

PMC-ND

(1.08.09.13)

**U.S. DEPARTMENT OF ENERGY  
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY  
NEPA DETERMINATION**



**RECIPIENT:**Ecology Action of Santa Cruz

**STATE:** CA

**PROJECT TITLE :** Small Market Advance Retrofit Transformation Program (SMART Scale)

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0000829	DE-EE0006293	GFO-0006293-001	

**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:

**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 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.

**Rationale for determination:**

The U.S. Department of Energy (DOE) is proposing to provide federal funding to Ecology Action to create and demonstrate a nationally scalable model for delivering deep retrofits in the small commercial market. The Small Market Advanced Retrofit Transformation program (SMART Scale) would demonstrate at least a 20% decrease versus baseline energy consumption in existing small commercial buildings that are 50,000 sq. ft. or smaller. In the three year proposal, SMART Scale would retrofit 600 small businesses.

DOE funding would be used for 1) data analytics tools to streamline whole building auditing, 2) behavior change strategies to achieve deeper and persistent energy savings, 3) turnkey finance products, 4) additional rebates for a broad set of emerging technologies including advanced HVAC controls, fault detection and diagnostics, shell measures and RTU optimization and, and 5) persistent operations and maintenance savings. Retrofits would be limited to interior work on existing buildings. Any project involving ground-breaking activities, new construction, or projects involving the installation of outside equipment are subject to additional NEPA review by DOE prior to expenditure of project funds.



Ecology Action would not fund retrofits that would result in a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including requirements of DOE and/or Executive Orders or disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases.

Under Funding Opportunity Announcement (FOA) number DE-FOA-0000829, the recipient is prohibited from conducting retrofits on buildings of historic, archaeological, or architectural significance designated by federal, state or local governments, property located within or immediately adjacent to a historic district, property 50 years or older, or property eligible for listing on the National Register of Historic Places.

Based on review of the project information and the above analysis, DOE has determined the proposed project would not have a significant individual or cumulative impact to human health and/or environment. DOE has determined the proposed project is consistent with actions contained in DOE categorical exclusion A9 "information gathering" and B5.1 "actions to conserve energy," and is categorically excluded from further NEPA review.

**NEPA PROVISION**

Insert the following language in the award:

You are required to:

The recipient is prohibited from conducting retrofits on buildings of historic, archaeological, or architectural significance designated by federal, state or local governments, property located within or immediately adjacent to a historic district, property 50 years or older, or property eligible for listing on the National Register of Historic Places.

Any project involving ground-breaking activities, new construction, or projects involving the installation of outside equipment are subject to additional NEPA review by DOE prior to initiating these activities and prior to the expenditure of project funds.

Note to Specialist :

Kelly Daigle 8/8/2013

This NEPA Determination requires a tailored NEPA provision.

**SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.**

NEPA Compliance Officer Signature: \_\_\_\_\_

Electronically Signed By: Kristin Kerwin  
NEPA Compliance Officer

Date: 8/9/2013

**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: \_\_\_\_\_

Field Office Manager

Date: \_\_\_\_\_