

RECORD OF CATEGORICAL EXCLUSION DETERMINATION

Rock River Microwave Fiber Optic Installation, Albany County, Wyoming

A. Brief Description of Proposal:

Western Area Power Administration (Western), an agency of the U.S. Department of Energy, plans to install fiber optic cable between the Rock River Microwave facility and Western's Miracle Mile-Snowy Range #1 115-kV transmission line in Albany, County, Wyoming. This effort is part of Western's ongoing program to update and improve its communication system. The fiber optic cable will be buried 4-ft underground and contained in a 2-inch fiber optic conduit. The buried cable will extend along Western's rights-of-way to structure 60-4 and then connect to the existing Rock River Microwave site. The total length of the buried fiber optic cable will be 466 feet. The project would not change the size of the right-of-way or the way in which it is maintained. Existing access roads will be used, no grading or construction of new access will occur. Ground disturbance will be limited to that associated with the cable trench. Work is scheduled for summer 2011.

B. Number and Title of the Categorical Exclusion Being Applied: (See text in 10 CFR 1021, Subpart D.)

B 4.7. Adding fiber optic cable to transmission structures or burying fiber optic cable in existing transmission line rights-of-way.

C. Regulatory Requirements in 10 CFR 1021.410(b) (Refer to full text in regulation and Attachment A)

- 1.) The proposed action fits within a class of actions that is listed in Appendix A or B to Subpart D.

For classes of actions listed in Appendix B, the following conditions are integral elements; i.e. to fit within a class a proposal must not:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety and health, including DOE and/or Executive Orders;
 - Require siting, construction, or major expansion of waste storage, disposal, recovery, or treatment facilities, but may include such categorically excluded facilities;
 - Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or unpermitted releases; or
 - Adversely affect environmentally sensitive resources (including but not limited to those listed in paragraph B(1) (See attached checklist)
- 2.) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal; and
 - 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 CRF 1021.211.

D. Special Stipulations Pertaining to the Proposal:

The contractor shall be provided with transmission line patrol maps showing environmentally sensitive locations. The contractor will not use these areas for splicing, pulling or storing equipment.

The contractor will use existing access roads depicted on the construction maps. The width of the disturbance zone along the route shall be minimized to the extent practicable. Construction vehicles shall be excluded from traveling or turning around in undisturbed areas outside the right-of-way, except for reasons of safety.

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 six inches deep, the soil shall be deemed too wet to adequately support construction equipment.

If any cultural resources or paleontological materials are discovered during construction, work in the area shall halt immediately; Western and the Colorado SHPO staff shall be contacted, and the material evaluated by an archaeologist or historian.

If the scope of work for this project changes Maintenance Division staff must contact Western's Rocky Mountain Region Environment Division for additional environmental review.

If work is not completed within 3 years of the date of this signed document Maintenance Division staff must contact Western's Rocky Mountain Region Environment Division for additional environmental review.

E. Determination:

Based on my review of information provided to me and in my possession concerning the proposed action, I determine 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.

CS Shane Collins

Signature

Date: 6/17/11

Shane Collins
NEPA Compliance Officer
Western Area Power Administration

1 All reviews and discussion supporting the "not adversely affect" determination have been completed.

APPENDIX A
Checklist for Categorical Exclusion Determination

Application of Categorical Exclusions (1021.410)	Disagree	Agree	Unknown
1) The proposal fits within a class of actions that is listed in appendix A or B to subpart D.		x	
2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effect of the proposal, (e.g. scientific controversy about environmental effects; uncertain effects or effects involving unique or unknown risks; unresolved conflicts concerning alternate uses of available resources (see NEPA 102(2)(E))		x	
3) The proposal is not connected (40 CFR 1508.25(a)(1) to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts (40 CFR 1508.25(a)(2)), and is not precluded by 40 CFR 1506.1 or § 1021.211.		x	
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, including requirements of DOE and/or Executive Orders ¹ .	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.	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 intermittent releases; or	x		
4) Adversely affect environmentally sensitive resources. Including but not limited to: <ul style="list-style-type: none"> Property of historic, archaeological, or architectural significance designated by Federal, state, or local governments or property eligible for listing on the National Register of Historic Places 	x		
<ul style="list-style-type: none"> Federally-listed threatened or endangered species or their habitat (including critical habitat), federally-proposed or candidate species or their habitat, or state-listed endangered or threatened species or their habitat; 	x		
<ul style="list-style-type: none"> Wetlands regulated under the Clean Water Act and Floodplains; 	x		

<ul style="list-style-type: none"> Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges and marine sanctuaries; 	x		
<ul style="list-style-type: none"> Prime agricultural lands; 	x		
<ul style="list-style-type: none"> Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and 	x		
<ul style="list-style-type: none"> Tundra, coral reefs, or rain forests. 			

¹**Applicable statutory, regulatory, or permit requirements for environment, safety and health, including requirements of DOE and/or Executive Orders (in addition to those listed above)**

Clean Air Act Complies with U.S. DOE Clean Air Act Conformity Requirements <u>Department of Energy Floodplain and Wetland Regulations (10 CFR 1022)</u>
Clean Water Act <ul style="list-style-type: none"> Complies with Section 404 requirements Complies with National Pollutant Discharge Elimination System Permitting requirements Complies with <u>Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations</u> (February 11, 1994, with Presidential Memorandum)
Complies with Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds. (January 10, 2001)