

PMC-ND

(1.08.09.13)

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

**RECIPIENT:** San Xavier District of Tohono O'odham Nation**STATE:** AZ**PROJECT TITLE:** San Xavier District Solar Energy Project

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002168	DE-IE0000132	GFO-0000132-001	

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 the San Xavier District of Tohono O'odham Nation to install two grid-tied, fixed carport mounted solar photovoltaic (PV) systems on Tribal land in southern Arizona. One system would be approximately 183 kW located at the District Administration Building and the other would be approximately 74 kW located at the Education Center.

Proposed project activities would include project management and contracting; system design, permitting, and assessment; construction; operations and maintenance training; community outreach and education; system monitoring and verification; and project closeout. System performance would be documented and reports provided to DOE for one year after commissioning.

The carport structure at the Administration Building (built in 2012) would be one section approximately 40' x 292' while the installation at the Education Center (built in 1995) would include four sections ranging in size from 20' x 37' to 20' x 80' in size. Ground disturbance is expected for the footings of the carports and trenching for the associated conduits. Both of the project sites were heavily disturbed previously during the construction of the existing buildings. The proposed project would not include any physical modification of existing facilities or any change in the use, mission, or operation of existing facilities. The disturbance during construction would be entirely within areas that have already been developed and disturbed and would be limited to the footings for the carports and the trenching for conduit described above. Existing roads would be used to access the project sites.

Project activities would pose potential general construction related health and safety hazards to project workers during the installation of the solar carports. These hazards would be mitigated by installing the solar modules from below (eliminating the need to climb on top of the carport structures) and using experienced personnel. Project work would comply with all applicable Federal and Tribal occupational health and safety laws. All government permits and approvals as well as any interconnection agreements would be in place prior to beginning construction of the systems.

A number of threatened or endangered species are listed by the U.S. Fish and Wildlife Service (USFWS) for the

areas in which the solar carport PV systems would be installed, including mammal, bird, reptile, and flowering plant species. However, considering all project activities would occur on already disturbed and developed lands that are not suitable habitat for these species, DOE has determined that this project will have no effect on any special status species of concern.

Since there were no previous cultural surveys or recorded sites within the project areas, cultural resource field surveys were completed for both locations where project work would occur. No traditional cultural places or cultural resource sites were observed at either location. The Tribal Historic Preservation Officer (THPO) determined the project would have no adverse effect on historic properties. DOE is in agreement with the THPO, and although no cultural resources are known to occur within the project locations, DOE will require the following as part of best management practices for the project: 1) a monitor is required from the San Xavier District during any land clearing and construction activities; 2) if during ground disturbing activities the recipient or their staff encounters any buried cultural resources, all work must stop at that location immediately. The recipient must inform the San Xavier District, the Cultural Affairs Office, and the DOE Project Officer of the discovery so that an evaluation of the discovery can be completed prior to continuing work.

Some of the soils in the project areas are considered prime farmland if irrigated but the land has already been heavily disturbed for human use (i.e. building facilities and parking areas were constructed on the land that are currently in use) and therefore there would be no conversion of protected farmlands to non-agricultural use as a result of the DOE funded project.

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 proposed project activities.

NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

The Recipient is required to comply with the following:

- 1) A monitor is required from the San Xavier District during any land clearing and construction activities;
- 2) If during ground disturbing activities the Recipient or their staff encounters any buried cultural resources, all work must stop at that location immediately. The Recipient must inform the San Xavier District, the Cultural Affairs Office, and the DOE Project Officer of the discovery so that an 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:  **Electronically Signed By: Casey Strickland** Date: **9/8/2020**
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