

# CATEGORICAL EXCLUSION DETERMINATION



Western Area  
Power Administration  
Rocky Mountain Region

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**Proposed Action Title: Canon West – Midway 230-kV Transmission Line  
Access Road and Transmission Line Right-of-Way Maintenance**

**Location: Pueblo, Fremont, and El Paso Counties, Colorado**

**Project Number: 2023-034**

**Expiration Date: December 31, 2030**

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## **A. PROPOSED ACTION DESCRIPTION:**

Western Area Power Administration (WAPA), Rocky Mountain Region (RMR), proposes to conduct routine access road and transmission line right-of-way (ROW) maintenance between Canon West (CCW) Substation to the Midway (MID) Substation on the Canon West – Midway (CCW-MID) 230-kV Transmission Line, in Pueblo, Fremont and El Paso counties, Colorado. Routine maintenance of existing access roads, crossings, landings, and other ROW features will be completed as necessary within approved work areas to facilitate safe access to the transmission line. Examples of routine maintenance activities that may be completed include: blading; grading; removal of rocks, vegetation, and other obstacles impeding safe travel; installation, repair, and replacement of water bars, rip-rap, and other erosion control measures; cleanout, repair, and in-kind replacement of culverts and other drainage features; washout repair; landing maintenance; installation and maintenance of gates; and soil stabilization. Equipment used for this project may include motor graders, bulldozers, excavators, dump trucks, compactors, skid-steers, and work trucks. Work will occur on private lands and public lands managed by the Bureau of Land Management, Department of Defense, and Colorado State Lands. This work will be confined to WAPA's existing access road and transmission line ROWs; no new roads will be constructed, and work will be focused on previously disturbed locations.

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## **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, 2030.** 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 Environmental Restrictions Area maps provided to WAPA's maintenance crews show the access roads and ROW areas approved for maintenance.** The approved works areas include indicated access roads on federal lands to a width of 100 feet (50 feet either side of road centerline), access roads on private and state lands to a width of 50 feet (25 feet on either side of the centerline) and indicated ROW areas to a width of 125 feet (62.5 feet either side of center conductor). If clarification of maps is required, please contact RMR's Archaeologist at (970) 286-3523 or RMR's Natural Resource Specialist at (970) 473-5586.

- 4) **The Environmental Restrictions Area maps provided to WAPA's maintenance crews and/or Contractor(s) include cultural resource boundaries.** No ground disturbance is allowed within these areas. All access within these cultural resource boundaries must be limited to existing access roads. If ground disturbance within these areas is necessary, an RMR Archeologist must be contacted at (970) 302-4753, (970) 286-3523, or (970) 658-6794. No ground disturbance within these cultural resource boundaries is authorized until written notification to proceed is provided by an RMR Archaeologist.
- 5) **The Environmental Restrictions Area maps provided to WAPA's maintenance crews and/or Contractor(s) include biological resource boundaries.** Work within these boundaries must be avoided between March 1 to August 31 to prevent disturbance to breeding and nesting Mexican spotted owl.
- 6) **The Environmental Restrictions Area maps provided to WAPA's maintenance crews and/or Contractor(s) include biological resource boundaries.** Work within these boundaries must be avoided between May 15 to July 31 to prevent disturbance to the tricolored bat during the pup season.
- 7) Only in-kind culvert replacement and crossing maintenance is authorized. If culverts or crossings must be enlarged, expanded, or placed in new locations, RMR's Environment Department must be contacted to determine whether additional environmental review is required.
- 8) If rip-rap or other fill must be placed within waters of the United States (within wetland boundaries or below the ordinary high-water mark of surface waters), RMR's Environment Department must be contacted to determine whether additional environmental review is required.
- 9) Any injured or orphaned birds and all observed active nests must be immediately reported to RMR Environment at (970) 593-8803 or (970) 342-6462. Any dead birds must be reported to RMR Environment 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.
- 10) 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 Archeologist must be contacted immediately at (970) 302-4753, (970) 286-3523, or (970) 658-6794. Work in the area of discovery must not resume until notification to proceed is provided by an RMR Archaeologist.
- 11) 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 Archeologist must be notified immediately at (970) 302-4753, (970) 286-3523, or (970) 658-6794 (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.



- 12) Vehicles and equipment (trailers, trucks, UTVs, etc.) will not be moved between work areas without first taking reasonable measures to ensure they are free of soil, seeds, vegetation matter, or other debris that could contain noxious weed seeds.
- 13) 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.)

B1.3 Routine maintenance

**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:**

WAPA follows the regulations at 40 C.F.R. Parts 1500–1508, in addition to the Department of Energy’s regulations implementing NEPA at 10 C.F.R. Part 1021 to meet the agency’s obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

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.

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Signature and Date

James Wood, Regional Environmental Manager  
Rocky Mountain Region  
Western Area Power Administration

Prepared by:  
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