

***National Environmental Policy Act Determination Form
for Federal-Aid Projects***

Project Sponsor (NDOR or Local Public Agency) complete the following:

Project Sponsor:	Project Contact (include name, address, and phone):
NDOR District:	
Project No:	Control No:
Project Name and Location (Attach location map. Include county, municipality, etc.):	
Latitude: and/or	Section:
Longitude:	Township:
	Range:
Limits of Work:	
Start:	
End:	Total Length:
Project Description (Include narrative to describe general project scope of work.):	
Environmental Study Area:	
Project Purpose & Need:	
Special Project Information:	

Cost Estimate: Engineering: \$ Construction: \$ ROW: \$ Utilities: \$		
Date of Inclusion in STIP/TIP:		
Answer the following questions:	NO	YES or Unknown
Type of Construction – Does the proposed action include any new construction or widening of the existing roadway?	<input type="checkbox"/>	<input type="checkbox"/>
Change of Use – Does the proposed action increase through lane capacity, convert a local street into a higher classification roadway, or include a bypass?	<input type="checkbox"/>	<input type="checkbox"/>
Travel Pattern - Will the proposed action have an impact on permanent community travel patterns or community cohesiveness?	<input type="checkbox"/>	<input type="checkbox"/>
Traffic Management – Will the proposed action include the use of a temporary road, detour or ramp closure?	<input type="checkbox"/>	<input type="checkbox"/>
Access Control - Will the proposed action physically change access control rights of the existing transportation facility?	<input type="checkbox"/>	<input type="checkbox"/>
Easements – Will the proposed action require more than minor amounts of right of way acquisition or permanent easement for construction?	<input type="checkbox"/>	<input type="checkbox"/>
Relocations – Will the proposed action displace people, businesses or farms?	<input type="checkbox"/>	<input type="checkbox"/>
Cultural Resources – Will the proposed action impact listed or potential historic property, excavate undisturbed or minimally disturbed areas, or is there existing records or inventories of cultural resources in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
Section 4(f) – Will there be a use of any existing or planned publicly owned parks, wildlife refuges, historic properties, historic bridges, recreational areas, bikeways, or trails in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
Section 6(f) – Will the proposed action convert park or recreational property that used Land & Water Conservation Funds to acquire the property or assist in its development?	<input type="checkbox"/>	<input type="checkbox"/>
Air Quality – Is the proposed action in a non-attainment or maintenance area?	<input type="checkbox"/>	<input type="checkbox"/>
Noise – Will the project involve construction on new location or the physical alteration of an existing highway which changes the number of through traffic lanes, the shielding effect of existing roadways, or the vertical or horizontal alignment?	<input type="checkbox"/>	<input type="checkbox"/>
Wetlands – If wetlands are within the proposed action area, will the project permanently impact more than one-tenth (1/10) acre of wetlands?	<input type="checkbox"/>	<input type="checkbox"/>
Streams – Will the proposed action include a permanent impact on a perennial stream?	<input type="checkbox"/>	<input type="checkbox"/>
Floodplain –Will the proposed action permanently encroach a regulatory floodplain?	<input type="checkbox"/>	<input type="checkbox"/>
Rivers – Is the proposed action located within ½ mile of a Wild and Scenic or National Recreational River, or listed on the National Rivers Inventory or on the first 1.5 miles of a stream tributary to the designated river?	<input type="checkbox"/>	<input type="checkbox"/>
Threatened and Endangered Species – Will the proposed action affect federal or state listed threatened or endangered species or critical habitat?	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Justice – Does the study area contain higher than average concentrations of low-income or minority populations when compared to the area surrounding the study area or the city or county as a whole?	<input type="checkbox"/>	<input type="checkbox"/>

Farmlands – Will the project convert prime or unique agricultural land to a different use or impact agricultural properties?	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Materials – Will the project activities affect or be affected by known contamination?	<input type="checkbox"/>	<input type="checkbox"/>
Public Interest – Is there known public controversy concerning or opposition to the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>
Permits <input type="checkbox"/> Yes <input type="checkbox"/> No US Army Corps of Engineers 404 Nationwide Permit <input type="checkbox"/> Yes <input type="checkbox"/> No US Army Corps of Engineers 404 Individual Permit <input type="checkbox"/> Yes <input type="checkbox"/> No National Pollutant Discharge Elimination System (NPDES) / Storm Water Run-off <input type="checkbox"/> Yes <input type="checkbox"/> No Floodplain Permit <input type="checkbox"/> Yes <input type="checkbox"/> No US Army Corps of Engineers Section 10 Permit <input type="checkbox"/> Yes <input type="checkbox"/> No US Coast Guard Section 9 Permit <input type="checkbox"/> Yes <input type="checkbox"/> No US Fish & Wildlife Incidental Take Permit <input type="checkbox"/> Yes <input type="checkbox"/> No NE Dept. of Environmental Quality Title 117 Letter of Opinion Special Provisions: Public Interest <input type="checkbox"/> Yes <input type="checkbox"/> No Platte River Depletion (requires coordination with NDNR) <input type="checkbox"/> Yes <input type="checkbox"/> No Wellhead Protection Special Provision		
Additional Comments:		

Project Sponsor Staff or Consultant Signature

Prepared By: _____ Date: _____
(print) *(sign)*

Organization & Title: _____

Phone: _____ Email: _____

Project Sponsor Signature [LPA = County or City Representative – other than Consultant]

This document accurately reflects the scoping of this project.

Prepared By: _____ Date: _____
(print) *(sign)*

Organization & Title: _____

NDOR Environmental Section completes the following:

CLASSIFICATION DETERMINATION

Based on the preliminary answers provided by the project sponsor and in accordance with 23 CFR 771, one of the following classes of environmental documentation is needed for the proposed action or project.

Programmatic Categorical Exclusion – 23 CFR 771.117

NDOR certifies that the proposed action satisfies the criteria of 23 CFR 771.117(a) & (b) and no significant impacts will occur. NDOR and FHWA have concurred in advance with a CE classification and that an action with all negative responses requires no additional approvals from FHWA except for “yes” answers in the Permits and Special Provisions sections.

Categorical Exclusion: Based on project sponsor’s responses and NDOR verification, additional research and documentation is necessary to determine the effects on the environment. Concurrence in classification and document approval is required from FHWA.

Environmental Assessment: An EA is to be prepared by the project sponsor for each proposed action that is not a CE and does not clearly require the preparation of an EIS. An EA may assist in determining if an EIS is needed. Actions require approval from FHWA. Follow the EA process.

Environmental Impact Statement: An EIS is to be prepared by the project sponsor if the proposed action is likely to cause impacts on the environment. Actions require approval from FHWA. Follow the EIS process.

Reviewed & Recommend: _____ Date: _____
(print) *(sign)*

Title: _____

FHWA Concurrence (CE, EA, and EIS only): _____ Date: _____
(print) *(sign)*

Title: _____

PROGRAMMATIC CATEGORICAL EXCLUSION

Wetland Finding- In compliance with Executive Order 11990, “Protection of Wetlands,” and with 23 CFR 771, 23 CFR 777, it is determined that there is no practicable alternative to the proposed new construction in wetlands and that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use.

As a result of environmental review, NDOR finds that this action does not: induce significant impacts to planned growth or land use for the area; require the relocation of significant numbers of people or businesses; have a significant impact on any natural, cultural, recreational, historic or other resource; involve significant air, noise, or water quality impacts; have significant impacts on travel patterns or otherwise, either individually or cumulatively. All other environmental coordination, consultation, and requirements have been satisfied.

NDOR has determined that the proposed action has no significant impacts on the environment and that the proposed action is categorically excluded from the requirement to prepare an EA or EIS under the National Environmental Policy Act (NEPA). NDOR has been assigned and hereby certifies that it has carried out the responsibility to make this determination pursuant to the Programmatic CE Agreement executed between FHWA and NDOR.

Approval By: _____ Date: _____
(print) *(sign)*

Title: _____