



# Project Compliance Review Flow Chart Companion

## Version April 2021

### Acronym Key:

- AOE: Assessment of Effect
- ATC: Appalachian Trail Conservancy
- APPA: National Park Service Appalachian Trail Office
- BA: Biological Assessment
- CRM: Cultural Resource Management
- CWA: Clean Water Act
- EPS: Environmental Protection Specialist
- ESA: Endangered Species Act
- ESF: Environmental Screening Form
- FMSS: Facility Management Software System
- IDT: Interdisciplinary Team
- IPaC: Information for Planning and Consultation (U.S. Fish and Wildlife Service planning tool)
- NEPA: National Environmental Policy Act
- NHPA: National Historic Preservation Act
- PEPC: Planning, Environment and Public Comment (National Park Service planning tool)
- POC: Point of Contact
- PM: Program Manager
- PMIS: Project Management Information System
- PNHI: Pennsylvania Natural Heritage Program (State of Pennsylvania planning tool)
- PP: Project Proposer
- PPP: Project Proposal Packet
- RPC: Regional Partnership Committee
- RTE: Rare, Threatened and Endangered Species
- SHPO: State Historic Preservation Office
- THPO: Tribal Historic Preservation Office

### General:

- At any step in this process, it may be determined that the project may not proceed if the project does not meet the requirements to fulfill that step.
- The following individuals will have significant roles in communication throughout the project review process:
  - **Project Lead/Proposer (PP)**. The person designated as the Project Lead or Project Proposer should be an individual who is very familiar with the proposal. This is typically a representative of an A.T. club, ATC, or another agency or organization.
  - **ATC Point of Contact (ATC POC)**. An ATC staff member will be assigned to each project as either the Project Lead or as a Project Point of Contact.

- **APPA Program Manager (PM)**. An APPA Program Manager will be assigned to each project. Facility projects will be assigned to the APPA Facility Office and natural/cultural resource projects will be assigned to the APPA Integrated Resource Office.
- **APPA Environmental Protection Specialist (EPS)**. An APPA EPS will be assigned to each project.

Review Steps:

**Step 1: Club, land manager or ATC (Project Proposer) develops draft project proposal.**

- Project Proposer:
  - Scoping Considerations
    - Identify the need for a project to be proposed: a new opportunity, a problem to be solved, or a condition to be addressed.
    - Outline the basic plan and steps required to complete the project.
    - Consider any legal regulations, policy considerations, and possible funding sources.
    - Consider the amount and types of materials that will be used in the project.
    - Consider the types of equipment and tools that will be used in the project.
    - Consult with any partners, landowners, or experts that could provide needed or helpful information for the project.
    - Consider alternatives, weighing the pros and cons and determining the best plan/design for the project.
  - Submit initial project concept plans to the assigned ATC Point of Contact.
    - Send description of project via email, phone call, or discussion in person.

**Step 2: ATC reviews initial project proposal and recommends next step.**

- ATC Point of Contact:
  - Determine whether this project is appropriate and viable to proceed to the next step in project review.
  - If project does not meet requirements or resources are not available to complete the project, ATC may determine that the project may not proceed as proposed.

**Step 3: Project Proposer (PP) works collaboratively with assigned ATC representative and/or land manager to refine Project Proposal Packet and submit to ATC Regional Office.**

- Project Proposer:
  - Begin by providing clear and complete information for each field in PPP.
  - Note any questions or information needs for ATC Point of Contact.
- ATC Point of Contact:
  - Read each item in PPP and provide feedback or missing information.
  - Consult with partners or experts if needed.
  - Determine regional project priorities.

- Together:
  - Agree on final complete PPP to be reviewed by RPC and/or Partners.
  - Ensure all relevant attachments are included with the submittal (Project Packet Checklist)

**Step 4: RPC and/or Partner(s) review project proposal and recommend project for land manager review.**

- Voting members of the Regional Partnership Committee or appropriate Partner(s):
  - Decide whether the project should be pursued for further review.
  - If a majority rejects the project proposal, project may not proceed at this time / as proposed.

**Step 5: ATC Regional Office submits completed Project Proposal Packet (PPP) to APPA Environmental Protection Office.**

- ATC will submit the completed PPP and attachments to the APPA Environmental Protection Office with cc to Superintendent.
- Each project will be submitted separately with the project title in the email subject line.
- ATC enters the project in the APPA project review status log.

**Step 6: APPA Program Manager is assigned to the project.**

- APPA Environmental Protection Specialist (EPS) reviews project to determine appropriate APPA Program Area, and assigns the project to an APPA Program Manager (PM).
- APPA EPS updates the APPA project review status log.

**Step 7: APPA PM works with PP and/or ATC to review and further develop/finalize Project Proposal Packet.**

- APPA Program Manager:
  - Reviews materials for completeness and scope appropriateness.
  - Requests any missing info and seeks to clarify any questions.
  - May call an internal or joint meeting to discuss the project.
  - Determines when the project is ready for compliance review and notifies EPS.
  - Updates project review status log.
- Project Proposer/ATC:
  - Responds to questions and requests for additional information and/or edits.
  - May be required to develop materials for, and attend/present project proposals at an Interdisciplinary Team (IDT) project review meeting.

**Step 8: APPA Environmental Protection Specialist (EPS) reviews project proposal and determines if project is covered under existing APPA Programmatic Compliance document.**

- APPA EPS:

- Reviews the project proposal packet and determines if the project is eligible for coverage under an existing APPA Programmatic Compliance document that has been signed by the park superintendent.
- Project Proposer, ATC, and/or Program Manager:
  - Responds to questions and requests.

**Step 9A “YES” Project IS deemed eligible for coverage under a Programmatic Compliance document:**

- APPA EPS:
  - Develops mitigation measures as needed.
  - Notifies APPA PM of compliance coverage and any required mitigation measures.
  - Documents programmatic eligibility determination.
  - Updates project review status log.
- APPA PM:
  - Notifies ATC Point of Contact when the project is approved for implementation and any required mitigation measures.
  - Updates project review status log.
- ATC regional staff:
  - Notifies Project Proposer to proceed as outlined and scheduled.

**Step 9B “NO”: Project IS NOT deemed eligible for coverage under a Programmatic Compliance document:**

- APPA EPS and/or PM:
  - Enters project information in PEPC.
  - Schedules meetings and/or field visit(s) to go over the project as needed.
  - Records IDT meetings/site visits in PEPC.
- APPA EPS:
  - Notifies PM that individual project compliance documentation is needed.
  - Assigns individuals with special knowledge and expertise on potentially impacted resources to the project IDT in PEPC.
  - Assigns IDT members tasks as needed.
- APPA EPS with assistance from IDT:
  - Fills out the Environmental Screening Form (ESF) in PEPC.
- IDT members:
  - Attend scheduled meetings and site visits and complete assigned tasks.
  - Provide valuable input and advice on environmental compliance issues such as:
    - Survey and data needs
    - Impact avoidance and minimization measures
    - Impact assessments

**Step 10: EPS ensures required surveys and consultations with other agencies and tribes are completed and develops mitigations as needed.**

- APPA EPS with assistance from IDT:

- Determines required surveys and works with ATC on how to acquire them. Surveys may be completed by NPS staff, ATC staff, or by a contractor.
- Coordinates applicable consultations required to comply with environmental laws. This may include consultation with Tribes, other federal agencies, and state agencies.
- Coordinates applications for any required permits.
- Enters information on Other Compliance Consultations page in PEPC with assistance as needed from the IDT.
- Develops mitigations as needed and inputs them in PEPC.
- Reviews and consults on Rare, Threatened and Endangered (RTE) species:
  - APPA EPS or assigned IDT member acquires official species list (IPaC or PNDI).
  - APPA EPS guides informal/formal consultation with USFWS and state agencies and determines if a Biological Assessment (BA) is needed.
  - Assigned subject matter experts assist with development of BAs, mitigation measures, and effect determinations as needed.
  - APPA EPS ensures RTE consultation records are entered in PEPC.
- Reviews and consults on historic properties:
  - Assigned CRM Team (subset of IDT with subject matter expertise in historic resources) advises EPS on additional information/surveys needed, potential effects and avoidance/minimization measures.
  - APPA EPS determines whether or not the project qualifies for streamline review.
  - APPA EPS leads consultations with Tribes, SHPO/THPOs, and other consulting parties as needed.
  - APPA EPS or assigned IDT member fills out the NHPA Assessment of Effect page in PEPC.

**Step 11: APPA Superintendent reviews PEPC documentation and determines if project is eligible for NPS Categorical Exclusion (CE) and cleared for all compliance requirements**

- APPA EPS:
  - Determines recommended NEPA pathway. If the proposed pathway is a CE, the applicable CE is chosen in PEPC with written justification and extraordinary circumstances addressed.
  - Ensures project as proposed will comply with NEPA, NHPA, ESA, CWA, etc. and that compliance is adequately documented
  - Prints PEPC compliance forms for APPA Superintendent review and signature.
- APPA Superintendent:
  - Reviews project compliance forms provided by EPS.
  - If the Superintendent concurs with the determinations, they will sign the forms, completing compliance.
  - If the Superintendent does not concur, additional compliance review or consideration of project revisions may be needed.

## Potential Outcomes:

### **Outcome 1: Project not approved**

- Project proposal is rejected and may not proceed as proposed.
- If PP is different from ATC POC, ATC POC notifies PP that project was not approved.

### **Outcome 2: CE Eligible**

- APPA EPS:
  - Inputs date of Superintendent signature on CE and AOE pages in PEPC.
  - Sends APPA PM the letter of compliance completion that includes any mitigation requirements.
  - Records project completion date to close out an approved project in PEPC.
- APPA PM:
  - Sends the Letter of Compliance Completion to the ATC POC and PP along with any other instructions once they deem the project ready for implementation.
  - Updates project review status log.
- ATC POC:
  - Notifies initial PP when compliance is complete and the APPA PM has indicated that the project may be implemented. ATC will convey all required mitigation measures and conditions to the PP and provide project oversight as needed.
  - Informs APPA PM and EPS when project work is completed.
- PP:
  - Oversees and/or coordinates project implementation.
  - Informs ATC POC when the project work is completed.
  - Contacts ATC POC or APPA PM if any problems are encountered in the field requiring changes to the approved project plans.

### **Outcome 3: Not CE Eligible**

- APPA EPS notifies APPA PM and Superintendent who will discuss next steps and then notify the Project Proposer and ATC POC.