

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

**Fact Sheet: Council on Environmental Quality List of Federal Agency
Categorical Exclusions (CE List)**

- While CEQ has undertaken to provide the most up-to-date list of currently available CEs, Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use.
- Under NEPA, Federal agencies, in consultation with CEQ, develop CEs for categories of agency actions that they have found do not have a significant impact on the environment. Federal agencies' CEs cover a broad range of actions, including administrative functions, operations and maintenance activities, research and information collection, emergency preparedness and response, and certain land management and infrastructure activities.
- CEs, which are not exemptions from NEPA review, reduce paperwork and allow agencies to focus their resources on actions that may significantly affect the quality of the environment.
- When establishing or revising a CE, Federal agencies publish their proposed CEs in the Federal Register for public comment. Following conclusion of the comment period, the agency evaluates the comments received. CEQ reviews an agency's proposed CE for conformity with NEPA. CEQ Guidance on Establishing, Applying, and Revising Categorical Exclusions under NEPA is available at the link below.

[CEQ Guidance on Establishing, Applying, and Revising Categorical Exclusions under NEPA.](#)

How to Use the CE List:

- In the document, each Federal agency is denoted with a tab at the bottom of the spreadsheet. Clicking on a specific agency's tab will pull up a list of CEs specific to that particular department or agency. Some Federal agencies have both department-wide and agency level CEs, and the agency-level CEs are identified in separate tabs. By right clicking on the arrows in the bottom left of the excel sheet, a list of all the agencies will appear to enable easier navigation.
- While CEQ has undertaken to provide the most up-to-date list of currently available CEs, Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. A link or url to each agency's NEPA procedures and CEs is provided at the top of each tab.

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

**U.S. Department of Agriculture (USDA)
Categorical Exclusions (CE)**

U.S. Department of Agriculture (USDA)

§1b.3 Categorical exclusions.

<https://www.ecfr.gov/current/title-7/subtitle-A/part-1b/section-1b.3>

(a) The following are categories of activities which have been determined not to have a significant individual or cumulative effect on the human environment and are excluded from the preparation of environmental assessment (EA's) or environmental impact statement (EIS's), unless individual agency procedures prescribed otherwise.

- (1) Policy development, planning and implementation which relate to routine activities, such as personnel, organizational changes, or similar administrative functions;
- (2) Activities which deal solely with the funding of programs, such as program budget proposals, disbursements, and transfer or reprogramming of funds;
- (3) Inventories, research activities, and studies, such as resource inventories and routine data collection when such actions are clearly limited in context and intensity;
- (4) Educational and informational programs and activities;
- (5) Civil and criminal law enforcement and investigative activities;
- (6) Activities which are advisory and consultative to other agencies and public and private entities, such as legal counseling and representation;
- (7) Activities related to trade representation and market development activities abroad.

(b) Agencies will identify in their own procedures the activities which normally would not require an environmental assessment or environmental impact statement.

(c) Notwithstanding the exclusions listed in paragraphs (a) of this section and §1b.4, or identified in agency procedures, agency heads may determine that circumstances dictate the need for preparation of an EA or EIS for a particular action. Agencies shall continue to scrutinize their activities to determine continued eligibility for categorical exclusion.

§1b.4 Exclusion of agencies.

<https://www.ecfr.gov/current/title-7/subtitle-A/part-1b/section-1b.4>

(a) The USDA agencies and agency units listed in paragraph (b) of this section conduct programs and activities that have been found to have no individual or cumulative effect on the human environment. The USDA agencies and agency units listed in paragraph (b) of this section are excluded from the requirements of preparing procedures to implement NEPA. Actions of USDA agencies and agency units listed in paragraph (b) of this section are categorically excluded from the preparation of an EA or EIS unless the agency head determines that an action may have a significant environmental effect.

- (b)(1) Agricultural Marketing Service
- (2) Economic Research Service
- (3) [Reserved]
- (4) Federal Crop Insurance Corporation
- (5) Food and Consumer Service
- (6) Food Safety and Inspection Service
- (7) Foreign Agricultural Service
- (8) Grain Inspection, Packers and Stockyards Administration
- (9) National Agricultural Library
- (10) National Agricultural Statistics Service
- (11) Office of the General Counsel
- (12) Office of the Inspector General

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**U.S. Department of Agriculture (USDA)
Categorical Exclusions (CE)**

Agricultural Research Service (ARS)

§520.5 Categorical exclusions.

<https://www.ecfr.gov/current/title-7/subtitle-B/chapter-V/part-520/section-520.5>

For the following categories of actions, the preparation of an EA or EIS is not required:

- (a) Department of Agriculture categorical exclusions (7 CFR 1b.3). (1) Policy development, planning and implementation which are related to routine activities such as personnel, organizational changes or similar administrative functions;
- (2) Activities which deal solely with the functions of programs, such as program budget proposals, disbursement, transfer or reprogramming of funds;
- (3) Inventories, research activities and studies, such as resource inventories and routine data collection when such actions are clearly limited in context and intensity;
- (4) Educational and information programs and activities;
- (5) Activities which are advisory and consultative to other agencies, public and private entities, and
- (6) Activities related to trade representation and market development activities overseas.
- (b) ARS categorical exclusions. ARS actions which, based on previous experience, have been found to have limited scope and intensity and produce little or no individual or cumulative impacts to the human environment. Some examples are:
 - (1) Repair, replacement of structural components or equipment, or other routine maintenance of facilities controlled in whole or in part by ARS;
 - (2) Research programs or projects of limited size and magnitude or with only short-term effects on the environment. Examples are:
 - (i) Research operations conducted within any laboratory, greenhouse or other contained facility where research practices and safeguards prevent environment impacts such as the release of hazardous materials into the environment;
 - (ii) Inventories, studies or other such activities that have limited context and minimal intensity in terms of changes in the environment;
 - (iii) Testing outside of the laboratory, such as in small isolated field plots, which does not involve the use of control agents requiring containment or a special license or a permit from a regulatory agency.
- (c) Exceptions to categorical exclusions. An environmental assessment shall be prepared for an activity which is normally within the purview of categorical exclusion if there are extraordinary circumstances which may cause such activity to have a significant environmental effect.

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**U.S. Department of Agriculture (USDA)
Categorical Exclusions (CE)**

Animal and Plant Health Inspection Service (APHIS)

§372.5 Classification of actions.

<https://www.ecfr.gov/current/title-7/subtitle-B/chapter-III/part-372/section-372.5>

(c) Categorically excluded actions. This class of APHIS actions shares many of the same characteristics—particularly in terms of the extent of program involvement, as well as the scope, effect of, and the availability of alternatives to proposed actions—as the class of actions that normally requires environmental assessments but not necessarily environmental impact statements. The major difference is that the means through which adverse environmental impacts may be avoided or minimized have actually been built right into the actions themselves. The efficacy of this approach generally has been established through testing and/or monitoring. The Department of Agriculture has also promulgated a listing of categorical exclusions that are applicable to all agencies within the department unless their procedures provide otherwise. Those categorical exclusions, codified at 7 CFR 1b.3(a), are entirely appropriate for APHIS. Other actions in this class include:

(1) *Routine measures.* (i) Routine measures, such as identifications, inspections, surveys, sampling that does not cause physical alteration of the environment, testing, seizures, quarantines, removals, sanitizing, inoculations, control, and monitoring employed by agency programs to pursue their missions and functions. Such measures may include the use—according to any label instructions or other lawful requirements and consistent with standard, published program practices and precautions—of chemicals, pesticides, or other potentially hazardous or harmful substances, materials, and target-specific devices or remedies, provided that such use meets all of the following criteria (insofar as they may pertain to a particular action):

(A) The use is localized or contained in areas where humans are not likely to be exposed, and is limited in terms of quantity, i.e., individualized dosages and remedies;

(B) The use will not cause contaminants to enter water bodies, including wetlands;

(C) The use does not adversely affect any federally protected species or critical habitat; and

(D) The use does not cause bioaccumulation.

(ii) Examples of routine measures include:

(A) Inoculation or treatment of discrete herds of livestock or wildlife undertaken in contained areas (such as a barn or corral, a zoo, an exhibition, or an aviary);

(B) Use of vaccinations or inoculations including new vaccines (e.g., genetically engineered vaccines) and applications of existing vaccines to new species provided that the project is conducted in a controlled and limited manner, and the impacts of the vaccine can be predicted; and

(C) Isolated (for example, along a highway) weed control efforts.

(2) *Research and development activities.* (i) Activities limited in magnitude, frequency, and scope that occur in laboratories, facilities, pens, or field sites. Examples are:

(A) Vaccination trials that occur on groups of animals in areas designed to limit interaction with similar animals, or include other controls needed to mitigate potential risk.

(B) Laboratory research involving the evaluation and use of chemicals in a manner not specifically listed on the product label pursuant to applicable Federal authorizations.

(C) The development and/or production (including formulation, packaging or repackaging, movement, and distribution) of articles such as program materials, devices, reagents, and biologics that were approved and/or licensed in accordance with existing regulations, or that are for evaluation in confined animal, plant, or insect populations under conditions that prevent exposure to the general population.

(D) Research evaluating wildlife management products or tools, such as animal repellents, frightening devices, or fencing, that is carried out in a manner and area designed to eliminate the potential for harmful environmental effects and in accordance with applicable regulatory requirements.

(ii) Development, production, and release of sterile insects.

(3) *Licensing and permitting.* (i) Issuance of a license, permit, authorization, or approval to ship or field test previously unlicensed veterinary biologics, including veterinary biologics containing genetically engineered organisms (such as vector-based vaccines and nucleic acid-based vaccines);

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(ii) Issuance of a license, permit, authorization, or approval for movement or uses of pure cultures of organisms (relatively free of extraneous micro-organisms and extraneous material) that are not strains of quarantine concern and occur, or are likely to occur, in a State's environment; or
(iii) Permitting, or acknowledgment of notifications for, confined field releases of genetically engineered organisms and products; and
(iv) Permitting of:
(A) Importation of nonindigenous species into containment facilities,
(B) Interstate movement of nonindigenous species between containment facilities, or
(C) Releases into a State's environment of pure cultures of organisms that are either native or are established introductions.
(4) [Reserved]
(5) Minor renovation, improvement, and maintenance of facilities. Examples are:
(i) Renovation of existing laboratories and other facilities.
(ii) Functional replacement of parts and equipment.
(iii) Minor additions to existing facilities.
(iv) Minor excavations of land and repairs to properties.
(d) Exceptions for categorically excluded actions. Whenever the decisionmaker determines that a categorically excluded action may have the potential to affect "significantly" the quality of the "human environment," as those terms are defined at 40 CFR 1508.27 and 1508.14, respectively, an environmental assessment or an environmental impact statement will be prepared. For example:
(1) When any routine measure, the incremental impact of which, when added to other past, present, and reasonably foreseeable future actions (regardless of what agency or person undertakes such actions), has the potential for significant environmental impact;
(2) When a previously licensed or approved biologic has been subsequently shown to be unsafe, or will be used at substantially higher dosage levels or for substantially different applications or circumstances than in the use for which the product was previously approved; or
(3) When a confined field release of genetically engineered organisms or products involves new species or organisms or novel modifications that raise new issues.

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**U.S. Department of Agriculture (USDA)
Categorical Exclusions (CE)**

Farm Service Agency (FSA)

Subpart D—Categorical Exclusions

<https://www.ecfr.gov/current/title-7/subtitle-B/chapter-VII/subchapter-G/part-799/subpart-D>

§799.31 Categorical exclusions to be recorded on an ESW.

(a) Proposed actions listed in this section involve no new ground disturbance below the existing plow zone (does not exceed the depth of previous tillage or disturbance) and therefore only need to be recorded on the ESW; no further review will be required. Unless otherwise noted, the proposed actions in this section also do not have the potential to cause effects to historic properties, and will therefore not be reviewed for compliance with section 106 of NHPA (54 U.S.C. 306108) or its implementing regulations, 36 CFR part 800. However, some proposed actions may require other Federal consultation to determine if there are extraordinary circumstances as specified in §799.33.

(b) The following proposed actions are categorically excluded. These proposed actions are grouped into broader categories of similar types of proposed actions. Those proposed actions that are similar in scope (purpose, intent, and breadth) and the potential significance of impacts to those listed in this section, but not specifically listed in §799.31 or §799.32, will be considered categorical exclusions in this category, unless it is determined that extraordinary circumstances exist, as specified in §799.33:

(1) *Loan actions*. The following list includes categorical exclusions for proposed actions related to FSA loans:

(i) Closing cost payments;

(ii) Commodity loans;

(iii) Debt set asides;

(iv) Deferral of loan payments;

(v) Youth loans;

(vi) Loan consolidation;

(vii) Loans for annual operating expenses, except livestock;

(viii) Loans for equipment;

(ix) Loans for family living expenses;

(x) Loan subordination, with no or minimal construction below the depth of previous tillage or ground disturbance, and no change in operations, including, but not limited to, an increase in animal numbers to exceed the current CAFO designation (as defined by the U.S. Environmental Protection Agency in 40 CFR 122.23);

(xi) Loans to pay for labor costs;

(xii) Loan (debt) transfers and assumptions with no new ground disturbance;

(xiii) Partial or complete release of loan collateral;

(xiv) Re-amortization of loans;

(xv) Refinancing of debt;

(xvi) Rescheduling loans;

(xvii) Restructuring of loans; and

(xviii) Writing down of debt;

(2) *Repair, improvement, or minor modification actions*. The following list includes categorical exclusions for repair, improvement, or minor modification proposed actions:

(i) Existing fence repair;

(ii) Improvement or repair of farm-related structures under 50 years of age; and

(iii) Minor amendments or revisions to previously approved projects, provided such proposed actions do not substantively alter the purpose, operation, location, impacts, or design of the project as originally approved;

(3) *Administrative actions*. The following list includes categorically excluded administrative proposed actions:

(i) Issuing minor technical corrections to regulations, handbooks, and internal guidance, as well as amendments to them;

(ii) Personnel actions, reduction-in-force, or employee transfers; and

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(iii) Procurement actions for goods and services conducted in accordance with Executive Orders;
(4) <i>Planting actions.</i> The following list includes categorical exclusions for planting proposed actions:
(i) Bareland planting or planting without site preparation;
(ii) Bedding site establishment for wildlife;
(iii) Chiseling and subsoiling;
(iv) Clean tilling firebreaks;
(v) Conservation crop rotation;
(vi) Contour farming;
(vii) Contour grass strip establishment;
(viii) Cover crop and green manure crop planting;
(ix) Critical area planting;
(x) Firebreak installation;
(xi) Grass, forbs, or legume planting;
(xii) Heavy use area protection;
(xiii) Installation and maintenance of field borders or field strips;
(xiv) Pasture, range, and hayland planting;
(xv) Seeding of shrubs;
(xvi) Seedling shrub planting;
(xvii) Site preparation;
(xviii) Strip cropping;
(xix) Wildlife food plot planting; and
(xx) Windbreak and shelterbelt establishment;
(5) <i>Management actions.</i> The following list includes categorical exclusions of land and resource management proposed actions:
(i) Forage harvest management;
(ii) Integrated crop management;
(iii) Mulching, including plastic mulch;
(iv) Netting for hard woods;
(v) Obstruction removal;
(vi) Pest management (consistent with all labelling and use requirements);
(vii) Plant grafting;
(viii) Plugging artesian wells;
(ix) Residue management including seasonal management;
(x) Roof runoff management;
(xi) Thinning and pruning of plants;
(xii) Toxic salt reduction; and
(xiii) Water spreading; and
(6) <i>Other FSA actions.</i> The following list includes categorical exclusions for other FSA proposed actions:
(i) Conservation easement purchases with no construction planned;
(ii) Emergency program proposed actions (including Emergency Conservation Program and Emergency Forest Restoration Program) that have a total cost share of less than \$5,000;
(iii) Financial assistance to supplement income, manage the supply of agricultural commodities, or influence the cost and supply of such commodities or programs of a similar nature or intent (that is, price support programs);
(iv) Individual farm participation in FSA programs where no ground disturbance or change in land use occurs as a result of the proposed action or participation;
(v) Inventory property disposal or lease with protective easements or covenants;
(vi) Safety net programs administered by FSA;

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(vii) Site characterization, environmental testing, and monitoring where no significant alteration of existing ambient conditions would occur, including air, surface water, groundwater, wind, soil, or rock core sampling; installation of monitoring wells; installation of small scale air, water, or weather monitoring equipment;
(viii) Stand analysis for forest management planning;
(ix) Tree protection including plastic tubes; and
(x) Proposed actions involving another agency that are fully covered by one or more of that agency's categorical exclusions (on the ESW, to record the categorical exclusion, FSA will name the other agency and list the specific categorical exclusion(s) that applies).
§799.32 Categorical exclusions requiring review with an ESW.
(a) Proposed actions listed in this section may be categorically excluded after completion of a review with an ESW to document that a proposed action does not involve extraordinary circumstances as specified in §799.33.
(b) This section has two types of categorical exclusions, one without construction and ground disturbance and one with construction and ground disturbance that will require additional environmental review and consultation in most cases.
(c) Consultations under NHPA, ESA, and other relevant environmental mandates, may be required to document that no extraordinary circumstances exist.
(d) The following proposed actions are grouped into broader categories of similar types of proposed actions without ground disturbance. Those proposed actions that are similar in scope (purpose, intent, and breadth) and the potential significance of impacts to those listed in this section, but not specifically listed in this section, will be considered categorical exclusions in this category, unless it is determined that extraordinary circumstances exist, as specified in §799.33:
(1) <i>Loan actions.</i> The following list includes categorical exclusions for proposed actions related to FSA loans:
(i) Farm storage and drying facility loans for added capacity;
(ii) Loans for livestock purchases;
(iii) Release of loan security for forestry purposes;
(iv) Reorganizing farm operations; and
(v) Replacement building loans;
(2) <i>Minor management, construction, or repair actions.</i> The following list includes categorical exclusions for minor construction or repair proposed actions:
(i) Minor construction, such as a small addition;
(ii) Drain tile replacement;
(iii) Erosion control measures;
(iv) Grading, leveling, shaping, and filling;
(v) Grassed waterway establishment;
(vi) Hillside ditches;
(vii) Land-clearing operations of no more than 15 acres, provided any amount of land involved in tree harvesting (without stump removal) is to be conducted on a sustainable basis and according to a Federal, State, Tribal, or other governmental unit approved forestry management plan;
(viii) Nutrient management;
(ix) Permanent establishment of a water source for wildlife (not livestock);
(x) Restoring and replacing property;
(xi) Soil and water development;
(xii) Spring development;
(xiii) Trough or tank installation; and
(xiv) Water harvesting catchment; and
(3) <i>Other FSA actions.</i> The following list includes categorical exclusions for other FSA proposed actions:
(i) Fence installation and replacement;
(ii) Fish stream improvement;
(iii) Grazing land mechanical treatment; and
(iv) Inventory property disposal or lease without protective easements or covenants (this proposed action, in particular, has the potential to cause effects to historic properties and therefore requires analysis under section 106 of NHPA (54 U.S.C. 306108), as well as under the ESA and wetland protection requirements).

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(e) The following proposed actions are grouped into broader categories of similar types of proposed actions with ground disturbance, each of the listed proposed actions has the potential for extraordinary circumstances because they include construction or ground disturbance. Therefore, additional environmental review and consultation will be necessary in most cases. Those proposed actions that are similar in scope (purpose, intent, and breadth) and the potential significance of impacts to those listed in this section, but not specifically listed in this section, will be considered categorical exclusions in this category, unless it is determined that extraordinary circumstances exist, as specified in §799.33:
(1) <i>Loan actions</i> . The following list includes categorical exclusions for proposed actions related to FSA loans:
(i) Loans and loan subordination with construction, demolition, or ground disturbance planned;
(ii) Real estate purchase loans with new ground disturbance planned; and
(iii) Term operating loans with construction or demolition planned;
(2) <i>Construction or ground disturbance actions</i> . The following list includes categorical exclusions for construction or ground disturbance proposed actions:
(i) Bridges;
(ii) Chiseling and subsoiling in areas not previously tilled;
(iii) Construction of a new farm storage facility;
(iv) Dams;
(v) Dikes and levees;
(vi) Diversions;
(vii) Drop spillways;
(viii) Dugouts;
(ix) Excavation;
(x) Grade stabilization structures;
(xi) Grading, leveling, shaping and filling in areas or to depths not previously disturbed;
(xii) Installation of structures designed to regulate water flow such as pipes, flashboard risers, gates, chutes, and outlets;
(xiii) Irrigation systems;
(xiv) Land smoothing;
(xv) Line waterways or outlets;
(xvi) Lining;
(xvii) Livestock crossing facilities;
(xviii) Pesticide containment facility;
(xix) Pipe drop;
(xx) Pipeline for watering facility;
(xxi) Ponds, including sealing and lining;
(xxii) Precision land farming with ground disturbance;
(xxiii) Riparian buffer establishment;
(xxiv) Roads, including access roads;
(xxv) Rock barriers;
(xxvi) Rock filled infiltration trenches;
(xxvii) Sediment basin;
(xxviii) Sediment structures;
(xxix) Site preparation for planting or seeding in areas not previously tilled;
(xxx) Soil and water conservation structures;
(xxxi) Stream bank and shoreline protection;
(xxxii) Structures for water control;
(xxxiii) Subsurface drains;
(xxxiv) Surface roughening;
(xxxv) Terracing;
(xxxvi) Underground outlets;

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(xxxvii) Watering tank or trough installation, if in areas not previously disturbed;
(xxxviii) Wells; and
(xxxix) Wetland restoration.
(3) <i>Management and planting type actions.</i> The following list includes categorical exclusions for resource management and planting proposed actions:
(i) Establishing or maintaining wildlife plots in areas not previously tilled or disturbed;
(ii) Prescribed burning;
(iii) Tree planting when trees have root balls of one gallon container size or larger; and
(iv) Wildlife upland habitat management.

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**U.S. Department of Agriculture (USDA)
Categorical Exclusions (CE)**

Forest Service (USFS)

§220.6 Categorical exclusions.

https://www.ecfr.gov/cgi-bin/text-idx?SID=04d72959e44394ac3a992b47bd370ae4&mc=true&node=pt36.2.220&rgn=div5#se36.2.220_16

(a) *General.* A proposed action may be categorically excluded from further analysis and documentation in an EIS or EA only if there are no extraordinary circumstances related to the proposed action and if:

(1) The proposed action is within one of the categories established by the Secretary at 7 CFR part 1b.3; or

(2) The proposed action is within a category listed in §220.6(d) and (e).

(b) *Resource conditions.* (1) Resource conditions that should be considered in determining whether extraordinary circumstances related to a proposed action warrant further analysis and documentation in an EA or an EIS are:

(i) Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species;

(ii) Flood plains, wetlands, or municipal watersheds;

(iii) Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas;

(iv) Inventoried roadless area or potential wilderness area;

(v) Research natural areas;

(vi) American Indians and Alaska Native religious or cultural sites; and

(vii) Archaeological sites, or historic properties or areas.

(2) The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion (CE). It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions, and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist.

(c) *Scoping.* If the responsible official determines, based on scoping, that it is uncertain whether the proposed action may have a significant effect on the environment, prepare an EA. If the responsible official determines, based on scoping, that the proposed action may have a significant environmental effect, prepare an EIS.

(d) *Categories of actions for which a project or case file and decision memo are not required.* A supporting record and a decision memo are not required, but at the discretion of the responsible official, may be prepared for the following categories:

(1) Orders issued pursuant to 36 CFR part 261—Prohibitions to provide short-term resource protection or to protect public health and safety. Examples include but are not limited to:

(i) Closing a road to protect bighorn sheep during lambing season, and

(ii) Closing an area during a period of extreme fire danger.

(2) Rules, regulations, or policies to establish servicerwide administrative procedures, program processes, or instructions. Examples include but are not limited to:

(i) Adjusting special use or recreation fees using an existing formula;

(ii) Proposing a technical or scientific method or procedure for screening effects of emissions on air quality related values in Class I wildernesses;

(iii) Proposing a policy to defer payments on certain permits or contracts to reduce the risk of default;

(iv) Proposing changes in contract terms and conditions or terms and conditions of special use authorizations;

(v) Establishing a servicerwide process for responding to offers to exchange land and for agreeing on land values; and

(vi) Establishing procedures for amending or revising forest land and resource management plans.

(3) Repair and maintenance of administrative sites. Examples include but are not limited to:

(i) Mowing lawns at a district office;

(ii) Replacing a roof or storage shed;

(iii) Painting a building; and

(iv) Applying registered pesticides for rodent or vegetation control.

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(4) Repair and maintenance of roads, trails, and landline boundaries. Examples include but are not limited to:
(i) Authorizing a user to grade, resurface, and clean the culverts of an established NFS road;
(ii) Grading a road and clearing the roadside of brush without the use of herbicides;
(iii) Resurfacing a road to its original condition;
(iv) Pruning vegetation and cleaning culverts along a trail and grooming the surface of the trail; and
(v) Surveying, painting, and posting landline boundaries.
(5) Repair and maintenance of recreation sites and facilities. Examples include but are not limited to:
(i) Applying registered herbicides to control poison ivy on infested sites in a campground;
(ii) Applying registered insecticides by compressed air sprayer to control insects at a recreation site complex;
(iii) Repaving a parking lot; and
(iv) Applying registered pesticides for rodent or vegetation control.
(6) Acquisition of land or interest in land. Examples include but are not limited to:
(i) Accepting the donation of lands or interests in land to the NFS, and
(ii) Purchasing fee, conservation easement, reserved interest deed, or other interests in lands.
(7) Sale or exchange of land or interest in land and resources where resulting land uses remain essentially the same. Examples include but are not limited to:
(i) Selling or exchanging land pursuant to the Small Tracts Act;
(ii) Exchanging NFS lands or interests with a State agency, local government, or other non-Federal party (individual or organization) with similar resource management objectives and practices;
(iii) Authorizing the Bureau of Land Management to issue leases on producing wells when mineral rights revert to the United States from private ownership and there is no change in activity; and
(iv) Exchange of administrative sites involving other than NFS lands.
(8) Approval, modification, or continuation of minor, short-term (1 year or less) special uses of NFS lands. Examples include, but are not limited to:
(i) Approving, on an annual basis, the intermittent use and occupancy by a State-licensed outfitter or guide;
(ii) Approving the use of NFS land for apiaries; and
(iii) Approving the gathering of forest products for personal use.
(9) Issuance of a new permit for up to the maximum tenure allowable under the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b) for an existing ski area when such issuance is a purely ministerial action to account for administrative changes, such as a change in ownership of ski area improvements, expiration of the current permit, or a change in the statutory authority applicable to the current permit. Examples include, but are not limited to:
(i) Issuing a permit to a new owner of ski area improvements within an existing ski area with no changes to the master development plan, including no changes to the facilities or activities for that ski area;
(ii) Upon expiration of a ski area permit, issuing a new permit to the holder of the previous permit where the holder is not requesting any changes to the master development plan, including changes to the facilities or activities; and
(iii) Issuing a new permit under the National Forest Ski Area Permit Act of 1986 to the holder of a permit issued under the Term Permit and Organic Acts, where there are no changes in the type or scope of activities authorized and no other changes in the master development plan.
(10) [Reserved]
(11) Issuance of a new special use authorization to replace an existing or expired special use authorization, when such issuance is to account only for administrative changes, such as a change in ownership of authorized improvements or expiration of the current authorization, and where there are no changes to the authorized facilities or increases in the scope or magnitude of authorized activities. The applicant or holder must be in compliance with all the terms and conditions of the existing or expired special use authorization. Subject to the foregoing conditions, examples include but are not limited to:
(i) Issuing a new authorization to replace a powerline facility authorization that is at the end of its term;
(ii) Issuing a new permit to replace an expired permit for a road that continues to be used as access to non-NFS lands; and
(iii) Converting a transitional priority use outfitting and guiding permit to a priority use outfitting and guiding permit.
(12) Issuance of a new authorization or amendment of an existing authorization for recreation special uses that occur on existing roads or trails, in existing facilities, in existing recreation sites, or in areas where such activities are allowed. Subject to the foregoing condition, examples include but are not limited to:

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(i) Issuance of an outfitting and guiding permit for mountain biking on NFS trails that are not closed to mountain biking;
(ii) Issuance of a permit to host a competitive motorcycle event;
(iii) Issuance of an outfitting and guiding permit for backcountry skiing;
(iv) Issuance of a permit for a one-time use of existing facilities for other recreational events; and
(v) Issuance of a campground concession permit for an existing campground that has previously been operated by the Forest Service.
(e) <i>Categories of actions for which a project or case file and decision memo are required.</i> A supporting record is required and the decision to proceed must be documented in a decision memo for the categories of action in paragraphs (e)(1) through (17) of this section. As a minimum, the project or case file should include any records prepared, such as: The names of interested and affected people, groups, and agencies contacted; the determination that no extraordinary circumstances exist; a copy of the decision memo; and a list of the people notified of the decision. If the proposed action is approval of a land management plan, plan amendment, or plan revision, the plan approval document required by 36 CFR part 219 satisfies the decision memo requirements of this section.
(1) Construction and reconstruction of trails. Examples include, but are not limited to:
(i) Constructing or reconstructing a trail to a scenic overlook, and
(ii) Reconstructing an existing trail to allow use by handicapped individuals.
(2) Additional construction or reconstruction of existing telephone or utility lines in a designated corridor. Examples include, but are not limited to:
(i) Replacing an underground cable trunk and adding additional phone lines, and
(ii) Reconstructing a power line by replacing poles and wires.
(3) Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land. Examples include, but are not limited to:
(i) Approving the construction of a meteorological sampling site;
(ii) Approving the use of land for a one-time group event;
(iii) Approving the construction of temporary facilities for filming of staged or natural events or studies of natural or cultural history;
(iv) Approving the use of land for a 40-foot utility corridor that crosses one mile of a national forest;
(v) Approving the installation of a driveway, mailbox, or other facilities incidental to use of a residence; and
(vi) Approving new or additional communication facilities, associated improvements, or communication uses at a site already identified as available for these purposes.
(4) [Reserved]
(5) Regeneration of an area to native tree species, including site preparation that does not involve the use of herbicides or result in vegetation type conversion. Examples include, but are not limited to:
(i) Planting seedlings of superior trees in a progeny test site to evaluate genetic worth, and
(ii) Planting trees or mechanical seed dispersal of native tree species following a fire, flood, or landslide.
(6) Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than 1 mile of low standard road construction. Examples include, but are not limited to:
(i) Girdling trees to create snags;
(ii) Thinning or brush control to improve growth or to reduce fire hazard including the opening of an existing road to a dense timber stand;
(iii) Prescribed burning to control understory hardwoods in stands of southern pine; and
(iv) Prescribed burning to reduce natural fuel build-up and improve plant vigor.
(7) Modification or maintenance of stream or lake aquatic habitat improvement structures using native materials or normal practices. Examples include, but are not limited to:
(i) Reconstructing a gabion with stone from a nearby source;
(ii) Adding brush to lake fish beds; and
(iii) Cleaning and resurfacing a fish ladder at a hydroelectric dam.
(8) Short-term (1 year or less) mineral, energy, or geophysical investigations and their incidental support activities that may require cross-country travel by vehicles and equipment, construction of less than 1 mile of low standard road, or use and minor repair of existing roads. Examples include, but are not limited to:

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(i) Authorizing geophysical investigations which use existing roads that may require incidental repair to reach sites for drilling core holes, temperature gradient holes, or seismic shot holes;
(ii) Gathering geophysical data using shot hole, vibroseis, or surface charge methods;
(iii) Trenching to obtain evidence of mineralization;
(iv) Clearing vegetation for sight paths or from areas used for investigation or support facilities;
(v) Redesigning or rearranging surface facilities within an approved site;
(vi) Approving interim and final site restoration measures; and
(vii) Approving a plan for exploration which authorizes repair of an existing road and the construction of $\frac{1}{3}$ mile of temporary road; clearing vegetation from an acre of land for trenches, drill pads, or support facilities.
(9) Implementation or modification of minor management practices to improve allotment condition or animal distribution when an allotment management plan is not yet in place. Examples include, but are not limited to:
(i) Rebuilding a fence to improve animal distribution;
(ii) Adding a stock watering facility to an existing water line; and
(iii) Spot seeding native species of grass or applying lime to maintain forage condition.
(10) [Reserved]
(11) Post-fire rehabilitation activities, not to exceed 4,200 acres (such as tree planting, fence replacement, habitat restoration, heritage site restoration, repair of roads and trails, and repair of damage to minor facilities such as campgrounds), to repair or improve lands unlikely to recover to a management approved condition from wildland fire damage, or to repair or replace minor facilities damaged by fire. Such activities:
(i) Shall be conducted consistent with Agency and Departmental procedures and applicable land and resource management plans;
(ii) Shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and
(iii) Shall be completed within 3 years following a wildland fire.
(12) Harvest of live trees not to exceed 70 acres, requiring no more than $\frac{1}{2}$ mile of temporary road construction. Do not use this category for even-aged regeneration harvest or vegetation type conversion. The proposed action may include incidental removal of trees for landings, skid trails, and road clearing. Examples include, but are not limited to:
(i) Removal of individual trees for sawlogs, specialty products, or fuelwood, and
(ii) Commercial thinning of overstocked stands to achieve the desired stocking level to increase health and vigor.
(13) Salvage of dead and/or dying trees not to exceed 250 acres, requiring no more than $\frac{1}{2}$ mile of temporary road construction. The proposed action may include incidental removal of live or dead trees for landings, skid trails, and road clearing. Examples include, but are not limited to:
(i) Harvest of a portion of a stand damaged by a wind or ice event and construction of a short temporary road to access the damaged trees, and
(ii) Harvest of fire-damaged trees.
(14) Commercial and non-commercial sanitation harvest of trees to control insects or disease not to exceed 250 acres, requiring no more than $\frac{1}{2}$ mile of temporary road construction, including removal of infested/infected trees and adjacent live uninfested/uninfected trees as determined necessary to control the spread of insects or disease. The proposed action may include incidental removal of live or dead trees for landings, skid trails, and road clearing. Examples include, but are not limited to:
(i) Felling and harvest of trees infested with southern pine beetles and immediately adjacent uninfested trees to control expanding spot infestations, and
(ii) Removal and/or destruction of infested trees affected by a new exotic insect or disease, such as emerald ash borer, Asian long horned beetle, and sudden oak death pathogen.
(15) [Reserved]
(16) Land management plans, plan amendments, and plan revisions developed in accordance with 36 CFR part 219 <i>et seq.</i> that provide broad guidance and information for project and activity decisionmaking in a NFS unit. Proposals for actions that approve projects and activities, or that command anyone to refrain from undertaking projects and activities, or that grant, withhold or modify contracts, permits or other formal legal instruments, are outside the scope of this category and shall be considered separately under Forest Service NEPA procedures.

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(17) Approval of a Surface Use Plan of Operations for oil and natural gas exploration and initial development activities, associated with or adjacent to a new oil and/or gas field or area, so long as the approval will not authorize activities in excess of any of the following:
(i) One mile of new road construction;
(ii) One mile of road reconstruction;
(iii) Three miles of individual or co-located pipelines and/or utilities disturbance; or
(iv) Four drill sites.
(18) Restoring wetlands, streams, riparian areas or other water bodies by removing, replacing, or modifying water control structures such as, but not limited to, dams, levees, dikes, ditches, culverts, pipes, drainage tiles, valves, gates, and fencing, to allow waters to flow into natural channels and floodplains and restore natural flow regimes to the extent practicable where valid existing rights or special use authorizations are not unilaterally altered or canceled. Examples include but are not limited to:
(i) Repairing an existing water control structure that is no longer functioning properly with minimal dredging, excavation, or placement of fill, and does not involve releasing hazardous substances;
(ii) Installing a newly-designed structure that replaces an existing culvert to improve aquatic organism passage and prevent resource and property damage where the road or trail maintenance level does not change;
(iii) Removing a culvert and installing a bridge to improve aquatic and/or terrestrial organism passage or prevent resource or property damage where the road or trail maintenance level does not change; and
(iv) Removing a small earthen and rock fill dam with a low hazard potential classification that is no longer needed.
(19) Removing and/or relocating debris and sediment following disturbance events (such as floods, hurricanes, tornados, mechanical/engineering failures, etc.) to restore uplands, wetlands, or riparian systems to pre-disturbance conditions, to the extent practicable, such that site conditions will not impede or negatively alter natural processes. Examples include but are not limited to:
(i) Removing an unstable debris jam on a river following a flood event and relocating it back in the floodplain and stream channel to restore water flow and local bank stability;
(ii) Clean-up and removal of infrastructure flood debris, such as, benches, tables, outhouses, concrete, culverts, and asphalt following a hurricane from a stream reach and adjacent wetland area; and
(iii) Stabilizing stream banks and associated stabilization structures to reduce erosion through bioengineering techniques following a flood event, including the use of living and nonliving plant materials in combination with natural and synthetic support materials, such as rocks, riprap, geo-textiles, for slope stabilization, erosion reduction, and vegetative establishment and establishment of appropriate plant communities (bank shaping and planting, brush mattresses, log, root wad, and boulder stabilization methods).
(20) Activities that restore, rehabilitate, or stabilize lands occupied by roads and trails, excluding National Forest System Roads and National Forest System Trails, to a more natural condition that may include removing, replacing, or modifying drainage structures and ditches, reestablishing vegetation, reshaping natural contours and slopes, reestablishing drainage-ways, or other activities that would restore site productivity and reduce environmental impacts. Examples include but are not limited to:
(i) Decommissioning a road that is no longer a National Forest System Road to a more natural state by restoring natural contours and removing construction fills, loosening compacted soils, revegetating the roadbed and removing ditches and culverts to reestablish natural drainage patterns; (ii) Restoring an unauthorized trail to a natural state by reestablishing natural drainage patterns, stabilizing slopes, reestablishing vegetation, and installing water bars; and
(ii) Restoring a trail to a natural state by reestablishing natural drainage patterns, stabilizing slopes, reestablishing vegetation, and installing water bars; and
(iii) Installing boulders, logs, and berms on an unauthorized road segment to promote naturally regenerated grass, shrub, and tree growth.
(21) Construction, reconstruction, decommissioning, relocation, or disposal of buildings, infrastructure, or other improvements at an existing administrative site, as that term is defined in section 502(1) of Public Law 109-54 (119 Stat. 559; 16 U.S.C. 580d note). Examples include but are not limited to:
(i) Relocating an administrative facility to another existing administrative site;
(ii) Construction, reconstruction, or expansion of an office, a warehouse, a lab, a greenhouse, or a fire-fighting facility;
(iii) Surface or underground installation or decommissioning of water or waste disposal system infrastructure;
(iv) Disposal of an administrative building; and
(v) Construction or reconstruction of communications infrastructure.

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(22) Construction, reconstruction, decommissioning, or disposal of buildings, infrastructure, or improvements at an existing recreation site, including infrastructure or improvements that are adjacent or connected to an existing recreation site and provide access or utilities for that site. Recreation sites include but are not limited to campgrounds and camping areas, picnic areas, day use areas, fishing sites, interpretive sites, visitor centers, trailheads, ski areas, and observation sites. Activities within this category are intended to apply to facilities located at recreation sites managed by the Forest Service and those managed by concessioners under a special use authorization. Examples include but are not limited to:
(i) Constructing, reconstructing, or expanding a toilet or shower facility;
(ii) Constructing or reconstructing a fishing pier, wildlife viewing platform, dock, or other constructed feature at a recreation site;
(iii) Installing or reconstructing a water or waste disposal system;
(iv) Constructing or reconstructing campsites;
(v) Disposal of facilities at a recreation site;
(vi) Constructing or reconstructing a boat landing;
(vii) Replacing a chair lift at a ski area;
(viii) Constructing or reconstructing a parking area or trailhead; and
(ix) Reconstructing or expanding a recreation rental cabin.
(23) Road management activities on up to 8 miles of NFS roads and associated parking areas. Activities under this category cannot include construction or realignment. Examples include but are not limited to:
(i) Rehabilitating an NFS road or parking area where management activities go beyond repair and maintenance;
(ii) Shoulder-widening or other safety improvements within the right-of-way for an NFS road; and
(iii) Replacing a bridge along an NFS road.
(24) Construction and realignment of up to 2 miles of NFS roads and associated parking areas. Examples include but are not limited to:
(i) Constructing an NFS road to improve access to a trailhead or parking area;
(ii) Rerouting an NFS road to minimize resource impacts; and
(iii) Improving or upgrading the surface of an NFS road to expand its capacity.
(25) Forest and grassland management activities with a primary purpose of meeting restoration objectives or increasing resilience. Activities to improve ecosystem health, resilience, and other watershed and habitat conditions may not exceed 2,800 acres.
(i) Activities to meet restoration and resilience objectives may include, but are not limited to:
(A) Stream restoration, aquatic organism passage rehabilitation, or erosion control;
(B) Invasive species control and reestablishment of native species;
(C) Prescribed burning;
(D) Reforestation;
(E) Road and/or trail decommissioning (system and non-system);
(F) Pruning;
(G) Vegetation thinning; and
(H) Timber harvesting.
(ii) The following requirements or limitations apply to this category:
(A) Projects shall be developed or refined through a collaborative process that includes multiple interested persons representing diverse interests;
(B) Vegetation thinning or timber harvesting activities shall be designed to achieve ecological restoration objectives, but shall not include salvage harvesting as defined in Agency policy; and
(C) Construction and reconstruction of permanent roads is limited to 0.5 miles. Construction of temporary roads is limited to 2.5 miles, and all temporary roads shall be decommissioned no later than 3 years after the date the project is completed. Projects may include repair and maintenance of NFS roads and trails to prevent or address resource impacts; repair and maintenance of NFS roads and trails is not subject to the above mileage limits.
(f) <i>Decision memos.</i> The responsible official shall notify interested or affected parties of the availability of the decision memo as soon as practical after signing. While sections may be combined or rearranged in the interest of clarity and brevity, decision memos must include the following content:

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(1) A heading, which must identify:
(i) Title of document: Decision Memo;
(ii) Agency and administrative unit;
(iii) Title of the proposed action; and
(iv) Location of the proposed action, including administrative unit, county, and State.
(2) Decision to be implemented and the reasons for categorically excluding the proposed action including:
(i) The category of the proposed action;
(ii) The rationale for using the category and, if more than one category could have been used, why the specific category was chosen;
(iii) A finding that no extraordinary circumstances exist;
(3) Any interested and affected agencies, organizations, and persons contacted;
(4) Findings required by other laws such as, but not limited to findings of consistency with the forest land and resource management plan as required by the National Forest Management Act; or a public interest determination (36 CFR 254.3(c));
(5) The date when the responsible official intends to implement the decision and any conditions related to implementation;
(6) Whether the decision is subject to review or appeal, the applicable regulations, and when and where to file a request for review or appeal;
(7) Name, address, and phone number of a contact person who can supply further information about the decision; and
(8) The responsible official's signature and date when the decision is made.

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**U.S. Department of Agriculture (USDA)
Categorical Exclusions (CE)**

Natural Resources Conservation Service (NRCS)

§650.6 Categorical exclusions.

<https://www.ecfr.gov/current/title-7/subtitle-B/chapter-VI/subchapter-F/part-650#650.6>

(a) Some NRCS programs or parts of programs do not normally create significant individual or cumulative impacts on the human environment. Therefore, an EA or EIS is not needed. These are data gathering and interpretation programs and include:

(1) Soil Survey—7 CFR part 611;

(2) Snow Survey and Water Supply Forecasts—7 CFR part 612;

(3) Plant Materials for Conservation—7 CFR part 613;

(4) Inventory and Monitoring—Catalog of Federal Domestic Assistance—10.908; and

(5) River Basin Studies under section 6 of Pub. L. 83-566 as amended—7 CFR part 621.

(b) When any new action is planned under the programs identified in paragraph (a) of this section, the EE performed by the RFO is to identify extraordinary circumstances that might lead to significant individual or cumulative impacts. Actions that have potential for significant impacts on the human environment are not categorically excluded.

(c)(1) The NRCS restoration and conservation actions and activities identified in paragraph (d) of this section are eligible for categorical exclusion and require the RFO to document a determination that a categorical exclusion applies. Agency personnel will use the EE review process detailed in §650.5 to evaluate proposed activities for extraordinary circumstances and document the determination that the categorical exclusion applies. The extraordinary circumstances address the significance criteria provided in 40 CFR 1508.27.

(2) The extraordinary circumstances identified in paragraph (c)(1) of this section include:

(i) The proposed action cannot cause significant effects on public health or safety.

(ii) The proposed action cannot significantly affect unique characteristics of the geographic area such as proximity to historic properties or cultural resources, park lands, prime farmlands, floodplains, wetlands, wild and scenic rivers, or ecologically critical areas.

(iii) The effects of the proposed action on the quality of the human environment cannot be highly controversial.

(iv) The proposed action cannot have highly uncertain effects, including potential unique or unknown risks on the human environment.

(v) The proposed action cannot include activities or conservation practices that establish a potential precedent for future actions with significant impacts.

(vi) The proposed action is known to have or reasonably cannot be expected to have potentially significant environment impacts to the quality of the human environment either individually or cumulatively over time.

(vii) The proposed action cannot cause or promote the introduction of invasive species or have a significant adverse effect on any of the following special environmental concerns not previously identified in paragraph (c)(2)(B) of this section, such as: endangered and threatened species, environmental justice communities as defined in Executive Order 12898, wetlands, other waters of the United States, wild and scenic rivers, air quality, migratory birds, and bald and golden eagles.

(viii) The proposed action will not violate Federal or other applicable law and requirements for the protection of the environment.

(3) In the absence of any extraordinary circumstances as determined through NRCS' EE review process, the activities will be able to proceed without preparation of an EA or EIS. Where extraordinary circumstances are determined to exist, the categorical exclusion will not apply, and the appropriate documentation for compliance with NEPA will be prepared. Prior to determining that a proposed action is categorically excluded under paragraph (d) of this section, the proposed action must:

(i) Be designed to mitigate soil erosion, sedimentation, and downstream flooding;

(ii) Require disturbed areas to be vegetated with adapted species that are neither invasive nor noxious;

(iii) Be based on current Federal principals of natural stream dynamics and processes, such as those presented in the Federal Interagency Stream Corridor Restoration Working Group document, "Stream Corridor Restoration, Principles, Processes, and Practices;"

(iv) Incorporate the applicable NRCS conservation practice standards as found in the Field Office Technical Guide;

(v) Not require substantial dredging, excavation, or placement of fill; and

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(vi) Not involve a significant risk of exposure to toxic or hazardous substances.
(d) The use of the following categorical exclusions for a proposed action does not waive NRCS compliance with any applicable legal requirement including, but not limited to, the National Historical Preservation Act or the Endangered Species Act. The following categorical exclusions are available for application to proposed actions provided the conditions described in paragraph (c) of this section are met:
(1) Planting appropriate herbaceous and woody vegetation, which does not include noxious weeds or invasive plants, on disturbed sites to restore and maintain the sites ecological functions and services;
(2) Removing dikes and associated appurtenances (such as culverts, pipes, valves, gates, and fencing) to allow waters to access floodplains to the extent that existed prior to the installation of such dikes and associated appurtenances;
(3) Plugging and filling excavated drainage ditches to allow hydrologic conditions to return to pre-drainage conditions to the extent practicable;
(4) Replacing and repairing existing culverts, grade stabilization, and water control structures and other small structures that were damaged by natural disasters where there is no new depth required and only minimal dredging, excavation, or placement of fill is required;
(5) Restoring the natural topographic features of agricultural fields that were altered by farming and ranching activities for the purpose of restoring ecological processes;
(6) Removing or relocating residential, commercial, and other public and private buildings and associated structures constructed in the 100-year floodplain or within the breach inundation area of an existing dam or other flood control structure in order to restore natural hydrologic conditions of inundation or saturation, vegetation, or reduce hazards posed to public safety;
(7) Removing storm debris and sediment following a natural disaster where there is a continuing and eminent threat to public health or safety, property, and natural and cultural resources and removal is necessary to restore lands to pre-disaster conditions to the extent practicable. Excavation will not exceed the pre-disaster condition;
(8) Stabilizing stream banks and associated structures to reduce erosion through bioengineering techniques following a natural disaster to restore pre-disaster conditions to the extent practicable, e.g., utilization of living and nonliving plant materials in combination with natural and synthetic support materials, such as rocks, rip-rap, geo-textiles, for slope stabilization, erosion reduction, and vegetative establishment and establishment of appropriate plant communities (bank shaping and planting, brush mattresses, log, root wad, and boulder stabilization methods);
(9) Repairing or maintenance of existing small structures or improvements (including structures and improvements utilized to restore disturbed or altered wetland, riparian, in stream, or native habitat conditions). Examples of such activities include the repair or stabilization of existing stream crossings for livestock or human passage, levees, culverts, berms, dikes, and associated appurtenances;
(10) Constructing small structures or improvements for the restoration of wetland, riparian, in stream, or native habitats. Examples of activities include installation of fences and construction of small berms, dikes, and associated water control structures;
(11) Restoring an ecosystem, fish and wildlife habitat, biotic community, or population of living resources to a determinable pre-impact condition;
(12) Repairing or maintenance of existing constructed fish passageways, such as fish ladders or spawning areas impacted by natural disasters or human alteration;
(13) Repairing, maintaining, or installing fish screens to existing structures;
(14) Repairing or maintaining principal spillways and appurtenances associated with existing serviceable dams, originally constructed to NRCS standards, in order to meet current safety standards. Work will be confined to the existing footprint of the dam, and no major change in reservoir or downstream operations will result;
(15) Repairing or improving (deepening/widening/armoring) existing auxiliary/emergency spillways associated with dams, originally constructed to NRCS standards, in order to meet current safety standards. Work will be confined to the dam or abutment areas, and no major change in reservoir or downstream operation will result;
(16) Repairing embankment slope failures on structures, originally built to NRCS standards, where the work is confined to the embankment or abutment areas;
(17) Increasing the freeboard (which is the height from the auxiliary (emergency) spillway crest to the top of embankment) of an existing dam or dike, originally built to NRCS standards, by raising the top elevation in order to meet current safety and performance standards. The purpose of the safety standard and associated work is to ensure that during extreme rainfall events, flows are confined to the auxiliary/emergency spillway so that the existing structure is not overtopped which may result in a catastrophic failure. Elevating the top of the dam will not result in an increase to lake or stream levels. Work will be confined to the existing dam and abutment areas, and no major change in reservoir operations will result. Examples of work may include the addition of fill material such as earth or gravel or placement of parapet walls:

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| (18) Modifying existing residential, commercial, and other public and private buildings to prevent flood damages, such as elevating structures or sealing basements to comply with current State safety standards and Federal performance standards; |
| (19) Undertaking minor agricultural practices to maintain and restore ecological conditions in floodplains after a natural disaster or on lands impacted by human alteration. Examples of these practices include: mowing, haying, grazing, fencing, off-stream watering facilities, and invasive species control which are undertaken when fish and wildlife are not breeding, nesting, rearing young, or during other sensitive timeframes; |
| (20) Implementing soil control measures on existing agricultural lands, such as grade stabilization structures (pipe drops), sediment basins, terraces, grassed waterways, filter strips, riparian forest buffer, and critical area planting; and |
| (21) Implementing water conservation activities on existing agricultural lands, such as minor irrigation land leveling, irrigation water conveyance (pipelines), irrigation water control structures, and various management practices. |

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**U.S. Department of Agriculture (USDA)
Categorical Exclusions (CE)**

Rural Development (RD)

§1970.53 CEs involving no or minimal disturbance without an environmental report.

<https://www.ecfr.gov/cgi-bin/text-idx?SID=fde679bda3c1be0c97f18ce4bac3e2a2&mc=true&node=pt7.14.1970&rgn=div5#sp7.14.1970.b>

The CEs in this section are for proposals for financial assistance that involve no or minimal alterations in the physical environment and typically occur on previously disturbed land. These actions normally do not require an applicant to submit environmental documentation with the application. However, based on the review of the project description, the Agency may request additional environmental documentation from the applicant at any time, specifically if the Agency determines that extraordinary circumstances may exist. In accordance with Section 106 of the National Historic Preservation Act (54 U.S.C. 300101 *et seq.*) and its implementing regulations under 36 CFR 800.3(a), the Agency has determined that the actions in this section are undertakings, and in accordance with 36 CFR 800.3(a)(1) has identified those undertakings for which no further review under 36 CFR part 800 is required because they have no potential to cause effects to historic properties. In accordance with section 7 of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations at 50 CFR part 402, the Agency has determined that the actions in this section are actions for purposes of the Endangered Species Act, and in accordance with 50 CFR 402.06 has identified those actions for which no further review under 50 CFR part 402 is required because they will have no effect to listed threatened and endangered species.

(a) *Routine financial actions.* The following are routine financial actions and, as such, are classified as categorical exclusions identified in paragraphs (a)(1) through (7) of this section.

(1) Financial assistance for the purchase, transfer, lease, or other acquisition of real property when no or minimal change in use is reasonably foreseeable.

(i) Real property includes land and any existing permanent or affixed structures.

(ii) "No or minimal change in use is reasonably foreseeable" means no or only a small change in use, capacity, purpose, operation, or design is expected where the foreseeable type and magnitude of impacts would remain essentially the same.

(2) Financial assistance for the purchase, transfer, or lease of personal property or fixtures where no or minimal change in operations is reasonably foreseeable. These include:

(i) Approval of minimal expenditures not affecting the environment such as contracts for long lead-time equipment and purchase options by applicants under the terms of 40 CFR 1506.1(d) and 7 CFR 1970.12;

(ii) Acquisition of end-user equipment and programming for telecommunication distance learning;

(iii) Purchase, replacement, or installation of equipment necessary for the operation of an existing facility (such as Supervisory Control and Data Acquisition Systems (SCADA), energy management or efficiency improvement systems (including heat rate efficiency), replacement or conversion to enable use of renewable fuels, standby internal combustion electric generators, battery energy storage systems, and associated facilities for the primary purpose of providing emergency power);

(iv) Purchase of vehicles (such as those used in business, utility, community, or emergency services operations);

(v) Purchase of existing water rights where no associated construction is involved;

(vi) Purchase of livestock and essential farm equipment, including crop storing and drying equipment; and

(vii) Purchase of stock in an existing enterprise to obtain an ownership interest in that enterprise.

(3) Financial assistance for operating (working) capital for an existing operation to support day-to-day expenses.

(4) Sale or lease of Agency-owned real property, if the sale or lease of Agency-owned real property will have no or minimal construction or change in current operations in the foreseeable future.

(5) The provision of additional financial assistance for cost overruns where the purpose, operation, location, and design of the proposal as originally approved has not been substantially changed.

(6) Rural Business Investment Program (7 U.S.C. 1989 and 2009cc *et seq.*) actions as follows:

(i) Non-leveraged program actions that include licensing by USDA of Rural Business Investment Companies (RBIC); or

(ii) Leveraged program actions that include licensing by USDA of RBIC and Federal financial assistance in the form of technical grants or guarantees of debentures of an RBIC, unless such Federal assistance is used to finance construction or development of land.

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(7) A guarantee provided to a guaranteed lender for the sole purpose of refinancing outstanding bonds or notes or a guarantee provided to the Federal Financing Bank pursuant to Section 313A(a) of the Rural Electrification Act of 1936 for the purpose of:
(i) Refinancing existing debt instruments of a lender organized on a not-for-profit basis; or
(ii) Prepaying outstanding notes or bonds made to or guaranteed by the Agency.
(b) <i>Information gathering and technical assistance.</i> The following are CEs for financial assistance, identified in paragraphs (b)(1) through (3) of this section.
(1) Information gathering, data analysis, document preparation, real estate appraisals, environmental site assessments, and information dissemination. Examples of these actions are:
(i) Information gathering such as research, literature surveys, inventories, and audits;
(ii) Data analysis such as computer modeling;
(iii) Document preparation such as strategic plans; conceptual designs; management, economic, planning, or feasibility studies; energy audits or assessments; environmental analyses; and survey and analyses of accounts and business practices; and
(iv) Information dissemination such as document mailings, publication, and distribution; and classroom training and informational programs.
(2) Technical advice, training, planning assistance, and capacity building. Examples of these actions are:
(i) Technical advice, training, planning assistance such as guidance for cooperatives and self-help housing group planning; and
(ii) Capacity building such as leadership training, strategic planning, and community development training.
(3) Site characterization, environmental testing, and monitoring where no significant alteration of existing ambient conditions would occur. This includes, but is not limited to, air, surface water, groundwater, wind, soil, or rock core sampling; installation of monitoring wells; and installation of small-scale air, water, or weather monitoring equipment.
(c) <i>Minor construction proposals.</i> The following are CEs that apply to financial assistance for minor construction proposals:
(1) Minor amendments or revisions to previously approved projects provided such activities do not alter the purpose, operation, geographic scope, or design of the project as originally approved;
(2) Repair, upgrade, or replacement of equipment in existing structures for such purposes as improving habitability, energy efficiency (including heat rate efficiency), replacement or conversion to enable use of renewable fuels, pollution prevention, or pollution control;
(3) Any internal modification or minimal external modification, restoration, renovation, maintenance, and replacement in-kind to an existing facility or structure;
(4) Construction of or substantial improvement to a single-family dwelling, or a Rural Housing Site Loan project or multi-family housing project serving up to four families and affecting less than 10 acres of land;
(5) Siting, construction, and operation of new or additional water supply wells for residential, farm, or livestock use;
(6) Replacement of existing water and sewer lines within the existing right-of-way and as long as the size of pipe is either no larger than the inner diameter of the existing pipe or is an increased diameter as required by Federal or state requirements. If a larger pipe size is required, applicants must provide a copy of written administrative requirements mandating a minimum pipe diameter from the regulatory agency with jurisdiction;
(7) Modifications of an existing water supply well to restore production in existing commercial well fields, if there would be no drawdown other than in the immediate vicinity of the pumping well, no resulting long-term decline of the water table, and no degradation of the aquifer from the replacement well;
(8) New utility service connections to individual users or construction of utility lines or associated components where the applicant has no control over the placement of the utility facilities; and
(9) Conversion of land in agricultural production to pastureland or forests, or conversion of pastureland to forest.
(d) <i>Energy or telecommunication proposals.</i> The following are CEs that apply to financial assistance for energy or telecommunication proposals:
(1) Upgrading or rebuilding existing telecommunication facilities (both wired and wireless) or addition of aerial cables for communication purposes to electric power lines that would not affect the environment beyond the previously-developed, existing rights-of-way;

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(2) Burying new facilities for communication purposes in previously developed, existing rights-of-way and in areas already in or committed to urbanized development or rural settlements whether incorporated or unincorporated that are characterized by high human densities and within contiguous, highly disturbed environments with human-built features. Covered actions include associated vaults and pulling and tensioning sites outside rights-of-way in nearby previously disturbed or developed land;
(3) Changes to electric transmission lines that involve pole replacement or structural components only where either the same or substantially equivalent support structures at the approximate existing support structure locations are used;
(4) Phase or voltage conversions, reconductoring, upgrading, or rebuilding of existing electric distribution lines that would not affect the environment beyond the previously developed, existing rights-of-way. Includes pole replacements but does not include overhead-to-underground conversions;
(5) Collocation of telecommunications equipment on existing infrastructure and deployment of distributed antenna systems and small cell networks provided the latter technologies are not attached to and will not cause adverse effects to historic properties;
(6) Siting, construction, and operation of small, ground source heat pump systems that would be located on previously developed land;
(7) Siting, construction, and operation of small solar electric projects or solar thermal projects to be installed on or adjacent to an existing structure and that would not affect the environment beyond the previously developed facility area and are not attached to and will not cause adverse effects to historic properties;
(8) Siting, construction, and operation of small biomass projects, such as animal waste anaerobic digesters or gasifiers, that would use feedstock produced on site (such as a farm where the site has been previously disturbed) and supply gas or electricity for the site's own energy needs with no or only incidental export of energy;
(9) Construction of small standby electric generating facilities with a rating of one average megawatt (MW) or less, and associated facilities, for the purpose of providing emergency power for or startup of an existing facility;
(10) Additions or modifications to electric transmission facilities that would not affect the environment beyond the previously developed facility area including, but not limited to, switchyard rock, grounding upgrades, secondary containment projects, paving projects, seismic upgrading, tower modifications, changing insulators, and replacement of poles, circuit breakers, conductors, transformers, and crossarms; and
(11) Safety, environmental, or energy efficiency (including heat rate efficiency) improvements within an existing electric generation facility, including addition, replacement, or upgrade of facility components (such as precipitator, baghouse, or scrubber installations), that do not result in a change to the design capacity or function of the facility and do not result in an increase in pollutant emissions, effluent discharges, or waste products.
(e) <i>Emergency situations.</i> Repairs made because of an emergency situation to return to service damaged facilities of an applicant's utility system or other actions necessary to preserve life and control the immediate impacts of the emergency.
(f) <i>Promulgation of rules or formal notices.</i> The promulgation of rules or formal notices for policies or programs that are administrative or financial procedures for implementing Agency assistance activities.
(g) <i>Agency proposals for legislation.</i> Agency proposals for legislation that have no potential for significant environmental impacts because they would allow for no or minimal construction or change in operations.
(h) <i>Administrative actions.</i> Agency procurement activities for goods and services; routine facility operations; personnel actions, including but not limited to, reduction in force or employee transfers resulting from workload adjustments, and reduced personnel or funding levels; and other such management actions related to the operation of the Agency.
§1970.54 CEs involving small-scale development with an environmental report.
The CEs in this section are for proposals for financial assistance that require an applicant to submit an ER with their application to facilitate Agency determination of extraordinary circumstances. At a minimum, the ER will include a complete description of all components of the applicant's proposal and any connected actions, including its specific location on detailed site plans as well as location maps equivalent to a U.S. Geological Survey (USGS) quadrangle map; and information from authoritative sources acceptable to the Agency confirming the presence or absence of sensitive environmental resources in the area that could be affected by the applicant's proposal. The ER submitted must be accurate, complete, and capable of verification. The Agency may request additional information as needed to make an environmental determination. Failure to submit the required environmental report will postpone further consideration of the applicant's proposal until the ER is submitted, or the Agency may deny the request for financial assistance. The Agency will review the ER and determine if extraordinary circumstances exist. The Agency's review may determine that classification as an EA or an EIS is more appropriate than a CE classification.

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(a) <i>Small-scale site-specific development.</i> The following CEs apply to proposals where site development activities (including construction, expansion, repair, rehabilitation, or other improvements) for rural development purposes would impact not more than 10 acres of real property and would not cause a substantial increase in traffic. These CEs are identified in paragraphs (a)(1) through (a)(9) of this section. This paragraph does not apply to new industrial proposals (such as ethanol and biodiesel production facilities) or those classes of action listed in §§1970.53, 1970.101, or 1970.151.
(1) Multi-family housing and Rural Housing Site Loans.
(2) Business development.
(3) Community facilities such as municipal buildings, libraries, security services, fire protection, schools, and health and recreation facilities.
(4) Infrastructure to support utility systems such as water or wastewater facilities; headquarters, maintenance, equipment storage, or microwave facilities; and energy management systems. This does not include proposals that either create a new or relocate an existing discharge to or a withdrawal from surface or ground waters, or cause substantial increase in a withdrawal or discharge at an existing site.
(5) Installation of new, commercial-scale water supply wells and associated pipelines or water storage facilities that are required by a regulatory authority or standard engineering practice as a backup to existing production well(s) or as reserve for fire protection.
(6) Construction of telecommunications towers and associated facilities, if the towers and associated facilities are 450 feet or less in height and would not be in or visible from an area of documented scenic value.
(7) Repair, rehabilitation, or restoration of water control, flood control, or water impoundment facilities, such as dams, dikes, levees, detention reservoirs, and drainage ditches, with minimal change in use, size, capacity, purpose, operation, location, or design from the original facility.
(8) Installation or enlargement of irrigation facilities on an applicant's land, including storage reservoirs, diversion dams, wells, pumping plants, canals, pipelines, and sprinklers designed to irrigate less than 80 acres.
(9) Replacement or restoration of irrigation facilities, including storage reservoirs, diversion dams, wells, pumping plants, canals, pipelines, and sprinklers, with no or minimal change in use, size, capacity, or location from the original facility(s).
(10) Vegetative biomass harvesting operations of no more than 15 acres, provided any amount of land involved in harvesting is to be conducted managed on a sustainable basis and according to a Federal, state, or other governmental unit approved management plan.
(b) <i>Small-scale corridor development.</i> The following CEs apply to financial assistance for:
(1) Construction or repair of roads, streets, and sidewalks, including related structures such as curbs, gutters, storm drains, and bridges, in an existing right-of-way with minimal change in use, size, capacity, purpose, or location from the original infrastructure;
(2) Improvement and expansion of existing water, waste water, and gas utility systems:
(i) Within one mile of currently served areas irrespective of the percent of increase in new capacity, or
(ii) Increasing capacity not more than 30 percent of the existing user population;
(3) Replacement of utility lines where road reconstruction undertaken by non-Agency applicants requires the relocation of lines either within or immediately adjacent to the new road easement or right-of-way; and
(4) Installation of new linear telecommunications facilities and related equipment and infrastructure.
(c) <i>Small-scale energy proposals.</i> The following CEs apply to financial assistance for:
(1) Construction of electric power substations (including switching stations and support facilities) or modification of existing substations, switchyards, and support facilities;
(2) Construction of electric power lines and associated facilities designed for or capable of operation at a nominal voltage of either:
(i) Less than 69 kilovolts (kV);
(ii) Less than 230 kV if no more than 25 miles of line are involved; or
(iii) 230 kV or greater involving no more than three miles of line, but not for the integration of major new generation resources into a bulk transmission system;
(3) Reconstruction (upgrading or rebuilding) or minor relocation of existing electric transmission lines (230 kV or less) 25 miles in length or less to enhance environmental and land use values or to improve reliability or access. Such actions include relocations to avoid right-of-way encroachments, resolve conflict with property development, accommodate road/highway construction, allow for the construction of facilities such as canals and pipelines, or reduce existing impacts to environmentally sensitive areas;

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(4) Repowering or uprating modifications or expansion of an existing unit(s) up to a rating of 50 average MW at electric generating facilities in order to maintain or improve the efficiency, capacity, or energy output of the facility. Any air emissions from such activities must be within the limits of an existing air permit;
(5) Installation of new generating units or replacement of existing generating units at an existing hydroelectric facility or dam which results in no change in the normal maximum surface area or normal maximum surface elevation of the existing impoundment. All supporting facilities and new related electric transmission lines 10 miles in length or less are included;
(6) Installation of a heat recovery steam generator and steam turbine with a rating of 200 average MW or less on an existing electric generation site for the purpose of combined cycle operations. All supporting facilities and new related electric transmission lines 10 miles in length or less are included;
(7) Construction of small electric generating facilities (except geothermal and solar electric projects), including those fueled with wind or biomass, with a rating of 10 average MW or less. All supporting facilities and new related electric transmission lines 10 miles in length or less are included;
(8) Siting, construction, and operation of small biomass projects (except small electric generating facilities projects fueled with biomass) producing not more than 3 million gallons of liquid fuel or 300,000 million british thermal units annually, developed on up 10 acres of land;
(9) Geothermal electric power projects or geothermal heating or cooling projects developed on up to 10 acres of land and including installation of one geothermal well for the production of geothermal fluids for direct use application (such as space or water heating/cooling) or for power generation. All supporting facilities and new related electric transmission lines 10 miles in length or less are included;
(10) Solar electric projects or solar thermal projects developed on up to 10 acres of land including all supporting facilities and new related electric transmission lines 10 miles in length or less;
(11) Distributed resources of any capacity located at or adjacent to an existing landfill site or wastewater treatment facility that is powered by refuse-derived fuel. All supporting facilities and new related electric transmission lines 10 miles in length or less are included;
(12) Small conduit hydroelectric facilities having a total installed capacity of not more than 5 average MW using an existing conduit such as an irrigation ditch or a pipe into which a turbine would be placed for the purpose of electric generation. All supporting facilities and new related electric transmission lines 10 miles in length or less are included; and
(13) Modifications or enhancements to existing facilities or structures that would not substantially change the footprint or function of the facility or structure and that are undertaken for the purpose of improving energy efficiency (including heat rate efficiency), promoting pollution prevention or control, safety, reliability, or security. This includes, but is not limited to, retrofitting existing facilities to produce biofuels and replacing fossil fuels used to produce heat or power in biorefineries with renewable biomass. This also includes installation of fuel blender pumps and associated changes within an existing fuel facility.
§1970.55 CEs for multi-tier actions.
The CEs in this section apply solely to providing financial assistance to primary recipients in multi-tier action programs.
(a) The Agency's approval of financial assistance to a primary recipient in a multi-tier action program is categorically excluded under this section only if the primary recipient agrees in writing to:
(1) Conduct a screening of all proposed uses of funds to determine whether each proposal that would be funded or financed falls within §1970.53 or §1970.54 as a categorical exclusion;
(2) Obtain sufficient information to make an evaluation of those proposals listed in §1970.53 and prepare an ER for proposals under §1970.54 to determine if extraordinary circumstances (as described in §1970.52) are present;
(3) Document and maintain its conclusions regarding the applicability of a CE in its official records for Agency verification; and
(4) Refer all proposals that do not meet listed CEs in §1970.53 or §1970.54, and proposals that may have extraordinary circumstances (as described in §1970.52) to the Agency for further review in accordance with this part.
(b) The primary recipient's compliance with this section will be monitored and verified in Agency compliance reviews and other required audits. Failure by a primary recipient to meet the requirements of this section will result in penalties that may include written warnings, withdrawal of Agency financial assistance, suspension from participation in Agency programs, or other appropriate action.
(c) Nothing in this section is intended to delegate the Agency's responsibility for compliance with this part. The Agency will continue to maintain ultimate responsibility for and control over the environmental review process in accordance with this part.

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The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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**Department of Commerce (DOC)
Categorical Exclusions (CE)**

Department of Commerce (DOC)

[III. Department of Commerce Categorical Exclusions](#)

A-1 Minor renovations and additions to buildings, roads, airfields, grounds, equipment, and other facilities that do not result in a change in the functional use of the real property (e.g. realigning interior spaces of an existing building, adding a small storage shed to an existing building, retrofitting for energy conservation, or installing a small antenna on an already existing antenna tower that does not cause the total height to exceed 200 feet and where the FCC would not require an environmental assessment or environmental impact statement for the installation). This Categorical Exclusion does not apply where the project must be submitted to the National Capital Planning Commission (NCPC) for review and NCPC determines it does not have an applicable categorical exclusion.

A-2 New construction upon or improvement of land where all of the following conditions are met:

(a) The site is in a developed area and/or a previously disturbed site,

(b) The structure and proposed use are compatible with applicable Federal, tribal, state, and local planning and zoning standards and consistent with federally approved state coastal management programs,

(c) The proposed use will not substantially increase the number of motor vehicles at the facility or in the area,

(d) The site and scale of construction or improvement are consistent with those of existing, adjacent, or nearby buildings, and,

(e) The construction or improvement will not result in uses that exceed existing support infrastructure capacities (roads, sewer, water, parking, etc.).

This Categorical Exclusion does not apply where the project must be submitted to the National Capital Planning Commission (NCPC) for review and NCPC determines that it does not have an applicable categorical exclusion.

A-3 Software development, data analysis, or testing, including but not limited to computer modeling in existing facilities.

A-4 Siting/construction/operation of microwave/radio communication towers less than 200 feet in height without guy wires on previously disturbed ground.

A-5 Retrofit/upgrade existing microwave/radio communication towers that do not require ground disturbance.

A-6 Adding fiber optic cable to transmission structures or burying fiber optic cable in existing transmission line rights-of-way.

A-7 Acquisition, installation, operation, and removal of communications systems, data processing equipment, and similar electronic equipment.

A-8 Planning activities and classroom-based training and classroom-based exercises using existing conference rooms and training facilities.

A-9 Purchase of mobile and portable equipment and infrastructure which is stored in previously existing structures or facilities.

A-10 Siting, construction (or modification), and operation of support buildings and support structures (including, but not limited to, trailers and prefabricated buildings) within or contiguous to an already developed area (where active utilities and currently used roads are readily accessible). This Categorical Exclusion does not apply where the project must be submitted to the National Capital Planning Commission (NCPC) for review and NCPC determines that it does not have an applicable categorical exclusion.

A-11 Personnel, fiscal, management, and administrative activities, such as recruiting, processing, paying, recordkeeping, resource management, budgeting, personnel actions, and travel.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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**Department of Commerce (DOC)
Categorical Exclusions (CE)**

Economic Development Administration (EDA)

[Directive 17.02-2.02 \(Oct. 14, 1992\) Sec. 2. Class I, Actions That Normally Do Not Require Either an Environmental Impact Statement \(EIS\) or an Environmental Assessment \(EA\).](#)

The actions in subparagraphs a through l below are categorically excluded from the requirement to prepare an EIS or an EA under normal circumstances. During the application review process the REO shall document the file to reflect the fact that the action qualifies for the exclusion and shall be alert to unusual conditions that would require an EIS or an EA. A project categorically excluded from compliance with NEPA under this section may still require full compliance with EDA Directive 17.04. The following economic assistance actions are categorically excluded because Agency experience has shown that they do not significantly affect the quality of the human environment.

- a. Loans or loan guarantees for working capital (the purpose of which is to provide for the continuation of existing operations).
- b. Interest subsidy for existing loans and/or actions covered in this exclusion.
- c. Loans and loan guarantees to restructure debt.
- d. Acquisition of machinery and equipment (M&E) unless these require applications for or amendments to existing air, water or solid waste permits.
- e. Additional funds to cover cost overruns for previously EDA-funded and environmentally-assessed activity.
- f. Weatherization of nonhistoric activity.
- g. Repairs to plant and equipment, or replacement-in-kind of utilities and infrastructure on facilities currently operating under permit compliance.
- h. Environmental monitoring.
- i. Research, planning grants and technical assistance projects that are not reasonably expected to commit the Federal Government to a course of action, or to result in legislative proposals, or to result in direct development.
- j. Title IX Revolving Loan Fund grants with no identified loan recipients, SSED and LTED strategies.
- k. EDA administrative actions in support of maintaining normal day-to-day operations such as personnel actions, travel, procurement of supplies, etc.
- l. Procurement contracts for EISs, EAs, office space, supplies, etc.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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<p style="text-align: center;">Department of Commerce (DOC) Categorical Exclusions (CE)</p>	
First Responder Network Authority (FirstNet)	
Appendix B – Categorical Exclusions	
This document lists approved categorical exclusions that may be applied to First Responder Network Authority (FirstNet) actions to which the National Environmental Policy Act (NEPA) applies:	
Administrative Actions	
[A.1.] The issuance of bulletins and information publications that do not concern environmental matters or substantial facility design, construction, or maintenance practices.	
[A.2.] Procurement activities related to the day-to-day operation of FirstNet, including routine procurement of goods or services.	
[A.3.] Personnel and Administrative Actions.	
[A.4.] Purchase or lease of existing facilities or a portion thereof where use or operation will remain unchanged.	
Network Deployment Activities	
[B.1.] Actions related to network deployment that are subject to and satisfy the environmental requirements established under 47 C.F.R § 1.1306 as described below:	
(a) Except as provided in 47 C.F.R. § 1.1307 (c) and (d), FirstNet’s actions not covered by 47 C.F.R. § 1.1307 (a) and (b) are deemed individually and cumulatively to have no significant effect on the quality of the human environment and are categorically excluded from environmental processing.	
(b) Specifically, any FirstNet action with respect to any new application, or minor or major modifications of existing or authorized facilities or equipment, will be categorically excluded, provided such proposals do not:	
(1) Involve a site location specified under 47 C.F.R. § 1.1307(a)(1) – (7)	
(2) Involve high intensity lighting under 47 C.F.R. § 1.1307(a)(8).	
(3) Result in human exposure to radio frequency radiation in excess of the applicable safety standards specified in 47 C.F.R. § 1.1307(b).	
(c) Any FirstNet action with respect to any new application, or minor or major modifications of existing or authorized facilities or equipment, will be categorically excluded, subject to the following:	
(1) Unless 47 C.F.R. § 1.1307(a)(4) is applicable, the provisions of 47 C.F.R. § 1.1307(a) requiring the preparation of Environmental Assessments (EAs) do not encompass the construction of wireless facilities, including deployments on new or replacement poles, if:	
(i) The facilities will be located in a right-of-way that is designated by a Federal, State, local, or tribal government for communications towers, above-ground utility transmission or distribution lines, or any associated structures and equipment;	
(ii) The right-of-way is in active use for such designated purposes; and	
(iii) The facilities would not:	
(A) Increase the height of the tower or non-tower structure by more than 10 percent or 20 feet, whichever is greater, over existing support structures that are located in the right-of-way within the vicinity of the proposed construction;	
(B) Involve the installation of more than four new equipment cabinets or more than one new equipment shelter;	
(C) Add an appurtenance to the body of the structure that would protrude from the edge of the structure more than 20 feet, or more than the width of the structure at the level of the appurtenance, whichever is greater (except that the deployment may exceed this size limit if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable); or	
(D) Involve excavation outside the current site, defined as the area that is within the boundaries of the leased or owned property surrounding the deployment or that is in proximity to the structure and within the boundaries of the utility easement on which the facility is to be deployed, whichever is more restrictive.	
(2) Such wireless facilities are subject to 47 C.F.R. § 1.1307(b) and require EAs if their construction would result in human exposure to radiofrequency radiation in excess of the applicable health and safety guidelines cited in 47 C.F.R. § 1.1307(b).	

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(d) The provisions of 47 C.F.R. § 1.1307(a) requiring the preparation of EAs do not encompass the mounting of antenna(s) and associated equipment (such as wiring, cabling, cabinets, or backup-power), on or in an existing building, or on an antenna tower or other man-made structure, unless 47 C.F.R. § 1.1307(a)(4) is applicable. Such antennas are subject to 47 C.F.R. § 1.1307(b) of this part and require EAs if their construction would result in human exposure to radiofrequency radiation in excess of the applicable health and safety guidelines cited in 47 § 1.1307(b). The provisions of 47 C.F.R. § 1.1307 (a) and (b) of do not encompass the installation of aerial wire or cable over existing aerial corridors of prior or permitted use or the underground installation of wire or cable along existing underground corridors of prior or permitted use, established by the Applicant or others. The use of existing buildings, towers, or corridors is an environmentally desirable alternative to the construction of new facilities and is encouraged. The provisions of 47 C.F.R. § 1.1307(a) and (b) do not encompass the construction of new submarine cable systems.
(e) The specific height of an antenna tower or supporting structure, as well as the specific diameter of a satellite Earth station, in and of itself, will not be deemed sufficient to warrant environmental processing, see 47 C.F.R. § 1.1307 and § 1.1308, except as required by FirstNet or the FCC pursuant to the note to 47 C.F.R. § 1.1307(d).
(f) The construction of an antenna tower or supporting structure in an established “antenna farm” (i.e., an area in which similar antenna towers are clustered, whether or not such area has been officially designated as an antenna farm) will be categorically excluded unless one or more of the antennas to be mounted on the tower or structure are subject to the provisions of 47 § C.F.R. 1.1307(b) and the additional radiofrequency radiation from the antenna(s) on the new tower or structure would cause human exposure in excess of the applicable health and safety guidelines cited in 47 C.F.R. § 1.1307(b).
[B.2.] Internal modifications or equipment additions (e.g., computer facilities, relocating interior walls) to structures or buildings.
[B.3] Construction of buried and aerial telecommunications lines, cables, and related facilities.
[B.4.] Changes to existing transmission lines that involve less than 20 percent pole replacement, or the complete rebuilding of existing distribution lines within the same right-of-way. Changes to existing transmission lines that require 20 percent or greater pole replacement will be considered the same as new construction.
[B.5.] Changes or additions to existing substations, switching stations, or telecommunications switching or multiplexing centers, or external changes to buildings or small structures requiring one acre (0.4 hectare) or more but no more than five acres (2 hectares) of new physically disturbed land or fenced property.
[B.6.] Construction of substations, switching stations, or telecommunications switching or multiplexing centers requiring no more than five acres (2 hectares) of new physically disturbed land or fenced property.
[B.7.] Changes or additions to telecommunication sites, substations, switching stations, telecommunications switching or multiplexing centers, buildings, or small structures requiring new physical disturbance or fencing of less than one acre (0.4 hectare).
[B.8.] Ordinary maintenance or replacement of equipment or small structures (e.g., line support structures, line transformers, microwave facilities, telecommunications remote switching and multiplexing sites).
[B.9.] The construction of telecommunications facilities within the fenced area of an existing substation or switching station, or within the boundaries of an existing electric-generating facility site.
[B.10.] Testing or monitoring work (e.g., soil or rock core sampling, monitoring wells, air monitoring).
[B.11.] Studies and engineering undertaken to define proposed actions or alternatives sufficiently so that environmental effects can be assessed.
[B.12.] Rebuilding of power lines or telecommunications cables where road or highway reconstruction requires the Applicant to relocate the lines either within or adjacent to the new road or highway easement or right-of-way.
[B.13.] Phase or voltage conversions, reconductoring, or upgrading of existing electric distribution lines or telecommunications facilities.
[B.14.] Construction of standby diesel electric generators (one megawatt or less total capacity) and associated facilities, for the primary purpose of providing emergency power, at an existing Applicant headquarters or district office, telecommunications switching or multiplexing site, or at an industrial, commercial, or agricultural facility served by the Applicant.
[B.15.] Deployment of Cells on Wheels, Systems on Wheels, or another deployable architecture intended for temporary placement (no more than two years) on an impervious surface.

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<p align="center">Department of Commerce (DOC) Categorical Exclusions (CE)</p>	
<p>National Telecommunications and Information Administration (NTIA)</p>	
<p>National Environmental Policy Act Procedures and Categorical Exclusions National Telecommunications and Information Administration (ntia.gov)</p>	
<p>Administrative Actions</p>	
<p>A-1 Personnel, fiscal, management, and administrative activities, including recruiting, processing, paying, recordkeeping, budgeting, personnel actions, contract administration, and travel.</p>	
<p>A-2 Preparation, modification, and issuance of policy directives, rules, regulations, procedures, guidelines, guidance documents, bulletins, and informational publications that are of an administrative, financial, legal, technical, or procedural nature, for which the environmental effects are too broad, speculative, or conjectural to lend themselves to meaningful analysis and will be, in whole or part, subject later to the NEPA process, either collectively or on a case-by-case basis.</p>	
<p>A-3 Studies and engineering undertaken to define proposed actions or alternatives sufficiently so that environmental effects can be assessed.</p>	
<p>A-4 Planning, educational, informational, or advisory activities provided to other agencies, public and private entities, visitors, individuals, or the public, including training exercises and simulations conducted under appropriately controlled conditions and in accordance with all applicable laws, regulations, and requirements.</p>	
<p>A-5 Software development, data analysis, or testing that does not involve ground disturbing activities.</p>	
<p>A-6 Preparation and dissemination of scientific results, studies, surveys, audits, reports, plans, papers, recommendations, and technical advice.</p>	
<p>A-7 Technical assistance to other Federal, Tribal, State, and local agencies or the public.</p>	
<p>A-8 Routine procurement, use, storage, transportation, and disposal of non-hazardous goods and services in support of administrative, operational, or maintenance activities in accordance with Executive Orders and Federal procurement guidelines. Examples include office supplies and furniture; equipment; mobile assets (i.e., vehicles, vessels, aircraft); utility services; and deployable emergency response supplies and equipment.</p>	
<p>A-9 Purchase of deployable mobile and portable telecommunications equipment (e.g., radios, Cell on Wheels, Cell on Light Truck, System on Wheels) that will be housed in existing facilities when not deployed.</p>	
<p>A-10 Routine use of hazardous materials (including procurement, transportation, distribution, and storage of such materials) and reuse, recycling, and disposal of solid, medical, radiological, or hazardous waste in a manner that is consistent with all applicable laws, regulations, and requirements. Examples include use of chemicals for laboratory applications; refueling of storage tanks; temporary storage and disposal of solid waste; disposal of waste through manufacturer return and recycling programs; and hazardous waste minimization activities, including source reduction activities and recycling.</p>	
<p>A-11 Reductions, realignments, or relocation of personnel, equipment, or mobile assets that do not result in changing the use of NTIA facilities or space in such a way that could cause a change to existing environmental effects or exceed the infrastructure capacity outside of NTIA-managed property. An example of exceeding the infrastructure capacity would be an increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase.</p>	
<p>A-12 Federal assistance, grants, and external funding for activities that do not concern environmental matters or where the environmental effects are negligible. Examples of relevant activities could include, but are not limited to, planning, studies, or programs such as the Digital TV transition, which provided rebates to consumers to subsidize the purchase of digital antennas, that have no potential to impact the environment. If an analysis determined that such activities had the potential to impact the environment, the CE could not be applied.</p>	
<p>A-13 Contracts, collaborative research agreements, cooperative research and development agreements, interagency agreements, and other agreements that do not concern environmental matters or where the environmental effects are negligible.</p>	
<p>Real Property/Facility Actions</p>	
<p>B-1 Maintenance of facilities, equipment, and grounds. Examples include interior utility work, road maintenance, window washing, lawn mowing, landscaping, weed management/maintenance, trash collecting, facility cleaning, and snow removal.</p>	
<p>B-2 Internal modifications, renovations, or additions (e.g., computer facilities, relocating interior walls) to structures or buildings that do not result in a change in the functional use of the property.</p>	
<p>B-3 Exterior renovation, addition, repair, alteration, and demolition projects affecting buildings, roads, grounds, equipment, and other facilities, including subsequent disposal of debris, which may be contaminated with hazardous materials, lead, or asbestos. Hazardous materials must be disposed of at approved sites in accordance with all applicable laws, regulations, and requirements. Examples include the following:</p>	
<p>(i) Painting, roofing, siding, or alterations to an existing building;</p>	

(ii) Adding a small storage shed to an existing building;
(iii) Retrofitting for energy conservation, including weatherization, installation of timers on hot water heaters, installation of energy efficient lighting, and installation of low-flow plumbing fixtures; or
(iv) Closing and demolishing a building not eligible for listing under the National Register for Historic Places.
B-4 Abatement of hazardous materials from existing facilities, including asbestos and lead based paint, conducted in compliance with all applicable laws, regulations, and requirements established for the protection of human health and the environment. Examples include containment, removal, and disposal of lead-based paint or asbestos tiles and asbestos-containing materials from existing facilities, remediation of hazardous materials in accordance with all applicable laws, regulations, and requirements as part of facility and space management activities.
B-5 Proposed new activities and operations conducted in an existing structure that would be consistent with previously established safety levels and would not result in a change in use of the facility. Examples include new types of research, development, testing, and evaluation activities, and laboratory operations conducted within existing enclosed facilities designed to support research and development activities.
B-6 Acquisition or use of existing facilities or portion thereof by purchase, lease, or use agreement where use or operation will remain unchanged. Examples include acquiring office space through lease, purchase, or use agreement, and acquisition of laboratory space through lease, purchase, or use agreement.
B-7 Transfer of administrative control over real property, including related personal property, between another Federal agency and NTIA that does not result in a change in the functional use of the property. Examples include transfer of facilities for use by NTIA, transfers of computer equipment, office equipment, and personal property, including laptops and cell phones.
B-8 Decisions and actions to close facilities, decommission equipment, or temporarily discontinue use of facilities or equipment, where the facility or equipment, including office equipment, telecommunications equipment, and computer equipment, is not used to prevent or control environmental impacts.
B-9 The determination and disposal of real property, such as excess office space, or personal property, including laptops and cell phones, that is excess to the needs of NTIA, when the real property or personal property is excessed in conformity with applicable General Services Administration procedures or is statutorily authorized to be excessed.
Operational Actions
C-1 Research activities conducted in laboratories and facilities where research practices and safeguards prevent environmental impacts. Examples include types of research, development, testing, and evaluation activities, and laboratory operations conducted within existing enclosed facilities designed to support research and development activities.
C-2 Outdoor research activities conducted in compliance with all applicable laws, regulations, and requirements. Examples include types of research, development, testing, and evaluation activities conducted outdoors where no new ground disturbance occurs and no sensitive resources (e.g., threatened or endangered species, archaeological sites, Tribal resources, wetlands, and waterbodies) are present, such as radar testing, radio noise measurements, and public safety communications research.
C-3 Periodic flight activities for training and research and development, that are routine and comply with all applicable laws, Federal Aviation Administration regulations, and other requirements.
C-4 New construction or improvement of land, operations, or support facilities, switching stations, maintenance facilities, and other non-tower structures supporting wired or wireless communications systems in a developed area and/or on previously disturbed ground, with no more than 1 acre (0.4 hectare) of ground disturbance, where the proposed facility use is generally compatible with the surrounding land use and applicable zoning standards, and will not require additional support infrastructure.
C-5 Installing, operating, maintaining, retrofitting, upgrading, repairing, removing, and/or replacement of existing microwave or radio communication towers, instruments, structures, or buildings that do not require ground disturbance outside of the original footprint, including installing or collocating equipment such as antennas, microwave dishes, or power units. For communications towers at or below 199 feet, renovations and equipment additions must not cause the total height of the tower to exceed 199 feet. Existing structures must not be eligible for listing in the National Register of Historic Places. ¹⁵
C-6 New construction or improvement of temporary buildings or experimental equipment (e.g., trailers, prefabricated buildings, and test slabs) on previously disturbed ground, with no more than 1 acre (0.4 hectare) of ground disturbance, where the proposed facility use is generally compatible with the surrounding land use and applicable zoning standards and will not require additional support infrastructure.
C-7 New construction of self-supporting (e.g., monopole or lattice) wireless communication towers at or below 199 feet with no guy wires that require less than 1 acre (0.4 hectare) of ground disturbance, and where another Federal agency would not require an EA or EIS for its acquisition, installation, operations, or maintenance.

C-8 Acquisition, installation, reconstruction, repair by replacement, and operation of aerial or buried utility (e.g., water, sewer, electrical), communication (e.g., fiber optic cable, data processing cable and similar electronic equipment), and security systems that use existing rights-of-way, easements, grants of license, distribution systems, facilities, or similar arrangements

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<p style="text-align: center;">Department of Commerce (DOC) Categorical Exclusions (CE)</p>	
National Oceanic and Atmospheric Administration (NOAA)	
Appendix E: List of NOAA's Categorical Exclusions	
The following series of CEs includes actions that may be implemented either directly by NOAA or by the recipient of a financial assistance award. The activities contemplated in the series of CEs have been evaluated and found not to have individual or cumulative significant impacts on the human environment, whether implemented by a grantee through a financial assistance award or directly implemented by NOAA. These CEs can be found as appendix E to the Companion Manual, along with illustrative examples for many of the categories.	
Trust Resource Management Actions	
[A1.] "An action that is a technical correction or a change to a fishery management action or regulation, which does not result in a substantial change in any of the following: fishing location, timing, effort, authorized gear types, or harvest levels."	
[A2.] "Preparation of a recovery plan pursuant to section 4(f)(1) of the ESA. Such plans are advisory documents that provide consultative and technical assistance in recovery planning and do not implement site-specific or species-specific management actions. However, implementation of specific tasks identified in a recovery plan may require an EA or EIS depending on the nature of the action."	
[A3.] "Temporary fishery closures or extensions of closures under Section 305(c)(3)(C) of the Magnuson-Stevens Fishery Conservation and Management Act to ensure public health and safety."	
[A4.] "Minor updates to existing national marine sanctuary management plans. This CE does not apply to sanctuary designations, expansions, changes in terms of designation, or new sanctuary management plans."	
[A5.] "Updates to existing National Estuarine Research Reserve (NERR) management plans, provided that the update does not change NERR boundaries or add or significantly change allowable uses, uses requiring a permit, or restrictions on uses. This CE does not apply to new NERR management plans, or to the execution of any specific action subsequently funded to support the updated NERR management plan."	
[A6.] "Review and approval of changes to state coastal management programs under the Coastal Zone Management Act (CZMA) § 306(e) (16 U.S.C. 1455(e)) and NOAA's regulations at 15 CFR part 923."	
Trust Resource Authorization and Permitting Actions	
[B1.] "Issuance of permits or permit modifications under section 10(a)(1)(A) of the ESA for take, import, or export of endangered species for scientific purposes or to enhance the propagation or survival of the affected species, or in accordance with the requirements of an ESA section 4(d) regulation for threatened species."	
[B2.] "Issuance of permits or permit amendments under section 104 of the MMPA for take or import of marine mammals for scientific research, enhancement, commercial or educational photography or public display purposes; and issuance of Letters of Confirmation under the General Authorization for scientific research involving only Level B harassment."	
[B3.] "Issuance of, and amendments to, "low effect" Incidental Take Permits and their supporting "low effect" Habitat Conservation Plans under section 10(a)(1)(B) of the ESA."	
[B4.] "Issuance of incidental harassment authorizations under section 101(a)(5)(A) and (D) of the MMPA for the incidental, but not intentional, take by harassment of marine mammals during specified activities and for which no serious injury or mortality is anticipated."	
[B5.] "Issuance of, or amendments to, general permits for activities that are included in established permit categories at 15 CFR pt. 922 and that meet the regulatory review criteria at 15 CFR pt. 922, that limit any potential impacts so that the proposed activity will be conducted in a manner compatible with the National Marine Sanctuaries Act's primary objective of resource protection."	
[B6.] "Issuance of, or amendments to, special use permits for activities in a national marine sanctuary that are necessary to either establish conditions of access to and use of any sanctuary resource or promote public use and understanding of a sanctuary resource and must be conducted in a manner that does not destroy, cause the loss of, or injure sanctuary resources in accordance with the National Marine Sanctuaries Act."	
[B7.] "Issuance of or amendments to, authorizations for activities allowed by a valid federal, regional, state, local or tribal government approval (e.g., leases, permits and licenses) issued after the effective date of sanctuary designation or expansion, so long as such authorizations are based upon a consideration of the regulatory review criteria at 15 CFR pt. 922, and will only result in negligible effects to sanctuary resources."	

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[B8.] "Issuance of, or amendments to certifications for pre-existing activities authorized by a valid federal, regional, state, local, or tribal government approval (e.g., leases, permits and licenses) or rights of subsistence use or access in existence on the date of the designation or expansion of any national marine sanctuary where the Office of National Marine Sanctuaries issues terms and conditions that are either ministerial or prescribe avoidance, minimization, or mitigation measures designed to ensure negligible effects to sanctuary resources."
[B9.] "Issuance of, or amendments to Papahānaumokuākea Marine National Monument (as originally established by Presidential Proclamation 8031 and named Papahānaumokuākea Marine National Monument by Presidential Proclamation 8112) permits for activities that are included in established permit categories (50 CFR pt. 404) and that meet the regulatory review criteria at (50 CFR 404.11), that limit any potential impacts so that the proposed activity will be conducted in a manner compatible with the monument's primary objective of resource protection."
[B10.] "Issuance of, or amendments to, Papahānaumokuākea Marine National Monument special ocean use permits for activities or use of the monument that are engaged in to generate revenue or profits for one or more of the persons associated with the activity or use, and do not destroy, cause the loss of, or injure monument resources."
[B11.] "Issuance of, or amendments to permits or authorizations for activities that are conducted within Marine National Monuments other than Papahānaumokuākea that are limited in scope so that the potential impacts of the proposed activities will be conducted in a manner compatible with a monument's primary objective of resource protection, and do not destroy, cause the loss of, or injure monument resources."
[B12.] "Issuance of Exempted Fishing Permits (EFPs) Scientific Research Permits (SRPs), and other permits for research that may impact species regulated under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the Atlantic Tunas Convention Act (ATCA). This includes permitted research of limited size, magnitude or duration with negligible individual or cumulative impacts, which requires temporary relief of fishery management regulations. CE is limited to permits that authorize activities that are limited in size, magnitude, or duration with no potential for significant individual or cumulative impacts."
Habitat Restoration Actions
[C1.] "Habitat restoration actions, provided that such action: (1) transplants only organisms currently or formerly present at the site or in its immediate vicinity (if transplant is a component of the action); (2) does not require substantial placement of fill or dredging; (3) does not involve any removal of debris, excavation, or conditioning of soils unless such removal of debris, excavation, or conditioning of soils is geographically limited to the impact area such that site conditions will not impede or negatively alter natural processes, is in compliance with all permit and disposal requirements, and will not impact critical aquifers or recharge areas; and (4) does not involve an added risk of human or environmental exposure to toxic or hazardous substances, pathogens, or radioactive materials.
Notes: If applicable, limitations and mitigation measures identified in the NOAA Restoration Center Programmatic Environmental Impact Statement for Habitat Restoration Actions must be followed. This CE includes, but is not limited to, response or restoration actions under CERLCA, OPA, or NMSA, if such actions help to restore an ecosystem, habitat, biotic community, or population of living resources to a determinable pre-impact condition prior to the incident leading to the response or restoration."
Additional External Funding
[D1.] "Financial activities for the following financial services: (1) Loans for purchase, refinancing, or reconstruction of fishing vessels and purchase or refinancing of individual fishing quota through the Fisheries Finance Program; (2) Deferred tax program provided to fishermen to construct, reconstruct, or acquire fishing vessels through the Capital Construction Fund Program; and (3) Compensation to fishermen for economic and property losses caused by oil and gas obstructions on the U.S. Outer Continental Shelf under the Fishermen's Contingency Fund."
[D2.] "Provision of a grant, a contract or other financial assistance to a State, Fishery Management Council or Marine Fisheries Commission under 16 U.S.C. 1881a(d)."
Research Actions
[E1.] "Activities conducted in laboratories and facilities where research practices and safeguards prevent environmental impacts."
[E2.] "Social science projects and programs, including economic, political science, human geography, demography, and sociology studies, including information collection activities in support of studies."
[E3.] "Activities to collect aquatic, terrestrial, and atmospheric data in a nondestructive manner."
[E4.] "Activities that remotely survey or observe living resources in the field using non-invasive techniques, which have little to no potential to adversely affect the environment or interfere with organisms or habitat."

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[E5.] "Activities involving invasive techniques or methods that are conducted for scientific purposes, when such activities are conducted in accordance with all applicable provisions of the Endangered Species Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, and Magnuson-Stevens Fishery Conservation and Management Act. Such activities will be limited to impacting living resources on a small scale relative to the size of their populations, and limited to methodologies and locations to ensure that there are no long-term adverse ecosystem impacts.
[E6.] "Research that involves the development and testing of new and modified fishing gear and technology in order to reduce adverse effects from fishing gear on non-target species, and is limited in size, magnitude, or duration with no potential for significant individual or cumulative impacts."
[E7.] "Collection of data and biological samples as part of previously authorized commercial and/or recreational fishing activities."
[E8.] "Biological, chemical, food production, ecological, or toxicological research conducted in closed system mesocosm/aquaculture facilities that are conducted according to recommended protocols that provide containment and disposal of waste, chemicals, toxins, non-native species, etc., in compliance with established Federal and state regulatory guidelines, and best management practices."
Real and Personal Property Improvement, Maintenance, and Construction Actions
[F1.] "Siting, construction (or modification), and operation of support buildings and support structures (including, but not limited to, trailers and prefabricated buildings) within or contiguous to an already developed area (where active utilities and currently used roads are readily accessible)."
[F2.] "In-kind replacement of personal property and fixtures and other components of real property when such activities do not result in a substantial change in the existing construction footprint. In-kind replacement includes installation of new components to replace outmoded components if the replacement does not result in a substantial change to the design capacity, or function of the facility."
[F3.] "(a) Routine repair, maintenance, and improvement of real and personal property, where such activities are required to maintain and preserve buildings, structures, infrastructures, vehicles, and equipment in a condition suitable to be used for its designed purpose.
(b) New construction, expansion and/or improvement of facilities where all of the following conditions are met:
(1) The site is in a developed area and/or a previously disturbed site;
(2) The structure and proposed use are compatible with applicable Federal, Tribal, State, and local planning and zoning standards and consistent with Federally approved State coastal management programs and the National Historic Preservation Act;
(3) The proposed use will not substantially increase the number of motor vehicles, marine vessels, or aircraft at the facility or in the area;
(4) The site and scale of construction or improvement are consistent with those of existing, adjacent, or nearby buildings;
(5) The construction or improvement will not result in uses that exceed existing infrastructure capacities (e.g., electrical, roads, sewer, water, parking);
(6) The construction or improvement will not result in operational uses that adversely affect the surrounding community (e.g., noise); and
(7) The community-valued view sheds are not adversely affected.
(c) Installation, repair, maintenance, and enhancement of public access facilities and infrastructure, if the activity:
(1) Is small-scale and nondestructive; and
(2) Is consistent with applicable right-of-way conditions and approved land use plans."
[F4.] "Routine groundskeeping and landscaping activities where ground disturbance is limited to previously disturbed areas (e.g., previously filled paved, or cleared areas)."
[F5.] "Installation, operation, maintenance, improvements, repair, upgrade, removal, and/or replacement of instruments or instrument systems in or on:
1. An existing structure or object (e.g., tower, antenna, building, pier, buoy, terrestrial vehicle, or bridge) or
2. on previously disturbed (e.g., filled, paved, or cleared) ground, or
3. on undisturbed ground, if the equipment installation, operation, and removal will require no or minimal ground disturbance."
Microwave/radio communications towers and antennas must be limited to 200 feet in height without guy wires.
[F6.] "The determination that real property is excess to the needs of the Agency, when the real property is excessed in conformity with General Services Administration procedures or is legislatively authorized to be excessed."

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[F7.] "The disposal, demolition or removal of real property and related improvements, buildings and structures, including associated site restoration, and the disposal of personal property and debris in accordance with all applicable agency procedures and legal requirements."
Operational Actions
[G1.] "Routine administrative actions such as (1) program planning, direction and evaluation, (2) administrative tasks, services and support including personnel and fiscal management, advisory services, document and policy preparation, and records management, and (3) development, establishment, and revisions to documents including, but not limited to interagency agreements, memoranda of understanding, memoranda of agreement, cooperative agreements, and university agreements. This CE does not include any associated activities proposed in these documents beyond the administrative task of creating and establishing the document. Actions subsequently funded by or undertaken pursuant to the approved documents may require additional NEPA review at the time those actions are proposed."
[G2.] "Routine movement of mobile assets, such as vessels and aircraft, for homeport reassignments or repair/overhaul, where no new support facilities are required."
[G3.] "Topographic, bathymetric, land use and land cover, geological, hydrologic mapping, charting, and surveying services that do not involve major surface or subsurface land disturbance and involve no permanent physical, chemical, or biological change to the environment."
[G4.] "Basic environmental services and monitoring, such as weather observations, communications, analyses, and predictions; environmental satellite operations and services; digital and physical environmental data and information services; air and water quality observations and analysis, and IT operations. All such activities must be conducted within existing facilities."
[G5.] "Enforcement operations conducted under legislative mandate such as the MSA, ESA, MMPA, the Lacey Act Amendments of 1981 (Lacey), and/or the National Marine Sanctuaries Act. This does not include bringing judicial or administrative civil or criminal enforcement actions which are outside the scope of NEPA in accordance with 40 CFR 1508.18(a)."
[G6.] "Actions that change the NEXRAD radar coverage patterns that do not lower the lowest scan elevation and do not result in direct scanning of previously non-scanned terrain by the NEXRAD main beam."
[G7.] "Preparation of policy directives, rules, regulations, and guidelines of an administrative, financial, legal, technical, or procedural nature, or for which the environmental effects are too broad, speculative or conjectural to lend themselves to meaningful analysis and will be subject later to the NEPA process, either collectively or on a case-by-case basis."
[G8.] "Activities that are educational, informational, or advisory to other agencies, public and private entities, visitors, individuals, or the general public, including training exercises and simulations."
[G9.] "Actions taken to identify, determine sources of, assess, prevent, reduce, remove, dispose, or recycle marine debris when removal is undertaken in a non-destructive manner and actions are in accordance with Federal, State, and local laws and regulations for environmental protection, and where all relevant regulatory consultation, and/or permit requirements have been satisfied."
Acquisition and Real Property Actions
[H1.] "Procurement of labor, equipment, materials, data and software needed to execute mission requirements in accordance with applicable procurement regulations, executive orders, and policies. This includes, but is not limited to, procurement of mobile and portable equipment that is stored in existing structures or facilities."
[H2.] "Procurement of space by purchase or lease of or within an existing facility or structure in accordance with applicable procurement regulations, executive orders, and policies when there is no change in the general type of use, no new construction of buildings or utilities, and minimal change in design from the previous occupancy level."
[H3.] "Outgranting of government-controlled property in accordance with applicable regulations, executive orders, and policies to a Federal entity for any purpose consistent with the existing land or facility use or to a non-Federal entity, when the use will remain substantially the same."
[H4.] "Acquisition of real property (including fee simple estates, leaseholds, and easements) that is not acquired through condemnation of a lease interest, and will not result in significant change in use and does not involve construction or modification."
[H5.] "Granting easements or rights of entry to use NOAA controlled property for activities that, if conducted by NOAA, could be categorically excluded. Grants of easements or rights-of-way for the use of NOAA controlled real property complementing the use of existing rights-of-way or real property use for use by vehicles (not to include significant increases in vehicle loading); electrical, telephone, and other transmission and communication lines; water, wastewater, stormwater, and irrigation pipelines, pumping stations, and facilities; and similar utility and transportation uses."
[H6.] "Relocation of employees into existing Federally-owned or commercially leased office space within the same metropolitan area not involving a substantial increase in the number of motor or other vehicles at a facility."

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[H7.] “Transferring real property to a non-Federal entity, an agency other than GSA, as well as to States, local agencies and Indian Tribes, including return of public domain lands to the Department of the Interior.”

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<p style="text-align: center;">Department of Defense (DOD) Categorical Exclusions (CE)</p>	
Defense Logistics Agency (DLA)	
APPENDIX A - Categorical Exclusion	
1. Screening Criteria:	
a. To use a CX, the proponent must satisfy the following screening conditions:	
(1) The action has not been segmented	
(2) No "extraordinary" circumstances exist (see paragraph b of this section)	
(3) One (or more) CX applies to the proposed action. If no CX is appropriate and the project is not exempted by statute or emergency provisions (see Section 4b of Subpart B), an EA or EIS must be prepared before a proposed action may proceed.	
(4) The proposed action cannot adversely affect "environmentally sensitive" resources unless the impact has been resolved through another environmental process. These resources include proposed and/or federally listed, threatened or endangered species or their designated critical habitats; properties listed or eligible for listing on the National Register of Historic Places; unique agricultural lands; coastal zones; National Historic Landmarks; 100-year floodplains; wetlands; sole source aquifers.	
b. Extraordinary circumstances that preclude the use of a CX are:	
(1) Reasonable likelihood of significant effects on public health, safety or the environment. Environmental effects can be direct, indirect, and cumulative.	
(2) Greater scope or size than is normal for this category of action.	
(3) Reportable releases of hazardous or toxic substances as specified in 40 CFR part 302, Designation, Reportable Quantities and Notification.	
(4) When a review of an action that might otherwise qualify for a Record of Non-applicability (RONA) reveals that air emissions exceed de minimis levels or otherwise that a formal Clean Air Act conformity determination is required.	
(5) Reasonable likelihood of violating any federal, state or local law or requirement imposed for the protection of the environment.	
(6) Effects on the environment which are likely to be highly controversial, uncertain or involve unique or unknown risks.	
(7) Establishes a precedent for future or subsequent actions that are reasonably likely to have a future significant effect.	
(8) Potential for degradation of already existing poor environmental conditions.	
2. Record of Environmental Consideration (REC) (DLA Form 1664).	
For those CXs that require a DLA Form 1664, the document shall be completed as shown in Appendix B. Copies of appropriate correspondence and information used to determine appropriateness of the use of a CX shall be attached and maintained for the record.	
3. Revision Procedures.	
The DLA list of CXs is subject to periodic review and may be modified only by DLA Installation Support, Environmental Management, or successor in accordance with CEQ Guidance. Requests for modification may be submitted, along with appropriate justification to DLA Installation Support, Environmental Management, for review and staffing. Field activities are <u>not authorized to modify the list of CXs through supplements to this regulation.</u>	
4. DLA Categorical Exclusions.	
Administrative and Contractual Activities	
1. Normal personnel, fiscal, and administrative activities (recruiting, processing, pay, and recordkeeping). These activities include preparation of administrative or personnel-related studies, reports, and investigations.	
2. Routine law and order activities performed by military, military police, physical plant protection, and security personnel and civilian natural resources and environmental law officers.	
3. Studies, inspections, surveys, and investigations or other planning documents involving manpower and/or funding resources not having an environmental impact (DLA Form 1664 Required)	
4. Reductions and realignments of civilian and/or military personnel that do not require notification of Congress under 10 U.S.C. 2687. This includes reorganizations and reassignments with no changes in force structure, unit re-designations, and routine administrative reorganizations or consolidations. (DLA Form 1664 required)	
5. Preparation of regulations, procedures, manuals and other guidance documents that implement without substantive change, the applicable DLA, higher headquarters or other federal agency regulations, procedures, manuals and other guidance documents.	

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

6. Actions to suspend or debar contractors or individuals from doing business with DOD and to determine what actions should be taken with respect to such contractors and individuals.
7. Determinations on mistakes in bid and requests for extraordinary contractual relief.
8. Financial management activities, including budgeting, finance, and accounting, development of performance standards and manpower requirements, operation of Management Information System, and evaluation of performance.
9. Contract administration services, including pre-award surveys, production surveillance, quality assurance, and other activities related to the administration of defense contracts if conducted in accordance with applicable contract and environmental laws and regulations.
10. Activities of contractors under the administrative control of the DLA.
11. Conversion of commercial activities under the provision of OMB Circular A-76. This includes only those actions that do not change the actions or the missions of DLA or alter the existing land-use patterns. (DLA Form 1664 Required)
12. [Reserved]
Operational, Business and Logistical Activities
13. Recreation and welfare activities other than fish and wildlife management operations.
14. Commissary, Post Exchange, and Officer and Non-Commissioned Officers' (NCO) Club Operations.
15. Routine procurement of goods and services.
16. Management, including transportation, storage, control, and disposition of military articles/items/property/equipment requiring demilitarization, mutilation, or special handling to prevent unauthorized transfer or use in accordance with applicable agency regulatory requirements.
17. Routine management, to include transportation, distribution, use, reuse, recycling, return to manufacturer, storage, treatment, sale, and disposal of solid waste, medical waste, radiological and hazardous/toxic materials or wastes, provided that routine management is performed in accordance with applicable DOD, DLA, federal, state, local and international requirements or those approved by the EPA Administrator under applicable statutes and regulations.
18. Management of assigned items, including procurement, related engineering support, storage, distribution, and transportation.
19. Technical and logistical services, including development and maintenance of the federal cataloging program, standardization programs, other technical information and analysis programs, and related activities operated or maintained by DLA.
20. Reutilization, transfer, donation or sale of DOD excess or surplus personal property.
21. Abandonment or destruction of surplus DOD personal property that is not hazardous or toxic.
22. Adoption of industry specifications for products and services in lieu of military standards and specifications.
23. Normal or routine basic and applied scientific research in compliance with all applicable safety, environment, and natural resource conservations laws.
24. Immediate responses to the release or discharge of oil or hazardous materials in accordance with an approved Spill Prevention and Response Plan or Spill Contingency Plan or that are otherwise consistent with the requirements of the National Contingency Plan. (DLA Form 1664 Required)
25. Normal activities related to contingency operations, including deployment of forces, opening and closing of military facilities, and disposal of property according to applicable regulations and theater guidance. (DLA Form 1664 Required)
26. Emergency or disaster assistance provided to federal, state, or local entities. (DLA Form 1664 Required)
Repair and Maintenance and Real Estate Activities
27. Routine repair and maintenance of buildings, roads, grounds, administrative vehicles, and operating and materials handling equipment.
28. Construction performed in accordance with an approved installation master plan that does not significantly alter land use when the operation of the completed project would not have significant environmental consequences and would disturb no more than 5.0 cumulative acres of new surface. This does not include construction of facilities for transportation, distribution, use, storage, treatment and disposal of solid waste, medical waste, and hazardous waste. (DLA Form 1664 Required)
29. Acquisition, installation, operation or privatization of utility (e.g. water, sewer, electrical) and communication systems (e.g. data processing, cable and similar electronic equipment) that use existing rights of way, easements, and distribution systems. (DLA Form 1664 Required)
30. Grants of easements for the use of existing rights-of-way for roads, electrical power, telephone, and other transmission and communication lines; water, sewage, storm water, and irrigation pipelines, pumping stations, and related facilities; and for other similar, public utility and transportation uses. (DLA Form 1664 Required)

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31. Grant of leases, licenses, inter-service support agreements, and permits to utilize DLA-managed real property (e.g. classroom, office, warehouse, or administrative space). (DLA Form 1664 Required)
32. Reporting the availability of excess real property to the General Services Administration and the owning Military Service. (DLA Form 1664 Required)
33. Actions to negotiate the acquisition of rights, inventions, patents, and copyrights. Actions to negotiate licenses and other documents granting rights in inventions, patents, and copyrights owned and controlled by the government.
34. Demolition of non-historic buildings, structures or other improvements and removal and disposal of debris in accordance with applicable regulations including regulations which apply to asbestos, polychlorinated biphenyls, and lead-based paint. (DLA Form 1664 Required)
35. Application of pesticides in accordance with an Installation Pest Management Plan.
36. Sampling, surveying, well drilling and installation, analytical testing, site preparation, and intrusive testing to determine if hazardous wastes, contaminants, pollutants, or special hazards (for example asbestos, polychlorinated biphenyls, lead-based paint, or unexploded ordnance) are present. (DLA Form 1664 Required)
37. Replacement of existing energy sources with alternative, renewable, or synthetic energy sources that comply with existing permit conditions. (DLA Form 1664 Required)
38. Analysis and assessment of the natural environment without altering it (inspections, audits, surveys, investigations), to include granting of permits necessary for such surveys, provided the technology or procedure involved is well understood and there are no adverse environmental impacts anticipated from it.
39. Undertaking of specific investigatory activities to support remedial action activities for the purpose of cleanup of corrective action sites. These activities include soil borings and sampling, installation, and operation of test or monitoring. (DLA Form 1664 Required)
40. Final cleanup actions when conducted in accordance with legal agreements, administrative orders, or work plans previously agreed to by EPA or state regulators. (DLA Form 1664 Required)
41. Removal of bulk containers (drums, barrels) that contain or may contain hazardous substances, pollutants, contaminants, Comprehensive Environmental Restoration Compensation Liabilities Act-excluded petroleum or natural gas products, or hazardous waste (designated in 40 CFR part 261 or applicable state requirements), if such actions would reduce the likelihood of spillage, leakage, fire, explosion, or exposure to humans, animals, or the food chain. (DLA Form 1664 Required)
42. Removal of an underground storage tank including its associated piping and underlying containment systems in compliance with RCRA, subtitle I; 40 CFR part 265, subpart J; and 40 CFR 280, subparts F and G, and similar provisions of state law and regulation if such action would reduce the likelihood of spillage, leakage, or spread of, or direct contact with contamination. (DLA Form 1664 required)
43. Repair or replacement of leaking containers.
Training and Testing Activities
44. On-the-job training activities and training entirely of an administrative or classroom nature.
45. Deployment of military and civilian personnel on a temporary duty or training basis where existing facilities are used for their intended purposes consistent with the scope and size of existing mission.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of Defense (DOD) Categorical Exclusions (CE)</p>	
Defense Threat Reduction Agency (DTRA)	
<u>APPENDIX B: CATEGORICAL EXCLUSIONS (CATEXS)</u>	
This Appendix includes categorical exclusions (CATEXS) and extraordinary circumstances for DTRA/SCC-WMD activities.	
Actions categorically excluded in the absence of extraordinary circumstances are:	
1. Normal personnel, fiscal or budgeting, and administrative activities and decisions, including those involving military and civilian personnel (for example, recruiting, processing, data collection, conducting surveys, payroll, and record keeping).	
2. Preparing, revising, or adopting regulations, instructions, directives, or guidance documents, including those that implement without substantial change to the regulations, instructions, directives, or guidance documents from higher headquarters or other Federal agencies.	
3. Decreases, increases, relocation, and realignment of personnel into existing Federally-owned or commercially-leased space that does not involve a substantial change affecting the supporting infrastructure or use of space (e.g., no increase in traffic beyond the capacity of the supporting network to accommodate such an increase).	
4. Routine procurement of goods and services conducted in accordance with applicable procurement regulations and green purchasing requirements including office supplies, equipment, mobile assets, and utility services for routine administration, operation, and maintenance.	
5. Administrative study efforts involving no commitment of resources other than personnel and funding allocations. If any of these study efforts result in proposals for further action, those proposals must be considered separately by an appropriate CATEX or NEPA analysis. Examples include, but are not limited to: studies and surveys conducted to further administrative, personnel-related, architectural, engineering, safety, security, siting, and facility audit activities.	
6. Studies, monitoring, data and sample collection, and information gathering that involve no permanent physical change to the environment. If any of these activities result in proposals for further action, those proposals must be considered by an appropriate CATEX or NEPA analysis. Examples include, but are not limited to:	
Surveys for threatened and endangered species, wildlife and wildlife habitat, historic properties, and archeological sites; wetland delineations; minimal water, air, waste; material and soil sampling (e.g., grab samples).	
Environmental Baseline Surveys or Environmental Condition of Property Surveys.	
Topographical surveying and mapping that does not require cutting and/or removal of trees.	
7. Sampling, borehole drilling, well drilling and installation, analytical testing, site preparation, and minimally intrusive physical testing. These activities could involve minor clearing, grubbing, or movement of heavy equipment such as drill rigs. If any of these actions result in proposals for further actions, those proposals must be considered by an appropriate CATEX or NEPA analysis. Examples include, but are not limited to:	
Sampling for asbestos-containing materials, polychlorinated biphenyls, and lead-based paint.	
Topographical surveys and surveys for unexploded ordnance.	
Minimally-intrusive (no more than 25 square feet of disturbed surface area) geological, geophysical surveys, geo-technical activities, and seismic studies.	
Minimally-intrusive sampling to determine if hazardous wastes, contaminants, pollutants, or special hazards are present.	
Ground water monitoring wells, subsurface soil sampling, and soil borings.	
8. Immediate responses to the release or discharge of oil or hazardous materials in accordance with an approved Spill Prevention, Control and Countermeasure Plan or Spill Contingency Plan, or that is otherwise consistent with the requirements of the EPA National Contingency Plan.	
9. Temporary use of transportable power generators or operational support equipment when located in a previously disturbed area and when operated in compliance with applicable regulatory requirements.	
10. Routine movement, handling, use, and distribution of materials, including hazardous materials or wastes that are moved, handled, or distributed in accordance with applicable regulations, such as Resource Conservation and Recovery Act, National Oil and Hazardous Substance Pollution Contingency Plan, Occupational Safety and Health Act, and Hazardous Materials Transportation Act.	
11. Routine movement of mobile test assets (such as instrument trailers, cameras, portable antennas, etc.) for routine test and evaluation, for repair, overhaul, or maintenance where no new support facilities are required.	

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12. Activities and operations to be conducted in an existing non-historic structure which are within the scope of and are compatible with the present functional use of the building, will not result in a substantial increase in waste discharged to the environment, will not result in substantially different waste discharges from current or previous activities, and emissions will remain within established permit limits, if any.
13. Acquisition, installation, modification, routine repair and replacement, and operation of utility (e.g., water, sewer, and electrical) and communication systems, mobile antennas, data processing cable, and similar electronic equipment that use existing rights-of-way, easements, distribution systems, facilities, or previously disturbed land.
14. Acquisition, installation, or minor relocation, operation and maintenance or evaluation of physical security devices or controls to protect human or animal life and to enhance the physical security of existing critical assets in compliance with applicable Federal, tribal, state, and local requirements to protect the environment. Examples include, but are not limited to:
Motion detection systems.
Lighting.
Remote video surveillance systems.
Access controls
Physical barriers, fences, grating, on or adjacent to existing facilities.
15. Installation and maintenance of archaeological, historical, and endangered or threatened species avoidance markers, fencing, and signs.
16. Road or trail construction and repair on existing rights-of-ways or in previously disturbed areas which do not result in a change in functional use. Runoff, erosion, and sedimentation controlled through implementation of best management practices.
17. Routine repair and maintenance of buildings, grounds, and other facilities and equipment which do not result in a change in functional use or a significant impact on a historically significant element or setting. Examples include, but are not limited to: repair of roofs, doors, windows, or fixtures, localized pest management, and minor erosion control measures.
18. New construction or equipment installation or alterations (interior and exterior) to or construction of an addition to an existing structure that is similar to existing land use if the area to be disturbed has no more than five cumulative acres of new surface disturbance.
19. Demolition of non-historic buildings, structures, or other improvements and repairs that result in disposal of debris therefrom, or removal of a part thereof for disposal, in accordance with applicable regulations, including those regulations applying to removal of asbestos containing materials, polychlorinated biphenyls, lead-based paint, and other special hazard items.
20. Research, testing, and operations conducted at existing facilities (including contractor-operated laboratories and plants) and in compliance with all applicable safety, environmental, and natural conservation laws (because of these controls, these types of activities have little potential for significant environmental impacts). Examples include, but are not limited to: nuclear weapons effects simulators, weapons performance measurement, wind tunnels, high energy lasers, remote sensing instruments, vacuum chambers, high altitude simulator facilities, and propellant testing facilities.
21. Routine installation and use of radars, cameras, communications equipment, and other essentially similar facilities and equipment within a launch facility, mobile platform, military installation, training area, or previously disturbed area that conform to current American National Standards Institute/Institute of Electrical and Electronics Engineers guidelines, Federal Communications Commission Radio Frequency Exposure Limits 1.1310, and Electric and Magnetic Fields Exposure Directive 99/519/EC for maximum permissible exposure to electromagnetic fields.
22. Routine law and order activities performed by military personnel, military police, or other security personnel, including physical plant protection and security.
Extraordinary circumstances that preclude the use of a CATEX are:
1. A reasonable likelihood of significant impact on public health or safety.
2. A reasonable likelihood of significant environmental effects (direct, indirect, and cumulative).
3. A reasonable likelihood of involving effects on the environment that involve risks that are highly uncertain, unique, or are scientifically controversial.
4. A reasonable likelihood of violating any Executive Order, or Federal, state, or local law or requirements imposed for the protection of the environment.
5. A reasonable likelihood of adversely affecting "environmentally sensitive" resources, unless the impact has been resolved through another environmental process (e.g., Coastal Zone Management Act, National Historic Preservation Act, Clean Water Act, etc.) a CATEX cannot be used. Environmentally sensitive resources include:
a. Proposed federally listed, threatened, or endangered species or their designated critical habitats.

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b. Properties listed or eligible for listing on the National Register of Historic Places.
c. Areas having special designation or recognition such as prime or unique agricultural lands; coastal zones; designated wilderness or wilderness study areas; wild and scenic rivers; National Historic Landmarks (designated by the Secretary of the Interior); floodplains; wetlands; sole source aquifers (potential sources of drinking water); National Wildlife Refuges; National Parks; areas of critical environmental concern; or other areas of high environmental sensitivity.
d. Cultural, scientific or historic resources.
6. A reasonable likelihood of dividing or disrupting an established community or planned development, or is inconsistent with existing community goals or plans.
7. A reasonable likelihood of causing an increase in surface transportation congestion that will decrease the level of service below acceptable levels.
8. A reasonable likelihood of adversely impacting air quality or violating federal, state, local or tribal air quality standards under the Clean Air Act Amendments of 1990.
9. A reasonable likelihood of adversely impacting water quality, sole source aquifers, public water supply systems or state, local, or tribal water quality standards established under the Clean Water Act and the Safe Drinking Water Act.
10. A reasonable likelihood of effects on the quality of the environment that are highly controversial on environmental grounds. The term “controversial” means a substantial dispute exists as to the size, nature, or effect of the proposed action rather than to the existence of opposition to a proposed action, the effect of which is relatively undisputed.
11. A reasonable likelihood of a disproportionately high and adverse effect on low income or minority populations (see Executive Order 12898).
12. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (see Executive Order 13007).
13. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).
14. A greater scope or size than is normal for this category of action.
15. A reasonable likelihood of degrading already existing poor environmental conditions. Also, initiation of a degrading influence, activity, or effect in areas not already significantly modified from their natural condition.
16. A precedent (or makes decisions in principle) for future or subsequent actions that have a reasonable likelihood of having a future significant effect.
17. Introduction or employment of unproven technology.
18. A reasonable likelihood of (i) releases of petroleum, oils, and lubricants (except from a properly functioning engine or vehicle) or reportable releases of hazardous or toxic substances as specified in 40 CFR part 302, Designation, Reportable Quantities, and Notification); (ii) application of pesticides and herbicides; (iii) or where the proposed action results in the requirement to develop or amend a Spill Prevention, Control, or Countermeasures Plan.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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<p style="text-align: center;">Department of Defense (DOD) Categorical Exclusions (CE)</p>	
Missile Defense Agency (MDA)	
Appendix B—Categorical Exclusions (CATEXs)	
Actions categorically excluded in the absence of extraordinary circumstances are listed below.	
CATEX List:	
B–1. Normal personnel, fiscal or budgeting, and administrative activities and decisions including those involving military and civilian personnel (for example, recruiting, processing, paying, and recordkeeping).	
B–2. Preparing, revising, or adopting regulations, instructions, directives, or guidance documents including those that implement without substantial change the regulations, instructions, directives, or guidance documents from higher headquarters or other Federal agencies.	
B–3. Decreases, increases, relocation, and realignment of personnel into existing Federally-owned or commercially-leased space that does not involve a substantial change affecting the supporting infrastructure or use of space (e.g., no increase in traffic beyond the capacity of the supporting network to accommodate such an increase).	
B–4. Routine procurement of goods and services conducted in accordance with applicable procurement regulations, Executive Orders, and policies to support operations and infrastructure, including routine utility services and contracts.	
B–5. Administrative study efforts involving no commitment of resources other than personnel and funding allocations. If any of these study efforts result in proposals for further action, those proposals must be considered separately by an appropriate CATEX or NEPA analysis. Examples include, but are not limited to: Studies to further administrative, personnel-related, architectural, engineering, safety, security, siting, and facility audit activities.	
B–6. Studies, monitoring, data and sample collection, and information gathering that involve no permanent physical change to the environment. If any of these activities result in proposals for further action, those proposals must be considered by an appropriate CATEX or NEPA analysis. Examples include, but are not limited to:	
a. Surveys for threatened and endangered species, wildlife and wildlife habitat, historic properties and archeological sites; wetland delineations; minimal water, air, waste, material, and soil sampling (e.g., grab samples).	
b. Vulnerability, risk, and structural integrity assessments of infrastructure.	
c. Environmental Baseline Surveys or Environmental Condition of Property Surveys.	
d. Topographical surveying and mapping that does not require cutting and/or removal of trees.	
B–7. Sampling, well drilling and installation, analytical testing, site preparation, and minimally intrusive physical testing. These activities could involve minor clearing and grubbing or movement of heavy equipment such as drill rigs. If any of these actions result in proposals for further actions, those proposals must be considered by an appropriate CATEX or NEPA analysis. Examples include, but are not limited to:	
a. Sampling for asbestos-containing materials (ACMs), polychlorinated biphenyls (PCBs), and lead-based paint (LBP).	
b. Topographical surveys and surveys for unexploded ordnance.	
c. Minimally-intrusive geological, geophysical surveys, geo-technical activities, and seismic studies.	
d. Minimally-intrusive sampling to determine if hazardous wastes, contaminants, pollutants, or special hazards are present.	
e. Ground water monitoring wells, subsurface soil sampling, and soil borings (REC required).	
B–8. Immediate response to the release or discharge of oil or hazardous materials in accordance with an approved Spill Prevention, Control, and Countermeasure (SPCC) Plan or Spill Contingency Plan, or that is otherwise consistent with the requirements of the EPA National Contingency Plan.	
B–9. Temporary use of transportable power generators or operational support equipment when located in a previously disturbed area and when operated in compliance with applicable regulatory requirements.	
B–10. Routine movement, handling, use, and distribution of materials, including hazardous materials or wastes moved, handled, or distributed in accordance with applicable regulations, such as the Resource Conservation and Recovery Act (RCRA), Occupational Safety and Health Administration (OSHA), and Hazardous Materials Transportation Act (HMTA).	
B–11. Routine movement of mobile test assets (such as ships, aircraft, mobile sensors, telemetry, etc.) for routine missile defense test and evaluation; repair, overhaul or maintenance; or home port reassignments where no new support facilities are required.	

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B-12. Activities and operations to be conducted in an existing non-historic structure which are within the scope of and are compatible with the present functional use of the building, will not cause a substantial increase in waste discharged to the environment, will not result in substantially different waste discharges from current or previous activities, and emissions will remain within established permit limits, if any.
B-13. Acquisition, installation, modification, routine repair and replacement, and operation of utility (e.g., water, sewer, and electrical) and communication systems, mobile antennas, data processing cable and similar electronic equipment that use existing rights-of-way, easements, distribution systems, facilities, or previously disturbed land (REC required).
B-14. Acquisition, installation or minor relocation, operation and maintenance, or evaluation of physical security devices or controls to protect human or animal life and to enhance the physical security of existing critical assets in compliance with applicable Federal, tribal, state and local requirements to protect the environment. Examples include, but are not limited to:
a. Motion detection systems.
b. Raptor electrocution prevention devices.
c. Lighting.
d. Remote video surveillance systems.
e. Access controls.
f. Physical barriers, fences, grating, on or adjacent to existing facilities (REC required).
B-15. Maintenance of archaeological, historical, and endangered or threatened species avoidance markers, fencing, and signs.
B-16. Road or trail construction and repair on existing rights-of-ways or in previously disturbed areas which do not result in a change in functional use. Runoff, erosion, and sedimentation are controlled through implementation of best management practices (REC required).
B-17. Routine repair and maintenance of buildings, vessels, aircraft, grounds, and other facilities and equipment which do not result in a change in functional use or a significant impact on a historically significant element or setting. Examples include, but are not limited to: Repair of roofs, doors, windows, or fixtures, localized pest management, and minor erosion control measures.
B-18. New construction or equipment installation or alterations (interior and exterior) to or construction of an addition to an existing structure that is similar to existing land use if the area to be disturbed has no more than 5.0 cumulative acres of new surface disturbance. The following conditions must be met:
a. The structure and proposed use are compatible with applicable Federal, tribal, state, and local planning and zoning standards.
b. The site and scale of construction or improvement is consistent with those of existing, adjacent, or nearby buildings.
c. The construction or improvement will not result in uses that exceed existing support infrastructure capacities (roads, sewer, water, parking, etc.).
This does not include construction of facilities for the transportation, distribution, use, storage, treatment, and disposal of solid waste or hazardous waste (REC required).
B-19. Demolition of non-historic buildings, structures, or other improvements and repairs that result in disposal of debris therefrom, or removal of a part thereof for disposal, in accordance with applicable regulations, including those regulations applying to removal of ACM, PCBs, LBP, and other special hazard items (REC required).
B-20. Research, testing, and operations conducted at existing facilities and plants or laboratories (including contractor-operated laboratories and plants) and in compliance with all applicable safety, environmental, and natural conservation laws. Examples include, but are not limited to: Wind tunnels, high-energy lasers, remote-sensing instruments, vacuum chambers, high-altitude simulator facilities, and propellant testing facilities.
B-21. Routine installation and use of radars, telemetry systems, communications equipment, and other essentially similar facilities and equipment within a launch facility, mobile platform, military installation, training area, or previously disturbed area that conform to current American National Standards Institute/Institute of Electrical and Electronics Engineers (ANSI/IEEE) guidelines for maximum permissible exposure to electromagnetic fields (REC required).
<u>7.(d) Extraordinary circumstances</u>
Extraordinary circumstances that preclude using a CATEX include:
(1) A reasonable likelihood the proposed action would result in uncertain, unique, or unknown environmental risks, or is scientifically controversial;
(2) a reasonable likelihood the proposed action would establish precedents or commit MDA to future actions with potential for significant impacts;
(3) a reasonable likelihood the proposed action would threaten to violate Federal, state, or local environmental laws;

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| (4) a reasonable likelihood the proposed action would adversely affect environmentally sensitive resources, such as, but not limited to, Federally listed threatened and endangered species, their designated critical habitat, wilderness areas, floodplains, wetlands, aquifer recharge areas, coastal zones, wild and scenic rivers, and significant fish or wildlife habitat, unless the impact was permitted, mitigated, or addressed through another environmental review process for example, the Clean Water Act or Coastal Zone Management Act; |
| (5) a reasonable likelihood the proposed action would adversely affect known national natural landmarks, or cultural or historic resources, including, but not limited to, property listed on or eligible for the National Register of Historic Places, unless the impact was permitted, mitigated, or addressed through another environmental review process, such as the National Historic Preservation Act; |
| (6) a reasonable likelihood of causing an increase in surface transportation congestion that would exceed capacity of the supporting infrastructure or otherwise cause significant impacts to the human environment. |

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<p style="text-align: center;">Department of Defense (DOD) Categorical Exclusions (CE)</p>	
United States Air Force (USAF)	
Appendix B to Part 989—Categorical Exclusions	
https://www.ecfr.gov/cgi-bin/text-idx?SID=cec76a30311d778de544f0fc63b53e89&mc=true&node=pt32.6.989&rgn=div5#ap32.6.989_138.b	
A2.1. Proponent/EPF Responsibility	
Although a proposed action may qualify for a categorical exclusion from the requirements for environmental impact analysis under NEPA, this exclusion does not relieve the EPF or the proponent of responsibility for complying with all other environmental requirements related to the proposal, including requirements for permits, and state regulatory agency review of plans.	
A2.2. Additional Analysis	
Circumstances may arise in which usually categorically excluded actions may have a significant environmental impact and, therefore, may generate a requirement for further environmental analysis. Examples of situations where such unique circumstances may be present include:	
A2.2.1. Actions of greater scope or size than generally experienced for a particular category of action.	
A2.2.2. Potential for degradation (even though slight) of already marginal or poor environmental conditions.	
A2.2.3. Initiating a degrading influence, activity, or effect in areas not already significantly modified from their natural condition.	
A2.2.4. Use of unproved technology.	
A2.2.5. Use of hazardous or toxic substances that may come in contact with the surrounding environment.	
A2.2.6. Presence of threatened or endangered species, archaeological remains, historical sites, or other protected resources.	
A2.2.7. Proposals adversely affecting areas of critical environmental concern, such as prime or unique agricultural lands, wetlands, coastal zones, wilderness areas, floodplains, or wild and scenic river areas.	
A2.2.8. Proposals with disproportionately high and adverse human health or environmental effects on minority populations or low-income populations.	
A2.3. CATEX List	
Actions that are categorically excluded in the absence of unique circumstances are:	
A2.3.1. Routine procurement of goods and services.	
A2.3.2. Routine Commissary and Exchange operations.	
A2.3.3. Routine recreational and welfare activities.	
A2.3.4. Normal personnel, fiscal or budgeting, and administrative activities and decisions including those involving military and civilian personnel (for example, recruiting, processing, paying, and records keeping).	
A2.3.5. Preparing, revising, or adopting regulations, instructions, directives, or guidance documents that do not, themselves, result in an action being taken.	
A2.3.6. Preparing, revising, or adopting regulations, instructions, directives, or guidance documents that implement (without substantial change) the regulations, instructions, directives, or guidance documents from higher headquarters or other Federal agencies with superior subject matter jurisdiction.	
A2.3.7. Continuation or resumption of pre-existing actions, where there is no substantial change in existing conditions or existing land uses and where the actions were originally evaluated in accordance with applicable law and regulations, and surrounding circumstances have not changed.	
A2.3.8. Performing interior and exterior construction within the 5-foot line of a building without changing the land use of the existing building.	
A2.3.9. Repairing and replacing real property installed equipment.	
A2.3.10. Routine facility maintenance and repair that does not involve disturbing significant quantities of hazardous materials such as asbestos and lead-based paint.	
A2.3.11. Actions similar to other actions which have been determined to have an insignificant impact in a similar setting as established in an EIS or an EA resulting in a FONSI. The EPF must document application of this CATEX on AF Form 813, specifically identifying the previous Air Force approved environmental document which provides the basis for this determination.	

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A2.3.12. Installing, operating, modifying, and routinely repairing and replacing utility and communications systems, data processing cable, and similar electronic equipment that use existing rights of way, easements, distribution systems, or facilities.
A2.3.13. Installing or modifying airfield operational equipment (such as runway visual range equipment, visual glide path systems, and remote transmitter or receiver facilities) on airfield property and usually accessible only to maintenance personnel.
A2.3.14. Installing on previously developed land, equipment that does not substantially alter land use (i.e., land use of more than one acre). This includes outgrants to private lessees for similar construction. The EPF must document application of this CATEX on AF Form 813.
A2.3.15. Laying-away or mothballing a production facility or adopting a reduced maintenance level at a closing installation when (1) agreement on any required historic preservation effort has been reached with the state historic preservation officer and the Advisory Council on Historic Preservation, and (2) no degradation in the environmental restoration program will occur.
A2.3.16. Acquiring land and ingranths (50 acres or less) for activities otherwise subject to CATEX. The EPF must document application of this CATEX on AF Form 813.
A2.3.17. Transferring land, facilities, and personal property for which the General Services Administration (GSA) is the action agency. Such transfers are excluded only if there is no change in land use and GSA complies with its NEPA requirements.
A2.3.18. Transferring administrative control of real property within the Air Force or to another military department or to another Federal agency, not including GSA, including returning public domain lands to the Department of the Interior.
A2.3.19. Granting easements, leases, licenses, rights of entry, and permits to use Air Force controlled property for activities that, if conducted by the Air Force, could be categorically excluded in accordance with this Appendix. The EPF must document application of this CATEX on AF Form 813.
A2.3.20. Converting in-house services to contract services.
A2.3.21. Routine personnel decreases and increases, including work force conversion to either on-base contractor operation or to military operation from contractor operation (excluding base closure and realignment actions which are subject to congressional reporting under 10 U.S.C. 2687).
A2.3.22. Routine, temporary movement of personnel, including deployments of personnel on a TDY basis where existing facilities are used.
A2.3.23. Personnel reductions resulting from workload adjustments, reduced personnel funding levels, skill imbalances, or other similar causes.
A2.3.24. Study efforts that involve no commitment of resources other than personnel and funding allocations.
A2.3.25. The analysis and assessment of the natural environment without altering it (inspections, audits, surveys, investigations). This CATEX includes the granting of any permits necessary for such surveys, provided that the technology or procedure involved is well understood and there are no adverse environmental impacts anticipated from it. The EPF must document application of this CATEX on AF Form 813.
A2.3.26. Undertaking specific investigatory activities to support remedial action activities for purposes of cleanup of Environmental Restoration Account (ERA)—Air Force and Resource Conservation and Recovery Act (RCRA) corrective action sites. These activities include soil borings and sampling, installation, and operation of test or monitoring wells. This CATEX applies to studies that assist in determining final cleanup actions when they are conducted in accordance with legal agreements, administrative orders, or work plans previously agreed to by EPA or state regulators.
A2.3.27. Normal or routine basic and applied scientific research confined to the laboratory and in compliance with all applicable safety, environmental, and natural resource conservation laws.
A2.3.28. Routine transporting of hazardous materials and wastes in accordance with applicable Federal, state, interstate, and local laws.
A2.3.29. Emergency handling and transporting of small quantities of chemical surety material or suspected chemical surety material, whether or not classified as hazardous or toxic waste, from a discovery site to a permitted storage, treatment, or disposal facility.
A2.3.30. Immediate responses to the release or discharge of oil or hazardous materials in accordance with an approved Spill Prevention and Response Plan or Spill Contingency Plan or that are otherwise consistent with the requirements of the National Contingency Plan.

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A2.3.31. Relocating a small number of aircraft to an installation with similar aircraft that does not result in a significant increase of total flying hours or the total number of aircraft operations, a change in flight tracks, or an increase in permanent personnel or logistics support requirements at the receiving installation. Repetitive use of this CATEX at an installation requires further analysis to determine there are no cumulative impacts. The EPF must document application of this CATEX on AF Form 813.
A2.3.32. Temporary (for less than 30 days) increases in air operations up to 50 percent of the typical installation aircraft operation rate or increases of 50 operations a day, whichever is greater. Repetitive use of this CATEX at an installation requires further analysis to determine there are no cumulative impacts.
A2.3.33. Flying activities that comply with the Federal aviation regulations, that are dispersed over a wide area and that do not frequently (more than once a day) pass near the same ground points. This CATEX does not cover regular activity on established routes or within special use airspace.
A2.3.34. Supersonic flying operations over land and above 30,000 feet MSL, or over water and above 10,000 feet MSL and more than 15 nautical miles from land.
A2.3.35. Formal requests to the FAA, or host-nation equivalent agency, to establish or modify special use airspace (for example, restricted areas, warning areas, military operating areas) and military training routes for subsonic operations that have a base altitude of 3,000 feet above ground level or higher. The EPF must document application of this CATEX on AF Form 813, which must accompany the request to the FAA.
A2.3.36. Adopting airfield approach, departure, and en route procedures that are less than 3,000 feet above ground level, and that also do not route air traffic over noise-sensitive areas, including residential neighborhoods or cultural, historical, and outdoor recreational areas. The EPF may categorically exclude such air traffic patterns at or greater than 3,000 feet above ground level regardless of underlying land use.
A2.3.37. Participating in "air shows" and fly-overs by Air Force aircraft at non-Air Force public events after obtaining FAA coordination and approval.
A2.3.38. Conducting Air Force "open houses" and similar events, including air shows, golf tournaments, home shows, and the like, where crowds gather at an Air Force installation, so long as crowd and traffic control, etc., have not in the past presented significant safety or environmental impacts.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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<p style="text-align: center;">Department of Defense (DOD) Categorical Exclusions (CE)</p>	
Department of the Army (DA)	
Appendix D to 32 CFR Part 651 - Categorical exclusions	
https://www.ecfr.gov/cgi-bin/text-idx?SID=23fc57625bc5e7981c8af33263139b75&mc=true&node=pt32.4.651&rgn=div5#se32.4.651_129	
§ 651.29 Determining when to use a CX (screening criteria).	
(a) To use a CX, the proponent must satisfy the following three screening conditions:	
(1) The action has not been segmented. Determine that the action has not been segmented to meet the definition of a CX. Segmentation can occur when an action is broken down into small parts in order to avoid the appearance of significance of the total action. An action can be too narrowly defined, minimizing potential impacts in an effort to avoid a higher level of NEPA documentation. The scope of an action must include the consideration of connected, cumulative, and similar actions (see § 651.51(a)).	
(2) No exceptional circumstances exist. Determine if the action involves extraordinary circumstances that would preclude the use of a CX (see paragraphs (b) (1) through (14) of this section).	
(3) One (or more) CX encompasses the proposed action. Identify a CX (or multiple CXs) that potentially encompasses the proposed action (Appendix B of this part). If no CX is appropriate, and the project is not exempted by statute or emergency provisions, an EA or an EIS must be prepared, before a proposed action may proceed.	
(b) Extraordinary circumstances that preclude the use of a CX are:	
(1) Reasonable likelihood of significant effects on public health, safety, or the environment.	
(2) Reasonable likelihood of significant environmental effects (direct, indirect, and cumulative).	
(3) Imposition of uncertain or unique environmental risks.	
(4) Greater scope or size than is normal for this category of action.	
(5) Reportable releases of hazardous or toxic substances as specified in 40 CFR part 302, Designation, Reportable Quantities, and Notification.	
(6) Releases of petroleum, oils, and lubricants (POL) except from a properly functioning engine or vehicle, application of pesticides and herbicides, or where the proposed action results in the requirement to develop or amend a Spill Prevention, Control, or Countermeasures Plan.	
(7) When a review of an action that might otherwise qualify for a Record of Non-applicability (RONA) reveals that air emissions exceed de minimis levels or otherwise that a formal Clean Air Act conformity determination is required.	
(8) Reasonable likelihood of violating any federal, state, or local law or requirements imposed for the protection of the environment.	
(9) Unresolved effect on environmentally sensitive resources, as defined in paragraph (c) of this section.	
(10) Involving effects on the quality of the environment that are likely to be highly controversial.	
(11) Involving effects on the environment that are highly uncertain, involve unique or unknown risks, or are scientifically controversial.	
(12) Establishes a precedent (or makes decisions in principle) for future or subsequent actions that are reasonably likely to have a future significant effect.	
(13) Potential for degradation of already existing poor environmental conditions. Also, initiation of a degrading influence, activity, or effect in areas not already significantly modified from their natural condition.	
(14) Introduction/employment of unproven technology.	
(c) If a proposed action would adversely affect “environmentally sensitive” resources, unless the impact has been resolved through another environmental process (e.g., CZMA, NHPA, CWA, etc.) a CX cannot be used (see paragraph (e) of this section). Environmentally sensitive resources include:	
(1) Proposed federally listed, threatened, or endangered species or their designated critical habitats.	
(2) Properties listed or eligible for listing on the National Register of Historic Places (AR 200-4).	
(3) Areas having special designation or recognition such as prime or unique agricultural lands; coastal zones; designated wilderness or wilderness study areas; wild and scenic rivers; National Historic Landmarks (designated by the Secretary of the Interior); 100-year floodplains; wetlands; sole source aquifers (potential sources of drinking water); National Wildlife Refuges; National Parks; areas of critical environmental concern; or other areas of high environmental sensitivity.	

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(4) Cultural Resources as defined in AR 200-4.
(d) The use of a CX does not relieve the proponent from compliance with other statutes, such as RCRA, or consultations under the Endangered Species Act or the NHPA. Such consultations may be required to determine the applicability of the CX screening criteria.
(e) For those CXs that require a REC, a brief (one to two sentence) presentation of conclusions reached during screening is required in the REC. This determination can be made using current information and expertise, if available and adequate, or can be derived through conversation, as long as the basis for the determination is included in the REC. Copies of appropriate interagency correspondence can be attached to the REC. Example conclusions regarding screening criteria are as follows:
(1) "USFWS concurred in informal coordination that E/T species will not be affected".
(2) "Corps of Engineers determined action is covered by nationwide general permit".
(3) "SHPO concurred with action".
(4) "State Department of Natural Resources concurred that no effect to state sensitive species is expected".
Appendix B- Types of Actions that Normally Qualify for CX:
(b) Administration/operation activities:
(1) Routine law and order activities performed by military/military police and physical plant protection and security personnel, and civilian natural resources and environmental law officers.
(2) Emergency or disaster assistance provided to federal, state, or local entities (REC required).
(3) Preparation of regulations, procedures, manuals, and other guidance documents that implement, without substantive change, the applicable HQDA or other federal agency regulations, procedures, manuals, and other guidance documents that have been environmentally evaluated (subject to previous NEPA review).
(4) Proposed activities and operations to be conducted in an existing non-historic structure which are within the scope and compatibility of the present functional use of the building, will not result in a substantial increase in waste discharged to the environment, will not result in substantially different waste discharges from current or previous activities, and emissions will remain within established permit limits, if any (REC required).
(5) Normal personnel, fiscal, and administrative activities involving military and civilian personnel (recruiting, processing, paying, and records keeping).
(6) Routinely conducted recreation and welfare activities not involving off-road recreational vehicles.
(7) Deployment of military units on a temporary duty (TDY) or training basis where existing facilities are used for their intended purposes consistent with the scope and size of existing mission.
(8) Preparation of administrative or personnel-related studies, reports, or investigations.
(9) Approval of asbestos or lead-based paint management plans drafted in accordance with applicable laws and regulations (REC required).
(10) Non-construction activities in support of other agencies/organizations involving community participation projects and law enforcement activities.
(11) Ceremonies, funerals, and concerts. This includes events such as state funerals, to include flyovers.
(12) Reductions and realignments of civilian and/or military personnel that: fall below the thresholds for reportable actions as prescribed by statute (10 U.S.C. 2687) and do not involve related activities such as construction, renovation, or demolition activities that would otherwise require an EA or an EIS to implement (REC required). This includes reorganizations and reassignments with no changes in force structure, unit redesignations, and routine administrative reorganizations and consolidations (REC required).
(13) Actions affecting Army property that fall under another federal agency's list of categorical exclusions when the other federal agency is the lead agency (decision maker), or joint actions on another federal agency's property that fall under that agency's list of categorical exclusions (REC required).
(14) Relocation of personnel into existing federally-owned (or state-owned in the case of ARNG) or commercially-leased space, which does not involve a substantial change in the supporting infrastructure (for example, an increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase is an example of substantial change) (REC required).
(c) Construction and demolition:
(1) Construction of an addition to an existing structure or new construction on a previously undisturbed site if the area to be disturbed has no more than 5.0 cumulative acres of new surface disturbance. This does not include construction of facilities for the transportation, distribution, use, storage, treatment, and disposal of solid waste, medical waste, and hazardous waste (REC required).

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(2) Demolition of non-historic buildings, structures, or other improvements and disposal of debris therefrom, or removal of a part thereof for disposal, in accordance with applicable regulations, including those regulations applying to removal of asbestos, polychlorinated biphenyls (PCBs), lead-based paint, and other special hazard items (REC required).
(3) Road or trail construction and repair on existing rights-of-ways or on previously disturbed areas.
(d) Cultural and natural resource management activities:
(1) Land regeneration activities using only native trees and vegetation, including site preparation. This does not include forestry operations (REC required).
(2) Routine maintenance of streams and ditches or other rainwater conveyance structures (in accordance with USACE permit authority under Section 404 of the Clean Water Act and applicable state and local permits), and erosion control and stormwater control structures (REC required).
(3) Implementation of hunting and fishing policies or regulations that are consistent with state and local regulations.
(4) Studies, data collection, monitoring and information gathering that do not involve major surface disturbance. Examples include topographic surveys, bird counts, wetland mapping, and other resources inventories (REC required).
(5) Maintenance of archaeological, historical, and endangered/threatened species avoidance markers, fencing, and signs.
(e) Procurement and contract activities:
(1) Routine procurement of goods and services (complying with applicable procedures for sustainable or “green” procurement) to support operations and infrastructure, including routine utility services and contracts.
(2) Acquisition, installation, and operation of utility and communication systems, mobile antennas, data processing cable and similar electronic equipment that use existing right-of-way, easement, distribution systems, and/or facilities (REC required).
(3) Conversion of commercial activities under the provisions of AR 5–20. This includes only those actions that do not change the actions or the missions of the organization or alter the existing land-use patterns.
(4) Modification, product improvement, or configuration engineering design change to materiel, structure, or item that does not change the original impact of the materiel, structure, or item on the environment (REC required).
(5) Procurement, testing, use, and/or conversion of a commercially available product (for example, forklift, generator, chain saw, etc.) which does not meet the definition of a weapon system (Title 10, U.S.C., Section 2403. “Major weapon systems: Contractor guarantees”), and does not result in any unusual disposal requirements.
(6) Acquisition or contracting for spares and spare parts, consistent with the approved Technical Data Package (TDP).
(7) Modification and adaptation of commercially available items and products for military application (for example, sportsman’s products and wear such as holsters, shotguns, sidearms, protective shields, etc.), as long as modifications do not alter the normal impact to the environment (REC required).
(8) Adaptation of non-lethal munitions and restraints from law enforcement suppliers and industry (such as rubber bullets, stun grenades, smoke bombs, etc.) for military police and crowd control activities where there is no change from the original product design and there are no unusual disposal requirements. The development and use by the military of non-lethal munitions and restraints which are similar to those used by local police forces and in which there are no unusual disposal requirements (REC required).
(f) Real estate activities:
(1) Grants or acquisitions of leases, licenses, easements, and permits for use of real property or facilities in which there is no significant change in land or facility use. Examples include, but are not limited to, Army controlled property and Army leases of civilian property to include leases of training, administrative, general use, special purpose, or warehouse space (REC required).
(2) Disposal of excess easement areas to the underlying fee owner (REC required).
(3) Transfer of real property administrative control within the Army, to another military department, or to other federal agency, including the return of public domain lands to the Department of Interior, and reporting of property as excess and surplus to the GSA for disposal (REC required).
(4) Transfer of active installation utilities to a commercial or governmental utility provider, except for those systems on property that has been declared excess and proposed for disposal (REC required).
(5) Acquisition of real property (including facilities) where the land use will not change substantially or where the land acquired will not exceed 40 acres and the use will be similar to current or ongoing Army activities on adjacent land (REC required).
(6) Disposal of real property (including facilities) by the Army where the reasonably foreseeable use will not change significantly (REC required).
(g) Repair and maintenance activities:

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(1) Routine repair and maintenance of buildings, airfields, grounds, equipment, and other facilities. Examples include, but are not limited to: Removal and disposal of asbestos- containing material (for example, roof material and floor tile) or lead-based paint in accordance with applicable regulations; removal of dead, diseased, or damaged trees; and repair of roofs, doors, windows, or fixtures (REC required for removal and disposal of asbestos-containing material and lead-based paint or work on historic structures).
(2) Routine repairs and maintenance of roads, trails, and firebreaks. Examples include, but are not limited to: grading and clearing the roadside of brush with or without the use of herbicides; resurfacing a road to its original conditions; pruning vegetation, removal of dead, diseased, or damaged trees and cleaning culverts; and minor soil stabilization activities.
(3) Routine repair and maintenance of equipment and vehicles (for example, autos, tractors, lawn equipment, military vehicles, etc.) which is substantially the same as that routinely performed by private sector owners and operators of similar equipment and vehicles. This does not include depot maintenance of unique military equipment.
(h) Hazardous materials/hazardous waste management and operations:
(1) Use of gauging devices, analytical instruments, and other devices containing sealed radiological sources; use of industrial radiography; use of radioactive material in medical and veterinary practices; possession of radioactive material incident to performing services such as installation, maintenance, leak tests, and calibration; use of uranium as shielding material in containers or devices; and radioactive tracers (REC required).
(2) Immediate responses in accordance with emergency response plans (for example, Spill Prevention Control and Countermeasure Plan (SPCCP)/Installation Spill Contingency Plan (ISCP), and Chemical Accident and Incident Response Plan) for release or discharge of oil or hazardous materials/substances; or emergency actions taken by Explosive Ordnance Demolition (EOD) detachment or Technical Escort Unit.
(3) Sampling, surveying, well drilling and installation, analytical testing, site preparation, and intrusive testing to determine if hazardous wastes, contaminants, pollutants, or special hazards (for example, asbestos, PCBs, lead-based paint, or unexploded ordnance) are present (REC required).
(4) Routine management, to include transportation, distribution, use, storage, treatment, and disposal of solid waste, medical waste, radiological and special hazards (for example, asbestos, PCBs, lead-based paint, or unexploded ordnance), and/or hazardous waste that complies with EPA, Army, or other regulatory agency requirements. This CX is not applicable to new construction of facilities for such management purposes.
(5) Research, testing, and operations conducted at existing enclosed facilities consistent with previously established safety levels and in compliance with applicable federal, state, and local standards. For facilities without existing NEPA analysis, including contractor-operated facilities, if the operation will substantially increase the extent of potential environmental impacts or is controversial, an EA (and possibly an EIS) is required.
(6) Reutilization, marketing, distribution, donation, and resale of items, equipment, or materiel; normal transfer of items to the Defense Logistics Agency. Items, equipment, or materiel that have been contaminated with hazardous materials or wastes will be adequately cleaned and will conform to the applicable regulatory agency's requirements.
(i) Training and testing:
(1) Simulated war games (classroom setting) and on-post tactical and logistical exercises involving units of battalion size or smaller, and where tracked vehicles will not be used (REC required to demonstrate coordination with installation range control and environmental office).
(2) Training entirely of an administrative or classroom nature.
(3) Intermittent on-post training activities (or off-post training covered by an ARNG land use agreement) that involve no live fire or vehicles off established roads or trails. Uses include, but are not limited to, land navigation, physical training, Federal Aviation Administration (FAA) approved aerial overflights, and small unit level training.
(j) Aircraft and airfield activities:
(1) Infrequent, temporary (less than 30 days) increases in air operations up to 50 percent of the typical installation aircraft operation rate (REC required).
(2) Flying activities in compliance with Federal Aviation Administration Regulations and in accordance with normal flight patterns and elevations for that facility, where the flight patterns/elevations have been addressed in an installation master plan or other planning document that has been subject to NEPA public review.
(3) Installation, repair, or upgrade of airfield equipment (for example, runway visual range equipment, visual approach slope indicators).
(4) Army participation in established air shows sponsored or conducted by non-Army entities on other than Army property.

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**Department of Defense (DOD)
Categorical Exclusions (CE)**

Department of the Navy (DON)

§ 775.6 Planning considerations.

<https://www.ecfr.gov/cgi-bin/text->

(e) A categorical exclusion (CATEX), as defined and listed in this part and 40 CFR 1508.4, may be used to satisfy NEPA, eliminating the need for an EA or an EIS. Extraordinary circumstances are those circumstances for which the DON has determined that further environmental analysis may be required because an action normally eligible for a CATEX may have significant environmental effects. The presence of one or more of the extraordinary circumstances listed in paragraph (e)(1) of this section does not automatically preclude the application of a CATEX. A determination of whether a CATEX is appropriate for an action, even if one or more extraordinary circumstances are present, should focus on the action's potential effects and consider the environmental significance of those effects in terms of both context (consideration of the affected region, interests, and resources) and intensity (severity of impacts).

(1) Before applying a CATEX, the decision maker must consider whether the proposed action would individually or cumulatively:

(i) Adversely affect public health or safety;

(ii) Involve effects on the human environment that are highly uncertain, involve unique or unknown risks, or which are scientifically controversial;

(iii) Establish precedents or make decisions in principle for future actions that have the potential for significant impacts

(iv) Threaten a violation of Federal, State, or local environmental laws applicable to the DON; or

(v) Involve an action that may:

(A) Have more than an insignificant or discountable effect on federally protected species under the Endangered Species Act or have impacts that would rise to the level of requiring an Incidental Take Authorization under the Marine Mammal Protection Act irrespective of whether one is procured

(B) Have an adverse effect on coral reefs or on federally designated wilderness areas, wildlife refuges, marine sanctuaries and monuments, or parklands;

(C) Adversely affect the size, function, or biological value of wetlands and is not covered by a general (nationwide, regional, or state) permit;

(D) Have an adverse effect on archaeological resources or resources listed or determined to be eligible for listing on the National Register of Historic Places (including, but not limited to, ships, aircraft, vessels, and equipment) where compliance with Section 106 of the National Historic Preservation Act has not been resolved through an agreement executed between the DON and the appropriate historic preservation office and other appropriate consulting parties; or

(E) Result in an uncontrolled or unpermitted release of hazardous substances or require a conformity determination under standards in 40 CFR part 93, subpart B (the Clean Air Act General Conformity Rule).

(2) If a decision is made to apply a CATEX to a proposed action that is more than administrative in nature, the decision must be formally documented per existing Navy and Marine Corps policy. For actions with a documented CATEX where one or more extraordinary circumstances are present, a copy of the executed CATEX decision document (e.g., Record of CATEX or Decision Memorandum) must be forwarded for review to Navy Headquarters or Marine Corps Headquarters, as appropriate, before the action is implemented. With the exception of actions that fall under paragraph (e)(1)(v)(A) of this section, the requirement to send the documented CATEX to headquarters for review will end on January 6, 2022.

(f) Subject to the criteria in paragraph (e) of this section, the following categories of actions are excluded from further analysis under NEPA. The CNO and CMC shall determine whether a decision to forego preparation of an EA or EIS on the basis of one or more categorical exclusions must be documented in an administrative record and the format for such record.

(1) Routine fiscal and administrative activities, including administration of contracts;

(2) Routine law and order activities performed by military personnel, military police, or other security personnel, including physical plant protection and security;

(3) Routine use and operation of existing facilities, laboratories, and equipment;

(4) Administrative studies, surveys, and data collection;

(5) Issuance or modification of administrative procedures, regulations, directives, manuals, or policy

(6) Military ceremonies;

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- (7) Routine procurement of goods and services conducted in accordance with applicable procurement regulations, executive orders, and policies
- (8) Routine repair and maintenance of buildings, facilities, vessels, aircraft, ranges, and equipment associated with existing operations and activities (e.g., localized pest management activities, minor erosion control measures, painting, refitting, general building/structural repair, landscaping, or grounds maintenance);
- (9) Training of an administrative or classroom nature;
- (10) Routine personnel actions;
- (11) Routine movement of mobile assets (such as ships, submarines, aircraft, and ground assets for repair, overhaul, dismantling, disposal, homeporting, home basing, temporary reassignments; and training, testing, or scientific research) where no new support facilities are required;
- (12) Routine procurement, management, storage, handling, installation, and disposal of commercial items, where the items are used and handled in accordance with applicable regulations (e.g., consumables, electronic components, computer
- (13) Routine recreational and welfare activities;
- (14) Alterations of and additions to existing buildings, facilities, and systems (e.g., structures, roads, runways, vessels, aircraft, or equipment) when the environmental effects will remain substantially the same and the use is consistent with
- (15) Routine movement, handling, and distribution of materials, including hazardous materials and wastes that are moved, handled, or distributed in accordance with applicable regulations;
- (16) New activities conducted at established laboratories and plants (including contractor-operated laboratories and plants) where all airborne emissions, waterborne effluent, external ionizing and non-ionizing radiation levels, outdoor noise, and solid and bulk waste disposal practices are in compliance with existing applicable Federal, state, and local laws and regulations
- (17) Studies, data, and information gathering that involve no permanent physical change to the environment (e.g., topographic surveys, wetlands mapping, surveys for evaluating environmental damage, and engineering efforts to support environmental analyses);
- (18) Temporary placement and use of simulated target fields (e.g., inert mines, simulated mines, or passive hydrophones) in fresh, estuarine, and marine waters for the purpose of non-explosive military training exercises or research, development, test, and evaluation;
- (19) Installation and operation of passive scientific measurement devices (e.g., antennae, tide gauges, weighted hydrophones, salinity measurement devices, and water quality measurement devices) where use will not result in changes in operations tempo and is consistent with applicable regulations;
- (20) Short-term increases in air operations up to 50 percent of the typical operation rate, or increases of 50 operations per day, whichever is greater. Frequent use of this CATEX at an installation requires further analysis to determine there are no cumulative impacts;
- (21) Decommissioning, disposal, or transfer of naval vessels, aircraft, vehicles, and equipment when conducted in accordance with applicable regulations, including those regulations applying to removal of hazardous materials;
- (22) Non-routine repair and renovation, and donation or other transfer of structures, vessels, aircraft, vehicles, landscapes, or other contributing elements of facilities listed or eligible for listing on the National Register of Historic Places;
- (23) Hosting or participating in public events (e.g., air shows, open houses, Earth Day events, and athletic events) where no permanent changes to existing infrastructure (e.g., road systems, parking, and sanitation systems) are required to accommodate all aspects of the event;
- (24) Military training conducted on or over nonmilitary land or water areas, where such training is consistent with the type and tempo of existing non-military airspace, land, and water use (e.g., night compass training, forced marches along trails, roads, and highways, use of permanently established ranges, use of public waterways, or use of civilian airfields);
- (25) Transfer of real property from the DON to another military department or to another Federal agency;
- (26) Receipt of property from another Federal agency when there is no anticipated or proposed substantial change in land use;
- (27) Minor land acquisitions or disposals where anticipated or proposed land use is similar to existing land use and zoning, both in type and intensity;
- (28) Disposal of excess easement interests to the underlying fee owner;
- (29) Initial real estate in grants and out grants involving existing facilities or land with no significant change in use (e.g., leasing of federally owned or privately owned housing or office space, and agricultural out leases);
- (30) Renewals and minor amendments of existing real estate grants for use of Government-owned real property where no significant change in land use is anticipated
- (31) Land withdrawal continuances or extensions that establish time periods with no significant change in land use;

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- (32) Grants of license, easement, or similar arrangements for the use of existing rights-of-way or incidental easements complementing the use of existing rights-of-way for use by vehicles (not to include significant increases in vehicle loading); electrical, telephone, and other transmission and communication lines; water, wastewater, storm water, and irrigation pipelines, pumping stations, and facilities; and for similar utility and transportation uses;
- (33) New construction that is similar to or compatible with existing land use (i.e., site and scale of construction are consistent with those of existing adjacent or nearby facilities) and, when completed, the use or operation of which complies with existing regulatory requirements (e.g., a building within a cantonment area with associated discharges and runoff within existing handling capacities). The test for whether this CATEX can be applied should focus on whether the proposed action generally fits within the designated land use of the proposed site;
- (34) Demolition, disposal, or improvements involving buildings or structures when done in accordance with applicable regulations including those regulations applying to removal of asbestos, PCBs, and other hazardous materials;
- (35) Acquisition, installation, modernization, repair, or operation of utility (including, but not limited to, water, sewer, and electrical) and communication systems (including, but not limited to, data processing cable and similar electronic equipment) that use existing rights of way, easements, distribution systems, and facilities;
- (36) Decisions to close facilities, decommission equipment, or temporarily discontinue use of facilities or equipment, where the facility or equipment is not used to prevent or control environmental impacts;
- (37) Maintenance dredging and debris disposal where no new depths are required, applicable permits are secured, and disposal will be at an approved disposal site;
- (38) Relocation of personnel into existing federally owned or commercially leased space that does not involve a substantial change affecting the supporting infrastructure (e.g., no increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase);
- (39) Pre-lease upland exploration activities for oil, gas, or geothermal reserves, (e.g., geophysical surveys);
- (40) Installation of devices to protect human or animal life (e.g., raptor electrocution prevention devices, fencing to restrict wildlife movement onto airfields, and fencing and grating to prevent accidental entry to hazardous areas);
- (41) Reintroduction of endemic or native species (other than endangered or threatened species) into their historic habitat when no substantial site preparation is involved;
- (42) Temporary closure of public access to DON property to protect human or animal life;
- (43) Routine testing and evaluation of military equipment on a military reservation or an established range, restricted area, or operating area; similar in type, intensity, and setting, including physical location and time of year, to other actions for which it has been determined, through NEPA analysis where the DON was a lead or cooperating agency, that there are no significant impacts; and conducted in accordance with all applicable standard operating procedures protective of the
- (44) Routine military training associated with transits, maneuvering, safety and engineering drills, replenishments, flight operations, and weapons systems conducted at the unit or minor exercise level; similar in type, intensity, and setting, including physical location and time of year, to other actions for which it has been determined, through NEPA analysis where the DON was a lead or cooperating agency, that there are no significant impacts; and conducted in accordance with all applicable standard operating procedures protective of the environment;
- (45) Natural resources management actions undertaken or permitted pursuant to agreement with or subject to regulation by Federal, state, or local organizations having management responsibility and authority over the natural resources in question, including, but not limited to, prescribed burning, invasive species actions, timber harvesting, and hunting and fishing during seasons established by state authorities pursuant to their state fish and game management laws. The natural resources management actions must be consistent with the overall management approach of the property as documented in an Integrated Natural Resources Management Plan (INRMP) or other applicable natural resources management plan;
- (46) Minor repairs in response to wildfires, floods, earthquakes, landslides, or severe weather events that threaten public health or safety, security, property, or natural and cultural resources, and that are necessary to repair or improve lands unlikely to recover to a management-approved condition (i.e., the previous state) without intervention. Covered activities must be completed within one year following the event and cannot include the construction of new permanent roads or other new permanent infrastructure. Such activities include, but are not limited to: Repair of existing essential erosion control structures or installation of temporary erosion controls; repair of electric power transmission infrastructure; replacement or repair of storm water conveyance structures, roads, trails, fences, and minor facilities; revegetation; construction of protection fences; and removal of hazard trees, rocks, soil, and other mobile debris from, on, or along roads, trails, or streams;
- (47) Modernization (upgrade) of range and training areas, systems, and associated components (including, but not limited to, targets, lifters, and range control systems) that support current testing and training levels and requirements. Covered actions do not include those involving a substantial change in the type or tempo of operation, or the nature of the range (i.e., creating an impact area in an area where munitions had not been previously used);

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(48) Revisions or updates to INRMPs that do not involve substantially new or different land use or natural resources management activities and for which an EA or EIS was previously prepared that does not require supplementation pursuant to 40 CFR 1502.9(c)(1); and

(49) DON actions that occur on another Military Service's property where the action qualifies for a CATEX of that Service, or for actions on property designated as a Joint Base or Joint Region that would qualify for a CATEX of any of the Services included as part of the Joint Base or Joint Region. If the DON action proponent chooses to use another Service's CATEX to cover a proposed action, the DON must obtain written confirmation the other Service does not object to using its CATEX to cover the DON action. The DON official making the CATEX determination must ensure the application of the CATEX is appropriate and that the DON's proposed action was of a type contemplated when the CATEX was established by the other Service. Use of this CATEX requires preparation of a Record of CATEX or Decision Memorandum.

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<p style="text-align: center;">Department of Defense (DOD) Categorical Exclusions (CE)</p>	
U.S. Army Corps of Engineers (USACE)	
§ 230.9 Categorical exclusions.	
https://www.ecfr.gov/cgi-bin/text-idx?SID=f724690991c29b7753a8fde753b9f1fe&mc=true&node=se33.3.230_19&rgn=div8	
<p>Actions listed below when considered individually and cumulatively do not have significant effects on the quality of the human environment and are categorically excluded from NEPA documentation. However, district commanders should be alert for extraordinary circumstances which may dictate the need to prepare an EA or an EIS. Even though an EA or EIS is not indicated for a Federal action because of a “categorical exclusion”, that fact does not exempt the action from compliance with any other Federal law. For example, compliance with the Endangered Species Act, the Fish and Wildlife Coordination Act, the National Historic Preservation Act, the Clean Water Act, etc., is always mandatory, even for actions not requiring an EA or EIS.</p>	
<p>(a) For a period of one year from the effective date of these regulations, district commanders should maintain an information list on the type and number of categorical exclusion actions which due to extraordinary circumstances triggered the need for an EA and finding of no significant impact (FONSI) or an EIS. If a district commander determines that a categorical exclusion should be modified, the information will be furnished to the division commander, who will review and analyze the actions and circumstances to determine if there is a basis for recommending a modification to the list of categorical exclusions. HQUSACE (CECW-RE) will review recommended changes for Corps-wide consistency and revise the list accordingly. See 33 CFR part 325, appendix B for categorical exclusions for regulatory actions.</p>	
<p>(b) Activities at completed Corps projects which carry out the authorized project purposes. Examples include routine operation and maintenance actions, general administration, equipment purchases, custodial actions, erosion control, painting, repair, rehabilitation, replacement of existing structures and facilities such as buildings, roads, levees, groins and utilities, and installation of new buildings utilities, or roadways in developed areas.</p>	
<p>(c) Minor maintenance dredging using existing disposal sites.</p>	
<p>(d) Planning and technical studies which do not contain recommendations for authorization or funding for construction, but may recommend further study. This does not exclude consideration of environmental matters in the studies.</p>	
<p>(e) All Operations and Maintenance grants, general plans, agreements, etc., necessary to carry out land use, development and other measures proposed in project authorization documents, project design memoranda, master plans, or reflected in the project NEPA documents.</p>	
<p>(f) Real estate grants for use of excess or surplus real property.</p>	
<p>(g) Real estate grants for Government-owned housing.</p>	
<p>(h) Exchanges of excess real property and interests therein for property required for project purposes.</p>	
<p>(i) Real estate grants for rights-of-way which involve only minor disturbances to earth, air, or water:</p>	
<p>(1) Minor access roads, streets and boat ramps.</p>	
<p>(2) Minor utility distribution and collection lines, including irrigation.</p>	
<p>(3) Removal of sand, gravel, rock, and other material from existing borrow areas.</p>	
<p>(4) Oil and gas seismic and gravity meter survey for exploration purposes.</p>	
<p>(j) Real estate grants of consent to use Government-owned easement areas.</p>	
<p>(k) Real estate grants for archeological and historical investigations compatible with the Corps Historic Preservation Act responsibilities.</p>	
<p>(l) Renewal and minor amendments of existing real estate grants evidencing authority to use Government-owned real property.</p>	
<p>(m) Reporting excess real property to the General Services Administration for disposal.</p>	
<p>(n) Boundary line agreements and disposal of lands or release of deed restrictions to cure encroachments.</p>	
<p>(o) Disposal of excess easement interest to the underlying fee owner.</p>	
<p>(p) Disposal of existing buildings and improvements for off-site removal.</p>	
<p>(q) Sale of existing cottage site areas.</p>	
<p>(r) Return of public domain lands to the Department of the Interior.</p>	
<p>(s) Transfer and grants of lands to other Federal agencies.</p>	

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U.S. Army Corps of Engineers Regulatory (USACE)

[Appendix B to Part 325—NEPA Implementation Procedures for the Regulatory Program](#)

6. Categorical Exclusions

a. General. Even though an EA or EIS is not legally mandated for any Federal action falling within one of the —categorical exclusions,|| that fact does not exempt any Federal action from procedural or substantive compliance with any other Federal law. For example, compliance with the Endangered Species Act, the Clean Water Act, etc., is always mandatory, even for actions not requiring an EA or EIS. The following activities are not considered to be major Federal actions significantly affecting the quality of the human environment and are therefore categorically excluded from NEPA documentation:

(1) Fixed or floating small private piers, small docks, boat hoists and boathouses.

(2) Minor utility distribution and collection lines including irrigation;

(3) Minor maintenance dredging using existing disposal sites;

(4) Boat launching ramps;

(5) All applications which qualify as letters of permission (as described at 33 CFR 325.5(b)(2)).

b. Extraordinary Circumstances. District engineers should be alert for extraordinary circumstances where normally excluded actions could have substantial environmental effects and thus require an EA or EIS. For a period of one year from the effective date of these regulations, district engineers should maintain an information list on the type and number of categorical exclusion actions which, due to extraordinary circumstances, triggered the need for an EA/FONSI or EIS. If a district engineer determines that a categorical exclusion should be modified, the information will be furnished to the division engineer who will review and analyze the actions and circumstances to determine if there is a basis for recommending a modification to the list of categorical exclusions. HQUSACE (CECWOR) will review recommended changes for Corps-wide consistency and revise the list accordingly.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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Department of Energy (DOE) Categorical Exclusions (CE)
Department of Energy (DOE)
10 CFR Part 1021. https://www.ecfr.gov/cgi-bin/text-idx?SID=a4e055019b59e975ce6b588a419d7b2d&mc=true&node=pt10.4.1021&rgn=div5#se10.4.1021_1410
§ 1021.410 Application of categorical exclusions (classes of actions that normally do not require EAs or EISs).
(a) The actions listed in appendices A and B to this subpart D are classes of actions that DOE has determined do not individually or cumulatively have a significant effect on the human environment (categorical exclusions).
(b) To find that a proposal is categorically excluded, DOE shall determine the following:
(1) The proposal fits within a class of actions that is listed in appendix A or B to this subpart D;
(2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal. Extraordinary circumstances are unique situations presented by specific proposals, including, but not limited to, scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; and unresolved conflicts concerning alternative uses of available resources; and
(3) The proposal has not been segmented to meet the definition of a categorical exclusion. Segmentation can occur when a proposal is broken down into small parts in order to avoid the appearance of significance of the total action. The scope of a proposal must include the consideration of connected and cumulative actions, that is, the proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or §1021.211 of this part concerning limitations on actions during EIS preparation.
(c) All categorical exclusions may be applied by any organizational element of DOE. The sectional divisions in appendix B to this subpart D are solely for purposes of organization of that appendix and are not intended to be limiting.
(d) A class of actions includes activities foreseeably necessary to proposals encompassed within the class of actions (such as award of implementing grants and contracts, site preparation, purchase and installation of equipment, and associated transportation activities).
(e) Categorical exclusion determinations for actions listed in appendix B shall be documented and made available to the public by posting online, generally within two weeks of the determination, unless additional time is needed in order to review and protect classified information, “confidential business information,” or other information that DOE would not disclose pursuant to the Freedom of Information Act (FOIA) (5 U.S.C. 552). Posted categorical exclusion determinations shall not disclose classified information, “confidential business information,” or other information that DOE would not disclose pursuant to FOIA. (See also 10 CFR 1021.340.)
(f) Proposed recurring activities to be undertaken during a specified time period, such as routine maintenance activities for a year, may be addressed in a single categorical exclusion determination after considering the potential aggregated impacts.
(g) The following clarifications are provided to assist in the appropriate application of categorical exclusions that employ the terms or phrases:
(1) “Previously disturbed or developed” refers to land that has been changed such that its functioning ecological processes have been and remain altered by human activity. The phrase encompasses areas that have been transformed from natural cover to nonnative species or a managed state, including, but not limited to, utility and electric power transmission corridors and rights-of-way, and other areas where active utilities and currently used roads are readily available.
(2) DOE considers terms such as “small” and “small-scale” in the context of the particular proposal, including its proposed location. In assessing whether a proposed action is small, in addition to the actual magnitude of the proposal, DOE considers factors such as industry norms, the relationship of the proposed action to similar types of development in the vicinity of the proposed action, and expected outputs of emissions or waste. When considering the physical size of a proposed facility, for example, DOE would review the surrounding land uses, the scale of the proposed facility relative to existing development, and the capacity of existing roads and other infrastructure to support the proposed action.
Appendix A to Subpart D of Part 1021—Categorical Exclusions Applicable to General Agency Actions
A1 ROUTINE DOE BUSINESS ACTIONS. Routine actions necessary to support the normal conduct of DOE business limited to administrative, financial, and personnel actions.
A2 CLARIFYING OR ADMINISTRATIVE CONTRACT ACTIONS. Contract interpretations, amendments, and modifications that are clarifying or administrative in nature.

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A3 CERTAIN ACTIONS BY OFFICE OF HEARINGS AND APPEALS. Adjustments, exceptions, exemptions, appeals and stays, modifications, or rescissions of orders issued by the Office of Hearings and Appeals.
A4 INTERPRETATIONS AND RULINGS FOR EXISTING REGULATIONS. Interpretations and rulings with respect to existing regulations, or modifications or rescissions of such interpretations and rulings.
A5 INTERPRETIVE RULEMAKINGS WITH NO CHANGE IN ENVIRONMENTAL EFFECT. Rulemakings interpreting or amending an existing rule or regulation that does not change the environmental effect of the rule or regulation being amended.
A6 PROCEDURAL RULEMAKINGS. Rulemakings that are strictly procedural, including, but not limited to, rulemaking (under 48 CFR chapter 9) establishing procedures for technical and pricing proposals and establishing contract clauses and contracting practices for the purchase of goods and services, and rulemaking (under 10 CFR part 600) establishing application and review procedures for, and administration, audit, and closeout of, grants and cooperative agreements.
A7 [RESERVED].
A8 AWARDS OF CERTAIN CONTRACTS. Awards of contracts for technical support services, management and operation of a government-owned facility, and personal services.
A9 INFORMATION GATHERING, ANALYSIS, AND DISSEMINATION. Information gathering (including, but not limited to, literature surveys, inventories, site visits, and audits), data analysis (including, but not limited to, computer modeling), document preparation (including, but not limited to, conceptual design, feasibility studies, and analytical energy supply and demand studies), and information dissemination (including, but not limited to, document publication and distribution, and classroom training and informational programs), but not including site characterization or environmental monitoring. (See also B3.1 of appendix B to this subpart.)
A10 REPORTS AND RECOMMENDATIONS ON NON-DOE LEGISLATION. Reports and recommendations on legislation or rulemaking that are not proposed by DOE.
A11 TECHNICAL ADVICE AND ASSISTANCE TO ORGANIZATIONS. Technical advice and planning assistance to international, national, state, and local organizations.
A12 EMERGENCY PREPAREDNESS PLANNING. Emergency preparedness planning activities, including, but not limited to, the designation of onsite evacuation routes.
A13 PROCEDURAL DOCUMENTS. Administrative, organizational, or procedural Policies, Orders, Notices, Manuals, and Guides.
A14 APPROVAL OF TECHNICAL EXCHANGE ARRANGEMENTS. Approval of technical exchange arrangements for information, data, or personnel with other countries or international organizations (including, but not limited to, assistance in identifying and analyzing another country's energy resources, needs and options).
A15 INTERNATIONAL AGREEMENTS FOR ENERGY RESEARCH AND DEVELOPMENT. Approval of DOE participation in international "umbrella" agreements for cooperation in energy research and development activities that would not commit the U.S. to any specific projects or activities.
Appendix B to Subpart D of Part 1021—Categorical Exclusions Applicable to Specific Agency Actions
B. Conditions That Are Integral Elements of the Classes of Actions in Appendix B
The classes of actions listed below include the following conditions as integral elements of the classes of actions. To fit within the classes of actions listed below, a proposal must be one that would not:
(1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders;
(2) Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities;
(3) Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases;
(4) Have the potential to cause significant impacts on environmentally sensitive resources. An environmentally sensitive resource is typically a resource that has been identified as needing protection through Executive Order, statute, or regulation by Federal, state, or local government, or a Federally recognized Indian tribe. An action may be categorically excluded if, although sensitive resources are present, the action would not have the potential to cause significant impacts on those resources (such as construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has wetlands). Environmentally sensitive resources include, but are not limited to:
(i) Property (such as sites, buildings, structures, and objects) of historic, archeological, or architectural significance designated by a Federal, state, or local government, Federally recognized Indian tribe, or Native Hawaiian organization, or property determined to be eligible for listing on the National Register of Historic Places;

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(ii) Federally-listed threatened or endangered species or their habitat (including critical habitat) or Federally-proposed or candidate species or their habitat (Endangered Species Act); state-listed or state-proposed endangered or threatened species or their habitat; Federally-protected marine mammals and Essential Fish Habitat (Marine Mammal Protection Act; Magnuson-Stevens Fishery Conservation and Management Act); and otherwise Federally-protected species (such as the Bald and Golden Eagle Protection Act or the Migratory Bird Treaty Act);
(iii) Floodplains and wetlands (as defined in 10 CFR 1022.4, "Compliance with Floodplain and Wetland Environmental Review Requirements: Definitions," or its successor);
(iv) Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national monuments, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges, scenic areas (such as National Scenic and Historic Trails or National Scenic Areas), and marine sanctuaries;
(v) Prime or unique farmland, or other farmland of statewide or local importance, as defined at 7 CFR 658.2(a), "Farmland Protection Policy Act: Definitions," or its successor;
(vi) Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and
(vii) Tundra, coral reefs, or rain forests; or
(5) Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.
B1. Categorical Exclusions Applicable to Facility Operation
B1.1 CHANGING RATES AND PRICES. Changing rates for services or prices for products marketed by parts of DOE other than Power Marketing Administrations, and approval of rate or price changes for non-DOE entities, that are consistent with the change in the implicit price deflator for the Gross Domestic Product published by the Department of Commerce, during the period since the last rate or price change.
B1.2 TRAINING EXERCISES AND SIMULATIONS. Training exercises and simulations (including, but not limited to, firing-range training, small-scale and short-duration force-on-force exercises, emergency response training, fire fighter and rescue training, and decontamination and spill cleanup training) conducted under appropriately controlled conditions and in accordance with applicable requirements.
B1.3 ROUTINE MAINTENANCE. Routine maintenance activities and custodial services for buildings, structures, rights-of-way, infrastructures (including, but not limited to, pathways, roads, and railroads), vehicles and equipment, and localized vegetation and pest control, during which operations may be suspended and resumed, provided that the activities would be conducted in a manner in accordance with applicable requirements. Custodial services are activities to preserve facility appearance, working conditions, and sanitation (such as cleaning, window washing, lawn mowing, trash collection, painting, and snow removal). Routine maintenance activities, corrective (that is, repair), preventive, and predictive, are required to maintain and preserve buildings, structures, infrastructures, and equipment in a condition suitable for a facility to be used for its designated purpose. Such maintenance may occur as a result of severe weather (such as hurricanes, floods, and tornados), wildfires, and other such events. Routine maintenance may result in replacement to the extent that replacement is in-kind and is not a substantial upgrade or improvement. In-kind replacement includes installation of new components to replace outmoded components, provided that the replacement does not result in a significant change in the expected useful life, design capacity, or function of the facility. Routine maintenance does not include replacement of a major component that significantly extends the originally intended useful life of a facility (for example, it does not include the replacement of a reactor vessel near the end of its useful life). Routine maintenance activities include, but are not limited to:
(a) Repair or replacement of facility equipment, such as lathes, mills, pumps, and presses;
(b) Door and window repair or replacement;
(c) Wall, ceiling, or floor repair or replacement;
(d) Reroofing;
(e) Plumbing, electrical utility, lighting, and telephone service repair or replacement;
(f) Routine replacement of high-efficiency particulate air filters;
(g) Inspection and/or treatment of currently installed utility poles;
(h) Repair of road embankments;
(i) Repair or replacement of fire protection sprinkler systems;
(j) Road and parking area resurfacing, including construction of temporary access to facilitate resurfacing, and scraping and grading of unpaved surfaces;

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(k) Erosion control and soil stabilization measures (such as reseeded, gabions, grading, and revegetation);
(l) Surveillance and maintenance of surplus facilities in accordance with DOE Order 435.1, "Radioactive Waste Management," or its successor;
(m) Repair and maintenance of transmission facilities, such as replacement of conductors of the same nominal voltage, poles, circuit breakers, transformers, capacitors, crossarms, insulators, and downed powerlines, in accordance, where appropriate, with 40 CFR part 761 ("Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions") or its successor;
(n) Routine testing and calibration of facility components, subsystems, or portable equipment (such as control valves, in-core monitoring devices, transformers, capacitors, monitoring wells, lysimeters, weather stations, and flumes);
(o) Routine decontamination of the surfaces of equipment, rooms, hot cells, or other interior surfaces of buildings (by such activities as wiping with rags, using strippable latex, and minor vacuuming), and removal of contaminated intact equipment and other material (not including spent nuclear fuel or special nuclear material in nuclear reactors); and
(p) Removal of debris.
B1.4 AIR CONDITIONING SYSTEMS FOR EXISTING EQUIPMENT Installation or modification of air conditioning systems required for temperature control for operation of existing equipment.
B1.5 EXISTING STEAM PLANTS AND COOLING WATER SYSTEMS. Minor improvements to existing steam plants and cooling water systems (including, but not limited to, modifications of existing cooling towers and ponds), provided that the improvements would not: (1) Create new sources of water or involve new receiving waters; (2) have the potential to significantly alter water withdrawal rates; (3) exceed the permitted temperature of discharged water; or (4) increase introductions of, or involve new introductions of, hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products.
B1.6 TANKS AND EQUIPMENT TO CONTROL RUNOFF AND SPILLS. Installation or modification of retention tanks or small (normally under one acre) basins and associated piping and pumps for existing operations to control runoff or spills (such as under 40 CFR part 112). Modifications include, but are not limited to, installing liners or covers. (See also B1.33 of this appendix.)
B1.7 ELECTRONIC EQUIPMENT. Acquisition, installation, operation, modification, and removal of electricity transmission control and monitoring devices for grid demand and response, communication systems, data processing equipment, and similar electronic equipment.
B1.8 SCREENED WATER INTAKE AND OUTFLOW STRUCTURES. Modifications to screened water intake and outflow structures such that intake velocities and volumes and water effluent quality and volumes are consistent with existing permit limits.
B1.9 AIRWAY SAFETY MARKINGS AND PAINTING. Placement of airway safety markings on, painting of, and repair and in-kind replacement of lighting on powerlines and antenna structures, wind turbines, and similar structures in accordance with applicable requirements (such as Federal Aviation Administration standards).
B1.10 ONSITE STORAGE OF ACTIVATED MATERIAL. Routine, onsite storage at an existing facility of activated equipment and material (including, but not limited to, lead) used at that facility, to allow reuse after decay of radioisotopes with short half-lives.
B1.11 FENCING. Installation of fencing, including, but not limited to border marking, that would not have the potential to significantly impede wildlife population movement (including migration) or surface water flow.
B1.12 DETONATION OR BURNING OF EXPLOSIVES OR PROPELLANTS AFTER TESTING. Outdoor detonation or burning of explosives or propellants that failed (duds), were damaged (such as by fracturing), or were otherwise not consumed in testing. Outdoor detonation or burning would be in areas designated and routinely used for those purposes under existing applicable permits issued by Federal, state, and local authorities (such as a permit for a RCRA miscellaneous unit (40 CFR part 264, subpart X)).
B1.13 PATHWAYS, SHORT ACCESS ROADS, AND RAIL LINES. Construction, acquisition, and relocation, consistent with applicable right-of-way conditions and approved land use or transportation improvement plans, of pedestrian walkways and trails, bicycle paths, small outdoor fitness areas, and short access roads and rail lines (such as branch and spur lines).
B1.14 REFUELING OF NUCLEAR REACTORS. Refueling of operating nuclear reactors, during which operations may be suspended and then resumed.

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B1.15 SUPPORT BUILDINGS. Siting, construction or modification, and operation of support buildings and support structures (including, but not limited to, trailers and prefabricated and modular buildings) within or contiguous to an already developed area (where active utilities and currently used roads are readily accessible). Covered support buildings and structures include, but are not limited to, those for office purposes; parking; cafeteria services; education and training; visitor reception; computer and data processing services; health services or recreation activities; routine maintenance activities; storage of supplies and equipment for administrative services and routine maintenance activities; security (such as security posts); fire protection; small-scale fabrication (such as machine shop activities), assembly, and testing of non-nuclear equipment or components; and similar support purposes, but exclude facilities for nuclear weapons activities and waste storage activities, such as activities covered in B1.10, B1.29, B1.35, B2.6, B6.2, B6.4, B6.5, B6.6, and B6.10 of this appendix.
B1.16. ASBESTOS REMOVAL. Removal of asbestos-containing materials from buildings in accordance with applicable requirements (such as 40 CFR part 61, “National Emission Standards for Hazardous Air Pollutants”; 40 CFR part 763, “Asbestos”; 29 CFR part 1910, subpart I, “Personal Protective Equipment”; and 29 CFR part 1926, “Safety and Health Regulations for Construction”; and appropriate state and local requirements, including certification of removal contractors and technicians).
B1.17 POLYCHLORINATED BIPHENYL REMOVAL. Removal of polychlorinated biphenyl (PCB)-containing items (including, but not limited to, transformers and capacitors), PCB-containing oils flushed from transformers, PCB-flushing solutions, and PCB-containing spill materials from buildings or other aboveground locations in accordance with applicable requirements (such as 40 CFR part 761).
B1.18 WATER SUPPLY WELLS. Siting, construction, and operation of additional water supply wells (or replacement wells) within an existing well field, or modification of an existing water supply well to restore production, provided that there would be no drawdown other than in the immediate vicinity of the pumping well, and the covered actions would not have the potential to cause significant long-term decline of the water table, and would not have the potential to cause significant degradation of the aquifer from the new or replacement well.
B1.19 MICROWAVE, METEOROLOGICAL, AND RADIO TOWERS. Siting, construction, modification, operation, and removal of microwave, radio communication, and meteorological towers and associated facilities, provided that the towers and associated facilities would not be in a governmentally designated scenic area (see B(4)(iv) of this appendix) unless otherwise authorized by the appropriate governmental entity.
B1.20 PROTECTION OF CULTURAL RESOURCES, FISH AND WILDLIFE HABITAT. Small-scale activities undertaken to protect cultural resources (such as fencing, labeling, and flagging) or to protect, restore, or improve fish and wildlife habitat, fish passage facilities (such as fish ladders and minor diversion channels), or fisheries. Such activities would be conducted in accordance with an existing natural or cultural resource plan, if any.
B1.21 NOISE ABATEMENT. Noise abatement measures (including, but not limited to, construction of noise barriers and installation of noise control materials).
B1.22 RELOCATION OF BUILDINGS. Relocation of buildings (including, but not limited to, trailers and prefabricated buildings) to an already developed area (where active utilities and currently used roads are readily accessible).
B1.23 DEMOLITION AND DISPOSAL OF BUILDINGS. Demolition and subsequent disposal of buildings, equipment, and support structures (including, but not limited to, smoke stacks and parking lot surfaces), provided that there would be no potential for release of substances at a level, or in a form, that could pose a threat to public health or the environment.
B1.24 PROPERTY TRANSFERS. Transfer, lease, disposition, or acquisition of interests in personal property (including, but not limited to, equipment and materials) or real property (including, but not limited to, permanent structures and land), provided that under reasonably foreseeable uses (1) there would be no potential for release of substances at a level, or in a form, that could pose a threat to public health or the environment and (2) the covered actions would not have the potential to cause a significant change in impacts from before the transfer, lease, disposition, or acquisition of interests.
B1.25 REAL PROPERTY TRANSFERS FOR CULTURAL RESOURCES PROTECTION, HABITAT PRESERVATION, AND WILDLIFE MANAGEMENT. Transfer, lease, disposition, or acquisition of interests in land and associated buildings for cultural resources protection, habitat preservation, or fish and wildlife management, provided that there would be no potential for release of substances at a level, or in a form, that could pose a threat to public health or the environment.
B1.26 SMALL WATER TREATMENT FACILITIES. Siting, construction, expansion, modification, replacement, operation, and decommissioning of small (total capacity less than approximately 250,000 gallons per day) wastewater and surface water treatment facilities whose liquid discharges are externally regulated, and small potable water and sewage treatment facilities.
B1.27 DISCONNECTION OF UTILITIES. Activities that are required for the disconnection of utility services (including, but not limited to, water, steam, telecommunications, and electrical power) after it has been determined that the continued operation of these systems is not needed for safety.

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B1.28 PLACING A FACILITY IN AN ENVIRONMENTALLY SAFE CONDITION. Minor activities that are required to place a facility in an environmentally safe condition where there is no proposed use for the facility. These activities would include, but are not limited to, reducing surface contamination, and removing materials, equipment or waste (such as final defueling of a reactor, where there are adequate existing facilities for the treatment, storage, or disposal of the materials, equipment or waste). These activities would not include conditioning, treatment, or processing of spent nuclear fuel, high-level waste, or special nuclear materials.
B1.29 DISPOSAL FACILITIES FOR CONSTRUCTION AND DEMOLITION WASTE. Siting, construction, expansion, modification, operation, and decommissioning of small (less than approximately 10 acres) solid waste disposal facilities for construction and demolition waste, in accordance with applicable requirements (such as 40 CFR part 257, "Criteria for Classification of Solid Waste Disposal Facilities and Practices," and 40 CFR part 61, "National Emission Standards for Hazardous Air Pollutants") that would not release substances at a level, or in a form, that could pose a threat to public health or the environment.
B1.30 TRANSFER ACTIONS. Transfer actions, in which the predominant activity is transportation, provided that (1) the receipt and storage capacity and management capability for the amount and type of materials, equipment, or waste to be moved already exists at the receiving site and (2) all necessary facilities and operations at the receiving site are already permitted, licensed, or approved, as appropriate. Such transfers are not regularly scheduled as part of ongoing routine operations.
B1.31 INSTALLATION OR RELOCATION OF MACHINERY AND EQUIPMENT. Installation or relocation and operation of machinery and equipment (including, but not limited to, laboratory equipment, electronic hardware, manufacturing machinery, maintenance equipment, and health and safety equipment), provided that uses of the installed or relocated items are consistent with the general missions of the receiving structure. Covered actions include modifications to an existing building, within or contiguous to a previously disturbed or developed area, that are necessary for equipment installation and relocation. Such modifications would not appreciably increase the footprint or height of the existing building or have the potential to cause significant changes to the type and magnitude of environmental impacts.
B1.32 TRAFFIC FLOW ADJUSTMENTS. Traffic flow adjustments to existing roads (including, but not limited to, stop sign or traffic light installation, adjusting direction of traffic flow, and adding turning lanes), and road adjustments (including, but not limited to, widening and realignment) that are within an existing right-of-way and consistent with approved land use or transportation improvement plans.
B1.33 STORMWATER RUNOFF CONTROL. Design, construction, and operation of control practices to reduce stormwater runoff and maintain natural hydrology. Activities include, but are not limited to, those that reduce impervious surfaces (such as vegetative practices and use of porous pavements), best management practices (such as silt fences, straw wattles, and fiber rolls), and use of green infrastructure or other low impact development practices (such as cisterns and green roofs).
B1.34 LEAD-BASED PAINT CONTAINMENT, REMOVAL, AND DISPOSAL. Containment, removal, and disposal of lead-based paint in accordance with applicable requirements (such as provisions relating to the certification of removal contractors and technicians at 40 CFR part 745, "LeadBased Paint Poisoning Prevention In Certain Residential Structures").
B1.35 DROP-OFF, COLLECTION, AND TRANSFER FACILITIES FOR RECYCLABLE MATERIALS. Siting, construction, modification, and operation of recycling or compostable material drop-off, collection, and transfer stations on or contiguous to a previously disturbed or developed area and in an area where such a facility would be consistent with existing zoning requirements. The stations would have appropriate facilities and procedures established in accordance with applicable requirements for the handling of recyclable or compostable materials and household hazardous waste (such as paint and pesticides). Except as specified above, the collection of hazardous waste for disposal and the processing of recyclable or compostable materials are not included in this class of actions.
B1.36 DETERMINATIONS OF EXCESS REAL PROPERTY. Determinations that real property is excess to the needs of DOE and, in the case of acquired real property, the subsequent reporting of such determinations to the General Services Administration or, in the case of lands withdrawn or otherwise reserved from the public domain, the subsequent filing of a notice of intent to relinquish with the Bureau of Land Management, Department of the Interior. Covered actions would not include disposal of real property.
B2. Categorical Exclusions Applicable to Safety and Health
B2.1 WORKPLACE ENHANCEMENTS. Modifications within or contiguous to an existing structure, in a previously disturbed or developed area, to enhance workplace habitability (including, but not limited to, installation or improvements to lighting, radiation shielding, or heating/ventilating/air conditioning and its instrumentation, and noise reduction).

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B2.2 BUILDING AND EQUIPMENT INSTRUMENTATION. Installation of, or improvements to, building and equipment instrumentation (including, but not limited to, remote control panels, remote monitoring capability, alarm and surveillance systems, control systems to provide automatic shutdown, fire detection and protection systems, water consumption monitors and flow control systems, announcement and emergency warning systems, criticality and radiation monitors and alarms, and safeguards and security equipment).
B2.3 PERSONNEL SAFETY AND HEALTH EQUIPMENT. Installation of, or improvements to, equipment for personnel safety and health (including, but not limited to, eye washes, safety showers, radiation monitoring devices, fumehoods, and associated collection and exhaust systems), provided that the covered actions would not have the potential to cause a significant increase in emissions.
B2.4 EQUIPMENT QUALIFICATION. Activities undertaken to (1) qualify equipment for use or improve systems reliability or (2) augment information on safety-related system components. These activities include, but are not limited to, transportation container qualification testing, crane and lift-gear certification or recertification testing, high efficiency particulate air filter testing and certification, stress tests (such as “burn-in” testing of electrical components and leak testing), and calibration of sensors or diagnostic equipment.
B2.5 FACILITY SAFETY AND ENVIRONMENTAL IMPROVEMENTS. Safety and environmental improvements of a facility (including, but not limited to, replacement and upgrade of facility components) that do not result in a significant change in the expected useful life, design capacity, or function of the facility and during which operations may be suspended and then resumed. Improvements include, but are not limited to, replacement/upgrade of control valves, in-core monitoring devices, facility air filtration systems, or substation transformers or capacitors; addition of structural bracing to meet earthquake standards and/or sustain high wind loading; and replacement of aboveground or belowground tanks and related piping, provided that there is no evidence of leakage, based on testing in accordance with applicable requirements (such as 40 CFR part 265, “Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities” and 40 CFR part 280, “Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks”). These actions do not include rebuilding or modifying substantial portions of a facility (such as replacing a reactor vessel).
B2.6 RECOVERY OF RADIOACTIVE SEALED SOURCES. Recovery of radioactive sealed sources and sealed source-containing devices from domestic or foreign locations provided that (1) the recovered items are transported and stored in compliant containers, and (2) the receiving site has sufficient existing storage capacity and all required licenses, permits, and approvals.
B3. Categorical Exclusions Applicable to Site Characterization, Monitoring, and General Research
B3.1 SITE CHARACTERIZATION AND ENVIRONMENTAL MONITORING. Site characterization and environmental monitoring (including, but not limited to, siting, construction, modification, operation, and dismantlement and removal or otherwise proper closure (such as of a well) of characterization and monitoring devices, and siting, construction, and associated operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis). Such activities would be designed in conformance with applicable requirements and use best management practices to limit the potential effects of any resultant ground disturbance. Covered activities include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. (This class of actions excludes activities in aquatic environments. See B3.16 of this appendix for such activities.) Specific activities include, but are not limited to:
(a) Geological, geophysical (such as gravity, magnetic, electrical, seismic, radar, and temperature gradient), geochemical, and engineering surveys and mapping, and the establishment of survey marks. Seismic techniques would not include large-scale reflection or refraction testing;
(b) Installation and operation of field instruments (such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools);
(c) Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells;
(d) Aquifer and underground reservoir response testing;
(e) Installation and operation of ambient air monitoring equipment;
(f) Sampling and characterization of water, soil, rock, or contaminants (such as drilling using truck- or mobile-scale equipment, and modification, use, and plugging of boreholes);
(g) Sampling and characterization of water effluents, air emissions, or solid waste streams;
(h) Installation and operation of meteorological towers and associated activities (such as assessment of potential wind energy resources);
(i) Sampling of flora or fauna; and
(j) Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.

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B3.2 AVIATION ACTIVITIES. Aviation activities for survey, monitoring, or security purposes that comply with Federal Aviation Administration regulations.
B3.3 RESEARCH RELATED TO CONSERVATION OF FISH, WILDLIFE, AND CULTURAL RESOURCES. Field and laboratory research, inventory, and information collection activities that are directly related to the conservation of fish and wildlife resources or to the protection of cultural resources, provided that such activities would not have the potential to cause significant impacts on fish and wildlife habitat or populations or to cultural resources.
B3.4 TRANSPORT PACKAGING TESTS FOR RADIOACTIVE OR HAZARDOUS MATERIAL. Drop, puncture, water-immersion, thermal, and fire tests of transport packaging for radioactive or hazardous materials to certify that designs meet the applicable requirements (such as 49 CFR 173.411 and 173.412 and 10 CFR 71.73).
B3.5 TANK CAR TESTS. Tank car tests under 49 CFR part 179 (including, but not limited to, tests of safety relief devices, pressure regulators, and thermal protection systems).
B3.6 SMALL-SCALE RESEARCH AND DEVELOPMENT, LABORATORY OPERATIONS, AND PILOT PROJECTS. Siting, construction, modification, operation, and decommissioning of facilities for small-scale research and development projects; conventional laboratory operations (such as preparation of chemical standards and sample analysis); and small-scale pilot projects (generally less than 2 years) frequently conducted to verify a concept before demonstration actions, provided that construction or modification would be within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible). Not included in this category are demonstration actions, meaning actions that are undertaken at a scale to show whether a technology would be viable on a larger scale and suitable for commercial deployment.
B3.7 NEW TERRESTRIAL INFILL EXPLORATORY AND EXPERIMENTAL WELLS. Siting, construction, and operation of new terrestrial infill exploratory and experimental (test) wells, for either extraction or injection use, in a locally characterized geological formation in a field that contains existing operating wells, properly abandoned wells, or unminable coal seams containing natural gas, provided that the site characterization has verified a low potential for seismicity, subsidence, and contamination of freshwater aquifers, and the actions are otherwise consistent with applicable best practices and DOE protocols, including those that protect against uncontrolled releases of harmful materials. Such wells may include those for brine, carbon dioxide, coalbed methane, gas hydrate, geothermal, natural gas, and oil. Uses for carbon sequestration wells include, but are not limited to, the study of saline formations, enhanced oil recovery, and enhanced coalbed methane extraction.
B3.8 OUTDOOR TERRESTRIAL ECOLOGICAL AND ENVIRONMENTAL RESEARCH. Outdoor terrestrial ecological and environmental research in a small area (generally less than 5 acres), including, but not limited to, siting, construction, and operation of a small-scale laboratory building or renovation of a room in an existing building for associated analysis. Such activities would be designed in conformance with applicable requirements and use best management practices to limit the potential effects of any resultant ground disturbance.
B3.9 PROJECTS TO REDUCE EMISSIONS AND WASTE GENERATION. Projects to reduce emissions and waste generation at existing fossil or alternative fuel combustion or utilization facilities, provided that these projects would not have the potential to cause a significant increase in the quantity or rate of air emissions. For this category of actions, "fuel" includes, but is not limited to, coal, oil, natural gas, hydrogen, syngas, and biomass; but "fuel" does not include nuclear fuel. Covered actions include, but are not limited to:
(a) Test treatment of the throughput product (solid, liquid, or gas) generated at an existing and fully operational fuel combustion or utilization facility;
(b) Addition or replacement of equipment for reduction or control of sulfur dioxide, oxides of nitrogen, or other regulated substances that requires only minor modification to the existing structures at an existing fuel combustion or utilization facility, for which the existing use remains essentially unchanged;
(c) Addition or replacement of equipment for reduction or control of sulfur dioxide, oxides of nitrogen, or other regulated substances that involves no permanent change in the quantity or quality of fuel burned or used and involves no permanent change in the capacity factor of the fuel combustion or utilization facility; and
(d) Addition or modification of equipment for capture and control of carbon dioxide or other regulated substances, provided that adequate infrastructure is in place to manage such substances.

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B3.10 PARTICLE ACCELERATORS. Siting, construction, modification, operation, and decommissioning of particle accelerators, including electron beam accelerators, with primary beam energy less than approximately 100 million electron volts (MeV) and average beam power less than approximately 250 kilowatts (kW), and associated beamlines, storage rings, colliders, and detectors, for research and medical purposes (such as proton therapy), and isotope production, within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible), or internal modification of any accelerator facility regardless of energy, that does not increase primary beam energy or current. In cases where the beam energy exceeds 100 MeV, the average beam power must be less than 250 kW, so as not to exceed an average current of 2.5 milliamperes (mA).
B3.11 OUTDOOR TESTS AND EXPERIMENTS ON MATERIALS AND EQUIPMENT COMPONENTS. Outdoor tests and experiments for the development, quality assurance, or reliability of materials and equipment (including, but not limited to, weapon system components) under controlled conditions. Covered actions include, but are not limited to, burn tests (such as tests of electric cable fire resistance or the combustion characteristics of fuels), impact tests (such as pneumatic ejector tests using earthen embankments or concrete slabs designated and routinely used for that purpose), or drop, puncture, water-immersion, or thermal tests. Covered actions would not involve source, special nuclear, or byproduct materials, except encapsulated sources manufactured to applicable standards that contain source, special nuclear, or byproduct materials may be used for nondestructive actions such as detector/sensor development and testing and first responder field training.
B3.12 MICROBIOLOGICAL AND BIOMEDICAL FACILITIES. Siting, construction, modification, operation, and decommissioning of microbiological and biomedical diagnostic, treatment and research facilities (excluding Biosafety Level-3 and Biosafety Level-4), in accordance with applicable requirements and best practices (such as Biosafety in Microbiological and Biomedical Laboratories, 5th Edition, Dec. 2009, U.S. Department of Health and Human Services) including, but not limited to, laboratories, treatment areas, offices, and storage areas, within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible). Operation may include the purchase, installation, and operation of biomedical equipment (such as commercially available cyclotrons that are used to generate radioisotopes and radiopharmaceuticals, and commercially available biomedical imaging and spectroscopy instrumentation).
B3.13 MAGNETIC FUSION EXPERIMENTS. Performing magnetic fusion experiments that do not use tritium as fuel, within existing facilities (including, but not limited to, necessary modifications).
B3.14 SMALL-SCALE EDUCATIONAL FACILITIES. Siting, construction, modification, operation, and decommissioning of small-scale educational facilities (including, but not limited to, conventional teaching laboratories, libraries, classroom facilities, auditoriums, museums, visitor centers, exhibits, and associated offices) within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible). Operation may include, but is not limited to, purchase, installation, and operation of equipment (such as audio/visual and laboratory equipment) commensurate with the educational purpose of the facility.
B3.15 SMALL-SCALE INDOOR RESEARCH AND DEVELOPMENT PROJECTS USING NANOSCALE MATERIALS. Siting, construction, modification, operation, and decommissioning of facilities for indoor small-scale research and development projects and small-scale pilot projects using nanoscale materials in accordance with applicable requirements (such as engineering, worker safety, procedural, and administrative regulations) necessary to ensure the containment of any hazardous materials. Construction and modification activities would be within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible).
B3.16 RESEARCH ACTIVITIES IN AQUATIC ENVIRONMENTS. Small-scale, temporary surveying, site characterization, and research activities in aquatic environments, limited to:
(a) Acquisition of rights-of-way, easements, and temporary use permits;
(b) Installation, operation, and removal of passive scientific measurement devices, including, but not limited to, antennae, tide gauges, flow testing equipment for existing wells, weighted hydrophones, salinity measurement devices, and water quality measurement devices;
(c) Natural resource inventories, data and sample collection, environmental monitoring, and basic and applied research, excluding (1) large-scale vibratory coring techniques and (2) seismic activities other than passive techniques; and
(d) Surveying and mapping.

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These activities would be conducted in accordance with, where applicable, an approved spill prevention, control, and response plan and would incorporate appropriate control technologies and best management practices. None of the activities listed above would occur within the boundary of an established marine sanctuary or wildlife refuge, a governmentally proposed marine sanctuary, or wildlife refuge, or a governmentally recognized area of high biological sensitivity, unless authorized by the agency responsible for such refuge, sanctuary, or area (or after consultation with the responsible agency, if no authorization is required). If the proposed activities would occur outside such refuge, sanctuary, or area and if the activities would have the potential to cause impacts within such refuge, sanctuary, or area, then the responsible agency shall be consulted in order to determine whether authorization is required and whether such activities would have the potential to cause significant impacts on such refuge, sanctuary, or area. Areas of high biological sensitivity include, but are not limited to, areas of known ecological importance, whale and marine mammal mating and calving/pupping areas, and fish and invertebrate spawning and nursery areas recognized as being limited or unique and vulnerable to perturbation; these areas can occur in bays, estuaries, near shore, and far offshore, and may vary seasonally. No permanent facilities or devices would be constructed or installed. Covered actions do not include drilling of resource exploration or extraction wells.

B4. Categorical Exclusions Applicable to Electrical Power and Transmission

B4.1 CONTRACTS, POLICIES, AND MARKETING AND ALLOCATION PLANS FOR ELECTRIC POWER. Establishment and implementation of contracts, policies, and marketing and allocation plans related to electric power acquisition that involve only the use of the existing transmission system and existing generation resources operating within their normal operating limits.

B4.2 EXPORT OF ELECTRIC ENERGY. Export of electric energy as provided by Section 202(e) of the Federal Power Act over existing transmission systems or using transmission system changes that are themselves categorically excluded.

B4.3 ELECTRIC POWER MARKETING RATE CHANGES. Rate changes for electric power, power transmission, and other products or services provided by a Power Marketing Administration that are based on a change in revenue requirements if the operations of generation projects would remain within normal operating limits.

B4.4 POWER MARKETING SERVICES AND ACTIVITIES. Power marketing services and power management activities (including, but not limited to, storage, load shaping and balancing, seasonal exchanges, and other similar activities), provided that the operations of generating projects would remain within normal operating limits.

B4.5 TEMPORARY ADJUSTMENTS TO RIVER OPERATIONS. Temporary adjustments to river operations to accommodate day-to-day river fluctuations, power demand changes, fish and wildlife conservation program requirements, and other external events, provided that the adjustments would occur within the existing operating constraints of the particular hydrosystem operation.

B4.6 ADDITIONS AND MODIFICATIONS TO TRANSMISSION FACILITIES. Additions or modifications to electric power transmission facilities within a previously disturbed or developed facility area. Covered activities include, but are not limited to, switchyard rock grounding upgrades, secondary containment projects, paving projects, seismic upgrading, tower modifications, load shaping projects (such as reducing energy use during periods of peak demand), changing insulators, and replacement of poles, circuit breakers, conductors, transformers, and crossarms.

B4.7 FIBER OPTIC CABLE. Adding fiber optic cables to transmission facilities or burying fiber optic cable in existing powerline or pipeline rights-of-way. Covered actions may include associated vaults and pulling and tensioning sites outside of rights-of-way in nearby previously disturbed or developed areas.

B4.8 ELECTRICITY TRANSMISSION AGREEMENTS. New electricity transmission agreements, and modifications to existing transmission arrangements, to use a transmission facility of one system to transfer power of and for another system, provided that no new generation projects would be involved and no physical changes in the transmission system would be made beyond the previously disturbed or developed facility area.

B4.9 MULTIPLE USE OF POWERLINE RIGHTS-OF-WAY. Granting or denying requests for multiple uses of a transmission facility's rights-of-way (including, but not limited to, grazing permits and crossing agreements for electric lines, water lines, natural gas pipelines, communications cables, roads, and drainage culverts).

B4.10 REMOVAL OF ELECTRIC TRANSMISSION FACILITIES. Deactivation, dismantling, and removal of electric transmission facilities (including, but not limited to, electric powerlines, substations, and switching stations) and abandonment and restoration of rights-of-way (including, but not limited to, associated access roads).

B4.11 ELECTRIC POWER SUBSTATIONS AND INTERCONNECTION FACILITIES. Construction or modification of electric power substations or interconnection facilities (including, but not limited to, switching stations and support facilities).

B4.12 CONSTRUCTION OF POWERLINES. Construction of electric powerlines approximately 10 miles in length or less, or approximately 20 miles in length or less within previously disturbed or developed powerline or pipeline rights-of-way.

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B4.13 UPGRADING AND REBUILDING EXISTING POWERLINES. Upgrading or rebuilding existing electric powerlines, which may involve relocations of small segments of the powerlines within an existing powerline right-of-way or within otherwise previously disturbed or developed lands (as discussed at 10 CFR 1021.410(g)(1)). Upgrading or rebuilding existing electric powerlines also may involve widening an existing powerline right-of-way to meet current electrical standards if the widening remains within previously disturbed or developed lands and only extends into a small area beyond such lands as needed to comply with applicable electrical standards. Covered actions would be in accordance with applicable requirements, including the integral elements listed at the start of appendix B of this part; and would incorporate appropriate design and construction standards, control technologies, and best management practices. This categorical exclusion does not apply to underwater powerlines. As used in this categorical exclusion, “small” has the meaning discussed at 10 CFR 1021.410(g)(2).

B4.14 CONSTRUCTION AND OPERATION OF ELECTROCHEMICAL-BATTERY OR FLYWHEEL ENERGY STORAGE SYSTEMS. Construction, operation, upgrade, or decommissioning of an electrochemical-battery or flywheel energy storage system within a previously disturbed or developed area or within a small (as discussed at 10 CFR 1021.410(g)(2)) area contiguous to a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as land use and zoning requirements) in the proposed project area and the integral elements listed at the start of appendix B of this part, and would incorporate appropriate safety standards (including the current National Fire Protection Association 855, Standard for the Installation of Stationary Energy Storage Systems), design and construction standards, control technologies, and best management practices.

B5. Categorical Exclusions Applicable to Conservation, Fossil, and Renewable Energy Activities

B5.1 ACTIONS TO CONSERVE ENERGY OR WATER. (a) Actions to conserve energy or water, demonstrate potential energy or water conservation, and promote energy efficiency that would not have the potential to cause significant changes in the indoor or outdoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, manufacturers, and designers), organizations (such as utilities), and governments (such as state, local, and tribal). Covered actions include, but are not limited to weatherization (such as insulation and replacing windows and doors); programmed lowering of thermostat settings; placement of timers on hot water heaters; installation or replacement of energy efficient lighting, low-flow plumbing fixtures (such as faucets, toilets, and showerheads), heating, ventilation, and air conditioning systems, and appliances; installation of drip-irrigation systems; improvements in generator efficiency and appliance efficiency ratings; efficiency improvements for vehicles and transportation (such as fleet changeout); transportation management systems (such as traffic signal control systems, car navigation, speed cameras, and automatic plate number recognition); development of energy-efficient manufacturing, industrial, or building practices; and small-scale energy efficiency and conservation research and development and small-scale pilot projects. Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area. Covered actions could involve commercial, residential, agricultural, academic, institutional, or industrial sectors. Covered actions do not include rulemakings, standard-settings, or proposed DOE legislation, except for those actions listed in B5.1(b) of this appendix.

(b) Covered actions include rulemakings that establish energy conservation standards for consumer products and industrial equipment, provided that the actions would not: (1) have the potential to cause a significant change in manufacturing infrastructure (such as construction of new manufacturing plants with considerable associated ground disturbance); (2) involve significant unresolved conflicts concerning alternative uses of available resources (such as rare or limited raw materials); (3) have the potential to result in a significant increase in the disposal of materials posing significant risks to human health and the environment (such as RCRA hazardous wastes); or (4) have the potential to cause a significant increase in energy consumption in a state or region.

B5.2 MODIFICATIONS TO PUMPS AND PIPING. Modifications to existing pump and piping configurations (including, but not limited to, manifolds, metering systems, and other instrumentation on such configurations conveying materials such as air, brine, carbon dioxide, geothermal system fluids, hydrogen gas, natural gas, nitrogen gas, oil, produced water, steam, and water). Covered modifications would not have the potential to cause significant changes to design process flow rates or permitted air emissions.

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B5.3 MODIFICATION OR ABANDONMENT OF WELLS. Modification (but not expansion) or plugging and abandonment of wells, provided that site characterization has verified a low potential for seismicity, subsidence, and contamination of freshwater aquifers, and the actions are otherwise consistent with best practices and DOE protocols, including those that protect against uncontrolled releases of harmful materials. Such wells may include, but are not limited to, storage and injection wells for brine, carbon dioxide, coalbed methane, gas hydrate, geothermal, natural gas, and oil. Covered modifications would not be part of site closure.
B5.4 REPAIR OR REPLACEMENT OF PIPELINES. Repair, replacement, upgrading, rebuilding, or minor relocation of pipelines within existing rights-of-way, provided that the actions are in accordance with applicable requirements (such as Army Corps of Engineers permits under section 404 of the Clean Water Act). Pipelines may convey materials including, but not limited to, air, brine, carbon dioxide, geothermal system fluids, hydrogen gas, natural gas, nitrogen gas, oil, produced water, steam, and water.
B5.5 SHORT PIPELINE SEGMENTS. Construction and subsequent operation of short (generally less than 20 miles in length) pipeline segments conveying materials (such as air, brine, carbon dioxide, geothermal system fluids, hydrogen gas, natural gas, nitrogen gas, oil, produced water, steam, and water) between existing source facilities and existing receiving facilities (such as facilities for use, reuse, transportation, storage, and refining), provided that the pipeline segments are within previously disturbed or developed rights-of-way.
B5.6 OIL SPILL CLEANUP. Removal of oil and contaminated materials recovered in oil spill cleanup operations and disposal of these materials in accordance with applicable requirements (such as the National Oil and Hazardous Substances Pollution Contingency Plan).
B5.7 EXPORT OF NATURAL GAS AND ASSOCIATED TRANSPORTATION BY MARINE VESSEL. Approvals or disapprovals of new authorizations or amendments of existing authorizations to export natural gas under section 3 of the Natural Gas Act and any associated transportation of natural gas by marine vessel.
B5.8 [Reserved]
B5.9 TEMPORARY EXEMPTIONS FOR ELECTRIC POWERPLANTS. Grants or denials of temporary exemptions under the Powerplant and Industrial Fuel Use Act of 1978, as amended, for electric powerplants.
B5.10 CERTAIN PERMANENT EXEMPTIONS FOR EXISTING ELECTRIC POWERPLANTS. For existing electric powerplants, grants or denials of permanent exemptions under the Powerplant and Industrial Fuel Use Act of 1978, as amended, other than exemptions under section 312(c) relating to cogeneration and section 312(b) relating to certain state or local requirements.
B5.11 PERMANENT EXEMPTIONS ALLOWING MIXED NATURAL GAS AND PETROLEUM. For new electric powerplants, grants or denials of permanent exemptions from the prohibitions of Title II of the Powerplant and Industrial Fuel Use Act of 1978, as amended, to permit the use of certain fuel mixtures containing natural gas or petroleum.
B5.12 WORKOVER OF EXISTING WELLS. Workover (operations to restore production, such as deepening, plugging back, pulling and resetting lines, and squeeze cementing) of existing wells (including, but not limited to, activities associated with brine, carbon dioxide, coalbed methane, gas hydrate, geothermal, natural gas, and oil) to restore functionality, provided that workover operations are restricted to the existing wellpad and do not involve any new site preparation or earthwork that would have the potential to cause significant impacts on nearby habitat; that site characterization has verified a low potential for seismicity, subsidence, and contamination of freshwater aquifers; and the actions are otherwise consistent with best practices and DOE protocols, including those that protect against uncontrolled releases of harmful materials.
B5.13 EXPERIMENTAL WELLS FOR INJECTION OF SMALL QUANTITIES OF CARBON DIOXIDE. Siting, construction, operation, plugging, and abandonment of experimental wells for the injection of small quantities of carbon dioxide (and other incidentally co-captured gases) in locally characterized, geologically secure storage formations at or near existing carbon dioxide sources to determine the suitability of the formations for large-scale sequestration, provided that (1) The characterization has verified a low potential for seismicity, subsidence, and contamination of freshwater aquifers; (2) the wells are otherwise in accordance with applicable requirements, best practices, and DOE protocols, including those that protect against uncontrolled releases of harmful materials; and (3) the wells and associated drilling activities are sufficiently remote so that they would not have the potential to cause significant impacts related to noise and other vibrations. Wells may be used for enhanced oil or natural gas recovery or for secure storage of carbon dioxide in saline formations or other secure formations. Over the duration of a project, the wells would be used to inject, in aggregate, less than 500,000 tons of carbon dioxide into the geologic formation. Covered actions exclude activities in aquatic environments. (See B3.16 of this appendix for activities in aquatic environments.)

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B5.14 COMBINED HEAT AND POWER OR COGENERATION SYSTEMS. Conversion to, replacement of, or modification of combined heat and power or cogeneration systems (the sequential or simultaneous production of multiple forms of energy, such as thermal and electrical energy, in a single integrated system) at existing facilities, provided that the conversion, replacement, or modification would not have the potential to cause a significant increase in the quantity or rate of air emissions and would not have the potential to cause significant impacts to water resources.
B5.15 SMALL-SCALE RENEWABLE ENERGY RESEARCH AND DEVELOPMENT AND PILOT PROJECTS. Small-scale renewable energy research and development projects and small-scale pilot projects, provided that the projects are located within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.
<p>B5.16 SOLAR PHOTOVOLTAIC SYSTEMS. (a) The installation, modification, operation, or decommissioning of commercially available solar photovoltaic systems:</p> <p>(1) Located on a building or other structure (such as rooftop, parking lot or facility, or mounted to signage, lighting, gates, or fences); or</p> <p>(2) Located within a previously disturbed or developed area.</p> <p>(b) Covered actions would be in accordance with applicable requirements (such as land use and zoning requirements) in the proposed project area and the integral elements listed at the start of appendix B of this part, and would be consistent with applicable plans for the management of wildlife and habitat, including plans to maintain habitat connectivity, and incorporate appropriate control technologies and best management practices.</p>
B5.17 SOLAR THERMAL SYSTEMS. The installation, modification, operation, and removal of commercially available small-scale solar thermal systems (including, but not limited to, solar hot water systems) located on or contiguous to a building, and if located on land, generally comprising less than 10 acres within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.
B5.18 WIND TURBINES. The installation, modification, operation, and removal of a small number (generally not more than 2) of commercially available wind turbines, with a total height generally less than 200 feet (measured from the ground to the maximum height of blade rotation) that (1) Are located within a previously disturbed or developed area; (2) are located more than 10 nautical miles (about 11.5 miles) from an airport or aviation navigation aid; (3) are located more than 1.5 nautical miles (about 1.7 miles) from National Weather Service or Federal Aviation Administration Doppler weather radar; (4) would not have the potential to cause significant impacts on bird or bat populations; and (5) are sited or designed such that the project would not have the potential to cause significant impacts to persons (such as from shadow flicker and other visual effects, and noise). Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices. Covered actions include only those related to wind turbines to be installed on land.
B5.19 GROUND SOURCE HEAT PUMPS. The installation, modification, operation, and removal of commercially available small-scale ground source heat pumps to support operations in single facilities (such as a school or community center) or contiguous facilities (such as an office complex) (1) Only where (a) major associated activities (such as drilling and discharge) are regulated, and (b) appropriate leakage and contaminant control measures would be in place (including for cross-contamination between aquifers); (2) that would not have the potential to cause significant changes in subsurface temperature; and (3) would be located within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.
B5.20 BIOMASS POWER PLANTS. The installation, modification, operation, and removal of small-scale biomass power plants (generally less than 10 megawatts), using commercially available technology (1) Intended primarily to support operations in single facilities (such as a school and community center) or contiguous facilities (such as an office complex); (2) that would not affect the air quality attainment status of the area and would not have the potential to cause a significant increase in the quantity or rate of air emissions and would not have the potential to cause significant impacts to water resources; and (3) would be located within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

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B5.21 METHANE GAS RECOVERY AND UTILIZATION SYSTEMS. The installation, modification, operation, and removal of commercially available methane gas recovery and utilization systems installed within a previously disturbed or developed area on or contiguous to an existing landfill or wastewater treatment plant that would not have the potential to cause a significant increase in the quantity or rate of air emissions. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.
B5.22 ALTERNATIVE FUEL VEHICLE FUELING STATIONS. The installation, modification, operation, and removal of alternative fuel vehicle fueling stations (such as for compressed natural gas, hydrogen, ethanol and other commercially available biofuels) on the site of a current or former fueling station, or within a previously disturbed or developed area within the boundaries of a facility managed by the owners of a vehicle fleet. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.
B5.23 ELECTRIC VEHICLE CHARGING STATIONS. The installation, modification, operation, and removal of electric vehicle charging stations, using commercially available technology, within a previously disturbed or developed area. Covered actions are limited to areas where access and parking are in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.
B5.24 DROP-IN HYDROELECTRIC SYSTEMS. The installation, modification, operation, and removal of commercially available small-scale, drop-in, run-of-the-river hydroelectric systems that would (1) Involve no water storage or water diversion from the stream or river channel where the system is installed and (2) not have the potential to cause significant impacts on water quality, temperature, flow, or volume. Covered systems would be located up-gradient of an existing anadromous fish barrier that is not planned for removal and where fish passage retrofit is not planned and where there would not be the potential for significant impacts to threatened or endangered species or other species of concern (as identified in B(4)(ii) of this appendix). Covered actions would involve no major construction or modification of stream or river channels, and the hydroelectric systems would be placed and secured in the channel without the use of heavy equipment. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.
B5.25 SMALL-SCALE RENEWABLE ENERGY RESEARCH AND DEVELOPMENT AND PILOT PROJECTS IN AQUATIC ENVIRONMENTALS. Small-scale renewable energy research and development projects and small-scale pilot projects located in aquatic environments. Activities would be in accordance with, where applicable, an approved spill prevention, control, and response plan, and would incorporate appropriate control technologies and best management practices. Covered actions would not occur (1) Within areas of hazardous natural bottom conditions or (2) within the boundary of an established marine sanctuary or wildlife refuge, a governmentally proposed marine sanctuary or wildlife refuge, or a governmentally recognized area of high biological sensitivity, unless authorized by the agency responsible for such refuge, sanctuary, or area (or after consultation with the responsible agency, if no authorization is required). If the proposed activities would occur outside such refuge, sanctuary, or area and if the activities would have the potential to cause impacts within such refuge, sanctuary, or area, then the responsible agency shall be consulted in order to determine whether authorization is required and whether such activities would have the potential to cause significant impacts on such refuge, sanctuary, or area. Areas of high biological sensitivity include, but are not limited to, areas of known ecological importance, whale and marine mammal mating and calving/pupping areas, and fish and invertebrate spawning and nursery areas recognized as being limited or unique and vulnerable to perturbation; these areas can occur in bays, estuaries, near shore, and far offshore, and may vary seasonally. No permanent facilities or devices would be constructed or installed. Covered actions do not include drilling of resource exploration or extraction wells, use of large-scale vibratory coring techniques, or seismic activities other than passive techniques.
B6. Categorical Exclusions Applicable to Environmental Restoration and Waste Management Activities
B6.1 CLEANUP ACTIONS. Small-scale, short-term cleanup actions, under RCRA, Atomic Energy Act, or other authorities, less than approximately 10 million dollars in cost (in 2011 dollars), to reduce risk to human health or the environment from the release or threat of release of a hazardous substance other than high-level radioactive waste and spent nuclear fuel, including treatment (such as incineration, encapsulation, physical or chemical separation, and compaction), recovery, storage, or disposal of wastes at existing facilities currently handling the type of waste involved in the action. These actions include, but are not limited to:
(a) Excavation or consolidation of contaminated soils or materials from drainage channels, retention basins, ponds, and spill areas that are not receiving contaminated surface water or wastewater, if surface water or groundwater would not collect and if such actions would reduce the spread of, or direct contact with, the contamination;

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(b) Removal of bulk containers (such as drums and barrels) that contain or may contain hazardous substances, pollutants, contaminants, CERCLA-excluded petroleum or natural gas products, or hazardous wastes (designated in 40 CFR part 261 or applicable State requirements), if such actions would reduce the likelihood of spillage, leakage, fire, explosion, or exposure to humans, animals, or the food chain;
(c) Removal of an underground storage tank including its associated piping and underlying containment systems in accordance with applicable requirements (such as RCRA, subtitle I; 40 CFR part 265, subpart J; and 40 CFR part 280, subparts F and G) if such action would reduce the likelihood of spillage, leakage, or the spread of, or direct contact with, contamination;
(d) Repair or replacement of leaking containers;
(e) Capping or other containment of contaminated soils or sludges if the capping or containment would not unduly limit future groundwater remediation and if needed to reduce migration of hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products into soil, groundwater, surface water, or air;
(f) Drainage or closing of man-made surface impoundments if needed to maintain the integrity of the structures;
(g) Confinement or perimeter protection using dikes, trenches, ditches, or diversions, or installing underground barriers, if needed to reduce the spread of, or direct contact with, the contamination;
(h) Stabilization, but not expansion, of berms, dikes, impoundments, or caps if needed to maintain integrity of the structures;
(i) Drainage controls (such as run-off or run-on diversion) if needed to reduce offsite migration of hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum or natural gas products or to prevent precipitation or run-off from other sources from entering the release area from other areas;
(j) Segregation of wastes that may react with one another or form a mixture that could result in adverse environmental impacts;
(k) Use of chemicals and other materials to neutralize the pH of wastes;
(l) Use of chemicals and other materials to retard the spread of the release or to mitigate its effects if the use of such chemicals would reduce the spread of, or direct contact with, the contamination;
(m) Installation and operation of gas ventilation systems in soil to remove methane or petroleum vapors without any toxic or radioactive co-contaminants if appropriate filtration or gas treatment is in place;
(n) Installation of fences, warning signs, or other security or site control precautions if humans or animals have access to the release; and
(o) Provision of an alternative water supply that would not create new water sources if necessary immediately to reduce exposure to contaminated household or industrial use water and continuing until such time as local authorities can satisfy the need for a permanent remedy.
B6.2 WASTE COLLECTION, TREATMENT, STABILIZATION, AND CONTAINMENT FACILITIES. The siting, construction, and operation of temporary (generally less than 2 years) pilot-scale waste collection and treatment facilities, and pilot-scale (generally less than 1 acre) waste stabilization and containment facilities (including siting, construction, and operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis), provided that the action (1) Supports remedial investigations/feasibility studies under CERCLA, or similar studies under RCRA (such as RCRA facility investigations/corrective measure studies) or other authorities and (2) would not unduly limit the choice of reasonable remedial alternatives (such as by permanently altering substantial site area or by committing large amounts of funds relative to the scope of the remedial alternatives).
B6.3 IMPROVEMENTS TO ENVIRONMENTAL CONTROL SYSTEMS. Improvements to environmental monitoring and control systems of an existing building or structure (such as changes to scrubbers in air quality control systems or ion-exchange devices and other filtration processes in water treatment systems), provided that during subsequent operations (1) Any substance collected by the environmental control systems would be recycled, released, or disposed of within existing permitted facilities and (2) there are applicable statutory or regulatory requirements or permit conditions for disposal, release, or recycling of any hazardous substance or CERCLA-excluded petroleum or natural gas products that are collected or released in increased quantity or that were not previously collected or released.
B6.4 FACILITIES FOR STORING PACKAGED HAZARDOUS WASTE FOR 90 DAYS OR LESS. Siting, construction, modification, expansion, operation, and decommissioning of an onsite facility for storing packaged hazardous waste (as designated in 40 CFR part 261) for 90 days or less or for longer periods as provided in 40 CFR 262.34(d), (e), or (f) (such as accumulation or satellite areas).

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B6.5 FACILITIES FOR CHARACTERIZING AND SORTING PACKAGED WASTE AND OVERPACKING WASTE. Siting, construction, modification, expansion, operation, and decommissioning of an onsite facility for characterizing and sorting previously packaged waste or for overpacking waste, other than high-level radioactive waste, provided that operations do not involve unpacking waste. These actions do not include waste storage (covered under B6.4, B6.6, B6.10 of this appendix, and C16 of appendix C) or the handling of spent nuclear fuel.
B6.6 MODIFICATION OF FACILITIES FOR STORING, PACKAGING, AND REPACKING WASTE. Modification (excluding increases in capacity) of an existing structure used for storing, packaging, or repacking waste other than high-level radioactive waste or spent nuclear fuel, to handle the same class of waste as currently handled at that structure.
B6.7 [Reserved].
B6.8 MODIFICATIONS FOR WASTE MINIMIZATION AND REUSE OF MATERIALS. Minor operational changes at an existing facility to minimize waste generation and for reuse of materials. These changes include, but are not limited to, adding filtration and recycle piping to allow reuse of machining oil, setting up a sorting area to improve process efficiency, and segregating two waste streams previously mingled and as signing new identification codes to the two resulting wastes.
B6.9 MEASURES TO REDUCE MIGRATION OF CONTAMINATED GROUNDWATER. Small-scale temporary measures to reduce migration of contaminated groundwater, including the siting, construction, operation, and decommissioning of necessary facilities. These measures include, but are not limited to, pumping, treating, storing, and reinjecting water, by mobile units or facilities that are built and then removed at the end of the action.
B6.10 UPGRADED OR REPLACEMENT WASTE STORAGE FACILITIES. Siting, construction, modification, expansion, operation, and decommissioning of a small upgraded or replacement facility (less than approximately 50,000 square feet in area) within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible) for storage of waste that is already at the site at the time the storage capacity is to be provided. These actions do not include the storage of high-level radioactive waste, spent nuclear fuel or any waste that requires special precautions to prevent nuclear criticality. (See also B6.4, B6.5, B6.6 of this appendix, and C16 of appendix C.)
B7. Categorical Exclusions Applicable to International Activities
B7.1 EMERGENCY MEASURES UNDER THE INTERNATIONAL ENERGY PROGRAM. Planning and implementation of emergency measures pursuant to the International Energy Program.
B7.2 IMPORT AND EXPORT OF SPECIAL NUCLEAR OR ISOTOPIC MATERIALS. Approval of import or export of small quantities of special nuclear materials or isotopic materials in accordance with applicable requirements (such as the Nuclear Non-Proliferation Act of 1978 and the “Procedures Established Pursuant to the Nuclear Non-Proliferation Act of 1978” (43 FR 25326, June 9, 1978)).

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency’s NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency’s NEPA procedures and CEs is provided at the top of each tab.

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<p style="text-align: center;">Department of Health and Human Services (HHS) Categorical Exclusions (CE)</p>	
Department of Health and Human Services (HHS)	
30-20-40 -- Categories of Exclusion	
A. Application of Categorical Exclusions	
1. Required Determinations. To find that an action is categorically excluded, an OPDIV/STAFFDIV shall determine the following:	
a. Falls Within Exclusion Category. The proposed action falls within one of the three exclusion categories described in this section. This determination may take place as the result of a program review of an OPDIV's/STAFFDIV's actions, in which case the action is listed in the OPDIV's/STAFFDIV's administrative issuance system as being categorically excluded from further environmental reviews.	
b. Absence of Extraordinary Circumstances. There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal. Extraordinary circumstances are unique situations presented by specific proposals, such as scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; or unresolved conflicts concerning alternate uses of available resources within the meaning of section 102(2)(E) of NEPA; and where it is reasonable to anticipate a cumulatively significant impact on the environment. See 40 CFR 1508.27 for examples.	
1. All categorical exclusions in this Part may be applied by any organizational element of HHS.	
2. A class of actions includes activities foreseeably necessary to proposals encompassed within the class of actions (such as associated transportation activities and award of implementing grants and contracts).	
B. Categories of Actions Which May Be Excluded From Environmental Review. Categories of actions which may be excluded from environmental review include, but are not limited to the following:	
1. Category No. 1 -- General Exclusions:	
a. When a law or regulation grants an exception, unless precluded by an OPDIV/STAFFDIV regulation;	
b. When the courts have found that the action does not require environmental review; and	
c. When an action implements actions outside the territorial jurisdiction of the United States and such actions are excluded from review by Executive Order 12114.	
2. Category No. 2 -- Functional Exclusions:	
a. Routine administrative and management support, including legal counsel, public affairs, program evaluation, monitoring and individual personnel actions;	
b. Appellate reviews when HHS was the plaintiff in the lower court decision (e.g., a case involving failure by a nursing home to comply with fire and safety regulations);	
c. Information technology management;	
d. Education and training grants and contracts (e.g., grants for remedial training programs or teacher training) except projects involving construction, renovation, or changes in land use;	
e. Grants for administrative overhead support (e.g., regional health or income maintenance program administration);	
f. Grants for social services (e.g., support for Head Start, senior citizen programs or drug treatment programs) except projects involving construction, renovation, or changes in land use;	
g. Liaison functions (e.g., serving on task forces, ad hoc committees or representing HHS interests in specific functional areas in relationship with other governmental and non-governmental entities);	
h. Maintenance (e.g., undertaking repairs necessary to ensure the functioning of an existing facility), except for properties on or eligible for listing on the National Register of Historic Places;	
i. Statistics and information collection and dissemination (e.g., collection of health and demographic data and publication of compilations and summaries);	
j. Technical assistance by HHS program personnel (e.g., providing assistance in methods for reducing error rates in State public assistance programs or in determining the cause of a disease outbreak); and	
k. Adoption of regulations and guidelines pertaining to the above activities (except technical assistance and those resulting in population changes).	

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3. Category 3 -- Program Exclusions. These exclusions, when applicable, result from a substantive review and determination by an OPDIV/STAFFDIV that certain programs or certain activities within a program will not normally (a) significantly affect the human environment (as defined by NEPA) or (b) affect an asset (as defined in an applicable environmental statute or Executive Order) regardless of the location or magnitude of the action. For example, an OPDIV/STAFFDIV, following its review, might determine that the following are unlikely to cause an environmental effect: assigning a member of the Commissioned Corps to a locality to supplement existing medical personnel or providing funds to support expansion of emergency medical services in existing hospitals.

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<p style="text-align: center;">Department of Health and Human Services (HHS) Categorical Exclusions (CE)</p>	
Food and Drug Administration (FDA)	
Subpart C—Categorical Exclusions	
https://www.ecfr.gov/cgi-bin/text-idx?SID=2f1c8e2c5e4417d59772896ed151dcda&mc=true&node=sp21.1.25.c&rgn=div6	
§ 25.30 General.	
The classes of actions listed in this section and §§25.31 through 25.35 are categorically excluded and, therefore, ordinarily do not require the preparation of an EA or an EIS:	
(a) Routine administrative and management activities, including inspections, and issuance of field compliance programs, program circulars, or field investigative assignments.	
(b) Recommendation for an enforcement action to be initiated in a Federal court.	
(c) Agency requests for initiation of recalls.	
(d) Destruction or disposition of any FDA-regulated article condemned after seizure or the distribution or use of which has been enjoined or following detention or recall at agency request if the method of destruction or disposition of the article, including packaging material, is in compliance with all Federal, State, and local requirements.	
(e) Extramural contracts, other agreements, or grants for statistical and epidemiological studies, surveys and inventories, literature searches, and report and manual preparation, or any other studies that will not result in the production or distribution of any substance and, therefore, will not result in the introduction of any substance into the environment.	
(f) Extramural contracts, other agreements, and grants for research for such purposes as to develop analytical methods or other test methodologies.	
(g) Activities of voluntary Federal-State cooperative programs, including issuance of model regulations proposed for State adoption.	
(h) Issuance, amendment, or revocation of procedural or administrative regulations and guidance documents, including procedures for submission of applications for product development, testing and investigational use, and approval.	
(i) Corrections and technical changes in regulations.	
(j) Issuance of CGMP regulations, HACCP regulations, establishment standards, emergency permit control regulations, GLP regulations, and issuance or denial of permits, exemptions, variances, or stays under these regulations.	
(k) Establishment or repeal by regulation of labeling requirements for marketed articles if there will be no increase in the existing levels of use or change in the intended uses of the product or its substitutes.	
(l) Routine maintenance and minor construction activities such as:	
(1) Repair to or replacement of equipment or structural components (e.g., door, roof, or window) of facilities controlled by FDA;	
(2) Lease extensions, renewals, or succeeding leases;	
(3) Construction or lease construction of 10,000 square feet or less of occupiable space;	
(4) Relocation of employees into existing owned or currently leased space;	
(5) Acquisition of 20,000 square feet or less of occupiable space in a structure that was substantially completed before the issuance of solicitation for offers; and	
(6) Acquisition of between 20,000 square feet and 40,000 square feet of occupiable space if it constitutes less than 40 percent of the occupiable space in a structure that was substantially completed before the solicitation for offers.	
(m) Disposal of low-level radioactive waste materials (as defined in the Nuclear Regulatory Commission regulations at 10 CFR 61.2) and chemical waste materials generated in the laboratories serviced by the contracts administered by FDA, if the waste is disposed of in compliance with all applicable Federal, State, and local requirements.	
§25.31 Human drugs and biologics.	
The classes of actions listed in this section are categorically excluded and, therefore, ordinarily do not require the preparation of an EA or an EIS:	

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(a) Action on an NDA, abbreviated application, application for marketing approval of a biologic product, or a supplement to such applications, or action on an OTC monograph, if the action does not increase the use of the active moiety.
(b) Action on an NDA, abbreviated application, or a supplement to such applications, or action on an OTC monograph, if the action increases the use of the active moiety, but the estimated concentration of the substance at the point of entry into the aquatic environment will be below 1 part per billion.
(c) Action on an NDA, abbreviated application, application for marketing approval of a biologic product, or a supplement to such applications, or action on an OTC monograph, for substances that occur naturally in the environment when the action does not alter significantly the concentration or distribution of the substance, its metabolites, or degradation products in the environment.
(d) Withdrawal of approval of an NDA or an abbreviated application.
(e) Action on an IND.
(f) Testing and release by the Food and Drug Administration of lots or batches of a licensed biologic product.
(g) Establishment of bioequivalence requirements for a human drug or a comparability determination for a biologic product subject to licensing.
(h) Issuance, revocation, or amendment of a standard for a biologic product.
(i) Revocation of a license for a biologic product.
(j) Action on an application for marketing approval for marketing of a biologic product for transfusable human blood or blood components and plasma.
§25.32 Foods, food additives, and color additives.
The classes of actions listed in this section are categorically excluded and, therefore, ordinarily do not require the preparation of an EA or an EIS:
(a) Issuance, amendment, or repeal of a food standard.
(b) Action on a request for exemption for investigational use of a food additive if the food additive to be shipped under the request is intended to be used for clinical studies or research.
(c) Approval of a color additive petition to change a provisionally listed color additive to permanent listing for use in food, drugs, devices, or cosmetics.
(d) Testing and certification of batches of a color additive.
(e) Issuance of an interim food additive regulation.
(f) Establishment or amendment of a regulation for a food substance as GRAS under the conditions of its intended use for humans or animals under parts 182, 184, 186, 582, or 584 of this chapter, and establishment or amendment of a regulation for a prior-sanctioned food ingredient, as defined in §§170.3(l) and 181.5(a) of this chapter, if the substance or food ingredient is already marketed in the United States for the proposed use.
(g) Issuance and enforcement of regulations relating to the control of communicable diseases or to interstate conveyance sanitation under parts 1240 and 1250 of this chapter.
(h) Approval of a request for diversion of adulterated or misbranded food for humans or animals to use as animal feeds.
(i) Approval of a food additive petition, establishment or amendment of a regulation for a food substance as GRAS under the conditions of its intended use for humans or animals under parts 182, 184, 186, 582, or 584 of this chapter, the granting of a request for exemption from regulation as a food additive under §170.39 of this chapter, or allowing a notification submitted under 21 U.S.C. 348(h) to become effective, when the substance is present in finished food-packaging material at not greater than 5 percent-by-weight and is expected to remain with finished food-packaging material through use by consumers or when the substance is a component of a coating of a finished food-packaging material.
(j) Approval of a food additive petition, establishment or amendment of a regulation for a food substance as GRAS under the conditions of its intended use for humans or animals under parts 182, 184, 186, 582, or 584 of this chapter, the granting of a request for exemption from regulation as a food additive under §170.39 of this chapter, or allowing a notification submitted under 21 U.S.C. 348(h) to become effective, when the substance is to be used as a component of a food-contact surface of permanent or semipermanent equipment or of another food-contact article intended for repeated use.

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(k) Approval of a food additive petition or color additive petition, establishment or amendment of a regulation for a food substance as GRAS under the conditions of its intended use for humans or animals under parts 182, 184, 186, 582, or 584 of this chapter, or allowing a notification submitted under 21 U.S.C. 348(h) to become effective, for substances added directly to food that are intended to remain in food through ingestion by consumers and that are not intended to replace macronutrients in food.
(l) Approval of a petition for color additives used in contact lenses, sutures, filaments used as supporting haptics in intraocular lenses, bone cement, and in other FDA-regulated products having similarly low levels of use.
(m) Action to prohibit or otherwise restrict or reduce the use of a substance in food, food packaging, or cosmetics.
(n) Issuance, amendment, or revocation of a regulation pertaining to infant formulas.
(o) Approval of a food additive petition for the intended expression product(s) present in food derived from new plant varieties.
(p) Issuance, amendment, or revocation of a regulation in response to a reference amount petition as described in §101.12(h) of this chapter, a nutrient content claim petition as described in §101.69 of this chapter, a health claim petition as described in §101.70 of this chapter, or a petition pertaining to the label declaration of ingredients as described in §10.30 of this chapter.
(q) Approval of a food additive petition, the granting of a request for exemption from regulation as a food additive under §170.39 of this chapter, or allowing a notification submitted under 21 U.S.C. 348(h) to become effective for a substance registered by the Environmental Protection Agency under FIFRA for the same use requested in the petition, request for exemption, or notification.
(r) Approval of a food additive petition or color additive petition, establishment or amendment of a regulation for a food substance as GRAS under the conditions of its intended use for humans or animals under parts 182, 184, 186, 582, or 584 of this chapter, or allowing a notification submitted under 21 U.S.C. 348(h) to become effective for a substance that occurs naturally in the environment, when the action does not alter significantly the concentration or distribution of the substance, its metabolites, or degradation products in the environment.
§25.33 Animal drugs.
The classes of actions listed in this section are categorically excluded and, therefore, ordinarily do not require the preparation of an EA or an EIS:
(a) Action on an NADA, abbreviated application, request for determination of eligibility for indexing, a supplement to such applications, or a modification of an index listing, if the action does not increase the use of the drug. Actions to which this categorical exclusion applies may include:
(1) An animal drug to be marketed under the same conditions of approval as a previously approved animal drug;
(2) A combination of previously approved animal drugs;
(3) A new premix or other formulation of a previously approved animal drug;
(4) Changes specified in §514.8(b)(3), (b)(4), or (c)(3) of this chapter;
(5) A change of sponsor;
(6) A previously approved animal drug to be contained in medicated feed blocks under §510.455 of this chapter or as a liquid feed supplement under §558.5 of this chapter.
(b) [Reserved]
(c) Action on an NADA, abbreviated application, request for determination of eligibility for indexing, a supplement to such applications, or a modification of an index listing, for substances that occur naturally in the environment when the action does not alter significantly the concentration or distribution of the substance, its metabolites, or degradation products in the environment.
(d) Action on an NADA, abbreviated application, request for determination of eligibility for indexing, a supplement to such applications, or a modification of an index listing, for:
(1) Drugs intended for use in nonfood animals;
(2) Anesthetics, both local and general, that are individually administered;
(3) Nonsystemic topical and ophthalmic animal drugs;
(4) Drugs for minor species, including wildlife and endangered species, when the drug has been previously approved for use in another or the same species where similar animal management practices are used; and
(5) Drugs intended for use under prescription or veterinarian's order for therapeutic use in terrestrial species.
(e) Action on an INAD.
(f) Action on an application submitted under section 512(m) of the act.
(g) Withdrawal of approval of an NADA or an abbreviated NADA or removal of a new animal drug from the index.

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(h) Withdrawal of approval of a food additive petition that reduces or eliminates animal feed uses of a food additive.
§25.34 Devices and electronic products.
The classes of actions listed in this section are categorically excluded and, therefore, ordinarily do not require the preparation of an EA or an EIS:
(a) Action on a device premarket notification submission under subpart E of part 807 of this chapter.
(b) Classification or reclassification of a device under part 860 of this chapter, including the establishment of special controls, if the action will not result in increases in the existing levels of use of the device or changes in the intended use of the device or its substitutes.
(c) Issuance, amendment, or repeal of a standard for a class II medical device or an electronic product, and issuance of exemptions or variances from such a standard.
(d) Approval of a PMA or a notice of completion of a PDP or amended or supplemental applications or notices for a class III medical device if the device is of the same type and for the same use as a previously approved device.
(e) Changes in the PMA or a notice of completion of a PDP for a class III medical device that do not require submission of an amended or supplemental application or notice.
(f) Issuance of a restricted device regulation if it will not result in increases in the existing levels of use or changes in the intended uses of the product or its substitutes.
(g) Action on an application for an IDE or an authorization to commence a clinical investigation under an approved PDP.
(h) Issuance of a regulation exempting from preemption a requirement of a State or political subdivision concerning a device, or a denial of an application for such exemption.
(i) Approval of humanitarian device exemption under subpart H of part 814 of this chapter.
§25.35 Tobacco product applications.
The classes of actions listed in this section are categorically excluded and, therefore, normally do not require the preparation of an EA or an EIS:
(a) Issuance of an order finding a tobacco product substantially equivalent under section 910(a)(2)(B) of the Federal Food, Drug, and Cosmetic Act;
(b) Issuance of an order finding a tobacco product not substantially equivalent under section 910(a) of the Federal Food, Drug, and Cosmetic Act, denial of a request for an exemption under 21 CFR part 1107 from the requirement of demonstrating substantial equivalence, issuance of an order under section 910(c) of the Federal Food, Drug, and Cosmetic Act that a new tobacco product may not be introduced or delivered for introduction into interstate commerce, or issuance of an order under section 911 of the Federal Food, Drug, and Cosmetic Act that a modified risk tobacco product may not be introduced or delivered for introduction into interstate commerce;
(c) Rescission or temporary suspension of an order authorizing the marketing of a new tobacco product under section 910 of the Federal Food, Drug, and Cosmetic Act;
(d) Rescission of an order authorizing the marketing of a modified risk tobacco product under section 911 of the Federal Food, Drug, and Cosmetic Act; and
(e) Rescission of an order granting an exemption request under §1107.1 of this chapter.

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<p style="text-align: center;">Department of Health and Human Services (HHS) Categorical Exclusions (CE)</p>	
Indian Health Service (IHS)	
IHS' categorical exclusions are not currently available online but are located in the IHS January 2007 Environmental Review Manual	
Categorical Exclusions	
A. Health Services. Direct delivery of medical, dental, nursing, and other related health services; e.g., patient care/counseling administered from hospitals, health centers, health stations, satellite clinics, and in private homes by IHS staff or contract providers to authorized recipients.	
B. Research. Research activities that are consistent with the mission of IHS including: (a) biological and behavioral studies conducted in laboratories, clinics, and the field; (b) studies on the development and delivery of prevention and treatment services and their administration and financing; and (c) evaluations of prevention and treatment.	
C. Pesticides. Application of pesticides which are not classified for restricted use under provisions of the Federal Insecticide, Fungicide and Rodenticide Act when used for routine pest control purposes.	
D. Contracts, Grants, and Cooperative Agreements. Contracts, grants, and cooperative agreements and continuations, supplements, extensions, and amendments of these documents for IHS programs or actions that are categorically excluded. (Includes Self-Determination Act contracts, Contract Health Care contracts, etc.)	
E. Technical Assistance. Action involving the provision of technical assistance to American Indian and Alaska Native tribes and groups, other Federal agencies, State and local governments and non-profit organizations are excluded. These actions include but are not limited to:	
1. The provision of technical assistance to American Indian and Alaska Native tribes and groups for the purpose of developing management capabilities needed to enable eventual tribal assumption of health program operations;	
2. The provision of technical assistance to American Indian and Alaska Native tribes and groups for the purpose of developing capabilities in the areas of epidemiology, disease reduction, injury prevention, environmental improvement, and the operation and maintenance of sanitation facilities; and	
3. The assignment of IHS personnel to agencies/organizations for the purpose of providing technical expertise (e.g., investigation, diagnosis, consultation, counseling) in health programs.	
F. Management and Administrative Support. Routine management and administrative support actions.	
G. Training, Education, and Manpower Development. The award of training grants, scholarships, and the provision of other types of training and educational assistance are excluded. These actions include:	
1. Support for development of professional and paraprofessional health competencies;	
2. Support for development of American Indian and Alaskan Native health management capabilities;	
3. Support for development of tribal and community capabilities in the areas of environmental improvement, disease reduction, injury control, and operation and maintenance of sanitation facilities;	
4. Support for training and education of IHS personnel necessary for the efficient accomplishment of the IHS program; and	
5. Educational activities including development of disease prevention and treatment and presentation of such material to American Indians and Alaskan Natives.	
H. Statistics, Data Processing, and Information Gathering. Actions associated with statistics and information collection and dissemination are excluded. These actions typically involve:	
1. Collection of demographic or morbidity data and analysis for program management and budget justification;	
2. Epidemiologic studies;	
3. Environmental surveillance activities (e.g., sample collection, analysis, and monitoring of air, food, water, and wastewater) to determine quality as a basis for ensuring necessary corrective action;	
4. Engineering studies and investigations including soil boring and test well drilling to gather data for the purpose of determining engineering feasibility and to permit facility design;	
5. Updating existing databases and data processing;	
6. Printing and distributing reports; and	
7. Developing new/redesignating existing data systems to meet specific program needs.	
I. Indian Health Service Owned and Leased Facilities. Actions related to the IHS owned and leased facilities, or actions funded by IHS at tribally owned (or leased) and managed facilities as listed below, are excluded:	
1. Maintenance and day-to-day operation of the physical plant and repairs to plant and equipment, or replacement-in-kind of utilities and building components;	

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2. Acquisition of equipment, provided all requirements for permits, registrations, and licenses are met, and provided the equipment involved use of generally accepted technology;
3. Building alteration and renovation that does not substantially change the function or general appearance of existing buildings;
4. Construction or lease of new facilities (including portable facilities and trailers) where such lease or construction:
(a) Is at the site of an existing health care facility and the facility capacity is not substantially increased,
(b) Is for buildings of less than 12,000 square feet of useable space when less than five acres of surface land area are involved at a new site, or
(c) Is for projects other than buildings when less than five acres of surface land area are involved at a new site;
5. Facility planning and design including funding of such activities;
6. Acquisition of space by lease, use agreement, transfer, gift or similar arrangement for which:
(a) The intended use of the space is consistent with the functional design of the building, and
(b) The acquisition is consistent with an applicable master plan, if such plan exists;
7. The acquisition, sale, release, abandonment, closure or transfer of real property, provided the action:
(a) Is consistent with any applicable master plan, if such a plan exists,
(b) Conforms to local zoning and land use ordinances, if such ordinances exist,
(c) Is consistent with the functional design of the facility,
(d) Would not violate applicable Federal, State, or local environmental protection or historic preservation laws, and
(e) Satisfies the requirements of applicable comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 120 (h) provisions.
J. Construction of Sanitation Facilities. Actions associated with construction of sanitation facilities to serve Indian homes and communities, except that the following actions are not excluded:
(1) Construction of a sanitary landfill at a new solid waste disposal site, and
(2) Construction of a new wastewater treatment facility with direct discharge of treated sewage to surface waters.
K. Extraordinary or Exceptional Circumstances. Under extraordinary circumstances, the normally excluded actions described above may have a significant environmental effect; such actions are not categorically excluded. Actions that can be characterized by, or may cause any of, the conditions described below are examples of actions that are not categorically excluded:
1. Those with potential to change the existing environment where such change violates directives or other controls that are imposed by any governmental body having jurisdiction, for the purpose of protecting or otherwise affecting that environment;
2. Those with potential or real threat of violation, or continued violation, of an applicable Federal, State, or local law or requirement imposed for protection of the environment or to ensure public health and safety;
3. Those likely to cause controversy with respect to the types or extent of the resulting environmental effects where such controversy is based on pertinent and substantial issues;
4. Those involving the use of technology where the possible effects are highly uncertain or involve unique or unknown risks and where such technology has not been assessed previously for environmental impact;
5. Those which have adverse effects on unique geographic characteristics (e.g., historic, archeological, or cultural resources, park recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, coastal management zones or ecological or critical areas including those listed in the Department of Interior's National Register of National Landmarks);
6. Those which establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects;
7. Those which have adverse effects on properties listed or eligible for listing on the National Register of Historic Places;
8. Those which have adverse effects on species listed by the Federal Government as endangered or Threatened Species, or which have adverse effects on any designated critical habitat for these species;
9. Those which require assessment in accordance with Executive Order 11988 (Floodplain Management), or Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act;
10. Those which involve the use, transfer, or lease of real property which has been determined, after investigation in accordance with the provisions of CERCLA 120 (h), to have been used as a storage facility for hazardous waste for more than 1 year; and
11. Construction projects which are significantly greater in scope or size than normally experienced for a particular category of action.

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<p style="text-align: center;">Department of Health and Human Services (HHS) Categorical Exclusions (CE)</p>	
National Institutes of Health (NIH)	
II. Categorical Exclusions	
A. General Exclusions	
Subject to a review for extraordinary circumstances, NIH will not perform an environmental review of actions excluded by regulation from NEPA review. NIH will also not perform an environmental review of actions categorically excluded from NEPA review in DHHS GAM Chapter 30.	
B. Functional Exclusions	
The following actions are normally excluded from NEPA review, subject to a review for extraordinary circumstances.	
1. Routine administrative and management support, including budget and finance, planning, procurement of supplies and services, management and oversight of grants and other funding instruments, legal counsel, public affairs, program evaluation, travel, and human resources management.	
2. Maintenance, including repairs necessary to ensure the operation of existing facilities, grounds maintenance, and the decontamination of laboratory or other space and equipment.	
3. Acquisition of space by lease and modifications of leases, when the use of the space will comply with all applicable Federal, State, and local laws, including all environmental protection and zoning laws, and lease extensions and terminations.	
4. Relocation of employees into existing Government-owned or Government-leased space.	
5. Facility planning and design.	
6. Construction, or construction pursuant to a lease, of 12,000 square feet or less of occupiable space.	
7. Interior construction and renovation of NIH facilities.	
8. The acquisition, sale, release, disposal, abandonment, closure, or transfer of real or personal property, provided that the action does not violate applicable Federal, State, or local laws, including historical preservation laws.	
9. Acquisition of equipment and the repair or replacement of NIH-owned equipment.	
10. Acquisition, installation, maintenance, and operation of utility and communications systems, data processing cables, and similar electronic equipment.	
11. Packaging, storage, and disposal of hazardous substances, including low-level radioactive, medical, and chemical waste materials generated by intramural research activities, provided that the waste is packed, stored, and disposed of in compliance with all applicable Federal, State, and local laws.	
12. The identification, collection, testing, and distribution of chemicals, drugs, biologicals, plants or plant derivatives, microorganisms, and/or cell cultures for use in the research, diagnosis, and/or treatment of human diseases.	
13. Research and training activities that are conducted in NIH facilities: By or under the supervision of NIH employees; under the Stevenson-Wydler Technology Innovation Act of 1980, as amended, 15 U.S.C. 3701 et seq.; or in accordance with 45 CFR part 9.	
14. The issuance of revocable licenses, use permits, and easements allowing outside parties to use NIH facilities.	
15. Filing for, obtaining, licensing, enforcing, and protecting intellectual property rights arising from NIH-conducted or NIH-supported research or other activities.	
16. Actions taken to comply with requirements of applicable legislation or regulations (e.g., meet emissions requirements established pursuant to Clean Air Act).	
17. The preparation and submission of proposals for legislation, or major recommendations or reports to Congress on proposals for legislation, that, based on reasonable judgment, will not establish or modify programs that will have a significant effect on the quality of the human environment.	

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18. The awarding, renewal, suspension, termination, or discontinuance of: Collaborative research agreements, including Cooperative Research and Development Agreements (CRADA) established under the Stevenson-Wydler Technology Innovation Act of 1980, as amended, 15 U.S.C. 3701 et seq.; contracts; cooperative agreements; grants; and interagency agreements entered into by the NIH pursuant to the Economy Act, 31 U.S.C. 1535. For those contracts, cooperative agreements, grants, and interagency agreements that involve construction of more than 12,000 square feet of occupiable space, recipients of NIH funds must certify that they are in compliance with all Federal, State, and local environmental laws and must, as prescribed by NIH, perform all environmental reviews required by NEPA, including preparing environmental assessments and, if necessary, environmental impact statements, and submit these documents to the NIH for review, approval and adoption.
19. All actions undertaken in preparing for and conducting litigation.
20. The collection, processing, retention, evaluation and dissemination, including publication, of data and other information, including the acquisition and management of resources necessary to carry out those functions.
21. Proposing and adopting guidelines.
22. Traffic management measures, including the installation and operation of traffic control and safety devices and actions designed to control or reduce the number of motor vehicles coming onto the NIH Bethesda campus.
23. Actions taken to respond to public health emergencies.
C. Program Exclusion
The DHHS procedures on environmental review of agency actions authorize the establishment of a categorical exclusion for programs within an agency that will not have a significant effect on the human environment. Actions taken by the following NIH organizations and their components are normally excluded from NEPA review, subject to a review for extraordinary circumstances. Actions taken by any successor organizations to those listed will also be categorically excluded. Actions taken by organizations of NIH not listed in this category may be included in other categories of excluded actions.
1. Center for Information Technology.
2. Center for Scientific Review.
3. Fogarty International Center.
4. Office of Administration.
5. Office of Communications.
6. Office of Equal Opportunity.
7. Office of Education.
8. Office of Community Liaison.
9. Office of Loan Repayment and Scholarship.
10. Office of Human Resources Management.
11. Office of Financial Management.
12. Office of Technology Transfer.
13. Office of Program Coordination.
14. National Library of Medicine.
D. Extraordinary Circumstances
Consistent with CEQ's regulations, environmental review is required for all NIH actions involving extraordinary circumstances. Following are examples of extraordinary circumstances that may apply to specific NIH actions.
1. Greater scope or size than other actions included within a category.
2. A threatened violation of a Federal, State, or local law established for protection of the environment or for public health and safety.
3. Potential effects of the action are unique or highly uncertain.
4. Potential effect on a protected or ecologically sensitive area of land, like a wetland or floodplain.
5. Possible impact on property that is listed or eligible for listing on the National Register of Historic Places or that is otherwise of scientific, cultural, or historic importance or interest.
6. Possible impact on endangered or threatened species.
7. Use of especially hazardous substances or processes for which adequate and accepted controls and safeguards are unknown or not available.
8. Substantial and reasonable controversy exists about the environment effects of the action.

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<p style="text-align: center;">Department of Homeland Security (DHS) Categorical Exclusions (CE)</p>	
Department of Homeland Security (DHS)	
Appendix A. DHS List of Categorical Exclusions	
Note regarding the following table: CATEX A8, CATEXs C6 through C10, and all the CATEXs in Sections M and N are new CATEXs. All others are existing CATEXs that DHS is retaining.	
The CATEXs in Sections A through G and the CATEXs in Section N are available for use across the entire Department. The CATEXs in Sections H through M are available for use by only the Component specified in the section heading.	
*Denotes classes of actions that have a higher possibility of involving extraordinary circumstances. A REC will be prepared to document consideration of extraordinary circumstances whenever a CATEX that is identified by an asterisk is used.	
<i>Administrative & Regulatory Activities</i>	
A1 Personnel, fiscal, management, and administrative activities, such as recruiting, processing, paying, recordkeeping, resource management, budgeting, personnel actions, and travel.	
A2 Reductions, realignments, or relocation of personnel that do not result in exceeding the infrastructure capacity or changing the use of space. An example of a substantial change in use of the supporting infrastructure would be an increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase.	
A3 Promulgation of rules, issuance of rulings or interpretations, and the development and publication of policies, orders, directives, notices, procedures, manuals, advisory circulars, and other guidance documents of the following nature:	
(a) Those of a strictly administrative or procedural nature;	
(b) Those that implement, without substantive change, statutory or regulatory requirements;	
(c) Those that implement, without substantive change, procedures, manuals, and other guidance documents;	
(d) Those that interpret or amend an existing regulation without changing its environmental effect;	
(e) Technical guidance on safety and security matters; or	
(f) Guidance for the preparation of security plans.	
A4 Information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents. If any of these activities result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include but are not limited to:	
(a) Document mailings, publication and distribution, training and information programs, historical and cultural demonstrations, and public affairs actions.	
(b) Studies, reports, proposals, analyses, literature reviews; computer modeling; and non-intrusive intelligence gathering activities.	
A5 Awarding of contracts for technical support services, ongoing management and operation of government facilities, and professional services that do not involve unresolved conflicts concerning alternative uses of available resources.	
A6 Procurement of non-hazardous goods and services, and storage, recycling, and disposal of non-hazardous materials and wastes, that complies with applicable requirements and is in support of routine administrative, operational, or maintenance activities. Storage activities must occur on previously disturbed land or in existing facilities. Examples include but are not limited to:	
(a) Office supplies,	
(b) Equipment,	
(c) Mobile assets,	
(d) Utility services,	
(e) Chemicals and low level radio nuclides for laboratory use,	
(f) Deployable emergency response supplies and equipment, and	
(g) Waste disposal and contracts for waste disposal in established permitted landfills and facilities.	
A7 The commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature. If any of these commitments result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include but are not limited to:	

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(a) Activities designed to support the improvement or upgrade management of natural resources, such as surveys for threatened and endangered species, wildlife and wildlife habitat, historic properties, and archeological sites; wetland delineations; timber stand examination; minimal water, air, waste, material and soil sampling; audits, photography, and interpretation.
(b) Minimally-intrusive geological, geophysical, and geo-technical activities, including mapping and engineering surveys.
(c) Conducting Facility Audits, Environmental Site Assessments and Environmental Baseline Surveys, and
(d) Vulnerability, risk, and structural integrity assessments of infrastructure.
A8 Review of and comment on documents that did not originate in DHS.
<i>Operational Activities</i>
B1 Research, development, testing, and evaluation activities, or laboratory operations conducted within existing enclosed facilities consistent with previously established safety levels and in compliance with applicable Federal, Tribal, State, and local requirements to protect the environment when it will result in no, or de minimus change in the use of the facility. If the operation will substantially increase the extent of potential environmental impacts or is controversial, an EA (and possibly an EIS) is required.
B2 Transportation of personnel, detainees, equipment, and evidentiary materials in wheeled vehicles over existing roads or jeep trails established by Federal, Tribal, State, or local governments, including access to permanent and temporary observation posts.
B3 Proposed activities and operations to be conducted in an existing structure that would be compatible with and similar in scope to its ongoing functional uses and would be consistent with previously established safety levels and in compliance with applicable Federal, Tribal, State, or local requirements to protect the environment.
B4 Provision of on-site technical assistance to non-DHS organizations to prepare plans, studies, or evaluations. Examples include but are not limited to:
(a) General technical assistance to assist with development and enhancement of Weapons of Mass Destruction (WMD) response plans, exercise scenario development and evaluation, facilitation of working groups, etc.
(b) State strategy technical assistance to assist States in completing needs and threat assessments and in developing their domestic preparedness strategy.
B5 Support for or participation in community projects that do not involve significant physical alteration of the environment. Examples include but are not limited to:
(a) Earth Day activities,
(b) Adopting schools,
(c) Cleanup of rivers and parkways, and
(d) Repair and alteration of housing.
B6 Approval of recreational or public activities or events at a location typically used for that type and scope (size and intensity) of activity that would not involve significant physical alteration of the environment. Examples include but are not limited to:
(a) Picnics,
(b) Encampments, and
(c) Interpretive programs for historic and cultural resources, such as programs in conjunction with State and Tribal Historic Preservation Officers, or with local historic preservation or re-enactment groups.
B7 Initial assignment or realignment of mobile assets, including vehicles, vessels and aircraft, to existing operational facilities that have the capacity to accommodate such assets or where supporting infrastructure changes will be minor in nature to perform as new homeports or for repair and overhaul.
*B8 Acquisition, installation, maintenance, operation, or evaluation of security equipment to screen for or detect dangerous or illegal individuals or materials at existing facilities and the eventual removal and disposal of that equipment in compliance with applicable requirements to protect the environment. Examples include but are not limited to:
(a) Low-level x-ray devices,
(b) Cameras and biometric devices,
(c) Passive inspection devices,
(d) Detection or security systems for explosive, biological, or chemical substances, and
(e) Access controls, screening devices, and traffic management systems.

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*B9 Acquisition, installation, operation, or evaluation of physical security devices, or controls to enhance the physical security of existing critical assets and the eventual removal and disposal of that equipment in compliance with applicable requirements to protect the environment. Examples include but are not limited to:
(a) Motion detection systems,
(b) Use of temporary barriers, fences, and jersey walls on or adjacent to existing facilities or on land that has already been disturbed or built upon,
(c) Impact resistant doors and gates,
(d) X-ray units,
(e) Remote video surveillance systems,
(f) Diver/swimmer detection systems, except sonar,
(g) Blast/shock impact-resistant systems for land based and waterfront facilities,
(h) Column and surface wraps, and
(i) Breakage/shatter-resistant glass.
B10 Identifications, inspections, surveys, or sampling, testing, seizures, quarantines, removals, sanitization, and monitoring of imported products that cause little or no physical alteration of the environment. This CATEX would primarily encompass a variety of daily activities performed at the borders and ports of entry by various elements of the Customs and Border Protection and Transportation Security Administration.
B11 Routine monitoring and surveillance activities that support law enforcement or homeland security and defense operations, such as patrols, investigations, and intelligence gathering, but not including any construction activities (construction activities are addressed in Subsection E of these CATEX). This CATEX would primarily encompass a variety of daily activities performed by the Components of U.S. Coast Guard, Immigration and Customs Enforcement, Customs and Border Protection, Transportation Security Administration, and the U.S. Secret Service.
<i>Real Estate Activities</i>
C1 Acquisition of an interest in real property that is not within or adjacent to environmentally sensitive areas, including interests less than a fee simple, by purchase, lease, assignment, easement, condemnation, or donation, which does not result in a change in the functional use of the property.
C2 Lease extensions, renewals, or succeeding leases where there is no change in the facility's use and all environmental operating permits have been acquired and are current.
C3 Reassignment of real property, including related personal property within the Department (e.g., from one Departmental element to another) that does not result in a change in the functional use of the property.
C4 Transfer of administrative control over real property, including related personal property, between another Federal agency and the Department that does not result in a change in the functional use of the property.
C5 Determination that real property is excess to the needs of the Department and, in the case of acquired real property, the subsequent reporting of such determination to the General Services Administration or, in the case of lands withdrawn or otherwise reserved from the public domain, the subsequent filing of a notice of intent to relinquish with the Bureau of Land Management, Department of Interior.
*C6 Congressionally-mandated conveyance of DHS-controlled real property to a non-Federal entity.
*C7 The initial lease of, or grant of an easement interest in, DHS-controlled real property to a non-Federal entity or the amendment, renewal, or termination of such lease or easement interest where the proposed type and intensity of real property use is similar to existing uses.
*C8 The grant of a license to a non-Federal entity to perform specified acts upon DHS-controlled real property or the amendment, renewal, or termination of such license where the proposed type and intensity of real property use is similar to existing uses.
C9 Allowing another Federal agency to use DHS-controlled real property under a permit, use agreement, or similar arrangement or the amendment, renewal, or termination of such permit or agreement where the proposed type and intensity of real property use is similar to existing uses.
C10 Real property inspections to ensure compliance with deed or easement restrictions.
<i>Repair & Maintenance Activities</i>
D1 Minor renovations and additions to buildings, roads, airfields, grounds, equipment, and other facilities that do not result in a change in the functional use of the real property (e.g. realigning interior spaces of an existing building, adding a small storage shed to an existing building, retrofitting for energy conservation, or installing a small antenna on an already existing antenna tower that does not cause the total height to exceed 200 feet and where the FCC would not require an EA or EIS for the installation).

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D2 Routine upgrade, repair, maintenance, or replacement of equipment and vehicles, such as aircraft, vessels, or airfield equipment that does not result in a change in the functional use of the property.
D3 Repair and maintenance of Department-managed buildings, roads, airfields, grounds, equipment, and other facilities which do not result in a change in functional use or an impact on a historically significant element or setting (e.g. replacing a roof, painting a building, resurfacing a road or runway, pest control activities, restoration of trails and firebreaks, culvert maintenance, grounds maintenance, existing security systems, and maintenance of waterfront facilities that does not require individual regulatory permits).
*D4 Reconstruction and/or repair by replacement of existing utilities or surveillance systems in an existing right-of-way or easement, upon agreement with the owner of the relevant property interest.
*D5 Maintenance dredging activities within waterways, floodplains, and wetlands where no new depths are required, applicable permits are secured, and associated debris disposal is done at an approved disposal site. This CATEX encompasses activities required for the maintenance of waterfront facilities managed primarily within the U.S. Coast Guard and Customs and Border Protection.
D6 Maintenance of aquatic and riparian habitat in streams and ponds, using native materials or best natural resource management practices. Examples include but are not limited to:
(a) Installing or repairing gabions with stone from a nearby source,
(b) Adding brush for fish habitat,
(c) Stabilizing stream banks through bioengineering techniques, and
(d) Removing and controlling exotic vegetation, not including the use of herbicides or non-native biological controls.
This CATEX would primarily involve property management activities at larger properties within the U.S. Coast Guard, Science and Technology Directorate, and the Federal Law Enforcement Training Center.
<i>Construction, Installation, and Demolition Activities</i>
E1 Construction, installation, operation, maintenance, and removal of utility and communication systems (such as mobile antennas, data processing cable, and similar electronic equipment) that use existing rights-of-way, easements, utility distribution systems, and/or facilities. This is limited to activities with towers where the resulting total height does not exceed 200 feet and where the FCC would not require an EA or EIS for the acquisition, installation, operation or maintenance.
*E2 New construction upon or improvement of land where all of the following conditions are met:
(a) The structure and proposed use are compatible with applicable Federal, Tribal, State, and local planning and zoning standards and consistent with Federally-approved State coastal management programs,
(b) The site is in a developed area and/or a previously-disturbed site,
(c) The proposed use will not substantially increase the number of motor vehicles at the facility or in the area,
(d) The site and scale of construction or improvement are consistent with those of existing, adjacent, or nearby buildings, and,
(e) The construction or improvement will not result in uses that exceed existing support infrastructure capacities (roads, sewer, water, parking, etc.).
*E3 Acquisition, installation, operation, and maintenance of equipment, devices, and/or controls necessary to mitigate effects of the Department's missions on health and the environment, including the execution of appropriate real estate agreements. Examples include but are not limited to:
(a) Pollution prevention and pollution control equipment required to meet applicable Federal, Tribal, State, or local requirements,
(b) Noise abatement measures, including construction of noise barriers, installation of noise control materials, or planting native trees and/or native vegetation for use as a noise abatement measure, and,
(c) Devices to protect human or animal life, such as raptor electrocution prevention devices, fencing to restrict wildlife movement on to airfields, fencing and grating to prevent accidental entry to hazardous or restricted areas, and rescue beacons to protect human life.
*E4 Removal or demolition, along with subsequent disposal of debris to permitted or authorized off-site locations, of non-historic buildings, structures, other improvements, and/or equipment in compliance with applicable environmental and safety requirements.
E5 Natural resource management activities on Department-managed property to aid in the maintenance or restoration of native flora and fauna, including site preparation, landscaping, and control of non-indigenous species. This CATEX would encompass property management activities primarily at properties within the U.S. Coast Guard, Science and Technology Directorate, and the Federal Law Enforcement Training Center.

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E6 Reconstruction of roads on Departmental facilities, where runoff, erosion, and sedimentation issues are mitigated through implementation of best management practices. This CATEX would encompass property management activities primarily at properties within the U.S. Coast Guard, Science and Technology Directorate, and the Federal Law Enforcement Training Center.
E7 Construction of physical fitness and training trails for non-motorized use on Department facilities in areas that are not environmentally sensitive, where run-off, erosion, and sedimentation are mitigated through implementation of best management practices. This CATEX would encompass property management activities primarily at properties within the U.S. Coast Guard, Science and Technology Directorate, and the Federal Law Enforcement Training Center.
*E8 Construction of aquatic and riparian habitat in streams and ponds on Department-managed land, using native materials or best natural resource management practices. Examples include, but are not limited to:
(a) Installing or repairing gabions with stone from a nearby source,
(b) Adding brush for fish habitat,
(c) Stabilizing stream banks through bioengineering techniques, and,
(d) Removing and controlling exotic vegetation, not including the use of herbicides or non-native biological controls.
This CATEX would encompass property management activities primarily at properties within the U.S. Coast Guard, Science and Technology Directorate, and the Federal Law Enforcement Training Center.
<i>Hazardous/Radioactive Materials Management and Operations</i>
F1 Routine procurement, transportation, distribution, use, and storage of hazardous materials that comply with all applicable requirements, such as Occupational Safety and Health Act (OSHA) and National Fire Protection Association (NFPA).
F2 Reuse, recycling, and disposal of solid, medical, radiological, and hazardous waste generated incidental to Department activities that comply with applicable requirements such as Resource Conservation and Recovery Act (RCRA), Occupational Safety and Health Act (OSHA), and State hazardous waste management practices. Examples include but are not limited to:
(a) Appropriate treatment and disposal of medical waste conducted in accordance with all Federal, Tribal, State, and local laws and regulations,
(b) Temporary storage and disposal of solid waste, conducted in accordance with all Federal, Tribal, State, and local laws and regulations,
(c) Disposal of radiological waste through manufacturer return and recycling programs, and
(d) Hazardous waste minimization activities.
F3 Use (that may include the processes of installation, maintenance, non-destructive testing, and calibration), transport, and storage of hand-held, mobile or stationary instruments, containing sealed radiological and radioactive materials, to screen for or detect dangerous or illegal individuals or materials in compliance with commercial manufacturers' specifications, as well as applicable Federal requirements to protect the human environment. Examples of such instruments include but are not limited to:
(a) Gauging devices, tracers, and other analytical instruments,
(b) Instruments used in industrial radiography,
(c) Systems used in medical and veterinary practices; and
(d) Nuclear Regulatory Commission (NRC) approved, sealed, small source radiation devices for scanning vehicles and packages where radiation exposure to employees or the public does not exceed 0.1 rem per year and where systems are maintained within the NRC license parameters at existing facilities.
<i>Training and Exercises</i>
G1 Training of homeland security personnel, including international, Tribal, State, and local agency representatives using existing facilities where the training occurs in accordance with applicable permits and other requirements for the protection of the environment. This exclusion does not apply to training that involves the use of live chemical, biological, or radiological agents except when conducted at a location designed and constructed to contain the materials used for that training. Examples include but are not limited to:
(a) Administrative or classroom training,
(b) Tactical training, including but not limited to training in explosives and incendiary devices, arson investigation and firefighting, and emergency preparedness and response,
(c) Vehicle and small boat operation training,
(d) Small arms and less-than-lethal weapons training,
(e) Security specialties and terrorist response training,

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(f) Crowd control training, including gas range training,
(g) Enforcement response, self-defense, and interdiction techniques training, and
(h) Techniques for use in fingerprinting and drug analysis.
G2 Projects, grants, cooperative agreements, contracts, or activities to design, develop, and conduct national, State, local, or international exercises to test the readiness of the nation to prevent or respond to a terrorist attack or a natural or manmade disaster and where conducted in accordance with existing facility or land use designations. This exclusion does not apply to exercises that involve the use of chemical, biological, radiological, nuclear, or explosive agents/devices (other than small devices such as practice grenades/flash bang devices used to simulate an attack during exercise play).
Unique Categorical Exclusions for the Transportation Security Administration (TSA)
Unique Categorical Exclusions for the Federal Law Enforcement Training Center (FLETC)
Unique Categorical Exclusions for Customs & Border Protection (CBP)
Unique Categorical Exclusions for the U.S. Coast Guard
Unique Categorical Exclusions for the Federal Emergency Management Agency (FEMA)
<i>Federal Assistance Activities</i>
<i>N1 Administrative Actions Associated with Grants Management.</i> Actions related to grant administration performed at any stage during the grants lifecycle, such as the development and issuance of grant guidance; announcements of availability of funds; project reviews for program eligibility; provision of technical assistance; conducting inspections, financial audits, and monitoring activities; development of information technology systems for grants management; grant close-out activities; and actions taken in situations where a grantee or subgrantee is in non-conformance with grant program requirements, such as disallowances, recoupment of funds, and debarment.
<i>*N2 Federal Assistance for Facility Repair.</i> Federal assistance for the repair of structures and facilities in a manner that conforms to pre-existing design, function, location, and land use. This CATEX does not apply to work within or affecting the following: streams; stream banks; seaward of the limit of moderate wave action (LiMWA) (a line mapped to delineate the inland extent of wave heights of 1.5 feet); or the V zone (areas expected to be affected by wave impact of 3 feet or more in height, in a 100-year flood event) if the LiMWA has not been identified. This CATEX covers the temporary staging and use of equipment and vehicles to carry out the proposed repair actions as long as best management practices are put in place to control noise, water, and air pollution.
<i>*N3 Federal Assistance for Property Acquisition and Demolition.</i> Federal assistance for the acquisition of properties and the associated demolition and removal when the acquisition is from a willing seller, the assistance is solely for the purposes of financial compensation for the acquisition, and the land is deed restricted to open space, recreational, wildlife habitat, or wetland uses in perpetuity. The CATEX does not apply to subsurface uses of acquired properties, or acquired properties with encumbrances or easements authorizing current or future subsurface uses that are not allowable and compatible with open space. This CATEX covers actions associated with the determination of program eligibility. This CATEX does not cover Federal assistance actions that involve acquisition for the purpose of construction or development at a site in the acquired property. The use of eminent domain is explicitly excluded from the CATEX.
<i>*N4 Federal Assistance for Actions Involving Stream Work and Modification and Floodways.</i> Federal assistance for repair and restoration actions, hazard mitigation actions other than flood control, or the new construction of facilities that are functionally dependent or facilitate open space use, when the actions are within or affect regulatory floodways, streams, and stream banks and that
(a) Involve ground disturbance of less than ½ acre,
(b) Involve stream bank work or alteration of less than 300 linear feet,
(c) Do not involve hardening or armoring of the stream banks unless the project uses stream or stream bank bioengineering techniques and improve fish passage or habitat,
(d) Do not result in adverse flood risk effects to downstream communities,
(e) Do not result in any increase of flood levels within the community during the occurrence of the base flood discharge if the action takes place within the regulatory floodway, and
(f) Where the effect of the proposed project when combined with other existing or reasonably foreseeable development will not increase water surface elevation of the base flood more than one foot at any point within the community if the action takes place in a floodplain with no regulatory floodway.

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<p><i>*N5 Federal Assistance for Actions in Coastal Areas Subject to Moderate Wave Action or V Zones.</i> Federal assistance for repair, hazard mitigation, new construction, or restoration actions of less than one-half acre within the following areas: areas seaward of the limit of moderate wave action (LiMWA) (a line mapped to delineate the inland extent of wave heights of 1.5 feet) during the base flood (an area that has at least a one-percent chance of being flooded in any given year); or areas within the V zone (a coastal area where there is a velocity hazard due to wave action) if the LiMWA has not been established. The actions must meet the following criteria:</p> <p>(a) They are consistent with the State or Tribe enforceable policies of approved coastal management programs,</p> <p>(b) They are not within or affect a Coastal Barrier Resource System unit,</p> <p>(c) They do not result in man-made alterations of sand dunes,</p> <p>(d) They do not result in the permanent removal of vegetation (including mangrove stands, wetlands, and dune vegetation),</p> <p>(e) Applicable Federal requirements and local codes and standards are followed, and</p> <p>If the actions involve substantial improvement or new construction of structures, the following criteria also apply:</p> <p>1. The structure must be elevated in open works (e.g. piles and columns) as opposed to fill in a manner that the bottom lowest horizontal structural member is at or above the base flood level,</p> <p>2. The foundation must be anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads, and</p> <p>3. The siting of the project must conform to applicable State, Tribe, or local setback requirements.</p> <p>Examples of activities covered by this CATEX include but are not limited to: the repair and elevation of structures; repair and new construction of jetties and groins; the repair, hazard mitigation, and new construction of functionally dependent facilities such as piers, marinas, boat ramps, bathrooms, and port facility structures; and beach restoration projects except projects that result in the man-made alteration of dunes and wetlands such as beach nourishment projects.</p>
<p><i>*N6 Federal Assistance for Relocation/Realignment of Structures and Facilities.</i> Federal assistance for the relocation of structures and facilities, including the realignment of linear facilities that are part of a bigger system, when they do not involve ground disturbance of more than one acre. This category does not apply to the following: actions that involve hardening or armoring of stream banks, unless they use stream or stream bank bioengineering techniques; realignment actions affecting a regulatory floodway if they result in any increase in flood levels during the base flood discharge; or actions occurring seaward of the limit of moderate wave action (or V zone when the limit of moderate wave action has not been identified).</p>
<p><i>*N7 Federal Assistance for Structure and Facility Upgrades.</i> Federal assistance for the reconstruction, elevation, retrofitting, upgrading to current codes and standards, and improvements of pre-existing facilities in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use. This category does not include actions within or affecting streams or stream banks or actions seaward of the limit of moderate wave action (or V zone when the limit of moderate wave action has not been identified).</p>
<p><i>*N8 Federal Assistance for New Construction Activities of Less Than One Acre in Undisturbed or Undeveloped Areas.</i> Federal assistance for new construction and associated site preparation activities in undisturbed or undeveloped areas when the activities comprise less than one acre and follow best management practices to control noise, water, and air pollution. This category does not apply to new construction in undisturbed or undeveloped floodplains, wetlands, or seaward of the limit of moderate wave action (or V zone when the limit of moderate wave action has not been identified). This CATEX covers the range of activities typically necessary for new construction, including field work (e.g. borings, site inspection) and temporary staging and use of construction equipment and vehicles.</p>
<p><i>*N9 Federal Assistance for Flood Hazard Reduction Actions.</i> Federal assistance for drainage, berm, water crossing, and detention, retention, or sediment pond projects which have the primary purpose of addressing flood hazards and:</p> <p>(a) Do not affect more than 25 acres,</p> <p>(b) Do not result in adverse flood risk effects to downstream communities,</p> <p>(c) Do not result in any increase of flood levels within the community during the occurrence of the base flood discharge if the action takes place within the regulatory floodway, and</p> <p>(d) Where the effect of the proposed project when combined with other existing or reasonably foreseeable development will not increase water surface elevation of the base flood more than one foot at any point within the community if the action takes place in a floodplain with no regulatory floodway.</p>

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This CATEX covers minor flood control actions as identified in Sections 1366 and 1361 of the National Flood Insurance Act (NFIA). Actions that are not covered in Sections 1366 and 1361 of the NFIA, such as dikes, levees, seawalls, groins, and jetties, are excluded from this CATEX.
<i>*N10 Federal Assistance for Communication Towers of Less than 400 Feet.</i> Federal assistance for the construction of communication towers when all of the following are met:
(a) The total height is less than 400 feet above ground level,
(b) The tower construction project has been reviewed by the Federal Communications Commission (FCC) and has been documented as meeting FCC environmental planning and historic preservation procedures,
(c) The project is located farther than 660 feet from a Bald Eagle's nest or 0.6 mile from a Golden Eagle nest,
(d) The tower is not located on ridgelines or in coastal zones, bird staging areas, colonial nesting sites, 100- or 500-year floodplains, or wetlands, and
(e) The lighting scheme meets all applicable US Fish and Wildlife Service guidelines for reducing potential impacts to night-migrating birds.
This CATEX covers associated activities such as installation of fuel storage tanks, equipment buildings, security fencing and lighting, and access roads, and land disturbance activities typically associated with construction such as clearing, fill, and grading.
<i>*N11 Federal Assistance for Wildfire Hazard Mitigation Actions.</i> Federal assistance for wildfire hazard mitigation actions involving the creation of defensible space or hazardous fuel reduction for up to 100 feet from at-risk structures including selective removal of vegetation less than 12 inches in diameter at breast height through thinning, pruning, limbing, sawing, or brush cutting and removal of downed, dead, or dry vegetation material as part of the overall action.
<i>*N12 Federal assistance for planting of indigenous vegetation.</i>
N13 Provision of the Following Forms of Federal Assistance Under the Stafford Act:
(a) Unemployment Assistance (§410);
(b) Individuals and Households Programs (§408), except for grants that will be used for restoring, repairing or building private bridges, or purchasing mobile homes or other readily fabricated dwellings;
(c) Food Coupons and Distribution (§412);
(d) Food Commodities (§413);
(e) Legal Services (§415);
(f) Crisis Counseling Assistance and Training (§416);
(g) Community Disaster Loans (§417);
(h) Emergency Communications (§418);
(i) Emergency Public Transportation (§419);
(j) Fire Management Assistance (§420)
N14 Federal assistance for Urban Search and Rescue (USR) activities, including deployment of USR teams.
<i>*N15 Federal Assistance for Disaster Temporary Individual Housing in Private and Commercial Sites.</i> Federally funded action or federal assistance for the development, installation and/or removal of individual housing units in pre-existing private or commercial sites that are not located on contaminated sites for individual temporary housing units.
<i>*N16 Federal Assistance for Disaster Temporary Group Housing of Less than Five (5) Acres.</i> Federal assistance for the placement of disaster temporary group housing, including associated temporary facilities and the tie-in or installation of necessary utilities to service the housing units (such as electricity, potable water, and wastewater infrastructure), that involves less than five (5) acres of ground disturbance on sites that are zoned for housing and that follow best management practices for pollution control. This CATEX also covers the conversion of such temporary housing to permanent housing when these criteria are met.
<i>N17 Federal Assistance for Development of Plans in Support of Response, Recovery, and Hazard Mitigation Activities.</i> Federal assistance for the development of plans for the purpose of preparing for disasters, recovering from disasters, and identifying opportunities for mitigating the effects of future disasters. This includes but is not limited to State, Tribal, and local hazard mitigation plans, debris management plans, long-term recovery plans, and disaster housing plans. This CATEX is not applicable to plans associated with specific projects that are reasonably foreseeable to occur and that are not otherwise covered by another CATEX.

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**N18 Federal Assistance for Construction or Installation of Structures, Facilities, or Equipment to Ensure Continuity of Operations.* Federal assistance for the construction or installation of measures for the purpose of ensuring the continuity of operations during incidents such as emergencies, disasters, flooding, and power outages involving less than one acre of ground disturbance. Examples include the installation of generators, installation of storage tanks of up to 10,000 gallons, installation of pumps, construction of structures to house emergency equipment, and utility line installation. This CATEX covers associated ground disturbing activities, such as trenching, excavation, and vegetation removal of less than one acre, as well as modification of existing structures.

**N19 Federal Assistance for Clean-up and Other Actions to Restore Environmental Resources.* Federal assistance for clean-up and other actions to restore environmental resources to pre-existing conditions when resource contamination or damage results from a disaster event and when the clean-up and associated actions are not exempt from NEPA. Examples include the clean-up of underground storage tank releases and above ground releases that affect nearby water bodies or wetlands.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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**Department of Homeland Security (DHS)
Categorical Exclusions (CE)**

Transportation Security Administration (TSA)

[Appendix A. DHS List of Categorical Exclusions](#)

Note regarding the following table: CATEX A8, CATEXs C6 through C10, and all the CATEXs in Sections M and N are new CATEXs. All others are existing CATEXs that DHS is retaining.

The CATEXs in Sections A through G and the CATEXs in Section N are available for use across the entire Department. The CATEXs in Sections H through M are available for use by only the Component specified in the section heading.

*Denotes classes of actions that have a higher possibility of involving extraordinary circumstances. A REC will be prepared to document consideration of extraordinary circumstances whenever a CATEX that is identified by an asterisk is used.

Unique Categorical Exclusions for the Transportation Security Administration (TSA)

H1 Approval or disapproval of security plans required under legislative or regulatory mandates unless such plans would have a significant effect on the environment.

H2 Issuance or revocation of certificates or other approvals, including but not limited to:

(a) Airmen certificates,

(b) Security procedures at general aviation airports, and

(c) Airport security plans.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

**Department of Homeland Security (DHS)
Categorical Exclusions (CE)**

Federal Law Enforcement Training Center (FLETC)

[Appendix A. DHS List of Categorical Exclusions](#)

Note regarding the following table: CATEX A8, CATEXs C6 through C10, and all the CATEXs in Sections M and N are new CATEXs. All others are existing CATEXs that DHS is retaining.

The CATEXs in Sections A through G and the CATEXs in Section N are available for use across the entire Department. The CATEXs in Sections H through M are available for use by only the Component specified in the section heading.

*Denotes classes of actions that have a higher possibility of involving extraordinary circumstances. A REC will be prepared to document consideration of extraordinary circumstances whenever a CATEX that is identified by an asterisk is used.

Unique Categorical Exclusions for the Federal Law Enforcement Training Center (FLETC)

*J1 Prescribed burning, wildlife habitat improvement thinning, and brush removal for southern yellow pine at the FLETC facility in Glynco, Georgia. No more than 200 acres will be treated in any single year. These activities may include up to 0.5 mile of low-standard, temporary road construction to support these operations.

J2 Harvest of live trees on Federal Law Enforcement Training Center facilities not to exceed 70 acres, requiring no more than ½ mile of temporary road construction. Do not use this category for even-aged regeneration harvest or vegetation type conversion. The proposed action may include incidental removal of trees for landings, skid trails, and road clearing. Examples include but are not limited to:

(a) Removal of individual trees for saw logs, specialty products, or fuel wood, and

(b) Commercial thinning of overstocked stands to achieve the desired stocking level to increase health and vigor.

J3 Salvage of dead and/or dying trees on Federal Law Enforcement Training Center facilities not to exceed 250 acres, requiring no more than ½ mile of temporary road construction. The proposed action may include incidental removal of live or dead trees for landings, skid trails, and road clearing. Examples include but are not limited to:

(a) Harvest of a portion of a stand damaged by a wind or ice event and construction of a short temporary road to access the damaged trees,

(b) Harvest of fire damaged trees, and

(c) Harvest of insect or disease damaged trees.

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

**Department of Homeland Security (DHS)
Categorical Exclusions (CE)**

Customs & Border Protection (CBP)

[Appendix A. DHS List of Categorical Exclusions](#)

Note regarding the following table: CATEX A8, CATEXs C6 through C10, and all the CATEXs in Sections M and N are new CATEXs. All others are existing CATEXs that DHS is retaining.

The CATEXs in Sections A through G and the CATEXs in Section N are available for use across the entire Department. The CATEXs in Sections H through M are available for use by only the Component specified in the section heading.

*Denotes classes of actions that have a higher possibility of involving extraordinary circumstances. A REC will be prepared to document consideration of extraordinary circumstances whenever a CATEX that is identified by an asterisk is used.

Unique Categorical Exclusions for Customs & Border Protection (CBP)

K1 Road dragging of existing roads and trails established by Federal, Tribal, State, or local governments to maintain a clearly delineated right-of-way, to provide evidence of foot traffic and that will not expand the width, length, or footprint of the road or trail.

K2 Repair and maintenance of existing border fences that do not involve expansion in width or length of the project, and will not encroach on adjacent habitat.

*K3 A portable or relocatable facility or structure used to collect traveler data at or adjacent to an existing port of entry where the placement or use of the facility does not significantly disturb land, air, or water resources and does not individually or cumulatively have a significant environmental effect. The building footprint of the facility must be less than 5,000 square feet and the facility or structure must not foreclose future land use alternatives.

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of Homeland Security (DHS) Categorical Exclusions (CE)</p>	
U.S. Coast Guard (USCG)	
Appendix A. DHS List of Categorical Exclusions	
Note regarding the following table: CATEX A8, CATEXs C6 through C10, and all the CATEXs in Sections M and N are new CATEXs. All others are existing CATEXs that DHS is retaining.	
The CATEXs in Sections A through G and the CATEXs in Section N are available for use across the entire Department. The CATEXs in Sections H through M are available for use by only the Component specified in the section heading.	
*Denotes classes of actions that have a higher possibility of involving extraordinary circumstances. A REC will be prepared to document consideration of extraordinary circumstances whenever a CATEX that is identified by an asterisk is used.	
<i>Unique Categorical Exclusions for the U.S. Coast Guard</i>	
*L1 Personnel and other administrative actions associated with consolidations, reorganizations, or reductions in force resulting from identified inefficiencies, reduced personnel or funding levels, skill imbalances, or other similar causes.	
L2 Routine procurement activities and actions for goods and services, including office supplies, equipment, mobile assets, and utility services for routine administration, operation, and maintenance.	
L3 Routine personnel, fiscal, and administrative activities, actions, procedures, and policies which clearly do not have any environmental impacts, such as military and civilian personnel recruiting, processing, paying, and record keeping.	
L4 Review of documents, such as studies, reports, and analyses, prepared for legislative proposals that did not originate in DHS and that relate to matters that are not the primary responsibility of the USCG.	
L5 Preparation of guidance documents that implement, without substantive change, the applicable Commandant Instruction or other Federal agency regulations, procedures, manuals, and other guidance documents.	
L6 Approval of recreational activities or events (such as a Coast Guard Unit picnic) at a location developed or created for that type of activity.	
*L7 The initial lease of, or grant of, an easement interest in, Coast Guard-controlled real property to a non-Federal party or the amendment, renewal, or termination of such lease or easement interest where the reasonably foreseeable real property use will not change significantly and is similar to existing uses.	
*L8 The grant of a license to a non-Federal party to perform specified acts upon Coast Guard-controlled real property or the amendment, renewal, or termination of such license where the proposed real property use is similar to existing uses.	
*L9 Allowing another Federal agency to use Coast Guard-controlled real property under a permit, use agreement, or similar arrangement or the amendment, renewal, or termination of such permit or agreement where the real property use is similar to existing uses.	
*L10 The lease of a Coast Guard controlled historic lighthouse property to a non-Federal party as outlined in the Programmatic Memorandum of Agreement between the Coast Guard, Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers.	
*L11 Acquisition of real property (including fee simple estates, leaseholds, and easements) improved or unimproved, and related personal property from a non-Federal party by purchase, lease, donation, or exchange where the proposed real property use is similar to existing uses for the foreseeable future (acquisition through condemnation not covered).	
*L12 Acquisition of real property and related personal property through transfer of administrative control from another DHS component or another Federal agency to the Coast Guard where title to the property remains with the United States including transfers made pursuant to the defense Base Closure and Realignment Act of 1990, Pub. L. 101-510, as amended, (10 U.S.C. 2687 note) and where the proposed Coast Guard real property uses is similar to existing uses.	
*L13 Coast Guard use of real property under the administrative control of another DHS component or another Federal agency through a permit, use agreement, or similar arrangement where the proposed real property use is similar to existing uses.	
*L14 Coast Guard new construction upon, or improvement of, land where all of the following conditions are met:	
(a) The structure and proposed use are substantially in compliance with prevailing local planning and zoning standards.	
(b) The site is on heavily developed property and/or located on a previously disturbed site in a developed area.	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(c) The proposed use will not substantially increase the number of motor vehicles at the facility.
(d) The site and scale of construction are consistent with those of existing, adjacent, or nearby buildings.
L15 Real property inspections for compliance with deed or easement restrictions.
*L16 Transfer of administrative control over real property from the Coast Guard to another DHS component or another Federal agency (title to the property remains with the United States) that results in no immediate change in use of the property.
*L17 Determination by the Coast Guard that real property is excess to its needs, pursuant to the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.), and the subsequent reporting of such determination to the Administrator of the General Services Administration or the subsequent filing of a notice of intent to relinquish lands withdrawn or reserved from the public domain with the Bureau of Land Management, Department of Interior, in accordance with 43 CFR part 2370.
*L18 Congressionally mandated conveyance of Coast Guard controlled real property to another Federal agency or non-Federal entity.
L19 Relocation of Coast Guard personnel into existing Federally owned or leased space where use does not change substantially and any attendant modifications to the facility would be minor.
*L20 Decisions to temporarily or permanently decommission, disestablish, or close Coast Guard shore facilities including any follow-on connected protection and maintenance needed to maintain the property until it is no longer under Coast Guard control.
*L21 Demolition of buildings, structures, or fixtures and disposal of subsequent building, structure, or fixture waste materials.
*L22 Determination by the Coast Guard that Coast Guard controlled personal property, including vessels and aircraft, is "excess property", as that term is defined in the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(e)), and any subsequent transfer of such property to another Federal agency's administrative control or conveyance of the United States' title in such property to a non-Federal entity.
L23 Decisions to decommission or temporarily discontinue use of equipment;
*L23(a) Decisions to decommission or temporarily discontinue use of vessels and aircraft. This does not preclude the need to review decommissioning under section 106 of the National Historic Preservation Act.
L23(b) Decisions to decommission or temporarily discontinue use of equipment, not including vessels or aircraft. This does not preclude the need to review decommissioning under section 106 of the National Historic Preservation Act.
*L24 Minor renovations and additions to buildings, roads, airfields, grounds, equipment, and other facilities that do not result in a change in functional use of the real property (e.g. realigning interior spaces of an existing building, extending an existing roadway in a developed area a short distance, installing a small antenna on an already existing antenna tower, adding a small storage shed to an existing building, etc.).
*L25 Installation of devices to protect human or animal life, such as raptor electrocution prevention devices, fencing to restrict wildlife movement on to airfields, and fencing and grating to prevent accidental entry to hazardous areas.
*L26 Maintenance dredging and debris disposal where no new depths are required, applicable permits are secured, and disposal will be at an existing approved disposal site.
L27 Routine repair, renovation, and maintenance actions on aircraft and vessels.
L28 Routine repair and maintenance of buildings, roads, airfields, grounds, equipment, and other facilities which do not result in a change in functional use, or an impact on a historically significant element or setting.
L29 Routine repair and maintenance to waterfront facilities, including mooring piles, fixed floating piers, existing piers, and unburied power cables.
*L30 Minor renovations and additions to waterfront facilities, including mooring piles, fixed floating piers, existing piers, and unburied power cables, which do not require special, site-specific regulatory permits.
L31 Routine grounds maintenance and activities at units and facilities. Examples include localized pest management actions and actions to maintain improved grounds (such as landscaping, lawn care and minor erosion control measures) that are conducted in accordance with applicable Federal, state, and local directives.
*L32 Defense preparedness training and exercises conducted on Coast Guard controlled property that do not involve undeveloped property or increased noise levels over adjacent property and that involve a limited number of personnel, such as exercises involving primarily electronic simulation or command post personnel.
L33 Defense preparedness training and exercises conducted on other than USCG property, where the lead agency or department is not USCG or DHS and the lead agency or department has completed its NEPA analysis and documentation requirements.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

L34 Simulated exercises, including tactical and logistical exercises that involve small numbers of personnel.
L35 Training of an administrative or classroom nature.
*L36 Realignment or initial homeporting of mobile assets, including vessels and aircraft, to existing operational facilities that have the capacity to accommodate such assets or where supporting infrastructure changes will be minor in nature to perform as new homeports or for repair and overhaul. Note. If the realignment or homeporting would result in more than a one for one replacement of assets at an existing facility, then the checklist required for this CE must specifically address whether such an increase in assets could trigger the potential for significant impacts to protected species or habitats before use of the CE can be approved.
L37 Operations to carry out maritime safety, maritime law enforcement, search and rescue, domestic ice breaking, and oil or hazardous substance removal programs.
L38 Actions performed as a part of USCG operations and the Aids to Navigation Program to carry out statutory authority in the area of establishment of floating and minor fixed aids to navigation, except electronic sound signals.
L39 USCG participation in disaster relief efforts under the guidance or leadership of another Federal agency that has taken responsibility for NEPA compliance.
L40 Routine movement of personnel and equipment, and the routine movement, handling, and distribution of non-hazardous and hazardous materials and wastes in accordance with applicable regulations.
*L41 Contracts for activities conducted at established laboratories and facilities, to include contractor-operated laboratories and facilities, on USCG-owned property where all airborne emissions, waterborne effluents, external radiation levels, outdoor noise, and solid and bulk waste disposal practices are in compliance with existing applicable Federal, state, and local laws and regulations.
L42 Environmental site characterization studies and environmental monitoring including: Siting, constructing, operating, and dismantling or closing of characterization and monitoring devices. Such activities include but are not limited to the following:
(a) Conducting geological, geophysical, geochemical, and engineering surveys and mapping, including the establishment of survey marks.
(b) Installing and operating field instruments, such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools.
(c) Drilling wells for sampling or monitoring of groundwater, well logging, and installation of water-level recording devices in wells.
(d) Conducting aquifer response testing.
(e) Installing and operating ambient air monitoring equipment.
(f) Sampling and characterizing water, soil, rock, or contaminants.
(g) Sampling and characterizing water effluents, air emissions, or solid waste streams.
(h) Sampling flora or fauna.
(i) Conducting archeological, historic, and cultural resource identification and evaluation studies in compliance with 36 CFR part 800 and 43 CFR part 7.
(j) Gathering data and information and conducting studies that involve no physical change to the environment. Examples include topographic surveys, bird counts, wetland mapping, and other inventories.
L43 Natural and cultural resource management and research activities that are in accordance with inter-agency agreements and which are designed to improve or upgrade the USCG's ability to manage those resources.
L44 Planning and technical studies which do not contain recommendations for authorization or funding for future construction, but may recommend further study. This includes engineering efforts or environmental studies undertaken to define the elements of a proposal or alternatives sufficiently so that the environmental effects may be assessed and does not exclude consideration of environmental matters in the studies.
L45 Modification or replacement of an existing bridge on essentially the same alignment or location. Excluded are bridges providing access to undeveloped barrier islands and beaches.
L46 Construction of pipeline bridges for transporting potable water.
L47 Construction of pedestrian, bicycle, or equestrian bridges and stream gauging cableways used to transport people.
L48 Temporary replacement of a bridge immediately after a natural disaster or a catastrophic failure for reasons of public safety, health, or welfare.
L49 Promulgation of operating regulations or procedures for drawbridges.
L50 Identification of advance approval waterways under 33 CFR 115.70.

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L51 Any Bridge Program action which is classified as a CE by another Federal agency acting as lead agency for such an action.
L52 Regulations concerning vessel operation safety standards (e.g., regulations requiring: certain boaters to use approved equipment which is required to be installed such as an ignition cut-off switch, or carried on board, such as personal flotation devices (PFDS), and/or stricter blood alcohol concentration (BAC) standards for recreational boaters, etc.), equipment approval, and/or equipment carriage requirements (e.g. personal flotation devices (PFDs) and visual distress signals (VDS's)).
*L53 Congressionally mandated regulations designed to improve or protect the environment (e.g., regulations implementing the requirements of the Oil Pollution Act of 1990, such as those requiring vessels to have the capability to transmit and receive on radio channels that would allow them to receive critical safety and navigation warnings in U.S. waters, regulations to increase civil penalties against persons responsible for the discharge of oil or hazardous substances into U.S. waters, etc.).
*L54 Regulations which are editorial or procedural, such as those updating addresses or establishing application procedures.
*L55 Regulations concerning internal agency functions or organization or personnel administration, such as funding, establishing Captain of the Port boundaries, or delegating authority.
*L56 Regulations concerning the training, qualifying, licensing, and disciplining of maritime personnel.
*L57 Regulations concerning manning, documentation, admeasurement, inspection, and equipping of vessels.
*L58 Regulations concerning equipment approval and carriage requirements.
L59 Regulations for Special Anchorage Areas or anchorage grounds:
*L59(a) Regulations establishing or increasing the size of Special Anchorage Areas or anchorage grounds.
L59(b) Regulations disestablishing or reducing the size of Special Anchorage Areas or anchorage grounds.
L60 Regulations for Regulated Navigation Areas and security or safety zones:
*L60(a) Regulations establishing or increasing the size of Regulated Navigation Areas and security or safety zones.
L60(b) Regulations for actions that disestablish or reduce the size of the area or zone.
L60(c) Regulations for temporary areas and zones that are established to deal with emergency situations and that are less than one week in duration.
*L60(d) Regulations for temporary areas and zones that are established to deal with emergency situations and that are one week or longer in duration REC will be prepared and submitted after issuance or publication.
L61 Special local regulations issued in conjunction with a regatta or marine parade; provided that, if a permit is required, the environmental analysis conducted for the permit included an analysis of the impact of the regulations. (REC not required.)
*L62 Regulations in aid of navigation, such as those concerning rules of the road, International Regulations for the Prevention of Collisions at Sea (COLREGS), bridge-to-bridge communications, vessel traffic services, and marking of navigation systems.
L63 Approvals of regatta and marine parade event permits for the following events:
L63(a) Events that are not located in, proximate to, or above an area designated environmentally sensitive by an environmental agency of the Federal, state, or local government. For example, environmentally sensitive areas may include such areas as critical habitats or migration routes for endangered or threatened species or important fish or shellfish nursery areas.
*L63(b) Events that are located in, proximate to, or above an area designated as environmentally sensitive by an environmental agency of the Federal, state, or local government and for which the USCG determines, based on consultation with the Governmental agency, that the event will not significantly affect the environmentally sensitive area.
*L64 Disposal of real property (including facilities) by the USCG where the reasonably foreseeable use will not change significantly or where the reasonably foreseeable use is similar to existing surrounding properties (e.g. commercial store in a commercial strip, warehouse in an urban complex, office building in downtown area, row house or vacant lot in an urban area).

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of Homeland Security (DHS) Categorical Exclusions (CE)</p>	
Federal Emergency Management Agency (FEMA)	
Appendix A. DHS List of Categorical Exclusions	
Note regarding the following table: CATEX A8, CATEXs C6 through C10, and all the CATEXs in Sections M and N are new CATEXs. All others are existing CATEXs that DHS is retaining.	
The CATEXs in Sections A through G and the CATEXs in Section N are available for use across the entire Department. The CATEXs in Sections H through M are available for use by only the Component specified in the section heading.	
*Denotes classes of actions that have a higher possibility of involving extraordinary circumstances. A REC will be prepared to document consideration of extraordinary circumstances whenever a CATEX that is identified by an asterisk is used.	
<i>Unique Categorical Exclusions for the Federal Emergency Management Agency (FEMA)</i>	
M1 The following activities in support of FEMA's administration of the National Flood Insurance Program (NFIP):	
M1(a) Review of information, provision of technical assistance, and classification for individual communities under the Community Rating System (CRS);	
M1(b) Approvals and issuance of Letters of Map Change, including Agency comments;	
*M1(c) Creation of new flood zones, except establishing new flood zones for areas protected by structural flood control structures or systems or dams;	
M1(d) Revisions to Standard Flood Insurance Policy and Group Flood Insurance Policy;	
M1(e) Actions associated with inspections and monitoring, and enforcement of Federal, State, Tribal, or local floodplain management codes, standards, or regulations;	
*M1(f) Development and adoption of CRS activities; and	
M1(g) Revisions to flood insurance rates and premium schedules.	
M2 Transportation and prepositioning of assets in preparation for national emergencies and disasters.	
M3 Urban Search and Rescue (USR) activities, including deployment of USR teams.	
M4 Emergency Communications (Stafford Act §418)	
M5 Emergency Public Transportation (Stafford Act §419)	
M6 Lease of pre-existing structures and facilities for disaster operations (e.g. Joint Field Offices, Area Field Offices, Disaster Recovery Centers) located out of floodplains, historic properties, or contaminated sites.	
*M7 Lease of pre-existing structures and facilities for disaster operations (e.g., Joint Field Offices, Area Field Offices, Disaster Recovery Centers) located within floodplains, historic properties, or contaminated sites.	
*M8 Development of temporary shelter or housing for first responders and Federal disaster personnel involving less than 10 acres of ground disturbance in previously developed or disturbed areas and that follow best management practices for pollution control.	
*M9 Storage of assets immediately after a disaster, including development of temporary staging areas involving less than 10 acres of ground disturbance in previously developed or disturbed areas and that follow best management practices for pollution control.	
M10 Activation of response and recovery frameworks and operations (e.g. National Response Framework, National Disaster Recovery Framework, National Response Coordination Center, Regional Response Coordination Center, Emergency Response Teams, Incident Management Assistance Teams, Emergency Support Functions, Recovery Support Functions).	
M11 Information and data gathering and reporting in support of emergency and disaster response and recovery activities, including ground and aerial reconnaissance and structure inspection.	
M12 Development of plans by FEMA for the purpose of preparing for disasters, recovering from disasters, and identifying opportunities for mitigating the effects of future disasters; and the issuance of national frameworks, doctrines, guidance, standard operating procedures, and handbooks for the coordination of Federal, State, local, and private disaster response, recovery, and hazard mitigation. This CATEX is not applicable to subsequent decisions on specific situations or projects that are reasonably foreseeable in order to implement the plan.	

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*M13 Construction or installation of structures, facilities, or equipment for the purpose of ensuring the continuity of operations during incidents such as emergencies, disasters, flooding, and power outages involving less than one acre of ground disturbance. Examples include the installation of generators, installation of storage tanks of up to 10,000 gallons, installation of pumps, construction of structures to house emergency equipment, and utility line installation. This CATEX covers associated ground disturbing activities, such as trenching, excavation, and vegetation removal of less than one acre, as well as modification of existing structures.

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<p style="text-align: center;">Department of Housing & Urban Development (HUD) Categorical Exclusions (CE)</p>	
Department of Housing & Urban Development (HUD)	
§50.19 Categorical exclusions not subject to the Federal laws and authorities cited in §50.4. https://www.ecfr.gov/current/title-24/subtitle-A/part-50/subpart-D/section-50.19	
(a) <i>General</i> . The activities and related approvals of policy documents listed in paragraphs (b) and (c) of this section are not subject to the individual compliance requirements of the Federal laws and authorities cited in §50.4, unless otherwise indicated below. These activities and approvals of policy documents are also categorically excluded from the EA required by NEPA except in extraordinary circumstances (§50.20(b)). HUD approval or implementation of these categories of activities and policy documents does not require environmental review, because they do not alter physical conditions in a manner or to an extent that would require review under NEPA or the other laws and authorities cited at §50.4.	
(b) <i>Activities</i> . (1) Environmental and other studies, resource identification and the development of plans and strategies.	
(2) Information and financial advisory services.	
(3) Administrative and management expenses.	
(4) Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs.	
(5) Inspections and testing of properties for hazards or defects.	
(6) Purchase of insurance.	
(7) Purchase of tools.	
(8) Engineering or design costs.	
(9) Technical assistance and training.	
(10) Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration.	
(11) Tenant-based rental assistance.	
(12) Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services.	
(13) Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs; however, in the case of equipment, compliance with §50.4(b)(1) is required.	
(14) Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or physical expansion of existing facilities; however, in the case of equipment purchase, compliance with §50.4(b)(1) is required.	
(15) Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs and downpayment assistance, interest buydowns, and similar activities that result in the transfer of title.	
(16) Housing pre-development costs including legal, consulting, developer and other costs related to site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact.	
(17) HUD's insurance of one-to-four family mortgages under the Direct Endorsement program, the insurance of one-to-four family mortgages under the Lender Insurance program, and HUD's guarantee of loans for one-to-four family dwellings under the Direct Guarantee procedure for the Indian Housing loan guarantee program, without any HUD review or approval before the completion of construction or rehabilitation and the loan closing; and HUD's acceptance for insurance of loans insured under Title I of the National Housing Act; however, compliance with §§50.4(b)(1) and (c)(1) and 24 CFR 51.303(a)(3) is required.	
(18) HUD's endorsement of one-to-four family mortgage insurance for proposed construction under Improved Area processing; however, the Appraiser/Review Appraiser Checksheet (Form HUD-54891) must be completed.	
(19) Activities of the Government National Mortgage Association under Title III of the National Housing Act (12 U.S.C. 1716 <i>et seq.</i>).	
(20) Activities under the Interstate Land Sales Full Disclosure Act (15 U.S.C. 1701 <i>et seq.</i>).	

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(21) Refinancing of HUD-insured mortgages that will not allow new construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance; however, compliance with §50.4(b)(1) is required.
(22) Approval of the sale of a HUD-held mortgage.
(23) Approval of the foreclosure sale of a property with a HUD-held mortgage; however, appropriate restrictions will be imposed to protect historic properties.
(24) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573) of loans that refinance existing loans and mortgages, where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance; however, compliance with §§50.4 (b)(1) and (c)(1) and 51.303(a) is required.
(c) <i>Approval of policy documents.</i> (1) Approval of rules and notices proposed for publication in the Federal Register or other policy documents that do not:
(i) Direct, provide for assistance or loan and mortgage insurance for, or otherwise govern or regulate, real property acquisition, disposition, leasing (other than tenant-based rental assistance), rehabilitation, alteration, demolition, or new construction; or
(ii) Establish, revise, or provide for standards for construction or construction materials, manufactured housing, or occupancy.
(2) Approval of policy documents that amend an existing document where the existing document as a whole would not fall within an exclusion in this paragraph (c) but the amendment by itself would do so;
(3) Approval of policy documents that set out fair housing or nondiscrimination standards or enforcement procedures or provide for assistance in promoting or enforcing fair housing or nondiscrimination;
(4) Approval of handbooks, notices and other documents that provide operating instructions and procedures in connection with activities under a Federal Register document that has previously been subject to a required environmental review.
(5) Approval of a Notice of Funding Availability (NOFA) that provides funding under, and does not alter any environmental requirements of, a regulation or program guideline that was previously published in the Federal Register, provided that
(i) The NOFA specifically refers to the environmental review provisions of the regulation or guideline; or
(ii) The regulation or guideline contains no environmental review provisions because it concerns only activities listed in paragraph (b) of this section.
(6) Statutorily required and/or discretionary establishment and review of interest rates, loan limits, building cost limits, prototype costs, fair market rent schedules, HUD-determined prevailing wage rates, income limits and exclusions with regard to eligibility for or calculation of HUD housing assistance or rental assistance, and similar rate and cost determinations and related external administrative or fiscal requirements or procedures which do not constitute a development decision that affects the physical condition of specific project areas or building sites.
§50.20 Categorical exclusions subject to the Federal laws and authorities cited in §50.4.
(a) The following actions, activities, and programs are categorically excluded from the NEPA requirements for further review in an Environmental Assessment or an Environmental Impact Statement as set forth in this part. They are not excluded from individual compliance requirements of other environmental statutes, Executive orders, and HUD standards cited in §50.4, where appropriate. Where the responsible official determines that any proposed action identified below may have an environmental effect because of extraordinary circumstances (40 CFR 1508.4), the requirements for further review under NEPA shall apply (see paragraph (b) of this section).
(1) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.
(2) Rehabilitation of buildings and improvements when the following conditions are met:
(i) In the case of a building for residential use (with one to four units), the density is not increased beyond four units and the land use is not changed
(ii) In the case of multifamily residential buildings:
(A) Unit density is not changed more than 20 percent;
(B) The project does not involve changes in land use from residential to non-residential; and
(C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.
(iii) In the case of non-residential structures, including commercial, industrial, and public buildings:
(A) The facilities and improvements are in place and will not be changed in size nor capacity by more than 20 percent; and

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(B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.
(3)(i) An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between; or
(ii) An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
(iii) Paragraphs (a)(3)(i) and (ii) of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see paragraph (a)(2)(i) of this section).
(4) Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.
(5) Purchased or refinanced housing and medical facilities under section 223(f) of the National Housing Act (12 U.S.C. 1715n).
(6) Mortgage prepayments or plans of action (including incentives) under 24 CFR part 248.
(b) For categorical exclusions having the potential for significant impact because of extraordinary circumstances, HUD must prepare an EA in accordance with subpart E. If it is evident without preparing an EA that an EIS is required pursuant to §50.42, HUD should proceed directly to the preparation of an EIS in accordance with subpart F.
PART 58—ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD ENVIRONMENTAL RESPONSIBILITIES
Subpart D—Environmental Review Process: Documentation, Range of Activities, Project Aggregation and Classification
<u>§58.34 Exempt activities.</u>
(a) Except for the applicable requirements of § 58.6, the responsible entity does not have to comply with the requirements of this part or undertake any environmental review, consultation or other action under NEPA and the other provisions of law or authorities cited in § 58.5 for the activities exempt by this section or projects consisting solely of the following exempt activities:
(1) Environmental and other studies, resource identification and the development of plans and strategies;
(2) Information and financial services;
(3) Administrative and management activities;
(4) Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
(5) Inspections and testing of properties for hazards or defects;
(6) Purchase of insurance;
(7) Purchase of tools;
(8) Engineering or design costs;
(9) Technical assistance and training;
(10) Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
(11) Payment of principal and interest on loans made or obligations guaranteed by HUD;
(12) Any of the categorical exclusions listed in § 58.35(a) provided that there are no circumstances which require compliance with any other Federal laws and authorities cited in § 58.5.
(b) A recipient does not have to submit an RROF and certification, and no further approval from HUD or the State will be needed by the recipient for the drawdown of funds to carry out exempt activities and projects. However, the responsible entity must document in writing its determination that each activity or project is exempt and meets the conditions specified for such exemption under this section.
<u>58.35 Categorical exclusions.</u>
Categorical exclusion refers to a category of activities for which no environmental impact statement or environmental assessment and finding of no significant impact under NEPA is required, except in extraordinary circumstances (see §58.2(a)(3)) in which a normally excluded activity may have a significant impact. Compliance with the other applicable Federal environmental laws and authorities listed in §58.5 is required for any categorical exclusion listed in paragraph (a) of this section.
(a) <i>Categorical exclusions subject to §58.5.</i> The following activities are categorically excluded under NEPA, but may be subject to review under authorities listed in §58.5:

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(1) Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).
(2) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons.
(3) Rehabilitation of buildings and improvements when the following conditions are met:
(i) In the case of a building for residential use (with one to four units), the density is not increased beyond four units, and the land use is not changed;
(ii) In the case of multifamily residential buildings:
(A) Unit density is not changed more than 20 percent;
(B) The project does not involve changes in land use from residential to non-residential; and
(C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.
(iii) In the case of non-residential structures, including commercial, industrial, and public buildings:
(A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and
(B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.
(4)(i) An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between; or
(ii) An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
(iii) Paragraphs (a)(4)(i) and (ii) of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see paragraph (a)(3)(i) of this section).
(5) Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.
(6) Combinations of the above activities.
(b) <i>Categorical exclusions not subject to §58.5.</i> The Department has determined that the following categorically excluded activities would not alter any conditions that would require a review or compliance determination under the Federal laws and authorities cited in §58.5. When the following kinds of activities are undertaken, the responsible entity does not have to publish a NOI/RROF or execute a certification and the recipient does not have to submit a RROF to HUD (or the State) except in the circumstances described in paragraph (c) of this section. Following the award of the assistance, no further approval from HUD or the State will be needed with respect to environmental requirements, except where paragraph (c) of this section applies. The recipient remains responsible for carrying out any applicable requirements under §58.6.
(1) Tenant-based rental assistance;
(2) Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services;
(3) Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs;
(4) Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations;
(5) Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs and down payment assistance, interest buydowns, and similar activities that result in the transfer of title.
(6) Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact.
(7) Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental findings is not required under §58.47.
(c) <i>Circumstances requiring NEPA review.</i> If a responsible entity determines that an activity or project identified in paragraph (a) or (b) of this section, because of extraordinary circumstances and conditions at or affecting the location of the activity or project, may have a significant environmental effect, it shall comply with all the requirements of this part.

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(d) The Environmental Review Record (ERR) must contain a well organized written record of the process and determinations made under this section.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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Department of the Interior (DOI) Categorical Exclusions (CE)
Department of the Interior (DOI)
§46.210
https://www.ecfr.gov/cgi-bin/text-idx?SID=3fb4d64096b09d58f1167bf7e09b3b52&mc=true&node=se43.1.46_1210&rgn=div8
The following actions are categorically excluded under paragraph 46.205(b), unless any of the extraordinary circumstances in section 46.215 apply:
(a) Personnel actions and investigations and personnel services contracts.
(b) Internal organizational changes and facility and bureau reductions and closings.
(c) Routine financial transactions including such things as salaries and expenses, procurement contracts (e.g. , in accordance with applicable procedures and Executive Orders for sustainable or green procurement), guarantees, financial assistance, income transfers, audits, fees, bonds, and royalties.
(d) Departmental legal activities including, but not limited to, such things as arrests, investigations, patents, claims, and legal opinions. This does not include bringing judicial or administrative civil or criminal enforcement actions which are outside the scope of NEPA in accordance with 40 CFR 1508.18(a).
(e) Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities.
(f) Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g. , limited size and magnitude or short-term effects).
(g) Management, formulation, allocation, transfer, and reprogramming of the Department's budget at all levels. (This does not exclude the preparation of environmental documents for proposals included in the budget when otherwise required.)
(h) Legislative proposals of an administrative or technical nature (including such things as changes in authorizations for appropriations and minor boundary changes and land title transactions) or having primarily economic, social, individual, or institutional effects; and comments and reports on referrals of legislative proposals.
(i) Policies, directives, regulations, and guidelines: that are of an administrative, financial, legal, technical, or procedural nature; or whose environmental effects are too broad, speculative, or conjectural to lend themselves to meaningful analysis and will later be subject to the NEPA process, either collectively or case-by-case.
(j) Activities which are educational, informational, advisory, or consultative to other agencies, public and private entities, visitors, individuals, or the general public.
(k) Hazardous fuels reduction activities using prescribed fire not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing, not to exceed 1,000 acres. Such activities:
(1) Shall be limited to areas—
(i) In wildland-urban interface; and
(ii) Condition Classes 2 or 3 in Fire Regime Groups I, II, or III, outside the wildland-urban interface;
(2) Shall be identified through a collaborative framework as described in “A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-Year Comprehensive Strategy Implementation Plan;”
(3) Shall be conducted consistent with bureau and Departmental procedures and applicable land and resource management plans;
(4) Shall not be conducted in wilderness areas or impair the suitability of wilderness study areas for preservation as wilderness; and
(5) Shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and may include the sale of vegetative material if the primary purpose of the activity is hazardous fuels reduction. (Refer to the ESM Series for additional, required guidance.)
Use of CE (k) discontinued, see 73 FR 61292, 61305, and BLM IM 2009-199, https://www.ntc.blm.gov/krc/uploads/454/IM_2009-199_Fuels,Veg,GrazingCXs.pdf

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| (I) Post-fire rehabilitation activities not to exceed 4,200 acres (such as tree planting, fence replacement, habitat restoration, heritage site restoration, repair of roads and trails, and repair of damage to minor facilities such as campgrounds) to repair or improve lands unlikely to recover to a management approved condition from wildland fire damage, or to repair or replace minor facilities damaged by fire. Such activities must comply with the following (Refer to the ESM Series for additional, required guidance.): |
| (1) Shall be conducted consistent with bureau and Departmental procedures and applicable land and resource management plans; |
| (2) Shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and |
| (3) Shall be completed within three years following a wildland fire. |

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of the Interior (DOI) Categorical Exclusions (CE)</p>	
U.S. Fish and Wildlife Service (USFWS)	
Electronic Library of the Interior Policies	
Departmental Manual, Series 31, Part 516, Ch 8	
Past updates to USFWS's categorical exclusions are not currently listed in the Departmental Manual, but are available in this DOI document listing all Department of the Interior categorical exclusions.	
A. General.	
(1) Changes or amendments to an approved action when such changes have no or minor potential environmental impact.	
(2) Personnel training, environmental interpretation, public safety efforts, and other educational activities, which do not involve new construction or major additions to existing facilities.	
(3) The issuance and modification of procedures, including manuals, orders, guidelines, and field instructions, when the impacts are limited to administrative effects.	
(4) The acquisition of real property obtained either through discretionary acts or when acquired by law, whether by way of condemnation, donation, escheat, right-of-entry, escrow, exchange, lapses, purchase, or transfer and that will be under the jurisdiction or control of the United States. Such acquisition of real property shall be in accordance with 602 DM 2 and the Service's procedures, when the acquisition is from a willing seller, continuance of or minor modification to the existing land use is planned, and the acquisition planning process has been performed in coordination with the affected public.	
B. Resource Management. Prior to carrying out these actions, the Service should coordinate with affected Federal agencies and State, tribal, and local governments.	
(1) Research, inventory, and information collection activities directly related to the conservation of fish and wildlife resources which involve negligible animal mortality or habitat destruction, no introduction of contaminants, or no introduction of organisms not indigenous to the affected ecosystem.	
(2) The operation, maintenance, and management of existing facilities and routine recurring management activities and improvements, including renovations and replacements which result in no or only minor changes in the use, and have no or negligible environmental effects on-site or in the vicinity of the site.	
(3) The construction of new, or the addition of, small structures or improvements, including structures and improvements for the restoration of wetland, riparian, instream, or native habitats, which result in no or only minor changes in the use of the affected local area. The following are examples of activities that may be included.	
(a) The installation of fences.	
(b) The construction of small water control structures.	
(c) The planting of seeds or seedlings and other minor revegetation actions.	
(d) The construction of small berms or dikes.	
(e) The development of limited access for routine maintenance and management purposes.	
(4) The use of prescribed burning for habitat improvement purposes, when conducted in accordance with local and State ordinances and laws.	
(5) Fire management activities, including prevention and restoration measures, when conducted in accordance with Departmental and Service procedures.	
(6) The reintroduction or supplementation (e.g., stocking) of native, formerly native, or established species into suitable habitat within their historic or established range, where no or negligible environmental disturbances are anticipated.	
(7) Minor changes in the amounts or types of public use on Service or State-managed lands, in accordance with existing regulations, management plans, and procedures.	
(8) Consultation and technical assistance activities directly related to the conservation of fish and wildlife resources.	
(9) Minor changes in existing master plans, comprehensive conservation plans, or operations, when no or minor effects are anticipated. Examples could include minor changes in the type and location of compatible public use activities and land management practices.	
(10) The issuance of new or revised site, unit, or activity-specific management plans for public use, land use, or other management activities when only minor changes are planned. Examples could include an amended public use plan or fire management plan.	

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(11) Natural resource damage assessment restoration plans, prepared under sections 107, 111, and 122(j) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA); section 311(f)(4) of the Clean Water Act; and the Oil Pollution Act; when only minor or negligible change in the use of the affected areas is planned.
C. Permit and Regulatory Functions.
(1) The issuance, denial, suspension, and revocation of permits for activities involving fish, wildlife, or plants regulated under 50 CFR Chapter 1, Subsection B, when such permits cause no or negligible environmental disturbance. These permits involve endangered and threatened species, species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), marine mammals, exotic birds, migratory birds, eagles, and injurious wildlife.
(2) The issuance of ESA section 10(a)(1)(B) "low-effect" incidental take permits that, individually or cumulatively, have a minor or negligible effect on the species covered in the habitat conservation plan.
(3) The issuance of special regulations for public use of Service-managed land, which maintain essentially the permitted level of use and do not continue a level of use that has resulted in adverse environmental effects.
(4) The issuance or reissuance of permits for limited additional use of an existing right-of-way for underground or above ground power, telephone, or pipelines, where no new structures (i.e., facilities) or major improvement to those facilities are required; and for permitting a new right-of-way, where no or negligible environmental disturbances are anticipated.
(5) The issuance or reissuance of special use permits for the administration of specialized uses, including agricultural uses, or other economic uses for management purposes, when such uses are compatible, contribute to the purposes of the refuge system unit, and result in no or negligible environmental effects.
(6) The denial of special use permit applications, either initially or when permits are reviewed for renewal, when the proposed action is determined not compatible with the purposes of the refuge system unit.
(7) Activities directly related to the enforcement of fish and wildlife laws, not included in 516 DM 2, Appendix 1.4. These activities include:
(a) Assessment of civil penalties.
(b) Forfeiture of property seized or subject to forfeiture.
(c) The issuance or reissuance of rules, procedures, standards, and permits for the designation of ports, inspection, clearance, marking, and license requirements pertaining to wildlife and wildlife products, and for the humane and healthful transportation of wildlife.
(8) Actions where the Service has concurrence or co-approval with another agency and the action is a categorical exclusion for that agency. This would normally involve one Federal action or connected actions where the Service is a cooperating agency.
(9) The adding of species to the list of injurious wildlife regulated under the Lacey Act (18 U.S.C. section 42, as amended) as implemented under 50 CFR subchapter B, part 16, which prohibits the importation into the United States and interstate transportation of wildlife found to be injurious.
D. Recovery Plans. Issuance of recovery plans under section 4(f) of the ESA.
E. Financial Assistance.
(1) State, local, or private financial assistance (grants and/or cooperative agreements), including State planning grants and private land restorations, where the environmental effects are minor or negligible.
(2) Grants for categorically excluded actions in paragraphs A, B, and C, above; and categorically excluded actions in Appendix 1 of 516 DM 2.

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of the Interior (DOI) Categorical Exclusions (CE)</p>	
U.S. Geological Survey (USGS)	
Electronic Library of the Interior Policies	
Departmental Manual, Series 31, Part 516, Ch 9	
Past updates to USGS's categorical exclusions are not currently listed in the Departmental Manual, but are available in this DOI document listing all Department of the Interior categorical exclusions.	
In addition to the actions listed in the Departmental categorical exclusions specified in 43 CFR § 46.210, many of which the USGS also performs, the following USGS actions are designated categorical exclusions unless one or more of the Department's extraordinary circumstances, listed at 43 CFR § 46.215 applies. The categorical exclusions shall apply to internal program initiatives performed in the United States and its Trust Territories and Possessions, including Federal lands	
A. Topographic, land use and land cover, geological, mineralogic, resources evaluation, and hydrologic mapping activities, including aerial topographic surveying, photography, and geophysical surveying.	
B. Collation of data and samples for geologic, paleontologic, hydrologic, mineralogic, geochemical and surface or subsurface geophysical investigations, and resource evaluation, including contracts therefor.	
C. Acquisition of existing geological, hydrological or geophysical data from private exploration ventures.	
D. Well logging, aquifer response testing, digital modeling, inventory of existing wells and water supplies, water-sample collection.	
E. Operation, construction, installation, and removal – including restoration of sites to the pre-structure condition or equivalent of the surrounding environment – of hydrologic and water quality monitoring structures and equipment including but not limited to weirs, cableways, stream-gaging stations, groundwater wells, and meteorologic structures	
F. Routine exploratory or observation groundwater well drilling operations which do not require a special access road, and which use portable tanks to recycle and remove drilling mud, and create no significant surface disturbance.	
G. Test or exploration drilling and downhole testing, including contracts therefor.	
H. Establishment of survey marks, placement and operation of field instruments, and installation of any research/monitoring devices.	
I. Digging and subsequent site restoration of exploratory trenches not to exceed one acre of surface disturbance.	
J. Establishment of seasonal and temporary field camps.	
K. Off-road travel to drilling, data collection or observation sites which does not impact ecologically sensitive areas such as wilderness areas, wetlands, or areas of critical habitat for listed endangered or threatened species.	
L. Hydraulic fracturing of rock formations for the singular purpose of in situ stress measurements.	
M. Reports to Surface Management Agencies, or any State, Territorial, Commonwealth or Federal Agencies concerning mineral and water resources appraisals.	
N. Other actions where USGS has concurrence or co-approval with another Department of the Interior bureau and the action is a categorical exclusion for that bureau.	
O. Minor, routine, or preventive maintenance activities at USGS facilities and lands, and geological, hydrological, or geophysical data collection stations.	
P. Minor activities required to gain or prepare access to sites selected for completion of exploration drilling operations or construction of stations for hydrologic, geologic, or geophysical data collection.	
<p><i>The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.</i></p>	

COUNCIL ON ENVIRONMENTAL QUALITY
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<p style="text-align: center;">Department of the Interior (DOI) Categorical Exclusions (CE)</p>	
Bureau of Indian Affairs (BIA)	
Electronic Library of the Interior Policies	
Departmental Manual, Series 31, Part 516, Ch 10	
Past updates to BIA's categorical exclusions are not currently listed in the Departmental Manual, but are available in this DOI document listing all Department of the Interior categorical exclusions.	
A. Operation, Maintenance, and Replacement of Existing Facilities. Examples are normal renovation of buildings, road maintenance and limited rehabilitation of irrigation structures.	
B. Transfer of Existing Federal Facilities to Other Entities. Transfer of existing operation and maintenance activities of Federal facilities to tribal groups, water user organizations, or other entities where the anticipated operation and maintenance activities are agreed to in a contract, follow BIA policy, and no change in operations or maintenance is anticipated.	
C. Human Resources Programs. Examples are social services, education services, employment assistance, tribal operations, law enforcement and credit and financing activities not related to development.	
D. Administrative Actions and Other Activities Relating to Trust Resources. Examples are: Management of trust funds (collection and distribution), budget, finance, estate planning, wills and appraisals.	
E. Self-Determination and Self-Governance.	
(1) Self-Determination Act contracts and grants for BIA programs listed as categorical exclusions, or for programs in which environmental impacts are adequately addressed in earlier NEPA analysis.	
(2) Self-Governance compacts for BIA programs which are listed as categorical exclusions or for programs in which environmental impacts are adequately addressed in earlier NEPA analysis.	
F. Rights-of-Way.	
(1) Rights-of-Way inside another right-of-way, or amendments to rights-of-way where no deviations from or additions to the original right-of-way are involved and where there is an existing NEPA analysis covering the same or similar impacts in the right-of-way area.	
(2) Service line agreements to an individual residence, building or well from an existing facility where installation will involve no clearance of vegetation from the right-of-way other than for placement of poles, signs (including highway signs), or buried power/cable lines.	
(3) Renewals, assignments and conversions of existing rights-of-way where there would be essentially no change in use and continuation would not lead to environmental degradation.	
G. Minerals.	
(1) Approval of permits for geologic mapping, inventory, reconnaissance and surface sample collecting.	
(2) Approval of unitization agreements, pooling or communitization agreements.	
(3) Approval of mineral lease adjustments and transfers, including assignments and subleases.	
(4) Approval of royalty determinations such as royalty rate adjustments of an existing lease or contract agreement.	
H. Forestry.	
(1) Approval of free-use cutting, without permit, to Indian owners for on-reservation personal use of forest products, not to exceed 2,500 feet board measure when cutting will not adversely affect associated resources such as riparian zones, areas of special significance, etc.	
(2) Approval and issuance of cutting permits for forest products not to exceed \$5,000 in value.	
(3) Approval and issuance of paid timber cutting permits or contracts for products valued at less than \$25,000 when in compliance with policies and guidelines established by a current management plan addressed in earlier NEPA analysis.	
(4) Approval of annual logging plans when in compliance with policies and guidelines established by a current management plan addressed in earlier NEPA analysis.	
(5) Approval of Fire Management Planning Analysis detailing emergency fire suppression activities.	
(6) Approval of emergency forest and range rehabilitation plans when limited to environmental stabilization on less than 10,000 acres and not including approval of salvage sales of damaged timber.	
(7) Approval of forest stand improvement projects of less than 2000 acres when in compliance with policies and guidelines established by a current management plan addressed in earlier NEPA analysis.	
(8) Approval of timber management access skid trail and logging road construction when consistent with policies and guidelines established by a current management plan addressed in earlier NEPA analysis.	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(9) Approval of prescribed burning plans of less than 2000 acres when in compliance with policies and guidelines established by a current management plan addressed in earlier NEPA analysis.
(10) Approval of forestation projects with native species and associated protection and site preparation activities on less than 2000 acres when consistent with policies and guidelines established by a current management plan addressed in earlier NEPA analysis.
(11) Harvesting live trees not to exceed 70 acres, requiring no more than 0.5 mile of temporary road construction. Such activities:
(a) Shall not include even-aged regeneration harvests or vegetation type conversions.
(b) May include incidental removal of trees for landings, skid trails, and road clearing.
(c) May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BIA or Tribal transportation systems and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
(d) Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment by artificial or natural means, of vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract. Examples include, but are not limited to:
(i) Removing individual trees for sawlogs, specialty products, or fuelwood.
(ii) Commercial thinning of overstocked stands to achieve the desired stocking level to increase health and vigor.
(12) Salvaging dead or dying trees not to exceed 250 acres, requiring no more than 0.5 mile of temporary road construction. Such activities:
(a) May include incidental removal of live or dead trees for landings, skid trails, and road clearing.
(b) May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BIA or Tribal transportation systems and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
(c) Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment, by artificial or natural means, of vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract.
(d) For this CE, a dying tree is defined as a standing tree that has been severely damaged by forces such as fire, wind, ice, insects, or disease, such that in the judgment of an experienced forest professional or someone technically trained for the work, the tree is likely to die within a few years. Examples include, but are not limited to:
(i) Harvesting a portion of a stand damaged by a wind or ice event.
(ii) Harvesting fire damaged trees.
(13) Commercial and non-commercial sanitation harvest of trees to control insects or disease not to exceed 250 acres, requiring no more than 0.5 miles of temporary road construction. Such activities:
(a) May include removal of infested/infected trees and adjacent live uninfested/uninfected trees as determined necessary to control the spread of insects or disease; and
(b) May include incidental removal of live or dead trees for landings, skid trails, and road clearing.
(c) May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BIA or tribal transportation systems and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
(d) Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment, by artificial or natural means, of vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract. Examples include, but are not limited to:
(i) Felling and harvesting trees infested with mountain pine beetles and immediately adjacent uninfested trees to control expanding spot infestations (a buffer); and
(ii) Removing or destroying trees infested or infected with a new exotic insect or disease, such as emerald ash borer, Asian longhorned beetle, or sudden oak death pathogen.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

I. Land Conveyance and Other Transfers. Approvals or grants of conveyances and other transfers of interests in land where no change in land use is planned.
J. Reservation Proclamations. Lands established as or added to a reservation pursuant to 25 U.S.C. 467, where no change in land use is planned.
K. Waste Management.
(1) Closure operations for solid waste facilities when done in compliance with other federal laws and regulations and where cover material is taken from locations which have been approved for use by earlier NEPA analysis.
(2) Activities involving remediation of hazardous waste sites if done in compliance with applicable federal laws such as the Resource Conservation and Recovery Act (P.L. 94-580), Comprehensive Environmental Response, Compensation, and Liability Act (P.L. 96-516) or Toxic Substances Control Act (P.L. 94-469).
L. Roads and Transportation.
(1) Approval of utility installations along or across a transportation facility located in whole within the limits of the roadway right-of-way.
(2) Construction of bicycle and pedestrian lanes and paths adjacent to existing highways and within the existing rights-of-way.
(3) Activities included in a "highway safety plan" under 23 CFR 402.
(4) 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.
(5) Emergency repairs under 23 U.S.C. 125.
(6) Acquisition of scenic easements.
(7) Alterations to facilities to make them accessible for the elderly or handicapped.
(8) Resurfacing a highway without adding to the existing width.
(9) Rehabilitation, reconstruction or replacement of an existing bridge structure on essentially the same alignment or location (e.g., widening, adding shoulders or safety lanes, walkways, bikeways or guardrails).
(10) Approvals for changes in access control within existing right-of-ways.
(11) Road construction within an existing right-of-way which has already been acquired for a HUD housing project and for which earlier NEPA analysis has already been prepared.
M. Other.
(1) Data gathering activities such as inventories, soil and range surveys, timber cruising, geological, geophysical, archeological, paleontological and cadastral surveys.
(2) Establishment of non-disturbance environmental quality monitoring programs and field monitoring stations including testing services.
(3) Actions where BIA has concurrence or co-approval with another Bureau and the action is categorically excluded for that Bureau.
(4) Approval of an Application for Permit to Drill for a new water source or observation well.
(5) Approval of conversion of an abandoned oil well to a water well if water facilities are established only near the well site.
(6) Approval and issuance of permits under the Archaeological Resources Protection Act (16 U.S.C. 470aa-II) when the permitted activity is being done as a part of an action for which a NEPA analysis has been, or is being prepared.
(7) Approval of leases, easements or funds for single-family homesites and associated improvements, including but not limited to, construction of homes, outbuildings, access roads, and utility lines, which encompass five acres or less of contiguous land, provided that such sites and associated improvements do not adversely affect any tribal cultural resources or historic properties and are in compliance with applicable federal and tribal laws. Home construction may include up to four dwelling units, whether in a single building or up to four separate buildings.

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)



COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of the Interior (DOI) Categorical Exclusions (CE)</p>	
Bureau of Land Management (BLM)	
Electronic Library of the Interior Policies	
Departmental Manual, Series 31, Part 516, Ch 11	
Past updates to BLM's categorical exclusions are not currently listed in the Departmental Manual, but are available in this DOI document listing all Department of the Interior categorical exclusions.	
A. Fish and Wildlife.	
(1) Modification of existing fences to provide improved wildlife ingress and egress.	
(2) Minor modification of water developments to improve or facilitate wildlife use (e.g., modify enclosure fence, install flood valve, or reduce ramp access angle).	
(3) Construction of perches, nesting platforms, islands, and similar structures for wildlife use.	
(4) Temporary emergency feeding of wildlife during periods of extreme adverse weather conditions.	
(5) Routine augmentations, such as fish stocking, providing no new species are introduced.	
(6) Relocation or nuisance or deprecatory wildlife, providing the relocation does not introduce new species into the ecosystem.	
(7) Installation of devices on existing facilities to protect animal life, such as raptor electrocution prevention devices.	
B. Oil, Gas, and Geothermal Energy.	
(1) Issuance of future interest leases under the Mineral Leasing Act for Acquired Lands, where the subject lands are already in production.	
(2) Approval of mineral lease adjustments and transfers, including assignments and subleases.	
(3) Approval of unitization agreements, communitization agreements, drainage agreements, underground storage agreements, development contracts, or geothermal unit or participating area agreements.	
(4) Approval of suspensions of operations, force majeure suspensions, and suspensions of operations and production.	
(5) Approval of royalty determinations, such as royalty rate reductions.	
(6) Approval of Notices of Intent to conduct geophysical exploration of oil, gas, or geothermal, pursuant to 43 CFR 3150 or 3250, when no temporary or new road construction is proposed.	
C. Forestry.	
(1) Land cultivation and silvicultural activities (excluding herbicide application) in forest tree nurseries, seed orchards, and progeny test sites.	
(2) Sale and removal of individual trees or small groups of trees which are dead, diseased, injured, or which constitute a safety hazard, and where access for the removal requires no more than maintenance to existing roads.	
(3) Seeding or reforestation of timber sales or burn areas where no chaining is done, no pesticides are used, and there is no conversion of timber type or conversion of non-forest to forest land. Specific reforestation activities covered include: seeding and seedling plantings, shading, tubing (browse protection), paper mulching, bud caps, ravel protection, application of non-toxic big game repellent, spot scalping, rodent trapping, fertilization of seed trees, fence construction around out-planting sites, and collection of pollen, scions and cones.	
(4) Pre-commercial thinning and brush control using small mechanical devices.	
(5) Disposal of small amounts of miscellaneous vegetation products outside established harvest areas, such as Christmas trees, wildings, floral products (ferns, boughs, etc.), cones, seeds, and personal use firewood.	
(6) Felling, bucking, and scaling sample trees to ensure accuracy of timber cruises. Such activities:	
(a) Shall be limited to an average of one tree per acre or less,	
(b) Shall be limited to gas-powered chainsaws or hand tools,	
(c) Shall not involve any road or trail construction,	
(d) Shall not include the use of ground based equipment or other manner of timber yarding, and	
(e) Shall be limited to the Coos Bay, Eugene, Medford, Roseburg, and Salem Districts and Lakeview District, Klamath Falls Resource Area in Oregon.	
(7) Harvesting live trees not to exceed 70 acres, requiring no more than 0.5 mile of temporary road construction. Such activities:	
(a) Shall not include even-aged regeneration harvests or vegetation type conversions.	

COUNCIL ON ENVIRONMENTAL QUALITY
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(b) May include incidental removal of trees for landings, skid trails, and road clearing.
(c) May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
(d) Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment by artificial or natural means, or vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract. Examples include, but are not limited to:
(i) Removing individual trees for sawlogs, specialty products, or fuelwood.
(ii) Commercial thinning of overstocked stands to achieve the desired stocking level to increase health and vigor.
(8) Salvaging dead or dying trees not to exceed 250 acres, requiring no more than 0.5 mile of temporary road construction. Such activities:
(a) May include incidental removal of live or dead trees for landings, skid trails, and road clearing.
(b) May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
(c) Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment, by artificial or natural means, of vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract.
(d) For this CX, a dying tree is defined as a standing tree that has been severely damaged by forces such as fire, wind, ice, insects, or disease, and that in the judgment of an experienced forest professional or someone technically trained for the work, is likely to die within a few years. Examples include, but are not limited to:
(i) Harvesting a portion of a stand damaged by a wind or ice event.
(ii) Harvesting fire damaged trees.
(9) Commercial and non-commercial sanitation harvest of trees to control insects or disease not to exceed 250 acres, requiring no more than 0.5 miles of temporary road construction. Such activities:
(a) May include removal of infested/infected trees and adjacent live uninfested/uninfected trees as determined necessary to control the spread of insects or disease; and
(b) May include incidental removal of live or dead trees for landings, skid trails, and road clearing.
(c) May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
(d) Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment, by artificial or natural means, of vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract. Examples include, but are not limited to:
(i) Felling and harvesting trees infested with mountain pine beetles and immediately adjacent uninfested trees to control expanding spot infestations; and
(ii) Removing or destroying trees infested or infected with a new exotic insect or disease, such as emerald ash borer, Asian longhorned beetle, or sudden oak death pathogen.
D. Rangeland Management.
(1) Approval of transfers of grazing preference.
(2) Placement and use of temporary (not to exceed one month) portable corrals and water troughs, providing no new road construction is needed.
(3) Temporary emergency feeding of livestock or wild horses and burros during periods of extreme adverse weather conditions.
(4) Removal of wild horses or burros from private lands at the request of the landowner.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(5) Processing (transporting, sorting, providing veterinary care, vaccinating, testing for communicable diseases, training, gelding, marketing, maintaining, feeding, and trimming of hooves of) excess wild horses and burros.
(6) Approval of the adoption of healthy, excess wild horses and burros.
(7) Actions required to ensure compliance with the terms of Private Maintenance and Care agreements.
(8) Issuance of title to adopted wild horses and burros.
(9) Destroying old, sick, and lame wild horses and burros as an act of mercy.
(10) Vegetation management activities, such as seeding, planting, invasive plant removal, installation of erosion control devices (e.g., mats/straw/chips), and mechanical treatments, such as crushing, piling, thinning, pruning, cutting, chipping, mulching, mowing, and prescribed fire when the activity is necessary for the management of vegetation on public lands. Such activities:
(a) Shall not exceed 4,500 acres per prescribed fire project and 1,000 acres for other vegetation management projects;
(b) Shall not be conducted in Wilderness areas or Wilderness Study Areas;
(c) Shall not include the use of herbicides, pesticides, biological treatments or the construction of new permanent roads or other new permanent infrastructure;
(d) May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
(e) Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment, by artificial or natural means, of vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract.
(11) Issuance of livestock grazing permits/leases where:
(a) The new grazing permit/lease is consistent with the use specified on the previous permit/lease, such that
(i) the same kind of livestock is grazed,
(ii) the active use previously authorized is not exceeded, and
(iii) grazing does not occur more than 14 days earlier or later than as specified on the previous permit/lease, and
(b) The grazing allotment(s) has been assessed and evaluated and the Responsible Official has documented in a determination that the allotment(s) is
(i) meeting land health standards, or
(ii) not meeting land health standards due to factors that do not include existing livestock grazing.
E. Realty.
(1) Withdrawal extensions or modifications, which only establish a new time period and entail no changes in segregative effect or use.
(2) Withdrawal revocations, terminations, extensions, or modifications; and classification terminations or modifications which do not result in lands being opened or closed to the general land laws or to the mining or mineral leasing laws.
(3) Withdrawal revocations, terminations, extensions, or modifications; classification terminations or modifications; or opening actions where the land would be opened only to discretionary land laws and where subsequent discretionary actions (prior to implementation) are in conformance with and are covered by a Resource Management Plan/EIS (or plan amendment and EA or EIS).
(4) Administrative conveyances from the Federal Aviation Administration (FAA) to the State of Alaska to accommodate airports on lands appropriated by the FAA prior to the enactment of the Alaska Statehood Act.
(5) Actions taken in conveying mineral interest where there are no known mineral values in the land under Section 209(b) of the Federal Land Policy and Management Act of 1976 (FLPMA).
(6) Resolution of class one color-of-title cases.
(7) Issuance of recordable disclaimers of interest under Section 315 of FLPMA.
(8) Corrections of patents and other conveyance documents under Section 316 of FLPMA and other applicable statutes.
(9) Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.
(10) Transfer or conversion of leases, permits, or rights-of-way from one agency to another (e.g., conversion of Forest Service permits to a BLM Title V Right-of-way).

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(11) Conversion of existing right-of-way grants to Title V grants or existing leases to FLPMA Section 302(b) leases where no new facilities or other changes are needed.
(12) Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way.
(13) Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary.
(14) Grants of rights-of-way for an overhead line (no pole or tower on BLM land) crossing over a corner of public land.
(15) Transfers of land or interest in land to or from other bureaus or federal agencies where current management will continue and future changes in management will be subject to the NEPA process.
(16) Acquisition of easements for an existing road or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes.
(17) Grant of a short rights-of-way for utility service or terminal access roads to an individual residence, outbuilding, or water well.
(18) Temporary placement of a pipeline above ground.
(19) Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition.
(20) One-time issuance of short-term (3 years or less) rights-of-way or land use authorizations which authorize trespass action where no new use or construction is allowed, and where the proposal includes rehabilitation to restore the land to its natural or original condition.
F. Solid Minerals.
(1) Issuance of future interest leases under the Mineral Leasing Act for Acquired Lands where the subject lands are already in production.
(2) Approval of mineral lease readjustments, renewals, and transfers including assignments and subleases.
(3) Approval of suspensions of operations, force majeure suspensions, and suspensions of operations and production.
(4) Approval of royalty determinations, such as royalty rate reductions and operations reporting procedures.
(5) Determination and designation of logical mining units.
(6) Findings of completeness furnished to the Office of Surface Mining Reclamation and Enforcement for Resource Recovery and Protection Plans.
(7) Approval of minor modifications to or minor variances from activities described in an approved exploration plan for leasable, salable, and locatable minerals (e.g., the approved plan identifies no new surface disturbance outside the areas already identified to be disturbed).
(8) Approval of minor modifications to or minor variances from activities described in an approved underground or surface mine plan for leasable minerals (e.g., change in mining sequence or timing).
(9) Digging of exploratory trenches for mineral materials, except in riparian areas.
(10) Disposal of mineral materials, such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas.
G. Transportation.
(1) Incorporation of eligible roads and trails in any transportation plan when no new construction or upgrading is needed.
(2) Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattleguards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan.
(3) Temporary closure of roads and trails.
(4) Placement of recreational, special designation, or information signs, visitor registers, kiosks, and portable sanitation devices.
H. Recreation Management. Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for "Special Area" management (43 CFR 2932.5).
I. Emergency Stabilization. Planned actions in response to wildfires, floods, weather events, earthquakes, or landslips that threaten public health or safety, property, and/or natural and cultural resources, and that are necessary to repair or improve lands unlikely to recover to a management-approved condition as a result of the event. Such activities shall be limited to: repair and installation of essential erosion control structures; replacement or repair of existing culverts, roads, trails, fences, and minor facilities; construction of protection fences; planting, seeding, and mulching; and removal of hazard trees, rocks, soil, and other mobile debris from, on, or along roads, trails, campgrounds, and watercourses. These activities:

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(1) Shall be completed within one year following the event;
(2) Shall not include the use of herbicides or pesticides;
(3) Shall not include the construction of new roads or other new permanent infrastructure;
(4) Shall not exceed 4,200 acres; and
(5) May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
(6) Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment by artificial or natural means, or vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract
J. Other.
(1) Maintaining land use plans in accordance with 43 CFR 1610.5-4.
(2) Acquisition of existing water developments (e.g., wells and springs) on public land.
(3) Conducting preliminary hazardous materials assessments and site investigations, site characterization studies and environmental monitoring. Included are siting, construction, installation and/or operation of small monitoring devices such as wells, particulate dust counters and automatic air or water samples.
(4) Use of small sites for temporary field work camps where the sites will be restored to their natural or original condition within the same work season.
(5) Reserved.
(6) A single trip in a one month period for data collection or observation sites.
(7) Construction of snow fences for safety purposes or to accumulate snow for small water facilities.
(8) Installation of minor devices to protect human life (e.g., grates across mines).
(9) Construction of small protective enclosures, including those to protect reservoirs and springs and those to protect small study areas.
(10) Removal of structures and materials of no historical value, such as abandoned automobiles, fences, and buildings, including those built in trespass and reclamation of the site when little or no surface disturbance is involved.
(11) Actions where the BLM has concurrence or co-approval with another DOI agency and the action is categorically excluded for that DOI agency.
(12) Rendering formal classification of lands as to their mineral character, waterpower, and water storage values.

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of the Interior (DOI) Categorical Exclusions (CE)</p>	
National Park Service (NPS)	
Electronic Library of the Interior Policies	
Departmental Manual, Series 31, Part 516, Ch 12	
Past updates to NPS's categorical exclusions are not currently listed in the Departmental Manual, but are available in this DOI document listing all Department of the Interior categorical exclusions.	
In addition to the actions listed in the Departmental categorical exclusions in Appendix 1 of 516 DM 2, many of which the Service also performs, the following NPS actions are designated categorical exclusions unless the action qualifies as an exception under Appendix 2 to 516 DM 2.	
A. Actions Related to General Administration.	
(1) Changes or amendments to an approved action when such changes would cause no or only minimal environmental impact.	
(2) Land and boundary surveys,	
(3) Minor boundary changes,	
(4) Reissuance/renewal of permits, rights-of-way or easements not involving new environmental impacts,	
(5) Conversion of existing permits to rights-of-way, when such conversions do not continue or initiate unsatisfactory environmental conditions,	
(6) Issuances, extensions, renewals, reissuances or minor modifications of concession contracts or permits not entailing new construction,	
(7) Commercial use licenses involving no construction,	
(8) Leasing of historic properties in accordance with 36 CFR Part 18 and NPS-38,	
(9) Preparation and issuance of publications,	
(10) Modifications or revisions to existing regulations, or the promulgation of new regulations for NPS-administered areas, provided the modifications, revisions or new regulations do not:	
(a) Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it,	
(b) Introduce noncompatible uses which might compromise the nature and characteristics of the area, or cause physical damage to it,	
(c) Conflict with adjacent ownerships or land uses, or	
(d) Cause a nuisance to adjacent owners or occupants.	
(11) At the direction of the NPS responsible official, actions where NPS has concurrence or coapproval with another bureau and the action is a categorical exclusion for that bureau.	
B. Plans, Studies and Reports.	
(1) Changes or amendments to an approved plan, when such changes would cause no or only minimal environmental impact.	
(2) Cultural resources maintenance guides, collection management plans and historic furnishings reports.	
(3) Interpretive plans (interpretive prospectuses, audio-visual plans, museum exhibit plans, wayside exhibit plans).	
(4) Plans, including priorities, justifications and strategies, for non-manipulative research, monitoring, inventorying and information gathering.	
(5) Statements for management, outlines of planning requirements and task directives for plans and studies.	
(6) Technical assistance to other Federal, State and local agencies or the general public.	
(7) Routine reports required by law or regulation.	
(8) Authorization, funding or approval for the preparation of Statewide Comprehensive Outdoor Recreation Plans.	
(9) Adoption or approval of surveys, studies, reports, plans and similar documents which will result in recommendations or proposed actions which would cause no or only minimal environmental impact.	
(10) Preparation of internal reports, plans, studies and other documents containing recommendations for action which NPS develops preliminary to the process of preparing a specific Service proposal or set of alternatives for decision.	
(11) Land protection plans which propose no significant change to existing land or visitor use.	
(12) Documents which interpret existing mineral management regulations and policies, and do not recommend action.	
C. Actions Related to Development.	

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(1) Land acquisition within established park boundaries.
(2) Land exchanges which will not lead to significant changes in the use of land.
(3) Routine maintenance and repairs to non-historic structures, facilities, utilities, grounds and trails.
(4) Routine maintenance and repairs to cultural resource sites, structures, utilities and grounds under an approved Historic Structures Preservation Guide or Cyclic Maintenance Guide; or if the action would not adversely affect the cultural resource.
(5) Installation of signs, displays, kiosks, etc.
(6) Installation of navigation aids.
(7) Establishment of mass transit systems not involving construction, experimental testing of mass transit systems, and changes in operation of existing systems (e.g., routes and schedule changes).
(8) Replacement in kind of minor structures and facilities with little or no change in location, capacity or appearance.
(9) Repair, resurfacing, striping, installation of traffic control devices, repair/replacement of guardrails, etc., on existing roads.
(10) Sanitary facilities operation.
(11) Installation of wells, comfort stations and pit toilets in areas of existing use and in developed areas.
(12) Minor trail relocation, development of compatible trail networks on logging roads or other established routes, and trail maintenance and repair.
(13) Upgrading or adding new overhead utility facilities to existing poles, or replacement poles which do not change existing pole line configurations.
(14) Issuance of rights-of-way for overhead utility lines to an individual building or well from an existing line where installation will not result in significant visual intrusion and will involve no clearance of vegetation other than for placement
(15) Issuance of rights-of-way for minor overhead utility lines not involving placement of poles or towers and not involving vegetation management or significant visual intrusion in an NPS-administered area.
(16) Installation of underground utilities in previously disturbed areas having stable soils, or in an existing utility right-of-way.
(17) Construction of minor structures, including small improved parking lots, in previously disturbed or developed areas.
(18) Construction or rehabilitation in previously disturbed or developed areas, required to meet health or safety regulations, or to meet requirements for making facilities accessible to the handicapped.
(19) Landscaping and landscape maintenance in previously disturbed or developed areas.
(20) Construction of fencing enclosures or boundary fencing posing no effect on wildlife migrations.
D. Actions Related to Visitor Use.
(1) Carrying capacity analysis.
(2) Minor changes in amounts or types of visitor use for the purpose of ensuring visitor safety or resource protection in accordance with existing regulations.
(3) Changes in interpretive and environmental education programs.
(4) Minor changes in programs and regulations pertaining to visitor activities.
(5) Issuance of permits for demonstrations, gathering, ceremonies, concerts, arts and crafts shows, etc., entailing only short-term or readily mitigable environmental disturbance.
(6) Designation of trail side camping zones with no or minimal improvements.
E. Actions Related to Resource Management and Protection.
(1) Archeological surveys and permits involving only surface collection or small-scale test excavations.
(2) Day-to-day resource management and research activities.
(3) Designation of environmental study areas and research natural areas.
(4) Stabilization by planting native plant species in disturbed areas.
(5) Issuance of individual hunting and/or fishing licenses in accordance with State and Federal regulations.
(6) Restoration of noncontroversial native species into suitable habitats within their historic range and elimination of exotic species.
(7) Removal of park resident individuals of non-threatened/endangered species which pose a danger to visitors, threaten park resources or become a nuisance in areas surrounding a park, when such removal is included in an approved resource management plan.
(8) Removal of non-historic materials and structures in order to restore natural conditions.
(9) Development of standards for, and identification, nomination, certification and determination of eligibility of properties for listing in the National Register of Historic Places and the National Historic Landmark and National Natural Landmark

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

F. Actions Related to Grant Programs.
(1) Proposed actions essentially the same as those listed in paragraphs A-E above.
(2) Grants for acquisition of areas which will continue in the same or lower density use with no additional disturbance to the natural setting.
(3) Grants for replacement or renovation of facilities at their same location without altering the kind and amount of recreational, historical or cultural resources of the area; or the integrity of the existing setting.
(4) Grants for construction of facilities on lands acquired under a previous NPS or other Federal grant provided that the development is in accord with plans submitted with the acquisition grant.
(5) Grants for the construction of new facilities within an existing park or recreation area, provided that the facilities will not:
(a) Conflict with adjacent ownerships or land use, or cause a nuisance to adjacent owners or occupants; e.g., extend use beyond daylight hours;
(b) Introduce motorized recreation vehicles;
(c) Introduce active recreation pursuits into a passive recreation area;
(d) Increase public use or introduce noncompatible uses to the extent of compromising the nature and character of the property or causing physical damage to it; or
(e) Add or alter access to the park from the surrounding area.
(6) Grants for the restoration, rehabilitation, stabilization, preservation and reconstruction (or the authorization thereof) of properties listed on or eligible for listing on the National Register of Historic Places at their same location and provided that such actions:
(a) Will not alter the integrity of the property or its setting;
(b) Will not increase public use of the area to the extent of compromising the nature and character of the property; and
(c) Will not cause a nuisance to adjacent property owners or occupants.

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of the Interior (DOI) Categorical Exclusions (CE)</p>	
Office of Surface Mining (OSM)	
Electronic Library of the Interior Policies	
Departmental Manual, Series 31, Part 516, Ch 13	
Past updates to OSM's categorical exclusions are not currently listed in the Departmental Manual, but are available in this DOI document listing all Department of the Interior categorical exclusions.	
A. The following OSM actions are deemed not to be major Federal actions within the meaning of Section 102(2)(C) of NEPA under Sections 501(a) or 702(d) of the SMCRA.	
(1) Promulgation of interim regulations.	
(2) Approval of State programs.	
(3) Promulgation of Federal programs where a State fails to submit, implement, enforce, or maintain an acceptable State program.	
(4) Promulgation and implementation of the Federal lands program.	
B. In addition to the actions listed in the Departmental categorical exclusions outlined in Appendix 1 of 516 DM 2, many of which OSM also performs, the following OSM actions (SMCRA sections are in parentheses) are designated categorical exclusions unless the actions qualify as an exception under 516 DM 2.3A(3):	
(1) Monetary allotments to States for mining and mineral resources institutes (301).	
(2) Allocation of research funds to institutes (302).	
(3) Any research effort associated with ongoing abandoned mine land reclamation projects where the research is coincidental to the reclamation (401(c)(6)).	
(4) Collection of reclamation fees from operators (402(a)).	
(5) Findings of fact and entries on land adversely affected by past coal mining (407(a)).	
(6) Acquisition of particular parcels of abandoned mine lands for reclamation (407(c)).	
(7) Filing liens against property adversely affected by past coal mining (408).	
(8) Interim regulatory grants (502(e)(4)).	
(9) Disapproval of a proposed State program (503(c)).	
(10) Review of permits issued under a previously approved State program (504(d)).	
(11) Five-year permit renewal on life-of-mine plans under the Federal lands program or the Federal program for a State where the environmental impacts of continued mining are adequately analyzed in a previous environmental document for	
(12) Small operator assistance program (507(c)).	
(13) Issuance of public notices and holding public hearings on permit applications involving Federal lands or under a Federal program for a State (513).	
(14) Routine inspection and enforcement activities (517).	
(15) Conflict of interest regulations (517(g)).	
(16) Assessment of civil penalties (518).	
(17) Releases of performance bonds or deposits for mining on Federal lands or under a Federal program for a State (519).	
(18) Issuance of cessation orders for coal mining and reclamation operations (521(a)(2) and (3)).	
(19) Suspension or revocation of permits (521(a)(4)).	
(20) Federal oversight and enforcement of ineffective State programs (521(b)).	
(21) Cooperative agreements between a state and the Secretary to provide for State regulation of surface coal mining and reclamation operations on Federal lands (523(c)).	
(22) Development of a program to assure that, with respect to the granting of permits, leases, or contracts for Federally-owned coal, no one shall be unreasonably denied purchase of the mined coal (523(d)).	
(23) Annual grants programs to States for program development, administration, and enforcement (705(a)).	
(24) Assistance to States in the development, administration, and enforcement of State programs (705(b)).	
(25) Increasing the amount of annual grants to States (705(c)).	
(26) Submission of the Secretary's annual report to the Congress (706).	
(27) The proposal of legislation to allow Indian tribes to regulate surface coal mining on Indian lands (710(a)).	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(28) The certification and training of blasters (719).
(29) Approval of State Reclamation Plans for abandoned mine lands (405).
(30) Development of project proposals for AML grants, including field work only to the extent necessary for the preparation and design of the proposal.
(31) Use of AML funds to allow States or tribes to set aside State share funds in a special trust for future AML projects.
(32) Use of AML funds in an insurance pool for the purposes of compensation for damage caused by mining prior to the date of the Act.
(33) AML reclamation projects involving: No more than 100 acres; no hazardous wastes; no explosives; no hazardous or explosive gases; no dangerous impoundments; no mine fires and refuse fires; no undisturbed, noncommercial borrow or disposal sites, no dangerous slides where abatement has the potential for damaging inhabited property; no subsidences involving the placement of material into underground mine voids through drilled holes to address more than one structure, and no unresolved issues with agencies, persons, or groups or adverse effects requiring specialized mitigation. Departmental exceptions in 516 DM 2, Appendix 2 apply to this exclusion. All sites considered in this categorical exclusion would have to first meet the eligibility test in sections 404, 409 and 411 of SMCRA. Also projects that have been declared an emergency

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of the Interior (DOI) Categorical Exclusions (CE)</p>	
Bureau of Reclamation (BOR)	
Electronic Library of the Interior Policies	
Departmental Manual, Series 31, Part 516, Ch 14	
Past updates to BOR's categorical exclusions are not currently listed in the Departmental Manual, but are available in this DOI document listing all Department of the Interior categorical exclusions.	
A. General Activities.	
(1) Changes in regulations or policy directives and legislative proposals where the impacts are limited to economic and/or social effects.	
(2) Training activities of enrollees assigned to the various youth programs. Such training may include minor construction activities for other entities.	
(3) Research activities, such as nondestructive data collection and analysis, monitoring, modeling, laboratory testing, calibration, and testing of instruments or procedures and nonmanipulative field studies.	
B. Planning Activities.	
(1) Routine planning investigation activities where the impacts are expected to be localized, such as land classification surveys, topographic surveys, archeological surveys, wildlife studies, economic studies, social studies, and other study activity during any planning, preconstruction, construction, or operation and maintenance phases.	
(2) Special, status, concluding, or other planning reports that do not contain recommendations for action, but may or may not recommend further study.	
(3) Data collection studies that involve test excavations for cultural resources investigations or test pitting, drilling, or seismic investigations for geologic exploration purposes where the impacts will be localized.	
C. Project Implementation Activities.	
(1) Classification and certification of irrigable lands.	
(2) Minor acquisition of land and rights-of-way or easements.	
(3) Minor construction activities associated with authorized projects which correct unsatisfactory environmental conditions or which merely augment or supplement, or are enclosed within existing facilities.	
(4) Approval of land management plans where implementation will only result in minor construction activities and resultant increased operation and maintenance activities.	
D. Operation and Maintenance Activities.	
(1) Maintenance, rehabilitation, and replacement of existing facilities which may involve a minor change in size, location, and/or operation.	
(2) Transfer of the operation and maintenance of Federal facilities to water districts, recreation agencies, fish and wildlife agencies, or other entities where the anticipated operation and maintenance activities are agreed to in a contract or a memorandum of agreement, follow approved Reclamation policy, and no major change in operation and maintenance is anticipated.	
(3) Administration and implementation of project repayment and water service contracts, including approval of organizational or other administrative changes in contracting entities brought about by inclusion or exclusion of lands in these contracts.	
(4) Approval, execution, and implementation of water service contracts for minor amounts of long-term water use or temporary or interim water use where the action does not lead to long-term changes and where the impacts are expected to be localized.	
(5) Approval of changes in pumping power and water rates charged contractors by the Bureau for project water service or power.	
(6) Execution and administration of recordable contracts for disposal of excess lands.	
(7) Withdrawal, termination, modification, or revocation where the land would be opened to discretionary land laws and where such future discretionary actions would be subject to the NEPA process, and disposal and sale of acquired lands where no major change in usage is anticipated.	
(8) Renewal of existing grazing, recreation management, or cabin site leases which do not increase the level of use or continue unsatisfactory environmental conditions.	
(9) Issuance of permits for removal of gravel or sand by an established process from existing quarries.	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(10) Issuance of permits, licenses, easements, and crossing agreements which provide right-of-way over Bureau lands where the action does not allow for or lead to a major public or private action.
(11) Implementation of improved appearance and soil and moisture conservation programs where the impacts are localized.
(12) Conduct of programs of demonstration, educational, and technical assistance to water user organizations for improvement of project and on-farm irrigation water use and management.
(13) Follow-on actions such as access agreements, contractual arrangements, and operational procedures for hydropower facilities which are on or appurtenant to Bureau facilities or lands which are permitted or licensed by the Federal Energy Regulatory Commission (FERC), when FERC has accomplished compliance with NEPA (including actions to be taken by the Bureau) and when the Bureau's environmental concerns have been accommodated in accordance with the Bureau/FERC Memorandum of Understanding of June 22, 1981.
(14) Approval, renewal, transfer, and execution of an original, amendatory, or supplemental water service or repayment contract where the only result will be to implement an administrative or financial practice or change.
(15) Approval of second party water sales agreements for small amounts of water (usually less than 10 acre-feet) where the Bureau has an existing water sales contract in effect.
(16) Approval and execution of contracts requiring the repayment of funds furnished or expended on behalf of an entity pursuant to the Emergency Fund Act of June 26, 1948 (43 U.S.C. 502), where the action taken is limited to the original location of the damaged facility.
(17) Minor safety of dams construction activities where the work is confined to the dam, abutment areas, or appurtenant features, and where no major change in reservoir or downstream operation is anticipated as a result of the construction activities.
E. Grant and Loan Activities.
(1) Rehabilitation and Betterment Act loans and contracts which involve repair, replacement, or modification of equipment in existing structures or minor repairs to existing dams, canals, laterals, drains, pipelines, and similar facilities.
(2) Small Reclamation Projects Act grants and loans where the work to be done is confined to areas already impacted by farming or development activities, work is considered minor, and where the impacts are expected to be localized.
(3) Distribution System Loans Act loans where the work to be done is confined to areas already impacted by farming or developing activities, work is considered minor, and where the impacts are expected to be localized.
F. Title Transfer Activities
(1) Transfer from Federal ownership of facilities and/or interest in lands to a qualifying entity where there are no competing demands for use of the facilities; where the facilities are not hydrologically integrated; where, at the time of transfer, there would be no planned change in land or water use, or in operation, or maintenance of the facilities; and where the transfer would be consistent with the Secretary's responsibilities, including but not limited to existing contracts or agreements, the protection of land resources and water rights held in trust for federally recognized Indian tribes and Indian individuals, and ensuring compliance with international treaties and interstate compacts.

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of the Interior (DOI) Categorical Exclusions (CE)</p>	
<p>Bureau of Ocean Energy Management (BOEM)/Bureau of Safety and Environmental Enforcement (BSEE)</p>	
<p>Categorical exclusions used by the Bureau of Ocean Energy Management (BOEM) and Bureau of Safety and Environmental Enforcement (BSEE), formerly Minerals Management Service (MMS).</p>	
<p>Electronic Library of the Interior Policies</p>	
<p>Departmental Manual, Series 31, Part 516, Ch 15</p>	
<p>Past updates to BOEM's categorical exclusions are not currently listed in the Departmental Manual, but are available in this DOI document listing all Department of the Interior categorical exclusions.</p>	
<p>A. General.</p>	
<p>(1) Inventory, data, and information collection, including the conduct of environmental monitoring and nondestructive research programs.</p>	
<p>(2) Actions for which MMS has concurrence or co-approval with another Bureau if the action is a categorical exclusion for that Bureau.</p>	
<p>B. Internal Program Initiatives.</p>	
<p>(1) All resource evaluation activities including surveying, mapping, and geophysical surveying which do not use solid or liquid explosives.</p>	
<p>(2) Collection of geologic data and samples including geologic, paleontologic, mineralogic, geochemical, and geophysical investigations which does not involve drilling beyond 50 feet of consolidated rock or beyond 300 feet of unconsolidated rock, including contracts therefor.</p>	
<p>(3) Acquisition of existing geological or geophysical data from otherwise private exploration ventures.</p>	
<p>(4) Well logging, digital modeling, inventory of existing wells, and installation of recording devices in wells.</p>	
<p>(5) Establishment and installation of any research/monitoring devices.</p>	
<p>(6) Test or exploration drilling and downhole testing included in a project previously subject to the NEPA process.</p>	
<p>(7) Insignificant revisions to the approved 5-year leasing program.</p>	
<p>(8) Prelease planning steps such as the Call for Information and Area Identification.</p>	
<p>C. Permit and Regulatory Functions.</p>	
<p>(1) Issuance and modification of regulations, Orders, Standards, Notices to Lessees and Operators. Guidelines and field rules for which the impacts are limited to administrative, economic, or technological effects and the environmental impacts are minimal.</p>	
<p>(2) Approval of production measurement methods, facilities, and procedures.</p>	
<p>(3) Approval of off-lease storage in existing facilities.</p>	
<p>(4) Approval of unitization agreements, pooling, or communitization agreements.</p>	
<p>(5) Approval of commingling of production.</p>	
<p>(6) Approval of suspensions of operations and suspensions of production.</p>	
<p>(7) Approval of lease consolidation applications, lease assignments or transfers, operating rights, operating agreements, lease extensions, lease relinquishments, and bond terminations.</p>	
<p>(8) Administration decisions and actions and record keeping such as:</p>	
<p>(a) Approval of applications for pricing determinations under the Natural Gas Policy Act.</p>	
<p>(b) Approval of underground gas storage agreements from a presently or formerly productive reservoir.</p>	
<p>(c) Issuance of paying well determinations and participating area approvals.</p>	
<p>(d) Issuance of drainage determinations.</p>	
<p>(9) Approval of offshore geological and geophysical mineral exploration activities, except when the proposed activity includes the drilling of deep stratigraphic test holes or uses solid or liquid explosives.</p>	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

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| (10) Approval of an offshore lease or unit exploration, development/production plan or a Development Operations Coordination Document in the central or western Gulf of Mexico (30 CFR 250.2) except those proposing facilities: (1) In areas of high seismic risk or seismicity, relatively untested deep water, or remote areas, or (2) within the boundary of a proposed or established marine sanctuary, and/or within or near the boundary of a proposed or established wildlife refuge or areas of high biological sensitivity; or (3) in areas of hazardous natural bottom conditions; or (4) utilizing new or unusual technology. |
| (11) Approval of minor revisions of or minor variances from activities described in an approved offshore exploration or development/production plan, including pipeline applications. |
| (12) Approval of an Application for Permit to Drill (APD) an offshore oil and gas exploration or development well, when said well and appropriate mitigation measures are described in an approved exploration plan, development plan, production plan, or Development Operations Coordination Document. |
| (13) Preliminary activities conducted on a lease prior to approval of an exploration or development/production plan or a Development Operations Coordination Plan. These are activities such as geological, geophysical, and other surveys necessary to develop a comprehensive exploration plan, development/production plan, or Development Operations Coordination Plan. |
| (14) Approval of Sundry Notices and Reports on Wells. |
| (15) Rights-of-ways, easements, temporary use permits, and any revisions thereto that do not result in a new pipeline corridor to shore. |
| D. Royalty Functions. All functions of the Associate Director for Royalty Management including, but not limited to, such activities as: approval of royalty payment procedures, including royalty oil contracts; and determinations concerning royalty quantities and values, such as audits, royalty reductions, collection procedures, reporting procedures, and any actions taken with regard to royalty collections (including similar actions relating to net profit and windfall profit taxes). |

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COUNCIL ON ENVIRONMENTAL QUALITY

LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

Department of Justice (DOJ)
Categorical Exclusions (CE)

Bureau of Prisons (BOP)

Appendix A to Part 61—Bureau of Prisons Procedures Relating to the Implementation of the National Environmental Policy Act
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9. Those Actions Which Normally do not Require Either an Environmental Impact Statement or an Environmental Assessment: (Reference: Part 1507.3(b)(2)(ii) and Part 1508.4—CEQ Regulations)

(1) Increase or decrease in population of a facility, above or below its physical capacity.

(2) Construction projects for existing facilities, including but not limited to: additions and remodeling; replacement of building systems and components; maintenance and operations, repairs, and general improvements; when such projects do not significantly alter the program of the facility or significantly impact upon the quality of the environment in the community.

(3) Contracts for halfway houses, community corrections centers, comprehensive sanction centers, community detention centers, or other similar facilities.

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COUNCIL ON ENVIRONMENTAL QUALITY
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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

Department of Justice (DOJ)
Categorical Exclusions (CE)

Drug Enforcement Administration (DEA)

Appendix B to Part 61—Drug Enforcement Administration Procedures Relating to the Implementation of the National Environmental Policy Act

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(2) Actions normally not requiring environmental assessments or EIS (Categorical exclusions)

Scheduling of drugs as controlled substances

Establishing quotas for controlled substances

Registration of persons authorized to handle controlled substances

Storage and destruction of controlled substances

Manual eradication of plant species from which controlled substances may be extracted

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COUNCIL ON ENVIRONMENTAL QUALITY

LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

Department of Justice (DOJ)
Categorical Exclusions (CE)

Immigration and Naturalization Service (INS)

Appendix C to Part 61—Immigration and Naturalization Service Procedures Relating to the Implementation of the National Environmental Policy Act

<https://www.ecfr.gov/cgi-bin/text->

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10. Actions Which Normally Do Not Require Either An Environmental Impact Statement Or An Environmental Assessment:

(a) Construction projects for existing facilities including but not limited to: Remodeling; replacement of building systems and components; maintenance and operations repairs and general improvements when such projects do not significantly alter the initial occupancy and program of the facility or significantly impact upon the environment.

(b) Increase or decrease in population of a facility within its physical capacity. (Reference: Part 1507.3(b)(2)(ii) and Part 1508.4—CEQ Regulations.)

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COUNCIL ON ENVIRONMENTAL QUALITY

LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

Department of Justice (DOJ)
Categorical Exclusions (CE)

Office of Justice Assistance, Research, and Statistics (OJARS)

Appendix D to Part 61—Office of Justice Assistance, Research, and Statistics Procedures Relating to the Implementation of the National Environmental Policy Act

<https://www.ecfr.gov/cgi-bin/text->

<https://www.fda.gov/oc/foia/foia-reqs?SID=72ea18f696b857b68a2bdfd78c4c9052&node=pt28.2.61&rgn=div5#ap28.2.61.0000>

(b) Actions which normally do not require either an environmental impact statement or an environmental assessment.

(1) The bulk of the funded efforts; training programs, court improvement projects, research, and gathering statistical data.

(2) Minor renovation projects or remodeling.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

Department of Justice (DOJ)
Categorical Exclusions (CE)

United States Marshals Service (USMS)

Appendix E to Part 61—United States Marshals Service Procedures Relating to the Implementation of the National Environmental Policy Act

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7. Categorical Exclusions (CE)

(a) CEs are certain categories of activities determined not to have individual or cumulative significant effects on the human environment, and absent extraordinary circumstances, are excluded from preparation of an EA, or EIS, under NEPA. Using CEs for such activities reduces unnecessary paperwork and delay. Such activities are not excluded from compliance with other applicable local, State, or Federal environmental laws.

(b) Extraordinary circumstances must be considered before relying upon a CE to determine whether the proposed action may have a significant environmental effect. Any of the following circumstances preclude the use of a CE:

(1) The project may have effects on the quality of the environment that are likely to be highly controversial;

(2) The scope or size of the project is greater than normally experienced for a particular action described in subsection (c) below;

(3) There is potential for degradation, even if slight, of already-existing poor environmental conditions;

(4) A degrading influence, activity, or effect is initiated in an area not already significantly modified from its natural condition;

(5) There is a potential for adverse effects on areas of critical environmental concern or other protected resources including, but not limited to, threatened or endangered species or their habitats, significant archaeological materials, prime or unique agricultural lands, wetlands, coastal zones, sole source aquifers, 100-year-old flood plains, places listed, proposed, or eligible for listing on the National Register of Historic Places, natural landmarks listed, proposed, or eligible for listing on the National Registry of Natural Landmarks, Wilderness Areas or wilderness study areas, or Wild and Scenic River areas; or

(6) Possible significant direct, indirect, or cumulative environmental impacts exist.

(c) Actions that normally qualify for a CE include:

(1) Minor renovations or repairs within an existing facility, unless the project would adversely affect a structure listed in the National Register of Historic Places or is eligible for listing in the register,

(2) Facility expansion, or construction of a limited addition to an existing structure, or facility, and new construction or reconstruction of a small facility on a previously developed site. The exclusion applies only if:

(i) The structure and proposed use comply with local planning and zoning and any applicable State or Federal requirements; and

(ii) The site and the scale of construction are consistent with those of existing adjacent or nearby buildings.

(3) Security upgrades of existing facility grounds and perimeter fences, not including such upgrades as adding lethal fences or major increases in height or lighting of a perimeter fence in a residential area or other area sensitive to the visual impacts resulting from height or lighting changes,

(4) Federal contracts or agreements for detentions services, including actions such as procuring guards for detention services or leasing bed space (which may include operational costs) from an existing facility operated by a State or a local government or a private correctional corporation,

(5) General administrative activities that involve a limited commitment of resources, such as personnel actions or policy related to personnel issues, organizational changes, procurement of office supplies and systems, and commitment or reallocation of funds for previously reviewed and approved programs or activities,

(6) Change in contractor or Federal operators at an existing contractor-operated correctional or detention facility,

(7) Transferring, leasing, maintaining, acquiring, or disposing of interests in land where there is no change in the current scope and intensity of land use, including management and disposal of seized assets pursuant to Federal laws.

(8) Transferring, leasing, maintaining, acquiring, or disposing of equipment, personal property, or vessels that do not increase the current scope and intensity of USMS activities, including management and disposal of seized assets pursuant to Federal forfeiture laws.

(9) Routine procurement of goods and services to support operations and infrastructure that are conducted in accordance with Department of Justice energy efficiency policies and applicable Executive Orders, such as E.O. 13148.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(10) Routine transportation of prisoners or detainees between facilities and flying activities in compliance with Federal Aviation Administration Regulations, only applicable where the activity is in accordance with normal flight patterns and elevations for the facility and where the flight patterns/elevations have been addressed in an installation master plan or other planning document that has been the subject of a NEPA review, and

(11) Lease extensions, renewals, or succeeding leases where there is no change in the intensity of the facility's use.

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Department of Justice (DOJ)
Categorical Exclusions (CE)

Federal Bureau of Investigation (FBI)

Appendix F to Part 61— Federal Bureau of Investigation Procedures Relating to the Implementation of the National Environmental Policy Act

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5. Categorical Exclusions

(a) Categorical Exclusion (CATEX) Criteria (40 CFR 1508.4). A CATEX is a category of actions which, barring extraordinary circumstances, does not individually or cumulatively have a significant effect on the quality of the human environment and for which neither an EA nor an EIS is required. Using CATEXs for such activities reduces unnecessary paperwork and delay. Such activities are not excluded from compliance with other applicable Federal, state, or local environmental laws. To qualify for a CATEX, an action must meet all of the following criteria:

(1) The proposed action fits entirely within one or more of the CATEXs;

(2) The proposed action has not been segmented and is not a piece of a larger action. For purposes of NEPA, actions must be considered in the same review if it is reasonably foreseeable that the actions are connected (e.g., where one action depends on another).

(3) No extraordinary circumstances exist that would cause the normally excluded proposed action to have significant environmental effects. Extraordinary circumstances are assumed to exist when the proposed action is likely to involve any of the following circumstances:

(i) An adverse effect on public health or safety;

(ii) An adverse effect on federally listed endangered or threatened species, marine mammals, or critical habitat;

(iii) An adverse effect on archaeological resources or resources listed or determined to be eligible for listing in the National Register of Historic Places;

(iv) An adverse effect on an environmentally sensitive area, including floodplains, wetlands, streams, critical migration corridors, and wildlife refuges;

(v) A material violation of a Federal, state, or local environmental law by the FBI;

(vi) An effect on the quality of the human or natural environment that is likely to be highly scientifically controversial or uncertain, or likely to involve unique or unknown environmental risks;

(vii) Establishment of precedents or decisions in principle for future actions that have the potential for significant impacts (e.g., master plans, Integrated Natural Resource Management Plans, Integrated Cultural Resource Management Plans);

(viii) Significantly greater scope or size than normally experienced for a particular category of action;

(ix) Potential for substantial degradation of already existing poor environmental conditions. Also, initiation of a potentially substantial environmental degrading influence, activity, or effect in areas not already substantially modified; or

(x) A connection to other actions with individually insignificant, but cumulatively significant, impacts.

(b) Documentation of CATEX usage. As noted in paragraph (c) below, certain FBI actions qualifying for a CATEX have been predetermined to have a low risk of extraordinary circumstances and, as such, have been designated as not requiring preparation of a Record of Environmental Consideration (REC) Determination Form. A REC Determination Form must be prepared for all other FBI actions subject to NEPA review. The REC Determination Form shall determine if the proposed action falls within a category of actions that has been excluded from further NEPA review or if the action will require further analysis through an EA or EIS. The REC Determination Form shall also identify any extraordinary circumstances that require the FBI to perform an EA or an EIS for an action that would otherwise qualify for a CATEX.

(c) List of No REC Determination Form Required (NR) FBI CATEXs.

(NR1) Reductions, realignments, or relocation of personnel, equipment, or mobile assets that does not result in changing the use of the space in such a way that could cause environmental effects or exceed the infrastructure capacity outside of FBI-managed property. An example of exceeding the infrastructure capacity would be an increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase.

(NR2) Personnel, fiscal, management, and administrative activities, including recruiting, processing, paying, contract administration, recordkeeping, budgeting, personnel actions, and travel.

(NR3) Decisions to close facilities, decommission equipment, or temporarily discontinue use of facilities or equipment, where the facility or equipment is not used to prevent or control environmental impacts. This requirement excludes demolition actions.
(NR4) Preparation of policies, procedures, manuals, and other guidance documents for which the environmental effects are too broad, speculative, or conjectural to lend themselves to meaningful analysis and for which the applicability of the NEPA process will be evaluated upon implementation, either collectively or case by case.
(NR5) Grants of licenses, easements, or similar arrangements for use by vehicles (not to include substantial increases in the number of vehicles loaded); electrical, telephone, and other transmission and communication lines; and pipelines, pumping stations, and facilities for water, wastewater, stormwater, and irrigation; and for similar utility and transportation uses. Construction or acquisition of new facilities is not included.
(NR6) Acquisition, installation, operation, and maintenance of temporary equipment, devices, or controls necessary to mitigate effects of the FBI's missions on health and the environment. This CATEX is not intended to cover facility construction or related activities. Examples include:
(i) Temporary sediment and erosion control measures required to meet applicable Federal, tribal, state, or local requirements;
(ii) Installation of temporary diversion fencing to prevent earth disturbances within sensitive areas during construction activities; and
(iii) Installation of temporary markers to delineate limits of earth disturbances in forested areas to prevent unnecessary tree removal.
(NR7) Routine flying operations and infrequent, temporary (fewer than 30 days) increases in aircraft operations up to 50 percent of the typical FBI aircraft operation rate.
(NR8) Proposed new activities and operations to be conducted in an existing structure that would be consistent with previously established safety levels and would not result in a change in use of the facility. Examples include new types of research, development, testing, and evaluation activities, and laboratory operations conducted within existing enclosed facilities designed to support research and development activities.
(NR9) Conducting audits and surveys; data collection; data analysis; and processing, permitting, information dissemination, review, interpretation, and development of documents. If any of these activities results in proposals for further action, those proposals must be covered by an appropriate CATEX or other NEPA analysis. Examples include:
(i) Document mailings, publication, and distribution, training and information programs, historical and cultural demonstrations, and public affairs actions;
(ii) Studies, reports, proposals, analyses, literature reviews, computer modeling, and intelligence gathering and sharing;
(iii) Activities designed to support improvement or upgrade management of natural resources, such as surveys for threatened and endangered species or cultural resources; wetland delineations; and minimal water, air, waste, and soil sampling;
(iv) Minimally intrusive geological, geophysical, and geo-technical activities, including mapping and engineering surveys;
(v) Conducting facility audits, Environmental Site Assessments, and environmental baseline surveys; and
(vi) Vulnerability, risk, and structural integrity assessments of infrastructure.
(NR10) Routine procurement, use, storage, and disposal of non-hazardous goods and services in support of administrative, operational, or maintenance activities in accordance with executive orders and Federal procurement guidelines. Examples include:
(i) Office supplies and furniture;
(ii) Equipment;
(iii) Mobile assets (i.e., vehicles, vessels, aircraft);
(iv) Utility services; and
(v) Deployable emergency response supplies and equipment.
(NR11) Routine use of hazardous materials (to include procurement, transportation, distribution, and storage of such materials) and reuse, recycling, and disposal of solid, medical, radiological, or hazardous waste in a manner that is consistent with all applicable laws, regulations, and policies. Examples include:
(i) Use of chemicals and low-level radio-nuclides for laboratory applications;
(ii) Refueling of storage tanks;
(iii) Appropriate treatment and disposal of medical waste;
(iv) Temporary storage and disposal of solid waste;

(v) Disposal of radiological waste through manufacturer return and recycling programs; and
(vi) Hazardous waste minimization activities.
(NR12) Acquisition, installation, maintenance, operation, or evaluation of security equipment to screen for or detect dangerous or illegal individuals or materials at existing facilities or to enhance the physical security of existing critical assets. Examples include:
(i) Low-level x-ray devices;
(ii) Cameras and biometric devices;
(iii) Passive inspection devices;
(iv) Detection or security systems for explosive, biological, or chemical substances;
(v) Access controls, screening devices, and traffic management systems;
(vi) Motion detection systems;
(vii) Impact-resistant doors and gates;
(viii) Diver and swimmer detection systems, except sonar; and
(ix) Blast and shock impact-resistant systems for land-based and waterfront facilities.
(NR13) Maintenance of facilities, equipment, and grounds. Examples include interior utility work, road maintenance, window washing, lawn mowing, trash collecting, facility cleaning, and snow removal.
(NR14) Recreation and welfare activities (e.g., picnics and Family Day).
(NR15) Training FBI personnel or persons external to the FBI using existing facilities and where the training occurs in accordance with applicable permitting requirements and other requirements for the protection of the environment. This exclusion does not apply to training that involves the use of live chemical, biological, radiological, or explosive agents, except when conducted at a location designed and constructed to accommodate those materials and their associated hazards. Examples include:
(i) Administrative or classroom training;
(ii) Tactical training, including training in explosives and incendiary devices, arson investigation and firefighting, and emergency preparedness and response;
(iii) Chemical, biological, explosive, or hazardous material handling training;
(iv) Vehicle, aircraft, and small boat operation training;
(v) Small arms and less-than-lethal weapons training;
(vi) Security specialties and terrorist response training;
(vii) Crowd control training, including gas range training;
(viii) Enforcement response, self-defense, and interdiction techniques training; and
(ix) Fingerprinting and drug analysis training.
(NR16) Projects, grants, cooperative agreements, contracts, or activities to design, develop, and conduct national, state, local, or international exercises to test the readiness of the nation to prevent or respond to a terrorist attack or a natural or manmade disaster, where the activity in question is conducted in accordance with existing facility or land use designations. This exclusion does not apply to exercises that involve the use of live chemical, biological, radiological, nuclear, or explosive agents/devices (other than small devices such as practice grenades or flash bang devices used to simulate an attack during exercises), unless these exercises are conducted under the auspices of existing plans or permits that have undergone NEPA review.
(d) List of REC Determination Form Required (R) FBI CATEXs.
(R1) Reductions, realignments, or relocation of personnel, equipment, or mobile assets that results in changing the use of the space in such a way that could cause changes to environmental effects, but does not result in exceeding the infrastructure capacity outside of FBI-managed property. An example of exceeding the infrastructure capacity would be an increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase.
(R2) Acquisition or use of space within an existing structure, by purchase, lease, or use agreement. This requirement includes structures that are in the process of construction or were recently constructed, regardless of whether the existing structure was built to satisfy an FBI requirement and the proposed FBI use would not exceed the carrying capacity of the utilities and infrastructure for the use and access to the space. This requirement also includes associated relocation of personnel, equipment, or assets into the acquired space.
(R3) Transfer of administrative control over real property, including related personal property, between another Federal agency and the FBI that does not result in a change in the functional use of the property.

(R4) New construction (e.g., facilities, roads, parking areas, trails, solar panels, and wind turbines) or improvement of land where all of the following conditions are met:
(i) The site is in a developed or a previously disturbed area;
(ii) The proposed use will not substantially increase the number of motor vehicles at the facility or in the area;
(iii) The construction or improvement will not result in exceeding the infrastructure capacity outside of FBI-managed property (e.g., roads, sewer, water, and parking);
(iv) The site and scale of construction or improvement are consistent with those of existing, adjacent, or nearby buildings; and
(v) The structure and proposed use are compatible with applicable Federal, tribal, state, and local planning and zoning standards and consistent with federally approved state coastal management programs.
(R5) Renovation, addition, repair, alteration, and demolition projects affecting buildings, roads, airfields, grounds, equipment, and other facilities, including subsequent disposal of debris, which may be contaminated with hazardous materials such as polychlorinated biphenyls (PCBs), lead, or asbestos. Hazardous materials shall be disposed of at approved sites in accordance with Federal, state, and local regulations. Examples include the following:
(i) Realigning interior spaces of an existing building;
(ii) Adding a small storage shed to an existing building;
(iii) Retrofitting for energy conservation, including weatherization, installation of timers on hot water heaters, installation of energy efficient lighting, installation of low-flow plumbing fixtures, and installation of drip-irrigation systems;
(iv) Installing a small antenna on an already existing antenna tower that does not cause the total height to exceed 200 feet and where the FCC's NEPA procedures allow for application of a CATEX; or
(v) Closing and demolishing a building not eligible for listing under the National Register of Historic Places.
(R6) Acquisition, installation, reconstruction, repair by replacement, and operation of utility (e.g., water, sewer, electrical), communication (e.g., data processing cable and similar electronic equipment), and security systems that use existing rights-of-way, easements, distribution systems, or facilities.
(R7) Acquisition, installation, operation, and maintenance of permanent equipment, devices, and/or controls necessary to mitigate effects of the FBI's missions on health and the environment. This CATEX is not intended to cover facility construction or related activities. Examples include:
(i) Pollution prevention and pollution control equipment required to meet applicable Federal, tribal, state, or local requirements;
(ii) Installation of fencing, including security fencing, that would not have the potential to significantly impede wildlife population movement (including migration) or surface water flow;
(iii) Installation and operation of lighting devices;
(iv) Noise abatement measures, including construction of noise barriers, installation of noise control materials, or planting native trees or native vegetation for use as a noise abatement measure; and
(v) Devices to protect human or animal life, such as raptor electrocution prevention devices, and fencing and grating to prevent accidental entry to hazardous or restricted areas.
(R8) Non-routine procurement, use, storage, and disposal of non-hazardous goods and services in support of administrative, operational, or maintenance activities in accordance with executive orders and Federal procurement guidelines.
(R9) Use of hazardous materials (to include procurement, transportation, distribution, and storage of such materials) and reuse, recycling, and disposal of solid, medical, radiological, or hazardous waste in a manner that is consistent with all applicable laws, regulations, and policies, but uncharacteristic of routine FBI use, reuse, recycling, and disposal of hazardous materials and waste. Examples include:
(i) Procurement of a new type of chemical or procurement of a larger quantity of a particular chemical than generally used by the FBI; and
(ii) Disposal of items that contain PCBs (e.g., carpets, lighting, caulk).
(R10) Herbicide application and pest management, including registered pesticide application, in accordance with Federal, state, and local regulations.
(R11) Natural resource management activities on FBI-managed property to aid in the maintenance or restoration of native flora and fauna, including site preparation and control of non-indigenous species, excluding the application of herbicides.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of Labor (DOL) Categorical Exclusions (CE)</p>	
Department of Labor (DOL)	
§11.10	Identification of agency actions.
https://www.ecfr.gov/cgi-bin/text-idx?SID=f9fda319ad830e1df360477a298f6997&node=pt29.1.11&rgn=div5#se29.1.11_110	
<p>(1) <i>Categorically excluded actions.</i> OSHA/MSHA actions listed in the following Table will normally qualify for categorical exclusion from NEPA requirements: i.e., such actions do not require preparation of either an environmental assessment or an environmental impact statement, because they do not have a significant impact on the quality of the human environment. Classification as a categorical exclusion, however, does not prohibit OSHA or MSHA from preparing an environmental assessment or environmental impact statement on any of the following actions when OSHA or MSHA determines it to be appropriate. Also, in extraordinary circumstances where a normally excluded action is found to have a potentially significant environmental effect, OSHA or MSHA shall prepare an environmental assessment and/or an environmental impact statement as required.</p>	
(i) Promulgation, modification or revocation of any safety standard. Examples of these actions are: Machine guarding requirements, safety lines, warning signals, etc.	
(ii) Approval of petitions for variances from MSHA/OSHA safety standards or OSHA health standards.	
(iii) Agency legislative requests for appropriations.	
(iv) Recordkeeping and reporting requirements.	
(v) Routine agency personnel actions.	
(vi) Training of employers, employees, agency personnel and others in the recognition, avoidance or abatement of occupational hazards. Providing consultative services to industry.	
(vii) Enforcement proceedings.	
(viii) Equipment approvals.	
(ix) State grants under Sec. 503 of the Federal Mine Safety and Health Act.	
(x) Certification or qualification proceedings.	

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of State (DOS) Categorical Exclusions (CE)</p>
<p>Department of State (DOS)</p>
<p>§161.7 Categories of actions.</p>
<p>https://www.ecfr.gov/cgi-bin/text-idx?SID=b3d2565d536010f83f1e6eab438bd0f7&node=pt22.1.161&rgn=div5#se22.1.161_17</p>
<p>(b) <i>Actions categorically excluded from the requirement to prepare environmental impact statements.</i> Categorical exclusion, as defined in §1508.4 of the CEQ Regulations, provides for exclusion from environmental review of specified actions which have as a class been found to have no significant impact on the quality of the human environment. Neither an environmental assessment nor an environmental impact statement is ordinarily required for such actions. Departmental actions categorically excluded from the requirements of these regulations include the following:</p>
<p>(1) Routine conduct of Departmental and overseas political and economic functions, including reporting on political and economic developments, trends and activities, communicating to host governments United States Government views, maintaining contact with foreign officials and individuals, and facilitating trade opportunities abroad and U.S. business expansion in foreign markets;</p>
<p>(2) Provision of consular services—visas, passports and citizenship, and special consular services, such as issuing or reviewing passports and visas, taking legal depositions, notarizing absentee ballots and other documents and delivering retirement checks, social security payments and veterans benefits;</p>
<p>(3) Conduct of routine administrative functions, such as budget and finance, personnel and general services. This includes routine administrative procurements (e.g., general supplies, negotiating leases for office space or staff housing, ordering supplies and arranging for customs clearances); financial transactions, including salaries, expenses and grants; routine management, formulation and allocation of the Department's budget at all levels (this does not exempt the preparation of environmental documents for proposals included in the Department's budget when required); and personnel actions (e.g., promotions, hirings, and counseling American and host country employees who work for the Department of State);</p>
<p>(4) Preparing for and participating in conferences, workshops or meetings for information exchange, data collection or research or study activities; and</p>
<p>(5) Document and information exchanges.</p>
<p>Even though an action may be categorically excluded from the need for an environmental impact statement, if information developed during the planning for the actions indicates the possibility that the particular action in question may nonetheless cause significant environmental effects, an environmental assessment shall be prepared to evaluate those effects. Based upon the assessment, a determination will be made whether to prepare an environmental impact statement. The Department may designate additional actions for categorical exclusion by publishing a listing of actions proposed for such designation in the Federal Register.</p>

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of State (DOS) Categorical Exclusions (CE)</p>	
United States Section, International Boundary & Water Commission (IBWC)	
100.6 Categories of Environmental Actions (Federal Register Vol. 46 No. 170, p. 44083 (September 2, 1981))	
a. Categorical Exclusions. Some Section program or activities, or parts thereof, do not normally create significant or cumulative impacts and therefore will not be considered a major federal action significantly affecting the quality of the human environment for the purposes of NEPA. For example, the following general classes of actions ordinarily do not require the preparation of an environmental assessment or an EIS.	
1. Normal Section housekeeping functions (procedural, ministerial, internal) including, but not limited to personnel actions, procurement for general supplies, contract for personal services.	
2. Reports or recommendations on legislation not initiated by the Section.	
3. Legislative proposals that only require appropriations.	
4. Participation in research or study projects which do not cause significant environmental impacts.	
5. Actions specifically required under any treaty or international agreement, or pursuant thereto, to which the United States is a party, or required by the decision of international organizations (including courts), authorities or consultations in which the United States is a member or participant.	
6. Mapping and surveying activities.	
7. Stream gaging and sampling, routine hydrologic test drilling, well logging, aquifer response testing, and similar data-gathering activities in connection with water resources investigations.	
8. Leases of government land for grazing and agricultural purposes.	
9. Emergency actions after consultation with CEQ.	
10. Recreational leases to any city, county, state or federal agency.	
11. Leases of licenses regarding buried utilities, including gas, water and sewer pipelines, and telephone cables, irrigation drains, and storm sewers, sanitary sewers discharging treated effluent, telephone and electric power poles and lines, irrigation pumps, drain structures and ditches, fences, roads, highways and bridges, water wells, boat docks and boat launching facilities.	
12. Temporary or single-time permit of project facilities.	
13. Any actions or works for which an EIS or environmental assessment has been submitted and filed by others.	
In an extraordinary circumstance, as determined by the Commissioner, in which a normally excluded action may have a significant environmental effect, an environmental assessment will be prepared.	

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

**Department of Transportation (DOT)
Categorical Exclusions (CE)**

Department of Transportation

[DOT Order 5610.1C](#)

e. Categorical Exclusions. The following actions are not Federal Actions with a significant impact on the environment, and do not require either an environmental assessment or an environmental impact statement:

- (1) Administrative procurements (e.g. general supplies) and contracts for personal services;
- (2) Personnel actions (e.g. promotions, hirings);
- (3) Project amendments (e.g. increases in costs) which do not significantly alter the environmental impact of the action;
- (4) Operating or maintenance subsidies when the subsidy will not result in a change in the effect on the environment; and
- (5) Other actions identified by the administrations as categorical exclusions pursuant to paragraph 20.
- (6) The following actions relating to economic regulation of airlines:
 - (a) Actions implementing the essential air service program; Actions approving an agreement between an air carrier and a foreign air carrier; acquisition of control, merger, consolidation, or interlocking relationship;
 - (b) Enforcement proceedings; Finding a U.S. or foreign air carrier fit under 49 U.S.C. chapters 411 or 413;
 - (c) Actions approving a carrier agreement; acquisition of control, merger, consolidation, or interlocking relationship; Approving or setting carrier fares or rates;
 - (d) Finding a carrier fit under section 401 of the Federal Aviation Act of 1958, as amended; Making a determination on the reasonableness of a fee imposed by an airport proprietor on a U.S. or foreign air carrier;
 - (e) Approving or setting carrier fares or rates; Route awards involving turboprop aircraft having a capacity of 60 seats or less and a maximum payload capacity of 18,000 pounds or less;
 - (f) Route awards involving turboprop aircraft having a capacity of 60 seats or less and a maximum payload capacity of 18,000 pounds or less; Route awards that do not involve supersonic service and will not result in an increase in commercial aircraft operations of one or more percent;
 - (g) Route awards that do not involve supersonic service and will not result in an increase in commercial aircraft operations of one or more percent;
 - (h) Determinations on termination of airline employees;
 - (i) Actions relating to consumer protection, including regulations;
 - (j) Authorizing carriers to serve airports already receiving the type of service authorized;
 - (k) Granting temporary or emergency authority;
 - (l) Negotiating bilateral agreements;
 - (m k) Registration of an air taxi operator pursuant to the Department's Regulations (14 CFR Part 298); and
 - (n) Granting of charter authority to a U.S. or foreign air carrier under sections 401, 402 or 416 of the Federal Aviation Act or the Department's Economic Regulations.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Department of Transportation (DOT) Categorical Exclusions (CE)</p>	
Federal Aviation Administration (FAA)	
Chapter 5: Categorical Exclusions	
5-1. <i>General.</i> The CATEXs listed in Paragraphs 5-6.1 through 5-6.6 are for types of actions that the FAA has found do not normally have the potential for individual or cumulative significant impacts on the human environment.	
a. Scope of CATEX. The responsible FAA official must determine whether a proposed action is within the scope of a CATEX listed in this chapter. If a proposed action is within the scope of a CATEX, but the responsible FAA official determines that extraordinary circumstances exist, an EA or EIS must be prepared. If a proposed action is not within the scope of a CATEX, an EA or EIS must be prepared. The CATEX determination process is described in flowchart form in Exhibit D-1 of Appendix D.	
b. Segmentation. A CATEX should not be used for a segment or an interdependent part of a larger proposed action.	
5-2. <i>Extraordinary Circumstances.</i>	
a. Extraordinary Circumstances. Extraordinary circumstances are factors or circumstances in which a normally categorically excluded action may have a significant environmental impact that then requires further analysis in an EA or an EIS. For FAA proposed actions, extraordinary circumstances exist when the proposed action meets both of the following criteria (see 40 CFR § 1508.4, CEQ Regulations):	
(1) Involves any of the circumstances described in Subparagraph b. below; and	
(2) May have a significant impact (see 40 CFR § 1508.4, CEQ Regulations).	
An impact involving one or more of the circumstances described below in connection with a proposed action does not require the preparation of an EA or EIS unless the additional determination is made that the proposed action may have a significant environmental impact (i.e., that the circumstances rise to the level of extraordinary circumstances). The FAA uses screening and other analyses and consultation, as appropriate, to assist in determining extraordinary circumstances (see supporting guidance in the 1050.1F Desk Reference for information to determine the potential for significant environmental impacts and Paragraph 4-3 of this Order for the FAA's significance thresholds and factors to consider in evaluating significance). When extraordinary circumstances exist and the proposed action cannot be modified to eliminate the extraordinary circumstances, an EA or EIS must be prepared. If extraordinary circumstances do not exist or are eliminated, a CATEX may be used. If it is uncertain whether the proposed action involves an extraordinary circumstance, the LOB/SO should consult with AEE and AGC for guidance.	
b. Circumstances. An extraordinary circumstance exists if a proposed action involves any of the following circumstances and has the potential for a significant impact:	
(1) An adverse effect on cultural resources protected under the National Historic Preservation Act of 1966, as amended, 54 U.S.C. §300101 et seq.;	
(2) An impact on properties protected under Section 4(f);	
(3) An impact on natural, ecological, or scenic resources of Federal, state, tribal, or local significance (e.g., federally listed or proposed endangered, threatened, or candidate species, or designated or proposed critical habitat under the Endangered Species Act, 16 U.S.C. §§ 1531-1544);	
(4) An impact on the following resources: resources protected by the Fish and Wildlife Coordination Act, 16 U.S.C. §§ 661-667d; wetlands; floodplains; coastal zones; national marine sanctuaries; wilderness areas; National Resource Conservation Service-designated prime and unique farmlands; energy supply and natural resources; resources protected under the Wild and Scenic Rivers Act, 16 U.S.C. §§ 1271-1287, and rivers or river segments listed on the Nationwide Rivers Inventory (NRI); and solid waste management;	
(5) A division or disruption of an established community, or a disruption of orderly, planned development, or an inconsistency with plans or goals that have been adopted by the community in which the project is located;	
(6) An increase in congestion from surface transportation (by causing decrease in level of service below acceptable levels determined by appropriate transportation agency, such as a highway agency);	
(7) An impact on noise levels of noise sensitive areas;	
(8) An impact on air quality or violation of Federal, state, tribal, or local air quality standards under the Clean Air Act, 42 U.S.C. §§ 7401-7671q;	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(9) An impact on water quality, sole source aquifers, a public water supply system, or state or tribal water quality standards established under the Clean Water Act, 33 U.S.C. §§ 1251-1387, and the Safe Drinking Water Act, 42 U.S.C. §§ 300f-300j-26;
(10) Impacts on the quality of the human environment that are likely to be highly controversial on environmental grounds. The term “highly controversial on environmental grounds” means there is a substantial dispute involving reasonable disagreement over the degree, extent, or nature of a proposed action’s environmental impacts or over the action’s risks of causing environmental harm. Mere opposition is not sufficient for a proposed action or its impacts to be considered highly controversial on environmental grounds. Opposition on environmental grounds by a Federal, state, or local government agency or by a tribe or a substantial number of the persons affected by the action should be considered in determining whether or not reasonable disagreement regarding the impacts of a proposed action exists. If in doubt about whether a proposed action is highly controversial on environmental grounds, consult the LOB/SO’s headquarters environmental division, AEE, Regional Counsel, or AGC for assistance;
(11) Likelihood to be inconsistent with any Federal, state, tribal, or local law relating to the environmental aspects of the proposed action; or
(12) Likelihood to directly, indirectly, or cumulatively create a significant impact on the human environment, including, but not limited to, actions likely to cause a significant lighting impact on residential areas or commercial use of business properties, likely to cause a significant impact on the visual nature of surrounding land uses, likely to cause environmental contamination by hazardous materials, or likely to disturb an existing hazardous material contamination site such that new environmental contamination risks are created.
<i>5-3. Categorical Exclusion Documentation.</i>
a. Simple Documentation. Some of the CATEXs listed in Paragraph 5-6 cover actions for which there are no reasonable expectations of any changes in use or other changes that could cause an environmental impact. These are designated with an asterisk (*). Many of the other CATEXs cover actions that have little or no potential for extraordinary circumstances. When using a CATEX for these actions, a LOB/SO may prepare a simple written record (which may already be included in documentation prepared during the course of normal project development) that a specific CATEX was determined to apply to a proposed action.
b. Additional Documentation. Some actions involve greater potential for one or more extraordinary circumstances or otherwise warrant additional CATEX documentation, as described in Paragraph d, below. Factors that may warrant the preparation of additional documentation include actions:
(1) Likely to affect sensitive resources sufficiently to heighten concerns regarding the potential for extraordinary circumstances;
(2) That would result in changes to the routine routing of aircraft that have the potential to result in significant increases in noise over noise sensitive areas;
(3) Involving situations in which the applicability of a CATEX is not intuitively clear;
(4) Involving known controversy or public opposition; or
(5) For which litigation is anticipated.
c. Other Situations. FAA LOB/SOs are responsible for identifying proposed actions within their purview that warrant CATEX documentation. LOB/SOs may additionally exercise professional judgment to document a project-specific CATEX that is not included in Paragraph 5-3.b above. A determination that a proposed action qualifies for a CATEX is not considered deficient due to lack of documentation provided that extraordinary circumstances have been considered.
d. Documentation. Documentation prepared for a CATEX determination in accordance with Paragraph 5-3 should be concise. The extent of documentation should be tailored to the type of action involved and the potential for extraordinary circumstances. There is no prescribed format; however, the documentation should cite the CATEX(s) used, describe how the proposed action fits within the category of actions described in the CATEX, and explain that there are no extraordinary circumstances that would preclude the proposed action from being categorically excluded. The documentation of compliance with special purpose laws and requirements may either be included in a documented CATEX or may be documented separately (see Paragraph 5-5). A CATEX determination that warrants the preparation of additional documentation in accordance with Paragraph 5-3.b should be signed by the responsible FAA official.

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e. Record of Decision. The preparation of a ROD for a CATEX determination is not required and is uncommon. There may be instances where it would be advantageous for the FAA to prepare a separate formal decision document (i.e., a "CATEX/ROD") in connection with a CATEX determination. A CATEX/ROD might be advisable, for example, where there is substantial controversy regarding the applicability of a CATEX and/or the existence of extraordinary circumstances. When there is doubt whether a CATEX/ROD is appropriate, the responsible FAA official should consult with AGC-600 or Regional Counsel.
5-4. <i>Public Notification.</i> There is no requirement to notify the public when a CATEX is used. However, CEQ encourages agencies to determine circumstances in which the public should be engaged or notified before a CATEX is used. The FAA, as a regulatory agency, normally notifies the public when a CATEX is applied to a proposed rulemaking action. Other appropriate circumstances may be determined on a case-by-case basis.
5-5. <i>Other Environmental Requirements.</i> In addition to NEPA, a proposed action may be subject to special purpose laws and requirements that must be complied with before the action can be approved. The responsible FAA official must ensure, to the fullest extent possible, that the proposed action is in compliance with such requirements in addition to making the appropriate determination regarding use of a CATEX. To the extent that these other requirements are relevant to a determination of extraordinary circumstances, they must be addressed before a CATEX is used. The responsible FAA official must document compliance with applicable requirements, including any required consultations, findings, or determinations. The documentation of compliance with special purpose laws and requirements may either be included in a documented CATEX or may be documented separately from a CATEX. Special purpose laws and requirements may also have public notification requirements. Information on other environmental requirements that may apply to proposed actions is provided in the 1050.1F Desk Reference.
5-6. <i>The Federal Aviation Administration's Categorical Exclusions.</i> The FAA has determined that the actions listed in this paragraph normally do not individually or cumulatively have a significant effect on the human environment.
The CATEXs are organized by the following functions:
• Administrative/General: Actions that are administrative or general in nature;
• Certification: Actions concerning issuance of certificates or compliance with certification programs;
• Equipment and Instrumentation: Actions involving installation, repair, or upgrade of equipment or instruments necessary for operations and safety;
• Facility Siting, Construction, and Maintenance: Actions involving acquisition, repair, replacement, maintenance, or upgrading of grounds, infrastructure, buildings, structures, or facilities that generally are minor in nature;
• Procedural: Actions involving establishment, modification, or application of airspace and air traffic procedures; and
• Regulatory: Actions involving establishment of, compliance with, or exemptions to, regulatory programs or requirements.
To assist the responsible FAA official in identifying the applicable CATEX for a proposed action, the FAA LOB/SO that most commonly uses a CATEX is provided in parentheses following the description of the CATEX. For example, if ATO and the AST are the two LOB/SOs that most commonly use a CATEX, the parenthetical reference (ATO, AST) will follow the description of the CATEX. If a given CATEX is used with equal frequency by all FAA LOB/SOs, the parenthetical reference "(All)" will follow the description of the CATEX. This information is presented for reference only, and must not be construed to limit the use of a CATEX to only the listed LOB/SO.
5-6.1. <i>Categorical Exclusions for Administrative/General Actions.</i> This category includes the list of CATEXs for FAA actions that are administrative or general in nature. An action included within this list of categorically excluded actions is not automatically exempted from environmental review under NEPA. The responsible FAA official must also review Paragraph 5-2, Extraordinary Circumstances, before deciding to categorically exclude a proposed action.
a. Implementation of measures to respond to emergency air or ground safety needs, accidents, or natural events with no reasonably foreseeable significant long-term adverse impacts. (All)
b. Release of an airport sponsor from Federal obligations incurred when the sponsor accepted: (1) an Airport Improvement Grant; or (2) Federal surplus property for airport purposes. (NOTE: FAA consent to long-term leases (i.e., those exceeding 20 years) converting airport-dedicated property to non-aeronautical, revenue-producing purposes (e.g., convenience concessions such as food or personal services) has the same effect as a release and is part of this CATEX provided that the proposed and reasonably foreseeable uses of the property do not trigger extraordinary circumstances as described in Paragraph 5-2, Extraordinary Circumstances). (ARP, AST)

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c. An FAA action responding to a request for conveying federally owned land, including surplus Federal property and/or joint-use facilities, provided the proposed use of the conveyed land is either unchanged or for a use that is categorically excluded. (ARP, ATO)
d. Federal funding and approval of amendments to Airport Layout Plans (ALPs) to carry out FAA-approved noise compatibility programs pursuant to 14 CFR part 150. (ARP)
e. Issuance of Notices to Airmen (NOTAMS), which notify pilots and other interested parties of interim or temporary conditions. (AVS, ATO)
f. Mandatory actions required under implementing regulation for any treaty or international agreement to which the United States is a party, or required by the decisions of international organizations or authorities in which the United States is a member or participant except when the United States has discretion over implementation of such requirements. (AGC, ARP, APL, ATO, AST, AVS)
g. Issuance of airport policy and planning documents including the National Plan of Integrated Airport Systems (NPIAS), Airport Improvement Program (AIP) priority system, and advisory circulars on planning, design, and development that are issued as administrative and technical guidance. (ARP, AST)*
h. Approval of an airport sponsor's request solely to impose Passenger Facility Charges (PFC) or approval to impose and use PFCs for planning studies. (ARP)*
i. Actions that are tentative, conditional, and clearly taken as a preliminary action to establish eligibility under an FAA program, for example, Airport Improvement Program (AIP) actions that are tentative and conditional and clearly taken as a preliminary action to establish an airport sponsor's eligibility under the AIP. (All)*
j. Administrative and agency operating actions, such as procurement documentation, organizational changes, personnel actions, and legislative proposals not originating in the FAA. (All)*
k. Agreements with foreign governments, foreign civil aviation authorities, international organizations, or U.S. Government departments calling for cooperative activities or the provision of technical assistance, advice, equipment, or services to those parties, and the implementation of such agreements; negotiations and agreements to establish and define bilateral aviation safety relationships with foreign governments and the implementation of such agreements; attendance at international conferences and the meetings of international organizations, including participation in votes and other similar actions. (All)*
l. All delegations of authority to designated examiners, designated engineering representatives, or airmen under Section 314 of the FAA Act (49 U.S.C. §§ 44702(d) and 45303). (ATO, AVS) *
m. FAA administrative actions associated with transfer of ownership or operation of an existing airport, by acquisition or long term lease, as long as the transfer is limited to ownership, right of possession, and/or operating responsibility. (ARP)*
n. Issuance of grants to prepare noise exposure maps and noise compatibility programs (NCPs) under 49 U.S.C. §§ 47503(2) and 47504, and FAA determinations to accept noise exposure maps and approve NCPs under 14 CFR part 150. (ARP)*
o. Issuance of grants that do not imply a project commitment, such as airport planning grants, and grants to states participating in the state block grant program. (ARP, AST)*
p. Conditional approval of an Airport Layout Plan (ALP). (ARP)*
q. Planning and development of training, personnel efficiency, and performance projects and programs. (All) *
r. Issuance of policy and planning documents and legislative proposals not intended for, or that do not cause direct implementation of, project or system actions. (All)*
s. Project amendments (for example, increases in costs) that do not alter the environmental impact of the action. (All)*
t. Actions related to the retirement of the principal of bond or other indebtedness for terminal development. (ARP)*
u. Approval under 14 CFR part 161, Notice and Approval of Airport Noise and Access Restrictions, of a restriction on the operations of Stage 3 aircraft that does not have the potential to significantly increase noise at the airport submitting the restriction proposal or at other airports to which restricted aircraft may divert. (ARP)
5-6.2. <i>Categorical Exclusions for Certification Actions.</i> This category includes the list of CATEXs for FAA actions concerning issuance of certificates or compliance with certification programs. An action included within this list of categorically excluded actions is not automatically exempted from environmental review under NEPA. The responsible FAA official must also review Paragraph 5-2, Extraordinary Circumstances, before deciding to categorically exclude a proposed action.
a. Approvals and findings pursuant to 14 CFR part 36, Noise Standards: Aircraft Type and Airworthiness Certification, and acoustical change provisions under 14 CFR § 21.93. (ATO, AVS, APL)
b. Approvals of repairs, parts, and alterations of aircraft, commercial space launch vehicles, and engines not affecting noise, emissions, or wastes. (All)

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c. Issuance of certificates such as the following: (1) new, amended, or supplemental aircraft types that meet environmental regulations; (2) new, amended, or supplemental engine types that meet emission regulations; (3) new, amended, or supplemental engine types that have been excluded by the EPA (see 14 CFR § 34.7, Exemptions); (4) medical, airmen, export, manned free balloon type, glider type, propeller type, supplemental type certificates not affecting noise, emission, or waste; (5) mechanic schools, agricultural aircraft operations, repair stations, and other air agency ratings; and (6) operating certificates. (ATO, AVS)
d. Operating specifications and amendments that do not significantly change the operating environment of the airport. "That do not significantly change the operating environment of the airport" refers to minor operational changes at an airport that do not have the potential to cause significant impacts to noise, air quality, or other environmental impact categories. These would include, but are not limited to, authorizing use of an alternate airport, administrative revisions to operations specifications, or use of an airport on a one-time basis. The use of an airport on a one-time basis means the operator will not have scheduled operations at the airport, or will not use the aircraft for which the operator requests an amended operations specification, on a scheduled basis. (ATO, AVS)
e. Issuance of certificates and related actions under the Airport Certification Program (see 14 CFR part 139). (ARP)
f. Issuance of Airworthiness Directives (ADs) to ensure aircraft safety. (ATO, AVS)*
5-6.3. <i>Categorical Exclusions for Equipment and Instrumentation.</i> This category includes the list of CATEXs for FAA actions involving installation, repair, or upgrade of equipment or instruments necessary for operations and safety. An action included within this list of categorically excluded actions is not automatically exempted from environmental review under NEPA. The responsible FAA official must also review Paragraph 5-2, Extraordinary Circumstances, before deciding to categorically exclude a proposed action.
a. Construction of the following facilities on designated airport property or commercial space launch sites, co-located with other FAA facilities, co-located at a location currently used for similar facilities or equipment, or replacement with essentially similar facilities or equipment: Remote Communications Outlet (RCO), Remote Transmitter/Receiver (RT/R), or Remote Center-Air Ground Communication Facility (RCAG), or essentially similar facilities or equipment identified in, and designed and constructed in accordance with FAA Order 6580.3, The Remote Communications Facilities Installation Standards Handbook. These facilities are typically located within a 150 feet by 150 feet parcel with antenna towers reaching approximately 40 feet in height. (ATO)
b. Establishment, installation, upgrade, or relocation of any of the following on designated airport or FAA property: airfield or approach lighting systems, visual approach aids, beacons, and electrical distribution systems as described in FAA Order 6850.2, Visual Guidance Lighting Systems, and other related facilities. (ATO, ARP)
c. Federal financial assistance for, or Airport Layout Plan (ALP) approval of, or FAA installation or upgrade of facilities and equipment, other than radars, on designated airport or FAA property or commercial space launch sites. Facilities and equipment means FAA communications, navigation, surveillance, and weather systems. Weather systems include hygrothermometers, Automated Weather Observing System (AWOS), Automatic Surface Observation System (ASOS), Stand Alone Weather Sensors (SAWS), Runway Visual Range (RVR), and other essentially similar facilities and equipment that provide for modernization or enhancement of the service provided by these facilities. Navigational aids include Very High Frequency Omnidirectional Range (VOR), VOR Test facility (VOT), co-located VORs and Tactical Aircraft Control and Navigation (TACAN) (VORTAC), Low Power TACAN, Instrument Landing System (ILS) equipment or components of ILS equipment (establishment or relocation of an ILS is not included; an EA is normally required; see Paragraph 3-1.2.b(8)), Wide Area Augmentation System (WAAS), Local Area Augmentation System (LAAS), other essentially similar facilities and equipment, and equipment that provides for modernization or enhancement of the service provided by that facility, such as conversion of VOR to VORTAC, conversion to Doppler VOR (DVOR), or conversion of ILS to category II or III standards. FAA Order 6820.10, VOR, VOR/DME and VORTAC Siting Criteria governs the installation of VOR/VOT/VORTAC-type equipment. These facilities are typically located within a 150 feet by 150 feet parcel, with a total structure height reaching approximately 50 feet in height. (ATO, ARP, AST)

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d. Federal financial assistance for, or Airport Layout Plan (ALP) approval of, or FAA installation, repair, replacement, relocation, or upgrade of radar facilities and equipment on designated airport or FAA property or commercial space launch sites, that conform to the current American National Standards Institute/Institute of Electrical and Electronic Engineers (ANSI/IEEE) guidelines for maximum permissible exposure to electromagnetic fields. Radar facilities and equipment include Terminal Doppler Weather Radar (TDWR), Next Generation Weather Radar (NEXRAD), Precision Runway Monitor (PRM), Airport Surface Detection Equipment (ASDE), Air Route Surveillance Radar (ARSR), Airport Surveillance Radar (ASR), Air Traffic Control Beacon Interrogator (ATCBI), and other essentially similar facilities and equipment. In addition, this includes equipment that provides for modernization or enhancement of the service provided by these facilities, such as Radar Bright Display Equipment (RBDE) with Plan View Displays (PVD), Direct Access Radar Channel (DARC), adding a beacon system onto existing radar, and calibration equipment. (ATO, ARP)
e. Federal financial assistance for, Airport Layout Plan (ALP) approval of, or FAA installation, repair, relocation, replacement, removal, or upgrade of minor miscellaneous items such as Low Level Wind Shear Alert System (LLWAS), wind indicators, wind measuring devices, landing directional equipment, segmented circles (visual indicators providing traffic pattern information at airports without airport traffic control towers (ATCTs)), mobile ATCTs, Mobile Emergency Radar Facilities (MERF), and associated fencing and calibration equipment. (ARP, ATO)
f. Installation or replacement of engine generators used in emergencies. (ATO, AST)
g. Replacement or upgrade of power and control cables for existing facilities and equipment, such as airfield or approach lighting systems (ALS), commercial space launch site lighting systems, visual approach aids, beacons, and electrical distribution systems as described in FAA Order 6850.2, Visual Guidance Lighting Systems, or airport surveillance radar (ASR), commercial space launch site surveillance radar, Instrument Landing System (ILS), and Runway Visual Range (RVR). (ATO)
h. Acquisition of equipment required for the safety or security of personnel and property on the airport or commercial space launch site, including safety equipment required by rule or regulation for certification of an airport (see 14 CFR part 139, Certification and Operation: Land Airports Serving Certain Air Carriers), or licensing the operation of a commercial space launch site (see 14 CFR part 420, License to Operate a Launch Site) and acquisition of snow removal equipment. (ARP, AST)
i. Approval of an Airport Layout Plan (ALP), Federal financial assistance for, or FAA projects for: the installation of solar or wind-powered energy equipment, provided the installation does not involve more than three total acres of land (including the land needed for easements and rights-of-way associated with building and installing the equipment, and any trenching and cabling that would connect the installed solar or wind equipment to other parts of the airport or an existing electrical grid) and would not have the potential to cause significant impacts on bird or bat populations. Construction contracts or leases for this equipment must include requirements to control dust, sedimentation, storm water, and accidental spills. (ARP, ATO)
5-6.4. <i>Categorical Exclusions for Facility Siting, Construction, and Maintenance.</i> This category includes the list of CATEXs for FAA actions involving acquisition, repair, replacement, maintenance, or upgrading of grounds, infrastructure, buildings, structures, or facilities that generally are minor in nature. An action included within this list of categorically excluded actions is not automatically exempted from environmental review under NEPA. The responsible FAA official must also review Paragraph 5-2, Extraordinary Circumstances, before finalizing a decision to categorically exclude a proposed action.
a. Access road construction, and construction, relocation, or repair of entrance and service roadways that do not reduce the level of service on local traffic systems below acceptable levels. (ATO, ARP, AST)
b. Acquisition of land and relocation associated with a categorically excluded action. (ATO, ARP)
c. Installation, modification, or repair of radars at existing facilities that conform to the current American National Standards Institute/Institute of Electrical and Electronics Engineers (ANSI/IEEE) guidelines for maximum permissible exposures to electromagnetic fields and do not significantly change the impact on the environment of the facility. (All)
d. Federal financial assistance, Airport Layout Plan (ALP) approval, or FAA installation of de-icing/anti-icing facilities that comply with National Pollutant Discharge Elimination System (NPDES) permits or other permits protecting the quality of receiving waters, and for which related water detention or retention facilities are designed not to attract wildlife hazardous to aviation, as defined in FAA Advisory Circular 150/5200-33, Hazardous Wildlife Attractants on or Near Airports. (ATO, ARP)
e. Federal financial assistance, licensing, or Airport Layout Plan (ALP) approval for the following actions, provided the action would not result in significant erosion or sedimentation, and will not result in a significant noise increase over noise sensitive areas or result in significant impacts on air quality.
Construction, repair, reconstruction, resurfacing, extending, strengthening, or widening of a taxiway, apron, loading ramp, or runway safety area (RSA), including an RSA using Engineered Material Arresting System (EMAS); or

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Reconstruction, resurfacing, extending, strengthening, or widening of an existing runway.
This CATEX includes marking, grooving, fillets and jet blast facilities associated with any of the above facilities. (ARP, AST)
f. Federal financial assistance, licensing, Airport Layout Plan (ALP) approval, or FAA construction or limited expansion of accessory on-site structures, including storage buildings, garages, hangars, t-hangars, small parking areas, signs, fences, and other essentially similar minor development items. (ATO, ARP, AST)
g. Construction of Remote Transmitter/Receiver (RT/R), or other essentially similar facilities and equipment, to supplement existing communications channels installed in the Airport Traffic Control Tower (ATCT) or Flight Service Station (FSS). (ATO)
h. Federal financial assistance, licensing, or Airport Layout Plan (ALP) approval for construction or expansion of facilities—such as terminal passenger handling and parking facilities or cargo buildings, or facilities for non-aeronautical uses at existing airports and commercial space launch sites—that do not substantially expand those facilities (see the FAA’s presumed to conform list (72 Federal Register 41565 (July 30, 2007))). (All)
i. Demolition and removal of FAA buildings and structures, or financial assistance for or approval of an Airport Layout Plan (ALP) for the demolition or removal of non-FAA owned, on-airport buildings and structures, provided no hazardous substances or contaminated equipment are present on the site of the existing facility. This CATEX does not apply to buildings and structures of historic, archaeological, or architectural significance as officially designated by Federal, state, tribal or local governments. (ATO, AST, ARP)
j. Removal or extension of water, sewage, electrical, gas, or other utilities of temporary duration to serve construction. (ATO, AST)
k. Placing earthen fill into previously excavated land with material compatible with the natural features of the site, provided the land is not delineated as a wetland; or minor dredging or filling of wetlands or navigable waters for any categorically excluded action, provided the fill is of material compatible with the natural features of the site, and the dredging and filling qualifies for an U.S. Army Corps of Engineers nationwide or a regional general permit. (ATO, AST, ARP)
l. Federal financial assistance for, licensing or approval of the grading of land, the removal of obstructions to air navigation, or erosion control measures, provided those activities occur on and only affect airport property, a commercial space launch site, or FAA-owned or leased property. (ATO, ARP, AST)
m. Lease of space in buildings or towers. (ATO, AST)
n. Minor expansion of facilities, including the addition of equipment such as telecommunications equipment, on an existing facility where no additional land is required, or when expansion is due to remodeling of space in current quarters or existing buildings. Additions may include antennas, concrete pad, and minor trenching for cable. (ATO, AST)
o. Minor trenching and backfilling where the surface is restored and the excavated material is protected against erosion and run-off during the construction period. (ATO, ARP, AST)
p. New gardening, landscaping, and/or maintenance of existing landscaping that does not cause or promote the introduction or spread of invasive species that would harm the native ecosystem; use of landscape practices that reflect recommendations provided in Guidance for Presidential Memorandum on Environmentally and Economically Beneficial Landscape Practices on Federal Landscaped Grounds, 60 Federal Register 40837 (August 10, 1995); and that do not attract wildlife that is hazardous to aviation. (ATO, ARP, AST)
q. Construction and installation, on airports or commercial space launch sites, of noise abatement measures, such as noise barriers to diminish aircraft and commercial space launch vehicle engine exhaust blast or noise, and installation of noise control materials. (All)
r. Purchase, lease, or acquisition of three acres or less of land with associated easements and rights-of-way for new facilities. (ATO)
s. Repairs and resurfacing of existing access to remote facilities and equipment such as Air Route Surveillance Radar (ARSR), Remote Center Air/Ground Communications Facility (RCAG), Remote Communications Outlet (RCO), and VHF Omnidirectional Range (VOR) with Ultra-High Frequency Tactical Air Navigation Aid (VORTAC). (ATO)
t. Federal financial assistance for, or Airport Layout Plan (ALP) approval of, a new heliport on an existing airport or commercial space launch site that would not significantly increase noise over noise sensitive areas. (ARP, AST)

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u. Approval of an Airport Layout Plan (ALP) for installation of on-airport, aboveground storage tanks or underground storage tanks (USTs) on airport property or FAA installation, repair, or replacement of USTs and aboveground storage tanks at FAA facilities. These actions must comply with FAA Order 1050.15, Fuel Storage Tanks at FAA Facilities, and EPA regulations, 40 CFR parts 112, 280, and 281, as applicable. This CATEX includes the closure and removal of a fuel storage tank, and remediation of contaminants resulting from a fuel storage tank at an FAA facility or on an airport, provided those actions occur in accordance with the order and the regulations noted above. The establishment of bulk fuel storage and associated distribution systems is not within the scope of this CATEX. Those actions are subject to Paragraph 3-1.2.b.(5) of this Order. (ATO, ARP)
v. Replacement or reconstruction of a terminal, structure, or facility with a new one of similar size and purpose, where location will be on the same site as the existing building or facility. (ATO, ARP, AST)
w. Repair and maintenance of existing roads, rights-of-way, trails, grounds, parking areas, and utilities, including, for example, snow removal, vegetation control, and erosion control work. (All)
x. Routine facility decommissioning, exclusive of disposal. (ATO, AST)
y. Takeover of non-Federal facilities by the FAA. (ATO)
z. Federal financial assistance, licensing, Airport Layout Plan (ALP) approval, or FAA action related to topping or trimming trees to meet 14 CFR part 77, Safe, Efficient Use, and Preservation of the Navigable Airspace, standards for removing obstructions which can adversely affect navigable airspace. (All)
aa. Upgrading of building electrical systems or maintenance of existing facilities, such as painting, replacement of siding, roof rehabilitation, resurfacing, or reconstruction of paved areas, and replacement of underground facilities. (ATO, AST)
bb. Airport Layout Plan (ALP) approval and/or Federal financial assistance for actions related to a fee-simple purchase of land or the purchase of an avigation easement to establish a runway protection zone (RPZ) or for other aeronautical purposes provided there is no land disturbance and does not require extensive business or residential relocations. (ARP)
cc. Approval of an Airport Layout Plan (ALP) and/or Federal financial assistance to permanently close a runway and use it as a taxiway at small, low-activity airports, provided any changes to lights or pavement would be on previously developed airport land. (ARP)
dd. FAA construction, reconstruction, or relocation of a non-Radar, Level 1 airport traffic control tower (a tower that does not use radar) at an existing visual flight rule airport, or FAA approval of an Airport Layout Plan (ALP) and/or Federal funding to do so, provided the action would occur on a previously disturbed area of the airport and not: (1) cause an increase in the number of aircraft operations, a change in the time of aircraft operations, or a change in the type of aircraft operating at the airport; (2) cause a significant noise increase in noise sensitive areas; or (3) cause significant air quality impacts. (ARP, ATO)
ee. Environmental investigation of hazardous waste or hazardous substance contamination on previously developed airport or FAA-owned, leased, or operated sites including temporary activities such as minor excavation, soil test borings, and installation of groundwater testing and monitoring wells, piezometers and other groundwater well monitoring devices impacting approximately one acre in aggregate surface area. The work plan or Sampling and Analysis Plan (SAP) for the project must integrate current industry best practices and address, as applicable, surface restoration, well and soil boring decommissioning, and the collection, storage, handling, transportation, minimization, and disposal of investigation-derived wastes. The work plan or SAP must also address these matters for other Federal or state regulated wastes generated by the investigation. The work plan or SAP must be coordinated with and, if required, approved by the appropriate or relevant governmental agency or agencies prior to commencement of work. (ATO, ARP)
ff. Remediation of hazardous wastes or hazardous substances impacting approximately one acre or less in aggregate surface area, including siting, site preparation, construction, equipment repair or replacement, operation and maintenance, remote or on-site monitoring, and removal of remediation-related equipment and facilities, on previously developed FAA-owned, leased, or operated sites. Remedial or corrective actions must be performed in accordance with an approved work plan (i.e., remedial action plan, corrective action plan, or similar document) that documents applicable current industry best practices and addresses, as applicable, permitting requirements, surface restoration, well and soil boring decommissioning, and the minimization, collection, any necessary associated on-site treatment, storage, handling, transportation, and disposal of Federal or state regulated wastes. The work plan must be coordinated with, and if required, approved by, the appropriate governmental agency or agencies prior to the commencement of work. Examples of covered activities include:
Minor excavation (less than one acre of surface area, or less than 25,000 cubic yards) for removal of contaminated soil or containers (drums, boxes, or other articles);
Ongoing operation of remedial and removal on-site monitoring and cleanup systems in accordance with an approved work plan (i.e., remedial action plan, corrective action plan, or similar document); and

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Installation, operation and maintenance, and removal of in-situ remediation systems and appurtenances, including (1) groundwater wells for treatment and monitoring of soil and water contamination; or (2) on-site vapor extraction systems. (ATO)
5-6.5. <i>Categorical Exclusions for Procedural Actions.</i> This category includes the list of CATEXs for FAA actions involving establishment, modification, or application of airspace and air traffic procedures. An action included within this list of categorically excluded actions is not automatically exempted from environmental review under NEPA. The responsible FAA official must also review Paragraph 5-2, Extraordinary Circumstances, before finalizing a decision to categorically exclude a proposed action.
a. Rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). (ATO)
b. Actions regarding establishment of jet routes and Federal airways (see 14 CFR § 71.15, Designation of jet routes and VOR Federal airways); operation of civil aircraft in a defense area, or to, within, or out of the United States through a designated Air Defense Identification Zone (ADIZ) (14 CFR part 99, Security Control of Air Traffic); authorizations for operation of moored balloons, moored kites, amateur rockets, and unmanned free balloons (see 14 CFR part 101, Moored Balloons, Kites, Amateur Rockets and Unmanned Free Balloons); and, authorizations of parachute jumping and inspection of parachute equipment (see 14 CFR part 105, Parachute Operations). (ATO)
c. Actions to return all or part of special use airspace (SUA) to the National Airspace System (NAS), such as revocation of airspace, a decrease in dimensions, or a reduction in times of use (e.g., from continuous to intermittent, or use by a Notice to Airmen (NOTAM)). (ATO)
d. Modification of the technical description of special use airspace (SUA) that does not alter the dimensions, altitudes, or times of designation of the airspace (such as changes in designation of the controlling or using agency, or correction of typographical errors). (ATO)
e. Designation of controlled firing areas. (ATO)
f. Actions to increase the altitude of special use airspace. (ATO)
g. Establishment of Global Positioning System (GPS), Flight Management System (FMS), Area Navigation/Required Navigation Performance (RNAV/RNP), or essentially similar systems that use overlay of existing flight tracks. For these types of actions, the Noise Integrated Routing System (NIRS) Noise Screening Tool (NST) or other FAA-approved environmental screening methodology should be applied. (ATO, AVS)
h. Establishment or modification of helicopter routes that channel helicopter activity over major thoroughfares and do not have the potential to significantly increase noise over noise sensitive areas. (ATO, AVS)
i. Establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. For modifications to air traffic procedures at or above 3,000 feet AGL, the Noise Screening Tool (NST) or other FAA-approved environmental screening methodology should be applied. (ATO, AVS)
j. Implementation of procedures to respond to emergency air or ground safety needs, accidents, or natural events with no reasonably foreseeable long-term adverse impacts. (ATO)
k. Publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks. (ATO, AVS)
l. Federal financial assistance and/or Airport Layout Plan (ALP) approval or other FAA action to establish or remove a displaced threshold on an existing runway, provided the action does not require establishing or relocating an approach light system that is not on airport property (see Paragraph 3-1.2.b(9)) or an instrument landing system (see Paragraph 3-1.2.b(8)). This CATEX does not apply to displaced thresholds that require runway extensions. (ARP)
m. Short-term changes in air traffic control procedures, not to exceed six months, conducted under 3,000 feet above ground level (AGL) to accommodate airport construction. (ARP, ATO)
n. Tests of air traffic departure or arrival procedures conducted under 3,000 feet above ground level (AGL), provided that: (1) the duration of the test does not exceed six months; (2) the test is requested by an airport or launch operator in response to mitigating noise concerns, or initiated by the FAA for safety or efficiency of proposed procedures; and (3) the test data collected will be used to assess the operational and noise impacts of the test. (ATO)
o. Procedural actions requested by users on a test basis to determine the effectiveness of new technology and/or possible impacts to the environment. (ATO)

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p. Establishment of new procedures that routinely route aircraft over non-noise sensitive areas. (ATO, AVS)
q. The following procedures taken in accordance with Section 213 of the FAA Modernization and Reform Act of 2012, conducted at, above, or below 3,000 feet above ground level (AGL), unless there is a determination that extraordinary circumstances exist: ⁸
(1) Area Navigation/Required Navigation Performance (RNAV/RNP) procedures proposed for core airports and any medium or small hub airports located within the same metroplex area considered appropriate by the Administrator; ⁹ and
(2) RNP procedures proposed at 35 non-core airports selected by the Administrator. ¹⁰ (ATO)
r. Any navigation performance or other performance based navigation procedure that, in the determination of the Administrator, would result in measurable reductions in fuel consumption, carbon dioxide emissions, and noise, on a per flight basis, as compared to aircraft operations that follow existing instrument flight rules procedures in the same airspace. This CATEX may be used irrespective of the altitude of such procedures. ¹¹ (ATO)
5-6.6. <i>Categorical Exclusions for Regulatory Actions.</i> This category includes the list of CATEXs for FAA actions involving compliance with, or exemptions to, regulatory programs or requirements. An action included within this list of categorically excluded actions is not automatically exempted from environmental review under NEPA. The responsible FAA official must also review Paragraph 5-2, Extraordinary Circumstances, before finalizing a decision to categorically exclude a proposed action.
a. All FAA actions to ensure compliance with Environmental Protection Agency aircraft emissions standards. (AEE)
b. Authorizations and waivers for infrequent ¹² or one-time actions, such as an air show or aviation-related exposition (to include an aerobatic practice area containing one aerobatic practice box or aerobatic contest box) or parachuting or skydiving events, that may result in some temporary impacts that revert back to original conditions upon action completion. (ATO, AVS)
c. Denials of routine petitions for: (1) exemption; (2) reconsideration of a denial of exemption; (3) rulemaking; (4) reconsideration of a denial of a petition for rulemaking; and (5) exemptions to technical standard orders (TSOs). (AEE, AVS, AST, ATO)
d. Issuance of regulatory documents (e.g., Notices of Proposed Rulemaking and issuance of Final Rules) covering administrative or procedural requirements. (Does not include air traffic procedures; specific air traffic procedures that are categorically excluded are identified under Paragraph 5-6.5 of this Order). (All)
e. Issuance of special flight authorizations controlled by operating limitations, specified in the following: 14 CFR § 21.199, Issue of Special Flight Permits; 14 CFR § 91.319, Aircraft Having Experimental Certificates: Operating Limitations; 14 CFR § 91.611, Authorization for Ferry Flight with One Engine Inoperative; and 14 CFR § 91.859, Modification to Meet Stage 3 or Stage 4 Noise Levels. (ATO, AVS, AEE)
f. Regulations, standards, and exemptions (excluding those that if implemented may cause a significant impact on the human environment). (All)

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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<p style="text-align: center;">Department of Transportation (DOT) Categorical Exclusions (CE)</p>	
Federal Highway Administration (FHWA)	
§ 771.117 FHWA categorical exclusions.	
https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=53d557efda087e7a5514dc356e125122&rgn=div5&view=text&node=23:1.0.1.8.43&idno=23#se23.1.771_111	
<p>(a) Categorical exclusions (CEs) are actions which meet the definition contained in 40 CFR 1508.4, and, based on FHWA's past experience with similar actions, do not involve significant environmental impacts. They are actions that: 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.</p>	
<p>(b) Any action which normally would be classified as a CE but could involve unusual circumstances will require the FHWA, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is proper. Such unusual circumstances include:</p>	
(1) Significant environmental impacts;	
(2) Substantial controversy on environmental grounds;	
(3) Significant impact on properties protected by section 4(f) requirements 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.	
<p>(c) The following actions meet the criteria for CEs in the CEQ regulation (40 CFR 1508.4) and § 771.117(a) and normally do not require any further NEPA approvals by the FHWA:</p>	
(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 <i>highway safety plan</i> under 23 U.S.C. 402.	
(5) Transfer of Federal lands pursuant to 23 U.S.C. 107(d) and/or 23 U.S.C. 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.	
(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) The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):	
(i) Emergency repairs under 23 U.S.C. 125; and	
(ii) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:	
(A) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and	
(B) Is commenced within a 2-year period beginning on the date of the declaration.	
(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.	

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(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.
(21) Deployment of electronics, photonics, communications, or information processing used singly or in combination, or as components of a fully integrated system, to improve the efficiency or safety of a surface transportation system or to enhance security or passenger convenience. Examples include, but are not limited to, traffic control and detector devices, lane management systems, electronic payment equipment, automatic vehicle locaters, automated passenger counters, computer-aided dispatching systems, radio communications systems, dynamic message signs, and security equipment including surveillance and detection cameras on roadways and in transit facilities and on buses.
(22) Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-ofway. Existing operational right-of-way means all real property interests acquired for the construction, operation, or mitigation of a project. This area includes the features associated with the physical footprint of the project including but not limited to the roadway, bridges, interchanges, culverts, drainage, clear zone, traffic control signage, landscaping, and any rest areas with direct access to a controlled access highway. This also includes fixed guideways, mitigation areas, areas maintained or used for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transportation power substations, transportation venting structures, and transportation maintenance facilities.
(23) Federally-funded projects:
(i) That receive less than \$5,000,000 (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor, see www.fhwa.dot.gov or www.fta.dot.gov) of Federal funds; or
(ii) With a total estimated cost of not more than \$30,000,000 (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor, see www.fhwa.dot.gov or www.fta.dot.gov) and Federal funds comprising less than 15 percent of the total estimated project cost.
(24) Localized geotechnical and other investigation to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores for soil sampling; archeological investigations for archeology resources assessment or similar survey; and wetland surveys.
(25) Environmental restoration and pollution abatement actions to minimize or mitigate the impacts of any existing transportation facility (including retrofitting and construction of stormwater treatment systems to meet Federal and State requirements under sections 401 and 402 of the Federal Water Pollution Control Act (33 U.S.C. 1341; 1342)) carried out to address water pollution or environmental degradation.
(26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph (e) of this section.
(27) Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting, if the project meets the constraints in paragraph (e) of this section.
(28) Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in paragraph (e) of this section.
(29) Purchase, construction, replacement, or rehabilitation of ferry vessels (including improvements to ferry vessel safety, navigation, and security systems) that would not require a change in the function of the ferry terminals and can be accommodated by existing facilities or by new facilities which themselves are within a CE.
(30) Rehabilitation or reconstruction of existing ferry facilities that occupy substantially the same geographic footprint, do not result in a change in their functional use, and do not result in a substantial increase in the existing facility's capacity. Example actions include work on pedestrian and vehicle transfer structures and associated utilities, buildings, and terminals.

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(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 unless otherwise authorized under an executed agreement pursuant to paragraph (g) of this section. 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)-(3) [Reserved]
(4) Transportation corridor fringe parking facilities.
(5) Construction of new truck weigh stations or rest areas.
(6) Approvals for disposal of excess right-of-way or for joint or limited use of right-of-way, where the proposed use does not have significant adverse impacts.
(7) Approvals for changes in access control.
(8) Construction of new bus storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and located on or near a street with adequate capacity to handle anticipated bus and support vehicle traffic.
(9) Rehabilitation or reconstruction of existing rail and bus buildings and ancillary facilities where only minor amounts of additional land are required and there is not a substantial increase in the number of users.
(10) Construction of bus transfer facilities (an open area consisting of passenger shelters, boarding areas, kiosks and related street improvements) when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic.
(11) Construction of rail storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and where there is no significant noise impact on the surrounding community.
(12) Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed.
(i) Hardship acquisition is early acquisition of property by the applicant at the property owner's request to alleviate particular hardship to the owner, in contrast to others, because of an inability to sell his property. This is justified when the property owner can document on the basis of health, safety or financial reasons that remaining in the property poses an undue hardship compared to others.
(ii) Protective acquisition is done to prevent imminent development of a parcel which may be needed for a proposed transportation corridor or site. Documentation must clearly demonstrate that development of the land would preclude future transportation use and that such development is imminent. Advance acquisition is not permitted for the sole purpose of reducing the cost of property for a proposed project.
(13) Actions described in paragraphs (c)(26), (c)(27), and (c)(28) of this section that do not meet the constraints in paragraph (e) of this section.
(e) Actions described in (c)(26), (c)(27), and (c)(28) of this section may not be processed as CEs under paragraph (c) if they involve:
(1) An acquisition of more than a minor amount of right-of-way or that would result in any residential or non-residential displacements;
(2) An action that needs a bridge permit from the U.S. Coast Guard, or an action that does not meet the terms and conditions of a U.S. Army Corps of Engineers nationwide or general permit under section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act of 1899;
(3) A finding of "adverse effect" to historic properties under the National Historic Preservation Act, the use of a resource protected under 23 U.S.C. 138 or 49 U.S.C. 303 (section 4(f)) except for actions resulting in de minimis impacts, or a finding of "may affect, likely to adversely affect" threatened or endangered species or critical habitat under the Endangered Species Act;
(4) Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions;
(5) Changes in access control;

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(6) A floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths); or construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers.
(f) Where a pattern emerges of granting CE status for a particular type of action, the FHWA will initiate rulemaking proposing to add this type of action to the list of categorical exclusions in paragraph (c) or (d) of this section, as appropriate.
(g) FHWA may enter into programmatic agreements with a State to allow a State DOT to make a NEPA CE certification or determination and approval on FHWA's behalf, for CEs specifically listed in paragraphs (c) and (d) of this section and that meet the criteria for a CE under 40 CFR 1508.4, and are identified in the programmatic agreement. Such agreements must be subject to the following conditions:
(1) The agreement must set forth the State DOT's responsibilities for making CE determinations, documenting the determinations, and achieving acceptable quality control and quality assurance;
(2) The agreement may not have a term of more than five years, but may be renewed;
(3) The agreement must provide for FHWA's monitoring of the State DOT's compliance with the terms of the agreement and for the State DOT's execution of any needed corrective action. FHWA must take into account the State DOT's performance when considering renewal of the programmatic CE agreement; and
(4) The agreement must include stipulations for amendment, termination, and public availability of the agreement once it has been executed.
(h) Any action qualifying as a CE under 771.116 or 771.118 may be approved by FHWA when the applicable requirements of those sections have been met. FHWA may consult with FRA or FTA to ensure the CE is applicable to the proposed action.

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**Department of Transportation (DOT)
Categorical Exclusions (CE)**

Federal Motor Carrier Safety Administration (FMCSA)

[Appendix 2--FMCSA Categorical Exclusions \(CE\)](#)

The following are actions that, unless consideration of the factors in Section D.3.a. of Chapter 2 triggers the need to conduct further analysis, are categorically excluded from further analysis and documentation in an environmental assessment or environmental impact statement. These categories of activities have been found by FMCSA to not have the potential to significantly affect the quality of the human environment, except when "extraordinary circumstances" are involved. (**Note:** Where there is the potential for extraordinary circumstances, an environmental checklist must be completed to determine whether the circumstances warrant further analysis in an EA or EIS. Ordinarily, documentation of a decision regarding the applicability of a categorical exclusion and the basis for that decision should be limited to the space of one page. If more detailed justification is considered necessary, the decisionmaker should consider whether an environmental assessment is a more appropriate level of documentation.)

1. Administration

a. Preparation of guidance documents that implement decisions authorized by the applicable FMCSA's Office of Business Operations Directive or other Federal agency regulations, procedures, manuals, internal orders, and other guidance documents not required to be published in the Federal Register under the Administrative Procedure Act, 5 U.S.C. 552(a)(1).
b. Routine intra-agency personnel, fiscal, and administrative activities, actions, procedures, and policies which clearly do not have environmental impacts, such as, hiring, recruiting, processing and paying of personnel, and recordkeeping.

c. Routine procurement and contract activities and actions for goods and services, including office supplies, equipment, mobile assets, and utility services for routine administration, operation, and maintenance in accordance with Executive Orders 13101, 13148, and other applicable Executive Orders and Departmental policies regarding "greening the government."

d. Decisions to set up or decommission equipment or temporarily discontinue use of facilities or equipment, such as:

(1) Noise pollution monitors used in enforcement of the Noise Control Act of 1972.

(2) Radioactive material detectors used in enforcement of the Hazardous Material Transportation Acts.

(3) FMCSA-owned commercial motor vehicles used in the:

(A) Office of Enforcement and Program Delivery;

(B) Office of Research and Technology; or

(C) Commercial Vehicle platform of the Intelligent Vehicle Initiative

This does not preclude the need to review decommissioning under Section 106 of the National Historic Preservation Act.

e. Routine and permitted movement of agency personnel and equipment, and the routine movement, handling, and distribution of non-hazardous and hazardous materials and wastes incidental to the routine and permitted movement of personnel and equipment in accordance with applicable regulations. Examples would include moving personnel from the Boise, Idaho, Division Office to the Pierre, South Dakota, Division Office or moving the agency's Intelligent Transportation System/Commercial Vehicle Operation Technology Truck working display from McLean, Virginia, to an awareness training venue in Oak Ridge, Tennessee.

f. Personnel and other administrative actions associated with consolidations, reorganizations, or reductions in force resulting from identified inefficiencies, reduced personnel or funding levels, skill imbalances, or other similar causes.

g. Financial assistance or procurements for motor carrier activities that do not commit the FMCSA or its applicants to a particular course of action affecting the environment.

h. Hearings, meetings, or public affairs activities held at locations developed for such activities.

2. Purchase, Lease, and Acquisitions. Lease of space in buildings or towers for a firm-term of one year or less when the intended use is in conformity with current uses.

3. Operations. Realignment of mobile assets, including motor vehicles, to existing operational facilities that have the capacity to accommodate such assets or where supporting infrastructure changes will be minor in nature to perform as new terminals or for repair and overhaul.

Note. If the realignment would result in more than a one for one replacement of assets at an existing facility, then the checklist required for this CE must specifically address whether such an increase in assets could trigger the potential for significant impacts to sensitive resources before use of the CE can be approved.

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4. Data Gathering, Review of Environmental Tests, Studies, Analyses and Reports, and Research Activities
a. Data gathering, information gathering, and studies that involve no detectable physical change to the environment.
b. Research activities that are in accordance with inter-agency agreements and which are designed to improve or upgrade the FMCSA's ability to manage its resources. Examples of these resources would include FMCSA's stored data, its assets, and its properties, including its Intelligent Transportation System/Commercial Vehicle Operation Technology Trucks and its Safety Trucks.
c. Environmental studies undertaken to define the elements of a proposal or alternatives sufficiently so that the environmental effects may be assessed.
d. Contracts for activities conducted at established laboratories and facilities, to include contractor-operated laboratories and facilities, on FMCSA-contracted property where all airborne emissions, waterborne effluents, external radiation levels, outdoor noise, and solid and bulk waste disposal practices are in compliance with existing applicable Federal, State, and local laws and regulations.
e. Planning and technical studies that do not contain recommendations for authorization or funding for future construction, but may recommend further study. This includes engineering efforts or environmental studies undertaken to define the elements of a proposal or alternatives sufficiently so that the environmental effects may be assessed and does not exclude consideration of environmental matters in the studies.
5. Training
a. Simulated inspection exercises, including those involving small numbers of personnel.
b. Training of an administrative or classroom nature. Examples would include training to inspect a commercial motor vehicle brake system or to learn more about NEPA and how to prepare and develop environmental analyses for Environmental Assessments (EAs) and Environmental Impact Statements (EISs).
6. The Following Types of Regulations, and Actions Covered by This Order Taken Pursuant to Those Regulations
a. Regulations concerning Civil Rights procedures and guidance.
b. Regulations which are editorial or procedural, such as, those updating addresses or establishing application procedures, and procedures for acting on petitions for waivers, exemptions and reconsiderations, including technical or other minor amendments to existing FMCSA regulations.
c. Regulations concerning internal agency functions or organization or personnel administration, such as, funding or delegating authority.
d. Regulations concerning the training, qualifying, licensing, certifying, and managing of personnel.
e. Regulations concerning applications for operating authority and certificates of registration.
f. Regulations implementing the following activities, whether performed by FMCSA or by States pursuant to the Motor Carrier Safety Assistance Program (MCSAP), which provides financial assistance to States to reduce the number and severity of accidents and hazardous materials incidents involving commercial motor vehicles (CMVs).
(1) Diver/vehicle inspections;
(2) Traffic enforcement;
(3) Safety audits;
(4) Compliance reviews;
(5) Public education and awareness; and
(6) Data collection; and provide reimbursement for:
(A) Personnel expenses;
(B) Equipment and travel expenses;
(C) Indirect expenses for:
(i) Facilities (not including fixed scales, real property, land or buildings) used to conduct inspections or house enforcement personnel. Examples of facilities would include a motor vehicle trailer for inspection personnel to take cover while doing paperwork during a roadside inspection;
(ii) Support staff;
(iii) Equipment to the extent they are measurable and recurring (e.g. , rent, overhead, maintenance and minor improvements);
(iv) Expenses related to data acquisition, storage, and analysis; and
(v) Clerical and administrative expenses.
g. Regulations implementing procedures to:

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(1) Promote adoption and enforcement of State laws and regulations pertaining to CMV safety that are compatible with the FMCSRs and HMRs;
(2) Provide guidelines for a continuous regulatory review of State laws and regulations; and
(3) Establish deadlines for States to achieve compatibility with appropriate parts of the FMCSRs and HMRs with respect to interstate commerce.
h. Regulations implementing procedures to collect fees that will be charged for motor carrier registration and insurance for the following activities:
(1) Application filings;
(2) Records searches; and
(3) Reviewing, copying, certifying and related services.
i. Regulations implementing procedures for which motor carriers and brokers designate their agents (persons) for whom court process may be served, describing activities, such as:
(1) The forms upon which the carrier can make the designations;
(2) The eligible persons that can be agents, and how carriers shall make the designations in each State in which it is authorized to operate and for each State traversed during such operations, and
(3) Where such designations must be made.
j. Regulations implementing uniform Single-State registration procedures for motor carriers registered with the Secretary of Transportation.
k. Regulations for all brokers of transportation by motor vehicles that describe the following activities:
(1) The duties and obligations of a broker;
(2) The records and accounts a broker must keep;
(3) The type of brokerage service the broker must perform; and
(4) The charges and compensation a broker is entitled to receive.
l. Regulations requiring every motor carrier to issue and keep a receipt or bill of lading (or record) for property tendered for transportation in interstate or foreign commerce containing such information as:
(1) What must be contained on the receipt; and
(2) Who shall be given the original freight bill and who shall be given a copy, as well as how it can be transmitted to the payer.
m. Regulations implementing procedures applicable to the operations of household good carriers engaged in the transportation of household goods, for the following activities:
(1) The information that carriers must give to prospective shippers prior to holding themselves out to perform such service;
(2) How carriers are to estimate the shipping costs which the shippers will be required to pay for these shipments;
(3) How to determine the weight of the shipments prior to assessing any shipping charges;
(4) How to accept shipments and provides carrier notification of delay;
(5) The liability of carriers; and
(6) How to file complaints.
n. Regulations that apply to actions by motor carriers registered with the Secretary to transport property for the following:
(1) The leasing of equipment (e.g. , a motor vehicle, straight truck, tractor, semi-trailer, full trailer, any combination of these and any other type of equipment used by carriers in the transportation of property) with which to perform transportation regulated by the Secretary;
(2) The interchange of equipment between motor common carriers in the performance of transportation regulated by the Secretary;
(3) To provide written lease requirements for authorized carriers that do not own their transportation equipment; and
(4) To set forth requirements for carriers to obtain exemptions for lease arrangements.
o. Regulations that apply to the transportation by motor vehicle of C.O.D. shipments by all common carriers of property subject to 49 U.S.C. 13702, except such transportation which is auxiliary to or supplemental of transportation by railroad and performed on railroad bills of lading, and for such transportation that is performed by freight forwarders and on freight forwarder bills of lading for the following activities:
(1) Tariff filing requirements;
(2) Extension of credit to shippers;
(3) Presentation of freight bills; and

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(4) Computing time for shipments.
p. Regulations that govern the processing of claims for overcharge, duplicate payment, or over-collection for the transportation of property in interstate commerce or foreign commerce by motor carriers for information concerning how to document and investigate claims, keep records, and dispose of claims.
q. Regulations implementing record preservation procedures for motor carriers, brokers, and household goods freight forwarders, including record types retained and retention periods.
r. Regulations implementing employer controlled substances and alcohol use and testing procedures designed to prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles who:
(1) Operate a commercial motor vehicle (as defined in 49 CFR 382.107) in commerce in any State; and
(2) Are required by 49 CFR part 383 to possess a commercial driver's license (CDL).
(3) Examples of the topics covered include rules prescribing activities for:
(A) Pre-employment controlled substances test requirements;
(B) Random, post accident, reasonable suspicion, return to duty and follow-up alcohol and controlled substances testing procedures for employers and employees;
(C) Random testing rates,
(D) Requirements for drivers to report immediately to a specimen collection site; and
(E) An action required by employers if an employee has a positive test result, and recordkeeping.
s. Regulations intended to help reduce or prevent truck and bus accidents, fatalities, and injuries by requiring drivers to have a single commercial motor vehicle driver's license and by disqualifying drivers who operate commercial motor vehicles in an unsafe manner and provide for:
(1) A prohibition against a commercial motor vehicle driver having more than one commercial motor vehicle driver's license;
(2) A requirement for drivers to notify their current employer and State of domicile of certain convictions;
(3) A requirement for drivers to provide previous employment information when applying for employment as an operator of a commercial motor vehicle;
(4) A prohibition against an employer allowing a person with a suspended license to operate a commercial motor vehicle;
(5) Periods of disqualification and penalties for those persons convicted of certain criminal and other offenses and serious traffic violations, or subject to any suspensions, revocations, or cancellations of certain driving privileges; testing and licensing requirements for commercial motor vehicle operators;
(6) A requirement for States to give knowledge and skills tests to all qualified applicants for commercial drivers' licenses which meet the Federal standard; and
(7) Requirements for the State-issued commercial license documentation.
t. Regulations to ensure that the States comply with the provisions of the Commercial Motor Vehicle Safety Act of 1986, by:
(1) Including the minimum standards for the actions States must take to be in substantial compliance with each of the statutory requirements of 49 U.S.C. 31311(a); and
(2) Having the appropriate laws, regulations, programs, policies, procedures and information systems concerning the qualification and licensing of persons who apply for a commercial driver's license, and persons who are issued a commercial driver's license.
And, establish procedures for:
(1) Determining whether a State is in compliance with the rules of this part; and
(2) The consequences of State noncompliance.
u. Regulations implementing rules of practice for motor carrier, broker, freight forwarder and hazardous materials proceedings before the Assistant Administrator/Chief Safety Officer, under applicable provisions of the Federal Motor Carrier Safety Regulations (49 CFR parts 350-399), including the commercial regulations (49 CFR parts 360-379) and the Hazardous Materials Regulations (49 CFR parts 171-180) to determine whether:
(1) A motor carrier, property broker, freight forwarder, or its agents, employees, or any other person subject to the jurisdiction of the FMCSA, has failed to comply with the provisions or requirements of applicable statutes and the corresponding regulations; and,
(2) To issue an appropriate order to compel compliance with the statute or regulation, assess a civil penalty, or both if such violations are found.
v. Regulations prescribing the minimum levels of financial responsibility required to be maintained by motor carriers of property and passengers operating motor vehicles in interstate, foreign, or intrastate commerce.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

w. Regulations to enable States to enter into cooperative agreements with the FMCSA to enforce the safety laws and regulations of a State and the agency concerning motor carrier transportation by filing a written acceptance of the terms.
x. Regulations implementing procedures for the issuance, amendment, revision and rescission of Federal motor carrier regulations (e.g. , the establishment of procedural rules that would provide general guidance on how the agency manages its notice-and-comment rulemaking proceedings, including the handling of petitions for rulemakings, waivers, exemptions, and reconsiderations, and how it manages delegations of authority to carry out certain rulemaking functions).
y. Regulations implementing:
(1) Aiding or abetting prohibitions;
(2) Motor carrier identification and registration reports, including Performance and Registration Information Systems Management program registrations;
(3) Motor carrier and driver assistance with routine accident investigations;
(4) Relief during regional and local emergencies, including tow trucks responding to emergencies;
(5) Locations where motor carriers, drivers, brokers, and freight forwarders must store records;
(6) Requirements about motor carriers, drivers, brokers, and freight forwarders copies of records; and
(7) Prohibitions on motor carriers, agents, officers, representatives, and employees from making fraudulent or intentionally false statements on any application, certificate, report, or record, including interstate motor carrier noise emission applications, certificates, reports, or records required by FMCSA.
z. Regulations establishing:
(1) The minimum qualifications for persons who drive CMVs as, for, or on behalf of motor carriers; and
(2) The minimum duties of motor carriers with respect to the qualifications of their drivers.
aa. Regulations requiring motor carriers, their officers, drivers, agents, representatives, and employees directly in control of CMVs to inspect, repair, and provide maintenance for every CMV used on a public road.
bb. Regulations concerning vehicle operation safety standards (e.g. , regulations requiring: Certain motor carriers to use approved equipment which is required to be installed such as an ignition cut-off switch, or carried on board, such as a fire extinguisher, and/or stricter blood alcohol concentration (BAC) standards for drivers, etc.), equipment approval, and/or equipment carriage requirements (e.g. fire extinguishers and flares).
cc. Special local regulations issued in conjunction with a motor vehicle rodeo or motor vehicle parade; provided that, if a permit is required, the environmental analysis conducted for the permit included an analysis of the impact of the regulations.
dd. Regulations concerning rules of the road, traffic services, and marking of intelligent transportation systems.
7. Recreational Activities and Events
a. Approval of recreational activities or events (such as an FMCSA picnic) at a location developed or created for that type of activity.
b. Approvals of motor vehicle rodeo and motor vehicle parade event permits for the following events:
(1) Events that are not located in, proximate to, or above an area designated environmentally sensitive by an environmental agency of the Federal, State, or local government. For example, environmentally sensitive areas may include such areas as critical habitats or migration routes for endangered or threatened species or important fish or shellfish nursery areas.
(2) Events that are located in, proximate to, or above an area designated as environmentally sensitive by an environmental agency of the Federal, State, or local government and for which the FMCSA determines, based on consultation with the Governmental agency, that the event will not significantly affect the environmentally sensitive area.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

**Department of Transportation (DOT)
Categorical Exclusions (CE)**

Federal Railroad Administration (FRA)

§771.116 FRA categorical exclusions.

https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=53d557efda087e7a5514dc356e125122&rgn=div5&view=text&node=23:1.0.1.8.43&idno=23#se23.1.771_116

(a) CEs are actions that meet the definition contained in 40 CFR 1508.4, and, based on FRA's past experience with similar actions, do not involve significant environmental impacts. They are actions that 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 that normally would be classified as a CE but could involve unusual circumstances will require FRA, 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) requirements 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) Actions that FRA determines fall within the following categories of FRA CEs and that meet the criteria for CEs in the CEQ regulation (40 CFR 1508.4) and paragraph (a) of this section may be designated as CEs only after FRA approval. FRA may request the applicant or project sponsor submit documentation to demonstrate that the specific conditions or criteria for these CEs are satisfied and that significant environmental effects will not result.

(1) Administrative procurements (e.g., for general supplies) and contracts for personal services, and training.

(2) Personnel actions.

(3) Planning or design activities that do not commit to a particular course of action affecting the environment.

(4) Localized geotechnical and other investigations to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores for soil sampling; archeological investigations for archeology resources assessment or similar survey; and wetland surveys.

(5) Internal orders, policies, and procedures not required to be published in the Federal Register under the Administrative Procedure Act, 5 U.S.C. 552(a)(1).

(6) Rulemakings issued under section 17 of the Noise Control Act of 1972, 42 U.S.C. 4916.

(7) Financial assistance to an applicant where the financial assistance funds an activity that is already completed, such as refinancing outstanding debt.

(8) Hearings, meetings, or public affairs activities.

(9) Maintenance or repair of existing railroad facilities, where such activities do not change the existing character of the facility, including equipment; track and bridge structures; electrification, communication, signaling, or security facilities; stations; tunnels; maintenance-of-way and maintenance-of-equipment bases.

(10) Emergency repair or replacement, including reconstruction, restoration, or retrofitting, of an essential rail facility damaged by the occurrence of a natural disaster or catastrophic failure. Such repair or replacement may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the rail facility's original construction.

(11) Operating assistance to a railroad to continue existing service or to increase service to meet demand, where the assistance will not significantly alter the traffic density characteristics of existing rail service.

(12) Minor rail line additions, including construction of side tracks, passing tracks, crossovers, short connections between existing rail lines, and new tracks within existing rail yards or right-of-way, provided that such additions are not inconsistent with existing zoning, do not involve acquisition of a significant amount of right-of-way, and do not significantly alter the traffic density characteristics of the existing rail lines or rail facilities.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(13) Acquisition or transfer of real property or existing railroad facilities, including track and bridge structures; electrification, communication, signaling or security facilities; stations; and maintenance of way and maintenance of equipment bases or the right to use such real property and railroad facilities, for the purpose of conducting operations of a nature and at a level of use similar to those presently or previously existing on the subject properties or facilities.
(14) Research, development, or demonstration activities on existing railroad lines or facilities, such as advances in signal communication or train control systems, equipment, or track, provided that such activities do not require the acquisition of a significant amount of right-of-way and do not significantly alter the traffic density characteristics of the existing rail line or facility.
(15) Promulgation of rules, the issuance of policy statements, the waiver or modification of existing regulatory requirements, or discretionary approvals that do not result in significantly increased emissions of air or water pollutants or noise.
(16) Alterations to existing facilities, locomotives, stations, and rail cars in order to make them accessible for the elderly and persons with disabilities, such as modifying doorways, adding or modifying lifts, constructing access ramps and railings, modifying restrooms, and constructing accessible platforms.
(17) The rehabilitation, reconstruction or replacement of bridges, the rehabilitation or maintenance of the rail elements of docks or piers for the purposes of intermodal transfers, and the construction of bridges, culverts, or grade separation projects that are predominantly within existing right-of-way and that do not involve extensive in-water construction activities, such as projects replacing bridge components including stringers, caps, piles, or decks, the construction of roadway overpasses to replace at-grade crossings, construction or reconstruction of approaches or embankments to bridges, or construction or replacement of short span bridges.
(18) Acquisition (including purchase or lease), rehabilitation, transfer, or maintenance of vehicles or equipment, including locomotives, passenger coaches, freight cars, trainsets, and construction, maintenance or inspection equipment, that does not significantly alter the traffic density characteristics of an existing rail line.
(19) Installation, repair and replacement of equipment and small structures designed to promote transportation safety, security, accessibility, communication or operational efficiency that take place predominantly within the existing right-of-way and do not result in a major change in traffic density on the existing rail line or facility, such as the installation, repair or replacement of surface treatments or pavement markings, small passenger shelters, passenger amenities, benches, signage, sidewalks or trails, equipment enclosures, and fencing, railroad warning devices, train control systems, signalization, electric traction equipment and structures, electronics, photonics, and communications systems and equipment, equipment mounts, towers and structures, information processing equipment, and security equipment, including surveillance and detection cameras.
(20) Environmental restoration, remediation, pollution prevention, and mitigation activities conducted in conformance with applicable laws, regulations and permit requirements, including activities such as noise mitigation, landscaping, natural resource management activities, replacement or improvement to storm water oil/water separators, installation of pollution containment systems, slope stabilization, and contaminated soil removal or remediation activities.
(21) Assembly or construction of facilities or stations that are consistent with existing land use and zoning requirements, do not result in a major change in traffic density on existing rail or highway facilities, and result in approximately less than ten acres of surface disturbance, such as storage and maintenance facilities, freight or passenger loading and unloading facilities or stations, parking facilities, passenger platforms, canopies, shelters, pedestrian overpasses or underpasses, paving, or landscaping.
(22) Track and track structure maintenance and improvements when carried out predominantly within the existing right-of-way that do not cause a substantial increase in rail traffic beyond existing or historic levels, such as stabilizing embankments, installing or reinstalling track, re-grading, replacing rail, ties, slabs and ballast, installing, maintaining, or restoring drainage ditches, cleaning ballast, constructing minor curve realignments, improving or replacing interlockings, and the installation or maintenance of ancillary equipment.
(d) Any action qualifying as a CE under 771.117 or 771.118 may be approved by FRA when the applicable requirements of those sections have been met. FRA may consult with FHWA or FTA to ensure the CE is applicable to the proposed action.

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

**Department of Transportation (DOT)
Categorical Exclusions (CE)**

Federal Transit Administration (FTA)

§771.118 FTA categorical exclusions.

https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=53d557efda087e7a5514dc356e125122&rgn=div5&view=text&node=23:1.0.1.8.43&idno=23#se23.1.771_1118

(a) CEs are actions that meet the definition contained in 40 CFR 1508.4, and, based on FTA's past experience with similar actions, do not involve significant environmental impacts. They are actions that: 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 that normally would be classified as a CE but could involve unusual circumstances will require FTA, 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) requirements 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) Actions that FTA determines fall within the following categories of FTA CEs and that meet the criteria for CEs in the CEQ regulation (40 CFR 1508.4) and paragraph (a) of this section normally do not require any further NEPA approvals by FTA.

(1) Acquisition, installation, operation, evaluation, replacement, and improvement of discrete utilities and similar appurtenances (existing and new) within or adjacent to existing transportation right-of-way, such as: utility poles, underground wiring, cables, and information systems; and power substations and utility transfer stations.

(2) Acquisition, construction, maintenance, rehabilitation, and improvement or limited expansion of stand-alone recreation, pedestrian, or bicycle facilities, such as: a multiuse pathway, lane, trail, or pedestrian bridge; and transit plaza amenities.

(3) Activities designed to mitigate environmental harm that cause no harm themselves or to maintain and enhance environmental quality and site aesthetics, and employ construction best management practices, such as: noise mitigation activities; rehabilitation of public transportation buildings, structures, or facilities; retrofitting for energy or other resource conservation; and landscaping or re-vegetation.

(4) Planning and administrative activities that do not involve or lead directly to construction, such as: training, technical assistance and research; promulgation of rules, regulations, directives, or program guidance; approval of project concepts; engineering; and operating assistance to transit authorities to continue existing service or increase service to meet routine demand.

(5) Activities, including repairs, replacements, and rehabilitations, designed to promote transportation safety, security, accessibility and effective communication within or adjacent to existing right-of-way, such as: the deployment of Intelligent Transportation Systems and components; installation and improvement of safety and communications equipment, including hazard elimination and mitigation; installation of passenger amenities and traffic signals; and retrofitting existing transportation vehicles, facilities or structures, or upgrading to current standards.

(6) Acquisition or transfer of an interest in real property that is not within or adjacent to recognized environmentally sensitive areas (e.g., wetlands, non-urban parks, wildlife management areas) and does not result in a substantial change in the functional use of the property or in substantial displacements, such as: acquisition for scenic easements or historic sites for the purpose of preserving the site. This CE extends only to acquisitions and transfers that will not limit the evaluation of alternatives for future FTA-assisted projects that make use of the acquired or transferred property.

(7) Acquisition, installation, rehabilitation, replacement, and maintenance of vehicles or equipment, within or accommodated by existing facilities, that does not result in a change in functional use of the facilities, such as: equipment to be located within existing facilities and with no substantial off-site impacts; and vehicles, including buses, rail cars, trolley cars, ferry boats and people movers that can be accommodated by existing facilities or by new facilities that qualify for a categorical exclusion.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(8) Maintenance, rehabilitation, and reconstruction of facilities that occupy substantially the same geographic footprint and do not result in a change in functional use, such as: improvements to bridges, tunnels, storage yards, buildings, stations, and terminals; construction of platform extensions, passing track, and retaining walls; and improvements to tracks and railbeds.
(9) Assembly or construction of facilities that is consistent with existing land use and zoning requirements (including floodplain regulations) and uses primarily land disturbed for transportation use, such as: buildings and associated structures; bus transfer stations or intermodal centers; busways and streetcar lines or other transit investments within areas of the right-of-way occupied by the physical footprint of the existing facility or otherwise maintained or used for transportation operations; and parking facilities.
(10) Development of facilities for transit and non-transit purposes, located on, above, or adjacent to existing transit facilities, that are not part of a larger transportation project and do not substantially enlarge such facilities, such as: police facilities, daycare facilities, public service facilities, amenities, and commercial, retail, and residential development.
(11) The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):
(i) Emergency repairs under 49 U.S.C. 5324; and
(ii) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:
(A) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and
(B) Is commenced within a 2-year period beginning on the date of the declaration.
(12) Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way means all real property interests acquired for the construction, operation, or mitigation of a project. This area includes the features associated with the physical footprint of the project including but not limited to the roadway, bridges, interchanges, culverts, drainage, clear zone, traffic control signage, landscaping, and any rest areas with direct access to a controlled access highway. This also includes fixed guideways, mitigation areas, areas maintained or used for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transportation power substations, transportation venting structures, and transportation maintenance facilities.
(13) Federally funded projects:
(i) That receive less than \$5,000,000 (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor, see www.fhwa.dot.gov or www.fta.dot.gov) of Federal funds; or
(ii) With a total estimated cost of not more than \$30,000,000 (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor, see www.fhwa.dot.gov or www.fta.dot.gov) and Federal funds comprising less than 15 percent of the total estimated project cost.
(14) Bridge removal and bridge removal related activities, such as in-channel work, disposal of materials and debris in accordance with applicable regulations, and transportation facility realignment.
(15) Preventative maintenance, including safety treatments, to culverts and channels within and adjacent to transportation right-of-way to prevent damage to the transportation facility and adjoining property, plus any necessary channel work, such as restoring, replacing, reconstructing, and rehabilitating culverts and drainage pipes; and, expanding existing culverts and drainage pipes.
(16) Localized geotechnical and other investigations to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores for soil sampling; archeological investigations for archeology resources assessment or similar survey; and wetland surveys.
(d) Additional actions that 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 FTA approval. The applicant must submit documentation that 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, restoring, rehabilitating, or reconstructing shoulders or auxiliary lanes (e.g., lanes for parking, weaving, turning, climbing).
(2) Bridge replacement or the construction of grade separation to replace existing at-grade railroad crossings.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

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| (3) Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed. |
| (i) Hardship acquisition is early acquisition of property by the applicant at the property owner's request to alleviate particular hardship to the owner, in contrast to others, because of an inability to sell his property. This is justified when the property owner can document on the basis of health, safety or financial reasons that remaining in the property poses an undue hardship compared to others. |
| (ii) Protective acquisition is done to prevent imminent development of a parcel that may be needed for a proposed transportation corridor or site. Documentation must clearly demonstrate that development of the land would preclude future transportation use and that such development is imminent. Advance acquisition is not permitted for the sole purpose of reducing the cost of property for a proposed project. |
| (4) Acquisition of right-of-way. No project development on the acquired right-of-way may proceed until the NEPA process for such project development, including the consideration of alternatives, has been completed. |
| (5) [Reserved] |
| (6) Facility modernization through construction or replacement of existing components. |
| (7) Minor transportation facility realignment for rail safety reasons, such as improving vertical and horizontal alignment of railroad crossings, and improving sight distance at railroad crossings. |
| (8) Modernization or minor expansions of transit structures and facilities outside existing right-of-way, such as bridges, stations, or rail yards. |
| (e) Any action qualifying as a CE under 771.116 or 771.117 may be approved by FTA when the applicable requirements of those sections have been met. FTA may consult with FHWA or FRA to ensure the CE is applicable to the proposed action. |
| (f) Where a pattern emerges of granting CE status for a particular type of action, FTA will initiate rulemaking proposing to add this type of action to the appropriate list of categorical exclusions in this section. |

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

**Department of Transportation (DOT)
Categorical Exclusions (CE)**

Maritime Administration (MARAD)

MARITIME ADMINISTRATION ACTIONS WHICH ARE NOT NORMALLY MAJOR ACTIONS SIGNIFICANTLY AFFECTING THE ENVIRONMENT (i.e., Categorical Exclusions)

Actions that do not individually or cumulatively have a significant effect on the environment are categorically excluded and thus do not require an environmental assessment or an environmental impact statement. The below listed actions are categorical exclusions for the Maritime Administration, except actions having an effect on properties on or eligible for listing on the National Register of Historic Places and in specific cases where there is or may be a significant environmental impact. In such exceptional cases, appendix 2 should be used to determine if preparation of an environmental assessment or impact statement is required.

1. Administrative procurements (e.g., general supplies), contracts for personal services, personnel actions, project amendments which do not significantly alter the environmental impact of an action; and operating or maintenance subsidies, ship financing guarantees, deferred tax programs, etc., not resulting in a change in the effect on the environment.
2. Research studies and activities, including those at the Computer-Aided Operations Research Facility, which do not involve the direct construction of facilities.
3. Internal orders and procedures not required to be published in the Federal Register; promulgation of rules, regulations, directives, and amendments thereto which do not require a regulatory impact analysis under section 3 of Executive Order 12291 or do not have potential to cause a significant effect on the environment; routine enforcement of statutes, rules, and safety and environmental standards and requirements, e.g., enforcement of statutes and rules regarding transfer of certain U.S.-flag vessels to any person not a citizen of the United States (sections 9, 37 when operative, and 41, Shipping Act, 1916, as amended) and enforcement of requirements for admission to the United States Merchant Marine Academy (section 1303, Merchant Marine Act, 1936, as amended and 46 CFR Part 310, Subpart C); and hearings, meetings, and public affairs activities.
4. Reconstruction, modification, modernization, replacement, repair, and maintenance (including emergency replacement, repair, or maintenance) of equipment, facilities, or structures which do not change substantially the existing character of the equipment/facility/structure.
5. Purchase, installation, or replacement of operating or maintenance equipment to be located within a Maritime Administration facility and with no significant physical impacts off the site.
6. Acquisition of land in which the property will not be modified, its use will not be changed, and displacements will not occur.
7. Project or program actions for which applicable environmental documentation has been prepared previously and environmental circumstances have not be subsequently changed.
8. Excessing and disposing of Maritime Administration personal or real property to the General Services Administration or otherwise, use of space in Maritime Administration-owned buildings or buildings which are constructed for or controlled by the General Services Administration; lease of existing buildings; lease of space for a term of one year or less; and renewal of existing leases that do not involve significant changes in use of the property.
9. Demolition and removal of buildings and other structures; water, sewage, electrical, gas, or other utility extensions of temporary duration; new gardening or landscaping, or the maintenance of existing landscape; filling of earth into previously excavated land with material compatible with the natural features of the site; minor trenching and backfilling where the surface is restored and excavated material is protected against wash and runoffs; grading on land with a slope of less than 10 percent; removal of obstructions on Maritime Administration property; and erosion control actions with no off-Maritime Administration property impact.
10. Construction on Maritime Administration installations of small (30,000 square feet or less) structures such as storage buildings, garages, small parking areas, foot or bicycle paths; installation of signs, fences, and security lighting; minor expansion of facilities which require no additional land; and where expansion is due to remodeling of space in current quarters or existing buildings.

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

National Aeronautics & Space Administration (NASA) Categorical Exclusions (CE)	
National Aeronautics & Space Administration (NASA)	
§1216.304 Categorical exclusions. https://www.ecfr.gov/cgi-bin/text-idx?SID=e91f3312934586fd065729a56876cbea&node=sp14.5.1216.1216_13&rgn=div6#se14.5.1216_1303	
(a) Categorical Exclusions (CatExs) are categories of Agency actions with no individually or cumulatively significant impact on the human environment and for which neither an EA nor an EIS is required. The use of a CatEx is intended to reduce paperwork, improve Government efficiency, and eliminate delays in the initiation and completion of proposed actions having no significant impact.	
(b) A proposed action may be categorically excluded if the action fits within a category of actions eligible for exclusion (such categories are listed in paragraph (d) of this section)), and the proposed action does not involve any extraordinary circumstances as described in paragraph (c) of this section:	
(c) Extraordinary circumstances that will preclude the use of CatExs occur when the proposed action:	
(1) Has a reasonable likelihood of having (individually or cumulatively) significant impacts on public health, safety, or the environment.	
(2) Imposes uncertain or unique environmental risks.	
(3) Is of significantly greater scope or size than is normal for this category of action.	
(4) Has a reasonable likelihood of violating Federal, federally recognized Indian tribe, State, and/or local law or requirements imposed for the protection of the environment.	
(5) May adversely affect environmentally sensitive resources, such as, but not limited to, federally listed threatened or endangered species, their designated critical habitat, wilderness areas, floodplains, wetlands, aquifer recharge areas, coastal zones, wild and scenic rivers, and significant fish or wildlife habitat, unless the impact has been resolved through another environmental review process; e.g., the Clean Water Act (CWA), the Coastal Zone Management Act (CZMA).	
(6) May adversely affect known national natural landmarks, or cultural or historic resources, including, but not limited to, property listed on or eligible for the National Register of Historic Places, unless the impact has been resolved through another environmental review process; e.g., the National Historic Preservation Act (NHPA).	
(d) The following actions normally do not have a significant effect on the human environment and are categorically excluded from the requirement to prepare an EA or EIS:	
(1) Administrative Activities including:	
(i) Personnel actions, organizational changes, and procurement of routine goods and services.	
(ii) Issuance of procedural rules, manuals, directives, and requirements.	
(iii) Program budget proposals, disbursements, and transfer or reprogramming of funds.	
(iv) Preparing documents, including design and feasibility studies, analytical supply and demand studies, reports and recommendations, master and strategic plans, and other advisory documents.	
(v) Information-gathering exercises, such as inventories, audits, studies.	
(vi) Preparing and disseminating information, including document mailings, publications, classroom materials, conferences, speaking engagements, websites, and other educational/informational activities.	
(vii) Software development, data analysis, and/or testing, including computer modeling.	
(viii) Interpretations, amendments, and modifications to contracts, grants, or other awards.	
(ix) Field studies, including water sampling, monitoring wells, cultural resources surveys, biological surveys, geologic surveys, modeling or simulations, routine data collection and analysis, and/or temporary equipment.	
(2) Operations and Management Activities including:	
(i) Routine maintenance, minor construction or rehabilitation, minor demolition, minor modification, minor repair, and continuing or altered operations at, or of, existing NASA or NASA-funded or -approved facilities and equipment, such as buildings, roads, grounds, utilities, communication systems, and ground support systems (e.g., space tracking and data systems). This includes routine operations such as security, public health and safety, and environmental services.	
(ii) Installing or removing equipment, including component parts, at existing Government or private facilities.	
(iii) Contributing equipment, software, technical advice, exchanging data, and consulting with other agencies and public and private entities.	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(iv) NASA ceremonies, commemorative events, and memorial services.
(v) Routine packaging, labeling, storage, transportation, and disposal of materials and wastes, in accordance with applicable Federal, state, Tribal, or local laws or requirements. Examples include but are not limited to hazardous, non-hazardous, and other regulated materials and wastes.
(vi) Habitat and species management activities conducted within the boundaries of NASA-controlled properties in accordance with applicable Federal, state, or local requirements. Examples include but are not limited to restoration of unique or critical habitat; thinning or brush control to improve growth of natural habitat, reduce invasive species, or reduce fire hazard; prescribed burning to reduce natural fuel build-up, reduce invasive species, or improve native plant vigor; planting appropriate vegetation that does not include noxious weeds or invasive plants; or wildlife management activities (REC required).
(vii) Small-scale, short-term cleanup actions under the Resource Conservation and Recovery Act or other authorities to reduce risk to human health or the environment from the release or imminent and substantial threat of release of a hazardous substance other than high-level radioactive waste and spent nuclear fuel, including treatment (such as incineration, encapsulation, physical or chemical separation, and compaction), recovery, storage, or disposal of wastes at existing facilities currently handling the type of waste involved in the action.
(viii) Replacement of existing energy sources with alternative or renewable energy sources that comply with existing permit conditions.
(ix) Routine maintenance, repair, and operation of vessels (including unmanned autonomous surface vessels), aircraft (including unmanned aircraft systems), overland/surface transportation vehicles, and other transportation systems as applicable. Examples include but are not limited to transportation or relocation of NASA equipment and hardware by barge, aircraft, or surface transportation system (e.g., tractor trailer or railroad); retrieval of spent solid rocket boosters by vessel; repair or overhaul of vessel, aircraft, or surface transportation systems that do not result in a change in the environmental impacts of their normal operation.
(3) Research, Development, and Science Activities including:
(i) Research, development, testing, and evaluation in compliance with all applicable Federal, state, Tribal, or local laws or requirements and Executive orders. This includes the research, development, testing, and evaluation of scientific instruments proposed for use on spacecraft, aircraft (including unmanned aircraft systems), sounding rockets, balloons, laboratories, watercraft, or other outdoor activities.
(ii) Use of small quantities of radioactive materials used for instrument detectors, calibration, and other purposes. Materials may be associated with the proposed use on spacecraft, aircraft (including unmanned aircraft systems), sounding rockets, balloons, laboratories, watercraft, or other outdoor activities.
(iii) Use of lasers for research and development, scientific instruments and measurements, and distance and ranging, where such use meets all applicable Federal, state, Tribal, or local laws or requirements and Executive orders. This includes lasers associated with spacecraft, aircraft (including unmanned aircraft systems), sounding rockets, balloons, laboratories, watercraft, or other outdoor activities.
(iv) Use of non-space nuclear system payloads on various platforms (e.g., launch vehicle, sounding rocket, scientific balloon, and aircraft) (REC required).
(v) Return of samples from solar system bodies (e.g., asteroids, comets, planets, dwarf planets, and planetary moons) to Earth when categorized as an Unrestricted Earth Return. NASA defines this activity as collecting extraterrestrial materials from solar system bodies, deemed by scientific opinion to have no indigenous life forms, and returning those samples to Earth (REC required).
(4) Real and Personal Property Activities including:
(i) Acquisition, transfer, or disposal of any personal property, or personal property rights or interests.
(ii) Granting or accepting easements, leases, licenses, rights-of-entry, and permits to use NASA property, or any non-NASA property, for activities that would be categorically excluded in accordance with this section (REC required).
(iii) Transfer or disposal of real property, property rights, or interests if a resulting change in use is a use that would be categorically excluded under this section (REC required).
(iv) Transferring real property administrative control to another Federal agency, including the return of public domain lands to the Department of the Interior (DoI) or other Federal agencies, and reporting of property as excess and surplus to the General Services Administration (GSA) for disposal, when the agency receiving administrative control (or GSA, following receipt of a report of excess) shall complete any necessary NEPA review prior to any change in land use (REC required).
(v) Acquisition of real property (including facilities) where the land use will not change substantially (REC required).
(vi) Change in the facility status of real property assets (e.g., active or inactive).

COUNCIL ON ENVIRONMENTAL QUALITY
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(vii) Reductions, realignments, or relocation of personnel into existing federally owned or commercially leased space that does not involve a substantial change affecting the supporting infrastructure (e.g., no increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase).

(5) Aircraft and Airfield Activities including:

- (i) Periodic aircraft (including unmanned aircraft systems) flight activities, including training and research and development, which are routine and comply with applicable Federal, state, Tribal, or local laws or requirements, and Executive orders.
- (ii) Relocation of similar aircraft (including unmanned aircraft systems) not resulting in a substantial increase in total flying hours, number of aircraft operations, operational parameters (e.g., noise), or permanent personnel or logistics support requirements at the receiving installation (REC required).
- (e) The Responsible Official shall review the proposed action in its early planning stage and consider the scope of the action, the potentially affected environment, and the degree of the reasonably foreseeable effects of the action to determine whether extraordinary circumstances exist that could result, either individually or cumulatively, in significant environmental impacts. If extraordinary circumstances exist, the Responsible Official must determine whether application of the categorical exclusion to the proposed action is appropriate or whether preparation of an EA or EIS is required

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

**Department of Transportation (DOT)
Categorical Exclusions (CE)**

Saint Lawrence Seaway Development Corporation (SLSDC)

[b. Categorical Exclusions.](#)

Categorical Exclusions. The following actions are not major Federal actions with a significant impact on the environment, and do not require either an environmental assessment or an environmental impact statement. In case of extraordinary circumstances whereby any of the following items, which are normally excluded, may have a significant effect on the environment, or cause substantial controversy, an environmental assessment or EIS will be prepared.

1. Administrative procurements (e.g. general supplies) and contracts for personal services
2. Personnel Actions (e.g. promotions, hiring)
3. Project amendments (e.g. increases in costs) which do not significantly alter the environmental impact of the action
4. Issuance of vessel passage permits as a matter of routine Seaway procedures
5. Amendments to the Seaway Regulations
6. Reconstruction, repair and maintenance of existing navigation aids and construction of new fixed aids
7. De-icing equipment and measures at the locks and lock approaches
8. Modifications to the Saint Lawrence Seaway Tariff of Tolls
9. Icebreaking: Icebreaking activity is limited to the intermediate pool and approximately three miles above Eisenhower Lock (vicinity of Metropolitan Petroleum Co.) and one-¹/₂ mile below Snell Lock (training dike area.)
10. Maintenance dredging; In some areas, the river bottom has high spots caused by silting in from the banks, anchor dragging and/or river current. In these areas, Maintenance dredging is required to maintain our congressionally mandated 27 ft. waterway. No other dredging will be allowed under this category. Our maintenance dredging is performed under specific permit conditions approved by the New York State Department of Environmental Conservation and the U.S. Army, Corps of Engineers.
11. Modifications to and maintenance of lock operating equipment, vessel traffic control equipment, buildings, grounds, floating plant, and existing facilities
12. Equipment purchases and operating expenses
13. Grants of leases, licenses, permits or easements for use of Corporation-owned property.

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<p style="text-align: center;">Department of Treasury (TREAS) Categorical Exclusions (CE)</p>	
Department of Treasury (TREAS)	
Appendix 1: Categorical Exclusions	
ADMINISTRATIVE AND REGULATORY ACTIVITIES. These categorical exclusions have the additional requirement to be conducted in conformance with Executive Orders 13423, Strengthening Federal Environmental, Energy, and Transportation Management, and 13514, Federal Leadership in Environmental, Energy, and Economic Performance.	
A1. Personnel actions, including recruiting, processing, paying, recordkeeping, and resource management; fiscal, general management, administrative activities, budgeting, other personnel actions, and travel.	
A2. Reductions, realignments, or relocation of personnel that do not result in exceeding the infrastructure capacity or change the use of space. An example of a substantial change in use of the supporting infrastructure would be an increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase.	
A3. Promulgation of rules, issuance of rulings or interpretations, and the development and publication of policies, orders, directives, notices, procedures, manuals, and other guidance documents of the following nature:	
(a) Those of a strictly administrative or procedural nature;	
(b) Those that adopt, without substantive change, statutory or regulatory requirements;	
(c) Those that implement, without substantive change, procedures, manuals, and other guidance documents;	
(d) Those that interpret or amend an existing regulation without changing its environmental effect;	
(e) Technical guidance on safety and security matters; or	
(f) Guidance for the preparation of security plans.	
A4. Information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents. If any of these activities result in proposals for further action, those proposals must be covered by an appropriate CE. Examples include but are not limited to:	
(a) Document mailings, publication and distribution, training and information programs, historical and cultural demonstrations, and public affairs actions.	
(b) Studies, reports, proposals, analyses, literature reviews; computer modeling; and non-intrusive information gathering activities.	
A5. Awarding of contracts for technical support services, ongoing management and operation of government facilities.	
A6. Procurement of non-hazardous goods and services, and storage, recycling, and disposal of non-hazardous materials and wastes, that complies with applicable requirements and is in support of routine administrative, operational, or maintenance activities. Storage activities must occur on improved land or in existing facilities. Examples of non-hazardous goods and services include, but are not limited to:	
(a) Office supplies,	
(b) Equipment,	
(c) Mobile assets,	
(d) Utility services,	
(e) Chemicals and low level radio nuclides for laboratory use,	
(f) Deployable emergency response supplies and equipment, and,	
(g) Waste disposal and contracts for waste disposal in established permitted landfills and facilities.	
A7. The commitment of resources, personnel, and funding to conduct audits, surveys, and data collection provided that the technology or procedure involved is well understood and there are no significant environmental impacts anticipated from it. If any of these commitments result in proposals for further action, those proposals must be covered by an appropriate CE. Examples include, but are not limited to:	
(a) Activities designed to support improvement or upgrade of management of natural resources, such as surveys for threatened and endangered species, wildlife and wildlife habitat, historic properties, and archeological sites; wetland delineations; minimal water, air, waste, material and soil sampling; audits, photography, and interpretation;	
(b) Minimally-intrusive geological, geophysical, and geo-technical activities, including mapping and engineering surveys.	
(c) Conducting Facility Audits, Environmental Site Assessments and Environmental Baseline Surveys, and,	
(d) Vulnerability, risk, and structural integrity assessments of infrastructure.	
OPERATIONAL ACTIVITIES.	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

B1. Research, development, testing, and evaluation activities, or laboratory operations conducted within existing enclosed facilities consistent with previously established safety levels and in compliance with applicable federal, tribal, state, and local requirements to protect the environment when it will result in no, or de minimis change in the use of the facility. If the operation will increase the extent of potential significant environmental impacts or is controversial, an EA (and possibly an EIS) is required.
B2. Transportation of personnel, equipment, and evidentiary materials in wheeled vehicles over existing roads or jeep trails established by federal, tribal, state, or local governments.
B3. Use and operation of an existing structure that would be compatible with and similar in scope to its ongoing functional uses and would be consistent with previously established safety levels and in compliance with applicable federal, tribal, state, or local requirements to protect the environment.
B4. Support for or participation in short-lived, beneficial community projects that do not involve construction, or significant physical alteration of the environment. Examples include, but are not limited to:
(a) Earth Day activities
(b) Cleanup of rivers and parkways, and
(c) Participation in "team building" activities.
B5. Approval of recreational or public activities or events at a location typically used for that type and scope (size and intensity) of activity that would not involve significant physical alteration of the environment. Examples include, but are not limited to:
(a) Picnics, and
(b) Interpretive programs for historic and cultural resources, such as programs in conjunction with state and tribal Historic Preservation Officers, or with local historic preservation or re-enactment groups.
B6. Initial assignment or realignment of vehicles to existing operational facilities that have the capacity to accommodate such vehicles or where supporting infrastructure changes will be minor.
B7. Acquisition, installation, maintenance, operation, or evaluation of security equipment to protect people and materials at existing facilities and the eventual removal and disposal of that equipment in compliance with applicable federal, tribal, state, and local requirements to protect the environment. Examples of the equipment include, but are not limited to:
(a) Low-level x-ray devices,
(b) Cameras and biometric devices,
(c) Passive inspection devices,
(d) Detection or security systems, and,
(e) Access controls, screening devices, and traffic management systems.
(f) Alarms
(g) Fences and temporary barriers
(h) Preventative security systems
B8. Identification, inspections, surveys, or sampling, testing, seizures, quarantines, removals, sanitization, and monitoring of items that cause little or no physical alteration of the environment.
B9. Routine monitoring and surveillance activities that support law enforcement such as patrols, investigations, and intelligence gathering, but not including any construction activities. This CE would primarily encompass a variety of daily activities performed by Treasury emergency management, operations centers and security personnel.
REAL ESTATE ACTIVITIES.
C1. Acquisition of an interest in real property and all facilities on such property that is not within or adjacent to environmentally protected areas, including interests less than a fee simple, by purchase, lease, assignment, easement, condemnation, or donation, which does not result in a change in the functional use of the property.
C2. Lease extensions, renewals, or succeeding leases for real property and all facilities on such property where there is no change in the facility's use and all environmental permits have been acquired and are current.
C3. Transfer of administrative control over real property, including related personal property, between another federal agency and Treasury that does not result in a change in the functional use of the property.
C4. Determination that real property is excess to the needs of the Treasury and, in the case of acquired real property, the subsequent reporting of such determination to the General Services Administration.
REPAIR AND MAINTENANCE ACTIVITIES.
D1. Minor renovations and additions to buildings, roads, grounds, equipment, and other facilities that do not result in a change in the functional use of the real property (e.g. realigning interior spaces of an existing building, adding a small storage shed to an existing building, retrofitting for energy conservation, or installing a small antenna on a building roof).

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D2. Routine upgrade, repair, maintenance, or replacement of equipment and vehicles, or other mobile assets (such as emergency generators) which is substantially the same as that routinely performed by private sector owners.
D3. Repair and maintenance of Treasury-managed buildings, roads, grounds, and other facilities which do not result in a change in functional use (e.g. replacing a roof, painting a building, resurfacing a road, common pest control activities, restoration of trails and firebreaks, culvert maintenance, grounds maintenance, existing security systems that do not require individual regulatory permits).
D4. Reconstruction and/or repair by replacement of existing utilities in an existing right-of-way or easement.
CONSTRUCTION, INSTALLATION, AND DEMOLITION ACTIVITIES.
E1. Installation, operation, maintenance, and removal of utility and communication systems (such as mobile antennas, data processing cable, and similar electronic equipment) that use existing rights-of-way, easements, utility distribution systems, and/or associated facilities.
E2. Addition to an existing structure or improvement of land where all of the following conditions are met:
(a) The structure and proposed use are compatible with applicable federal, tribal, state, and local planning and zoning standards and consistent with federally approved state coastal management programs,
(b) The site is in a previously disturbed location,
(c) The proposed use will not substantially increase the number of motor vehicles at the facility or in the area,
(d) The site and scale of construction or improvement are consistent with those of existing, adjacent, or nearby buildings, and,
(e) The construction or improvement will not result in uses that exceed existing support infrastructure capacities (roads, sewer, water, parking, etc.).
(f) The original footprint of a Treasury facility is not increased by more than 10 percent.
E3. Acquisition, installation, operation, and maintenance of equipment, devices, and/or controls necessary to mitigate effects of Treasury's actions on health and the environment. Examples include but are not limited to:
(a) Installation of new emissions and pollution control equipment whose new emissions are minor or offset by emission credits or by the removal of other equipment and it does not result in increased air emissions. The installation is done in compliance with all Federal, state, local and tribal requirements. Examples include adding new equipment for printing currency while using credits to offset the emissions;
(b) Noise abatement measures, including construction of noise barriers, installation of noise control materials, or planting native trees and/or native vegetation for use as a noise abatement measure, and,
(c) Devices to protect human or animal life, such as raptor electrocution prevention devices, fencing and grating to prevent accidental entry to hazardous or restricted areas, and rescue beacons to protect human life.
E4. Removal or demolition, along with subsequent disposal of debris to permitted or authorized off-site locations, of non-historic buildings, structures, other improvements, and/or equipment in compliance with applicable environmental and safety requirements.
E5. Natural resource management activities to enhance native flora and fauna, including site preparation, and landscaping.
E6. Reconstruction of roads on Treasury facilities, where runoff, erosion, and sedimentation issues are mitigated through implementation of best management practices as described in EPA's National Menu of Best Management Practices for Stormwater Phase II.
E7. Construction of physical fitness and training trails for non-motorized use on Treasury facilities in areas that are not environmentally protected, where run-off, erosion, and sedimentation are mitigated through implementation of best management practices.
HAZARDOUS/RADIOACTIVE MATERIALS MANAGEMENT AND OPERATIONS.
F1. Routine procurement, transportation, distribution, use storage, and off-site disposal of hazardous materials that comply with all applicable federal, state, local, and tribal requirements.
F2. Reuse, recycling, and disposal of solid, medical, radiological, and hazardous waste generated incidental to Treasury activities that comply with applicable federal, state, local, and tribal requirements. Examples include but are not limited to:
(a) Appropriate treatment and disposal of medical waste conducted in accordance with all federal, state, local and tribal laws and regulations,
(b) Temporary storage and disposal of solid waste, conducted in accordance with all federal, state, local and tribal laws and regulations,
(c) Disposal of radiological waste through manufacturer return and recycling programs, and,
(d) Hazardous waste minimization activities.

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F3. Use (that may include the processes of installation, maintenance, non-destructive testing, and calibration), transport, and storage of hand-held, mobile or stationary instruments, containing sealed radiological and radioactive materials, to screen for possible security violations in compliance with commercial manufacturers' specifications, as well as applicable federal requirements to protect the human environment. Examples of such instruments include but are not limited to:

(a) Gauging devices, tracers, and other analytical instruments,

(b) Instruments used in industrial radiography,

(c) Systems used in medical and veterinary practices and,

(d) Nuclear Regulatory Commission (NRC) approved, sealed, small source radiation devices for scanning vehicles and packages where radiation exposure to employees or the public does not exceed 0.1 rem per year and where systems are maintained within the NRC license parameters at existing facilities.

TRAINING AND EXERCISES.

G1. Training of security personnel using existing facilities where the training occurs in accordance with applicable permits and other requirements for the protection of the environment. This exclusion does not apply to training that involves the use of live chemical, biological, or radiological agents except when conducted at a location designed and constructed to contain the materials used for that training. Examples include but are not limited to:

(a) Administrative or classroom training,

(b) Vehicle operation training,

(c) Security specialties,

(d) Crowd control training,

(e) Enforcement response, self-defense, and interdiction techniques training, and,

(f) Techniques for use in fingerprinting and drug analysis

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COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

**Department of Veterans Affairs (VA)
Categorical Exclusions (CE)**

Department of Veterans Affairs (VA)

§26.6 Environmental documents

<https://www.ecfr.gov/cgi-bin/text-idx?SID=72ea18f696b857b68a2bdf78c4c9052&node=pt38.2.26&rgn=div5>

(b) *Categorical Exclusions.* A categorical exclusion is a “category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal Agency in implementation of these regulations . . . and for which, therefore, neither an environmental assessment (see subparagraph (c), *infra*) or an environmental impact statement is required.” CEQ Regulations, 40 CFR 1508.4.

(1) Typical classes of action which normally do not require either an Environmental Impact Statement or an Environmental Assessment:

- (i) Repair, replacement, and new installation of primary or secondary electrical distribution systems;
- (ii) Repair, replacement, and new installation of components such as windows, doors, roofs; and site elements such as sidewalks, patios, fences, retaining walls, curbs, water distribution lines, and sewer lines which involve work totally within VA property boundaries;
- (iii) Routine VA grounds and facility maintenance activities;
- (iv) Procurement activities for goods and services for routing facility operations maintenance and support;
- (v) Interior construction or renovation;
- (vi) New construction of 75,000 gross square feet or less;
- (vii) Development of 20 acres of land or less within an existing cemetery, or development on acquired land of five acres or less;
- (viii) Actions which involve support or ancillary appurtenances for normal operation;
- (ix) Leases, licenses, permits, and easements;
- (x) Reduction in force resulting from workload adjustments, reduced personnel or funding levels, skill imbalances or other similar causes;
- (xi) VA policies, actions and studies which do not significantly affect the quality of the human environment;
- (xii) Preparation of regulations, directives, manuals or other guidance that implement, but do not substantially change, the regulations, directives, manuals, or other guidance of higher organizational levels or another Federal agency; and
- (xiii) Actions, activities, or programs that do not require expenditure of Federal funds.

(2) Specific criteria for typical classes of action which normally do not require either an Environmental Impact Statement or an Environmental Assessment:

- (i) Minimal or no effect on the environment;
- (ii) No significant change to existing environmental conditions;
- (iii) No significant cumulative environmental impact; and
- (iv) Similarity to Actions previously assessed with a finding of no significant impact.

(3) Extraordinary circumstances that must be considered by a VA element before categorically excluding a particular Department action:

- (i) Greater scope or size than normally experienced for a particular categorical exclusion;
- (ii) Actions in highly populated or congested areas;
- (iii) Potential for degradation, although slight, or existing poor environmental conditions;
- (iv) Use of unproven technology;
- (v) Potential presence of an endangered species, archeological remains, or other protected resources; or
- (vi) Potential presence of hazardous or toxic substances.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Agency for International Development (USAID) Categorical Exclusions (CE)</p>	
Agency for International Development (USAID)	
§216.2 Applicability of procedures. https://www.usaid.gov/environmental-procedures/22-cfr-216-agency-environmental-procedures#216.2	
(c) <i>Categorical exclusions.</i> (1) The following criteria have been applied in determining the classes of actions including in §216.2(c)(2) for which an Initial Environmental Examination, Environmental Assessment and Environmental Impact Statement generally are not required;	
(i) The action does not have an effect on the natural or physical environment;	
(ii) A.I.D. does not have knowledge of or control over, and the objective of A.I.D. in furnishing assistance does not require, either prior to approval of financing or prior to implementation of specific activities, knowledge of or control over, the details of the specific activities that have an effect on the physical and natural environment for which financing is provided by A.I.D.;	
(iii) Research activities which may have an effect on the physical and natural environment but will not have a significant effect as a result of limited scope, carefully controlled nature and effective monitoring.	
(2) The following classes of actions are not subject to the procedures set forth in §216.3, except to the extent provided herein;	
(i) Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.);	
(ii) Controlled experimentation exclusively for the purpose of research and field evaluation which are confined to small areas and carefully monitored;	
(iii) Analyses, studies, academic or research workshops and meetings;	
(iv) Projects in which A.I.D. is a minor donor to a multidonor project and there is no potential significant effects upon the environment of the United States, areas outside any nation's jurisdiction or endangered or threatened species or their critical habitat;	
(v) Document and information transfers;	
(vi) Contributions to international, regional or national organizations by the United States which are not for the purpose of carrying out a specifically identifiable project or projects;	
(vii) Institution building grants to research and educational institutions in the United States such as those provided for under section 122(d) and title XII of chapter 2 of part I of the FAA (22 USCA 2151 p. (b) 2220a. (1979));	
(viii) Programs involving nutrition, health care or population and family planning services except to the extent designed to include activities directly affecting the environment (such as construction of facilities, water supply systems, waste water treatment, etc.)	
(ix) Assistance provided under a Commodity Import Program when, prior to approval, A.I.D. does not have knowledge of the specific commodities to be financed and when the objective in furnishing such assistance requires neither knowledge, at the time the assistance is authorized, nor control, during implementation, of the commodities or their use in the host country.	
(x) Support for intermediate credit institutions when the objective is to assist in the capitalization of the institution or part thereof and when such support does not involve reservation of the right to review and approve individual loans made by the institution;	
(xi) Programs of maternal or child feeding conducted under title II of Pub. L. 480;	
(xii) Food for development programs conducted by food recipient countries under title III of Pub. L. 480, when achieving A.I.D.'s objectives in such programs does not require knowledge of or control over the details of the specific activities conducted by the foreign country under such program;	
(xiii) Matching, general support and institutional support grants provided to private voluntary organizations (PVOs) to assist in financing programs where A.I.D.'s objective in providing such financing does not require knowledge of or control over the details of the specific activities conducted by the PVO;	
(xiv) Studies, projects or programs intended to develop the capability of recipient countries to engage in development planning, except to the extent designed to result in activities directly affecting the environment (such as construction of facilities, etc.); and	
(xv) Activities which involve the application of design criteria or standards developed and approved by A.I.D.	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(3) The originator of a project, program or activity shall determine the extent to which it is within the classes of actions described in paragraph (c)(2) of this section. This determination shall be made in writing and be submitted with the PID, PAIP or comparable document. This determination, which must include a brief statement supporting application of the exclusion shall be reviewed by the Bureau Environmental Officer in the same manner as a Threshold Decision under §216.3(a)(2) of these procedures. Notwithstanding paragraph (c)(2) of this section, the procedures set forth in §216.3 shall apply to any project, program or activity included in the classes of actions listed in paragraph (c)(2) of this section, or any aspect or component thereof, if at any time in the design, review or approval of the activity it is determined that the project, program or activity, or aspect or component thereof, is subject to the control of A.I.D. and may have a significant effect on the environment.

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<p style="text-align: center;">Armed Forces Retirement Home (AFRH) Categorical Exclusions (CE)</p>	
Armed Forces Retirement Home (AFRH)	
Appendix A to 38 CFR Part 200—Categorical Exclusions	
https://www.ecfr.gov/current/title-38/chapter-II/part-200#Appendix-A-to-Part-200	
A.3 CATEXs—Requires No Documentation	
The following CATEXs require no documentation.	
(a) Granting a lease (<i>i.e.</i> , outlease), an easement, license, permit (<i>i.e.</i> , licenses to Federal entities), or other arrangements for Federal or non-Federal use of AFRH controlled real property, where such use will remain substantially the same in scope and intensity.	
(b) Extensions or renewals of leases, licenses or permits (<i>i.e.</i> , licenses to Federal entities) or succeeding leases, easements, licenses or permits whether AFRH is acting as grantor or grantee and there is no change in use of the facility.	
(c) Repair and alteration projects involving, but not adversely affecting, properties listed on or eligible for the National Register of Historic Places.	
(d) Repair to or replacement in kind of equipment or components in AFRH-controlled facilities without change in location, e.g., HVAC, electrical distribution systems, windows, doors or roof.	
(e) Disposal or other disposition of claimed or unclaimed personal property of deceased persons.	
(f) Supportive services that include health care and housing services, permanent housing placement, day care, nutritional services, collection of payment for services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services.	
(g) Normal personnel, fiscal, and administrative activities involving civilian personnel (recruiting, processing, paying, and records keeping).	
(h) Routine or minor facility maintenance, custodial, and groundskeeping activities such as window washing, lawn mowing, trash collecting, and snow removal that do not involve environmentally sensitive areas (such as eroded areas, wetlands, cultural sites, or areas with endangered/threatened species).	
(i) Environmental Site Assessment activities under RCRA and CERCLA;	
(j) Geological, geophysical, geochemical, and engineering surveys and mapping, including the establishment of survey marks;	
(k) Installation and operation of ambient air and noise monitoring equipment that does not include constructing or erecting towers;	
(l) Routine procurement of goods and services (complying with applicable procedures for sustainable or “green” procurement) to support operations and infrastructure, including routine utility services and contracts.	
(m) Routine movement/relocations of residents on site.	
A.4 CATEXs Requiring Documentation	
The following are categorical exclusions that require preparation of a checklist to ensure that no extraordinary circumstances exist that would require preparation of an EA or EIS. Checklists may be obtained from the Master Planner at 3700 North Capitol Street, NW., Washington, DC 20011.	
(a) Expansion or improvement of an existing facility where all of the following conditions are met:	
(a)(1) The structure and proposed use are substantially in compliance with local planning and zoning and any applicable State or Federal requirements;	
(a)(2) The proposed use will only slightly increase the number of motor vehicles at the facility;	
(a)(3) The site and the scale of construction are consistent with those of existing adjacent or nearby buildings; and	
(a)(4) There is no evidence of environmental controversy.	
(b) Transfer or disposal of real property to State or local agencies for preservation or protection of wildlife conservation and historic monument purposes.	
(c) Disposal of fixtures, related personal property, demountable structures, and transmission lines in accordance with management requirements.	
(d) Disposal of properties where the size, area, topography, and zoning are similar to existing surrounding properties and/or where current and reasonable anticipated uses are or would be similar to current surrounding uses (e.g., commercial store in a commercial strip, warehouse in an urban complex, office building in downtown area, row house or vacant lot in an urban area).	

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(e) Demolition, removal and disposal of debris from the demolition or improvement of buildings and other structures neither on nor eligible for listing on the National Register of Historic Places and when under applicable regulations (*i.e.*, removal of asbestos, polychlorinated biphenyls (PCBs), and other hazardous material) when other environmental laws and regulations will be satisfied prior to the of demolition, removal and disposal.

(f) Relocations and realignments of employees and/or residents from one geographic area to another that: Fall below the thresholds for reportable actions and do not involve related activities such as construction, renovation, or demolition activities that would otherwise require an EA or an EIS to impellent. This includes reorganization and reassignments with no changes in employee and/or resident status, and routine administrative reorganizations and consolidations.

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**Consumer Product Safety Commission (CPSC)
Categorical Exclusions (CE)**

Consumer Product Safety Commission (CPSC)

§1021.5 Categories of CPSC actions.

https://www.ecfr.gov/cgi-bin/text-idx?SID=9cb1aa80ff3a3962fb6c5a0d57b04a94&node=pt16.2.1021&rgn=div5#se16.2.1021_15

(a) There are no CPSC actions which ordinarily produce significant environmental effects. Therefore, there are no actions for which an environmental impact statement is normally required.

(b) The following categories of CPSC actions have the potential of producing environmental effects and therefore, normally require environmental assessments but not necessarily environmental impact statements:

(1) Regulatory actions dealing with health risks.

(2) Actions requiring the destruction or disposal of large quantities of products or components of products.

(3) Construction, relocation, or major renovation of CPSC facilities.

(4) Recommendations or reports to Congress on proposed legislation that will substantially affect the scope of CPSC authority or the use of CPSC resources, authorize construction or razing of facilities, or dislocate large numbers of employees.

(5) Enforcement actions which result in the widespread use of substitute products, which may present health risks.

(c) The following categories of CPSC actions normally have little or no potential for affecting the human environment; and therefore, neither an environmental assessment nor an environmental impact statement is required. (These categories are termed "categorical exclusions" in the NEPA regulations; see §§1507.3(b)(2) and 1508.4):

(1) Rules or safety standards to provide design or performance requirements for products, or revision, amendment, or revocation of such standards.

(2) Product certification or labeling rules.

(3) Rules requiring poison prevention packaging of products or exempting products from poison prevention packaging rules.

(4) Administrative proceedings to require individual manufacturers to give notice of and/or to correct, repair, replace, or refund the purchase price of banned or hazardous products. Other administrative adjudications which are primarily law enforcement proceedings.

(5) Recommendations or reports to Congress on proposed legislation to amend, delete or add procedural provisions to existing CPSC statutory authority.

(6) Decisions on petitions for rulemaking.

(7) Issuance of subpoenas, general orders, and special orders.

(d) In exceptional circumstances, actions within category in paragraph (c) of this section ("categorical exclusions") may produce effects on the human environment. Upon a determination by the Executive Director that a normally excluded proposed action may have such an effect, an environmental assessment and a finding of no significant impact or an environmental impact statement shall be prepared.

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**Environmental Protection Agency (EPA)
Categorical Exclusions (CE)**

Environmental Protection Agency (EPA)

§6.204 Categorical exclusions and extraordinary circumstances.

https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=6e61ef562a566bbadaf796974133037a&rgn=div5&view=text&node=40:1.0.1.1.6&idno=40#se40.1.6_1204

(a) A proposed action may be categorically excluded if the action fits within a category of action that is eligible for exclusion and the proposed action does not involve any extraordinary circumstances.

(1) Certain actions eligible for categorical exclusion require the Responsible Official to document a determination that a categorical exclusion applies. The documentation must include: A brief description of the proposed action; a statement identifying the categorical exclusion that applies to the action; and a statement explaining why no extraordinary circumstances apply to the proposed action. The Responsible Official must make a copy of the determination document available to the public upon request. The categorical exclusions requiring this documentation are listed in paragraphs (a)(1)(i) through (a)(1)(v) of this section.

(i) Actions at EPA owned or operated facilities involving routine facility maintenance, repair, and grounds-keeping; minor rehabilitation, restoration, renovation, or revitalization of existing facilities; functional replacement of equipment; acquisition and installation of equipment; or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities.

(ii) Actions relating to existing infrastructure systems (such as sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) that involve minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system components (such as the sewer collection network and treatment system; the system to collect, treat, store and distribute drinking water; and stormwater systems, including combined sewer overflow systems) or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities. This category does not include actions that: involve new or relocated discharges to surface or ground water; will likely result in the substantial increase in the volume or the loading of pollutant to the receiving water; will provide capacity to serve a population 30% greater than the existing population; are not supported by the state, or other regional growth plan or strategy; or directly or indirectly involve or relate to upgrading or extending infrastructure systems primarily for the purposes of future development.

(iii) Actions in unsewered communities involving the replacement of existing onsite systems, providing the new onsite systems do not result in substantial increases in the volume of discharge or the loadings of pollutants from existing sources, or relocate existing discharge.

(iv) Actions involving re-issuance of a NPDES permit for a new source providing the conclusions of the original NEPA document are still valid (including the appropriate mitigation), there will be no degradation of the receiving waters, and the permit conditions do not change or are more environmentally protective.

(v) Actions for award of grants authorized by Congress under EPA's annual Appropriations Act that are solely for reimbursement of the costs of a project that was completed prior to the date the appropriation was enacted.

(2) Certain actions eligible for categorical exclusion do not require the Responsible Official to document a determination that a categorical exclusion applies. These categorical exclusions are listed in paragraphs (a)(2)(i) through (a)(2)(x) of this section.

(i) Procedural, ministerial, administrative, financial, personnel, and management actions necessary to support the normal conduct of EPA business.

(ii) Acquisition actions (compliant with applicable procedures for sustainable or "green" procurement) and contracting actions necessary to support the normal conduct of EPA business.

(iii) Actions involving information collection, dissemination, or exchange; planning; monitoring and sample collection wherein no significant alteration of existing ambient conditions occurs; educational and training programs; literature searches and studies; computer studies and activities; research and analytical activities; development of compliance assistance tools; and architectural and engineering studies. These actions include those conducted directly by EPA and EPA actions relating to contracts or assistance agreements involving such actions.

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(iv) Actions relating to or conducted completely within a permanent, existing contained facility, such as a laboratory, or other enclosed building, provided that reliable and scientifically-sound methods are used to appropriately dispose of wastes and safeguards exist to prevent hazardous, toxic, and radioactive materials in excess of allowable limits from entering the environment. Where such activities are conducted at laboratories, the Lab Director or other appropriate official must certify in writing that the laboratory follows good laboratory practices and adheres to all applicable federal, state, local, and federally-recognized Indian tribal laws and regulations. This category does not include activities related to construction and/or demolition within the facility (see paragraph (a)(1)(i) of this section).
(v) Actions involving emergency preparedness planning and training activities.
(vi) Actions involving the acquisition, transfer, lease, disposition, or closure of existing permanent structures, land, equipment, materials or personal property provided that the property: Is either vacant or has been used solely for office functions; has never been used for laboratory purposes by any party; does not require site remediation; and will be used in essentially the same manner such that the type and magnitude of the impacts will not change substantially. This category does not include activities related to construction and/or demolition of structures on the property (see paragraph (a)(1)(i) of this section).
(vii) Actions involving providing technical advice to federal agencies, state or local governments, federally-recognized Indian tribes, foreign governments, or public or private entities.
(viii) Actions involving approval of EPA participation in international "umbrella" agreements for cooperation in environmental-related activities that would not commit the United States to any specific projects or actions.
(ix) Actions involving containment or removal and disposal of asbestos-containing material or lead-based paint from EPA owned or operated facilities when undertaken in accordance with applicable regulations.
(x) Actions involving new source NPDES permit modifications that make only technical corrections to the NPDES permit (such as correcting typographical errors) that do not result in a change in environmental impacts or conditions.
(b) The Responsible Official must review actions eligible for categorical exclusion to determine whether any extraordinary circumstances are involved. Extraordinary circumstances are listed in paragraphs (b)(1) through (b)(10) of this section. (See 40 CFR 1508.4.)
(1) The proposed action is known or expected to have potentially significant environmental impacts on the quality of the human environment either individually or cumulatively over time.
(2) The proposed action is known or expected to have disproportionately high and adverse human health or environmental effects on any community, including minority communities, low-income communities, or federally-recognized Indian tribal communities.
(3) The proposed action is known or expected to significantly affect federally listed threatened or endangered species or their critical habitat.
(4) The proposed action is known or expected to significantly affect national natural landmarks or any property with nationally significant historic, architectural, prehistoric, archeological, or cultural value, including but not limited to, property listed on or eligible for the National Register of Historic Places.
(5) The proposed action is known or expected to significantly affect environmentally important natural resource areas such as wetlands, floodplains, significant agricultural lands, aquifer recharge zones, coastal zones, barrier islands, wild and scenic rivers, and significant fish or wildlife habitat.
(6) The proposed action is known or expected to cause significant adverse air quality effects.
(7) The proposed action is known or expected to have a significant effect on the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) or growth and distribution of population including altering the character of existing residential areas, or may not be consistent with state or local government, or federally-recognized Indian tribe approved land use plans or federal land management plans.
(8) The proposed action is known or expected to cause significant public controversy about a potential environmental impact of the proposed action.
(9) The proposed action is known or expected to be associated with providing financial assistance to a federal agency through an interagency agreement for a project that is known or expected to have potentially significant environmental impacts.
(10) The proposed action is known or expected to conflict with federal, state or local government, or federally-recognized Indian tribe environmental, resource-protection, or land-use laws or regulations.
(c) The Responsible Official may request that an applicant submit sufficient information to enable the Responsible Official to determine whether a categorical exclusion applies to the applicant's proposed action or whether an exceptional circumstance applies. Pursuant to Subpart C of this part, applicants are not required to prepare EIDs for actions that are being considered for categorical exclusion.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(d) The Responsible Official must prepare an EA or EIS when a proposed action involves extraordinary circumstances.
(e) After a determination has been made that a categorical exclusion applies to an action, if new information or changes in the proposed action involve or relate to at least one of the extraordinary circumstances or otherwise indicate that the action may not meet the criteria for categorical exclusion and the Responsible Official determines that an action no longer qualifies for a categorical exclusion, the Responsible Official will prepare an EA or EIS.
(f) The Responsible Official, or other interested parties, may request the addition, amendment, or deletion of a categorical exclusion.
(1) Such requests must be made in writing, be directed to the NEPA Official, and contain adequate information to support and justify the request.
(2) Proposed new categories of actions for exclusion must meet these criteria:
(i) Actions covered by the proposed categorical exclusion generally do not individually or cumulatively have a significant effect on the human environment and have been found by EPA to have no such effect.
(ii) Actions covered by the proposed categorical exclusion generally do not involve extraordinary circumstances as set out in paragraphs (b)(1) through (b)(10) of this section and generally do not require preparation of an EIS; and
(iii) Information adequate to determine that a proposed action is properly covered by the proposed category will generally be available.
(3) The NEPA Official must determine that the addition, amendment, or deletion of a categorical exclusion is appropriate.
(g) Any addition, amendment, or deletion of a categorical exclusion will be done by rule-making and in coordination with CEQ pursuant to 40 CFR 1507.3 to amend paragraph (a)(1) or paragraph (a)(2) of this section.

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Federal Communications Commission (FCC) Categorical Exclusions (CE)
Federal Communications Commission (FCC)
§1.1306 Actions which are categorically excluded from environmental processing.
https://www.ecfr.gov/current/title-47/chapter-I/subchapter-A/part-1/subpart-I/section-1.1306
(a) Except as provided in §1.1307 (c) and (d), Commission actions not covered by §1.1307 (a) and (b) are deemed individually and cumulatively to have no significant effect on the quality of the human environment and are categorically excluded from environmental processing.
(b) Specifically, any Commission action with respect to any new application, or minor or major modifications of existing or authorized facilities or equipment, will be categorically excluded, provided such proposals do not:
(1) Involve a site location specified under §1.1307(a) (1)-(7), or
(2) Involve high intensity lighting under §1.1307(a)(8).
(3) Result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in §1.1307(b).
(c)(1) Unless §1.1307(a)(4) is applicable, the provisions of §1.1307(a) requiring the preparation of EAs do not encompass the construction of wireless facilities, including deployments on new or replacement poles, if:
(i) The facilities will be located in a right-of-way that is designated by a Federal, State, local, or Tribal government for communications towers, above-ground utility transmission or distribution lines, or any associated structures and equipment;
(ii) The right-of-way is in active use for such designated purposes; and
(iii) The facilities would not
(A) Increase the height of the tower or non-tower structure by more than 10% or twenty feet, whichever is greater, over existing support structures that are located in the right-of-way within the vicinity of the proposed construction;
(B) Involve the installation of more than four new equipment cabinets or more than one new equipment shelter;
(C) Add an appurtenance to the body of the structure that would protrude from the edge of the structure more than twenty feet, or more than the width of the structure at the level of the appurtenance, whichever is greater (except that the deployment may exceed this size limit if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable); or
(D) Involve excavation outside the current site, defined as the area that is within the boundaries of the leased or owned property surrounding the deployment or that is in proximity to the structure and within the boundaries of the utility easement on which the facility is to be deployed, whichever is more restrictive.
(2) Such wireless facilities are subject to §1.1307(b) and require EAs if their construction would result in human exposure to radiofrequency radiation in excess of the applicable health and safety guidelines cited in §1.1307(b).
Note 1: The provisions of §1.1307(a) requiring the preparation of EAs do not encompass the mounting of antenna(s) and associated equipment (such as wiring, cabling, cabinets, or backup-power), on or in an existing building, or on an antenna tower or other man-made structure, unless §1.1307(a)(4) is applicable. Such antennas are subject to §1.1307(b) of this part and require EAs if their construction would result in human exposure to radiofrequency radiation in excess of the applicable health and safety guidelines cited in §1.1307(b) of this part. The provisions of §1.1307 (a) and (b) of this part do not encompass the installation of aerial wire or cable over existing aerial corridors of prior or permitted use or the underground installation of wire or cable along existing underground corridors of prior or permitted use, established by the applicant or others. The use of existing buildings, towers or corridors is an environmentally desirable alternative to the construction of new facilities and is encouraged. The provisions of §1.1307(a) and (b) of this part do not encompass the construction of new submarine cable systems.
Note 2: The specific height of an antenna tower or supporting structure, as well as the specific diameter of a satellite earth station, in and of itself, will not be deemed sufficient to warrant environmental processing, see §1.1307 and §1.1308, except as required by the Bureau pursuant to the Note to §1.1307(d).
Note 3: The construction of an antenna tower or supporting structure in an established "antenna farm": (i.e., an area in which similar antenna towers are clustered, whether or not such area has been officially designated as an antenna farm), will be categorically excluded unless <i>one or more of the antennas to be mounted on the tower or structure are subject to the provisions of §1.1307(b) and the additional radiofrequency radiation from the antenna(s) on the new tower or structure would cause human exposure in excess of the applicable health and safety guidelines cited in §1.1307(b).</i>

COUNCIL ON ENVIRONMENTAL QUALITY
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**Federal Deposit Insurance Corporation (FDIC)
Categorical Exclusions (CE)**

Federal Deposit Insurance Corporation (FDIC)

<https://archive.fdic.gov/view/fdic/5214>

The CEQ regulations require Federal agencies to develop categorical exclusions as part of the agencies' NEPA procedures. 40 CFR 1507.3(b)(2)(ii). Accordingly, the FDIC is establishing categorical exclusions for all filings made by depository institutions pursuant to part 303 with the exception of applications for:

(1) Deposit insurance for de novo institutions.

(2) Establishment of a domestic branch, or relocation of a domestic branch or main office.

All other part 303 filings are subject to categorical exclusions and, therefore, require no further NEPA action. Consistent with the CEQ regulations, however, the FDIC may request additional information from applicants if extraordinary circumstances indicate that a normally categorically excluded action may have a significant environmental effect. Such extraordinary circumstances may exist, for example, where filings involve real property where endangered or threatened species, wetlands or floodplains may be present, where the applicant's proposed activity impacts cultural or historic sites, or where construction is proposed.

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Federal Energy Regulatory Commission (FERC) Categorical Exclusions (CE)
Federal Energy Regulatory Commission (FERC)
§380.4 Projects or actions categorically excluded.
https://www.ecfr.gov/current/title-18/chapter-I/subchapter-W/part-380/section-380.4
(a) <i>General rule.</i> Except as stated in paragraph (b) of this section, neither an environmental assessment nor an environmental impact statement will be prepared for the following projects or actions:
(1) Procedural, ministerial, or internal administrative and management actions, programs, or decisions, including procurement, contracting, personnel actions, correction or clarification of filings or orders, and acceptance, rejection and dismissal of filings;
(2)(i) Reports or recommendations on legislation not initiated by the Commission, and
(ii) Proposals for legislation and promulgation of rules that are clarifying, corrective, or procedural, or that do not substantially change the effect of legislation or regulations being amended;
(3) Compliance and review actions, including investigations (jurisdictional or otherwise), conferences, hearings, notices of probable violation, show cause orders, and adjustments under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA);
(4) Review of grants or denials by the Department of Energy (DOE) of any adjustment request, and review of contested remedial orders issued by DOE;
(5) Information gathering, analysis, and dissemination;
(6) Conceptual or feasibility studies;
(7) Actions concerning the reservation and classification of United States lands as water power sites and other actions under section 24 of the Federal Power Act;
(8) Transfers of water power project licenses and transfers of exemptions under Part I of the Federal Power Act and Part 9 of this chapter;
(9) Issuance of preliminary permits for water power projects under Part I of the Federal Power Act and Part 4 of this chapter;
(10) Withdrawals of applications for certificates under the Natural Gas Act, or for water power project preliminary permits, exemptions, or licenses under Part I of the Federal Power Act and Part 4 of this chapter;
(11) Actions concerning annual charges or headwater benefits, charges for water power projects under Parts 11 and 13 of this chapter and establishment of fees to be paid by an applicant for a license or exemption required to meet the terms and conditions of section 30(c) of the Federal Power Act;
(12) Approval for water power projects under Part I of the Federal Power Act, of “as built” or revised drawings or exhibits that propose no changes to project works or operations or that reflect changes that have previously been approved or required by the Commission;
(13) Surrender and amendment of preliminary permits, and surrender of water power licenses and exemptions where no project works exist or ground disturbing activity has occurred and amendments to water power licenses and exemptions that do not require ground disturbing activity or changes to project works or operation;
(14) Exemptions for small conduit hydroelectric facilities as defined in §4.30(b)(30) of this chapter under Part I of the Federal Power Act and Part 4 of this chapter;
(15) Electric rate filings submitted by public utilities under sections 205 and 206 of the Federal Power Act, the establishment of just and reasonable rates, and confirmation, approval, and disapproval of rate filings submitted by Federal power marketing agencies under the Pacific Northwest Electric Power Planning and Conservation Act, the Department of Energy Organization Act, and DOE Delegation Order No. 0204-108.
(16) Approval of actions under sections 4(b), 203, 204, 301, 304, and 305 of the Federal Power Act relating to issuance and purchase of securities, acquisition or disposition of property, merger, interlocking directorates, jurisdictional determinations and accounting orders;
(17) Approval of electrical interconnections and wheeling under sections 202(b), 210, 211, and 212 of the Federal Power Act, that would not entail:
(i) Construction of a new substation or expansion of the boundaries of an existing substation;
(ii) Construction of any transmission line that operates at more than 115 kilovolts (KV) and occupies more than ten miles of an existing right-of-way; or
(iii) Construction of any transmission line more than one mile long if located on a new right-of-way;

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(18) Approval of changes in land rights for water power projects under Part I of the Federal Power Act and Part 4 of this chapter, if no construction or change in land use is either proposed or known by the Commission to be contemplated for the land affected;
(19) Approval of proposals under Part I of the Federal Power Act and Part 4 of this chapter to authorize use of water power project lands or waters for gas or electric utility distribution lines, radial (sub-transmission) lines, communications lines and cables, storm drains, sewer lines not discharging into project waters, water mains, piers, landings, boat docks, or similar structures and facilities, landscaping or embankments, bulkheads, retaining walls, or similar shoreline erosion control structures;
(20) Action on applications for exemption under section 1(c) of the Natural Gas Act;
(21) Approvals of blanket certificate applications and prior notice filings under §157.204 and §§157.209 through 157.218 of this chapter;
(22) Approvals of blanket certificate applications under §§284.221 through 284.224 of this chapter;
(23) Producers' applications for the sale of gas filed under §§157.23 through 157.29 of this chapter;
(24) Approval under section 7 of the Natural Gas Act of taps, meters, and regulating facilities located completely within an existing natural gas pipeline right-of-way or compressor station if company records show the land use of the vicinity has not changed since the original facilities were installed, and no significant nonjurisdictional facilities would be constructed in association with construction of the interconnection facilities;
(25) Review of natural gas rate filings, including any curtailment plans other than those specified in §380.5(b)(5), and establishment of rates for transportation and sale of natural gas under sections 4 and 5 of the Natural Gas Act and sections 311 and 401 through 404 of the Natural Gas Policy Act of 1978;
(26) Review of approval of oil pipeline rate filings under Parts 340 and 341 of this chapter;
(27) Sale, exchange, and transportation of natural gas under sections 4, 5 and 7 of the Natural Gas Act that require no construction of facilities;
(28) Abandonment in place of a minor natural gas pipeline (short segments of buried pipe of 6-inch inside diameter or less), or abandonment by removal of minor surface facilities such as metering stations, valves, and taps under section 7 of the Natural Gas Act so long as appropriate erosion control and site restoration takes place;
(29) Abandonment of service under any gas supply contract pursuant to section 7 of the Natural Gas Act;
(30) Approval of filing made in compliance with the requirements of a certificate for a natural gas project under section 7 of the Natural Gas Act or a preliminary permit, exemption, license, or license amendment order for a water power project under Part I of the Federal Power Act;
(31) Abandonment of facilities by sale that involves only minor or no ground disturbance to disconnect the facilities from the system;
(32) Conversion of facilities from use under the NGPA to use under the NGA;
(33) Construction or abandonment of facilities constructed entirely in Federal offshore waters that has been approved by the Minerals Management Service and the Corps of Engineers, as necessary;
(34) Abandonment or construction of facilities on an existing offshore platform;
(35) Abandonment, construction or replacement of a facility (other than compression) solely within an existing building within a natural gas facility (other than LNG facilities), if it does not increase the noise or air emissions from the facility, as a whole; and
(36) Conversion of compression to standby use if the compressor is not moved, or abandonment of compression if the compressor station remains in operation.

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Federal Maritime Commission (FMC) Categorical Exclusions (CE)	
Federal Maritime Commission (FMC)	
§504.4 Categorical exclusions.	
https://www.ecfr.gov/cgi-bin/text-idx?SID=bc73b40a21180d1ef96eb4afc9607276&node=pt46.9.504&rgn=div5#se46.9.504_14	
(a) No environmental analyses need be undertaken or environmental documents prepared in connection with actions which do not individually or cumulatively have a significant effect on the quality of the human environment because they are purely ministerial actions or because they do not increase or decrease air, water or noise pollution or the use of fossil fuels, recyclables, or energy. The following Commission actions, and rulemakings related thereto, are therefore excluded:	
(1)	Issuance, modification, denial and revocation of ocean transportation intermediary licenses.
(2)	Certification of financial responsibility of passenger vessels pursuant to 46 CFR part 540.
(3)	Receipt of surety bonds submitted by ocean transportation intermediaries.
(4)	Promulgation of procedural rules pursuant to 46 CFR part 502.
(5)	Receipt of service contracts.
(6)	Consideration of special permission applications pursuant to part 520 of this chapter.
(7)	[Reserved]
(8)	[Reserved]
(9)	Consideration of amendments to agreements filed pursuant to section 5 of the Shipping Act of 1984 (46 U.S.C. 40301(d)-(e), 40302-40303, 40305), which do not increase the authority set forth in the effective agreement.
(10)	Consideration of agreements between common carriers which solely affect intraconference or inter-rate agreement relationships or pertain to administrative matters of conferences or rate agreements.
(11)	Consideration of agreements between common carriers to discuss, propose or plan future action, the implementation of which requires filing a further agreement.
(12)	Consideration of exclusive or non-exclusive equipment interchange or husbanding agreements.
(13)	Receipt of non-exclusive transshipment agreements.
(14)	Action relating to collective bargaining agreements.
(15)	Action pursuant to section 9 of the Shipping Act of 1984 (46 U.S.C. 40701-40706) concerning the justness and reasonableness of controlled carriers' rates, charges, classifications, rules or regulations.
(16)	Receipt of self-policing reports or shipper requests and complaints.
(17)	[Reserved]
(18)	Consideration of actions solely affecting the environment of a foreign country.
(19)	Action taken on special docket applications pursuant to §502.271 of this chapter.
(20)	Consideration of matters related solely to the issue of Commission jurisdiction.
(21)	[Reserved]
(22)	Investigatory and adjudicatory proceedings, the purpose of which is to ascertain past violations of the Shipping Act of 1984.
(23)	[Reserved]
(24)	Action regarding access to public information pursuant to 46 CFR part 503.
(25)	Action regarding receipt and retention of minutes of conference meetings.
(26)	Administrative procurements (general supplies).
(27)	Contracts for personal services.
(28)	Personnel actions.
(29)	Requests for appropriations.
(30)	Consideration of all agreements involving marine terminal facilities and/or services except those requiring substantial levels of construction, dredging, land-fill, energy usage and other activities which may have a significant environmental effect.
(31)	Consideration of agreements regulating employee wages, hours of work, working conditions or labor exchanges.

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(32) Consideration of general agency agreements involving ministerial duties of a common carrier such as internal management, cargo solicitation, booking of cargo, or preparation of documents.
(33) Consideration of agreements pertaining to credit rules.
(34) Consideration of agreements involving performance bonds to a conference from a conference member guaranteeing compliance by the member with the rules and regulations of the conference.
(35) Consideration of agreements between members of two or more conferences or other rate-fixing agreements to discuss and agree upon common self-policing systems and cargo inspection services.
(b) If interested persons allege that a categorically-excluded action will have a significant environmental effect (e.g., increased or decreased air, water or noise pollution; use of recyclables; use of fossil fuels or energy), they shall, by written submission to the Secretary, explain in detail their reasons. The Secretary shall refer these submissions for determination by the appropriate Commission official, not later than ten (10) days after receipt, whether to prepare an environmental assessment. Upon a determination not to prepare an environmental assessment, such persons may petition the Commission for review of the decision within ten (10) days of receipt of notice of such determination.
(c) If the individual or cumulative effect of a particular action otherwise categorically excluded offers a reasonable potential of having a significant environmental impact, an environmental assessment shall be prepared pursuant to §504.5.

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General Services Administration (GSA) Categorical Exclusions (CE)	
General Services Administration (GSA)	
CHAPTER 5 - CATEGORICAL EXCLUSIONS	
GSA has identified two types of CATEXs:	
(1) The "automatic" CATEX, that by its very nature cannot be a major Federal action significantly affecting the quality of the human environment, and	
(2) The "checklist" CATEX, which requires completion of an environmental checklist to ensure no "extraordinary circumstances" exist to indicate the need for an EA or EIS.	
5.3 AUTOMATIC CATEXs	
The following are automatic CATEXs and require no checklist:	
(a) Outleases, licenses, and other arrangements for non-federal use of space in existing Federal office buildings, where such use is consistent with local planning and zoning, where Section 106 of the NHPA is complied with where applicable; and there is no evidence of community controversy or unresolved environmental issues.	
(b) Acquisition of space within an existing structure, either by purchase or lease, where no change in the general type of use and only minimal change from previous occupancy level is proposed (previous occupant need not have been a Federal tenant).	
(c) Relocation of employees into existing Federally controlled space, that does not involve a substantial change in the number of employees or motor vehicles.	
(d) Reductions in force or other personnel, administrative, or ministerial actions, including bargaining with employee unions and managing routine activities normally conducted to protect or maintain GSA-controlled properties (e.g., security and custodial services).	
(e) Lease extensions, renewals, or succeeding leases.	
(f) Outlease or license of government-controlled space, or sublease of government-leased space to a non-Federal tenant when the use will remain substantially the same.	
(g) Acquisition of land or easements that result in no immediate change in use and where subsequent compliance with NEPA and other applicable laws and regulations will take place as needed.	
(h) Site characterization studies and environmental monitoring, including siting, construction, operation, and dismantling or closing of characterization and monitoring devices. Such activities include, but are not limited to:	
(1) Site characterization and environmental monitoring activities under the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA);	
(2) Geological, geophysical, geochemical, and engineering surveys and mapping, including the establishment of survey marks;	
(3) Installation and operation of field instruments, such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools;	
(4) Drilling of wells for sampling or monitoring of groundwater, well logging, and installation of water-level recording devices in wells;	
(5) Aquifer response testing;	
(6) Installation and operation of ambient air monitoring equipment;	
(7) Sampling and characterization of water, soil rock, or contaminants;	
(8) Sampling and characterization of water effluents, air emissions, or solid waste streams;	
(9) Sampling of flora or fauna;	
(10) Historic property identification and evaluation studies in compliance with the National Historic Preservation Act (NHPA).	
(i) Administrative actions such as procurement of consultant services for appraisal or environmental analysis.	
(j) Repair and alteration projects involving, but not adversely affecting, properties listed on or eligible for the National Register of Historic Places, when there is no evidence of community controversy or other environmental issues. The process required by Section 106 of the NHPA must be followed; see ADM 1020.2.	
(k) Other repair and alteration projects where:	
(1) No toxic or hazardous substances are involved with the project or exist in or on the property where the project takes place;	
(2) No properties listed on or eligible for the National Register of Historic Places are involved;	

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(3) The building footprint or envelope will not be increased;
(4) There is no evidence of community controversy; and
(5) There is no evidence of other unresolved environmental issues.
(l) Repairs and alterations or modernization conducted in accordance with applicable plans, such as Facility Master Plans, where such plans have been reviewed under NEPA and there is no evidence of community controversy or unresolved environmental issues. The process required by Section 106 of the NHPA must be followed; see ADM 1020.2.
(m) Repair to or replacement in kind of equipment or components in GSA-controlled facilities without change in location, e.g. HVAC, electrical distribution systems, windows, doors or roof where there is no evidence of unresolved environmental issues.
(n) Facility maintenance, custodial, and groundskeeping activities not involving environmentally sensitive areas (such as eroded areas, wetlands, cultural sites, etc.), including window washing, lawn mowing, trash collecting, and snow removal.
(o) Procurement contracts for professional services and supplies not addressed elsewhere here.
(p) Preparation of implementation guidance.
(q) Studies that involve no commitment of resources other than manpower and funding.
(r) Assisting Federal agencies in public utilities management (excluding communications), negotiating for public utility services on behalf of Federal agencies, and providing expert testimony before public utility regulatory bodies.
(s) Federal real property utilization surveys in accordance with Executive Order 12348.
(t) Real property inspections for compliance with deed restrictions.
(u) Administrative action by GSA to remove clouds on titles.
(v) Disposal of real property required by public law wherein Congress has specifically exempted the action from the requirements of NEPA.
5.4 CHECKLIST CATEXS
The following are categorical exclusions that require preparation of a checklist to ensure that no extraordinary circumstances exist that would require preparation of an EA or EIS.
(a) Acquisition of land which is not in a floodplain or other environmentally sensitive area and does not result in condemnation.
(b) Acquisition of space by Federal construction or lease construction, or expansion or improvement of an existing facility where all of the following conditions are met:
(1) The structure and proposed use are substantially in compliance with local planning and zoning and any applicable State or Federal requirements (see Pertinent Regulations and Orders, in the Appendix 1);
(2) The proposed use will not substantially increase the number of motor vehicles at the facility;
(3) The site and the scale of construction are consistent with those of existing adjacent or nearby buildings; and
(4) There is no evidence of community controversy or other environmental issues.
(c) Property disposal actions undertaken for another Federal agency, where that agency has already documented compliance with applicable legal requirements such as NEPA, NHPA, CERCLA, and ESA (see Pertinent Regulations and Orders in Appendix 1). (See ADM 1095.1d.)
(d) Transfers of real property to Federal, State, and local agencies, and Indian Tribes.
(e) Assignments of real property to another Federal agency for subsequent conveyance to a State or local agency, or to eligible non-profit institutions for health, educational, or park and recreation uses.
(f) Disposal of real property to State or local agencies for wildlife conservation and historic monument purposes.
(g) Disposal of real property required by public law wherein Congress has not specifically exempted the action from the requirements of NEPA.
(h) Outleases, licenses, and other arrangements for non-federal use of land or space in facilities other than existing Federal office buildings.
(i) Disposal of related personal property, demountable structures, transmission lines, utility poles, railroad ties, and track.
(j) Disposal of properties where the size, area, topography, and zoning are similar to existing surrounding properties and/or where current and reasonable anticipated uses are or would be similar to current surrounding uses (e.g., commercial store in a commercial strip, warehouse in an urban complex, office building in downtown area, row house or vacant lot in an urban area).
(k) Abrogation of use restrictions contained in the conveyance documents of previous disposals when:
(1) Upon request of another Federal agency for concurrence, GSA only provides concurrence subject to the requesting agency's compliance with NEPA, or

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(2) GSA has no reason to believe that the abrogation will result in a significant change in property use, or
(3) The abrogation is for a reduction in time only.
(l) Sale of improvements to underlying property fee owner and disposal of fee ownership to parties who have had possession and/or use of the property for five years or more through permit, lease, license, or easement.
(m) Archaeological studies permitted under the Archaeological Resources Protection Act (ARPA) and paleontological studies.
(n) Installation of antennae consistent with GSA Bulletin FPMR D-242, "Placement of commercial antennas on Federal property".

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Gulf Coast Ecosystem Restoration Council (RESTORE Council)
Categorical Exclusions (CE)

Gulf Coast Ecosystem Restoration Council (RESTORE Council)

Sec. 4. Actions Covered.

(c) *Actions Categorically Excluded.* The Council has determined that certain categories of actions are eligible to use a CE for compliance with NEPA, as they do not have a significant impact individually or cumulatively on the quality of the human environment. A proposal is categorically excluded if the Council determines the following:

(1) The proposed action fits within a class of actions that is listed below;

(2) There are no extraordinary circumstances indicating the action may have a significant effect (see subsection (e) below); and

(3) The proposal has not been segmented to meet the definition of a CE.

(d) The following categories of Council Actions are categorically excluded from further NEPA review in an EA or EIS:

(1) Administrative and Routine Office Activities:

i. Administrative procurements (e.g., for general supplies) and contracts for personnel services.

ii. Routine fiscal and administrative activities involving personnel (e.g., recruiting, hiring, detailing, processing, paying, supervising, and recordkeeping).

iii. Routine procurement of goods and services to support operations and infrastructure, including routine utility services and contracts, conducted in accordance with applicable procurement regulations, Executive Orders, and policies.

iv. Routine administrative office functions (e.g., recordkeeping; inspecting, examining, and auditing papers, books, and records; processing correspondence; developing and approving budgets; responding to requests for information).

v. Routine activities and operations conducted in an existing structure that are within the scope and compatibility of the present functional use of the building, will not result in a substantial increase in waste discharge to the environment, will not result in substantially different waste discharges from current or previous activities, and will not result in emissions that

vi. Council meetings, hearings, site visits, technical assistance, public affairs activities, and/or training in classrooms, meeting rooms, other facilities, or via the Internet.

(2) Regulation, Monitoring, and Oversight of RESTORE Act Activities:

i. Promulgation or publication of regulations, procedures, manuals, and guidance documents that are of an administrative, financial, legal, technical, or procedural nature.

ii. Internal orders and procedures that need not be published in the Federal Register under the Administrative Procedure Act, 5 U.S.C. 552.

iii. Preparation of studies, reports, or investigations that do not propose a policy, plan, program, or action.

(3) Council Activities for Planning, Research or Design Activities (Documentation Required):

i. Funding or procurements for activities which do not involve or lead directly to ground-disturbing activities which may have significant effects individually or cumulatively, and do not commit the Council or its applicants to a particular course of action affecting the environment, such as grants to prepare environmental documents, planning, technical assistance, engineering and design activities, or certain research. Use of this CE will be documented following the procedures described in subsection 4(f).

(4) Council Funded Activities that Fall Under a CE of a Federal Council Member (Documentation Required):

i. Any environmental restoration, conservation, or protection activity that falls within a CE established by a Federal agency Council member, provided no extraordinary circumstances preclude the use of the CE and the Federal agency that established the CE is involved in the Council action. A Federal agency Council member is involved in the Council action when that Federal agency advises the Council that use of the CE would be appropriate for the specific action under consideration by the Council. Use of this CE will be documented following the procedures described in subsection 4(f).

(e) Extraordinary Circumstances. Some Council Actions that would normally be categorically excluded from further NEPA review in an EA or EIS may not qualify for a CE because extraordinary circumstances exist (see 40 CFR 1508.4). The Responsible Official, in cooperation with the applicant as appropriate, will conduct a review to determine if there are extraordinary circumstances. Such extraordinary circumstances are:

(1) A reasonable likelihood of substantial controversy regarding the potential environmental impacts of the proposed action.

(2) Tribal concerns with actions that impact tribal lands or resources.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(3) A reasonable likelihood of adversely affecting environmentally sensitive resources. Environmentally sensitive resources include but are not limited to: i. Species that are federally listed or proposed for listing as threatened or endangered, or their proposed or designated critical habitats; and ii. Properties listed or eligible for listing on the National Register of Historic Places.
(4) A reasonable likelihood of impacts that are highly uncertain or involve unknown risks or if there is a substantial scientific controversy over the effects.
(5) A reasonable likelihood of air pollution at levels of concern or otherwise requiring a formal conformity determination under the Clean Air Act.
(6) A reasonable likelihood of a disproportionately high and adverse effect on low income or minority populations (see Executive Order 12898).
(7) A reasonable likelihood of contributing to the introduction or spread of noxious weeds or non-native invasive species or actions that may promote the introduction, or spread of such species (see Federal Noxious Weed Control Act and Executive Order 13112).
(8) A reasonable likelihood of a release of petroleum, oils, or lubricants (except from a properly functioning engine or vehicle) or reportable releases of hazardous or toxic substances as specified in 40 CFR part 302 (Designation, Reportable Quantities, and Notification); or where the proposed action results in the requirement to develop or amend a Spill Prevention, Control, or Countermeasures Plan in accordance with the Oil Pollution Prevention regulation.
The mere existence of any of the circumstances described above will not necessarily trigger preparation of an EA or EIS. The determination that an extraordinary circumstance exists and an EA or EIS is needed will be based on the potential significance of the proposed action's effects on the environment. If it is not clear whether a CE is appropriate, the Responsible Official, after consulting with the Council, may require preparation of an EA.

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National Capital Planning Commission (NCPC) Categorical Exclusions (CE)	
National Capital Planning Commission (NCPC)	
§601.10 Characteristics of Commission actions eligible for a Categorical Exclusion.	
https://www.ecfr.gov/cgi-bin/text-idx?SID=a8a76179c9307305e4fe01e12b27a006&mc=true&node=pt1.1.601&rgn=div5#se1.1.601_110	
(a) A Categorical Exclusion is a type of action that does not individually or cumulatively have a significant effect on the human environment and which has been found to have no such effect by NCPC.	
(b) Actions that generally qualify for application of a Categorical Exclusion and do not require either an EA or an EIS exhibit the following characteristics:	
(1) Minimal or no effect on the human environment;	
(2) No significant change to existing environmental conditions;	
(3) No significant cumulative environmental impacts; and	
(4) Similarity to actions previously assessed in an EA concluding in a FONSI and monitored to confirm the FONSI.	
§ 601.11 Extraordinary Circumstances.	
https://www.ecfr.gov/cgi-bin/text-idx?SID=a8a76179c9307305e4fe01e12b27a006&mc=true&node=pt1.1.601&rgn=div5#se1.1.601_111	
(a) Before applying a CATEX listed in § 601.12, the Executive Director shall determine if a project or plan requires additional environmental review or analysis due to the presence of Extraordinary Circumstances. If any of the Extraordinary Circumstances listed in paragraphs (b)(1) through (11) of this section are present, the Executive Director shall not apply a CATEX and ensure that the proper Environmental Document (EA or EIS) shall be prepared and made available to the Commission before the Commission takes action on the matter.	
(b) Extraordinary Circumstances that negate the application of a CATEX include:	
(1) A reasonable likelihood of significant impact on public health or safety.	
(2) A reasonable likelihood of significant environmental impacts on sensitive resources unless the impacts have been or will be avoided, minimized, or mitigated to nonsignificant levels through another process to include, without limitation, Section 106 of the NHPA. Environmentally sensitive resources include without limitation:	
(i) Proposed federally listed, threatened or endangered species or their designated critical habitats.	
(ii) Properties listed or eligible for listing on the National Register of Historic Places.	
(iii) Areas having special designation or recognition based on Federal law or an Executive Order, to include without limitation, National Historic Landmarks, floodplains, wetlands, and National Parks.	
(iv) Cultural, scientific or historic resources.	
(3) A reasonable likelihood of effects on the environment that are risky, highly uncertain, or unique.	
(4) A reasonable likelihood of violating an Executive Order, or Federal, state or local law or requirements imposed for the protection of the environment.	
(5) A reasonable likelihood of causing a significant increase in surface transportation congestion, disruption of mass transit, and interference with pedestrian and bicycle movements.	
(6) A reasonable likelihood of significantly degrading air quality or violating air quality control standards under the Clean Air Act (42 U.S.C. 7401–7671q).	
(7) A reasonable likelihood of significantly impacting water quality, public water supply systems, or state or local water quality control standards under the Clean Water Act (33 U.S.C. 1251 et seq.) and the Safe Drinking Act (42 U.S.C. 300f).	
(8) A reasonable likelihood of a disproportionately high and adverse effect on low income and minority populations.	
(9) A reasonable likelihood of degrading existing unsatisfactory environmental conditions.	
(10) A reasonable likelihood of establishing a precedent for future action or making a decision in principle about future actions with potentially significant environmental effects.	
(11) Any other circumstance that makes the action sufficiently unique in its potential impacts on the human environment that further environmental analysis and review is appropriate.	
(c) The Executive Director shall include in his/her EDR, or the documentation of a delegated action, his/her decision to apply a Categorical Exclusion including consideration of possible Extraordinary Circumstances or not apply a Categorical Exclusion because of Extraordinary Circumstances.	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

§ 601.12 National Capital Planning Commission Categorical Exclusions.
https://www.ecfr.gov/cgi-bin/text-idx?SID=a8a76179c9307305e4fe01e12b27a006&mc=true&node=pt1.1.601&rgn=div5#se1.1.601_112
(a) Commission actions that may be categorically excluded and normally do not require either an EA or an EIS are listed in paragraphs (a)(1) through (13) of this section. An action not specifically included in the list is not eligible for a Categorical Exclusion even if it appears to meet the general criteria listed in § 601.10(b).
(1) Approval of the installation or restoration of onsite primary or secondary electrical distribution systems including minor solar panel arrays.
(2) Approval of the installation or restoration of minor site elements, such as but not limited to identification signs, sidewalks, patios, fences, curbs, retaining walls, landscaping, and trail or stream improvements. Additional features include water distribution lines and sewer lines which involve work that is essentially replacement in kind.
(3) Approval of the installation or restoration of minor building elements, such as, but not limited to windows, doors, roofs, building signs, and rooftop equipment and green roofs.
(4) Adoption of a Federal Element of the Comprehensive Plan or amendment thereto or broad based policy or feasibility plans prepared and adopted by the Commission in response to the Comprehensive Plan.
(5) Approval of the installation of communication antennae on Federal buildings and co-location of communication antennae on Federal property consistent with GSA Bulletin FMR D-242, Placement of Commercial Antennas on Federal Property.
(6) Approval of Federal and District government agency proposals for new construction, building expansion, or improvements to existing facilities, when all of the following apply:
(i) The new structure and proposed use are in compliance with local planning and zoning and any applicable District of Columbia, state, or Federal requirements.
(ii) The site and the scale of construction are consistent with those of existing adjacent or nearby buildings.
(iii) The proposed use will not substantially increase the number of motor vehicles in the vicinity of the facility.
(iv) There is little to no evidence of unresolved resource conflicts or community controversy related to environmental concerns or other environmental issues.
(7) Approval of transfers of jurisdiction pursuant to 40 U.S.C. 8124 that are not anticipated to result in changes in land-use and that have no potential for environmental impact.
(8) Approval of a minor modification to a General Development Plan applicable to lands acquired pursuant to the Capper-Cramton Act, 46 Stat. 482 (1930), as amended, when nonsignificant environmental impacts are anticipated.
(9) Reorganization of NCPD.
(10) Personnel actions, including, but not limited to, investigations; performance reviews; award of personal service contracts, promotions and awards; reductions in force, reassignments and relocations; and employee supervision and training.
(11) Legal activities including, but not limited to, legal advice and opinions; litigation or other methods of dispute resolution; and procurement of outside legal services.
(12) Procurement of goods and services, transactions, and other types of activities related to the routine and continuing administration, management, maintenance and operations of the Commission or its facilities.
(13) Adoption and issuance of rules, directives, official policies, guidelines, and publications or recommendations of an educational, financial, informational, legal, technical or procedural nature.
(b) The Executive Director shall include in his/her EDR, or the documentation of a delegated action, his/her decision to apply a Categorical Exclusion and the rationale for this decision.

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National Endowment for the Humanities (NEH) Categorical Exclusions (CE)

National Endowment for the Humanities (NEH)

[Appendix A to the National Environmental Policy Act Procedures for NEH](#)

Actions consistent with any of the following categories are, in the absence of extraordinary circumstances, categorically excluded from further analysis in an EA or EIS:

A. General Categorical Exclusions

1. Routine administrative and management activities including, but not limited to, those activities related to budgeting, finance, personnel actions, procurement activities, compliance with applicable executive orders and procedures for sustainable or “greened” procurement, retaining legal counsel, public affairs activities (e.g., issuing press releases, newsletters and notices of funding availability), internal and external program evaluation and monitoring (e.g., site visits), database development and maintenance, and computer systems administration.
2. Preparing, revising, or adopting regulations, including those that implement without substantial change the regulations, instructions, directives, or guidance documents from other Federal agencies.
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3. Routine activities undertaken by NEH to support its program partners, such as serving on task forces, ad hoc committees or representing NEH interests in other forums.
4. Approving and issuing financial assistance to support research, education, preservation, and public programs in the humanities, except where such assistance supports the construction, restoration, or renovation of facilities, including the purchase or lease of new infrastructure, or otherwise involves ground disturbing activity.
5. Approving and issuing financial assistance to support facility planning and design.
6. Approving and issuing grants to support the purchase or lease of preexisting infrastructure.
7. Nondestructive data collection, inventory, study, research, and monitoring activities.

B. Program Specific Categorical Exclusions

Actions consistent with any of the following categories are, in the absence of extraordinary circumstances, categorically excluded from further analysis and documentation in an EA or EIS. A categorical exclusion determination may only be made after NEH has, if necessary, performed a review under Section 106 of the National Historic Preservation Act (“NHPA”) and determined and documented that such action is not reasonably likely to have an adverse effect on historic properties.

1. Upgrade, repair, maintenance, replacement, or minor renovations and additions to facilities, grounds and equipment, including but not limited to, roof replacement, foundation repair, access ramp and door improvements pursuant to the Americans with Disabilities Act (“ADA”), weatherization and energy efficiency related improvements, HVAC renovations, painting, floor system replacement, repaving parking lots and ground maintenance, that do not result in a change in the functional use of the real property.
2. Construction, purchase or lease of new infrastructure, including, but not limited to, museums, libraries and other community buildings, and office space, that is similar to existing land use if the area to be disturbed has no more than two acres of new surface disturbance. The following conditions must be met:
 - a. The structure and proposed use are compatible with applicable Federal, tribal, state, and local planning and zoning standards.
 - b. The site and scale of the construction or improvement is consistent with those of existing, adjacent, or nearby buildings.
 - c. The proposed use will not substantially increase the number of motor vehicles at the facility or in the area.
 - d. The construction or improvement will not result in uses that exceed existing support infrastructure capacities (road, sewer, water, parking, etc.).
3. Construction, purchase or lease of new infrastructure, including, but not limited to, museums, libraries and other community buildings, and office space, where such construction, purchase or lease is for infrastructure of less than 12,000 square feet of useable space.
4. Demolition, disposal, or improvements involving buildings or structures when done in accordance with applicable regulations, including those regulations applying to removal of asbestos, polychlorinated biphenyls (PCBs), and other hazardous materials.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Nuclear Regulatory Commission (NRC) Categorical Exclusions (CE)</p>	
<p>Nuclear Regulatory Commission (NRC)</p>	
<p>§ 51.22 Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review.</p>	
<p>https://www.ecfr.gov/cgi-bin/text-idx?SID=5bddd0accdcf420ea5e3e2067fb33a61&mc=true&node=se10.2.51_122&rgn=div8</p>	
<p>(a) Licensing, regulatory, and administrative actions eligible for categorical exclusion shall meet the following criterion: The action belongs to a category of actions which the Commission, by rule or regulation, has declared to be a categorical exclusion, after first finding that the category of actions does not individually or cumulatively have a significant effect on the human environment.</p>	
<p>(b) Except in special circumstances, as determined by the Commission upon its own initiative or upon request of any interested person, an environmental assessment or an environmental impact statement is not required for any action within a category of actions included in the list of categorical exclusions set out in paragraph (c) of this section. Special circumstances include the circumstance where the proposed action involves unresolved conflicts concerning alternative uses of available resources within the meaning of section 102(2)(E) of NEPA.</p>	
<p>(c) The following categories of actions are categorical exclusions:</p>	
<p>(1) Amendments to parts 1, 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 19, 21, 25, 26, 55, 75, 95, 110, 140, 150, 160, 170, or 171 of this chapter, and actions on petitions for rulemaking relating to parts 1, 2, 4, 5, 7, 9, 10, 11, 12, 13, 14, 15, 16, 19, 21, 25, 26, 55, 75, 95, 110, 140, 150, 160, 170, or 171 of this chapter.</p>	
<p>(2) Amendments to the regulations in this chapter which are corrective or of a minor or nonpolicy nature and do not substantially modify existing regulations, and actions on petitions for rulemaking relating to these amendments.</p>	
<p>(3) Amendments to parts 20, 30, 31, 32, 33, 34, 35, 37, 39, 40, 50, 51, 52, 54, 60, 61, 63, 70, 71, 72, 73, 74, 81, and 100 of this chapter which relate to—</p>	
<p>(i) Procedures for filing and reviewing applications for licenses or construction permits or early site permits or other forms of permission or for amendments to or renewals of licenses or construction permits or early site permits or other forms of permission;</p>	
<p>(ii) Recordkeeping requirements;</p>	
<p>(iii) Reporting requirements;</p>	
<p>(iv) Education, training, experience, qualification or other employment suitability requirements or</p>	
<p>(v) Actions on petitions for rulemaking relating to these amendments.</p>	
<p>(4) Entrance into or amendment, suspension, or termination of all or part of an agreement with a State pursuant to section 274 of the Atomic Energy Act of 1954, as amended, providing for assumption by the State and discontinuance by the Commission of certain regulatory authority of the Commission.</p>	
<p>(5) Procurement of general equipment and supplies.</p>	
<p>(6) Procurement of technical assistance, confirmatory research provided that the confirmatory research does not involve any significant construction impacts, and personal services relating to the safe operation and protection of commercial reactors, other facilities, and materials subject to NRC licensing and regulation.</p>	
<p>(7) Personnel actions.</p>	
<p>(8) Issuance, amendment, or renewal of operators' licenses pursuant to part 55 of this chapter.</p>	
<p>(9) Issuance of an amendment to a permit or license for a reactor under part 50 or part 52 of this chapter that changes a requirement or issuance of an exemption from a requirement, with respect to installation or use of a facility component located within the restricted area, as defined in part 20 of this chapter; or the issuance of an amendment to a permit or license for a reactor under part 50 or part 52 of this chapter that changes an inspection or a surveillance requirement; provided that:</p>	
<p>(i) The amendment or exemption involves no significant hazards consideration;</p>	
<p>(ii) There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; and</p>	
<p>(iii) There is no significant increase in individual or cumulative occupational radiation exposure.</p>	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(10) Issuance of an amendment to a permit or license issued under this chapter which—
(i) Changes surety, insurance and/or indemnity requirements;
(ii) Changes recordkeeping, reporting, or administrative procedures or requirements;
(iii) Changes the licensee's or permit holder's name, phone number, business or e-mail address;
(iv) Changes the name, position, or title of an officer of the licensee or permit holder, including but not limited to, the radiation safety officer or quality assurance manager; or
(v) Changes the format of the license or permit or otherwise makes editorial, corrective or other minor revisions, including the updating of NRC approved references.
(11) Issuance of amendments to licenses for fuel cycle plants and radioactive waste disposal sites and amendments to materials licenses identified in § 51.60(b)(1) which are administrative, organizational, or procedural in nature, or which result in a change in process operations or equipment, provided that (i) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, (ii) there is no significant increase in individual or cumulative occupational radiation exposure, (iii) there is no significant construction impact, and (iv) there is no significant increase in the potential for or consequences from radiological accidents.
(12) Issuance of an amendment to a license under parts 50, 52, 60, 61, 63, 70, 72, or 75 of this chapter relating solely to safeguards matters (i.e., protection against sabotage or loss or diversion of special nuclear material) or issuance of an approval of a safeguards plan submitted under parts 50, 52, 70, 72, and 73 of this chapter, provided that the amendment or approval does not involve any significant construction impacts. These amendments and approvals are confined to—
(i) Organizational and procedural matters;
(ii) Modifications to systems used for security and/or materials accountability;
(iii) Administrative changes; and
(iv) Review and approval of transportation routes pursuant to 10 CFR 73.37.
(13) Approval of package designs for packages to be used for the transportation of licensed materials.
(14) Issuance, amendment, or renewal of materials licenses issued pursuant to 10 CFR parts 30, 31, 32, 33, 34, 35, 36, 39, 40 or part 70 authorizing the following types of activities:
(i) Distribution of radioactive material and devices or products containing radioactive material to general licensees and to persons exempt from licensing.
(ii) Distribution of radiopharmaceuticals, generators, reagent kits and/or sealed sources to persons licensed pursuant to 10 CFR 35.18.
(iii) Nuclear pharmacies.
(iv) Medical and veterinary.
(v) Use of radioactive materials for research and development and for educational purposes.
(vi) Industrial radiography.
(vii) Irradiators.
(viii) Use of sealed sources and use of gauging devices, analytical instruments and other devices containing sealed sources.
(ix) Use of uranium as shielding material in containers or devices.
(x) Possession of radioactive material incident to performing services such as installation, maintenance, leak tests and calibration.
(xi) Use of sealed sources and/or radioactive tracers in well-logging procedures.
(xii) Acceptance of packaged radioactive wastes from others for transfer to licensed land burial facilities provided the interim storage period for any package does not exceed 180 days and the total possession limit for all packages held in interim storage at the same time does not exceed 50 curies.
(xiii) Manufacturing or processing of source, byproduct, or special nuclear materials for distribution to other licensees, except processing of source material for extraction of rare earth and other metals.
(xiv) Nuclear laundries.
(xv) Possession, manufacturing, processing, shipment, testing, or other use of depleted uranium military munitions.
(xvi) Any use of source, byproduct, or special nuclear material not listed above which involves quantities and forms of source, byproduct, or special nuclear material similar to those listed in paragraphs (c)(14) (i) through (xv) of this section.

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(15) Issuance, amendment or renewal of licenses for import of nuclear facilities and materials pursuant to part 110 of this chapter, except for import of spent power reactor fuel.
(16) Issuance or amendment of guides for the implementation of regulations in this chapter, and issuance or amendment of other informational and procedural documents that do not impose any legal requirements.
(17) Issuance of an amendment to a permit or license under parts 30, 40, 50, 52, or part 70 of this chapter which deletes any limiting condition of operation or monitoring requirement based on or applicable to any matter subject to the provisions of the Federal Water Pollution Control Act.
(18) Issuance of amendments or orders authorizing licensees of production or utilization facilities to resume operation, provided the basis for the authorization rests solely on a determination or redetermination by the Commission that applicable emergency planning requirements are met.
(19) Issuance, amendment, modification, or renewal of a certificate of compliance of gaseous diffusion enrichment facilities pursuant to 10 CFR part 76.
(20) Decommissioning of sites where licensed operations have been limited to the use of—
(i) Small quantities of short-lived radioactive materials;
(ii) Radioactive materials in sealed sources, provided there is no evidence of leakage of radioactive material from these sealed sources; or
(iii) Radioactive materials in such a manner that a decommissioning plan is not required by 10 CFR 30.36(g)(1), 40.42(g)(1), or 70.38(g)(1), and the NRC has determined that the facility meets the radiological criteria for unrestricted use in 10 CFR 20.1402 without further remediation or analysis.
(21) Approvals of direct or indirect transfers of any license issued by NRC and any associated amendments of license required to reflect the approval of a direct or indirect transfer of an NRC license.
(22) Issuance of a standard design approval under part 52 of this chapter.
(23) The Commission finding for a combined license under § 52.103(g) of this chapter.
(24) Grants to institutions of higher education in the United States, to fund scholarships, fellowships, and stipends for the study of science, engineering, or another field of study that the NRC determines is in a critical skill area related to its regulatory mission, to support faculty and curricular development in such fields, and to support other domestic educational, technical assistance, or training programs (including those of trade schools) in such fields, except to the extent that such grants or programs include activities directly affecting the environment, such as:
(i) The construction of facilities;
(ii) A major disturbance brought about by blasting, drilling, excavating or other means;
(iii) Field work, except that which only involves noninvasive or non-harmful techniques such as taking water or soil samples or collecting non-protected species of flora and fauna; or
(iv) The release of radioactive material.
(25) Granting of an exemption from the requirements of any regulation of this chapter, provided that—
(i) There is no significant hazards consideration;
(ii) There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite;
(iii) There is no significant increase in individual or cumulative public or occupational radiation exposure;
(iv) There is no significant construction impact;
(v) There is no significant increase in the potential for or consequences from radiological accidents; and
(vi) The requirements from which an exemption is sought involve:
(A) Recordkeeping requirements;
(B) Reporting requirements;
(C) Inspection or surveillance requirements;
(D) Equipment servicing or maintenance scheduling requirements;
(E) Education, training, experience, qualification, requalification or other employment suitability requirements;
(F) Safeguard plans, and materials control and accounting inventory scheduling requirements;
(G) Scheduling requirements;
(H) Surety, insurance or indemnity requirements; or
(I) Other requirements of an administrative, managerial, or organizational nature.

COUNCIL ON ENVIRONMENTAL QUALITY
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(d) In accordance with section 121 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10141), the promulgation of technical requirements and criteria that the Commission will apply in approving or disapproving applications under part 60 or 63 of this chapter shall not require an environmental impact statement, an environmental assessment, or any environmental review under subparagraph (E) or (F) of section 102(2) of NEPA.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

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**National Science Foundation (NSF)
Categorical Exclusions (CE)**

National Science Foundation (NSF)

§640.3 Actions requiring an environmental assessment and categorical exclusions.

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(a) The types of actions to be classified as “major Federal actions” subject to NEPA procedures are discussed generally in the CEQ regulations. Paragraph (b) of this section describes various classes of NSF actions that normally require the preparation of an environmental assessment or an EIS, and those classes that are categorically excluded. (Categorical exclusion is defined at 40 CFR 1508.4.) The word “normally” is stressed; there may be individual cases in which specific factors require contrary action. NSF directorates and offices are responsible for identifying situations in which an environmental assessment or an EIS should be prepared even if not normally required by paragraph (b) of this paragraph.

(b) Most NSF awards support individual scientific research projects and are not “major Federal actions significantly affecting the quality of the human environment” except in the sense that the long term effect of the accumulation of human knowledge is likely to affect the quality of the human environment. However, such long term effects are basically speculative and unknowable in advance; thus they normally do not provide a sufficient basis for classifying research as subject to NEPA (See 40 CFR 1508.8) and are categorically excluded from an environmental assessment. Nevertheless, in some cases the actual procedures used in carrying out the research may have potential environmental effects, particularly where the project requires construction of facilities or major disturbance of the local environment brought about by blasting, drilling, excavating, or other means. Accordingly, except as provided in paragraph (c) of this section, the following types of activities require at least an environmental assessment:

(1) Cases where developmental efforts are supported, if the project supports the transition of a particular technology from the development stage to large-scale commercial utilization.

(2) Any project supporting construction, other than interior remodelling.

(3) Cases where field work affecting the natural environment will be conducted.

(4) Any project that will involve drilling of the earth, excavation, explosives, weather modification, or other techniques that may alter a local environment.

(5) Any project that provides for the testing and release of biological-control agents for purposes of ecosystem manipulation and assessment of short- and long-term effects of major ecosystem perturbation.

(c) Directorates having divisions or programs with a substantial number of projects that fall within categories (3), (4), and (5) in (b) of this section, are authorized to issue supplemental guidelines to Division Directors and Program Officers establishing subcategories of research methodologies or techniques for which environmental assessments need not be prepared. For example, if a program regularly supports research that involves noninvasive techniques or nonharmful invasive techniques (such as taking water or soil samples, or collecting non-protected species of flora and fauna) the directorate may determine that field projects otherwise coming under paragraph (b)(3) of this section which involve only the use of such techniques do not require an environmental assessment. However, any such guidelines must be submitted to the Chairman for approval.

(d) In some cases within the categories listed in paragraph (b) of this section, it will be evident at the outset or after the assessment process is begun that an EIS should be prepared. In such cases an assessment need not be completed, but the process of preparing an EIS (See §640.5, of this part) should be started.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

Presidio Trust (PRESIDIO) Categorical Exclusions (CE)	
Presidio Trust (PRESIDIO)	
§1010.7 Actions that do not require an EA or EIS.	
https://www.ecfr.gov/cgi-bin/text-idx?SID=9bb68c3677c7b9e878fbf7c008eed13d&mc=true&node=pt36.3.1010&rgn=div5	
(a) <i>Categorical Exclusions.</i> Pursuant to 40 CFR 1508.4, the Trust has determined that the categories of action identified in this paragraph have no significant effect, either individually or cumulatively, on the human environment and are therefore categorically excluded. Such actions (whether approved by the Trust or undertaken by the Trust directly or indirectly) do not require the preparation of an EA or an EIS:	
(1) Personnel actions and investigations and personal services contracts;	
(2) Administrative actions and operations directly related to the operation of the Trust (e.g., purchase of furnishings, services, and equipment) provided such actions and operations are consistent with applicable Executive Orders;	
(3) Internal organizational changes and facility and office expansions, reductions, and closings;	
(4) Routine financial transactions, including such things as salaries and expenses, procurement, guarantees, financial assistance, income transfers, audits, fees, bonds and royalties;	
(5) Management, formulation, allocation, transfer and reprogramming of the Trust's budget;	
(6) Routine and continuing government business, including such things as supervision, administration, operations, maintenance, and replacement activities having limited context and intensity (limited size and magnitude or short-term effects);	
(7) Preparation, issuance, and submittal of publications and routine reports;	
(8) Activities which are educational, informational, or advisory (including interpretive programs), or otherwise in consultation with or providing technical assistance to other agencies, public and private entities, visitors, individuals, or the general public;	
(9) Legislative proposals of an administrative or technical nature, including such things as changes in authorizations for appropriations or financing authority, minor boundary changes and land transactions; or having primarily economic, social, individual or institutional effects, as well as comments and reports on legislative proposals;	
(10) Proposal, adoption, revision, and termination of policies, directives, regulations, and guidelines:	
(i) That are of an administrative, financial, legal, technical, or procedural nature, the environmental effects of which are too broad, speculative, or conjectural to lend themselves to environmental analysis and the implementation of which will be subject to the NEPA process either collectively or on a case-by-case basis; or	
(ii) Where such actions will not potentially:	
(A) Increase public use to the extent of compromising the nature and character of the area or of causing significant physical damage to it;	
(B) Introduce non-compatible uses that might compromise the nature and characteristics of the area or cause significant physical damage to it;	
(C) Conflict with adjacent ownerships or land uses; or	
(D) Cause a significant nuisance to adjacent owners or occupants;	
(11) Preparation, approval, coordination, and implementation of plans, including priorities, justifications, and strategies, for research, monitoring, inventorying, and information gathering that is not or is only minimally manipulative and causes no or only minimal physical damage;	
(12) Identification, nomination, certification, and determination of eligibility of properties for listing in the National Register of Historic Places and the National Historic Landmark and National Natural Landmark Programs;	
(13) Minor or temporary changes in amounts or types of visitor use for the purpose of ensuring visitor safety or resource protection, minor changes in programs or regulations pertaining to visitor activities, and approval of permits or other use and occupancy agreements for special events or public assemblies and meetings, provided such events, assemblies, and meetings entail only short-term or readily mitigated environmental impacts;	
(14) Designation of environmental study areas and research areas, including those closed temporarily or permanently to the public, provided such designation would cause no or only minimal environmental impact;	
(15) Land and boundary surveys and minor boundary adjustments or transfers of administrative jurisdiction resulting in no significant change in land use;	
(16) Archaeological surveys and permits involving only surface collection or small-scale test excavations;	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(17) Changes or amendments to an approved plan or action when such changes or amendments would cause no or only minimal environmental impact;
(18) Contracts, work authorizations, or procurement actions related to proposals, programs, and master agreements related to administrative operation of the Trust;
(19) The leasing, permitting, sale, or financing of, or granting of non-free interests regarding, real or personal property in the Presidio Trust Area, provided that such actions would have no or only minimal environmental impact;
(20) Extension, reissuance, renewal, minor modification, or conversion in form of agreements for use of real property (including but not limited to leases, permits, licenses, concession contracts, use and occupancy agreements, easements, and rights-of-way), so long as such agreements were previously subject to NEPA and do not involve new construction or new or substantially greater environmental impacts, and so long as no new information is known or no changed circumstances have occurred that would give rise to new or substantially greater environmental impacts.
(21) Rehabilitation, modification, or improvement of historic properties that have been determined to be in conformance with the Secretary of the Interior's "Standards for the Treatment of Historic Properties" at 36 CFR part 68 and that would have no or only minimal environmental impact;
(22) Rehabilitation, maintenance, modification or improvement of non-historic properties that is consistent with applicable Executive Orders, provided there is no potential for significant environmental impacts, including impacts to cultural landscapes or archaeological resources;
(23) Removal, reduction, or restraint of resident individuals of species that are not threatened or endangered which pose dangers to visitors, residents, or neighbors or immediate threats to resources of the Presidio Trust Area;
(24) Removal of non-historic materials and structures in order to restore natural conditions when such removal has no potential for significant environmental impacts, including impacts to cultural landscapes or archaeological resources and is consistent with applicable Executive Orders;
(25) Installation of signs, displays, and kiosks, etc.;
(26) Replacement of minor structures and facilities (e.g., signs, kiosks, fences, comfort stations, and parking lots) with little or no change in location, capacity, or appearance;
(27) Repair, resurfacing, striping, installation of traffic control devices, and repair/replacement of guardrails, culverts, signs, and other minor features, on existing roads and parking facilities, provided there is no potential for significant environmental impact;
(28) Minor trail relocation, development of compatible trail networks on roads or other formally established routes, and trail maintenance and repair;
(29) Construction or rehabilitation in previously disturbed or developed areas required to meet health or safety regulations, or to meet requirements for making facilities accessible to the handicapped provided such construction or rehabilitation is implemented in a manner consistent with applicable Executive Orders;
(30) Landscaping and landscape maintenance in previously disturbed or developed areas;
(31) Minor changes in programs and regulations pertaining to visitor activities;
(32) Routine maintenance, property management, and resource management, with no potential for significant environmental impact and that are consistent with the Secretary of the Interior's "Standards for the Treatment of Historic Properties" at 36 CFR part 68, as applicable, and with applicable Executive Orders;
(33) Upgrading or adding new utility facilities to existing poles, or replacement poles which do not change existing pole line configurations.
(34) Issuance of rights-of-way for overhead utility lines to an individual building or well from an existing line where installation will not result in significant visual intrusion or non-conformance with the Secretary's "Standards for the Treatment of Historic Properties" at 36 CFR part 68, as applicable, and will involve no clearance of vegetation other than for placement of poles;
(35) Issuance of rights-of-way for minor overhead utility lines not involving placement of poles or towers and not involving vegetation management or significant visual intrusion in an area administered by NPS or the Trust or non-conformance with the Secretary's "Standards for the Treatment of Historic Properties" at 36 CFR part 68, as applicable;
(36) Installation of underground utilities in previously disturbed areas having stable soils, or in an existing utility right-of-way; and
(37) Experimental testing of no longer than 180 days of mass transit systems, and changes in operation of existing systems with no potential for significant environmental impact.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

(b) <i>Extraordinary circumstances.</i> An action that falls into one or more of the categories in paragraph (a) of this section may still require the preparation of an EIS or an EA if the NEPA Compliance Coordinator determines that it meets the criteria stated in §1010.8(b) or §1010.10(b), respectively, or involves extraordinary circumstances that may have a significant environmental effect. At its discretion, the Trust may require the preparation of an EA or an EIS for a proposal or action that otherwise qualifies for a categorical exclusion. Criteria used in determining whether to prepare an EA or EIS for an action that otherwise qualifies for a categorical exclusion include whether an action may:
(1) Have significant adverse effects on public health or safety;
(2) Have significant adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, sole or principal drinking water aquifers, wetlands, floodplains, or ecologically significant or critical areas;
(3) Have highly controversial environmental effects;
(4) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks;
(5) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects;
(6) Be directly related to other actions with individually insignificant but cumulatively significant environmental effects;
(7) Have significant adverse effects on properties listed or eligible for listing on the National Register of Historic Places;
(8) Have significant adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species;
(9) Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), Executive Order 13007 (Indian Sacred Sites), or the Fish and Wildlife Coordination Act; and/or
(10) Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.

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LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

<p style="text-align: center;">Small Business Administration (SBA) Categorical Exclusions (CE)</p>	
Small Business Administration (SBA)	
<u>7. CATEGORICAL EXCLUSIONS (CEQ §1508.4)</u>	
<p>The following categories of SBA actions are not ordinarily considered to be Federal actions which significantly affect the quality of the environment. Therefore, generally, the SBA will not be preparing an environmental assessment or an EIS in these cases. It should be noted that the district director at the field level and the designated SBA official at the Central Office level can make the determination that a significant environmental impact exists when a case appears sufficiently likely to warrant an assessment. These determinations should be based on the official's evaluation of the specific circumstances in each situation and must be documented as to the factors causing such determination.</p>	
a. Agency administrative action such as personnel actions.	
Should these actions constitute the movement of large groups of people or the construction of building space, an assessment may have to be prepared.	
b. Legislative Reports.	
In those cases where legislation is being enacted on SBA programs and could potentially have a significant environmental effect, an assessment may have to be prepared if the SBA report recommends legislation.	
c. Promulgation of rules, regulations, procedures, or interpretations.	
In those cases where the new or changed rules, regulations, procedures or interpretations deal with construction projects or land purchases of a value greater than \$300, 000, then an assessment may have to be prepared.	
d. Procurement Assistance Actions.	
No environmental assessments are necessary in the Agency's activities to assure that small business receives its share of existing procurements of other Agencies.	
e. Management and technical assistance actions.	
In those cases where management or technical assistance is being provided in support of a construction project in the developmental stage (either funded through the SBA or another government Agency) the SBA may be required to participate in support of a lead agency in the preparation of an environmental assessment.	
f. Small Business Investment Company Program Actions.	
In those cases where the SBA is approving an SBIC action of financing construction of facilities or purchase of land, then the SBA may be required to prepare an environmental assessment.	
g. Physical Disaster Loans and guarantees.	
In those cases where the SBA may be providing funds in excess of \$300, 000 to businesses or individuals to restore their property to its original state and restoration work may potentially have significant environmental effects, the district director may require the preparation of an environmental assessment.	
h. Business Loans and guarantees (including EOL loans, HAL, Energy, and disaster loans for economic injury).	
In those cases where loan proceeds for:	
(1) Construction and/or purchase of land exceeds \$300,000 or	
(2) the loan is in response to a government regulation which pertains to the environmental impact of the business operation.	
An environmental assessment may be required.	
i. Surety Bond Guarantees.	
Since the SBA becomes involved with the guaranteeing of a small, business' ability to satisfy an existing contract, no environmental assessments are necessary. In those cases where the SBA does become involved in the development of a construction project under the Surety Bond Guaranty Program, then the SBA will support an environmental evaluation.	
j. Pollution Control Financing Guaranty Program actions.	
In these cases where an individual business is being financed in excess of \$500, 000, an environmental assessment may be required.	
k. Local and Community Development loan and guarantee actions.	
In those cases where the loan is being utilized for construction in excess of \$300,000, then an environmental assessment may be required.	
l. Portfolio Management and Review actions.	

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

No assessments will be required.
m. Advocacy Program actions.
No assessments will be required.
n. Property Sales or Lease Assistance actions.
However, in cases of construction exceeding \$300,000 an environmental assessment may be required.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.

COUNCIL ON ENVIRONMENTAL QUALITY
LIST OF FEDERAL AGENCY CATEGORICAL EXCLUSIONS (CE LIST)

**Tennessee Valley Authority (TVA)
Categorical Exclusions (CE)**

Tennessee Valley Authority (TVA)

Appendix A to Subpart C - Categorical Exclusions

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The TVA has established the following classes of actions as categorical exclusions. Individual actions must be reviewed to determine whether any of the extraordinary circumstances listed in § 1318.202 is present. If an extraordinary circumstance cannot be mitigated sufficiently to render the action's impacts not significant, an EA or an EIS must be prepared.

1. Educational or informational activities undertaken by TVA alone or in conjunction with other agencies, public and private entities, or the general public.
2. Technical and planning assistance provided to State, local and private organizations and entities.
3. Personnel actions
4. Procurement actions.
5. Accounting, auditing, financial reports and disbursement of funds.
6. Contracts or agreements for the sale, purchase, or interchange of electricity.
7. Administrative actions consisting solely of paperwork.
8. Communication, transportation, computer service and office services.
9. Property protection activities that do not physically alter facilities or grounds, law enforcement and other legal activities.
10. Emergency preparedness actions not involving the modification of existing facilities or grounds.
11. Minor actions to address threats to public health and safety, including, but not limited to, temporary prohibition of existing uses of TVA land or property, short-term closures of sites, and selective removal of trees that pose a hazard.
12. Site characterization, data collection, inventory preparation, planning, monitoring, and other similar activities that have little to no physical impact.
13. Engineering and environmental studies that involve minor physical impacts, including but not limited to, geotechnical borings, dye-testing, installation of monitoring stations and groundwater test wells, and minor actions to facilitate access to
14. Conducting or funding minor research, development and demonstration projects and programs.
15. Reserved
16. Construction of new transmission line infrastructure, including electric transmission lines generally no more than 10 miles in length and that require no more than 125 acres of new developed rights-of-way and no more than 1 mile of new access road construction outside the right-of-way; and/or construction of electric power substations or interconnection facilities, including switching stations, phase or voltage conversions, and support facilities that generally require the physical disturbance of no more than 10 acres.
17. Routine modification, repair, and maintenance of, and minor upgrade of and addition to, existing transmission infrastructure, including the addition, retirement, and/or replacement of breakers, transformers, bushings, and relays; transmission line uprate, modification, reconductoring, and clearance resolution; and limited pole replacement. This exclusion also applies to improvements of existing access roads and construction of new access roads outside of the right-of-way that are generally no more than 1 mile in length.
18. Construction, modification and operation of communication facilities and/or equipment, including power line carriers, insulated overhead ground wires/fiber optic cables, devices for electricity transmission control and monitoring, VHF radios, and microwaves and support towers.
19. Removal of conductors and structures, and/or the cessation of right-of-way vegetation management, when existing transmissions lines are retired; or the rebuilding of transmission lines within or contiguous to existing rights-of-way involving generally no more than 25 miles in length and no more than 125 acres of expansion of the existing right-of-way.
20. Purchase, conveyance, exchange, lease, license, and/or disposal of existing substations, substation equipment, switchyards, and/or transmission lines and rights-of-way and associated equipment between TVA and other utilities and/or
21. Purchase or lease and subsequent operation of existing combustion turbine or combined-cycle plants for which there is existing adequate transmission and interconnection to the TVA transmission system and whose planned operation by TVA is within the normal operating levels of the purchased or leased facility.

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22. Development of dispersed recreation sites (generally not to exceed 10 acres in size) to support activities such as hunting, fishing, primitive camping, wildlife observation, hiking, and mountain biking. Actions include, but are not limited to, installation of guardrails, gates and signage, hardening and stabilization of sites, trail construction, and access
23. Development of public use areas that generally result in the physical disturbance of no more than 10 acres, including, but not limited to, construction of parking areas, campgrounds, stream access points, and day use areas.
24. Minor actions conducted by non-TVA entities on TVA property to be authorized under contract, license, permit, or covenant agreements, including those for utility crossings, agricultural uses, recreational uses, rental of structures, and sales of miscellaneous structures and materials from TVA land.
25. Transfer, lease, or disposal (sale, abandonment or exchange) of (a) minor tracts of land, mineral rights, and landrights, and (b) minor rights in ownership of permanent structures.
26. Approvals under Section 26a of the TVA Act of minor structures, boat docks and ramps, and shoreline facilities.
27. Installation of minor shoreline structures or facilities, boat docks and ramps, and actions to stabilize shoreline (generally up to 1/2 mile in length) by TVA.
28. Minor modifications to land use allocations outside of a normal land planning cycle to: Rectify administrative errors; incorporate new information that is consistent with a previously approved decision included in the land use plan; or implement TVA's shoreline or land management policies affecting no more than 10 acres.
29. Actions to restore and enhance wetlands, riparian, and aquatic ecosystems that generally involve physical disturbance of no more than 10 acres, including, but not limited to, construction of small water control structures; revegetation actions using native materials; construction of small berms, dikes, and fish attractors; removal of debris and sediment following natural or human-caused disturbance events; installation of silt fences; construction of limited access routes for purposes of routine maintenance and management; and reintroduction or supplementation of native, formerly native, or established species into suitable habitat within their historic or established range.
30. Actions to maintain, restore, or enhance terrestrial ecosystems that generally involve physical disturbance of no more than 125 acres, including, but not limited to, establishment and maintenance of non-invasive vegetation; bush hogging; prescribed fires; installation of nesting and roosting structures, fencing, and cave gates; and reintroduction or supplementation of native, formerly native, or established species into suitable habitat within their historic or established range.
31. The following forest management activities:
- a. Actions to manipulate species composition and age class, including, but not limited to, harvesting or thinning of live trees and other timber stand improvement actions (e.g., prescribed burns, non-commercial removal, chemical control), generally covering up to 125 acres and requiring no more than 1 mile of temporary or seasonal permanent road construction;
 - b. Actions to salvage dead and/or dying trees including, but not limited to, harvesting of trees to control insects or disease or address storm damage (including removal of affected trees and adjacent live, unaffected trees as determined necessary to control the spread of insects or disease), generally covering up to 250 acres and requiring no more than 1 mile of temporary or seasonal permanent road construction; and
 - c. Actions to regenerate forest stands, including, but not limited to, planting of native tree species upon site preparation, generally covering up to 125 acres and requiring no more than 1 mile of temporary or seasonal permanent road
32. Actions to manage invasive plants including, but not limited to, chemical applications, mechanical removal, and manual treatments that generally do not physically disturb more than 125 acres of land.
33. Actions to protect cultural resources including, but not limited to, fencing, gating, signing, and bank stabilization (generally up to 1/2 mile in length when along stream banks or reservoir shoreline).
34. Reburial of human remains and funerary objects under the Native American Graves Protection and Repatriation Act that are inadvertently discovered or intentionally excavated on TVA land.
35. Installation or modification (but not expansion) of low-volume groundwater withdrawal wells (provided that there would be no drawdown other than in the immediate vicinity of the pumping well and that there is no potential for long-term decline of the water table or degradation of the aquifer), or plugging of groundwater or other wells at the end of their operating life. Site characterization must verify a low potential for seismicity, subsidence, and contamination of freshwater aquifers.
36. Routine operation, repair or in-kind replacement, and maintenance actions for existing buildings, infrastructure systems, facility grounds, public use areas, recreation sites, and operating equipment at or within the immediate vicinity of TVA's generation and other facilities. Covered actions are those that are required to maintain and preserve assets in their current location and in a condition suitable for use for its designated purpose. Such actions will not result in a change in the design capacity, function, or operation. (Routine actions that include replacement or changes to major components of buildings, facilities, infrastructure systems, or facility grounds, and actions requiring new permits or changes to an existing permit(s) are addressed in CE 37). Such actions may include, but are not limited to, the following:

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- a. Regular servicing of in-plant and on-site equipment (including during routine outages) such as gear boxes, generators, turbines and bearings, duct work, conveyers, and air preheaters; fuel supply systems; unloading and handling equipment for fuel; handling equipment for ash, gypsum or other by-products or waste; hydropower, navigation and flood control equipment; water quality and air emissions control or reduction equipment; and other operating system or ancillary components that do not increase emissions or discharges beyond current permitted levels;
 - b. Regular servicing of power equipment and structures within existing transmission substations and switching stations;
 - c. Routine testing and calibration of facility components, subsystems, or portable equipment (such as control valves, in-core monitoring devices, transformers, capacitors, monitoring wells, weather stations, and flumes);
 - d. Routine cleaning and decontamination, including to surfaces of equipment, rooms, and building systems (including HVAC, septic systems, and tanks);
 - e. Repair or replacement of plumbing, electrical equipment, small HVAC systems, sewerage, pipes, and telephone and other communication service;
 - f. Repair or replacement of doors, windows, walls, ceilings, roofs, floors and lighting fixtures in structures less than 50 years old;
 - g. Painting and paint removal at structures less than 50 years old, including actions taken to contain, remove, or dispose of lead-based paint when in accordance with applicable requirements;
 - h. Recycling and/or removal of materials, debris, and solid waste from facilities, in accordance with applicable requirements;
 - i. Groundskeeping actions, including mowing and landscaping, snow and ice removal, application of fertilizer, erosion control and soil stabilization measures (such as reseeding and revegetation), removal of dead or undesirable vegetation with a diameter of less than 3 inches (at breast height), and leaf and litter collection and removal;
 - j. Repair or replacement of gates and fences;
 - k. Maintenance of hazard buoys;
 - l. Maintenance of groundwater wells, discharge structures, pipes and diffusers;
 - m. Maintenance and repair of process, wastewater, and stormwater ponds and associated piping, pumping, and treatment systems
 - n. Maintenance and repair of subimpoundments and associated piping and water control structures;
 - o. Debris removal and maintenance of intake structures and constructed intake channels including sediment removal to return them to the originally-constructed configuration; and
 - p. Clean up of minor spills as part of routine operations.
37. Modifications, upgrades, updates, and other actions that alter existing buildings, infrastructure systems, facility grounds, and plant equipment, or their function, performance, and operation. Such actions, which generally will not physically disturb more than 10 acres, include but are not limited to, the following:
- a. Replacement or changes to major components of existing buildings, facilities, infrastructure systems, facility grounds, and equipment that are like-kind in nature;
 - b. Modifications, improvements, or operational changes to in-plant and on-site equipment that do not substantially alter emissions or discharges beyond current permitted limits. Examples of equipment include, but are not limited to: Gear boxes, generators, turbines and bearings, duct work, conveyers, superheaters, economizers, air preheaters, unloading and handling equipment for fuel; handling equipment for ash, gypsum or other by-products or waste; hydropower, navigation and flood control equipment; air and water quality control equipment; control, storage, and treatment systems (e.g. automation, alarms, fire suppression, ash ponds, gypsum storage, and ammonia storage and handling systems); and other operating system or ancillary components;
 - c. Installation of new sidewalks, fencing, and parking areas at an existing facility;
 - d. Installation or upgrades of large HVAC systems;
 - e. Modifications to water intake and outflow structures provided that intake velocities and volumes and water effluent quality and volumes are consistent with existing permit limits;
 - f. Repair or replacement of doors, windows, walls, ceilings, roofs, floors and lighting fixtures in structures greater than 50 years old; and
 - g. Painting and paint removal at structures greater than 50 years old, including actions taken to contain, remove and dispose of lead-based paint when in accordance with applicable requirements.
38. Siting, construction, and use of buildings and associated infrastructure (e.g., utility lines serving the building), physically disturbing generally no more than 10 acres of land not previously disturbed by human activity or 25 acres of land so disturbed
39. Siting and temporary placement and operation of trailers, prefabricated and modular buildings, or tanks on previously disturbed sites at an existing TVA facility.

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40. Demolition and disposal of structures, buildings, equipment and associated infrastructure and subsequent site reclamation, subject to applicable review for historical value, on sites generally less than 10 acres in size.
41. Actions to maintain roads, trails, and parking areas (including resurfacing, cleaning, asphalt repairs, and placing gravel) that do not involve new ground disturbance (i.e., no grading).
42. Improvements to existing roads, trails, and parking areas, including, but not limited to, scraping and regrading; regrading of embankments; installation or replacement of culverts; and other such minor expansions.
43. Actions to enhance and control access to TVA property including, but not limited to, construction of new access roads and parking areas (generally no greater than 1 mile in length and physically disturbing no more than 10 acres of land not previously disturbed by human activity or 25 acres of land so disturbed) and installation of control measures such as gates, fences, or post and cable.
44. Small-scale, non-emergency cleanup of solid waste or hazardous waste (other than high-level radioactive waste and spent nuclear fuel) to reduce risk to human health or the environment. Actions include collection and treatment (such as incineration, encapsulation, physical or chemical separation, and compaction), recovery, storage, or disposal of wastes at existing facilities currently handling the type of waste involved in the action.
45. Installation, modification, and operation of the following types of renewable or waste-heat recovery energy projects which increase generating capacity at an existing TVA facility, generally comprising of physical disturbance to no more than 10 acres of land not previously disturbed by human activity or 25 acres of land so disturbed:
- a. Combined heat and power or cogeneration systems at existing buildings or sites; and
 - b. Solar photovoltaic systems mounted on the ground, an existing building or other structure (such as a rooftop, parking lot or facility and mounted to signage lighting, gates or fences).
46. Transactions (contracts or agreements) for purchase of electricity from new methane gas electric generating systems using commercially available technology and installed within an area previously developed or disturbed by human activity.
47. Modifications to the TVA rate structure (i.e., rate change) that result in no predicted increase in overall TVA-system electricity consumption.
48. Financial and technical assistance for programs conducted by non-TVA entities to promote energy efficiency or water conservation, including, but not limited to, assistance for installation or replacement of energy efficient appliances, insulation, HVAC systems, plumbing fixtures, and water heating systems.
49. Financial assistance including, but not limited to, approving and administering grants, loans and rebates for the renovation or minor upgrading of existing facilities, established or developing industrial parks, or existing infrastructure; the extension of infrastructure; geotechnical boring; and construction of commercial and light industrial buildings. Generally, such assistance supports actions that physically disturb no more than 10 acres of land not previously disturbed by human activity or no more than 25 acres of land so disturbed.
50. Financial assistance for the following actions: Approving and administering grants, loans and rebates for continued operations or purchase of existing facilities and infrastructure for uses substantially the same as the current use; purchasing, installing, and replacing equipment or machinery at existing facilities; and completing engineering designs, architectural drawings, surveys, and site assessments (except when tree clearing, geotechnical boring, or other land disturbance would

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U.S. Postal Service (USPS) Categorical Exclusions (CE)	
U.S. Postal Service (USPS)	
§775.6 Categorical exclusions.	
https://www.ecfr.gov/cgi-bin/text-idx?SID=000c745abd14e46c96e2f511f7d7875a&mc=true&node=se39.1.775_16&rgn=div8	
(a) The classes of actions in this section are those that the Postal Service has determined do not individually or cumulatively have a significant impact on the human environment. To be categorically excluded, it must be determined that a proposed action fits within a class listed and there are no extraordinary circumstances that may affect the significance of the proposal. The action must not be connected to other actions with potentially significant impacts or is not related to other proposed actions with potentially significant impacts. Extraordinary circumstances are those unique situations presented by specific proposals, such as scientific controversy about the environmental impacts of the proposal, uncertain effects or effects involving unique or unknown risks.	
(b) Categorical exclusions relating to general agency actions:	
(1) Policy development, planning and implementation that relate to routine activities such as personnel, organizational changes or similar administrative functions.	
(2) Routine actions, including the management of programs or activities necessary to support the normal conduct of agency business, such as administrative, financial, operational and personnel action that involve no commitment of resources other than manpower and funding allocations.	
(3) Award of contracts for technical support services, management and operation of a government owned facility, and personal services.	
(4) Research activities and studies and routine data collection when such actions are clearly limited in context and intensity.	
(5) Educational and informational programs and activities.	
(6) Reduction in force resulting from workload adjustments, reduced personnel or funding levels, skill imbalances or other similar causes that do not affect more than 1,000 positions.	
(7) Postal rate or mail classification actions, address information system changes, post office name and zip code changes.	
(8) Property protection, law enforcement and other legal activities undertaken by the Postal Inspection Service, the Law Department, the Judicial Officer, and the Inspector General.	
(9) Activities related to trade representation and market development activities abroad.	
(10) Emergency preparedness planning activities, including designation of on-site evacuation routes.	
(11) Minor reassignment of motor vehicles and purchase or deployment of motor vehicles to new locations that do not adversely impact traffic safety, congestion or air quality.	
(12) Procurement or disposal of mail handling or transport equipment.	
(13) Acquisition, installation, operation, removal or disposal of communication systems, computers and data processing equipment.	
(14) Postal facility function changes not involving construction, where there are no substantial relocation of employees, or no substantial increase in the number of motor vehicles at a facility.	
(15) Closure or consolidation of post offices under 39 U.S.C. 404(d).	
(16) Minor operational changes at an existing facility to minimize waste generation and for reuse of materials. These changes include but are not limited to, adding filtration and recycling systems to allow reuse of vehicle or machine oil, setting up sorting areas to improve process efficiency, and segregating waste streams previously mingled and assigning new identification codes to the two resulting streams.	
(17) Actions which have an insignificant effect upon the environment as established in a previously written Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) or Environmental Impact Statement (EIS). Such repetitive actions shall be considered "reference actions" and a record of all decisions concerning these "reference actions" shall be maintained by the Chief Environmental Officer or designee. The proposed action must be essentially the same in context and the same or less in intensity or create fewer impacts than the "reference action" previously studied under an EA or EIS in order to qualify for this exclusion.	
(18) Rulemakings that are strictly procedural, and interpretations and rulings with existing regulations, or modifications or rescissions of such interpretations and rulings.	

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(c) Categorical exclusions relating to emergency or restoration actions:
(1) Any cleanup, remediation or removal action conducted under the provisions of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) or the Resource Conservation and Recovery Act (RCRA), any asbestos abatement actions regulated under the provisions of the Occupational Safety and Health Act (OSHA), or the Clean Air Act or any PCB transformer replacement or any lead based paint abatement actions regulated under the provisions of the Toxic Substances Control Act (TSCA), OSHA or RCRA.
(2) Testing associated with environmental cleanups or site investigations.
(d) Categorical exclusions relating to maintenance or repair actions at existing facilities:
(1) Siting, construction or operation of temporary support buildings or support structures.
(2) Routine maintenance and minor activities, such as fencing, that occur in floodplains or state and local wetlands or pursuant to the nationwide, regional or general permitting process of the US Army Corps of Engineers.
(3) Routine actions normally conducted to protect and maintain properties and which do not alter the configuration of the building.
(4) Changes in configuration of buildings required to promote handicapped accessibility pursuant to the Architectural Barriers Act.
(5) Repair to, or replacement in kind or equivalent of building equipment or components (e.g., electrical distribution, HVAC systems, doors, windows, roofs, etc.).
(6) Internal modifications or improvements to structure, or buildings to accommodate mail processing, computer, communication or other similar types of equipment or other actions which do not involve modification to the external walls of the facility.
(7) Joint development and/or joint use projects that only involve internal modifications to an existing facility.
(8) Noise abatement measures, such as construction of noise barriers and installation of noise control materials.
(9) Actions which require concurrence or approval of another federal agency where the action is a categorical exclusion under the NEPA regulations of that federal agency.
(e) Categorical exclusions relating to real estate actions.
(1) Obtaining, granting, disposing, or changing of easements, licenses and permits, rights-of-way and similar interests.
(2) Extension, renewal, renegotiation, or termination of existing lease agreements.
(3) Purchase of Postal Service occupied leased property where the planned postal uses do not differ significantly from the past uses of the site.
(4) Acquisition or disposal of existing facilities and real property where the planned uses do not differ significantly from past uses of the site.
(5) Acquisition of real property not connected to specific facility plans or when necessary to protect the interests of the Postal Service in advance of final project approval. This categorical exclusion only applies to the acquisition. Any subsequent use of the site for a facility project must be considered under this part.
(6) Disposal through sale or outlease of unimproved real property.
(7) Disposal through sale, outlease, transfer or exchange of real property to other federal or state agencies.
(8) Disposal of properties where the size, area, topography, and zoning are similar to existing surrounding properties and/or where current and reasonable anticipated uses are or would be similar to current surrounding uses (e.g., commercial store in a commercial strip, warehouse in an urban complex, office building in downtown area, row house or vacant lot in an urban area).
(9) Acquisition and disposal through sale, lease, transfer, reservation or exchange of real property for nature and habitat preservation, conservation, a park or wildlife management.
(10) New construction, Postal Service owned or leased, or joint development and joint use projects, of any facility unless the proposed action is listed as requiring an EA in §775.5.
(11) Expansion or improvement of an existing facility where the expansion is within the boundaries of the site or occurs in a previously developed area unless the proposed action is listed as requiring an EA in §775.5.
(12) Construction and disturbance pursuant to a nationwide, regional or general permit issued by the US Army Corps of Engineers.
(13) Any activity in floodplains being regulated pursuant to §775.6 and is not listed as requiring an EA in §775.5.

The CE List is not an authoritative source and creates no rights or obligations. Federal agencies and stakeholders should review the relevant agency's NEPA procedures for applicable extraordinary circumstances and to ensure that a CE is currently available for use. For ease of use, a link to each agency's NEPA procedures and CEs is provided at the top of each tab.