

Categorical Exclusion (CX) Determination

Proposed Action: Interconnection of the Letcher to Mitchell 115 kV transmission line to Western's Letcher substation.

Description of Proposed Action: Interconnection of Northwestern Energy's 115 kV Letcher to Mitchell transmission line at Western's Letcher substation. Northwestern Energy is proposing to build a 14.5 mile transmission line between their Mitchell substation and Western's Letcher substation to shore up reliability of their electrical system in the area.

Number and Title of Categorical Exclusions Being Applied: 10 CFR 1021.410 Subpart D, Appendix B, B4.11: Construction of electric power substations... or modification of existing substations and support facilities.

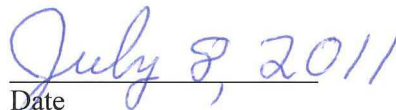
Regulatory Requirements for CX Determination: The DOE Guidelines for Compliance with the Regulatory Requirements for the National Environmental Policy Act at 10 CFR 1021.410(b), require the following determinations be made in order for a proposed action to be categorically excluded from National Environmentally Policy Act (NEPA) review:

- 1) The proposed action fits within a class of actions listed in Appendix B to Subpart D.
- 2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal; and
- 3) The proposal 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.

Results of Review: In accordance with DOE environmental regulations (10 CFR 1021) Western has reviewed the proposed action in terms of the level of NEPA review needed. Based on this review, Western has determined the proposal is encompassed within a class of action listed in Appendix B to Subpart D (10 CFR 1021.410) which lists actions not normally requiring the preparation of either an Environmental Impact Statement or an Environmental Assessment, provided the actions meet the integral elements defined in Appendix B. The proposed action fits into the categorical exclusion listed under B4.11 "Construction of electric power substations... or modification of existing substations and support facilities..." A site biological survey was performed by Western biologists on 4 May 2011. The South Dakota State Historic Preservation Office concurred with Western's finding of "No historic properties affected" on 17 June 2011 on grounds that the following mitigation for the cultural features in the project are implemented: structures 193-197 will be kept within the disturbed road ROW, structures 174-176 will be placed inside of the road ditch within the disturbed ROW, and structures 177-179 cannot be placed inside the ROW due to conflicts with existing gas and telephone lines and will be located just outside of the road ROW on private property. The USFWS concurred with Western's findings that the project will not adversely affect the whooping crane, with the applicant agreed upon mitigation measures of marking the static wires with the best available technology bird diverters on the appropriate portion of the line to be determined by Western's biologist. The applicant has also agreed to provide a limited number of diverters to mark additional line in suitable habitat to further aid the recovery of the whooping crane.

Determination: Based on my review of information provided to me concerning the proposed action as NEPA Compliance Officer, I have determined that the proposed action fits within the specified class of action, the other regulatory requirements set forth above are met, and the proposed action is categorically excluded from further requirements of NEPA review.


Nicholas J. Stas
NEPA Compliance Officer, UGP


Date