

CATEGORICAL EXCLUSION DETERMINATION



Western Area
Power Administration
Rocky Mountain Region

Proposed Action Title: Transmission and Distribution Line Structure Replacements

Location: Kortez-Miracle Mile (K-MM) 115-kV Transmission Line

Structures 2/3 and 2/8

Carbon County, Wyoming

Project Number: 2019-049

Expiration Date: 12/31/2023

A. PROPOSED ACTION DESCRIPTION:

The Western Area Power Administration (WAPA), Rocky Mountain Region (RMR), conducts transmission and distribution line structure replacements in seven states (Arizona, Colorado, Montana, Nebraska, New Mexico, Utah, and Wyoming). These structure replacements are part of the day-to-day maintenance of WAPA's infrastructure.

The following activities occurring **within RMR's existing rights-of-way (ROWS)** are covered by this Categorical Exclusion (CX):

- (1) Replacement of existing wood structures with visually similar wood structures (up to 10 feet taller and including minor updates to meet current WAPA design standards);
 - (2) Re-augering of existing structure holes or augering of new structure holes;
 - (3) Backfilling of structure holes;
 - (4) Installing or replacing anchors; and
 - (5) Other closely related activities that have little or no environmental or cultural resource impacts or regulated materials concerns as determined by RMR's Environment Department.
-

B. STIPULATIONS PERTAINING TO PROPOSAL:

- 1) **If the scope of work of this project changes, RMR's Environment Department must be contacted to determine whether additional environmental review is required.**
- 2) **This Categorical Exclusion expires on December 31, 2023.**
If all project work has not been completed by the expiration date, or if the need for an environmental compliance extension is anticipated, RMR's Environment Department must be contacted for an updated environmental review.
- 3) This CX does not authorize any ground disturbance outside of RMR's existing ROWs.

- 4) Any injured or orphaned birds and all observed active nests must be immediately reported to RMR Environment at (970) 593-8803 or (970) 342-6462. Any dead birds must be reported to RMR Environment within twenty-four (24) hours of discovery. Additional documentation, such as photographs and GPS coordinates, may be requested to support RMR's reporting requirements to the U.S. Fish and Wildlife Service.
- 5) If any cultural resources are inadvertently discovered during implementation of the proposed action, work within 100 feet of the discovery area must halt immediately and an RMR Archaeologist must be contacted immediately at (970) 302-4753 or (970) 286-3523. Work in the area of discovery must not resume until notification to proceed is provided by an RMR Archaeologist.
- 6) If any possible human remains are inadvertently discovered during implementation of the proposed action, work within 100 feet of the discovery area must halt immediately and an RMR Archaeologist must be notified immediately at (970) 302-4753 or (970) 286-3523 (no later than 24 hours from the time of discovery). A reasonable effort must be made to protect the remains from looting and/or further damage. Work in the area of discovery must not resume until notification to proceed is provided by an RMR Archaeologist.
- 7) When conducting structure replacements in Waters of the United States (within wetland boundaries and below the ordinary high-water mark of surface waters), vegetation may be cut or pruned to ground level to aid in accessing the structures. Within these areas, all stumps and roots must be left in place to minimize soil disturbance. No mechanized pushing, dragging, or other activities that would add or remove soil or create significant debris piles (e.g. brush or slash piling) is authorized within these areas.
- 8) To prevent the transport of non-native and invasive plants and animals, including noxious weeds and aquatic nuisance species, work crews must thoroughly wash all vehicles and equipment (trailers, trucks, UTVs, etc.) before entering the action area and working on the project.
- 9) Activities involving the use of fuel, oil, hydraulic fluid, or other petroleum products must comply with RMR's Spill Response Plan (SRP).

C. NUMBER AND TITLE OF THE CATEGORICAL EXCLUSION BEING APPLIED:

(See text in 10 CFR 1021, Subpart D.)

B1.3 Routine maintenance

D. REGULATORY REQUIREMENTS 10 CFR 1021.410 (b): (See full text in regulation)

- The proposed action fits within a class of actions that is listed in Appendix A or B of 10 CFR 1021



To fit within the classes of actions listed in Appendix B, a proposal must be one that would not:

- (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of the Department of Energy (DOE) or Executive Orders;
- (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;
- (3) disturb hazardous substances; pollutants; contaminants; or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases;
- (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR 1021, Subpart D, Appendix B;
- (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.

There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

The proposal has not been improperly segmented, and 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.

E. DETERMINATION:

Based on my review of information conveyed to me and in my possession (or attached) concerning the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

**JAMES
WOOD**

Digitally signed by JAMES
WOOD
Date: 2021.09.16
12:56:36 -06'00'

Signature and Date

James Wood
NEPA Compliance Officer
Rocky Mountain Region
Western Area Power Administration

