



**Pipeline and Hazardous Materials Safety Administration  
Office of Pipeline Safety and Office of Planning & Analytics**

**Natural Gas Distribution Infrastructure Safety and  
Modernization (NGDISM) Grant Program  
Site Specific Environmental Analysis**



U.S. Department of Transportation  
Pipeline and Hazardous Materials  
Safety Administration

PHMSA: Your Safety is Our Mission



# NGDISM Environmental Compliance

## Agenda

- Welcome and Introductions
- NGDISM Grant Program Reminders and Updates
- NEPA Background
- NEPA Process
- Info Needed from Applicants
- Grant Award and Next Steps



# Welcome and Introductions



# Welcome and Introductions

## **Pipeline and Hazardous Materials Safety Administration:**

- Shakira Mack – Director, NGDISM Grant Program
- Matthew Hufford – Senior Grants Management Specialist (Team Lead)
- Matt Fuller – Senior Environmental Protection Specialist

## **U.S. DOT Volpe National Transportation Systems Center:**

- NEPA and Environmental Resource Specialists



# NGDISM Grant Program Reminders and Updates



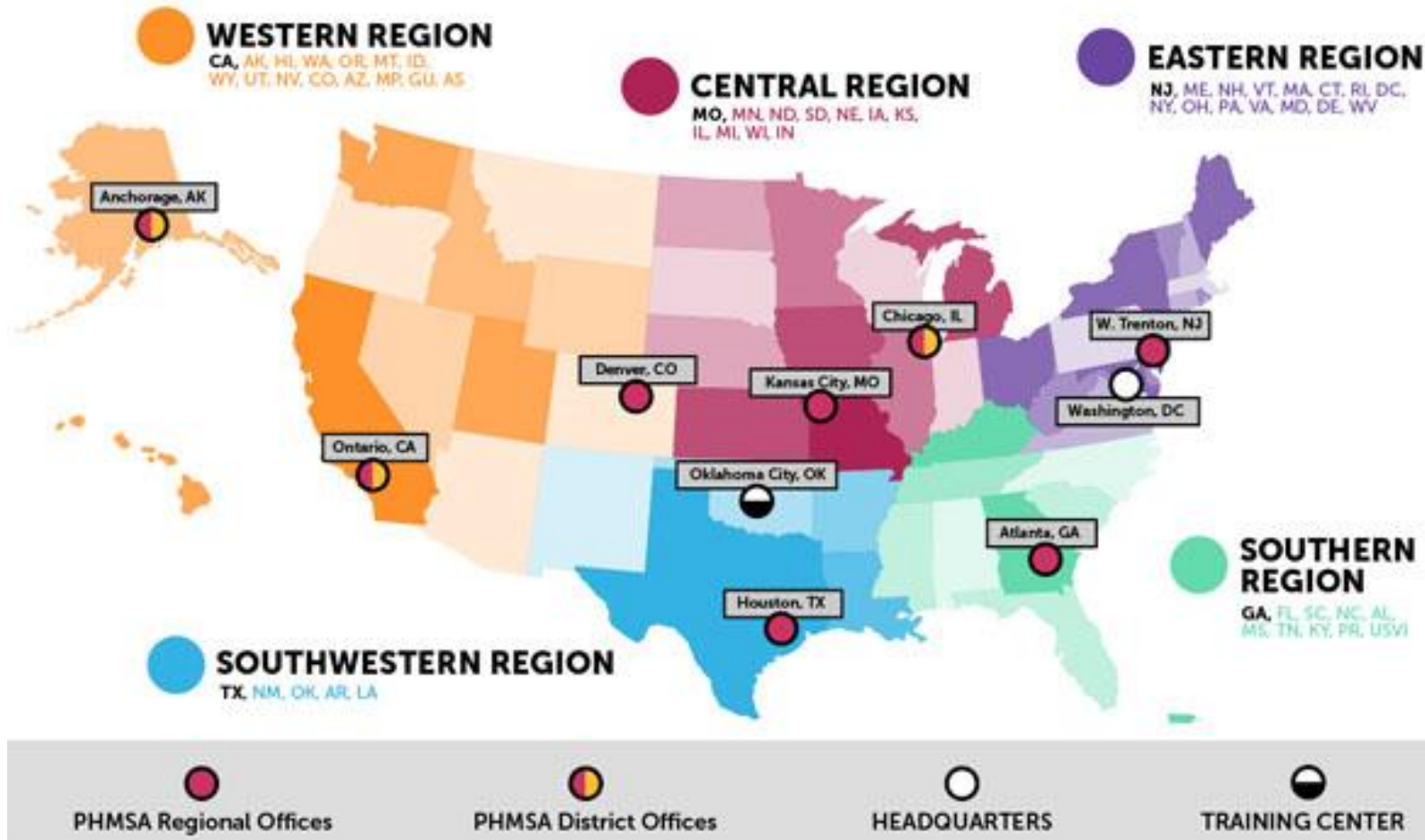
# Program Reminders and Updates: PowerApps

- Please complete and return the “Invite Guests to MS Teams” template to [PHMSAPipelineBILGrant@dot.gov](mailto:PHMSAPipelineBILGrant@dot.gov). The template was distributed via email on May 22<sup>nd</sup> and 23<sup>rd</sup>.
- PHMSA will offer a PowerApps tutorial on Friday, June 7th.
- Optional office hours will be available in the weeks that follow the tutorial.





# Program Reminders and Updates: Grants Management Specialist Assignments



# Program Reminders and Updates

- Each entity will be assigned a Grants Management Specialist (GMS) who will assist with your programmatic and financial needs.
- PHMSA typically communicates through email using the program's email address [PHMSAPipelineBILGrant@dot.gov](mailto:PHMSAPipelineBILGrant@dot.gov). All staff members have access to this account and copying this account even after receiving your GMS assignment is strongly encouraged.
- If you are a returning recipient, you will likely have the same GMS.
- Equipment only projects will be assigned a Procurement GMS.
- A programmatic webinar will be scheduled during the month of June 2024. The webinar will cover pre-award authority, updates to project scopes and budgets, programmatic requirements, and the Award Execution process.
- It is important to notify PHMSA of any changes to points of contact. Please email [PHMSAPipelineBILGrant@dot.gov](mailto:PHMSAPipelineBILGrant@dot.gov) with any changes to POCs.
- If you have any general or programmatic questions, please email the program office.





# Pre-Award Authority to Incur Costs

- Pre-award authority allows recipients to recoup costs expended during the Environmental Review process. Costs such as engineering designs and environmental consultants are reimbursable from the date PHMSA announced FY23 awards (April 3, 2024).
- Pre-award authority should be requested in a letter. The letter may be delivered via email to [PHMSAPipelineBILGrant@dot.gov](mailto:PHMSAPipelineBILGrant@dot.gov).
- The letter should include the estimated amount to be incurred and a breakdown of those costs by the line items on the SF-424C.
- Reimbursement of costs may **only** take place **after** the grant agreement is executed.
- Letters requesting pre-award authority should be addressed to:  
Shakira N. Mack  
Director, Natural Gas Distribution Infrastructure Safety and Modernization Grant Program  
Pipeline and Hazardous Materials Safety Administration  
U.S. Department of Transportation



# NGDISM NEPA Background



# NGDISM Program & NEPA

- National Environmental Policy Act (NEPA, 1969) requires federal agencies to consider the effects of their actions on the environment
- Federal funding and/or permits trigger NEPA and other federal regulations to be completed prior to the obligation of funds.
- Details regarding the requirement to complete NEPA were included in the NOFO and your award letter



# NEPA Requirements

- NEPA Classes of Action:
  - Environmental Impact Statement/Record of Decision
  - Environmental Assessment/Finding of No Significant Impact
  - Categorical Exclusion
- All grants subject to successful completion of the NEPA process, which includes all federal environmental requirements
- No work activities are allowed prior to completing the NEPA process



# NGDISM Program & NEPA Timing

	<b>Grant Application/Selection</b>
<b>Site Specific NEPA Process</b>	<b>Project Development</b> (Conceptual Engineering and NEPA Completion)
<b>Environmental Permits and Implementation of Mitigation</b>	<b>Grant Obligation/Final Design</b> (Final Engineering, Grant Agreement and Obligation)
	<b>Construction</b>





# NEPA Regulation Updates (Effective 7/1/2024)

- Time limits for EAs (1-year) and EISs (2-years)
- Page limits for EAs (75) and EISs (150-300)
- Codifies considering climate change related effects
- Consideration of “context” and “intensity” of effects
- Increased public engagement obligations
- Expanded provisions for categorical exclusions
- NEPA Regulations at 40 CFR Parts 1500 through 1508



# Categorical Exclusions for NGDISM Program

- Fiscal Responsibility Act (2023) allows Federal agencies to adopt another agency's categorical exclusion
- PHMSA working to adopt Department of Energy's CE B5.4 "Repair and replacement of pipelines"

Repair, replacement, upgrading, rebuilding, or minor relocation of pipelines within existing rights-of-way, provided that the actions are in accordance with applicable requirements (such as Army Corps of Engineers permits under section 404 of the Clean Water Act). Pipelines may convey materials including, but not limited to, air, brine, carbon dioxide, geothermal system fluids, hydrogen gas, natural gas, nitrogen gas, oil, produced water, steam, and water.



# Categorical Exclusion Adoption Process

Process for adoption of DOE's CE:

- Consult with DOE (complete)
- Conduct internal PHMSA and USDOT coordination (ongoing)
- Publish Notice in the Federal Register (available for immediate use after publication)

After adoption, PHMSA can use the CE for BIL grant projects, provided PHMSA determines:

- The project scope is consistent with CE B5.4;
- The project's impacts are consistent with DOE's "integral elements";
- The project is not improperly segmented; and
- The project has been evaluated for extraordinary circumstances to ensure there is no significant effect.



# NGDISM NEPA Process



# NGDISM Program NEPA Overview

## PHMSA NEPA Process Overview

### TIER 1 Environmental Assessment (EA)

- Programmatic Nationwide EA concluded in December 2022
- Evaluated environmental impacts on a program level
- Set framework for Tier 2 analysis for individual projects

### TIER 2 Analysis

- Prepare Site-Specific Environmental Analysis for individual projects
- Evaluates environmental impacts on a project level
- Concludes with either:
  - Categorical Exclusion Determination, or
  - Finding of No Significant Impact (FONSI); or
  - Prepare an Environmental Impact Statement





# NGDISM Program & NEPA

## Roles and Responsibilities

- **USDOT – PHMSA**
  - Lead Federal Agency for NEPA
  - Legally responsible for NEPA decisions/document
  - Coordinate/consult with Tribal governments, Federal and State agencies
- **USDOT – Volpe**
  - Provides NEPA technical assistance/expertise to PHMSA
  - Prepares environmental analysis and documentation on behalf of PHMSA
- **Provisional Grantee**
  - Provide information/documentation for Site-Specific Environmental Analysis process to PHMSA
  - Verify environmental analysis is consistent with project scope and confirm mitigation measures will be implemented
  - Coordinates/consults with PHMSA if project changes scope or changes to environmental impacts



# NGDISM Program NEPA Process

1. Grantee enters project information into PowerApps
  - a. Project description/background
  - b. Environmental resources information
2. PHMSA
  - a. Reviews for completeness/requests additional information
  - b. Determines class of action (CE, EA, EIS)
  - c. Sends NEPA schedule to grantee
3. PHMSA/Volpe develop Site-Specific Environmental Analysis
  - a. Conduct analysis/research impacts
  - b. Conduct Section 106 Consultation
  - c. Coordinate with Tribal governments, Federal and State resource agencies
  - d. Prepare environmental documentation



# NGDISM Program NEPA Process

4. PHMSA completes Site-Specific Environmental Analysis
  - a. Grantee reviews analysis for content/mitigation measures
  - b. For EAs:
    - i. PHMSA approves EA, posts on website
    - ii. Grantee posts notice of availability of EA for 30-day comment period
    - iii. Grantee makes available hard copy in publicly accessible building (e.g., library, town hall)
    - iv. Grantee documents notice of availability and provides to PHMSA
    - v. PHMSA/Volpe works with grantee to address substantive public comments
    - vi. PHMSA proceeds with Finding of No Significant Impact (FONSI) or Environmental Impact Statement
    - vii. If FONSI, publish on PHMSA website, grantee publishes Notice of Availability
  - c. For CEs, public comment period is not required
    - i. PHMSA approves project as CE
    - ii. PHMSA posts CE on its website



# NEPA Process - Points of Emphasis

- NEPA is concluded when PHMSA approves:
  - Categorical Exclusion determination, or
  - Finding of No Significant Impact, or
  - Record of Decision
- Typical schedule from PowerApps completion to concluding NEPA was approximately 170 days for FY22 projects.
- PHMSA is responsible for all Section 106 consultation with Tribes and State Historic Preservation Officers
  - Grantees or their consultants **should not** conduct any Section 106 consultation activities



# Info Needed from Applicants for NEPA





# Site-Specific Analysis - Overview

- Includes project description and background, environmental setting, resource analysis, mitigation measures, public involvement, and agency consultation
- PHMSA will use this information to
  - Conduct agency consultation
  - Document consistency with the Tier 1 EA
  - Ensure no significant impacts occur for individual project sites
- PowerApps will be used for inputs



# Site-Specific EA - Project Background

- Part I
  - Project background and description
  - Construction and installation methods
  - Environmental setting
  - Dimensions of ground disturbance
  - Abandon or removal of existing lines

The screenshot shows the 'PHMSA BIL Grant Environmental Assessment App' interface. At the top, it displays 'U.S. Department of Transportation' and 'Power Apps | PHMSA BIL Grant Environmental Assessment App'. The app title 'PHMSA BIL Grant Environmental Assessment App' is prominently displayed. Below the title, the section 'Project Description/Proposed Action' is visible, with a sub-header 'Project Description/Proposed Action'. The form contains several text input fields for the following questions: 'What construction methods will be used?', 'Does the project require new right-of-way not currently in the ownership of the utility?', and 'How many linear feet of pipe will be replaced or repaired?'. There is also a section labeled 'Need for the Project'. Navigation arrows are present at the bottom of the form, and a progress indicator shows the current step is 1 of 10.



# Site-Specific EA - Resource Assessment

- Part II
  - Assists PHMSA in evaluating potential impacts
  - Ensures all agency consultation is complete
  - Documents mitigation measures

The screenshot shows the 'PHMSA BIL Grant Environmental Assessment App' interface. At the top, it displays 'U.S. Department of Transportation' and 'Power Apps | PHMSA BIL Grant Environmental Assessment App'. The main title is 'PHMSA BIL Grant Environmental Assessment App'. Below this, it shows 'Section 4(f)' and 'York County Natural Gas Authority Test Segment 2'. The form contains several questions and text input areas:

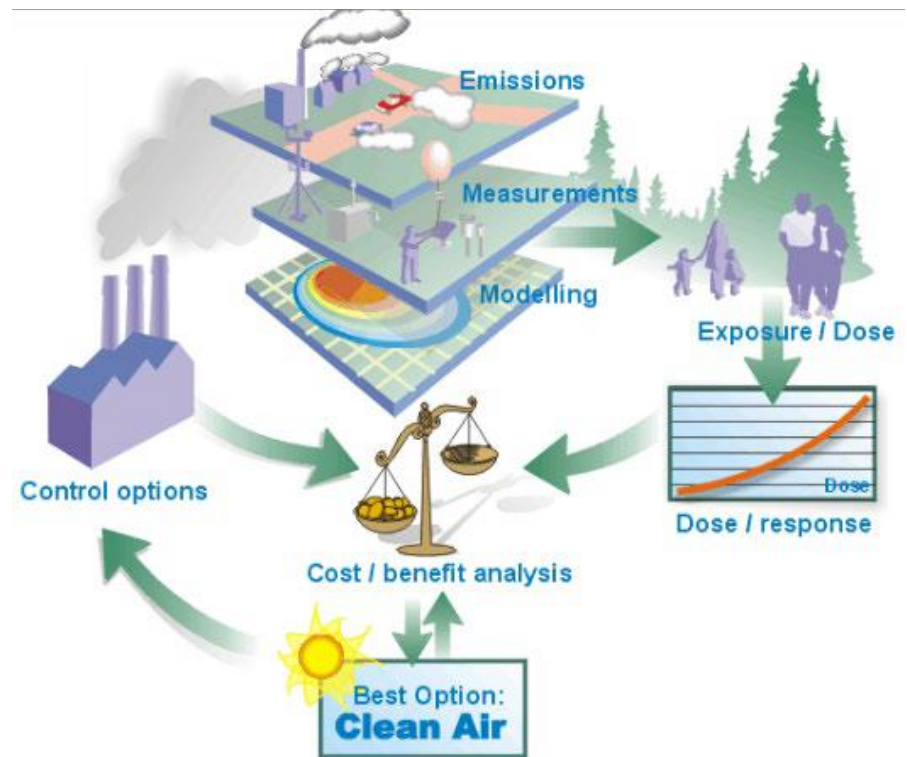
- Are there Section 4(f) properties within or immediately adjacent to the project area?
- If yes, provide a list of properties or as an attachment.
- Will any construction activities occur within the property boundaries of a Section 4(f) property?
- If so, please detail these activities and indicate if these are temporary or permanent.
- Conclusion - Section 4(f)

Navigation arrows are visible at the bottom of the form.



# Site-Specific EA - Air Quality

- Air Quality
  - Nonattainment or maintenance areas
  - Construction emissions
  - Methane ( $\text{CH}_4$ ) leak rates pre- and post-replacement
  - $\text{CH}_4$  venting during construction



# Site-Specific EA – Greenhouse Gases

Existing Pipeline Length in feet	Pipeline Diameter in inches	Pipeline Material	Operating Pressure (PSI)	Reduced Pressure if Possible (PSI)	Year installed if known.
1,500	6	Cast Iron	25	NA	1915
1,000	4	Cast Iron	12	NA	1915



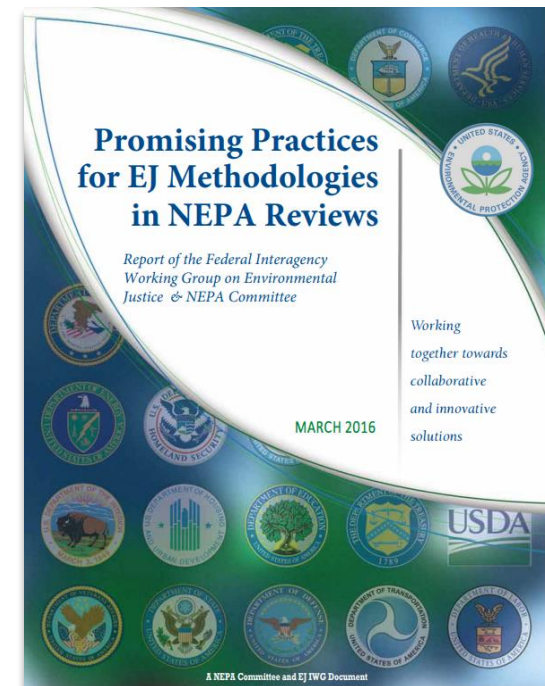


# Site-Specific EA – Environmental Justice

- **NEPA requires federal agencies to consider environmental justice in their activities.**

## **Requirements include:**

- Consideration of the social, economic, and environmental effects of the action.
- Documentation of the assessment of the effects, including those on minority and/or low-income populations, and the mitigation measures (as necessary).
- Public engagement, including making information related to the action available to the public for comment prior to implementation.



# Site-Specific EA – Environmental Justice

A Tier 2 EJ analysis includes:

1.

- A **demographics analysis** to assess the potential project-related impacts to minority and/or low-income individuals. This includes maps or other data to demonstrate the presence (or lack thereof) of minority and/or low-income populations.

2.

- Determine if there are adverse effects to EJ populations and whether they are **disproportionately high and adverse**.
- Impacts may include displacements, service disruptions, construction impacts, etc.

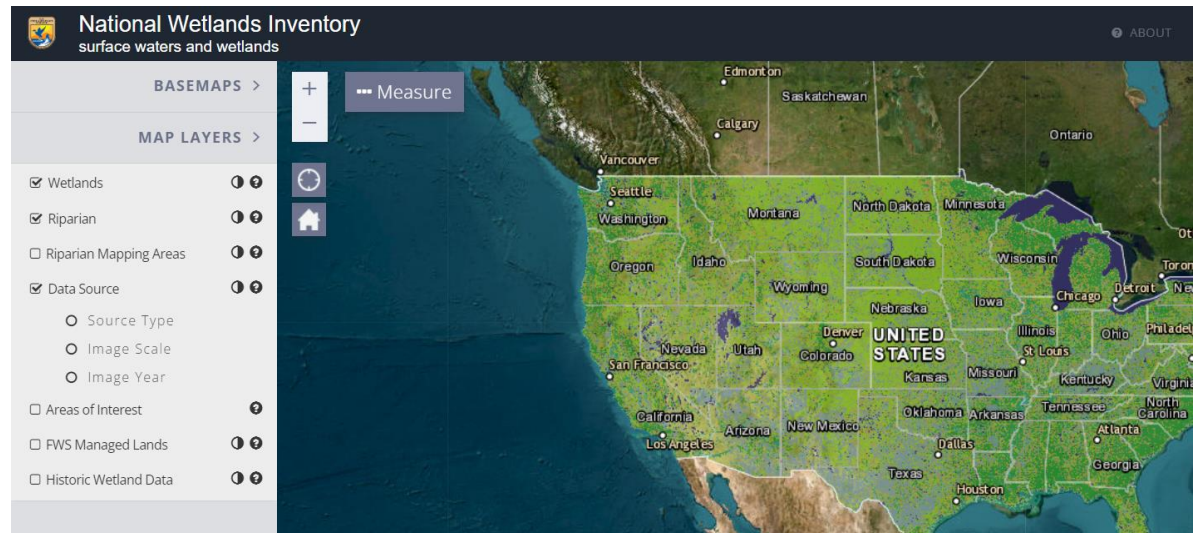
3.

- A commitment of **mitigation measures** to reduce or offset any impacts to EJ populations.
- Some examples include targeted outreach and public involvement to EJ populations; coordination with local community leaders and groups; and advanced notification of service disruptions and construction schedule.



# Site-Specific EA – Water Resources

- Tier 2 Analysis
  - Identify aquatic resources within and adjacent to the project site.
  - Sources for identifying resources
  - Provide a description of the specific work to occur in aquatic sites (clearing, grubbing, discharging fill/ pipe, etc.)
  - Estimate impacts
- Mitigation
- Permitting



# Site-Specific EA – Groundwater and Hazardous Materials/Waste

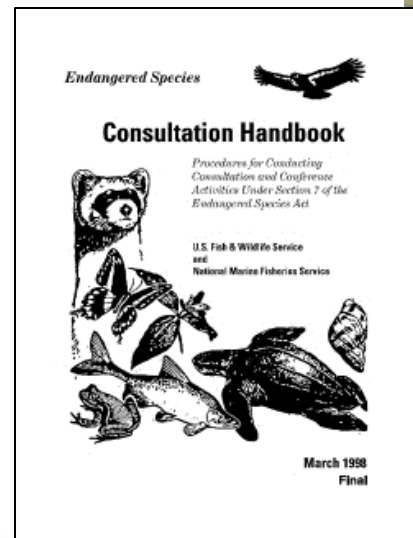
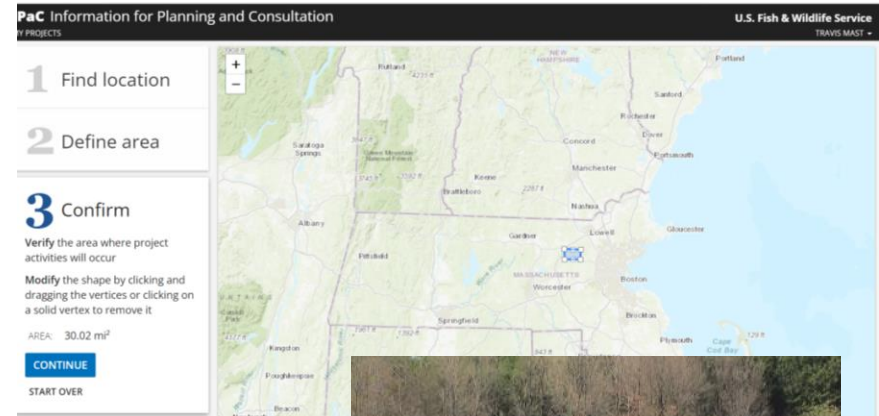
- Describe hazmat sites within the project area.
- Explain potential to encounter groundwater or hazardous materials during construction.
- Identify areas where coal gas could have been utilized in the past.
- Encountering these materials could require additional surveys and soil removal.
- Mitigation measures





# Site-Specific EA – Biological Resources

- Listed Species
  - Potential for listed species to occur within the project area
    - <https://ipac.ecosphere.fws.gov/>
  - Is there habitat within the project area?
  - Could that habitat be impacted?
- Section 7 consultation
- Mitigation



# Site Specific EA – Cultural Resources

- National Historic Preservation Act (NHPA)

- The nation's primary historic preservation law -- Defines the legal responsibilities of Federal agencies with respect to the preservation and stewardship of historic properties.
- Section 106 of the NHPA requires:
  - Federal agencies take into account the effect of their undertakings on historic properties; and
  - Afford the Advisory Council on Historic Preservation an opportunity to comment.
- Federal undertaking includes any project that requires a permit or receives federal funding
- PHMSA must complete Section 106 process for all BIL grant projects prior to expenditure of funds or any work taking place.





# Site-Specific EA – Cultural Resources

- No Potential to Cause Effects:
  - Purchasing Equipment
- Potential to Cause Effects (PHMSA will consult under Section 106):
  - Any type of digging, subsurface construction, or ground disturbance. Including:
    - Construction in previously disturbed soils
    - Construction activities within existing rights-of-way
    - Open trenching or directional drilling
    - Pipe sleeve construction method with limited construction locations
  - Modification of existing structures or surfaces, including historic sidewalks, roadways, and some utility features
  - Above ground addition of pipelines, regulator stations, and other ancillary equipment
  - Meter relocations on homes



# Site-Specific EA – Cultural Resources

## • 36 CFR Part 800

### • Step 1:

- *Undertaking* = project scope
- *Consulting parties*

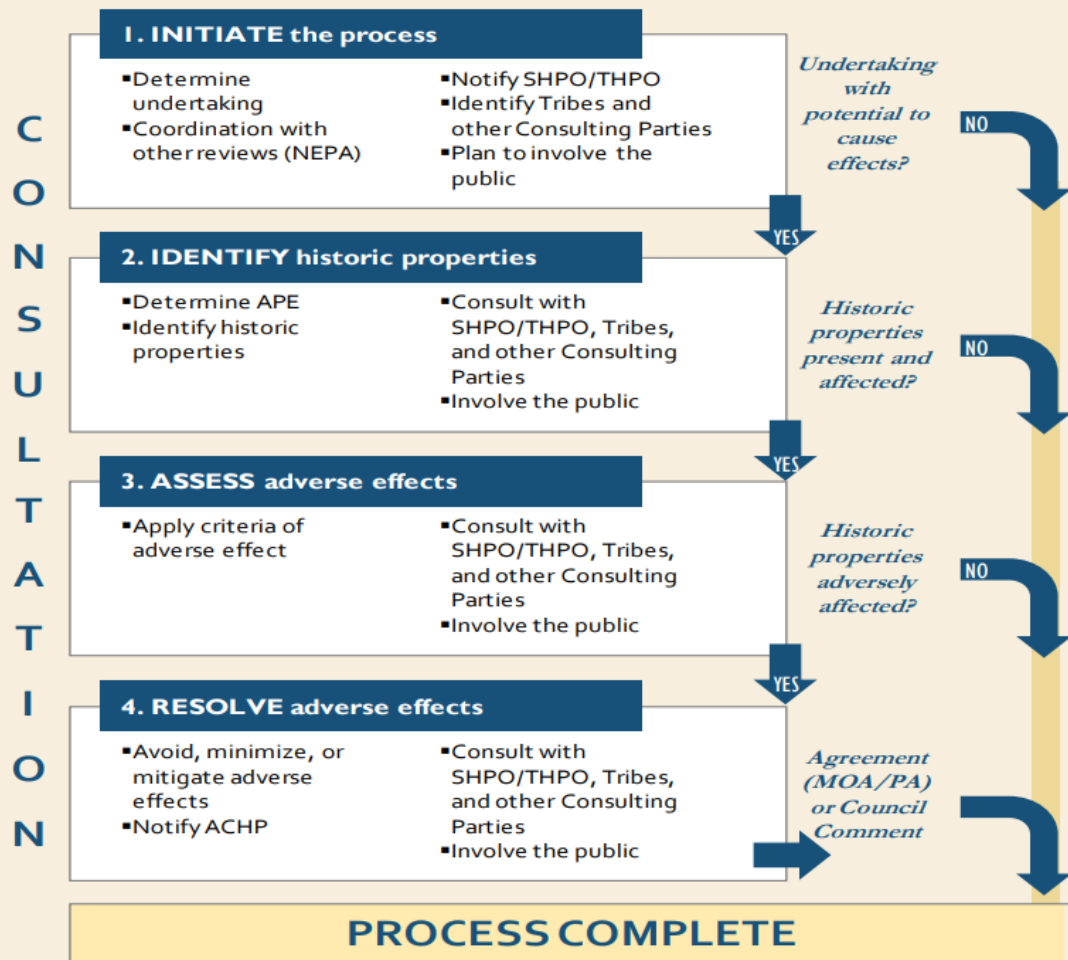
### • Step 2:

- *Area of Potential Effects* – project area+
- *Identification and Evaluation* – Research, photos of project area, documentation of prior ground disturbance. May require field survey

### • Step 3/4:

- *Assess effects* - If potential for adverse effects, identify Avoidance, Minimization or Mitigation Measures

## THE SECTION 106 PROCESS



# Site-Specific EA – Cultural Resources

- Photo Guidance: Representative Photos

- Only a handful of representative photos are needed
- Streetscapes looking down the project areas and showing flanking properties
- Photos of any properties or features (such as brick streets) over 45 years of age that have the potential to be affected by the project
- If project involves work on any aboveground components (such as regulating stations), provide representative photos of those components
- Note where each photo was taken and what it is showing



View along N. 41st Avenue at Wakeley Street intersection in Omaha, facing southeast.



View along Mississippi Street at St. Patrick Street intersection in Donaldsonville, facing east.



# Site-Specific EA – Section 4(f)

- Requires that DOT may not approve the use of Section 4(f) property unless a determination is made that:
  - There is no feasible and prudent avoidance alternative
  - The action includes all possible planning to minimize harm resulting from such use; or
  - The agency determines that the use of the property will have a de minimis impact on the property.
- Section 4(f) Properties
  - Historic properties, archeological sites
  - Public parks (publicly owned, open to the public)
  - Recreation areas (publicly owned, open to the public)
  - Wildlife/Waterfowl Refuges (publicly owned)



# Site-Specific EA – Section 4(f)

- Tier 2 Site Specific Analysis
  - Identify 4(f) properties
  - Determine use
  - Coordinate with official with jurisdiction



# Site-Specific EA – Noise and Vibration

## Qualitative assessment (worksheet)

- Duration and work hours
  - Greater than 1 month at any one location?*
  - Occur during nighttime hours?*
- Sensitive receptors
  - Residences, schools, houses of worship, etc. within 50 ft?*
- Construction methods and equipment
  - Blasting or other high-noise and vibration methods?*

*A yes to any of these questions indicates there is increased potential for human annoyance and building damage -> Quantitative assessment may be required to identify appropriate mitigation*





# Site-Specific EA – Land Use, Transportation, Safety

- Right of way requirements
  - Easements, acquisition of property
- Traffic and transportation facility impacts
  - Detours, relocation of transit facilities (bus stops)
- Emergency service impacts
- Safety



# Grant Award and Next Steps



# Next Steps

- Grantee to complete project information in PowerApps
- PHMSA will review, provide schedule to grantee, and conduct necessary agency consultation
- PHMSA will complete NEPA and work with grantee to make available to the public for review/comment (if applicable) or approve the CE.
- After the comment period (if applicable), PHMSA will conclude NEPA
- Grant Award
- Reach out with questions
  - Email: [PHMSAPipelineBILGrant@dot.gov](mailto:PHMSAPipelineBILGrant@dot.gov)

