

Attachment F

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Assistance in Providing Environmental Information

It is extremely important that the information provided with each proposed Cost Accounting Center be in sufficient detail to permit the certificate holder and the Bureau of Justice Assistance to perform their review. Failure to provide sufficient data will delay this review as well as a decision on your proposed industry.

The CAC Designation Process is designed to obtain an understanding of both the industry area's present environmental condition and the elements of the industry that will affect the environment. Information must be provided for the site(s) where the industry facilities are or will be located and the surrounding areas directly and indirectly affected by the facilities' operations. The amount of detail should be commensurate with the complexity and size of the industry and the magnitude of the expected impact(s).

1. Industry Description

Describe the operations that will be conducted and any products that will be produced. Describe the processes, actions, or tasks to be performed, including the nature of the incoming and outgoing materials, their method(s) of shipment, storage, handling, and disposal (where applicable). Indicate if the industry represents either (a) a continuation of the same operations at the same site; (b) an expansion of existing operations at the same site and, if so, the specifics of the expanded operations; or (c) a new enterprise. Indicate whether or not construction of any new facilities will be necessary and, if so, the extent of this new construction.

Describe any related industry(ies). For example, a related project would be a necessary extension of a water or sewer system or new road construction for access purposes. In completing items (2) through (15), provide similar requested information for any related project.

2. Site and Area Description

Describe the size, terrain, and present land use of the industry site, as well as the surrounding land uses to include the directions and distances involved. Issues that could be covered in this section include:

Air Quality (a) Indicate the types and quantities of air emissions produced by the industry facilities. If odors will occur, indicate who will be affected, especially in terms of the adjacent land uses, and (b) Indicate the measures to be taken to control air emissions.

Water Quality (a) Indicate the source, quality, and available supply of raw water and the amount of water which the industry is designed to utilize; (b) Describe all of the effluents or discharges associated with the industry facilities. Indicate the expected composition and quantities of these discharges prior to any treatment processes that they undergo and also prior to their release into the environment; (c) Describe any treatment systems that will be used for these effluents and indicate their capacities and their

adequacy in terms of the degree and type of treatment provided. Indicate all discharges that will not be treated. Describe the receiving waters and their uses (e.g., recreational) for any sources of treated and untreated discharge; (d) If the treatment systems are or will be inadequate or overloaded, describe the steps for necessary improvements and their completion dates; (e) Describe how surface runoff is or will be handled, if not discussed in (c) above.

Solid Waste Management (a) Indicate the types and quantities of solid wastes to be produced by the industry facilities; (b) Describe the methods for disposing of these solid wastes plus the useful life of such methods; (c) Indicate if any recycling or resource recovery programs are or will be used.

Transportation (a) Briefly describe the available transportation facilities serving the industry area; (b) Describe any new transportation patterns that will arise because of the industry; (c) Indicate if any sensitive land uses, such as residential, hospitals, schools, or recreational, will be affected by these new patterns; (d) Indicate if any existing capacities of these transportation facilities will be exceeded. If so, indicate the increased loads that the industry will place upon these facilities, particularly in terms of automobile and truck traffic.

Noise (a) Indicate the major sources of noise associated with the industry facilities, and (b) Indicate the land uses to be affected by this noise.

Energy (a) Describe the energy supplies (sources) available to the industry facilities, and (b) Indicate what portion of the remaining capacities of these supplies will be utilized.

3. Historic/Archaeological Properties

(a) Identify any known historic/archaeological resources within the industry area that are either listed on the National Register of Historic Places or considered to be of local or state significance and perhaps eligible for listing in the National Register.

(b) If the industry will not be located within an existing prison industrial facility, attach as Exhibit III any historical/archeological survey that you know has been prepared for the industry area.

4. Wildlife and Endangered Species

(a) Identify any known wildlife resources located in the industry area or its immediate vicinity.

(b) Indicate whether to your knowledge any endangered or threatened species or critical habitat have been identified in the industry area or its immediate vicinity.

5. Toxic Substances

(a) Describe any toxic, hazardous, or radioactive substances which will be utilized or produced by the industry facilities.

(b) Describe the manner in which these substances will be stored, used, and disposed.

6. Public Reaction

(a) Describe any objections which have been made to the industry.

(b) If a public hearing has been held, attach a copy of the transcript as Exhibit IV. If not, certify that a hearing was not held.

(c) Indicate any other evidence of the surrounding community's awareness of the industry, such as through newspaper articles or public notification.

7. Mitigation Measures

Describe any measures which will or are being taken to avoid or mitigate any adverse environmental impacts associated with the industry.

8. Permits

(a) Identify any permits of an environmental nature that are required for the industry.

(b) Indicate the status of obtaining each such permit and attach as Exhibit V any that have been obtained.

9. Related Federal Actions

Identify any federal programs, projects, or actions that are related to this industry and for which you are either filing an application, have recently received approval, or have in the planning stages.

Federal and State Contacts for NEPA

The following list of contacts is provided to assist you in determining the nature and extent of proposed industry actions on the environment. Generally, for operations in existing facilities that do not involve renovations, new construction and operations that do not involve toxic or hazardous substances, direct contact with the listed organizations is not required.

Wetlands*

Contact the local U.S. Department of the Interior, Fish and Wildlife Service or the State Wetland Office.

Flood plains *with* existing structure(s)*

Contact the local or regional Federal Emergency Management Agency or the State/County Planning or Zoning Office for the FEMA Flood and Hazard Map. Best to collect this information each time due to the volume of information.

Flood plains *without* existing structure(s)*

Contact the local or regional Federal Emergency Management Agency or the State/County Planning or Zoning Office for the FEMA Flood and Hazard Map. Best to collect this information each time due to the volume of information.

Wilderness (designated or proposed under the Wilderness Act)***

Contact the local U.S. Department of Agriculture, Forest Service; or the U.S. Department of the Interior, National Parks Service; or the U.S. Department of the Interior, Bureau of Land Management to obtain a map of all wilderness areas.

Wild or Scenic River (designated or proposed under The Wild and Scenic Rivers Act)***

Contact the local U.S. Department of Agriculture, Forest Service; or the U.S. Department of the Interior, National Parks Service; or the U.S. Department of the Interior, Bureau of Land Management to obtain a map of all wild or scenic rivers.

Historical, Archaeological Sites (listed on the National Register of Historic Places or which may be eligible for listing)*

Contact the State Historic Preservation Office which contains a listing on the National Register of Historic Places (those sites considered to be of local or state significance). The Advisory Council on Historic Preservation maintains a list of State Historic Preservation Officers at <http://www.achp.gov/shpo.html>. Best to collect this information for each industry.

Critical Habitat or Endangered/Threatened Species (listed or proposed)*

Contact the local U.S. Department of the Interior, Fish and Wildlife Service, or the U.S. Department of Commerce, National Marine Fisheries Service . The National Marine Fisheries has an Office of Protected Resources at http://www.nmfs.gov/prot_res

This site also links to the U.S. Fish and Wildlife Service which has a listing for threatened and endangered species at <http://www.fws.gov/r9endspp/lspinfo.html>

The National Wildlife Federation annually publishes "The Conservation Directory" and has a web site at <http://www.nwf.org>. Critical Habitats are already mapped, but endangered species change with time.

Natural Landmark (listed on National Registry of Natural Landmarks)***

Contact the National Registry of Natural Landmarks (National Parks Service).

Important Farmlands*

Contact the U.S. Department of Agriculture, Natural Resource Conservation Service. The Natural Resource Conservation Service is at <http://www.nrcs.usda.gov> with a list of its offices by state at <http://NRCstate.html>. Best to collect this information each time due to the volume of information.

Approved Coastal Zone Management Area***

Contact the local National Coastal Zone Management Agency or National Oceanic Atmospheric Administration - only applies if it is a coastal area.

Sole Source Aquifer Recharge Area (designated by Environmental Protection Agency)***

Contact the local U.S. Environmental Protection Agency or the specific state agency that deals with the State Drinking Water Act.

*Best to collect this information each time and submit it with the supporting NEPA paperwork and documentation.

***Can be collected initially and submitted with all future NEPA requests for the specific facility.

Instructions for Preparing an Environmental Assessment

An environmental assessment (EA) may be necessary if it is determined by the Certificate Holder or BJA that potentially adverse environmental conditions or impacts may occur as a result of the proposed industry.

At the discretion of the Certificate Holder, either the industry applicant or the Certificate Holder may prepare the draft EA or contract for the preparation of all or parts of the draft EA. **If the industry applicant is required to prepare a similar type of analysis under governing state or local requirements, they should first contact the Certificate Holder to determine if this analysis may be utilized in lieu of or to support additional required assessment actions.**

The EA should be a brief discussion of:

- ✓ The components of the industry;
- ✓ Environmental impacts of the proposed industry and the alternatives; and
- ✓ A listing of the agencies and persons consulted

If the EA indicates that adverse environmental impacts can be reduced through the implementation of mitigation measures, the EA should describe the mitigation measures, how the applicant proposes to implement them, and the proposed time line for implementation.

Once the Certificate Holder is satisfied that an adequate draft has been prepared under these assessment guidelines, the Certificate Holder must provide the draft EA to BJA for review and comment. Upon review of the EA, BJA will determine it's adequacy and if the industry will have a significant impact on the environment. If a significant impact is not expected, the process will conclude with a finding of not significant impact (FONSI). If a significant impact is possible, an Environmental Impact Statement must be prepared before the CAC Designation can be further considered. The following factors are considered in determining whether or not significant environmental impacts may result:

- Both beneficial and adverse impacts are considered. A significant effect may exist even if it is believed that on balance the effect will be beneficial.
- The degree to which the proposed industry affects public health and safety.
- Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, flood plain, wetlands, wild and scenic rivers, endangered species habitat, or other ecologically critical areas.
- The degree to which the effects on the quality of the human environment are likely to be highly controversial.
- The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

- The degree to which the industry may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
- Whether the industry is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment; it cannot be avoided by breaking an industry down into small component parts.
- The degree to which the industry may adversely affect districts, sites, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.
- The degree to which the industry may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.
- Whether the industry threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

If in the process of preparing the assessment the industry applicant identifies a potential impact to an important natural or cultural resource and this impact may not be avoidable, the applicant may want to contact the Certificate Holder for guidance before proceeding further with the assessment. Included in this category of resources are flood plains, wetlands, wild and scenic rivers, park lands, important farmlands, historic sites, important wildlife habitats, or other ecologically critical areas as identified by an appropriate federal or state agency.

Content of An Environmental Assessment

An Environmental Assessment (EA) is a concise public document that provides sufficient evidence and analysis for determining whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Environmental Impact (FONSI). It is designed to help (a) make decisions that are based on an understanding of the environmental consequences of the proposed industry and (b) take actions, in the location and design of the industry, to protect, restore, and enhance the environment.

In completing the EA, it is important to understand the comprehensive nature of the impacts that must be analyzed. Consideration must be given to all potential impacts associated with the construction of the facility, its operation and maintenance, and any related projects.

The amount of analysis and material that must be provided will depend upon the type and size of the industry, the environment in which it is located, and the range and complexity of the potential impacts. The amount of analysis and detail provided, therefore, must commensurate with the magnitude of the expected impact. The analysis of each environmental factor (i.e., water quality) must be taken to the point that a conclusion can be reached and supported concerning the degree of the expected impact with respect to that factor.

The following describes the four required sections of an EA and what should be included in each section. Not every issue or potential impact will be relevant to each industry.

Purpose of the Industry

This section should briefly describe the industry. It should include a discussion of the activities and operations to be conducted and indicate whether these are new activities or an increase/expansion of existing activities.

Environmental Impact

This section provides the analytic basis for the conclusions reached regarding the industry's potential environmental impacts. It should begin with a description of the site for the proposed cost accounting center and the site's present use, the surrounding land uses, and the directions and distances involved. The extent of the surrounding land to be considered depends on the extent of the impacts of the industry and any related operations. For example, a related industry would be a necessary extension or expansion of a water or sewer system or new road construction for access purposes. The environmental impacts of these related activities must also be assessed. Unique or sensitive areas must be pointed out, such as residential areas, schools, hospitals, recreational areas, historical sites, beaches, lakes, rivers, parks, flood plains, wetlands, dunes, estuaries, barrier islands, natural landmarks, unstable soils, steep slopes, aquifer recharge areas, important farmlands, endangered species habitats, or other delicate or rare ecosystems.

Attach location maps of the industry area as well as the Federal Emergency Management Administration's flood plain map(s) for the industry area. If the industry is not located within an existing prison industrial facility and involves new construction, also attach a U.S. Geological Survey "15 minute" ("7 ½ minute," if available) topographic map which clearly delineates the

area and the location of the industry elements; and site photos. When necessary for descriptive purposes or environmental analysis, include land use maps or other graphic information. All graphic materials should be of high quality resolution.

Air Quality: Discuss the amounts and types of emissions to be produced from all aspects of the industry and known indirect effects (such as increase of motor vehicle traffic) which will affect air quality.

If the industry will be a substantial source of traffic generation or there will be a source(s) of emissions other than those associated with heating and cooling buildings, indicate the existing air quality in the area and if topographical or meteorological conditions hinder or affect the dispersal of air emissions. Evaluate the impact on air quality given the types and amounts of projected emissions, the existing air quality, and topographical and meteorological conditions. Discuss the industry's consistency with the State's air quality implementation plan for the area, the classification of the air quality control region within which the industry is located, and the status of compliance with air quality standards within that region. Cite any contacts with appropriate experts and agencies who must issue necessary permits.

Water Quality: Discuss, in terms of amounts and types of effluents, all aspects of the industry and its known, indirect effects that will affect water quality. Indicate the existing water quality of surface and/or underground water to be affected. Evaluate the impacts of the industry on this existing water quality. Indicate if an aquifer recharge area is to be adversely affected.

Indicate the source and available supply of raw water and the extent to which the additional demand will affect the raw water supply. Describe the wastewater treatment system(s) to be used and indicate their capacity and their adequacy in terms of the degree of treatment provided. Discuss the characteristics and uses of the receiving waters for any sources of discharge. If the treatment system(s) are or will be inadequate or overloaded, describe the steps being taken for necessary improvements and their completion dates. Analyze the impacts on the receiving water during any estimated period of inadequate treatment.

Discuss the industry's consistency with the water quality planning for the area. Discuss the industry's consistency with the applicable State water quality standards to include a discussion of whether or not the industry would either impair any such standard or fail to meet antidegradation requirements for point or nonpoint sources. Describe how surface runoff is to be handled and the effect of erosion on streams.

For operations utilizing a groundwater supply, evaluate the potential for the industry to exceed the safe pumping rate for the aquifer to the extent that it would (1) adversely affect the pumping capability of present users, (2) increase the likelihood of brackish or saltwater intrusion, thereby decreasing water quality, or (3) substantially increase surface subsidence risks.

For operations utilizing a surface water supply, evaluate the potential for the industry to (1) reduce flows below the minimum required for the protection of fish and wildlife or (2) reduce water quality standards below those established for the stream classification at the point of withdraw or the adjacent downstream section. Cite contacts with names of appropriate experts and agencies that must issue necessary permits.

Solid Waste Management: Indicate all aspects of the industry and known indirect effects which will necessitate the disposal of solid wastes. Indicate the kinds and expected quantities of sold wastes involved and the disposal techniques to be used. Evaluate the adequacy of these techniques especially in relationship to air and water quality. Indicate if recycling or resource recovery programs are or will be used. Cite any contacts with appropriate experts and agencies that must issue necessary permits.

Land Use: Given the description of land uses as previously indicated, evaluate (a) the effect of any changes in the land use of the industry site and (b) how this change(s) in land use will affect the surrounding land uses and those within the industry's area of environmental impact. Describe any existing land use plan and zoning restrictions for the industry area. Evaluate the consistency of the industry and its impacts with these plans.

Transportation: Describe available facilities such as highways and rail. Discuss whether the industry will result in an increase in motor vehicle traffic and the existing road's ability to safely accommodate this increase. Indicate if additional traffic control devices are to be installed. Describe new traffic patterns which will arise because of the industry. Discuss how these new traffic patterns will affect the land uses described above, especially residential, hospitals, schools, and recreational. Describe the consistency of the industry's transportation impacts with the transportation plans for the area and any air quality control plans. Cite any contact with appropriate experts.

Natural Environment: Indicate all aspects of the industry including construction, and known indirect effects which will affect the natural environment including wildlife, their habitats, and unique natural features. Cite contacts with appropriate experts.

Human Population: Discuss how impacts resulting from the industry such as changes in land use, transportation changes, air emissions, noise, odor, etc., will effect nearby residents and users of the industry area and surrounding areas. Cite contacts with appropriate experts.

Construction: Indicate the potential effects of construction of the industry on air quality, water quality, noise levels, solid waste disposal, soil erosion and siltation. Describe the measures that will be employed to limit adverse effects. Give particular consideration to erosion, stream siltation, and clearing operations.

Energy Impacts: Indicate the industry's demand on the area's existing energy supplies. Describe the availability of these supplies to the industry site. Discuss whether the industry will utilize a large share of the remaining capacity of an energy supply or will create a shortage of such supply. Discuss any steps to be taken to conserve energy.

Coastal Zone Management Act: *(Complete only if coastal or Great Lakes State.)* Indicate if the industry is within or will impact a coastal area defined as such by the State's approved Coastal Zone Management Program. If so, consult with the State agency responsible for the program to determine the industry's consistency with it. The results of this coordination must be summarized.

Historic/Archaeological Preservation: First, indicate whether or not any properties listed on the National Register of Historic Places are located within the area to be affected by the industry. Second, indicate if there are any known historical/archaeological surveys that identify any affected properties that may be eligible for listing on the National Register. Third, summarize the results of consulting with the State Historic Preservation Officer (SHPO) and attach appropriate documentation of the SHPO's views. Discuss the views of any other experts contacted. Based upon the above steps and the views of the SHPO, state whether or not an eligible or listed property will be affected by the industry. Describe the nature of the effect. **If the effect is adverse, the Certificate Holder or BJA may need to consult with the Advisory Council on Historic Preservation.**

Wild and Scenic Rivers: Indicate whether the industry will affect a river or portion thereof which is either included in the National Wild and Scenic Rivers System or designated for potential addition to the system. This analysis shall be conducted through discussions with the appropriate regional office of the National Park Service or the Forest Service when its lands are involved, as well as the appropriate State agencies having implementation authorities. A summary of discussions held or any required formal coordination must be included in the assessment and considered in completing the environmental impact determination for the industry.

Endangered Species: Indicate whether the industry will either (1) affect a listed endangered or threatened species or critical habitat or (2) adversely affect a proposed critical habitat for an endangered or threatened species or jeopardize the continued existence of a proposed endangered or threatened species. This analysis should be conducted in consultation with the Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS), when appropriate. The results of any required FWS or NMFS coordination must be described along with any completed biological opinion and mitigation measures, if necessary for the industry. These factors shall be considered in completing the environmental impact determination.

Flood plain Management and Protection of Wetlands: Indicate whether the industry is either located within a 100-year flood plain (500-year flood plain for a critical action) or a wetland or will impact a flood plain or wetland. If so, determine if there is a practicable, alternative industry location. If there is no such alternative, determine whether all practicable mitigation measures are included in the industry and document, as an attachment, these determinations as well as the steps taken to inform the public, locate alternatives, and mitigate potential adverse impacts. (Consult with the PIECP office for more specific implementation guidance whenever a flood plain or wetland may be impacted.)

Other Impacts: Discuss any of the following areas which may be relevant: noise, vibrations, safety, seismic conditions, fire-prone locations, radiation, and aesthetic considerations. Cite any discussion with appropriate experts.

State Environmental Policy Act: Indicate if the proposed industry is subject to a State environmental policy act or similar regulation. Summarize the results of compliance with these requirements and attach available documentation.

Intergovernmental Review: Attach the comments of State, regional, or local agencies (if this review process is required for the industry) and respond to all comments that deal with the subject matters discussed in this assessment or are otherwise of an environmental nature.

Other Federal Agency Involvement in Industry: Indicate if another Federal Agency is participating in the industry either through the provision of financial assistance, a related industry, or a permit review authority. Summarize the results of the involved Agency's environmental impact analysis and attach available documentation.

Cumulative Impacts: Summarize the cumulative impacts of this industry and any related operations. Give particular attention to land use changes and air and water quality impacts.

Adverse Impacts: Summarize the potential adverse impacts of the proposal as pointed out in the above analysis.

Mitigation Measures: Describe any measures that will be taken to avoid or mitigate any identified adverse impacts. Analyze the environmental impacts and potential effectiveness of the mitigation measures. The implementation status of such measures shall be monitored as part of the PIECP site review procedures.

Alternatives

An important part of the assessment is a discussion of alternatives to the proposed industry, especially if the industry would cause substantive adverse environmental impacts. This section should describe all reasonable alternatives and their environmental impacts. The alternatives might include alternative industry locations, designs, manufacturing processes, or waste treatment or disposal methods. Briefly describe alternatives which were eliminated from further consideration and the reason(s) for their elimination. Consideration of a “No Action” alternative is mandated by the National Environmental Policy Act.

Agencies and Persons Consulted

The preparer should consult with appropriate experts from Federal, State, and local agencies, universities, and other organizations or groups whose views could be helpful in the assessment of potential impacts. In so doing, each discussion related to the degree of an impact should be summarized in the assessment as accurately as possible and include the name, title, phone number, and organization of the individual contacted, plus the date of contact. Related correspondence should be attached to the assessment.

Discuss any negative comments or public views raised about the industry and the consideration given to these comments. Indicate whether a public hearing or public information meeting has been held and include a summary of the results and any objections raised. Indicate any other examples of the community’s awareness of the industry, such as newspaper articles or public notifications.

Recommendation and Signature(s)

The assessment must be signed and dated by the preparer. For a draft EA prepared by the applicant, the preparer’s title and relationship to the applicant for the cost accounting center must also be indicated. If the preparer is not the same authorized representative of the applicant who executed the CAC application, that latter individual must also sign the assessment in the capacity as a reviewing official who is attesting to the accuracy of the industry information presented as opposed to the adequacy of the environmental analysis conducted. The certificate holder must sign all assessments submitted to BJA, concurring in any environmental impact analysis prepared by the applicant and in all cases recommending to BJA whether or not the industry will have a significant impact on the quality of the human environment.