

**ENVIRONMENTAL REVIEW for CATEGORICAL EXCLUSION DETERMINATION
Rocky Mountain Region, Western Area Power Administration**

**Pole Replacement on the Big Springs-Sidney 115kV Transmission Line
Deuel County, Nebraska**

A. Brief Description of Proposal:

Western's Eastern Colorado Maintenance Office plans to replace approximately 80 wood poles on structures along the Big Springs-Sidney 115kV transmission line between Chappel, Nebraska and the Julesburg, Colorado Tap. The project area is located between T13N R45W Section 10 and T13N R43W Section 17, 6th PM and crosses entirely on privately owned land. Western will accomplish all work using the existing right of way and access routes along the seven-mile length of transmission line. Preliminary patrols identified no roadwork necessary to reach any of the structures and the area is primarily farm fields with harvested crops. Cultural resource, avian, and biological resource surveys identified no concerns and there is no conversion of cropland. There are no disposal concerns for replaced poles.

B. Number and Title of the Categorical Exclusion Being Applied: (See text in 10 CFR Part 1021, Subpart D.)

B.1.3 Routine Maintenance: (m) Repair and maintenance of transmission facilities, such as replacement conductors of the same nominal voltage, poles, circuit breakers, transformers, capacitors, crossarms, insulators, and downed powerlines.....”

C. Regulatory Requirements in 10 CFR 1021.410 (b): (See full text in regulation and attached checklist.)

1) The proposed action fits within a class of actions listed in Appendix A or B to Subpart D.

1) For classes of actions listed in Appendix B, the following conditions are integral elements. To fit within a class, the proposal must not:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders;
- 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;
- 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;
- Have the potential to cause significant impacts on environmentally sensitive resources. An environmentally sensitive resource is typically a resource that has been identified as needing protection through Executive Order, statute, or regulation by Federal, state, or local government, or a Federally recognized Indian tribe. An action may be categorically excluded if, although sensitive resources are present, the action would not have the potential to cause significant impacts on those resources (such as construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has wetlands). Environmentally sensitive resources include, but are not limited to, those listed in paragraph B. (4).¹

- 2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.
- 3) 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.

D. Special Stipulations Pertaining to the Proposal:

- If the scope of work of this project changes, Western's Environmental Division must be contacted for additional environmental review.
- This Categorical Exclusion is valid for 3 years after the signature date. If construction has not commenced within that time, Western's Environmental Division must be contacted for an updated environmental review prior to construction.
- If any cultural materials are discovered during construction, work in the area shall halt immediately, Western and the Nebraska SHPO staff shall be contacted, and the material be evaluated by an archaeologist or historian meeting the Secretary of the Interior's Professional Qualification Standards (48 FR 22716, Sept. 1983).
- Transfer of wood poles to private parties must be documented by a signed copy of Western's "Consumer Information Sheet Treated Wood Utility Poles." The Project Manager must submit an original of the signed waiver with the recipients' signature to Western's Rocky Mountain Region Environmental Division, J0420.
- The project timing is ideal to avoid or minimize impacts to raptors and migratory birds. If the project's construction timeframe is delayed beyond January 2012, the Project Manager must contact Western's Environmental Division for further consultation.

D. Determination: Based on my review of information provided to me and in my possession concerning the proposed action, I determined that the proposed action fits within the specified class of actions, the other regulatory requirements set forth above are met, and the proposed action is categorically excluded from requirements for an EA or an EIS.


Signature

Date: 1/5/12

Gene Iley, Jr.
NEPA Compliance Officer
Rocky Mountain Customer Service Region
Western Area Power Administration

- 1 All reviews and discussions supporting the "not adversely affect" determination have been completed.

ATTACHMENT A

Conditions That Are Integral Elements of the Classes of Action in Appendix B That Apply to This Proposal
 Checklist for Categorical Exclusion Determination, revised Nov. 2011

Application of Categorical Exclusions (1021.410)	Disagree	Agree	Unknown
(b)(1) The proposal fits within a class of actions that is listed in appendix B to subpart D.		X	
(b)(2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal, including, but not limited to, scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; and unresolved conflicts concerning alternate uses of available resources.		X	
(b)(3) The proposal has not been segmented to meet the definition of a categorical exclusion. Segmentation can occur when a proposal is broken down into small parts in order to avoid the appearance of significance of the total action. The scope of a proposal must include the consideration of connected and cumulative actions, that is, the 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 § 1021.211 of this part concerning limitations on actions during EIS preparation.		X	
B. Conditions that are Integral Elements of the Classes of Actions in Appendix B.	NO	YES	Unknown
(1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety and health, or similar requirements of DOE or Executive Orders.	X		
(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;	X		
(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;	X		
(4) Have the potential to cause significant impacts on environmentally sensitive resources. An environmentally sensitive resource is typically a resource that has been identified as needing protection through Executive Order, statute, or regulation by Federal, state, or local government, or a federally recognized Indian tribe. An action may be categorically excluded if, although sensitive resources are present, the action would not have the potential to cause significant impacts on those resources (such as construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has wetlands). Environmentally sensitive resources include, but are not limited to:	X		
(i) Property (such as sites, buildings, structures, and objects) of historic, archaeological, or architectural significance designated by a Federal, state, or local government, or property determined to be eligible for listing on the National Register of Historic Places;	X		

(ii) Federally-listed threatened or endangered species or their habitat (including critical habitat) or Federally- proposed or candidate species or their habitat (Endangered Species Act); state-listed or state-proposed endangered or threatened species or their habitat; Federally-protected marine mammals and Essential Fish Habitat (Marine Mammal Protection Act; Magnuson-Stevens Fishery Conservation and Management Act); and otherwise Federally-protected species (such as under the Bald and Golden Eagle Protection Act or the Migratory Bird Treaty Act);	X		
(iii) Floodplains and wetlands (as defined in 10 CFR 1022.4, —Compliance with Floodplain and Wetland Environmental Review Requirements: “Definitions,” or its successor);	X		
(iv) Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national monuments, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges, scenic areas (such as National Scenic and Historic Trails or National Scenic Areas), and marine sanctuaries;	X		
(v) Prime or unique farmland, or other farmland of statewide or local importance, as defined at 7 CFR 658.2(a), —Farmland Protection Policy Act: Definitions, or its successor;	X		
(vi) Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and	X		
(vii) Tundra, coral reefs, or rain forests; or	X		
(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.	X		

1 Applicable statutory, regulatory, or permit requirements for environment, safety and health, including requirements of DOE and/or Executive Orders (in addition to those listed above)

Department of Energy Floodplain and Wetland Regulations (10 CFR 1022)

Complies with Farmland Protection Policy Act Agriculture and Food Act of 1981 (Public Law 97-98) containing the Farmland Protection Policy Act (FPPA)—Subtitle I of Title XV, Section 1539-1549

Clean Water Act

- Complies with Section 404 requirements
- Complies with National Pollutant Discharge Elimination System Permitting requirements

Complies with Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds (January 10, 2001)

Complies with Bald and Golden Eagle Protection Act, 16 U.S.C. 668a-d