

Appendix B

Draft Categorical Exclusion Worksheets

FRA Categorical Exclusion Worksheet

Expiration 10/31/2021

OMB No. 2130-0615

Public reporting burden for this information collection is estimated to average 156 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. According to the Paperwork Reduction Act of 1995, a federal agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for this information collection is 2130-0615. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection, including suggestions for reducing this burden to: Information Collection Officer, Federal Railroad Administration, 1200 New Jersey Ave., S.E., Washington D.C. 20590.

Federal Railroad Administration (FRA) CATEGORICAL EXCLUSION WORKSHEET

For Agency Use: Categorical Exclusion Signature Approval	
Date of Class of Action Determined by FRA:	
Date Completed Document was Received by FRA:	
Reviewed By:	
Date:	
Concurrence by Approving Official:	Date:

For Agency Use: Section 4(f) Evaluation	
Will the Project result in the use of a resource protected by 49 U.S.C. §303 [Section 4(f)] of the Department of Transportation Act of 1966? <i>If answer 'YES,' please include Section 4(f) documentation, and coordination letters.</i>	
<input type="checkbox"/> YES	<input type="checkbox"/> NO

For Agency Use: FRA Required Mitigation	
Does FRA require additional mitigation for this Project? <i>If answer 'YES,' please indicate additional mitigation in Section V below.</i>	
<input type="checkbox"/> YES	<input type="checkbox"/> NO

Federal Railroad Administration (FRA)
CATEGORICAL EXCLUSION WORKSHEET

The purpose of this worksheet is to assist Project Sponsors in gathering and organizing materials for environmental analysis required under the National Environmental Policy Act (NEPA), particularly for projects that may qualify as Categorical Exclusions (CE). CEs are categories of actions (i.e. types of projects) that the FRA has determined, based on its experience, typically do not individually or cumulatively have a significant effect on the human environment and which generally do not require the preparation of either an environmental impact statement (EIS) or an environmental assessment (EA). Decisions to prepare EAs and EISs are made by FRA.

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Instructions for completing this CE worksheet are available on the FRA website at: <https://www.fra.dot.gov/Page/P0550>. Please complete and submit the completed form in **MS Word** electronic format.

Submit the following documents along with this worksheet:

1. Map(s) or diagram(s) of the Project area that identify locations of critical resource areas, wetlands, potential historic sites, or sensitive noise receptors such as schools, hospitals, and residences.
2. Map(s) or diagram(s) of the proposed modifications to existing railways, roadways, and parking facilities.
3. Copies of all agency correspondence particularly with permitting agencies.
4. Representative photographs of the Project area.
5. Any technical memoranda or report(s) developed to support this CE worksheet.

I. PROJECT DESCRIPTION

Project Sponsor Name Michigan Department of Transportation Office of Rail	Date Submitted to FRA June 19, 2020	FRA Funding Program or other FRA Action Triggering NEPA (Unfunded) FY 2020 Consolidated Rail Infrastructure and Safety Improvement grant application
Project Sponsor Contact Rob Lippert	Project Sponsor Phone 517-230-4839	Project Sponsor E-mail address lippertR@michigan.gov
Proposed Project Title (verify with FRA Regional Manager if part of a grant award, list grant award number) Trespass Prevention and Pedestrian Safety Enhancements on the Michigan Line		
Location (Include Street Address, City or Township, County, and State) The MDOT-owned portion of the Michigan Line corridor, including, but not limited to, the cities of Dearborn, Inkster, Wayne, Canton, Ypsilanti, Ann Arbor, Chelsea, Jackson, Parma, Albion, Marshall, Battle Creek, Augusta, Galesburg, and Kalamazoo, Michigan.		

FRA NEPA Contact Peter Williams	FRA NEPA Contact 312-634-6218	FRA NEPA Contact E-mail address pwilliams@quandel.com
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Description of Project:

Fully describe the Project. The description should focus on Project elements that may be of environmental concern, such as: *widening an embankment to stabilize roadbed; repairing or replacing bridge pier foundations, extending culverts, adding rip-rap in a waterway; earthwork and altering natural (existing) drainage patterns and creating a new water discharge; contaminated water needing treatment; building a new or adding on to a shop building; fueling or collection of fuel or oil and contaminated water; building or extending a siding; and building or adding on to a yard. Where applicable fully describe the operational characteristics of the facility to be improved by the Project and any anticipated operational changes that may result.*

This Project proposes infrastructure improvements designed to prevent pedestrian trespassing at "hotspot" locations along the Michigan Line. Through the installation of right-of-way fencing and tree clearing, MDOT will deter trespassing along their right-of-way. These improvements are proposed where trains travel faster than 90 mph and additional fencing and pedestrian safety enhancements are proposed at select grade crossings in high-foot-traffic areas to safely route pedestrians to cross the tracks. "Hotspot" locations are found in downtown Dearborn, Eastern Michigan University (Ypsilanti), the University of Michigan Hospital in Ann Arbor, Albion College, Augusta, Galesburg and downtown Kalamazoo.

Purpose and Need of Project:

Installing fence and other safety improvements on the railroad right-of-way to improve pedestrian safety and deter trespassers. From 2016-2019, 12 trespassers or pedestrians were struck by Amtrak trains in the corridor. There were also many more near-misses where strikes almost occurred but did not. Each of these strikes and near-misses are potential fatalities. The project will address the locations of 10 of such strikes as well as 18 of the 30 locations of near-misses, which is conservatively estimated to save one life per year.

II. FRA CATEGORICAL EXCLUSION

Please list the CEs below that the Project best fits within.

FRA CEs are found at: <https://www.fra.dot.gov/Page/P0550>.

19 – Installation, repair and replacement of equipment and small structures designed to promote transportation safety, security, accessibility, communication or operational efficiency that take place predominantly within the existing right-of-way and do not result in a major change in traffic density on the existing rail line or facility, such as the installation, repair or replacement of surface treatments or pavement markings, small passenger shelters, passenger amenities, benches, signage, sidewalks or trails, equipment enclosures, and fencing, railroad warning devices, train control systems, signalization, electric traction equipment and structures, electronics, photonics, and communications systems and equipment, equipment mounts, towers and structures, information processing equipment, and security equipment, including surveillance and detection cameras.

If no CE category applies, contact FRA, as the Project may require an EA or EIS. FRA will officially designate the Project as a CE only after conducting a Class of Action determination.

FRA may request the applicant or project sponsor to submit documentation to demonstrate that the specific conditions or criteria for the CEs are satisfied and that significant environmental effects will not result.

III. PROJECT INFORMATION

Analyze and identify potential impacts from both construction and changes to operations (where applicable) for each resource type below. Where appropriate, the Project sponsor may commit to mitigation measures to avoid, reduce, or minimize impacts, including the use of Best Management Practices (BMP). Identify any mitigation measures necessary to comply with other laws or regulations in each section (e.g. Clean Water Act Section 404) and consider the impacts from mitigation.

- A. Affected Environment:** *Briefly describe the ecosystems and environmental conditions in the area affected by the Project (defined as broadly as necessary to evaluate potential impacts and address Project area habitats).*

The Project will install fence and other safety devices with the railroad or roadway right-of-way that are currently in use and will not affect the nearby environment.

- B. Location & Land Use:** *Briefly describe the existing land use of the Project site and surrounding properties and resources and identify and discuss any potential inconsistencies the Project might have with local land use plans and policies.*

The existing land use for the project site is an active railroad and the proposed project will be constructed entirely within the railroad right-of-way. The land use of the proposed project would remain the same as it exists today.

Land cover within a one-mile buffer of the project footprint is summarized as:

- Developed: 43.22%
- Cultivated Crops: 24.89%
- Wetland: 14.83%
- Forest: 14.12%
- Open Water: 2.20%
- Barren: 0.46%
- Shrubland: 0.27%

C. Cultural Resources: *Is the Project of the type where there is no potential to affect historic properties?*

☒ Yes, explain how the Project is not the type of activity that has the potential to cause effects on historic properties, assuming historic properties are present. (Continue to D)

The proposed Project will include fencing or other enhancements on the railroad right-of-way and will not involve the use of any historic properties.

☐ No, there is potential to affect historic properties, if present.

If No: *Is the Project governed by a Federal agency program alternative established under Advisory Council on Historic Preservation regulations (36 CFR 800.14)?*

☐ Yes, include the program alternative (Continue to D)

☐ No, there is no applicable program alternative.

Identify and describe the Area of Potential Effect (APE), the procedures to determine the existence of cultural resources, any resource(s) identified in the APE, and then describe any potential effect of the Project on the resource(s).

Have you consulted with the State Historic Preservation Office?

☐ No, contact FRA

☐ Yes, describe and attach relevant correspondence

What resources of interest to Federally-recognized Native American Tribes are known to be present in the Project area?

D. Parks and Recreational Facilities: *Are there any publicly owned park, wildlife and waterfowl refuge, or recreational area of national, state, or local significance within or directly adjacent to the Project area?*

☐ No, include a short statement describe efforts to identify parks and recreational facilities in the Project area.

☒ Yes, include a detailed description of the property, including map or drawing, describe the recreational uses of the property, any unique characteristics of the property, any consultations with the entity with legal jurisdiction over the property, and the potential impact on the property. There are 6 parks adjacent to the Project locations: Crowley Park in Dearborn, MI; Bandemer Park, Gallup Park, Furstenburg Park, and Fuller Park in Ann Arbor, MI; and River Oaks County Park in Galesburg, MI. Though these parks are adjacent to the Project locations, the proposed work will be entirely within the existing railroad right-of-way and will not impact the adjacent parks. See Figures X through X-X.

E. Transportation: *Would the Project have any effect (beneficial or adverse) on transportation including but not limited to other railway operations, road traffic, or increase the demand for parking?*

☐ No, explain why the Project would have no effect (beneficial or adverse) on transportation,

☒ Yes, describe potential transportation, traffic, and parking impacts, and address capacity constraints and potential impacts to existing railroad and highway operations. Also, summarize

any consultation that has occurred with other railroads or highway authorities whose operations this Project will impact.

The Project will benefit transportation by improving railway operations in the Chicago-Detroit/Pontiac corridor. Each pedestrian or trespasser struck or nearly struck by a train results in a delay to the services in the corridor.

F. Noise and Vibration: Are there any sensitive receptors in the Project area?

☐ No, describe why there are no sensitive receptors (residences, parks, schools, hospitals, public gathering spaces) in or near the Project area. (Continue to G)

☒ Yes, will the Project change the noise and/or vibration exposure of the sensitive receptors when applying the screening distances for noise and vibration assessment found in FRA's and the Federal Transit Administration's most recent noise impacts assessment guidance manuals. Such changes in exposure might include changes in noise emissions and/or noise events, or changes in vibration emissions and/or vibration events.

Along the Michigan Line corridor, there are a number of sensitive receptors. These receptors are subject to existing noise and vibration from trains (intercity passenger and freight) that travel between Chicago and Detroit/Pontiac every day. The proposed project would not have any impact on noise and vibration levels because the number of trains operating in the corridor would not change.

If the Project is anticipated to change the noise or vibration exposure of sensitive receptors, complete and attach a General Noise and/or Vibration Assessment. Describe the results of the Assessment and any mitigation that will address potential impacts.

G. Air Quality: Is the Project located in a National Ambient Air Quality Standard (NAAQS) Non-Attainment or Maintenance area?

☐ No, identify any air emissions increases or benefits that the project will create. (Continue to H)

☒ Yes, ***for which of the following pollutants:***

☒ Carbon Monoxide (CO) ☒ Ozone (O₃) ☐ Particulate Matter (PM₁₀) or ☐ PM_{2.5}

☐ Nitrogen Oxide (NO_x) ☐ Sulphur Dioxide (SO₂) ☐ Lead (Pb)

☐ emissions from volatile organic compounds (VOC)

Will the Project, during construction and/or operation, result in new emissions from: Carbon Monoxide (CO), Ozone (O₃), Particulate Matter (PM₁₀ or PM_{2.5}), Nitrogen Oxide (NO_x), Sulphur Dioxide (SO₂) and Lead (Pb) or volatile organic compounds?

☒ No ☐ Yes, ***attach an emissions analysis for General Conformity regarding criteria air pollutants or VOCs.***

Based on the emissions analysis, will the Project increase concentrations of ambient criteria pollutants to levels that exceed the NAAQS, lead to the establishment of a new non-attainment area, or delay achievement of attainment?

☒ No ☐ Yes, ***describe any substantial impacts from the Project.***

Construction activities may temporarily result in increased dust and particulate matter; however, construction contractor(s) will be required to control dust and airborne dirt generated during construction activities. Construction contractor(s) will follow restrictions, limitations, and best management practices (BMPs) associated with air quality in construction permits obtained for the project to limit temporary impacts during construction.

H. Hazardous Materials: *Does the Project involve the use or handling of hazardous materials?*

☒ No (continue to I)

☐ Yes, describe the use and measures that will mitigate any potential for release and contamination.

I. Hazardous Waste: *Is the Project site in a developed area or was it previously developed or used for industrial or agricultural production?*

☐ No, describe the steps taken to determine that hazardous materials are not present on the Project site. (Continue to J)

☒ Yes

If yes, is it likely that hazardous materials will be encountered by undertaking the Project? (Prior to acquiring land or a facility with FRA funds, consult with FRA regarding the potential presence of hazardous materials)

☐ Yes, complete a Phase I site assessment and attach.

☒ No, explain why it is unlikely that hazardous materials will be encountered.

Railroad property is assumed to contain hazardous waste due to the historic presence of creosote-coated railroad ties and likely oil and/or other petroleum product spills over the course of its history. However, the installation of fencing will require minimal disturbance to potentially contaminated soils.

If a Phase I survey was completed, is a Phase II site assessment recommended?

☐ No, explain why a Phase II site assessment is not recommended.

☐ Yes, provide a copy of the Phase II site assessment and describe mitigation and clean-up measures to remediate any hazardous materials present identified in the Phase II site assessment, and describe what steps will be taken to ensure that the local community is protected from contamination during construction and operation of the Project.

J. Property Acquisition: *Is property acquisition needed for the Project?*

☒ No (continue to K)

☐ Yes, indicate how much property and whether the acquisition will result in relocation of businesses or individuals.

❖ ***Note: acquiring property prior to completing the NEPA process and receiving written FRA concurrence in the NEPA recommendation may jeopardize Federal financial participation in the Project***

K. Community Impacts and Environmental Justice: *Is the Project likely to result in impacts to adjacent communities? Impacts might be both beneficial (e.g. economic benefits) or adverse (e.g. reduction in community cohesion).*

☒ No, describe the steps taken to determine whether the Project might result in impacts to adjacent communities. (Continue to L)

☐ Yes, characterize the socio-economic profile of the affected community, including the presence of minority or low-income populations.

No Title VI or other protected groups will be disproportionately impacted by the proposed project. Specific outreach efforts for minority or low-income populations were not initiated due to the lack of identifiable impacts to any group. The proposed improvements are located within existing railroad right-of-way, which is not intended for public access. Adjacent communities along the Michigan Line where the improvements are proposed will see benefits in increased public safety.

Describe any potential adverse effects to communities, including noise, visual and barrier effects. Indicate whether the Project will have a disproportionately high and adverse effect on minority or low-income populations. Describe outreach efforts targeted specifically at minority or low-income populations.

L. Impacts On Wetlands: *Does the Project temporarily or permanently impact wetlands or require alterations to streams or waterways?*

☒ No, describe the steps taken to determine that the Project is not likely to temporarily or permanently impact wetlands or require alterations to streams or waterways. (Continue to M)

This Project proposes work on the railroad right-of-way in locations of frequent pedestrian traffic and will not impact wetlands.

☐ Yes, show wetlands and waters on the site map and classification. Describe the Project's potential impact to on-site and adjacent wetlands and waters and attach any correspondence with the US Army Corps of Engineers.

Is a Section 404 Permit necessary?

☐ Yes, attach all permit related documentation

☒ No

M. Floodplain Impacts: *Is the Project located within the 100-year floodplain or are regulated floodways affected?*

☒ No (Continue to N)

☐ Yes, describe the potential for impacts due to changes in floodplain capacity or water flow, if any and how the Project will comply with Executive Order 11988.

If impacts are likely, attach scale maps describing potential impacts and describe any coordination with regulatory entities.

- N. Water Quality:** *Are protected waters of special quality or concern, or protected drinking water resources present at or adjacent to the Project site?*

☒ No, describe the steps taken to identify protected waters of special quality or concern, or protected drinking water resources present at or adjacent to the Project site.

Constructing public safety improvements on railroad and roadway right-of-way will not impact water quality.

☐ Yes, describe water resource and the potential for impact from the Project, and any coordination with regulatory agencies.

- O. Navigable Waterways:** *Does the Project cross or have an effect on a navigable waterway?*

☒ No (continue to P)

☐ Yes, describe potential for impact and any coordination with US Coast Guard.

- P. Coastal Zones:** *Is the Project in a designated coastal zone as defined in 16 U.S.C. 1453(1)?*

☒ No (continue to Q)

☐ Yes, describe coordination with the applicable coastal state(s) regarding consistency with the coastal zone management plan and attach the coastal state's finding if available.

- Q. Prime and Unique Farmlands:** *Does the Project impact any prime or unique farmlands?*

☒ No, describe the steps taken to identify impacts to prime or unique farmlands.
Though there are some farmlands adjacent to farmland, the proposed action includes work within railroad and roadway rights-of-way and will not impact prime and unique farmlands.

☐ Yes, describe potential for impact and any coordination with the Natural Resources Conservation Service of the US Department of Agriculture.

- R. Critical Habitat and Threatened or Endangered Species:** *Are there any designated critical habitat areas (woodlands, prairies, wetlands, rivers, lakes, streams, and geological formations determined to be essential for the survival of a threatened or endangered species) within or directly adjacent to the Project site?*

☒ No, describe the steps taken to identify critical habitat within or adjacent to the Project site.
Constructing fence will not affect critical habitat and endangered species because the railroad right-of-way is already existing.

☐ Yes, describe them and the potential for impact.

Are any Threatened or endangered species located in or adjacent to the Project?

☒ No, describe the steps taken to identify the presence of endangered species adjacent to the Project site.
The Project work will be taking place on railroad and roadway rights-of-way and will not affect species.

☐ Yes, describe them and the potential for impact.

Describe any consultation with the US Fish and Wildlife Service, National Marine Fisheries Service, or State, as appropriate, about the impacts to critical habitat and to threatened and endangered species. If required, prepare a biological assessment and attach it and any applicable agency correspondence.

S. Public Safety: *Will the Project result in any public safety impacts?*

☐ No, describe method used to determine whether the Project results in any safety or security impacts.

☒ Yes, describe the impacts to safety or security and any measures that would need to be taken to provide for the safe and secure operation of the Project during and after its construction.

The Project will deter trespassing and improve pedestrian safety at select grade crossings, resulting in reduced train-persons impacts and saving lives or preventing serious injuries and disfigurements.

T. Cumulative Impacts: A "cumulative impact" is the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts may include ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or resulting from smaller actions that individually have no significant impact. Determining the cumulative environmental consequences of an action requires delineating the cause-and-effect relationships between the multiple actions and the resources, ecosystems, and human communities of concern.

Are cumulative impacts likely? Yes ☒ No ☐ Yes, describe the impacts:

The construction of the improvements is not forecast to cause any adverse direct effects on the environment, therefore it cannot contribute to any cumulatively considerable adverse environmental effects.

U. Indirect Impacts: "Indirect impacts" are those that are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect impacts may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

Are Indirect impacts likely? ☒ No ☐ Yes, describe the impacts:

While it is possible that ridership growth will appreciate as a result of the improved reliability of train services in the corridor, it is not expected to be measureable.

V. Mitigation: Describe all mitigation measure commitments which address identified impacts that have been incorporated into the Project, if any.

What is the Project sponsor's plan to enforce and monitor the mitigation proposed?

What are FRA's additional mitigation requirements (if any)?

N/A

- W. Public Notification:** *Briefly describe any public outreach efforts undertaken on behalf of the Project, if any. Indicate opportunities the public has had to comment on the Project (e.g., Board meetings, open houses, special hearings).*

MDOT has met with Albion College to discuss incidents of trespassing and proposing fencing within the vicinity to improve public safety. MDOT will inform local communities of the effort to improve public safety and provide the opportunity to comment on the aesthetic of proposed fencing within communities as the project progresses.

Has the Project generated any public discussion or concern, even though it may be limited to a relatively small subset of the community? Indicate any concerns expressed by agencies or the public regarding the Project.

N/A

- X. Related Federal, State, or Local Actions:** *Does the Project require any additional actions (e.g., permits) by other Agencies? Attach copies of relevant correspondence. It is not necessary to attach voluminous permit applications if a single cover agency transmittal will indicate that a permit has been granted. Describe permitting issues in the relevant resource discussion above.*

- ☐ **Section 106 Historic Properties**
- ☐ **Section 401/404 of the Clean Water Act;** *Wetlands and Water Quality*
- ☐ **Section 402 of the Clean Water Act**
- ☐ **USCG 404 Navigable Waterways**
- ☐ **Migratory Bird Treaty Act**
- ☐ **Endangered Species Act** *Threatened and Endangered Biological Resources*
- ☐ **Magnuson-Stevens Fishery Conservation and Management Act** *Essential Fish Habitat*
- ☐ **Safe Drinking Water Act**
- ☐ **Section 6(f) Land and Conservation Act**
- ☐ **Other State or Local Requirements** (Describe)

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The Project will install fence and other safety devices with the railroad or roadway right-of-way that are currently in use and will not affect the nearby environment.

- B. Location & Land Use:** *Briefly describe the existing land use of the Project site and surrounding properties and resources and identify and discuss any potential inconsistencies the Project might have with local land use plans and policies.*

The existing land use for the project site is an active railroad and the proposed project will be constructed entirely within the railroad right-of-way. The land use of the proposed project would remain the same as it exists today.

Land cover within a one-mile buffer of the project footprint is summarized as:

- Developed: 43.22%
- Cultivated Crops: 24.89%
- Wetland: 14.83%
- Forest: 14.12%
- Open Water: 2.20%
- Barren: 0.46%
- Shrubland: 0.27%

C. Cultural Resources: *Is the Project of the type where there is no potential to affect historic properties?*

☒ Yes, explain how the Project is not the type of activity that has the potential to cause effects on historic properties, assuming historic properties are present. (Continue to D)

The proposed Project will include fencing or other enhancements on the railroad right-of-way and will not involve the use of any historic properties.

☐ No, there is potential to affect historic properties, if present.

If No: *Is the Project governed by a Federal agency program alternative established under Advisory Council on Historic Preservation regulations (36 CFR 800.14)?*

☐ Yes, include the program alternative (Continue to D)

☐ No, there is no applicable program alternative.

Identify and describe the Area of Potential Effect (APE), the procedures to determine the existence of cultural resources, any resource(s) identified in the APE, and then describe any potential effect of the Project on the resource(s).

Have you consulted with the State Historic Preservation Office?

☐ No, contact FRA

☐ Yes, describe and attach relevant correspondence

What resources of interest to Federally-recognized Native American Tribes are known to be present in the Project area?

D. Parks and Recreational Facilities: *Are there any publicly owned park, wildlife and waterfowl refuge, or recreational area of national, state, or local significance within or directly adjacent to the Project area?*

☐ No, include a short statement describe efforts to identify parks and recreational facilities in the Project area.

☒ Yes, include a detailed description of the property, including map or drawing, describe the recreational uses of the property, any unique characteristics of the property, any consultations with the entity with legal jurisdiction over the property, and the potential impact on the property. There are 6 parks adjacent to the Project locations: Crowley Park in Dearborn, MI; Bandemer Park, Gallup Park, Furstenburg Park, and Fuller Park in Ann Arbor, MI; and River Oaks County Park in Galesburg, MI. Though these parks are adjacent to the Project locations, the proposed work will be entirely within the existing railroad right-of-way and will not impact the adjacent parks.

E. Transportation: *Would the Project have any effect (beneficial or adverse) on transportation including but not limited to other railway operations, road traffic, or increase the demand for parking?*

☐ No, explain why the Project would have no effect (beneficial or adverse) on transportation,

☒ Yes, describe potential transportation, traffic, and parking impacts, and address capacity constraints and potential impacts to existing railroad and highway operations. Also, summarize

any consultation that has occurred with other railroads or highway authorities whose operations this Project will impact.

The Project will benefit transportation by improving railway operations in the Chicago-Detroit/Pontiac corridor. Each pedestrian or trespasser struck or nearly struck by a train results in a delay to the services in the corridor.

F. Noise and Vibration: *Are there any sensitive receptors in the Project area?*

☐ No, describe why there are no sensitive receptors (residences, parks, schools, hospitals, public gathering spaces) in or near the Project area. (Continue to G)

☒ Yes, will the Project change the noise and/or vibration exposure of the sensitive receptors when applying the screening distances for noise and vibration assessment found in FRA's and the Federal Transit Administration's most recent noise impacts assessment guidance manuals. Such changes in exposure might include changes in noise emissions and/or noise events, or changes in vibration emissions and/or vibration events.

Along the Michigan Line corridor, there are a number of sensitive receptors. These receptors are subject to existing noise and vibration from trains (intercity passenger and freight) that travel between Chicago and Detroit/Pontiac every day. The proposed project would not have any impact on noise and vibration levels because the number of trains operating in the corridor would not change.

If the Project is anticipated to change the noise or vibration exposure of sensitive receptors, complete and attach a General Noise and/or Vibration Assessment. Describe the results of the Assessment and any mitigation that will address potential impacts.

G. Air Quality: *Is the Project located in a National Ambient Air Quality Standard (NAAQS) Non-Attainment or Maintenance area?*

☐ No, identify any air emissions increases or benefits that the project will create. (Continue to H)

☒ Yes, ***for which of the following pollutants:***

☒ Carbon Monoxide (CO) ☒ Ozone (O₃) ☐ Particulate Matter (PM₁₀) or ☐ PM_{2.5}

☐ Nitrogen Oxide (NO_x) ☐ Sulphur Dioxide (SO₂) ☐ Lead (Pb)

☐ emissions from volatile organic compounds (VOC)

Will the Project, during construction and/or operation, result in new emissions from: Carbon Monoxide (CO), Ozone (O₃), Particulate Matter (PM₁₀ or PM_{2.5}), Nitrogen Oxide (NO_x), Sulphur Dioxide (SO₂) and Lead (Pb) or volatile organic compounds?

☒ No ☐ Yes, ***attach an emissions analysis for General Conformity regarding criteria air pollutants or VOCs.***

Based on the emissions analysis, will the Project increase concentrations of ambient criteria pollutants to levels that exceed the NAAQS, lead to the establishment of a new non-attainment area, or delay achievement of attainment?

☒ No ☐ Yes, ***describe any substantial impacts from the Project.***

Construction activities may temporarily result in increased dust and particulate matter; however, construction contractor(s) will be required to control dust and airborne dirt generated during construction activities. Construction contractor(s) will follow restrictions, limitations, and best management practices (BMPs) associated with air quality in construction permits obtained for the project to limit temporary impacts during construction.

H. Hazardous Materials: *Does the Project involve the use or handling of hazardous materials?*

☒ No (continue to I)

☐ Yes, describe the use and measures that will mitigate any potential for release and contamination.

I. Hazardous Waste: *Is the Project site in a developed area or was it previously developed or used for industrial or agricultural production?*

☐ No, describe the steps taken to determine that hazardous materials are not present on the Project site. (Continue to J)

☒ Yes

If yes, is it likely that hazardous materials will be encountered by undertaking the Project? (Prior to acquiring land or a facility with FRA funds, consult with FRA regarding the potential presence of hazardous materials)

☐ Yes, complete a Phase I site assessment and attach.

☒ No, explain why it is unlikely that hazardous materials will be encountered.

Railroad property is assumed to contain hazardous waste due to the historic presence of creosote-coated railroad ties and likely oil and/or other petroleum product spills over the course of its history. However, the installation of fencing will require minimal disturbance to potentially contaminated soils.

If a Phase I survey was completed, is a Phase II site assessment recommended?

☐ No, explain why a Phase II site assessment is not recommended.

☐ Yes, provide a copy of the Phase II site assessment and describe mitigation and clean-up measures to remediate any hazardous materials present identified in the Phase II site assessment, and describe what steps will be taken to ensure that the local community is protected from contamination during construction and operation of the Project.

J. Property Acquisition: *Is property acquisition needed for the Project?*

☒ No (continue to K)

☐ Yes, indicate how much property and whether the acquisition will result in relocation of businesses or individuals.

❖ ***Note: acquiring property prior to completing the NEPA process and receiving written FRA concurrence in the NEPA recommendation may jeopardize Federal financial participation in the Project***

K. Community Impacts and Environmental Justice: *Is the Project likely to result in impacts to adjacent communities? Impacts might be both beneficial (e.g. economic benefits) or adverse (e.g. reduction in community cohesion).*

☒ No, describe the steps taken to determine whether the Project might result in impacts to adjacent communities. (Continue to L)

☐ Yes, characterize the socio-economic profile of the affected community, including the presence of minority or low-income populations.

No Title VI or other protected groups will be disproportionately impacted by the proposed project. Specific outreach efforts for minority or low-income populations were not initiated due to the lack of identifiable impacts to any group. The proposed improvements are located within existing railroad right-of-way, which is not intended for public access. Adjacent communities along the Michigan Line where the improvements are proposed will see benefits in increased public safety.

Describe any potential adverse effects to communities, including noise, visual and barrier effects. Indicate whether the Project will have a disproportionately high and adverse effect on minority or low-income populations. Describe outreach efforts targeted specifically at minority or low-income populations.

L. Impacts On Wetlands: *Does the Project temporarily or permanently impact wetlands or require alterations to streams or waterways?*

☐ No, describe the steps taken to determine that the Project is not likely to temporarily or permanently impact wetlands or require alterations to streams or waterways. (Continue to M)

☒ Yes, show wetlands and waters on the site map and classification. Describe the Project's potential impact to on-site and adjacent wetlands and waters and attach any correspondence with the US Army Corps of Engineers.

As design progresses, the project team will coordinate with USFWS, Army Corps of Engineers, and Michigan EGLE.

Is a Section 404 Permit necessary?

☐ Yes, attach all permit related documentation

☒ No

M. Floodplain Impacts: *Is the Project located within the 100-year floodplain or are regulated floodways affected?*

☒ No (Continue to N)

Portions of the project are within 100-year floodplains; however, the installation of fence will not change floodplain capacity or water flow. During construction, best management practices (BMPs) will be used to not negatively impact the floodplain.

☐ Yes, describe the potential for impacts due to changes in floodplain capacity or water flow, if any and how the Project will comply with Executive Order 11988.

If impacts are likely, attach scale maps describing potential impacts and describe any coordination with regulatory entities.

N. Water Quality: *Are protected waters of special quality or concern, or protected drinking water resources present at or adjacent to the Project site?*

☒ No, describe the steps taken to identify protected waters of special quality or concern, or protected drinking water resources present at or adjacent to the Project site.

Constructing public safety improvements on railroad and roadway right-of-way will not impact water quality.

☐ Yes, describe water resource and the potential for impact from the Project, and any coordination with regulatory agencies.

O. Navigable Waterways: *Does the Project cross or have an effect on a navigable waterway?*

☒ No (continue to P)

☐ Yes, describe potential for impact and any coordination with US Coast Guard.

P. Coastal Zones: *Is the Project in a designated coastal zone as defined in 16 U.S.C. 1453(1)?*

☒ No (continue to Q)

☐ Yes, describe coordination with the applicable coastal state(s) regarding consistency with the coastal zone management plan and attach the coastal state's finding if available.

Q. Prime and Unique Farmlands: *Does the Project impact any prime or unique farmlands?*

☒ No, describe the steps taken to identify impacts to prime or unique farmlands.
Though there are some farmlands adjacent to farmland, the proposed action includes work within railroad and roadway rights-of-way and will not impact prime and unique farmlands.

☐ Yes, describe potential for impact and any coordination with the Natural Resources Conservation Service of the US Department of Agriculture.

R. Critical Habitat and Threatened or Endangered Species: *Are there any designated critical habitat areas (woodlands, prairies, wetlands, rivers, lakes, streams, and geological formations determined to be essential for the survival of a threatened or endangered species) within or directly adjacent to the Project site?*

☒ No, describe the steps taken to identify critical habitat within or adjacent to the Project site.
Constructing fence will not affect critical habitat and endangered species because the railroad right-of-way is already existing. Prior to any tree removal, the project team will coordinate with USFWS, Michigan DNR, and Michigan Department of Agriculture and Rural Development as needed.

☐ Yes, describe them and the potential for impact.

Are any Threatened or endangered species located in or adjacent to the Project?

☒ No, describe the steps taken to identify the presence of endangered species adjacent to the Project site.

The Project work will be taking place on railroad and roadway rights-of-way and will not affect species.

☐ Yes, describe them and the potential for impact.

Describe any consultation with the US Fish and Wildlife Service, National Marine Fisheries Service, or State, as appropriate, about the impacts to critical habitat and to threatened and endangered species. If required, prepare a biological assessment and attach it and any applicable agency correspondence.

S. Public Safety: Will the Project result in any public safety impacts?

☐ No, describe method used to determine whether the Project results in any safety or security impacts.

☒ Yes, describe the impacts to safety or security and any measures that would need to be taken to provide for the safe and secure operation of the Project during and after its construction.

The Project will deter trespassing and improve pedestrian safety at select grade crossings, resulting in reduced train-persons impacts and saving lives or preventing serious injuries and disfigurements.

T. Cumulative Impacts: A "cumulative impact" is the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts may include ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or resulting from smaller actions that individually have no significant impact. Determining the cumulative environmental consequences of an action requires delineating the cause-and-effect relationships between the multiple actions and the resources, ecosystems, and human communities of concern.

Are cumulative impacts likely? Yes ☒ No ☐ Yes, describe the impacts:

The construction of the improvements is not forecast to cause any adverse direct effects on the environment, therefore it cannot contribute to any cumulatively considerable adverse environmental effects.

U. Indirect Impacts: "Indirect impacts" are those that are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect impacts may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

Are Indirect impacts likely? ☒ No ☐ Yes, describe the impacts:

While it is possible that ridership growth will appreciate as a result of the improved reliability of train services in the corridor, it is not expected to be measureable.

V. Mitigation: Describe all mitigation measure commitments which address identified impacts that have been incorporated into the Project, if any.

The project team will use Best Management Practices (BMPs) to minimize impacts during construction.

What is the Project sponsor's plan to enforce and monitor the mitigation proposed?

What are FRA's additional mitigation requirements (if any)?

N/A

- W. Public Notification:** *Briefly describe any public outreach efforts undertaken on behalf of the Project, if any. Indicate opportunities the public has had to comment on the Project (e.g., Board meetings, open houses, special hearings).*

MDOT has met with Albion College to discuss incidents of trespassing and proposing fencing within the vicinity to improve public safety. MDOT will inform local communities of the effort to improve public safety and provide the opportunity to comment on the aesthetic of proposed fencing within communities as the project progresses.

Has the Project generated any public discussion or concern, even though it may be limited to a relatively small subset of the community? Indicate any concerns expressed by agencies or the public regarding the Project.

N/A

- X. Related Federal, State, or Local Actions:** *Does the Project require any additional actions (e.g., permits) by other Agencies? Attach copies of relevant correspondence. It is not necessary to attach voluminous permit applications if a single cover agency transmittal will indicate that a permit has been granted. Describe permitting issues in the relevant resource discussion above.*

- ☐ **Section 106** *Historic Properties*
- ☐ **Section 401/404 of the Clean Water Act;** *Wetlands and Water Quality*
- ☐ **Section 402 of the Clean Water Act**
- ☐ **USCG 404** *Navigable Waterways*
- ☐ **Migratory Bird Treaty Act**
- ☐ **Endangered Species Act** *Threatened and Endangered Biological Resources*
- ☐ **Magnuson-Stevens Fishery Conservation and Management Act** *Essential Fish Habitat*
- ☐ **Safe Drinking Water Act**
- ☐ **Section 6(f) Land and Conservation Act**
- ☐ **Other State or Local Requirements** (Describe)