

ENVIRONMENTAL REVIEW MATRIX FOR PUBLIC WORKS PROJECTS

Contacts updated: 2/25/20	<u>DEPARTMENT OF COMMERCE</u> Public Works Board - PWB Community Economic Revitalization Board - CERB	<u>DEPARTMENT OF COMMERCE</u> Community Development Block Grant CDBG	<u>DEPARTMENT OF HEALTH</u> Drinking Water State Revolving Fund DWSRF	<u>DEPARTMENT OF ECOLOGY</u> Clean Water State Revolving Fund CWSRF	<u>USDA RURAL DEVELOPMENT</u>
Lead Agency	Authority delegated to local governments	HUD. Authority delegated to local governments	EPA. Authority delegated to Health.	EPA	USDA RD
Agency Contact	For PWB: Connie Rivera 360.725.3088 Connie.Rivera@commerce.wa.gov For CERB: Janea Delk 360.725.3151 Janea.Delk@commerce.wa.gov	Genny Matteson 360.725.3093 Genny.Matteson@commerce.wa.gov	Scott Kugel 509.329.2117 Scott.Kugel@doh.wa.gov	Liz Ellis 360.407.6429 Liz.ellis@ecy.wa.gov	Paul Johnson 360.704.7761 Paul.Johnson3@usda.gov
Type of Consultation	Local government leads	Formal consultation lead by local government	Formal consultation lead by DOH	Formal consultation lead by federal agencies	Local government provides information Consultation usually completed by agency
Public Notification	As required by Department of Ecology in the SEPA process. 14-day comment period (as required by SEPA) and public meeting. Environmental justice, floodplains, critical farmland, etc. cross-cutters may require additional publication.	If Categorically Excluded or Environmental Assessment, then: • Finding of No Significant Impact - local 15 day comment period; Commerce 15 day comment period • Request for Release of Funds - local 7/15 day comment period Additional notice(s) if affecting floodplain/wetlands	DOH notifies borrower to begin public comment period, consisting of a one-time legal advertisement in local newspaper announcing the 30-day comment period.	Minimum 14-day comment period (as required by SEPA) and public meeting. Environmental justice, floodplains, critical farmland, etc. cross-cutters may require additional publication	Determined by agency. If impact to important land resources or controversial project, preliminary public notice required and publishing of FONSI. Preliminary notice has 30 day comment period
Authority	State Environmental Policy Act (SEPA); State Environmental Review Process (SERP) when a federal nexus occurs.	National Environmental Policy Act (NEPA) – 24 CFR Part 58; SEPA.	State Environmental Review Process (SERP), 40 CFR 35.3580.	State Environmental Review Process (SERP), with SEPA as an integrated component, federal cross cutters as outlined in 40 CFR 35.3140.	Regulation 7 CFR Part 1794 National Environmental Policy Act (NEPA)
Environmental Cross Cutters	Shoreline Management Act Growth Management Act Governor's Executive Orders Federal regulations as appropriate	Clean Air Act Coastal Zone Mgmt Act Endangered Species Act Environmental Justice Farmland Protection Policy Act Floodplain Mgmt Executive Orders National Historic Preservation Act Safe Drinking Water Act Wetland Protection Executive Orders Wild and Scenic Rivers Act, HUD Environmental Standards & Regulations: • Explosive and Flammable Operations • Airport Clear Zones and Accident Potential Zones • Noise Abatement/Control	National Environmental Policy Act National Historic Preservation Act Archeological and Historic Preservation Act Farmland Protection Policy Act Coastal Zone Management Act Coastal Barriers Resources Act Wild and Scenic Rivers Act Endangered Species Act Clean Air Act Safe Drinking Water Act	Clean Air Act Coastal Zone Mgmt Act Endangered Species Act Environmental Justice Farmland Protection Policy Act Floodplain Mgmt Executive Orders National Historic Preservation Act Safe Drinking Water Act Sustainable Fisheries Act Wetland Protection Executive Orders Wild and Scenic Rivers Act	Clean Air Act Coastal Zone Mgmt Act Endangered Species Act Environmental Justice Farmland Protection Policy Act Floodplain Mgmt Executive Orders National Historic Preservation Act Safe Drinking Water Act Sustainable Fisheries Act Wetland Protection Executive Orders Wild and Scenic Rivers Act Water Quality. Intergovernmental Review Sole Source Aquifer Also requires evidence of SEPA compliance

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Client Submittal Requirements	Local determination	Applicant works with agency to determine level of NEPA, applicant	Agency works with applicant regarding the required documentation. The	SERP Packet with SERP Coversheet, Cross Cutter Report, timing of	Applicant works with agency to determine level of NEPA, applicant

		responsible for providing documentation, including Request for Release of Funds & HUD Certification	applicant is responsible for providing all documentation	submittal depends on the phase of the project (see agency review).	responsible for providing documentation
Agency Review	No review	After award and prior to release of funds	After award and prior to release of construction funds	Based on the phase of the project. Planning (Step 1): SERP during planning; Design (Step 2): SERP prior to application submittal; Construction Step 3): SERP prior to application and cross cutters prior to contract execution; Design/Construct (Step 4): SERP prior to application, Cross Cutters prior to construction. <i>Informal cross cutter review by Ecology can occur during planning and design phase, formal determinations from federal resource agencies does not occur until time indicated above.</i>	During funding application stage.
Determinations	Local determination	Local determination: Exempt Categorical Exclusion <ul style="list-style-type: none"> • No laws impacted • Laws impacted Environmental Assessment	Issued by DOH	Determinations dictated by each federal cross cutter	Issued by USDA RD Categorical Exemption Categorical Exclusion requiring an Environmental Report Environmental Assessment

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CULTURAL RESOURCES REVIEW FOR PUBLIC WORKS PROJECTS					
Section 106/ Executive Order 05-05	GEO 05-05 must be completed prior: PWB: Before construction starts CERB: Before contract execution <i>Board staff is lead.</i>	Local government grantee is responsible for consultation with DAHP and Tribes under Section 106	SECTION 106: DOH is responsible for consultation with DAHP and Tribes.	For SRF projects, Ecology is responsible for initial communication with tribes and DAHP. EPA leads formal consultation when needed.	USDA responsible for consultation with DAHP and Tribes under Section 106
Section 106 Accepted in lieu of EO 05-05	Yes with evidence from recipient	N/A	Yes with evidence from recipient	N/A	N/A
Initiation Period	Prior to contracting	Once Commerce executes contract. Can be initiated earlier, but then environmental review costs cannot be covered by CDBG and must meet CDBG NEPA requirements if funded.	Begins after contract execution	SERP: prior to design, Cross Cutters: prior to construction.	Prior to award of funds
Completion Period	PWB: Before construction starts CERB: Before contract execution	Before first draw, before advertising for bid, before acquisition	Before actual construction and/or ground disturbance commences	SERP: during the planning phase or prior to application, Cross Cutters: prior to contract execution or construction (for design/construct projects)	Prior to award of funds
Impact on Current Activities	N/A	Once CDBG application is submitted, cannot commit CDBG or non-CDBG funds if activity is choice-limiting, until Commerce's release of funds	N/A	The municipality should consider planning early when Ecology loans are being considered as a funding option. SERP and cross cutters analysis should occur during the planning phase of the project.	Important to start on NEPA during the planning process to avoid limiting choices of alternatives and plan for mitigation if necessary.
Resource Links	www.pwb www.cerb	CDBG Mgmt Handbook, Section 6: www.commerce.wa.gov/serving-communities/cdbg-technical-assistance-resources HUD NEPA webpage: www.hudexchange.info/programs/environmental-review	www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/WaterSystemAssistance/DrinkingWaterStateRevolvingFundDWSRF	www.eccy.wa.gov/programs/wq/funding/GrantLoanMgmtDocs/Eng/GrantLoanMgmtEngRes.html	www.rurdev.usda.gov/wa/publications