



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

REGION VIII
Colorado, Montana,
North Dakota,
South Dakota,
Utah and Wyoming

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REGION 8 BULLETIN NO: 2014-28

Subject: FTA NEPA Final Rule and Region 8 Categorical Checklist

Date: October 9, 2014

Dear Grantees:

This bulletin is to provide you with an update to the Federal Transit Administration's (FTA) Environmental Regulations.

On Monday, October 6, 2014, FTA and the Federal Highway Administration (FHWA) issued a Final Rule adding new Categorical Exclusions (CE) to our Joint Environmental Regulations, and allowing State departments of transportation to process certain Categorical Exclusions without FHWA's detailed project-by-project review and approval as long as the action meets specific constraints.

The full notice is available at: <http://www.gpo.gov/fdsys/pkg/FR-2014-10-06/pdf/2014-23660.pdf>

FTA Region 8 has incorporated this final rule into our Categorical Exclusion guidance and checklist which is attached to this bulletin for your use.

As a reminder, a determination that an action qualifies for a CE under the Agencies' National Environmental Policy Act (NEPA) procedures is not an exemption from the environmental laws that apply to that project. A project may not require the higher level of NEPA analysis associated with an Environmental Assessment or Environmental Impact Statement and still require analysis under section 106 of the National Historic Preservation Act; section 404 of the Clean Water Act; section 7 of the Endangered Species Act; or section 4(f) of the Department of Transportation Act. Applicants need to apply and obtain applicable environmental permits and approvals even for projects that qualify as CEs. If there are special circumstances contact the Regional Office to determine what documentation will be required.

If you have questions about this information, please contact David Beckhouse, Region 8 at 720.963.3306 or david.beckhouse@dot.gov for more information.

Sincerely,

**DAVID L
BECKHOUSE**

(for) Linda M. Gehrke
Regional Administrator

Digitally signed by DAVID L BECKHOUSE
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Date: 2014.10.15 10:49:28 -06'00'

Attachment: [2015 Catex Checklist](#)