Proposed Action Title: Phoenix to Lone Butte 230-kV Transmission Line, Bird Diverter Installation

Program or Field Office: DOE/Western/Desert Southwest Region

Location(s) (City/County/State): Along the existing Phoenix to Lone Butte 230-kV Transmission Line in Maricopa County

Proposed Action Description:
Western proposes to install bird discouragers on a portion of the PHX-LOB 230-kV transmission line. Access is via existing rural and transmission line access roads. Birds perching on structures (primarily 33-5, 34-1 and 34-2) are causing line faults and tripping the line out of service. The purpose of the project is to ensure the continued safe and reliable operation of the bulk power system by reducing or eliminating faults due to bird activity along the line. The scope of the work includes installing bird discouragers on a maximum of 12 structures, improving access in eroded areas, and creating level structure pads to accommodate equipment. Xena Model bird Discouragers and/or Mega Pyramids will be installed over each insulator array (5 per steel monopole), per product specifications, from structure 32-5 to 35-2.

Special Considerations: The work area must be flagged two days before work starts. Environmental must be notified two days before work begins.
1) To avoid disturbance to nesting birds, project activities will be scheduled between September 1 and February 28, as feasible. Project activities involving ground disturbance or vegetation management taking place between March 1 and August 31 will be subject to pre-construction surveys by the Biological Monitor prior to beginning work. Project activities may not disturb an active bird nest. If an active bird nest is located on or adjacent to the project area, the Biological Monitor will designate and flag an appropriate buffer area around the nest where activities will not be permitted. The buffer area will be based on the bird species and nature of project activity.
2) Any wildlife injuries or mortalities shall be reported immediately to Western Environmental and Gila River Indian Community Department of Environmental Quality.

Categorical Exclusion(s) Applied:
B1.3 - Routine maintenance

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

☑ The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D.

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (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; (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; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (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 listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

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

☑ The proposal has not been segmented to meet the definition of a categorical exclusion. This 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 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

NEPA Compliance Officer: [Signature]
Date Determined: 4-8-13
**Checklist for Categorical Exclusion Determination, revised Nov. 2011**

### Application of Categorical Exclusions (1021.410)

<table>
<thead>
<tr>
<th></th>
<th>Disagree</th>
<th>Agree</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b)(1) The proposal fits within a class of actions that is listed in appendix A or B to subpart D.</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(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.</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(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.</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### B. Conditions that are Integral Elements of the Classes of Actions in Appendix B:

<table>
<thead>
<tr>
<th></th>
<th>NO</th>
<th>YES</th>
<th>UNKNOWN</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety and health, or similar requirements of DOE or Executive Orders.</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(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;</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(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;</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(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, 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:</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) Property (such as sites, buildings, structures, and objects) of historic, archaeological, or architectural significance</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
designated by a Federal, state, or local government, or
property determined to be eligible for listing on the National
Register of Historic Places;

(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);

(iii) Floodplains and wetlands (as defined in 10 CFR 1022.4,
—Compliance with Floodplain and Wetland
Environmental Review Requirements: “Definitions,” or its
successor);

(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;

(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;

(vi) Special sources of water (such as sole-source aquifers,
wellhead protection areas, and other water sources that are
vital in a region); and

(vii) Tundra, coral reefs, or rain forests.; or

(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.