



U.S. Department of Energy

Categorical Exclusion Determination Form

Submit by E-mail

Proposed Action Title: Rebuild of the Bismarck - Jamestown #2 230kV transmission line

Program or Field Office: NDMO

Location(s) (City/County/State): Stutsman County, North Dakota

Proposed Action Description:

WAPA is proposing to rebuild & reroute approximately 2 miles of the Bismarck to Jamestown #2 230kV transmission line, between structures 66/3-65/2. The current transmission line route spans Stink Lake, which flooded during Spring 2022 & caused WAPA's transmission line to fail. The proposed reroute would not span the lake &, instead, would parallel on the north side of an existing road (38th Street SE), thereby reducing the risk of future flooding-related outages, as well as reducing potential impacts to waterfowl or other wildlife using Stink Lake.

No structures will be placed in water resources, nor will WAPA excavate, fill, or otherwise alter/modify the course, location, condition, or capacity of water resources. There will be no change in land use within the Project footprint because the existing land use is developed roadway, borrow pit, & utility corridor. Structures 65-2 & 65-03 are proposed to be located on State of ND land. The project will not impede the use of State lands. Bird flight diverters will be installed along the entire reroute segment, due to the proximity to wetlands, which are often used by migratory birds and waterfowl. Diverters will increase visibility & reduce collisions. WAPA will avoid constructing during the spring/fall migration & nesting seasons for sensitive species. WAPA has determined No Effect to federally-listed Threatened or Endangered species. Spill, runoff, & erosion measures will be implemented as described in WAPA's Construction Standard 13. WAPA surveyed the proposed structure & ROW locations, which were negative for cultural artifacts. If, during the course of any ground disturbance related to the project, any bones, artifacts, foundations, or other indications of past human occupation of the area are uncovered, the project will be stopped, & the SHPO notified immediately. A desktop qualitative review identified no transportation, air quality, hazardous materials, human health & safety, or socioeconomic/community concerns.

Categorical Exclusion(s) Applied:

B4.12 - Construction of powerlines

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of [10 CFR Part 1021](#).

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D.

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, 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 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 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 Part 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 listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

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 segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of 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.

NEPA Compliance Officer: **John D. Russell** Digitally signed by John D. Russell
Date: 2022.07.13 16:03:43 -06'00'

Date Determined: 07/13/2022