NEW JERSEY DEPARTMENT OF TRANSPORTATION CATEGORICAL EXCLUSION DOCUMENTATION

CED Form Updated March 26, 2008

	THE RESERVE AND ADDRESS OF THE PARTY OF THE				
I. GENERAL INFOR	MATION				
DOT Job Code No. 2200168		Federal Project	N/A		
Project Management		UPC No.	N/A		
Route & Section	Structure No.	1303(152,153,154,155,157,158, 59,160,162), 1206(150,151,152,153,154,155, 58)			
Local Road Name	N/A				
Municipality(ies)	Freehold Twp.; Old Bridge Twp.; Marlboro Twp.; Manalapan Twp.	County(ies)	Monmouth & Middlesex Count		
Type of Project	Pavement Resurfacing Rehabilitation	Length	18.8 miles		
From Milepost Rt. 9: 1) Southbound MP 113.10 2) Southbound MP 115.3 3) Northbound MP 122.3		To Milepost	Rt. 9: 1)Southbound MP 114.00 2)Southbound MP 128.00 3)Northbound MP 128.00		
Congressional Distr	rict 4 & 12	Legislative District 12 & 13			
ROW Cost N/A		Construction C	ost	\$18,400,000	

EXISTING	FAC	ILITY			
ROW Widt	h	Varie			
No. Lanes	& W	idth			to 3 (12' lanes)
Shoulder Width		ies ", 12"	Med	dian	Varies 8', 12', 20', 24', 36'
Overall Ro			dth	Vari	es 56',60',72'

PROPOSE	D F	CILITY	Y		
ROW Width Va		Varies			
No. Lanes & Width			Varies 2 to 3 (12' lanes)		
Shoulder Va		ries Me 7', 12'		Varies 8', 1' 20', 24', 36'	
Overall Roadway Wid			lth	Vari	es 56',60',72'

II. PROJECT	DESCRIPTION	(attach	location m	ap; l	JSGS	map	suggested)

A. Project Need (briefly explain why the project is needed):

This section of roadway is in need of resurfacing. Several sections along Route 9 exhibit a deficient surface distress condition and is in need or roadway resurfacing. The purpose of this project is to extend the useful life of the highway surface.

B. Proposed Improvements (provide a brief description of proposed improvements): This project will consist of resurfacing by milling 3" and paving 3" with no increase in profile. Manholes, inlets, curbs, and driveways will be reset as needed.

C. Right-of-Way Takin	g I Fat Name		In fee-0	easements-0	
Total area needed: 0	Est. No. pa	arceis:	In ree-o		
Est. No. relocations: residences-0 bus		busine	esses-0	parking spaces-0	
Community Facilities Aff					
Area of public recreation land taken: 0 (acres))	Out of a total area of: 0 (acres)		
Green Acres/State	-owned Land Involven	nent			
Fodorally Owned/F	ederally Funded Land	Involve	ment		
Comments: No Right-o	of Way taking is anticip	pated sir	nce this is a road	way resurfacing project.	
Comments: No riight o	si truj ising				

III. E	NVIRONMENTAL CONSIDERATIONS
A. N	loise
X	Sensitive receptors exist within 200 feet for two lanes or 400 feet for four lanes.
FIT	Project substantially changes the vertical or horizontal alignment of the roadway.
Ħ	Traffic volumes or speeds substantially increase.
Con	clusion:
	Noise study not required. No significant impact anticipated.
	Potential noise impacts were studied and are discussed in comments. Project still meets CE
ш	oritorio
Con	nments: There are sensitive receptors in the project area, however due to the nature of the project,
200	ignificant impacts are anticipated
110 3	Air Quality: CONFORMITY WITH THE CLEAN AIR ACT AMENDMENTS (CAAA) OF 1990
Soo	tion 1. Regional Emissions Analysis (STIP or MPO's conforming transportation plan)
Sec	Drainet is included in the EV 20 - 20 approved State Transportation Improvement Plan (STIP).
ш	Project is included in the FY 20 20_ approved STIP but is included in the MPO's conforming
	trependation plan
	transportation plan. Project is not included in either the approved STIP or the MPO's conforming transportation plan.
	Project is not included in earlier the approved on the included in the
C-	ction 2: Based on its scope, the project is categorized by the Transportation Conformity Rule (TCR)
as:	A project type listed in Table 2 of the TCR, i.e., Exempt from the conformity requirements of the
	CAAA (i.e., exempt from regional emissions analysis, Carbon Monoxide (CO) analysis, and
	Particulate Matter PM2.5 and PM10 analyses requirements) and may proceed towards
	implementation even in the absence of a conforming transportation plan and TIP.
	A project listed in Table 3 of the TCR, i.e., Exempt from regional emissions analysis requirement,
1720	A project listed in Table 3 of the TCA, i.e., Exempt from regional emissions discipline must be
	but local effects of this project with respect to CO, PM2.5 and PM10 concentrations must be
	considered to determine if a hot-spot analysis is required.
1	Complete Section 2a below.
	A project type not listed in Table 2 or Table 3 of the TCR, i.e., must be part of a
	conforming STIP and/or a MPO's conforming transportation plan and requires CO, PM2.5 and
	PM10 hot-spot analyses.
	Complete Section 2a below.
Se	ection 2a(1): Project type listed in Table 3 of the TCR for CO analysis
	Project type not listed in either Table 2 or Table 3 of the TCR for CO analysis
	Project located in CO Attainment Area. CO analysis not required. Project may proceed to the
	project development process
	The total eight-hour Carbon Monoxide levels are expected to be reasonably below the NAAQS of
	I I a now This is based on I OS data for the intersection(s) and the total highest trainic voluntes at this
	(those) intersection(s) and the distance of the sensitive receptors to the roduwdy. No quantitative
	analysis is required. Project may proceed to the project development process even in the absence
	of a conforming transportation plan and TIP
	Project located in a Carbon Monovide Non-Attainment/Maintenance Area and requires a
	Carbon Monoxide hot-spot analysis. A CO Analysis was completed at the following intersection(s):
	Carbon Monoxide not spot analysis. 71 99 7 may 2
	And the results are:
	And the results are.
	ection 2a(2): Project type listed in Table 3 of the TCR for PM2.5 analysis
Se	Project type not listed in Table 2 or Table 3 of the TCR for PM2.5 analysis
	The project is located in PM2.5 Attainment Area. PM2.5 hot-spot analysis is not required.
	I The project is located in PM2.5 Attainment Area. PM2.5 not spot analysis is not required.
	Project may proceed to the project development process.
	The project is located in a PM2.5 Non-Attainment/Maintenance Area and the project is not an air
	quality concern under 40CFR 93.123(b) (1). Quantitative/qualitative analysis is not required.
1	Project may proceed to the project development process.

	The	project is located in a PM2.5 Non-Attain	ner	nt	Maintenance Area and the project is an air		
	qual	ity concern under 40CFR 93.123(b) (1).	ΑI	PI	M2.5 hot-spot analysis was completed at the		
	follov	wing location(s):					
					9		
	And	the results are:					
		W H					
			Ale e	-	COD for DM10 analysis		
Sec	tion 2	a(3): Project type listed in Table 3 of	tne	- 1	Table 3 of the TCR for PM10 analysis		
	T =1	Project type not listed in Table	A 20	22	. PM10 hot-spot analysis is not required.		
Ш	l In	oject may proceed to the project develop	me	nt	nrocess		
	Pr	oject may proceed to the project develop	nm	01	nt/Maintenance Area and the project is not an air		
	l In	e project is located in a Fivi to Non-Attai	1)	0	uantitative/qualitative analysis is not required.		
	Dr	picot may proceed to the project develop	mei	nt	process.		
	Th	pe project is located in a PM10 Non-Attai	nm	e	nt/Maintenance Area and the project is an air		
	al al	pality concern under 40CFR 93.123(b) (1).	A	PM10 hot-spot analysis was completed at the		
ш	fo	llowing location(s):	. , .				
	10	lowing location(s).			9 2		
	Ar	nd the results are:					
Cor	nmer	ts (include LOS, if appropriate): The pro	pos	se	d project will not result in impacts in air quality in		
		ot area.	**				
C.	Poter	ntial Ecological Constraints (check thos	e th	ha	t apply)		
		odplains			Shellfish Habitat		
	Wet	tlands		Ц	Acid Producing Soils		
	Veri	nal Pools	_	Ц	Submerged Aquatic Vegetation		
	Wat	terbody:	4		Sole Source Aquifer		
		Category One		Forested Areas			
		Trout Production	L		Threatened and Endangered Species:		
		Trout Maintenance			State-listed species		
		Non-Trout	-	7	Federally listed species		
		d and Scenic River	_	7	Other (specify):		
Ш	Ess	ential Fish Habitat					
	_		_	_	Ol Ni-t		
	Fed	derally Listed Threatened & Endangered	Spe	C	es Unecklist:		
	(Ple	ease see http://www.fws.gov/northeast/n	field	ac	office/Endangered/consultation.html for guidance on		
	the	current US Fish and Wildlife Service	(U	51	FWS) Consultation Procedures. County/municipal		
	spe	ecies lists are only valid for 90 days.)					
		The areased project is not located in	an	ar	ea with county-wide distribution of a federally listed		
		analisa and is not within or adjacent t	an n a	r	nunicipality with a known occurrence of a federally		
		listed species Documentation of this	det	er	mination is in the project file. No further action is		
		required under the Endangered Species	: Ac	1	(ESA)		
	The proposed project is located in an area with county-wide distribution of a federally lists						
	l chacine and/or is within or adjacent to a municipality with occurrence of lederally listed species						
	MI Habitat requirements for each of the species have been reviewed and the project's impact area						
	(i.e., action area) was assessed to determine whether it contains potentially suitable habitat.						
		Record on existing information or field SI	ITVE	W.	s, the results revealed:		
		The project's impact area (*i.e. act	ion	a	rea) does not contain potentially suitable habital for		
		M a federally listed species. Docum	ient	ta	tion of this determination is in the project me. The		
		further action is required under the	FS/	Α.	Concurrence from the USEWS is not required.		
		The project's impact area (i.e., acti	on .	ar	ea) does or may contain potentially suitable Habitat		
		I I for a federally listed species. The a	ISSE	25	sment and all relevant project information: ish and Wildlife Service's NJ Field Office for ESA		
		Have been submitted to the	JS	-	ish and wildlife Service's NJ Field Office for LOA		

	T		Section 7 consultation. Correspondence is attached. See comments below.
			Will be submitted to the New Jersey Division of Land Use Regulation Program during the permitting process. Project requires authorization under the NJ Freshwater Wetlands Protection Act. See comments below.
			Folderion Act. Ged comments below.
the act	d not r action tion on	mere n nor liste	The action area is defined by regulation as all areas to be affected directly or indirectly by the Federal action sly the immediate area involved in the action (50 CFR §402.02). This analysis is not limited to the "footprint" of is it limited by the Federal agency's authority. Rather, it is a biological determination of the reach of the proposed dispecies. Subsequent analyses of the environmental baseline, effects of the action, and levels of incidental take on the action area.

action on listed species. Subsequent analyses of the environmental baseline, effects of the action, and levels of incidental take are based upon the action area.
Conclusion:
No significant impact anticipated
Further studies are needed to obtain permits. Project still satisfies CE criteria.
Comments (briefly describe all potential ecological constraints): There are no suitable habitats for
threatened and endangered species that will be impacted by this project.
There are waterbodies found in the following locations: MP 115.46 (McGellairds Creek); MP 115.95 (Unnamed Stream); MP 117.04 (Depehemus Brook); MP 117.70 (Milford Brook); MP 118.85 (Unnamed Stream); MP 119.00 (Unnamed Stream); MP 119.25 (Unnamed Stream); MP 119.49 (Pine Brook); MP 120.21 (Barkley Brook); MP 120.35 (Unnamed Brook); MP 121.06 (Unnamed Stream); MP 121.19 (Unnamed Stream); MP 121.74 (Unnamed Stream); MP 122.86 (Unnamed Stream); MP 123.02 (Unnamed Stream); MP 123.22 (Deep Run Brook); MP 123.47 (Unnamed Stream); MP 124.49 (Unnamed Stream); MP 125.22 (Tennents Brook); MP 125.34 (Warnes Brook); MP 125.45 (Unnamed Stream). However, due to the limited nature of the proposed improvements, impacts to these streams are not anticipated.

D. 4	Anticipated Environmental Permits/Approv	als	/Coordination (check those that apply)				
Ti	US Coast Guard		NJDEP Pollutant Discharge				
	USACOE Section 10 (Navigable Waters)		NJDEP Dam Safety				
	USACOE Section 404 (Nationwide)		NJDEP Remediation Approval				
	USACOE Section 404 (Individual)		NJDEP Tidelands Conveyance				
	USEPA Sole Source Aquifer		EO 11990 Wetlands				
	NJDEP Freshwater Wetlands—GP		EO 11988 Floodplains				
	NJDEP Freshwater Wetlands—IP		NJDEP Highlands Preservation Area:				
	NJDEP Transition Area Waiver		☐ Exempt				
	NJDEP Coastal Wetlands		☐ Highlands Applicability Determination				
	NJDEP Waterfront Development		☐ Highlands Preservation Area Approval				
	NJDEP CAFRA		USDA-Farmland Conversion (Form AD 1006)				
	NJDEP Flood Hazardous Area—GP		NJ Agriculture Development Area				
	□ NJDEP Stream Encroachment—IP		NJDEP Green Acres Program/State House				
			Commission				
\boxtimes	NJDEP Stormwater Management:		National Marine Fisheries Service				
_	AND THE PROPERTY AND TH		NJDEP Parks & Forestry (PL 2001 Chapter 10				
		_	Reforestation)				
			D&R Canal Commission				
	Unknown at this time		Meadowlands Commission				
	Approval through NJDEP LURP		Pinelands Commission				
	Permit (or)	L					
			Endangered Species Act Section 7 Consultation				
	NJPDES Construction Activity Stormwater		NJDEP Threatened & Endangered Species				
	GP (RFA)		Coordination				
	NJDEP Water Quality Certificate		Other (specify):				
	mments:						
If th	If this project disturbs more than 1 acre of land or adds more than 1/4 of new impervious the Stormwater						

Management Rules must be met. As this project will not need a permit from the NJDEP the Stormwater Management Plan will be self certified by this unit if one is required.

Proposed new inlets, reconstructed inlets, and existing inlets that come into contact with resurfacing, reconstruction or alterations must meet the New Jersey Pollutant Discharge Elimination System requirements.

Since the surface of the roadway will be milled 3" and replaced with a maximum of 2" thickness of material, a NJDEP Flood Hazard Area Permit will not be required. However, if the proposed project changes, this will need to be re-evaluated.

	-								
. Cultural	Pec	ouroes							
1 = :									
		1 al a sale	king for Section	on 106 purpo	ses: concurren	ce has been re	ceived from FHWA.		
7 1	4 -	- FINALA CL	IDO Agraamar	at of //h/lill's	annieci io conui	HOLIS INCLUMEN	111 1110 / 19.00		
		1000	-1: F/DE	MI CHUI CO	ncurrence will	SECTION TOO O	Jiliphanoo		
No Sec	CUON	Fodorally B	Funded Draina	ge Improvem	ent Program; s	ubject to condit	tions identified in		
the Ag		t in-ifico	nt properties	if they exi	st in APE pe	er 36CFR800.3	3(a)(1) with SHPO		
NO E	No Effect to significant properties if they exist in APE per 36CFR800.3(a)(1) with SHPO concurrence. (Because the Section 106 regulations allow for a level of effort for conducting and evaluating cultural resources to be commensurate with the undertaking, this category of finding was developed to be used for certain projects resources to be commensurate with the undertaking, this category of finding was developed to be used for certain projects resources to be commensurate with the undertaking, this category of finding was developed to be used for certain projects.								
resource	es to b	pe commensura	ate with the under	taking, this cate	egory of finding wa	s developed to be	used for certain projects		
when no	o cultu	iral resources s	survey has been c	oriuncted, and	och mipocou ochia.				
the und	ertakir	ng, e.g., Pipelin	e 3 or other small-	scale projects.)	ies in APF (Se	ction 106 Findir	ngs = No Historic		
Prope	rties	Affected).	/aligible prope	rtice exist wit	thin APF (see	consultation su	ummary below).		
Nation	nal H	egister listed	religible prope	THES CAIST WIT	41111711 = (000				
		<u> </u>	Arch	itecture		0	Einding		
Archaeolo	ogy	Dridge	Building	District	Other	Section 106			
- 11 - 12 - 12 - 12 - 12 - 12 - 12 - 12		Bridge .	Building	District		NR listed/elig	gible property(ies)—		
						No Historic F	roperties Affected		
			_			NR listed/elig	gible property(ies)—		
						No Adverse	Effect (NAE)		
							. ()		
						NR listed/elig	gible property(ies)—		
						NAE with co	nditions		
						J	'll la annount (ioo)		
						NR listed/ell	gible property(ies)-		
Adverse Effect					ect				
04	1 1	06 Consult	ation Summa	rv			Date		
Sect	10H 1	nourred with	Adverse Effec	ct Finding					
I CHR	O pro	wided Section	on 106 consult	ation comme	ents				
I SHP	SHPO provided Section 106 consultation comments FHWA concurred with No Adverse Effect with Conditions								
I ACH	D no	tified of Adve	erse Effect			5			
H ACH	D ros	enonded to r	otification (che	eck one/enter	r date):				
L ACT	ACH!	will particin	ate in consulta	ation					
	ACHE	P declined to	participate in	consultation					
ПМОА	A eye	cuted by FH	WA (check on	e/enter date)	:				
	MOA	filed with A	CHP						
		1/	· 1 NAO A						
Commen	ts (in	clude MOA	stipulations or	other conditi	ons, if applicab	le): There are	no cultural resource		

sites that will be impacted in the project area. Due to the nature of the project and the No Effect Agreement between FHWA and SHPO in 7/6/00, there are no effects in this project.

	Section 4(f) Involvement
	tion 1: Historic Sites
\boxtimes	No Section 4(f) Involvement
	Project results in a "constructive use" of Section 4(f) property.
	Project results in a use of Historic site(s) on or eligible for the National Register of Historic Places
	(check one below):
	Section 4(f) Involvement. Project is covered under de minimis Evaluation of Impacts and all
	policability criteria have been met, including concurrence first by the FHWA that the project
	meets the applicability criteria, and <i>then</i> concurrence by SHPO with the "No Effect" or "No
	Adverse Effect" determination after they are notified of the intent to use a de minimis finding.
	Section 4(f) Involvement. Project is covered under the Nationwide Section 4(f) Programmatic
	Light Evaluation for minor involvement and all applicability criteria have been met, including
	concurrence by the SHPO (or ACHP) with the "No Effect" or "No Adverse Effect" determination.
	Section 4(f) Involvement. Project is covered under the Nationwide Section 4(f) Programmatic
	LI Evaluation for Net Benefits and all applicability criteria have been met, including notification to
	and concurrence by the FHWA with the determination.
	Section 4(f) Involvement. Project has an "Adverse Effect" determination. Individual Section
	4(f) was prepared.
Con	nments: There are no Section 4(f) historic sites in the project area.
Sec	tion 2: Historic Bridges
	No Section 4(f) Involvement
	Section 4(f) Involvement. Project is covered under the Nationwide Section 4(f) Programmatic
	Evaluation for Historic Bridges.
Con	nments: There are no Section 4(f) historic bridges in the project area.
Sec	tion 3: Publicly Owned Park, Recreation Area, Wildlife or Waterfowl Refuge
\boxtimes	No Section 4(f) Involvement
	Project results in a "Constructive Use" of Section 4(f) property (fill out Site Information below)
	Project requires acquisition from publicly owned recreation land (fill out Site Information below):
	Section 4(f) Involvement. Project is covered under <i>de minimis</i> Evaluation of Impacts and all
	applicability criteria and conditions have been met, including concurrence first by the FHWA
	that the project meets the applicability criteria, and <i>then</i> notification to the officials with
	jurisdiction of the intent to use a <i>de minimis</i> finding.
	Section 4(f) Involvement. Project is covered under Nationwide Section 4(f) Programmatic
	☐ Evaluation for minor involvement and all applicability criteria and conditions have been met.
	including concurrence by the officials having jurisdiction over the property.
	Section 4(f) Involvement. Project is covered under the Nationwide Section 4(f)
	☐ Programmatic Evaluation for Net Benefits and all applicability criteria have been met.
	including notification to and concurrence by the FHWA with the determination.
	Section 4(f) Involvement. Nationwide Section 4(f) Programmatic applicability criteria were not
	met; Individual Section 4(f) Evaluation was prepared.
Site	Information (for projects involving "Constructive Use" or acquisition from publicly owned recreation
land	, wildlife or waterfowl refuge):
Nam	ne of Site (use local name):
	and Block:
	l acreage of site:
Acre	eage of site affected (acquisition and permanent easements):
	Federal encumbrances involved (e.g., Wild and Scenic Rivers Act, Land and Water Conservation Fund Act, Rivers and Harbors Act).

refuges in the project area. Section 4: Independent Walkway & Bikeway Construction Projects No Section 4(f) Involvement Section 4(f) Involvement. Project is covered under the Nationwide Section 4(f) Programmatic Evaluation. Project requires use of recreation and park areas established and maintained primarily for active recreation, open space, or similar purposes. All applicability criteria have been met, including approval in writing by the official with jurisdiction over the property that the project is acceptable and consistent with the designated use of the property and that all possible planning to minimize harm has been accomplished in the location and design of the bikeway or walkway facility. Comments: There are no Section 4(f) independent walkway and bikeway construction projects in the project area. G. Hazardous Materials and Landfills ☑ Involvement with underground storage tanks. Conclusion: □ Low potential for involvement with contamination; no further investigation required. Further investigation and/or sampling required to determine extent of involvement with contamination. Project still meets FHWA criteria for a CE. Comments: If the inlets, curb and driveways are just being raised up to the grade, then there will be no concerns with hazardous waste. However, if ROW take is proposed or the final scope of work is changed, then there might be involvement with Hazardous material management. H. Socioeconomics ☐ The project will **not** result in any significant socioeconomic impacts. Comments: The proposed work will not isolate any residential neighborhoods or adversely impact community cohesion in the project area. The proposed project will not require the acquisition or relocation of any residential, business, or commercial properties. The prposed project will not involve the relocation to any residents living withing the sutdy area. No residences, community facilities, or existing land use patterns will be adversely impacted by the project. I. Environmental Justice Project will have no disproportionately high or adverse effects on low income and/or minority Project will have disproportionately high and adverse effects on low income and/or minority communities. Conclusion: Project is in compliance with the goals of Executive Order 12898 and the requirements of the Civil Rights Act of 1964. Project is in compliance with the goals of Executive Order 12898 and the requirements of the Civil Rights Act of 1964, through the identification of measures to address disproportionate effects, including actions to avoid or mitigate them. Project satisfies CE criteria. Comments: This type of project will not cause an adverse effects on low income and/or minority communities. J. Public Reaction (briefly describe input from the Office of Community Relations or current status of public reaction): There is no public reaction at this time. K. Environmental Commitments:

Implement standard measures for minimization of construction-related noise impacts during construction.

Implement soil erosion and sediment control measures during construction.

Comments: There are no Section 4(f) publicly owned parks, recreation areas, or wildlife/waterfowl

DETERMINATION OF CATEGORICAL EXCLUSION

Project name and location: Rt. 9 SB MP 113.10-114.00, Rt. 9 SB 115.30-128.00, Rt. 9 NB 122.30-128.00 Pavement

CE #: D(1) as well as A21 - NJDOT FHWA Programmatic Agreement signed 2/13/08

CE #. D(1) as well as A21 - NoDO1111WA Flogrammatic Agreement signed 2/10/00		
The proposed project satisfies the Categorical Exclusion definition outlined in 23 CFR 771.117 (a) and will not result in significant environmental impacts.		
	I MH.	12/19/08
	Project Manager, Div. of Project Management	Date
Recommended by:	Environmental Team Leader	2/15/09 Date
Certified (or) Approved	Manager, Bureau of Environmental Program Resources	12/19/08 Date
0		,
Concurrence (non-self certified CEs)	Division Administrator, Federal Highway Administration	Date
Project Location	age Program letter	
 NMFS coordination letter SHPO Eligibility & Effects concurrence letter Signed MOA Final Nationwide Section 4(f) Programmatic Evaluation for: 		
 ☐ Minor Involvement with Historic Sites ☐ Use of Historic Bridges ☐ Minor Involvement with Publicly Owned Park, Recreation Area, Wildlife or Waterfowl Refuge ☐ Independent Walkway and Bikeway Construction Projects ☐ Net Benefits 		
 ☐ De minimis Evaluation of Impacts documentation (i.e., notice to SHPO, de minimis template) ☐ Final Individual Section 4(f) ☐ Resolution of Support from Municipality/County ☐ Other (specify): 		