

Categorical Exclusion Determination

Western Area Power Administration
Department of Energy



Proposed Action: Vegetation Management at CO-MOW and FRIT-FRI 12-kV Lines

Project No.: 100153025

Project Manager: Ricardo Velarde

Location: Fresno and Madera counties

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 (SN) Region (WAPA) is responsible for the operation and maintenance of several federally owned and operated transmission lines and distribution lines throughout California. This includes the Columbia-Mowry Pumping Plant 12-kV line (CO-MOW) line located in Madera County and the Friant Tap (FRIT-FRI) 12-kV line in Fresno County. 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. Additionally, WAPA voluntarily complies with state laws and regulations to mitigate the threat of wildfires that could be ignited or contributed to by SN's facilities in the State of California. In order to accomplish these requirements, WAPA will perform vegetation management activities within its electrical transmission line Right-of-Ways (ROW) and related infrastructure in order to provide adequate line clearance, access to infrastructure and reduce the threat of wildfires.

WAPA proposes to maintain a vegetation free zone around and adjacent to the poles using a combination of pre- and post-emergent herbicide application, weed trimming and brush removal, in accordance with Public Resources Code (PRC) 4292. PRC 4292 mandates maintaining a vegetation free zone around and adjacent to any pole or tower which supports a switch, fuse, transformer, lightning arrester, line junction, dead end or corner pole, a firebreak which consists of a clearing of not less than 10 feet in each direction from the outer circumference of such pole or tower on WAPAs Distribution lines of 4 kilovolt (kV) to 69-kV.

The CO-MOW 12-kV line runs from the Columbia Pumping Plant to the Mowry Pumping Plant, adjacent to the San Joaquin River. The FRIT-FRI 12-kV line serves industrial facilities adjacent to the Friant Dam at Millerton Lake.

Site specific environmental, cultural, and landowner restrictions will be followed for the following locations: FRIT-FRI - Poles 1, 2, 3, 4, 7, 8, 10, A1, A2, C1a; and CO-MOW - Poles 1, SW, 2A, 3, 15. Avoidance measures are provided in Attachment 1.

Herbicide applicators shall be licensed and certified as a qualified applicator per the State of California Department of Pesticide Regulation.

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.

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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.

Proposed Action: Vegetation Management at CO-MOW and FRIT-FRI 12-kV Lines

Project Site Description

CO-MOW 12-kV distribution line is located adjacent to the San Joaquin River and agricultural fields, near Firebaugh, in Madera County, California.

The FRIT-FRI 12-kV distribution line is located in undeveloped land adjacent to industrial facilities at the Friant Dam at Millerton Lake, near Friant, California in Fresno County, California.

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 <u>Explanation:</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Vegetation treatment will not cause significant ground disturbance. No cultural resources were identified at these pole locations and there are no restrictions. Natural Resources will be contacted immediately if archeological, paleontological, or historic evidence is found.

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:

Habitat in the vicinity of the CO-MOW 12kV line has the potential to support Lost Hills crownscale (*Atriplex cordulata* var. *vallicola*), a special status species with bloom season of April-August. Habitat in the vicinity of the FRIT-FRI 12kv line has the potential to support succulent owl's clover (*Castilleja campestris* ssp. *succulenta*) a special status species with bloom season April-May. Vehicle access will be permitted only on well-established roads during bloom seasons, until the site has been cleared by a qualified biologist. All vehicles will have rubber tires. Off-road travel will be avoided to the extent possible. During the bloom season, activities require a survey by a qualified biologist to flag existing plant populations. Herbicide use will be prohibited at all times with the exception of direct application to target vegetation. Protective measures also apply to elderberry shrubs, host plant for valley elderberry longhorn beetle, as described in Attachment 1.

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



Explanation:

Special Status species may be present: At CO-MOW avoidance measures will be followed for: MBTA, Swainson's hawk, Western yellow-billed cuckoo, Bank swallow, Western pond turtle, Giant Garter Snake (GGS), Fresno kangaroo rat, San Joaquin pocket mouse, and San Joaquin kit fox.

At FRIT-FRI avoidance measures will be followed for Migratory Bird Treaty Act (MBTA), Elderberry shrubs (host plant for Valley Elderberry Longhorn Beetle), Western pond turtle, California red-legged frog (CRLF), California tiger salamander (CTS), Bats, and Fisheries.

Avoidance measures are included in Attachment 1.

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



Explanation:

The project area is adjacent the the San Joaquin River. Avoidance measures are described in Attachment 1 to protect fisheries. Activities will be prohibited at all times within 100 feet of a seep, spring, pond, lake, river, stream, or marsh, and their associated habitats, as described in Attachment 1.

6. **Wetlands**
Explanation:



The project area has the potential for presence of wetlands. When feasible, all maintenance activities will be routed around wet areas while ensuring that the route does not cross sensitive resource areas. Restrictions for seasonal wetlands (including vernal pools and vernal pool grasslands) are included in the avoidance measures described in Attachment 1.

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. Landowners will be notified prior to vegetation treatment at both project areas to access property and provide pre-work notification.

9. **Visual Quality**
Explanation:



The visual quality would be consistent with the existing use of the distribution poles and 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 vegetation management; 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. 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 and 1925. The Contractor shall take measures to prevent spills of pollutants and respond appropriately if a spill occurs and prepare a Spill Prevention Notification and Clean-up Plan. The Contractor shall manage all hazardous materials and wastes in accordance with all applicable Federal, State, and local regulations.

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.

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Attachment 1
Categorical Exclusion Determination
Vegetation Management at CO-MOW and FRIT-FRI

Avoidance Measures for Wildlife and Water Resources for Vegetation Management at CO-MOW and FRIT-FRI
12-kV Lines

MBTA (Migratory Bird Treaty Act)

If planned activities occur between March 1 and August 15, January 1 and September 15 for northern areas, January 1 and September 15 for Sacramento area, and March 1 and August 31 on BOR land, nesting bird surveys will be required prior to project activities. If a nest is detected, an appropriate buffer will be marked in which all vegetation management activities and herbicide applications will be prohibited within the dates noted above or until nestlings have fledged. A standard nest buffer of 50 feet will be used, unless otherwise indicated by the surveying biologist. A standard buffer of 250 feet will be used for raptor nests, unless otherwise indicated by the surveying biologist. Nesting surveys can be conducted up to 3 weeks prior to Project activities, except on BOR lands, where surveys can be done a maximum of 5 days prior to project activities. Please notify WAPA a minimum of 2 weeks in advance to schedule nesting surveys.

Swainson's hawk

From April 1 to July 31 herbicide application, intensive disturbance (e.g., use of heavy equipment, power saws, chippers, cranes, or draglines), and tree removal will be prohibited within 0.25 miles of a Swainson's hawk nest until after the young have fledged or until it is determined by a qualified biologist that the activities will not adversely affect adults or young. This buffer may be adjusted, as assessed by a qualified biologist, based on changes in sensitivity exhibited by birds over the course of the nesting season and the type of O&M activity performed.

Bank swallow

From April 1 to August 15 herbicide application within 150 feet of vertical stream banks greater than 3 feet will be prohibited or a qualified biologist will conduct nesting surveys prior to O&M activities. If a nesting colony is detected, a qualified biologist will mark and monitor an appropriate buffer zone within which all O&M activities and herbicide applications will be prohibited from April 1 to August 15.

Elderberry shrubs (host plant for Valley Elderberry Longhorn Beetle)

Prior to initiating vegetation clearance in the Central Valley below 3,000 feet with elderberry plants present, qualified personnel will clearly flag or fence each elderberry plant that has a stem measuring one inch or greater in diameter at ground level. If an elderberry plant meeting this criterion is present:

A minimum buffer zone of 20 feet outside of the dripline of each elderberry plant will be provided during all routine O&M activities, within which only manual methods for vegetation clearing will be allowed.

No insecticides, herbicides, fertilizers, or other chemicals will be used within 100 feet of an elderberry plant, except direct application to target vegetation (e.g. injection or cut-stump). Trimming, rather than removal of shrubs, will be used where feasible. Directional felling of trees and manual cutting of trees prior to removal will be used to minimize impacts to elderberries.

Giant Garter Snake (GGS)

Use of herbicides (with the exception of direct application) within 200 feet of potential giant garter snake habitat will be prohibited at all times.

Movement of heavy equipment will be confined to existing roadways to minimize habitat disturbance. Vegetation management will be confined to the minimum area necessary to facilitate O&M activities.

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GGs aquatic and upland habitats will be flagged as environmentally sensitive areas by an approved biologist within or adjacent to the disturbance footprint. Only manual vegetation removal will be allowed within the flagged area. An approved monitor will be present for O&M activities within the flagged area.

Western pond turtle (and frogs and toads)

From April 15 to July 15, a qualified biologist will survey within 400 feet of a permanent pond, lake, creek, river, or slough if any ground-disturbing activity that could affect the bed, bank, or water quality of any of these features is proposed. If adult or juvenile pond turtles, Pacific tailed frogs, Cascades frogs, foothill yellow legged frogs, or western spadefoot are present, a qualified biologist will monitor project activities to ensure that these species are not harmed. If the biologist determines that turtle nests could be adversely affected, then nesting areas will be avoided between June 1 and October 31. Water features will be avoided.

California red-legged frog (CRLF)

An approved biologist will identify potential CRLF breeding habitat and will flag a 500-foot buffer. The following restrictions apply within the buffer:

- Vehicles must remain on existing access roads and maintain a speed limit of 15 mph;
- Only manual vegetation removal is allowed;
- Only direct (e.g. injection and cut-stump) herbicide application methods are allowed, except when otherwise restricted;
- No ground disturbance (e.g. digging or auguring); and
- Erosion-control devices will be of a material that will not entrap amphibians.

If it is not possible to follow the above-stated measures, a pre-activity survey will be conducted no more than 24 hours before O&M activities begin. An approved biologist will remain on site during all activities to ensure protection of CRLFs or an exclusion barrier will be constructed around the work site, following Service-approved methods and materials, which will be removed at the end of the work activity.

To comply with the CRLF injunction for herbicide applications, in the counties named in the injunction, there will be no ground application of any of the chemicals named in the injunction (<http://www.epa.gov/espp/litstatus/redleg-frog/steps-info.htm>). Currently, the no-use buffer is 60 feet from any aquatic feature, aquatic breeding habitat, non-breeding aquatic habitat, and upland habitat.

California tiger salamander (CTS)

An approved biologist will identify potential California tiger salamander (CTS) breeding habitat and will flag a 500-foot buffer. The following restrictions apply within the buffer:

- Vehicles must remain on existing access roads and maintain a speed limit of 15mph;
- Only manual vegetation removal is allowed;
- Only direct (e.g. injection and cut-stump) herbicide application methods are allowed, except when otherwise restricted;
- No ground disturbance (e.g. digging or auguring); and
- Erosion-control devices will be of a material that will not entrap amphibians.

If it is not possible to follow the above-stated measures, a preactivity survey will be conducted no more than 24 hours before O&M activities begin. An approved biologist will remain on site during all activities to ensure protection of CTS or an exclusion barrier will be constructed around the work site, following Service-approved methods and materials, which will be removed at the end of the work activity.

Bats

Noisy or disturbing O&M activities (e.g., power saws, mechanical chippers) will be minimized in the vicinity of

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caves, mine tunnels, and rock outcrops.

San Joaquin kit fox

O&M activities will be avoided during the kit fox breeding season (February 1 through May 31) in suitable habitat.

Prior to O&M activities that involve ground disturbance, a qualified biologist will survey the proposed disturbance footprint and all areas within 250 feet of the proposed activity for potential kit fox den sites. Survey methods and protection measures will be consistent with those described in USFWS guidelines. The status of all dens will be determined and mapped; results will be submitted to USFWS within 5 working days after survey completion and before start of ground disturbance.

All potential den sites outside the disturbance footprint will be conspicuously marked with stakes and flagging 30 days prior to ground-disturbing activities using materials that do not prevent access by kit foxes. Circular exclusion zones will be established around kit fox dens, and will have a radius measured outward from the entrance or cluster of entrances of 50 feet for potential dens, 100 feet for known dens; the distance for natal or pupping dens will be determined in coordination with USFWS and CDFG. No ground-disturbing activities will be permitted within exclusion zones.

Fresno kangaroo rat and San Joaquin pocket mouse

Off-road travel will be minimized. Vehicle speeds will not exceed 15 mph on access and maintenance roads and 10 mph on unimproved access routes.

Fisheries

The following avoidance measures apply to perennial watercourses:

- Trim trees providing shade to the riverine areas only to the extent necessary.
- Only manual removal of vegetation is allowed within 100 feet of perennial watercourses.
- Only cut-stump treatments using herbicides approved for aquatic use by the Environmental Protection Agency (EPA) and in compliance with the State of California are allowed within 100 feet of perennial watercourses.
- No chemicals are to be mixed and no open petroleum products are allowed within 100 feet of the perennial watercourses.

Seasonal wetland (including vernal pools and vernal pool grassland)

Restrictions for seasonal wetlands (including vernal pools and vernal pool grasslands) include:

Vehicle access will only be permitted on well-established roads unless soils are dry. Soils will be considered sufficiently dry for vehicle access when they resist compaction, and after annual plants have set seed (generally June 1 to September 30, or as determined by a qualified biologist based on personal observation of the soils).

When feasible, all maintenance activities will be routed around wet areas while ensuring that the route does not cross sensitive resource areas.

If vegetation management activities are proposed within 250 feet of a seasonal wetland a biological monitor will be present and/or a qualified biologist will clearly mark the limits of the feature(s) or appropriate buffers. A qualified biologist will clearly flag a 50 foot buffer around all seasonal wetland features if work is proposed during the wet season (generally October 1 to May 31) or flag the feature if work is proposed during the dry season (generally June 1 to September 30).

Mixing or application of pesticides, herbicides, or other potentially toxic chemicals will be prohibited within 250 feet of seasonal wetland features.

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Vegetation Management at CO-MOW and FRIT-FRI

Herbicide application to target vegetation by direct application methods (e.g. injection or cut-stump treatment) will be prohibited within 50 feet of wetland features in the wet season and allowed up to the edge of the wetland feature during the dry season.

Herbicide application by basal spray and foliage spray methods will be prohibited within 100 feet of wetland features in any season.

Manual clearing of vegetation (chainsaw, axe, clippers) will be allowed up to the edge of the pool or seasonal wetland in the wet season; a buffer will not be necessary in the dry season.

Mechanical clearing of vegetation (heavy-duty mowers, crawler tractors, or chippers) will be prohibited within 100 feet in the wet season; a buffer will not be necessary in the dry season.

All equipment will be stored, fueled, and maintained in a vehicle staging area 300 feet or the maximum distance possible from any vernal pool, vernal pool grassland, or seasonal wetland, and no closer than 200 feet unless a bermed (no ground disturbance) and lined refueling area is constructed and hazardous material absorbent pads are available in the event of a spill.

Vehicles will be inspected daily for fluid leaks before leaving the staging area.

Waters (Seep, Spring, Pond, Lake, River, Stream, and Marsh)

The following activities will be prohibited at all times within 100 feet of a seep, spring, pond, lake, river, stream, or marsh, and their associated habitats:

- Vehicle access, except on existing access and maintenance roads
- Dumping, stockpiling, or burying of any material
- Mixing of pesticides, herbicides, or other potentially toxic chemicals
- Open petroleum products

Equipment will be stored, fueled, and maintained in a vehicle staging area 300 feet or the maximum distance possible from any seep, spring, pond, lake, river, stream, marsh, or their associated habitats. Vehicles will be inspected daily for fluid leaks before leaving resource area.

For vegetation management or maintenance within 100 feet of any seep, spring, pond, lake, river, stream, or marsh, or any of their associated habitats, the following work-area limits will be provided:

- Only manual-clearing of vegetation will be permitted
- Basal and foliar application of herbicides will be prohibited. Only direct application treatments (e.g. injection and cut-stump) of target vegetation will be allowed using herbicide approved for aquatic use by the U.S. EPA and in coordination with the appropriate federal land manager.
- When feasible, all maintenance activities will be routed around wet areas while ensuring that the route does not cross sensitive resource areas.