PMC-EF2a

(2.04.02)

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

RECIPIENT: City of Lincoln **STATE:** NE

PROJECT TITLE: EECBG DE-EE 0000664 City of Lincoln Statement of Work Template (S) [Activities 1, 2, 3, 4, 5, 6, 7, 8, 10 & 14 on SOW; Add'l CX for 9, 13, 15, 16, 17]

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000013	DE-EE0000664		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:

A9 Information gathering (including, but not limited to, literature surveys, inventories, audits), data analysis (including computer modeling), document preparation (such as conceptual design or feasibility studies, analytical energy supply and demand studies), and dissemination (including, but not limited to, document mailings, publication, and distribution; and classroom training and informational programs), but not including site characterization or environmental monitoring.

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.

A11 Technical advice and planning assistance to international, national, state, and local organizations.

Rational for determination:

The following activities are included in the City of Lincoln's signed Statement of Work (SOW) and are therefore categorically excluded from NEPA:

- Activity #1 Municipal Energy Efficient Upgrades (excluding Energy Saving Shade Trees and Energy Efficiency Upgrades Manager)
- Activity #2 Traffic Signal and Street Lighting Upgrades
- Activity #3 Residential Energy Efficiency Upgrades
- Activity #4 Residential Energy Audits
- Activity #5 Residential Energy Efficiency Revolving Loan Fund
- Activity #6 Commercial Energy Efficiency Upgrades
- Activity #7 Energy Efficiency Education
- Activity #8 Nonprofit Energy Efficiency Infrastructure Upgrades (with the exception of energy efficient roofs)
- Activity #10 Energy Efficiency Job Training and Creation
- Activity #14 Building and Safety Training and Codes Improvement

The following activities fall outside the bounds of the City's signed SOW and were included in the City's signed SOW and are categorically excluded under NEPA:

Activity #1 Municipal Energy Efficient Upgrades sub activities: Energy Saving Shade Trees and Energy Efficiency Upgrades Manager. The City would plant between 800 and 1,500 new energy saving residential shade trees in the city core. The City would also fund an Energy Efficiency Upgrades Manager. These activities constitute actions to conserve energy and information gathering in support of the EECBG program and are categorically excluded under NEPA under CX A9 and CX B5.1.

Activity #8 Nonprofit Energy Efficiency Infrastructure Upgrades: energy efficient roof sub activity. As part of the City's proposed energy efficiency upgrades for non-profit organizations, energy efficiency roofs may be installed. This constitutes actions to conserve energy and is categorically excluded under NEPA under CX B5.1

Activity #9 Transportation Policy Upgrades. The City would utilize $30,000 to support a traffic synchronization study to assist with traffic coordination in the area. This activity is intended to result in reduced transportation fuel consumption and is categorically excluded under NEPA under CX B5.1 (Actions to conserve energy). Additionally, the City would utilize $51,951 to complete the proposed activities developed as part of the Study. These activities cannot be

implemented with EECBG funds without the prior review and approval of DOE.

Activity #13 Landfill Gas Retrieval Project. The City has authorized design and construction of a landfill gas (LFG) retrieval and flare system for the Bluff Road Landfill. While funds were appropriated to support the design and construction of the system, work to support plans for the future use of the resulting LFG has been provided to date entirely by in-kind support of Public Works Department employees. The City would therefore utilize EECBG funds to retain dedicated staff time to coordinate these planning activities, such as identifying opportunities to apply for and market emission credits, study data on quality of the LFG, and solicit interest the future utilization of the facility's LFG for various energy purposes. This activity represents actions obtain technical advice and planning assistance, and to conserve energy and is categorically excluded under NEPA under CX A11 and CX B5.1.

Activity #15 Enhanced Energy Efficiency and Conservation Strategy. The City would develop a "Long Term Strategic Energy Efficiency and Conservation Plan." This activity constitutes the development of strategies to achieve the purposes of the EECBG program and is categorically excluded under NEPA under CX A9 and A11.

Activity #16 Program Transparency, Accountability and Administration. The City would retain a full time administrator to ensure full compliance with all aspects of the EECBG Program. This activity is categorically excluded under NEPA under CX A9.

Activity #17 Water System Energy Efficiency Study. The City would retain technical consulting services to conduct a feasibility study on making pumps and motors associated with the City's water supply system infrastructure more energy efficient through advanced computer software. This activity is categorically excluded under NEPA under CX A9 and CX A11.

NEPA PROVISION

DOE has made a conditional NEPA determination for this award, and funding for certain tasks under this award is contingent upon the final NEPA determination.

Insert the following language in the award:

You are restricted from taking any action using federal funds, which would have an adverse affect on the environment or limit the choice of reasonable alternatives prior to DOE/NNSA providing either a NEPA clearance or a final NEPA decision regarding the project.

Prohibited actions include:
Proposed activities to be developed as a result of the Traffic Synchronization Study in Activity #9 (Transportation Policy Upgrades) cannot be implemented with EECBG funds without the prior review and approval of DOE.
This restriction does not preclude you from:
This does not prohibit you from conducting the proposed Traffic Synchronization Study (Activity #9).
If you move forward with activities that are not authorized for federal funding by the DOE Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving federal funding and such costs may not be recognized as allowable cost share.

Insert the following language in the award:

You are required to:
Traffic signal and street light projects are expressly limited to replacement of existing traffic signals and lighting with energy efficient technologies as defined within the City's signed SOW. ECBG funds cannot be utilized to implement other components of streetscape projects.

For activities that fall outside the bounds of the City's signed SOW:
- Prior to the expenditure of Federal funds the recipient also has the affirmative responsibility to comply with Section 106 of the National Historic Preservation Act (NHPA). Section 106 applies to historic properties that are listed in or eligible for listing in the National Register of Historic Places. If applicable, the recipient must contact the State Historic Preservation Officer (SHPO) to coordinate the Section 106 review outlined in 30 CFR Part 800. Supporting documentation will be reviewed by the DOE as part of its post-award monitoring. NOTE: The City has indicated that many activities are proposed to take place in what has been described as older parts of the City.

- Prior to the expenditure of Federal funds the recipient also 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, old light bulbs, lead ballasts, piping, roofing materials, discarded equipment, debris, packaging materials, 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.

Note to Specialist :

None Given.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____ Date: 4/21/10

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