

Exhibit 7.1 – TTP ENVIRONMENTAL CHECKLIST

Tribe Name:	Is Project on an approved TTIP?
Project Name/Number:	NTTFI Route No. and Section:
SECTION 1: PROJECT DETAILS	
<p>A. Purpose and Need: Briefly describe what the transportation problems are that need to be addressed and why.</p>	
<p>B. Project Description: Briefly describe project including location, limits, design elements, and construction activities. Describe how the proposed project will address the needs described above. Use Continuaton Sheet, if necessary. Attach maps, aerials, photos, etc. to help visualize the project.</p>	
<p>C. Independent Utility and Logical Termini</p> <p><input type="checkbox"/> The project complies with NEPA requirements related to connected actions and segmentation (i.e. the project must have independent utility, connect logical termini when applicable, be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made and not restrict further consideration of alternatives for other reasonably foreseeable transportation improvements). [23 CFR 771.111(f)]</p>	

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F. Section 4(f) Transportation Act (23 CFR 774) and Section 6(f) Land and Water Conservation Act (36 CFR 59)

- Section 4(f) regulation was considered as a part of the review for this project and a determination was made:
 - Section 4(f) does not apply (*Project does not use a Section 4(f) property, or that it meets one or more of the exceptions listed in 23 CFR 774.13.*)
 - Section 4(f) applies
 - De Minimis
 - Programmatic: Type _____ (List one of the five appropriate categories as defined in 23 CFR 774.3)
 - Individual: Legal Sufficiency Review complete HQ Coordinator Review Complete

- Section 6(f)—Does the project involve property purchased with Land and Water Conservation Funds?
 - No, Section 6(f) does not apply. No additional documentation required.
 - Yes Documentation of approval from National Park Service Director has been received for the conversion/and replacement of 6(f) property.

G. Farmland Protection Policy Act of 1981

Does prime or unique farmland, or land of statewide or local importance exist within the project area (check the Natural Resources Conservation Service (NRCS) [link](#) to search for prime or unique farmland in the project area; you also may need to contact the appropriate state/local soils agency to make this determination)?

- Yes No

If the project has the potential to convert important farmland to non-farm use, coordinate with your local NRCS office (a land evaluation and site assessment may be required). Attach relevant coordination documentation to this form.

H. Coastal Zone

Coastal Zone Management Act of 1972

- Not in Coastal Zone Coastal Permit Required
 Consistent with Federal, State, and Local Coastal Plans Federal Consistency Determination

I. Hazardous Waste and Materials

- Are hazardous materials or contamination exceeding regulatory thresholds (as set by U.S. EPA, Tribe, State County, etc.) present in the project area? Yes No
 - If yes, is the nature and extent of the hazardous materials or contamination fully known? Yes No
- If no, briefly discuss the plan for securing information:

J. Wild & Scenic Rivers

- Are there Wild & Scenic River designations in the project area? Yes No
- Describe any impacts. (Attach the full evaluation if applicable).

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- Will the project plans require the use of specific ancillary sites (e.g. materials sources, disposal sites, staging areas, etc.), or will these sites be left to the contractor to select?
 Required by Plans Selected by Contractor
- If required by project plans, have the ancillary sites been included in all assessments of environmental impacts and consultations with appropriate agencies? Yes No
 If no, please explain.

L. Air Quality

- Is the project in a “nonattainment” or “maintenance” area designated under the Clean Air Act? Yes No
 If yes, is the project consistent with air quality goals for the area? Yes No
- Even if the project is not in a “nonattainment” or “maintenance” area, how will general air quality concerns such as construction-related airborne dust be eliminated or reduced?

M. Socioeconomics and Environmental Justice

- Will the project result in disproportionately high and adverse human health or environmental effects on minority populations and/or low-income populations? Yes No
 - Will construction activities substantially disrupt normal traffic patterns (including access to businesses, community facilities, and accessibility of emergency vehicles)? Yes No
- If yes to either, please explain how these impacts will be mitigated.

N. Noise

- Will the project significantly change the horizontal or vertical alignment of a road? Yes No
- Will the project increase the number of through-traffic lanes on a road? Yes No

If yes to either of the above questions, are there sensitive noise receptors (see [FHWA guidance](#)) located near the project? Yes No If yes, please explain how increased noise, if any, will be abated:

O. Other Relevant Approvals/Processes

- Are there other relevant approvals or processes needed for this project? Yes No
 If yes, please describe.

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P. Permits

1. Section 404 of the Clean Water Act
Will there be impacts to Waters of the US: Yes No
If yes, approval anticipated:
 Nationwide Permit Individual Permit
2. Section 401 of the Clean Water Act approval anticipated:
 Exemption Certification
3. Section 402 of the Clean Water Act
Will the project involve 1 acre of ground disturbance or more? Yes No
If yes, a National Pollutant Elimination System (NPDES) permit is required as well as the development of a Storm Water Pollution Prevention Plan (SWPPP) to be included in the final design.
4. Sections 9 and 10 of the Rivers and Harbors Improvement Act
Will the project involve construction of a structure over a navigable waterway? Yes No
If yes, a Bridge Permit from the U.S. Coast Guard will be required.
5. List below other permits required for the project.

SECTION 3: Environmental Commitments

List all environmental commitments for the project in this section.

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SECTION 4: TYPE OF DOCUMENTATION: Use the information in this section to help determine the applicable documentation and clearance type for the project (CE, EA or EIS). Please note that this is used for planning purposes only. The final decision for level of documentation is made by FHWA after consultation and coordination.

A. Categorical Exclusions Defined (23 CFR 771.117[a]).

FHWA regulation 23 CFR 771.117(a) defines categorical exclusions as actions which:

- do not induced significant impacts to planned growth or land use for the area;
- do not require the relocation of significant numbers of people;
- do not have a significant impact on any natural, cultural, recreational, historic or other resources;
- do not involve significant air, noise, or water quality impacts;
- do not have significant impacts on travel patterns; or
- do not otherwise, either individually or cumulatively, have any significant environmental impacts.

Checking this box certifies that project meets the above definition for a Categorical Exclusion (if not, an EA or EIS will be required).

B. Unusual Circumstances (23 CFR 771.117[b]).

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

- Significant environmental impacts;
- Substantial controversy on environmental grounds;
- Significant impact on properties protected by section 4(f) of the DOT Act or section 106 of the National Historic Preservation Act; or
- Inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the action.

All of the above unusual circumstances have been considered in conjunction with this project. (Please select one.)

Checking this box certifies that **none of the above conditions apply** and that the project qualifies for a Categorical Exclusion.

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

C. Check applicable categorical exclusions from the drop-down menu(s) below. For full text of CEs, click [here](#).

Select a Categorical Exclusion:

Select additional Categorical Exclusion, if needed:

D. If categorical exclusions (c)(26), (c)(27), or (c)(28) were selected above, do any of the following circumstances apply?

Yes No N/A

- (1) An acquisition of more than a minor amount of right-of-way or that would result in any residential or non-residential displacements;
- (2) An action that needs a bridge permit from the U.S. Coast Guard, or an action that does not meet the terms and conditions of a U.S. Army Corps of Engineers nationwide or general permit under section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act of 1899;
- (3) A finding of "adverse effect" to historic properties under the National Historic Preservation Act, the use of a resource protected under 23 U.S.C. 138 or 49 U.S.C. 303 (section 4(f)) except for actions resulting in *de minimis* impacts, or a finding of "may affect, likely to adversely affect" threatened or endangered species or critical habitat under the Endangered Species Act;
- (4) Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions;
- (5) Changes in access control;
- (6) A floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths); or construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers.

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SECTION 5: Certification

Based on the information obtained during the environmental review process and included in this checklist, the project is determined to be a Categorical Exclusion pursuant to the National Environmental Policy Act and is in compliance with all other applicable environmental laws, regulations, and Executive Orders.

Prepared by
(print name): _____

Title: _____

Signature: _____

Date: _____

Regional Archaeologist - Concurrence with Section 2.B. Cultural Resources:

(print name): _____

Title: _____

Regional Archaeologist

Signature: _____

Date: _____

Regional Office / Agency Environmental Coordinator:

(print name): _____

Title: _____

Environmental Engineer

Signature: _____

Date: _____

Regional Director / Superintendent:

(print name): _____

Title: _____

Signature: _____

Date: _____