

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



RECIPIENT: Philadelphia Green Capital Corp., Houston Advance Research Center, Emerald Cities Colaborative, IMPACT Community Action, Elevate Energy, City of Seattle, FSL Home Improvements, Minnesota Department of Commerce, Central Coast Energy Services, Interstate Re

STATE: Mult

PROJECT TITLE: FY 22 E&I Recipients Not Requiring NEPA Log

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002520		GFO-FY22E&I-002	GO28308

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.

B1.16 Asbestos removal

Removal of asbestos-containing materials from buildings in accordance with applicable requirements (such as 40 CFR part 61, "National Emission Standards for Hazardous Air Pollutants"; 40 CFR part 763, "Asbestos"; 29 CFR part 1910, subpart I, "Personal Protective Equipment"; and 29 CFR part 1926, "Safety and Health Regulations for Construction"; and appropriate state and local requirements, including certification of removal contractors and technicians).

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).

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.

Rationale for determination:

The U.S. Department of Energy's (DOE) Weatherization Assistance Program (WAP) is authorized per Title IV of the Energy Independence and Security Act of 2007. The goal of WAP is to increase the energy efficiency of dwellings owned or occupied by low-income persons, reduce their total residential expenditures, and improve their health and safety. DOE has approximately \$18.6 million available for the Enhancement and Innovation (E&I) Program under the 2021 appropriations for the WAP E&I Funding Opportunity Announcement (DE-FOA-0002520).

This NEPA determination is specific to: Philadelphia Green Capital, Houston Advanced Research Center, Emerald Cities Collaborative, IMPACT Community Action, Elevate Energy, City of Seattle Office of Housing, FSL Home Improvements, Minnesota Department of Commerce, Central Coast Energy Services, Interstate Renewable Energy Council, Oregon Training Institute, La Casa de don Pedro, and University of Illinois at Urbana-Champaign under DE-FOA-0002520. Any activities on tribal lands or tribal properties are restricted to homes/buildings less than forty-five (45) years old and without ground disturbance. Note – there is an exception for exterior drainage repairs which is allowed as defined below if in close proximity to foundations. Recipients may contact their Project Officer for a Historic Preservation Worksheet to request a review of "Allowable Activities" listed below on tribal homes/buildings forty-five (45) years and older and/or ground disturbing activities, with the noted exception of exterior drainage repairs. Approval from the DOE is required prior to initiating activities reviewed on a Historic Preservation Worksheet.

DOE has determined the following "Allowable Activities" are categorically excluded from further NEPA review, absent extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with "integral elements" (as contained in 10 CFR Part 1021, Appendix B) as they relate to a specific activity.

Allowable Activities:

1. Administrative activities associated with creation and management of programs for energy saving activities, including hiring of contractors, establishing advisory groups, developing computer modeling and assessment tools, developing outreach toolkit, website development, data collection, and homeowner surveys.
2. Development of curriculum for classroom and virtual weatherization trainings for weatherization providers
3. Conduct field training with trainees shadowing current weatherization providers completing activities already reviewed under DOE NEPA review, GFO-WAP-2022A
4. Conduct outreach through community meetings and development of energy literacy materials
5. Develop trainings to increase awareness of homeowners on issues such as indoor air quality, energy code and home resilience standards.
6. Energy audits to assess energy use of homes including blower door and duct leakage tests, pre and post energy efficiency improvements.
7. Installation of light sources and controls including replacement and/or retrofit of efficient LED lighting.
8. Health and Safety measures that adhere to the requirements of the respective Recipients' DOE executed Historic Preservation Programmatic Agreement, are installed in existing buildings, and require no ground disturbance. If activities are occurring on tribal land, homes/buildings must also be less than forty-five years old. Activities are limited to:
 - a. Testing, containment, removal or disposal of lead, asbestos, mold, and moisture.

- b. Conducting radon testing and precautionary measures, including but not limited to, sump pump covers, covering exposed dirt floors with polyethylene sheeting which contains a rating of no more than 0.1 perm, which is sealed and attached at all seams, walls, and foundation penetrations
- c. Asthma triggering mitigation including carpet repair and/or removal, flooring replacement, duct cleaning and sealing, and purchase of HEPA vacuums and air cleaners, and purchase of dust mite bed covers/pillowcases
- d. Fall mitigation with grab bars and slip mats
- e. Replacement of knob & tube wiring to bring wiring up to current code
- f. Vermiculite removal
- g. Removal of debris
- h. Installation of non-permanent, non-ground disturbing wheelchair ramps
- i. Repair electrical hazards including exposed or unsafe outlets and wiring
- j. Repair plumbing hazards including leaking and/or deteriorated water lines and fixtures
- k. Repair carpet to alleviate tripping hazards
- l. Add plug-in LED motion lighting in areas to help mitigate risk of falls
- m. Combustion appliance safety inspections
- n. Inspect and install carbon monoxide and smoke alarms
- o. Provide storage containers for hazardous cleaning products, and as needed
- p. Pest and infestation management

9. Building shell measures listed below must adhere to the requirements of the respective Recipients' DOE executed Historic Preservation Programmatic Agreement, be completed in existing homes/buildings, require no ground disturbance beyond limited to gutter repair or replacement, trimming shrubs, and/or grading in close proximity to the perimeter of the foundation. and be appropriately sized. If activities are occurring on tribal land, homes/buildings must also be less than forty-five years old. Activities are limited to:

- a. Roof repair and replacement including, replacing decking material and roof, and/or changing roof material (e.g., shingles to metal)
- b. Wall repairs – both interior and exterior
- c. Minor foundation or subspace (crawl space) repair
- d. Exterior drainage repairs limited to gutter repair or replacement, trimming shrubs, and/or grading in close proximity to the perimeter of the foundation
- e. Repair and replace windows, storm windows and storm doors, glass, install window film, awnings, and solar screens
- f. Installation of insulation for wall, floor, attic, ducts, pipes, water heater tanks, exterior insulated wall panels/sheathing, and foundations
- g. Air sealing
- h. Caulking and sealants
- i. Weather stripping
- j. Siding repairs

10. Commercially available energy or energy/water efficiency upgrades, provided that activities adhere to the requirements of the respective Recipients' DOE executed Historic Preservation Programmatic Agreement, are installed in existing homes/buildings, are appropriately sized, require no ground disturbance, and be appropriately sized. If activities are occurring on tribal land, homes/buildings must also be less than forty-five years old. Activities are limited to:

- a. 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).
- b. Installation and/or replacement of existing hot water heaters with heat pump water heaters, or hybrid electric heat pump water heaters, electric water heaters, or tankless water heaters
- c. Heating, ventilation, and air conditioning (HVAC) system modifications including:
 - i. HVAC clean, tune, repair, or replacement
 - ii. Gas furnace and wood stove removal and replacement with electric heat pump up to 3 tons including a fuel switch, pump mini split units, air to air heat exchangers, or combined heat pump with energy recovery ventilation systems
- d. Installation of energy recovery ventilation systems including ventilation improvements such as kitchen fans, bathroom fans, ceiling fans, whole house fan, and other centralized ventilation systems
- e. Clothes dryer conversion to electric heat pump clothes dryer
- f. Installation of water saving shower heads, faucets, and toilets
- g. Replacement of propane and natural gas stoves with electric stoves, or electric stoves with more efficient electric stoves
- h. Installation of programmable thermostats and other HVAC controls
- i. Replacement of refrigerators and freezers with higher energy efficient models
- j. Repair and/or decommissioning of residential combustion equipment and vents

11. Development, implementation, and installation of onsite renewable energy technology, provided activities adhere to the requirements of the respective Recipients' DOE executed Historic Preservation Programmatic Agreement, are installed in or on an existing home/building, do not require structural reinforcement or ground disturbance, no trees are

removed, and are appropriately sized. If activities are occurring on tribal land, homes/buildings must also be less than forty-five years old. Activities are limited to:

- a. Solar Electricity/Photovoltaic—appropriately sized system or unit not to exceed 60 kW.
- b. Solar air collectors limited to thermal vertical solar thermal collectors
- c. Solar water heaters
- d. Waste heat recovery devices

12. Electric panel and wiring upgrades to accommodate additional electric load from additional electric appliances and equipment

13. Installation of building controls including smart thermostats

14. Home ceiling and floor repairs

The Recipient shall adhere to the restrictions of their DOE executed Historic Preservation Programmatic Agreement for activities, as applicable.

The Recipient is required to review the PowerPoint presentations on NEPA and historic preservation prior to commencing work on the above activities. The presentations are available at www.energy.gov/node/4816816. Recipients are responsible for contacting NEPA with any NEPA or historic preservation questions at GONEPA@ee.doe.gov.

The Recipient 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 CFR Part 1021, Appendix B) relating to any proposed activities. Additionally, the Recipient must inform DOE of activities in the 100-year floodplain and wetlands.

DOE is required to consider floodplain management and wetland protection as part of its environmental review process (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 “Allowable Activities” above that would occur in the 100-year floodplain (hereinafter “floodplain”) or wetland because the activities would not have short-term or long-term adverse impacts to the floodplain or wetland. These activities are minor modifications of existing facilities to improve environmental conditions. All other integral elements and environmental review requirements are still applicable. All activities occurring in the floodplain or wetland must be documented.

For activities not listed in the “Allowable Activities,” additional NEPA review is required. The Recipient must complete the environmental questionnaire (found at <https://www.eere-pmc.energy.gov/NEPA.aspx>) for review by DOE.

NEPA PROVISION

DOE has made a conditional NEPA determination.

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

This NEPA Determination only applies "Allowable Activities" funded by the WAP Enhancement & Innovation Funding Opportunity Announcement (DE-FOA-0002520) for Philadelphia Green Capital, Houston Advanced Research Center, Emerald Cities Collaborative, IMPACT Community Action, Elevate Energy, City of Seattle Office of Housing, FSL Home Improvements, Minnesota Department of Commerce, Central Coast Energy Services, Interstate Renewable Energy Council, Oregon Training Institute, La Casa de don Pedro, and University of Illinois at Urbana-Champaign.

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

This NEPA Determination does NOT apply to activities funded by sources other than the WAP Enhancement & Innovation Funding Opportunity Announcement (DE-EE0002520), activities that do not fit within the restrictions of the “Allowable Activities” listed above, or to any Recipients other than Philadelphia Green Capital, Houston Advanced Research Center, Emerald Cities Collaborative, IMPACT Community Action, Elevate Energy, City of Seattle Office of Housing, FSL Home Improvements, Minnesota Department of Commerce, Central Coast Energy Services, Interstate Renewable Energy Council, Oregon Training Institute, La Casa de don Pedro, and University of Illinois at Urbana-Champaign.

Include the following condition in the financial assistance agreement:

1. This NEPA Determination only applies to the following WAP recipients: Philadelphia Green Capital, Houston Advanced Research Center, Emerald Cities Collaborative, IMPACT Community Action, Elevate Energy, City of Seattle Office of Housing, FSL Home Improvements, Minnesota Department of Commerce, Central Coast Energy Services, Interstate Renewable Energy Council, Oregon Training Institute, La Casa de don Pedro, and University of Illinois at Urbana-Champaign for activities funded by the WAP Enhancement & Innovation Funding Opportunity Announcement (DE-EE0002520).
2. Activities not listed under "Allowable Activities" including ground disturbing activities beyond close proximity to foundations for drainage repairs, and tree removal, are subject to additional NEPA review and approval by DOE. For activities requiring additional NEPA review, the Recipient must complete the environmental questionnaire found at <https://www.eere-pmc.energy.gov/NEPA.aspx> and receive notification from DOE that the NEPA review for the activities has been completed and DOE has approved the activities prior to initiating those activities.
3. "Allowable Activities" on tribal land are restricted to tribal homes/buildings less than forty-five (45) years and without ground disturbing activities, with the exception of exterior drainage repairs, as outlined. Recipients must contact their Project Officer for a Historic Preservation Worksheet to request a review of these "Allowable Activities" on tribal homes/buildings forty-five (45) years and older and/or ground disturbing activities. Note - ground disturbance is allowed in close proximity to foundation for exterior drainage repairs limited to gutter repair or replacement, trimming shrubs, and/or grading in close proximity to the perimeter of the foundation. Approval from DOE is required prior to initiating activities reviewed on a Historic Preservation Worksheet.
4. This authorization does not include activities where the following elements exist: extraordinary circumstances; cumulative impacts or connected actions that may lead to significant effects on the human environment; or any inconsistency with the "integral elements" (as contained in 10 CFR Part 1021, Appendix B) as they relate to a particular project.
5. The Recipient must identify and promptly notify DOE of extraordinary circumstances, cumulative impacts or connected actions that may lead to significant effects on the human environment, or any inconsistency with the "integral elements" (as contained in 10 CFR Part 1021, Appendix B) as they relate to project activities.
6. Most activities listed under "Allowable Activities" are more restrictive than the Categorical Exclusion. The restrictions listed in the "Allowable Activities" must be followed.
7. The Recipient is responsible for completing the online NEPA and historic preservation training at www.energy.gov/node/4816816 and contacting NEPA with any questions GONEPA@ee.doe.gov.
8. This authorization excludes any activities that are otherwise subject to a restriction set forth elsewhere in the Award.

Notes:

Office of State and Community Energy Programs (SCEP) – WAP
This NEPA Determination requires legal review of the tailored NEPA provision.
NEPA review completed by Diana Heyder on 2/6/23

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: 2/8/2023
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