

PMC-ND
(1.08.09.13)

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



RECIPIENT: Ho Chunk, Inc

STATE: NE

PROJECT TITLE : Winnebago Community Scale Solar

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001660	DE-IE0000089	GFO-0000089-001	

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:

- 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.
- B5.18 Wind turbines** 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.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide federal funding to Ho Chunk Inc. to install 286kW of solar photovoltaic (PV) energy at ten proposed clean energy project locations and replace the heads on two previously installed wind turbines at an 11th location that will combine to reduce the associated retail electrical consumption at the Winnebago Reservation by 27%.

Activities associated with the proposed project would include procurement, installation, interconnection, and operations and maintenance (O & M) of 10 separate PV arrays as well as the replacement of two wind turbine heads. Procurement would be organized from the Ho Chunk offices in Winnebago, NE. Installation of solar arrays and related O & M activities would be completed at the following ten locations on the Winnebago Reservation:

- Pony Express/Titan Motors—Fuel station and car dealership in Winnebago, NE (6000 sq.ft. of ground mounted panels)
- Rock River Manufacturing—Manufacturing facility in Winnebago, NE (100 rooftop panels)
- Heritage Foods—Grocer and fuel station in Walthill, NE (100 rooftop panels)
- HCI Distribution—Warehouse in Winnebago, NE (72 rooftop panels)
- Woodland Trails—Office space in Winnebago, NE (90 solar panels)

- Tribal Elder Housing—Residential homes in Winnebago, NE (3 panels on each of ten homes)
- Winnebago Tribal Pow Wow Grounds—ceremonial gathering place in Winnebago, NE (24 solar panels)
- Winnebago Planning and Development Office—Office space in Winnebago, NE (24 solar panels)
- Ho Chunk Renaissance—Cultural center in Winnebago, NE (72 solar panels)
- Winnebago Senior Citizen Center—Social hall in Winnebago, NE (48 solar panels)

Replacement of the two wind turbine heads would take place at the Museum building at Little Priest Tribal College in Winnebago, NE.

All PV arrays with the exception of one would be roof-mounted. Therefore, no ground disturbance is anticipated except at Titan Motors. This installation would consist of a 116kW ground-mounted array which would utilize approximately 6,000 sq. ft. of unused land in a previously disturbed area. Ground disturbance would be required at this one location in order to install the rack footings and necessary wiring. No change in the use, mission or operation of existing facilities would arise out of this effort and the Tribe would need only an electrical permit for inspections of the electrical interconnections.

The U.S. Fish and Wildlife Service Endangered Species Program website (IPaC) identifies 5 endangered or threatened species as well as 23 migratory birds that have been known to exist near the project sites. However, due to the lack of suitable habitat for these species at each individual site, the nature of the project (solar photovoltaic and replacement of existing turbine heads) and the previously disturbed nature of the Titan Motors site, the DOE has determined that there would be no effect to listed species or migratory birds as a result of the proposed project. Additionally, none of the project locations are listed or eligible for listing on the National Register of Historic Places nor do they reside within the viewshed of historic districts and the Titan Motors site is previously disturbed. Although no historic resources are expected or known to occur at the Titan Motors site, DOE requires the following as part of best management practices for this project due to ground disturbing activities: If during project activities the recipient or their staff encounters any cultural material (i.e. historic or prehistoric), all activities must cease in the vicinity of the discovery immediately. The recipient must inform the Tribal Historic Preservation Officer (THPO) and the DOE Project Officer of the discovery so that an evaluation of the discovery can be completed prior to continuing work. Based on the above analysis and best management practice, DOE has determined that there would be no historic properties affected as a result of the proposed activities of the project. There were no other resources of concern found during review of the proposed project.

The proposed PV installation presents a risk of electrocution when connecting the solar PV array system to the grid. Turbine head replacement presents a fall hazard as well as risk of electrocution. Utility staff would be present for all interconnections and appropriate personal protective equipment would be worn by all personnel involved. Non-hazardous wastes would consist of the packaging of solar paneling and similar materials as well as small amounts of electrical waste such as excess wiring. All recyclables would be recycled appropriately and non-recyclables would be disposed of at the landfill.

Based on the review of the proposal, DOE has determined the proposal fits within the class of action(s) and the integral elements of 10 CFR 1021 subpart B outlined in the DOE categorical exclusion(s) selected above. DOE has also determined that: (1) there are no extraordinary circumstances (as defined by 10 CFR 1021.410(2)) related to the proposal that may affect the significance of the environmental effects of the proposal; (2) the proposal has not been segmented to meet the definition of a categorical exclusion; and (3) the proposal is not connected to other actions with potentially significant impacts, related to other proposals with cumulatively significant actions, or an improper interim action. This proposal is 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 during project activities the recipient or their staff encounters any cultural material (i.e. historic or prehistoric), all activities must cease in the vicinity of the discovery immediately. The recipient must inform the Tribal Historic Preservation Officer (THPO) and the DOE Project Officer of the discovery so that an evaluation of the discovery can be completed prior to continuing work.

Note to Specialist :

Office of Indian Energy
This determination requires a tailored NEPA provision.
Review completed by Rebecca McCord, 07/19/2017

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:  Casey Strickland  Date: 7/24/2017
NEPA Compliance Officer

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