

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



**RECIPIENT:** City of Helena

**STATE:** MT

**PROJECT TITLE:** City of Helena Methane Piping and Solar Loan

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0002988	DE-SE0000352	GFO-SE0000352-001	

**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.

<b>B5.18 Wind turbines</b>	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.
<b>B5.21 Methane gas recovery and utilization systems</b>	The installation, modification, operation, and removal of commercially available methane gas recovery and utilization systems installed within a previously disturbed or developed area on or contiguous to an existing landfill or wastewater treatment plant that would not have the potential to cause a significant increase in the quantity or rate of air emissions. 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.
<b>B5.23 Electric vehicle charging stations</b>	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 provide funding to the City of Helena Montana to replace methane piping at the Wastewater Treatment Plant and fund the City of Helena's Residential Energy Efficiency and Renewable Energy (Solar) Loan Program. This project would be funded under the Administrative and Legal Requirements Document (ALRD) for the DOE's Energy Efficiency Conservation Block Grant (EECBG) Program Formula Infrastructure Investment and Jobs Act (EECBG Formula - IIJA).

Proposed upgrades to the Wastewater Treatment Plant include the design, removal, and replacement of existing methane piping that aid in anaerobic digestion. The existing pipes that were installed in 1984 would be removed and replaced with new 6-inch stainless steel pipes that can better withstand the corrosive gas. The ground disturbance would be within the boundaries of the Wastewater Treatment Plant involving the removal and replacement of old piping.

The award would also provide funds to the Residential Energy Efficiency and Renewable Energy (Solar) Loan Program. The program was started in 2016 to provide homeowners with up to \$12,000 (interest free) loans to install alternative and renewable energy upgrades. Upgrades 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 the Residential Energy Efficiency and Renewable Energy (Solar) Loan Program proposes to fund a project that would not fall within the scope, or conditions identified within this ND, an individual NEPA review would be required. 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 Subrecipient) would not initiate any activities without approval from the DOE Contracting Officer.

The City of Helena shall adhere to the terms and restrictions of the DOE executed Historic Preservation Programmatic Agreement for the State of Montana. 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 construction equipment during the removal and installation of the replacement pipes. However, significant air impacts are not anticipated as emissions would be temporary and intermittent. Hazards associated with construction activities related to the replacement of the methane piping include working with methane which is a corrosive and highly harmful gas if ignited. All staff working at the plant and the construction crew would follow necessary safety precautions and procedures, this includes turning off parts of the plant when switching out the pipes. Employee training, proper protective equipment, and internal safety reviews and assessments would be utilized to mitigate hazards. Existing health, safety, and environmental policies and procedures would be followed by the City of Helena to mitigate hazards to acceptable levels. There are no known hazards or needed mitigations for the Solar Loan Project. The City of Helena would observe and comply with all applicable federal, state, and local health, safety, and environmental regulations, permits, and requirements pertaining to award activities.

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 the DOE executed Historic Preservation Programmatic Agreement with the State of Montana, available at: <https://www.energy.gov/scep/articles/montana-state-historic-preservation-programmatic-agreement>.
2. The Recipient and Subrecipients are responsible for reviewing the online NEPA and Historic preservation training at [www.energy.gov/node/4816816](http://www.energy.gov/node/4816816) and contacting [EECBG.NEPA@ee.doe.gov](mailto: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 in the Performance and Accountability for Grants in Energy system (PAGE) located at <https://www.page.energy.gov/default.aspx>.
4. The Recipient and Subrecipients are required to submit quarterly reports in the form of a NEPA Log. Sample NEPA Logs can be found at: [www.energy.gov/node/4816816](http://www.energy.gov/node/4816816). NEPA Logs must be submitted to [EECBG.NEPA@ee.doe.gov](mailto:EECBG.NEPA@ee.doe.gov) and your DOE Project Officer.
5. 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 proposed 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.
6. The following list of non-ground disturbing activities have been reviewed in the NEPA determination and would not require additional NEPA review or Section 106 consultation with the Montana State Historic Preservation Office (SHPO), if funded by the City of Helena Residential Energy Efficiency and Renewable Energy (Solar) Loan Program.
  - a. General measures:
    - i. Energy audits and feasibility studies
    - ii. Weatherization of mobile homes and trailers
    - iii. Caulking and weather-stripping around doors and windows in a manner that does not harm or obscure historic windows or trim.
    - iv. Water conservation measures - like low flow faucets, toilets, shower heads, urinals - and distribution device controls
    - v. Repairing or replacing in kind existing driveways, parking areas, and walkways with materials of similar appearance
    - vi. Excavating to gain access to existing underground utilities to repair or replace them, provided that the work is performed consistent with previous conditions
    - vii. Ventilating crawl spaces
    - viii. Replacement of existing HVAC equipment including 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.

- ix. Adding or replacing existing building controls systems including HV AC 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)
- x. New installation of non-hard wired devices including photo-controls, occupancy sensors, provided the work conforms with applicable state and local permitting requirements.
- xi. Adding variable speed drive motors
- xii. Insulation of water heater tanks and pipes
- xiii. Furnace or hot water tank replacement that does not require a visible new supply or venting
- xiv. Appliance replacement (upgrade to EnergyStar appliances)
- xv. Compact fluorescent light bulbs
- xvi. Energy efficient light fixtures, including ballasts (replacement only)
- xvii. LED light fixtures and exit signs (replacement only)
- xviii. Upgrade exterior lighting (replacement with metal halide bulbs, LEDs, or other) along with ballasts, sensors and energy storage devices not visible from any public right of way.
- xix. 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 would not require any ground disturbance). All activities must use reversible, non-permanent techniques for installation, 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) EVSE for community and municipal fleets.

b. Insulation measures not affecting the exterior of the building:

- i. Thermal insulation installation in walls, floors and ceilings (excluding spray foam insulation)
- ii. Duct sealing, insulation, repair or replacement in unoccupied areas
- iii. Attic insulation with proper ventilation, if under an effective RS - add additional R-19 up to R-38 (fiberglass bat only)
- iv. Band joist insulation - R-11 to R19 as applicable
- v. Water heater tank and pipe insulation

7. The following list of non-ground disturbing activities have been reviewed in the NEPA determination and would not require additional NEPA review or Section 106 consultation with the Montana State Historic Preservation Office (SHPO), if funded by the City of Helena Solar Loan revolving fund program and Secretary of Interior (SOI) Standards are Adhered to and Verified by Qualified Staff:

a. Efficiency and repair measures:

- i. 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.
- ii. Installation of new HV AC 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.
- iii. Integrated shingle-style or thin film solar systems on the rear roof of the structure, behind the parapet or not visible from the public right of way.
- iv. Solar systems (including photovoltaic and solar thermal) not to exceed 60 kW, not visible from the public right of way and if ground-mounted can be installed without ground disturbance and if roof-mounted would not require new building reinforcement and would not require tree trimming or cutting.
- v. Wind system (20 kW or smaller) additions to existing wind power facilities that will not require ground disturbance and if building mounted would not require building reinforcement and would require tree trimming or cutting.
- vi. New metering devices in a manner that does not permanently change the appearance of the interior or exterior of the building, or if the addition is on the exterior of the structure and is not visible from the public right of way
- vii. New water efficient fixtures and fittings in a manner that does not permanently change the appearance of the interior or exterior of the building.

b. Installation or repair of roofing, siding, and ventilation:

- i. White Roofs, Cool Roofs, Green Roofs, Sod or Grass Roofs not visible from the public right-of-way
- ii. Rainwater catches and/or gray water systems not viewable from the public right-of-way
- iii. Repair or in-kind replacement of historic exterior siding provided that new siding closely resembles the historic siding in dimension, profile and texture

c. Windows and doors:

- i. Installing storm windows, storm doors or wood screen doors in a manner that does not hide or obscure historic windows, doors or trim

ii. Installing insulated exterior replacement doors where the door openings are not altered and are not visible from the public right-of-way

iii. Window or glazing treatments that do not change the appearance of the interior or exterior of the building.

8. For activities not listed above, or which do not meet the conditions listed above, an individual NEPA review is required. The Recipient and any 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 Emily Cohen 07/25/24.

#### 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: Andrew Montano

NEPA Compliance Officer

Date: 7/29/2024

#### 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: