

**NEPA Determination for the  
Energy Efficiency and Conservation Block Grant Program  
Application submitted by the Te-Moak Tribe of Western Shoshone Indians of NV  
on behalf of the Elko Band  
Energy Efficiency Retrofits**

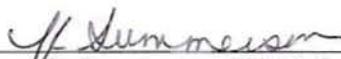
The American Recovery and Reinvestment Act of 2009, Public Law 111-5, appropriates funding for the Department of Energy (DOE) to issue/award formula-based grants to states, U.S. territories, units of local government, and Indian tribes under the Energy Efficiency and Conservation Block Grant (EECBG) Program. DOE's authorization for this program is set forth in Title V, Subtitle E, of the Energy Independence and Security Act (EISA) of 2007. This CX determination is applicable to DOE elements reviewing and awarding formula-based and competitive grants under the EECBG Program, and includes, but is not limited to, EECBG Program activities under the purview of DOE-HQ Energy Efficiency and Renewable Energy, DOE Golden Field Office, and the DOE Oak Ridge Office. Energy efficiency retrofits would be conducted by various states, U.S. territories, units of local government, and Indian tribes.

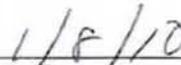
The Elko Band would replace the current interior lighting fixtures in the Elko Band Council Indian Colony Gymnasium with energy efficient lighting fixtures that will produce a measurable decrease in energy costs for the gymnasium. The current lighting fixtures were installed when the structure was originally built in 1991.

The application submitted and the technical review for this proposal do not reveal any extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal. The proposal is not "connected" to other actions with potentially significant impacts, or to other proposed actions with cumulatively significant impacts, and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211. The proposed development and implementation of energy efficiency and conservation activities funded by this grant would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register), would not impact sensitive resources [e.g., threatened and endangered (T/E) species, wetlands and floodplains].

A1, B2.5 and B5.1 are the applicable CX that covers the proposed action in the DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix A and B.

Based on my review of the above description, I have determined that the above action is categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
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Jane R. Summerson, NEPA Compliance Officer

  
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Date