

<b>Project title: Olmsted Project Marketing</b>		
<b>Requested by: Randy Manion</b>	<b>L6000</b>	<b>720 201-3285</b>
<b>Date: April 28, 2022</b>		

**Description of the Project**

WAPA proposes to market the hydroelectric generation of the Olmsted Powerplant Replacement Project (Olmsted Project). The current Olmsted Power Marketing Plan will expire on September 30, 2024, and the proposed 2025 Olmsted Power Marketing Plan will be effective October 1, 2024. To accomplish this, WAPA has developed a proposed marketing plan and established general power marketing criteria and will be calling for applicants to apply as allottees for this power.

**Background Information**

WAPA is responsible for marketing power from CRSP, of which the Olmsted Project is a feature. CRSP is also responsible for marketing power from the Salt Lake City Area Integrated Projects, the Falcon-Amistad Project, and the Provo River Project. This *Federal Register* notice formally initiates WAPA’s public process and request for public comments on the proposed 2025 Olmsted Power Marketing Plan.

The Olmsted Project is located at the mouth of Provo Canyon in northern Utah and is part of the Central Utah Project, a participating project of CRSP. In 1987, the United States Department of the Interior, Bureau of Reclamation (Reclamation) secured ownership of the Olmsted Flowline, located in northern Utah, and the associated water rights as an essential part of the Central Utah Project. In the related 1990 Settlement Agreement, the Olmsted facilities were acquired in condemnation proceedings by the United States and added to the Central Utah Project to better secure and develop water rights. As part of the condemnation proceedings, PacifiCorp continued Olmsted operations until September 22, 2015. Power generation at the site ceased after that date, and the Department of Interior (DOI) assumed responsibility for operating the Olmsted Project.

The continued operation of the Olmsted facilities is essential to maintaining the non-consumptive Olmsted water rights necessary for the Central Utah Project. A comprehensive evaluation of the 100-year-old project determined the facility greatly exceeded its operational life, and a replacement hydroelectric facility was necessary. On February 4, 2015, an Implementation Agreement (Agreement) for the Olmsted Project was signed by the Central Utah Water Conservancy District (District), Reclamation, DOE, and WAPA (Participants). The Agreement set forth the responsibilities of the Participants and how the Olmsted Project would be funded. The Olmsted Project is a federal facility operated and maintained by the District in connection with its Central Utah Project operations. The Olmsted Project is a “run-of-the-river” plant producing power only when water demands from downstream users necessitate water deliveries.

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**ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION**  
**Colorado River Storage Project Management Center**  
**Western Area Power Administration**

In consideration of 10 CFR Part 1021 Subpart D:

**Category of Action**

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

Establishment and implementation of contracts, policies, and marketing and allocation plans related to electric power acquisition that involve only the use of the existing transmission system and existing generation resources operating within their normal operating limits.

**Regulatory Requirements for a Categorical Exclusion Determination**

The Department of Energy (DOE), National Environmental Policy Act (NEPA) Implementing Procedures, 10 CFR 1021.410(b) require the following determinations be made in order for a proposed action to be categorically excluded.

[V] 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.

[V] There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

[V] 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) (I)), 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.

**Results of Review**

In accordance with DOE environmental regulations (10 CFR 1021), WAPA has reviewed the proposed action in terms of the level of NEPA review needed. Based on this review, WAPA has determined the proposal is

encompassed within a class of action listed in Appendix B to Subpart D (10 CFR 1021.410) which do not require preparation of either an environmental impact statement (EIS) or an environmental assessment (EA).

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.

Action taken

Categorical Exclusion (CX)

**Determination:** Based on my review of information provided to me concerning the proposed action as NEPA Compliance Officer, I have determined that the proposed action meets the requirements for the categorical exclusion listed above. Therefore, I have determined that the proposed action may be categorically excluded from further NEPA review and documentation.

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CRSP MC NEPA Compliance Officer

**Western Area Power Administration,  
CRSP MC  
NEPA Attachment Sheet**

Checklist for Categorical Exclusion Determination, revised Nov. 2011

Application of Categorical Exclusions (1021.410)	Disagree	Agree	Unknown
(b)(1) The proposal fits within a class of actions that is listed in appendix A or B to subpart D.		<b>X</b>	
(b)(2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal, including, but not limited to, scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; and unresolved conflicts concerning alternate uses of available resources		<b>X</b>	

<p>(b)(3) The proposal has not been segmented to meet the definition of a categorical exclusion. Segmentation can occur when a proposal is broken down into small parts in order to avoid the appearance of significance of the total action. The scope of a proposal must include the consideration of connected and cumulative actions, that is, the 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 § 1021.211 of this part concerning limitations on actions during EIS preparation.</p>		<p><b>X</b></p>	
<p><b>B. Conditions that are Integral Elements of the Classes of Actions in Appendix B:</b></p>	<p><b>NO</b></p>	<p><b>YES</b></p>	<p><b>UNKNOWN</b></p>
<p>(1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety and health, or similar requirements of DOE or Executive Orders.</p>	<p><b>X</b></p>		
<p>(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;</p>	<p><b>X</b></p>		
<p>(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;</p>	<p><b>X</b></p>		
<p>(4) Have the potential to cause significant impacts on environmentally sensitive resources. An environmentally sensitive resource is typically a resource that has been identified as needing protection through Executive Order, statute, or regulation by Federal, state, or local government, or a federally recognized Indian tribe. An action may be categorically excluded if, although sensitive resources are present, the action would not have the potential to cause significant impacts on those resources (such as construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has wetlands). Environmentally sensitive resources include, but are not limited to:</p>	<p><b>X</b></p>		
<p>(i) Property (such as sites, buildings, structures, and objects) of historic, archaeological, or architectural significance designated by a Federal, state, or local government, or property determined to be eligible for listing on the National Register of Historic Places.</p>	<p><b>X</b></p>		

<p>(ii) Federally-listed threatened or endangered species or their habitat (including critical habitat) or Federally- proposed or candidate species or their habitat (Endangered Species Act); state-listed or state-proposed endangered or threatened species or their habitat; Federally-protected marine mammals and Essential Fish Habitat (Marine Mammal Protection Act; Magnuson-Stevens Fishery Conservation and Management Act); and otherwise Federally-protected species (such as under the Bald and Golden Eagle Protection Act or the Migratory Bird Treaty Act);</p>	<p><b>X</b></p>		
<p>(iii) Floodplains and wetlands (as defined in 10 CFR 1022.4, Compliance with Floodplain and Wetland Environmental Review Requirements: "Definitions," or its successor);</p>	<p><b>X</b></p>		
<p>(iv) Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national monuments, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges, scenic areas (such as National Scenic and Historic Trails or National Scenic Areas), and marine sanctuaries;</p>	<p><b>X</b></p>		
<p>(v) Prime or unique farmland, or other farmland of statewide or local importance, as defined at 7 CFR 658.2(a), Farmland Protection Policy Act: Definitions, or its successor;</p>	<p><b>X</b></p>		
<p>(vi) Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and</p>	<p><b>X</b></p>		
<p>(vii) Tundra, coral reefs, or rain forests.; or</p>	<p><b>X</b></p>		
<p>(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.</p>	<p><b>X</b></p>		