

ATTACHMENT G:
REQUIRED ENVIRONMENTAL APPROVALS

National Environmental Policy Act (NEPA): The NEPA process will inform design efforts. Each component of the Project with independent utility, is expected to be classified as Categorical Exclusion(s) in accordance with 23 CFR 771.117(c) (23) or c(25). MaineDOT will review each element of the Project and prepare NEPA documentation in accordance with the *Programmatic Agreement between the Federal Highway Administration, Maine Division and the Maine Department of Transportation Regarding the Processing of Actions Classified as Categorical Exclusions for Federal-Aid Highway Projects*. Should any issues arise, MaineDOT will work directly with the Project team and respective agencies to quickly resolve them. Public involvement will be completed in accordance with *MaineDOT Public Involvement Plan* and the *MaineDOT NEPA Public Involvement Plan*. These plans can be found at this link: <https://www.maine.gov/mdot/env/NEPA/public/index.shtml>.

The anticipated date of NEPA completion is August 15, 2025, when all site-specific NEPA and utilities reviews are complete.

Historic and Archeological: The components of the Project are expected to meet the Advisory Council on Historic Preservation's *Exemption Regarding Historic Preservation Review Process for Undertakings Involving Electric Vehicle Supply Equipment*.¹ To be eligible for the exemption from Section 106 requirements, EVSE and Level 1, 2, or DCFC charging stations must:

- (1) take place in existing parking facilities with no major electrical infrastructure modifications and are located as close to an existing electrical service panel as practicable;
- (2) use reversible, minimally invasive, non-permanent techniques to affix the infrastructure;
- (3) minimize ground disturbance to the maximum extent possible, and ensure that it does not exceed previous levels of documented ground disturbance;
- (4) use the lowest profile EVSE reasonably available that provides the necessary charging capacity;
- (5) place the EVSE in a minimally visibly intrusive area; and
- (6) use colors complementary to surrounding environment, where possible.

Should a component of the Project not meet the exemption, MaineDOT and FHWA will complete the Section 106 process for components of the Project in accordance with the *Programmatic Agreement among Federal Highway Administration, Federal Transit Administration, the Advisory Council on Historic Preservation, the Maine State Historic Preservation Officer, and Maine Department of Transportation Regarding Implementation of the Federal Aid Highway and Federal Transit Programs in Maine*.

Section 4(f) of the Department of Transportation Act: The MaineDOT Cultural Coordinator will review the Project components to identify Section 4(f) resources. Project details and right-

¹ <https://www.achp.gov/sites/default/files/exemptions/2022-11/Exemption%20for%20Electric%20Vehicle%20Supply%20Equipment%2010.26.22.pdf>

of-way information will be evaluated to avoid and minimize potential Section 4(f) uses. Based on the Project scope, any Section 4(f) use that is unavoidable is expected to be no more than *de minimus*.

Endangered Species Act (ESA) and Essential Fisheries Habitat (EFH): EVSE infrastructure is not expected to include in-water work that would affect Essential Fish Habitat or Federally Endangered Aquatic Species. Effects to terrestrial species is expected to be minimal because they will involve little to no habitat alteration or tree removal and will occur within or adjacent to existing development. MaineDOT and FHWA will coordinate with Federal agencies during Project design to avoid and/or minimize effects to terrestrial ESA species and to complete any required consultations as applicable in accordance with the Project schedule.

Section 404 Clean Water Act Permit (U.S. Army Corps of Engineers): Freshwater wetland and stream impacts are not expected to install EVSE or charging stations. If encountered, MaineDOT will avoid and minimize temporary and permanent wetland and waterbody impacts to the extent practicable and will obtain authorizations under the Maine Programmatic General Permit if applicable.

Natural Resources Protection Act (Maine Department of Environmental Protection): Wetland and stream impacts are regulated by the Maine Natural Resources Protection Act. Freshwater wetland and stream impacts are not expected when installing EVSE or charging stations. If encountered, MaineDOT anticipates that wetland and stream impacts associated with the Project will be eligible for Permit-By-Rule Chapter 305, Section 11, which is a streamlined permit process for State Transportation Facilities.

Stormwater (Maine Department of Environmental Protection): The Project will incorporate Best Management Practices for temporary and permanent management of soil erosion and sedimentation. Permanent measures for treatment of stormwater quantity and quality will be incorporated in accordance with Chapter 500 regulations and the Memorandum of Agreement for Stormwater Management Between the MaineDOT, MTA and Maine Department of Environmental Protection.

Floodway/Floodplains: The Project components will be designed to avoid and minimize encroachments into designated flood zones in accordance with Executive Order 11988.

MaineDOT will review individual Project components to ensure compliance with FHWA NEPA requirements and will screen Project components for potential environmental impacts and for eligibility under the ACHP Exemption for EVSE and compliance with FHWA NEPA requirements.