

**ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION**

**Rocky Mountain Region, Western Area Power Administration**

**Urban Transmission Line Danger Tree Management**

**Boulder, Larimer, Washington, and Weld Counties, Colorado and Laramie County, Wyoming**

**A. Brief Description of Proposal:** Western Area Power Administration (Western) proposes routine maintenance to remove woody vegetation that may grow to unacceptably close levels to a number of its transmission lines in its eastern Colorado maintenance area. Electrical safety and reliability standards require that this vegetation be removed to avoid hazardous situations and disruption of electrical service. Typically Western would contract the services of a professional tree trimming service to remove portions of trees or whole trees that are identified as potential hazards within Westerns easements and right-of-ways (ROW). The services would be performed in primarily urban settings (residential home yards) with some rural areas along a number of transmission lines in northeastern Colorado and southeast Wyoming. These include segments identified along the following transmission lines:

<u>Location</u>	<u>Transmission Line</u>	<u>Nearest Structure No.</u>
City of Longmont	Erie-Terry Street 115-kV	29 locations in residential yards near structures 16/6, 17/3, 17/4, 17/5, 17/6, 18/1
City of Loveland	Flatiron-Valley 115-kV	1/3, 5/7, 7/4
Laramie County	Archer-Cheyenne 115-kV	1/2
Larimer County	Boyd-Valley North 115-kV	1/7
City of Fort Collins	Dixon Creek-Rawhide 115-kV	16/4, 16/8
Weld County	Kiowa Creek-Weld 115-kV	14/8, 36/4
City of Fort Collins	Laporte-Poudre 115-kV	20/4
City of Fort Collins	Laporte-Timberline Park 230-kV	19/6, 19/7
City of Fort Collins	Poudre-Richards Lake 115-kV	20/9
City of Longmont	Rogers Road-Terry Street 115-kV	15/3
Weld County	Pospect Valley-Willowby 115-kV	14/8
Washington County	Beaver Creek-Big Sandy 115-kV	19/4, 19/5
City of Fort Collins	Dixon Creek-Laporte Tap 115-kV	16/8, 17/1

The work involves cutting limbs from trees, or removing entire trees in the transmission line right-of-way.

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Equipment used will include chainsaws, rubber-tired bucket trucks, pick-up trucks, and a chipper. The work will be conducted in winter season.

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

**B1.3 Routine maintenance**

**Routine maintenance activities and custodial services for buildings, structures, ROW, infrastructures** (including, but not limited to, pathways, roads, and railroads), vehicles and equipment, **and localized vegetation and pest control, during which operations may be suspended and resumed**, provided that the activities would be conducted in a manner in accordance with applicable requirements. Custodial services are activities to preserve facility appearance, working conditions, and sanitation (such as cleaning, window washing, lawn mowing, trash collection, painting, and snow removal). **Routine maintenance activities, corrective (that is, repair), preventive, and predictive, are required to maintain and preserve buildings, structures, infrastructures, and equipment in a condition suitable for a facility to be used for its designated purpose.** Such maintenance may occur as a result of severe weather (such as hurricanes, floods, and tornados), wildfires, and other such events. Routine maintenance may result in replacement to the extent that replacement is in-kind and is not a substantial upgrade or improvement. In-kind replacement includes installation of new components to replace outmoded components, provided that the replacement does not result in a significant change in the expected useful life, design capacity, or function of the facility. Routine maintenance does not include replacement of a major component that significantly extends the originally intended useful life of a facility (for example, it does not include the replacement of a reactor vessel near the end of its useful life). Routine maintenance activities include, but are not limited to:

- (a) Repair or replacement of facility equipment, such as lathes, mills, pumps, and presses;
- (b) Door and window repair or replacement;
- (c) Wall, ceiling, or floor repair or replacement;
- (d) Reroofing;
- (e) Plumbing, electrical utility, lighting, and telephone service repair or replacement;
- (f) Routine replacement of high-efficiency particulate air filters;
- (g) Inspection and/or treatment of currently installed utility poles;
- (h) Repair of road embankments;
- (i) Repair or replacement of fire protection sprinkler systems;
- (j) Road and parking area resurfacing, including construction of temporary access to facilitate resurfacing, and scraping and grading of unpaved surfaces;
- (k) Erosion control and soil stabilization measures (such as reseeding, gabions, grading, and revegetation);
- (l) Surveillance and maintenance of surplus facilities in accordance with DOE Order 435.1, "Radioactive Waste Management," or its successor;

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- (m) Repair and maintenance of transmission facilities, such as replacement of conductors of the same nominal voltage, poles, circuit breakers, transformers, capacitors, crossarms, insulators, and downed powerlines, in accordance, where appropriate, with 40 CFR part 761 (“Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions”) or its successor;
- (n) Routine testing and calibration of facility components, subsystems, or portable equipment (such as control valves, in-core monitoring devices, transformers, capacitors, monitoring wells, lysimeters, weather stations, and flumes);
- (o) Routine decontamination of the surfaces of equipment, rooms, hot cells, or other interior surfaces of buildings (by such activities as wiping with rags, using strippable latex, and minor vacuuming), and removal of contaminated intact equipment and other material (not including spent nuclear fuel or special nuclear material in nuclear reactors); and
- (p) **Removal of debris.**

**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.

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

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- 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 the 2013 field season after the signature date. If the project has not commenced within that time, Western’s Environmental Division must be contacted for an updated environmental review prior to vegetation management.

To comply with the Migratory Bird Treaty Act, if the work is to be done during the general nesting season which is typically between March 1<sup>st</sup> and July 31<sup>st</sup>, the maintenance crew will consult with Western’s biologist to ensure that there are no nests in each of the project vicinities. Work conducted during the general nesting season will require a field biologist to survey areas in advance of the work crews. Western will provide the field biologist services. No active avian nests will be disturbed or damaged during this time period.

To comply with section 404 of the Clean Water Act and Executive Order 11990 Protection of Wetlands, any work adjacent to or in a wetland will be accomplished by hand. No mechanized equipment other than hand carried chain saws may be used below the ordinary high water mark in wetland areas.

If any cultural materials are discovered during construction, work in the area shall halt immediately, Western Regional Preservation Officer shall be contacted, and the material evaluated by an archaeologist or historian meeting the Secretary of the Interior’s Professional Qualification Standards (48 FR 22716, Sept. 1983).

All equipment used must be cleaned prior to use in order to prevent transporting of invasive plant or noxious weed materials.

Western shall exercise care to preserve the natural landscape and shall conduct this construction operation to prevent any unnecessary destruction, scarring, or defacing of the natural surroundings in the project vicinity.

To minimize impacts to potentially buried cultural resources and prevent damage to access roads, operation of off-road equipment will not be permitted during periods of heavy rains, when soils are wet, or when excessive soil damage may occur due to unsuitable operating conditions. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If equipment creates ruts in excess of 6 inches deep, the soil shall be deemed too wet to adequately support construction equipment.

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- E. **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: 3/26/13

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

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

<b>Application of Categorical Exclusions (1021.410)</b>	<b>Disagree</b>	<b>Agree</b>	<b>Unknown</b>
(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>B. Conditions that are Integral Elements of the Classes of Actions in Appendix B.</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,	X		

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statue, 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:			
(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		

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(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		
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