



U.S. Department of Energy Categorical Exclusion Determination Form

Submit by E-mail

Proposed Action Title: Edgeley to Foreman Structure Relocations: 49/4, 49/5, 49/6, and 49/7

Program or Field Office: SDMO

Location(s) (City/County/State): Section 5; Township 130 North, Range 58 West, Sargent County, ND

Proposed Action Description:

Due to rising water levels on Lake Taayer, several structures along the Edgeley to Foreman line must be relocated. WAPA proposes to:

- 1) Remove existing damaged towers and downed line.
- 2) Construct 2 platforms along the south side of Highway 11, per NDDOT specifications, and relocate structures 49/5 and 49/6 onto the newly constructed platforms.
- 3) Relocate structures 49/4 and 49/7.
- 4) Perform any related erosion control, road, and culvert work, as required by NDDOT.

WAPA has received authorization for in-water work via COE Regional General Permit #96-01-08-BIS for Emergency Flood Related Activities and will comply with all permit terms and conditions. WAPA continues to work with NDDOT regarding a new utility permit in order to locate the platforms within NDDOT's right-of-way for HWY 11 and will comply with any permit terms and conditions. SHPO concurrence has been received. There are no Endangered Species Act concerns. WAPA has committed to installing bird flight diverters on this segment, provided equipment can be acquired in a timely manner.

Work is scheduled for the summer of 2020.

Categorical Exclusion(s) Applied:

B4.13 - Upgrading and rebuilding existing 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: **Matthew D. Blevins** Digitally signed by Matthew D. Blevins
Date: 2020.05.08 10:28:34 -06'00'

Date Determined: 05/08/2020