

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

**DECISION RECORD
CA-660-06-25**

NAME of PROJECT: Blythe Energy Project Transmission Line Modifications Project

DECISION: It is my decision to approve the proposed action (a right-of-way for the Blythe Energy Project Transmission Line across public land) as described in Environmental Assessment (EA) number CA-660-06-25. The approved action is in conformance with applicable land use plans and would not cause unnecessary or undue degradation. In approving the proposed action, I solicited the comments of local jurisdictions, Native American tribes and U.S. Fish and Wildlife Service. The California Energy Commission's (CEC's) Revised Staff Assessment/Draft Environmental Assessment, issued in September 2006 by the Federal agencies and the CEC, addressed several changes to the Proposed Project and alternatives, and provided responses to public and agency comments received. As the Commission Decision did not substantively modify the Revised Staff Assessment, that document constitutes the Federal agencies' Final EA. The Decision incorporates all of the Conditions of Certification detailed in the Final EA, and makes them mandatory mitigation for the modified permit.

PROJECT DESCRIPTION: The proposed project is a 230-kV single-circuit electric transmission line on single-column concrete/steel hybrid pole structures. For most of its 67.4-mile length, the transmission line would be located within a new 95-foot ROW generally north of Southern California Edison's (SCE's) existing Devers - Palo Verde No. 1 (D-PV1) 500-kilovolt (kV) transmission line. Upgrades at the Julian Hinds Substation would also be required. Existing equipment would be modified and new equipment added. The substation area would be expanded by approximately 0.4 acres.

Construction of the Buck Boulevard to Midpoint Substation component would require construction of a new substation. The Applicant's proposed 41.3-acre Midpoint Substation would be located at the intersection of its new transmission line with the existing SCED-PV1 500-kV transmission line. Equipment would be located in the center of the site and would include transformer bus structures, circuit breakers and associated communication equipment. A perimeter road would encircle the equipment within the property boundary, and a buffer of land with native vegetation would separate the perimeter road from the fenced property boundary.

In addition to the above Proposed Project changes, the CAISO and SCE reviews of the Proposed Project indicated the need for additional downstream upgrades to the existing SCE transmission line system, specifically to the Julian Hinds - Mirage 230-kV line. These additions would consist of six new interset poles placed between existing poles in the existing transmission line corridor. The interset poles would keep conductor clearances within utility standards under the additional loads. The pole interset action would be SCE's responsibility under the jurisdiction of the California Public Utilities Commission. The environmental impacts of installing the interset poles were evaluated from the CEQA and NEPA perspective, since they are a reasonably foreseeable connected action resulting from the Proposed Project. However, they are not subject to the same right-of-way grant to cross public lands as this project.

ALTERNATIVES: In addition to the Proposed Project, six of the initial 24 alternatives and the No Action Alternative were carried forward for full consideration in the environmental process. The six alternatives were: Eagle Mountain Alternative, Desert Southwest Transmission Project (DSWTP) Alternative, Devers - Palo Verde 500-kV No. 2 (D-PV2) Project Alternative, Buck Boulevard to Julian Hinds with Reconductoring Alternative, the Larger Capacity Line Alternative, and the Wiley Well Substation Alternative.

The DSWTP, D-PV2, and Buck Boulevard to Julian Hinds with Reconductoring alternatives had greater impacts for the majority of the environmental resources compared to the Proposed Project, primarily due to the longer routes. These three alternatives would not meet BLM's purpose because they would cause larger net environmental impacts than the proposed alternative.

The Eagle Mountain Alternative would have similar impacts as the Proposed Project. However, it would have less impact on biological resources because it would cross approximately 31.7 miles of desert tortoise habitat as compared to 52 miles for the proposed route, and it would avoid the Alligator Rock Archaeological Area of Critical Environmental Concern (ACEC). This alternative would have substantially greater visual impacts because of its proximity to I-10 and Joshua Tree National Park. This alternative would also require an amendment to BLM's California Desert Conservation Area (CDCA) Plan because approximately 11 miles of this alternative route would be located outside the established BLM utility corridor. The Eagle Mountain alternative does not meet BLM's purpose as it would require proliferation of utility corridor authorization and further utility corridor development outside the existing utility corridors shown in the CDCA plan.

The Larger Capacity Line Alternative would be constructed along the same route as the Proposed Project but the transmission towers would be larger to accommodate larger conductors or an additional circuit. This alternative would allow consolidation of several proposed transmission lines into a single line, creating similar short-term impacts as the Proposed Project but greatly reducing cumulative impacts that would result from construction of complete additional transmission lines in or adjacent to the existing D-PV1 500-kV corridor. The cost of this alternative would be substantially greater than the Proposed Project and would require coordination with the applicants for BEP I, BEP II, SCE, the DSWTP proponent, and stakeholders in Arizona. This option would optimize the use of the utility corridor and minimize environmental impacts, thus meeting BLM's purpose. However, this alternative would require a rate-setting and capacity agreement structure involving a California-regulated utility, merchant (i.e. unregulated) providers, and an Arizona nuclear power plant. This structure is not available in California, making this alternative infeasible for the participants.

The Wiley Well Substation Alternative is an alternative to the Midpoint Substation. Impacts would largely be similar to those of the proposed Midpoint Substation. The Wiley Well location is adjacent to existing paved roads and therefore does not require as many miles of improved access roads. However, the Wiley Well Substation would not be preferred to the Midpoint Substation because of its much greater visibility and greater effects on biological resources. Because of the larger impacts on visual and biological resources, the Wiley Well Alternative does not meet BLM's purpose of optimizing the utility corridor.

Although the No Action Alternative may reduce cumulative impacts that would occur from the construction of multiple transmission projects in the same corridor, it is not superior to the Proposed Project, because it would rely on other future projects to transmit electric power to

California markets. Therefore, it does not assure that the objectives to increase the electrical capability of transmission paths between the BEP and additional points of interconnection with the CAISO controlled transmission system and to be in commercial operation within the time frames envisioned by the Proposed Project would be achieved. The No Action alternative would not meet BLM's purpose, as it does not optimize the use of the utility corridor.

The right-of-way shall be subject to stipulations requiring compliance with all mitigation measures identified in the EA which involve public lands under the administrative jurisdiction of the BLM. The right-of-way shall also require compliance with all mitigation measures identified in the EA involving non-federal (private) lands where those measures involve the BLM's obligations under section 7 of the Endangered Species Act and section 106 of the Historic Preservation Act. Upon completion of the project, the holder shall provide an as-built map showing the location of all utilities placed within the ROW.

FINDING OF NO SIGNIFICANT IMPACT: Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided in the attached EA, and having resolved all comments on this project, I conclude the approved action is not a major federal action and would result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. Preparation of an Environmental Impact Statement to further analyze possible impacts is not required pursuant to Section 102(2) (c) of the National Environmental Policy Act of 1969.

APPEALS: This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR), Part 4, and the information provided in Form 1842-1 (enclosed). If an appeal is taken, your notice of appeal must be filed in the Palm Springs-South Coast Field Office, Bureau of Land Management, U.S. Department of the Interior, 690 West Garnet Avenue, P.O. Box 581260, North Palm Springs, California 92258, within 30 days from the date of mailing and the Record of Decision being posted on BLM's website. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time your appeal is being reviewed by the Board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

APPROVED BY: _____

Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
U.S. Department of the Interior
690 W. Garnet Avenue; P.O. Box 581260
North Palm Springs, CA 92258

_____ Date