



Department of Energy
Western Area Power Administration
Rocky Mountain Customer Service Region
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**U.S. DEPARTMENT OF ENERGY
WESTERN AREA POWER ADMINISTRATION
ROCKY MOUNTAIN REGION**

FINDING OF NO SIGNIFICANT IMPACT

**Hoyt Solar 80-Megawatt Photovoltaic Facility Project
Morgan County, Colorado**

DOE/EA-2187

AGENCY: U.S. Department of Energy, Western Area Power Administration

ACTION: Finding of No Significant Impact

SUMMARY: Deriva Energy (Deriva) submitted an interconnection request to Western Area Power Administration (WAPA) to interconnect Deriva's planned Hoyt Solar Project in Morgan County, Colorado to WAPA's existing Hoyt Substation. Deriva is the project developer and would construct and operate the 80-megawatt (MW) photovoltaic solar facility.

WAPA is a federal power marketing agency within the U.S. Department of Energy (DOE). Under its Open Access Transmission Service Tariff (OATT), WAPA needs to consider and respond to Deriva's interconnection request for the Hoyt Solar Project. The OATT contains terms for processing requests for the interconnection of generation facilities to WAPA's transmission system. In reviewing interconnection requests, WAPA must ensure that existing reliability and services are not degraded. The OATT provides for transmission and system studies to ensure that system reliability and service to existing customers are not adversely affected by new interconnections. These studies identify system upgrades or additions necessary to accommodate a proposed project and address whether the upgrades or additions are within a project's scope. Under the OATT, WAPA offers interconnection to all eligible customers on a first-come, first-served basis, with a final decision whether to make this offer subject to the system impact studies and an environmental review under the National Environmental Policy Act (NEPA). In accordance with applicable law and regulations, WAPA prepared an environmental assessment (EA), entitled *Hoyt Solar Project Draft Environmental Assessment* (DOE/EA 2187).

The EA includes analysis of the No Action Alternative and one action alternative, the Proposed Action. WAPA's Proposed Action consists of approving the interconnection request, entering into an interconnection agreement, and operating the existing Hoyt Substation to facilitate and complete the requested physical interconnection. Deriva's facilities are not part of WAPA's federal action, but the connected actions associated with Deriva's project are analyzed alongside those of the federal action in the EA. WAPA has no approval authority over the other aspects of Deriva's project.

Deriva's planned solar energy project on private lands includes construction of an up to 80-MW capacity solar array, a 115-kilovolt generation tie-in line approximately 300 feet in length, an interconnection switchyard and substation to interconnect with WAPA's transmissions system, approximately 3.2 miles of access road, and ancillary facilities including inverters, perimeter fencing, and a supervisory control and data acquisition (SCADA) system. The number of photovoltaic panels to be used in the solar array is dependent on the selected manufacturer and size of panels selected. Deriva's project is currently vacant and is used for agricultural production (cropland). Up to 6.2 acres of temporary disturbance and 485 acres of permanent disturbance would occur as a result of Deriva's planned solar energy project. The interconnection agreement would allow the project's 115-kilovolt transmission line to connect and deliver energy produced by the solar energy facility into WAPA's Hoyt Substation for distribution to the electrical grid.

WAPA places a strong emphasis on avoiding, minimizing, and mitigating potential adverse environmental impacts. Deriva has committed to avoiding or minimizing potential environmental effects to resources of the human environment from their planned solar generation facility through the implementation of environmental commitments detailed in Chapter 3 of the EA. The commitments include avoiding or minimizing effects to land use, air quality, soils, water resources, vegetation, wildlife, special status species, cultural resources, paleontological resources, visual resources, transportation, public health and safety, and socioeconomics. Deriva has also committed to maintaining a plan for the treatment of unanticipated archaeological discoveries that may occur during the project. These commitments by Deriva shall be part of and implemented through WAPA's interconnection agreement. Additionally, Deriva has engaged in discussions with various local and state agencies (Morgan County, U.S. Army Corps of Engineers, Apache Tribe of Oklahoma, Northern Arapaho Tribe of the Wind River Reservation, Cheyenne and Arapaho Tribes, Comanche Nation, Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Colorado State Historic Preservation Office, and City of Fort Morgan Historic Preservation Board).

The EA analyzed and disclosed the potential environmental impacts of Deriva's planned project to fully inform its interconnection decision. The EA identified no significant impacts resulting from either WAPA's federal action or Deriva's planned project.

The draft EA was released for public review and comment on July 31, 2024, on WAPA's website. The public comment period for the draft EA concluded on September 7, 2024, 38 days after the document was posted to the WAPA website. On July 30, 2024, prior to the start of the public comment period, a notification letter regarding the availability of the draft EA for review and public comment was mailed to all landowners within a 0.5-mile radius of the Project area. The letter was also mailed to the five tribes that were notified during the public scoping period. Additionally, a notice of availability for the draft EA and a request for public input was published in the Fort Morgan Times, which ran from August 8 through September 5, 2024.

In total, WAPA received 3 comment letters or e-mails from the public regarding the draft EA during the public comment period. Comments received were related to the following topics:

- Visual resources impacts
- Impacts on nearby property values
- Groundwater impacts

- Impacts on birds
- Notification process
- Use of energy generated by the project
- Noise impacts
- General support of the project

Revisions were made to Sections 3.6, 3.8, and 3.12 the EA in response to public comments. WAPA received two responses from tribes, one from the Northern Arapaho Tribe of the Wind River Reservation and one from the Comanche Nation. The Northern Arapaho Tribe of the Wind River Reservation requested to be contacted and provided with a report if any traditional cultural properties, rock features, or human remains are found during construction. The Comanche Nation confirmed that no properties were identified within the project area based on Comanche Nation site files.

The comments received during the public comment period for the draft EA as well as the responses to these comments from WAPA, including what revisions were made to the Final EA, are included in Appendix B of the Final EA.

FOR FURTHER INFORMATION: Additional information and copies of the EA and this Finding of No Significant Impact (FONSI) are available to all interested parties and the public from the following contact:

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A copy of the Final EA and this FONSI are also available on the following website:

<https://www.wapa.gov/about-wapa/regions/rm/rm-environment/doe-ea-2187-hoyt-solar-80-mw-solar-morgan-county-co/>

DETERMINATION: Based on the analysis contained in DOE/EA- 2187, WAPA’s federal action of approving the interconnection request, entering into an interconnection agreement, and operating a new switchyard to facilitate and complete the physical interconnection with WAPA’s transmission system does not constitute a major federal action significantly affecting the quality of the human environment within the meaning of NEPA. Thus, the preparation of an environmental impact statement is not required, and WAPA issues this FONSI. The Final EA is approved concurrent with this FONSI.

Issued at Loveland, Colorado on November 18, 2024

Lloyd Linke
Senior Vice President and
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Western Area Power Administration
U.S. Department of Energy