ENVIRONMENTAL REVIEW for CATEGORICAL EXCLUSION DETERMINATION
Rocky Mountain Region, Western Area Power Administration

Danger Tree Management on Bears Ears-Bonanza 345-kV Transmission Line
Uintah County, Utah; Rio Blanco and Moffat Counties, Colorado

A. **Brief Description of Proposal:** Western Area Power Administration (Western) proposes to survey and inspect all areas along the Bears Ears-Bonanza transmission line to conduct routine vegetation management inspection and danger tree removal on the transmission line. Trained crews will measure electrical clearance distances between the conductor and tree branches and cut down any trees that meet or exceed the allowable clearance distance. Any "danger" trees and vegetation that constitute an electrical hazard to the lines will be removed. Individual trees will be cut, lopped, and scattered within the existing right-of-way. Also proposed is routine maintenance to clear vegetation in and around transmission structures, as needed, to ensure access to the structures. Vegetation that is 50 feet or less from transmission structures will be managed. No ground disturbance will occur. Crews will consist of two to five men. Equipment used will include pick-up trucks, laser measuring devices, ropes, and chainsaws. All travel will be confined to existing rights-of-way access roads. Only rubber-tired vehicles will be used.

B. **Number and Title of the Categorical Exclusion Being Applied**: (See text in 10 CFR Part 1021, Subpart D.)

B1.3. Routine maintenance.
Routine maintenance activities and custodial services for buildings, structures, **rights-of-way**, infrastructures (including, but not limited to, pathways, roads, and railroads), vehicles and equipment, **and localized vegetation and pest control**, during which operations may be suspended and resumed, provided that the activities would be conducted in a manner in accordance with applicable requirements. Custodial services are activities to preserve facility appearance, working conditions, and sanitation (such as cleaning, window washing, lawn mowing, trash collection, painting, and snow removal). Routine maintenance activities, corrective (that is, repair), preventive, and predictive, 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. Such maintenance may occur as a result of severe weather (such as hurricanes, floods, and tornados), wildfires, and other such events. Routine maintenance may result in replacement to the extent that replacement is in-kind and is not a substantial upgrade or improvement. In-kind replacement includes installation of new components to replace outmoded components, provided that the replacement does not result in a significant change in the expected useful life, design capacity, or function of the facility. Routine maintenance does not include replacement of a major component that significantly extends the originally intended useful life of a facility (for example, it does not include the replacement of a reactor vessel near the end of its useful life). Routine maintenance activities include, but are not limited to:

(a) Repair or replacement of facility equipment, such as lathes, mills, pumps, and presses;

(b) Door and window repair or replacement;

(c) Wall, ceiling, or floor repair or replacement;

(d) Reroofing;

(e) Plumbing, electrical utility, lighting, and telephone service repair or replacement;

(f) Routine replacement of high-efficiency particulate air filters;

(g) Inspection and/or treatment of currently installed utility poles;

(h) Repair of road embankments;

(i) Repair or replacement of fire protection sprinkler systems;

(j) Road and parking area resurfacing, including construction of temporary access to facilitate resurfacing, and scraping and grading of unpaved surfaces;

(k) Erosion control and soil stabilization measures (such as reseeding, gabions, grading, and revegetation);

(l) Surveillance and maintenance of surplus facilities in accordance with DOE Order 435.1, "Radioactive Waste Management," or its successor;

(m) Repair and maintenance of transmission facilities, such as replacement of conductors of the same nominal voltage, poles, circuit breakers, transformers, capacitors, crossarms, insulators, and downed powerlines, in accordance, where appropriate, with 40 CFR part 761 ("Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions") or its successor;

(n) Routine testing and calibration of facility components, subsystems, or portable equipment (such as control valves, in-core monitoring devices, transformers, capacitors, monitoring wells, lysimeters, weather stations, and flumes);

(o) Routine decontamination of the surfaces of equipment, rooms, hot cells, or other interior surfaces of buildings (by such activities as wiping with rags, using strippable latex, and minor vacuuming), removal of contaminated intact equipment and other materials (not including spent nuclear fuel or special nuclear material in nuclear reactors); and

(p) Removal of debris.

C. **Regulatory Requirements in 10 CFR 1021.410 (b)**: (See full text in regulation and attached checklist.)

1) The proposed action fits within a class of actions listed in Appendix A or B to Subpart D.

For classes of actions listed in Appendix B, the following conditions are integral elements. To fit within a class, the proposal must not:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders;

- 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;
- Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases;
- Have the potential to cause significant impacts on environmentally sensitive resources. An environmentally sensitive resource is typically a resource that has been identified as needing protection through Executive Order, statute, or regulation by Federal, State, or local government, or a federally recognized Indian tribe. An action may be categorically excluded if, although sensitive resources are present, the action would not have the potential to cause significant impacts on those resources (such as construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has wetlands). Environmentally sensitive resources include, but are not limited to, those listed in paragraph B. (4) (see Attachment A).

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

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. Special Stipulations Pertaining to the Proposal:

Environmentally sensitive areas that are to be avoided will be identified on maps provided to the cutting crews.

Western has a Programmatic Agreement (PA) with the Advisory Council on Historic Preservation, State Historic Preservation Offices, Federal Agencies and Tribes in Western's Rocky Mountain Region. The PA addresses impacts of routine maintenance of transmission lines, substations and other facilities on archaeological resources and specifically addresses cutting and dropping danger trees under Section I. Maintenance Activities with No or Minor Associated Surface Disturbance B(8). Provisions for avoidance of sensitive cultural resources require that all work within these areas be conducted by hand. No dragging or mulching of felled trees may be conducted within sensitive areas. Areas may only be accessed using rubber-tired vehicles.

Western completed a Biological Assessment (BA) for the U.S. Fish and Wildlife Service to comply with the Endangered Species Act. The BA addresses impacts of danger tree cutting. In the BA the work was described as typically being done with a two to four person crew, a 4WD rubber-tired vehicle and that most cutting would be done by hand (with chainsaws).

The cutting crew will take notes that define the location of the tree cut (transmission line name and structure numbers), the type of surrounding vegetation, the number of trees removed, tree sizes (dbh), and comments on future treatment needs.

To comply with the Migratory Bird Treaty Act, it is expected that this work will be done between August 1 and March 1. If the work is to be done between March 1 and July 31: (1) the cutting crew needs to consult with Western's biologist to ensure that nests along the transmission corridor where trees are to be cut are avoided, and (2) a pedestrian survey would be conducted in advance of the work crews to identify the nests.

The contractor or Western will notify the landowner or appropriate agency before proceeding with work.

If the scope of work of this project changes, Western's Environmental Division must be contacted for additional environmental review.

This Categorical Exclusion is valid for 3 years after the signature date. If construction has not commenced within that time, Western's Environmental Division must be contacted for an updated environmental review prior to construction.

If any cultural materials are discovered during construction, work in the area shall halt immediately and Western's Environmental Division shall be contacted.

E. Determination: Based on my review of information provided to me and in my possession concerning the proposed action, I 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 categorically excluded from requirements for an EA or an EIS.

Gene Iley, Jr. **Date:** 4/13/12
Signature

Gene Iley, Jr.
NEPA Compliance Officer
Rocky Mountain Customer Service Region
Western Area Power Administration

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ATTACHMENT A
Conditions That Are Integral Elements of the Classes of Actions in Appendix B That Apply to This Proposal
Checklist for Categorical Exclusion Determination, revised Nov. 2011

Application of Categorical Exclusions (1021.410)	Disagree	Agree	Unknown
(b)(1) The proposal fits within a class of actions that is listed in appendix B to subpart D.		X	
(b)(2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal, including, but not limited to, scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; and unresolved conflicts concerning alternate uses of available resources.		X	
(b)(3) The proposal has not been segmented to meet the definition of a categorical exclusion. Segmentation can occur when a proposal is broken down into small parts in order to avoid the appearance of significance of the total action. The scope of a proposal must include the consideration of connected and cumulative actions, that is, 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 individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or § 1021.211 of this part concerning limitations on actions during EIS preparation.		X	
B. Conditions that are Integral Elements of the Classes of Actions in Appendix B.	NO	YES	Unknown
(1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety and health, or similar requirements of DOE or Executive Orders.	X		
(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;	X		
(3) Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases;	X		
(4) Have the potential to cause significant impacts on environmentally sensitive resources. An environmentally sensitive resource is typically a resource that has been identified as needing protection through Executive Order,	X		

statue, or regulation by Federal, state, or local government, or a federally recognized Indian tribe. An action may be categorically excluded if, although sensitive resources are present, the action would not have the potential to cause significant impacts on those resources (such as construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has wetlands). Environmentally sensitive resources include, but are not limited to:			
(i) Property (such as sites, buildings, structures, and objects) of historic, archaeological, or architectural significance designated by a Federal, state, or local government, or property determined to be eligible for listing on the National Register of Historic Places;	X		
(ii) Federally-listed threatened or endangered species or their habitat (including critical habitat) or Federally-proposed or candidate species or their habitat (Endangered Species Act); state-listed or state-proposed endangered or threatened species or their habitat; Federally-protected marine mammals and Essential Fish Habitat (Marine Mammal Protection Act; Magnuson-Stevens Fishery Conservation and Management Act); and otherwise Federally-protected species (such as under the Bald and Golden Eagle Protection Act or the Migratory Bird Treaty Act);	X		
(iii) Floodplains and wetlands (as defined in 10 CFR 1022.4, —Compliance with Floodplain and Wetland Environmental Review Requirements: "Definitions," or its successor);	X		
(iv) Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national monuments, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges, scenic areas (such as National Scenic and Historic Trails or National Scenic Areas), and marine sanctuaries;	X		
(v) Prime or unique farmland, or other farmland of statewide or local importance, as defined at 7 CFR 658.2(a), —Farmland Protection Policy Act: Definitions, or its successor;	X		
(vi) Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and	X		
(vii) Tundra, coral reefs, or rain forests; or	X		

(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.	X		