

**FINDING OF NO SIGNIFICANT IMPACT  
FINANCIAL ASSISTANCE TO PENNSYLVANIA FOR FREY FARM  
LANDFILL WIND ENERGY PROJECT**

**AGENCY:** U.S. Department of Energy (DOE)

**ACTION:** Finding of No Significant Impact (FONSI)

**SUMMARY:** DOE prepared an environmental assessment (EA), DOE/EA-1737, analyzing the potential environmental impacts of allowing Pennsylvania to use \$1.5 million of its State Energy Program (SEP) funds for a grant to assist in the financing of the construction and operation of the Frey Farm Landfill (FFLF) wind energy project in Manor Township in Pennsylvania's Lancaster County. Based on the information and analyses in the EA, DOE has determined that its Proposed Action (allowing Pennsylvania to use some of its SEP funds to finance the wind energy project) does not constitute a major federal action that would significantly affect the quality of the human environment within the meaning of NEPA. Therefore, an environmental impact statement is not required, and DOE is issuing this FONSI.

**PROPOSED ACTION:** DOE's Proposed Action is to allow Pennsylvania to use some of the Commonwealth's SEP funds for a grant to assist in the financing of a wind energy project in order to facilitate Pennsylvania's achievement of the objectives of the SEP. Pennsylvania proposes to provide \$1.5 million in SEP funds to PPL Renewable Energy, LLC, and the Lancaster County Solid Waste Management Authority to construct and operate a two-turbine wind energy project at the FFLF that would provide up to 3.2 megawatts of generating capacity. Most of the electricity generated by the project would be used by the adjacent Turkey Hill Dairy.

**ENVIRONMENTAL CONSEQUENCES:** Areas of potential environmental impacts analyzed in the EA include land use, biological resources, noise, visual quality, transportation, groundwater and surface water, soils, air quality and climate change, socioeconomics and environmental justice, energy impacts, cultural resources, human health and safety, floodplains and wetlands, waste management, wild and scenic rivers, and intentional destructive acts. DOE identified no potentially significant environmental impacts on these resource areas.

A primary area of environmental concern for operation of wind turbines is the potential to injure or kill birds and bats. Two species of particular interest in the region of the proposed project are the bald eagle and the federally-listed endangered Indiana bat. Analysis in the EA indicates that the proposed project will have no effect on the bald eagle's feeding, roosting, or nesting habits. However, there is the possibility of an unavoidable, non-purposeful take of bald eagles from operation of the proposed wind turbines. Avoidance and minimization measures would reduce possible impacts upon bald eagles to the fullest extent practicable, within the constraints of land availability, project economics, and technology.

Based on the available information about bats at the site, and based on the proposed avoidance and minimization measures outlined in the EA, impacts upon the state and federally-listed Indiana bat are not expected.

The project proponents have made a number of mitigation commitments to the Pennsylvania Game Commission, Pennsylvania Historical and Museum Commission, and United States Fish and Wildlife Service (USFWS) that would eliminate or reduce potential adverse impacts to birds, bats and other resources.

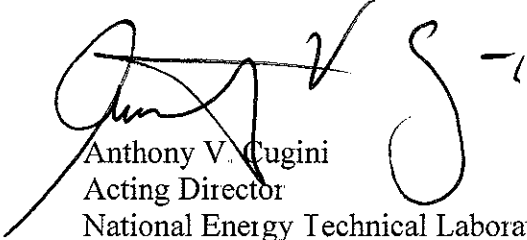
Nothing in the EA or this FONSI affects the project proponents' obligations to comply with the laws of the United States, including the Endangered Species Act, Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act. Nothing in the EA or this FONSI limits the USFWS's regulatory and permitting authorities under these or any other statutes.

**ALTERNATIVE CONSIDERED:** In addition to its Proposed Action, DOE analyzed a No-Action Alternative in which DOE would not allow Pennsylvania to use its SEP funds to finance some of the costs of this project. DOE assumed for purposes of the EA that the project would not proceed without SEP funding.

**PUBLIC AVAILABILITY:** Notices requesting public comments on the draft EA were published in the in the Pennsylvania Bulletin and the Harrisburg *Patriot-News* on January 23, 2010, and the Lancaster *Intelligencer Journal* on January 27, 2010. On January 27, 2010, the draft EA was posted on the DOE NEPA website and the Pennsylvania Department of Environmental Protection website, and a copy of the draft EA was available for public review at the Columbia Public Library in Columbia, PA. By the close of the comment period on February 8, 2010, no comments had been received.

**DETERMINATION:** Based on the project proponents' mitigation commitments to Pennsylvania state agencies and the USFWS, and the analyses in the EA, DOE has concluded that that its Proposed Action (allowing Pennsylvania to use some of its SEP funds to finance the wind energy project) does not constitute a major federal action that would significantly affect the quality of the human environment within the meaning of NEPA. Therefore, an environmental impact statement is not required, and DOE is issuing this FONSI.

Issued in Pittsburgh, PA, this 12 day of February 2010.

  
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