



U.S. Department of Defense  
Office of Local Defense  
Community Cooperation

## National Environmental Policy Act Guidance for Grant Proposals and Applications

(Issued April 2024)

Certain Office of Local Defense Community Cooperation (OLDCC) grants require environmental analyses and documentation pursuant to National Environmental Policy Act (NEPA) implementing regulations at [40 CFR Parts 1500-1508](#). Applications for OLDCC construction grants must either provide OLDCC with completed NEPA documentation or describe plans to develop sufficient NEPA analysis and documentation as part of the proposal. **The documentation must be of sufficient quality to inform a reliable conclusion about the potential environmental impacts of the proposed project.**

Compliance with NEPA and other environmental laws is a critical component to executing successful projects. OLDCC recognizes that environmental compliance can be complex, challenging, and involve many stakeholders; OLDCC is providing this document to assist applicants with understanding the range of environmental issues that may need to be considered as projects move from planning to implementation.

This guidance document provides information and questions proposers and applicants should consider when drafting NEPA responses.

Please note the following:

- This guidance is not intended to duplicate or supplant draft or completed NEPA determinations or findings or Military Department NEPA forms. For Defense Community Infrastructure Program (DCIP) submissions, projects with completed NEPA documentation should provide those files with their proposal in accordance with Notice of Funding Opportunity (NOFO) requirements. Use of this document to prepare a proposal or application does not satisfy NEPA requirements by itself.
- If a grant application is awarded, OLDCC, in coordination with the DoD Office of General Counsel and the associated installation NEPA office, as appropriate, will review final NEPA documentation prepared by the grantee and affirm that all environmental permitting and NEPA requirements have been met. **This process must be completed prior to starting any ground disturbance or construction work.**
- OLDCC applicants must plan their project development schedules and budgets to account for the time required for the NEPA review process, which can take several months or more.

## A. General Project Considerations

1. What is the purpose and need of the proposed project?
2. What problem will the proposed project solve and why is the proposed project the solution? Consider the community and/or military mission or installation issues or deficiencies and how the proposed project will address them.
3. What viable alternatives were considered for this proposed project, i.e., alternative plans or sites that would address the identified issue but were not selected in favor of the chosen proposal? Why is the proposed project the preferred solution?
4. Are there any federal or state agency partners.), excluding agencies with permitting or other compliance approval authority, who will be involved with the project (e.g., providing funds, jurisdiction over affected property, oversight responsibility, etc.?)
5. What is the proposed project Area of Potential Effect (APE), including the physical footprint and area of ground disturbance, and the APE for visual impacts?
6. Is this proposed project connected to another action or part of a larger project, including as a phase to a multi-phased project?
7. Is this project subject to compliance with a State Environmental Policy Act? Refer to: <https://ceq.doe.gov/laws-regulations/states.html> for a list of states with their own Environmental Policy Acts.
8. Does the relevant state require interagency review such as through a state clearinghouse in accordance with Executive Order 12372? Refer to <https://www.whitehouse.gov/omb/office-federal-financial-management/>, "SPOC List."

## B. Ground Disturbance Considerations

1. If the proposed project includes ground disturbance, consider the scale, methods, machinery, the total surface area impacted, and expected depths.
2. What is the total area of the proposed project site that is currently impervious (e.g., pavement, buildings, etc.)?
3. Will the proposed project relocate excavated material or fill on or off site? Where is it going to or coming from? Are there any applicable regulatory review or permits required?
4. Does the proposed project site contain contaminated soil and/or groundwater?

5. How will the project address and/or mitigate any soil erosion, both during construction and as a result of stabilized soils post-construction?

## C. Land Use, Utilities and Flood Plains Considerations

Legal drivers: [Farmlands Protection Policy Act of 1981](#) (7 U.S.C. 4201 et seq, implementing regulations at [7 CFR Part 658](#)); [EO 11988](#) Floodplain Management implemented by [FEMA](#) regulations at [44 CFR Part 9](#)

1. Will the project result in a change in activities or land use occurring at the site or facility?
2. Is there prime, unique, state-/locally-important farmland that meets the definition from the USDA Natural Resources Conservation Service (NRCS) in or near the proposed project area?
3. Does your project include any activities, including new construction, that could potentially convert one land use to another? Does the project include the conversion of farmland? If farmland will be converted, consider coordination with the US Natural Resources Conservation Service and use of their completed [Form AD-1006](#).
4. Will the project involve installation, repair or removal of utilities or communications systems?
5. Will the proposed project take place in a [Special Flood Hazard Area](#) as defined and delineated by the jurisdictional authority?

These floodplains are typically regulated by state or local agencies and are mapped by FEMA on flood insurance rate maps (FIRMs), and Flood Hazard Boundary Maps (FHBM). Contact state or local floodplain administrator or go to the FEMA Flood Maps website for applicable maps.

Compliance with floodplain management may require public notice and additional technical or administrative actions. Consider any agency coordination, public notice or review required, or whether a [Letter of Map Revision](#) (LOMR) will be required.

6. Will the project require any real estate transactions, including, but not limited to easements, rights-of-way, and/or granting of leases or licenses?

## D. Hazardous Materials/Waste or Toxic Substances Considerations

Legal drivers: [Clean Air Act](#), Clean Water Act, [Resource Conservation and Recovery Act](#) (RCRA)

1. Will the proposed project result in the use, storage, disposal, or other treatment of hazardous materials or wastes (hazardous substances or petroleum products)? Consider the material or waste, how it will be removed, stored, disposed of, or otherwise treated and any applicable local, state, or federal regulations or permits that may be required. Also consider the likelihood of past releases or threat of future releases.

2. Will the project result in the disturbance of lead-based paint or asbestos containing material? What are the regulations controlling handling, removal, transportation, and disposal of these materials and how will the proposed project meet those requirements?
3. Will the project involve pesticide application (e.g., herbicide or insecticide)?
4. Does the site contain, or will the project install, modify or remove, any aboveground or underground storage tanks? Consider location, dimensions, and contents of the tank(s), and any plans to remove or replace the tank(s) or plans to leave in situ.
5. Does the project (either the construction activity or the completed, operational facility) have the potential to generate significant levels of solid waste?

## E. Air Quality Considerations

Legal drivers: [Clean Air Act, National Ambient Air Quality Standards \(40 CFR part 50\)](#)

1. Will the proposed project cause air emissions such as smoke, dust, suspended particles, or air pollutants during construction or operations? Refer to EPA's [National Ambient Air Quality Standards](#) (NAAQS) for six principal pollutants ("criteria" air pollutants).
2. Is the proposed project located in a Clean Air Act (CAA) non-attainment or maintenance area for criteria pollutants, as defined by the EPA [here](#)? When considering impacts, ensure the most recent NAAQS are used (i.e., EPA updated the standard for [particulate matter in 2024](#)).
3. Are the project effects documented in the State Implementation Plan or specifically exempted?
4. Will the project involve the removal, modification, or addition of an air emitting device/equipment (e.g., HVAC systems, boilers, generators, or refrigerant containing equipment)? Consider the equipment in detail (including purpose, capacity, and anticipated emissions) and how modification or use will or will not affect air quality and what regulatory approvals may be required.

## F. Water Resources and Water Quality Considerations

Legal drivers: Clean Water Act (Sections [401](#), [402](#), [404](#), [408](#)), state standards, [Rivers and Harbors Act](#), [Coastal Zone Management Act](#) (CZMA)

1. Consider the water resources [e.g., groundwater, surface water (lakes, rivers, etc.), wetlands, sole source aquifers, and public water supply] within or near the project area, including the location and distance from the proposed project site for all. Consider whether these resources are jurisdictional waters of the U.S. and any impacts on project` based on this jurisdiction.

2. Consider how the proposed project will or will not impact any of the identified water resources during construction and operations. What steps will be taken to protect water resources during and after construction?
3. Does the proposed action take place near a drinking water source and/or wellhead?
4. Is dredging or other in-water work proposed? Are there any permitting requirements?
5. Consider how the proposed project will or will not increase the amount or rate of stormwater runoff during construction and during operations. What steps will be taken to ensure it will not impact water quality and what stormwater permitting is required at the local, state, or federal level?

Guidance on [National Pollutant Discharge Elimination System \(NPDES\) stormwater discharges](#), [NPDES construction general permits \(CGP\)](#), and NPDES [CGP FAQs](#) is available at the embedded links.

6. What water permits are required and what are the status of those permits?
7. What are the names and relevant credentials for in-house or third-party consultant environmental professionals pursuing permits and conducting required reviews?
8. Will any coastal shorelines be impacted during construction or are there effects resulting from the project?
9. Does the CZMA apply to the proposed project site? Reference the state's [Coastal Zone Management Plan](#) (CZMP) to identify CZMA-protected areas and requirements.
10. Will the project occur in or impact the Coastal Barrier Resource System as defined by the US Fish and Wildlife Service (USFWS)?
11. Is the proposed project located on or near a National Marine Sanctuary?
12. Consider how wastewater will or will not be impacted or generated during construction and operations of the proposed project.

## **G. Biological Resources and Wetlands Considerations**

Legal drivers: [Endangered Species Act](#) (ESA), [Migratory Bird Treaty Act](#) (MBTA), [Marine Mammal Protection Act](#) (MMPA), [Bald and Golden Eagle Protection Act](#) (BGEPA), [Magnuson–Stevens Fishery Conservation and Management Act](#)

1. How will the proposed project impact the natural environment (plant, animal, aquatic) and the biological resources therein?

2. Consider any state or national parks, national game preserves, state or national wildlife areas or refuges, wilderness areas, bodies of water, and/or wetlands located on or near the proposed project site.
3. Will the proposed project affect or have the potential to affect, directly or indirectly, any federal or state-listed endangered, threatened, or candidate species or their habitat?

Please note: A recent US Fish and Wildlife Service (USFWS) [IPaC](#) (Information for Planning and Consultation) report with a description of the proposed action impacts on sensitive and protected species, resources, and habitat may be required as part of a proposal or application. If there are certain affects, consultation with the USFWS under Section 7 of the ESA may be required for the project.

4. Is there any designated or proposed Critical Habitat or [Essential Fish Habitat](#) on or near the proposed project site? Consider how the habitat will be avoided or the effects lessened or mitigated and what relevant documentation may demonstrate these efforts.
5. Consider the number and type of trees or shrubs suitable for nesting or roosting that are proposed to be removed or affected.
6. Will migratory birds or bald or golden eagles be affected? If yes, consider potential impacts in detail and steps to avoid, minimize, or mitigate impacts (such as timing windows determined in consultation with the USFWS).
7. Will the proposed project take place in, encroach upon, or cause adverse effects to wetlands pursuant to EO 11990, Protection of Wetlands? Verify whether the proposed project is located within or near wetlands identified in the [National Wetlands Inventory](#) (NWI), consider the USFWS [IPaC](#) report, and engage directly with the regional USFWS if needed.

Compliance with wetlands protection may require public notice and additional technical or administrative actions.

## H. Cultural Resources and Tribal Engagement Considerations

Legal drivers: [National Historic Preservation Act](#) (NHPA), [EO 13175](#) Consultation and Coordination With Indian Tribal Governments

1. Will the proposed project occur in an area of known or suspected cultural, archaeological, or historical significance? Consider any known or suspected sacred sites or areas of religious, cultural, or historical importance or concern for Native American tribes, Alaska Native tribes, or Native Hawaiian Organizations.
2. Will the proposed project occur on or adjacent to tribal lands?

3. Are there historic or cultural resources located on or near the proposed project Area of Potential Effect (APE)?
4. Will the project involve demolition or alteration of buildings, structures, objects, or landscapes that are greater than 50 years old or that are listed in or considered eligible for listing in the [National Register of Historic Places](#) (NRHP)?

Additional information about historical significance and the NRHP can be found [here](#).

5. Has the State Historic Preservation Officer (SHPO) been contacted? Compliance with [Section 106](#) of the NHPA requires consultation with the SHPO and affiliated tribal governments (Tribal Historic Preservation Officers or otherwise) for the proposed project. More information about Section 106 consultation is available [here](#).

## **I. Socioeconomic and Environmental Justice Considerations**

Legal drivers: EO [12898](#) – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations; EO [14096](#) – Revitalizing Our Nation’s Commitment to Environmental Justice for All; Environmental Justice tools-[EJScreen](#)

1. What are the demographics prevalent in the communities surrounding and potentially impacted by the proposed project, including low-income, elderly, minority, Native American tribes and indigenous communities, and other Environmental Justice communities?
2. Will the project cause any disproportionately high and adverse impacts to minority and/or low-income populations and Environmental Justice communities?
3. What measures can be implemented to mitigate anticipated negative impacts?
4. Will the project disrupt a community, planned development, or be inconsistent with plans or goals of the community?

## **J. Climate Change and Green House Gasses Considerations**

1. What is the estimate of the proposed project’s Green House Gas (GHG) emissions or reduction in emissions? GHG info and calculating tools can be found at the following link: <https://ceq.doe.gov/guidance/ghg-tools-and-resources.html>.
2. What is the project’s impact on climate change (i.e., via GHG emissions) and the potential effects of climate change on the proposed actions and any environmental outcomes?

## **K. Traffic and Noise Considerations**

1. Will the project generate, increase, or redirect/detour vehicular or pedestrian traffic? Consider proposed construction, rerouting, or altering of roadways and traffic.
2. Consider any expected new or increased activity because of the proposed project that could affect noise levels, including for construction and continued operation. Also consider whether the proposed project could have a significant impact (defined by the FAA as DNL 1.5 dB or greater increase) on noise levels for noise sensitive areas.

## **L. Airport Considerations**

1. Will the project require a FAA Airport Layout Plan (ALP) modification, and/or result in an increase in aircraft operations, nighttime operations, or change aircraft fleet mix?
2. Will the project cause a change in airfield configuration, runway use, or flight patterns either during construction or after the project is implemented?
3. Will there be any noise contour changes surrounding runways?

## **M. Cumulative Impact Considerations**

Legal drivers: [40 CFR Part 1508.1](#)

1. Will there be any cumulative impacts as a result of the project? Cumulative impacts are a way of placing seemingly isolated or insignificant direct and indirect impacts in context with respect to overall impacts, both over time and in an area larger than that evaluated for direct and indirect impacts.

## **N. Public Involvement Considerations**

Legal drivers: EO [11988](#)-Floodplains Management (requires early public notice), EO [11990](#)-Wetlands Protection (requires early public notice), [40 CFR Part 1550.3](#)

1. Will public notification be required for the proposed project?
2. Has the proposed project generated high controversy on environmental grounds?
3. Has there been any public notification for the proposed project?
4. What relevant records, to include all public comments received, are available?