

CATEGORICAL EXCLUSION CHECKLIST

FOR 23 CFR 771.117(c) ACTIONS

Wisconsin Department of Transportation (Revised July 2019)

Guidance on completing categorical exclusions can be found in the FHWA-WisDOT Programmatic Agreement located here:

<https://wisconsindot.gov/Documents/doing-bus/eng-consultants/cnslt-rsrcs/environment/pace2015.pdf>

WisDOT Design and Construction IDs: Label all IDs as design, construction, etc., in parentheses after the ID number.	Federal Project IDs (if available):	Legal Description (Township, Range, Section):	County:				
Project Name: Project name should be descriptive.		Project NEPA/WEPA Termini/ Location:					
Name of Route or Facility to be Improved:	Facility Classification: The proposed action may include more than one facility and more than one facility classification. Include the classification for all facilities proposed for improvement in project area.	Improvement Type: The proposed action may include more than one type of improvement. If that is the case, list all the improvement types. For a list of highway improvement type definitions, go to FDM 3-5-2.					
Estimated Project Cost in Year of Expenditure \$ (include R/W Cost):		Funding Source(s) (check all that apply): <input type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> Local					
23 CFR 771.117(c) Project Type Number and Text: Write the number of the applicable CE category from 23 CFR 771.117(c). Only one CEC should be listed. It's recommended that writers of the CEC check in with the REC if the project is eligible under multiple categories. See blue language after signature blocks.							
Section 4(f) <input type="checkbox"/> No Section 4(f) <input type="checkbox"/> Exception to Section 4(f) <input type="checkbox"/> De Minimis Section 4(f) <input type="checkbox"/> Programmatic Section 4(f) <input type="checkbox"/> Full Section 4(f) If the project has Section 4(f) (exception, <i>de minimis</i> impact finding, programmatic evaluation, individual/full evaluation) attach the Section 4(f) Factor Sheet and any additional appropriate documentation.							
Right-of-Way Acquisition: <input type="checkbox"/> Yes, complete boxes below <input type="checkbox"/> No right-of-way acquisitions <table style="width: 100%; border: none;"> <tr> <td style="width: 25%; border: none;">Total Acres</td> <td style="width: 25%; border: none;">Fee Simple Acres</td> <td style="width: 25%; border: none;">Permanent Easement Acres</td> <td style="width: 25%; border: none;">Temporary Easement Acres</td> </tr> </table>				Total Acres	Fee Simple Acres	Permanent Easement Acres	Temporary Easement Acres
Total Acres	Fee Simple Acres	Permanent Easement Acres	Temporary Easement Acres				
Number of Buildings Acquired: <input type="checkbox"/> None Vacant Buildings Occupied Buildings (complete the Relocations Factor Sheet)							
Name of Individual/ Firm Preparing this Form		Environmental Process Start Date: When trying to determine the most logical point on which to base the environmental process start date (what begins the NEPA process), the tribal notification is a reasonable date to use. The start date cannot be the same date the document was signed, resulting in a calculation of zero days to finish the CEC. There can be start, stop, and restart dates for a project depending on events during the environmental documentation process. If a new tribal notification letter is sent, the start date should be updated.					

WisDOT Region Environmental Coordinator (REC) or Central Office BTS-EPDS Staff:

I certify that I meet the requirements for staff who review and recommend approval of Categorical Exclusion (CE) actions, specified in the FHWA – WisDOT CE Agreement. I further certify that I have reviewed this document and agree with the determination that the proposed project and resultant impacts meet the definition of a CE as described in 23 CFR 771.117(a) & (b) and will not result in significant environmental impacts. I recommend this CE for approval.

(Signature)

(Print Name and Affiliation)

WisDOT Region or Central Office Project Manager:

I certify that I am familiar with this proposed project and its impacts and that the information contained in this document is accurate and can be relied upon for documentation decisions. I further certify that the mitigation measures and commitments proposed herein will be incorporated into the project plans and contract documents. I approve this CE.
 If there is an impact to a Section 4(f) resource, either temporary or permanent, BTS-EPDS reviews the Section 4(f) documents and the unsigned CEC prior to sending to FHWA for Section 4(f) determination approval. The CEC can be signed only after FHWA reviews, approves, and signs the Section 4(f) determination.

(Signature)

(Print Name and Affiliation)

(Date)

(Date)

This is the date that should be used as the final date of the document for reporting purposes.

Refer to 23 CFR 771.117(c). If the proposed action falls into one of the categories on the list, the CEC may be used. The proposed action may fall under more than one (c)-list category. If that is the case, choose the most applicable or appropriate category, but you may choose only one. If the proposed action does not fall into one of the categories on the list or is otherwise ineligible, prepare a PCE, ER, EA or EIS, as applicable.

23 CFR 771.117(c) Actions

(1) Activities which 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 FHW A 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):

(i) Emergency repairs under 23 U.S.C. 125; and

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

(A) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and

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

(10) Acquisition of scenic easements.

(11) Determination of payback under 23 U.S.C. 156 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.

(17) The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which 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) Promulgation of rules, regulations, and directives.

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

(23) Federally-funded projects:

(i) That receive less than \$5,403,484.88 of Federal funds (as adjusted annual by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor, see www.fhwa.dot.gov or www.fta.dot.gov. Expect the number to change approximately annually); or

(ii) With a total estimated cost of not more than \$32,420,909.28 and Federal funds comprising less than 15 percent of the total estimated project cost.

(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 USC 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), if the action meets the constraints in 23 CFR 771.117(e) – Conditions for (c) (26-28).

(27) Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting, if the project meets the constraints in 23 CFR 771.117(e) – Conditions for (c) (26-28).

(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 771.117(e) – Conditions for (c) (26-28).

(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.

This template may be used for National Environmental Policy Act (NEPA) documentation and/or Wisconsin Environmental Policy Act (WEPA) CE documentation.

A determination that this project satisfies the criteria for an FHWA (c)-listed Categorical Exclusion (CE) does not relieve the applicant of the requirement to comply with other laws and regulations including, but not limited to, Section 404 of the Clean Water Act, Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act, and Section 4(f) of the US Department of Transportation Act. Coordination to comply with these other laws may require FHWA involvement. Furthermore, designation of this project as a (c)-listed CE does not relieve the requirement for WisDOT to coordinate with WDNR under the Cooperative Agreement. Any correspondence or documentation used to comply with Federal, State, or Local laws or regulations should be maintained in the project file and provided with this checklist upon request.

I. Fiscal Constraint

For federally-funded actions, indicate whether the project is included in the most recent version of the WisDOT Statewide Transportation Improvement Program (STIP) or included in a STIP amendment. One of the boxes must be checked.

The STIP is a four-year plan of highway and transit projects for the state of Wisconsin. Revised every year, the plan is a compilation of all highway (state and local) and transit (capital or operating) projects in the urban and rural areas. The STIP plan adopts the Transportation Improvement Programs prepared by the state's 14 metropolitan planning organizations by reference. The STIP plan is approved by the Federal Highway Administration and the Federal Transit Administration. The STIP is published on the WisDOT website. If the project is not listed in a STIP it cannot be completed with any Federal funding.

- The proposed action is not federally funded, a CEC may be completed under WEPA if it meets all other criteria.
- The proposed action is federally funded and included in the most recent version of the STIP or included in a STIP amendment. Indicate the name of the STIP or STIP amendment, the portion of the proposed project funded and the page number on which the project can be found:
The name of the STIP or STIP amendment, the portion of the proposed project funded and the page number on which the project can be found should be listed in the text box above. This information is required to demonstrate fiscal constraint.

II. Proposed (c)-list Categorical Exclusion 26, 27 or 28

Projects proposed for approval as (c)(26), (c)(27), or (c)(28) actions must not include any of the conditions specified in 23 CFR 771.117(e). Check all boxes that apply to the proposed project. **If any boxes are checked, the project cannot be documented with this CEC checklist.** Instead, process it with a PCE if it meets the criteria in Section VII of the FHWA – WisDOT CE Agreement. If the action is disqualified by the Section VII criteria, prepare an ER, EA, or EIS, as applicable. If project is being processed as any other (c)-list category skip to question III.

23 CFR 771.117(e) Actions described in (c)(26), (c)(27), and (c)(28) of this section may not be processed as CEC under paragraph (c) if they involve:

- An acquisition of more than a minor amount of right-of-way or that would result in any residential or non-residential displacements
*In Wisconsin, a minor amount of right-of-way is defined as fee or PLE acquisition ≤ 1 acre/ mile on average for (c)(26) actions and ≤ 0.5 acre total for (c)(27)&(28) actions.
- An action that needs a bridge permit from the US Coast Guard
- An action that does not meet the terms and conditions of a US Army Corps of Engineers nationwide or general permit under Section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act of 1899
- A finding of "adverse effect" to historic properties under the National Historic Preservation Act
- The use of a resource protected under 23 USC 138 or 49 USC 303 (Section 4(f)) except for actions resulting in *de minimis* impacts
*If a project includes a Section 4(f) *de minimis* determination or programmatic evaluation, the Section 4(f) documentation must be submitted to FHWA for review and approval before final approval of this CE
- A finding of "may affect, likely to adversely affect" state or federal threatened or endangered species or critical habitat
- Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions
*In Wisconsin, projects resulting in major traffic disruptions are those that require a Transportation Management Plan Type 3 or Type 4, as defined in FDM 11-50-5.
- Changes in access control
*In Wisconsin, changes in access control are any changes beyond minor longitudinal shifts in existing access. Creation of new access, removal of existing access, or substantial shifts in existing access disqualifies a project from using this checklist.
- A floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreation trails, bicycle and pedestrian paths); construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers

III. Description of Purpose and Need, Alternatives Considered and Proposed Action

Provide the project purpose and need, alternatives considered (as needed) and a concise project description below, including the scope of work. Attach a project location map and other appropriate exhibits that are referred to in this document. The description must be consistent with the specific CE listed in Section II, above. The project purpose and need and/or project description should include a brief explanation of the project's NEPA/WEPA logical termini in relation to the project scope, and purpose and need:

The purpose and need should never be solution based. The purpose and need should not be the proposed action itself. If a discussion of alternatives is included, keep it brief. At a minimum, you should include the no-build and build alternatives, if others have been analyzed include them as well. If a detour is necessary, clearly state the detour plans. For additional help with purpose and need, project description, and logical termini consult the REC and see the WisDOT blue language for the ER and EA Template at <http://wisconsindot.gov/Pages/doing-bus/eng-consultants/cnslt-rsrcs/environment/formsandtools.aspx>

The description of the proposed action for a CEC must be concise. If the proposed action was previously an EIS, EA, ER or PCE, edit the description and include only relevant text and information. Do not copy and paste all information from the other environmental document. All environmental documents must include a project location map. Include existing and proposed typical sections only if appropriate. Refer to the WisDOT guidance

on appropriate environmental document attachments (<http://wisconsindot.gov/Documents/doing-bus/eng-consultants/cnslt-rsrcs/environment/ApproppAttachAppend.pdf>). List attachments sequentially under XI of this document.

IV. Project is a Complete FHWA Action

Check all boxes that apply to the proposed project. To process your project with this checklist, you must be able to check either boxes 1-3 or the last box. If you are unable to check either boxes 1-3 or the last box in this section, you cannot complete this document and must reassess the project scope to meet the criteria. Proposed projects being developed under WEPA must also meet these criteria.

23 CFR 771.111(f) To ensure meaningful evaluation of alternatives and to avoid commitments to transportation improvements before they are fully evaluated, the action evaluated shall:

- (1) Connect logical termini and be of sufficient length to address environmental matters on a broad scope
- (2) Have independent utility or independent significance, i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made
- (3) Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements
- Project is not an action resulting in construction and does not require compliance with (1-3) above

V. Categorical Exclusion Definition

Check all boxes that apply to the proposed project. If you are unable to check a box in this section you cannot use any CE documentation, prepare an EA or EIS. Proposed projects being developed under WEPA must also meet these criteria. 23 CFR 771.117(a) Categorical exclusions (CEs) are actions which, based on experience with similar actions, do not involve significant environmental impacts. They are actions which:

- Do not induce significant impacts to planned growth or land use for the area
- Do not require the relocation of significant numbers of people
- Do not have a significant impact on any natural, cultural, recreational, historic or other resource
- Do not involve significant air, noise, or water quality impacts
- Do not have significant impacts on travel patterns
- Do not otherwise, either individually or cumulatively, have any significant environmental impacts

VI. Unusual Circumstances

Check all boxes that apply to the proposed project. If any boxes in this section are checked, you cannot use the CEC template, discuss with the REC or EPDS or FHWA to identify the appropriate level of documentation. Proposed projects being developed under WEPA must also meet these criteria.

23 CFR 771.117(b) Any action which normally would be classified as a CE but could involve unusual circumstances will require the FHWA, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is proper. Such unusual circumstances include:

- Significant environmental impacts
- Substantial controversy on environmental grounds
- Significant impact on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act (not required for WEPA document, consult with REC or EPDS for requirements)
- Inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the action
- Other unusual circumstances not listed in FHWA regulations (describe below)

(In Wisconsin, auxiliary lane and capacity expansion projects that are proposed for processing with this checklist are examples of unique or unusual circumstances and will require consultation with FHWA before proceeding with the project.)

Describe any unique or unusual circumstances and subsequent coordination with FHWA or BTS-EPDS:

See the FHWA/WisDOT Programmatic Agreement for details on unusual circumstances. <http://wisconsindot.gov/Pages/doing-bus/eng-consultants/cnslt-rsrcs/environment/formsandtools.aspx>

VII. Tribal Lands

For projects, regardless of project type, located partially or entirely on Tribal lands in trust, allotted, or reservation status, WisDOT Region staff shall consult with WisDOT EPDS staff prior to preparing CEC documentation. In certain cases, the involvement of Tribal land may warrant preparing higher level environmental documentation (e.g. ER instead of CEC) than what is normally required by the FHWA–WisDOT CE Agreement. WisDOT TSS-EPDS Staff will ensure adequate Tribal consultation by WisDOT and engage FHWA in consultation when necessary.

Describe any Tribal coordination (enter "N/A" if project is not on tribal lands):

VIII. Agency/Local Unit of Government Coordination and Public Involvement

For guidance on agency coordination, see FDM 5: Agency Coordination <https://wisconsin.gov/rdwy/fdm/fd-05-00toc.pdf>

Provide a brief description of coordination conducted with agencies and local unit(s) of government. Describe any unresolved issues and how they will be resolved. Attach evidence of agency and local unit of government coordination as applicable:

Provide a brief discussion of public involvement efforts. Describe any concerns expressed, how those concerns were resolved and how any unresolved concerns will be resolved:

For guidance on public involvement, see FDM 6: Public Involvement <https://wisconsin.gov/rdwy/fdm/fd-06-00toc.pdf> WisDOT policy is that every project prepares a public involvement plan, but the public involvement plan should be right sized based on the scope and characteristics of the project.

IX. Air Quality

Projects must be consistent with the State Implementation Plan (SIP) for air quality. Projects in air quality nonattainment and maintenance areas must be demonstrated to conform to the SIP. Check the appropriate box and proceed accordingly.

- The project is in an area designated as attainment for all transportation-related criteria air pollutants. The project is not subject to transportation conformity requirements. No further analysis is required.
- The project is in an area designated as nonattainment or maintenance for one or more transportation-related criteria air pollutants. Proceed with the following analyses for regional and project level transportation conformity.

Regional Conformity

Regional conformity is required for projects in counties designated as nonattainment or maintenance for ozone or PM_{2.5}. If the project occurs in a nonattainment/maintenance county or area, check the appropriate box and include appropriate documentation in the appendix (if needed).

- The project is exempt from conformity per 40 CFR 93.126 or is a traffic signal synchronization project under 40 CFR 93.128. No further analysis is needed.
- The project is exempt from regional emissions analysis requirements per 40 CFR 93.127.
- The project is located within a Metropolitan Planning Area and included in the current approved Metropolitan Planning Organization (MPO) Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP). The RTP and TIP were determined to conform by FHWA and FTA. Provide the MPO name, RTP name, TIP name and TIP number. The MPO name, RTP name, TIP name and TIP number should be provided in the box below and must be included if this box is checked:
- The project is located outside of a Metropolitan Planning Organization's boundaries and has received a conformity determination by FHWA per the rural conformity section of the WisDOT/WDNR Memorandum of Agreement. Provide conformity finding dates:
- The project is non-conforming – project is ineligible for CEC.

Project Level Conformity

Projects in fine particulate matter (PM_{2.5}) nonattainment and maintenance areas are also subject to PM_{2.5} project hot spot conformity requirements. A PM_{2.5} hot spot analysis is required to support a project level conformity determination for projects of local air quality concern. A determination of local air quality concern is made by the Wisconsin Transportation Conformity Working Group (WTCWG).

- The project is not located in a PM_{2.5} nonattainment or maintenance area. No further analysis is required.
- The project is exempt from conformity per 40 CFR 93.126 or is a traffic signal synchronization project under 40 CFR 93.128. No further analysis is needed.
- The project has been screened in accordance with the WisDOT Project Level Conformity PM_{2.5} Screening Checklist and (check one of the following as applicable):
 - Determined not to be a project of local air quality concern. Include the screening checklist in the appendix.
 - Referred to interagency consultation with the WTCWG resulting in a determination that the action **is not** a project of local air quality concern. Include the project analysis and WTCWG determination in the appendix.
 - Referred to interagency consultation with the WTCWG resulting in a determination that the action **is** a project of local air quality concern – project is ineligible for PCE.

X. Environmental Factors Matrix (check all that apply)

If the effects on the environmental factor can't be adequately summarized in several sentences, the Factor Sheet for the environmental factor must be included. If the Factor Sheet is completed include a brief summary.

Refer to attachments listed under XI as needed for clarification.

Factors	Adverse Impact	Beneficial Impact	No Impacts Identified	Factor Sheet Attached	Effects
Business and Economic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>For those Factors not present in the project area indicate not present.</p> <p>If the impacts identified are long-term or cannot be clarified here, complete the Factor Sheet. If impacts are temporary and only related to construction, you likely can describe them here.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If the impacts identified are long-term or cannot be clarified here, complete the Factor Sheet. If impacts are temporary and only related to construction, you likely can describe them here.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Aesthetics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Check with your REC before checking "benefit". Minor changes and new pavement are not considered a benefit. An adverse effect could occur if trees are removed without a plan to replace them. Aesthetic treatments tied to mitigation for other Factors should be discussed on those Factor Sheets.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Agriculture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Acquisition of agricultural land is always considered adverse and the Factor Sheet should be completed if more than 1 acre per owner is being impacted.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Relocations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Relocations are always considered adverse, complete the Factor Sheet if any property is being relocated.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Indirect Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>If Question 11 in this document indicates the need to use the <i>Pre-Screening Worksheet for EA and ER Projects for Determining the Need to Conduct a Detailed Indirect Effects Analysis</i>, attach the worksheet results in an appendix. If the screening indicates a detailed analysis is required, include the detailed analysis as an appendix or summarize the detailed analysis and incorporate it by reference. A Factor Sheet is currently not available for Indirect Impacts, but the Other Factor Sheet can be used.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Cumulative Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>If detailed analysis is required, include the detailed analysis as an appendix or summarize the detailed analysis and incorporate it by reference. A Factor Sheet is currently not available for Cumulative Impacts, but the Other Factor Sheet may be utilized.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Environmental Justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If an EJ group has been identified and there is a potential impact to them, complete the Factor Sheet. This should be consistent with information in Question 12B.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Historic Properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Historic properties may include buildings, districts, traditional cultural places, archaeological sites, among others. Documentation must clarify if there will be impacts. A Factor Sheet must be completed if any of the alternatives includes:</p> <ul style="list-style-type: none"> • a 44.40 No Adverse Effects with commitments • a 44.40 Adverse Effects with mitigation • a Section 106 Determination of No Adverse Effects (DNAE) with commitments • a Section 106 Adverse Effects • a National Historic Landmark (NHL) in the project area <p>Please be sure to attach all agreement documents (Section 106 Form, Documentation for No Adverse Effect or MOA).</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Burial Sites	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>Note here if a burial site is in the project area and if a permit to disturb must be applied for and include in Question 23.</p>

					Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.
Tribal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		If there are impacts tied to projects on Tribal lands not covered by the Factor Sheets, you can use the Other Factor Sheet to describe them. Impacts could include spiritual or cultural impacts, impacts tied to food gathering or harvesting, sacred property restrictions, unique economic impacts, etc. Documentation must clarify coordination with tribe(s) and agreements reached and should be consistent with what is discussed in Question 19. Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.
Section 4(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If Section 4(f) properties are within or adjacent to the project limits, contact your REC immediately. A Section 4(f) property within or adjacent to the project should be discussed in the document. The Factor Sheet may need to be completed even if there is no property acquisition/purchase/use to document no Section 4(f) use will occur or can be avoided. Documentation must clarify the Section 4(f) use. Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.
Section 6(f) and other Unique Funding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If Section 6(f) resources or other special funding properties may be within or adjacent to the project limits, contact your REC immediately. Your initial DNR letter should identify most properties that have received special funding sources in the project area. Documentation must clarify coordination and impacts. Any incorporation of property of this type into a transportation facility is most likely adverse and will require a Factor Sheet unless the agency with jurisdiction over the property does not consider it adverse. In those cases, we may be incorporating some enhancements for the property as well. Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A factor sheet is required for projects with permanent wetland impacts, impacts to rare or unique wetlands (refer to "Wetlands with special status" in WisDOT's Wetland Mitigation Banking Technical Guidelines), based on the USACE permit type, or if the following information cannot be adequately described in this Matrix: <ul style="list-style-type: none"> - Characterize impacts, including the wetland type, general quality and approximate acreage of impacts - Describe avoidance and minimization measures implemented to reduce impacts, avoidance alternatives evaluated and compensatory mitigation plan. - Describe coordination with WDNR and USACE regarding potential wetland impacts and permitting requirements. Include the anticipated permit type and additional coordination needed. Refer to the blue language on the Wetlands Factor Sheet for additional guidance related to documentation and coordination requirements for wetland impacts. Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.
Surface Water Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A factor sheet is required for projects with permanent surface water impacts, impacts to rare or unique surface waters, or if the following information cannot be adequately described in this Matrix: <ul style="list-style-type: none"> - Characterize impacts, including the surface water type, general quality and approximate acreage of impacts - Describe avoidance and minimization measures implemented to reduce impacts, avoidance alternatives evaluated and compensatory mitigation plan. - Describe coordination with WDNR and USACE regarding potential impacts and permitting requirements. Include the anticipated permit type and additional coordination needed. Refer to the blue language on the Surface Water Factor Sheet for additional guidance related to documentation and coordination requirements for wetland impacts. Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.
Groundwater, Wells, and Springs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do local units of government in the project area have groundwater plans, programs or ordinances? If so, the factor sheet may need to be included to document coordination and compatibility with existing plans. In addition, if there is potential for impacts on groundwater, including dewatering, or if there are any springs or wells (including groundwater monitoring wells from remediation projects) located in the project area this Factor Sheet may be needed, contact your REC for guidance. Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.

Coastal Zones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>Only applicable to counties which have coastlines on the Great Lakes or counties which are in the Great Lakes Watershed with tributaries to the Great Lakes. Identify whether a special coastal area will be impacted by your project, as indicated in the Coastal Zone Management Plan (CZMP). Describe any effects on the CZMP Special Coastal Area and attach any coordination completed and indicate location.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Most WisDOT projects on a floodplain require a floodplain analysis per FHWA policy and State or Federal Regulations. The Floodplain Factor Sheet is required if a Hydrology and Hydraulic Analysis is completed as part of that floodplain analysis. If a Hydrology and Hydraulic Analysis is not required as part of that floodplain analysis, explain why and describe why the project will have no probability of impacts to the floodplain.</p> <p>An explanation of no probability of impacts to the floodplain should also detail coordination with the WisDOT Bureau of Structures Hydraulic Engineer and/or the Statewide Drainage Engineers in the Bureau of Project Development Roadway Standards Unit.</p> <p>For additional guidance see, the blue language on the Floodplain Factor Sheet to learn floodplain regulations, FHWA policy on significance of encroachments and coordination requirements.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Unique Wildlife and Habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>If detailed analysis is required, include the detailed analysis as an appendix or summarize the detailed analysis and incorporate it by reference. A Factor Sheet is currently not available for Unique Wildlife and Habitat, but the Other Factor Sheet can be used.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Threatened, Endangered or Protected Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A Factor Sheet must be completed for all projects to document your coordination with USFWS and DNR.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Every document for a proposed project in a non-attainment or maintenance area for Ozone or PM_{2.5} should include this Factor Sheet. Talk to your REC if you are unsure. Every Environmental Assessment must include the Air Quality Factor Sheet.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Construction Sound	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Every document should include this Factor Sheet unless there are no receptors in the project area.</p> <p>If there are no receptors in the project area, use the following language: "No receptors are in the project area. No impacts resulting from construction sound are anticipated."</p> <p>If there are receptors in the project area, use the following language: "Construction sound impacts may occur. See Construction Sound Factor Sheet."</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Traffic Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Refer to FDM Chapter 23 to determine if the project is a Type I project.</p> <p>If a detailed noise analysis was not required for this project, use the following language: "A detailed noise analysis was not required for this project. No impacts are anticipated."</p> <p>If a detailed noise analysis was required for this project and no impacts were identified, use the following language: "A detailed noise analysis was required for this project. No impacts are identified. See attached Factor Sheet, Pages ____."</p> <p>If a detailed noise analysis was required for this project and impacts were identified, use the following language: "A detailed noise analysis was required for this project. Some impacts are anticipated. See attached Traffic Noise Factor Sheet, Pages ____."</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Hazardous Substances, Contamination and Asbestos		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If the project falls under the list of potentially exempt projects in FDM 21-35-1.5, Check No Impacts Identified.</p> <p>If the department proposes to perform remediation of the right of way, or of an acquired site, or abatement of an asbestos containing material, benefit can be checked. Areas of hazardous substances or contamination to be avoided or remediated should be marked on the plan, and the appropriate special provisions included in the specifications.</p> <p>Any avoidance agreements, changes to continuing obligations, or remediation or</p>

					materials handling plans approved by DNR Bureau of Remediation and Redevelopment must be included in Question XII, Environmental Commitments.
Stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If the proposed action has the potential to modify discharge(s) to the waters of the state or the U.S. (Trans 401.04), a Factor Sheet needs to be completed if it cannot be described here. If the project is within a drainage district discuss coordination here or on the Factor Sheet.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
Erosion and Sediment Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If the project results in ground disturbance, there may be short term adverse impacts. The Factor Sheet should be filled out when erosion control management techniques beyond typical BMPs will be required because of unique topography, unique resources or if the project is on tribal lands.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
OTHER FACTORS					
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Other Factor Sheet can be used for any Factors that do not currently have a specific Factor Sheet such as Indirect Impacts, Cumulative Impacts, Invasive Species Eradication, Burial Sites, Tribal or Unique Wildlife and Habitat Concerns.</p> <p>Any avoidance, minimization or compensation measures agreed upon must be included in Question XII, Environmental Commitments.</p>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

XI. Supporting Documentation

List additional discussion, agency correspondence, or supporting documentation used in this CE determination that was not covered in the previous questions or in an attached Factor Sheet. Projects with Section 4(f) *de minimis* determinations or programmatic evaluations will require review by BTS-EPDS and review and approval by FHWA prior to the approval of this CE. Attach necessary documentation to this checklist and maintain a copy in the project file:

Refer to the WisDOT guidance on appropriate environmental document attachments (<http://wisconsindot.gov/Documents/doing-bus/eng-consultants/cnslt-rsrces/environment/AppropAttachAppend.pdf>). List attachments in the order they are referred to in the document and following the Factor Sheets.

Clearly number all attachments. Be sure attachments listed match what is attached.

XII. Mitigation & Commitments

Identify and describe any avoidance, minimization or compensation measures (commitments) in detail. Be specific on what needs to happen and specifically where on the project. Indicate when the commitment should be implemented and who in WisDOT is responsible for fulfilling each commitment (Project Manager, Environmental Coordinator, etc.). Please note if the commitment will be indicated on the final plan, recorded in the Plans, Specifications and Estimates (PS&E), under special provisions in the final plan set, in construction notes, or some other written format. Attach a copy of this completed matrix to the design study report and the PS&E submittal package. Be sure to update it if further commitments are made after the Environmental Document is signed.

Environmental commitments are often quite specific or go beyond contractor requirements found in the WisDOT Standard Specifications for Highway and Bridge Construction. It is the Department's responsibility to ensure completion and documentation for the project file.

Incorporate any special requirements or requests that have been agreed upon with local governments, tribes, or agencies such as DNR, USACE, SHPO, THPO, EPA, and USFWS.

There may be commitments to change maintenance practices after the road project is completed involving coordination with local highway/utilities or parties requesting permits to work in WisDOT right-of-way. If commitments are part of a state municipal maintenance agreement (SMMA) please indicate as such.

Factor	Commitment (If none, include N/A) If a commitment has been made to avoid or minimize impacts to a resource include here as well. Do not forget to list mitigation and commitments identified on the related Factor Sheets.
Business and Economics	Examples: Keeping the road open during construction or on certain holidays, maintaining access to businesses, driveways, etc. Do not refer to other documents. Summarize all commitments here.
Community	Examples: Provisions to ensure homes, school busses and emergency vehicles will be able to access properties or opening the road during certain holidays. Acceptable access maintained during and after construction to sidewalks, schools, etc. Do not refer to other documents. Summarize all commitments here.
Aesthetics	Examples: Landscaping, protection of existing trees and rock faces, colored or textured pavement, form liners on bridges, street lighting, use of native plant species, invasive species management. Include any other commitments made on the Aesthetics Factor Sheet. Enhancements should be discussed. Do not refer to other documents. Summarize all commitments here.
Agriculture	Examples: Temporary bridges to accommodate horse-drawn vehicles. Replacement or removal of cattle passes, access to field entrances, etc. Do not refer to other documents. Summarize all commitments here.
Relocations	Examples: Provisions to avoid impacting a residential property, relocation requirements, etc. Do not refer to other documents. Summarize all commitments here.
Indirect Impacts	Examples: Providing WisDOT technical planning support, assisting with the preparation or revision of local and neighborhood plans, comprehensive plans, local zoning/subdivision ordinances and local official maps. Also, application of various access management tools and strategies on the facility can be included here. Do not refer to other documents. Summarize all commitments here.
Cumulative Impacts	Examples: Providing WisDOT technical planning support, developing a corridor plan, and assisting other agencies in water quality studies. Certain project design considerations and other maintenance issues can be included. Do not refer to other documents. Summarize all commitments here.
Environmental Justice	Examples: Provision of interpreters at future meetings, non-English newsletters/brochures, temporary shuttle service provided during construction. Do not refer to other documents. Summarize all commitments here.
Historic Properties	Commitments made may be in the Screening List email notification or in PMP, on the Section 106 form, in the Determination of No Adverse Effect, or in the terms of a Memorandum of Agreement (MOA). Examples may include: photo-recordation, vibration monitoring, nomination to the National Register, additional surveys or research, monitoring during construction, placement of temporary fencing, construction staging restrictions, or public interpretation. Do not refer to other documents. Summarize all commitments here.

Burial Sites	Commitments made may be in the Screening List email notification or in PMP, on the Section 106 form, in the Determination of No Adverse Effect (DNAE), or in the terms of a Memorandum of Agreement (MOA). Examples: A potential burial is in the project area (marked as sensitive resource on the plan), placement of temporary fencing, burial authorization must be applied for through the Cultural Resource Team (CRT) in BTS and the date it must be applied for. If a burial site authorization is applicable, refer to it and discuss the agreed upon commitment(s). Do not refer to other documents. Summarize all commitments here.
Tribal Lands	Examples: Any commitments made to address tribal concerns such as invasive species management, monitoring or allowing access of tribal members during or prior to construction. The Section 106 MOA may have terms regarding the treatment of human remains discovered during construction or the transport of borrow material from outside the reservation. Tribes may require permits for construction, water quality, etc., or may have requirements if any work is off the right of way. Note if the project is on or near the reservation or tribal lands. Be sure to consult with your Region Tribal Liaison and REC on what constitutes Tribal lands. They include all lands within the exterior boundaries of a reservation as well as lands owned by a tribe. Do not refer to other documents. Summarize all commitments here.
Section 4(f)	Examples: Avoidance measures, amenities or improvements, design considerations and maintaining access to facilities. If commitments are tied to the Section 106 process (historic properties), note the requirements from the MOA as well. Do not refer to other documents. Summarize all commitments here.
Section 6(f) or Other Specially Funded Lands	Examples: Avoidance measures, providing replacement land, amenities or improvements, design considerations and maintaining access to facilities. Do not refer to other documents. Summarize all commitments here.
Wetlands	Examples: Wetlands to be protected by silt fence, temporary fills will be removed, sites restored, losses will be mitigated at a particular ratio, or site, invasive species management, construction equipment cleaning. Also note if additional work needs to be done including ongoing coordination with the DNR or USACE to obtain permits for the project. Do not refer to other documents. Summarize all commitments here.
Surface Water Resources	Examples: Time of year work restrictions, maintain navigational clearances and channels, bridge removal will be done in a manner that will minimize debris falling into the stream and silt booms and other erosion control measures will be used, invasive species management, turbidity barriers, controlling construction operations, avoiding sensitive areas, restricting access in spawning areas, and sediment or water sampling for dredging and return flow operations, construction equipment cleaning. Do not refer to other documents. Summarize all commitments here.
Floodplains	Examples: Ongoing coordination with affected property owners or local floodplain zoning authority. Do not refer to other documents. Summarize all commitments here.
Groundwater, Wells and Springs	Examples: Construction of spring boxes to protect springs, protection with silt fence, maintaining spring hydrology, or controlling certain construction operations. Do not refer to other documents. Summarize all commitments here.
Coastal Zones	Example: Commitments to maintain navigational clearances and channels. Do not refer to other documents. Summarize all commitments here.
Unique Wildlife and Habitat Concerns	Examples: Fencing of high quality upland areas to protect from equipment, protection of trees with snow fence, special seed mixes, mulching and prairie restoration, invasive species management. Do not refer to other documents. Summarize all commitments here.
Threatened and/or Endangered Species	Examples: Turtle barriers, small animal passage, minimum distance from nests/habitat, monitoring during construction, time restrictions on construction, swallow netting, surveys, species relocation or transplanting, fencing of high quality areas or suitable habitat to protect from equipment. Do not refer to other documents. Summarize all commitments here.
Air Quality	Examples: Limiting idle times of construction vehicles, alternative fuel use in construction vehicles. Do not refer to other documents. Summarize all commitments here.
Construction Sound	Always check for local ordinances and discuss here if applicable. If the hours of operation will be different than those in the <i>State of Wisconsin Standard Specifications for Highway and Structure Construction</i> and no other special construction sound mitigation measures apply, include the following language: "WisDOT Standard Specifications 107.8(6) and 108.7.1 will apply with the exception that the hours of operation requiring the engineer's written approval for operations will change to _____ P.M. until _____ A.M." If special construction sound mitigation measures are required other than a change in the hours of operation, contact the REC and WisDOT Noise Engineer or specialist. Do not refer to other documents. Summarize all commitments here.

Traffic Noise	<p>If a detailed noise analysis was required for this project and no impacts were identified or there are impacts and abatement is not feasible or reasonable, use the following language: “None.”</p> <p>If a detailed noise analysis was required for this project, impacts were identified, and abatement was found to be feasible and reasonable, use the following language: “Noise abatement has been determined to be feasible and reasonable. A separate public involvement process will be initiated to determine whether the benefited owners and tenants support noise barrier construction. If final design results in substantial changes in roadway design from modeled conditions, noise abatement measures will be reviewed.”</p> <p>If mitigation measures other than noise barriers are proposed, contact the REC and BTS-EPDS Noise Engineer or specialist. Do not refer to other documents. Summarize all commitments here.</p>
Hazardous Substances, Contamination and Asbestos	<p>Examples: Additional investigation to be completed, including recommendations from investigations already conducted, and preparation of hazmat special provisions. Identify bridge structures that have tested positive for asbestos by current bridge number. Do not include site owner names or addresses. Do not refer to other documents. Summarize all commitments here.</p>
Stormwater	<p>Examples: Street sweeping, detention or retention ponds, catch basins, anything needed to reduce TSS or other pollutants of concern, or NPDES permit areas or TMDLs. Do not refer to other documents. Summarize all commitments here.</p>
Erosion Control	<p>Examples: Reservation Land requirements, anything specifically agreed upon with other agencies (DNR, USACE, Tribes). Special erosion control netting along waterways.</p>
Other:	<p>Example: Invasive species management not tied to another factor.</p>
Other:	