

**U.S. DEPARTMENT OF ENERGY  
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY  
NEPA DETERMINATION**



**RECIPIENT:** Beaver City Corporation

**STATE:** UT

**PROJECT TITLE :** Hydroelectric Plant Transportation Pipeline Replacement

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
N/A	DE-EE0010959	GFO-0010959-001	GO10959

**Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Policy 451.1), I have made the following determination:**

**CX, EA, EIS APPENDIX AND NUMBER:**

Description:

**A9 Information gathering, analysis, and dissemination**

Information gathering (including, but not limited to, literature surveys, inventories, site visits, and audits), data analysis (including, but not limited to, computer modeling), document preparation (including, but not limited to, conceptual design, feasibility studies, and analytical energy supply and demand studies), and information dissemination (including, but not limited to, document publication and distribution, and classroom training and informational programs), but not including site characterization or environmental monitoring. (See also B3.1 of appendix B to this subpart.)

**B5.4 Repair or replacement of pipelines**

Repair, replacement, upgrading, rebuilding, or minor relocation of pipelines within existing rights-of-way, provided that the actions are in accordance with applicable requirements (such as Army Corps of Engineers permits under section 404 of the Clean Water Act). Pipelines may convey materials including, but not limited to, air, brine, carbon dioxide, geothermal system fluids, hydrogen gas, natural gas, nitrogen gas, oil, produced water, steam, and water.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to administer Congressionally Directed Spending to the Beaver City Corporation (Beaver City) to replace approximately 6,000 linear feet of failing 100-year-old steel-riveted and welded steel pipe that delivers water for producing hydroelectric power to a city owned and operated hydroelectric power plant.

Proposed award activities would involve all tasks associated with the pipeline replacement, including engineering specifications, completing federal requirements to receive contract and funding, purchasing materials, advertising for bids, awarding the bid, site visits before and after the bidding process, site inspections, processing payments for the contractor, budgeting, and completing closing documents. Bidding and awarding of bid, project meetings, and all other paperwork would be completed at the Beaver City Office in Beaver, Utah. The proposed pipeline replacements would occur within the Fishlake National Forest, Beaver Ranger District, east of Beaver (GPS coordinates 38.282530 -112.447600).

The proposed project is a maintenance activity licensed under an existing USDA Forest Service special use permit issued to Beaver City in 1991 for construction and maintenance of the hydroelectric system. The permitted area is within a 120-foot-wide utility easement. The project would include removal of old pipe sections and in-kind replacement with new pipe (either fused high-density polyethylene pipe or, where necessary, steel pipe). Pipe would be transported to and from the project area along existing Forest Service access roads. Pipes would be transported in approximately 40-foot sections. Excavation would be required to remove the old pipeline sections. The new pipeline would be placed and buried in approximately the same location as the existing pipeline.

The Utah Department of Natural Resources State Engineer approved a stream alteration application for the proposed project, contingent upon the conditions outlined in an Order signed August 9, 2024. The Order constitutes compliance with Section 404(e) of the Clean Water Act (33 USC 1344) pursuant to Programmatic General Permit 10 (PGP 10) issued to the State of Utah by the U.S. Army Corps of Engineers (USACE) on February 22, 2021, and is subject to all conditions therein. The USACE reviewed the application and determined that the proposed project meets the terms and conditions of PGP 10.

The project area is designated as Zone D (areas with possible but undetermined flood hazards; no flood hazard analysis has been conducted) by the Federal Emergency Management Agency. The proposed project would be an in-kind replacement/maintenance activity and would therefore not increase the potential for flooding. DOE has determined that the proposed action is exempt from requiring a floodplain assessment as defined under 10 CFR 1022.5(d)(1).

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website identifies the threatened Utah Prairie Dog (UPD; *Cynomys parvidens*) as possibly occurring in the proposed project area. The project area is not within USFWS suggested UPD survey areas and is not considered by the Utah Division of Wildlife Resources to be suitable habitat for UPDs due to the topography and type of plant cover. DOE has determined that the proposed project would have no effect on the UPD.

On August 28, 2024, the Utah State Historic Preservation Officer (SHPO) concurred with DOE's determination of no historic properties affected, with the following stipulation: if during project activities the recipient or their contractors encounter any cultural materials (i.e., historic or prehistoric), all activities must cease in the vicinity of the discovery immediately. The recipient must inform the DOE Project Officer of the discovery so that an evaluation of the discovery can be completed prior to continuing work. If the discovery is considered significant or a National Register Eligible property, DOE would coordinate the mitigation of the discovery with the Utah SHPO.

Project activities in the field would involve hazards associated with construction at a high altitude and in rugged terrain, including mobilization and operation of heavy equipment and transportation of pipeline sections. The contractor selected to conduct this work would be informed of these hazards and visit the site before bidding the project. The selected contractor would be required to follow their safety procedures during project activities. Beaver City staff would conduct frequent site visits and would inform the contractor if any hazards are noted.

DOE has considered potential impacts on resources, including those of an ecological, historical, cultural, and socioeconomic nature. DOE does not anticipate any impacts to resources of concern due to the proposed project activities.

## NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

If during project activities the recipient or their contractors encounter any cultural materials (i.e., historic or prehistoric), all activities must cease in the vicinity of the discovery immediately. The recipient must inform the DOE Project Officer of the discovery so that an evaluation of the discovery can be completed prior to continuing work. If the discovery is considered significant or a National Register Eligible property, DOE would coordinate the mitigation of the discovery with the Utah SHPO.

Notes:

Water Power Technologies Office (WPTO)

This NEPA determination requires legal review of the tailored NEPA provision.

NEPA review completed by Melissa Parker, 09/12/24

## FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal defined in the Rationale above) 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 proposed action that may affect the significance of the environmental effects of the proposal.

The proposed action 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.

The proposed action is categorically excluded from further NEPA review.

**SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.**

NEPA Compliance Officer Signature:  **Electronically Signed By: Andrew Montano** Date: **9/12/2024**  
NEPA Compliance Officer

**FIELD OFFICE MANAGER DETERMINATION**

- Field Office Manager review not required
- Field Office Manager review required

**BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :**

Field Office Manager's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Field Office Manager