



United States Department of Agriculture
Rural Development

Subject: Finding of No Significant Environmental Impact and Necessary
Environmental Findings for the Sapphire Energy, Inc.'s Integrated Algal
Biorefinery (IABR) Facility in Columbus, New Mexico

To: Project File

The attached environmental assessment for the subject proposal has been prepared and reviewed by the appropriate Rural Development officials. After reviewing the assessment and the supporting materials attached to it, I find that the subject proposal will not significantly affect the quality of the human environment. Therefore, the preparation of an environmental impact statement is not necessary.

Mitigative measures which will be employed for this project include the following:

- 1) The USFWS recommends that in order to minimize the likelihood of adverse impacts to all birds protected under the Migratory Bird Treaty Act (MBTA), construction activities should occur outside the general migratory bird nesting season of March through August, or that areas proposed for construction during nesting season be surveyed, and when occupied, avoided until nesting is completed.
- 2) The applicant should coordinate with the USFWS and NMDGF in order to minimize potential impacts to any burrowing owls located on the site if present as outlined in the "Guidelines and Recommendations for Burrowing Owl Surveys and Mitigation" (July 2007). "
- 3) The approval of this project is conditional upon receipt of the USACE Jurisdictional Determination confirming that there are no jurisdictional wetlands or waterways located on the property.
- 4) The approval of this project is conditional upon receipt of all other required permits and approvals (air quality, water rights, NPDES, Discharge) as stated in the EA.

I also find that the assessment properly documents the proposal's status of compliance with the environmental laws and requirements listed therein.

JUDITH A. CANALES
Administrator
Rural Business and Cooperative Service

9/21/09

Date

1400 Independence Ave, S.W. · Washington DC 20250-0700
Web: <http://www.rurdev.usda.gov>

Committed to the future of rural communities.

"USDA is an equal opportunity provider, employer and lender."
To file a complaint of discrimination, write USDA, Director, Office of Civil Rights,
1400 Independence Avenue, S.W., Washington, DC 20250-9410 or call (800) 795-3272 (Voice) or (202) 720-6382 (TDD).