

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



RECIPIENT: Verde

STATE: OR

PROJECT TITLE : Cully Community Solar

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
	DE-EE0010128	GFO-0010128-001	

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.)

A11 Technical advice and assistance to organizations

Technical advice and planning assistance to international, national, state, and local organizations.

B5.15 Small-scale renewable energy research and development and pilot projects

Small-scale renewable energy research and development projects and small-scale pilot projects, provided that the projects are located 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 administer Congressionally Directed Spending to Verde to conduct preconstruction, early site work, and community engagement for future community solar projects that will offer subscriptions for low-income Black, Indigenous, and other residential People of Color within the Cully neighborhood (Portland, Oregon). The proposed spending would support the ongoing efforts of "The Cully Community Solar Project" to develop multiple sites at different phases of work while also helping identify future projects. Verde is a nonprofit established in NE Portland's Cully neighborhood that advocates for environmental justice communities.

Proposed project activities include permitting or interconnection agreement acquisition, site preparations, and partnership and community engagement. The proposed project would be comprised of three tasks: the preconstruction and early development (e.g., traditional site preparation and permitting) of a 1.25 MW, ground-mounted solar project (Task 1); the preconstruction of approximately 300 kW project aggregated across two potential rooftops (Task 2); and the scoping of two additional community solar projects and a potential solar cooperative (Task 3). Task 3 is focused on identification of future development sites and may support establishing community solar and interconnection agreements with local utilities/regulators; however, Task 3 would not include any site work.

While the proposed project supports multiple sites at different phases, most of the work would be administrative with activities to be conducted at the Verde office or in staff and project partner's home offices. The proposed site work would be limited to the preparation of two locations (Community Solar Sites 1 and 2) for future ground-mounted and rooftop solar installations. The actual installations are potential future actions that are not within the scope of DOE spending. Verde has not leveraged additional resources for full project development so the construction of community solar facilities remains undefined. As such, this is not considered a connected action subject to NEPA review by DOE. Community Solar Sites 1 and 2 and associated project work are described below:

(1) Community Solar Site 1 – Future ground-mounted PV solar array (9138 NE Sunderland Avenue Portland, OR)

This location is a vacant lot adjacent to the Portland International Airport. The previously cleared lot consists of mostly grass/dirt within an industrial zoned area with limited adjacent development due to local flight area restrictions (a Federal Aviation Administration [FAA] encumbrance limiting the development options for the parcel). However, the proposed project would be consistent with the allowable development options and an FAA permit would be acquired

as part of the project. The site would be within the Columbia Slough floodplain, an area owned and leased by the Port of Portland. The site would be adjacent to wetlands, but project activities would not occur within the wetlands. Verde would conduct a site survey to ensure preliminary designs would be suitable for the site. A water quality permit would be obtained from the Oregon Department of Environmental Quality to evaluate potential impacts. DOE does not anticipate that award activities would affect the floodplains in a manner which would affect existing flood hazards or the natural value of the floodplains.

The land is owned by the Port of Portland and leased by the project. Verde would conduct an in-depth site survey that would ensure that preliminary designs are feasible. Traditional site preparation activities would be conducted, including perimeter fencing, a small gravel access pad, clearing, landscaping, and habitat restoration. To the extent possible, the site would be prepared using on site materials such as dirt and rocks. Restoration work would include the planting of approximately 54,000 square feet of grass land with new trees (approximately 48)/shrubs (approximately 144) and soil amendments while restoring native vegetation and adding pollinator-friendly plantings. The process would also include soil sampling and assessing groundwater and storm-water management.

The future ground-mounted solar array and surrounding fence would occupy approximately 200,000 square feet (less than 5 acres). Anticipated site alterations would include post foundations for fencing and anchoring racking to the ground, new electrical service, minimal fill for equipment foundations, and additional landscaping around the perimeter of the array. There would be negligible change to permeable surfaces. No further details regarding the equipment, installation, and operation of the community solar facility have been defined.

Verde would apply for and obtain necessary permits, approvals, and/or authorizations for the proposed activities. The traditional site preparation described above would require a land use review and site development permit to be issued by the local authority, City of Portland Bureau of Development Services. The current zoning for the proposed project location is IG2, General Industrial, which allows for Basic Utilities and Small-Scale Energy Production. The project team has already submitted for Planning/Zoning/Public Works Early Assistance and has received positive feedback on the proposed development. (The future solar contractor would be required to submit a detailed solar design for permitting by the same jurisdiction).

(2) Community Solar Site 2 – Future rooftop (5600 NE 42nd Ave, Portland, OR, 97218)

This site is located at the Portland Community College (PCC) in a suburban environment. The existing campus is currently being redeveloped by the owners (PCC) to upgrade offices and add community housing. The future rooftop solar arrays would be hosted on two structures in varying phases of construction: a building that is currently completing construction and a building that will begin construction in 2023. None of the ongoing or future construction activities would be completed by Verde or any project partners and are entirely independent efforts.

Verde would conduct an in-depth site survey that would ensure that preliminary designs are feasible and acquire a community solar certificate from the Oregon Public Utility Commission and an interconnection agreement with the local utility. The existing property owner is currently working on securing the rooftop solar permitting, which is not within the scope of the proposed project or Verde's responsibility.

Project activities at the building sites as they are constructed would involve early work to allow future solar ready improvements being completed by other entities. Predevelopment activities supported by the project would include a solar ready rough-in to prepare the roofs of the buildings such as laying conduit, pads, and other associated infrastructure to be determined. Verde's involvement would be limited to coordination with PCC and subcontractors who would perform the rough-in.

Due to the relatively small acreage/scale of the proposed future solar sites, their proximity to existing infrastructure, and the context of project activities within ongoing construction and/or previously disturbed land in extensively developed areas of Portland, DOE does not anticipate any impacts to resources of concern due to the proposed project. The project proponent has demonstrated understanding of the necessary permits for the proposed activities and would adhere to all terms and conditions set forth by the City of Portland, State of Oregon, and FAA. DOE requires Verde to complete a migratory bird nesting survey if project work involving ground disturbance at Community Solar Site 1 occur between March 15 and September 15. If nests or eggs are found, the area would be cordoned off with a proper buffer until nestlings fledge. Further, if during project work at Community Solar Site 1 cultural or archaeological artifacts are encountered, the recipient shall stop the site installation immediately and inform the DOE Project Officer of the finding. A Class III: Intensive Cultural Resources Inventory shall be required prior to re-commencing project work.

NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

A migratory bird nesting survey shall be completed at the Community Solar Site 1 if project activities involving ground disturbance occur between March 15 and September 15. If nests or eggs are found, the area would be cordoned off with a proper buffer until nestlings fledge.

If during project work at the Community Solar Site 1 cultural or archaeological artifacts are encountered, the recipient shall stop the site installation immediately and inform the DOE Project Officer of the finding. A Class III: Intensive Cultural Resources Inventory shall be required prior to re-commencing project work.

Notes:

Solar Energy Technologies Office (SETO)
This NEPA determination requires legal review of the tailored NEPA provision.
Review completed by Whitney Donoghue on 2/16/2023.

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: _____



Andrew Montano

NEPA Compliance Officer

Date: 2/24/2023

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: _____