

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



RECIPIENT: Public Service Commission of Wisconsin

STATE: WI

PROJECT TITLE: Pleasant Prairie Phase 2 Solar + Storage (RE-SCOPE) - Aurora Health Care, Inc. - EIGP 2023

Notice of Funding Opportunity Number
SEP-IIJAALRD

Procurement Instrument Number
DE-EE0010109

NEPA Control Number
GFO-0010109-003

CID Number

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.)

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 provide funding to the Wisconsin Office of Energy Innovation for the design and installation of a 400-kW ground mount solar photovoltaic (PV) array and a 440-kWh lithium-ion battery energy storage system (BESS) to offset energy costs at an outpatient health clinic located within a business park in Pleasant Prairie, WI.

Project activities would include the installation of the PV array, trenching and installation of conduit, and installation of the BESS. The PV array would be installed in a grassy area using driven galvanized steel posts spaced approximately every 13 feet of each of the array rows. The BESS would be installed on an existing concrete pad within the building's electrical yard. The required trenching would run about 500 feet from the site of the array to the electrical yard. The trench would be approximately 20 inches deep and 12 inches wide and would impact an existing asphalt pathway on the property. The trench would be backfilled, compacted, and reseeded or sodded upon completion and the pathway would be restored to its original condition.

Prior to 2019, the site was used for agriculture and had wetland resources present. During construction of the business park in 2019, the site was completely graded and filled and then reseeded with a low maintenance lawn mixture. The proposed array area is currently mowed twice per year, typically in spring and fall. No tree trimming would occur during project installation. The PV array would be visible from the business park street to passing vehicles. Vegetative screening would be incorporated into the project to meet the business park association requirements.

The U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) website indicates that the endangered northern long-eared bat and the threatened eastern prairie fringed orchid have the potential to occur within the project area. There are no designated critical habitats at the project location. The proposed project would not involve any tree removal or trimming; therefore, there would be no impacts expected to northern long-eared bats or their habitat. The project location has been highly disturbed and is regularly mowed; therefore, it is not expected that the eastern prairie fringed orchid would be present in the area. DOE has made a no effect determination for these federally protected species.

The recipient has worked directly with their State Historic Preservation Officer (SHPO) to ensure protection of cultural resources during project activities, per their historic preservation programmatic agreement with DOE and the Wisconsin SHPO. On November 27, 2024, the recipient received concurrence from the Wisconsin SHPO that no eligible properties would be affected as none are present. The recipient is responsible for reviewing the online NEPA

and Historic preservation training at www.energy.gov/node/4816816 and contacting gonepa@ee.doe.gov with any NEPA or general historic preservation questions.

Installation of the proposed project would involve the use of heavy equipment and working with electricity. Potential hazards would be mitigated through adherence to established health and safety policies and procedures. The general contractor would be responsible for maintaining safety onsite. Project personnel would adhere to all applicable federal, state, and local health, safety, and environmental regulations. All required permits, licenses, and authorizations, including village permits and a utility interconnection agreement, would be obtained prior to construction activities. No change in the use, mission, or operation of existing facilities would arise out of this effort.

DOE has considered potential impacts on resources of concern, including those of a historical, cultural, and socioeconomic nature, and does not anticipate impacts on these resources.

Any changes to the project activities or locations are subject to additional NEPA review by DOE and are not authorized for federal funding unless and until the Contracting Officer provides written authorization on those additions or modifications.

EERE is aware of the November 12, 2024, decision in *Marin Audubon Society v. FAA*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality (CEQ) regulations implementing NEPA are not judicially enforceable or binding on this agency action, EERE has nonetheless elected to follow those regulations at 40 C.F.R. Parts 1500-1508, in addition to DOE's procedures/regulations implementing NEPA at 10 C.F.R. Part 1021, to meet the agency's obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

If during project activities the recipient or their contractors encounter any cultural materials (i.e. historic or prehistoric), all activities must cease in the vicinity of the discovery immediately. The Wisconsin Office of Energy Innovation must inform the Wisconsin State Historic Preservation Officer and DOE Project Officer of the discovery so that an evaluation can be completed prior to continuing work.

Notes:

Office of State and Community Energy Programs – State Energy Programs
This NEPA determination requires legal review of the tailored NEPA provision.
NEPA review completed by Melissa Parker, 12/17/24

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: _____



Electronically
Signed By: **Matthew Blevins**

NEPA Compliance Officer

Date: **12/23/2024**

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: _____