

PMC-ND

(1.08.09.13)

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



RECIPIENT: Virginia Department of Mines, Minerals and Energy (VA DMME)

STATE: VA

PROJECT TITLE: James Madison University 2021 Ground Mount Solar Installation

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
SEP-ALRD-2021	DE-EE0009148	GFO-0009148-001	

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:

- 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 the Virginia Department of Mines, Minerals and Energy (Virginia Division of Energy) to install a 300kW solar photovoltaic (PV) system on the campus of James Madison University (JMU) in Harrisonburg, Virginia.

The site for the proposed PV array is approximately 2 acres. An older 10kW solar PV array is currently at the location of the proposed project and would be removed from the site to allow for the installation of the new, larger PV system. Site preparation would include mowing the existing herbaceous meadow and installing a silt fence and a construction entrance for erosion control. Minimal grading would be required, and as much of the existing surface vegetation would be preserved as possible. 135 racks of solar panels would be installed for the new PV system. A field electrical equipment room currently located within the site of the existing PV system would remain with the addition of minor electrical equipment including a 400A disconnect switch along with a fiber and junction box inside the building. Additionally, an approximate 3' wide concrete slab would be added to two sides of the field electrical equipment room to accommodate the installation of five inverters. Next to the field electrical equipment room, a temporary 10'x7' gravel pad would be added, and upon completion of the new PV array, the gravel pad would be removed and restored to grass. A new 4" conduit approximately 450' long would run from the field electrical equipment room to the College of Integrated Science and Technology building to tie the PV array into the electrical grid using an underground horizontal bore. A corner of an existing riprap berm from a stormwater outfall located within the proposed site would be reshaped to accommodate the proposed PV array. Landscaping mulch would be placed below the panels with a pollinator seed mix planted between the rows of panels. A 1" rock border surrounding the PV array would be added along with a 7' chain link fence.

Safety measures would include a fence around the work site so the public could not access the site, and a site-specific safety plan would be developed. The contractor would be required to follow all applicable disposal and recycling requirements for the removed PV panels and associated equipment.

The U.S. Fish and Wildlife Service Endangered Species Program website (iPaC) lists eleven migratory birds that are of conservation concern and may potentially be within the project site, they include: Black-billed Cuckoo, Black-capped Chickadee, Canada Warbler, Cerulean Warbler, Golden winged Warbler, Kentucky Warbler, Prairie Warbler, Red-headed Woodpecker, Rusty Blackbird, Wood Thrush, and the Yellow-bellied Sapsucker. These migratory birds are not expected as the project site does not include the preferred habitat conditions due to a lack of tree nesting and ground nesting sites. No trees would be removed from the site. Currently only one small tree is located within the site of proposed PV array and the land is actively managed with regular cutting of the grass. Bald Eagles could be in the

project area, but without tall, large diameter trees or foraging areas near large, open expanses of water, suitable habitat is not present for Bald Eagles. Considering all project activities would occur on already disturbed lands that are not suitable habitat for these species, DOE has determined that this project will have no effect on any special status species of concern.

Soils in the project area are considered prime farmland and farmland of statewide importance. Total area of the installed PV array and associated infrastructure would be less than two acres on a college campus where the land has been disturbed for human use. There would be no irreversible conversion of protected farmlands to non-agricultural use as a result of the DOE funded project.

The recipient worked directly with their State Historic Preservation Office (SHPO) to ensure protection of cultural resources during the project activities. The SHPO reviewed the proposed project activities and the site location, and determined, "historic resources within the area of potential impacts will not be adversely impacted by the proposed project" on May 27, 2020. DOE is in agreement with this determination from the Virginia SHPO.

NEPA PROVISION

DOE has made a final NEPA determination.

Notes:

Weatherization & Intergovernmental Programs Office - SEP
This NEPA Determination does not require a tailored NEPA provision.
NEPA review completed by Diana Heyder, 7/08/21

FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal defined in the Rationale above) fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D. To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

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. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

The proposed action is categorically excluded from further NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:



Casey Strickland

NEPA Compliance Officer

Date: 7/13/2021

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: _____