EPA Community Grants
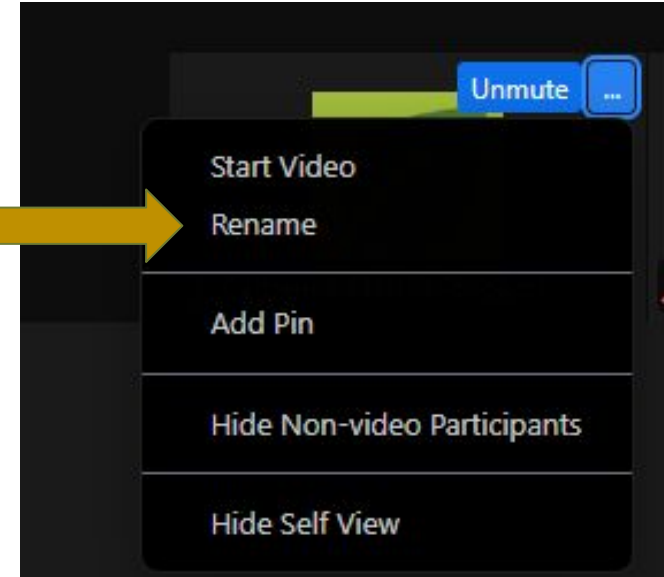## Training Session 5

November 13, 2025

Training Objectives

- Share resources to apply for and manage Community Grants
- Create a supportive peer-to-peer network
- Increase local grant writing and management capacity

Disclaimer!

The training provides guidance, but not authoritative interpretations of federal laws, rules or regulations.

Housekeeping

- Participation
  - Add your location next to your name
  - Hold questions for the end of the presentations
  - Please turn your camera on, if possible, during Q&A

- Recordings
  - Presentations will be recorded
  - Q&A and discussions will not be recorded
  - Recordings and slides will be shared

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Curriculum

1. Community Grants Basics - 09/25

2. Support Resources, Waiver Eligibility - 10/09

3. Application Components - 10/16

4. Entity Registration; Other Funding Options - 10/30

5. NEPA and Other Cross-Cutting Regulations - 11/13

6. Procurement Regulations - 12/04

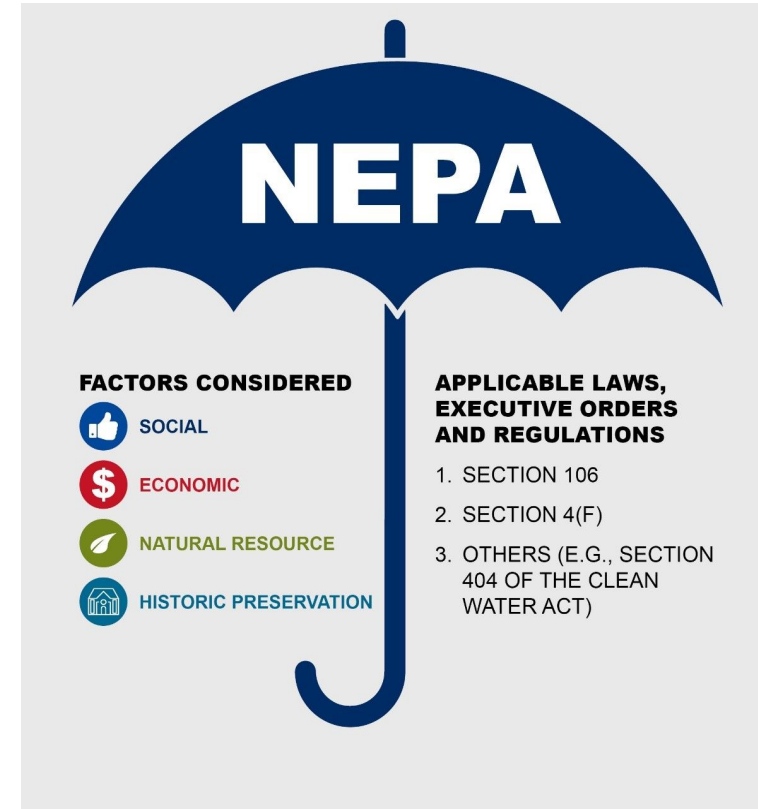7. Grant Management and Reporting - 12/11

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Session 5 Agenda

1. NEPA Review Process

2. Cross-Cutting Regulations
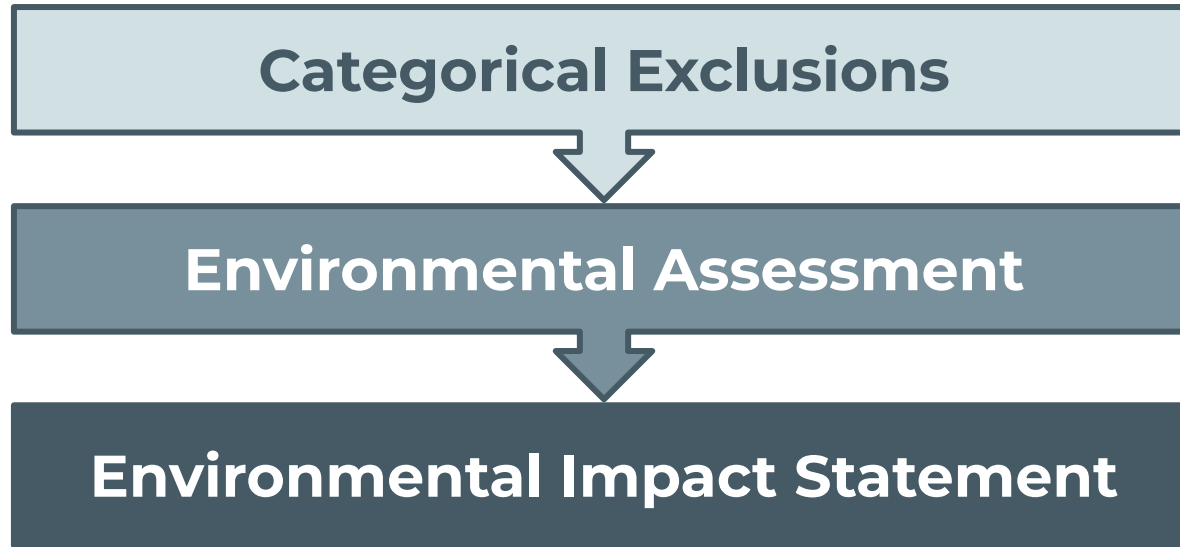
3. Q&A and Peer Connections

1. National Environmental Policy Act

What is NEPA?

- Umbrella law
  - National Historical Preservation Act
  - Endangered Species Act
  - Floodplain Management and Wetlands
  - Environmental Justice
  - Clean Air Act
  - Coastal Barriers
  - Archeological & Historical Preservation Act

- Requires agencies to evaluate effects of proposed actions, including grant funded actions, prior to making decisions.

NEPA

FACTORS CONSIDERED
- SOCIAL
- ECONOMIC
- NATURAL RESOURCE
- HISTORIC PRESERVATION

APPLICABLE LAWS, EXECUTIVE ORDERS AND REGULATIONS
1. SECTION 106
2. SECTION 4(F)
3. OTHERS (E.G., SECTION 404 OF THE CLEAN WATER ACT)

Levels of Review

Categorical Exclusions

↓

Environmental Assessment

↓

Environmental Impact Statement

Categorical Exclusion: CatEx

- Predetermined types of projects, such as:
  - Routine facility maintenance
  - Minor facility upgrades and expansions
  - New minor ancillary facilities
- Application for a determination includes:
  - Project description
  - Coordination with cross-cutter agencies
  - Categorical Exclusion Instructions and Checklist

III.B. Categorical Exclusion Eligibility *(Check YES or* if the project is eligible for a Categorical Exclusion (statements and documentation must be included

40 CFR § 6.204(a)(1)(iii)

Question 2a:	Does the project involve actions		
	YES	**NO**	
If yes, proceed to Question 2b.	☐	☐	Replacement of e

Question 2b:	Will the project include actions t		
	YES	**NO**	
If yes to any, **STOP**. CATEX does not apply.	☐	☐	Involve relocated
	☐	☐	Will likely result i from existing sou

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Categorical Exclusion: CatEx

- Ineligible for a CatEx:
  - New or relocated discharges to surface or groundwater.
  - Substantial increase in the volume or the loading of pollutant to the receiving water.
  - Will provide capacity to serve a population 30% greater than the existing population.
  - Are not supported by the state, or other regional growth plan or strategy; or directly or indirectly involve or relate to upgrading or extending infrastructure systems primarily for the purposes of future development.

Categorical Exclusion: CatEx

- Extraordinary circumstances:
  - Project falls in an exclusion category but know/expected to impact:
    - Human environment, including minority, low-income or tribal communities
    - Natural and cultural landmarks
    - Threatened or endangered species
    - Air quality

Environmental Assessment

- For projects where environmental impact is not clear upfront
- Application for a determination includes:
  - Suggested Environmental Information Document (EID)
    - Project alternatives analyses
    - Impact and mitigation measures
    - Public participation
- Result:
  - Finding of No Significant Impact (FONSI)

    or
  - Environmental Impact Statement required

Reviews Similar to EPA NEPA

- State Environmental Review Process (SERP)
  - State-administered environmental review
  - Functional equivalent to NEPA
  - Georgia, North Carolina and Virginia have SERPs
- Non-EPA federal agency NEPA review
  - Each agency has its own review criteria

- They don't replace the EPA NEPA review, but can accelerate the process
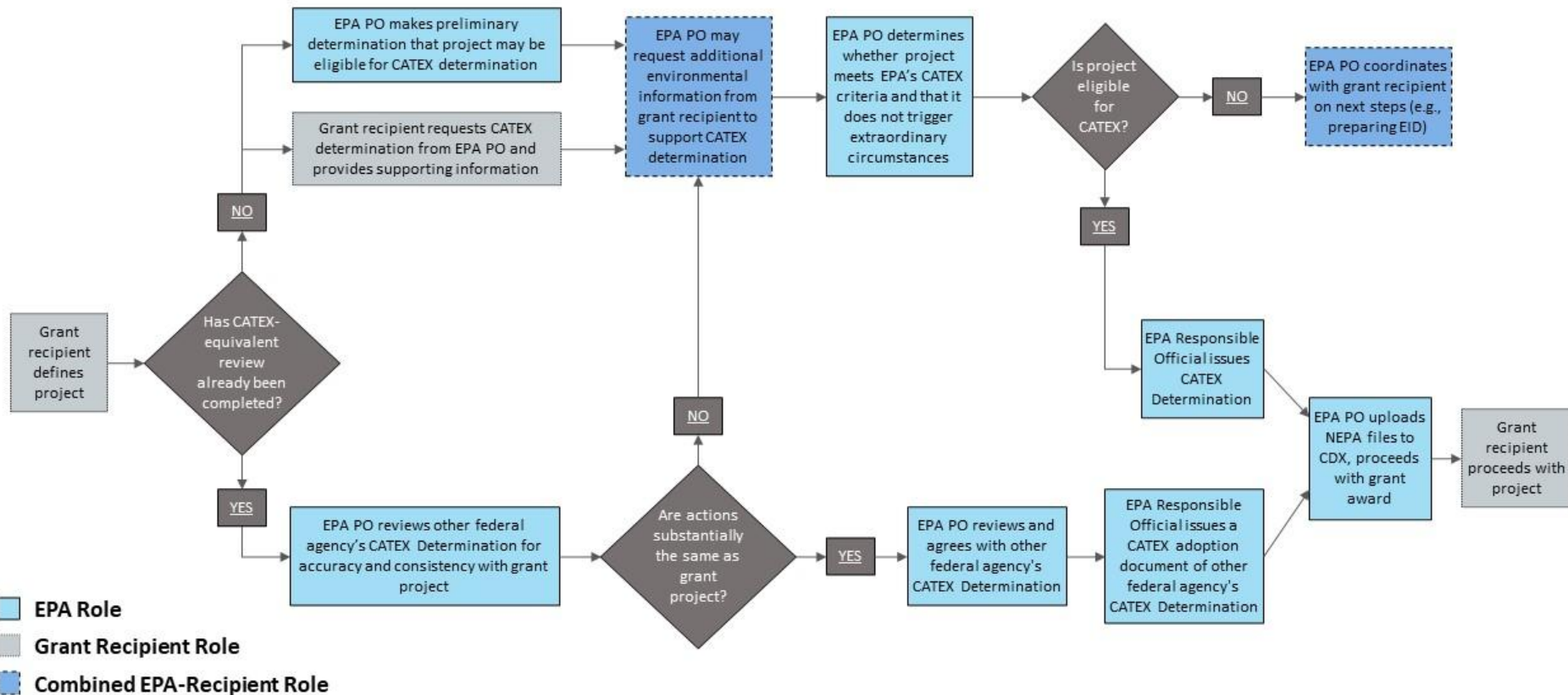
Environmental Impact Statement

- In-depth analysis
- Custom-tailored to the project
- Requires public review
- Result: Record of Decision (ROD)
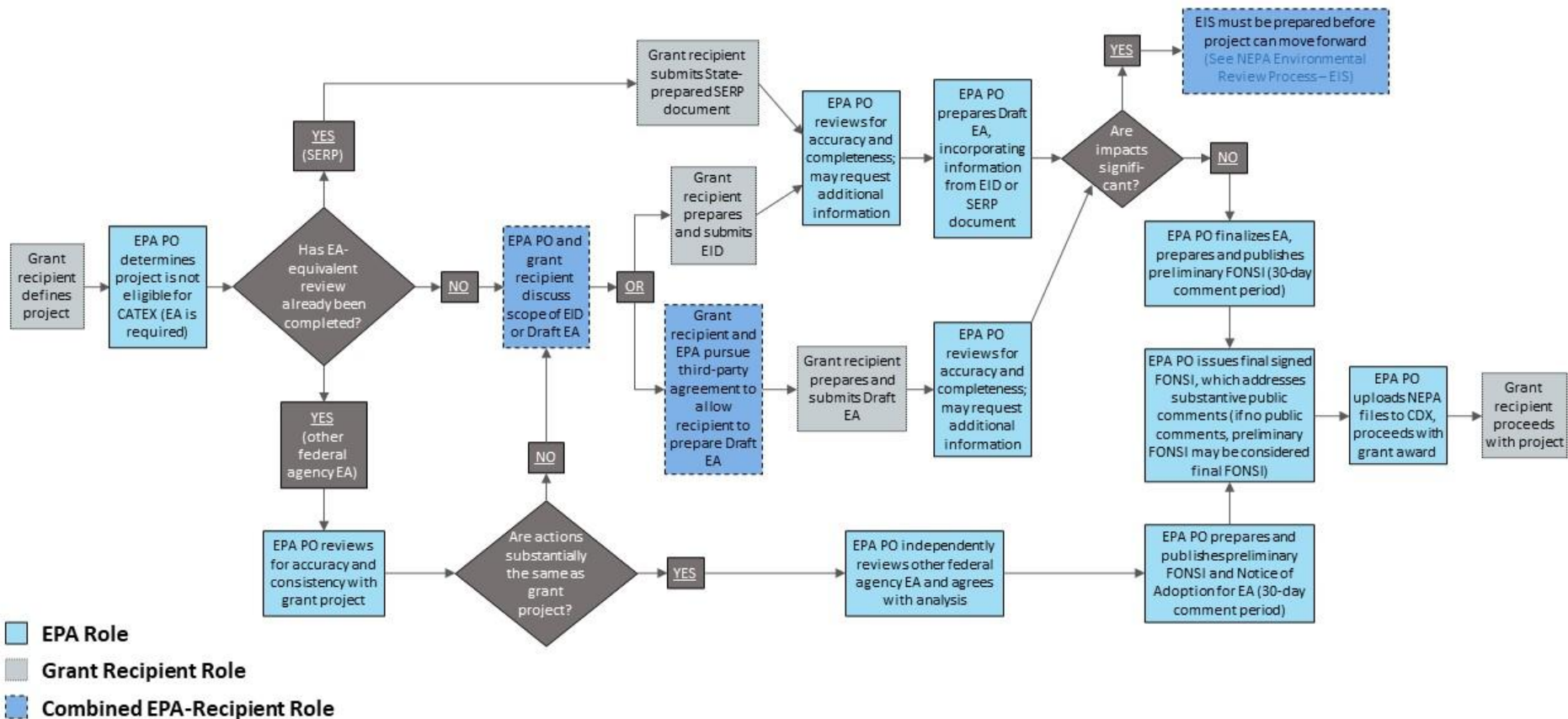- Examples: Environmental Impact Statement (EIS) Database

Caution!

EPA grant funds *can* be used to prepare an environmental information document (EID)

EPA grant funds *cannot* be used for the preparation of an EA or an EIS by a third-party

CatEx Flowchart from EPA

EA Flowchart from EPA

2. Cross-Cutting Regulations
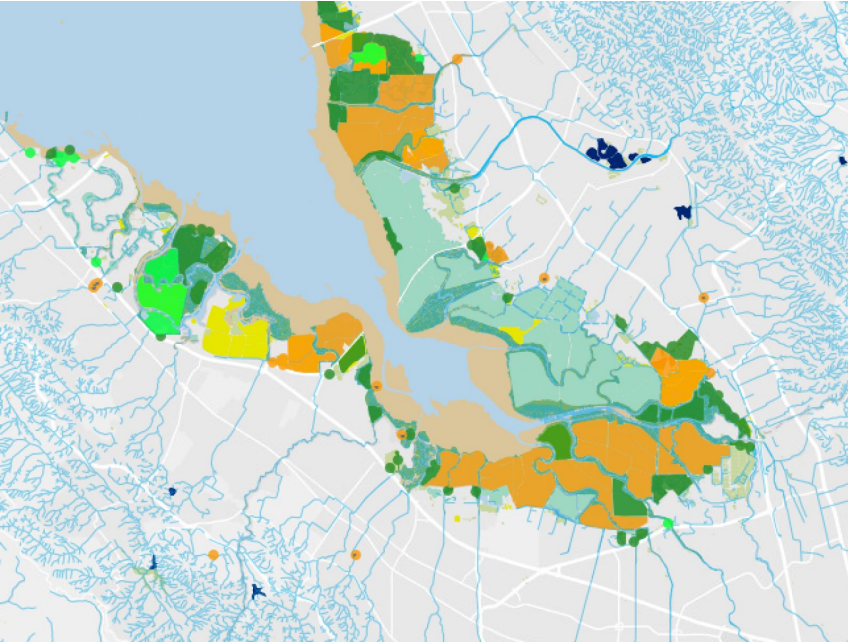
Cross-Cutting Regulations

- Federal statutes, executive orders, or implementing regs

- Protection and conservation of specific environmental resources and other resources

- Required for all levels of review, including CatEX

Cross-Cutters to Consider

- Clean Air Act
- Protection of Wetlands EO 11990, EO 12608
- Floodplain Management EO 11988, EO 12148
- Safe Drinking Water Act
- Clean Water Act Sections 401 and 404
- Endangered Species Act
- Fish and Wildlife Coordination Act
- Wilderness Act

- Coastal Zone Management Act
- Marine Mammal Protection Act
- Wild and Scenic Rivers Act
- Rivers and Harbors Act Section 10
- Magnuson-Stevens Fishery Conservation and Management Act
- Migratory Bird Treaty Act
- Bald and Golden Eagle Protection Act

- Archaeological Resources Protection Act
- Native American Graves Protection and Repatriation Act
- National Historic Preservation Act
- Farmland Protection Policy Act

Tips for NEPA Success

- Start the process early
- Consider phasing design/construction
- Cull the list based on geography
- Dig for old NEPA reviews
- Befriend the GIS team
  - ESRI hosts useful layers in its Living Atlas
    - National Registry of Historic Places
    - Threatened & Endangered Species Habitat
    - Essential Fish Habitat
    - Wetlands and floodplains

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3. Q&A and Peer Exchange

Open Floor

Next Session

Procurement Regulations - 12/04

Contact Information

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