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(1.08.09.13)

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

**RECIPIENT:** Washington State Department of Commerce - Energy Division**STATE:** WA**PROJECT
TITLE:** Energy Efficiency Grants

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|--|--------------------------------------|----------------------------|-------------------|
| Funding Opportunity Announcement Number | Procurement Instrument Number | NEPA Control Number | CID Number |
| DE-FOA-0000052 | DE-EE0000139 | GFO-0000139-001 | |

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.)

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.

B5.16 Solar photovoltaic systems The installation, modification, operation, and removal of commercially available solar photovoltaic systems located on a building or other structure (such as rooftop, parking lot or facility, and mounted to signage, lighting, gates, or fences), or if located on land, generally comprising less than 10 acres within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

B5.17 Solar thermal systems The installation, modification, operation, and removal of commercially available smallscale solar thermal systems (including, but not limited to, solar hot water systems) located on or contiguous to a building, and if located on land, generally comprising less than 10 acres within a previously disturbed or developed area.

Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

B5.23 Electric vehicle charging stations The installation, modification, operation, and removal of electric vehicle charging stations, using commercially available technology, within a previously disturbed or developed area. Covered actions are limited to areas where access and parking are in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

B2.2 Building and equipment instrumentation Installation of, or improvements to, building and equipment instrumentation (including, but not limited to, remote control panels, remote monitoring capability, alarm and surveillance systems, control systems to provide automatic shutdown, fire detection and protection systems, water consumption monitors and flow control systems, announcement and emergency warning systems, criticality and radiation monitors and alarms, and safeguards and security equipment).

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 repurpose State of Washington funding for a state run grant program at the state's request. The funding would be used to establish a grant program for state agencies, local governments, (including those working with public and private utilities), school districts, and public higher education institutions through the Washington State Department of Commerce - Energy Division. The grant program would be focused on funding the electrification of transportation, installation of solar, and energy efficiency efforts.

The state of Washington has initially identified 14 projects for funding. Additional projects would be funded through this grant program, as projects are identified.

Proposed activities are limited to:

Energy Efficiency

1. The development of a self-sustaining Resource Conservation Manager program in the Washington State Department of Enterprise Services. This program would coordinate with state agencies and school districts to assess and adjust existing building systems and operations to optimize the efficiency in use of energy and other resources in state-owned facilities.
2. Funding commercially available energy or energy/water efficiency or renewable energy upgrades, provided that projects adhere to the requirements of Washington's DOE executed Historic Preservation Programmatic Agreement, and are installed in existing buildings, and are limited to:
 - a. Installation of insulation;
 - b. Installation of energy efficient lighting including control systems;
 - c. HVAC upgrades (to existing systems) including control systems;
 - d. Weather sealing;
 - e. Purchase and installation of energy efficient or energy/water efficient home appliances and equipment (including, but not limited to, energy or water monitoring and control systems, thermostats, furnaces and air conditioners);
 - f. Retrofit of energy efficient pumps and motors, for such uses as (but not limited to) waste water treatment plants, where it would not alter the capacity, use, mission or operation of an existing facility.
 - g. Retrofit and replacement of windows and doors; and
 - h. Installation of Combined Heat and Power System - systems sized appropriately for the buildings in which they are located, not to exceed peak electrical production at 300kW.
3. Purchase of alternative fuel vehicles.

Electrification of Transportation

4. Installation of electric vehicle charging stations installed on existing facilities for cars and buses and includes charging stations for boats and ships on existing ports, along with associated software for infrastructure controls.

Installation of Solar

5. Installation of solar electricity/photovoltaic systems- appropriately sized system or unit not to exceed 60 kW with

associated software and control systems, provided that projects are installed in or on an existing structure or within the boundaries of a facility.

The state is responsible for identifying and promptly notifying DOE of extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with the "integral elements" (as contained in 10 C.F.R. Part 1021, Appendix B) as they relate to a particular Project; compliance with Section 106 of the National Historic Preservation Act (NHPA), and 10 CFR Part 1022.4 – Compliance with Floodplain and Wetland Environmental Review Requirements, as applicable. Additionally, the documentation of the above reviews for NEPA and Section 106 must be available for DOE review at all times.

DOE is required to consider floodplain management and wetland protection as part of its environmental review process (Subpart B of 10 CFR 1022). As part of this required review, DOE determined requirements set forth in Subpart B of 10 CFR 1022 are not applicable to the activities described in 1-3 above that would occur in a floodplain or wetland because the activities would not have short-term or long-term adverse impacts to the floodplain or wetland. These activities are administrative or minor modifications of existing facilities to improve environmental conditions. All other integral elements and environmental review requirements are still applicable. All projects (except those listed in 1-3) must document that project activities do not occur in a floodplain or wetland. If the project activities do occur in a floodplain or wetland (except the activities listed in 1-3), those project activities are subject to additional NEPA review and approval by DOE.

The state of Washington must adhere to their DOE executed Historic Preservation Programmatic Agreement with their State Historic Preservation Office for all proposed activities and follow applicable state and local requirements.

Any activities beyond the restrictions listed above are subject to additional NEPA review by DOE and are not authorized for Federal funding unless and until the Contracting Officer provides written authorization on those additions or modifications.

For activities/projects requiring additional NEPA review, the state must complete the environmental questionnaire (<https://www.eere-pmc.energy.gov/NEPA.aspx>) for review by DOE.

Some activities are more restrictive than the Categorical Exclusion. The restrictions must be followed for the activity to be allowed.

NEPA PROVISION

DOE has made a final NEPA determination.

Notes:

Office of Weatherization and Intergovernmental Programs – State Energy Program
This NEPA Determination does not require a tailored NEPA provision.
NEPA review completed by Diana Heyder, 08/19/2019

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: 8/26/2019
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