

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



RECIPIENT: Lincoln County Power District No. 1

STATE: NV

PROJECT TITLE: Lincoln County Power District - Solar

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
	DE-EE0010792	GFO-0010792-001	

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.)
B1.11 Fencing	Installation of fencing, including, but not limited to border marking, that would not have the potential to significantly impede wildlife population movement (including migration) or surface water flow.
B1.7 Electronic equipment	Acquisition, installation, operation, modification, and removal of electricity transmission control and monitoring devices for grid demand and response, communication systems, data processing equipment, and similar electronic equipment.
B1.24 Property transfers	Transfer, lease, disposition, or acquisition of interests in personal property (including, but not limited to, equipment and materials) or real property (including, but not limited to, permanent structures and land), provided that under reasonably foreseeable uses (1) there would be no potential for release of substances at a level, or in a form, that could pose a threat to public health or the environment and (2) the covered actions would not have the potential to cause a significant change in impacts from before the transfer, lease, disposition, or acquisition of interests.
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 administer Congressionally Directed Spending to Lincoln County Power District (LCPD) to develop, construct, and operate a 2-megawatt photovoltaic (PV) solar facility on former mining land.

Award activities would include engineering and design, site preparation, deployment and field testing of PV array, fencing installation, and testing. LCPD (Pioche, NV) would develop, plan, and operate the PV solar facility and would connect it to the existing grid. Award activities would be carried out at Bullion Belcher No. 4 (Caselton, WV), an old mining site.

The site would undergo vegetation clearing, site leveling, perimeter fencing, trenching for conduits, and installation of the PV system and support rack. The 2-megawatt system would be installed on roughly ten of acres of the 20-acre parcel, along with required inverters and a transformer. Trenching would consist of approximately 100 feet to connect the northern edge of the project to existing high-voltage power lines running adjacent to the existing road.

Potential hazards resulting from award activities include heavy lifting, open trenches, and electrical shock. All activities would be carried out by trained equipment operators, and additional training would be provided should any necessitating circumstances arise. Open trenches would be barricaded and shored as per the regulations established by Occupational Safety and Health Administration (OSHA). Electrical shock hazards would be mitigated by strict adherence to company and OSHA personal protective equipment requirements and operating procedures.

The U.S. Fish and Wildlife Service Endangered Species Program website (IPaC) identifies three threatened or

endangered species, Yellow-billed Cuckoo, Big Spring Spinedace, and Monarch Butterfly. One migratory bird species of conservation concern may be present seasonally within the project areas, the Pinyon Jay. Due to the previously disturbed nature of the site, the lack of riparian habitat, and the scrubland nature of the site, DOE has determined no adverse effects to species of concern are to be anticipated as a result of the award activities. To ensure that no species of concern are present, a bird nesting survey shall be conducted no more than seven (7) days prior to ground-disturbing activities occurring between February 1st and September 15th. If active nests or eggs are found, an appropriate spatial buffer would be applied per U.S. Fish and Wildlife Service or Nevada Department of Wildlife guidelines.

If during project work cultural or archaeological artifacts are encountered, the recipient shall stop the site-based activities 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.

DOE has considered the scale, duration, and nature of the proposed activities to determine potential impacts on sensitive resources, including those of an ecological, historical, cultural, and socioeconomic nature, and found no effects that would be expected to result from the proposed project activities.

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 conducted no more than seven (7) days prior to ground-disturbing activities occurring between February 1st and September 15th. If active nests or eggs are found, an appropriate spatial buffer would be applied per U.S. Fish and Wildlife Service or Nevada Department of Wildlife guidelines.

If during project work cultural or archaeological artifacts are encountered, the recipient shall stop the site-based activities 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)
Review completed by Alex Colling on 04/26/2024.

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: _____



Signed By: Andrew Montano

NEPA Compliance Officer

Date: 5/13/2024

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: _____