RECORD OF CATEGORICAL EXCLUSION DETERMINATION

A. **Proposed Action:** Western proposes to cut down or trim vegetation that impacts worker safety and the reliable transmission of electricity on the existing Pinnacle Peak to Prescott 230-kV transmission line between Structures 216/4 and 216/5 in Maricopa County, Arizona. This emergency work must be completed before the line is energerized on March 21, 2010.

Portions of several palo verde trees and one-to-three saguaros are less than 23 feet from the conductor, which is the minimum safe-distance for a 230-kV transmission line. We plan to move any saguaros that are 10-feet tall or taller to another location on Western's property. We plan to leave saguaros that are less than 10 feet tall in place. We plan to trim or cut down vegetation that is 10 feet tall or taller. We plan to use hand tools or mechanical means, such as a front-end loader with a cut shredder attachment to accomplish the work. We plan to leave the woody debris within Western's property or dispose of it at a permitted or licensed landfill. We plan to drive vehicles on existing access roads to bring personnel and equipment to the work area.

The Pinnacle Peak to Prescott 230-kV Transmission Line between Structures 216/4 and 216/5 and the adjacent Pinnacle Peak Substation occur on Western-owned land. The project is located in the west half of Section 10 in Township 4 North, Range 4 East, Gila and Salt River Baseline and Meridian. The corresponding USGS topographic map is Curry Corner, Arizona.

We plan to begin work on March 19, 2010 and complete work by the end of March 21, 2010.

B. **Categorical Exclusion Applied:** 10 CFR, Part 1021, Subpart D, Appendix B, B1.3: "Routine maintenance activities and custodial services for buildings, structures, rights-of-ways, infrastructures (e.g., pathways, roads, and railroads), vehicle and equipment, and localized vegetation and pest control, during which operation may be suspended and resumed... Routine maintenance activities, corrective (that is repair), preventive, and predicted, are required to maintain and preserve buildings, structures, infrastructures, and equipment in a condition suitable for a facility to be used for its designated purpose..."

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. <u>Determination:</u> 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. <u>Special Conditions:</u>

1. Any saguaros removed must be replanted on Western-owned land along the west side of Pinnacle Peak Substation such that the plant's orientation relative to the sun is not changed (e.g., the plant's south face is replanted to face south).
2. All project related, ground-disturbing activities will avoid area shown on the attached map.

John R. Holt
NEPA Compliance Officer

3/18/10
Date