

Weatherization Assistance Program

Ground Disturbance Definition Overview

As of October 2022

The definition of ground disturbance involves two documents that must be reviewed, for most Grantees. To clarify, all WAP Grantees have a NEPA determination-this is the first document.

The NEPA determination is the form that documents DOE's NEPA review. The **NEPA determination** states the specific activities and restrictions allowed for that award. NEPA determination is included in the award documents and is specific to an individual award.

The second document is the **Historic Preservation Programmatic Agreement**, also known as a PA. All Grantees expect Guam and Northern Arapahoe Tribe have a PA. Guam and Northern Arapahoe Tribe would only follow their NEPA determination since they do not have a PA. The 55 Grantees with a PA must review their PA in addition to the NEPA determination. In the Formula Award NEPA determination for recipients with a Programmatic Agreement, the readiness activity that allows ground disturbance states, *“Exterior drainage repairs limited to gutter repair or replacement, trimming shrubs, and/or grading in close proximity to the perimeter of the foundation.”*

For Grantees without a PA, this same activity is restricted to structures less than forty-five (45) years old. The language in the PAs can vary, so it is important to review your specific PA for the language on ground disturbance. Most PAs state in part, *“Project undertakings requiring more than minimal ground disturbance shall be forwarded to the SHPO and THPOs...”* SHPOs are State Historic Preservation Officers and THPOs are Tribal Historic Preservation Officers. Keep in mind, all NEPA determinations will state if ground disturbance is allowed or if it is not allowed – for example, ground disturbance is NOT allowed for renewable energy technologies like PV installations, so only roof mounted PV installations were included in the NEPA review for the formula awards. Please review your NEPA determination and your PA, if you have one, to ensure you understand the restrictions of the allowable activities in the NEPA determination and activities exempted from SHPO review in your PA.

One last point - The [NEPA and Historic Preservation training website](#) has additional resources that are helpful, including PowerPoint presentations to help you understand how your NEPA determination and PA work together. This also includes a link to the [Historic Preservation Programmatic Agreements and amendments](#).