

Project title: Laurel Road Pole Relocation, Laurel Road and Rose Avenue (18/3)-Addendum to 061202- Laurel Road Pole Relocation Brown Road. to Woodhill Drive (18/13-19/3)		
Requested By: Heidi Miller	Mail Code : N1010	Phone: 916-353- 4420
Date Submitted: February 17, 2010	Date Required: March 8, 2010	

Description of the Project: The city of Oakley in Contra Costa County is continuing to work on expanding Laurel Road for future development plans. Development of the area has been delayed; however, Oakley is experiencing deadly traffic and pedestrian accidents at the intersection of Laurel Road and Rose Avenue. In order to make safety improvements to Rose Avenue, i.e., sidewalks, traffic signals, the city of Oakley has requested Western to remove its existing tower, 18/3 on Laurel Road and replace it with two temporary glu-laminated structures within Western's existing 20-foot right-of-way on the Tracy-Contra Costa Transmission Line. One temporary structure will be located on the south side of Laurel Road and one on the north side.

Location of the Project: City of Oakley in Contra Costa County at the intersection of Laurel Road and Rose Ave, towers 18/3 on the 69-kV Tracy-Contra Costa Transmission Line. Quad: Brentwood, Township 2N, Range 2E, section 36.

Attachments: Location map

Work Order Number: 100153025

To be completed by Natural Resources Only

Action taken

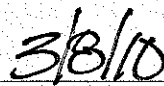
Note: All Documentation is Attached

- | | |
|----------------------------------------------------------------|-----------------------------------------------------|
| <input checked="" type="checkbox"/> Categorical Exclusion (CX) | <input type="checkbox"/> Environmental Requirements |
| <input checked="" type="checkbox"/> Integral Elements | <input checked="" type="checkbox"/> Attachments |
| <input checked="" type="checkbox"/> NEPA Attachment Sheet | |

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.



Steve Tuggle
NEPA Compliance Officer



Date
 Approved

CC: Requestor N1400 N1010	File Code: 54-3-32-07	Assigned to: Cherie Johnston- Waldear	Project #: 100302	Environmental Specialist- Date: Cherie Johnston-Waldear 3/8/10 <i>Cherie Johnston Waldear</i>
-------------------------------------------	---------------------------------	----------------------------------------------------	-----------------------------	------------------------------------------------------------------------------------------------------------

Western Area Power Administration Sierra Nevada Region	CATEGORICAL EXCLUSION (CX) DETERMINATION	Project Number 100302
-----------------------------------------------------------	-----------------------------------------------------	----------------------------------

Integral Elements

Project Title: Laurel Road Pole Relocation, Laurel Road and Rose Avenue (18/3)-Addendum to 061202-Laurel Road Pole Relocation Brown Road to Woodhill Drive (18/13-19/3) (061202).

Category of Action: B4.13 Reconstruction and minor relocation of existing electric powerlines approximately 20 miles in length or less

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 (see full text in regulation).

1. The proposed action fits within a class of action listed in Appendixes A and B to Subpart D. For classes of actions listed in Appendix B, the following conditions are integral elements; i.e., to fit within a class, the proposal must not:
 - a. Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including requirements of DOE and/or Executive Orders.
 - b. Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities, but may include categorically excluded facilities.
 - c. Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products preexisting in the environment such that there would be uncontrolled or un-permitted releases; or
 - d. Adversely affect environmentally sensitive resources (including but not limited to those listed in paragraph B (4)).
2. There are no extraordinary circumstances related to the proposal which may affect the significance of the environmental effects of the proposal;
3. The proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(I)), is not related to other actions with cumulatively significant impacts (40 CFR 1508.25(a)(2)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211.

Results of Review: In accordance with DOE environmental regulations (10 CFR 1021), The Western Area Power Administration (Western) has reviewed the proposed action in terms of the level of NEPA review needed. Based on this review, Western 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 meets the above regulatory criteria and there are no adverse environmental effects associated with this action.



**Western Area Power Administration,
SIERRA NEVADA REGION
NEPA Attachment Sheet**

**Project Number
100302**

PROJECT TITLE: Laurel Road Pole Relocation, Laurel Road and Rose Avenue (18/3)-Addendum to 061202-Laurel Road Pole Relocation Brown Road. to Woodhill Drive (18/13-19/3)

EFFECTED ENVIRONMENT

The project area is located at the center of the City of Oakley along Laurel Road. Laurel Road is one of the main routes for vehicle traffic through the city. Although historically Oakley was an agricultural community, the area is now highly urbanized with continued residential and commercial expansion and growth in the area. The project area is surrounded by a multitude of recent housing developments along with new streets and other paved areas. The pole locations are composed of 6 private residential lots. The lots are graded and/or altered by residential activities. The site is characterized as urban with non-native annual/natural grassy lands in the outer urban area.

REVIEW ACTION

The project location was recently surveyed for cultural and biological resources under the San Joaquin Valley ROW EA effort (2009-2010). No cultural or sensitive biological resources were detected or recorded in the area around tower 18/3 or the ROW. CNDDDB records reviewed by SNR environmental staff indicated no presence of critical habitat in the project area.

CULTURAL AND HISTORIC RESULTS

- This action is covered by Western's Programmatic Agreement, "Programmatic Agreement Among the Western Area Power Administration, the Advisory Council on Historic Preservation, and the California State Historic Preservation Officer Concerning Emergency and Routine Maintenance Activities and Other Routine Activities at Western Facilities in California," dated March 1, 2010 (revised).
- Include in Western's annual report
- Consultation on this project was completed on _____
- Environmental Requirements are required (see below)

BIOLOGICAL RESULTS

The project location was recently surveyed for sensitive biological resources under the San Joaquin Valley ROW EA effort (2009-2010). No sensitive biological resources were detected or recorded in the area around tower 18/3 or the ROW. The project area is in a developed residential area. The site is surrounded by residential properties in an area composed of man-made structures, orchards and/or agricultural plowed areas and non-native habitat. The site is not in close proximity to critical habitat or areas of known occupation by listed species. CNDDDB records were reviewed for sensitive biological resources found within and surrounding the project area. No sensitive biological resources are present in the project area.

- This activity is covered by Western's Biological Opinion, "Formal Programmatic Consultation on the Operation and Maintenance Activities of the Western Area Power Administration," dated May 27, 1998, U.S. Fish and Wildlife Service File 1.1-97-F-0140.
- Include in Western's annual report
- Consultation on this project was completed on _____
- Not covered under Western's Biological Opinion, but consultation is not needed due to "no effect" determination.
- Environmental Requirements are required (see below)

COMPLIANCE-HAZARDOUS MATERIALS

MITIGATION

- Environmental Requirements: Not Required
- Environmental Requirements: Required (see list below)
- Reports/Permits Required (see attached)

Western Area Power Administration Sierra Nevada Region	Environmental Requirements for the Project as Stated Above	Project Number 100302
-----------------------------------------------------------------------	-----------------------------------------------------------------------	----------------------------------

This document outlines the environmental restrictions from the Formal Programmatic Consultation on the Operation and Maintenance Activities of the Western Area Power Administration, May 27, 1998, U.S. Fish and Wildlife Service File 1.1-97-F-0140.

ITEMS CHECKED ARE APPLICABLE TO THIS PROJECT.

General

All routine maintenance activities will be performed during the non-nesting period between July 15 and March 1. The timing of maintenance activities will be adjusted to avoid sensitive periods for special status species and their habitat types. If the timing of maintenance activities cannot be avoided, then Qualified biologists will survey the sensitive habitats to determine whether nesting raptors are present. If no nesting raptors are present, maintenance activities can proceed. If nesting raptors are observed, then Best Management Practices will be implemented. Survey results will be valid only for the nesting season in which they were conducted and additional surveys would be needed for each additional season that work must be conducted. Refer to the Review Action in this report for further information.

<input type="checkbox"/>	Routine maintenance activities will be avoided from mid-March through mid-June in the vicinity of structures.
<input type="checkbox"/>	Road maintenance operations will be conducted to minimize soil erosion. The United States Forest Service's Best Management Practices, Forest Practices, and Forest Practices Rules of the California Department of Forestry will be implemented where practical.
<input type="checkbox"/>	Culverts will be sized to match storms that may occur during the life of the road to minimize the potential for access road washouts under high intensity storms.
<input type="checkbox"/>	Excavated material will not be stock piled or deposited on or near stream banks, lake shorelines, or other water course perimeters where they could be washed away by high water or storm run-off or could significantly impact the water course.
<input type="checkbox"/>	Vegetative management plans will be followed as appropriate.
<input type="checkbox"/>	In areas where excavation is not required, vegetation will be left in place whenever possible and original contours maintained in an undisturbed condition.
<input type="checkbox"/>	Habitat diversity will be maintained to the greatest extent feasible.
<input type="checkbox"/>	Brush blades will be used on bulldozers in clearing operations where such use will help preserve the cover crop of grass, low-growing brush, etc.
<input type="checkbox"/>	Dispose of all cleared vegetation in an appropriate manner.
<input type="checkbox"/>	The maintenance foremen will determine whether a sensitive habitat is present at the maintenance site. If special status species are identified in the area, maintenance will receive approval from Natural Resources prior to initiating the maintenance.
<input checked="" type="checkbox"/>	Natural Resources will be contacted immediately: a. If there is a "take" of a special status species or action affecting their critical habitat, and/or b. If archeological, paleontological, or historic evidence is found.
<input type="checkbox"/>	No paint or permanent discoloring agents will be applied to rocks or vegetation.
<input type="checkbox"/>	If used, survey stakes will be removed as a part of the final clean up.
<input type="checkbox"/>	All work on access and maintenance roads must stay within the existing prism of the roads.

Elderberry Savanna

<input type="checkbox"/>	Brief contractors on the need to avoid damaging the elderberry plants and the possible penalties for not complying with these requirements.
<input type="checkbox"/>	Avoid mechanical methods of vegetation removal within 20 feet of any elderberry shrub. Only hand clearing is allowable within this buffer zone.

<input type="checkbox"/>	Avoid use of insecticides, herbicides, fertilizers, or hazardous chemicals within 100 feet of any elderberry shrub. Only direct application to vegetation (eg. cut-stump) is allowable within this buffer zone.
<input type="checkbox"/>	If avoidance of elderberry bushes is not possible, maintenance will notify Natural Resources prior to initiating work, except in "danger" tree conditions. Special mitigation measures for habitat areas containing elderberry bushes require a survey by a qualified biologist and must be handled by Natural Resources.

Perennial Streams and Rivers

<input checked="" type="checkbox"/>	No vehicle refueling within 300 feet of a perennial stream or river channel.
<input checked="" type="checkbox"/>	All spills of fuel or hydraulic fluid would be immediately cleaned up according to Western's guidelines for hazardous material handling.

Giant Garter Snakes

<input type="checkbox"/>	All work will be conducted between May 1 to October 31, during the snake's active period.
<input type="checkbox"/>	Vehicle traffic is restricted to designated access roads and the immediate vicinity of construction or maintenance sites. Maintain a speed limit of 15 mph on all access and maintenance roads.
<input type="checkbox"/>	If a giant garter snake is observed, all work will stop until it can be determined that the snake will not be harmed.

Woodland (MBTA habitat)

<input type="checkbox"/>	If work must commence during the nesting period (February 1 – August 30) in MBTA habitat, a biological survey or a monitor may be employed to determine the absence or presence of nests and/or MBTA birds. Contact Natural Resources.
--------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

San Joaquin Kit Fox Habitat

<input type="checkbox"/>	Trucks and other heavy equipment shall not leave the prism of established access roads.
<input type="checkbox"/>	Maintain a speed limit of 15 mph on all access and maintenance roads.

Vernal Pools

<input type="checkbox"/>	There are some ephemeral wetlands that should not be traversed by anything other than rubber-tired vehicles, especially when water is present.
<input type="checkbox"/>	All vehicles are restricted to existing roads in vernal pool habitat.
<input type="checkbox"/>	Vehicle use off existing roads is restricted to times of the year when soils are dry enough to resist compaction and annual plants have set seed (generally June 1 to September 30). If in question, contact Natural Resources prior to initiating work.
<input type="checkbox"/>	No vehicle traffic is permitted off established roads within 50 feet of individual vernal pools (measured from the upland margin of the pool).
<input type="checkbox"/>	Materials used for maintenance activities will be located outside of vernal pool habitat or on existing roads.

Regulatory Requirements

<input checked="" type="checkbox"/>	No violations of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including requirements of DOE and/or Executive Orders will be permitted.
<input checked="" type="checkbox"/>	Sitting and construction or major expansion of waste storage or disposal facilities required.
<input checked="" type="checkbox"/>	There will be no uncontrolled or un-permitted releases of hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products to avoid Adversely affecting environmentally sensitive resources.
<input checked="" type="checkbox"/>	In the event of a Hazardous Material/Waste spill environmental services will be contacted, dispatch notified, and the appropriate Federal, State, and local regulating authority notified depending on the type and size of the spill (For further guidance, please see Natural Resources).