

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



RECIPIENT: [Open Market ESCO LLC](#)

STATE: MA

PROJECT TITLE : [Gateway Cities Unplugged: \(em\)Powering Affordable Housing](#)

| Funding Opportunity Announcement Number | Procurement Instrument Number | NEPA Control Number             | CID Number             |
|---|-------------------------------|---------------------------------|------------------------|
| <a href="#">DE-FOA-0002206</a>          | <a href="#">DE-EE0009777</a>  | <a href="#">GFO-0009777-001</a> | <a href="#">G09777</a> |

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.)

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide funding to [Open Market ESCO LLC](#) to design, develop, install and operate energy efficient technologies in various low and moderate income multifamily housing communities in Massachusetts.

This award would be executed in three budget periods (BPs). All activities identified in BP1 and listed under Task 8 have been reviewed in this NEPA Determination (ND). Budget period 2 and BP3 activities are dependent on data collected in BP1; therefore potential impacts of BP2 and BP3 cannot be reviewed at this time. Additional NEPA review of BP2 and BP3 activities will be required.

Budget period 1 includes tasks and subtasks 1 through 4 of the SOPO. It involves screening potential properties to participate in the project, identifying properties, computer modeling, research, analysis, plan development, data collection, engineering design, documenting plans and protocols, and obtaining permits and authorizations. Task 8 includes coordination and collaboration activities that would occur throughout all BPs.

All activities will be conducted in existing purpose-built office or laboratory settings. No installation, construction, or ground disturbing activities would occur in BP1 or Task 8.

**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: All Tasks](#)  
[Task 8](#)

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

[Budget Period 2: All Tasks](#)  
[Budget Period 3: Task 7](#)

Notes:

[Building Technologies Office \(BTO\)](#)  
NEPA review completed by Amy Lukens, 4/7/2022

**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  
NEPA Compliance Officer

Date: 4/7/2022

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

Field Office Manager

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