

PMC-ND

(1.08.09.13)

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

**RECIPIENT:** Aha Macav Power Service**STATE:** AZ**PROJECT****TITLE:**

Fort Mojave Indian Tribe Aha Macav Power Service Renewable Energy Project #1

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0002032	DE-IE0000113	GFO-0000113-001	

**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 Aha Macav Power Service (AMPS) for the development and installation of a commercially available ground-mounted photovoltaic (PV) solar array on Fort Mojave Indian Tribe (FMIT) lands within the Fort Mojave Indian Reservation, Mohave Valley, Arizona that have been transferred to AMPS by the Tribal Council to support this project.

## Project Description

The proposed 2.3 MW solar array would be located adjacent to the existing AMPS Noname Substation at the southeast corner of the intersection of Indian Route 1 (Mountain View Road) and Indian Route 4 (Reservation Road) (Figure 1). The project area is specifically located within the Northwest ¼ of the Northwest ¼ of Section 12, Township 17 North, Range 22 West. Currently, the project area consists of agricultural fields. It is bordered by the Noname Substation to the west, and agricultural fields to the north, south, and east. The project area is located approximately 0.5 mile from residential developments located to the north and southwest.

The proposed solar array would consist of new solar panels supported by steel piles as well as other site improvements. The system would include PV panels and four inverters. There would be 15 rows of panels that would each be 17 feet wide and 467 feet long, with a gap of 9 feet between rows. Overall, the entire array dimensions would be 380 feet wide and 467 feet long. There would be minor land disturbance at the site and adjacent land, with existing roads being used to access the project location. Generally, the site would be cleared of existing fill materials, vegetation and debris for the array footprint and 5 feet beyond the perimeter. Excavations would be accomplished with conventional equipment. The PV array racking would be embedded approximately 4-8 feet into the ground to support the solar array. Total disturbance for the project is expected to be 6 acres or less.

FMIT would handle all permitting as they have jurisdiction at the proposed site. All waste created during construction would be disposed of using bulk waste disposal and recycling, according to all regulatory standards, with disposal activities managed by Stockbridge Energy Group.

## Resources of Concern

The project site is planned for a previously disturbed existing agricultural field which is considered prime farmland if irrigated according to the U.S. Department of Agriculture – Natural Resources Conservation Service (NRCS) website. As the project would convert a small portion of prime farmland, a farmland conversion impact rating was completed for the project in compliance with the Farmland Protection Policy Act. In consultation with the NRCS, it was found that adverse effects to prime farmlands were not anticipated due to the size of the project area compared to the magnitude of irrigated farmlands in the surrounding area and the site location being adjacent to an area designated as urban lands with existing infrastructure already present.

The U.S. Fish and Wildlife Service (USFWS) lists four terrestrial special status species and two migratory bird species as possibly occurring in the vicinity of the proposed project. These species require riparian trees and vegetation, and surface waters for foraging, nesting, and roosting. The proposed project area and vicinity (within at least one mile) do not contain habitat features (riparian vegetation, foraging or roosting areas) required by these species. With the lack of disturbance to special status species habitat, previously disturbed nature and current agricultural cultivation of the site, and nature of the proposed project; the DOE has determined that there would be no effects to either special status species or migratory birds as a result of the project activities.

A cultural resources evaluation of the project area was conducted in June of 2018 and found that while the cultivated fields in the area are highly disturbed extending several feet below the surface due to plowing operations, buried cultural resources have been observed within similar cultivated field contexts in other portions of the Mohave Valley/Colorado River floodplain. Due to this potential and the expected surface disturbance associated with the project activities, the following will be required as part of best management practices: 1) A Tribal Cultural Heritage Resource Monitor must be present during all ground disturbing activities (including crop removal and initial grading) related to the proposed construction of the solar array. 2) If during project activities the recipient or their staff encounters any cultural resources, all activities must cease in the vicinity of the discovery immediately. The recipient must inform the Cultural Heritage Manager/Archaeologist and the DOE Project Officer of the discovery so that recordation and evaluation of the discovery can be completed prior to continuing work. Based on these measures, DOE does not anticipate that cultural resources would be impacted by the proposed solar array.

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.

Include the following condition in the financial assistance agreement:

- A Tribal Cultural Heritage Resource Monitor must be present during all ground disturbing activities (including crop removal and initial grading) related to the proposed construction of the solar array.
- If during project activities the Recipient or their staff encounters any cultural resources, all activities must cease in the vicinity of the discovery immediately. The Recipient must inform the Cultural Heritage Manager/Archaeologist and the DOE Project Officer of the discovery so that recordation and evaluation of the discovery can be completed prior to continuing work.

Notes:

Office of Indian Energy Policy and Programs  
This NEPA determination requires a tailored NEPA provision.

## 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: 10/18/2019

**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: \_\_\_\_\_

Field Office Manager

Date: \_\_\_\_\_