[[1]](#footnote-2)

*Prepared By:*

Draft Environmental Assessment

Project Name

*Name of Entity Receiving Funding*

Name of NBRC Grant Program

Award #: NBRC-XX-XXXX

Month Year

**Northern Border Regional Commission (NBRC)**

**Environmental Assessment (EA) Template**

**Purpose of this document:**

This document serves as an EA template that can be used for all NBRC funded activities (e.g., construction, infrastructure, workforce development) that require an EA. This document is intended to streamline the EA development process by providing boilerplate language in some sections, links to critical resources, and direction for analysis and review. This document will also help standardize NBRC EAs, which will help decrease the time required for preparation and review.

**Who should use this document?**

This document is primarily intended for those responsible for preparing EAs, typically NBRC grantees and third parties supporting NBRC NEPA processes.

**How to use this document?**

* An EA can be prepared within this EA template.
* Resources provided in the ‘Information Sources’ tables are not comprehensive.
* This page providing directions should be removed for all draft and final EAs.

**Directions for how to use this EA Template.**

|  |  |
| --- | --- |
| Text Color | Directions |
| Black Text | Boilerplate language that should typically be included in the draft and final EA. |
| Green Text | Guidance text explaining what should go in a section. Delete before the draft EA is sent to NBRC for review and/or made available to the public. |
| Italicized Green Text | *Example text. Delete before the draft EA is sent to NBRC for review and/or made available to the public.*  |
| Yellow Highlighted Text | Guidance text that should be deleted and replaced with project-specific information. |
| Blue Highlighted Text | Citations that should be reviewed and updated when preparing each EA.  |
| Acronyms | Review/update for each individual EA. |
| References (including statutory/regulatory citations) | Review/update for each individual EA. |

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[Acronyms should be removed/added as needed for each individual EA.]

# Example Acronyms

|  |  |
| --- | --- |
| 0.2PFA | 0.2-percent-annual-chance Flood Approach |
| CAA | Clean Air Act |
| CERCLA | Comprehensive Environmental Response, Compensation, and Liability Act |
| CFR | Code of Federal Regulations |
| CISA | Climate-informed Science Approach |
| CWA | Clean Water Act |
| dBA | A-Weighted Decibel |
| DNL | Day-Night Average A-weighted Sound Level |
| EA | Environmental Assessment |
| EO | Executive Order |
| EPA | Environmental Protection Agency |
| ESA | Endangered Species Act |
| FEMA | Federal Emergency Management Agency |
| FFRMS | Federal Flood Risk Management Standard |
| FICON | Federal Interagency Committee on Noise |
| FPPA | Farmland Protection Policy Act |
| FVA | Freeboard Value Approach |
| GHG | Greenhouse Gases |
| IPaC | Information for Planning and Conservation |
| MBTA | Migratory Bird Treaty Act |
| NBRC | Northern Border Regional Commission |
| NCA | Noise Control Act |
| NEPA | National Environmental Policy Act |
| NFIP | National Flood Insurance Program |
| NHPA | National Historic Preservation Act |
| NMFS | National Marine Fisheries Service |
| NPDES | National Pollutant Discharge Elimination System |
| NRHP | National Register of Historic Places |
| NRI | Nationwide River Inventory |
| NWSRS | National Wild and Scenic Rivers System |
| RCRA | Resource Conservation and Recovery Act |
| SDWA | Safe Drinking Water Act |
| SEID | State Economic & Infrastructure Development Investment |
| SHPO | State Historic Preservation Officer |
| T&E | Threatened & Endangered |
| USACE | United States Army Corps of Engineers |
| USC | United States Code |
| USFWS | United States Fish and Wildlife Service |
| UST | Underground Storage Tank |
| WQS | Water Quality Standards |

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# Purpose and Need

## Background

The Northern Border Regional Commission (NBRC) is a Federal-State Partnership for economic and community development within the most distressed counties of Maine, New Hampshire, Vermont, and New York. The State Economic & Infrastructure Development Investment (SEID) Program provides funds to eligible applicants. Projects include, but are not limited to, infrastructure, business, workforce development, basic healthcare, resource conservation, alternative energy, broadband, tourism, and recreation projects. Application to the SEID program requires NBRC compliance with the National Environmental Policy Act (NEPA).

[This section should be updated if the Proposed Action has been awarded funding under a different NBRC program]

## Purpose and Need

[Insert text]

|  |
| --- |
| **Questions to consider when defining the purpose and need** |
| * Why is the action being proposed?
 |
| **Components of this question** |
| * **Purpose:** A concise statement of the objective that you are trying to achieve. What is the desired outcome? The defined purpose must be specific to the goal of the project, but general enough to allow for the consideration of reasonable alternatives.
* **Need:** A brief description of the problem you are trying to address and how it aligns with the priorities of the applicable NBRC program.
 |

Example:

The Brattleboro area has prioritized building a culture of entrepreneurship and increased capacity to assist early-stage entrepreneurs. As a result of this, the Brattleboro area has the need and adequate demand to support a dedicated space where programming and services can be delivered to support budding entrepreneurs. Additionally, Brattleboro’s residential vacancy rate is at 0.7%. In part due to this incredibly tight housing market and the lack of affordable housing, local businesses struggle to recruit and retain workers. The purpose of the Proposed Action is help Brattleboro address its affordable housing and entrepreneurship needs. These needs are aligned with the SEID program’s business and workforce development priority.

## Purpose of the Environmental Assessment

This Environmental Assessment (EA) is being prepared to evaluate the effects associated with this Proposed Action and complies with NEPA (42 USC 4321, et seq.) in accordance with Council on Environmental Quality regulations ([40 CFR 1500-1509](https://www.law.cornell.edu/cfr/text/40/chapter-V/subchapter-A)).

The purpose of this EA is to evaluate the potential environmental impacts of the [Insert applicant]’s proposed project to support the NBRC in determining whether to fund the [Insert brief description (~1 sentence) of the Proposed Action – see example text below] (the Proposed Action).

Example:

*The purpose of this EA is to determine the potential environmental impacts of the Community Development Support Inc.’s proposed project to support NBRC in deciding whether to fund the proposed acquisition and renovation of a vacant historic building to provide affordable housing and co-working space (the Proposed Action).*

NEPA requires that federal agencies consider the effects of a proposed action and any reasonable alternatives on the human environment. This EA evaluates the impacts of actions resulting from the implementation of the Proposed Action as compared to the No Action alternative. [Insert additional alternatives here if being considered for the analysis]. The information presented in this document will serve as the basis for deciding whether implementing the Proposed Action would result in a significant impact on the environment, requiring the preparation of an Environmental Impact Statement or that no significant impacts would occur, resulting in a Finding of No Significant Impact.

## Incomplete and Unavailable Information

The Council on Environmental Quality regulations implementing NEPA require that an agency preparing a NEPA analysis indicate when information is incomplete or unavailable and explain the relevance of the missing information to the analysis (40 CFR 1502.21). Statements to that effect have been included in this EA, where appropriate.

## Public Notice and Participation

[This section should at a minimum speak to the Notice of Availability; however, if other public participation activities were conducted (e.g., scoping), these should be mentioned as well. If no public participation activities were conducted prior to the draft EA being released for public comment, this section should be left out of the draft EA and added back in for the final EA.]

The Notice of Availability for the draft EA was published in the XX on XX, 2022. The draft EA was available upon request and comments were accepted for a period of thirty (30) days, from XX, 2022, to XX, 2022. XX comments were received. [Insert discussion on what comments were received (if any) and how they were addressed. Include information related to public controversy here (if applicable). This can also be done by adding an appendix to document comments and NBRC’s responses.

Example:

The Notice of Availability for the draft EA was published in the Brattleboro Reformer on August 9, 2022 and allowed for a thirty (30) day public comment period, from August 10, 2022 through the end of the day September 7, 2022 See **Appendix X** for a copy of the Notice of Availability. No public comments were received.

Example:

The Notice of Availability for the draft EA was published in the Brattleboro Reformer on August 9, 2022 and allowed for a thirty (30) day public comment period, from August 10, 2022 through the end of the day September 7, 2022 See **Appendix X** for a copy of the Notice of Availability. Three (3) public comments were received. NBRC considered all public comments and made alterations to the EA where it determined that updates were warranted.

* One member of the public provided comment to express support of the project. No updates to the EA were made in response to this public comment.
* One adjoining property owner provided comment to detail their concerns about the noise that would result from construction activities. The EA was updated to reflect updated construction restrictions to minimize potential noise impacts.
* The regional planning commission provided comment to express concerns about the flood risk in the project area. The EA was updated to add additional flood mitigation measures.

NBRC issued individual responses to each commenter. See **Appendix X** for copies of the public comments and NBRC’s responses.

# Description of Alternatives

## Alternative 1: Proposed Action

Under this alternative, NBRC would approve funds for [Insert a brief paragraph summarizing the Proposed Action].

*Proposed Location and Current Site Use*

[Insert text describing the project location]

|  |
| --- |
| **Questions to consider when defining the project location and current site use** |
| * Where is the project occurring?
	+ Include an address and/or GPS coordinates
* What is the general surrounding land use of the project location (e.g., currently undeveloped, near existing infrastructure, in a commercial or mixed-use area)?
* Who currently leases/owns the applicable land and/or facility?
* What is the existing land and/or facility used for?
 |

[Insert a map showing the location of the Proposed Action and/or the project footprint]

Figure 1. Project location

*Project Activities*

[Insert text]

[Provide a description of what will physically need to take place to implement the Proposed Action. Multiple paragraphs may be needed to provide an adequate description.]

|  |
| --- |
| **Details to be included (list is not exhaustive)** |
| * Real property activities (e.g., leases, acquisitions)
* Site preparation activities, including the extent of ground disturbance and vegetation removal that may be required
* Construction activities (facilities and/or infrastructure) (e.g., new construction, renovation, demolition)
* Utilities serving the existing facility and/or utilities that need to be established as part of the Proposed Action (e.g., heat, water, wastewater, electricity, phone, internet)
* Facility/site amenities (existing and proposed) (e.g., number and function of rooms, irrigation system, solar panel array, sidewalk)
* Existing parking lot/driveway specs and/or parking/driveway areas that need to be established as part of construction activities
* Duration and timing of construction activities
* Construction equipment that will be used (e.g., excavator, motor grader, jackhammer)
* Visual aids, as needed
 |

*Operations*

[Insert text]

[Provide a description of the operations that will occur at the proposed project location after the Proposed Action is complete. This should include personnel that will work out of the proposed/renovated facility or location.]

|  |
| --- |
| **Questions to consider when defining future operations** |
| * How many employees/users does the facility currently support (if applicable)?
* How many employees/users will the facility support after construction/expansion/renovation (if applicable)?
* What will the hours of operation of the facility be (if applicable)?
* What activities will take place at the facility/project location after the Proposed Action is complete?
 |

## Alternative ##: [Insert Alternative Action Name]

[This is a placeholder for other alternatives that will be analyzed as part of this EA. If included, the description of the alternative should include the same level of detail as the description of the Proposed Action alternative. Delete this section if only analyzing the Proposed Action and the No Action alternatives.]

## Alternative 2: No Action

Under the No Action alternative, the Proposed Action to [Insert short sentence detailing the Proposed Action] would not be funded by NBRC. [Insert explanation of what would occur if the Proposed Action were not implemented].

[If the No Action alternative includes staying at a current location or building, the applicant may choose to include a map of the location and/or a picture of the structure where activities would continue to occur.]

Example:

Under the No Action alternative, the Proposed Action to renovate the Ski Center would not be funded by NBRC. The Ski Center would not be renovated, and it would remain closed to the public due to inadequate facilities.

# ­Affected Environment

This section describes the existing conditions of the environmental resources that have the potential to be impacted by the Proposed Action. The Affected Environment includes the existing properties, land, and environmental resources in the area of the Proposed Action location. Boundaries of the Affected Environment are limited to [insert description of the Affected Environment boundary and how the boundary was defined] (**Figure X).**

[Provide details explaining the boundaries of the Affected Environment. The boundaries of the Affected Environment will depend on the scope and scale of the Proposed Action. It is recommended that the Affected Environment be large enough to include areas that could be affected (e.g., noise disturbance, visual disturbance, air quality disturbance) by the Proposed Action. If several alternatives exist, the Affected Environment for each of these alternatives should be defined.]

[Insert a map showing the location of the Proposed Action footprint and the Affected Environment boundary]

Figure 2. Affected Environment

The following resources are considered in this EA:

[Remove those that are not included]

| Resources |
| --- |
| Land Use, Zoning, Aesthetics* Land Use, Zoning, Aesthetics
* Transportation and Parking
 |
| Utilities* Energy
* Water Source and Sewer Capacity
 |
| Noise |
| Solid and Hazardous Waste |
| Air Quality* Air Quality
* Greenhouse Gas Emissions
 |
| Geology, Topography, Soils* Geology, Topography, Soils
* Farmland
* Geologic Hazards
 |
| Water Resources* Surface Water
* Floodplains
* Wetlands
* Federally Protected Water Resources
 |
| Biological Resources* Vegetation, Wildlife, Habitat
* Federally Protected Species
 |
| Cultural Resources* Historic Districts, Sites, Buildings, Structures
* Archaeological Resources
 |
| Socioeconomic Resources |
| Environmental Justice |

## Land Use, Zoning, Aesthetics

### Land Use, Zoning, Aesthetics

**Definition of the Resource**

* **Land use** is defined as the way that people adapt the land to suit their needs. The top seven types of land use are: residential, transportation, commercial, agricultural, industrial, public use, and recreational (TA 2020).
* **Zoning** is defined as the division of a city or county by legislative regulations into areas, or zones, which specify allowable uses for real property and size restrictions for buildings within these areas (APA 2022).
* **Aesthetics** are defined as the visual environment of an area, including natural and artificial landscape features that make up a view. A landscape’s visual environment considers its visual character and visual quality (TRB 2004).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * What is the current land use of the Affected Environment?
* What are the current zoning requirements of the Affected Environment?
* Are there any land use plans/restrictions at the local, regional, state, or federal level for the Affected Environment area?
* What are the current aesthetics of the area? This includes the natural and built visual components and considers the visual character and quality.
* Are there any current trends of the development/aesthetics of the area?
 |
| **Information sources** |
| * Local municipal/community plans
* Local zoning regulations
 |

### Transportation and Parking

**Definition of the Resource**

* **Transportation facilities** are defined as any physical facility that moves or assists in the movement of people or goods which may include accessways, bicycle facilities, multi-use paths, pedestrian connection, or streets (APA 2022).
* **Parking areas** are defined as any public or private land area designated and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated area of public streets (APA 2022).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * What transportation infrastructure is currently in the area (e.g., parking infrastructure, public transportation, subways, railroads, airports)?
* What is the condition and capacity of the existing transportation infrastructure?
* Is the existing transportation infrastructure sufficient for the current transportation needs of the area?
 |
| **Information sources** |
| * Existing land use and/or transportation plans
* [EPA NEPA Assist - Transportation](https://nepassisttool.epa.gov/nepassist/nepamap.aspx)
 |

## Utilities

### Energy

**Definition of the Resource**

**Energy consumption** is the amount of energy or power used. Primary energy sources include fossil fuels (petroleum, natural gas, and coal), nuclear energy, and renewable sources of energy such as wind or solar. Electricity is a secondary energy source that is generated from primary energy sources (EIA 2022).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * What are the energy sources available for the project area?
* What is the energy capacity of the energy provider in the project area?
* Does the project area have a history of energy shortages or outages?
* If the Proposed Action involves an existing facility, does the facility have an energy usage or conservation plan in place?
 |
| **Information sources** |
| * Local, municipal, county, or metropolitan region’s energy plans, codes, and policies (including climate action plans)
* A facility’s energy usage or conservation plan
 |

### Water Source and Sewer Capacity

**Definition of the Resource**

* **Sewer capacity** is defined as the ability to treat and dispose of sewage generated from a site by means of public or private, off-site or on-site facilities consistent all applicable water quality standards (LI 2022a).
* **Water source capacity** is defined as the total amount of water supply available from all active sources permitted for use by a water system **(**includes surface water, groundwater, and purchased water) (LI 2022b).
* **Drinking water** is defined as water meant for human consumption that is provided by a Public Water System or a private well (42 USC §300f).
* **Groundwater** is defined as the water that exists underground in saturated zones beneath the land surface (USGS 2022b).

*Federal Requirements:*The Safe Drinking Water Act (SDWA) establishes standards for drinking water quality to ensure safe drinking water for the public. Sole Source Aquifer designation under the SDWA aims to help protect highly valuable drinking water resources from being impacted by development by requiring EPA review of any project proposed within the designated area receiving federal assistance (40 CFR 149).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * What are the water and sewer services available for the project area?
	+ Is groundwater or surface water the water source for the project area?
	+ Is there a sole source aquifer that is utilized as the primary drinking water resource for the project area? If yes, what is the specific yield of the aquifer?
* Does the project area have a history of water shortages?
* What are the reasonably foreseeable trends/changes in the project area’s water source supply as a result of climate change, if any?
* Are there any water rights that affect water use at the proposed site location?
* Are there any adjacent facilities where ground water could be potentially impacted?
* Are there any wells in the project area?
* Does project area’s drinking water have a history of not meeting federal or state drinking water standards?
* If the Proposed Action involves an existing facility, does the facility have a water usage or conservation plan in place?
* If the Proposed Action involves an existing facility, how is sewage currently delt with (e.g., Wastewater Treatment Plant, septic system)?
 |
| **Information sources** |
| * Local, municipal, county, or metropolitan region’s water usage plans, codes, and policies
* A facilities’ water usage or conservation plan
* [EPA NEPA Assist – Water Layer](https://nepassisttool.epa.gov/nepassist/nepamap.aspx)
 |

## Noise

**Definition of the Resource**

**Noise** is defined as any sound that is undesirable because it interferes with communication, is intense enough to damage hearing, or is otherwise annoying. Noise can be intermittent or continuous, steady, or impulsive, and can involve any number of sources and frequencies. It can be readily identifiable or generally nondescript (EPA 2022a).

*Federal Requirements:*The Noise Control Act (NCA) established a national policy to control major sources of noise, including transportation vehicles and construction equipment. The NCA directs primary responsibility to state and local governments to address noise pollution.

The federal government established noise guidelines and regulations for the purpose of protecting citizens from potential hearing damage and from various other adverse physiological, psychological, and social effects associated with noise. The Federal Interagency Committee on Noise (FICON) developed land use compatibility guidelines for noise in terms of Day-Night Average A-weighted Sound Level. The FICON established a metric of 65 dBA as the maximum “acceptable” level in residential areas (FICON 1992).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * What are the current noise sources in the project area?
	+ Consider surrounding land use, transportation activities, machinery use
* If the Proposed Action involves an existing facility, do the current operations contribute to community noise levels?
* Are there any noise sensitive uses (e.g., schools, libraries, hospitals, residences) located within the Affected Environment?
* Are there existing community noise ordinances for the project area?
 |
| **Information sources** |
| * [USA Transportation Noise Raster](https://maps.dot.gov/BTS/NationalTransportationNoiseMap/)
* [EPA NEPA Assist - Transportation/Places](https://nepassisttool.epa.gov/nepassist/nepamap.aspx)
* State-level Annual Average Daily Traffic (AADT) Sources:
	+ [Maine Yearly Traffic Counts](https://www.maine.gov/mdot/traffic/counts/)
	+ [New Hampshire Traffic Volume by Location](https://www.nh.gov/dot/org/operations/traffic/tvr/locations/index.htm)
	+ [New York Traffic Data Viewer](https://www.dot.ny.gov/tdv)
	+ [Vermont Traffic Data](https://vtrans.vermont.gov/operations/technical-services/traffic)
 |

## Solid and Hazardous Waste

**Definition of the Resource**

* **Solid waste** is any garbage or refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, resulting from industrial, commercial, mining, and agricultural operations, and from community activities (42 USC §6903).
* **Hazardous waste** is any solid, liquid, contained gaseous, or semisolid waste, or any combination of wastes that poses a substantial present or potential hazard to human health or the environment. In general, both hazardous materials and wastes include substances that, because of their quantity; concentration; or physical, chemical, or infectious characteristics, might present substantial danger to public health or welfare or the environment when released or otherwise improperly managed (42 USC §6903).
* **Hazardous substance** is any substance with physical properties of ignitability, corrosivity, reactivity, or toxicity that might cause an increase in mortality, serious irreversible illness, incapacitating reversible illness, or pose a substantial threat to human health or the environment (42 USC §9601).

*Federal Requirements:*The Resource Conservation and Recovery Act (RCRA) regulates hazardous and non-hazardous waste at facilities that are currently in use (40 CFR 239-282).

RCRA Subtitle D sets minimum criteria and standards for state and local government regulation of nonhazardous solid waste. Through this process of state authorization, the Environmental Protection Agency (EPA) has delegated primary authority for implementing RCRA solid waste programs to all 50 states. EPA requires the state program to be equivalent, no less stringent, and consistent with the federal RCRA program.

Hazardous waste, as a subset of solid waste, is regulated by RCRA Subtitle C. Subtitle C includes regulations for the generation, transportation, treatment, storage, and disposal of hazardous wastes enforced by the EPA.

The regulation of hazardous waste in RCRA Subtitle C includes the regulation of “corrective action,” or cleanup activities required as a result of the mismanagement of waste. The RCRA Correction Action Program does not have comprehensive cleanup regulations; the program is implemented by EPA through guidance and enforced through statutory authorities established by the Hazardous Remediation Waste Management Requirements (61 FR 18780).

RCRA Subtitle I addresses the problems of leaking underground storage tanks (USTs); the UST program is primarily implemented by states and territories.

This federal requirement is applicable for projects that involve real property acquisition and can be excluded for projects that do not involve acquisition:

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) defines liability protections for owners for contaminated properties (42 USC §9607). Performing a Phase I Environmental Site Assessment, conducted by a certified environmental professional, is the most common way to ensure due diligence and to manage potential liability risk under CERCLA.

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Does the Affected Environment contain sites that have known hazardous material, contamination, toxic chemicals, gasses, or radioactive substances (such as a Brownfield or Superfund site)?
* Is there existing solid or hazardous waste at the Proposed Action location?
* What is the capacity and permitting status of local waste facilities?
* Are there any existing waste management services associated with the existing facility or project area?
 |
| **Information sources** |
| * [EPA’s Cleanups in my Community](https://ordspub.epa.gov/ords/cimc/f?p=cimc:map::::71:P71_WELSEARCH:NULL|Cleanup||||false|true|false|false|false|false|||sites|Y)
* [EPA NEPA Assist – EPA Facilities](https://nepassisttool.epa.gov/nepassist/nepamap.aspx)
* Waste management protocols at an existing facility
* Local municipal/community plans
* State-level contaminated sites databases:
	+ [Maine Department of Environmental Protection - Maps and Data](https://www.maine.gov/dep/maps-data/index.html)
	+ [New Hampshire Department of Environmental Services - OneStop Search](https://www4.des.state.nh.us/DESOnestop/BasicSearch.aspx)
	+ [New York Department of Environmental Conservation - Environmental Site Data Search](https://www.dec.ny.gov/chemical/8437.html)
	+ [Vermont Agency of Natural Resources - Natural Resources Atlas](http://anrmaps.vermont.gov/websites/anra5/)
 |

Example text and table:

There are three (3) brownfield sites located in the Affected Environment. All three of these sites have had an assessment conducted for them and require no additional cleanup. See **Table X** for additional site details.

| Site Name | Registry ID | Type | Status |
| --- | --- | --- | --- |
| *Carol O’Rourke Property* | 110059657660 | Brownfield | Assessment Conducted – no cleanup necessary |
| *Clint Black Elk Property* | 110059657688 | Brownfield | Assessment Conducted – no cleanup necessary |
| *Jom Building* | 110063008310 | Brownfield | Assessment and cleanup conducted. Currently in use.  |

Table 1. Contaminated Site within the Affected Environment

[If applicable – in addition to providing a table (like the example above) insert a map showing the location of the Proposed Action footprint, the Affected Environment boundary, and contaminated sites located within the Affected Environment.]

Figure 3. Contaminated site within the Affected Environment

## Air Quality

### Air Quality

**Definition of the Resource**

**Air quality** is defined as the extent to which ambient air is pollution-free. The CAA defines ambient air as the “portion of the atmosphere, external to buildings, to which the general public has access” (40 CFR 50.1(e)).

**Clean Air Act Definitions (42 USC §7512)**

* **Criteria pollutants**: EPA has set air quality standards for six (6) criteria pollutants: sulfur dioxide, carbon monoxide, particulates, nitrogen dioxide, ozone, and lead. States are responsible for developing state implementation plans to meet and maintain air quality that meets these standards. EPA determines whether areas do or do not meet air quality standards.
* **Attainment**: A geographic area with air quality that meets the air quality standards for a pollutant is called an "attainment" area.
* **Nonattainment**: A geographic area with air quality that does not meet the air quality standards for a pollutant is called a “non-attainment" area.
* **Maintenance Plan**: Once a non-attainment area meets the national air quality standard, the state can request the area be re-designated to attainment. EPA must approve the state’s Maintenance Plan, which provides for maintaining clean air for at least ten (10) years after the re-designation.

*Federal Requirements:*The Clean Air Act (CAA) established National Ambient Air Quality Standards for six (6) criteria air pollutants, which are widespread common pollutants known to be harmful to human health. The EPA oversees enforcement of the CAA, determines whether areas are in attainment or non-attainment with National Ambient Air Quality Standards, and approves local maintenance plans.

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * What is the current air quality in the area?
* Is the Affected Environment area identified as being a non-attainment or maintenance area for any of the criteria pollutants identified in the CAA?
* Are there any land uses or populations within the Affected Environment area that are particularly sensitive to air quality?
* Are there any air pollution odor sources in the project area?
 |
| **Information sources** |
| * [EPA’s Nonattainment of Criteria Pollutants Green Book](https://www3.epa.gov/airquality/greenbook/anayo_ak.html)
* [Environmental Justice Screening and Mapping Tool (EJScreen)](https://ejscreen.epa.gov/mapper/)
 |

Example:

The Affected Environment is in an area designated by the EPA’s Nonattainment of Criteria Pollutants Green Book as in attainment for all criteria pollutants.

### Greenhouse Gas Emissions

**Definition of the Resource**

**Greenhouse gases (GHGs)** are gases that trap heat and make the planet warmer (e.g., carbon dioxide, methane, nitrous oxide, fluorinated gases). The primary sources of **GHG emissions** in the United States are transportation, electricity production, industry, commercial and residential, agriculture, and land use and forestry (EPA 2022d).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Does the current land use serve as a carbon sink (e.g., forest, vegetation, etc.)?
* What is the current level of GHG emissions at the facility (if applicable)?
* What are the current energy sources used by the facility (if applicable)?
* What are the energy sources available in the project area?
* What is the current level of GHG emissions in the project area?
* Does the project area have GHG emission goals, a climate action plan, or similar?
 |
| **Information sources** |
| * [EPA – Inventory of U.S. Greenhouse Gas Emissions and Sinks](https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks)
* [EPA – Waste Reduction Model (WARM)](https://www.epa.gov/warm)
* [EPA – Nonroad Technical Reports](https://www.epa.gov/moves/nonroad-technical-reports)
* [USDA – iTree](https://www.fs.usda.gov/ccrc/tool/i-tree)
* [CEQ GHG Tools and Resources](https://ceq.doe.gov/guidance/ghg-tools-and-resources.html)
 |

## Geology, Topography, Soils

**Definition of the Resource**

* **Geology** is defined as the structure of the land, together with the types of rocks, minerals, and soil that exist within it.
* **Topography** is defined as the relief or terrain or a three-dimensional quality of the surface with specific landforms (TNC 2017).
* **Soil** is defined as the unconsolidated mineral or organic material on the immediate surface of the Earth that serves as a natural medium for the growth of land plants (NRCS 2022).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * What is the topography (e.g., elevation, slope) of the area and does this limit what can be done at the Proposed Action location?
* What is the soil and geologic makeup of the area and does this limit what can be done at the Proposed Action location?
 |
| **Information sources** |
| * [USDA NRCS Web Soil Survey](https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx)
* [USGS The National Map](https://apps.nationalmap.gov/downloader/)
 |

[Insert an elevation map, including the Proposed Action area and the Affected Environment boundaries.]

Figure 4. Elevation map of the Affected Environment

### Farmland

**Definition of the Resource**

**Farmland** protected under the Farmland Protection Policy Act (FPPA) includes prime farmland, unique farmland, and land of statewide or local importance that can include forest land, pastureland, cropland, or other land not considered urban build-up land or water (7 CFR Part 658).

*Federal Requirements:*The FPPA is designed to minimize the impact that federal programs and projects have on the conversion of farmland to non-agricultural uses. Projects are subject to FPPA requirements if they may irreversibly convert prime farmland to nonagricultural use (7 CFR 658).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Does the Affected Environment contain prime or unique farmland, or farmland of statewide importance?
 |
| **Information sources** |
| * [USDA NRCS Web Soil Survey](https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx)
 |

### Geologic Hazards

**Definition of the Resource**

* **Geologic hazards** are defined as natural phenomena capable of inflicting harm to people or property (USGS 2017).
* **Earthquakes** are defined as what happens when two (2) blocks of the earth suddenly slip past one another. The surface where they slip is called the fault (USGS 2022c).
* **Landslides** are defined as the movement of a mass of rock, debris, or earth down a slope (USGS 2022d).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Does the location of the Proposed Action have a history of landslides?
* Does the location of the Proposed Action have a history of earthquakes?
 |
| **Information sources** |
| * [U.S. Landslide Susceptibility](https://www.arcgis.com/home/webmap/viewer.html?url=http%3A%2F%2Fmaps1.arcgisonline.com%2Farcgis%2Frest%2Fservices%2FUSGS_Landslides%2FMapServer&source=sd)
 |

## Water Resources

**Definition of the Resource**

* **Water quality standards** are provisions of State or Federal law which consist of a designated use or uses for the waters of the United States and water quality criteria for such waters based upon such uses. Water quality standards are to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act (40 CFR 131.3).
* **Stormwater** comes from rain or melting snow that runs off land and hard surfaces such as parking lots, and eventually soaks into the ground or discharges to surface water (USGS 2022a).

### Surface Water Quality

*Federal Requirements:*The Clean Water Act (CWA) regulates the water quality of all discharges into waters of the United States. The CWA establishes permit programs to regulate and restrict pollution from both singular (defined under CWA as “point”) and multiple (defined under CWA as “non-point") sources. Point sources are discrete sources of discharge such as pipes or man-made ditches, whereas non-point sources are diffuse sources of discharge such as sediment from improperly managed construction sites, crop and forest lands, and eroding streambanks (33 USC §1251).

The National Pollutant Discharge Elimination System (NPDES) Permit Program regulates point source pollution (33 USC §1342). Nonpoint sources are regulated at the state level.

An NPDES Stormwater General Construction Permit is required for construction activities that would disturb more than one (1) acre of land (33 USC §1342).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Are there any surface water resources within the Affected Environment?
	+ If yes, what is the water quality of the surface water resource? Is the resource protected at the state, tribal, or local level?
 |
| **Information sources** |
| * [EPA Facility Registry Service – “Major” NPDES permits](https://www.arcgis.com/home/item.html?id=0d08d7884adf484d8bc5cc28a084240d)
* [EPA NEPA Assist – Water/Water Monitoring Stations](https://nepassisttool.epa.gov/nepassist/nepamap.aspx)
* [EPA – How’s my Waterway?](https://mywaterway.epa.gov/community/Pine%20Ridge%2C%20SD/overview)
* State-level water resources databases:
	+ [Maine Department of Environmental Protection - Maps and Data](https://www.maine.gov/dep/maps-data/index.html)
	+ [New Hampshire Department of Environmental Services – Online Data and Mapping Tools](https://www.des.nh.gov/node/3446)
	+ [New York Department of Environmental Conservation - Environmental Resource Mapper](https://gisservices.dec.ny.gov/gis/erm/)
	+ [Vermont Agency of Natural Resources - Natural Resources Atlas](http://anrmaps.vermont.gov/websites/anra5/)
 |

### Floodplains

**Definition of the Resource**

**Floodplains** are land areas susceptible to being inundated by water from any source (44 CFR 59.1)

* A **100-year floodplain** is a lowland and relatively flat area, adjacent to a river or adjoining inland and coastal waters, subject to a one percent or greater chance of flooding any given year (42 USC §4004).
* A **500-year floodplain** is an area of minimal flood hazard; a designated area that has a 1 in 500 (0.2%) chance of being met or exceeded in any given year (42 USC §4004).

The **Federal Flood Risk Management Standard (FFRMS) floodplain** is the area subject to flooding as determined by one of the following approaches (Executive Order 13690):

**Climate-informed Science Approach (CISA)** – Utilizing the best-available, actionable data and methods that integrate current and future changes in flood based on science.

**Freeboard Value Approach (FVA)** – Two (2) or three (3) feet of elevation above the 100-year, or 1 percent-annual changes, base flood elevation. Three (3) feet is used for critical actions and two (2) feet is used for other actions.

**0.2-percent-annual-chance Flood Approach (0.2PFA)** – 0.2 percent annual chance flood (also known as the 500-year food).

*Federal Requirements:*Executive Order (EO) 11988 (Floodplain Management) requires federal agencies to ensure Proposed Actions would not adversely affect floodplains, and to avoid development in floodplains wherever there is a practicable alternative.

EO 13690 (Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input) amended EO 11988 to establish a more protective standard for evaluating flood risk to ensure projects funded by the Federal government are more resilient to the impacts of flooding. The FFRMS requires agencies to expand management from the current base flood level to a higher vertical elevation and corresponding horizontal floodplain. The FFRMS ensures projects funded through taxpayer dollars last as long as intended by addressing current and future flood risks. The FFRMS applies to actions where federal funds are used for new construction, substantial improvement, or to address substantial damage to structures or facilities.

The National Flood Insurance Program (NFIP) provides access to federally backed insurance to local communities in exchange for adopting floodplain management ordinances and regulations to reduce future flood risks. To support the NFIP, the Federal Emergency Management Agency (FEMA) identifies flood hazard areas throughout the country on maps called Flood Insurance Rate Maps. These maps identify Special Flood Hazard Areas and other areas of flood hazards (42 UCS Ch. 50).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Is the Proposed Action located in a FEMA flood hazard area?
* Is there a history of flooding in the project area?
* What are the reasonably foreseeable trends/changes for floods/major storm events in the project area as a result of climate change, if any?
* If the Proposed Action involves an existing facility, does the facility currently maintain flood insurance or are any other flood mitigation measures in place (such as building elevation or an evacuation plan)?
 |
| **Information sources** |
| * [FEMA Flood Hazard Areas](https://www.arcgis.com/home/item.html?id=2b245b7f816044d7a779a61a5844be23)
* [EPA NEPA Assist – FEMA Flood](https://nepassisttool.epa.gov/nepassist/nepamap.aspx)
* [Sea Level Rise and Coastal Flood Web Tools Comparison](https://sealevel.climatecentral.org/matrix/)
* Project area’s Hazard Mitigation Plan (if available)
* Project area’s Discovery Report developed from a RiskMAP process (if available)
 |

### Wetlands

**Definition of the Resource**

A **wetland** is an area inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds (EO 11990).

*Federal Requirements:*Under Section 404 of the CWA, the United States Army Corps of Engineers (USACE) regulates the discharge of dredged or filled material into waters and wetlands of the United States. Activities that are regulated under Section 404 include residential development, infrastructure development (highways, roads), and mining projects.

EO 11990 (Protection of Wetlands) requires federal agencies to consider alternatives to wetland sites when planning a Proposed Action and to limit potential damage if an activity affecting a wetland cannot be avoided.

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Are there any federally or state mapped wetlands located within the Affected Environment area?
* Are there any unmapped wetlands located within the Affected Environment area?
* What are the reasonably foreseeable trends/changes for wetland resources in the project area as a result of climate change, if any?
 |
| **Information sources** |
| * [National Wetlands Inventory](https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/)
* [EPA NEPA Assist – NWI Wetlands](https://nepassisttool.epa.gov/nepassist/nepamap.aspx)
* State-level wetlands databases:
	+ [Maine Department of Environmental Protection - Maps and Data](https://www.maine.gov/dep/maps-data/index.html)
	+ [New Hampshire Department of Environmental Services – Online Data and Mapping Tools](https://www.des.nh.gov/node/3446)
	+ [New York Department of Environmental Conservation - Environmental Resource Mapper](https://gisservices.dec.ny.gov/gis/erm/)
	+ [Vermont Agency of Natural Resources - Natural Resources Atlas](http://anrmaps.vermont.gov/websites/anra5/)
 |

###  Federally Protected Water Resources (Coastal Zones, Coastal Barrier Resource Systems, Wild & Scenic Rivers, and Nationwide River Inventory Rivers)

**Definition of the Resource**

* **Coastal Zones** are the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of the several coastal states, and includes islands, transitional and intertidal areas, salt marshes, wetlands, and beaches (16 USC §1453).
* **Coastal Barriers** are depositional geological features that are subject to wave, tidal, and wind energies, and protects landward aquatic habitats from direct wave attack (16 USC §3502).
* **Wild and Scenic Rivers System (16 USC §1273)**
* **Wild Rivers** are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted.
* **Scenic Rivers** are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.
* The **National River Inventory (NRI)** is a listing of free-flowing river segments in the United States that have been identified as having one or more "outstandingly remarkable" natural or cultural value(s). NRI river segments are potential candidates for inclusion in the National Wild and Scenic Rivers System (NWSRS) (16 USC §1276).

*Federal Requirements:*The Coastal Zone Management Act provides for the management of coastal resources (marine resources, wildlife, and nutrient-rich areas) in coastal and Great Lakes states, with the objective of preventing additional loss of living marine resources; alterations in ecological systems; and decreases in undeveloped areas available for public use (16 USC §1451).

The Coastal Barrier Resources Act restricts the development of the designated areas of the Coastal Barrier Resources System (16 USC §3501).

The Wild and Scenic Rivers Act (WSRA) created the NWSRS. WSRA provides for the protection, preservation, and enhancement of designated wild and scenic rivers by prohibiting or restricting uses that would affect the river’s “free-flowing” condition. The WSRA recognizes and allows for appropriate use and development of the NWSRS. The WSRA also requires that projects receiving federal assistance look to avoid or mitigate potential impacts to river segments with NRI designation (16 USC §1271).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Is there a Wild & Scenic designated river located within the Affected Environment area?
* Is there a NRI river located within the Affected Environment area? If yes, what is/are the outstandingly remarkable value(s) of the river segment in question?
* Is the Proposed Action location in proximity to a coastal zone, as defined by the Coastal Zone Management Act?
* Is the Proposed Action location in proximity to a coastal barrier resource system, as defined by the Coastal Barrier Resources Act?
* What are the reasonably foreseeable trends/changes for federally protected water resources in the area as a result of climate change, if any?
 |
| **Information sources** |
| * [EPA NEPA Assist – Water](https://nepassisttool.epa.gov/nepassist/nepamap.aspx)
* [Wild and Scenic Rivers Map](https://www.rivers.gov/map.php)
* [Nationwide Rivers Inventory](https://www.nps.gov/maps/full.html?mapId=8adbe798-0d7e-40fb-bd48-225513d64977)
* [Coastal Barrier Resources Act](https://fwsprimary.wim.usgs.gov/CBRSMapper-v2/)
* [Coastal Zone Management Programs](https://coast.noaa.gov/czm/mystate/)
 |

## Biological Resources

### Vegetation, Wildlife, and Habitat

**Definition of the Resource**

* **Vegetation** is defined as the plant life in an area.
* **Wildlife** is defined as any animal species that is native or introduced and is characteristic of a region.
* **Habitats** includes all of the physical, chemical, and biological attributes that affect or sustain an organism within an ecosystem (EPA 2022c).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * What ecosystem types are present within the Affected Environment area?
	+ What are the primary wildlife taxa using that ecosystem type (e.g., grassland birds, aquatic life)?
		- What are the habitat needs and requirements of the primary wildlife taxa present?
* Are there any game fish or wildlife in the Affected Environment?
* What are the principal species balances occurring, especially among predators?
* Is wildfire a natural process required for healthy ecosystem function?
	+ If so, what is the fire regime for the area?
* What are the reasonably foreseeable trends/changes for vegetation, wildlife, and habitat resources in the area as a result of climate change, if any?
 |
| **Information sources** |
| * [USA Land Cover Gap](https://www.usgs.gov/programs/gap-analysis-project/science/land-cover)
* [NatureServe](https://explorer.natureserve.org/)
* [USA Wildfire Hazard Potential](https://apps.fs.usda.gov/fsgisx01/rest/services/RDW_Wildfire/RMRS_WildfireHazardPotential_classified_2020/ImageServer)
 |

### Federally Protected Species

*Federal Requirements:*The Endangered Species Act (ESA) establishes a national program for the conservation of threatened and endangered (T&E) species. Under the ESA, species that are, or are likely to become in danger of extinction are listed as “endangered” or “threatened.” Section 7 of the ESA requires federal agencies to ensure that actions do not jeopardize listed species or destroy or adversely affect the critical habitat of the species. Section 7 includes requirements for when a federal agency must consult with USFWS or National Marine Fisheries Service (NMFS) to help determine a Proposed Action’s effect on a listed species and its critical habitat(s).

**Endangered Species Act Definitions (50 CFR 402.2)**

* **Listed species:** Any species of fish, wildlife, or plant determined to be endangered or threatened by the USFWS or the NMFS under the ESA.
* **Jeopardize the continued existence:** To engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species.
* **Destruction or adverse modification:**  A direct or indirect alteration that appreciably diminishes the value of critical habitat as a whole for the conservation of a listed species.

The Marine Mammal Protection Act (16 USC §1361-1407) establishes a moratorium on taking and importing marine mammals, including parts and products.

**Marine Mammal Protection Act Definitions (16 USC §1362)**

* **Marine Mammals:** Any mammal which (A) is morphologically adapted to the marine environment, or (B) primarily inhabits the marine environment.
* **Take:** To harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill.

The Magnuson–Stevens Fishery Conservation and Management Act (16 USC §1801-1891) is the primary law that governs marine fisheries management in U.S. federal waters.

The Bald and Golden Eagle Protection Act of 1940 (16 USC §668-668c) prohibits anyone, without a permit issued by the Secretary of Interior, from “taking” bald or golden eagles, including their parts (including feathers), nests, or eggs.

The Migratory Bird Treaty Act (MBTA, 16 USC §703–712) implements four (4) international conservation treaties that the United States entered into with Canada, Mexico, Japan, and Russia. The MBTA prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior USFWS.

**Migratory Bird Treaty Act Definitions (50 CFR 10.12)**

* **Migratory Bird:** Any bird, whatever its origin and whether or not raised in captivity, which belongs to a species listed in 50 CFR 10.13, or which is a mutation or a hybrid of any such species, including any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof.
* **Take:** To pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect.

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Is the Affected Environment area identified as having the potential for federally protected species to be present? If yes, what are the habitat requirements of the listed species?
	+ Does the Affected Environment area contain the habitat requirements of the listed species?
	+ Does the Affected Environment area contain critical habitat for listed T&E species?
* What are the reasonably foreseeable trends/changes for federally protected species in the area as a result of climate change, if any?
 |
| **Information sources** |
| * [U.S. Fish and Wildlife IPaC](https://ipac.ecosphere.fws.gov/location/index)  (for species and critical habitats under USFWS jurisdiction)
* [NOAA Fisheries Consultations (for species and critical habitats under NOAA jurisdiction)](https://www.fisheries.noaa.gov/topic/consultations/endangered-species-act-consultations)
* [eBird](https://ebird.org/GuideMe?cmd=changeLocation) (for location information on bird species)
* [The Cornell Lab – All About Birds](https://www.allaboutbirds.org/news/) (life history requirements for birds)
* [NatureServe](https://explorer.natureserve.org/) (life history requirements for all species)
* [EPA NEPA Assist – Critical Habitat](https://nepassisttool.epa.gov/nepassist/nepamap.aspx)
 |

Example:

Bald eagles,three(3) migratory birds,and seven (7) threatened, endangered, or candidate species were identified as having the potential to occurwithin the Affected Environment area. See **Table X, Table X,** and **Table X** for an overview of these species. There is no critical habitat within the Proposed Action’s Affected Environment. See **Appendix X** for a copy of the Information for Planning and Consultation (IPaC) Report.

| **Common / Scientific Name** | **Life History Requirement** | **Habitat Requirements** |
| --- | --- | --- |
| Bald Eagle*(Haliaeetus leucocephalus)* | Year-round and breeding | Typically nest in forested areas adjacent to large bodies of water, staying away from heavily developed areas when possible. For perching, Bald Eagles prefer tall super-canopy, mature coniferous or deciduous trees that afford a wide view of the surroundings. |
| XXX | XXX | XXX |

Table 2. Bald and Golden Eagle Protection Act species with the potential to occur within the Affected Environment

| **Common / Scientific Name** | **Bird of Concern (BCC) Status** | **Life History Requirement** | **Habitat Requirements** |
| --- | --- | --- | --- |
| Lark Bunting*(Calamospiza melanocorys)* | BCC in BCR 10 | Breeding (May-August) | Lark Buntings live in shortgrass and taller prairie vegetation. Abundance may be positively correlated with litter depth. Nests are built on the ground under forbs, low shrubs, cactus, yucca, or tall grass for protection. |
| XXX | XXX | XXX | XXX |

Table 3. Migratory birds with the potential to occur with the Affected Environment

| **Common / Scientific Name** | **Taxa (e.g., Fish)** | **Federal Status** | **Habitat Requirements** |
| --- | --- | --- | --- |
| Northern Long-eared Bat*(Myotis septentrionalis)* | Mammal | Threatened | During the summer and portions of the fall and spring, Northern Long-eared Bats may be found roosting singly or in colonies underneath bark, in cavities or in crevices of both live trees and snags, or dead trees. Males and non-reproductive females may also roost in cooler places, like caves and mines. |
| XXX | XXX | XXX | XXX |

Table 4. T&E species with the potential to occur within the Affected Environment

## Cultural Resources

*Federal Requirements:*The National Register of Historic Places (NRHP) is the official list of the country’s historic properties (including archaeological resources), created by the National Historic Preservation Act (NHPA) of 1966. Section 106 of the NHPA requires federal agencies to consider the effects of their undertakings on historic properties and includes consultation requirements with the Advisory Council on Historic Preservation, State Historic Preservation Officers (SHPO), Tribal Historic Preservation Officers, and/or Indian Tribes.

*State Requirements:* [Insert statement on the state’s SHPO – what agency carries out these responsibilities for the state in question?]

*Local Requirements:* [Insert text, if applicable]

Note: If the action is taking place on tribal land, on land of tribal interest, or presents the potential to affect tribal resources, determine whether there is a Tribal Historic Preservation Officer or other tribal representative that needs to be consulted.

### Historic Districts, Sites, Buildings, Structures

**Definition of the Resource**

**Historic properties** are considered cultural resources. Historic properties are defined as any prehistoric or historic districts, sites, buildings, structures, or objects that are eligible for or already listed in the NRHP. Also included are any artifacts, records, and remains (surface or subsurface) that are related to and located within historic properties and any properties of traditional religious and cultural importance to Tribes or Native Hawaiian Organizations (54 USC §300308). Historic properties also include properties that are listed or eligible for listing on the applicable state register of historic places, and properties that have historical significance at the local level.

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Does the Affected Environment area contain a designated historic district?
* Are there any structures within the Affected Environment area that are currently listed on the NRHP or eligible for listing?
* Are there any structures within the Affected Environment area 50 years of age or older?
* Are there any historical monuments or landmarks located within the Affected Environment area?
 |
| **Information sources** |
| * [EPA NEPA Assist – Places](https://nepassisttool.epa.gov/nepassist/nepamap.aspx)
* [National Register of Historic Places Map](https://www.nps.gov/subjects/nationalregister/data-downloads.htm)
* State register of historic places:
	+ Maine – N/A
	+ [New Hampshire](https://www.nh.gov/nhdhr/programs/state_register_listinged_prop.htm)
	+ [New York](https://parks.ny.gov/shpo/online-tools/)
	+ [Vermont](https://accd.vermont.gov/historic-preservation/identifying-resources/srhp)
* Applicable SHPO and/or Tribal Historic Preservation Officer (THPO):
	+ [Maine](https://www.maine.gov/mhpc/programs/project-review)
	+ [New Hampshire](https://www.nh.gov/nhdhr/review/)
	+ [New York](https://parks.ny.gov/shpo/online-tools/)
	+ [Vermont](https://accd.vermont.gov/historic-preservation/review-compliance)
* You might also need to engage with a professional architectural historian to determine if structures located with the Affected Environment may be eligible for listing on the NRHP
 |

### Archaeological Resources

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Are there any known archaeological resources at the Proposed Action location?
* Does the Proposed Action location present the potential for being archaeologically sensitive?
 |
| **Information sources** |
| * To discourage looting, databases of archaeological resources are typically not available to the public. If your Proposed Action involves ground disturbing activities, you should consult with the applicable SHPO and/or THPO for your project location.
* You might also need to engage with a professional archaeologist to gather sufficient information about your Proposed Action location with respect to archaeological resources.
 |

## Socioeconomic Resources

**Socioeconomic Definitions**

* **Demographics** are the statistical characteristics of human populations (e.g., age, race, ethnicity, income, education, and employment (i.e., occupational employment, employment rate)) (BLS 2022a).
	+ **Occupational employment** refers to the types of jobs that people are employed at (e.g., retail, education, farming) (BLS 2022b).
	+ The **employment rate** is defined as a measure of the extent to which available labor resources (people available to work) are being used (OECD 2022).
* **Housing supply** is defined as the flow of properties available at a given price in a given time period (Elliot and Ringo 2021).
* **Housing demand** refers to the willingness and ability to purchase a house (Elliot and Ringo 2021).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * What is the local population (# of people) in the area?
* What is the demographic makeup in the area (e.g., age, race, ethnicity, income, education, employment)?
* What is the occupational employment breakdown in the area?
* What is the employment rate for the area?
* What is the housing supply and demand for the area?
* Are there any commercial or industrial activities in the Affected Environment area?
 |
| **Information sources** |
| * US Census Bureau
* US Bureau of Labor Statistics
 |

Example:

As the Proposed Action would ultimately provide employment opportunities to the entire Rockland Community and bordering rural areas, the Affected Environment has been expanded from the Affected Environment identified in **Figure X** to Knox County. The population of Knox County is 39,809 people, with a median age of 48.6, and a median household income of $57,794.

Knox County is 95% White (non-Hispanic), 4% Hispanic, and 1% American Indian.

The economy of Knox County employs 19.7k people. The largest industries in Knox County are Farming (2,826 people), Health Care & Social Assistance (2,606 people), and Construction (1,764 people), and the highest paying industries are Utilities ($92,841), Wholesale Trade ($61,129), and Professional, Scientific, & Technical Services ($51,827). The community surrounding the Affected Environment consists primarily of working soybean and corn farms.

In 2020, the median property value in Knox County was $209,900, and the homeownership rate was 78.6%. Housing demand in Knox County is much higher than the current supply, causing the median price to increase by 20% over the last year. The current median house price is $350,000.

## Environmental Justice

**Definition of the Resource**

**Environmental justice** is defined as the fair treatment and meaningful involvement of people of all races, cultures, and income with respect to the development, implementation, and enforcement of environmental laws, regulations, programs, and policies. “Fair treatment” is the principle that no group of people, including a racial, ethnic or socioeconomic group, should bear a disproportionate share of the negative environmental consequences from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies. This includes Tribes and indigenous peoples, low-income and minority populations, and overburdened communities (EPA 2022b).

*Federal Requirements:*EO 12898 directs federal agencies to consider the impact of federal actions on minority and low-income populations, to avoid disproportionate adverse impacts of federal policies and actions on these populations.

**Environmental Justice Definitions**

* A **minority** is an individual or group of individuals who are members of the following groups: American Indian or Alaskan Native; Asian or Pacific Islander; Black; not of Hispanic origin; or Hispanic (CEQ 1997).
* A **minority population** occurs when either:
	+ The minority population of the affected area exceeds 50 percent; or
	+ The minority population of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis (CEQ 1997).
* **Low-income populations** are identified by considering the annual statistical poverty threshold from the United States Census Bureau (CEQ 1997).

*State Requirements:* [Insert text, if applicable]

*Local Requirements:* [Insert text, if applicable]

***Affected Environment***

[Insert text]

|  |
| --- |
| **Questions to consider when defining the Affected Environment** |
| * Are there environmental justice communities in the Affected Environment area?
	+ Minority populations?
	+ Low-income populations?
* If these populations are present, have they experienced or are they experiencing adverse impacts from environmental conditions in the area?
 |
| **Information sources** |
| * [Environmental Justice Screening and Mapping Tool (EJScreen)](https://ejscreen.epa.gov/mapper/)
* US Census Bureau
 |

Example:

As the Proposed Action would ultimately provide a public service to the entire Gouverneur Community and bordering rural areas, the affected environment for this resource area has been expanded from the Affected Environment identified in **Figure X** to St. Lawrence County. The median household income in St. Lawrence County is $52,071 with a poverty rate of 14.7 percent. In comparison, the median household income for New York is $71,117 and the poverty rate is 13.9 percent. St. Lawrence County is considered a low-income population. As such, St. Lawrence County is considered to be an environmental justice population.

Ninety (90) percent of the population is White, three (3) percent of the population is Black, and three (3) percent of the population is Hispanic. As the minority population of the Affected Environment does not exceed 50 percent, St. Lawrence County is not considered to be minority population.

# Environmental Impacts

This chapter describes the resource areas that have been dismissed from further analysis and analyzes the impacts of the Proposed Action and [insert the list of alternatives that are being considered] on the resource areas that have not been dismissed from the analysis.

The impacts analysis review addresses the context and intensity of the short-term and long-term impacts of each resource. The impacts analysis considers both beneficial and adverse impacts. Impacts are quantified as negligible, minor, moderate, or significant. As part of the impacts analysis, mitigation measures and best management practices are identified to lessen the intensity of impact on some resource areas.

## Resource Areas Dismissed from Analysis

[Delete this section if no resources are being dismissed from the analysis]

The following resource areas have been dismissed from further analysis because the Proposed Action was found not to have any potential to impact these resources.

[Provide a brief paragraph explaining why each of the resources is being dismissed. Typically, resources areas should only be dismissed from analysis if they are not present within the Affected Environment area; therefore, having no potential to impact or be impacted by the Proposed Action.]

Example:

**Water Resources:**

* **Federally Protected Water Resources (Coastal Zones, Coastal Barrier Resource Systems, Wild & Scenic Rivers, and Nationwide River Inventory Rivers):** The Proposed Action is taking place in an inland location where coastal zone management regulations are not applicable. There are no federally protected water resources, including coastal resources, designated areas of the Coastal Barrier Resource System, Wild and Scenic Rivers, or river segments with NRI designation, within the Affected Environment. Therefore, the Proposed Action does not have any potential to impact Federally Protected Water Resources.

## Land Use, Zoning, Aesthetics

### Land Use, Zoning, Aesthetics

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to land use and zoning would be considered significant if the alternative conflicts with any federal, state, local or tribal land use plans, if land-use patterns change due to the alternative, or if the alternative is noncompliant with local or tribal zoning.

Impacts on aesthetics would be considered significant if the existing visual character and/or quality is significantly degraded.

***Alternative 1: Proposed Action***

[Insert text]

Evaluate the environmental impacts of the Proposed Action on the existing conditions of the environmental resource.

*Significance Determination*

[Insert text]

Clearly state the significance determination (significant or no significant impacts) and make a clear link to the ‘Evaluation Criteria’.

Example:

The Proposed Action would not result in conflicting land use or the introduction of new land use patterns. The proposed new construction would be compatible with the existing land use and aesthetics of the residential area. Therefore, the Proposed Action does not present the potential to result in significant land use, zoning, or aesthetic impacts.

***Alternative ##: [Insert Alternative Action Name]***

[Insert text]

Delete this section if there are only two (2) alternatives (i.e., ‘Proposed Action’, ‘No Action’).

If other alternatives are included in the analysis, placeholders for the impacts assessment of each alternative will need to be added to each Resource Area throughout the rest of this document.

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. There would be no changes to the area’s land use patterns, zoning, or aesthetics. Therefore, there would be no impacts on land use, zoning, or aesthetics under the No Action alternative.

### Transportation and Parking

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to transportation would be considered significant if the Proposed Action would generate new traffic that could not be adequately handled by existing and/or newly established transportation facilities. Impacts to parking would be considered significant if the Proposed Action would create a need for additional parking that could not be adequately handled by existing and/or newly established parking infrastructure. Impacts to transportation would also be significant if existing transportation infrastructure (e.g., pedestrian infrastructure, public transportation, railroads, airport transportation) would not be sufficient to accommodate the influx of residents, employees, etc. that would be introduced to the area as a result of the Proposed Action.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example

Under the No Action alternative, the Proposed Action would not be funded by NBRC. A new railroad would not be constructed and the community would continue to rely on trucking for the transport of commercial goods. Therefore, minor adverse transportation impacts would result from the No Action alternative.

## Utilities

### Energy

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts on energy would be considered significant if the Proposed Action would result in a substantial increase in the level of demand for energy supply and/or result in the use of energy in a wasteful, inefficient, excessive, or unnecessary manner.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. There would be no additional energy needs in the project area. Therefore, there would be no energy impacts under the No Action alternative.

###  Water Source and Sewer Capacity

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to water source and sewer capacity would be considered significant if the Proposed Action would result in a demand that would overburden either of these systems. Impacts would also be considered significant if the Proposed Action resulted in significant changes in the availability of surface or groundwater, or changes in discharge or recharge patterns of groundwater. Furthermore, impacts would be considered significant if a facility did not have adequate access to drinking water sufficient for human consumption.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. There would be no additional water or sewer capacity needs in the project area. Therefore, there would be no water or sewer capacity impacts under the No Action alternative.

## Noise

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Noise impacts would be considered significant if the Proposed Action resulted in the prolonged exposure of people to noise that exceeded applicable federal, state, local, or tribal noise regulations or ordinances. Noise impacts would also be considered significant if the existing ambient noise of the location of the proposed new construction would interfere with the proposed facility being used for its intended use.

This section is limited to the discussion of how the Proposed Action may contribute to community noise levels and how existing community noise levels may impact the Proposed Action. Potential noise impacts that are specific to Biological Resources are discussed in **Section 4.X**.

***Alternative 1: Proposed Action***

[Insert text]

Example text and table:

The construction phase of the Proposed Action has the potential to result in noise impacts. See **Table X** for predicted noise levels associated with categories of construction equipment that may be used for the Proposed Action.

| Construction Category and Equipment | Predicted Noise Level at 50 feet (dBA) |
| --- | --- |
| *Hammer on Nail, Pneumatic Drill* | *99-120* |
| *Nail gun* | *97* |
| *Electric Power Drill* | *87-93* |
| *Handsaw* | *88* |
| *Framing saw* | *82* |

Table 5. Predicted noise levels for construction equipment. Source: OSHA 2011

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. No new noise sources or noise sensitive facilities would be introduced to the project area. Therefore, there would be no noise impacts under the No Action alternative.

## Solid and Hazardous Waste

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Solid and hazardous waste impacts would be considered significant if the Proposed Action would result in an increase in the generation of waste that would exceed the capacity of the available waste management operations and facilities available to safely handle and dispose of the waste, or if the Proposed Action resulted in waste management that was noncompliant with applicable federal, state, local, and/or tribal regulations. Additionally, impacts would be considered significant if the Proposed Action would create contaminated sites or would disturb existing contaminated sites to a degree that would result in adverse effects on human health or the environment.

Impacts would also be considered significant if the project area contained hazardous material, contamination, toxic chemicals, gasses, or radioactive substances where a hazard could affect the health and safety of future occupants or conflict with the intended use of the Proposed Action.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. No additional solid or hazardous waste would be produced. Therefore, there would be no impacts on solid or hazardous waste under the No Action alternative.

## Air Quality

### Air Quality

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to air quality would be considered significant if the Proposed Action would result in emissions that would lead to exposure of people or wildlife to ambient air that does not meet the standards established under the CAA or exceeds state ambient air quality standards.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. No new air emissions would be created. Therefore, there would be no impacts on air quality under the No Action alternative.

### Greenhouse Gas Emissions

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to GHG emission would be considered significant if the Proposed Action would result in a substantial increase in GHG emissions in the project area or result in excessive or unnecessary GHG emission levels.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. No new GHG emissions would be created. Therefore, there would be no impacts on GHG emissions under the No Action alternative.

## Geology, Topography, Soils

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to geology, topography, and soils would be considered significant if the Proposed Action would result in soil erosion that would produce large ditches, damage to vegetation, and/or a sustained increase in sedimentation of a waterbody. Impacts would also be considered significant if the Proposed Action would result in substantial loss of soil, soil stability, and/or soil permeability.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. No ground disturbance would occur in the project area. Therefore, there would be no impacts on geology, topography, or soils under the No Action alternative.

###  Farmland

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to prime farmland, as designated under the FPPA, would be considered significant if they exceed an allowable level based on the Farmland Conversion Impact Rating.\*

**\*** This rating system scores project sites on a 260-point scale based on factors including total acres to be converted directly, total acres to be converted indirectly, and total acres on the project site. If a Proposed Action site receives more than 160 points on the assessment, the United States Department of Agriculture recommends the site be given higher levels of consideration for protection, and agencies are required to consider alternative sites.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. No ground disturbance would occur in the project area. Therefore, there would be no impacts on farmland under the No Action alternative.

###  Geologic Hazards

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts from geological hazards would be considered significant if the construction and operations of facilities in an area of high geologic hazard risk would lead to an increased likelihood of loss of life, injury to persons, or property damage.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. No new activities would be introduced in the Affected Environment. Therefore, there would be no impacts from geologic hazards on the No Action alternative.

## Water Resources

###  Surface Water Quality

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to water resources would be considered significant if the Proposed Action would result in runoff, sedimentation, or other contamination that would lead to or contribute to the degradation of waters that do not meet the standards established under the CWA, interfere with state water quality standards, or violate Total Maximum Daily Load targets. Impacts would also be considered significant if the Proposed Action resulted in significant changes in the availability of surface or groundwater, or changes in discharge or recharge patterns of groundwater.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. There would be no potential for contamination, additional water use, or other activities with the potential to impact water resources. Therefore, there would be no impacts on surface water under the No Action alternative.

###  Floodplains

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to floodplains would be considered significant if the floodplain is directly or indirectly altered enough to present a substantial increased flood danger to the area or if the Proposed Action is noncompliant with applicable state or local floodplain ordinances.

|  |
| --- |
| **Questions to consider when assessing floodplain impacts** |
| Determine if the project requires an 8-Step Decision-Making Process (8-Step) analysis. The 8-Step for floodplains is defined in Executive Order 11988:Does the Proposed Action qualify as a federally funded project\*, for which the FFRMS (EO 13690) applies?**No****Yes**Does the Proposed Action involve a critical facility?\*\*\*Is the Proposed Action location in a FFRMS floodplain as defined by [Executive Order 13690](https://obamawhitehouse.archives.gov/the-press-office/2015/01/30/executive-order-establishing-federal-flood-risk-management-standard-and-)?\*\***No****Yes****No****Yes**If the Proposed Action location is in a floodway, 100-year, or 500-year floodplain, the 8-Step is required.If the Proposed Action location is in a floodway or 100-year floodplain, the 8-Step is required.The 8-Step is NOT required for the Proposed Action.The 8-Step is required for the Proposed Action.\* For the purpose of FFRMS, federally funded projects are actions where Federal funds are used for new construction, substantial improvement, or to address substantial damage to structures and facilities. Substantial improvement means any reconstruction, rehabilitation, addition, or other improvements of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement (44 CFR 59.1).\*\* EO 13690 outlines three options to define the floodplain under the more protective standard:1.     **Climate-informed science (CISA) –** Utilizing best-available, actionable data and methods that integrate current and future changes in flooding based on science.2.     **Freeboard Value Approach (FVA) –** Two (2) or three feet (3) of elevation above the 100-year, or 1 percent-annual change, base flood elevation (BFE). Three (3) feet is used for critical actions and two feet for other actions.3.     **0.2-percent-annual-chance Flood Approach (0.2PFA) –** 0.2 percent annual chance flood (also known as the 500-year flood).\*\*\*A critical facility is a facility where even a slight chance of flooding is too great a threat. Typical critical facilities include hospitals, fire stations, police stations, storage of critical records, and similar facilities. |

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. There would be no ground disturbance, increase in impervious surfaces, or construction activities in the project area. Therefore, there would be no impacts on floodplains under the No Action alternative.

###  Wetlands

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to wetlands would be considered significant if the Proposed Action would result in the direct or indirect alteration of the soil, structure, hydrology, or the vegetation to a wetland or its buffer and the action was not carried out in compliance with permit requirements.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. There would be no alterations to hydrology, ground disturbance, or construction activities in the project area, therefore there would be no impacts on wetlands under the No Action alternative.

###  Federally Protected Water Resources (Coastal Zones, Coastal Barrier Resource Systems, Wild & Scenic Rivers, and Nationwide River Inventory Rivers)

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to coastal barrier resources and coastal zones would be considered significant if the recreational, ecological, historical, or aesthetic values of these resources were degraded. Impacts to Wild and Scenic Rivers and NRI segments would be considered significant if the Proposed Action led to the deterioration of any of the “Outstandingly Remarkable Values” of these rivers. Impacts to all of these resources could be considered significant if activities violated applicable state or Federal Requirements for federally protected waters.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. There would be no alterations to hydrology, ground disturbance, or construction activities in the project area. Therefore, there would be no impacts on federally protected water resources under the No Action alternative.

## Biological Resources

###  Vegetation, Wildlife, and Habitat

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to vegetation, wildlife, or habitat would be considered significant if the Proposed Action would result in the disruption or disturbance of nearby wildlife populations; the introduction of invasive or exotic species; the permanent loss of natural vegetation communities; or violate tribal, local, state, or federal requirements related to wildlife and their habitats.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. There would be no activities with the potential to impact vegetation, wildlife, or habitat. Therefore, there would be no impacts on these biological resources under the No Action alternative.

###  Federally Protected Species

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to federally protected species would be considered significant if the Proposed Action would result in a take of a federally protected species or lead to impacts on designated critical habitat. Impacts would also be considered significant if noise or other disturbances resulting from the Proposed Action led to impacts on federally protected species in the area. Impacts to migratory birds are more likely to be significant if they occur during a species’ known breeding season.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. There would be no activities with the potential to impact federally protected species. Therefore, there would be no impacts on federally protected species under the No Action alternative.

## Cultural Resources

###  Historic Districts, Sites, Buildings, and Structures

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to historic districts, sites, buildings, or structures would be considered significant if the Proposed Action would result in directly or indirectly diminishing historic integrity or significance, or an “adverse impact” determination under Section 106 of the NHPA.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. Under the No Action alternative, no activities with the potential to impact historic districts, sites, buildings, or structures would take place. Therefore, there would be no impacts on these cultural resources under the No Action alternative.

###  Archaeological Resources

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to archaeological resources would be considered significant if the Proposed Action would result in the disturbance of archaeological sites or an “adverse impact” determination under Section 106 of the NHPA.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the no action alternative, the Proposed Action would not be funded by NBRC. No new ground disturbance or other activities would take place. Therefore, there would be no impacts on archaeological resources under the No Action alternative.

## Socioeconomic Resources

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to socioeconomics would be considered significant if the Proposed Action would result in substantial adverse impacts to an environmental resource that would have a related adverse impact on business and employment opportunities, the sustainability of the population, or services and infrastructure (e.g., housing).

***Alternative 1: Proposed Action***

[Insert text]

Example:

As part of the Proposed Action, the City of Rockland’s fishing pier will be renovated and expanded. This Proposed Action is expected to result in increased waterfront access for commercial fishing operations and allow larger cruise ships to dock at the pier. This change is expected to result in economic gains associated with improvements to the commercial fishing industry infrastructure and from increased tourism resulting from visiting cruise lines. The Proposed Action is expected to contribute $XX annually to the Rockland economy and create approximately XX jobs. Given the creation of jobs and revenue generated, major beneficial impacts to the Rockland economy are anticipated.

The increase in commercial fishing operations would be carried out in compliance with the area’s fishing management plan to ensure the increase would not result in overfishing that could adversely impact fish stocks that would present the potential to result in long-term adverse socioeconomic impacts for the City of Rockland.

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be funded by NBRC. Under the No Action alternative, the City of Rockland’s fishing pier would not be renovated and expanded, and the current level of socioeconomic activity would persist. The beneficial impacts to the Rockland economy expected to result from the Proposed Action would not be realized.

## Environmental Justice

***Evaluation Criteria***

[Example evaluation criteria provided, may be updated depending on the Proposed Action] Impacts to environmental justice would be considered significant if the Proposed Action would result in disproportional adverse impacts to minority or low-income populations.

***Alternative 1: Proposed Action***

[Insert text]

*Significance Determination*

[Insert text]

***Alternative 2: No Action***

[Insert text]

Example:

As discussed throughout this EA, the No Action alternative would not result in any significant adverse environmental impacts. Therefore, the No Action alternative would not result in any significant adverse impacts that would disproportionately impact the environmental justice community located within the Affected Environment area.

## Cumulative Effects

**Definition**

**Cumulative effects** are “the effects on the environment that result from the incremental effects of the action when added to the effects of other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time” (40 CFR 1508.1 (g)(3)).

To determine whether there is the potential for cumulatively significant impacts resulting from the Proposed Action and no action alternatives, a review of past, present, and planned projects in the Affected Environment area was conducted. The spatial scope for the Proposed Action is the Affected Environment identified in **Figure XX.** The temporal scope is past, present, and future planned projects within a X year period, consisting of X years in the past and X years in the future.

### Current / Ongoing Projects

[Insert text]

### Past Projects

[Insert text]

### Planned Projects

[Insert text]

Example:

The Affected Environment includes the locations of private residences; therefore, future renovations or construction on these properties are unknown, but it is anticipated that any potential work on these existing structures would be minimal and would not result in a change of land use. Therefore, any potential activities do not present the potential for significant cumulative impacts.

There are no additional community projects planned for within the defined Affected Environment.

### Cumulative Impacts – Summary

[Insert text]

Example:

There have been several renovation projects within the Affected Environment in recent years that are restoring older historic buildings in the Historic Downtown Brattleboro District (Table XX). These renovation activities are being conducted with consultation with the SHPO to continue to protect the historic integrity of the District. The proposed renovations of the library are consistent with the Downtown Brattleboro Revitalization Plan.

Past, present and future restoration projects in the District have resulted in the disturbance of hazardous building materials. However, the removal of hazardous building materials and remediation of mold in the Brattleboro Library and other historic buildings throughout the City would result in long-term, beneficial cumulative impacts from the use of proper remediation practices. Overall, the restoration of the Brattleboro Library would not contribute to adverse cumulative impacts related to hazardous materials.

Past, present, and future restoration projects in the District would place additional demands on the parking availability within the District. The restoration of the Brattleboro Library would contribute to these long-term, adverse cumulative impacts. Mitigation measures that would address the additional parking demand include the expansion and redesign of the adjacent back parking lot.

Past, present, and future restoration projects in the District have created revenue for the City and additional jobs for Brattleboro residents, which have created beneficial cumulative impacts on the economy, employment, and income. The restoration of the library would add to these long-term beneficial socioeconomic cumulative impacts from the introduction of a library.

Based on the analysis completed in this EA, there are no adverse cumulative impacts that would result from the incremental impact of the Proposed Action when added to other past, present, and reasonably foreseeable future actions.

## Impacts Summary and Conclusions

[Insert text]

This impacts summary table and conclusions are meant to provide of summary of those impacts, mitigation measures, and best management practices that have already been identified in the Environmental Impacts analysis section. The table below provides some examples for different resource areas.

Example text and partial table:

This EA supports a Finding of No Significant Impact for the Proposed Action. See **Table X** for a summary of impacts, best practices, and mitigation measures identified in this EA. Please note, **Table X** only includes resource areas that were not dismissed from analysis as identified in **Section 4.1**

| **Impacts Summary** |
| --- |
| **Resource Area** | **Alternatives** | **Mitigation Measures / Best Practices for Proposed Action** |
| ***Land Use, Zoning, and Aesthetics*** | ***Proposed Action:*** *No significant impacts identified.* | ***Mitigation Measures:*** *None.****Best Practices:*** *None.* |
| ***No Action Alternative:*** *No impacts identified.* |  |
| ***Transportation and Parking*** | ***Proposed Action:*** *No significant impacts identified.* | ***Mitigation Measures:*** *None.****Best Practices:*** *None.* |
| ***No Action Alternative:*** *No impacts identified.* |  |
| ***Water Resources: Floodplains*** | ***Proposed Action:*** *No significant impacts identified. Non-significant, potential impacts identified:** *The Proposed Action is located in an FFRMS floodplain.*
 | **Mitigation Measures:** * *After building renovations are complete, the applicant will maintain flood insurance under NFIP.*
* *Every door and window that is three (3) feet or less above the ground would be fitted with flood barrier plates.*
* *Co-working space and residential living space will be above the FFRMS floodplain elevation.*
* *The building’s heat pump compressors will be located in a rooftop mechanical penthouse.*
* *All electrical equipment located in the basement will be located three (3) feet above slab at an elevation.*
* *The basement will be equipped with battery-powered sump pumps that would run in the event that the building loses power.*
* *Outdoor perennial planter beds will be established along the building, introducing new pervious surface to the area.*

**Best Practices:** None. |
| ***No Action Alternative:*** *No impacts identified.* |  |
| ***Historic districts, sites, buildings, and structures*** | **Proposed Action**: No significant impacts identified. Non-significant, potential impacts identified:* The Emerson-DeWitt Warehouse is listed on the NRHP individually and as a contributing structure to the NRHP-listed Brattleboro Historic District.
 | ***Mitigation Measures:*** *None.****Best Practices:*** * *The Proposed Action will meet the Secretary of the Interior’s Standards for Rehabilitation provided that the conditions identified as a result of the Historic Preservation Certification Application (HPCA) process are met.*
 |
| ***No Action Alternative:*** *No impacts identified.* |  |
| ***Cultural Resources*** | **Proposed Action**: No significant impacts identified. Non-significant impacts identified:* Ground disturbing activities present the potential to impact unknown, archaeological resources.
 | ***Mitigation Measures:*** *None.****Best Practices:*** * Although not anticipated, if any archaeological deposits were identified during ground disturbing construction activities, all work would be halted and the NBRC and the SHPO would be notified immediately. All archaeological findings would be secured and access to the sensitive area restricted. Work in the sensitive area would not resume until all appropriate measures to ensure compliance with the NHPA were implemented.
 |
| ***No Action Alternative:*** *No impacts identified.* |  |

Table 6. Impacts summary

# Appendix A. List of Preparers

[Insert the list of preparers for this EA. This can include NBRC NEPA practitioners that compiled sections of the document, consultants that may have drafted the document, and decision makers that were involved in the planning and major decision points of the document.]

**[Name of preparer**

Education

Years of Experience]

Example

Sanford Scarano

M.S. Environmental Planning

B.S. Agriculture Sciences

Years of Experience: 16+ years

# Appendix B. References

[References should be updated as needed for each individual EA.]

|  |  |
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# Appendix C. IPaC Official Species List and Resource List

# Appendix D. Section 7 Consultation Documentation

# Appendix E. Section 106 Consultation Documentation

1. [↑](#footnote-ref-2)