

## **Environmental Resource Information - Reference Guide in Support of Site Selection and Macro-Corridor Studies**

This section should provide a listing of important land uses or features as well as environmental and cultural resources within the state that have been designated by federal and state agencies as deserving of some form of protection, conservation, or other designated level of consideration. Other resource areas or topics can be added at state's discretion, and some resource areas identified may not be applicable to all states (e.g., coastal resources for interior states). The listing below is alphabetical, for easy reference. Where applicable, the ERD/NRMG should include one or more of the following types of information for a given resource area:

- Governing statutes, regulations and executive orders;
- Agency jurisdiction and contact information/websites (Federal State, Local agencies having jurisdictions or special expertise that should be contacted for assistance).
- Information Sources (brief description of where to obtain additional information regarding resource (or resource location)).

[Certain sections below would not necessarily be applicable to transmission line siting (e.g., air quality), but have been retained assuming this stand-alone guide serves as a possible resource for both the Power Plant Site Selection and Macro-Corridor Exhibits. Content to be tailored further as needed based on RD input.]

### A. Air Quality

Topics may include both outdoor and indoor air quality (See also Section X for selected indoor air pollutants and associated health concerns), as needed and appropriate to a given state.

#### Governing Statutes and Regulations:

The legal authority for efforts to improve air quality and to lessen human exposure to polluted air stems principally from the Clean Air Act of 1970, as amended 1971, 1977 and 1990. The Clean Air Act is a comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes EPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants.

States may have stronger air pollution laws but must at least satisfy minimum federal standards, such as prohibiting development that will cause air quality to deteriorate below standards, and mandating cleanup measures where violations are registered.

States to identify State Air Quality Standards and Applicable City/County Ordinances

### Agency Jurisdiction:

The primary air quality standards are set by the EPA. However, State and local air pollution agencies take the lead in carrying out the Clean Air Act. Each state is required to prepare and submit a State Implementation Plan (SIP) that describes how the state will meet the primary and secondary NAAQs, and generally provides for implementation, maintenance and enforcement of the standards (through the State Division of Air Quality or equivalent). EPA's Tribal Authority Rule gives Tribes the ability to develop air quality management programs, write rules to reduce air pollution and implement and enforce their rules on their reservation.

Contact information for EPA Regional offices is found in Section 6.0.

For more information on State and territorial air pollution control agencies, visit:

[www.4cleanair.org](http://www.4cleanair.org).

For more information on tribal air pollution control agencies, visit

[www.epa.gov/air/tribal](http://www.epa.gov/air/tribal) or [www.ntaatribalair.org](http://www.ntaatribalair.org)

### Resource Information or Location:

Under the General Conformity Rule, federal agencies must work with state, tribal and local governments in nonattainment or maintenance areas to ensure that federal actions conform to the initiatives established in their applicable state or tribal implementation plans, i.e., to ensure that emissions from their actions will not exceed emission budgets established in the state implementation plan (SIP), tribal implementation plan (TIP) or federal implementation plan (FIP) or not otherwise interfere with the state's ability to attain and maintain the NAAQS. Only direct or indirect emissions originating in a nonattainment or maintenance area need to be analyzed for conformity with the applicable implementation plan. Areas of the country where air pollution levels persistently exceed the NAAQS may be designated nonattainment.

The Clean Air Act contains provisions for prevention of significant deterioration of air quality. Each State should identify Class I and Class II locations as well as areas of "non-attainment" for particular pollutants. These are potential areas of concern with respect to RD project impacts.

Each State will need to contact the Air Pollution Control office located nearest to the project area.

RD staff instruction in Part 1970.1105 (Subpart O) includes additional information relating to air quality.

Additional Information Sources (EPA):

US EPA air quality operating permits (<http://www.epa.gov/oar/oaqps/permits>)

US EPA air quality planning and standards  
(<http://www.epa.gov/oar/oaqps/emission.html>)

Attainment/Nonattainment areas (The Green Book: Nonattainment Areas for Criteria Pollutants): <http://www.epa.gov/air/oaqps/greenbk/index.html>)

USEPA Air Quality Datasets, including maps [access to air pollution data]  
(<http://www.epa.gov/air/data/>)

To find out more about air quality in your state, visit: <http://www.epa.gov/air/where.html>. This site provides links to regional air information as well as to state and local air pollution agencies.

## B. Biological Resources

### Governing Statutes and Regulations:

Biological resources of concern could include threatened and endangered species, critical habitat and essential fish habitat, migratory birds and invasive species. Additional topics could also include other protected species (e.g., species of concern) or recreationally important fish and wildlife, as appropriate to a given state. Information relating compliance with the Endangered Species Act is provided in Part 1970.1000 (Subpart N).

Endangered Species Act of 1973, as amended (16 USC 1531)

USDA Departmental Regulations 9500-004 states Agency policies with respect to the management of fish and wildlife and their habitats and prescribes specific actions for implementation of those policies.

Marine Mammal Protection Act

Magnuson-Stevens Fishery Conservation and Management Act (MSA), relating to Essential Fish Habitat

### Agency Jurisdiction:

RD official must review a proposed action prior to approval to determine whether or not listed, or proposed for listing, species may be affected. Section 7(a)(2) of the ESA requires RD to

consult with the US Fish and Wildlife Service and/or the National Marine Fisheries Service (NMFS) for any actions that may affect listed species. In addition, federal agencies are required to comply with MSA, specifically the Essential Fish Habitat provisions, when applicable.

State Department of Fish and Wildlife or equivalent also includes a listing of state protected species that are considered priorities for conservation and management within the state, and priority habitat. Priority species require protective measures for their perpetuation due to their population status, sensitivity to habitat alteration, and/or recreational, commercial or tribal importance. A priority habitat may consist of a unique vegetation type or dominant plant species, a described successional stage, or a specific structural element.

State also typically maintains a listing of federally protected species. Data may be compiled at various levels, depending on the state: state, county, watershed, USGS Quad. Another good resource for state-protected species and habitat is a given State's Natural Heritage Program/Database that typically includes natural area and rare species information, usually at the county level. Finally, some states maintain a database of actual sighting locations of certain species (e.g., bald eagle nesting sites).

Refer also to applicable city or county comprehensive plans regarding resource inventories and locations.

#### Resource Information or Location:

RD staff instruction in Part 1970.1000 (Subpart N) includes additional information relating to compliance with the Endangered Species Act.

US Fish and Wildlife Service: <http://www.fws.gov>

USFWS Endangered Species: <http://www.fws.gov/endangered/>

Includes link to federally listed species in a given state or county and identification of critical habitat

Links to USFWS Regional Offices: <http://www.fws.gov/endangered/regions/index.html>

Links to USFWS State Offices: <http://www.fws.gov/offices/>

NOAA Fisheries Service/National Marine Fisheries Service: <http://www.nmfs.noaa.gov/> (with links to NOAA Fisheries regions)

NOAA Fisheries Office of Protected Resources: <http://www.nmfs.noaa.gov/pr/>

Works to conserve, protect and recover species under ESA and the Marine Mammal Protection Act (mostly marine and anadromous species)

Links to protected species: <http://www.nmfs.noaa.gov/pr/species/>

NOAA Habitat Conservation: <http://www.habitat.noaa.gov/protection/index.html>

Essential Fish Habitat: <http://www.habitat.noaa.gov/protection/efh/index.html>

EFH Regional Contacts:

<http://www.habitat.noaa.gov/protection/efh/regionalcontacts.html>

EFH Mapper: <http://www.habitat.noaa.gov/protection/efh/habitatmapper.html>

## C. Coastal Resources

### Governing Statutes and Regulations:

The Coastal Zone Management Act of 1972 is intended to protect both freshwater and marine coastal areas from environmental degradation. It applies to all lands on the boundary of any ocean or arm thereof, and the Great Lakes.

The Coastal Barrier Resources Act and the Coastal Barrier Improvement Act only apply to selected geographic areas designated as "Coastal Barrier Resources System Units. At present, such units have been established and delineated along the coasts of the Atlantic Ocean, Gulf of Mexico and the Great Lakes. Proposed units have been identified but not designated along the coasts of the Pacific Ocean.

States to identify other relevant statutes and regulations.

### Agency Jurisdiction:

The CZMA is administered by the National Oceanic and Atmospheric Administration (NOAA), but allows states to assume the primary role in managing these areas. States prepare a Coastal Zone Management Program document that describes the State's coastal resources and how these resources are managed; and leaves day-to-day management decisions at the state level.

Federal: US Department of Commerce  
NOAA, Office of Ocean and Coastal Resource Management  
Coastal Zone Management Program  
1315 East-West Highway  
Silver Springs, MD 20910  
(301) 713-3155

<http://www.noaa.gov/coasts.html>

<http://coastalmanagement.noaa.gov/>

Link to State Coastal Management Program:

<http://coastalmanagement.noaa.gov/mystate/>)

NOAA in your State and Territory (links to state offices):

<http://www.legislative.noaa.gov/NIYS/>

#### Resource Information or Location:

- Coastal States to specify width of coastal zone within its border, if applicable since zone width may vary among States.
- Coastal States to identify Coastal Barrier Resource System Units.
- Coastal States to identify any other protected coastal areas, such as National Marine Sanctuary Areas.

All proposals that are within coastal zone management areas must obtain a “consistency determination” to show they are consistent with the enforceable policies of a coastal state’s or territory’s federally approved coastal management program.

RD staff instruction in Part 1970.1107 (Coastal Barriers) and 1970.1108 (Coastal Zones), Subpart O, includes additional information relating to coastal areas.

Additional Information Sources (NOAA and USFWS):

Information on National Marine Sanctuaries (NOAA): <http://sanctuaries.noaa.gov/>

CBRS Information (US FWS):

[http://www.fws.gov/habitatconservation/coastal\\_barrier.htm](http://www.fws.gov/habitatconservation/coastal_barrier.htm))

Coastal Barrier Resource Maps (US FWS):

<http://www.fws.gov/cep/cbrtable.html>

## D. Environmental Justice

### Governing Statutes and Regulations

Executive Order 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. Environmental Justice evaluations are a factor to be considered when performing NEPA environmental impact analyses in advance of RD proposed funding.

### Agency Jurisdiction:

The Executive Order charges all federal agencies with making the achievement of environmental justice part of its mission by “identifying and addressing as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations.” The EO established the Interagency Working Group on environmental justice, which is made up of 12 federal agencies and chaired by EPA.

### Resource Information or Location

RD staff instruction in Part 1970.200 (Subpart E) includes additional information relating to environmental justice.

Applicants must include an analysis of the potential impact of a proposal, or any part thereof, that may pose disproportionately high and adverse human health or environmental effects to minority and low-income populations. The environmental justice analysis in the ER should determine if the proposal will be located in a minority or low-income community and, if so,

analyze if the location of the proposal will have, or be perceived to have, disproportionately high adverse human health or environmental effects to the community. If the proposal will have no disproportionate effects, this should be stated. If the proposal is to be located in a minority or low-income community and will have, or may be perceived to have, disproportionately high or adverse human health or environmental effects to the community, the analysis must include a description of the efforts made to include minority and low-income populations into the NEPA process. These efforts may include public notices and special outreach efforts aimed at these populations. When it is determined that there is no practicable alternative to locating a proposal in a minority or low-income community and if there will be disproportionately high human health or environmental effects, the analysis must include a discussion of the mitigation measures evaluated that would off-set or minimize these effects. Applicants should consult with the Rural Development Civil Rights Coordinator to discuss any state-specific issues.

Additional Information Sources, US Census Bureau and EPA:

Minority and low-income (below poverty line) data can be found, by state and county, from the US Census Bureau (Department of Commerce), home page at: [www.census.gov](http://www.census.gov) or

State and County Quickfacts: <http://quickfacts.census.gov>.

EPA also provides an environmental justice mapper tool (EJView) at:

<http://www.epa.gov/environmentaljustice/mapping.html> or

<http://epamap14.epa.gov/ejmap/entry.html>

EJView: Formerly known as the Environmental Justice Geographic Assessment Tool, EJView is a mapping tool that allows users to create maps and generate detailed reports based on the geographic areas and data sets they choose. It includes data from the multiple factors that may affect human and environmental health within a community or region. Other personnel resources include: RD Civil Rights Coordinators; civil rights organizations; local elected officials/agencies; minority business and trade groups; civic organizations; tribal officials; religious groups and churches; and senior citizen groups.

## E. Floodplains

### Governing Statutes/Regulations:

Projects shall be examined for conformance to Executive Order 11988, Floodplain Management and Departmental Regulation 9500-3, Land Use Policy. USDA RD has specific policies regarding

building in a floodplain. A determination of whether the project will cause changes in the natural values and functions of the floodplains is required. A copy of the floodplain map with the location of project identified. FEMA Form 81-93, "Standard Flood Hazard Determination."

[From Washington NRMG: **Rural Development policy is not to approve or fund any proposals that, as a result of identifiable impacts, direct or indirect, would lead to or accommodate either the conversion of these land uses or encroach upon them. Rural Development further recognizes that there are practical alternatives to floodplain development in all but the most unusual circumstances.**]

- State would add other applicable Federal state or local statutes/regulations (e.g., National Insurance Flood Reform Act (NIFRA) of 1994).
- Also, refer to applicable city or county comprehensive Flood Hazard Management plans, Flood Hazard Prevention Ordinances, Shoreline Master Plans, and Critical Areas Ordinances.

Agency Jurisdiction: Federal Emergency Management Agency (FEMA) and State Floodplain Managers (note that FEMA has delegated management floodplains and flood hazards to the State). Secondary agencies and potential sources of information include NRCS, US Corps of Engineers, and local agencies.

State would provide state-specific contact information for applicable agencies (Federal, State and local, e.g., FEMA regional contact, US Army Corps of Engineers, if applicable).

Resource Information or Location:

RD staff instruction in Part 1970 (Subpart F) includes additional information relating to floodplains.

Federal Emergency Management Agency: [www.fema.gov](http://www.fema.gov).

Links to FEMA regional offices: <http://www.fema.gov/about/structure.shtm> or <http://www.fema.gov/about/regions/index.shtm>

Additional Floodplain Information Sources:

Flood Insurance Rate Maps (FIRM) issued by the Federal Emergency Management Agency (FEMA) show the boundary of 100-year and 500-year flood plains. On-line copies of all flood plain maps are now available on the FEMA Web Site at

<http://store.msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1> or by clicking on The FEMA Map Store link found at <http://www.fema.gov/hazard/flood/info.shtm>. [Note from Washington state: currently Internet Explorer 5.0 or higher, or Netscape Navigator 6.2.0 or higher must be used in order to print map documents].

FEMA maps can be ordered by calling 1-800-358-9616, and are available at the state/regional FEMA office listed above. Rural Development Service Centers also have these maps available for review for their respective service areas.

NRCS Soil Survey maps - These maps contain soil units that are classified as “alluvial” soils. These soil units are associated with soils that develop in floodplains and represent the best available information if FEMA maps are not available. In addition, soil surveys provide general data indicating the soil unit’s frequency for flooding - <http://websoilsurvey.nrcs.usda.gov/app/>

U.S. Army Corps of Engineers (USACE) may have floodplain information in the absence of FEMA maps; assessment of floodplain impacts and identification of permits required. Contact the local USACE District Office to inquire; see also <http://www.usace.army.mil/howdoi/civilmap.htm>

#### F. Formally Classified Lands

- 1) Wild and Scenic Rivers
- 2) National Natural Landmarks, Sites, and Monuments
- 3) National Parks, Monuments, Trails and Sites
- 4) Wilderness Areas

Depending on how many formerly classified lands the state has and how much information a state might include, these could be retained within one section (with subparts) or broken out into separate sections for easier user reference. Summary information for selected federally classified lands is provided below as a guide to completing this section. State should expand the information, as appropriate, to encompass the formally classified lands within its borders.

RD staff instruction in Part 1970.1111 and 1970.1118 (Subpart O) contain information relating to national parks and other formally recognized lands (national trails), and wild and scenic rivers, respectively [Note that these sections are currently only placeholders with no info provided except for an introductory paragraph for wild and scenic rivers; the information will presumably be provided before issuance].

*Wild and Scenic Rivers:* Projects shall be examined for conformance to the Wild and Scenic Rivers Act of 1968 which is designed to protect and serve outstanding free flowing rivers streams and their shore environs. Rural Development shall not provide financial assistance or approve any project that would have a direct or adverse effect on the value for which a river has been included in the National Wild and Scenic River System, identified as a potential addition to the national system, or identified in the Nationwide Inventory prepared by the National Park Service (NPS). RD activities located within ¼ mile of a designated or a potential addition to the National Wild and Scenic River System must be reviewed for direct and indirect impacts. Each river is administered by either a federal or state agency. Designated segments need not include the entire river and may include tributaries. Agency jurisdiction would depend on what lands the wild and scenic river was found on; federal agency jurisdiction could include the National Park Service (responsible for 38 rivers under the Wild and Scenic Rivers Act) US Forest Service, or the Bureau of Land Management (BLM). Federally designated wild and scenic rivers are identified at: <http://www.nps.gov/rivers>.

State would identify specific wild and scenic rivers found in their state and include information as to their location.

*National Landmarks:* The National Natural Landmarks (NNL) Program was established under the authority of the Historic Sites Act of 1935. The purpose of the program is to identify and encourage the preservation of nationally significant examples of the full range of ecological and geological features that constitute the nation's heritage. It is administered by the National Park Service (<http://www.nps.gov>). RD shall not authorize, fund or carry out any proposal or project that will likely jeopardize the unique values and benefits of these areas. The Bureau of Land Management designates Outstanding Natural Areas, Research Natural Areas, and/or Areas of Critical Environmental Concern which are comparable in value and program intent to National Natural Landmarks. For BLM lands, consult with the appropriate BLM District or State Office. Useful websites include <http://www.nps.gov/nnl> with links to the National Registry of Natural Landmarks (also found at: <http://www.nature.nps.gov/nnl/pdf/RevisedRegistryJune2009.pdf>)

States would identify specific national natural landmarks and any protected state landmarks in their state and information relating to location.

*National Park System.* There are numerous designations within the National Park System. The names were created in the Congressional legislation authorizing the sites or by the president, who proclaims "national monuments" under the Antiquities Act of 1966. They include landmarks, structures or other objects of historic or scientific interest situated on lands owned or controlled by the government. In 1970, Congress elaborated on the 1916 National Park Service Organic Act, saying all units of the system have equal legal standing in a national

system. Federal agency jurisdiction is the National Park Service. In addition to National Parks, the units include: include National Preserves, National Historic Sites, National Historic Parks, National Memorials, National Battlefields, National Cemetery, National Seashores, National Recreation Areas, National Wild and Scenic Rivers (see also Wild and Scenic Rivers), National Parkways, and National Trails. To locate units within the National Park System, by state, go to: <http://www.nps.gov/findapark/index.htm>

[State would identify specific national park units found within their state and information on their location.](#)

*Wilderness Areas:* Wilderness areas are areas of undeveloped Federal land which are protected and managed to preserve their natural conditions. These areas are established as part of the National Wilderness Preservation System. The Wilderness Act of 1964, P.L.88-577, was ratified to protect particularly environmentally pristine areas of the US under Federal ownership and management practices. Wilderness areas are generally larger than 5000 acres. Potential RD projects near or adjacent to National Wilderness Areas merit special evaluation because of the types of resources they contain which are covered by other significant Federal directives. RD policy is not to approve or fund any proposals that would lead to or accommodate either the conversion of these land uses or encroachment upon them. Consult with the US Department of Agriculture, Forest Service ([www.fs.fed.us](http://www.fs.fed.us)) and the US Department of Interior, Bureau of Land Management ([www.blm.gov](http://www.blm.gov)), National Park Service ([www.nps.gov](http://www.nps.gov)), or Fish and Wildlife Service ([www.fws.gov](http://www.fws.gov)) – who administer wilderness areas – as appropriate for impacts to National Wilderness Areas within their jurisdictions.

States to identify national wilderness areas within their boundaries. Wilderness areas can be located at <http://www.wilderness.net>. The wilderness.net website allows users to search by name and location (state). For each wilderness area identified, the website provides information on size, location, general description, as well as providing links to fact sheets, area management, wilderness laws, contact information (specific to that wilderness area), a map and the specific wilderness area website. Wilderness.net is a website formed in 1996 through a collaborative partnership between the College of Forestry and Conservation's Wilderness Institute at the University of Montana, the Arthur Carhart National Wilderness Training Center, and the Aldo Leopold Wilderness Research Institute.

*National Wildlife Refuge.* National Wildlife Refuges are administered by the US FWS. The mission of the National Wildlife Refuge System is to manage a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife and plant resources and their habitat. The Refuge System maintains the biological integrity, diversity, and environmental health of these natural resources. In addition to conserving

wildlife, the Refuge System also manages six wildlife-dependent recreational uses, including hunting, fishing, wildlife observation, photography, environmental education and interpretation. Protected wilderness (see Wilderness Areas above) make up 20 percent of the refuge lands; and the Refuge System also includes 37 wetland management districts. More information on the National Wildlife Refuge System can be found at:

<http://www.fws.gov/refuges/index.html> which also includes a search tool to find a Refuge, by state or zip code.

#### G. Historic Resources

RD staff instruction in Part 1970.400 (Subpart H) includes additional information relating to the protection of historic and cultural resources.

#### Governing Statutes and Regulations:

See Part 1970.400 for a full listing of relevant Federal statutes and regulations. The key ones include: National Historic Preservation Act (NHPA) of 1977, as amended; and the Advisory Council on Historic Preservation implementing regulations at 36 CFR Part 800 (Section 106 consultation)

#### Agency Jurisdiction:

At the earliest stages of consideration of an application or as part of the environmental review process, RD will identify any properties that are listed on, or may be eligible for listing in, the National Register of Historic Places that are located within the project's area of potential effect. Consultations will be undertaken with the State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer (THPO) and the Advisory Council on Historic Preservation (ACHP), in order to determine the most appropriate course of action for protecting such identified properties or mitigating potential adverse impacts on them.

The 1992 NHPA Amendments allow federally recognized Indian tribes to take on more formal responsibility for the preservation of significant historic properties on tribal lands. Tribes can assume any or all of the functions of a SHPO with respect to tribal land. The decision to participate or not in the program rests with the tribe.

#### SHPO:

Links to SHPO websites: <http://www.nps.gov/history/nr/shpolist.htm>

National Conference of SHPOs, with links to individual SHPOs:

<http://www.ncshpo.org/find/index.htm>

#### THPO:

National Association of THPOs:

<http://www.nathpo.org/mainpage.html>

Links to THPOs: <http://www.nathpo.org/map.html>

Additional information on tribes is available from the Bureau of Indian Affairs  
(<http://www.bia.gov>)

States to add state regulations and information pertaining to listings on the State Register of Historic Places; and information relating to state or local historical or archaeological societies

Resource Information or Location:

Advisory Council on Historic Preservation: <http://www.achp.gov>

National Historic Preservation Program: <http://www.achp.gov/nhpp.html>

To determine locations, check the National Register of Historic Places, which can be accessed through the National Park Service website: <http://www.cr.nps.gov/nr> (or <http://www.nps.gov/history/nr/>; or [www.nationalregisterofhistoricplaces.com](http://www.nationalregisterofhistoricplaces.com)) or consult with the SHPO or appropriate THPO.

US DOI, National Park Service: <http://www.nps.gov>

Contacts in Historic Preservation Program: <http://www.achp.gov.nps.html>

Consult NPS regional office of given state

H. Land Use (Important/Prime Farmland, Rangeland, Forestland)

RD staff instruction in Parts 1970.1109, Important Farmland, and 1970.1110, Land Use (Subpart O) include additional information relating to these resources.

Governing Statutes and Regulations:

Projects should be examined for conformance to the Farmland Protection Policy Act and Departmental Regulation 9500-3, Land Use Policy. Projects that create conversion of important farmlands will be denied unless no practicable alternative exists. When it is determined that there will be an effect, public notification and solicitation for comments is required. RD will also avoid the unwarranted conversion of prime forestland and prime rangeland. Definitions of farmland and timberland are found in USDA DR 9500-3 and include prime farmland/timberland, unique farmland/timberland, and additional farmland/timberland of statewide importance.

Agency Jurisdiction:

Consult with the NRCS for soil designation, land capability classifications, soil survey maps, and determinations of “Important Farmland.”

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 the USDA Natural Resources Conservation Service for assistance on state-owned, local or privately-owned forestlands, and on rangeland. Consult the NRCS for assistance in identifying “prime rangeland.” Consult with other federal and state agencies for assistance on rangeland under their jurisdiction.

Natural Resources Conservation Service:

<http://www.nrcs.usda.gov/>

<http://www.nrcs.usda.gov/contact/> (contact information)

<http://www.nrcs.usda.gov/about/directory/specialists.html#StateOff>

(state contact information)

Forest Service:

<http://www.fs.fed.us/> (includes a link to finding forests by state)

<http://www.fs.fed.us/contactus/regions.shtml> [links to regional offices and contact information)

Bureau of Land Management:

<http://www.blm.gov/wo/st/en.html> (with map link to State office contact information)

National Park Service:

<http://www.nps.gov/index.htm> (with link to find a park by state)

#### Resource Information or Location:

Natural Resources Conservation Service:

<http://www.nrcs.usda.gov/about/directory/specialists.html>

(technical and program area specialists)

NRCS Soil survey maps: <http://websoilsurvey.nrcs.usda.gov/app/>

Maps/tables on prime farmland:

<http://www.nrcs.usda.gov/technical/NRI/maps/prime.html>

State or local extension offices for prime farmland information/maps within the state or county.

Local USDA Service Centers: <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>

USDA Forest Service

Find Forest (by state): [http://www.fs.fed.us/recreation/map/state\\_list.shtml](http://www.fs.fed.us/recreation/map/state_list.shtml)

## I. Noise

RD staff instruction in Part 1970.1113 (Subpart O) includes additional information relating to noise.

### Governing Statutes and Regulations:

Subpart B on Noise Abatement and Control to Part 51 of Title 24, Code of Federal Regulations

US Department of Housing and Urban Development: *Noise Abatement Regulations*.

There are two types of unwanted sound which are potentially associated with RD funded activities: occupational noise created by loud machinery (e.g., during construction), and community noise created by external sources such as highways, railroads and airports. Noise evaluations are a factor to be considered when performing NEPA environmental impact analysis in advance of RD proposed funding.

### Agency Jurisdiction:

No federal agency has any jurisdiction over noise. It's usually a state issue.

### Resource Information or Location:

Maximum recommended noise thresholds have been developed in unison by several federal agencies including HUD and US Department of Transportation.

Website link to State and local planning or environmental agencies, through the Noise Pollution Clearinghouse:

<http://www.nonoise.org/lawlib/cities/cities.htm>

The most current noise assessment methodology is contained in the “Noise Guidebook” published by the US HUD, Office of Community and Development.

Noise Assessment Guidelines

Noise Guidebook:

<http://www.hud.gov/offices/cpd/environment/training/guidebooks/noise/>

Noise Assessment Guidelines (Chapter 5 of the Noise Guidebook):

<http://www.hud.gov/utilities/intercept.cfm?/offices/cpd/environment/training/guidebooks/noise/chapter5.pdf>

Other useful HUD Links: <http://www.hudnoise.com/>

Noise Abatement and Control:

<http://www.hud.gov/offices/cpd/environment/review/noise.cfm>

Contact Information for gathering noise data with respect to transportation related noise sources:

Federal Highway Administration (traffic noise):

<http://www.fhwa.dot.gov/environment/noise/index.htm>

State DOT should also be able to provide data on Annual Average Daily Traffic (traffic counts) for selected routes.

US EPA Noise Issues:

<http://www.epa.gov/history/topics/noise/index.htm>

Federal Aviation Administration

[http://www.faa.gov/about/office\\_org/headquarters\\_offices/aep/aircraft\\_noise/](http://www.faa.gov/about/office_org/headquarters_offices/aep/aircraft_noise/)

Can also contact local airport operations center/control tower or military operations center within the area of impact.

Railroad: Contact engineering department of relevant railway system in area of impact.

## J. Recreational Resources

This category encompasses relevant recreational resources to a given state, including but not necessarily limited to, state and local parks, trails, fisheries, forests and wildlife areas, scientific and natural areas, and scenic areas. RD should consult with state and local recreational organization(s) to determine appropriate protection or ways to mitigate potential adverse impacts. Recreational resources should be considered when performing NEPA environmental impact analyses in advance of RD proposed funding.

Agency Jurisdiction: State Parks and Recreation Agency or equivalent

Note: Depending on the state and the value of this information, recreational resources may not warrant a separate section of the ERD/NRMG. It could be combined into Section H (land use), Section P (Other Factors) or Section Q (relevant to protected state resources); or removed entirely as appropriate.

## K. Socioeconomics

Part of the USDA, Rural Development's mission is to support sound development of rural communities and provide economic opportunities for farm and rural residents. This mission may significantly affect the socio-economic make-up of the area to be served. Applicants should, in conjunction with an analysis of existing land uses and any projected land use changes caused by the proposal, be aware of and be prepared to discuss any potential changes to an area's socio-economic make-up.

Socioeconomics are a factor to be considered when performing NEPA environmental impact analyses in advance of RD proposed funding. An analysis of socioeconomic effects typically considers changes in the following areas as appropriate: income, local economy, taxes, employment, housing, community services (fire, police, medical, utilities – water supply, waste), and education/schools.

Agency Jurisdiction: Not applicable, however, the US Census Bureau is the leading source of data on the nation's population and economy, and compiles data that would be used in evaluating socioeconomic impacts in an RD NEPA document.

Resource Information or Location:

U.S. Census Bureau (U.S. Department of Commerce), home page at <http://www.census.gov>

State Census Data Centers (<http://www.census.gov/sdc/>); links to individual states at <http://www.census.gov/sdc/network.html>

US Census Bureau geographic programs/information, including maps and mapping resources: <http://www.census.gov/geo/www/index.html>

#### L. Hazardous Substances (Materials and Waste) [possible placeholder]

Depending on the types of issues within a given state, this topic could be expanded to include radioactive waste, underground storage tanks, radon, lead paint, asbestos, meth labs, and other factors.

RD staff instruction found in Part 1970 Subpart J relating to Environmental Risk Management [confirm final citation], provides guidance to Agency personnel with appropriate actions to take in instances where the presence of hazardous materials, hazardous wastes, and petroleum products is known or suspected. Subpart J also addresses other special topics including underground storage tanks, brownfield sites, and methamphetamine laboratories (including cleanup of meth labs). Summary information, mainly relating to the potential concern associated with the substance and a website link for more information, is provided for hazardous wastes and three additional topics below that are not covered in Subpart J: radon, lead paint and asbestos.

Federal and state laws governing hazardous wastes and substances are extremely complex. Major federal statutes include:

- Resource Conservation and Recovery Act (RCRA) of 1976 and amendments of 1980 and 1984 (Hazardous and Solid Waste Amendments of 1984)
- Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA)
- Superfund Amendments and Reauthorization Act of 1986
- Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA)
- Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)
- Toxic Substance Control Act (TSCA)

Agencies with jurisdiction include EPA, depending on the activity, but the majority of these concerns likely would be addressed by the state or local environmental or public health agency.

Resource Information or Location:

EPA  
State Environmental Coordinator  
State Environmental Agency (or equivalent)  
State Fire Marshall

In general, RD officials should be familiar with the federal and state laws pertaining to hazardous substances and wastes. Rural Development staff are responsible for identifying inventory properties that contain or may contain hazardous wastes/substances contained on the Hazardous Waste and Substance Lists.

EPA Wastes/Hazardous Materials

Wastes: <http://www.epa.gov/ebtpages/wastes.html>

Hazardous Wastes: <http://www.epa.gov/ebtpages/wasthazardouswaste.html>

Toxic Substances: <http://www.epa.gov/oppt/>

*Radon:* Radon gas is a chemically inert, odorless, colorless and tasteless naturally-occurring radioactive element found in soils and rocks that make up the earth's crust. In certain parts of the country, a major source of radon gas in the home is the soil beneath and surrounding the residence. Common entry routes are through the pores and cracks in concrete slabs and concrete blocks; joints, loose fitting pipes, sump pits and flood drains. The following EPA website is a good source of information on radon: <http://www.epa.gov/iaq/radon/index.html>.

RD officials should be familiar with the existence of radon gas, known radon gas presence in their areas of responsibility, and the methods available to prevent radon gas entry into homes and facilities.

*Lead:* Lead is a natural metal found in the environment; it is toxic and young children are most susceptible to its toxic effects. Lead base paint is the most common source of lead poisoning for children in the nation. RD requires a certain amount of investigation for the presence of lead hazards; proper disclosure of such hazards in the transfer of REO properties; and actual remediation in some instances. The three main categories of hazard include lead from lead base paint products used prior to January 1978, lead in drinking water from materials used in the water systems; and lead waste products, such as discarded batteries and lead base paint containers. RD Instruction 1924-A, Exhibit H Prohibition of Lead Base Pain contains RD requirements. The Lead-Based Paint Compliance Key is provided as a step-by-step guide for identifying actions the Agency

must take to achieve full compliance with the new LBP regulations in all affected programs. It is available on the RD Intranet site at:

[http://teamrd.usda.gov/rd/rhs/PSS/Lead\\_Paint/lead\\_based-paint\\_key.htm](http://teamrd.usda.gov/rd/rhs/PSS/Lead_Paint/lead_based-paint_key.htm)

The EPA, HUD, and Consumer Product Safety Commission have jointly produced a LBP awareness pamphlet entitled *Protect Your Family From Lead in Your Home*. This pamphlet is a good source of information of LBP hazards found in the home and is available, along with other useful information, online at the EPA web-site:

<http://www.epa.gov/lead/pubs/leadinfo.htm#checking>

The pamphlet is also available at HUD's Healthy Homes and Lead Hazard Control web-site at: <http://www.hud.gov/offices/lead/>

*Asbestos*: Asbestos (used heavily in the past in many construction activities) is recognized as an immediate health hazard when in a "friable" condition, that is, crumbly and easily released into the atmosphere. Friable asbestos should be abated in accordance with EPA guidelines and work performed by the a state certified asbestos abatement contractor as part of any Rural Development loan making or property disposition action. The following web-sites also contain useful information on asbestos:

<http://www.epa.gov/asbestos/>

The Consumer Product Safety Commission booklet *Asbestos in the Home* (CPSC Document # 453) is available at:

<http://www.cpsc.gov/cpsc/pub/pubs/453.html>

#### M. Transportation [not in original outline but in Bulletin 1794]

Information concerning transportation may be required if the proposal includes construction of highway crossings or elevated water storage facilities, especially if adjacent to an airport (including airport clearance or accident zones), road, railroad, and navigable waterway. Permits may be required from the applicable agencies prior to construction.

Links to State transportation agencies may be found at:

<http://www.fhwa.dot.gov/webstate.htm>

#### Resource Information:

US DOT, Federal Highway Administration

<http://www.fhwa.dot.gov/>

<http://www.fhwa.dot.gov/environment/index.htm>

USDOT, Federal Aviation Administration (including links to FAA Field and Regional Offices

[http://www.faa.gov/about/office\\_org/](http://www.faa.gov/about/office_org/)

Regarding military facilities, contact the FAA or DOD facilities Public Affairs Office

N. Water Quality and Supply, Sole Source Aquifer

Governing Statutes and Regulations:

RD staff instruction in Part 1970.1117 (Subpart O) includes additional information relating to water quality.

Projects having withdrawals and/or effluent discharges shall be examined for conformance with the Clean Water Act, the Safe Drinking Water Act and the Federal Water Pollution Control Act. Potential water quality issues include discharges from wastewater treatment or solid waste facilities, surface or ground water appropriations for potable water treatment facilities; ground water protection programs – sole source aquifers and recharge areas; and water quality degradation from temporary construction activities. Water quality changes can impact other environmental resources such as wetlands, aquatic species, etc., and reach beyond the immediate project area. Additional topics that may be of concern for a given project may include impacts to public waters, well disclosures, and water appropriations/rights.

Section 1424(e) of the Safe Drinking Water Act of 1974 authorizes EPA to designate an aquifer for special protection if it is the sole or principal drinking water resource for an area and if its contamination would create a significant hazard to public health. The designation protects an area's groundwater resource by requiring EPA to review certain proposed projects within the designated area. All proposed projects receiving federal funds are subject to review to ensure that they do not endanger the water source.

As authorized by the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however,

industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. In most cases, the NPDES permit program is administered by authorized states.

Agency Jurisdiction:

US EPA or authorized state agency.

EPA: <http://www.epa.gov>

EPA Office of Water: <http://water.epa.gov/>

Resource Information or Location:

EPA, Ground Water and Drinking Water: <http://water.epa.gov/drink/>

Sole Source Aquifer Protection Program:

<http://cfpub.epa.gov/safewater/sourcewater/sourcewater.cfm?action=SSA>

or

<http://water.epa.gov/infrastructure/drinkingwater/sourcewater/protection/solesource/aquifer.cfm>

Includes links to EPA regional contacts and more information on the 73 existing designated SSAs.

EPA Office of Wastewater Management: <http://water.epa.gov/aboutow/owm/index.cfm>

NPDES permitting: <http://cfpub.epa.gov/npdes/index.cfm> or

<http://www.epa.gov/owm/npdes.htm>

In most cases the NPDES program is implemented by authorized states. State program status can be found at: <http://cfpub.epa.gov/npdes/statestats.cfm>

Can also access <http://cfpub.epa.gov/npdes/stateinfo.cfm> for regional and state contact information for NPDES program.

Section 404 dredge and fill permits and permits for Section 10 Rivers and harbors Act: EPA

<http://cfpub.epa.gov/npdes/index.cfm>

- to access regional and state contact information for NPDES program

O. Wetlands

RD staff instruction in Part 1970.300 (Subpart G) includes additional information relating to wetlands.

Governing Statutes/Regulations:

Project shall be examined for conformance to Executive Order 11990, Protection of Wetlands and Department Regulation 9500-3, Land Use Policy. A determination of whether the project will cause changes in natural values and functions of the wetlands is required. RD will not provide financial assistance or provide project approval if wetland conversion is involved. The only exception is there exists a demonstrated significant need for the project and there are no practicable alternative actions or sites, and then conversion must be minimized and mitigated.

Agency Jurisdiction:

The US Army Corps of Engineers has regulatory authority over Waters of the US, including wetlands and should be consulted regarding Section 404 (of the Clean Water Act) permitting. Permits are required for placement of any structure within the mean high watermark of navigable waterways and placement of dredged or fill material within the mean high water mark and adjacent wetlands and tributaries of all waters of the U.S.

U.S. Army Corps of Engineers;

<http://www.usace.army.mil/>

<http://www.usace.army.mil/Pages/default.aspx>

Initial contact should be through the local Corps district, as listed at [www.usace.army.mil/about/Pages/Locations.aspx](http://www.usace.army.mil/about/Pages/Locations.aspx) [enter state and will take user to appropriate Corps District's regulatory website].

Resource Information or Location:

Wetlands may be dispersed throughout a state and are typically associated with lakes, rivers, streams, and coastal areas. Two thirds of the US currently lack regulatory programs that comprehensive address wetlands and isolated wetlands in particular. Of the states that do have regulatory programs, statutes and regulations addressing wetlands and other isolated waters vary substantially. For more information on state wetland programs, visit:

<http://aswm/org/swp/index.htm>

Permit Information:

[http://www.usace.army.mil/CECW/Pages/cecwo\\_reg.aspx](http://www.usace.army.mil/CECW/Pages/cecwo_reg.aspx)

[http://www.usace.army.mil/CECW/Pages/reg\\_permit.aspx](http://www.usace.army.mil/CECW/Pages/reg_permit.aspx) [includes links to Corps guidance relating to wetlands jurisdictional determinations]

[http://www.usace.army.mil/CECW/Pages/reg\\_supp.aspx](http://www.usace.army.mil/CECW/Pages/reg_supp.aspx) [links to regional supplements to Corps Wetlands Delineation Manual]

<http://www.usace.army.mil/howdoi/civilmap.htm>

For wetlands on agricultural property, consult with the State Conservationist, NRCS.

The following agencies can provide additional assistance in locating and analyzing wetland:

NRCS Soil survey maps: <http://websoilsurvey.nrcs.usda.gov/app/>

NRCS hydric soils lists: <http://soils.usda.gov/use/hudric/>

US Fish and Wildlife Service: <http://www.fws.gov/wetlands>

The US Fish and Wildlife Service has an ongoing nationwide effort to identify, classify and map wetlands. The agency has developed a series of topical maps to show wetlands and deepwater habitats. This geospatial information is used by Federal, State and local agencies, academic institutions and private industry for management, research, policy development, education and planning activities. These National Wetland Inventory (NWI) maps are produced at a 1:24,000 scale on the same indexing system as used by USGS topographical maps. Hard copy National Wetland Inventory Maps may be ordered (for those that have been digitized) through US Fish and Wildlife Service: <http://www.fws.gov/wetlands>. Maps should be free to RD Offices and at a small nominal cost to applicants and consultants.

In addition, digital wetlands data may be downloaded and viewed through several methods. Wetlands mapper websites include:

<http://www.fws.gov/wetlands/Data/Mapper.html>

<http://www.fws.gov/wetlands/data/> (geospatial wetlands digital data)

[http://www.fws.gov/wetlands/\\_documents/gData/WetlandsMapperInstructionsManual.pdf](http://www.fws.gov/wetlands/_documents/gData/WetlandsMapperInstructionsManual.pdf) [Wetlands Mapper Documentation and Instructions Manual, August 2010]