

FINDING OF NO SIGNIFICANT IMPACT

**Ripley Energy Center
Payne County, Oklahoma**

**Rural Utilities Service
U.S. Department of Agriculture**

Associated Electric Cooperative, Inc.

**Prepared by:
Engineering and Environmental Staff
Rural Utilities Service**

September 2024

A. INTRODUCTION

Associated Electric Cooperative, Inc. plans to submit a financing request to the U.S. Department of Agriculture, Rural Utilities Service (RUS) to construct the proposed Ripley Energy Center (Project) in Payne County, Oklahoma. RUS is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), RUS is required to complete an environmental analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. §§ 4321–4347), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of an environmental report prepared by Associated Electric Cooperative, Inc. and its consultant, RUS concurred with its scope and content. In accordance with 7 CFR § 1970.102, RUS will adopt the report and issue it as the Agency's Environmental Assessment (EA) for the proposed Project. RUS finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. Associated Electric Cooperative, Inc. published newspaper notices, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, RUS considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

B. PROJECT DESCRIPTION AND PURPOSE/NEED

The overall purpose of the Project is to construct the Ripley Energy Center facility in Payne County, Oklahoma. The Project will be a new natural gas-fired simple-cycle electric generating facility. The Project consists of a single advanced class simple-cycle gas turbine generator and associated equipment with a nominal capacity of 421 Megawatts (MW). The project will burn natural gas with the capability to use fuel oil as a backup. The project site is 6.5 miles north of Ripley with approximately 50 acres of land disturbance. The project includes a new 0.5-mile-long transmission line to access the existing transmission line right-of-way near the site. From that location, 5.5 miles of transmission line in the existing right-of-way will be rebuilt to the existing Stillwater Substation. It includes a new onsite switchyard. A new natural gas lateral will be constructed to supply fuel to the project. It will be approximately 3,000 feet long, with only 120 feet offsite, and extend to a tap point on the directly adjacent Enable Oklahoma Intrastate Transmission, LLC pipeline. The project will include a new approximately 1-mile water line to upgrade an existing water line. RUS have reviewed the purpose and need for the Project and determined that the proposal will meet the RUS purpose and need.

C. ALTERNATIVES EVALUATED

1. No Action

Under the No Action Alternative, RUS will not provide financial assistance to Associated Electric Cooperative, Inc., and/or the proposed Project will not be constructed. This alternative will not assist Associated Electric Cooperative, Inc. in providing electricity to rural residents.

2. Action Alternative (Preferred Alternative)

Under the Action Alternative, RUS will consider financing the proposed Project, and Associated Electric Cooperative, Inc. will construct the Ripley Energy Center Project. The proposed Project will be a new natural gas-fired simple-cycle electric generating facility. The Project consists of a single advanced class simple-cycle gas turbine (SCGT) generator and associated equipment with a nominal capacity of 421 Megawatts. The project will burn natural gas with the capability to use fuel oil as a backup. The project site is 6.5 miles north of Ripley with approximately 50 acres of land disturbance. The project includes a new 0.5-mile-long transmission line to access the existing transmission line right-of-way near the site. From that location, 5.5 miles of transmission line in the existing right-of-way will be rebuilt to the existing Stillwater Substation. It includes a new onsite switchyard. A new natural gas lateral will be constructed to supply fuel to the project. It will be approximately 3,000 feet long, with only 120 feet offsite, and extend to a tap point on the directly adjacent Enable Oklahoma Intrastate Transmission, LLC pipeline. The project will include a new approximately 1-mile water line to upgrade an existing water line.

3. Alternatives Eliminated from Further Consideration

In addition to the No Action Alternative and Action Alternative, Associated Electric Cooperative, Inc. considered alternative generation technologies, alternative sites, which are documented in the Alternatives section of the EA.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The analysis in the EA documented that the proposed Project will have no adverse effects to land use, farmland, floodplains, wetlands, water resources, coastal resources, biological resources, cultural resources and historic properties, aesthetics, air quality, socioeconomic and environmental justice, noise, transportation, human health and safety, and corridors. In accordance with the requirements of § 1970.104(b), a summary of anticipated

impacts on the human environment is provided below, including any mitigation measures deemed necessary to avoid, minimize, or mitigate impacts. Associated Electric Cooperative, Inc. is responsible for implementing these measures.

There are no federal lands or other formally classified lands within the Project. The Project site received a rating less than 160, so it will not receive further evaluation under the Farmland Protection Policy Act. Therefore, the Project will have no significant impact to formally classified lands or important farmland.

The Project site is outside of the 500-year floodplain. There are no jurisdictional wetlands at the Project site. The Project will not significantly impact two small non-jurisdictional ponds in the Project site. The Project area will not impact coastal resources or groundwater (including sole source aquifers) or significantly impact other water resources. The Project will have no significant impact to floodplains, wetlands, water resources, or coastal resources.

The Project will have no effect to five federally listed, proposed, or candidate species. The Project may effect, not likely to adversely affect the other two species on the official species list. There are no critical habitats or known eagle nests within the Project area. Any tree clearing will occur outside of bat roosting season. The Project will install bird diverters on transmission lines near water features. The Project will have no significant impact to biological resources.

A cultural resources survey was conducted in the Project Area of Potential Effect (APE). Consultation was conducted with the State Historic Preservation Officer (SHPO). Seven Indian tribes were contacted, and two tribes responded. There were no objections to the Project. The Project will not adversely affect historic properties and cultural resources.

The Project will not negatively affect minority or low-income populations. The Project may have temporary impacts during construction to aesthetics, noise, and transportation. There are no identified hazardous materials in the Project site. Therefore, the Project will have no significant impact to aesthetics, socioeconomics and environmental justice, noise, transportation, and human health and safety.

The Project area is in attainment for criteria air pollutants and in compliance with all federal clean air standards. Project air emissions during construction will be temporary in nature, fall off rapidly with distance from the construction site, and of insufficient quantity and duration to significantly contribute to ambient air quality degradation or potential climate

change impacts. Fugitive dust control measures will be utilized to mitigate temporary impacts during construction and maintenance, including paving or watering of roadways after completion of grading with seeding of areas after final grading.

A dispatchable power generation facility was identified in the purpose and need to respond to fluctuations in demand and power by renewable energy generation resources. The proposed natural gas generating technology meets that need and results in significantly less greenhouse gas (GHG) emissions than other fossil-based generating technologies. Project air emissions during operation will be subject to all applicable federal and state emission standards. The Project is subject to permitting for criteria air pollutants, hazardous air pollutants (HAP), and GHG emissions. The Project will voluntarily add selective catalytic reduction (SCR) to control emissions of nitrogen oxides (NO_x) and oxidation catalyst to control emissions of carbon monoxide (CO). The Project has submitted a Tier II Construction Permit Application to the Oklahoma Department of Environmental Quality (ODEQ) demonstrating compliance with the applicable requirements based on current guidance and has received a completeness determination. Within 180 days from initial startup, the Project will submit a Title V Operating Permit Application that will incorporate the construction permit requirements.

The proposed fuel source, natural gas, is considered a low-carbon fuel. The GHG emissions for the State of Oklahoma were reviewed regarding carbon dioxide equivalent (CO₂e) emissions. The last five years of available greenhouse gas emission data was reviewed for the State of Oklahoma. The average state-wide CO₂e emissions for the most recent 5 years of data available (2017-2021) was determined to be 158,255,328 tons per year. The project CO₂e emissions are calculated to be 824,887 tons per year. This equates to 0.5% of the statewide CO₂e emissions. The Project will not result in adverse impact to air quality and GHG.

E. PUBLIC AND AGENCY INVOLVEMENT

Project scoping letters were sent to federal, state, and local government agencies. A public open house was held on December 14, 2023, at the Payne County Expo Center Heritage Hall in Stillwater, Oklahoma. Project information was provided to state and local officials in Fall 2023, and with an adjacent landowner in February 2024. A local newspaper advertisement, announcing the availability of the EA and participation under Section 106 of the National Historic Preservation Act, was published on July 31 and August 7, 2024, in the Cushing Citizen, and August 1 and 8, 2024 in the Yale News, Payne County, Oklahoma. A copy of the EA was available for public review at Cushing Public Library, Yale Public Library, and the agency website <https://www.rd.usda.gov/resources/environmental-studies/assessment/ripley-energy-center>.

The 14-day comment period ended on August 14, 2024. RUS received no comments on the EA during the public review period.

F. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RUS has concluded that the proposed Project will have no significant effects to land use and important farmland, floodplains, wetlands, water resources, coastal resources, biological resources, cultural resources and historic properties, aesthetics, air quality, socioeconomic and environmental justice, miscellaneous issues (noise, transportation), human health and safety, and corridors. The proposed Project will have no effects on historic properties listed or eligible for listing on the National Register of Historic Places and no effects to federally listed species or designated critical habitat. The proposed Project will not disproportionately affect minority or low-income populations.

In accordance with the National Environmental Policy Act, as amended, the Council on Environmental Quality Regulations, and RD's Environmental Policies and Procedures, RUS has determined that the environmental impacts of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment will result from construction and operation of the proposed Project. Any final action by RUS related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RUS action will not result in significant impacts to the quality of the human environment, RUS will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed Project.

G. LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes RUS's environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance also is subject to the availability of loan funds for the designated purpose in RUS's budget. There are no provisions to appeal this FONSI or the agency's other environmental determinations. Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

H. APPROVAL

This Finding of No Significant Impact is effective upon signature.

Dated:

CHRISTOPHER MCLEAN

Digitally signed by CHRISTOPHER
MCLEAN
Date: 2024.09.05 11:06:21 -04'00'

CHRISTOPHER A. MCLEAN
Assistant Administrator
Electric Programs
Rural Utilities Service

Contact Person

For additional information on this FONSI and EA, please contact Terry Czerwien, Environmental Protection Specialist, at terry.czerwien@usda.gov.