

CATEGORICAL EXCLUSION DETERMINATION



Proposed Action Title: Lovell-North Cody 69-kV Transmission Line Structure Replacements and Mechanical Vegetation Management

Location: Park County, Wyoming

Project Number: 2023-004

Expiration Date: December 31, 2028

A. PROPOSED ACTION DESCRIPTION:

Western Area Power Administration (WAPA), Rocky Mountain Region (RMR), proposes to replace existing Structures 23/10, 24/3, 38/3, and 40/4 on the Lovell-North Cody (LV-NC) 69-kV Transmission Line in Park County, Wyoming. The purpose of the project is to replace existing wood structures that have been identified as structurally deficient. The new transmission structures will be 5 to 10 feet taller than the existing structures and have minor structural updates to meet current WAPA design standards, but they will be visually similar to the existing structures. The new structures will be placed in the existing structure holes whenever possible. The full scope of the structure replacements will include removing the existing structures, re-auguring the existing structure holes or auguring new structure holes, installing the new wood structures, backfilling the structure holes, and installing new hardware. Prior to the structure replacements, landing maintenance and mechanical vegetation management within a 50-foot radius of each structure will be completed to facilitate safe working conditions. Equipment used for this project may include bucket trucks, truck-mounted augers and cranes, skid-steer loaders, utility trucks, pole trailers, equipment trailers, and masticators. Work will be confined to WAPA's right-of-way (ROW) on private lands. The ROW will be accessed by existing access routes; no access road maintenance or new road construction is authorized.

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, 2028.** 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) Vegetation management crews must carefully inspect vegetation for active avian nests prior to any vegetation management activities between May 15 and August 15. Vegetation must be inspected no more than five (5) calendar days in advance of vegetation management activities during this time period. If an active avian nest is found in vegetation that needs to be trimmed or removed, vegetation management activities must be delayed until the nest is no longer active. An avian nest becomes active when the first egg is laid, and it remains active until all offspring have fledged (left the nest) and the nest is empty. Inactive (empty) nests that do not belong to threatened species, endangered species, or eagles may be removed

and destroyed in accordance with WAPA's Avian Protection Plan (APP). Contact RMR's Environment Department prior to nest removal to ensure conformance with the APP

- 4) 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.
- 5) Only cutting or removing of vegetation above the ground (e.g. with a chainsaw, rotary cutter, or mower) is allowed within Waters of the United States (within wetland boundaries and below the ordinary high-water mark of surface waters). Within these areas, all stumps and roots must be left in place to minimize soil disturbance. No mechanized pushing, dragging, or other activities that would add or remove soil or create significant debris piles (e.g. brush or slash piling) is authorized within these areas.
- 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) Vehicles and equipment (trailers, trucks, UTVs, etc.) will not be moved between work areas without first taking reasonable measures to ensure they are free of soil, seeds, vegetation matter, or other debris that could contain noxious weed seeds.
- 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, Regional Environmental Manager
Rocky Mountain Region
Western Area Power Administration

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