|  |
| --- |
| **Processing Form for Categorical Exclusions** (Refer to the *CE Guide* for detailed instructions to complete this form)  CE Form Updated March 2022 |

|  |  |  |
| --- | --- | --- |
| 1. **General Project Information** | | |
| **MassDOT Project Number:** | **Route or Road Name:** | |
| **Project Name:** | | |
| **Municipality(ies):** | | **MassDOT Highway District(s):** |
| **Project Proponent:** | | |
| **Project Cost and Scheduled Funding Year(s):** | | |
| **Project Manager or Preparer:** | | |

|  |
| --- |
| 1. **Purpose and Need** |
| **Need for Proposed Action:** *Identify and describe the transportation deficiencies, problems and/or concerns that need to be addressed by the proposed action* |
| **Purpose of Proposed Action:** *State the desired transportation outcome of the proposed action* |

|  |
| --- |
| 1. **Project Description** |
| **Project Location and Limits:** *Define the limits of the proposed project, including applicable municipalities and counties where the project is located (Attach corresponding Locus Map)* |
| **Existing Conditions:** *Describe the current transportation infrastructure conditions, surrounding land uses, and any relevant environmental resources within or adjacent to the project limits* |
| **Proposed Improvements:** *Describe the proposed scope of work within the project limits and how it accomplishes the identified purpose and need, including any secondary project goals* |

|  |
| --- |
| 1. **No Build and Other Dismissed Alternatives** |
| *Describe the No-Build Alternative and any other dismissed alternative(s) to the proposed action, including rationale for each dismissal.* |

|  |
| --- |
| 1. **Environmental Review, Mitigation Measures, and Agency Consultation** |
| 1. **Wetlands and Waters of the United States** (*responses to both questions required)* 2. Are there any wetlands or waters of the United States within the project area that would be temporarily or permanently impacted by the project?   **NO**  **YES**, *describe potential impacts, required federal, state, and local permitting and proposed mitigation below*:     1. Does the project involve the construction or modification of a bridge or causeway across any navigable waters of the United States?   **NO**  **YES**, *discuss whether any permit or authorization is required from the U.S. Coast Guard*: |
| 1. **Threatened and Endangered Species / Essential Fish Habitat** (*responses to both questions required)* 2. Are there any federally listed endangered or threatened species or designated critical habitat potentially present within the project area?   **NO**  **YES**, *identify species and discuss any consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service under Section 7 of the Endangered Species Act (Attach corresponding consultation documentation)*.     1. Are there any Essential Fish Habitat (EFH) mapped for the project area?   **NO**  **YES**, *identify species and discuss any consultation with the National Marine Fisheries Service under the Magnuson-Stevens Fishery Conservation and Management Act (Attach corresponding consultation documentation)* |
| 1. **Historic Resources** 2. Are there any historic or known archaeological resources within the project’s Area of Potential Effect that are listed in or eligible for listing in the National Register of Historic Places?   **NO**  **YES**, *identify resource(s) below*:    Whether “Yes” or “No” is checked above, please indicate which project clearance or effect determination was issued for the project under Section 106 of the National Historic Preservation Act, including discussion of any applicable consultation with the State Historic Preservation Officer, Federally Recognized Tribes, and other consulting parties. (*Attach corresponding Section 106 compliance documentation*). |
| 1. **Section 4(f) / Section 6(f) Resources** (*responses to both questions required)* 2. Are there any properties or facilities protected by Section 4(f) of the DOT Act of 1966 that would be impacted by the project?   **NO**  **YES**, *identify the applicable resource(s) and discuss any potential impacts, including proposed mitigation measures (if applicable), and coordination with required official(s) with jurisdiction (Attach all documented Section 4(f) impact determinations with sign offs from the applicable official(s) with jurisdiction)*.     1. Will the project impact any public park or recreation facility protected by Section 6(f) of the Land and Water Conservation Fund Act?   **NO**  **YES**, *discuss the consultation process with the National Parks Service, and attach any corresponding documentation*. |
| 1. **Noise** 2. Is the project classified as a Type I action as defined under 23 CFR 772.5?   **NO** *(proceed to Item 6)*  **YES**, *describe findings of the Traffic Noise Analysis, including any proposed noise abatement measures below (Attach corresponding Traffic Noise Analysis Report)*. |
| 1. **Right-of-Way Requirements** 2. Does the project require the acquisition of right-of-way or easements?   **NO** *(proceed to Item 7)*  **YES**, *indicate whether acquisitions and/or easements will result in any commercial or residential displacements, or substantial adverse impacts on abutting property (Attach necessary right-of-way plan sheets).* |
| 1. **Environmental Justice** 2. Are there any Environmental Justice populations designated as minority, low-income or limited English proficient within or near the project area?   **NO** *(proceed to Item 8)*  **YES**, *discuss whether the project may have disproportionately high and adverse impacts on these identified populations below (Attach Environmental Justice/Community Impact Assessment Report, if applicable)*. |
| 1. **Other Environmental Considerations** *This section should discuss any other potential environmental impacts or concerns not covered in the previous sections* |

|  |
| --- |
| 1. **Public Involvement** |
| *Describe prior and planned opportunities for public participation during the project planning and development process, and any concerns and issues that have been generated through public comment to date* |

|  |
| --- |
| 1. **Environmental Review and Permitting** |
| *List all federal, state, and local environmental reviews and permits required for the project, and the status of approvals* |

|  |
| --- |
| **Appendix A. Supporting Documentation** |
| *List all supporting documentation that will be attached to the CE Form* |

**Categorical Exclusion (CE) Determination**

Starting with Section 1, answer the questions by checking Yes or No.

After each of the following sections, there will be instructions that direct the preparer to continue to the next appropriate section of the checklist. The preparer should refer to *MassDOT’s Guide for processing Categorical Exclusions* for further information and instructions on completing this checklist.

| 1. **CATEGORICAL EXCLUSIONS** |
| --- |

|  |  |  |
| --- | --- | --- |
| 1. Is project on the list of CEs included under23 CFR 771.117(c) or (d)? | **NO** | **YES** |
| *If “Yes,” the preparer should select the appropriate Categorical Exclusion (CE) that is being considered for the proposed action and then complete Section 2 below. If “No,” the preparer should complete Section 2 below.* | | |

|  |  |
| --- | --- |
| **Activity Listed in 23 CFR 771.117(c) (The “C” List**) | |
| 1 | Activities that do not involve or lead directly to construction, 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 U.S.C. 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):   1. Emergency repairs under 23 U.S.C. 125; and 2. 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: 3. 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 4. Is commenced within a 2-year period beginning on the date of the declaration. |
| 10 | Acquisition of scenic easements. |
| 11 | Determination of payback under 23U.S.C. 156for 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. |
| 17 | The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities that themselves are within a CE. |
| 18 | Track and railbed maintenance and improvements when carried out within the existing right-of-way. |
| 19 | Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site. |
| 20 | [Not Applicable] |
| 21 | Deployment of electronics, photonics, communications, or information processing used singly or in combination, or as components of a fully integrated system, to improve the efficiency or safety of a surface transportation system or to enhance security or passenger convenience. Examples include, but are not limited to, traffic control and detector devices, lane management systems, electronic payment equipment, automatic vehicle locaters, automated passenger counters, computer aided dispatching systems, radio communications systems, dynamic message signs, and security equipment including surveillance and detection cameras on roadways and in transit facilities and on buses. |
| 22 | Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Examples include:  Tower lighting  Guardrail installation and replacement (including median cable barriers) where roadway ditches and backslopes will not be relocated.  Improvements to existing MassDOT maintenance facilities.  Construction of new MassDOT maintenance facilities within an existing operational right of way.  Work on pedestrian and vehicle transfer structures and associated utilities, buildings, and terminals.  *(For CE C-22, refer to Categorical Exclusion Guide for further information).* |
| 23 | Federally funded projects:   1. 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) of Federal funds; or 2. 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) and Federal funds comprising less than 15 percent of the total estimated project cost.   *(For CE C-23, refer to Categorical Exclusion Guide for further information).* |
| 24 | Localized geotechnical and other investigation 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. |
| 25 | Environmental restoration and pollution abatement actions to minimize or mitigate the impacts of any existing transportation facility (including retrofitting and construction of stormwater treatment systems to meet Federal and State requirements under sections 401 and 402 of the Federal Water Pollution Control Act (33 U.S.C. 1341; 1342)) carried out to address water pollution or environmental degradation. |
| 26 | Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes). Examples include:  Construction of highway safety and truck escape ramps  Construction of bicycle lanes and pedestrian walkways, sidewalks, shared-use paths, or facilities and trailhead parking that do not otherwise qualify for a CE C-1 designation.  Beautification or facility improvement projects (*e.g.*, landscaping, curb and gutter installation and replacement, ADA ramps/curb ramps, installation of park benches, or decorative lighting).  Implementation of Complete Street elements to improve safety and/or pedestrian, bicycle, transit, vehicular, or freight mobility. |
| 27 | Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting. Examples include lane reduction changes, provided traffic analyses are completed. |
| 28 | Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings. |
| 29 | Purchase, construction, replacement, or rehabilitation of ferry vessels (including improvements to ferry vessel safety, navigation, and security systems) that would not require a change in the function of the ferry terminals and can be accommodated by existing facilities or by new facilities which themselves are within a CE. |
| 30 | Rehabilitation or reconstruction of existing ferry facilities that occupy substantially the same geographic footprint, do not result in a change in their functional use, and do not result in a substantial increase in the existing facility's capacity. Example actions include work on pedestrian and vehicle transfer structures and associated utilities, buildings, and terminals. |
| **Activity Listed in 23 CFR 771.117(d) (The “D” List**) | |
| 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 a particular parcel or a limited number of parcels for hardship or protective purposes 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. An example is right-of-way acquisition only for a bikeway/pedestrian facility (no construction). |

|  |  |  |
| --- | --- | --- |
| 1. **SEGMENTATION REVIEW** | | |
| 1. Is the action a linear project? | **NO** | **YES** |
| *If the answer is “Yes,” the preparer should respond to Questions 3 through 5 below. If the answer is “No,” the preparer should proceed to Section 3.* | | |
| 1. Does the project have independent utility? | **NO** | **YES** |
| 1. Does the project connect logical termini? | **NO** | **YES** |
| 1. Does the project allow further consideration of alternatives for other reasonably foreseeable transportation improvements? | **NO** | **YES** |

|  |
| --- |
| *If “NO” is checked for any of the Questions 3 through 5, the project does not qualify as a Categorical Exclusion (CE) and consultation between MassDOT and FHWA is required. If “YES” is checked for Questions 3 through 5, the preparer should complete Section 3.* |

|  |  |  |
| --- | --- | --- |
| 1. **CE AND UNUSUAL CIRCUMSTANCES REVIEW** | | |
| 1. Does the project induce significant impacts to planned growth or land use for the area? | **NO** | **YES** |
| 1. Does the project require the relocation of significant numbers of people? | **NO** | **YES** |
| 1. Does the project have a significant impact on any natural, cultural, recreational, historic, or other resource? | **NO** | **YES** |
| 1. Does the project involve significant air, noise, or water quality impacts? | **NO** | **YES** |
| 1. Does the project have a significant impact on travel patterns? | **NO** | **YES** |
| 1. Does the project involve substantial controversy on environmental grounds? | **NO** | **YES** |
| 1. Does the project have a significant impact on Section 4(f) properties or on historic properties? | **NO** | **YES** |
| 1. Is the project inconsistent with any Federal or state requirement or administrative determination relating to the environmental aspects of the action? | **NO** | **YES** |

|  |
| --- |
| *If “YES” is checked for any of the questions in Section 3, the project does not qualify as a Categorical Exclusion (CE) and an Environmental Assessment (EA) or Environmental Impact Statement (EIS) is required. If the answer to all questions within Section 3 is “No,” the preparer should complete Section 4 below.* |

|  |  |  |
| --- | --- | --- |
| 1. **PROGRAMMATIC CATEGORICAL EXCLUSION THRESHOLD REVIEW** | | |
| 1. Does the project involve residential or commercial displacement, or acquisition of property rights that results in substantial abutter impacts? | **NO** | **YES** |
| 1. Does the project require submittal of an Interchange Modification Report? | **NO** | **YES** |
| 1. Does the project have a finding of “may affect, likely to adversely affect” any listed or candidate species or critical habitat that has been designated or proposed under the Endangered Species Act? | **NO** | **YES** |
| 1. Does the project involve opposition or unresolved objections resulting from consultation or correspondence with Federally Recognized Tribes? | **NO** | **YES** |
| 1. Does the project have a finding of “Adverse Effect” on historic properties pursuant to Section 106 the National Historic Preservation Act? | **NO** | **YES** |
| 1. Does the project have an adverse effect on a National Historic Landmark? | **NO** | **YES** |
| 1. Does the project require the use of Section 4(f) properties that cannot be documented with an FHWA *de minimis* determination? | **NO** | **YES** |
| 1. Does the project require the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property? | **NO** | **YES** |
| 1. Does the project require a U.S. Army Corps of Engineers Section 404 (33 U.S.C. § 1344) permit other than a General Permit? | **NO** | **YES** |
| 1. Does the project require a U.S. Coast Guard bridge permit? | **NO** | **YES** |
| 1. Does the project require work encroaching on a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake? | **NO** | **YES** |
| 1. Does the project involve impacts subject to the conditions of the Bald and Golden Eagle Protection Act? | **NO** | **YES** |
| 1. Is the project a “Type I project” requiring a noise analysis? | **NO** | **YES** |
| 1. Does the project involve acquisition of land for hardship, protective purposes, or early acquisition? | **NO** | **YES** |
| 1. Does the project generate substantial public controversy or opposition for any reason? | **NO** | **YES** |
| 1. Does the project involve construction in, across, or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers? | **NO** | **YES** |
| 1. Does the project involve the construction of temporary access or closure of existing road, bridge, or ramps? | **NO** | **YES** |

|  |
| --- |
| *If the answers to Questions 14 through 30 are “NO”, then the project qualifies as a Programmatic CE. If any of the answers to Questions 14 through 30 are “YES”, then the project cannot be classified as a Programmatic CE and an Individual CE approval from FHWA is required. If the answer to Question 30 is “Yes”, the preparer should complete Question 31 below.* |

|  |  |  |
| --- | --- | --- |
| 1. Does the project meet the following conditions for construction of temporary access or closure of existing road, bridge, or ramps? | **NO** | **YES** |
| * Provisions have been made for access by local traffic and are posted; * There will be no adverse effects on through-traffic dependent business; * The temporary access or closure of existing road, bridge, or ramps will not interfere with a local special event or festival; or * The temporary access or closure of existing road, bridge, or ramps will not substantially change the environmental consequences of the project. | | |

|  |
| --- |
| *If the answer to Question 31 is “YES”, then the project qualifies as a Programmatic CE. The checklist and all supporting information should be submitted to the MassDOT Project Manager.*  *If the answer to Question 31 is “NO”, then the project cannot be classified as a Programmatic CE and an Individual CE approval from FHWA is required. The preparer should attach to this checklist all supporting information to clearly establish that there is little or no potential for significant impact. The Individual CE and supporting information will be submitted to the FHWA Massachusetts Division for approval.* |

|  |
| --- |
| **CERTIFICATION *(FOR AGENCY USE ONLY)*** |
| Based on the information obtained during environmental review process and included in this checklist, the project is determined to be a Categorical Exclusion pursuant to the National Environmental Policy Act and complies with all other applicable environmental laws, regulations, and Executive Orders.    Director of Environmental Services Date (or designee)  For Individual CEs, the FHWA Division Administrator’s signature is also required.    Division Administrator Date (or designee) |
| **FHWA Comments or Conditions**: |