Project title:	**Rock Slough Pole Replacement Project**				
Requested By:	Heidi Miller	Mail Code :	N1010	Phone:	916-353-4420
Date Submitted:	March 15, 2010		Date Required:	March 24, 2010	

Description of the Project:

Purpose and Need

The 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, Switchyards, and facilities throughout California. The Department of Interior, Bureau of Reclamation (Reclamation) is responsible for water storage, water delivery, and hydropower production. Both Western and Reclamation must comply with the National Electric Safety Code, Western States Coordinating Council (WECC), and internal directives for protecting human safety, the physical environment, and maintaining the reliable operation of the transmission system.

The Contra Costa Pumping Plant Mitigation Program (Program) was established to meet the statutory requirements of Public Law 102-575, Title XXXIV, of the Central Valley Project (CVP) Improvement Act, as specified in Section 3406(b)(5). The Program is designed to mitigate fishery impacts resulting from operations of the Contra Costa Pumping Plant #1. The Contra Costa Canal Intake (Rock Slough) Fish Screening Project (Project), a feature of the Program, is designed to comply with the Los Vaqueros Biological Opinion for delta smelt, which requires that entrainment losses of delta smelt (fish drawn into the canal and Pumping Plant #1) be reduced by the constructing a screening of Rock Slough. The extent of Western's action in the project is the relocation/replacement of the existing poles as described below in the Project Overview.

Location of the Project

The proposed project site is located in the south Sacramento-San Joaquin River Delta on the eastern border of the City of Oakley in eastern Contra Costa County. The beginning of the Canal is demarcated by the Rock Slough Headworks, approximately 400 feet from Rock Slough, which is approximately 4 miles southeast of the intersection of State Route 4 and Cypress Road, near the terminus of Rock Slough. **Figure 1** illustrates the general vicinity of the project. The project site and the poles proposed for relocation (13/4 and 13/5), which are components of the existing Tracy-Contra Costa (TCY-CC) Transmission Line, are depicted in **Figure 2**.

Background

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of Reclamation determined that the approval of the partial assignment of the CVP Contract and associated water supply is not a major federal action that will significantly affect the quality of the human environment and an environmental impact statement is not required.

Therefore, this Rock Slough Pole Replacement Categorical Exclusion is further supported by Reclamation's Finding of No Significant Impact and Draft Environmental Assessment (EA) Number EA-06-119, *Contra Costa Pumping Plant Mitigation Program – Contra Costa Canal Intake (Rock*

Slough) Fish Screening Project (Supplementing the 1997 Finding of No Significant Impact and Environmental Assessment), which is hereby incorporated by reference.

Project Overview

The Contra Costa Water District (CCWD) in coordination with Reclamation, Mid-Pacific Region, will be constructing a new fish screen structure as part of an upgrade to the Rock Slough portion of Reclamation's Contra Costa Canal (Canal). The screen will be approximately 320 feet and constructed at the entrance to the Rock Slough. Two of Western's existing 69-kV poles on the TCY-CC transmission line pole (13/4 and 13/5) will need to be relocated and replaced with new poles to accommodate the proposed construction of the screen. The pole relocations are the extent of Western's action in the Project. Pole 13/4 will be moved approximately 10 feet NW from the existing location, but not on the levee bank and Pole 13/5 will be relocated approximately 100 feet SW of the existing location (**see Figure 2**). The existing poles are approximately 60-feet in height and the new poles will be approximately 85 feet in height. Reclamation will acquire all necessary access easement rights associated with this relocation and assign said rights to Western. Reclamation is also responsible for obtaining all required permits for construction of the fish screen and pole relocation. The scope of this Categorical Exclusion is focused solely on Western's action which, as indicated above, is the relocation/replacement of the Western's existing 69-kV poles (13/4 and 13/5).

☐ **Map(s)**
See attached Maps

☒ **Figures(s)**
See attached Figures

☒ **Work Order Number**
100163608

To be completed by Natural Resources Only

Action taken

Note: All Documentation is Attached

☒ Categorical Exclusion (CX)
☐ Environmental Assessment (EA)
☐ Environmental Impact Statement (EIS)
☐ Other Determinations:

☒ Integral Elements
☒ NEPA Attachment Sheet
☐ Environmental Requirements/Mitigation
☒ Maps/Figures

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.

Cherie L. Johnston-Waldear for
Stephen C. Tuggle
NEPA Compliance Officer

March 25, 2010
Date
☒ Approved

bcc:	File Code:	Assigned to:	Project #:	Environmental Specialist– Date:
Heidi Miller		David Young	100315	**David Young 031510**

Integral Elements

Project Title: Rock Slough Pole Replacement Project

Category of Action:

- **B1.20** - Protect/restore/improve fish and wildlife habitat.
- **B4.6** - Additions/modifications to electric power transmission facilities within a previously developed area.
- **B4.13** - Reconstruction and minor relocation of existing electric power lines approximately 20 miles in length or less.

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)(I)), 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 (EIS) or an environmental assessment (EA).

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

Western Area Power Administration,
SIERRA NEVADA REGION
NEPA Attachment Sheet

Project Number
100215

PROJECT TITLE:

	Rock Slough Pole Relocation Project

EFFECTED ENVIRONMENT

	The Tracy-Contra Costa Poles 13/4 and 13/5 are located in an agricultural area comprised of row crops and irrigated pasture. These lands have been plowed and irrigated and no longer sustain the original hydrology or native plant populations. Immediately surrounding the pole is compacted bare ground and non-native annual grasses within access roads and maintenance turn-around areas. The pole also sits at an intersection of the Contra Costa Canal, which crosses both from northwest to southeast on the northeastern side of the pole and from west to east on the southern side of the pole.

REVIEW ACTION

	SNR's Archeologist has reviewed the proposed project documentation as provided in this CX. Previous surveys were conducted in 2008-2009 for Western's San Joaquin Valley Right-of-way (ROW) Maintenance EA effort in the area near the Project location. The surveys captured habitat and biological information within Western's transmission line ROWs and access roads. These records were reviewed for habitat information and sensitive biological resources that have the potential to be near the Project. An updated U.S. Fish and Wildlife (USFWS) species list was also requested on January 19, 2010, to verify updated species information. In addition, California Natural Diversity Database (CNDDB) records were reviewed for sensitive biological resources found within and surrounding the project area.

CULTURAL AND HISTORIC RESULTS

	Effects Determination-A cultural resource survey was conducted for the 69-kV Tracy-Contra Costa transmission line as part of the San Joaquin Valley Environmental Assessment. Surveys were conducted in Summer 2009; however, previous surveys have been conducted for this transmission line. No cultural resource surveys have been detected or recorded for this segment of the transmission line. The 69-kV Tracy-Contra Costa transmission line was previously determined not eligible for the National Register of Historic Places (NRHP) (SHPO 2002, document on file at SNR). The Contra Costa Canal (CCC) has been determined eligible for listing in NRHP for its association with the CVP. The proposed re-location of one power pole within the same Western easement would not have either a direct or indirect effect on the CCC. A determination of "No Adverse Effect" is appropriate for this undertaking. This action meets the stipulations of the Western's Programmatic Agreement (see box below).

☐	Consultation on this project was completed on N/A_____
☒	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 at Western Facilities in California," dated December 11, 1997.
☐	Mitigation required (see below)
☒	Include in Western's annual report

BIOLOGICAL RESULTS

	The Project area does not provide suitable habitat for any of the species included on the USFWS species list with the exception of the giant garter snake (GGS). However, the habitat present is marginal, at best, due to the minimal emergent vegetation and the lack of grassy banks and appropriate upland habitat for basking and overwintering[1]. The rip rap and concrete lining of the canal and the grazing practices in the adjacent habitat limit the ability of GGS to inhabit the Project area on a long-term basis[2]. Additionally, the review of the CNDDB did not produce any records for GGS within a 5-mile radius of the Project area. Nevertheless, since the canal could be used by the GGS as a transportation corridor, there is potential for the Project to impact a snake. Reclamation consulted, as the Lead Federal Agency, with USFWS, which included a concurrence on the determination of "may affect, but not likely to adversely affect" for the GGS based on the implementation of minimization measures.
☒	Consultation on this project was completed on September 3, 2009
☐	This activity is covered by Western's Biological Opinion, "Formal Programmatic Consultation on the Operation and Maintenance Activities of the Western Area Power Administration," dated May 27, 1998, U.S. Fish and Wildlife Service File 1.1-97-F-0140.
☒	Minimization required (see Environmental Requirements Section, below)

COMPLIANCE RESULTS

☒	**According to Western Construction Standard 7, the following shall apply:** Oil-borne pentachlorophenol and oil-borne copper Naphthenate will be the only preservatives permitted for wood pole use. The poles shall meet the requirements of the American Wood Preservers' Association (AWPA) P8. The Oil solvent used shall be Type A and meet the requirements of the AWPA P9.

[1] U.S. Fish and Wildlife Service. 2006. Giant Garter Snake (*Thamnophis gigas*) 5-Year Review: Summary and Evaluation. Page 3.
[2] U.S. Fish and Wildlife Service. 2006. Giant Garter Snake (*Thamnophis gigas*) 5-Year Review: Summary and Evaluation. Page 11.

☒	**Wood Pole Disposal:** All wood poles and crossarms shall be removed from the right-of-way. Wood Poles will be disposed of in accordance to the attached wood pole disposal guidance provided by SNR. Treated wood poles and members removed during the project shall be recycled or transferred to the public for accepted uses as indicated in the attached guidance. Treated wood poles and members transferred to a landfill or the public shall be accompanied by a written consumer information sheet on treated wood (attached). Obtain a receipt form, part of the consumer information sheet, from the recipient indicating that they have received, read, and understand the consumer information sheet. Treated wood products transferred to right-of-way landowners shall be moved off the right-of-way. Treated wood product scrap or poles and members that cannot be donated or reused shall be properly disposed in a landfill that accepts treated wood and has signed Western's consumer information sheet receipt. Submit treated wood pole consumer receipt forms to the Natural Resources Department after completion of work.
☒	**Hardware Disposal:** All wood poles hardware shall be removed from the right-of-way. All associated hardware that is recyclable shall be sent for recycling. The Elverta Maintenance Facility accumulates hardware for recycling. All other material shall be disposed of in accordance to federal, State, and local regulations.
☒	**Waste Material Quantity Report:** Submit quantities of total project waste material disposal as listed below to the Natural Resources Department after completion of work. (1) Sanitary Wastes: Volume in cubic yards or weight in pounds. (2) Hazardous or Universal Wastes: Weight in pounds. (3) PCB Wastes (If applicable): Weight in pounds. (4) Other regulated wastes (e.g., lead-based paint or asbestos): Weight in pounds (specify type of waste in report).

MINIMIZATION MEASURES

☐	Other Minimization: Not Required
☒	Other Minimization: Required (see Environmental Requirements Section, below)

Western Area Power Administration Sierra Nevada Region	**Environmental Requirements for the Project as Stated Above**	**Project Number** 100315

This document outlines the environmental restrictions from the Formal Programmatic Consultation on the Contra Costa Canal Rock Slough Fish Screen Project, September 3, 2009, U.S. Fish and Wildlife Service File 81420-2009-I-1015-1.

ITEMS CHECKED ARE APPLICABLE TO THIS PROJECT.

General

☐	All routine maintenance activities will be performed during the non-nesting period between July 15 and March 1. The **timing** of maintenance activities will be adjusted to avoid sensitive periods for special status species and their habitat types. Qualified biologists will **monitor or mark** sensitive habitat so that it can be avoided by maintenance personnel during specific activities in specific habitat types. Prior to maintenance activities, a qualified biologist will survey the proposed maintenance sites to determine whether nesting raptors are present. If no nesting raptors or northern California spotted owls are present, maintenance activities can proceed. Survey results will be valid only for the nesting season in which they were conducted and additional surveys would be needed for each additional season that work must be conducted. Refer to the **Review Action** in this report for further information.
☐	Routine maintenance activities will be avoided from mid-March through mid-June in the vicinity of structures.
☐	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.
☐	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.
☐	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.
☐	Vegetative management plans will be followed as appropriate.
☐	In areas where excavation is not required, vegetation will be left in place whenever possible and original contours maintained in an undisturbed condition.
☐	Habitat diversity will be maintained to the greatest extent feasible.
☐	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.
☐	Dispose of all cleared vegetation in an appropriate manner.
☐	The maintenance foremen 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 the maintenance.
☒	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.
☐	No paint or permanent discoloring agents will be applied to rocks or vegetation.
☐	If used, survey stakes will be removed as a part of the final clean up.
☐	All work on access and maintenance roads must stay within the existing prism of the roads.

Elderberry Savanna

☐	Western maintenance personnel will avoid disturbance within 20 feet of the drip line of each elderberry bush.
☐	No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant would be used within 100 feet of an elderberry plant with a stem measuring one-inch or greater in

	diameter at ground level.
☐	If avoidance of elderberry bushes is not possible, maintenance will notify Natural Resources prior to initiating work, except in "danger" tree conditions. Special mitigation measures for habitat areas containing elderberry bushes require a survey by a qualified biologist and must be handled by Natural Resources.

Perennial Streams and Rivers

☐	No vehicle refueling within 300 feet of a perennial stream or river channel.
☐	All spills of fuel or hydraulic fluid would be immediately cleaned up according to Western's guidelines for hazardous material handling.

Giant Garter Snakes

☐	These provisions are applicable in Butte, Colusa, Yuba, Sutter, Yolo, Sacramento, and San Joaquin Counties.
☐	All work will be conducted between May 1 to October 31, during the snake's active period.
☐	Vehicle traffic is restricted to designated access roads and the immediate vicinity of construction or maintenance sites. Vehicle speeds will not exceed 15 miles per hour on unimproved access roads.
☐	If a giant garter snake is observed, all work will stop until it can be determined that the snake will not be harmed.

Woodland (MBTA habitat)

☐	If work must commence during the nesting period (February 1 – August 30) in MBTA habitat, a biological survey or a monitor may be employed to determine the absence or presence of nests and/or MBTA birds. Contact Natural Resources.

Grasslands (Kit Fox habitat)

☐	These provisions are applicable in grassland habitats or disturbed habitats within 0.5 miles of grassland habitats located in San Joaquin, Alameda, and Contra Costa Counties.

Vernal Pools

☐	There are some ephemeral wetlands that should not be traversed by anything other than rubber-tired vehicles, especially when water is present.
☐	All vehicles are restricted to existing roads in vernal pool habitat.
☐	Vehicle use off existing roads is restricted to times of the year when soils are dry enough to resist compaction and annual plants have set seed (generally June 1 to September 30). If in question, contact Natural Resources prior to initiating work.
☐	No vehicle traffic is permitted off established roads within 50 feet of individual vernal pools (measured from the upland margin of the pool).
☐	Materials used for maintenance activities will be located outside of vernal pool habitat or on existing roads.

Compliance Regulatory Requirements

☒	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.
☒	There will be no uncontrolled or un-permitted releases of hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products to avoid Adversely affecting environmentally sensitive resources.
☒	In the event of a Hazardous Material/Waste spill environmental services 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).
☒	Hazardous Materials/Waste on-site to consider

☒	Hazardous Materials/Waste need to be removed off site for disposal/recycling
☐	Piping and oil sampling required
☐	Material Analytical Data: See attached results for reference
☐	Erosion control measures to be taken to prevent sediment from reaching river
☐	Soil Sampling

Mitigation Measure 6: Conduct Preconstruction Surveys for Giant Garter Snake, and If Present, Implement Protection Measures

Implement the following measures to minimize potential impacts on giant garter snake:

Before any ground-disturbing construction activities begin, retain a qualified biologist, approved by DFG and USFWS, to conduct focused surveys for giant garter snake to confirm there are no giant garter snakes present in the action area. A preconstruction survey will be conducted by a DFG- and USFWS-approved biologist within 24 hours before the start of construction in any portion of the project site slated for ground-disturbing activities. Preconstruction surveys will be reinitiated if construction adjacent to suitable habitat is suspended for a month or more and then restarted. If giant garter snakes are present, they will be allowed to move away from construction activities on their own or will be relocated if directed by USFWS. Surveys must be conducted every year in which project construction activities occur.

If giant garter snakes are not found on the project site, a letter report documenting survey methods and findings will be submitted to DFG and USFWS.

Following the preconstruction survey, and assuming the absence of giant garter snakes, the contractor will install an exclusion fence around the entire construction site. Construction sites in areas that are excavated will remain active and disturbed to ensure that it is highly unlikely that the giant garter snake would return and hibernate in the construction area. To avoid impacts to giant garter snake, the entire Project site will be cleared and grubbed from September 1 to September 30. Access road improvements will also be completed during this time.

Initial construction activity within giant garter snake habitat will be conducted between May 1 and October 1, the active period for giant garter snakes. If present, potential effects are lessened because snakes are actively moving and can avoid danger. More danger is posed to snakes during their inactive period because they are occupying underground burrows and crevices and are more susceptible to direct effects, especially during excavation activities. Construction activities will continue during the inactive giant garter snake period (between October 2 and April 30) in areas that are under active construction. For construction after October 1, notify USFWS and implement the following protective measures:

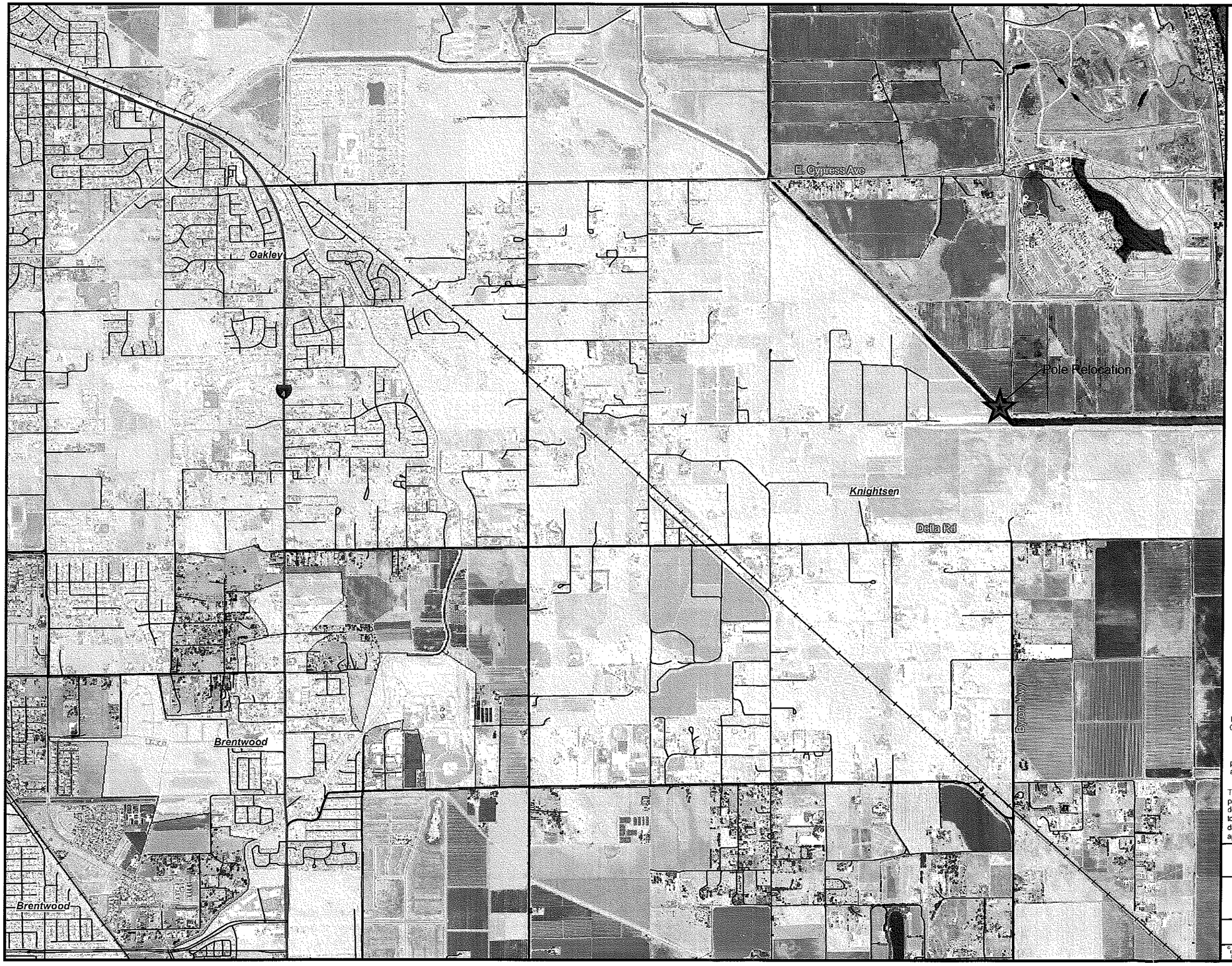
1. All rip-rap, burrows, or other features that could provide potential refugia or hibernation sites within the construction open water areas will be removed prior to October 1. A qualified biologist, approved by DFG and USFWS, shall monitor construction activities and exclusion fence integrity at least 2 days per week consistent with DFG and USFWS guidance.
2. A giant garter snake exclusion fence will be constructed around the entire Project site prior to October 1.
3. A qualified biologist will be available to monitor the construction site if work is discontinued for more than one week.
4. A monitoring report shall be sent to DFG and USFWS on October 1 and any time thereafter where work ceases for a month or more and biological monitoring is implemented prior to resumption of project construction.

Before construction, a worker environmental training awareness program will be conducted by a qualified biologist approved by DFG and USFWS. The training will include instruction regarding species identification, natural history, habitat, and protection needs. Colored photographs of the snake will be distributed during the training session for posting on the job site. New workers will be provided information from the training program concerning species identification, natural history, habitat and protection needs.

Standard construction BMPs will be implemented to protect aquatic habitats. Erosion control matting will not include monofilament or plastic that could entangle snakes; the matting will be comprised of jute, straw, coconut matting, or other natural fibers.

Monitoring will be performed by a qualified DFG- and USFWS-approved biologist in accordance with established protocols and survey procedures. A monitoring report of all activities associated with surveys for this species will be submitted to DFG and USFWS following project completion. If giant garter snake is observed in the study area, a monitoring report will be submitted to USFWS and DFG immediately with a copy provided to the California Natural Diversity Database (CNDDB).

In the event that a snake is found at the construction site, work in the immediate area will be halted; DFG, USFWS, and Reclamation will be notified, and work will not resume in the immediate area until appropriate corrective measures including allowing the animal to move to a safe location. The biologist will report any snakes encountered and any incidental take of the snakes to the Chief of the Endangered Species Division at the Sacramento Fish and Wildlife Service Office immediately, within 3 working days.



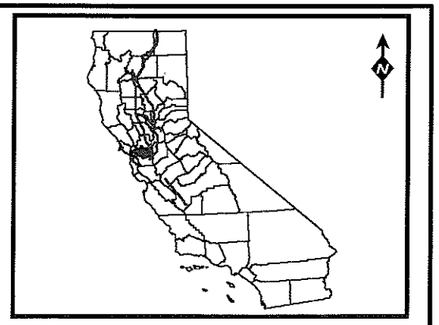


Figure 1

Project Location

City

Western GIS SNR

Scale 1:24,000

0 0.25 0.5 0.75 1 Miles

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UNITED STATES DEPARTMENT OF ENERGY
WESTERN AREA POWER ADMINISTRATION
SIERRA NEVADA REGION - FOLSOM, CALIFORNIA

FISH SCREEN POLE RELOCATION

CALIFORNIA

TRACY - CONTRA COSTA 69 KV

Designed: Josh Katzman Approved: Ricardo Velarde
Manager Title

GIS	March 9, 2010	TCY-CC	FINAL

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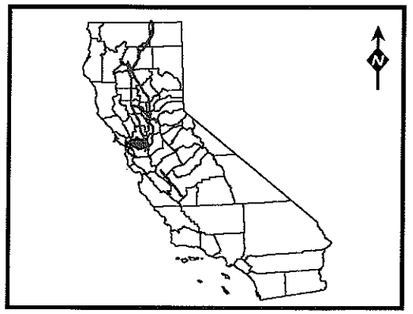

Figure 2

- Tower
- Access Road
- Documented Access Road
- Public Road
- ROW Maintenance Road
- Transmission

Western Area Power Administration GIS SNR

Scale 1:2,400

0 100 200 300 400 Feet

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UNITED STATES DEPARTMENT OF ENERGY
WESTERN AREA POWER ADMINISTRATION
SIERRA NEVADA REGION - FOLSOM, CALIFORNIA

FISH SCREEN POLE RELOCATION
CALIFORNIA
TRACY - CONTRA COSTA 69 KV

Designed: Josh Katzman Approved: Ricardo Velarde
Manager Title

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