

NEPA ASSESSMENT CHECKLIST

(Revised 12-29-03)

Date: July 20, 2010

PIN:

Project Name: Brooklyn Bridge Gateway: Tillary/Adams Street Area Reconstruction

Project Description: The project includes the full street reconstruction of both Tillary Street and portion of Adams Street, which are in poor condition, throughout the project area. In addition, temporary bicycle lanes on Tillary Street would be converted to permanent structures, along with reconstruction of the medians and walkways. Public open space would be added at Cadman Plaza East, adjacent to housing and higher education buildings.

Answer the following questions by checking YES or NO.

I. THRESHOLD QUESTION

1. Does the project involve unusual circumstances as described in 23 CFR ' 771.117(b)? YES NO

If YES, the project does not qualify as a Categorical Exclusion and an EA or EIS is required. You may STOP COMPLETING THE CHECKLIST.

- OR -

If NO, continue...

II. AUTOMATIC CATEGORICAL EXCLUSION

2. Is the project an action listed as an Automatic Categorical Exclusion in 23 CFR ' 771.117(c) (C List) and/or is the project an element-specific project classified by FHWA as a Categorical Exclusion on July 22, 1996? YES NO

If YES to question 2, the project qualifies for a C List Categorical Exclusion, "Automatic Categorical Exclusion". You may STOP COMPLETING THE CHECKLIST. The checklist should be included in the appendix of the Final Design Report (or Project Scoping Report/Final Design Report). The CATEGORICAL EXCLUSION DETERMINATION memo is to be sent to the appropriate Main Office Design liaison unit with a copy of the Final Design Report (or Project Scoping Report/Final Design Report). A copy of the CATEGORICAL EXCLUSION DETERMINATION memo must also be sent to the Office of Budget and Finance, Project and Letting Management, and others (see sample DETERMINATION memo attached).

(Note - Even if YES to question 2, there may be specific environmental issues that still require an action such as an EO 11990 Wetland Finding or a determination of effect on cultural resources. The project is still an Automatic Categorical Exclusion but the necessary action must be taken, such as obtaining FHWA's signature on the wetland finding. Refer to the appropriate section of the Environmental Procedures Manual for guidance.)

-OR-

If NO to question 2 above, continue below...

III. PROGRAMMATIC CATEGORICAL EXCLUSION

3. Is the project on new location or does it involve a change in the functional classification or added mainline capacity (add through-traffic lanes)? **YES** **NO**
Clarification:
4. Is this a Type I project under 23 CFR 772, "Procedures for Abatement of Highway Traffic Noise and Construction"? **YES** **NO**
Clarification:
5. If the project is located within the limits of a designated sole source aquifer area or the associated stream flow source area, is the drainage pattern altered? **YES** **NO**
Clarification:
6. Does the project involve changes in travel patterns? **YES** **NO**
Clarification:
7. Does the project involve the acquisition of more than minor amounts of temporary or permanent right-of-way (a minor amount of right-of-way is defined as not more than 10 percent of a parcel for parcels under 4 ha (10 acres) in size, 0.4 ha (1 acre) of a parcel 4 ha to 40.5 ha (10 to 100 acres) in size and 1 percent of a parcel for parcels greater than 40.5 ha (100 acres) in size? **YES** **NO**
Clarification:
8. Does the project require a Section 4(f) evaluation and determination in accordance with the FHWA guidance? **YES** **NO**
Clarification:
9. Does the project involve commercial or residential displacement? **YES** **NO**
Clarification:
10. If Section 106 applies, does FHWA's determination indicate an opinion of adverse effect? **YES** **NO**
Clarification:
11. Does the project require a ACOE Nationwide Permit #23 – Approved Categorical Exclusion? * **YES** **NO**
Clarification:
12. Does the project require any work in wetlands requiring an "Individual" Executive Order 11990

Wetland Finding?*

YES NO

Clarification:

* Corrections as per memo dated 8/22/96, from M. Sengenberger & M. Ivey to Reg. Environmental Contacts

13. Has it been determined that the project will significantly encroach upon a flood plain based on preliminary hydraulic analysis and consideration of EO 11988 criteria as appropriate?
Clarification: YES NO
14. Does the project involve construction in, across or adjacent to a river designated as a component proposed for or included in the National System of Wild and Scenic Rivers?
Clarification: YES NO
15. Does the project involve any change in access control?
Clarification: YES NO
16. Does the project involve any known hazardous materials sites or previous land uses with potential for hazardous material remains within the right-of-way?
Clarification: YES NO
17. Does the project occur in an area where there are Federally listed endangered or threatened species or critical habitat?
Clarification: YES NO
18. Is the project, pursuant to EPM Chapter 1A and Table 2 and Table 3 of 40 CFR Parts 51 and 93, non-exempt or does it exceed any ambient air quality standard?
Clarification: YES NO
19. Does the project lack consistency with the New York State Coastal Zone Management Plan and policies of the Department of State, Office of Coastal Zone Management?
Clarification: YES NO
20. Does the project impact or acquire any Prime or Unique Farmland as defined in 7 CFR Part 657 of the Federal Farmland Protection Policy Act and

are there outstanding compliance activities necessary? (Note: Interpret compliance activity to mean completion of Form AD 1006.)
Clarification:

YES NO

If **NO** for questions, 3-20, go on to answer question 21...

-OR-

If **YES** to any question 3-20, project will not qualify as a Programmatic Categorical Exclusion. Answer questions 21 and 22 for documentation only and go on to question 23...

21. Does the project involve the use of a temporary road, detour or ramp closure?
Clarification: .

YES NO

If **NO** to questions 3-20 and **NO** to question 21, the project qualifies as a Programmatic Categorical Exclusion. You may **STOP COMPLETING THE CHECKLIST**. The checklist should be included in the appendix of the Final Design Report (or Scope Summary Memorandum/Final Design Report). The CATEGORICAL EXCLUSION DETERMINATION memo is to be sent to the appropriate Main Office Design liaison unit with a copy of the Final Design Report (or Scope Summary Memorandum/Final Design Report). A copy of the Categorical Exclusion memo must also be sent to the Office of Budget and Finance, Project and Letting Management, and others.

-OR-

If **YES** to question 21, preparer should complete question 22 (i-v). If questions 3-20 are **NO** and 21 is **YES**, the project will still qualify as a Programmatic Categorical Exclusion if questions 22 (i-v) are **YES**.

22. Since the project involves the use of temporary road, detour or ramp closure, will all of the following conditions be met:

i. Provisions will be made for pedestrian access, where warranted, and access by local traffic and so posted.
Clarification:

YES NO

ii. Through-traffic dependent business will not be adversely affected.
Clarification:

YES NO

iii. The detour or ramp closure, to the extent possible, will not interfere with any local special event or festival.
Clarification:

YES NO

iv. The temporary road, detour or ramp closure does not substantially change the environmental consequences of the action.

YES NO

Clarification:

- v. There is no substantial controversy associated with the temporary road, detour or ramp closure.

YES NO

Clarification:

If questions 3-20 are **NO**, 21 is **YES** and 22 (i-v) are **YES**, the project qualifies for a Programmatic Categorical Exclusion. You may **STOP COMPLETING THE CHECKLIST**. The checklist should be included in the appendix of the Final Design Report (or Scope Summary Memorandum/Final Design Report). The **CATEGORICAL EXCLUSION DETERMINATION** memo should be sent to the appropriate Main Office Design liaison unit with a copy of the Final Design Report (or Scope Summary Memorandum/Final Design Report.) A copy of the **CATEGORICAL EXCLUSION DETERMINATION** memo must also be sent to the Office of Budget and Finance, Project and Letting Management, and others.

-OR-

If questions 3-20 are **NO** or effect is **clarified**, 21 is **YES** and any part of 22 is **NO**, go on to question 23.

23. Is the project section listed in 23 CFR ' 771.117(d) (D List) or is the project an action similar to those listed in 23 CFR ' 771.117(d)?

YES NO

For those questions which precluded a Programmatic Categorical Exclusion, documentation should be provided for any **YES** response to questions 3-20 or for a **NO** response to any part of questions 22 (i-v). This documentation, as well as the checklist, should be included in the Design Approval Document, i.e., Final Design Report, etc., to be submitted to the Main Office/FHWA Design liaison unit for submission to the FHWA Division for classification of the project as a D List Categorical Exclusion, "Categorical Exclusion with Documentation".

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