

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



RECIPIENT: Colusa Indian Community Council

STATE: CA

PROJECT TITLE : Reese Housing Power Project

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002317	DE-IE0000163	GFO-0000163-002	GO163

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.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide funding to the Colusa Indian Community Council (CICC) to expand the Tribe's existing energy distribution system to seven new homes and install supportive infrastructure such as transformers, smart meters, and streetlights.

DOE previously completed one NEPA Determination (ND) (GFO-0000163-001; A9; 8/19/2022), which covered activities identified in task 1 of the Statement of Project Objectives (SOPO). Task 1 activities included intellectual activities and design work. This ND reviews the remaining tasks 2 through 5.

Tasks 2 through 5 include procurement of project equipment, construction, testing, commissioning, and a 12-month verification. Construction activities would include trenching and installation of conduit, wires, panels, transformers, and smart meters for the new houses, and installation of conduit, wiring, and infrastructure (light poles, bases, fixtures, and controls) for the new streetlights. All award activities would occur on Colusa Rancheria Tribal Trust land. The seven new homes and corresponding roads would be constructed regardless of the award from DOE. The parcels identified

for home and road construction have already been cleared and graded in preparation for construction. The proposed award activities, including ground disturbing activities described above, would occur within the areas already graded for construction. Therefore, DOE does not anticipate any impacts to cultural resources or artifacts as a result of the proposed award activities. DOE will require the following as part of best management practices for the project: If during project activities the recipient or their contractors encounter any cultural materials (i.e. historic or prehistoric), all activities must cease in the vicinity of the discovery immediately. The recipient must inform the DOE Project Officer of the discovery so that an evaluation of the discovery can be completed prior to continuing work.

Minimal air emissions may result from the use of diesel-powered vehicles and equipment during installation and construction activities. However, significant air impacts are not anticipated as emissions would be temporary and intermittent. Award activities would involve exposure to hazards such as high-powered construction equipment and electricity. Established tribal health and safety policies and procedures would be followed to mitigate against potential risks. Existing tribal and government health, safety, and environmental policies and procedures would be followed at all times, including personnel training, use of proper personal protective equipment (PPE), engineering controls, monitoring, and assessments. DOE does not anticipate any impacts to resources of concern due to the proposed activities of this award.

NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

If during project activities the Recipient or their contractors encounter any cultural materials (i.e. historic or prehistoric), all activities must cease in the vicinity of the discovery immediately. The Recipient must inform 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 (OIE)

This NEPA Determination requires legal review of the tailored NEPA provision.

Review completed by Amy Lukens, 5/23/2023.

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

NEPA Compliance Officer

Date: 6/14/2023

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: _____