

Project title: **MLN-RDM Off-ROW Emergency Tree Removal**

Requested By: Michael Prowatzke

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Date Submitted: 12-7-2015

Date Required: 12-7-2015

Description of the Project

The Western Area Power Administration (Western), Sierra Nevada Region (SNR), is proposing to remove one hazard tree in Shasta County, just off the Malin-Round Mountain transmission line right-of-way. Hazard trees are trees that have the potential to fall on, grow into, or otherwise compromise the integrity of the transmission lines. Western Order 450.3A dictates the removal of hazard trees in compliance with the North American Electric Reliability Council (NERC) Standard FAC-003-1. Western has limited discretion on the removal of trees that meet hazard standards.

The tree proposed for removal is an 81-foot tall white fir tree with severe bole rot, and it poses a threat to the transmission line. Due to the severely compromised condition of the tree, removal shall take place as soon as possible and must be done prior to December 31 to meet reliability standards.

- Map(s)**
See attached Maps
- Figures(s)**
See attached Figures
- Work Order Number - 100153025**

To be completed by Natural Resources Only

Action taken

Note: All Documentation is Attached

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| <input checked="" type="checkbox"/> Categorical Exclusion (CX) | <input checked="" type="checkbox"/> Integral Elements |
| <input type="checkbox"/> Environmental Assessment (EA) | <input checked="" type="checkbox"/> NEPA Attachment Sheet |
| <input type="checkbox"/> Environmental Impact Statement (EIS) | <input type="checkbox"/> Environmental Requirements/Mitigation |
| <input type="checkbox"/> Other Determinations: | <input type="checkbox"/> Maps/Figures |

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.


 Gerald Robbins, Environment Manager

12/7/2015
 Date Approved

bcc:	File Code:	Assigned to: Michael Prowatzke	Project #: 100153025	Environmental Specialist- Date: Michael Prowatzke 12-7-2015
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Western Area Power Administration Sierra Nevada Region	CATEGORICAL EXCLUSION (CX) DETERMINATION	Project Number 100153025
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Integral Elements

Project Title: MLN-RDM Off-ROW Emergency Tree Removal

Category of Action:

- **B1.3: Routine maintenance**

Routine maintenance activities and custodial services for buildings, structures, rights-of-way, 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 reseeded, gabions, grading, and revegetation); (l) Surveillance and maintenance of surplus facilities in accordance with DOE Order 435.1, "Radioactive Waste Management," or its successor; (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.

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 Appendices 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 that preexist in the environment such that there would be uncontrolled or un-permitted releases; or
 - d. 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;
 - e. 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.

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 has not been segmented to meet the definition of a categorical exclusion. The proposal is not connected 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 requiring preparation of an environmental impact statement.

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 fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.



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

Project Number
100153025

PROJECT TITLE:

	MLN-RDM Off-ROW Emergency Tree Removal
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AFFECTED ENVIRONMENT

	The project area is located approximately 0.6 miles north of California Highway 89 in Shasta County, CA. The elevation is approximately 4240' and the vegetation is mixed conifer.
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REVIEW ACTION

	Habitat type within the substation was compared to the California Natural Diversity Database (CNDDDB) and U.S. Fish and Wildlife sensitive species lists for species that may occur in the area. Based on habitat type within and around the site, northern spotted owl and migratory birds are unlikely to occur within the project areas. Project timing minimizes potential effects on sensitive species that do have limited potential to occur. Migratory Bird Treaty Act restrictions must be adhered to and are detailed below.
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CULTURAL AND HISTORIC RESULTS

<input checked="" type="checkbox"/>	A cultural resource survey for the project area (MLN-RDM span 62/3) was conducted in 2007 as part of the North Area ROW environmental assessment (NAEA). No cultural resources were detected or recorded at that location.
<input type="checkbox"/>	Consultation on this project was completed on:
<input checked="" type="checkbox"/>	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," revised March, 2010.
<input type="checkbox"/>	Mitigation required: None
<input type="checkbox"/>	Include in Western's annual report

BIOLOGICAL RESULTS

<input checked="" type="checkbox"/>	<p>Studies conducted, in order to evaluate potential impacts of the proposed project on special status species and/or their habitats, included background research to determine which special-status species and their habitats may occur within the project area and a review of habitat types in the project area. Avoidance measures for migratory birds are detailed below.</p> <p>Contractor shall adhere to the following avoidance and mitigation measures:</p> <p>MBTA (Migratory Bird Treaty Act): If planned activities occur between January 1 and September 15, nesting bird surveys will be required prior to project activities. If a nest is detected, an appropriate buffer will be marked in which all O&M activities and herbicide applications will be prohibited from January 1 to September 15 or until nestlings have fledged. A standard nest buffer of 50 feet will be used, unless otherwise indicated by the surveying biologist. A standard buffer of 250 feet will be used for raptor nests, unless otherwise indicated by the surveying biologist. Nesting surveys can be conducted up to 3 weeks prior to Project activities. <u>Please notify Western a minimum of 2 weeks in advance to schedule nesting surveys.</u></p> <p>Northern spotted owl: From February 1 to July 31 herbicide application (with the exception of direct application), tree removal, and any noisy or disturbing O&M activities (e.g., chain saw, mechanical chipper) will be prohibited. O&M activities that only require the use of hand tools and pickup trucks are allowable within this time frame. If O&M activities need to be conducted between February 1 and July 31, a Service-approved biologist will conduct protocol nest surveys using methods described in CDFG 1992 (or the most current survey protocol) under guidance of USFWS. If a nest is detected, the USFWS will be contacted for further guidance.</p> <p>Bald Eagle: From February 1 to August 15 herbicide application or noisy or disturbing O&M activities (e.g. power saws, mechanical chippers) will be prohibited anywhere that bald eagles are known to nest or a qualified biologist will conduct nesting surveys using methods described in Jackman and Jenkins 2004. If a nest is detected, all herbicide application and O&M activities will be prohibited at a distance determined by the qualified biologist, based on topography and/or other environmental considerations.</p> <p>Wolf: Between January 1 and August 31, off-road vehicle travel and activity will be avoided to the extent possible. If off-road travel or ground disturbance is required in potential gray wolf habitat, a qualified biologist will conduct a survey to determine if dens are present. If dens are present, then activities will be avoided by a buffer determined by Westerns biologist.</p> <p>Pacific fisher: Between February 1 and August 1, off-road vehicle travel and activity will be avoided to the extent possible. If off-road travel or ground disturbance is required in potential fisher habitat (closed canopy, old-growth forests) at any time of year, disturbance to existing downfall, snags, downed trees/logs, and stumps will be minimized. Existing snags, downfall, and stumps will never be moved or removed unless they are a specific safety concern.</p>
<input type="checkbox"/>	Mitigation required (see below)

COMPLIANCE RESULTS

<input type="checkbox"/>	<p>Recycled Materials Quantities: All materials generated from the project that can be recycled, shall be recycled. Submit quantities of all recycled material by category to the COR within 30 days of recycling and prior to submittal of final invoice. Record quantities of material by category that is salvaged, recycled, reused, or reprocessed.</p>
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<input type="checkbox"/>	<p>Disposal of Waste Material: Dispose or recycle waste material in accordance with applicable Federal, State, and local regulations and ordinances. Coordinate with COR regarding sampling and signatures on manifests for wastes materials if required. Submit quantities of total project waste material disposal as listed below to the COR prior to submittal of final invoice.</p> <p>(1) Unregulated Wastes (i.e., trash): Volume in cubic yards or weight in pounds.</p> <p>(2) Hazardous or Universal Wastes: Weight in pounds.</p> <p>(3) PCB Wastes (If applicable): Weight in pounds.</p> <p>(4) Other regulated wastes (e.g., lead-based paint or asbestos): Weight in pounds (specify type of waste in report).</p>
<input type="checkbox"/>	<p>Pollutant Spill Prevention, Notification, and Cleanup: The Spill Prevention, Notification, and Cleanup Plan is expected to be a brief description of the measures taken by the contractor to prevent spills, to notify in the event of a spill, to train personnel, and to describe the company's commitment of manpower, equipment, and material which would be mobilized in the event of a spill. The plan should describe those elements in proportion to the risks posed by the project. This not intended to be the Spill Prevention, Control and Countermeasures Plan, as specified in 40 CFR 112. Those plans are required by law for facilities with ≥ 1320 gallons of oil storage.</p>
<input checked="" type="checkbox"/>	<p>Prevention of Air Pollution: Federal law requires the protection of air quality under the Clean Air Act. All activities on this project shall be compliant with Federal, State, and local regulations. In particular, California Air Resources Board regulations apply to diesel equipment and trucks as well as fleets of large spark ignition equipment.</p>
<input type="checkbox"/>	<p>Prevention of Greenhouse Gas Emissions: Federal law requires the reporting of emissions under the Greenhouse Gas Regulation 40CFR98. All emissions of sulfur hexafluoride on this project shall be reported to Natural Resources. Installation and maintenance of equipment containing sulfur hexafluoride or any other greenhouse gas shall be in accordance with management practices designed to eliminate emissions.</p>
<input type="checkbox"/>	<p>Prevention of Water Pollution: Federal law requires the protection of water quality under the Clean Air Act. The project is exempt from the General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities issued by the California State Water Board because it consists of routine maintenance activities in an existing right of way, and because the proposed staging areas occurring outside that existing right of way measure collectively less than one acre. Construction activities must therefore remain strictly within the boundaries specified in the plans in order to qualify for this exemption. Best management practices will be used to control runoff from the project areas.</p>

MITIGATION

<input type="checkbox"/>	<p>Other Mitigation: Not Required</p>
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Western Area Power Administration Sierra Nevada Region	Environmental Requirements for the MLN-RDM Off-ROW Emergency Tree Removal	Project Number 100153025
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ITEMS CHECKED ARE APPLICABLE TO THIS PROJECT.

General

<input checked="" type="checkbox"/>	Under the Migratory Bird Treaty Act of 1918, migratory bird species and their nests and eggs are protected from injury or death. Impacts to migratory bird nests shall be avoided during the nesting season (January 1 to September 15). If project activities occur during the nesting season, Western will survey the project area for migratory bird nests prior to project activities and establish appropriate buffers around any active nests that may potentially be disturbed. If work must be conducted within these buffers, a Western supplied biological monitor will be on site for project activities within the buffers. If the biological monitor determines that activities are likely to cause nest impacts or nest abandonment, then project activities in the area shall be postponed or adjusted until nestlings have fledged, the nest is no longer active, or the activities are not likely to cause nest impacts or nest abandonment.
<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 checked="" 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 checked="" type="checkbox"/>	Dispose of all cleared vegetation in an appropriate manner subject to landowner requests.
<input type="checkbox"/>	The biologist 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 any 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.

Threatened and Endangered Species

<input checked="" type="checkbox"/>	Federal law prohibits the taking of endangered, threatened, proposed or candidate wildlife and plants, and destruction or adverse modification of designated Critical Habitat. Federal law also prohibits the taking of birds protected by the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act. "Take" means to pursue, hunt, shoot, wound, kill, trap, capture or collect a protected animal or any part thereof, or attempt to do any of those things.
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<input type="checkbox"/>	Known Occurrence of Protected Species or Habitat: Following issuance of the notice to proceed, and prior to the start of construction, Western will provide training to all contractor and subcontractor personnel involved in the construction activity. Untrained personnel shall not be allowed in the construction area. Western will provide two sets of drawings showing known sensitive areas located on or immediately adjacent to the transmission line right-of-way and/or facility. These areas shall be considered avoidance areas. Prior to any construction activity, the avoidance areas shall be marked on the ground in a manner approved by the COR. If access is absolutely necessary, the contractor shall first obtain permission from the COR, noting that a Western and/or other government or tribal agency biologist may be required to accompany personnel and equipment. Ground markings shall be maintained through the duration of the contract. Western will remove the markings during or following final inspection of the project.
<input checked="" type="checkbox"/>	Unknown Occurrence of Protected Species or Habitat: If evidence of a protected species is found in the project area, the contractor shall immediately notify the COR and provide the location and nature of the findings. The contractor shall stop all activity in the vicinity of the protected species or habitat and not proceed until directed to do so by the COR.
<input type="checkbox"/>	Prior to the start of project activities, all personnel will participate in environmental awareness training which will inform them of the sensitive habitats within the project area, the species that have the potential to occur in the project area, and the avoidance and minimization measures that are to be adhered to during project activities. Any new crew members that start after project activities have started will be given the environmental awareness training prior to starting work on site.
<input type="checkbox"/>	General Mitigation/Avoidance Measures: The Contractor shall follow all species specific conservation measures listed below as applicable to each site, in coordination with Western's Natural Resources Point of Contact (POC) and the COR.

Perennial Streams and Rivers

<input type="checkbox"/>	<p>The following activities will be prohibited at all times within 100 feet of a seep, spring, pond, lake, river, stream, or marsh, and their associated habitats:</p> <ul style="list-style-type: none"> • Vehicle access, except on existing access and maintenance roads, unless approved by Natural Resources • Dumping, stockpiling, or burying of any material, except as required for specific O&M activities (e.g., rip-rap) • Mixing of pesticides, herbicides, or other potentially toxic chemicals • Open petroleum products <p>Equipment will be stored, fueled, and maintained in a vehicle staging area 300 feet or the maximum distance possible from any seep, spring, pond, lake, river, stream, marsh, or their associated habitats. Vehicles will be inspected daily for fluid leaks before leaving the staging area.</p>
<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.

Compliance 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"/>	There will be no uncontrolled or un-permitted releases of hazardous substances, pollutants, contaminants, or 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 Natural Resources and the COR 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).
<input checked="" type="checkbox"/>	Hazardous Materials/Waste on-site to consider: Fueling of equipment; In the right of way, place spill drip pans (or similar) below fueling areas, spill kit and tools available nearby to stop the flow of fuel spills, and

<input type="checkbox"/>	employees trained in spill response.
<input checked="" type="checkbox"/>	Hazardous Materials/Waste need to be removed off site for disposal/recycling
<input type="checkbox"/>	Piping and oil sampling required
<input type="checkbox"/>	Material Analytical Data: See attached results for reference
<input type="checkbox"/>	Erosion control measures to be taken to prevent sediment from reaching river
<input type="checkbox"/>	Soil Sampling