

DEPARTMENT OF HOMELAND SECURITY PROGRAMMATIC ENVIRONMENTAL
ASSESSMENT FOR THE NATIONWIDE OPERATION OF SMALL UNMANNED
AIRCRAFT SYSTEMS

Best Management Practices Implementation Checklist

The following checklist is to be utilized for confirming the proposed action is covered under the scope and review of the 2022 Programmatic Environmental Assessment (PEA) and that project-specific analysis is not necessary. With these best management practices in place, DHS continues to ensure that no significant adverse impacts to the environment or the public would occur as a result of the sUAS activities. Specific measures for environmental resource topics analyzed in the 2022 PEA are incorporated into this checklist, which is to be completed prior to sUAS use, to the maximum extent practicable. If Components have listed species or critical habitat in their project area (as determined by a species list from IPaC) and cannot implement the Biological Resources BMPs below, the Component should contact the local USFWS Ecological Services Field Office to determine if site specific ESA consultation is necessary.

Emergency actions are covered under the Proposed Action and BE. As such, the BMPs should be followed when possible during emergency response activities. However, in the event that the BMPs cannot be implemented during an emergency response, operators should prioritize emergency response actions and should follow established procedures for emergency situations including compliance under ESA. Under no circumstances should the emergency response action be delayed in order to implement the BMPs. Section 7 regulations recognize that an emergency (imminent loss of human life or property) may require expedited consultation. As soon as practicable after the emergency is under control, if listed species or critical habitat were affected by the emergency response and it was not possible to implement the BMPs, the FWS should be contacted for discussion of potential after the fact consultation.

This checklist should be saved as part of the National Environmental Policy Act, National Historic Preservation Act, and Endangered Species Act administrative record for the proposed action and would be reviewed by an Environmental Reviewer.

Date(s) of Use	
Location of Event	
Time of Event	
Point of Contact (POC) Completing this Checklist (name, phone number and email, organization)	

sUAS Project Manager (name, phone number and email, organization)	
Provide a short summary of the Proposed Action.	

FAA Coordination	A) Complete/Will Implement BMP (Click the appropriate box)	B) Not Complete/Unable to Implement BMP (Are there any extenuating circumstances? If so, explain here)
1. Comply with all FAA regulations including those outlined in FAA Title 14 CFR, Part 107, Operation and Certification of Small Unmanned Aircraft Systems, as applicable. (e.g. yield the right of way to manned aircraft, etc.).	<input type="checkbox"/> Yes – Go to next practice <input type="checkbox"/> No – Explain in B)	
2. Per FAA CFR Part 107 requirements, maintain visual observation of the UA within visual line-of-sight during flight operations and operate at or below 100 miles per hour.	<input type="checkbox"/> Yes – Go to next practice <input type="checkbox"/> No – Explain in B)	
3. Unless in an emergency, receive approval from FAA for airspace that is designated as Class A, B, C, D, or E.	<input type="checkbox"/> Yes – Go to next practice <input type="checkbox"/> No – Explain in B)	
Noise	A) Complete/Will Implement BMP (Click the appropriate box)	B) Not Complete/Unable to Implement BMP (Are there any extenuating circumstances? If so, explain here)

4. To the greatest extent possible, adhere to local noise ordinances.	<input type="checkbox"/> Yes – Go to next practice <input type="checkbox"/> No – Explain in B)	
Biological Resources	A) Complete/Will Implement BMP (Click the appropriate box)	B) Not Complete/Unable to Implement BMP (Are there any extenuating circumstances? If so, explain here)
5. Generate a U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) species list for the project area not more than 90 days before the planned operation. Visit IPaC: Home (fws.gov) to generate the applicable list of species and critical habitat. (See note [a] below).	<input type="checkbox"/> Yes or N/A – Go to next practice <input type="checkbox"/> No – Explain in B)	
6. Coordinate with appropriate land managers to identify potential wildlife concerns and avoidance or minimization measures if sUAS operations will occur on or over a unit of the National Wildlife Refuge System (NWRS), National Fish Hatchery, National Park Service lands or other Federal lands. (See note [b] below).	<input type="checkbox"/> Yes – Go to next practice <input type="checkbox"/> No – Explain in B)	
7. When applicable, locate launch and landing sites on roads, trails, paved surfaces, and/or otherwise previously disturbed or developed areas if they are within terrestrial critical habitat or the range of a listed plant or lichen species (as indicated by a plant or lichen species or critical habitat appearing on your IPaC species list). (See note [c] below).	<input type="checkbox"/> Yes- Go to next practice <input type="checkbox"/> No- Explain in B) (See note [c] below for applicability)	
8. Avoid conducting UAS operations within 200 feet (vertically and horizontally) of a known breeding or roosting colony, or other known high density nesting area, of federally listed or proposed birds or migratory birds (as indicated by one or more bird species appearing on your IPaC generated species list). (See note [d] for specific instructions).	<input type="checkbox"/> Yes – Go to the next practice <input type="checkbox"/> No – Explain in B)	

<p>9. When possible, conduct UAS operations during seasons when federally listed, proposed, or migratory birds are not present in the operational area (e.g., the bird species on your IPaC list is migratory and will not be present during a particular season). (See note [d]).</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice</p> <p><input type="checkbox"/> No–Explain in B)</p>	
<p>10. Conduct a visual pre-flight check for migratory birds and federally listed species (use your list generated through IPaC) immediately prior to launch. (See note [e] below).</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice</p> <p><input type="checkbox"/> No – Explain in B)</p>	
<p>11. If personnel observe a federally listed terrestrial animal or migratory bird including federally listed bird nesting colonies during the pre-flight check (in non-emergency actions), delay operation until either the animal has moved away from the area of operation, or the sUAS flight path will be relocated to an area where the animal or nesting colonies will not be disturbed (at least 200 feet away both horizontally and vertically). (See note [e] below).</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice</p> <p><input type="checkbox"/> No – Explain in B)</p>	
<p>12. If personnel encounter wildlife after launch, operators will maintain a safe distance (at least 200 feet is recommended) and will avoid buzzing, animal-directed movements, hovering, landing, taking off, lingering, or taxiing near the observed wildlife.</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice</p> <p><input type="checkbox"/> No – Explain in B)</p>	
<p>13. If, despite the measures in #12, wildlife, including migratory birds, listed animal species, and bald and golden eagles exhibit signs of distress (e.g. wing flapping, crouching, fleeing, or flushing), the UAS will be immediately moved beyond the 200 foot recommended distance from the animal.</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice</p> <p><input type="checkbox"/> No – Explain in B)</p>	

<p>14. Document and report to the USFWS, in a timely manner, any operation involving a collision with or harassment of a federally listed species (if species is clearly identifiable). (See note [g])</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice <input type="checkbox"/> No – Explain in B)</p>	
<p>15. Maintain a minimum altitude of 65 feet above the ground, vegetation, or tree canopy if your IPaC results include a federally listed or proposed terrestrial insect species.</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice <input type="checkbox"/> No – Explain in B)</p>	
<p>16. If your IPaC results include federally listed or proposed bat species, operate UAS during daylight hours (one hour after sunrise to one hour before sunset) whenever possible. In addition, for non-emergency nighttime operations maintain a minimum altitude of 98 feet above vegetation, tree canopy, or open water (including rivers, streams, lakes, reservoirs, etc.).</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice <input type="checkbox"/> No – Explain in B)</p>	
<p>17. Maintain a 330-foot primary buffer and/or a 660-foot secondary buffer around any known bald eagle nests in areas where human activities are considered detrimental to breeding pairs. (See note [f] below).</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice <input type="checkbox"/> No – Explain in B)</p>	
<p>18. Avoid launch or landing UAs from/on beaches that support nesting sea turtles during their breeding season.</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice <input type="checkbox"/> No – Explain in B)</p>	
<p>19. Avoid flying UAs within 500 feet of known haul-out locations and marine mammals at the water’s surface (unless in case of an emergency or with prior authorization from NOAA or USFWS).</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice <input type="checkbox"/> No – Explain in B)</p>	
<p>Cultural and Historic Resources</p>	<p>A) Complete/Will Implement BMP (Click the appropriate box)</p>	<p>B) Not Complete/Unable to Implement BMP (Are there any extenuating circumstances? If so, explain here)</p>

<p>20. Coordinate with Federally Recognized Tribes to the maximum extent feasible when proposed operations would include flying over or deploying from tribal sensitive areas, above-ground historic properties, or culturally significant areas (e.g. to identify appropriate launch sites or sensitive resources to avoid). Consult, as necessary, with applicable State Historic Preservation Office (SHPO), Tribal Historic Preservation Officer (THPO), and/or Certified Local Governments.</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice</p> <p><input type="checkbox"/> No – Explain in B)</p>	
<p>21. Avoid flying within 100 feet vertically and/or horizontally from Tribal sensitive areas or historically or culturally significant areas (i.e. known historic properties, National Historic Landmarks, monuments, or cemeteries, unless: necessitated by an emergency facility inspection or condition assessment; or prior notification to the NPS for National Historic Landmarks and appropriate SHPO or THPO has been completed. (see note [h] below)</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice</p> <p><input type="checkbox"/> No – Explain in B)</p>	
<p>Socioeconomics and Environmental Justice</p>	<p>A) Complete/Will Implement BMP (Click the appropriate box)</p>	<p>B) Not Complete/Unable to Implement BMP (Are there any extenuating circumstances? If so, explain here)</p>
<p>22. Where possible, sUAS operators would not fly within 200 feet of schools, daycare facilities, or similar locations with high concentrations of children.</p>	<p><input type="checkbox"/> Yes – Go to next practice</p> <p><input type="checkbox"/> No – Explain in B)</p>	
<p>Human Health and Safety</p>	<p>A) Complete/Will Implement BMP (Click the appropriate box)</p>	<p>B) Not Complete/Unable to Implement BMP (Are there any extenuating circumstances? If so, explain here)</p>
<p>23. Dispose of end-of-life batteries in accordance with all applicable laws and regulations.</p>	<p><input type="checkbox"/> Yes or N/A – Go to next practice</p> <p><input type="checkbox"/> No – Explain in B)</p>	

24. Ensure personnel use all required personnel protective equipment based on site- and activity- specific conditions.	<input type="checkbox"/> Yes – Go to next practice <input type="checkbox"/> No – Explain in B)	
Other Coordination	A) Complete/Will Implement BMP (Click the appropriate box)	B) Not Complete/Unable to Implement BMP (Are there any extenuating circumstances? If so, explain here)
25. Obtain all applicable permits, permissions, and authorizations from applicable landowners and federal, state, and local regulatory authorities prior to initiating utilization of sUAS.	<input type="checkbox"/> Yes – Go to next practice <input type="checkbox"/> No – Explain in B)	
26. When operating in the National Capital Region only , as necessary, coordinate with the National Park Service and National Capital Planning Commission (NCPC) to minimize impacts on the viewscape.	<input type="checkbox"/> Yes or N/A – Go to next practice <input type="checkbox"/> No – Explain in B)	

To be completed by Environmental Reviewer.

Name:

Date:

Final Determination

The proposed action is covered by the scope of the 2022 sUAS PEA and no further environmental analysis is required.

The proposed action is outside of the sUAS PEA and BE scope, or will not comply with the required BMPs; therefore, additional analysis for compliance with the National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, or other environmental statutes, regulations or Executive Orders is necessary. If the Biological Resources BMPs cannot be implemented, and listed species and/or critical habitat are on your IPaC species list, the USFWS local Field Office must be contacted to discuss whether further consultation is necessary.

Notes:

Biological Resources

[a] Practice 5: USFWS Information for Planning and Consultation (IPaC) report (species list) is valid for 90 days following its date of creation. If past 90 days, please complete a new IPaC report online at <https://ipac.ecosphere.fws.gov/>.

[b] Practice 6: To minimize impacts to wildlife, units of the NWRS and other federal lands and waters managed for wildlife (e.g., national parks) should be identified before launch. Visit U.S. Fish & Wildlife Service website to determine locations of NWRS. Refuge Managers or other land/water managers should be contacted to identify site-specific wildlife use, potential responses to disturbance, and other information regarding cultural or sensitive sites, wildlife aggregation sites, and public use areas. For coordination efforts or activities (non-emergency) that occur on USFWS owned or managed lands contact the local USFWS site manager (such as a Refuge or Hatchery Manager). In emergency situations (imminent loss of life or property), if pre-planning or early coordination is not practicable, operators should prioritize emergency response actions.

[c] Practice 7: If it is necessary to launch or utilize landing sites within naturally vegetated areas of terrestrial critical habitat or the range of federally listed plant or lichen species DHS will coordinate with the appropriate USFWS Field Office to identify if alternate launch or landing sites are necessary or sensitive resources need avoidance.

[d] Practice 8/9: In areas that are known to contain migratory and federally listed bird nesting colonies, or areas that are known to contain listed avian species during their breeding season, as identified in the USFWS IPaC migratory bird frequency charts (using IPaC results obtained at least 90 days prior to a test event), implement seasonal restrictions, such as changing flight area or seasonally restricting flights, to reduce any potential impact to migratory and federally listed bird species. If IPaC does not indicate breeding season timeframes for non-migratory identified federally listed bird species, DHS environmental would utilize best available information to identify federally listed bird breeding season timeframe for its Project area and implement recommended seasonal restrictions. DHS commits to conducting testing activities outside of the migratory and federally listed bird nesting season or breeding season areas, unless in the event of imminent loss of life or property (i.e., an emergency situation). In the event that unforeseen schedule changes result in testing to occur during the migratory and listed bird nesting season, DHS commits to consulting with USFWS on a project level (as necessary) and conducting a pedestrian nest survey of the project area to avoid and minimize potential impacts. If pedestrian nest surveys are required, surveys would be conducted by qualified environmental professionals in conformance with USFWS Regional Office methodologies or state-specific guidelines.

[e] Practice 10/11: Conduct a visual pre-flight check for migratory birds, including bald and golden eagles, and any listed species in the IPaC species report, in the flight area immediately before launch. Should DHS professional observe a migratory bird or bald or golden eagle or any listed species including federally listed bird nesting colonies within approximately 100 feet of the sUAS launch site or flight area, the sUAS flight should be delayed or relocated to another location until the animal leaves the area on its own accord. If the animal does not leave, and a different launch site cannot be utilized, the USFWS local Field Office should be contacted for

advice. In emergency situations (imminent loss of life or property), if pre-planning or early coordination is not practicable, operators should prioritize emergency response actions.

[f] Practice 17: To further avoid impacts to bald eagles, maintain a 330-foot "primary buffer" from eagle nests in areas where human activities are considered to be detrimental to breeding pairs (e.g., residential/commercial development), and a larger 660-foot "secondary buffer" where human activities are considered to impact the integrity of the "primary buffer" (e.g., construction, multi-story buildings, and new roadways).

[g] Practice 14: In the event that an sUAS operation involves a collision with or harassment of a federally listed species, the incident must be reported within a timely manner. Reporting should be directed to the following parties:

1. USFWS Ecological Field Office. Determine the appropriate office for your location based on the [U.S. Fish & Wildlife Service website](#).
2. DHS Headquarters, Environmental Planning and Historic Preservation at sep-ephp@hq.dhs.gov. DHS Headquarters will coordinate with USFWS Headquarters on reported collision and harassment of federally listed species received related to this BE.

Cultural Resources

[h] Practice 21: This practice refers to Tribal sensitive areas, above-ground historic properties, and culturally significant areas including historic buildings, districts, cemeteries, parks, monuments, or any other culturally significant areas, historic properties, sacred sites, or traditional cultural properties.