



JAN 20 2016

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U. S. DEPARTMENT
OF TRANSPORTATION

Pennsylvania Division

228 Walnut Street, Room 508
Harrisburg, PA 17101-1720

Federal Highway
Administration

JAN 19 2016

In reply refer to:
HPD-PA

Bucks County, Pennsylvania
S.R. 1012, Section BRC
Headquarters Road over Tincicum Creek
Bridge Width Evaluation

Aaron J. Stemplewicz
Staff Attorney
Delaware Riverkeeper Network
925 Canal Street, Suite 3701
Bristol, Pennsylvania 19007

Mr. Stemplewicz:

I have received your January 11, 2016 letter regarding the *Bridge Width Evaluation* for the Headquarters Road over Tincicum Creek project in Tincicum Township, Bucks County. Upon review, there continues to be a misunderstanding of the National Environmental Policy Act (NEPA), as well as its relationship to the overall project development process.

The level of NEPA documentation is determined during the early stages of project development and is based upon whether or not the potential impacts of the proposed project would be considered "significant". In the case of the Headquarters Road over Tincicum Creek project, the Federal Highway Administration (FHWA) as the lead federal agency, in coordination with the Pennsylvania Department of Transportation (PennDOT), has determined that a Level 2 Categorical Exclusion (CE) is appropriate as the potential impacts would not be considered "significant" under NEPA.

The *Bridge Width Evaluation* was prepared at the request of the FHWA to justify whether or not a single-lane structure would meet the Purpose and Needs of the project. The *Evaluation* was not prepared for the purpose of vindicating the level of NEPA documentation. The FHWA thus agreed with the conclusions of the *Evaluation* that a single-lane structure would not meet the Purpose and Needs of the project in the June 16, 2015 letter to PennDOT.

The project development process is ongoing and the FHWA and PennDOT continue to address NEPA requirements. Therefore, the Level 2 CE is still under preparation. It is worth noting that a public hearing will be held for the project – not a requirement, but important given the level of interest in the project.

Should you have any questions or need further clarification, please contact Jon Crum of my staff at (717) 221-3735 or Jonathan.Crum@dot.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Lynch".

Keith Lynch
Director of Program Development