

**JUSTIFICATION
NO MATERIAL/NON-SUBSTANTIVE CHANGE
OMB CONTROL NUMBERS 0660-0031/0572-0142
(Expiration Date: 1/31/2010)**

Environmental Questionnaire and Checklist

On July 9, 2009, the Rural Utilities Service (RUS), U.S. Department of Agriculture, and the National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce (DOC), issued a joint Notice of Funds Availability and Solicitation of Applications (NOFA) for the Broadband Initiatives Program (BIP) and the Broadband Technology Opportunities Program (BTOP) 74 Fed. Reg. 33104 (July 9, 2009). The Department of Commerce published a final list of Categorical Exclusions (CEs) in the Federal Register for DOC projects funded by the American Recovery Act and Reinvestment Act of 2009, including BTOP, on July 10, 2009. 74 Fed. Reg. 33204 (July 10, 2009). The applicability of these CEs to broadband-specific projects is determined by applicant responses on an Environmental Questionnaire and Checklist (EQC). The EQC is composed of two sections: Section One is for those projects that have historically shown no adverse impacts to the human or natural environment and would qualify for a CE. Section Two is for those projects that might qualify for a CE after a more detailed review of the environmental aspects of the project. If an agency review results in a determination that a CE is not applicable, the BTOP applicant will be notified if an Environmental Assessment (EA) or an Environmental Impact Assessment (EIS) would be required to comply with NEPA.

When the Broadband Infrastructure and Public Computer Center applications were submitted to the Office of Management and Budget (OMB) for review and approval, Section Two of the EQC was inadvertently left out of the application package. Without Section Two of the EQC, projects that might qualify for CEs, would be required to prepare the more costly and time-consuming EAs or EISs to comply with NEPA. The Broadband Infrastructure application was approved under OMB Control Numbers 0660-0031 (NTIA) and 0572-0142 (RUS) and the Public Computer Center application was approved under OMB Control Number 0660-0031. The approvals expire on January 31, 2010.

The inclusion of the EQC will result in the following increases:

Estimated Burden Hour: 1 hour per checklist.

Estimated Number of Respondents: 20

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden Hours: 20.

Respondents: BTOP infrastructure and public computer centers applicants with construction components.