

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



RECIPIENT: City of Evanston

STATE: IL

PROJECT TITLE : Evanston Accessible Solar Program

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
	DE-EE0010140	GFO-0010140-001	GO10140

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.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to administer Congressionally Directed Spending to the City of Evanston, Illinois (Recipient) in support of the launch of an "Affordable Solar Program" to improve access to solar power for low- and moderate-income (LMI) residents while also reducing the citywide carbon footprint. The Recipient would install approximately 20 residential rooftop solar photovoltaic (PV) systems. As a result of the proposed installations, program participants would experience a reduced energy burden, and throughout the program process, City of Evanston residents would learn about the benefits of energy efficiency and solar power through targeted outreach.

The supported program would be connected to a larger, independent effort to establish a “One Stop Shop for Affordable Housing Retrofits” that combines deep decarbonization with environmental justice. The American Rescue Plan Act provides match funding for the proposed project. DOE-administered federal funding would facilitate a group purchase and installation of commercially available PV panels on the rooftops of LMI households within the City of Evanston in accordance with applicable local and regional requirements, including authorization and connection to the electric grid through the regional utility, Commonwealth Edison (ComEd).

The proposed effort would involve the physical modification of existing residences that have not yet been selected. Using a 3rd party contractor chosen through a request for information (RFI) process, the Recipient would conduct outreach towards qualifying households to distribute applications for rooftop solar installations. Efficiency and repair measures would be limited to the installation of rooftop solar arrays and associated changes to the source of electricity. Each installation would require a solar permit from the City of Evanston, which includes electrical and roof permitting. The Recipient would retain and retire the renewable energy certificates associated with the installations for the public benefit of communitywide greenhouse gas emissions reductions in compliance with the City’s Climate Action and Resilience Plan. After the expected life of the solar panels, or approximately 20 years, the equipment would be decommissioned and recycled according to the contract with the selected installer.

The City of Evanston has Five National Register Historic Districts and Four Local Historic Districts - the majority of which overlay their National Register counterparts. 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:

- 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.
- Development, implementation, and installation of onsite renewable energy technology (including PV solar systems), provided activities adhere to the requirements of the Recipient’s 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 an appropriately sized system or unit not to exceed 60 kW. If activities are occurring on tribal land, homes/buildings must also be less than forty-five years old. 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. The Recipient is 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.

Any activities on tribal lands or tribal properties are restricted to homes/buildings less than forty-five (45) years old and without ground disturbance. The Recipient may contact their Project Officer for a Historic Preservation Worksheet to request a review of activities that are listed below on tribal homes/buildings forty-five (45) years and older and/or ground disturbing activities. Approval from DOE is required prior to initiating activities reviewed on a Historic Preservation Worksheet.

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 to "Allowable Activities" funded by the Congressionally Directed Spending to the City of Evanston administered by DOE under award number DE-EE0010140.

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 Congressionally Directed Spending to the City of Evanston administered by DOE under award number DE-EE0010140 or activities that do not fit within the restrictions of the "Allowable Activities" listed above.

Include the following condition in the financial assistance agreement:

Activities not listed under "Allowable Activities" 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.

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.

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.

Most activities listed under "Allowable Activities" are more restrictive than the Categorical Exclusion. The restrictions listed in the "Allowable Activities" must be followed.

The Recipient is required to adhere to their state-specific executed Programmatic Agreement: <https://www.energy.gov/scep/articles/illinois-state-historic-preservation-programmatic-agreement> Further, the Recipient is required to complete the DOE Annual Historic Preservation Report for their undertakings and maintain file records with verification that undertakings were determined to be exemptions for a period of three (3) year from project completion and make them available for review if requested by DOE or the Advisory Council on Historic Preservation.

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.

Any activities on tribal lands or tribal properties are restricted to homes/buildings less than forty-five (45) years old and without ground disturbance. The Recipient may contact their Project Officer for a Historic Preservation Worksheet to request a review of activities that are listed below on tribal homes/buildings forty-five (45) years and older and/or ground disturbing activities. Approval from DOE is required prior to initiating activities reviewed on a Historic Preservation Worksheet.

Notes:

Solar Energy Technologies Office (SETO)
This NEPA determination requires legal review of the tailored NEPA provision.
Review completed by Whitney Donoghue on 04/10/2023.

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: Andrew Montano Date: 4/25/2023
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