

Expires: ~~TBD~~11/30/2015

## Environmental Compliance Questionnaire for National Oceanic and Atmospheric Administration (NOAA) Federal Financial Assistance Applicants

### Instructions

This form is to be used in conjunction with Funding Opportunity Announcements (FOA) from the National Oceanic and Atmospheric Administration (NOAA). You must refer to the specific FOA for complete eligibility and application requirements. This form addresses information requirements specific to compliance with the National Environmental Policy Act (“NEPA”; 42 U.S.C. §§4321-4370).

NEPA requires that federal agencies to complete an environmental analysis for all major federal actions, including most funding non-federal projects funded through federal financial assistance awards where Federal participation in the funded activity is expected to be significant. To comply with NEPA for a funding action, NOAA must assess information which can only be provided by the award applicant. To this end, the attached Environmental Compliance Questionnaire for National Oceanic and Atmospheric Administration Federal Financial Assistance Applicants (“Questionnaire”) is used by to help NOAA staff to collect information about proposed activities for NEPA and other - determine compliance requirements for the NEPA. Information provided in the Questionnaire may also be used for other regulatory review environmental compliance requirements associated with the proposed project, such as federal permitting and Endangered Species Act Section 7 consultations.

Because the Questionnaire is intended for members of the public, NOAA must use the Questionnaire in accordance with the Paperwork Reduction Act (“PRA”; 44 U.S.C. §§ 3501—3521). Congress passed the PRA to minimize the paperwork burden for non-federal entities and members of the public that can result from the collection of information by or for the federal government. The PRA is administered by the Office of Management and Budget (OMB), which has reviewed and approved the Questionnaire (OMB Approval No. 0648-0538).

You are only required to provide the information from this Questionnaire that is specified in the FOA to which you are applying. Federal Program Officers (FPOs) are not required to ask an applicant every question in this Questionnaire. FPOs should only ask the questions required to complete the NEPA process (or other regulatory review requirements) for their specific, proposed funding action. The FPO may present these questions to the applicant in one of two ways:

- 1) The FPO may place the necessary applicable questions from the Questionnaire are inserted directly into the announcement of Federal Funding Opportunity (FFO) FOA with reference to and cite the OMB Approval Number (0648-0538) for this form; or
- 2) The FPO may simply identify the FOA will specify which questions (e.g. A1, C2) the applicant must answer, directly in the FFO with the entire OMB-approved. If this method is chosen, the FPO must attach the entire Questionnaire to the FFO attached to the FOA.

Submit the information according to the instructions in the FOA. If the applicant does you do not answer all of the questions indicated in the announcement of Federal Funding Opportunity, in sufficient detail, NOAA may consider the application to be incomplete. If a question is not applicable to

your proposed activity, answer “N/A” or explain why the requested information is not relevant.

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## **Project Information**

1. Provide ~~a detailed description of~~Describe the proposed activity, including:
  - its purpose, objectives, and goals;
  - graphics (i.e. figures, photographs), site plans, plan diagrams, models, etc.;
  - sampling, collection, or observation protocols and operational procedures;
  - any proposed mitigation or monitoring measures and protocols;
  - a description and plan diagram of the proposed impact area, if the proposed activity involves construction, restoration, dredging, excavation, and/or fill;
  - a description (i.e. specifications) of the equipment or structures (e.g. scientific monitoring equipment, deployment platforms, etc.) that would need to be temporarily or permanently placed in the environment.
2. List ~~the all species of plants and animals that are the subjects of~~targeted by the proposed activity, if applicable., and describe the numbers (by species, age, sex, stock, location, etc.) to be targeted.
3. List species that would be transplanted or introduced at the site or in its immediate vicinity, and specify whether any would be non-native. Specify which non-native species could be introduced incidentally and how.
4. ~~Identify~~List any hazardous substances (as defined by [29 CFR 1910.120\(a\)\(3\)](#)) ~~or~~ that may be released into the environment or used during the proposed activity.
5. ~~List~~Identify any hazardous wastes (as defined by [40 CFR 261.3](#)) that may be generated during the proposed activity.
6. —
7. List unique or unknown risks of the proposed activity.
8. List any individuals, groups, or organizations that may disapprove of or oppose the proposed activity, and describe the circumstances of their disapproval or opposition.
9. ~~Would the proposed activity transplant or introduce organisms not currently or formerly present at the site or in its immediate vicinity? If yes, identify the organisms to be transplanted or introduced.~~
10. ~~List and describe all major equipment to be used during the proposed activity.~~
11. If the proposed activity is a continuation of an on-going project, describe any changes to the proposed activity since it was initiated, including progress toward achieving its objectives/goals. Include information and attach reports from previous years.
12. If the applicant does not receive funding from NOAA, would the applicant conduct the proposed activity anyways?

## **Project Location**

13. ~~Provide a detailed description of~~Describe the proposed activity's location, including map coordinates, river mile markers, etc. and indicate whether it includes unique geographic areas of notable recreational, ecological, scientific, cultural, historical, scenic, or aesthetic importance (Examples include, but are not limited to: coral reefs; marine protected areas; national marine sanctuaries; essential fish habitat; habitat area of particular concern; critical habitat designated under the Endangered Species Act; park or refuge lands; wild or scenic rivers; wetlands; prime or unique farmland; sites listed on the National Register of Natural Landmarks; sites listed or eligible for the National Register of Historic Places; sites that are ecologically significant or critical areas including areas that are normally inundated by water or areas within the 100-year flood plain).
14. Would the proposed activity degrade or disturb previously undisturbed areas?
15. ~~Provide the coordinates of the proposed activity's location.~~
16. ~~Provide maps and graphics of the project location, as appropriate if available.~~
17. If there are historic uses of the proposed activity's site, or other issues, that make it likely that contaminants may be uncovered and/or disturbed by the proposed activity, describe the historic uses or other issues of the site, potential contaminant, and the circumstances that may uncover and/or disturb the contaminants.

### Project Timeframe

18. ~~Identify~~ Specify the proposed start date and duration of the proposed activity.
19. ~~Include~~ Provide proposed project activity schedules, including:
  - implementation dates of major elements of the proposed activity;
  - frequency of activities within the project schedule (e.g. once per week, 10 days per month, daily);
  - deployment and recovery schedules of equipment or structures that would be temporarily or permanently placed in the environment.

### Environmental Compliance Project Partners, Permits, and Consultations

20. ~~Would~~ **If the proposed activity would be conducted in partnership with NOAA or would the proposed activity require NOAA's direct involvement, activity, or oversight? If yes, describe NOAA's involvement, activity, or oversight, including the name of the office or program that is involved.**
21. **List all other ~~known~~ interested or affected Federal, state, and local agencies; Tribal governments, nongovernmental organizations; minority or economically disadvantaged**

**communities; and individuals. Describe listed entities involvement, activity, or oversight regarding the proposed activity.**

22. List all ~~known~~ federal, state, or local permits, authorizations, ~~or~~ waivers, determinations, or ongoing consultations that would be required to complete the proposed activity. Provide the date the permit, authorization, ~~or~~ waiver, or determination was obtained or ~~will~~ would be obtained. Provide copies of the permits, authorizations, ~~or~~ waivers, or determinations as appropriate you have secured.

~~23. List any determinations or ongoing consultations with local or state governments or other federal agencies. Provide copies of final determinations or consultations.~~

24. Identify the lead Federal agency and whether any NEPA document has been completed or is in process for the proposed activity, ~~if applicable.~~

### Potential Impacts Project Details

#### National Marine Fisheries Service

~~25. Would the proposed activity affect the sustainability of any species managed under the Magnuson-Stevens Fishery Conservation and Management Act? If yes, name the species and describe how the proposed activity would impact the species.~~

~~26. Would the proposed activity cause damage to the ocean and coastal habitats and/or essential fish habitat as defined under the Magnuson-Stevens Fishery Conservation and Management Act and identified in fishery management plans? If yes, describe the possible damages and the circumstances that would cause these impacts.~~

~~27. Would the proposed activity jeopardize, (potentially) interact with, or have the ability to affect the sustainability of protected species (i.e., those species that are managed under the Marine Mammal Protection Act and the Endangered Species Act)? If yes, describe the circumstances that would lead to effects (beneficial or adverse) on protected species.~~

~~28. If the proposed activity is a continuation of an on-going project, please provide information/reports for previous years addressing the following:~~

- ~~• The number of fish and other species that were collected for the activity/monitoring needs;~~
- ~~• any impacts to protected species, including takes (as defined by 50 CFR 216.3);~~
- ~~• any impacts to sensitive or protected habitats, including critical habitat that has been identified under the Endangered Species Act and/or Essential Fish Habitat that has been identified under the Magnuson-Stevens Fishery Conservation Management Act (Magnuson-Stevens Act);~~

- and
- ~~the~~ number of non-target fish/invertebrates/protected species (listed by species) that were incidentally captured.

29. **What amount (total numbers and/or weight) of fish or invertebrates are proposed to be caught? What is the size (weight, length, and age class) of each species?**
30. ~~If~~ **Would targeted fish would be under the minimum size limit or is the applicant applying for an exemption to the minimum size limit? If yes, explain why an exemption is necessary to conduct the proposed activity.**
31. **If any organisms would be released alive, how many of each species would be tagged, measured, or sampled? What is the probability of individuals ~~their surviving~~ after being handled (e.g., tagged, measured) and released (e.g., percent of live or dead fish)?**
32. ~~If~~ **Does the proposed activity involve commercial fishing? If yes, would the proposed activity be for research purposes only? If fish would be retained for sale or personal consumption, quantify the amount of each species that would be sold or used for personal consumption.**
33. What type and size of gear would be used? Describe any differences between proposed research gear and currently regulated gear.
34. **If using fixed fishing gear, how many traps, /pots, gillnets, or other fixed gear would be used during the course of the study? ~~Will~~ Would new gear be added to the water or would existing, permitted fishing gear be used? If new gear is would being added to the water, how many extra vertical lines would be associated with any fixed gear such as these traps, /pots, or gillnets? What lengths of gillnet ~~will~~ would be used (e.g. number of nets per string, gillnet panel lengths, etc.)?**
35. Would the fishing gear being used conform to appropriate take reduction plan regulations under the Marine Mammal Protection Act (e.g. Atlantic Large Whale Take Reduction Plan, Harbor Porpoise Take Reduction Plan, Bottlenose Dolphin Take Reduction Plan, etc.) and other appropriate fishery regulations (e.g. sea turtle gear requirements)? If not, explain the differences and the reason for the discrepancy.
36. **How long would the fishing gear be deployed? List average soak time for each gear type.**
37. **What is the proposed number of gear hauls for each gear type (e.g., trawl gear, fixed gear, etc.)?**
38. **What is the proposed duration and speed of each tow for mobile gear, such as trawl gear?**
39. ~~If~~ **Would trawls be proposed to be used? If yes, would a turtle exclusion device (TED) or marine mammal exclusion device be used?**
40. ~~If the~~ **Is the applicant is applying for an exemption to any of the following? If yes, please explain what the exemptions ~~will~~ would be and why the exemption is necessary for the proposed**

activity:

- Fishing gear restrictions;
- Other regulatory requirements such as Days At Sea (DAS), Total Allowable Catch (TAC), and/or possession limits;
- Use areas closed to proposed activities (e.g., fishery management closed area, habitat closed area, etc.);
- Any closed or otherwise restricted fishing seasons.

41. ~~If Would~~ **the proposed activity would increase fishing effort? If yes, describe the extent of the increase.**

42. **-How many proposed fishing days are there within the year for each gear type?**

43. **Is the target species listed as endangered, threatened, or otherwise protected species (under Federal and/or state law; e.g. Endangered Species Act and/or Marine Mammal Protection Act, etc.)?**

~~Would the proposed activity use sampling gear that may result in any noise that is potentially harmful to any endangered, threatened, or otherwise protected species? If yes, describe the noise and name the species that may be impacted:~~

~~44. If the proposed sampling involves the use of sonic tags, acoustic surveys, or any other specialized gear that may introduce sound, provide a description of the noise(s), including frequency (Hz), amplitude (dB), what angle (or degrees) radius the noise may travel from the source, and other relevant technical specifications.~~

~~45. List non-target species that may occur in the proposed sampling area, and specify how many of each non-targeted species are expected to be caught?~~

#### National Environmental Satellite Data and Information Systems

46. Would the proposed activity create high levels of noise for an extended period of time?

47. Would the proposed activity require large amounts of water or electricity for an extended period of time?

48. Would any fuel be used for the proposed activity during development or long term operation, including for powering small fuel cells?

49. Would the proposed activity, during development or long term operation, change the scenery or viewshed in the project vicinity, require large amounts of outdoor lighting, or create unusual odors?

50. Would the proposed activity, during development or long term operation, change transportation infrastructure or increase local traffic?

51. Would the proposed activity, during development or long term operation, change characteristics of the atmosphere or contribute to ozone-depletion?
52. If the proposed activity involves installing equipment or antennas on buildings or property, has the owner of the property granted written approval for the use of their property? If yes, provide copies of the approvals.
53. If the proposed activity involves installing equipment, how would the equipment get to its final location (i.e. would gasoline or diesel engine vehicles be used)?
54. If biological agents would be used, specify how the proposed activity would meet all conditions of the Biosafety Level 1 (BL1) standard from the most current version of the National Institutes of Health (NIH) and the Center for Disease Control and Prevention (CDC) Biosafety in Microbiological and Biomedical Laboratories (BMBL) guidelines.
55. Does the proposed activity consist solely of software research and manipulation?
56. If the proposed activity requires airplane or balloon/sonde flights (e.g. investigations over Arctic Sea ice using satellite and aircraft altimetry), would the proposed activity use a previously scheduled flight or sea voyage, or would a special trip be required?
57. If the proposed activity involves installing equipment or antennas that would require structural support, describe the nature and extent of such support.
58. If the proposed activity has electromagnetic properties or creates electromagnetic fields, specify how those aspects would comply with the Institute of Electrical and Electronics Engineers (IEEE) standard C95.1-1991 (recognized by the American National Standards Institute (ANSI)), or newer guidance.
59. If the proposed activity involves ionizing radiation, specify:
- whether the appropriate radiation safety authority has been consulted or when consultation would occur;
  - the results of the radiation safety authority's review;
  - how the proposed activity complies with NOAA's U.S. Nuclear Regulatory Commission (NRC) materials license #05-11997-01
60. If the proposed activity involves lasers, specify how the proposed activity would meet the American National Standards Institute (ANSI) safety standards Z136.1-2000 and Z136.6-2000, or newer guidance.
61. If the proposed activity involves satellite sensors and experiments with radioactive materials, specify and include:
- 
- whether NASA has evaluated the payload or when the evaluation would occur;
  - the results of the evaluation (i.e. whether the proposed project is categorized as a Routine



Payload On Expandable Launch Vehicles, as evaluated by the current version of NASA Routine Payload Environmental Checklist GSFC Form 23-78 and NASA Flight Projects Environmental Checklist GSFC Form 23-74);

- a copy of the evaluation, if available.

62. If the proposed sampling involves the use of sonic tags, acoustic surveys, or specialized gear that may emanate sound, provide a description of the noise(s), including frequency (Hz), amplitude (dB), and what angle (or degrees) radius the noise may travel.

63.

Is there a potential for incidental catch of non-target species? If yes, describe how many of each identified non-target species are expected to be caught (percentage of catch)?

Would the sampling gear cause impacts to habitat or the physical environment? If yes, describe the potential impacts and the circumstances that would cause these impacts.

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## Paperwork Reduction Act Statement

Because this Questionnaire is intended for members of the public, NOAA must use the Questionnaire in accordance with the Paperwork Reduction Act (“PRA”; 44 U.S.C. §§ 3501–3521). Congress passed the PRA to minimize the paperwork burden for non-federal entities and members of the public that can result from the collection of information by or for the federal government. The PRA is administered by the Office of Management and Budget (OMB), which has reviewed and approved the Questionnaire (OMB Approval No. 0648-0538).

Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to NOAA NEPA Coordinator, NOAA Office of Program Planning and Integration, SSMC 3, Room 15700, 1315 East West Highway, Silver Spring, MD 20910. The information collection does not request any proprietary or confidential information. No confidentiality is provided.

Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.