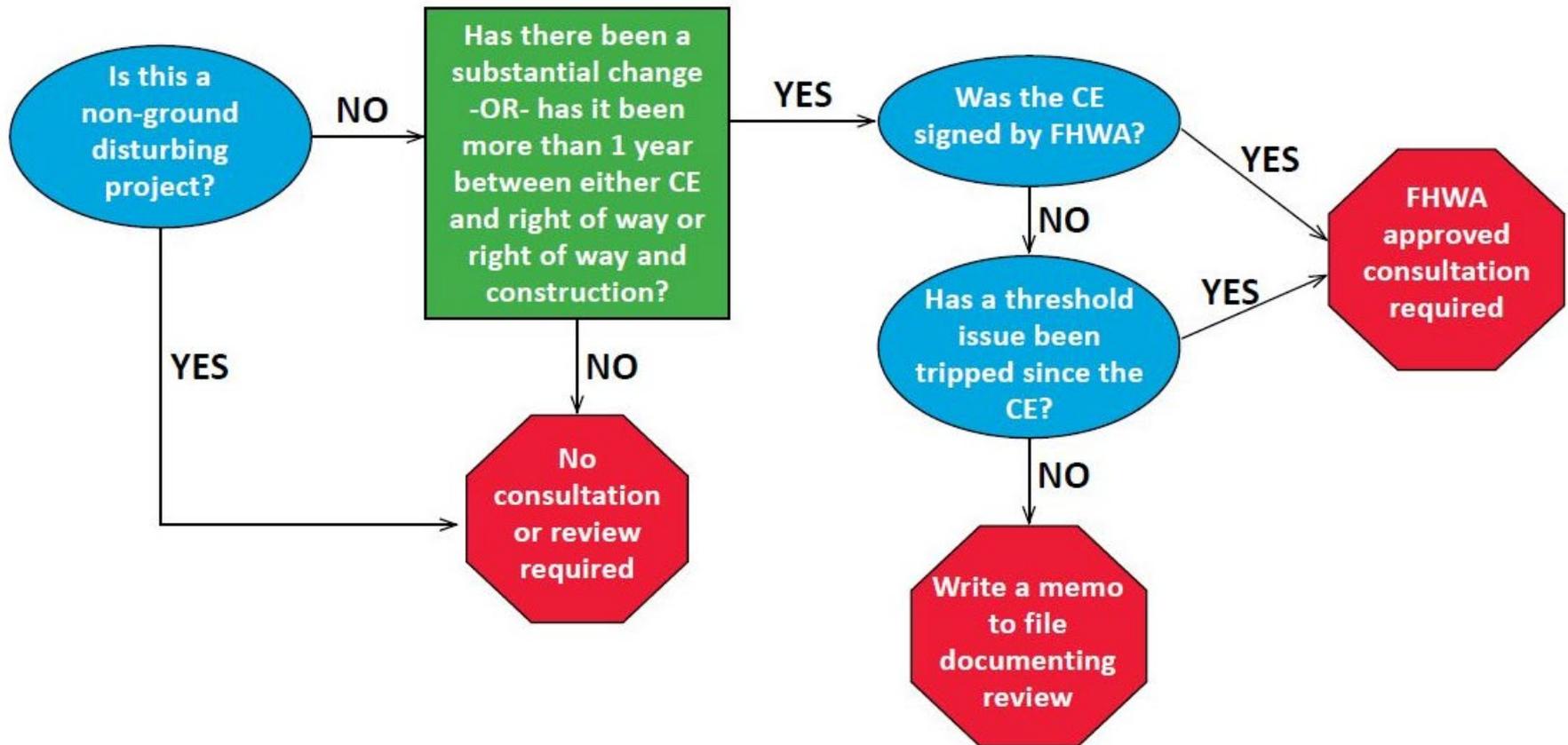
7-15-16  
Date

[Signature]  
John F. Sullivan, III, PE, Division Administrator  
Federal Highway Administration

# Consultations

A consultation is a brief review of the CE to determine if it is still valid or if additional analysis is required. It is not always required. You determine when one is required by....

# Consultations & Reviews



# What's in a Consultation/Review

- A verification that the contents of the original CE is still valid
- Things to consider in answering that question:
  - Verify No Substantial Changes, for example:
    - Is there a Major Design Change?
    - Did Project expand beyond original study area?
  - Have any new endangered species been added to the list in your county?
  - Verify that any preconstruction project commitments have been fulfilled
  - Are there any new project commitments?

North Carolina Department of Transportation  
PROJECT ENVIRONMENTAL CONSULTATION FORM  
I. D. No. \_\_\_\_

I. GENERAL INFORMATION

- a. Consultation Phase: **choose Right of Way or Construction**
- b. Project Description: **Insert Description from STIP**
- c. State Project: **Insert WBS #**  
Federal Project: **Insert FA #**
- d. Document Type: **e.g. Type IIA CE - and- date of document**  
Date

II. CONCLUSIONS

The above environmental document has been reevaluated as required by 23 CFR 771. It was determined that the current proposed action is essentially the same as the original proposed action. Proposed changes, if any, are noted below in Section III. It has been determined that anticipated social, economic, and environmental impacts were accurately described in the above referenced document(s) unless noted otherwise herein. Therefore, the original Administration Action remains valid.

III. CHANGES IN PROPOSED ACTION AND ENVIRONMENTAL CONSEQUENCES

**Address Major Design Changes**  
**Address changes of Study Area**  
**Address new Endangered Species**

IV. LIST OF ENVIRONMENTAL COMMITMENTS

See Attached Project Commitments Greensheet 

I

North Carolina Department of Transportation  
PROJECT ENVIRONMENTAL CONSULTATION FORM  
I. D. No. \_\_\_\_

V. COORDINATION

The current project proposals have been discussed with \_\_\_\_\_ who was coordinated with and the date. This section is to be completed by the project manager and does not require signatures.

Design Engineer: \_\_\_\_\_

FHWA Engineer: \_\_\_\_\_

Date \_\_\_\_\_

NEU-PM: \_\_\_\_\_

(Construction Consultations only)

Date \_\_\_\_\_

VI. NCDOT CONCURRENCE or CERTIFICATION

\_\_\_\_\_  
Project Planning Engineer

Date \_\_\_\_\_

\_\_\_\_\_  
Division Engineer -or- NCDOT Unit Head

VII. FHWA CONCURRENCE

\_\_\_\_\_  
Federal Highway Administration  
Division Administrator

Date \_\_\_\_\_

Touch Base with these folks by phone, e-mail or face to face

Change the title based on who prepares it (DEO, Planner, PM, etc.)

Same Person who Approves Document for NCDOT

## Reference Materials (hyperlinks)

- [Air quality manual](#)
- [Bald Eagle](#)
- [Census data](#)
- [Demographic tool \(EJ\)](#)
- [DocuSign](#)
- [Endangered species by county](#)
- [FHWA 4\(f\)/de minimis](#)
- [Geoenvironmental Request for Input](#)
- [HPO](#)
- [NEPA](#)
- [Noise policy](#)
- [Noise manual \(2016\)](#)
- [Right-of-way Request Form](#)
- [Section 106](#)



# CE Examples

## Non-Ground Disturbing

**Type I Non-Ground Disturbing Categorical Exclusion Action Classification Form**

STIP Project No. C-6859  
 WBS Element 5066.3.1  
 Federal Project No. CMS-0056736

**A. Project Description:**  
 Davidson County – Transit Operations Support for Lexington Circular Route and Thomasville-Lexington Connector Route

**B. Description of Need and Purpose:**  
 To assist the sustainability program operations on two bus routes which have become important areas for providing needed transportation to county residents for healthcare visits, education employment and shopping.

**C. Categorical Exclusion Action Classification:** Type I

**D. Proposed Improvements – Delete Action Classifications that do not apply:**

16. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet route changes in demand.

**E. Special Project Information:**  
 No special information for this project.

**F. Project Impact Criteria Checklists:**

Type I - Non-Ground Disturbing Action	Yes	No
1. Is the proposed improvement (described above in Sections C & D) a Non-Ground Disturbing Type I Action No. 1, 4, 5, 10, 11, 13, 14, 15, 16, 17, 19, 20, 40 or 21 then answer questions 1, 2, & 3. If question 3 is marked 'yes', FHWA approval is required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Is the project not consistent with the State Transportation Improvement Program?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Is the project located within a Historic District? If yes, FHWA coordination is required to determine the effects of the project on the district. FHWA signature (Section I of this Form) on the CE may not be required (see Question 3).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement under Section 106 of the National Historic Preservation Act or have an adverse effect on a National Historic Landmark?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**G. Additional Documentation as Required from Section F:**  
 NA

1

## Ground Disturbing

**Type I and II Ground Disturbing Categorical Exclusion Action Classification Form**

STIP Project No. B-4973  
 WBS Element 40097.1.1  
 Federal Project No. BR5TP 115715

**A. Project Description:**  
 This project replaces Cabarrus County Bridge No. 271 on SR 1157 over Irish Buffalo Creek. The bridge will be replaced on the existing alignment while detouring traffic offsite see attached vicinity map.

**B. Description of Need and Purpose:**  
 The purpose of the project is to address a deteriorating seventy eight year old bridge with a narrow deck and a low posted weight limit.

**C. Categorical Exclusion Action Classification: (Check one)**

TYPE I  
 TYPE II

**D. Proposed Improvements – Identify the Type I and Type II Action Classifications:**

28. Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.137(d)(4).

**E. Special Project Information:**

**Offsite Detour** – Cabarrus County Emergency Services along with Cabarrus County Schools Transportation have indicated that the detour is acceptable. The condition of all roads, bridges and intersections on the offsite detour are acceptable without improvement and concurs with the use of the detour.

**Design Issues:**  
 Traffic: Current – 5700 vpd, Year 2035 – 9900 vpd  
 TTST – 15, Dual – 26  
 Rural/Local Road – Sub-Regional Tier Guidelines  
 Design Speed – 60 mph  
 No Design Exceptions Required

**Pedestrian and Bicycle Accommodations:** This portion of SR 1157 is a proposed on-road bike facility serving as part of the Featherer Loop, Route No. 1 and bicycle accommodations will be provided. The City of Concord has requested a sidewalk on the northwest side of the proposed bridge and has agreed to participate in the construction funding. The City also has a planned greenway under the proposed bridge and has requested that adequate space be reserved for the

1

## Type III

**Type III Categorical Exclusion Action Classification Form**

STIP Project No. I-36021-3610B-5366  
 WBS Element 18761.2  
 Federal Project No. FANIMP-26-26106

**A. Project Description: (Include project scope and location, including Municipality and County. Refer to the attached project location map and photos.)**  
 The North Carolina Department of Transportation and Federal Highway Administration propose the reconstruction and widening of 485 to an eight-lane freeway from NC 73 in Cabarrus County to US 29-601 Connector in Rowan County. The project is approximately 15.5 miles in length.

**B. Description of Need and Purpose:**  
 The primary purpose of the proposed project is to improve level of service (LOS) on I-85 and its interchanges in the project area. The project is part of a multi-phased solution to address congestion and capacity problems along the I-85 corridor in and near the Charlotte metropolitan area. Traffic analysis shows that traffic demand along I-85 for most of the study area either approaches or exceeds the roadway capacity limits. If no improvements are made by 2035, the entire length of I-85 in the study area is expected to approach or exceed roadway capacity limits. In addition, the proposed project addresses a "bottleneck" created by the construction of IEP Project No. I-5803 to the south (currently under construction) and the eight lane section to the north. The projects increase the number of travel lanes on I-85 to eight lanes in Mecklenburg County and Rowan County, respectively.

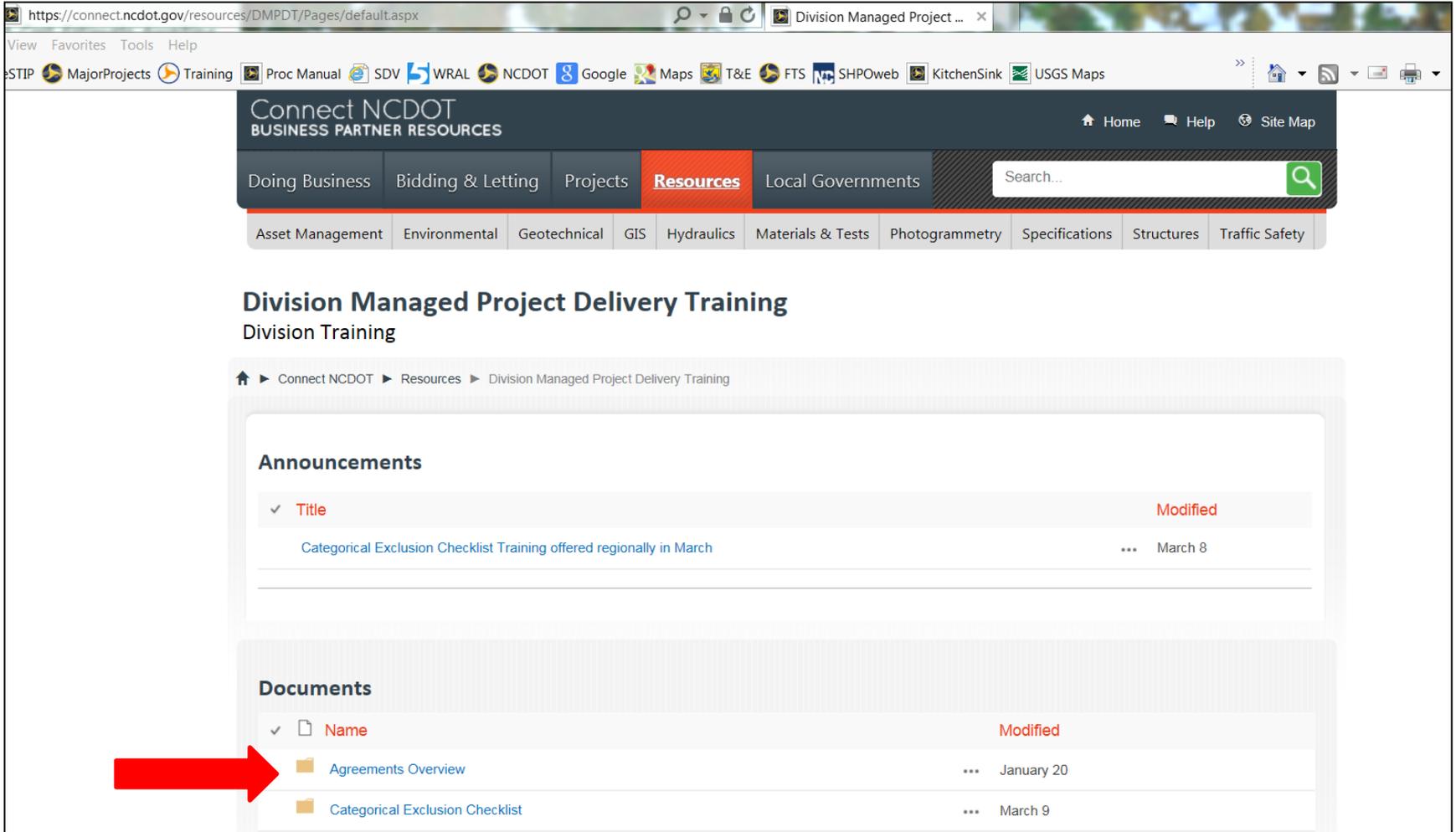
Reconstructing the interchange at US 29-601 Connector and NC 152, which connects the two US highways to I-85, will allow it to meet current design standards and replace a structurally deficient bridge. Modifications also would improve overall traffic operations at the interchange. The improvements would increase the distance between the interchange and local driveways and intersections, thereby reducing the number of conflict points and providing additional capacity for drivers in the interchange vicinity.

**C. Categorical Exclusion Action Classification:** Type III

**D. Proposed Improvements – Not Applicable**

**E. Special Project Information:** (Provide a description of relevant project information, which may include: vicinity map, costs, alternative analysis (if any), traffic control and staging, and resource agency/public involvement.)  
 (Vicinity map attached)

# Training Resources



The screenshot shows a web browser window displaying the 'Connect NCDOT BUSINESS PARTNER RESOURCES' page. The page has a dark navigation bar with the following menu items: Home, Help, Site Map, Doing Business, Bidding & Letting, Projects, Resources (highlighted in red), and Local Governments. Below this is a search bar and a secondary navigation bar with categories: Asset Management, Environmental, Geotechnical, GIS, Hydraulics, Materials & Tests, Photogrammetry, Specifications, Structures, and Traffic Safety.

## Division Managed Project Delivery Training

Division Training

Connect NCDOT > Resources > Division Managed Project Delivery Training

### Announcements

✓ Title	Modified
<a href="#">Categorical Exclusion Checklist Training offered regionally in March</a>	... March 8

### Documents

✓ Name	Modified
 <a href="#">Agreements Overview</a>	... January 20
<a href="#">Categorical Exclusion Checklist</a>	... March 9

# Training Resources

<https://connect.ncdot.gov/resources/DMPDT/DMPDT%20Webinars/CE%20Checklist%20Training.mp4>

The training on the CE checklist includes:

- Review of the new form
- Who answers the question
- How to document your response for a “Yes” or a “No”
- Legal basis for the question
- Available resources to help answer the question if applicable

# Permitting

- 404/401/Buffer Permitting can get complicated quickly
  - Allows for fill of wetlands, piping of streams, etc.
- Typical Permits:
  - Nationwide Permits for minor impacts
  - General Permit 31 when NCDOT is the applicant
  - Individual Permits for more substantial impact amounts



# Other issues to be aware of

- NCDOT has many Programmatic Agreements and MOAs with agencies
  - Section 106 PA
  - Endangered Species agreements
  - Stormwater Permit statewide (BMP Manual)
  - DMS mitigation agreement
- Unfortunately, most won't be applicable for municipal projects

# When in Doubt...

- Please feel free to contact our technical staff in Central offices or in the Divisions with technical questions
- Marta's group can help direct you to the appropriate staff
- Lots of web resources to help you find the correct information and staff



John Jamison  
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[johnjamison@ncdot.gov](mailto:johnjamison@ncdot.gov)