

CATEGORICAL EXCLUSION DETERMINATION



Proposed Action Title: Pilot Butte-Copper Mountain 34.5-kV Distribution Line Access Road Maintenance

Location: Fremont County, Wyoming

Project Number: 2021-052

Expiration Date: December 31, 2025

A. PROPOSED ACTION DESCRIPTION:

Western Area Power Administration (WAPA), Rocky Mountain Region (RMR), proposes to conduct routine access road maintenance on existing roads used to access Structures 32/7-32/8, 34/3-34/4, 36/8-36/10, 39/5-39/7, 40/10-40/11, and 42/5-42/6 on the Pilot Butte-Copper Mountain (PB-COP) 34.5-kV Distribution Line, in Fremont County, Wyoming. Access road maintenance may include: blading; grading; removal of rocks, vegetation, and other obstacles impeding safe travel; installation, repair, and replacement of water bars, rip-rap, and other erosion control measures; and cleanout, repair, installation, and in-kind replacement of culverts and other drainage features. Equipment used for this project may include motor graders, bulldozers, excavators, dump trucks, compactors, skid-steers, and work trucks. Work will occur on private lands and on the Wind River Indian Reservation. This work will be confined to WAPA's existing access road prisms and right-of-way (ROW); no new roads will be constructed.

This Categorical Exclusion (CX) replaces the original CX issued August 6, 2021, with an original expiration date of December 31, 2025. The Proposed Action (Section A) and the Stipulations (Section B) have been updated for this CX.

B. STIPULATIONS PERTAINING TO PROPOSAL:

- 1) If the scope of work of this project changes, RMR's Environment Department must be contacted to determine whether additional environmental review is required.
- 2) **This Categorical Exclusion expires on December 31, 2025.** If all project work has not been completed by the expiration date, or if the need for an environmental compliance extension is anticipated, RMR's Environment Department must be contacted for an updated environmental review.
- 3) New culvert installation, in-kind culvert replacement, and crossing maintenance is authorized. New culvert installation is covered under United States Army Corp of Engineers (USACE) Nationwide Permit 57 - Electric Utility Line and Telecommunications Activities and must comply with all applicable Conditions stated in the permit.
- 4) If rip-rap or other fill must be placed within waters of the United States (within wetland boundaries or below the ordinary high-water mark of surface waters), RMR's Environment Department must be contacted to determine whether additional environmental review is required.

- 5) Any injured or orphaned birds and all observed active nests must be immediately reported to RMR Environment at (970) 593-8803 or (970) 342-6462. Any dead birds must be reported to RMR Environment within twenty-four (24) hours of discovery. Additional documentation, such as photographs and GPS coordinates, may be requested to support RMR's reporting requirements to the U.S. Fish and Wildlife Service.
- 6) If any cultural resources are inadvertently discovered during implementation of the proposed action, work within 100 feet of the discovery area must halt immediately, and an RMR Archaeologist must be contacted immediately at (970) 302-4753 or (970) 286-3523. Work in the area of discovery must not resume until notification to proceed is provided by an RMR Archaeologist.
- 7) If any possible human remains are inadvertently discovered during implementation of the proposed action, work within 100 feet of the discovery area must halt immediately, and an RMR Archaeologist must be notified immediately at (970) 302-4753 or (970) 286-3523 (no later than 24 hours from the time of discovery). A reasonable effort must be made to protect the remains from looting and/or further damage. Work in the area of discovery must not resume until notification to proceed is provided by an RMR Archaeologist.
- 8) To prevent the transport of non-native and invasive plants and animals, including noxious weeds and aquatic nuisance species, work crews must thoroughly wash all vehicles and equipment (trailers, trucks, UTVs, etc.) before entering the action area and working on the project.
- 9) Activities involving the use of fuel, oil, hydraulic fluid, or other petroleum products must comply with RMR's Spill Response Plan (SRP).

C. NUMBER AND TITLE OF THE CATEGORICAL EXCLUSION BEING APPLIED:

(See text in 10 CFR 1021, Subpart D.)

B1.3 Routine maintenance

D. REGULATORY REQUIREMENTS 10 CFR 1021.410 (b): (See full text in regulation)

The proposed action fits within a class of actions that is listed in Appendix A or B of 10 CFR 1021.

To fit within the classes of actions listed in 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 the Department of Energy (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 Comprehensive Environmental Response, Compensation, and Liability Act (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 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 of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

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 improperly segmented, and 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.

E. DETERMINATION:

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.

Signature and Date

James Wood
NEPA Compliance Officer
Rocky Mountain Region
Western Area Power Administration

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