

# CATEGORICAL EXCLUSION CHECKLIST

## FOR 23 CFR 771.117(c) ACTIONS

Wisconsin Department of Transportation (Revised August 2018)

RED Language for Excess Parcels only

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-rsrces/environment/pace2015.pdf>

WisDOT Design and Construction IDs: <span style="color: red;">Complete if available</span> Label all IDs as design, construction, etc., in parentheses after the ID number.	Federal Project IDs (if available):	Legal Description (Township, Range, Section): <span style="color: red;">Complete</span>	County: <span style="color: red;">Complete</span>				
Project Name: <span style="color: red;">Excess Parcel Sale</span> Project name should be descriptive.		Project NEPA/WEPA Termini/ Location: <span style="color: red;">Parcel Number should suffice here – refer to attached map</span>					
Name of Route or Facility to be Improved:	Facility Classification: <span style="color: red;">Not Applicable</span> 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: <span style="color: red;">Excess Parcel Sale</span> 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): <span style="color: red;">\$0.00</span>		Funding Source(s) (check all that apply): <span style="color: red;">Not Applicable</span> <input type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> Local					
23 CFR 771.117(c) Project Type Number and Text: <span style="color: red;">Always fits (c) 23 (under \$5,000,000.00+)</span> 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 checked="" 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) <span style="color: red;">Only box that can be checked</span> 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 checked="" 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							
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)

**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)

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(Print Name and Affiliation)

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(Print Name and Affiliation)

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(Date)

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(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](http://www.fhwa.dot.gov) or [www.fta.dot.gov](http://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.

Neither box needs to be checked since fiscal constraint does not apply to parcel sales.

- 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.

**NONE OF THE BOXES BELOW SHOULD BE CHECKED**

23 CFR 771.117(e) Actions described in (c)(26), (c)(27), and (c)(28) of this section may not be processed as CEs 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  $\leq 1$  acre/ mile on average for (c)(26) actions and  $\leq 0.5$  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 Project's purpose and need is sale of excess real estate. No additional information is needed beyond a location map.**

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 Basic Sheets 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/ApproAttachAppend.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.

##### **NONE OF THE BOXES BELOW SHOULD BE CHECKED**

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 and Local Program 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:

**Limit any discussion here to coordination tied to the Excess Parcel, such as discussions with the town on their desire to purchase the parcel.**

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** If you need to check the second box above (ask your REC), the first box below can be checked.

Regional conformity is required for projects in counties designated as nonattainment or maintenance for ozone or PM<sub>2.5</sub>. 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** If you cannot check the first box below, you can check the second one and move on.

Projects in fine particulate matter (PM<sub>2.5</sub>) nonattainment and maintenance areas are also subject to PM<sub>2.5</sub> project hot spot conformity requirements. A PM<sub>2.5</sub> 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<sub>2.5</sub> 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<sub>2.5</sub> 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) **Rarely will a Factor Sheet be needed for excess parcel sales. Talk to your REC if you suspect one may be needed.**

This has been included to help document when a Factor Sheet is required and when one is not needed. If the impacts cannot be summarized in the following table a Factor Sheet is needed. Refer to attachments listed under XI as needed for clarification.

Factors	Adverse	Benefit	None Identified	Factor Sheet Attached	<p>Note: If the effects on the environmental factor can't be adequately summarized in several sentences, the Factor Sheet must be included.</p> <p>Comments should summarize and should not extensively duplicate information in an attached factor sheet. If an "adverse" effect is permanent, a factor sheet must be attached. If an "adverse" effect is temporary, it must be explained on this sheet under "comments" if a factor sheet is not attached. Include any measure that have been incorporated in the project design to avoid impacts.</p> <p><b>Effects</b></p>
Business & Economics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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 all trees are removed without a plan to replace them.</p>
Agriculture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Acquisition of zoned agricultural land is always considered adverse.</p>
Relocations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Relocations are always considered adverse.</p>
Indirect Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>If Item 7 of Basic Sheet 3 indicates the need to use the <a href="#">Pre-Screening Worksheet for EA and ER Projects for Determining the Need to Conduct a Detailed Indirect Effects Analysis</a>, 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.</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.</p>
Environmental Justice & Title VI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If Item 8 of Basic Sheet 3 indicates there will be potential impacts the Factor Sheet must be completed.</p>
Historic Properties/ Cultural Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A factor sheet may not be required if a Documentation of No Adverse Effect is attached. Historic properties/cultural resources include buildings, districts, traditional cultural places, archaeological sites or burial sites. Coordination must clarify if there will be impacts and any minimization or avoidance measures agreed upon.</p>
Section 4(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If Section 4(f) resources may be within or adjacent to the project limits, contact your REC immediately. A Section 4(f) resource 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 purchase to document no Section 4(f) impacts will occur or can be avoided. Coordination must clarify if there will be impacts and any minimization or avoidance measures agreed upon.</p>
Section 6(f) or other special funding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>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 indicate most types of special funding sources utilized in the project area. Coordination must clarify if there will be impacts and any minimization or avoidance measures agreed upon. For some types of funding sources the deed must be checked.</p>
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Impacts to any wetland are typically adverse and the factor sheet must be included. Clarify impacts as soon as possible and note them on the plan sheets. Coordination must clarify if there will be impacts and any minimization or avoidance measures agreed upon.</p>
Rivers, Streams and Floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Impacts to any stream or river are typically adverse. The factor sheet must be included. If any portion of the project is within a mapped floodplain or floodway, contact your REC.</p>
Lakes or Other Open Water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Impacts to any lakes or open waters are typically adverse. The factor sheet must be included. If impacts to a lake or water body are anticipated, contact your REC.</p>

Groundwater, Wells, and Springs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If there is potential for any impact on groundwater, including dewatering, or if there are any springs or wells (including groundwater monitoring wells from remediation projects) located in the project area, contact your REC.
Unique Wildlife and Habitat Concerns	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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 Concerns.
Coastal Zones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
Threatened and/or Endangered Species	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Only check "adverse" if there is a specific DNR, USACE, or USFWS concern involving threatened and endangered species. Coordination must clarify if there will be impacts and any minimization or avoidance measures agreed upon.
Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Every document for a proposed project in a non-attainment or maintenance area for Ozone or PM <sub>2.5</sub> should include this Factor Sheet.  Every Environmental Assessment requires either a qualitative discussion or quantitative analysis of mobile source air toxics (MSATs).
Construction Stage Sound Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Every document should include this Factor Sheet for construction stage sound quality unless there are no receptors in the project area.  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 noise are anticipated.  If there are receptors in the project area, use the following language: Construction noise impacts may occur. See Construction Stage Sound Quality Factor Sheet.
Traffic Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to FDM Chapter 23 to determine if the project is a Type I project or WisDOT retrofit noise barrier project requiring a detailed noise analysis.  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.  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 ____.  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 ____.
Hazardous Substances or Contamination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If contamination is identified, typically the project will be designed to avoid the contamination or the Department will provide remediation removing the contamination or source for which benefit can be checked.
Stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Only check adverse or benefit if there is a change to the current system.
Erosion and Sediment Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unless there is an improvement to an existing situation, this should be checked as no impacts since our BMP's for erosion control aim for no impacts.
<b>OTHER FACTORS</b>					
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<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 question 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-business/eng-consultants/cnslt-rsrces/environment/AppropAttachAppend.pdf>). List attachments sequentially.

Clearly number all attachments. Be sure attachments listed match what is attached. If Factor Sheets are used place them directly following the document and label them in the supporting documentation.

List in order of reference and number and label here:

1. Project Location Map (no Plan or Profile sheets needed, may need to include copy of deed if there are restrictions)
  2. Section 106 Coordination evidence – copy of WisDOT RE1320 Cultural Resources Review Report.
  3. Tribal Notification – either letter or copy of portal notification (Lynn Cloud can help with this or RE1320)
  4. DNR Coordination (letter or email from DNR if needed)
  5. Any Other Agency Coordination needed.
  6. Need to include caveat that new owner becomes the responsible party for any Section 106 resources identified, wetlands, hazardous materials or threatened or endangered species located on the property.
- Recommended language for wetlands or Threatened and Endangered Species: An endangered resources or wetland review was not conducted for this sale, but may have been done previously as part of past improvement projects. This sale will not impact or affect state or federally listed species. However, future activities on the property may impact resources and require coordination with resource agencies (FWS and/or WDNR). For Section 106 resources or hazardous materials that have been identified, include any restriction(s) to the deed that have been added or any continuing obligations and include a copy of the deed and note in the commitments section below.

## **XII. Mitigation & Commitments**

List any environmental mitigation measures or commitments that will be incorporated into the project. Any items listed below must be incorporated into the project plans and contract documents. *Attach a copy of this page to the design study report (DSR) and the plans, specifications, and estimate (PS&E) submittal package.*

Environmental commitments go beyond contractor requirements found in the WisDOT Standard Specifications for Highway and Bridge Construction. It is the project manager's responsibility to ensure completion and documentation for the environmental file.

The commitments list is a stand-alone sheet that goes to the project site. Make sure the commitments are written clearly and described fully. Do not use the commitments list to refer to other parts of the document where commitments are written.

When it comes to environmental commitments, think of the who, what, when, and where for the life of the project and make sure this information is recorded in the commitments section. Indicate when the commitment should be implemented and who at WisDOT is responsible for fulfilling each commitment (PM, REC, etc.). If you have questions talk to the REC or BTS-EPDS liaison as appropriate.

It is possible that additional commitments will not be necessary. Do not include comments that do NOT relate to environmental commitments.

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.

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

Environmental commitments often 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.

Identify and describe any commitments made to protect the environment. 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 recorded in the Plans, Specifications and Estimates (PS&E) under special provisions, construction notes, or some other written format and whether the commitment is mandated by law and legally binding.

Incorporate any special requirements or requests that have been agreed upon with other 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.

Do not include comments that do NOT relate to environmental commitments.

It is also possible that additional commitments will not be necessary.

Attach a copy of this page to the design study report and the PS&E submittal package.

Environmental Factor	Commitment (If none, include 'No special or supplemental commitments required.')
Business and Economics	Examples: Keeping the road open during construction, certain holidays, maintaining access to businesses, driveways, etc.
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, special needs, etc.
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 controls or eradication. Include any other commitments made on the Aesthetics Factor Sheet. Enhancements should be discussed.
Agriculture	Examples: Temporary bridges to accommodate horse-drawn vehicles. Replacement or removal of cattle passes, access to field entrances, etc.
Relocations	Examples: Provisions to avoid impacting a residential property, relocation requirements, etc.
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.
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.
Environmental Justice and Title VI	Examples: Provision of interpreters at future meetings, non-English newsletters/brochures and any mitigation measures cited on the Factor Sheet.
Historic Properties/Cultural Resources	Examples: 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). Archaeology examples may include: monitoring during construction, placement of temporary fencing, burial authorization, no staging of equipment or public interpretation. If a burial site authorization is applicable, refer to it and discuss the agreed upon commitment(s). History examples may include: photo-recording, vibration monitoring, public interpretation, nomination to the National Register, additional surveys or research. <b>Only if deed restrictions are present on the property related to identified historic properties or there are continuing obligations. Contact the Cultural Resources Team for assistance.</b>
Tribal Lands	Tribal commitments here should be in addition to any commitments for archaeological/burial sites. Examples: Any commitments made to address tribal concerns such as invasive species controls or eradication, 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. 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.
Section 4(f)	Examples: Avoidance measures, provision of amenities or improvements, design considerations and maintaining access to facilities. If commitments are tied to the Section 106 process (archeology or history), note the requirements from the MOA.
Section 6(f) or Other Specially Funded Lands	Examples: Avoidance measures, providing replacement land, amenities or improvements, design considerations and maintaining access to facilities.
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 controls or eradication. Construction equipment cleaning.

Rivers, Streams and Floodplains	Examples: Time of year work restrictions, 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 controls or eradication. Construction equipment cleaning.
Lakes or other Open Water	Examples: Turbidity barriers, controlling construction operations, avoiding sensitive areas, restricting access where spawning areas and sediment or water sampling for dredging and return flow operations, invasive species controls or eradication. Construction equipment cleaning.
Groundwater, Wells and Springs	Examples: Provision of spring boxes to protect springs, protection with silt fence, maintaining spring hydrology, or controlling certain construction operations.
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 controls or eradication.
Coastal Zones	Example: Commitments to maintain navigational clearances and channels.
Threatened and/or Endangered Species	Examples: Turtle barriers, critter passes, minimum distance from nests/habitat, monitoring during construction, time restrictions on construction, swallow netting, surveys and relocation of mussels.
Air Quality	
Construction Stage Sound Quality	<p>Always check for local ordinances and discuss here if applicable.</p> <p>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 noise mitigation measures apply, include the following language:</p> <p style="text-align: center;">“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.”</p> <p>If special construction noise mitigation measures are required other than a change in the hours of operation, contact the REC and WisDOT Noise Engineer.</p>
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:</p> <p style="text-align: center;">“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:</p> <p style="text-align: center;">“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 WisDOT Noise Engineer.</p>
Hazardous Substances or Contamination	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. <b>Only if deed restrictions are present on the property related to identified hazardous material or there are long term continuing obligations: This property has been reviewed and deed restrictions or continuing obligations for hazardous materials management exist on the subject parcel(s). The DNR must be notified of the sale of this property.</b>
Storm Water	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.
Erosion Control	Examples: Reservation Land requirements, anything specifically agreed upon with other agencies (DNR, USACE, Tribes).
Other:	Example: Invasive species control.
Other:	