

RECORD OF CATEGORICAL EXCLUSION DETERMINATION

Archer-Ault 230-kV and Cheyenne to Owl Creek 115-kV Transmission Line Structure Replacements, Laramie County, Wyoming and Weld County, Colorado

- A. **Brief Description of Proposal:** Western proposes to replace three (3) existing wood pole H-frame structures along the Archer-Ault 230-kV and Cheyenne-Owl Creek 115-kV transmission lines near Nunn, Colorado and Cheyenne, Wyoming. These transmission lines occur on private lands in Weld County, Colorado and Laramie County, Wyoming. Archer-Ault structure 38-1 is located in grasslands west of Nunn, Colorado. Structures 0-0 and 0-1 on the Cheyenne-Owl Creek line are located immediately outside of the Cheyenne Substation in an urban residential area. The structures will be replaced with similar H-frame structures. The new structures would be the same height, material, and configuration as the existing structures. All work would be confined to Western's rights-of-way easement. Existing access would be used, no new roads are proposed. The work includes; auguring new holes for new structures, installing new structures, backfilling and adding new hardware and removing wooden poles and hardware. Equipment used in the work includes 4WD pick-up trucks, a truck-mounted auger, flat-bed truck and truck-mounted crane. Western routinely places the new structure within 10-feet of the existing structure. The new location could be up or down the right of way from the existing structure depending on site conditions and access for equipment. The following structures will be replaced;

Archer-Ault 230-kV Structure 38-1; and
Cheyenne-Owl Creek 115-kV Structures 0-0 and 0-1

Work is scheduled for late summer 2011.

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

B4.6. Additions or modifications to electrical 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)** (Refer to full text in regulation and Attachment A)

- 1.) The proposed action fits within a class of actions that is listed in Appendix A or 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 a proposal must not:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety and health, including DOE and/or Executive Orders;
- Require siting, construction, or major expansion of waste storage, disposal, recovery, or treatment facilities, but may include such categorically excluded facilities;

- Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or unpermitted releases; or
 - Adversely affect environmentally sensitive resources (including but not limited to those listed in paragraph B(1) (See attached checklist)
- 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 CRF 1021.211.

D. Special Stipulations Pertaining to the Proposal:

Known cultural sites for the transmission line have been identified and submitted to Maintenance Division staff in separate correspondence (patrol books and digital tough book computers) and will be avoided during construction.

If any cultural resources or paleontological materials are discovered during construction, work in the area shall halt immediately; Western and the Colorado SHPO staff shall be contacted, and the material evaluated by an archaeologist or historian.

The structure locations were surveyed for nesting Mountain Plover in May 2011 and none were found, therefore construction can proceed. Maintenance Division shall notify Environment Division if ground nesting birds are observed. Future maintenance on the Cheyenne-Owl Creek 115-kV, Ault-Owl Creek 115-kV, Ault-Cheyenne 230-kV and Archer-Ault 230-kV transmission lines **should not occur** between April 10 and July 10. If work must occur in this period the lines must be surveyed to identify plover, if nesting plovers are found, no construction may occur until after 37 days from when the nest(s) were found or 7 days after hatching.

If the scope of work for this project changes Maintenance Division must contact Western’s Rocky Mountain Region Environment Division for additional environmental review.

If work is not completed within 3 years of the date of this signed document Maintenance Division must contact Western’s Rocky Mountain Region Environment Division for additional environmental review.

E. Determination:

Based on my review of information provided to me and in my possession concerning the proposed action, I determine 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.

C Shane Collins

Signature

Date: 6/2/11

Shane Collins
NEPA Compliance Officer
Western Area Power Administration

1 All reviews and discussion supporting the "not adversely affect" determination have been completed.

APPENDIX A
Checklist for Categorical Exclusion Determination

Application of Categorical Exclusions (1021.410)	Disagree	Agree	Unknown
1) The proposal fits within a class of actions that is listed in appendix A or B to subpart D.		x	
2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effect of the proposal, (e.g. scientific controversy about environmental effects; uncertain effects or effects involving unique or unknown risks; unresolved conflicts concerning alternate uses of available resources (see NEPA 102(2)(E))		x	
3) The proposal is not connected (40 CFR 1508.25(a)(1) to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts (40 CFR 1508.25(a)(2)), and is not precluded by 40 CFR 1506.1 or § 1021.211.		x	
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, including requirements of DOE and/or Executive Orders ¹ .	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.	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 intermitted releases; or	x		
4) Adversely affect environmentally sensitive resources. Including but not limited to: <ul style="list-style-type: none"> • Property of historic, archaeological, or architectural significance designated by Federal, state, or local governments or property eligible for listing on the National Register of Historic Places 	x		
<ul style="list-style-type: none"> • Federally-listed threatened or endangered species or their habitat (including critical habitat), federally-proposed or candidate species or their habitat, or state-listed endangered or threatened species or their habitat; 	x		
<ul style="list-style-type: none"> • Wetlands regulated under the Clean Water Act and Floodplains; 	x		

<ul style="list-style-type: none"> • Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges and marine sanctuaries; 	x		
<ul style="list-style-type: none"> • Prime agricultural lands; 	x		
<ul style="list-style-type: none"> • Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and 	x		
<ul style="list-style-type: none"> • Tundra, coral reefs, or rain forests. 			

¹Applicable statutory, regulatory, or permit requirements for environment, safety and health, including requirements of DOE and/or Executive Orders (in addition to those listed above)

Clean Air Act

Complies with U.S. DOE Clean Air Act Conformity Requirements

Department of Energy Floodplain and Wetland Regulations (10 CFR 1022)

Clean Water Act

- Complies with Section 404 requirements
- Complies with National Pollutant Discharge Elimination System Permitting requirements

Complies with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994, with Presidential Memorandum)

Complies with Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds. (January 10, 2001)