



FEDERAL ENVIRONMENTAL CROSS-CUTTER TRAINING

September 2024

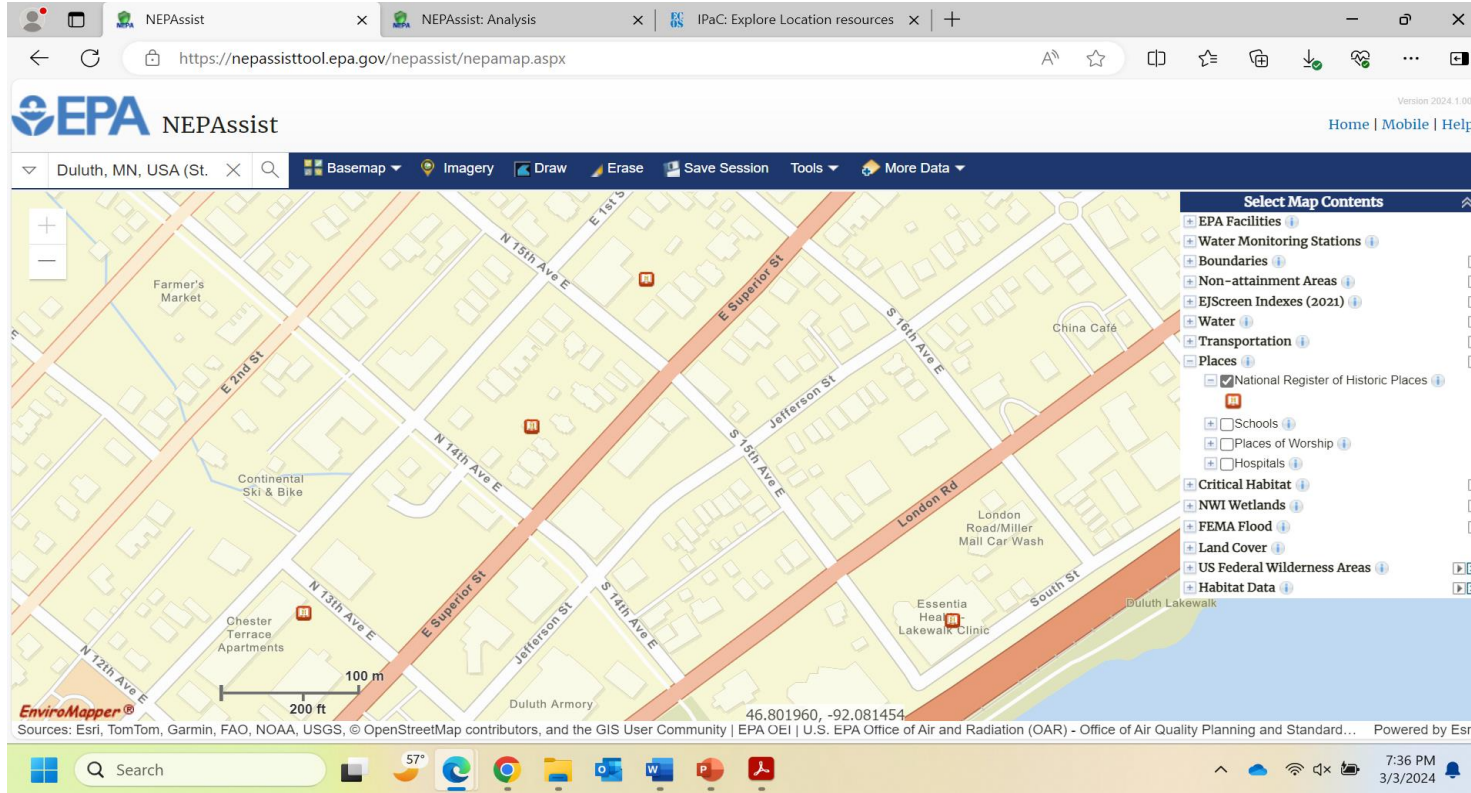
HISTORIC AND CULTURAL RESOURCES

- **Evaluation of potential impacts to environmental resources:**
 - Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of Projects they carry out, approve, or fund on historic properties (typically, historic buildings/structures and archeological sites) and to consult with various parties, including the State or Tribal Historic Preservation Officer (SHPO or THPO) and interested federally recognized Indian tribes, on these effects.
 - If the Project involves ANY groundwork (including within already-disturbed areas), NHPA Section 106 consultation is required.
 - If the Project involves no groundwork at all, NHPA most likely will not apply, but exceptions could include Projects involving modifications to historic buildings (e.g., eligible for listing on National Register of Historic Places) or visual impacts on Tribal or archeological sites.
 - For Projects involving groundwork, the recipient may need to conduct a search of state-managed archival records (typically done via the SHPO) in order to properly inform an assessment of whether historic properties could be affected.

HISTORIC AND CULTURAL RESOURCES

- The proposed project does not have the potential to cause effects to archaeological or architectural resources, regardless of the presence of historic properties in the area of potential effects (APE). (Only applies to projects involving no construction or earth-disturbing activities.) No further Section 106 obligations. Explain in the Cross-cutter Memo why a *No Effect* determination is appropriate.
- No historic properties are present – or – historic properties are (potentially) present but the project will incorporate avoidance measures to ensure any effects will not directly or indirectly alter any of the characteristics of a historic property that qualify it for the NRHP. EPA may make a determination of *No Historic Properties Affected* or *No Adverse Effect to Historic Properties*. Request review/concurrence from SHPO/THPO, wait 30 days for review or objection. If no objections are received, document findings and proceed with NEPA review.

NEPASSIST – HISTORIC PLACES



■ Check [NEPAassist](#) to look for National Register of Historic Places (NRHP) listed properties near the Project Area by doing the following:

1. Navigate to the Project Area in the map.
2. On the right-hand side of screen under "Select Map Contents," select "Places", then click "National Register of Historic Places."
3. If NRHP icons appear within 0.5 miles of the Project Area, document this in and request more information from the applicant.

■ **Please be aware that NEPAassist does not depict all types of historic properties—critically, it does not depict any information regarding the presence of archeological sites (which is protected information).**

BIOLOGICAL RESOURCES

- Under **Endangered Species Act** Section 7, federal agencies must consult with the U.S. Fish and Wildlife Service (USFWS) and/or NOAA's National Marine Fisheries Service (NMFS) when any action the agency carries out, funds, or authorizes may affect a listed threatened or endangered (T&E) species. A federal agency must ensure that its actions are not likely to jeopardize the continued existence of endangered or threatened species, or adversely modify or destroy their designated critical habitat .
- **Jeopardize**: To engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species.
- **Critical habitat**: Habitats with physical or biological features essential to a listed species' conservation and which may require special protection. (Habitats with physical or biological features essential to a listed species' conservation and which may require special protection. (See [50 CFR § 17](#) [FWS] and [§ 226](#) [NMFS] for lists of designated critical habitat.)

BIOLOGICAL RESOURCES

- Go to the USFWS Information for Planning and Consultation [IPaC](#) tool
 - If there are no T&E species identified and no critical habitats present, the appropriate ESA finding is a determination of *No Effect*, and a Section 7 consultation is not required. No further actions are needed for compliance. If T&E species or critical habitat is present but the Project has no potential to result in impacts (e.g., habitat disturbance, noise) to T&E species, the appropriate finding is also a determination of *No Effect*. Explain in the Cross-cutter Memo why a *No Effect* determination is appropriate. You do not need to generate an Official Species list for a *No Effect* determination.
 - If effects are anticipated but they will not adversely affect listed species or their suitable habitat, informal consultation with USFWS is required. Typically occurs when impacts are minimal and no take is involved. In this case, download an Official Species list. Proceed with NEPA review after informal consultation is complete. EPA submits a letter to USFWS/NMFS requesting concurrence on the determination of *May Affect, Not Likely to Adversely Affect*. Written response from USFWS/NMFS is required (60 days to respond).
 - [IPaC](#) tool contains helpful videos, instructions, and frequently asked questions at bottom of its homepage.

BIOLOGICAL RESOURCES

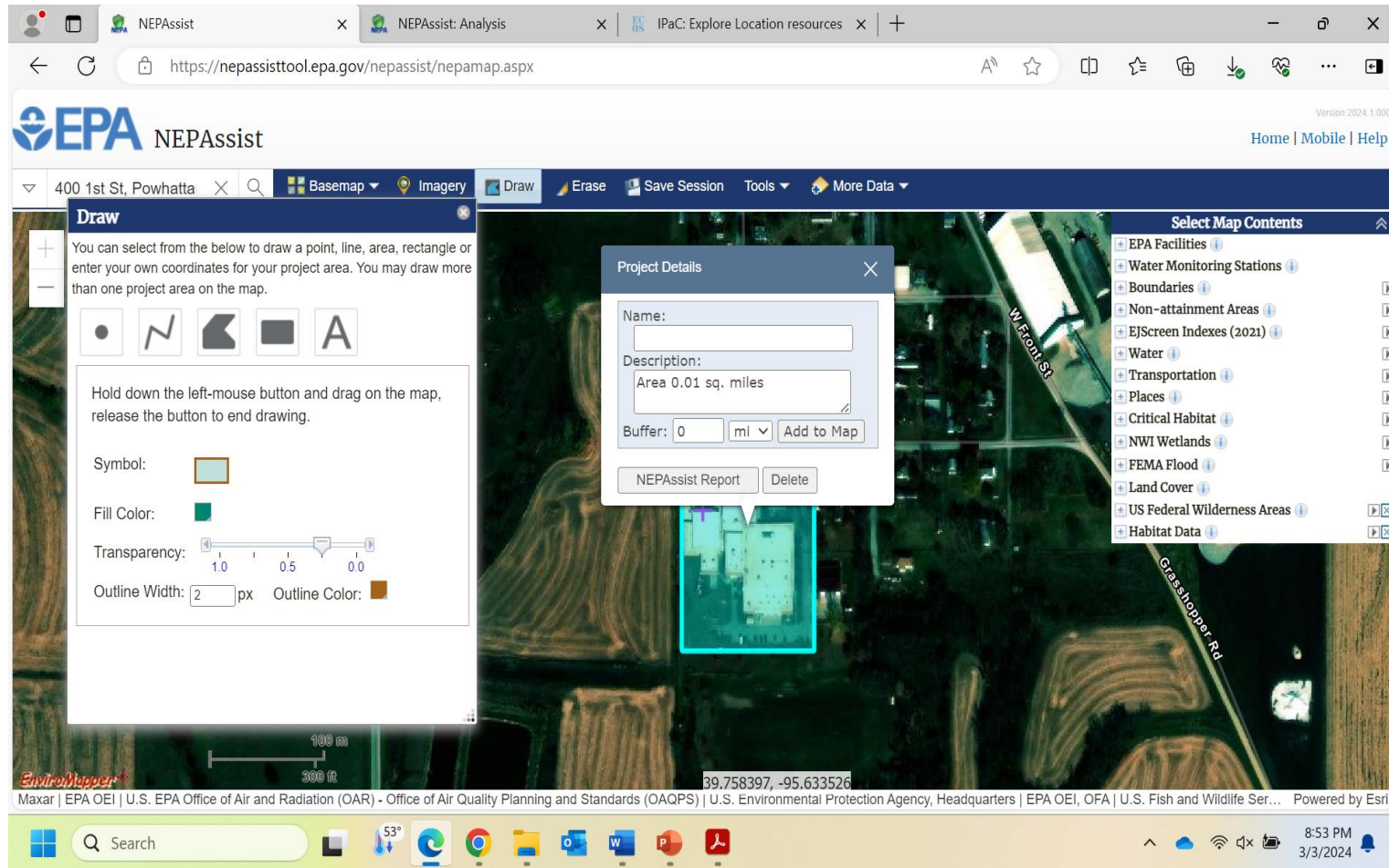
- Federally-protected marine mammals and **Essential Fish Habitat** (Marine Mammal Protection Act; Magnuson-Stevens Fishery Conservation and Management Act).
 - Under “More data” tab, select “Additional Data Layers” and select “Habitat” and click on “Add to Map.” In the “Select Map Contents,” select “Habitat” data layer and click on “Essential Fish Habitat.” You may also use the [EFH Mapper tool](#) to determine if the Project is located within or adjacent to EFH.
- Other Federally-protected species (**Bald and Golden Eagle Protection Act**).
 - Check the IPaC species list generated above to see if bald or golden eagles have the potential to occur in the Project Area. If not, BGEPA does not apply; document this in the Cross-cutter Memo. If yes, continue below.
 - Explore publicly available data on eagle nest locations. There is no central repository for eagle nest locations. However, some states, localities, and organizations may have publicly available data that may show eagle nest locations. Document any nearby bald eagle nests (within 660 feet of the Project) and golden eagle nests (within 1 mile of the Project). Determine whether the Project activities will directly or indirectly (i.e., noise, activity, vibration) disturb eagles or their nests (or involve capture, transport, exhibition, collection, or control of eagles or eagle parts, nests, or eggs).

BIOLOGICAL RESOURCES

- Other Federally-protected species (**Migratory Bird Treaty Act**).
 - The IPaC-generated species list (see Endangered Species Act section) includes a list of migratory birds that have the potential to occur in the Project Area. Review Project materials to determine if the Project could affect migratory birds or habitat (e.g., tree removal/clearing or construction noise and activity near forested areas), and if so, whether the grant recipient appears to be appropriately mitigating for any impacts. Impacts to migratory birds may not be explicitly stated in Project materials. While EPA does not have a direct compliance role for the MBTA, EPA can encourage the recipient to comply. If impacts to migratory birds are apparent and the grant recipient does not include any mitigation measures, encourage the recipient to include additional mitigation measures (e.g., restrictions on tree cutting/clearing during nesting season).



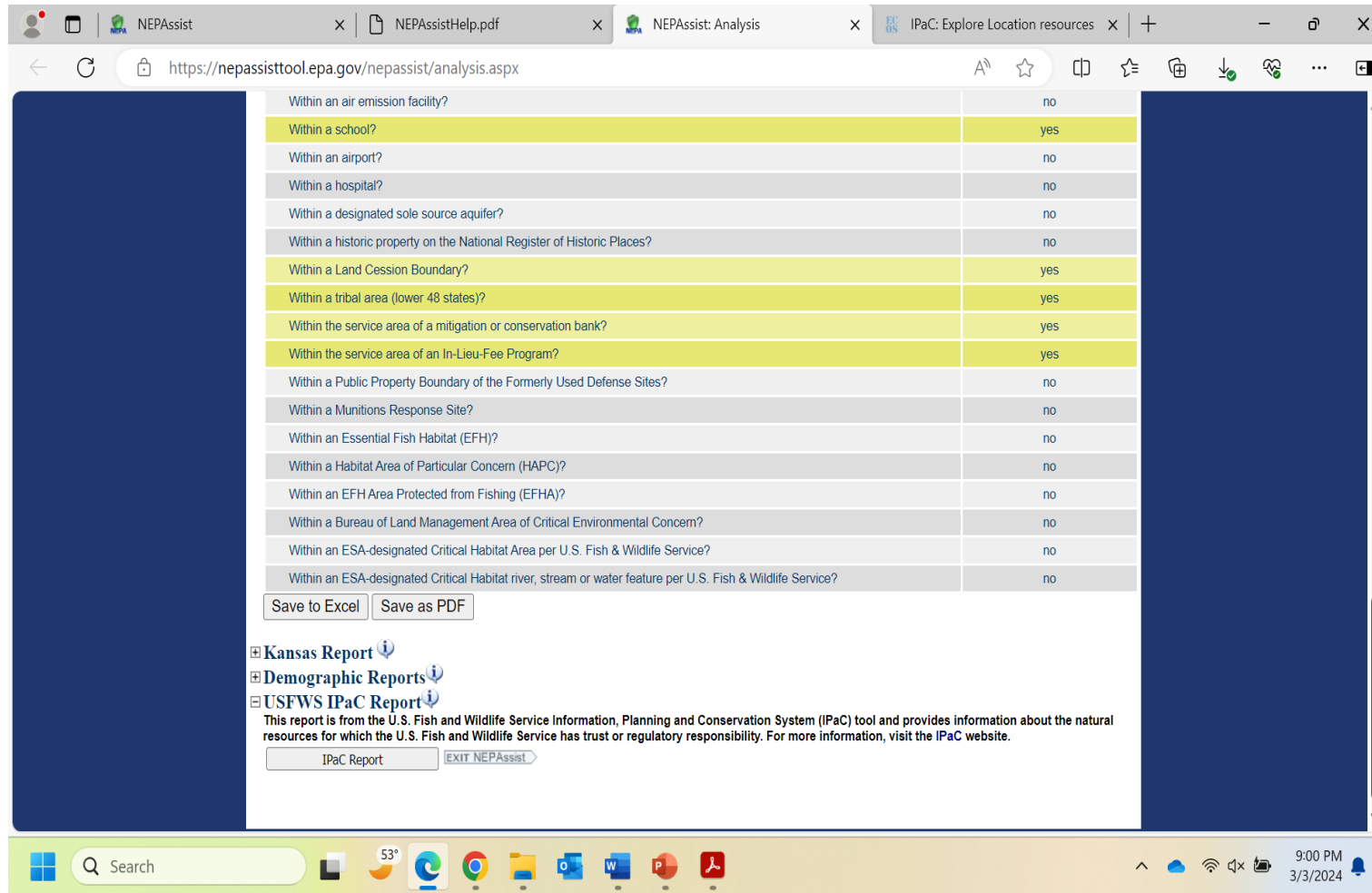
NEPASSIST – GENERATE A REPORT



The screenshot displays the NEPASSIST web application interface. The browser address bar shows the URL <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>. The interface includes a top navigation bar with the EPA logo and links for Home, Mobile, and Help. Below this is a search bar and a toolbar with options like Basemap, Imagery, Draw, Erase, Save Session, Tools, and More Data. The main map area shows an aerial view with a cyan-colored polygon drawn around a building. A 'Project Details' window is open over the map, containing fields for Name, Description (Area 0.01 sq. miles), and Buffer (0 mi). It also features 'NEPASSIST Report' and 'Delete' buttons. On the right side, there is a 'Select Map Contents' panel with a list of map layers including EPA Facilities, Water Monitoring Stations, Boundaries, Non-attainment Areas, EJScreen Indexes (2021), Water, Transportation, Places, Critical Habitat, NWI Wetlands, FEMA Flood, Land Cover, US Federal Wilderness Areas, and Habitat Data. The bottom of the screen shows a Windows taskbar with various application icons and a system clock indicating 8:53 PM on 3/3/2024.

- To generate a report using NEPASSIST, you must first draw your project area or select an existing feature boundary on the map. Once you have drawn your project area or selected an existing feature, established a buffer and given it a name, click on the drawn area to show the Project Details window. From there you can click the “NEPASSIST Report” button located in the Project Details window.

NEPASSIST REPORT – IPAC



The screenshot shows a web browser window with the URL <https://nepassisttool.epa.gov/nepassist/analysis.aspx>. The browser tabs include "NEPAAssist", "NEPAAssistHelp.pdf", "NEPAAssist: Analysis", and "IPaC: Explore Location resources". The main content area displays a table of questions and answers regarding environmental data. The questions are listed in the left column, and the answers are in the right column. The table is scrollable. Below the table, there are buttons for "Save to Excel" and "Save as PDF". At the bottom of the page, there are links for "Kansas Report", "Demographic Reports", and "USFWS IPaC Report". A disclaimer states: "This report is from the U.S. Fish and Wildlife Service Information, Planning and Conservation System (IPaC) tool and provides information about the natural resources for which the U.S. Fish and Wildlife Service has trust or regulatory responsibility. For more information, visit the IPaC website." Below the disclaimer are buttons for "IPaC Report" and "EXIT NEPAAssist". The Windows taskbar at the bottom shows the search bar, system clock (53°), and various application icons.

Within an air emission facility?	no
Within a school?	yes
Within an airport?	no
Within a hospital?	no
Within a designated sole source aquifer?	no
Within a historic property on the National Register of Historic Places?	no
Within a Land Cession Boundary?	yes
Within a tribal area (lower 48 states)?	yes
Within the service area of a mitigation or conservation bank?	yes
Within the service area of an In-Lieu-Fee Program?	yes
Within a Public Property Boundary of the Formerly Used Defense Sites?	no
Within a Munitions Response Site?	no
Within an Essential Fish Habitat (EFH)?	no
Within a Habitat Area of Particular Concern (HAPC)?	no
Within an EFH Area Protected from Fishing (EFHA)?	no
Within a Bureau of Land Management Area of Critical Environmental Concern?	no
Within an ESA-designated Critical Habitat Area per U.S. Fish & Wildlife Service?	no
Within an ESA-designated Critical Habitat river, stream or water feature per U.S. Fish & Wildlife Service?	no

[Save to Excel](#) [Save as PDF](#)

[Kansas Report](#)
[Demographic Reports](#)
[USFWS IPaC Report](#)

This report is from the U.S. Fish and Wildlife Service Information, Planning and Conservation System (IPaC) tool and provides information about the natural resources for which the U.S. Fish and Wildlife Service has trust or regulatory responsibility. For more information, visit the [IPaC website](#).

[IPaC Report](#) [EXIT NEPAAssist](#)

- Once you click on the “NEPAAssist Report” button, a report will be generated based on environmental data available specific to your project area. Information in the report will be displayed as a series of questions with “yes” or “no” answers based on the location of your project area. The report questions are drawn from publicly available datasets available through EPA databases and web services.
- Click on the USFWS IPaC Report to generate an unofficial report for your project area.

USFWS IPAC REPORT

NEPAssist

NEPAssist: Analysis

IPaC: Explore Location resources

https://ipac.ecosphere.fws.gov/location/XNAMXWWGJFDF3CVWJ6V5TYEC3U/resources#endangered-species

IPaC Information for Planning and Consultation

U.S. Fish & Wildlife Service

LOG IN

Resources

ENDANGERED SPECIES6

CRITICAL HABITATS1

BALD & GOLDEN EAGLES2

MIGRATORY BIRDS16

FACILITIES

WETLANDS

PRINT RESOURCE LIST

What's next?

Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.

DEFINE PROJECT

Endangered species

Listed species[?] and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[?]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

Additional information on endangered species data is provided [below](#).

The following species are potentially affected by activities in this location:

THUMBNAILS

LIST

Mammals

Threatened

CH

Threatened

CH

Endangered

https://ipac.ecosphere.fws.gov/location/XNAMXWWGJFDF3CVWJ6V5TYEC3U/resources#endangered-species

Search

53°

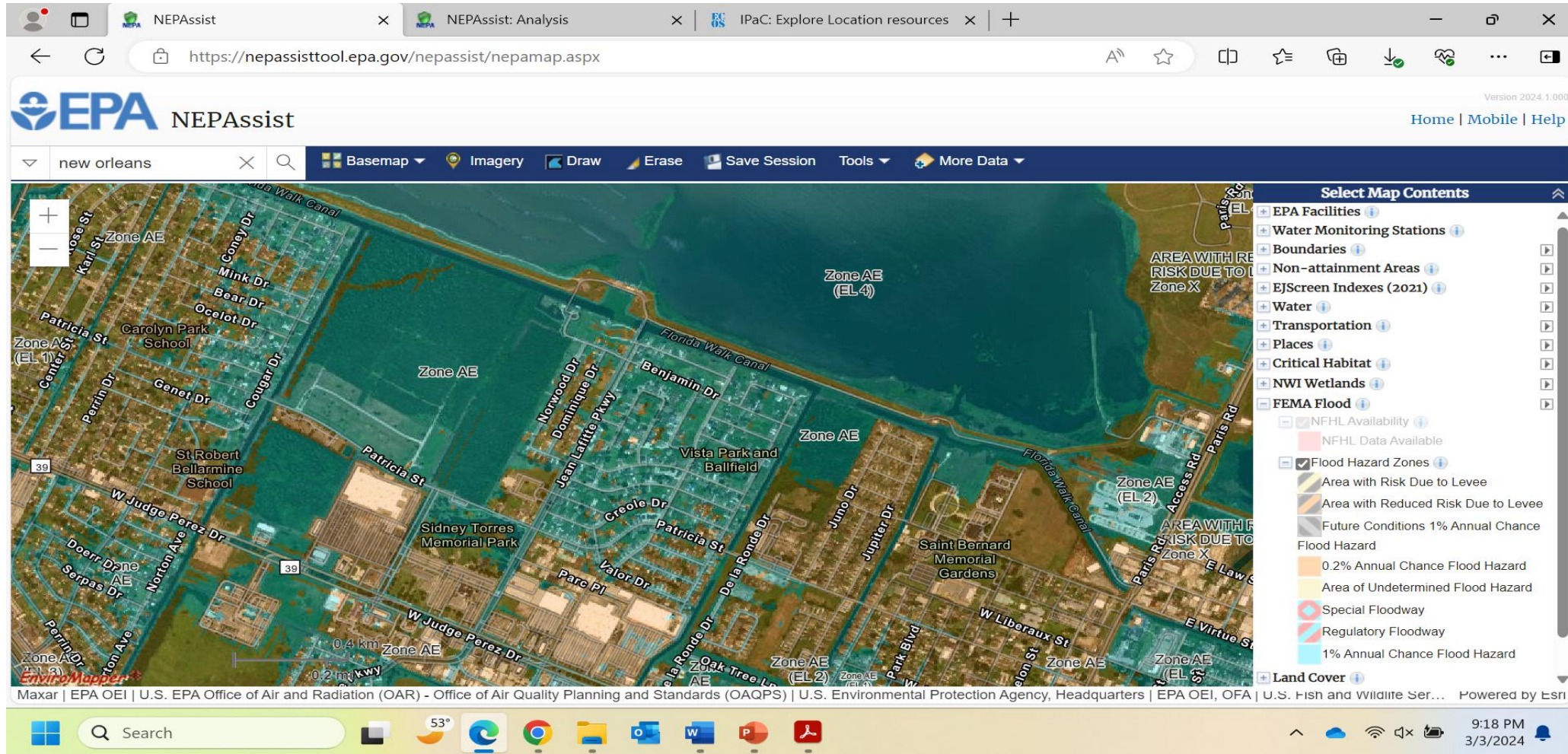
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3/3/2024

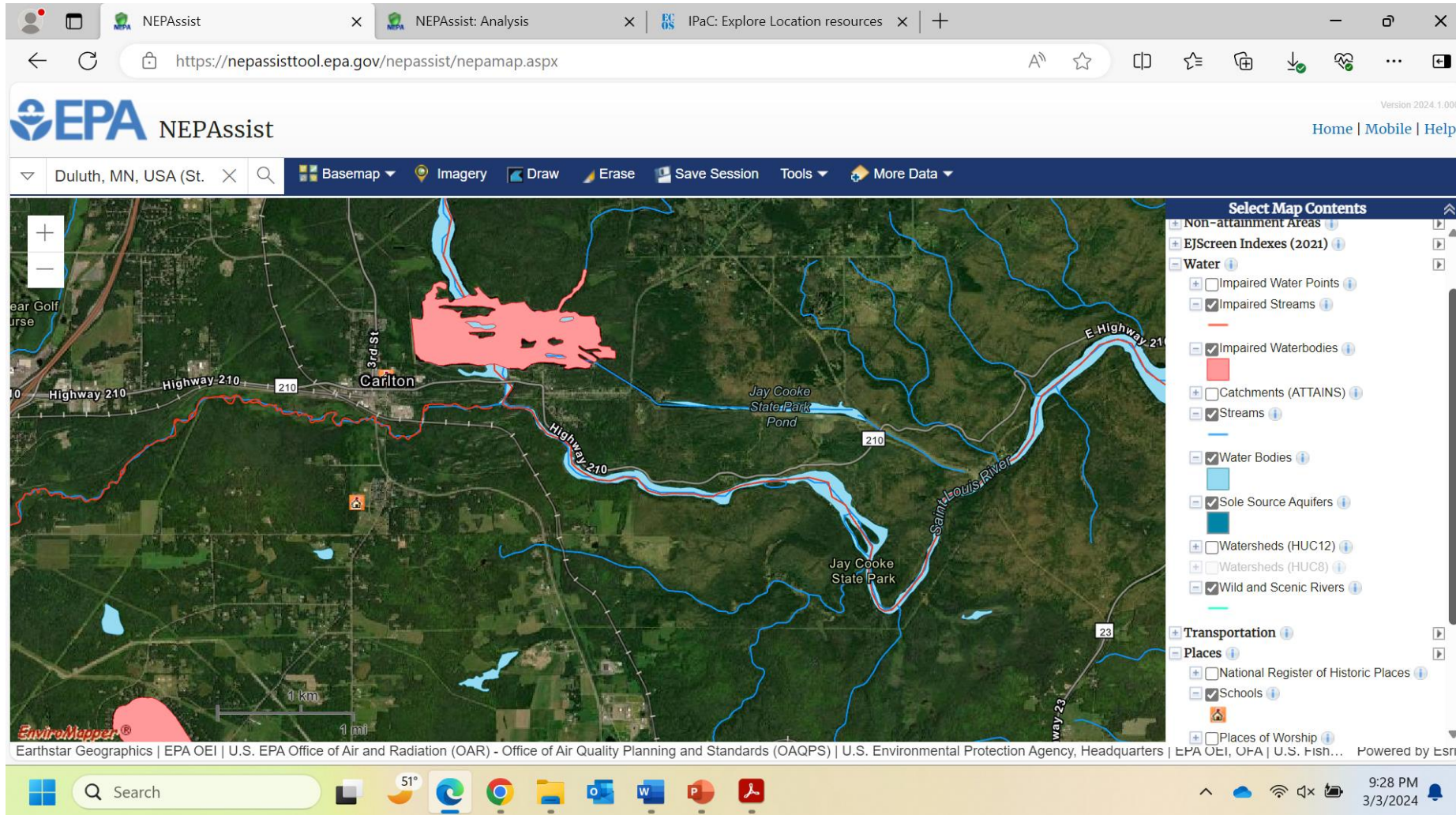
WATER BODIES AND FLOODPLAINS

- Determine if the Project occurs within the applicable floodplain (100-year floodplain for agency actions).
- If the location is outside of the applicable floodplain, document this in the Cross-cutter Memo. No further analysis is needed.
- If the location is within the floodplain, describe any temporary and/or permanent impacts to the floodplain that may occur, with emphasis on whether the Project involves “development” (e.g., aboveground infrastructure that could affect the flow or infiltration of floodwaters). If the Project does involve “development” within the floodplain, describe whether the new infrastructure will incorporate floodproofing, whether alternatives were considered, and if there are no other practicable alternatives (e.g., because the existing infrastructure to be modified is located within the floodplain and cannot be relocated).
- Use [NEPAssist](#): Under the FEMA Flood layer, select Flood Hazard Zones to turn on the layer. If the NEPAssist layer doesn’t work, use the [FEMA floodplain mapper](#).
- For streams (including impaired streams), waterbodies, and wild and scenic rivers, use [NEPAssist](#) (under Water data layer).

NEPASSIST - FLOODPLAINS



NEPASSIST – WATER RESOURCES



WETLANDS

- Section 404 of the Clean Water Act (CWA) regulates the discharge of dredged or fill material into waters of the U.S. (WOTUS). Executive order No. 11990 establishes standards protecting wetlands where feasible
- Field survey results should **always** be considered more accurate than the National Wetlands Inventory (NWI) information from NEPAAssist.
- Complete the following using [NEPAAssist](#): Turn on the NWI Wetlands layer. Determine whether any NWI features are located within 100 feet of the boundary of proposed development or operational activities. If the NEPAAssist layer is not working, you may also find NWI wetland data directly on the [National Wetlands Inventory Website](#).
- If the Project involves dredging or fill of WOTUS/wetlands, the applicant should demonstrate that a CWA Section 404 permit has been obtained or at least has initiated the process. The recipient can obtain this permit after NEPA review is completed.
- In the Cross-cutter Memo, provide information on WOTUS/wetlands within the Project Area, impacts to WOTUS/wetlands (e.g., type/area of water resource impacted), any mitigation measures in place to avoid or minimize these impacts, and CWA Section 404 permit applicability and status, if such information is provided.

NEPASSIST - WETLANDS

NEPAAssist

Home | Mobile | Help

new orleans

Basemap Imagery Draw Erase Save Session Tools More Data

Wetlands

ATTRIBUTE: PUBHx

WETLAND_TYPE: Freshwater Pond

ACRES: 11.989766

SYSTEM: P

SYSTEM_NAME: Palustrine

SYSTEM_DEFINITION: The Palustrine System includes all

Generate Report

Select Map Contents

EPA Facilities

Water Monitoring Stations

Boundaries

Non-attainment Areas

EJScreen Indexes (2021)

Water

Transportation

Places

☐ National Register of Historic Places

☒ Schools

☐ Places of Worship

☐ Hospitals

Critical Habitat

NWI Wetlands

☒ Wetlands

Riverine

Other

Lake

Freshwater Pond

Freshwater Forested/Shrub Wetland

Freshwater Emergent Wetland

Estuarine and Marine Wetland

Estuarine and Marine Deepwater

Maxar | EPA OEI | U.S. EPA Office of Air and Radiation (OAR) - Office of Air Quality Planning and Standards (OAQPS) | U.S. Environmental Protection Agency, Headquarters | EPA OEI, OFA | U.S. Fish and Wildlife Ser... Powered by Esri

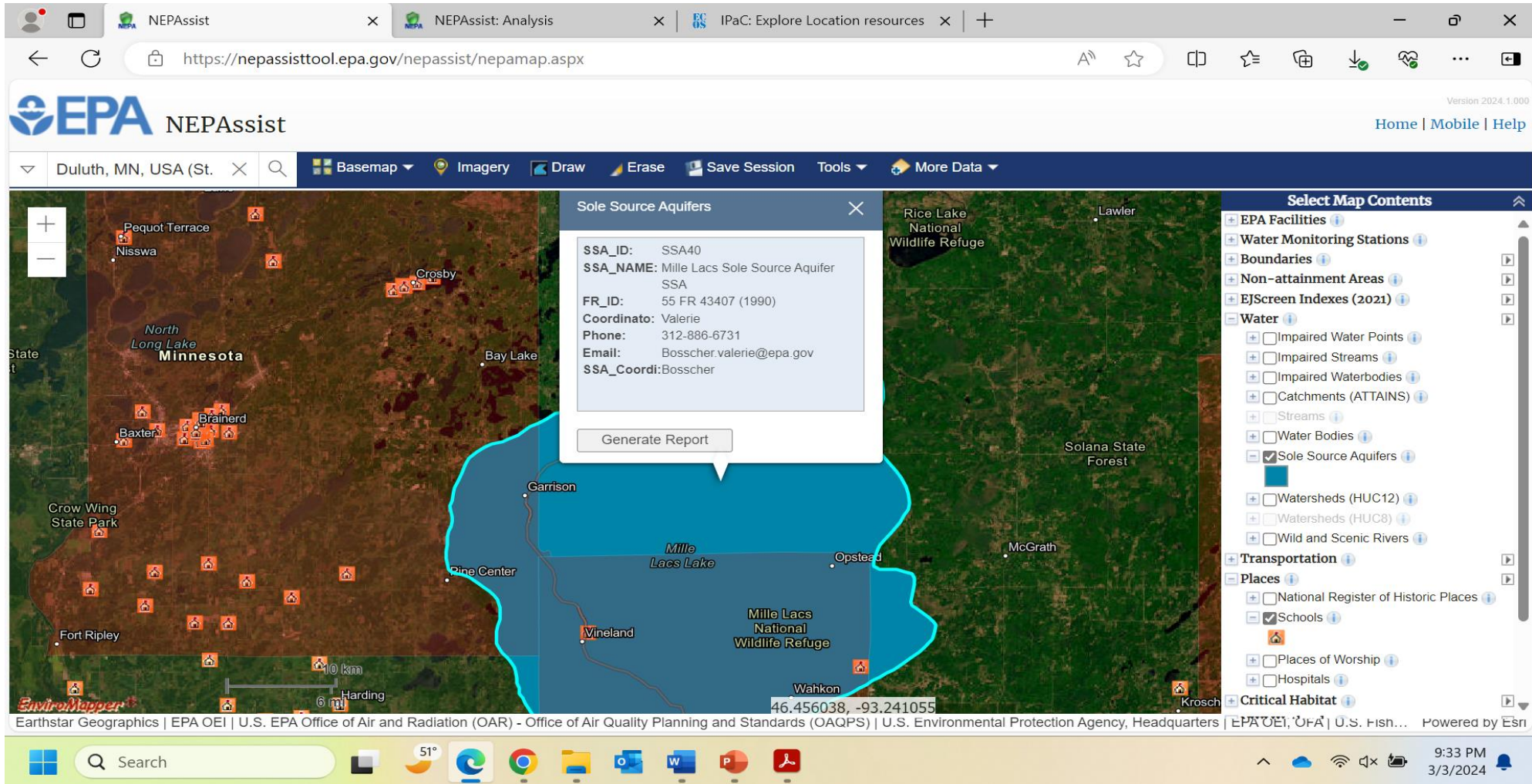
Search

51°

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GROUNDWATER AND AQUIFERS

- SDWA authorizes EPA to designate sole source aquifers and review Projects located in the review area for the aquifer to ensure that the Project does not contaminate the sole source aquifer. An area is considered a sole source aquifer if 1) the aquifer supplies at least 50 percent of the drinking water for its service area, and 2) there are no reasonably available alternative drinking water sources should the aquifer become contaminated.
- Check [NEPAssist](#) to determine if Sole Source Aquifers are present:
 1. Under “Water,” select the Sole Source Aquifers layer to turn it on.
 2. If the Project is located on top of (above) a sole source aquifer, review by the appropriate EPA regional office would be required to assess the Project’s potential to contaminate the aquifer. Please see [this page](#) for the contact information of each Region's Sole Source Coordinator.



LAND USE AND SPECIALLY-DESIGNATED AREAS

- Conversions of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), to non-agricultural use as defined under the **Farmland Protection Act** 7 U.S.C. 4201 et seq. In [NEPAssist](#), navigate to the Project in the mapper. Under Boundaries, select "Urbanized land." If the Project is within an urban area, FPPA does not apply and no further action is required. If project is not within an urbanized area, determine if redevelopment of land is already developed. Use the Project description, provided materials, and mapping tools (e.g., Google Maps, Google Earth) to determine if the Project will occur entirely on developed land (e.g., within the footprint of existing infrastructure).
- Specially-designated areas, including **wilderness areas** are located within National Parks (administered by the NPS), National Wildlife Refuges (administered by FWS), National Forests (administered by the USFS), or public lands (administered by BLM)..
 - Check [NEPAssist](#) to determine if Federal lands or wilderness areas are present (NOTE - NEPAssist is not an accurate source for determining whether a Project is located on Federal lands or wilderness areas but can screen for these areas):
 1. Under "Boundaries," select the "Federal lands" layer to turn it on.
 2. Under "More data" tab, select "Additional Data Layers" and select "US Federal Wilderness Areas" and click "Add to Map." You may also use [the Wilderness Mapper](#) to identify if any wilderness areas intersect with the Project Area.



NEPASSIST – URBANIZED AREA

NEPAssist

NEPAssist: Analysis

IPaC: Explore Location resources

https://nepassisttool.epa.gov/nepassist/nepamap.aspx

EPA NEPAssist

Home | Mobile | Help

Duluth, MN, USA (St. ...)

Basemap Imagery Draw Erase Save Session Tools More Data

+

-

Miller Trunk Hwy

Stebner Rd

Haines Rd

W Arrowhead Rd

N Arlington Ave

W Central Entrance

E Central Entrance

Trinity Rd

S Arlington Ave

E 2nd St

Duluth

Saint Paul Church

1 mi

46.786863, -92.148945

Select Map Contents

EPA Facilities

Water Monitoring Stations

Boundaries

☐ ZIP Codes

☐ Congressional Districts

☐ City Boundary

☒ Urbanized Areas

☐ Federal Lands

☐ Townships Boundary

☐ Counties

☐ States

☐ EPA Regions

Non-attainment Areas

EJScreen Indexes (2021)

Water

Transportation

Places

☐ National Register of Historic Places

☐ Schools

☐ Places of Worship

☐ Hospitals

Critical Habitat

NWI Wetlands

FEMA Flood

Earthstar Geographics | EPA OEI | U.S. EPA Office of Air and Radiation (OAR) - Office of Air Quality Planning and Standards (OAQPS) | U.S. Environmental Protection Agency, Headquarters

EPA OEI, OFA | U.S. Fish... Powered by Esri

Search

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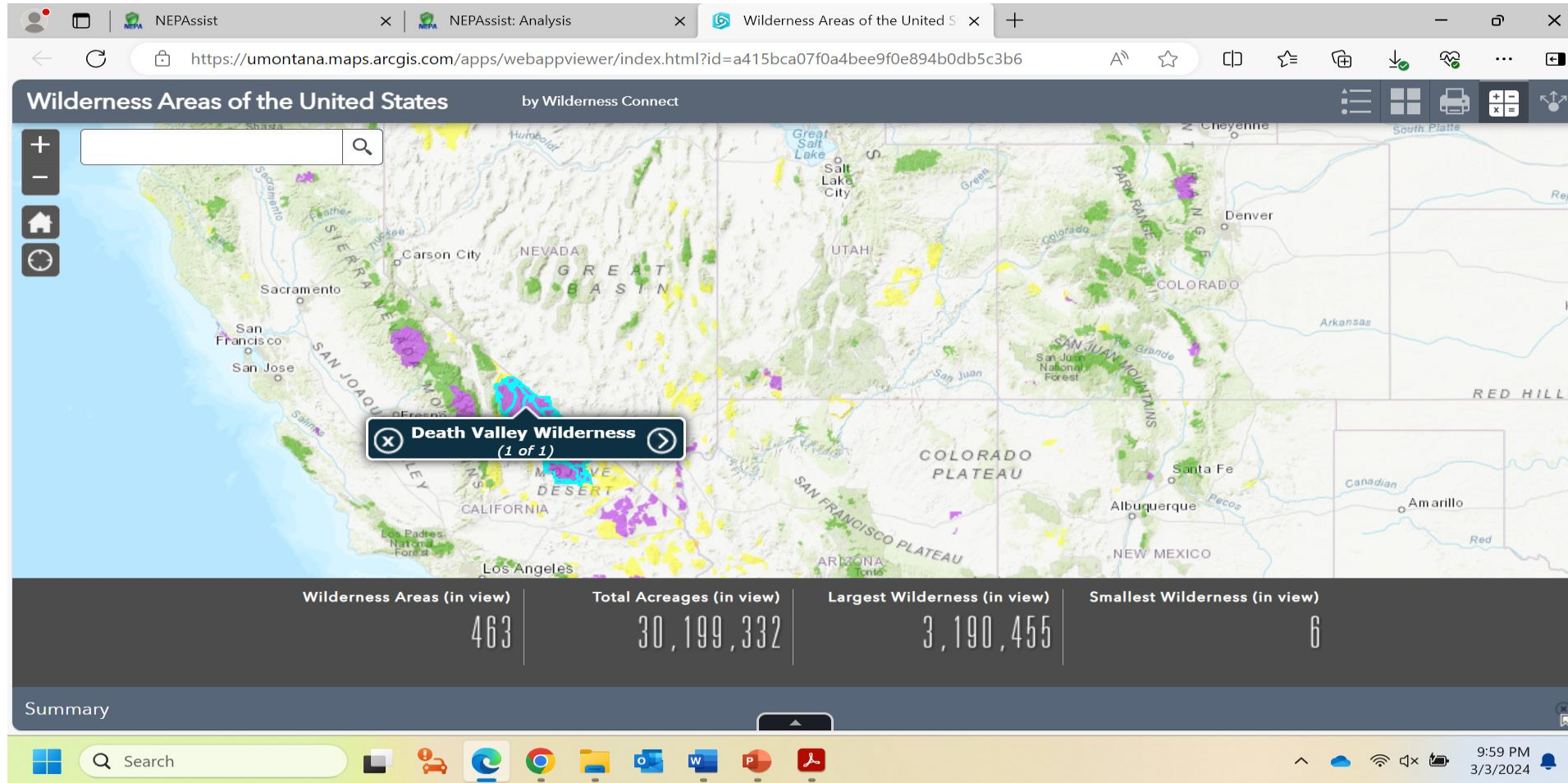
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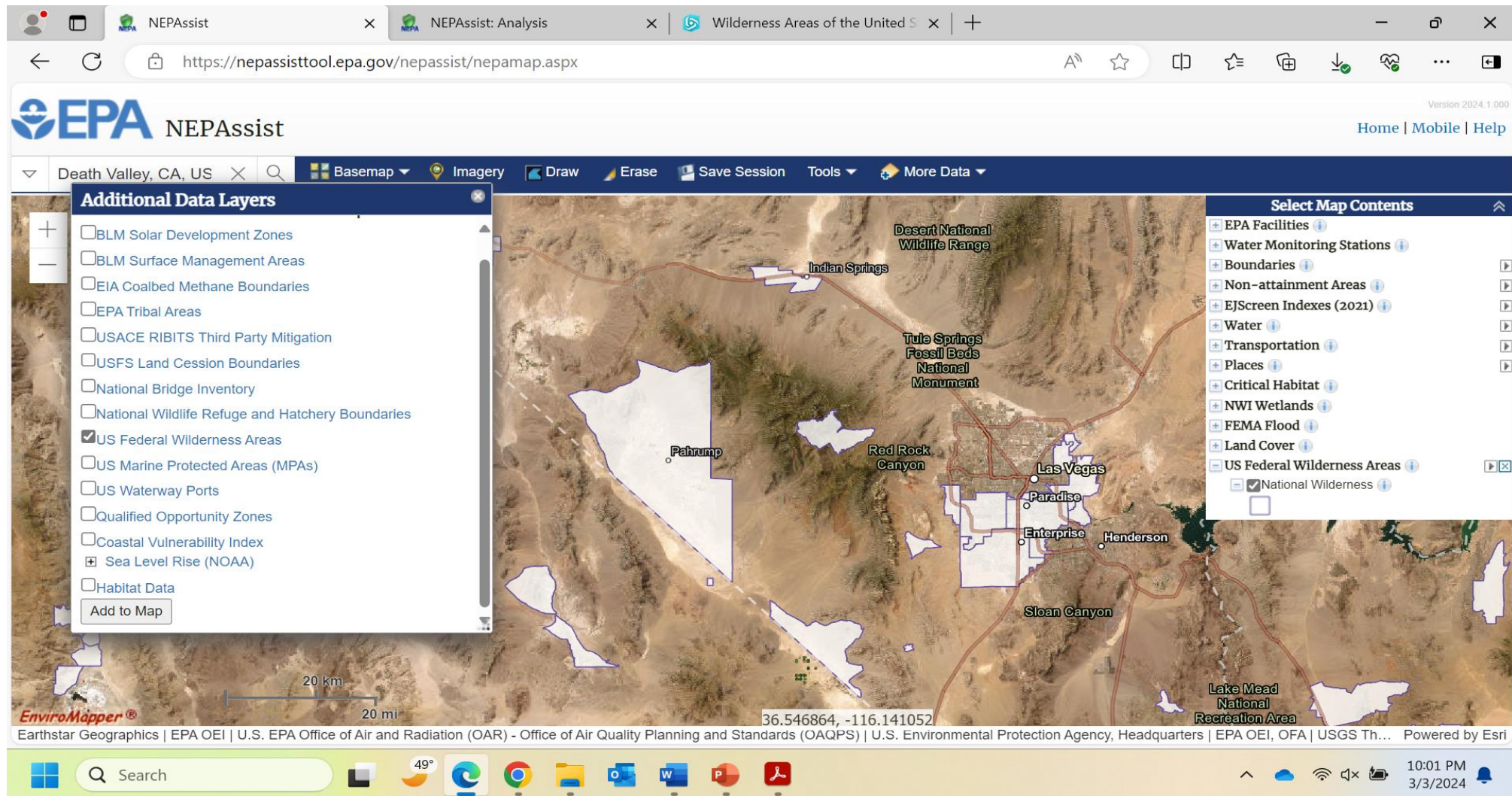
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WILDERNESS AREAS – WILDERNESS MAPPER



NEPASSIST – WILDERNESS AREAS



AIR EMISSIONS

- Per the Clean Air Act General Conformity Rule (GCR), an analysis called a “conformity determination” is required for federal actions in nonattainment or maintenance areas unless the action’s total direct and indirect emissions of the nonattainment or maintenance criteria pollutants (and their precursors) would be less than the *de minimis* emissions rates specified at [40 CFR § 93.153](#).
- Use [NEPAssist](#) and EPA’s [Green Book](#) to determine if the Project Area is in a nonattainment or maintenance area, and if so, the severity of the nonattainment status. If the GCR does not apply and no further action is needed.
- Please note that the NEPAssist report does not identify whether the NAAQS has been revoked or does not distinguish between nonattainment versus maintenance, which have different *de minimis* levels.
 - Pollutants marked as "revoked": Ozone 8-hr (1997 standard), Ozone 1-hr (1979 standard), and maintenance areas of particulate matter PM_{2.5} (1997 standard).
- All Projects that involve construction activities will involve temporary emissions of criteria pollutants such as particulate matter (PM), volatile organic compounds (VOC), and nitrous oxides (NOx).

NEPASSIST – NONATTAINMENT / MAINTENANCE AREAS (AIR QUALITY)

NEPASSIST

https://nepassisttool.epa.gov/nepassist/nepamap.aspx

Home | Mobile | Help

Death Valley, CA, US

Basemap Imagery Draw Erase Save Session Tools More Data

Select Map Contents

- EPA Facilities
- Water Monitoring Stations
- Boundaries
- Non-attainment Areas
 - Ozone 8-hr (1997 standard)
 - Ozone 8-hr (2008 standard)
 - Ozone 8-hr (2015 Standard)
 - Lead (2008 standard)
 - SO2 1-hr (2010 standard)
 - PM2.5 24hr (2006 standard)
 - PM2.5 Annual (1997 standard)
 - PM2.5 Annual (2012 standard)
 - PM10 (1987 standard)
 - CO (1971 Standard)
 - Ozone 1-hr (1979 standard-revoked)
 - NO2 (1971 Standard)
- EJScreen Indexes (2021)
- Water
- Transportation
- Places
- Critical Habitat
- NWI Wetlands
- FEMA Flood
- Land Cover
- US Federal Wilderness Areas

Maxar | EPA OEI | U.S. EPA Office of Air and Radiation (OAR) - Office of Air Quality Planning and Standards (OAQPS) | U.S. Environmental Protection Agency, Headquarters | EPA OEI, OFA | USGS The National Map... Powered by Esri

NEPASSIST

https://nepassisttool.epa.gov/nepassist/analysis.aspx

Note: The information in the following reports is based on publicly available databases and web services. The National Report uses nationally available datasets and the State Reports use datasets available through the EPA Regions. Click on the hyperlinked question to view the data source and associated metadata.

National Report

Project Area	6.38 sq mi
Within an Ozone 1-hr (1979 standard) Non-Attainment/Maintenance Area?	yes
Within an Ozone 8-hr (1997 standard) Non-Attainment/Maintenance Area?	yes
Within an Ozone 8-hr (2008 standard) Non-Attainment/Maintenance Area?	yes
Within an Ozone 8-hr (2015 standard) Non-Attainment/Maintenance Area?	yes
Within a Lead (2008 standard) Non-Attainment/Maintenance Area?	no
Within a SO2 1-hr (2010 standard) Non-Attainment/Maintenance Area?	no
Within a PM2.5 24hr (2006 standard) Non-Attainment/Maintenance Area?	no
Within a PM2.5 Annual (1997 standard) Non-Attainment/Maintenance Area?	no
Within a PM2.5 Annual (2012 standard) Non-Attainment/Maintenance Area?	no
Within a PM10 (1987 standard) Non-Attainment/Maintenance Area?	no
Within a CO Annual (1971 standard) Non-Attainment/Maintenance Area?	no
Within a NO2 Annual (1971 standard) Non-Attainment/Maintenance Area?	no
Within a Federal Land?	yes
Within an impaired stream?	no
Within an impaired waterbody?	no
Within a waterbody?	yes
Within a stream?	yes
Within an NWI wetland?	click here May take several minutes
Within a Brownfields site?	no
Within a Superfund site?	no
Within a Toxic Release Inventory (TRI) site?	no

10:12 PM 3/3/2024

EPA PROJECT OFFICER RESPONSIBILITIES

Perform overall project coordination.

- Coordinate directly with grant recipients; review all submittals and request additional information.

Confirm and document environmental cross-cutter review requirements.

- Determine and document cross-cutter applicability.

Assist recipient with addressing environmental cross-cutter review requirements.

- Lead and document cross-cutter coordination with administering agencies.
- Use this information to complete the documentation for compliance with cross-cutter environmental review.

Use available resources, such as NEPAAssist (<https://www.epa.gov/nepa/nepassist>) throughout the environmental review process.