



## **National Environmental Policy Act (NEPA) Determination Categorical Exclusion**

**Recipient:** Alutiiq Tribe of Old Harbor

**State:** Alaska

**Project Title:** Old Harbor Hydroelectric Project – Phase 1 (Site Characterization)

**Funding Opportunity Announcement Number:** DE-FOA-0002970

**Award Number:** DE-CD0000064

**OCED NEPA Control Number:** OCED-000064-CX-002

### **Categorical Exclusion Appendix, Number, and Description:**

**B3.1 Site characterization and environmental monitoring:** Site characterization and environmental monitoring (including, but not limited to, siting, construction, modification, operation, and dismantlement and removal or otherwise proper closure (such as of a well) of characterization and monitoring devices, and siting, construction, and associated operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis). Such activities would be designed in conformance with applicable requirements and use best management practices to limit the potential effects of any resultant ground disturbance. Covered activities include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. (This class of actions excludes activities in aquatic environments. See B3.16 of this appendix for such activities.) Specific activities include, but are not limited to: (a) Geological, geophysical (such as gravity, magnetic, electrical, seismic, radar, and temperature gradient), geochemical, and engineering surveys and mapping, and the establishment of survey marks. Seismic techniques would not include large-scale reflection or refraction testing; (b) Installation and operation of field instruments (such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools); (c) Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells; (d) Aquifer and underground reservoir response testing; (e) Installation and operation of ambient air monitoring equipment; (f) Sampling and characterization of water, soil, rock, or contaminants (such as drilling using truck- or mobile-scale equipment, and modification, use, and plugging of boreholes); (g) Sampling and characterization of water effluents, air emissions, or solid waste streams; (h) Installation and operation of meteorological towers and associated activities (such as assessment of potential wind energy resources); (i) Sampling of flora or fauna; and (j) Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.

**Rationale for determination:** DOE's Office of Clean Energy Demonstrations (OCED) is proposing to provide funding to Alutiiq Tribe of Old Harbor in support of Phase 1 of the Old Harbor Hydroelectric Project. OCED previously evaluated Phase 1 activities for the Project and issued OCED-0000064-CX-001 on June 24, 2024.

OCED-000097-CX-001 is applicable to Phase 1 activities limited to information gathering, analysis, and dissemination work only and did not include any ground disturbing activities. This categorical exclusion (CX) determination applies to site characterization studies to include habitat and species surveys, geotechnical borings, stormwater infiltration testing, and cultural resource surveys to support future project planning, subject to the conditions listed below. OCED does not anticipate adverse impacts to any sensitive resources to result from these site characterization activities. OCED-0000064-CX-001 is incorporated by reference. No other construction activities are authorized by this CX determination.

**Related regulatory requirements:** Section 106 consultation requirements are provided in "Conditions" below.

**Signature of this Categorical Exclusion determination affirms that:**

The proposed action (or the part of the proposal described in 'rationale for determination') 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.

Consistent with all applicable regulations, this proposal is not connected to other actions with potentially significant impacts, is not related to other actions with individually insignificant but cumulatively significant impacts and is not precluded by any applicable regulations concerning limitations on actions during preparation of an environmental impact statement.

Any work to be carried out outside of the United States, its territories and possessions is exempt from further review pursuant to Section 5.1.1 of the DOE Final Guidelines for Implementation of Executive Order 12114; “Environmental Effects Abroad of Major Federal Actions.”

**Conditions:**

1. If the Recipient proposes to add to or modify the activities or locations described herein, those new activities/locations will be subject to additional NEPA review.
2. All required permits and approvals must be obtained before work can begin and all work must be completed in accordance with all required permits and approvals.
3. All cultural resource identification activities (e.g., archaeological, historic above ground, historic visual assessments) must be completed in accordance with applicable guidelines and standards provided by the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and the Secretary of the Interior’s Identification Standards. Coordination with DOE is required to establish an Area of Potential Effects (APE) and scope of effort (i.e., research design) prior to geotechnical surveys and cultural resource field investigations. DOE will initiate Section 106 consultation prior to any geotechnical surveys and cultural resource field investigations in order to support coordination with SHPO/THPO, Tribes, and other Section 106 consulting parties.
4. All geotechnical boring activities on the Kodiak National Wildlife Refuge must be in compliance with the U.S. Fish and Wildlife Service issues Special Use Permit and must occur between 2/14/25-4/30/25.

**Signature of this memorandum constitutes a record of this decision.**

OCED NEPA Compliance Officer Signature:

Date: