

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



RECIPIENT: Colusa Indian Community Council

STATE: CA

PROJECT TITLE : Packer Solar Project

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002774	DE-IE0000182	GFO-0000182-001	GO182

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 Colusa Indian Community Council (CICC) to install two ground-mounted solar energy photovoltaic (PV) systems in Colusa County, California. CICC would also enter into an interconnection agreement with the local utility company, PG&E, to allow energy produced from CICC's solar PV systems to offset PG&E electric bills for other tribal properties and lands.

Solar array #1 (660kW-AC) would occupy approximately 4.3 acres and would be installed at the intersection of Princeton Road (Highway 45) and Packer Road. Solar array #1 would be connected to PG&E's existing utilities via trenched conduit to the existing right of way on Princeton Road. Solar array #2 (30kW-AC) would occupy less than one acre and would be installed at 4542 Highway 45. Solar array #2 would connect to PG&E's existing utilities via a trenched conduit to the existing meter on site. Both solar arrays would be surrounded with a 7-foot-tall chain-link fence.

All proposed award activities would occur within existing disturbed areas. Array #1 would be located in an active agricultural field, and array #2 would be located in an actively maintained yard of a residence. CICC would have cultural monitors on-site during all ground disturbing activities. Due to the disturbed nature of the existing land uses and the presence of cultural monitors on site, 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 the recipient or their contractors encounter any cultural materials (i.e., historic or prehistoric) during project activities, 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.

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website identifies one candidate species (Monarch Butterfly), five threatened species (Yellow-billed Cuckoo, Norther Spotted Owl, Giant Garter Snake, Valley Elderberry Longhorn Beetle, and Vernal Pool Fairy Shrimp), and three endangered species (Conservancy Fairy Shrimp, Vernal Pool Tadpole Shrimp, and Palmate-bracted Birds Beak) which may occur in the proposed project area. No USFWS designated critical habitats are present in the area. The proposed project areas do not include any water features and are actively managed through commercial farming and residential lawn maintenance. Therefore, no habitable ecosystems exist for the listed species within the project areas. DOE has determined the proposed project would have no effect to threatened, endangered, or candidate species in the area.

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 the Recipient or their contractors encounter any cultural materials (i.e., historic or prehistoric) during project activities, 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, 9/7/2023.

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: _____


NEPA Compliance Officer

Date: 9/7/2023

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: _____