

Draft Environmental Assessment

Delete “Draft” prior to completing the final EA

Grantee Name

Project Name

Grant Program

Grant #:

Month Year

Prepared By:

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, timber projects) that require an EA. It 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 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?

- This EA template can be used as a starting point to prepare an EA for NBRC-funded activities. Follow the structure and guidance provided to ensure consistency and efficiency in the development process.
- The resources listed in the “Information Sources” tables are meant to guide you in identifying relevant regulations and data sources. While not comprehensive, they provide a useful foundation for conducting the required environmental analysis. Additional resources may be needed based on the specifics of your project.
- This instruction page is intended for internal use only and should be removed from all draft and final EA submissions.

Directions for how to use this EA Template.

Text Color	Directions
Black text (in body of the EA)	Boilerplate language that should typically be included in the draft and final EA
Table of Contents	Review/update for each individual EA
Acronyms	Review/update for each individual EA
References (including statutory/regulatory citations)	Review/update for each individual EA
Green text	Green text is NBRCnotes, descriptions, and examples of what to include in a given section that should be deleted prior to finalizing the document. Tables that include green text should also be deleted.
Yellow highlighted text	Guidance text that should be replaced with project-specific information.
Blue highlighted text	Table/figure captions that should be reviewed and updated when preparing each EA

Table of Contents

TABLE OF CONTENTS	4
LIST OF FIGURES	5
LIST OF TABLES	5
ACRONYMS	6
1 PURPOSE AND NEED	7
1.1. Background	7
1.2. Purpose and Need	7
1.3. Purpose of the Environmental Assessment	8
2 DESCRIPTION OF ALTERNATIVES	9
2.1. Alternative 1: Proposed Action	9
2.2. Alternative ##: [Insert Alternative Action Name]	10
2.3. Alternative 2: No Action	11
2.4. Additional Alternatives Considered but Dismissed from Analysis	11
3 AFFECTED ENVIRONMENT	12
3.1. Land Use	13
3.2. Noise	16
3.3. Utilities	17
3.4. Hazardous Materials	21
3.5. Air Quality and Greenhouse Gas Emissions	24
3.6. Geology and Soils	25
3.7. Water Resources	27
3.8. Biological Resources	32
3.9. Cultural Resources	38
4 ENVIRONMENTAL CONSEQUENCES	41
4.1. Land Use	41
4.2. Noise	44
4.3. Utilities	46
4.4. Hazardous Waste	49
4.5. Air Quality and Greenhouse Gas (GHG) Emissions	51
4.6. Geology and Soils	52
4.7. Water Resources	54
4.8. Biological Resources	58

4.9. Cultural Resources	62
4.10. Effects Summary and Conclusions	64
APPENDIX A. LIST OF PREPARERS	67
APPENDIX B. REFERENCES	68
APPENDIX C. IPAC OFFICIAL SPECIES LIST AND RESOURCE LIST	72
APPENDIX D. SECTION 7 CONSULTATION DOCUMENTATION	73
APPENDIX E. SECTION 106 CONSULTATION DOCUMENTATION	74

List of Figures

FIGURE 1. PROJECT LOCATION.....	9
FIGURE 2. Affected Environment Boundary.....	13
FIGURE 3. Contaminated Site Within the Affected Environment.....	23
FIGURE 4. Elevation Map of the Affected Environment.....	26

List of Tables

TABLE 3.1. Contaminated Site Within the Affected Environment.....	22
TABLE 3.2. T&E SPECIES WITH THE POTENTIAL TO OCCUR WITHIN THE Affected Environment. SOURCE: IPAC REPORT (APPENDIX C)	34
TABLE 3.3. MIGRATORY BIRDS THAT HAVE THE POTENTIAL TO OCCUR WITHIN THE Affected Environment. SOURCE: IPAC REPORT (APPENDIX C)	35
TABLE 3.4. BALD AND GOLDEN EAGLE PROTECTION ACT SPECIES THAT HAVE THE POTENTIAL TO OCCUR WITHIN THE PROJECT AREA. SOURCE: IPAC REPORT (APPENDIX C)	35
TABLE 3.5. MARINE MAMMALS WITH THE POTENTIAL TO OCCUR IN THE Affected Environment.	36
TABLE 3.6. FISH WITH ESSENTIAL FISH HABITAT IN Affected ENVIRONMENT.	37
TABLE 6. PREDICTED NOISE LEVELS FOR CONSTRUCTION EQUIPMENT. SOURCE: OSHA2011	45
TABLE 4.2. EFFECTS SUMMARY.....	64

Acronyms

Review the acronym list prior to finishing the Draft EA Add any project-specific acronyms not included on this list and remove any unused acronyms.

CAA	Clean Air Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
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
FICON	Federal Interagency Committee on Noise
FPPA	Farmland Protection Policy Act
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

1 Purpose and Need

1.1. Background

This section should be updated if the Proposed Action has been awarded funding under an NBRC program different from the Catalyst Program described in the example below.

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 Catalyst 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. Award funding under the Catalyst Program requires NBRC compliance with the National Environmental Policy Act (NEPA).

1.2. Purpose and Need

Factors to consider when defining the purpose and need
<ul style="list-style-type: none">• Why is the action being proposed?
Components of this question
<ul style="list-style-type: none">• 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 project's goal but general enough to allow for the consideration of reasonable alternatives.• Need: A brief description of the problem you are trying to address.• The purpose and need should reflect the objectives of the grantee and the federal funding decision and should not describe speculative future development, program expansion, or outcomes that are outside NBRC's authority or control. <p><i>Reminder: Please delete this and other green-text guidance tables before finalizing the document and/or submitting it for review.</i></p>

[Insert text describing the project purpose and need.]

Example:

Brattleboro has made fostering entrepreneurship and supporting early-stage entrepreneurs a community priority, creating a demand for a dedicated space to offer programming and services for new businesses. Additionally, with a residential vacancy rate of just 0.7%, the tight housing market makes it difficult for local businesses to attract and retain workers. The Proposed Action aims to address Brattleboro's community priorities of affordable housing and entrepreneurship, aligning with the SEID program's business and workforce development goals.

1.3. Purpose of the Environmental Assessment

This EA has been prepared pursuant to Section 102(2)(c) of NEPA, (42 United States Code [USC] §4322(2)(c)) as amended by the Fiscal Responsibility Act of 2023 (Pub. L. 118-5).

The purpose of this EA is to evaluate the potential environmental effects of the [Insert grantee]'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 effects of 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 effects 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 effect on the environment, requiring the preparation of an Environmental Impact Statement or that no significant effects would occur, resulting in a Finding of No Significant Impact.

2 Description of Alternatives

2.1. Alternative 1: Proposed Action

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

Proposed Location(s) and Current Site Use

Content to consider when defining the project location(s) and current site use
<ul style="list-style-type: none">• Where is the project occurring? Include the address(es) and/or GPS coordinates for all project locations.• What is the general surrounding land use of the project location(s) (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 text describing the proposed location(s) and current site use]

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

Figure 1. Project Location

Project Activities

Details to be included (list is not exhaustive)
<ul style="list-style-type: none">• 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 project activities• Project equipment that will be used (e.g., excavator, motor grader, jackhammer)• Visual aids as needed

[Insert text describing project activities]

[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.]

Operations

Content 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 facility's operation hours be (if applicable)?
- What activities will take place at the facility/project location after the Proposed Action is complete?
- For water or wastewater infrastructure projects, what is the anticipated daily capacity?
- For visitor-oriented projects (e.g., trails, parks, recreational areas), what is the expected usage (e.g., number of visitors, daily or seasonal peak times)?

[Insert text describing the operations]

[Describe the operations that will take place at the proposed project location after the construction or implementation of the Proposed Action is complete. Include details about the personnel who will be working at or using the new or renovated facility or location.]

2.2. 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.]

Grantees should consider and evaluate a reasonable range of alternatives to the Proposed Action, ensuring informed decision-making by the agency and the public, consistent with NEPA (42 U.S.C. § 4332). The No Action alternative must always be included for baseline comparison. Alternatives may be eliminated from detailed study if not viable, with a brief justification. The range of alternatives should allow for a meaningful comparison of their reasonably foreseeable environmental effects.

2.3. 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 the 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 grantee 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 the NBRC. The skicenter would not be renovated and would remain closed to the public due to inadequate facilities.

2.4. Additional Alternatives Considered but Dismissed from Analysis

The following alternatives were evaluated and dismissed:

Name of Dismissed alternative: [Provide a description of the dismissed alternative and the reason for dismissal. Delete if no alternatives were dismissed from the analysis.]

3 Affected Environment

Describe the **existing** conditions of the resources within the affected environment boundary. Do not include any language on the effects of the Proposed Action in Chapter 3.

The affected environment (AE) boundary defines the geographic area that has the potential to be affected by the Proposed Action. It includes existing properties, land, and environmental resources that may be affected by the project. The AE boundary is essential for determining which environmental resources need to be analyzed in detail, as it helps focus the environmental review on areas of potential effect.

When drawing the affected environment (AE) boundary, consider the following factors:

- **Project-related Noise:** Include areas within audible distance where noise generated by project activities is likely to affect the environment and surrounding communities.
- **Visual Effects:** Consider how the project will alter the visual landscape and include areas where these changes will be noticeable.
- **Sediment Runoff:** Include areas that might be affected by runoff or other ground-disturbing activities associated with the Proposed Action.
- **Traffic Effects:** Consider how the project will affect the local traffic patterns and congestion, and include areas that may experience increased traffic or changes in traffic flow.

Agencies must use high-quality information, including reliable data and models, to describe the existing environmental conditions, reasonably foreseeable environmental trends, consistent with NEPA (42 U.S.C. §§ 4321–4347), as amended by the Fiscal Responsibility Act of 2023. This includes the use of Indigenous Knowledge, where applicable.

Consider these factors to ensure the AE boundary encompasses all areas that might be directly or indirectly affected by the Proposed Action.

Figure X shows the boundary of the affected environment that has been defined for the purpose of analysis for this EA. The defined affected environment boundary considers the potential effects based on this project's scope. The affected environment includes [explain the boundaries of the affected environment].

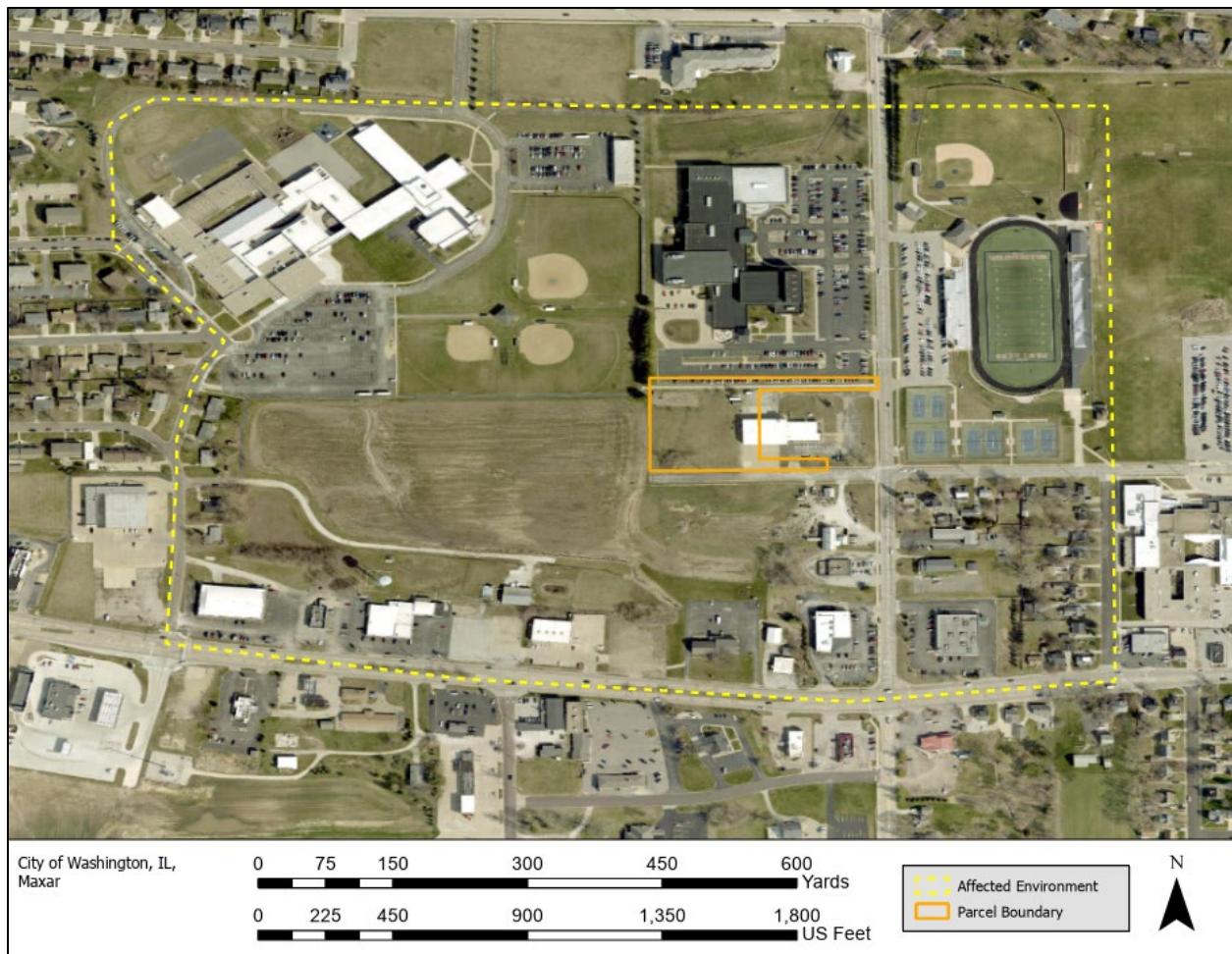


Figure 2. Affected Environment Boundary.

3.1. Land Use

This resource area includes the following subsections:

- 3.1.1: Land Use, Zoning, and Aesthetics
- 3.1.2: Transportation and Parking

3.1.1. Land Use, Zoning, and 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 2024).

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 2024).

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).

Tribal Requirements: [Insert text, if applicable] [Only include if on tribal lands (and remove state requirements). If on tribal lands, the “Tribal Requirements” placeholder text should be included under all resource areas in Chapter 3.]

State Requirements: [Insert text, if applicable]

Local Requirements: [Insert text, if applicable]

Affected Environment: [Insert text]

Content to consider when defining the affected environment
<ul style="list-style-type: none">• 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?• What are the current aesthetics of the area? These include the natural and built visual components, and it considers the visual character and quality.
Information sources
<ul style="list-style-type: none">• Local municipal/community plans• Local zoning regulations

3.1.2. 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 2024).

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 2024).

State Requirements: [Insert text, if applicable]

Local Requirements: [Insert text, if applicable]

Affected Environment: [Insert text]

Content 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?
- Annual average daily traffic (AADT) count for the closest road.

Information sources

- Existing land use and/or transportation plans
- [EPANEPA Assist — Transportation](#)
- State-level Annual Average Daily Traffic (AADT) Sources

3.2. 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 2023a).

A **sensitive receptor** is an occupied residence or facility whose occupants are more susceptible to the adverse effects of noise and odor including, but not limited to hospitals, schools, daycare facilities, elderly housing, and convalescent facilities (LI 2024c).

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]

Content to consider when defining the affected environment

- What are the current noise sources in the project area?
 - Consider surrounding land use, transportation activities (AADT counts), and 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) within the affected environment?
- Are there existing community noise ordinances for the project area?

Information sources

- [USA Transportation Noise Raster](#)
- [EPANEPA Assist — Transportation/Places](#)
- [State-level Annual Average Daily Traffic \(AADT\) Sources](#)

3.3. Utilities

This resource area includes the following subsections:

- 3.3.1: Energy
- 3.3.2: Water Source
- 3.3.3: Sewer Capacity
- 3.3.4: Solid Waste

3.3.1. 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 2023).

State Requirements: [Insert text, if applicable]

Local Requirements: [Insert text, if applicable]

Affected Environment: [Insert text]

Content to consider when defining the affected environment

- Details on existing energy infrastructure.
- Does the project location have existing access to electricity or heat?
- State the provider(s) for electricity and heating at the project site or in the area.

Information sources

- Local, municipal, county, or metropolitan region's energy plans, codes, and policies (including climate action plans)

3.3.2. Water Sources

Definition of the Resource

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 2024b).

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).

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 affected 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]

Content to consider when defining the affected environment

- Include details on the existing water infrastructure in the affected environment and on the proposed project site.
- What water services are 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?
- If drinking water comes from a well, please indicate where the well is on a map.
- Include results of the most recent Consumer Confidence Report for drinking water quality if available.
- State the provider(s) for water utilities at the project site or in the area.

Information sources

- Local, municipal, county, or metropolitan region's water usage plans, codes, and policies
- [EPANEPAAssist – Water Layer](#)

3.3.3. 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 2024a).

Federal Requirements: The Clean Water Act (CWA) establishes the framework for regulating discharges of pollutants into the waters of the United States to protect water quality. The National Pollutant Discharge Elimination System (NPDES) permit program, under the CWA, controls water pollution by regulating point sources that discharge pollutants into U.S. waters. This program requires municipal sewage treatment plants and industrial facilities to obtain NPDES permits, which set specific limits on the types and amounts of pollutants that can be discharged (40 CFR 122).

State Requirements: [Insert text, if applicable]

Local Requirements: [Insert text, if applicable]

Affected Environment: [Insert text]

Content to consider when defining the affected environment

- State whether wastewater in the affected environment is handled by a public sewer system or septic system.
- If the existing facility relies on a septic system, please indicate on a map where the septic field lies relative to the proposed project footprint.
- Describe the existing wastewater treatment facility or septic system's capacity for additional waste.
- State the provider(s) for sewage treatment at the project site or in the area.

Information sources

- Local, municipal, county, or metropolitan region's water usage plans, codes, and policies.

3.3.4. Solid 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).

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

State Requirements: [Insert text, if applicable]

Local Requirements: [Insert text, if applicable]

Affected Environment: [Insert text]

Content to consider when defining the affected environment
<ul style="list-style-type: none">• Include a paragraph discussing current waste disposal processes and provider(s) at the Proposed Action location.• Is there an existing trash service?• Where is the nearest landfill or transfer station?• Can the waste disposal facility handle construction waste?<ul style="list-style-type: none">◦ If not, where will construction waste be disposed of?• Provide the landfill compliance score, if available.
Information sources
<ul style="list-style-type: none">• Waste management protocols at an existing facility.• Local municipal/community plans.

3.4. Hazardous Materials

Definition of the Resource

Hazardous waste is defined by RCRA (amended by the Hazardous and Solid Waste Amendment) as 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 § 9603).

Hazardous substance is defined by the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Superfund Amendments and Reauthorization Act and the Toxic Substances Control Act, as 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: Hazardous waste, a subset of solid waste, is regulated by RCRA Subtitle C, which covers the generation, transportation, treatment, storage, and disposal of hazardous wastes, enforced by the EPA. It also includes regulations for corrective action, or cleanup activities, though the RCRA Corrective Action Program is implemented through EPA guidance and statutory authority.

RCRA Subtitle I addresses leaking underground storage tanks (USTs), a program primarily implemented by states and territories.

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), or Superfund, enacted in 1980, establishes liability for hazardous waste releases and provides a trust fund for cleanup when responsible parties are not identified. CERCLA authorizes both short-term responses and long-term remediation efforts for hazardous waste sites.

In 40 CFR Part 61, Subpart M governs the asbestos regulations under NESHAP. It covers work practices for the demolition, renovation, and disposal of asbestos materials. Section 8(a)(1) of the Toxic Substances Control Act (TSCA) regulates the reporting and recordkeeping requirements for asbestos.

Emerging contaminants, such as per- and polyfluoroalkyl substances (PFAS), are also subject to increasing regulation. PFAS management is addressed under the Safe Drinking Water Act (SDWA) and Toxic Substances Control Act (TSCA), with additional state-level regulations for PFAS contamination in water and soil.

Content to consider when defining the affected environment

- Include a paragraph stating whether hazardous waste sites, including but not limited to superfund sites, brownfields, or RCRAcorrective action sites, are located within the affected environment.
 - If so, describe the current condition of each hazardous waste site and what cleanup or remedial activities have occurred.
 - Provide a map showing where the sites are (relative to the project footprint), as well as a table that includes the site name, any federal or state ID number, a description of the site, and its status.
 - Do not include a map or table in this section if there are no hazardous waste sites.
- If the Proposed Action is a renovation project, state whether asbestos, lead paint, mold, or other health hazards are present at the proposed project site and whether any remediation or assessment has already taken place.

Information sources

- [EPA's Cleanups in My Community](#)
- State-level contaminated sites databases

Example text and table:

There are three 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
<i>Carol O'Rourke Property</i>	<i>110059657660</i>	<i>Brownfield</i>	<i>Assessment Conducted—no cleanup necessary</i>
<i>Clint Black Elk Property</i>	<i>110059657688</i>	<i>Brownfield</i>	<i>Assessment Conducted—no cleanup necessary</i>
<i>Jom Building</i>	<i>110063008310</i>	<i>Brownfield</i>	<i>Assessment and cleanup conducted. Currently in use.</i>

Table 3.1. 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.]

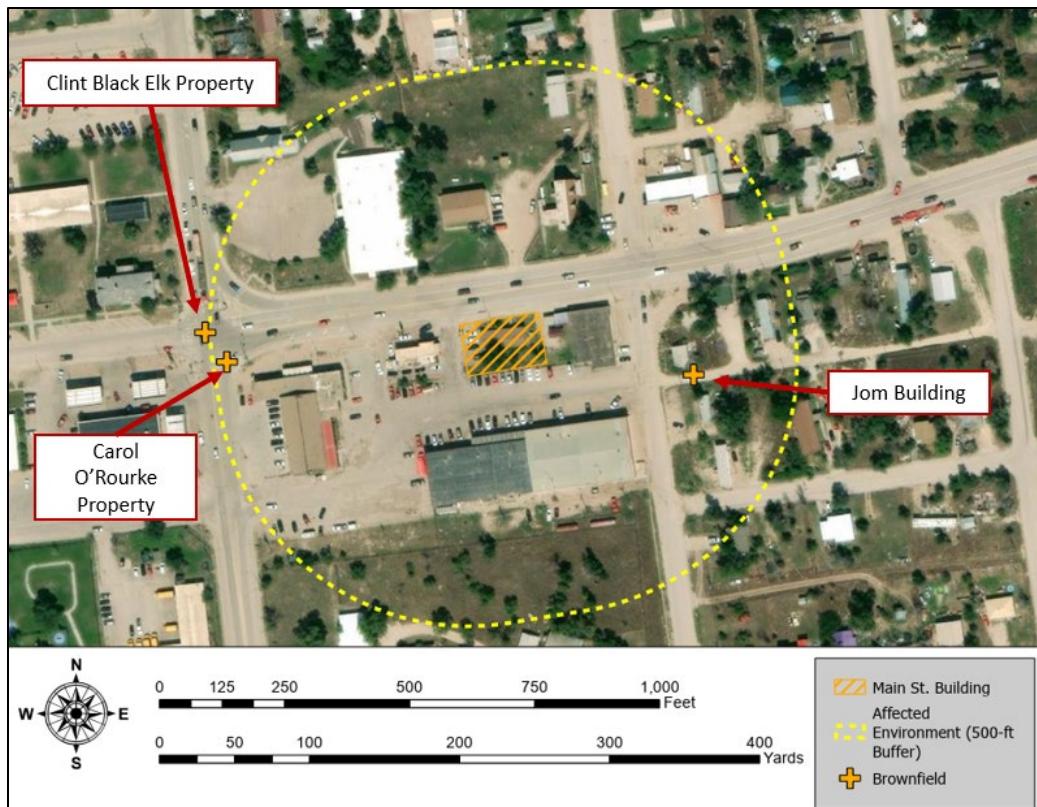


Figure 3. Contaminated Site Within the Affected Environment

3.5. Air Quality and Greenhouse Gas Emissions

Definitions of the Resource

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

Criteria pollutants: The USEPA has set air quality standards for six 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. USEPA determines whether areas do or do not meet air quality standards (USEPA 2022).

Attainment: A geographic area with air quality that meets the air quality standards for a pollutant is called an “attainment” area (42 U.S.C. 7512).

Nonattainment: A geographic area with air quality that does not meet the air quality standards for a pollutant is called a “nonattainment” area (42 U.S.C. 7512).

Maintenance plan: Once a nonattainment area meets the national air quality standard, the state can request the area be redesignated to attainment. USEPA must approve the state’s maintenance plan, which provides for maintaining clean air for at least 10 years after the redesignation (42 U.S.C. 7512).

Greenhouse gases (GHGs): 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).

Federal Requirements: The Clean Air Act (CAA) established National Ambient Air Quality Standards for six 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 nonattainment 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]

Content to consider when defining the affected environment

- What is the current air quality in the area?
- Is the affected environment identified as being a nonattainment or maintenance area for any of the criteria pollutants identified in the CAA?
- Are there any land uses or populations within the affected environment that are particularly sensitive to air quality?
- Are there any air pollution odor sources in the project area?
- 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 is the current level of GHG emissions in the project area?

Information sources

- [EPA's Nonattainment of Criteria Pollutants Green Book](#)

Example:

The affected environment is located in an area designated as nonattainment for ozone (O3) and particulate matter (PM2.5) under the EPA's Nonattainment of Criteria Pollutants Green Book. Air quality monitoring data indicate that pollutant levels have consistently exceeded national air quality standards, leading to health risks for vulnerable populations in the area.

Existing greenhouse gas (GHG) emissions within the Affected Environment are generated by routine activities such as heating and cooling buildings, on-road vehicle travel, and operation of municipal services. Emission sources include energy use at downtown businesses, housing, and public buildings such as town offices, schools, and community facilities, as well as vehicle traffic on local roads. No large industrial facilities, power plants, or other major sources of GHG emissions are present within the Affected Environment.

3.6. Geology and Soils

This resource area includes the following subsections:

- 3.6.1: Surficial Geology, Topography, and Soils
- 3.6.2: Farmland

3.6.1. Surficial Geology, Topography, and Soils

Definition of the Resource

Surficial geology consists of materials at or near the Earth's surface (USGS 1984).

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 2024).

State Requirements: [Insert text, if applicable]

Local Requirements: [Insert text, if applicable]

Affected Environment: [Insert text]

Content 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?
- An elevation map is helpful if the affected environment has a substantial change in elevation throughout, but is unnecessary if the area is mostly flat.
- Describe the soil units present within the affected environment as identified through the NRCS soil survey.
- If a soil map is included, describe each unit shown in the map. Alternatively, include the NRCS soil report for the project area as an attachment and state in the main narrative of the EA where the definitions of soil unit symbols can be found.

Information sources

- [USDA NRCS Web Soil Survey](#)
- [USGS The National Map](#)

[Insert an elevation map, including the Proposed Action area and the affected environment boundaries if relevant (e.g., if there are significant changes in elevation).]

Figure 4. Elevation Map of the Affected Environment

3.6.2. Farmland

Definition of the Resource

Farmland protected under the 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 658.2].

Federal Requirements: The FPPA is designed to minimize the effect 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]

Content to consider when defining the affected environment

- State whether any of the soil units are prime or unique farmland or farmland of statewide or local importance.

Information sources

- [USDA NRCS Web Soil Survey](#)

3.7. Water Resources

This resource area includes the following subsections:

- 3.7.1: Water Quality, Surface Water, and Groundwater
- 3.7.2: Floodplains
- 3.7.3: Wetlands
- 3.7.4: Federally Protected Water Resources (Coastal Zones, Coastal Barrier Resource Systems, Wild & Scenic Rivers, and Nationwide River Inventory Rivers)

3.7.1. Water Quality, Surface Water, and Groundwater

Definition of the Resource

Water quality standards are provisions of state or federal law that consists 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 Act (40 CFR 131.3).

Surface water refers to water found on the Earth's surface, such as rivers, lakes, streams, and oceans. It originates from precipitation and runoff (USGS 2024a).

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 2024f).

Groundwater is defined as the water that exists underground in saturated zones beneath the land surface (USGS 2024e).

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 human-caused ditches, whereas non-point sources are diffuse sources of discharge, such as sediment from improperly managed construction sites, eroding streambanks, crop, and forest lands (33 USC § 1251).

Section 303(d) of the CWA authorizes the EPA to assist states, territories, and authorized tribes in listing impaired waters and developing Total Maximum Daily Loads (TMDLs) for these waterbodies. A TMDL establishes the maximum amount of a pollutant allowed in a waterbody and serves as the starting point or planning tool for restoring water quality (EPA 2023d).

The National Pollutant Discharge Elimination System (NPDES) Permit Program regulates point source pollution (e.g., pipes, facilities, or human-caused ditches) (EPA 2023e). A NPDES Construction Stormwater General Permit is required for construction activities that will disturb

more than one acre of land (EPA2023f). The NPDES stormwater program regulates stormwater discharges from three potential sources: municipal separate storm sewer systems, construction activities, and industrial activities (EPA2023e).

The Safe Drinking Water Act (SDWA) establishes standards for drinking water quality to ensure safe drinking water for the public. SDWA's Sole Source Aquifer designation aims to protect highly valuable drinking water resources from being affected by development by requiring an EPA review of any project proposed within a Sole Source Aquifer designation area receiving federal assistance (40 CFR Part 149).

State Requirements: [Insert text, if applicable]

Local Requirements: [Insert text, if applicable]

Affected Environment: [Insert text]

Content to consider when defining the affected environment
<ul style="list-style-type: none">• Are there any surface water resources within the affected environment?<ul style="list-style-type: none">○ If yes, what is the water quality of the surface water resource?• Are there any Sole Source Aquifers in the affected environment?• Are there any other aquifers in the affected environment?
Information sources
<ul style="list-style-type: none">• EPANEPAAssist —Water• EPA—How's my Waterway?• State-level water resources databases

3.7.2. Floodplains

Definition of the Resource

Floodplains are areas of land surrounding rivers and streams that are normally dry but may become covered with water during flooding events and serve to absorb and dissipate water (USGS 2013).

- 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 (FEMA 2020).
- 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 (FEMA 2020).

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.

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]

Content to consider when defining the affected environment
<ul style="list-style-type: none">• Is the Proposed Action located in a FEMA flood hazard area?• If your project is located within a FEMA-designated 100-year floodplain (Special Flood Hazard Area), the 8-Step decision-making process for floodplains should be initiated to evaluate potential effects. The 8-Step process is required for projects located in the floodplain (see the 8-Step Template for more details).• 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, 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
<ul style="list-style-type: none">• FEMA Flood Hazard Areas• Sea Level Rise and Coastal Flood Web Tools Comparison• Project area's Hazard Mitigation Plan (if available)

3.7.3. 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]

Content to consider when defining the affected environment
<ul style="list-style-type: none">• Are there any federally or state-mapped wetlands located within the affected environment?<ul style="list-style-type: none">○ If so, please describe the wetland, including determining if it is a Water of the U.S. (WOTUS).• Are there any unmapped wetlands located within the affected environment?• If your project is located in a wetland, the 8-Step decision-making process for wetlands should be initiated to evaluate potential effects on wetlands. The 8-Step process is required for any projects located in a wetland (See the 8-Template for more details).
Information sources
<ul style="list-style-type: none">• National Wetlands Inventory• State-level wetlands databases

3.7.4. Federally Protected Water Resources (Coastal Zones, Coastal Barrier Resource Systems, Wild and 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 the appropriate use and development of the NWSRS. The WSRA also requires that projects receiving federal assistance look to avoid or mitigate potential effects 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]

Content to consider when defining the affected environment

- Is there a wild and scenic designated river located within the affected environment?
- Is there an NRI river located within the affected environment? If yes, what is/are the outstandingly remarkable value(s) of the river segment in question?
- Is the Proposed Action location in a coastal zone, as defined by the Coastal Zone Management Act?
- Is the Proposed Action location in proximity to a coastal barrier resources system, as defined by the Coastal Barrier Resources Act?

Information sources

- [Wild and Scenic Rivers Map](#)
- [Nationwide Rivers Inventory](#)
- [Coastal Barrier Resources Act](#)
- [Coastal Zone Management Programs](#)

3.8. Biological Resources

This resource area includes the following subsections:

- 3.8.1: Vegetation, Wildlife, and Habitat
- 3.8.2: Federally Protected Species

3.8.1. 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.

Habitat 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]

Content to consider when defining the affected environment

- What land use and ecosystem types are present within the affected environment?

- 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?
- What land use and ecosystem types are present within the project footprint?
- Please list any state-listed species that may be present in the affected environment and describe their habitat requirements.
- Are there any known invasive species within the affected environment?

Information sources

- [USA Land Cover Gap](#)
- [NatureServe](#)
- [State Biologists](#)

3.8.2. Federally Protected Species

Threatened and Endangered Species

Endangered Species Act Definitions (50 CFR 402.2)

Endangered: The classification provided to an animal or plant in danger of extinction throughout all or a significant portion of its range.

Threatened: Any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

Jeopardize the continued existence: To engage in an action that reasonably would be expected, directly or indirectly, to appreciably reduce 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.

Critical habitats are defined as sensitive ecological areas that contain the physical or biological features that are needed by a threatened or endangered species (16 USC § 1531-1544).

Destruction or adverse modification of critical habitat: A direct or indirect alteration that appreciably diminishes the value of critical habitat for both the survival and recovery of a listed species. Such alterations include but are not limited to, alterations adversely modifying any physical or biological features that make the basis for determining the habitat to be critical.

No effect: The appropriate conclusion when the action agency and/or USFWS determines its proposed action will not affect a listed species or designated critical habitat.

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 and/or National Marine Fisheries Service (NMFS) to help determine a proposed action's effect on a listed species and its critical habitat(s).

Affected Environment: According to the USFWS Information for Planning and Consultation (IPaC) report, ## ESA-listed species have the potential to occur within the affected environment (Table X; Appendix X). There are no critical habitats within the affected environment. See Appendix X for a copy of the IPaC Report.

Include all federally listed Threatened and Endangered species identified through USFWS IPaC and, where applicable, the NMFS ESA Section 7 Mapper. The table should identify each species' federal status and general habitat requirements. Copies of the IPaC report and NMFS ESA Section 7 Mapper documentation should be included in the Appendix and referenced here.

Table 3.2. T&E Species With the Potential to Occur Within the Affected Environment. Source: IPaC Report (Appendix C)

Species	Federal Status	Habitat Requirements
Mammals		
Pacific Marten (<i>Martes caurina</i>)	Threatened	Pacific martens live in forested areas with particularly dense shrubbery.
Birds		
Marbled Murrelet (<i>Brachyramphus marmoratus</i>)	Threatened	The marbled murrelet is a small seabird that nests in old-growth forests or on the ground at higher latitudes where trees cannot grow.
Insects		
Monarch Butterfly (<i>Danaus plexippus</i>)	Proposed Threatened	Monarch butterfly habitat typically consists of fields, prairie habitat, roadside areas, urban gardens, or wet areas with milkweed, forbs, and other flowering plants that provide nectar.

Migratory Birds

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.

The **probability of presence** information can be used to tailor and schedule project activities to avoid or minimize impacts on birds (IPaC Report, Appendix C).

Federal Requirements: The Migratory Bird Treaty Act (MBTA, 16 US.C 703–712) implements four international conservation treaties that the U.S. entered into with Canada, Mexico, Japan,

and Russia. The MBTA prohibits the take (including killing, capturing, selling, trading, and transporting) of protected migratory bird species without prior authorization by the USFWS (USFWS 2023c).

Affected Environment: The IPaC report lists ## migratory bird species that have the potential to occur in the Proposed Action's area of effect. Table X provides a summary of the migratory bird species that could potentially be present in the affected environment.

Table 3.3. Migratory Birds That Have the Potential To Occur Within the Affected Environment.
Source: IPaC Report (Appendix C)

Species	Breeding Season	Probability of Presence and Habitat Requirements
California Gull (<i>Larus californicus</i>)	Breeds from Mar 1 to Jul 31	[Example text] This species is identified as having a probability of presence within the affected environment during July–March. They breed on sparsely vegetated islands and levees in inland lakes and rivers. They forage in any open area where they can find food, including garbage dumps, scrublands, pastures, orchards, meadows, and farms.
X	XX	XXX

Bald and Golden Eagles

Federal Requirements: The Bald and Golden Eagle Protection Act of 1940 (16 USC § 668-668c) prohibits anyone, without a permit issued by the Secretary of the Interior, from “taking” bald or golden eagles, including their parts (including feathers), nests, or eggs. The MBTA 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 transporting) of protected migratory bird species without prior authorization by the Department of the Interior, USFWS.

Affected Environment: Delete this section if bald and golden eagles do not appear in the IPaC Report. The bald eagle is not a bird of conservation concern in the project area, but was identified in the IPaC Resource List due to the Bald and Golden Eagle Protection Act.

Table 3.4. Bald and Golden Eagle Protection Act Species That Have the Potential To Occur Within the Project Area. Source: IPaC Report (Appendix C)

Species	Breeding Season	Probability of Presence and Habitat Requirements
Bald Eagle (<i>Haliaeetus leucocephalus</i>)	Breeds from Jan 1 to Sep 30	This species is identified as having a probability of presence within the affected environment during September–June. This species prefers large, super canopy roost trees — typically around larger water bodies (e.g., estuaries, large lakes, reservoirs, rivers, and some seacoast).

Marine Mammals

Marine Mammal Protection Act Definitions (50 CFR 218)

Marine mammal: Marine mammals are aquatic mammals that rely on the ocean and other marine ecosystems for their existence. They include animals such as seals, whales, dolphins, manatees, sea otters, walruses, and polar bears. They are an informal group, unified only by their reliance on marine environments for feeding and survival (NOAA 2024b).

Take: The act of hunting, killing, capturing, and/or harassing any marine mammal; or attempting such (NOAA 2024b).

Harassment: Any act of pursuit, torment, or annoyance that has the potential to either injure a marine mammal in the wild or disturb a marine mammal by disrupting behavioral patterns, which include but are not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (NOAA 2024b).

Federal Requirements: The Marine Mammal Protection Act (MMPA) establishes a national policy to prevent marine mammal species and population stocks from declining beyond the point where they cease to be significant functioning elements of the ecosystems of which they are a part. To protect all marine mammals, the MMPA prohibits the "taking" of any marine mammal species in U.S. waters, where "take" means to hunt, harass, capture, or kill any marine mammal or attempting to do so. The USFWS, NMFS, and the Marine Mammal Commission oversee the implementation of the MMPA (NOAA 2023b).

Affected Environment: Delete the Marine Mammals section if there are no marine mammals in the affected environment.

Table 3.5. Marine Mammals With the Potential To Occur in the Affected Environment.

Species	Habitat Requirements
Steller Sea Lion — WDPS <i>(Eumetopias jubatus)</i>	Steller sea lions require rocky, remote coastal areas for breeding and resting, and productive marine environments rich in prey like fish and squid for foraging.

Essential Fish Habitat

Magnuson–Stevens Fishery Conservation and Management Act Definitions (50 CFR 600)

Essential Fish Habitat (EFH): Those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity (NOAA, 2024c).

Habitat Areas of Particular Concern (HAPC): A subset of EFH identified for their high ecological importance, sensitivity, or rarity, requiring priority conservation and management (NOAA, 2024c).

Adverse effect: Any effect that reduces quality and/or quantity of EFH, which may include direct or indirect physical, chemical, or biological alterations; actions that reduce the value of EFH as a component of the ecosystem; or other ecosystem-based management considerations (NOAA, 2024c).

Federal Requirements: The Magnuson–Stevens Fishery Conservation and Management Act (MSA) includes provisions to protect Essential Fish Habitat (EFH), which is defined as those waters and substrate necessary for fish to spawn, breed, feed, or grow to maturity. The purpose of these provisions is to ensure the long-term sustainability of the nation’s fishery resources by safeguarding the habitats critical for fish survival and productivity. Under the MSA, federal agencies must consult with the NMFS on activities that may adversely affect EFH to minimize harm and promote conservation. The NMFS and Regional Fishery Management Councils oversee the implementation of EFH protections (NOAA, 2024c).

Affected Environment: Delete the EFH section if no EFH is in the affected environment.

Table 3.6. Fish With Essential Fish Habitat in the Affected Environment.

Species	Life History Stage	Habitat Requirements
Arrowtooth Flounder (<i>Atheresthes stomias</i>)	Juvenile (Summer)	Arrowtooth flounder prefer soft bottoms and can be found in depths ranging from 59 to 2,401 feet. They are most common at depths from 900 to 1,319 feet.

Information sources
<ul style="list-style-type: none">• U.S. Fish and Wildlife IPaC(for species and critical habitats under USFWS jurisdiction)• NMFS ESA Section 7 Mapper• eBird (for location information on bird species)• The Cornell Lab – All About Birds (life history requirements for birds)• NatureServe (life history requirements for all species)

3.9. Cultural Resources

Definition of the Resource

Historic properties: Buildings, structures, sites, districts, and objects eligible for listing or listed on the National Register of Historic Places [36 C.F.R. § 800.16(l)(1)]:

- **Buildings:** Associated with human habitation or related features. May include houses, sheds, barns, forts, stores, or train stations.
- **Structures:** Prehistoric or historic constructions made for purposes other than habitation. May include bridges, kilns, lighthouses, windmills, tunnels, earthworks, and cairns.
- **Sites:** Buried or above-ground prehistoric or historic archaeological sites or locations such as battlefields, stone circles, historic or prehistoric houses or foundations, rock carvings, petroglyphs, and traditional cultural properties.
- **Districts:** Groupings of buildings, structures, sites, objects, roads, walls or opens spaces that in combination convey significance to a place. Districts may include residential or industrial areas, rural villages, and prehistoric and historic landscapes.
- **Objects:** Items fixed in nature or are relatively small in scale and simply constructed. May include boundary markers, fountains, mileposts, or monuments.

Cultural Resources: The term “cultural resources” covers a wide range of resources that include historic properties and archaeological sites both eligible and not eligible for listing on the National Register of Historic Places such as sacred sites, plant gathering areas and ceremonial sites currently in use.

Federal Requirements: Section 106 of the National Historic Preservation Act (NHPA) lays out the process for determining potential adverse effects to historic properties which include historic and prehistoric buildings, structures, archeological sites, districts, or objects listed in or eligible for listing in the National Register of Historic Places (NRHP). The Advisory Council on Historic Preservation implements Section 106 regulations at the federal level.

NEPA and Section 106 require federal agencies to consult with the applicable State Historic Preservation Officers (SHPOs), or when on tribal lands, Tribal Historic Preservation Officers (THPOs), regarding the potential for projects to affect cultural resources. Any ground-disturbing activity could also potentially affect unknown buried archeological sites.

The Archeological Resources Protection Act (ARPA) is intended “to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on public lands and tribal lands, and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data which were obtained before October 31, 1979” (16 U.S.C. § 470aa (b)). ARPA provides enforceable permit requirements to better protect archeological resources on public and tribal lands (NPS 2023).

The Native American Graves Protection and Repatriation Act (NAGPRA), Pub. L. 101-601, 25 U.S.C. 3001 et seq., 104 Stat. 3048), was passed in 1990 to repatriate human remains and funerary items affiliated with federally recognized tribes. NAGPRA applies to federally funded projects conducted on tribal and federal lands that result in the inadvertent discovery of human remains.

Note: When developing this section, consulting early in the planning process with the SHPO/THPO is key. Both NEPA and Section 106 must be completed before a federal agency may approve a project. The Section 106 Consultation package must be sent to NBRC for approval before being submitted to the SHPO/THPO and any other potential consulting parties (e.g., historical societies). Make sure to place the Section 106 Concurrence Letter in the Appendix and reference it here.

State/Tribal Requirements: Include details on SHPO's specific process and requirements. If the project is on Tribal lands and the Tribe has a THPO, include guidelines for the consultation process and any specific requirements.

In addition, many states have burial laws that address the inadvertent discovery of burials excavated on private or state lands (see <https://www.wcl.american.edu/burial/>). Check burial laws for the project area.

Affected Environment:

[Insert text]

Content to consider when defining the affected environment
<ul style="list-style-type: none">• Does the affected environment contain a designated historic district?• Are any structures within the affected environment currently listed on the NRHP or eligible for listing?• Are there any structures within the affected environment 50 years of age or older?• Are there any historical monuments or landmarks located within 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
<ul style="list-style-type: none">• National Register of Historic Places Map• State register of historic places• Applicable SHPO and/or THPO

- You might also need to engage with a professional architectural historian to determine if structures located within the affected environment may be eligible for listing on the NRHP
- To discourage looting, databases of archaeological resources are typically not available to the public. If your Proposed Action involves federally funded projects that could affect historical or archeological resources, 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.
- Important: The EA must not disclose specific locations or sensitive information regarding cultural resources (e.g., archaeological sites or artifacts). Such information is protected under federal law to prevent looting, vandalism, and other forms of exploitation. Consult with SHPO/THPO to ensure compliance with these protections.

4 Environmental Consequences

Describe how the existing conditions in Chapter 3 would be affected by the Proposed Action. The environmental consequences section is the basis for comparing project alternatives. Include enough information to support the comparison of alternatives, including the No Action alternative and any other alternatives considered. Evaluate the reasonably foreseeable environmental effects of the Proposed Action and the No Action alternative. Delete sections if not applicable to the project (i.e., not discussed in the affected environment). For applicable resources, incorporate a discussion of the effects of climate change where it has a reasonable relationship to the Proposed Action or No Action alternative.

This chapter describes the resource areas that have been dismissed from further analysis and analyzes the effects of the Proposed Action and the No Action alternative on the resource areas that have not been dismissed from the analysis.

The following resource areas have been dismissed from further analysis because the Proposed Action would not potentially affect them.

Note: only dismiss resource areas from analysis that have no potential to be affected by the Proposed Action and alternatives. See the example below.

Water Resources

- **Wetlands** —There are no state or federally-mapped or unmapped wetlands located within the affected environment. There is no potential for the Proposed Action to affect wetlands.

4.1. Land Use

This resource area includes the following subsections:

- 4.1.1: Land Use, Zoning, and Aesthetics
- 4.1.2: Transportation and Parking

4.1.1. Land Use, Zoning, and Aesthetics

Evaluation Criteria

Effects to land use, zoning, or aesthetics would be considered significant if the Proposed Action conflicts with any state, local, or tribal land use plans; if land use patterns change as a result of the Proposed Action; or if the Proposed Action is noncompliant with local or tribal zoning. Effects on aesthetics would be considered significant if the existing visual character and/or quality of the area would be degraded by the Proposed Action.

Alternative 1: Proposed Action

Discuss the effect of the Proposed Action on land use, zoning, and aesthetics. Consider the following project aspects:

- Would the Proposed Action be compatible with the existing land use of the site?
- Would the Proposed Action be compatible with how the project location is zoned (if the project is in an area with zoning laws)?
- If the grantee has a master planning document, is the design of the Proposed Action consistent with this plan?
- Would the Proposed Action be aesthetically consistent with the surrounding area?
- Would the Proposed Action have the potential to adversely affect visual resources in the area?

The Proposed Action would...

Significance Determination

Clearly state the significance determination of the project effects (significant or no significant effects) and make a clear link to the “Evaluation Criteria.”

The Proposed Action would be compatible with existing land use in the area and would not conflict with applicable state, local, or tribal land use plans, result in changes to land use patterns, or be noncompliant with local or tribal zoning requirements. In addition, the Proposed Action would not degrade the existing visual character or aesthetic quality of the area. Therefore, the Proposed Action does not present the potential to result in significant effects on land use, zoning, or aesthetics.

Alternative ##: [Insert Alternative Action Name]

[Insert text]

Delete this section if there are only two alternatives (i.e., “Proposed Action”, “No Action”).

If other alternatives are included in the analysis, placeholders for the effects 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 to renovate the historic downtown building would not be funded by NBRC. The building’s ongoing deterioration would lead to further visual blight, negatively affecting the aesthetics of the surrounding area and reducing its appeal to residents, businesses, and visitors.

Regarding land use, the building would remain underutilized, missing the opportunity to contribute to community revitalization and economic growth. However, there would be no direct changes to land use.

Zoning would not be affected under the No Action alternative, as no modifications to land use regulations would occur.

4.1.2. Transportation and Parking

Evaluation Criteria

Effects to transportation and parking would be considered significant if the Proposed Action would generate new traffic or create a need for additional parking that could not be adequately handled by existing and/or newly established transportation facilities and parking areas.

Alternative 1: Proposed Action

Discuss the effect of the Proposed Action on transportation and parking. Consider the following project aspects:

- Would the Proposed Action be accessible (i.e., is there an existing road, or will a road be constructed?)
- Effects to transportation due to construction and describe any required mitigation measures to alleviate effects.
- Would there be enough parking at the Proposed Action location?
- What is the anticipated increase in traffic during construction?
- Once operational, would the Proposed Action cause a long-term increase in traffic to the project location?
- For both construction and operational activities, would the Proposed Action cause existing transportation infrastructure to be overwhelmed?
- Would the Proposed Action affect access to public transit or alter transportation patterns, including the use of nearby pedestrian pathways, bike paths, or trail networks?

The Proposed Action would...

Significance Determination

The Proposed Action would not generate traffic levels or parking demand that could not be adequately accommodated by existing and/or newly established transportation facilities and parking areas. Therefore, the Proposed Action does not present the potential to result in significant effects on transportation or parking.

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 effects would result from the No Action alternative.

4.2. Noise

Evaluation Criteria

Noise effects 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 effects 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 affect the Proposed Action. Potential noise effects that are specific to biological resources are discussed in **Section 4.X**.

Alternative 1: Proposed Action

Discuss the effect of the Proposed Action on noise. Consider the following project aspects:

- Would the Proposed Action create noise effects due to project activities (e.g., construction, demolition, installation, operation, or maintenance activities)? What kind of equipment or activities would be involved? Examples include, but are not limited to, excavators, compactors, concrete trucks, generators, vehicles, or hand tools.
- How long would the noise-generating activities last?
- Are there any noise-sensitive areas in the affected environment, such as residential areas? If so, how would noise from the project activities affect these areas?
- Once operational, would the Proposed Action raise the ambient noise of the affected environment?

The Proposed Action would...

Note: if the project involves construction activities, include the following table and discussion below:

The construction phase of the Proposed Action has the potential to result in noise effects. 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
Boom Truck	85
Backhoe	84-93
Trencher	82

Table 7. Predicted Noise Levels for Construction Equipment. Source: OSHA2011

As shown in **Table X**, noise levels from construction activities are expected to be above the 65 dBA level that is deemed acceptable for residential areas. Construction activities would take place during normal business hours, which would minimize effects on the most noise-sensitive residential activity (sleeping). Therefore, noise effects would not be significant due to the intermittent and temporary nature of construction activities (a maximum of XXweeks) and by limiting construction activities to take place during normal business hours.

Significance Determination

The Proposed Action would not result in prolonged exposure of people to noise levels that exceed applicable federal, state, local, or tribal noise regulations or ordinances, and existing ambient noise levels would not interfere with the use of the facility for its intended purpose. Therefore, the Proposed Action does not present the potential to result in significant noise effects.

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 effects under the No Action alternative.

4.3. Utilities

4.3.1. Energy

Evaluation Criteria

Effects 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

Discuss the effect of the Proposed Action on energy resources. Consider the following project aspects:

- What are the energy needs for the Proposed Action during implementation or setup activities (e.g., construction, installation, mobilization, or other project activities)? Would heavy equipment (like a bulldozer or a dump truck) be used, or would hand tools or vehicles primarily be used? If energy consumption were to increase as a result of the proposed action, would the effects be short-term?
- What are the energy needs for operational activities associated with the project? Would electricity or heat need to be installed in an area that does not currently have these utilities? If so, would adding these utilities put a strain on existing energy infrastructure?

The Proposed Action would...

Significance Determination

The Proposed Action would not result in a substantial increase in demand for energy supply and would not involve the use of energy in a wasteful, inefficient, excessive, or unnecessary manner. Therefore, the Proposed Action does not present the potential to result in significant effects on energy resources.

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 effects under the No Action alternative.

4.3.2. Water Sources

Evaluation Criteria

Effects to water sources would be considered significant if the Proposed Action would result in a demand that would overburden the systems. Effects 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, effects would be considered significant if a facility did not have adequate access to drinking water sufficient for human consumption.

Alternative 1: Proposed Action

Discuss the effect of the Proposed Action on water source capacity. Consider the following project aspects:

- Would existing water sources have the capacity to serve the operational needs of the Proposed Action?
- Is the Proposed Action in an area with access to clean drinking water? If not, how will drinking water be provided?
- If the Proposed Action is located within or near a sole source aquifer designated by the EPA, discuss how it will comply with Sole Source Aquifer Protection requirements to ensure the aquifer is not negatively affected.

The Proposed Action would....

Significance Determination

The existing municipal water supply system has adequate capacity to serve the operation of the Proposed Action. The Proposed Action would not result in a demand that would overburden existing water supply systems, would not cause significant changes in the availability of surface or groundwater, and would not result in changes to groundwater discharge or recharge patterns. In addition, the Proposed Action would have adequate access to drinking water sufficient for human consumption. Therefore, there would be no significant effects to water sources as a result of the Proposed Action.

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 capacity needs in the project area. Therefore, there would be no water capacity effects under the No Action alternative.

4.3.3. Sewer Capacity

Evaluation Criteria

Sewer capacity 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 tribal regulations.

Alternative 1: Proposed Action

Discuss effects regarding sewer infrastructure. Consider the following project aspects:

- If there is an existing wastewater treatment facility or septic system, would it have the capacity to handle additional waste resulting from the Proposed Action?

The Proposed Action would...

The existing wastewater treatment facility has adequate capacity to accommodate the Proposed Action.

Significance Determination

The Proposed Action would not result in an increase in the generation of wastewater that would exceed the capacity of available sewer or wastewater management facilities and would be compliant with applicable federal, state, local, and tribal regulations. Therefore, the Proposed Action does not present the potential to result in significant effects on sewer capacity.

Alternative 2: No Action

[Insert text]

Example

Under the No Action alternative, the Proposed Action would not be approved. No additional sewage waste would be produced. Therefore, there would be no effects on sewer capacity under the No Action alternative.

4.3.4. Solid Waste

Evaluation Criteria

Solid 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 tribal regulations.

Alternative 1: Proposed Action

Discuss the effects regarding solid waste generation and disposal, including construction debris, where applicable. Consider the following project aspects:

- If the Proposed Action would generate solid waste during implementation activities (e.g., construction, installation, or demolition, where applicable), where would it be disposed of? Would the disposal of these materials overwhelm the capacity of existing waste facilities?
- Where would operational waste (such as office supply waste) be disposed of? Would the disposal of these materials overwhelm the capacity of existing waste facilities?

The Proposed Action would...

The solid waste generated at the facility would be handled using existing infrastructure and services already implemented...

The construction phase would generate construction debris, which would be handled by the contractor for the project by...

Significance Determination

The Proposed Action would not result in an increase in the generation of solid waste that would exceed the capacity of available waste management operations and facilities, and would be compliant with applicable federal, state, local, and tribal regulations. Therefore, the Proposed Action does not present the potential to result in significant effects on solid waste.

Alternative 2: No Action

[Insert text]

Example

Under the No Action alternative, the Proposed Action would not be approved. No additional solid waste would be produced. Therefore, there would be no effects on solid waste under the No Action alternative.

4.4. Hazardous Waste

Evaluation Criteria

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

Existing Hazardous Waste Sites:

- Discuss the effect of existing hazardous waste sites on the Proposed Action if they are present.

Generation and Management of Hazardous Materials:

- If the Proposed Action would generate hazardous waste or involve dealing with hazardous materials, discuss how these materials would be managed and disposed of.

Consider the Following Aspects:

- Proximity of Hazardous Waste:
 - If hazardous waste sites are near the project area, include an EPA Corrective Action Plan (CAP) detailing how these issues will be addressed.
 - The CAP should outline the identification, assessment, remediation strategies, compliance with regulations, monitoring, safety measures, communication, and cost and timeline for addressing hazardous waste sites near the project area.
- Assessment for Hazardous Materials:
 - Has the site been assessed for the presence of asbestos, lead paint, or mold?
 - If these materials are present, outline the planned or executed remediation efforts.

The Proposed Action would...

Significance Determination

The Proposed Action would not result in the generation of hazardous waste or involve the management of hazardous materials and would not create or disturb contaminated sites. In addition, the project area does not contain known hazardous materials, contamination, toxic chemicals, gases, or radioactive substances that could pose a risk to human health or the environment or conflict with the intended use of the Proposed Action. Therefore, there would be no significant effects on hazardous materials as a result of the Proposed Action.

Alternative 2: No Action

[Insert text]

Example:

Under the No Action alternative, the Proposed Action would not be approved. No additional hazardous materials would be handled or produced. Therefore, there would be no effects on hazardous materials under the No Action alternative.

4.5. Air Quality and Greenhouse Gas (GHG) Emissions

Evaluation Criteria

Impacts on air quality and greenhouse gas (GHG) emissions would be considered significant if the Proposed Action results in a substantial increase in GHG emissions within the project area or causes excessive or unnecessary levels of GHG emissions. Additionally, impacts would be deemed significant if the Proposed Action leads to emissions that expose people, wildlife, or vegetation to ambient air that does not meet the standards established under the Clean Air Act (CAA) or exceeds state ambient air quality standards.

Alternative 1: Proposed Action

Discuss the effect of the Proposed Action on air quality. Consider the following project aspects:

- Would there be a short-term increase in air emissions, including GHG emissions, due to project activities (e.g., construction, transportation, installation, or other implementation activities)?
- Would equipment, vehicles, or other emission-generating activities be required to complete the Proposed Action? If so, specify the general duration of these activities and the associated air emissions, including GHG emissions. Would any air quality effects, including GHG emissions, continue beyond the implementation phase of the Proposed Action (e.g., during operation or ongoing activities)? Would the Proposed Action affect the NAAQS attainment status of the surrounding area?

The Proposed Action would

Significance Determination

The Proposed Action would not result in a substantial increase in GHG emissions within the project area or cause excessive or unnecessary levels of GHG emissions. In addition, emissions associated with the Proposed Action would not expose people, wildlife, or vegetation to ambient air that does not meet the standards established under the CAA or exceeds state ambient air quality standards. Therefore, there would be no significant effects on air quality, including GHG emissions, as a result of the Proposed Action.

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, including GHG emissions, would be created. Therefore, there would be no effects on air quality under the No Action alternative.

4.6. Geology and Soils

This resource area includes the following subsections:

- 4.6.1: Surficial Geology, Topography, and Soils
- 4.6.2: Farmland

4.6.1. Surficial Geology, Topography, and Soils

Evaluation Criteria

Impacts on geology and topography would be considered significant if the Proposed Action would involve large-scale regrading or recontouring that permanently alters landforms or slopes and results in destabilization of geologic materials, changes to site drainage that affect landform stability, or an increased potential for slope failure or structural instability.

Impacts on soils would be considered significant if the Proposed Action would result in soil erosion or disturbance that persists beyond temporary construction conditions, leads to visible loss of topsoil, or causes sediment to be transported to adjacent waterbodies. Impacts would also be considered significant if soil compaction or disturbance would limit the ability of vegetation to reestablish or would alter surface drainage patterns in a manner that increases erosion over time.

Alternative 1: Proposed Action

Discuss the effect of the Proposed Action on geology, topology, and soils. Consider the following project aspects:

- Is the project located in an area with a steep slope, or is the area relatively flat? Would the Proposed Action change the slope due to grading or leveling?
- Would the project involve the clearing of vegetation? If so, would the cleared area present the potential for erosion or runoff? Would any mitigation or minimization measures be implemented to reduce the risk of erosion and runoff, and would disturbed areas be stabilized or restored following completion of project activities?
- Would soil be removed, stockpiled, redistributed, or otherwise disturbed during implementation of the Proposed Action? If so, where would soil be managed or stored?
- Would the Proposed Action involve the use of equipment, vehicles, or machinery with the potential to compact soils? If so, would any mitigation or minimization measures be used to reduce the risk of soil compaction?

The Proposed Action would....

Significance Determination

Although construction activities would temporarily disturb soils and could result in short-term erosion or compaction, these effects would be limited to the construction period and the project footprint. Best management practices would be implemented to minimize erosion,

sediment movement, and compaction during construction and to support site stabilization following completion of work. As a result, soil disturbance would not persist beyond temporary construction conditions, would not result in persistent or visible loss of topsoil, would not cause sediment to be transported to adjacent waterbodies, and would not prevent vegetation from reestablishing following construction or alter surface drainage patterns in a manner that increases erosion over time.

Therefore, the Proposed Action would not result in significant impacts to soils. Because the project would not involve large-scale regrading or recontouring or destabilize geologic materials, it would also have no significant impacts to geology or topography.

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 effects on geology, topography, or soils under the No Action alternative.

4.6.2. Farmland

Evaluation Criteria

Impacts on prime farmland, unique farmland, and farmlands of statewide importance, 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 project 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

Discuss the effect of the Proposed Action on farmland. Consider the following project aspects:

- Is the project location currently being used as farmland?
- Is the project location eligible under the FPPA (if not, this section can be dismissed)? If so, is its Farmland Conversion Effect Rating below 160 points?
 - Note: if a project takes place in an eligible location and has the potential to affect prime farmland, unique farmland, or farmlands of statewide importance, confirmation of the Farmland Conversion Effect Rating requires NRCS consultation.

Significance Determination

Based on the results of the Farmland Conversion Impact Rating, the Proposed Action does not exceed the threshold score of 160 points that would require additional consideration under the Farmland Protection Policy Act. Therefore, the Proposed Action does not present the potential to result in significant effects on prime farmland, unique farmland, or farmland of statewide importance.

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 effects on farmland under the No Action alternative.

4.7. Water Resources

The effects analysis for this resource area includes the following subsections:

- 4.7.1: Water Quality, Surface Water, and Groundwater
- 4.7.2: Floodplains
- 4.7.3: Wetlands
- 4.7.4: Federally Protected Water Resources (Coastal Zones, Coastal Barrier Resource Systems, Wild and Scenic Rivers, and Nationwide River Inventory Rivers)

4.7.1. Water Quality, Surface Water, and Groundwater

Evaluation Criteria

Impacts on water quality 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 TMDL 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

Discuss the effect of the Proposed Action on water quality. Consider the following project aspects:

- Would the Proposed Action involve land-disturbing or other activities (e.g., construction, installation, forestry, site preparation, or operation) that could increase

erosion, runoff, or sedimentation? If so, would mitigation or minimization measures be implemented to reduce potential effects on water quality?

- Would waste or byproducts associated with the Proposed Action (e.g., solid waste, wastewater, or other materials) present the potential to contaminate surface water or groundwater?
- Would the long-term operation or implementation of the Proposed Action strain the availability of surface water or groundwater resources?
- Would the operation of the facility or project have the potential to contaminate water through point source or non-point source pollution?

The Proposed Action would....

Significance Determination

The Proposed Action would not result in runoff, sedimentation, or other contamination that would lead to or contribute to the degradation of waters that do not meet standards established under the CWA, interfere with state water quality standards, or violate applicable TMDL requirements. In addition, the Proposed Action would not result in significant changes in the availability of surface water or groundwater or changes in groundwater discharge or recharge patterns. Therefore, there would be no significant effects to water quality, surface water, or groundwater as a result of the Proposed Action.

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 affect water resources. Therefore, there would be no effects on surface water or groundwater under the No Action alternative.

4.7.2. Floodplains

Evaluation Criteria

Impacts on floodplains would be considered significant if the Proposed Action would result in adverse changes to floodplain functions, flood storage, or flood flows that increase flood risk, or if the Proposed Action is inconsistent with Executive Order 11988 or applicable state, tribal, or local floodplain management requirements.

Alternative 1: Proposed Action

If your project is within the 100-year floodplain, include the effects analysis from the 8-Step decision-making process here (see the 8-Step template for guidance). Additionally, any necessary mitigation measures or best management practices should be incorporated to address the effects. Be sure to reference the full 8-Step analysis located in the appendices.

The Proposed Action would....

Significance Determination

The Proposed Action would not result in adverse changes to floodplain functions, flood storage capacity, or flood flows that would increase flood risk. In addition, the Proposed Action would be implemented in a manner consistent with Executive Order 11988 and would comply with applicable state, tribal, and local floodplain management requirements. Therefore, the Proposed Action would not result in significant impacts to floodplains.

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 effects on floodplains under the No Action alternative.

4.7.3. Wetlands

Evaluation Criteria

Impacts on wetlands would be considered significant if the Proposed Action would directly or indirectly alter the soil structure, hydrology, or vegetation of a wetland or its associated buffer in a manner that would impair wetland functions or values. Impacts would also be considered significant if the Proposed Action is inconsistent with Executive Order 11990, or noncompliant with applicable federal, state, tribal, or local wetland protection requirements.

Alternative 1: Proposed Action

If your project is within or near a wetland (as determined in Chapter 3), include the effects analysis from the 8-Step decision-making process here (see the 8-Step template for guidance). Additionally, any necessary mitigation measures or best management practices should be incorporated to address the effects. Be sure to reference the full 8-Step analysis located in the appendices.

The Proposed Action would....

Significance Determination

The Proposed Action would not directly or indirectly alter the soil structure, hydrology, or vegetation of wetlands or their associated buffers in a manner that would impair wetland

functions or values. In addition, the Proposed Action would be consistent with Executive Order 11990 and compliant with applicable federal, state, tribal, and local wetland protection requirements. Therefore, the effects to wetlands are not considered significant.

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 effects on wetlands under the No Action alternative.

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

Evaluation Criteria

Impacts on coastal barrier resources and coastal zones would be considered significant if the recreational, ecological, historical, or aesthetic values of these resources were degraded. Impacts on 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 on these resources could be considered significant if activities violated the applicable state or federal regulations for federally protected waters.

Alternative 1: Proposed Action

Discuss the effect of the Proposed Action on federally protected water resources if they are present in the affected environment. For example, if there is a Wild and Scenic river near the proposed project site, describe what the effects to the waterway would be and how effects to that waterway would be minimized or avoided.

The Proposed Action would....

Significance Determination

The Proposed Action would not violate applicable state or federal regulations for federally protected waters. There would be no significant effects to federally protected water resources as a result of the Proposed Action.

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 effects on federally protected water resources under the No Action alternative.

4.8. Biological Resources

The effects analysis for this resource area includes the following subsections:

- 4.8.1: Vegetation, Wildlife, and Habitat
- 4.8.2: Federally Protected Species

4.8.1. Vegetation, Wildlife, and Habitat

Evaluation Criteria

Impacts on vegetation, wildlife, or habitat would be considered significant if the Proposed Action would result in the potential extirpation of a species or the loss of a natural vegetative community within the affected environment, or would result in permanent and substantial degradation of habitat functions or ecosystem integrity. Impacts would also be considered significant if the Proposed Action would violate applicable tribal, local, or state regulations protecting wildlife or their habitats.

In addition, impacts would be considered significant if the Proposed Action would introduce or contribute to the spread of invasive species, including through landscaping, replanting, or construction activities, in a manner inconsistent with Executive Order 13112.

Alternative 1: Proposed Action

Discuss the effect of the Proposed Action on vegetation, wildlife, and habitat:

- Vegetation:
 - Assess the effect on vegetation, such as tree removal or converting vegetated areas to impervious surfaces.
 - Ensure that no invasive species are introduced during the project, particularly in landscaping or replanting efforts. In compliance with Executive Order 13112 on invasive species, grantees should avoid planting or introducing invasive species at the project site.
- Wildlife and Habitat:
 - Discuss the effect on wildlife and habitat.
 - If habitat climate change vulnerability data is available, incorporate that data into your analysis.
- State-Listed Species:

- Assess the effects on state-listed species that have the potential to be in the project area.
- If there could be effects on state-listed species, consult with a state biologist.
- Discuss any subsequent mitigation measures and best management practices (BMPs) to protect these species.
- Compliance with Requirements:
 - If there are state and/or tribal requirements that need to be addressed, state how the project will comply with those requirements.

The Proposed Action would

Significance Determination

The Proposed Action would not result in the potential extirpation of a species or the loss of a natural vegetative community within the Affected Environment, nor would it result in permanent degradation of habitat functions or ecosystem integrity. The Proposed Action would not violate applicable tribal, local, or state regulations protecting wildlife or their habitats and would be implemented in a manner consistent with Executive Order 13112, including avoiding the introduction or spread of invasive species through construction, landscaping, or replanting activities. Therefore, the Proposed Action would not present the potential for significant impacts to vegetation, wildlife, or habitat.

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 affect vegetation, wildlife, or habitat. Therefore, there would be no effects on these biological resources under the No Action alternative.

4.8.2. Federally Protected Species

Evaluation Criteria

Impacts on federally protected species would be considered significant if the Proposed Action would be noncompliant with applicable federal wildlife protection statutes, including the Endangered Species Act, the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act, the Marine Mammal Protection Act, or the Magnuson–Stevens Fishery Conservation and Management Act, or if the Proposed Action would result in unauthorized take or adverse effects to designated critical habitat or other protected resources that impair species viability.

Alternative 1: Proposed Action

Discuss the effect of the Proposed Action on federally protected species, including all species listed in the IPaC report and/or the NMFS ESA Section 7 Mapper. State whether or not each species is likely to be present in the project area, and how effects from the Proposed Action may affect the species (such as loss of preferred habitat). If a species may be affected by the Proposed Action, proceed with consultation with USFWS and/or NMFS as appropriate to determine next steps.

As part of the discussion in this section, include any measures that would be implemented to reduce effects to federally protected species (such as best management practices, mitigation measures, minimization measures, or conservation measures).

Threatened and Endangered Species

Under the ESA, a “no effect” determination can be made if a listed species occurs within the affected environment and may be present at the time of implementation, but there are no plausible routes of effects to the listed species. NBRC has determined that the Proposed Action would have “no effect” on the following listed species:

[Insert species and rationale for a “No Effect” determination]

Under the ESA, informal consultation is warranted when the federal agency undertaking the action determines that the project may affect, but is not likely to adversely affect (NLAA), a listed species. NBRC engaged in informal consultation for the following species:

[Insert species and rationale for a “May Affect, Not Likely to Adversely Affect” determination]

Under the ESA, formal consultation is required when a federal action may affect and is likely to adversely affect (LAA) a federally listed species or designated critical habitat. Formal consultation is conducted with the appropriate consulting agency and may result in the issuance of a Biological Opinion. NBRC engaged in formal consultation for the following species:

[Insert species and rationale for a “May Affect, Likely to Adversely Affect” determination]

Migratory Birds

XXX migratory bird species were identified as having the potential to occur within the affected environment. The Proposed Action does not involve raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, or waterfowl sale and disposal. Therefore, a permit is not required under the MBTA (USFWS 2024c).

The analysis provided in this section considers the USFWS Nationwide Standard Conservation Measures (see **Appendix X**). The scope of work of the Proposed Action presents the potential for the introduction of XXX stressors that should be managed during the period of construction: XXX

Refer to USFWS Nationwide Standard Conservation Measures for guidance on stressor management to reduce effects to migratory birds from the Proposed Action. Common

stressors related to NBRC projects include vegetation removal, human disturbance, noise, and artificial lighting.

Bald and Golden Eagles

Delete if bald and golden eagles do not appear in the IPaC report. Alter template language if bald or golden eagles have the potential for presence in the affected environment.

The bald eagle is not a Bird of Conservation Concern in the project area, but was identified in the IPaC Resource List due to the Bald and Golden Eagle Protection Act. The affected environment is partially developed and contains some densely vegetated areas (see Figure 6). The affected environment does not contain any large, super canopy roost trees that would be conducive to the habitat requirements of bald eagles (USFWS 2024d). It is unlikely that a bald eagle nest would be present in close proximity to the project area at the time of construction, although if a bald eagle nest were sited during the construction process, construction would be stopped, and the USFWS would be consulted.

Marine Mammals

Delete if no marine mammals are in the affected environment.

Essential Fish Habitat

Delete if no essential fish habitat is present in the affected environment.

Significance Determination

Based on the analyses conducted for federally protected species under applicable federal wildlife protection statutes, including the Endangered Species Act, Migratory Bird Treaty Act, and other relevant authorities, the Proposed Action would not result in unauthorized take of federally protected species, adversely affect designated critical habitat, or otherwise conflict with applicable statutory or regulatory requirements.

Effects to federally protected species have been avoided or minimized through adherence to applicable consultation requirements and conservation measures, where relevant, and would not rise to a level that would meaningfully impair species viability. Therefore, the Proposed Action does not present the potential to have significant effects on federally protected species.

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 affect federally protected species. Therefore, there would be no effects on federally protected species under the No Action alternative.

4.9. Cultural Resources

Evaluation Criteria

Impacts to historic sites would be considered significant if the Proposed Action would result in the disturbance of archeological sites; directly or indirectly diminishing the historic integrity or significance of historic districts, sites, buildings, or structures; or in an “adverse impact” determination under Section 106 of the NHPA.

Alternative 1: Proposed Action

Discuss the effect of the Proposed Action on cultural resources. Consider the following project aspects:

- Would the project have the potential to physically destroy or damage cultural resources? For example, excavations for foundations or road construction could damage or destroy archeological remains.
- Would construction alter the visual landscape of a historic area (like a historic district)?
- Do elements of the project incorporate efforts to preserve or restore cultural heritage sites?

If the Proposed Action has the potential to affect cultural resources, consultation with the SHPO/THPO should occur to determine appropriate mitigation measures. In the context of NBRC, examples of projects that may warrant initiating consultation include construction projects that include ground-disturbing activities or renovation projects to buildings greater than 50 years old. Include a discussion of any proposed mitigation measures in this section.

As identified in Section 3.9, there are XX historic properties located within the affected environment (see Table X). NBRChas determined that none of the structures satisfy the criteria for eligibility for inclusion on the NRHP, as outlined in 36 CFR 60. Consultation with the SHPO is currently underway. Concurrence from the SHPO is anticipated, and consultation will be complete prior to the preparation of the final EA.

While it is ideal for the consultation process to be completed before the publication of the draft EA, it is permissible to finalize consultation before the preparation of the final EA.

There are no known archeological resources located within the affected environment. Although not anticipated, if any archeological deposits were identified during ground-disturbing construction activities, all work would be halted, and XX would be notified immediately. All archeological findings would be secured, and access to the sensitive area would be restricted. Work in the sensitive area would not resume until all appropriate measures to ensure compliance with the NHPA were implemented.

Significance Determination

There are no historic districts, sites, buildings, or structures currently listed or eligible for listing on the NRHP located within the affected environment. There are no known archeological resources located within the affected environment, and work would be halted if any

archeological findings were discovered during the construction process. Therefore, no significant effects to historic districts, sites, buildings, or structures would result from the Proposed Action.

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 affect historic districts, sites, buildings, or structures would take place. Therefore, there would be no effects on these cultural resources under the No Action alternative.

4.10. Effects Summary and Conclusions

State whether the environmental assessment supports a Finding of No Significant Effect. Summarize the effects of the Proposed Action and alternatives, as well as any proposed mitigation measures or best management practices.

This EA supports a Finding of No Significant Effect for the Proposed Action. See Table X for a summary of effects, best management practices (BMPs), and mitigation measures identified in this EA. Table X only includes resource areas that were not dismissed from analysis.

Table 4.8. Effects Summary

Effects Summary		
Resource Area	Alternatives	Mitigation Measures / Best Management Practices (BMPs) for Proposed Action
Land Use	Proposed Action: No significant effects identified.	Mitigation Measures: None. BMPs: None.
	No Action alternative: No effects identified.	
Noise	Proposed Action: Non-significant, potential effects identified: Noise levels above 65 dBA	Mitigation Measures: None. BMPs: Limiting construction to daytime hours, limiting noisy equipment and activities occurring at the same time.
	No Action alternative: No effects identified.	
Utilities: Energy	Proposed Action: Non-significant, potential effects identified: <ul style="list-style-type: none"> Construction of new electrical infrastructure 	Mitigation Measures: None. BMPs: None.
	No Action alternative: No effects identified.	
Utilities: Water Source	Proposed Action: No significant effects identified.	Mitigation Measures: None. BMPs: None.
	No Action alternative: No effects identified.	
Utilities: Sewer Capacity	Proposed Action: No significant effects identified.	Mitigation Measures: None. BMPs: None.
	No Action alternative: No effects identified.	
Utilities: Solid Waste	Proposed Action: Non-significant, potential effects identified: <ul style="list-style-type: none"> Increase in solid waste generated at the site 	Mitigation Measures: None. BMPs: None.
	No Action alternative: No effects identified.	
Hazardous Waste	Proposed Action: No significant effects identified.	Mitigation Measures: None. BMPs: None.
	No Action alternative: No effects identified.	

Effects Summary		
Resource Area	Alternatives	Mitigation Measures / Best Management Practices (BMPs) for Proposed Action
Air Quality and Greenhouse Gas Emissions	<p>Proposed Action: Non-significant, potential effects identified:</p> <ul style="list-style-type: none"> • Short-term and long-term minor increases in air emissions 	<p>Mitigation Measures: None. BMPs: None.</p>
	<p>No Action alternative: No effects identified.</p>	
Surficial Geology, Topography, and Soils	<p>Proposed Action: Potential, non-significant effects identified:</p> <ul style="list-style-type: none"> • Soil compaction and erosion • Conversion of farmland 	<p>Mitigation Measures: None. BMPs:</p> <ul style="list-style-type: none"> • Limiting area of ground disturbance, not operating construction equipment during rain events. • Contractors would line the construction area with erosion fencing to avoid access and tracking to all non-construction areas. • Contractors would also install straw bales or burlap straw wattles at the lowest construction site runoff points to mitigate silt runoff.
	<p>No Action alternative: No effects identified.</p>	
Farmland	<p>Proposed Action: No significant effects identified.</p>	<p>Mitigation Measures: None. BMPs: None.</p>
	<p>No Action alternative: No effects identified.</p>	
Water Resources	<p>Proposed Action: Non-significant, potential effects identified:</p> <ul style="list-style-type: none"> • Stormwater runoff during construction • Construction of new drinking water infrastructure 	<p>Mitigation Measures: Apply for coverage under USEPA's Construction Stormwater General Permit if ground disturbance is one acre or more. BMPs: Not operating construction equipment during rain events.</p>
	<p>No Action alternative: No effects identified.</p>	
Biological Resources	<p>Proposed Action: Non-significant, potential effects identified:</p> <ul style="list-style-type: none"> • Noise effects to migratory bird species • Removal of trees 	<p>Mitigation Measures: None BMPs: Minimizing the number of trees removed to the extent possible; using moveable noise task barriers, limiting construction equipment being used at the same time, turning off equipment and vehicles whenever possible, locating equipment and access points away from nesting sites (if identified), locating equipment and vehicles in a manner to deflect noise, temporarily stopping work.</p>

Effects Summary		
Resource Area	Alternatives	Mitigation Measures / Best Management Practices (BMPs) for Proposed Action
	No Action alternative: No effects identified.	
Cultural Resources	Proposed Action: No effects identified.	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 TCG, NBRC, and the Maine SHPO would be notified immediately. All archaeological findings would be secured, and access to the sensitive area would be 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 effects identified.	

Appendix A List of Preparers

[Name of preparer]

Education

Years of Experience]

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