

PMC-ND

(1.08.09.13)

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

**RECIPIENT:**HoChunk, Inc**STATE:** NE

PROJECT TITLE: Net Metering Expansion on the Winnebago Reservation

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001847	DE-IE0000102	GFO-0000102-001	

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Order 451.1A), 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 HoChunk, Inc. (HoChunk) to install approximately 1100 solar photovoltaic (PV) panels with a total capacity of approximately 320kW across nine (9) facilities/locales owned/operated by the Winnebago Reservation in Sloan, IA, Rosalie, NE, and Winnebago, NE. Both roof mounted and pole-mounted solar PV systems would be installed, according to the characteristics of each facility.

Proposed project activities would include development of project specifications, materials acquisition/procurement, installation of PV systems, system commissioning, and system monitoring/verification. Project work would primarily be completed by the Ho-Chunk Construction Group (HCIC), a division of HoChunk, Inc., including all system installations. HoChunk would also contract with Nebraska Renewable Energy Systems (NRES) to perform monthly inspections on all systems to verify operation and performance. Any additional contractor/consultant services required for completion of the project, including engineering, electrical, and inspections would be performed by qualified firms.

Solar PV systems would be deployed at the following tribal facilities:

- 1) Pony Express: Fuel Station in Sloan, IA (50kW ground mount system)
- 2) Pony Express: Fuel Station in Rosalie, NE (25kW ground mount system)
- 3) HCI Accounting: HoChunk accounting building in Winnebago, NE (8.4 kw ground mount system)
- 4) Blackhawk Community Center: Administrative building in Winnebago, NE (50kW roof mounted system)
- 5) Winnavegas Casino: Casino in Sloan, IA (50kW roof mounted system)
- 6) Winnavegas Hotel: Hotel in Sloan, IA (50kW roof mounted system)
- 7) North Amphitheater: Outdoor recreation area north of the Winnavegas Casino in Sloan, IA (8kW pole mounted system)
- 8) Winnavegas RV Park: Recreational Vehicle parking lot north of the Winnavegas Casino in Sloan, IA – (16 kW pole-mounted system)
- 9) Winnavegas Casino Training Center: Administrative and maintenance building in Sloan, IA (25kW pole-mounted array)

The Winnavegas Casino, Casino Hotel and the Blackhawk Community Center would account for approximately 50% of the project capacity and would consist solely of rooftop applications. No ground disturbance is anticipated at these locations. The ground mount installations at the Pony Express (Sloan) and the Winnavegas Casino Training Center would require a total of approximately 100 holes drilled about 4' deep, with a diameter of 1 foot, for anchor poles. HCI Accounting, the Pony Express (Rosalie), the North Amphitheater and the Winnavegas RV Park would use small pole mounted installations for PV panels. These would require approximately 14 holes drilled about 5-6' deep, with a diameter of 2 feet, for mounting poles.

HoChunk would secure all permits, authorizations, or licenses needed for completion of the project. Interconnection applications would be required in order to connect the solar PV systems to the grid, but no construction permitting would be required. All required state electrical and utility inspections would be completed as mandated.

The proposed PV installations involve work which can present electrocution and fall risks. These hazards would be mitigated through adherence to established health and safety policies and procedures. These would include the use of personal protective equipment, safety training, monitoring, and maintenance checks. All project activities would be conducted in accordance with local, state, and Federal health, safety and environmental regulations

All solar PV systems would be installed on previously disturbed land. In most cases, this land is already paved and in use by each respective facility. The North Amphitheater and portions of the Winnavegas RV Park are both on land designated as prime farmland and/or farmland of statewide importance. However, both of these locations are on previously disturbed land and currently include facilities and/or installations operated by HoChunk. The installation of the proposed solar installations would not result in any irreversible changes to the land in question, or its potential use.

The U.S. Fish and Wildlife Service Endangered Species Program website (IPaC) identified four (4) special designation species (1 threatened bat, 1 endangered fish, and 1 threatened flowering plant), as well as two (2) migratory birds that have known to exist near the project sites. However, due to the lack of suitable habitat for these species at each individual site, the nature of the project (solar PV installations) and the previously disturbed nature of each site, the DOE has determined that there would be no effect to listed species or migratory birds as a result of the proposed project.

No cultural resources of concern have been identified during the review of the proposed project, using data from the National Register of Historic Places. Nonetheless, if the recipient or other project participants encounter cultural or archaeological artifacts during project activities, all activities must immediately cease in the vicinity of the discovery. The recipient must notify the Tribal Historic Preservation Officer and the DOE Project Officer of the discovery. Project activities in the vicinity of the discovery must cease until an evaluation of the discovery is completed by the appropriate officials and the DOE Contracting Officer provides written authorization to resume the activities. If the recipient seeks to relocate the affected work to another nearby site, the recipient must first obtain written authorization from the DOE Contracting Officer.

Based on the review of the proposal, DOE has determined the proposal fits within the class of action(s) and the integral elements of Appendix B to Subpart D of 10 CFR 1021 outlined in the DOE categorical exclusion(s) selected above. DOE has also determined that: (1) there are no extraordinary circumstances (as defined by 10 CFR 1021.410(2)) related to the proposal that may affect the significance of the environmental effects of the proposal; (2) the proposal has not been segmented to meet the definition of a categorical exclusion; and (3) the proposal is not connected to other actions with potentially significant impacts, related to other proposals with cumulatively significant actions, or an improper interim action. This proposal is categorically excluded from further NEPA review.

NEPA PROVISION

DOE has made a final NEPA determination for this award

Insert the following language in the award:

If the Recipient intends to make changes to the scope or objective of this project, the Recipient is required to contact the Project Officer, identified in Block 15 of the Assistance Agreement before proceeding. The Recipient must receive notification of approval from the DOE Contracting Officer prior to commencing with work beyond that currently approved. If the Recipient moves forward with activities that are not authorized for Federal funding by the DOE Contracting Officer in advance of a final NEPA decision, the Recipient is doing so at risk of not receiving Federal funding and such costs may not be recognized as allowable cost share.

Insert the following language in the award:

You are required to:

If the recipient or other project participants encounter cultural or archaeological artifacts during project activities, all activities must immediately cease in the vicinity of the discovery. The recipient must notify the Tribal Historic Preservation Officer and the DOE Project Officer of the discovery. Project activities in the vicinity of the discovery must cease until an evaluation of the discovery is completed by the appropriate officials and the DOE Contracting Officer provides written authorization to resume the activities. If the recipient seeks to relocate the affected work to another nearby site, the recipient must first obtain written authorization from the DOE Contracting Officer.

Note to Specialist :

Office of Indian Energy Policy and Programs
This NEPA determination requires a tailored NEPA Provision.
NEPA review completed by Jonathan Hartman, 10/26/2018

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____



Casey Strickland

NEPA Compliance Officer

Date: 10/29/2018

FIELD OFFICE MANAGER DETERMINATION

Field Office Manager review required

NCO REQUESTS THE FIELD OFFICE MANAGER REVIEW FOR THE FOLLOWING REASON:

- Proposed action fits within a categorical exclusion but involves a high profile or controversial issue that warrants Field Office Manager's attention.
- Proposed action falls within an EA or EIS category and therefore requires Field Office Manager's review and determination.

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____

Field Office Manager

Date: _____