

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



RECIPIENT: Office of Sustainability, City of Indianapolis

STATE: IN

PROJECT TITLE : EECBG Financing Program: Indianapolis, Indiana

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000148	DE-EE0003577	GFO-0003577-002	

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.

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.

B5.18 Wind turbines

The installation, modification, operation, and removal of a small number (generally not more than 2) of commercially available wind turbines, with a total height generally less than 200 feet (measured from the ground to the maximum height of blade rotation) that (1) are located within a previously disturbed or developed area; (2) are located more than 10 nautical miles (about 11.5 miles) from an airport or aviation navigation aid; (3) are located more than 1.5 nautical miles (about 1.7 miles) from National Weather Service or Federal Aviation Administration Doppler weather radar; (4) would not have the potential to cause significant impacts on bird or bat populations; and (5) are sited or designed such that the project would not have the potential to cause significant impacts to persons (such as from shadow flicker and other visual effects, and noise). 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. Covered actions include only those related to wind turbines to be installed on land.

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.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to repurpose \$2 million dollars of American Recovery & Reinvestment Act (ARRA) funds awarded to the City of Indianapolis, Indiana (Recipient) from a revolving loan fund (RLF) to a green bank. This would reduce the City's loan loss reserve from approximately \$2.5 million to \$512,000.00.

DOE previously completed a NEPA Determination (ND) for activities reviewed under ARRA funded award DE-EE0003577. The NEPA justification below covers the proposed projects to be implemented under the repurposed dollars. This ND supersedes the previous ND for any activities proposed to be implemented under the repurposed dollars.

The City of Indianapolis would repurpose ARRA funds currently obligated to a RLF program known as EcoHouse, administered by the Indiana Neighborhood housing Partnership (INHP) to establish the Indiana Energy Independence Fund (the Fund), which would be the first non-profit green bank in the state. The Fund would also receive monetary contributions from private benefactors and government sources. The Fund would provide loans and direct pay credits to applicants (Subrecipients) proposing eligible clean energy projects. Project activities listed within the conditions of this ND 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 C.F.R. Part 1021, Appendix B) that relate to a funded project.

In the event a proposed project would not fall within the scope or meet the conditions identified within this ND, an individual NEPA review would be required. For projects requiring an individual NEPA review, the Recipient (or Subrecipient) must complete the Environmental Questionnaire 1 form (EQ1) (found at <https://www.eere-pmc.energy.gov/NEPA.aspx>) to start the review process. The Recipient (and Subrecipients) would not initiate any activities without approval from the DOE Contracting Officer.

The City of Indianapolis shall adhere to the terms and restrictions of the DOE executed Historic Preservation Programmatic Agreement for the State of Indiana. DOE executed Historic Preservation Programmatic Agreements are available at <https://www.energy.gov/node/812599>.

Activities proposed on tribal lands or tribal properties would be restricted to homes/buildings less than forty-five (45) years old and without ground disturbance. Recipients would contact the DOE 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. The DOE NEPA team must review the Historic Preservation Worksheet and notify the Recipient's DOE Project Officer before activities listed on the Historic Preservation Worksheet may begin.

DOE is required to consider floodplain management and wetland protection as part of its environmental review process. As part of this required review, DOE determined requirements set forth in Subpart B of 10 CFR 1022 are not applicable to the activities listed within the conditions of this ND, if such activities were to occur in the 100-year floodplain (hereinafter "floodplain") or wetland. These 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.

Minimal air emissions may result from the use of diesel-powered vehicles and equipment during installation and construction activities. However, significant air impacts are not anticipated as emissions would be temporary and intermittent. Existing governmental and corporate health, safety, and environmental policies and procedures would be

followed at all facilities, including personnel training, proper personal protective equipment (PPE), engineering controls, monitoring, and internal assessments. Hazards associated with clean energy projects may include use of construction equipment, power tools, machinery, scaffolding and lifts, working with electricity, and potential exposure to lead-based paint and asbestos. Employee training, proper protective equipment, and internal safety reviews and assessments would be utilized to mitigate hazards. The City of Indianapolis would observe all applicable federal, state, and local health, safety, and environmental regulations. DOE does not anticipate any impacts to resources of concern due to the proposed activities of the project.

NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

1. The Recipient and Subrecipients must adhere to the terms and restrictions of its DOE executed Historic Preservation Programmatic Agreement with the State of Indiana. DOE executed Historic Preservation Programmatic Agreements are available at <https://www.energy.gov/node/812599>.
2. The Recipient and Subrecipients are responsible for reviewing the online NEPA and Historic preservation training at www.energy.gov/node/4816816 and contacting EECBG.NEPA@ee.doe.gov with any EECBG NEPA or historic preservation questions.
3. The Recipient and Subrecipients are required to submit an annual Historic Preservation Report at <https://forms.office.com/g/kAFs0N7CZH>.
4. Activities proposed on tribal lands or tribal properties would be restricted to homes/buildings less than forty-five (45) years old and without ground disturbance. Recipients would contact the DOE 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. The DOE NEPA team must review the Historic Preservation Worksheet and notify the Recipient's DOE Project Officer before activities listed on the Historic Preservation Worksheet may begin.
5. The NEPA determination applies to the following list of activities and conditions:
 - a. Energy audits and feasibility studies,
 - b. Weatherization of mobile homes and trailers,
 - c. Caulking and weather-stripping around doors and windows in a manner that do not harm or obscure historic windows or trim,
 - d. Water conservation measures such as low flow faucets, toilets, etc.,
 - e. Ventilating crawl spaces,
 - f. Replacement of existing HVAC equipment including furnaces, air-source heat pumps, pumps, motors, boilers, chillers, cooling towers, air handling units, package units, condensers, compressors, heat exchangers that do not require a change to existing ducting, plumbing, electrical, controls or a new location, or if ducting, plumbing, electrical and controls are on the rear of the structure or not visible from any public right of way,
 - g. Adding or replacing existing building controls systems including HVAC control systems and the replacement of building-wide pneumatic controls with digital controls, thermostats, dampers, and other individual sensors like smoke detectors and carbon monoxide detectors (wired or non-wired),
 - h. New installation of non-hard wired devices including photo-controls, occupancy sensors, carbon dioxide, thermostats, humidity, light meters, and other building control sensors, provided the work conforms with applicable state and local permitting requirements,
 - i. Adding variable speed drive motors,
 - j. Insulation of water heater tanks and pipes,
 - k. Furnace or hot water tank replacement that does not require a visible new supply or venting,
 - l. Thermal insulation installation in walls, floors, and ceilings (excluding spray foam insulation) which would not affecting the exterior of the building,
 - m. Duct sealing, insulation, repair, or replacement in unoccupied areas,
 - n. Installation of spray foam insulation in rim joists and crawlspaces.
 - o. Attic insulation with proper ventilation, which not affecting the exterior of the building; if under an effective R8 - add additional R-19 up to R-38 (fiberglass bat only),
 - p. Band joist insulation that would not affecting the exterior of the building - R-II to R19 as applicable,
 - q. Appliance replacement (upgrade to EnergyStar appliances),
 - r. Installation of compact fluorescent light bulbs,
 - s. Upgrades to energy efficient light fixtures, including ballasts (Replacement) provided decorative fixtures 50 years of

age or older are not replaced,

t. LED light fixtures and exit signs (Replacement)

u. Upgrade exterior lighting (replacement with metal halide bulbs, LEOs, or others) along with ballasts, sensors, and energy storage devices not visible from any public right of way, provided that decorative fixtures 50 years of age or older are not replaced.

v. Purchase of electric vehicles, and

w. Installation of electric vehicle supply equipment (EVSE), including testing measurements to assess the safety and functionality of the EVSE (restricted to existing footprints within an existing parking facility, defined as any building, structure, land, right-of-way, facility, or area used for parking of motor vehicles which are not located in a floodplain or wetland). EVSE installation must be supported by existing electric infrastructure (photovoltaic canopies and solar panels are not applicable). All activities must use reversible, non-permanent techniques for installation, to ensure no adverse effects to historic properties are not permanent, and where appropriate, use the lowest profile EVSE reasonably available that provides the necessary charging capacity. EVSE shall be placed in minimally visibly intrusive area; use colors complementary to surrounding environment, where possible, and be limited to the current electrical capacity. This applies to Level 1, Level 2, and Level 3 (also known as Direct Current (DC) Fast Charging).

x. Repairing or upgrading electrical or plumbing systems and installing mechanical equipment in non-historic structures less than 50 years old,

y. Installation of new HVAC equipment in non-historic structures less than 50 years old.

z. Integrated shingle-style or thin film solar systems not to exceed 60 kW on the roof of non-historic structures less than 50 years old, not located in or adjacent to a historic district, which would not require tree trimming, tree removal, structural reinforcement, and would not cause ground disturbance,

aa. Solar systems (including photovoltaic and solar thermal) not to exceed 60 kW for solar systems and limited to 200,000 BTU per hour for solar thermal systems, on non-historic structures less than 50 years old, not located in or adjacent to a historic district, which would not require tree trimming, tree removal, structural reinforcement, and would not cause ground disturbance,

bb. Wind turbine (20 kW or smaller) on non-historic structures less than 50 years old, not located in or adjacent to a historic district, that would not require ground disturbance or building reinforcement,

cc. New lighting controls including photo-sensors and shading elements on non-historic structures less than 50 years old, not located in or adjacent to a historic district,

dd. New metering devices installed on or in non-historic structures less than 50 years old,

ee. New water efficient fixtures and fittings in or on non-historic structures less than 50 years old,

ff. Installation or repair of white Roofs, Cool Roofs, Green Roofs, Sod or Grass Roofs on non-historic structures less than 50 years old, not located in or adjacent to a historic district,

gg. Installation or repair of rainwater catches and/or gray water systems on non-historic structures less than 50 years old, not located in or adjacent to a historic district,

hh. Installation or repair of vents (such as continuous ridge vents covered with ridge shingles or boards, roof vents, bath and kitchen vents, soffit and frieze board vents or combustion appliance flues) on non-historic structures less than 50 years old, not located in or adjacent to a historic district,

ii. Installation or repair of foundation vents, on non-historic structures less than 50 years old, not located in or adjacent to a historic district,

jj. Installation or repair of windows or doors on non-historic structures less than 50 years old, not located in or adjacent to a historic district,

kk. Installation or repair of insulated exterior replacement doors on non-historic structures less than 50 years old, not located in or adjacent to a historic district,

ll. Window or glazing treatments on non-historic structures less than 50 years old, not located in or adjacent to a historic district,

6. If Secretary of the Interior's (SOI) Standards are adhered to and verified by qualified staff meeting the SOI's Professional Qualification Standards, the following list of activities and conditions are subject to the NEPA determination:

a. Repairing or upgrading electrical or plumbing systems and installing mechanical, equipment, in a manner that does not permanently change the appearance of the interior or exterior of the building,

b. Installation of new HVAC equipment (such as pumps, motors, boilers, chillers, cooling towers, air handling units, package units, condensers, compressors, or heat exchangers) in a manner that does not permanently change the appearance of the building,

c. Integrated shingle-style or thin film solar systems not to exceed 60 kW on the rear roof of the structure, behind the parapet or not visible from the public right of way, and would not require tree trimming, tree removal, or require structural reinforcement,

d. Solar systems (including photovoltaic and solar thermal) not to exceed 60 kW for solar systems and limited to 200,000 BTU per hour for solar thermal systems, which would not be visible from the public right of way, would not require tree trimming, tree removal, or require structural reinforcement, and would not cause ground disturbance,

e. Wind turbine (20 kW or smaller) additions to existing wind power facilities that would not require ground disturbance or building reinforcement,

f. New lighting controls including photo-sensors and shading elements if not visible from the public right of way,

g. New metering devices installed in a manner that would not permanently change the appearance of the interior or

- exterior of the building, and would not be visible from the public right of way,
- h. New water efficient fixtures and fittings in a manner that does not permanently change the appearance of the interior or exterior of the building,
- i. Installation or repair of white Roofs, Cool Roofs, Green Roofs, Sod or Grass Roofs not visible from the public right-of-way,
- j. Installation or repair of rainwater catches and/or gray water systems not viewable from the public right of way,
- k. Installation or repair of vents (such as continuous ridge vents covered with ridge shingles or boards, roof vents, bath and kitchen vents, soffit and frieze board vents or combustion appliance flues) if not located on a primary roof elevation or not visible from the public right-of-way,
- l. Installation or repair of foundation vents, if painted or finished to match the existing foundation material,
- m. Installation or repair of storm windows, storm doors or wood screen doors in a manner that does not harm or obscure historic windows, doors, or trim,
- n. Installation or repair of insulated exterior replacement doors where the door openings are not altered and are not visible from the public right-of-way, on the back or secondary elevation(s) of the building, and
- o. Window or glazing treatments that do not change the appearance of the interior or exterior of the building, or if the addition is on the exterior of the structure.

7. For activities not listed above, or which do not meet the conditions listed above, an individual NEPA review is required. The Recipient and Subrecipients shall coordinate with their DOE Project Officer to submit the required environmental questionnaire (found at <https://www.eere-pmc.energy.gov/NEPA.aspx>). The Recipient and Subrecipients must receive notification from DOE that the NEPA review has been completed and approved by the Contracting Officer prior to initiating the project or activities.

Notes:

Office of State and Community Energy Programs – EECBG
 This NEPA determination requires legal review of the tailored NEPA provision.
 NEPA review completed by Amy Lukens, 4/8/2024.

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:

 Electronically Signed By: **Matthew Blevins**

NEPA Compliance Officer

Date: 4/9/2024

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: _____