

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



RECIPIENT: 18 School Districts

STATE: CO

PROJECT TITLE : FY22/23 RENEW AMERICA'S SCHOOLS INITIAL NEPA REVIEW FOR INITIATION, PLANNING, AND DESIGN ACTIVITIES

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002756	DE-SE0002756	GFO-SE0002756-BP1	

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 U.S. Department of Energy (DOE) is proposing to provide funding to twenty-four (24) school districts to implement energy-efficient upgrades and improvements at existing schools and community buildings. This funding opportunity is part of a DOE initiative to execute high impact energy efficiency and health improvements as well as innovative energy technology packages in K-12 schools across the country. Overall goals include addressing historic inequities in school facilities investments, reducing school energy expenditures, helping schools lead the nation in solving the climate crisis, and creating well-paying union jobs.

There are eighteen (18) schools districts addressed within this NEPA Determination (ND). The other six (6) school districts will receive separate NDs as they are further along in their engineering/design phases. Each school district is associated with a separate DOE-funded award. See below for the full list of awards addressed in this ND:

DE-SE0000705 - Winnett Public School District #1
DE-SE0000706 - Jefferson County Board of Education
DE-SE0000707 - White River School District 47-1
DE-SE0000708 - Warner Public Schools Oklahoma
DE-SE0000709 - Region Five Development Commission
DE-SE0000710 - Choctaw County School District
DE-SE0000712 - Clinton School District
DE-SE0000713 - Fairbanks North Star Borough
DE-SE0000714 - Porterville Unified School District
DE-SE0000715 - Natick Public Schools
DE-SE0000717 - University of Connecticut (Bridgeport Public Schools)
DE-SE0000719 - Alexandria City Public Schools
DE-SE0000720 - St. Maries Joint School District #41
DE-SE0000721 - Austin Independent School District
DE-SE0000722 - William Penn School District
DE-SE0000723 - Memphis-Shelby County Schools
DE-SE0000726 - Baltimore County Public Schools
DE-SE0000727 - Williamsfield Schools (CUSD #210)

This ND does not apply to Budget Period (BP) 2 or BP3 (if applicable) activities. DOE will complete the NEPA review for BP2 and BP3 when sufficient information is available to conduct a meaningful review. Sufficient information would include the engineering/design plans at each proposed award location as well as detailed information such as size, scale, and dimensions of activities and equipment.

Award activities associated with this ND involve information gathering and dissemination, data analysis, document preparation, technical advice and assistance, and preliminary engineering/design. This ND only applies to BP1 activities which includes project initiation, planning, contracting, design, and budget confirmation. BP1 award activities would occur at facilities associated with each school district as well as subrecipient locations responsible for aiding each school district in the aforementioned BP1 activities. No physical modifications to existing facilities, ground disturbance, or changes to the use, mission, or operations of existing facilities would be required. DOE does not anticipate any impacts to resources of concern due to the proposed BP1 activities.

Any work proposed to be conducted at a federal facility may be subject to additional NEPA review by the cognizant federal official and must meet the applicable health and safety requirements of the facility.

NEPA PROVISION

DOE has made a conditional NEPA determination.

The NEPA Determination applies to the following Topic Areas, Budget Periods, and/or tasks:

Budget Period 1

The NEPA Determination does not apply to the following Topic Area, Budget Periods, and/or tasks:

Budget Period 2

Budget Period 3 (if applicable)

Include the following condition in the financial assistance agreement:

No physical modifications to existing facilities, ground disturbance, or changes to the use, mission, or operations of existing facilities are authorized to occur in BP1. Before work can start on BP2, an additional NEPA review is required.

States and territories with DOE-executed historic preservation programmatic agreements (PAs): AL, AK, AS, AZ, AR, CA, CO, CT, DE, DC, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MP, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, PR, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY, and VI. * All PAs can be found here: <https://www.energy.gov/scep/historic-preservation-executed-programmatic-agreements>. Recipients are required to adhere to Section 106 of the National Historic Preservation Act. Once award activities have been finalized in BP1, recipients are responsible for reviewing their PA to determine if State Historic Preservation Office (SHPO) consultation is required. If award activities fall outside the list of exempted activities within their PA, recipients are responsible for completing consultation requirements which include informing SHPO of DOE involvement and use of the PA. Recipients are encouraged to engage with their respective SHPO as early as possible to avoid project delays.

*Tribal governments and Guam do not have DOE-executed historic preservation PAs. The PAs do not apply to activities on tribal property.

Notes:

Office of State and Community Energy Programs – Renew America's Schools
This NEPA determination requires legal review of the tailored NEPA provision.
NEPA review completed by Corrin MacLuckie, 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.

A portion of the proposed action is categorically excluded from further NEPA review. The NEPA Provision identifies Topic Areas, Budget Periods, tasks, and/or subtasks that are subject to additional NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:  Electronically Signed By: Casey Strickland 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