# Categorical Exclusion Determination

Western Area Power Administration
Department of Energy

**Proposed Action**: 2021 Byron-Bethany 69-kV 210101 ROW vegetation removal

**Project No.**: 100153025

**Project Manager**: Ricardo Velarde

**Location**: Alameda County, California

**Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021)**: B1.3 Routine maintenance

**Description of the Proposed Action**:

Western Area Power Administration, Sierra Nevada Region (WAPA) is responsible for the operation and maintenance of several federally owned and operated transmission lines throughout California, including the Byron-Bethany Tap 69-kV transmission line between the Tracy-Contra Costa transmission line and the Byron-Bethany Canal (near the Alameda-Contra Costa County line). Part of this responsibility includes ensuring WAPA maintains reliable access to transmission towers and other facilities to comply with the National Electric Safety Code, Western States Coordinating Council, and WAPA directives for protecting human safety and maintaining the reliable operation of the transmission system.

WAPA proposes to remove one Elm tree outside but adjacent to the right-of-way (off-ROW). The hazard tree has the potential to fall on, grow into, or otherwise compromise the integrity of the transmission lines. WAPA Order 450.3A dictates the removal of hazard trees in compliance with the North American Electric Reliability Council (NERC) Standard FAC-003-1. WAPA has limited discretion on the removal of trees that meet hazard standards. All wood and debris will be hauled off site and not disposed of in a landfill.

**Findings:**

In accordance with Section 1021.410(b) of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, Jul. 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011), WAPA has determined that the proposed action:
(1) fits within a class of actions listed in Appendix B of 10 CFR 1021, Subpart D (see attached Environmental Checklist);
(2) does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal; and
(3) has not been segmented to meet the definition of a categorical exclusion.

Based on these determinations, WAPA finds that the proposed action is categorically excluded from further NEPA review.

Signed: Latisha M. Saare Digitally signed by Latisha M. Saare Date: 2021.01.22 11:31:42 -08'00' Date: 1/22/21

Attachment: Environmental Checklist

# Categorical Exclusion Environmental Checklist

This checklist documents environmental considerations for the proposed project and explains why the project would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

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## Project Site Description

The proposed project is within Alameda County, California. The Byron-Bethany Tap 69-kV Transmission Line is within an agricultural setting with the largest habitat type consisting of row crop. Additional habitat is mostly nonnative annual grassland followed by urban, commercial, and man-made waters. The Elm tree is located outside the WAPA right-of way (ROW) and work would be within one quarter mile length line.

Equipment staging areas would be on roads and within the ROW whenever possible.

## Evaluation of Potential Impacts to Environmental Resources

| Environmental Resource Impacts | No Potential for Significance | No Potential for Significance, with Conditions |
|---|---|---|
| 1. **Historic and Cultural Resources** | ☑ | ☐ |

**Explanation:**

Tree removal will not cause significant ground disturbance. The O&M activities and vegetation management at these sites would not impact cultural resources. Natural Resources will be contacted immediately if archeological, paleontological, or historic evidence is found. This activity is covered under the 2010 Programmatic Agreement for O&M activities with the CA SHPO.

2. **Geology and Soils**

**Explanation:** ☑ ☐

Ground disturbance is not anticipated in this project; therefore, no impacts would occur.

3. **Plants** (including Federal/state special-status species and habitats)

**Explanation:** ☑ ☐

No special-status plants are known or expected in the project area. Construction vehicles and equipment would be required to be clean before entering the project location to prevent spread of invasive weeds.

4. **Wildlife** (including Federal/state special-status species and habitats)

**Explanation:** ☐ ☑

No special status wildlife is known or expected in the project area.

For the protection of migratory birds, if planned activities occur between March 1 and August 15, nesting bird surveys will be required prior to project activities. If a nest is detected, an appropriate buffer will be marked in which all O&M activities and herbicide applications will be prohibited from March 1 to August 15 or until nestlings have fledged. A standard nest buffer of 50 feet (250 feet for raptors) will be used, unless otherwise indicated by the surveying biologist. Nesting surveys can be conducted up to 3 weeks prior to project activities.

5. **Water Bodies, Floodplains, and Fish** (including Federal/state special-status species, ESUs, and habitats)

**Explanation:** ☑ ☐

The project area is not adjacent to any water bodies, floodplains, or fish; therefore no impacts would occur.

6. **Wetlands** ☑ ☐

**Explanation:**

The project area does not have wetlands; therefore, no impacts would occur.

7. **Groundwater and Aquifers** ☑ ☐

**Explanation:**

Spill prevention measures would be utilized during construction activities. The project would not provide a pathway for groundwater contamination.

8. **Land Use and Specially-Designated Areas** ☑ ☐

**Explanation:**

The land use would not change at the project site. Nor is the project within, or near, any specially designated areas, such as National Scenic Rivers.

9. **Visual Quality** ☑ ☐

**Explanation:**

The visual quality would be consistent with the existing use of the transmission right-of-way corridor. There would be no significant change to the visual quality.

10. **Air Quality** ☐ ☑

**Explanation:**

A small amount of dust and vehicle emissions would occur during tree removal; however, there would be no significant changes to air quality during or after construction.

The project location is located in a distressed air basin. This section describes procedures adopted by WAPA to support the state implementation plan to restore air quality in the region. The contractor is expected to adopt the procedures during the project.

AQ-SOP-1: The Contractor will adhere to all applicable requirements of those agencies having jurisdiction over air quality matters, and any necessary permits for O&M will be obtained.
AQ-SOP-2: Machinery and vehicles will be kept in good operating condition and older equipment will be replaced with equipment meeting applicable emission standards; appropriate emissions-control equipment will be maintained for vehicles and equipment, per EPA and/or WAPA air-emission requirements.
AQ-SOP-3: Idle equipment will be shut down when not in active use; visible emissions from stationary generators will be controlled.
AQ-SOP-4: Dust –control measures will be implemented in road construction and maintenance, as needed. Trucks transporting loose material will be covered or maintain at least two feet of freeboard and will not create any visible dust emissions.
AQ-SOP-5: There will be no open burning of construction trash.
AQ-SOP-6: Grading activities will cease during periods of high winds (as determined by local air quality management districts.
AQ-SOP-7: Major operations will be avoided on days when the local Air Quality Index is expected to exceed 150.

11. **Noise** ☑ ☐

**Explanation:**

There are no residences within the project location. Tree removal construction noise would be temporary and would occur during daylight hours. Operational noise would not change.

12. **Human Health and Safety** ☑ ☐

**Explanation:**

During project activities, all standard safety protocols would be followed. Project activities would not impact human health or safety. Contractor shall be required to follow the OSHA standards set forth in 29 CFR 1910.269 specifically paragraphs (a)(2), (b), (c), (g), (k), (p), and (r) as required under (a)(E)(2). Line-clearance tree trimming operations performed by line-clearance tree trimmers who are not qualified employees. Contractor shall also adhere to the requirements under Title 8 Cal OSHA Electrical Safety Order specifically Subchapter 5 Article 38 and Subchapter 7 Article 12. Contractor shall maintain a safe working distance from conductors as described in the above OSHA standards. If a safe working distance cannot be maintained, a clearance shall be requested 3 days in advance.

## Evaluation of Other Integral Elements

The proposed project would also meet conditions that are integral elements of the categorical exclusion. The project would not:

☑ Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders.

Explanation, if necessary:

☑ Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation, if necessary:

☑ 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.

Explanation, if necessary:

☑ 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.

Explanation, if necessary:

## Landowner Notification, Involvement, or Coordination

**Description:** WAPA would work closely with the landowners to provide adequate notification of construction timing.

Based on the foregoing, this proposed project does not have the potential to cause significant impacts to any environmentally sensitive resource.

Signed: Latisha M. Saare Digitally signed by Latisha M. Saare Date: 2021.01.22 11:34:48 -08'00'

Date: 1/22/21