

# FAA Airports Division Standard Operating Procedures (SOP) for CATEX Determinations ARP SOP 5.00 – INFORMATION

October 8, 2015

**NOTE:** This information is intended to assist in understanding and does not replace OR substitute compliance with FAA Orders 1050.1f and 5050.4b and is subject to change.

## **FAA Airports CATEXs guidance and format**

- The FAA Airports Division has an ongoing national effort to update, revise and create Standard Operating Procedures (SOP) to standardize our work. FAA Head Quarter’s intention is to assure more uniform and consistent application of FAA policy and requirements. Creating the Categorical Exclusion (CATEX) Determination SOP (ARP SOP 5.00) is part of this national effort.
- Requirements for analyzing project environmental impacts including CATEXs are stated in FAA environmental Orders 1050.1E and 5050.4B. However, the Orders don’t provide detailed information regarding format. FAA guidance has not been consistent across the FAA Airports regions.
- The effective date for the CATEX SOP is October 1, 2014, it supersedes all other previous CATEX formats. Nationwide, FAA Airports Division is required to comply with the SOP as is the Airport Sponsor.
- CATEXs will only be accepted in the format prescribed in the SOP.

## **Projects types that require use of the CATEX SOP**

- All ‘federal actions’ include airport improvement projects that use Airport Improvement Funds (AIP) and or change the Airport Layout Plan (ALP) require environmental review.
- Federal actions including equipment acquisition, construction, and AIP funded **maintenance projects** require environmental review and the appropriate documentation in compliance with FAA regulations.

## **Categorical Exclusions**

- The purpose of a CATEX is to limit extensive NEPA analysis to those actions that may be major Federal actions significantly affecting the quality of the environment.
- A CATEX is an undertaking that is automatically excluded from a detailed environmental analysis if it meets certain criteria which a federal agency has previously determined as having no significant environmental impact. Each Federal agency develops its own list of projects which are categorically excluded at the national level.
- For an airport projects to qualify as a CATEX, the proposed project must be listed in FAA Order 5050.4b Tables 6-1 and 6-2 and meet the criteria to be a CATEX. If the project is not on the list, the project **cannot** be categorically excluded and an EA must be prepared.

### **“Simple Record” CATEX**

- A Simple Record CATEX includes projects listed in FAA Order 5050.4b Table 6-1 and are actions that, by their nature, have no potential to affect the environment. These projects can be excluded from further NEPA review and require only a simple written record for the file.
  - In addition to Table 6-1 actions, we are currently accepting a simple written record for authorized purchase of safety equipment such as snow removal equipment or other equipment.
- FAA Alaskan Region will currently accept the following as simple record CATEX – if these actions are combined with other projects that may involve extraordinary circumstances, a checklist will need to be completed for all the projects.
  - Paint marking
  - Runway rehab - overlay over existing only – no new ground disturbance

### **“Checklist” CATEXs**

- A “checklist” CATEX is for airport actions listed in FAA Order 5050.4b Table 6-2 that qualify as a CATEX and MAY involve Extraordinary Circumstances. All Table 6-2 airport actions require the preparation of a checklist to determine whether it is in fact a CATEX or whether extraordinary circumstances apply that require an EA.
- Documentation for this level of analysis is a completed checklist, together with whatever supporting data is needed to substantiate the conclusions reached.
- Agency consultation may be necessary to ensure the proposed project with extraordinary circumstances will not violate the requirements of NEPA, the Endangered Species Act, the Historic Preservation Act, or Section 404 of the Clean Water Act, the Sponsor will need to solicit comments from the appropriate State and/or Federal agencies as necessary- (SHPO, USFWS, COE, other).

### **Completing the Checklist**

- The checklist is not complete until all information is included with supporting documentation as necessary. Specifically cite websites including date of review and other references to substantiate findings.
- Be specific and thorough in the description
  - Obstruction removal, for example needs to include a detailed description of the action, where the tree removal will take place, the method of removal, if mechanized include the type of equipment and time of year the work will occur.
  - A project location graphic is required (i.e., Google Earth or airport aerial with airport surfaces). *Exhibit A will not be accepted.*

### **Public Participation**

- Generally, a CATEX does not require public participation, but depending on the type of project or if an agency, individual, or group expresses interest in the project's environmental effects, they should be kept informed of the CATEX review – Consult with FAA EPS.

#### **Environmental Analysis other than NEPA**

- CATEXs are not excluded from other environmental laws and regulations. Extraordinary circumstances and specifically special purpose laws may require additional analysis, consulting with other agencies, public involvement and additional documentation and regulated review (e.g. Section 106) periods even though the airport project qualifies as a CATEX.
- We do not have a programmatic agreement or “exempted list” with the State Historic and Preservation Office and therefore Section 106 is required for all CATEXs in Table 6-2. Follow either the guidance in FAA Alaskan Region Section 106 template letters or the conditions of FAA Alaskan Region No Potential to Effect guidance.
- Ensure the project complies and all other relevant law and regulations processes have been completed. Include all documentation of Section 106 review or use of No Potential to Effect guidance with the CATEX.

#### **Decision**

- It is FAA's determination and decision for every proposed project regarding whether it is a CATEX, EA, or EIS and level of effort necessary to comply with NEPA including the CATEX documentation.
- Consult with FAA EPSs often.