

<b>Project title:</b>	<b>Natomas Community Gardens Access Road (Elverta-Hurley 7/4 Transmission Tower)</b>		
<b>Requested By:</b>	Donald Lash	<b>Mail Code :</b>	N1411 <b>Phone:</b> 916-353-4048
<b>Date Submitted:</b>	2-5-2016	<b>Date Required:</b>	2-10-2016

**Description of the Project:**

Western Area Power Administration (Western), Sierra Nevada Region (SNR), is responsible for the operation and maintenance (O&M) of federally owned and operated transmission lines throughout California. Western must inspect its lines and towers on a recurring basis to comply with the National Electric Safety Code, Western States Coordinating Council and Western directives for protecting human safety and maintaining the reliable operation of the transmission system.

While towers are typically accessed by vehicle access routes within the right-of-ways (ROWS), an extensive collection of community-maintained gardens have encroached on the ROW and prevented vehicle access to the vicinity of transmission tower 7/4 on the Elverta-Hurley 230 kV transmission line.

Western is proposing to obtain an easement and construct an access road in a joint project with the Sacramento Municipal Utilities District (SMUD). SMUD has an adjacent ROW and tower which are also affected by the community-maintained gardens. The road will be designed to reach and encircle the towers on SMUD's and Western's lines by the shortest distance possible. The road will be comprised of gravel, approximately 4 inches deep by 30 feet wide and 300 feet long. Approximately 125 feet of the road will cross a vacant unimproved lot and 175 feet of the road would lie within the existing SMUD and Western ROWs. The City of Sacramento will work to remove and relocate the gardens to a more appropriate location north of the Towers.

Two large cottonwood trees on the vacant lot, one of which is dead, and the other which is in severe decline (<10% of canopy live), are expected to be removed during the course of this project.

Construction would take place in early summer of 2016.

**Location of the Project:**

The Natomas Community Gardens Access Road (Elverta-Hurley 7/4 Transmission Tower) is located in the South Natomas area (at the end of Morrel Court) within the City of Sacramento just north of Garden Highway and west of Northgate Blvd. The proposed access road would start from this cul-de-sac and cross a vacant unimproved lot continuing into the existing ROW.

**Work Order Number: 100155794**

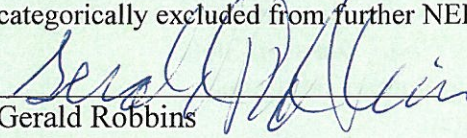
### Action taken

Note: All Documentation is Attached

- Categorical Exclusion (CX)
- Integral Elements
- NEPA Attachment Sheet

- Avoidance/Minimization
- Other

**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 Supervisor

Feb 12, 2016  
Date  
 Approved

CC: Requestor:	File Code:	Assigned to:	Project #: 100155794	Environmental Specialist: Donald Lash  Date: 2-10-2016
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Western Area Power Administration Sierra Nevada Region	<b>CATEGORICAL EXCLUSION (CX) DETERMINATION</b>	<b>Project Number:</b> 100155794
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Integral Elements

**Project Title: Natomas Community Gardens Access Road (Elverta-Hurley 7/4 Transmission Tower)**

**Category of Action:**

**B1.13: Pathways, short access roads, and rail lines**

Construction, acquisition, and relocation, consistent with applicable right-of-way conditions and approved land use or transportation improvement plans, of pedestrian walkways and trails, bicycle paths, small outdoor fitness areas, and short access roads and rail lines (such as branch and spur lines).

**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 Appendixes 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 preexisting in the environment such that there would be uncontrolled or un-permitted releases; or
  - d. Adversely affect environmentally sensitive resources (including but not limited to those listed in paragraph B (4)).
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 is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with cumulatively significant impacts (40 CFR 1508.25(a)(2)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211.

**Results of Review:** In accordance with DOE environmental regulations (10 CFR 1021), 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 or an environmental assessment (EA).

The proposed action meets the above regulatory criteria and there are no significant adverse environmental effects associated with this action.



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

Project Number  
100155794

**PROJECT TITLE:**

	<b>Natomas Community Gardens Access Road (Elverta-Hurley 7/4 Transmission Tower)</b>
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**AFFECTED ENVIRONMENT**

	The project area is located in an urban setting within the City of Sacramento near Morrel Court. The vacant lot within the project area is vegetated with various short grasses and weedy annual species. Vegetation in the ROW consists primarily of maintained gardens, with a few trees and shrubs interspersed within these gardens.
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**REVIEW ACTION**

	Habitat type within the project area 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, there was potential for elderberry shrubs (i.e., habitat for the threatened valley elderberry longhorn beetle) or for trees protected by local ordinances to occur in the project area. Site surveys were conducted on December 17, 2015 by Western’s biologist on and between December 17 and 22, 2015 by a representative of the City of Sacramento’s Urban Forestry Division.
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**CULTURAL AND HISTORIC RESULTS**

<input checked="" type="checkbox"/>	A cultural resource survey for the Elverta-Hurley line was conducted in 2002 as part of the Sacramento Valley ROW environmental assessment. No cultural resources were encountered at or near tower 7/4 within the ROW. On January 28 <sup>th</sup> , 2016 SNR archaeologist examined the area for the proposed access road and beyond. The area shows evidence of long term disturbance through public use, access to and from the community gardens, and from the adjacent housing development. Ground visibility was fair. Modern refuse littered the entire area as well as some construction dumping. The area may have been used as a repository for graded soils from the construction of the nearby subdivision. No cultural sites were observed. The American River lies south of the area below the Garden Highway. <b>Cultural monitoring is advised during any deep grading or ground disturbance of soils in the access road area.</b>
<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 checked="" type="checkbox"/>	<b>Mitigation required: Cultural Monitor on site during ground disturbing activities</b>
<input checked="" type="checkbox"/>	Include in Western’s annual report

**BIOLOGICAL RESULTS**

<input checked="" type="checkbox"/>	No special status species, habitats, or protected trees are located within the project area. Wetlands and jurisdictional waters are neither located in the area of nor have potential to be affected by the project.
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<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>
<input type="checkbox"/>	<p>Mitigation required (see below)</p>

**COMPLIANCE RESULTS**

<input type="checkbox"/>	<p><b>Recycled Materials Quantities:</b> 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>
<input type="checkbox"/>	<p><b>Disposal of Waste Material:</b> 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 checked="" type="checkbox"/>	<p><b>Pollutant Spill Prevention, Notification, and Cleanup:</b> 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 <math>\geq 1320</math> gallons of oil storage.</p>
<input checked="" type="checkbox"/>	<p><b>Prevention of Air Pollution:</b> 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><b>Prevention of Greenhouse Gas Emissions:</b> 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><b>Prevention of Water Pollution:</b> 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>
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**MITIGATION**

<input type="checkbox"/>	Other Mitigation: Not Required
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Western Area Power Administration Sierra Nevada Region	<b>Environmental Requirements for the Natomas Community Gardens Access Road (Elverta-Hurley 7/4 Transmission Tower)</b>	<b>Project Number</b> 100155794
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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 (February 15 to August 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.
<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 checked="" 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.
<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"/>	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: <ul style="list-style-type: none"> <li>• Vehicle access, except on existing access and maintenance roads, unless approved by Natural Resources</li> <li>• Dumping, stockpiling, or burying of any material, except as required for specific O&amp;M activities (e.g., rip-rap)</li> </ul>
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	<ul style="list-style-type: none"> <li>• Mixing of pesticides, herbicides, or other potentially toxic chemicals</li> <li>• Open petroleum products</li> </ul> <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 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

