

## RESTORE Act Environmental Compliance Form - Department of the Treasury

OMB Approval Number 1505-0250

*The following questions will aid the applicant in identifying the environmental laws that may apply to the eligible activity and the environmental documents that should be submitted with the application. If a response of 'Yes' is recorded to any of the following questions, the applicant should summarize the status of any actions taken to implement the requirements of the law. If a response of 'No' is recorded to any of the following questions, the applicant has the option to summarize their analysis and conclusion regarding the non-applicability of the environmental law. Treasury will use submitted documents to record the applicant's assertion that it has complied with applicable environmental laws. For projects that will be implemented by a subrecipient, applicants may submit an RESTORE Act Environmental Compliance Form completed by the subrecipient's authorized representative. A signed statement from the applicant attesting to its review of the subrecipient's RESTORE Act Environmental Compliance Form must be included with the application.*

**Please note: More information, references, and links to all the laws and executive orders can be found in the Environmental Checklist Reference Guide on Treasury's RESTORE Act website.**

### A. FORM INTAKE

- 1) Please offer the following details about who provided the information to complete this form.
  - Name:
  - Title:
  - Organization:
  - Date:
  
- 2) For projects that do not involve construction activities, has the applicant identified any environmental laws that may apply to the eligible activity?
  - Yes. If yes, the applicant will proceed to question 3.
  - No.
  - Not applicable. The project includes construction activities.
  
- 3) Will the project be implemented by a subrecipient?
  - Yes. If yes, provide the subrecipient organization:
  - No. If no, proceed to Section B.
  
- 4) Has the subrecipient's authorized representative completed and certified the Environmental Compliance Form?
  - Yes. If the subrecipient has completed and certified the Environmental Compliance Form at time of application, the applicant should upload the certified form and any supporting documentation.
  - No. If the subrecipient has not completed and certified the Environmental Compliance Form

review at time of application, please provide a brief explanation (for example, the subrecipient agreement has not been executed and the applicant will require the subrecipient to submit a completed and certified Environmental Compliance Form prior to commencing construction activities within the scope of work.)

5) Certification of Review

If the Environmental Compliance Form is completed and certified by the subrecipient, the applicant must complete the following statement attesting to review of the subrecipient's Environmental Compliance Form.

*The Applicant certifies that it has reviewed the subrecipient's RESTORE Act Environmental Compliance Form and attest to its accuracy.*

Signature of Applicant's Authorized Senior Official:

Name:

Date:

Title:

Organization:

**B. ASSESSMENT OF APPLICABILITY OF ENVIRONMENTAL LAWS**

If the project will be implemented by the recipient, the following questions must be completed by the applicant.

1) **NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)**

*An Environmental Review may be required based on the answers to the following questions:*

Will the proposed activity be subject to any federal permitting authority, subject to any federal regulatory decision or approval, and/or receive federal assistance of any federal agency (other than RESTORE Act funding associated with this application)?

*If the answer to **any** of these questions is "yes," contact the relevant federal agency or agencies for further guidance on environmental compliance.*

Yes  No  Uncertain

If yes, list the federal agency(ies): \_\_\_\_\_

Has a NEPA or NEPA-like review been prepared for this proposed eligible activity or is a NEPA review underway?

*NEPA documentation may include a Categorical Exclusion (CE), Environmental Assessment (EA)/Finding of No Significant Impact, or an Environmental Impact Statement (EIS), or a state or tribal equivalent, or the issuance of or a public notice of intent to issue a federal permit, such as a USACE Section 404/10 permit.*

Yes  No  Uncertain

If yes, list the document(s) and federal agency(ies): \_\_\_\_\_

If no, briefly summarize your entity's determination that a NEPA or NEPA-like review will not be required for this proposed eligible activity. (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of the environmental review, correspondence with the relevant federal agency(ies), or copy of a public notice of intent to issue a federal permit.*

## 2) **COASTAL ZONE MANAGEMENT ACT (CZMA)**

A federal consistency determination or certification pursuant to Section 307 of the Coastal Zone Management Act may be required from the state coastal zone management program, based on the answers to the following questions:

If the activity will occur in or near the state's designated coastal zone, and therefore in the Gulf Coast Region as defined in Treasury's regulations at 31 CFR 34.2, is the activity likely to have reasonably foreseeable effects on any land or water use or natural resource of the designated coastal zone?

Yes  No  Uncertain

*If yes, a federal consistency determination or certification pursuant to Section 307 of the CZMA may be required, from the state agency responsible for CZMA consistency.*

If no, briefly summarize your entity's determination that the activity will not be likely to have reasonably foreseeable effects on any land or water use or natural resource of the designated coastal zone. (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include correspondence with relevant State Coastal Zone Management Program regarding CZMA applicability and requirements, a copy of a federal consistency*

determination, or copy of a certificate. In cases of joint reviews, documentation of CZMA compliance may include a copy of a state permit. In Florida, documentation may include a copy of a clearance letter from the state Clearinghouse.

**3) NATIONAL MARINE SANCTUARIES ACT**

A permit or other authorization may be required from the National Oceanic and Atmospheric Administration (NOAA) based on the answer to the following question:

Is the proposed activity located in a National Oceanic and Atmospheric Administration (NOAA) National Marine Sanctuary?

*If the answer to this question is “yes” or “uncertain” contact the nearest Regional Office of NOAA’s National Marine Sanctuaries Program for further guidance.*

Yes  No  Uncertain

If yes, identify the National Marine Sanctuary: \_\_\_\_\_

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a state or federal permit, copy of a consultation, or correspondence with a Regional Office of NOAA's National Marine Sanctuaries Program to determine whether a permit and/or consultation or further coordination is required.*

**4) MAGNUSON – STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT**

Consultation with the NMFS may be required if Essential Fish Habitat (EFH) is present and based on the answers to the following questions:

Will the proposed activity occur in proximity to an Essential Fish Habitat (EFH) as identified by NOAA’s National Marine Fisheries Service (NMFS)?

*If yes, consultation with NMFS Habitat Conservation Division may be required.*

Yes  No  Uncertain

If yes, identify the EFH types: \_\_\_\_\_

If no, briefly summarize your entity's determination that EFH is not present: (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further*

*coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a state or federal permit, copy of a consultation, or correspondence with NOAA NMFS to determine whether a permit and/or consultation or further coordination is required.*

5) **MARINE MAMMAL PROTECTION ACT (MMPA) (NMFS)**

A permit may be required if an activity will result in the “take” of a marine mammal, based on the answers to the following questions. “Take” as defined under the MMPA means "to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal" (16 U.S.C. 1362). Permits for most marine mammals are issued by NMFS.

*If the answer to either of these questions is “yes” or you are unsure, contact NMFS.*

Will the proposed activity occur in proximity to any known marine mammals under the jurisdiction of the NMFS?

Yes  No  Uncertain

If no, briefly summarize your entity's determination that the proposed activity will not occur in proximity to any known marine mammals under the jurisdiction of NMFS. (optional)

Will the proposed activity likely result in the take of a marine mammal?

Yes  No  Uncertain

If yes, identify the marine mammal(s): \_\_\_\_\_

If no, briefly summarize your entity's determination that the proposed activity will not likely result in the take of a marine mammal. (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with NMFS. This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a state or federal permit, copy of a consultation, or correspondence with a NMFS Field Office to determine whether a permit and/or consultation or further coordination is required.*

6) **MARINE MAMMAL PROTECTION ACT (USFWS)**

A permit may be required if an activity will result in the “take” of a marine mammal, based on the answers to the following questions. "Take" as defined under the MMPA means "to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal" (16 U.S.C. 1362). Manatees, polar bears, sea otters, walruses, and dugongs are under the jurisdiction of the USFWS.

*If the answer to either of these questions is “yes” or you are unsure, contact the appropriate USFWS ecological services office to determine if a permit is required.*

Will the proposed activity occur in proximity to any known marine mammals under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS)?

Yes  No  Uncertain

If no, briefly summarize your entity's determination that the proposed activity will not occur in proximity to any known marine mammals under the jurisdiction of USFWS. (optional)

Will the proposed activity likely result in the take of a marine mammal?

Yes  No  Uncertain

If yes, identify the marine mammal(s): \_\_\_\_\_

If no, briefly summarize your entity's determination that the proposed activity will not likely result in the take of a marine mammal. (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a state or federal permit, copy of a consultation, or correspondence with a USFWS Field Office to determine whether a permit and/or consultation or further coordination is required.*

7) **ENDANGERED SPECIES ACT (ESA) (USFWS)**

A consultation pursuant to Section 7 or 10 of the Endangered Species Act and/or a permit and conservation plan pursuant to Section 10 may be required based on the answers to the following questions:

*If the answer to either of these questions is “yes,” or you are unsure, contact the appropriate ecological services field office of the USFWS and/or the Office of Protected Resources Program of the NMFS to determine if consultation is required. Most consultations are conducted informally with the*

*federal agency or a designated non-federal representative.*

Will the proposed activity occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of the USFWS?

Yes  No  Uncertain

If no, briefly summarize your entity's determination that the proposed activity will not occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of USFWS. (optional)

Will the proposed activity potentially affect threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of the USFWS?

Yes  No  Uncertain

If yes, list the species: \_\_\_\_\_

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a consultation pursuant to Section 7 of the ESA and/or a copy of a Section 10 permit and conservation plan. Documentation may include correspondence with the appropriate USFWS Field Office to determine if consultation is required.*

## 8) **ENDANGERED SPECIES ACT (NMFS)**

A consultation pursuant to Section 10 of the Endangered Species Act and/or a permit and conservation plan pursuant to Section 10 may be required based on the answers to the following questions:

*If the answer to either of these questions is "yes," or you are unsure, contact the Office of Protected Resources Program of NMFS to determine if consultation is required. Most consultations are conducted informally with the federal agency or a designated non-federal representative.*

Will the proposed activity occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of the NMFS?

Yes  No  Uncertain

If no, briefly summarize your entity's determination that the proposed activity will not occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of NMFS. (optional)

Will the proposed activity potentially affect threatened or endangered species or critical

habitat as defined by the ESA and under the jurisdiction of the NMFS?

Yes  No  Uncertain

If yes, list the species: \_\_\_\_\_

If no, briefly summarize your entity's determination that the proposed activity will not occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of NMFS. (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a consultation pursuant to Section 7 of the ESA and/or a copy of a permit and conservation plan pursuant to Section 10. Documentation may include correspondence with the appropriate NMFS Office to determine if consultation is required.*

#### 9) **COASTAL BARRIER RESOURCES ACT (CBRA)**

Federal funding may be prohibited for projects that occur on certain designated coastal barriers, based on the answer to the following question:

Is the proposed activity located in or adjacent to a unit of the Coastal Barrier Resources System (CBRS)?

*If yes, the federal funding for the activity may be prohibited. Treasury may be required to make a determination regarding CBRA compliance. If the answer to this question is "yes," contact the appropriate USFWS ecological services office for further guidance. If yes, the federal funding for the activity may be prohibited.*

Yes  No

If yes, indicate the CBRS unit(s): \_\_\_\_\_

If no, briefly summarize your entity's determination that the proposed activity is not located in or adjacent to a unit of the CBRS. (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:



Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of an exception to meeting CBRA, correspondence with the appropriate USFWS Field Office, and/or a CBRS Mapper image that demonstrates the project is not located in or adjacent to a unit of CBRA.*

#### 10) **MIGRATORY BIRD TREATY ACT**

The migratory bird species protected by the Act are listed in 50 C.F.R. 10.13. A consultation with USFWS may be required based on the answers to the following question:

Will the proposed activity affect any migratory bird species protected by the Migratory Bird Treaty Act?

Yes  No  Uncertain

*If the answer is "yes" or you are unsure, contact the appropriate ecological services field office of the USFWS. More information can be found at FWS Migratory Bird Treaty Act. A consultation and/or permit from the USFWS may be required.*

If yes, list the migratory bird species: \_\_\_\_\_

If no, briefly summarize your entity's determination that the proposed activity will not affect any migratory bird species protected by the Migratory Bird Treaty Act. (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a permit, a copy of a consultation, or correspondence with the appropriate USFWS Field Office to determine whether a permit, and/or consultation or further coordination is required.*

#### 11) **BALD AND GOLDEN EAGLE PROTECTION ACT**

A permit may be required based on the answers to the following questions:

Will the proposed activity affect any bald or golden eagles protected by the Bald and Golden Eagle Protection Act?

Yes  No  Uncertain

If no, briefly summarize your entity's determination that the proposed activity will not affect any bald or golden eagles protected by the Bald and Golden Eagle Protection Act. (optional)

Do you have anything to report on environmental compliance status for this law?  
*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a permit, a copy of a consultation, or correspondence with the appropriate USFWS Field Office to determine whether a permit, and/or consultation or further coordination is required.*

## 12) **WILD AND SCENIC RIVER ACT**

There are designated Wild and Scenic rivers in the Gulf Coast States and the Act may apply based on the answer to the following question:

Is the proposed activity located on a designated Wild and Scenic River?

*If the answer to this question is "yes," contact the appropriate USFWS ecological services office for further guidance.*

Yes  No

If yes, list the river: \_\_\_\_\_

Will the proposed activity located on a designated Wild and Scenic River harm the free-flowing condition, water quality, or outstanding resource values of the river?

Yes  No

*If yes, the activity may be prohibited. Contact the USFWS.*

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include correspondence with the appropriate USFWS ecological service office for further guidance and any necessary mitigation requirements.*

## 13) **NATIONAL HISTORIC PRESERVATION ACT (NHPA) AND THE ARCHAEOLOGICAL AND HISTORIC PRESERVATION ACT (AHPA)**

*If the answer to this question is “yes,” or you are unsure, contact your state historic preservation office for further guidance concerning compliance requirements.*

Will the proposed activity occur either near property listed or eligible for listing in the National Register of Historic Places or near property otherwise protected by section 106 of the NHPA or a similar State Preservation Act?

Yes  No  Uncertain

If no, briefly summarize your entity's determination that the proposed activity will not occur near property listed or eligible for listing in the National Register of Historic Places or near property otherwise protected by section 106 of the NHPA or a similar State Preservation Act. (optional)

Will the proposed activity adversely affect either a property listed or eligible for listing in the National Register of Historic Places or near property otherwise protected by section 106 of the NHPA or a similar State Preservation Act?

Yes  No  Uncertain

*If yes, the activity may be prohibited or require mitigation from the State Historic Preservation Officer or Tribal Historic Preservation Officer.*

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a description of special conditions required on the project, or correspondence with the appropriate state historic preservation office or tribal historic preservation office for further guidance concerning any compliance requirements.*

**14) RIVERS and HARBORS ACT - SECTION 10 (and SECTION 408 if applicable)**

A permit may be required from the USACE based on the answer to the following question:

Will the proposed activity involve any work (including structures) that will occur in, over or under navigable waters of the United States?

Yes  No  Uncertain

*In cases of use or alteration of a federal civil works project, a Section 408 consultation with the USACE may be required. If the answer to this question is “yes” or you are unsure, contact the Regulatory Program of the nearest District Office of the USACE for further guidance on Section 10 permits. If yes, a Section 10 permit may be required from the USACE.*

If no, briefly summarize your entity's determination that the proposed activity will not occur in, over, or under navigable waters of the United States. (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a Section 10 permit from USACE (standard individual permit, letter-of-permission, nationwide permit, or regional permit), a Section 408 consultation with USACE, or correspondence with USACE to determine whether a permit, and/or consultation or further coordination is needed.*

#### 15) **CLEAN WATER ACT (CWA), SECTION 404**

A permit may be required based on the answer to the following question:

Will the proposed activity result in any discharge of dredge or fill material to the nation's waters or wetlands?

*If the answer to this question is "yes" or you are unsure, contact the Regulatory Program of the nearest District Office of the USACE for further guidance on Section 404 permits. If yes, a Section 404 permit may be required from the USACE.*

Yes  No  Uncertain

If no, briefly summarize your entity's determination that the proposed activity will not result in any discharge of dredge or fill material in the Nation's waters or wetlands. (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a CWA Section 404 permit from USACE or delegated state agency, or evidence of exemption from permit requirements. Documentation may include correspondence with USACE or delegated state agency to determine whether a permit or further*

coordination is needed.

**16) CLEAN WATER ACT (CWA), SECTIONS 401 and 402**

A National Pollution Discharge Elimination System (NPDES) permit may be required based on the answer to the following question:

Will the proposed activity result in any discharge of a pollutant to the nation's waters or wetlands?

Yes  No  Uncertain

*If yes, a Section 401 Water Quality Certification and/or 402 National Pollutant Discharge Elimination System (NPDES) permit may be required from the Environmental Protection Agency (EPA) or a State or local agency authorized by EPA to administer the NPDES permitting program under State law. If the answer to this question is "yes," or you are unsure, contact your state water quality agency for additional guidance.*

If no, briefly summarize your entity's determination that the proposed activity will not result in any discharge of pollutants to the Nation's waters or wetlands. (optional)

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a CWA Water Quality Certification (Section 401) or a copy of a National Pollution Discharge Elimination System (NPDES) permit for discharges. Documentation may include correspondence with the relevant state water quality agency with guidance concerning any Section 401 or NPDES requirements.*

**17) MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT (MPRSA)**

A permit may be required based on the answer to the following question:

Does the proposed activity involve the transportation of materials from the US for the purpose of ocean dumping covered by the MPRSA?

Yes  No  Uncertain

*If the answer to this question is "yes" or you are unsure, contact the Environmental Protection Agency's (EPA) Office of Wetlands, Oceans, and Watersheds/Oceans and Coastal Protection Division for further guidance.*

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further*

*coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a state or federal permit, or correspondence with EPA to determine whether a permit and/or consultation or further coordination is required.*

#### 18) **CLEAN AIR ACT (CAA)**

Special conditions may be required on projects that could affect air quality, based on the answer to the following question:

Will the proposed activity result in any emissions of pollutants to the air within a non-attainment area or maintenance area?

Yes  No  Uncertain

*If the answer to this question is "yes" or you are unsure, contact the nearest state air quality agency for further guidance on determining conformity with the state implementation plan. If yes, the activity may require compliance with the CAA including obtaining a permit in some circumstances from EPA or a delegated state agency.*

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a CAA permit from EPA or a delegated state agency, or correspondence with the EPA or delegated state agency to determine conformity with the relevant state implementation plan.*

#### 19) **RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)**

A RCRA permit may be required from the EPA or designated state agency based on the answer to the following question:

Will the proposed activity include the treatment, storage, or disposal of hazardous waste or involve underground storage tanks?

Yes  No  Uncertain

*If the answer to this question is "yes" or you are unsure, contact the nearest RCRA Regional Office of*

*the EPA or state authorized agency for further guidance on RCRA compliance. If yes, RCRA hazardous waste storage tank requirements may apply.*

Do you have anything to report on environmental compliance status for this law?  
*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a permit, or correspondence from EPA or authorized state agency with further guidance on RCRA compliance.*

**20) COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA)**

Special provisions and requirements may apply based on the answer to the following question:

Will the proposed activity involve a Superfund site?

Yes  No  Uncertain

*If the answer to this question is "yes" or you are unsure, contact the nearest Regional Office of the EPA for further guidance on CERCLA requirements. If yes, the activity requires coordination with EPA.*

Do you have anything to report on environmental compliance status for this law?  
*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a permit, or correspondence from EPA or authorized state agency with further guidance on CERCLA compliance, including any special provisions and requirements that may apply.*

**21) SAFE DRINKING WATER ACT (SDWA)**

A permit may be required if the proposed activity will involve underground injection which may impact drinking water sources and based on the answer to the following question:

Will the proposed activity involve underground injection, which may impact drinking water sources?

Yes  No  Uncertain

*If yes, a SDWA permit may be required from EPA or a state with an EPA-approved primacy program.*

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a permit, or correspondence from EPA or state drinking water or underground injection control program with further guidance on SDWA compliance, including any special provisions and requirements that may apply.*

## 22) FARMLAND PROTECTION POLICY ACT (FPPA)

Will the proposed activity irreversibly convert farmland (directly or indirectly) to nonagricultural use?

Yes  No

*If yes, the project may be subject to U.S. Department of Agriculture FPPA requirements.*

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a correspondence with the local office of the Natural Resources Conservation Service with further guidance on FPPA requirements and any applicable permits or mitigation steps.*

## 23) FLOOD DISASTER PROTECTION ACT OF 1973

Is the proposed activity located in a Special Flood Hazard Area on a National Flood Insurance Program map?

Yes  No  Uncertain

*If yes, the purchase of Federal Flood Insurance may be required.*

Do you have anything to report on environmental compliance status for this law?



Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a map image that demonstrates the project is not located in a Special Flood Hazard Area on a NFIP map. Documentation may include a record of the eight-step process to be followed for projects that may have potential impacts to or within floodplains, or correspondence with the nearest Regional Office of FEMA with further guidance.*

**24) E.O. 11988 and E.O. 12148 – FLOOD MANAGEMENT**

Is the proposed activity located in a Special Flood Hazard Area on a National Flood Insurance Program map?

Yes  No  Uncertain

*If yes, a public notice may be required.*

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a map image that demonstrates the project is not located in a Special Flood Hazard Area on a NFIP map. Documentation may include a record of the eight-step process to be followed for projects that may have potential impacts to or within floodplains, or correspondence with the nearest Regional Office of FEMA with further guidance.*

**25) E.O. 11990 and E.O. 12608 – WETLAND PROTECTION**

Is any portion of the project proposing a new construction activity in wetlands?

Yes  No  Uncertain

*If yes, action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands may be required.*

If no, briefly summarize your entity's determination that the project is not proposing a new construction activity in wetlands. (optional)

Do you have anything to report on environmental compliance status for this law?  
*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a determination that there is no practicable alternative to the construction, and/or the proposed action includes all practicable measures to minimize harm to wetlands. Documentation may include correspondence with the appropriate USFWS Field Office to determine whether consultation or further coordination is necessary. Documentation may include a Wetlands Mapper image depicting the project location and proximity to wetlands.*

**26) E.O. 12898 ENVIRONMENTAL JUSTICE**

Will the proposed activity have disproportionately high and adverse human health or environmental effects on minority or low-income populations?

Yes  No  Uncertain

*If yes, the activity may require mitigation.*

Do you have anything to report on environmental compliance status for this law?  
*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include further guidance from the Council on Environmental Quality regarding the incorporation of EJ into environmental reviews.*

**27) E.O. 13089 – CORAL REEF PROTECTION**

Will the proposed activity involve a coral reef ecosystem or National Marine Sanctuary?

Yes  No

*If yes, the activity should not degrade the condition of coral reef ecosystems.*

Do you have anything to report on environmental compliance status for this law?  
*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a copy of a permit, or correspondence with NOAA Coral Reef Program to determine with a permit, and/or consultation or further coordination is required.*

**28) E.O. 13112 – INVASIVE SPECIES**

Will the proposed activity have the potential to introduce or cause the spread of an invasive species?

Yes  No  Uncertain

*If yes, action to prevent the introduction of invasive species may be required.*

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a description of actions necessary to prevent the introduction of invasive species, or correspondence with the USDA to determine whether further coordination or guidance is required.*

**29) E.O. 13186 – RESPONSIBILITIES OF FEDERAL AGENCIES TO PROTECT MIGRATORY BIRDS**

Is the proposed activity likely to occur during a time of the year when migrating birds are in the vicinity?

Yes  No  Uncertain

*If yes, the activity may be prohibited or require mitigation from the USFWS.*

Do you have anything to report on environmental compliance status for this law?

*Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.*

N/A  Yes  No

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

*Documentation may include a description of mitigation actions or correspondence with the appropriate USFWS Field Office to determine whether further coordination or guidance is required.*

**C. OTHER PERMITS AND CERTIFICATIONS**

Does the applicant anticipate that the proposed activity will require any other federal, tribal, state, or local permits or certifications that have not yet been addressed?

Yes  No  Uncertain

If yes, please provide the following information for any additional permits or certifications.

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

**D. Certification**

Signature of Applicant Authorized Official:

Name:

Date:

Title:

Organization: