

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



**RECIPIENT:** Ute Mountain Ute Tribe

**STATE:** CO

**PROJECT TITLE :** Towaoc Housing Solar Initiative

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0002317	DE-IE0000151	GFO-0000151-001	

**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.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide funding to the Ute Mountain Ute Tribe (UMUT) to install a ground-mounted photovoltaic (PV) system and approximately 20 roof-mounted PV systems in Towaoc, CO to offset the approximate annual electric demand on rental homes and a housing facility managed by the UMUT Housing Authority. The project would also include workforce development as UMUT construction interns, Public Works staff, and other community members would be trained on installation and operation.

The ground-mounted PV array would be installed at the Towaoc Housing Supportive Housing Unit on Rodeo Drive (60 kW-DC). The system would require interconnection modifications such as wiring and a meter upgrade. Ground disturbance would include piles driven into the ground or holes drilled for racking infrastructure. An estimated 192 modules would cover up to 4500 square feet. The electric line would run to the building and meter box approximately 4500 feet away. The site is on previously disturbed ground.

Roof-mounted PV arrays would be installed on 20 - 25 existing homes (rental homes on Lafayette Street, Sundance Drive, and Chipeta Circle) with an approximate aggregate solar capacity of up to 170 kW-DC. Eight to twenty-eight modules would be installed on each unit. These homes are rented to low-income residents living in the UMUT Reservation community of Towaoc, CO. The design of the solar units would be sized to meet the available roof space or building electric demand to minimize electricity utility use. Roof-mounted systems would require interconnection modifications such as wiring and meter upgrades and drilling holes for racking infrastructure. No ground disturbing activities or changes in the use of facilities would be required.

Up to four construction interns would be hired to assist in deployment of the solar PV. A vendor would assist with engineering, procurement, and construction. In addition, the vendor would install remote monitoring systems on all PV systems and train designated Tribal employees on software, enabling them to track production and ensure systems are operating properly.

Project activities would involve hazards associated with routine construction activities and high voltage electrical hazards. Any risks associated with these activities would be mitigated through adherence to OSHA construction safety guidelines and established safety protocols. All waste products would be disposed of by licensed waste management service providers. The Ute Mountain Ute Tribe would observe all applicable health, safety, and environmental regulations.

The U.S. Fish & Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) database shows one

mammal (New Mexico Meadow Jumping Mouse), two birds (Mexican Spotted Owl and Southwestern Willow Flycatcher), two fish (Colorado Pikeminnow and Razorback Sucker), one insect (Monarch Butterfly), and two flowering plants (Mancos Milk-vetch and Mesa Verde Cactus) as threatened or endangered species occurring within or near the project area. Additionally, one migratory bird (Bald Eagle) could be present in the project area. Because of the nature of the project (i.e. a solar PV installation on previously-disturbed land currently used for human activities and roof-top solar PV installations), it is unlikely that any of the species would be present in the project area. Accordingly, DOE has determined that installation of the PV would have no effect to any of the listed species.

According to UMUT, Tribal Lands being used for the project are not of special interest or sensitivity and project activities would be reviewed and cleared by the Ute Mountain Ute Tribal Historic Preservation Office prior to installation. DOE also conducted a review of potential issues relating to other resources of concern and found that no effects would be expected to result from the project.

## NEPA PROVISION

DOE has made a final NEPA determination.

Notes:

Office of Indian Energy Policy and Program  
This NEPA determination does not require a tailored NEPA provision.  
Review completed by Shaina Aguilar on 11/16/2021.

## 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: \_\_\_\_\_



Casey Strickland

NEPA Compliance Officer

Date: 11/17/2021

## 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: \_\_\_\_\_