

ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION

Rocky Mountain Region, Western Area Power Administration

Yuma Substation License Outgrant to Y-W Electric Association

Yuma County, CO

(AMENDED)

- A. Brief Description of Proposal:** Western Area Power Administration (Western) proposes to issue a License Outgrant (Outgrant) to Y-W Electric Association (Association) at the Yuma Substation. The Outgrant would authorize the Association to utilize a 30 foot-wide by 233 foot-long area (approximately 6,990 sq. ft. or 0.16 acres) of Western's Yuma Substation property. The Association would place one to two new wooden davit arm structures for the Association's new 69-kV Overhead Transmission Line on Western's property, between the east security fence and County Road E/South Kamla Street. The Outgrant would also authorize the new transmission line to overhang the easternmost fenced portion of the Yuma Substation. This overhang would not impact Western's operations within the Yuma Substation. The Association plans to construct the new transmission line in early 2016.

This categorical exclusion (CX) amends the original CX issued on November 30, 2015. The original CX indicated the Association's structures would be steel poles. New information provided to Western on December 7, 2015, indicated the Association would be installing wooden davit arm structures. In addition, the original CX incorrectly described the dimensions of the Outgrant area. These errors have been corrected in the description above. There are no other changes to the CX.

- 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;
- 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

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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 for 1 year after the signature date or until an updated version is executed by Western's Environmental Division, whichever comes first.

If the scope of work of this project changes, Western's Environmental Division must be contacted for additional environmental review.

To comply with the Migratory Bird Treaty Act, pole installation should be scheduled outside the March 1 to July 31 general nesting periods. If the pole installation work is to be done during this period, Y-W Electric Association must contact Western to arrange for a pedestrian survey to be conducted in advance of the pole installation to identify active nests that are to be avoided.

Y-W Electric Association shall design and construct the transmission line structures located on Western lands in conformance with *Suggested Practices for Avian Protection on Power Lines: the State of the Art in 2006* (Avian Power Line Interaction Committee 2006) to eliminate the potential for raptor electrocution.

If any cultural materials are discovered during the pole installation, work in the area shall be halted immediately, a Western Regional Preservation Officer shall be contacted, and the material shall be evaluated by an archaeologist or historian meeting the Secretary of the Interior's Professional Qualification Standards (48 FR 22716, Sept. 1983). Work in the vicinity of the find may not resume until it has been inspected, evaluated, and all appropriate parties have been consulted.

All equipment must be cleaned prior to use on Western's property in order to prevent transportation of invasive plant or noxious weed seeds.

Y-W Electric Association shall exercise care to preserve the natural landscape and shall conduct operations to prevent any unnecessary destruction, scarring, or defacing of the natural surroundings in the project vicinity.


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To minimize impacts to the environment and prevent damage to access roads, operation of off-road equipment will not be permitted during periods of heavy rains, when soils are wet, or when excessive soil damage may occur due to unsuitable operating conditions. Pole installation shall not be conducted during periods when the soil is too wet to adequately support construction equipment. If equipment creates ruts in excess of six inches deep, the soil shall be deemed too wet to adequately support construction equipment.

- 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.


Signature

Date: 7 DEC 2015

Brian Little
NEPA Compliance Officer
Rocky Mountain Customer Service Region
Western Area Power Administration

Prepared by: Andrea M. Severson

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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

Application of Categorical Exclusions (1021.410)	Disagree	Agree	Unknown
(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. 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, 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	X		

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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:			
(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;	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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