

ATTACHMENT 1
SUMMARY RESPONSE TO COMMENTS ON
SWIP – SOUTHERN PORTION ENVIRONMENTAL ASSESSMENT
EA NV-040-07-048

INTRODUCTION

Three sets of comments were received on the Southwest Intertie Project – Southern Portion (SWIP – Southern Portion), Environmental Assessment (EA). One set supported the project and EA. Comments in the other two sets can be grouped into five general areas (1) the EA's relationship to information in the 1994 Southwest Intertie Project Environmental Impact Statement (SWIP EIS), (2) the adequacy of the EA's description of the transmission line's impact on ecological and other resources, (3) the purpose and need of the SWIP – Southern Portion and relationship to the White Pine Energy Station (WPES), (4) Cumulative Effects, and (5) Mitigation Measures and the Construction, Operation and Maintenance Plan (COM Plan). Responses to comments in these areas follow.

1. RELATIONSHIP OF THE SWIP – SOUTHERN PORTION EA TO SWIP EIS

The impacts of the Southwest Intertie Project (SWIP) were presented in the 1992 Draft Environmental Impact Statement and the 1994 Final Environmental Impact Statement (SWIP DEIS/FEIS). The purpose of the EA for the SWIP – Southern Portion is to address (1) proposed project modifications that were not covered in the previous EIS or by the Right-of-Way (ROW) granted by the Bureau of Land Management (BLM), and (2) policy and resource updates associated with key environmental resources that may affect the southern project area.

The SWIP DEIS/FEIS disclosed the potentially significant impacts that could result from the construction of the SWIP. The decision to issue the Record of Decision (ROD) and grant the ROW was informed by awareness of these impacts and the ability to reduce them through specified mitigation measures. The EA addresses the current Proposed Action, which is an amendment of the SWIP ROW Grant to provide for two modifications: (1) relocation of the southern terminus of the SWIP transmission line from the previously proposed Dry Lake Substation to the now-existing Harry Allen Substation, and a corresponding, approximately 3.8-mile Right-of-Way Extension (Harry Allen Extension) and (2) a westward shift of the approved site for a substation in the Robinson Summit area to the new Thirtymile Substation site, and corresponding transmission interconnections with the Falcon-to-Gonder 345kV line (Substation Relocation). In addition to the Proposed Action, the EA evaluates relocation of the ROW within the Aerojet Corridor/Coyote Spring Valley (Coyote Springs Realignment) which was mandated by Congress in Section 302(c) of the Lincoln County Conservation, Recreation, and Development Act (LCCRDA) in 2004. The EA also addresses important policy and/or resource changes (Policy/Resource Updates) identified by the BLM.

Sections 4 and 5 of the EA address resource impacts associated with the proposed and mandated ROW modifications, including the extent of disturbance and the mitigation measures that would help ensure that impacts would be less than significant. Section 6 of the EA assesses the key policy and/or resource changes that have occurred since issuance of the SWIP DEIS/FEIS, the ROD, and ROW.

2. ECOLOGICAL AND RESOURCE IMPACTS

Biological Concerns

Listed and Sensitive Species: Section 6 of the EA identifies impacts and mitigation for the Mojave Desert Tortoise, Sage Grouse, migratory birds, and other key animal and plant species identified as sensitive by BLM and the Nevada Department of Wildlife. New species listings and policy changes since the DEIS/FEIS which could affect management of these species are also addressed in this section, which incorporates analysis from the Biological Assessment (BA) for the SWIP – Southern Portion. Raven and Golden Eagle predation of Sage Grouse and Desert Tortoise, and mitigation in the form of targeted use of H-frame transmission towers with perch deterrents, is discussed in Sections 6.2.2 and 6.3.2. A Biological Opinion (BO) prepared by the United States Fish and Wildlife Service (USFWS) in December 2007 concluded that the SWIP – Southern Portion (including the modifications addressed in the EA) is not likely to jeopardize the continued existence of the threatened Desert Tortoise (Mojave population). Impacts to predators, including the Mountain Lion, Coyote, and Bobcat are anticipated to be minimal based on the limited amount of disturbance associated with the proposed modifications and the mitigation measures presented in Sections 4.3.3 and 5.3.1.3 of the EA, the EA Appendices, and the COM Plan.

The EA notes that the Banded Gila Monster could possibly inhabit the area of the Harry Allen Extension and discusses wildlife related impacts and mitigation for this area (pages 3-3 and 4-4). Seventeen lizard species, including the Gila Monster, were addressed in context with the Coyote Springs Realignment (pages 5-3 and 5-14) and a specific reference has been added to this section of the EA. The BA also considered the Gila Monster as a potentially affected species, concluding that the project would not lead to federal listing.

Other Wildlife: The EA discloses that there will be some mortality of small vertebrate species, and general wildlife habitat quality will be degraded from the construction of the transmission line in association with the Harry Allen Extension and for the Coyote Springs Realignment (Sections 4.3.3.1 and 5.3.1.3). Construction of the Thirtymile Substation will also result in some mortality of small vertebrate species and the removal of wildlife habitat on the substation site (Section 4.3.3.2). Wildlife mortality and habitat impacts associated with the Thirtymile Substation and Coyote Springs Relocation modifications would be generally the same as under the existing ROW Grant. Mitigation measures, including limiting access and disturbance to areas previously determined and clearly flagged, controlling speed limits on the ROW, and restoration practices, will assist in reducing impacts to habitat and wildlife.

Noxious Weeds/Vegetation/Wildfire: Only limited populations of noxious weeds were found along the SWIP – Southern Portion (Section 6.5.1), and project construction was given a “low to moderate risk.” Mitigation measures in the Noxious Weed Management Plan, including identification of problem areas, preventative measures, and post-construction reclamation, treatment and monitoring will help eradicate existing populations and minimize potential spread of noxious weeds (Section 6.5.2). Under the ROW Preparation, Rehabilitation, and Restoration Plan, reseeding practices and seed mixes for temporary disturbance areas will discourage establishment of noxious and invasive weeds, including cheatgrass.

The proposed modifications will result in approximately 178 acres of temporary disturbance and 195 acres of permanent disturbance. Temporary disturbance will be restored in accordance with practices and procedures described in Sections 4.3.1.1, 4.3.1.2, and 5.3.1.1 of the EA. ROW

preparation, restoration and reclamation practices to reduce impacts to vegetative communities are also addressed in the COM Plan. Construction, restoration and monitoring practices identified in this plan, together with the Noxious Weeds Management Plan will assist in reducing the short- and long-term effects to native species and the Sagebrush Biome.

Concerns regarding potential wildfire impacts on native vegetation communities are discussed in Sections 3.7 and 5.3.6. Methods to minimize wildfire potential are in Sections 4.8 and 5.3.6.

Hydrological and Climatological Concerns

No springs, seeps, wet meadows, or perennial streams would be affected by the proposed ROW modifications. In areas traversed by the Harry Allen Extension and the Coyote Springs Realignment, impacts to ephemeral drainages are expected to be minimal due to the selective location of towers, limiting the area of disturbance, and implementing erosion control measures. See Section 4.9.1.3 and Section 5.3.7.3.

Water quality impacts to surface and groundwater are expected to be minimal for the Harry Allen Extension (Section 4.9.1.3), the Thirtymile Substation (Section 4.9.2.3), and the Coyote Springs Realignment (Sections 5.2.9.3 and 5.3.7.3). Mitigation, including erosion control and spill prevention measures as presented in the EA (including Appendix A), will also minimize potential water quality impacts.

Coordination with the U.S. Army Corps of Engineers and Nevada Division of Environmental Protection (NDEP) has occurred with regard to the SWIP transmission line and the Thirtymile Substation. No “jurisdictional waters” were identified in the vicinity of the substation site and NDEP did not identify any specific sensitive drainages in this area. The EA notes that several small intermittent drainages descend from the foothills of the area around the substation site and that an unnamed streambed is located near the southwest corner of the substation (page 3-14). As noted in the EA, it is anticipated that this streambed will be avoided and erosion control and spill prevention measures will be incorporated to address potential short- and long-term impacts to this ephemeral drainage (page 4-10).

Global Warming and Desertification

Vehicles and equipment used for construction and maintenance of the proposed facilities will emit carbon dioxide, a greenhouse gas (GHG). The amount of GHGs emissions from these mobile sources will be so small relative to global GHG emissions that a meaningful analysis could not be achieved with current methodology and therefore are not specifically addressed in the EA. The SWIP – Southern Portion has independent utility from proposed or future generation projects, and the GHG and/or climate change implications of such projects, if any, are appropriately addressed in their respective National Environmental Policy Act (NEPA) documents.

Regarding the desertification of watersheds, the Harry Allen Extension and the Coyote Springs Realignment are not anticipated to affect groundwater, and effects, if any, at the Thirtymile Substation will be minimal due to erosion control and spill prevention measures. Desalinization of topsoil or water and reduction of surface waters are not anticipated. Excessive soil erosion and effects to native plant communities will be minimized through construction and restoration

practices presented in the EA, and impacts to soils will be mitigated as described in Sections 4.9.1.2, 4.9.2.2, and 5.3.7.2. Effects to native vegetation communities and the Sagebrush Biome will also be reduced through restoration and reclamation practices, as described above.

Cultural and Paleontological Resources

Cultural surveys identified no cultural resources for the Area of Potential Effect (APE) for the Harry Allen Extension. Within the APE for the Thirtymile Substation and associated interconnections, 18 sites were identified, four of which were determined eligible for listing on the National Register of Historic Places (NRHP). Within the APE for the Coyote Springs Realignment, cultural surveys identified 58 sites, 12 of which were determined eligible for listing on the NRHP. A Historic Properties Treatment Plan will be implemented prior to construction. This plan will be reviewed and approved by the BLM and the Nevada State Historic Preservation Office, and will identify measures to minimize any potential impacts and ensure compliance with Section 106 of the National Historic Preservation Act. Mitigation measures presented in the EA Appendices will also help minimize cultural resource impacts.

Paleontological resource studies concluded that the Harry Allen Extension is within an area of low paleontological sensitivity, ultimately resulting in minimal impacts to paleontological resources. Paleontological sensitivities associated with the Thirtymile Substation and the Coyote Springs Realignment were “undetermined” and it has been recommended that intensive pedestrian field inspections be conducted prior to construction. A Paleontological Resources Treatment Plan has been prepared and includes mitigation measures that would address potential impacts to paleontological specimens identified in the intensive pedestrian field inspection, which will be conducted prior to construction of the proposed project.

Land Use, Land Owner Benefits, and Economic Considerations

Increased Access: The EA addresses access requirements and the resulting impacts for the three modification areas (pages 4-6, 4-7 and 5-15, 5-16). The SWIP EIS identified and analyzed access impacts for the entire alignment and the ROD outlines generic and selective mitigation measures to mitigate access-related adverse impacts. General categories of access type (e.g., existing, new) were identified in the SWIP EIS, subject to detailed and final engineering and design. These access types have been considered in the detailed engineering of the SWIP – Southern Portion and in preparation of the COM Plan. The COM Plan depicts the location of access and identifies mitigation measures associated with existing, improved, and new access.

The EA acknowledges the potential impacts of increased off-road and dispersed access associated with the proposed modifications. Numerous generic and selective mitigation measures have been developed to reduce access related impacts (EA Appendix A).

Additional linear facilities have been proposed for the utility corridor to be occupied by the SWIP – Southern Portion. Consolidation of access within the corridor may result in an overall reduction of access related concerns and/or impacts to the environmental resources within and near the utility corridor. At the appropriate time the BLM, in coordination with the Proponent and other potential users of the utility corridor, will determine which of the newly-constructed access roads will be closed, restored, or retained for operation and maintenance activity. New access roads not required for operation and maintenance of the SWIP – Southern Portion and/or other

planned facilities may be closed using the most effective and least environmentally damaging methods appropriate to that area. Where access is to be restored, the practices identified in the COM Plan will be implemented accordingly. While detailed engineering and the potential to accommodate future lines have required changes to the access originally anticipated in select locations, the overall impacts of access will remain consistent with those presented in the SWIP EIS.

BLM Management Plan and Designated Utility Corridor: The utility corridor for this area is based on Land Use Plan Amendments approved by BLM in the 1994 ROD, specifically for the SWIP transmission line. The decision to locate the SWIP transmission line, and ultimately the broader corridor in this area, was based on an extensive planning process that included review of environmental resource impacts and mitigation during the preparation of the SWIP DEIS/FEIS. With the exception of the modifications presented in the EA, this location remains consistent with the original ROW Grant, and neither the original nor modified grant will prohibit other utilities from maintaining consistent electrical spacing.

The BLM has worked, and will continue to work with the Project Proponent to position the transmission line in a manner that (1) accommodates existing and potential future utilities to the greatest degree possible, (2) minimizes environmental impacts, and (3) maintains consistency with the original ROW Grant. As noted in the cumulative effects section of the EA, this includes consideration for multiple transmission lines, including those proposed by Sierra Pacific Resources and Nevada Power Company. The BLM also has taken additional steps to further accommodate future lines by requiring the SWIP to use double-circuit structures in the Pahranaagat Wash area, south of the Delamar Valley and Dry Lake.

At this time no potentially unused, and/or duplicate ROWs are known to exist in the corridor occupied by the SWIP. Concerns that the SWIP – Southern Portion, if constructed, might go unused are not considered realistic, given the need for additional interconnectivity of the grid and significant interest for additional regional transmission in support of new energy projects including proposed or potential renewable energy resources, as evidenced by the number of transmission line ROW applications being applied for in this area.

Effects to Special Management Areas: There are no Wilderness Areas, Wilderness Study Areas, or Wild and Scenic Rivers within the Harry Allen Extension or at the Thirtymile Substation Site, as described in Section 3.8 of the EA. No Areas of Critical Environmental Concern (ACECs) would be affected by these modifications (Section 4.13). While the Thirty Mile Substation is located within the Loneliest Mountain Special Recreation Management Area, there are no existing or planned recreation sites within close proximity to the substation. Impacts to recreation from the construction and operation of the Thirtymile Substation would be limited to temporary disruption to traffic and access along Jakes Wash Road and U.S. Highway 50 during construction. Mitigation measures identified in the COM Plan regarding the use of signage that notifies the public of the timing for construction activities will help reduce any potential conflicts with users, and additional practices outlined during construction and restoration will help minimize damages to resources in this area and provide for public safety (Section 4.6.2).

With respect to the Coyote Springs Realignment, the Delamar Mountain Wilderness is located east of the realignment and U.S. Highway 93, approximately 0.75 to 2.0 miles from the realignment. No increase in access to the Wilderness is expected from construction of the transmission line in this area (Section 5.3.4). The Desert National Wildlife Range (DNWR), including portions that are proposed for Wilderness designation and are currently being

managed as Wilderness, is located west of the realignment (Section 5.2.7). There is potential for increased off-road and dispersed access to the DNWR from the construction of new access and maintenance roads, however, potential increased off-road access will be limited by closing and reclaiming construction roads not needed for maintenance, and through the use of locking gates or other barriers, to the extent practicable (as described in Section 5.3.4 of the EA).

The Coyote Springs Realignment crosses approximately 1 mile of the Coyote Springs ACEC, which was designated for protection of the Mojave Desert Tortoise and is located in Critical Habitat (Section 5.2.13). Effects to the Coyote Springs ACEC, including mitigation measures to reduce impacts to Desert Tortoise, are addressed in the BO for the SWIP – Southern Portion, including measures presented in Sections 5.3.1.5 and 5.3.11 and Appendix A of the EA.

Landowner Benefits: Grazing lands may be affected in the short-term during construction, and may be displaced in the long-term by permanent roads and project facilities that will displace grazing. While the SWIP – Southern Portion crosses numerous range allotments, the permittees associated with these allotments will not receive any direct financial benefit from the SWIP – Southern Portion. The effects of the Coyote Springs Realignment are presented in Section 5 of the EA. The sponsors of the Coyote Springs Development Project and their plans for development of electrical and water supply infrastructure to serve this Project are separate from, and unrelated to, the SWIP Project and the Project Proponent.

Economic Considerations: Economic concerns were expressed regarding loss of public recreational opportunities, loss of healthy watersheds, and the cost of wildfire and noxious weed suppression. A loss of recreational opportunities is not anticipated in conjunction with the proposed modifications. There are no recreation areas in the immediate vicinity of the Harry Allen Extension (Section 4.6.1) and impacts to the construction and operation of the Thirtymile Substation would be limited to temporary disruption of Jakes Wash Road during construction. In this location, mitigation measures including the use of signage that notifies the public of the timing for construction will help to reduce any potential conflicts. In the location of the Coyote Springs Realignment, the transmission line does not conflict with recreation use (Section 5.3.4).

Given the location of the modifications, the minimal impacts to hydrology and the identified mitigation measures which will be employed to further minimize hydrologic concerns, the health of the watersheds in these areas is not anticipated to be jeopardized by the proposed modifications. Also, the costs associated with the control of noxious weeds and the prevention of wildfires will be the responsibility of the Project Proponent, in accordance with the COM Plan.

3. PURPOSE AND NEED & RELATIONSHIP TO THE WHITE PINE ENERGY STATION

The purpose and need for the modifications to the SWIP right-of-way, which is the proposed action considered in the EA, is presented in Section 1.2. The objective for the SWIP itself is also summarized in Section 1.2 for informational purposes.

In order to provide clarification with respect to the relationship with the WPES, BLM has done the following.

First, we have determined that it would be more appropriate for Section 1.1.1 of the EA to define the analysis area for the SWIP – Southern Portion as that part of the SWIP that runs between the Harry Allen Substation and the proposed Thirtymile Substation. This is consistent with the

independent utility of this part of the transmission line, as identified by Great Basin Transmission, LLC (Great Basin) and reflected in Great Basin's pending application to the Nevada Public Utility Commission for a Utility Environmental Permit Act (UEPA) permit for the Harry Allen to Thirtymile Project. This clarification really only affects Section 6 of the EA, Policy and Resource Updates, because the rest of the EA addresses ROW amendments which are limited to the Harry Allen to Thirtymile portion. The Policy and Resource Update Section of the EA has been revised by removal of specific discussion of resources north of the proposed Thirtymile site, which were minimal, and the maps of the project area have been revised. From a NEPA perspective, the portion of the line north of Thirtymile is more appropriately addressed in the BLM's ongoing review of the SWIP -- Northern Portion, and/or the WPES Environmental Impact Statement being developed by the Ely District Office. This approach is consistent with the initial SWIP ROD, which recognized that the SWIP might be constructed in phases. It will allow Great Basin the flexibility to phase development and construction of the SWIP in a commercially reasonable manner in light of existing system connectivity issues and in response to the evolving generation and transmission situation in the region.

Second, we have added a reference to the WPES in Section 1.1.1 and have also added a brief discussion of the relationship of the SWIP and the WPES to Section 7, Cumulative Impacts as described below.

Given the need for additional interconnectivity of the grid, and significant interest for additional regional transmission in support of proposed or potential renewable energy resources, as evidenced by the number of transmission line right-of-way applications being applied for in this area, it is unlikely that the Southern SWIP, if constructed, might go unused. BLM will make the determination on the scope and timing of notices to proceed for construction with due consideration for prevailing circumstances.

4. CUMULATIVE IMPACTS

Issues raised in the comments included (1) cumulative effects to environmental resources, including those impacted by grazing, and (2) cumulative effects of other energy projects.

Cumulative Effects of the SWIP to Environmental Resources: Cumulative impacts associated with the Harry Allen Extension and Thirtymile Relocation, and with the Coyote Springs Realignment are presented in Section 7 of the EA. That discussion addresses biological resources; cultural and paleontological resources; land use, recreation, and access; visual resources; Wilderness and Wild and Scenic Rivers; wildfire management; earth resources (geology, soils, and water); air resources; hazardous materials; socioeconomic and environmental justice; and, ACECs. Concerns regarding biological resources, including habitat loss, disturbance and fragmentation, increase of access, noxious weeds, and affects to threatened and sensitive species, are addressed in Section 7.4.1 of the EA.

The collocation of the SWIP and other planned linear facilities within a common utility corridor, to the extent possible, should minimize the cumulative effects to all environmental resources in the long-term. The location of the SWIP, as well as other existing and planned linear facilities within this corridor, allows for the consolidation and therefore reduction of the incremental impacts associated with past, present, and future actions within a relatively confined area. In particular, by consolidating these facilities within an established utility corridor, future linear facilities will be located in a well-planned and previously modified setting, and may potentially

benefit from long-term access established for the SWIP, thereby reducing cumulative effects related to impacts resulting from the construction of additional new roads.

Cumulative Effects in Association with Grazing: No grazing allotments are located in the areas of the Harry Allen Extension or the Coyote Springs Realignment. Construction of the Thirtymile Substation and interconnections would displace approximately 81 acres of the 178,716 acre Thirty Mile Spring BLM grazing allotment as described in Section 4.6.2 of the EA. It is not anticipated that construction and operation of this substation will lead to an increase in grazing activities (in fact it would reduce the amount of area potentially used by livestock). It is also not anticipated that construction, operation, and maintenance of the facilities associated with the modifications described in the EA will directly, or indirectly, contribute to grazing related impacts. The impacts associated with the construction and operation of these modifications, when added to grazing related impacts in the region, are not anticipated to be substantial based on (1) the location of these modifications, (2) their placement in an area with the potential to consolidate future facilities, and (3) the mitigation measures as presented in Section 7.4 of the EA, which will minimize impacts to watersheds and plant and animal communities and habitat, and will prevent or minimize the spread of noxious weeds.

Cumulative Effects of Other Energy Projects: Table 7-1 in Section 7 of the EA catalogues the past, present and reasonably foreseeable future actions (including energy related projects) in the region which, due to general proximity, could potentially have cumulative impacts with the SWIP ROW modifications considered in the EA. These projects have been taken into account (as appropriate) in the description of cumulative effects to environmental resources as presented in Section 7.4 of the EA. In addition, several other NEPA documents for energy related facilities have also been completed which include the SWIP in their cumulative analyses. A description of these NEPA documents is provided in Section 7.3 of the EA. In addition, and as previously described, a brief discussion has been added to Section 7 providing additional clarification with respect to the relationship of the SWIP and the WPES. That discussion clarifies that while the WPES is unlikely to be constructed to full build-out without the SWIP, the SWIP has independent utility and all or a portion of it may be built in the absence of the WPES. This discussion is consistent with the discussion in the Draft EIS for the WPES.

5. MITIGATION MEASURES AND COM PLAN

The BLM received a preliminary COM Plan from the Project Proponent in March of 2007. The plan was used by the BLM to assess potential resource impacts in the EA. The EA summarizes key mitigation measures included in this plan. A current COM Plan is on file in the Ely District Office, the Caliente Field Office, and the Southern Nevada District Office.

These generic and selective mitigation measures are discussed in the EA and included in Appendix A. They represent the range of measures that could be applied to address impacts associated with the three areas of modification or in context with key policy and resource changes since the Final SWIP EIS and ROD. Mitigation measures, including the terms and conditions of the BO issued by the USFWS on December 20, 2007, are presented in the BO which has also been included in Appendix B of the EA and the COM Plan.

Key mitigation measures to address specific resource impacts associated with the Harry Allen Extension and the Thirtymile Relocation are described in Section 4 of the EA. Mitigation measures to address resource impacts associated with the Coyote Springs Realignment are

presented in Section 5.3, and those that apply to key policy and/or resource changes that have occurred since the SWIP DEIS/FEIS are presented in Section 6. These measures include those identified in the original SWIP as well as additional measures determined to be applicable since the issuance of the ROD and subsequent ROW Grants. Additional mitigation measures have been proposed by Great Basin or requested or required by the BLM, USFWS and other resource agencies, in connection with the preparation of the EA and the BA, BO, and COM Plan. All of the mitigation measures from these various sources have been incorporated in the COM Plan, and compliance with that plan would be included as an enforceable stipulation in the amended ROW Grant, just as it is in the original SWIP ROW Grant as presented in the Decision Record for the EA.