

PMC-ND

(1.08.09.13)

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



RECIPIENT: White Earth Reservation Tribal Council

STATE: MN

PROJECT TITLE: White Earth Community Facilities Solar PV Project

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001390	DE-IE-0000044	GFO-0000044-001	

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Order 451.1A), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

- 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.
- 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.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide federal funding to the White Earth Reservation Tribal Council to reduce energy costs, increase energy security for Indian Tribes and tribal members and add additional renewable energy generation capacity by installing three solar photovoltaic (PV) systems for a total of 60.8 kW of energy generation. Additionally, these installations would also provide hands-on, solar-installation training to Tribal community volunteers and job trainees.

Activities associated with the proposed project would include the design, development and installation of three separate ground-mounted, grid-tied solar PV arrays at three different locations adjacent to community buildings in the unincorporated tribal communities of Elbow Lake and Rice Lake within the White Earth Reservation. The installation at Elbow Lake Community Center would generate 12.16 kW, the Rice Lake Daycare installation would generate another 12.16 kW, and the installation at Rice Lake Community Center would produce 36.48 kW. The installation of these arrays would require the installation of shallow foundations (less than 3ft deep) and burying of transmission lines which would necessitate minimal ground disturbance of previously disturbed land. In the interest of public safety, these foundations and the related PV arrays would be contained within a chain-link fenced enclosure measuring approximately 25ft by 100ft. Once transmission lines are buried, the disturbed earth would be replaced and returned to its original condition. No change in the use, mission or operation of existing facilities would arise out of this effort. A tribal building permit would be required and would be obtained before any work is begun.

The U.S. Fish and Wildlife Service Endangered Species Program website (IPaC) identifies 4 endangered/threatened species and 21 migratory birds that have been known to exist within the White Earth Reservation. Additionally, there are two National Wildlife Refuges—Hamden Slough and Tamarac—that fall at least partially within the boundaries of White Earth Reservation but project activities would not occur within or near the wildlife refuges. Due to the lack of appropriate habitat at the proposed project locations and the previously disturbed, urban nature of the sites, the DOE has determined that no adverse impacts to sensitive natural resources such as threatened/endangered species or migratory birds are expected as a result of the proposed project.

None of these properties are listed in the National Register of Historic Places and there are no listed historic properties or districts within either of these communities. The recipient and DOE consulted with the White Earth Band of Minnesota Chippewa Tribal Historic Preservation Officer (THPO) regarding the project. The THPO stated that there were no known cultural resources associated with the locations but that this did not preclude the possibility for buried or unknown cultural resources within these locations. If cultural materials are uncovered in the course of construction, project work must cease and the THPO must be contacted immediately before moving forward with project activities at that location. Based on the THPO consultation and construction requirement found above, DOE has determined that there would be no impact to historic properties as a result of implementation of project activities.

Non-hazardous wastes would consist of the packaging of solar paneling and similar materials. All recyclables would be recycled appropriately and non-recyclables would be disposed of through normal waste streams.

Based on a review of the project information, DOE has determined that project activities would not have a significant individual or cumulative impact to human health and/or the environment. DOE has determined that this project is consistent with actions outlined in DOE categorical exclusion A9 "Information gathering, analysis, and dissemination", A11 "Technical advice and assistance to organizations", and B5.16 "Solar photovoltaic systems" and is therefore categorically excluded from further NEPA review.

NEPA PROVISION

DOE has made a final NEPA determination for this award

Insert the following language in the award:

If the Recipient intends to make changes to the scope or objective of this project, the Recipient is required to contact the Project Officer, identified in Block 15 of the Assistance Agreement before proceeding. The Recipient must receive notification of approval from the DOE Contracting Officer prior to commencing with work beyond that currently approved. If the Recipient moves forward with activities that are not authorized for Federal funding by the DOE Contracting Officer in advance of a final NEPA decision, the Recipient is doing so at risk of not receiving Federal funding and such costs may not be recognized as allowable cost share.

Insert the following language in the award:

You are required to:

If cultural materials are uncovered in the course of construction, project work must cease and the THPO must be contacted immediately and before moving forward with project activities at that location.

Note to Specialist :

Office of Indian Energy
This determination requires a tailored NEPA provision.
Review completed by Rebecca McCord, 05/05/2016

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:



Kristin Kerwin

NEPA Compliance Officer

Date: 5/11/2016

FIELD OFFICE MANAGER DETERMINATION

Field Office Manager review required

NCO REQUESTS THE FIELD OFFICE MANAGER REVIEW FOR THE FOLLOWING REASON:

- Proposed action fits within a categorical exclusion but involves a high profile or controversial issue that warrants Field Office Manager's attention.
- Proposed action falls within an EA or EIS category and therefore requires Field Office Manager's review and determination.

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature:

Date:

Field Office Manager