



# Categorical Exclusion Determination

## Western Area Power Administration

### U.S. Department of Energy



<b><u>Proposed Action Title:</u></b>	Thermopolis-Badwater 230-kV Transmission Line Vegetation Management (Hand Work)
<b><u>WAPA Region:</u></b>	Rocky Mountain
<b><u>Location (County/State):</u></b>	Hot Springs, Wyoming
<b><u>CX Determination Number:</u></b>	2026-RMR-005 (RMR Project Number: 2026-014)
<b><u>CX Determination Expiration Date*:</u></b>	December 31, 2030

*\*CX is valid until the date above (no longer than five years from when document was signed) or completion of work started prior to the expiration of the CX Determination, unless there are substantial changes to the scope of work, location, or applicable regulations. If such changes occur prior to the expiration of the CX, the Region Environmental Program will review the analysis to ensure the CX is still applicable.*

#### **Proposed Action Description:**

Western Area Power Administration (WAPA), Rocky Mountain Region (RMR), proposes to conduct routine vegetation management along its Thermopolis-Badwater 230-kV Transmission Line. Routine vegetation management will be conducted on private lands within WAPA's right-of-way (ROW) in Hot Springs County, Wyoming, between Structures 4-1 and 7-1. The intent of WAPA's vegetation management program is to secure and maintain a manageable and stable ROW that minimizes vegetative threats to transmission system safety, security, and reliability, and ultimately does not require frequent re-treatments. Achieving a desired condition is a process that may require several treatments over an extended period of time. Once a desired condition is achieved, the desired condition will be proactively maintained. WAPA's desired condition, as stated in WAPA Order 450.3C, is consistent with American National Standards Institute (ANSI) A300 Part 7 and the minimum vegetation clearance distances (MVCD) as defined by North American Electric Reliability Corporation (NERC) standard FAC-003-4. The intent of this proposed activity is to continue to move the ROW closer to, or actively maintain, WAPA's desired condition. Work may occur at any time prior to the expiration date. There are seasonal timing requirements for this project, which can be found in the stipulations below.

The proposed activity will enlist trained vegetation management crews to assess the ROW condition, identify incompatible vegetation, and trim and/or remove incompatible vegetation, including danger trees as defined in WAPA Order 430.1C, using only hand cutting techniques. No brush piling, off-road vehicular access, or mechanical vegetation removal is authorized for this project. Equipment used for vegetation management may include chainsaws, pickup trucks with pull-behind chippers, ATVs, measuring equipment, and bucket trucks. Only rubber-treaded vehicles will be used. The transmission line will be accessed via existing access routes; no overland ROW travel, access road maintenance, or new road construction is authorized.



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## Environmental Requirements during Project Implementation:

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, 2030.** 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) 342-6462 or (970) 473-5586. 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) 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, (970) 286-3523, or (970) 658-6794. 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, (970) 286-3523, or (970) 658-6794 (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. If culturally modified trees are encountered during implementation of the proposed action, an RMR Archaeologist must be contacted at (970) 302-4753, (970) 286-3523, or (970) 658-6794. No removal or trimming of these trees is authorized until written notification to proceed is provided by an RMR Archaeologist.
9. 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.
10. Activities involving the use of fuel, oil, hydraulic fluid, or other petroleum products must comply with RMR's Spill Response Plan (SRP).

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**Categorical Exclusion(s) Applied (Number and Title):**

B1.3 Routine maintenance

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**Findings:**

For the DOE procedures regarding categorical exclusions, including the full text of each categorical exclusion, see 10 CFR 1021.102 and Appendix B to [10 CFR Part 1021](#), and also Section 5.4 (Applying one or more categorical exclusions to a proposal) and Appendices B and C of [DOE's National Environmental Policy Act Implementing Procedures](#) (Jun. 30, 2025).

Requirements and guidance in 10 CFR 1021.102 and DOE's NEPA Implementing Procedures: (See full text in regulation and in Implementing Procedures)

- The proposal fits within a class of actions that is listed in Appendix B to 10 CFR Part 1021 or Appendix B or C of DOE's NEPA Implementing Procedures (June 30, 2025).  
*To fit within the classes of actions listed in Appendix B to 10 CFR Part 1021, or Appendix B of DOE's NEPA Implementing Procedures, a proposal must satisfy the conditions that are integral elements of the classes of actions in Appendix B of both 10 CFR Part 1021 and DOE's NEPA Implementing Procedures. Additionally, for CXs adopted pursuant to NEPA Section 109 (see DNIP, Appendix C), the originating Federal agency's integral elements or extraordinary circumstances must be in accordance with the applicable requirements.*
- There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal. DOE or an applicant may modify the proposal to avoid reasonably foreseeable adverse significant effects such that the categorical exclusion would apply.
- The proposal has not been segmented to meet the definition of a categorical exclusion.



*[Note: For proposals that fit within the categorical exclusions listed in Appendix C of DOE's NEPA Implementing Procedures, see DOE's notice of adoption for the subject Appendix C categorical exclusion for additional considerations. DOE notices of adoption for other agency categorical exclusions may be found on [DOE's Section 109 webpage.](#)]*

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**Determination:**

Based on my review of the proposed action, I have determined that the proposed action fits within the specified class(es) of action, the other requirements and guidance set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

WAPA Authorized Official Signature:

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Regional Manager  
Rocky Mountain Region