

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



**RECIPIENT:** Barona Group of Capitan Grande Band of Mission Indians

**STATE:** CA

**PROJECT TITLE :** The Barona Solar Power Project

**Notice of Funding Opportunity Number**  
DE-FOA-0003298

**Procurement Instrument Number**  
DE-IE0000202

**NEPA Control Number**  
GFO-0000202-001

**CID Number**  
GO202

**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 Barona Group of Capitan Grande Band of Mission Indians (Barona Band) to install an estimated 2.8-megawatt (MW) solar photovoltaic (PV) array with single-axis tracking systems to serve approximately four tribal facilities.

This PV would be installed adjacent to a PV installed under another project award (number DE-IE0000188) and received a final NEPA determination (ND) (GFO-0000188-001; CX A9 and B5.16) on January 23, 2024. The effects and review are similar to ND GFO-0000188-001. Review GFO-0000188-001 is incorporated here by reference.

The solar PV system would be installed in a parcel of land north of the previously reviewed array. The solar PV array would cover approximately 12 acres. The underground conduit and utilities would be trenched approximately 4,700 linear feet (3 feet wide x 3 feet deep) to connect the existing battery, solar PV and switchgear with adjacent structures and the existing San Diego Gas & Electric meters on site. All activities would occur on undeveloped areas on the Barona Indian Reservation in Lakeside California. There are no historic properties or districts within the vicinity of the proposed project. Based on past cultural surveys, there are no known cultural sites.

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website identifies two threatened species (Coastal California Gnatcatcher and San Diego Thornmint) eight endangered species (Least Bell's Vireo, Southwestern Willow Flycatcher, Arroyo Toad, Quino Checkerspot Butterfly, San Diego Fairy Shrimp, San Diego Ambrosia, San Diego Button-celery, Willow Monardella), one candidate species (Monarch Butterfly), and one proposed threatened (Southwestern Pond Turtle), which may occur in the proposed project area. No critical habitats are identified within the proposed project area.

Southwestern Willow flycatchers, Arroyo toads, San Diego Fairy Shrimp, Least Bell's Vireo, Southwestern Pond Turtle, San Diego Ambrosia, San Diego Button-celery, and Willow Monardella, inhabit, prefer, or require a variety of aquatic or riparian habitats, none of which are present in the project area. No water features, pools, ephemeral streams, or aquatic riparian areas would be impacted by this project; therefore, these species would not be impacted by the proposed action.

The San Diego Thornmint, Coastal California Gnatcatcher, and Quino Checkerspot Butterfly inhabit scrub ecosystems, which is not present due to degradation of local habitat. The DOE consulted with USFWS, in which the USFWS subsequently agreed with the assessment. The proposed project area would include approximately five acres of coverage and associated disturbance from installation of PVs and BESS system, the majority of ground disturbance

would be temporary. Therefore, these species 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 diesel-powered 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 construction activities and working with electricity and lithium-ion batteries. Any risks working with hazards would be mitigated through established Tribal safety and construction protocols. The Barona Band 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.

EERE is aware of the November 12, 2024, decision in *Marin Audubon Society v. FAA*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality (CEQ) regulations implementing NEPA are not judicially enforceable or binding on this agency action, EERE has nonetheless elected to follow those regulations at 40 C.F.R. Parts 1500-1508, in addition to DOE's procedures/regulations implementing NEPA at 10 C.F.R. Part 1021, to meet the agency's obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

## 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 California SHPO and 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 Policy and Programs (IE)  
This NEPA Determination requires legal review of the tailored NEPA provision.  
NEPA review completed by Dustin Hill, 2/21/2024

## 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**

NEPA Compliance Officer

Date: 2/25/2025

**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: \_\_\_\_\_