

**PROGRAMMATIC CATEGORICAL EXCLUSION –  
BROADBAND**


**Date:** March 28, 2018

Initial Version

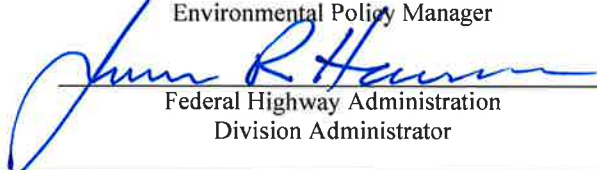
Revision to Version Dated: \_\_\_\_\_

**Purpose of this document: Statewide Programmatic Categorical Exclusion for installation of broadband and other related equipment within INDOT right of way.**

**Approval of Programmatic CE:**

  
 \_\_\_\_\_  
 INDOT – Environmental Services Division  
 Environmental Policy Manager

4-3-2018  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Federal Highway Administration  
 Division Administrator

4/4/2018  
 \_\_\_\_\_  
 Date

PROJECT INFORMATION			
County, Route	Various Locations	Des Number	Various
<b>Purpose and Need:</b>	<p>In order to foster economic opportunity across Indiana there is a need for continued growth in competitive broadband connectivity options for every citizen. As stewards of a significant assemblage of contiguous property, INDOT is in a position to help meet this need so long as the integrity of the public investment in right of way is maintained. Therefore, INDOT seeks to accommodate private investment in broadband infrastructure while providing for the safety of the traveling public and ensuring that natural and cultural resources are not adversely effected.</p>		
<b>Project Description:</b>	<p>Projects including:</p> <p><b>Installation of longitudinal broadband fiber optic cable and related equipment within INDOT right of way.</b>                      This work involves the placement of fiber optic cable duct, fiber optic wire, fiber optic conduit, hand holes, vaults or related fiber optic equipment within INDOT right of way. Installation techniques may include any combination of plowing, trenching, boring, direct burial or suspension. Construction drawings and plans of detail shall be reviewed for approval by INDOT permit and technical services personnel. All fiber improvements placed in the right of way shall be designed and installed to avoid clear zone conflicts.</p> <p><b>Installation of micro cellular or “small cell” support structures within INDOT right of way.</b>                      This work includes the installation of small scale low-powered radio repeaters, antennas or network nodes also referred to as microcell, picocells, femtocells or distributed antenna systems within INDOT right of way. The typical support structure for a small cell device occupies less than a square meter and consists of a buried wooden pole similar in size to a power or telephone pole. Small cell broadcast equipment is deployed at near street level elevations and the associated equipment is mounted to the structure. Small cell installations do not require fenced compounds; however, they do require access to electrical service via buried or elevated power line. Construction drawings and plans of detail shall be reviewed for approval by INDOT permit and technical services personnel. All small cell structures placed in the right of way shall be designed and constructed to avoid clear zone conflicts.</p>		

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<b>Other Alternatives Considered:</b>	The no-build alternative was considered, but dismissed since it would not meet the purpose and need of the projects.		
<b>Project Termini:</b>	Varies		
<b>Funding Source(s):</b>	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input type="checkbox"/> Local <input checked="" type="checkbox"/> Other
<b>Project Sponsor:</b>	Varies		<b>Estimated Cost</b> \$ Varies
		<b>Project Length</b>	Varies

SCOPE OF THE PROPOSED ACTION			
<b>Public Involvement</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>
Comments:	These project projects do not meet any of the conditions set by the FHWA approved <i>INDOT Public Involvement Manual</i> that require a public hearing. Therefore, INDOT is not required to offer the public an opportunity to request a public hearing. The projects are not anticipated to cause any public controversy.		
<b>Right-of-way (permanent and temporary, in acres)</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>
Comments:	This Programmatic Categorical Exclusion only applies for the specified activities listed above that occurs within INDOT right-of-way. It is the responsibility of the permittee to follow federal and state laws including for construction activities outside of INDOT owned right-of-way.		
<b>Disruption to public facilities/services (such as schools, emergency service)</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>
Comments:	Any disruption will be temporary, and public service providers will be notified. Traffic will be appropriately maintained.		
<b>Involvement with existing bridge(s) (Include structure number(s))</b>		No: <input type="checkbox"/>	Yes: <input type="checkbox"/>
Comments:	The existing bridges will not be modified except as allowed by the most current version of the Programmatic Agreements for Minor Projects, as applicable.		

INVOLVEMENT WITH RESOURCES			
<b>Streams, Rivers, and Watercourses Impacted (linear feet)</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>
Comments:	There will be no construction in waterways as part of these projects.		
<b>Wetlands (acres)</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>
Comments:	There will be no adverse impacts to wetlands as part of these projects.		
<b>Disturbance of Terrestrial Habitat (acres)</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>
Comments:	Depending on the method of installation, terrestrial habitat may be impacted by project activities. Terrestrial habitat within INDOT right of way is predominately mowed grass, tall fescue, and forested areas. Terrestrial habitat impacts will be minimized to the greatest extent possible. All bare and disturbed areas will be revegetated as soon as possible upon project completion. There will be no construction which adversely affects habitat as part of this project.		
<b>Karst Features</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>
Comments:	If karst features are present with the construction limits, this Programmatic Categorical Exclusion may not be used. If unexpected karst features are discovered during construction, work shall cease immediately in the affected area and INDOT contacted immediately.		

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<b>INVOLVEMENT WITH RESOURCES</b>				
<b>Threatened and Endangered Species</b>		No: <b>X</b>	Yes:	Possible:
Comments:	<p>These projects are included under the May 2013 USFWS Interim Policy for the Review of Highway Transportation Projects in Indiana for all species except for the Indiana bat, northern long-eared bat, and the rusty patched bumble bee and other species listed in the future.</p> <p>The project must meet the requirements for a No Effect determination according to the USFWS Range-wide Programmatic Consultation for Indiana bat and northern long-eared bat, or must apply the avoidance and minimization measures required by a project effect determination of May Affect-Not Likely to Adversely Affect.</p> <p>These projects are outside of high potential zones for rusty patched bumble bee upon review of the USFWS rusty patched bumble map tool <a href="https://www.fws.gov/midwest/endangered/insects/rpbb/index.html">https://www.fws.gov/midwest/endangered/insects/rpbb/index.html</a>. The Programmatic Categorical Exclusion does not apply if a project is in a high potential zone for rusty patched bumble bee and/or if the IPaC determination is a Likely to Adversely Affect.</p>			
<b>Drinking Water Resources</b>		No: <b>X</b>	Yes:	Possible:
Comments:	<p>Though some projects may be located within the St Joseph Sole Source Aquifer, the only legally designated sole source aquifer in Indiana, projects are of types which will not impact the aquifer. Public water systems, wellhead protection areas, and residential wells are not anticipated to be impacted by project activities.</p>			
<b>Flood Plains (note transverse or longitudinal impact)</b>		No: <b>X</b>	Yes:	Possible:
Comments:	<p>These projects will not alter flood elevations.</p>			
<b>Farmland (acres)</b>		No: <b>X</b>	Yes:	Possible:
Comments:	<p>These projects are not types which will affect farmland. No impacts to farmland are anticipated.</p>			
<b>Cultural Resources</b>		No: <b>X</b>	Yes:	Possible:
Comments:	<p>Full Section 106 coordination is not required for these projects, in accordance with the relevant category of the Minor Projects Programmatic Agreement (MPPA) or the project has been determined to be of a nature which has no potential to adversely affect resources protected by IC 14-21-1. All work will be within INDOT right of way.</p> <p>All assessments of historic protection status must be carried out in accordance with the most recent Minor Projects Programmatic Agreement for implementation of Section 106 of the Historic Preservation Act in Indiana.</p>			
<b>Section 4(f) and Section 6(f) Resources</b>		No: <b>X</b>	Yes:	Possible:
Comments:	<p>Although there may be Section 4(f) or 6(f) resources near the project, none of the resources will be adversely affected by project activities.</p>			
<b>Air Quality Impacts</b>		No: <b>X</b>	Yes:	Possible:
Comments:	<p>These projects are exempt from air quality analysis in accordance with 40 CFR Part 93.126 Table 2. These projects are not projects of air quality concern and therefore will have no significant impact on air quality.</p>			

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<b>INVOLVEMENT WITH RESOURCES</b>				
<b>Community/Economic Impacts</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>	Possible: <input type="checkbox"/>
<b>Comments:</b>	No negative impacts are anticipated for established communities.			
<b>Hazardous Materials</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>	Possible: <input type="checkbox"/>
<b>Comments:</b>	These projects are not anticipated to impact hazardous material concerns with the limited excavation needed. However, prior to construction, a desktop review of available hazardous material information will need to occur. All herbicides sprayed will be used in accordance with manufacturer instructions and applicable regulations.			
<b>Permits</b>		No: <input checked="" type="checkbox"/>	Yes: <input type="checkbox"/>	Possible: <input type="checkbox"/>
<b>Comments:</b>	<p>These projects may require an IDEM Rule 5 permit for ground disturbance totaling one (1) acre or more. If ground disturbance is less than one (1) acre, these projects may still be subject to stormwater permitting per 327 IAC 15.</p> <p>If a project involves installation of above ground structures and is located near an airport, the INDOT Office of Aviation will be contacted to determine whether it is necessary to complete FAA Form 7460-1 (Notice of Proposed Construction or Alteration) for equipment or permanent structures used for the project.</p> <p>It will be the responsibility of the permittee to secure and comply with the required permits.</p> <p>No jurisdictional waters/wetlands will be disturbed. The Programmatic Categorical Exclusion does not apply if waterway permits are needed.</p>			

**ENVIRONMENTAL COMMITMENTS:**

**FIRM**

If the scope of work or permanent or temporary right-of-way amounts change, the INDOT will be contacted immediately.

Any work in a waterway or wetland area within INDOT's right of way is prohibited.

If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al.) and State Law (IC 14-21-1) require that work must stop immediately and that the discovery must be reported to the Division of Historic Preservation and Archaeology in the Indiana Department of Natural Resources within two (2) business days. INDOT's Cultural Resources Office shall also be notified.

If a spill occurs or contaminated soils or water are encountered during construction, appropriate personal protective equipment (PPE) should be used. Contaminated materials will need to be properly handled by trained personnel and disposed in accordance with current regulations. IDEM should be notified through the spill line at (888) 233-7745 within 24 hours of discovery of a release from a UST system and within two (2) hours of discovery of a spill.

If a project involves installation of above ground structures and is located near an airport, the INDOT Office of Aviation will be contacted to determine whether it is necessary to complete FAA form 7460-1 (Notice of Proposed Construction or Alteration) for equipment or permanent structures utilized for the project.

Reasonable precautions shall be taken to minimize fugitive dust emissions from construction and demolition activities. For example, wetting the area with water, constructing wind barriers, or treating dusty areas with chemical stabilizers (such as calcium chloride or several other commercial products). Dirt tracked onto paved roads from unpaved areas will be minimized.

Return all disturbed areas to the original grade and revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue), and legumes, immediately following project completion.

Install silt fence or other erosion control measures around the perimeter of any wetlands and/or other waterbodies at the project site, to protect from disturbance during construction.

If unexpected karst features are discovered during construction, work shall cease immediately in the affected area and INDOT will be contacted immediately.

*If avoidance and minimization measures are required as a result of Range-wide Informal Consultation for the Indiana bat and northern long-eared bat, these avoidance and minimization measures are to be implemented as part of the project and are FIRM commitments.*

