

Missouri River Flood Response Activity

Categorical Exclusions

For the purpose of compliance with the National Environmental Policy Act (NEPA), the categorical exclusions identified in this table are potentially applicable to flood recovery efforts. The following considerations, as well as others, guide the use of categorical exclusions:

- 1) Agencies “shall provide for extraordinary circumstances in which a normally excluded action may have a significant environmental effect”. (40 CFR 1508.4)
- 2) Categorical exclusions are generally only authorized for use by a specific agency or department.
- 3) Department or agency policy or procedures typically provide additional guidance on the use and applicability of specific categorical exclusions.

Activities categorically excluded from compliance with NEPA are not excluded from compliance with other laws, regulations and policies, such as the Endangered Species Act and the National Historic Preservation Act.

Flood-Deposited Debris	Solid Waste Disposal	Woody Debris	FEMA These flood recovery activities are exempt from NEPA compliance under certain circumstances per the Stafford Act.
		Structural Materials (sheet metal, siding, shingles, etc.)	
Hazardous Materials (propane tanks, etc.)			
Flood-Deposited Sediment	Sediment Management	Sediment with Hazardous Materials	FEMA Some of these flood recovery activities are exempt from NEPA compliance under certain circumstances per the Stafford Act.
		Deep Tillage (>18 inches)	
	Sediment Disposal or Removal	Incorporate Sediment into Field Soils (tilling <18 inches)	
		Remove Sediment Offsite	
	Stockpiling Sediment		

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Flood-Deposited Sediment (continued)	Disposing Sediment into River	FEMA Some of these flood recovery activities are exempt from NEPA compliance under certain circumstances per the Stafford Act.
	Use of Sediment for Structural Repair Material	
Flood-Damaged Streams	Bank Stabilization	FEMA Some of these flood recovery activities are exempt from NEPA compliance under certain circumstances per the Stafford Act.
	Bank Slides	
	Restoration of Stream Channels	
	Removal of In-Channel Debris and Snags	
Flood-Damaged Structures	Drainage Ditches - Cleanout	No categorical exclusions identified.
	Levee Repair	Housing and Urban Development (CDBG used as local match contribution) <ul style="list-style-type: none"> Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets). <i>(See Corps of Engineers' Programmatic Environmental Assessment)</i>
	Levee Re-Alignment	No categorical exclusions identified. <i>(See Corps of Engineers' Programmatic Environmental Assessment)</i>
	Roads	Federal Highway Administration <ul style="list-style-type: none"> Emergency repairs under 23 U.S.C. 125. Subject to this section and section 120, an emergency fund is authorized for expenditure by the Secretary for the repair or reconstruction of highways, roads, and trails, in any part of the United States, including Indian reservations, that the Secretary finds have suffered serious damage as a result of—(1) natural disaster over a wide area, such as by a flood, hurricane, tidal wave, earthquake, severe storm, or landslide. Bridge rehabilitation, reconstruction or replacement or the construction of grade separation to replace existing at-grade railroad crossings. Housing and Urban Development <ul style="list-style-type: none"> Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).

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Flood-Damaged Structures (continued)	Railways	<p>Federal Highway Administration</p> <ul style="list-style-type: none"> • Track and railbed maintenance and improvements when carried out within the existing right-of-way. • Bridge rehabilitation, reconstruction or replacement or the construction of grade separation to replace existing at-grade railroad crossings.
	Utilities (poles, lines, etc.)	<p>Federal Emergency Management Agency</p> <ul style="list-style-type: none"> • Acquisition, installation, or operation of utility and communication systems that use existing distribution systems or facilities, or currently used infrastructure rights-of-way. <p>Housing and Urban Development</p> <ul style="list-style-type: none"> • Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).
	Water & Sewer Repairs	<p>Environmental Protection Agency</p> <ul style="list-style-type: none"> • Actions relating to existing infrastructure systems (such as sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) that involve minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system components (such as the sewer collection network and treatment system; the system to collect, treat, store and distribute drinking water; and stormwater systems, including combined sewer overflow systems) or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities. This category does not include actions that: involve new or relocated discharges to surface or ground water; will likely result in the substantial increase in the volume or the loading of pollutant to the receiving water; will provide capacity to serve a population 30% greater than the existing population; are not supported by the state, or other regional growth plan or strategy; or directly or indirectly involve or relate to upgrading or extending infrastructure systems primarily for the purposes of future development. • Actions in unsewered communities involving the replacement of existing onsite systems, providing the new onsite systems do not result in substantial increases in the volume of discharge or the loadings of pollutants from existing sources, or relocate existing discharge. <p>Housing and Urban Development</p> <ul style="list-style-type: none"> • Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).
	Temporary Pumping	No categorical exclusions identified.

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Flood-Damaged Structures (continued)

Buildings

Federal Emergency Management Agency

- Granting of community-wide exceptions to floodproof residential basements.
- Demolition of structures and other improvements or disposal of uncontaminated structures and other improvements to permitted off-site locations, or both.
- Physical relocation of individual structures where FEMA has no involvement in the relocation site selection or development.
- 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.
- Actions conducted within enclosed facilities, etc.

Corps of Engineers

- Activities at completed Corps projects which carry out the authorized project purposes. Examples include routine operation and maintenance actions, general administration, equipment purchases, custodial actions, erosion control, painting, repair, rehabilitation, replacement of existing structures and facilities such as buildings, roads, levees, groins and utilities, and installation of new buildings utilities, or roadways in developed areas.

Reclamation

- Maintenance, rehabilitation, and replacement of existing facilities which may involve a minor change in size, location, and/or operation.
- Minor safety of dams construction activities where the work is confined to the dam, abutment areas, or appurtenant features, and where no major change in reservoir or downstream operation is anticipated as a result of the construction activities.

Housing and Urban Development

- Rehabilitation of buildings and improvements when the following conditions are met:
 - (i) In the case of a building for residential use (with one to four units), the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland;
 - (ii) In the case of multifamily residential buildings:
 - (A) Unit density is not changed more than 20 percent;
 - (B) The project does not involve changes in land use from residential to non-residential; and
 - (C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.
 - (iii) In the case of non-residential structures, including commercial, industrial, and public buildings:
 - (A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and
 - (B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.

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Repair Material Sources	Borrow Sites/Operations	Corps of Engineers <ul style="list-style-type: none"> Removal of sand, gravel, rock, and other material from existing borrow areas.
	In-Stream Dredging for Fill Material	No categorical exclusions identified.
Alternatives to Land and Structure Repairs		Federal Emergency Management Agency <ul style="list-style-type: none"> Acquisition of properties and associated demolition/removal when 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. Demolition of structures and other improvements or disposal of uncontaminated structures and other improvements to permitted off-site locations, or both.
Well Contamination/Drinking Water		Federal Emergency Management Agency <ul style="list-style-type: none"> Listed emergency and disaster response, recovery and mitigation activities under the Stafford Act (general federal assistance, essential assistance, debris removal, temporary housing, etc.)
General Flood Recovery Activities		Federal Emergency Management Agency <ul style="list-style-type: none"> Procurement of goods and services to support emergency operation activities. Listed emergency and disaster response, recovery and mitigation activities under the Stafford Act (general federal assistance, essential assistance, debris removal, temporary housing, etc.)