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(1.08.09.13)

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



RECIPIENT:Akwasasne Housing Authority

STATE: NY

PROJECT TITLE : AHA Net Zero Initiative

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001660	DE-IE0000038	GFO-0000038-002	GO38

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.)

B5.1 Actions to conserve energy or water (a) Actions to conserve energy or water, demonstrate potential energy or water conservation, and promote energy efficiency that would not have the potential to cause significant changes in the indoor or outdoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, manufacturers, and designers), organizations (such as utilities), and governments (such as state, local, and tribal). Covered actions include, but are not limited to weatherization (such as insulation and replacing windows and doors); programmed lowering of thermostat settings; placement of timers on hot water heaters; installation or replacement of energy efficient lighting, low-flow plumbing fixtures (such as faucets, toilets, and showerheads), heating, ventilation, and air conditioning systems, and appliances; installation of drip-irrigation systems; improvements in generator efficiency and appliance efficiency ratings; efficiency improvements for vehicles and transportation (such as fleet changeout); power storage (such as flywheels and batteries, generally less than 10 megawatt equivalent); transportation management systems (such as traffic signal control systems, car navigation, speed cameras, and automatic plate number recognition); development of energy-efficient manufacturing, industrial, or building practices; and small-scale energy efficiency and conservation research and development and small-scale pilot projects. Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area. Covered actions could involve commercial, residential, agricultural, academic, institutional, or industrial sectors. Covered actions do not include rulemakings, standard-settings, or proposed DOE legislation, except for those actions listed in B5.1(b) of this appendix. (b) Covered actions include rulemakings that establish energy conservation standards for consumer products and industrial equipment, provided that the actions would not: (1) have the potential to cause a significant change in manufacturing infrastructure (such as construction of new manufacturing plants with considerable associated ground disturbance); (2) involve significant unresolved conflicts concerning alternative uses of available resources (such as rare or limited raw materials); (3) have the potential to result in a significant increase in the disposal of materials posing significant risks to human health and the environment (such as RCRA hazardous wastes); or (4) have the potential to cause a significant increase in energy consumption in a state or region.

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 federal funding to the Akwasasne Housing Authority (AHA) to increase Tribal self-sufficiency and achieve net zero buildings; add complementary green energy systems and energy efficiency measures (EEMs); significantly lower energy costs for AHA and Akwasasne Boys & Girls Club (ABGC); provide a model for Tribal and other net zero projects; create job and mentoring opportunities for Tribal members; and reduce AHA's and ABGC's energy footprints on the Akwasasne Reservation.

Activities associated with the proposed project would include the design, development and installation of an

approximate 162 kW solar photovoltaic (PV) system that would help to create three net zero buildings. Two would be existing low-income housing units and the other would be the ABGC. The proposed site for the installation of the solar system is within a designated renewable energy tract of land that is currently vacant pasture land located at 40 Pathways Road, Akwesasne, NY. This installation would involve the addition of approximately 162 kW of PV solar arrays to the planned AHA Go Solar Initiative solar facility previously reviewed by this office (GFO-0000038-001, A9, B5.16, 6/10/2016). The proposed installation would also require the installation of foundation and racking systems, solar panels, wiring, and combiner boxes. Ground disturbance would occur during construction to allow for the installation of the solar panels and may require the removal of very minor amounts of scrub and small-diameter trees, but the site would be top soiled and re-seeded upon completion. The existing terrain would be left as-is in order to avoid affects to the surface runoff patterns of the existing site, which slopes north to a storm water management area.

In advance of the installation of the solar facility, AHA would employ several EEMs in all three buildings to reduce their initial demand for energy, thus making the net-zero goal practicable. The types of EEMs anticipated could include air sealing, insulation improvements, programmable thermostats, LED lights and fixtures, and replacement of inefficient HVAC components and water heater with more efficient alternatives. The exact logistical information regarding sizing of systems, equipment specification, and interconnection requirements have not been finalized as of yet. However, these three buildings are neither listed nor eligible for listing on the National Register of Historical Places, nor do they reside within or near historic districts. Due to the nature of the proposed activities and the lack of historic/cultural resources at the proposed sites, DOE has determined that there would be no impacts to resources of cultural or historical concern as a result of the proposed activities of the project.

A review of the U.S. Fish and Wildlife Service's Endangered Species Program website (IPaC) was completed for the Pathways Road Site. IPaC identifies one endangered species, Northern Long-eared Bat (NLEB), and 17 migratory birds that are known to, or are believed to occur within the boundaries of the Akwesasne Reservation. There are no hibernacula within 30 miles of the proposed site and there are no maternity roost trees on or near the site that would be affected by project activities. The New York Department of Environmental Conservation (NYSDEC) reviewed project activities and determined that the proposal to develop solar panels at the site was not likely to result in the take of threatened or endangered species. An environmental assessment was completed with a finding of no significant impact determination under 24 CFR Part 58 for the U.S. Department of Housing and Urban Development (HUD) for solar development at this site in April of 2017. Due to the nature of the project, the previous agricultural use of this land, the lack of suitable habitat for the listed species, and NYSDEC's and HUD's reviews and determinations, the DOE has determined that there would be no effects to resources of concern such as threatened/endangered species or migratory birds as a result of the proposed activities at this site.

Known hazards identified for this project are typical construction safety hazards and solar electricity safety hazards during construction. The proposed project would not involve the use and/or handling of hazardous materials. Existing Tribal health and safety policies and procedures would be followed including employee training, proper protective equipment, etc. Very minimal, non-hazardous waste, consisting of packaging, wire and conduit scraps would be generated. Recyclable materials would be recycled, and the remainder would be disposed of through normal waste streams.

Based on the review of the proposal, DOE has determined the proposal fits within the class of action(s) and the integral elements of Appendix B to Subpart D of 10 CFR 1021 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.

Note to Specialist :

Office of Indian Energy

This determination does NOT require a tailored NEPA provision.

Review completed by Rebecca McCord, 08/24/2017

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:  Casey Strickland  Date: 8/24/2017
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