

FINDING OF NO SIGNIFICANT IMPACT

**People's Electric Solar Facility
Pontotoc County, Oklahoma**

**Rural Utilities Service
U.S. Department of Agriculture**

Today's Power, Inc.

**Prepared by:
Engineering and Environmental Staff
Rural Utilities Service**

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A. INTRODUCTION

Today's Power, Inc. (TPI) plans to submit a financing request to the U.S. Department of Agriculture (USDA), Rural Development's Rural Utilities Service (RUS) to construct the proposed People's Electric Solar Facility in Pontotoc County, Oklahoma. RUS is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RUS is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations, Environmental Policies and Procedures (7 CFR Part 1970).

After completing an independent analysis of an environmental report prepared by TPI and its consultant, RUS concurred with its scope and content. In accordance with 7 CFR § 1970.102, RUS adopted the report and issued it as the Agency's Environmental Assessment (EA) for the proposed project. RUS finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. TPI published a newspaper notice, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

B. PURPOSE AND NEED

The purpose of this Project is to provide a clean and renewable energy source to the existing electrical grid in the area. TPI is partnering with People's Electric Cooperative to construct this Project and improve the reliability and capacity of the power system in the area by providing clean, renewable energy.

RUS has reviewed the applicant's purpose and need for the project and determined that the proposal will meet the present and future needs.

C. ALTERNATIVES EVALUATED

No Action Alternative

Under the No Action Alternative, RUS would not provide financial assistance to TPI, and/or the proposed Project would not be constructed. This alternative would not assist TPI in providing clean, renewable energy to improve the reliability and capacity of the power system.

Proposed Action Alternative (Preferred Action)

Under the Action Alternative, RUS would consider financing the proposed Project, and TPI would construct the People's Electric Solar Facility. The proposed project would consist of the construction of a 39.76-acre, 6.97-Megawatt solar electric array located on undeveloped land, previously cleared for agricultural use.

Alternatives Eliminated from Further Consideration

In addition to the No Action Alternative and Action Alternative, TPI considered other technology and siting alternatives, which are documented in the Alternatives section of the EA.

D. SUMMARY OF ENVIRONMENTAL IMPACT

The analyses in the EA documented that the proposed Project would have no adverse effects to Land Use; Farmland; Formally Classified Land; Floodplains; Wetlands; Water Resources; Coastal Resources; Biological Resources; Cultural Resources and Historic Properties; Aesthetics; Air Quality; Socio-Economic & Environmental Justice; Noise; Transportation; or Human Health and Safety. A summary of the anticipated impacts on the human environment is provided below, including any mitigation measures deemed necessary to avoid or minimize impacts. TPI is responsible for implementing these measures.

Short-term noise is anticipated during construction of the project, which will be controlled using manual installation methods where feasible. No adverse effects are anticipated to the environment due to the proposed project, while a long-term benefit is anticipated to the air quality of the surrounding area due to the use of clean, renewable energy.

E. PUBLIC AND AGENCY INVOLVEMENT

A local newspaper advertisement, announcing the availability of the EA and participation under Section 106 of the National Historic Preservation Act, were published on March 11th, 2023 and March 18th, 2023 in The Ada News newspaper in , Pontotoc County, Oklahoma. A copy of the EA was available for public review at <https://www.rd.usda.gov/resources/environmental-studies/assessments>.

The 14-day comment period ended on March 25th, 2023. The RUS website included project information in an easily accessible format (e.g., Section 508- compliant portable document format file [PDF]). RUS and the newspaper received no comments from the public.

F. FINDING OF NO NEW SIGNIFICANT IMPACT

Based on its EA, RUS has concluded that the proposed project would have no significant effects to the human environment as disclosed in the EA. The proposed project will have no effects on historic properties listed or eligible for listing on the National Register of Historic Places and no effects to federally listed species or designated critical habitat. The proposed would not disproportionately affect minority or low-income populations.

In accordance with the NEPA, as amended (42 U.S.C. 4321 et seq.), the CEQ Regulations (40 CFR 1500-1508), and Rural Development's Environmental Policies and Procedures (7 CFR Part 1970), RUS has determined that the environmental impacts of the proposed project have been adequately addressed and that no significant impact to the quality of the human environment would result from construction and operation of the proposed project. Any final action by RUS related to the proposed project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RUS's action will not result in new significant impacts to the quality of the human environment, RUS will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed project.

G. RUS LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RUS's

environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance also is subject to the availability of loan funds for the designated purpose in RUS's budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedure Act.

H. APPROVAL

This FONSI is in effect upon signature:

Dated:

Christopher McLean

Assistant Administrator

Rural Utilities Service

USDA Rural Development

Contact Person

For additional information on this FONSI and EA, please contact Everett Bole, Environmental Protection Specialist, USDA Rural Development, Rural utilities Service, 1400 Independence Ave. SW, Washington, DC 20250-1548, email Everett.Bole@usda.gov.