

Categorical Exclusion

Certain projects may qualify for a Categorical Exclusion (CE) in which case applicants are not required to prepare an environmental information document (EID) or Preliminary Engineering Report (PER).

Project types that qualify for a CE include **(LAC Title 33, Part IX, §2125.C.2.c.)**:

- routine facility maintenance, repair, or groundskeeping;
- minor rehabilitation or upgrades of existing facilities;
- replacement or installation of equipment (including equipment needed solely for purposes of emergency preparedness);
- construction of new minor ancillary facilities adjacent to or on the same property as existing facilities;

Projects that DO NOT qualify for a CE:

(LAC Title 33, Part IX, §2125.C.2.c.ii.(a)-(e))

- involve new or relocated discharges to surface or ground water;
- result in the substantial increase in the volume or the loading of pollutant to the receiving water;
- provide capacity to serve a population 30 percent greater than the existing population;
- are not supported by the state, other regional growth plan, or strategy; or
- involve upgrading or extending infrastructure systems primarily for the purposes of future development;

(LAC Title 33, Part IX, §2125.C.2.d.)

- have potentially significant environmental impacts on the quality of the human environment either individually or cumulatively over time;
- have disproportionately high and adverse human health or environmental effects on any community including minority communities, low income communities, or federally-recognized Native American tribal communities;
- significantly affect federally listed, threatened, endangered species, or their critical habitat;
- significantly affect national natural landmarks or any property with nationally significant architectural, historic, prehistoric, archeological, or cultural value,

including but not limited to, property listed on or eligible for the National Register of Historic Places;

- significantly affect environmentally important natural resource areas such as wetlands, floodplains, significant agricultural lands, aquifer recharge zones, coastal zones, barrier islands, wild and scenic rivers, and significant fish or wildlife habitat;
- cause significant adverse air quality effects;
- have a significant effect on the pattern, type of land use (i.e., industrial, commercial, agricultural, recreational, or residential), growth and distribution of population including altering the character of existing residential areas, or not consistent with state government, local government, or federally-recognized Native American tribe approved land use plans, or federal land management plans;
- cause significant public controversy about a potential environmental impact of the proposed project; and
- conflict with federal, state, local government, federally-recognized Native American tribe, federal environmental, resource protection, or land use laws or regulations.

Applicants seeking a CE shall provide the department with sufficient documentation to demonstrate compliance with the criteria listed under [Title 33, Part IX, §2125.C.2.c. \(see above\)](#). Additional information may be requested including:

1. a brief description of the proposed project, including maps and drawings;
2. a brief description of the no action alternative;
3. a statement specifying the department-identified CE, as listed in [Title 33, Part IX, §2125.C.2.c. \(see above\)](#) which applies to the proposed project; and
4. a statement that no extraordinary circumstances, as identified in [Title 33, Part IX, §2125.C.2.d. \(see above\)](#), apply to the proposed project.

In accordance with [40 CFR 35.3140\(b\)\(4\)](#), LDEQ will provide public notice when a CE is issued.