

# CATEGORICAL EXCLUSION DETERMINATION



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**Proposed Action Title: Loveland Area Projects 2025 Resource Pool**

**Location: Colorado, Kansas, Nebraska, and Wyoming**

**Project Number: 2021-091**

**Expiration Date: September 30, 2022**

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## **A. PROPOSED ACTION DESCRIPTION:**

Western Area Power Administration (WAPA), a Federal Power Marketing Administration of the Department of Energy, is publishing in the *Federal Register* a notice of allocation procedures and call for applications from new preference entities interested in an allocation of Federal firm power. WAPA's Rocky Mountain Region (RMR) published its Loveland Area Projects (LAP) – 2025 Power Marketing Initiative (2025 PMI) in the *Federal Register* December 30, 2013, to be effective January 29, 2014. The 2025 PMI established the criteria for allocating firm power from the LAP beginning October 1, 2024, through September 30, 2054. The 2025 PMI established three resource pools of up to one percent each of the marketable resource under contract at the time of each reallocation to be available for eligible new preference entities. Reallocations will occur at the beginning of the October 1, 2024, contract term (2025 Resource Pool) and again every ten years thereafter on October 1, 2034, and October 1, 2044. Through the 2025 Resource Pool, WAPA is issuing a call for applications from new preference entities interested in applying for an allocation of firm power from LAP. The LAP current marketing area is specifically defined as the portion of Colorado east of the Continental Divide; Mountain Parks Electric, Inc.'s service territory in Colorado west of the Continental Divide; the portion of Kansas located in the Missouri River Basin; the portion of Kansas west of the eastern borders of the counties intersected by the 100th Meridian; the portion of Nebraska west of the 101st Meridian; and Wyoming east of the Continental Divide.

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## **B. NUMBER AND TITLE OF THE CATEGORICAL EXCLUSION BEING APPLIED:**

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

B4.1 Contracts, policies, and marketing and allocation plans for electric power

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## **C. 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.

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#### **D. 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.

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Signature and Date

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

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