

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



**RECIPIENT:** Moapa Band of Paiutes/Tamarack Solar Energy LLC

**STATE:** NV

**PROJECT TITLE :** Tamarack Solar

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
	EE0009482	GFO-0009482-002	

**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:

- |  |  |
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| <b>A9<br/>Information gathering, analysis, and dissemination</b> | 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.) |
| <b>B4.12<br/>Construction of powerlines</b>                      | Construction of electric powerlines approximately 10 miles in length or less, or approximately 20 miles in length or less within previously disturbed or developed powerline or pipeline rights-of-way.  |

Rationale for determination:

The Department of Energy is proposing to provide funding to the Nevada Governor's Office of Energy for the development and installation of an approximately 1.5-mile long 69kV generator tie line (hereinafter Gen-Tie) for the Moapa Band of Paiutes (Moapa Band). The gen-tie line would connect the proposed 60 MW Tamarack Solar Project (formerly named Aiya Solar Project) on the reservation of the Moapa Band from the proposed Tamarack Solar substation on the reservation to the existing Moapa substation located on leased Bureau of Land Management (BLM) land, where it would tie into the power grid operated by Overton Power District Number 5 (OPD5) and provide revenue to the Moapa Band. The Gen-Tie would support the interconnection of the solar array to the power grid. The entirety of the current route for the Gen-Tie would be on land managed by the BLM.

Proposed activities associated with the installation of the Gen-Tie would include contracting, mobilizing, surveying and site preparation, assembly, and installation of poles, stringing of conductors, and restoration of land including areas disturbed by construction activities which would be recontoured, decompacted, and seeded. Temporary guard structures would be installed to ensure that the conductors do not drop. The proposed route for the Gen-Tie would originate at the proposed Tamarack Solar substation, travel southeast approximately 0.25 miles running generally parallel to the Silver State Energy Association ("SSEA") 69 kV transmission line, at which point the Gen-Tie would continue east approximately 0.35 miles running parallel to the BLM property line, at which point the Gen-Tie will continue south approximately 0.25 miles again running parallel to the BLM property line, and then the Gen-Tie would turn southeast approximately 0.65 miles again running parallel to the SSEA 69 kV transmission line before terminating at the existing OPD5 Moapa Substation.

The Gen-Tie requires a right of way (ROW) approval from the BLM. BLM completed an Environmental Assessment (DOI-BLM-NV-S010-2009-1014-EA) for the ROW, but the route of the Gen-Tie line was later modified to the 1.5-mile route that is now being reviewed. With the new proposed route for the Tamarack Solar Project, a Biological Opinion for the desert tortoise was completed by the Fish & Wildlife Service. Potential adverse effects to desert tortoise were determined to be reduced with the revised project because of the overall reduction in the number of acres of desert tortoise habitat disturbed and the reduced number of affected acres on the BLM portion of the new Gen-Tie alignment. The currently proposed Gen-Tie location while 0.7 mile longer than the original route, would be 90 feet narrower (60 feet versus 150 feet), thus the total encumbrance/disturbance acres for the Project is less (10.9 acres total) than the original proposed route (14.5 acres total).

The proposed Gen-Tie was determined not to have a significant or adverse effect on any of the areas of concern analyzed in the BLM EA and a finding of no significant impact was signed by the Assistant Field Manager, Division of Lands on August 10, 2016. A subsequent Determination of NEPA Adequacy was signed June 9, 2022, by the Assistant Field Manager, Las Vegas Field Office. DOE has independently completed a review of potential issues

relating to resources of concern that could be impacted by the proposed project and has determined that the project activities would not have the potential to cause significant impacts on environmentally sensitive resources. Based on the BLM and DOE's review of potential impacts to resources of concern, the proposed project activities are categorically excluded and fit within the classes of action listed above.

## NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

The recipient must follow all applicable mitigation measures and environmental protection measures identified in the Bureau of Land Management Environmental Assessment, DOI-BLM-NV0S010-2009-1014-EA: [https://www.usbr.gov/lc/region/g2000/envdocs/ENTP\\_EA\\_May16\\_2016\\_FINAL.pdf](https://www.usbr.gov/lc/region/g2000/envdocs/ENTP_EA_May16_2016_FINAL.pdf).

Notes:

Weatherization & Intergovernmental Programs Office - SEP  
This NEPA Determination requires legal review of the tailored NEPA provision.  
NEPA review completed by Diana Heyder, 07/13/2022

## 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:

  
NEPA Compliance Officer

Date: 7/14/2022

## 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: \_\_\_\_\_