

**DEPARTMENT OF ENERGY
Western Area Power Administration**

North Area Right-of-Way Maintenance Project

**Finding of No Significant Impact
and Floodplain Statement of Findings**

JUN 15 2010

Summary: This decision document announces the Western Area Power Administration's (Western) Finding of No Significant Impact (FONSI) for Western's proposal to revise its operation and maintenance (O&M) activities for its existing North Area electrical transmission line infrastructure, rights-of-way (ROW), communication facilities, and access roads. The project area extends from just north of the Oregon-California border, south to San Joaquin County, California, traversing a total of 17 counties. Proposed O&M activities include, but are not limited to, facility inspection/repair, vegetation management, and equipment upgrades. Western is the lead agency under the National Environmental Policy Act (NEPA), with the U.S. Forest Service (Forest Service), Bureau of Land Management (BLM), and National Park Service (NPS) cooperating agencies. Western has determined that the proposed action is not a Federal action significantly affecting the quality of the human environment, within the context of NEPA. Therefore, the preparation of an Environmental Impact Statement (EIS) is not required and Western is issuing this Finding of No Significant Impact (FONSI). The NPS issued a separate FONSI on March 25, 2010, for the Proposed Action. The Forest Service will be conducting additional work to fulfill its regulatory requirements before issuing a final decision.

Standard Operating Procedures and resource-specific Project Conservation Measures (PCM) have been incorporated into the Proposed Action to avoid and minimize any potential environmental effects.

Also included is a finding that there is no practicable alternative to performing O&M activities within sections of the 100-year and 500-year floodplains crossed by Western's existing North Area transmission lines and appurtenant facilities.

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For General Information on the Department of Energy's NEPA Activities, Contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (EH-42), U.S. Department of Energy, 1000 Independence Avenue SW, Washington DC, 20585; telephone number: (202) 586-4600 or (800) 472-2756.

Supplemental Information: Within its Sierra Nevada Region, Western owns, operates, and maintains high voltage (230 and 500 kilovolt) transmission lines, communication facilities, and associated access roads extending from just north of the Oregon-California border, south to San Joaquin County, California, traversing a total of 17 counties. Many of these transmission lines pass through rugged and densely vegetated areas in northern and central California, requiring proactive maintenance. The purpose of the Proposed Action is to revise the manner in which Western operates and maintains its existing transmission line ROWs, legal access road ROWs, and communication facilities in order to ensure system reliability and safe all-weather access to the existing infrastructure. Western designed this maintenance program to balance environmental protection with system reliability and compliance with the National Electric Safety Code, Western Systems Coordinating Council requirements, North American Electric Reliability Council reliability standards, Institute of Electrical and Electronics Engineers standards, and Western directives for maintaining system reliability and protection of human safety.

Western is the lead Federal agency. NPS, BLM, and the Forest Service are all cooperating agencies in developing the EA. NPS signed its FONSI document on March 25, 2010. BLM does not believe it has an action that requires a NEPA decision; therefore, it does not need to issue a decision document. The Forest Service recently became aware that it has failed to properly implement its scoping requirements and is unable to issue a decision document at this time. Scoping is an item that occurs early in the NEPA process. Given the Forest Service identified this internal deficiency near the end of the NEPA process, Western has determined the concerns have not been raised in a timely manner. Waiting for the Forest Service to complete its internal scoping procedures would create an unacceptable delay for a NEPA process that has been going on for nearly 5 years. Therefore, Western has proceeded with its decision. The Council on Environmental Quality provides guidance on the appropriate actions to take in a situation where a cooperating agency cannot meet important milestones (see January 30, 2002, Memo to Heads of Federal Agencies). As part of that guidance, the lead agency should provide a basis for its decision in the administrative record. The Forest Service will complete its internal scoping requirements, conduct additional NEPA work and will issue a separate decision document.

Proposed O&M activities include, but are not limited to, facility inspection/repair (e.g., ground and aerial patrols, replacement of equipment within the confines of the existing fenced substation or facility perimeter, insulator maintenance), vegetation management (e.g., manual control, mechanical control), equipment upgrades (e.g., reconductoring, tower replacement), and access road improvements. O&M activities were divided into three activity categories (Category A, B, and C) based on level of potential impacts. An analysis of potential environmental effects of activities within each category was presented in the EA and included discussions for biological resources, air quality, cultural resources, recreation, aesthetics, water resources, geology and soils, public health and safety, noise, and traffic and transportation.

The No Action Alternative was also analyzed in the EA. The primary difference between the Proposed Action and the No Action Alternative is the broader application of herbicide use, the installation of fiber-optic cable, tower relocation/realignment, and installation of cellular equipment on existing infrastructure. The Proposed Action also provides a process to streamline the regulatory process for future O&M activities.

Other alternatives that were considered were the Comprehensive Vegetation Removal Alternative and the Prohibition of Herbicide Use Alternative. These, however, were eliminated from full review in the EA due to the potential for adverse effects and the inability to reasonably achieve the project objectives, respectively.

The results of comprehensive biological and cultural surveys were incorporated into a Geographical Information System (GIS) database along with the locations of Western infrastructure. The O&M GIS database is an integral part of Western's O&M program and is used to identify any sensitive biological and cultural resources that may be located in or near an area where O&M activities are planned. In addition, each resource is linked to its corresponding PCM, which must be adhered to by all personnel conducting O&M activities. PCMs are both resource-specific and activity-specific; therefore, they can be combined in a way that is unique to each O&M activity and provides the necessary protection for sensitive resources.

The Proposed Action would not violate applicable Federal, State, or local, laws or requirements imposed for environmental protection. Consultation with U.S. Fish and Wildlife Service and National Marine Fisheries Service under Section 7 of the Endangered Species Act resulted in issuance of two Letters of Concurrence with determinations of Not Likely to Adversely Affect on October 9, 2009, and December 23, 2009, respectively. A Programmatic Agreement under Section 106 of the National Historic Preservation Act was executed on March 1, 2010.

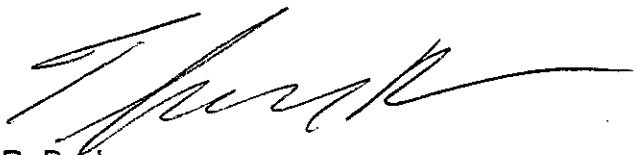
Floodplain Statement of Findings: This is a Floodplain Statement of Findings prepared in accordance with 10 CFR part 1022, and provides a summary and the results of the Floodplain and Wetland Assessment, which is incorporated in the EA.

Western proposes to revise and implement various O&M procedures for its existing North Area electrical transmission line infrastructure, ROWs, communication facilities, and access roads. The existing project area crosses several major rivers, including the Sacramento and San Joaquin Rivers, and their associated floodplains. The Proposed Action would not result in substantive modifications to the floodplain that would alter the capacity of the floodplain to convey and dissipate the volume and energy of peak flows. The Proposed Action has no adverse effects on floodplains, flood hazards, or floodplain management, because of the incorporation of PCMs that reduce risk factors including, but not limited to, erosion control, buffer distances for stockpiles of soil or discarded vegetation, and minimization of disturbance to riparian and wetland vegetation. The

Proposed Action conforms to all applicable State and local floodplain and wetland protection standards to the extent applicable to Federal projects.

Western will not implement the Proposed Action for at least 30 days after publication of this FONSI and Floodplain Statement of Findings.

Determination: Based on the information in the EA, as summarized here in, Western determines that the Proposed Action is not a Federal action significantly affecting the quality of the human environment within the meaning of NEPA (42 U.S.C. §§ 4321-4347); therefore, an EIS is not required and this FONSI is being issued.



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