

Categorical Exclusion Determination

Western Area Power Administration
Department of Energy



Proposed Action: 2020 Path 15 500-kV Transmission Line Access Road Erosion Repair

Project No.: 100388840

Project Manager: Ricardo Velarde

Location: Merced and Fresno Counties, California

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.3 Routine maintenance

Description of the Proposed Action:

Western Area Power Administration (WAPA), Sierra Nevada Region is responsible for the operation and maintenance of several federally owned and operated transmission lines throughout California, including the Los Banos-Gates #3 transmission line (Path 15). Part of this responsibility includes ensuring WAPA maintains reliable access to transmission towers and other facilities to comply with the National Electric Safety Code, Western States Coordinating Council, and WAPA directives for protecting human safety and maintaining the reliable operation of the transmission system.

The access roads and structures associated with approximately a quarter of the Path 15 line are highly susceptible to erosion due to the nature of the substrate. WAPA is addressing erosion issues in its access roads for Path 15 through erosion repair projects and routine road maintenance activities that utilize best management practices for soil stabilization and runoff control.

In 2020, WAPA proposes to repair access road erosion damage in two general areas along the Path 15 transmission line. The northern sites are located at the far northern end of the line (between the Los Banos substation and tower 5/3) in Merced County, whereas the southern sites lie approximate 40 miles to the south, in Fresno County, between towers 39/2 and 44/4. Sites selected for 2020 work were identified in 2016-2019. There are approximately 9.14 miles of road grading and outsloping, plus construction of 20 rolling dips and use of seven staging areas. Road grading and rolling dips will be confined to the road prism. No permanent impacts are expected outside of the existing road prism. WAPA anticipates the work will take approximately 2 weeks in fall or winter of 2020. An estimated summary of the project components by area is shown in the table below:

	Merced County	Fresno County	Total
Grading Length (miles)	7.35	1.79	9.14
Rolling Dips	5	15	20
Staging Areas	4	3	7
Estimated Duration (weeks)	1	1	2

Findings:

In accordance with Section 1021.410(b) of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, Jul. 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011), WAPA has determined that the proposed action:

- (1) fits within a class of actions listed in Appendix B of 10 CFR 1021, Subpart D (see attached Environmental Checklist);
- (2) does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal; and
- (3) has not been segmented to meet the definition of a categorical exclusion.

Based on these determinations, WAPA finds that the proposed action is categorically excluded from further NEPA review.

Signed: **Latisha**
M. Saare

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NEPA Compliance Officer

Attachment: Environmental Checklist

Categorical Exclusion Environmental Checklist

This checklist documents environmental considerations for the proposed project and explains why the project would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

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Project Site Description

The proposed project area is in Merced and Fresno Counties, California, in the foothills of the inner Coast Range. Existing land use is predominantly cattle ranching, and land ownership is mostly private, with a small portion on Bureau of Land Management land.

The vegetation is almost exclusively non-native annual grassland, and no water features exist in the project area.

Existing roads are established lightly travelled duty ranch and utility ROW roads. Locations in Fresno County bisect known colonies of endangered giant kangaroo rats (*Dipodomys ingens*).

Equipment staging areas would be on roads and within the ROW whenever possible.

Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. Historic and Cultural Resources <u>Explanation:</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Archaeological and paleontological surveys were conducted prior to the construction of Path 15 for the entire ROW and access roads. Though no cultural resource sites are located in the erosion repair access road areas, three are nearby. In addition, there are known sites in or around access roads and possibly outside of the right-of-way. The Path 15 area is sensitive for Paleontological Resources. Should any skeletal remains (human or otherwise) or fossil materials be uncovered during construction activities, all work is to stop at once in the immediate area, and the Contractor shall notify the COR immediately.

- Mitigation required (see below)
- Cultural resource sites near construction activities shall be flagged prior to initiation of project to ensure avoidance.
- Include in WAPA's annual report
- Natural Resources will be contacted immediately if archaeological, paleontological, or historic evidence is found.

2. **Geology and Soils**



Explanation:

During grading/roadwork, any disturbed soils would be redistributed within the roadway, which will be compacted and stabilized.

3. **Plants** (including special-status species and habitats)



Explanation

Protocol level bloom season surveys for special status species were completed in 2018, 2019, and 2020. There are no Federal listed plants at the project locations.

Project activities occur on established access roads, and staging areas will either be on these roads or be selected with input from a biological monitor.

Construction vehicles and equipment would be required to be clean before entering the project location to prevent spread of invasive weeds.

4. **Wildlife** (including special-status species and habitats)



Explanation:

Protocol-level surveys for several special-status species, including blunt-nosed leopard lizard (BNLL), giant kangaroo rat (GKR), California tiger salamander (CTS), California red-legged frog (CRLF), and burrowing owl, have been conducted. Of these, only GKR has been detected.

The USFWS has concurred with WAPA's determination that the project will not likely adversely affect BNLL, CTS, or CRLF. Conservation measures including pre-construction surveys and on-site biological monitors will ensure that the project will not adversely affect these species.

The USFWS has also issued a biological opinion that project activities will not jeopardize GKR and provided an incidental take statement. Several conservation measures arising from consultation will be followed to minimize impacts; these measures include, but are not limited to, pre-construction surveys, biological monitoring during activities, working only during daytime hours, and seasonal timing selected to minimize impacts to the species. If impacts exceed those in the incidental take statement, consultation would be reinitiated with the USFWS.

5. **Water Bodies, Floodplains, and Fish**

(including special-status species, ESUs, and habitats)



Explanation:

The project area and adjacent areas do not have any water bodies, floodplains, or fish; therefore no impacts would occur.

6. **Wetlands**

Explanation:



The project area does not have wetlands; therefore, no impacts would occur.

7. **Groundwater and Aquifers**



Explanation:

Spill prevention measures would be utilized during construction activities. The project would not provide a pathway for surface water or groundwater contamination.

8. **Land Use and Specially-Designated Areas**



Explanation:

The land use would not change at the project site. Nor is the project within, or near, any specially designated areas, such as National Scenic Rivers.

9. **Visual Quality**



Explanation:

The visual quality would be consistent with the existing use of the transmission right-of-way corridor and access roads. There would be no significant change to the visual quality.

10. **General Conformity**



Explanation:

The FEIS for the Path 15 project, completed in 1988, included a determination that the Path 15 project is not subject to the general conformity requirements in District Rule 9110. Under 40 CFR§93.157, once a conformity determination is completed by a Federal agency, that determination is not required to be re-evaluated if the agency has maintained a continuous program to implement the action; the determination has not lapsed as specified in paragraph (b) of this section; or any modification to the action does not result in an increase in emissions above the levels specified in §93.153(b). If a conformity determination is not required for the action at the time NEPA analysis is completed, the date of the finding of no significant impact (FONSI) for an Environmental Assessment, a record of decision (ROD) for an Environmental Impact Statement, or a categorical exclusion determination can be used as a substitute date for the conformity determination date. Therefore, the maintenance activities described in this categorical exclusion are not subject to the general conformity requirements in the District’s Rule 9110.

11. **Air Quality**



Explanation:

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.

Also, the project is located within the San Joaquin Valley Air Pollution Control District jurisdiction and is subject to the local rules from that agency. In particular, rule VIII pertains to PM10 pollution (dust) from construction and excavation activities, paved and unpaved roads. In addition, standard operating procedures will be followed regarding the operation of machinery and vehicles and dust control.

WAPA has run a theoretical model to show that this maintenance operations project is under the tons per year (tpy) thresholds of significance with respect to air quality, and emissions were estimated according to the table below.

Criteria Pollutant:	ROG	NOx	CO	SOx	PM10	PM2.5 exhaust
Local Annual Operational threshold (tpy):	10	10	100	27	15	15
Estimated Operational 2020 maintenance (tpy):	0.07	0.65	0.61	0.00	2.04	0.04

12. **Noise**

Explanation:

There are no residences within 3/4 mile of the project location. Construction noise would be temporary and would occur during daylight hours. Operational noise would not change.

13. **Human Health and Safety**

Explanation:

During project activities, all standard safety protocols would be followed. Project activities would not impact human health or safety.

Evaluation of Other Integral Elements

The proposed project would also meet conditions that are integral elements of the categorical exclusion. The project would **not**:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders.

Explanation, if necessary:

- Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation, if necessary:

- 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.

Explanation, if necessary:

- 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.

Explanation, if necessary:

Landowner Notification, Involvement, or Coordination

Description:

WAPA would work closely with the landowners to provide adequate notification of construction timing.

Based on the foregoing, this proposed project does not have the potential to cause significant impacts to any environmentally sensitive resource.

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