

# ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION

## Rocky Mountain Region, Western Area Power Administration

### Poncha-Canon West-Midway Road Maintenance

#### Fremont County, Colorado

- A. Brief Description of Proposal:** Western Area Power Administration (Western) proposes to conduct routine access road maintenance on portions of Western's existing Midway - Canon West - Poncha 230-kV Transmission Line between Midway - Poncha (MID - PON) Substations. The locations of access road maintenance will be between Structures 105/1 to 119/3 and Structures 128/1 to 128/6. All work would be confined to Western's right-of-way (ROW) easement. These sections of existing access road would be graded and repaired to allow safe passage of rubber-tired trucks. Maintenance would include repair of borrow ditches, installation or repair of water bars, and access road grading and rock removal. The equipment utilized for road maintenance would be rubber-tired motor grader, track dozer, backhoe, dump truck, and a skid-steer loader. To access the work areas maintenance crews would use existing access roads.
- 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;

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- (k) Erosion control and soil stabilization measures (such as reseeded, 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), and removal of contaminated intact equipment and other material (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).

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- 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:**

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 only from signature date through the end of calendar year 2015. If construction has not commenced within that time, Western's Environmental Division must be contacted for an updated environmental review prior to construction.

**No road maintenance or ground disturbing activity will occur without prior coordination with Western's Regional Preservation Officer to obtain locations of cultural resource avoidance areas.**

**Western's Maintenance crews should read and follow the attached conservation measures recommended for these locations.**

If any cultural materials are discovered during construction, work in the area shall halt immediately, Western's Regional Preservation Officer 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).

Limit movement of construction crews and equipment within the maintenance corridor, including access routes to minimize damage beyond the ROW corridor. Maintenance activities shall be conducted to minimize scarring, or defacing of the natural surroundings in the vicinity of the work. Except where terrain damage results from trenching activity, terrain and vegetation shall be preserved and protected from damage by maintenance crew operations and equipment. If operations or equipment causes terrain damage, the maintenance crew repairs the damage.

**To comply with the Migratory Bird Treaty Act, maintenance work should be scheduled outside the March 1 through July 31 general nesting periods. If the OPGW or road maintenance work is to be done during this period, contact Western's Environmental Division so that they may arrange for a pedestrian survey to be conducted in advance of the contractor crews to identify active nests that are to be avoided. The contractor must coordinate with the avian nest surveyors prior to construction and avoid any active nests deemed necessary.**

Western has a clean vehicle policy and all equipment used must be cleaned prior to use in order to prevent transporting of invasive plant or noxious weed seeds. Operators will be required to wash all

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machinery (trailers, trucks, UTVs, etc.) before entering the action area and working on the project to prevent transport of non-native invasive species.

- E. **Determination:** Based on my review of information provided to me and in my possession concerning the proposed action, I have 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: 6/26/15

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>	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		

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<p>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:</p>			
<p>(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;</p>	X		
<p>(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);</p>	X		
<p>(iii) Floodplains and wetlands (as defined in 10 CFR 1022.4, —Compliance with Floodplain and Wetland Environmental Review Requirements: “Definitions,” or its successor);</p>	X		
<p>(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;</p>	X		
<p>(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;</p>	X		
<p>(vi) Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and</p>	X		
<p>(vii) Tundra, coral reefs, or rain forests; or</p>	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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Section Start Point	Section End Point	Protected or Sensitive Resource	Recommended Conservation Measure
CCW-MID 128-5	CCW-MID 128-3	Riparian area (ephemeral wash)	Minimize disturbance to soil and vegetation, avoid off-road travel in area, discourage noxious weed invasion
CCW-MID 128-2	PON-CCW 121-1	None	None
PON-CCW 120-3	PON-CCW 116-2	Potential Mexican Spotted Owl habitat	Minimize disturbance and time spent in area, avoid area at night and at dawn and dusk, minimize disturbance to soil and ground vegetation, avoid off-road travel, discourage noxious weed invasion. Avoid removal of or damage to standing dead snags. See section 1.3 for specific recommendations regarding Mexican Spotted Owl habitat protection.
PON-CCW 116-2	PON-CCW 114-3	Riparian area (Middle Tallahassee Creek)	Minimize disturbance to waterway, soil, and vegetation, avoid off-road travel in area, discourage noxious weed invasion
PON-CCW 116-1		ROW access road south of structure 116-1 crosses a Gunnison's prairie dog colony	Minimize disturbance to soil, vegetation, and burrow mounds, avoid off-road travel in area, discourage noxious weed invasion
PON-CCW 114-2		An active Red-tailed Hawk nest was observed during 2015 surveys on structure 114-2	Avoid activities within 0.5 miles (0.8 km) of nest until avian young have fledged (see Section 1.3)
PON-CCW 114-1	PON-CCW 111-3	None	None
PON-CCW 111-2	PON-CCW 110-3	Riparian area (spring and catchment pond)	Minimize disturbance to soil and vegetation (particularly aspens), avoid off-road travel in area, discourage noxious weed invasion

PON-CCW 110-2	PON-CCW 109-4	None	None
PON-CCW 109-3	PON-CCW 108-4	Riparian area (small stream and catchment pond)	Minimize disturbance to waterway, soil, and vegetation, avoid off-road travel in area, discourage noxious weed invasion
PON-CCW 108-3	PON-CCW 106-5	None	None
PON-CCW 106-4	PON-CCW 106-3	Riparian area (ephemeral stream)	Minimize disturbance to soil and vegetation, avoid off-road travel in area, discourage noxious weed invasion
PON-CCW 106-2	PON-CCW 106-1	None	None
PON-CCW 106-1	PON-CCW 105-5	Riparian area (ephemeral stream)	Minimize disturbance to soil and vegetation, avoid off-road travel in area, discourage noxious weed invasion
PON-CCW 105-4	PON-CCW 103-5	None	None