

Proposed and Recently Implemented Agency NEPA Procedures*

Proposed Agency NEPA Procedures (pending final agency action)

- **Corporation for National and Community Service (CNCS):** CNCS published categorical exclusions for CNCS projects and activities that provide funding assistance to existing non-federal programs and projects such as educational programs, community volunteer programs, health care support, housing repair projects, and wildlife conservation programs, (many funded under the American Recovery and Reinvestment Act of 2009) that do not have significant effects on the quality of the human environment and therefore should be categorically excluded from more intensive environmental reviews under NEPA. Published July 15, 2009 with comments due August 14, 2009 ([74 FR 34309](#)).
- **Department of Agriculture, Natural Resource Conservation Service (NRCS):** NRCS published categorical exclusions for conservation and watershed rehabilitation activities that address activities, many funded under the American Recovery and Reinvestment Act, and of 2009, that do not have significant effects on the quality of the human environment and therefore should be categorically excluded from more intensive environmental reviews under NEPA. Published July 13, 2009 with comments due September 11, 2009 ([74 FR 33319](#)).
- **Department of Commerce National Telecommunications and Information Administration (NTIA):** NTIA had no NEPA procedures in place for the Broadband Technology Opportunity Program and published categorical exclusions for broadband deployment activities funded under the American Recovery and Reinvestment Act Projects. Published on July 9, 2009 with comments due by August 10, 2009 ([74 FR 32876](#)).
- **Federal Highway Administration:** Notice of Proposed Memorandum of Understanding Assigning Environmental Responsibilities to Alaska published October 14, 2008, with comments requested by November 28, 2008 ([73 Federal Register 60750](#)).

NOTE: Transportation reauthorization authority at sections 6004 and 6005 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59), allows some states to take the place of FHWA in meeting environmental responsibilities (e.g., coordination and consultation under other federal environmental laws such as the Endangered Species Act, Clean Water Act, and National Historic Preservation Act) and obligations with regard to categorical exclusions (section 6004) and with regard to broader environmental analyses (section 6005). The Memoranda of Understanding (MOU) outlining the states roles are at found at <http://www.fhwa.dot.gov/environment/index.htm>. Currently, California and Utah have section 6004 categorical exclusion authority and California has section 6005 authority.

- **Department of Housing and Urban Development:** Amendments to HUD's Environmental Regulations – published for comment September 12, 2007 ([72 Federal Register 52264](#)).
- **Office of Justice Programs, Department of Justice:** Correction Program Office's Interim Final Rule for Environmental Impact Review Procedures for the Violent Offender Incarceration/Truth-In-Sentencing Incentive Grants Program – published for comment on August 8, 2000 ([65 Federal Register 48592](#)).

***NOTE: To access the Federal Register, go to: <http://www.gpoaccess.gov/fr/index.html>**

Recently Implemented Agency NEPA Procedures (within the last 12 months)

- **Department of Commerce:** Proposed Categorical Exclusions published for comment May 26, 2009 (74 FR 24782) and final published July 10, 2009 ([74 FR 33204](#)).
- **National Endowment for the Arts:** Protocol for Categorical Exclusions Supplementing the CEQ NEPA Regulations for Certain American Recovery and Reinvestment Act Projects – published for comment May 6, 2009. Comment period closed June 5, 2009. ([74 FR 21011](#)).
- **Federal Transit Administration-Federal Highway Administration, Department of Transportation:** Proposed Environmental Impact and Related Procedures – published for comment August 7, 2007 (72 Federal Register 44038) and published as a final rule on March 24, 2009 ([74 FR 12517](#)).
- **Department of the Interior:** Implementation of the National Environmental Policy Act of 1969 –published for comment January 2, 2008 (73 Federal Register 126) and published as final rule (43 CFR part 46) October 15, 2008 ([73 FR 61292](#)).
- **Natural Resources Conservation Service, Department of Agriculture:** This interim final rule modifies the NRCS NEPA regulations at 7 CFR 650 to allow for decisions on proposed grants in conformity with 60 and 90 day timelines in Farm Bill by eliminating the requirement for 30 day public review periods for all environmental assessments and by explicitly providing for programmatic environmental assessments – published as immediately effective with a 30 day comment period on June 25, 2008 (73 Federal Register 35883) and affirmed as final rule on September 23, 2008 ([73 FR 54667](#)).
- **U.S. Forest Service, Department of Agriculture:** National Environmental Policy Act (NEPA) Compliance – published for comment August 16, 2007 (72 Federal Register 45998) and published as final rule (36 CFR part 220) July 24, 2008 ([73 FR 43084](#)).