PMC-EF2a

(2.04.02)

U.S. DEPARTMENT OF ENERGY
EERE PROJECT MANAGEMENT CENTER
NEPA DETERMINATION

RECIPIENT: Lee County **STATE:** FL

PROJECT TITLE : Homestead Rd. Bicycle/Pedestrian Facility

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
	DE-EE0000787.002		0

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Order 451.1A), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

B5.1 Actions to conserve energy, demonstrate potential energy conservation, and promote energy-efficiency that do not increase the indoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, designers), organizations (such as utilities), and state and local governments. Covered actions include, but are not limited to: programmed lowering of thermostat settings, placement of timers on hot water heaters, installation of solar hot water systems, installation of efficient lighting, improvements in generator efficiency and appliance efficiency ratings, development of energy-efficient manufacturing or industrial practices, and small-scale conservation and renewable energy research and development and pilot projects. The actions could involve building renovations or new structures in commercial, residential, agricultural, or industrial sectors. These actions do not include rulemakings, standard-settings, or proposed DOE legislation.

Rational for determination:

The County of Lee proposes to use EECBG funding for construction of an approximate 2.0 mile bike path in an existing road right of way (ROW). The project activity includes construction of a 5' to 8' wide asphalt bike path along the east side of Homestead Rd. within the existing roadway ROW. The existing grass shoulder and roadside swale will be regraded and a culvert pipe will be installed where necessary to construct the bike path and maintain existing drainage (mainly at sidewalk or road crossings).

Total disturbed area is approximately 1.6 acres (2.0 miles times an average of 6.5 feet wide). The existing roadside swales provide roadway drainage. Stormwater sheet flows across the road surface and then is collected in an open swale drainage system. The swales convey the water to a canal system that is under the control of the East County Water Control District. The canals ultimately drain into the Caloosahatchee River and/or the Gulf of Mexico. The swales that may be disturbed and piped during the construction of the bikepath are all within the Lee County road ROW. All of the proposed piped areas are less length than would trigger a South Florida Water Management District (SFWMD) permit.

No storm water management permit is required and a storm water pollution prevention plan will be provided by the contractor. While a review of the FL Statutes state that any project between 1 and 5 acres requires a general permit issued by Florida Department of Environmental Protection, this responsibility has been delegated to the local water management districts. Lee County has an agreement with South Florida Water Management District that no permit is required for sidewalk/bike path and paved shoulder projects where any piping will be 24 inches or less and small safety project, i.e. intersection improvements to add or extend turn lanes.

The above activities can be categorically excluded under NEPA under A9, A11 (Administrative) and B5.1 (Actions to Conserve Energy). DOE has made a final NEPA determination on this activity.

Prior to the expenditure of Federal funds to implement any of the above-mentioned activities, Lee County has the affirmative responsibility to ensure that it has a waste management plan addressing waste generated by their proposed actions. The plan will describe the plan to dispose of any sanitary or hazardous waste, e.g. construction and demolition debris, discarded equipment, debris, asbestos, etc. generated as a result of the proposed project. The recipient must ensure that it will comply with all federal, state and local regulations for waste disposal.

NEPA PROVISION

DOE has made a final NEPA determination for this award

Insert the following language in the award:

Note to Specialist :

None Given.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____ Date: 4/7/10
NEPA Compliance Officer

FIELD OFFICE MANAGER DETERMINATION

☐ Field Office Manager review required

NCO REQUESTS THE FIELD OFFICE MANAGER REVIEW FOR THE FOLLOWING REASON:

☐ Proposed action fits within a categorical exclusion but involves a high profile or controversial issue that warrants Field Office Manager's attention.
☐ Proposed action falls within an EA or EIS category and therefore requires Field Office Manager's review and determination.

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____ Date: _____
Field Office Manager