

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



RECIPIENT: [Marin Clean Energy](#)

STATE: [CA](#)

PROJECT TITLE : [Marin Clean Energy Storage Program](#)

Notice of Funding Opportunity Number

Procurement Instrument Number
[DE-EE0010819](#)

NEPA Control Number
[GFO-0010819-002](#)

CID Number
[GO10819](#)

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:

[B1.31 Installation or relocation of machinery and equipment](#)

Installation or relocation and operation of machinery and equipment (including, but not limited to, laboratory equipment, electronic hardware, manufacturing machinery, maintenance equipment, and health and safety equipment), provided that uses of the installed or relocated items are consistent with the general missions of the receiving structure. Covered actions include modifications to an existing building, within or contiguous to a previously disturbed or developed area, that are necessary for equipment installation and relocation. Such modifications would not appreciably increase the footprint or height of the existing building or have the potential to cause significant changes to the type and magnitude of environmental impacts.

[B4.14 Construction and operation of electrochemical-battery or flywheel energy storage systems](#)

Construction, operation, upgrade, or decommissioning of an electrochemical-battery or flywheel energy storage system within a previously disturbed or developed area or within a small (as discussed at 10 CFR 1021.410(g)(2)) area contiguous to a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as land use and zoning requirements) in the proposed project area and the integral elements listed at the start of appendix B of this part, and would incorporate appropriate safety standards (including the current National Fire Protection Association 855, Standard for the Installation of Energy Storage Systems), design and construction standards, control technologies, and best management practices.

[B5.16 Solar photovoltaic systems](#)

(a) The installation, modification, operation, or decommissioning of commercially available solar photovoltaic systems:

1. Located on a building or other structure (such as rooftop, parking lot or facility, or mounted to signage, lighting, gates, or fences); or
2. Located within a previously disturbed or developed area.

(b) Covered actions would be in accordance with applicable requirements (such as land use and zoning requirements) in the proposed project area and the integral elements listed at the start of appendix B of this part, and would be consistent with applicable plans for the management of wildlife and habitat, including plans to maintain habitat connectivity, and incorporate appropriate control technologies and best management practices.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to administer Congressionally Directed Spending to Marin Clean Energy (MCE) for the installation of battery energy storage systems (BESS) at municipal facilities in California. At each location, BESSs would be integrated with existing solar photovoltaic (PV) systems.

The proposed project is comprised of three phases. DOE previously completed a NEPA Determination (ND) for Phase One activities (GFO-0010819-001: exclusions A9 and B5.1, signed 13 May 2024), which involved planning, outreach, and site selection. Since that time, three locations have been selected for the installations. The Tiburon Police Department in Tiburon, CA, the Pinole Youth Center in Pinole, CA, and the Pinole Tiny Tots Swim Center, also in Pinole. This ND applies to Phases Two and Three, which involve physical installations, at the Tiburon PD only. The

NEPA review for the Pinole locations is pending consultation with the California State Historic Preservation Office and will be completed when that consultation is finalized.

A 400 kilowatt-hour (kWh) BESS would be installed at the Tiburon Police Department in Tiburon, CA, on existing concrete slabs, and integrated with existing electrical and PV systems. Any facility modifications, such as interior wall adjustments, would be limited to only those necessary to accommodate BESS installation. This facility was built in 1999 and is not eligible for the National Register of Historic Places (NRHP). No ground disturbance would occur at this location.

The United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation website identifies twenty-five species of concern (salt marsh harvest mouse, California least tern, California ridge-way's rail, northern spotted owl, western snowy plover, yellow-billed cuckoo, Alameda whipsnake, northwestern pond turtle, green sea turtle, California red-legged frog, foothill yellow-legged frog, western spadefoot, tidewater goby, monarch butterfly, conservancy fairy shrimp, California seablite, showy Indian clover, Tiburon jewelflower, Tiburon mariposa lily, Tiburon paintbrush, white-rayed pentachaeta, contra costa goldfields, soft bird's-beak, pallid manzanita, and Santa Cruz tarplant) that may occur in one or more of the proposed project areas. There is no critical habitat in any of the project areas. Project activities would occur on, in, and immediately adjacent to existing buildings in a developed, urban area where these species are unlikely to be present. DOE has determined no effect on special status species or on critical habitats.

All necessary permits would be obtained prior to commencing activities. Potential hazards include typical hazards associated with construction, mechanical, and electrical work. Award recipients would adhere to established health and safety policies and procedures when performing project work, and would observe all applicable federal, state, and local health, safety, and environmental regulations.

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:

Phases two and three at the Tiburon Police Department only.

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

Activities at either the Pinole Youth Center or the Pinole Tiny Tots Swim Center.

Notes:

Solar Energy Technologies Office
NEPA review completed by Andrew McClellan, 8 July 2026

FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposal fits within a class of actions that is listed in Appendix B to 10 CFR Part 1021 or Appendix B and C of DOE's NEPA Implementing Procedures (June 30, 2025). To fit within the classes of actions listed in Appendix B to 10CFR Part 1021, or Appendix B of DOE's NEPA Implementing Procedures, a proposal must satisfy the conditions that are integral elements of the classes of actions in Appendix B of both 10 CFR Part 1021 and DOE's NEPA Implementing Procedures.

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.

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: _____

 Electronically
Signed By: **Kristin Kerwin**

NEPA Compliance Officer

Date: **7/13/2026**

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: _____