

CATEGORICAL EXCLUSION DETERMINATION CHECKLIST

(See Detailed Instructions for information on how to fill out this checklist.)

State Project # (Design): _____	State Project # (Construction): _____
Federal-aid Project # : _____	Route/Road: _____
Project Manager: _____	Town/City: _____
P.M. Telephone Number: _____	Project Engineer: _____
P.M. Email: _____	P.E. Telephone Number: _____
	P.E. Email: _____

Project Name: _____

Purpose and Description of Project (**an attachment is acceptable**):

New Categorical Exclusion (CE) or Re-Evaluation?

This is a new CE – Project does not have a previously approved CE.

This project has a previously approved CE and requires a written Re-Evaluation due to (check one)¹:

Time - Approval date of CE is more than three (3) years prior to the current date and no major steps to advance the project have occurred during this time. There has been no change in scope or project limits.

There has been a change in project scope, unforeseen conditions, or change in laws/regulations since the project’s previous Cat Ex approval by either FHWA or CTDOT.

Other reason: _____

Previous CE(s) approval date(s): _____

¹ By checking this box, signatories acknowledge, in accordance with 23 CFR 771.129, that CTDOT is responsible for re-evaluating its determinations and certifications for CE Projects prior to requesting any major approvals or grants from FHWA. CTDOT may elect to prepare a written re-evaluation any time a re-evaluation is required, and, in accordance with the FHWA/CTDOT Programmatic Agreement, a written re-evaluation must be completed in specific circumstances.

Part 1: Automatic CE Actions: This section will determine if the project proposes an action that normally qualifies for a Categorical Exclusion listed in 23 CFR §771.117(c). Please check the **one** category below that best applies to the **PRIMARY PURPOSE** of your project to determine if the project qualifies as an Automatic CE.

c(1)	This is an activity that does not involve or lead directly to construction	
c(2)	Approval of utility installations (not requiring exceptions under the CTDOT Utility Accommodation Plan) along or across a transportation facility	
c(3)	Construction of bicycle and pedestrian lanes, paths and facilities	
c(4)	An activity included in CTDOT's "Highway Safety Plan" that is funded by Highway Related Safety Grants (402 Safety Program)	
c(5)	The 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 FHWA review under NEPA	
c(6)	Installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction	
c(7)	Landscaping	
c(8)	Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, or railroad warning devices where no substantial land acquisition or traffic disruption will occur	
c(9)	Emergency repairs under the Emergency Relief Program ¹	
c(10)	Acquisition of scenic easements	
c(11)	Determination of payback for property previously acquired with Federal-aid participation	
c(12)	Improvements to existing rest areas and truck weight stations	
c(13)	Ridesharing activities	
c(14)	Bus or rail car rehabilitation	
c(15)	Alterations to facilities or vehicles in order to make them accessible to elderly and handicapped persons	
c(16)	Program administration, technical assistance, or operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand	
c(17)	The purchase of vehicles where their use can be accommodated by existing facilities or by new facilities that themselves are within a CE	
c(18)	Track or rail bed maintenance or improvements carried out within the existing right-of-way	
c(19)	Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site	
c(20)	N/A	

¹ The following actions for transportation facilities damaged by an incident resulting in an emergency declaration 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): a) Emergency repairs under 23 U.S.C §125; and, b) 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: i) 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, ii) is commenced within a 2-year period beginning on the date of the declaration.

c(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.	
c(22)	The project takes place entirely within the existing operational right-of-way? ¹	
c(23)	The project has limited Federal assistance ² , in that it either (select one): receives less than the specified limit of Federal funds, adjusted annually (~\$7.1 million in FFY 2025); or, is a project with a total estimated cost of not above the annually adjusted limit (~\$41.6 million in FFY 2025), and Federal funds comprising less than 15 percent of the total estimated cost. See footnote for link to annually updated numbers.	
c(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	
c(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 U.S.C. 1341; 1342)) carried out to address water pollution or environmental degradation	

¹ Existing operational right-of-way means all real property interests acquired for the construction, operation, or mitigation of a project. This area includes the features associated with the physical footprint of the project including but not limited to roadway, bridges, interchanges, culverts, drainage, clear zone, traffic control signage, landscaping, and any rest areas with direct access to a controlled access highway. This also includes fixed guideways, mitigation areas, areas maintained or used for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transportation power substations, transportation venting structures, and transportation maintenance facilities.

² Dollar amounts are adjusted annually. When c(23) is selected, attach documentation indicating the annual figures used and total Federal funds, or the Total project cost and Federal percentage, as appropriate. Updates are posted at: https://www.environment.fhwa.dot.gov/legislation/authorizations/iija/iija_guidance.aspx

Please Note - Actions described in items c(26), c(27), and c(28) below may not be processed as Automatic CE's if they involve:

- An acquisition (permanent) of more than 10% or greater of any one parcel of right-of-way or that would result in any residential or non-residential displacements.
- An action that needs a bridge permit (individual) from the U.S. Coast Guard, or an action that does not meet the terms and conditions of a U.S. 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 U.S.C. 138 or 49 U.S.C. 303 (Section 4(f)) except for actions resulting in de minimis impacts; or a finding of “may affect, likely to adversely affect” threatened or endangered species or “adverse modification” to critical habitat under the Endangered Species Act.
- Construction of temporary access or the closure of any existing road, bridge, or ramps that would result in major traffic disruptions.
- Changes in access control on an interstate highway.
- A floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths); or construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers.

If the project involves one or more of the conditions noted above, do not select c(26), c(27), or c(28). Please refer to Part 2 as the project may qualify as a Programmatic CE under d(13). Proceed to c(29).

c(26)	Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (e.g. parking, weaving, turning, climbing)	
c(27)	Any highway safety or traffic operations improvement project, including the installation of ramp metering control devices and lighting	
c(28)	Bridge rehabilitation, reconstruction or replacement, or the construction of grade separation to replace existing at-grade railroad crossings	
c(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.	
c(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.)	

If any of the Categorical Exclusions listed in Part 1 above is checked, please proceed to Part 3 (conditions section) and Part 4 (unusual circumstances section) to determine if your project qualifies as an Automatic CE or an Individual CE. If none of the Categorical Exclusions listed above in Part I apply please continue to Part 2 below – Programmatic CE Actions.

Part 2: Programmatic CE Actions: This section will determine if the project proposes an action that normally qualifies for a Categorical Exclusion listed in 23 CFR §771.117(d). If no project type has been selected from Part 1 (c) list above, please select from the list below, **the one** category that best applies to the **PRIMARY PURPOSE** of your project to determine if project qualifies as a Programmatic CE.

d(4)	Transportation corridor fringe parking facilities	
d(5)	Construction of new truck weigh stations or rest areas	
d(6)	Approvals for disposal of excess right-of-way or for joint or limited use of right-of-way, where the proposed use does not have significant adverse impacts	
d(7)	Approvals for changes in access control	
d(8)	Construction of new bus storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and located on or near a street with adequate capacity to handle anticipated bus and support vehicle traffic	
d(9)	Rehabilitation or reconstruction of existing rail and bus buildings and ancillary facilities where only minor amounts of additional land are required and there is not a substantial increase in the number of users	
d(10)	Construction of bus transfer facilities (an open area consisting of passenger shelters, boarding areas, kiosks, and related street improvements) when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic	
d(11)	Construction of rail storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and where there is no significant noise impact on the surrounding community	
d(12)	Acquisition of land for hardship ¹ or protective ² purposes? Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed for the project action	

¹ Hardship acquisition is early acquisition of property by the applicant at the property owner's request to alleviate particular hardship to the owner, in contrast to others, because of an inability to sell his property. This is justified when the property owner can document on the basis of health, safety or financial reasons that remaining in the property poses an undue hardship compared to others.

² Protective acquisition is done to prevent imminent development of a parcel which may be needed for a proposed transportation corridor or site. Documentation must clearly demonstrate that development of the land would preclude future transportation use and that such development is imminent. Advance acquisition is not permitted for the sole purpose of reducing the cost of property for a proposed project.

d(13)	<p>An action described in either c(26), c(27), or c(28) from Part 1 above, and involves one or more of the following:</p> <ul style="list-style-type: none">•An acquisition (permanent) of more than 10% or greater of any one parcel of right-of-way or that would result in any residential or non-residential displacements.•An action that needs a bridge permit (individual) from the U.S. Coast Guard, or an action that does not meet the terms and conditions of a U.S. 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 U.S.C. 138 or 49 U.S.C. 303 (Section 4(f)) except for actions resulting in de minimis impacts; or a finding of “may affect, likely to adversely affect” threatened or endangered species or “adverse modification” to critical habitat under the Endangered Species Act.•Construction of temporary access or the closure of any existing road, bridge, or ramps that would result in major traffic disruptions.•Changes in access control on an interstate highway.•A floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths); or construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers.	
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If any of the Categorical Exclusions listed in Part 2 above is checked, please proceed to Part 3 (conditions section) and Part 4 (unusual circumstances section) to determine if your project qualifies as a Programmatic CE or an Individual CE.

Part 3: Conditions for Automatic and Programmatic Categorical Exclusions: For a project to be an Automatic CE or Programmatic CE, **none** of these conditions can be present. Please check any of the below conditions that apply to the project.

1.	<p>Public Involvement – The public involvement process generated substantial public controversy surrounding the project for any reason, including those based on environmental grounds or due to the proposed use of any temporary road, detour or ramp closure?</p>	
2.	<p>Right-of-Way Actions - The project involves one or more of the following (check all that apply):</p> <p><u>Acquisition</u> – acquisition of more than minor amounts of right of way. <u>See note below</u>; or,</p> <p><u>Displacements/Relocations</u> – acquisition which results in any residential or non-residential relocations; or,</p> <p><u>Early Acquisition</u> - acquisition of land for hardship or protective purposes, or early acquisition pursuant to an Early Acquisition project (23 USC 108, 23 CFR 710); or,</p> <p><u>Interstate Right of Way</u> - Involves changes in access control, use, occupancy, or disposal of any portion of the Interstate right-of-way.</p> <p>Please note that determinations regarding whether the amount of acquisition qualifies as minor should involve consultation with staff in CTDOT’s ROW and OEP sections. Considerations will include, but may not be limited to, the context and intensity of the impact, the size of the parcel, and the effect on the parcel's function. If a project requires permanent ROW that equals 10% or greater from any single parcel, the project design team MUST coordinate with OEP to determine if said ROW is considered more than minor. Any permanent right of way less than 10% of a single parcel or temporary ROW of any size does not require additional coordination with OEP.</p>	
3.	<p>Historic Properties (Section 106) – The project includes an “Adverse Effect” finding that cannot be resolved via an agreeable Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA); or proposes an Adverse Effect on a National Historic Landmark (NHL).</p>	
4.	<p>Section 4(f) – The project requires the completion of an Individual Section 4(f) Evaluation due to the use of properties protected by Section 4(f) of the USDOT Act of 1966.. Please note that Section 4(f) exceptions, Programmatic Evaluations, or de minimis use determinations DO NOT trigger a CE-I and DO NOT require checking this box.</p>	
5.	<p>Section 6(f) – The project requires the permanent conversion of properties protected by Section 6(f) of the Land and Water Conservation Fund Act.</p>	
6.	<p>US Army Corps. Of Engineers (USACE) Section 404 Individual Permit – The project anticipates the need for an USACE Section 404 and/or Section 10 Individual Permit and does not have an Agency Coordination Plan approved by FHWA.</p>	
7.	<p>U.S. Coast Guard Bridge Permit – The project requires a U.S. Coast Guard Bridge Permit which will result in a required map change, allow a significant change in vessel traffic, or anticipates any complete closure of a navigational channel during construction.</p>	
8.	<p>100-year Floodplain or Floodways – The project proposes “significant encroachment” (as defined in 23 CFR 650.105) on a floodplain (100-year flood).</p>	

9.	Noise – The project is a Type I project per the Federal noise regulations (23 CFR Part 772), and a noise analysis has concluded that a noise impact exists in the built condition for which mitigation found to be both feasible and reasonable is NOT being provided.	
10.	Federally Protected Species – The project is reviewed by US Fish & Wildlife Service, and National Marine Fisheries Service when applicable, and the those services have indicated that the action has the potential to jeopardize the continued existence of any listed species or has the potential to result in the destruction or adverse modification of critical habitat that has been designated under the ESA.	
11.	Air Quality and Project Level Conformity – The project is not exempt from conformity; and , The project is not in a currently approved Statewide Transportation Improvement Program (STIP) and conforming Transportation Improvement Program (TIP); or A Project Level Analysis was required and has resulted in the potential for the project to contribute additional pollutants at any new or revised signalized intersections.	
12.	Sole Source Aquifers – The project is located within a Sole Source Aquifer, is of the type requiring review by United States Environmental Protection Agency (USEPA) and has not received a favorable response from USEPA’s review of a required submission.	
13.	Other – The project exceeds another “Unusual Circumstance” threshold identified in the Environmental Review.	

➤ **If ANY of the conditions in Part 3 (1 to 13) apply, the project does not qualify as an Automatic or Programmatic CE. An Individual CE approval from FHWA is required.**

▪ **See DETAILED INSTRUCTIONS for the preparation of an Individual CE.**

Part 4: Unusual Circumstances Review

FHWA regulation 23 CFR 771.117(b) provides that any action which normally would be classified as a CE but could involve unusual circumstances requires the Department to conduct appropriate environmental studies to determine if the CE classification is proper. Unusual circumstances include actions that involve:

- 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; or
- Inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the action.

All of the above unusual circumstances have been considered in conjunction with this project.

(Please select one of the following):

Checking this box certifies that **none of the above unusual circumstances are present** and that the project qualifies for a Categorical Exclusion.

Checking this box certifies that unusual circumstances **are involved**. However, the appropriate studies/analysis have been completed, and it has been determined that significant impacts will be avoided, therefore the CE classification is still appropriate.

State Project Number:

This project qualifies for the following type of Categorical Exclusion:

Automatic CE _____

Programmatic CE _____

Individual CE _____

CTDOT has determined that this project does not involve a significant impact on the environment as defined by NEPA, or involve a significant impact resulting from unusual circumstances as defined in 23 CFR §771.117(b) and is excluded from the requirements to prepare an EA or EIS. CTDOT further certifies that all other environmental requirements, such as Air Quality, Historic Preservation (Section 106), Section 4(f), etc., to the extent such requirements apply to this project, also have been satisfied. CTDOT will keep within its project records the documentation to justify support for this Automatic or Programmatic Categorical Exclusion.

Prepared by:

_____ Project Engineer Date _____

Reviewed by:

_____ Project Manager Date _____

CE Approval
Recommended by:

_____ Principal Engineer Date _____

Automatic or
Programmatic CE
Approved by:

_____ Division Chief Date _____

OR

Individual CE
Recommended for
FHWA Approval by:

_____ Assistant Director – Office of Env. Planning Date _____

State Project Number:

The following items **must** be included in the CE documentation, regardless of the type of CE:

	Environmental Review and Request Forms (refer to Detailed Instructions for Question #1)
	Completed CE Determination Checklist
	Project Description (if not described in CE Determination Checklist)
	Project Location Map
	Appropriate Sheets from Design Plan depicting Proposed Action, if applicable
	Tribal Consultation Coordination (Tribal or FHWA correspondence)
	Section 106 Coordination (OEP or SHPO correspondence)
	Public Involvement Documentation
For Individual CEs, include supporting documentation for the specific "Conditions not met for an Automatic or Programmatic CE" in Part 3 (Conditions 1-13). Use DETAILED INSTRUCTIONS (next section) for additional information on documentation required for these specific conditions.	