

Memo

New Mexico Department of Transportation

SUBJECT: Infrastructure Design Directive
IDD-2013-01 (Categorical Exclusion Checklist)

DATE: 19 February 2013

TO: Office of Infrastructure Divisions
District Offices
Transportation Design Community

FROM: Max E. Valerio, P.E.
Chief Engineer
Office of Infrastructure Divisions

FILE REFERENCE:
PSESHARE:Design Directives

Attached is the checklist that is to be used on all NEPA environmental documents that are proposed to be Categorical Exclusions (CE). This checklist is required on all projects that involve the use of Federal Aid Funds and include Local Government projects.

Assistance or questions pertaining to this document may be directed to Mr. Blake Roxlau, NMDOT Environment Program Manager at 505-827-5224 or by e-mail at blake.roxlau@state.nm.us.

General Office staff is to utilize the \\aspenspseshare drive to access the Directive. District and Regional Office staff can access the Directive utilizing the appropriate District drive as indicated below:

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Furthermore, the Directive will reside in the Department's external website. The web address is:

<http://www.dot.state.nm.us>

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Form No. A-1291
New 01/13



NEW MEXICO DEPARTMENT OF TRANSPORTATION CATEGORICAL EXCLUSION

Project Number:	Control Number:	NMDOT District:
Title of Proposed Project:		
Location (Route and Milepost):		County:
Land Ownership:		
Engineer or Project Proponent:	Environmental Section Staff or T/LG Project Manager:	
Engineer Contact and Company:		
Environmental Consultant:		
Federal Funding for Project: <input type="checkbox"/> No <input type="checkbox"/> Yes		

This document has been prepared pursuant to 23 CFR 771.117, FHWA Technical Advisory T6640.8, and the latest Programmatic Categorical Exclusion agreement between FHWA and NMDOT. The proposed project will have no significant impact on the quality of the human or natural environment, either singularly or cumulatively, provided stipulations identified during this analysis are met. Supporting documentation is available at the NMDOT Environmental Section.

_____	_____	_____	_____
Environmental Specialist	Date	NMDOT Project Engineer	Date
		Project Proponent	
		Tribal/Local Government Authority	
_____	_____	_____	_____
Environmental Section Manager	Date	FHWA NM Division Administrator	Date

- Project location map with aerial photography as background layer attached as following page.
- STIP page attached.
- Project area photos attached.
- Environmental Commitments included in this project.



**NEW MEXICO DEPARTMENT OF TRANSPORTATION
CATEGORICAL EXCLUSION**

Project Number:	Control Number:	NMDOT District:
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PROJECT PURPOSE & NEED:

DESCRIPTION OF PROPOSED PROJECT:

DESCRIPTION OF EXISTING FACILITY: Include the Functional Classification of the roadway and the current infrastructure conditions.

DESCRIPTION OF CURRENT, OBSERVED RIGHT-OF-WAY AND ENVIRONMENTAL SURROUNDINGS:



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Project Number:	Control Number:	NMDOT District:
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1. OTHER LAND JURISDICTION(S): Select the appropriate land management entity from the list below. The appropriate land management agency shall be contacted to address the potential impacts, alternatives and possible mitigating measures for the proposed action. The Environmental Commitments section should reflect any mutually agreed upon stipulations or mitigation measures determined through coordination with the land management entity.

- Bureau of Land Management, BLM Field Office:
- U.S. Forest Service, USFS Forest and Ranger District:
- Bureau of Indian Affairs
- Tribal Entity:
- U.S. Fish and Wildlife Service
- National Park Service
- Bureau of Reclamation
- Department of Defense
- New Mexico State Land Office
- New Mexico Department of Game and Fish
- New Mexico State Parks
- Federal Aviation Administration
- Private
- Other:

Provide additional information regarding communication with land management entities below.

2. CULTURAL RESOURCE INVESTIGATIONS: Conduct cultural resource investigations as directed by the NMDOT Environmental Section.

NMCRIS records check date:

Cultural resource inventory conducted? No Yes Concurrence date:

- The proposed project would have no potential to affect cultural resources. (See attached letter or email from NMDOT Environmental Section.)
- The proposed project would have no effect to cultural resources. (See attached letter or email from NMDOT Environmental Section.)
- The proposed project would have no adverse effect to cultural resources. (See attached concurrence letter.)
- The proposed project would have an adverse effect to cultural resources. (See attached concurrence letter.)
 - MOA for mitigation has been developed under Section 106 of NHPA.
 - A project-specific Programmatic Agreement has been developed under Section 106 of NHPA.
- Special properties of concern (listed SRCP or NRHP properties, historic districts, historic bridges, etc) are present. Specify:
- Refer to the Environmental Commitments section for cultural resource treatment measures.



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Project Number: Control Number: NMDOT District:

3. TRADITIONAL CULTURAL PROPERTIES: Contact the NMDOT Native American/Tribal Coordinator in the Environmental Section.

- Checkboxes for traditional cultural properties: no potential impact, identified properties with management recommendations, attached documentation, or refer to environmental commitments section.

4. BIOLOGICAL COMMUNITY: Conduct biological investigations as directed by the NMDOT Environmental Section.

Biological report prepared? No Yes Date:
If no, explain:

Federally listed threatened, endangered, or proposed species and/or critical habitat or proposed critical habitat present within or adjacent to the project area? No Yes

- Checkboxes for biological community: would have no effect, may affect but not likely to adversely affect, may affect and likely to adversely affect, or consultation with regulatory agencies completed.

Is the proposed project expected to impact state-listed species, tribal-listed species, or other agency species? No Yes If yes, explain:

Are there migratory bird concerns associated with the proposed project? No Yes
If yes, explain:

Are there wildlife issues associated with the proposed project? No Yes
If yes, explain:

Are noxious weeds, as recognized by the NM Dept. of Agriculture, present? No Yes
If yes, identify noxious weed species, classification (A, B, C), and explain mitigation measures:

Are New Mexico Rare Plants present within the project area? No Yes

Is revegetation of the project area needed after construction is completed? No Yes
If no, explain:

Revegetation plan developed. Date:

Additional information regarding the biological community:

- Refer to the Environmental Commitments section for biological community mitigation measures.



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Project Number:	Control Number:	NMDOT District:
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5. WATER RESOURCES: Evaluate impacts to water resources within and adjacent to the project area.

Are floodplains present within the project area? No Yes
If yes, explain:

Is a designated Wild and Scenic River present within the project area? No Yes
If yes, explain:

Is an acequia or irrigation ditch present within the project area? No Yes
If yes, explain:

Are Outstanding National Resource Waters or Impaired Surface Waters present within the project area?
 No Yes
If yes, explain:

Clean Water Act (CWA) Permitting: Determine if Waters of the United States, subject to jurisdictional authority under the CWA, would be impacted by the proposed project.

Are wetlands present within the proposed project area? No Yes
Are the wetlands expected to be impacted? No Yes

If yes to either question above, explain:

Wetland determination and delineation report prepared. Date of report:

- U.S. Army Corps of Engineers CWA §404 Maintenance Exemption applies to the proposed project.
- CWA §404 Nationwide Permit applies: Pre-construction Notification required? No Yes
- CWA §404 Individual Permit required (If selected, verify NEPA level of effort with NMDOT.)
- CWA §401 certification required from: NMED EPA Tribal Entity:

Additional CWA permitting information:

Are there any impacts to non-jurisdictional waterway within the project area? No Yes
If yes, explain:

Erosion and Sediment Control: Determine if the provisions of the NPDES Construction General Permit (CGP) issued by the EPA applies to the proposed project. Contact the NMDOT Drainage Section with questions regarding CWA §402.

- The proposed project would disturb less than 1 acre of land, CGP does not apply.
- The proposed project would disturb less than 1 acre of land, but the project area is located near a perennial stream, therefore, a Temporary Erosion and Sediment Control Plan is being developed.
- The proposed project would disturb more than 1 acre of land, therefore a Stormwater Pollution Prevention Plan will be prepared in accordance with the CGP.

- Action area map is attached.
- Map of identified federally-listed species and/or critical habitat is attached.

Applicable Endangered Species Protection Criterion (for the 402 permit application):
Are there portions of the project area that should be avoided for BMP implementation? No Yes
If yes, explain:

Refer to the Environmental Commitments section for water resources mitigation measures.



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6. RIGHT-OF-WAY REQUIREMENTS: Determine if new NMDOT rights-of-way, construction maintenance easements (CME), temporary construction permits (TCP), work permits, federal land transfers, or acquisitions are necessary.

Are any of the above types of right-of-way required for the proposed project? No Yes
If yes, complete the table below.

Estimated number of -	Quantity	Property Details
Parcels affected		
Acres required for CME(s)		
Acres required for TCP(s)		
Acres required for work permit(s)		
Acres required for acquisition		
Acres required for federal land transfer		
Relocations (residential or business) If selected, verify level of effort with NMDOT.		

Proposed right-of-way map attached (required).
Additional right-of-way information:

7. AIR QUALITY ANALYSIS: Determine if the proposed project would impact air quality.

Is a Fugitive Dust Control Permit required for the proposed project? No Yes

Is the proposed project area within any of the following areas?

- Bernalillo County
- Sunland Park
- Anthony

A non-attainment or maintenance area not listed above. If checked, explain:

If none of the four boxes above are checked, air quality conformity requirements are met.

If one of the geographic areas above is checked, complete the section below.

Is hotspot analysis required for the proposed project? No Yes

Describe the extent of project level air quality analysis that has been conducted for the proposed project and attach pertinent correspondence.

Refer to the Environmental Commitments section for air quality mitigation measures.



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8. NOISE ANALYSIS: Determine if noise levels associated with the proposed project would impact receptors on nearby properties and determine if local noise abatement ordinances apply.

Is the proposed project considered Type 1 as defined by NMDOT's current Design Directive for Abatement of Highway Traffic Noise? No Yes

Are receptors (existing or permitted) present in the project area? No Yes

Based on consultation with NMDOT a traffic noise analysis is required. No Yes

If no, explain:

If no, noise analysis is complete.

If yes, traffic noise analysis has been completed. Date of report:

Does the noise analysis identify noise impacts from the proposed project? No Yes

If yes, include applicable information in Section 17 Public Involvement.

If yes, have noise abatement measures been determined to be reasonable and feasible? No Yes

If no, explain:

Refer to Environmental Commitments section for noise mitigation measures.

9. SECTION 4(f): Section 4(f) refers to situations where transportation projects use parks, recreation areas, wildlife and waterfowl refuges, and historic sites.

Will the proposed project use a Section 4(f) property? No Yes (If yes, verify the level of 4(f) documentation with the NMDOT Environmental Section.)

Programmatic Section 4(f) evaluation has been signed and is in the project record.

Additional Section 4(f) information:

10. LAND USE: For proposed projects that add new, or substantially modify existing, transportation infrastructure, verify whether the proposed project is compatible with urban policy and/or land use plans. For proposed projects that cross federal lands, check with the land management agency for applicable land use plan(s).

Is the proposed project consistent with land use plans or zoning? No Yes

If no, explain:

11. HAZARDOUS MATERIALS ANALYSIS: Determine if hazardous materials are located within or adjacent to the proposed project area.

The EPA EnviroMapper database has been consulted and no additional investigations are required.

The EPA EnviroMapper database has been consulted and additional investigations are required.

The EGB has determined no additional investigations are required.

The EGB has determined additional investigations are required. The EGB will coordinate the effort.



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12. SOCIOECONOMICS: Determine potential impacts to social and economic resources resulting from the proposed project.

Would the proposed project result in an adverse impact to social or economic resources? No Yes
(If yes, verify NEPA level of effort with NMDOT Environmental Section.)

Are relocations or displacements necessary to build the proposed project? No Yes
 Would the proposed project result in a permanent change in access or access control? No Yes
 Is the project expected to impact neighborhood continuity and/or community cohesion? No Yes
 If yes to any of the questions above, explain:

13. ENVIRONMENTAL JUSTICE: Refer to FHWA Order 6640.23A to review key Environmental Justice definitions and policies. U.S. Census data may be a source to determine population characteristics.

Based on the definitions provided in FHWA Order 6640.23A, are the following populations located in or adjacent to the project area?

- Low income
- African American
- Hispanic or Latino
- Asian American
- American Indian or Alaskan Native
- Native Hawaiian and Other Pacific Islander

Would the proposed project cause disproportionately high and adverse effects on minority and/or low income populations? No Yes (If yes, verify NEPA level of effort with NMDOT Environmental Section.)
 If yes, explain:

14. VISUAL RESOURCES: Determine whether the project would result in adverse impacts to visual resources, such as the landscape's foreground and background.

Would the proposed project require major cut/fills, bridges, or large retaining walls? No Yes
 Would the proposed project change the vertical profile of an existing road or bridge? No Yes
 Is the proposed project located along a designated Scenic Byway? No Yes
 Would the proposed project result in an adverse impact to visual resources? No Yes

Additional visual resource information:

- Refer to the Environmental Commitments section for visual resource mitigation measures.

15. MULTI-MODAL TRANSPORTATION: Determine whether the project would impact pedestrians, bicyclists, or transit facilities.

Is the proposed project located along a proposed or designated bicycle route? No Yes
 Would the proposed project impact pedestrian and/or bicycle access? No Yes
 Would the proposed project impact transit facilities? No Yes
 If yes to any question above, explain:

Is there an opportunity to improve multi-modal access with the proposed project? No Yes
 If yes, explain:

- Refer to the Environmental Commitments section for pedestrian/bicyclist mitigation measures.



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16. OTHER INFORMATION AND ANALYSIS: Determine if any other resource issues apply to the proposed project that are not addressed in the previous sections.

- No other resource issues are identified and no additional coordination required.
Paleontological resources (for projects on federal land only)
Prime and Unique Farmland
Properties protected by Section 6(f) of the Land and Water Conservation Act
Other resource issues:

Additional resource analysis:

17. PUBLIC INVOLVEMENT: Determine the level of public involvement necessary for the proposed project. The determination should be based on the resource issues identified in the previous sections and the answers to the questions listed below.

Would the project add through traffic lanes, substantially change the layout or the function of the transportation facility or connected transportation facilities, including access limitations? No Yes

Would the project have an adverse impact on abutting property? No Yes

Would the project result in noise impacts? No Yes

Would the project result in socioeconomic, visual, environmental, or other impacts? No Yes

If the answer to any of the questions above is yes, a public meeting or an opportunity for a public meeting should be considered in consultation with NMDOT.

Were scoping letters mailed for this project? No Yes

If no, explain:

What type of public involvement has been provided? Select the appropriate item(s) below. Attach documentation identifying the notice of opportunity for a public meeting, date and location of the meeting, a summary of comments, and responses to substantive comments.

- Public notice attached. Date published:
Formal public meeting. Date:
Open house. Date:
Neighborhood meeting. Date:
Agency coordination and/or meeting. Date:
City Council Meeting. Date:
Other:
Public meeting notes attached.
Summary of public and/or agency comments attached.

Additional public involvement information:



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18. ENVIRONMENTAL COMMITMENTS

The following environmental commitments shall be included in the final construction plans for the project:

END OF CHECKLIST