



U.S. Department of Energy Categorical Exclusion Determination Form

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Proposed Action Title: Herbicide Application at 11 Substations located in Arizona and Nevada, 2016-2017

Program or Field Office: Western Area Power Administration/ Desert Southwest Region

Location(s) (City/County/State): Arizona, southern Nevada

Proposed Action Description:

Western plans apply pre-emergent, post-emergent, UV Inhibitor herbicides, which will include spray marking dyes, at 11 substations in Coconino, La Paz, Maricopa, Navajo, Pima, & Yuma Counties, Arizona; and Clark County, Nevada (see attached list for locational information). This work is needed to maintain the reliability and safety of the bulk electric system. For example, live or dead vegetation sticking up through a grounded work platform adjacent to energized equipment may circumvent the grounding protection and result in an injury to a worker standing on the platform.

Western will apply herbicides either using either hand tools or vehicular-mounted equipment within the substation and extending 5 feet outside the perimeter fence where possible. Applications are expected to occur intermittently and may be repeated based on regrowth. Vegetation may be cut or pulled to achieve a bare earth standard. Pulled vegetation will be removed off-site and disposed of properly. Western plans to hire a licensed contractor to conduct the work under a performance-based work statement. Western plans to conduct this maintenance action between 4/3/2016 and 4/2/2017.

Western's herbicide use at Parker Davis Power System substations was previously analyzed in an environmental assessment (DOE/EA1982) and a Finding of No Significant Impact (FONSI) was issued 9/30/15. Western analyzed herbicide use at Senator Wash, Sonora and Spook Hill Substations in another environmental assessment (DOE/EA-2013) and a FONSI was issued on 2/5/16. This analysis was not repeated for this categorical exclusion.

Special Conditions: See attached continuation sheet for special conditions.

Categorical Exclusion(s) Applied:

B1.3 - Routine maintenance

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D.

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (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; (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; (4) 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; (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 listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

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

The proposal has not been segmented to meet the definition of a categorical exclusion. This 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 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that 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.

NEPA Compliance Officer:

Anna Marantz

Date Determined:

3.29.16

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 A or 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 | X | | |

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|-------|---|---|--|--|
| | designated by a Federal, state, or local government, or property determined to be eligible for listing on the National Register of Historic Places; | | | |
| (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 | | |

Categorical Exclusion Determination Form – Continuation Sheet

Project Description:

| 11 Substations Selected for Herbicide Application not analyzed in an Environmental Assessment. | | | | | | |
|--|-----------------|--------------------------|---------------|--------------|---------------------|--------------------------|
| Substation | Acreeage | Legal Description | County | State | Power System | Land Jurisdiction |
| DEL BAC | ±1.89 | S11 T15S R13E GSRBM | Pima | AZ | CAP | western |
| FLAGSTAFF | ±12.88 | S24 T21N R09E GSRBM | Coconino | AZ | CRSP | CNF |
| HARCUVAR | ±2.9 | S20 T07N R12W GSRBM | La Paz | AZ | CAP | BOR |
| HASSAYAMPA TAP | ±.77 | S24 T03N R05W GSRBM | Maricopa | AZ | CAP | BOR |
| KAYENTA | ±4.61 | S18 T39N R20E GSRBM | Navajo | AZ | CRSP | Navajo Nation |
| LIBERTY | ±90.05 | S19 T01N R02W GSRBM | Maricopa | AZ | INT | western |
| LONG HOUSE VALLEY | ±6.83 | S21 T37N R17E GSRBM | Navajo | AZ | CRSP | Navajo Nation |
| MEAD | ±108.89 | S28 T23S R64E MDBM | Clark | NV | INT | BLM withdrawn |
| MEXICO TAP | ±0.20 | S15 T11S R24W GSRBM | Yuma | AZ | SAL | BOR |
| PINNACLE PEAK | ±24.5 | S10 T04N R04E GSRBM | Maricopa | AZ | CRSP | western |
| RATTLESNAKE | ±1.74 | S14 T12S R11E GSRBM | Pima | AZ | CAP | BOR |
| Notes: BOR – U.S. Bureau of Reclamation; CNF – Coconino National Forest; GSRBM – Gila and Salt River Baseline and Meridian; MDBM – Mount Diablo Baseline and Meridian. Power System: CAP – Central Arizona Project, INT – Intertie, SAL – Colorado River Salinity. Land jurisdiction is based on a review of Western's GIS database; contact Western's Lands staff for more information if needed. | | | | | | |

Special Conditions for Herbicide Spraying:

A. General

1. Workers applying the herbicides shall follow the manufacturer's instructions located on the label, and all Federal, State, Tribal and local codes and regulations.
2. Workers applying the herbicides shall be licensed or certified for such work by the appropriate jurisdiction.

B. Biology

1. Western's Contracting Officer's Representative (COR) for the herbicide application contract shall notify Western's Environmental Section at least 7 days prior to the start of on-site activities in any location to coordinate biological survey and monitoring activities. Using the schedule, the Environmental Section will provide the COR with available biological information for upcoming substations.

2. Due to their known adverse effects to some wildlife, Western or the contractor shall not use 2,4-D or 2,4,5-T herbicides at any substations located in California or Nevada; or at Harcuvar substation in Arizona.
3. Western's Environmental Section shall provide environmental awareness training to the Contractor's field personnel at a kickoff meeting or a training session at the start of each contract year. The environmental awareness training shall include information on desert tortoise, migratory birds, and other special status species.
4. The Contractor shall not conduct on-site activities prior to attending the environmental awareness training (#3, above). All new contract field personnel starting after the initial training session shall attend a make-up training session prior to conducting on-site activities.
5. Per Western's communication with the U.S. Fish and Wildlife Service (USFWS), a qualified biologist shall be present for project activities occurring at substations with the potential to impact listed or sensitive species (#6 and #7, below). The duties of the qualified biologist shall include the following:
 - a) Conduct a survey of all work areas for tortoises, nesting birds, and other sensitive species prior to the start of on-site project activities;
 - b) Inspection and monitoring of any tortoises, burrows, active nests, or other sensitive species that were located during the on-site survey ([a], above);
 - c) Regular inspection of the work areas, including access routes and other areas related to project activities, for desert tortoise;
 - d) Regular inspection beneath vehicles and equipment to ensure that they do not present potential hazards to wildlife, including desert tortoises.
6. A qualified biologist shall be present for the following:
 - a) All on-site project activities occurring at Mead substation, at any time of the year;
 - b) On-site project activities occurring at Harcuvar substation between April 1 and May 31, and between September 1 and October 31.
7. The Contractor shall not cause injury or death to nesting birds, active nests, eggs, or nestlings. In general, breeding birds and active nests are likely to be encountered between February 15 and August 1. If evidence of a nesting bird is discovered in the project area:
 - a) The Contractor shall immediately stop work within 40 feet of the nest and notify the COR with the location and nature of the findings. The Contractor shall not continue work in the avoidance area until directed to do so by the COR;
 - b) The COR shall coordinate with Western's Environmental Section relative to active nest discoveries and any recommended actions; the COR shall provide notice to proceed to the Contractor after Western's internal coordination is complete.