



# U.S. Department of Energy

## Categorical Exclusion Determination Form

Submit by E-mail

Proposed Action Title: Required network upgrades between Mandan and Ward Substations, as a result of Foxtail Wind interconnection into MISO.

Program or Field Office: Upper Great Plains Region - North Dakota

Location(s) (City/County/State): Burleigh and Morton Counties, North Dakota

Proposed Action Description:

NextEra Energy Resources intends to build a wind project (Foxtail Wind) in Dickey County, ND. As a result, NextEra submitted an interconnection request into Midcontinent ISO system (MISO) and the project was studied during the August 2014 Definitive Planning Phase Study Cycle. Although Foxtail Wind would not interconnect directly to WAPA infrastructure, several necessary system upgrades to WAPA infrastructure were identified. The Proposed Action is to upgrade approximately 4.5 miles of the existing WAPA Mandan-Ward 230kV transmission line by installing higher capacity transmission lines atop the existing towers. The project is located in Sections 5 and 6 of Township 139 N, Range 80 W; and Sections 1, 2, 3, and 10 of Township 139 N, Range 81 W of Burleigh and Morton Counties, North Dakota.

See the attached discussion of environmental conditions and required environmental commitments.

Categorical Exclusion(s) Applied:

B4.13 - Upgrading and rebuilding existing powerlines

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: 2018.03.06 13:26:04 -07'00'

Date Determined: 03/06/2018