



U. S. Department  
of Transportation  
**Federal Aviation  
Administration**

Great Lakes Region  
Illinois, Indiana, Michigan  
Minnesota, North Dakota,  
Ohio, South Dakota,  
Wisconsin

2300 East Devon Avenue  
Des Plaines, Illinois 60018

## **POLICY & PROCEDURES MEMORANDUM—AIRPORTS DIVISION**

**NUMBER:** 5050.20

**DATE:** September 28, 2007

**SUBJECT:** Processing and Documentation of Categorical Exclusions

**REFERENCES:** [1] FAA Order 1050.1E (“Environmental Impacts: Policies and Procedures”)  
[2] FAA Order 5050.4B (“National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions”)  
[3] Policy & Procedures Memorandum 5050.15 (“Environmental References”)

### **IMPORTANT NOTE ON THE CURRENCY OF THIS REGIONAL POLICY**

This PPM is based on current regulatory and policy considerations, which may change from time to time based on statutory changes and case law. Moreover, certain resource categories are affected by state laws as much as Federal. The FAA will make all reasonable efforts to keep this regional policy current. However, sponsors and their consultants are urged to verify the currency of referenced documents, particularly in cases where the FAA is not the designated oversight agency and/or the proposed project may impact the associated resource.

### **Background**

To reduce unnecessary paperwork, Council on Environmental Quality regulation 40 CFR 1500.4(p) allows for the exemption of certain categories of actions from NEPA Environmental Impact Statement requirements. Specifically, 40 CFR 1508.4 defines categorical exclusions as categories of actions that do not individually or cumulatively have significant effects on the human environment and which have been found to have no effect in procedures adopted by the federal agency.

In developing categorically excluded actions, each Federal agency must consider extraordinary circumstances in which a normally excluded action may have a significant environmental effect.

Accordingly, it shall be the policy of the Airports Division, Great Lakes Region that any Airports District Office (ADO) reviewing Federal Actions for compliance with NEPA shall

evaluate the applicability of a categorical exclusion, using this PPM and the applicable checklist components to make and document its determination.

In addition, ADOs must provide written notification to the sponsor, in accordance with FAA Order 5050.4B, paragraph 608, which states in part that:

Via a dated email or letter, the responsible FAA official must notify the airport sponsor, that FAA has or has not categorically excluded a proposed action. This ensures the airport sponsor knows that FAA has met the requirements of NEPA and that FAA has addressed all associated extraordinary circumstances applicable to a proposed action. The responsible FAA official must place proof of notice in the project file. If the FAA cannot categorically exclude an action, the responsible FAA official should explain why.

### **Contents of this PPM**

This PPM includes the following appendices:

- Appendix A (Sample Sponsor Notification Letter)
- Appendix B (Catex Short Form)
- Appendix C (Catex Long Form)

### **Categorical Exclusion (CATEX) Actions**

According to FAA Order 1050.1E, paragraph 303b, the FAA has classified the following functions as categorically excluded types of actions:

1. Administrative/General: Actions that are administrative or general in nature;
2. Certification: Actions concerning issuance of certificates or compliance with certification programs;
3. Equipment and Instrumentation: Actions involving installation, repair, or upgrade of equipment or instruments necessary for operations and safety;
4. 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;
5. Procedural: Actions involving establishment, modification, or application of airspace and air traffic procedures; or
6. Regulatory: Actions involving compliance with, or exemptions to, regulatory programs or requirements.

Under FAA Order 1050.1E, paragraph 303c, FAA may categorically exclude actions listed in paragraphs 307 through 312 of that Order. In categorically excluding an action, FAA meets its NEPA responsibilities. This allows the appropriate FAA official to determine if FAA should approve or fund that action without requiring further environmental documentation or processes.

Some actions that would normally be categorically excluded could require additional environmental analysis to determine whether the proposed action involves extraordinary circumstances. Extraordinary circumstances (as specifically described in FAA Order 1050.1E, paragraph 304 and FAA Order 5050.4B paragraph 606) exist when the proposed action may have a significant effect and involves any of the following resources or issues:

<b>Major Resource Categories</b>	<b>Special purpose law beyond NEPA</b>
Air Quality	Yes
Coastal Zone Areas	Yes
Community Disruption	
Cumulative Impacts	
Endangered Species	Yes
Farmlands Conversion	Yes
Floodplains	Yes
Hazardous Materials	Yes
Highly Controversial Action	
Historic or Cultural Property	Yes
Inconsistency with applicable laws	
Noise	
Parks, Public Lands and Recreation	Yes
Traffic Congestion	
Water Quality	
Wetlands and Waterways	Yes
Wild and Scenic Rivers	

Source: FAA Order 5050.4B, Table 6-3

For a detailed listing of statutory, regulatory and policy documents related to these resources, see Policy & Procedure Memorandum 5050.15 (“Environmental References”) available at

[http://www.faa.gov/airports\\_airtraffic/airports/regional\\_guidance/great\\_lakes/airports\\_re\\_sources/ppms/media/5050.15.pdf](http://www.faa.gov/airports_airtraffic/airports/regional_guidance/great_lakes/airports_re_sources/ppms/media/5050.15.pdf)

The FAA will update that reference document periodically as required; please note the date indicating its most recent update.

The CATEX Short Form (Appendix B) shall be used only for administrative and certification actions, equipment acquisition, instrumentation and planning-related activities as defined in FAA Order 1050.1E, paragraphs 307, 308, and 309.

The CATEX Long Form (Appendix C) may generally be used for actions involving acquisition, repair, replacement, maintenance, or upgrading of grounds, infrastructure, buildings, structures, or facilities that are generally minor in nature as defined in FAA Order 1050.1E, paragraph 310.

The CATEX Long Form is designed to prompt consideration of the full range of

environmental issues, regulatory processes, potential impacts, and extraordinary circumstances that must be considered before deciding to support a categorical exclusion. It is not intended to serve as the sole documentation in this decision. An indication of “Yes” on any single issue or factor may not necessarily preclude a categorical exclusion; however, in general, a “Yes” indication will prompt the need for additional documentation before issuing a categorical exclusion finding.

Under no circumstances does this PPM or the CATEX Long Form eliminate the need for full and proper documentation, agency coordination, any required Federal or state environmental or other permits, or full compliance with all applicable Federal and state laws, regulations and policies.

### **Planning Documentation**

Before proceeding with any environmental review process (including a proposed CATEX), it is crucial that all associated planning be completed to the fullest extent possible. If the project plans or justification change after environmental review has begun, it could be necessary to restart the environmental review process.

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Jeri Alles  
Airports Division Manager  
Great Lakes Region

## APPENDIX A –SAMPLE SPONSOR NOTIFICATION LETTER



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

XXX Airports District Office

[insert airport sponsor]  
[insert airport name]  
[insert address]

Subject: [insert airport name or location]  
[insert project name]

Dear [insert name]:

This letter is to notify you that the project for [insert] has been reviewed in accordance with the National Environmental Policy Act (NEPA). This environmental decision is generally valid for three (3) years before a reevaluation could be required, unless current conditions change materially or new information becomes available sooner.

Under NEPA, the Federal Aviation Administration is required to take into account environmental considerations when authorizing or approving Federal actions. Based on the review of the actions described above, the undersigned has determined that the proposed actions are specifically categorically excluded. They fall within the specific items identified in FAA Order 1050.1E, Chapter 3, Advisory and Emergency Actions and Categorical Exclusions and are normally categorically excluded from the requirement for formal environmental assessment when extraordinary circumstances are not present:

[List the 1050.1 Chapter 3 Paragraph reference]

Please note that this transmittal serves as notification that this project has been cleared environmentally only. This is not a notice of final project approval, funding eligibility or availability. As the sponsor, you are still responsible for compliance with all applicable environmental laws, regulations and procedures, including any applicable Federal and state permits.

Please feel free to contact me with any questions or concerns at (XXX) XXX-XXXX.

Sincerely,

Environmental Protection Specialist  
XXX Airports District Office

Attachment



# Federal Aviation Administration

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## MEMORANDUM

Date: [insert]  
To: [airport sponsor]  
From: [insert] Airports District Office  
Prepared by: [Insert name of EPS], (XXX) XXX-XXXX  
Subject: Categorical Exclusion for [insert airport name and project]

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**PROJECT DESCRIPTION:** [insert project description]

### **REFERENCE**

- [1] FAA Order 1050.1E (“Environmental Impacts: Policies and Procedures”)
- [2] FAA Order 5050.4B “National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions”
- [3] Preapplication for Federal Assistance dated [insert SF 424 date] (if available).

### **CATEGORICAL EXCLUSION DETERMINATION**

Under NEPA, the Federal Aviation Administration (FAA) is required to take into account environmental considerations when authorizing or approving Federal actions. Based on the review of the actions described above, the undersigned has determined that the proposed actions are specifically categorically excluded. They fall within the specific items identified in FAA Order 1050.1E, Chapter 3, Advisory and Emergency Actions and Categorical Exclusions and are normally categorically excluded from the requirement for formal environmental assessment when extraordinary circumstances are not present:

[List the 1050.1 Chapter 3 Paragraph reference]

### **Record of Environmental Review Approved by:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Environmental Protection Specialist, XXX-ADO

## APPENDIX C – CATEX Long Form

### Checklist to Support an Environmental Finding of Categorical Exclusion (Catex)

This checklist documents consideration of environmental laws, regulations, and executive orders as they apply to Federal actions. It is based on the guidance in Federal Aviation Administration (FAA) Order 5050.4B, "National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions," FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," and incorporates the Council on Environmental Quality (CEQ) regulations for implementing the NEPA, federal statutes and laws designed to protect the Nation's resources.

The preparer of this checklist should have knowledge of the environmental features of the airport and general potential impacts associated with the proposed development. Although some of the responses may be obtained from the preparer's own knowledge and observations, previous environmental documents and current agency correspondence should be cited.

Airport Name and Location	[insert]
Complete Project Description	[insert]
Estimated Start Date	[insert]

Environmental Resource Area Review for Potential Effects and Impacts		Impact Anticipated?		Documentation Attached
		Yes	No	
1.	<p><b>Air quality:</b> Will the project have the potential to increase landside or airside capacity, including an increase of surface vehicles?</p> <p><u>Check all appropriate boxes</u></p> <p><input type="checkbox"/> Project is not located within or adjacent to USEPA-defined Non-Attainment area</p> <p><input type="checkbox"/> Project is accounted for in State Implementation Plan</p> <p><input type="checkbox"/> Project air pollutant emissions do not exceed applicable <i>de minimis</i> levels as defined by General Conformity</p> <p><input type="checkbox"/> Project is listed on Presumed to Conform List</p>			
2.	<p><b>Archaeological:</b> Will action have an effect on property included in or eligible for Federal, Tribal, State or local historical, archeological, or cultural significance?</p> <p><u>Check all appropriate boxes</u></p> <p><input type="checkbox"/> Project does not involve any disturbance of previously undisturbed ground.</p> <p><input type="checkbox"/> Project involves disturbance of previously undisturbed ground, SHPO coordination completed and "determination of no effect"</p> <p style="padding-left: 20px;"><input type="checkbox"/> Class I survey records search completed and attached</p> <p style="padding-left: 40px;"><input type="checkbox"/> SHPO Concurrence "No Effect Determination"</p> <p><input type="checkbox"/> Class III Survey completed and attached</p> <p style="padding-left: 20px;"><input type="checkbox"/> SHPO Concurrence "No Effect Determination"</p>			

Environmental Resource Area Review for Potential Effects and Impacts		Impact Anticipated?		Documentation Attached
		Yes	No	
	<input type="checkbox"/> SHPO Concurrence “No Adverse Effect Determination” ◆ The Airport Sponsor shall ensure that construction specifications include conditions required by SHPO regarding unknown items found during construction.			
3.	<b>Biotic communities:</b> Will the project impact plant communities and/or cause displacement of wildlife?			
4.	<b>Coastal resources:</b> Will the project occur in, or impact a coastal zone as defined by the State’s Coastal Zone Management Plan?			
5.	<b>Compatible land use:</b> Will the project be consistent with plans, goals, policy, zoning or local controls that have been adopted for the area in which the airport is located?			
6.	<b>Construction impacts:</b> Will the project produce construction impacts, such as reducing local air quality, produce erosion or pollutant runoff, or disrupt local traffic patterns?			
7.	<p><b>Endangered species:</b> Is there any impact on any Federally listed endangered, threatened, and candidate species (flora or fauna) or designated critical habitat?</p> <p><u>Check all appropriate boxes</u></p> <input type="checkbox"/> Project will not adversely affect the physical environment (land disturbance, vegetation removal, sedimentation, dust, noise/ waste/hazardous materials emission into the environment, etc.).			
	<input type="checkbox"/> Project will have an effect on the physical environment. USFWS documentation is required: <input type="checkbox"/> Threatened or endangered species not present – USFWS concurrence attached <input type="checkbox"/> Species present – USFWS agrees endangered or threatened species will not be impacted by the project. Review and consultation completed and attached. Project conditions required are listed in comments and shall be included in construction specification.			
8.	<b>Energy supply and natural resources:</b> Will the project impact energy supply of natural resources?			
9.	<b>Environmental justice:</b> Will the project cause any adverse and disproportionate impacts on minority and low-income populations? (Refer to Executive Order 12898.)			
10.	<b>Essential fish habitat:</b> Is project located in or cause adverse effects to a waterway, stream, or water body?			



Environmental Resource Area Review for Potential Effects and Impacts		Impact Anticipated?		Documentation Attached
		Yes	No	
	<p><u>Check all appropriate boxes</u></p> <p><input type="checkbox"/> Project is not within or near a waterway, stream, or other body of water.</p> <p><input type="checkbox"/> Project is within or near a waterway, stream, or other body of water:</p> <p style="padding-left: 20px;"><input type="checkbox"/> USFWS Consultation is attached.</p> <p>◆ The Airport Sponsor shall ensure that USFWS conditions/ requirements are included in Construction Specifications.</p>			
11.	<p><b>Farmland:</b> Will action involve acquisition and conversion of farmland?</p> <p><u>Check all appropriate boxes</u></p> <p><input type="checkbox"/> Project does not involve new disturbance of farmland.</p> <p><input type="checkbox"/> U.S. Natural Resources Conservation Service consultation and Form AD-1006 attached.</p>			
12.	<p><b>Migratory Bird Treaty Act:</b> Will the project have the potential to adversely impact birds protected by the migratory bird treaty act?</p>			
13.	<p><b>Floodplains:</b> Will project be located in, encroach upon or otherwise impact a floodplain?</p> <p><u>Check all appropriate boxes</u></p> <p><input type="checkbox"/> Project is not located in and does not impact floodplains</p> <p><input type="checkbox"/> Applicable FEMA Map is attached.</p> <p><input type="checkbox"/> Project is located in floodplain and will not negatively impact floodplains.</p>			
14.	<p><b>Hazardous materials:</b> Does project involve or affect hazardous materials or involve construction in an area that contains hazardous materials and/or hazardous waste?</p>			
15.	<p><b>Historic:</b> Will action have an effect on property included in or eligible for the National Register of Historic Places or other property of Federal, Tribal, State or local significance?</p> <p><u>Check all appropriate boxes</u></p> <p><input type="checkbox"/> Project does not involve any "Historic" Structures over 50 years old</p> <p><input type="checkbox"/> Project involves "Historic" Structures over 50 years old, and attach State Historic Preservation Officer (SHPO) coordination completed and "determination of no effect"</p> <p><input type="checkbox"/> Project does not involve any property of Federal, Tribal, State or local significance</p> <p><input type="checkbox"/> Project does involve property of Federal, Tribal, State or local significance</p>			
16.	<p><b>Light emissions:</b> Will the project produce significant light emission</p>			

Environmental Resource Area Review for Potential Effects and Impacts		Impact Anticipated?		Documentation Attached
		Yes	No	
	impacts to residential areas, schools, or hospitals?			
17.	<b>Natural resources:</b> Will action have significant impact on natural, ecological, cultural or scenic resources of national, state or local significance?			
18.	<p><b>Noise levels:</b> Will project have a significant impact (DNL 1.5 dB or greater) on noise levels over noise sensitive areas (residences, schools, churches, hospitals) within the 65 DNL noise contour?</p> <p><u>Check all appropriate boxes</u></p> <p><input type="checkbox"/> Project will enable a significant increase in aircraft operations.</p> <p><input type="checkbox"/> Project will enable a significant change in aircraft fleet mix.</p> <p><input type="checkbox"/> Project will cause a change in airfield configuration and/or use:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Intermittent</p> <p style="padding-left: 20px;"><input type="checkbox"/> Temporary (i.e., less than 180 days)</p> <p style="padding-left: 20px;"><input type="checkbox"/> Long-term or permanent</p>			
19.	<b>Parks, public lands, refuges and recreational resources:</b> Will project impact publicly owned land from a public park, recreation area, or wildlife or waterfowl refuge of national, state or local significance, or land of a historic site with national, state or local significance? (DOT Section 4(f) [49 U.S.C. 303 (c)] impacts)			
20.	<b>Surface transportation:</b> Will project cause a significant increase in surface traffic congestion or cause a degradation of level of service?			
21.	<p><b>Water quality:</b> Will project have a significant impact to water quality to groundwater, surface water bodies, public water supply systems or violate Federal, state, or tribal water quality standards?</p> <p><u>Check all appropriate boxes</u></p> <p><input type="checkbox"/> Project <u>will not</u> produce water quality impacts or other modifications to groundwater, surface bodies, or public water supply systems.</p> <p><input type="checkbox"/> Project <u>will</u> produce water quality impacts or other modifications to groundwater, surface bodies, or public water supply systems.</p> <p>◆ The Airport Sponsor shall ensure the State National Pollutant Discharge Elimination System (NPDES) permits are obtained as required for construction projects and airport operation.</p>			
22.	<p><b>Wetlands:</b> Will project impact any wetlands? Wetland Determinations must meet requirements of the U.S. Army Corps of Engineers (USCOE) 1987 Wetland Delineation Manual.</p> <p><u>Check all appropriate boxes</u></p> <p><input type="checkbox"/> Project <u>will not</u> involve dredging or disposal of dredged material, or excavation, bank stabilization, filling or other changes to wetlands</p> <p><input type="checkbox"/> Project <u>will</u> involve dredging or disposal of dredged material, or</p>			

Environmental Resource Area Review for Potential Effects and Impacts		Impact Anticipated?		Documentation Attached
		Yes	No	
	excavation, bank stabilization, filling or other changes to wetlands  <u>Coordination with agencies attached</u> <input type="checkbox"/> Consultation with U.S. National Resource Conservation Service and National Wetland Inventory (NWI) Maps attached with project drawn on NWI. <input type="checkbox"/> Consultation with US Fish & Wildlife (USFWS) attached <input type="checkbox"/> Consultation with USCOE attached <input type="checkbox"/> Other Consultation (EPA/State) attached <input type="checkbox"/> Wetland Delineation attached			
23.	<b>Wild and Scenic Rivers:</b> Does action impact U.S. National Park Service-designated Wild or Scenic River?			
<b>Other required environmental considerations</b>				
24.	<b>Connected actions:</b> Are there other closely related actions that should be considered?			
25.	<b>Cumulative actions:</b> When viewed with other planned actions, are the project impacts significant?			
26.	<b>Cumulative impacts:</b> When considered together with other past, present, and reasonably foreseeable future development projects, on or off the airport, regardless of funding source, would the proposed project produce a significant cumulative effect?			
27.	<b>Environmental laws:</b> Is project inconsistent with any other Federal, state, or local laws relating to environment?			
28.	<b>Highly controversial:</b> Is the proposed project likely to be highly controversial on environmental grounds? A proposed Federal action is considered highly controversial when an action is opposed on environmental grounds by a Federal, state, or local government, or by a substantial number of persons affected by such action. Further information may be referenced in FAA Order 5050.4B, paragraph 9i.			
29.	<b>Community disruption:</b> Will project cause disruption of a community, disrupt planned development or be inconsistent with plans or goals of the community?			
30.	<b>Relocation housing:</b> Is the availability of adequate housing a highly controversial issue?			
31.	<b>Social impact:</b> Are residents or businesses being relocated?			
33.	<b>Similar actions:</b> Are there other similar Federal actions that would cause this project to be significant?			

Environmental Resource Area Review for Potential Effects and Impacts		Impact Anticipated?		Documentation Attached
		Yes	No	
34.	List additional comments/consultation to support finding of categorical exclusion. It is important to explain determinations in the space provided above for situations where “checked boxes” do not adequately explain the project-specific situation for this Categorical Exclusion			
	[insert—this cell will automatically expand]			

### Preparer Certification

I hereby certify that the information I have provided is complete and accurate, to the best of my knowledge:

_____ Signature	[insert] Date
[insert] Printed Name and Title	[insert] Organization

### Airport Sponsor Certification (may not be delegated to consultant)

I hereby certify that the information provided is complete and accurate to the best of my knowledge. I also recognize and agree that no construction activity, including but not limited to site preparation, demolition, or land disturbance, shall proceed for the above proposed project(s) until the FAA issues a final environmental decision for the proposed project(s) and until compliance with all other applicable FAA approval actions (e.g., ALP approval, airspace approval, grant approval if applicable) have occurred. All applicable Federal, State, and local permits required shall be obtained before proceeding with the proposed action.

_____ Signature	[insert] Date
[insert] Printed Name and Title	[insert] Organization

### FAA Decision

Based on the foregoing, it is the FAA's decision that the proposed project (s) or development warrants environmental processing as indicated below:

- The proposed project qualifies for a Categorical Exclusion.
- The proposed project appears to involve conditions that may require the preparation of an Environmental Assessment (EA), addressing [insert subject areas].
- The following additional documentation is required for FAA to perform a complete environmental evaluation of the proposed project [insert as appropriate]:

Action reviewed, recommended, and approved by:

_____ Signature	[insert] Date
[insert name] Environmental Protection Specialist Printed Name and Title	as FAA Approving Official for the Federal Aviation Administration