FMC-EF2a

(2.06.02)

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

RECIPIENT: State of Kansas **STATE:** KS

PROJECT TITLE : State Energy Program

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
	DE-FG26-07NT43197	GFO-0043197-001	NT43197

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, analysis, and dissemination	Information gathering (including, but not limited to, literature surveys, inventories, site visits, and audits), data analysis (including, but not limited to, computer modeling), document preparation (including, but not limited to, conceptual design, feasibility studies, and analytical energy supply and demand studies), and information dissemination (including, but not limited to, document publication and distribution, and classroom training and informational programs), but not including site characterization or environmental monitoring. (See also B3.1 of appendix B to this subpart.)
A11 Technical advice and assistance to organizations	Technical advice and planning assistance to international, national, state, and local organizations.

Rational for determination:

The U.S. Department of Energy (DOE) provided $384,000 of federal funding to the Kansas Corporation Commission (KCC) under the DOE's Annually Appropriated State Energy Program (SEP) for 2012. KCC will match the federal funding with $87,247 in state funds. Additionally, the SEO will carry over $598,334 in Recovery Act SEP funds.

KCC proposes to fund the following market titles:

Facility Conservation Improvement Program
Under this Market Title, federal funding would be used to operate the Facility Conservation Improvement Program (FCIP), which is a performance contracting program.

KCC Administration
Under this Market Title, federal funding would be used to pay for the administration of all SEP programs and activities, including but not limited to the Residential & Small Business programs, Commercial & Industrial programs, Grant Administration, and Educational programs. Major milestones are captured under other Market Titles.

Revolving Loan Fund
KCC would continue to administer its Revolving Loan Fund. Under this Market Title, federal funding would be used Finance cost-effective energy efficiency improvements in homes and small commercial and industrial structures. This Market Title has been previously CX'd from further NEPA review. Any projects funded under this Market Title that do not remain within the bounds of KCC's Template for Expedited NEPA Review will be submitted for additional NEPA review.

Small Business Renewable Energy Program
Under this Market Title, federal funding would be used to host educational events for Kansas small businesses on the value of renewable energy improvements to the facilities

Wind for Schools
Under this Market Title, federal funding would be used to install small wind turbines at rural schools. Engage rural America in a discussion of and develop the knowledge base for wind energy. Once final site selection(s) has been made, a list of those site(s) will be submitted to DOE for further NEPA review.

Based on a review of the activities that would be funded under the above Market Titles, DOE has determined the projects that would be funded under these Market Titles will not significantly impact the human environment and they are categorically excluded from further NEPA review under CX A9 "information gathering" and CX A11 "technical

advice." Any activities funded under the 2012 annual appropriations that involve ground-breaking activities, retrofits, or equipment purchase and/or installation are conditioned pending additional NEPA review.

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:
Revolving Loan Fund
Any projects funded under this Market Title that do not remain within the bounds of KCC's Template for Expedited NEPA Review will be submitted for additional NEPA review.

Wind for Schools
Once final site selection(s) has been made, a list of those site(s) will be submitted to DOE for further NEPA review.

This restriction does not preclude you from:

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:
Any activities funded under the 2012 annual appropriations that involve ground-breaking activities, retrofits, or equipment purchase and/or installation are conditioned pending additional NEPA review.

Note to Specialist :

DOE funding - $384,000
EF2a prepared by Melissa Ardis

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: Electronically Signed By: Lori Gray / Lori Gray Date: 8/27/2012
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