

PMC-EF2a

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



RECIPIENT: MI Department of Energy, Labor & Economic Growth

STATE: MI

PROJECT TITLE : Michigan EECBG - Development of Infrastructure Related Projects - Delta Charter Township

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000013	DE-EE0000753.003		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:

Delta Charter Township would utilize EECBG funds, as a sub grant from the Michigan Department of Energy, Labor & Economic Growth, to construct a non-motorized multi-modal pathway. In 2005, the Delta Township Board adopted a Non-Motorized Transportation Plan which outlines all future plans for pathways, sidewalks, and non-motorized trails and the proposed path is part of the previously approved plan. The path would be approximately 10' wide, 3,200 feet in length, constructed primarily of concrete in all areas where stable subgrade is available, and connect Creyts Road on the east, with Eastbury Drive on the west (along the east-west centerline of Section 10). The path would be constructed on Township Right-of-Way located between residential neighborhoods. The area is currently a combination of wooded and open space with a more heavily wooded area towards Eastbury Drive with a drainage creek (Carrier Creek) running through it, diagonal to the proposed path. A proposed 25' – 40' single-span bridge (16' wide) would be constructed as part of the project to traverse the creek. In addition to the floodplain, shrub/scrub wetlands are present along the boundaries of Carrier Creek.

Review of the FEMA Flood Insurance Rate Map for the area (Panel number 260066 0005 D, Revised June 2, 1999) indicates that the proposed path would pass through the Special Flood Hazard Area Inundated by the 100-Year Flood (Zone AE). The Township estimates that approximately 266' of the path would pass through the subject floodplain. The required bridge would be constructed at or slightly above the established base flood elevation in the area. The Township has indicated that the area has a wide floodplain and the stream velocity is very slow as the predominant cause of the flooding is water backing up from the Grand River located approximately ¾ of a mile downstream (north).

Potential environmental impacts of the project and associated actions include:

- Land Use – Pathway construction will take place in a suburban neighborhood environment that formerly consisted of farmland. The path itself would be located between residential properties on Township-owned Right-of-Way that is at least 80 feet wide in all locations along the proposed path. The proposed path is part of a non-motorized trail network previously approved by the Township in 2005 and is therefore consistent with proposed development patterns for the area.
- Vegetation – The proposed pathway consists of a mix of grassy areas and tree/shrub areas (in addition to floodplain/wetlands as discussed below). The greatest vegetation density is along Carrier Creek. While vegetation/tree removal is necessary to accommodate the path (estimate of 25 to 50 trees), it is not expected to significantly alter the characteristic of the natural environment in the area. Additionally, conditions will still exist outside of the path and within any required buffer to allow for additional planting and natural revegetation.

• Floodplain/Wetlands – A combined floodplain and wetland footprint exists within the project area along approximately 266 linear feet (lf) of proposed pathway. A single-span bridge would be constructed at or slightly above the existing base flood elevation to span the channel of Carrier Creek with anchoring foundation installed outside of the roadway. To minimize potential impacts in wetland areas, an elevated 10'-wide boardwalk would be constructed at or slightly above existing grade to avoid significant dredge/fill activity (activity would be limited to construction of concrete footings), and ensure the boardwalk is above the base flood elevation in the project area. A USACE permit would not be needed as the Michigan Department of Natural Resources and Environment (MDNRE) issues all wetland permits for inland water bodies. The Township has had preliminary consultation with MDNRE regarding permitting the proposed floodplain/wetland elements of the proposed path and it is expected to qualify for a Minor Floodplain Project Permit indicating minimal impact is anticipated. Final MDNRE review will be required however once final design plans are completed and submitted.

• Avian Species– All proposed project work will be conducted outside of the avian breeding season and therefore will not affect nesting/breeding songbird or raptor species.

Based on information provided there would be no or negligible impacts to cultural resources, air quality, visual resources or other sensitive resources. The project constitutes efforts to conserve energy and, within the limitations prescribed below, is categorically excluded under NEPA under B5.1.

NEPA PROVISION

DOE has made a final NEPA determination for this award

Insert the following language in the award:

Insert the following language in the award:

You are required to:

Recipient shall ensure the safety and structural integrity of any repair, replacement, construction and/or alteration performed under this project.

All portions of the project within the existing floodplains/wetlands shall be subject to Delta Township, Eaton County Drain Commissioner, and MDNRE regulations.

Prior to the expenditure of Federal funds for pathway construction, should MDNRE determine that the proposed construction activity is not eligible for a Minor Floodplain Project Permit, Delta Township shall submit the resulting permit requirements (or special conditions, as applicable) and any associated environmental impact analysis to DOE. DOE shall determine if additional NEPA review is warranted.

Prior to the expenditure of Federal funds the recipient 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:


NEPA Compliance Officer

Date:

6/21/10

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.