RECORD OF CATEGORICAL EXCLUSION DETERMINATION

A. **Proposed Action:** Western proposes to conduct maintenance at structures 1/4, 2/4, 3/2, 3/7, 4/1, 6/2, 6/3, 6/5, 6/6, 8/3, 9/2, 9/3, 9/6, 10/6, 10/7, 10/8, 11/1, 11/2, 11/3, 11/4, 12/3, 12/4, 12/5, 12/6, 13/7, 13/8, 14/3, 14/4, 15/2, 15/5, 15/8, 16/1, 16/3, 16/4, 16/5, 19/1 of the existing Gila-Knob 161-kV transmission line and any other structures east of 16/5, identified by maintenance crews while out in the field. This work will consist of replacing transmission poles, cross arms, cross braces and/or vegetation removal. Western also needs to repair erosion on the Imperial Irrigation District canal road and canal bank near structure 16-5. We will use existing access roads and vehicles such as pickup trucks, crew trucks, backhoes and bucket trucks to bring personnel and equipment to the work areas. This work is necessary to maintain the safety and reliability of the bulk electrical system.

The attached maps show the project area locations. In Yuma County, Arizona, the legal description is Sections 3, 4, 6, 10, 13, 14, 24 and 25 Township 8 South Range 22 West & Sections 1, 2 and 6 Township 8 South Range 23 West on the Gila and Salt River Meridian. In Imperial County, California, the legal description is Section 14 Township 16 South Range 21 East, Section 13, 15, 16 and 17 Township 16 South Range 22 East Section 15 and 18 Township 16 South Range 23 East on the San Bernardino Baseline and Meridian. Work will be conducted within Western's right of way across Fort Yuma Indian Reservation, U.S. Bureau of Land Management, Arizona State Land Department and private lands. The corresponding U.S.G.S. 7.5-minute topographic maps are Fortuna, Arizona, Laguna Dam, Arizona-California, Bard, California-Arizona & Araz, California . This work is planned to begin February 14, 2011 and be intermittently of the next three years.

B. **Categorical Exclusion Applied:** 10 CFR, Part 1021, Subpart D, Appendix B, B4.6: "Additions or modifications to electric power transmission facilities that would not affect the environment beyond the previously developed facility area including, but not limited to, switchyard rock grounding upgrades, secondary containment projects, paving projects, seismic upgrading, tower modifications, changing insulators, and replacement of poles, circuit breakers, conductors, transformers, and crossarms."

C. **Regulatory Requirements in 10 CFR 1021.410 (b):**

1. The proposed action fits within a class of actions that is listed in Appendix B to Subpart D.

   a. The proposed action was reviewed for the requirements of the Endangered Species Act, the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and all applicable Department of Energy Orders.

b. The proposed action does not require the siting, construction, or major expansion of waste storage, disposal, recovery, or treatment facilities.

c. The proposed action does not disturb hazardous substances, pollutants, contaminates, or CERLA-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled and unpermitted releases.

d. The proposed action was reviewed and surveyed for impacts to cultural and sensitive biological resources. Cultural and sensitive biological resources have been determined to not be affected.

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

3. 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.

D. **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 451.1A), I have determined that the proposed action fits within the specified class of actions, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

E. **Special Conditions:**

Per the MOA dated 1/28/11 between Western and Quechan Indian Tribe:

1. X-brace repair at structure 19-1: Western will first attempt to walk in, climb the pole, and re-attach the loose X-Brace.
2. If the repair absolutely cannot be made by hand, repairing the X-Brace will require the use of a bucket truck. If Western needs to use a bucket truck, Western will contact the Tribe and conduct further consultation and delay the repair until that consultation is completed.
3. Western's maintenance crew shall have the Tribe's Tribal Historic Preservation Officer, or a Tribal Monitor present during all work on the X-Brace at Structure 19-1.
4. The use of vehicles during Structure 19-1 maintenance is to be limited to existing access roads.
5. A Tribal Monitor or Monitors shall be present during vehicular use of the existing access road that crosses Sites 4-IMP-7147 and 4-IMP-7148.
6. Western's maintenance crew shall have the Tribe's Tribal Historic Preservation Officer present when the vegetation removal occurs between Structures 16/4 and 16/5.

7. Western's maintenance crews shall use hand tools to remove vegetation within Site 4-IMP-7145 between Structures 16/4 and 16/5. In the event, while performing the vegetation cutting and trimming, the maintenance crew encounters a situation where they are unable to remove the vegetation with hand tools, then the maintenance crew will confer with the Tribe's Tribal Historic Preservation Officer to determine how to use other equipment and what other equipment to use. Western's maintenance crews will defer to the Tribe's Tribal Historic Preservation Officer.
8. No vehicle of any type shall be used within the boundaries of Site 4-IMP-7145.
9. Western also needs to repair erosion on the Imperial Irrigation District canal road and canal bank near Structure 16-5. Western will contact the Imperial Irrigation District prior to commencing this work.
10. Between Structures 16/1 and 16/2 is allotted land, Western will contact the BIA and the allottee in order to negotiate the work on their lands.
11. The Tribe may want to collect the cut mesquite from the allotted lands between Structures 16/1 and 16/2, and, therefore, Western agrees to notify the Tribe's Tribal Historic Preservation Officer when it intends to conduct this work.
12. If Western inadvertently discovers cultural resources during work east and southeast of structure 16/4, Western will cease work and notify the Tribe to discuss the best way to proceed to avoid adverse effect.
13. Western will limit all work to a 100-foot wide right-of-way. Western will avoid driving across or disturbing any lands outside of the 100-foot wide right-of-way.
14. Western shall not use any tracked vehicles within the boundaries of cultural sites.
15. Western shall only use vehicles with rubber tires within the boundaries of cultural sites.
16. No blading will occur within the boundaries of cultural sites.
17. Boundaries of affected cultural sites and features, the right-of-way, and access road, will be temporarily flagged by a qualified archaeologist prior to any work. The Tribal Historic Preservation Officer shall be present during all flagging. Western will remove the flagging upon completion of the work.
18. No work will be performed during or following rain, or while the ground is in a soft or muddy state and shall consult with the Tribe regarding same.
19. If an unanticipated discovery of a cultural resource occurs, Western will cease work in the area and notify the Tribe to reach mutual agreement on the best way to proceed to avoid adverse effect.
20. Western will perform the work in a manner that leaves no permanent imprint within the boundaries of the cultural sites.
21. Western's crew must be trained and educated, in consultation with the Tribe's Historic Preservation Officer, regarding the cultural sensitivity of the area in advance of the work.

Per 10/18/10 U.S. Fish and Wildlife letter (FWS-IMP-11B0007-11I0012):

22. A qualified biologist/biological monitor will be present at all times when work is being performed on any portion of the project site west of Structure 16/3, including

any previously unforeseen activities carried out in the restricted area highlighted in red on the attached maps. A qualified biologist shall perform a pre-work clearance of the project area, and shall walk ahead of the equipment being used to ensure that no tortoises are harmed, if a desert tortoise is observed on site, all work will cease until the tortoise has vacated the work site. The qualified biologist is not authorized to handle or relocate desert tortoises as part of this project. The qualified biologist will be responsible for overseeing compliance with the avoidance and minimization measures for the desert tortoise and shall have authority to halt all construction and drilling activities that are in violation of these measures. The qualified biologist shall have a copy of all avoidance and minimization measures with him of her while work is being conducted on the site. Upon locating a dead or injured desert tortoise, the operator must notify the Service's Carlsbad Fish and Wildlife Office (CFWO) by telephone within three days of the finding. Written notification must be made within fifteen days of the finding to the CFWO and to Dr. Kristin Berry at the U.S. Geological Survey, Box Springs Field Station, 21803 Cactus Ave., Suite F, Riverside, CA 92518. The information provided must include the date and time of the finding or incident (if known), location of the carcass, a photograph, cause of death (if known), and any other pertinent information. No later than 30 days after completion of the project, the authorized biologist shall prepare a report for the CFWO. The report shall document the effectiveness and practicality of the avoidance and minimization measures and the number of desert tortoises and types of desert tortoise sign (e.g., burrows, shell fragments, scat) observed on site or in the immediate vicinity of the project site. A copy of the report shall also be sent to USGS in Riverside, CA (to Dr. Berry).

23. A qualified biologist/biological monitor will be present at all times when work is being performed on any portion of the project site in the desert scrub vegetation or desert pavement habitat located in Yuma County Township 8 South, Range 22 West, Section 11, and adjacent portions of Sections 10 and 14. A qualified biologist shall perform a pre-work clearance of the project area, and shall walk ahead of the equipment being used to ensure that no tortoises are harmed, if a desert tortoise is observed on site, all work will cease until the tortoise has vacated the work site. The qualified biologist is not authorized to handle or relocate desert tortoises as part of this project. The qualified biologist will be responsible for overseeing compliance with the avoidance and minimization measures for the desert tortoise and shall have authority to halt all construction and drilling activities that are in violation of these measures. The qualified biologist shall have a copy of all avoidance and minimization measures with him of her while work is being conducted on the site. Upon locating a dead or injured desert tortoise, the operator must notify the Service's Carlsbad Fish and Wildlife Office (CFWO) by telephone within three days of the finding. Written notification must be made within fifteen days of the finding to the CFWO and to Dr. Kristin Berry at the U.S. Geological Survey, Box Springs Field Station, 21803 Cactus Ave., Suite F, Riverside, Ca 92518. The information provided must include the date and time of the finding or incident (if known), location of the carcass, a photograph, cause of

death (if known), and any other pertinent information. No later than 30 days after completion of the project, the authorized biologist shall prepare a report for the CFWO. The report shall document the effectiveness and practicality of the avoidance and minimization measures and the number of desert tortoises and types of desert tortoise sign (e.g., burrows, shell fragments, scat) observed on site or in the immediate vicinity of the project site. A copy of the report shall also be sent to USGS in Riverside, CA (to Dr. Berry).

24. If it is necessary for a worker to park temporarily outside of the cleared area, the worker shall inspect for desert tortoises under the vehicle prior to moving it. If a desert tortoise is present, the worker shall wait for the desert tortoise to move out from under the vehicle.
25. The removal of individual tamarisk trees endangering the conductor will take place prior to May 1, 2011.
26. All work near potential Yuma Clapper rail habitat shall be scheduled and completed before February 15 (i.e., prior to the commencement of the rails' breeding season)
27. The project area shall be confined to the smallest practical area. Area boundaries shall be delimited with flagging or other marking to minimize surface disturbance associated with vehicle straying. Special habitat features identified by the qualified.
28. All potential pitfalls to wildlife will be covered or filled when not attended.
29. Existing roads shall be used for travel and equipment storage whenever possible.
30. Except on county maintained roads, vehicle speeds shall not exceed 20 miles per hour through desert tortoise habitat.
31. No dogs are allowed on the project site.
32. All trash and food items shall be promptly contained within closed, raven-proof containers. The contents shall be regularly removed from the project site to reduce the attractiveness of the area to ravens and other predators of the desert tortoise and the flat-tailed horned lizard.

Per previous cultural surveys

33. Avoid ground-disturbing activities between Structure 4/5 and 6th Street.
34. Avoid ground-disturbing activities between Structures 4/7 and 4/8.
35. Avoid ground disturbing activities between Structure 4/9 and a point 200 feet to the south along the transmission line.

C. Shane Collins

Shane Collins
NEPA Compliance Officer

8/2/11

Date