

**U.S. Department of the Interior  
Bureau of Land Management**

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**Categorical Exclusion**

**Western Area Power Administration (WAPA)  
Maintenance on Hayden to Vernal 138kV Powerline  
DOI-BLM-UT-G010-2014-0196-CX**

**PREPARING OFFICE**

U.S. Department of the Interior  
Bureau of Land Management  
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**Categorical Exclusion**  
**Western Area Power Administration (WAPA)**  
**Maintenance on Hayden to Vernal 138kV**  
**Powerline**  
**DOI-BLM-UT-G010-2014-0196-CX**

Prepared by  
U.S. Department of the Interior  
Bureau of Land Management  
Vernal, Utah

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# Chapter 1. Categorical Exclusion

## **A. Background**

Western Area Power Administration (WAPA) provided our office with documentation of their proposal to conduct routine maintenance on the access road and replace deteriorated pole structures along a portion of the existing Hayden to Vernal 138kV transmission power line. WAPA is proposing to replace all 50 structures. Twenty four (24) of the fifty (50) structures on BLM lands are located at: T. 5 S., R. 22 E., Sections 11, 12 and T. 5 S., R. 23 E., Section 7., SLM, Utah

### **BLM Office:Vernal Field Office**

LLUTG01110

### **Right-of-Way U-0-144547**

### **Proposed Action Title/Type:**

Maintenance of 138kV Transmission Line (Hayden to Vernal Section)

### **Location of Proposed Action: Uintah County T. 5 S., R 22,23 E. Sections 7, 11, 12**

### **Description of Proposed Action:**

Western Area Power Administration (Western) proposes to maintain sections of its access roads and replace deteriorated structures along a portion of the Hayden (HDN) to Vernal (VNL) 138-kV Transmission Line segment. The work will occur between Structure 0/1 located at the Vernal Substation and end at Structure 6/1 located in township 5 south, range 23 east, section 8 of the SLM. For environmental concerns there will be no work on access roads or structure replacement at structures 1/8, 2/1, and 2/2, all located on private lands. All other access road and pad construction will remain within Western's right-of-way (ROW) 80 foot easement. Surveys have shown that there is maintenance needed along the transmission line to protect the roads from erosion, remove sloughed soil and rocks, remove overgrown vegetation, and replace damaged culverts. Routine maintenance of the existing access roads is needed to accomplish the replacement of all 50 structures on this section of HDN-VNL Transmission line. The routine road maintenance would be to standards sufficient to allow safe passage of rubber-tired bucket and pole trucks for transmission line structure replacement. Specific actions would include access road grading and improvements, repair or replacement of water bars and culverts, installation or repair of gates, and construction of landing pads at structure bases as necessary. Structure replacement would be completed with an auger truck, bucket truck, and possibly a crane. The work would be conducted within Western's existing ROW and easements on private lands and those administered by the U.S. Department of Interior, Bureau of Land Management. Maintenance crews will perform the road work within the developed facilities by road grader, bulldozer, backhoe, or similar equipment. No new road constructions is proposed as part of the project.

## **B. Land Use Plan Conformance**

### **Land Use Plan Name:**

Vernal Field Office RMP/ROD

### **Date Approved/Amended:**

October 31, 2008

**The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):**

The power line maintenance would be in conformance with the Vernal Field Office RMP/ROD (October 31, 2008). The RMP/ROD decision allows for processing applications, permits, operating plans, mineral exchanges, leases on public lands in accordance with policy and guidance and allows for management of public lands to support goals and objectives of other resources programs, respond to public requests for land use authorizations, and acquire administrative and public access where necessary (RMP/ROD p.86). It has been determined that the proposed action and alternative(s) would not conflict with other decisions throughout the plan.

**C. Compliance with NEPA:**

The action described above generally does not require the preparation of an environmental assessment (EA) or environmental impact statement (EIS), as it has been found to not individually or cumulatively have a significant effect on the human environment.

The applicable Categorical Exclusion referenced in 516 DM 11.9 E (13) states, "*Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary.*"

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances in 516 DM 2 apply.

**D. Approval and Contact Information**

  
 Jerry Kenozka  
 Assistant Field Manager, Lands and Minerals

JUL 08 2014

Date

**Contact Person**

Kelly Buckner

435-781-4445

**U.S. Department of the Interior  
Bureau of Land Management**

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**EXTRAORDINARY CIRCUMSTANCES**

**DOI-BLM-UT-G010-2014-0196-CX  
WESTERN AREA POWER ADMINISTRATION (WAPA)  
Hayden-Vernal 138kV Transmission Line  
Road Maintenance and Pole Structure Replacements**

**PREPARING OFFICE**

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**EXTRAORDINARY  
CIRCUMSTANCES  
DOI-BLM-UT-G010-2014-0196-CX  
WESTERN AREA POWER ADMINISTRATION  
(WAPA)  
Hayden-Vernal 138kV Transmission Line  
Road Maintenance and Pole Structure  
Replacements**

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# Chapter 1. Categorical Exclusion

CX Number:	DOI-BLM-UT-G010-2014-0196-CX
Date:	06/19/2014
Lease/Case File/ Serial Number:	U-0-144547
Regulatory Authority (CFR or Law):	December 05-1924;043STAT0672

## Section 1.1 Impacts on Public Health and Safety

1. Does the proposed action have significant impacts on public health and safety?		
YES	NO	REVIEWER/TITLE
	X	Margo Roberts

### Rationale:

Public health or safety would not be affected given the scope of the proposal.

## Section 1.2 Impacts on Natural Resources or Unique Geographic Characteristics

2. Does the proposed action have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?		
YES	NO	REVIEWER/TITLE
	X	Kevin Sadlier
	X	Margo Roberts

### Rationale:

No resources have been identified by the interdisciplinary team as being impacted by this action. There would be no adverse effects on natural resources. (KS)

In review of district files and a field visit the the BLM does not identify special status species, including their associated habitats, within the project area. (BM)

As per Vernal Field Office GIS database there were no identified park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks, wetlands (Executive Order 11990); floodplains (Executive Order 11988); identified on BLM lands. The project will encompass prime farmlands, but WAPA has received approval from the private land owner for access and the replacement of the poles. (MR)

## Section 1.3 Level of Controversy

3. Does the proposed action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
YES	NO	REVIEWER/TITLE
	X	Kevin Sadlier

### Rationale:

Similar projects to the proposed action have occurred in adjacent areas with similar resources present; the impacts of these projects are well-known and demonstrated in other projects that have been implemented and monitored.

Resource specialists did not identify any highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources.

## Section 1.4 Highly Uncertain or Unique or Unknown Environmental Risks

4. Does the proposed action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
YES	NO	REVIEWER/TITLE
	X	Kevin Sadlier
	X	Margo Roberts

### Rationale:

The proposed project is similar to many other proposed projects near the project area. The consequences of the proposed action can generally be predicted based on the consequences of similar actions, and these consequences are well established as insignificant.

BLM specialists reviewed the proposed project and determined there are no uncertain and potentially significant environmental effects, nor are there any unique or unknown environmental risks.

## Section 1.5 Precedent Setting

5. Does the proposed action establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
YES	NO	REVIEWER/TITLE
	X	Margo Roberts

### Rationale:

The power pole replacement would establish no precedent for future actions, nor would it represent a decision in principal about future actions with potentially significant environmental effects.

## Section 1.6 Cumulatively Significant Effects

6. Does the proposed action have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
YES	NO	REVIEWER/TITLE
	X	Kevin Sadlier

### Rationale:

The proposed project is not expected to have a direct relationship to other actions that will cumulatively have a significant environmental effect. Other actions in the project area that are directly related to the proposed action also have insignificant environmental impacts, and the combined impact of these projects and the proposed action is not expected to be significant.

*Chapter 1 Categorical Exclusion*

*Section 1.4 Highly Uncertain or Unique or Unknown*

*Environmental Risks*

## Section 1.7 Impacts on Cultural Properties

7. Does the proposed action have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
YES	NO	REVIEWER/TITLE
	X	Jim McKenzie

**Rationale:** The transmission line is a documented site that is not eligible for inclusion to the National Register of Historic Places. The proposed undertaking will not have an adverse effect to the cultural resource.

## Section 1.8 Impacts on Federally Listed Species or Critical Habitat

8. Does the proposed action have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		
YES	NO	REVIEWER/TITLE
	X	Plant Species: Christine Cimiluca, Natural Resource Specialist/Acting Botanist

**Rationale:** No known populations or individuals of Federally listed or proposed listed plant species are present in or near the Project Area. No designated Critical habitat for these species are located in or near the Project Area. The proposed action would occur in an established right-of-way and no impacts to these species are anticipated.

## Section 1.9 Compliance With Laws

9. Does the proposed action violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
YES	NO	REVIEWER/TITLE
	X	Margo Roberts

**Rationale:**

The proposal is in conformance with appropriate Federal and state statutes, and county ordinances.

## Section 1.10 Environmental Justice

10. Does the proposed action have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
YES	NO	REVIEWER/TITLE
	X	Margo Roberts

**Rationale:**

The proposed project does not adversely affect any minority or low income population in a disproportionate way.

## Section 1.11 Indian Sacred Sites

<b>11. Does the proposed action limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?</b>		
<b>YES</b>	<b>NO</b>	<b>REVIEWER/TITLE</b>
	X	Jim McKenzie

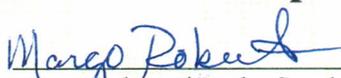
**Rationale:** The undertaking will not limit access to Native American groups. No Traditional Cultural Places have been identified within the APE.

## Section 1.12 Noxious and Non-Native Invasive Species

<b>12. Does the proposed action contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?</b>		
<b>YES</b>	<b>NO</b>	<b>REVIEWER/TITLE</b>
	X	Christine Cimiluca, Natural Resource Specialist/Acting Botanist

**Rationale:** The applicant is responsible for control or noxious weeds and non-native invasive plant species along its established right-of-ways. The proposed action is not anticipated to contribute to or promote the introduction, growth, or expansion of the range of such species.

## Section 1.2 Preparer Information

  
 \_\_\_\_\_  
 Margo Roberts / Realty Specialist

07-07-2014  
 DATE

  
 \_\_\_\_\_  
 Kelly Buckner / NEPA Coordinator

07-08-2014  
 DATE

  
 \_\_\_\_\_  
 Jerry Kenczka / Assistant Field Manager, Lands and Minerals

JUL 08 2014  
 DATE

# **Decision Record**

**Western Area Power Administration (WAPA)**

**Maintenance on Hayden to Vernal 138kV**

**Transmission Line**

**DOI-BLM-UT-G010-2014-0196-CX**

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# Chapter 1.

## 1.1. Compliance

### Land Use Plan

Vernal Field Office RMP/ROD

### Date Approved/Amended:

October 31, 2008

### **The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):**

The proposed power line and road maintenance has been reviewed, and found to be in conformance with the Vernal Field Office RMP/ROD (October 31, 2008). The RMP/ROD decision allows for processing applications, permits, operating plans, mineral exchanges, leases on public lands in accordance with policy and guidance and allows for management of public lands to support goals and objectives of other resources programs, respond to public requests for land use authorizations, and acquire administrative and public access where necessary (RMP/ROD p. 86). It has been determined that the proposed action and alternative(s) would not conflict with other decisions throughout the plan.

The proposed action is also consistent with the "Uintah County General Plan (Uintah County 2011-as amended)". The Uintah County General Plan contains specific policy statements addressing public and multiple-use resource use and development, access, and wildlife management. In general, the Plan indicates support for development proposals through its emphasis on multiple-use public land management practices and responsible use and optimum utilization of public land resources. The County, through the Plan, supports the development of natural resources as they become available as new technology allows.

## 1.2. Compliance with NEPA:

The action described above generally does not require the preparation of an environmental assessment (EA) or environmental impact statement (EIS), as it has been found to not individually or cumulatively have a significant effect on the human environment. The applicable Categorical Exclusion, effective May 27, 2004, reference is in 516 DM 11.5 E (13). This reference states an EA may not be required for, "*Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary.*"

## 1.3. Rationale:

Based on a review of the project described in the Categorical Exclusion and Extraordinary Circumstances worksheet and field office staff recommendations (attached), I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, in conjunction with WAPAs Categorical Exclusion Determination and the Special Stipulations pertaining to the proposal, dated June 17, 2014 (attached).

## 1.4. Appeal or Protest Opportunities:

**Protest/Appeal Language:** This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

### Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied, (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

## 1.5. Authorizing Official:

  
 Jerry Kepczka  
 Assistant Field Manager, Lands and Minerals

JUL 08 2014

Date

## 1.6. Contact Person

For additional information concerning this Finding, contact.

Stephanie Howard / NEPA Coordinator  
 Vernal Field Office  
 170 South 500 East]  
 Vernal Utah 84078  
 435-781-4469

**ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION**

**Rocky Mountain Region, Western Area Power Administration**

**Hayden-Vernal 138-kV Transmission Line Road Maintenance and Structure Replacements  
Uintah County, Utah**

- A. Brief Description of Proposal:** Western Area Power Administration (Western) proposes to maintain sections of its access roads and replace deteriorated structures along a portion of its Hayden (HDN) to Vernal (VNL) 138-kV Transmission Line segment. The work will occur between Structure 0/1 located at the Vernal Substation and end at Structure 6/1 located in township 5 south, range 23 east, section 8 of the Salt Lake Meridian. For environmental concerns there will be no work on access roads or structure replacement at structures 1/8, 2/1, and 2/2, all located on private lands. All other access road and pad construction will remain within Western's right-of-way (ROW) easements. Surveys have shown that there is maintenance needed along the transmission line to protect the roads from erosion, remove sloughed soil and rocks, remove overgrown vegetation, and replace damaged culverts. Routine maintenance of the existing access roads is needed to accomplish the replacement of all 50 structures on this section of HDN-VNL Transmission Line. The routine road maintenance would be to standards sufficient to allow safe passage of rubber-tired bucket and pole trucks for transmission line structure replacement. Specific actions would include access road grading and improvements, repair or replacement of water bars and culverts, installation or repair of gates, and construction of landing pads at structure bases as necessary. Structure replacement would be completed with an auger truck, bucket truck, and possibly a crane. The work would be conducted within Western's existing ROW and easements on private lands and those administered by the U.S. Department of Interior, Bureau of Land Management. Maintenance crews will perform the road work within the developed facilities by road grader, bulldozer, backhoe, or similar equipment. No new road construction is proposed as part of the project.
- 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:

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**Hayden-Vernal 138-kV Transmission Line Road Maintenance and Structure Replacements  
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- (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 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;

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**Hayden-Vernal 138-kV Transmission Line Road Maintenance and Structure Replacements  
Uintah County, Utah**

- 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, Western's Environmental Division must be contacted for additional environmental review.

This Categorical Exclusion (CX) is valid for the 2014 field season after the signature date. If construction has not commenced within that time, Western's Environmental Division must be contacted for an updated environmental review prior to construction.

No work on access roads or structure replacement will occur at Structures 1/8, 2/1, and 2/2. All access road and pad construction will remain within Western's ROW easements.

If any cultural materials are discovered during construction, work in the area shall halt immediately, Western and the Utah SHPO staff 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).

Any roadwork under this CX must avoid Western identified sensitive environmental sites in the area. Sensitive areas will be identified on maps provided to the work crews.

Prior to donation of any used treated wood poles or cross-arms, Western will obtain a signed "acknowledgment of receipt" of Western's Consumer Information Sheet for Treated Wood Poles and Cross-Arms from the person receiving the used poles and/or cross-arms.

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 machinery (trailers, trucks, skid steer loaders, etc.) before entering the action area and working on the project to prevent transport of non-native invasive species within the transmission line corridor.

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Uintah County, Utah**

Western shall exercise care to preserve the natural landscape and shall conduct this construction operation to prevent any unnecessary destruction, scarring, or defacing of the natural surroundings in the project vicinity. Except where clearing is required for permanent works, approved construction roads, or excavation operations, vegetation shall be preserved and shall be protected from damage by Western's construction operations and equipment.

To minimize impacts to sensitive resources 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. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If equipment creates ruts in excess of 6 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 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: 6/17/19

Gene Iley, Jr.  
NEPA Compliance Officer  
Rocky Mountain Customer Service Region  
Western Area Power Administration

**ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION**

**Rocky Mountain Region, Western Area Power Administration**

**Hayden-Vernal 138-kV Transmission Line Road Maintenance and Structure Replacements**

**Uintah County, Utah**

**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>	<b>NO</b>	<b>YES</b>	<b>Unknown</b>
(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 local government,	X		

**ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION**

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**Hayden-Vernal 138-kV Transmission Line Road Maintenance and Structure Replacements**

**Uintah County, Utah**

<p>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		

**ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION**

**Rocky Mountain Region, Western Area Power Administration**

**Hayden-Vernal 138-kV Transmission Line Road Maintenance and Structure Replacements  
Uintah County, Utah**

(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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