



U.S. Department of Justice

Office of Justice Programs

National Institute of Justice

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Washington, D.C. 20531

NIJ has prepared a Programmatic Environmental Assessment (PEA) to address the potential environmental effects of National Institute of Justice (NIJ) funded programs. The PEA has been prepared in accordance with the requirements of the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations for implementing the procedural provisions of NEPA, 40 CFR Parts 1500-1508, and the National Institute of Justice Draft Guidance for Preparing Environmental Assessments.

The following is a checklist that summarizes the typical resource concerns that are often associated with projects submitted to NIJ for funding by applicants and subapplicants. Each resource area is listed separately, with the significance criteria for that resource also shown for reference.

Grant applicants are encouraged to contact prospective laboratories with whom they intend to work to instruct them to complete this checklist at their earliest convenience. This checklist can be requested via email to [jesswymer@clarkgroupllc.com](mailto:jesswymer@clarkgroupllc.com).

The grantee and any authorized subgrantees should ensure that they take the appropriate measures to adhere with applicable regulations or policies with regard to federal and/or any state environmental and historic preservation laws and regulations that apply to their application and project.

How Can You Utilize the NIJ Programmatic EA and FONSI?

1. Carefully read the attached Programmatic Environmental Assessment.
2. Complete this cover sheet and the attached checklist as both are required to determine whether your application is covered by the PEA and FONSI or whether additional NEPA compliance is needed.
3. Return this document in electronic format to **The Clark Group**.

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**Applicant Name:**

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**Point of Contact  
Name:**

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**POC signature:**

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**Date Submitted:**

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**Application/Grant Number:**

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**Grant Program:**

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**TCG Technical  
Recommendation:**

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**NIJ Approval:**

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## National Institute of Justice Grants Program Checklist

Resource	Concern	Yes or No	Comments
<b>Air Quality</b>	Does the project comply with state air quality standards for all criteria pollutants?		
	Is the project located in an area designated by the EPA as in attainment for the seven criteria pollutants?		
	Would the action produce minimal emissions (100 tons per year or less for each of the seven criteria pollutants and/or does not exceed 10% of an area's total emissions)?		
	Would potential exposure to chemical emissions in a laboratory be controlled through the use of a biological hood?		
	Would the project only produce emissions that do not impede the area's conformity with the State Implementation Plan under the Clean Air Act?		

### Significance Criteria

*An impact would be considered significant if pollutant emissions result in exposure of people, wildlife, or vegetation to ambient air that does not meet the standards established under the Clean Air Act, or interfere with state ambient air quality standards.*

Resource	Concern	Yes or No	Comments
<b>Geology, Topography, Soils (includes Farmland Protection)</b>	Would there be compliance with local soil erosion mitigation measures in construction and renovation projects?		
	Would the project avoid erosion and deposition, compacting soils in fragile environments, or altering the character of soils over a large area?		
	Would the project comply with the Farmland Protection Policy Act?		

### Significance Criteria

*An action would cause a significant impact if soil erosion produced gullying, damage to vegetation, or a sustained increase in sedimentation in streams. This includes a substantial loss of soil, and/or a substantial decrease in soil stability and permeability. Also, significant impacts can occur when soils are substantially disrupted, displaced, compacted or covered over. An action would also constitute a significant impact if the action caused ground fracturing, folding, subsidence, or instability. Impacts associated with soil contamination would be significant if the affected area was no longer able to support its current function or vegetative cover.*

Resource	Concern	Yes or No	Comments
<b>Water Resources (Water Quality, Surface Water, Wetlands, Floodplains, Coastal Barrier Resources, Wild and Scenic Rivers)</b>	Would project activities avoid contamination, sedimentation, or otherwise significantly affecting the water quality or hydrology of a nearby surface water body?		
	Would changes to surface water quality or hydrology be confined to the immediate project area?		
	Does the project ensure that local and state regulations concerning stormwater runoff are followed?		
	During construction activities, would all state, local, and tribal regulations concerning erosion controls, runoff abatement, and vegetation removal be followed?		
	During construction activities, would proper hazardous spill procedures be in place to minimize impacts of spills on water quality?		
	Would the project avoid affecting a designated Wild and Scenic River in any manner?		
	Would the project avoid affecting any portion of a 100-year or 500-year floodplain or jurisdictional wetland?		
<b>Significance Criteria</b>			
<i>Impacts on water resources would be considered significant if effluent or pollutant emissions result in exposure of people, wildlife, or vegetation to surface or ground waters that do not meet the standards established under the Clean Water Act, or interfere with state water quality standards.</i>			
<i>An action would cause a significant impact on wetlands and floodplains if the soil structure, hydrology or the vegetation of more than ¼ acre (1/10 ha) of a wetland would be altered, or a floodplain area is altered enough to present a reasonable flood danger to the area, causes the degradation or loss of habitat for populations indigenous to the floodplain area, or prohibits farming activities.</i>			
Resource	Concern	Yes or No	Comments
<b>Natural Environment (Wildlife, Wildlife Habitat, and Vegetation)</b>	Would the project avoid causing more than a short-term change in the composition, structure, or density of vegetation?		
	Would the project avoid causing more than temporary disturbance or relocation of wildlife?		
	Would the project avoid impacting current or future wildlife or vegetation biodiversity or species composition?		

	Would the project insure that the potential for the establishment of non-native plant species within disturbed areas created by this project would be minimal?		
	Would project construction occur in an area other than a unique or sensitive plant community?		
	Would the project avoid extirpating any plants or animals from the project area?		

**Significance Criteria**

*An action would cause a significant impact if any changes to native vegetation extend beyond a small area and affect the viability of a plant species population or vegetation community. Full recovery would not occur in a reasonable time, considering the size of the project and the affected resource's natural state.*

*An action would cause a significant impact if any changes affect a large portion of a wildlife population and the viability of that population. Full recovery would not occur in a reasonable time, considering the size of the project and the affected species' natural state.*

*An action would cause a significant impact if the degradation or loss of habitat is sufficient to cause native wildlife populations to leave or avoid the area.*

<b>Resource</b>	<b>Concern</b>	<b>Yes or No</b>	<b>Comments</b>
<b>Endangered Species</b>	Would the project avoid impacts on T&E species or critical habitat?		
	Is the project area free of any Federal or state listed T&E species or critical habitat, as determined by consultation with FWS or NMFS?		
	Would the project avoid impacting any areas in or adjacent to habitat for rare, threatened, or endangered species?		
	If the project is expected to adversely affect a listed species, would mitigation measures be employed that would successfully avoid such effects?		

**Significance Criteria**

*Any effect to a federally listed species or its critical habitat would be so small that it would not be of any measurable or perceptible consequence to the protected individual or its population. This effect would equate to a "no effect" or "not likely to adversely affect" determination in U.S. Fish and Wildlife Service terms. Anything else would be considered significant.*

Resource	Concern	Yes or No	Comments
<b>Historic Preservation</b>	Is the project site free of any historic structures, archeological concerns, or other cultural resource issues, as determined by consultation with the SHPO?		
	Would the project avoid affecting any NRHP listed properties, or properties that are eligible for listing?		
	Would the project occur within an existing facility that is not considered historic, as determined by consultation with the SHPO?		
	If project activities are determined to impact cultural resources as defined by Section 106, would mitigation steps as outlined in Section 106 be followed?		
	Would renovation projects exclude historic buildings?		
<b>Significance Criteria</b>			
<i>An impact would be significant if an effect occurs that may diminish the integrity of, cause a substantial adverse change in the significance of, or directly or indirectly destroy a cultural resource. This effect would equate to an “adverse effect” determination for purposes of Section 106.</i>			
Resource	Concern	Yes or No	Comments
<b>Land Use</b>	Would the project comply with local zoning and development ordinances (apply for rezoning if needed)?		
	Would the project comply with local comprehensive and development plans?		
	Would the project obtain necessary building and occupancy permits from local authorities?		
<b>Significance Criteria</b>			
<i>An impact would be significant if a proposed action conflicts with any Federal, regional, State, or local land use plans. If land use patterns are changed in the immediate project area due to a proposed action, the impact would also be considered significant.</i>			
Resource	Concern	Yes or No	Comments
<b>Human Population (Socioeconomics and Environmental Justice)</b>	Would the project avoid appreciably changing the total population or demographics of the population, housing demand or employment levels, or property values?		
	Would the project avoid increasing human infrastructure requirements (i.e., new workers need housing and consume additional community resources such as water, electricity, roadways, open space, etc.)?		

	Would the project avoid displacing existing residents or workers from their homes and communities?		
	Would the action avoid areas that have a high proportion of minority residents or residents living below the poverty level?		
	If it does occur in such an area, would the grantee ensure that low-income households are not adversely impacted by the project?		
	Would environmentally unsafe, unpleasant, or noxious conditions for nearby populations, including release of contaminants into air or water, increased levels of traffic or noise occur only during the period of construction?		

**Significance Criteria**

*A change of more than 2 percent of the previously projected level of local employment, population, or gross domestic product would be considered a significant impact on socioeconomics. Also, if school populations decrease by more than 2 percent, revenues decrease by more than 2 percent, and if vacancy rate increases by more than 2 percent, that would constitute a significant impact.*

*A significant impact on environmental justice would occur if a disproportionate amount of minority and/or low-income populations were adversely affected by the project.*

<b>Resource</b>	<b>Concern</b>	<b>Yes or No</b>	<b>Comments</b>
<b>Noise</b>	Would project activities avoid noise impacts to sensitive receptors?		
	If noise levels during construction projects exceed existing background sounds temporarily, would the project insure that they do not exceed applicable noise standards?		
	Would operation of a newly constructed facility avoid producing noise levels that would disturb people or displace wildlife?		

**Significance Criteria**

*Sounds levels of 65 dBA are considered annoying to most individuals, while constant or repeated exposure to sounds of 90 dBA or higher can lead to significant impacts. Noise levels are significant if they exceed ambient noise level standards determined by the federal, state, and/or local governments. An impact would be considered significant if there is sustained exposure of sensitive receptors to a DNL of greater than 65 dBA.*

<b>Resource</b>	<b>Concern</b>	<b>Yes or No</b>	<b>Comments</b>
<b>Energy</b>	Would the demand on the region's energy supply be negligible (for projects occurring within existing facilities that may require additional energy)?		
	Would the project comply with regulations for electricity and gas provisions?		
	Would the project avoid the wasteful, inefficient and unnecessary consumption of energy?		
<b>Significance Criteria</b>			
<i>Significant impacts to energy would occur if a proposed project were to create a substantial increase in the level of demand for energy supplies and/or use energy in a wasteful, inefficient, excessive or unnecessary manner.</i>			
<b>Resource</b>	<b>Concern</b>	<b>Yes or No</b>	<b>Comments</b>
<b>Solid Waste Management</b>	Would any solid (or liquid) waste that is created by the project, including hazardous waste and construction debris, be disposed of properly?		
	Would laboratories maintain safe and adequate storage and disposal procedures for hazardous waste and chemicals?		
<b>Significance Criteria</b>			
<i>An action would cause a significant impact if it would increase the generation of solid or hazardous waste beyond the capacity to safely handle and dispose of that waste.</i>			
<b>Resource</b>	<b>Concern</b>	<b>Yes or No</b>	<b>Comments</b>
<b>Transportation</b>	Would the project avoid generating new traffic over the long-term?		
	Would the project avoid creating an additional need for parking?		
	Would the project avoid short- or long-term decreases in the level of service of a roadway?		
	Would the project ensure unrestrained movement of emergency vehicles?		
	Would the project avoid conflicts with planned transportation projects or adopted public transportation policies?		

	Would the project avoid causing noticeable deterioration of local roadway surfaces?		
<b>Significance Criteria</b>			
<i>A significant impact to transportation would be a traffic increase which is predicted to upset the normal flow of traffic, create the need for major road repair as a result of the action, or generate traffic levels requiring the expansion of existing roadways or facilities.</i>			
<b>Resource</b>	<b>Concern</b>	<b>Yes or No</b>	<b>Comments</b>
<b>State Environmental Policy Act</b>	Would the project occur in states <u>other than</u> Arkansas, California, Connecticut, District of Columbia, Georgia, Guam, Hawaii, Indiana, Maryland, Massachusetts, Minnesota, Montana, Nevada, New Jersey, New York, North Carolina, Puerto Rico, South Dakota, Virginia, Washington, or Wisconsin? If so, the project would not require compliance with a state environmental policy act.		
<b>Intergovernmental Review and Other Federal Agency Reaction to the Project</b>	Would grantees partnering with other federal agencies, or whose project may affect another federal agency consult and coordinate with that entity and conduct intergovernmental review as necessary?		
<b>Cumulative Impacts</b>	Would cumulative impacts be less than significant for all resources affected by the project?		