

# APPENDIX C

## High Energy Cost Grant Program

### 2023 Environmental Questionnaire

#### Overview

The USDA Rural Utilities Service (RUS) is required to assess the potential impacts of proposed federal actions, including the provision of financial assistance through the High Energy Cost Grant Program (HECG), to the human environment in accordance with the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), and other federal, state, and local environmental laws. HECG applicants must complete and submit this Environmental Questionnaire (EQ) with their applications for financial assistance. This EQ provides information to RUS so that RUS can either complete the environmental review process or determine the appropriate level of additional impact analyses need in accordance with RUS Environmental Policies and Procedures, 7 CFR § 1970 at <https://www.ecfr.gov/current/title-7/subtitle-B/chapter-XVIII/subchapter-H/part-1970>. RUS will notify applicants if additional information or analyses are necessary beyond what is submitted in the EQ.

**No construction activities may begin until final environmental approval from RUS is granted.** In accordance with 7 CFR § 1970.12, awardees are prohibited from taking actions that may have an adverse environmental impact or limit the choice of practicable alternatives that may be considered until RUS has concluded the environmental review process. If the proposed project involves construction activities or property acquisition, the applicant is generally prohibited from acquiring, rehabilitating, converting, leasing, repairing, or constructing property or facilities, or committing or expending Agency or non-Agency funds until after RUS has concluded its environmental review requirements.

An applicant may submit to RUS a copy of any environmental review document that has been prepared in connection with obtaining permits, approvals, or other financing for the proposed project from state, local or other federal agencies. Such material, to the extent determined to be relevant, may be used to fulfill RUS environmental review requirements. Applicants shall not reference items provided in other parts of the application package in the EQ; all materials relevant to the EQ must be integrated herein to facilitate timely review.

## Requested Information

**A. Project Description and Location:** Reviewers must make findings and determinations based on geographically-based site conditions. Complete descriptions, locations, and mapping must be provided for **each site** affected by project-related construction activities. Photographs, site plans, or aerial images may also be useful to the reviewer. If there are multiple geographic locations within the proposal, environmental review information must be provided separately for each individual location.

- Provide a concise project description. What is proposed? Will the project involve the construction of a new facility, an upgrade/replacement of an existing or both? For upgrades/replacements, will the proposal be in or on the same footprint as the existing facility?
- Include information on the area to be disturbed including the area footprint (acres, sq. feet), dimensions (length, width, and depth of line, height of poles, depth of excavation, etc.), construction methods, whether disturbance is temporary or permanent, whether tree clearing/trimming and/or routine vegetation management is required, construction timing and schedule.
- **Include the location of the project.** Location information needs to allow someone unfamiliar with the area and project to locate the proposed project, more than just the county. Provide information on project location and maps, including KMZ files, USGS and topo maps. Include lat/long, address, intersection, or description.
- The use of digital mapping is highly encouraged. Applicants may submit project information as KMZ files from Google Earth or similar web-based programs or GIS Shapefiles if your organization uses Geographic Information System software (GIS) If an applicant cannot provide digital maps RUS recommends U.S. Geological Survey (USGS) 7.5-minute quadrangle maps at a map scale of 1:24,000; larger scale maps may be provided for site-specific proposals. USGS maps may be obtained and purchased on the USGS [Maps | U.S. Geological Survey \(usgs.gov\)](https://www.usgs.gov/maps). The project locations must be clearly indicated on any maps submitted for review. Maps must include a scale, north arrow, and legend.

**B. Land Ownership and Use:**

- a. Describe the amount of property to be cleared, excavated, fenced, or otherwise disturbed by the proposed project.
- b. Describe the current land use and zoning for each project site affected by construction.

- c. Determine land ownership and provide a point of contact (POC) for landowners other than private holdings. Note: all roads and associated rights-of-way (ROW) traversing federal lands are normally controlled by the federal land managing agency. Generally, land managing agencies have a realty POC and a NEPA/Section 106 POC. Provide all POC's to RUS.
- Federal Publicly managed lands (i.e., BLM, National Parks, Forest Service, USACE)
  - Private inholding in federally managed lands
  - Tribal
  - State

Information related to federal lands can be found online at ArcGIS [Account Login - ArcGIS Online](#) or USGS National Map [Topographic Maps | U.S. Geological Survey \(usgs.gov\)](#). Tribal lands managed by Bureau of Indian Affairs can be found at [Indian Lands \(geoplatform.gov\)](#)

**C. Farmlands:** Farmland Protection Policy Act (FPPA) is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses.

1. Determine whether the project may irreversibly convert farmland (directly or indirectly) to nonagricultural use in accordance with the FPPA [Farmland Protection Policy Act | Natural Resources Conservation Service \(usda.gov\)](#)
2. Use the mapping tools of the Web Soil Survey (WSS) to determine if a project is located on soils classified as important farmland (prime, unique, or of statewide importance) [Web Soil Survey - Home \(usda.gov\)](#)
3. If a project has the potential to convert soils identified as important farmland consultation with the local USDA Natural Resources Conservation Service (NRCS) office must be completed.
  - i. Complete Parts I, V, and VI of Form AD-1006, available online at the FPPA link above.
  - ii. Criteria for Part VI are found at 7 CFR § 658.5 are also found at the link above.
  - iii. Submit the completed form to the appropriate local NRCS office.
  - iv. **Include consultation results.**

**D. Wetlands:**

- a. Identify whether wetlands are present on or near the site(s) affected by proposed construction (maps of wetlands may be obtained from the U.S. Fish and Wildlife Service's National Wetland Inventory (NWI) website available online at [Wetlands Mapper | U.S. Fish & Wildlife Service \(fws.gov\)](#) The presence of hydric soils may also indicate wetlands; consult the NRCS WSS [Web Soil Survey - Home \(usda.gov\)](#) for hydric soil data.
- b. **Include the wetland map(s)** with the project location(s) clearly indicated. NWI maps are a gross indicator, so if it appears wetlands are present, and project design or routing cannot avoid them, a wetland delineation should be conducted. Results of the delineation and a concise project description are provided to the nearest U.S. Army

Corps of Engineers office (Regulatory Branch) with a request for a preliminary jurisdictional determination and associated permit requirements. Additional guidance can be found in Subpart G of RUS's instructions. See link in the Resources Section of this document.

Note: For most projects involving buried cable, applicants may be able to utilize a U.S. Army Corps of Engineers, Nationwide Permit. The permit numbers have changed so contact the Regional USACE Office for details. [React App \(army.mil\)](#).

#### **E. Floodplains:**

- a. Review Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), available at [FEMA Flood Map Service Center | Welcome!](#)
- b. Describe and indicate whether any facility(ies) or site(s) are located within the 100 and or 500-year floodplain.
- c. **Include the floodmap(s)** with the project location(s) clearly indicated.

Note: Applicants with projects in areas unmapped by FEMA should refer to RUS instructions Subpart F or contact RUS for further guidance on determining flood risk.

#### **F. Coastal Areas:**

- a. Determine whether the project is within the boundaries of a coastal zone management area (CZMA). See National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management's website - [NOAA Office for Coastal Management | States and Territories Working on Ocean and Coastal Management](#) for CZMA boundary and contact information.
- b. If the project falls within a CZMA contact the state's Coastal Zone Management Program to determine if a Federal Consistency Determination will be required.
- c. If required, initiate Consistency Determination process with the state.
- d. Provide the determination with the EQ or once available.

NOTE: the Great Lakes have coastal zones.

#### **G. Protected Species:**

1. Applicants must obtain an official species list from the U.S. Fish and Wildlife Service's (USFWS), available from the Information for Planning and Consultation (IPaC) website. [IPaC: Home \(fws.gov\)](#)
2. Determine whether listed resources will be exposed to the proposed action or to any of the environmental changes that are likely to occur due to the project.
3. Compare potential project impacts to appropriate species information (i.e. habitat requirements, species threats).
4. Describe whether any proposed project site(s) and activities will directly or indirectly affect:
  - a. Any threatened, endangered or candidate species, or
  - b. Is within or near designated critical habitat as designated under the Endangered

Species Act of 1973.

Note: beneficial, insignificant, or discountable effects must be considered and disclosed

The preferred source for information and technical assistance is the local USFWS Field Office website, online listing available at [Our Regions | U.S. Fish & Wildlife Service \(fws.gov\)](#). Additional guidance can be found in Subpart N of RUS's instructions.

#### **H. Section 106 of the National Historic Preservation Act (NHPA) Review:**

- a. Determine whether the project will cause any adverse effects to known historic properties, including National Register of Historic Places (NRHP) eligible or potentially eligible sites, districts, buildings, structures, and objects. To determine effects, information about the location and nature of historic properties should be obtained by hiring a Cultural Resources Management (CRM) firm with Secretary of Interior (SOI) qualified staff to perform a literature review of the Area of Potential Effects (APE) as defined pursuant to 36 CFR § 800 and agency policy. A list of CRM firms can usually be found by contacting the State Historic Preservation Officer (SHPO) in your respective state. The National Conference of State Historic Preservation Officers provides a directory of SHPOs online at [Directory | NCSHPO](#).
- b. As described in Section B, determine if any portion of the project is on Federal lands, and if so, you must coordinate with the cultural resources staff or archaeologist for the federal area to ensure that Section 106 is done in cooperation with RUS and consistent with the timing of funding requirements and construction. Provide the point of contact (POC) to RUS.
- c. As described in Section B, determine if any portion of the project is on tribal lands and identify what tribes have an interest in the project, even if it does not cross tribal lands, by using the US Housing and Urban Development's (HUD) Tribal Directory Assessment Tool (TDAT) at [TDAT \(hud.gov\)](#). This tool is a starting point. Contact your State Historic Preservation Office for any additional tribes with interest in the project area.

NOTE: For Projects in Alaska please follow the special instructions on the TDAT site. [TDAT \(hud.gov\)](#) Click MENU and find **Special Instructions for Alaska** in the drop-down menu.

- d. Based on the findings of the literature review, initiate Section 106 and/or propose a recommended finding with RUS template letters for all SHPOs and Tribal Historic Preservation Officers (THPOs) for all tribes identified in TDAT that have an interest in the project as well as those whose lands the project crosses and proceed through Section 106 on the basis of agreement.
- e. The applicant must involve the National Office Cultural Resources team if:

1. There is a disagreement amongst consulting parties (for instance the SHPO or THPO asks for additional survey or doesn't agree with the recommended finding;
2. If a tribe asks to speak directly to the agency or asks for government-to-government consultation;
3. If a Programmatic Agreement (PA) is needed; or
4. If a Memorandum of Agreement is needed (MOA) to address adverse effects.

### **Additional Assistance/Contact Information**

Rural Development's Regulations and staff Instructions may be found at [eCFR :: 7 CFR Part 1970 -- Environmental Policies and Procedures](#). This includes all the Subparts mentioned in the text of this document.

In addition to the resource specific references provided above, general NEPA related information and guidance can be found on both the CEQ [NEPA | National Environmental Policy Act \(doe.gov\)](#) and the EPA [National Environmental Policy Act | US EPA](#).

EPA's NEPA Assist Tool [NEPA Assist | US EPA](#) can be used to generate maps and or reports that provide much of the data required to complete this questionnaire.

For information related to Section 106, see the Advisory Council on Historic Preservation [An Introduction to Section 106 | Advisory Council on Historic Preservation \(achp.gov\)](#)

Please direct any questions regarding the environmental review process to 202-692-4910.