



HMA EHP at-a-Glance Guide

Project Planning with Considerations for EHP Compliance



FEMA

Introduction

As a Federal agency, FEMA is committed to complying with its responsibilities under the National Environmental Policy Act (NEPA) of 1969 and the National Historic Preservation Act (NHPA) of 1966, in addition to all other applicable environmental and historic preservation (EHP) laws, regulations, and executive orders. Careful consideration of compliance issues from the earliest stages of project development and throughout the grant process lead to more efficient EHP compliance and result in successful HMA projects.

Under NEPA, FEMA is required to consider the impacts of FEMA-funded actions on the environment, as demonstrated in the preparation of and public review of a written document in which impacts of each viable alternative on regulated classes of resources (e.g., wetlands, threatened and endangered species, cultural resources, etc.) are assessed. The level of effort associated with the NEPA process is commensurate with the potential of the project to adversely impact resources. As described in the FEMA implementing regulations (Title 44 of the U.S. Code of Federal Regulations [CFR]), there are three levels of NEPA documentation for FEMA-funded projects: Categorical Exclusion (CATEX), Environmental Assessment (EA), and Environmental Impact Statement (EIS).

- CATEX is a class of action that FEMA has established through public review and comment that would not typically result in significant impact either individually or cumulatively. A list of CATEXable projects is listed in 44 CFR § 10.8.”
- An EA is prepared when the project does not qualify as a CATEX, but the agency is unsure if the impacts will be significant.

- The most detailed level of NEPA review is an EIS, which is done when the agency believes the proposed action would result in a significant impact on one or more resources.

The appropriate level of NEPA documentation is determined by EHP staff during the EHP compliance review process. However, a general awareness the FEMA CATEXes and related environmental resources may be helpful in informing project development, and as such is included in this Guide.

Under Section 106 of the NHPA, FEMA is required to consider the effects of their undertakings on historic properties, defined as a building, structure, site, object, or district that is eligible for listing in the National Register of Historic Places (NRHP). Additionally, historic properties having religious or cultural significance to Tribes including sites that may contain human remains and/or associated cultural items to Native American, Hawaiian, and Alaskan groups (often included under the umbrella of “Tribes”) must be considered in the EHP review process. In accordance with Federal laws, regulations, and executive orders, consideration of, respect for, and consultation with Tribes is of paramount importance to FEMA and is an essential part of the EHP review process. Consultation with Tribes is conducted on a formal, government-to-government basis any time there is the potential for an undertaking to affect Tribal resources and may be applicable to all activity types.

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How to Use This Guide

This reference tool has been prepared to provide users with an easy, “at-a-glance” summary of those resource conditions typically encountered in project development and the associated complexity of the FEMA EHP compliance responsibilities. This resource is not intended to be a comprehensive compliance tool nor a substitute for any part of the FEMA EHP compliance review procedures or formal training. It is intended to provide a general awareness of those factors that may contribute to a more complicated (i.e., a greater level of effort and/or longer schedule) EHP compliance review process. By accounting for these factors early in the process, subapplicants/applicants enable enhanced project development.

The Guide contains four main elements: Project Type; Primary Applicable CATEX; Resources Typically Encountered that Affect the Complexity of EHP Compliance; and the approximate level of complexity. Brief descriptions of each element follow along with the intended use in the Guide.

Project Type. The summary of resource conditions is organized by project type, as reflected in the 2010 HMA Guidance. Project types that are similar for the purposes of EHP compliance (e.g., Acquisition/Demolition and Acquisition/Relocation) are grouped together.

Primary Applicable CATEX. This column indicates the NEPA CATEX number, as cited in 44 CFR §10.8, that is most often applicable to the project type. An asterisk indicates where more than one CATEX may be applicable. As noted above, whether a CATEX is sufficient NEPA documentation for an actual project depends on the specifications and conditions of that particular project. Extraordinary situations may occur that would move that project to a higher level of environmental review and include among other things: greater scope or size than normally experienced for a particular category of actions; actions with a high level of public controversy; or potential for degradation of already poor environmental conditions.

Resources Typically Encountered that Affect the Level of Complexity of EHP Compliance. Listed in this column are specific categories of EHP resources that are considered under EHP review. The resource categories presented are those typically encountered with the specified project types that generally affect the complexity of EHP compliance efforts.

- Historic Properties: Above-Ground (includes buildings and all other historic properties primarily within the above-ground environment, such as bridges, landscapes, roads, etc.)
- Historic Properties: Archaeology (includes historic properties that are primarily below-ground, such as building foundations and artifacts, and/or are located underwater)
- Historic properties having religious or cultural significance to Tribes including sites that may contain human remains and/or associated cultural items
- Waters of the U.S. (WOUS)
- Wetlands
- Floodplains

- Protected Species and Habitat
- Wild and Scenic Rivers
- Other (includes environmental justice [EJ], hazardous materials, and soil)

It should be noted that other resource categories not addressed in this Guide may be present and may also be considered in the EHP compliance review process. The NEPA process evaluates the impacts of a proposed project by assessing a full range of regulated resource categories and/or environmental conditions, including:

- Physical Resources (geology, climate change)
- Water Resources (surface water, ground water, water quality)
- Biological Resources (vegetation, wildlife and fish, migratory birds, invasive species)
- Cultural Resources (artwork, libraries/archives)
- Socioeconomic Resources
- Coastal Zones
- Farmland
- Pollutants
- Air Quality
- Noise
- Transportation
- Safety

Low/Moderate/High Level of Complexity. In each resource category, conditions are described that typically result in low, moderate, or high complexity of EHP compliance efforts. Specific tasks that may be required during the EHP compliance review process, such as NEPA or Section 106 reports, or resource studies, are not indicated, as these will be determined by EHP staff during the EHP compliance review process and are based on individual project conditions and not necessarily upon resource categories. For the purposes of this reference tool, “low, moderate, and high” are general order of magnitude descriptors and are not tied directly to specific products, deliverables, costs, or schedules, as these are based on individual project conditions.

FEMA Regional Contacts

| | |
|--------------------|----------------|
| Region I | (617) 956-7506 |
| Region II | (212) 680-3600 |
| Region III | (215) 931-5500 |
| Region IV | (770) 220-5200 |
| Region V | (312) 408-5500 |
| Region VI | (940) 898-5399 |
| Region VII | (816) 283-7061 |
| Region VIII | (303) 235-4909 |
| Region IX | (510) 627-7100 |
| Region X | (425) 487-4600 |

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|--|---|--|---|---|---|
| PROPERTY ACQUISITION AND STRUCTURE DEMOLITION/RELOCATION  | (vii*) | Historic Properties: Above-Ground (Standing Structures) | Demolition/relocation of a building less than fifty years of age that does not possess exceptional historical importance | Demolition of non-contributing building within/adjacent to historic district | Demolition of individual historic building, or within larger historic property (e.g., plantation, historic district) |
| | | Historic Properties: Archaeology | Demolition within existing limits of ground disturbance (i.e., building footprint and envelope) | Demolition requiring removal of piers/pilings, underground systems (e.g., septic) | Demolition within the boundaries of known/suspected archaeological site |
| | | Waters of the U.S. (WOUS)/Wetlands | No wetlands or WOUS present; Encroachment limited to wetland buffer; Encroachment on less than 1/10-acre wetland disturbance (USACE Nationwide Permit threshold) | Temporary wetland impact; Less than 1/2-acre wetland disturbance; Marginal wetland value | Permanent wetland impact; Greater than 1/2-acre wetland disturbance; High wetland value |
| | | Floodplains | No expected effect on flood elevations; No expected effect on upstream/downstream velocities; Does not promote floodplain occupancy in the future | May promote floodplain occupancy in the future | Increases flood elevations; Increases velocities upstream/downstream; Promotes floodplain occupancy in the future |
| | | Protected Species and Habitat | No vegetation removal within 200 feet of wetlands/WOUS; Forest community in urban environment with no threatened/endangered species, or potential habitat present; No impacts to migratory birds listed by U.S. Fish and Wildlife Service (USFWS) | Vegetation removal within 200 feet of wetlands/WOUS; Forest community within/adjacent to larger natural contiguous forest; Potential impacts to migratory birds listed by USFWS | Threatened/endangered species (or critical habitat) known/suspected in the project area with potential for impact; Impacts to migratory birds listed by USFWS |
| | | Other: Environmental Justice | Less than 5 residences acquired | Between 5 and 20 residences acquired; Acquisition of essential community services (e.g., school, police station, fire house, etc.) | More than 20 residences acquired |
| | | Other: Soil | No equipment operation/soil disruption/vegetation removal within 200 feet of wetlands/WOUS | Equipment operation/soil disruption/vegetation removal within 200 feet of wetlands/WOUS | Not likely |
| | | Other: Hazardous Materials | Residential properties; Presence of lead/asbestos | Commercial/agricultural/industrial properties | Commercial/industrial properties; Recognized environmental conditions per ASTM 1527 |

NOTE: * Indicates that other CATEXs may apply.

Refer to page ii for intended use.

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|---|---|---|---|--|--|
| STRUCTURE ELEVATION  | (xv) | <p>Historic Properties: Above-Ground (Standing Structures)</p> <p>Historic Properties: Archaeology</p> <p>WOUS/Wetlands</p> <p>Floodplains</p> <p>Protected Species and Habitat</p> <p>Other: Hazardous Materials</p> | <p>Elevation of a building less than fifty years of age that does not possess exceptional historical importance</p> <p>Demolition within existing limits of ground disturbance (i.e., building footprint and envelope)</p> <p>No wetlands/WOUS present; Encroachment limited to wetland buffer; Encroachment on less than 1/10-acre wetland disturbance</p> <p>No expected effect on flood elevations; No expected effect on upstream/downstream velocities; Does not promote floodplain occupancy in the future</p> <p>No vegetation removal within 200 feet of wetlands/WOUS; Forest community in urban environment with no threatened/endangered species, or potential habitat present; No impacts to migratory birds listed by USFWS</p> <p>Residential properties; Presence of lead/asbestos</p> | <p>Elevation adjacent to individual historic resource, or within larger historic property (e.g., plantation, historic district)</p> <p>Elevation requiring ground disturbance/excavation beyond existing footprint; Methods include ground penetration (e.g., pilings)</p> <p>Temporary wetland impact; Less than 1/2-acre wetland disturbance; Marginal wetland value</p> <p>May promote floodplain occupancy in the future</p> <p>Vegetation removal within 200 feet of wetlands/WOUS; Forest community within/adjacent to larger natural contiguous forest; Potential impacts to migratory birds listed by USFWS</p> <p>Commercial/agricultural/industrial properties</p> | <p>Elevation of individual historic resource, or within larger historic property</p> <p>Elevation within the boundaries of known/suspected archaeological site</p> <p>Permanent wetland impact; Greater than 1/2-acre wetland disturbance; High wetland value</p> <p>Increases flood elevations; Increases velocities upstream/downstream; Promotes floodplain occupancy in the future</p> <p>Threatened/endangered species (or critical habitat) known/suspected in the project area with potential for impact; Impacts to migratory birds listed by USFWS</p> <p>Commercial/industrial properties; Recognized environmental conditions per ASTM 1527</p> |

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|---|---|--|---|--|---|
| MITIGATION RECONSTRUCTION  | (xv) | Historic Properties: Above-Ground (Standing Structures) | Measures undertaken to a building less than fifty years of age that does not possess exceptional historical importance | Work occurring adjacent to an individual historic resource/larger historic property | Work on individual historic resource, or within larger historic property |
| | | Historic Properties: Archaeology | Demolition within existing limits of ground disturbance (i.e., building footprint and envelope); New construction within existing area of ground disturbance (i.e., depth, footprint) | Demolition requiring removal of piers/pilings, underground systems (e.g., septic); New construction requiring ground disturbance/excavation beyond existing footprint; Work outside of boundaries of known/suspected archaeological site | Work within the boundaries of a known/suspected archaeological site |
| | | Floodplains | No expected effect on flood elevations; No expected effect on upstream/downstream velocities; Does not promote floodplain occupancy in the future | May promote floodplain occupancy in the future | Increases flood elevations; Increases velocities upstream/downstream; Promotes floodplain occupancy in the future |
| DRY FLOODPROOFING OF HISTORIC RESIDENTIAL/ NON-RESIDENTIAL STRUCTURES  | (xv) | Historic Properties: Above-Ground (Standing Structures) | Dry floodproofing of a building less than fifty years of age that does not possess exceptional historical importance | Dry floodproofing of non-contributing building within/adjacent to historic district | Dry floodproofing (e.g., replacement of original windows, doors, exterior cladding) of individual historic building, or occurring within larger historic property (e.g., historic district) |
| | | Historic Properties: Archaeology | Measures requiring minimal ground disturbance within historic property (e.g., historic district) | Not likely | Not likely |
| | | Floodplains | No expected effect on flood elevations or upstream/downstream velocities; Does not promote floodplain occupancy in the future | May promote floodplain occupancy in the future | Increases flood elevations or velocities upstream or downstream; Promotes floodplain occupancy in the future |

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|---|---|--|--|---|--|
| MINOR LOCALIZED FLOOD REDUCTION  | (xvi) | Historic Properties: Above-Ground (Standing Structures) | Measures undertaken to a structure less than fifty years of age that does not possess exceptional historical importance | Measures directly affecting an individual historic resource, or within larger historic property (e.g., historic district) | Not likely |
| | | Historic Properties: Archaeology | Construction limited to pre-disturbed areas, or within the limits of ground disturbance of pre-existing flood control structures | Impacts on floodplain; Water resource is undisturbed | Direct effect to known/suspected archaeological site |
| | | Tribal Resources | Work outside areas of religious and cultural significance to Tribes | Work within/adjacent to areas of cultural significance to Tribes | Not likely |
| | | WOUS | Less than 500 linear feet of channel disturbance and previously disturbed drainage | Less than 500 linear feet of channel disturbance and previously undisturbed drainage; Federal or State permit required | Greater than 500 linear feet of channel disturbance |
| | | Wetlands | No wetlands present; Encroachment limited to wetland buffer; Encroachment on less than 1/10-acre wetland disturbance | Temporary wetland impact; Less than 1/2-acre wetland disturbance; Marginal wetland value | Permanent wetland impact; Greater than 1/2-acre wetland disturbance; High wetland value |
| | | Floodplains | No expected effect on flood elevations; No expected effect on upstream/downstream velocities; Does not promote floodplain occupancy in the future | May promote floodplain occupancy in the future | Increases flood elevations; Increases velocities upstream/downstream; Promotes floodplain occupancy in the future |
| | | Protected Species and Habitat | No vegetation removal within 200 feet of wetlands/WOUS; Forest community in urban environment with no threatened/endangered species or potential habitat present; No impacts to migratory birds listed by USFWS; No impact to Essential Fish Habitat (EFH) | Vegetation removal within 200 feet of wetlands/WOUS; Existing drainages, if present, in natural condition; Work within 200 feet of wetlands/WOUS; Potential impacts to migratory birds listed by USFWS; Potential impact to EFH | Threatened/endangered species (or critical habitat) known/suspected to be present in the project area with potential for impact; Impacts to migratory birds listed by USFWS; Potential impact to EFH |

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|--|---|--|---|---|--|
| STRUCTURAL/ NON-STRUCTURAL/ INFRASTRUCTURE RETROFITTING: TERRESTRIAL  | (xv) | Historic Properties: Above-Ground (Standing Structures) | Measures undertaken to a building less than fifty years of age that does not possess exceptional historical importance | Measures undertaken to non-contributing building within/adjacent to a historic district; Direct effect to historic resource with no visible alterations, and historic fabric minimally affected | Direct effect to historic resource with visible alterations, and historic fabric significantly affected; Visible alterations within larger historic property (e.g., historic district) |
| | | Historic Properties: Archaeology | Measures requiring minimal ground disturbance, and outside of a known/suspected archaeological site | Measures requiring large area of ground disturbance; Measures within the boundaries of a historic property, or known/suspected archaeological site | Not likely |
| | | Floodplains | No expected effect on flood elevations; No expected effect on upstream/downstream velocities; Does not promote floodplain occupancy in the future | May promote floodplain occupancy in the future | Increases flood elevations; Increases velocities upstream/downstream; Promotes floodplain occupancy in the future |
| | | Other: Hazardous Materials | Residential properties; Lead/asbestos | Commercial/agricultural/industrial properties | Commercial/industrial properties; Recognized environmental conditions per ASTM 1527 |

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|--|---|--|---|---|---|
| STRUCTURAL/ NON-STRUCTURAL/ INFRASTRUCTURE RETROFITTING: AQUATIC  | (xv) | Historic Properties: Above-Ground (Standing Structures) | Measures undertaken to a building/structure less than fifty years of age that does not possess exceptional historical importance | Measures undertaken to non-contributing building/structure (e.g., dock, seawall, pier, dam) within/ adjacent to a historic district; Direct effect to historic resource with no visible alterations, and historic fabric minimally affected | Direct effect to historic resource with visible alterations, and historic fabric significantly affected; Visible alterations within larger historic property (e.g., historic district) |
| | | Historic Properties: Archaeology | Measures requiring minimal ground disturbance, and outside of a known/suspected archaeological site | Measures requiring large area of ground disturbance; Measures within the boundaries of a historic property, or known/suspected archaeological site | Work in area of high sensitivity for underwater archaeological resources |
| | | WOUS | Less than 500 linear feet of channel disturbance and previously disturbed drainage | Less than 500 linear feet of channel disturbance and previously undisturbed drainage; Federal or State permit required | Greater than 500 linear feet of channel disturbance |
| | | Wetlands | No wetlands present; Encroachment limited to wetland buffer; Encroachment on less than 1/10-acre wetland disturbance | Temporary wetland impact; Less than 1/2-acre wetland disturbance; Marginal wetland value | Permanent wetland impact; Greater than 1/2-acre wetland disturbance; High wetland value |
| | | Floodplains | No expected effect on flood elevations; No expected effect on upstream/downstream velocities; Does not promote floodplain occupancy in the future | May promote floodplain occupancy in the future | Increases flood elevations; Increases velocities upstream/ downstream; Promotes floodplain occupancy in the future |
| | | Protected Species and Habitat | No vegetation removal within 200 feet of wetlands/WOUS; Forest community in urban environment with no threatened/endangered species or potential habitat present; No impacts to migratory birds listed by USFWS; No impact to EFH | Vegetation removal within 200 feet of wetlands/WOUS; Existing drainages, if present, in natural condition; Work within 200 feet of wetlands/WOUS; Potential impacts to migratory birds listed by USFWS; Potential impact to EFH | Threatened/endangered species (or critical habitat) known/ suspected to be present in the project area with potential for impact; Impacts to migratory birds listed by USFWS; Potential impact to EFH |

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|--|---|---|--|---|--|
| SAFE ROOM CONSTRUCTION  | (xvi); Progr. EA for Safe Rooms | Historic Properties: Above-Ground (Standing Structures) Historic Properties: Archaeology Tribal Resources Wetlands Protected Species and Habitat Floodplains | Measures undertaken within an area developed less than fifty years of age that does not possess exceptional historical importance New construction requiring minimal ground disturbance outside the boundaries of a known/suspected archaeological site Work outside areas of religious and cultural significance to Tribes No wetlands present; Encroachment limited to wetland buffer; Encroachment on less than 1/10-acre wetland disturbance In urban environment; Existing drainages, if present, already substantially improved; No work/vegetation removal within 200 feet of wetlands/WOUS Not located in SFHA; No expected effect of flood elevations or upstream/downstream velocities; Does not promote floodplain occupancy in the future | New construction adjacent to a historic historic or individual historic resource (e.g., school, park, post office, etc.) New construction requiring large area of ground disturbance; New construction within the boundaries of a historic property or known/suspected archaeological site Work within/adjacent to areas of cultural significance to Tribes Temporary wetland impact; Less than 1/2-acre wetland disturbance; Marginal wetland value Work/vegetation removal within 200 feet of wetlands/WOUS; Existing drainages, if present, in natural condition May promote floodplain occupancy in the future | New construction attached to a historic building, or located within larger historic property (e.g., historic district, designed park, farmstead) Not likely Not likely Permanent wetland impact; Greater than 1/2-acre wetland disturbance; High wetland value Threatened/endangered species (or critical habitat) known/suspected to be present in the project area with potential for impact Located in SFHA; Increases flood elevations or upstream/downstream velocities; Promotes floodplain occupancy in the future |

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|--|---|---|---|--|--|
| SOIL STABILIZATION  | (xvi)* | Historic Properties: Above-Ground (Standing Structures) Historic Properties: Archaeology Tribal Resources WOUS Wetlands Floodplains Protected Species and Habitat | Measures undertaken within an area developed less than fifty years of age that does not possess exceptional historical importance Measures requiring minimal ground disturbance, outside of known/suspected archaeological site Work outside areas of religious and cultural significance to Tribes No work in or near water; Less than 500 linear feet of channel disturbance and previously disturbed drainage No wetlands present; Encroachment limited to wetland buffer; Encroachment on less than 1/10-acre wetland disturbance No expected effect on flood elevations; No expected effect on upstream/downstream velocities; Does not promote floodplain occupancy in the future No vegetation removal within 200 feet of wetlands/WOUS; Forest community in urban environment with no threatened/endangered species or potential habitat present; No impacts to migratory birds listed by USFWS; No impact to EFH | Directly affects individual historic resource or within larger historic property (e.g., historic district, park) Measures requiring large area of ground disturbance; Measures within the boundaries of a historic property or known/suspected archaeological site Work within/adjacent to areas of cultural significance to Tribes Less than 500 linear feet of channel disturbance and previously undisturbed drainage Temporary wetland impact; Less than 1/2-acre wetland disturbance; Marginal wetland value May promote floodplain occupancy in the future Vegetation removal within 200 feet of wetlands/WOUS; Existing drainages, if present, in natural condition; Work within 200 feet of wetlands/WOUS; Potential impacts to migratory birds listed by USFWS; Potential impact to EFH | Not likely Work within the boundaries of a known/suspected archaeological site Not likely Greater than 500 linear feet of channel disturbance Permanent wetland impact; Greater than 1/2-acre wetland disturbance; High wetland value Increases flood elevations; Increases velocities upstream/downstream; Promotes floodplain occupancy in the future Threatened/endangered species (or critical habitat) known/suspected to be present in the project area with potential for impact; Impacts to migratory birds listed by USFWS; Potential impact to EFH |

NOTE: * Indicates that other CATEXs may apply.

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|---|---|--|---|---|---|
| WILDFIRE MITIGATION: DEFENSIBLE SPACE  | (xvi) | Historic Properties: Above-Ground (Standing Structures) | Measures undertaken to individual buildings/within residential neighborhoods less than fifty years of age that do not possess exceptional historical importance | Work within historic district, or historic property defined by its landscape characteristics (e.g., park, irrigation system, scenic byway, estate, etc.) | Not likely |
| | | Historic Properties: Archaeology | Limited ground disturbance; Impact from heavy machinery avoided | Moderate ground disturbance; Impact from heavy machinery expected; New access roads required; New staging areas for equipment/machinery required | Not likely |
| | | Tribal Resources | Work outside areas of religious and cultural significance to Tribes | Work within/adjacent to areas of cultural significance to Tribes | Not likely |
| | | WOUS/Wetlands | No wetlands/WOUS present; No equipment operation/vegetation removal within 200 feet of wetlands/WOUS | Equipment operation/vegetation removal within 200 feet of wetlands/WOUS | Not likely |
| | | Floodplains | Vegetative debris disposed of outside the floodplain; Project does not increase flood elevations/velocities upstream/downstream | Potential for vegetative debris to be disposed of within floodplain | Not likely |
| | | Protected Species and Habitat | No vegetation removal within 200 feet of wetlands/WOUS; Forest community in urban environment with no threatened/endangered species or potential habitat present; No impacts to migratory birds listed by USFWS | Vegetation removal within 200 feet of wetlands/WOUS; Forest community within/adjacent to larger natural contiguous forest; Potential impacts to migratory birds listed by USFWS | Threatened/endangered species (or critical habitat) known/suspected to be present in the project area with potential for impact: Impacts to migratory birds listed by USFWS |
| | | Other: Soil | No equipment operation/soil disruption/vegetation removal within 200 feet of wetlands/WOUS; BMPs followed | Equipment operation/soil disruption/vegetation removal within 200 feet of wetlands/WOUS; BMPs followed | Not likely |

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|--|---|--|---|---|---|
| WILDFIRE MITIGATION: HAZARDOUS FUELS REDUCTION  | (xvi) | Historic Properties: Above-Ground (Standing Structures) | Measures undertaken to individual buildings/within residential neighborhoods less than fifty years of age that do not possess exceptional historical importance | Work within historic district, or historic property defined by its landscape characteristics (e.g., park, irrigation system, scenic byway, estate, etc.) | Not likely |
| | | Historic Properties: Archaeology | Limited ground disturbance; Impact from heavy machinery avoided | Moderate ground disturbance; Impact from heavy machinery expected; New access roads required; New staging areas for equipment/machinery required | Not likely |
| | | Tribal Resources | Work outside areas of religious and cultural significance to Tribes | Work within/adjacent to areas of cultural significance to Tribes | Not likely |
| | | WOUS/Wetlands | No wetlands/WOUS present; No equipment operation/vegetation removal within 200 feet of wetlands/WOUS; No herbicide use; BMPs followed | Equipment operation/vegetation removal within 200 feet of wetlands/WOUS; Herbicide use pre-approved by USFWS/NMFS; BMPs followed | Herbicide not pre-approved by USFWS/NMFS |
| | | Floodplains | Vegetative debris disposed of outside the floodplain | Potential for vegetative debris to be disposed of within floodplain | Not likely |
| | | Protected Species and Habitat | No vegetation removal within 200 feet of wetlands/WOUS; Forest community in urban environment with no threatened/endangered species or potential habitat present; No herbicide use; No impacts to migratory birds listed by USFWS | Vegetation removal within 200 feet of wetlands/WOUS; Forest community within/adjacent to larger natural contiguous forest; Herbicide pre-approved by USFWS/NMFS; Potential impacts to migratory birds listed by USFWS | Threatened/endangered species (or critical habitat) known/suspected to be present in the project area with a potential for impact; Herbicide not pre-approved by USFWS/NMFS; Impacts to migratory birds listed by USFWS |
| | | Other: Soil | No equipment operation/soil disruption/vegetation removal within 200 feet of wetlands/WOUS; BMPs followed | Equipment operation/soil disruption/vegetation removal within 200 feet of wetlands/WOUS; BMPs followed | Not likely |

| Project Type | Primary Applicable CATEX (44 CFR Part 10.8) | Resources Typically Encountered that Affect the Complexity of EHP Compliance | Low Complexity | Moderate Complexity | High Complexity |
|--|---|---|--|--|---|
| NON-TRADITIONAL MITIGATION MEASURES: GENERATORS  | (vi)* | Historic Properties: Above-Ground (Standing Structures) Floodplains | Measures undertaken to a structure less than fifty years of age that does not possess exceptional historical importance Not located in Special Flood Hazard Area (SFHA); No expected effect on flood elevations or upstream/downstream velocities; Does not promote floodplain occupancy in the future | Generator visible from character-defining spaces/views of historic resources; Limited historic fabric affected (e.g., new wall penetrations) May promote floodplain occupancy in the future | Not likely Located in SFHA; Increases flood elevations or velocities upstream or downstream; Promotes floodplain occupancy in the future |
| NON-TRADITIONAL MITIGATION MEASURES: WARNING SIRENS  | (xvi) | Historic Properties: Above-Ground (Standing Structures) Historic Properties: Archaeology Wetlands Floodplains Protected Species and Habitat | Measures undertaken in an area developed less than fifty years ago of age that does not possess exceptional historical importance Installation of new pole requiring ground disturbance No wetlands present; Encroachment limited to wetland buffer; Encroachment on less than 1/10-acre wetland disturbance Not located in SFHA; No expected effect on flood elevations or upstream/downstream velocities; Does not promote floodplain occupancy in the future No threatened/endangered species present within 1.0 mile of the project area | Siren affixed to historic building; siren erected within/visible from character-defining spaces/viewsheds of historic resources Not likely Not likely Not likely Threatened/endangered species known/suspected within 1.0 mile of the project area | Not likely Not likely Not likely Threatened/endangered species (or critical habitat) known/suspected in the project area with potential for impact |

NOTE: * Indicates that other CATEXs may apply.

Appendix A: Applicable EHP Laws, Regulations, and Executive Orders

Laws

American Antiquities Act of 1906, as amended (16 USC 431-433)
Archaeological Resources Preservation Act of 1979, as amended (16 USC 470aa-mm)
Coastal Barrier Resources Act (16 USC 3501 et seq.)
Coastal Zone Management Act (16 USC 1451 et seq.)
Comprehensive Environmental Response Compensation and Liability Act (42 USC 9601)
Clean Water Act - Sections 313,401, 402 and 404 (33 USC 1251-1387)
Clean Air Act (42 USC 7401-7671)
Endangered Species Act of 1973, as amended (16 USC Part 402, 450, 451, 452, and 453)
Farmland Protection Policy Act (7 USC 4201 et seq.)
Marine Mammal Protection Act of 1972 (16 USC 1361-1407)
Migratory Bird Treaty Act of 1918 (16 USC 703-711)
National Environmental Policy Act (NEPA) of 1969, as amended (42 USC 4321, and 4331-4335)
National Flood Insurance Act (NFIA)
National Historic Preservation Act (NHPA) of 1966, as amended (16 USC 470 et seq.)
Resource Conservation and Recovery Act (42 USC 6922)
Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 USC 5121-5207)
Wild and Scenic Rivers Act (16 USC 271 et seq.)

Regulations

Clean Water Act (Wetlands) (33 CFR Part 3300)
Coastal Zone Management (15 CFR Part 923 and Part 930, Subpart D)
Interagency Cooperation - Endangered Species Act, as Amended (50 CFR Part 402)
National Environmental Policy (44 CFR Part 10) (FEMA)
National Environmental Policy (40 CFR Parts 1500-1508) (CEQ)
National Historic Landmarks Program (36 CFR Part 65)
National Historic Preservation Act (36 CFR Parts 60, 61, 63, 68, 79, 800)
Protection of Historic Properties (36 CFR Part 800)
Preservation of American Antiquities (43 CFR Part 3)
Protection of Archeological Resources (43 CFR Part 7)
Floodplain Management and Protection of Wetlands (44 CFR Part 9)
Wild and Scenic Rivers (36 CFR Part 297, Subpart A)

Executive Orders

E.O. 11593: Protection and Enhancement of the Cultural Environment
E.O. 11988: Floodplain Management
E.O. 11990: Protection of Wetlands
E.O. 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
E.O. 13175: Consultation and Coordination with Indian Tribal Governments

Guidance

HMA Unified Grant Guidance (www.fema.gov/government/grant/hma/index.shtml)
Advisory Council on Historic Preservation's Section 106 User's Guide
Secretary of the Interior's Standards and Guidelines

List of Categorical Exclusions from 44 CFR 10.8

(2) *List of exclusion categories.* FEMA has determined that the following categories of actions have no significant effect on the human environment and are, therefore, categorically excluded from the preparation of environmental impact statements and environmental assessments except where extraordinary circumstances as defined in paragraph (d)(5) of this section exist. If the action is of an emergency nature as described in §316 of the Stafford Act (42 U.S.C. 5159), it is statutorily excluded and is noted with [SE].

- (i) Administrative actions such as personnel actions, travel, procurement of supplies, etc., in support of normal day-to-day activities and disaster related activities;
- (ii) Preparation, revision, and adoption of regulations, directives, manuals, and other guidance documents related to actions that qualify for categorical exclusions;
- (iii) Studies that involve no commitment of resources other than manpower and associated funding;
- (iv) Inspection and monitoring activities, granting of variances, and actions to enforce Federal, state, or local codes, standards or regulations;
- (v) Training activities and both training and operational exercises utilizing existing facilities in accordance with established procedures and land use designations;
- (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;
- (vii) The acquisition of properties and the associated demolition/removal [see paragraph (d)(2)(xii) of this section] or relocation of structures [see paragraph (d)(2)(xiii) of this section] under any applicable authority when the acquisition is from a willing seller, the buyer coordinated acquisition planning with affected authorities, and the acquired property will be dedicated in perpetuity to uses that are compatible with open space, recreational, or wetland practices.
- (viii) Acquisition or lease of existing facilities where planned uses conform to past use or local land use requirements;

- (ix) Acquisition, installation, or operation of utility and communication systems that use existing distribution systems or facilities, or currently used infrastructure rights-of-way;
- (x) Routine maintenance, repair, and grounds-keeping activities at FEMA facilities;
- (xi) Planting of indigenous vegetation;
- (xii) Demolition of structures and other improvements or disposal of uncontaminated structures and other improvements to permitted off-site locations, or both;
- (xiii) Physical relocation of individual structures where FEMA has no involvement in the relocation site selection or development;
- (xiv) Granting of community-wide exceptions for floodproofed residential basements meeting the requirements of 44 CFR 60.6(c) under the National Flood Insurance Program;
- (xv) Repair, reconstruction, restoration, elevation, retrofitting, upgrading to current codes and standards, or replacement of any facility in a manner that substantially conforms to the preexisting design, function, and location; [SE, in part]
- (xvi) Improvements to existing facilities and the construction of small scale hazard mitigation measures in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use; provided the operation of the completed project will not, of itself, have an adverse effect on the quality of the human environment;
- (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;
- (xviii) The following planning and administrative activities in support of emergency and disaster response and recovery:
 - (A) Activation of the Emergency Support Team and convening of the Catastrophic Disaster Response Group at FEMA headquarters;
 - (B) Activation of the Regional Operations Center and deployment of the Emergency Response Team, in whole or in part;

- (C) Deployment of Urban Search and Rescue teams;
- (D) Situation Assessment including ground and aerial reconnaissance;
- (E) Information and data gathering and reporting efforts in support of emergency and disaster response and recovery and hazard mitigation; and
- (xix) The following emergency and disaster response, recovery and hazard mitigation activities under the Stafford Act:
 - (A) General Federal Assistance (§402); [SE]
 - (B) Essential Assistance (§403); [SE]
 - (C) Debris Removal (§407) [SE]
 - (D) Temporary Housing (§408), except locating multiple mobile homes or other readily fabricated dwellings on sites, other than private residences, not previously used for such purposes;
 - (E) Unemployment Assistance (§410);
 - (F) Individual and Family Grant Programs (§411), except for grants that will be used for restoring, repairing or building private bridges, or purchasing mobile homes or other readily fabricated dwellings;
 - (G) Food Coupons and Distribution (§412);
 - (H) Food Commodities (§413);
 - (I) Legal Services (§415);
 - (J) Crisis Counseling Assistance and Training (§416);
 - (K) Community Disaster Loans (§417);
 - (L) Emergency Communications (§418);
 - (M) Emergency Public Transportation (§419);
 - (N) Fire Management Assistance Grants; and
 - (O) Federal Emergency Assistance (§502) [SE].

Appendix B: Acronyms

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| ASTM 1527 | American Society for Testing and Materials 1527: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process |
| BMPs | Best Management Practices |
| CATEX | Categorical Exclusion |
| CFR | Code of Federal Regulations |
| EA | Environmental Assessment |
| EFH | Essential Fish Habitat |
| EHP | Environmental and Historic Preservation |
| EIS | Environmental Impact Statement |

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|-------|------------------------------------|
| EJ | Environmental Justice |
| HMA | Hazard Mitigation Assistance |
| NEPA | National Environmental Policy Act |
| NHPA | National Historic Preservation Act |
| NMFS | National Marine Fisheries Service |
| SHFA | Special Flood Hazard Area |
| USACE | U.S. Army Corps of Engineers |
| USFWS | U.S. Fish and Wildlife Service |
| WOUS | Waters of the U.S. |

