

PMC-ND
(1.08.09.13)

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

**RECIPIENT:** Fort Peck Assiniboine and Sioux Tribes**STATE:** MT**PROJECT TITLE:** Fort Peck Tribes Wellness Center Energy Project (WCEP)

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002032	DE-IE0000114	GFO-0000114-001	

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.)

B5.1 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 funding to Fort Peck Assiniboine and Sioux Tribes (Fort Peck Tribes – ‘FPT’) to install energy efficient lighting, skylights, and windows, energy efficient boilers, an air handling unit (AHU) and controls, a pool dehumidification unit, and a roof-mounted solar photovoltaic (PV) system (72-78 kW), at a wellness center, currently in construction at the Fort Peck Indian Reservation in Poplar, Montana. DOE funding would be limited to installation of the energy efficiency measures (EEMs) delineated above, and would not be used for the construction of the wellness center. This project would be completed in a single Budget Period.

Proposed project activities would include development of a building envelope design (e.g., for planning of walls, roofs, windows, skylights and vapor retarder assemblies), engineering design/planning for installation of the EEMs and PV system, cost modeling, procurement/bidding for installation work, installation of the EEMs and solar PV system, an architectural/engineering review of the installations, establishment of a net metering agreement for the solar PV system, and post-installation inspections and monitoring. FPT would oversee and coordinate all project activities. Project work would be performed by qualified personnel contracted by FPT. FPT and its vendors/sub-recipients would adhere to all applicable Federal, state, and local health, safety, and environmental regulations.

There are three threatened or endangered species that are listed by the U.S. Fish and Wildlife Service (USFWS) for the area in which the wellness center would be constructed. They are the Northern Long-eared Bat, the Piping Plover, and the Whooping Crane. Due to the nature of the activities that would be performed as part of this project (i.e., indoor installations and minor outdoor installations on already-disturbed land), DOE has determined that this project will have no effect on any Endangered Species Act listed species of concern.

To ensure that the proposed project would not result in an impact on aviation safety as a result of the potential for glare and ocular impacts, a glare and ocular impact analysis was completed in accordance with Federal Aviation Administration (FAA) guidelines and policy in August 2019 for the PV installation near the Poplar Municipal Airport. Glare and ocular impacts were assessed for incoming aircraft to Runway 2 (Poplar Municipal Airport does not have an Air Traffic Control Tower). The conclusion of the analysis was that the PV installation would not cause glare to incoming aircraft on final approach at an intensity above a “low potential for after-image.” This level of glare meets the FAA standard for no objection to construction of the project. Based on this analysis, DOE does not anticipate any adverse impacts to incoming aircraft as a result of project activities.

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 Programs

This NEPA determination does not require a tailored NEPA provision.

Review completed by Jonathan Hartman, 08/12/2019

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:  _____ Date: 8/12/2019
NEPA Compliance Officer

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: _____
Field Office Manager