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MEMORANDUM

CASS COUNTY COMMISSION

**Highway
Department**

Jason Benson, P.E.
County Engineer

Richard S. Sieg
Superintendent

Thomas B. Soucy, P.E.
Design and Construction
Engineer

TO: Cass County Commission

FROM: Jason Benson, County Engineer *JB*

DATE: June 26, 2014

SUBJECT: Agenda topic for July 7, 2014 Commission Meeting:
Request Approval of Documented CatEx for 12th Avenue
North Reconstruction – County Road 19 to 45th Street,
Project No. SU-8-992(036)037

Metro COG is in the final stages of the study of 12th Ave N and is beginning the design process so the project can be completed in 2015. This project has been developing over the last several years. It incorporates the portion of 12th Ave N from Cass Highway 19, east three miles to 45th St. This project has been programmed with a cost share of Federal Funds, City of Fargo, West Fargo, and Cass County. Cass County's share is approximately \$1 million of this over \$14 million dollar project.

SUGGESTED MOTION:

Resolve to approve and authorize the Commission Chair ^{to sign} the Documented CatEx for 12th Avenue North Reconstruction – County Road 19 to 45th Street.

1201 Main Avenue West
West Fargo, North Dakota
58078-1301

701-298-2370
Fax: 701-298-2395

RECONSTRUCTION

Project No.

PCN

SU-8-992(036)037

20057

West Fargo/Fargo 12th Avenue North
County Road 19 to 45th Street

DOCUMENTED CATEX

Prepared by

CITY OF WEST FARGO
WEST FARGO, NORTH DAKOTA

Principal Author: Apex Engineering Group
Environmental Reviewer: Seng Marohl, NDDOT Local Government Division
May 2014

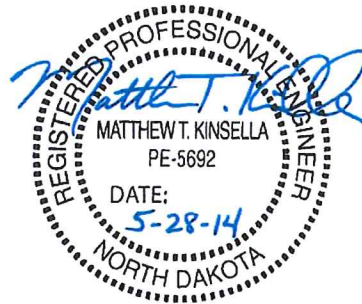
23 USC § 409
NDDOT Reserves All Objections

SU-8-992(036)037
12th Avenue North Reconstruction
County Road 19 to 45th Street

West Fargo and Fargo, ND

CERTIFICATION

I hereby certify that this report was prepared by me or under my direct supervision and that I am a duly registered professional engineer under the laws of the State of North Dakota. This document was originally issued and sealed by Matthew T. Kinsella, Registration number PE-5692 on 05/28/14 and the original document is stored at the City of West Fargo.



Matthew T. Kinsella
Matthew T. Kinsella, P.E.

5-28-14
Date

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Appendix C	Wetland Impact Table
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Documents Appended by Reference and Available on Request

Wetland Delineation Report	
Cultural Resources Report	
Hydrology and Hydraulics Technical Memorandum	
Technical Memorandum #1:	Traffic Volume Development
Technical Memorandum #1A:	Existing Conditions
Technical Memorandum #2:	Purpose & Need and Summary of Issues
Technical Memorandum #3:	Alternatives & Traffic Operations
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I. Executive Summary

A. Project Description

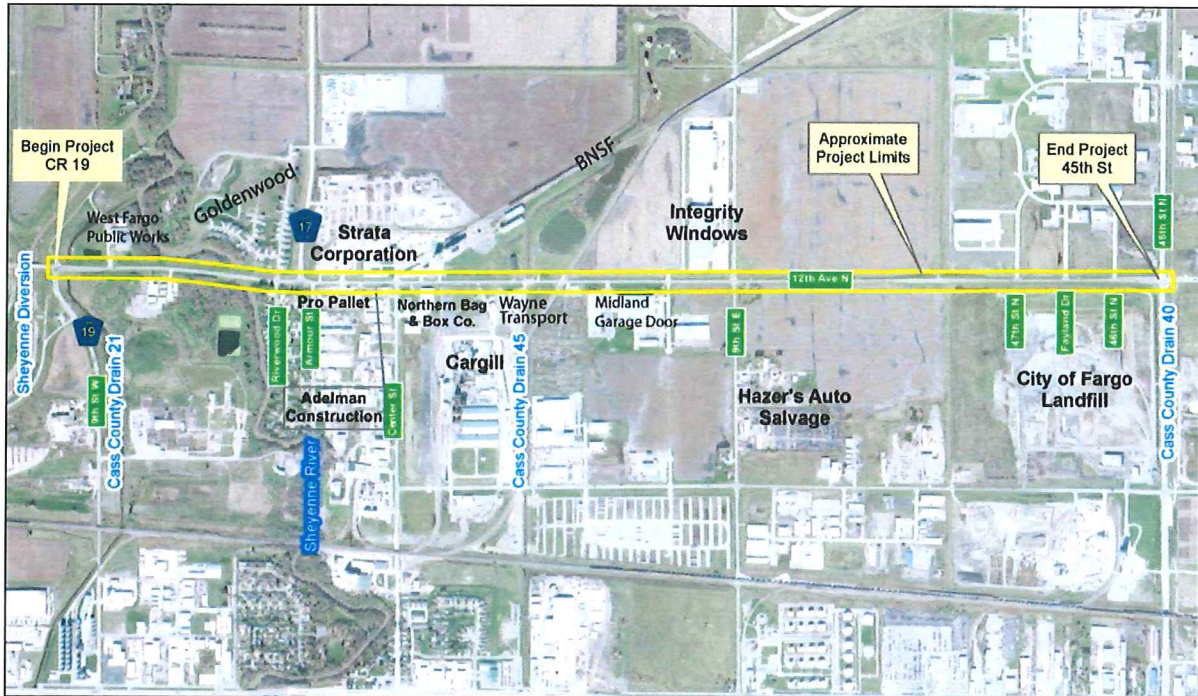
Highway: 12th Avenue North
 District: Fargo
 Limits: County Road 19 to 45th Street

Table 1 – Traffic Data

12 th Avenue North	Current ADT (2012)		Forecast ADT (2035)	
	Total	Trucks	Total	Trucks
West of Center Street	5,500	300	9,400	600
East of Center Street	5,300	300	8,600	500
West of 9 th Street East	7,400	400	11,600	700
East of 9 th Street East	7,800	500	13,800	800
West of 45 th Street	7,900	500	13,900	800

Note: Truck percentage calculated using 6% trucks. Forecast ADT calculated using lower trip generation values.

Figure 1 – Project Location Map



B. Project Schedule

Project: SU-8-992(036)037
Plans Complete: November 21, 2014
Bid Opening: February 6, 2015

C. Purpose of Project

The purpose of this project is to improve the 12th Avenue North corridor, from County Road 19 (CR 19) to 45th Street, which serves as a major thoroughfare for regional traffic as well as several industrial businesses along the corridor. The corridor has a diverse composition of traffic due to high volumes of trucks mixing with cars. The project will address several issues including increasing roadway capacity, improving safety by implementing measures to reduce crashes, enhancing access for non-motorized users, correcting isolated drainage issues along the corridor, and managing and controlling access locations.

D. Need for Project

The project is needed for the following reasons:

- Roadway capacity – The continued growth and development along the corridor is resulting in increased traffic volumes
- Safety – There is a high crash frequency at the 9th Street East intersection.
- Pedestrian/Bike Facilities – No facilities are currently available for non-motorized users.
- Roadway Section – There is little to no shoulder width and steep foreslopes on the existing 2-lane undivided facility, with no recoverable clear zone area available.
- Access Management Issues – Access spacing, negative access offsets, and lack of a dedicated left turn lane on 12th Avenue North create issues along the corridor.
- Drainage – Isolated locations experience problems with adequate ditch drainage.
- Pavement – Fatigue in the pavement section will continue to worsen as truck traffic increases.

Refer to *Technical Memorandum #1A: Existing Conditions* and *Technical Memorandum #2: Purpose & Need and Issues* (appended by reference) for additional details.

E. Scope of Work

2014-2017 STIP: \$11,454,000 (Federal funds capped at \$7,163,250)
2014 Documented CatEx: \$14,150,000 – \$15,850,000

F. Description of Alternatives

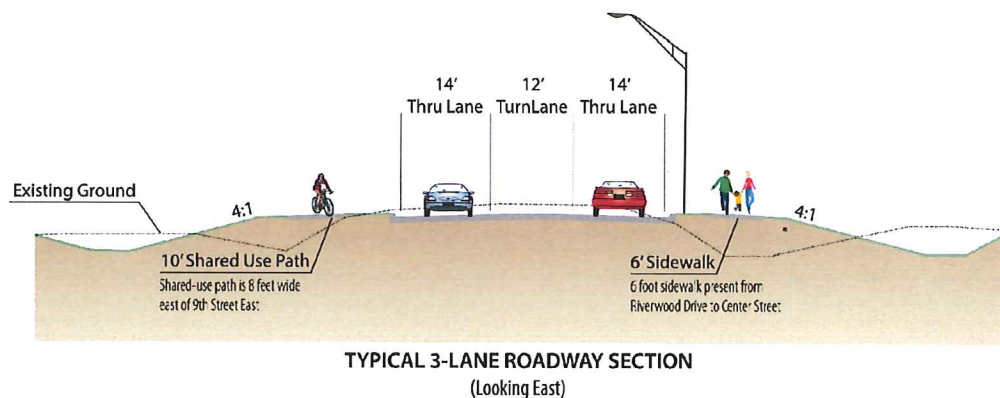
Refer to *Technical Memorandum #3: Alternatives & Traffic Operations* (appended by reference) for additional details.

1. Alternative A: No Build
(Estimated Cost \$0)

2. Alternative B: Concrete 3-Lane Reconstruction
(Estimated Cost \$14,150,000)

- 3-lane concrete roadway reconstruction with flush paved median
- 14' through lanes with a 12' center left turn lane
- 2.5' Curb and gutter
- Additional westbound and eastbound truck lanes at BNSF RR crossing
- New concrete at-grade crossing panels at BNSF RR crossing
- 10' shared-use path on north side from CR 19 to 9th Street East
- 8' shared-use path on north side from 9th Street East to 45th Street
- 6' sidewalk on south side from Riverwood Drive to Center Street
- Westbound right turn lanes at CR 17, Strata entrance, and 9th Street East
- Eastbound right turn lane at 45th Street
- Two-way stop control at CR 17 and 9th Street East intersections
- New lighting on one side of roadway
- New storm sewer trunk line
- City water and sanitary sewer improvements

Figure 2 – Proposed Typical Section: Alternative B

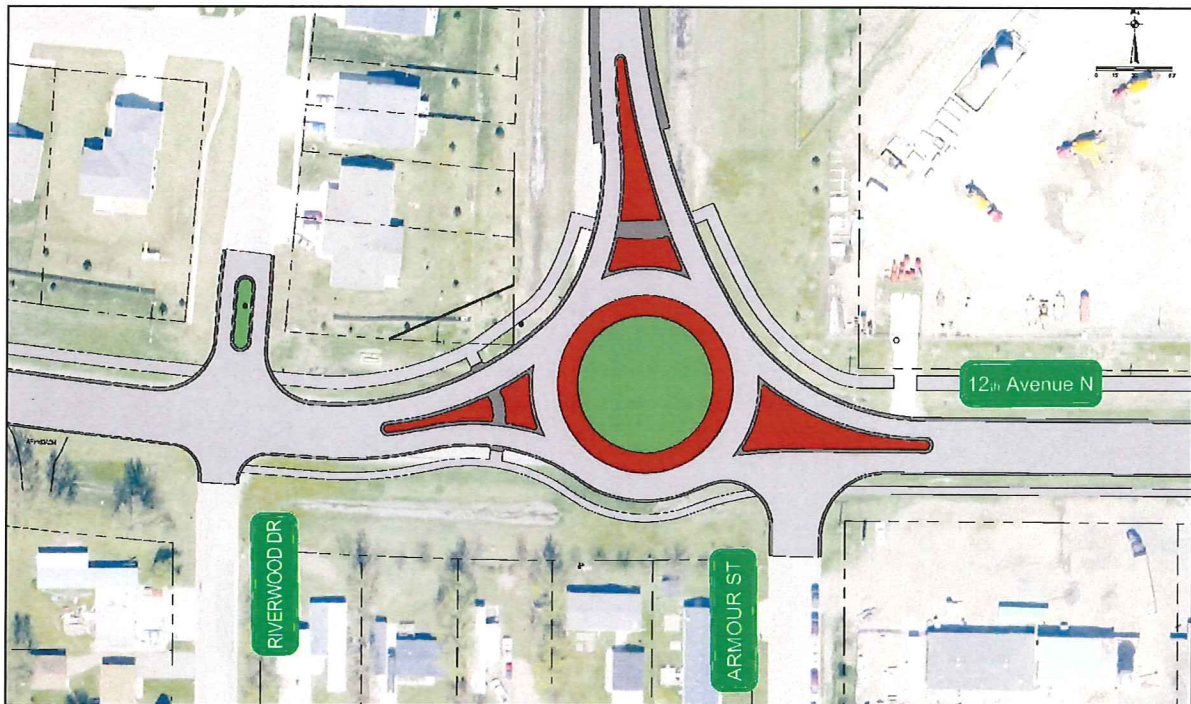


3. Optional Work Items

Option 1: Roundabout at CR 17
(Estimated Additional Cost \$380,000)

- Three-legged roundabout with 180-foot inscribed circle diameter
- One 20-foot wide circulating lane with truck apron
- WB-67 design vehicle
- Convert Armour Street to right-in right-out access on east departure leg
- 10' shared-use path on north side, 6' sidewalk on south side
- Pedestrian crossings on the north and east legs
- Additional lighting for roundabout intersection
- A traffic signal was considered at this intersection. The existing traffic volumes meet the peak hour warrant (Warrant 3) of the MUTCD but none of the other warrants are met. Refer to *Technical Memorandum #1: Traffic Volume Development* and *Technical Memorandum #3: Alternatives & Traffic Operations* (appended by reference) for additional details.

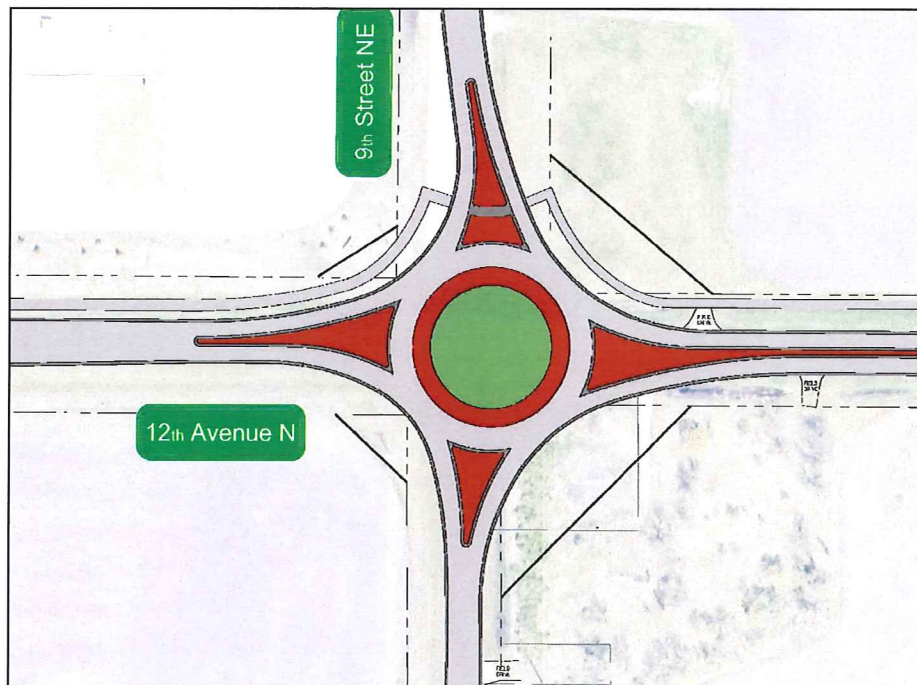
Figure 3 – Option 1: Roundabout at CR 17



Option 2: Roundabout at 9th Street East
(Estimated Additional Cost \$510,000)

- Four-legged roundabout with 180-foot inscribed circle diameter
- Roundabout layout shifted east to minimize ROW impacts on west side
- WB-67 design vehicle
- One 20-foot wide circulating lane with truck apron
- 10' shared-use path on north side
- Pedestrian crossing on the north leg
- Additional lighting for roundabout intersection
- A traffic signal was considered at this intersection. The peak hour warrant (Warrant 3) was met for the existing volumes but the eight hour warrant (Warrant 1) and the four hour warrant (Warrant 2) were not met. Therefore the alternative was eliminated. In addition to the traffic signal, All-Way stop sign traffic control was evaluated but was eliminated due to poor traffic conditions. Refer to *Technical Memorandum #1: Traffic Volume Development* and *Technical Memorandum #3: Alternatives & Traffic Operations* (appended by reference) for additional details.

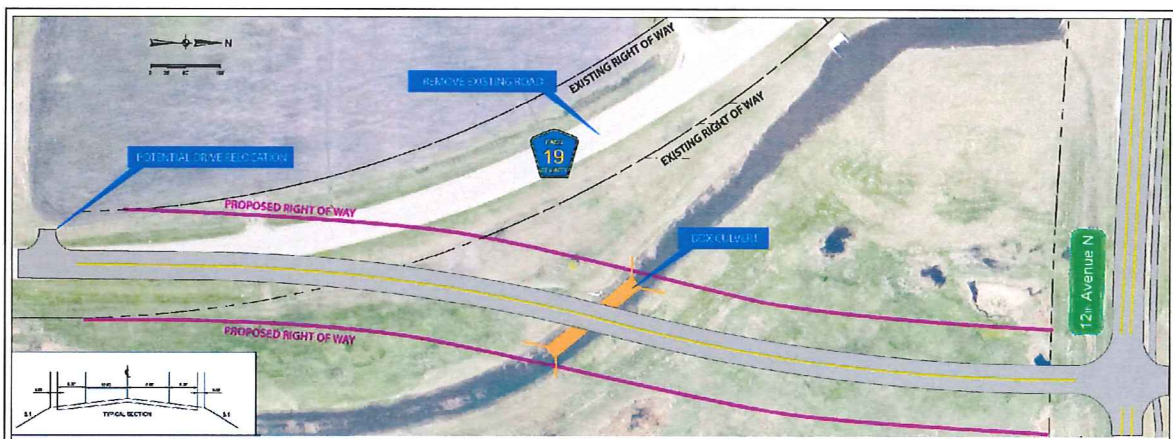
Figure 4 – Option 2: Roundabout at 9th Street East



Option 3: Realignment of CR 19
(Estimated Additional Cost \$810,000)

- 1500' long realignment of CR 19
- Shifts the access point approximately 685 feet to the east, to line up with the existing West Fargo Public Works access
- Existing access will be closed or converted to a maintenance-only access
- Two-way stop control, no dedicated right turn lanes
- New box culvert needed at the Cass County Drain 21 crossing (10' x 8 box assumed)

Figure 5 – Option 3: Realignment of CR 19



4. Work Zone Traffic Control

The construction phasing and traffic control plan consists of four phases spanning across two construction seasons. In each phase, 12th Avenue North will be closed to through traffic and detoured to either Main Avenue or 7th Avenue North depending on the phase. Access will be maintained to businesses and residences at all times. The primary issue during most of the project phases will be construction of the deep sanitary sewer. The sewer is expected to be located in the center of the existing right of way, with trench slopes extending through a significant portion of the available right of way.

The four phases are as follows:

- Phase 1:
 - Phase 1A – CR 19 to just east of Riverwood Drive.
 - Phase 1B – Just east of 9th Street East to 45th Street (can be worked on in conjunction with other phases).
- Phase 2 – Just east of Riverwood Drive to just east of Center Street.
- Phase 3 – Just east of Center Street to just west of 9th Street East.
- Phase 4 – 9th Street East intersection.

5. Maintenance Responsibility Discussion

Within the project corridor, 12th Avenue North is also known as Cass County Road 10 (CR 10). Cass County currently owns and maintains CR 10 from the Barnes County line east to the Fargo city limits (a point 0.5 miles east of 9th Street East). Upon substantial completion of the reconstruction of this 12th Avenue North project, the City of West Fargo will assume ownership and maintenance responsibility of the portion of CR 10 from the CR 19 intersection east to the Fargo city limits. Cass County will retain ownership of the portion of CR 10 from the Barnes County line to the CR 19 intersection. The City of Fargo will retain ownership and maintenance of the portion of 12th Avenue North from the Fargo city limits east to 45th Street.

6. Summary of Engineering Issues

- A modified urban section with shallow ditches/swales behind curb and gutter will be needed due to the need to maintain minimum roadway elevations through the corridor for flood protection purposes.
- The Drain 45 culverts will need to be extended or replaced. The Sheyenne River box culverts are expected to remain in place with no modifications. For Alternative B, the Drain 21 box culvert is expected to remain in place with no modifications. For Option 3: Realignment of CR 19, a new box culvert structure will be needed to convey Cass County Drain 21 flows under the CR 19 realigned roadway.
- Approximately 10 field approaches/private driveways that are not currently used are proposed to be closed.
- The deep sanitary sewer installation between West Fargo Public Works and 9th Street East will create challenges in maintaining access to businesses and properties.
- For Option 1: Roundabout at CR 17, the proximity of several access points to the roundabout presents operational challenges.

7. Summary of Environmental Issues

Wetlands:

23 wetland areas totaling 7.23 acres were identified and field delineated within the project area. The wetlands located within the project area primarily consist of road ditch wetlands that were created during the construction and maintenance of the roadway.

For Alternative B, approximately 0.00 natural/jurisdictional, 0.00 natural/non-jurisdictional, 0.00 artificial/jurisdictional, and 1.83 artificial/non-jurisdictional acres of wetlands will be impacted permanently, and 0.41 acres will be impacted temporarily. Option 1 results in an additional 0.08 artificial/non-jurisdictional acres of permanent impacts, and an additional 0.10 acres temporary impacts. Option 2 results in no additional wetland impacts. Option 3 results in an additional 0.04 artificial/non-jurisdictional acres and an additional 0.17 artificial/jurisdictional acres of permanent impacts, and an additional 0.03 acres of temporary impacts.

Mitigation for wetland impacts is only required if Option 3 – Realignment of CR 19 is selected to proceed with this project. If Option 3 is selected, mitigation will be accomplished either on-site in an area adjacent to existing or proposed CR 19, or will be accomplished through expansion of the Cass County Drain 21 channel as part of a separate Drain 21 modification project which is currently pending. If Option 3 is not selected to proceed with this project, no mitigation is required for wetland impacts.

Threatened & Endangered Species:

The US Fish & Wildlife Service (USFWS) website indicated that two species occur in Cass County. These include the endangered Whooping Crane; as well as the candidate species Poweshiek Skipperling. Based on the scope of work identified within the known parameters in the table and the additional documentation provided to FHWA for the endangered Whooping Crane, it was determined that this project will have “No Effect” on the listed species or critical habitat within the project area. Please refer to the *NDDOT Threatened, Endangered, Candidate Species and Critical Habitat Affect Determination Table* in Appendix B.

Table 2 – Right of Way Summary

Alternative	Temporary Easements Needed	Permanent ROW Needed	US Fish & Wildlife Property Interest?	US Forest Service Property Interest?
Alternative A No Build	0 acres	0 acres	No	No
Alternative B Concrete 3-Lane Reconstruction	6.02 acres	1.65 acres	No	No
Option	Additional Temporary Easements Needed	Additional Permanent ROW Needed	US Fish & Wildlife Property Interest?	US Forest Service Property Interest?
Option 1 Roundabout at CR 17	0 acres	0.05 acres	No	No
Option 2 Roundabout at 9 th Street East	0 acres	0.59 acres	No	No
Option 3 Realignment at CR 19	0 acres	3.60 acres	No	No

Note: These right of way acreages are based on preliminary design calculations, and are subject to change during final design as design elements are defined more accurately.

Table 3 – Summary of Estimated Costs

Alternatives	SU-8-992(036)037 Federal Aid Eligible	City of West Fargo	City of Fargo	Total Cost
Alternative B Concrete 3-Lane Reconstruction	\$12,300,000 (capped at \$7,163,250)	\$1,250,000	\$600,000	\$14,150,000
Options				Additional Cost
Option 1 Roundabout at CR 17	\$380,000	-----	-----	\$380,000
Option 2 Roundabout at 9 th Street East	\$510,000	-----	-----	\$510,000
Option 3 Realignment of CR 19	\$810,000	-----	-----	\$810,000

1. Estimated costs include an additional 10% for contingencies.

2. The values shown for the Options are additional costs above and beyond the costs of the Alternatives.

3. Preliminary engineering and construction engineering costs, right of way costs, and private utility relocation costs are not included in the estimates.

G. Comments from the Draft Documented CatEx

Please refer to Appendix D for comments on the Draft Documented CatEx.

H. Public Concerns / Need for Public Input

Solicitation of Views (SOV) letters were mailed out in March 2013. The SOV letters and responses received are included in Appendix A.

Three public input meetings have been conducted for this project:

- April 23, 2013 Public Input Meeting #1
- November 5, 2013 Public Input Meeting #2
- February 27, 2014 Public Input Meeting #3

In addition to the public input meetings, several one-on-one meetings were conducted in December 2012 and October 2013 with businesses and landowners adjacent to the project.

Refer to *Technical Memorandum #4: Public Involvement* (appended by reference) for additional details.

Table 4 – Comparison of Alternatives

Alternative/Option	Advantages	Disadvantages
Alternative A No Build	<ul style="list-style-type: none"> • Lowest initial cost 	<ul style="list-style-type: none"> • Does not meet purpose and need
Alternative B Concrete 3-Lane Reconstruction	<ul style="list-style-type: none"> • Provides 30-year pavement design and load carrying capacity • Improves corridor capacity with addition of shared center left turn lane and dedicated right turn lanes • Improves roadway inslopes and clear zone recovery area • Provides additional truck lanes at BNSF RR crossing, and new concrete RR crossing panels • Shared-use path and sidewalks provide off-street facilities for non-motorized users • New lighting • City sanitary sewer and water 	<ul style="list-style-type: none"> • Highest initial cost • Requires additional ROW • Wetland impacts • Utility impacts • Maintaining the two-way stop at 9th St E does not address the high crash history
Option 1 Roundabout at CR 17	<ul style="list-style-type: none"> • Addresses offset intersection issue by consolidating CR 17 and Armour St • Provides location for pedestrians to cross 12th Ave N at CR 17 intersection • Improves ability for CR 17 traffic to enter 12th Ave N (when compared to the 2-way stop configuration in Alternative B) • Improves overall intersection LOS • Designed to accommodate WB-67 truck 	<ul style="list-style-type: none"> • Higher intersection cost than Alternative B (maintaining current CR 17 layout) • Requires additional ROW when compared to Alternative B • Additional wetland impacts when compared to Alternative B • Concerns about roundabouts along corridor with high truck volumes • Prevents left turn out of Armour St
Option 2 Roundabout at 9 th Street East	<ul style="list-style-type: none"> • Addresses high right-angle crash issue at existing intersection by implementing roundabout • Improves ability for 9th St E traffic to enter 12th Ave N (when compared to the 2-way stop configuration in Alternative B) • Improves overall intersection LOS • Designed to accommodate WB-67 truck 	<ul style="list-style-type: none"> • Higher intersection cost than Alternative B (maintaining current 9th St E layout) • Requires additional ROW when compared to Alternative B • Additional wetland impacts when compared to Alternative B • Concerns about roundabouts along corridor with high truck volumes
Option 3 Realignment of CR 19	<ul style="list-style-type: none"> • Consolidates two existing access points into one location • Improves intersection sight distance for vehicles turning out of CR 19 and looking west • Provides flexibility for adding future EB to SB right turn lane if needed 	<ul style="list-style-type: none"> • Higher intersection cost than Alternative B (maintaining current CR 19 intersection layout) • Requires additional ROW when compared to Alternative B • Additional wetland impacts when compared to Alternative B • Requires new concrete box culvert at Cass County Drain 21 crossing

I. Cities & County Decisions

1. Do you concur with the project concepts as proposed?

Yes

No

2. Which alternative should proceed with the project?

Alternative A – No-Build Alternative
Estimated Cost \$0

Alternative B – Concrete 3-Lane Reconstruction
Estimated Cost \$14,150,000

3. Should Option 1: Roundabout at CR 17 proceed with the project?

Estimated Additional Cost \$380,000

Yes

No

4. Should Option 2: Roundabout at 9th Street East proceed with the project?

Estimated Additional Cost \$510,000

Yes

No

5. Should Option 3: Realignment at CR 19 proceed with the project?

Estimated Additional Cost \$810,000

Yes

No

Amendments/Comments for Project No. SU-8-992(036)037:

City of West Fargo will construct **Option 3 – Realignment at CR 19** as a separate project.

Rich Mattern, Mayor
City of West Fargo

Date

Dennis Walaker, Mayor
City of Fargo

Date

Ken Pawluk, Chairman
Cass County Board of Commissioners

Date

II. Environmental Impact Checklist

NDDOT ENVIRONMENTAL IMPACT CHECKLIST

The Documented CatEx was developed to enable prompt consideration of the full range of alternatives, environmental issues, regulatory processes, potential impacts, including significant impacts, and unusual circumstances that must be considered before Administrative approval. Supporting documentation demonstrates any commitments or criteria for this CatEx is satisfied and that the action does not involve unusual circumstances^[1] or result in significant environmental impacts^[2], which would warrant higher level environmental documentation. The Documented CatEx does not eliminate the need for full and complete documentation, agency coordination, permitting, and any additional commitments included in the project record.

Primary Author: Matthew T. Kinsella - Apex Engineering Group

NDDOT Environmental Reviewer: _____

#	Resource / Issue Category	Questions to Determine Potential Effects Applicable in North Dakota	YES	NO
			(Mark an X or indicate NA)	
1	Air Quality 1.1	Project is not located within or adjacent to USEPA-defined Non-Attainment Area and complies with the State Implementation Plan.		
2	Economic 2.1	Will the project result in a decrease in business or economic activity along the project corridor?		X
3	Energy 3.1	Will the project impact or deplete the energy supply of natural resources?		X
4	Environmental Justice 4.1	Will the project cause any adverse and/or disproportionate impacts on minority and/or low income populations?		X
5	Farmland 5.1	Will the action convert farmland (prime, unique, other than prime or unique that is of statewide importance or local importance) to nonagricultural use?	X	
		If yes: 5.1.1 The project involves disturbance of 10 acres or less per linear mile or 3 acres per bridge or interchange. Therefore, per Section 310 of the General Manual, Subpart A, 403.4(b) (4), the project is exempt from FPPA; no further action is required.	X	
		5.1.2 The project involves disturbance of 10 acres or more per linear mile or greater than 3 acres per bridge or interchange. Therefore, NRCS Consultation is required; has the Farmland Conversion Form been attached?	NA	
6	Floodplain / Floodway	6.1 Is the project located within a 100 year floodplain/floodway?	X	
		6.1.1 Has the floodplain determination from the ND State Water Commission been attached?	X	
		6.2 Will the project place fill material in the 100 year floodplain/floodway?		X
		If yes: 6.2.1 Are the FIRM maps attached?		
7	Hazardous Waste Sites	7.1 Will the project require purchase of right of way or easement that may involve or affect hazardous materials?		X
		If yes: 7.1.1 NDDOH Consultation required; has the Environmental Site Assessment been attached?	NA	
		7.2 Will the project involve construction in an area that contains hazardous materials and/or hazardous waste?		X
		If yes: 7.2.1 NDDOH Consultation required; has the Environmental Site Assessment been attached?	NA	
8	Historical and Archaeological Preservation	8.1 Will the project involve disturbance off the roadway surface?	X	
		8.2 Will the project involve disturbance to a bridge or bridge rail?		X

#	Resource / Issue Category	Questions to Determine Potential Effects Applicable in North Dakota	YES	NO
			(Mark an X or indicate NA)	
		<i>The project is the type of project that has No Potential to Affect Historic Properties; no further Section 106 consideration is required. Skip to Resource Category #9</i>		
		<i>If yes to either of the two questions above: Please contact the Cultural Resources Section to complete the following information prior to submittal of the checklist and append by reference the Cultural Resources Report and related correspondence; has this been completed?</i>	X	
8.3		Was a Class I File Search completed?	NA	
8.4		Was a Class III Survey (Intensive Inventory) completed?	X	
8.4.1		Were Sites identified within the Area of Potential Effect (APE)?	X	
8.4.2		SHPO Reference #: 13-5803		
8.4.3		Did SHPO/THPO concur in a Finding of No Historic Properties Affected?	NA	
8.4.4		Did SHPO/THPO concur in a No Adverse Effect Determination?	X	
8.4.5		Did SHPO/THPO concur in an Adverse Effect Determination?	NA	
8.5		If the project results in an Adverse Effect, the Adverse Effect documentation to FHWA was provided to the Advisory Council of Historic Preservation (ACHP) on: N/A		
8.5.1		Did the ACHP accept the opportunity to participate?	NA	
8.5.2		Resolution of Adverse Effect thru a Memorandum of Agreement was completed on: N/A		
8.5.3		Were commitments included in the coordination with SHPO/THPO?	NA	
8.6		Comments: N/A		
9	Land Use	9.1 Will the project be consistent with plans and policies on land use and growth in the area which will be impacted by the project?	X	
10	Migratory Birds	10.1 Will the project have the potential to adversely impact species protected by the		X
11	Noise	11.1 Does the project include construction of a highway on new location?		X
		11.2 Does the project physically alter the existing highway?	X	
		If yes:		
		11.2.1 Substantial Horizontal Alteration—Does the project reduce the distance between the traffic noise source and the closest receptor by half, between the existing condition to the future build condition?		X
		11.2.2 Substantial Vertical Alteration—Does the project remove shielding, therefore exposing the line-of-sight between the receptor and the traffic noise source? This is done by either altering the vertical alignment of the highway or by altering the topography between the highway traffic noise source and the receptor. Projects that incorporate overpasses meet this definition.		X
		11.3 Does the project include the addition of a through-traffic lane(s)? This includes the addition of a through-traffic lane that functions as a High-Occupancy Vehicle (HOV) lane, High-Occupancy Toll (HOT) lane, bus lane, or truck climbing lane.		X
		11.4 Does the project include the addition of an auxiliary lane, except for when the auxiliary lane is a turn lane? If the additional lane does not increase the number of through-traffic lanes, the definition is not met and an analysis is not required. [3]		X
		11.5 Does the project include the addition or relocation of interchange lanes or ramps added to a quadrant to complete an existing partial interchange?		X
		11.6 Does the project restripe existing pavement for the purpose of adding a through-traffic lane or an auxiliary lane?		X

#	Resource / Issue Category	Questions to Determine Potential Effects Applicable in North Dakota	YES	NO
			(Mark an X or indicate NA)	
11.7		Does the project include the addition of a new or substantial alternation of a weigh station, rest stop, ride-share lot or toll plaza? <i>The project meets the definition of a Type 1 Project per 23 CFR 772.5 and a noise analysis is required for the entire project area as defined in the environmental document; has the Noise Report been completed and appended by reference?</i>		X
	If yes to any of the above questions:		NA	
12	Pedestrians / Bicyclists	12.1 Does the proposed project include pedestrian/bicycle facilities?	X	
	If yes:			
	12.1.1	Is the proposed pedestrian/bicycle facility included in the local plan?	X	
	12.2	Will the proposed project affect current pedestrian/bicycle facilities?		X
	If yes:			
	12.2.1	Temporary	NA	
	12.2.2	Permanent	NA	
13	Right of Way	13.1 Will the project require permanent right of way?	X	
	If yes:			
	13.1.1	Number of parcels: Alt B - 8; Opt 1 - 1; Opt 2 - Number of 4; Opt 3 - 4 Acres: Alt B - 1.65; Opt 1 - 0.05; Opt 2 - 0.59; Opt 3 - 3.6		
	13.2	Are there any special property interests such as USFWS, Forest Service, Tribal, USACE, Railroad, or State School lands?		X
	If yes:			
	13.2.1	List the type(s): N/A		
	13.3	Will the project require relocation of homes or businesses?		X
	If yes:			
	13.3.1	Number of relocations (indicate number by type below): Homes: N/A Businesses: N/A		
	13.4	Will the project require temporary construction easements?	X	
	If yes:			
	13.4.1	Number of parcels: Alt B - 30; Opt 1 - 0; Opt 2 - 0; Opt 3 - 0 Number of Acres: Alt B - 6.02; Opt 1 - 0; Opt 2 - 0; Opt 3 - 0		
	13.5	Will the project require any access changes?	X	
14	Section 4(f)	14.1 Are there any Section 4(f) properties within and/or adjacent to the project area?		X
	If yes:			
	14.1.1	Publicly owned parks?	NA	
	14.1.2	Publicly owned recreation lands and/or facilities?	NA	
	14.1.3	Wildlife or waterfowl refuges?	NA	
	14.1.4	Historic sites (included on or eligible for listing on the National Register of Historic Places)?	NA	
	14.2	Will the project result in a temporary impact?		X
	If yes:	Please complete the following questions to determine if there is a temporary occupancy of land which may constitute a use under Section 4(f):		
	14.2.1	Will the duration of the occupancy of the Section 4(f) resource be temporary, i.e. less than the time needed for construction of the project, and there should be no change in ownership of the land?	NA	
	14.2.2	Will the scope of work be minor, i.e., both the nature and magnitude of the changes to the Section 4(f) resource is minimal?	NA	
	14.2.3	Will there be no anticipated permanent adverse physical impacts, nor will there be interference with the activities or purpose of the resource, on either a temporary or permanent basis?	NA	
	14.2.4	Will the land being used be fully restored, i.e., the resource must be returned to a condition which is at least as good as that which existed prior to the proposed project?	NA	

#	Resource / Issue Category	Questions to Determine Potential Effects Applicable in North Dakota	YES	NO
			(Mark an X or indicate NA)	
14.2.5		Documented agreement of the appropriate Federal, State, or local officials having jurisdiction over the resource must be included.	NA	
14.3		Will the project result in a permanent impact?		X
		If yes: Then a Section 4(f) use will occur. Please select one of the following documents required:		
14.3.1		<i>Nationwide Programmatic Section 4(f)</i> documentation completed and attached	NA	
14.3.1.1		Historic Bridges	NA	
14.3.1.2		Historic Sites	NA	
14.3.1.3		Public Parks, Recreation Lands, and Wildlife and Waterfowl Refuges	NA	
14.3.1.4		Net Benefit to a Section 4(f) Property	NA	
14.3.1.5		Negative Declaration for Independent Bikeway or Walkway*	NA	
14.3.2		<i>Individual Section 4(f) Evaluation</i> completed and attached	NA	
14.3.3		<i>De Minimis Impact</i> documentation completed and attached	NA	
14.3.3.1		Public Involvement was completed on? N/A		
14.4		<i>*A negative declaration Section 4(f) (May 23, 1977) is only applicable for independent bikeway or walkway construction projects that require use of publicly owned parks and recreation lands and only when the officials with jurisdiction have given approval in writing that the project is acceptable and consistent with the designated use of property that all possible planning to minimize harm has been accomplished in the location and design of the bikeway or walkway facility. No 4(f) documentation is required other than the officials with jurisdiction letter. Please refer to the provisions in the negative declaration to ensure all requirements are met. Has the official with jurisdiction letter been received?</i>	NA	
15	Section 6(f)			
15.1		The Land and Water Conservation Fund Program provides matching grants to States and local governments for the acquisition and development of public outdoor recreation areas and facilities, as well as funding for shared federal land acquisition and conservation strategies. Does the project affect any recreational property that is encumbered by Land and Water Conservation Funds?		X
		If yes:		
15.1.1		Are there temporary impacts?	NA	
15.1.2		Are there permanent impacts?	NA	
15.1.3		<i>Consultation with official with jurisdiction required; has the impact map and mitigation plan been provided?</i>	NA	
16	Social			
16.1		Will the project cause a change in neighborhood or community cohesion?		X
		If yes:		
16.1.1		Temporary	NA	
16.1.2		Permanent	NA	
16.2		Will the project cause a change in travel patterns or accessibility?	X	
		If yes:		
16.2.1		Temporary	X	
16.2.2		Permanent		X
16.3		Will the project cause an impact (mobility/safety) to the emergency services, schools (bus routes), or transit?	X	
		If yes:		
16.3.1		Temporary	X	
16.3.2		Permanent		X

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			(Mark an X or indicate NA)		
17	State Scenic Rivers	17.1 Will the project impact the Little Missouri River within the area designated as a State Scenic River which starts from the ND-SD border and terminates at its juncture with Lake Sakakawea? (-NDCC, Chapter 61-29)		X	
		If yes:			
		17.1.1 Coordination with State Scenic River Commission is documented and attached?	NA		
18	Temporary Construction	18.1 Does the project require a roadway, bridge, or ramp closure?	X		
		18.2 Is a temporary bridge or roadway proposed (i.e. temporary bypass)?		X	
		18.3 Will the project require a detour?	X		
		If yes:			
		18.3.1	Distance: 2.7 miles, 2.0 miles Route: CR 19 to Main Ave to Center St; 9th St E to 7th Ave N to 45th St		
		18.4 Will provisions be made for through traffic dependent businesses?	X		
		18.5 Will provisions be made to accommodate any local special events or festivals?	X		
		18.6 Will the proposed MOT (Maintenance of Traffic) substantially impact environmentally sensitive resources?		X	
		18.7 Is there any substantial controversy associated with the proposed MOT?		X	
		18.8 Has coordination been completed with local emergency services, schools, and transit?		X	
	If yes to any of the questions above:	Please provide description in the Description of the Proposed Build Alternatives.			
19	Threatened / Endangered Species	19.1 <i>Please refer to the Design Manual Reference and Forms for the Section 7 ESA (Endangered Species Act) Guidance. Complete and attach the NDDOT Threatened, Endangered, Candidate Species, and Critical Habitat Affect Determination Table. Has the NDDOT Threatened, Endangered, Candidate Species, and Critical Habitat Affect Determination Table been attached?</i>	X		
		19.2 Based on the Affect Determination Table, was FHWA coordination required?	X		
		If yes:			
		19.2.1 <i>FHWA concurs with no effect; has all documentation pertaining to Section 7 of the ESA been attached?</i>	X		
		19.2.2 <i>BA warranted; has all documentation related to Section 7 of the ESA been appended by reference?</i>		NA	
	If no: No further action required.				
20	Visual	20.1 Does the project fit within the existing visual environment; i.e. transportation corridor?	X		
21	Waterbody Modification and Wildlife	21.1 Is the project adjacent to or located in a waterway, stream, or body of water used for recreation or water supply?	X		
		21.2 Will the project result in any temporary or permanent modifications or degradation to a waterbody, such as impoundments, relocations, channel deepening, filling, etc.?		X	
		21.2.1 <i>USFWS and NDGFD consultation required; has the documentation been attached?</i>	NA		
		21.3 Will the project result in any loss, degradation, or modification of aquatic or terrestrial habitat, impacting fish and/or wildlife?		X	
		21.3.1 <i>USFWS and NDGFD consultation required; has the documentation been attached?</i>	NA		
22	Water Quality	22.1 Will the project disturb a contiguous area greater than one acre?	X		
		22.2 Will the project have multiple individual sites of activity, including one individual site that may have an area of disturbance greater than one acre?		X	
		22.3 Is the project in part or entirely located on reservation land?		X	
	If yes:				

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			(Mark an X or indicate NA)	
22.3.1		<i>A Water Quality Certificate may be needed from the EPA for a Section 404 permit and identified in the list of permits below; has this been verified?</i>	NA	
23	Wetlands	<i>Please refer to the Design Manual Reference and Forms for the Wetlands Impact Table for Environmental Documents contained in the <u>Wetland Information Guidance for NDDOT Designer</u> and attach a completed wetland impact table for the proposed project. Has a completed wetland impact table been attached?</i>	X	
23.2		Based on the wetland impact table, is wetland mitigation required?		X
		If yes:		
23.2.1		Please identify the proposed mitigation location: <small>Mitigation is required only if Option 3 is selected to proceed with the project. If Option 3 is not selected, no mitigation is required. If Option 3 is selected, mitigation will be on-site in an area adjacent to existing or proposed CR 19.</small>		
23.2.2		Mitigation sites located onsite or offsite not at an approved NDDOT mitigation bank requires a mitigation plan attached for review and approval by the resource and/or regulatory agencies. <i>If a mitigation plan is required, has it been attached?</i>		X
24	Public Involvement	24.1 Were any Public Meetings conducted/scheduled for the proposed project?	X	
		If yes Identify which type(s):		
		24.1.1 Public Information Meeting <small>N/A</small>		
		24.1.2 Public Input Meeting <small>1st mtg 4/23/13, 2nd mtg 11/5/13, 3rd mtg 2/27/14</small>		
		24.1.3 Public Hearing <small>N/A</small>		
25	Environmental Commitments	25.1 Will the proposed project include any environmental commitments beyond what is included in the <i>Standard Specifications for Road and Bridge Construction</i> ?		X
		If yes:		
25.1.1		Please list all environmental commitments: <small>Construction shall not take place within the Sheyenne River, a Class I fishery, between April 15 and June 1 to protect the resource.</small>		
26	Permits	26.1 Will the proposed project require any permits from the regulatory agencies?	X	
		If yes:		
26.1.1		Please list the agencies and all required permits for the proposed project: <small>Sovereign Land Permit, Section 404 Permit, Floodplain Permit</small>		
27	Early Coordination	27.1 <i>Have the Project Mailing List, SOV letters, and Responses been attached in an Appendix titled Solicitation of Views?</i>	X	

Foot Notes:

[1] Unusual circumstances include significant environmental impacts; substantial controversy on environmental grounds; significant impacts on Section 4(f) properties and/or properties protected by Section 106 of the National Historic Preservation Act; or action inconsistent with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the action (23 CFR 771.117(b) and 771.18(b)).

[2] Significant environmental impacts, as defined in 40 CFR 1508.4, are actions which: induce significant impacts to planned growth or land use for the area; require the relocation of significant numbers of people; have a significant impact on any natural, cultural, recreational, historic or other resource; involve significant air, noise, or water quality impacts; have significant impact on travel patterns; or otherwise, either individual or cumulatively, have any significant environmental impacts (23 CFR 771.117(a) and 771.118(a)).

[3] FHWA ND Division Office approved definition