

**ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION**

**Rocky Mountain Region, Western Area Power Administration**

**Curecanti-Rifle 230-kV Transmission Line**

**Sullivan Ranch Irrigation Water Pipeline Project Between Structures 25/5 to 26/1**

**Montrose County, Colorado**

**A. Brief Description of Proposal:** Western Area Power Administration (Western) proposes to grant permission to Mr. Dan Sullivan for the Sullivan Ranch Pipeline Project on Western's right-of-way (ROW) between structures 25/5 to 26/1 on the Curecanti-Rifle (CCI-RFL) 230-kV Transmission Line. Sullivan Ranch is constructing an irrigation water pipeline of which a small portion of the pipeline crosses Western's ROW. The work on Western's ROW connects to an existing access road on the edge of Western's CCI-RFL 230-kV Transmission Line on Bureau of Land Management (BLM) land. Western has coordinated and completed a ROW license agreement to issue ROW to Mr. Sullivan to utilize Western's access road. The license agreement would give Mr. Sullivan permission to construct a segment of the 8-inch diameter waterline, buried 3 feet deep on Western's ROW edge for approximately 75 feet. The project will begin at the inlet in McDonald Creek under Western's transmission line between structures 25/5 to 26/1 on previously disturbed ground within the existing ROW. The project is located on BLM lands in Montrose County, Colorado.

The BLM Uncompahgre Field Office has issued a Categorical Exclusion for a ROW grant to Mr. Dan Sullivan to construct, operate, maintain, and terminate the buried irrigation water pipeline and authorized the existing road for ranch use purposes. The pipeline project was designed by the U.S. Department of Agriculture Natural Resource Conservation Service.

In accordance with planned road grading improvements on the CCI-RFL 230-kV Transmission Line, Western will grade the road along the section of buried pipeline between sections 25/5 to 26/1, following completion of the Sullivan Ranch Pipeline Project. A rubber-tired motor grader and/or a track dozer would grade the road to create a smooth surface safe for Western's routine maintenance activities. Mr. Sullivan will seed the disturbed area as soon as possible upon completion of pipeline construction to take advantage of fall precipitation.

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

**B4.9 Multiple use of powerline rights-of-way**

Granting or denying requests for multiple uses of a transmission facility's rights-of-way, (including, but not limited to, grazing permits and crossing agreements for electric lines, water lines, natural gas pipelines, communications cables, roads, and drainage culverts).

**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;

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- 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:**

This Categorical Exclusion is valid only from signature date through the end of calendar year 2012. If the project has not commenced within that time, Western’s Environmental Division must be contacted for an updated environmental review prior to construction.

Sullivan Ranch pipeline construction shall be conducted to minimize scarring, or defacing of the natural surroundings in the vicinity of the work. Except where clearing is required for the pipeline construction vegetation shall be preserved and shall be protected from damage by the construction equipment.

If any cultural materials are discovered during the project routine maintenance, work in the area shall halt immediately, Western and the Colorado SHPO staff shall be contacted, and the material be evaluated by an archaeologist or historian meeting the Secretary of the Interior’s Professional Qualification Standards (48 FR 22716, Sept. 1983).

All work will be conducted using existing access roads and no wetlands, riparian, brooks, rivers, creeks and/or streams shall be disturbed.

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**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.  
Signature

Date: 9/28/12

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

<b>Application of Categorical Exclusions (1021.410)</b>	<b>Disagree</b>	<b>Agree</b>	<b>Unknown</b>
(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>B. Conditions that are Integral Elements of the Classes of Actions in Appendix B.</b>	<b>NO</b>	<b>YES</b>	<b>Unknown</b>
(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		

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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		

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(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		
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