

**Categorical Exclusions and Administrative Record**  
**The U.S. Department of Commerce**  
**First Responder Network Authority**

**INTRODUCTION**

The Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. No. 112-96, 126 Stat. 156 (2012) (Act) created the First Responder Network Authority (FirstNet), an independent authority within the National Telecommunications and Information Administration (NTIA), to provide emergency responders with the first high-speed, nationwide network dedicated to public safety. As a newly created entity, FirstNet does not currently have any existing Categorical Exclusions (CEs). Accordingly, FirstNet is submitting the following CEs (and their associated Administrative Records) for consideration.

The proposed CEs are necessary to assist FirstNet in applying the appropriate level of environmental review as required by the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347) (NEPA) for activities undertaken by FirstNet in the design, construction and operation of the nationwide interoperable public safety broadband network (PSBN). This list of proposed CEs has been developed and reviewed by the designated FirstNet official responsible for NEPA.

All other applicable environmental requirements and statutes including the Endangered Species Act of 1973 (16 U.S.C. § 1531 *et seq.*), and National Historic Preservation Act of 1966 (16 U.S.C. § 470 *et seq.*) continue to apply to all projects. The use of these CEs does not constitute a substitute for meeting other requirements.

**BACKGROUND**

The Act creates and authorizes FirstNet to take all actions necessary to ensure the design, construction, and operation of a nationwide interoperable PSBN based on a single, national network architecture. The Act meets a long-standing and critical national infrastructure need, to create a single, nationwide interoperable PSBN that will, for the first time, allow police officers, fire fighters, emergency medical service professionals, and other public safety officials to effectively communicate with each other across agencies and jurisdictions.

FirstNet is responsible for, at a minimum, ensuring nationwide standards for the use of and access to the network; issuing open, transparent, and competitive requests for proposals (RFPs) to build, operate, and maintain the network; encouraging these RFPs to leverage, to the maximum extent economically desirable, existing commercial wireless infrastructure to speed deployment of the network; and overseeing contracts with non-federal entities to build, operate, and maintain the network.

Due to the similarity in project activities and scope, FirstNet is seeking to establish its CEs based primarily on the existing CEs that were approved and applied by NTIA in the implementation of the Broadband Technology and Opportunities Program (BTOP); a program that provided grant funding for the deployment of broadband infrastructure throughout the country. The list of CEs

that were developed for the BTOP were compiled at the Department of Commerce (DOC) through a joint effort with the U.S. Department of Agriculture's Rural Utilities Service (RUS); NTIA; DOC's Energy, Safety, and Environment Division; and the National Oceanic and Atmospheric Administration (NOAA). The BTOP CEs were approved by DOC Office of General Counsel and the designated Senior Agency Official for NEPA at NOAA.

Each proposed BTOP CE was reviewed and deliberated in concept, coverage, applicability, and wording by members of the review panel. The panel carefully reviewed the Administrative Record on each of the BTOP CEs to ensure they fulfilled the goal of balancing increased administrative efficiency in NEPA compliance with avoidance of misinterpretations and misapplications of exclusionary language that could lead to non-compliance with NEPA requirements. The review panel concurred that the below listed BTOP CEs meet both objectives.

### **COMPARABLE CEs USED BY NTIA AND OTHER FEDERAL AGENCIES**

The following CEs are currently in use by other agencies and specifically those utilized by NTIA as part of BTOP are similar in nature, scope, and intensity to the proposed FirstNet CEs. Specially, these CEs are comparable because they (1) relate to planning, deployment, and construction of broadband infrastructure; (2) utilize the same methods and equipment of installing broad infrastructure; (3) are not restricted to an environmental setting or geographic region of the country; and (4) subject to review for extraordinary circumstances.

NTIA, through BTOP, provided over \$4 billion in federal funding to 233 projects to construct and expand telecommunications infrastructure and increase broadband adoption throughout all U.S. states, territories and the District of Columbia. BTOP projects were funded in four categories. These four categories included 1) Broadband Infrastructure-Last Mile; 2) Broadband Infrastructure- Middle Mile; 3) Public Computer Centers; and 4) Sustainable Broadband Adoption. BTOP infrastructure projects typically required the deployment of broadband equipment including the installation of fiber optic cables, cell towers, antenna colocations, buildings, and power units. The methods used for deploying this equipment varied depending on the individual project plan and location but in general followed standard commercial approaches for completing such work (*e.g.*, the use of trenching and plowing methods construction methods to install buried fiber, aerial installation of fiber cables on existing poles, or collocating antenna equipment on existing towers). These projects were initially required to be complete within three years of the original award date and intended to be self-sustaining at the end of the award period. The nationwide scope of BTOP resulted in projects being implemented in wide range of environmental settings (*e.g.*, varying biological, cultural, or socio-economic conditions) each requiring a detailed environmental review focusing on the unique characteristics of a specific project area and type of proposed project.

Each BTOP project was individually reviewed for NEPA compliance prior to funding. Based on NTIA's review, the CEs below applied to 133 projects and 100 projects, primarily the infrastructure projects, were required to complete and Environmental Assessment (EA) due to the potential existence of extraordinary circumstances. Typically, these extraordinary circumstance included project implementation activities in locations where NTIA could not reasonably determine a project's potential effect on environmentally or culturally sensitive resources (*i.e.*, project activities occurring on or near endangered habitat or species, water

resources, historic properties, or tribal country) based on its review of an applicant's responses to the environmental questionnaire and project descriptions and mapping submitted as part of the BTOP application. To date, NTIA has reviewed and adopted 99 EAs and issued a Finding of No Significant Impact (FONSI) for each of those projects, with the completion and review of one EA still in process. When evaluating the effects of the completed projects where an EA was prepared and reviewed and FONSI issued, NTIA has consistently found that the actions resulted in no significant environmental impacts.

FirstNet, similar to BTOP, is mandated to plan and construct telecommunication and broadband infrastructure across the United States and its territories. The specific activities anticipated to be undertaken by FirstNet are comparable to BTOP project implementation activities and will primarily include the installation of cables, cell tower, antenna colocations, buildings, and power units as defined in the following examples:

- *Buried Plant/Facilities:* The construction of buried outside plant facilities generally consists of plowing or trenching cable at a depth of approximately 36" to 48" alongside the road usually in a utility corridor or within public road rights-of-way.
- *Aerial Plant/Facilities:* The construction of aerial facilities is either done by installing new poles and hanging cables on it on public rights-of-way or by installing cables using existing poles lines from a third party.
- *Towers:* The construction of towers for cell sites and/or microwave dishes. Tower construction is typically done by installing a concrete foundation and building the tower on it. The heights of the towers vary from 120 feet to 400 feet.
- *Co-Locations:* The mounting or installation of an antenna on an existing tower, building, or structure for the purpose of transmitting and/or receiving radio frequency signal for communication purposes.
- *Buildings:* Building construction generally consists on installing small pre-fabricated shelters on tower sites that are used for housing electronic equipment. These shelters are usually placed on concrete pads and generally require very minimal disturbance of the land. On extremely rare occasion, the construction of a headquarters and/or warehouse building. The amount of land disturbance resulting from this type of construction can vary depending on the size of the proposed building.
- *Power Units:* The installation of power units, such as, an uninterruptible power supply (UPS) could be added to existing third party tower sites either on the existing concrete pad or by adding a new concrete pad if required at the site.

FirstNet is also required to leverage, to the maximum extent economically possible, existing commercial infrastructure in its deployment and operation of the PSBN.

The geographic scope of the PSBN will, like BTOP, encompass all U.S. states and territories. Thus, FirstNet actions will likely occur in a wide range of environmental settings and require FirstNet to establish a process akin to that instituted by BTOP for analyzing proposed actions and making NEPA determinations based on the specific location and type of proposed project activities of which the proposed CEs would be an integral part. Accordingly, because the characteristics of the actions in deploying and operating the PSBN are comparable in intensity, scope, and geography to BTOP projects and based on the outcomes of NTIA applying these CEs

to BTOP projects, FirstNet has determined that the proposed CEs will not have significant impacts on the human environment.

**CATEGORICAL EXCLUSIONS for ADMINISTRATIVE AND REGULATORY ACTIVITIES.** These Categorical Exclusions must also be used in conformance with the Executive Orders on Greening the Government, *e.g.*, E.O., 13101, 13123, 13148, 13149, and 13150.

The actions contemplated by these categorical exclusions encompass activities that have no inherent potential for significant environmental impacts. These CEs are supported by long standing categorical exclusions, including those that were applied as part of NTIA's BTOP, and other actions of a similar nature, scope, and intensity that have been performed by other Federal Agencies without significant environmental impacts. FirstNet has reviewed the list of proposed CEs and the supporting administrative record and determined that the activities described below or similar in nature, scope, and intensity to those anticipated to be undertaken by FirstNet during the design, construction, and operation of a nationwide interoperable PSBN.

**A-1. The issuance of bulletins and information publications that do not concern environmental matters or substantial facility design, construction, or maintenance practices.**

## **COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD**

### **U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed Reg. 52,456 (Oct. 13, 2009).

A1. The issuance of bulletins and information publications that do not concern environmental matters or substantial facility design, construction, or maintenance practices.

### **U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.21(a)(1).

The issuance of bulletins and information publications that do not concern environmental matters or substantial facility design, construction, or maintenance practices.

### **U.S. Department of Homeland Security**

**Reference:** Categorical Exclusions. 71 Fed. Reg. 16,790 (August 4, 2006).

A3. Promulgation of rules, issuance of rulings or interpretations, and the development and publication of policies, orders, directives, notices, procedures, manuals, advisory circulars.

and other guidance documents of the following nature:

- (a) Those of a strictly administrative or procedural nature,
- (b) Those that implement, without substantive change, statutory or regulatory requirements,
- (c) Those that implement, without substantive change, procedures, manuals, and other guidance documents'
- (d) Those that interpret or amend an existing regulation without changing its environmental effect,
- (e) Technical guidance on safety and security matters; or,
- (f) Guidance for the preparation of security plans.

### **U.S. Department of Homeland Security, FEMA**

**Reference:** Categorical Exclusions. 44 C.F.R. § 10.8 (d)(2)(ii).

Preparation, revision, and adoption of regulations, directives, manuals, and other guidance.

### **U.S. Coast Guard**

**Reference:** Categorical Exclusions. COMDTINST M16475.1D, Figure 2-1.

(33) Preparation of guidance documents that implement, without substantive change, the applicable Commandant Instruction or other Federal agency regulations, procedures, manuals, and other guidance documents.

### **U.S. Air Force**

**Reference:** Categorical Exclusions. Air Force Instruction 32-7061 (January 24, 1995).

A2.3.5. Preparing, revising, or adopting regulations, instructions, directives, or guidance documents that do not, themselves, result in an action being taken.

A2.3.6. Preparing, revising, or adopting regulations, instructions, directives, or guidance documents that implement (without substantial change) the regulations, instructions, directives, or guidance documents from higher headquarters or other Federal agencies with superior subject matter jurisdiction.

**A-2. Procurement activities related to the day-to-day operation of FirstNet including routine procurement of goods and services.**

**DOC AND COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD**

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed Reg. 52,456 (Oct. 13, 2009).

A2. Procurement activities related to the operation of the Broadband Technology Opportunities Program.

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.21(a)(2)

Procurement activities related to the operation of RUS.

**U.S. Department of Homeland Security**

**Reference:** Categorical Exclusions. 71 Fed. Reg. 16,790 (August 4, 2006).

A6. Procurement of non-hazardous goods and services, and storage, recycling, and disposal of non-hazardous materials and wastes, that complies with applicable requirements and is in support of routine administrative, operational, or maintenance activities. Storage activities must occur on previously disturbed land or in existing facilities. Examples include but are not limited to:

- (a) Office supplies,
- (b) Equipment,
- (c) Mobile assets,
- (d) Utility services,
- (e) Chemicals and low level radio nuclides for laboratory use,
- (f) Deployable emergency response supplies and equipment, and,
- (g) Waste disposal and contracts for waste disposal in established permitted landfills and facilities.

**U.S. Department of Homeland Security, FEMA**

**Reference:** Categorical Exclusions. 44 C.F.R. § 10.8 (d)(2)(vi).

Procurement of goods and services for support of day-to-day and emergency

operational activities, and the temporary storage of goods other than hazardous materials, so long as storage occurs on previously disturbed land or in existing facilities.

## **U.S. Coast Guard**

**Reference:** Categorical Exclusions. COMDTINST M16475.1D, Figure 2-1.

(2) Routine procurement activities and actions for goods and services, including office supplies, equipment, mobile assets, and utility services for routine administration, operation, and maintenance.

## **U.S. Air Force**

**Reference:** Categorical Exclusions. Air Force Instruction 32-7061 (January 24, 1995).

A2.3.1. Routine procurement of goods and services.

## **U.S. Navy**

**Reference:** Categorical Exclusions. 32 C.F.R. § 775.6 (f)(7,12) .

(7) Routine procurement of goods and services conducted in accordance with applicable procurement regulations, executive orders, and policies.

(12) Routine procurement, management, storage, handling, installation, and disposal of commercial items, where the items are used and handled in accordance with applicable regulations (e.g., consumables, electronic components, computer equipment, pumps).

## **A-3. Personnel and Administrative Actions**

### **COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD**

#### **U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

A3. Personnel and administrative actions.

#### **U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.21(a)(3).

Personnel and administrative actions.

## **U.S. Department of Homeland Security**

**Reference:** Categorical Exclusions. 71 Fed. Reg. 16,790 (April 4, 2006).

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

## **U.S. Department of Homeland Security, APHIS**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1b.3(a)(1-2).

(1) Policy development, planning and implementation which relate to routine activities, such as personnel, organizational changes, or similar administrative functions.

(2) Activities which deal solely with the funding of programs, such as program budget proposals, disbursements, and transfer or reprogramming of funds.

## **U.S. Department of Homeland Security, FEMA**

**Reference:** Categorical Exclusions. 44 C.F.R. §10.8(d)(2)(i).

Administrative actions such as personnel actions, travel, procurement of supplies, etc., in support of normal day-to-day activities and disaster related activities.

## **U.S. Coast Guard**

**Reference:** Categorical Exclusions. COMDTINST M16475.1D, Figure 2-1.

(1) Routine personnel, fiscal, and administrative activities, actions, procedures, and policies which clearly do not have any environmental impacts, such as military and civilian personnel recruiting, processing, paying, and record keeping.

## **U.S. Army**

**Reference:** Categorical Exclusions. 32 C.F.R. § 651 Appendix B (b)(5).

Normal personnel, fiscal, and administrative activities involving military and civilian personnel (recruiting, processing, paying, and records keeping).



**A-4. Purchase of existing facilities or a portion thereof where use or operation will remain Unchanged**

**COMPARABLE AGENCY CATEGORICAL EXCLUSIONS**

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

A1. Purchase of existing facilities or a portion thereof where use or operation will remain unchanged.

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.22(a)(11).

Purchase of existing facilities or a portion thereof where use or operation will remain unchanged.

**U.S. Department of Homeland Security, FEMA**

**Reference:** Categorical Exclusions. 44 C.F.R. § 10.8(d)(viii).

Acquisition or lease of existing facilities where planned uses conform to past use or local land use requirements.

**A-5, Internal modifications or equipment additions (e.g., computer facilities, relocating interior walls) to structures or buildings**

**COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD**

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

A5. Internal modification or equipment additions (e.g. computer facilities, relocation interior walls) to structures or buildings.

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.21(b)(5).  
Internal modifications or equipment additions (e.g., computer facilities, relocating interior walls) to structures or buildings.

### **U.S. Department of Homeland Security**

**Reference:** Categorical Exclusions. 71 Fed. Reg. 16,790 (April 4, 2006).

D1. Minor renovations and additions to buildings, roads, airfields, grounds, equipment, and other facilities that do not result in a change in the functional use of the real property (e.g., realigning interior spaces of an existing building, adding a small storage shed to an existing building, retrofitting for energy conservation, or installing a small antenna on an already existing antenna tower that does not cause the total height to exceed 200 feet and where the FCC would not require an environmental assessment or environmental impact statement for the installation).

### **U.S. Department of Homeland Security, FEMA**

**Reference:** Categorical Exclusions. 44 C.F.R. § 10.8(d)(2)(xvii).

Actions conducted within enclosed facilities where all airborne emissions, waterborne effluent, external radiation levels, outdoor noise, and solid and bulk waste disposal practices comply with existing Federal, state, and local laws and regulations.

### **A-6. Construction of buried and aerial telecommunications lines, cables, and related facilities**

#### **COMPARABLE AGENCY CATEGORICAL EXCLUSIONS**

### **U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B1. Construction of buried and aerial telecommunications lines, cables, and related facilities.

### **U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. 1794.22(a)(2).

Construction of buried and aerial telecommunications lines, cables, and related facilities.

## **U.S. Department of the Interior/U.S. Park Service**

**Reference:** Categorical Exclusion. National Parks Service, Director's Order 12, Section 3.4.C (15).

Installation of underground utilities in areas showing clear evidence of recent human disturbance or areas within existing road prism or within an existing utility right-of-way.

## **U.S. Department of Energy**

**Reference:** Categorical Exclusion. 10 C.F.R. § 1021, Appendix B.

B4.7 Adding/burying fiber optic cable.

**A-7. Construction of microwave facilities involving no more than five acres (2 hectares) of physical disturbance at any single site**

## **COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORDS**

### **U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B2. Construction of microwave facilities involving no more than five acres (2 hectares) of physical disturbance at any single site.

### **U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.22(a)(3).

Construction of microwave facilities and energy management systems involving no more than five acres (2 hectares) of physical disturbance at any single site.

### **U.S. Department of Energy**

**Reference:** Categorical Exclusions. 10 C.F.R. § 1021, Appendix B.

B1.19 Siting, construction, and operation of microwave and radio communication towers

and associated facilities, if the towers and associated facilities would not be in an area of great visual value.

**A-8. Construction of cooperative or company headquarters, maintenance facilities, or other buildings involving no more than 10 acres (4 hectares) of physical disturbance or fenced property**

**COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORDS**

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B3. Construction of cooperative or company headquarters, maintenance facilities, or other buildings involving no more than 10 acres (4 hectares) of physical disturbance or fenced property.

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.22(a)(4).

Construction of cooperative or company headquarters, maintenance facilities, or other buildings involving no more than 10 acres (4 hectares) of physical disturbance or fenced property.

**U.S. Navy**

**Reference:** Categorical Exclusions. 32 C.F.R. § 775.6(e)(34).

New construction that is consistent with existing land use and, when completed, the use or operation of which complies with existing regulatory requirements and constraints, e.g., a building on a parking lot with associated discharges/runoff within existing handling capacities, a bus stop along a roadway, and a foundation pad for portable buildings within a building complex.

**NASA**

**Reference:** Categorical Exclusions. 14 C.F.R. § 1216.305(d)(7).

Minor construction of new facilities including rehabilitation, modification, and repair.

**A-9. Changes to existing transmission lines that involve less than 20 percent pole replacement, or the complete rebuilding of existing distribution lines within the same right of way. Changes to existing transmission lines that require 20 percent or greater pole replacement will be considered the same as new construction**

## **COMPARABLE AGENCY CATEGORICAL EXCLUSIONS**

### **U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B4. Changes to existing transmission lines that involve less than 20 percent pole replacement, or the complete rebuilding of existing distributions lines within the same right of way. Changes to existing transmission lines that require 20 percent or greater pole replacement will be considered the same as new construction.

### **U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.22(a)(5).

Changes to existing transmission lines that involve less than 20 percent pole replacement, or the complete rebuilding of existing distribution lines within the same right of way. Changes to existing transmission lines that require 20 percent or greater pole replacement will be considered the same as new construction.

### **U.S. Department of Energy**

**Reference:** Categorical Exclusion. Subpart D, 10 C.F.R. § 1021, Appendix B.

B4.6 Additions or modifications to electric power transmission facilities that would not affect the environment beyond the previously developed facility area including, but not limited to, switchyard rock grounding upgrades, secondary containment projects, paving projects, seismic upgrading, tower modifications, changing insulators, and replacement of poles, circuit breakers, conductors, transformers, and crossarms.

**A-10. Changes or additions to existing substations, switching stations, telecommunications switching or multiplexing centers, or external changes to buildings or small structures requiring one acre (0.4 hectare) or more but no more than five acres (2 hectares) of new physically disturbed land or fenced property**

**COMPARABLE AGENCY CATEGORICAL EXCLUSIONS**

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

**B-5. Changes or additions to existing substations, switching stations, telecommunications switch or multiplexing centers, or external changes to building or small structures requiring one acre (.04 hectare) or more but no more the five acres (2 hectares) of new physically disturbed land or fenced property**

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions contained in 7 C.F.R. §1794.22(a)(6).

**Changes or additions to existing substations, switching stations, telecommunications switching or multiplexing centers, or external changes to buildings or small structures requiring one acre (0.4 hectare) or more but no more than five acres (2 hectares) of new physically disturbed land or fenced property.**

**A-11. Construction of substations, switching stations, or telecommunications switching or multiplexing centers requiring no more than five acres (2 hectares) of new physically disturbed land or fenced property**

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

**B6 Construction of substations, switching stations, or telecommunications switching or multiplexing centers requiring no more than five acres (2 hectares) of new physically disturbed land or fenced property.**

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.22(a)(7).

Construction of substations, switching stations, or telecommunications switching or multiplexing centers requiring no more than five acres (2 hectares) of new physically disturbed land or fenced property.

## **U.S. Department of Energy**

**Reference:** Categorical Exclusion. 10 C.F.R. § 1021, Appendix B.

B4.11 Construction of electric power substations (including switching stations and support facilities) with power delivery at 230 kV or below, or modification (other than voltage increases) of existing substations and support facilities, that could involve the construction of electric power lines approximately 10 miles in length or less, or relocation of existing electric power lines approximately 20 miles in length or less, but not the integration of major new generation resources into a main transmission system.

**A-12. Changes or additions to microwave 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)**

## **COMPARABLE AGENCY CATEGORICAL EXCLUSION**

### **U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B7. Changes or additions to microwave sites, substations, switching stations, telecommunications switching and multiplexing centers, buildings, or small structures requiring new physical disturbance or fencing of less than one acre (.04 hectare).

### **U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.22(a)(6).

Changes or additions to existing, substations, switching stations, telecommunications switching or multiplexing 15 centers, buildings, or small structures requiring new physical disturbance or fencing of less than one acre (0.4 hectare).

**A-13. Ordinary maintenance or replacement of equipment or small structures (e.g., line support structures, line transformers, microwave facilities, telecommunications remote switching and multiplexing sites)**

## COMPARABLE AGENCY CATEGORICAL EXCLUSIONS

### U.S. Department of Commerce, National Telecommunications and Information Administration

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B8. Ordinary maintenance or replacement of equipment or small structures (e.g. line support structures, line transformers, microwave facilities, telecommunications remote switching and multiplexing sites).

### U.S. Department of Agriculture, Rural Utilities Services

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.21(b)(7).

Ordinary maintenance or replacement of equipment or small structures (e.g., line support structures, line transformers, microwave facilities, telecommunications remote switching and multiplexing sites).

### U.S. Department of Energy

**Reference:** Categorical Exclusions. 10 C.F.R. § 1021, Appendix B.

B1.3. Routine maintenance activities and custodial services for buildings, structures, rights-of way, infrastructures.

B1.3(m). Repair and maintenance of transmission facilities, including replacement of conductors of the same nominal voltage, poles, circuit breakers, transformers, capacitors, crossarms, insulators, and downed transmission lines, in accordance, where appropriate, with 40 C.F.R. § 761 (Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions).

**A-14. The construction of telecommunications facilities within the fenced area of an existing substation, switching station, or within the boundaries of an existing electric generating facility site**

## COMPARABLE AGENCY CATEGORICAL EXCLUSIONS



**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B9. The construction of telecommunications facilities within the fenced area of an existing substation, switching state, or within the boundaries of an existing electric generating facility site.

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.21(b)(8).

The construction of telecommunications facilities within the fenced area of an existing substation, switching station, or within the boundaries of an existing electric generating facility site.

**U.S. Department of Energy**

**Reference:** Categorical Exclusion. 10 C.F.R. § 1021, Appendix B.

B4.11. Construction or modification of electric power substations.

**A-15. Testing or monitoring work (e.g., soil or rock core sampling, monitoring wells, air monitoring)**

**COMPARABLE AGENCY CATEGORICAL EXCLUSIONS**

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B10. Testing or monitoring work (e.g. soil or rock core sampling, monitoring wells, air monitoring)

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.21(b)(10).

Testing or monitoring work (e.g., soil or rock core sampling, monitoring wells, air monitoring).

**U.S. Department of Energy**

**Reference:** Categorical Exclusion. 10 C.F.R. § 1021, Appendix B.

B3.1. Onsite and offsite site characterization and environmental monitoring, including siting, construction (or modification), operation, and dismantlement or closing (abandonment) of characterization and monitoring devices and siting, construction, and associated operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis. Activities covered include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. Specific activities include, but are not limited to:

(a) Geological, geophysical (such as gravity, magnetic, electrical, seismic, and radar), geochemical, and engineering surveys and mapping, including the establishment of survey marks;

(b) Installation and operation of field instruments, such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools;

(c) Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells;

(d) Aquifer response testing;

(e) Installation and operation of ambient air monitoring equipment;

(f) Sampling and characterization of water, soil, rock, or contaminants;

(g) Sampling and characterization of water effluents, air emissions, or solid waste streams;

(h) Installation and operation of meteorological towers and associated activities, including assessment of potential wind energy resources;

(i) Sampling of flora or fauna; and

(j) Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.

**A-16. Studies and engineering undertaken to define proposed actions or alternatives sufficiently so that environmental effects can be assessed**

**COMPARABLE AGENCY CATEGORICAL EXCLUSIONS**

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).  
B10. The issuance of bulletins and information publications that do not concern environmental matters or substantial facility design, construction, or maintenance practices.

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.21(b)(11).

Studies and engineering undertaken to define proposed actions or alternatives sufficiently so that environmental effects can be assessed.

**U.S. Department of Energy**

**Reference:** Categorical Exclusion. 10 C.F.R. § 1021, Appendix B.

B3.1 Onsite and offsite site characterization and environmental monitoring, including siting, construction (or modification), operation, and dismantlement or closing (abandonment) of characterization and monitoring devices and siting, construction, and associated operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis. Activities covered include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. Specific activities include, but are not limited to:

(a) Geological, geophysical (such as gravity, magnetic, electrical, seismic, and radar), geochemical, and engineering surveys and mapping, including the establishment of survey marks;

(b) Installation and operation of field instruments, such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools;

(c) Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells;

(d) Aquifer response testing;

(e) Installation and operation of ambient air monitoring equipment;

(f) Sampling and characterization of water, soil, rock, or contaminants;

(g) Sampling and characterization of water effluents, air emissions, or solid waste streams;

(h) Installation and operation of meteorological towers and associated activities,

including assessment of potential wind energy resources;

(i) Sampling of flora or fauna; and

(j) Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.

**A-17. Rebuilding of power lines or telecommunications cables where road or highway reconstruction requires the applicant to relocate the lines either within or adjacent to the new road or highway easement or right-of-way**

**COMPARABLE AGENCY CATEGORICAL EXCLUSIONS**

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B12. The issuance of bulletins and information publications that do not concern environmental matters or substantial facility design, construction, or maintenance practices.

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Legacy Categorical Exclusions contained in 7 CFR 1794.21(b)(14).

Rebuilding of power lines or telecommunications cables where road or highway reconstruction requires the applicant to relocate the lines either within or adjacent to the new road or highway easement or right-of-way.

**U.S. Department of Energy**

**Reference:** Categorical Exclusion. 10 C.F.R. § 1021, Appendix B.

B4.6. Additions or modifications to electric power transmission facilities that would not affect the environment beyond the previously developed facility area including, but not limited to, switchyard rock grounding upgrades, secondary containment projects, paving projects, seismic upgrading, tower modifications, changing insulators, and replacement of poles, circuit breakers, conductors, transformers, and crossarms.

**A-18. Phase or voltage conversions, reductoring, or upgrading of existing electric Distribution lines, or telecommunication facilities**

**COMPARABLE AGENCY CATEGORICAL EXCLUSIONS**

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B13. Phase or voltage conversions, reconducting or upgrading of existing electric distributions lines, or telecommunications facilities.

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.21(b)(15).

Phase or voltage conversions, reconducting or upgrading of existing electric distribution lines, or telecommunication facilities.

**U.S. Department of Energy**

**Reference:** Categorical Exclusion. 10 C.F.R. § 1021, Appendix B.

B4.6. Additions or modifications to electric power transmission facilities that would not affect the environment beyond the previously developed facility area including, but not limited to, switchyard rock grounding upgrades, secondary containment projects, paving projects, seismic upgrading, tower modifications, changing insulators, and replacement of poles, circuit breakers, conductors, transformers, and crossarms.

**A-19. Construction of standby diesel electric generators (one megawatt or less total capacity) and associated facilities, for the primary purpose of providing emergency power, at an existing applicant headquarters or district office, telecommunications switching or multiplexing site, or at an industrial, commercial or agricultural facility served by the applicant**

COMPARABLE AGENCY CATEGORICAL EXCLUSION

**U.S. Department of Commerce, National Telecommunications and Information Administration**

**Reference:** BTOP Categorical Exclusions. 74 Fed. Reg. 52,456 (Oct. 13, 2009).

B14. Construction of standby diesel electric generators (one megawatt or less total capacity) and associated facilities, for the primary purpose of providing emergency power, at an existing applicant headquarters or district office, telecommunications switching or multiplexing site, or at an industrial, commercial or agricultural facility served by the applicant.

**U.S. Department of Agriculture, Rural Utilities Services**

**Reference:** Categorical Exclusions. 7 C.F.R. § 1794.21(b)(21).  
Construction of standby diesel electric generators (one megawatt or less total capacity) and associated facilities, for the primary purpose of providing emergency power, at an existing applicant headquarters or district office, telecommunications switching or multiplexing site, or at an industrial, commercial or agricultural facility served by the applicant.