

2018-Cross Agency Categorical Exclusions (CE)s Available for Use

In November 2018, the Federal Railroad Administration (FRA) joined the Federal Transit Administration (FTA), and the Federal Highway Administration (FHWA) joint environmental regulations at 23 CFR part 771. This allows for use of the Cross-Agency CEs, which allows FRA project sponsors to apply an FHWA or FTA CE to an FRA project when the FHWA or FTA CE better reflects the project.

The table below lists all FRA, FHWA and FTA CE options that can be utilized by FRA project sponsors. If there are questions about the application of any of the CEs for a project, you should contact FRA.

Cross Agency CE Options §771.116 (d)

Any action qualifying as a CE under §771.117 or §771.118 may be approved by FRA when the applicable requirements of those sections have been met. FRA may consult with FHWA or FTA to ensure the CE is applicable to the proposed action.

Agency	CE Number	Name
§771.116 FRA categorical exclusions		
FRA	1	Administrative Procurements
FRA	3	Planning or Design Activities
FRA	7	Financial Assistance for a completed activity
FRA	8	Hearings, meetings, or public affairs
FRA	9	Maintenance of existing railroad facilities
FRA	10	Emergency repair or replacement
FRA	11	Operating assistance to a railroad
FRA	12	Minor rail line additions or new tracks within the ROW
FRA	13	Property acquisition
FRA	14	Research activities on existing facilities
FRA	16	Modification for ADA purposes
FRA	17	Rehabilitation, reconstruction or replacement of bridges and other structures
FRA	18	Vehicle or equipment acquisition, rehabilitation, or maintenance
FRA	19	Safety and security improvements
FRA	20	Environmental restoration, remediation, and controls
FRA	21	Assembly or construction of facilities or stations
FRA	22	Track and track structure maintenance and improvements
§771.117 FHWA categorical exclusions		
FHWA	(c)(1)	Planning, Research, NEPA Studies
FHWA	(c)(2)	Utilities
FHWA	(c)(3)	Bicycle and Pedestrian Facilities
FHWA	(c)(4)	Activities in State's Highway

Agency	CE Number	Name
		Safety Plan
FHWA	(c)(5)	Transfer of Federal lands
FHWA	(c)(6)	Noise Barriers and Reduction Actions
FHWA	(c)(7)	Landscaping
FHWA	(c)(8)	Fencing, Signs, Pavement Markings, and Small Shelters, Signals, and Warning Devices
FHWA	(c)(10)	Acquisition of Scenic Easements
FHWA	(c)(11)	Payback under 23 U.S.C. 156
FHWA	(c)(12)	Improvements to Rest Areas and Weigh Stations
FHWA	(c)(13)	Ridesharing Activities
FHWA	(c)(15)	Alterations to Facilities or Vehicles to make them ADA accessible
FHWA	(c)(21)	Deployment of Electronics and Technology Devices
FHWA	(c)(25)	Environmental Restoration and Pollution Abatement
FHWA	(c)(26)	Highway Modernization
FHWA	(c)(27)	Highway Safety or Traffic Operations
FHWA	(c)(28)	Bridge Rehabilitation, Reconstruction, or Replacement
FHWA	(c)(29)	Ferry Vessel Related
FHWA	(c)(30)	Rehabilitation or Reconstruction of Existing Ferry Facilities
FHWA	(d)(4)	Construction of Parking Facilities
FHWA	(d)(8)	Construction of New Bus Storage and Maintenance Facilities
FHWA	(d)(9)	Rehabilitation or Reconstruction of Rail and Bus buildings and Ancillary Facilities
FHWA	(d)(10)	Construction of Bus Transfer Facilities
FHWA	(d)(11)	Construction of Rail Storage and Maintenance Facilities
FHWA	(d)(13)	Miscellaneous Actions
§771.118 FTA categorical exclusions		
FTA	(c)(1)	Acquisition, installation, operation, evaluation, replacement, and improvement of discrete utilities
FTA	(c)(2)	Acquisition, construction, maintenance, rehabilitation
FTA	(c)(3)	Activities designed to mitigate environmental harm
FTA	(c)(4)	Planning and administrative activities
FTA	(c)(5)	Activities, including repairs, replacements, and rehabilitations

Agency	CE Number	Name
FTA	(c)(6)	Acquisition or transfer of an interest in real property
FTA	(c)(7)	Acquisition, installation, rehabilitation, replacement, and maintenance of vehicles or equipment
FTA	(c)(8)	Maintenance, rehabilitation, and reconstruction of facilities
FTA	(c)(9)	Assembly or construction of facilities that is consistent with existing land use and zoning
FTA	(c)(10)	Development of facilities for transit and non-transit purposes
FTA	(c)(11)	transportation facilities damaged by an incident resulting in an emergency
FTA	(c)(12)	Projects that would take place entirely in the ROW
FTA	(c)(13)	Federally funded projects within certain criteria
FTA	(c)(14)	Bridge removal and bridge removal related activities
FTA	(c)(15)	Preventative maintenance, including safety treatments
FTA	(c)(16)	Localized geotechnical and other investigations

** Additional CE information and descriptions found at 23 CFR §771.116, .117 or .118*