

FEDERAL LAWS

Please let us know if the answer to any of the following is 'yes'.

1.1 NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

- 1) Will the proposed activity be under the permitting authority of any federal agency?
- 2) Will the proposed activity receive federal assistance (other than Coronavirus Capital Projects Fund funding)?
- 3) Will the proposed activity be subject to any federal regulatory decision or approval?
- 4) Has a NEPA or NEPA-like review been independently prepared for this proposed eligible activity or is a NEPA review underway?

1.2. COASTAL ZONE MANAGEMENT ACT (CZMA)

- 1) Will the proposed activity occur in or near the state designated coastal zone?
- 2) Is the activity likely to have reasonably foreseeable effects on any land or water use or natural resource of the designated coastal zone?

1.3 ENDANGERED SPECIES ACT (ESA)

- 1) 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 National Marine Fisheries Service (NMFS)?
- 2) Will the proposed activity potentially affect threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of National Marine Fisheries Service (NMFS) or U.S. Fish and Wildlife Service (USFWS)?

1.4 MAGNUSON – STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT (MSA)

- 1) Will the proposed activity occur in proximity to EFH as identified by the nearest Regional Fishery Management Council?
- 2) Will the proposed activity potentially adversely affect EFH?

1.5 MARINE MAMMAL PROTECTION ACT (MMPA)

- 1) Will the proposed activity occur in proximity to any known marine mammals?
- 2) Will the proposed activity likely result in the take of a marine mammal?

1.6 CLEAN WATER ACT (CWA)

- 1) Will the proposed activity result in any disposal of dredge or fill material to the nation's waters or wetlands?
- 2) Will the proposed activity result in any discharge to navigable waters?

1.7 CLEAN AIR ACT (CAA)

Will the proposed activity result in any direct or indirect emissions within a non-attainment area?

1.8 NATIONAL HISTORIC PRESERVATION ACT (NHPA)

Will the proposed activity occur near property listed or eligible for listing in the National Register of Historic Places (<https://www.nps.gov/subjects/nationalregister/index.htm>), or near property otherwise protected by section 106 of the National Historic Preservation?

1.9 COASTAL BARRIER RESOURCE ACT (CBRA)

Is the proposed activity located on an undeveloped coastal barrier designated by the Coastal Barriers Resources Act?

1.10 RIVERS AND HARBORS ACT

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

1.11 RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

Will the proposed activity include the long-term storage of hazardous materials or petroleum products?

1.12 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA)

Will the proposed activity involve a known Superfund site?

1.13 WILD AND SCENIC RIVERS ACT

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

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

1.15 FARMLAND PROTECTION POLICY ACT (FPPA)

Is the proposed activity for new construction, acquisition of undeveloped land or change in use of land or property?

EXECUTIVE ORDERS

2.1 E.O. 11988, as amended by E.O. 13690 – Floodplain Management

Is the proposed activity located in a designated floodplain or have the potential to affect or be affected by a floodplain on a National Flood Insurance Program map?

2.2 E.O. 11990 – WETLAND PROTECTION

Is any portion of the proposed activity in wetlands?

2.3 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?

2.4 E.O. 13089 – CORAL REEF PROTECTION

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

2.5 E.O. 13112 – INVASIVE SPECIES

2.6 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?