PMC-EF2a

(2.06.02)

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

RECIPIENT: New Jersey Board of Public Utilities - Office of Clean Energy **STATE:** NJ

PROJECT TITLE : New Jersey State Energy Program

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000643	DE-EE0000353	GFO-0000353-001	

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.)
B5.1 Actions to conserve energy or water	(a) Actions to conserve energy or water, demonstrate potential energy or water conservation, and promote energy efficiency that would not have the potential to cause significant changes in the indoor or outdoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, manufacturers, and designers), organizations (such as utilities), and governments (such as state, local, and tribal). Covered actions include, but are not limited to weatherization (such as insulation and replacing windows and doors); programmed lowering of thermostat settings; placement of timers on hot water heaters; installation or replacement of energy efficient lighting, low-flow plumbing fixtures (such as faucets, toilets, and showerheads), heating, ventilation, and air conditioning systems, and appliances; installation of drip-irrigation systems; improvements in generator efficiency and appliance efficiency ratings; efficiency improvements for vehicles and transportation (such as fleet changeout); power storage (such as flywheels and batteries, generally less than 10 megawatt equivalent); transportation management systems (such as traffic signal control systems, car navigation, speed cameras, and automatic plate number recognition); development of energy-efficient manufacturing, industrial, or building practices; and small-scale energy efficiency and conservation research and development and small-scale pilot projects. Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area. Covered actions could involve commercial, residential, agricultural, academic, institutional, or industrial sectors. Covered actions do not include rulemakings, standard-settings, or proposed DOE legislation, except for those actions listed in B5.1(b) of this appendix. (b) Covered actions include rulemakings that establish energy conservation standards for consumer products and industrial equipment, provided that the actions would not: (1) have the potential to cause a significant change in manufacturing infrastructure (such as construction of new manufacturing plants with considerable associated ground disturbance); (2) involve significant unresolved conflicts concerning alternative uses of available resources (such as rare or limited raw materials); (3) have the potential to result in a significant increase in the disposal of materials posing significant risks to human health and the environment (such as RCRA hazardous wastes); or (4) have the potential to cause a significant increase in energy consumption in a state or region.

Rational for determination:

The U.S. Department of Energy (DOE) provided $891,000 of federal funding to the State of New Jersey under the DOE's Annually Appropriated State Energy Program (SEP) for 2012. New Jersey will match the federal funding with $178,200 in state funds. Additionally, New Jersey will carry over $1,263,437 in federal appropriations and $167,116 in state funds, for a total of $2,499,753.

New Jersey proposes to fund the following Market Titles:

Home Performance with Energy Star:

Under this Market Title, funding would be utilized for recruiting and training contractors to install energy efficiency

measures in existing homes and are certified and accredited by the Building Performance Institute. The program includes rebates, up to $5,000, and a buydown to 0% for loans up to $10,000 for energy efficient measures.

HVAC:

Under this Market Title, New Jersey would use the funding to provide rebates to residents who purchase and install energy efficient heating, cooling and water heating equipment.

Pay for Performance Program (P4P):

Under this Market Title, funding would be utilized to provide rebates for an Energy Reduction Plan and comprehensive energy efficiency measures which include energy efficient lighting, HVAC and building envelope measures.

Local Government Energy Audit (LGEA) Program:

Under this Market Title, funding would be used for an rebates program which subsidizes the cost for the completion of an energy audit of eligible facilities.

Direct Install Program:

Under this Market Title, funding would be utilized to provide rebates for direct installation of energy efficient measures including lighting, HVAC controls, refrigeration, HVAC and motors.

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," CX A11 "technical advice" and CX 5.1 "actions to conserve energy."

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

Any further projects will require a separate NEPA determination 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:
Any activities funded under the 2012 annual appropriations that involve ground-breaking activities or equipment purchase and/or installation are conditioned pending additional NEPA review.

This restriction does not preclude you from:
Retrofit activities including energy efficient lighting, HVAC, insulation, water heating, building envelope measures, refrigeration, controls and motors. Activities involving administrative activities, technical advice, education and outreach.
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 :
Diana Scott 7.11.2012

DOE Funds: $891,000
Leveraged Funds: $1,608,753
Total Project Cost: $2,499,753

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____ Date: 7/18/2012
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