

Environmental Review Documents

(Cleared Under OMB Docket No. 0575-0197)

For the Agency to consider an application, the application must include all environmental review documents with supporting documentation in accordance with 7 CFR part 1970 (<https://www.rd.usda.gov/resources/environmental-studies/environmental-guidance>).

Applicants should complete the Preliminary Environmental Information Survey and submit it to HBIIP@usda.gov prior to submitting an application. The Agency will review the PEIS and provide information related to the likely level of environmental review required. The Agency will also acknowledge receipt of the PEIS which should be uploaded to the HBIIP online application system in place of the PEIS itself.

The Higher Blends Infrastructure Incentive Program (HBIIP) participates in Executive Order 12372 - Intergovernmental Review of Federal Programs (<https://www.fws.gov/policy/library/rgeo12372.pdf>), which allows each State to designate an entity to perform coordination and review of proposed Federal projects participating in the Executive Order. A list of the States that have designated entities can be found at the Single Point of Contact (SPOC) List for Executive Order 12372 (<https://www.whitehouse.gov/wp-content/uploads/2023/06/SPOC-list-as-of-2023.pdf>).

For States that have chosen not to participate in the intergovernmental review process, intergovernmental review will not be required.

Any required environmental review must be completed prior to obligation of funds; as per 7 CFR 1970.11(b).

Applicants are advised to contact the Agency to determine environmental requirements as soon as practicable to ensure adequate review time for their proposed projects.

Project characteristics should help determine the type of environmental review required.

- Projects installing or replacing equipment with no new ground disturbance (including the depth of the ground disturbance), such as replacing fuel dispensers or fuel storage tanks and systems (USTS/ASTS) and related activity should qualify as Categorical Exclusion (Cat. Ex.) without a report. 7 CFR 1970.53(c)(2) refers to upgrading equipment in existing structures.
- New fuel dispenser and/or UST installation or replacement with new

ground disturbance (including the depth of the ground disturbance) should qualify as Categorical Exclusion (Cat Ex.) with environmental report. 7 CFR 1970.54(c)(13) is appropriate. This assumes in both cases that there is no extraordinary circumstance present that would elevate the level of environmental review per 7 CFR 1970.52.

Please note that the following Tribes should only be contacted by Agency staff:

- Choctaw Nation of Oklahoma,
- Chickasaw Nation,
- Cherokee Nation,
- Delaware Tribe of Indians,
- Nez Perce Tribe,
- Osage Nation,
- Pala Band of Mission Indians, and
- Standing Rock Sioux Tribe.