

2 SUMMARY OF PROPOSED CHANGES TO TVA CATEGORICAL EXCLUSIONS

As noted above, TVA is proposing to revise 15 of its CEs, eliminate 9, retain 4 unchanged, and establish 31 new CEs.

Proposed changes in CEs are contrasted with existing CEs in Table 2-1 below. CEs are listed in the order which TVA proposes to number them in its updated NEPA procedures. Modifications to CEs are indicated using the following formatting conventions:

- **Red** formatting indicates new text and
- ~~Strikethrough~~ formatting indicates text has been deleted from the existing CE.

2.1 NEW CATEGORICAL EXCLUSIONS

TVA proposes to expand its list of CEs to include 31 categories of activities that are some of the most commonly performed by TVA and have been shown not to have significant environmental impacts under normal circumstances. Expansion of the CEs is required to address common activities essential to TVA's mission. For instance, the current list of CEs does not include routine natural resources stewardship, economic development, or certain transmission system management activities having little impact to the environment.

TVA NEPA staff met with internal TVA business units to determine whether additional CEs were necessary for actions commonly performed by the unit. TVA's proposal to establish the additional CEs is based on these discussions, as well as an extensive examination of whether such actions have been shown not to typically result in significant environmental impacts. TVA program areas for which new CEs are proposed include the following:

- Education and Information Sharing
- Public Health and Safety
- Transmission Projects/Maintenance
- Existing Plant Acquisition
- Recreation Management
- Natural Resource Stewardship
- Facilities Management
- Road Maintenance
- Property Access
- Waste
- Renewable Energy
- Economic Development
- Rate Structure

2.2 NEW SPATIAL LIMITS

Consistent with CEQ's guidance on CEs, TVA determined that spatial limits are necessary for some of the new CEs which may have variable environmental effects, so that the proposed action may only be excluded if the area of disturbance is smaller than the spatial limit. Other limits on the size or height of certain projects are also proposed. For these CEs, TVA has quantified these limits because the size is more directly linked to impacts. Such constraints ensure that CEs are

not applied too broadly; several are consistent with those applied by other federal agencies for similar actions.

The following limits are proposed for numerous CEs:

- 10 acres of disturbance to previously undisturbed areas
- 25 acres of disturbance to previously disturbed areas

For transmission or utility line actions, spatial limits would be applied based on TVA's experiences conducting reviews of more than 150 separate transmission projects:

- 125 acres of disturbance and 10 miles of new transmission/utility lines
- 25 miles of transmission line rebuilding
- 1 mile of new access road construction outside of a right-of-way

For certain natural resource stewardship actions, the following spatial limits would be applied:

- 250 acres of disturbances for salvaging of dead and/or dying trees
- 125 acres for actions to regenerate forest stands
- 1/2 mile of shoreline or streambank stabilization (approximately 2,640 linear feet)
- 1/2 mile of temporary or seasonal permanent road construction

These limits would be considered as a general rule rather than a strict limit. If a project area would slightly exceed the spatial limit of the CE, project staff in consultation with TVA NEPA staff would determine whether the CE may still apply based on consideration of potential impacts. For that reason, the definition of each CE denotes that the limits "generally" apply.

2.3 OTHER LIMITATIONS

TVA also uses "minor," "limited," "small," "routine," and "small-scale") as limitations in some sections of its existing and proposed CEs. For some categorically excluded actions, TVA determined that the sizes or distances associated with actions may not be directly linked to impacts. TVA recognizes that these descriptors are subjective and does not propose to define these terms. Rather, TVA would apply a reasonable interpretation to such terms on a project specific basis. Just as the CEQ regulations state that "significantly," as used in NEPA, requires consideration of context and intensity (40 CFR 1508.27), TVA would consider the context and intensity of a proposed action when interpreting descriptors in making categorical exclusion determinations for proposals.

2.4 MODIFICATIONS TO EXISTING CATEGORICAL EXCLUSIONS

TVA is proposing to revise the language of 15 existing CEs to clarify CE definitions, reflect current agency programs, apply new spatial limits, and/or change the scope of categorically excluded activities. Some revisions expand or limit the applicability of the CEs and/or make the scope and quantitative aspects of the CEs more consistent with those adopted by other federal agencies engaged in similar or identical actions. Changes to the definition of each existing CE are summarized in Table 2-1 and discussed in greater detail in Section 3.

2.5 EXISTING CATEGORICAL EXCLUSIONS TO BE ELIMINATED

TVA is proposing to eliminate nine of the existing CEs from its procedures. These changes are discussed in greater detail in Section 4 of this document.

Table 2-1 Crosswalk of TVA CEs

Red text indicates new text, including new CEs; ~~strikethrough~~ formatted text indicates deleted text or CEs.

Current CE	Proposed CE	Proposed Change	CE Definition (with Changes)
5.2.1	-	Eliminated. Replaced by multiple new CEs	Routine operation, maintenance, and minor upgrading of existing TVA facilities.
	1	New CE	Educational or informational activities undertaken by TVA alone or in conjunction with other agencies, public and private entities, or the general public.
5.2.2	2	Minor Clarification	Technical and planning assistance to State, and local and private organizations and entities.
5.2.3	3	No change	Personnel Actions.
5.2.4	4	No change	Procurement activities.
5.2.5	5	No change	Accounting, auditing, financial reports and disbursement of funds.
5.2.6	6	Minor Clarification	Transactions (contracts, or agreements or other instruments) for the sale, purchase, or interchange of electricity not resulting in the construction and operation of new generating facilities or in major modifications to existing generating facilities or associated electrical transmission infrastructure.
5.2.7	-	Eliminated	Activities related to the promotion and maintenance of employee health.
5.2.8	-	Eliminated	Activities of TVA's Equal Employment Opportunity staff.
5.2.9	7	No change	Administrative actions consisting solely of paperwork.
5.2.10	8	Minor Clarification	Communication, transportation, computer service and other office services.
5.2.11	9	Minor Clarification	Property protection activities that do not physically alter facilities or grounds, law enforcement and other legal activities.
5.2.12	10	Minor Clarification	Emergency preparedness actions not involving the modification of existing facilities or grounds.
	11	New CE	Minor actions to address threats to public health and safety, including, but not limited to, temporary prohibition of existing uses of TVA land or property, short-term closures of sites, and selective removal of trees that pose a hazard.
5.2.13	12	Clarification	Site characterization, data collection, inventory preparation, Preliminary planning, studies, or reviews consisting of only paperwork monitoring, and other similar activities that have little to no physical impacts.
5.2.14	-	Eliminated	Exploration for Uranium, including hydrologic investigations.
5.2.15	13	Minor Clarification	Preliminary on-site Engineering and environmental studies for future power generating plants and other energy related facilities that involve minor physical impacts, including but not limited to, soil borings, dye-testing, installation of monitoring stations and groundwater test wells, and minor actions to facilitate access to a site.

Current CE	Proposed CE	Proposed Change	CE Definition (with Changes)
5.2.21	14	Minor Clarification	Conducting or funding Minor research, development and demonstration projects and programs.
	15	New CE	Transmission and utility line right-of-way maintenance actions occurring within an existing maintained right-of-way, including routine vegetation management, removal of danger trees outside the right-of-way, and access road improvements or construction (generally no more than 1 mile of road construction outside the right-of-way).
5.2.16	-	Eliminated. Replaced by new CE #12	Establishment of environmental quality monitoring programs and field monitoring stations.
	16	New CE	Construction of new transmission line infrastructure, including electric transmission lines generally no more than 10 miles in length and that require no more than 125 acres of new developed rights-of-way and no more than 1 mile of new access road construction outside the right-of-way; and/or construction of electric power substations or interconnection facilities, including switching stations, phase or voltage conversions, and support facilities that generally require the physical disturbance of no more than 10 acres.
5.2.17	17	Major Modification	Modification, repair, maintenance, or upgrade of, and minor addition to existing transmission infrastructure, including work on power equipment and structures within existing substations and switching stations as well as work on existing transmission lines; the addition, retirement, and/or replacement of breakers, transformers, bushings, and relays; transmission line uprate, modification, reconductoring, and clearance resolution for transmission lines; and limited pole replacement; and access road improvements and construction (generally no more than 1 mile of road construction outside of the right-of-way). Transmission line relocation, tap-ins, or modifications or substation alterations due to conflicts such as new highway projects and projects requiring acquisition of minor amounts of additional substation property or transmission line right-of-way easements.
5.2.18	18	Minor Clarification	Construction, modification and operation of communication facilities and/or equipment, including, but not limited to, (i.e., power line carriers, insulated overhead ground wires/fiber optic cables, devices for electricity transmission control and monitoring devices, VHF radios, and microwaves and support towers).
5.2.19	-	Eliminated	Backslope agreements involving properties on which TVA holds an interest between operators and other adjacent mining companies.
	19	New CE	Removal of conductors and structures, and/or the cessation of right-of-way vegetation management, when existing transmissions lines are retired; or the rebuilding of transmission lines within or contiguous to existing rights-of-way involving generally no more than 25 miles in length and no more than 125 acres of expansion of the existing right-of-way.

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5.2.20	20	Minor Clarification	Purchase, conveyance , exchange, lease, or sale, or lease purchase of stepdown facilities, transmission lines, and/or disposal of existing substations, substation equipment, switchyards, and/or transmission lines and rights-of-way and associated equipment by distributors or customers directly served by TVA between TVA and other utilities and/or customers.
	21	New CE	Purchase or lease, and subsequent operation of existing combustion turbine or combined-cycle plants for which there is existing adequate transmission and interconnection to the TVA transmission system and whose planned operation by TVA is within existing environmental permits for the purchased or leased facility.
5.2.22		Eliminated; Replaced by multiple new CEs	Construction of visitor reception centers.
	22	New CE	Development of dispersed recreation sites (generally not to exceed 10 acres in size) to support activities such as hunting, fishing, primitive camping, wildlife observation, hiking, and mountain biking. Actions include, but are not limited to, installation of guardrails, gates and signage, stabilization of sites, trail construction, and access improvements/controls.
5.2.23	23	Minor Clarification	Development of minor TVA public use areas and that generally result in the physical disturbance of no more than 10 acres, including, but not limited to, construction of parking areas, campgrounds, stream access points, and day use areas.
5.2.24	24	Minor Clarification	Minor non-TVA activities conducted by non-TVA entities on TVA property to be authorized under contract or , license, permit, or covenant agreements, including those for utility crossings, encroachments , agricultural uses, recreational uses, rental of structures, and sales of miscellaneous structures and materials from TVA land.
5.2.25	25	Minor Clarification	Purchase, Transfer, lease, or disposal (sale, abandonment or exchange) of minor tracts of land, mineral rights, or land rights, and rights in ownership of permanent structures that are minor in nature.
5.2.26	26	Minor Clarification	Approvals under Section 26a of the TVA Act of minor structures, boat docks and ramps, and shoreline facilities.
5.2.27	-	Eliminated	Any action which does not have a primary impact upon the physical environment.
5.2.28	-	Eliminated	Actions which were the subject of an EA which concluded that the category of such action should be treated as a categorical exclusion.
	27	New CE	Installation of minor shoreline structures or facilities, boat docks and ramps, and bank stabilization (generally up to 1/2 mile in length) by TVA.
	28	New CE	Modifications to land use plans to rectify minor administrative errors or to incorporate new information that is consistent with a previously approved decision included in the

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			plan; amendments to land use allocations to a more restrictive or protective allocation (e.g., from industrial use to natural resource conservation) provided that any such allocation is consistent with other TVA plans and policies; or minor amendments to land use allocations to implement TVA’s shoreline or land management policies.
	29	New CE	Actions to restore and enhance wetlands, riparian, and aquatic ecosystems that generally involve physical disturbance of no more than 125 acres, including, but not limited to, construction of small water control structures; revegetation actions using native materials; construction of small berms, dikes, and fish attractors; removal of debris and sediment following natural or human-caused disturbance events; installation of silt fences; construction of limited access routes for purposes of routine maintenance and management; and reintroduction or supplementation of native, formerly native, or established species into suitable habitat within their historic or established range.
	30	New CE	Actions to maintain, restore, or enhance terrestrial ecosystems that generally involve physical disturbance of no more than 125 acres, including, but not limited to, establishment and maintenance of non-invasive vegetation; bush hogging; prescribed fires; installation of nesting and roosting structures, fencing, and cave gates; and reintroduction or supplementation of native, formerly native, or established species into suitable habitat within their historic or established range.
	31	New CE	<p>The following forest management activities:</p> <ul style="list-style-type: none"> a. Actions to manipulate species composition and age class, including, but not limited to, harvesting or thinning of live trees and other timber stand improvement actions (e.g., prescribed burns, non-commercial removal, chemical control), generally covering up to 125 acres and requiring no more than 1 mile of temporary or seasonal permanent road construction; b. Actions to salvage dead and/or dying trees including, but not limited to, harvesting of trees to control insects or disease or address storm damage (including removal of affected trees and adjacent live, unaffected trees as determined necessary to control the spread of insects or disease), generally covering up to 250 acres and requiring no more than 1 mile of temporary or seasonal permanent road construction; and c. Actions to regenerate forest stands, including, but not limited to, planting of native tree species upon site preparation, generally covering up to 125 acres and requiring no more than 1 mile of temporary or seasonal permanent road construction.
	32	New CE	Actions to manage invasive plants including, but not limited to, chemical applications, mechanical removal, and manual treatments that generally do not physically disturb more than 125 acres of land.

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	33	New CE	Actions to protect cultural resources including, but not limited to, fencing, gating, signing, and bank stabilization (generally up to 1/2 mile in length when along stream banks or reservoir shoreline).
	34	New CE	Reburial of human remains or objects (including repatriations) on TVA land.
	35	New CE	Installation or modification (but not expansion) of groundwater withdrawal wells, or plugging and abandonment of groundwater or other wells. Site characterization must verify a low potential for seismicity, subsidence, and contamination of freshwater aquifers.
	36	New CE	<p>Routine operation, repair or in-kind replacement, and maintenance actions for existing buildings, infrastructure systems, facility grounds, public use areas, recreation sites, and operating equipment at or within the immediate vicinity of TVA’s generation and other facilities. Covered actions are those which are required to maintain and preserve assets in their current location and in a condition suitable for use for its designated purpose. Such actions will not result in a substantial change in the design capacity, function, or operation. (Routine actions that include replacement or changes to major components of buildings, facilities, infrastructure systems, or facility grounds, and actions requiring new permits or changes to an existing permit(s) are addressed in CE 37). Such actions may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> a. Regular servicing of in-plant and on-site equipment (including during routine outages) such as gear boxes, generators, turbines and bearings, duct work, conveyers, and air preheaters; fuel supply systems; unloading and handling equipment for fuel; handling equipment for ash, gypsum or other by-products or waste; hydropower, navigation and flood control equipment; water quality and air emissions control or reduction equipment; and other operating system or ancillary components that do not substantially increase emissions or discharges beyond current permitted levels; b. Routine testing and calibration of facility components, subsystems, or portable equipment (such as control valves, in-core monitoring devices, transformers, capacitors, monitoring wells, weather stations, and flumes); c. Routine cleaning and decontamination, including to surfaces of equipment, rooms, and building systems (including HVAC and septic systems); d. Repair or replacement of plumbing, electrical utilities, sewerage, pipelines, and telephone and other communication service; e. Repair or replacement of doors, windows, walls, ceilings, roofs, floors and lighting fixtures in structures less than 50 years old; f. Painting and paint removal at structures less than 50 years old, including actions

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			<p>taken to contain, remove, or dispose of lead-based paint when in accordance with applicable requirements;</p> <ul style="list-style-type: none"> g. Recycling and/or removal of materials, debris, and solid waste from facilities, in accordance with applicable requirements; h. Routine removal of minor amounts of asbestos-containing materials, in accordance with applicable requirements; i. Routine removal of minor amounts of contaminated intact equipment and other contaminated material, in accordance with applicable requirements; j. Grounds keeping actions, including mowing and landscaping, snow and ice removal, application of fertilizer, erosion control and soil stabilization measures (such as reseeding and revegetation), removal of dead or undesirable vegetation with a diameter of less than 3 inches (at breast height), and leaf and litter collection and removal; k. Repair or replacement of gates and fences; l. Maintenance of hazard buoys; m. Maintenance of groundwater wells, discharge structures, pipes and diffusers; n. Maintenance and repair of process, wastewater, and stormwater ponds and associated piping, pumping, and treatment systems; o. Maintenance and repair of subimpoundments and associated piping and water control structures; p. Debris removal and maintenance of intake structures and constructed intake channels including sediment removal to return them to the originally-constructed configuration; and q. Clean up of minor spills as part of routine operations.
	37	New CE	<p>Modifications, upgrades, uprates, and other actions that alter existing buildings, infrastructure systems, facility grounds, and plant equipment, or their function, performance, and operation. Such actions, which generally will not physically disturb more than 10 acres, include but are not limited to, the following:</p> <ul style="list-style-type: none"> a. Replacement or changes to major components of existing buildings, facilities, infrastructure systems, facility grounds, and equipment that are like-kind in nature; b. Modifications, improvements, or operational changes to in-plant and on-site equipment that do not substantially alter emissions or discharges beyond current permitted limits. Examples of equipment include, but are not limited to: gear boxes, generators, turbines and bearings, duct work, conveyers, superheaters, economizers,

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			<p>air preheaters, unloading and handling equipment for fuel; handling equipment for ash, gypsum or other by-products or waste; hydropower, navigation and flood control equipment; air and water quality control equipment; control, storage, and treatment systems (e.g. automation, alarms, fire suppression, ash ponds, gypsum storage, and ammonia storage and handling systems); and other operating system or ancillary components;</p> <p>c. Installation of new sidewalks, fencing, and parking areas at an existing facility;</p> <p>d. Installation or upgrades of HVAC systems;</p> <p>e. Modifications to water intake and outflow structures provided that intake velocities and volumes and water effluent quality and volumes are consistent with existing permit limits;</p> <p>f. Repair or replacement of doors, windows, walls, ceilings, roofs, floors and lighting fixtures in structures greater than 50 years old; and</p> <p>g. Painting and paint removal at structures greater than 50 years old, including actions taken to contain, remove and dispose of lead-based paint when in accordance with applicable requirements.</p>
	38	New CE	Siting, construction, and use of buildings and associated infrastructure physically disturbing generally no more than 10 acres of undisturbed land or 25 acres of previously-disturbed land.
	39	New CE	Siting and temporary placement and operation of trailers, prefabricated and modular buildings, or tanks on previously disturbed sites at an existing TVA facility.
	40	New CE	Demolition and disposal of structures, buildings, equipment and associated infrastructure and subsequent site reclamation, subject to applicable review for historical value, on sites generally less than 10 acres in size.
	41	New CE	Actions to maintain roads, trails, and parking areas (including resurfacing, cleaning, asphalt repairs, and placing gravel) that do not involve new ground disturbance (i.e., no grading).
	42	New CE	Improvements to existing roads, trails, and parking areas, including, but not limited to, scraping and regrading; regrading of embankments, installation or replacement of culverts; and minor expansions.
	43	New CE	Actions to enhance and control access to TVA Property including, but not limited to, construction of and improvements to access road and parking area (generally no greater than 1 mile in length and physically disturbing no more than 10 acres of undisturbed land or 25 acres of previously-disturbed land) and installation of control measures such as gates, fences, or post and cable.

Current CE	Proposed CE	Proposed Change	CE Definition (with Changes)
	44	New CE	Small-scale, non-emergency cleanup of solid waste or hazardous waste (other than high-level radioactive waste and spent nuclear fuel) to reduce risk to human health or the environment. Actions include collection and treatment (such as incineration, encapsulation, physical or chemical separation, and compaction), recovery, storage, or disposal of wastes at existing facilities currently handling the type of waste involved in the action.
	45	New CE	<p>Installation, modification, and operation of the following types of renewable or waste-heat recovery energy projects which increase generating capacity at an existing TVA facility, generally comprising of physical disturbance to no more than 10 acres of undisturbed land or 25 acres of previously-disturbed land:</p> <ul style="list-style-type: none"> a. Combined heat and power or cogeneration systems at existing buildings or sites; b. Solar photovoltaic systems mounted on the ground, an existing building or other structure (such as a rooftop, parking lot or facility and mounted to signage lighting, gates or fences); c. A small number of wind turbines with a height generally less than 200 feet (measured from the ground to the maximum height of blade rotation) that are located more than 10 nautical miles from an airport or aviation navigational aid and more than 1.5 nautical miles from a National Weather Service or Federal Aviation Administration radar; d. Small-scale biomass power plants (generally less than 10 megawatts) using commercially available technology intended to primarily support operations in single facilities or contiguous facilities (such as an office complex) and that is located within a previously disturbed or developed area and uses agricultural residue products or wood waste as its fuel supply; and e. Methane gas electric generating systems using commercially available technology installed within a previously disturbed or developed area on or contiguous to an existing landfill or wastewater treatment plant.
	46	New CE	Installation, modification, operation, and removal of commercially available small-scale, drop-in, run-of-the-river hydroelectric systems that do not require construction of new water storage structures or new water diversion from a stream or river channel. Covered systems would be located up-gradient of natural fish barriers and outside of any navigation channels and involve no major construction or modification of stream or river channels.
	47	New CE	Modifications to the TVA rate structure (i.e., rate change) and any associated modifications to contracts for pricing energy or demand for wholesale end-users or direct

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			serve customers of TVA power or development of new or modified pricing products that result in no or only minor increases in peak or base load energy generation or that result in system-wide demand reduction.
	48	New CE	Financial and technical assistance for programs conducted by non-TVA entities to promote energy efficiency or water conservation, including, but not limited to, assistance for installation or replacement of energy efficient appliances, insulation, HVAC systems, plumbing fixtures, and water heating systems.
	49	New CE	Financial assistance including, but not limited to, approving and administering grants, loans and rebates for the renovation or minor upgrading of existing facilities, established or developing industrial parks, or existing infrastructure; the extension of infrastructure; geotechnical boring; and construction of commercial and light industrial buildings. Generally, such assistance supports actions that physically disturb no more than 10 acres of undisturbed land or no more than 25 acres of previously-disturbed land.
	50	New CE	Financial assistance for the following: approving and administering grants, loans and rebates for continued operations or purchase of existing facilities and infrastructure for uses substantially the same as the current use; purchasing, installing, and replacing equipment or machinery at existing facilities; and completing engineering designs, architectural drawings, surveys, and site assessments (except when tree clearing, geotechnical boring, or other land disturbance would occur).