

## **Northern Border Regional Commission**

### **CATEGORICAL EXCLUSION SUPPORTING STATEMENT**

Proposal for the creation of Categorical Exclusions in compliance with the National Environmental Policy Act and Implementing Regulations (42 U.S.C. § 4332), as amended.

February 24, 2026

#### **Introduction**

The Northern Border Regional Commission (NBRC) has developed a list of Categorical Exclusions (CATEX) to comply with NEPA and streamline the environmental review process for its funded projects.

NBRC, in consultation with CEQ, has adopted and applied the Denali Commission (DC)'s CATEX list and the USFS' CATEX list to its activities. These CATEXs were posted in the Federal Register on May 15, 2024 (89 FR 42454), and July 11, 2025 (90 FR 30884), respectively.

This document outlines the rationale and supporting information behind the development of the proposed NBRC CATEX list. While some of the proposed CATEXs may bear similarities to those previously utilized by NBRC, NBRC is updating and refining the list to better suit its operational needs and ensure compliance with regulatory standards. Additionally, NBRC is introducing new CATEXs based on its extensive experience in implementing actions funded by the commission over the past 15 years.

The proposed NBRC CATEX list will be integrated into the commission's NEPA implementing procedures to provide clarity and efficiency in the environmental review process for NBRC-funded projects. This initiative reflects NBRC's commitment to responsible environmental stewardship while facilitating economic development and community enhancement across the northern border region.

## **Process Used to Identify the Proposed New CATEXs**

To identify the proposed new CATEXs specific to NBRC and develop CATEX language, NBRC established a working group consisting of key personnel, including NBRC's Federal Co-chair, Executive Director, Deputy Executive Director, Program Director, and NBRC's NEPA contractor. This working group drew on NBRC's established authority and the extensive experience its key personnel have developed since the commission's founding in 2008. While NBRC has only been receiving funds from Congress since 2010, its grant programs have evolved and expanded over the past decade to fund new types of actions aimed at enhancing economic development and community well-being across the northern border region. Through the preparation of individual environmental assessments (EAs) for specific projects, NBRC has analyzed these evolving activities, thereby informing the identification of new CATEXs tailored to NBRC's initiatives.

In addition to NBRC's historical reliance on U.S. Housing and Urban Development (HUD)'s CATEX list, the working group also drew from DC's CATEX list, which NBRC has used over the past year for projects more aligned with its scope. This experience has led to the identification of proposed CATEXs aimed at enhancing clarity and effectiveness in the environmental review process for NBRC-funded projects.

In establishing its first CATEX list as part of NBRC's development of agency NEPA procedures, the agency has determined that all proposed CATEXs will require a Record of Environmental Consideration (REC). This decision reflects NBRC's commitment to maintaining a thorough administrative record, documenting the rationale behind applying a CATEX to NBRC-funded actions. The REC will provide a clear record of NBRC's consideration of environmental factors and any extraordinary circumstances associated with the proposed actions.

## **Methods Used to Substantiate Proposed New CATEXs**

To substantiate the proposed new CATEXs, NBRC has drawn upon experiences from other Federal agencies with missions and funded activities similar to its own. Additionally, NBRC utilized EAs of previously implemented NBRC activities, resulting in a Finding of No Significant Impact (FONSI) under HUD's or DC's procedures. NBRC activities have not relied on EISs. This approach aligns with CEQ guidance in the 2010 memorandum "Establishing, Applying, and Revising Categorical Exclusions under the National Environmental Policy Act."

### **1. Benchmarking Other Agency Experience**

Other Federal agencies have CATEXs for activities similar in nature, scope, and effects to those included in NBRC's proposed CATEX list. NBRC has reviewed the descriptions and use of these CATEXs and determined that the scope and use are comparable to the intended use of the NBRC-proposed CATEXs, as described in this administrative record. In some cases, the same CATEXs are used to substantiate multiple proposed NBRC CATEXs.

## **2. Supporting EAs and FONSI**

Based on numerous EAs resulting in a FONSI, NBRC has determined that the activities outlined in the proposed CATEX list analyzed in these EAs do not have significant effects on the human environment. In compiling the administrative record, NBRC staff identified several EAs resulting in FONSIs that closely align with the activities proposed by the CATEX. The summaries of relevant EAs supporting the proposed CATEXs are included in this document. Additionally, NBRC reviewed any proposed mitigation measures implemented for those activities to determine whether new limiting factors should be included in the proposed CATEXs and added those factors where appropriate.

## **Individual substantiation for each proposed CATEX for NBRC activities**

The remainder of this document contains the substantiation material for each CATEX proposed for inclusion in NBRC's inaugural CATEX list. The organization of this list mirrors that of the proposed procedures for ease of reference and consistency.

### **Proposed CATEX 1:**

#### **Formulating Comprehensive Economic Development and Infrastructure Plans:**

The formulation of and/or updates to comprehensive economic development and infrastructure plans at the site, local, or regional level. To qualify for this CATEX, the following conditions must be met:

**1. Scope of Activity:**

- Limited to the creation and drafting of comprehensive economic development and infrastructure plans.

**2. Implementation Limitations:**

- Limited to the development of plans without permitting any on-the-ground execution or implementation.

#### **Rationale and Support for CATEX**

NBRC routinely provides grants to support the creation of comprehensive economic development and infrastructure plans by regional stakeholders and grantees. These plans serve as strategic frameworks for identifying priorities, assessing infrastructure and economic needs, and outlining long-term strategies for future investment and development within the region.

This proposed CATEX focuses exclusively on the planning phase, limiting activities to the drafting and formulation of comprehensive economic development and infrastructure plans. No on-the-ground implementation, construction, or physical activities are permitted under this CATEX. This targeted scope ensures that the environmental review process is streamlined for planning-related activities, while excluding any physical impacts.

The development of comprehensive plans typically involves grantees engaging in tasks such as research, data analysis, stakeholder consultation, and documentation. Examples include conducting market assessments, analyzing demographic trends, evaluating transportation and infrastructure needs, and soliciting public input for the development of regional strategies. These activities are largely performed in office settings or through virtual collaboration without any direct physical interaction with the environment.

By limiting the activities covered under this CATEX to the planning and drafting stages, NBRC ensures that these efforts have no adverse environmental impacts. This approach

allows grantees to focus on formulating strategies and recommendations without the need for construction or physical alterations to the project sites.

By adopting these conditions, NBRC's CATEX for formulating comprehensive economic development and infrastructure plans ensures that planning-related activities do not have the potential to result in significant adverse environmental effects. This approach aligns with similar practices used by DC and USDA Rural Development (RD). These agencies' CATEXs have been effective in managing planning projects of similar scope, and NBRC is using these examples to ensure its projects meet the same environmental standards while supporting strategic development across the region. For example, Economic Development Administration, Department of Energy, and the Department of Transportation rely on this CATEX because planning activities do not approve, fund or initiate ground-disturbing activities, and any future projects identified in the plan would require separate NEPA review. Planning documents alone have no significant environmental impacts.

### **Benchmarking Other Agency Experience**

#### **Department of Energy (DOE)**

Reference: 10 C.F.R. Pt. 1021, Subpt. D, App. A (A9) (2024)

*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.***

#### **Department of Interior (DOI)–National Park Service (NPS)**

Reference: DOI. *Department Manual*, Series 31, Pt. 516, ch.12(12.5)(B)(4) (2004)

***Plans, including priorities, justifications, and strategies, for non-manipulative research, monitoring, inventorying, and information gathering.***

#### **Department of Justice (DOJ)–Federal Bureau of Investigation (FBI)**

Reference: 28 C.F.R. Pt. 61, App. F (5)(c)(NR9) (2019)

*Conducting audits and surveys, data collection; data analysis; and processing, permitting, 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 or other NEPA analysis.*

*Examples include:*

- (ii) **Studies, reports, proposals, analyses, literature reviews, computer modeling, and intelligence gathering and sharing;***

#### **USDA Rural Development (USDA RD)**

Reference: 7 C.F.R. § 1970.53 (b)(1) (2016)

*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.*

## Proposed CATEX 2:

### **Workforce Development, Education, and Training Programs:**

Workforce development, education, and training programs, including but not limited to support for workforce initiatives, afterschool partnerships, leadership programs, nursing residency expansions, and job training programs. To qualify for this CATEX, the following conditions must be met:

#### **1. Implementation Limitations:**

- Does not include any construction or renovation of facilities (i.e., ground-disturbing activities) to support such initiatives.

### **Rationale and Support for CATEX**

NBRC regularly provides funding for a diverse range of workforce development, education, and training programs administered by regional stakeholders. These initiatives encompass various administrative and programmatic functions, such as program coordination, participant enrollment, curriculum development, and resource allocation. Funding support extends to activities, including registration fees, travel expenses, training materials, and event logistics. This CATEX specifically addresses the administrative management and implementation of these programs, while explicitly excluding any construction or renovation of facilities related to program support.

NBRC's funding for workforce development, education, and training programs is generally targeted toward activities taking place in existing facilities that are well-suited for such purposes and accessible to participants, such as conference centers, office spaces, or training centers operated by regional partners. Additionally, some training activities may be conducted virtually, further expanding access and participation to geographically distant populations.

The condition that "implementation limitations" exclude construction or renovation ensures that these programs focus solely on the delivery of training and educational services, without causing physical alterations to the environment. By utilizing the existing infrastructure and virtual platforms, NBRC minimizes the potential for adverse effects on the human environment, ensuring that these activities proceed with minimal environmental disruption.

By adopting these conditions, NBRC's CATEX for workforce development, education, and training programs ensures that these initiatives do not have the potential to result in adverse environmental impacts. This approach is similar to practices used by the Department of the Army (DA), Environmental Protection Agency (EPA), and Federal Transit Administration (FTA). These agencies' CATEXs have been effective for managing similar administrative and training activities, and NBRC is using these existing CATEXs to

substantiate the Commission’s proposed CATEX and ensure its projects meet similar environmental standards while supporting workforce development across the region.

### **Benchmarking Other Agency Experience**

#### **Denali Commission (DC)**

Reference: 45 C.F.R. Pt. 900 App. A (A4) (2016)

*Approving and issuing grants for **social services, education and training programs**, including but not limited to support for Head Start, **senior citizen programs, drug treatment programs, and funding internships, except for projects involving construction, renovation, or changes in land use.***

#### **Department of the Army (DA)**

Reference: 32 C.F.R. Pt. 651 App. B Section II (i)(2) (2009)

*Training entirely of an administrative or classroom nature.*

#### **Environmental Protection Agency (EPA)**

Reference: 40 C.F.R. § 6.204 (a)(2)(iii) (2024)

*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.*

#### **Federal Transit Administration (FTA)**

Reference: 23 C.F.R. § 771.118 (c)(4) (2018)

***Planning and administrative activities which 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.*

## **Proposed CATEX 3:**

### **Equipment Acquisition, Installation, and Maintenance:**

Purchase, repair, upgrade, replacement, removal, or installation of new equipment (e.g., machinery, tools, devices, instruments) and associated sitework (e.g., preparing equipment foundations, installing support structures, and making adjustments to existing infrastructure to accommodate the new equipment). To qualify for this CATEX, the following conditions must be met:

#### **1. Capacity Consideration:**

- The future use of the equipment will not result in an increase in demand that exceeds the capacity of the existing infrastructure and resources, including sewer, water, energy, roads, and parking.

#### **2. Equipment Restrictions:**

- (1) This CATEX would not apply to projects involving substantial construction, renovation, or expansion. “Substantial” in this context refers to modifications that change the size, scope, or function of the existing infrastructure beyond minor adjustments or enhancements.
- (2) 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), can qualify for this CATEX provided that uses of the installed or relocated items are consistent with the general missions of the receiving.

### **Rationale and Support for CATEX**

NBRC routinely provides funding and support for the acquisition, repair, upgrade, replacement, removal, or installation of various types of equipment to facilitate its mission and funded projects. This equipment serves a broad range of functions, addressing the needs of communities and industries across the region. Examples include laboratory equipment, snowmaking machines, logging equipment, solar panels, electric vehicle charging stations, waste management systems, and trail grooming machinery.

In addition to equipment procurement, NBRC funding frequently covers the site work necessary to support the installation or integration of new equipment. This may involve preparing equipment foundations, installing support structures, and making minor adjustments to existing infrastructure. These site improvements ensure that the equipment can be safely and efficiently accommodated without requiring significant alterations to the existing facilities.

The condition that “the future use of the equipment will not result in an increase in demand that exceeds the capacity of the existing infrastructure and resources” is critical for preventing undue strain on local infrastructure systems. This includes ensuring that the equipment's operation does not exceed the capacity of local roads, parking, sewer, water, and energy systems. By enforcing this requirement, NBRC ensures that communities can absorb the new equipment’s infrastructure needs without overwhelming public services or utilities, thus preventing potential environmental effects, such as a strain on water resources or increased transportation-related issues, which could arise from overburdened systems.

The restriction that prevents the use of the CATEX for “projects involving substantial construction, renovation, or expansion” helps to ensure that the site work modifications allowable under the CATEX remain small in scale. This condition limits activities to non-substantial changes that involve only minor adjustments or enhancements, ensuring minimal effects on the human environment. By focusing on equipment-related projects that do not require significant alterations, NBRC helps protect local ecosystems, public health, and existing infrastructure.

By adopting these conditions, NBRC’s CATEX for equipment acquisition, installation, and maintenance projects ensures that necessary upgrades and installations do not have the potential to result in significant adverse environmental impacts. This approach aligns with the HUD and DC approach to screen out risk, limit scope and preserve environmental review where impacts could occur.

## **Benchmarking Other Agency Experience**

### **U.S. Housing and Urban Development (HUD)**

Reference: 24 C.F.R. § 58.35 (b)(3) (2013)

*Operating costs, including maintenance, security, operation, utilities, **furnishings, equipment**, supplies, staff training and recruitment, and other incidental costs.*

### **Denali Commission (DC)**

Reference: 45 C.F.R. Pt. 900 App. A (A8) (2016)

***Acquisition and installation of equipment** including, but not limited to, EMS, emergency and non-expendable medical equipment (e.g., digital imaging devices and dental equipment), and communications equipment (e.g., computer upgrades).*

### **Denali Commission (DC)**

Reference: 45 C.F.R. Pt. 900 App. A (A9) (2016)

***Upgrade, repair, maintenance, replacement**, or minor renovations and additions to buildings, roads, harbors and other maritime facilities, **grounds, equipment**, and other facilities, including but not limited to, roof replacement, foundation repair, ADA access ramp and door improvements, 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.*

## Proposed CATEX 4:

### **Modifications to Existing Facilities:**

Renovation, repair, remodeling, demolition, or expansion of existing facilities and associated sitework (e.g., parking lot construction, installation of outdoor features such as playgrounds and storage sheds, and stormwater management infrastructure). Facilities include buildings intended for commercial, community, or healthcare purposes, as well as buildings associated with transportation infrastructure like airports, railways, and bus stations. Examples include airport hangars, barns, hospitals, visitor centers, libraries, and train stations. To qualify for this CATEX, the following conditions must be met:

#### **1. Capacity Consideration:**

- The future use of the facility will not result in an increase in occupancy that exceeds the capacity of the existing surrounding infrastructure and resources, including sewer, water, energy, roads, and parking.

#### **2. Urbanized or Previously Developed Land:**

- The existing facilities and associated sitework must be either located in designated "urbanized areas," as defined by the Census Bureau, or on land that has been previously developed. Previously developed areas are those where historical grading or landscaping has been undertaken.

### **Rationale and Support for CATEX**

NBRC routinely provides funding for the renovation, repair, remodeling, and expansion of existing facilities as part of its community development efforts. These activities encompass a diverse range of projects aimed at revitalizing infrastructure, enhancing public spaces, and fostering economic growth across the region. Examples include restoring vacant storefronts and downtown properties and facilitating their transformation into spaces for small businesses, art galleries, and community events. NBRC also supports the renovation of essential community services, such as childcare facilities, to provide improved environments for children, along with restoring heritage buildings and cultural landmarks, such as old theaters, churches, and municipal buildings, ensuring their historical significance is preserved in compliance with the National Historic Preservation Act (NHPA) while adapting them for contemporary use.

These projects involve various activities, including stabilizing foundations, replacing roofs, demolishing deteriorated walls, updating interior layouts, and upgrading electrical and mechanical systems. Additionally, site work may be necessary, such as installing outdoor features like playgrounds and storage sheds and implementing stormwater management infrastructure to mitigate environmental impacts.

The condition that “the future use of the facility will not result in an increase in occupancy that exceeds the capacity of the existing surrounding infrastructure and resources” ensures that projects do not place undue strain on local infrastructure systems. This includes roads, parking, sewer, water, and energy. By setting this requirement, NBRC ensures that communities can absorb and sustain the infrastructure needs of the newly renovated or expanded facilities without overwhelming the available public services or utilities, thus preventing potential environmental effects, such as a strain on water resources or increased transportation-related issues, which could arise from overburdened systems.

The requirement that “the existing facilities and associated sitework must be either located in designated ‘urbanized areas’ or on previously developed land” helps protect undeveloped areas and focuses development on regions with existing infrastructure. This not only minimizes environmental impacts, but also promotes the revitalization of already developed areas, avoiding unnecessary sprawl and preserving natural landscapes.

By adopting these conditions, NBRC’s CATEX for modifications to existing facilities ensures that renovation and expansion projects do not have the potential to result in significant adverse environmental effects. This approach aligns with similar practices used by the Department of Homeland Security (DHS) and DC. These agencies’ CATEXs are structured to screen out risk, limit scope and preserve environmental review where impacts could occur and therefore have been effective in managing for projects of a similar scale. NBRC is using these examples to ensure its projects meet the same environmental standards while promoting community development.

## **Benchmarking Other Agency Experience**

### **Department of Justice (DOJ)–Federal Bureau of Investigation (FBI)**

Reference: 28 C.F.R. Pt. 61 App. F (5)(R5) (2019)

**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;**

### **Department of Interior (DOI)–National Park Service (NPS)**

Reference: DOI. *Department Manual*, Series 31, Pt. 516, ch.12(12.5)(F)(3) (2004)

**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.**

### **Denali Commission (DC)**

Reference: 45 C.F.R. Pt. 900 App. B (B3) (2024)

**Construction** or lease of **new infrastructure** including, but not limited to, **health care facilities, community buildings, housing,** and bulk fuel storage and power generation plants, where such lease or construction:

(a) Is at the site of existing infrastructure and capacity is not substantially increased; or

(b) Is for infrastructure of less than 12,000 square feet of useable space when less than two acres of surface land area are involved at a new site.

NBRC did not incorporate similar bounds like 12,000 sq ft or 2 acres because CE #4 is for existing facilities and not new sites.

#### **Animal and Plant Health Inspection Service (APHIS)**

Reference: 7 C.F.R. § 372.5 (5) (2020)

**Minor renovation, improvement, and maintenance of facilities.** Examples are:

- **Minor additions to existing facilities**

#### **Denali Commission**

Reference: 45 C.F.R. Pt. 900 App. B (B7) (2024)

**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.

## Proposed CATEX 5:

### New Facilities:

Construction of new facilities and associated sitework (e.g., parking lot construction, installation of outdoor features such as playgrounds and storage sheds, and stormwater management infrastructure). Facilities include buildings intended for commercial, community, or healthcare purposes, as well as buildings associated with transportation infrastructure like airports, railways, and bus stations. Examples include airport hangars, barns, hospitals, visitor centers, libraries, and train stations. To qualify for this CATEX, the following conditions must be met:

#### 1. Facility Size:

- The facility must have a footprint of less than 20,000 square feet when completed, and the project area must be less than two acres of surface land area.

#### 2. Capacity Consideration:

- The new facility will not exceed the capacity of the existing surrounding infrastructure and resources, including sewer, water, energy, roads, and parking.

#### 3. Urbanized or Previously Developed Land:

- The new facility and associated sitework must be located in designated "urbanized areas," as defined by the Census Bureau, or on land that has been previously developed. Previously developed areas are those where historical grading or landscaping has been undertaken.

### Rationale and Support for CATEX

NBRC funds the construction of new facilities, including community buildings, healthcare centers, and transportation-related infrastructure. These activities are part of NBRC's broader mission to promote community development and improve public infrastructure across the region. The facilities covered under this CATEX include those intended for commercial, community, healthcare, and transportation purposes, such as hospitals, visitor centers, libraries, train stations, and bus stations.

This CATEX applies to projects where the new facility will have a footprint of less than 20,000 square feet and a total project area of no more than two acres. These restrictions ensure that the environmental impact is minimized and the scale of development is appropriate for the existing surroundings. Associated sitework may include constructing small parking lots, installing outdoor features such as playgrounds and storage sheds, and

establishing stormwater management infrastructure to address environmental runoff during construction.

The condition that “the facility will not exceed the capacity of the existing surrounding infrastructure and resources” ensures that new facilities do not place undue strain on public utilities, such as roads, parking, sewer, water, and energy systems. By setting this requirement, NBRC ensures that the communities hosting these projects can absorb the infrastructure needs of the new facilities without overwhelming public services or utilities, thus preventing the potential environmental effects, such as a strain on water resources or increased transportation-related issues, which could arise from overburdened systems.

The requirement that “the new facility and associated sitework must be located in designated ‘urbanized areas’ or on previously developed land” further minimizes environmental effects by focusing development in areas with existing infrastructure and ground disturbance. This condition helps protect undeveloped areas and promotes the revitalization of regions that have already undergone development. Focusing construction in urbanized or previously developed areas helps to avoid unnecessary sprawl and ensures that the new facilities integrate into the existing community frameworks without causing significant environmental disruption.

By adopting these conditions, NBRC’s CATEX for small-scale construction projects ensures that these projects do not have the potential to result in adverse environmental effects. This approach aligns with similar practices used by DC, the National Oceanic and Atmospheric Administration (NOAA), and the Federal Emergency Management Agency (FEMA). These agencies’ CATEXs have been effective in managing projects of a similar scale, and NBRC is using these examples to ensure its projects meet the same environmental standards while promoting community development.

### **Benchmarking Other Agency Experience**

#### **Denali Commission (DC)**

Reference: 45 C.F.R. Pt. 900 App. B (B3) (2016)

***Construction or lease of new infrastructure including, but not limited to, health care facilities, community buildings, housing, and bulk fuel storage and power generation plants, where such lease or construction:***

***(a) Is at the site of existing infrastructure and capacity is not substantially increased;***  
***or***

***(b) Is for infrastructure of less than 12,000 square feet of useable space when less than two acres of surface land area are involved at a new site.***

#### **National Oceanic and Atmospheric Administration (NOAA)**

Reference: Policy and Procedures for Compliance with the National Environmental Policy Act and Related Authorities, App. E (F1) (2017)

***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 development area (where active utilities and currently used roads are readily accessible).*

**Federal Emergency Management Agency (FEMA)**

Reference: 44 C.F.R. § 10.8 (d)(2)(xviii) (2024)

**Construction of new structures and facilities**, such as pump stations, within existing developed areas or in previously disturbed sites, provided there is no significant change in land use.

**Supporting EA**

The following EA demonstrates NBRC's experience with a project involving the construction of a new facility. Even though this project exceeded the size threshold specified in CATEX 5, the environmental review determined that it did not result in significant adverse environmental effects. Through careful planning and the implementation of minor mitigation measures, NBRC was able to keep impacts below the significance level. The EA resulted in a FONSI, showing that the environmental effects were minimal despite its larger footprint. This EA is relevant as it showcases NBRC's ability to manage construction projects under similar conditions, ensuring that the project does not result in significant adverse environmental effects.

**Project 1:**

**Granite State Adaptive Development Project**

*FONSI Signed: August 16, 2024*

**The Proposed Action:**

The Granite State Adaptive project involved the construction of an agricultural therapeutic equine facility in Wolfeboro, New Hampshire. The facility was designed to serve underserved populations, particularly individuals with mental and physical disabilities, by providing recreational and instructional opportunities. The key elements of the project included the construction of a 20,000-square-foot barn with an indoor riding arena, a classroom, and a composting system for animal waste. Other site improvements involved widening the existing driveway, installing a gravel parking lot, and developing stormwater management infrastructure. The project was constructed on a 25.4-acre property.

**Expansion Details:**

This project fits within the general scope of CATEX 5, as it involved the construction of a new facility; specifically, the barn and equine therapy facility. The sitework was limited to previously developed areas, and the surrounding infrastructure, such as roads and utilities, had sufficient capacity to support the new facility. The project also met other conditions proposed in the new CATEX, including its location on previously developed land.

**Environmental Impact Mitigation:**

The presence of wetlands in the project area ultimately required the issuance of a mitigated FONSI. The environmental review, triggered by NEPA, mandated the assessment of wetland impacts in accordance with Executive Order 11990. This review ensured that appropriate mitigation measures were implemented to protect these sensitive areas, including the design of stormwater management systems and the replacement of a damaged culvert to improve water flow and minimize long-term environmental disruption.

Even though NBRC does not currently have formal procedures specific to wetland impacts, in practice, the agency follows the 8-Step decision-making process when EO 11990 is triggered. Had this project been categorized under a CATEX, the presence of wetlands would have been identified during the extraordinary circumstances review, and the 8-Step process would still have been conducted. This would have ensured that the necessary wetland impacts were assessed and appropriate mitigation measures were implemented to comply with EO 11990 and protect the environment.

**Conclusion:**

The environmental review determined that the project still did not result in significant adverse environmental effects. By keeping effects below the significance level through thoughtful design and minor mitigation measures, the project was able to proceed without triggering the need for further NEPA analysis, such as an Environmental Impact Statement (EIS). As a result, the project was deemed to have minimal environmental effects.

## Proposed CATEX 6:

### **Modifications to Existing Utility Infrastructure:**

Repair, reconstruction, rehabilitation, replacement, additions to, or removal of existing utility infrastructure and associated sitework (e.g., valve and meter installation, manhole construction, and stormwater management installation). Utility infrastructure includes but is not limited to water supply systems (including wells), sewage systems (including wastewater treatment plants and septic tanks), gas pipelines, and electrical systems. To qualify for this CATEX, the following conditions must be met:

#### **1. Limitations on wells:**

- New wells must connect to an existing water system. The installation of new wells is not permitted in areas with existing or reasonably foreseeable water shortages.

#### **2. Capacity Consideration:**

- The future use of the utility infrastructure will not result in an increase in capacity that exceeds the ability of the existing surrounding infrastructure and resources that support it. This includes considerations for water supply, sewage treatment, gas distribution, and electrical grids.

#### **3. Urbanized or Previously Developed Areas:**

- The utility infrastructure and associated sitework must either be located in designated "urbanized areas," as defined by the Census Bureau, or on land that has been previously developed. Previously developed areas are those where historical grading or landscaping has been undertaken.

### **Rationale and Support for CATEX**

NBRC routinely provides funding for projects related to utility systems infrastructure as part of its community development efforts. These activities encompass a diverse range of projects aimed at revitalizing and modernizing utility infrastructure, enhancing public services, and fostering economic growth across the region. Projects typically involve repairing, reconstructing, rehabilitating, replacing, or adding to existing utility infrastructure systems, which may include water supply systems (including wells), sewage systems, gas pipelines, and electrical systems.

This CATEX covers modifications to the existing utility infrastructure and associated sitework, such as valve and meter installations, manhole construction, and stormwater management installations. Examples of projects funded by NBRC include replacing aging water and sewer lines, rehabilitating wastewater treatment facilities, and constructing new water storage facilities to improve service reliability. These projects are critical to addressing capacity and compliance issues and ensuring that communities can meet future utility demands while maintaining service quality.

The condition that “new wells must connect to an existing water system” ensures that by integrating new wells into existing infrastructure, the need for new pipelines or facilities is reduced, limiting land disturbance and habitat disruption. New wells are also not permitted to be categorically excluded in areas where there are existing or reasonably foreseeable water shortages. This approach minimizes the environmental footprint of the project while ensuring the responsible use of water resources.

The condition that “the future use of the utility infrastructure will not result in an increase in capacity that exceeds the ability of the existing surrounding infrastructure and resources that support it” ensures that utility systems do not place undue strain on the existing public services, including roads, landfills, and electrical grids. By setting this requirement, NBRC ensures that the surrounding infrastructure can support the indirect impacts of the new or rehabilitated utility systems without overwhelming the available resources that support it, thus preventing potential environmental impacts.

The requirement that “the utility infrastructure and associated sitework must either be located in designated ‘urbanized areas’ or on previously developed land” further minimizes environmental impacts by focusing on regions where development has already occurred. This condition helps protect undeveloped areas and promotes the efficient use of existing infrastructure.

By adopting these conditions, NBRC’s CATEX for utility infrastructure projects ensures that necessary upgrades, repairs, and modifications do not have the potential to result in adverse environmental effects. This approach aligns with similar practices used by the Defense Threat Reduction Agency (DTRA) and USDA-RD. These agencies’ CATEXs have been successful in managing utility projects of a similar size, and NBRC is using these examples to make sure its projects meet similar environmental standards while promoting community development.

## **Benchmarking Other Agency Experience**

### **Defense Threat Reduction Agency (DTRA), DOD**

Reference: National Environmental Policy Act Implementing Procedures 81. Fed. Reg. 61200, 61211 App. B (B13) (2016)

***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.***

### **USDA Rural Development**

Reference: 7 C.F.R. Pt. 1970 Subpt. B (B2) (2016)

***Improvement and expansion of existing water, wastewater, 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;

**Department of Interior (DOI)–National Park Service (NPS)**

Reference: DOI, *Department Manual*, Series 31, Pt. 516, ch.12(12.5)(A)(4) (2004)

***Installation of underground utilities in previously disturbed areas or rights-of-way, provided that no significant environmental impact results.***

**Supporting EAs**

The following EAs showcase NBRC's experience with projects related to the expansion and enhancement of utility systems infrastructure. The projects detailed below align with the parameters outlined in the proposed CATEX for utility systems. Despite variations in scope, the activities outlined in these EAs consistently resulted in FONSI. Hence, these EAs are relevant because they address activities and environmental effects akin to those proposed under this utility systems infrastructure CATEX.

**Project 1:**

**Town of Glenville Water Supply Improvements Project**

*FONSI Signed: September 11, 2023*

**The Proposed Action:** The town of Glenville proposed the construction of approximately 2,000 linear feet of new water main, valves, fittings, and other appurtenances to complete a hydraulic waterline loop in the Glenville Business & Technology Park (Industrial Park). This project aimed to address the increasing demand for improved water capacity, water pressure, and fire protection at the industrial park, providing water service to approximately 19 parcels while enhancing infrastructure to support current and future businesses, ensuring reliable fire protection, and mitigating water pressure issues.

**Expansion Details:** The project involved the addition and construction of a new water main, valves, and fittings to enhance the existing water utility system within the Glenville Business & Technology Park. It integrated approximately 2,000 linear feet of new water main and associated infrastructure into the existing water utility system. The expansion activities included ground disturbance along the streets of Glenville; however, no vegetation was removed during this process. This approach ensured minimal disruption to the natural surroundings while effectively improving the infrastructure. The location being within an urbanized area, as defined by the Census Bureau, and the focus on enhancing the existing infrastructure without exceeding the capacity of the surrounding resources demonstrate compliance with the conditions specified in CATEX 6.

**Environmental Impact Mitigation:** The project included various mitigation measures, which functioned more as best management practices (BMPs) to address the potential environmental impacts identified in the EA. These measures included controlling dust to

minimize air quality issues, reducing greenhouse gas emissions during construction activities by prohibiting equipment idling when not in use and ensuring all equipment is well-maintained and operating efficiently. Additionally, erosion and sediment control measures were employed to minimize soil and aquatic resource disturbance, construction noise impacts were limited by turning off equipment when not in use, and solid and hazardous waste was managed in accordance with regulatory requirements. Additionally, the project implemented BMPs related to water source and sewer capacity, cultural resource preservation, and transportation and parking to ensure compliance with environmental regulations and minimize adverse effects.

It is important to note that while these measures were implemented to address potential effects, the FONSI was not a mitigated FONSI, indicating that the project's environmental effects were determined to be insignificant and did not require formal mitigation measures for the impacts to be below the level of significance.

**Conclusion:** Based on the EA conducted, it was concluded that the town of Glenville Water Supply Improvements project would not result in significant adverse effects on the natural or human environment. The proposed expansion aligned with the Categorical Exclusion criteria outlined in CATEX 6 for utility systems infrastructure. The implementation of BMPs during construction further mitigated the potential effects, ensuring compliance with environmental regulations. Based upon the results of the EA, NBRC concluded that the Proposed Action would not result in a significant impact on the natural or human environment. No further NEPA analysis (i.e., EIS) was warranted.

## **Project 2:**

### **West Oxford - Fryeburg Fairgrounds Water Main Replacement**

*FONSI Signed: June 21, 2023*

**The Proposed Action:** The infrastructure improvements at Fryeburg fairgrounds involved replacing aging water main infrastructure with a new 8” HDPE pipe, valves, hydrants, and other essential components. This project was designed to ensure a safe and reliable water supply to the fairgrounds, addressing concerns related to deteriorating water lines and potential contamination risks, particularly in areas with lead and copper service lines. The key goals included maintaining adequate firefighting capabilities, protecting public health for fair attendees and other users of the fairgrounds, and modernizing critical infrastructure to meet current and future needs. By upgrading the water distribution system, the project aimed to reduce potential hazards, improve operational efficiency, and strengthen the overall resilience of the Fryeburg fairgrounds.

**Expansion Details:** The Fryeburg Fairgrounds Water Main Replacement project involved the installation of a new 8” HDPE pipe, valves, hydrants, and associated infrastructure to replace the aging water main system. This initiative integrated modern components into the existing water distribution system at the fairgrounds, ensuring a smooth transition and minimal disruption to ongoing operations. Importantly, no vegetation was removed during

the construction process, which aligns with the efforts to preserve the natural surroundings and minimize environmental impact. Additionally, the project's location within an urbanized area supported compliance with Categorical Exclusion criteria, emphasizing the enhancement of the existing infrastructure without exceeding capacity limits or causing undue disruption to surrounding resources.

**Environmental Impact Mitigation:** The proposed project included mitigation measures to address potential environmental impacts identified in the EA. As a result, NBRC issued a mitigated FONSI. Key actions included erosion control to reduce soil disturbance, scheduling construction during the offseason to limit transportation impacts, and maintaining continuous water service to minimize disruptions. Additionally, proper waste disposal and noise control measures were implemented to comply with regulations and reduce environmental effects.

**Conclusion:** After completing the EA, it was determined that the Fryeburg Fairgrounds Water Main Replacement project would not have any significant adverse effects on the natural or human environment. The proposed replacement aligned with Categorical Exclusion criteria outlined in CATEX 6 for utility systems infrastructure. The use of mitigation measures, like BMPs during construction, helped further reduce potential impacts and ensured compliance with environmental regulations. Based on the EA findings, it was concluded that the project would not significantly affect the environment. Therefore, no further NEPA analysis, like an EIS, was required.

## Proposed CATEX 7:

### Modifications to Existing Telecommunications Infrastructure

Repair, reconstruction, rehabilitation, replacement, addition to, or removal of existing telecommunications infrastructure and associated sitework (e.g., trenching and conduit installation, tower foundation construction, and equipment shelter installation).

Telecommunications infrastructure includes but is not limited to communication lines, cellular towers, fiber-optic cables, and related equipment (e.g., antennas and transceivers, amplifiers and repeaters, and power supply units). To qualify for this CATEX, the following conditions must be met:

#### 1. Urbanized or Previously Developed Areas:

- The telecommunications infrastructure and associated sitework must either be located in designated "urbanized areas," as defined by the Census Bureau, or be on land that has been previously developed. Previously developed areas are those where historical grading, landscaping, or existing infrastructure has been established.

#### 2. Tower Height

- For projects involving towers, the total height must not exceed 200 feet.

### Rationale and Support for CATEX

NBRC routinely provides funding for projects related to the repair, reconstruction, rehabilitation, replacement of, or addition to existing telecommunications infrastructure as part of its community development efforts. These activities support the expansion of reliable communication services, promote digital equity, and foster economic growth across the region. Projects typically involve improving or upgrading telecommunications infrastructure such as communication lines, cellular towers, fiber-optic cables, and related equipment like antennas and transceivers.

This CATEX covers modifications to existing telecommunications infrastructure and associated sitework, such as trenching, conduit installation, tower foundation construction, and equipment shelter installation. Examples of projects funded by NBRC include the installation of new fiber-optic cables to expand broadband access in underserved rural communities and upgrading radio system equipment to enhance emergency communication capabilities in remote areas. These projects are essential for addressing connectivity challenges and ensuring digital access for residents and businesses.

The condition that “the telecommunications infrastructure and associated sitework must either be located in designated ‘urbanized areas’ or on previously developed land” ensures that development occurs in regions with existing infrastructure, minimizing the

environmental impact. This approach helps avoid unnecessary disruptions to undeveloped areas and promotes the efficient use of already disturbed or developed land.

The condition that "for projects involving towers, the total height must not exceed 200 feet" ensures that telecommunications projects remain within a height limit that avoids triggering additional requirements that may have environmental consequences, such as Federal Aviation Administration (FAA) airspace obstruction requirements that require special lighting for structures exceeding 200 feet above ground level (see 14 CFR § 77.9(a) and [FAA AC 70/740-1M](#)). Towers over 200 feet can have greater visual, ecological, and safety impacts, particularly on migratory birds and nearby communities. Towers over 200 feet typically rely use guy wires instead of freestanding frameworks. The lighting scheme, which attracts certain types of birds (particularly in fogging or low visibility conditions), and the guy wires have been linked to higher bird mortality. See [Final Programmatic Environmental Assessment for the Antenna Structure Registration Program](#). By limiting the height to 200 feet, NBRC ensures that potential environmental effects are minimized while still supporting essential infrastructure improvements.

By adopting these conditions, NBRC's CATEX for telecommunications infrastructure projects ensures that necessary upgrades, repairs, and additions do not have the potential to result in adverse environmental effects. This approach aligns with similar practices used by the National Telecommunications Information Administration (NTIA) and DHS. These agencies' CATEXs have been effective in managing telecommunications projects of a similar scale, and NBRC is using these examples to ensure its projects meet similar environmental standards while enhancing connectivity and economic development in underserved areas.

## **Benchmarking Other Agency Experience**

### **National Telecommunications and Information Administration (NTIA)**

**Reference:** National Environmental Policy Act Procedures and Categorical Exclusions. 89. Fed. Reg. 22688 Subpt. C (C-8) (2024)

**Acquisition, installation, reconstruction, repair by replacement, and operation of aerial or buried utility, 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.**

### **Department of Homeland Security (DHS)**

**Reference:** DHS. *Instruction Manual* # 023-01-001-01 Rev. # 01, Subpt. E (E-1) (2014)

**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 per (14 CFR § 77.9(a))

**Department of Commerce (DOC)–FirstNet**

Reference: 47 C.F.R. § 1.1306 (b)(7) (2024)

*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).*

## Proposed CATEX 8:

### Modifications to Existing Transportation Infrastructure:

Repair, reconstruction, rehabilitation, demolition, addition to, or improvement of existing transportation infrastructure and associated sitework (e.g., traffic signs and parking infrastructure, stormwater management, and trailhead amenities). Transportation infrastructure includes but is not limited to parking areas/infrastructure, roads, railways, bridges, sidewalks, and trails. To qualify for this CATEX, the following conditions must be met:

#### 1. Integration with Existing Transportation Infrastructure:

- The additions to transportation infrastructure must integrate with the existing transportation network.

#### 2. Capacity Consideration:

- The future use of the transportation infrastructure will not result in an increase in capacity that exceeds the capability of the existing surrounding infrastructure and resources that support it, including sewer, water, energy, and parking.

#### 3. Urbanized or Previously Developed Areas:

- The transportation infrastructure and associated sitework must either be located in designated "urbanized areas," as defined by the Census Bureau, or on land that has been previously developed. Previously developed areas are those where historical grading or landscaping has been undertaken.

#### 4. Exclusions:

- Prohibits projects resulting in a change in transportation use e.g. a bike path that is expanded to ATV use
- Excludes water-related infrastructure projects, including ports, harbors, docks, and related facilities.

### Rationale and Support for CATEX

NBRC routinely funds projects related to the repair, reconstruction, rehabilitation, demolition, addition to, or improvement of existing transportation infrastructure as part of its community development efforts. These activities encompass a wide range of projects aimed at improving mobility, enhancing safety, and supporting economic development throughout the region. Projects typically involve the enhancement of transportation infrastructure such as parking areas, roads, railways, bridges, sidewalks, and trails.

This CATEX covers modifications to existing transportation infrastructure and associated sitework, such as the installation of traffic signs, parking infrastructure, and trailhead

amenities. Examples of projects funded by NBRC include repairs to aging bridges, the resurfacing of trails, and improvements to parking areas that serve recreational facilities. These projects are vital to enhancing public safety and ensuring the efficient movement of goods and people.

The condition that “the transportation infrastructure must integrate with the existing transportation network” ensures that new additions work seamlessly with current systems, avoiding unnecessary disruptions to established networks. This approach helps maintain connectivity and avoids creating isolated or redundant infrastructure.

The condition that “the future use of the transportation infrastructure will not result in an increase in capacity that exceeds the ability of the existing surrounding infrastructure and resources” ensures that projects do not place undue strain on local services such as water, sewer, energy, and parking. By setting this limitation, NBRC ensures that communities can absorb and sustain the new infrastructure without overwhelming the available resources.

The requirement that “the transportation infrastructure must either be located in designated ‘urbanized areas’ or on previously developed land” further minimizes environmental impacts by focusing development on regions with existing infrastructure. This avoids unnecessary expansion into undeveloped areas, preserving natural landscapes while ensuring efficient land use.

The exclusion that “projects resulting in a change in transportation use” are prohibited ensures that the functional use of transportation infrastructure remains consistent with existing plans and systems. This helps avoid significant changes in traffic patterns or transportation modes that could lead to broader environmental impacts.

Additionally, water-related infrastructure projects (e.g., ports, harbors, docks, and related facilities) are explicitly excluded from this CATEX. This exclusion ensures that NBRC projects remain focused on terrestrial transportation infrastructure, minimizing impacts on sensitive aquatic environments.

By adopting these conditions and exclusions, NBRC’s CATEX for transportation infrastructure projects ensures that necessary upgrades, repairs, and additions do not have the potential to result in adverse environmental impacts. This approach aligns with practices from agencies such as, DC, Federal Highway Administration (FHWA), and FTA. These agencies’ CATEXs have been effective because they combine narrowly defined scope, extraordinary circumstances review, and established implementation controls that prevent environmental impacts while allowing efficient execution of low-risk equipment projects, and NBRC is using these examples to ensure its projects meet similar environmental standards while supporting regional connectivity and growth.

## **Benchmarking Other Agency Experience**

### **Denali Commission**

**Reference:** 45 C.F.R. Pt. 900 App. A (B1) (2024)

***Upgrade, repair, maintenance, replacement, or minor renovations and additions to buildings, roads, harbors and other maritime facilities, grounds, equipment, and other facilities, including but not limited to, roof replacement, foundation repair, ADA access ramp and door improvements, 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.***

### **Federal Highway Administration (FHWA), DOT**

**Reference:** 23 C.F.R. § 771.118 (c)(2) (2018)

***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.***

### **Federal Transit Administration (FTA), DOT**

**Reference:** 23 CFR Part 771.118 (c)(8) (2018)

***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.***

## **Supporting EA**

The following EA showcases NBRC's experience with a project related to the expansion and enhancement of transportation infrastructure. This project aligns with the parameters outlined in the proposed CATEX for transportation infrastructure. Although the scope may vary, the activities outlined in this EA resulted in a FONSI. This EA is relevant because it addresses activities and environmental impacts similar to those proposed under this transportation infrastructure CATEX.

### **Project 1:**

#### **Tri-Community Bike Friendly Community Initiative**

*FONSI Signed: September 19, 2023*

**The Proposed Action:** The Tri-Community Bike Friendly Community Initiative aimed to enhance bicycle infrastructure in the northern New Hampshire communities of Franconia, Littleton, and Bethlehem. This project included the implementation of various measures to support a regional bike trail system, such as painting crosswalks and bike lanes, installing informative road signs, strategically placing tool stations, and adding bike storage sheds and racks at recreational and commercial establishments.

**Expansion Details:** The project involved the addition and improvement of existing transportation infrastructure, specifically bicycle infrastructure, within the communities of Franconia, Littleton, and Bethlehem. It encompassed activities aligned with CATEX 8 for transportation infrastructure, integrating seamlessly with the existing road network and promoting bicycle use in urbanized areas. Notably, the project did not result in a change of transportation use and did adhere to conditions outlined in CATEX 8, including integration with the existing infrastructure and consideration of capacity limitations.

**Environmental Impact Mitigation:** While there were no specific mitigation measures, the project adhered to a BMP related to water resources, specifically river protection and floodplains. Erosion prevention and sediment control procedures were implemented to protect water resources during project implementation.

**Conclusion:** Based on the review conducted, it was concluded that the Tri-Community Bike Friendly Community Initiative would not result in significant adverse effects on the natural or human environment. The proposed project aligned with the conditions outlined in CATEX 8 for transportation infrastructure, ensuring minimal environmental impacts while enhancing bicycle infrastructure in the region. The implementation of best management practices further contributed to mitigating potential impacts and ensuring compliance with environmental regulations. As a result of the BMPs there were no extraordinary circumstances that warranted a different NEPA review.