

August 26, 2024

Waller County Judge's Office  
425 FM 1488, Suite 106  
Hempstead, TX 77445

RE: Project Whitney: Houston BESS Portfolio (USDA), 32165 FM 1488, Waller, Texas 77484  
USDA-RD Funded Project - Environmental Concurrence/Approval Request

Judge Carbett Duhon III,

Partner, on behalf of the U.S. Department of Agriculture, Rural Development Rural Business Service (Agency), is initiating the Executive Order 12372, "Intergovernmental Review of Federal Programs," process in order to obtain feedback and concurrence from interested parties on financing a proposal. The Agency is being asked to consider providing financial assistance for the proposal described below. Because this state does not have a State Point of Contact, this letter shall serve as your invitation to comment on this proposal.

Partner Engineering & Science, Inc. (Partner) has performed a USDA 1970-B Categorical Exclusion Environmental Report (CatEx Report) in accordance with the scope of work and limitations set forth by United States Department of Agriculture (USDA) Rural Development (RD) for the property located at 32165 FM 1488, Waller, Texas 77484. The findings of this report are summarized in Attachment 2: Environmental Information.

Please complete the attached form and send any comments on this proposal or your letter of concurrence to Partner or directly to the Agency at 101 South Main Street, Temple, Texas 76501. If you choose not to respond within 60 days of this correspondence, the Agency will assume that you have chosen not to respond and may proceed with its decision. If you have any questions concerning this proposal, please contact Anna Strimas at [astrimas@partneresi.com](mailto:astrimas@partneresi.com) **AND** Howard Willoughby at [howard.willoughby@usda.gov](mailto:howard.willoughby@usda.gov). We request your concurrence/approval of this project, as it relates to your Agency and extent of environmental impacts and alternatives that should be considered in USDA-RD's environmental review.

Sincerely,



Dana Cissel  
Environmental Professional

## Attachments

**Attachment 1 - PROPOSAL'S DESCRIPTION AND MAP**

**Attachment 2 - ENVIRONMENTAL INFORMATION**

**Attachment 3 - USGS TOPOGRAPHICAL MAP**

**Attachment 4 – PROPOSED SITE PLAN**

**Attachment 5 – PRIME FARMLAND MAP**

**Attachment 6 – URBAN AREAS MAP**

**Attachment 7 – FORM AD-1006**

**Attachment 8 – REVIEW CONSULTATION FORM**

## ATTACHMENT 1: PROJECT INFORMATION

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Goodpeak, LLC proposes to construct a 12,000-kilowatt (kW) / 22,016 kilowatt per hour (kWh) Battery Energy Storage System (BESS) on approximately a 35.29-acre parcel of undeveloped land. According to the Waller County Assessor, the subject property is identified as APN 9492 543-001-0024. Based on client provided project plans, the project footprint consists of approximately 5.7 acres on the northeast and east portion of the Project site. The subject property is currently owned by Cheney Tracy Melton and Moira C. The Project site is located in the unincorporated area of Waller County. Waller County does not have established restrictions on land use development.

The proposed development includes the development of a BESS system. The development is considered a "Parallel Operation of Distributed Generation Resource", meaning the BESS will be connected to the South Texas Electric Cooperative (STEC) utility grid via the nearby existing Seaway Electrical Substation (SES), located approximately 950 feet south of the site. The BESS will both supply power to the grid and draw power from it when necessary. The system is designed to ensure that power supply is seamless, with no interruption to the end users. Furthermore, this system will be critical during grid outages where the BESS can provide backup power, or during peak demand periods when the system can help reduce the load on the grid. The parallel operation allows for sophisticated energy management strategies, such as peak shaving, load shifting, and demand response, optimizing the overall efficiency and reliability of the energy supply. The facility will be designed to optimize energy use, ensure a reliable power supply and enhance grid stability.

The proposed development consists of the installation of eight (8) BESSs, located on the central portion of the Project site. The BESS will be charged from the STEC distribution system. Electricity will flow to and from the BESS via the proposed inverters. The BESS system will also include the installation of four (4) inverters and four (4) pad-mounted transformers. These features will assist in delivering power to and from the BESS to the off-site substation.

Furthermore, an overhead distribution line is proposed and will be approximately 75 to 100 feet in height. From the transmission line, the power would be delivered to and from the grid. Riser poles for the overhead transmission lines are proposed near the BESSs (on the northeast portion of the Project site) and on the southeast corner of the Project site. In addition, four approximately 2,000-square foot areas of the Project site will be left undisturbed to accommodate future augmentation areas. Two of these areas are planned to be located on the north and south sides of the proposed BESS's, respectively. Perimeter fencing will also be installed.



**FIGURE 2: SITE PLAN**

**Legend**

Subject Property Boundary

**PARTNER**  
Engineering and Science, Inc.®

SOURCES: ESRI, Field Data	DRAWN BY: ajc2atank	SCALE: 1 inch = 833 feet
PROJECT NUMBER: 24-456668.7 FILE NAME: Project Whitney: Houston BESS Portfolio (USD)	DATE: 8/13/2024	

## ATTACHMENT 2: ENVIRONMENTAL INFORMATION

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Partner has reviewed information on the property location and description, land use, as well as addressing the following items: Historic Preservation; Threatened and Endangered Species/Biological Resources; Wetlands; Floodplains; Coastal Areas; Important Farmland; Environmental Risk Management; and Other Resources.

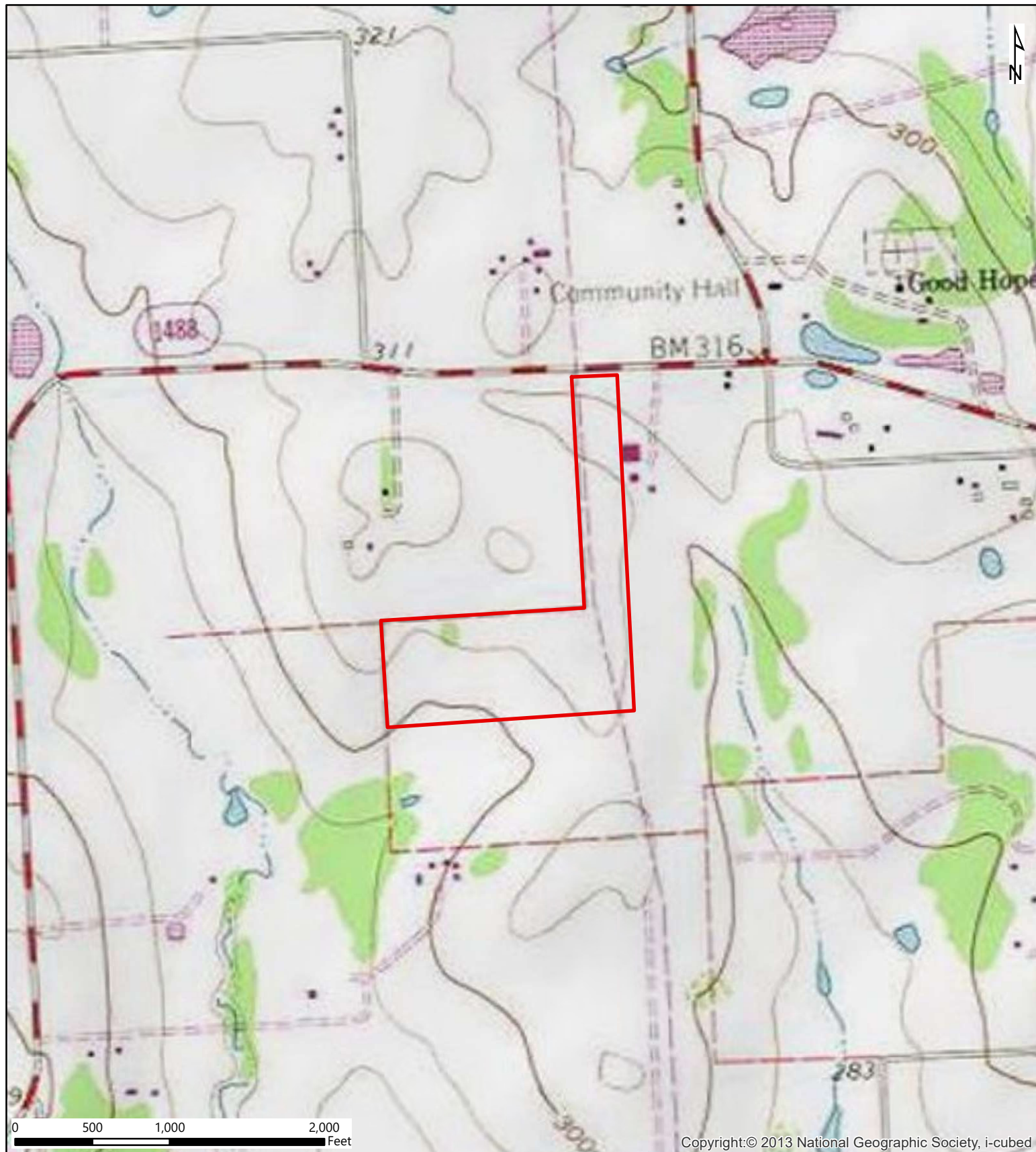
According to the FPPA requirements, "Federal activities that would convert farmland to nonagricultural purposes is discouraged. Prime and important farmland includes all land that is defined as prime, unique or farmlands of statewide or local importance." According to records reviewed, the subject property is not considered an urban area according to the US Census Bureau; however, the southeast and northwest adjoining properties are depicted as urban areas on the US Census Bureau Urban Areas Map. It is the responsibility of the Federal agency (USDA) that is providing assistance for the project to decide if farmland will be converted to nonagricultural uses and to submit the Farmland Conversion Impact Rating Form (Form AD-1006) if needed.

The Project site is being converted from farmland. According to the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey website, the Project site is considered prime farmland and farmland of statewide importance.

Based on the identification of Prime Farmland on the Project site, Partner is contacting the Texas NRCS office and submitted the Farmland Conversion Impact Rating Form (Form AD-1006) for completion.

Partner's assessment did not indicate any other potential effects associated with the proposed undertaking.





**FIGURE 3: TOPOGRAPHIC MAP**

**Legend**

Subject Property Boundary

**PARTNER**  
Engineering and Science, Inc.

SOURCES: ESRI, Field Data	DRAWN BY: aszatanik	SCALE: 1 inch = 833 feet
PROJECT NUMBER: 24-456668.7 FILE NAME: Project Whitney: Houston BESS Portfolio (USDA)		DATE: 8/13/2024



SYSTEM SUMMARY

BESS	SUNGROW
	ST2752UX-US
BESS QTY.	8
POWER	9,900,000 W
ENERGY	22,016,000 WH
PCS	SUNGROW
	SC2750UD-MV-US
PCS QTY.	4
COORDINATES	30.0930N 95.5536W

D	PRELIMINARY	11/28/22	SL	
C	PRELIMINARY	11/17/22	SL	
B	PRELIMINARY	10/25/22	KB	
A	PRELIMINARY	10/18/22	KB	
Rev	Description	Date	Dwn	Chk

DESIGNERS SEAL AND SIGN



SYSTEM DESIGNER

SYSTEM OWNER

PROJECT NAME AND ADDRESS

PEARL X

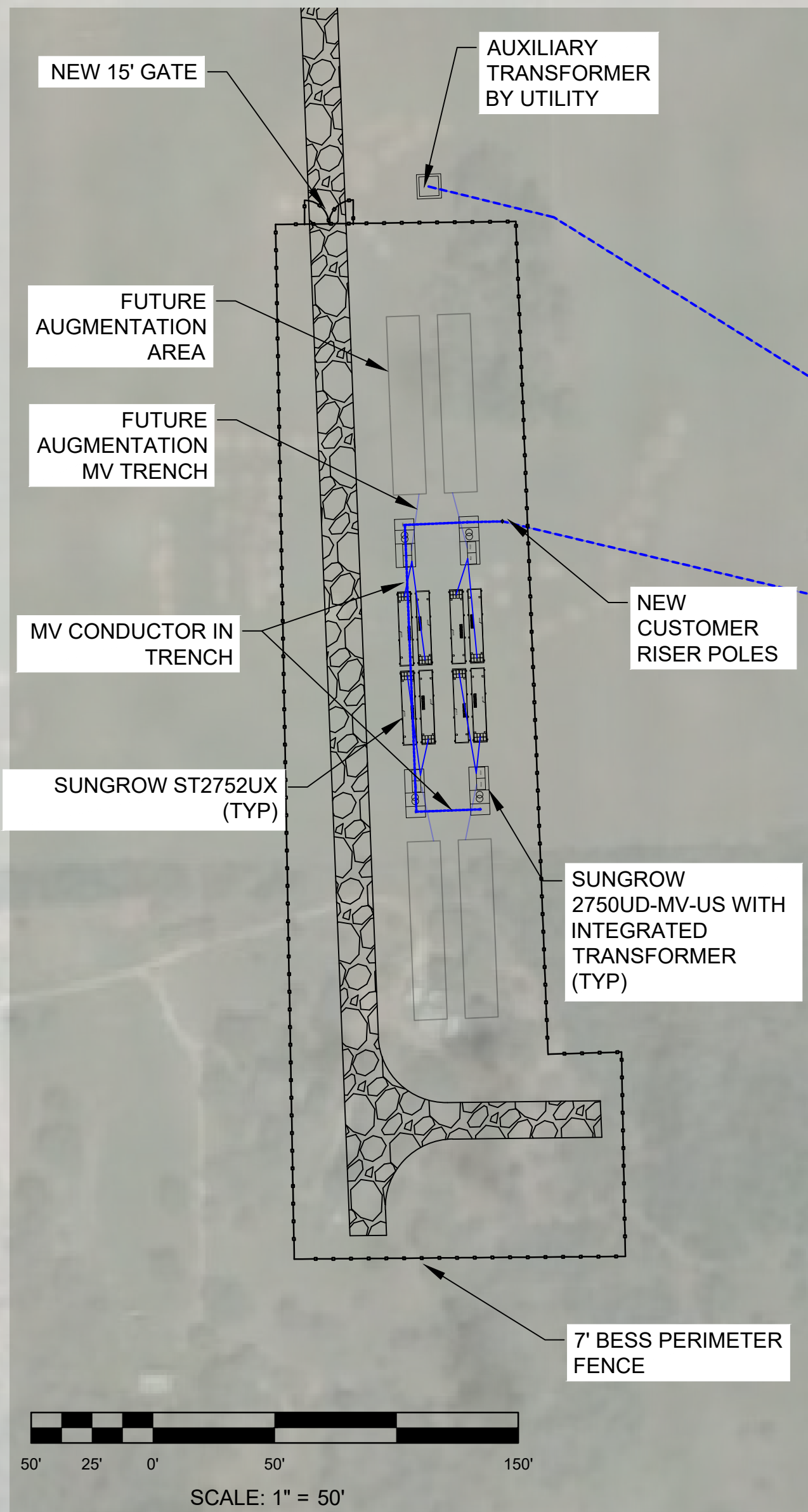
SEAWAY 2LTX018  
31265 FM RD. 1488  
WALLER TX 77484

SHEET TITLE

PRELIMINARY BESS  
SITE PLAN

ENGINEER:	-	DRAWN BY:	K.BURNS
PROJECT NO.	-	SHEET NO.	BD-01
CREATION DATE	10/18/2022		
SCALE	AS NOTED		

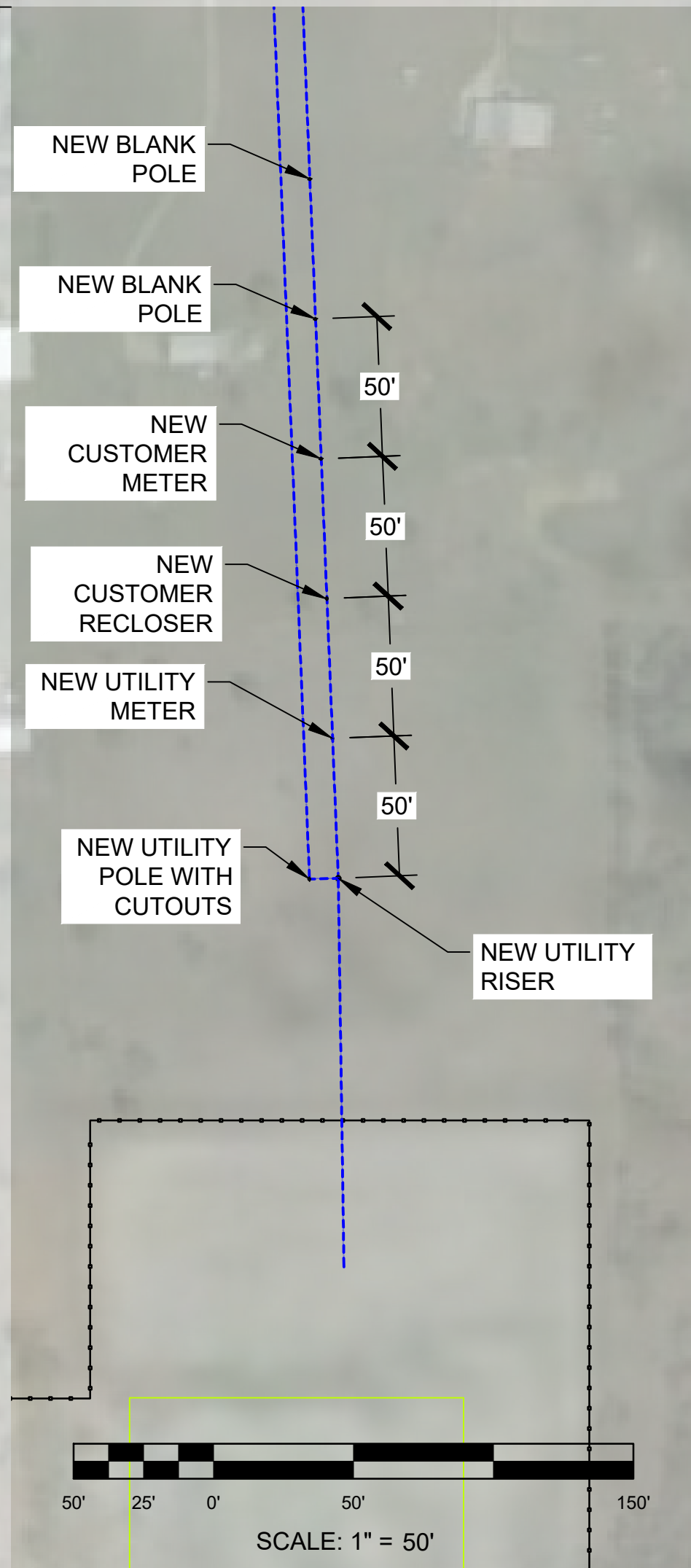
ARCH D



SITE ENTRANCE

ROUTE 1488

15' ACCESS ROAD

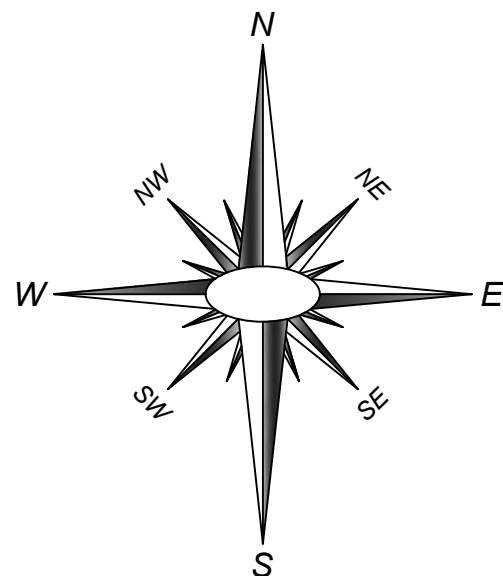


SUBSTATION FENCE

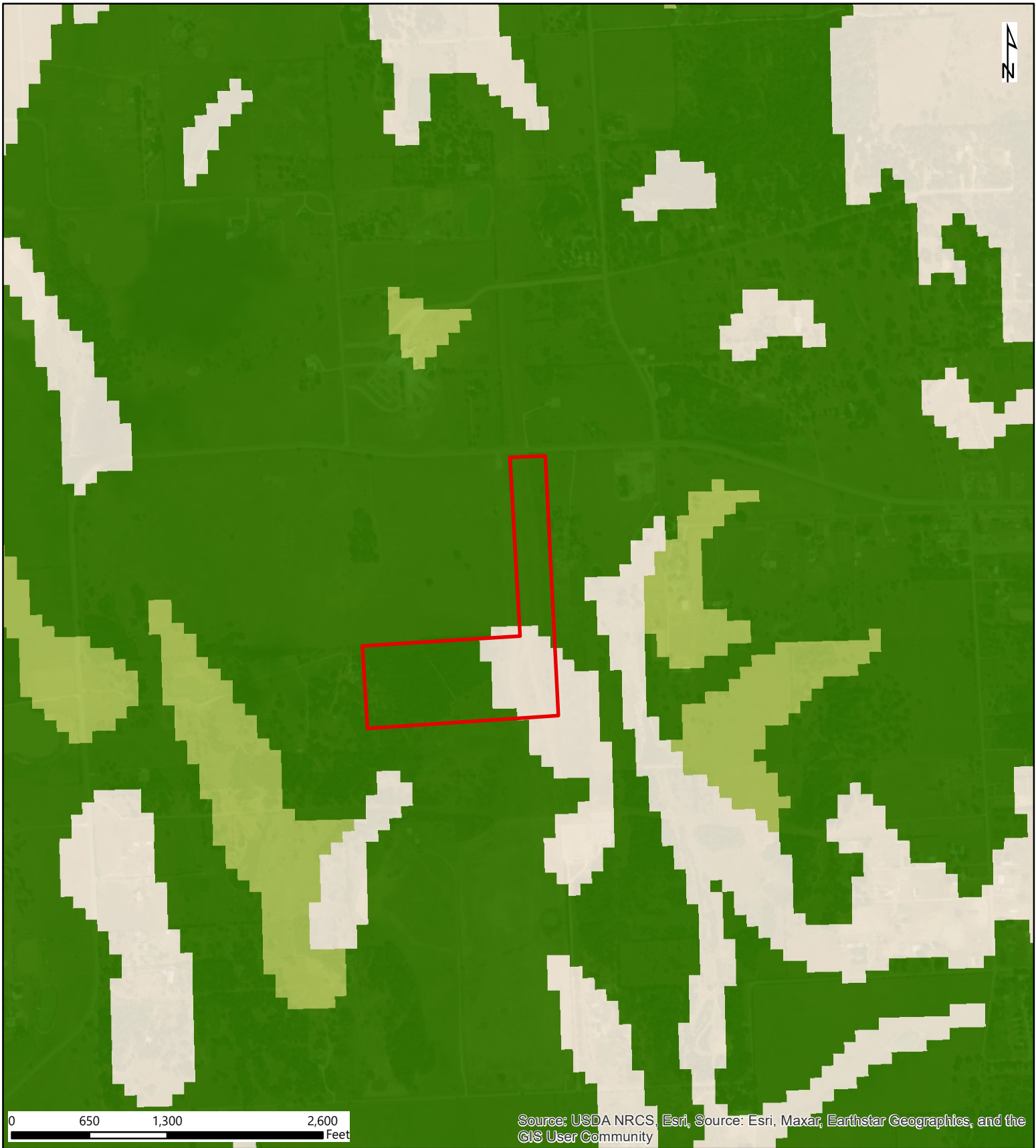
SUBSTATION

NOTES:

1. THE PURPOSE OF THIS LAYOUT IS TO DETERMINE THE BESS CAPACITY BASED ON DATA FROM, CLIENT PROVIDED SURVEY, GOOGLE EARTH INCLUDING FWS WETLANDS & RIPARIAN INFORMATION. THE SITE PLAN NEEDS TO BE RE-EVALUATED ONCE ADDITIONAL INFORMATION IS PROVIDED.
2. TYPICAL ACCESS ROAD - 15' WIDE WITH HS-20 LOADING - TO BE BUILT USING DGA MATERIAL.
3. INTERCONNECTION LOCATION AND DETAILS ARE TENTATIVE AND SHALL BE FINALIZED AS PER UTILITY'S APPROVAL.







PRIME FARMLAND MAP

Legend

- Subject Property Boundary

Prime Farmland

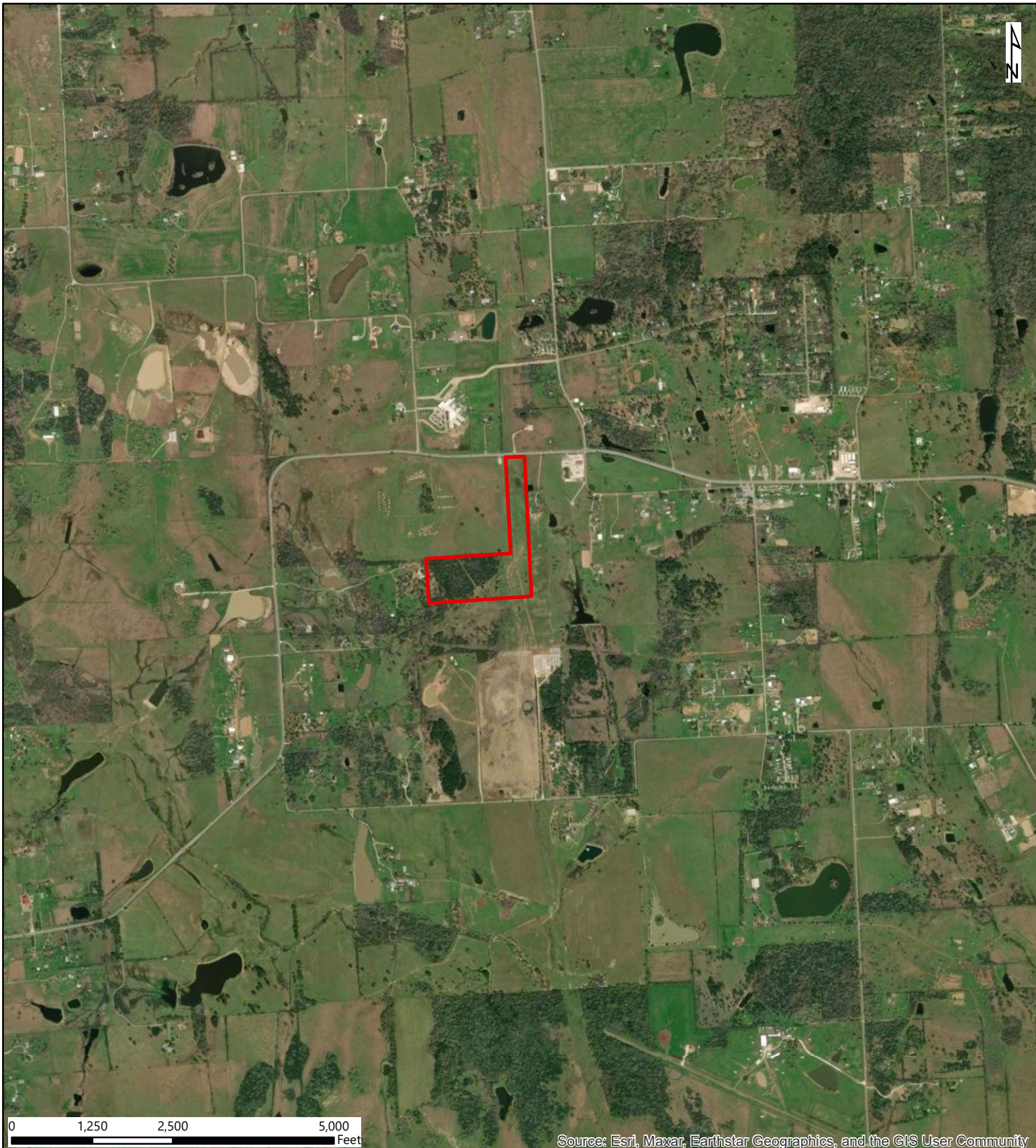
Farmland of Local Importance

Farmland of Statewide Importance

Farmland of Unique Importance


Not Prime Farmland
- PARTNER**  
Engineering and Science, Inc.
- |  |                        |                               |
|--|------------------------|-------------------------------|
| SOURCES:<br>ESRI, Field Data   | DRAWN BY:<br>aszatanik | SCALE:<br>1 inch = 1,073 feet |
| PROJECT NUMBER: 24-456668.7<br>FILE NAME: Project Whitney: Houston BESS Portfolio (USDA) | DATE:<br>8/13/2024     |                               |





**URBAN AREAS MAP**

**Legend**

 Subject Property Boundary

 USA Urban Areas

**PARTNER**  
Engineering and Science, Inc.®

SOURCES: ESRI, Field Data	DRAWN BY: aszatanik	SCALE: 1 inch = 2,000 feet
PROJECT NUMBER: 24-456668.7 FILE NAME: Project Whitney: Houston BESS Portfolio (USDA)		DATE: 8/14/2024

**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request <b>August 22, 2024</b>				
Name of Project <b>32165 FM 1488</b>		Federal Agency Involved <b>USDA Rural Development</b>				
Proposed Land Use <b>BESS Facility</b>		County and State <b>Waller County, Texas</b>				
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form:		
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated		
				Average Farm Size		
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres:                      %		Amount of Farmland As Defined in FPPA Acres:                      %			
Name of Land Evaluation System Used	Name of State or Local Site Assessment System		Date Land Evaluation Returned by NRCS			
<b>PART III</b> (To be completed by Federal Agency)		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly		<b>26.29</b>				
B. Total Acres To Be Converted Indirectly		<b>0</b>				
C. Total Acres In Site		<b>35.29</b>				
<b>PART IV</b> (To be completed by NRCS) Land Evaluation Information						
A. Total Acres Prime And Unique Farmland						
B. Total Acres Statewide Important or Local Important Farmland						
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted						
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value						
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)						
<b>PART VI</b> (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use		(15)	<b>15</b>			
2. Perimeter In Non-urban Use		(10)	<b>10</b>			
3. Percent Of Site Being Farmed		(20)	<b>0</b>			
4. Protection Provided By State and Local Government		(20)	<b>0</b>			
5. Distance From Urban Built-up Area		(15)	<b>15</b>			
6. Distance To Urban Support Services		(15)	<b>0</b>			
7. Size Of Present Farm Unit Compared To Average		(10)	<b>0</b>			
8. Creation Of Non-farmable Farmland		(10)	<b>10</b>			
9. Availability Of Farm Support Services		(5)	<b>2</b>			
10. On-Farm Investments		(20)	<b>0</b>			
11. Effects Of Conversion On Farm Support Services		(10)	<b>0</b>			
12. Compatibility With Existing Agricultural Use		(10)	<b>0</b>			
TOTAL SITE ASSESSMENT POINTS		<b>160</b>	<b>52</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>PART VII</b> (To be completed by Federal Agency)						
Relative Value Of Farmland (From Part V)		100	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Total Site Assessment (From Part VI above or local site assessment)		160	<b>52</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL POINTS (Total of above 2 lines)</b>		<b>260</b>	<b>52</b>	<b>0</b>	<b>0</b>	<b>0</b>
Site Selected: <b>32165 FM 1488</b>		Date Of Selection <b>N/A</b>		Was A Local Site Assessment Used? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
Reason For Selection:  This property was selected due to its proximity to a pre-existing solar array. This development is the proposed construction of battery energy storage system (BESS), which will store excess energy generated by the northwest adjoining solar array.						
Name of Federal agency representative completing this form: <b>Dana Cissel</b>					Date: <b>08/22/2024</b>	

(See Instructions on reverse side)

Form AD-1006 (03-02)



## **STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM**

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at [http://offices.usda.gov/scripts/ndISAPI.dll/oip\\_public/USA\\_map](http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map), or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

## **INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM**

*(For Federal Agency)*

**Part I:** When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

**Part III:** When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

**Part VI:** Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$
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For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.



4) Site plan *[A site plan showing buildings, roads, resource locations and other key features of the proposed site]*

**Attachment 2: USDA Rural Development Intergovernmental Review Consultation Form**

Project Name: \_\_\_\_\_

1) Is the proposal consistent with State or local government planning goals?

☐ Yes      ☐ No

2) Does the proposal duplicate, run counter to, or need to be coordinated with other activities, or might it be revised to increase its effectiveness?

☐ Yes      ☐ No

3) Will the proposal contribute to achieving state or local government goals relating to natural and human resources or economic and community development?

☐ Yes      ☐ No

4) Are there environmental impacts and alternatives that should be considered in the Agency's environmental review?

☐ Yes      ☐ No

5) Will the proposal influence area growth or delivery of services, including any disproportionate effects on minority groups?

☐ Yes      ☐ No

6) Will the proposal impact energy resource supply and demand?

☐ Yes ☐ No

7) Will the proposal displace people or businesses?

☐ Yes ☐ No

8) Will the proposal be located in a Coastal Zone or Coastal Barrier Resource Area and is it consist with any State coastal management plan?

☐ Yes ☐ No

Comments:

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Signature/Title

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Date