



U.S. Department of Energy Categorical Exclusion Determination Form



OK

Program or Field Office: TRIBAL ENERGY PROGRAM
Project Title OK-TEP-CHEROKEE NATION BUSINESSES
Location: Tribal CHEROKEE NATION BUSINESSES

Proposed Action or Project Description

American Recovery and Reinvestment Act:

The Cherokee Wind Energy Development proposed project is for development, design, and installation of a 127.5 megawatt wind farm to offset Tribal electrical load; sell excess electricity to local, regional, and statewide off-takers; and establish a Native American Green Tag market. The proposed wind farm would be located on the Chilocco property in north-central Oklahoma, Kay County. Phase I of the proposed project is for pre-construction tasks to bring the project to a shovel-ready condition—plan all stages of construction, secure all contractual obligations; complete wind farm project cost analysis; and isolate the return on investment tables. The specific proposed tasks for Phase I include: securing funds for project development costs, determining the project size (MW), continuing Phases II and III of the transmission and interconnect study, negotiating interconnect and power purchase agreement, completing environmental and NEPA studies, conducting soil sampling and designing turbine foundations, completing turbine assessment and selection, designing turbine layout, designing turbine communication system, and layout electrical and civil engineering. On March 1, 2010, the Bureau of Indian Affairs (BIA) notified the Cherokee Nation that the BIA Eastern Oklahoma Region will function as the lead agency for NEPA for this proposed project.

Conditions: None

Categorical Exclusion(s) Applied: A9, A11, B3.1

*-For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, see Subpart D of 10 CFR 10.21

This action would not: threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including DOE and/or Executive Orders; require siting, construction, or major expansion of waste storage, disposal, recovery, or treatment facilities, but may include such categorically excluded facilities; disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or unpermitted releases; or adversely affect environmentally sensitive resources (including but not limited to those listed in paragraph B.(4)) of Appendix B to Subpart D of 10 CFR 1021). Furthermore, there are no extraordinary circumstances related to this action that may affect the significance of the environmental effects of the action; this action is not "connected" to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts, and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211.

Based on my review of information conveyed to me and in my possession (or attached) concerning 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.

ORO NEPA Compliance Officer: **Gary S. Hartman** Date Determined: 7/21/2010

Comments:

Webmaster: