

NOTICE OF PROPOSED GUIDANCE DOCUMENT

DTIMBOA6

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on DTIMBOA6, a proposed guidance document.

PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION

Comments may be submitted to the Wisconsin Department of Transportation for 21 days by:

1. Department's website: <https://appengine.egov.com/apps/wi/dot/guidance-docs?guidDocId=DTIMBOA6>

2. Mailing written comments to:

Division of Transportation Investment Management
Wisconsin Department of Transportation
4822 Madison Yards Way
PO Box 7913
Madison, WI 53707-7913

WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT

The final version of this guidance document will be posted at wisconsin.dot.gov to allow for ongoing comment.

AGENCY CONTACT

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APPENDIX A. DOCUMENTED CATEX

Airport sponsors may use this form for projects eligible for a categorical exclusion (CATEX) that have greater potential for extraordinary circumstances or that otherwise require additional documentation, as described in the Environmental Orders (FAA Order 1050.1F and FAA Order 5050.4B).

To request a CATEX determination from the FAA, the sponsor should review potentially affected environmental resources, review the requirements of the applicable special purpose laws, and **consult with the Airports District Office or Regional Airports Division Office staff** about the type of information needed. The form and supporting documentation should be completed in accordance with the provisions of FAA Order 5050.4B, paragraph 302b, and submitted to the appropriate FAA Airports District/Division Office. The CATEX cannot be approved until all information/documentation is received and all requirements have been fulfilled.

Name of Airport, LOC ID, and location:

Project Title:

Give a brief, but complete description of the proposed project, including all project components, justification, estimated start date, and duration of the project. Include connected actions necessary to implement the proposed project (including but not limited to moving NAVAIDs, change in flight procedures, haul routes, new material or expanded material sources, staging or disposal areas). Attach a sketch or plan of the proposed project. Photos can also be helpful.

Give a brief, but complete, description of the proposed project area. Include any unique or natural features within or surrounding airport property.

Identify the appropriate CATEX paragraph(s) from Order 1050.1F (paragraph 5-6.1 through 5-6.6) or 5050.4B (Tables 6-1 and 6-2) that apply to the project. Describe if the project differs in any way from the specific language of the CATEX or examples given as described in the Order.

The circumstances one must consider when documenting a CATEX are listed below along with each of the impact categories related to the circumstance. Use FAA Environmental Orders 1050.1F, 5050.4B, and the Desk Reference for Airports Actions, as well as other guidance documents to assist you in determining what information needs to be provided about these resource topics to address potential impacts. Keep in mind that both construction and operational impacts must be included. Indicate whether or not there would be any effects under the particular resource topic and, **if needed**, cite available references to support these conclusions. Additional analyses and inventories can be attached or cited as needed.

5-2.b(1) National Historic Preservation Act (NHPA) resources

	YES	NO
Are there historic/cultural resources listed (or eligible for listing) on the National Register of Historic Places located in the Area of Potential Effect? If yes, provide a record of the historic and/or cultural resources located therein and check with your local Airports Division/District Office to determine if a Section 106 finding is required.	<input type="checkbox"/>	<input type="checkbox"/>
Does the project have the potential to cause effects? If yes, describe the nature and extent of the effects.	<input type="checkbox"/>	<input type="checkbox"/>
Is the project area undisturbed? If not, provide information on the prior disturbance (including type and depth of disturbance, if available)	<input type="checkbox"/>	<input type="checkbox"/>
Will the project impact tribal land or land of interest to tribes? If yes, describe the nature and extent of the effects and provide information on the tribe affected. Consultation with their THPO or a tribal representative along with the SHPO may be required.	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b(2) Department of Transportation Act Section 4(f) and 6(f) resources

	YES	NO
Are there any properties protected under Section 4(f) (as defined by FAA Order 1050.1F) in or near the project area? This includes publicly owned parks, recreation areas, and wildlife or waterfowl refuges of national, state or local significance or land from a historic site of national, state or local significance.	<input type="checkbox"/>	<input type="checkbox"/>
Will project construction or operation physically or constructively “use” any Section 4(f) resource? If yes, describe the nature and extent of the use and/or impacts, and why there are no prudent and feasible alternatives. See 5050.4B Desk Reference Chapter 7.	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
Will the project affect any recreational or park land purchased with Section 6(f) Land and Water Conservation Funds? If so, please explain, if there will be impacts to those properties.	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b(3) Threatened or Endangered Species

	YES	NO
Are there any federal or state listed endangered, threatened, or candidate species or designated critical habitat in or near the project area? This includes species protected by individual statute, such as the Bald Eagle.	<input type="checkbox"/>	<input type="checkbox"/>
Does the project affect or have the potential to affect, directly or indirectly, any federal or state-listed, threatened, endangered or candidate species, or designated habitat under the Endangered Species Act? If yes, Section 7 consultation between the FAA and the US Fish & Wildlife Service, National Marine Fisheries Service, and/or the appropriate state agency will be necessary. Provide a description of the impacts and how impacts will be avoided, minimized, or mitigated. Provide the Biological Assessment and Biological Opinion, if required.	<input type="checkbox"/>	<input type="checkbox"/>
Does the project have the potential to take birds protected by the Migratory Bird Treaty Act? Describe steps to avoid, minimize, or mitigate impacts (such as timing windows determined in consultation with the US Fish & Wildlife Service).	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b (4) Other Resources

Items to consider include:

a. Fish and Wildlife Coordination Act	YES	NO
Does the project area contain resources protected by the Fish and Wildlife Coordination Act? If yes, describe any impacts and steps taken to avoid, minimize, or mitigate impacts.	<input type="checkbox"/>	<input type="checkbox"/>
b. Wetlands and Other Waters of the U.S.	YES	NO
Are there any wetlands or other waters of the U.S. in or near the project area?	<input type="checkbox"/>	<input type="checkbox"/>
Has wetland delineation been completed within the proposed project area? If yes, please provide U.S. Army Corps of Engineers (USACE) correspondence and jurisdictional determination. If delineation was not completed, was a field check done to confirm the presence/absence of wetlands or other waters of the U.S.? If no to both, please explain what methods were used to determine the presence/absence of wetlands.	<input type="checkbox"/>	<input type="checkbox"/>
If wetlands are present, will the project result in impacts, directly or indirectly (including tree clearing)? Describe any steps taken to avoid, minimize or mitigate the impact.	<input type="checkbox"/>	<input type="checkbox"/>
Is a USACE Clean Water Act Section 404 permit required? If yes, does the project fall within the parameters of a general permit? If so, which general permit?	<input type="checkbox"/>	<input type="checkbox"/>
c. Floodplains	YES	NO
Will the project be located in, encroach upon or otherwise impact a floodplain? If yes, describe impacts and any agency coordination or public review completed including coordination with the local floodplain administrator. Attach the FEMA map if applicable and any documentation.	<input type="checkbox"/>	<input type="checkbox"/>

d. Coastal Resources	YES	NO
Will the project occur in or impact a coastal zone as defined by the State’s Coastal Zone Management Plan? If yes, discuss the project’s consistency with the State’s CZMP. Attach the consistency determination if applicable.	<input type="checkbox"/>	<input type="checkbox"/>
Will the project occur in or impact the Coastal Barrier Resource System as defined by the US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>
e. National Marine Sanctuaries	YES	NO
Is a National Marine Sanctuary located in the project area? If yes, discuss the potential for the project to impact that resource.	<input type="checkbox"/>	<input type="checkbox"/>
f. Wilderness Areas	YES	NO
Is a Wilderness Area located in the project area? If yes, discuss the potential for the project to impact that resource.	<input type="checkbox"/>	<input type="checkbox"/>
g. Farmland	YES	NO
Is there prime, unique, state, or locally important farmland in/near the project area? Describe any significant impacts from the project.	<input type="checkbox"/>	<input type="checkbox"/>
Does the project include the acquisition and conversion of farmland? If farmland will be converted, describe coordination with the US Natural Resources Conservation and attach the completed Form AD-1006.	<input type="checkbox"/>	<input type="checkbox"/>

h. Energy Supply and Natural Resources	YES	NO
Will the project change energy requirements or use consumable natural resources either during construction or during operations?	<input type="checkbox"/>	<input type="checkbox"/>
Will the project change aircraft/vehicle traffic patterns that could alter fuel usage either during construction or operations?	<input type="checkbox"/>	<input type="checkbox"/>
i. Wild and Scenic Rivers	YES	NO
Is there a river on the Nationwide Rivers Inventory, a designated river in the National System, or river under State jurisdiction (including study or eligible segments) near the project?	<input type="checkbox"/>	<input type="checkbox"/>
Will the project directly or indirectly affect the river or an area within ¼ mile of its ordinary high water mark?	<input type="checkbox"/>	<input type="checkbox"/>
j. Solid Waste Management	YES	NO
Does the project (either the construction activity or the completed, operational facility) have the potential to generate significant levels of solid waste? If so, discuss how these will be managed.	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b(5) Disruption of an Established Community

	YES	NO
Will the project disrupt a community, planned development or be inconsistent with plans or goals of the community?	<input type="checkbox"/>	<input type="checkbox"/>
Are residents or businesses being relocated as part of the project?	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b(6) Environmental Justice

	YES	NO
Are there minority and/or low-income populations in/near the project area?	<input type="checkbox"/>	<input type="checkbox"/>
Will the project cause any disproportionately high and adverse impacts to minority and/or low-income populations? Attach census data if warranted.	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b(7) Surface Transportation

	YES	NO
Will the project cause a significant increase in surface traffic congestion or cause a degradation of level of service provided?	<input type="checkbox"/>	<input type="checkbox"/>
Will the project require a permanent road relocation or closure? If yes, describe the nature and extent of the relocation or closure and indicate if coordination with the agency responsible for the road and emergency services has occurred.	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b(8) Noise

	YES	NO
Will the project result in an increase in aircraft operations, nighttime operations, or change aircraft fleet mix?	<input type="checkbox"/>	<input type="checkbox"/>
Will the project cause a change in airfield configuration, runway use, or flight patterns either during construction or after the project is implemented?	<input type="checkbox"/>	<input type="checkbox"/>
Does the forecast exceed 90,000 annual propeller operations, 700 annual jet operations or 10 daily helicopter operations or a combination of the above? If yes, a noise analysis may be required if the project would result in a change in operations.	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
Has a noise analysis been conducted, including but not limited to generated noise contours, a specific point analysis, area equivalent method analysis, or other screening method. If yes, provide that documentation.	<input type="checkbox"/>	<input type="checkbox"/>
Could the project have a significant impact (DNL 1.5 dB or greater increase) on noise levels over noise sensitive areas within the 65+ DNL noise contour?	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b(9) Air Quality

	YES	NO
Is the project located in a Clean Air Act non-attainment or maintenance area?	<input type="checkbox"/>	<input type="checkbox"/>
If yes, is it listed as exempt, presumed to conform or will emissions (including construction emissions) from the project be below <i>de minimis</i> levels (provide the paragraph citation for the exemption or presumed to conform list below, if applicable) Is the project accounted for in the State Implementation Plan or specifically exempted? Attach documentation.	<input type="checkbox"/>	<input type="checkbox"/>
Does the project have the potential to increase landside or airside capacity, including an increase of surface vehicles?	<input type="checkbox"/>	<input type="checkbox"/>
Could the project impact air quality or violate local, State, Tribal or Federal air quality standards under the Clean Air Act Amendments of 1990 either during construction or operations?	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b (10) Water Quality

	YES	NO
Are there water resources within or near the project area? These include groundwater, surface water (lakes, rivers, etc.), sole source aquifers, and public water supply. If yes, provide a description of the resource, including the location (distance from project site, etc.).	<input type="checkbox"/>	<input type="checkbox"/>
Will the project impact any of the identified water resources either during construction or operations? Describe any steps that will be taken to protect water resources during and after construction.	<input type="checkbox"/>	<input type="checkbox"/>
Will the project increase the amount or rate of stormwater runoff either during construction or during operations? Describe any steps that will be taken to ensure it will not impact water quality.	<input type="checkbox"/>	<input type="checkbox"/>
Does the project have the potential to violate federal, state, tribal or local water quality standards established under the Clean Water and Safe Drinking Water Acts?	<input type="checkbox"/>	<input type="checkbox"/>
Are any water quality related permits required? If yes, list the appropriate permits.	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b(11) Highly Controversial on Environmental Grounds

	YES	NO
Is the project highly controversial? The term “highly controversial” means a substantial dispute exists as to the size, nature, or effect of a proposed federal action. The effects of an action are considered highly controversial when reasonable disagreement exists over the project’s risks of causing environmental harm. Mere opposition to a project is not sufficient to be considered highly controversial on environmental grounds. Opposition on environmental grounds by a federal, state, or local government agency or by a tribe or a substantial number of the persons affected by the action should be considered in determining whether or not reasonable disagreement exists regarding the effects of a proposed action.	<input type="checkbox"/>	<input type="checkbox"/>

5-2.b(12) Inconsistent with Federal, State, Tribal or Local Law

	YES	NO
Will the project be inconsistent with plans, goals, policy, zoning, or local controls that have been adopted for the area in which the airport is located?	<input type="checkbox"/>	<input type="checkbox"/>
Is the project incompatible with surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>

5-2 .b (13) Light Emissions, Visual Effects, and Hazardous Materials

a. Light Emissions and Visual Effects	YES	NO
Will the proposed project produce light emission impacts?	<input type="checkbox"/>	<input type="checkbox"/>
Will there be visual or aesthetic impacts as a result of the proposed project and/or have there been concerns expressed about visual/aesthetic impacts?	<input type="checkbox"/>	<input type="checkbox"/>
b. Hazardous Materials	YES	NO
Does the project involve or affect hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>
Will construction take place in an area that contains or previously contained hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>
If the project involves land acquisition, is there a potential for this land to contain hazardous materials or contaminants?	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposed project produce hazardous and/or solid waste either during construction or after? If yes, how will the additional waste be handled?	<input type="checkbox"/>	<input type="checkbox"/>

5-2 .b (14) Public Involvement

	YES	NO
Was there any public notification or involvement? If yes, provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>

5-2 .b (15) Indirect/Secondary/Induced Impacts

	YES	NO
Will the project result in indirect/secondary/induced impacts?	<input type="checkbox"/>	<input type="checkbox"/>
When considered with other past, present, and reasonably foreseeable future projects, on or off airport property and regardless of funding source, would the proposed project result in a significant cumulative impact?	<input type="checkbox"/>	<input type="checkbox"/>

Permits

List any permits required for the proposed project that have not been previously discussed. Provide details on the status of permits.

Environmental Commitments

List all measures and commitments made to avoid, minimize, mitigate, and compensate for impacts on the environment, which are needed for this project to qualify for a CATEX.

Preparer Information

Point of Contact:		
Address:		
City:	State:	Zip Code:
Phone:	Email Address:	

Signature: _____ Date: _____

Airport Sponsor Information and Certification (may not be delegated to consultant)

Provide contact information for the designated sponsor point of contact and any other individuals requiring notification of the FAA decision.

Point of Contact:		
Address:		
City:	State:	Zip Code:
Phone Number:	Email Address:	
Additional Name(s):	Additional Email Address(es):	

I certify that the information I have provided above is, to the best of my knowledge, correct. I also recognize and agree that no construction activity, including but not limited to site preparation, demolition, or land disturbance, shall proceed for the above proposed project(s) until FAA issues a final environmental decision for the proposed project(s) and until compliance with all other applicable FAA approval actions (e.g., ALP approval, airspace approval, grant approval) has occurred.

Signature: _____ Date: _____

FAA Decision

Having reviewed the above information, it is the FAA’s decision that the proposed project (s) or development warrants environmental processing as indicated below.

Name of Airport, LOC ID, and location:

Project Title:

- No further NEPA review required. Project is categorically excluded per (cite applicable 1050.1.F CATEX that applies:)
- ..An Environmental Assessment (EA) is required.
- ..An Environmental Impact Statement (EIS) is required.
- ..The following additional documentation is necessary for FAA to perform a complete environmental evaluation of the proposed project.

Name:

Title:

Responsible FAA Official

Signature: _____

Date: