

ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION

Rocky Mountain Region, Western Area Power Administration

**Gering Field Office Substations and Communication Sites
Routine Herbicide Treatment
Box Butte, Dawes, Kimball, Morrill, and Scotts Bluff Counties, NE
Goshen and Platte Counties, WY
*Project Number 2017-023***

A. Brief Description of Proposal: Western Area Power Administration (WAPA) proposes to conduct routine herbicide application for vegetation management in the spring and fall, as necessary, at the following facilities:

- Alliance Substation and Access Road (Box Butte County, NE)
- Bridgeport Substation (Morrill County, NE)
- Carter Canyon Communication Site (Scotts Bluff County, NE)
- Chadron Hill Communication Site (Dawes County, NE)**
- Chadron Substation (Dawes County, NE)
- Dunlap Substation (Dawes County, NE)
- Gering Substation (Scotts Bluff County, NE)
- Goshen County Substation (Goshen County, WY)
- Guernsey Rural Substation and Storage Area (Platte County, WY)
- Kimball Communication Site (Kimball County, NE)
- Kimball Substation and Access Road (Kimball County, NE)
- Limestone Substation (Platte County, WY)
- Lingle Substation (Goshen County, WY)
- Lyman Substation (Goshen County, WY)
- Morrill County Communication Site (Morrill County, NE)
- Saint Mary's Church Communication Site (Box Butte County, NE)
- Stegall Substation (Scotts Bluff County, NE)
- Torrington Substation (Goshen County, WY)
- White Rock Substation (Platte County, WY)

Herbicide will be applied by backpack sprayer or custom vehicle-mounted sprayer. All weeds located in and immediately around the substations, communication sites, down guys, access roads, and fence lines will be targeted. Treatment areas will be accessed using existing access routes, and no ground disturbance will occur.

** See location-specific special stipulation on page 4.

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

ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION

Rocky Mountain Region, Western Area Power Administration

Gering Field Office Substations and Communication Sites

Routine Herbicide Treatment

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Goshen and Platte Counties, WY

Project Number 2017-023

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;
- (k) Erosion control and soil stabilization measures (such as reseeding, 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), removal of contaminated intact equipment and other materials (not including spent nuclear fuel or special nuclear material in nuclear reactors); and
- (p) Removal of debris.

ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION

Rocky Mountain Region, Western Area Power Administration

Gering Field Office Substations and Communication Sites

Routine Herbicide Treatment

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Goshen and Platte Counties, WY

Project Number 2017-023

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; and
- 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:

If the scope of work of this project changes, WAPA’s Environmental Division must be contacted to determine whether additional environmental review is required.

This Categorical Exclusion expires on December 31, 2019. If all project work has not been completed by the expiration date, or if the need for an environmental compliance extension is

ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION

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**Gering Field Office Substations and Communication Sites
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*Project Number 2017-023***

anticipated, WAPA's Environmental Division must be contacted for an updated environmental review.

The Applicator shall meet all State licensing requirements for herbicide applicators and shall follow all applicable Federal, State, and local laws, regulations, and guidelines. The Applicator shall use only EPA-registered herbicides that are approved for the intended use and location, and shall follow all applicable label directions.

****For all herbicide applications at Chadron Hill Microwave Site, WAPA will follow application procedures documented in the Forest Service Pesticide Use Proposal (FS-2100-2) approved on April 14, 2016. A copy of the approved document has been provided to the Gering Field Office; additional copies may be obtained by contacting WAPA's Environmental Division. This document is valid for the duration of WAPA's site management plan, or until ground conditions change in such a way that would change herbicide use. If a change to herbicide use at Chadron Hill Microwave Site is necessary, contact WAPA's Environmental Division to coordinate with the Forest Service and obtain an updated Pesticide Use Proposal.**

If any cultural resources are inadvertently discovered during implementation of the proposed action, work within 100-feet of the discovery area shall halt immediately, WAPA's archaeologist shall be contacted immediately, and the resource shall be evaluated by an archaeologist or historian who meets the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61). Work in the area of discovery shall not resume until notification to proceed is provided by WAPA's archaeologist.

If any possible human remains are inadvertently discovered during implementation of the proposed action, work within 100-feet of the discovery area shall halt immediately and WAPA's archaeologist shall be notified immediately by telephone (no later than 24 hours from the time of discovery). A reasonable effort shall be made to protect the remains from looting and/or further damage. If the discovery is located on Federal or Tribal lands, the provisions of the Native American Graves Protection and Repatriation Act of 1990, as amended and implementing regulations 43 CFR 10 shall be followed. In this situation, a mandatory minimum 30 day halt to work activities in the area of discovery is required. If the discovery is located on State or private lands, the appropriate State laws regarding the discovery of human remains shall be followed. Work in the area of discovery shall not resume until notification to proceed is provided by WAPA's archaeologist.

WAPA 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.

ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION

Rocky Mountain Region, Western Area Power Administration


**Gering Field Office Substations and Communication Sites
Routine Herbicide Treatment
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Project Number 2017-023**

WAPA has a clean vehicle policy intended to prevent the transport of non-native and invasive plants and animals, including noxious weeds and aquatic nuisance species. Operators will be required to thoroughly wash all vehicles and equipment (trailers, trucks, UTVs, etc.) before entering the action area and working on the project.

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. Project work shall not be conducted during periods when the soil is too wet to adequately support application equipment. If application equipment creates ruts in excess of six inches deep, the soil shall be deemed too wet to adequately support the equipment.

To prevent spills of fuel, oil, hydraulic fluid, or other petroleum products into the environment during fueling or maintenance activities for vehicles, equipment, or tools, project site personnel shall maintain an appropriately sized containment device to contain incidental spills under any work area. All fueling activities shall take place over a drip pan lined with absorbent pads. Used absorbent pads shall be placed into an approved DOT container and removed from the project site for appropriate disposal. In addition, project site personnel shall have on hand sufficient supplies, such as absorbent mats, booms, socks, or other spill containment materials, to be available for immediate spill prevention, containment, and cleanup prior to commencing any refueling activities.

- 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: 28 Nov 2016

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

Prepared by: Andrea M. Severson

ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION

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Project Number 2017-023

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 as needing protection through Executive Order, statute, or regulation by Federal, State, or	X		

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Project Number 2017-023

<p>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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Rocky Mountain Region, Western Area Power Administration

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Goshen and Platte Counties, WY

Project Number 2017-023

(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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