

CATEGORICAL EXCLUSION DETERMINATION



Western Area
Power Administration
Rocky Mountain Region

Proposed Action Title: Blue Ridge Communication Site Access Road Maintenance

Location: Grand and Summit Counties, Colorado

Project Number: 2024-007

Expiration Date: December 31, 2029

A. PROPOSED ACTION DESCRIPTION:

Western Area Power Administration (WAPA), Rocky Mountain Region (RMR), proposes to conduct routine access road maintenance on existing roads used to access the Blue Ridge (BLR) Communication Site in Grand and Summit counties, Colorado. Access road maintenance may include blading; grading; removal of rocks and other obstacles impeding safe travel; installation, repair, and replacement of water bars, rip-rap, and other erosion control measures; and cleanout, repair, and in-kind replacement of culverts and other drainage features. Equipment used for this project may include motor graders, bulldozers, excavators, dump trucks, compactors, skid-steers, and work trucks. Work will occur on private lands and public lands managed by the Bureau of Land Management (BLM), Forest Service (USFS), and State of Colorado. This work will be confined to WAPA's existing access road prisms and right-of-way (ROW), and no new roads will be constructed.

This Categorical Exclusion (CX) replaces the original CX issued 02/26/2020, with an original expiration date of 12/31/2023. The Proposed Action (Section A) remains the same; the Stipulations (Section B) have been updated to reflect an expiration date of **December 31, 2029**.

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, 2029.** 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) Access road maintenance on the first 2.7 miles of the road, beginning at State Highway 9, must adhere to the following restrictions between March 1 and July 15 to minimize disturbance to breeding and nesting greater sage-grouse:
 - a) From March 1 to May 15, work should only occur between the hours of 9 AM and 6 PM.
 - b) From May 15 to July 15, work should be avoided.
 - c) If work must occur between May 15 and July 15, contact RMR's Environment Department at least 90 days prior to initiation of the project to arrange for an on-site biological monitor to ensure avoidance of greater sage-grouse nesting activities.

- 4) Only in-kind culvert replacement and crossing maintenance is authorized. If culverts or crossings must be enlarged, expanded, or placed in new locations, RMR's Environment Department must be contacted to determine whether additional environmental review is required.
- 5) If rip-rap or other fill must be placed within waters of the United States (within wetland boundaries or below the ordinary high-water mark of surface waters), RMR's Environment Department must be contacted to determine whether additional environmental review is required.
- 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) 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, (970) 286-3523, or (970) 658-6794. Work in the area of discovery must not resume until notification to proceed is provided by an RMR Archaeologist.
- 8) 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, (970) 286-3523, or (970) 658-6794 (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.
- 9) 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.
- 10) Activities involving the use of fuel, oil, hydraulic fluid, or other petroleum products must comply with RMR's Spill Response Plan (SRP).

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

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

B1.3 Routine maintenance

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.

E. 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.

Digitally signed by James
Wood
Date: 2023.11.21 13:54:25
-07'00'

James Wood

Signature and Date

James Wood, Regional Environmental Manager
Rocky Mountain Region
Western Area Power Administration

Prepared by:
Gail Martinez, Natural Resource Specialist
Abraham Thompson, Archaeologist

