PMC-EF2a

(2.06.02)

U.S. DEPARTMENT OF ENERGY
EERE PROJECT MANAGEMENT CENTER
NEPA DETERMINATION

RECIPIENT: TEXAS COMPTROLLER OF PUBLIC ACCOUNTS **STATE:** TX

PROJECT TITLE: ARRA SEP PALACIOS ISD & TIDEHAVEN ISD WIND PROJECT

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-EE0000116			0

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Order 451.1A), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

A9 Information gathering (including, but not limited to, literature surveys, inventories, audits), data analysis (including computer modeling), document preparation (such as conceptual design or feasibility studies, analytical energy supply and demand studies), and dissemination (including, but not limited to, document mailings, publication, and distribution; and classroom training and informational programs), but not including site characterization or environmental monitoring.

A11 Technical advice and planning assistance to international, national, state, and local organizations.

Rational for determination:

The State of Texas will provide $1,125,549 in Recovery Act funds to the Palacios Independent School District (ISD), Matagorda ISD, and Tidehaven ISD to install small wind turbines on nine school campuses in the three ISDs. The wind turbines will serve educational purposes as well as to generate clean, renewable energy for campus use.

Palacios ISD is proposing one turbine at each of its four campuses, Matagorda ISD will install one turbine, and Tidehaven will install one turbine at each of its four campuses. All totaled, the ISDs plan to install nine (9) Bergey Excell 10kW wind turbines at nine school campuses. It is envisioned that installation of the wind turbines on school district land will prohibit the ISD from placing buildings, other turbines, or structures within a certain radius of the turbines. The plan is to place each turbine 1.5 times the tower height of 80 feet away from each other and away from other structures. The area affected is estimated at 0.333 acres per turbine.

Matagorda is a coastal county that is home to many bird sanctuaries. This fact coupled with uncertain migratory pattern(s) of the birds requires the ISDs to conduct more detailed analyses in designing and locating the turbines. Final engineering design, site location, and permitting requirements are still needed. In the meantime, environmental information that will aid in siting the turbines is needed. That information will have to be analyzed and incorporated into the final engineering design and siting considerations.

This project is still in the planning stages and requires significant engineering design and site characterization work before a NEPA determination can be made. Accordingly, the project is to be phased. Phase 1 is to complete the engineering design, site characterization, permitting, and environmental information needed for DOE to make a NEPA determination. Phase 2 is to construct and install the wind turbines building upon the information collected through the engineering, site characterization, and environmental analyses.

Based on information provided by the State and recipient, the project requires further definition before a final NEPA determination can be made. Accordingly, the project is to be phased. Phase 1 is to finalize the engineering, site characterization, permitting, and environmental analyses required for DOE to make a NEPA determination. The phase 1 effort is categorically excluded via A9 and A11. The phase 2 effort will follow through with the construction and installation of the turbines based on the information collected in phase 1. The phase 2 effort may require the preparation of an Environmental Assessment should the information collected in phase 1 so dictate.

NEPA PROVISION

DOE has made a conditional NEPA determination for this award, and funding for certain tasks under this award is contingent upon the final NEPA determination.

Insert the following language in the award:

You are restricted from taking any action using federal funds, which would have an adverse affect on the environment or limit the choice of reasonable alternatives prior to DOE/NNSA providing either a NEPA clearance or a final NEPA decision regarding the project.

Prohibited actions include:
Site preparation, construction, and installation of the wind turbines until a final NEPA determination has been made.
This restriction does not preclude you from:
Conducting the engineering, site characterization, permitting, and environmental analyses required to prepare final project plans.
If you move forward with activities that are not authorized for federal funding by the DOE Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving federal funding and such costs may not be recognized as allowable cost share.

Insert the following language in the award:

You are required to:
Provide final site characterization, engineering and project plans, and related environmental analyses to the DOE project officer and NEPA compliance officer for review.

Note to Specialist :

According to the Project Officer, funding needs for the phase 1 effort is about $100,00. Unless the scope of the phase 1 effort changes significantly, a change in funding will not affect my determination.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____ Date: 4/14/10
NEPA Compliance Officer

FIELD OFFICE MANAGER DETERMINATION

☐ Field Office Manager review required

NCO REQUESTS THE FIELD OFFICE MANAGER REVIEW FOR THE FOLLOWING REASON:

☐ Proposed action fits within a categorical exclusion but involves a high profile or controversial issue that warrants Field Office Manager's attention.
☐ Proposed action falls within an EA or EIS category and therefore requires Field Office Manager's review and determination.

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____ Date: _____
Field Office Manager