

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



RECIPIENT: City of Dallas

STATE: TX

PROJECT TITLE: Martin Luther King, Jr Community Center Solar Panels

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
N/A	DE-EE0010958	GFO-0010958-001	

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.)
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.
B5.23 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 provide funding to the City Dallas for the design, installation, and testing of an 890-kilowatt (kW) rooftop solar photovoltaic (PV) array and electric vehicle charging stations at the Martin Luther King Jr. Community Center. These activities would reduce the community center's operating costs and increase operational resilience during extreme weather events. System design and installation would be carried out by a qualified Energy Service Company. PV installation, data collection, and monitoring would occur at the Martin Luther King Jr. Community Center in Dallas, Texas.

The community center was constructed in 1971 and is potentially eligible for listing in the National Register of Historic Places. DOE made a finding of "No Historic Properties Affected" and sent this finding, along with supporting Section 106 documentation, to the State Historic Preservation Officer (SHPO) on June 11, 2024. In compliance with 36 C.F.R. Section 800.3(c)(4), the State Historic Preservation Officer (SHPO), was invited to participate in the consultation regarding this undertaking. A follow-up email was sent on July 30, 2024; however, DOE received no response from the SHPO within 30 days of receipt of DOE's consultation, and as such, DOE is moving forward as per 36 C.F.R. Section 800.3(c)(4). See attached consultation documentation. No further consultation is required unless there is a change to the scope of work.

All project activities would be completed in existing, purpose-built facilities. No facility modifications would be needed to perform project activities. Potential hazards include safety risks related to construction activities. All necessary permits would be obtained, and existing city health, safety, and environmental policies and procedures would be followed, including personnel training, proper personal protective equipment, engineering controls, monitoring, and internal assessments.

DOE has considered the scale, duration, and nature of proposed activities to determine potential impacts on resources, including those of an ecological, historical, cultural, and socioeconomic nature. DOE does not anticipate impacts on these resources which would be considered significant or require DOE to consult with other agencies or stakeholders.

NEPA PROVISION

DOE has made a final NEPA determination.

Notes:

Solar Energy Technology Office (SETO)
NEPA review completed by Jason Spencer, 08/02/2024

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: _____



NEPA Compliance Officer

Date: 8/2/2024

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: _____