

CATEGORICAL EXCLUSION DETERMINATION



Western Area
Power Administration
Rocky Mountain Region

Proposed Action Title: Flaming Gorge-Vernal No. 3 138-kV Transmission Line Structure Relocation

Location: Uintah County, Utah

Project Number: 2019-055

Expiration Date: December 31, 2024

A. PROPOSED ACTION DESCRIPTION:

Western Area Power Administration (WAPA), Rocky Mountain Region (RMR), proposes to relocate Structures 20/6 through 21/4 on the Flaming Gorge-Vernal No. 3 (FGE-VNL-3) 138-kV Transmission Line in Uintah County, Utah. The purpose of the project is to move this approximately 0.9-mile section of FGE-VNL-3 out of an area the landowner is preparing to mine. The structures will be moved west across U.S. Highway 191 to previously-mined land, and the FGE-VNL-3 highway crossings in this area will be reduced from four to two. The full scope of the structure relocation will include removing the existing structures on the east side of U.S. Highway 191, auguring new structure holes on the west side of U.S. Highway 191, installing the new wood structures, backfilling the structure holes, and installing new hardware. Existing access routes will be used to remove the structures on the east side of U.S. Highway 191. To facilitate this transmission line relocation, the landowner will construct new access roads and landings that meet WAPA's design standards on the west side of U.S. Highway 191. This work may include clearing and grubbing; removal of rocks, vegetation, and other obstacles impeding safe travel; blading; grading; compaction; installation of water bars, rip-rap, and other erosion control measures; and soil stabilization measures. Equipment used for this project may include motor graders, bulldozers, excavators, dump trucks, compactors, skid-steers, bucket trucks, truck-mounted augers and cranes, utility trucks, pole trailers, and equipment trailers. Work will occur within WAPA's existing right-of-way (ROW) on private lands, as well as a new ROW granted by the private landowner.

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, 2024.** 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) **The private landowner's access road and landing construction activities must not proceed until the private landowner provides WAPA with documentation that demonstrates authorization under the State of Utah, Department of Environmental Quality, Division of Water Quality's Utah Pollutant Discharge Elimination System (UPDES) *General Permit for Storm Water Discharges from Construction Activities* (UPDES Permit No. UTRC00000), or provides documentation that the State of Utah, Department of Environmental Quality,**

Division of Water Quality has determined this construction activity is not subject to regulation under the UPDES Program.

- 4) Any injured or orphaned birds and all observed active nests must be immediately reported to the RMR Avian Protection Lead at (970) 593-8803. Any dead birds must be reported to the RMR Avian Protection Lead 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) 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.
- 8) 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.)

B4.13 Upgrading and rebuilding existing powerlines

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.

Signature and Date

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

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