

# CATEGORICAL EXCLUSION DETERMINATION



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**Proposed Action Title: Montrose-Hesperus 345-kV Transmission Line Vegetation Management (Machine Work)**

**Location: Dolores and San Miguel Counties, Colorado**

**Project Number: 2022-007**

**Expiration Date: December 31, 2027**

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## **A. PROPOSED ACTION DESCRIPTION:**

Western Area Power Administration (WAPA), Rocky Mountain Region (RMR), proposes to conduct routine vegetation management along its Montrose-Hesperus (MTR-HS) 345-kV Transmission Line. Routine vegetation management will be conducted within WAPA's right-of-way (ROW) in Dolores and San Miguel counties, Colorado, between Structures 125 and 260. Work will occur on private lands and public lands managed by the Bureau of Land Management (BLM), United States Forest Service (USFS) and by the State of Colorado. The intent of WAPA's vegetation management program is to secure and maintain a manageable and stable ROW that minimizes vegetative threats to transmission system safety, security, and reliability, and ultimately does not require frequent re-treatments. Achieving a desired condition is a process that may require several treatments over an extended period of time. Once a desired condition is achieved, the desired condition will be proactively maintained. WAPA's desired condition, as stated in *WAPA Order 450.3C*, is consistent with American National Standards Institute (ANSI) A300 Part 7 and the minimum vegetation clearance distances (MVCD) as defined by North American Electric Reliability Corporation (NERC) standard FAC-003-4. The intent of this proposed activity is to continue to move the ROW closer to, or actively maintain, WAPA's desired condition.

This proposed activity will enlist trained vegetation management crews to assess the ROW condition, identify incompatible vegetation, and trim and remove incompatible vegetation, including danger trees as defined in *WAPA Order 430.1C*, using the appropriate means for the terrain and vegetation type. Appropriate means of vegetation removal may include equipment such as masticators, hydro-axes, bucket trucks, skid-steer loaders with brush-hog attachments, mulchers, chippers, chainsaws, pickup trucks, ATVs, measuring equipment, and associated forestry tools. The transmission line will be accessed via existing access routes; no road maintenance or new road construction is authorized.

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## **B. STIPULATIONS PERTAINING TO PROPOSAL:**

- 1) If the scope of work of this project changes, RMR's Environment Department must be contacted to determine whether additional environmental review is required.
- 2) **This Categorical Exclusion expires on December 31, 2027.** If all project work has not been completed by the expiration date, or if the need for an environmental compliance

extension is anticipated, RMR's Environment Department must be contacted for an updated environmental review.

- 3) **The Environmental Restrictions Area maps provided to WAPA's vegetation management crews and/or Contractor(s) include biological resource boundaries.** Vegetation management crews must adhere to the following restrictions to avoid and minimize disturbance to breeding and nesting Gunnison sage-grouse and critical habitat:
  - a. Work must not occur during the Gunnison sage-grouse lekking, nesting, and early brood rearing season of March 1 through July 15;
  - b. Structure clearing activities must be limited to a 50-foot radius around each structure;
  - c. Outside of the 50-foot structure clearing radius, avoid or minimize disturbance to sagebrush and other shrubs; and
  - d. Use existing access roads and remain on them, except when necessary to conduct vegetation management activities.
  
- 4) **The Environmental Restrictions Area maps provided to WAPA's maintenance crews and/or Contractor(s) include cultural resource boundaries.** The maintenance crews and/or Contractor(s) must only use hand tools (e.g. chainsaws) within these cultural resource boundaries. No heavy machinery (e.g. masticator) is allowed within these areas. All access within these cultural resource boundaries must be limited to existing access roads, and no brush piling within these areas is allowed. If brush piling, the use of heavy machinery, or off-road vehicular access within these cultural resource boundaries is necessary, an RMR Archeologist must be contacted at (970) 302-4753 or (970) 286-3523. No brush piling, heavy machinery use, or off-road vehicular access within these cultural resource boundaries is authorized until written notification to proceed is provided by an RMR Archaeologist.
  
- 5) Vegetation management crews must carefully inspect vegetation for active avian nests prior to any vegetation management activities between May 15 and August 15. Vegetation must be inspected no more than five (5) calendar days in advance of vegetation management activities during this time period. If an active avian nest is found in vegetation that needs to be trimmed or removed, vegetation management activities must be delayed until the nest is no longer active. An avian nest becomes active when the first egg is laid, and it remains active until all offspring have fledged (left the nest) and the nest is empty. Inactive (empty) nests that do not belong to threatened species, endangered species, or eagles may be removed and destroyed in accordance with WAPA's Avian Protection Plan (APP). Contact RMR's Environment Department prior to nest removal to ensure conformance with the APP.
  
- 6) Any injured or orphaned birds and all observed active nests must be immediately reported to RMR Environment at (970) 593-8803 or (970) 342-6462. Any dead birds must be reported to RMR Environment within twenty-four (24) hours of discovery. Additional documentation, such as photographs and GPS coordinates, may be requested to support RMR's reporting requirements to the U.S. Fish and Wildlife Service.
  
- 7) Only cutting or removing of vegetation above the ground (e.g. with a chainsaw, rotary cutter, or mower) is allowed within Waters of the United States (within wetland boundaries and below the ordinary high-water mark of surface waters). Within these areas, all stumps and roots must be left in place to minimize soil disturbance. No mechanized pushing, dragging,



or other activities that would add or remove soil or create significant debris piles (e.g. brush or slash piling) is authorized within these areas.

- 8) If any cultural resources are inadvertently discovered during implementation of the proposed action, work within 100 feet of the discovery area must halt immediately, and an RMR Archaeologist must be contacted immediately at (970) 302-4753 or (970) 286-3523. Work in the area of discovery must not resume until notification to proceed is provided by an RMR Archaeologist.
- 9) If any possible human remains are inadvertently discovered during implementation of the proposed action, work within 100 feet of the discovery area must halt immediately, and an RMR Archaeologist must be notified immediately at (970) 302-4753 or (970) 286-3523 (no later than 24 hours from the time of discovery). A reasonable effort must be made to protect the remains from looting and/or further damage. Work in the area of discovery must not resume until notification to proceed is provided by an RMR Archaeologist.
- 10) If culturally modified trees are encountered during implementation of the proposed action, an RMR Archaeologist must be contacted at (970) 302-4753 or (970) 286-3523. No removal or trimming of these trees is authorized until written notification to proceed is provided by an RMR Archaeologist.
- 11) Vehicles and equipment (trailers, trucks, UTVs, etc.) will not be moved between work areas without first taking reasonable measures to ensure they are free of soil, seeds, vegetation matter, or other debris that could contain noxious weed seeds.
- 12) Activities involving the use of fuel, oil, hydraulic fluid, or other petroleum products must comply with RMR's Spill Response Plan (SRP).
- 13) Per the *Operations Plan for Western Area Power Administration Rocky Mountain Region Electrical Facilities Located on National Forest System-managed Lands*, the following design features (DFs) and standard maintenance practices (SMPs) will be implemented when working on lands managed by the USFS:

<b>WAPA Design Features (DFs)</b>	
<b>DF Number</b>	<b>Description</b>
4	Activities shall be conducted to minimize scarring or defacing of the natural surroundings in the vicinity of the work.
23	Minimize activities in riparian areas or span riparian areas. Avoid disturbance to riparian vegetation whenever practical.
50	Slash and debris will be kept out of road ditches and drainage channels.
<b>WAPA Standard Maintenance Procedures (SMPs)</b>	
<b>SMP Number</b>	<b>Description</b>
S-1	Minimize maintenance in wet periods and on wet soils to prevent excessive rutting, erosion, and compaction.



B-6	WAPA and the Forest Service will continue ongoing coordination prior, during, and following activities.
C-3	Before beginning project activities, project personnel will be instructed on the protection of cultural and environmental resources. The information will address (a) federal and state laws regarding antiquities and plants and wildlife, including disturbance, collection, and removal, (b) the importance of these resources and the purpose and need to protect them, and (c) avoidance areas and special precautions.
G-1	Limit the movement of crews and equipment to ROWs, including access routes, when practical.

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**C. NUMBER AND TITLE OF THE CATEGORICAL EXCLUSION BEING APPLIED:**

(See text in 10 CFR 1021, Subpart D.)

B1.3 Routine maintenance

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**D. REGULATORY REQUIREMENTS 10 CFR 1021.410 (b):** (See full text in regulation)

The proposed action fits within a class of actions that is listed in Appendix A or B of 10 CFR 1021.

To fit within the classes of actions listed in 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 the Department of Energy (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 Comprehensive Environmental Response, Compensation, and Liability Act (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 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 of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

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 improperly segmented, and 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.

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## **DETERMINATION:**

Based on my review of information conveyed to me and in my possession (or attached) concerning 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.

**James  
Wood**

Digitally signed by  
James Wood  
Date: 2022.07.07  
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Signature and Date

James Wood, Regional Environmental Manager  
Rocky Mountain Region  
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