

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



**RECIPIENT:** Turtle Mountain Community College

**STATE:** ND

**PROJECT TITLE :** Career and Technical Education Building Energy Transition

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0002978	DE-IE0000201	GFO-IE0000201-001	GO201

**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 Turtle Mountain Community College (TMCC) to install a roughly 131.2 kilowatt (kW) ground mount solar photovoltaic (PV) system and SolarWall solar air heating system on the TMCC campus.

Award activities would include outreach, design, development, and field installation. All activities would be carried out by TMCC (Belcourt, ND), including project management, construction, project monitoring, and creation of a renewable energy curriculum. Solar PV panel and SolarWall installation on the TMCC campus would include site preparation, installation, and maintenance of PV panels, connection of the solar array to the grid, and troubleshooting and verification of solar array production.

The ground-mounted solar array would be placed on an existing managed lawn area that has already been cleared and is actively managed. Minor temporary land disturbance to the proposed site would occur as the PV array is installed. Some minor ground leveling and vegetation removal would occur. The PV array would consist of piling, ground screws in helical piles, ground mount racking with supports and braces. PV panels would be installed in four rows of two panels. Trenching for conduits would occur as well as conductor and inverter installation in order to connect the PV array to the electrical system at the adjacent Career and Technical Education (CTE) building. Existing roads would be used.

The SolarWall would be installed on the CTE building adjacent to the PV array, and would be roughly 2,400 square feet. It would connect into the CTE building's electrical system. The existing geothermal system would also be upgraded with smart automation controls.

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website identifies Northern Long-eared Bat, Dakota Skipper, and Monarch Butterfly. Migratory birds such as the Lesser Yellowlegs and Western Grebe may also be seasonally present. No wetlands or USFWS designated critical habitats are present in the area. Because award activities would take place on a previously cleared and managed area, and no tree cutting would be required, DOE has determined the proposed project would have no effect to threatened or endangered species in the area.

Minimal air emissions would occur during construction from the use of small-scale construction equipment and vehicles. Significant air impacts are not anticipated as construction equipment and vehicle use would be temporary and intermittent during construction. Project activities would involve hazards associated with routine construction

activities. Any risks working with hazards would be mitigated through established TMCC safety and construction protocols. The Tribe 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 award.

DOE has considered the scale, duration, and nature of proposed activities to determine potential impacts on resources, including those of an ecological, historical, cultural, and socioeconomic nature. DOE does not anticipate impacts on these resources which would be considered significant or require DOE to consult with other agencies or stakeholders.

If during project work cultural or archaeological artifacts are encountered, the recipient shall stop the site-based activities immediately and inform the DOE Project Officer and the Tribal Historic Preservation Officer of the finding. A Class III: Intensive Cultural Resources Inventory shall be required prior to re-commencing project work.

## NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

If during project work cultural or archaeological artifacts are encountered, the recipient shall stop the site-based activities immediately and inform the DOE Project Officer and the Tribal Historic Preservation Officer of the finding. A Class III: Intensive Cultural Resources Inventory shall be required prior to re-commencing project work.

Notes:

Office of Indian Energy Policy and Programs (IE)  
NEPA review completed by Alex Colling on 05/16/2024.

## 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: **Matthew Blevins**

Date: **5/22/2024**

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: \_\_\_\_\_  
Field Office Manager

Date: \_\_\_\_\_