

**NEPA Determination for the
Energy Efficiency and Conservation Block Grant Program
Application submitted by the Seneca Nation of NY
Energy Efficiency and Conservation Programs for Buildings and Facilities**

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. Development and implementation of 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 proposed action would involve development of Green Buildings Program Guidelines that will include both program guidelines and implementation measures. First, with the support of Technical Consultants, work with the Tribe's policy representatives to educate and establish green buildings program guidelines appropriate to the Seneca Nation of Indians. The Tribe's Green Building Program Guidelines will seek to incorporate green building principles and practices into the design, construction, and operation of the commercial facilities to assure efficient and sustainable use of energy. Further, encourage the residential sectors to adopt the same goal. Second, implementation of a Green Buildings Program will require the support of the tribal leadership. There is an education component to inform tribal leadership of the components of this effort that can also be used for a community audience as well. Technical Consultants will support our efforts toward program implementation and establishing guidelines.

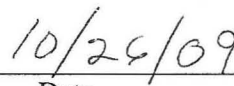
The application submitted and the technical review for this proposal do not reveal any extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal. The proposal is not "connected" to other actions with potentially significant impacts, 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 programs and 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].

A1, A9, A 11, B2.5, and B5.1 are the applicable CXs that cover the proposed action in the DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix A. Recommended retrofit activities would be limited to new windows, lighting, and installation of new programmable thermostats.

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.



Mary E. Martin, NNSA HQ NEPA Compliance Officer



Date