

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



RECIPIENT: [White Earth Nation](#)

STATE: MN

PROJECT TITLE: [Office of Indian Energy, Clean Energy Deployment](#)

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002975	DE-FOA-0000195	GFO-0000195-001	

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:

- | | |
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| 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 White Earth Band of Chippewa Indians (White Earth Nation (WEN)) to construct two solar photovoltaic (PV) arrays and associated systems in Mahnomen, MN and establish a solar installation program and internships.

The two PV systems and associated distribution equipment would be installed on parcels of land west of the Shooting Star Casino and west of the White Earth Tribal and Community College. The PV systems would be installed on single-axis trackers. The array would be interconnected to the service distribution equipment. The Casino array, 572 kilowatts (kW), would require approximately 2.1 acres of ground cover, and consist of 10 subarrays and 5 inverters. The Community College array, 515 kW, would require approximately 3.1 acres of ground cover, and consist of 9 subarrays and 5 inverters. The PV system was split into two arrays to reduce the cost and distance for interconnection to the respective buildings and utility corridors. All activities would occur on undeveloped areas on the White Earth Nation Tribal Lands. There are no cultural sites within the vicinity of the proposed project. The White Earth Tribal Historic Preservation Office (THPO) has concurred.

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website identifies one threatened species (Gray Wolf) one endangered species (Northern Long-eared bat), and one candidate species (Monarch Butterfly), which may occur in the proposed project area. No critical habitats are identified within the proposed project area.

Northern Long-eared bats use forested habitat, which is not present in the project area, therefore, would not be impacted. Gray Wolf range consists of wide variety of habitats including, temperate forests, mountains, tundra, taiga, grasslands and deserts. The project area is a developed rural town setting therefore, Gray Wolves would not be impacted by the proposed action. DOE has determined no effect to special status species.

Minimal air emissions may result from the use of vehicles and equipment during construction of the system. However, significant air impacts are not anticipated as emissions would be temporary and intermittent.

Project activities would involve hazards associated with working with electricity. Any risks working with hazards would be mitigated through established safety and construction protocols. The White Earth Nation would observe all applicable health, safety, and environmental regulations. DOE does not anticipate any impacts to resources of concern due to the proposed activities of the project.

DOE has considered the scale, duration, and nature of the proposed activities to determine potential impacts on sensitive resources, including those of an ecological, historical, cultural, and socioeconomic nature, and found no effects that 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:

If during project activities the Recipient or their staff encounters any cultural material (i.e. historic or prehistoric), all activities must cease in the vicinity of the discovery immediately. The Recipient must inform the White Earth THPO and the DOE Project Officer of the discovery so that an evaluation of the discovery can be completed prior to continuing work.

Tribal monitoring is required for all ground disturbing activities until the White Earth Tribal Historic Preservation Officer (THPO) determines that there is no longer any potential to impact cultural resources within the project area.

Notes:

Office of Indian Energy Policy and Programs (IE)
This NEPA Determination requires legal review of the tailored NEPA provision.
NEPA review completed by Dustin Hill, 2/27/2024

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: 3/8/2024

FIELD OFFICE MANAGER DETERMINATION

- Field Office Manager review not required
 Field Office Manager review required