NEBRASKA
Good Life. Great Journey.
DEPARTMENT OF TRANSPORTATION

# NDOT Form 53
# Probable Class of NEPA Action

**Attach the NDOT-530 for an LPA project, NDOT-73 for a State project, and an aerial location map of the project which includes project start and end points.*

| Date this form was completed: | Control Number: | Project No.: |
|---|---|---|
| Project Name: | | |

☐ LPA Project ☐ State Project

Local Public Agency or NDOT district and county where project is located:

| Answer the following questions: *(See Instructions)* | Yes | No |
|---|---|---|
| 1. Would the project construct a new roadway on a new location? | ☐ | ☐ |
| a. If yes, would the new roadway have 4 or more lanes? | ☐ | ☐ |
| 2. Would the project create a new access controlled freeway facility? | ☐ | ☐ |
| 3. Would the project include a new interchange? | ☐ | ☐ |
| 4. Is it likely the project would disturb any ground outside the existing paved roadway surface? | ☐ | ☐ |
| 5. Is it likely the project would add capacity *(adding thru lanes to a road, fly-by lane, passing lane, auxiliary or turn lane that is > or = 1 mile in length)* to an existing roadway? | ☐ | ☐ |
| 6. Is it likely the project would close a road, bridge, or access for more than 3 consecutive days? | ☐ | ☐ |
| 7. Is it likely the project would disturb natural ground *(soil)* below or beyond existing fill material? | ☐ | ☐ |
| 8. Is it likely the project would require the acquisition of right-of-way *(ROW)*, including permanent easements and/or temporary construction easements? | ☐ | ☐ |
| a. If yes, is it likely more than 4 acres per linear mile of ROW or easements would be needed? | ☐ | ☐ |
| b. If yes, is it likely farmland would be purchased? | ☐ | ☐ |
| c. Is it likely the project would require homes, businesses, or farms to be relocated? | ☐ | ☐ |
| 9. Is it likely the project would change access control rights to an existing roadway? | ☐ | ☐ |
| 10. Is there known public opposition or controversy related to this project or is it anticipated? | ☐ | ☐ |
| 11. Is additional outreach proposed beyond the program hearing/meeting? | ☐ | ☐ |
| 12. Are there any Section 4(f) properties present along the project? | ☐ | ☐ |
| a. If yes, is it likely the project would impact a Section 4(f) property? | ☐ | ☐ |
| 13. Based on past experiences or to your knowledge, is the project adjacent to structures that are 50 years old or older, or are there any known historic structures in the project area? | ☐ | ☐ |
| 14. Would the project affect an eligible historic bridge? | ☐ | ☐ |
| 15. Based on past experiences or to the best of your knowledge, are there any State or Federally listed Threatened or Endangered Species or critical habitat within the project area? | ☐ | ☐ |
| 16. Would the project cross state lines? | ☐ | ☐ |
| 17. Would the project fit a (c) or (d) listed project category as described in 23 CFR 771.117? If "No", evaluate whether the project may be assigned under 23 USC 327. | ☐ | ☐ |
| 18. Would the project occur within a federal or tribal land? | ☐ | ☐ |

19. Are any of the following water bodies located within the project limits? *(Check all that apply)*
☐ Creek or stream channel ☐ Lake ☐ River ☐ Drainage ditch ☐ N/A

a. If any water bodies are in the project limits, then how often is water present in them?
☐ Always present ☐ Sometimes present ☐ Rarely present ☐ N/A

b. Is it likely the project would impact any of the following? *(Check all that apply)*
☐ Creek or stream channel ☐ Lake ☐ River ☐ Drainage ditch ☐ N/A

20. Do any of the following statements describe areas within the project limits? *(Check all that apply)*
☐ There is standing water in the project area.
☐ There are areas that hold water longer after it rains and/or do not drain well.
☐ There are areas that appear to be soggy or swampy.
☐ There are known wetlands in the project area.
☐ Wetland plants are located in the project area *(e.g., cattails, reed-canary grass).*
☐ Wetlands Reserve Program acres are present.

a. If any boxes were checked in 20 above, is it likely any of those areas would be impacted by project construction? ☐ Yes ☐ No

21. To your knowledge, do any of the following exist within or adjacent to the project limits? *(Check all that apply)*
☐ Above or below ground storage tanks
☐ Past chemical spills or releases
☐ Operational and/or closed dump or landfill
☐ Industrial or commercial areas
☐ None known

22. Does the project appear to satisfy logical termini and independent utility per 771.111(f)(1-3) criteria, which will be verified in final environmental documentation? ☐ Yes

23. An aerial location map is attached to this form, which shows the project location and contains enough detail for someone from the public to find the project site. ☐ Yes

Please add any additional comments to support the information in this form. *(*Include any public involvement that has occurred.)*

Document Preparer's Signature (Qualified NEPA Specialist):
*I certify the information in this form accurately reflects what I know about this project at this time.*

| *(Print Name)* | *(Signature)* | *(Date)* |
|---|---|---|

NDOT NEPA Specialist
*(Organization and Title)*

| *(Phone – include Area Code)* | *(Email)* |
|---|---|

**NDOT NEPA Specialist or Environmental Project Manager Recommendation on Probable Class of NEPA Action:**

NDOT has reviewed this form and recommends the following Probable Class of NEPA Action for this project:

- ☐ (a) - 326 Categorical Exclusion
- ☐ (b) - Pavement Repair MCE
- ☐ (c) - 327 Categorical Exclusion
- ☐ (d) - Environmental Assessment
- ☐ (e) - Environmental Impact Statement

| | | | |
|---|---|---|---|
| | | Env. Proj. Manager | |
| *(Print Name)* | *(Signature and Title)* | | *(Date)* |

NDOT Comments

| |
|---|
| |

NDOT EDU Supervisor Determination on Recommended Probable Class of NEPA Action (required unless option (a) or (b) is selected from above):

- ☐ I concur with the Probable Class of NEPA Action recommendation made above.
- ☐ I do not concur with the recommendation above. Please see comments below.

| | | |
|---|---|---|
| Jon Barber | | |
| *(Print Name)* | *(Signature)* | *(Date)* |

EDU Supervisor Comments:

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|---|
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