Chapter 1 – Purpose and Need

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CHAPTER 1 – PURPOSE AND NEED

1.1 Introduction

This Environmental Impact Statement (EIS) is being prepared in response to an Application for Transportation and Utility Systems and Facilities on Federal Lands (Standard Form 299), submitted by PacifiCorp (doing business as Rocky Mountain Power, the Proponent) to the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) (UTU83067). The original application was submitted and received on December 19, 2008, and revised by the Proponent on September 11, 2009, to reflect changes in the Project description. The BLM has prepared this EIS to evaluate and disclose the potential Project-related environmental impacts that could result from implementation of the Proposed Action and alternatives.

The Proponent proposes to construct, operate, and maintain a single-circuit, alternating-current (AC), overhead transmission line from the Sigurd Substation near Richfield in Sevier County, Utah, to the Red Butte Substation near the community of Central in Washington County, Utah, a distance of approximately 160 miles depending on the route selected (Maps 1-1 and 1-2). The Sigurd to Red Butte No. 2 – 345-kilovolt (kV) Transmission Project (Project) also includes the addition of new substation equipment for interconnecting the transmission line at the existing Sigurd Substation. Construction of the Project is planned to begin in October 2012. The critical in-service date for the Project is June 2014.

Approximately 470 miles of alternative routes, through Sevier, Millard, Beaver, Iron, and Washington counties are evaluated for the transmission line. Portions of the proposed transmission line cross land administered by three BLM field offices (the Cedar City, Fillmore, and Richfield Field Offices) and two national forests (the Dixie and Fishlake National Forests). For this reason, the Proponent applied to the BLM and USFS for right-of-way across federal land for the Project. Under the Proposed Action (Chapter 2), the BLM would grant a right-of-way and the USFS would issue a special-use permit to the Proponent for constructing, operating, and maintaining the proposed transmission line and associated facilities.

The BLM serves as the lead federal agency for preparing the EIS and published a Notice of Intent (NOI) to prepare the EIS in the *Federal Register* on January 5, 2010. Fourteen agencies, including the USFS, are participating as cooperating agencies in preparation of the EIS (Chapter 5).

After reviewing the scope of the Project, the BLM and USFS determined granting a right-of-way and special-use permit, respectively, for the proposed transmission line and associated facilities is a major federal action and would require preparation of an EIS in compliance with the requirements of the National Environmental Policy Act of 1969 (NEPA), as amended (United States Code [U.S.C.]: Title 42, Chapter 55, § 4321 et seq. [42 U.S.C. 4321 et seq.]), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA (Code of Federal Regulations [CFR]: Title 40, Parts 1500–1508).

This chapter is organized in the following sections:

- 1.2 – Project Need: summarizes the Proponent's statement of purpose and need for the Project, and describes the agencies' purpose and need.
- 1.3 – Decisions to be Made: describes the decisions to be made by the BLM and USFS.

- 1.4 – Scoping and Public Involvement: summarizes the scoping process and other public involvement, issues identified and where they are addressed in the EIS, and issues considered but eliminated from detailed analysis.
- 1.5 – Relationships to Policies, Programs, and Plans: describes law, regulation, and agency guidelines guiding the preparation of the EIS, the West-wide Energy Corridor Programmatic EIS, land use plans, and consultation and coordination.
- 1.6 – Relationship to Other Plans: describes conformance with land use plans of counties crossed by the alternative routes.
- 1.7 – Major Authorizing Laws and Regulations: lists the major authorizing laws and regulations relevant to the Project with which the federal agencies must comply.
- 1.8 – Federal, State, and Local Permits: lists the major federal, state, and local permits and approvals that could be required for the Project.

1.2 Project Need

1.2.1 Proponent's Purpose and Need

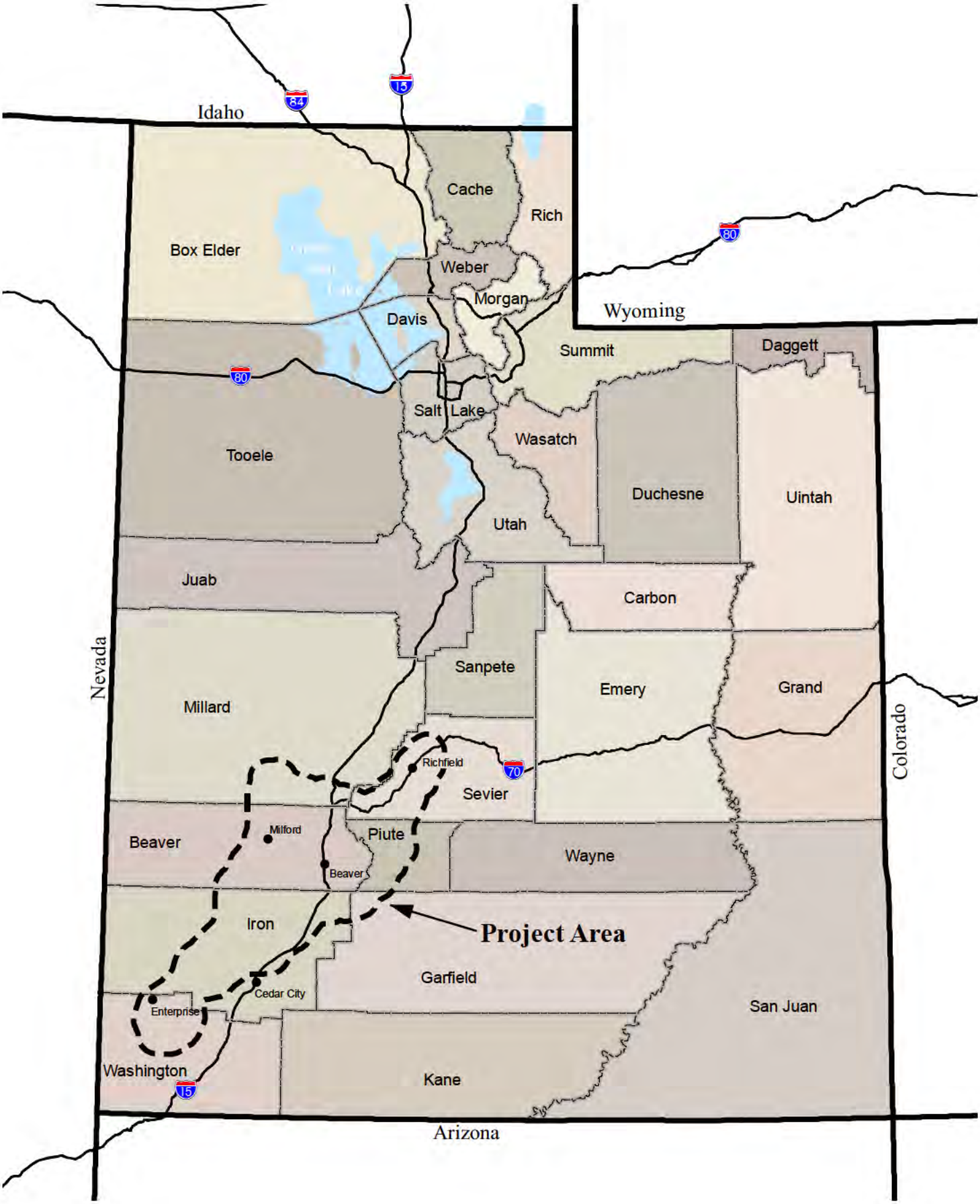
As a regulated utility, the Proponent is responsible to provide its customers with safe, reliable adequate transmission capacity to meet short- and long-term projected load growth via connection to existing and new energy generation resources and through access to energy markets. As part of a forward-looking and long-range transmission plan to meet customer requirements, the Project addresses the Proponent's need to meet these obligations by adding facilities to its transmission system that would improve reliability and increase the capacity required to serve forecasted loads in Utah. The Project would allow for potential access to new energy resources, including renewable energy, in the future and would provide increased capacity to export energy in the event of energy surpluses. These factors are summarized below and described in greater detail in Appendix A – Proponent's Purpose and Need.

1.2.1.1 Need to Improve Capacity

The full-rated capacity of the southwestern Utah electrical system, including the existing Sigurd to Red Butte No. 1 – 345kV transmission line, is expected to be exceeded by 2014. At that time, load growth in southwestern Utah will surpass the capability of the existing transmission system. New facilities must be constructed to provide sufficient and reliable capacity for load service.

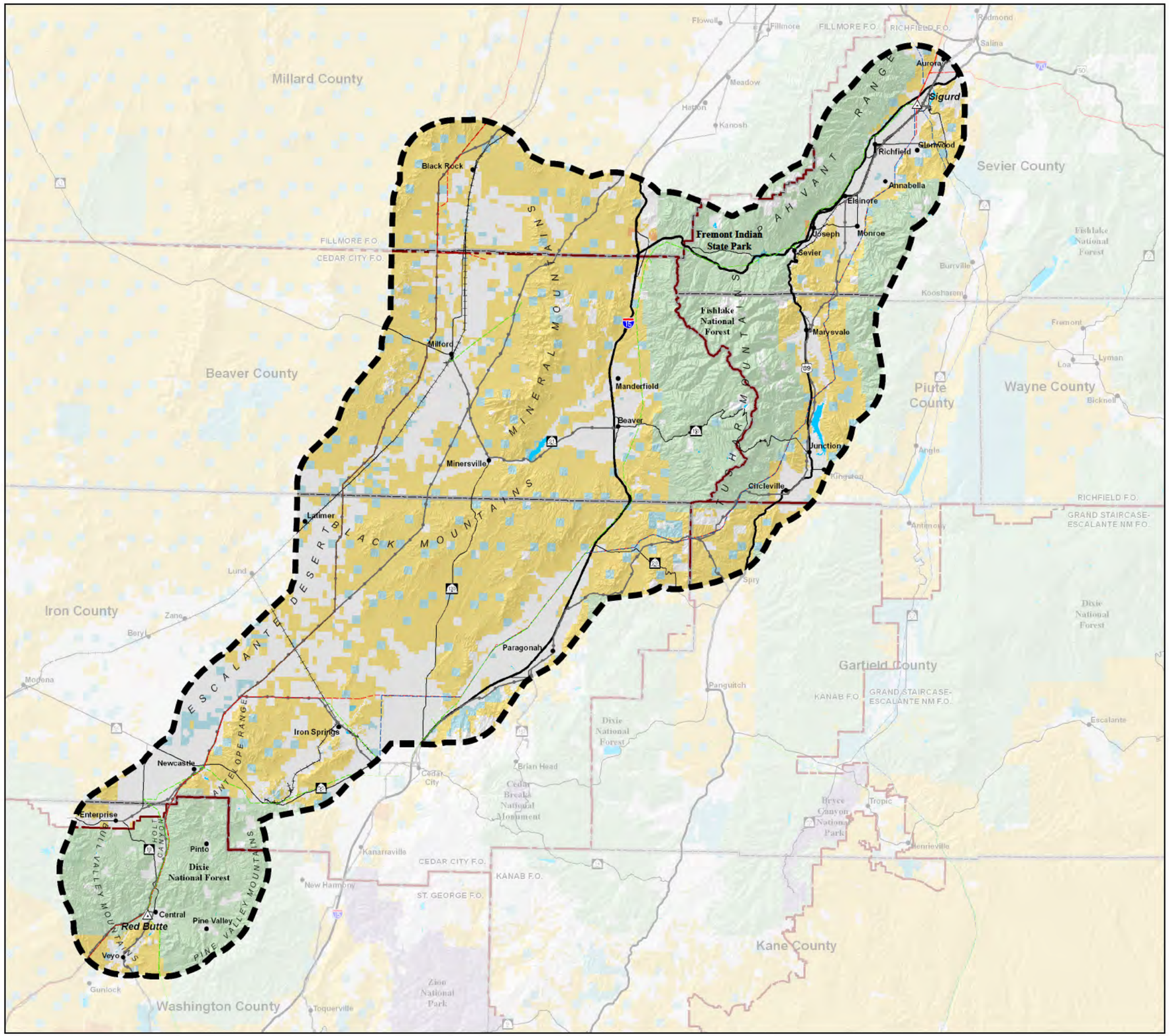
1.2.1.2 Need to Allow Power Sales, Transfers, and Purchases

The Proponent proposes to augment the existing transmission system's capacity to meet the projected load demand of southwestern Utah. In addition, under its Open Access Transmission Tariff (OATT), the Proponent has transmission-service-contract obligations for firm transmission service into and out of southwestern Utah. The current system supports up to 300 megawatts (MW) of transfers (nonsimultaneous) between southwestern Utah and southern Nevada. The Proponent has contractual commitments to deliver 400 MW of additional service from Utah into Nevada beginning in 2013 and has received requests for 600 MW of imported power beginning June 2012. Thus, the Proponent needs additional transfer capacity between the existing Sigurd and Red Butte substations to meet its contracted



Project Vicinity
Map 1-1

MAP 1-2
PROJECT AREA



LAND OWNERSHIP

- Bureau of Land Management
- Indian Reservation
- National Park Service
- Private
- State of Utah Trust Lands
- State Park
- U.S. Forest Service

GENERAL REFERENCE FEATURES

- Project Area
- Substation
- 500kV +/- DC Transmission Line
- 345kV Transmission Line
- 230 to 287kV Transmission Line
- 138 to 161kV Transmission Line
- Pipeline
- BLM Field Office Boundary
- County Boundary
- Interstate & U.S. Highway
- State Highway
- Railroad
- Lake, Pond, or Reservoir

SOURCES:
Transportation: Streetmap 50K to 250K, 2008
Land Jurisdiction: BLM State Office Utah, 2008
POWERmap, powermap.platts.com

NOTES:
Substation locations are schematic and do not necessarily represent precise locations.

0 6 12 24 Miles

May 2011

DRAFT EIS

SIGURD TO RED BUTTE NO. 2
345kV TRANSMISSION PROJECT

NATIONAL SYSTEM OF PUBLIC LANDS

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transmission obligations by 2014. To meet the projected demand, the Proponent must upgrade the total capacity of the existing transmission path. The proposed transmission line would meet this need by increasing the rated capacity of the transmission system in southwestern Utah to accommodate regional power transfers, as well as local load (i.e., electrical demand within the Proponent's service territory).

1.2.1.3 Need to Provide Reliable Transmission

The Western Electricity Coordinating Council (WECC), in conjunction with the North American Electric Reliability Corporation (NERC), has established System Planning and Operating Criteria that all transmission providers within the Western Interconnection must follow when planning and operating their transmission systems (NERC/WECC 2005, WECC 2008). These standards and criteria require transmission providers to evaluate expected normal and potential abnormal operating conditions and plan adequate redundancy in the system (e.g., provided through construction of multiple transmission lines; locating multiple lines in wide, geographically diverse transmission corridors) to meet expected system reliability performance. These standards and criteria define both the expected level of event severity (single and multiple lines out) and acceptable system performance requirements. In part, the standards require transmission providers to evaluate multiple adjacent line outages and, when applicable, the outage of all lines in a corridor to ensure the outage does not result in a cascading and uncontrolled loss of generation stations and outages of customer loads. While these standards and criteria exist for performance and reliability, it is the responsibility of the transmission provider, based on operational history and experience, to plan, design, and site transmission projects to meet system performance requirements and manage reliability, risks, and costs.

Without the new transmission line, peak load in southwestern Utah could not be served during line outage contingencies. If designed in a manner that meets the Proponent's system planning criteria (developed in response to NERC and WECC standards and criteria and based on history and experience), the Project would provide redundancy to the existing infrastructure (e.g., Sigurd to Red Butte No. 1 transmission line) and substantially improve the Proponent's ability to provide reliable electrical service to its customers as mandated by federal and state agencies.

1.2.1.4 Service Load

The Project would support future regional electrical load growth in southwestern Utah (described in Appendix A) and also would improve the ability of the Proponent's transmission system to transport energy into central Utah. Due to the interconnected nature of its transmission system, this Project would benefit the Proponent's system in a regional context.

1.2.1.5 Access to Potential Renewable Generation Sources

A new transmission line would provide improved access to existing and new generation sources and would provide options to access other energy resources, including renewable resources. While the Project is independent of, and would be built regardless of, any new generation project or other transmission lines, the enhancement of the existing transmission systems' geographic extent and system capacity would allow flexibility to use future generation and transmission facilities.

1.2.2 Agencies' Purpose and Need

The purpose of this federal action is to respond to the Proponent's application to the BLM and USFS for right-of-way for the Project across the federal lands they administer.

The purpose and need of both the BLM and USFS stems from the overarching policy and direction in the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, and its mission, which is multiple-use, sustained-yield management of the National System of Public Lands and National Forest System lands. FLPMA also provides BLM and USFS with discretionary authority to grant rights-of-way on lands they administer, taking into consideration impacts on natural and cultural resources (including historical resources). In doing so, BLM and USFS must endeavor ~~to~~ minimize damage to scenic and esthetic values and fish and wildlife habitat and otherwise protect the environment" through avoidance or mitigation.

The agencies' purpose and need is further guided by the Energy Policy Act of 2005 (EPAct), which recognized the need to improve domestic energy production, develop renewable energy resource, and enhance the infrastructure (e.g., transmission lines) for collection and distribution of energy resources across the nation. To this end, the BLM and USFS are charged with analyzing applications of utility and transportation systems on federal lands they administer.

1.3 Decisions to be Made

The decision to be made by each agency is whether or not to grant the Proponent a right-of-way to construct, operate, and maintain the proposed facilities on lands they administer and under what terms and conditions. In so doing, the BLM (as lead agency) will analyze, through the EIS, the Proponent's plan for, and the potential environmental impacts of constructing, operating, and maintaining the Project. Based on the analysis presented in this EIS, the BLM will issue a Record of Decision (ROD) whether or not to grant right-of-way on land administered by the BLM, and the USFS will issue a ROD whether or not to grant special-use authorization for right-of-way on land administered by the USFS.

1.4 Scoping and Public Involvement

1.4.1 Process Summary

Publication of the NOI in the *Federal Register* on January 5, 2010, initiated the formal 45-day period to solicit comments on the Project from federal, state, and local agencies; American Indian tribes; and the public early in the preparation of the EIS. The BLM later extended the length of the formal comment period to 60 days. The purpose was to identify the range, or scope, of issues to be addressed in the EIS. In addition, a comprehensive public involvement effort provided opportunities to receive comments on the Project at key milestones during preparation of the EIS.

The range of issues, summarized in Section 1.4.2 and addressed in the EIS, was derived from the ongoing public involvement and scoping process. Activities that assisted in identifying the issues related to the Project are listed below.

- BLM and interagency meetings (listed in Appendix C) were held to discuss the Project and solicit comments.

- BLM sent letters to American Indian tribes that may have interest in cultural resources in the Project area.

- The Project and public scoping meetings were announced in the *Federal Register* NOI and a legal notice in five local newspapers.

- A newsletter was distributed to entities on the Project mailing list, which included federal, state, and local agencies; special interest groups; and individuals on mailing lists maintained by the BLM Cedar City, St. George, Kanab, Fillmore, and Richfield Field Offices and the Dixie and Fishlake National Forests.

- A telephone voice-message information line, at (801) 349-2893 and (888) 666-6470, was established to provide an opportunity for the public to learn about the status of the Project and/or request information.

- A Project website was established that contains a brief description of the Project, the need for the Project, and a Project timeline. The website is available at http://www.blm.gov/ut/st/en/fo/cedar_city/planning/sigurd_red_butte.html/ with a link to submit comments via email at utsrbproj@blm.gov.

- The Project was posted on the BLM Environmental Notification Bulletin Board (ENBB) website https://www.blm.gov/ut/enbb/index.php, NEPA log number C010-2009-0048.

- Four formal public scoping open-house meetings were held in February 2010 in St. George, Enterprise, Milford, and Richfield, Utah, to introduce the Project, explain the purpose and need for the Project, describe the Project, explain the planning and permitting process, and solicit comments useful for the environmental analysis.

Verbal comments received during the scoping meetings were documented. Written comments were accepted by the BLM at the scoping meetings, by email, and by U.S. mail. All comments received to date were analyzed and assisted in defining the issues to be analyzed for the EIS. A more detailed description of the scoping process, comments received, and results is presented in the Sigurd to Red Butte No. 2 – 345kV Transmission Line Project EIS Scoping Report (BLM 2010a), which is available for review on the BLM Project website and at the three BLM field offices and two national forests participating in preparation of the EIS. More description of the public involvement efforts is presented in Chapter 5 – Consultation and Coordination.

1.4.1.1 Proponent-Initiated Activities

The Proponent convened two Community Working Groups (CWGs), each representing diverse interests within the northern and southern portions of the Project area, including representatives from Beaver County, Sevier County, Iron County, Millard County, Washington County, City of St. George, City of Parowan, Delta City, Richfield City, Fillmore City, the Wildlife Association, Sevier Citizens for Clean Air and Water (SCCAW), Southern Utah Wilderness Alliance (SUWA), Paiute Tribe, Six County Association of Governments, Fremont Indian State Park, and various landowners and ranchers. The CWGs were asked to provide input to the Proponent (i.e., issues, concerns, data) as the siting process progressed. To date, the CWGs have met on three occasions at key points during the planning process. Issues raised by the CWGs were communicated to the BLM by the Proponent and addressed in the EIS.

1.4.2 Issues Addressed

The issues identified from scoping were used to identify, refine, and evaluate alternative routes, and to direct the level of effort needed for each of the environmental resource studies. The issues are related to the Project purpose and need, alternative routes, air quality, noise, geology, soils and paleontological resources, water resources, wildlife and vegetation, wildland fire ecology and management, cultural resources, visual resources, land use and recreation resources, social and economic conditions, health and safety, and electronic device reception interference. Table 1-1 is a list of the issues raised during scoping and where each issue is addressed in the EIS.

TABLE 1-1
ISSUES RAISED BY THE PUBLIC AND GOVERNMENT AGENCIES

Issue	Section(s) of the EIS Where Addressed[1]
Project Purpose and Need	
Is there a need for additional electrical transmission?	1.2, Appendix A
Alternative Routes	
What would be the effects of granting right-of-way or issuing a special-use permit using corridors designated in the West-wide Energy Corridor (WWEC) EIS and other designated utility corridors? [2]	1.5.2, 2.4.1.1, 3.2.1.3, 3.2.2.3, 3.2.3.4, 3.2.3.5, 3.2.5.4, 3.2.6.4, 3.2.7.5, 3.3.5, 3.6.2.3, 3.7.5
What would be the effects of granting a right-of-way or issuing a special-use permit outside a designated-utility corridor to address the Proponent's concern about separation of high-voltage transmission lines to maintain system reliability?[2]	3.2.1.3, 3.2.2.3, 3.2.3.4, 3.2.3.5, 3.2.5.4, 3.2.6.4, 3.2.7.5, 3.3.5, 3.7.2.3, 3.7.5
Air Quality	
How would fugitive dust generated by Project construction activities be controlled?	Table 2-6, 3.2.1
Noise	
What would be the potential effects of noise from Project construction activities on wildlife?	Table 2-6, 3.2.4, 3.7.1.3
Geology, Soils, and Paleontological Resources	
What would be effects of the Proposed Action on soils on steep slopes?	3.2.2.4
What would be effects of the Proposed Action on areas of unstable soils and fault lines?	3.2.2
What would be effects of the Proposed Action on paleontological resources?	3.2.7
Water Resources	
What would be the effects of the Proposed Action on surface water quality and on groundwater quantity and quality from Project construction activities?	Table 2-6, 3.2.3
What would be the effects of the Proposed Action on community water supplies?	Table 2-6, 3.2.3
Wildlife and Vegetation	
What would be the effects of the Proposed Action on fish and wildlife species and habitats, including the following:	3.2.4
■ Utah prairie dog colonies?	3.2.4
■ Sage-grouse areas and high-priority habitats?	3.2.4
■ Burrowing owl?	3.2.4
■ Deer (winter range)?	3.2.4
■ Habitat potentially occupied by raptors?	3.2.4
What would be the effects of the Proposed Action if timing limitations for a variety of wildlife species and habitats (e.g., critical seasonal ranges, crucial habitats, parturition areas, migration corridors, etc.) were implemented?	2.3.5.1

TABLE 1-1
ISSUES RAISED BY THE PUBLIC AND GOVERNMENT AGENCIES

Issue	Section(s) of the EIS Where Addressed[1]
What would be the effects of the Proposed Action on riparian areas and wetlands and sensitive plant populations and potential habitats?	3.2.3
What would be effects of Project construction activities on the potential spread of noxious weeds and invasive species?	3.2.4
Wildland Fire Management	
What is the risk of potential fires caused by Project construction activities and/or presence of the powerline?	3.5
What would be the effects on the Proposed Action considering the limited ability of the USFS and BLM to manage fire in remote areas?	3.5
Cultural Resources	
What would be the effects of the Proposed Action on archaeological and historic sites, cultural resources dependent on visual settings (e.g., national historic trails), and traditional cultural properties (TCP)?	3.2.5
What would be the effects of the Proposed Action on the Old Spanish Trail, Fremont Indian ancient mine workings, and Cove Fort Historic Site?	3.2.5
Visual Resources	
What would be the effects of the Proposed Action on BLM-administered lands where visual resource management classifications have not been assigned and where background data are not available?	3.2.8
What would be the effects of the Proposed Action on the historic setting of sensitive cultural areas?	3.2.5.3
What would be the effects of the Proposed Action on sensitive viewing areas around Pine Valley?	3.2.8
Land Use and Recreation Resources	
What would be the effects of the Proposed Action on management of various designated recreation areas and management areas, such as inventoried roadless areas (IRAs), wilderness study areas, state parks, and lands with wilderness characteristics within the Project area?	3.3
What would be the effects of the Proposed Action on private land uses and impacts from construction on permitted grazing operations on BLM-administered lands?	3.3
What are the specific county planning and zoning restrictions that may affect Project siting?	3.3
What would be the effects of the Proposed Action on recreation areas?	3.3
Would the Proposed Action affect unauthorized public access resulting in poaching and vandalism?	3.2, 3.2.6.3
What would be the effects of the Proposed Action on current land uses?	3.3
What would be effects of the Proposed Action on livestock grazing?	3.3.4, 4.2
What would be effects of the Proposed Action on rangeland health standards?	3.3.4, Table 3-60
What would be the effects of the Proposed Action on wild horses?	3.2.4.5
What would be the effects of the Proposed Action on planned future development?	3.3
Would the Proposed Action affect unauthorized use of all-terrain vehicles (ATV) along construction access roads?	3.3.5
What would be the effects of the Proposed Action on low-flying military aircraft?	3.3
Social and Economic Conditions	
What would be the indirect and qualitative effects of the Proposed Action on local tourism in affected areas?	3.6
What would be the availability of employment for the local workforce during Project construction, operation, and/or maintenance of the Proposed Action?	3.6

TABLE 1-1
ISSUES RAISED BY THE PUBLIC AND GOVERNMENT AGENCIES

Issue	Section(s) of the EIS Where Addressed[1]
What would be the effects of the Proposed Action on electricity rates and ratepayers?	3.6.2.2
What would be the effects of the Proposed Action on environmental justice populations?	3.6.1.8
What would be the effects of the Proposed Action on property values?	3.6.2.2
What would be effects of the Proposed Action on businesses?	3.6
Health and Safety	
What would be the effects of electric and magnetic fields (EMF) from the transmission line on humans (including those with pacemakers) and animals?	3.7
What would be the effects of "spark-gap" transmissions on health and safety?	3.7.1.4
Electronic Device Reception Interference	
What would be the effects of the Proposed Action on cellular phone reception in the areas of Minersville and Richfield?	3.7
What would be the effects of the Proposed Action on communication resources (radio and television)?	3.7

NOTE: [1]Sections providing background information that assists in understanding issues, concerns, and/or impacts are listed in this column.
[2]The environmental effects of each alternative are discussed in the sections listed. See Tables 3-61 and 3-62 for designated utility corridor mileage for each alternative.

1.4.3 Issues Considered but Eliminated from Detailed Analysis

The following resources were either not present in the Project area or were not relevant to the issues and concerns identified during agency and public scoping and, thus, were not analyzed in the EIS:

- Areas of Critical Environmental Concern
- Wilderness Study Areas and Lands with Wilderness Characteristics
- National Recreation Areas
- Cave and Karst Resources
- Research Natural Areas

1.5 Relationship to Policies, Programs, and Plans

1.5.1 Law, Regulation, and Agency Guidelines

Major federal actions that may have significant impacts on the human environment require preparation of an EIS. To this end, consideration of the Project is pursuant to NEPA, and is consistent with federal guidelines for implementing NEPA, including the CEQ Regulations for Implementing the Procedural Provisions of NEPA outlined in 40 CFR Parts 1500-1508 and USFS NEPA procedures codified at 36 CFR 220; U.S. Department of the Interior (USDI) guidance in 43 CFR Part 46, BLM policies and manuals (BLM NEPA Handbook H-1790-1; and U.S. Department of Agriculture (USDA), USFS directives, manuals, and handbooks (USFS Handbook 1909.15, NEPA Handbook, July 2008).

1.5.2 West-wide Energy (Section 368) Corridors

In response to a requirement in Section 368 of the EPAct, a Programmatic EIS was prepared to identify corridors in 11 western states (Washington, Oregon, Idaho, Montana, Wyoming, California, Nevada, Utah, Colorado, Arizona, and New Mexico) to accommodate linear facilities (e.g., pipelines, transmission lines). A Draft Programmatic EIS (Department of Energy [DOE] EIS-0386) was published and a public comment period on the document closed February 14, 2008. The Final Programmatic EIS was issued on November 28, 2008, and the individual RODs by the BLM (BLM/WO-GI-09-005-1800) and USFS were issued on January 14, 2009. Where the Programmatic EIS identifies new corridors across federally administered lands, the Programmatic EIS also amends the relevant land management plans to include the newly designated corridors. The Programmatic EIS designates corridors only on federally administered lands; therefore, no corridors are designated crossing lands of other jurisdictions or ownership.

The approved Resource Management Plan (RMP) Amendments/RODs for Energy Corridors on BLM-administered lands in the 11 Western States designate energy corridors and provide guidance, best management practices (BMPs), and mitigation measures to be used where transmission lines are proposed across public lands. Designation of corridors does not require their use by a Proponent, and such designation does not exempt the federal agencies from conducting an environmental review on each project.

Although designation of corridors does not require their use for the Project, the BLM must consider transmission line alternative routes within or immediately adjacent to these corridors as part of the identification of the environmentally preferred alternative, as required under CEQ regulations, unless technical issues associated with the use of these corridors would preclude the Project from meeting the Proponent's purpose and need. BLM's consideration of alternative routes within these corridors also ensures compliance with NEPA and CEQ regulations for exploring all reasonable alternatives, and FLPMA requirements for using common rights-of-way to the extent practical.

1.5.3 Land Use Plans

BLM and USFS lands are administered with direction from land use plans that establish the goals and objectives for the management of the resources that would be affected by the Proposed Action. The Project area includes lands administered by three BLM field offices (the Cedar City, Fillmore, and Richfield Field Offices) and two national forests (the Dixie and Fishlake National Forests). The relevant approved and proposed management plans (and plan amendments) include the following:

- Cedar/Beaver/Garfield/Antimony Resource Area Resource Management Plan, as amended (CBGARMP) (BLM 1986a)—BLM Cedar City Field Office
- Warm Springs Resource Area: The Resource Management Plan, ROD Rangeland Program Summary (WSRMP) (BLM 1987)—BLM Fillmore Field Office
- Pinyon Management Framework Plan (PMFP) (BLM 1983)—BLM Cedar City Field Office;
- Proposed Land and Resource Management Plan (LRMP) for the Dixie and Fishlake National Forest (USFS 2006)
- Richfield Field Office ROD and Approved Resource Management Plan (RFORMP) (BLM 2008b)—BLM Richfield Field Office
- St. George Field Office ROD and Resource Management Plan (SGFORMP) (BLM 1999)
- Dixie National Forest LRMP (USFS 1986b)
- Fishlake National Forest LRMP (USFS 1986a)

The implementation of the Proposed Action or alternatives is in conformance with these plans, as required by 43 CFR 1610.5-3.

1.5.4 Consultation and Coordination

In conformance with CEQ regulations implementing NEPA, the BLM invited 20 federal and state agencies and local governmental entities to participate as cooperating agencies in the preparation of the EIS (40 CFR 1501.6). Of the 20 invited, 14 accepted the invitation and are participating. The agencies invited are listed below; those participating are marked with an asterisk.

Federal Agencies

- USFS
  - Dixie National Forest*
  - Fishlake National Forest*
- U.S. Army Corps of Engineers (USACE)*
- National Park Service

Utah State Agencies

- Utah Governor's Public Land Policy Coordination Office (PLPCO)*
- School and Institutional Trust Lands Administration (SITLA)*

Local Governments

- Counties: Sevier*,Millard*, Beaver*, Washington*, and Iron*
- Municipalities: Aurora, Beaver, Elsinore, Enterprise*, Joseph, Milford, Minersville, Richfield, St. George*

The BLM formed an Agency Interdisciplinary (ID) Team, including all cooperating agencies, that meets bi-weekly to discuss the status of the Project and any issues needing agency input. Also, the Agency ID Team has assembled for workshops at four key milestones of the process.

In addition, the BLM formed two subgroups of the Agency ID Team — Biological Resources Task Group and Cultural Resource Task Group — to specifically address issues associated with, and needing to be addressed in, the EIS and through consultations. The BLM initiated consultation with the U.S. Fish and Wildlife Service (FWS) under Section 7 of the Endangered Species Act of 1973 (ESA) and with the Utah State Historic Preservation Officer (SHPO) under Section 106 of the National Historic Preservation Act of 1976 (NHPA) that can be conducted concurrently and integrated with the EIS; that is, ESA Section 7 and Historic Preservation Act Section 106. Also, the BLM contacted American Indian tribes that may have an interest in cultural resources in the Project area and initiated government-to-government tribal consultation with the Paiute Indian Tribe of Utah.

A more detailed description of the consultation and coordination efforts is provided in Chapter 5 – Consultation and Coordination.

1.6 Relationship to Other Plans

The BLM reviewed the land use plans of the state of Utah, Beaver County, Iron County, Millard County, Sevier County, and Washington County, and considered the land management objectives and policies established in the plans.

There is no comprehensive State of Utah plan for the Project area. SITLA manages the majority of state land within the Project area, and its mandate is to produce funding for the state's school system. SITLA

makes surface lands available for easements for roads, pipelines, power, and transmission lines. Easements generate funds for SITLA; therefore, construction and operation of the Project in an easement across state land is consistent with its objectives.

The *Beaver County General Plan* (1999) acknowledges federal land within the county, which is used for livestock grazing, mineral extraction, and open space. The USFS manages the majority of forest land within the county; these lands have multiple uses, which include recreation, timber cultivation and harvest, grazing, wildlife habitat, and watersheds. The plan also encourages cooperation with federal agencies in decisions affecting the management and use of recreational facilities and road improvements to federally administered lands. The Project is in conformance with the Beaver County General Plan since it would have minimal impact on livestock grazing, mineral extraction, recreation, wildlife habitat, watersheds, and timber sales.

The *Iron County General Plan* (1995) encourages coordination with federal agencies in decisions affecting the management of public land, which is used for livestock grazing, recreation, mineral extraction, and timber sales. The plan emphasizes the importance of allowing for grazing livestock and the need for recreation on federally administered land. The *Iron County General Plan* also encourages federal land exchanges within the county. The Project is in conformance with the *Iron County General Plan*.

The *Millard County General Plan* (1998) supports federal land management plans that allow multiple uses of public land, which is used for livestock grazing, mineral extraction, rock hounding, recreation, wildlife habitat, telecommunications, water resource development, timber sales, and tourism. The plan emphasizes the importance for recreation on federally administered land and supports the continued maintenance and preservation of adequate public access. The *Millard County General Plan* also encourages cooperation with federal agencies in decisions affecting the management of federal lands, including federal land exchanges within the County. Millard County recognizes the need for utilities and requires utility facilities to be located within county-designated utility corridors. A general plan amendment would be required for the Project to be in conformance with the *Millard County General Plan*.

The *Sevier County General Plan* (1998) supports federal land management plans that allow multiple uses of public land, which is used for agriculture grazing, fishing and hunting, mineral extraction, recreation, wildlife habitat, and timber sales. The *Sevier County General Plan* also encourages cooperation with federal agencies in decisions affecting the management and use of public land. The Project is in conformance with the *Sevier County General Plan*.

The *Washington County General Plan* (1998) emphasizes the importance of public lands for scenery, recreation, environmental values, water preservation and water features, wildlife, and visual integrity. Washington County also encourages federal land exchanges for recreational and public purposes. The Project is in conformance with the *Washington County General Plan*.

This EIS also considers the relevant decisions or practices contained in other applicable federal, state, and local plans listed in, but not limited to, the reference section of the EIS.

1.7 Major Authorizing Laws and Regulations

This EIS is being prepared by the BLM in compliance with federal regulations and guidelines (Table 1-2), principally NEPA, CEQ regulations for implementing the procedural provisions of NEPA, and other applicable regulations.

TABLE 1-2
MAJOR FEDERAL AUTHORIZING LAWS, REGULATIONS, AND GUIDELINES

Law and Regulation	Reference
American Indian Religious Freedom Act of 1978 (AIRFA)	42 U.S.C. 1996
Antiquities Act of 1906	16 U.S.C. 431 et seq.
Archaeological Resources Protection Act of 1979 (ARPA), as amended	16 U.S.C. 470aa et seq.
Bald and Golden Eagle Protection Act of 1972	16 U.S.C. 668
BLM right-of-way regulations	43 CFR 2800
BLM NEPA Handbook H-1790-1 (2008)	BLM Manual Release 1-1710
Clean Air Act of 1963 (CAA)	42 U.S.C. 7401 et seq.
Clean Water Act of 1972 (CWA)	33 U.S.C. 1251 et seq.
Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)	42 U.S.C. 9601-9675
Consultation and Coordination with Indian Tribal Governments	Executive Order (E.O.) 13084
Consultation and Coordination with Indian Tribal Governments	E.O. 13175
CEQ regulations implementing NEPA	40 CFR Parts 1500-1508
USDI implementing procedures and proposed revisions	65 FR Parts 1500-1508
Departmental Responsibilities for Indian Trust Resources	512 DM 2.1
ESA of 1973	16 U.S.C. 1531 et seq.
Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations	E.O. 12898
Federal Compliance with Pollution Control Standards	E.O, 12088
Farmland Protection Policy Act of 1981 (FPPA)	P.L. 97-98, Subtitle I of Title XV, Section 1539-1549
FLPMA	U.S.C. 1701 et seq.
Floodplain management	42 U.S.C. 4321 E.O. 11988
American Indian sacred sites	E.O. 13007
Memorandum for the Heads of Executive Departments and Agencies on Government-to-Government Relations with Native American Tribal Governments of 1994	Signed by President Clinton on April 29, 1994
Migratory Bird Treaty Act of 1918 (MBTA)	16 U.S.C. 703-711; E.O.13186
NEPA	42 U.S.C. 4371 et seq.
National Forest Management Act of 1976	16 U.S.C. 1600-1614
Protection and Enhancement of the Cultural Environment	E.O. 11593
NHPA of 1966 and regulations implementing	16 U.S.C. 470 et seq.
Native American Graves Protection and Repatriation Act of 1990 (NAGPRA)	25 U.S.C. 3001-30013 et seq.
Noise Control Act of 1972, as amended (NCA)	42 U.S.C. 4901 et seq.
Noxious weeds and invasive species	E.O. 13112
Occupational Safety and Health Act (OSHA) of 1970	29 U.S.C. 651 et seq. (1970)
Paleontological Resources Preservation Act of 2009 (PRPA)	16 U.S.C. 470aaa et seq.
Pollution Prevention Act of 1990 (PPA)	42 U.S.C. 13101 et seq.
Protecting Wilderness Characteristics on Lands Managed by BLM	Secretarial Order 3310, December 22, 2010
Protection of wetlands	42 U.S.C. 4321 E.O. No. 11990
Rangeland Health and Standards and Guides for Grazing Administration	43 CFR 4180
Resource Conservation and Recovery Act of 1976 (RCRA)	42 U.S.C. 6901-6992k
Responsibilities and the ESA	Secretarial Order 3206, June 5, 1997
Rivers and Harbors Act of 1899	33 U.S.C. 401, 403, 407
Safe Drinking Water Act of 1974 (SDWA)	42 U.S.C. s/s 300f et seq.

TABLE 1-2 MAJOR FEDERAL AUTHORIZING LAWS, REGULATIONS, AND GUIDELINES	
Law and Regulation	**Reference**
Standards for Rangeland Health and Guidelines for Grazing Management for BLM Lands in Utah	43 CFR 4180
USFS NEPA Procedures	36 CFR 220

1.8 Federal, State, and Local Permits

Table 1-3 is a list of the major federal, state, and local permits and approvals that could be required for construction, operation, and maintenance of the Project.

TABLE 1-3
SUMMARY OF POTENTIAL MAJOR FEDERAL, STATE, AND LOCAL PERMITS OR LICENSES REQUIRED, AND OTHER ENVIRONMENTAL REVIEW REQUIREMENTS FOR TRANSMISSION LINE CONSTRUCTION AND OPERATION

Issue	Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Federal				
Right-of-way across land under federal management	Preconstruction surveys; construction, operation, maintenance, and abandonment	BLM	Right-of-way grant and temporary use permit	FLPMA of 1976 (Public Law [P.L.] 94-579); 43 U.S.C. 1761-1771; 43 CFR 2800
	Preconstruction surveys; construction, operation, maintenance, and abandonment	USFS	Special-use authorization	FLPMA, as amended
	"Conversion of use" for a use other than recreation on lands reserved with Land and Water Conservation Fund Act (LWCF) monies	National Park Service (NPS)	Review of transmission line corridor to identify conflicts with recreational area	LWCF, P.L. 88-578, Section 6(f)(3)
	Construction, operation, maintenance, and abandonment of transmission line across, or within highway rights-of-way	Federal Highway Administration (FHWA)	Permits to cross Federal Aid Highway; 4(f) compliance	Department of Transportation Act (23 CFR 1.23 and 1.27; 23 U.S.C. 109 and 315); 23 CFR 645; 23 CFR 771
Biological resources	Grant right-of-way by federal land-management agency	FWS	ESA compliance by federal land management agency	ESA, as amended (16 U.S.C. 1531 et seq.)
	Protection of migratory birds	FWS	Compliance	MBTA (16 U.S.C. 703-712); 50 CFR 1

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Issue	Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Biological resources	Protection of bald and golden eagles	FWS	Compliance	Bald and Golden Eagle Protection Act of 1972 (16 U.S.C. 668); including the September 11, 2009, implementing regulations at 50 CFR 13 and 22
	Protection of special status species	BLM and USFS	Compliance	BLM Policy Manual 6840; Forest Service Handbook (FSH) 2670
Ground disturbance and water quality degradation	Construction sites with greater than 5 acres of land disturbed	U.S. Environmental Protection Agency (EPA)	Section 402 National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Construction Activities	CWA (33 U.S.C. 1342)
	Construction across a Superfund site	EPA	Agreement or order on consent with EPA	CERCLA (42 U.S.C. 9601-9675)
	Construction across water resources	USACE	General easement	10 U.S.C. 2668 to 2669
	Crossing 100-year floodplain, streams, and rivers	USACE	Floodplain use permits	40 U.S.C. 961
	Construction in, or modification of, floodplains	Federal lead agency	Compliance	42 U.S.C. 4321 E.O. No. 11988 Floodplains
	Construction in, or modification of, wetlands	Federal lead agency	Compliance	42 U.S.C. 4321 E.O. No. 11990 Wetlands
	Potential discharge into waters of the state (including wetlands and washes)	USACE (and states)	Section 401 permit	CWA (33 U.S.C. 1344)
	Discharge of dredge or fill material to a watercourse	USACE	404 Permit (individual or nationwide)	CWA (33 U.S.C. 1344)
	Placement of structures and construction work in navigable waters of the United States	USACE	Section 10 permit	Rivers and Harbors Act of 1899 (33 U.S.C. 403)

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Issue	Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Ground disturbance and water quality degradation	Protection of all rivers included in the National Wild and Scenic Rivers Systems	Affected land-managing agencies	Review by permitting agencies	Wild and Scenic Rivers Act of 1968 (P.L. 90-542) (16 U.S.C. 1271-1287)
	Potential pollutant discharge during construction, operation, and maintenance	EPA	Spill Prevention Control and Countermeasure Plan for substations	Oil Pollution Act of 1990 (40 CFR 112)
Cultural resources	Disturbance of historic properties	Federal lead agency, SHPO, Advisory Council on Historic Preservation (ACHP)	Section 106 consultation	NHPA (16 U.S.C. 470) (36 CFR 800)
	Excavation of archaeological resources	Federal land-management agency	Permits to excavate	ARPA (16 U.S.C. 470aa to 470ee)
	Potential conflicts with freedom to practice traditional American Indian religions	Federal lead agency, federal land-management agency	Consultation with affected American Indians	AIRFA (42 U.S.C. 1996)
	Disturbance of graves, associated funerary objects, sacred objects, and items of cultural patrimony	Federal land-management agency	Consultation with affected Native American groups regarding treatment of remains and objects	NAGPRA (25 U.S.C. 3001-3002)
	Investigation of cultural resources	Affected land-management agency	Permit for study of historical and archaeological resources	American Antiquities Act of 1906 (16 U.S.C. 432-433)
	Investigation of cultural resources	Affected land-management agency	Permits to excavate and remove archaeological resources on federal land; American Indian tribes with interests in resources must be consulted prior to issuance of permits	ARPA (16 U.S.C. 470aa to 470ee) (43 CFR 7)
	Protection of segments, sites, and features related to national trails	Affected land-management agency	National Trails System Act compliance	National Trails System Act of 1968 (P.L. 90-543) (16 U.S.C. 1241 to 1249)

TABLE 1-3
SUMMARY OF POTENTIAL MAJOR FEDERAL, STATE, AND LOCAL PERMITS OR LICENSES REQUIRED, AND OTHER ENVIRONMENTAL REVIEW REQUIREMENTS FOR TRANSMISSION LINE CONSTRUCTION AND OPERATION

Issue	Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Paleontological resources	Ground disturbance on federal land or federal aid project	BLM and USFS	Compliance with BLM and USFS mitigation and planning standards for paleontological resources of public lands	FLPMA (43 U.S.C. 1701-1771); American Antiquities Act of 1906 (16 U.S.C. 431-433)
	Collection of paleontological resources from federal land	BLM and USFS	Permit to collect paleontological resources from federal land	Omnibus Public Lands Management Act – Paleontological Resources Preservation (OPLMA–PRP). P.L. 111-11, Title VI, Subtitle D, Sections 6301-6312, 123 Stat. 1172, 16 U.S.C. 470aaa.
Air traffic	Location of towers in regards to airport facilities and airspace	Federal Aviation Administration (FAA)	A "No-hazard Declaration" required if structure is more than 200 feet in height	FAA Act of 1958 (P.L. 85-726) (14 CFR 77)
			Section 1101 Air Space Permit for air space construction clearance	FAA Act of 1958 (P.L. 85-726) (14 CFR 77)
Rate regulation	Sales for resale and transmission services	Federal Energy Regulatory Commission (FERC)	Federal Power Act compliance by power seller	Federal Power Act of 1935 (16 U.S.C. 792)
State of Utah				
Permitting process	Proposed transmission line facility	Resource Development Coordinating Committee	Expedites review of permitting process for all state agencies	Utah Administrative Code (UAC) Sections 63J-4-501 and 63J-4-504
Right-of-way encroachment	Encroachment on, through, or over state lands	Division of Forestry, Fire, and State Lands and SITLA	Application approval	UAC Title 65A
Project need	Project construction	Public Service Commission (PSC)	Certificate of Public Convenience and Necessity	UAC Sections 54-4-25 and R 746-401
Ground surface disturbance	Project construction	PSC	Certificate of Public Convenience and Necessity; approve construction contracts	UAC Sections 54-4-25 and R 746-401

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Issue	Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Ground surface disturbance	Crossing state lands	Division of Forestry, Fire, and State Lands and SITLA	Easement onto state lands; bond may be required	UAC Sections 65A-7-8 and 652-40
Cultural, paleontological, and biological resources	Crossing state lands	Division of Forestry, Fire, and State Lands and SITLA	Provide a cultural and/or paleontological and/or biological survey and submit procedures for reasonable mitigation actions	UAC Section R 652-40-500
Paleontological resources	Excavation and collection of paleontological resources from state lands	Utah Geological Survey (UGS), Utah Museum of Natural History, SITLA	Permit to excavate and collect paleontological resources from state land	U.S.C. 63-73-11 through 63-73-19
Historical and cultural review	Impact on historical sites	Division of State History	Notification of planning stage and before construction	UAC Section 9-8-306
Archaeological resources	Survey or excavation of archaeological resources on lands owned or controlled by the state	PLPCO	Permit to survey or excavate	UAC Sections 9-8-305 and R 694-1
Encroachment on state park lands	Utility easement on state park lands	Division of Parks and Recreation	Agreement for granting and maintenance of easements or rights-of-way across park lands	UAC Section 63-11-10.3
Air quality	Construction and operation	Air Quality Board	Notice of Construction	UAC Section 19-2-108
Water resources	Construction and operation	Water Quality Board	Discharge permit, spills	UAC Section 19-5-101 et. seq.
Wildlife	Modification of habitat	UDWR	Easement for use of state wildlife resource lands	UAC Title 23
Local				
Land use	Construction and operation of transmission lines	Beaver City	Conditional Use Permit	City Rules and Regulations
	Construction and operation of transmission lines	Beaver County	Conditional Use Permit	County Rules and Regulations

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Issue	Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Land Use	Construction and operation of transmission lines	Elsinore	Conditional Use Permit	City Rules and Regulations
	Construction and operation of transmission lines	Enterprise	Conditional Use Permit	City Rules and Regulations
	Construction and operation of transmission lines	Iron County	Conditional Use Permit	County Rules and Regulations
	Construction and operation of transmission lines	Joseph	Conditional Use Permit	City Rules and Regulations
	Construction and operation of transmission lines	Milford	Conditional Use Permit	City Rules and Regulations
	Construction and operation of transmission lines	Millard County	Condition Use Permit, General Plan Amendment	County Rules and Regulations
	Construction and operation of transmission lines	Minersville	Conditional Use Permit	City Rules and Regulations
	Construction and operation of transmission lines	Richfield City	Conditional Use Permit	City Rules and Regulations
	Construction and operation of transmission lines	Sevier County	Conditional Use Permit	County Rules and Regulations
	Construction and operation of transmission lines	Washington County	Conditional Use Permit	County Rules and Regulations