



U.S. Department of Energy

Categorical Exclusion Determination Form

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Proposed Action Title: Modification of Interconnection Agreement 14-UGPR-15: Removing the 50MW Production Cap for the Sunflower Wind Project.

Program or Field Office: Upper Great Plains Regional Office

Location(s) (City/County/State): Morton and Stark Counties, South Dakota.

Proposed Action Description:

In October 2009, Sunflower Wind Project, LLC submitted an interconnection request to connect its proposed 110MW (nameplate capacity) Sunflower Wind Energy Project to WAPA's Dickinson-Mandan 230kV transmission line, via a new interconnection switchyard near Hebron, North Dakota. The annual average production capacity was estimated at less than 50MW, which allowed WAPA to prepare an Environmental Assessment (EA), rather than an Environmental Impact Statement which is normally required for projects expected to produce over 50MW annually. WAPA prepared DOE/EA-1966 to analyze and disclose the environmental effects of the Project and connected federal actions (execute an interconnection agreement, construct/operate the new switchyard, and upgrade existing WAPA facilities). WAPA determined the Project would have no significant impacts to environmental resources and signed a Finding of No Significant Impact (FONSI) on October 7, 2014. WAPA executed Contract No. 14-UGPR-15, which granted the interconnection request and stipulated the Project should produce less than 50MW (average) annually. The Project began operating in 2017 and produced 456,380 MWh in 2017, which exceeded the cap of 438,000 MWh (50MW) per year stipulated in Contract No. 14-UGPR-15.

WAPA proposes to modify Contract No. 14-UGPR-15 to remove the stipulation requiring the Project to produce less than 50MW (average) annually. This action would result in no ground disturbance or change in operations of the Project; all potential impacts of this action are within the range of effects previously described in DOE/EA-1966.

Categorical Exclusion(s) Applied:

B4.1 - Contracts, policies, and marketing and allocation plans for electric power

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of [10 CFR Part 1021](#).

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

The proposal 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 proposal that may affect the significance of the environmental effects of the proposal.

The proposal 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.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

NEPA Compliance Officer: **MATTHEW MARSH** Digitally signed by MATTHEW MARSH
Date: 2018.01.26 15:44:18 -07'00'

Date Determined: 01/26/2018