

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



RECIPIENT: US Customs and Border Protection

STATE: PR

PROJECT TITLE: U.S. Customs and Border Protection Puerto Rico Climate Resilience Project (PRCRP)

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002472	DE-EE0009843	GFO-0009843-001	

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:

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 U.S. Customs and Border Protection (CBP) for the completion of an Investment Grade Audit (IGA) and the design, development, and installation of a solar photovoltaic (PV) and battery energy storage system to improve climate resilience at the Ramey Border Patrol Station in Puerto Rico. These award activities would be part of the Puerto Rico Climate Resilience Project (PRCRP) and would increase off-grid operational duration by 14 days, from a baseline of 21 days with diesel only, and reduce greenhouse gas emissions of the Ramey Border Patrol Station by 45%.

This project would be implemented over three Budget Periods (BPs). BP1 would consist of defining PRCRP objectives and metrics, selection of a qualified energy service company (ESCO), completion of an onsite IGA, development of PRCRP system design, equipment siting analysis, and final ESCO proposal and award contract. BP2 would consist of development of a detailed engineering design, procurement, and construction and commissioning. BP3 would consist of post-construction monitoring and analysis and issuing of final reports. At this time, the PRCRP design is unknown and there is insufficient information to review BP2 subtask 3.3. As such, this NEPA determination (ND) applies only to BP1 (all subtasks), BP2 (tasks 3.0 through 3.2), and BP3 (all subtasks). An additional NEPA review would be required for activities listed under BP2 subtask 3.3.

Design and development activities would occur at the Ramey Border Patrol Station in Aguadilla, Puerto Rico. Project activities would involve administrative actions and analysis and would not result in any health or safety hazards.

All work would be performed at existing, purpose-built facilities. No modifications to existing facilities, ground disturbing activities, or changes to the use, mission, or operation of existing facilities would be required. No additional permits, licenses, or authorizations would be required.

Because CBP is a federal agency, it is required to comply with the National Environmental Policy Act (NEPA) for this project. This would include completing an environmental review for the project, including any necessary consultations and geotechnical or other surveys prior to a decision whether to proceed. If CBP proceeds with the proposed project after their NEPA review, they would be required to obtain all necessary permits and follow appropriate environmental, health, and safety measures. CBP must provide its final NEPA determination(s) to their DOE Federal Energy Management Program (FEMP) Technical Project Officer or point of contact.

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.

NEPA PROVISION

DOE has made a conditional NEPA determination.

The NEPA Determination applies to the following Topic Areas, Budget Periods, and/or tasks:

Budget Period 1 (all subtasks), Budget Period 2 (tasks 3.0 through 3.2), and Budget Period 3 (all subtasks)

The NEPA Determination does not apply to the following Topic Area, Budget Periods, and/or tasks:

Budget Period 2 (subtask 3.3)

Include the following condition in the financial assistance agreement:

Because CBP is a federal agency, it is required to comply with the National Environmental Policy Act (NEPA). When CBP has completed its NEPA review process for the proposed project, CBP would provide its final NEPA determination(s) to their DOE FEMP TPO or point of contact.

Notes:

Federal Energy Management Program

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

NEPA review completed by Jason Spencer, 04/22/2024

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.

A portion of the proposed action is categorically excluded from further NEPA review. The NEPA Provision identifies Topic Areas, Budget Periods, tasks, and/or subtasks that are subject to additional NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____



NEPA Compliance Officer

Date: 4/25/2024

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: _____