



**United States Department of Agriculture
Rural Development**

FINDING OF NO SIGNIFICANT IMPACT

LanzaTech Freedom Pines Fuels LLC
Soperton, Georgia

Rural Business-Cooperative Service
U.S. Department of Agriculture

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A. INTRODUCTION

LanzaTech Freedom Pines Fuels LLC (LanzaTech or applicant) is submitting a financing request to the U.S. Department of Agriculture Rural Business-Cooperative Service (RBCS) to develop and operate an alcohol-to-jet-fuel facility that will produce hydrocarbon fuels from ethanol. The facility is in Soperton, Georgia. The applicant is seeking financial assistance under the Biorefinery, Renewable Chemical, and Bio-based Manufacturing Assistance Program. RBCS is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RBCS is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (USC 4231 et seq.), the Council on Environmental Quality's regulations for implementing NEPA (40 CFR Part 1500), and Rural Development's NEPA implementing regulations (7 CFR Part 1970). After completing an independent analysis of an environmental assessment (EA) prepared by the applicant, RBCS concurred with its scope and content. In accordance with 7 CFR 1970.102, RBCS adopted the assessment. RBCS finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. The applicant published newspaper notices announcing the availability of the EA for public review, in accordance with 7 CFR 1970.102. No comments were received. In addition, RBCS considers the proposed project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA) (16 USC 470(f)) and its implementing regulations (36 CFR Part 800).

B. PROJECT DESCRIPTION AND PURPOSE/NEED

The overall purpose of the project is to construct a facility to produce 10 million gallons of hydrocarbon fuels annual from ethanol. The project will use patented processes to covert alcohol to kerosene and diesel; the fuel will be sold to airlines and fuel distributors for blending with conventional jet and diesel fuel.

The facility is located at 535 Commerce Drive, Soperton (Treutlen County), GA, and encompasses 260 acres. Approximately 115 acres has been previously developed as a biorefinery and much of the existing infrastructure will be upgraded and recommissioned. Safety systems, process water, potable water, wastewater treatment facilities, cooling towers and other infrastructure and utilities are already present and operational on the site. Minor new construction of loading and receiving docks and storage tanks will be necessary. The project is located with easy access to rail lines and interstate highways.

RBCS has reviewed the purpose and need for the project and determined that the proposal will meet the present and future needs of the applicant.

C. ALTERNATIVES EVALUATED

The No Action Alternative serves as the project's environmental baseline but was rejected as a viable alternative as it does not meet the applicant's purpose and need.

LanzaTech considered the feasibility of locating the project at another site, or at a different location within the chosen site. However, because of the existing infrastructure and utilities already present at the chosen location, it was not considered feasible or practicable to develop alternative sites.

The Proposed Action Alternative sites the facility at the existing biorefinery location in Soperton and is the preferred alternative of the applicant.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

Construction Impacts: Minor impacts may arise from construction new infrastructure at the facility from site preparation and other construction activities. Temporary minor impacts during construction, such as noise, erosion, dust, motor vehicle emissions, etc., will occur. No significant impact is expected.

Air Quality: Treutlen County is in attainment of all the National Ambient Air Quality Standards and thus is not subject to EPA's conformity rule. The facility will comply with any conditions that may be required under Clean Air Act Title V operating permits. No significant impact is expected.

Farmland Protection Policy Act and USDA Departmental Regulation 9500-3: The project site consists of areas considered prime farmland, however the conversion to industrial use has already occurred when the original biorefinery was built. No new conversion of farmland will occur with the current project.

There are no National Landmarks, Monuments, forestlands or ecologically sensitive areas near the project site.

Floodplains and Wetlands: The project construction site is not located within a mapped Special Flood Hazard Area (the 100-year floodplain).

Hydric soils and wetlands are located on the project site but well outside of the construction zone. There will be no manipulation of wetlands or discharge into wetlands, so a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers is not needed.

No significant impact is expected.

Water Quality: Three unnamed streams are located on the subject property, but the project will not encroach on surface waters or discharge water into the streams.

The aquifer recharge area is located more than five miles from the project site; groundwater impact is not expected.

Operational water will be supplied by a well owned by the City of Soperton and supplying about twelve parties. Current consumption is about 6% of the well's capacity. At peak operation, the project is not expected to consume more than 12% of the well's existing capacity.

No new impervious surfaces will be constructed.

No significant impact to water quality is expected.

Biological Resources: Although two federally-listed species are potentially present within the action area of the project (the Gopher Tortoise and the Eastern Indigo Snake), no individuals were seen during surveys. Gopher tortoise burrows were found by the riparian areas, but appeared to be uninhabited and are also outside of the action area. Therefore the project may affect but is not likely to adversely affect any federally-protected species. The US Fish and Wildlife Service has concurred with this finding. To avoid potential impacts to protected species, exclusion fencing will be installed around construction zones.

No significant impact is expected.

Historic Properties and Cultural Resources: The proposed project will not impact any properties eligible for inclusion in the National Register of Historic Places, nor any known cultural resource. An archeological survey was performed when the original facility was constructed. Although the survey indicated the presence of archeological sites, they were deemed ineligible for listing in the National Register of Historic Places. No significant new ground disturbance is planned as part of the current project.

The Georgia State Historic Preservation Officer concurred with the RBCS finding that the project will have no adverse effect on historic property..

Tribes with an historic interest in Treutlen County were notified of the project. No Tribes expressed concern with the undertaking.

No significant impact is expected; however, if prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials or any other physical remains that could be associated with native American, early European, or American settlements are encountered at any time within the project area, the project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the SHPO and interested Tribes immediately and project activities shall not resume without verbal and/or written authorization from the SHPO and Tribes. In the event that human remains are encountered during construction, all work shall stop immediately, and the proper authorities notified in accordance with Georgia statutes.

Coastal Zone Management: Treutlen County is not in the designated Coastal Zone.

Civil Rights Impact Analysis: The project will not have a disproportionate impact on low-income or minority populations in the vicinity of the project.

E. MITIGATION

The following mitigation measures are incorporated into the Final Environmental Assessment and serve to reduce the magnitude of the potential impact and/or support the Agency's findings in the document.

- a. Discharge from the facility will be in compliance with an approved Storm Water Pollution Prevention Plan and Georgia Pollutant Discharge Elimination System permit requirements.
- b. In the event of unanticipated discovery of archeological deposits, cultural artifacts or human remains, all work within the vicinity of the discovery will stop immediately and the Georgia SHPO and RBCS will be notified.
- c. Prior to construction activity, an exclusion fence will be erected to keep out Gopher Tortoises. If any Gopher Tortoises or Eastern Indigo Snakes are seen in the project area, the US Fish and Wildlife Service will be notified.

F. PUBLIC AND AGENCY INVOLVEMENT

The Department of Energy will fund a portion of this project and is a Cooperating Agency in the development of

the Environmental Assessment. State and local agencies were contacted directly by the applicant and/or RBCS.

A 15-day public notice was published February 9-11, 2021, in the Courier Herald, a newspaper of local circulation. The comment period closed on February 23. No comments were received.

G. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RBCS has concluded that the proposed project would have no significant impact to the human environment. The proposed project would have no effect on historic properties. The proposed project may affect but is not likely to adversely affect federally-listed species. The project would not disproportionately affect minority or low-income populations.

In accordance with NEPA, as amended (42 USC 4321 et seq.), the Council on Environmental Quality regulations (40 CFR Part 1500), and RD's Environmental Policies and Procedures (7 CFR Part 1970), RBCS has determined that the environmental impacts of the proposed project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed project. Any final action by RBCS related to the proposed project will be subject to and contingent upon compliance with all relevant federal and state environmental laws and regulations. Because RBCS's action will not result in significant impacts to the quality of the human environment, RBCS will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed project.

H. LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RBCS's environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance is subject to the availability of funds for the designated purpose in RBCS's budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

I. APPROVAL

This Finding of No Significant Impact is effective upon signature.

Mark Brodziski
Acting Administrator,
Rural Business-Cooperative Service

DATE

For additional information on this FONSI and EA, please contact Peggy Wade at 202-875-3572.