

PMC-ND

(1.08.09.13)

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

**RECIPIENT:** Barrington Power, LLC**STATE:** NH

PROJECT TITLE: BP Effingham School Solar Project

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-SEP-0002019	DE-EE0008658	GFO-0008658-002	

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 New Hampshire Office of Strategic Initiatives to provide a loan to Barrington Power, LLC to install a 143 kW DC solar photovoltaic (PV) ground mounted system located at Effingham Elementary School, in Effingham, NH. The school would purchase 100% of the power from the system under a power purchase agreement with the developer, Barrington Power.

The proposed solar array would consist of 364 PV modules with racks and 15 inverters. The project would require construction of a 200 foot long x 20 foot wide gravel driveway from the east side of the school to the north end of the PV installation. The driveway would continue around to encircle the entire PV installation. Surrounding this driveway, would be a 7 foot tall chain link fence with a gate to control access to the PV system. Additionally, a construction entrance would be created without additional gravel or other materials, and would be approximately 75 foot long x 25 foot wide between the south end of the school and the PV installation. A trench for the underground wiring would be dug to connect the PV system to the school's electrical system. Although some of the project area had been excavated for sand and gravel prior to 1960, trees and other vegetation have grown in the area and would need to be removed. The project site is relatively flat with low vegetation and mostly small trees that would be pulled, chipped and spread onsite. The site would require minimal grading. To mitigate possible precipitation runoff, a mulch berm made from the shredding of the removed vegetation would be placed along the fence line, as recommended by the site engineer. Clover seed would be spread in the disturbed area once construction was completed.

The U.S. Fish and Wildlife Service (USFWS) Endangered Species Program website (IPaC) lists the threatened Northern Long-eared Bat (NLEB) as possibly occurring within the project area. Tree removal at the project site could affect the NLEB, if present. Tree removal activities are planned to occur outside of the pup season from June 1 – July 31, to prevent impacts to NLEB from removal or disturbance of maternity roost trees. Based on the above, DOE completed a streamlined Section 7 consultation with USFWS for NLEB. DOE determined that this project may affect the NLEB but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule for the species. The USFWS concurred with this determination in an email letter dated May 7, 2020. Follow-up email correspondence between DOE and the USFWS on May 14, 2020 noted that the project was in compliance with the 4(d) rule, and the project could immediately move forward.

The recipient worked directly with their State Historic Preservation Officer (SHPO) to ensure protection of cultural resources during the project activities. The SHPO reviewed the proposed project activities and the site location, and determined, "No Historic Properties Effected" on April 9, 2020. DOE is in agreement with this determination from the New Hampshire SHPO.

The proposed project is located outside of the 100-year floodplain.

NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

Recipient must complete project tree removal activities outside of June 1 – July 31, for protection of the Northern Long-eared Bat.

Notes:

Weatherization & Intergovernmental Programs Office - SEP
This NEPA Determination requires a tailored NEPA provision.
NEPA review completed by Diana Heyder, 5/15/20

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: 5/15/2020

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: _____