

PMC-ND

(1.08.09.13)

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

**RECIPIENT:** State of South Carolina Energy Office**STATE:** SC

PROJECT TITLE: Southeastern Concrete Solar

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
ARRA-RLF	GFO-0008294-002		

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 South Carolina Office of Regulatory Staff-Energy Office (ORS-EO) to purchase and install a 478.8 kW ground mounted photovoltaic (PV) system that would include the installation of solar modules, inverters, mounting brackets, racking, PV wire, and conduit on a 1.5-acre lot. The PV system would be connected to the electric utility company and would not require additional power poles. The proposed location is an industrial concrete plant located at 917 Frink St. in Cayce, SC.

Site preparation would include relocating stored concrete pipes to another area on the property, and clearing brush and small trees from the lot. Removed vegetation would be disposed of at a permitted facility or mulched on site. Minor grading could be required.

According to the U.S. Fish and Wildlife Service website iPac, three endangered species and eight migratory bird species could potentially be present at the site. The three endangered species are the Red-Cockaded Woodpecker, the Carolina Heelsplitter Clam, and the Smooth Coneflower. There are no critical habitats for any of these species in the area of the proposed project. Based on the lack of habitat for these species at the site, DOE has determined the proposed project is not anticipated to affect endangered species in the area.

Eight Migratory Birds are listed as Birds of Conservation Concern in Lexington County. Six of these species are likely to use the proposed project site as wintering habitat: the American Kestrel, Kentucky Warbler, Prairie Warbler, Prothonotary Warbler, Red-Headed Woodpecker, and the Wood Thrush. Due to the small footprint, regular ground disturbances at the project site, and the plentiful availability of similar foraging habitat in the surrounding area, impacts to individuals or populations of the species named above are not expected as result of construction of the proposed project. There is potential for migratory birds to strike PV panels such as those that would be installed as part of the proposed project. However, due to the small footprint of the proposed PV system, impacts to individuals or populations of the species of conservation concern are not expected as a result of the proposed project. If site preparation and/or construction would occur between April 20th and August 20th, a ground nesting bird survey must be completed no more than 72 hours in advance of beginning work.

Although Bald Eagles are not a Bird of Conservation Concern in this area, iPac noted that attention is warranted due of the Eagle Act and potential susceptibilities in offshore areas from certain types of development. The project area is not favorable to Bald Eagle habitat due to a lack of fishable waters. DOE does not anticipate the proposed project would affect Bald Eagles.

The project area is located outside of the 100-year floodplain. The proposed site is not listed on the National Record of Historic Places nor in a historic district. The ORS-EO would obtain all building and electrical permits and the interconnection agreement with the electric utility.

NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

If site preparation and/or construction occurs between April 20th and August 20th, a ground nesting bird survey must be completed no more than 72 hours in advance of beginning work on site.

Notes:

This NEPA Determination does require a tailored NEPA provision.
Weatherization & Intergovernmental Programs Office - SEP
Diana Heyder 11/13/2018

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:


NEPA Compliance Officer

Date: 11/15/2018

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: _____