

**NEPA Determination for the
Energy Efficiency and Conservation Block Grant Program
Application submitted by the Chippewa Tribe of MN on behalf of the Bois Forte Band
Energy Efficiency and Conservation Programs**

The American Recovery and Reinvestment Act of 2009, Public Law 111-5, appropriates funding for the Department of Energy (DOE) to issue/award formula-based grants to states, U.S. territories, units of local government, and Indian tribes under the Energy Efficiency and Conservation Block Grant (EECBG) Program. DOE's authorization for this program is set forth in Title V, Subtitle E, of the Energy Independence and Security Act (EISA) of 2007. This CX determination is applicable to DOE elements reviewing and awarding formula-based and competitive grants under the EECBG Program, and includes, but is not limited to, EECBG Program activities under the purview of DOE-HQ Energy Efficiency and Renewable Energy, DOE Golden Field Office, and the DOE Oak Ridge Office. Energy efficiency and conservation programs for buildings and facilities would be conducted by various states, U.S. territories, units of local government, and Indian tribes.

The Bois Forte Band of Chippewa would utilize the Bois Forte Department of Natural Resources to perform weatherization/energy efficiency retrofit work at the Band's four elder complexes:

- Elders' 4-plex – 13096 Westley Road, Nett Lake
- Elders' 4-plex – 13024 Pineview Road, Nett Lake
- Vermilion 4-plex Elders' Living Complex – 1595 Farm Point Road, Tower
- Nett Lake 8-plex Senior Assisted Living Center – 5484 Lake Rd, Nett Lake

Pre and post project testing would be performed and retrofit work would include:

- Air sealing (with caulk, foam or gaskets) at sheathing utility penetrations, at the top plates of partition walls in attics; around window and door frames; between wall assemblies and their rim joists, sill plates and foundations; and around electrical boxes and fan housings;
- Addition of/improvement to: foundation wall insulation to the frost line where needed; framed wall insulation where needed; attic insulation and ventilation where needed;
- Duct sealing;
- Correcting and balancing building air pressures where necessary;
- Improving furnace filtration systems and heat recovery ventilator (air exchanger) systems where necessary; and
- Installation of additional ventilation where needed following the air sealing work.

The application submitted and the technical review for this proposal do not reveal any extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal. The proposal is not "connected" to other actions with potentially significant impacts, or to other proposed actions with cumulatively significant impacts, and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211. The proposed development and implementation of energy efficiency and conservation activities funded by this grant would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register), would not impact sensitive resources [e.g., threatened and endangered (T/E) species, wetlands and floodplains].

A9 and B5.1 is the applicable CX that covers the proposed action in the DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix A and Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

J. Summerson 1/8/10
Jane R. Summerson, NEPA Compliance Officer Date