

APPENDIX F

NEPA Checklist

BRONX RIVER GREENWAY NEPA ASSESSMENT CHECKLIST

Answer the following questions by checking YES or NO.

I.	THRESHOLD QUESTION	YES	NO
1.	Does the project involve unusual circumstances as described in 23 CFR §771.117(b)?	_____	_____ <u>X</u>

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

- If NO, go on.

II.	AUTOMATIC CATEGORICAL EXCLUSION	YES	NO
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?	_____	_____ <u>X</u>

- If YES to question 2, the project qualifies for a C List 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 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.)

- If NO to question 2, go on.

III.	PROGRAMMATIC CATEGORICAL EXCLUSION	YES	NO
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)?	_____	_____ <u>X</u>
4.	Is this a Type I project under 23 CFR 772, "Procedures for Abatement of Highway Traffic Noise and Construction"?	_____	_____ <u>X</u>
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?	_____	_____ <u>X</u>
6.	Does the project involve changes in travel patterns?	_____	_____ <u>X</u>
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)?	_____	_____ <u>X</u>

	YES	NO
8. Does the project require a Section 4(f) evaluation and determination in accordance with the FHWA guidance?	_____	_____ X
9. Does the project involve commercial or residential displacement? The development of the Proposed Project will require the acquisition and permanent displacement two businesses through New York State Eminent Domain Procedures (Apex Auto and PDJ Simone/ NYC Marshall Impound Lot). See page IV-3 of the DR.	_____ X	_____
10. If Section 106 applies, does FHWA's determination indicate an opinion of adverse effect?	_____	_____ X
11. Does the project involve any work in wetlands requiring a Nationwide Wetland Permit #23?	_____	_____ X
12. Does the project involve any work in wetlands requiring an individual Executive Order 11990 Wetland Finding? See page IV-6 of the DR.	_____ X	_____
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?	_____	_____ X
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?	_____	_____ X
15. Does the project involve any change in access control?	_____	_____ X
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? See Pages IV-11 and IV-12 of the DR.	_____ X	_____
17. Does the project occur in an area where there are Federally listed endangered or threatened species or critical habitat?	_____	_____ X
18. Is the project, pursuant to EPM Chapter IA and Table 2 and Table 3 of 40 CFR Parts 51 and 93, non-exempt or does it exceed any ambient air quality standard?	_____	_____ X
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?	_____	_____ X
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? (<u>Note</u> : Interpret compliance activity to mean completion of Form AD 1006.)	_____	_____ X

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

● 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? **YES** **NO**
 _____ X

● 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 (see sample DETERMINATION memo attached).

● 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: **YES** **NO**

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

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

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

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

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

● 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 (see sample DETERMINATION memo attached).

● If questions 3-20 are NO, 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**
 _____ X

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.