PMC-EF2a
(2.0.6.02)

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

RECIPIENT: New York State Energy Research and Development Authority **STATE:** NY

PROJECT TITLE: Program Year 2012 Formula Grants -- State Energy Program

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000643	R130772	GFO-0130772-001	

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:

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

Rational for determination:

The U.S. Department of Energy (DOE) provided $1,812,000 of federal funding to the state of New York (NY) under the DOE's Annually Appropriated State Energy Program (SEP) for 2012. NY will match the federal funding with $362,000 in state funds. Additionally, the SEO will carry over $746,000 in Recovery Act SEP funds.

NY proposes to fund the following market titles:

Administration:
Under this Market Title, federal funding would be used to collaborate with utilities, municipalities, and other state agencies to deliver energy savings in the commercial, residential, and transportation sectors.

Alternative Fuels:
Under this Market Title, federal funding would be used to promote the use of alternative fuels through financial and technical assistance; marketing, outreach, and events; developing a strategic transportation plan; and coordinating the Clean Cities Program. Any vehicle transition projects or alternative fueling station projects funded under this Market Title are subject to additional NEPA review.

Energy Analysis:
Under this market title, federal funding would be used to develop NY State's Energy Plan, analyze policy and data, evaluate programs, and conduct market and behavioral studies and analysis.

Energy Codes and Standards:
Under this market title, federal funding would be used to support appliance standards and increase code compliance through training programs, policy and technical research, direct municipal support and outreach, and code compliance assessment..

Energy Services and Renewable Energy Program (NYPA):
Under this market title, federal funding would be used to provide grants to applicants to install energy efficiency measures, alternative energy projects, alternative fuel vehicles, or customer-implemented projects. Projects under this market are conditioned pending additional NEPA review.

Industrial Energy Efficiency Programs:
Under this Market Title, federal funding would be used to provide incentives and assistance to industrial customers to increase productivity and energy efficiency in their facilities and data centers. Energy efficiency retrofits or renewable energy projects implemented under this market title are subject to additional NEPA review.

Residential Homes:
Under this market title, federal funding would be used to provide assistance and financial incentives to builders and home raters for specific energy efficiency measures that will lead to the construction of more efficient single-family homes and low-rise residential dwelling units. Energy efficiency retrofits or renewable energy projects implemented under this market title are subject to additional NEPA review.

Public Buildings:
Under this Market Title, federal funding would be used to develop a central database to track energy consumption at the facility level, data collection and reporting, benchmarking building energy performance, and training and workforce development.

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. Additionally, the types of project listed in the prohibited actions section below are subject to additinal 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:
Projects funded under the Energy Services and Renewable Energy Program (NYPA) Market Title are conditioned pending additional NEPA review.

Any vehicle transition projects or alternative fueling station projects funded under the Alternative Fuels market title are subject to additional NEPA review.

Any energy efficiency retrofits or renewable energy projects implemented under the Industrial Energy Efficiency Programs market title are subject to additional NEPA review.

Any energy efficiency retrofits or renewable energy projects implemented under the residential homes market title are subject to additional NEPA review.

This restriction does not preclude you from:
Activities that are administrative in nature, and activities under market titles that are limited to information gathering, analysis and dissemination, technical advice and assistance.
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.

Note to Specialist :

DOE funding - $1,812,000
EF2a prepared by Melissa Rossiter

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: Electronically Signed By: Kristin Kerwin Date: 8/7/2012
NEPA Compliance Officer

FIELD OFFICE MANAGER DETERMINATION