



**ARIZONA DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PLANNING**

**Guidelines for Agency and Public Scoping for
Projects with Categorical Exclusions**

May 2016



Guidelines for Agency and Public Scoping for Projects with Categorical Exclusions

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I. ABOUT SCOPING

Scoping is often the first contact between the proponents of a project and the public. The scoping process is used to explain the project to the affected agencies and public and is used to solicit information that may inform decisions. This can reduce the need for changes later in the project development process because it reduces the chances of overlooking a critical social, economic, or environmental issue, or a design alternative.

These guidelines are intended to standardize Arizona Department of Transportation (ADOT) scoping letters to promote a consistent, positive initial contact with agencies and the public. All scoping, including the initial contact letter, should be tailored to meet the needs of each individual project. Not all projects require the same level of scoping and the amount of scoping should be based on the individual project. Some projects with a limited scope of work such as preservation and rehabilitation projects may require only agency scoping. Care should be taken to ensure that information presented is consistent and applicable to the project.

This Scoping Guidance assumes the reader is working on an ADOT sponsored project, but the guidance is also applicable to Local Public Agency (LPA) sponsored projects. When adapted for an LPA project, the LPA should be responsible for understanding what stakeholders will be impacted and interested in their project. ADOT letterhead should not be used. The ADOT Environmental Planners should be invited to do a courtesy review of any scoping documents. Consult with your Environmental Planner for more details.

PURPOSE:

Scoping is a process to:

- Invite participation
- Determine important issues
- Determine level of analysis
- Allocate assignments
- Identify past or current studies in the area
- Determine timing of activities
- Gauge if there is any public controversy on environmental grounds

OBJECTIVES:

Scoping has specific objectives:

- Identify affected public and agency concerns
- Facilitate document preparation process by:
 - Determining required coordination
 - Defining issues that need attention early
 - Defining which issues require less attention
 - Determining needed permits

TECHNIQUES:

Start scoping only after there is enough information to present a clear picture of the project to the public and agencies.

There is no single defined procedure for scoping. It is important to tailor the scoping to the proposed project to the context and anticipated level of impacts of the project.

Letters: Develop a mailing list based on affected/involved agencies and public. Include property owners and tenant of affected and adjacent properties. Allow the public and agencies 30 calendar days to respond with comments or concerns.

Prepare an information packet and solicit written, e-mailed, or phoned-in comments based on the information mailed in the packet.

Meetings: If a project is being processed as an unlisted project under 23 CFR 771.117 (d), the project could benefit from a meeting with the affected public, a scoping meeting in the early stage of project development may be appropriate. The Project Team should reach consensus on the need for holding a public scoping meeting. The ADOT Public Involvement Plan provides additional information on the coordination, responsibilities and requirements for public scoping meetings.

Scoping meetings provide all parties with the opportunity to meet one another and to listen to the concerns of others. People can see that you are listening to them in a face-to-face meeting, and personal and working relationships then develop among the parties. A quantity of interests and issues can be covered in a short amount of time.

Note: A public meeting does not imply the need for an Environmental Assessment.

Responses: Input received from the public often requires a response from ADOT. All specific questions raised in scoping letters require a written response in the form of a letter from the assigned ADOT Environmental Planner, ADOT Project Manager, or ADOT Communications within ten business days of receipt.

All scoping communications require documentation for the project record.

Email messages, as well as all responses, should be printed in a format that displays the sender information and time mailed as well as the message text. All telephone conversations that involve scoping discussions with either agencies or the public are to be documented in hard copy. Documentation should include the date, time, caller's name, telephone number, name of person called, subject, and message. Typed records are preferable to handwritten documentation.

CITATIONS FOR SCOPING:

40 CFR 1500-1508 (CEQ regulations for implementing NEPA)
23 CFR 771.111(a)

*Note: CEQ outlines the NEPA Scoping process for projects requiring an EIS, or by extension an EA. ADOT Environmental Planning uses scoping in a broader sense for agency coordination and issue identification for certain projects processed with CEs. Scoping also helps ensure that CEs meet the requirements of 23 CFR 771.117(a) and (b). Projects processed with CEs that do not require public scoping (letters) may still take measures to inform the public of the project during the design process through the numerous means available for information sharing. The ADOT Public Involvement Plan can be consulted for more information on public involvement techniques.

II. SCOPING CONTACTS

The scope of work, location, and duration of the project need to be carefully considered when preparing the contact list. When in doubt regarding whom to scope, always coordinate with the assigned Environmental Planner.

NOTE: These lists are not all-inclusive – the scope of each project should be reviewed to determine if additional contacts are needed.

ALL CONSTRUCTION PROJECTS – These entities are to be scoped for projects unless otherwise directed by the Environmental Planner.

- Land Management Agency (i.e., Forest Service, Park Service, Bureau of Land Management, etc.)
- Local Jurisdictions: County, City / Town
- Metropolitan Planning Organization (MPO)
- Council of Government (COG)
- Sky Island Alliance
- Appropriate Tribal and BIA Departments (i.e., Transportation, Planning)

Letters to the following contacts will be reviewed and signed by the ADOT biologist (see Appendix)

- AZ Game and Fish Department (unless project is entirely on Tribal land)
- US Fish and Wildlife Service
- Land Management Agency Biology Contact (i.e., Forest Service, Park Service, etc.)
- Tribal Natural Resources or Biology Departments

AS APPLICABLE For CEs prepared with a CE Checklist or Individual CE and Environmental Determinations. Scope the entities listed under ALL PROJECTS and any of the following entities found to be applicable to the specific project. Limited scoping is needed for construction projects such as paving and bridge rehabilitation that does not involve a detour. Projects processed as a (c)(1) CE or in a context that does not require agency and/or public scoping do not need to include scoping from this list unless determined necessary by the Environmental Planner.

- Holders of Land Use Permits
- Mining and grazing permittees / leaseholders
- Emergency Response- Hospital, Police, Sheriff, DPS, Fire Department
- Schools
- Chamber of Commerce
- Tourism Board
- Business Associations
- Adjacent businesses
- Adjacent and affected residents
- Neighborhood Associations (i.e. HOA, bicycle clubs)
- Environmental Organizations (Sierra Club, Audubon Society, etc.)
- Tribal Chapters
- Secondary users (i.e. those who use side roads leading to communities on reservations and national forests)
- Floodplain Administrator if within a 100-year floodplain or if there is no delineated floodplain
- Coast Guard if the Colorado River is involved
- The Grand Canyon Trust for projects within the Colorado Plateau north of I-40.
- Center for Biological Diversity (they don't want pavement preservation projects scoping letters, only projects with substantial ground disturbance)
- The Friends of SR 82 (for projects on SR 82 and SR 83)
- Upper Agua Fria Watershed Partnership (if the project is in the watershed)

DO NOT SCOPE:

- US Army Corps of Engineers
- ADOT Districts
- Arizona Department of Agriculture
- Arizona Department of Environmental Quality
- Arizona Game and Fish Department or state agencies if project is entirely on tribal land

III. STANDARDIZED SCOPING LETTERS

A. General Scoping Letter

The general letter provides a description of the location and a detailed scope of the proposed project, provides contact information, and requests responses by a specific date. The general letter is sent to all entities on the contact list except those receiving a biology scoping letter. Biology scoping letters are sent to the land managing agency biology contacts, Arizona Game and Fish, and the US Fish and Wildlife Service. The guidelines for biology scoping letters are included in the appendix to this document.

B. Scoping Letters to Administrators of Land Management Agencies (other than BIA and BLM)

A scoping letter should be sent from the Environmental Planner to the land management agency contact. A separate letter will be sent to the land managing agency biologist from the ADOT biologist following the guidelines in the appendix. If the biologist is not known, the contact information should be requested so that the ADOT biologist can send him/her a scoping letter. When letters are being sent to multiple contacts in the same agency, annotate the letters with a cc: and send copies to ensure recipients know who else in their agency received the letter. The table below summarizes the typical contacts for the various land managing agencies and the division between biological and general agency scoping letters. The letter should ask if the agency anticipates needing to undertake its own federal action under NEPA.

Typical Contacts for Scoping Letters to Federal Land Managing Agencies

Agency	Administrator Contacts (Receives general scoping letter from Environmental Planner)	Biological Contacts (Receives biology scoping letter from ADOT biologist)
US Forest Service	District Ranger	District Biologist
Bureau of Reclamation	Area Manager	Biologist or Environmental Resource Manager
NPS	Park Superintendent Monument Manager	Park Biologist
Bureau of Indian Affairs	Contact as listed in Section III.C.	No separate biology letter to BIA
Bureau of Land Management	Biology paragraph will be incorporated into a single letter sent to the Field Manager with cc: to the Realty Specialist, as detailed in Section III. D.	

The following paragraphs are to be added to scoping letters to administrators of the land management agencies (US Forest Service, National Park Service, etc.; does NOT apply to BIA or BLM – see sections C and D below):

- **When the biology contact is known:**

During the biological compliance process we will coordinate with [NAME OF AGENCY BIOLOGIST AND TITLE], who - according to our records - is the appropriate contact for biological issues. Please let us know if this contact has changed.

- When the biology contact is not known:

Please let us know if there is a specific contact we should coordinate with who can represent your agency when dealing with biological issues.

C. Bureau of Indian Affairs

When on tribal lands a letter needs to be sent to the BIA. A letter containing the paragraph below should be sent to the Regional Environmental Protection Officer when working in the BIA's Western Region and to the NEPA coordinator when working in the Navajo Region.

NAME	NAME
Regional Environmental Compliance Officer	NEPA Coordinator
BIA Western Regional Office	BIA Navajo Regional Office
2600 North Central Avenue, 4th Floor Mailroom	P.O. Box 1060
Phoenix, AZ 85004	Gallup, NM 87305

Paragraph to include in scoping letters to the Bureau of Indian Affairs

During the biological compliance process for this project we will coordinate with the [TRIBE]. In addition, their designated representative will be offered an opportunity to review the biological report and will be invited to any meetings that may occur with the US Fish and Wildlife Service. If your agency has any specific biological concerns, would like to review the biological document, or would like to be invited to any meetings with the US Fish and Wildlife Service that may occur, please let us know. If we do not receive a response from you regarding any biological concerns we will assume our coordination through the [TRIBE] is sufficient for your agency and no specific coordination with the BIA is necessary during the biological compliance phase.

D. Bureau of Land Management

State Funded Projects: – If the project is state funded and on lands administered by the BLM, the letter is sent to the BLM Field Office manager with a cc: to the Realty Specialist by the Environmental Planner. The general letter is edited to include the Township, Range and Section of the project so the agency can review its databases for Threatened, Endangered and Sensitive species information, which are collected and recorded in this format. It also includes the additional paragraph with potential biological impacts following the scope of work bullet list and the following language. Ask if the BLM anticipates needing to undertake a federal action under NEPA.

Additional paragraphs to include in the BLM letter for State-funded projects

[Include info on potential biological impacts of scope]. Please let us know if there is a specific contact we should coordinate with to represent your agency when dealing with biological issues. If there is no biology contact, please let us know if your agency has any specific biological concerns related to this project.

Federally Funded Projects: - If the project is located on land administered by the BLM, and is federally funded pursuant to 23 U.S.C. (i.e., Title 23), follow the protocol listed in *Memorandum of Understanding between the BLM/FHWA/ADOT, Amendment #4*, dated November 19, 2008 (MOU No. AZ-931-0309). The letter is drafted for FHWA to send to the Field Office manager(s) with a cc: to the Realty Specialist(s) and Biologist (if applicable). The MOU provides that "FHWA will send written

notification of the project to all affected BLM field offices, with a copy to ADOT Environmental Planning”:

1. Inviting BLM to participate as a cooperating agency,
2. Requesting that BLM identify known issues and concerns relating to protection of valid existing rights and resources on BLM-managed lands potentially affected by the project, and
3. Requesting a determination whether the proposed project is in conformance with BLM land use plans.

The Environmental Planner will review the coordination letter and forward it to the FHWA Area Engineer for action (see FHWA to BLM Example).

Additional paragraphs to include in the BLM letter from FHWA for Federally-funded projects

[Include info on potential biological impacts of scope]. Please let us know if there is a specific contact we should coordinate with to represent your agency when dealing with biological issues. If there is no biology contact, please let us know if your agency has any specific biological concerns related to this project.

In accordance with the 2008 Memorandum of Understanding between the BLM/FHWA/ADOT, please (1) respond on your agreement to participate in this project as a cooperating agency, (2) identify known issues and concerns relating to protection of valid existing rights and resources on BLM-administered lands potentially affected by the project, and (3) determine whether the proposed project is in conformance with BLM land-use plans. Please provide your agency’s response in writing to this request no later than [DATE]. Also, please let us know if the BLM anticipates needing to undertake its own federal action under NEPA. If you have questions, please contact [FHWA contact, Title, at 602-382-xxxx].

E. Floodplain Manager

If the project affects a 100-year floodplain by placing a substantial amount of fill material include the following in the general scoping letter:

A review of the Federal Emergency Management Agency Flood Insurance Rate Map for the project area indicates that this project is located within a 100-year floodplain. To assist in your determination of floodplain impacts, the Project Manager or Designer will send you design plans as the project develops.

(Provide the Project Manager and/or Designer with the Floodplain Managers contact information for the plans distribution list and send a copy of this request to the Environmental Planner.)

IV. FORMAT AND PROCESS

- Font should be 12 pt. Times New Roman for letters prepared on FHWA letterhead. Calibri can be used on ADOT letterhead. See the [ADOT Editorial Guide](#) for further details on formatting ADOT documents.
- Scoping letters for LPA projects should not be sent using ADOT letterhead; either the LPA or their consultant’s letterhead should be used.
- Scoping letters for LPA projects may be submitted to the ADOT Environmental Planner for a courtesy review. This review is not required but it is highly recommended in order to avoid concerns that information was missing from the scoping letters or that additional contacts should receive scoping letters later in the environmental review process.
- Margins should be .5 top and bottom, 0.75 left and right

- Letters should be addressed to either: Ms., Mr., Lt., Chief, or Sir or Madam (please make sure this is in the appropriate mail merge fields as well).
- Have the appropriate header on all pages of the letter after the first page to include: Title, Name, Date, Project No., and Page Number.
- When submitting a **draft** of scoping items to the ADOT Environmental Planner for review, include the following as separate attachments:
 - One attachment for each type of letter (general public, agencies, etc.)
 - List of agencies/public to be scoped (spreadsheet)
 - State map & vicinity map
- When submitting **final** scoping items to the ADOT Environmental Planner, include the following as separate attachments:
 - Merged letters for each type of letter
 - Merged envelopes with appropriate regional return address
 - List of agencies/public to be scoped (spreadsheet)
 - State map & vicinity map

The Environmental Planner is responsible for reviewing the mailing list, maps, and the text of scoping letters. Upon approval by the Environmental Planner, ADOT Project Manager, and District, the Environmental Planner will sign or provide the consultants with his/her electronic signature to be inserted to the letters. Unless otherwise directed by the Environmental Planner, the consultants are responsible for mailing the letters. Consultants then provide EP, ADOT Project Manager, and District an electronic copy of only one of the mailed letters, and will retain all other letters in the project files.

The same letter may not be appropriate for all agencies and the public on the mailing list. Additional or different information or requests may be included in letters as appropriate if approved by the Environmental Planner.

V. ADOT RESPONSES TO COMMENTS RECEIVED

When comments are received from agencies or the public, the Environmental Planner will determine if a response is needed. Written responses should be prepared with input from the Project Team as needed. The responses are reviewed and signed by the Environmental Planner typically within ten days of receipt, unless the comments require further research or survey. Responses to comments received for LPA projects are handled by the LPA or their consultant.

All responses to scoping letters that include biological information need to be forwarded to the appropriate ADOT biologist. These response letters need to be attached to the biological report written for the project. If no response was received from the biological agencies, the scoping letters sent to those agencies should be attached to the biology report.

Comments received from agencies and ADOT responses will be stored in a folder in the project file (G-Drive).

If a letter is undeliverable, or is returned marked “return to sender,” a good faith effort must be made to contact the recipient. Consultants then update the scoping list to reflect contact information.

VI. EXAMPLE LETTERS

See following pages.



General Public Scoping Letter

Douglas A. Ducey, Governor
John S. Halikowski, Director
Dallas Hammit, State Engineer
Steve Boschen, Division Director

Mon. Day, Year

FirstName LastName
Job Title
Company/Agency Name
Address Line 1
City, State ZIP

Subject: Subject Title

Re: [Federal Project Number] [ADOT Project Number] [Project Name]

Dear Ms./Mrs./Mr. LastName:

The first paragraph contains a brief description of the project including: type of project (pavement preservation, easement project, lane widening etc.); location of project including highway, milepost and distance from nearest town/city or geographic reference point. Also reference the state and vicinity maps. Also identify land ownership.

The Arizona Department of Transportation (ADOT) is planning roadway widening and fence installation projects on US 191 from milepost (MP) 446.4 to MP 448.3 on Navajo Nation land in Chinle, Apache County, Arizona (Figure 1–Project location and Figure 2–Project vicinity). This letter is a request for comments, concerns, or issues relevant to the projects.

The second paragraph describes the existing conditions and the project purpose/need.

Within the project limits, US 191 consists of two through lanes in each direction with 2-foot-wide shoulders. Multiple residential and commercial driveways are in the project limits, including access points for Chinle High School and Chinle Junior High School. No dedicated turn lanes are present from MP 446.4 to MP 447.5. Livestock is regularly observed in the right-of-way (R/W), and pedestrians have been observed crossing the highway outside marked crossing areas. The purpose of these projects is to improve traffic operations on US 191, reduce the presence of livestock in the highway R/W, and guide pedestrians to marked crossings.

The third paragraph describes the scope of work in bullet format. Do not use jargon.

The scope of work for these projects includes:

- Widening US 191 from MP 446.4 to MP 447.5 to provide a two-way left-turn lane.
- Constructing curb, gutter, and sidewalk from MP 446.4 to MP 447.5.
- Installing chain-link R/W fencing, pedestrian gates, and cattle guards along both sides of the highway from MP 446.4 to MP 448.3.

The fourth paragraph includes anticipated construction start date, detours, lane closures, new right-of-way or easements, and temporary construction easements for the project.

Project construction for the fencing, pedestrian gates, and cattle guards is tentatively scheduled for 2010, with an expected duration of 35 days. Project construction for the roadway widening, curb and gutter, and sidewalk is currently planned for 2011, with an expected duration of 8 months. Traffic will be controlled to minimize impacts on motorists, pedestrians, and construction personnel as necessary. Access to residences and businesses will be maintained throughout construction. The acquisition of new easement is not anticipated; however, temporary construction easements will be required.

The last paragraph asks the public to identify any concerns, issues or questions regarding the project. List the contact information including mailing address, e-mail address, and telephone number.

This letter serves as your invitation to review the proposed project based upon the scope of work outlined above. If you have any specific concerns or suggestions pertaining to this specific proposed project, please let us know.

Please submit your comments or concerns by [Date] to ADOT c/o consultant's name address, phone number, and e-mail. Thank you for your time and assistance.

Sincerely,

[Delete this text before printing, and sign here.]

[Planner Name]

[Title]

ADOT Environmental Planning

Enclosures

c: Area Engineer Name, FHWA
Environmental Coordinator Name, FHWA
Preparer's Name, Consultant's Firm



General Agency Scoping Letter

Mon. Day, Year

FirstName LastName
Job Title
Company/Agency Name
Address Line 1
City, State ZIP

Subject: Subject Title

Re: [Federal Project Number] [ADOT Project Number] [Project Name]

Dear Ms./Mrs./Mr. LastName:

The Arizona Department of Transportation (ADOT) is planning to construct a roundabout on State Route (SR) 87 between milepost (MP) 253.69 and MP 253.76 at the intersection of Airport Road/Airline Drive and improve southbound (SB) SR 87 at MP 254.40 just north of the Tyler Parkway roundabout. The project is located within the Town of Payson, Gila County, Arizona (see enclosed Figures 1 and 2).

Airport Road/Airline Drive in the project area consists of one travel lane in each direction of travel, and SR 87 consists of two travel lanes in each direction of travel with a continuous center turn lane. Currently, the intersection of SR 87 and Airport Road/Airline Drive is a conventional un-signalized intersection with two-way stop signs on Airport Road/Airline Drive. There are no traffic control mechanisms on SR 87; thus, vehicles travelling on SR 87 continue through the intersection without stopping. The SB SR 87 travel lanes located north of the Tyler Parkway roundabout are straight, and vehicle speeds when entering the roundabout may exceed the posted limit.

Heavy traffic volumes on SR 87 make it difficult for vehicles on Airport Road/Airline Drive to travel through the intersection causing traffic backups particularly during peak morning and evening travel periods. SB traffic entering the Tyler Parkway roundabout may enter the roundabout at higher speeds than posted. The purpose of the project is to reduce traffic backups at the SR 87 and Airport Road/Airline Drive intersection by maintaining a continuous flow of traffic with a traffic roundabout, and to slow vehicle movement on the SR 87 SB lanes entering the Tyler Parkway roundabout by reconstructing the curb and gutter to provide a slight curve in the road forcing vehicles to slow down.

The scope of work for the project consists of:

- Constructing a roundabout at the SR 87 and Airport Road/Airline Drive intersection
- Installing new curb, gutter, overhead lighting, and sidewalks at the new roundabout
- Removing and replacing the curb and gutter on the SB approach of the Tyler Parkway roundabout
- Relocating a light pole to accommodate the new curb and gutter fixtures

«Title» «Last_Name» (DATE)

The project would occur within the existing ADOT right-of-way (R/W) through private lands. Approximately 1 acre of new R/W and temporary construction easements (TCEs) are required to construct the roundabout. The new R/W and TCEs requirements will be determined during final design. Construction is anticipated to begin in summer 2009, and is expected to take approximately 4 months to complete. The roundabout will be constructed in phases. This project will require temporary lane closures along SR 87 and Airport Road/Airline Drive; however, at least one lane of traffic in each direction will be maintained and temporary signage will be employed for lane closures or turning restrictions.

This letter serves as our agency's invitation to review the proposed project based upon the scope of work outlined above. If you or others in your agency have any specific concerns, suggestions or recommendations pertaining to this specific proposed project, please let us know. This may include information on future development, general plans, or capital improvement projects that would be affected, to name a few.

Please submit your comments or concerns by [Date] to ADOT c/o consultant's name address, phone number, and e-mail. Thank you for your time and assistance.

Use this field for the final paragraph of your business letter. Reiterate the objective of the letter, and express what you expect the next action to be (e.g., a call, an action, etc.). Thank the recipient for their attention to your message.

Sincerely,

[Delete this text before printing, and sign here.]

[Planner Name]

[Title]

ADOT Environmental Planning

Enclosures: Figure 1 – State Location Map
Figure 2 – Project Vicinity Map

c: Preparer's Name, Consultant's Firm



Douglas A. Ducey, Governor
John S. Halikowski, Director
Dallas Hammit, State Engineer
Steve Boschen, Division Director

BLM Scoping Letter for State-funded Project

Mon. Day, Year

Mr. Steve Politsch, Field Manager ([Dependent on BLM Region Office](#))
Bureau of Land Management
Lake Havasu City Field Office
2610 Sweetwater Ave.
Lake Havasu City, AZ 86406-9071

Subject: Subject Title

Re: [ADOT Project Number] [Project Name]

Dear Ms./Mrs./Mr. LastName:

The Arizona Department of Transportation (ADOT) is planning to construct a roundabout on State Route (SR) 87 between milepost (MP) 253.69 and MP 253.76 at the intersection of Airport Road/Airline Drive and improve southbound (SB) SR 87 at MP 254.40 just north of the Tyler Parkway roundabout. The project is located within the Town of Payson, Gila County, Arizona (see enclosed Figures 1 and 2). The cadastral location for this project is Township 11 North, Range 10 East, portions of Sections 27 and 34. The BLM Serial Number(s) is #####.

Heavy traffic volumes on SR 87 make it difficult for vehicles on Airport Road/Airline Drive to travel through the intersection causing traffic backups particularly during peak morning and evening travel periods. The purpose of the project is to reduce traffic backups at the SR 87 and Airport Road/Airline Drive intersection by maintaining a continuous flow of traffic with a traffic roundabout, and to slow vehicle movement on the SR 87 SB lanes entering the Tyler Parkway roundabout by reconstructing the curb and gutter to provide a slight curve in the road forcing vehicles to slow down.

The scope of work for the project consists of:

- Constructing a roundabout at the SR 87 and Airport Road/Airline Drive intersection
- Installing new curb, gutter, overhead lighting, and sidewalks at the new roundabout
- Removing and replacing the curb and gutter on the SB approach of the Tyler Parkway roundabout
- Relocating a light pole to accommodate the new curb and gutter fixtures

The project would occur within the existing ADOT right-of-way (R/W) through private lands. Approximately 1 acre of new R/W and temporary construction easements (TCEs) are required to construct the roundabout. The new R/W and TCEs requirements will be determined during final design. Construction is anticipated to begin in summer 2009, and is expected to take approximately 4 months to complete. The roundabout will be constructed in phases. This project will require temporary lane closures along SR 87 and Airport Road/Airline Drive; however, at least one lane of traffic in each direction will be maintained and temporary signage will be employed for lane closures or turning restrictions.

«Title» «Last_Name» (DATE)
[ADOT Project Number], Page 2

[Include info here that summarizes biologically-relevant effects that could be associated with the scope (vegetation removal, ground disturbance, work in flowing waters, night-time work, noise levels above typical traffic for the area, length and timing of construction) – refer to Section 1 of the Biology Scoping Guidelines (in the Appendix to this document).] Please let us know if there is a specific contact we should coordinate with to represent your agency when dealing with biological issues. If there is no biology contact, please let us know if your agency has any specific biological concerns related to this project.

This letter serves as our agency’s invitation to review the proposed project based upon the scope of work outlined above. If you or others in your agency have any specific concerns, suggestions or recommendations pertaining to this specific proposed project, please let us know. This may include information on future development, general plans, or capital improvement projects that would be affected, to name a few. Please also respond as to whether this project would require BLM to undertake a federal action under NEPA.

Please submit your comments or concerns by [Date] to ADOT c/o consultant’s name address, phone number, and e-mail. Thank you for your time and assistance.

Use this field for the final paragraph of your business letter. Reiterate the objective of the letter, and express what you expect the next action to be (e.g., a call, an action, etc.). Thank the recipient for their attention to your message.

Sincerely,

[Delete this text before printing, and sign here.]

[Planner Name]

[Title]

ADOT Environmental Planning

Enclosures: Figure 1 – State Location Map
Figure 2 – Project Vicinity Map

c: Preparer’s Name, Consultant’s Firm

Floodplain Manager Scoping Letter

Mon. Day, Year

FirstName LastName
Job Title
Company/Agency Name
Address Line 1
City, State ZIP

Subject: Subject Title

Re: [Federal Project Number] [ADOT Project Number] [Project Name]

Dear Ms./Mrs./Mr. LastName:

The Arizona Department of Transportation (ADOT) is planning to construct a roundabout on State Route (SR) 87 between milepost (MP) 253.69 and MP 253.76 at the intersection of Airport Road/Airline Drive and improve southbound (SB) SR 87 at MP 254.40 just north of the Tyler Parkway roundabout. The project is located within the Town of Payson, Gila County, Arizona (see enclosed Figures 1 and 2).

Heavy traffic volumes on SR 87 make it difficult for vehicles on Airport Road/Airline Drive to travel through the intersection causing traffic backups particularly during peak morning and evening travel periods. SB traffic entering the Tyler Parkway roundabout may enter the roundabout at higher speeds than posted. The purpose of the project is to reduce traffic backups at the SR 87 and Airport Road/Airline Drive intersection by maintaining a continuous flow of traffic with a traffic roundabout, and to slow vehicle movement on the SR 87 SB lanes entering the Tyler Parkway roundabout by reconstructing the curb and gutter to provide a slight curve in the road forcing vehicles to slow down.

The scope of work for the project consists of:

- Constructing a roundabout at the SR 87 and Airport Road/Airline Drive intersection
- Installing new curb, gutter, overhead lighting, and sidewalks at the new roundabout
- Removing and replacing the curb and gutter on the SB approach of the Tyler Parkway roundabout
- Relocating a light pole to accommodate the new curb and gutter fixtures

The project would occur within the existing ADOT right-of-way (R/W) through private lands. Approximately 1 acre of new R/W and temporary construction easements (TCEs) are required to construct the roundabout. The new R/W and TCEs requirements will be determined during final design. Construction is anticipated to begin in summer 2009, and is expected to take approximately 4 months to complete. The roundabout will be constructed in phases. This project will require temporary lane closures along SR 87 and Airport Road/Airline Drive; however, at least one lane of traffic in each direction will be maintained and temporary signage will be employed for lane closures or turning restrictions.

«Title» «Last_Name» (DATE)
[ADOT Project Number], Page 2

Flood Insurance Rate Maps (FIRM) of the project area were reviewed, and indicated that this project is located within a 100-year floodplain. The floodplain maps for the project area are FIRM [map #s](#). To assist in your determination of floodplain impacts, the Project Manager will send you design plans as the project develops.

Please submit your comments or concerns by [\[Date\]](#) to ADOT c/o [consultant's name address, phone number, and e-mail](#). Thank you for your time and continued assistance.

Sincerely,

[Delete this text before printing, and sign here.]

[\[Planner Name\]](#)

[\[Title\]](#)

ADOT Environmental Planning

Enclosures: Figure 1 – State Location Map
Figure 2 – Project Vicinity Map

c: [Area Engineer Name, FHWA](#)
[Environmental Coordinator Name, FHWA](#)
[Preparer's Name, Consultant's Firm](#)

BLM Scoping Letter for Federal Aid Highway Projects

**The heading is intentionally
blank and is for the use of
FHWA to input their official
Letterhead.**

(DATE)

IN REPLY REFER TO:
[Project Number]
[ADOT Project Number]
[BLM Serial Number]
[Project Name]

Mr. Steve Politsch, Field Manager (Dependent on BLM Region Office)
Bureau of Land Management
Lake Havasu City Field Office
2610 Sweetwater Ave.
Lake Havasu City, AZ 86406-9071

Dear Mr. Politsch:

The Federal Highway Administration (FHWA), in cooperation with the Arizona Department of Transportation (ADOT), would like to invite the Bureau of Land Management (BLM) to be a cooperating agency in construct a roundabout on State Route (SR) 87 between milepost (MP) 253.69 and MP 253.76 at the intersection of Airport Road/Airline Drive and improve southbound (SB) SR 87 at MP 254.40 just north of the Tyler Parkway roundabout. The project is located within the Town of Payson, Gila County, Arizona (see enclosed Figures 1 and 2). The cadastral location for this project is Township 11 North, Range 10 East, portions of Sections 27 and 34. The BLM Serial Number(s) is #####.

Heavy traffic volumes on SR 87 make it difficult for vehicles on Airport Road/Airline Drive to travel through the intersection causing traffic backups particularly during peak morning and evening travel periods. SB traffic entering the Tyler Parkway roundabout may enter the roundabout at higher speeds than posted. The purpose of the project is to reduce traffic backups at the SR 87 and Airport Road/Airline Drive intersection by maintaining a continuous flow of traffic with a traffic roundabout, and to slow vehicle movement on the SR 87 SB lanes entering the Tyler Parkway roundabout by reconstructing the curb and gutter to provide a slight curve in the road forcing vehicles to slow down.

The scope of work for the project consists of:

- Constructing a roundabout at the SR 87 and Airport Road/Airline Drive intersection
- Installing new curb, gutter, overhead lighting, and sidewalks at the new roundabout
- Removing and replacing the curb and gutter on the SB approach of the Tyler Parkway roundabout
- Relocating a light pole to accommodate the new curb and gutter fixtures

The project would occur within the existing ADOT right-of-way (R/W) through private lands. Approximately 1 acre of new R/W and temporary construction easements (TCEs) are required to construct the roundabout. The new R/W and TCEs requirements will be determined during final design. Construction is anticipated to begin in summer 2009, and is expected to take approximately 4 months to complete. The roundabout will be constructed in phases. This project will require temporary lane closures along SR 87 and Airport Road/Airline Drive; however, at least one lane of traffic in each direction will be maintained and temporary signage will be employed for lane closures or turning restrictions.

[Include paragraph here that summarizes biologically-relevant effects that could be associated with the scope (vegetation removal, ground disturbance, work in flowing waters, night-time work, noise levels above typical traffic for the area, length and timing of construction) – refer to Section 1 of the Biology Scoping Guidelines (in the Appendix to this document).] Please let us know if there is a specific contact we should coordinate with to represent your agency when dealing with biological issues. If there is no biology contact, please let us know if your agency has any specific biological concerns related to this project.

In accordance with the 2008 Memorandum of Understanding, Amendment No. 4, between FHWA, ADOT, and the BLM, please (1) respond on your agreement to participate in this project as a cooperating agency, (2) identify known issues and concerns relating to protection of valid existing rights and resources on BLM-administered lands potentially affected by the project, and (3) determine whether the proposed project is in conformance with BLM land-use plans. Also, please let us know if the BLM anticipates needing to undertake its own federal action under NEPA. Please provide your agency's response in writing to this request no later than (DATE). If you have questions, please contact NAME, Area Engineer, at 602-xxx-xxxx.

Sincerely,

Karla S. Petty
Division Administrator

Enclosures: Figure 1 – Project Location Map
Figure 2 – Project Vicinity Map

cc: BLM Realty Specialist (*no name*)
FHWA Area Engineer
Environmental Planner
Preparer's Name, Consultant's Firm

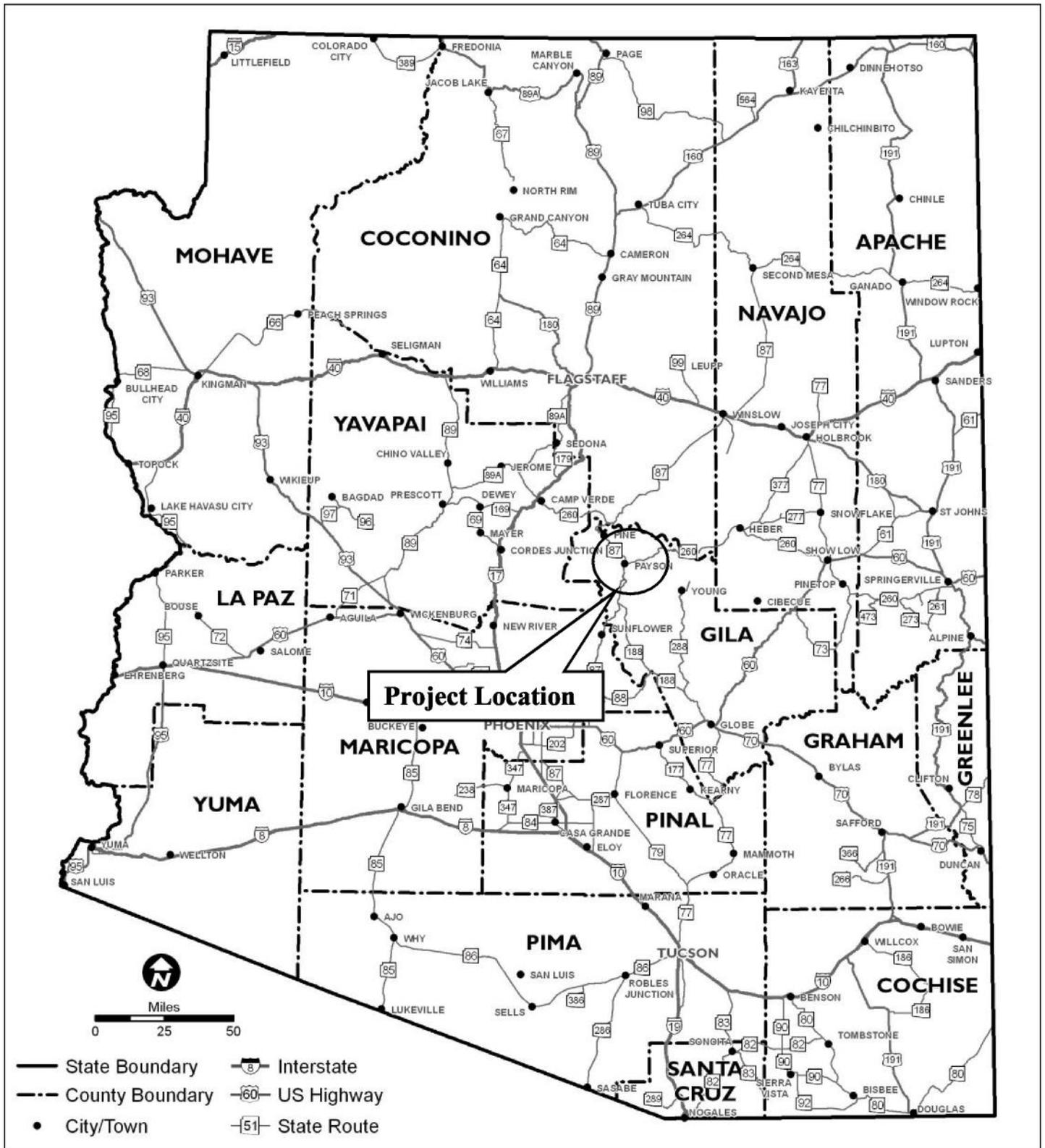


Figure 1. State Location Map
 Federal Project Number (if applicable)
 ADOT Project Number
 Project Name

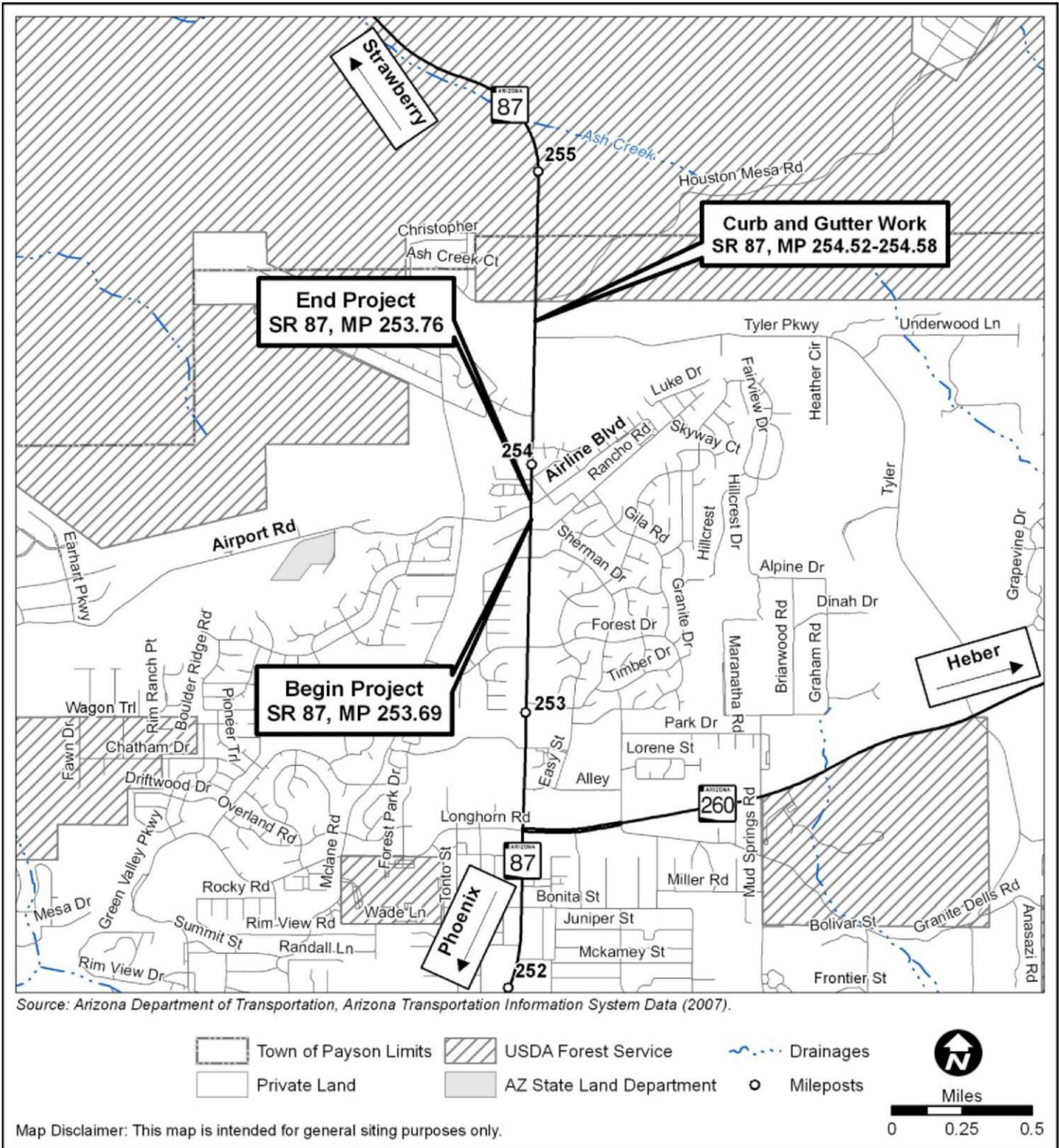


Figure 2. Project Vicinity Map
 Federal Project Number (if applicable)
 ADOT Project Number
 Project Name



**ARIZONA DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL PLANNING**

Biological Scoping Guidelines

November 2015



BIOLOGICAL SCOPING GUIDELINES

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ACRONYMS AND ABBREVIATIONS

ADOT – Arizona Department of Transportation
AGFD – Arizona Game and Fish Department
BIA – Bureau of Indian Affairs
BLM – Bureau of Land Management
CE – Categorical Exclusion
ED – Environmental Determination
EP – Environmental Planning
ESA – Endangered Species Act
FHWA – Federal Highway Administration
Forest – US Forest Service
IPaC – Information, Planning, and Conservation System
LPA – Local Public Agency
NPS – National Park Service
NNDFW – Navajo Nation Department of Fish and Wildlife
NNHP – Navajo Natural Heritage Program
NEPA – National Environmental Policy Act
Reclamation – Bureau of Reclamation
ROW – right-of-way
USFWS – US Fish and Wildlife Service

1. INTRODUCTION AND GENERAL GUIDANCE

This guidance is intended to be used in conjunction with the *Guidelines for Scoping Projects with Categorical Exclusions*, hereafter referred to as “CE Scoping Guidelines”, and the *Biology Procedures for Consultants*. The consultant should read and be familiar with the applicable sections of these guidance documents prior to completing biology scoping.

As described in the CE Scoping Guidelines, a general scoping letter will be sent to all entities on the contact list included in the CE Scoping Guidelines. However, additional biology-related information and/or modified scoping letters will need to be provided to some agencies/organizations/biological contacts, depending on project location. This initial biological scoping will ensure early coordination with the appropriate resource or land management agency biological contacts and will also help determine if there are any specific biological issues related to the project. The table below provides a general summary of biology scoping requirements, depending on project location. Letters specified in the table below should all include an additional paragraph describing biologically relevant impacts of the scope.

General Biology Scoping Requirements		
Agency/Organization	When to Scope	Scoping Method
AGFD	All projects where located on non-tribal land	Online Environmental Review Tool query and one modified scoping letter
USFWS	All projects	IPaC query and/or one modified scoping letter, as determined through coordination with the ADOT biologist
Federal Land Managing Agencies other than BLM (e.g., Forest, Reclamation, NPS)	Projects located on easement from a federal land managing agency	One modified scoping letter to an agency biology contact. For the Forest Service, this is typically the Ranger District biologist.
BLM	Projects located on easement from BLM	For BLM, the biology concerns request will be incorporated into the general scoping letter. For state-funded projects the letter will come from the Environmental Planner. For federally-funded projects, a cooperating agency letter on FHWA letterhead will be sent. See the CE Scoping Guidelines.
Navajo Nation	Projects located on the Navajo Nation	NNHP species data request or “No BE” letter sent to the NNDFW.
Other Tribal Communities	Projects located on other tribal lands	One modified scoping letter to the tribal biology contact, as determined through coordination with the ADOT biologist
Invasive Species Coordination	All projects on State Highway System (not LPA projects)	Copy of a general scoping letter sent to the ADOT Natural Resources Manager (see Natural Resources contact map).

Other than the USFWS and AGFD internet queries and scoping procedures described in this guidance document, **do not contact any external agencies, including tribes, regarding biological concerns on ADOT projects without specific prior approval from the ADOT biologist.** The ADOT biologist will determine the appropriate contact (ADOT or consultant). Many agencies have provided data or recommendations to ADOT and do not want to be contacted repeatedly for the same request. Also, some agencies and tribes have requested direct ADOT contact for project related coordination.

Biological Impacts Summary Paragraph

The same scoping letter used for general agency scoping should be used as the basis for the biology scoping letters, but modified to include the additional information described in this guidance as applicable. This includes a paragraph following the bullet list of scope items that summarizes biologically-relevant effects that could be associated with the scope, such as:

- ground disturbance,
- vegetation removal,
- work in flowing waters,
- night-time work,
- noise levels above typical traffic for the area,
- length and timing of construction, and
- if seasonal restrictions are needed for the purposes of construction (paving temperatures, etc.).

All biology scoping letters will be accompanied by a state location and project vicinity map as described in the CE Scoping Guidelines unless otherwise indicated in this document.

Please ensure that within the body of any scoping letters prepared that the correct comment return address is shown. The address shown on the ADOT letterhead isn't always the appropriate return address. The biology scoping letters will be signed by the ADOT biologist, who may have a different mailing address than indicated on the ADOT letterhead.

This Scoping Guidance assumes the reader is working on an ADOT sponsored project, but the guidance is also applicable to Local Public Agency (LPA) sponsored projects. When adapted for an LPA project, the LPA should be responsible for understanding who will be impacted and interested in their project. The ADOT Environmental Planner should be invited (but is not required) to do a courtesy review of any scoping documents. Consult with your Environmental Planner for more details. Please note that scoping letters for LPA projects do not use ADOT letterhead – either the LPA or their consultant's letterhead should be used; scoping letters for LPA projects are signed by the LPA planner or the consultant, not the Environmental Planner or ADOT biologist.

If a response is received to a biology scoping letter for an ADOT project, the consultant biologist must immediately relay that response to the ADOT biologist to coordinate any necessary reply prior to the biological report being submitted for review. Any responses received should be attached to the project biological report. If no response is received from a land managing agency, AGFD or USFWS, a copy of the biology scoping letters sent to that agency should be attached to the project biological report.

Although this guidance covers most situations for typical projects, please note that the biology scoping process may need to be altered to accommodate special situations as necessary and as determined through coordination with the ADOT biologist.

2. ARIZONA GAME AND FISH DEPARTMENT

AGFD scoping will normally consist of completing an AGFD online environmental review tool query and also sending the AGFD project evaluation program a modified scoping letter as described below.

2.1 AGFD Online Review Tool Query

Complete an AGFD online environmental review tool query for all projects that are not located on tribal lands: <http://www.azgfd.gov/hgis/>. If only a portion of the project is on tribal lands, complete the review tool query. Do not complete a review tool query for projects located entirely on tribal lands.

The review tool requires delineation of the project on a map by drawing a point, line, or polygon. In most cases, ADOT projects should be delineated using the line or point tool, as the system automatically includes a three mile buffer to incorporate species occurrences. Discuss with the ADOT biologist if you feel it is necessary to delineate a project area by drawing a polygon.

Once the project has been drawn and the drawing has been accepted, additional information is input as shown in the following table.

Information to Include in AGFD Online Review Tool Queries

Information Requested	Recommended Input
Project Title	<i>The project H number, route, and name, e.g., "H1234, I-17 Agua Fria Bridges" (For LPAs, enter the project S number and location)</i>
User Project Number	<i>Federal Aid Number and Complete TRACS number (if possible)</i>
Project Type	<i>Transportation & Infrastructure</i>
Project Sub-Type	<i>Choose the sub-type you feel most appropriate for the project</i>
Project Description	<i>Include a general project description</i>
On Behalf of	<i>"ADOT" For LPAs, select "CITY", county name or other (as appropriate)</i>
Contact Information	<i>Enter consultant contact information</i>
Project Edit Status	<i>Choose "Saved"</i>
File Attachments	<i>Do not upload attachments</i>

If the review tool brings up concerns that need to be addressed prior to submitting the project biological document, forward the review tool report and discuss with the ADOT biologist. Otherwise, the review tool report is to be included as an attachment to the biological report.

In some cases, the review tool cannot be used (usually if the project is too large). In these cases, only a modified scoping letter will be sent as described below.

2.2 AGFD Letter Contents

Once the online environmental review tool query has been completed, the scoping letter to AGFD can be prepared. Use the general scoping letter as a basis for the AGFD letter but include:

- 1) the biological effects paragraph after the scoping bullets and
- 2) the following paragraphs immediately above the contact information as applicable:

Paragraph to include if the AGFD online environmental review tool was used

A list of species potentially occurring within the project area was obtained using the AGFD On-Line Environmental Review Tool. This project was submitted on-line for your review on [date] and is recorded as Project ID: [ID number from review tool report]. If you or others in your agency have any specific concerns, suggestions or recommendations pertaining to this specific project please let us know. This can include information on wildlife movement, habitat issues, or seasonal concerns, to name a few.

Paragraph to include if the AGFD online environmental review tool could not be used

Due to (state reason), the AGFD Online Environmental Review Tool did not accurately depict the project area. This letter serves both as a request for a list of potential species occurring in the project area and as your agency's invitation to review the project based upon the scope of work outlined above. If you or others in your agency have any specific concerns, suggestions or recommendations

pertaining to this specific project please let us know. This can include information on wildlife movement, habitat issues, or seasonal concerns, to name a few.

Paragraph to include for all letters to AGFD

If the AGFD would like to have continued involvement with this project please include an expression of interest, individual contact information and a description of specific concerns. If no concerns or requests for future coordination are identified, ADOT will consider our coordination complete for the project.

2.3 AGFD Letter Transmittal

The letter should be addressed to:

Ms. Cheri Bouchér
Transportation Project Evaluation Specialist
Arizona Game and Fish Department
WMHB - Project Evaluation Program
5000 W. Carefree Highway
Phoenix, AZ 85086-5000

Do not send a hard copy of the letter. Instead, e-mail a pdf of the scoping letter and maps to the AGFD Project Evaluation Program (pep@azgfd.gov). Please cc: the ADOT biologist. Note that AGFD's e-mail system does not accept zip files or attachments over 10 MB in size.

2.4 Updating the AGFD On-line Review Tool Query (6 months)

AGFD online review tool results are valid for 6 months. Complete a new review tool query if the results are not dated within 6 months of any of the following:

- Approval of the biology document
- Submittal of the final CE (or other NEPA document)

3. US FISH AND WILDLIFE SERVICE

USFWS scoping will normally consist of completing an IPaC query to obtain an ESA species list for the project. The IPaC allows for generation of two types of species lists: a preliminary list where no Consultation Code is generated and an official list where a Consultation Code is generated. The type of list requested will be determined through coordination with the ADOT biologist. USFWS scoping may also include sending the USFWS Arizona Ecological Services Field Office a letter in addition to (or instead of) obtaining an IPaC species list as described below.

3.1 USFWS IPaC Query

The USFWS IPaC system will typically be used to generate an ESA species list for all projects as described below:

- **Before running an IPaC query**, prepare a project description that is a maximum of 500 characters (including spaces) and includes the general nature of the project and any biologically-relevant effects, e.g., "The project would widen the existing roadway from two to four lanes, which would require extension of drainage culverts. The project would require ground disturbance, vegetation removal, and night work."
- Perform an official IPaC query: <http://ecos.fws.gov/ipac/>.

- IPaC requires delineation of the project on a map by drawing a line or polygon. In most cases, ADOT projects should be delineated using the line tool. A typical right-of-way width for ADOT projects is 200 feet. Discuss with the ADOT biologist if you feel it is necessary to delineate a project area by drawing a polygon.
- For the project name, enter the federal project number, TRACS number, route, and project name if possible.
- To request the official list, go to the “Design” tab and enter the project name and the 500 character project description, then return to the “Overview” tab and select “Request an official species list” in the “Tasks” box.
 - For contact information, enter the consultant’s contact information. Under the “Agency” drop down list, scroll down to STATE OF ARIZONA and select Arizona Department of Transportation or for LPA projects, select the appropriate town/city/county in the “Agency” list. At the bottom of the form, check “Yes” next to “Are you a consultant?” and also check the box to verify that the project is legitimate and requires an official species list.
- If the project is complex or in a biologically sensitive area, the ADOT biologist may request that a scoping letter also be sent to USFWS in addition to (or instead of) obtaining an official species list via IPaC. Be sure to include the USFWS Consultation Code from the official species list if a scoping letter is sent in addition to the IPaC query.

3.2 USFWS Letter Contents

The scoping letter to USFWS can be prepared once the IPaC query has been completed. If an official IPaC species list request was completed, the Consultation Code **must be included** in the subject line of the letter to USFWS. If the ADOT biologist requests a scoping letter to be sent to USFWS per the steps above, use the general scoping letter as a basis for the USFWS letter but include:

- 1) the biological effects paragraph after the scoping bullets and
- 2) the paragraph below immediately above the contact information.

Paragraph to include for all scoping letters to the USFWS

If you or others in your agency have any specific concerns, suggestions or recommendations pertaining to this specific project please let us know by responding to the address listed below. This can include information on wildlife movement, habitat issues, or seasonal concerns to name a few.

3.3 USFWS Letter Transmittal

One scoping letter should be e-mailed to the USFWS as described below. The letter should be addressed as follows:

Mr. Steve Spangle, Field Supervisor
 Attn: Bob Lehman, ADOT Liaison
 US Fish and Wildlife Service
 2321 W. Royal Palm Road, Suite 103
 Phoenix, AZ 85021

Do not send a hard copy of the letter. Instead, e-mail a pdf of the scoping letter and maps to (incomingzcorr@fws.gov) and cc: the ADOT biologist. If an official IPaC species list request was completed, the Consultation Code **number must be included** in the subject line of the e-mail.

3.4 Updating the IPaC Query (90 days)

Obtain a new preliminary or official IPaC list (as applicable) if the list is not dated within 90 days of the following:

- Approval of the biology document
- Submittal of the final CE (or other NEPA document)

Note that you must have the Consultation Code and e-mail address used from the original official species list to obtain an updated official species list.

4. FEDERAL LAND MANAGING AGENCIES

ADOT highways through federal lands such as Forest or BLM lands are almost exclusively on easements. This means that ADOT does not actually own the land but has permission to operate within the highway easement. When a project or portion of a project is located on any federal lands, the biology scoping process will be used to determine if there are any specific issues or species the agency would like to see addressed in the biological document. In some cases, scoping letters are also sent to these agencies when projects take place on ADOT right-of-way adjacent to federal land as determined through coordination with the ADOT biologist and ADOT Environmental Planner.

Biology scoping letters to federal land managing agencies will consist of one letter sent to the agency administrator contact and one letter sent to an agency biological contact. The table below provides some examples of agency administrator and biological contact personnel for federal land managing agencies most commonly scoped on ADOT projects. Coordinate with the ADOT biologist if the appropriate administrator and biologist contacts cannot be determined using readily available information such as the agency’s website. For other federal land managing agencies such as military Installations, coordinate with the ADOT biologist to determine the appropriate administrator and biological contacts.

Typical Contacts for Scoping Letters to Federal Land Managing Agencies

Agency	Administrator Contacts (Receives general scoping letter from ADOT Environmental Planner)	Biological Contacts (Receives biology scoping letter from ADOT biologist)
Forest	District Ranger	District Biologist
BLM	Biology paragraph will be incorporated into a single letter sent to the Field Manager with cc: to the Realty Specialist, as detailed in the BLM section in the main CE Scoping Guidelines.	
Reclamation	Area Manager	Biologist Environmental Resource Manager
NPS	Park Superintendent Monument Manager	Park Biologist

4.1 Federal Land Managing Agency Letter Contents (other than BLM)

Use the general scoping letter as the basis for the biologist letters but include:

- 1) the biological effects paragraph after the scoping bullets, and
- 2) the paragraph below immediately above the contact information.

Paragraph to include in the biologist letter

Please respond if you have biological concerns related to this project or if you have specific species you would like addressed in the document. We will send the biology document to you for your file once it is complete.

NOTE: There are additional requirements for letters to BLM that must be met. See the main CE Scoping Guidelines for further direction on scoping letters to BLM.

4.2 Federal Land Managing Agency Letter Transmittal

Letters should be addressed to the applicable administrator or biologist contact. Be sure to copy the biologist on the administrator letter, and copy the administrator on the biologist letter so that both contacts know who in their agency received the letter (note that the biologist is not copied for BLM letters). Hard copy letters are usually sent via standard mail unless a different method of transmittal is determined through coordination with the ADOT biologist.

5. TRIBAL COMMUNITIES

Similar to federal land managing agencies, ADOT highways through tribal lands are almost exclusively on easements. When a project or portion of a project is located on any tribal lands, the biology scoping process will be used to determine if there are specific biological issues or species the community would like to see addressed in the biological document. In some cases, scoping letters are also sent to tribal communities when projects take place on ADOT right-of-way adjacent to tribal land as determined through coordination with the ADOT biologist and ADOT Environmental Planner.

Because state agencies and regulations do not apply on tribal land, do not complete an AGFD online environmental review tool query or otherwise coordinate with AGFD for projects located entirely on the tribal lands.

5.1 Navajo Nation

Coordination related to biological resources on the Navajo Nation is handled by the Navajo Nation Department of Fish and Wildlife (NNDFW).

5.1.1 Navajo Nation Species Data Request or “No BE” Letter

Complete an NNDFW species data request or “No BE” letter for all projects occurring either partially or entirely on the Navajo Nation as described in the *NNHP Data Request/Endangered Species Information Procedures & Fees Guidance*: <http://www.nndfw.org/nnhp/drs2012.pdf>.

No BE Letter: Under the Navajo Nation Biological Resource Land Use Clearance Policies and Procedures (RCP), certain projects are exempt from the requirement to prepare a Biological Evaluation. See Attachment A for more details.

Species Data Request: The NNHP data request procedures (Attachment B) provide a letter template indicating the information required for the data request letter. The “Summary Description of Project” included in the template should generally be the project description from the general scoping letter. The species data request letter will be forwarded to the EGP biologist for review and approval prior to being submitted to NNHP. The data request letter is typically sent by the consultant on their letterhead. The consultant would receive the invoice for the data request from NNDFW and pay it directly, then bill the cost to ADOT as a direct expense.

5.1.2 Navajo Nation Letter Contents

When a project or portion of a project is located on the Navajo Nation, do not modify the general scoping letter(s) typically prepared per the CE Scoping Guidelines and do not send a scoping letter to NNDFW. Do submit the data request or “No BE” letter to NNDFW for the appropriate portion of the project.

5.1.3 Navajo Nation Letter Transmittal

Hard copy letters are usually sent via standard mail unless a different method of transmittal is determined through coordination with the ADOT biologist.

5.2 Tribal Communities other than Navajo Nation

Discuss the approach with the ADOT biologist. Guidelines vary for different communities.

5.2.1 Letter Transmittal to Other Tribal Communities

Hard copy letters are usually sent via standard mail unless a different method of transmittal is determined through coordination with the ADOT biologist. Tribal letters should be addressed to the applicable biology contact. Consult with the Environmental Planner and ADOT biologist to determine the appropriate contacts; this list is helpful but is not always up to date: [USFWS List of Tribal Contacts](#). Be sure to copy the biologist on the administrator letter, and copy the administrator on the biologist letter so that both contacts know who in the tribal government received the letter.

6. INVASIVE SPECIES COORDINATION

In the initial scoping phase of the project, invasive species coordination is completed internally within ADOT. To accomplish this, forward a copy of a generic agency scoping letter and maps via e-mail to the appropriate ADOT NRMG contact and copy the ADOT biologist. See the attached *Regional Natural Resources Boundaries* map to determine the appropriate NRMG contact. Allow the NRMG 30 days to respond with any invasive species issues. If NRMG responds with invasive species issues and/or non-standard mitigation, coordinate with the ADOT biologist on how to proceed.

7. BIOLOGY SCOPING RESPONSES

Any responses to biology scoping that include project specific questions, concerns, or proposed mitigation will be sent to the ADOT biologist and to the Environmental Planner. The ADOT biologist and/or Environmental Planner will determine the appropriate response to the letter. Any concerns identified in response letters are to be addressed in the biological report as described in the *Consultant Biological Procedures* and/or the individual biology report format guidance documents as applicable. The following should be attached to the project biological report (as applicable):

- AGFD online environmental review tool report
- IPaC query results
- NNHP data request response
- Copies of any biology scoping responses received from agencies/tribes; if a response to scoping was not received include the scoping letter that was sent to the particular agency or tribe.

8. SUBMITTING BIOLOGY SCOPING LETTERS FOR REVIEW

- When submitting a **draft** of scoping items to the ADOT Biologist for review, include the following as separate attachments:
 - One copy of the biology scoping letter (including the biological effects paragraph)
 - State map & vicinity map
 - IPaC and AGFD on-line review results
 - Confirmation that the Environmental Planner has reviewed the scope of work and maps for use in the scoping letters.
 - List of contacts to be scoped (spreadsheet or in body of email)
- When submitting **final** scoping items to the ADOT Biologist, include the following as separate attachments:
 - Each biology scoping letter
 - State map & vicinity map

9. EXAMPLE BIOLOGY SCOPING LETTERS

See following pages for AGFD and USFWS example letters.

[Date]

Ms. Cheri Bouchér
Transportation Project Evaluation Specialist
Arizona Game and Fish Department WMHB - Project Evaluation Program
5000 W. Carefree Highway
Phoenix, AZ 85086-5000

Submitted by email to pep@azgfd.gov

Re: [Federal Project Number]
[ADOT Project Number]
[Project Name]
AGFD Online Review: [Enter Review Number here]

AGFD EXAMPLE

Dear Ms. Bouchér:

The Arizona Department of Transportation (ADOT) is planning to construct a roundabout on State Route (SR) 87 between milepost (MP) 253.69 and MP 253.76 at the intersection of Airport Road/Airline Drive and improve southbound (SB) SR 87 at MP 254.40 just north of the Tyler Parkway roundabout. The project is located within the Town of Payson, Gila County, Arizona (see enclosed Figures 1 and 2).

Airport Road/Airline Drive in the project area consists of one travel lane in each direction of travel, and SR 87 consists of two travel lanes in each direction of travel with a continuous center turn lane. Currently, the intersection of SR 87 and Airport Road/Airline Drive is a conventional unsignalized intersection with two-way stop signs on Airport Road/Airline Drive. There are no traffic control mechanisms on SR 87; thus, vehicles travelling on SR 87 continue through the intersection without stopping. The SB SR 87 travel lanes located north of the Tyler Parkway roundabout are straight, and vehicle speeds when entering the roundabout may exceed the posted limit.

Heavy traffic volumes on SR 87 make it difficult for vehicles on Airport Road/Airline Drive to travel through the intersection causing traffic backups particularly during peak morning and evening travel periods. SB traffic entering the Tyler Parkway roundabout may enter the roundabout at higher speeds than posted. The purpose of the project is to reduce traffic backups at the SR 87 and Airport Road/Airline Drive intersection by maintaining a continuous flow of traffic with a traffic roundabout, and to slow vehicle movement on the SR 87 SB lanes entering the Tyler Parkway roundabout by reconstructing the curb and gutter to provide a slight curve in the road forcing vehicles to slow down.

The scope of work for the project consists of:

- Constructing a roundabout at the SR 87 and Airport Road/Airline Drive intersection
- Installing new curb, gutter, overhead lighting, and sidewalks at the new roundabout
- Removing and replacing the curb and gutter on the SB approach of the Tyler Parkway roundabout
- Relocating a light pole to accommodate the new curb and gutter fixtures
- Reseeding all disturbed areas with native vegetation seed mix
- Control of weeds during construction using manual and/or chemical methods

Include paragraph here that summarizes biologically-relevant effects that could be associated with the scope (vegetation removal, ground disturbance, work in flowing waters, night-time work, noise levels above typical traffic for the area, length and timing of construction) – see Appendix for bio scoping guidelines for more details.

The project would occur within the existing ADOT right-of-way (R/W) through private lands. Approximately 1 acre of new R/W and temporary construction easements (TCEs) are required to construct the roundabout. The new R/W and TCEs requirements will be determined during final design. Construction is anticipated to begin in summer 2009, and is expected to take approximately 4 months to complete. The roundabout will be constructed in phases. This project will require temporary lane closures along SR 87 and Airport Road/Airline Drive; however, at least one lane of traffic in each direction will be maintained and temporary signage will be employed for lane closures or turning restrictions.

If you or others in your agency have any specific concerns, suggestions or recommendations pertaining to this specific project please let us know by responding to the address listed below. This can include information on wildlife movement, habitat issues, or seasonal concerns to name a few.

Please submit your comments or concerns by [Date] to ADOT c/o consultant's name address, phone number, fax, and e-mail. Thank you for your time and continued assistance.

Sincerely,

[ADOT Biologist Name]

[Title]

ADOT Environmental Planning

Enclosures: Figure 1 – State Location Map
 Figure 2 – Project Vicinity Map



[Date]

Mr. Steve Spangle
Attn: Bob Lehman, ADOT Liaison
US Fish & Wildlife Service
2321 West Royal Palm Road, Suite 103
Phoenix, AZ 85021

Submitted by email to incomingazcorr@fws.gov

USFWS EXAMPLE

Re: [Federal Project Number]
[ADOT Project Number]
[Project Name]
[USFWS Consultation Code]

Dear Mr. Spangle:

The Arizona Department of Transportation (ADOT) is planning to construct a roundabout on State Route (SR) 87 between milepost (MP) 253.69 and MP 253.76 at the intersection of Airport Road/Airline Drive and improve southbound (SB) SR 87 at MP 254.40 just north of the Tyler Parkway roundabout. The project is located within the Town of Payson, Gila County, Arizona (see enclosed Figures 1 and 2).

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USFWS EXAMPLE

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Sincerely,

[ADOT Biologist Name]

[Title]

ADOT Environmental Planning

Enclosures: Figure 1 – State Location Map
 Figure 2 – Project Vicinity Map

ATTACHMENT A: Summary and Excerpts from the Navajo Nation Biological Land Use Clearance Policies and Procedures (RCP), RCS-44-08, Approved September 10, 2008

The RCP can be found online at <http://www.nndfw.org/BRLC%20Policies%20and%20Procedures.pdf> and a map of the different zones is available here: <http://www.nndfw.org/zones/rcp.html>.

The RCP identifies six types of wildlife areas that are found on the Navajo Nation:

1. Highly Sensitive Area – recommended no development with few exceptions.
2. Moderately Sensitive Area – moderate restrictions on development to avoid sensitive species/habitats.
3. Less Sensitive Area – fewest restrictions on development.
4. Community Development Area – areas in and around towns with few or no restrictions on development.
5. Biological Preserve – no development unless compatible with the purpose of this area.
6. Recreation Area – no development unless compatible with the purpose of this area.

Preparation of a Biological Evaluation (BE) is required for development in any area, except in Area 4, and for certain exceptions (see below).

****If an ADOT project may fall into one of these categories, contact the ADOT biologist to verify that a “No BE” letter is appropriate for the project.****

EXCEPTIONS – Projects that do not require preparation of a BE

1. CHAPTER TRACTS (project completely within existing tract)
2. RENEWAL OF EXISTING BUSINESS SITE LEASES and NPDES Permits (not including expansion of lease area)
3. NHA RENOVATIONS/RECONSTRUCTIONS (project within previously withdrawn areas)
4. Installation of new equipment on existing communications towers.
5. Transfer of federal lands.
6. **Installation of highway signs, pavement markings, traffic signals, railroad warning devices, small passenger shelters, where there will be minimal ground disturbance within an existing right-of-way.**
7. Maintenance of an existing utility pump house and substation (not including expansion of right-of-way or lease area).
8. **Alterations to facilities to make them accessible to elderly and handicapped persons.**
9. Maintenance and improvements to track and rail beds when carried out within the existing right-of-way.
10. **Modernization of existing paved roads & highways including resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes, except in the areas below where *Puccinellia parishii* must be addressed:**
 - US 89 & US 89A
 - US 491 (from Naschitti to Colorado state line),
 - US 160 (from HWY 89 to Tuba City and from Red Mesa to 4 Corners Monument)
 - US 64 (from Teec Nos Pos to Hogback)
 - NM SR 134 (from Sheepsprings to 10 miles west of jct US 491)
 - AZ SR 64 (from US 89 to NN boundary)
 - Navajo Rte 5 (from US 491 to Chaco River bridge)
 - Navajo Rte 12 (from Window Rock to Tsaile)
 - Navajo Rte 13 (from Red Valley to 491)
 - Navajo Rte 19 (from US 491 to Toadlena)
 - Navajo Rte 36 (from 491 east to Hogback)
11. Any other agreements with NNDFW and outside entities for expediting project approval.

ATTACHMENT A: Summary and Excerpts from the Navajo Nation Biological Land Use Clearance Policies and Procedures (RCP), RCS-44-08, Approved September 10, 2008

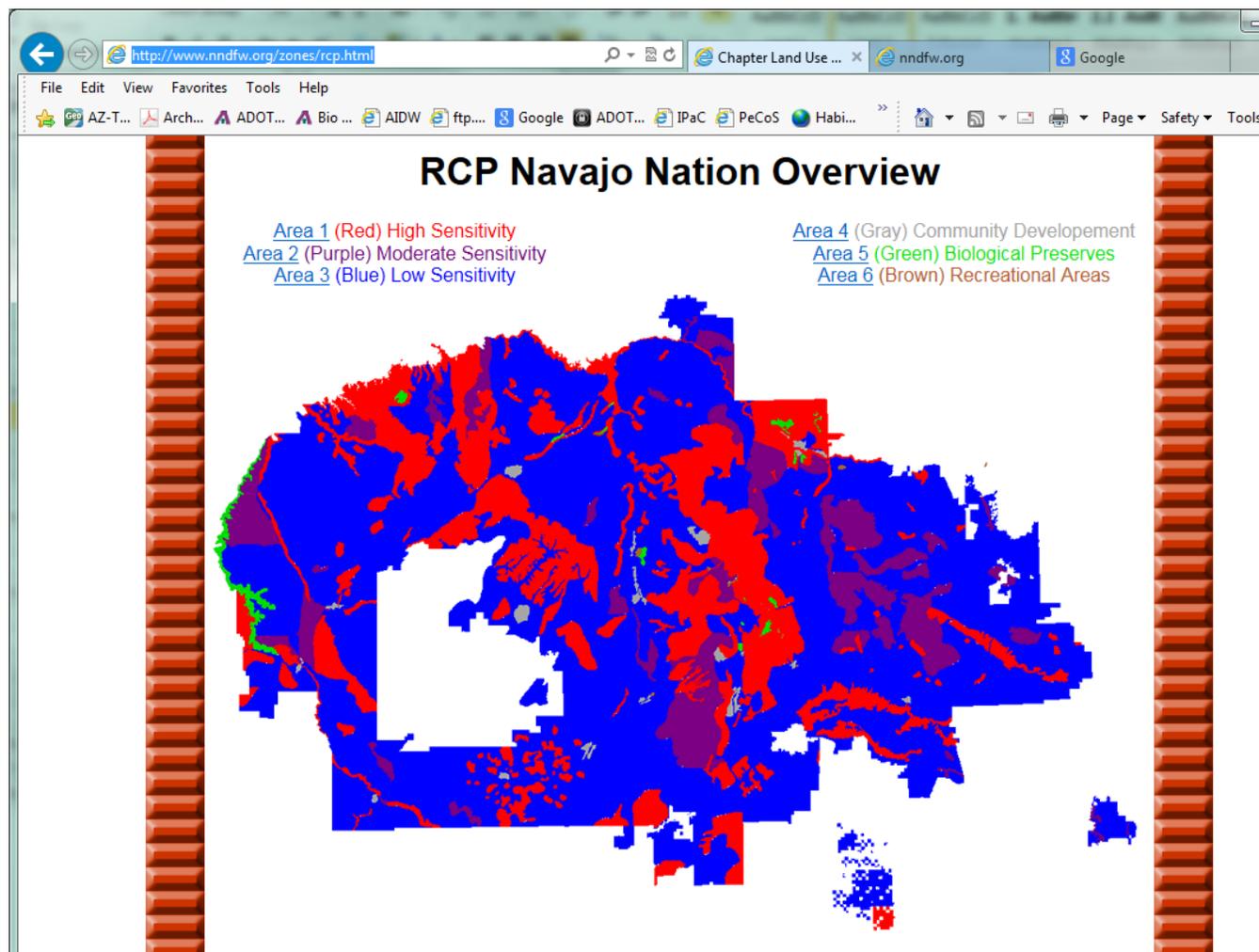
Community Development Areas.

For project approval of all developments that are completely contained within Area 4, submit documentation to Department Director, including (but note exceptions below):

- a. Location plotted on a 7.5' USGS topographic quadrangle map or reasonable facsimile;
- b. Brief description of project, including acreage.

Exceptions:

- 1. This applies to all development except that which may have significant impacts outside the community. An example of this is large-scale industrial development that may impact air or water quality. For projects of this type, follow the standard "Process for planning and approval of development" (Page 4).
- 2. For certain communities, there are exceptions where one species have the potential to occur. For these exceptions, the biological evaluation need only address that species, and be submitted to the Department for approval. These communities are:
 - Pinon (Mountain Plover)
 - Tuba City (*Puccinellia parishii*)



ATTACHMENT B: Navajo Nation Data Request Procedures and Fees

(Available online at <http://www.nndfw.org/nnhp/drs2012.pdf>)

DATA REQUEST/ENDANGERED SPECIES INFO, PROCEDURES & FEES

Navajo Natural Heritage Program
Department of Fish & Wildlife
Navajo Nation
Revised: May 2013

Data Request - Request for data on the occurrence/potential occurrence of species of concern.

"Species of concern" include legally protected species, as well as other rare or sensitive species. Data Requests typically are for potential development projects on the Navajo Nation, and NNHP responses identify species of concern which are known to occur or have potential to occur on or near the project site. This information is intended for use in planning biological surveys and preparing biological evaluations.

SUBMIT REQUESTS TO:

Navajo Nation Dept. of Fish & Wildlife

Natural Heritage Program

ATTN: Endangered Species Info.

P.O. Box 1480

Window Rock, AZ 86515 Phone: (928)871-6472 Fax: (928)871-7603 Website: <http://nnhp.nndfw.org/>

*** FEE SCHEDULE *** REQUESTOR	BASE FEE	ADDITIONAL QUAD MAP REVIEW	OTHER FEES
Individual Navajo home site Leaseholders, Federal, State & Navajo Nation Govt., & Navajo Enterprises	\$32.50 (includes first 4 7.5' - quad maps reviewed)	\$2.00 per additional map (after first 4 7.5' - quad maps reviewed)	N/A
Consultants, Developers, Mission Site Leases, Private Companies & Others	\$65.00 (includes first 4 7.5' quad maps reviewed)	\$7.50 per additional map (after first 4 7.5' - quad maps reviewed)	\$10.00 per quad for projects with 20+ maps (after first 4 maps reviewed)

- The NNHP will normally respond to Data Requests within 15 working days of receipt (dependent all supporting documents are attached). Standard responses will consist of: (1) species of concern known to occur within one to three miles of the project site, and (2) species of concern having the potential to occur anywhere on the 7.5' quad(s) containing the project boundaries. Potential for species is determined primarily on quad-wide coarse habitat characteristics and species range information. Your project biologist should determine habitat suitability at the project site.
- For each species included in a letter of response, the following Tribal and Federal statuses will be indicated: Navajo Endangered Species List (NESL), federal Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), and Eagle Protection Act (EPA). No legal protection is afforded species with only ESA candidate or NESL group 4 status. Currently, species without ESA or NESL legal protection are only included in responses on an irregular basis.
- Biological surveyors on the Navajo Nation must be permitted by the Director, NFWD. Contact the NNHP at (928)871-6472 for permitting procedures. Plan biological surveys for the appropriate season.
- Potential impacts to wetlands should be evaluated. The U.S. Fish and Wildlife Service's NWI maps should be examined to determine whether areas classified as wetlands are located close enough to the project site to be impacted. In cases where the maps are inconclusive (e.g., due to their small scale) or unavailable, field surveys must be completed. For field surveys, wetlands identification and delineation methodology contained in the "Corps of Engineers Wetlands Delineation Manual" (Technical Report Y-87-1) should be used. When

ATTACHMENT B: Navajo Nation Data Request Procedures and Fees

wetlands are present, potential impacts must be addressed in an environmental assessment and the U.S. Army Corps of Engineers in Phoenix must be contacted. NWI maps are available for examination at the NNHP office, or may be purchased through the U.S. Geological Survey. The NNHP has complete coverage of the Navajo Nation, excluding Utah, at 1:100,000 scale; and coverage at 1:24,000 in the southwestern portion of the Navajo Nation.

- The Navajo Nation Environmental Protection Agency (NNEPA) has developed the “Navajo Nation Aquatic Resources Protection Manual. For projects that occur in or may disturb wetlands, contact Tom Morris, NNEPA at (928) 871-7690.
- **The information provided in a letter of response is based on data known to the NNHP at the time of the Data Request. The information should not be regarded as a final statement on the occurrence of any species, nor should it substitute for on-site surveys. Also, because the NNHP’s data are continually updated, any given response is only wholly appropriate for its respective request.**

ACRONYMS

NFWD = Navajo Fish and Wildlife Department

NNHP = Navajo Natural Heritage Program (a section under the NFWD)

NWI = National Wetlands Inventory

7.5' quadrangle = 7.5-minute series topographic map, published by the U.S. Geological Survey

SUBMIT DATA REQUESTS FOR ENDANGERED SPECIES LIST USING THE FOLLOWING TEMPLATE:

Requestor Info./Company/Organization Name:

Contact Person:

Mailing Address (Street/P.O. Box):

City:

State/Zip:

Phone#:

Fax#:

Email:

SUBJECT: Request for T & E Info.

PROJECT NAME/NUMBER:

Include information such as oil well name, power line name, highway name & number (milepost, etc.), homesite name, Building name, etc.

LOCATION: Include the name of community/town (example: Ganado, Apache County, AZ, Legal Description (Township, Range, Section), UTM Coordinates (Northing, Easting, NAD 27).

SUMMARY DESCRIPTION OF PROJECT:

The project sponsor provides a brief summary of what the project is, the size, what is to take place. Example: New homesite, new waterline/powerline installation, lease renewal of oil/business site, installation of new radio/cell tower, major construction, new roads, etc.

Include all important details regarding your project.

MAP NAMES: Please attach 7.5-Minute U.S.G.S. Topographic Map(s) in 1:24,000 Scale with map names & location of project site. Aerial photos in place of USGS Topo maps will not be accepted. Go to USGS.gov for information on map(s).

****PLEASE NOTE ****

If a DR/Endangered Species Request does not include all supporting documents upon receipt the Request will be returned or placed on hold until all documents have been attached/received.