

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



RECIPIENT: Energy Services Coalition, Corp (ESC)

STATE: VA

PROJECT TITLE : Enhancing and Expanding Use of Energy Savings Performance Contracting Best Practices in the Public Sector

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DNFA	DE-SE0000349	GFO-SE0000349-001	

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Policy 451.1), 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.

Rationale for determination:

The Department of Energy is proposing to provide funding to the Energy Services Coalition. The Energy Services Coalition would work to encourage the use of Energy Savings Performance Contracting (ESPC) as a financing mechanism for energy efficiency retrofits across the country in municipal and state governments, universities and colleges, schools, and hospitals markets, also known as MUSH markets. ESPC would enable building owners to use future energy savings to pay for up-front costs of energy saving projects, eliminating the need to dip into capital budgets. Building owners could also use ESPC to maximize the impact of available funds, including, but not limited to, state, local and federal sources of funding.

The proposed activities by the Energy Services Coalition would focus on three primary tasks. The first task would promote a state performance contracting competition and needs assessment update called a Race to the Top by collecting investment and impact data, and then developing an outreach strategy to encourage the use of ESPC based on the data. The second task would strengthen state-level ESPC infrastructure and provide technical assistance to help states adopt or refine key ESPC program attributes by creating, disseminating, and promoting available resources and tools to ESPC practitioners across MUSH markets. The last task would develop best practices for MUSH markets by leveraging an ESPC community to support public sector ESPC with peer learning and technical assistance.

All activities in this award would be limited exclusively to intellectual, academic, or analytical activities. Based on the types of activities, DOE does not anticipate any impacts to resources of concern.

NEPA PROVISION

DOE has made a final NEPA determination.

Notes:

Office of State and Community Energy Programs – SEP
NEPA review completed by Diana Heyder, 11/30/2023

FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal defined in the Rationale above) fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D. To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) 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; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal.

The proposed action has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

The proposed action is categorically excluded from further NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:  _____ Date: 11/30/2023
NEPA Compliance Officer

FIELD OFFICE MANAGER DETERMINATION

- Field Office Manager review not required
- Field Office Manager review required

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____ Date: _____
Field Office Manager