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# TRANSPORTATION

**DRAFT  
DESIGN REPORT**

PIN 9009.19.321

**CONKLIN MULTI-USE TRAIL – PHASE 1  
BROOME CORPORATE PARKWAY (CR 197) &  
POWERS ROAD (CR 161)**

September 2010

**TRANSPORTATION**

**U.S. Department of Transportation  
Federal Highway Administration**

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION  
DAVID PATTERSON, Governor  
STANLEY GEE, Commissioner**

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## DRAFT DESIGN REPORT FOR CONKLIN MULTI-USE TRAIL – PHASE 1 BROOME CORPORATE PARKWAY (CR 197) & POWERS ROAD (CR 161)

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## Preferred Alternative:

*Description of Preferred Alternative will be added after public information meeting.*

## Chapter I – Introduction

This project involves the development of pedestrian and bicycle facilities through a corridor along Broome Corporate Parkway and Powers Road across NY State Route 7 and into Schnurbush Park.

These county roads, Broome Corporate Parkway (CR 197) and Powers Road (CR 161), generally consist of 23- to 34-feet of paved travel way with partially paved/partially gravel shoulders of varying widths. Currently both bicyclists and pedestrians use the paved road surfaces and unimproved shoulders in this area and into Schnurbush Park.

In 2006, the Town of Conklin identified this corridor in an open space and community connectivity study and subsequent report to be of importance in connecting community nodes and open space areas. As a result, Broome County agreed to work with the Town to propose and construct multi-use bike and pedestrian facilities throughout this area.

## Chapter II – Project Identification, Evolution, Conditions and Needs, and Objectives

### A. Project Identification

This project proposes the development of a +/-7100-foot multi-use bike and pedestrian trail parallel to Broome Corporate Parkway (CR 197) and Powers Road (CR 161) through a portion of Broome Corporate Park. The project will include development of a small trail head parking area on the Broome Corporate Parkway, and will continue to a crossing of State Route 7 into Schnurbush Park. The project site is located in the Town of Conklin as illustrated on the location map in Appendix A.

### B. Project Evolution

In 2006 a study was completed and report prepared for the Town of Conklin entitled “Open Space and Connectivity Plan”. The purpose of this study was to examine and determine ways in which the Town could create a community where walking and cycling are promoted means of travel and where open space is preserved. Input from the public and a local planning committee were used to develop the basis and conclusions for this study. The report identified three primary “nodes” within the community, consisting of areas with features that tie the community together such as schools, parks, shops, residences, etc. The southern-most “node” identified was the area around Schnurbush Park (south of the intersection of State Route 7 and Powers Road (CR 161).

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In addition, when asked about open spaces of high value, the most common responses from Town residents included Schnurbush Park, and the natural wetland areas within Broome Corporate Park.

In order to tie these two identified Town features together, the park and an area for future nature trails, the multi-use bike and pedestrian trail project has been developed as the first part of an ongoing effort to provide passive recreational opportunities and pedestrian/bicycle connectivity within the Town of Conklin.

## C. Conditions and Needs

This project is being developed to provide connectivity for both pedestrians and bicyclists between Schnurbush Park and a trailhead for future development of nature trails within Broome Corporate Park. In addition, there is an identified need to safely accommodate work force pedestrians within the industrial park who regularly walk through this corridor to Schnurbush Park. Currently non-vehicular traffic has to utilize the paved roadway and unimproved shoulders through this area.

In the 2006 Open Space and Connectivity Plan, the Broome Corporate Park area was identified as an ideal area to establish walking paths and nature trails due to its location very close to identified “community nodes”, and due to an extensive naturalized area of wetlands and a small pond. Trails and paths within this area were also seen as a boon to corporate park employees and Town residents.

## D. Project Objectives

The primary objectives for this project are identified as follows:

- To increase walking and biking connectivity between community “nodes” previously identified.
- To improve facilities for both pedestrian and bicyclist usage along Broome Corporate Parkway and Powers Road.
- To encourage more non-vehicular use of the identified corridor and promote alternative means of transportation.
- To improve the safety of the roadway usage by vehicles, pedestrians and bicycles.

Secondary objectives that will also be used to evaluate the project alternatives include the following:

- To keep the proposed work within currently owned easements and right-of-ways.
- To avoid and/or minimize impacts to the built environment and existing features along the project corridor.
- To avoid and/or minimizing impacts to the natural environmental along the corridor.

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## Chapter III – Alternatives

### A. Design Criteria

Project design criteria is based upon NYSDOT's "Highway Design Manual" (Chapters 17 & 18) as well as FHWA and AASHTO guidelines for pedestrian, bicycle, and multi-use trails as presented in the table below.

Multi-Use Bike and Pedestrian Trail Design Criteria		
Element:	Design Standard:	Project Design:
1. Minimum Design Speed	20 mph	20 mph
2. Multi-use Trail Width	10-feet (AASHTO) 13-feet (NYSDOT)	10 feet (minimum)* 13 feet (maximum)
3. Separation of Multi-use trail from road	5 feet	5 feet
4. Maximum Pavement Grade	5%	5%
5. Maximum Pavement Cross Slope	2%	2%
6. Vertical & Horizontal Curves	20 mph Or add signage	20 mph
7. Signage	MUCTD 2009	MUCTD 2009
8. Pedestrian Accommodations	ADA	ADA

\* Non-standard design width of 10-feet to be used for 1125' of multi-use path in order to avoid existing drainage and landscape features within the right-of-way.

Separate Bike Lanes and Pedestrian Path Design Criteria		
Element:	Design Standard:	Project Design:
1. Separate Bike Lane Width (Shoulder)	4 feet (no curb)	4 feet (no curb)
2. Pedestrian Path/Sidewalk Width	5 feet	5 feet
3. Maximum Sidewalk Grade	5%	5%
4. Maximum Sidewalk Cross Slope	2%	2%
5. Pedestrian Accommodations	ADA	ADA

### B. Alternatives Considered

During the development of this project four alternatives were considered as presented and discussed below:

1. Alternative #1: Do Nothing (Null) Alternative: This alternative would not improve facilities along Broome Corporate Parkway and/or Powers Road for pedestrians and bicycles. Unimproved shoulders would not improve connectivity within the Town of Conklin, would not encourage alternative means of transportation, and would not increase the safety of the roadway for vehicles, pedestrians and bicyclists. This option does not meet the project objectives and will not be considered further.

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2. Alternative #2: Separated Multi-Use Trail along the east side of Broome Corporate Parkway and Separated Multi-use Trail along the southern side of Powers Road:

Alternative #2 is shown in overview on drawing A2A in Appendix B. Drawing A2B includes a typical cross section and detail of the proposed Alternative #2 trail along Powers Road. Detail and sections of the proposed trail along Broome Corporate Drive are illustrated in drawings D1, and P1 through P5.

The portion of the proposed multi-use trail along Broome Corporate Parkway includes providing a 13-foot wide multi-use path 15-25 feet east of Broome Corporate Parkway within the existing road right-of-way, narrowing to a 10-foot wide path 5-feet from Broome Corporate Parkway near Powers Road to accommodate existing physical features in that area. This portion of the project would provide a regular walking/riding surface, would increase community interconnectivity, would encourage use by pedestrian/bicyclists, and would enhance safety by physically separating vehicular traffic from non-vehicular uses.

In addition, this section of the trail along Broome Corporate Parkway would meet secondary objectives by being constructible within the existing right-of-way, having virtually no adverse impact to the natural environment, and having minimal impacts to the built environment and existing features.

This section of multi-use trail along Broome Corporate Parkway meets both primary and secondary study objectives.

Alternative #2 for a multi-use trail along Powers Road includes a 10-foot wide multi-use trail along the southern side of the road off set 5-feet from the existing travel way. This alternative would meet primary objectives by providing better connectivity, providing a smooth and separated surface for pedestrian and bicycle traffic, and increasing safety along this road way. Additional advantages of this alternative include continuing the path on the same side of the street as the first half of the path, and being on the side of Powers Roads to accommodate a crossing of NY State Route 7 (into Schnurbush Park) in the location preferred by NYSDOT.

This portion of Alternative #2 does not meet design criteria of a 13-foot wide multi-use path and does not meet secondary objectives in that it cannot be constructed within the existing right-of-way. Furthermore the southern side of Powers Road is a developed residential area and construction of this alternative would require crossing driveways, moving/replacing drainage, moving/replacing landscaping, and moving/replacing utility poles and guy wires. Although this alternative does minimally meet the design criteria established (except for minimum width set by NYSDOT), having bicycle traffic moving opposite vehicular traffic with only a 5-foot separation (and this being mostly gravel shoulder in this section of road) is not regarded as the safest alternative available.

Alternative #2 along Powers Road minimally meets the primary objectives, but does not meet the secondary objectives.

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3. Alternative #3: Separated Multi-Use Trail along the east side of Broome Corporate Parkway and Separated Multi-use Trail along the northern side of Powers Road:  
Alternative #3 is shown in overview on drawing A3A in Appendix B. Drawing A3B includes a typical cross section and detail of the proposed Alternative #3 trail along Powers Road. Detail and sections of the proposed trail along Broome Corporate Drive are illustrated in drawings D1, and P1 through P5.

For Alternative #3, the proposed section of Multi-use trail along Broome Corporate Parkway is exactly the same as described above for Alternative #2, and meets primary and secondary objectives as stated above.

Alternative #3 for a multi-use trail along Powers Road includes a 10-foot wide multi-use trail along the northern side of the road off set 5-feet from the existing travel way. Similar to Alternative #2 above, this alternative would meet primary objectives by providing better community connectivity, providing a smooth and separated surface for pedestrian and bicycle traffic, and would increase safety along this road.

This alternative does not meet design criteria of a 13-foot wide multi-use path and does not meet secondary objectives in that it cannot be constructed within the existing right-of-way. Additionally the primary route of overhead electrical lines and utility poles goes directly down the middle of this trail alignment for most of the way down Powers Road. Placing the trail on the northern side of Powers Road would require a crossing of Powers Road somewhere near the Broome Corporate Parkway intersection, and then again near the NY State Route 7 intersection to accommodate a crossing of this state road into Schnurbush Park in the location preferred by NYSDOT. Although this alternative does minimally meet the design criteria established (except for minimum width set by NYSDOT), having bicycle traffic moving opposite vehicular traffic with only a 5-foot separation (and this being mostly gravel shoulder in this section of road) is not regarded as the safest alternative available.

This alternative along Powers Road minimally meets the primary objectives, but does not meet the secondary objectives.

4. Alternative #4: Separated Multi-Use Trail along the east side of Broome Corporate Parkway and Widened shoulders for bicycle traffic and a separated pedestrian path/sidewalk along Powers Road:  
Alternative #4 is shown in overview on drawing A4A in Appendix B. Drawings D1, and drawings P6 through P7 include typical cross sections and detail of the proposed Alternative #4 trail along Powers Road. Detail and sections of the proposed trail along Broome Corporate Drive are illustrated in drawings D1, and P1 through P5.

Similar to Alternatives #2 and #3 above, the section of multi-use path proposed along Broome Corporate Parkway is the same as both these alternatives, and meets primary and secondary objectives as stated previously.

Alternative #4 includes widening and paving shoulders along Powers Road to create 4-foot wide bike lanes on both sides of the street and adding a separate 5-foot wide pedestrian path or paved sidewalk along the southern side of the street to accommodate the walking public. This alternative meets the primary objectives by

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providing smooth and useable facilities for both bicycles and pedestrians that are separate from vehicular traffic. This alternative improves community connectivity and promotes safe alternative means of transportation. Unlike the Alternatives 2 and 3, this alternative provides bike lanes for cyclists to ride with the flow of traffic. This alternative provides for a 2-foot wide painted rumble strip between the 4-foot wide bike lane and the 5-foot wide pedestrian path/sidewalk along the southern side of Powers Road.

This alternative does meet the secondary objectives better than either Alternative #2 or #3 along Powers Road in that the proposed shoulder widening and pedestrian path/sidewalk can be accommodated within the existing right-of-way. Although there will be minor adjustments and relocating of existing features in some areas, the extent of these is somewhat less than either of the two previous alternatives. Crossing of State Route 7 from Schnurbush Park will be on the southern side of Powers Road, which will accommodate both pedestrians and bikes heading east on Powers Road. Bikes heading west on Powers Road will be required to cross to the northern side of the road to travel along Powers Road, and then cross again at the intersection of Powers Road and Broome Corporate Parkway to continue travel on the multi-use portion of the proposed path. The intersection of Broome Corporate Parkway and Powers Road is a logical location to change from a multi-use path to separated bike and pedestrian facilities.

This alternate meets both the primary objectives and the secondary study objects.

## C. Feasible Alternative(s)

The feasible alternative would provide a 13-foot wide multi-use trail 15-25 feet east of Broome Corporate Parkway within the existing road right-of-way, narrowing to a 10-foot wide trail 5-feet from Broome Corporate Parkway near Powers Road to accommodate existing physical features in that area. From this point all three Alternatives #2, #3, & #4 could be feasible along Powers Road. Plans and typical sections of these alternatives are included in Appendix B.

In addition, to promote pedestrian and bicyclist safety and to encourage the use of the proposed facilities, striping and signage would be added and a parking and trailhead area would be constructed at the beginning of the path on Broome Corporate Parkway.

## D. Railroad Crossing Design:

A railroad operated by D&H Canadian Pacific crosses the trail corridor on Powers Road just east of the Broome Corporate Parkway intersection as shown on the locus plan in Appendix A. Railroad crossing guards will be required to accommodate the final trail alternative, and these will be constructed as part of the ongoing NYSDOT project to completely replace the crossing guards at this track intersection with Powers Road next summer.

For this reason costs for this part of the design are not included in the overall construction cost estimate presented below.

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## E. Project Schedule and Cost

### 1. Project Schedule:

Design Approval: November 2010  
PS&E Submission: January 2011  
Letting: April 2011

### 2. Project Costs:

Design & Permitting:	\$ 168,400
Construction:	
Multi-use Trail & Parking:	\$ 330,200
M&PT:	\$ 17,500
Mobilization (4%):	\$ 13,900
Contingencies:	\$ 54,250
Total Project Cost:	\$ 584,250

## Chapter IV – Social, Economic, and Environmental Considerations

This project is identified as a Class II action under Federal Highway Administration, DOT Regulations 23 CFR 771.115. A NEPA checklist has been prepared, and the project is being progressed as a C List Categorical Exclusion (backup is included in Appendix C).

The New York State Department of Environmental Conservation (NYSDEC) Natural Heritage Program was contacted for information pertaining to the presences of state-listed endangered or threatened species, and/or significant habitats within the project area. Based on their search of existing databases, there are no known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of the project site. A copy of the response letter is included in Appendix C.

In addition, the New York State Office of Parks, Recreation, and Historic Preservation (SHPO) was contacted regarding impacts to cultural and/or historical properties or structures in the vicinity of the project. Based on that review, it was SHPO's opinion that the proposed project would have No Effect on cultural resources in or eligible for inclusion of the National Registers of Historic Places. A copy of this correspondence is also included in Appendix C.

Broome County, as the Project Sponsor, is completing paperwork to declare themselves as Lead Agency for SEQRA review. Initial determination indicates that this project is classified as "Unlisted" under the State Environmental Quality Review Act (SEQRA), Part 617, Title 6 of the Official Compilation of Codes, Rules and Regulation of New York State (6NYCRR Part 617). A Short Environmental Assessment Form has been completed for this project and has been included in Appendix C.

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The addition of bike lanes and a pedestrian path on Powers Road and a multi-use trail on Broome Corporate Parkway is not expected to have any noticeable impact on vehicular traffic use or patterns in this area (neither an increase nor a decrease). Due to the type of upgrades proposed, a noise study is not required for this project. An air quality analysis is also not necessary since this project is not expected to increase traffic volumes or result in any other changes that would impact ambient air quality.

A secondary objective of this project was to provide upgrades within the existing road right-of-ways and easements, so it is not anticipated that any right-of-way acquisition will be required for this project. Those most positively affected by the project will be people who walk and/or ride their bikes through this corridor on a regular basis. Pedestrian facilities are being designed using ADA criteria, so they will be accessible to elderly and disabled persons. No residences or businesses will be relocated or inconvenienced by this project.

During construction activities it is anticipated that there will be some temporary impacts to traffic patterns and accessibility to residences and businesses along the corridor. Additionally, there is the potential for minor impacts to emergency services during construction as well; however, the contractor is responsible for coordinating with local emergency services to maintain service and access during construction.

The local and/or regional economy is not likely to be affected due to the type and scale of this project, although the corridor does transverse an industrial/business area along Broome Corporate Parkway.

Although the project is located within the watershed of the Susquehanna River and Schnurbush Park is adjacent to the river, direct drainage and runoff from this project will not adversely impact water quality to any defined drainage systems. The project will create some additional impervious surfaces; however, this is not expected to have any adverse effects on either the environment or the existing drainage systems in the area (this is addressed further as backup to the Environmental Assessment Form included in Appendix C). No in-water work is proposed as part of this project. All appropriate erosion and sediment control measures will be implemented during construction, if necessary, to ensure that no sediment leaves the construction area to enter any surface waters.

## Chapter V – Project Coordination

A public information meeting will be held for this project on Tuesday, September 28, 2010. Input from the meeting attendees is summarized below:

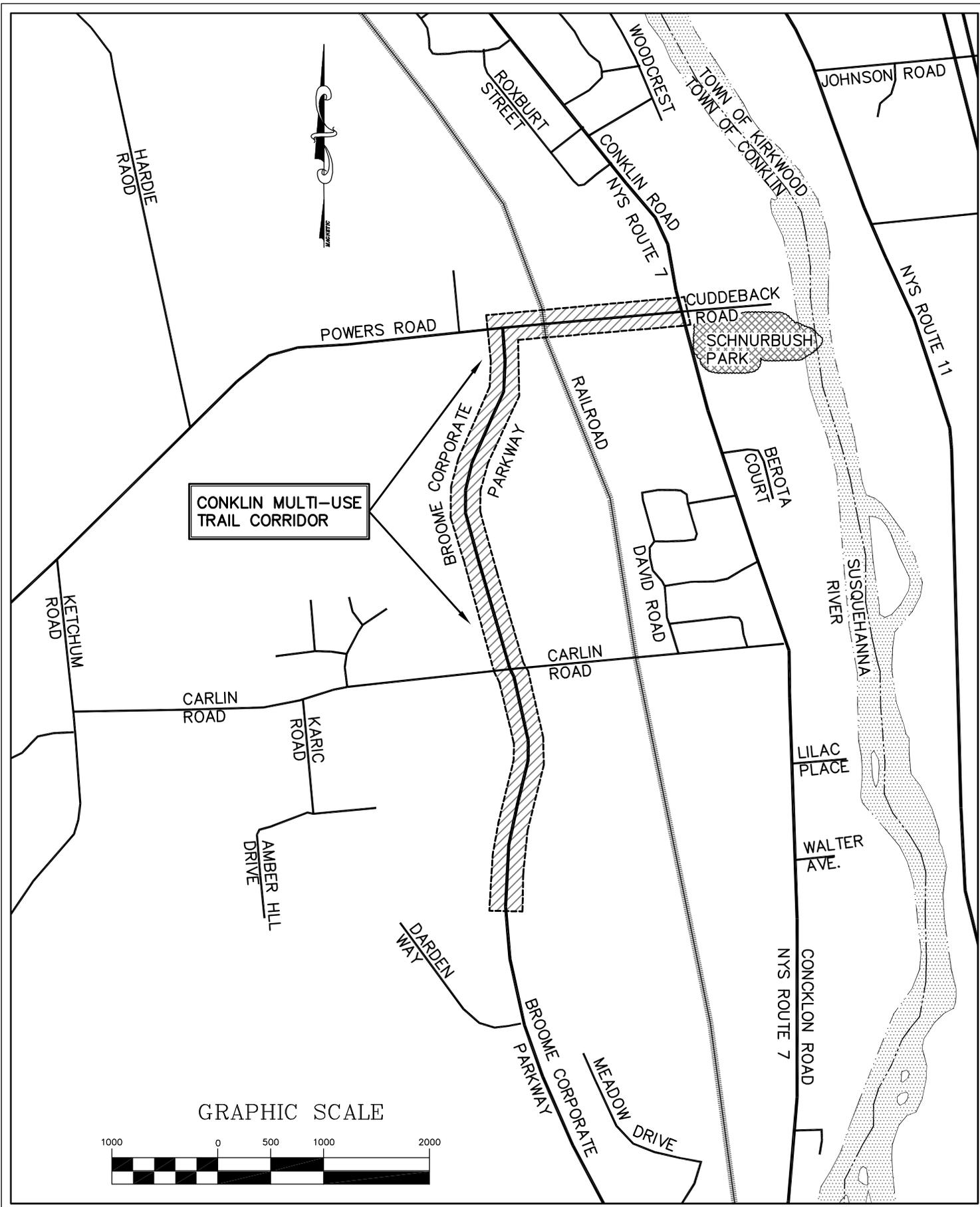
*Questions and responses from the public information meeting will be added in this section of the report.*

The following thoughts / comments were provided by meeting attendees during the open forum portion of the meeting:

*A punch list of anything pertinent brought up by the public will be included in this section of the report.*

# **APPENDIX A**

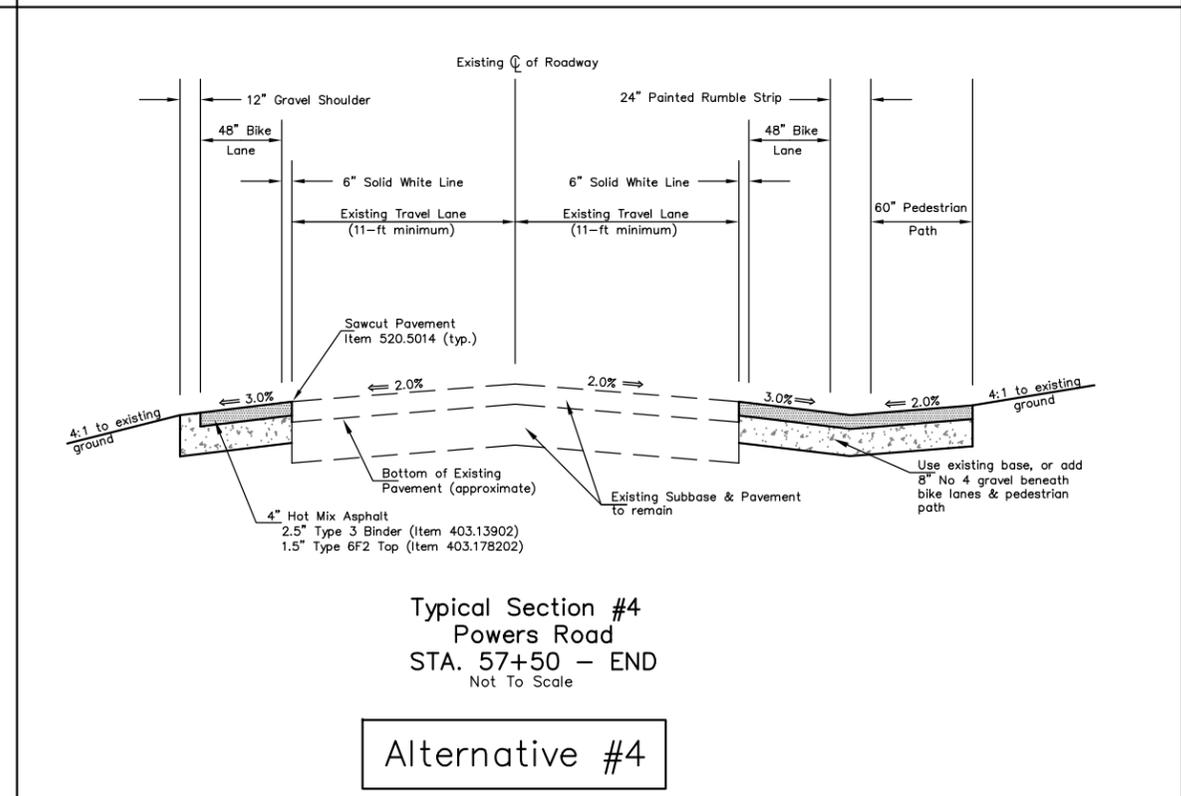
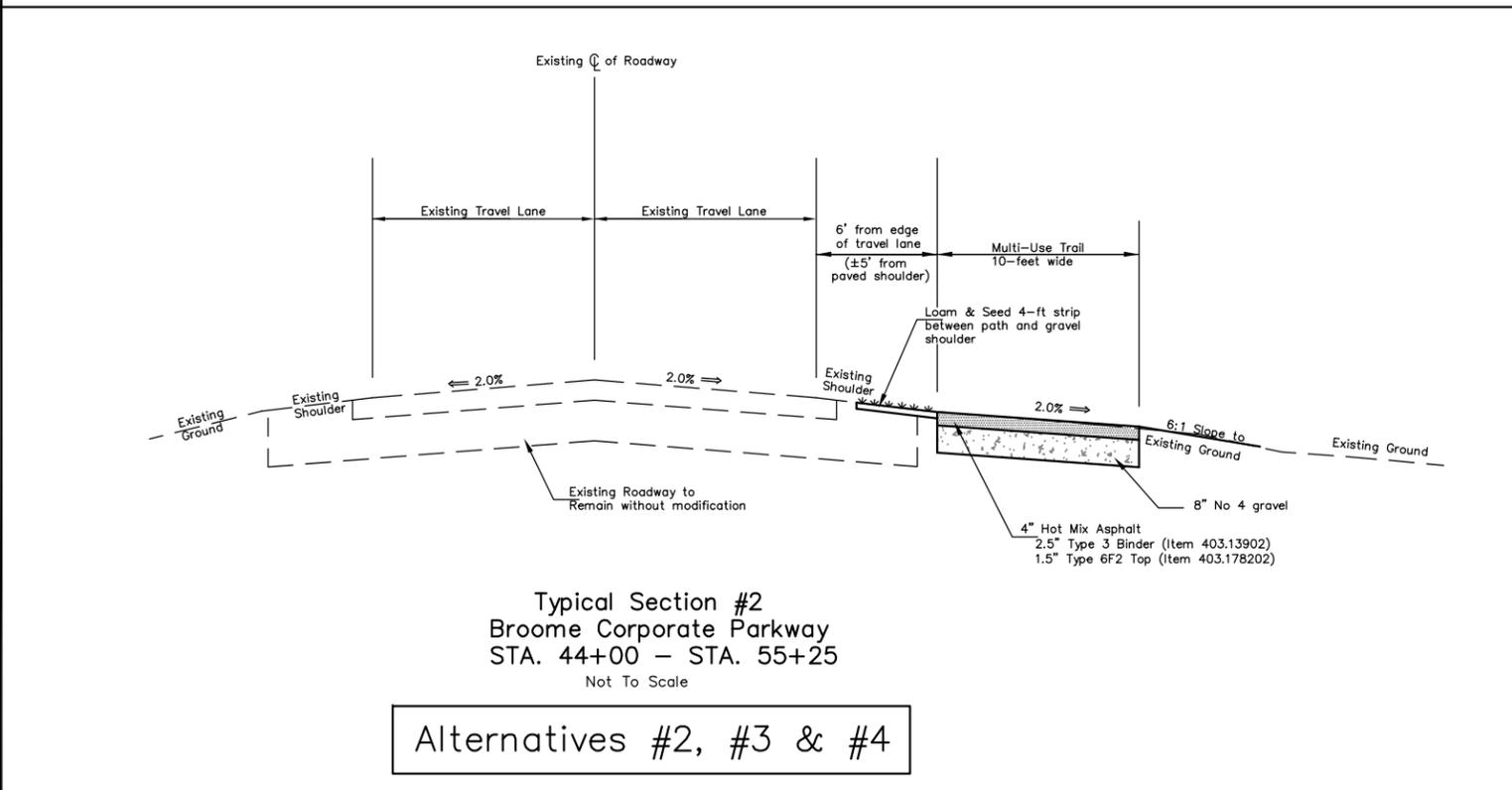
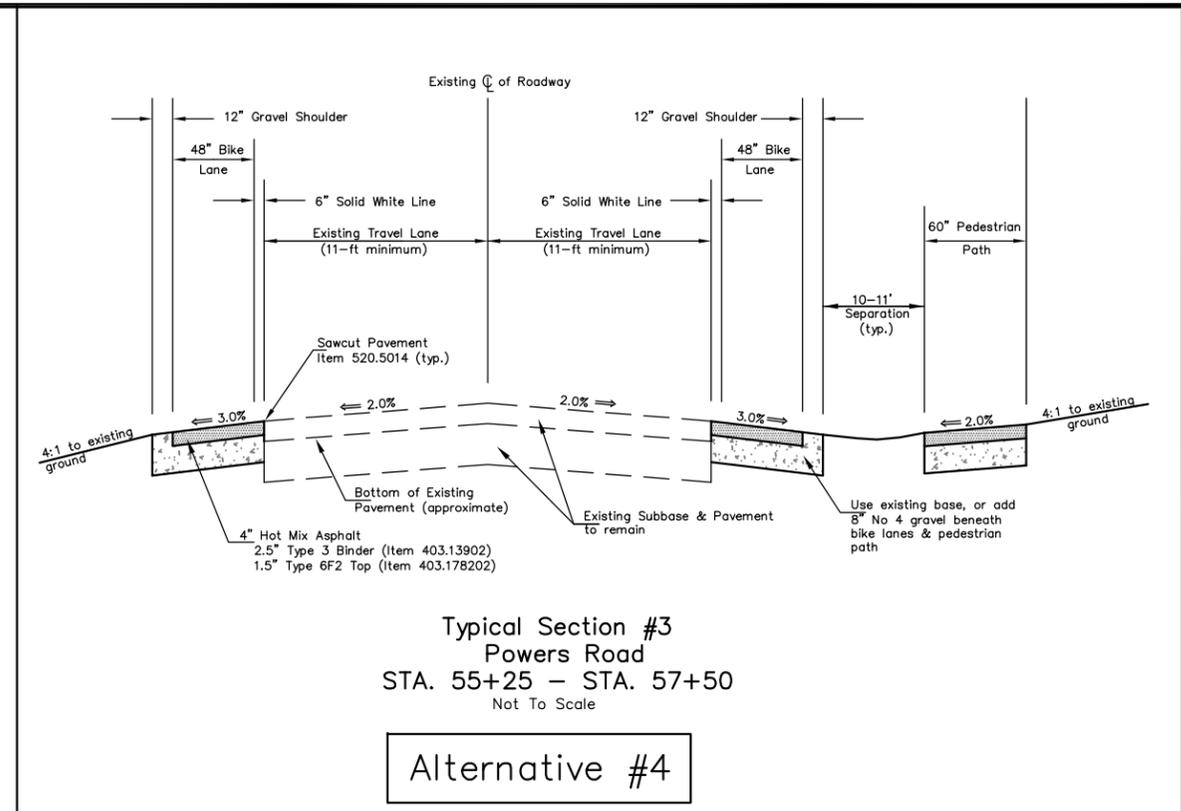
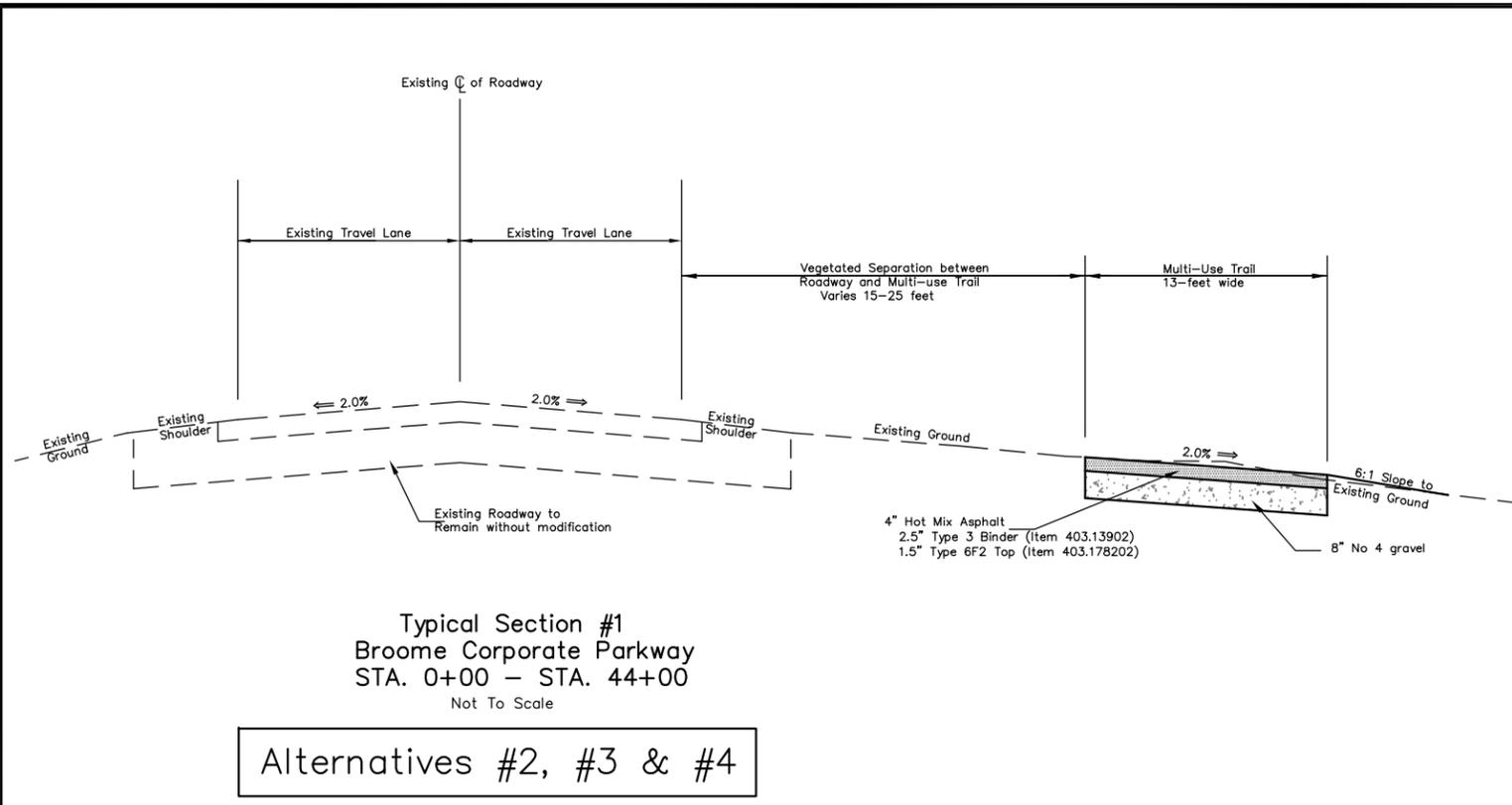
## **Location Map**



**CONKLIN MULTI-USE TRAIL  
LOCUS PLAN**

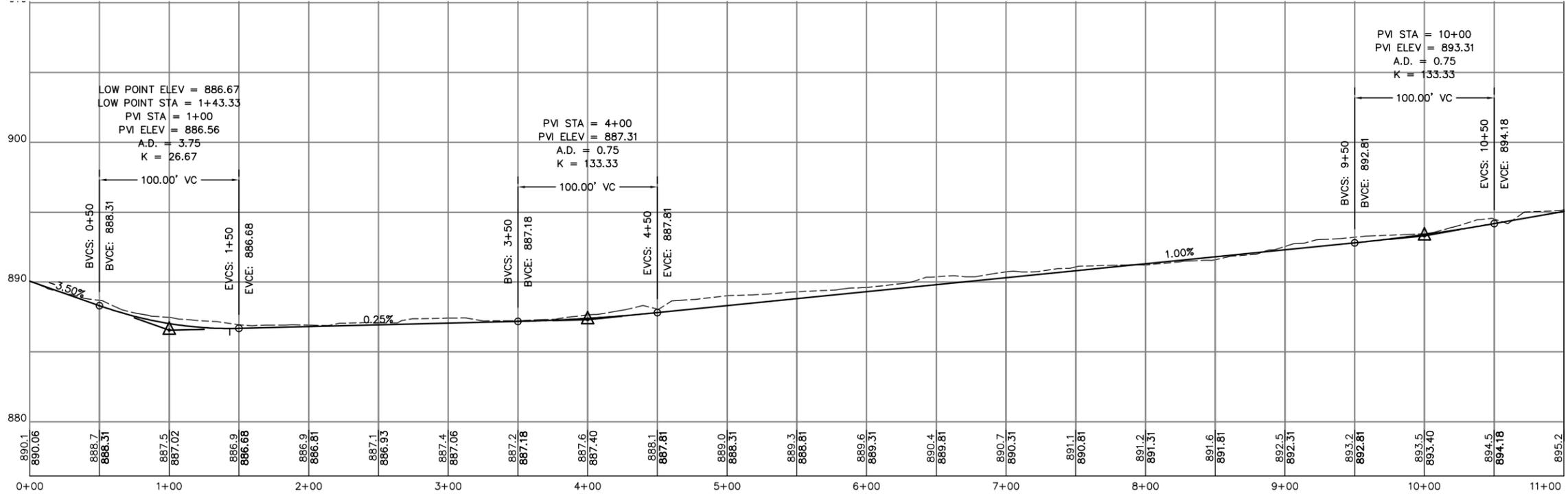
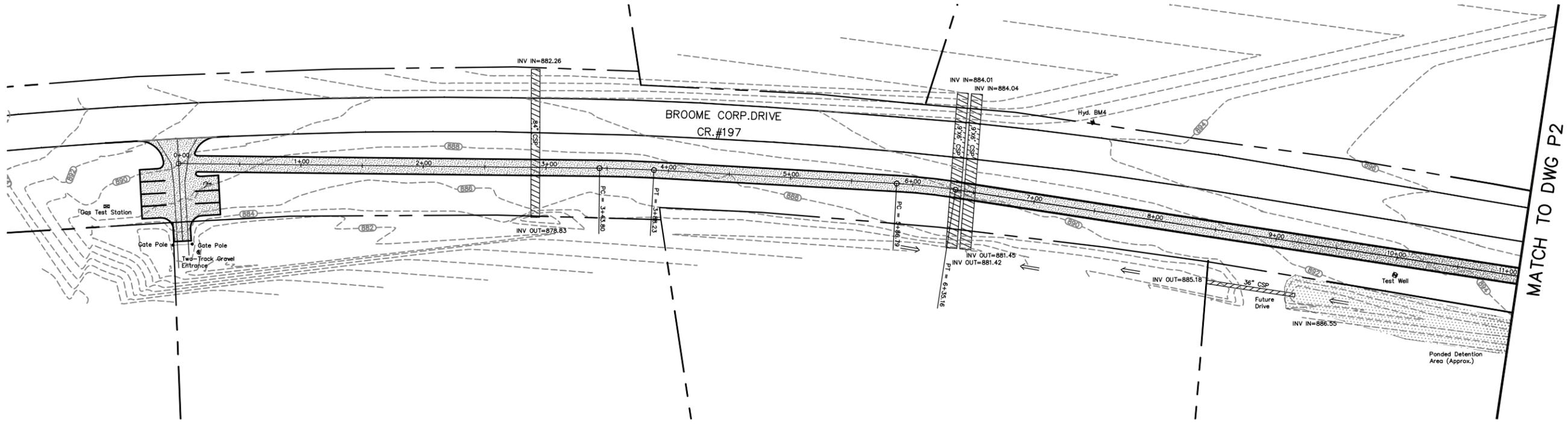
# **APPENDIX B**

## **Plan / Profile & Typical Sections**



**FOR REVIEW ONLY**

DRAWN BY LGB	DESIGNED BY LGB	CHECKED BY PMH	DRAWING NUMBER  D1	PROJECT Town of Conklin Multi-Use Recreational Trail
BROOME COUNTY DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION BINGHAMTON, NEW YORK (607) 778-2909				TITLE Typical Section & Path Details
				PROJECT CODE PL-0601
			PIN 9009.19.321	



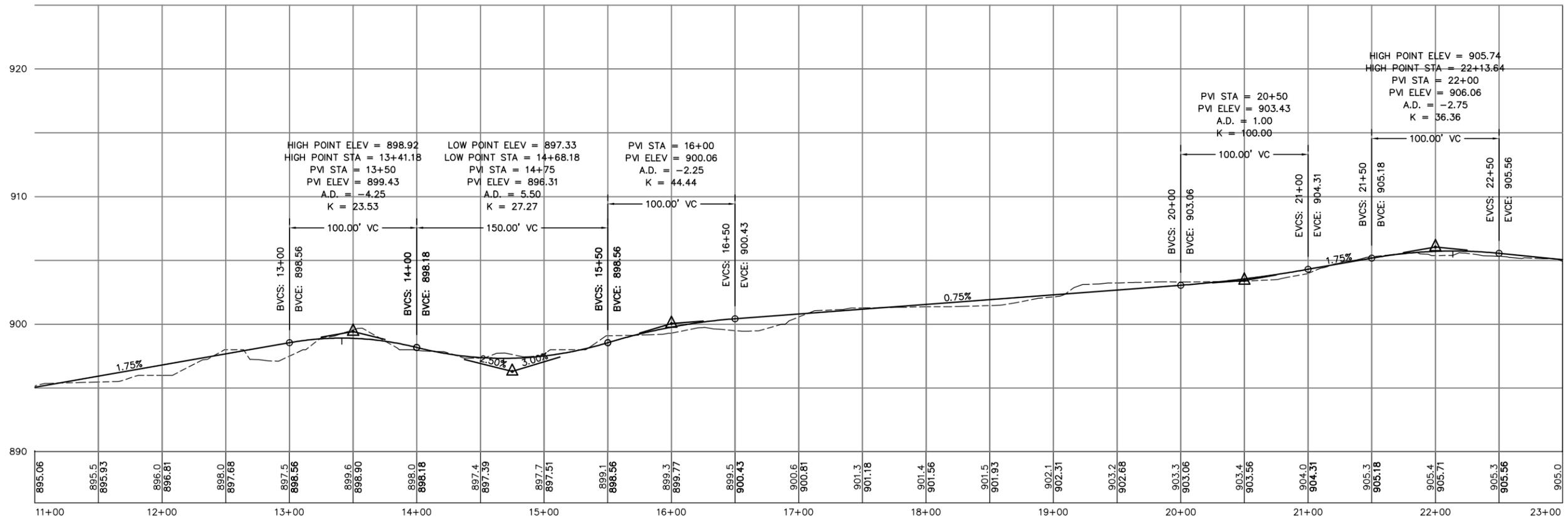
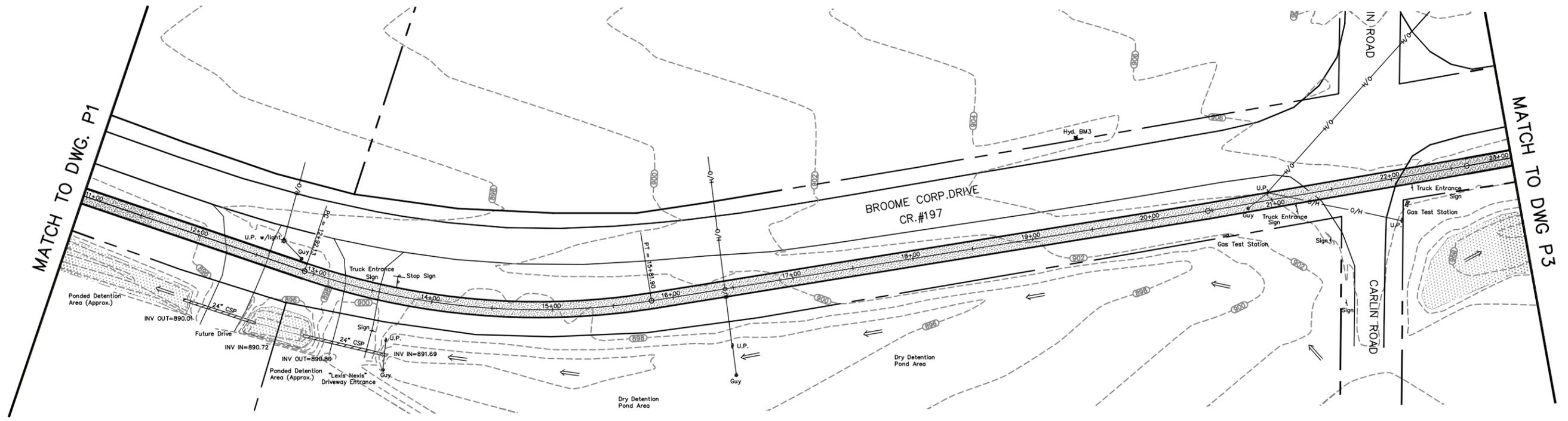
**ALTERNATES #2, #3 & #4**

**FOR REVIEW ONLY**

DRAWN BY LGB	DESIGNED BY LGB	CHECKED BY PMH
 <b>BROOME COUNTY</b> <b>DEPARTMENT OF PUBLIC WORKS</b> ENGINEERING DIVISION BINGHAMTON, NEW YORK (607) 778-2909		

DRAWING NUMBER  <b>P1</b>
PIN 9009.19.321

PROJECT Town of Conklin Multi-Use Recreational Trail		
TITLE STA 0+00 to STA 11+00		
PROJECT CODE PL-0601	SCALE 1"=40'	DATE Sept 2010



**ALTERNATES #2, #3 & #4**

**FOR REVIEW ONLY**

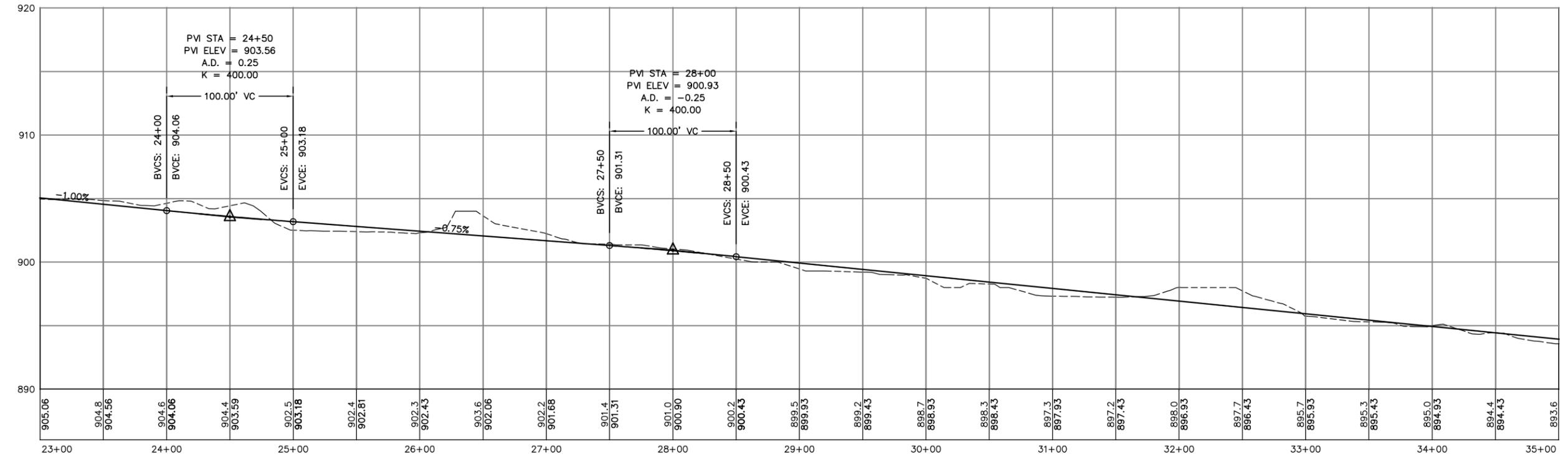
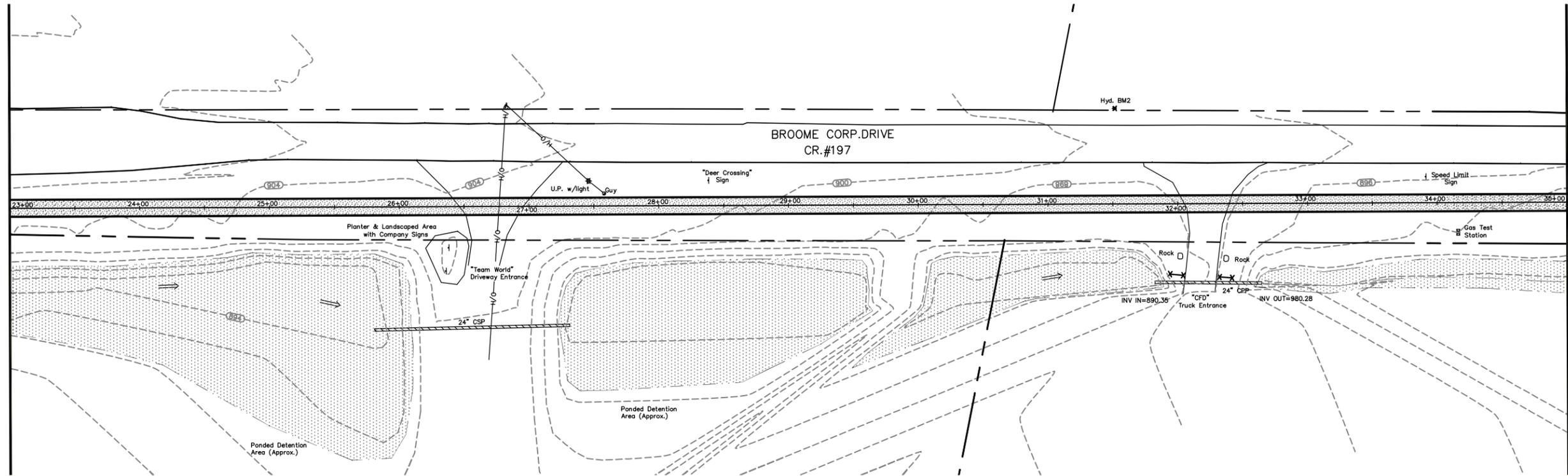
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 <b>BROOME COUNTY</b> DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION BINGHAMTON, NEW YORK (607) 778-2909		

DRAWING NUMBER  
**P2**  
PIN 9009.19.321

PROJECT Town of Conklin Multi-Use Recreational Trail
TITLE STA 11+00 to STA 23+00
PROJECT CODE PL-0601
SCALE 1"=40'
DATE Sept, 2010

MATCH TO DWG P2

MATCH TO DWG P4



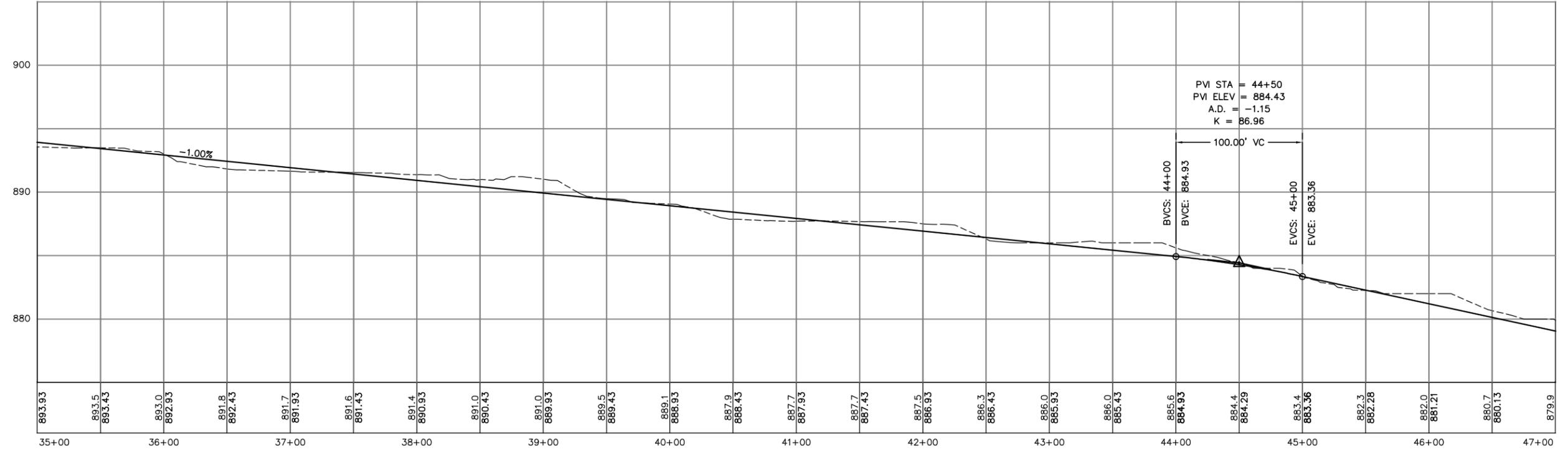
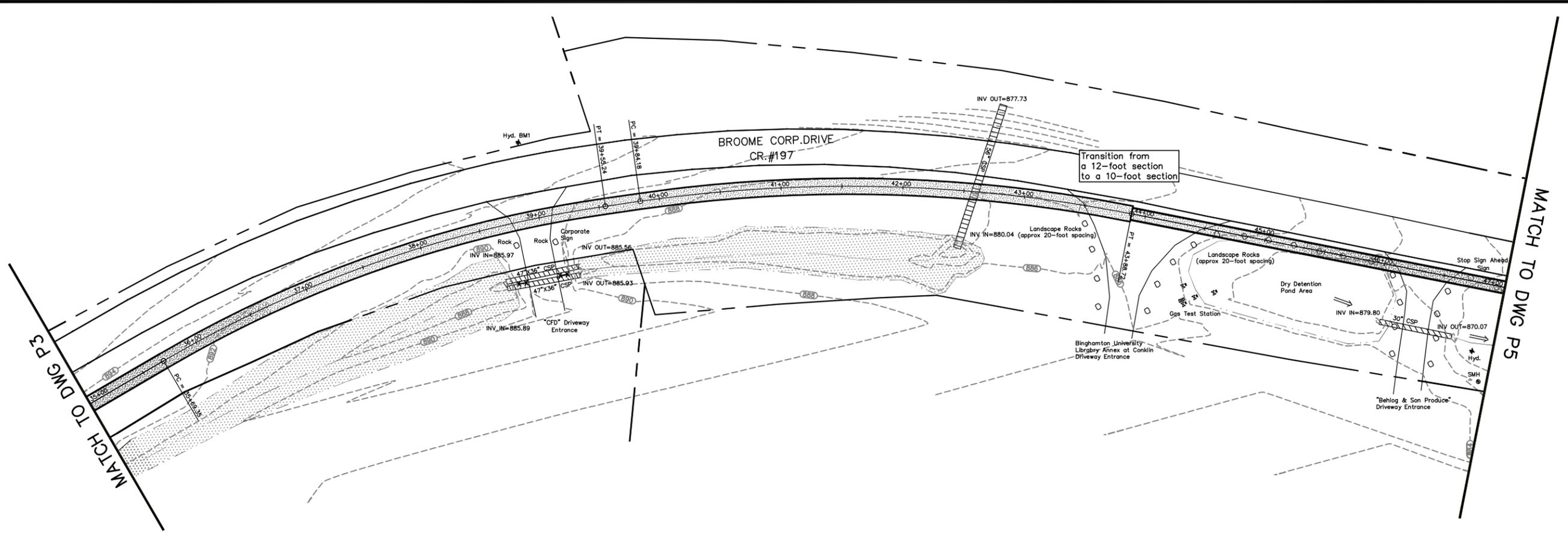
ALTERNATES #2, #3 & #4

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 BROOME COUNTY DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION BINGHAMTON, NEW YORK (607) 778-2909		

DRAWING NUMBER  
**P3**  
PIN 9009.19.321

PROJECT Town of Conklin Multi-Use Recreational Trail		
TITLE STA 23+00 to STA 35+00		
PROJECT CODE PL-0601	SCALE 1"=40'	DATE Sept. 2010



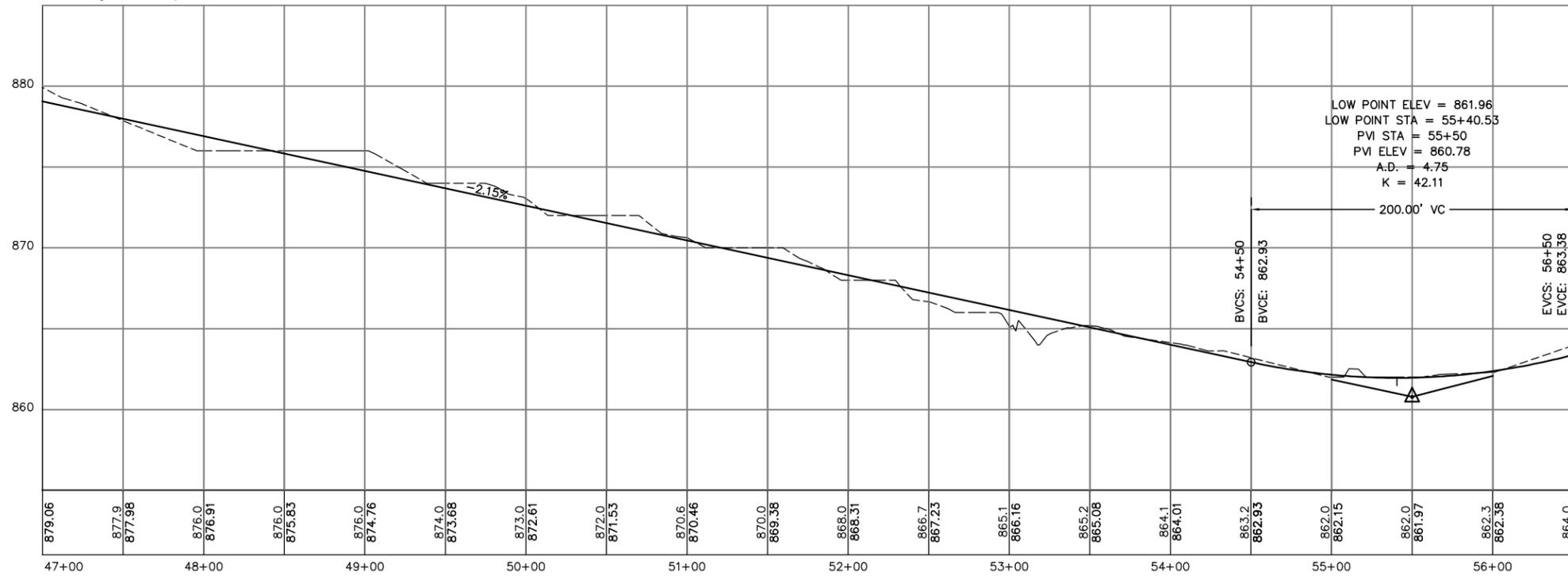
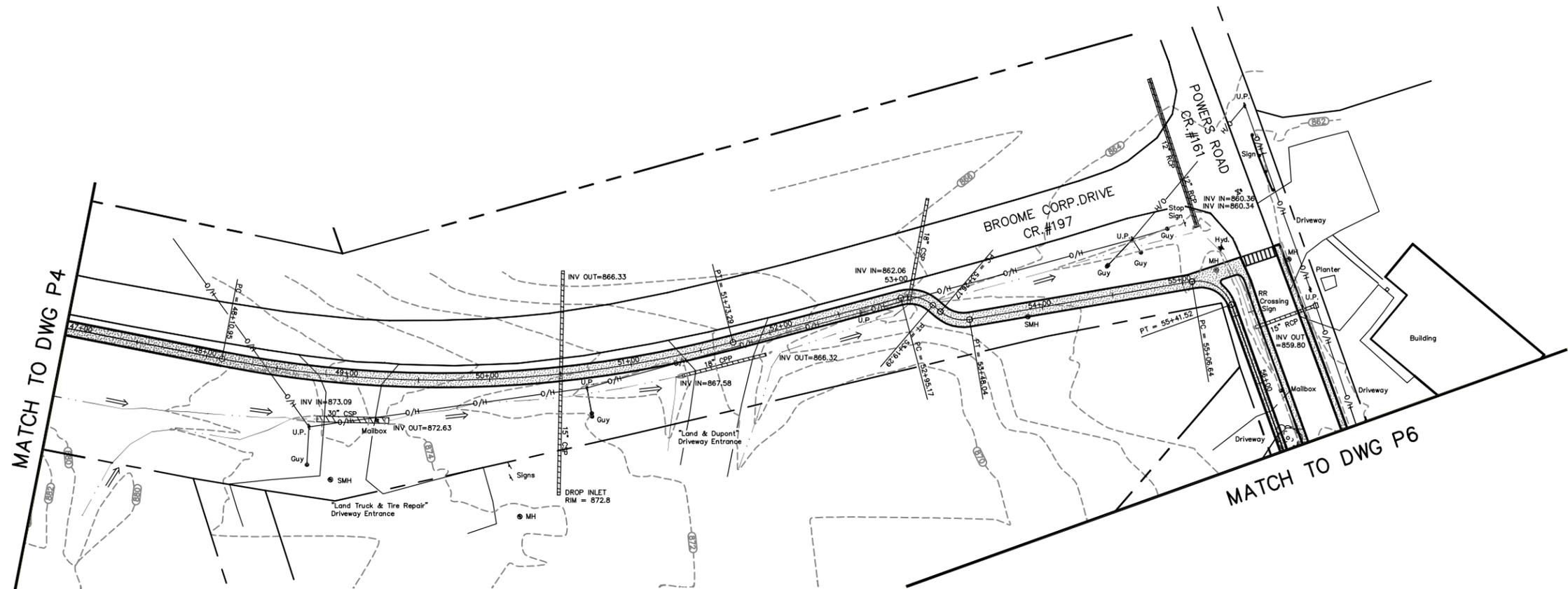
**ALTERNATES #2, #3 & #4**

**FOR REVIEW ONLY**

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 <b>BROOME COUNTY</b> DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION BINGHAMTON, NEW YORK (607) 778-2909		

DRAWING NUMBER  
**P4**  
PIN 9009.19.321

PROJECT Town of Conklin Multi-Use Recreational Trail
TITLE STA 35+00 to STA 47+00
PROJECT CODE PL-0601
SCALE 1"=40'
DATE Sept. 2010



**ALTERNATES #2, #3 & #4**

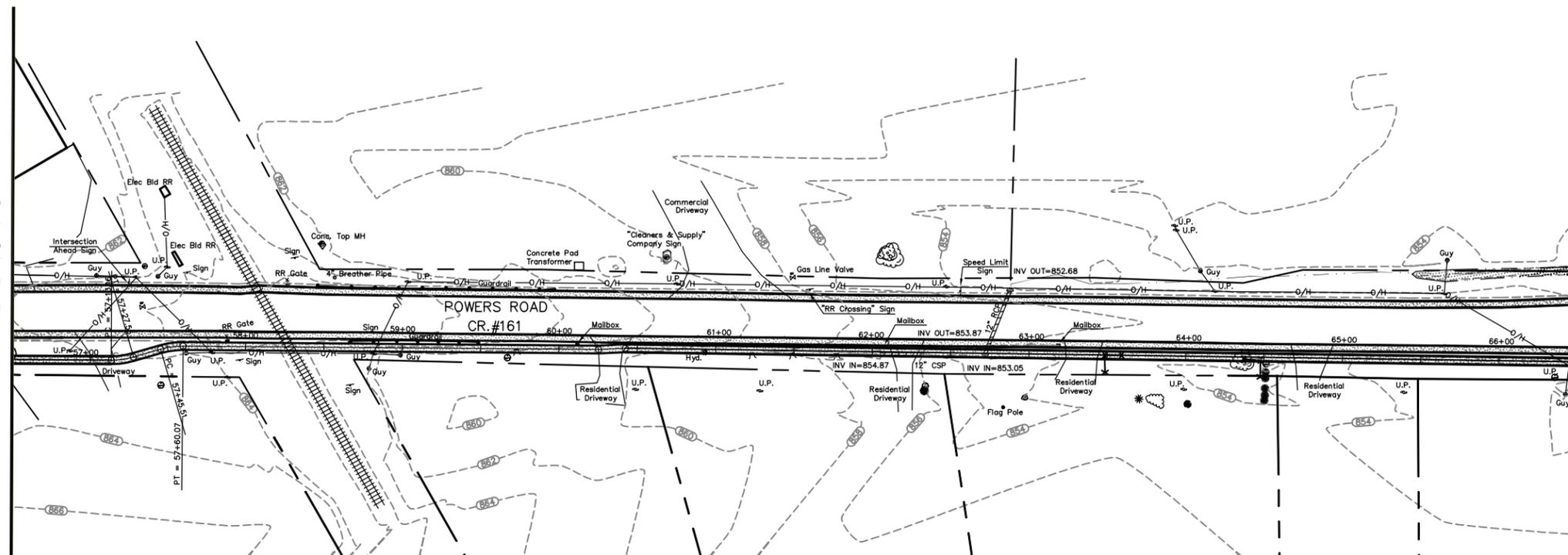
**FOR REVIEW ONLY**

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 <b>BROOME COUNTY</b> DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION BINGHAMTON, NEW YORK (607) 778-2909		

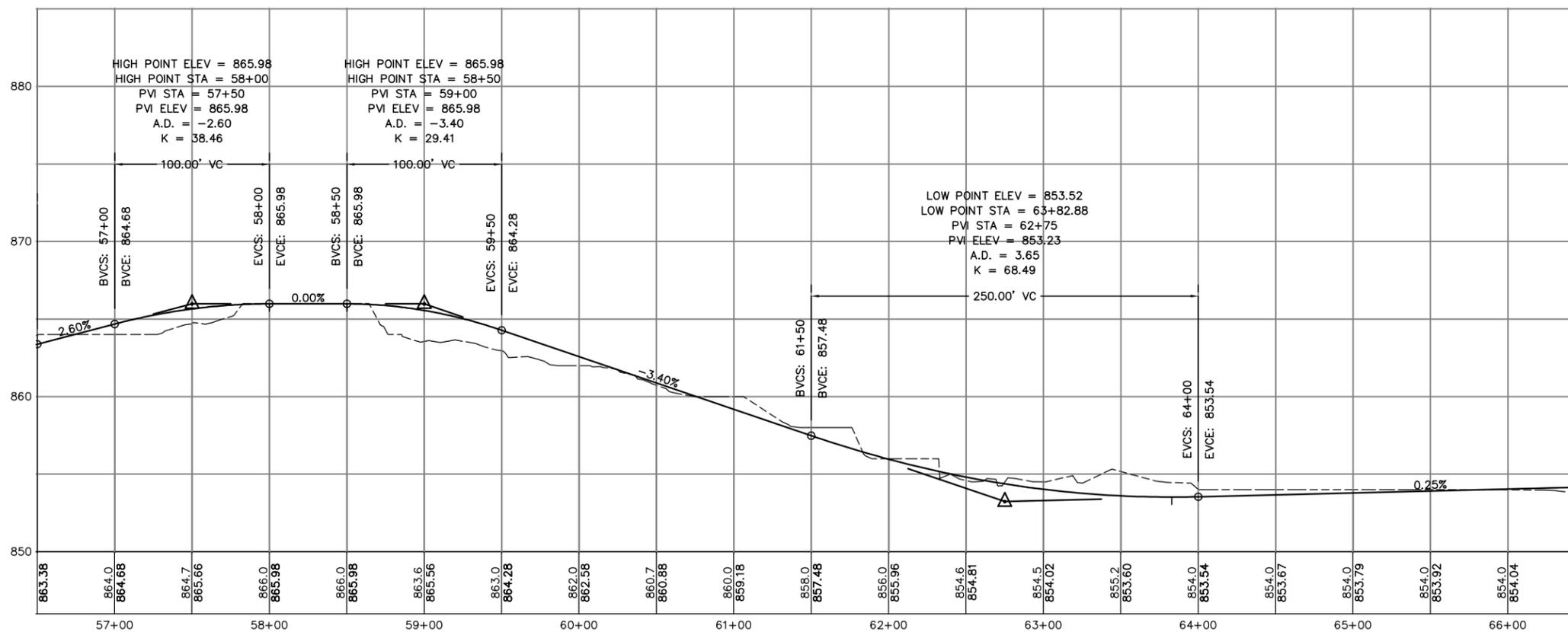
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**P5**  
PIN 9009.19.321

PROJECT Town of Conklin Multi-Use Recreational Trail		
TITLE STA 47+00 to STA 56+50		
PROJECT CODE PL-0601	SCALE 1"=40'	DATE Sept. 2010

MATCH TO DWG P5



MATCH TO DWG P7



ALTERNATE #4

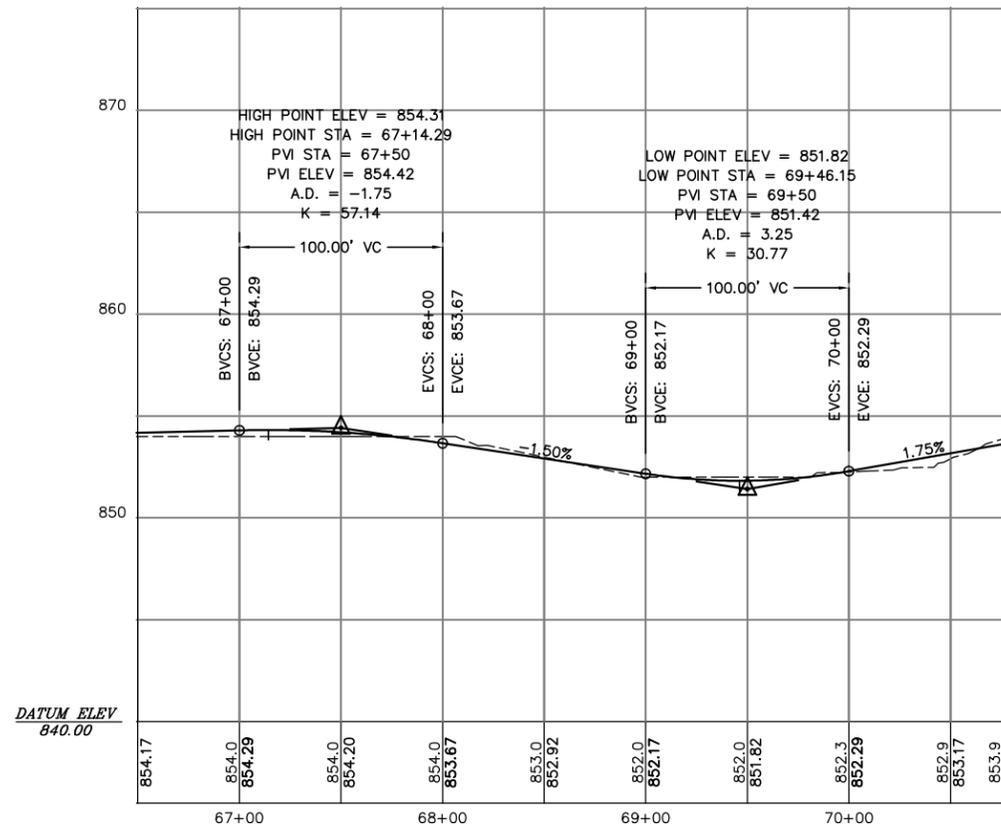
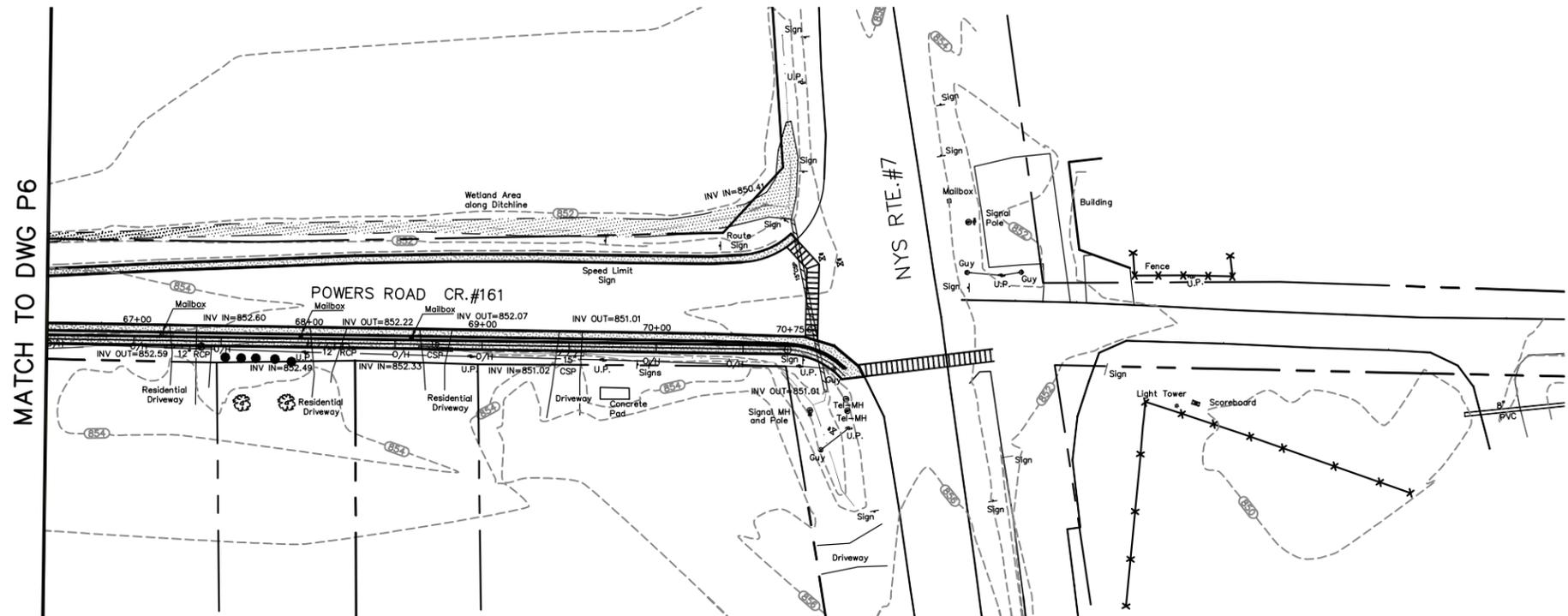
FOR REVIEW ONLY

DRAWN BY LGB	DESIGNED BY LGB	CHECKED BY PMH
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 **BROOME COUNTY**  
**DEPARTMENT OF PUBLIC WORKS**  
 ENGINEERING DIVISION  
 BINGHAMTON, NEW YORK (607) 778-2909

DRAWING NUMBER  
**P6**  
 PIN 9009.19.321

PROJECT Town of Conklin Multi-Use Recreational Trail
TITLE STA 56+50 to STA 66+50
PROJECT CODE PL-0601
SCALE 1"=40'
DATE Sept. 2010



**ALTERNATE #4**  
**FOR REVIEW ONLY**

DRAWN BY LGB	DESIGNED BY LGB	CHECKED BY PMH	DRAWING NUMBER <b>P7</b>	PROJECT Town of Conklin Multi-Use Recreational Trail
<b>BROOME COUNTY</b> <b>DEPARTMENT OF PUBLIC WORKS</b> ENGINEERING DIVISION BINGHAMTON, NEW YORK (807) 778-2809				TITLE STA 66+50 to END
				PROJECT CODE PL-0601
			PIN 9009.19.321	

# **APPENDIX C**

## **NEPA Checklist & Environmental Documentation**

**§ 771.113 Timing of Administration activities.**

(a) The Administration in cooperation with the applicant will perform the work necessary to complete a FONSI or an EIS and comply with other related environmental laws and regulations to the maximum extent possible during the NEPA process. This work includes environmental studies, related engineering studies, agency coordination and public involvement. However, final design activities, property acquisition (with the exception of hardship and protective buying, as defined in § 771.117(d)), purchase of construction materials or rolling stock, or project construction shall not proceed until the following have been completed:

(1)(i) The action has been classified as a categorical exclusion (CE), or

(ii) A FONSI has been approved, or

(iii) A final EIS has been approved and available for the prescribed period of time and a record of decision has been signed;

(2) For actions proposed for FHWA funding, the FHWA Division Administrator has received and accepted the certifications and any required public hearing transcripts required by 23 U.S.C. 128;

(3) For activities proposed for FHWA funding, the programming requirements of 23 CFR part 450, subpart B, and 23 CFR part 630, subpart A, have been met.

(b) For FHWA, the completion of the requirements set forth in paragraphs (a)(1) and (2) of this section is considered acceptance of the general project location and concepts described in the environmental document unless otherwise specified by the approving official. However, such approval does not commit the Administration to approve any future grant request to fund the preferred alternative.

(c) Letters of Intent issued under the authority of 49 U.S.C. 5309(g) are used by FTA to indicate an intention to obligate future funds for multi-year capital transit projects. Letters of Intent will not be issued by FTA until the NEPA process is completed.

[52 FR 32660, Aug. 23, 1987; 53 FR 11066, Apr. 5, 1988, as amended at 70 FR 24469, May 9, 2005]

**§ 771.115 Classes of actions.**

There are three classes of actions which prescribe the level of documentation required in the NEPA process.

(a) *Class I (EISs)*. Actions that significantly affect the environment require an EIS (40 CFR 1508.27). The following are examples of actions that normally required an EIS:

(1) A new controlled access freeway.

(2) A highway project of four or more lanes on a new location.

(3) New construction or extension of fixed rail transit facilities (e.g., rapid rail, light rail, commuter rail, automated guideway transit).

(4) New construction or extension of a separate roadway for buses or high occupancy vehicles not located within an existing highway facility.

(b) *Class II (CEs)*. Actions that do not individually or cumulatively have a significant environmental effect are excluded from the requirement to prepare an EA or EIS. A specific list of CEs normally not requiring NEPA documentation is set forth in § 771.117(c). When appropriately documented, additional projects may also qualify as CEs pursuant to § 771.117(d).

(c) *Class III (EAs)*. Actions in which the significance of the environmental impact is not clearly established. All actions that are not Class I or II are Class III. All actions in this class require the preparation of an EA to determine the appropriate environmental document required.

**§ 771.117 Categorical exclusions.**

(a) Categorical exclusions (CEs) are actions which meet the definition contained in 40 CFR 1508.4, and, based on past experience with similar actions, do not involve significant environmental impacts. They are actions which: do not induce 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 resource; 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.

(b) Any action which normally would be classified as a CE but could involve unusual circumstances will require the Administration, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is proper. Such unusual circumstances include:

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

(c) The following actions meet the criteria for CEs in the CEQ regulation (section 1508.4) and § 771.117(a) of this regulation and normally do not require any further NEPA approvals by the Administration:

- (1) Activities which do not involve or lead directly to construction, such as planning and research activities; grants for training; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.
- (2) Approval of utility installations along or across a transportation facility.
- (3) Construction of bicycle and pedestrian lanes, paths, and facilities.
- (4) Activities included in the State's highway safety plan under 23 U.S.C. 402.
- (5) Transfer of Federal lands pursuant to 23 U.S.C. 317 when the subsequent action is not an FHWA action.
- (6) The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.
- (7) Landscaping.
- (8) Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial

land acquisition or traffic disruption will occur.

- (9) Emergency repairs under 23 U.S.C. 125.
- (10) Acquisition of scenic easements.
- (11) Determination of payback under 23 U.S.C. 156 for property previously acquired with Federal-aid participation.
- (12) Improvements to existing rest areas and truck weigh stations.
- (13) Ridesharing activities.
- (14) Bus and rail car rehabilitation.
- (15) Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
- (16) Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

(17) The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.

- (18) Track and railbed maintenance and improvements when carried out within the existing right-of-way.
- (19) Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.
- (20) Promulgation of rules, regulations, and directives.

(d) Additional actions which meet the criteria for a CE in the CEQ regulations (40 CFR 1508.4) and paragraph (a) of this section may be designated as CEs only after Administration approval. The applicant shall submit documentation which demonstrates that the specific conditions or criteria for these CEs are satisfied and that significant environmental effects will not result. Examples of such actions include but are not limited to:

- (1) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (e.g., parking, weaving, turning, climbing).
- (2) Highway safety or traffic operations improvement projects including the installation of ramp metering control devices and lighting.

## NEPA ASSESSMENT CHECKLIST

Answer the following questions by checking YES or NO.

**I. THRESHOLD QUESTION** **YES**    **NO**

1. Does the project involve unusual circumstances as described in 23 CFR §771.117(b)? \_\_\_\_\_   X

M If YES, the project does not qualify as a Categorical Exclusion and an EA or EIS is required. You may STOP COMPLETING THE CHECKLIST.

M If NO, go on.

**II. AUTOMATIC CATEGORICAL EXCLUSION** **YES**    **NO**

2. Is the project an action listed as an Automatic Categorical Exclusion in 23 CFR §771.117(c) (C List) and/or is the project an element-specific project classified by FHWA as a Categorical Exclusion on July 22, 1996?   X      \_\_\_\_\_

M If YES to question 2, the project qualifies for a C List Categorical Exclusion. You may STOP COMPLETING THE CHECKLIST. The checklist should be included in the appendix of the Final Design Report (or Scope Summary Memorandum/Final Design Report). The CATEGORICAL EXCLUSION DETERMINATION memo is to be sent to the appropriate Main Office Design liaison unit with a copy of the Final Design Report (or Scope Summary Memorandum/Final Design Report). A copy of the CATEGORICAL EXCLUSION DETERMINATION memo must also be sent to the Office of Budget and Finance, Project and Letting Management, and others (see sample DETERMINATION memo attached).

(Note - Even if YES to question 2, there may be specific environmental issues that still require an action such as an EO 11990 Wetland Finding or a determination of effect on cultural resources. The project is still an Automatic Categorical Exclusion but the necessary action must be taken, such as obtaining FHWA's signature on the wetland finding. Refer to the appropriate section of the Environmental Procedures Manual for guidance.)

M If NO to question 2, go on.

**III. PROGRAMMATIC CATEGORICAL EXCLUSION** **YES**    **NO**

3. Is the project on new location or does it involve a change in the functional classification or added mainline capacity (add through-traffic lanes)? \_\_\_\_\_    \_\_\_\_\_

YES NO

4. Is this a Type I project under 23 CFR 772, "Procedures for Abatement of Highway Traffic Noise and Construction"?
5. If the project is located within the limits of a designated sole source aquifer area or the associated stream flow source area, is the drainage pattern altered?
6. Does the project involve changes in travel patterns?
7. Does the project involve the acquisition of more than minor amounts of temporary or permanent right-of-way (a minor amount of right-of-way is defined as not more than 10 percent of a parcel for parcels under 4 ha (10 acres) in size, 0.4 ha (1 acre) of a parcel 4 ha to 40.5 ha (10 to 100 acres) in size and 1 percent of a parcel for parcels greater than 40.5 ha (100 acres) in size?
8. Does the project require a Section 4(f) evaluation and determination in accordance with the FHWA guidance?
9. Does the project involve commercial or residential displacement?
10. If Section 106 applies, does FHWA's determination indicate an opinion of adverse effect?
11. Does the project involve any work in wetlands requiring a Nationwide Wetland Permit #23?
12. Does the project involve any work in wetlands requiring an individual Executive Order 11990 Wetland Finding?

YES NO

13. Has it been determined that the project will significantly encroach upon a flood plain based on preliminary hydraulic analysis and consideration of EO 11988 criteria as appropriate? \_\_\_\_\_
14. Does the project involve construction in, across or adjacent to a river designated as a component proposed for or included in the National System of Wild and Scenic Rivers? \_\_\_\_\_
15. Does the project involve any change in access control? \_\_\_\_\_
16. Does the project involve any known hazardous materials sites or previous land uses with potential for hazardous material remains within the right-of-way? \_\_\_\_\_
17. Does the project occur in an area where there are Federally listed endangered or threatened species or critical habitat? \_\_\_\_\_
18. Is the project, pursuant to EPM Chapter 1A and Table 2 and Table 3 of 40 CFR Parts 51 and 93, non-exempt or does it exceed any ambient air quality standard? \_\_\_\_\_
19. Does the project lack consistency with the New York State Coastal Zone Management Plan and policies of the Department of State, Office of Coastal Zone Management? \_\_\_\_\_
20. Does the project impact or acquire any Prime or Unique Farmland as defined in 7 CFR Part 657 of the Federal Farmland Protection Policy Act and are there outstanding compliance activities necessary? (Note: Interpret compliance activity to mean completion of Form AD 1006.) \_\_\_\_\_

M If NO for questions, 3-20, go on to answer question 21.

M If YES to any question 3-20, project will not qualify as a Programmatic Categorical Exclusion. Answer questions 21 and 22 for documentation only and go on to question 23.

21. Does the project involve the use of a temporary road, detour or ramp closure?	YES	NO
	_____	_____

M If NO to questions 3-20 and NO to question 21, the project qualifies as a Programmatic Categorical Exclusion. You may STOP COMPLETING THE CHECKLIST. The checklist should be included in the appendix of the Final Design Report (or Scope Summary Memorandum/Final Design Report). The CATEGORICAL EXCLUSION DETERMINATION memo is to be sent to the appropriate Main Office Design liaison unit with a copy of the Final Design Report (or Scope Summary Memorandum/Final Design Report). A copy of the Categorical Exclusion memo must also be sent to the Office of Budget and Finance, Project and Letting Management, and others (see sample DETERMINATION memo attached).

M If YES to question 21, preparer should complete question 22 (i-v). If questions 3-20 are NO and 21 is YES, the project will still qualify as a Programmatic Categorical Exclusion if questions 22 (i-v) are YES.

	YES	NO
22. Since the project involves the use of temporary road, detour or ramp closure, will all of the following conditions be met:		
i. Provisions will be made for pedestrian access, where warranted, and access by local traffic and so posted.	_____	_____
ii. Through-traffic dependent business will not be adversely affected.	_____	_____
iii. The detour or ramp closure, to the extent possible, will not interfere with any local special event or festival.	_____	_____
iv. The temporary road, detour or ramp closure does not substantially change the environmental consequences of the action.	_____	_____
v. There is no substantial controversy associated with the temporary road, detour or ramp closure.	_____	_____

M If questions 3-20 are NO, 21 is YES and 22 (i-v) are YES, the project qualifies for a Programmatic Categorical Exclusion. You may STOP COMPLETING THE CHECKLIST. The checklist should be included in the appendix of the Final Design Report (or Scope Summary Memorandum/Final Design Report). The CATEGORICAL EXCLUSION DETERMINATION memo should be sent to the appropriate Main Office Design liaison unit with a copy of the Final Design Report (or Scope Summary Memorandum/Final Design Report.) A copy of the CATEGORICAL EXCLUSION DETERMINATION memo must also be sent to the Office of Budget and Finance, Project and Letting Management, and others (see sample DETERMINATION memo attached).

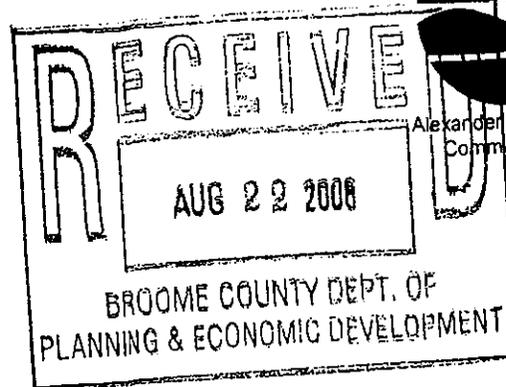
M If questions 3-20 are NO, 21 is YES and any part of 22 is NO, go on to question 23.

23. Is the project section listed in 23 CFR §771.117(d) (D List) or is the project an action similar to those listed in 23 CFR §771.117(d)?	YES	NO
	_____	_____

For those questions which precluded a Programmatic Categorical Exclusion, documentation should be provided for any YES response to questions 3-20 or for a NO response to any part of questions 22 (i-v). This documentation, as well as the checklist, should be included in the Design Approval Document, i.e., Final Design Report, etc., to be submitted to the Main Office/FHWA Design liaison unit for submission to the FHWA Division for classification of the project as a D List Categorical Exclusion.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Division of Fish, Wildlife & Marine Resources  
New York Natural Heritage Program  
625 Broadway, Albany, New York 12233-4757  
Phone: (518) 402-8935 • FAX: (518) 402-8925

August 20, 2008



Gail Domin  
Broome County - Planning & Econom. Development  
44 Hawley Street, Bx 1766  
Binghamton, NY 13902

Dear Ms. Domin:

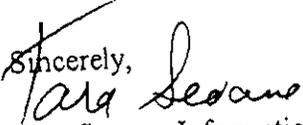
In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the proposed Conklin Multi-Use Trail, area as indicated on the map you provided, located in the Town of Conklin, Broome County.

We have no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain any information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. For these reasons, we cannot provide a definitive statement on the presence or absence of rare or state-listed species, or of significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Data bases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

Sincerely,  
  
Tara Seoane, Information Services  
NY Natural Heritage Program 

Enc.

cc: Reg. 7, Wildlife Mgr.



# New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

David A. Paterson  
Governor

Carol Ash  
Commissioner

September 03, 2008

Frank Evangelisti  
Broome County Dept of Planning  
PO Box 1766  
Binghamton, New York 13902

Re: FHWA, DOT  
Conklin Multi-Use Trail  
CONKLIN, Broome County  
08PR04203

Dear Mr. Evangelisti:

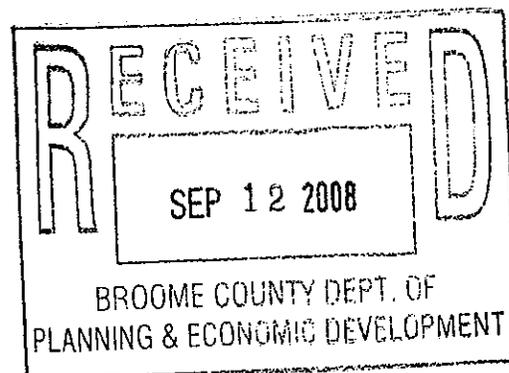
Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the SHPO's opinion that your project will have No Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Director



**Appendix C**  
**State Environmental Quality Review**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
**For UNLISTED ACTIONS Only**

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR	2. PROJECT NAME
3. PROJECT LOCATION: Municipality _____ County _____	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres      Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No      If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: _____	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No      If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No      If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN <b>ANY</b> ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:	

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide, on attachments as necessary, the reasons supporting this determination.	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)

Part III – Determination of Significance (Support for Conklin Multi-Use Trail – Phase I Short Environmental Assessment Form:

- C1. The creation of additional impervious areas by paving the proposed trail will result in an increase in surface runoff through the corridor area. Based on the setting of the proposed project, the surface area of the additional paved surfaces, and the existing drainage and surface water features in this area, the overall immediate and long term impact of this effect is expected to be negligible.

The Broome Corporate Parkway passes through an existing industrial park where large expanses of building roofs and parking lots create huge areas of impervious surfaces. As part of the design of this industrial area, expansive wet and dry detention ponds were designed and constructed along the frontage of properties on the east side of this roadway. The proposed multi-use trail will be constructed within the existing right-of-way on the east side of Broome Corporate Parkway and will be graded so that surface runoff flows through vegetated areas (treatment) and into these existing systems (conveyance and detention for decrease of peak flows). This section of the proposed project comprises approximately 76% of the overall project surface area.

Along Powers Road existing paved and compact gravel shoulders will be rebuilt and paved into 4-foot wide bike lanes on either side of the street. Since most of these areas are currently paved and/or consist of compact gravels, an increase in surface runoff or peak flows is not anticipated as a result of this rehab work. This section of the proposed trail work comprises approximately 16% of the overall project surface area.

A 5-foot wide paved pedestrian walk will also be added within the right-of-way along the southern side of Powers Road (comprising approximately 8% of the overall project surface area). This path will be an addition to the existing impervious surfaces in this along this stretch of roadway. As part of the proposed project the existing ditch line will need to be better defined and the driveway culverts will need to be replaced. The reworking of the drainage system along this stretch of road will accommodate any minimal increase in surface runoff seen by addition of this pedestrian walk.

Based on the above analysis and evaluation, construction of the Conklin multi-use trail as proposed through the design corridor is not expected to have any measureable impact on local drainage, flooding, or erosion.