

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



**RECIPIENT:** Wisconsin Office of Energy Innovation

**STATE:** WI

**PROJECT TITLE :** WI EIGP Dane County

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
	DE-EE0008669	GFO-0008669-026	

**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:

**B1.15  
Support  
buildings**

Siting, construction or modification, and operation of support buildings and support structures (including, but not limited to, trailers and prefabricated and modular buildings) within or contiguous to an already developed area (where active utilities and currently used roads are readily accessible). Covered support buildings and structures include, but are not limited to, those for office purposes; parking; cafeteria services; education and training; visitor reception; computer and data processing services; health services or recreation activities; routine maintenance activities; storage of supplies and equipment for administrative services and routine maintenance activities; security (such as security posts); fire protection; small-scale fabrication (such as machine shop activities), assembly, and testing of non-nuclear equipment or components; and similar support purposes, but exclude facilities for nuclear weapons activities and waste storage activities, such as activities covered in B1.10, B1.29, B1.35, B2.6, B6.2, B6.4, B6.5, B6.6, and B6.10 of this appendix.

**B1.31  
Installation or  
relocation of  
machinery  
and  
equipment**

Installation or relocation and operation of machinery and equipment (including, but not limited to, laboratory equipment, electronic hardware, manufacturing machinery, maintenance equipment, and health and safety equipment), provided that uses of the installed or relocated items are consistent with the general missions of the receiving structure. Covered actions include modifications to an existing building, within or contiguous to a previously disturbed or developed area, that are necessary for equipment installation and relocation. Such modifications would not appreciably increase the footprint or height of the existing building or have the potential to cause significant changes to the type and magnitude of environmental impacts.

**B1.7  
Electronic  
equipment**

Acquisition, installation, operation, modification, and removal of electricity transmission control and monitoring devices for grid demand and response, communication systems, data processing equipment, and similar electronic equipment.

**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.

#### Rationale for determination:

The U.S. Department of Energy is proposing to provide funding to the Wisconsin Office of Energy Innovation to mount photovoltaic (PV) panels on a newly constructed flight pen and on the existing Wildlife Center building at the Dane County Human Society (DCHS) in Madison, WI. Additionally, three 15-kilowatt (kW) electrical storage batteries would also be installed.

The new flight pen would be constructed within a cleared area. The structure would be “L” shaped with 28 posts 6 inches in diameter, driven into the ground approximately 6 feet in depth. The PV panels would be mounted as a solar canopy (roof) onto the frame and wooden support beams once constructed. Once installed, the PV system would generate approximately 42.7-kW. The flight pen and associated PV system would be connected to the metering and battery system at the main DCHS building via trenching, which would follow a preexisting previously disturbed service drive, through a previously disturbed and managed area used as a dog yard, and to the DCHS main building. It should be noted that this property was previously a Christmas tree farm and has been slowly restored to its native habitat. There are now clusters of buckthorns, bushes, grasses, elderberry bushes, and vegetation within the property’s boundaries. Several buckthorns have been removed independently of this project. No mature trees are expected to be removed or affected by the installation of the PV system or by the trenching activities.

The 15-kW batteries would be installed in an indoor storage room at the DCHS main building. A new 20-kW PV system would also be installed onto the steel roof of the Wildlife Center. The service drive already exists and would stay the same.

The U.S. Fish and Wildlife Service’s Information for Planning and Consultation database shows one mammal, (Northern Long-eared Bat), two insects (Monarch Butterfly and Rusty Patched Bumble Bee), two flowering plants (Eastern Prairie Fringed Orchid and Mead’s Milkweed), and fifteen migratory birds (Bald Eagle, Black Tern, Black-billed Cuckoo, Bobolink, Canada Warbler, Cerulean Warbler, Chimney Swift, Eastern Whip-poor-will, Golden-winged Warbler, Henslow’s Sparrow, Lesser Yellowlegs, Red-headed Woodpecker, Rusty Blackbird, Whooping Crane, and Wood Thrush) with the potential to occur in the project area. Because of the nature of the project area (i.e., installation of facilities in a previously cleared area), it is unlikely that any of the species of concern would be present in the project area. Additionally, the proposed project site is outside of the critical habitat of all listed species. Accordingly, DOE does not anticipate the proposed project will have any effect on federally listed threatened or endangered species. Further, DOE does not anticipate adverse impacts to migratory bird species.

Project work would involve the use and handling of PV system components, machinery, and construction materials. Potential hazards would be mitigated through adherence to established institutional health and safety policies and procedures. Protocols would include staff training and engineering controls. All project partners would adhere to all applicable federal, state, and local health, safety, and environmental regulations.

The recipient is working directly with their State Historic Preservation Officer (SHPO) to ensure protection of cultural resources during the course of project activities, per their historic preservation programmatic agreement with DOE and the Wisconsin SHPO.

DOE has considered potential impacts on resources of concern, including those of an ecological, historical, cultural, and socioeconomic nature. DOE does not anticipate adverse impacts on these resources.

Any changes to the project activities or location 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.

#### NEPA PROVISION

DOE has made a final NEPA determination.

#### Notes:

Weatherization and Intergovernmental Programs Office - State Energy Program  
NEPA review completed by Alex Colling on 11/07/2022.

**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.

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: 12/13/2022  
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