

U.S. DEPARTMENT OF AGRICULTURE

Rural Development

Sloughhouse Solar, LLC: Finding of No Significant Action

AGENCY: Rural Utilities Service (RUS), USDA

ACTION: Notice of Finding of No Significant Impact and Final Notice of Conversion of Wetlands and Effects to Floodplains

SUMMARY: The RUS has made a Finding of No Significant Impact (FONSI) with respect to a request for possible financing assistance to Sloughhouse Solar, LLC for the construction of the Sloughhouse Solar Project in Sacramento County, California.

FURTHER INFORMATION: To obtain copies of the Environmental Assessment (EA) and FONSI, or for further information, contact: RUSPublicComments@usda.gov. The EA and FONSI are also available for public review at: <https://www.rd.usda.gov/resources/environmental-studies/assessment/sloughhouse-solar-project>

SUPPLEMENTARY INFORMATION: The Proposed Project consists of the construction of a 50-megawatt (MW) alternating current (AC) solar photovoltaic (PV) generation facility located on approximately 372 acres of undeveloped, largely grazing land in the Cosumnes community of unincorporated Sacramento County, California. Sloughhouse Solar has requested long-term financing from RUS for this proposal. Alternatives considered by RUS and the Applicant include the No Action Alternative and the Proposed Action (Proposed Project). The alternatives are discussed in the Sloughhouse Solar Environmental Assessment. The RUS has reviewed and approved the EA for the proposed project. The US Army Corps of Engineers (USACE) coordinated with RUS, as the lead Federal agency, to comply with Section 106 of the NHPA, as well as in the formal ESA Section 7 Consultation with the U.S. Fish and Wildlife Service (USFWS) for the Department of the Army.

The availability of the EA for public review was announced in The Sacramento Bee and The Sacramento Observer newspapers. A 14-day public review and comment period was announced in the newspaper notices. The EA was available for public review on the RUS project website at: <https://www.rd.usda.gov/resources/environmental-studies/assessment/sloughhouse-solar-project>. No comments were received.

Based on the EA and commitments made by Sloughhouse Solar, RUS has concluded that the Proposed Project will have no significant impacts to cultural resources, water quality, land use, aesthetics, transportation, or human health and safety. The proposed project will not disproportionately affect minority and/or low-income populations.

The Proposed Project will convert 0.08 acres of wetlands within the proposed action area. In accordance with Executive Order 11990, Protection of Wetlands, and USDA Departmental Regulation 9500-3, Land Use Policy, the Agency notified the interested public of this land conversion in the NOA for the EA. It has been determined that there is no practicable alternative to avoiding this conversion or effect and that there is a significant need for the proposal. The basis for this determination is that the location of the proposed action area has been planned to avoid and minimize impacts to wetlands to the maximum extent possible. No practicable action alternatives other than the Proposed Action were identified. The Project Action Area was decreased from the original area by more than 50 percent, thereby minimizing wetland impacts. The Proposed Action is the most practicable alternative based on the proximity of the proposed facility to existing transmission infrastructure.

Additionally, the proposed project will involve construction of solar arrays and supporting infrastructure within approximately 73 acres of the 100-year floodplain. In accordance with Executive Order 11988, Floodplain Management and USDA Departmental Regulation 9500-3, Land Use Policy, the agency notified the interested public of this land conversion in the NOA for the EA. It has been determined that there is no practicable alternative to avoiding this conversion or effect and that there is a significant need

for the proposal. The basis of this determination is that the Proposed Action has been planned to avoid and minimize impacts to sensitive areas, would comply with the County's Floodplain Management Ordinance, and final design would be based on hydrologic studies. The majority of the proposed facilities will be outside the 100-year floodplain and the Proposed Action Area is outside the 500-year floodplain. The Applicant will comply with the standards set forth in the County's Floodplain Management Ordinance. Hydrologic studies to determine whether the placement of solar panels and fencing will impede or substantially increase flood flows will be performed as part of final design of the facility and prior to the issuance of permits for grading, buildings, or improvement plans. The implementation of appropriate mitigation measures will result in negligible to minor impact on flooding due to floodplain alterations during construction or operations.

The proposed Project will affect the Valley Elderberry Longhorn Beetle, Vernal Pool Fairy Shrimp and Tadpole Shrimp. The Project is not likely to adversely affect the Valley Elderberry Longhorn Beetle. The Project is likely to adversely affect Vernal Pool Fairy Shrimp and Tadpole Shrimp. Sloughhouse Solar will comply with the USFWS incidental take permit and provide compensatory mitigation. No other potential significant impacts resulting from the proposed project have been identified. Therefore, RUS has determined that this FONSI fulfills its obligations under the National Environmental Policy Act, as amended (40 CFR 1500-1508), and USDA Rural Development's Environmental Policies and Procedures (7 CFR Part 1970) for its action related to the project.

RUS is satisfied that the environmental impacts of the proposed Project have been adequately addressed. RUS's federal action will not result in significant impacts to the quality of the human environment, and as such it will not prepare an Environmental Impact Statement for its action related to the proposed project.

Dated: **DATE**