

**NEPA Determination for the
Energy Efficiency and Conservation Block Grant Program
Application submitted by the Cheyenne and Arapaho Tribes of OK
Energy Efficiency and Conservation Strategies**

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 strategies would be conducted by various states, U.S. territories, units of local government, and Indian tribes.

The proposed actions would involve the implementation of the Tribes' submitted strategy through the creation of the Cheyenne and Arapaho Tribal Utility Authority. The Authority will be responsible for providing oversight to proposed projects and work toward development of the necessary structure to support Tribal energy efficiency and energy conservation efforts, as well as explore alternative and sustainable energy development. Authority activities have been identified as: 1. Development of long range plans for renewable and sustainable and energy efficiency and conservation; 2. Serve as a vehicle for development of codes and ordinances to support safe provision of utility services; 3. Development of plans for new utility service for new tribal projects with incentives for investment in tribal utility development; 4. Provide a resource to tribal members interested in energy conservation, renewable and sustainable energy; 5. Provide a vehicle for future development of wind, solar and geothermal energy development; 6. Explore partnerships with organizations dedicated to energy conservation and sustainable energy; 7. Provide informational meetings concerning energy conservation and energy awareness; and 8. Provide a forum for exploration of alternative energy resources such as geothermal or biodiesel projects and energy conservation measures such as wastewater systems, use of Energy Star appliances, energy efficient lighting, and weatherization.

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 strategies would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register), and would not impact sensitive resources (e.g., threatened and endangered (T/E) species, wetlands and floodplains).

A9 and A11 are the applicable CX in the DOE NEPA Implementing Procedures, 10 CFR 1021, subpart D Appendix A and Appendix B that cover the proposed action.

Based on my review of the materials describing the proposed action, 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.

M E Martin

9/24/09

Mary E. Martin, NNSA NEPA Compliance Officer

Date