

# Environmental Review Program



Spring  
2015



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## National Environmental Policy Act (1970) (NEPA)

- Introduced two key requirements for Federal Actions
  - Agencies must consider environmental effects
  - Public must be involved in the decision making



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## Environmental Regulations

- National Environmental Protection Act (NEPA)
- CEQ Regulations
  - 40CFR Part 1500-1508
- Rural Development
  - Environmental Manual (<http://www.rurdev.usda.gov/id/RUSmanuals.htm>)
    - 7 CFR 1794 (RD Regulation 1794)
    - RUS Bulletin 1794A-602
    - NRMG & appendices
- Idaho Department of Environmental Quality (DEQ)
  - Federal Requirements
    - 40 CFR Part 35 (SRF Regulations), Part 6 (NEPA Regulations), Part 25 (Public Involvement)
  - State Requirements
    - IDAPA 58.01.12 (42) – Water Pollution Loan EID Requirements
    - IDAPA 58.01.04 (42) – Wastewater Treatment Facility Grants EID Requirements
    - IDAPA 58.01.20 (42) – Drinking Water Loan EID Requirements
    - IDAPA 58.01.22 (40) – Planning Grants for Drinking Water Facilities EID Requirements
    - State Environmental Review Procedures (Chapter 5 of the Drinking Water Handbook)
    - State Environmental Review Procedures (Chapter 5 of the Wastewater Handbook)
- Idaho Department of Commerce
  - Federal Requirements for the CDBG Program
    - 24 CFR Part 58 (Environmental Review Procedures) Part 570.480 (State CDBG Program)
- U.S. Army Corps of Engineers (USACE)
  - 33 CFR Part 230



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## Environmental Regulations continued....

- Cross-cutting Federal Authorities
  - DEQ –cross cutting federal authority is through
    - Clean Water Act, Title VI – CWSRF rules 40 CFR §35.3145
    - Safe Drinking Water Act, Section 1452 DWSRF rules, 40 CFR § 35.35.75
    - EPA Guidance - Cross-Cutting Federal Authorities: A Handbook on Their Application in the Clean Water and Drinking Water State Revolving Fund Programs (October 2003).



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## NEPA

instructs federal agencies to thoroughly analyze environmental consequences of their actions in an open and public manner.

### Cross-cutters

Apply to all federally funded projects and some apply to non-federally funded projects.

- MBTA (RD)
- CAA
- ESA
- CWA
- CERCLA
- RCRA
- Environmental Justice
  - EO 12898
- EFH

- Cultural Resources
  - NHPA (Sec 106) & AHPA
- NAGPRA
- SDWA
- W & S RIVERS
- Floodplains
  - EO 11988 & amended
- Wetlands
  - EO 11990 & amended
- FPPA

## RD Environmental Review Levels

- Categorical Exclusion (non-construction)
- CatEx with Report (most common)
- Environmental Assessment (EA) with Report
  - If new discharge or withdrawal, if substantial increase in discharge or withdrawals, or if designed for population growth > 500 EDU's
- Environmental Impact Statement

## DEQ Environmental Review Levels



- Categorical Exclusion (Cat Ex) – no documentation needed (except letter requesting Cat Ex)
- Cat Ex with Report/Supplemental Information (most common Cat Ex issued)
- Finding of No Significant Impact (FONSI) – requires an Environmental Information Document (EID) (most common). Examples: A new location of discharge or withdrawals, or a substantial increase in discharge or withdrawals, construction of a new system, if designed for population growth exceeding 500 EDU's and the statewide projection by > 25% over next 20 years. Population information can be obtained by the State DEQ office.
- Environmental Impact Statement – water & wastewater projects that have significant impacts to the environment (rare occurrence)



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## CDBG Environmental Review Levels



- Exempt Activities and Categorical Exclusion, not subject to 24 CFR 58.5 – (administrative, engineering, design, equipment, furnishing)
- Categorical Exclusion, subject to 24 CFR 58.5 - (construction activities creating less than 20% of system/building capacity)
- Environmental Assessment (construction activities creating more than 20% capacity or new construction) Typically leads to a FONSI.
- Environmental Impact Statement



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## USACE Environmental Review Levels



- Exempt Activities (administrative, engineering, design)
- Categorical Exclusion (equipment, furnishings)
- Finding of No Significant Impact (FONSI) – requires an Environmental Information Document (EID) or Environmental Assessment (EA). (most common)
- USACE must make Sec 7 (ESA) & Sec 106 (NHPA) determinations



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## Environmental Procedures for Jointly Funded Projects

- Reduces duplication of effort and improves coordination among agencies
- Results in less effort/more efficiency for ER/EID preparer
- Saves \$\$ on publications
- Eliminates multiple agency public comment periods
- Contact all funding agencies involved as soon as possible
- Agencies (DEQ, IDOC, USACE and RD) meet quarterly to discuss jointly funded projects and to decide the lead on developing the ER/EID and completing the EA



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## Environmental Report (ER) Environmental Information Document (EID) (all agencies can accept an ER/EID)

- Clearly identify and discuss purpose and need for the project
- Describe scope of project & project planning area
- Evaluate environmental impacts of all reasonable alternatives
- Solicit Agency comments to satisfy cross-cutters (USACE, DEQ, SHPO, THPO, USFWS, IDFG, BLM, NRCS, etc.)
- Information must be documented and verifiable
  - Use maps and aerial photos to document findings
  - Include agency response letters
  - Follow through on agency action responses, i.e. archaeological site survey, Biological Assessment or wetlands delineation
- Establish impact area for recommended alternative
  - Boundaries of impact area depends on the features and scope of the project.
- Assess significance of effects
- Establish Mitigation Measures
- Develop DRAFT environmental report simultaneously with the engineering report



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## Proposed Project Planning Area (DEQ)

- **Proposed Project Planning Area (PPPA)** is the geographical, jurisdictional or political area identified in the planning document or facility planning study area that is anticipated to be served by the proposed project upon completion and for the life of the project.... The environmentally affected area and the PPPA are not the same, since the former is not defined by jurisdictional or political boundaries.

PPPA is typically the greater of: city limits plus city Area of Impact, or projected service area, plus any outside facilities such as land app sites, wells, storage tanks, etc.



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## Area of Potential Effects (DEQ)

- *Area of Potential Effects (APE)* is the geographic area or areas that do not have to be contiguous to the project boundaries and within which the project may cause indirect or direct alterations in the character or use of a property. This includes all direct and reasonably foreseeable indirect effects.

APE is typically conterminous with or larger than the PPPA.

Positive effects (such as from reduced pollutant discharges) should be described in the text, but it is not worth the effort to determine the effective downstream boundary of the APE (it is likely *not* the mouth of the Columbia).



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## PPPA/APE Example: Hailey WWTP



- All construction will be on WWTP site at far south end of service area (purple)
- Current service area boundary in red
- Service area anticipated to extend northward over life of WWTP improvements
- Improved solids handling reduces trips to landfill, so PPPA & APE extend there
- Reduced pollutant discharge to river



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## RD APE Definition

- *Area of Potential Effects (APE)* is the geographic area or areas which the project may directly or indirectly effect an environmental resource.
  
- This is the same for USACE



## Commerce APE Definition

*Area of Potential Effect (APE)* – The geographic area within which an undertaking may directly or indirectly cause changes in the character or use of property.



## Purpose and Need of Project

- Describe system deficiencies, violations and health & safety concerns.
- Explain why improvements are required.



## Environmental Resources



- Formally Classified Lands (Parks, Monuments)
- Important Farmland (includes Range Land or Forest Land)



- Floodplains



- Wetlands



- Wild and Scenic Rivers



- Cultural Resources (Historical Properties, Archeological Sites, ground disturbance)
- Biological Resources (Threatened & Endangered Species, Critical Habitat)



## Environmental Resources continued...

- Water Quality (ground water, surface water, sole source aquifer)
- Socio-Economic/Environmental Justice
- Air Quality, Transportation and Odors
- Noise Abatement & Control
- Explosives & Flammable Operations
- Toxic Chemicals & Radioactive Material
- Airport Clear Zones & Accident Potential Zones



## Formally Classified Lands (RD requirement)

- National parks and monuments
- National natural landmarks
- National battlefield park sites
- National historic sites and parks
- Wilderness areas
- Wildlife Refuges
- National lake shores and trails
- State Parks
- Bureau of Land Management administered lands
- National forests and grasslands
- Native American owned lands and leases administered by the BIA



## Prime Farmland



- Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these uses (the land could be cropland, pastureland, rangeland, forest land, or other land, but not urban built-up land or water). It has the soil quality, growing season, and moisture supply needed to produce, economically, sustained high yields of crops when treated and managed, including water management, according to acceptable farming methods. In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding.
- Consult with NRCS
- NRCS website (<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>)
- Completion of NRCS land conversion worksheet AD-1006 (if improvements will result in conversion of prime farmland); website [http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1042434.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1042434.pdf)



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## Prime Rangeland (RD requirement)

- Rangeland which, because of its soil, climate, topography, vegetation, and location, has the highest quality or value for grazing animals. The (potential) natural vegetation is palatable, nutritious, and available to the kinds of herbivores common to the area.
- Consult with NRCS



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## Prime Forestland/Timberland

(RD requirement)



- Land that has soil capable of growing wood at the rate of 85 cubic feet or more/acre/year (at culmination of mean annual increment) in natural stands and is not in urban or built-up land uses or water. Generally speaking, this is land currently in forest, but does not exclude qualifying lands that could realistically be returned to forest.
- For National Park Service-managed land, consult with the Park Supervisor for the affected park. See the National Park Service Web Site for National Park locations: <http://www.nps.gov/>
- Consult with the USDA Forest Service, Bureau of Land Management, or National Park Service for assistance in determining if forestland is prime, unique or of statewide importance on land under their respective jurisdictions.
- Consult with USDA Natural Resources Conservation Service (NRCS) for assistance on privately-owned forestlands.



## Floodplains

- Avoid long-term and cumulative adverse impacts associated with the occupancy and modifications of floodplains
- Also avoid direct support of floodplain development wherever there is a practicable alternative
- Consult with FEMA
- If converting floodplain, then for RD must publish Preliminary & Final Notice.
- IDQC will require an 8 step (or possible 5-step – floodplain only) process if the project is not replacement improvements and located in floodplain.
- If DEQ is involved ER/EID preparer should also consult with IDWR Statewide Floodplain Coordinator (Keri Sigman)
- FEMA website (<http://msc.fema.gov>)
- IDWR flood mapping tool (<http://maps.idwr.idaho.gov/floodhazard/Map>)



## Wetlands



- Must avoid permanent conversion of wetlands wherever there is a practicable alternative
- Provide mitigation measures if permanently converting or destroying any wetlands. Also for DEQ, mitigation is required if restoring disturbed wetlands.
- Consult with the USACE
  - If there are questions about wetlands within the proposed project location then as part of agency consultation include pictures of the area specifically identifying the location of the waterline/collection system alignment and/or additional construction.
  - USACE response will direct whether wetland site inspections and/or delineations must be completed by a qualified wetland biologist.
  - USACE response will direct whether 404 permit will be required.
- IDOC requires an 8-step process if the project is not replacement improvements and located in a wetland



## Wetlands continued....



- USACE Permits
  - Can install utility lines through wetlands under the USACE NWP #12 on RD funded projects (NWP's updated in 2012)
    - The following conditions must be met:
      - Activities required for the construction, maintenance, repair, and removal of utility lines and associated facilities in waters of the United States, provided the activity does not result in the permanent loss of greater than 1/2 acre of waters of the United States
      - Notification of the USACE is not required unless the utility line within the waters of the United States exceeds 500 ft.
      - Not valid if the line is run parallel to a stream bed
      - Not valid if a Section 10 Permit is required (installation in Navigable waters of the US)
      - The disturbed area must be returned to previous contours
  - If the project will involve construction within a wetland, and the NWP can not be met, then a USACE (404) permit will be required.





## Wild & Scenic Rivers



- Wild and Scenic Rivers Act (16 USC 1271-1287) -- Public Law 90-542, approved October 2, 1968, (82 Stat. 906) establishes a National Wild and Scenic Rivers System and prescribes the methods and standards through which additional rivers may be identified and added to the system.
- The following are listed as wild and scenic in Idaho:
  - [Battle Creek](#), [Big Jacks Creek](#), [Bruneau River](#), [Bruneau River \(West Fork\)](#), [Clearwater River \(Middle Fork\)](#), [Cottonwood Creek](#), [Deep Creek](#), [Dickshooter Creek](#), [Duncan Creek](#), [Jarbridge River](#), [Little Jacks Creek](#), [Owyhee River](#), [Owyhee River \(North Fork\)](#), [Owyhee River \(South Fork\)](#), [Red Canyon](#), [Rapid River](#), [Saint Joe River](#), [Salmon River](#), [Salmon River \(Middle Fork\)](#), [Sheep Creek](#), [Snake River](#), [Wickahoney Creek](#)
- Refer to [www.rivers.gov/idaho.php](http://www.rivers.gov/idaho.php) and [www.rivers.gov/maps/conus.php](http://www.rivers.gov/maps/conus.php)



## Cultural Resources



- Must avoid adverse effects to historic properties that are within the project's area of potential effect (APE)
- General rule: a cultural resource survey will be required if the project will disturb ground that has not previously been disturbed.
- Consult with SHPO or THPO early in process (see map)
- For DEQ projects, DEQ will consult directly with THPOs and non-recognized Tribal Cultural Resource Programs.
  - DEQ section 106 checklist and determination (change in process)
- If project on is on tribal land with a recognized THPO, then no need to consult with the SHPO.
- If SHPO or THPO asks for a cultural resource survey, it should be conducted and submitted for review and response. The SHPO or THPO response to the site survey is submitted as part of the ER/EID.



## Biological Resources

(Threatened & Endangered Species, Critical Habitat)

- Must avoid Adverse impacts to listed plant and animal species and critical habitat
- Obtain the species list for the specific project area (must be updated within 90 days of Environmental approval); mark with the download date
  - DEQ provides current list to consultant along with ESA/EFH Memo
- Will the project have an effect on any listed species or critical habitat
- Agency must determine no effect or enter into either informal or formal consultation with USFWS or NMFS for anadromous species.
- Consult USFWS, Idaho Department of Fish and Game, and NMFS (for anadromous species)
  - DEQ consults directly with USFWS and NMFS
- Applicant prepares a BA if listed species are present in the area and there is a potential for effect, submit to lead environmental agency.
- Biological Assessments must be completed by a qualified professional.

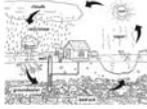


## Essential Fish Habitat (EFH)

Magnuson-Stevens Fishery Conservation and Management Act (MFCMA)

- The Act requires NMFS to work with other Federal agencies to conserve and enhance EFH.
- EFH is specific to ocean going (anadromous) species. In Idaho that includes two species Chinook (spring/fall) and Coho salmon.
- If project “may adversely impact EFH” then consultation must occur with NMFS. NMFS provides EFH conservation recommendations for any action that would adversely affect EFH.
- Agency undertaking the action should make effect determination on EFH.





## Water Quality



- Concerns about surface water, ground water, drinking water supplies and wastewater
- Ground water focus is with Sole Source Aquifers (SSA)
- If project is over a SSA/stream flow source area then it may be necessary to consult with EPA.
  - For DEQ - agency consultation needed with Region 10 Sole Source Coordinator, for projects that meet the following criteria: potential new source of contamination to the sole source/stream flow source area (e.g., new reuse/land application or expansion of land application systems, and rapid infiltration basins)
  - For RD and CDBG if a centralized system is being constructed or modified, no consultation with EPA is required since RD and CDBG have an MOU with EPA.
- Will the project involve the issuance of a new NPDES discharge permit?
- Will project involve issuance of a DEQ Reuse Permit?



## Socio-Economic/Environmental Justice



- Will the project have an affect on the socio-economic conditions of the area? Will the costs and benefits be distributed equitably?
- Will the project have a disproportionately adverse human health or environmental effects on minority and low-income populations?
- Provide the basis for such determinations in the ER/EID
- EJSCREEN – EPA tool to be available to the public in the coming year



## Air Quality, Transportation, Noise & Odor

- Will the project have any adverse or beneficial effects on Air Quality, Noise, Transportation or generation of Odor?
- Document the determination of effect in the ER/EID



## CDBG Additional Standards



- Noise Abatement & Control
- Explosives & Flammable Operations
- Toxic Chemicals & Radioactive Material
- Airport Clear Zones & Accident Potential Zones
- “Other Requirements” Checklist
  - Flood Disaster Protection Act – if project is within a floodplain does the community participate in the National Flood Insurance Program.
  - Airport Runway Clear Zone and Accident Zone – if project to occur in zone ensure future airport plans are not to acquire project site.
  - Coastal Barrier Resource Act – not applicable in Idaho





## CDBG Additional Standards



If Environmental Assessment, it will require additional review, public notices and a 32-day public comment period.

- If determined to not have a significant impact = FONSI – finding of no significant impact.



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## Agency Process Comparison

	Idaho DEQ – Tier I (EPA federal \$)	USDA RD	IDOC	USACE
<b>Magnuson-Stevens Fishery Conservation and Management Act</b>	If project is located within an EPF area then DEQ will consult with the National Marine Fisheries Service (NMFS). NMFS should provide conservation measures and those should be included in the EID to avoid, minimize, or offset the impact of proposed activities within Salmon EPF. DEQ makes determination of effect.	Report preparer must identify if EPF is within the APE. If so, then send an Agency contact letter to NMFS. Include NMFS response in the report.  RD makes determination of effect. If RD cannot make a determination of No Effect then further consultation with NMFS may be required.	Report preparer must identify if EPF is within the APE. If so, then send an Agency contact letter to NMFS. Include NMFS response in the report.  Note: Commerce consulting with HUD at this time	Report preparer must identify if EPF is within the APE. If so, then send an Agency contact letter to NMFS. Include NMFS response in the report.  USACE makes determination of effect. If USACE cannot make a determination of No Effect then further consultation with NMFS may be required.
<b>Endangered Species Act</b>	Consultation with USFWS and NMFS (for ocean-going fisheries).  If an agency (USFWS/NMFS) requests a biological assessment, then it must be completed by applicant, reviewed (by USFWS/NMFS), and included in the EID. In addition, the agency biological opinion will need to be included in the EID.  Based on the agency's response DEQ drafts ESA memo of "effect" for incorporation into the environmental document. DEQ makes determination of effect.	Report preparer must pull a current ESA list for the APE. If there is potential for effect to a listed ESA, then send agency contact letter to USFWS and/or NMFS. Include response(s) in the report.  RD makes determination of effect. If RD cannot make a determination of No Effect then further consultation with USFWS and/or NMFS may be required.	Report preparer must pull a current ESA list for the APE. If there is potential for effect to a listed ESA, then send agency contact letter to USFWS and/or NMFS. Include response(s) in the report.  City or County makes determination of effect. If cannot make a determination of No Effect then further consultation with USFWS and/or NMFS may be required.	Report preparer must pull a current ESA list for the APE. If there is potential for effect to a listed ESA, then send agency contact letter to USFWS and/or NMFS. Include response(s) in the report.  USACE makes determination of effect. If USACE cannot make a determination of No Effect then further consultation with USFWS and/or NMFS may be required.



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	Idaho DEQ – Tier I (EPA federal §)	USDA RD	IDOC	USACE
<b>National Historic Preservation Act (Section 106)</b>	<p>Applicant consults with SHPO unless project is on tribal land with a recognized THPO, then DEQ consults with the THPO.</p> <p>DEQ completes the THPO consultations (federally recognized THPOs and non-recognized tribal cultural resource programs).</p> <p>If SHPO and/or THPO request an archeological survey, applicant will complete it as part of the EID.</p> <p>DEQ should receive a copy of the SHPO/THPO response. DEQ completes the Section 106 Checklist and submits to EID developer for inclusion in the EID. Determination of “effects” is made by DEQ.</p>	<p>Report preparer must send an Agency contact letter to SHPO/THPO, whoever has primacy. Tribes of concern must also be consulted. See Tribal consultation map. If a survey is requested by the SHPO/THPO then one will likely be required by RD.</p> <p>RD makes the determination of effect and communicates this in a letter to SHPO/THPO.</p>	<p>Report preparer must send an Agency contact letter to SHPO/THPO, whoever has primacy. Tribes of concern must also be consulted. See Tribal consultation map. If a survey is requested by the SHPO/THPO then you will likely have to do one.</p> <p>City or County makes the determination of effect.</p>	<p>USACE and/or report preparer must send an Agency contact letter to SHPO/THPO, whoever has primacy. Tribes of concern must also be consulted. See Tribal consultation map. If a survey is requested by the SHPO/THPO then one will likely be required by USACE.</p> <p>USACE makes the determination of effect and communicates this in a letter to SHPO/THPO.</p>
<b>Public Participation</b>	<p>Public meeting and public comment period of alternatives in the FPS. Public comment period if DEQ issues a draft FONSI determination.</p> <p>May require bilingual notification depending on demographics of the community.</p>	<p>Bond election, typically, but not required. Judicial confirmation is acceptable in some cases.</p> <p>If determined to be an EA, then 30 day public comment period, with a FONSI publication upon conclusion.</p> <p>If Categorical Exclusion, no comment period or publications required. (19 projects, 2 EA's in FY14)</p>	<p>If Categorical Exclusion subject to, then one 7-day (10-days if posted) comment period and one 16-day (19-days if posted) comment period.</p> <p>If EA, then one 16-day (19 if posted) and another 16-day (19 if posted).</p>	<p>If USACE is funding any portion of construction, an EA is likely to be required. This typically includes a 30-day public comment period and a FONSI decision upon completion, pending no major comments were received.</p>



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## Public Involvement



Public Involvement for environmental reviews are slightly different for each funding agency:

**USDA-RD**

- Intent to apply for Financial Assistance
  - not part of the environmental process
- Categorical Exclusion
  - no public involvement or publication of legal notice required, unless important Farmland, Wetland, Floodplains or Cultural Resources will be affected.
- Environmental Assessment
  - Publish the Notice of Availability of an Environmental Assessment with a 30 day comment period.
  - Publish Notice of FONSI with a 0-15 day comment period. Typically 0 days.
- Special Public Notices
  - Individual Landowner notices to property owners and lessees adjacent to the proposed site of the selected alternative when there could be a visual intrusion, noise, odor, aerosol, or similar issue.
  - Preliminary Public Notice if *direct* impact to Important Farmland, Wetlands, Floodplains, or adverse affect on Cultural Resources – 30 day comment period
  - Final Public Notice, only in cases where Preliminary is published – 0 days for comment
  - Private party notifications to applicant, owners, guaranteed lenders; if project is in a floodplain.



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## Public Involvement continued...



### DEQ

- Planning document (FP/PER) – The planning document must be technically approved for public comment before completing the public participation process. The public is provided with notification on a public meeting and no less than a 14 day public comment period (depending on complexity of project and/or Association/District requirements) to provide input to authorizing body regarding selection of a preferred alternative. At the end of the comment period and public meeting then the authorizing body makes an official selection.
  - Bilingual outreach maybe required depending on the demographics of the community

### DEQ Environmental Determination Notices

- Cat Ex Issued – Cat Ex is issued and then published one time to announce outcome of environmental process. No comment period.
- FONSI issued – draft FONSI is issued and published with 30 day comment period. Following minimum 30 day comment period, Final FONSI is published.
- Environmental determinations can be found on the DEQ website



## Public Involvement continued...

### CDBG

- Exempt and Categorical Exclusion not subject to 24 CFR 58.5- no publishing or posting requirements
- Categorical Exclusion subject to 24 CFR 58.5
  - if the project can convert to exempt no publishing or posting
  - if the project can not convert to exempt and remains a categorical exclusion will need to publish or post
- Environmental Assessment – will need to publish or post (about 30 days)





## Public Involvement continued...



### USACE

- Categorical Exclusion
  - No public involvement or publication of legal notice required, unless important Farmland, Wetland, Floodplains, Endangered Species or Cultural Resources will be effected.
- Environmental Assessment
  - Publish the Notice of Availability of an Environmental Assessment with a 30 day comment period, may be shortened upon District Commander approval.
    - In certain circumstances, prior public comment periods conducted by other agencies may meet requirements and preclude additional public comment period.



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## Public Notices



- When publishing environmental notices, the applicant and their consultant should work with the funding agencies to accomplish joint public notices, whenever possible.
  - Identify public notice options based on community
- If comments are received, the agency responds to comments and may request assistance from the applicant and their consultant. The funding agencies will review the response before it is sent to commenters to ensure a FONSI is still appropriate.
- If the project is still deemed controversial, the FONSI comment period may be extended from 30 to 45 days.
- Depending on demographics, notice should be in Spanish or other applicable language.



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## Q&A Panel



## Feedback & Suggestions

